

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: A36-02405  
Date Received: 9/26/1989  
Receipt No: S009372  
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: LYLE FASSETT  
Address: RT. 3 BOX 242  
RUPERT, ID 83350  
208-532-4480

2. Date of Priority: NOV 09, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County   |
|----------|-------|---------|--------|--------|--------|-----|----------|
| 07S      | 25E   | 31      | SW     | NW     | NW     |     | MINIDOKA |

5. Description of diverting works:  
WELL AND PUMP, SPRINKLERS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 10/31 | 1.240  |      |        |

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

8. Total consumptive use is 186.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 07S      | 25E   | 31      | NW     | NW     |     | IRR | 6.0   |
|          |       |         | SW     | NW     |     | IRR | 37.0  |
|          |       |         | SE     | NW     |     | IRR | 10.0  |
|          |       |         | NW     | SW     |     | IRR | 9.0   |

Section Acres 62.0

A36-02405

Page 1

Date: 09/26/89

MICROFILMED

JAN 28 1993

10. Place of Use: Continued

Total Acres          62.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:

A & B IRRIG., APPL. FOR PERMIT 36-08046.

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 28259

MICROFILMED  
JAN 28 1993

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): Jyle Farnett Date: 9/26/89  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of Twin Falls ) ss.

Subscribed and sworn (or affirmed) before me this 26<sup>th</sup> day  
of September 19 89  
Steve O. O.  
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires December 7, 1994

COPY

1997 AUG -6 PM 1:55

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

NOTICE OF COMPLETED  
ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 36-02405

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☒ Change in Address  
☐ Point of Diversion  
☐ Period of Use

☐ Split of Water Right  
☒ Place of Use  
☐ Nature of Use

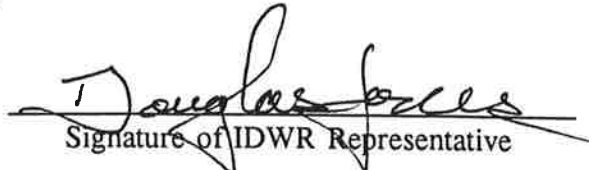
Name and New Address of Claimant:

Lyle Fassett  
1122 N 400 E  
Rupert ID 83350  
Phone: 532-4480

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 7/11/97

  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on 8-6, 1997, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:  
Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls ID 83303-2707
2. One Copy to: ✓  
Claimant/Seller for Substitution of Party or attorney of record:  
Lyle Fasset  
1122 N 400 E  
Rupert ID 83350
3. One Copy to:  
Claimant/Purchaser for Substitution of Party or attorney of record:
4. One Copy to:  
Each party in the subcase or attorney of record:
5. One Copy to:  
Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449
6. One Copy to:  
United States Dept Of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

  
Signature of person or attorney mailing the form

---

RIGHTS FROM: SOURCE: GROUNDWATER

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RIGHT NUMBER: 36-02405

NAME & ADDRESS: LYLE FASSETT  
1122 N 400 E  
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 1.24 CFS  
248.0 AFY

PRIORITY DATE: 11/09/1959

POINT OF DIVERSION: T07S R25E S31 LOT 96 (SWNNW) Within MINIDOKA County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE     | QUANTITY              |
|-------------------------------|----------------|-------------------|-----------------------|
|                               | IRRIGATION     | Irrigation Season | 1.24 CFS<br>248.0 AFY |

| PLACE OF USE: | IRRIGATION    | Within MINIDOKA County                                                                                                                                                                                         |
|---------------|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|               | T07S R25E S31 | Lot 96 (NENW) 1.6   Lot 96 (NWNW) 6   Lot 96 (SWNW)33.4   Lot 96 (SENW)36<br>Lot 96 (NESW)31   Lot 96 (NWSW)33.5   Lot 95 (SWSW) 4   Lot 96 (SWSW)27<br>Lot 95 (SESW)24   Lot 96 (SESW) 6<br>202.5 ACRES TOTAL |

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 62.0 ACRES WITHIN  
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE  
USE OF THIS RIGHT IS COMBINED WITH WATER FROM  
A & B IRRIGATION DIST.



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

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August 6, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

LYLE FASSETT  
1122 N 400 E  
RUPERT ID 83350

RE: SRBA Claim(s) 36-02405

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett  
Technical Records Specialist

/tf

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 4744

## APPLICATION FOR TRANSFER OF WATER RIGHT

### PART 1

Name of applicant LYLE FASSETT 1122 N 400E Phone (208) 532-4480  
Post Office address ROUTE 3, BOX 242 RUPERT, ID 83350

#### A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☒ Other CREATE PPU, CORRECT ERROR ON LICENSE
2. Describe the reason for the proposed changes CREATE NEW WATER RIGHT TO REFLECT CHANGES IN ORIGINAL SYSTEM.

