

AJ5856NP

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

DATE: SEP-9-1997

PAGE: A-1348

RIGHT NUMBER: 45-11873

NAME & ADDRESS: VIRGIL E FESSENDEN
RT 1 BOX 339-A
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 04/15/1916

POINT OF DIVERSION: T09S R25E S03 SESESE Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T09S R25E S03 SESE

DOMESTIC Within CASSIA County
T09S R25E S03 SESE

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. 09S25E037600
STOCKWATER, 10 CATTLE, 1 HORSE, 100 HOGS.

Claim proofread by: CM

Date: 9-29

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: A45-11873
Date Received: 6/05/1989
Receipt No: S008614
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VIRGIL E. FESSENDEN 208-436-0244
Address: RT. 1, BOX 339-A
RUPERT, ID 83350

2. Date of Priority: APR 15, 1916

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	25E	3	SE	SE	SE		CASSIA

5. Description of diverting works:
75' WELL, 3/4 HP 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/10 CATTLE, 1 HORSE, 100 HOGS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	25E	3	SE	SE		DOMEST	
			SE	SE		STOCK	

A45-11873

Page 1

Date: 07/19/89

MICROFILMED

MAR 10 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:
IRRIG. WATER FROM THE MINIDOKA IRRIG. DIST.

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. A45-11873Date Received 6-5-89Receipt Number 5008614NOTICE 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

Department of Water Resources
Southern Region Office

Filing Fee \$25

RECEIVED

JUN 5 1989

Please type or print clearly

1. Name of Claimant (s) VIRGIL E FESSENDEN Phone 308 436-0244Mailing Address RT 1 BOX 339A Zip 833502. Date of Priority (Only one per claim) 4/15/1916 Redrilled new one April 10, 1978 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) Groundwater Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 9 Range 25Section 3, SE 1/4 of SE 1/4 of SE 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. 75' deep 3/4 HP MOTOR Drilled new well April 10, 1978

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 12/31 Month/Day amount 204 (cfs)For Livestock purposes from 1/1 (Both dates are inclusive) to 12/31 amount 0.027. 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 Home, 10 Hogs, 10 Cattle, One (1) Horse

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10. Place of use is: Township: 9 Range 25
Section 3, SE 1/4 of SE 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? _____
12. Do you own the property listed above as place of use? Yes yes 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 ()
Drugation from MID
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) _____

Docket Sheet yes ☐ no ☒

Number of Attachments _____

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

Signature of Claimant (s) Virgil Fessenden Date _____

Virgil E. Fessenden Date 6/2/89

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 _____

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 Cassia) SS.

Subscribed and sworn (or affirmed) before me this 2nd day of June 19 89

SEAL

Notary Public Robert T. Horstall

Residing at Twin Falls, Idaho

My Commission Expires 1/16/1995

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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MAR 10 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

June 5, 1989

R. KEITH HIGGINSON
Director

Virgil E. Fessenden
Rt. 1 Box 339-A
Rupert, Idaho 83350

RE: SRBA Claim

Dear Claimant:

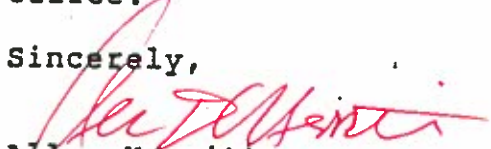
Please find enclosed your claim and your check # No check for \$ _____ which you submitted to our office. I am returning these pursuant to Rule 10,4 of the Department's Adjudications Rules and Regulations. In checking your claim it appears that the following items need clarification:

- [] Item #2 Priority
- [] Item #4 Point of Diversion Legal Description
- [] Item #6 Uses descriptions
- [] Item #9 Description of Non-irrigation Uses
- [] Item #10 Place of Use Legal Description
- [] Item #16 Signature & Notorization
- [X] Improper fee (THE CORRECT FEE IS \$ 25.00)
- [] Other or Remarks

If you wish to continue to press your claim please find enclosed instructions and another claim form to use. 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.

BEFORE RETURNING THE CLAIM PLEASE READ THE ENCLOSED DRAFT TEXT FOR D&S BROCHURE. Due to recent rulings by the court you may defer filing the claim if you so desire but it is recommended by the Department that you continue to press your claim. If you have any questions contact our office.

Sincerely,


Allen Merritt, P.E.
Water Rights Supervisor

ADM:adm
Enclosures:

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MAR 10 1993

WATER RIGHT NUMBER - A45-11873

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

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

+ - FIRST NAME - - +

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

*** C - CURRENT OWNER ***
FESSENDEN

VIRGIL E.

1 - RT. 1, BOX 339-A

2 -

3 -

CITY- RUPERT

PHONE - 208-436-0244

STATE- ID ZIP- 83350

+ - - PRIORITY DATE - - +
04/15/1916+ - - - 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)

09S 25E 3 SE SE SE (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 DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.060 0.0+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

09S

25E

3

SE SE

04

STOCKWATER

(31) CASSIA

09S

25E

3

SE SE

43

DOMESTIC

(31) CASSIA

+ - - DIVERSION MEANS - 75' WELL, 3/4 HP PUMP.

+ - - NON-IRRIGATION USE - D/1 HOUSE, S/10 CATTLE, 1 HORSE, 100 HOGS.

+ - - OTHER RIGHTS FOR SAME USE - NONE.

+ - - - - REMARKS - - - - - +
IRRIG. WATER FROM THE MINIDOKA IRRIG. DIST.+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000MICROFILMED
OCT 28 1994

