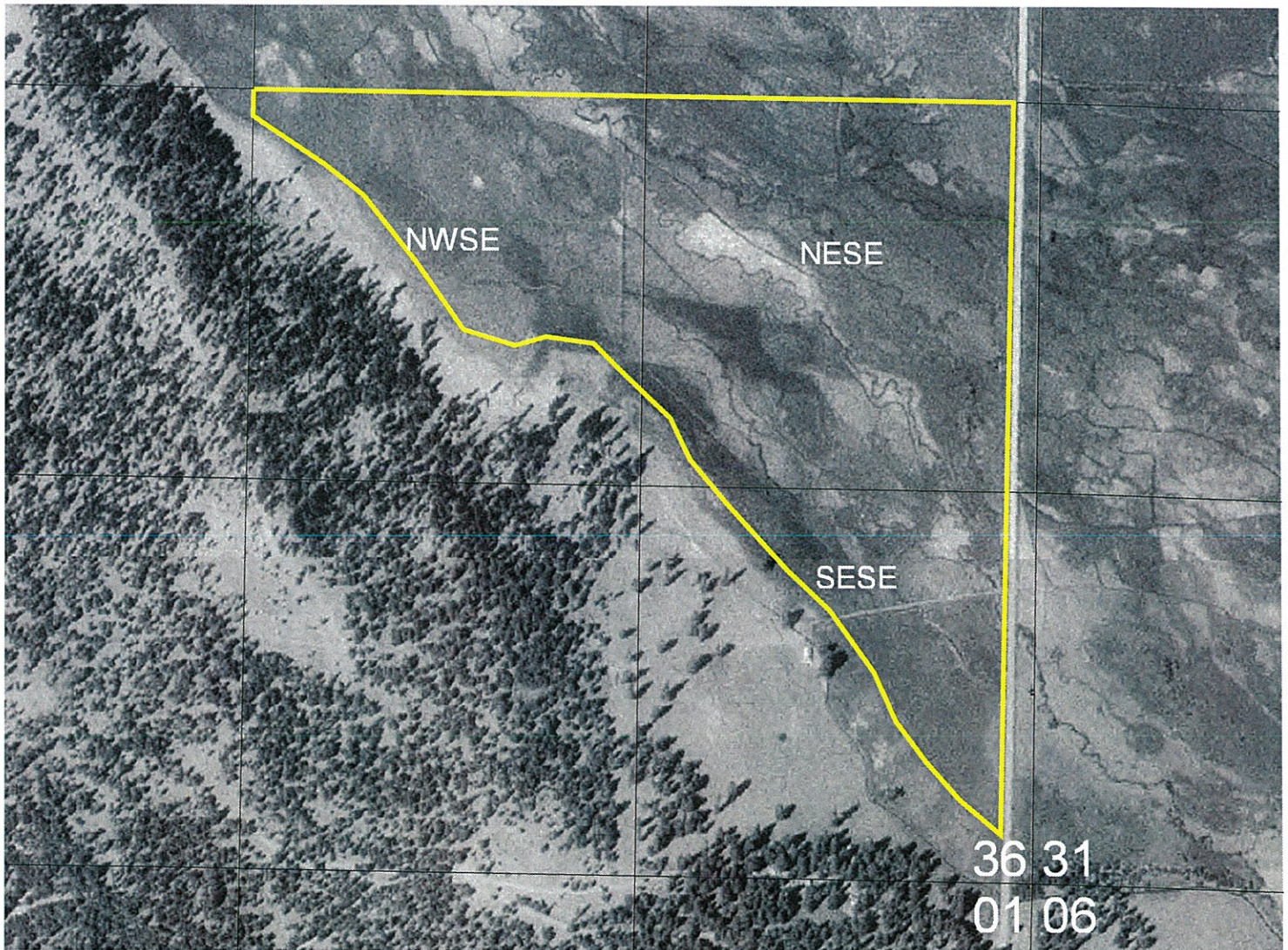
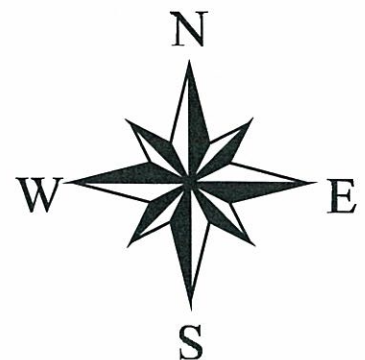


