

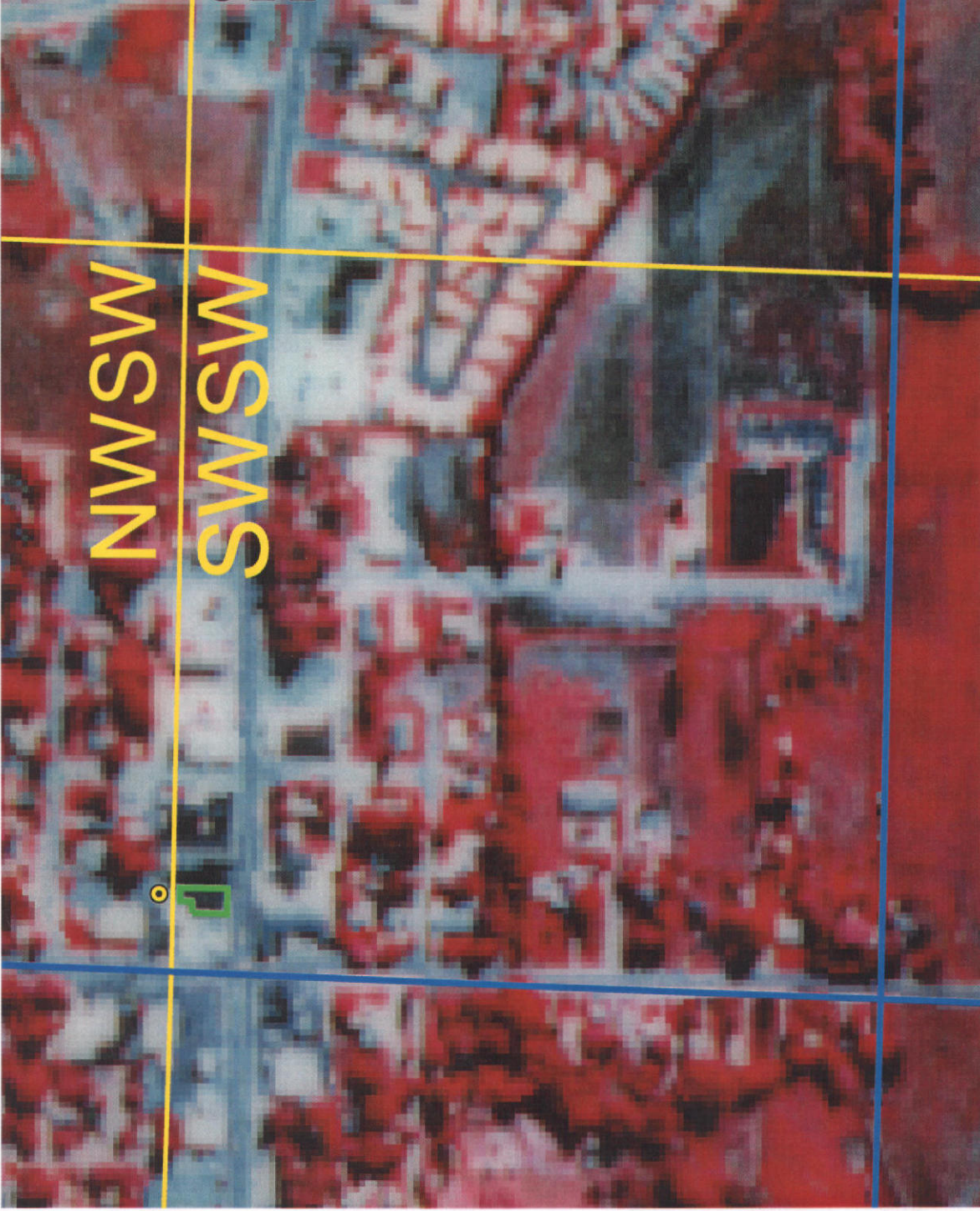
# Idaho Department of Water Resources

T04N, R01E,  
S9

Claim No: 63-4971

Prepared By: Kimberly Brown

Date: March 4, 2005



Place of Use



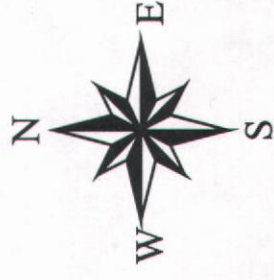
Section Lines



1/4 1/4



Point of Diversion



0.02 0 0.02 0.04 Miles



1987 NAPP

63-04971



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: A63-04971  
Date Received: 6/19/1989  
Receipt No: W003278  
Received By: JA

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JOHN M. ANDERSON  
Address: 4505 BURT PL.  
EAGLE, ID 83616

Name: BEVERLY L. ANDERSON  
Address: 4505 BURT PL.  
EAGLE, ID 83616

2. Date of Priority: MAR 03, 1903

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 04N      | 01E   | 9       | NW     | SW     |     |     | ADA    |

5. Description of diverting works:  
WELL

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| COMMERCIAL | 01/01 | 12/31 | 0.560  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
C/VARIOUS BUSINESSES

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 04N      | 01E   | 9       | NW     | SW  |     | COMMER |       |

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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

Ident. Number: ~~A63~~-04971  
Date Received: 5/30/1989  
Receipt No: W0003278  
Received By: \_\_\_\_\_

*modified*

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JOHN M. ANDERSON  
Address: 4505 BURT ~~RD.~~ *Pl.*  
EAGLE, ID 83616

Name: BEVERLY L. ANDERSON  
Address: 4505 BURT ~~RD.~~ *R.*  
EAGLE, ID 83616

2. Date of Priority: MAR 03, 1903

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 04N      | 01E   | 9       | NW     | SW     |     |     | ADA    |

5. Description of diverting works:  
WELL

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| COMMERCIAL | 01/01 | 12/31 | 0.560  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
C/VARIOUS BUSINESSES

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 04N      | 01E   | 9       | NW SW      |     | COMMER |       |

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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): Beverly Anderson Date: 6-16-89

Date: 6-16-89

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 16<sup>th</sup> day  
of JUNE 19 89

Peggy Huang  
Notary Public

Seal

Residing at Emmett, ID

My Commission Expires 7-1-94

RECEIVED  
JUN 20 1989

1/30/1989

## SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME John M + Beverly L. Anderson CLAIM IDENT. NO. Alc3.04971

DATE RECEIVED 5/30/89 CK # 5470 AMOUNT \$ 161.00

1. Is the name and address complete with zip code? (this claim 106.00) YES ☒ NO ☐ Required Info? \*

2. Is a priority date entered? ☒ \*  
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? ☒ \*

(b) Is a tributary to entered? (if required) N/A ☒

4. Is the legal description of the p.d. sufficient? ☒ \*

5. Is there a description of the diverting works? ☒

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. ☒ \*  
Is the period of use included? ☒  
Is a quantity claimed for each use? ☒ \*

