

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: A63-03507
Date Received: 2/08/1990
Receipt No: 100 5805
Received By: JAC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: E.E. ESKEW 208-459-9420
Address: 4812 S. INDIANA AVE.
CALDWELL, ID 83605
AND/OR
Name: JESSIE I. ESKEW 208-459-9420
Address: 4812 S. INDIANA AVE.
CALDWELL, ID 83605

2. Date of Priority: MAY 11, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03W	3	SE	NE	SE		CANYON

5. Description of diverting works:
10" CASING 65' DEEP WITH 10 HP. MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		

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

8. Total consumptive use is 70.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A63-03507

Page 1

Date: 02/08/90

MICROFILMED

AUG 19 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	03W	3	NE	SE	IRR	20.0
Section Acres						20.0
Total Acres						20.0

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:
SHARES IN PIONEER IRR. DIST.

14. Remarks:
THIS IS A NEW WELL WITHIN THE SAME 1/4-1/4, DRILLED IN 1988 AND REPLACES THE OLD WELL.

15. Basis of Claim: LICENSE
Water Right Number: 32878

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 X 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):

E. E. Eskew

Date:

Feb 8

Fessie J. Eskew

Date:

State of Idaho

)

SS.

County of

Canyon

)

Subscribed and sworn (or affirmed) before me this 8 day

of

Feb. 19 90

John Dal Lash
Notary Public

Seal

Residing at

Boise Id

My Commission Expires

4/2/94



Copies Of These Maps Can Be Obtained
At Bonneville Blue Print, Boise Idaho

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, MENLO PARK, CALIF 94025

MICROFILMED
AUG 19 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

October 27, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

EE ESKEW &/OR JESSIE I ESKEW
4812 S INDIANA AVE
CALDWELL ID 83605

RE: Preliminary Recommendations for Claims 63-3412 and 63-3507

Dear Claimants:

Enclosed are updated GIS layouts of the preliminary recommendations for the above referenced claims. Please note that I have corrected the location of the wells pursuant to our visit at the public meeting on October 18th.

If you have any other questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is fluid and cursive, with the first name "Kay" and last name "Walker" clearly distinguishable.

