

09/23/2004

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

RIGHT NUMBER: 25-4187

NAME AND ADDRESS: LOUIS SKAAR & SONS INC
421 N 3200 E
LEWISVILLE ID 83431

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.740 CFS
348.000 AFY

PRIORITY DATE: 06/18/1962

POINT OF DIVERSION:

T04N R37E S11 NWSW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
1.740 CFS
348.00 AFY

PLACE OF USE: IRRIGATION Within JEFFERSON County

T04N R37E S10	NESE	5.0	T04N R37E S10	SESE	1.4
T04N R37E S11	NESW	26.0	T04N R37E S11	NWSW	39.0
T04N R37E S11	SWSW	14.0	T04N R37E S11	SESW	1.5

86.9 ACRES TOTAL

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: Beneficial Use

Water Right 25-4187

SCANNED

OCT 016 2004

PROFILED

07/15/2004

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

RIGHT NUMBER: 25-4187

NAME AND ADDRESS: LOUIS SKAAR & SONS INC
421 N 3200 E
LEWISVILLE ID 83431

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.610 CFS

PRIORITY DATE: 06/18/1962

POINT OF DIVERSION:

T04N R37E S11 NWSW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

1.610 CFS

PLACE OF USE:

IRRIGATION Within JEFFERSON County

T04N R37E S11

NESW

26.0

T04N R37E S11

NWSW

39.0

T04N R37E S11

SWSW

14.0

T04N R37E S11

SESW

1.5

80.5 ACRES TOTAL

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

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EXPLANATORY MATERIAL: Statutory Claim

