

03/10/2005

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

RIGHT NUMBER: 79-14101

NAME AND ADDRESS: PAUL VAN ACKER
PO BOX 185
WHITE BIRD ID 83554

KATHY VAN ACKER
PO BOX 185
WHITE BIRD ID 83554

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: 03/18/1998

POINT OF DIVERSION:

T28N R02E S6 SENE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

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

PLACE OF USE: DOMESTIC Within IDAHO County

T28N R02E S06 SENE

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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

RECEIVED

AUG 18 2005

Department of Water Resources

08/16/05

SALLY,

PLEASE CHANGE OUR MAILING
ADDRESS FROM PO BOX 185
TO PO BOX 125

Paul & Kathy Van Acker
P.O. Box 125
White Bird, ID 83554

PTX,

Paul Van Acker

CLAIM # REPT

79-14101

Record Modified 8-18-05
-10

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AUG 22 2005

IDWR/North

①

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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AUG 22 2005

WATER RESOURCES
WESTERN REGION

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

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AUG 26 2005

IDWR/North

[] Water Right Number(s): 79-14101

[] Name(s): PAUL VAN ACKER

KATHY VAN ACKER

[] Old Mailing Address: PO BOX 185

[] New Mailing Address: PO BOX 125

WHITE BIRD, ID. 83554

Telephone Number: (208) 839 - 2808

[] Signature(s) of Owner(s) Paul Van Acken

Kathy Van Acken
(Include your title if on behalf of company or organization)

Date: 08/19/05

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 79-14101
Date Received: 9/3/2004
Receipt No: W032192
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PAUL VAN ACKER Phone: (208)839-2808
PO BOX 185
WHITE BIRD ID USA 83554

KATHY VAN ACKER Phone: (208)839-2808
PO BOX 185
WHITE BIRD ID USA 83554

2. Date of Priority: 03/17/1998

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
28N	02E	6	SE NE	IDAHO	

5. Description of diverting works:

265 ft well.

6. Water is used for the following purposes:

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

7. Total Quantity Appropriated is:

0.04 C.F.S.

8. Total consumptive use:

1 .

9. Non-irrigation uses:
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
28N	02E	6	SE	NE	DOMESTIC	

11. Place of use in counties: IDAHO

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

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

Identification No. A79-14101
Date Received 8-16-04
Receipt Number W032192

RECEIVED
AUG 16 2004
WATER RESOURCES
WESTERN REGION

**NOTICE OF CLAIM
TO A
WATER RIGHT**

RECEIVED

SEP 03 2004

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) PAUL & KATHY VAN ACKER Phone (208) 839-2808

Mailing Address PO BOX 185 WHITE BLIND ID. Zip 83554

2. Date of Priority (Only one per claim) _____ Month/Day/Year

3. Source of water supply (Check one) (☒ (WELL) Groundwater or Other () (a) WELL
which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 28N Range 2E

Section 6 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.,

County of IDAHO (X LEGAL DESCRIPTION ATTACHED)

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.
(ONE WELL) 03/07/98 - WELL 11/11/01 265' PERMIT # A-00-0-3682

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

For DOMESTIC purposes from 1-1 Month/Day to 12-31 Month/Day amount (cfs) .04

For _____ purposes from _____ to _____ (Both dates are inclusive) amount _____

7. Total quantity claimed _____ (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) _____

SCANNED

AUG 16 2004

10. Place of use is: Township: SBW Range 2E
Section 6, SE 1/4 of NE 1/4, Govt. Lot _____, B.M.,
County of IDAHO 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? IDAHO

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.

NONE

14. Remarks: _____

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 _____

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 ☒ 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) Paul Van Nieuwen Date 08/11/04

Kathy Van Nieuwen Date 8/11/04

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

of _____, Title _____ that I have signed the foregoing

document in the space below as _____ of _____

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

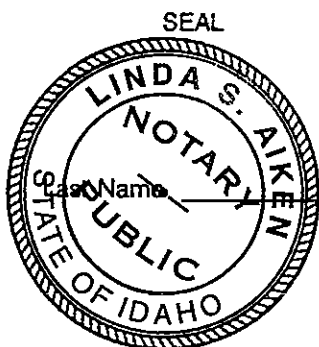
Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or Idaho)

County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 11th day of August 2004



Notary Public Linda S. Aiken

Residing at Grangeville, Idaho

My Commission Expires 01/31/08

Ident No. _____

SCANNED

AUG 16 2004

DARYL K. MULLINIX
ENGINEERING & SURVEYING
521 PARK STREET
GRANGEVILLE, IDAHO 83530
208 983-2408

SCHEDULE C

PAUL & KATHY VAN ACKER

LEGAL DESCRIPTION

A parcel of land located in the SE1/4NE1/4 and NE1/4SE1/4 of Section 6, Township 28 North, Range 2 East, Boise Meridian, Idaho County, Idaho and more particularly described as follows:

Beginning at the northwest section corner of Section 6, Township 28 North, Range 2 East, Boise Meridian a brass cap monument in place thence S64°-31'-03"E 4498.82 feet to a monument and the True Point of Beginning; thence N86°-55'-58"E 893.03 feet to a monument; thence S00°-43'-49"W 1173.63 feet to a monument; thence N87°-46'-17"W 289.64 feet to a monument; thence S77°-25'-11"W 204.69 feet to a monument; thence S49°-30'-44"W 118.25 feet to a monument; thence S35°-25'-35"W 187.82 feet to a monument; thence S58°-54'-34"W 73.52 feet to a monument; thence S78°-21'-17"W 157.74 feet to a monument; thence N84°-08'-04"W 185.12 feet to a monument; thence N07°-54'-24"E 613.95 feet to a monument; thence N06°-23'-07"W 436.62 feet to a monument; thence N23°-58'-41"E 435.33 feet to the True Point of Beginning.

All monuments referred to are 5/8" by 24" rebar with plastic caps. For additional information see survey on file in the Idaho County Court House, Grangeville, Idaho.

Form 238-7
7/94

79-98-W-0005 IDAHO DEPARTMENT OF WATER RESOURCES
79-98-W-000 WELL DRILLER'S REPORT

RECEIVED

060616

APR 08 1998

1. DRILLING PERMIT NO. D-00-0-3682-
Other IDWR No.

11. WELL TESTS:
Test type AIR

NORTHERN REGION
IDWR

2. OWNER:
Name Paul Van Acker
Address 621 North Orange
City Orange State CA Zip 92867

Yield gal./min.	Drawdown	Pumping Depth	Time
50	0	265	2 hrs
0	0		
0	0		

3. LOCATION OF WELL by legal description:
Sketch map location must agree with written location

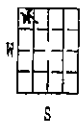
Water temp. 54

Bottom hole temp.

Water Quality test or comment Good

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MAY 11 1998



T. 28 N
R. 1 E
Sec. 5 NW 1/4 NW 1/4 1/4
Gov't Lot County Idaho
Lat: : Long: :
Well Addr 2 miles north
City White Bird

Lt. Blk. Sub. Name

4. PROPOSED USE: DOMESTIC

5. TYPE OF WORK: NEW WELL

6. DRILL METHOD AIR ROTARY

7. SEALING PROCEDURES

Seal/Piletr Pack			Amount	Method
Material	From	To	Sack/lb	
BENTONITE	0	18	55	Overbore

Was drive shoe used? NO Shoe Depth(s)

Was drive shoe seal tested? YES How? Air Test

8. CASING/LINER:

Diam.	From	To	Gauge	Material	Casing/ Connect Liner
8 6	1 -11	19 265	250 250	STEEL PLASTIC	

Length of Headpipe Length of Tailpipe

9. PERFORATIONS/SCREENS:

[V] Perforations Method Skill Saw
[N] Screens Screen Type

From	To	Slot Size	Number	Diam.	Material	Case/ Liner LINER
220	265	1/4 x 6	91	6	PVC	

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

169 ft. below ground Artesian pressure lb.
Depth flow encountered ft. Describe access port or
control devices: Well Seal

Completed Depth 265 (Measurable)
Date Started 03/17/98 Completed 03/18/98

13. DRILLER'S CERTIFICATION

I/we certify that all minimum well construction standards were
complied with at the time the rig was removed.

Firm Name STUIVENGA VESSEY DRILLING

Firm No.
545

Firm Official
and

Date
3/19/98

Supervisor or Operator

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

SCANNED
AUG 16 2004

SEP 03 2004

Corrected Legal Description on 8-30-04, T28N, 2E, Sec 6
By Joyce Vessey, Steivenga Vessey Drelling SE 1/4, NE



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

RECEIVED

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 16, 2004

SEP 03 2004

**WATER RESOURCES
WESTERN REGION**

PAUL VAN ACKER
KATHY VAN ACKER
PO BOX 185
WHITEBIRD ID 83554

RE: Notice of Claim to a Water Right

Dear Property Owner(s):

This office has reviewed the Notice of Claim to a Water Right you have submitted (enclosed), however, we are returning it to you at this time. The Point of Diversion (item number 4), and Place of Use (item number 10) are listed as being in Section 6, Township 28 North, Range 2 East. This claim also indicates a well drilling tag number of D0003682.

In reviewing this information, it was discovered that the legal description for this well location according to the tag number does not match that of the legal description on this claim.

In addition, please indicate the Date of Priority, being the month/day/year that water was first put to use, regardless of ownership. If month or day is unknown, the Department will recommend 12/31 of the year designated.

If you have any additional information, please contact this office and we can discuss this matter further.

Thank you for your patience and cooperation.

Sincerely,

Adjudication Section
Western Region

DB: db

Enclosures