

AJ5809NP
No. R35-11612

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/98
PAGE: 29

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CECIL L FAWCETT	05/01/1971	DOMESTIC	01-01 12-31	0.04 CFS	
C	BERNICE FAWCETT					
	186 N 380 W					
	BLACKFOOT ID 83221					
	(208) 785-4385					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T02S R35E S28 NWNW BINGHAM County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac								
02S	35E	28	:	:	D	:	:	:	:	:	:	:	:	:	

POU County: BINGHAM

Non-Irrigation Uses: 1 HOME

Other Rights: SHARES IN RIVERSIDE DITCH CO.

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.

Remarks: EXP PARCEL NO. RP8001500
PROPERTY ALSO KNOWN AS 186 N 380 W

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 03/04/1997 User-ID: DS1-DSHA Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit: 04/02/92 SMITH 03/30/95 POST-STD 03/04/97 DS1-DSHA

PROFILED

SCANNED
SEP 28 2005

OKAY
gmc

AJ5809NP
No. R35-11612

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/09/98
PAGE: 23

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CECIL L FAWCETT	05/01/1971	DOMESTIC	01-01 12-31	0.04 CFS	
C	BERNICE FAWCETT					
	186 N 380 W					
	BLACKFOOT ID 83221					
	(208) 785-4385					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T02S R35E S28

NWNW

BINGHAM County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
NENE NENE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac								
02S	35E	28	:	:	D	:	:	:	:	:	:	:	:	:	

POU County: BINGHAM

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CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit: 04/02/92 SMITH 03/30/95 POST-STD 03/04/97 DS1-DSHA

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SEP 28 2005

November 20, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED

DEC 02 1998

Department of Water Resources

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

Water right number: 35-11612

CECIL L FAWCETT
BERNICE FAWCETT
186 N 380 W
BLACKFOOT ID 83221

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 11-30-98 SIGNATURE: *Cecil L Fawcett*
Please print your name: CECIL L FAWCETT

IDWR Eastern Regional Office, 900 N. Skyline Drive, Suite A, Idaho Falls, ID 83402-1718, (208) 525-7161

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4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME FAWCETT CLAIM NO. A35-11612

DATE RECEIVED 5/26/89 CK # _____ AMOUNT \$ _____

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	<u>X</u>	___	*
2. Is a priority date entered?	<u>X</u>	___	*
Is the priority date acceptable in view of mandatory filing dates?			
See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	<u>X</u>	___	*
(b) Is a tributary to entered? (if required)	N/A <u>X</u>	___	*
4. Is the legal description of the p.d. sufficient?	<u>X</u>	___	*
5. Is there a description of the diverting works?	<u>X</u>	___	*
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	<u>X</u>	___	*
Is the period of use included?	<u>X</u>	___	*
Is a quantity claimed for each use?	<u>X</u>	___	*
7. Is a total quantity claimed entered?	<u>X</u>	___	*
8. If required is a consumptive use entered?	N/A <u>A</u>	___	*
Is the consumptive use correct?	N/A <u>X</u>	___	*
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	N/A <u>X</u>	___	*
10. Is (are) the place(s) of use and purpose(s) indicated?	<u>X</u>	___	*
11. Is (are) the county(ies) entered?	<u>X</u>	___	*
12. Is the ownership of p.u. checked?	<u>X</u>	___	*
13. Are other water rights listed or "none" indicated?	<u>A</u>	___	*
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	N/A <u>X</u>	___	*
15. Is the basis of the claim indicated?	<u>X</u>	___	*
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	N/A <u>X</u>	___	*
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	<u>X</u>	___	*
18. Has the claim been signed, sealed, and dated by a notary?	<u>X</u>	___	*
19. Was this claim filed on time, or was an extension granted?	<u>X</u>	___	*
20. Is the fee enclosed correct?	Exempt <u>X</u>	___	*
21. If this claim is based on an existing water right, has the identification number been entered?	N/A <u>X</u>	___	*
22. Should this claim be data entered?	<u>X</u>	___	*

Claim checked by: JO Date: 7/5/89

Claim must be returned to claimant: (Yes) X (No)

Claimant must be notified of modifications: (Yes) 4 (No)

Receipt Prepared by: _____ Date: _____

Claim data entered by: SS-7-25-89 Date: _____

Sent to claimant by: _____ Date: _____

Checked by: _____ Date: _____

Comments: _____

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WATER RIGHT NUMBER - 435-11612

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

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

+ - FIRST NAME - - - +

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

*** C - CURRENT OWNER ***
FAWCETT

Cecil L.

1 - 186 N. 380 W.

2 -

3 -

CITY- BLACKFOOT

STATE- ID ZIP- 83221

PHONE - 208-785-4385

1 - 186 N. 380 W.

2 -

3 -

CITY- BLACKFOOT

STATE- ID ZIP- 83221

PHONE - 208-785-4385

FAWCETT

BENNIC

+ - - PRIORITY DATE - - - +
05/01/1971+ - - - REGION - - - +
15 EASTERN+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - +

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

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

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

02S 35E 28 NW NW (11) SINGHAM

+ - - - - 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+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

02S 35E 28 NW NW 04 STOCKWATER (11) SINGHAM

02S 35E 28 NW NW 43 DOMESTIC (11) SINGHAM

+ - - DIVERSION MEANS - WELL AND PUMP

+ - - NON-IRRIGATION USE - 0/1 HOUSEHOLD, 5/3 HORSES

+ - - OTHER RIGHTS FOR SAME USE - SHARES IN RIVERSIDE DITCH CO.