VOID

Water Right 25-4187

SCANNED

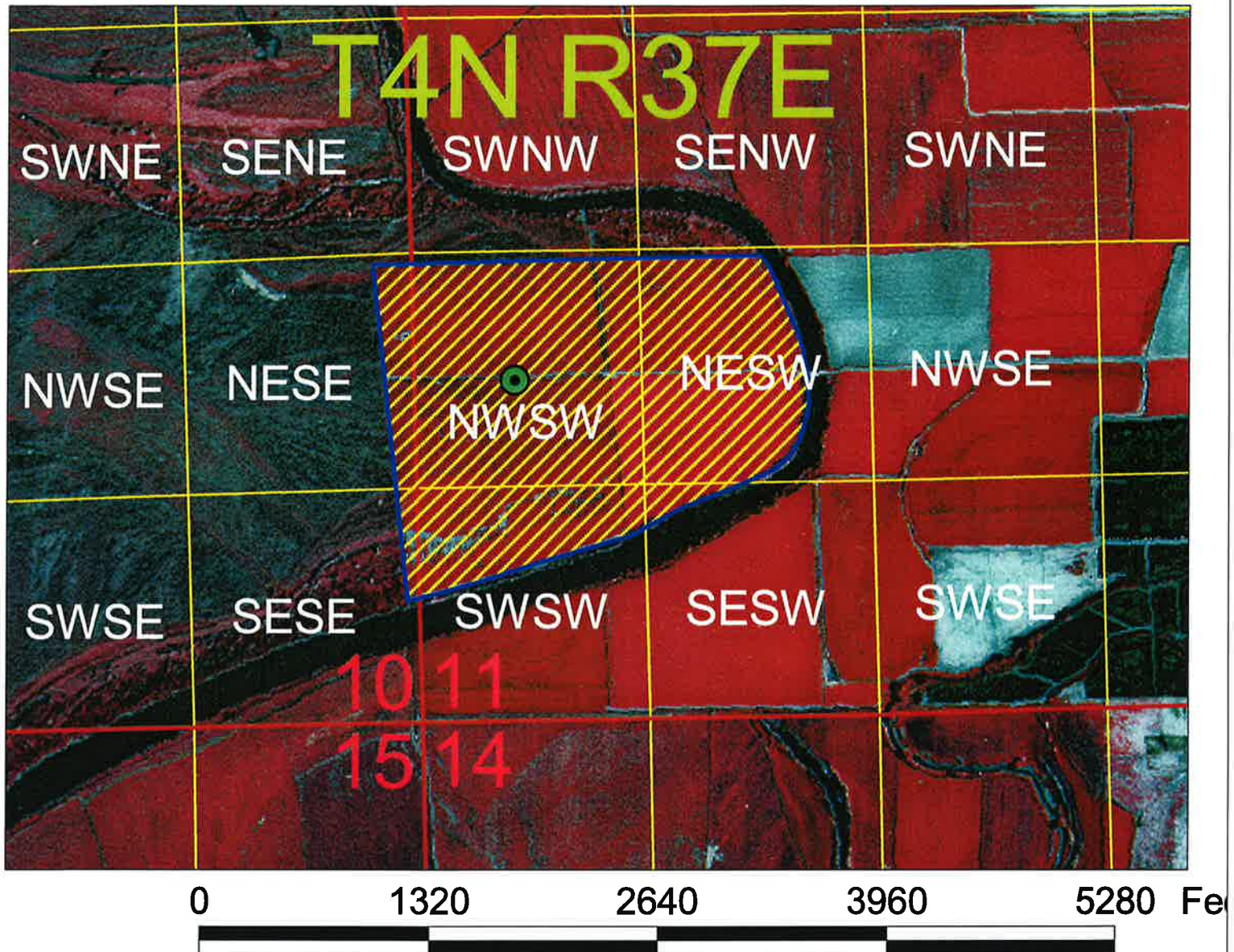
OCT 10 6 2004

PROFILED



Department of Water Resources

Claim No.: 25-04187

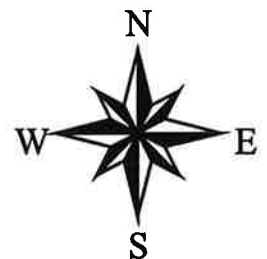


- Point of diversion
- Place of use
- Sections
- QQ

SCANNED

OCT 06 2004

PROFILED

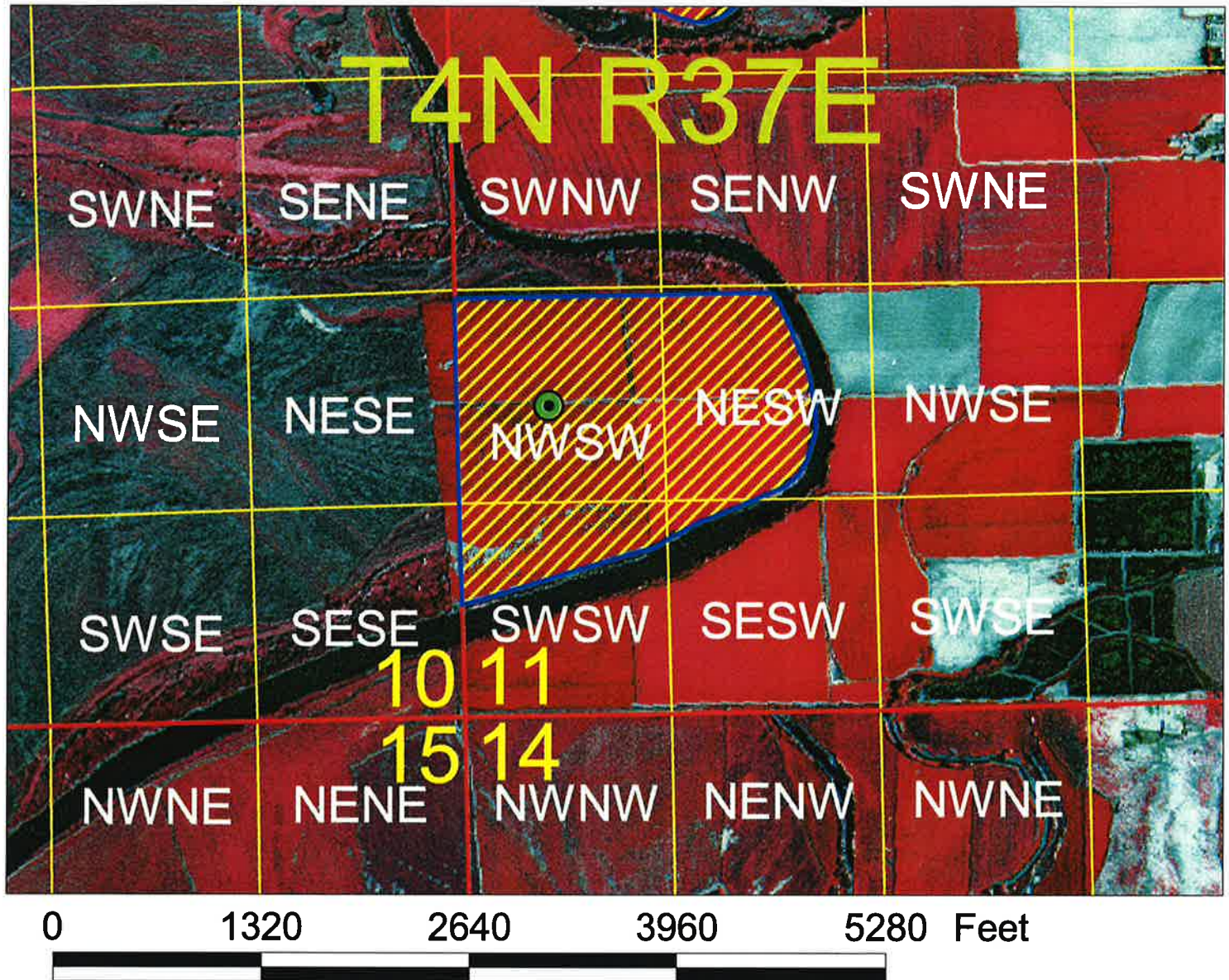


GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: September 2004



Department of Water Resources

Claim No.: 25-04187

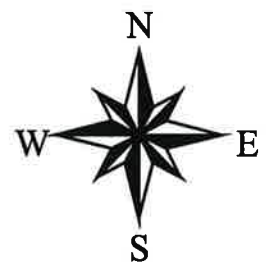


- Point of diversion
- Place of use
- Sections
- QQ

SCANNED
OCT 06 2004

PROFILED

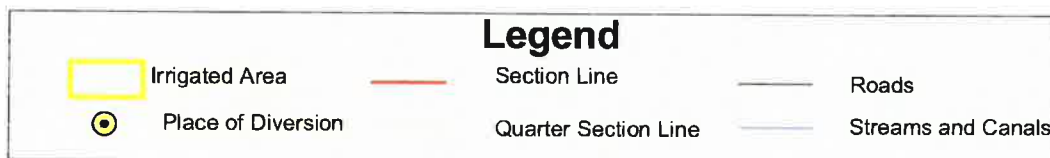
VOID



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: July 2004

Water Right Claim Number 25-04187
Township , 4N37E

12/22/2000



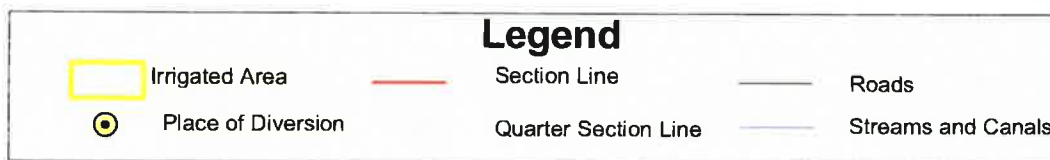
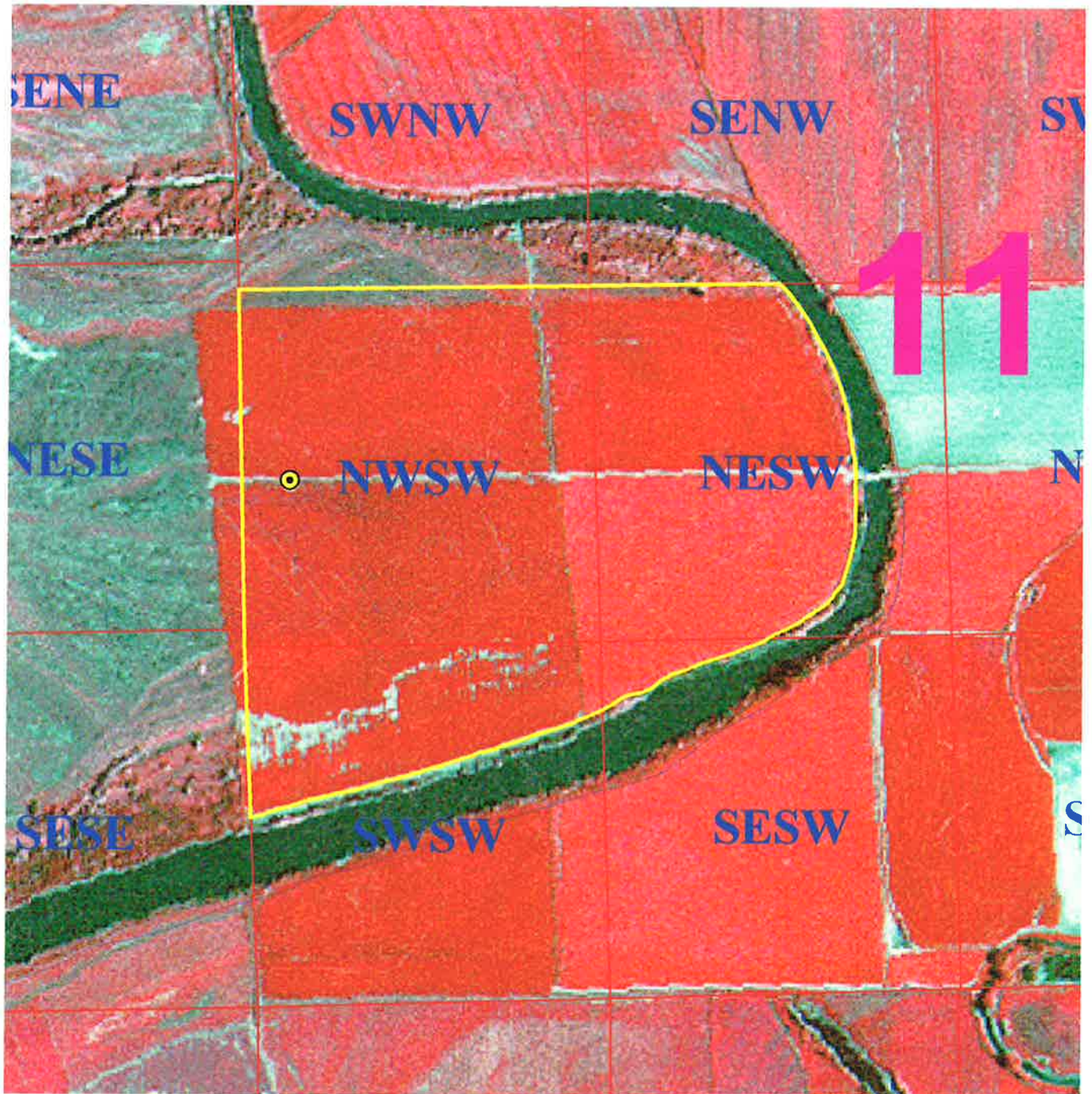
SCANNED
OCT 06 2004

SPATIAL DYNAMICS

PROFILED

Water Right Claim Number 25-04187
Township , 4N37E

12/22/2000



SPATIAL
DYNAMICS





Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

Roads

Streams and Canals

Legend



AJ5809NP
No. A25-04187

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/00
PAGE: 69

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOUIS SKAAR AND SONS INC 421 N 3200 E LEWISVILLE ID 83444 83431 (208) 754-4534	05/01/1962	IRRIGATION	04-01 11-01	1.760 CFS	
TOTAL DIVERSION:					1.760 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T04N R37E S11

NWSW

JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
04N	37E	11	:					:					:	27	40	18	04	:					:	89.0
TOTAL ACRES																							89.0	

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of Use:

A01-00142A A01-00143A A01-00144A A01-00145C A01-00240 A01-02068C

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 10/24/88 MCC 05/24/91 COX 03/29/95 POST-STD

gc OK

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
FEB 17 2005
 Department of Water Resources
 Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	25-4187				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights(s) or claims(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use your water rights(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county.)
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant Louis Skaar & Sons, Inc.
4. New Owner/Claimant(s) Skaar Brothers Partnership, an Idaho Partnership whose partners are Justin Skaar and DuWayne Skaar
 Name connector (check one): [] and [] or, [] and/or
 New Mailing Address 421 N. 3200 E.
 City, State and ZIP Code Lewisville, ID 83431
 New Telephone Number _____
5. Date you acquired the property December 20, 2004

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MAR 02 2005

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
TOTAL	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
TOTAL	_____	_____

7. Signature of New Owner(s) Or Claimant(s) _____
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attached a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____

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MAR 02 2005

WARRANTY DEED

336161

THIS INDENTURE is made this 20 day of December, 2004, Louis Skaar & Sons, Inc., an Idaho corporation, the Grantor, and Skaar Brothers Partnership, an Idaho partnership whose partners are Justin Skaar and DuWayne Skaar, the Grantee, whose mailing address is 421 N. 3200 E, Lewisville, Idaho, 83431.

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the County of Jefferson, State of Idaho, to-wit:

Section 11, Township 4 North, Range 37 E.B.M.:

South Half of the South Half (S $\frac{1}{2}$ S $\frac{1}{2}$), South Half of the North Half of the Southeast Quarter (S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$), South Half of the Northeast Quarter of the Southwest Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$), the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$).

