

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-9-1997

PAGE: A-735

RIGHT NUMBER: 45-11082

NAME & ADDRESS: WILLIAM KENT FLETCHER  
TERISTA KIM FLETCHER  
1418 BURTON AVE  
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 03/15/1977

POINT OF DIVERSION: T10S R23E S20 SWSW Within CASSIA County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE | QUANTITY |
|-------------------------------|-----------------|---------------|----------|
|                               | DOMESTIC 1 HOME | 01-01 12-31   | 0.04 CFS |

PLACE OF USE: DOMESTIC Within CASSIA County  
T10S R23E S20 SWSW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE  
PARCEL NO. BB001148014A

Claim proofread by: Can

Date: 9-22

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: A45-11082  
Date Received: 6/22/1989  
Receipt No: S007544  
Received By: hw

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM KENT FLETCHER 208-678-5274  
Address: 1418 BURTON AVE  
BURLEY, ID 83318

AND/OR

Name: TERISTA KIM FLETCHER 208-678-5274  
Address: 1418 BURTON AVE  
BURLEY, ID 83318

2. Date of Priority: MAR 15, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 10S      | 23E   | 20      | SW     | SW     |     |     | CASSIA |

5. Description of diverting works:  
100' WELL, 1HP PUMP

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 HOUSE, LAWN, GARDEN

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 10S      | 23E   | 20      | SW SW      |     | DOMEST |       |

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:  
CITY WATER FOR CULINARY USE

14. Remarks:  
LTS 14 & 15, BLK 148, BURTONS 1ST ADDITION TO THE CITY OF BURLEY.

15. Basis of Claim: BENEFICIAL USE

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): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

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

CIVIL CASE NUMBER: 39576

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

Identification No. A45-11082  
Date Received 6-5-89  
Receipt Number 30075-44

RECEIVED

NOTICE OF CLAIM  
TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Department of Water Resources  
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) William Kent Fletcher or Terista Kim Fletcher Phone (208) 678-5274  
Mailing Address 1418 Burton Avenue Burley, Idaho Zip 83318

2. Date of Priority (Only one per claim) 3/15/77 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other ( ) (a) \_\_\_\_\_  
Name or kind of source  
which is tributary to (b) \_\_\_\_\_

4. Location of point of diversion is: Township 10 S Range 23 E  
Section 20, SW 1/4 of SW 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM.,  
County of Cassia

Additional points of diversion if any: \_\_\_\_\_

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 1 horsepower pump pumping from well 100 feet deep

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1-1 Month/Day to 12-21 Month/Day amount 0.04 (cfs)  
(Both dates are inclusive)  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_

7. Total quantity claimed 0.04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Serving 1 household and irrigation lawn and garden

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MAR 09 1993

10. Place of use is: Township: 10 S Range 23 E

Section 20 SW 1/4 of SW 1/4, Govt. Lot       , B.M.,

County of Cassia for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any Lots 14 & 15 in Block 148 of Burtons  
First Addition to the City of Burley

11. In which county (ies) are lands listed above as place of use located? Cassia County

12. Do you own the property listed above as place of use? Yes XX No         
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.  
City of Burley water ~~is provided~~ culinary purposes

14. Remarks:       

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court        Decree Date        Plaintiff vs Defendant       

If applicable provide IDWR Water Right Number       

16. Signature (s)

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

Number of Attachments 1 - Legal Description

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) William F. Feltner Date 6-2-89

       Date       

For Organizations: I do solemnly swear or affirm that I am       

of        Title       , that I have signed the foregoing

document in the space below as        Organization        of       

       Title        Organization       

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent        Date       

Title and Organization       

State of Idaho/or        )

County of        ) SS.

Subscribed and sworn (or affirmed) before me this 2nd day of June 1989

SEAL

Notary Public Anna Kelley

Residing at Paul Idaho

My Commission Expires 5-20-94

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Last Name        Ident No.       

Copies: White-State, Yellow-Claimant        MAR 09 1993

#17447

THIS BLANK FURNISHED BY *Land Title and Escrow Inc.*

173707

## WARRANTY DEED

For Value Received

EDWARD G. ELLIOTT and MARY ELLIOTT, also known as  
MARY L. ELLIOTT, husband and wifeHereinafter called the Grantor, hereby grants, bargains, sells and conveys unto  
WILLIAM KENT FLETCHER and TERISTA KIM FLETCHER, husband and wife  
Address: 1418 Burton Ave., Burley, Idaho 83318Hereinafter called the Grantee, the following described premises situated in CASSIA County, Idaho,  
to-wit:

See attached Exhibit "A" for legal description

SUBJECT TO:

Taxes for 1985 and subsequent years.

Any assessments levied, or to be levied, by the City of  
Burley.TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and  
to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said  
Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incum-  
brances except as above described and that Grantor will warrant and defend the same from all lawful  
claims whatsoever.

Dated: October 29, 1985

  
EDWARD G. ELLIOTT  
MARY ELLIOTT, a/k/a  
MARY L. ELLIOTT

STATE OF IDAHO, COUNTY OF CASSIA

On this 29<sup>th</sup> day of October, 1985  
before me, a notary public in and for said State, per-  
sonally appearedEDWARD G. ELLIOTT and  
MARY ELLIOTT, a/k/a  
MARY L. ELLIOTTknown to me to be the persons whose names are  
subscribed to the within instrument, and acknowledged  
to me that they executed the same.

Residing at

Notary Public  
Burley, Idaho.

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Instrument No.