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

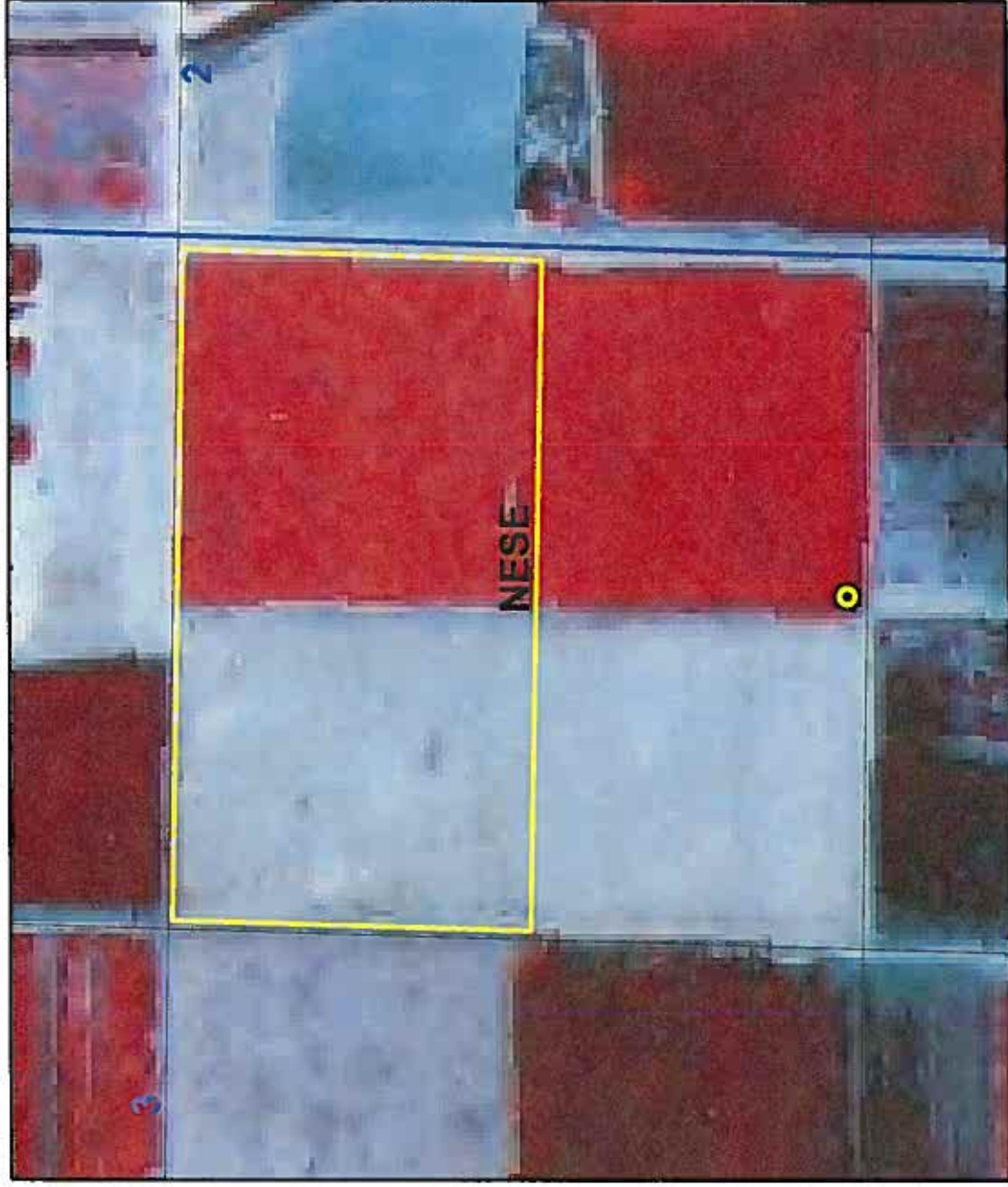


Idaho Department of Water Resources

SRBA Recommendation:

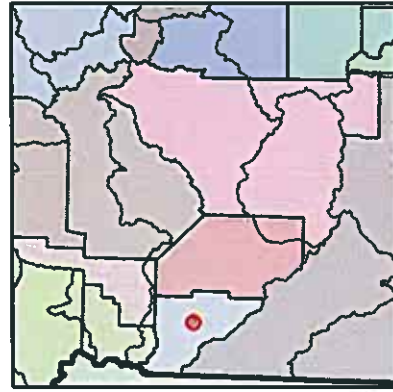
63-3507
(Irrigation)

R03W



Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63



Prepared by K. Walker
On Friday, October 27, 2006
1987/88 Aerial Photography

09/29/2006

**NOTICE OF ERROR
REPLY**

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-3507

EE ESKEW
4812 S INDIANA AVE
CALDWELL ID 83605
Telephone Number: (208)459-9420

JESSIE I ESKEW
4812 S INDIANA AVE
CALDWELL ID 83605
Telephone Number: (208)459-9420

RECEIVED

OCT 18 2006

DEPARTMENT OF WATER RESOURCES

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

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

*Location is not Accurate
note change on map.*

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

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

Other than note

DATE: Oct. 12, 06 SIGNATURE: Jessie I. Eskew
Please print your name: Jessie I. Eskew

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

*Revised -
kw
10/24/06*



Idaho Department of Water Resources

SRBA Recommendation:

