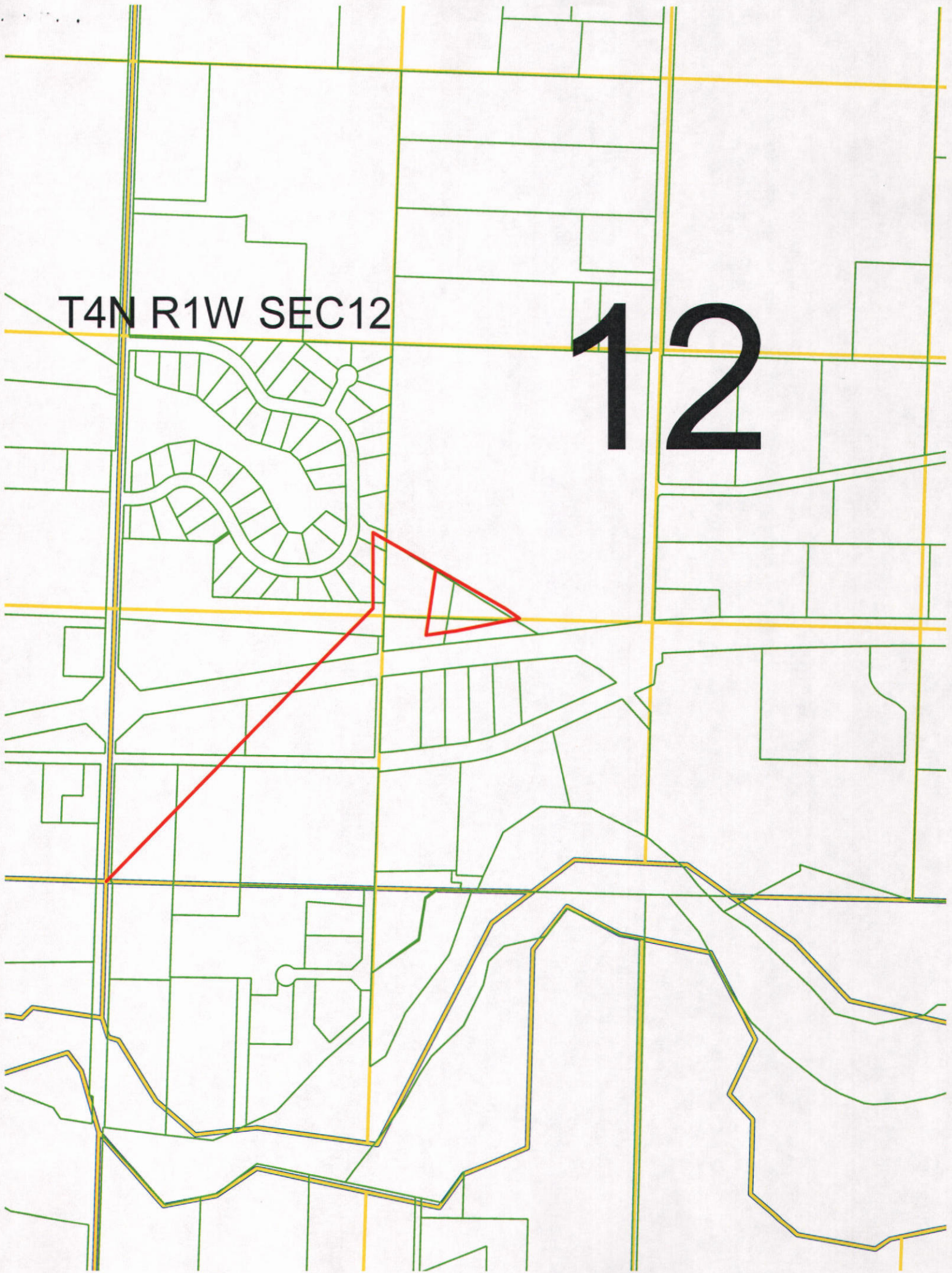
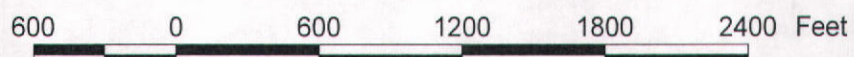


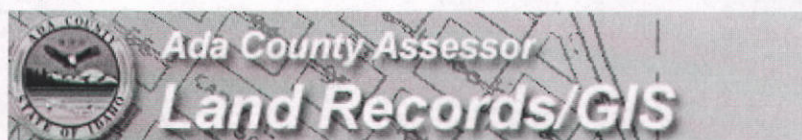
T4N R1W SEC12

12



T04N R01W S12



**Land Records**
[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)
Property Details for Parcel S0412315200

- [Main Page](#)
- [Property Search](#)
- [Online Map](#)
- [Contact Us](#)
- [Disclaimer](#)
- [Help Index](#)
- [FAQ](#)
- [About Us](#)
- [Image Documents](#)
- [Old interactive map](#)

General Information

Property Acres: 0.760
Zone Code: R1
Primary Code Area: 271 Tax Districts
Group Type: SECT
Subdivision: 4N 1W 12
Section: 4N1W12

Property Description

PAR #5200 OF NE4SW4
 SEC 12 4N 1W
 #313550-R

**Property Address**

4150 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	120-RESIDENTIAL TRACT	0.760	\$50,000	MARKET
Primary	340-RES IMPROVEMENT	0.000	\$59,700	COST

Total Assessed Value: \$109,700

Parcel Valuation History

Assessed value for year 2004 \$109,700
Assessed value for year 2003 \$117,600
Assessed value for year 2002 \$115,100
Assessed value for year 2001 \$109,700
Assessed value for year 2000 \$103,100

Ada County Links

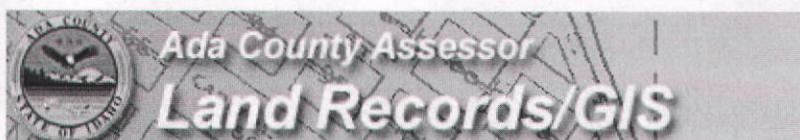
- [Ada County Home Page](#)
- [Commissioners](#)
- [Treasurer](#)
- [Clerk/Auditor/Recorder](#)
- [Development Services](#)
- [Human Resources](#)

Property Characteristics

Residential
 Land

[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)

[Contact Us](#) | [Help Index](#) | [Disclaimer](#) | [About Us](#)

**Land Records**

- [Main Page](#)
- [Property Search](#)
- [Online Map](#)
- [Contact Us](#)
- [Disclaimer](#)
- [Help Index](#)
- [FAQ](#)
- [About Us](#)
- [Image Documents](#)
- [Old interactive map](#)

[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)

Property Details for Parcel S0412346855**General Information**

Property Acres: 0.960
Zone Code: C2
Primary Code Area: 100 Tax Districts
Group Type: SECT
Subdivision: 4N 1W 12
Section: 4N1W12