Excepting therefrom the following described parcel:
Commencing at the Southeast corner of said Section 11 and running thence North along the section line 2,015 feet; thence West 2,982 feet; thence South 2,015 feet; thence East 2,982 feet to the point of beginning.

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's successors, and against every person whomsoever who

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MAR 02 2005

RECEIVED BY
RIGBY, JEFFERSON, IDAHO
2004-12-21
Recorded for: HOLDEN, KIDWELL, HAHN & CRAPO
CHRISTINE BOULTER
Ex-Officio Recorder Deputy
Index to: WARRANTY DEED
Fee: 6.00
No. of Pages: 2
11:22:00

RECEIVED BY
ASSESSOR
FOR PLATTING
Date 12/21/04 Time 11:22

lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

LOUIS SKAAR & SONS, INC.

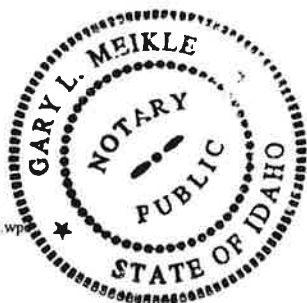
By: *DuWayne Skaar*
DuWayne Skaar, President

STATE OF IDAHO)
)ss.
County of Bonneville)

On this 20 day of December, 2004, before me the undersigned, a Notary Public, in and for said State, personally appeared DuWayne Skaar, known or identified to me to be the president of Louis Skaar & Sons, Inc., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

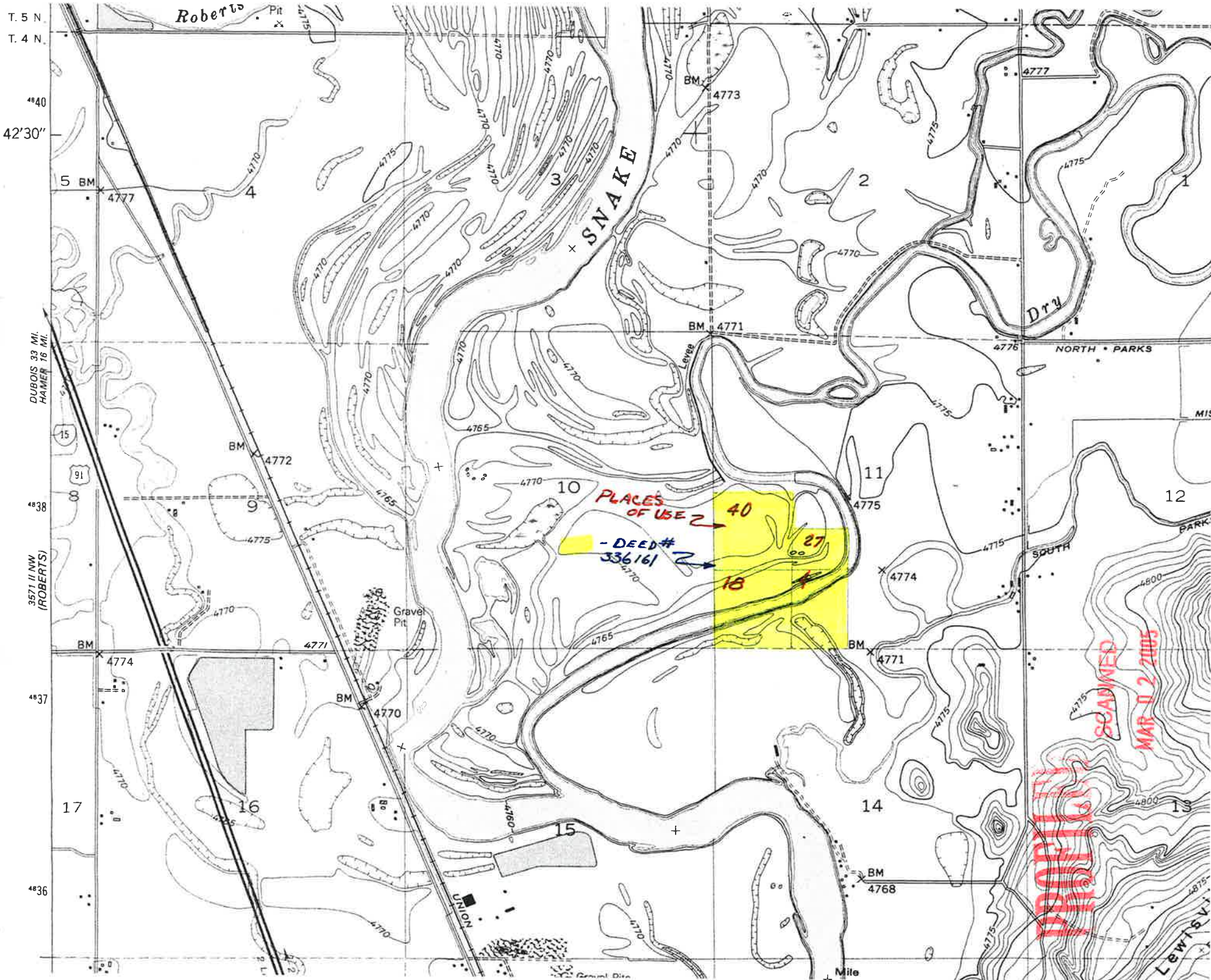


G:\WPDATA\GLM\2195\deed.wp

Gary L. Meikle
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 12/15/09

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SCANNED
MAR 02 2005



T. 5 N.
T. 4 N.
42'30"
4840
4838
4837
4836

Profile
SCANNED
MAR 02 2005

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
KARL R. DECKER
THEL W. CASPER*
SHAN B. PERRY
AMELIA A. SHEETS
DeANNE CASPERSON**
ROBERT L. HARRIS

1000 RIVERWALK DRIVE, SUITE 200
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL KFOSTER@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

*Also Licensed in Utah and Arizona
**Also Licensed in Missouri & Kansas

February 16, 2005

Idaho Department of Water Resources
Attn: Jennifer Crabtree
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

Re: Notice of Change of Ownership - Adjudication Claim No.25-4187

Dear Jen:

Enclosed is a change of ownership form for water right no. 25-4187 along with a copy of the Warranty Deed and Map.

