

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Kathryn A. Fagnant (Mrs. Arthur J. Fagnant)

(Name of Claimant)

P. O. Box 123; Lava Hot Springs, Idaho

83246

Telephone No. 776-5572

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) About August 1, 1881

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Ground water tributary to

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	.08 cfs (2 homes)	Domestic	Period of Use From 1-1	To 12-31
Quantity	.02 cfs	Use Irrigation	Period of Use From 4-1	To 10-1
Quantity	.02 cfs	Use Stockwater	Period of Use From 1-1	To 12-31
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) .12 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE 1/4 NW 1/4, Sec. 32 Twp. 9S Rge. 38E B.M., County of Bannock

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 3/4 HP pump with 8" casing in 140 foot deep well. 3/4 inch pipe running about 250' to two houses and outside tap at corral. This well was dug in 1960 to replace hand dug well which was dug about 1881.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
9S	38E	32					X												.5

No. of acres .5

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Culinary water for two homes. Also, water from outside tap conveyed to 100 gallon stock tank on occasional basis, mostly in winter, for two horses and about twenty range COWS.

NOTE: Include here the type and number of stock watered: 2 horses; about 20 range cows

- (7) If you are claiming water as a member of an organization, list name of organization:

32 XX 32

TOWNSHIP
9
SOUTH

32 32

RANGE
38
EAST

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Notary Public
Residing at _____

FOR DEPARTMENT USE ONLY

Received by CW Date 12-15-81 Exception filed by: _____ Forwarded to _____ Date _____
 Claim. check by SM Date _____ claimant by: _____
 \$0.00 fee received by CW Date 12-15-81
 Published in Waco St. Journal # 20006
 Dates 12-24 & 12-31-81

Microfilm

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PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Sheryl Gardiel

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

29-4218

FAGNANT, KATHRYN A.
P. O. BOX 123, LAVA HOT SPRINGS, ID
83246

Source: GROUNDWATER

Priority Date 08-01-1881

Amount: 0.12 CFS

Diversion Point: NENW Sec. 32 T 09S R

38E, BANNOCK Co.

Use: IRRIGATION (0.02 CFS) from 04-01
to 10-01

STOCKWATER (0.02 CFS) from 01-01 to
12-31

DOMESTIC (0.08 CFS) from 01-01 to 12-31

Place of Use: NENW Sec 32 T 09S R 38E
for 1 ACRES

Diversion Means: WELL & PUMP

Any exception to any claim of water right
may be filed with the Director of the
Idaho Department of Water Resources,
150 Shoup Ave., Idaho Falls, Idaho 83402

S/A. KENNETH DUNN

Director

December 24, 31, 1981

No. 414

being first duly sworn on oath deposes and says: That Sheryl Gardiel
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

December 24, 19 81 _____, 19____
December 31, 19 81 _____, 19____
_____, 19____, 19____
_____, 19____, 19____
_____, 19____, 19____

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Sheryl Gardiel

Subscribed and sworn to before me this 5th

day of January, 19 82

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

NOTARY PUBLIC

dt14908

VDT *18

ENTERED 12/21/81 9.39 * 1/01/82 0

EXPIRES

SLUG: DT414

GUIDE: WATER

AUTHOR: LEGAL

FILE: LEGAL

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LAST USER: LEGAL

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3 TO WATER RIGHTS

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8 to beneficial use:
9 29-4218

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11 FAGNANT, KATHRYN A.

12 P. O. BOX 123, LAVA HOT SPRINGS, ID

13 83246

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20 to 10-01

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22 12-31

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30 150 Shoup Ave., Idaho Falls, Idaho 83402

31 S/A. KENNETH DUNN

32 Director

33 December 24, 31, 1981

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

JANUARY 11, 1982

KATHRYN A. FAGNANT
P.O. BOX 123
LAVA HOT SPRINGS ID 83246

RE: Claim No. 29-4218

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

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RECEIVED
JAN 19 1982

Department of Water Resources

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

Right Number 29 4218 Applicant Kathryn A. Fagnon
29-4218

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS
INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO
THE CLAIMANT ALONG WITH THE APPROPRIATE COVER
LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernst Carlson Date Jan 13, 1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 1/19/82

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TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

DECEMBER 17, 1981

Idaho State Journal
P. O. Box 431
Pocatello, Idaho 83201

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before JANUARY 11, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

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29-4218_

FAGNANT, KATHRYN A.

P.O. BOX 123, LAVA HOT SPRINGS, ID 83246

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A. KENNETH DUNN

Director

Published 12/24 & 12/31/81.

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