Property Description

PAR #6855 OF SE4SW4
 SEC 12 4N 1W
 #341100-R

**Property Address**

4150 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	350-COM IMPROVEMENT	0.000	\$444,000	INCOME
Primary	130-COMMERCIAL TRACT	0.960	\$92,000	MARKET

Total Assessed Value: \$536,000

Parcel Valuation History

Assessed value for year 2004 \$536,000
Assessed value for year 2003 \$518,100
Assessed value for year 2002 \$497,700
Assessed value for year 2001 \$487,000
Assessed value for year 2000 \$155,100

Ada County Links

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

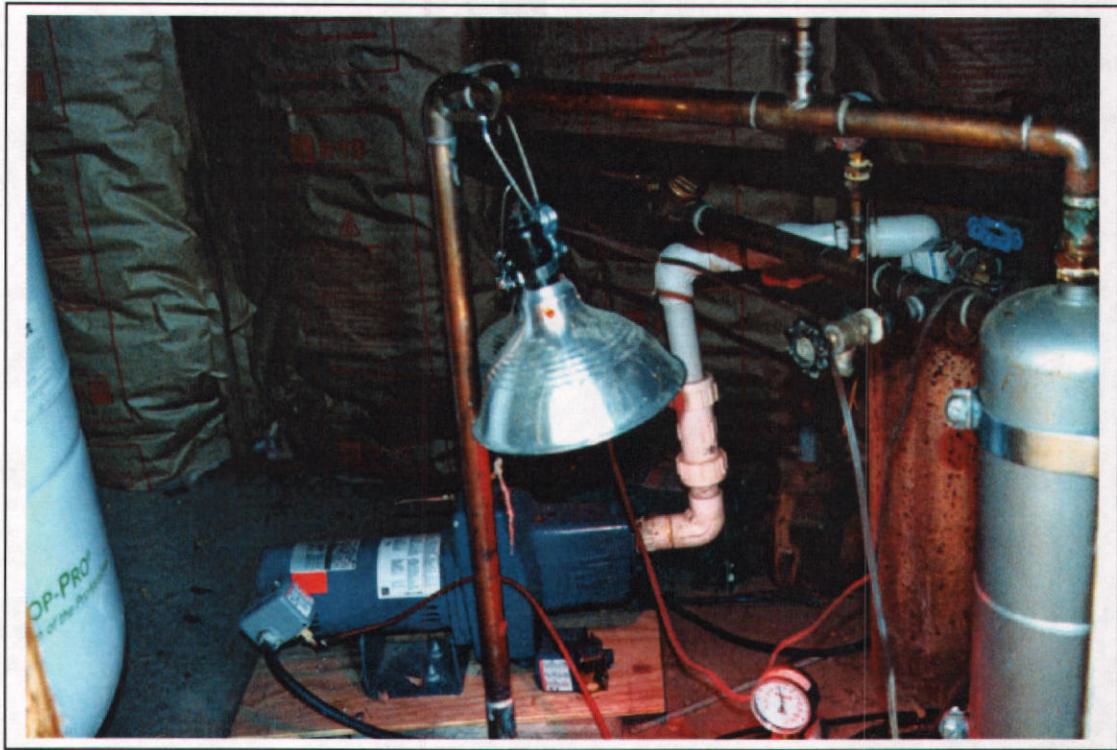
Property Characteristics

Commercial
 Land

[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)

[Contact Us](#) | [Help Index](#) | [Disclaimer](#) | [About Us](#)





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 63-23567
Date Received: 9/7/1989
Receipt No: C011239
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ECKHARDT
ECKHARDT PROPERTIES Phone: (208)452-7028
(changed in Data Base)
425 S WHITLEY DR #4
FRUITLAND ID USA 83619

2. Date of Priority: 07/01/1959

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	01W	12	NE SW	ADA	

5. Description of diverting works:

150' WELL, 8" CASING, 1 HP PUMP, 150' WELL, 5" CASING

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	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.08 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	01W	12	NE	SW	DOMESTIC	
			NE	SW	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:

CHANGE IN OWNERSHIP 5/20/05 LG

15. Basis of Claim: Beneficial Use

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

RECEIVED

MAY 02 2005

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
63-23567	63-23567	—	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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)

Erling and Jessie Kaae

4. New Owner/Claimant(s)

Eckhardt Properties, LLC

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

425 S. Whiskey Dr #4

City, State and ZIP Code

Fruitland, ID 83019

New Telephone Number

208 452-7028

5. Date you acquired the property

9-15-99

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)

Blair M. Lane

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 _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Item 8, below, to determine if fees are required for your filing.

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

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s).** Please enter the number(s) at **Item 1.** Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. **Do not** obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3.**
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4.** Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

6. You may have purchased only a portion of the water right(s) held by the seller. If this 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. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original form to the IDWR office nearest you:

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

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

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

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

RECEIVED

MAY 02 2005

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**.

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)

convenience store + service station

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

kitchen, ~~restaurant~~, flush toilets (2)

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

6 sinks, 2 toilets

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

35

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

16 hours

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

7

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:

Additional information you feel may be pertinent:

Cheri Moore

Your name

208-452-7028

Business telephone number

Please return to:

**ATTN: Sandy Egbert
GIS Specialist
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082**

AT-99083742-PW

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

1999 SP 17 AM 10:48

RECORDED-REQUEST OF

FEE 12- DEPUTY *[Signature]*

99092522

ALLIANCE TITLE

When recorded, return to:
Eckhardt Properties LLC
1275 Jenkins Creek Rd.
Weiser ID 83672Mail tax statements to:
Eckhardt Properties LLC
1275 Jenkins Creek Rd.
Weiser ID 83672

WARRANTY DEED

Warranty deed made this 3rd day of September, 1999, between ERLING J. KAAE and JESSIE M. KAAE, husband and wife, City of Eagle, County of Ada, State of Idaho, herein referred to as "Grantor," and ECKHARDT PROPERTIES, LLC, an Idaho limited liability company, whose address is 1275 Jenkins Creek Rd., Weiser ID 83672, herein referred to as "Grantee," witnesseth:

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, has granted, bargained, and sold, and does, by these presents, grant bargain, sell, convey, and confirm unto Grantee and its successors and assigns forever, all of the following described real estate situated in the County of Ada, State of Idaho, to wit:

A portion of the SW 1/4 of Section 12, Township 4 North, Range 1 West, Boise Meridian, more particularly described on SCHEDULE I ATTACHED HERETO AND INCORPORATED HEREIN.

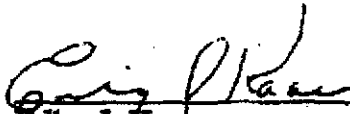
Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in and to the property, as

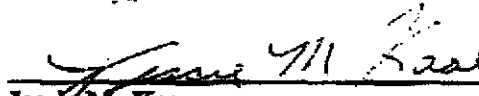
well in law as in equity.

