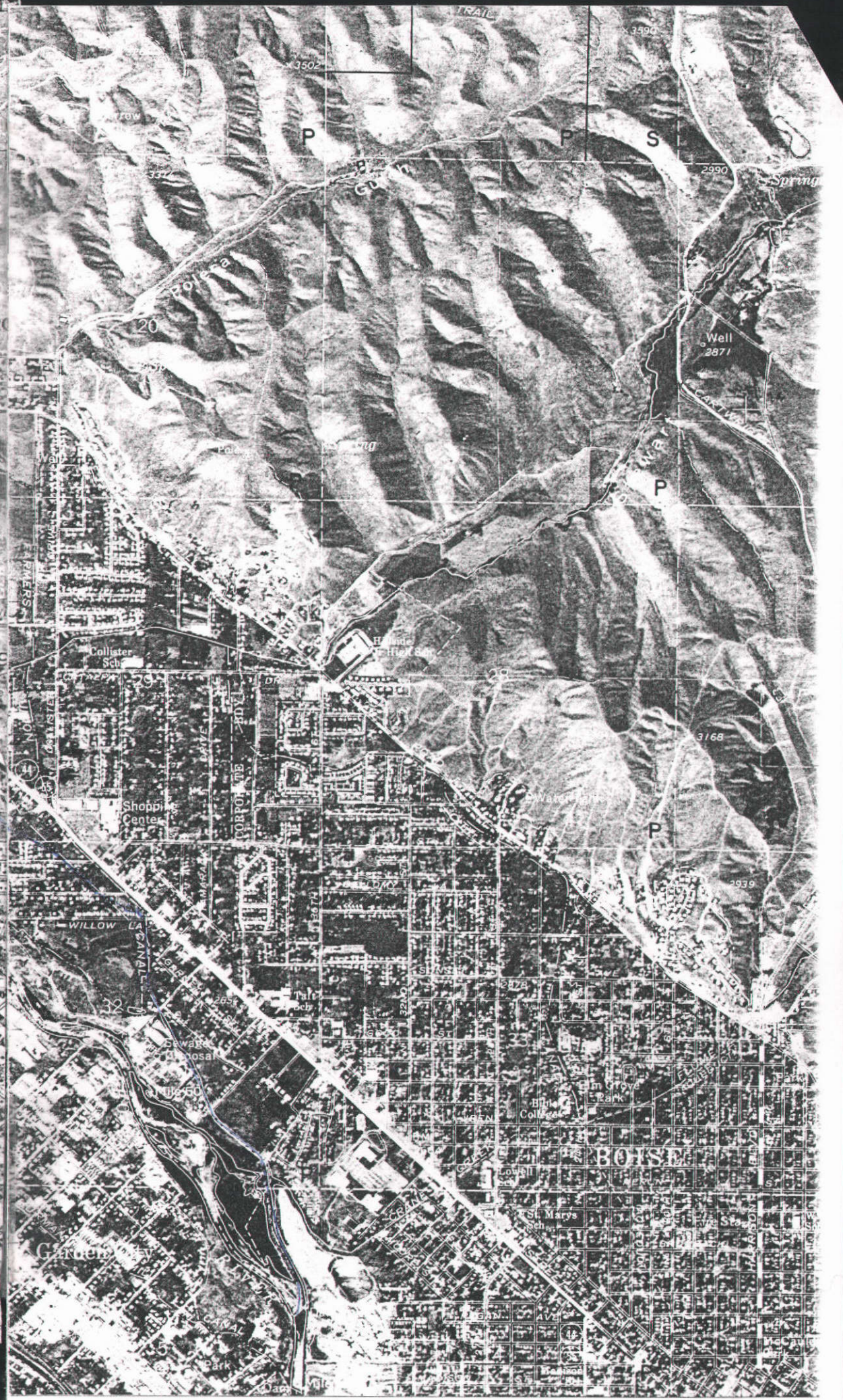
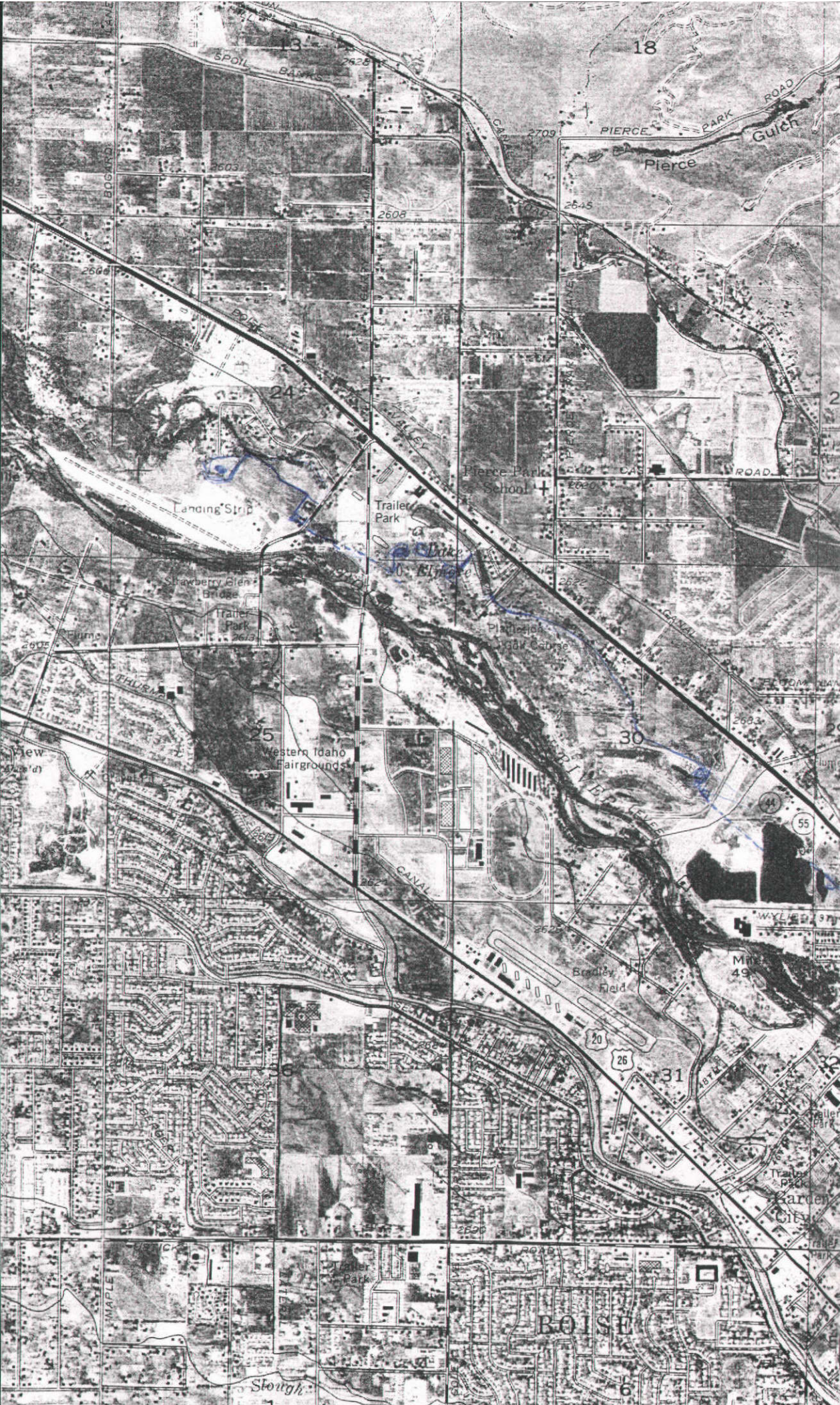




Idaho Department of Water Resources



**T04N, R01E,
S24**

Claim No: 63-04026B

Prepared By: Kimberly Brown

Date: December 8, 2004

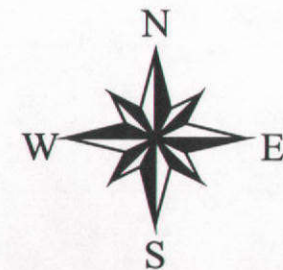
 Place of Use

 Section Lines

 1/4 1/4

 Point of Diversion

Acres Irrigated = 1.0



0.2 0 0.2 0.4 Miles



1987 NAPP

Idaho Department of Water Resources

**T04N, R01E,
S24**

Claim No: 63-04026B

Prepared By: Kimberly Brown

Date: December 9, 2004



Place of Use



Section Lines



1/4 1/4



Point of Diversion



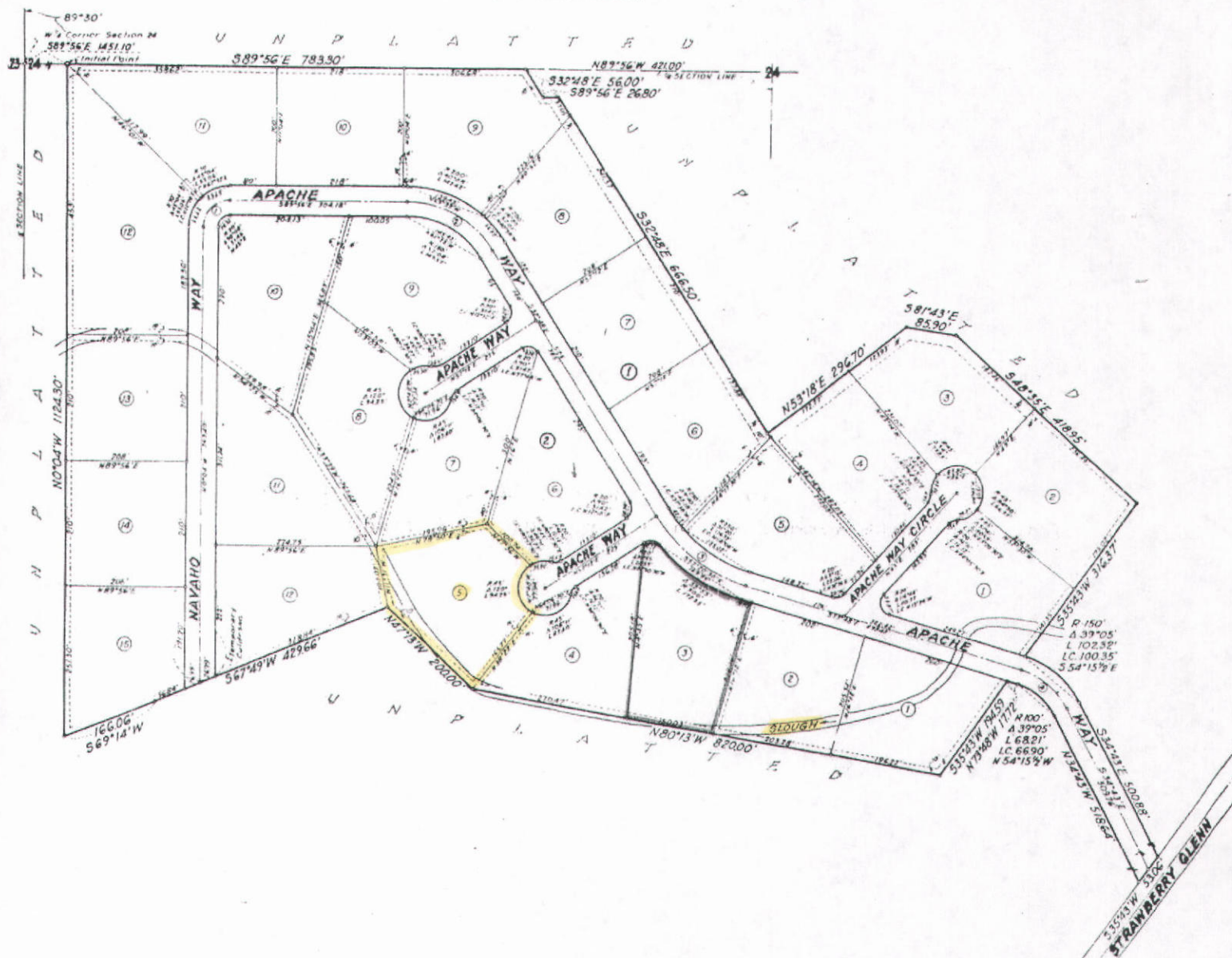
() This shapefile is to demonstrate that there is no man-made diversion structure to create a pond for storage on this particular POU.*

0.02 0 0.02 0.04 Miles

2003 NAPP

A PORTION OF THE N² S² SEC. 24, T.4N., R.1E., B.M.
ADA COUNTY, IDAHO.

