

Idaho Department of Water Resources

Claim Number: 63-04442

Legal: T03N, R05W, S2

Reviewed By: *KW* 4/17/2006

● Point of Diversion



Place of Use



Section Lines



Quarter Quarter Lines



1987 Napp Photo

0 0.25 0.5 Miles

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: **A63-04442**
Date Received: 1/29/1990
Receipt No: W008036
Received By: _____

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

1. Name: ODESSA EIDEMILLER 208-466-7333
Address: 815 7TH ST SOUTH
NAMPA ID 83651

2. Date of Priority: MAR 10, 1956

3. Source: EIDEMILLER DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	05W	2	NW	SW	NW		CANYON

5. Description of diverting works:
5 HP & 1 1/2 HP PUMPS, 8" & 1 1/4" PIPE, DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, LAWN & GARDEN IRRIGATION ONLY

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	05W	2	SW	NW		IRR	0.5

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	0.5
					Total Acres	0.5

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

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: _____

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: A63-04442
Date Received: 1/29/1990
Receipt No: W008036
Received By: DE ZOL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ODESSA EIDEMILLER 208-466-7333
Address: 815 7TH ST SOUTH
NAMPA ID 83651

2. Date of Priority: JUL 1, 1961

3. Source: EIDEMILLER DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	05W	2	NW	SW	NW		CANYON

5. Description of diverting works:
5 HP & 1 1/2 HP PUMPS, 8" & 1 1/4" PIPE, DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, LAWN & GARDEN IRRIGATION ONLY

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	05W	2	SW	NW		IRR	0.5

Section Acres 0.5

10. Place of Use: Continued

Total Acres 0.5

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

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: _____

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 FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. AC63-4442Date Received 1-29-90Receipt Number 4008036**RECEIVED** NOTICE OF CLAIM
TO A
WATER RIGHT

JAN 29 1990

Department of Water Resources
Western Regional OfficeACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

- Name of Claimant (s) Odessa Eidemiller Phone (208) 466-7333
Mailing Address 815 7th St South Nampa, ID Zip 83651
- Date of Priority (Only one per claim) 3/10/1956 Month/Day/Year
- Source of water supply (Check one) () Groundwater or Other () (a) Eidemiller Drain
Name or kind of source:
which is tributary to (b) Snake River
- Location of point of diversion is: Township 3 N Range 5 W
Section 2, NW 1/4 of SW 1/4 of NW 1/4, Govt. Lot , BM.,
County of Canyon
Additional points of diversion if any:
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 5 HP pump, 1 1/2 HP pressure pump with 6 inch pipe + 1 1/4 inch pipe respectively. Pumped to a feed ditch.
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For purposes from Month/Day to Month/Day amount (cfs)
(Both dates are inclusive)
For 200 purposes from 3/15 to 11/15 amount .02
- Total quantity claimed .02 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) use of lawn + gardens no horse use

MICROFILMED

JUL 25 1994

10. Place of use is: Township: 3 N Range 5 W
Section 2, SW 1/4 of NW 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

12. Do you own the property listed above as place of use? Yes ✓ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or _____

14. Remarks: locally known as Edemiller drain

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not ✓ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments _____

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

Signature of Claimant (s) Odessa Edemiller Date 1/26/90

Date _____

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

of _____, Title _____, that I have signed the foregoing
document in the space below as _____ Organization
Title _____ of _____ Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or Idaho)
County of Canyon) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 26 day of January 19 90

SEAL

Notary Public John K. Noyce

Residing at 15470 Homedale Rd. Red Lake, Idaho 83605

My Commission Expires Sept 21, 1994

Last Name Edemiller Ident No. _____

Copies: White-State, Yellow-Claimant

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JUL 25 1994

MEMO TO FILE

TO: A63-04442
FR: RON HOWERTON
DT: August 7, 1995
RE: DATE OF PRIORITY

1. Date of priority was incorrectly entered on computer copy. See original copy.
2. Corrected date, added claimed date.

DATE: 01/11/93
PAGE: 1

DIVERSION
VOLUME

0.14 CFS

0.14 CFS

Stage: STATUTORY CLAIM

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:      NESE  NWSE  SWSE  SESE
:      Lt AC  Lt AC  Lt AC  Lt AC
:      -----
:

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MICROFILMED
JUL 25 1994.

