

08/25/2006

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

RIGHT NUMBER: 63-31533

NAME AND ADDRESS: MARY KAUK
9600 CHERRY LN
Nampa ID 83687

PAUL KAUK
9600 CHERRY LN
Nampa ID 83687

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: 08/05/1996

POINT OF DIVERSION:

T03N R02W S4 SESW Within CANYON 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
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC Within CANYON County

T03N R02W S04 SESW

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: BASIS OF CLAIM - Beneficial Use

REAL PROPERTY INQUIRY

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+++++
01 6R30852-010- -0 063-00 N SCH139+ 12 43,000 1.30
+++++
34 147,000
KAUK PAUL $ +
KAUK MARY 2001 TRUST +
KAUK MARY-TRUSTEES $ +
+
+
9600 CHERRY LN +
NAMPA ID 83687 +
+++++
04-3N-2W SW + TOTAL 190,000
TX 02019 IN E 1/2 SESW ++++++
+ SURVEY 9623589 INST 200252567
+ DRAIN DR VALUE APPR KMP
+ CLASS +2 REAP 05 MAN 04 UNIT 1
9600 CHERRY LN, NA + PARCEL 6R03N02W047157 H/O Y C/B N
+ PRIOR ACCOUNT 5R30852-010- -0
+ 02 MH on Property NO

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MODE:F ACTION: TRAITS INQUIRY TRQK318

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ACCOUNT NUMBER R30852010 0 UNIT 001 TOTAL UNITS 1

SITE CHERRY LN NA SEC/TWN/RNG 04-3N-2W
ASSESSED VALUE 190,000 ACREAGE .00
SUB/PARK NAME YEAR/MAKE
CLASS +2 OWNER / OCCUPIED HOUSE CLASS '+2' SPACE LOT BLOCK
+++++
YR BUILT 1997 AIR COND CENTRAL AIR CARPORT N
STORY 1 STORY HEATING GAS FA CARPORT SQ FT
FIRST SQ FT 1232 EXTERIOR VNYL SIDING DECK/PATIO? Y
SECOND SQ FT ROOF COMP POOL? N
BEDS 2 BSMT SQ FT 1232 SPA? N
BATHS 1.00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE A2 NEIGHBORHOOD 0
GARAGE SQ FT 616
+++++
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

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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 63-31533
Date Received: 8/21/2002
Receipt No: W029613
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MARY KAUK Phone: (208)362-5893
9600 CHERRY LN
NAMPA ID USA 83687

PAUL KAUK Phone: (208)362-5893
9600 CHERRY LN
NAMPA ID USA 83687

2. Date of Priority: 08/05/1996

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	02W	4	SE SW	CANYON	

5. Description of diverting works:

Well, pump.

6. Water is used for the following purposes:

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

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

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

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	02W	4	SE	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: Irrigation District Water

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. AN-3-31533
Date Received 8/21/02
Receipt Number W029613

NOTICE OF CLAIM
TO A
WATER RIGHT

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 & MARY KANK Phone (208) 362-5893

Mailing Address 9600 CHERRY LN NAMPA Zip 83687

2. Date of Priority (Only one per claim) 8/5/1996 Month/Day/Year

3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 3N Range 2W

Section 4, 1/4 of SE 1/4 of SW 1/4, Govt. Lot _____, BM.,

County of CANYON

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, pump

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

For Dom purposes from 1/1 to 12/31 amount .04 (cfs)

(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .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 HOME

Mail copy to
8833 Churchhill Rd
 Boise 83709

10. Place of use is: Township: 3N Range 2W

Section 4, SE 1/4 of SW 1/4, Govt. Lot _____, B.M.,

County of CANYON 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

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.

IRRIGATION DISTRICT WATER

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 Kaud Date 8-21-02

Date _____

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

of _____, 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 _____ }
County of Adair } SS.

Subscribed and sworn (or affirmed) before me this 21st day of Aug 2002



Notary Public Lori Granger

Residing at Boise

My Commission Expires 6/18/04

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

Exhibit A

LEGAL DESCRIPTION

A parcel of land in the Southeast Quarter of the Southwest Quarter of Section 4, Township 3 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, being a portion of Parcel B as shown on Record of Survey No. 9623589, recorded July 18, 1996 and being more particularly described as follows:

COMMENCING at the South Quarter corner of said Section 4, marked by a 3/4-inch iron pipe in the intersection of Cherry Lane and Ten Lane, thence,

North 89° 38' 34" West, 409.14 feet along the South line of said Section 4 (centerline of said Cherry Lane) to a 5/8-inch rebar at the POINT OF BEGINNING; thence,

North 89° 38' 34" West, 137.17 feet along said South section line to a point marked by a PK nail set at the actual point and a 1/2-inch rebar witness corner set North 00° 23' 05" West, 32.00 feet from said point; thence,

North 00° 23' 05" West, 402.63 feet along a new line through said Parcel B to a 1/2-inch rebar; thence,

South 89° 38' 34" East, 143.28 feet along another new line through said Parcel B to a 1/2-inch rebar set in the East line of said Parcel B; thence,

South 00° 29' 10" West, 402.60 feet along said East line to the POINT OF BEGINNING.

SUBJECT TO the 25-foot wide right of way of said Cherry Lane along the South line of said Parcel and to a 28-foot wide access easement along the West line of said Parcel.

ALSO SUBJECT TO the following utility, irrigation and drainage easements:

The North 10 feet, the West 5 feet, the East 5 feet, and the North 10 feet of the South 35 feet of said Parcel.