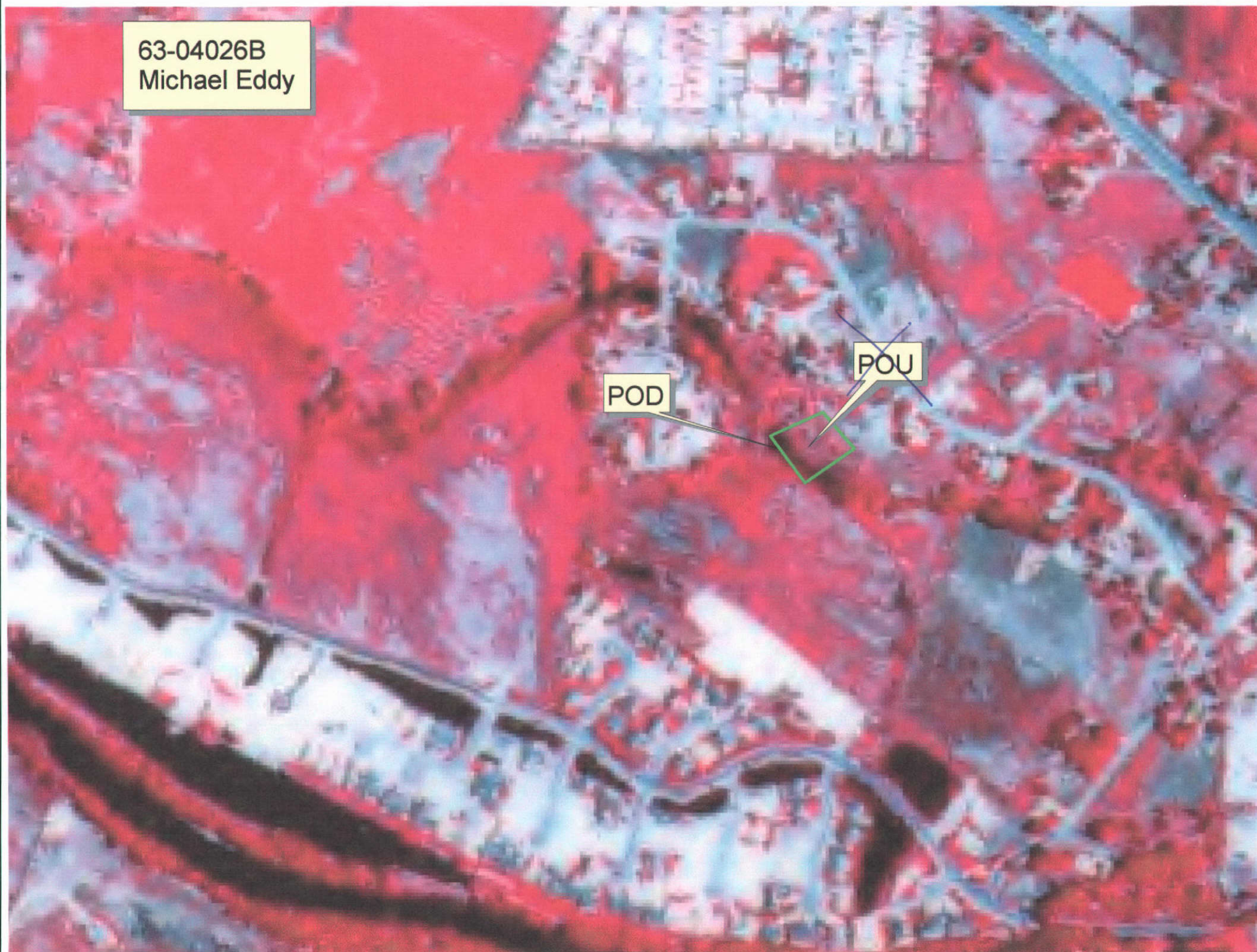
While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the Company assumes no liability for variation, if any, with another or re-survey.



63-04026B
Michael Eddy

POD

~~POU~~



63-4626B
Michael Eddy
Part of POU



63-04026B
Michael Eddy
Pump Data

LI	477P	50
PROTECTOR	CST36ABN	SE
MOTOR MOD	C56M2P104	SER 6D8T
VOLTS 230	367R	HP 2
		PH 1 CODE J
3450	FR 56Y	HZ 60
AMPS 12		SF 1.1
INSUL CLASS	AMB 40 °C	CONT. DUTY
TYPE UAC	MFG BY A.O. SMITH CORP.	TIPP CITY OHIO

CAUTION

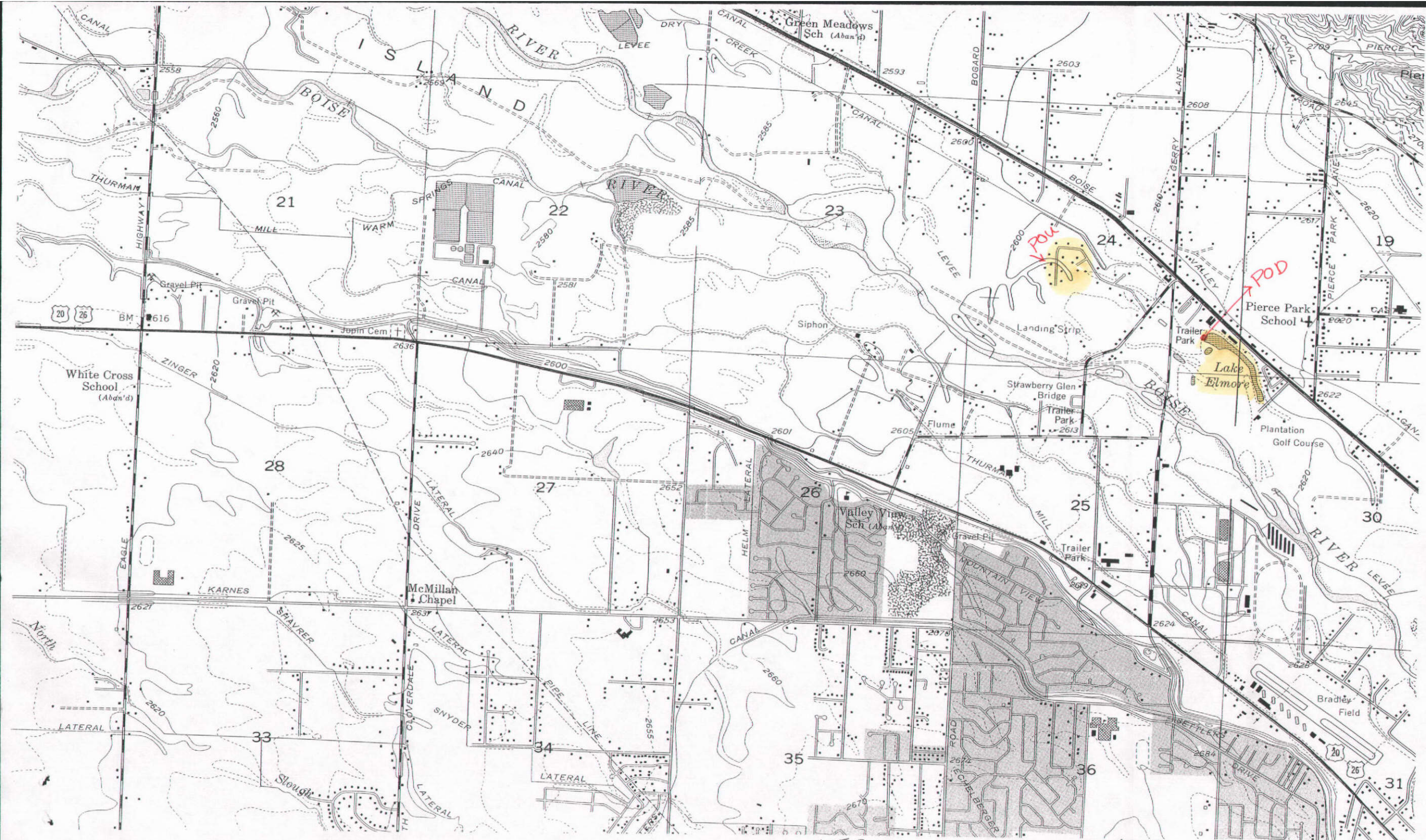
DO NOT OPERATE MOTOR WITHOUT CONNECTING GROUND
WIRE TO GREEN GROUNDING SCREW
DO NOT CONNECT TO A POWER SOURCE OTHER THAN THAT

63-4026B
Michael Eddy
Part of POU



63-4026B
Michael Eddy
Wildlife Pond





1953

X-8

RECEIVED

MAY 15 1996

WATER RESOURCES
WESTERN DIVISION

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: A63-04026B
Date Received: 11/16/1990
Receipt No: C018881
Received By:

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: STEPHANIE J EDDY 208-342-6975
Address: 7988 W ARAPO CT
BOISE ID 83703-6604

AND

Name: MICHAEL J EDDY 208-342-6975
Address: 7988 W ARAPO CT
BOISE ID 83703-6604

2. Date of Priority: MAR 1, 1936

3. Source: LAKE ELMORE Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	24	SE	SE			ADA

5. Description of diverting works:
SEE CLAIM FOR DESCRIPTION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.260	.03	
STOCKWATER	01/01	12/31	0.020		
DIVERSION TO STORAGE	01/01	12/31	0.050		
WILDLIFE STORAGE	01/01	12/31			0.02

7. Total Quantity Appropriated is:
0.330 C.F.S. (and/or) 0.02 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/5 HORSES/COWS; W/CONSIDERABLE DUCKS, GEESE, HERON, PHEASANT, QUAIL

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	24	NE	SW		IRR	~~5.3~~ 1 AC
			NE	SW		STOCK	
			NE	SW		DIV S	
			NE	SW		WILD S	

Section Acres 5.3

Total Acres 5.3

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:
A63-04651

14. Remarks:
ADDRESS CHANGE BY CLAIMANT LETTER.

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

Ident. Number: A63-04026B
Date Received: 11/16/1990
Receipt No: C018881
Received By: _____

AUG 11 1992

Department of Water Resources
Western Regional Office

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

AMENDED

1. Name: MICHAEL J. EDDY 208-342-6975
Address: 5025 BITTERBRUSH
BOISE ID 83703

AND

Name: STEPHANIE J. EDDY 208-342-6975
Address: 5025 BITTERBRUSH
BOISE ID 83703

2. Date of Priority: MAR 1, 1936

3. Source: LAKE ELMORE Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	24	SE	SE			ADA

5. Description of diverting works:
SEE CLAIM FOR DESCRIPTION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.260		
STOCKWATER	01/01	12/31	0.020		
DIVERSION TO STORAGE	01/01	12/31	0.050		
WILDLIFE STORAGE	01/01	12/31			0.02

7. Total Quantity Appropriated is:
0.330 C.F.S. (and/or) 0.02 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/5 HORSES/COWS; W/CONSIDERABLE DUCKS, GEESE, HERON, PHEASANT, QUAIL

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
04N	01E	24	NE	SW		IRR	5.3
			NE	SW		STOCK	
			NE	SW		DIV S	
			NE	SW		WILD S	

Section Acres 5.3

Total Acres 5.3

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:
A63-04651

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): Michael J. Edg Date: _____
_____ Date: _____

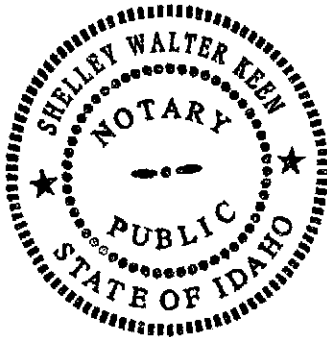
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5th day

of August, 19 92

Shelley Walter Keen
Notary Public

Seal



Residing at Boise, Idaho

My Commission Expires 7/31/97

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: A63-04026B
Date Received: 11/15/1990
Receipt No: C018881
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MICHAEL J. EDDY 208-342-6975
Address: 5025 BITTERBRUSH
BOISE, ID 83703

AND

Name: STEPHANIE J. EDDY 208-342-6975
Address: 5025 BITTERBRUSH
BOISE, ID 83703

2. Date of Priority: MAR 01, 1936

3. Source: LAKE ELMORE Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	24		SE	SE		ADA

5. Description of diverting works:
SEE CLAIM FOR DESCRIPTION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.260		
STOCKWATER	01/01	12/31	0.020		
DIVERSION TO STORAGE	01/01	12/31	0.050		
WILDLIFE STORAGE	01/01	12/31			0.02

7. Total Quantity Appropriated is:
0.330 C.F.S. (and/or) 0.02 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/5 HORSES/COWS; W/CONSIDERABLE DUCKS, GEESE, HERON, PHEASANT, QUAIL

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	24	SE SW		IRR	5.3
			SE SW		STOCK	
			SE SW		DIV S	
			SE SW		WILD S	

Section Acres 5.3

Total Acres 5.3

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:
A63-04651

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: _____

MICROFILMED
AUG 19 1992

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

**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 A63-04026B
Date Received 11-15-90
Receipt Number C018881

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

Please type or print clearly

1. Name of Claimant (s) MICHAEL J. AND STEPHANIE J. EDDY Phone (208) 342-6975

Mailing Address 5025 Bitterbrush Boise Idaho Zip 83703

2. Date of Priority (Only one (1) per claim) 03/01/1936

3. Source of water supply (a) LAKE ELMORE
which is tributary to (b) BOISE RIVER

4. a. Location of existing point of diversion is: Township 04N Range 01E Section 24,
SE 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of ADA

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____ , _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. Water exits Boise River via Farmers Union Canal, diverts through pipes and ditches to Lake Elmore. From Lake Elmore water runs through three new ponds in Plantation residential development to box behind Earnst (Glenwood) then piped under Glenwood. Reemerges and is run above ground to Strawberry Glen, piped under the street then runs in open ditches to property. The ditch originally drained in a relatively straight line from Strawberry Glen to property but was rerouted by developers at Riverside Village 8 to 10 years ago. Wildlife pond (and storage) approximately 25' by 300' located at west end of property.