7. Is a total quantity claimed entered? ☒

8. If required is a consumptive use entered? N/A ☒  
Is the consumptive use correct? N/A ☒

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 ☒ \*

10. Is (are) the place(s) of use and purpose(s) indicated? ☒ \*

11. Is (are) the county(ies) entered? ☒

12. Is the ownership of p.u. checked? ☒

13. Are other water rights listed or "none" indicated? ☒

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 ☒

15. Is the basis of the claim indicated? ☒

16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☒

17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ \*

18. Has the claim been signed, sealed, and dated by a notary? ☒ \*

19. Was this claim filed on time, or was an extension granted? ☒ \*

20. Is the fee enclosed correct? Exempt ☒ \*

21. If this claim is based on an existing water right, has the identification number been entered? N/A ☒

22. Should this claim be receipted and data entered? ☒

Claim checked by: [Signature] Date: 8-10-89

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

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

Receipt Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Claim data entered by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Sent to claimant by: \_\_\_\_\_ Date: \_\_\_\_\_

Comments: \_\_\_\_\_

03/08/2005

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

RIGHT NUMBER: 63-4971

NAME AND ADDRESS: JOHN M ANDERSON  
4505 BURT PL  
EAGLE ID 83616

BEVERLY L NORTHRUP  
4505 BURT PL  
EAGLE ID 83616

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS  
2.000 AFY

PRIORITY DATE: 03/03/1903

POINT OF DIVERSION:

T04N R01E S9 NWSW Within ADA County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

COMMERCIAL

01/01 12/31

0.040 CFS  
2.00 AFY

PLACE OF USE: COMMERCIAL Within ADA County

T04N R01E S09 SWSW

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

COMMERCIAL USE IS IN A RESTAURANT.

PARCEL NO: R2024420052.

PROPERTY IS ALSO KNOWN AS LOT 1 EXC R/W LOT 2 & W2 OF LOT 3, BLK 1, EAGLE TOWNSITE.

# Idaho Department of Water Resources

T04N, R01E,  
S9

Claim No: 63-4971

Prepared By: Kimberly Brown

Date: March 4, 2005



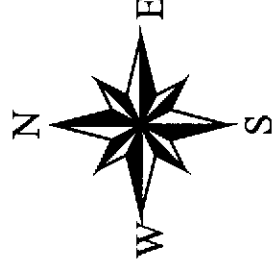
Place of Use



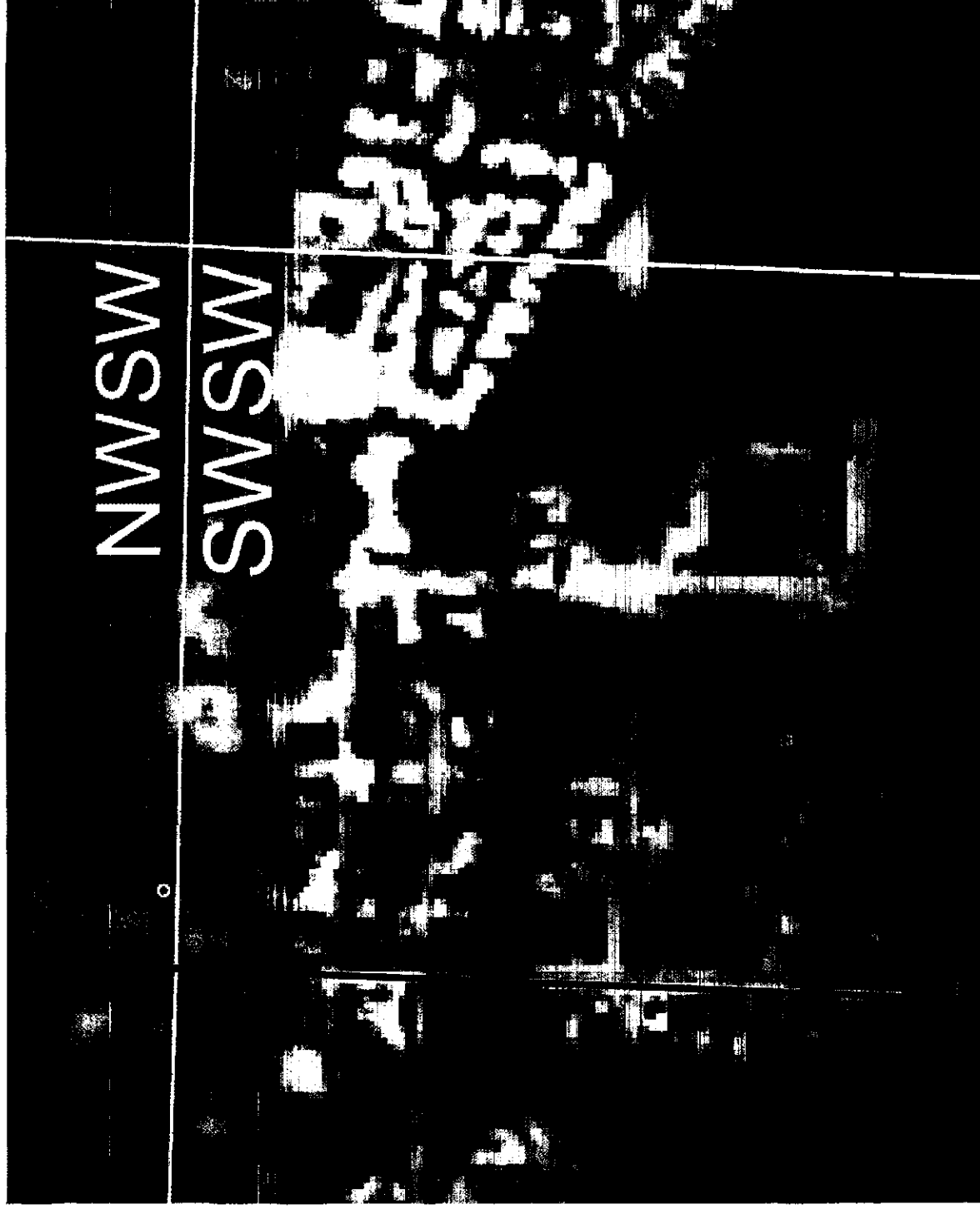
Section Lines

1/4 1/4

⊙ Point of Diversion



1987 NAPP



0.02 0 0.020.04 Miles



## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4971

WATER RIGHT NUMBER: 63-4971

Owner Type

Current Owner

Name and Address~~JOHN M ANDERSON~~~~4505 BURT PL~~~~EAGLE, ID 83616~~

Current Owner

Residence Address →

BEVERLY L ANDERSON

4505 BURT PL

EAGLE, ID 83616

Mr. &amp; Mrs. Anderson divorced -

✓ Mr. Anderson is now deceased

✓ Northrup (maiden name)

# 939 - 8686

Priority Date: 03/03/1903 ✓

Basis: ~~Statutory Claim~~ Beneficial Use

Status: Active ✓

Source

GROUND WATER ✓

TributaryBeneficial Use

COMMERCIAL ✓

From To

1/01 to 12/31 ✓

Diversion Rate0.04 ~~0.560~~ CFS ✓Total Diversion: ~~0.560~~ CFS ✓

0.04

Property Location:

34 E. State St.

Eagle

("Smoky Mountain Pizza")

Annual Volume

2.0 AFA

2.0 AFA

Location of Point(s) of Diversion

GROUND WATER

NW1/4SW1/4 ✓

Sec. 9, Twp 04N, Rge 01E, B.M. ✓

ADA County ✓

Place of Use

COMMERCIAL ✓

Twp Rge Sec

✓

04N 01E 9

| NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

only

X

ADD — Commercial use is in a restaurant.

