

T5N
T4N



Idaho Department of Water Resources

T04N, R01E,
S8

Claim No: 63-15687

Prepared By: Kimberly Brown

Date: February 28, 2005



Place of Use



Section Lines



1/4 1/4



Point of Diversion



0.03 0 0.03 0.06 Miles

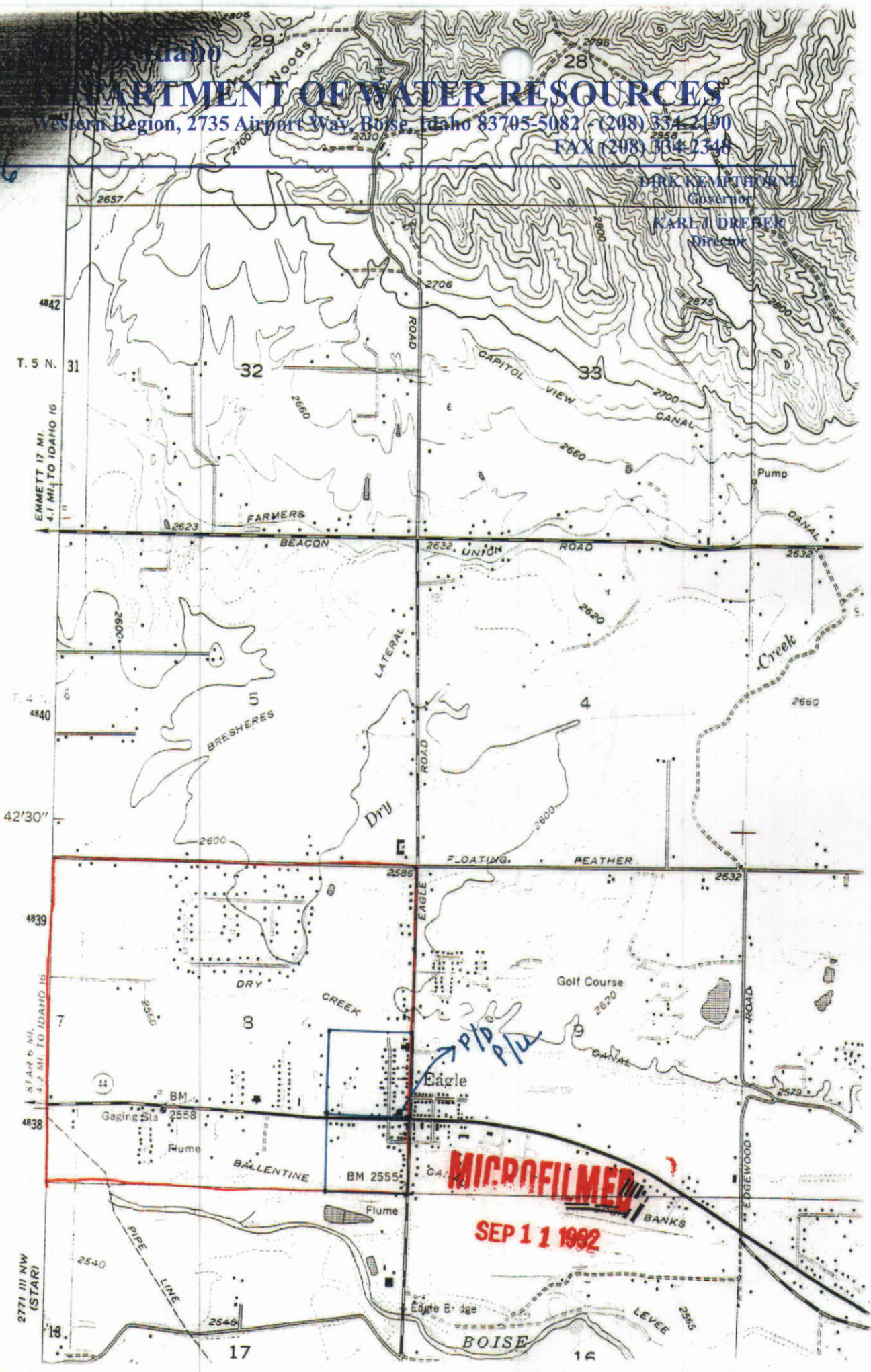


1987 NAPP

Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 (208) 334-2190
FAX (208) 334-2348

DICK KEMPTHORNE
Governor
KARL DREHER
Director

4N
1E
Sec 8
SE SE



MICROFILMED

SEP 11 1992

**Land Records**
[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)
Property Details for Parcel S0508417530

- [Main Page](#)
- [Property Search](#)
- [Online Map](#)
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- [Image Documents](#)
- [Old interactive map](#)

General Information

Property Acres: 0.270
Zone Code: CBD
Primary Code Area: 05-45 Tax Districts
Group Type: SECT
Subdivision: 4N 1E 08
Section: 4N1E08

Property Description

PAR #7530 OF NE4SE4
 SEC 8 4N 1E
 #417520-B
 #9153704

Property Address

380 W STATE ST
 EAGLE, ID 83616


[Click to View Interactive M](#)
Assessor Links

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

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	420-COM IMPROVEMENT	0.000	\$75,700	INCOME
Primary	210-COM LOT OR TRACT	0.270	\$71,200	MARKET

Total Assessed Value: \$146,900

Parcel Valuation History

Assessed value for year 2004 \$146,900
 Assessed value for year 2003 \$130,600
 Assessed value for year 2002 \$124,100
 Assessed value for year 2001 \$119,700
 Assessed value for year 2000 \$110,900

Ada County Links

- [Ada County Home Page](#)
- [Commissioners](#)
- [Treasurer](#)
- [Clerk/Auditor/Recorder](#)
- [Development Services](#)
- [Human Resources](#)

Property Characteristics

Commercial
 Land

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**Land Records****Characteristics Detail**[Go Back to Property](#)

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- [Old interactive map](#)

Commercial**Land****Commercial Characteristics 1 for Parcel "S0508417530"****Commercial Group Type:**

OFFICE - LOW RISE

Year Built:

1910

Remodel Year:

1966

Occupancy Date:

No Date Available

Business Name:

office

Number of Floors:

1

Number of Units:

0

Leasable Sq Ft:

1621

Ground Floor Sq Ft:

1621

Excess Land Sq Ft:

0

Used Land Acres:

0.27

Used Land Sq Ft:

11761

Excess Land Acres:

0.0

Total Land Sq Ft:

1621

Total Land Acres:

0.27

Method:

INCOME

Assessor Links

- [Assessor Main Page](#)
- [Administration](#)
- [Information](#)
- [Appraisal](#)
- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
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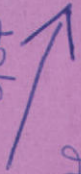
Ada County Links

