



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

Disallowed

PHILIP E. BATT
GOVERNOR

October 7, 1997

KARL J. DREHER
DIRECTOR

BART BOWERS
296 S 200 W
BURLEY ID 83318

01-09-98 response
deny - domestic use.

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #A45-11768

Dear Claimant:

We have been advised you may be the new owner of the property with the water right referenced above.

Before we can modify our records to reflect your new ownership of the property and water right referenced above, we need Form 42-248/42-1409(6) completed and returned. We have enclosed this form for your use. Please return the completed form with warranty deed copy and map to my attention.

Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

S. Sherman

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Form 42-248/42-1409(6)

A45-11768

AJ5856NP

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

DATE: AUG-20-1997
PAGE: A-225

Net 5008395

RIGHT NUMBER: 45-11768

NAME & ADDRESS: FAUN A SCHUTTE BAILEY
PO BOX 133
DECLO ID 83323

*Bart Bowers
296 S. 200 W.
Burley ID 83318*

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

PRIORITY DATE: 02/01/1940

POINT OF DIVERSION: *PP* T11S R23E S19 0775 NWNE ✓

Within CASSIA County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

STOCKWATER

DOMESTIC D/I HOUSE S/4 HORSES, 4

PERIOD OF USE

01-01 12-31

01-01 12-31

QUANTITY

0.02 CFS

0.04 CFS

Assessor doesn't show a home.

PLACE OF USE:

STOCKWATER

T11S R23E S19 ✓

Within CASSIA County

NWNE ✓

DOMESTIC

T11S R23E S19 ✓

Within CASSIA County

NWNE ✓

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Verified by *DS* Date: *9-11-97*

Verification Source: *C.R.*

only W/R

*12-04-97
a response to my 10-7-97 ltr.
a home according to Assessor.*

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

01/09/98 10:34:12
Page 1

Water Right Number - R45-11768

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BAILEY

FAUN A SCHUTTE

1 - PO BOX 133
2 -
3 -
City- DECLO
Phone - 208-654-2626

State- ID Zip- 83323

RECEIVED

JAN 12 1998

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
02/01/1940 17 SOUTHERN 1 - DISALLOWED

Department of Water Resources
Southern Region

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

11S 23E 19 NW NW NE (31) CASSIA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.040
04 - STOCKWATER 01/01 12/31 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.060 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

11S 23E 19 NW NE 04 STOCKWATER (31) CASSIA
11S 23E 19 NW NE 43 DOMESTIC (31) CASSIA

Total Acres:

+ - - Diversion Means - 6"X 290' WELL, 1 HP SUBM. PUMP

+ - - Non-Irrigation Use - 1 HOME

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +

EXP STOCKWATER, 4 HORSES, 4 FEEDERS
RPT11SR23E190775A

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

"DO NOT FILM"

Water right number - R45-11768

Prefix Translation: RESEARCH

+ - - - - Conditions of Approval - - - - - +
N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
Date: 01/09/1998 User Id: SSHERMAN Subject: DENIED
NO DOMESTIC USE PER ASSESSOR; NO RESPONSE TO OWNERSHIP CHANGE LETTER.

+ - - Audit Fields - - +
01/09/98 SSHERMAN

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

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	- 01/09/1998	Old Judicial District	-
Claim Received Date	- 06/28/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S008395	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

"DO NOT FILM"

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: A45-11768
Date Received: 6/28/1989
Receipt No: S008395
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FAUN A. SCHUTTE BAILEY 208-654-2626
Address: P.O. BOX 133
DECLO, ID 83323

2. Date of Priority: FEB 01, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	23E	19	NW	NW	NE		CASSIA

5. Description of diverting works:
6"X 290' WELL, 1 HP SUBM. 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		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE S/4 HORSES, 4 FEEDERS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	23E	19	NW	NE		DOMEST	
			NW	NE		STOCK	

A45-11768

Page 1

Date: 06/28/89

MICROFILMED
MAR 09 1993

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:
NONE

14. Remarks:

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

CIVIL CASE NUMBER: 39576

Identification No. A45-11768

Date Received

Receipt Number 5008395 scNOTICE 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

Please type or print clearly

1. Name of Claimant (s) Fawn H. Schutte Bailey Phone (208) 654-2626Mailing Address P.O. Box 133, Declo, Idaho Zip 833232. Date of Priority (Only one per claim) 2, 1-1940 Month/Day/Year3. 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 11 Range 23Section 19, Parcel No. RP 11533 E 190750 B NW 1/4 of NW 1/4 of NE 1/4, Govt. Lot 1, 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. Well 290' Deep, 6" casing, 1 HP Submersible Pump and 3/4" pipe to house

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

For Domestic purposes from 1-1 to 12-31 amount 0.04 (cfs)For Stockwater purposes from 1-1 to 12-31 amount 0.02 (cfs)7. Total quantity claimed 0.06 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership, Stockwater: type and Number of livestock) 1 Household, 4 horses & 4 feeder cattleMICROFILMED
MAR 09 1993

10. Place of use is: Township: 11 Range 23
Section 19 Parcel No. RP11523 E 190750 A
NW 1/4 of NW 1/4 NE 1/4, Govt. Lot 1, B.M.,
County of Cassia for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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

12. Do you own the property listed above as place of use? Yes X 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. None X

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) _____

Number of Attachments none

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

Signature of Claimant (s) X Hawn A. Bailey Date 6-2-89
_____ Date _____

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

of _____, that I have signed the foregoing

document in the space below as _____ of _____
Organization Title Organization

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

Signature of Authorized Agent [Signature] 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 Ardith Land

Residing at Burley, Ida.

My Commission Expires Oct 20, 1991

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant



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

6/20/89

Fawn A. Bailey
P.O. Box 133
Declo, Idaho 83323

RE: SRBA Claim

Dear Claimant:

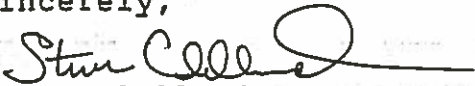
Please find enclosed your claim and your check # 285 for \$ 25.00 which you submitted to our office. I am returning these pursuant to rule 10,4 of the Department's Adjudication Rules and Regulations. In checking your claim it appears that the following items need clarification:

- () Item #2 Priority date (day/month/year)
- (X) Item #4 Point of Diversion Legal Description
- () Item #6 Uses descriptions
- () Item #9 Description of Non-irrigation uses
- (X) Item #10 Place of Use Legal Description
- () Item #16 Signature & Notarization
- () Improper fee (THE CORRECT FEE IS \$ _____)
- () Other or Remarks

NEEDS 1/4-1/4
Descriptions

If you will make the necessary corrections and return your claim with the correct fee and a copy of this letter within 30 DAYS of the date of this letter, your filing will be considered timely and will not be assessed an additional late fee of \$ 50.00.

Sincerely,


Steve Clelland
Water Right's Agent

enc:

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MAR 09 1993



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: A45-11765

A45-11768

•JAMES D BAILEY
•P O BOX 133
•DECLO ID 83323

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 cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
MAR 09 1993