To have and to hold, all and singular the above-described premises together with the appurtenances unto Grantee and its successors and assigns forever.

And Grantor and their heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee, its successors and assigns against Grantor and their heirs and against all and every person or persons whomsoever, lawfully claiming the same.

IN WITNESS WHEREOF, Grantor has hereunto set their hands on the day and year first above written.


Erling J. Kaas


Jessie M. Kaas

E:\CMSS\DOCS\WARRANT.DOC

STATE OF IDAHO)

) ss.

County of Ada)

On this 3rd day of September, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Erling J. Kaae and Jessie M. Kaae, known to me to be the persons whose name are subscribed to the within instrument, and acknowledge to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



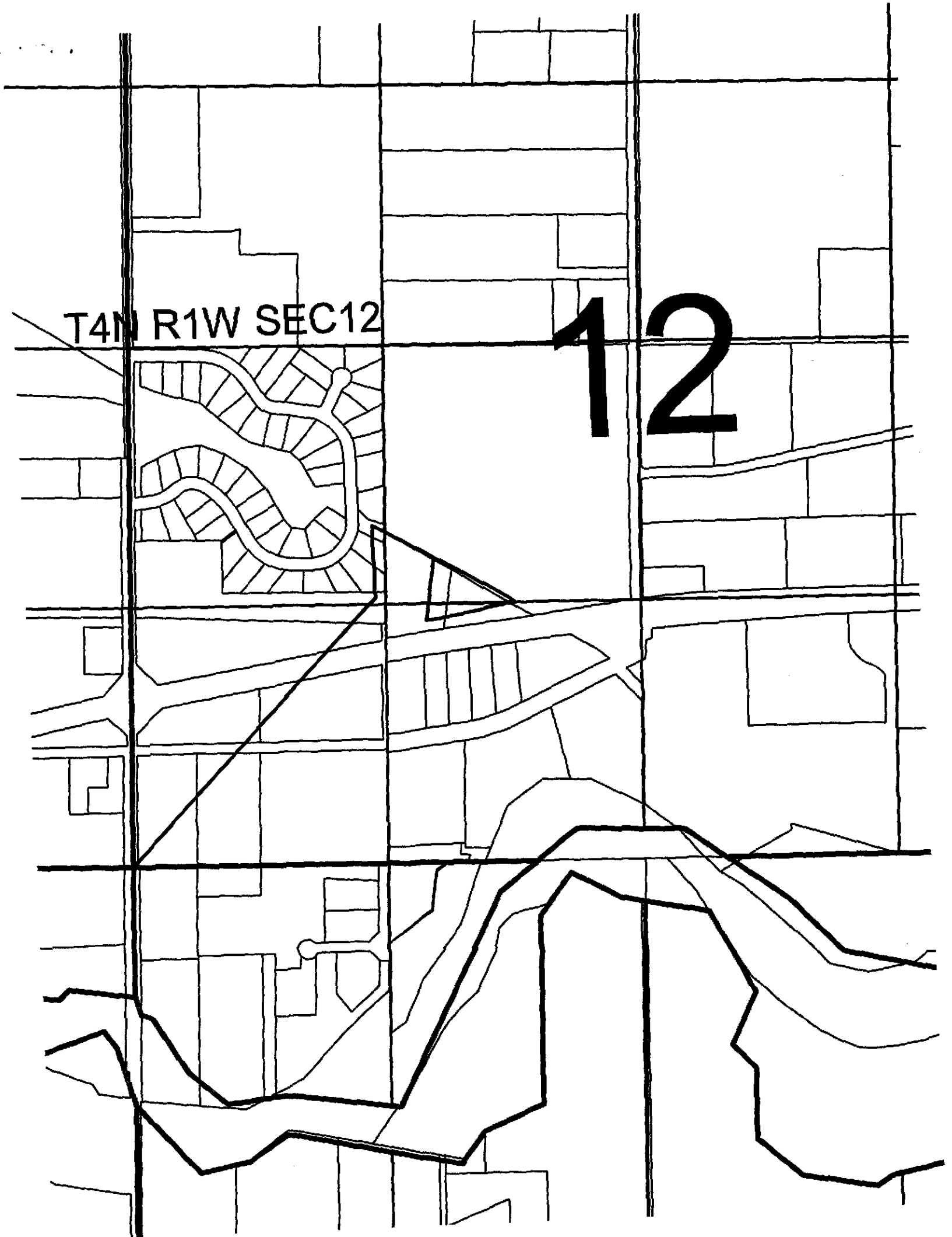
[Signature]
Notary Public for Idaho
Residing at Boise
My Commission Expires: 06/01/01

SCHEDULE I

COMMENCING at the section corner common to Sections 11, 12, 13, and 14, Township 4 North, Range 1 West, Boise Meridian; thence North 44 degrees 51' East, 1866.68 feet to a 1/2 inch iron pin, the 1/16 corner point, and the Northwest corner of Lot 3; thence North 366.79 feet along the West bank of a canal to an iron pin; thence South 60 degrees 38'45" East, 355.58 feet along the Southwest bank of a canal to the REAL POINT OF BEGINNING; thence continue South 60 degrees 38'45" East along said canal bank, 391.17 feet to an iron pin; thence South 55 degrees 43'40" East along said canal bank, 86.04 feet to a point on the North right-of-way line of State Highway 44; thence South 79 degrees 01' West along said right-of-way line, 316.25 feet to a point; thence along said right-of-way line on a curve to the left with a radius of 22,978.31 feet, a central angle of 00 degrees 22'39" and whose long chord bears South 81 degrees 54'16" West, 151.40 feet to a point; thence North 08 degrees 32' East, 325.38 feet to the REAL POINT OF BEGINNING.

T4N R1W SEC12

12



N+1390697.43M E+2305485.20M

ROTATE +0.0000

N44.5100E 1866.68

N00.0000E 366.79

S60.3845E 355.58

S60.3845E 391.17

S55.4340E 86.04

S79.0100W 316.25

CURVE

N08.3200E 325.38

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: A63-23567
Date Received: 9/07/1989
Receipt No: C011239
Received By: DE JDI

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ERLING J. KAAE 208-939-6470
Address: 4150 W. STATE
EAGLE, ID 83616

OR
Name: JESSIE M. KAAE 208-939-6470
Address: 4150 W. STATE
EAGLE, ID 83616

2. Date of Priority: JUL 01, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	12	NE	SW			ADA

5. Description of diverting works:
150' WELL, 8" CASING, 1 HP PUMP, 150' WELL, 5" CASING

6. Water is used for the following purposes:

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

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOME, COMMERCIAL SERVICE STATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	12	NE	SW		DOMEST	
			NE	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:
BALLANTYNE DITCH CO.