- [Ada County Home Page](#)
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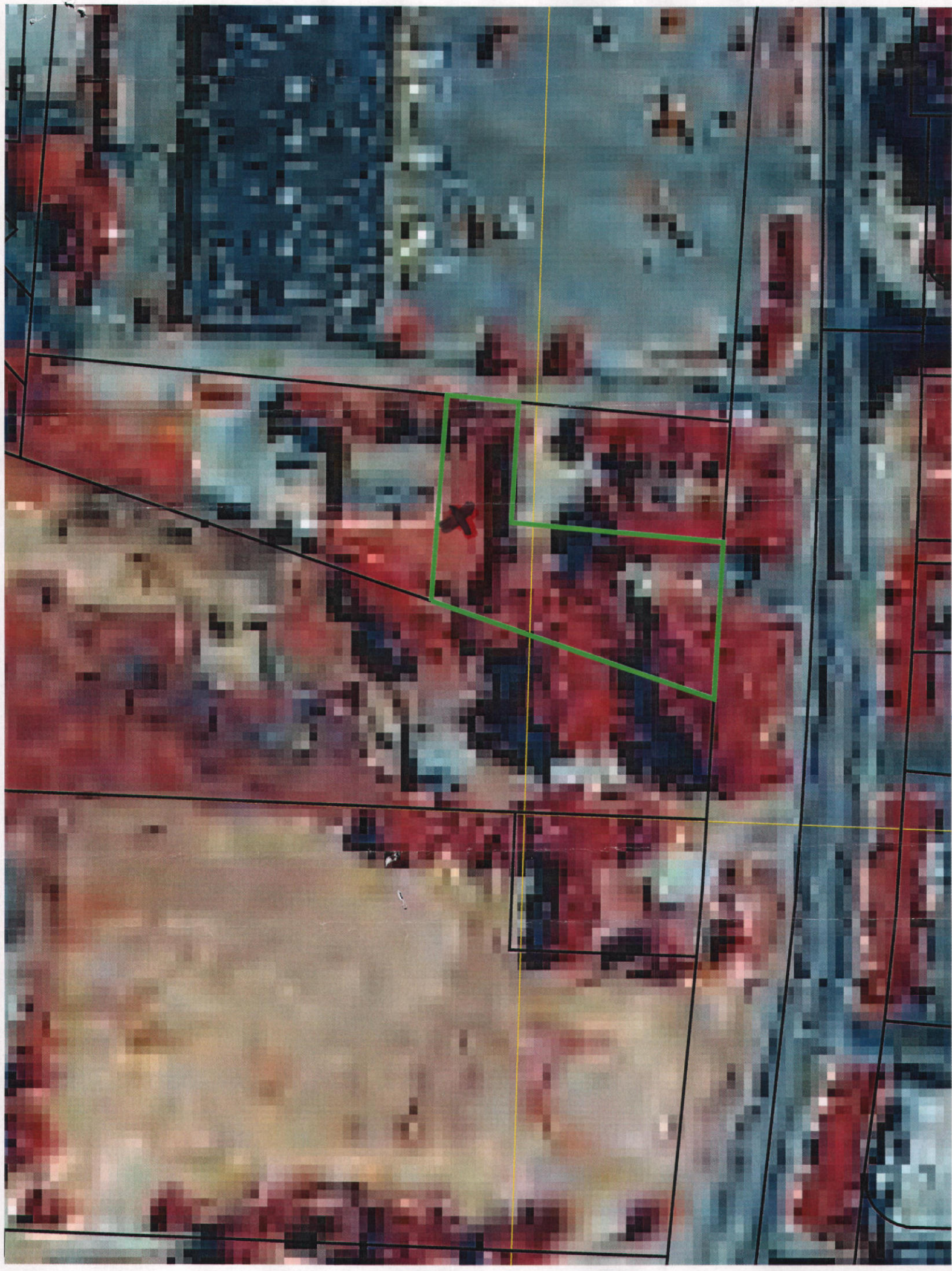
Mr. Maile,

3/04



Please draw the location of the well and the building on this 2000 aerial photograph and return to me with the required legal document (to fulfill No. 2.C. of form).





2000 NAPP



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 63-15687
Date Received: 6/14/1989
Receipt No: W003222
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THOMAS G MAILE IV
380 W STATE ST
EAGLE ID USA 83616

Phone: (208) 939-1000

COLLEEN BIRCH MAILE
380 W STATE ST
EAGLE ID USA 83616

Phone: (208) 939-1000

2. Date of Priority: 01/01/1900

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01E	8	NE SE	ADA	

5. Description of diverting works:

ARTESIAN WELL W/PUMP & PIPELINE TO OFFICE BUILDING.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
COMMERCIAL	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	8	NE	SE	COMMERCIAL	

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:

Ownership change by DB 3/29/2004

THE 1/1/1900 PRIORITY DATE IS BASED ON THE ORIGINAL WELL USED FOR THE HOME THAT THIS BUSINESS NOW OCCUPIES. A REPLACEMENT WELL WAS DRILLED IN 1965. THERE ARE TWO OTHER OFFICE BUILDINGS USING THIS WELL, HOWEVER, THEY WERE ADDED ON IN THE 1980s AND ARE BEING FILED ON UNDER A NEW APPLICATION FOR PERMIT.

15. Basis of Claim: Beneficial Use

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

RECEIVED

MAR 17 2004

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-15887		100			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) 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(s)

Charmaine J. Simler
 4635 Skyline Drive

Clarence D. Suiter

Nancy J. Suiter

4. New Owner/Claimant(s)

Don & Colleen Maile

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

380 W. State

Thomas G. Maile

City, State and ZIP Code

Earl D. F3610

Colleen Birch Maile

New Telephone Number

204 339 1000

5. Date you acquired the property

1997

Former Owner:
 Suiter

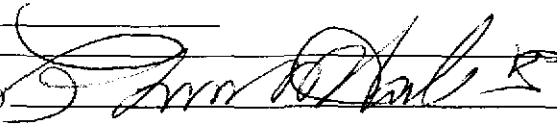
New Owner:
 Maile

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)



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

For Office Use Only

Received by DB Date 3-17-04 Fee —
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

THIS FORM FURNISHED COURTESY OF:

STEWART TITLE OF IDAHO, INC.

9153704
 STEWART TITLE
 RECORDED
 902
 '91 SEP 25 PM 3 42

RECEIVED

MAR 25 2004

WATER RESOURCES
WESTERN REGION

(7530)

 SPACE ABOVE THIS LINE FOR RECORDING DATA
 Order No.: 91030044 LS/PC

WARRANTY DEED

FOR VALUE RECEIVED CLARENCE D. SUITER AND NANCY I. SUITER, HUSBAND AND WIFE

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto THOMAS G. MAILR, IV AND COLLEEN BIRCH MAILR, HUSBAND AND WIFE

 GRANTEE(S), whose current address is: 380 W. State Street, Eagle, Idaho 83616
 the following described real property in ADA County, State of Idaho, more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments. (Including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: September 24, 1991

CLARENCE D. SUITER

NANCY I. SUITER

ACKNOWLEDGEMENT - Attorney in Fact

STATE OF Idaho, County of Ada

On this 25th day of September in the year of 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared

Nancy I. Suiter

known as identical to me as the person(s) whose name(s) is/are subscribed to the within instrument, as the attorney in fact of

CLARENCE D. SUITER

and acknowledged to me that he/she/it subscribed the same of

CLARENCE D. SUITER

known as identical to me as the person(s) whose name(s) is/are subscribed to the within instrument, as the attorney in fact of

CLARENCE D. SUITER

and acknowledged to me that he/she/it subscribed the same of

CLARENCE D. SUITER

known as identical to me as the person(s) whose name(s) is/are subscribed to the within instrument, as the attorney in fact of

CLARENCE D. SUITER

and acknowledged to me that he/she/it subscribed the same of

CLARENCE D. SUITER

of 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared

CLARENCE D. SUITER AND NANCY I. SUITER

(name(s) is/are subscribed to the within instrument, and

Signature: Patty I. ChuppName: PATTY I. CHUPPResiding at: BOISE, IDAHOMy Commission Expires: MAY 05, 1992
 Signature: Patty I. Chupp
 Name: PATTY I. CHUPP
Residing at: BOISE, IDAHOMy Commission Expires: MAY 8, 1992

ORDER NO. 91030044 LS/PC

EXHIBIT 'A'

A parcel of land situated in the Southeast 1/4 of Section 8, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Southeast corner of Section 8, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho; thence North along the East line of said Section 8 a distance of 1,181.4 feet to a point on the center line of the Valley Road; thence West along the center line of the Valley Road 697 feet to a brass cap on the Southwest corner of HERON'S TOWNSITE; thence North 87 degrees 58' West 403.00 feet along the North right of way line of State Highway No. 44 to a steel pin, THE REAL POINT OF BEGINNING; thence continuing North 87 degrees 58' West 158.0 feet to a steel pin; thence North 16 degrees 26' East 428.19 feet to a point; thence East 65.0 feet to a point; thence South 2 degrees 02' West 420.0 feet more or less back to THE POINT OF BEGINNING.

EXCEPT THE FOLLOWING DESCRIBED PARCELS:

Commencing at the Southeast corner of Section 8, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho; thence North along the East line of said Section 8 a distance of 1,181.4 feet to a point on the center line of the Valley Road; thence West along the center line of the Valley Road 697 feet to a brass cap on the Southwest corner of HERON'S TOWNSITE; thence North 88 degrees 23'34" West 177.88 feet to a brass cap; thence North 87 degrees 45'29" West 229.06 feet to the Westerly edge of Eagle Glen Lane, which is THE REAL POINT OF BEGINNING; thence continuing North 87 degrees 45'29" West 70 feet to a point; thence North 125 feet to a point; thence East 70 feet to a point; thence South 2 degrees 2' West 125 feet back to THE REAL POINT OF BEGINNING.