Conditions of Approval:Remarks:

ADD JO1 - Place of use also known as ~~lots 1-3~~,  
 Lot 1 EXC R/W Lot 2 #  
 Blk 1, Eagle Townsite.  
 W2 of Lot 3

Comments:

Parcel No: R 2024420052.

\* Field Exam conducted on 6/23/04.

Field Exam Date 3-4-05

(in office)

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$ 106<sup>00</sup>
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below - include overlapping right for exam
- ☒ Evidence of Priority - if none, talk with claimant

CLAIMANT INFORMATION - verify contact information is complete

Claim No(s) A63-4971

Owner (John & Beverly Anderson) Phone No. (208) 939-8686

Current Address: 4505 Burt Place, Eagle 83616 (residence address)

☐ No change NAME IS THE SAME Beverly L. Northrup (maiden name)

☐ NEW OWNER John Anderson & deceased

☐ No change Address

☐ NEW ADDRESS

☒ How long owned property? 1982

Accompanied by: N/A

PRIORITY DATE

- ☒ No change - Complete evidence submitted ~~or not necessary~~ Evidence submitted Oct. 1, 2003
- ☐ Incomplete - Claimant should be asked when water was first used and submit proof of date.
- ☒ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: Mar. 3, 1903

(If priority date, based on your exam, seems questionable, explain below.)

Source: Ground water Tributary to \_\_\_\_\_

☒ No Change - SAME SOURCE

☐ Source found is different than claimed: \_\_\_\_\_

POINT OF DIVERSION

☒ No change

☐ POD found is different than claimed: \_\_\_\_\_

☐ If different, when did POD change? \_\_\_\_\_

**DIVERSION AND DELIVERY SYSTEM**

Points of Diversion:

| ID # | Govt Lot # | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks<br>GPS ID |
|------|------------|-----|-----|-----|------|------|------|--------|-------------------------------------------|
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |

Description of diverting works

See Adjudication Field Report.**OVERLAP REVIEW**

Other water rights with the same point of diversion: \_\_\_\_\_

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain: \_\_\_\_\_

**WATER USES**☐ No change☐ Different Uses

Use Commercial From \_\_\_\_\_ To \_\_\_\_\_ Amount 0.04 CFS 2.0 AFA

Use \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA

Use \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA

**TOTAL VOLUME – Groundwater only**☒ Incomplete on claim, the total is, Amount \_\_\_\_\_ CFS 2.0 AFA☒ Changes found, the new total is, Amount 0.04 CFS \_\_\_\_\_ AFA☐ More than 1" per Acre? Yes \_\_\_\_\_ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes \_\_\_\_\_ Stock # \_\_\_\_\_

Types \_\_\_\_\_ Additional comments: \_\_\_\_\_

**PLACE OF USE:**☐ No Change☒ Changes shown below:POU Accomplished Transfer –

approximately  $\frac{3}{4}$  of the POU is located in the SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Sec. 9;  
which was not claimed.

\* the building located behind the actual restaurant is used for storage and does not use well water. According to Jerry Todd, the storage building will be torn down in the near future (Conversation, 3/4/05).

[illegible]

Overlap with other water rights: \_\_\_\_\_

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: See Adjudication Field Report.

| Well or Diversion<br>Identification No<br>GPS ID | Motor Make | Hp  | Motor Serial No. | Pump Make   | Pump Serial No. or<br>Discharge size |
|--------------------------------------------------|------------|-----|------------------|-------------|--------------------------------------|
| A0002479                                         | Gould      | 3/4 | J05853L          | Gould       | Model J75                            |
|                                                  |            |     |                  | Centrifugal |                                      |

**FLOW MEASUREMENTS:** See Adjudication Field Report.

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS (OVER)

Commercial use is in a restaurant.

Place of use is also known as lots 1-3, Bk 1,  
Ft. Torrance

Parcel No: R2024420052.

**AFTER EXAM THE FILE SHOULD CONTAIN:**

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU > FX - 6/23/04
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 3-8-05 (in office)

FIELD EXAMINER: Kimberly Brown

ANNUAL VOLUME CALCULATIONS -

REQUIRED:

Employees -  $\frac{20 \text{ employees} \times 50 \text{ gal/day/person} \times 365 \text{ days}}{325,850} = 1.12 \text{ afa}$   
(max. amt.)

Public -  $\frac{80 \text{ public individuals} \times 10 \text{ gal/day/person} \times 365 \text{ days}}{325,850} = 0.896 \text{ afa}$   
Restaurant w/ toilet & kitchen facilities  
(max. amt.)

Total = 2.0 AFA

POTENTIAL:  $0.04 \text{ cfs} \times 1.9835 \times 365 \text{ days} = 28.96 \text{ AFA}$

# **MEMORANDUM**

**RE: Snake River Basin Adjudication Water Right Nos. A63-4971  
Notice of Error Reply**

August 16, 2005

This memorandum is in response to the *Notice of Error Reply* received from Beverly Northrup. Mrs. Northrup's states in her reply that, "The old rate has been in place for many years. Why change it now?" This statement is inaccurate. When Burke Scholer conducted a field investigation on 6/23/04, he found "a small domestic type pump installation" with a "4-inch cased well with a ¾ HP pump" (Adjudication Field Report, Description of diverting works, p. 2); which is a very small system. According to Mr. Scholer's flow measurements, which allots a 70% efficiency (a large efficiency for such a small system), in which the lift of 15' is accurate, and in which the psi is taken directly from the pressure gauge (see Well Head photograph attached to the Field Report); the diversion rate is 18.24 gpm or 0.04 cfs (Adjudication Field Report, Flow Measurements, p. 3). In response to Mrs. Northrup's statement, this system has been in place for quite a long time and we can assume that 0.04 cfs has been the flow rate for many, many years (this is an old well!).

Based on Burke Scholer's calculation, we are confident that his theoretical gave Mrs. Northrup's claim the benefit of the doubt. Therefore, the recommendation will not be changed and the diversion rate will remain as 0.04 cfs; the amount based on the field investigation calculations.

Several of our agents (me included) spoke with Mrs. Northrup at the Preliminary Meeting held on July 15, 2005; where she was able to review the claim file and we explained Mr. Scholer's flow measurement calculations to her. Mrs. Northrup was informed that she has the option of hiring a qualified engineer to conduct a flow measurement for our department's consideration.

