

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: A63-09412
Date Received: 8/10/1989
Receipt No: C009329
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MORNING STAR MOBILE MANOR 208-286-7486
Address: C/O ALLEN AITKEN
11545 SYRINGA COURT
STAR, ID 83669

2. Date of Priority: JUN 30, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	18	NW	NE	NE		ADA

5. Description of diverting works:
ARTESIAN WELL W/ 4" CASING AND PIPELINE TO TRAILERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.220		24.00

7. Total Quantity Appropriated is:
0.220 C.F.S. (and/or) 24.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
C/D 20 TRAILER HOMES AND YARDS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	18	NE	NE		COMMER	

11. Place of use in counties: ADA

A63-09412

Page 1

Date: 08/10/89

MICROFILMED
AUG 24 1992

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

13. Other Water Rights Used:
NONE

14. Remarks:
Domestic use is for 20 homes.

15. Basis of Claim: LICENSE

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 _____

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ACQUIRED UNDER STATE LAW

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11545 SYRINGA COURT
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04N	01W	18	NE	NE		COMMER	

11. Place of use in counties: ADA

A63-09412

Page 1

Date: 08/10/89

MICROFILMED
AUG 24 1992

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15. Basis of Claim: LICENSE

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: 0

For Organizations:

I do solemnly swear or affirm that I am Treasurer of
 Morning Star Mobile Manor that I have signed the foregoing
Organization document in the space below as Treasurer of
 Morning Star Mobile Manor and that the statements contained in the
Organization foregoing document are true and correct.

 X Allen E. Ritten
Signature of Authorized Agent

 Treasurer Morning Star Mobile Manor
Title and Organization

 8/10/89
Date

State of Idaho

County of

Ada

) SS. 518 22 5149
)

Subscribed and sworn (or affirmed) before me this

10 day

of

August

19

89

Bruce A. Schulz

Notary Public

BRUCE A. SCHULD, NOTARY PUBLIC

RESIDING AT BOISE, IDAHO

Residing at

MY COMMISSION EXPIRES APRIL 11, 1995

My Commission Expires

Seal

Egbert, Sandy

From: Egbert, Sandy
Sent: Tuesday, October 02, 2007 10:29 AM
To: 'tbooth@srba.state.id.us'; Shurte, Jan
Subject: 63-9412, 63-17510, 63-18059

Special Master Booth

Below is an explanation of three water rights you have questions about.

63-9412 I have changed our recommendation back to domestic use as licensed

63-17510 The contractors who did the field exam found a 1 hp pump on a 300 foot well. A theoretical figured out to .02 cfs. We would like to leave this one as is. It is a very small, old motel which might be the reason for the small amount of water capacity.

63-18059 I removed the 13,000 gallons per day limiter and added an acre foot amount of 9.6. I used 1964 photography to conclude that there were only 8 homes instead of the 23 they claimed. I gave them a priority date of 1 day before the mandatory permit requirement since we did not have 1963 photography but I was pretty sure they were there before the mandatory permit requirement. For the .cfs, I used a chart we use for multiple homes for domestic use.

I have scanned the two recommendations I changed plus the chart I referenced and they are attached to this email. If you need me to do anything else, just let me know.

Sandy Egbert
Western Region



63-9412.pdf



63-18059.pdf



chart.pdf

04/19/2007

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

RIGHT NUMBER: 63-9412

NAME AND ADDRESS: MORNING STAR MOBILE MANOR
C/O ALLEN AITKEN
11545 SYRINGA COURT
STAR ID 83669

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.220 CFS
24.000 AFY

PRIORITY DATE: 06/30/1980

POINT OF DIVERSION:

T04N R01W S18 NWNENE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.220 CFS
24.00 AFY

Domestic use is for 20 home.

PLACE OF USE: DOMESTIC in ADA County

T04N R01W S18 NENE

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Egbert, Sandy

From: Shurte, Jan
Sent: Thursday, January 11, 2007 10:00 AM
To: Egbert, Sandy
Cc: Shurte, Jan
Subject: FW: 63-9412

Sandy - this one depend on how the license was issued - if it was issued as Commercial with domestic for 20 homes then I would respond to Ted and just tell him that it was licensed that way and we would rather just leave it. If not, please come talk with me.
 Thanks, Jan

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

From: Ted Booth [mailto:tbooth@srba.state.id.us]
Sent: Monday, January 08, 2007 11:49 AM
To: Shurte, Jan
Subject: 63-9412

Jan,

This one has a purpose of use of "commercial," but has a remark that reads "Domestic use is for 20 home." Do you want to change this?

Ted Booth

 Eliminate annoying spam!

