

AJ5856NP

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

DATE: SEP-9-1997

PAGE: A-1401

RIGHT NUMBER:

45-11944

NAME & ADDRESS:

GARY L FERNAU
CAROLENE FERNAU
2768 MINTA LN
ANTIOCH CA 94509AARON FERNAU
~~2768 MINTA LN~~
~~BURLEY ID 83318~~

SOURCE:

GROUNDWATER

QUANTITY:

0.06 CFS

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

PRIORITY DATE:

12/31/1925

POINT OF DIVERSION:

T11S R22E S01

SWSWSE

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

T11S R22E S01

SWSE

DOMESTIC

Within CASSIA County

T11S R22E S01

SWSE

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. 11S22E018830

STOCKWATER, 20 FARM STOCK

Claim proofread by: Date:

?
1/9/98
phone number only
in Burley
(resides on property)
- copied to Remarks

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: A45-11944
Date Received: 2/12/1990
Receipt No: S011180
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY L. FERNAU 415-754-3338
Address: 2768 MINTA LANE
ANTIOCH, CA 94509
AND/OR
Name: CAROLENE FERNAU 415-754-3338
Address: 2768 MINTA LANE
ANTIOCH, CA 94509
AND/OR
Name: AARON FERNAU 208-678-4277
Address: BURLEY, ID 83318

2. Date of Priority: DEC 31, 1925

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	22E	1	SW	SW	SE		CASSIA

5. Description of diverting works:
320'X6" WELL, 1.5HP SUBMERSIBLE PUMP, PIPE

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/10-20 FARM STOCK
A45-11944 Page 1

Date: 02/12/90

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MAR 10 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	22E	1	SW	SE		DOMEST	
			SW	SE		STOCK	

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:
P/U=300S 148W

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. _____

Date Received _____

Receipt Number _____

RECEIVED NOTICE OF CLAIM RECEIVED
TO A
WATER RIGHT

FEB 12 1990

Department of Water Resources
Southern Region Office

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

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

JAN 5 1990

Department of Water Resources
Southern Region Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Gary L. and/or Carolene Fernau Phone (415) 754-3338Mailing Address 2768 Minta Lane, Antioch, Ca. Zip 945092. Date of Priority (Only one per claim) (*) Approx. 1925 ^{our Purchase} May 3, 1967 Month/Day/Year * See Attached letter3. 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 22Section 1, SW 1/4 of SW 1/4 of SE 1/4, Govt. Lot 1, BM.,County of Cassia (300 South - 148 West)
Parcel No. RP 11522E018800 A

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, 1 1/2 hp. submersible pump, Minimum 320' deep, Piped To house and to workshop on property. Believe casing approx. 6", but not sure.
(*) See Attached letter.

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)(Both dates are inclusive)
For Stockwater purposes from 1-1 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) One home + detached workshop on property. Seasonal stock from past years, up to six cows, One year four horses. Another year approx. ten pigs.MICROFILMED
MAR 10 1993

10. Place of use is: Township: 11 Range 22
Section 1, SW 1/4 of SW 1/4, Govt. Lot 1, B.M.,
County of Cassia for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any only a line to our workshop.
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: One of our children resides on the property. The attached letter will hopefully explain further, some areas, such as well age, etc.

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 _____

By signing I/We acknowledge reading the notice on the back of this claim form. I/We wish to receive for a small annual fee monthly copies of the docket sheet. YES X NO _____

16. Signature (s) _____
Number of Attachments One letter
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.
Signature of Claimant (s) [Signature] Date 12-29-89
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
document in the space below as _____ Organization _____
_____ 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 California)
County of Contra Costa) SS.

Subscribed and sworn (or affirmed) before me this 29th day of DECEMBER 19 89

SEAL  Notary Public Margaret Mcintosh
Residing at 10 N Lake Cir, Antioch Ca.
My Commission Expires March 8, 1991

Last Name FERNAN Ident No. _____
Copies: White-State, Yellow-Claimant

December 23, 1989

Idaho Dept. of Water Resource
2148 4th Ave. East
Twin Falls, Idaho 83301

RE: ATTACHED " NOTICE OF CLAIM TO A WATER RIGHT".

Please find attached our above noted claim, completed to the best of our ability.

Due to the property being vacant for a few months this year, until our son moved back, we did not obtain the proper forms as soon as we should, and I realize I may owe an additional amount to the attached \$25.00 check. Please notify me and it will be sent at once.

(*) As to Item # 2..Date of Priority....we were told by the owners we purchased from in 1967, that the house and small acreage that we purchased was in their family for approximately forty years, having originally been one of the original homesteads near the Burley townsite, possibly going back into the teens.

They had slowly sold off the land to surrounding farmers, and our purchase was the final sale. Therefore, we cannot tell exactly when the well was originally drilled.

With approximately three acres of pasture, we have had different types of livestock on the property over the years....(#9.)

