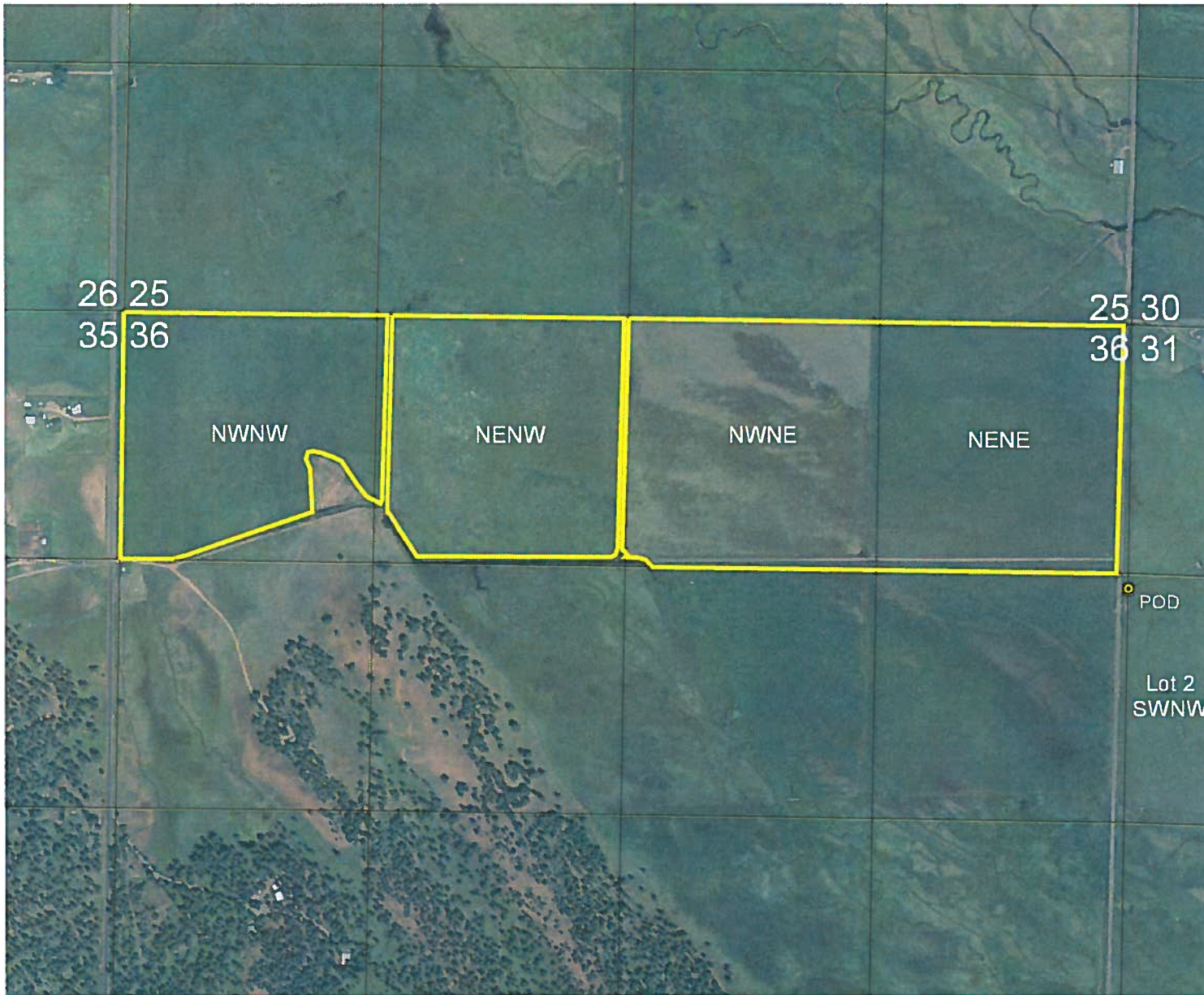
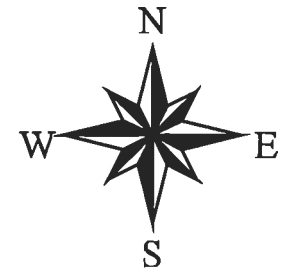


78-10256

**T19N R01E
S36**



1000 0 1000 2000 3000 Feet



Map prepared by: Carter Fritschle
Date prepared: 07/13/06
2004 NAIP Photography
Idaho Department of Water Resources

12/08/2006

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

RIGHT NUMBER: 78-10256

NAME AND ADDRESS: DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE ID 83616

VIKI PURDY
5926 W FLOATING FEATHER RD
EAGLE ID 83616

SOURCE: BIG CREEK
WASTE WATER

TRIBUTARY: LITTLE SALMON RIVER
TRIBUTARY: BIG CREEK

QUANTITY: 3.000 CFS

PRIORITY DATE: 06/12/1928

Pursuant to a call in times of scarcity, this right is junior to Water Right No. 78-2046.