Thank you for your kind attention to this matter.

Sincerely,

Cheri Vandermeulen
Secretary for Kent W. Foster

G:\WPDATA\KWF\2195 Skaar\UDWR ltr 021605.wpd:edv

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RECEIVED
FEB 17 2005
Department of Water Resources
Eastern Region

February 25, 2005

SKAAR BROTHERS PARTNERSHIP
421 N 3200 E
LEWISVILLE ID 83431

RE: Notice of Change of Water Right Ownership (NCO) for 25-4187 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On February 17, 2005, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Katy Jackson
Office Specialist 1

Enclosure

cc:

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MAR 01 2005

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CERTIFICATE OF MAILING

I certify that on February 25, 2005, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
LOUIS SKAAR & SONS INC
421 N 3200 E
LEWISVILLE ID 83431

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
SKAAR BROTHERS PARTNERSHIP
421 N 3200 E
LEWISVILLE ID 83431

4. One copy to:

Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Katy Jackson

Signature of person or attorney mailing the form

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MAR 01 2005

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02/24/2005

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

RIGHT NUMBER: 25-4187

NAME AND ADDRESS: SKAAR BROTHERS PARTNERSHIP
421 N 3200 E
LEWISVILLE ID 83431

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.740 CFS
348.00 AFY

PRIORITY DATE: 06/18/1962

POINT OF
DIVERSION: T04N R37E S11 NWSW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
1.740 CFS
348.00 AFY

PLACE OF USE: IRRIGATION Within JEFFERSON County

T04N R37E S10	NESE	5.0	T04N R37E S10	SESE	1.4
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86.9 ACRES TOTAL

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 - Beneficial Use

SCANNED
MAR 01 2005

PROFILE

MH

09/23/2004

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 25-4187

LOUIS SKAAR & SONS INC

421 N 3200 E

LEWISVILLE ID 83431

Telephone Number: (208)754-4534

RECEIVED

OCT 12 2004

Department of Water Resources
Eastern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE:

9.29.04

SIGNATURE:

Justin Skaar

V. Pres.

Please print your name:

JUSTIN SKAAR

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

SCANNED

OCT 05 2004

PROFILED

25-4187

FROM WMIS:

OPERATOR: DU WAYNE SKAAR 754-4534 or 754-4343

JUSTIN (C) 317-1468

A0008664 "PUMP ACROSS RIVER"

P/D N 296539.40 (questionable)
E 658280.70

On 10/19/2001 I measured 929 GPM
with AA current meter. A 25 HP vertical
turbine pumps open discharge to ditch
for flood irrigation.

9/19/2003

Met w/ Justin Skaar. Corrected address.
Corrected P/D placement and Poll on map.
Justin said ground in sec 10 belongs to
Neal Erickson. I suspect that the
GLDB is off a bit.

2 tags in place, A0009377, A0008664

P/D N 289408
E 654739

SCANNED

OCT 06 2004

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Ground is irrigated all the way to the fence on the
western border of the property.



9/19/2003 A0008664

SKAAR

PROFILED

SCANNED
OCT 06 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 21, 2002

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication

Dear Claimant:

The Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Blackfoot River, Willow Creek and South Fork of the Snake River Drainages. This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist us with this task.

The purpose of this letter is to advise you that personnel from Intrepid will make an effort to contact claimants to arrange for conducting a field investigation and obtain information about your water use. IDWR requests that you provide Intrepid with access to your water diversion system so that their personnel can conduct this field examination. Intrepid will be gathering information on the rate of flow, diversion location and place of use of your water rights. Information collected during this process will be reported to IDWR and used by a Senior Water Resource Agent to prepare a recommendation on the water right.

The process of adjudicating water rights is straightforward for most people, resulting in the issuance of decreed water rights. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

If you have sold your property, we request that you forward this letter to the purchaser. The new owner is responsible for advising IDWR of the change in ownership so future correspondence will be mailed to the correct party. If you are unable to forward this letter, please send any information regarding a new owner to our Eastern Regional Office located at 900 N Skyline Dr, Idaho Falls, ID, 83402, Attention: Jennifer Crabtree (208) 525-7161.

Sincerely,

Ernest Carlsen
Adjudication Section Supervisor
Eastern Regional Office

SCANNED

OCT 06 2004

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RECEIVED

JUL 03 2002

Department of Water Resources
Eastern Region



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27



RIGHT ID 25 4187
POD ID 127792
Folder No. A2504187
Claim Status In Use
IDTMEAST 654746
IDTMNORTH 289396
GPSID A0009377

Diversion Description

WELL & PUMP. POD located West of dry bed in open field.

Assumptions

Horse power, pressure head, and elevation head.

Invoice

2000-055-23-27-0

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missing)
Phase-III (Complete w/issues)

Linked

Photos\25-4187-001.JPG

Photos

Photos\25-4187-002.JPG

GPS Accuracy (ft)

14 Feet

Date (M/D/Y)

07-25-02

Time

13:20

Flow Rate (CFS)

0.16

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope 0

Channel Description	
Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System ☒

HP 3

Pressure Head (psi) 30

Elevation Head (ft) 50

Motor Mfg

Motor Serial #

Pump Type Centrifugal

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

This Form and the associated query are the exclusive Intellectual property of Intrepid Technology Resources Inc. , and may not be copied, modified, or distributed without the express written consent of Intrepid Technology and Resources, Inc.



SCANNED

FOLDER NO.