CONVERSATION MEMORANDUM

DATE 1-11-93FILE 2 Claims
AG3-5045 &
AG3-4442NAME OF PARTY Odeesa Edmiller
EMPLOYEE Linda WimmerRE: 2 claims filed as B.U. for which
stat claims were found

#1 - well (AG3-5045)

priority = 1910 vs (1907) (Stat)
usage = domestic vs dom. w/ 4 acres
1 home vs 2 homes - 1907
Single ownership

#2 - surface water (AG3-4442)

Source: Trib. E. Drain - Smoky vs
Comm Drain - Tangleway
priority = 1956 (C) vs (1961) (S)
w/ = $\frac{1}{2}$ (C) vs 7 ac (S)

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JUL 25 1994

12-1-92

CLAIMANT'S NAME

Edumiller, Odessa

CLAIM IDENT. NO.

AG3DATE RECEIVED 1-29-90 RECEIPT # W8036 FEE PAID \$ 25 FEE REQ'D \$ 25

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered? <u>7-1-1961</u>	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? ☒ *			
See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required) <u>N/A</u>	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered? <u>N/A</u>	☒	☐	
Is the consumptive use correct? <u>N/A</u>	☒	☐	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock? If multiple domestic, is single ownership indicated?	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered? <u>Canyon</u>	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) <u>N/A</u>	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? <u>N/A</u> If yes, compare claim w/existing right and attach proof report noting any differences in comments. If no, was water right no. found?	☒	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? <u>N/A</u> (If yes, attach a proof report & complete number change) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.	☒	☐	
18. If the claimant requested a monthly docket sheet, was the fee paid? <u>N/A</u>	☒	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time? (Check ML3 for date mailed-not all were mailed on the planned date) If no, was an extension of time filed & approved?	☒	☐	*
22. Is the fee enclosed correct? <u>Exempt</u>	☒	☐	*

MICROFILMED

JUL 25 1994

		YES	NO
23.	Is this claim being rejected and returned to claimant?	—	—
24.	Can this claim be data entered?	—	—
25.	Was claim modified?	—	—
	If yes, do modifications require notification to claimant? . . .	—	—
	Note: Modifications made must be explained in comments stating where the information for any changes was found.		

Claim reviewed by: LW Date
Claim data entered by: JN Date 3-4-93

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: _____

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

In Re SRBA) A. Subcase 63-4442
(Insert water right number)
)
Case No. 39576)
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

RECEIVED
JUN 19 2007
DEPARTMENT OF
LAND REVENUE
Name: Wilder Irrigation District
Address: 709 Cleveland Blvd
Caldwell, ID 83605
Daytime Phone: 208-459-3421

Name & Address of Attorney, if any:

Albert P. Barker
Barker Rosholt & Simpson, LLP
1010 W. Jefferson, Ste. 102, Boise ID 83702

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Odessa Eidemiller
Address: 815 7th St. South
Nampa, ID 83651

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☒ **Source**

Should be: The source should be described as waste waters, and waste waters belong to the Wilder Irrigation District.

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point of Diversion**

Should be: _____

6. ☐ **Instream Flow Beginning and Ending Point**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: Land Subject to Wilder Irrigation Water Right

10 ☐ **I object because:**

☒ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): There has been no lawful appropriation of this right. The description of the source should have been waste water. The waste waters belong to the Wilder Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Wilder Irrigation District. The place of use is covered by an existing Wilder Irrigation District water right, which is the primary water right for the place of use. Proposed wastewater remark does not sufficiently protect original appropriator.

F. VERIFICATION (must be completed)

State of Idaho)
County of Ada)ss.