On # 5...That information is from repairs to the well by Motor Service in Heyburn in July of 1986. If more information is needed I will try to go back further. There was at least 320 feet of cable put in then to replace old.

Please let us know what we can do further to make certain this claim is legally completed, as we will be moving back to the property, also, within the next two years, and want to be sure we are protected.

Thank you in advance for your help and consideration.

Gary L. & Carolene Fernau
2768 Minta Lane
Antioch, Ca. 94509

415-754-3338
415-778-3449

FERNAU.

MICROFILMED
MAR 10 1993

February 1, 1990

Mr. Allen Merritt, P.E.
Water Rights Supervisor
State of Idaho
Department of Water Resources
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301

RECEIVED

FEB 12 1990

Department of Water Resources
Southern Region Office

Dear Mr. Merritt:

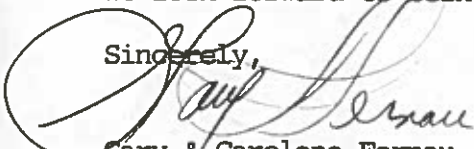
RE: Attached Memo of Jan. 10, 1990

Please find attached our check in the amount of \$75.00, (#609), dated January 10, 1990, as per your request.

Thank you in advance, for your prompt reply, and help in this matter.

We look forward to being ^{told} the outcome of this filing.

Sincerely,



Gary & Carolene Fernau
2768 Minta Lane
Antioch, Ca. 94509

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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

JAN 10 1990

R. KEITH HIGGINSON
Director

RECEIVED

FEB 12 1990

Department of Water Resources
Southern Region Office

Gary L. Ferran
2768 Mintz Lane
Antioch CA 94509
RE: SRBA Claim

Dear Claimant:

Please find enclosed your claim and your check # 561 for \$ 25 which you submitted to our office. I am returning these pursuant to Rule 10,4 of the Department's Adjudications Rules and Regulations.

The DEADLINE for filing timely claims in CASSIA COUNTY was JUNE 08, 1989. Since your claim was postmarked 1/2/90 your claim is considered late and subject to the additional late fee listed below.

Additionally, 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
- [-] Improper fee (THE CORRECT FEE IS \$ 75) \$25 + \$50 late fee
- [] Other or Remarks

If you will make the necessary corrections and return your claim with the correct fee our office will process your claim. If you have any questions please feel free to contact our office.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures:

MICROFILMED

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

R. KEITH HIGGINSON
Director

Feb. 16, 1990

Re: A45-11944

GARY L FERNAU
2768 MINTA LANE
ANTIOCH CA 94509

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'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 10 1993

WATER RIGHT NUMBER - A45-11944

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

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

+ - FIRST NAME - - +

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

*** C - CURRENT OWNER ***
FERNAU

GARY L.

1 - 2769 MINTA LANE

2 -

3 -

CITY- ANTIOCH

STATE- CA ZIP- 94509

PHONE - 415-754-3338

1 - 2768 MINTA LANE

2 -

3 -

CITY- ANTIOCH

STATE- CA ZIP- 94509

PHONE - 415-754-3338

1 -

2 -

3 -

CITY- BURLEY

STATE- ID ZIP- 83318

PHONE - 208-678-4277

FERNAU

CAROLENE

FERNAU

AARON

+ - - PRIORITY DATE - - +
12/31/1925+ - - - REGION - - - +
17 SOUTHERN+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

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

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

TWN	RNG	SEC	TRACT	LOT	RFLG	POINT OF DIVERSION	COUNTY	STREAM INDEX (BLANK IF NO INDEX CODE)
11S	22E	1	SW SW SE			(31) CASSIA		

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	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	

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE	CODE	DESCRIPTION	COUNTY
11S	22E	1	SW SE				04	STOCKWATER	(31) CASSIA
11S	22E	1	SW SE				43	DOMESTIC	(31) CASSIA

+ - - DIVERSION MEANS - 320'X6" WELL, 1.5HP SUBMERSIBLE PUMP, PIPE

+ - - NON-IRRIGATION USE - D/1 HOUSE, S/10-20 FARM STOCK

+ - - OTHER RIGHTS FOR SAME USE - NONE

Parcel # 115 22E 018200 A

MICROFILMED
OCT 28 1994

WATER RIGHT NUMBER - A45-11944

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - REMARKS - - - - -
P/U=300S 148W

+ - - - - OLD WATER RIGHT NUMBERS - - - - -
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 02/12/90 WHITE

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

+ - - - - 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	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 02/12/1990	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	- S011180	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	PDU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND/OR	NOTICE OF ERROR FLAG	-

11S22E018830

~~11S22E018830~~ combined
~~11S22E018830~~ W 18830

DATA ENTRY

ENTERED

CHECKED

"Verified By"
Topo Map/Critto-PQ
ASCE Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
NOV 15 1991

CERTIFIED
DEC 28 1991
WATER EXAMINER

PROOF
SEP 17 1991