#### B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority          | Amount<br>(cfs/ac-ft) | Nature<br>of Use  | Period of Use                |
|-----------------|-------------------|-----------------------|-------------------|------------------------------|
| <u>36-02405</u> | <u>11/09/1959</u> | <u>1.24</u>           | <u>IRRIGATION</u> | <u>04/01</u> to <u>10/31</u> |
| _____           | _____             | _____                 | _____             | _____ to _____               |
| _____           | _____             | _____                 | _____             | _____ to _____               |
| _____           | _____             | _____                 | _____             | _____ to _____               |
2. Total amount of water being transferred 1.24 cubic feet per second and/or 248 acre-feet per annum.
3. Source of water GROUNDWATER tributary to \_\_\_\_\_
4. Point(s) of Diversion: \_\_\_\_\_

| Lot      | 1/4 | 1/4       | 1/4       | Sec.      | Twp.       | Rge.       | County          | Local name for diversion |
|----------|-----|-----------|-----------|-----------|------------|------------|-----------------|--------------------------|
| <u>1</u> |     | <u>NW</u> | <u>NW</u> | <u>31</u> | <u>07S</u> | <u>2SE</u> | <u>MINIDOKA</u> |                          |
|          |     |           |           |           |            |            |                 |                          |
|          |     |           |           |           |            |            |                 |                          |
|          |     |           |           |           |            |            |                 |                          |

5. Lands irrigated or place of use: PERMISSABLE PLACE OF USE NOT TO EXCEED 62 ACRES/A

| Twp.       | Rge.       | 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 |              |
| <u>07S</u> | <u>2SE</u> | <u>31</u> |        |        |        |        | <u>1.6</u>   | <u>6.0</u>   | <u>33.4</u> | <u>36.0</u> | <u>31.0</u>  | <u>33.5</u>  | <u>31.0</u> | <u>30.7</u> |        |        |        |        | <u>203.2</u> |
|            |            |           |        |        |        |        | <u>LOT 1</u> | <u>LOT 2</u> |             |             | <u>LOT 3</u> | <u>LOT 4</u> |             |             |        |        |        |        |              |
|            |            |           |        |        |        |        |              |              |             |             |              |              |             |             |        |        |        |        |              |
|            |            |           |        |        |        |        |              |              |             |             |              |              |             |             |        |        |        |        |              |
|            |            |           |        |        |        |        |              |              |             |             |              |              |             |             |        |        |        |        |              |
|            |            |           |        |        |        |        |              |              |             |             |              |              |             |             |        |        |        |        |              |
|            |            |           |        |        |        |        |              |              |             |             |              |              |             |             |        |        |        |        |              |
|            |            |           |        |        |        |        |              |              |             |             |              |              |             |             |        |        |        |        |              |
|            |            |           |        |        |        |        |              |              |             |             |              |              |             |             |        |        |        |        |              |

Total acres 203.2

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES  
**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

**RECEIVED**

**MAY 09 1997**

Please print or type. Attach pages with additional information. Instructions are on the back. Department of Water Resources  
Incomplete forms will be returned. Southern Region

1. Water Right Number(s) 36-02125 and 36-07182 + 36-02125 per warranty deed of  
Adjudication Claim Number(s) and ownership change form submitted by Lyle Fassett
2. The following **REQUIRED** information must be submitted with this form.
  - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
  - AND
  - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
  - OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Acequia, Inc.  
P. O. Drawer 226  
Sun Valley, Idaho 83353
4. New Owner/Claimant(s) Lyle Fassett and Evelyn Fassett  
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR  
New Mailing Address 1122 North 400 East  
City, State and ZIP Code Rupert, Idaho 83350  
New Telephone Number (208) 532 - 4480
5. Date you acquired the property April 10, 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.  
Number of acres actually irrigated \_\_\_\_\_ Number and type of stock \_\_\_\_\_  
Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
cubic feet per second  
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Lyle Fassett Date April 10, 1997  
Evelyn Fassett Date April 10, 1997  
Evelyn Fassett
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

AJ0749NP  
No. R36-02405

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 07/03/97  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                    | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | LYLE FASSETT<br>1122 N 400 E<br>RUPERT ID 83350<br>(208) 532-4480 | 11/09/1959       | IRRIGATION | 04-01 10-31           | 1.24 CFS          | 248.00 AFA          |
| TOTAL DIVERSION: |                                                                   |                  |            |                       | 1.24 CFS          | 248.00 AFA          |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07S R25E S31 Lot96(SWNWNW)