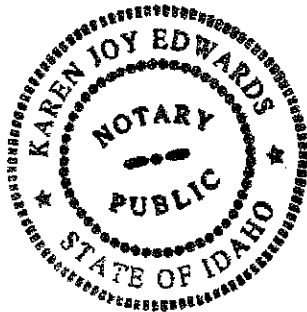
Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Albert P. Barker
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/18/07



Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 8/2/2012

Karen Joy Edwards

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on JUN 18 2007, 200__, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

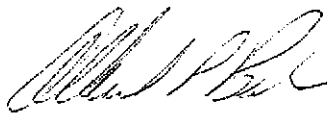
Name: Odessa Eidemiller
Address: 815 7th St. South
Nampa, ID 83651

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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



Signature of objector or attorney
mailing on Objector's behalf

UNITED STATES POSTAL SERVICE
SOUTHERN REGIONAL OFFICE
200 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED



COESSA EIDEMILLER
815 7TH ST SOUTH
Nampa ID 83651

RECEIVED

OCT 10 2006

WATER RESOURCES
WESTERN REGION

APT. 3 63-4442

UAF
C-12

12/10/2006

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

RIGHT NUMBER: 63-4442

NAME AND ADDRESS: ODESSA EIDEMILLER
815 7TH ST SOUTH
NAMPA ID 83651

SOURCE: UNNAMED DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 03/10/1956

POINT OF

DIVERSION: T03N R05W S2 NWSWNW Within CANYON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

03/01 11/15

0.020 CFS

Domestic use is for up to 1/2 acre lawn and garden irrigation.

PLACE OF USE: DOMESTIC in CANYON County

T03N R05W S02

SWNW

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

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

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Source is known locally as Eidemiller Drain.

04/17/2006

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

RIGHT NUMBER: 63-4442

NAME AND ADDRESS: ODESSA EIDEMILLER
815 7TH ST SOUTH
NAMPA ID 83651

SOURCE: UNNAMED DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 03/10/1956

POINT OF DIVERSION:

T03N R05W S2 NWSNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	03/01 11/15	0.020 CFS
Domestic use is for up to 1/2 acre lawn and garden irrigation.		

PLACE OF USE: DOMESTIC Within CANYON County

T03N R05W S02 SWNW

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Source is known locally as Eidemiller Drain.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4442

WATER RIGHT NUMBER: 63-4442 ✓

Owner Type Name and Address
 Current Owner ODESSA EIDEMILLER
 815 7TH ST SOUTH
 NAMPA, ID 83651
 (208)466-7333
 Original Owner ALBERT EIDEMILLER
 RT 1
 WILDER, ID 83676

Priority Date: 03/10/1956 ✓
 Basis: Beneficial Use
 Status: Active

Source
 EIDEMILLER DRAIN

Tributary
 SNAKE RIVER

Beneficial Use
 IRRIGATION

From To
 3/15 to 11/15

Diversion Rate
 0.020 CFS ✓

Annual Volume

Total Diversion: 0.020 CFS ✓

Location of Point(s) of Diversion

EIDEMILLER DRAIN

NW1/4SW1/4NW1/4 ✓

Sec. 2, ✓

Twp 03N, Rge 05W, S. 1M. ✓

CANYON County

Place of Use
 IRRIGATION

domestic

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	05W	2	NE	NW	SW	SE	
					.5		.5

Total Acres: 0.5

Conditions of Approval:

Remarks:

Comments:

- ① Claimed on domestic form w/ \$25.00 fee -
- ② No evidence of priority req'd.

