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Documents
In File

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-20602
Date Received: 2/05/1990
Receipt No: M005724
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VICTOR R. MAROSTICA 208-465-4840
Address: 4596 DYE LANE
KUNA, ID ID

OR

Name: SUE MAROSTICA 208-465-4840
Address: 4596 DYE LANE
KUNA, ID ID

2. Date of Priority: OCT 25, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	01W	17	SE	SE	NW		CANYON

5. Description of diverting works:
WELL 80' DEEP, 6" CASING, 1.5HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.045		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01W	17	SE	NE		DOMEST	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
BOISE-KUNA IRRIGATION DIST.

14. Remarks:
" OWNERSHIP CHANGED BY RDH ON 29 NOV 90"

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: A63-20602
Date Received: 2/05/1990
Receipt No: MO25724
Received By: JB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EMERY L. KOONTZ 208-467-6991
Address: 4596 DYE LN
KUNA, ID 83673-4

AND/OR

Name: CATHERINE S. KOONTZ 208-467-6991
Address: 4596 DYE LN
KUNA, ID 83673-4

2. Date of Priority: OCT 25, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	01W	17	SE	SE	NW		CANYON

5. Description of diverting works:
WELL 80' DEEP, 6" CASING, 1.5HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.045		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	01W	17	SE NE		DOMEST	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
BOISE-KUNA IRRIGATION DIST.

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): *Arthur J. [Signature]* Date: 2-5-90
Date: _____

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of February 19 90

Anna Baumhoff
Notary Public

Seal

Anna Baumhoff, Notary Public
Residing at _____ Residing at Boise, Idaho
My Commission Expires December 7, 1994
My Commission Expires _____

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: NOV-5-1998
PAGE: A-6

RIGHT NUMBER: 63-20602

NAME & ADDRESS: VICTOR R MAROSTICA
SUE MAROSTICA
4596 DYE LN
KUNA ID 83634

SOURCE: GROUNDWATER

QUANTITY: 0.045 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 10/25/1976

POINT OF DIVERSION: T02N R01W S17 SESENW Within CANYON County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.045 CFS

PLACE OF USE: DOMESTIC Within CANYON County
T02N R01W S17 SENW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. IR 28964-000-0

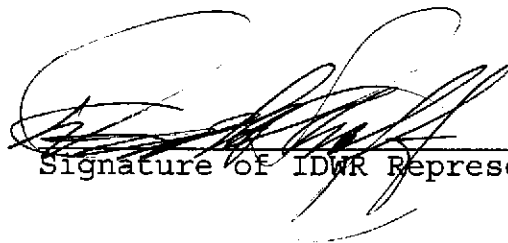
WATER RESOURCES
WESTERN REGION

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED:

11/18/98



Signature of IDWR Representative

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
11/5/1998

63-20602

RECEIVED
NOV 18 1998
WATER RIGHTS DIVISION

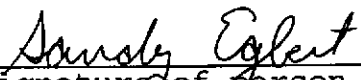
PAGE 2

CERTIFICATE OF MAILING

I certify that on 11-27-98 I mailed the original
and copies of this form to the following persons, postage prepaid
and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Each party in the subcase, or attorney of record:

VICTOR R MAROSTICA
SUE MAROSTICA
4596 DYE LN
KUNA ID 83634
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[] Water Right Number(s): ALB-20602

[] Name and Address of
Former Claimant: EMERY L. + CATHERINE S. KOONTZ
4596 DYE LANE
KUNA, ID. 83634

[] New Claimant(s): VICTOR R. + SUE MAROSTICA

[] New Mailing Address: 4596 DYE LANE 83634

New Telephone Number: () 465-4840

[] Does the change in ownership result in a splitting of the
water right claimed? yes X no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: WARRANTY DEED

[] Signature of New Claimant(s): [Signature]
Sue Marostica
Date: 3-10-90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any: **MICROFILMED**

SEP 03 1992

RECEIVED

MAR 16 1990

Department of Water Resources
Western Regional Office

DN 18024
INSTRUMENT NO. 9002893

WARRANTY DEED

FOR VALUE RECEIVED EMERY L. KOONTZ and CATHERINE S. KOONTZ,
husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto VICTOR RAY MAROSTICA and SUE
MAROSTICA, husband and wife

the Grantees, whose address is 4596 DYE LANE, KUNA, ID 83634

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY
REFERENCE:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns
forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said
premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1990 and
subsequent years, covenants, conditions, restrictions and easements of record;

and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: February 15, 1990

Emery L. Koontz
EMERY L. KOONTZ

Catherine S. Koontz
CATHERINE S. KOONTZ

STATE OF IDAHO
COUNTY OF CANYON

On this 15th day of February, 1990, before me a
notary public, personally appeared EMERY L. KOONTZ AND
CATHERINE S. KOONTZ, known or identified to me to be
the person(s) who(se) name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they
have executed the same.

