

04/01/2002

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

RIGHT NUMBER: 37-2704

NAME AND ADDRESS: PATRICIA A FOSSCECO
2280 E 1375 S
GOODING ID 83330

ROBERT L FOSSCECO
2280 E 1375 S
GOODING ID 83330

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.18 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-2605 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1148 AF.

PRIORITY DATE: 03/08/1965

POINT OF DIVERSION:

T05S R15E S11 SENE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.180 CFS
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.		

PLACE OF USE: IRRIGATION Within GOODING County

T05S R15E S11	SWNE	36.0	T05S R15E S11	SENE	38.0
T05S R15E S11	SENW	25.0	T05S R15E S11	NESE	35.0
T05S R15E S11	SESE	35.0	T05S R15E S12	NWSW	20.0
T05S R15E S12	SWSW	34.0	T05S R15E S13	NWNW	30.0
T05S R15E S14	NENE	34.0			

287 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-2605 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 287 ACRES IN A SINGLE IRRIGATION SEASON.

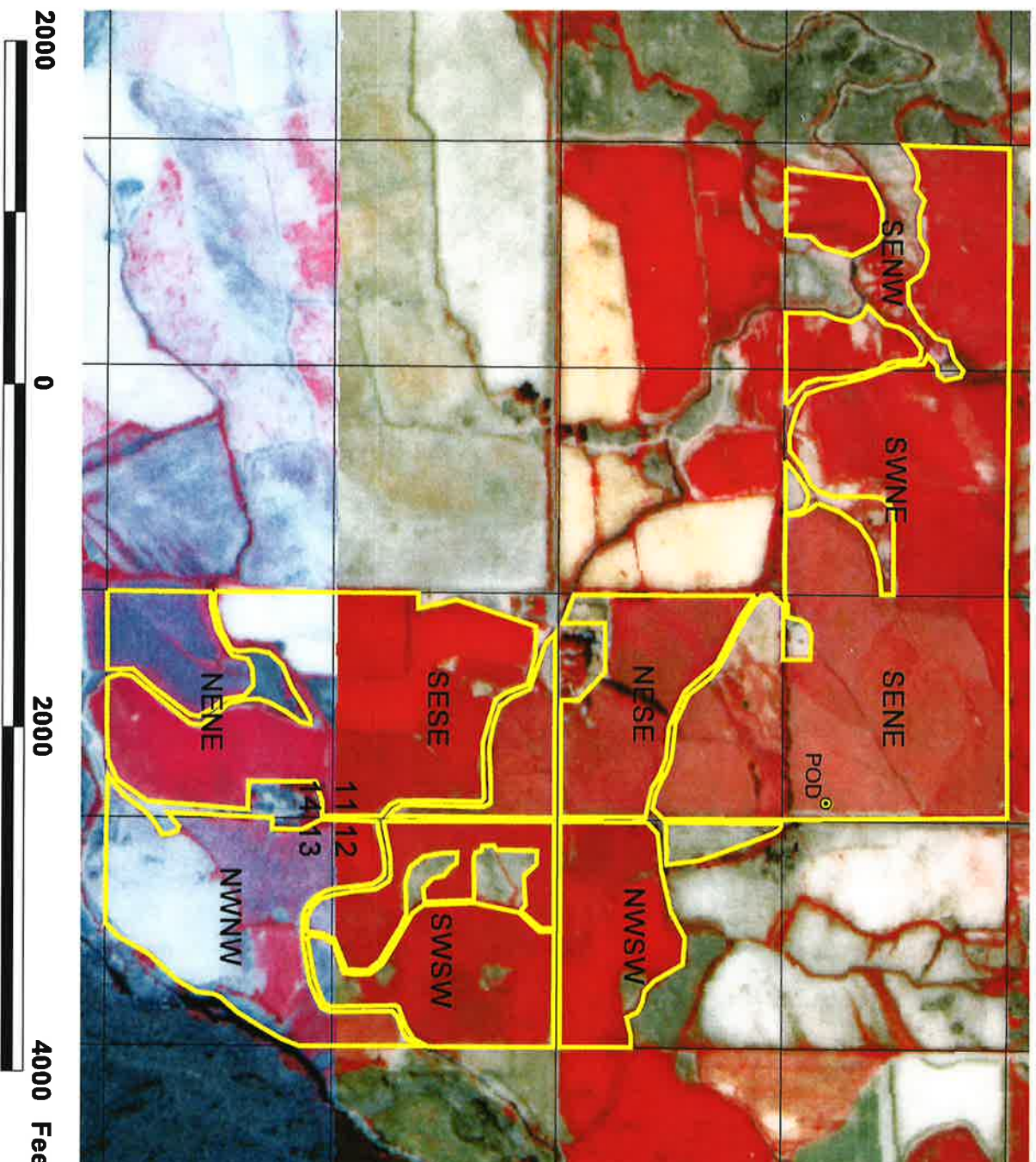
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

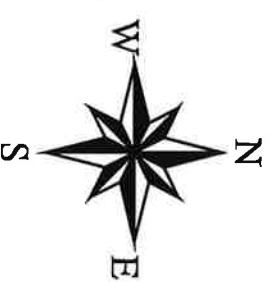
EXPLANATORY MATERIAL: License

USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS RESERVOIR DIST. NO. 2.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL CO.