*in office review -
 Kew
 4/17/06*

Source known locally as

unnamed drain per topo's X39 X53

per arc view allow for season of use for down & gator

Domestic

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4442

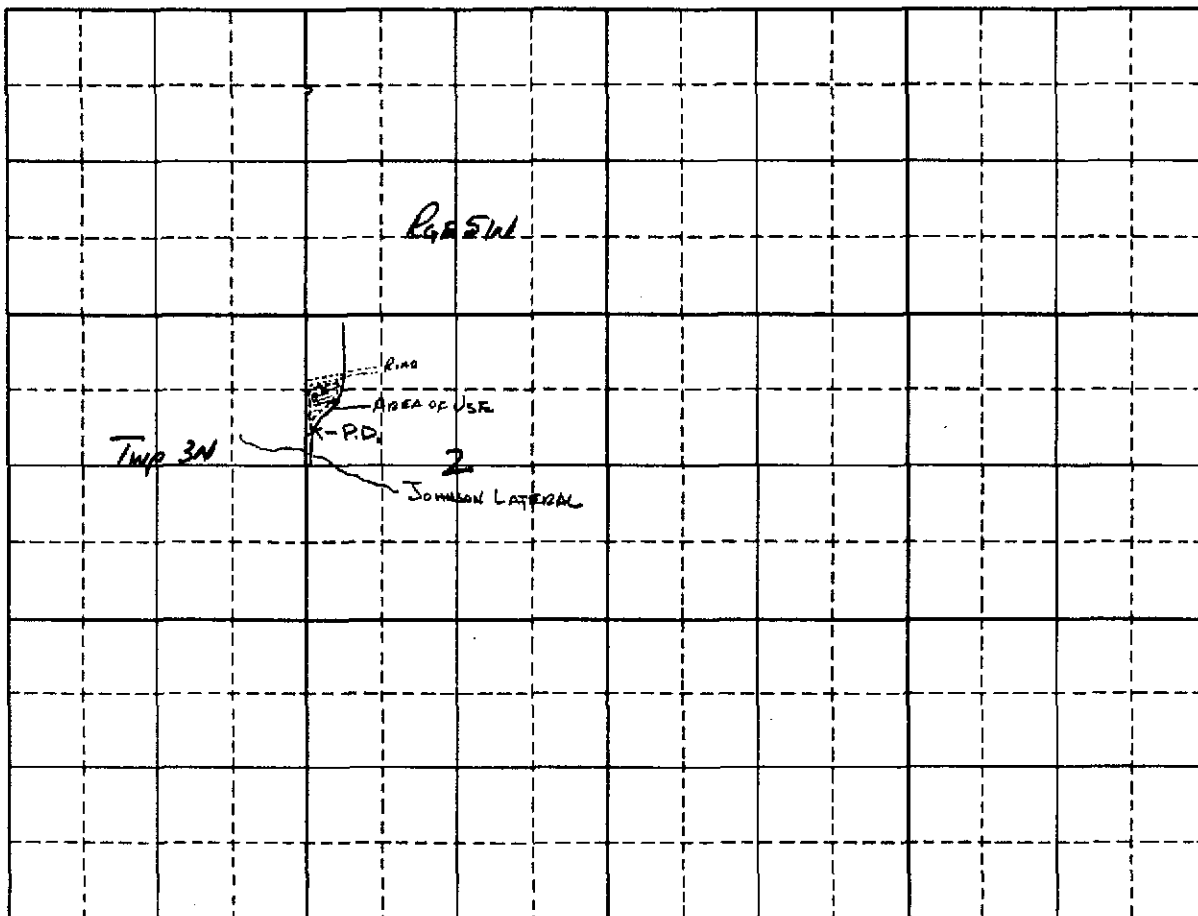
03/29/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
4442	Claim	03N	05W	2	SW	NW		IRRIGATION	0.5/0.5	ODESSA EIDEMILLER
4442	Water Right	03N	05W	2	SW	NW		IRRIGATION	5/7	ODESSA EIDEMILLER
5045	Water Right	03N	05W	2	SW	NW		DOMESTIC		ODESSA EIDEMILLER

NO OL

(8) Remarks



Scale: 2 inches equal 1 mile.