MICROFILMED

ALLG 1 9 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 10/15 amount 0.26 or _____

For Stockwater purposes from 1/1 to 12/31 amount 0.02 or _____

For Pond to ensure flow and wildlife sanctuary purposes from 1/1 to 12/31 amount 0.05 or .02

For Diversion to Storage purposes from 1/1 to 12/31 amount .05 or _____

7. Total quantity claimed (a) 0.33 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 10.05 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Five horses or cows. Considerable wildlife supported by pond including ducks, geese, heron, pheasant, quail

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	1E	24											5.38						
4N	1E	24											5.38 (S)						
4N	1E	24											5.38 (Pond-W&H)						

Total number of acres irrigated 5.38

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

12. Do you own the property listed above as place of use? Yes XX 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.
Claim 63-4651 or None ()

14. Remarks:

This claim derives from claim number 63-04026 filed in the name of FLAKE. I own 5.38 acres of his original 40 acres.

Last Name EDDY Ident No. _____

MICROFILMED
Copies: White - State, Yellow - Claimant
AUG 19 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

15. Basis of Claim (check one) Beneficial Use XX Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 63-04026

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 1 map

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Michael J. Eddy

Date Nov 8, 1990

Stephanie J. Eddy
STEPHANIE J. EDDY

Date Nov 8, 1990

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

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)

) SS.

County of ADA)

Subscribed and sworn (or affirmed) before me this 8th day of November 19 90

SEAL

Notary Public _____ for Idaho

Residing at Boise, Idaho

My Commission Expires 3/5/94

Please Print Name MICHAEL E. DONNELLY

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

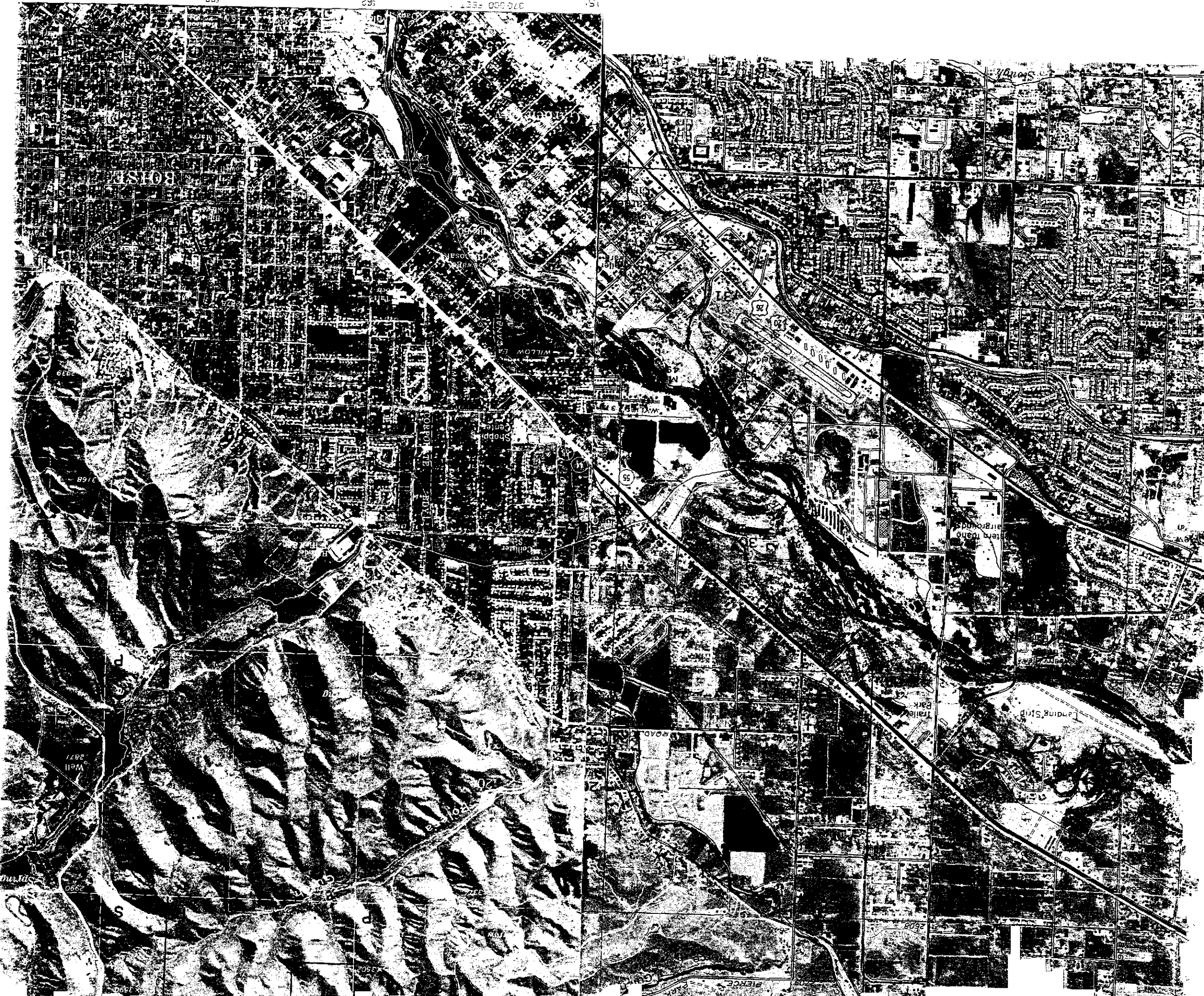
Signature _____

Address _____

Date _____

Last Name EDDY Ident. Number _____

MICROFILMED
Copies White-State, Yellow-Claimant
AUG 19 1992



4836

4835
40' 40'

4834

4833

720 000
FEET
4832
T. 4 N.

T4N

T4N
T3N

4831 4831000mN

T3N
MICROFILMED

T. 3 N.

5/89

Date Received _____

RECEIVED

DEC 28 1990

State of Idaho

Department of Water Resources

REQUEST FOR EXTENSION OF TIMEDepartment of Water Resources
Western Regional Office**TO FILE ADJUDICATION CLAIM(S)**

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Michael J. Eddy (208) 342-6975
Name of Claimant Phone Number

5025 Bitterbrush Boise Idaho 83703
Mailing Address City State Zip

Ada Aug 18, 1989
County(s) where place of use is located Date claim originally due

A63-04026B A63-04651
Identify water right(s) for which/extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

I make A special effort to Review all property
RIGHTS issues For my customers. As A Real Estate
Broker it seems only fitting That if I missed A
water right it was for my own property. Request
Refund of late fees paid.

Claimant requests an extension to _____, 19____
Michael J. Eddy 11/15/, 19 90
Signature Date of request

OWNER
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [] granted [☒] denied for the following reasons:

Proper notice was mailed to this address.

and if granted the filing deadline is extended to _____, 19____

Signed this 26 day of December, 19 90

David B. Shaw
Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED

AUG 19 1992

04/26/2005

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

RIGHT NUMBER: 63-4026B

NAME AND ADDRESS: MICHAEL J EDDY
7988 W ARAPAHO CT
BOISE ID 83703-6604

STEPHANIE J EDDY
7988 W ARAPAHO CT
BOISE ID 83703-6604

SOURCE: LAKE ELMORE

TRIBUTARY: BOISE RIVER

QUANTITY: 0.050 CFS

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

PRIORITY DATE: 03/01/1936

POINT OF DIVERSION:

T04N R01E S24 SESE Lot 1 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.030 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S24 Lot 3 NESW 1.0

STOCKWATER Within ADA County

T04N R01E S24 Lot 3 NESW

1 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.

The quantity of water decreed for this water right for stockwater use is
not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

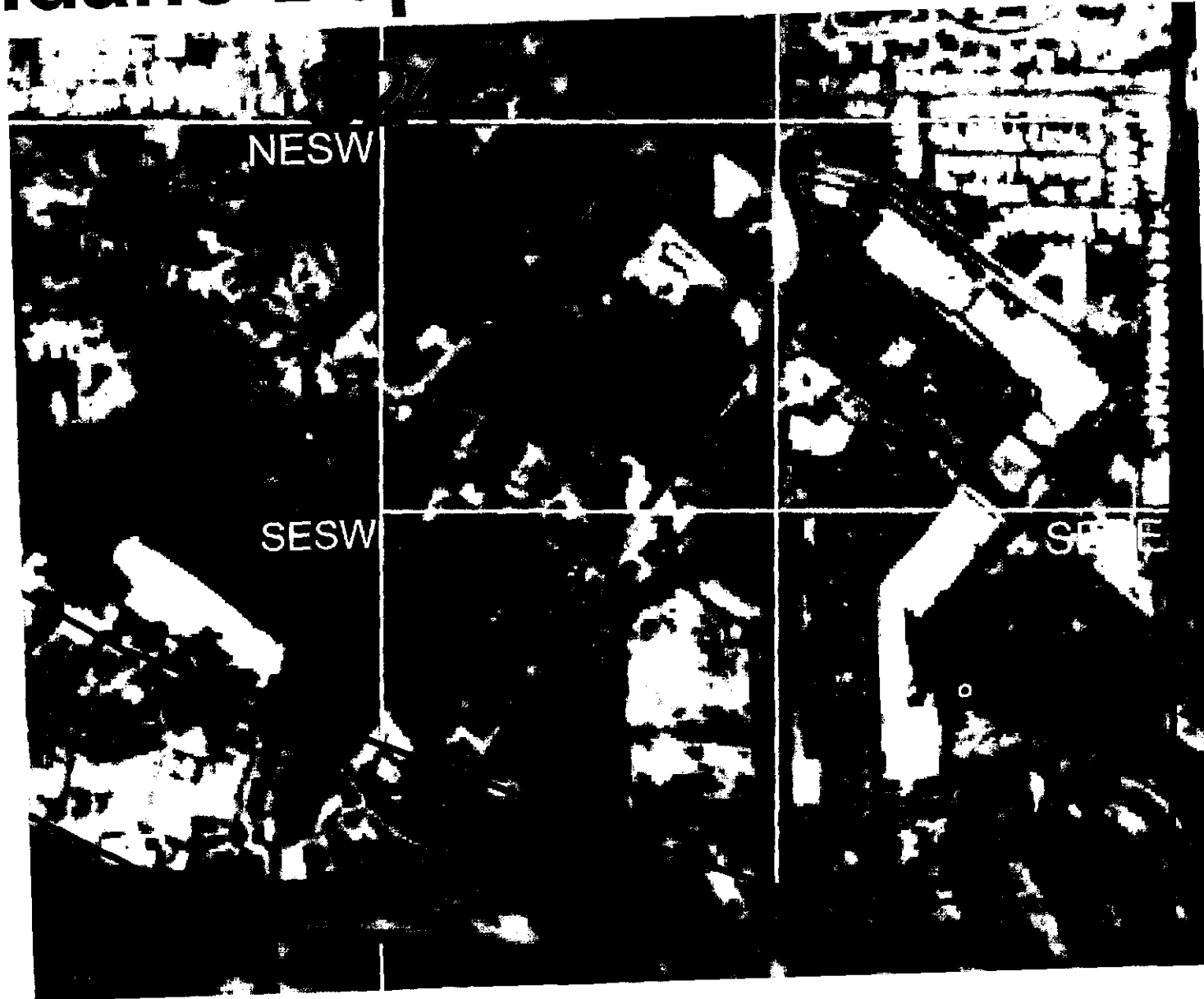
PROPERTY IS ALSO KNOWN AS LOT 5, BLK 2, FLAKE COUNTRY
SUBDIVISION.

Stockwater use is for 5 head of mixed stock.