37-2605 & 37-2704



T05S R15E
S11 S12
S13 & S14



Map prepared by: Carter Fritschle
Date prepared: 10/16/01
1987-1988 NAPP photography
Idaho Department of Water Resources
Revised 7/10/02

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 37-2704 Priority 3-8-65 Amount 1.18 c.f.s.

THIS IS TO CERTIFY, that DON G. FREDERICKSEN
of Gooding, Idaho, has complied with the terms and conditions of Permit
No. 37-2704 issued pursuant to Application for Permit dated 3-8-65,
and has submitted proof to the Department of Water Administration on 2-25-70,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 3.78 c.f.s., and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground-water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 1.18 c.f.s. for Irrigation from April 1 to Nov. 1 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 1.18 c.f.s. of water be diverted at
any one time, said waters to be diverted within the _____

SE 1/4 Sec. 11, Twp. 5 S., Rge. 15 E., B.M.
in the county of Gooding; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1148 acre feet per year or _____
4.0 acre feet per acre.

Description and location of place of use:

TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5 S	15 E	11			35	39				27					35			34	273
		12										22	34						56
		13						27											27
		14	31																31

Total number of acres irrigated 287

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 8th day of
DECEMBER, 19 70.

[Signature]
Director

37-2704

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-32261/37-2704

This proof is for b/u In Water District No.

1. Name of applicant: Don G. Fredericksen, Rt. 1, Gooding, Idaho2. Source of water supply: groundwater3. Location of point of diversion: Is in the SE 1/4 NE 1/4 of Section 11T. 5 S R. 15 E County of Gooding4. Describe works as they exist, giving dimensions and capacities of same: turbine pump,

motor, and ditches 100 HP U.S. Motor # 1164942, L-B Pump # 25919
(1800 GPM @ 170' @ 1770 RPM - 14 KIT-M Bowler.) 10" discharge
west into a concrete distribution box that discharges to the south and west
Reclaim Pond in SE NW sec 11. has 9 HP Briggs & Stratton Gas Engine powering a
Bellon Bros. Water Lifter Pump with a 14' lift - 460' x 10" concrete Pipe to open ditch

5. Water is used for: irrigation6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

T. 5S, R. 15E, Sec. 11	S 1/2 NE 1/4, SE 1/4 NW 1/4, E 1/2 SE 1/4	200 acres
12	W 1/2 SW 1/4	60
13	NW 1/4 NW 1/4	40
14	NE 1/4 NE 1/4	40

Since Volume was not a part of the license # G-27547, I recommend that the volume amount of diversion from this well be set at 1148 acre feet per Annum for both Permit license # G-27547 (37-2605) and G-32261 (37-2704)