Stephan Andrus
Notary Public
Residing at NAMPA, Idaho
My commission expires: 4-20-93

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

MICROFILMED

SEP 03 1992

9002893

RECORDED

90 FEB 16 PM 12 10

NED J KERR

CANYON CNTY RECORDER
BY *C. J. Kerr*

PIONEER — NAMPA

REQUEST

TYPE *Deed*

FILE

4-10
6-20

EXHIBIT "A"

PARCEL 1:

A part of the East Half of the Northwest Quarter of Section 17, Township 2 North, Range 1 West, Boise Meridian, Canyon County, Idaho, more particularly described to-wit:

COMMENCING at the Southeast corner of the East Half of the Northwest Quarter of Section 17, Township 2 North, Range 1 West, Boise Meridian, Canyon County, Idaho; thence
 North $89^{\circ} 47' 30''$ West 321.86 feet along the South boundary of the said East Half of the Northwest Quarter to the INITIAL POINT; thence continuing along the said South boundary
 North $89^{\circ} 47' 30''$ West 321.86 feet; thence leaving the said South boundary
 North $3^{\circ} 19' 00''$ West 1,137.7 feet; thence
 South $89^{\circ} 44' 20''$ East 353.12 feet, more or less, to a point
 North $89^{\circ} 44' 20''$ West 353.11 feet West of the East line of the East Half of the Northwest Quarter; thence
 South $1^{\circ} 44' 40''$ East 1,135.88 feet to the INITIAL POINT.

PARCEL 2:

That part of the East Half of the Northwest Quarter of Section 17, Township 2 North, Range 1 West, Boise Meridian, Canyon County, Idaho, described as follows:

COMMENCING at the Southeast corner of said Northwest Quarter, the INITIAL POINT; thence
 North $0^{\circ} 10' 15''$ West 1,134.91 feet along the East boundary of said Northwest Quarter; thence
 North $89^{\circ} 44' 20''$ West 353.11 feet; thence
 South $1^{\circ} 44' 40''$ East 1,135.88 feet to a point in the South boundary of said Northwest Quarter; thence
 South $89^{\circ} 47' 30''$ East 321.86 feet along said South boundary to the INITIAL POINT;

EXCEPT that part thereof described as follows:

BEGINNING at a found steel pin at the Southeast corner of said Northwest Quarter; thence
 North $89^{\circ} 28' 44''$ West (of record as North $89^{\circ} 47' 40''$ West) along said South boundary 321.86 feet to a set steel pin; thence
 North $1^{\circ} 23' 28''$ West (of record as North $1^{\circ} 44' 40''$ West) 239.89 feet to a set steel pin; thence
 South $89^{\circ} 25' 08''$ East 328.44 feet to a set steel pin in said East boundary; thence
 South $0^{\circ} 10' 49''$ West (of record as South $0^{\circ} 10' 15''$ East) along said East boundary 239.41 feet to the POINT OF BEGINNING.

MICROFILMED

SEP 03 1992

DATE: 06/29/98
PAGE: 1

CANYON County

PHASES

MS
AN

POU County: CANYON

Other Rights: BOISE-KUNA IRRIGATION DIST.

- THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Objection Filed Date:

Audit: 06/29/98 CWALKER

DATE: 06/11/98
PAGE: 268

**DIVERSION
VOLUME**

(208) 465-4840

Stage: BENEFICIAL USE

SESENW

— 2 —

T R S : Lt Ac Lt Ac Lt Ac Lt Ac

02N 01W 17 :

POU County: CANYON

Non-Irrigation Uses: 1 HOUSE

Other Rights: BOISE-KUNA IRRIGATION DIST.

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY
- GALLONS PER DAY.

Remarks: EXP IR 28964-000-0

Dates: _____ Exam Made Date: _____

Misc: _____
Water District Number: _____

Comments:	Date:	User-ID:	Subject:
	02/19/1997	CORR2	COPIED FROM REMARKS
	" OWNERSHIP CHANGED BY RDH ON 29 NOV 90"		

Audit: 02/19/97 CORR2



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

DATE: 29 Nov. 1990

NOTICE OF CLAIM NO.(S)
A63-20602

[Victor R. Marostica]
Sue Marostica
4596 Dye Lane
Kuna, Id. 83634
[]

Dear Claimant:

Enclosed is a copy(s) of the above referenced claim(s) which reflects the change in ownership of the lands and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Ron Howerton

Ron Howerton
Senior Water Resource Agent

MICROFILMED
SEP 03 1992

+ - - NON-IRRIGATION USE - D/ ONE HOUSEHOLD

WATER RIGHT NUMBER - A63-20602 PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - OTHER RIGHTS FOR SAME USE - 80ISE-KUNA IRRIGATION DIST.

+ - - REMARKS - - - - -
" OWNERSHIP CHANGED BY ROH ON 29 NOV 90"

+ - - OLD WATER RIGHT NUMBERS - - - - -
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - DECREE PLAINTIFF - - - + - - - DECREE DEFENDANT - - - +
+ - - DECREE DATE - - +
00/00/0000

+ - - AUDIT FIELDS - 02/05/90 BAUMHOFF 11/29/90 HOWERTON

+ - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	-	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 02/05/1990	LAST AMENDED DATE	-	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	-	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- M005724	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-		-

1A28964-000-0
PUSENU

DATA ENTRY

ENTERED

CHECKED

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

CERTIFIED

JUL 1991

WATER EXAMINER

VERIFIED

JUL - 1991