78-128A 78-10181A & 78-10182A



T19N R01E S36

Map prepared by: Carter Fritschle
Date prepared: 04/20/05
Digital Orthophotoquad - 1992 Photography
Idaho Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 78-128A

04/20/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
78-128A	Claim	19N	01E	36	NE	SE		IRRIGATION	40/68.3	DONALD J WALKER
78-10181A	Claim	19N	01E	36	NE	SE		IRRIGATION	40/68.3	DONALD J WALKER
78-10182A	Claim	19N	01E	36	NE	SE		IRRIGATION	40/68.3	BARBARA WALKER
78-128	Water Right	19N	01E	36	NE	SE		IRRIGATION		ELLIS B SNOW
78-2085	Claim	19N	01E	36	NE	SE		IRRIGATION FROM STORAGE	40/6042.8	BRUNDAGE WATER USERS ASSN INC
78-128A	Claim	19N	01E	36	NW	SE		IRRIGATION	15/68.3	DONALD J WALKER
78-10181A	Claim	19N	01E	36	NW	SE		IRRIGATION	15/68.3	DONALD J WALKER
78-10182A	Claim	19N	01E	36	NW	SE		IRRIGATION	15/68.3	BARBARA WALKER
78-128	Water Right	19N	01E	36	NW	SE		IRRIGATION		ELLIS B SNOW
78-2085	Claim	19N	01E	36	NW	SE		IRRIGATION FROM STORAGE	15/6042.8	BRUNDAGE WATER USERS ASSN INC
78-128A	Claim	19N	01E	36	SE	SE		IRRIGATION	13.3/68.3	DONALD J WALKER
78-10181A	Claim	19N	01E	36	SE	SE		IRRIGATION	13.3/68.3	DONALD J WALKER
78-10182A	Claim	19N	01E	36	SE	SE		IRRIGATION	13.3/68.3	BARBARA WALKER
78-128	Water Right	19N	01E	36	SE	SE		IRRIGATION		ELLIS B SNOW
78-2085	Claim	19N	01E	36	SE	SE		IRRIGATION FROM STORAGE	13.3/6042.8	BRUNDAGE WATER USERS ASSN INC

DATE: 11/27/98
PAGE: 1

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

04/19/2005

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

RIGHT NUMBER: 78-128A

NAME AND ADDRESS: DONALD J WALKER
3545 9TH DR
BAKER CITY OR 97814-1529

BARBARA WALKER
3545 9TH DR
BAKER CITY OR 97814-1529

SOURCE: BIG CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.850 CFS

Right Nos. 78-128A and 78-10182A are limited to a total combined diversion rate of 1.37 cfs.

Right Nos. 78-128A, 78-10181A and 78-10182A are limited to a total combined diversion rate of 2.22 cfs.

PRIORITY DATE: 05/01/1907

POINT OF DIVERSION:

T18N R02E S8 SENW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.850 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T19N R01E S36	NESE	37.0	T19N R01E S36	NWSE	18.0
T19N R01E S36	SESE	13.3			

68.3 ACRES TOTAL

Right Nos. 78-128A, 78-10181A and 78-10182A are limited to the irrigation of a combined total of 68.3 acres in a single irrigation season.

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: Decreed

Use of this right is combined with water from Brundage Water Users Association.



RECEIVED

State of Idaho

NOV 19 1998

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

November 5, 1998

KARL J. DREHER
DIRECTOR

DONALD AND BARARA WALKER
3545 9TH DR
BAKER CITY OR 97814-1529

Re: Snake River Basin Adjudication (SRBA)
Water Right A78-00128A, A78-10181A, A78-10182A & A78-10183
Change of Address

Dear Claimants:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by November 24, 1998. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

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

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

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

Donald Walker
Claimant Signature

(541) 523-0851
Telephone No.