AND ALSO EXCEPTING:

Commencing at the Southeast corner of said Section 8, a point marked by a brass cap; thence along the East line of said Section 8

CONTINUATION OF EXHIBIT "A"

Order No. ST-91030044 LS/PC

North 0 degrees 07'07" East 1,182.04 feet (formerly described as North 1,181.40 feet) to a point, marked by a 5/8" iron pin; thence leaving said section line

North 89 degrees 51'41" West 696.28 feet (formerly described as West 697.00 feet) to a point, marked by a brass cap; thence

North 87 degrees 46'45" West 560.86 feet (formerly described as North 87 degrees 58'00" West 560.30 feet) to a point, marked by a 5/8" iron pin; thence

North 16 degrees 42'27" East 428.12 feet (formerly described as North 16 degrees 26'00" East 428.19 feet) to a point, marked by a 5/8" iron pin, THE REAL POINT OF BEGINNING, said point also being the Southwest corner of EAGLE GLEN TOWNHOUSES as filed for record with the Ada County Recorder at Book 33, Page 1997; thence along the South line of said EAGLE GLEN TOWNHOUSES

SOUTH 87 degrees 47'19" East 58.92 feet (formerly described as South 87 degrees 58'00" East) to a point, marked by a 5/8" iron pin; thence leaving said line

South 3 degrees 05'41" West 250.00 feet to a point, marked by a 5/8" iron pin; thence

North 87 degrees 47'19" West 119.69 feet to a point, marked by a 5/8" iron pin; thence

North 16 degrees 42'27" East 258.19 feet to THE POINT OF BEGINNING.

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: A63-15687
Date Received: 6/14/1989
Receipt No: W003222
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLARENCE D. SUITER 208-939-0430
Address: 4635 SKYLINE DR.
EAGLE, ID 83616

OR

Name: NANCY I. SUITER 208-939-0430
Address: 4635 SKYLINE DR.
EAGLE, ID 83616

2. Date of Priority: JAN 01, 1900

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	8	NE	SE			ADA

5. Description of diverting works:
ARTESIAN WELL W/PUMP & PIPELINE TO OFFICE BUILDING.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/OFFICE BUILDING(SUITER LAW OFFICE) DOMESTIC FACILITIES.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	8	NE SE		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:

APP. FOR PERMIT FOR SAME WELL - TWO ADDITIONAL OFFICE BLDGS.

14. Remarks:

THE 1/1/1900 PRIORITY DATE IS BASED ON THE ORIGINAL WELL USED FOR THE HOME THAT THIS BUSINESS NOW OCCUPIES. A REPLACEMENT WELL WAS DRILLED IN 1965. THERE ARE TWO OTHER OFFICE BUILDINGS USING THIS WELL, HOWEVER, THEY WERE ADDED ON IN THE 1980'S AND ARE BEING FILED ON UNDER A NEW APPLICATION FOR PERMIT.

15. Basis of Claim: BENEFICIAL USE

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: 1

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): Blair M. Suiter / by Date: 6-14-89

Donna Suiter, his attorney in fact Date: 6-14-89

State of Idaho)

County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 14th day

of June 19 89

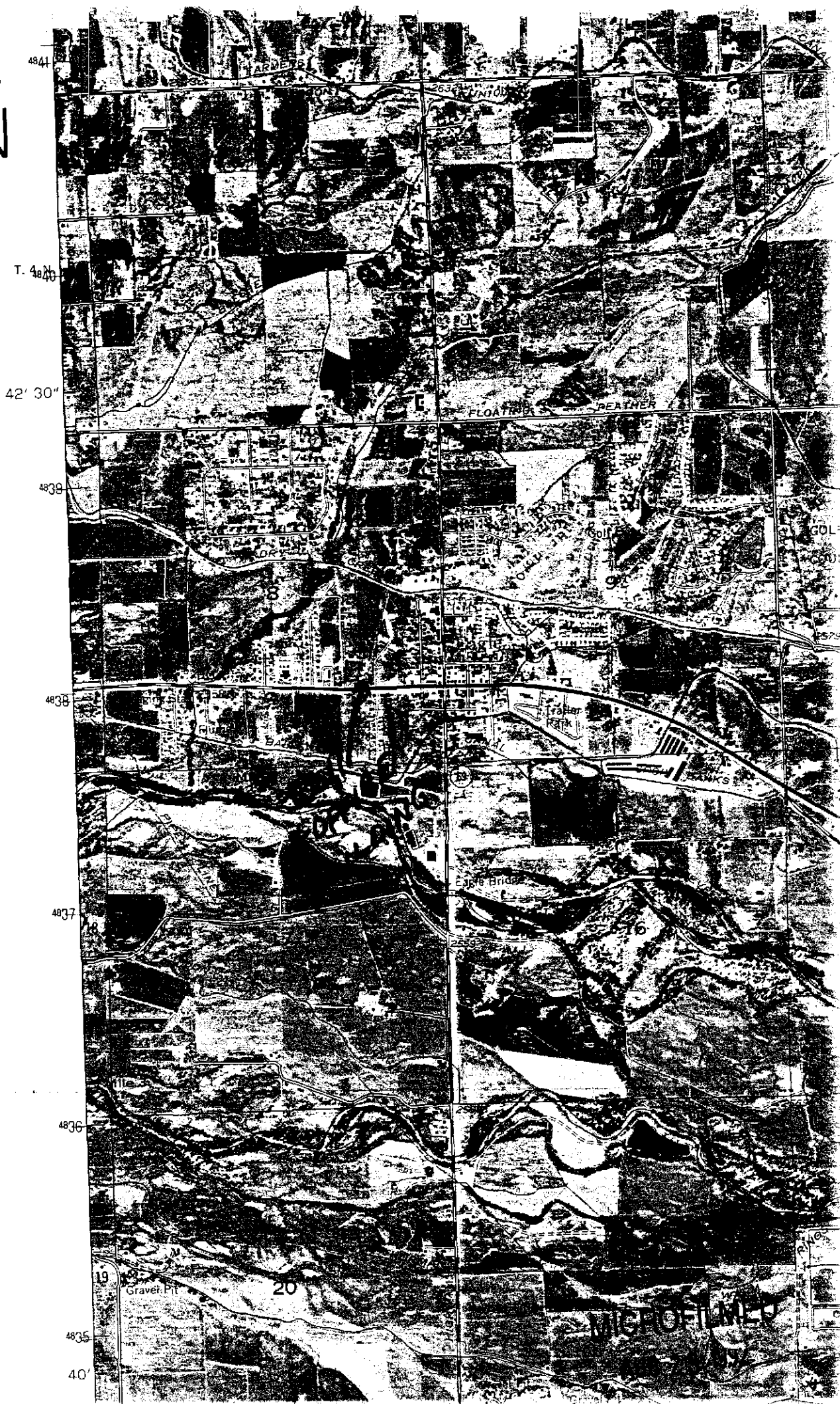
Seal

Jan Thunte
Notary Public

Residing at Meridian ID

My Commission Expires 9-14-94

T5N
T4N



05/31/2005

NOTICE OF ERROR
REPLY

RECEIVED

JUN 15 2005

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

WATER RESOURCES
WESTERN REGION

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: 63-15687

THOMAS G MAILE IV
380 W STATE ST
EAGLE ID 83616
Telephone Number: (208) 939-1000

COLLEEN B MAILE
380 W STATE ST
EAGLE ID 83616
Telephone Number: (208) 939-1000

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:

6/07/05

SIGNATURE:



Please print your name:

Thomas G. Maile, IV

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

03/01/2005

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

RIGHT NUMBER: 63-15687

NAME AND ADDRESS: THOMAS G MAILE IV
380 W STATE ST
EAGLE ID 83616

COLLEEN B MAILE
380 W STATE ST
EAGLE ID 83616

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
0.120 AFY

PRIORITY DATE: 01/01/1900

POINT OF DIVERSION:

T04N R01E S8 NESE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

COMMERCIAL

01/01 12/31

0.040 CFS
0.12 AFY

PLACE OF USE: COMMERCIAL Within ADA County

T04N R01E S08 NESE

T04N R01E S08 SESE

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.