POINT OF DIVERSION:

T19N R02E S31 SWNW Lot 2 Within ADAMS County

T19N R02E S31 SENW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/1 10/31	3.000 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T19N R01E S36	NENE	39.00	T19N R01E S36	NWNE	40.00
T19N R01E S36	NENW	37.00	T19N R01E S36	NWNW	34.00

150 ACRES TOTAL

Right Nos. 78-10255 and 78-10256 are limited to the irrigation of a combined total of 150 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: BASIS OF CLAIM - Beneficial Use

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



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

May 11, 1999

RE: Water Right No. 78-10258

Donald R Eberle
Selma Ann Eberle
PO Box 1389
Mc Call ID 83638

Dear Property Owners:

Enclosed is a copy of the above referenced water right which reflects your change in address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

The address has also been changed on the following claim numbers:

A67-07019, A78-00128B, A78-02086D, A78-04020C, A78-10156B, A78-10181B,
A78-10182B, A78-10255, A78-10256.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures

AJ0749NP
No. A78-10256

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/27/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DONALD R EBERLE	06/12/1928	IRRIGATION	04-15 10-15	3.00 CFS	
C	SELMA ANN EBERLE					
	PO BOX J					
	MC CALL ID 836382509			TOTAL DIVERSION:	3.00 CFS	
	(208) 634-2092			CONSUMPTIVE USE:		300.00 AFA

Water Source: WASTE WATER
BIG CREEK

Tributary to: BIG CREEK
LITTLE SALMON RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T19N R02E S31 NWSWN SESENW ADAMS County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
19N	01E	36	: 40 40	:	39	31			:					:					:	150.0
																			TOTAL ACRES	150.0

POU County: ADAMS

Non-Irrigation Uses: INSTREAM STOCKWATERING.

Other Rights: ADJUDICATION CLAIM NO. A78-10255.

Remarks: GEN DESC. OF DIVERTING WORKS CONT.- THEN FLOWS THROUGH THE S1/2NW1/4
AND COLLECTS WASTEWATER WHICH IS THEN DIVERTED AT A POINT IN
THE NWSWN, S. 31 FOR GRAVITY IRRIGATION OF THE LANDS LISTED.
THIS FILING IS FOR FLOOD WATER(BIG CREEK) WHICH IS REPLACED BY
BRUNDAGE RESERVOIR WATER WHEN THE FLOOD SEASON ENDS.

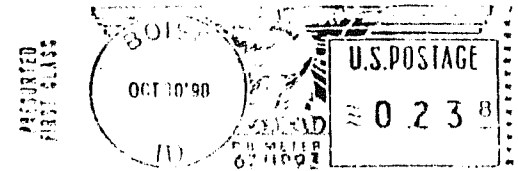
ADDRESS CHANGE BY CLAIMANT LETTER.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested



+ A78-00128B
- 02086 D
- 04020 C
- 10156 B
- 10181 B
- 10182 B

- 10256
- 10258

A78-10255
SELMA ANN EBERLE
DONALD R EBERLE
PO BOX 1091
MC CALL

RECEIVED

NOV 04 1998

Department of Water Resources

EBER091 836382007 1797 06 11/02/98
FORWARD TIME EXP RTN TO SEND
EBERLE
PO BOX J
MC CALL ID 83638-2509

ALP029/053A



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: **A78-10256**
Date Received: 6/ 8/1988
Receipt No: W000321
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: DONALD R EBERLE 208-634-2092
Address: PO BOX 1389
MC CALL ID 83638-2509
AND/OR
Name: SELMA ANN EBERLE 208-634-2092
Address: PO BOX 1389
MC CALL ID 83638-2509
2. Date of Priority: JUN 12, 1928
3. Source: WASTE WATER Trib. to: BIG CREEK
BIG CREEK LITTLE SALMON RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 19N | 02E | 31 | NW | SW | NW | | ADAMS |
| | | | SE | SE | NW | | ADAMS |
5. Description of diverting works:
RANEY DITCH DIVERTS FROM BIG CREEK IN THE SESENW, S. 31 WHICH
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 3.000 | | |
7. Total Quantity Appropriated is:
3.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 300.0 Acre Feet Per Annum.
9. Non-irrigation uses:
INSTREAM STOCKWATERING.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	01E	36	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			NE	NW		IRR	39.0
			NW	NW		IRR	31.0
Section Acres							150.0
Total Acres							150.0

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:
ADJUDICATION CLAIM NO. A78-10255.