14. Remarks:

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 _____ 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 A63-33561Date Received 9-7-89Receipt Number CO11239

RECEIVED

BAS

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

SEP 07 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) ERLING J OR JESSIE M KAGE Phone (208) 939-6470Mailing Address 4150 W STATE EAGLE ID Zip 836162. Date of Priority (Only one (1) per claim) JULY 1, 593. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 4 N Range 1 W Section 12,
N/E 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 8" WELL, 150 FT DEEP 1 hp Pump
5" WELL, 150 FT DEEP

MICROFILMED

SEP 11 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

RECEIVED

SEP 11 1988

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1-1 to 12-31 amount 104 or _____

For Common purposes from 1-1 to 12-31 amount 104 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 108 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1 household Service Station

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	1W	12									D								
											C								

Total number of acres irrigated 0

11. In which county (ies) are lands listed above as place of use located? _____

12. Do you own the property listed above as place of use? Yes _____ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Balentine Ditch Co or None ()

14. Remarks:

MICROFILMED

Last Name _____ Ident No. _____

Copies: SEP 11 1992 Yellow Mountain

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Scale: 2 inches equals 1 mile

A grid map showing land parcels. The grid is composed of small squares, each containing a crosshair. Handwritten labels include "POB" and "Acres". A diagonal line runs from the bottom-left towards the top-right. The text "State Street" is written horizontally across the middle of the grid.

~~MICROFILMED~~

SEP 11 1992

Last Name

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date 9/17/89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 7 day of September 1989

SEAL

Notary Public [Signature]

Residing at BRUCE A. SCHULD, NOTARY PUBLIC

RESIDING AT BOISE, IDAHO

My Commission Expires MY COMMISSION EXPIRES APRIL 11, 1995

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

SEP 11 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

05/31/2005

RECEIVED

JUN 17 2005

WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR

REPLY

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

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 63-23567

ECKHARDT PROPERTIES
425 S WHITLEY DR #4
FRUITLAND ID 83619
Telephone Number: (208)452-7028

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: 6-9-05 SIGNATURE: *Cheri Moore*

Please print your name: Cheri Moore

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

05/10/2005

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

RIGHT NUMBER: 63-23567
NAME AND ADDRESS: ERLING J KAAE
4150 W STATE
EAGLE ID 83616

JESSIE M KAAE
4150 W STATE
EAGLE ID 83616

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS
29.000 AFY

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/01/1959

POINT OF DIVERSION:

T04N R01W S12 NESW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.040 CFS 29.00 AFY
DOMESTIC	01/01 12/31	0.040 CFS

Commercial use is for Service Station.
Domestic use is for 1 home.

PLACE OF USE: COMMERCIAL Within ADA County

T04N R01W S12 Lot 3 SESW

DOMESTIC Within ADA County

T04N R01W S12 NESW

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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

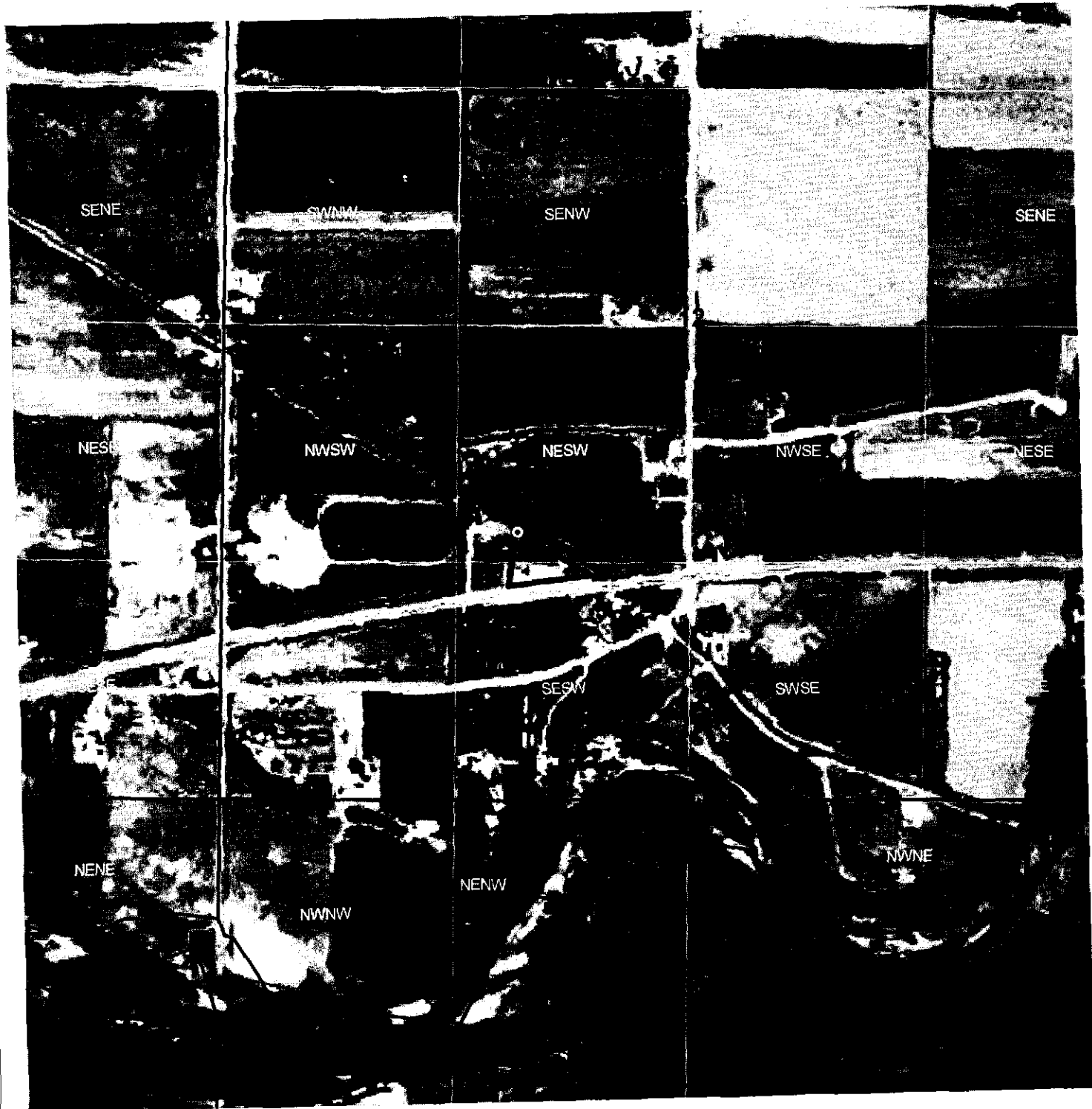
EXPLANATORY MATERIAL: Beneficial Use

Parcel Nos. S0412315200, S0412346855

Idaho Department of Water Resources

63-23567

T04N R01W S12



- ⊙ Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter



600 0 600 1200 1800 2400 Feet

IDWR

Prepared by: Sandy Egbert

Date: 5-10-05

1987 NAPP Photography

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-23567 V1

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights 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.
2. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
3. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
4. Parcel Nos. S0412315200, S0412346855
5. X01 Commercial use is for Service Station.
6. X01 Domestic use is for 1 home.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 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