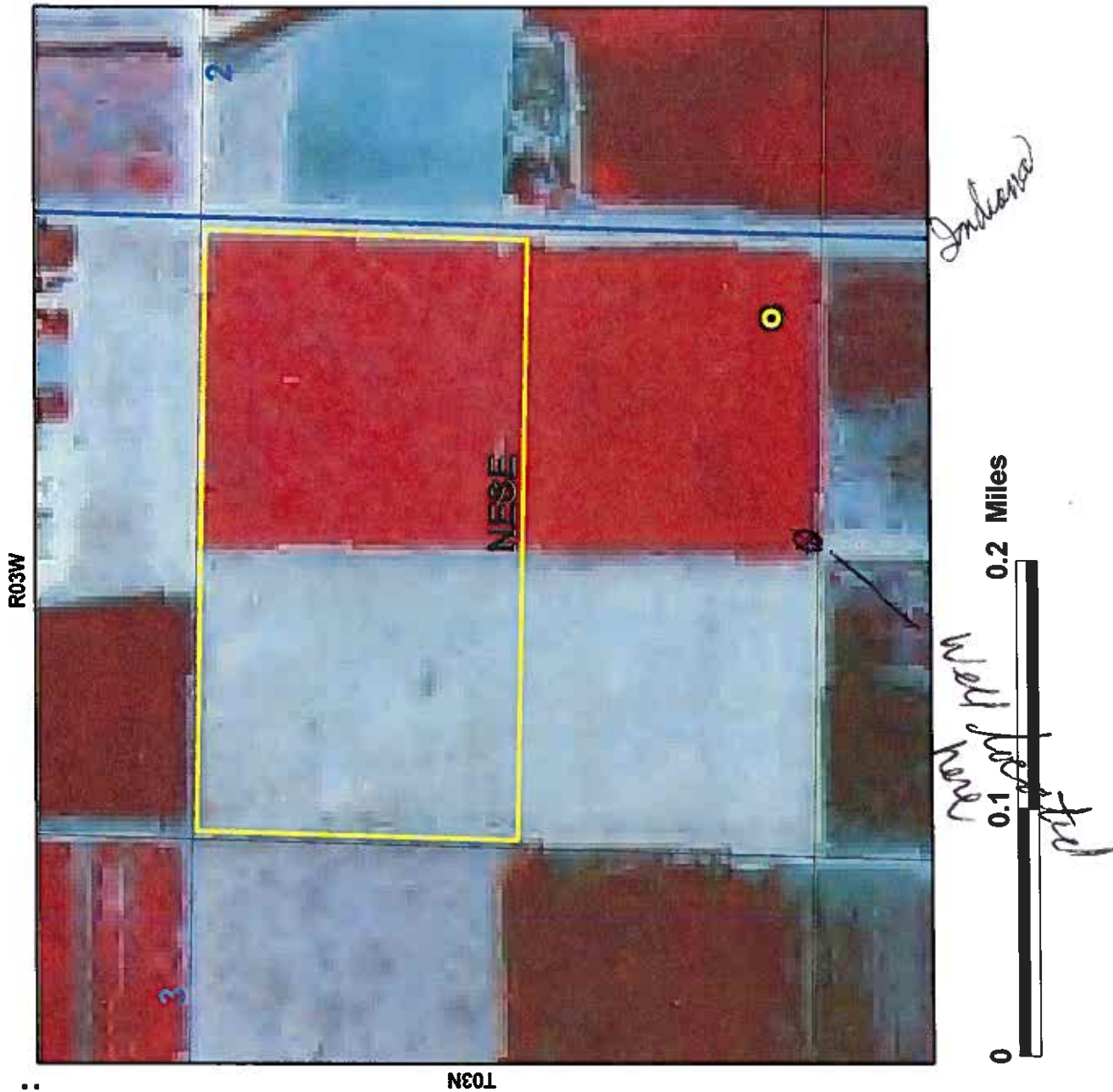
63-3507

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63



Prepared by K. Walker
On Wednesday, August 30, 2006
1987/88 Aerial Photography

08/30/2006

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

RIGHT NUMBER: 63-3507

NAME AND ADDRESS: EE ESKEW
4812 S INDIANA AVE
CALDWELL ID 83605

JESSIE I ESKEW
4812 S INDIANA AVE
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.400 CFS
90.000 AFY

PRIORITY DATE: 05/11/1966

POINT OF DIVERSION:

T03N R03W S3 SENESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.400 CFS 90.00 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T03N R03W S03 NESE 20.00

20 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Use of this right is combined with water from Pioneer Irrigation District.



Idaho Department of Water Resources

SRBA Recommendation:

63-3507

Acres = 20

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63



R03W



T03N

0 0.1 0.2 Miles

Prepared by K. Walker
On Wednesday, August 30, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3507

WATER RIGHT NUMBER: 63-3507

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JESSIE I ESKEW 4812 S INDIANA AVE CALDWELL, ID 83605 (208)459-9420
Current Owner	EE ESKEW 4812 S INDIANA AVE CALDWELL, ID 83605 (208)459-9420
Original Owner	~~B D M PARTNERSHIP C/O C A DAVENPORT PO BOX 787 CALDWELL, ID 83605~~

Priority Date: 05/11/1966

Basis: License

Status: Active

Source

GROUND WATER

Beneficial Use

IRRIGATION

Not on Lic
Rec. Standard
Season

From To

3/15 to 11/15

Diversion Rate

0.400 CFS

Total Diversion:

0.400 CFS

Annual Volume
 $20 \times 4.5 = 90 \text{ AFA}$
Location of Point(s) of Diversion

GROUND WATER

CANYON County

SE1/4NE1/4SE1/4

Sec. 3,

Twp 03N,

Rge 03W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
03N	03W	3	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	20.0
																		20.0	

Total Acres: 20

Conditions of Approval:

- THIS IS A NEW WELL WITHIN THE SAME 1/4-1/4, DRILLED IN 1988 AND REPLACES THE OLD WELL.