Idaho Department of Water Resources

**T04N, R01E,
S24**

Claim No: 63-04026B
Prepared By: Kimberly Brown
Date: December 8, 2004

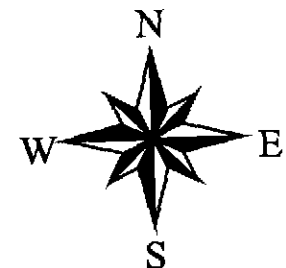


-  Place of Use
-  Section Lines

1/4 1/4

⊙ Point of Diversion

Acres Irrigated = 1.0



1987 NAPP



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4026B

WATER RIGHT NUMBER: 63-4026B ✓

Owner Type

Current Owner

Name and Address

MICHAEL J EDDY ✓
 7988 W ARAPAHO CT
 BOISE, ID ~~83703-6604~~ 83714
 (208)342-6975

Current Owner

STEPHANIE J EDDY ✓
 7988 W ARAPAHO CT
 BOISE, ID ~~83703-6604~~ 83714
 (208)853-8300

Priority Date: 03/01/1936 ✓

Basis: Beneficial Use ✓

Status: Active

Source

LAKE ELMORE ✓

Tributary

BOISE RIVER ✓

Beneficial Use

From To

Diversion RateAnnual Volume~~DIVERSION TO STORAGE~~ ✓~~1/01 to 12/31~~ ✓~~0.050 CFS~~ ✓~~WILDLIFE STORAGE~~ ✓~~1/01 to 12/31~~ ✓~~0.02 AF~~ ✓

IRRIGATION ✓

3/1 - 11/15

1/01 to 10/15

.03

~~0.200 CFS~~ ✓

STOCKWATER ✓

1/01 to 12/31 ✓

0.020 CFS ✓

Total Diversion:

~~0.050 CFS~~ ✓~~0.02 AF~~ ✓

0.05 cfs

Remove -
no man-
made diversion
structureLocation of Point(s) of Diversion

LAKE ELMORE

ADA County ✓

SE1/4SE1/4 ✓

Govt. lot 1

Sec. 24, Twp 04N, Rge 01E, B.M. ✓

Place of Use

DIVERSION TO STORAGE ✓ (Remove)

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N	01E	24	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							X								
							L3								

WILDLIFE STORAGE ✓

(Remove)

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N	01E	24	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							X								
							L3								

IRRIGATION

ADD 001 - Place of use is also known as lot 5, Blk. 2,
 Flake Country subdivision.

ADD 002 - Stockwater use is for 5 horses/cows.

ADD 005 & 008 - for stockwater use

OVER →

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4026B

Twp	Rge	Sec	NE				NW				SW				SE				Totals
✓ 04N	01E	24	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	5.3 ✓
											✓ 1.0								1.0 ✓

Total Acres: 5.3 ✓ 1.0

STOCKWATER ✓

Twp	Rge	Sec	NE				NW				SW				SE				Totals
✓ 04N	01E	24	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
											✓ X								

Conditions of Approval:Remarks:

- General ADDRESS CHANGE BY CLAIMANT LETTER.

Comments:

Parcel No: R 2854100095.

Dates and Other Information:

Claim Received Date: 11/16/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Field Exam Date 12.8.04

(in office)
review

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 \$ 55.00
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information Govt. lots 1 & 3
- ☒ 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 complete

Claim No(s) A63-4026B

Owner: Stephanie & Michael Eddy Phone No. (208) 342-6975

Current Address: 7988 W. Arapaho (Arapaho) Ct., Boise 83703-6604

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address Arapaho Ct. 83714
- ☐ NEW ADDRESS
- ☐ How long owned property?

Accompanied by: N/A

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?

Since Mr. Eddy requested priority date, I spoke with my supervisor, Jan Shurte, and she recommended the year claimed, 1936, since Lake Elmore was constructed in 1910 and Flakes didn't start using water for irrigation until 1936.

Priority date, per claimant, is: 3/1/1936

(If priority date, based on your exam, seems questionable, explain below.)

Source: Lake Elmore Tributary to _____

- ☒ No Change - SAME SOURCE
- ☐ Source found is different than claimed:

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: Government lot 1
- ☐ 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
	1								

Description of diverting works

See original Notice of Claim.
2HP pump, pipeline, sprinkler, pond (see photos)

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-04651, 63-04651A, 63-4026A, 63-4026C

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

63-4651 & 63-4651A share the same pump, but are used on different acres. 63-4026, 63-4026A, 63-4026C are used on separate acres/P.O.s.

WATER USES

☐ No change

☐ Different Uses

Use Irrigation From 3/1 To 11/15 Amount .03 CFS AFA

Use From To Amount CFS AFA

Use From To Amount CFS AFA

~~1 acre x 4.5 af/annum = 4.5 af/annum~~
TOTAL VOLUME - Groundwater only

☒ Incomplete on claim, the total is, Amount CFS

☒ Changes found, the new total is, Amount 0.05 CFS AFA

☐ More than 1" per Acre? Yes (claimant must complete excess flow sheet)

0.03 af x 1.9835 x 260 days = 15.47
surface water
Volume N/A

(ADD NOS # NO8)

NON-IRRIGATION USES:

☐ No change

☐ Changes Exam found: Domestic # of homes 0 Stock # 5 mixed head of horses & cows

Types Additional comments:

PLACE OF USE:

☐ No Change

☒ Changes shown below:

"Diversion to Storage" & "Wildlife Storage" are being removed since there is no man-made dam or diversion structure present at this site to create the claimed "pond" for storage (refer to the enclosed 2003 NAPP as evidence).

along with various wildlife.

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	
4N	1E	24									10								10
											13								

Overlap with other water rights: See Adjudication Claim POU Review Report (enclosed)

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
All other claims are used on separate acres/POUs.
No overlap.

Delivery System Narrative: pipeline, sprinklers, + pond for
storage & use.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS: See Field Exam.

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS (OVER)

Place of use is also known as Lot 5, Bllk 2,
Flake Country Subdivision.

Stockwater use is for 5 horses/cows.

Quantity of water for stockwater use shall not exceed
13,000 gal/day.

The quantity for stockwater use is not a determination of
historical beneficial use.

Parcel No: R2854100095.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 12.8.04

(in office review)

FIELD EXAMINER: Kimberly Brown

Idaho Department of Water Resources

**T04N, R01E,
S24**

Claim No: 63-04026B

Prepared By: Kimberly Brown

Date: December 9, 2004



Place of Use

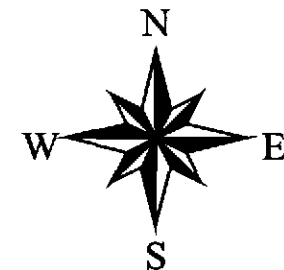


Section Lines

1/4 1/4



Point of Diversion



() This shapefile is to demonstrate that there is no man-made diversion structure to create a pond for storage on this particular POU.*

0.02 0 0.02 0.04 Miles

2003 NAPP

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4026B

12/09/2004

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
~~63-9134~~	~~Claim~~	~~04N~~	~~01E~~	~~24~~	~~SE~~	~~SE~~		~~GROUND WATER~~	~~CITY OF GARDEN CITY~~
63-4026	Claim	04N	01E	24	SE	SE		LAKE ELMORE BOISE RIVER	
63-4026A	Claim	04N	01E	24	SE	SE		LAKE ELMORE BOISE RIVER	LYNNE MARCUS
~~63-4026B~~	~~Claim~~	~~04N~~	~~01E~~	~~24~~	~~SE~~	~~SE~~		~~LAKE ELMORE BOISE RIVER~~	~~MICHAEL JEDDY~~
~~63-7027B~~	~~Claim~~	~~04N~~	~~01E~~	~~24~~	~~SE~~	~~SE~~	~~1~~	~~GROUND WATER~~	~~PLANTATION VIEW CONDOMINIUM~~
63-4026C	Claim	04N	01E	24	SE	SE	1	LAKE ELMORE BOISE RIVER	SARAH TOTORICA
~~63-9134~~	~~Water Right~~	~~04N~~	~~01E~~	~~24~~	~~SE~~	~~SE~~	~~1~~	~~GROUND WATER~~	~~CITY OF GARDEN CITY~~
63-4026	Water Right	04N	01E	24	SE	SE	1	LAKE ELMORE BOISE RIVER	DENNIS E FLAKE
~~63-7027B~~	~~Water Right~~	~~04N~~	~~01E~~	~~24~~	~~SE~~	~~SE~~	~~1~~	~~GROUND WATER~~	~~PLANTATION VIEW CONDOMINIUM~~

63-4651 & 63-4651A share the same pump with 63-4026B out of the unnamed slough, but are used on different acres.

63-4026, 63-4026A, & 63-4026C are all used on different POUs.

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES ADJUDICATION CLAIM POU REVIEW REPORT ADJUDICATION CLAIM NUMBER: 63-4026B

12/09/2004

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~2406~~	~~Claim~~	~~04N~~	~~01E~~	~~24~~	~~NE~~	~~SW~~		~~IRRIGATION~~	~~20/29248~~	~~DRAINAGE DIST NO 2~~
1026A	Claim	04N	01E	24	NE	SW		IRRIGATION	0.5/1.1	LYNNE MARCUS
~~1026B~~	~~Claim~~	~~04N~~	~~01E~~	~~24~~	~~NE~~	~~SW~~		~~IRRIGATION~~	~~5.3/5.3~~	~~MICHAEL J EDDY~~
4265	Claim	04N	01E	24	NE	SW		IRRIGATION	0.4/0.5	LYNNE MARCUS
4651	Claim	04N	01E	24	NE	SW		IRRIGATION	6/6	ALICE M FLAVELLE
7972	Claim	04N	01E	24	NE	SW		IRRIGATION	1/1	MICKEY W MATTHEWS
10119	Claim	04N	01E	24	NE	SW		IRRIGATION	1/1	PATRICIA WARE
2406	Water Right	04N	01E	24	NE	SW		IRRIGATION	20/29248	DRAINAGE DIST NO 2
4026	Water Right	04N	01E	24	NE	SW		IRRIGATION	5/40	DENNIS E FLAKE
7838	Water Right	04N	01E	24	NE	SW		IRRIGATION	1/1	LYLE G SAXTON
7972	Water Right	04N	01E	24	NE	SW		IRRIGATION	1/1	MICKEY W MATTHEWS
10119	Water Right	04N	01E	24	NE	SW		IRRIGATION	1/1	RONALD WARE
1026B	Claim	04N	01E	24	NE	SW		STOCKWATER		MICHAEL J EDDY
4651	Claim	04N	01E	24	NE	SW		STOCKWATER		ALICE M FLAVELLE
985A	Water Right	04N	01E	24	NE	SW		STOCKWATER		SUSANNE VADER
15473	Water Right	04N	01E	24	NE	SW		STOCKWATER		LYNNE MARCUS
19108	Water Right	04N	01E	24	NE	SW		STOCKWATER		SUSANNE VADER
1026B	Claim	04N	01E	24	NE	SW		WILDLIFE STORAGE		MICHAEL J EDDY
4651	Claim	04N	01E	24	NE	SW		DOMESTIC		ALICE M FLAVELLE
7838	Claim	04N	01E	24	NE	SW		DOMESTIC		LINDA R SAXTON
4533	Water Right	04N	01E	24	NE	SW		DOMESTIC		SALLY A MATTHEWS
985A	Water Right	04N	01E	24	NE	SW		DOMESTIC		SUSANNE VADER
985B	Water Right	04N	01E	24	NE	SW		DOMESTIC		LEROY SCHLAGEL
15401	Water Right	04N	01E	24	NE	SW		DOMESTIC		PATRICIA WARE
15450	Water Right	04N	01E	24	NE	SW		DOMESTIC		ROBERT R MALLIS
15451	Water Right	04N	01E	24	NE	SW		DOMESTIC		DEBORAH A MALLIS
15472	Water Right	04N	01E	24	NE	SW		DOMESTIC		CRAIG MARCUS
16224	Water Right	04N	01E	24	NE	SW		DOMESTIC		GEORGE ANN MORRIS

All POU's are different than claim.
No overlap.