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			04/01/2005	lharris	Active
Priority Date	5/10/2005 11:28:41 AM	segbert			Active
POD	5/10/2005 11:29:27 AM	segbert			Active
Source	5/10/2005 11:30:42 AM	segbert			Active
POU	5/10/2005 11:31:01 AM	segbert			Active
Use	5/10/2005 11:33:38 AM	segbert			Active
Quantity	5/10/2005 11:36:54 AM	segbert			Active
Summary			05/10/2005	segbert	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-23567 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Quantity	5/10/2005 11:36:55 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Less than .2 cfs Description for Question 10 - .04 x 1.9835 x 365
POU	5/10/2005 11:31:02 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
POU	5/10/2005 11:32:39 AM	segbert	Updated shape for Active POU
Summary	4/1/2005 9:27:29 AM	lharris	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?
POD	5/10/2005 11:29:28 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	5/10/2005 11:29:46 AM	segbert	Updated shape
POU	5/10/2005 11:32:02 AM	segbert	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-23567 V1

General	5/10/2005 11:28:42 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Ada County Tax Lot Data
Source	5/10/2005 11:30:43 AM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field exam
Use	5/10/2005 11:33:39 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field Exam
Summary	5/10/2005 11:44:05 AM	segbert	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-23567

WATER RIGHT NUMBER: 63-23567

Owner Type Name and Address

Current Owner ERLING J KAAE
 4150 W STATE
 EAGLE, ID 83616
 (208)939-6470

Current Owner JESSIE M KAAE
 4150 W STATE
 EAGLE, ID 83616
 (208)939-6470

Priority Date: 07/01/1959 ✓

Basis: Beneficial Use ✓

Status: Active ✓

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
COMMERCIAL	1/01 to 12/31	0.040 CFS	29.0
<u>Total Diversion:</u>		0.080 CFS	<u>29.0</u>

Location of Point(s) of Diversion

GROUND WATER

NE1/4SW1/4

Sec. 12, Twp 04N, Rge 01W, B.M.

ADA County

Place of Use

DOMESTIC

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 01W 12									X								

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 01W 12												X					

Lot 3

Conditions of Approval:

Parcel # 50412315200
 50412346855

Domestic / Home

N codes

**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)
- ☒ 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 completeClaim No(s) 63-23567

Owner: _____ Phone No. _____

Current Address: _____

- ☐ No change NAME IS THE SAME Tax lot data has a different
- ☐ NEW OWNER Eckhardt owner
- ☐ No change Address Properties - Shady Acres
- ☐ NEW ADDRESS Weiser, ID
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary Tax lot data - Saw Station
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date. Built in
- ☐ Priority date is acceptable/within mandatory filing dates? 1959

Priority date, per claimant, is: _____

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

Source: _____ 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 GPS ID

Description of diverting works

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 _____ From _____ To _____ 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) $104 \times 1.9835 \times 365 = 29.0$ **NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change – *see remarks*☒ Changes shown below:*changed to SE SW for commercial use*

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	

Overlap with other water rights: _____

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

Delivery System Narrative: _____

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

changed the commercial use from the NE SW to SE SW per G.C.D.B. The place of use has not moved, it has always been reported in the wrong q.g.

No response to commercial volume letter.

5-6-05 - called Shady Acres for gallons per day. Mgr. will call me back - (didn't call back)

April 18, 2005

ECKHARDT PROPERTIES – SHADY ACRES
1275 JENKINS CREEK ROAD
WEISER, ID 83672

RE: Snake River Basin Claim No(s): A63-23567

Dear Claimant(s),

In the past, Erling J. Kaae submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. You may be the owner of these water right claims. Enclosed is a computer generated printout of the claim(s) for your reference only, it is not necessary to return this printout or re-file it. If you are the current owner of this property you need to file a Change of Ownership form with the Department of Water Resources. We are nearing the end of our review process for Ada County and we will be sending out mailings pertaining to this property that you may not receive unless you notify us on the Change of Ownership (enclosed) form that you are the owner.

Also during the initial review of this claim, we found that a commercial use was claimed that requires a volume amount be included in our recommendation to the SRBA Court (please refer to the enclosed copy of your adjudication claim report: under **Annual Volume**). In order for us to calculate the annual volume, it is necessary that we ask for additional information not gathered when the original claimant filed this water right.

Please refer to the **Commercial Use Volume** sheet (enclosed), answer the appropriate questions as specifically as possible, and return it to this office or call me at the number below by **April 27, 2005** so that we are able to calculate the annual volume associated with your water right; as required by the SRBA Court (if you are the current owner of this property).

This review of your claim, in addition to the submittal of our recommendation to the SRBA Court, will result in a decreed right for your property. This water right then remains with the land as long as it is being used. We will give you the opportunity to review our recommendation and provide feedback, if necessary, prior to its submittal to the SRBA Court.

Please feel free to contact me at 334-2190 if you have any questions.

Respectfully submitted,

Sandy Egbert
GIS Specialist

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 18, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ERLING J KAAE
4150 W STATE
EAGLE, ID 83616

COPY

RE: Commercial use for Snake River Basin Adjudication claim 63-23567

Dear Claimant(s),

The Idaho Department of Water Resources is currently reviewing the claim to a water right you filed during claims taking in the Snake River Basin Adjudication (SRBA). During the initial review of this claim, we found that you claimed a commercial use that requires a volume amount be included in our recommendation to the SRBA Court (please refer to the enclosed copy of your adjudication claim report: under **Annual Volume**). In order for us to calculate your annual volume, it is necessary that we ask for additional information not gathered when you, or the original claimant, filed this water right.

Please refer to the **Commercial Use Volume** sheet (enclosed), answer the appropriate questions as specifically as possible, and return it to this office or call me at the number below by **April 27, 2005** so that we are able to calculate the annual volume associated with your water right; as required by the SRBA Court.

This review of your claim, in addition to the submittal of our recommendation to the SRBA Court, will result in a decreed right for your property. This water right then remains with the land as long as it is being used. We will give you the opportunity to review our recommendation and provide feedback, if necessary, prior to its submittal to the SRBA Court.

Also, we believe your commercial property to be in the SESW of Township 4N 1W Section 12 instead of the NESW. If this is correct, please indicate that information in the **Additional information** portion of the enclosed form.

Please feel free to contact me at 334-2190 if you have any questions.

