

07/11/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 78-2076

NAME AND ADDRESS: SABRA FEHLEN
PO BOX 1194
RIGGINS ID 83549

DARWIN FEHLEN
PO BOX 1194
RIGGINS ID 83549

SOURCE: PAPOOSE CREEK
SPRING

TRIBUTARY: SQUAW CREEK
TRIBUTARY: PAPOOSE CREEK

QUANTITY: 0.040 CFS

PRIORITY DATE: 08/11/1965

POINT OF DIVERSION:

T24N R01E S17 NESW Within IDAHO County
T24N R01E S17 SWSW Within IDAHO County
T24N R01E S17 SWSW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
1/01 12/31

QUANTITY
0.040 CFS

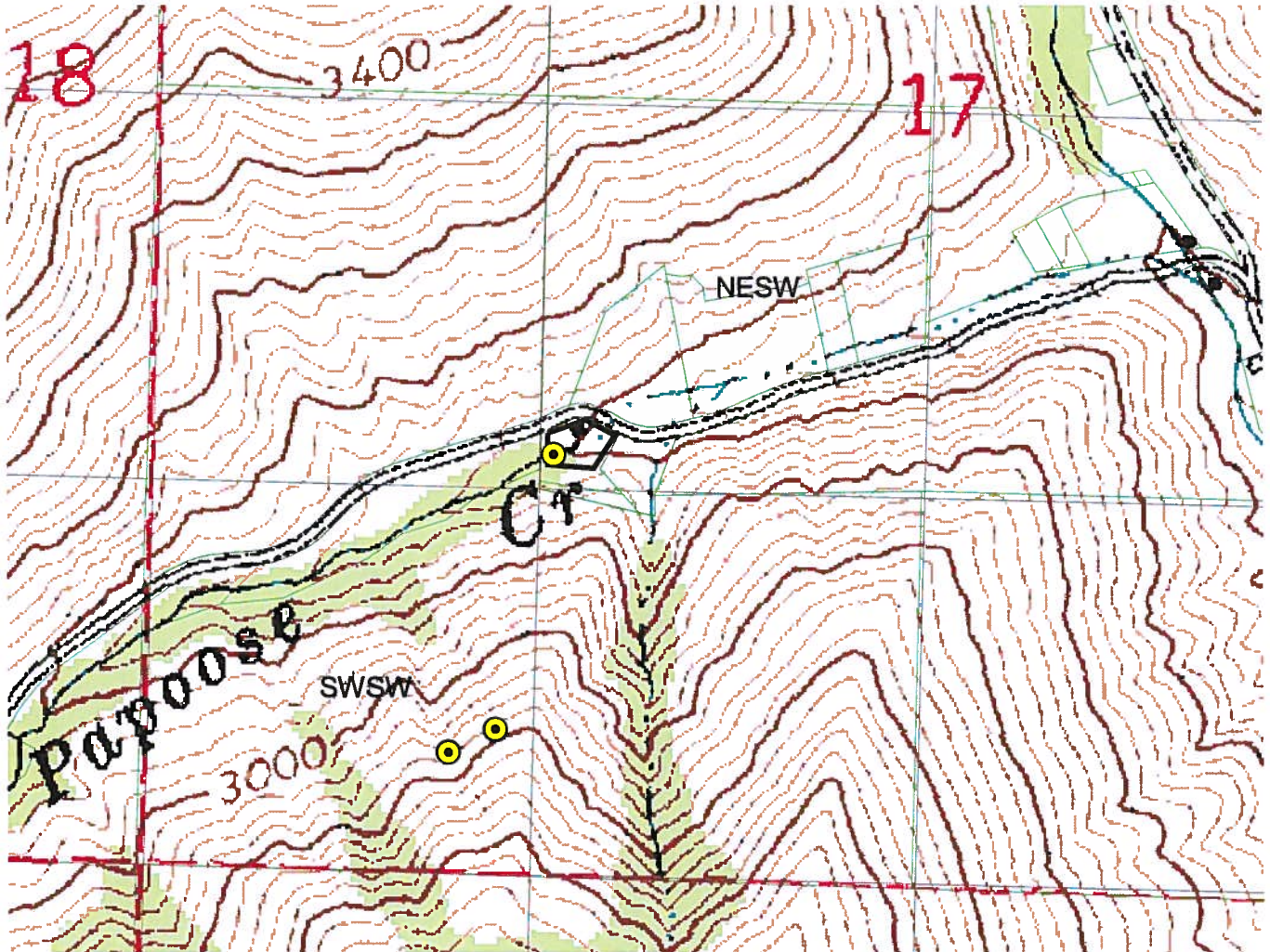
PLACE OF USE: DOMESTIC Within IDAHO County
T24N R01E S17 NESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

