

No Color

Documents

In File

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: A65-09840
Date Received: 9/20/1988
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EDGAR K HOUSE 208-467-4146
Address: 12275 DEER FLAT ROAD
NAMPA ID 83686

2. Date of Priority: SEP 5, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	03E	21	SW	NE			VALLEY

5. Description of diverting works:
82'DRILLED WELL W/SURFACE PUMP W/PIPELINE TO P.O.U.

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		1.20

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD W/LAWN AND GARDEN IRRIG.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	03E	21	SW	NE		DOMEST	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:
LOTS 68 & 69, BIG SMOKEY SUBDIVISION #1.
PAGE 713, VOLUME 3-GROUNDWATER, PROPOSED FINDINGS PAYETTE RIVER
BASIN.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

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: _____

RECEIVED

OCT 14 1999

WATER RESOURCES
WESTERN REGION

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s): 65-09840

Adjudication Claim No(s): _____

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** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant

CHARLES F. KOSTKA

416 W. LINCOLN ST. BOISE, ID. 83706

4. New Owner/Claimant(s)

EDGAR K. HOUSE

New Mailing Address

12275 DEERFLAT RD. NAMPA, ID 83686

City, State and ZIP Code

New Telephone Number

208 467-4146

5. Date you acquired the property

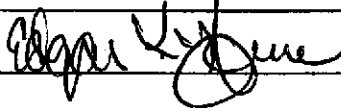
JAN 1995

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right N/A Number and type of stock N/A

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s)
or Claimant(s)



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

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your portion of the water right: include the number of homes you acquired, number of acres irrigated with your portion of the right, if it is more than 1/2 acre, type and number of stock if your portion of the right includes stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

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

Ownership confirmed
with Valley County
Assessor's office
on 10-15-99.

MTS

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: A65-09840
Date Received: 9/20/1988
Receipt No: X999999
Received By: EDR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES F. KOSTKA 208-344-3182
Address: 416 WEST LINDEN STREET
BOISE, ID 83706

2. Date of Priority: SEP 05, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	03E	21	SW	NE			VALLEY

5. Description of diverting works:
82' DRILLED WELL W/SURFACE PUMP W/PIPELINE TO P.O.U.

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		1.20

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD W/LAWN AND GARDEN IRRIG.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	03E	21	SW	NE		DOMEST	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:
LOTS 68 & 69, BIG SMOKEY SUBDIVISION #1.
PAGE 713, VOLUME 3-GROUNDWATER, PROPOSED FINDINGS PAYETTE RIVER
BASIN.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

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): Charles J. Koetka Date: 9/20/88

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of Sept 19 88 Elda J. Howell
Notary Public

Seal

Residing at Boise
My Commission Expires 09/08/1989

7/29/1988.

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Koska, Charles P CLAIM IDENT. NO. A65-07890
DATE RECEIVED 09/20/88 CK # EX AMOUNT \$ —

YES NO

1. Is the name and address complete with zip code? ☒ YES ☐ NO
2. Is priority date entered? ☒ YES ☐ NO
- Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) For groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) For surface water developed after May 20, 1971 (except for instream stockwater). Use care if claim is returned. Refer to Adjudication Memos # 1 (Adj. Claims/Applications) and # 9 (Rejection of Claims). Explain in Comments. ☒ YES ☐ NO
3. (a) Is a source entered? ☒ YES ☐ NO
(b) Is a tributary to entered? (if required) ☒ YES ☐ NO
4. Is the legal description of the p.d. complete? ☒ YES ☐ NO
5. Is there a description of the diverting works? ☒ YES ☐ NO
6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form. ☒ YES ☐ NO
Is the period of use included? ☒ YES ☐ NO
Is a quantity claimed for each use? ☒ YES ☐ NO
7. Is a total quantity claimed entered? ☒ YES ☐ NO
8. Is the consumptive use correct? ☒ YES ☐ NO
If required is a consumptive use entered? ☒ YES ☐ NO
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, each household must file a separate claim. ☒ YES ☐ NO
10. Is (are) the place(s) of use entered? ☒ YES ☐ NO
11. Is (are) the county(ies) entered? ☒ YES ☐ NO
12. Is the ownership of p.u. checked? ☒ YES ☐ NO
13. Are other water rights listed or "none" checked? ☒ YES ☐ NO
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.) ☒ YES ☐ NO
15. Is the basis of the claim checked? ☒ YES ☐ NO
16. Is the claim signed by the claimant?
Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒ YES ☐ NO
- Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO
- Is the fee enclosed correct? ☒ YES ☐ NO
- If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO ☒ N/A
- Should this claim be receipted and data entered? ☒ YES ☐ NO