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

WATER RIGHT NUMBER = 435-11512

PROPER TRANSLATION: ADJUDICATION CLAIM

+ - - - - CONDITIONS OF APPROVAL - - - - -
41 CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - - - + - - - - DECREE DEFENDANT - - - - - + - - - - DECREE DATE - - - - -

+ - - - - AUDIT FIELDS = 07/25/89 ES434

00/00/0000

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

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING - 00/00/0000
OBJECTION FILED DATE - 00/00/0000
RESPONSE FILED DATE - 00/00/0000
CLAIM RECEIVED DATE - 05/25/1989
PROOF DUE DATE - 00/00/0000
LICENSED DATE - 00/00/0000
CLAIMS TAPE ERROR FLG -
FEE EXEMPT FLAG -

FIELD INSPECTION MADE - 00/00/0000
FIELD INSPECTION FLAG -
VERIFIED DATE - 00/00/0000
LAST AMENDED DATE - 00/00/0000
PROOF MADE DATE - 00/00/0000
RECEIPT NUMBER - 000-147
POW OWNERSHIP FLAG - Y
NAME CONNECTOR - 08

CIVIL CASE NUMBER - 35875
OLD CASE NUMBER -
OLD JUDICIAL DISTRICT -
TEMPORARY RIGHT -
WATER DISTRICT -
FEDERAL/STATE INDICATOR - S
PRESUMPTION FLAG -

RP 8001500
186 N 380 W
Delete stockwater

DATA ENTRY

ENTERED 4.2.92.00

CHECKED 8/2/92/16

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

VERIFIED

JUN - 1991

PROOF

MAY 2 2 1991

CERTIFIED

JUN 17 1991

WATER EXAMINER

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APR 1 8 1994

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: A35-11612
Date Received: 5/26/1989
Receipt No: E008143
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CECIL L. FAWCETT 208-785-4385
Address: 186 N. 380 W.
BLACKFOOT, ID 83221

OR
Name: BERNICE FAWCETT 208-785-4385
Address: 186 N. 380 W.
BLACKFOOT, ID 83221

2. Date of Priority: MAY 01, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	35E	28	NW	NW			BINGHAM

5. Description of diverting works:
WELL AND 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 HOUSEHOLD, S/3 HORSES

A35-11612

Page 1

Date: 07/25/89

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	35E	28	NW	NW		DOMEST	
			NW	NW		STOCK	

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
SHARES IN RIVERSIDE DITCH CO.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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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

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

CIVIL CASE NUMBER: 39576

Identification No. A35-11612Date Received 5-26-89Receipt Number E008143

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

Department of Water Resources
Eastern District Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Cecil L Fawcett or Bernice Fawcett Phone (208) 785-4385Mailing Address 186 N 380 W Blackfoot, Idaho Zip 832212. Date of Priority (Only one per claim) May 1, 1971 Month/Day/Year3. Source of water supply (Check one) (x) Groundwater or Other () (a) _____
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 2 South Range 35 E.B.M.Section 28 NW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot _____, BlCounty of Bingham

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, 6" casing, 95' Deep, 1 1/2 HP Submersible, piped to house

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

	Month/Day	Month/Day	(cfs)
For <u>Domestic</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> amount <u>.04</u>			
(Both dates are inclusive)			
For <u>Stockwater</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> amount <u>.02</u>			

7. Total quantity claimed .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: give number of livestock) Domestic, 1 house and stockwater for 3 horses

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A351612



10. Place of use is: Township: 2 South Range 35 eE.B.M

Section 28 , NW 1/4 of NW 1/4, Govt. Lot _____, B.M.,

County of Bingham 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? Bingham

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 ()

Shares in Riverside Ditch Co.

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 _____

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 5-20-89

_____ 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 _____

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 24 day of MAY 19 89

SEAL

Notary Public Arlon Herb Karlson

Residing at Blackfoot IDAHO

My Commission Expires FEB 8 - 1994

Last Name KARLSON Ident No. _____

SCANNED

Copies: White-State, Yellow-Claimant

MICROFILMED

SEP 28 2005

DEC 11 1992

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Beginning at a point E. along the Section line 952.40 feet and S. 467.90 feet from the NW corner of Section 28, Township 2 South, Range 35 E.B.M., Bingham County, Idaho, to the point of beginning, thence S. 231.28 feet along the W. right-of-way of a county road, thence along a 30.00 foot radius tangent curve to the right, with a central angle of 90° , 47.12 feet, thence along a 50.00 foot radius tangent curve to the left with a control angle of 180° , 157.08 feet, thence E. 80 feet, thence S. 93.30 feet, thence W. 189 feet, thence N. 73 feet, thence W. 146 feet, thence N. $8^{\circ}35'$ W. 121.65 feet, thence N. $9^{\circ}10'$ W. 132.33 feet, thence N. $8^{\circ}14'$ W. 132 feet, thence E. 343 feet to the point of beginning, being Lots 2 and 3 in Block 1 of Black Subdivision according to the recorded plat recorded as Instrument No. 151325, records of said County, and a portion of the NW $\frac{1}{4}$ of Section 28, T. 2 S., R. 35 E. B. M.

Subject to reservations in U. S. Patents, existing easements, rights of way, and zoning and building ordinances.

SCANNED
SEP 28 2005

PROFILE

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DEC 11 1992