Respectfully submitted,

Sandy Egbert
GIS Specialist

Enclosures

**Land Records**
[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)
Property Details for Parcel S0412315200

- [Main Page](#)
- [Property Search](#)
- [Online Map](#)
- [Contact Us](#)
- [Disclaimer](#)
- [Help Index](#)
- [FAQ](#)
- [About Us](#)
- [Image Documents](#)
- [Old interactive map](#)

General Information

Property Acres: 0.760
Zone Code: R1
Primary Code Area: 271 Tax Districts
Group Type: SECT
Subdivision: 4N 1W 12
Section: 4N1W12

Property Description

PAR #5200 OF NE4SW4
 SEC 12 4N 1W
 #313550-R

**Property Address**

4150 W STATE ST
 EAGLE, ID 83616

[Click to View Interactive Map](#)
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	120-RESIDENTIAL TRACT	0.760	\$50,000	MARKET
Primary	340-RES IMPROVEMENT	0.000	\$59,700	COST

Total Assessed Value: \$109,700

Parcel Valuation History

Assessed value for year 2004 \$109,700
Assessed value for year 2003 \$117,600
Assessed value for year 2002 \$115,100
Assessed value for year 2001 \$109,700
Assessed value for year 2000 \$103,100

Ada County Links

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

Property Characteristics

Residential
 Land

[Contact Us](#) | [Help Index](#) | [Disclaimer](#) | [About Us](#)



Land Records

Characteristics Detail[Go Back to Property](#)

- [Main Page](#)
- [Property Search](#)
- [Online Map](#)
- [Contact Us](#)
- [Disclaimer](#)
- [Help Index](#)
- [FAQ](#)
- [About Us](#)
- [Image Documents](#)
- [Old interactive map](#)

Residential**Land****Residential Characteristics 1 for Parcel "S0412315200"**

Occupancy Date:	No Date Available
Year Built:	1971
Year Remodel:	0
Effective Age:	0
Construction Class:	3
Number of Bedrooms:	4
Number Bathrooms:	1.75
Number of Fireplaces:	0
Air Conditioning:	N
Car Storage Sq Ft #1:	0
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	0
Porch Sq Ft:	0
Deck Sq Ft:	480
Deck Covered:	N
Patio Sq Ft:	120
Patio Covered:	Y
Pool Sq Ft:	0
Total Sq Ft:	1632
Main Floor Sq Ft:	1248
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	384
Unfinished Attic Sq Ft:	0

Assessor Links

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

Ada County Links

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

[Contact Us](#) | [Help Index](#) | [Disclaimer](#) | [About Us](#)



Land Records

[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)

Property Details for Parcel S0412346855

- [Main Page](#)
- [Property Search](#)
- [Online Map](#)
- [Contact Us](#)
- [Disclaimer](#)
- [Help Index](#)
- [FAQ](#)
- [About Us](#)
- [Image Documents](#)
- [Old interactive map](#)

General Information

Property Acres: 0.960
Zone Code: C2
Primary Code Area: 100 Tax Districts
Group Type: SECT
Subdivision: 4N 1W 12
Section: 4N1W12

Property Description

PAR #6855 OF SE4SW4
 SEC 12 4N 1W
 #341100-R



Property Address

4150 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	350-COM IMPROVEMENT	0.000	\$444,000	INCOME
Primary	130-COMMERCIAL TRACT	0.960	\$92,000	MARKET

Total Assessed Value: \$536,000

Parcel Valuation History

Assessed value for year 2004 \$536,000
Assessed value for year 2003 \$518,100
Assessed value for year 2002 \$497,700
Assessed value for year 2001 \$487,000
Assessed value for year 2000 \$155,100

Ada County Links

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

Property Characteristics

Commercial
 Land

[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)

[Contact Us](#) | [Help Index](#) | [Disclaimer](#) | [About Us](#)



Land Records

Characteristics Detail[Go Back to Property](#)

- [Main Page](#)
- [Property Search](#)
- [Online Map](#)
- [Contact Us](#)
- [Disclaimer](#)
- [Help Index](#)
- [FAQ](#)
- [About Us](#)
- [Image Documents](#)
- [Old interactive map](#)

Commercial**Land****Commercial Characteristics 1 for Parcel "S0412346855"**

Commercial Group Type:	RETAIL GAS STATION
Year Built:	1959
Remodel Year:	2000
Occupancy Date:	No Date Available
Business Name:	SHADY ACRES Rest/C-store/gas
Number of Floors:	1
Number of Units:	0
Leasable Sq Ft:	2985
Ground Floor Sq Ft:	2985
Excess Land Sq Ft:	0
Used Land Acres:	0.96
Used Land Sq Ft:	41818
Excess Land Acres:	0.0
Total Land Sq Ft:	5189
Total Land Acres:	0.96
Method:	INCOME

Assessor Links

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

Ada County Links

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

[Contact Us](#) | [Help Index](#) | [Disclaimer](#) | [About Us](#)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-23567

04/01/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
-195	Claim	04N	01W	12	NE	SW		IRRIGATION	40/797.3	BALLENTYNE DITCH CO LTD
98AA	Claim	04N	01W	12	NE	SW		IRRIGATION	40/797.3	BALLENTYNE DITCH CO LTD
258A	Claim	04N	01W	12	NE	SW		IRRIGATION	40/797.3	BALLENTYNE DITCH CO LTD
260B	Claim	04N	01W	12	NE	SW		IRRIGATION	40/797.3	BALLENTYNE DITCH CO LTD
-264	Claim	04N	01W	12	NE	SW		IRRIGATION	40/797.3	BALLENTYNE DITCH CO LTD
-285	Claim	04N	01W	12	NE	SW		IRRIGATION	40/797.3	BALLENTYNE DITCH CO LTD
2406	Claim	04N	01W	12	NE	SW		IRRIGATION	39/29248	DRAINAGE DIST NO 2
437A	Claim	04N	01W	12	NE	SW		IRRIGATION	37/41	KEITH RICKS
15238	Claim	04N	01W	12	NE	SW		IRRIGATION	40/797.3	BALLENTYNE DITCH CO LTD
2406	Water Right	04N	01W	12	NE	SW		IRRIGATION	39/29248	DRAINAGE DIST NO 2
2466	Water Right	04N	01W	12	NE	SW		IRRIGATION	40/40	E H DEWEY INC
437A	Water Right	04N	01W	12	NE	SW		IRRIGATION	29/99	KEITH RICKS
437A	Claim	04N	01W	12	NE	SW		STOCKWATER		KEITH RICKS
4415	Water Right	04N	01W	12	NE	SW		STOCKWATER		KEITH RICKS
15162	Water Right	04N	01W	12	NE	SW		STOCKWATER		KEITH RICKS
22706	Water Right	04N	01W	12	NE	SW		STOCKWATER		PAMELA J FOUCAULT
3567	Claim	04N	01W	12	NE	SW		COMMERCIAL		ERLING J KAAE
2576	Claim	04N	01W	12	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	04N	01W	12	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	04N	01W	12	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	04N	01W	12	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	04N	01W	12	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	04N	01W	12	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	04N	01W	12	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	04N	01W	12	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	04N	01W	12	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	04N	01W	12	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	04N	01W	12	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-23567