MINIDOKA County

Place of use Legal Description for: IRRIGATION

|             |     |    |   | NE   |      |      |      | NW |       |       |       | SW    |   |       |       | SE    |       |   |      |      |      |      |       |       |
|-------------|-----|----|---|------|------|------|------|----|-------|-------|-------|-------|---|-------|-------|-------|-------|---|------|------|------|------|-------|-------|
| T           | R   | S  | : | NENE | NWNE | SWNE | SENE | :  | NENW  | NWNW  | SWNW  | SENW  | : | NESW  | NWSW  | SWSW  | SESW  | : | NESE | NWSE | SWSE | SESE | :     | SUM   |
|             |     |    | : | Lt   | Ac   | Lt   | Ac   | :  | Lt    | Ac    | Lt    | Ac    | : | Lt    | Ac    | Lt    | Ac    | : | Lt   | Ac   | Lt   | Ac   | :     |       |
| 07S         | 25E | 31 | : |      |      |      |      | :  | 96-01 | 96-06 | 96-33 | 96-36 | : | 96-31 | 96-33 | 95-04 | 95-24 | : |      |      |      |      | :     | 202.5 |
| 07S         | 25E | 31 | : |      |      |      |      | :  |       |       |       |       | : |       |       | 96-27 | 96-06 | : |      |      |      |      | :     |       |
| TOTAL ACRES |     |    |   |      |      |      |      |    |       |       |       |       |   |       |       |       |       |   |      |      |      |      | 202.5 |       |

POU County: MINIDOKA

Other Rights: SEE CONDITIONS

Conditions of Approval:

- S01 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM  
- A & B IRRIGATION DIST.

Remarks: POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 62.0 ACRES WITHIN  
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

Comments: Date: 06/20/1991 User-ID: CLELLAND Subject: COPIED FROM REMARKS  
APPL. FOR PERMIT 36-08046.

Date: 06/20/1991 User-ID: CLELLAND Subject: OVERLAP WITH A&B  
SOME OVERLAP DOES OCCUR BUT DETAILS ARE UNCLEAR.

Date: 09/12/1991 User-ID: WORSTELL Subject: COPIED FROM REMARKS  
PLACE OF USE ALSO KNOWN AS TRACT D.

Date: 07/03/1997 User-ID: SCLELLAN Subject: TRANSFER REMARKS

"DO NOT FILM"

AJ0749NP  
No. R36-02405

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 07/03/97  
PAGE: 2

=====

Comments: Date: 07/03/1997 User-ID: SCLELLAN Subject: TRANSFER REMARKS  
COMPLETE LISTING OF THE CONDITIONS OF APPROVAL AND REMARKS FROM  
THE TRANS. NO. 4744 WERE NOT RECORDED IN THIS RIGHT AT THIS TIME.

Audit: 07/03/97 SCLELLAN

"DO NOT FILM"

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4744  
WATER RIGHT NO. 36-02405

RECEIVED

FEB 21 1996

Department of Water Resources  
Southern Region

This is to certify that: **LYLE FASSETT**  
**RT 3 BOX 242**  
**RUPERT ID 83350**

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| IRRIGATION            | 04/01 to 10/31       | 1.24 CFS              | 248.0 AF             |

SOURCE

GROUNDWATER

Priority: 11/09/1959

LOCATION OF POINT(S) OF DIVERSION: Lot 96( NWNW), Sec. 31, Township 07S, Range 25E  
MINIDOKA County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u>     | <u>ACRES</u>                     | <u>ACRES</u>      | <u>TOTAL</u> |
|------------|------------|------------|------------------|----------------------------------|-------------------|--------------|
| 07S        | 25E        | 31         | Lot 96(NENW) 1.6 | Lot 96(NWNW) 6                   | Lot 96(SWNW) 33.4 |              |
|            |            |            | Lot 96(SENW) 36  | Lot 96(NESW) 31                  | Lot 96(NWSW) 33.5 |              |
|            |            |            | Lot 95(SWSW) 4   | Lot 96(SWSW) 27                  | Lot 95(SESW) 24   |              |
|            |            |            | Lot 96(SESW) 6   |                                  |                   | 202.5        |
|            |            |            |                  | Total number of acres irrigated: |                   | * 202.5      |

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

TRANSFER NO. 4744  
WATER RIGHT NO. 36-02405

CONDITIONS OF APPROVAL AND REMARKS

3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. The right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- POU \* 6. Right No. 36-02405 is limited to the irrigation of 62.0 acres in the place of use described above in a single irrigations season. Use of this right is combined with water from A and B Irrigation District. (K06)

SØ1 [ Dated this 13 day of

February, 1996.

J. Glen Saylor  
Chief, Water Alloc. Bureau

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

6/18/97  
SCC  
Data Entry ✓  
C

JUN 17 1997

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

✓ Incomplete forms will be returned. ✓

Water Right Number(s) A36 02126 - 36-2125 - 36-07182

Adjudication Claim Number(s) A36-02126 A36-02125 A36-07182

The following **REQUIRED** information must be submitted with this form.