A2504187

PROFILED

OCT 06 2004

SCANNED

JUL 31 2001

Log for claim 25-04187

Spatial Dynamics CAT

12/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
04n37e	11	NESW	27	28	
04n37e	11	NWSW	40	41	
04n37e	11	SESW	4	1.8	
04n37e	11	SWSW	18	14	
Totals:			89	84.8	

BLAIR GROVER
CHARTERED
LAW OFFICE
P. O. BOX 36
RIGBY, IDAHO 83442-0036
(208) 745-6653

RECEIVED

AUG 2 1991

Department of Water Resources
Eastern District Office

August 1, 1991

35-04187

ATTN: Ernest Carlsen
Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83402

Re: Louis Skaar & Sons, Inc./Evidence of Priority

Dear Mr. Carlsen:

By letter dated May 16, 1991, the undersigned forwarded to you an Affidavit in Support of Water Claim of Louis Skaar & Sons, Inc. Since that time, the Skaars have found evidence that a permit was actually issued, No. G-31004. I am enclosing a copy of a letter dated March 21, 1963 from the State Reclamation Engineer, a receipt dated March 1, 1963, and an Application for Permit dated March 1, 1963. Would you please put those with the Affidavit and consider them as additional evidence of the Skaar well water right.

Yours very truly,



BLAIR GROVER

BG:jn
Enclosure
cc: Louis Skaar

MICROFILMED
NOV 10 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Louis Skaar And Sons Inc.

(Name of Claimant)

Rt. 1 Box 46 Roberts, ID 83444

Telephone No. 754-4534

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) April 1, 1961

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Groundwater tributary to _____

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>1.76</u>		Use <u>Irrigation</u>		Period of Use From <u>4-1</u>	To <u>11-1</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) 1.76cfs TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW 1/4 SW 1/4, Sec. 11 Twp. 4N Rge. 37E B.M., County of Jefferson

Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Well, pump to flood irrigation.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
4N	37E	11									27	40	18	4					89

No. of acres 89

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

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ROBERT E. SMYLLIE
Governor

RECEIVED

AUG 2 1991

Department of Water Resources
Eastern District Office



GEO. N. CARTER
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

107 STATE HOUSE

BOISE

March 21, 1963

Re: Permit No. G-31004

Mr. Louis Skaar,
R. R. #1,
Roberts, Idaho.

Dear Mr. Skaar:

We enclose Permit No. G-31004 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

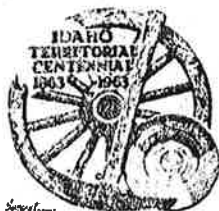
We also enclose Departmental Receipt No. G-7751 which was issued covering payment in the amount of \$ 5.25 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Edna P. Rule
(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Encl. ..



MICROFILMED
NOV 10 1992

STATE OF IDAHO

Department of Reclamation

Boise, Idaho

NO. G- 7751

1963

RECEIVED
FROM

Louis Skars
Int. and 7.25

of

Robert D. Smith

\$ 5

DOLLARS

FOR

Well Driller's License Fee - \$

Application for Permit No. - \$

Proofs - - - - - \$

Certified Copy - - - - - \$

Recording Assignment - - - - - \$

TOTAL - - - - - \$

5.25

Geo. W. Carter

STATE RECLAMATION ENGINEER

By

Edmund P. Rull

MICROFILMED

NOV 10 1992

Address all communications to:

RECEIVED

P. O.

MAR 1 1963
11:00 A.M.
Department of Reclamation

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G 39085

Permit No. G 31004

Water District No. _____

1. Name of applicant: Louis Skaar
Post office address: BB+1 Roberts County Jefferson State Idaho
2. Quantity of water claimed: 1.76 cfs.
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the Sec 11
Twp. 4 N, Rge. 37 E, B.M., County of Jefferson
5. Water is to be used for: Irrigation
6. If for domestic, municipal, industrial or recreational purposes give:
 - (a) Point of use of water is in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____
Twp. _____, Rge. _____, B.M.
 - (b) Waste water or sewage effluent is to be returned to _____
at a point in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____, Twp. _____, Rge. _____, B.M.
7. Kind of Works: 15 HP Electric Motor and Pump - 3" discharge pipe
8. Estimated cost of works: \$ 3,000.00
9. (a) Is reservoir to be used? _____
(b) Capacity of reservoir: _____
10. The time required for the completion of such work and complete application of the water to the proposed use is
5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation: _____
 - (b) Amount of capital stock \$ _____ (c) Amount paid in: \$ _____
 - (d) Names and addresses of directors: _____

DO NOT FILM

II. The financial resources of the applicant are: (a) Cash on hand: \$_____

(b) Treasury stock: _____ (c) Bonds to be issued: _____

(d) Other resources: _____

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

(a) _____ (Cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) 1.76 (cubic feet per second, inches or gallons per minute) is for new lands.

DO NOT FLY

R 37 E

T
4
NDD
well

9-31004
Approved MAY 8 1963
JACK H. CARTER
State Geologist on Request

DO NOT FILM

Approval of State Reclamation Engineer

The number of this permit is G. 31004
Recorded in Book 109 Page 31004 Approved MAR 8 1963

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$_____ to be filed before _____

One-fifth of the work above specified to be completed on or before September 8, 1965

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before March 8, 1968

Witness my hand this 8th day of March, 1963

Carl P. Tupper
Ass't. State Reclamation Engineer

IN TESTIMONY WHEREOF, We ROBERT E. SMYLYE, Governor of the State of Idaho,

and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be

hereunto affixed, this 8th day of March, 1963

Countersigned:

By Arnold Williams
Secretary of State

STATE OF IDAHO
By Robert E. Smylye
Governor

No. G 31004

PERMIT

Date of first receipt at office of State
Reclamation Engineer

11:00 A. M. March 1, 1963

Returned to applicant for correction

Corrected application received

Fees, \$ 5.25

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof 25

DO NOT FILM

BLAIR GROVER
CHARTERED
LAW OFFICE
P. O. BOX 36
RIGBY, IDAHO 83442-0036
(208) 745-6653

RECEIVED

MAY 23 1991

Department of Water Resources
Eastern District Office

May 16, 1991

ATTN: Ernest Carlsen
Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83402

Re: Louis Skaar & Sons, Inc./Evidence of Priority

Dear Mr. Carlsen:

Enclosed on behalf of Louis Skaar & Sons., Inc., is an affidavit to support a ground water claim in the adjudication.