04/01/2005

2

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
23567	Claim	04N	01W	12	NE	SW		DOMESTIC		ERLING J KAAE
4415	Water Right	04N	01W	12	NE	SW		DOMESTIC		KEITH RICKS
15162	Water Right	04N	01W	12	NE	SW		DOMESTIC		KEITH RICKS
22708	Water Right	04N	01W	12	NE	SW		DOMESTIC		PAMELA J FOUCAULT
22709	Water Right	04N	01W	12	NE	SW		DOMESTIC		DENNIS FOUCAULT

Receipt Details for ID C011239

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/7/1989 4:32:50 PM	9/7/1989	State	\$54.00	Check
Payer		SHADY ACRES		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
14110			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$54.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	23567		\$54.00	Claim

Print Report



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63



RIGHT ID 63 23567
POD ID 216896
Quad Star 5
Claim Type Small
Easting 306082
Northing 291147
GPSID A0013211

Diversion Description

150' WELL, 8" CASING, 1 HP PUMP, 150' WELL, 5" CASING. Shady Acres gas station/restaurant. The well is located in a pump house to the west of a house that sits behind the restaurant/gas station.

Assumptions

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\216896a.JPG Photos\216896c.JPG

Photos

Photos\216896b.JPG Photos\216896d.JPG

EPE (ft)

16

Date (M/D/Y)

12/15/01

Time

13.30

Flow Rate (CFS)

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

1

Pressure Head (psi)

Elevation Head (ft)

50

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

STA-RITE

Pump Serial#

New Contact Information ☒

New Contact Comments

New owners

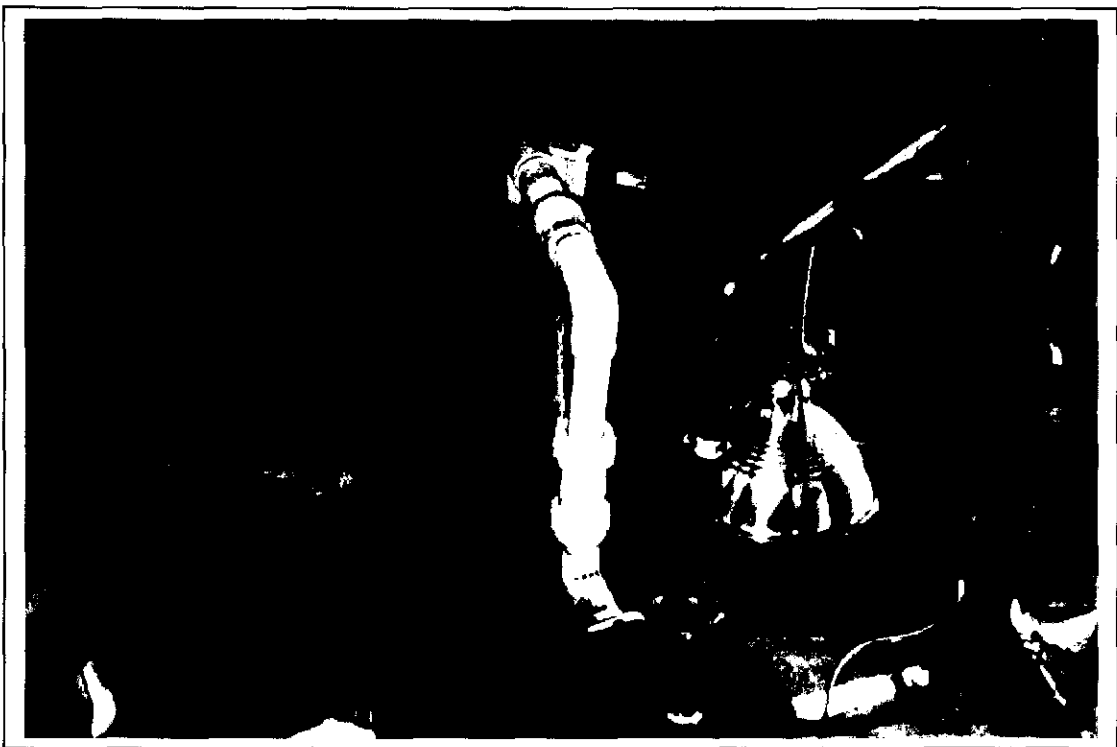
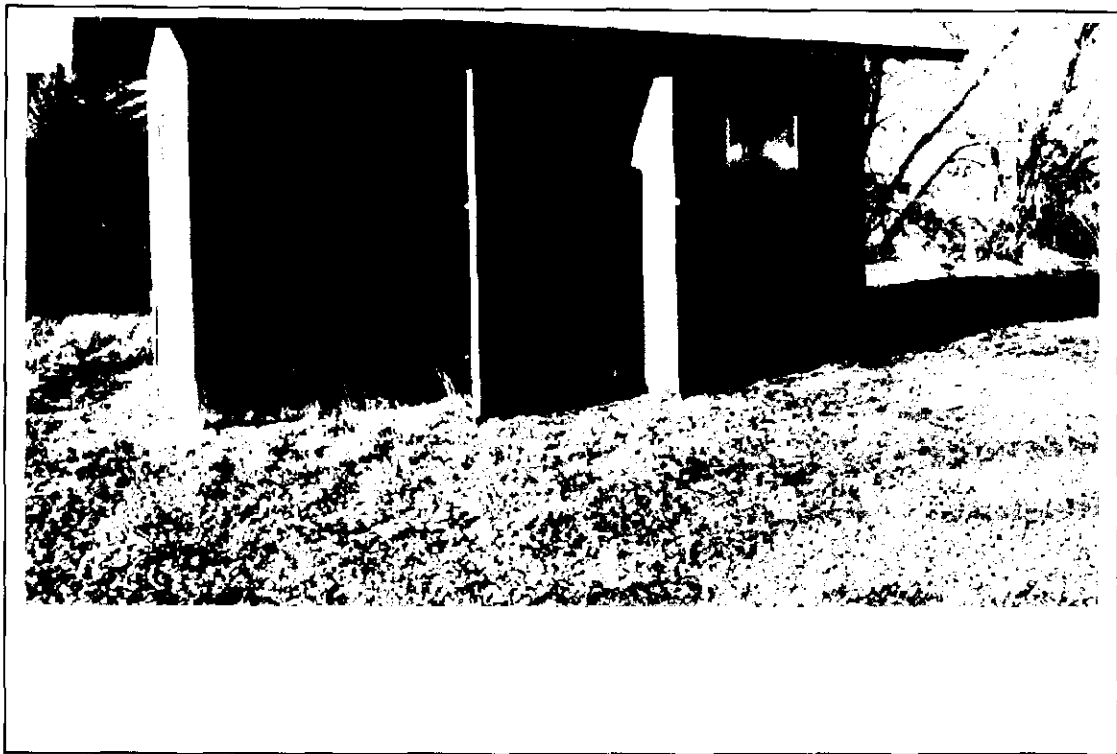
This form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, Inc. and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Services, Inc.