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county)  
OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

Name and Address of Former Owner/Claimant(s) FC = GIMM, Fred  
121 Box 226 Sun Valley ID 83353

New Owner/Claimant(s) Lyle & Lela Fasset  
Name connector (Check one): ☐ AND, ☐ OR, ☒ AND/OR

New Mailing Address 1122 N 400 E

City, State and ZIP Code REDACTED ID 83350

New Telephone Number (208) 532-4480

Date you acquired the property March 1974

☒ If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

☒ Number of acres actually irrigated \_\_\_\_\_ Number and type of stock \_\_\_\_\_

☒ Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Signature of New Owner/Claimant(s) Lyle Fasset Date 6/17/97  
Lela Fasset Date 6/17-97

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

change of address: A36-12650 A36-7268  
A36-02664

original filed w/  
A36-02125.  
used here to document  
change of address  
for claimant  
SCC  
4/19/97

A36-2405

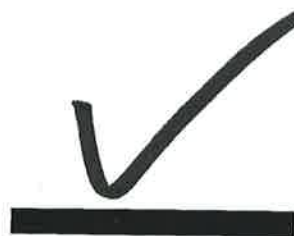
**R PROOF**



**CVR**



**MAPS**



**PHOTOS**



**MISC**

**MICROFILMED**

**JAN 28 1993**



VERIFIED ADW

Water Right Number - R36-02405

Prefix Translation: RESEARCH

Old (D) Number - 28259

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
FASSETT

LYLE

1 - RT. 3 BOX 242

2 -

3 -

City- RUPERT

Phone - 208-532-4480

State- ID Zip- 83350

+ - - Priority Date - - +  
11/09/1959+ - - Region - - - +  
17 SOUTHERN+ - - Stage - - - +  
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - +  
GROUNDWATER

+ - - Tributary - - - - - +

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

07S 25E 31 SW NW NW 1 (67) MINIDOKA

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

01 - IRRIGATION

03/15

11/15

1.240

248.00

+ - Total Div. Rate - + + - Total Div. Volume - +  
1.240 248.00+ - Total Consumptive Use - + + - KW Usage - +  
186.0+ - - Place of Use - - - - - +  
Twn Rng Sec Tract Lot Acres Code Description County

|     |     |    |       |   |      |    |            |                |
|-----|-----|----|-------|---|------|----|------------|----------------|
| 07S | 25E | 31 | NW NW | 1 | 6.0  | 01 | IRRIGATION | (67 ) MINIDOKA |
| 07S | 25E | 31 | SW NW | 2 | 37.0 | 01 | IRRIGATION | (67 ) MINIDOKA |
| 07S | 25E | 31 | SE NW |   | 10.0 | 01 | IRRIGATION | (67 ) MINIDOKA |
| 07S | 25E | 31 | NW SW | 3 | 9.0  | 01 | IRRIGATION | (67 ) MINIDOKA |

Total Acres: 62.0

+ - - Diversion Means - WELL AND PUMP, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE CONDITIONS

+ - - Remarks - - - - - +  
No Remarks found.+ - - Old Water Right Numbers - - - - - +  
No Old Water Right Numbers Found

JAN 28 1993

Water right number - R36-02405

Prefix Translation: RESEARCH

+ - - - - Conditions of Approval - - - - - +  
S01 - USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM  
- A & B IRRIGATION DIST.

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

+ - - - - Comments - - - - - +

Date: 06/20/1991 User Id: CLELLAND Subject: COPIED FROM REMARKS  
APPL. FOR PERMIT 36-08046.

Date: 06/20/1991 User Id: CLELLAND Subject: OVERLAP WITH A&B  
SOME OVERLAP DOES OCCUR BUT DETAILS ARE UNCLEAR.

Date: 09/12/1991 User Id: WORSTELL Subject: COPIED FROM REMARKS  
PLACE OF USE ALSO KNOWN AS TRACT D.

+ - - Audit Fields - - +  
09/26/91 MERRITT

+ - - - - 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         | - 09/26/1991 | Old Judicial District   | -       |
| Claim Received Date  | - 09/26/1989 | Last Amended Date     | - 00/00/0000 | Temporary Right         | - P     |
|                      |              | Receipt Number        | - S009372    | Water District          | -       |
|                      |              | POU Ownership Flag    | - Y          | Federal/State Indicator | - S     |
|                      |              | Name Connector        | -            | Presumption Flag        | -       |
|                      |              |                       |              | Notice of Error Flag    | -       |