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.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 24th day of March, 19 77
Alfred E. Miller (Claimant)
Lyle Glen Saxton Notary Public
Residing at Boise, Idaho
My commission expires 11-25-78

For Department Use Only

Received by RLH Date 3-24-77 Exception filed by: _____ Date _____
Prelim. check by RLH Date 3-24-77 Forwarded to claimant by: _____
\$10.00 fee received by RLH Date 3-24-77 # 7264
Approved for publication by _____
Published in Newspaper _____
Dates April 7 + 14, 1977 _____

Receipt Details for ID W008036

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/29/1990 12:55:45 PM	1/29/1990	Western	\$50.00	Check
Payer		EIDEMILLER, ODESSA		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1725			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$50.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	4442		\$25.00	Claim
63	5045		\$25.00	Claim

← limit to domestic - up to 13,000 gpd.

Print Report

Idaho Department of Water Resources

Claim Number: 63-04442

Legal: T03N, R05W, S2

Reviewed By: *kw* 4/17/2006

⊙ Point of Diversion



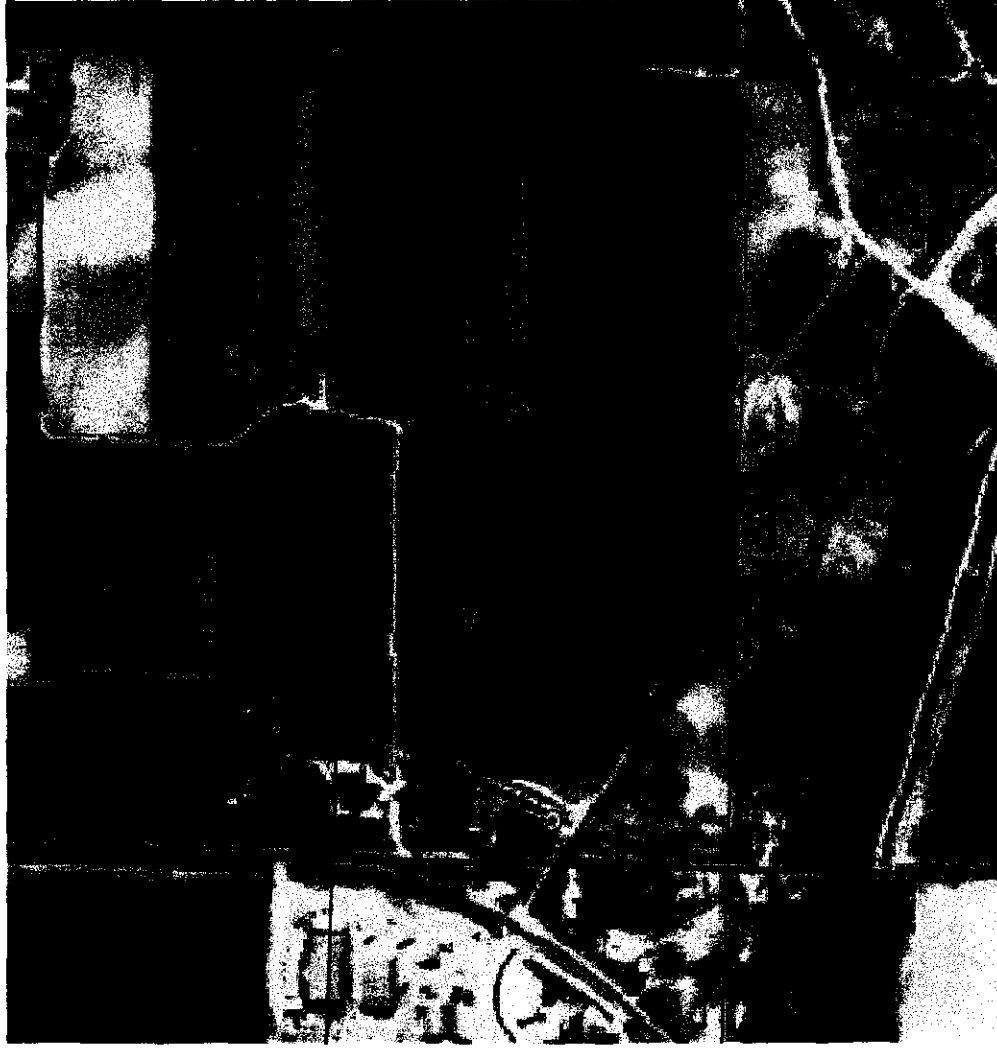
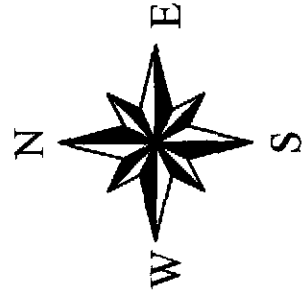
Place of Use