Kimberly Brown  
Senior Water Resource Agent  
Western Region

05/31/2005

NOTICE OF ERROR  
REPLY

RECEIVED

JUL 29 2005

WATER RESOURCES  
WESTERN REGION

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: July 15, 2005

Water right number: 63-4971

JOHN M ANDERSON  
4505 BURT PL  
EAGLE ID 83616

BEVERLY L NORTHRUP  
4505 BURT PL  
EAGLE ID 83616  
Telephone Number: (208)939-8686

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

see enclosed letter

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

see enclosed letter

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

see enclosed letter

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

7-10-05

SIGNATURE:

Beverly Northrup

Please print your name:

BEVERLY NORTHRUP

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

July 25, 2005

Idaho Department of Water Resources  
P.O. Box 83720  
Boise, Idaho 83707-9815

RECEIVED

JUL 29 2005

WATER RESOURCES  
WESTERN REGION

Water right # 63-4971

To whom it may concern:

I have many concerns over the lowering of the water flow rate from .560 CFS to .040 CFS on the Eagle commercial property. The old rate has been in place for many years. Why change it now? A restaurant leases the property at this time. As we know, a restaurant requires a great deal of water. If the property is leased to a new tenant, will that be enough water for them? How will this affect the leasing of this property in the future? Many unanswered questions. Please reconsider this decision. Thank you.

Sincerely,  
Beverly Northrop  
4505 Bust Pl.  
Eagle, Idaho 83616

# CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right No. A63-04971  
Evidence of Priority**

September 5, 2003

Beverly Northrup (formerly Beverly Anderson until she took back her maiden name after her divorce from John Anderson)(Mr. Anderson passed away 6 months ago) called in response to the evidence of priority letter I sent on 9/3/03. After I explained the letter, Ms. Northrup was still quite confused and stated, "I can't remember a thing!" She is unsure as to what this claim applies to. She said that she will talk to Mr. Rodgy, from across the street, in order to make sense of all this.

September 8, 2003

After a lengthy discussion of what this claim may apply to (Ms. Northrup held fast to the belief that this applies to her home) and me mentioning numerous times that **commercial** use usually refers to a **business** venture, Ms. Northrup finally realized that this claim is for her **commercial** property in downtown Eagle; currently known as "Smoky Mountain Pizza." Once again, I explained the concept of and need for evidence of priority and Ms. Northrup said she would look into it.

September 23, 2003

Ms. Northrup called. She is aware of a woman who knows the history of Eagle. She will try to contact her in order to fill out an affidavit. Ms. Northrup has requested extra time to supply evidence of priority since her son may have the same cancer that took her former husband's life six months ago.

Kimberly Brown  
Sr. Water Resource Agent  
Western Region

3/4/05 I spoke with Jerry Todd since I had a question regarding the second building located behind Smoky Mountain Pizza & whether it uses the well water. Mr. Todd said that the building located behind the restaurant is used for storage and does not use any well water. Besides, he said, "It will be torn down in the near future." -KLB

# IMPORTANT MESSAGE

FOR

Kimberly

DATE

9-5

TIME

9:31

A.M.  
P.M.

## WHILE YOU WERE OUT

M

Beverly Northrup (Formerly Anderson)

OF

PHONE NO.

939-8686

TELEPHONED

PLEASE CALL

☒

CALLED TO SEE YOU

WILL CALL AGAIN

WANTS TO SEE YOU

URGENT

RETURNED YOUR CALL

MESSAGE

Rec'd your letter and  
need help....

SIGNED

Dy

# IMPORTANT MESSAGE

FOR

*Kimberly*

DATE

*9-8*

TIME

*9:41*

A.M.  
P.M.

## WHILE YOU WERE OUT

M

*Beverly Northrup*

OF

PHONE NO.

*939-8686*

TELEPHONED

PLEASE CALL

X

CALLED TO SEE YOU

WILL CALL AGAIN

WANTS TO SEE YOU

URGENT

RETURNED YOUR CALL

MESSAGE

SIGNED

*SH*

# Important Message



Time: 9:09 Date: 9-23  
For: Kimberly  
From: Beverly Northrop  
Telephone: 939-8686

- |                                              |                                                 |
|----------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> Telephoned          | <input checked="" type="checkbox"/> Please call |
| <input type="checkbox"/> Wants to see you    | <input type="checkbox"/> Will call again        |
| <input type="checkbox"/> Returned your call  | <input type="checkbox"/> URGENT                 |
| <input type="checkbox"/> Was here to see you |                                                 |

Message: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Taken by: \_\_\_\_\_



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

FAX (208) 334-2348

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

September 5, 2003

BEVERLY L. NORTHROP  
4505 BURT PL  
EAGLE, ID 83616

RE: Water Right No. A63-4971

Dear Mrs. Northrop,

Please complete the enclosed *Notice of Change in Water Right Ownership* to reflect the changes we discussed earlier this afternoon. I have included easy-to-follow instructions for you and hope they will help you.

In addition, in order to 1) update the discrepancy of John M. Anderson being listed as a Current Owner of this water right and 2) change your surname from Anderson to Northrop, it is necessary that you also:

- a) submit evidence to us that shows you were given ownership of this water right in your divorce from Mr. Anderson; such as a copy of the *Quick Claim Deed*, and
- b) submit evidence to substantiate your current married name of Northrup; such as a copy of your *Marriage Certificate*.

Please send the completed form and necessary documents to:

Attn. Kimberly Brown  
Idaho Department of Water Resources  
Western Region  
2735 Airport Way  
Boise, ID 83705-5082

Sincerely,

A handwritten signature in cursive script that reads "Kimberly L. Brown". The signature is written in dark ink and is positioned above the typed name and title.

Kimberly L. Brown  
Water Resource Agent  
Western Region



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

September 3, 2003

JOHN & BEVERLY ANDERSON  
4505 BURT PL.  
EAGLE, ID 83616

RE: EVIDENCE OF PRIORITY  
Snake River Basin Claim No(s): A63-04971

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area.

The required evidence supporting the priority date(s) requested needs to be submitted by October 1, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

FAX (208) 334-2348

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

above. In addition, we will be contacting you within the next few weeks to schedule a field exam.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Kimberly L. Brown".