Claim checked by: ESK

MICROFILMED

Comments: _____

SEP 24 1992

AJ0749NP
No. R65-09840

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

DATE: 10/15/99
PAGE: 1

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=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM TO      RATE        VOLUME
-----
C  EDGAR K HOUSE    09/05/1976    DOMESTIC      01-01 12-31    0.040 CFS    1.20 AFA
  12275 DEER FLAT ROAD
  NAMPA ID 83686
  (208) 467-4146
                                     TOTAL DIVERSION:    0.040 CFS    1.20 AFA
=====
```

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T16N R03E S21 SWNE

VALLEY 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 :
  --- --- : ----- : ----- : ----- : ----- :
16N 03E 21 :           D           :           :           :           :

```

POU County: VALLEY

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

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.
- C18 - 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.

Remarks: EXP PARCEL NO. RP 00014000068 A
PROPERTY ALSO KNOWN AS LOTS 68 & TAX 14 IN LOT 69, BIG SMOKEY
SUBDIVISION NO. 1.

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

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Comments: Date: 03/07/1997 User-ID: CORR3 Subject: COPIED FROM REMARKS
PAGE 713,VOLUME 3-GROUNDWATER,PROPOSED FINDINGS PAYETTE RIVER

AJ0749NP
No. R65-09840

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

DATE: 10/15/99
PAGE: 2

=====

Comments: Date: 03/07/1997 User-ID: CORR3 Subject: COPIED FROM REMARKS
BASIN.

Date: 09/25/1999 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 10/15/1999 User-ID: MSCHULTE Subject: CHANGE OF OWNERSHIP
CHANGE OF OWNERSHIP BY MTS ON 10/15/1999.

Audit: 10/15/99 MSCHULTE

September 29, 1999

**NOTICE OF ERROR
REPLY**

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: October 29, 1999

Water right number: 65-09840

CHARLES F KOSTKA
416 W LINDEN ST
BOISE ID 83706

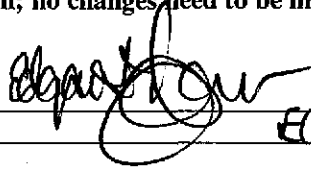
(NEW OWNER)
EDGAR K. HOUSE
19275 DEERFLAT RD.
Nampa, IDAHO 83686

Daytime Telephone Number: 467-2277
Evening Telephone Number: 467-4146

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: 10/13/99

SIGNATURE: 

Please print your name:

EDGAR K. HOUSE

AJ5809NP
No. R65-09840

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/27/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES F KOSPKA 416 WEST LINDEN STREET BOISE ID 83706 (208) 344-3182	09/05/1976	DOMESTIC	01-01 12-31	0.04 CFS	1.20 AFA
TOTAL DIVERSION:					0.04 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T16N R03E S21

SWNE

VALLEY County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
16N	03E	21	:															:

POU County: VALLEY

Non-Irrigation Uses: 1 HOUSE

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of Use:
A65-13078

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 P.N. RP 00014000068 A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Comments: Date: 03/07/1997 User-ID: CORR3 Subject: COPIED FROM REMARKS
LOTS 68 & 69, BIG SMOKEY SUBDIVISION #1.
PAGE 713, VOLUME 3-GROUNDWATER, PROPOSED FINDINGS PAYETTE RIVER BASIN.

Audit: 03/07/97 CORR3

WR5809WP
No. 65-09840

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/27/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES F. KOSTKA	09/05/1976	DOMESTIC	01/01 12/31	0.040 CFS	1.20 AFA
C	JOSEPHINE E. KOSTKA					
	416 WEST LINDEN STREET					
	BOISE ID 83706					
				TOTAL DIVERSION:	0.040 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T16N R03E S21

SWNE

VALLEY County

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
16N	03E	21	:													
			:													

Pou County: VALLEY

Remarks: GEN LOTS 68 & 69, BIG SMOKEY SUBDIVISION #1.

Dates:	App. Received:	Priority Date:	09/05/1976
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

OLD (D) NUMBER -

STATE- ID ZIP- 83706

+ - DECREE DATE - +
00/00/0000

WATER RIGHT NUMBER - A65-09840

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - AUDIT FIELDS - 09/20/88 ROUSH

+ - - - - - 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	- 09/20/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	- 65
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- X999999	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

APR-00014000688 A

DATA ENTRY

ENTERED

CHECKED

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

VERIFIED
JUL 16 1992

CERTIFIED
JAN 28 1993
WATER EXAMINER