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: **A78-00128A**
Date Received: 5/17/1988
Receipt No: X777777
Received By: _____

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

1. Name: DONALD J WALKER 208-549-1154
Address: 720 JENKINS CREEK RD
WEISER ID 83672
OR
Name: BARBARA WALKER
Address: 720 JENKINS CREEK RD
WEISER ID 83672
2. Date of Priority: MAY 1, 1907
3. Source: BIG CREEK Trib. to: LITTLE SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	02E	8		SE	NW		ADAMS
5. Description of diverting works:
CEMENT HEADGATE 2 MILE DITCH
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/15	09/01	0.850		
7. Total Quantity Appropriated is:
0.850 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
19N	01E	36	NE		SE		IRR	40.0
			NW		SE		IRR	15.0
			SE		SE		IRR	13.3
							Section Acres	68.3
							Total Acres	68.3

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

787077, 787263, AND FLOOD WATER FROM GOOSE CREEK

14. Remarks:

THIS WATER IN THE J. C. LEVANDER DITCH.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ROSE SCHIELER

Decree Plaintiff

CHARLES A. WYMAN ET. AL.

vs Decree 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: _____

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 _____

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: N/A

LEGAL DESCRIPTION OF PROPERTY: Township 19N Range 1E
Section 36, SE 1/4 of S 1/2 of NE 1/4, Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) Assigned by IDWR: A78-00128, A78-10181, A78-10182

☐ Name and Address of Former Owner/Claimant(s)(Seller): DONALD J. & BARBARA WALKER

☐ New Owner/Claimant (Purchaser):

220 JENKINS
WEAVER, ID 83672
DONALD R. & DR JERMA ANN EBERLE

☐ New Mailing Address:

PO BOX 1091
MCCALL ID
83638

☐ New Telephone Number: 208 634-3092 (SON) 355-2625

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

PER ATTACHED WARRANTY DEED.
SE 1/4 NW 1/4, S 1/2 NE 1/4, S. 36, T. 19N, R. 1E.
120 ACRES.

☐ Attach proof of ownership, describe proof attached:

WARRANTY DEED - COPY

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) Jerma Ann Eberle Date 9-18-95

Date

☐ Signature of Former Owner/Claimant(s): _____ Date _____

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources

WARRANTY DEED

For Value Received

Donald J. Walker and Barbara Walker, husband & wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Donald R. Eberle and Selma Ann Eberle, husband & wife
 and Glen Richard Eberle, a single man
 P.O. Box 1091
 McCall, ID 83638

Hereinafter called the Grantee, the following described premises situated in Adams County, Idaho, to-wit:

120 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, T19N, R1E, Section 36

Subject to current years taxes, irrigation district assessment, public utility easements, subdivision restriction & U.S. patents reservations.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: Dec. 19, 1988

Donald J. Walker
 Donald J. Walker

Barbara Walker
 Barbara Walker

STATE OF ~~IDAHO~~ COUNTY OF ~~ADAMS~~ VALLEY

On this 19th day of DECEMBER, 1988,
 before me, a notary public in and for said State, personally appeared

DONALD J. WALKER and
 BARBARA WALKER

to me to be the persons whose names are
 subscribed to the within instrument, and acknowledged
 that they executed the same.

Michael R. Anderson
 Notary Public
 McCall, Idaho.

STATE OF IDAHO, COUNTY OF Adams

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

at _____ minutes past _____ o'clock m.,
 this _____ day of _____
 19____, in my office, and duly recorded in Book
 of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$
 Mail to:

Instrument No.

My Commission Expires: Oct. 9, 1992

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: A78-00128

Date Received: 5/17/1988

Receipt No: M 0000006

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD J. WALKER 208-549-1154
Address: 720 JENKINS CREEK RD.
WEISER, ID 83672
OR
Name: BARBARA WALKER
Address: WEISER, ID
2. Date of Priority: MAY 01, 1907
3. Source: BIG CREEK Trib. to: LITTLE SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	02E	8		SE	NW		ADAMS
5. Description of diverting works:
CEMENT HEADGATE 2 MILE DITCH
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/15	09/01	2.028		
7. Total Quantity Appropriated is:
2.028 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	01E	36	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			SE	NW		IRR	14.0
			NE	SE		IRR	40.0
			NW	SE		IRR	15.0
			SE	SE		IRR	13.3
						Section Acres	162.3
						Total Acres	162.3

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

787077, 787263, AND FLOOD WATER FROM GOOSE CREEK

14. Remarks:

THIS WATER IN THE J. C. LEVANDER DITCH.

15. Basis of Claim: DECREED

Water Right Number:

Case Number:

Court :

Decree date:

ROSE SCHIELER

Decree Plaintiff

vs

CHARLES A. WYMAN ET. AL.