MICROFILMED  
JAN 28 1993

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

12:34:14  
08/17/90

PAGE: 11  
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02405

| WR ELEMENT                | FIELD EXAM<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | VERIFIED BY<br>CODE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|-------------------|-------------------------------------------------|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             |                   |                                                 |                            | N                      |                     |                                  |                                      |                               |
| POINT OF DIV              | Y                 |                                                 |                            | (Y) let                | 1,4,6               | sw                               | sw                                   | sw                            |
| SOURCE                    |                   |                                                 |                            | N                      |                     |                                  |                                      |                               |
| PLACE OF USE              | Y                 |                                                 |                            | (N) let                | 146                 | sw                               |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME |                   |                                                 |                            | (Y)                    |                     |                                  |                                      |                               |
| CONSUMPTIVE USE           | -                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
| PURPOSES                  |                   |                                                 |                            | N                      |                     |                                  |                                      |                               |
| PERIOD OF USE             |                   |                                                 |                            | (Y)                    | 6.                  |                                  |                                      |                               |
| BASIS OF CLAIM            |                   |                                                 |                            | N                      |                     |                                  |                                      |                               |
| REMARKS                   | Y                 |                                                 |                            | (Y)                    |                     |                                  |                                      |                               |

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1  
ASCS MAP = 2  
WATERMASTER RECORDS = 3  
NAPP PHOTOS = 4  
FIELD EXAM = 5  
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION  
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

RECEIVED  
JAN 28 1993

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

12:34:14  
08/17/90

PAGE: 1  
GENERAL INFORMATION

CLAIM NUMBER: A36-02405

LAST: FASSETT  
ADDRESS: RT. 3 BOX 242  
CITY: RUPERT  
PHONE NUMBER: 208-532-4480

FIRST: LYLE  
STATE: ID ZIP: 83350

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE  
Y

FIELD  
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: APPL. FOR PERMIT 36-08046.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: \_\_\_\_\_

PHONE NUMBER: (\_\_\_\_) \_\_\_\_-\_\_\_\_

DATE OF FIELD EXAM: \_\_\_\_/\_\_\_\_/\_\_\_\_

APPOINTMENT MADE: Y(\_\_\_\_) N(\_\_\_\_)

TIME: \_\_\_\_:\_\_\_\_ A(\_\_\_\_) P(\_\_\_\_)

ACCOMPANIED BY: \_\_\_\_\_

PHONE NUMBER: (\_\_\_\_) \_\_\_\_-\_\_\_\_

RELATIONSHIP TO CLAIMANT: \_\_\_\_\_

DIRECTIONS TO PROPERTY / REMARKS:

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A. AJ CLAIM: # A36-02405 PRIORITY DATE: 11-09-1959 STAGE: L  
B. WR RECORD: # 36-02405 PRIORITY DATE: 11-09-1959 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE  
N

FIELD  
EXAMINER  
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y( ) N(X)  
IF YES EXPLAIN.

REMARKS:

=====

RECOMMENDED PRIORITY DATE:  
11-09-1959

REVIEWED BY Sen

DATE

6-20-91

=====

UNRECORDED

JAN 28 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY     |
|-----------|------|------|------|-----|-----|-----|-----|----------|
| A36-02405 | 07S  | 25E  | 31   | SW  | NW  | NW  | ①   | MINIDOKA |

OTHER AJ CLAIMS WITH SAME AJ POD  
A PREFIX R PREFIX  
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT  
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT    | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY     |
|----------|------|------|------|-----|-----|-----|-----|----------|
| 36-02405 | 07S  | 25E  | 31   |     | NW  | NW  |     | MINIDOKA |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT  
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)  
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE  
Y  
N

FIELD  
EXAMINER

REMARKS:

RECORDED  
JAN 28 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP.  | RGE.  | SEC.  | 1/4   | 1/4   | 1/4   | LOT   | COUNTY |
|-------|-------|-------|-------|-------|-------|-------|--------|
| _____ | _____ | _____ | _____ | _____ | _____ | 1     | _____  |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____  |

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: scu

DATE: 6-20-91

RECORDED

JAN 28 1993

A. ROOT WATER RIGHT NUMBERS: A36-02405

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT  | NAME                                       | AJ<br>#/ACRES                       | WR<br>#/ACRES       | LANDSAT<br>DATA     | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|------|--------------------------------------------|-------------------------------------|---------------------|---------------------|----------------|------------------|
| 07S | 25E | 31  | NW  | NW  | ① 97 | FASSETT, LYLE<br>A & B IRRIGATION DISTRICT | A36-02405 / 6.0<br>A36-0208020/14.3 | 36-02405 / 6.0<br>- | No overlap          | 7              | 6                |
| 07S | 25E | 31  | SW  | NW  | ② 96 | FASSETT, LYLE<br>A & B IRRIGATION DISTRICT | A36-02405 /37.0<br>A36-0208020/ 8.1 | 36-02405 /37.0<br>- | * Must overlap 100% | 35             | 37               |
| 07S | 25E | 31  | SE  | NW  | 96   | FASSETT, LYLE<br>A & B IRRIGATION DISTRICT | A36-02405 /10.0<br>A36-0208020/21.9 | 36-02405 /10.0<br>- | No overlap          | 12             | 10               |
| 07S | 25E | 31  | NW  | SW  | ③ 96 | FASSETT, LYLE<br>A & B IRRIGATION DISTRICT | A36-02405 / 9.0<br>A36-0208020/17.3 | 36-02405 / 9.0<br>- | No overlaps         | 11             | 9                |
|     |     |     |     |     |      |                                            |                                     |                     |                     |                |                  |
|     |     |     |     |     |      | TOTAL ACRES                                | A36-02405                           | 62.00               |                     | 65             | 62               |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y( ) N(X)  
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE  
Y