EXHIBIT "A"

PARCEL NO. 1:

Lots 14 and 15 in Block 148 of the Burton's First Addition, to the City of Burley, Cassia County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County.

PARCEL NO. 2:

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,  
CASSIA COUNTY, IDAHO

Section 20: That part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  described as follows:

Beginning at the Northeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , said point also being the Northeast corner of Burton's First Addition; Thence West along the North boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  272 feet to the Northwest corner of Burton's First Addition; Said Point lies East 1050 feet from the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Thence South along the West boundary of Burton's First Addition 520 feet to the True Point of Beginning; Thence continuing South along the West boundary of Burton's First Addition 100 feet;  
Thence West 100 feet;  
Thence North 100 feet;  
Thence East 100 feet to the True Point of Beginning.

TOGETHER WITH an Easement for conducting irrigation water to Parcel No. 2 as reserved by Grantors in that certain Warranty Deed dated August 17, 1973 and recorded September 5, 1973 as Instrument No. 72259, in Book 84, records of Cassia County, Idaho.

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MAR 09 1993

RECORDED AT THE REQUEST OF  
LAND TITLE & ESCROW  
FIRM 196  
OCT 29 4 33 PM '85  
CASSIA COUNTY, IDAHO  
FRANK B. KEARNS  
RECORDER  
FEE 4.00 OF PRIVITY 44  
A: H JF

173707



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

Sept. 8, 1989

Re: A45-11082

WILLIAM KENT FLETCHER  
1418 BURTON AVE  
BURLEY ID 83318

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens  
Adjudication Secretary

/jg

Enclosures:

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MAR 09 1993

WATER RIGHT NUMBER - A45-11082

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - - LAST NAME - - - - - +

+ - FIRST NAME - - +

+ - - - - - - - - ADDRESS - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
FLETCHER

WILLIAM KENT

1 - 1418 BURTON AVE

2 -

3 -

CITY- BURLEY

STATE- ID ZIP- 83318

PHONE - 208-678-5274

FLETCHER

TERISTA KIM

1 - 1418 BURTON AVE

2 -

3 -

CITY- BURLEY

STATE- ID ZIP- 83318

PHONE - 208-678-5274

+ - - PRIORITY DATE - - +  
03/15/1977+ - - - REGION - - - +  
17 SOUTHERN+ - - - STAGE - - - +  
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - - SOURCE - - - - - +  
GROUNDWATER

+ - - - - - - - - TRIBUTARY - - - - - +

+ - - - - - - - - POINT OF DIVERSION - - - - - +  
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

10S 23E 20 SW SW (31) CASSIA

+ - - - - - - - - WATER USE - - - - - +  
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC

01/01

12/31

0.040

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +  
0.040 0.0+ - - - - - - - - PLACE OF USE - - - - - +  
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

10S

23E

20

SW SW

43

DOMESTIC

(31 ) CASSIA

+ - - DIVERSION MEANS - 100' WELL, 1HP PUMP

+ - - NON-IRRIGATION USE - D/1 HOUSE, LAWN, GARDEN

+ - - OTHER RIGHTS FOR SAME USE - CITY WATER FOR CULINARY USE

+ - - - - - - - - REMARKS - - - - - +  
LTS 14 & 15, BLK 148, BURTONS 1ST ADDITION TO THE CITY OF BURLEY.+ - - - - - - - - OLD WATER RIGHT NUMBERS - - - - - +  
NO OLD WATER RIGHT NUMBERS FOUND.+ - - - - - - - - CONDITIONS OF APPROVAL - - - - - +  
NO CONDITIONS OF APPROVAL FOUND.

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OCT 26 1994

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - DECREE DATE - +  
00/00/0000

```

+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+
                                     -COMMENTS-
                                     NO COMMENTS FOUND

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+ - - - - - + - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +
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|                       |   |            |                       |   |            |                         |   |       |
|-----------------------|---|------------|-----------------------|---|------------|-------------------------|---|-------|
| COURT REPORT FILING   | - | 00/00/0000 | FIELD INSPECTION MADE | - | 00/00/0000 | CIVIL CASE NUMBER       | - | 39576 |
| OBJECTION FILED DATE  | - | 00/00/0000 | FIELD INSPECTION FLAG | - |            | OLD CASE NUMBER         | - |       |
| RESPONSE FILED DATE   | - | 00/00/0000 | VERIFIED DATE         | - | 00/00/0000 | OLD JUDICIAL DISTRICT   | - |       |
| CLAIM RECEIVED DATE   | - | 06/06/1989 | LAST AMENDED DATE     | - | 00/00/0000 | TEMPORARY RIGHT         | - | P     |
| PROOF DUE DATE        | - | 00/00/0000 | PROOF MADE DATE       | - | 00/00/0000 | WATER DISTRICT          | - |       |
| LICENSED DATE         | - | 00/00/0000 | RECEIPT NUMBER        | - | S007544    | FEDERAL/STATE INDICATOR | - | S     |
| CLAIMS TAPE ERROR FLG | - |            | POU OWNERSHIP FLAG    | - | Y          | PRESUMPTION FLAG        | - |       |
| FEE EXEMPT FLAG       | - |            | NAME CONNECTOR        | - | AND/OR     | NOTICE OF ERROR FLAG    | - |       |

BBU0148014A

**CHECKED**

VERIFIED  
NOV 04 1991

PROOF  
SEP 10 1991

CERTIFIED  
DEC 23 1991  
WATER EXAMINER