Kimberly L. Brown  
Water Resource Agent  
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet  
Notice of Claim A63-04971

**NOTE:** If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

overlap review

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POD REVIEW REPORT  
ADJUDICATION CLAIM NUMBER: 63-4971

HW SW

03/08/2005

1

| ater Right #       | Type             | Twp            | Rge            | Sec          | QQ            | Q             | Lot | Source                  | Name                        |
|--------------------|------------------|----------------|----------------|--------------|---------------|---------------|-----|-------------------------|-----------------------------|
| 63-4082            | Claim            | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | ROBERT W CARPENTER          |
| 63-4083            | Claim            | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | MAXINE CARPENTER            |
| 63-4159            | Claim            | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | IRENE GUNDERSON             |
| 63-4160            | Claim            | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | IRENE GUNDERSON             |
| 63-4920            | Claim            | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | JAMES G ANDERSON            |
| <del>63-4971</del> | <del>Claim</del> | <del>04N</del> | <del>01E</del> | <del>9</del> | <del>NW</del> | <del>SW</del> |     | <del>GROUND WATER</del> | <del>JOHN M ANDERSON</del>  |
| 63-7382            | Claim            | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | DONNA J BUCHANAN            |
| 63-7398            | Claim            | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | VIOLA MOHR                  |
| 63-7405            | Claim            | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | M GERTRUDE WOODS            |
| 63-16623           | Claim            | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | MAXINE CARPENTER            |
| 63-18567           | Claim            | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | ST MATTHEWS CATHOLIC CHURCH |
| 63-19452           | Claim            | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | BOB D WEAVER                |
| 63-21818           | Claim            | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | VIOLA F WOODWARD            |
| 63-18422           | Claim            | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | VALERIE J BROOKS            |
| 63-19149           | Claim            | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | LYNN STANDEY                |
| 63-20691           | Claim            | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | WAYNE CROSBY                |
| 63-4082            | Water Right      | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | ROBERT W CARPENTER          |
| 63-4083            | Water Right      | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | MAXINE CARPENTER            |
| 63-4159            | Water Right      | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | IRENE GUNDERSON             |
| 63-4160            | Water Right      | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | IRENE GUNDERSON             |
| 63-4210            | Water Right      | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | E AILEEN SCOTT              |
| 63-4920            | Water Right      | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | JAMES G ANDERSON            |
| 63-4971            | Water Right      | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | BEVERLY L NORTHRUP          |
| 63-7382            | Water Right      | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | DONNA J BUCHANAN            |
| 63-7398            | Water Right      | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | VIOLA MOHR                  |
| 63-7405            | Water Right      | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | WILLIS E WOODS              |
| 63-10959           | Water Right      | 04N            | 01E            | 9            | NW            | SW            |     | GROUND WATER            | NEW HEIGHTS BAPTIST CHURCH  |

no overlap - different POBs

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**ADJUDICATION CLAIM POD REVIEW REPORT**  
**ADJUDICATION CLAIM NUMBER: 63-4971**

03/08/2005

2

| <b>ater Right #</b> | <b>Type</b> | <b>Twp</b> | <b>Rge</b> | <b>Sec</b> | <b>QQ</b> | <b>Q</b> | <b>Lot</b> | <b>Source</b> | <b>Name</b>      |
|---------------------|-------------|------------|------------|------------|-----------|----------|------------|---------------|------------------|
| 63-16623            | Water Right | 04N        | 01E        | 9          | NW        | SW       |            | GROUND WATER  | MAXINE CARPENTER |
| 63-19452            | Water Right | 04N        | 01E        | 9          | NW        | SW       |            | GROUND WATER  | PAMELLA J WEAVER |
| 63-21818            | Water Right | 04N        | 01E        | 9          | NW        | SW       |            | GROUND WATER  | VIOLA F WOODWARD |
| 63-18422            | Water Right | 04N        | 01E        | 9          | NW        | SW       |            | GROUND WATER  | RICHARD I BROOKS |
| 63-19149            | Water Right | 04N        | 01E        | 9          | NW        | SW       |            | GROUND WATER  | LYNN STANDEY     |
| 63-20691            | Water Right | 04N        | 01E        | 9          | NW        | SW       |            | GROUND WATER  | JANE CROSBY      |

*overlap review*

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POU REVIEW REPORT  
ADJUDICATION CLAIM NUMBER: 63-4971

*should be shown*

03/08/2005

1

| Right #         | Type                   | Twp            | Rge            | Sec          | QQ            | Q             | Lot | Purpose of Use        | Acres/Total | Name                          |
|-----------------|------------------------|----------------|----------------|--------------|---------------|---------------|-----|-----------------------|-------------|-------------------------------|
| 125K            | Claim                  | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 8/          | NEW DRY CREEK DITCH CO        |
| 126G            | Claim                  | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 8/          | NEW DRY CREEK DITCH CO        |
| 161L            | Claim                  | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 8/2964      | NEW DRY CREEK DITCH CO        |
| -205            | Claim                  | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 8/2964      | NEW DRY CREEK DITCH CO        |
| -206            | Claim                  | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 8/2964      | NEW DRY CREEK DITCH CO        |
| 258B            | Claim                  | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 8/2964      | NEW DRY CREEK DITCH CO        |
| -263            | Claim                  | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 8/2964      | NEW DRY CREEK DITCH CO        |
| -286            | Claim                  | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 8/2964      | NEW DRY CREEK DITCH CO        |
| 288B            | Claim                  | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 8/2964      | NEW DRY CREEK DITCH CO        |
| 2406            | Claim                  | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 40/29248    | DRAINAGE DIST NO 2            |
| 7398            | Claim                  | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 0.5/0.5     | VIOLA MOHR                    |
| 7405            | Claim                  | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 1/1         | M GERTRUDE WOODS              |
| 17468           | Claim                  | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 8/2964      | NEW DRY CREEK DITCH CO        |
| 18977           | Claim                  | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 8/2964      | NEW DRY CREEK DITCH CO        |
| 11778           | Claim                  | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 8/14        | NEW DRY CREEK DITCH CO        |
| 11806           | Claim                  | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 8/          | NEW DRY CREEK DITCH CO        |
| 258B            | Water Right            | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            |             | ELIZABETH CHARTERS            |
| 260B            | Water Right            | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            |             | CHARLES H SCHMELZER           |
| 2406            | Water Right            | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 40/29248    | DRAINAGE DIST NO 2            |
| 7398            | Water Right            | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 1/1         | VIOLA MOHR                    |
| 7405            | Water Right            | 04N            | 01E            | 9            | NW            | SW            |     | IRRIGATION            | 1/1         | WILLIS E WOODS                |
| <del>4971</del> | <del>Claim</del>       | <del>04N</del> | <del>01E</del> | <del>9</del> | <del>NW</del> | <del>SW</del> |     | <del>COMMERCIAL</del> |             | <del>JOHN M ANDERSON</del>    |
| <del>4971</del> | <del>Water Right</del> | <del>04N</del> | <del>01E</del> | <del>9</del> | <del>NW</del> | <del>SW</del> |     | <del>COMMERCIAL</del> |             | <del>BEVERLY L NORTHROP</del> |
| 7398            | Claim                  | 04N            | 01E            | 9            | NW            | SW            |     | DOMESTIC              |             | VIOLA MOHR                    |
| 4082            | Water Right            | 04N            | 01E            | 9            | NW            | SW            |     | DOMESTIC              |             | ROBERT W CARPENTER            |
| 4083            | Water Right            | 04N            | 01E            | 9            | NW            | SW            |     | DOMESTIC              |             | MAXINE CARPENTER              |
| 4159            | Water Right            | 04N            | 01E            | 9            | NW            | SW            |     | DOMESTIC              |             | IRENE GUNDERSON               |
| 4160            | Water Right            | 04N            | 01E            | 9            | NW            | SW            |     | DOMESTIC              |             | IRENE GUNDERSON               |