78-2076



0 100 200 Feet

Sections 17
T24N R1E



● Point of Diversion

□ Place of Use

Map prepared on July 11, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A78-02076
Date Received: 5/24/1988
Receipt No: W000240
Received By: LU

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: DARWIN FEHLEN 208-628-3917
Address: P.O. BOX 1194
RIGGINS, ID 83459

AND/OR

Name: SABRA FEHLEN 208-628-3917
Address: P.O. BOX 1194
RIGGINS, ID 83459

2. Date of Priority: AUG 11, 1965

3. Source: SPRING Trib. to: PAPOOSE CREEK
PAPOOSE CREEK SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	01E	17	SW	SW			IDAHO

5. Description of diverting works:
PIPE FROM SPRING INTO A CISTERN

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOME W/GARDEN

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	01E	17	NE SW		DOMEST	

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
78-07269

14. Remarks:

SOURCES ARE PAPOOSE CK. TRIB SQUAW CK. & SPRING.
TWO P.D. IN SW SW S.17 T24N.-R1E.

AMENDMENT TO CLAIM-DELETED 1 ACRE OF IRRIGATION AND CHANGED CLAIM
TO REFLECT DOMESTIC USAGE INCLUDING 1 HOME, WITH LAWN & GARDEN.
AMOUNT OF WATER STILL THE SAME.

15. Basis of Claim: LICENSE
Water Right Number: 32476

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): X Sabra Lehler Date: X 1-2-90

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 2 day
of Jan 19 90 Linda A. Werner
Notary Public

Seal

Linda A. Werner
Residing at _____
Residing at Boise, Idaho
My Commission Expires December 8, 1994

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

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NOTICE OF CLAIM TO A WATER RIGHT
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1. Name: DARWIN FEHLEN 208-628-3917
Address: P.O. BOX 1194
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AND/OR

Name: SABRA FEHLEN 208-628-3917
Address: P.O. BOX 1194
RIGGINS, ID 83459

2. Date of Priority: AUG 11, 1965

3. Source: SPRING Trib. to: PAPOOSE CREEK
PAPOOSE CREEK SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	01E	17	SW	SW	SW		IDAHO

5. Description of diverting works:
PIPE FROM SPRING INTO A CISTERN

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.020		
DOMESTIC	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 2.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOME

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
24N	01E	17	NE		SW		IRR	1.0
			NE		SW		DOMEST	

Section Acres 1.0

Total Acres	1.0
-------------	-----

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
78-07269

14. Remarks:
SOURCES ARE PAPOOSE CK. TRIB SQUAW CK. & SPRING.
TWO P.D. IN SW SW S.17 T24N.-R1E.

15. Basis of Claim: LICENSE
Water Right Number: 32476

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Sabra Fiedler Date: 5-24-88

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 24th day

of May 19 88

Nancy M. Lindgren
Notary Public

Seal

Residing at Boise

My Commission Expires 1-19-1994

T20N-R1E (78-2076)



W000240

Refunded \$26.00

5/24/1988

SABRA FEHLEN

ADJUDICATION FEE 410162 9337 6490 102.00

\$102.00

CHECK 1987

5.00 5.00 Water Right Numbers
A78-07269 A78-02076 - - -

Region: WESTERN Signature: _____

WHITE - State Auditor
YELLOW - Remittance Advice
PINK - State Auditor then Agency
GOLDENROD - Agency Copy

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

2747
Date
09/12/90
Code
193002

VENDOR:

If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.

Pre-Audit

Date

Warrant No.