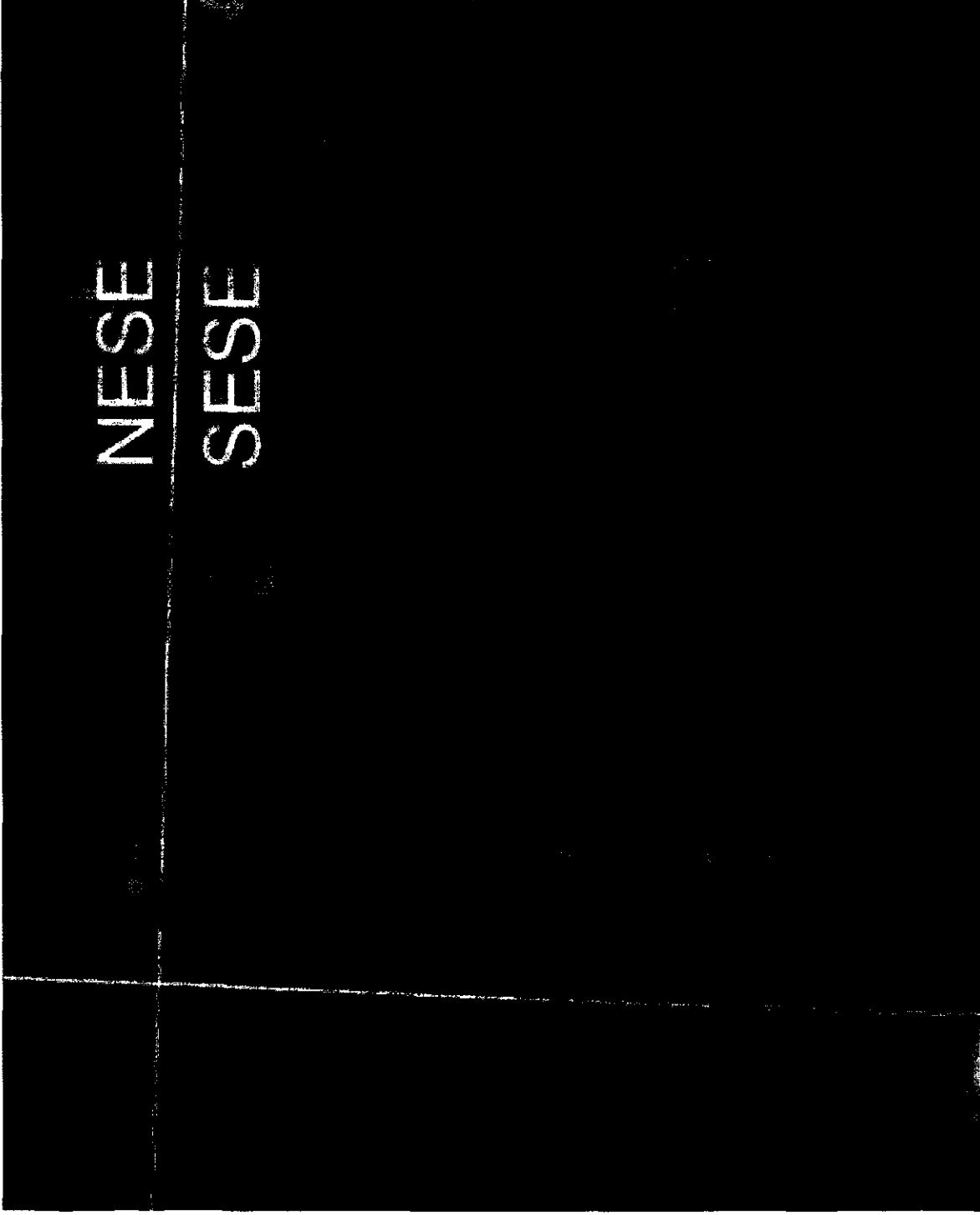
EXPLANATORY MATERIAL: Beneficial Use

COMMERCIAL USE IS IN AN OFFICE.

PARCEL NO: S0508417530.

Idaho Department of Water Resources

T04N, R01E,
S8



Claim No: 63-15687

Prepared By: Kimberly Brown

Date: February 28, 2005



Place of Use

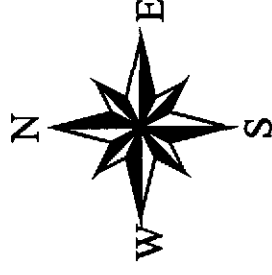


Section Lines

1/4 1/4



Point of Diversion



0.03 0 0.03 0.06 Miles



1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-15687

WATER RIGHT NUMBER: 63-15687 ✓

Current Owners:

Thomas Maile, Atty.
380 W. State St.
Eagle, ID 83616

(208) 939-1000

Owner TypeName and AddressOriginal ~~Current~~ Owner

CLARENCE D SUITER ✓
4635 SKYLINE DR
EAGLE, ID 83616
(208)939-0430

Original ~~Current~~ Owner

NANCY I SUITER ✓
4635 SKYLINE DR
EAGLE, ID 83616
(208)939-0430

Priority Date: 01/01/1900 ✓

Affidavit of Nancy Suiter

Basis: Beneficial Use ✓

Status: Active

Property Address:

380 W. State St., Eagle

SourceTributary

GROUND WATER ✓

Beneficial Use

COMMERCIAL ✓

From To

1/01 to 12/31 ✓

Diversion Rate

0.040 CFS ✓

Annual Volume

0.12 AFA

0.12 AFA

Total Diversion:

0.040 CFS ✓

Location of Point(s) of Diversion

GROUND WATER

ADA County ✓

NE1/4SE1/4 ✓

Sec. 8, Twp 04N, Rge 01E, B.M. ✓

Place of Use

COMMERCIAL

Twp Rge Sec

04N 01E 8

NE

NE | NW | SW | SE

NW

NE | NW | SW | SE

SW

NE | NW | SW | SE

SE

NE | NW | SW | SE

Totals

ADD - office building is located in the SESE only.

law

X

ADD - Commercial use is in an (law) office.

Conditions of Approval:Remarks:

1. General

THE 1/1/1900 PRIORITY DATE IS BASED ON THE ORIGINAL WELL USED FOR THE HOME THAT THIS BUSINESS NOW OCCUPIES. A REPLACEMENT WELL WAS DRILLED IN 1965. THERE ARE TWO OTHER OFFICE BUILDINGS USING THIS WELL, HOWEVER, THEY WERE ADDED ON IN THE 1980'S AND ARE BEING FILED ON UNDER A NEW APPLICATION FOR PERMIT.

Comments:

Location of property: 380 W. State St., Eagle.

Parcel No: 50508417530.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-15687

Dates and Other Information:

Claim Received Date: 6/14/1989

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Field Exam Date 2-28-04

(in office review)

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 \$54.00
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ 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 - 15687

Owner: Nancy & Clarence Suter Phone No. (208) 939-0430

Current Address: 4635 Skyline Dr., Eagle 83616

Property Address: ☐ No change NAME IS THE SAME
☒ NEW OWNER Colleen & Thomas Maile IV
☐ No change Address
☒ NEW ADDRESS 380 W. State, Eagle 83616
☐ How long owned property? #939-1000
380 W. State Eagle, 83616 #939-1372

Accompanied by: N/A

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: 01 / 01 / 1900 Affidavit submitted by Nancy Suter on 3/17/04.

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

According to Ada County Assessor Land Records,
the house was built in 1910; not 1900 as claimed (see file).

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? _____

Intrepid GPSed the well's location.

Mr. Maile returned the 2000 NAPP I sent with the
Notice of Change in Ownership form → depicting the location of
the well (see file).

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

Artesian well w/ pump.**OVERLAP REVIEW**Other water rights with the same point of diversion: 63-10816

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

#63-10816 shares the same well.**WATER USES**REQUIRED: see page 4 for volume calculations☐ No change☐ Different UsesUse Commercial From _____ To _____ Amount _____ CFS 0.12 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

POTENTIAL (V) REQUIRED: 0.04 cfs x 1.9835 x 261 days = 20.7 AFA**TOTAL VOLUME - Groundwater only**☒ Incomplete on claim, the total is, Amount _____ CFS 0.12 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:**None - but commercial☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☒ Changes shown below:The office building is located in the SESE.

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	
4N	1E	8																C	

Overlap with other water rights: See POU overlap review sheet.

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

Delivery System Narrative: pipeline to office building

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
A0013284					
310030					
291017					

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

This office, located at 380 W. State St., Eagle, shares the same well with two other office buildings located at 360 W. State St. and 101 N. Eagle Glen Lane, Eagle (these two are covered by licensed water right #63-10816.)

Commercial use is in an office.

Parcel No: 50508417530.