IDAHO DEPARTMENT OF WATER RESOURCES
 ADJUDICATION CLAIM POU REVIEW REPORT
 ADJUDICATION CLAIM NUMBER: 63-4026B

12/09/2004

2

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
16271	Water Right	04N	01E	24	NE	SW		DOMESTIC		JOAN SCHLAGEL
16660	Water Right	04N	01E	24	NE	SW		DOMESTIC		DIANE D BINDER
19108	Water Right	04N	01E	24	NE	SW		DOMESTIC		SUSANNE VADER
19631	Water Right	04N	01E	24	NE	SW		DOMESTIC		HELEN M MORRISON
29736	Water Right	04N	01E	24	NE	SW		DOMESTIC		STEPHEN L CONKLIN
~~1026B~~	~~Claim~~	~~04N~~	~~01E~~	~~24~~	~~NE~~	~~SW~~		~~DIVERSION TO STORAGE~~		~~MICHAEL JEDDY~~
10969	Water Right	04N	01E	24	NE	SW	3	AESTHETIC		DIANE D BINDER
12104	Water Right	04N	01E	24	NE	SW	3	AESTHETIC STORAGE		LINDA G CONKLIN

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Property Details for Parcel R2854100095

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General Information

Property Acres: 1.061
Zone Code: A
Primary Code Area: 06-3 Tax Districts
Group Type: SUB
Subdivision: FLAKE COUNTRY SUB
Section: 4N1E24

Property Description

LOT 5 BLK 2
 FLAKE COUNTRY SUB
 #9134899

**Property Address**

W APACHE WAY
 BOISE, ID 00000

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Assessor Links

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- [Administration](#)
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- [Appraisal](#)
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- [Levy Rates](#)

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	200-RES LOT OR TRACT	1.061	\$91,200	MARKET

Total Assessed Value: \$91,200

Parcel Valuation History

Assessed value for year 2004 \$91,200
Assessed value for year 2003 \$91,200
Assessed value for year 2002 \$85,000
Assessed value for year 2001 \$45,000
Assessed value for year 2000 \$45,000

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A PORTION OF THE N² S² SEC. 24, T.4N., R.1E., B.M.
ADA COUNTY, IDAHO.

[illegible]

ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
C018881	55.00	63	4026	B	Claim
C018881	60.00	63	4651	A	Claim

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A63-04026B

1. No Change NAME IS SAME
NEW OWNER: See documentation for ownership
No Change ADDRESS
NEW ADDRESS: _____

2. No Change - DATE OF PRIORITY: Completed evidence submitted
~~Incomplete~~ - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: Affidavit Submitted (See file)
(If the priority date, based on your exam, seems questionable, explain below.)

3. No Change — SAME SOURCE
Source is different than that claimed: water comes from Lake Elmore into
unnamed (stream or drain) then runs
into Boise River.
Source found: LAKE Elmore

4. No Change — POINT OF DIVERSION of Pump in unnamed stream or drain?
Point of diversion is different than the claim and/or new P/D's: 2315693
1387732
Township 04N Range 01E Section 24 1/4 SE 1/4 SW 1/4
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____

5. No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete description, list below:

2 HP Pump (see Photo) pipeline, sprinklers, pond for storage
and use

6. No Change - WATER USES *only one Acre of irrigation claimant*
Different uses, (list uses found): *Agrees. All other uses are same. Need to*
Change Irr. values

Use IRR From _____ To _____ Amount .03 CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

7. No Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount _____ CFS _____ AFA *Need to Cal*

Changes found, the new total is, Amount _____ CFS _____ AFA

8. No Change - NON-IRRIGATION USES:

Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. No Change - PLACE OF USE: (If changed, list below.)

Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

only one Acre Irrigated, uses same pump as A63-04651A
A63-04651 & A63-4026B

SYSTEM DIAGRAM INCLUDED

NA

Shown on GIS Layout

CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 7-30-2004

FIELD EXAMINER:

M. G. Gibson

Print Name

M. G. Gibson
Signature

63-04026B
Michael Eddy

POD

~~POU~~



63-04026B

Michael Edd

Pump Data

04

SER 608T

HP 2

PH 1 CODE J

FR 56Y

HZ 60

SF 1.1

°C

CONT.

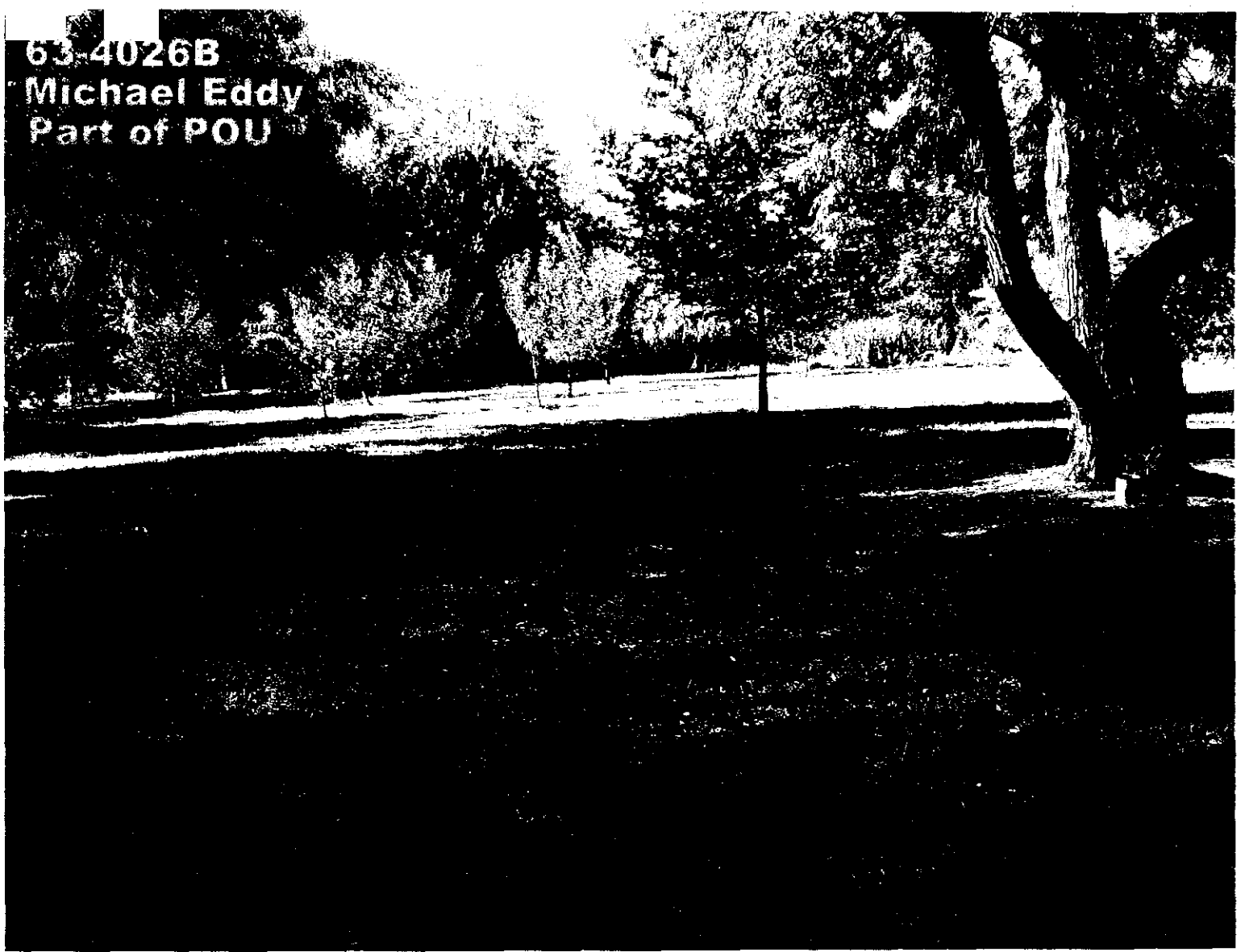
DUTY

BY A.O. SMITH CORP. TIPP CITY OHIO

CAUTION

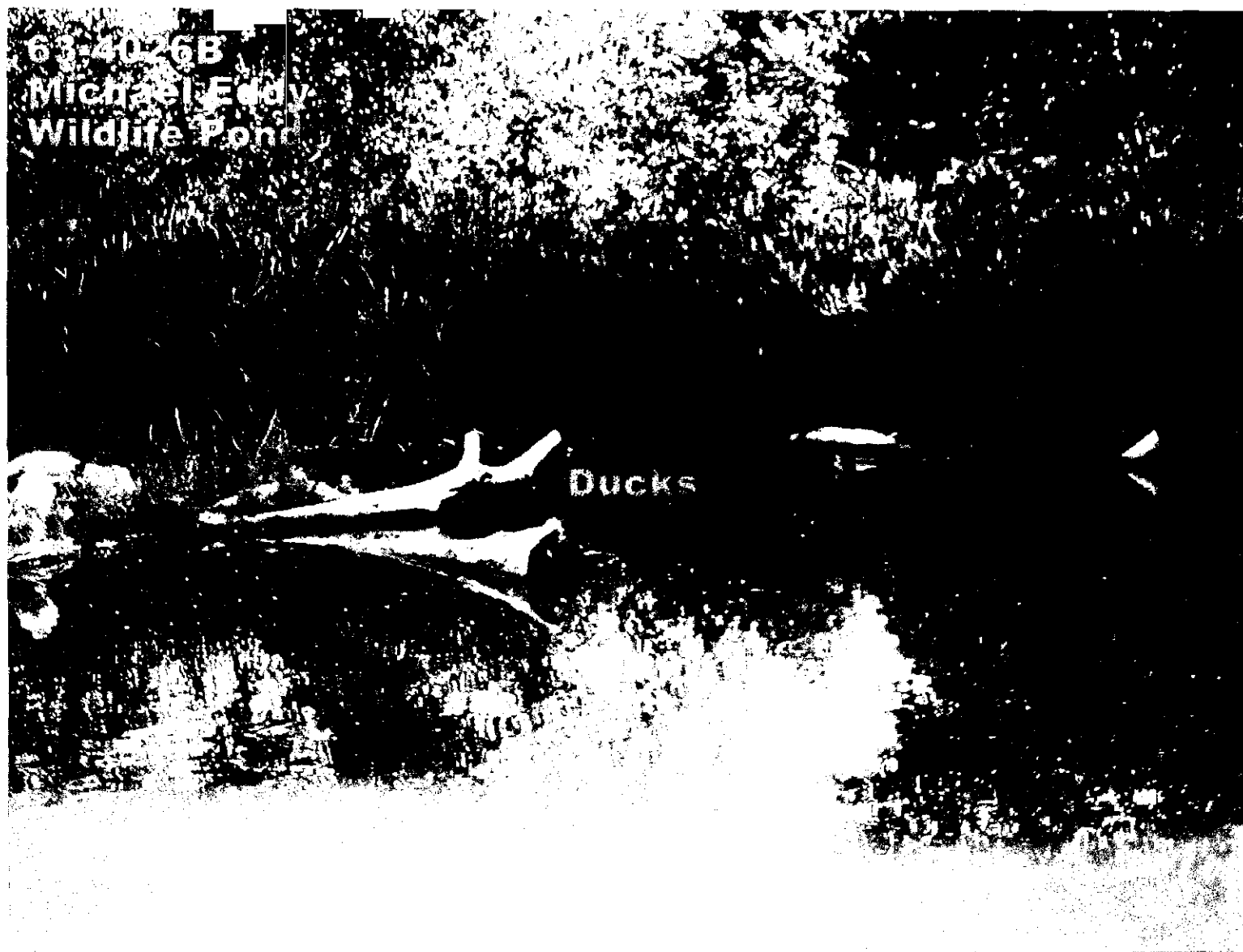
DO NOT OPERATE WITHOUT CONNECTING GROUND
TO EACH GROUNDING SCREW
TO A POWER SOURCE OTHER THAN THAT

63-4026B
Michael Eddy
Part of POU



63-4026B
Michael Eddy
Wildlife Pond

Ducks



Gene

7-29-04 Talked to Mike Eddy Appointment for 6/3/04
9:00 Friday 7-30-04.
853-8300

Lake Elmore (as source)

Original Claim 63-4026 (Flake):

Waste water from Lake Elmore. Headgate and cement ditch from lake to property.
(Elmore Lake constructed in 1910.) P.O.D.: SESE, Sec 24, T04N, R01E

Description from 63-4026A (Marcus):

Headgate at Lake Elmore, ditch to place of use.

Description from 63-4026B (Eddy):

Water exits Boise River via Farmers Union Canal, diverts through pipes and ditches to Lake Elmore. From Lake Elmore water runs through three ponds in Plantation residential development to box behind Earnst (Glenwood) then piped under Glenwood. Reemerges and is run above ground to Strawberry Glen, piped under the street, then runs in open ditches to property. The ditch originally drained in a relatively straight line from Strawberry Glen to property, but was rerouted by developers at Riverside Village approximately 8 to 10 years ago. (Wildlife pond [and storage] approximately 25' by 300' located at west end of property).

