

10/17/2006

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

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RIGHT NUMBER: 63-30465

NAME AND ADDRESS: CHARLES E FROST  
7875 MURPHY RD  
MELBA ID 83641

KIRA P FROST  
7875 MURPHY RD  
MELBA ID 83641

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 10/01/1997

POINT OF DIVERSION:  
T01N R02W S35 SWSW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>       | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------------|----------------------|-----------------|
| DOMESTIC                    | 1/01 12/31           | 0.040 CFS       |
| Domestic use is for 1 home. |                      |                 |

PLACE OF USE: DOMESTIC Within CANYON County

T01N R02W S35 SWSW

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.

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: BASIS OF CLAIM - Beneficial Use

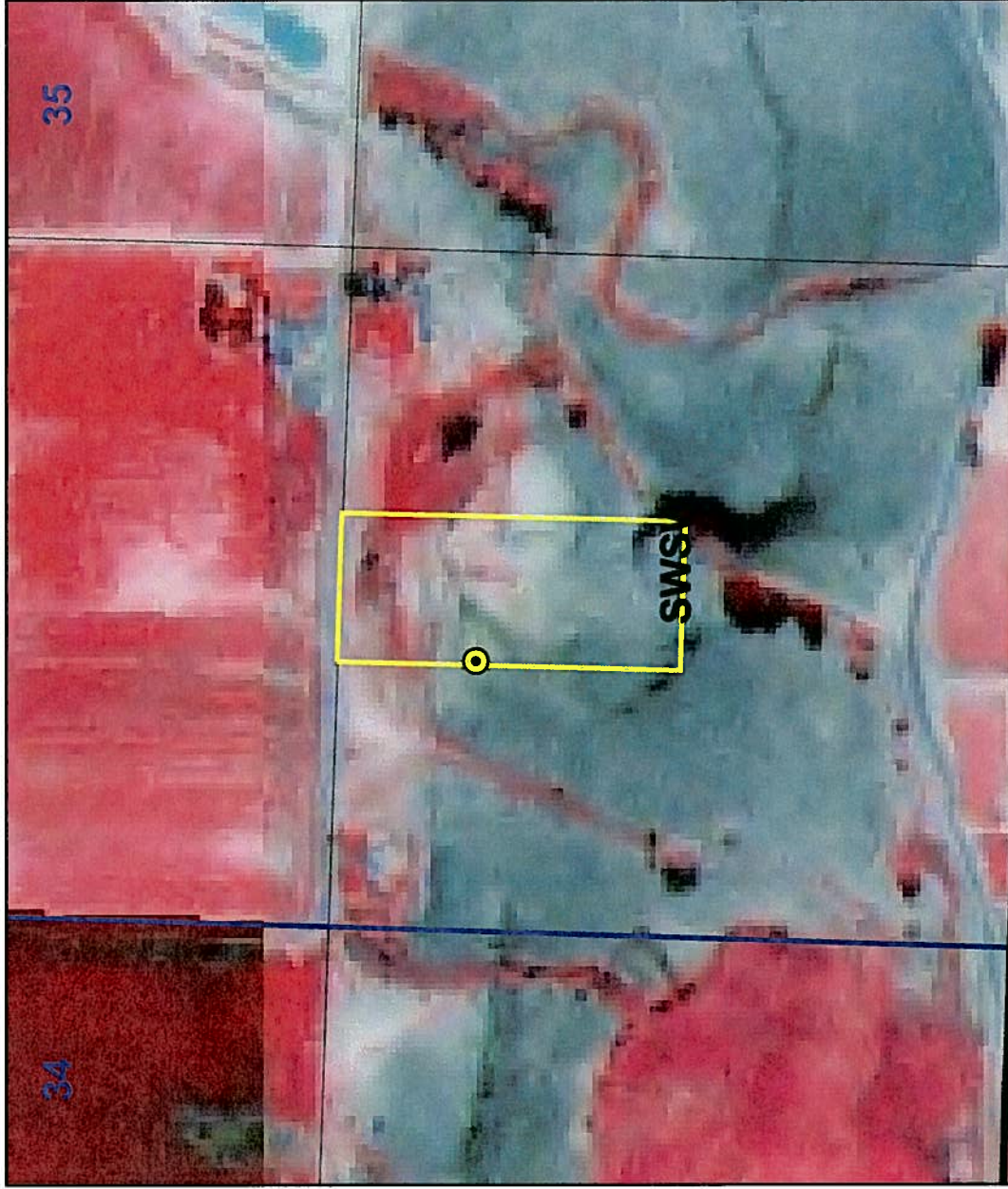


# Idaho Department of Water Resources

SRBA Recommendation:

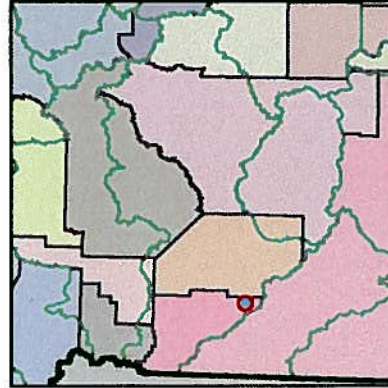
**63-30465**  
(Domestic)

R02W



## Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County  
IDWR Basin 63

0 0.1 0.2 Miles

Prepared by M. Ciscell  
On Tuesday, October 17, 2006  
1987/88 Aerial Photography

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 63-30465  
Date Received: 10/2/1997  
Receipt No: W023122  
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CHARLES E FROST Phone: (208)495-2731