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

> Intrepid -11/27/01

DATE EXAM CONDUCTED: 2.28.05

FIELD EXAMINER: Kimberly Brown

Workers : Day (school or offices per person per shift) = 15 g/d

$$\frac{4 \text{ employees} \times \frac{(10 \text{ hrs/day})}{30 \text{ gal/day}} \times \frac{(6 \text{ days/week})}{313 \text{ days}}}{325850} = 0.11526$$

or
0.12 AF

(see B/u Field Report for #63-10816,
G. Volume Calculations, #2)
as reference

overlap review -

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-15687**

03/01/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
125K	Claim	04N	01E	8	NE	SE		IRRIGATION	28/	NEW DRY CREEK DITCH CO
126G	Claim	04N	01E	8	NE	SE		IRRIGATION	28/	NEW DRY CREEK DITCH CO
161L	Claim	04N	01E	8	NE	SE		IRRIGATION	28/2964	NEW DRY CREEK DITCH CO
-205	Claim	04N	01E	8	NE	SE		IRRIGATION	28/2964	NEW DRY CREEK DITCH CO
-206	Claim	04N	01E	8	NE	SE		IRRIGATION	28/2964	NEW DRY CREEK DITCH CO
258B	Claim	04N	01E	8	NE	SE		IRRIGATION	28/2964	NEW DRY CREEK DITCH CO
-263	Claim	04N	01E	8	NE	SE		IRRIGATION	28/2964	NEW DRY CREEK DITCH CO
-286	Claim	04N	01E	8	NE	SE		IRRIGATION	28/2964	NEW DRY CREEK DITCH CO
288B	Claim	04N	01E	8	NE	SE		IRRIGATION	28/2964	NEW DRY CREEK DITCH CO
2406	Claim	04N	01E	8	NE	SE		IRRIGATION	39/29248	DRAINAGE DIST NO 2
7908	Claim	04N	01E	8	NE	SE		IRRIGATION	3/3	EAGLE GLEN HOMEOWNERS ASSN IN
17468	Claim	04N	01E	8	NE	SE		IRRIGATION	28/2964	NEW DRY CREEK DITCH CO
38977	Claim	04N	01E	8	NE	SE		IRRIGATION	28/2964	NEW DRY CREEK DITCH CO
31778	Claim	04N	01E	8	NE	SE		IRRIGATION	28/14	NEW DRY CREEK DITCH CO
31806	Claim	04N	01E	8	NE	SE		IRRIGATION	28/	NEW DRY CREEK DITCH CO
2406	Water Right	04N	01E	8	NE	SE		IRRIGATION	39/29248	DRAINAGE DIST NO 2
7908	Water Right	04N	01E	8	NE	SE		IRRIGATION	3/3	EAGLE GLEN HOMEOWNERS ASSN IN
10983	Water Right	04N	01E	8	NE	SE		IRRIGATION	1.2/2.2	MERIDIAN JOINT SCHOOL DISTRICT #
~~15687~~	~~Claim~~	~~04N~~	~~01E~~	~~8~~	~~NE~~	~~SE~~		~~COMMERCIAL~~		~~THOMAS G MAILE IV~~
5064	Water Right	04N	01E	8	NE	SE		COMMERCIAL		JOSEPH W CULLEN
10816	Water Right	04N	01E	8	NE	SE		COMMERCIAL		NANCY I SUITER
7699	Claim	04N	01E	8	NE	SE		DOMESTIC		MERIDIAN JOINT SCHOOL DISTRICT #
7908	Claim	04N	01E	8	NE	SE		DOMESTIC		EAGLE GLEN HOMEOWNERS ASSN IN
4107	Water Right	04N	01E	8	NE	SE		DOMESTIC		WINONA BUCHANAN
7699	Water Right	04N	01E	8	NE	SE		DOMESTIC		MERIDIAN JOINT SCHOOL DISTRICT #
16316	Water Right	04N	01E	8	NE	SE		DOMESTIC		CHESTER A BROWNLEE
17996	Water Right	04N	01E	8	NE	SE		DOMESTIC		HAZEL L HURLBERT
18146	Water Right	04N	01E	8	NE	SE		DOMESTIC		BRUNHILDE S CLUFF

No overlap - separate POU's.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-15687

03/01/2005

2

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
18490	Water Right	04N	01E	8	NE	SE		DOMESTIC		MARY LAURENE COYLE
18491	Water Right	04N	01E	8	NE	SE		DOMESTIC		RUTH D WARD
18492	Water Right	04N	01E	8	NE	SE		DOMESTIC		KENNETH N WARD
18493	Water Right	04N	01E	8	NE	SE		DOMESTIC		RUTH D WARD
18494	Water Right	04N	01E	8	NE	SE		DOMESTIC		KENNETH N WARD
19033	Water Right	04N	01E	8	NE	SE		DOMESTIC		REBECCA MADSEN

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-15687

03/01/2005

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-4107	Claim	04N	01E	8	NE	SE		GROUND WATER	WINONA BUCHANAN
~~63-15687~~	~~Claim~~	~~04N~~	~~01E~~	~~8~~	~~NE~~	~~SE~~		~~GROUND WATER~~	~~THOMAS G MAILE IV~~
63-16316	Claim	04N	01E	8	NE	SE		GROUND WATER	CHESTER A BROWNLEE
63-18491	Claim	04N	01E	8	NE	SE		GROUND WATER	RUTH D WARD
63-18492	Claim	04N	01E	8	NE	SE		GROUND WATER	RUTH D WARD
63-18493	Claim	04N	01E	8	NE	SE		GROUND WATER	KENNETH N WARD
63-7908	Claim	04N	01E	8	NE	SE		GROUND WATER	EAGLE GLEN HOMEOWNERS ASSN I
63-17996	Claim	04N	01E	8	NE	SE		GROUND WATER	HAZEL L HURLBERT
63-18146	Claim	04N	01E	8	NE	SE		GROUND WATER	S REX CLUFF
63-18490	Claim	04N	01E	8	NE	SE		GROUND WATER	MARY LAURENE COYLE
63-18494	Claim	04N	01E	8	NE	SE		GROUND WATER	RUTH D WARD
63-19033	Claim	04N	01E	8	NE	SE		GROUND WATER	BOBBY F JENKINS
63-4107	Water Right	04N	01E	8	NE	SE		GROUND WATER	WINONA BUCHANAN
63-5064	Water Right	04N	01E	8	NE	SE		GROUND WATER	JOSEPH W CULLEN
63-7908	Water Right	04N	01E	8	NE	SE		GROUND WATER	EAGLE GLEN HOMEOWNERS ASSN I
63-10816	Water Right	04N	01E	8	NE	SE		GROUND WATER	NANCY I SUITER
63-16316	Water Right	04N	01E	8	NE	SE		GROUND WATER	CHESTER A BROWNLEE
63-18491	Water Right	04N	01E	8	NE	SE		GROUND WATER	RUTH D WARD
63-18492	Water Right	04N	01E	8	NE	SE		GROUND WATER	KENNETH N WARD
63-18493	Water Right	04N	01E	8	NE	SE		GROUND WATER	RUTH D WARD
63-17996	Water Right	04N	01E	8	NE	SE		GROUND WATER	HAZEL L HURLBERT
63-18146	Water Right	04N	01E	8	NE	SE		GROUND WATER	BRUNHILDE S CLUFF
63-18490	Water Right	04N	01E	8	NE	SE		GROUND WATER	MARY LAURENE COYLE
63-18494	Water Right	04N	01E	8	NE	SE		GROUND WATER	KENNETH N WARD
63-19033	Water Right	04N	01E	8	NE	SE		GROUND WATER	REBECCA MADSEN

the two office buildings covered
by water right #63-10816 share
the same well as #63-15687.

overlap review

State of Idaho



DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
Department of Water Resources FAX (208) 334-2348

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10816

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Priority: June 14, 1989

Maximum Diversion Rate:
Maximum Diversion Volume:

0.04 CFS
0.1 AF

This is to certify, that CLARENCE D SUITER
NANCY I SUITER

360 W STATE
EAGLE ID 83616

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 14, 1989; and has submitted Proof of Beneficial Use on October 31, 1990. An examination indicates that the works have a diversion capacity of .040 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.04 CFS	0.1 AF

LOCATION OF POINT(S) OF DIVERSION: NESE, Sec. 8, Township 04N, Range 01E
ADA County

PLACE OF USE: COMMERCIAL
TWN RGE SEC

04N 01E 8 NESE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. Commercial use is for 2 offices.

these two offices are located at:

- 1.) 360 W. State St.
- 2.) 101 N. Eagle Glen Lane

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SEP 11 1992

(#63-15687 covers the office located at 380 W. State St.)