My mailbox is protected by iHateSpam, the #1-rated spam buster.
<http://www.ihatespam.net>

*licensed as domestic
 claimed as commercial*

*He claimed as commercial
 after reading
 Asy memo 4 changed back to domestic.*

04/01/2005

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

RIGHT NUMBER: 63-9412

NAME AND ADDRESS: MORNING STAR MOBILE MANOR
C/O ALLEN AITKEN
11545 SYRINGA COURT
STAR ID 83669

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.220 CFS
24.000 AFY

PRIORITY DATE: 06/30/1980

POINT OF DIVERSION:

T04N R01W S18 NWNENE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

~~COMMERCIAL~~ Dom

1/01 12/31

0.220 CFS
24.00 AFY

Domestic use is for 20 home.

PLACE OF USE:

~~COMMERCIAL~~ Dom
Within ADA County

T04N R01W S18

NENE

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

Idaho Department of Water Resources
63-9412
T04N R01W S18



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



IDWR
Prepared by: Sandy Egbert
Date: 4-1-05
1987 NAPP Photography

500 0 500 1000 1500 2000 Feet

**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 72.00
- ☐ 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) 63-9412

Owner: _____ Phone No. _____

Current Address: _____

- ☐ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☐ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

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

Priority date, per claimant, is: _____

(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 HC

- ☐ 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)

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

☒ No Change

☐ Changes shown below:

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

AFTER EXAM THE FILE SHOULD CONTAIN:

- DATE EXAM CONDUCTED: 4-1-05

4

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9412

WATER RIGHT NUMBER: 63-9412

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICHARD BECHTOLD PO BOX 74 EAGLE, ID 83616

Priority Date: 06/30/1980

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
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	0.220 CFS	24.00 AF
	<u>Total Diversion:</u>	0.220 CFS	24.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 18, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	18	X																

Conditions of Approval:Remarks:

- General Domestic use is for 20 homes.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-9412

03/30/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
-183	Claim	04N	01W	18	NE	NE		IRRIGATION	29.5/1283.1	PIONEER DITCH CO LTD
2406	Claim	04N	01W	18	NE	NE		IRRIGATION	39/29248	DRAINAGE DIST NO 2
2406	Water Right	04N	01W	18	NE	NE		IRRIGATION	39/29248	DRAINAGE DIST NO 2
4754	Water Right	04N	01W	18	NE	NE		IRRIGATION	5/5	RICHARD BECHTOLD
4976	Water Right	04N	01W	18	NE	NE		IRRIGATION	5/5	WILHELMINA CODE
9412	Claim	04N	01W	18	NE	NE		COMMERCIAL		MORNING STAR MOBILE MANOR
10733	Water Right	04N	01W	18	NE	NE		COMMERCIAL		STAR SEWER & WATER DIST
2545	Claim	04N	01W	18	NE	NE		DOMESTIC	2/	WILHELMINA CODE
2545	Water Right	04N	01W	18	NE	NE		DOMESTIC		CO-OPERATIVE OIL ASSN
4709	Water Right	04N	01W	18	NE	NE		DOMESTIC		ROSYMAY KUENZLI
9412	Water Right	04N	01W	18	NE	NE		DOMESTIC		RICHARD BECHTOLD
23550	Water Right	04N	01W	18	NE	NE		DOMESTIC		PETER R SPECK

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-9412

Priority: June 30, 1980

Amount: .22 CFS

24.0 AFA

This is to certify, that RICHARD BECHTOLD

P.O. BOX 74

EAGLE, ID 83616

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated June 30, 1980, and has submitted proof to the Department of Water Resources on January 3, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .22 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.22 cfs	24.0 afa

LOCATION OF POINT OF DIVERSION(S): NENE , Sec. 18, Township 4N, Range 1W
Ada County

PLACE OF USE: Domestic

TWN RGE SEC

4N 1W 18

NENE

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 20 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 21st day of March, 1988.