FIELD  
EXAMINER  
X

\* within Tolerance No Δ

PRESUMPTION FLAG:

REMARKS:

POU AKA Tract D

RECOMMENDATIONS:

TOTAL ACRES: 62

REVIEWED BY: [Signature]

DATE: 6-20-91

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JAN 28 1993

A. AJ CLAIMED USES:

PURPOSES  
A36-02405 IRRIGATION

MONTH/DAY  
FROM 04-01 TO 10-31

DIVERSION QUANTITY  
1.240 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.240 CFS

B. WR RECORDED USES:

PURPOSES  
36-02405 IRRIGATION

MONTH/DAY  
FROM 04-01 TO 10-31

DIVERSION QUANTITY  
1.240 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.240 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)  
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)  
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE  
N  
N  
N

FIELD  
EXAMINER  
    
    
  

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(X) N(  )

RECOMMEND TO WR STANDARDS OR OTHER?

Y(X) N(  )

Explain in remarks, below.

REMARKS:

1 season

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.240 CFS  
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.240 CFS

\*\*\* IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. \*\*\*  
\*\* If an amount smaller than the original diversion rate is \*\*  
\*\* claimed and an exam is NOT required, explain in remarks. \*\*

FLOW MEASUREMENT REQUIRED?

FIELD  
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD \_\_\_\_\_, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? ☒ (Y) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: ~~A & B IRRIG.~~ 36-02080

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 62 x 0.02 CFS/ACRE = 1.24 CFS  
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y( ) N(X)

\*\*\* IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y( ) N( ) \*\*\*

1b. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 186.0 AF/A

ACRES 62 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 186 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 62 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 248 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y( ) N( )

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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JAN 28 1993

RECOMMENDATIONS:

| REC. PURPOSES        | REC. PERIOD FROM TO                                                | REC. DIV RATE CFS                                | REC. DIV VOL. AF/A                             | REC. CONS. USE                                   |
|----------------------|--------------------------------------------------------------------|--------------------------------------------------|------------------------------------------------|--------------------------------------------------|
| IRRIGATION           | <del>04-01</del> <sup>2-15</sup> <del>10-31</del> <sup>11-15</sup> | DATABASE <u>1.240</u> EXAMINER <u>          </u> | DATABASE <u>248</u> EXAMINER <u>          </u> | DATABASE <u>186.0</u> EXAMINER <u>          </u> |
| TOTAL FOR THIS RIGHT |                                                                    | 1.240                                            |                                                | 186.0                                            |

REVIEWED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

Remarks:

Pou AKA TR. D

Comments:

None overlap with A+B irrigation is unclear; some overlap does occur

CoA:

None

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

|                              | ACCEPTED<br>AS CLAIMED | NEEDS<br>REVIEW |
|------------------------------|------------------------|-----------------|
| OWNERSHIP _____              | ( )                    | ( )             |
| FORFEIT/ABANDON _____        | ( )                    | ( )             |
| ADDITIONAL DIV. AMOUNT _____ | ( )                    | ( )             |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02405

TOTAL DIVERSION RATE OF WR SPLITS      DATABASE 1.240      EXAMINER \_\_\_\_\_      CFS

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A36-02405                | 1.240             | -                         |                  | 36-02405            | 1.240             |
|                      | TOTAL CFS                | 1.240             | N/A                       |                  |                     | 1.240             |

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)  
IF NO, is the written review sheet attached? (Y/N)