*no overlap - separate Pous.*

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**ADJUDICATION CLAIM POU REVIEW REPORT**  
**ADJUDICATION CLAIM NUMBER: 63-4971**

03/08/2005

2

| Right # | Type        | Twp | Rge | Sec | QQ | Q  | Lot | Purpose of Use | Acres/Total | Name                       |
|---------|-------------|-----|-----|-----|----|----|-----|----------------|-------------|----------------------------|
| 4210    | Water Right | 04N | 01E | 9   | NW | SW |     | DOMESTIC       |             | E AILEEN SCOTT             |
| 4920    | Water Right | 04N | 01E | 9   | NW | SW |     | DOMESTIC       |             | JAMES G ANDERSON           |
| 7368    | Water Right | 04N | 01E | 9   | NW | SW |     | DOMESTIC       |             | EAGLE RANCH WATER CO INC   |
| 7382    | Water Right | 04N | 01E | 9   | NW | SW |     | DOMESTIC       |             | DONNA J BUCHANAN           |
| 10959   | Water Right | 04N | 01E | 9   | NW | SW |     | DOMESTIC       |             | NEW HEIGHTS BAPTIST CHURCH |
| 16623   | Water Right | 04N | 01E | 9   | NW | SW |     | DOMESTIC       |             | MAXINE CARPENTER           |
| 18422   | Water Right | 04N | 01E | 9   | NW | SW |     | DOMESTIC       |             | RICHARD I BROOKS           |
| 19149   | Water Right | 04N | 01E | 9   | NW | SW |     | DOMESTIC       |             | LYNN STANDEY               |
| 19452   | Water Right | 04N | 01E | 9   | NW | SW |     | DOMESTIC       |             | PAMELLA J WEAVER           |
| 20691   | Water Right | 04N | 01E | 9   | NW | SW |     | DOMESTIC       |             | JANE CROSBY                |
| 21818   | Water Right | 04N | 01E | 9   | NW | SW |     | DOMESTIC       |             | VIOLA F WOODWARD           |

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9998

WATER RIGHT NUMBER: 63-9998

Owner Type

Current Owner

Name and Address

BEVERLY L ANDERSON  
4505 BURT PL  
EAGLE, ID 83616

Current Owner

JOHN M ANDERSON  
4505 BURT PL  
EAGLE, ID 83616

Priority Date: 02/06/1984

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

0.120 CFS

Annual Volume

18.00 AF

Total Diversion:

0.120 CFS

18.00 AF

Location of Point(s) of Diversion

GROUND WATER

SW1/4SE1/4

Sec. 30, Twp 05N, Rge 01E, B.M.

ADA County

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |     |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW  | SE |        |
| 05N | 01E | 30  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 4.0 |    | 4.0    |

Total Acres: 4

Conditions of Approval:Remarks:Comments:Dates and Other Information:*related claim**Anderson's  
Domestic residence  
irrigation*



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## Assessor Links

- [Assessor Main Page](#)
- [Administration](#)
- [Information](#)
- [Appraisal](#)
- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
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- [Commissioners](#)
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## Property Details for Parcel R2024420052

### General Information

**Property Acres:** 0.387  
**Zone Code:** CBD  
**Primary Code Area:** 05 Tax Districts  
**Group Type:** SUB  
**Subdivision:** EAGLE TOWNSITE  
**Section:** 4N1E09

### Property Description

LOT 1 EXC R/W LOT 2 &  
 W2 OF LOT 3 BLK 1  
 EAGLE TOWNSITE  
 #0050-B  
 #98041588

### Property Address

34 E STATE ST  
 EAGLE, ID 83616



[Click to View Interactive Map](#)

### Parcel Valuation Details

| Assessment Roll | State Category Code  | Acreage | Assessed Value | Valuation Method |
|-----------------|----------------------|---------|----------------|------------------|
| Primary         | 420-COM IMPROVEMENT  | 0.000   | \$197,000      | INCOME           |
| Primary         | 420-COM IMPROVEMENT  | 0.000   | \$167,100      | INCOME           |
| Primary         | 210-COM LOT OR TRACT | 0.387   | \$129,800      | MARKET           |

Total Assessed Value: \$493,900

### Parcel Valuation History

**Assessed value for year 2004** \$493,900  
**Assessed value for year 2003** \$485,300  
**Assessed value for year 2002** \$281,500  
**Assessed value for year 2001** \$269,400  
**Assessed value for year 2000** \$246,300

### Property Characteristics

Commercial  
 Land

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## Land Records

## Characteristics Detail

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Commercial

Land

**Commercial Characteristics 1 for Parcel "R2024420052"**

**Commercial Group Type:** REST - DINING  
**Year Built:** 1918  
**Remodel Year:** 1966  
**Occupancy Date:** No Date Available  
**Business Name:** SMOKY MTN PIZZA  
**Number of Floors:** 1  
**Number of Units:** 0  
**Leasable Sq Ft:** 2070  
**Ground Floor Sq Ft:** 2070  
**Excess Land Sq Ft:** 6099  
**Used Land Acres:** 0.247  
**Used Land Sq Ft:** 10759  
**Excess Land Acres:** 0.14  
**Total Land Sq Ft:** 2070  
**Total Land Acres:** 0.387  
**Method:** INCOME

## Assessor Links

- [Assessor Main Page](#)
- [Administration](#)
- [Information](#)
- [Appraisal](#)
- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
- [Levy Rates](#)

**Commercial Characteristics 2 for Parcel "R2024420052"**

**Commercial Group Type:** REST - DINING  
**Year Built:** 1965  
**Remodel Year:** 1970  
**Occupancy Date:** No Date Available  
**Business Name:** SMOKY MTN PIZZA  
**Number of Floors:** 1  
**Number of Units:** 0  
**Leasable Sq Ft:** 2846  
**Ground Floor Sq Ft:** 2846  
**Excess Land Sq Ft:** 10760  
**Used Land Acres:** 0.14  
**Used Land Sq Ft:** 6098  
**Excess Land Acres:** 0.247  
**Total Land Sq Ft:** 2846  
**Total Land Acres:** 0.387  
**Method:** INCOME

## Ada County Links

- [Ada County Home Page](#)
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Field Exam Date 6/23/04

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION FIELD REPORT

RECEIVED

JUL 13 2004

WATER RESOURCES  
WESTERN REGION

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A-63-04971

Owner: BEVERLY L. NORTHRUP Phone No. 939-8686

Current Address: 4505 BURT PL, EAGLE ID 83616

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER SAME PERSON - DIFFERENT LAST NAME
- ☐ No change Address
- ☐ NEW ADDRESS \_\_\_\_\_
- ☐ How long owned property? \_\_\_\_\_

Accompanied by: TENANT: JERRY TODD, TRIPLE T ENTERPRISES  
GARDEN CITY ID PHONE 433-9596

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: \_\_\_\_\_

(If priority date, based on your exam, seems questionable, explain below.)