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAY

TO

SABRA FEHLEN
PO BOX 1194
RIGGINS, ID 83459

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 110 162	9337	8831		REFUNDS PER D. SHAFF WR #A78-02076 4/13/90 26.00	26.00	
TOTAL						26.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 12, 1990

Sabra Fehlen
P.O. Box 1194
Riggins, ID 83459

RE: Snake River Basin Adjudication (SRBA)
Idaho County - #A78-02076
Receipt #W000240, \$26.00

Dear Mrs. Fehlen:

When you amended your above claim, an overpayment of \$26.00 resulted. The refund process has been initiated with the State Auditor's Office for this amount. You should receive your check in the near future.

Sincerely,

John D. Carlson
Adjudication Supervisor

JDC:sf:ref:west

Look at
new ~~request~~ request for
refund change.

TO: Debbie Allen

FROM: D. Shaff *JS* 9-10-90

DATE: 4-13-90 *df*

RE: Receipt W000240 Refund \$26.⁰⁰

Please process a refund of \$26.⁰⁰ to:

Sabra Fehlen
PO Box 1194
Riggins, ID 83459

A78-02076

(amended = overpmt.)

Logged.

Not refunded 8-28-90 *je*

Claim changed on computer to reflect Don. only from inv of one pers.

OK to refund *je* 9/7/90

fiscal 9-11-90

W000240

05/24/88
11:50:21

SABRA FEHLEN

ADJUDICATION FEE

0410162 9337 6490

\$102.00

\$102.00

CHECK 1987

WR/NO: A78-07269 A78-02076

Idaho Department of Water Resources

Region: WESTERN

Signature: _____

From: DWR03::FRAZEE 30-AUG-1990 15:59:13.57
To: DWR80::WERNER
CC: FRAZEE
Subj: SABRA FEHLEN REFUND

RE: A78-07269 & A78-02076

HI LINDA. BEFORE DON WILL APPROVE THE WHOLE AMOUNT OF REFUND FOR SABRA FEHLEN, \$102.00, HE SAID WE NEED THE WITHDRAWAL REQUEST FROM HER.

YOU WROTE SABRA (WHAT A NEAT NAME!) ON MAY 11, 1989, REQUESTING THIS, AND I WOULD LIKE TO KNOW WHETHER YOU EVER RECEIVED IT OR NOT? I JUST ASKED DAVE SHAW, AND HE DOESN'T BELIEVE HE EVER GOT IT.

DON APPROVED REFUNDING \$26.00 FROM A78-02076, BUT NOT THE \$51.00 FROM A78-07269, AND HE ALSO SAID 7269 NOT IN DATA BASE.

I'D RATHER REFUND THE WHOLE \$102.00 TO HER IF WE CAN. PLEASE HELP, IF YOU CAN. THANK YOU...SAL

From: DWR80::WERNER 30-AUG-1990 16:12:30.43
To: DWR03::FRAZEE
CC:
Subj: SABRA REFUND

I WROTE TO HER REQUESTING A WITHDRAWAL FORM OF WHICH SHE NEVER RETURNED TO ME. I WILL DOUBLECHECK OUR FILES TO SEE IF SHE MIGHT HAVE SENT IT TO SOMEONE ELSE'S ATTENTION, BUT THE WAY I FEEL ABOUT IT IS, IF SHE NEVER RETURNED HER WITHDRAWAL TO ME THEN SHE DOESN'T WANT HER REFUND VERY BAD. DO ALL AGENTS BECOME "HARD" LIKE THIS AFTER AWHILE? I WONDER. I THINK IT'S A NECESSITY.

W000240

05/24/88
11:50:21

SABRA FEHLEN

PO Box 1194
Riggins ID 83459
ADJUDICATION FEE

0410162 9337 6490

\$102.00

\$102.00

CHECK 1987

WR/NO: A78-07269 A78-02076

Idaho Department of Water Resources

Region: WESTERN

Signature: _____

Jan

RECEIVED
APR 21 1989

April 20, 1989

Department of Water Resources

To: Dave Shaw
From: Jan Shurte
Subject: Request for Refund - Dom.\Stock. Deferral

RECEIVED
APR 21 1989

Sabra Fehlen came to the office requesting a refund of their fees for Notice of Claim No.'s A78-02076, and A78-07269 (copies attached). These two claims are both for uses that do not meet the requirements for deferral. I told her this and she said that they really only irrigate under 1 1/2 acre total. I wasn't sure if we could refund the whole amount or if we can even refund any. So, I told her I would send a memo to the State Office as a request from her for a refund. She does want the entire fee she said, \$102.00. Let me know what you decide. Thanks.