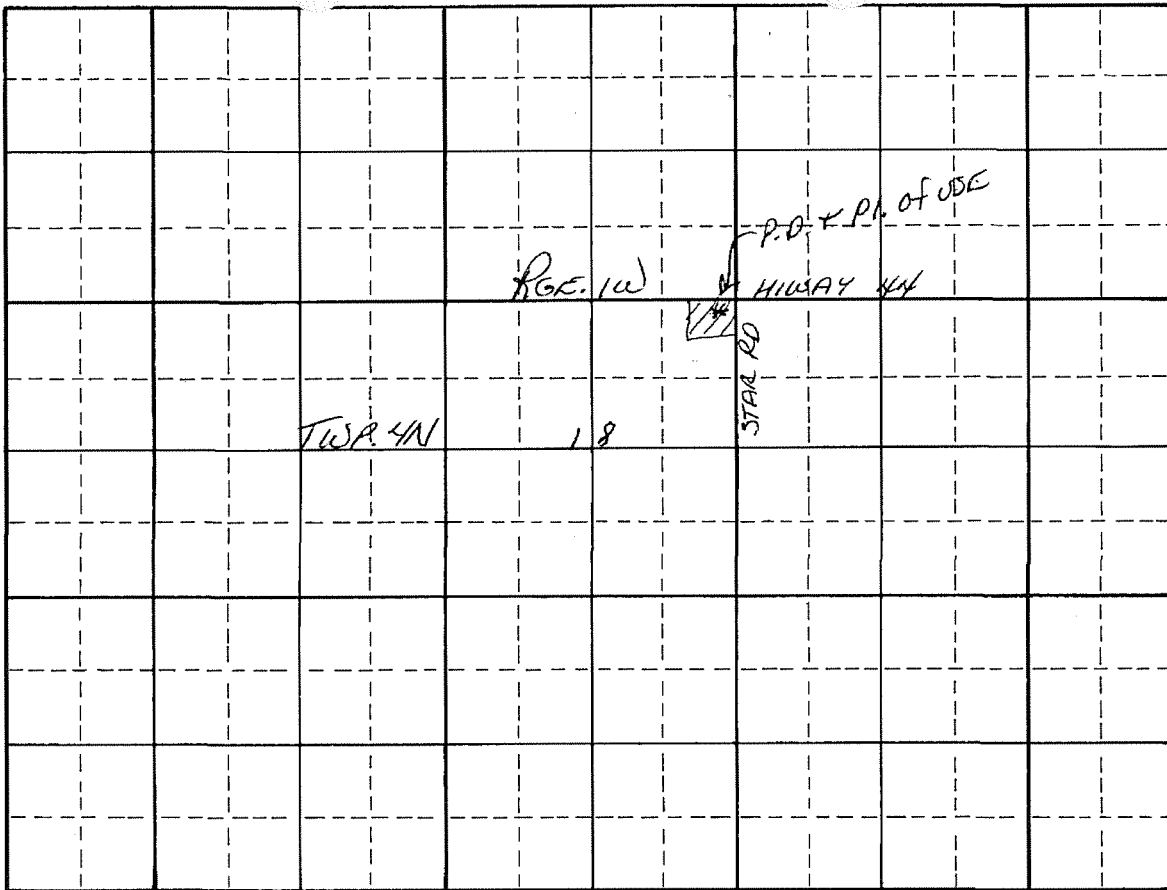
MICROFILMED

APR 04 1988

Director

~~APR 04 1988~~

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NE 1/4 NE 1/4, SEC. 18, TWP. 4N, RGE. 1W, B.M.

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	1W	18	X																

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

APR 04 1988

Examiner's Signature

Checked by

Approved by

Jan Glover
6LS

Date

Date

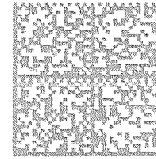
Date

11/4/83

2/26/85

MICROFILMED

CLASS TEST



NMR

MORNING STAR MOBILE MANOR
C/O ALLEN AITKEN
11545 SYRINGA COURT
STAR ID 83669

63-9412





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 23, 2005

MORNING STAR MOBILE MANOR
PO BOX 256
STAR ID 83669

Re: Snake River Basin Adjudication (SRBA)
Water Right No(s). 63-9412
Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your claim(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of any of the properties connected with the water right(s) referenced above, please call this office to obtain a form to make this required change to the water right(s) records.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

The address is correct as shown above or as otherwise changed.

Signature of water right claimant

Telephone number

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

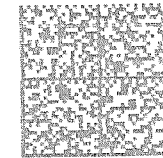


- ☒ Not Deliverable As Addressed
Waiting To Forward
☐ Institutional Address
☐ Moved, Left No Address
☐ Unclaimed ☐ Refused
☐ Attention - Not Known
☐ No Such Street ☐ Number
☐ Vacant ☐ Inhabitable
☒ No Mail Recipients
☐ Box Closed - No Order
☐ Returned For Better Address
☐ Postage Due _____

~~MORNING STAR MOBILE MANOR
C/O ALLEN AITKEN
11545 SYRINGA COURT
STAR ID 83669~~

PO Box 256
Star 83669

FIRST CLASS



02 1A
0004369393
MAILED FROM ZIP

RECEIVED

JUN 13 2005

WATER RESOURCES
WESTERN REGION

ADDRESS SERVICE
REQUESTED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

63-9412

RECEIVED

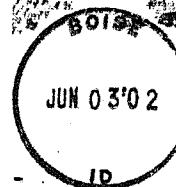
JUN - 7 2002

Department of Water Resources



- ☐ Not Deliverable As Addressed
- ☐ Unable To Forward
- ☐ Insufficient Address
- ☐ Moved, Left No Address
- ☐ Unclaimed ☐ Refused
- ☐ Attempted - Not Known
- ☐ No Such Street ☐ Number
- ☐ Vacant ☐ Illegible
- ☐ No Mail Receptacle
- ☐ Box Closed - No Order
- ☐ Returned For Better Address
- ☐ Postage Due

PRESORTED
FIRST CLASS



PB METER
7110094

0.255

U.S. POSTAGE

Sent again 6/12/02

P.O. Box 256 Star 83669

MORNING STAR MOBILE
C/O ALLEN AITKEN
11545 SYRINGA COURT
STAR ID. 83669

RECEIVED

JUN 11 2002

WATER RESOURCES
WESTERN REGION

63-9412-43669