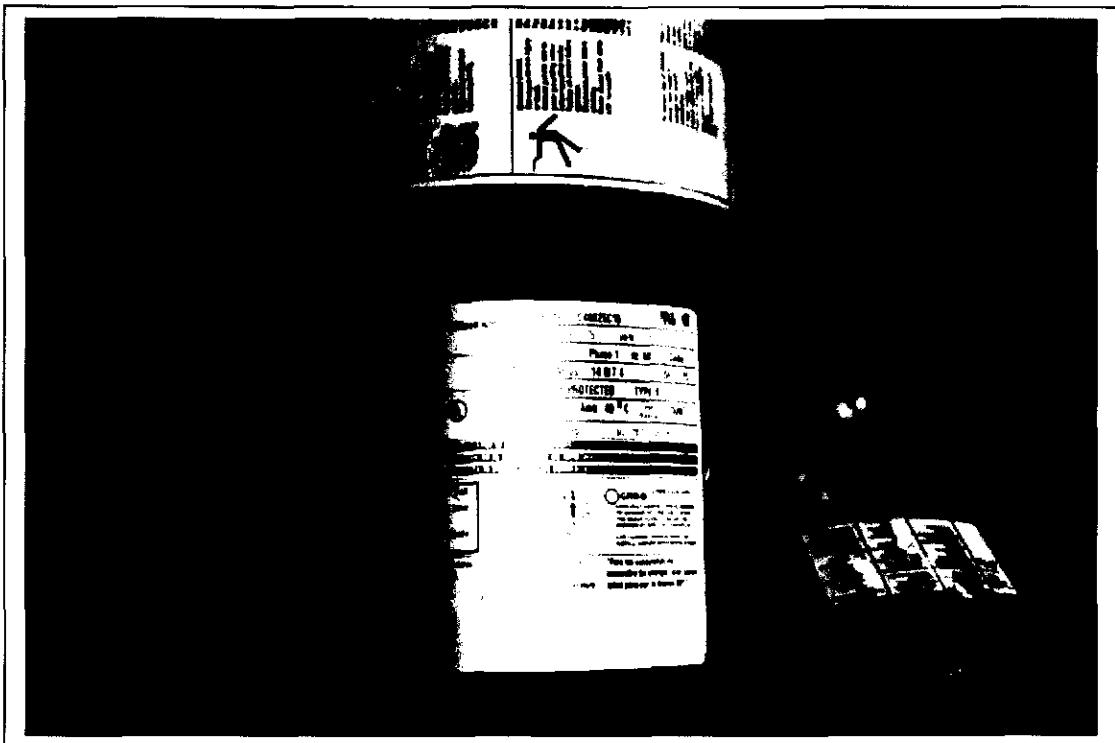
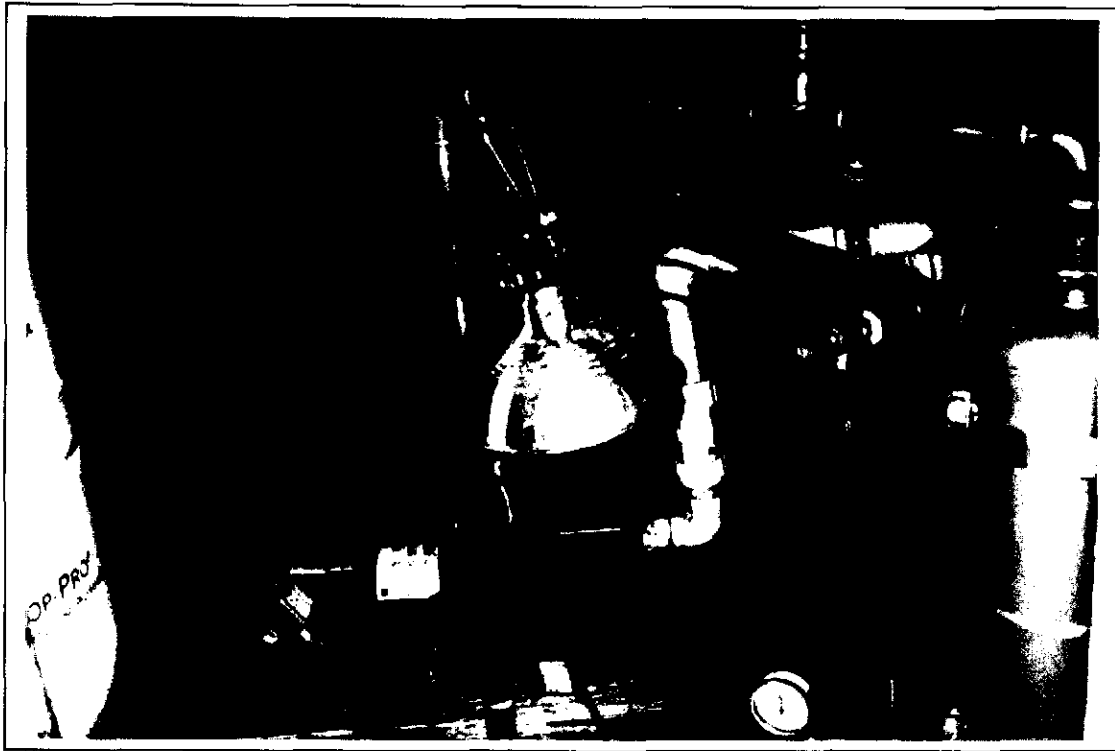


INTREPID
Engineering Services, Inc. (IES)
Enabling People and Solutions

RIGHT ID

63 23567





05/20/2005

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

RIGHT NUMBER: 63-23567

NAME AND ADDRESS: ECKHARDT PROPERTIES
425 S WHITLEY DR #4
FRUITLAND ID 83619

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.080 CFS
29.000 AFY

13,000 The quantity of water under this right for domestic use shall not exceed
gallons per day.

PRIORITY DATE: 07/01/1959

POINT OF DIVERSION:
T04N R01W S12 NESW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.040 CFS 29.00 AFY
DOMESTIC	01/01 12/31	0.040 CFS
Commercial use is for Service Station.		
Domestic use is for 1 home.		

PLACE OF USE: COMMERCIAL Within ADA County
T04N R01W S12 Lot 3 SESW
DOMESTIC Within ADA County
T04N R01W S12 NESW

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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use
Parcel Nos. S0412315200, S0412346855

Water Right 63-23567

1



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 20, 2005

Eckhardt Properties
425 S Whitley Dr #4
Fruitland ID 83619

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Re: Notice of Claim to a Water Right No. 63-23567

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 information, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Liberty Gagnon".

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure



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