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Bob Fredericksen along

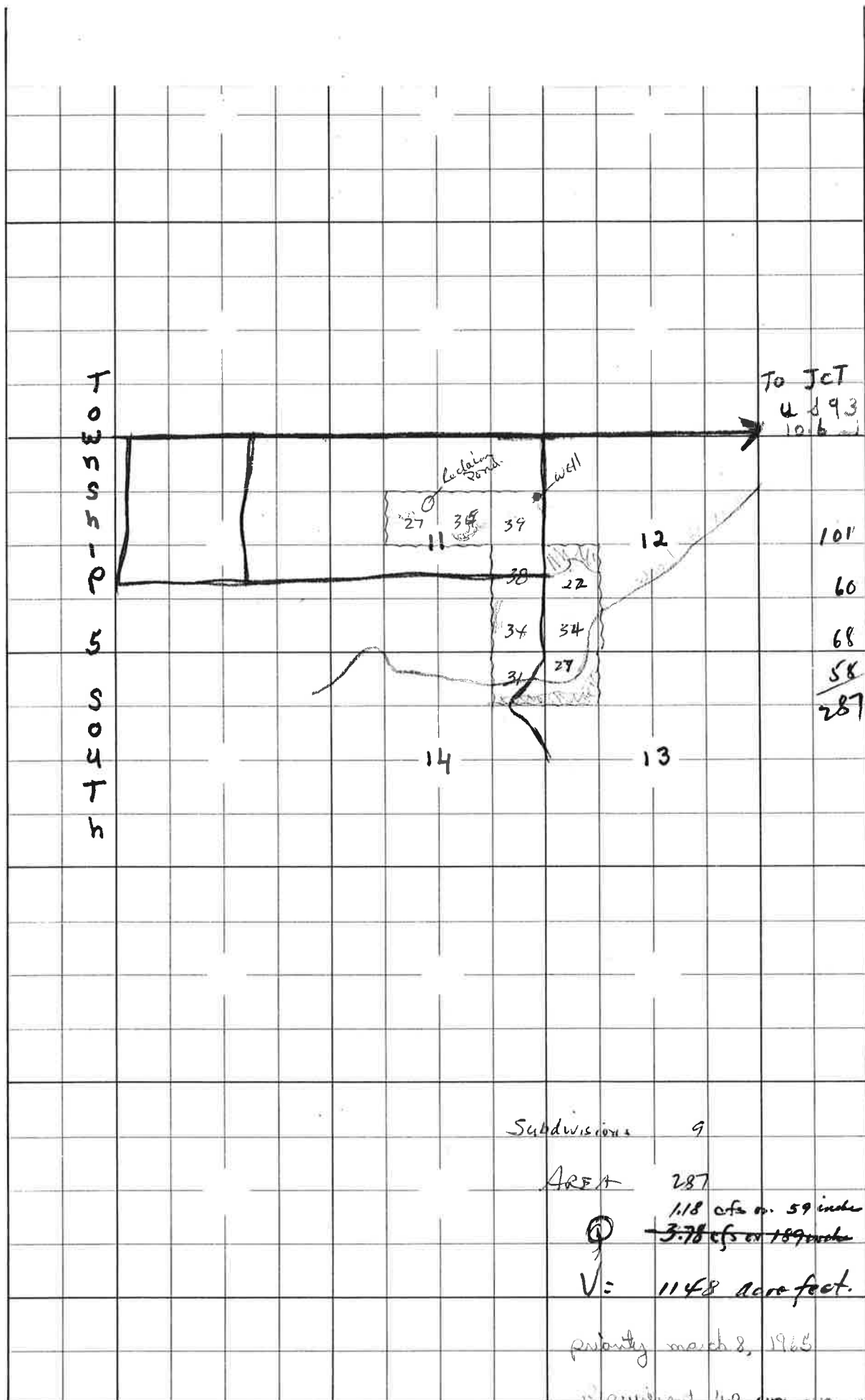
Our records show Mr. Fredericksen has license # G-27547 (37-2605) for the same
P.D. and lands of this permit. The license was issued for 260 cfs for 325 acres
priority date Sept. 8, 1958. The same diversion works were used under this permit
and was capable of diverting 378 cfs. The acreage was determined from Aerial
photomap and was grid measured at 287 acres. Recommend license be issued for
118 cfs (the difference between 378 cfs and 260 cfs)

Measured by Coordinate method X = 14 1/2" - Y = 12" - D = 10"

X = V = 6.75 X D = .558 = 3.78 cfs.

This examination was made on the 20th day of May, 1970.(Signed) John Johnson Examiner.

AKD 6-1-70



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: A37-02704
Date Received: 7/19/1988
Receipt No: 5008/003
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT L. FOSSCECO 208-934-4827
Address: 2280 E. 1375 S.
GOODING, ID 83330

AND/OR

Name: PATRICIA A. FOSSCECO 208-934-4827
Address: 2280 E. 1375 S.
GOODING, ID 83330

2. Date of Priority: MAR 08, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	15E	11	SE	NE			GOODING

5. Description of diverting works:
WELL & PUMP, 100 HP MOTOR, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.180		

7. Total Quantity Appropriated is:
1.180 C.F.S. (and/or) 861.00 A.F.A.

8. Total consumptive use is 861.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	15E	11	SW		NE		IRR	35.0
			SE		NE		IRR	39.0
			SE		NW		IRR	27.0
			NE		SE		IRR	38.0
			SE		SE		IRR	34.0
						Section Acres		173.0
		12	NW		SW		IRR	22.0
			SW		SW		IRR	34.0
						Section Acres		56.0
		13	NW		NW		IRR	27.0
							Section Acres	
		14	NE		NE		IRR	31.0
							Section Acres	
						Total Acres		287.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
37-2605, BIG WOOD CANAL CO. SHARES

14. Remarks:
SAME LAND IS IRRIGATED WITH THIS RIGHT & LIC. 37-2605. SYSTEM
CAPACITY IS 3.78 CFS.

15. Basis of Claim: LICENSE
Water Right Number: 32261

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: _____

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): Robert J. Fosco Date: 7/19/88

Date: _____

State of Idaho)
County of Turner Falls) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of July 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding, Idaho
My Commission Expires 10-16-1992