Decree 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: _____

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): *Donald J. Walker* Date: 5/17/88
_____ Date: _____

State of Idaho)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of May 19 88 *Carl Fritschel*
Notary Public

Seal

Residing at _____

My Commission Expires _____



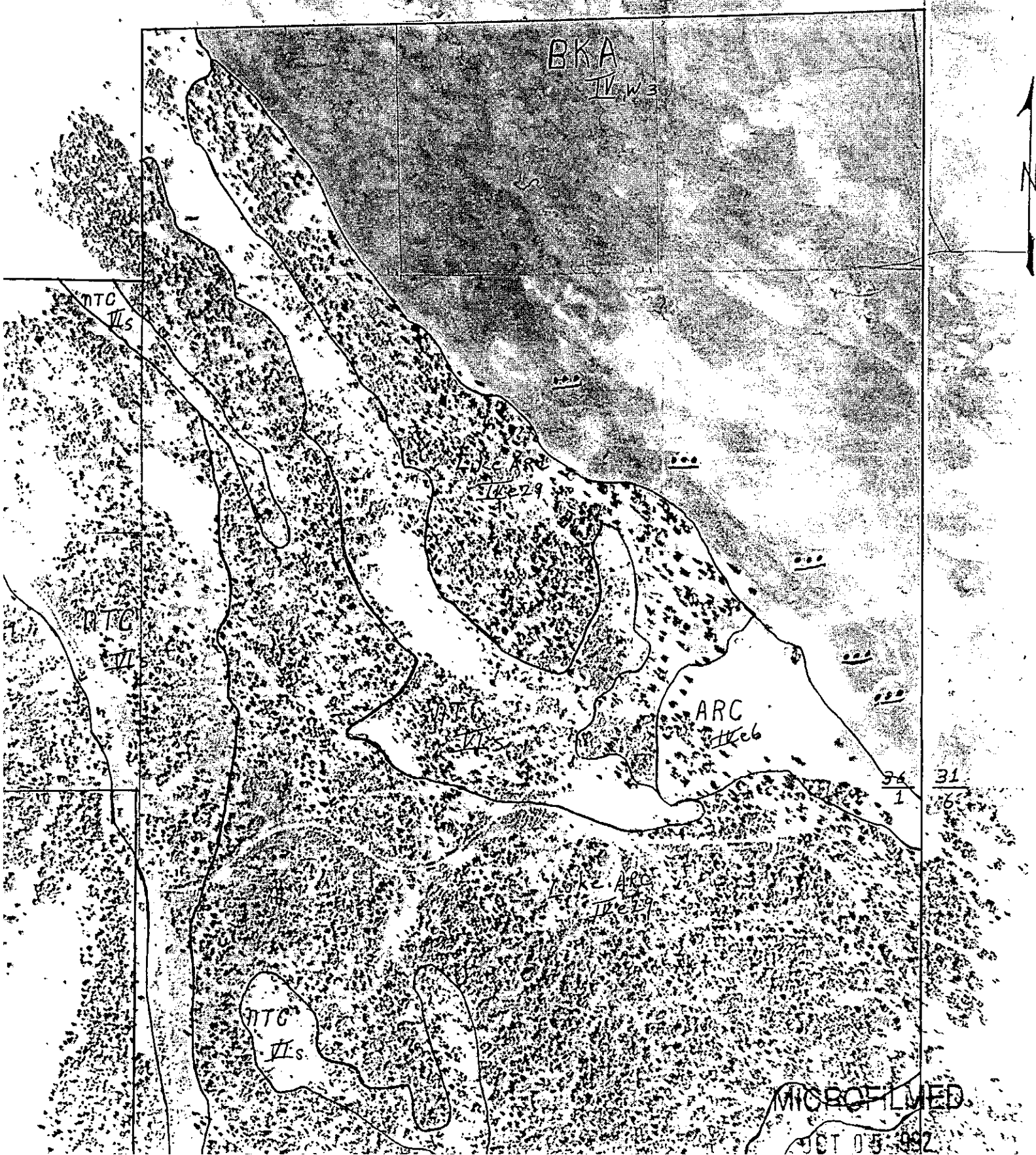
ADAMS Co. S.+W.C.D.

OWNER OPERATOR Don Walker

FARM NO. _____ DATE 5/75
SCALE 8" / MILE ACRES _____
PHOTO NO. DAU-2HH-262 DAU-2HH-263

COUNTY _____ STATE _____

R.1.E. R.2.E.



MICROFILMED

OCT 05 1982