Description from 63-4026C (Totorica):

[This comment written by Steve Lester] Lake Elmore appears to be supplied by waste water from Plantation Golf Course, but the lake is listed as source since it appears on orthophoto. Excessive flow claimed per original statutory claim (ditch loss, etc.). Rate (2 AC/40AC)(2.64 cfs) = 0.13 cfs

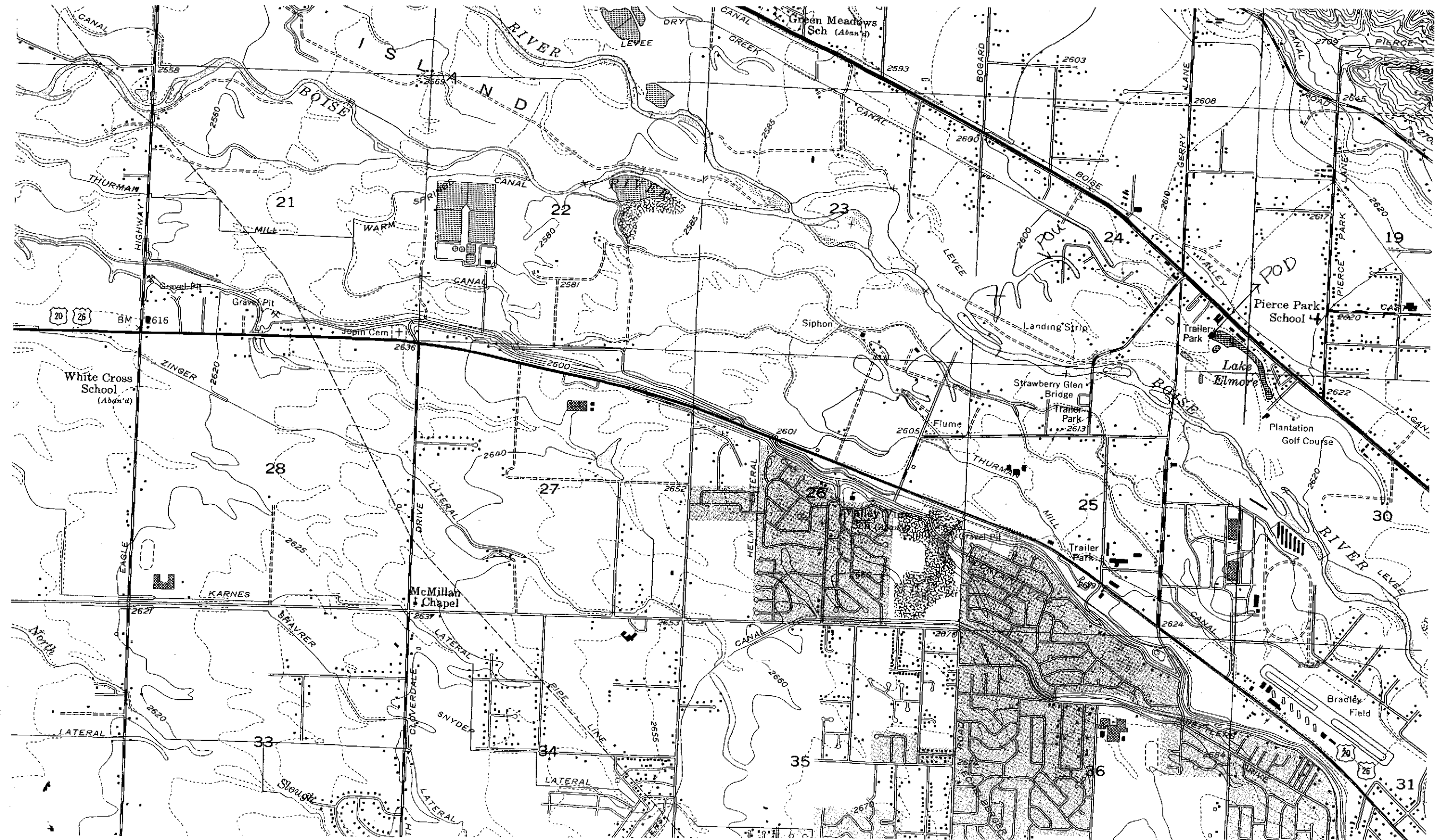
Headgate and diversion ditch from lake. Ditch runs west-ward towards property for gravity irrigation.

Gene - while doing these field exams & verifying their elements, please also verify the source as Lake Elmore. The diversion

descriptions above are from the three splits - Eddy's is the most descriptive and helpful. There's also a project map in #63-4026B that Eddy drew & may prove helpful... (enclosed)

GPS headgate?

-Kimberly



1953

X-8



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

May 26, 2003

ANGSTMAN LAW, PLLC
MINDY JOHNSON, PARALEGAL
3649 LAKEHARBOR LANE
BOISE ID 83703

RE: Snake River Basin Adjudication (SRBA) Claim Nos. 63-04026B, -4651, & -4651A

Dear Ms. Johnson,

As of March, I received your evidence of priority and made two additional copies in order to place a copy of the document in each of the three files.

Since a field investigation is required for these claims, one of our contractors, Mr. Gene Gibson, will be contacting your client within the next few weeks in order to schedule and conduct a field exam for all of the claims. Once I receive the completed field investigations from our contractor, I will be able to review each file and make recommendations to the Court.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kimberly L. Brown".

Kimberly L. Brown
Senior Water Resource Agent
Adjudication Bureau

Cc
Stephanie and Michael Eddy
7988 W Arapaho
Boise ID 8370-6604

Angstman Law, PLLC

3649 Lakeharbor Lane
Boise, Idaho 83703
TEL: (208) 384-8588
FAX: (208) 853-0117

RECEIVED

MAY 26 2004

WATER RESOURCES
WESTERN REGION

T. J. Angstman, Esq.
tj@angstman.com

Wyatt B. Johnson, Esq.
wyatt@angstman.com

May 25, 2004

Kimberly Brown
State of Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

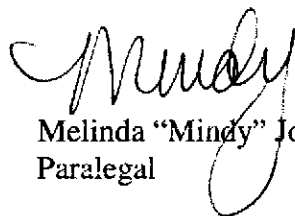
RE: Snake River Basin Claim No(s): A63-4651, A63-4026B, and A63-4651A

Dear Ms. Brown:

We have not heard from your office since March, 2004, nor has our client. Please advise as to this status of this matter and any additional documentation or items your office needs regarding our clients, the Eddys' water rights as listed above.

Thank you for your prompt response.

Very truly yours,



Melinda "Mindy" Johnson
Paralegal

:mrj
cc: Client

* Can't go back
to 1800's for

the P.D. — Lake

Elmore was
constructed in 1910 &

Flakes started using
it for inv. of property in
1936

RECEIVED

MAR 26 2004

WATER RESOURCES
WESTERN REGION

T.J. Angstman
Wyatt B. Johnson
Angstman Law, PLLC
3649 Lakeharbor Lane
Boise, Idaho 83703
Telephone: (208) 384-8588
Facsimile: (208) 853-0117
Angstman ISB #5738
Johnson ISB #5858

ORIGINAL

Attorneys for Michael J. Eddy

In Re:

SNAKE RIVER BASIN ADJUDICATION

Claim No. A63-4651

Claim No. A63-4026B

Claim No. A63-4651A

AFFIDAVIT OF MICHAEL J. EDDY

STATE OF IDAHO)

)ss:
County of Ada)

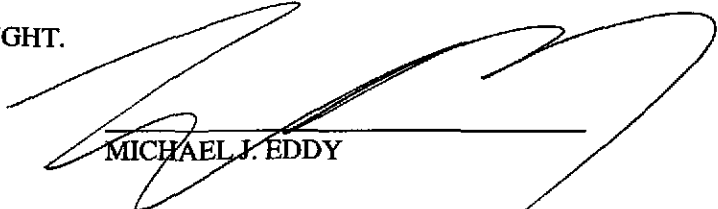
Michael J. Eddy, being first duly sworn, upon oath deposes and says:

1. I am over the age of eighteen, competent to testify before the Court, and make the following statements based upon my own personal knowledge.
2. I am familiar with the property and water rights related to the above mentioned parcels because I presently reside on part of the property; I was the developer involved in the resubdivision of these lands; and Jacqueline J. Poore is my mother.
3. I have attached hereto as Exhibit A true and correct copies of the following documents evidencing the water rights for Claims A63-4651 and A63-4651A:

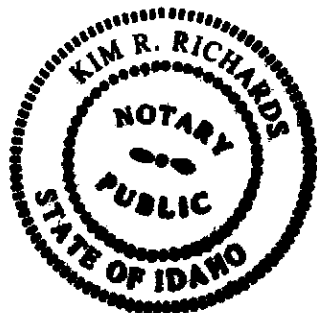
- a. Warranty Deed from J. C. Anduiza and Juana Anduiza to Gerard Bruneel and Francis Lucile Bruneel dated March 1, 1946, bearing instrument number 293194, records of Ada County, Idaho.
 - b. Quitclaim Deed from Gerrard Bruneel and Francis Lucille Bruneel to Tertling Land Company dated February 10, 1956, bearing instrument number 390641, records of Ada County, Idaho.
 - c. Quitclaim Deed from Juana Anduiza and the Estate of J. C. Anduiza to Tertling Land Company dated February 14, 1956, bearing instrument number 390642, records of Ada County, Idaho.
 - d. Warranty Deed from Terteling Land Company to Dennis Flake and Carol R. Flake dated March 5, 1956, bearing instrument number 391844, records of Ada County, Idaho.
 - e. Quitclaim Deed from Terteling Land Company to Dennis Flake and Carol R. Flake for 137 minor's inches of water dated March 5th, 1956, bearing instrument number 391846, records of Ada County, Idaho.
4. The documents attached as part of Exhibit A all reference the water rights claimed in SRBA Claims A63-4651 and A63-4651A. Although your records indicate a claimed priority date of 1965 for these water rights, it is fairly clear that these water rights were put to beneficial use not later than 1946 as referenced in the deed from Anduiza to Bruneel. This is the priority date that I would like to apply to these claims.
 5. I have attached hereto as Exhibit B true and correct copies of the following documents evidencing the water rights for SRBA Claim A63-4026B:
 - a. United States Patent to John Blagg by the President U. S. Grant, Certificate No. 344 dated May 15, 1875 (91.8 acres).
 - b. United States Patent to Godfrey F. Rhodes by the President U. S. Grant, Instrument Number 1470 dated June 1, 1875 (127.2 acres).

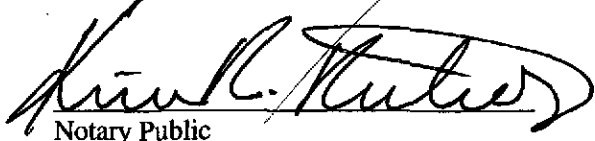
1 6. The documents attached as Exhibit B all reference the water rights claimed in SRBA
2 Claim A63-4026B. Although your records indicate a claimed priority date of March 1,
3 1936 for these water rights, it is clear that these lands were patented before statehood.
4 The Homestead Act was passed by Congress in 1862. This act provided free grants of
5 public land to any person who was a citizen of the United States and over 21 years old or
6 the head of a household. Homesteaders were allowed 160 acres. In order to obtain a
7 patent, homesteaders were required to improve and cultivate the land and to maintain
8 residency on it for five years. Potential homesteaders were originally required to
9 personally appear at the land office to file an entry, prove citizenship and other
10 qualifications, and verify that they had personally examined the land and were satisfied
11 with its character. The priority date that should apply to this claim is 1875 or 1870 if you
12 go from the date the homesteaders were required to start cultivating the land.
13

14
15 FURTHER THE AFFIANT SAITH NAUGHT.

16
17 
MICHAEL J. EDDY

18
19 SUBSCRIBED AND SWORN to before me this 22nd day of March, 2004.



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Notary Public
Residing in Boise, Idaho
Commission Expires: 9-18-09

#293194

WARRANTY DEED RECORD No. 340

111

151

9

INSTRUMENT NUMBERED 293194

This Indenture, Made this 1st day of March in the year of our Lord one thousand nine hundred and forty-six, between
C. C. ANDRIZA and JUANA ANDRIZA, husband and wife,
of Boise, County of Ada, State of Idaho,
the parties of the first part, and
GERARD BRUNEEL and FRANCIS LUCILE BRUNEEL, husband and wife,
of Boise, County of Ada, State of Idaho,
the parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
TEN DOLLARS AND OTHER VALUABLE CONSIDERATION
lawful money of the United States of America;

to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged,
do hereby granted, bargained, and sold and by these presents do grant, bargain, sell, convey and confirm unto the said parties
of the second part and to their heirs and assigns forever, all of the following described real estate, situated in
the County of Ada, State of Idaho, to-wit:

Commencing at a point being the northwest corner of the northwest
quarter of the southeast quarter of section twenty-four, township
four north, range one east, Boise Meridian, thence west along the
quarter section line 12.76 chains, thence south 23.27 chains to an
iron bar, the real place of beginning; thence south 37°23' west 5.10
chains (from this point the quarter corner on the east boundary of
section twenty-four bears north 62°43' east 40.67 chains) thence
north 20°13' west 12.62 chains; thence north 47°13' west 3.03 chains;
thence south 68°22' west 0.51 chains; thence south 71°01' west 2.78
chains; thence south 14°15' west 1.21 chains; thence south 1°58' east
1.17 chains; thence south 54°23' east 26.81 chains; thence north 61
36' east 6.87 chains; thence south 22°02' east 4.20 chains; thence
north 0°58' east 4.59 chains; thence north 7°02' west 4.13 chains; thence
north 11°28' east 2.57 chains; thence north 1°15' west 4.55 chains; thence
north 44°28' west 3.10 chains; thence north 21°31' west 2.21 chains to the
place of beginning, containing 41.67 acres; Together with all accretion
lands and water rights.