Jan

Jan - we need a written request from the claimant seeking to withdraw their claims. Should have same signatures as original claims. This is a gray area because we would not normally ~~not~~ refund fees for claims being withdrawn. In this case since they are ^{now} claiming only a domestic I guess we can make the refund if we get a proper request,

Dave



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 11, 1989

Sabra Fehlen
P.O. Box 1194
Riggins, ID. 83459

Dear Mrs. Fehlen,

Per your request I sent a memo to Dave Shaw concerning your refund request for Claim No.'s A78-02076 and A78-07269.

However, my memo was returned stating that we need a written request to withdraw the claims for a refund because the actual use is a single domestic use with up to 1\2 acre of irrigation for each claim. Please include this statement in your request, have both of your signatures affixed and mail it to Dave Shaw, Department of Water Resources, 1305 N. Orchard, Boise, ID. 83703.

If you have any questions concerning this letter please feel free to contact me.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

FROM Linda Warner

TO Don Shaff

SUBJECT Refund

RECEIVED
JAN 3 1990

Department of Water Resources

INTER-DEPARTMENT MEMO — 1

DATE 1-2-90

Please issue a refund to Sabra Lehlen in the amount of \$77.00. For:

1. A78-7269 for which beneficial use submitted in June, 1988. ^{\$51.00 w/d} therefore claim unnecessary.
2. A78-2076 - claimant amended to reflect change from 1 acre * domestic to domestic use only. ^{\$26.00 OK}

Previous correspondence between Dave & Jan attached; however, refund never issued. (see attached). Linda SIGNATURE
A copy of attached have also been sent to Debbie Allen in order to avoid a double refund.

? 7269 w/d
not in DB.
3-15-90
Hold; form
not submitted yet.

SD-169

IDAHO DEPARTMENT OF WATER RESOURCES
RECEIPT MAINTENANCE II - MAINT. SCREEN 1

DATE: 09/07/90
TIME: 15:49:17

RECEIPT NUMBER : W000240

RECEIPT AMT : 102.00

RECEIPT TYPE : CK
DATE & TIME : 05/24/88 11:50:21
FROM PAYER : SABRA FEHLEN
USER ID : STUBBLEF
ADJUST FLAG : A
TRANS NUMBER : 88-453
AR NUMBER :
RECEIPT REMARKS :
UPDATE REMARKS :
AMOUNT REFUNDED :
REFUND REASON :
REFUND NAME :

CHECK NUMBER: 1987
JULIAN DATE : -

REC. GROUP : W
TRANS YR-MO : 1988-06

REFUND DATE : _/_/_

REFUND CK NO: _

RECEIPTED FEES : _

WATER RIGHT NUMBERS: _

(ENTER=CONTINUE) (GOLD2=UPDATE)

SD-171

IDAHO DEPARTMENT OF WATER RESOURCES
RECEIPT MAINTENANCE II - MAINT. SCREEN 3

DATE: 09/07/90
TIME: 15:49:33

RECEIPT NUMBER : W000240

PAGE 1 OF 3

RECEIPT AMT :

102.00

A7807269__	51.00	A7802076__	51.00		

(ENTER=CONTINUE) (GOLD2=UPDATE) (GOLD4=PREV PG) (GOLD5=NEXT PG)



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 11, 1989

RECEIVED
JUL 18 1989

Department of Water Resources
Western Regional Office

Sabra Fehlen
P.O. Box 1194
Riggins, ID. 83459

Dear Mrs. Fehlen,

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However, my memo was returned stating that we need a written request to withdraw the claims for a refund because the actual use is a single domestic use with up to 1\2 acre of irrigation for each claim. Please include this statement in your request, have both of your signatures affixed and mail it to Dave Shaw, Department of Water Resources, 1305 N. Orchard, Boise, ID. 83703.

If you have any questions concerning this letter please feel free to contact me.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

*I would like to make a request to
have my money returned to
me since this was disallowed
by the court*

Jan

RECEIVED
APR 21 1989

April 20, 1989

Department of Water Resources

To: Dave Shaw
From: Jan Shurte
Subject: Request for Refund - Dom.\Stock. Deferral

RECEIVED
APR 21 1989

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