Source: GROUNDWATER Tributary to \_\_\_\_\_

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: \_\_\_\_\_

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: \_\_\_\_\_
- ☐ If different, when did POD change? \_\_\_\_\_

SITETAC A0002479  
GPS 2310349  
1390987

## DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

| ID # | Govt Lot # | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks<br>GPS ID |
|------|------------|-----|-----|-----|------|------|------|--------|-------------------------------------------|
|      |            | NW  | NW  | SW  | 9    | 4N   | 1E   | ADA    | STATE QUADMAP - + GPS                     |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |

Description of diverting works: A COMMERCIAL PUMPSITE.

THIS IS A SMALL DOMESTIC TYPE PUMP INSTALLATION. THE WELL HEAD IS LOCATED IN A SMALL PUMP LOCATED NEARLY BEHIND SMOKEY MOUNTAIN PIZZA. 4" CASED WELL WITH A 3/4 HP PUMP & LARGE PRES. TANK. WATER IS USED BY A RESTAURANT.

### OVERLAP REVIEW

Other water rights with the same point of diversion: \_\_\_\_\_

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

## WATER USES

- ☒ No change *Commercial*  
☐ Different Uses

Use *IRRIGATION* From *1/1/1* To *12/31* Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA  
 Use \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA  
 Use \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA

## TOTAL VOLUME - Groundwater only

- ☐ Incomplete on claim, the total is, Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA  
☐ Changes found, the new total is, Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA  
☐ More than 1" per Acre? Yes \_\_\_\_\_ (claimant must complete excess flow sheet)

## NON-IRRIGATION USES:

- ☐ No change  
☐ Changes Exam found: Domestic # of homes \_\_\_\_\_ Stock # \_\_\_\_\_  
 Types \_\_\_\_\_ Additional comments: \_\_\_\_\_

## PLACE OF USE:

- ☐ No Change  
☐ Changes shown below:

COMMERCIAL

| Place of Use |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|--------------|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| TWP          | RGE | SEC | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 04N          | 1E  | 9   |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |    | *      |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

\* COMMERCIAL

Overlap with other water rights:

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

**Delivery System Narrative:** 4" DIAMETER WELL LOCATED INSIDE OF A SMALL PUMP HOUSE. THE WELL HEAD HAS A SUCTION PIPE PLUMBED TO THE TOP OF THE CASING, INDICATING A LIFT LESS THAN 15' FT. THE PUMP SETS ON A SHELF ABOUT 3' ABOVE THE WELL HEAD AND IS PLUMBED INTO THE SYSTEM, WITH THE INTAKE CONNECTED DIRECTLY TO WELL. THE SYSTEM HAS A 50-75 GALLON PRESSURE TANK.

| Well or Diversion Identification No<br>GPS ID | Motor Make | Hp  | Motor Serial No. | Pump Make   | Pump Serial No. or Discharge size       |
|-----------------------------------------------|------------|-----|------------------|-------------|-----------------------------------------|
| A0002479                                      | GOULD      | 3/4 | J05853L          | GOULD       | MODEL J75                               |
|                                               |            |     |                  | CENTRIFUGAL | NO SN<br>1 1/4" SUCTION<br>1" DISCHARGE |

**FLOW MEASUREMENTS:** ESTIMATED FLOW LIFT = 15' DISCHARGE 43PSI (99')

Attach appropriate documents

$$GPM = \frac{(1.75)(1.7)3960}{114} = 18.2460 \text{ OR } 0.04 \text{ CPS}$$

**NARRATIVE/REMARKS/COMMENTS**

ON 5/26/04 I CALLED BEVERLY NORTHRUP AND DISCUSSED THE WATER RIGHT + ADJUDICATION SITUATION. SHE INFORMED ME THAT JERRY TODD WITH TRIPLE "T" ENTERPRISES IS THE TENANT AND GAVE ME HIS PHONE NUMBER. (432-9596). I CALLED AND DISCUSSED THE REQUIRED INFORMATION NEEDED. AFTER THIS DISCUSSION, HE AGREED TO COMPLETE THE QUESTIONNAIRE FOR THE COMMERCIAL USE VOLUME. I MAILED THE FORMS TO HIM AND AGREED TO MAIL THEM DIRECTLY TO KIMBERLY. HIM GAVE ME PERMISSION TO OPEN THE PUMP HOUSE AND COLLECT ANY DATA THAT WAS AVAILABLE. HE HAS VERY LITTLE KNOWLEDGE ABOUT THE PUMP. ON 6/23/04 I WENT BY THE BUSINESS AND COLLECTED THE NECESSARY INFORMATION THAT WAS

AVAILABLE ON SITE. I NAILED THE SITE TAG DIRECTLY OVER THE PUMP  
HOUSE DOOR. THE ATTACHED PHOTO SHOWS THE DETAILS OF THE  
SITE

**AFTER EXAM THE FILE SHOULD CONTAIN:**

- ☐ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 6/23/04 - WRITTEN 7/2/04

FIELD EXAMINER: Donell Schen

63-04971

Looking South from alley,  
behind restaurant

Well Head

06 23 2004

06 23 2004

63-4971 (FOR BURKE)

CALLER  
BEVERLY ON 5/26/04.  
ALSO CALLED JERRY TODD  
FOR APPOINT. HE IS  
SUPPOSED TO CALL ME  
BACK.

April 28, 2004

EAGLE CITY

Contact Beverly Northrup # 939-8686  
to get location of business & setup a field exam  
(I believe this may be Smoky Mountain Pizzeria in  
Eagle, but am not sure.)

Since this is a commercial volume, we need to  
calculate/determine the volume used. The most impor-  
tant questions to ask are:

- 1.) How many employees/public individuals use the facility? \_\_\_\_\_
- 2.) How many hours per day is the business open? \_\_\_\_\_
- 3.) How many days per week? \_\_\_\_\_

If use is for a restaurant's toilet facilities, for example,  
we need to ask additional questions \* please have the  
person you meet with fill out the Commercial Use Volume  
questionnaire \* in order to calculate volume amount.

Plus:

- GPS POD /-photograph
- measure flow/system capacity (.56 of claimed)
- calculate volume, if possible. ← (Burke did not do this.)

We have received evidence of the priority dates,  
so that is taken care of.

- Kimberley (OVER)

6/23/04

ID PWR

# 38 217 028

K<sub>h</sub> 7.2

TAG

E 0009063

SITE TAG A 0002479

GPS

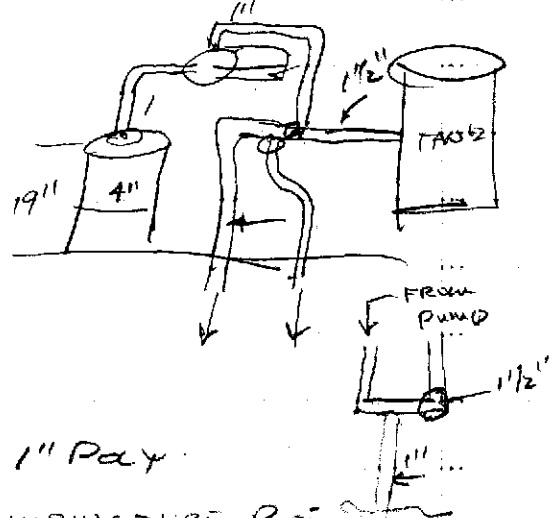
2310349

1390987

#37

WELL

4" WELL CASING



Pump

GOULD PRES. PUMP

SELF PRIME CENTRIFUGAL (JET PUMP)?