14. Remarks:

DESC. OF DIVERTING WORKS CONT.- THEN FLOWS THROUGH THE S1/2NW1/4
AND COLLECTS WASTEWATER WHICH IS THEN DIVERTED AT A POINT IN
THE NWSWNW, S. 31 FOR GRAVITY IRRIGATION OF THE LANDS LISTED.
THIS FILING IS FOR FLOOD WATER(BIG CREEK) WHICH IS REPLACED BY
BRUNDAGE RESERVOIR WATER WHEN THE FLOOD SEASON ENDS.

|
ADDRESS CHANGE BY CLAIMANT LETTER.
ADDRESS CHANGE PER CLAIMANT LETTER. DB 5/10/99.
2ND PHONE NUMBER - PER CLAIMANT - (208) 355-2625

15. Basis of Claim: BENEFICIAL USE

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 10 1999

WATER RESOURCES
WESTERN REGION

CHANGE IN ADDRESS OF NOTICE OF CLAIM

☒ Water Right Number(s): 65-13785, 78-10258,
See attachment
for add'l #'s. 67-11199B, 67-11200,
67-11198, 67-11197

☒ Claimant Name(s): DONALD R + JELMA ANN EBERLE

☒ Old Mailing Address: P.O. Box 5
McCall, Idaho

☒ New Mailing Address: P.O. Box 1389
McCall, Idaho

Telephone Number: (208) 634-2092 (FAX 9130)
" 355-2625

☐ Signature of Claimant(s): D. R. Eberle

Date: 5-4-99

5-10-99

Donald R + Selma Ann Eberle
Address Change

- 65-13785 - no claim required - sent to S.O.
- 67-11197, -11198, -11199B + -11200 already done by Sally 5-4-99.
- All B-78 #'s changed 5-10-99 *Dz*

78-10258 (NCAAP)

A78-04020 C

A78-00128 B

A78-10156 B

A78-10182 B

A78-10181 B

A78-02086 D

A78-10255

A78-10256

- A67-07019 changed 5-10-99 By *Dz*



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED
NOV 17 1998
Department of Water Resources

PHILIP E. BATT
GOVERNOR

November 5, 1998

KARL J. DREHER
DIRECTOR

DONALD AND SELMA ANN EBERLE
PO BOX J
MC CALL ID 83638-2509

Re: Snake River Basin Adjudication (SRBA)
Water Right A78-00128B, A78-02086D, A78-04020C, A78-10156B,
A78-10181B, A78-10182B, A78-10255, A78-10356 & A78-10258
Change of Address

Dear Claimants:

Records changed 11-27-98. as charged.

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

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

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

D. N. Eberle
Claimant Signature

634/2092 (also fax)
Telephone No.
355/2625

(over)

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: A78-10256
Date Received: 6/08/1988
Receipt No: W0009321
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SELMA ANN EBERLE 208-634-2092
Address: P.O. BOX 1091
MC CALL, ID 83638
AND/OR
Name: DONALD R. EBERLE 208-634-2092
Address: P.O. BOX 1091
MC CALL, ID 83638
2. Date of Priority: JUN 12, 1928
3. Source: WASTEWATER Trib. to: BIG CREEK
BIG CREEK LITTLE SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	02E	31	NW	SW	NW		ADAMS
			SE	SE	NW		ADAMS
5. Description of diverting works:
RANEY DITCH DIVERTS FROM BIG CREEK IN THE SESENW, S. 31 WHICH
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.000		
7. Total Quantity Appropriated is:
3.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 300.0 Acre Feet Per Annum.
9. Non-irrigation uses:
INSTREAM STOCKWATERING.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
19N	01E	36	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			NE		NW		IRR	39.0
			NW		NW		IRR	31.0
							Section Acres	150.0
							Total Acres	150.0

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:

ADJUDICATION CLAIM NO. A78-10255.

14. Remarks:

DESC. OF DIVERTING WORKS CONT.- THEN FLOWS THROUGH THE S1/2NW1/4
AND COLLECTS WASTEWATER WHICH IS THEN DIVERTED AT A POINT IN
THE NWSWNW, S. 31 FOR GRAVITY IRRIGATION OF THE LANDS LISTED.
THIS FILING IS FOR FLOOD WATER(BIG CREEK) WHICH IS REPLACED BY
BRUNDAGE RESERVOIR WATER WHEN THE FLOOD SEASON ENDS.