Section Lines



Quarter Quarter Lines



1987 Napp Photo

0 0.25 0.5 Miles

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 63-04442 Date: 7-5-00

Overlapping POU Claim #'s: _____

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3N	5W	2							.5										.5
GIS										.5										.5
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 174

POD_ID #(s): 150

Total Claimed Acres: .5

Total GIS Acres: .5

COMMENTS:

per claim drawing



State of Idaho DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

August 7, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Dennis McArther or Current Owner
2606 San Marco Way
Nampa Id 83686

Ref: New Ownership Change Form: For Adjudication Claim A63-04442

Dear Owner:

1. Your domestic lawn & garden irrigation from the Eidemiller Drain has been filed on in the SRBA Adjudication by a prior owner Odessa Eidemiller. The claim to this water right needs to be correctly filed in the most current owner(s) name to the District Court.
2. This form has been sent to you, to assist you as the new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code.
3. Odessa Eidemiller called our office July 20, 1995 to notify our Department of the sale of this property to you.
4. PLEASE FILL IN THE REQUIRED INFORMATION ON THIS FORM AND ATTACH PROOF OF OWNERSHIP OF THE PROPERTY SOLD TO YOU, SUCH AS THE WARRANTY DEED AND/OR A TAX NOTICE WITH THE PARCEL # ON IT, THEN RETURN THIS INFORMATION TO US ASAP!!
5. When the ownership form has been returned with the required information, a new copy of this claim will be sent to you in your name(s).
6. The Department will contact you in the future concerning any additional requirements that may be needed in order to process this claim for final court decree.
7. See the instructions on the back of this form for further information about completing it.
8. Enclosed is a copy of the Adjudication claim (proof reading report) that the original owner had filed. It's for your records.

If you have any questions concerning this letter or the Adjudication Claim, please feel free to contact this office.

Sincerely,

Ron Howerton
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

EVIDENCE OF
PRIORITY
WATER RIGHTS
FOR DOMESTIC
LAWN & GARDEN
IRR.

LEAVE IRR
SEASON DATES
ON DOMESTIC
USE ON R.P.R.G.

7-20-92 at ^{store} office
per Vickie →

A63-04442

Odessa Idamiller

Sold to

Dennis McArthur

2606 San Marco Way
Tampa 83686

Flowerston

kw



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 7, 1995

A63-04442
ODESSA EIDEMILLER
815 7TH ST SOUTH

NAMPA

ID 83651

Re: Claim No(s). A63-04442

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have 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 the historical use of water for a beneficial 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 under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

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. 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 Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by September 1 1995, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

lh

Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

[March 4, 1993]
Odessa Eidemiller
815 7th St. South
[Nampa, ID 83651]

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Dear Claimant(s):

We have processed your Notice(s) of Claim to a Water Right filed in the Snake River Basin Adjudication.

In the initial review of this claim(s) we found it necessary to either complete or change an item or items on your claim form(s). A copy of the computer generated copy with these changes and Receipt No. W8036 are enclosed. Only the item(s) shown below with a checkmark have been either changed or added to your claim(s).

[2 Claims]

SEE NEXT PAGE

Item #2 - Only a portion of your priority date was listed. This item requires a month, day and year. We have added in the required information based on the Department's rules for dates of priority.

Item #4 - The point of diversion appears to be incorrectly described or not described at all. Based on other information provided which included your legal description, we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, enclosed is a copy of the subdivision map from which we computed the quarter-quarter legal description.