If there are any questions, please call.

Yours very truly,


BLAIR GROVER

BG:jn
Enclosure
cc: Louis Skaar

MICROFILMED
NOV 10 1992

AFFIDAVIT IN SUPPORT OF WATER CLAIM OF LOUIS SKAAR & SONS, INC.

RECEIVED

MAY 23 1991

STATE OF IDAHO)
)ss
County of Jefferson)

Department of Water Resources
Eastern District Office

LOUIS SKAAR, being first duly sworn deposes and states:

1. He is and has been since its incorporation, the president and a director of Louis Skaar & Sons, Inc., an Idaho corporation.

2. This affidavit is made in support of the water right described on Exhibit A attached hereto and by this reference made a part hereof as though fully set forth herein.

3. The priority date on Exhibit A of April 1, 1961, is a mistake. It should be May 1, 1962. In April and May of 1962, the well was dug with a drag line to a depth of approximately 21 feet. A 47 inch casing, with slots for the water to enter, was stood upright in the hole and back filled. Irrigation was commenced immediately, and from that day to the present the land described on Exhibit A has been irrigated from that well.

4. The property described on Exhibit A was irrigated from the well commencing with the 1962 irrigation season and every year since.

5. Among other things, affiant had to obtain electricity to provide power for the pump. Attached hereto marked Exhibit B and by this reference made a part hereof as though fully set forth herein, is the Electric Service Agreement executed by the undersigned, and Utah Power & Light Company for power to the pump dated May 22, 1962.

6. Affiant took photographs during construction of the well, and they were developed a month or two following construction. They are 35 mm slides encased in a small cardboard border. The border contains both the number of the slide and the date it was developed. The date on the slides is June, 1962. Attached hereto marked Exhibit C and by this reference made a part hereof as though fully set forth herein, is one of those slides representative of five such similar slides.

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NOV 10 1992

7. Affiant was present when the well was constructed and states of his personal knowledge the facts set forth herein are true and accurate.

DATED this 22nd day of May, 1991.

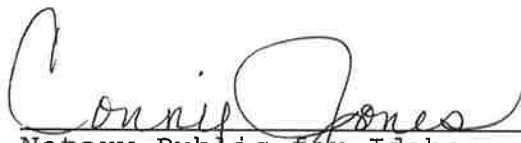


LOUIS SKAAR

STATE OF IDAHO)
) ss
County of Jefferson)

On this 22nd day of May, 1991 before me, the undersigned, a Notary Public in and for said State, personally appeared LOUIS SKAAR, known by me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this acknowledgement first above written.



Notary Public for Idaho

Residing at: Highway

Commission Expires: 12-18-94

(seal)

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NOV 10 1992

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
A25-04187	LOUIS SKAAR AND SONS, INC. 421 N 3200 E ROBERTS ID 83444	04/01/1961	IRRIGATION	04-01 11-01	1.76 CFS	STATUTORY CLAIM

1.76 CFS TOTAL
0.00 AFA TOTAL

SOURCE: GROUNDWATER
OTHER RIGHTS: NONE
CONDITIONS OF APPROVAL:

TRIBUTARY:

REMARKS:

POINT OF DIVERSION:
T04N R37E S11

NWSW

PLACE OF USE: IRRIGATION

T04N R37E S11

NESW 27.0

NWSW 40.0

SWSW 18.0

SESW 4.0

89.0 ACRES TOTAL

EXHIBIT

A

MICROFILMED
NOV 10 1992

Duplicate
ELECTRIC SERVICE AGREEMENT
 For Commercial or Industrial Service Requiring an Extension

Form 4022, 1-25-34

The undersigned, called Customer, agree to use, and **UTAH POWER & LIGHT COMPANY**, called Company, agree to supply electric service to the amount of 19 Kilowatts or approximately 240 volts Three phase for Tr. Pumping at Remedial Edwards (Note type of work to be done. See over)

under Company's Schedule No. 18 Tariff No. 5 for a period of 10 years.

An extension as defined in Schedule No. 14 is necessary to meet Customer's requirements.

(a) In consideration of the special investment by the Company to supply service hereunder, Customer guarantees her minimum annual payments for service under the provisions of said Schedule No. 14 in the sum of \$ 332.04 payable each year for five years beginning with commencement of service or sixty days after the extension is completed, whichever occurs first, without regard to the amount of electric energy actually consumed.

(b) The Company acknowledges receipt from the Customer of \$ 672.00 which sum has been advanced and will be credited in accordance with said Schedule No. 14.

Customer agrees to conform to and abide by the Schedules hereinabove designated, including the provisions of Company's Electric Service Regulations, making all payments hereby required, including all minimum charges. Said Schedules and Electric Service Regulations are hereby made a part hereof.

Dated May 22 1962

Recommended [Signature]
UTAH POWER & LIGHT COMPANY

[Signature] Division Manager

[Signature] Customer

MICROFILMED
NOV 10 1992



Louis Skaar

Name

Address Lewisville, Texas

DBA

Type of Business Irrigation Pumping

Mailing Address Star Route Robertsdale

Work Required

Taxable

Exempt

Checked By

GAR 380

Cash Advance 600

Order No

Service Deposit Date

Card No

Service started 6-18-68

Special Paragraphs or Credit Information

Dist

Asst

ER or RA No 13-12277

Card

Ind

Sch. No 10

Term

KW 10

Volts 240

Demand Meter

Yes X

No

Meter No

Location

Reading

Amt

Customer

MICROFILMED
NOV 10 1992

4187

May 6, 1991

LOUIS SKAAR AND SONS INC
421 N 3200 W
ROBERTS ID 83444

RE: **Evidence of Priority**

Dear Mr. Skaar:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date"**.