Remarks:

Pioneer-W40
765

Claimed as
licensed - in
office verification
by PW 8/30/04

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3507

WATER RIGHT NUMBER: 63-3507

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	B D M PARTNERSHIP C/O C A DAVENPORT PO BOX 787 CALDWELL, ID 83605

Priority Date: 05/11/1966

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.400 CFS	
	<u>Total Diversion:</u>	0.400 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 3, Twp 03N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Tw	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	03W	3													20.0				20.0

Total Acres: 20

Conditions of Approval:

Remarks:

Comments:

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3507**

03/09/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
3507	Claim	03N	03W	3	NE	SE		IRRIGATION	20/20	JESSIE I ESKEW
3507	Water Right	03N	03W	3	NE	SE		IRRIGATION	20/20	B D M PARTNERSHIP
10679	Water Right	03N	03W	3	NE	SE		IRRIGATION	19/19	JESSIE ESKEW

Receipt Details for ID M005805

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/8/1990 4:01:43 PM	2/8/1990	Mobile	\$182.00	Check
Payer		ESKEW, E.E. OR JESSIE		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2203			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$182.00	ADJUDICATION FEE	410162	9337	00		6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	3412		\$87.00	Claim
63	3507		\$70.00	Claim
63	20784		\$25.00	Claim

OK

Print Report

License and Certificate of Water Right

THIS IS TO CERTIFY that B. D. M. Partnership

Description and location of use:

832878

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-32878

This proof is for Comp. of Works & Beneficial Use In Water District No. _____

1. Name of applicant B.D.M. Partnership

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the N¹/2 NE¹/4 Sec. 3 of Section 3

T. 3 N R. 3 W County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: _____

5. Water is used for: Irrigation (supplemental)

6. State whether or not water has been turned into works of diversion: _____

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

N¹/2 NE¹/4 Sec. 3, T. 3 N, R. 3 W, B.M.

(20 acres)

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

Mr. HARVEY WILMERS CONTACTED (NEIGHBOR)
UNABLE TO CONTACT C. D. DAUMPORT

STARTING WATER USED
 $Q = \frac{100}{147} = .68 \text{ c.f.s.}$

This examination was made on the _____ day of Oct, 1967

(Signed) DR Examiner.

G-32878

Plat 1
DW

B.O.M. Partnership
Box 787
Caldwell, Idaho
Permit No. G-32878

C. A. Davenport, Agent
Box 787
Caldwell, Idaho

Examination for Comp. of Works & Beneficial Use

County Canyon

Dunn & Seed Co.
Caldwell Street

Quantity: 0.5 c.f.s.
Sec 3 T.3N R.3W

63-

Source: Subterranean

THA
TACU 221

P.D.: W&E&S&K, Sec. 3, T. 3 N, R. 3 W, B.M.

SUBMERGIBLE

Use: Irrigation (supplemental)

556X1-S
W&E 208
-100

Extension:

4" DISCHARGE - 10'

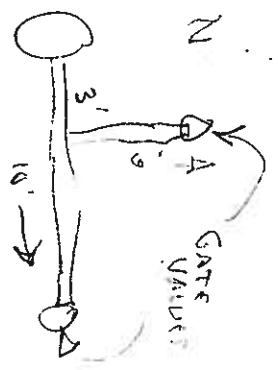
Protest:

INTO CONCRETE
OUTLET BOX

Completion of Works:

Other Rights: Twenty inches

Filed: May 11, 1966



Due: May 12, 1967
Made: May 11, 1967

METER # 2-1217

Priority: May 11, 1966

PRODUCES 35"

SPRING

INSTRUCTIONS TO EXAMINERS

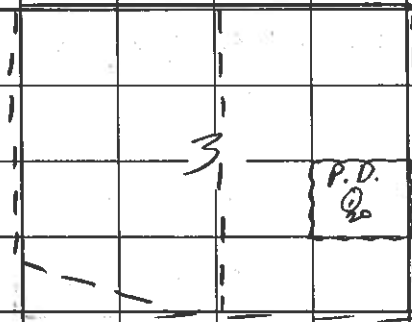
1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

h32878

Rge. 3W.