Item #5 - No description of diverting works was listed. Because the source was described as a groundwater source, we have completed this item with well, pump and pipeline. If your groundwater source is not a well, please notify us.

Item #6 - The period of use is not listed for the use(s) claimed. The Department has recommended periods of use for certain uses. The recommended period of use has been added to your claim.

MICROFILMED
JUL 25 1994

- Item #7 - The total quantity claimed was not completed. The use(s) claimed have been added together and this amount added to your claim.
- Item #9 - The number of homes was not listed on your claim. It appears to be filed for one domestic home and this information has been added to your claim.
- Item #10- The place of use appears to be incorrectly described, or not described at all. Based on other information submitted we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, we have enclosed a copy of the subdivision map from which we computed the quarter-quarter legal description. Or, if you have listed a quarter-quarter legal description under Item No. 4, we have listed this same quarter-quarter, section township and range on this item.
- Item #12- The ownership of the place of use has not been marked. We have assumed you own the place of use and this information has been added to your claim.
- Item #15- Basis of Claim was not completed. No previously recorded water rights were found, therefore, we have marked beneficial use of the water as the basis for filing this claim.

X other Per our phone conversation of 1-11-93. The enclosed claims
represent the modifications based on statutory claims 63-4442 &
63-5045 affecting priority date, number of homes & or irrigated acres.

If you have any problems or questions concerning these additions and/or changes, please contact this office within 30 days from the date of this letter. If we do not hear from you within this time, we will assume you agree with these changes, and your claim will remain on file as shown on the enclosed data entered copy.

Sincerely,

Linda Werner
Adjudication Staff

Department of Water Resources
Western Region Office

Enclosures

SPECIAL NOTE: IF YOU NO LONGER OWN THE PROPERTY UPON WHICH THIS CLAIM WAS FILED, PLEASE CONTACT THIS OFFICE IMMEDIATELY. IDAHO STATE LAW REQUIRES THE DEPARTMENT BE NOTIFIED OF A CHANGE OF OWNER OR ADDRESS ON A WATER RIGHT.

MICROFILMED

JUL 25 1994

Bob
RAYMOND L. GIVENS
RAYMOND D. GIVENS

GIVENS AND GIVENS
ATTORNEYS AT LAW
COLUMBIA BUILDING, 500 WASHINGTON STREET
P. O. BOX 964
BOISE, IDAHO 83701

RECEIVED
MAY 31 1977

Department of Water Resources
Western Regional Office

May 26, 1977

63-4442

Mr. C. Stephan Allred,
Director
Idaho Department of Water Resources
92 South Cole Road
Boise, Idaho 83705

Re: Permit No. ~~63-4442~~ in the name of
Albert &/or Odessa Eidemiller, Route
1, Wilder, Idaho

Dear Mr. Allred:

We file herewith, on behalf of the Boise Project Board of Control, objection to a permit as follows:

Permit No. 63-4442 in the name of
Albert &/or Odessa Eidemiller, Route
1, Wilder, Idaho

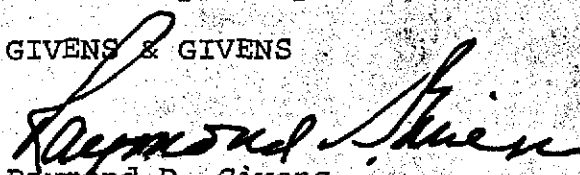
The Eidemiller drain is a part of the irrigation works of the Boise Project Board of Control, which is generally described as the transferred works operation and control of which, by contract, was transferred to the Boise Project Board of Control.

The drain, as well as other irrigation works of the Boise Project Board of Control, is the property of the United States of America. The waters developed by this drain are waters developed by the Project and, in part, used upon Project lands and therefore are not true waste waters subject to such application.

The Boise Project Board of Control, therefore, requests that the permit above noted be denied.

Yours very truly,

GIVENS & GIVENS


Raymond D. Givens

RDG:sg