PAGE 2

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10816

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 25TH
day of AUGUST, 1992.

Acting for *Norm Cygan*
R. Keith Higginson, Director

MICROFILMED

SEP 11 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 13 1992

Department of Water Resources

A. GENERAL INFORMATION

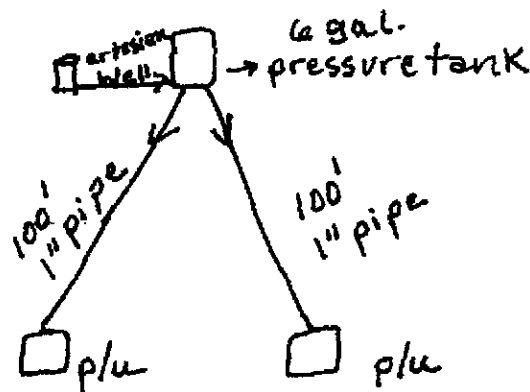
Permit No. 63-10816
1. Owner: Clarence Suiter Phone No. 939-0430
Current Address: 4635 Skyline Dr., Eagle, Id. 83616
2. Accompanied by: owner EXAM. DATE: 6/19/91
Address: _____ Phone No. same
Relationship to Permit Holder: _____
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 63-03055, 63-04465, 63-04727, 63-08124
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: 63-4727, 63-8124
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 50'

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2. ☒ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached
Showing location(s) of point(s) of diversion and place(s) of use (required). (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

System consists of an artesian well of depth 100'. Water flows to surface then is piped approx. 8" to a 6 gal. pressure tank. It is then pumped to 2 offices approx. 100' away via 2 separate 1" buried pipelines.

☐ See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		3	N/A	Red Jacket	N/A 1 1/2"

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SE	8	4N	1E	Ada	7.5' U.S.G.S. topo

6. Place(s) of Use:

Indicate Method of Determination Same as P/O

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	1E	8																	

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Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

no measurement necessary.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

*.08 cfs per permit
.04 cfs per proof*

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (8)

Panel Input HP: (8) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses: *commercial*

domestic use 2 fractures:

$$\frac{(10)(3)(251)}{325850} + \frac{(10)(2)(251)}{325850} = .04 \text{ af} = V_{\text{reg.}}$$

vs. $(.08)(251)(1.9835) = \cancel{39.9} \text{ af} = V_{\text{div.}}$
.04 cfs days *19.9* *4*

NOTED

SEP 11 1992

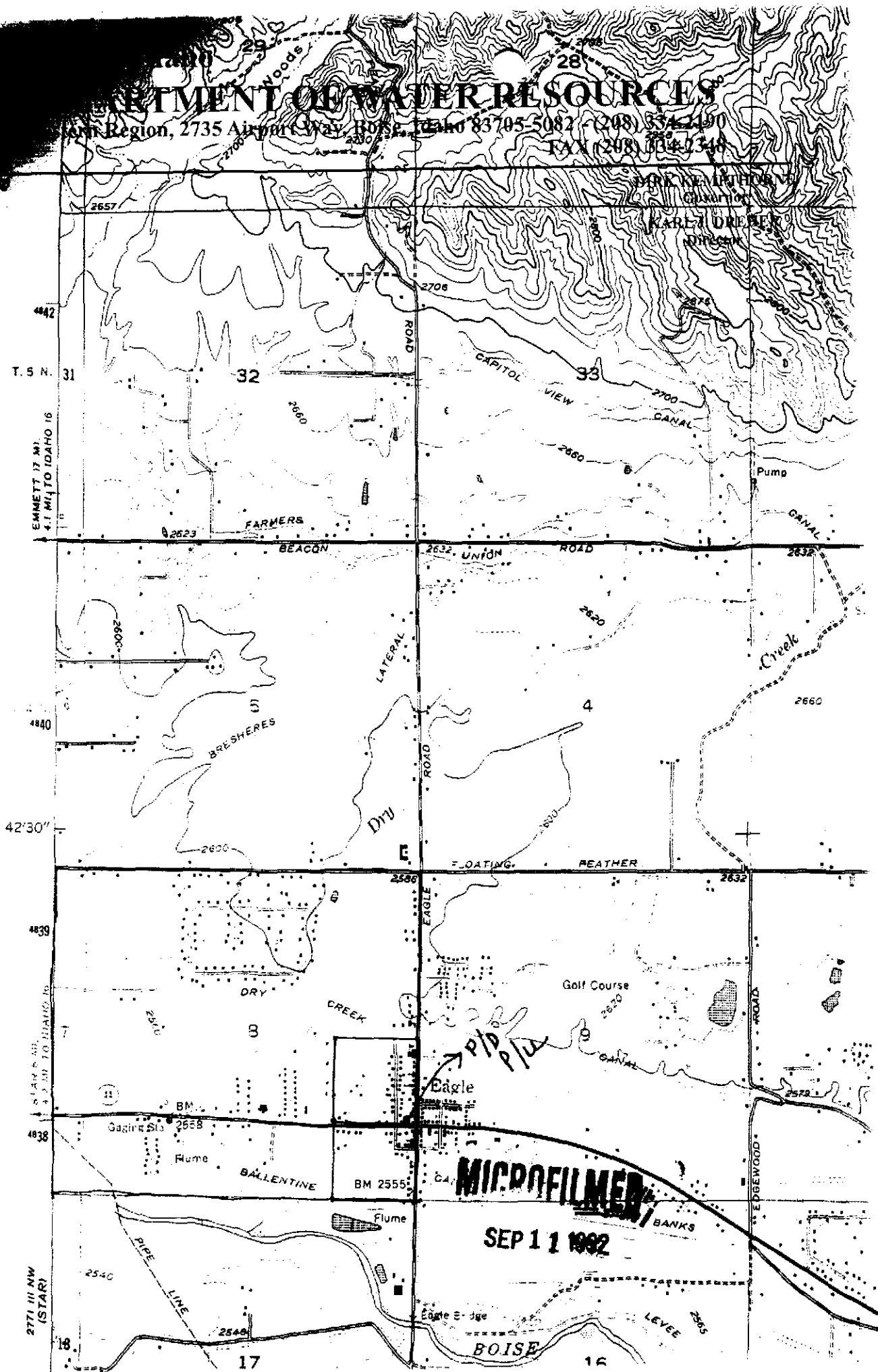
*since minimum recommended
vol. (.12 af) exceeds $V_{\text{reg.}}$
recommended vol.
= .12 af.*

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

FILE
SEC 8
SE SE



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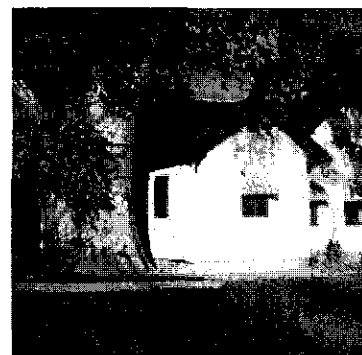
Land Records

[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)
Property Details for Parcel S0508417530

- [Main Page](#)
- [Property Search](#)
- [Online Map](#)
- [Contact Us](#)
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- [FAQ](#)
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General Information

Property Acres: 0.270
Zone Code: CBD
Primary Code Area: 05-45 Tax Districts
Group Type: SECT
Subdivision: 4N 1E 08
Section: 4N1E08


[Click to View Interactive Map](#)
Property Description

PAR #7530 OF NE4SE4
 SEC 8 4N 1E
 #417520-B
 #9153704

Property Address

290 W STATE ST
 EAGLE, ID 83616

Assessor Links

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

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	420-COM IMPROVEMENT	0.000	\$75,700	INCOME
Primary	210-COM LOT OR TRACT	0.270	\$71,200	MARKET

Total Assessed Value: \$146,900

Parcel Valuation History

Assessed value for year 2004 \$146,900
 Assessed value for year 2003 \$130,600
 Assessed value for year 2002 \$124,100
 Assessed value for year 2001 \$119,700
 Assessed value for year 2000 \$110,900

Ada County Links

- [Ada County Home Page](#)
- [Commissioners](#)
- [Treasurer](#)
- [Clerk/Auditor/Recorder](#)
- [Development Services](#)
- [Human Resources](#)

Property Characteristics

Commercial
 Land

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Characteristics Detail

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Commercial **Residential**

Commercial Characteristics 1 for Parcel "S0508417530"

Commercial Group Type:	OFFICE - LOW RISE
Year Built:	1910
Remodel Year:	1966
Occupancy Date:	No Date Available
Business Name:	office
Number of Floors:	1
Number of Units:	0
Leasable Sq Ft:	1621
Ground Floor Sq Ft:	1621
Excess Land Sq Ft:	0
Used Land Acres:	0.27
Used Land Sq Ft:	11761
Excess Land Acres:	0.0
Excess Land Sq Ft:	1621
Total Land Acres:	0.27
Method:	INCOME

Assessor Links

- [Assessor Main Page](#)
- [Administration](#)
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- [Motor Vehicles](#)
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MAY 10 2004

WATER RESOURCES
WESTERN REGION

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 63- 15697**. In this case, specifically the use of water from the artesian well for the Maile Law office building for domestic facilities.