3/4 HP

INLET 1 1/4

REDUCED TO 1" POLY

DISCH 1"

PVC PRES. PLUMBING TYPE PIPE

PEX POTABLE TUBING

1" CTS-00 100 PSI @ 180°F

160 " " 73°F

ASTM F876/F877/F2023

MOTOR

3450 RPM

SF 1.5

SINGLE PHASE

115V 14.8 amp

230V 7.4 "

SN: J05853L

Pump

MODEL JTS

SN. B0477830

PRESS TANK

LARGE

DIAMETER

2' x 4'

18" x 4"

DISCH PSI STATIC 43 PSI

RECEIVED

JUN 30 2004

WATER RESOURCES  
WESTERN REGION

# 63-4971

Anderson/Northrup

## COMMERCIAL USE VOLUME

\* Please keep in mind that these questions pertain only to the use of the water listed on the enclosed **Adjudication Claim Report**.

**Type of Establishment:** (example – camp, church, country club, bar/lounge, boardinghouse, factory, motel, highway rest area, hospital, laundry, office, park, restaurant, school, service station, theater)

RESTAURANT

**Type of Facilities:** (example: kitchen facility/cafeteria, lavatory facilities, shower(s), bath(s), sink(s), trailers, flush toilets)

Kitchen & Lavatory

3 KITCHEN SINKS, 1 Dishwashing Machine  
2 Lavatory Sinks 2 Flush Toilets.

**Number of Fixtures:** (example: number of flush toilets, number of bathtubs, number of bathroom/kitchen sinks, number of showers, etc.)

**How many employees (and/or public individuals) per day use each of the facilities your commercial use is based upon?**

20 EMPLOYEES

70-80+ PUBLIC INDIVIDUALS USE LAVATORY FACILITIES

**How many hours per day is the facility open for this specific use?**

ELEVEN HOURS

**How many days per week is the facility open for this use?**

SEVEN

Is this facility open year round? ☒ Yes ☐ No

If not, please indicate the length of time the facility is open during the year.

\*\* Most businesses have a good idea of how many gallons of water per day they use. If this is true in your case, please indicate how many **total gallons of water you use** for the commercial purposes explained above:

NO IDEA

Additional information you feel may be pertinent:

Jerry Toood  
Your name

433-9596  
Business telephone number

# 841-0972 (cell)

Please return to:

ATTN: Kimberly Brown  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, ID 83705-5082

TRIPLE T ENTERPRISES, INC.  
dba Smoky Mountain Pizzo & Pasta  
408 E. 41st Street  
Boise, Idaho 83714

Kimberly Brown  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, ID. 83705-5082

83705+5082



Claim - A63-04971

63-4971

Location - NW  $\frac{1}{4}$  SW  $\frac{1}{4}$

SEC. 9 Twp. 04N

RGE 01E, B.M.

ADA COUNTY

EAGLE

SHARON L. SHARP  
P.O. BOX 38  
EAGLE, IDAHO 83616  
208-939-0419

RECEIVED  
OCT 01 2003  
WATER RESOURCES  
WESTERN REGION

To: Idaho Department of Water Resources

Re: Beverly Anderson Water Right (NW corner of State Street/Eagle Road)

Allow me to introduce myself, my name is Sharon L. Sharp, the daughter of Orville and Floy Jackson of Eagle, Idaho. My parents owned the Orville Jackson Drug Store in Eagle which my Father purchased on August 16, 1922. My Father had an excellent memory and told me lots of stories about Eagle in the early years so in 1976 I started interviewing some senior citizens and learned their recollections of Eagle.

I have heard various years stated about when Eagle became a town varying from 1905-1908. I do know the drug store had been in existence 16 years prior to my Father purchasing it. I have many photographs from "old timers" that show the buildings in downtown Eagle through the years. I will be 67 on December 7th and I always remember the Selby's grocery store with the Odd Fellows Hall upstairs sitting on the NE corner of what is now State Street and Eagle Road. To the immediate east of that building was a vacant lot and then the Valley Market and post office in what is now Smoky Mountain Pizza. The post office shared a common wall with the western wall of the drug store. I remember as a child there was a fire in Eagle and the pitcher pump behind the Valley Market was used to fill buckets that were passed in a bucket brigade to douse the fire. From my own experience I know it would be very difficult, if not impossible, to find someone alive today that would be familiar with the water in downtown Eagle. Folks who lived out on farms would have no conception of water in town and vice versa. I have tried to think of someone who would be familiar with this well and can not think of a person.

Please see the enclosed photographs and take my recollections in an attempt to establish a priority date for this water right. I know how important having a priority date can be and want to do whatever I can to help solve this issue.

Any questions, please feel free to call me at the above number.

Sincerely,

  
Sharon L. Sharp

no photos enclosed  
at this time  
-Beverly Northrup

Sept. 28, 2003

Idaho Department of Water Resources  
2735 Airport Way  
Boise, Idaho 83705  
ATTN: Kimberly Brown

RECEIVED

OCT 01 2003

WATER RESOURCES  
WESTERN REGION

Claim - A63-04971  
Location - NW $\frac{1}{4}$  S12 $\frac{1}{4}$  Sec 9 Twp. 04 N Rge 01 E, B.M.  
Ada County - Eagle

Dear Kimberly Brown:

As per our phone conversations here is the information I have so far.

My husband, John M. Anderson, and I purchased the Eagle commercial property in 1982 from the original owners, Independent Order of Oddfellows AKA IOOF. We of course retained their water rights. At that time the Grand Secretary Jack Morrow and Grand Master Clifford Horn must have said 1903 was the date for the water rights. We therefore filed a claim for that date. My husband was an honest man and would not have created a fictional date. Sadly all the gentlemen are deceased.

To my knowledge the IOOF was in Eagle before 1904.

In talking to local historians there is general agreement of a two story building on the property. The building housed a grocery store on the 1<sup>st</sup> level and the Foot lodge on the 2<sup>nd</sup> level. The consensus is there had to have been water on the property.

After going through the archives at the Idaho State Historical Society and talking to many local historians I do not doubt the 1903 water rights claim.

If I can be of further help or provide more information please contact me.

Sincerely:  
Beverly Northrop  
4505 Buyl Rd.  
Eagle, Idaho 83616  
939-8686

4505 Burt Pl.  
Eagle, Idaho  
83616

Idaho Dept. of State Resources  
2735 Airport Dray  
Boise, Idaho  
83705



AUDREY HERRN



USA 37

ATTN: Kimberly Brown

Boise, ID 83705