To Wampa

Twp. 3N.



20

AREA - 20

SUBD - 1

Q - .40 c.f.s.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-32878

~~REPORT ON PROOF OF Completion of Works & Beneficial Use~~

422878

50
E1

3

163

30
G

CH12

4
2
9
10

F3
53

E1
40
E2
86
D2
7.7

E3
91

E
8.7

D
3.9

C
4.7

D1
7.0

C
6.5

B
7.0

A
2.1

CH14

A
17.7

CH13
4.3

D
1.6

C
16.6

CH13
2.2

D
1.2

E
4.0

B
15.3

A
8.6

A
9.3

A
9.0

B
2.9
7.2

PD

G-5 (S) 8.21

PA 59
B16.1

B
10.3

A
8.0

B16.2

A
14.2

C
11.1

B16.7

D
3.6

10

L. 22070

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

63-3507
63-D
B.D.M. Partnership
% C.A. Davenport, Agent
Box 787, Caldwell, Ida. 8360
telephone 859-8243

Application No. G- 41049
Permit No. G- 32878
District No.

1. Name of Applicant: B. D. M. Partnership
Postoffice address: Box 787, Caldwell County: Canyon State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second .5 or Idaho
Miners' inches 25 or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the N¹/₂NE ¹/₄ of the SE ¹/₄ of Section 3
Twp. 3 N , Rge. 3 W. , B.M., County of Canyon
5. Water is to be used for: irrigation (supplemental)
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the ¹/₄ of the ¹/₄ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the ¹/₄ of the ¹/₄ of Section , Twp. , Rge. , B.M.
7. Kind of works: rotary drilled well, 8" casing at estimated 50 foot depth.
8. Estimated cost of works: \$ 1,200.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is
years. one
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Twenty (20") inches.
 - (a) 20 (~~cubic feet per second~~ inches ~~or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) none (cubic feet per second, inches or gallons per minute) is for new lands.

Present water rights on our twenty (20) acres is twenty (20"). However, under the present rotating plan of water use, we get water every twelve days, for a period of two days. We are only able to farm ten acres out of twenty acres at the present time.

Remarks: We have leased this twenty acres of land to the O. & G. Seed Company of Caldwell, Idaho, and they are using this land for a Sweet Corn Nursery and Experimental Farm. We need the additional twenty inches of water for the proposed well in order to ensure the O. & G. Seed Company of adequate water supply to supplement that water provided by the Pioneer Irrigation District. The proposed well will provide continuous water during the twelve-day rotating interval, if needed.

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

B.D.M. Partnership

Applicant

By /s/ C. A. Davenport, Agent

/s/ C.A.D.

Date of first receipt at Department of Reclamation: May 11, 1966 8:00 A.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 32878

Recorded in Book 115 Page 32878 Approved May 12, 1966

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

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before November 12, 1966

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before May 12, 1967

Witness my hand this 12th day of May, 1966.

/s/ CARL E. TAPPAN
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLYE, Governor of the State of Idaho, and LOUIS E. CLAPP, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 12th day of May, 1966.

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ LOUIS E. CLAPP
Secretary of State.

By /s/ ROBERT E. SMYLYE
Governor

12.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	3W	3	PERMIT NO. G-32878 CERTIFICATE OF COMPLETION OF WORKS ✓																20 ACRES
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that B.D.M. Partnership of Caldwell, County of Canyon, and State of Idaho, the holder of Permit No. G-32878, issued upon Application No. G-41049 bearing date of priority of May 11, 1966, authorizing the diversion of 0.5 second feet of waters of a well County of Canyon, State of Idaho, for supplemental irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.4 second feet of the waters of a well from subterranean flow that the point of diversion of said waters is in the NE 1/4 SE 1/4 Section 3, Township 3 North, Range 3 West, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:																			
N 1/2 NE 1/4 SE 1/4 Section 3, Township 3 North, Range 3 West, Boise Meridian.																			
Proof of completion of works made: May 11, 1967																			
Witness my hand this 24 day of April, A.D. 1968.																			
/S/ Jack A. Barnett Deputy State Reclamation Engineer																			
LICENSE ISSUED FOR 0.4 SEC. FT. LICENSE PAGE NO. 32878																			