DATABASE Y  
FIELD EXAMINER \_\_\_\_\_

REMARKS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

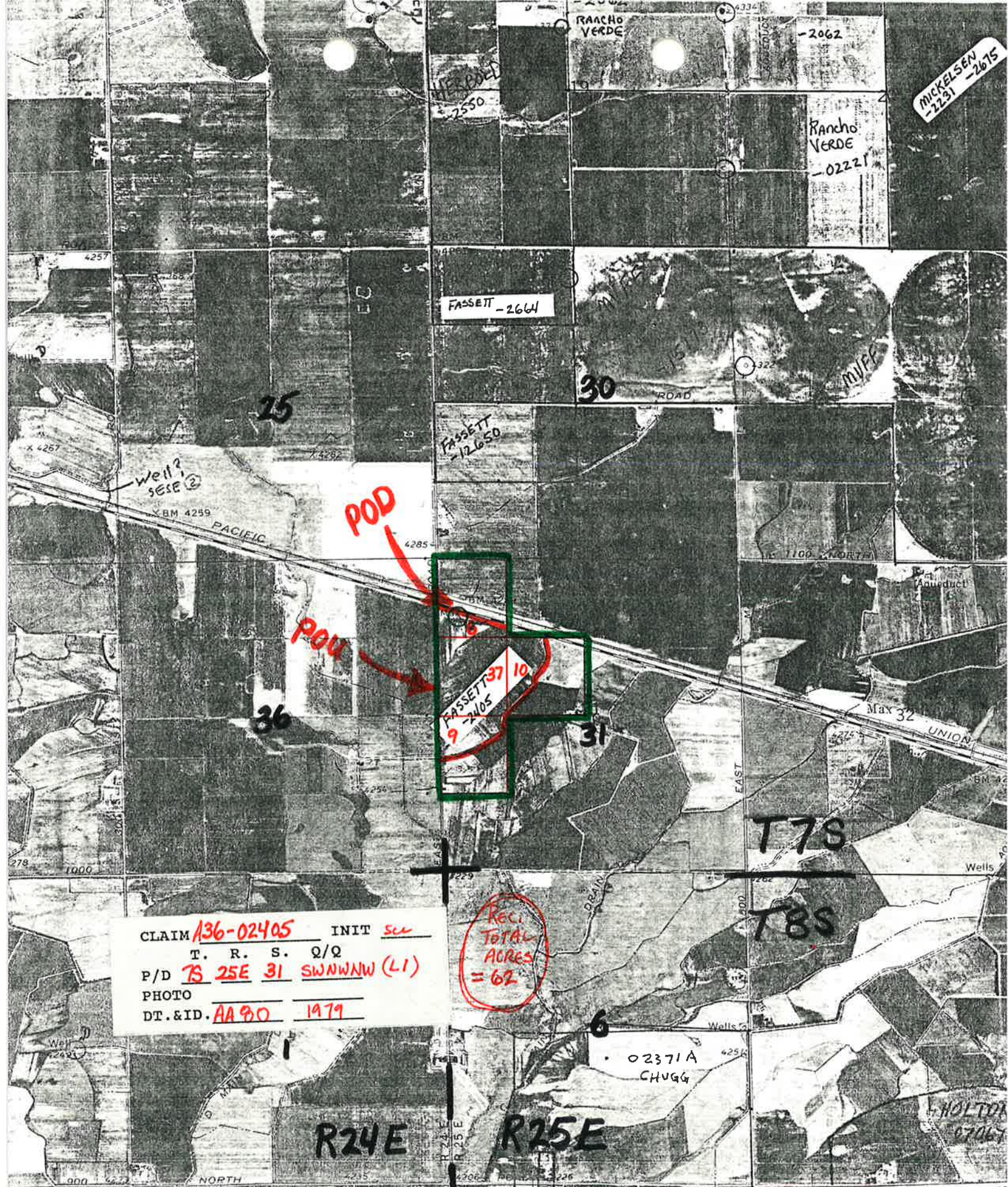
AUTHENTICATION:

SIGNATURE: John O'Neil

DATE: 6-20-91

NAME OF FIELD EXAMINER: \_\_\_\_\_ TITLE: \_\_\_\_\_

RECORDED  
JAN 28 1993



MICKELSEN -2291-2675

-2062

RANCHO VERDE  
-02221

WESBOLD  
-2550

FASSETT -2664

FASSETT  
-12650

25

30

Well?  
SESE ②

BM 4259

PACIFIC

POD

POU

36

FASSETT 37 10  
9-2105

31

Max 32

UNION

T7S

T8S

CLAIM 136-02405 INIT SC  
T. R. S. Q/Q  
P/D T8 25E 31 SWNWNW (L1)  
PHOTO  
DT. & ID. AA 80 1979

Rec.  
TOTAL  
ACRES  
= 62

02371A  
CHUGG

R24E

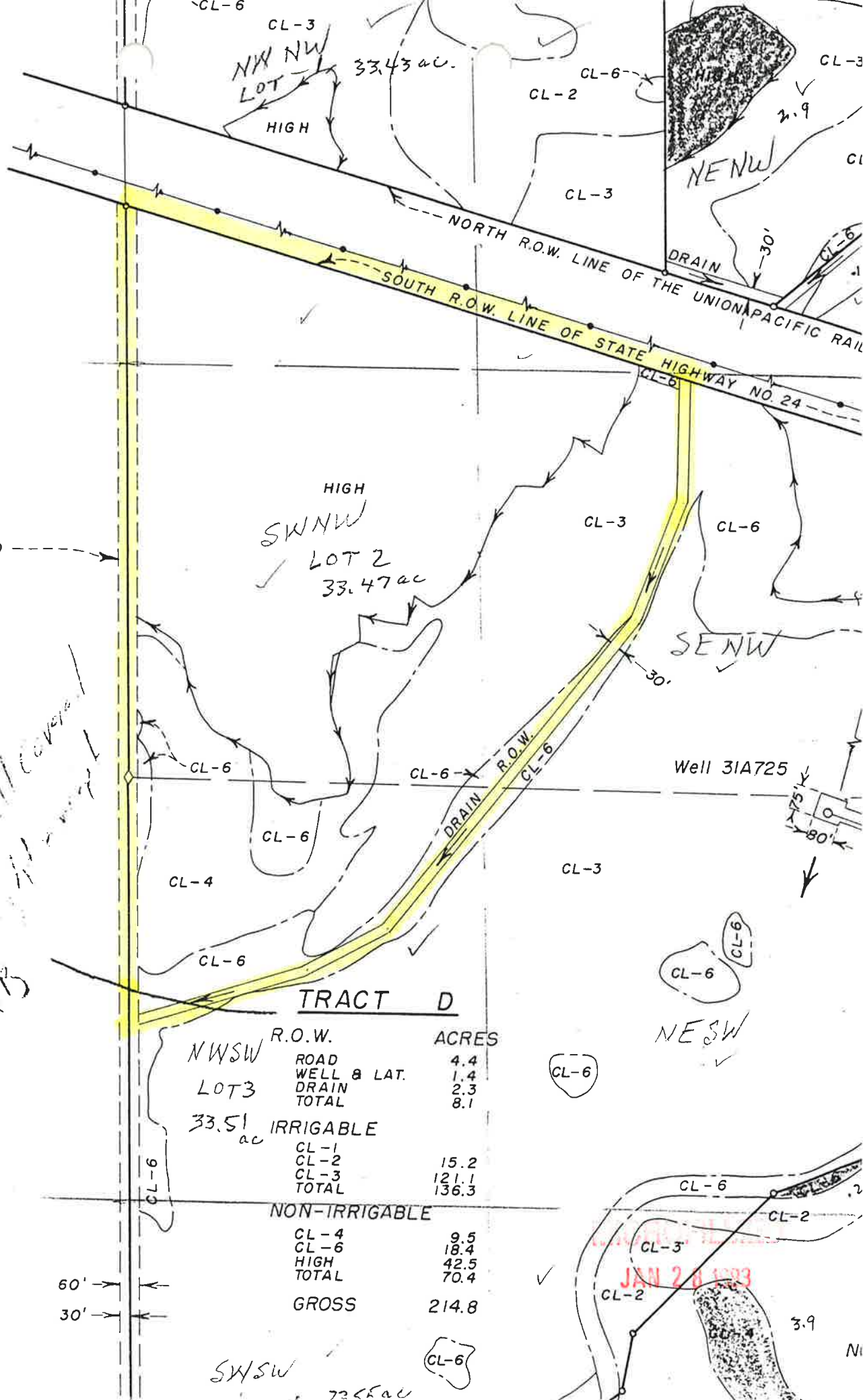
R25E

02371B  
Miller

JAN 26 1953

SCALE 1:24000



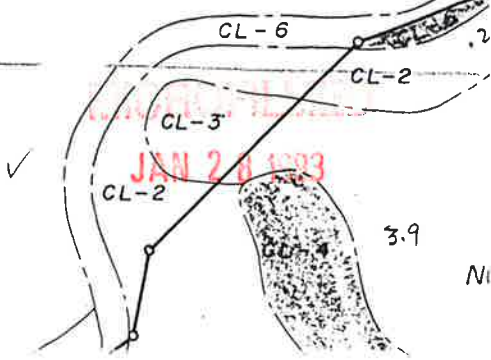


Tract D - All covered  
 by Private Right of Way  
 3.4 by A+B

| TRACT D       |       |
|---------------|-------|
| NWSW R.O.W.   | ACRES |
| ROAD          | 4.4   |
| WELL & LAT.   | 1.4   |
| DRAIN         | 2.3   |
| TOTAL         | 8.1   |
| LOT 3         |       |
| 33.51 ac      |       |
| IRRIGABLE     |       |
| CL-1          |       |
| CL-2          | 15.2  |
| CL-3          | 121.1 |
| TOTAL         | 136.3 |
| NON-IRRIGABLE |       |
| CL-4          | 9.5   |
| CL-6          | 18.4  |
| HIGH          | 42.5  |
| TOTAL         | 70.4  |
| GROSS         | 214.8 |

60' →  
 30' →

SWSW 73.66 ac  
 CL-6



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A36-02405  
FASSETT