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)

Business office

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

2 Sinks

1 Flush toilet

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

1 flush toilet

1 bathroom Sink

1 Kitchen / Common Sink

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

4

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

9-10 hrs per day

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

5-6 days per week

261 / 313

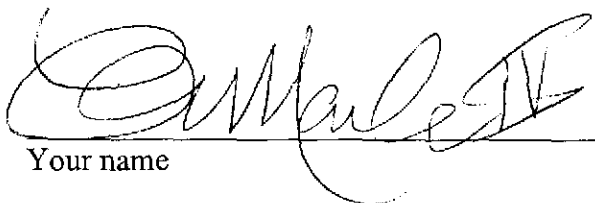
Is this facility open year round? ☒ Yes ☐ No

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 specifically from your artesian well** for the commercial purposes explained above:

5,000 gallons

Additional information you feel may be pertinent:


Your name

(203) 939-1000
Business telephone number

Please return to:

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-15687

WATER RIGHT NUMBER: 63-15687

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CLARENCE D SUITER 4635 SKYLINE DR EAGLE, ID 83616 (208)939-0430
Current Owner	THOMAS G MAILE IV 380 W STATE ST EAGLE, ID 83616 (208) 939-1000
Original Owner	NANCY I SUITER 4635 SKYLINE DR EAGLE, ID 83616 (208)939-0430
Current Owner	COLLEEN BIRCH MAILE 380 W STATE ST EAGLE, ID 83616 (208) 939-1000

Priority Date: 01/01/1900

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
COMMERCIAL	1/01	to 12/31	0.040 CFS
	<u>Total Diversion:</u>		0.040 CFS

Annual Volume

1,800,000 gal/yr

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 8,	Twp 04N,	Rge 01E, B.M.
ADA County				

Place of Use

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	8																X	

Conditions of Approval:Remarks:

THOMAS MAILE REAL ESTATE COMPANY LLC

380 WEST STATE STREET
EAGLE, IDAHO 83616

(208) 939-1372 / Fax (208) 939-1001

March 11, 2004

RECEIVED

MAY 10 2004

WATER RESOURCES
WESTERN REGION

State of Idaho
Department of Water Resources
Western Region
Attn: Kimberly Brown
2735 Airport Way
Boise, Idaho 83705

Re: 380 West State Street, Eagle, Idaho
Evidence of Priority
Our Red File No. M2004-01

Dear Kim:

Please find enclosed the requested information regarding the Commercial Use Volume for the water at 380 West State.

I appreciate your office processing this at your earliest convenience.

Sincerely,

Dictated and Forwarded
Without Signature to Avoid Delay

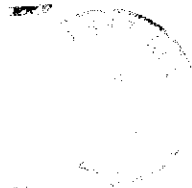
Thomas G. Maile, IV

TGM
S:\WPDATA\H380WSTAT\WATERUSE.LT3

Enclosure

THOMAS MAILE
REAL ESTATE COMPANY

380 West State Street
Eagle, Idaho 83616



Boise, Idaho 83705

83705/5082





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

March 18, 2004

THOMAS MAILE
380 WEST STATE STREET
EAGLE, ID 83616

RE: Notice of Change of Water Right Ownership No. 63-15687

Dear Claimant:

Enclosed is a copy of a Notice of Change in Water Right Ownership form that was recently submitted to our office. However, we cannot continue to process the ownership change without sufficient **proof of ownership**. This proof can be a copy of a Warranty Deed(s), Contract of Sale, Title Policy or other legal documentation indicating your ownership of the property; which includes the **legal description of the property by ¼ ¼ , Section, Township, and Range** (See No. 2.B. on the enclosed Notice of Change in Water Right Ownership form).

Please submit a copy of the proof of ownership, and we will be able to complete the ownership change.

Thank you for your patience and cooperation, as we have had several ownership changes to process. Feel free to contact our office if you have any questions concerning this letter.

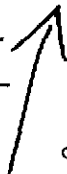
Sincerely,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Section
Western Region
(208) 334-2190

Enclosures

+ Also requested
return of 2000 NAPP
image with ROD and POW
depicted (over) →

3/04
Mr. Maile's 
Please draw the
location of the well
and the building on
this 2000 aerial photo-
graph and return to
me with the required
legal document (to fulfill No.
2.C. of form).

2000 NAPP

RECEIVED
MARCH 11 2004
WATER RESOURCES
DIVISION REGION

In Re: Water Rights Priority of 380 West)
State Street, Eagle, Idaho formerly)
Under the name of Clarence D. and)
Nancy Suiter)

Case No. 63-15687

AFFIDAVIT OF NANCY SUITER

TO: ALL INTERESTED PERSONS, AND PUBLIC ENTITIES:

Your applicant, Thomas G. Maile, respectfully shows as follows:

(1) Nancy Suiter, surviving spouse of Clarence Suiter, provides this Affidavit in support of the transfer of ownership and priority of a water claim effecting 380 West State Street, Eagle, Idaho.

(2) Nancy Suiter is the surviving spouse of Clarence Suiter whose family owned the current commercial building at 380 West State Street.

(3) Your Affiant knows from personal history that this water right has been in use for a commercial sense since 1900.

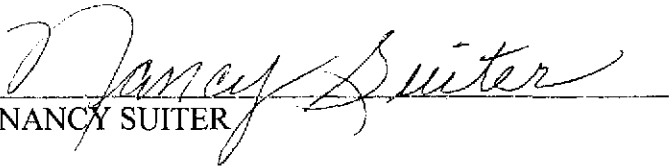
(4) Your Affiant was born March 11, 1935 and married Mr. Clarence Suiter on the 18th day of September, 1961.

(5) Your Affiant has personal knowledge based on family history that this priority date goes to 1900 by your affiant's in-laws demonstrating and observed by your affiant in the following

manner: Originally it was an agricultural property and the use remained agricultural and dwelling water use until approximately 1968 when the dwelling was remodeled into the current commercial building which is still using the water supply.

WHEREFORE YOUR AFFIANT, prays that the water right be established in the name of the current title holder, Thomas Maile and Colleen Maile, husband and wife and the right be given a priority from the date 1900.

DATED this 11th day of March, 2004.


NANCY SUITER

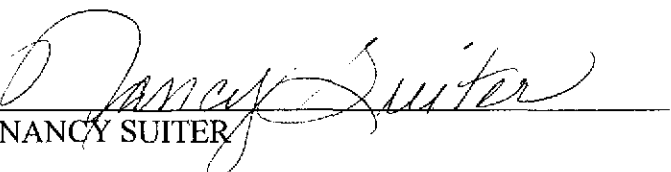
VERIFICATION

STATE OF IDAHO)
) ss:
County of Ada)

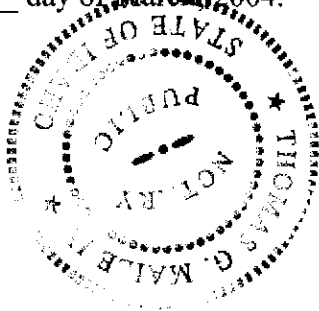
NANCY SUITER, being first duly sworn upon oath, deposes and states as follows:

She is the Affiant in the above-entitled action, she has read the foregoing document, knows the contents thereof, and believes the same to be true and correct to the best of her knowledge and belief.

DATED This 11th day of March, 2004.


NANCY SUITER

11 SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for said State, this
day of ~~March~~, 2004.



A handwritten signature in cursive script, likely belonging to the Notary Public, Thomas G. Malette.