15. Basis of Claim: BENEFICIAL USE

Water Right Number:

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): Salma Echeverria Date: _____

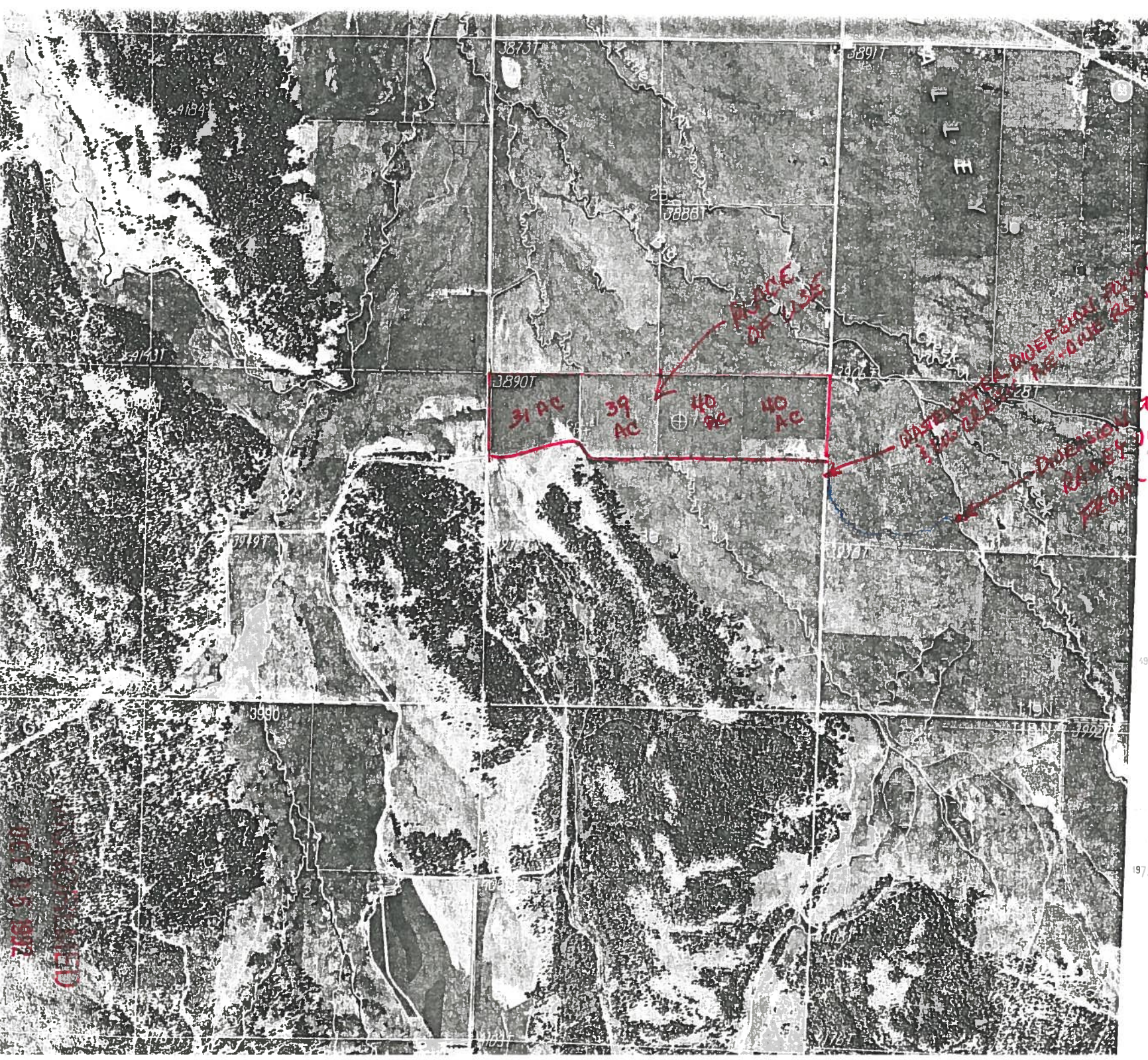
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of June 19 88 Nancy M. Lindgren
Notary Public

Seal

Residing at Boise
My Commission Expires 1-19-1994



979

57' 30"

978

976

975

T 19 N
T 18 N

RECEIVED
MAY 15 1982