7875 MURPHY RD  
MELBA ID USA 83641

KIRA P FROST Phone: (208)495-2731

7875 MURPHY RD  
MELBA ID USA 83641

2. Date of Priority: 10/01/1997

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot |    | County | Type                                                                                  |
|----------|-------|---------|-----------------------|----|--------|---------------------------------------------------------------------------------------|
| 01N      | 02W   | 35      | SW                    | SW | CANYON |  |

5. Description of diverting works:

WELL, 6" CSG, 220' DEEP, 2 HP SUBM. PUMP, PIPE TO HOSUE

6. Water is used for the following purposes:

| Purpose  | From | To    | C.F.S. | (or) A.F.A |
|----------|------|-------|--------|------------|
| DOMESTIC | 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 |
|----------|-------|---------|------------|-----|----------|-------|
| 01N      | 02W   | 35      | SW         | SW  | DOMESTIC |       |

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:

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 )  
 ) SS.  
County of \_\_\_\_\_)

Subscribed and sworn (or affirmed) before me this

of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Notary Public

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: A63-30465  
Date Received: 10/ 2/1997  
Receipt No: W023122  
Received By: DT

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name: CHARLES E FROST  
Address: 7875 MURPHY RD  
MELBA ID 83641 208-495-2731

AND/OR

Name: KIRA P FROST  
Address: 7875 MURPHY RD  
MELBA ID 83641 208-495-2731

2. Date of Priority: OCT 1, 1997

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 01N      | 02W   | 35      | SW     | SW     | SW  |     | ADA    |

5. Description of diverting works:  
WELL, 6" CSG, 220' DEEP, 2 HP SUBM. PUMP, PIPE TO HOSUE

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 |      |        |

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:  
DOMESTIC ONE HOUSEHOLD, SINGLE OWNERSHIP

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 01N      | 02W   | 35      | SW     | SW  |     | DOMEST |       |

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: 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

CIVIL CASE NUMBER: 39576

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

Identification No. A63-30465  
Date Received 10/2/1997  
Receipt Number W023122

NOTICE OF CLAIM  
TO A  
WATER RIGHT

RECEIVED

OCT - 2 1997

WATER RESOURCES  
WESTERN REGION

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes  
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) CHARLES E. AND/OR KIRA P. FROST Phone (208) 495-2731

Mailing Address 7875 Murphy Rd, Melba Idaho Zip 83641

2. Date of Priority (Only one per claim) 10/1/97 Month/Day/Year

3. Source of water supply (Check one) (X) Groundwater or Other ( ) (a) \_\_\_\_\_

which is tributary to (b) \_\_\_\_\_ Name or kind of source

4. Location of point of diversion is: Township 1N Range 2W

Section 35, 1/4 of SW 1/4 of SW 1/4, Govt. Lot \_\_\_\_\_, BM.,

County of Canyon Ada

Additional points of diversion if any: \_\_\_\_\_

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Well, 6" casing, 220' DEEP, 2hp SUBMERSIBLE pump  
pipe to House

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from JAN 1 Month/Day to DEC 31 Month/Day amount 0.04 cfs (cfs)  
(Both dates are inclusive)  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_

7. Total quantity claimed 0.04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 Household, single ownership

10. Place of use is: Township: 1 N Range 2 W

Section 35, SW 1/4 of SW 1/4, Govt. Lot \_\_\_\_\_, B.M.,  
County of Canyon Ada for (Circle One) Domestic **Stock** **Domestic and Stock**

**Additional places of use, if any**

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

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

14. Remarks: State not intended to be a beneficiary of the property tax state

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff vs Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number 00000000

16. Signature (s)  
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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) Charles E. Frost Date 10/01/92  
Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am \_\_\_\_\_

of \_\_\_\_\_, that I have signed the foregoing  
 \_\_\_\_\_, that I have signed the foregoing  
 document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
 \_\_\_\_\_, that I have signed the foregoing  
 and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_ Date \_\_\_\_\_

## Title and Organization

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

Subscribed and sworn (or affirmed) before me this 1<sup>st</sup> day of October 1997

SEAL

Notary Public Anna Tracy

Residing at Campus A

My Commission Expires 08/29/2002

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

**Copies: White-State, Yellow-Claimant**



**DESCRIPTION FOR  
CHAR RANDALL  
PARCEL 3**

**AUGUST 13, 1996**

A parcel of land lying in the SW 1/4 of the SW 1/4 of Section 35, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Commencing at the southwest corner of Section 35, T.1N., R.2W., B.M., thence N00°22'04"W 1325.96 feet to the northwest corner of the SW 1/4 of the SW 1/4; Thence S89°57'19"E 497.03 feet along the north line of the SW 1/4 of the SW 1/4 to the **REAL POINT OF BEGINNING** of this description;

Thence continuing S89°57'19"E 290.00 feet along the north line of the SW 1/4 of the SW 1/4 to a point;

Thence S00°12'01"E 663.75 feet parallel with the east line of the SW 1/4 of the SW 1/4 to a point on the south line of the N 1/2 of the SW 1/4 of the SW 1/4;

Thence N89°53'53"W 290.00 feet along the south line of the N 1/2 of the SW 1/4 of the SW 1/4 to a point;

Thence N00°12'01"W 663.46 feet parallel with the east line of the SW 1/4 of the SW 1/4 to the **REAL POINT OF BEGINNING** of this description.

Said parcel of land subject to rights of way or easements of record or use.

Said parcel of land contains 4.418 acres more or less.

See that certain Record of Survey filed as Instrument No. 9626579, records of the Canyon County Recorder's Office, for additional data of record.



**MICHAEL E. MARKS, NO.4998**