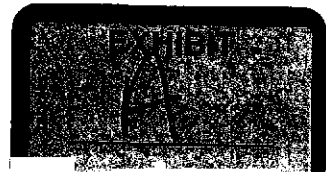
(U.S.L.A. Stamp \$11.00 Cancelled)

(C.A. 11/1/49)

together with all and singular the tenements, hereditaments and appurtenances thereto in anywise appertaining, the reversion
and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property,
as well in law as in equity, of the said part 108 of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto
the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part,
and their heirs, do hereby warrant, defend and peacefully possess and peacefully possess of the said part 108 of the second
part, their heirs and assigns, against the said parties of the first part, and their
heirs and assigns, all and every person and persons who may come, lawfully claiming or to claim the same, said part 108 WARRANT and by
these presents forever DEFEND.

BOOK 340



ADA COUNTY, IDAHO

This conveyance is made subject to taxes for the year 1946.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of

J. C. Anduliza (SEAL)
Juana Anduliza (SEAL)
(SEAL)
(SEAL)

STATE OF IDAHO,

County of ADA,

On this 1st day of March,

in the year 1946, before me, the undersigned, a Notary Public in and for said State, personally appeared

J. C. ANDULIZA and JUANA ANDULIZA, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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)

Elbert S. Delano,
Notary Public for the State of Idaho,
residing at Boise, Idaho.

STATE OF IDAHO,

County of Ada,

I hereby certify that this instrument was filed for record at the request

of Elton L. Burke, at 36 minutes past 9 o'clock A. M. this 2 day of November, A.D. 1949.

Filed 11-2-49.

BOOK 340

#390641

152 14915

Jan. 4, 12, 7, 3, 10

[illegible]

1. John County of Ada State of Idaho
the parties of the first part, and John County of Ada State of Idaho the parties of the second part, do hereby certify that John County of Ada State of Idaho is a living corporation, and its business in the State of Idaho will be principally done at its principal place of business at John County of Ada State of Idaho, the city of the second part.

WITNESSETH, that the above recitals of the first part, and in consideration of the sum of the sum of no dollars, lawful money of the United States of America, and other good and valuable considerations to them in and giving the party of the second part, the receipt whereof is hereby acknowledged, the parties of the first part, do hereby certify that the parties of the second part, and to the successors and assigns, forever, all the following described real estate, situated in the County of Ada, State of Idaho, to-wit:

Commencing at a point being the Northwest corner of the Northwest Quarter of the Southeast Quarter (1/4) of Section Twenty-Four (24), Township Four (4) North, Range One (1) East of the Boise Meridian, in Ada County, Idaho, and

west along the quarter section line 13.75 chains; thence
south 13.87 chains to an iron peg, the real place of be-
ginning; thence

South 17°23' West 5.10 chains (from this point the quarter corner on the East boundary of Section 24 bears North 62°43' East 60.67 chains); thence

North 80913 West 2.42 chains; thence
North 19113 West 3.03 chains; thence
South 68022 West 0.21 chains; thence
South 71001 West 2.70 chains; thence
South 10255 West 1.21 chains; thence
South 10282 East 2.10 chains; thence
South 11021 East 25.51 chains; thence
North 61035 East 7.32 chains; thence
South 82092 East 4.10 chains; thence
North 09584 East 1.59 chains; thence
North 70001 East 4.50 chains; thence
North 12002 East 2.59 chains; thence
North 29155 East 4.66 chains; thence
North 60208 West 3.10 chains; thence
North 81553 West 2.61 chains to the place of beginning.

EXCEPT DITCH AND ROAD RIGHTS OF WAY. EXCEPT ALSO the following described tract of land:

COMMENCING at an iron bar in ground which is described as 2.10 chains West along the quarter section line and 13.67 chains South from the Northwest corner of the Northwest Quarter of the Southwest Quarter of Section 34, Township 1 North, Range 1 East of the Tenth Meridian, in Ada County, Idaho; thence
South 37021 West 20.60 chains to iron bar; thence
South 12002 East 37.1 feet along a fence line to a point; thence
North 20255 East 20 feet to a point, the real place of beginning; thence
South 20023 East 30.5 feet to a point; thence
North 68025 East along the westerly side of Strawberry Creek Road right of way 102.5 feet to a point; thence
North 11035 East along the westerly side of said road right of way 110.65 feet to a point; thence
North 60243 East along the easterly side of said road right of way 102.15 feet to a point; thence
North 50001 West 102.1 feet to a point; thence
South 10245 West 107.0 feet to the real place of beginning;

<i>Heard Museum</i>	(227)
<i>Franklin D. Roosevelt</i>	(227)
	(227)
	(227)

LIBRARY BOUND FOR THE BAY OF GILDO
BANDING BY *[Signature]*

BOOKS

357. 3426

7. DATE 10/10/2014 TIME 10:00 BY SA

100-443887-100

THE UNIVERSITY OF CHICAGO

[illegible][illegible]

Commencing at a pole being the Northwest corner of the
Northwest Quarter of the Southwest quarter (NW1/4)
of Section Twenty-four (24), Township Four (4) North,
Range One (1) East of the Sixth Meridian, in Ada
County, State of Idaho; thence
West along the quarter section line 12 1/2 chains; thence
South 13.87 chains to an iron bar, the real place of be-
ginning; thence
South 17.53 West 5.10 chains, from said point the quarter corner
of the East boundary of Section 24 bears North 62° 13' East
40.67 chains; thence
North 80° 13' West 12 1/2 chains; thence
North 14° 13' West 3.03 chains; thence
North 68° 22' West 6.51 chains; thence
South 71° 00' West 2.78 chains; thence
South 14° 15' West 1.12 chains; thence
South 35° 21' East 2.12 chains; thence
South 54° 23' East 25.61 chains; thence
North 61° 36' East 1.72 chains; thence
South 82° 02' East 4.10 chains; thence
North 55° 28' East 4.39 chains; thence
North 77° 02' West 4.19 chains; thence
North 13° 28' East 2.59 chains; thence
North 40° 15' West 1.66 chains; thence
North 14° 28' West 3.10 chains; thence
North 81° 51' West 2.81 chains to the place of beginning.

EXCEPT ditch and road rights of way, EXCEPTING ALSO the following described tract of land:

COMMITTEE at an open bar in ground which is described as 12 1/4 chains West along the Quarter Section, also as 21 1/8 chains South from the Northeast corner of the Maritime Quarter, also as Southeast Quarter of Section 36, Township 4 North, Range 1 East of the Boise Meridian in Ada County, Idaho, thence as follows:

South 17°21'	East 30.0 feet to a point, thence
South 5°21'	East 45.1 feet along a fence line to a point, thence
North 2°45'	East 30.0 feet to a point, the real place of beginning, thence
South 5°43'	East 20.5 feet to a point, thence
North 60°25'	East along the West 1/4 line of Section 36 along road right of way 100 feet to a point, thence
North 28°33'	East along the West 1/4 line of said road right of way 110.6 feet to a point, thence
North 16°43'	East along the West 1/4 line of said road right of way 102.25 feet to a point, thence
North 58°07'	East 122.1 feet to a point, thence
South 11°38'	East 20.0 feet to the real place of beginning.

BOOKS

ALSO EXCEPTING the following unacquired tract of land

[illegible]

Subpart 1.2.1.1. To all liens or encumbrances of a vehicle in active use, recorded or done with respect to the property of the parties to the second part;

1. 4974088 - change the name of the line and
its contents to "FURNITURE" and add the following
corporate and, in 20, 41 and in the Secretary of the
Association, per day and year after the date of
issuance.

67-210-1514-4261

THE UNIVERSITY OF CHICAGO PRESS

100

State of Idaho } ss
County of Ada }

413 41511

On this 14 day of March in the year 1950, before me, a Notary Public in and for said State, personally appeared W. H. H. H. known to me to be the President of the corporation that executed this instrument or one 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, this day and year in this certificate first above written.

W. H. H. H.
Notary Public for Idaho
Residence: Boise, Idaho

(REMARKS)

30124

W. H. H. H.
W. H. H. H.

W. H. H. H.
W. H. H. H.

W. H. H. H.
W. H. H. H.

W. H. H. H.
W. H. H. H.

413

#391846

182 512

WIT 413-512

THIS INSTRUMENT, made this 1st day of March, 1937, by and between THE CHILLING AND COMPANY, a corporation organized under the laws of the State of Idaho, and the undersigned, its President and Secretary, of the one part, and the undersigned, of the other part, for and in consideration of the sum of One and no/100 Dollars, to have and to hold unto the said party of the second part, unto the heirs and assigns forever, all that certain lot or lots of land, situate, lying and being in the County of Ada, State of Idaho, and being more particularly described in and to the intent and effect of the following recitals, to wit:

WITNESSETH that the said party of the first part, for and in consideration of the sum of One and no/100 Dollars, to have and to hold unto the said party of the second part, unto the heirs and assigns forever, all that certain lot or lots of land, situate, lying and being in the County of Ada, State of Idaho, and being more particularly described in and to the intent and effect of the following recitals, to wit:

One Hundred Thirty-seven (137) minus inches of waste water originating in Pierce Park Lake Reservoir, for use upon real property situated in the South Half of Section 28, Township 1 North, Range 1 East of the Boise Meridian in Ada County, Idaho, particularly described in a Warranty Deed of even date herewith and therein conveyed by the party of the first part herein to the parties of the second part herein;

TOGETHER with all and singular the covenants, conditions and agreements therein contained, in and to the intent and effect of the foregoing recitals, to have and to hold unto the said party of the second part, unto the heirs and assigns forever, all that certain lot or lots of land, situate, lying and being in the County of Ada, State of Idaho, and being more particularly described in and to the intent and effect of the following recitals, to wit:

TO HAVE AND TO HOLD, all and singular the said premises together with the appurtenances thereto in anywise appertaining, unto the said party of the second part, unto the heirs and assigns forever, all that certain lot or lots of land, situate, lying and being in the County of Ada, State of Idaho, and being more particularly described in and to the intent and effect of the following recitals, to wit:

IN WITNESS WHEREOF the said party of the first part, its President and Secretary, have hereunto set their hands and seals, and the said party of the second part, its Secretary, has hereunto set his hand and seal, this 1st day of March, 1937.

ATTEST:  Secretary
THE CHILLING AND COMPANY,  President
(CORPORATE SEAL)

STATE OF IDAHO

1901 413 513

County of Ada

On this 2 day of March in the year 1901, before me the undersigned Notary Public in and for said State, personally appeared J. L. BENTLEY, known to me to be the President of the corporation that executed this instrument, of the person who executed this instrument on the 1st day of March, 1901, 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.

W. H. Nichols
Notary Public for the State of Idaho
Residing at Boise, Idaho

(SEAL)

QUITCLAIM DEED

Patting and Co.

Donna Lake

STATE OF IDAHO

I hereby certify that this instrument was filed for record in my office, and duly entered in Book of said

YERN THOMAS

W. H. Nichols

W. H. Nichols

United States Patent

To
John Blagg.

Certificate

No. 344.

The United States of America

To all to whom these presents shall come, Greeting:
Whereas John Blagg, of Ada County, Idaho Territory,
has deposited in the General Land Office of the United
States a certificate of the Register of the Land Office at
Boise City, Idaho Territory, whereby it appears that
full payment has been made by the said John Blagg
according to the provisions of the Act of Congress of the
24th of April, 1820, entitled "An Act making further
provisions for the sale of the Public Lands", and the
acts supplemental thereto, for the north-east quarter of
the south-east quarter and the lot numbered one of
Section twenty-four, and the lot numbered one of
Section twenty-five in Township four north, of
range one east, in the district of lands subject to sale
at Boise City, Idaho Territory, containing ninety-one
acres and eight-hundredths of an acre,

according to the official Plat of the Survey of the
said Lands, returned to the General Land Office by the
Surveyor General, which said tracts have been
purchased by the said John Blagg.