Notary Public for Idaho
Residing at Cph
My Commission Expires 12/22/01



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

March 29, 2004

THOMAS G MAILE IV
COLLEEN BIRCH MAILE
380 W STATE
EAGLE ID 83616

Re: Notice of Claim to a Water Right No. 63-15687

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure

#63-15687

THOMAS MAILE REAL ESTATE COMPANY LLC

380 WEST STATE STREET
EAGLE, IDAHO 83616

(208) 939-1372 / Fax (208) 939-1001

March 11, 2004

RECEIVED

MAR 17 2004

WATER RESOURCES
WESTERN REGION

State of Idaho
Department of Water Resources
Western Region
Attn: Kimberly Brown
2735 Airport Way
Boise, Idaho 83705

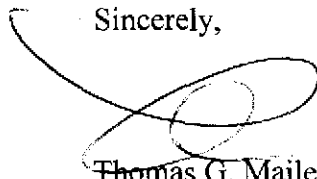
Re: 380 West State Street, Eagle, Idaho
Evidence of Priority
Our Red File No. M2004-01

Dear Kim:

Please find enclosed the **ORIGINAL** Affidavit of Nancy Suiter and the change of ownership forms effecting the property in question.

I appreciate your office processing this at your earliest convenience.

Sincerely,



Thomas G. Maile, IV

TGM

S:\WPDATA\H\380WSTAT\WATERUSE.DOC

Enclosure

ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
W003222	25.00	63	15686		Claim
W003222	54.00	63	15687		Claim

← This is the
domestic
claim for
Suter's
home in
Skyline
Subdivision

-KLB



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

February 27, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

THOMAS MAILE, ATTY
380 W. STATE ST.
EAGLE, ID 83616

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-15687

Dear Claimant(s),

In the past, Mr. and Mrs. Suiter 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. The Suiters 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.**"

If no evidence of your priority date 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.

The required evidence supporting the priority date(s) requested needs to be submitted by March 26, 2004. 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 above.



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

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-15687

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.

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right No. A63-15687

September 15, 2003

Nancy Suiter (#939-0430) called in response to the evidence of priority letter I recently sent. Mrs. Suiter said that, technically, the property on State and Eagle is not hers any longer. The Suiters sold this office, which was once her in-laws' home and later became her deceased husband's law office, to Thomas Maile, attorney. Mrs. Suiter said that she is still carrying the contract and, therefore, wants to know who owns the water right and who has to supply evidence of priority.

September 22, 2004

Regarding the question of whether Mr. Maile or Mrs. Suiter is the owner of the water right and is required to submit evidence, after I received an answer from Nick Spencer (in file), I called Mrs. Suiter and read his response to her. Since Mrs. Suiter has an appointment to draw up a will, she said she would also speak to the attorney about the contract with Mr. Maile. She requested more time to supply evidence, since the appointment is in early October.

February 27, 2004

Mrs. Suiter received the second round evidence of priority letter and called to let me know that the property now belongs to Mr. Maile; since he paid off the contract. Since the Suiters filed the original Notice of Claim, I asked Mrs. Suiter how they came up with the 1900 priority date. Mrs. Suiter said that Clarence "searched the records" and came up with that date. She also mentioned that she knows a woman (Montgomery) who lived in the old house and has personal knowledge of the water use. I told Mrs. Suiter that I would send the evidence of priority packet to Mr. Maile and suggest that he could contact her for an affidavit.

Kimberly Brown
Senior Water Resource Agent

IMPORTANT MESSAGE

FOR

Kimberly

DATE

2/25

TIME

4:09

A.M.
P.M.

WHILE YOU WERE OUT

M

Nancy Smith

OF

63-15687

PHONE NO.

939-0430

TELEPHONED



PLEASE CALL

CALLED TO SEE YOU

WILL CALL AGAIN

WANTS TO SEE YOU

URGENT

RETURNED YOUR CALL

MESSAGE

They don't own

the property any longer

4 N 1 E

SIGNED

Kathy



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
February 10, 2004

CLARENCE D SUTTER OR NANCY I SUTTER
4635 SKYLINE DR
EAGLE ID 83616

Re: SRBA Claim A63-15687

Dear Claimant(s):

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 63 in the Snake River Basin Adjudication.

The Department of Water Resources has previously contacted you regarding information on the priority date for the above SRBA claim. In order to make a positive recommendation of this water right, each element of the water right must be proven.

The Department plans to issue its Preliminary Recommendations on this water right later this year. If the Department does not receive all the necessary evidence for this claim, it will have no option but to recommend to the SRBA Court that this water right be disallowed, meaning that the water right will not be valid.

Please contact Kimberly Brown at the Western Regional Office for the Idaho Department of Water Resources at (208) 334-2190. If she does not hear from you by March 12, 2004, then your water right will be recommended as disallowed.

Very truly yours,

A handwritten signature in black ink that reads "Nick Spencer".

NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

NBS/pm

cc: Kimberly Brown

Brown, Kimberly

From: Spencer, Nick
Sent: Thursday, September 18, 2003 2:43 PM
To: Brown, Kimberly
Subject: RE: 63-15687 Evidence of Priority

There is not a clear answer to this question that IDWR can give to her. It depends on what provision for it, if any, was made in the contract. If no provision was made for it in the contract, then as an appurtenance to the property the parties hold the same interest in the water right as they hold in the underlying acres to which the water right is appurtenant. And again, this interest depends on the terms of the contract. Generally, AND I EMPHASIZE THAT THERE CAN BE A LOT OF EXCEPTIONS TO THIS RULE, the purchaser under the contract has the right of physical possession of the acres, and hence the right of possession to the water right. If he fails to carry out the terms of the contract, the seller has various legal remedies under the contract, including, typically, the right to take the property (including the water right) back. Therefore as a general rule BOTH the seller and the purchaser have forms of "ownership" interest in the property and the water right. Neither one of them owns it outright. However, what you need to tell her is that the answer to her question depends on the terms of the contract and we cannot provide her with a legal interpretation of that. She should talk to her realtor, if a realtor was involved in the contract purchase arrangements, for an informal opinion, or if the matter is really important to her she should take her contract and all related documents to a private attorney for a legal opinion. NBS

-----Original Message-----

From: Brown, Kimberly
Sent: Thursday, September 18, 2003 2:05 PM
To: Spencer, Nick
Subject: 63-15687 Evidence of Priority

Nick,

Claimant Nancy Suiter stated in a telephone conversation that, technically, the property related to this water right is no longer hers, since she sold the property. Yet, she is still carrying the contract and would like to know who owns the water right. So would I!

Thank you,

Kimberly Brown
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Phone: 208.334.2348

9.22.03 @ 12:10 pm

I read Nick Spencer's answer to her. She has an appointment with an attorney (to draw up a will), but will also speak to the attorney regarding the contract with Mailer. She has requested more time to supply evidence of priority, since the appt. is in early October. -KLB



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 9, 2003

CLARENCE & NANCY SUTTER
4635 SKYLINE DR.
EAGLE ID 83616

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-15687

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.**"

If no evidence of your priority date 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.

The required evidence supporting the priority date(s) requested needs to be submitted by October 7, 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 above.



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

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-15687

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.



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63



RIGHT ID 63 15687
POD ID 162396
Quad Eagle 2
Claim Type Small
Easting 310030
Northing 291017
GPSID A0013284

Diversion Description

ARTESIAN WELL W/PUMP & PIPELINE TO OFFICE BUILDING. Well located behind 380 W State St. (professional center - Torn Maile Law Office). Well shared by 2 office buildings (Allstate Insurance, and law office).

Assumptions

Horse power, pressure head, and elevation head.

Invoice

2000-055-01

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase IV (Total Complete)

Linked

Photos\162396a.JPG

Photos

Photos\162396b.JPG

EPE (ft)

23 LH

Date (M/D/Y)

11/27/01

Time

12:00

Flow Rate (CFS)

0.14

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity

0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning

(If used, include photo of representative channel section)

Channel Slope

Channel Description

Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System



HP 3

Pressure Head (psi) 35

Elevation Head (ft) 50

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information



New Contact Comments

Thomas Maile

This form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Servlc, Inc.



INTREPID
Engineering Services, Inc. (IES)
Enabling People and Solutions

RIGHT ID

63 15687





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

November 9, 2001

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist us with this task.

The purpose of this letter is to advise you that Intrepid might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Intrepid with access to your water diversion system so that their personnel can conduct this field examination. Intrepid will be gathering information on the rate of flow, diversion location and place of use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in the Boise River Basin, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our office. If you are unable to forward this letter, please send any information regarding a new owner to our Western Regional Office located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office