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by **June 6, 1991**, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

MICROFILMED

NOV 10 1992

Louis Skaar and Sons, Inc

Page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-04187
LOUIS SKAAR AND SONS, INC.
421 N 3200 E

ROBERTS

DU 83444

MICROFILMED

NOV 10 1952

SCANNED

JUL 30 2001

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: A25-04187
Date Received: 10/24/1988
Receipt No: E003462
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOUIS SKAAR AND SONS, INC. 208-754-4534
Address: 421 N 3200 E
ROBERTS, ID 83444

2. Date of Priority: ~~APR 01, 1961~~ May 1, 1962 DE 5/24/91 SC

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	37E	11		NW	SW		JEFFERSON

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.
IRRIGATION	04/01	11/01	1.760		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	37E	11	NE	SW		IRR	27.0
			NW	SW		IRR	40.0
			SW	SW		IRR	18.0

MICROFILMED
NOV 10 1992

A25-04187

Page 1

Date: 10/24/88

A2504187



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	37E	11	SE SW		IRR	4.0
Section Acres						89.0
Total Acres						89.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 Organizations:

I do solemnly swear or affirm that I am 1st VP of _____ Title

Louis Skarason Inc. that I have signed the foregoing Organization

document in the space below as 1st VP of _____ Title

Louis Skarason Inc. and that the statements contained in the Organization
foregoing document are true and correct.

Kent Skarason
Signature of Authorized Agent

1st VP Louis Skarason Inc
Title and Organization

10-24-88
Date

State of Idaho)

County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 24 day

of October 19 88

Betty J. Thompson
Notary Public

Seal

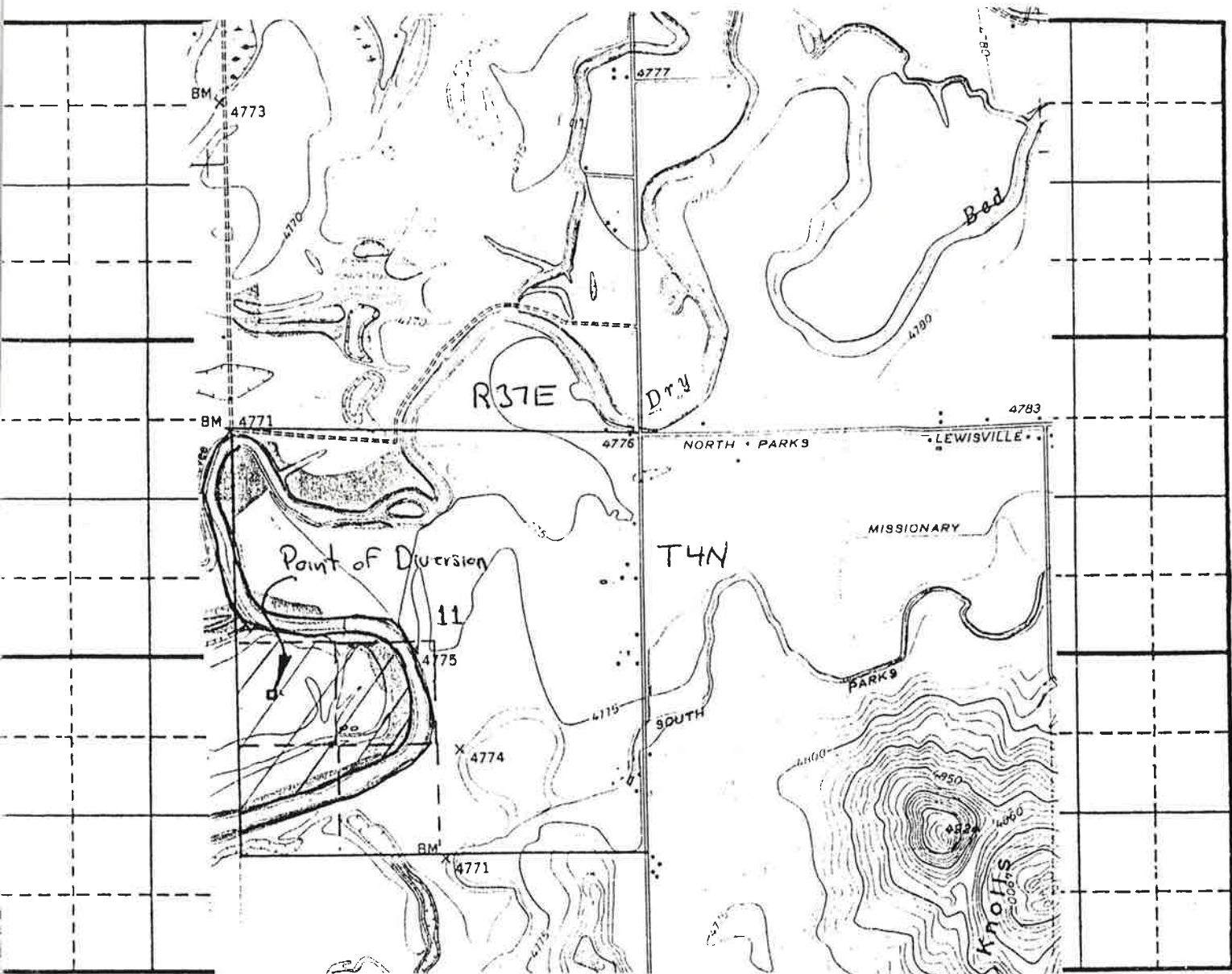
Residing at Idaho Falls

My Commission Expires 6-94

MICROFILMED

NOV 10 1992

Remarks



Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

MICROFILMED

NOV 10 1952

) ss.

)

ters and facts therein are true to the best of the
James Shear CLAIM # A25-4187