Now know ye, That the United States of America,
in consideration of the premises, and in conformity
with the several Acts of Congress in such case made
and provided, have given and granted, and by these
presents do give and grant unto the said John Blagg
and to his heirs, the said tracts above described,
To have and to hold the same, together with all
the rights, privileges, immunities, and appurtenances
of whatsoever nature, thereto belonging, unto the
said John Blagg and to his heirs and assigns forever,
subject to any vested and accrued water rights for
mining, agricultural, manufacturing, or other pur-
poses, and rights to ditches and reservoirs used in con-
nection with such water rights, as may be recog-
nized and acknowledged by the local customs, laws,
and decisions of courts, and also subject to the
right of the proprietor of a mine or lode to extract
and remove his ore therefrom, should the
same be found to penetrate or intersect the pre-
mises hereby granted as provided by law.

To

To all to Whom these Presents shall come, GREETING:

Joseph I. Rhodes

Harrison's Certificate No. 53

APPLICATION 135

Whereas, There has been deposited in

the General Land Office of the United States a Certificate of the Register of the Land Office at Boise City, Idaho Territory, whereby it appears that, pursuant to

the Act of Congress approved 20th May, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the Act supplemental thereto, the Act of

the said Act established and duly consummated, in conformity to law, for the

Northwest quarter of the Southeast quarter and the two numbers
two and three of Section twenty-four, in Township four, North
of range one, East, in the district of lands subject to sale
at Boise City, Idaho Territory, containing one hundred and
twenty seven acres and seven hundredths of an acre.

the said official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General,

John Quinn Ye, Proprietor, is, therefore, granted by the UNITED STATES and the said

Joseph I. Rhodes

the tract of land above described.

To Have and to Hold the said tract of land with the appurtenances thereof unto the said

Joseph I. Rhodes

and his heirs and assigns forever, subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights of ditches and reservoirs used in connection with such water rights as may be provided and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proper officers or body to extract and remove the same therefrom, should the same be found to penetrate within the premises so granted, as provided by law.

Our Testimony Whereof,

Allyson A. Grant

President of the United States of America

and caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the

day of *June*

in the year of our Lord one thousand eight

hundred and *seventy*, *five*

and of the Independence of the United

States the one hundred and *seventy*, *eight*

By the President:

W. F. Grant

W. F. Grant

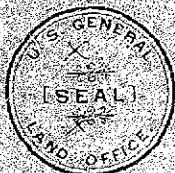
Secretary

by

S. D. Cook

Recorder of the General Land Office

S. D. Cook



Recorded Vol. 1

Page 1

State of Idaho

County of *Ada*

120 October 2nd 1885

Leonard Wilson

I hereby certify that this instrument was recorded at the request of

31st

day of

August

1885

W. F. Grant

Recorder

W. F. Grant

Recorder

being granted as provided by law. —

In Testimony Whereof, I, Ulysses S. Grant, President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed. —

Given under my hand, at the City of Washington, the Thirtieth day of May, in the year of our Lord one thousand eight hundred and seventy five, and of the Independence of the United States the thirty ninth. —

By the President U. S. Grant —

Seal

By S. D. Williamson, Secretary. —

Recorded Vol. 2, Page 87 L. H. Lippincott, —

— Recorder of the General —

— Land Office. —

Recorded at the Request of A. R. Hudson aprie
11th 1891 at 4th o'clock P. M. —

— Sherrill G. King —

— Ex officio Recorder —

Angstman Law, PLLC

3649 Lakeharbor Lane

Boise, Idaho 83703

TEL: (208) 384-8588

FAX: (208) 853-0117

T. J. Angstman, Esq.
tj@angstman.com

Wyatt B. Johnson, Esq.
wyatt@angstman.com

March 22, 2004

SENT VIA FACSIMILE: 334-2348

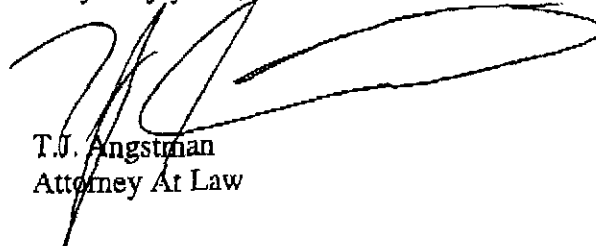
Kimberly Brown
State of Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

RE: Snake River Basin Claim No(s): A63-4651, A63-4026B, and A63-4651A

Dear Ms. Brown:

Please find enclosed an Affidavit of Michael J. Eddy. My client is hopeful that this affidavit resolves all issues regarding the above water right claims. If you are in need of additional information, my client has located a person who lived on this property years ago named Joel Flake. His family lived on Strawberry Glenn and farmed 80 acres that was all irrigated. They bought the property in the 1950's and it was already irrigated at that time. Mr. Flake's family developed Flake Country Subdivision where my client's property is located. Due to the expense associated with my office meeting with Mr. Flake and obtaining his affidavit we are hopeful that you will simply accept the affidavit we have submitted showing deeds and water rights for the subject property. However, we would appreciate the opportunity to supplement our submittal if you would prefer to have information from Mr. Flake.

Very truly yours,



T.J. Angstman
Attorney At Law

TJA:krr
Enclosures
cc: Client

Angstman Law, PLLC
3649 N. Lakeharbor Lane
Boise, ID 83703
(208) 364-8588
(208) 853-0117 (FAX)

Angstman Law, PLLC

Fax

To: Kim Brown From: T.J. Angstman
Fax: 334-2348 Pages: 20 including cover page
Phone: _____ Date: 3-22-04
Rec: Mike Edley CC: _____
☐ Urgent ☒ For Review ☐ Please Reply ☐ Original will Follow ☐ Original Will Not Follow

MESSAGE:

• Confidentiality Notice: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the US Postal Service. Thank you.



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
February 10, 2004

MICHAEL J EDDY OR STEPHANIE J EDDY
7988 W ARAPAHO CT
BOISE ID 83703

Re: SRBA Claims A63-04026B & A63-04651B

Dear Claimant(s):

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 63 in the Snake River Basin Adjudication.

The Department of Water Resources has previously contacted you regarding information on the priority date for the above SRBA claim. In order to make a positive recommendation of this water right, each element of the water right must be proven.

The Department plans to issue its Preliminary Recommendations on this water right later this year. If the Department does not receive all the necessary evidence for this claim, it will have no option but to recommend to the SRBA Court that this water right be disallowed, meaning that the water right will not be valid.

Please contact Kimberly Brown at the Western Regional Office for the Idaho Department of Water Resources at (208) 334-2190. If she does not hear from you by March 12, 2004, then your water right will be recommended as disallowed.

Very truly yours,

A handwritten signature in black ink that reads "Nicholas B. Spencer".

NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

NBS/pm

cc: Kimberly Brown



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 4, 2003

MICHAEL & STEPHANIE EDDIE
7988 W ARAPO CT
BOISE, ID 83703-6604

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-0402B & 63A-4651A

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire 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 important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area.

The required evidence supporting the priority date(s) requested needs to be submitted by October 2, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated



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

above. In addition, we will be contacting you within the next few weeks to schedule a field exam.

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-04026B & A63-04651A



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

MAY 14 1996

Department of Water Resources

PHILIP E. BATT
GOVERNOR

May 6, 1996

KARL J. DREHER
DIRECTOR

MICHAEL J OR STEPHANIE J EDDY
7988 W ARAPAHO CT
BOISE ID 83703-6604

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim No. A63-04026B & A63-04651A
Change of Address

modified A record, & Record.

Dear Claimants,

ps 05-14-96.

IDWR has been notified the address presently in our claim records is incorrect. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. Future notices related to your SRBA claim(s) can be sent only to the address on your claim(s) or as otherwise changed by you. The staff of this agency must avoid relying upon the word of others about your mailing address.

If the address above is correct, please sign your name at the bottom of this letter, and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. Thank you for your help. We hope to assure that you receive future notices about SRBA matters.

If the ownership of the property to which the water right(s) referenced above apply has changed, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Adjudication Bureau Staff

SO:ss:region

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

Michael J Eddy

Claimant

RECEIVED
MAY 13 1996
WATER RESOURCES
WESTERN REGION

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF TWIN FALLS**

In Re Snake River Basin Adjudication Case
No. 39576

) Notice of Filing Director's Report and Supplemental
) Director's Report Part II & III, United States' and Tribal
Non-consumptive Claims.

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:

THE DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH THE DISTRICT COURT. A SUPPLEMENTAL DIRECTOR'S REPORT PART II & III HAS ALSO BEEN FILED WITH THE DISTRICT COURT. THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORTS, AND DEADLINES AND FURTHER PROCEEDINGS ON THESE WATER RIGHT CLAIMS.

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

**THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND
TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT**

60848
Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

RECEIVED
MAY 07 1996
WATER RESOURCES
WESTERN REGION

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

RECEIVED
APR 21 1995

Department of Water Resources

MICHAEL J EDDY
STEPHANIE J EDDY
5025 Bitterbrush
BOISE

EDDY025* 837032017 1394 04/18/95
FORWARDING TIME EXPIRED
EDDY
7988 W ARAPAHO CT
BOISE ID 83703-6604

MICROFILMED
OCT 07 1996

RETURN TO SENDER

|||||

A63-04026B-
-04651A-

Ø R

NOTICE OF FILING DIRECTOR'S REPORT

DIRECTOR'S REPORT

This Director's Report Part II is a report by the Director of the Idaho Department of Water Resources (IDWR). It contains abstracts of claims by the United States and Indian Tribes to "non-consumptive" water rights (such as instream flows) throughout the Snake River Basin. The abstracts summarize the claims without substantively changing the water right as claimed. The Supplemental Director's Report Part II includes abstracts of claims not included in the Director's Report Part II. The supplemental report also includes abstracts of amended claims, which contain changes to claims previously abstracted in the Director's Report Part II.

The Director's Report Part III contains the claims filed for these water rights, and includes both the claim documents and maps. The Supplemental Director's Report Part III includes claims not included in the Director's Report Part III, as well as amended claims which contain changes to claims included in the Director's Report Part III.

Complete copies of Part II of the reports are available for inspections at all offices of IDWR and at the other locations printed on this notice. Complete copies of Part III of the reports are available for inspection at the State Office of IDWR and the SRBA District Court. Copies of all or a portion of the reports are available from the IDWR State Office subject to payments of costs of mailing and/or copying.

OBJECTIONS TO DIRECTOR'S REPORT

You may file an objection to any portion of the Director's Reports with the SRBA District Court. You must use a court approved objection form that is available from IDWR, which contains instructions for filing the objection. All objections must be received by the court on or before October 16, 1995. You must mail a copy of your objection to IDWR and the United States as shown on the objection form. If you are objecting to an abstract of a claim filed by an Indian tribe, you must also mail a copy of the objection to the tribe at the address shown in the report.

RESPONSES TO OBJECTIONS

The United States and the Indian Tribes may but are not required to file a response to an objection to abstracts of their claims with the SRBA District Court.

PARTIAL DECREE OF UNCONTESTED PORTIONS OF DIRECTOR'S REPORT

Those portions of the Director's Report to which no objections are filed will be decreed by the district court after a hearing to be held at 1:30 p.m., May 21, 1996 at the SRBA Courthouse in Twin Falls.

NOTICE OF FURTHER PROCEEDINGS

You will be mailed a notice of further proceedings on an objection to **your water right, your objection, or your response**. You will not be mailed notice of other objections or proceedings on other objections.

Notice of other objections and responses to other objections will be included on a monthly docket sheet distributed by the SRBA District Court. A subscription to the docket sheet may be obtained from the court for a small annual fee (\$7.50 for the calendar year 1995).

IDWR has filed or will file Director's Reports for all other claims within the Snake River Basin, one for each of the reporting areas in the Snake River Basin. Notice of the filing of these reports, and of further proceedings on these reports, will also be included in the docket sheet.

You may be affected by orders and decrees entered by the court in proceedings on other objections and proceeding on other reports. It is **very important that you subscribe to the docket sheet** if you wish to stay informed of these other proceedings. For further information as to documents filed with the court and hearings scheduled before the court in the SRBA, you must inquire at the SRBA District Court.

FURTHER INFORMATION

The court has adopted procedures for the post-report phase of the SRBA, which are set forth in the order of the court entitled "SRBA Administrative Order No. 1." A copy of this order can be obtained from the State Office of IDWR or the SRBA District Court.

If you have questions about the SRBA, please call any office of IDWR listed in this notice. If you have questions concerning your rights and responsibilities as a claimant in the SRBA, please consult your attorney.

R. KEITH HIGGINSON

Director, Idaho Department of Water Resource