

12/09/2006

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

RIGHT NUMBER: 78-12296

NAME AND ADDRESS: DONALD R EBERLE
PO BOX 1389
MC CALL ID 83638-2509

SELMA ANN EBERLE
PO BOX 1389
MC CALL ID 83638-2509

SOURCE: GOOSE CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.340 CFS

PRIORITY DATE: 05/01/1936

Pursuant to a call in times of scarcity, this right is junior to Water Right No. 78-2056.

POINT OF DIVERSION:

T19N R02E S28 SWNE 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	0.340 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T19N R01E S36 SENW 17.00

17 ACRES TOTAL

Right Nos. 78-12294, 78-12296 and 78-12298 are limited to the irrigation of a combined total of 17 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.

Water is delivered through the South End Ditch.

This right is a split from former right 78-10181B.

12/09/2006

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

RIGHT NUMBER: 78-12297

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

VIKI PURDY
5926 W FLOATING FEATHER RD
EAGLE ID 83616

SOURCE: GOOSE CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 1.540 CFS

PRIORITY DATE: 05/01/1936

Pursuant to a call in times of scarcity, this right is junior to Water Right No. 78-2056.

POINT OF DIVERSION:

T19N R02E S28 SWNE 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	1.540 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T19N R01E S36	SWNE	40.00	T19N R01E S36	SENE	37.00
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77 ACRES TOTAL

Right Nos. 78-12295, 78-12297 and 78-12299 are limited to the irrigation of a combined total of 77 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.

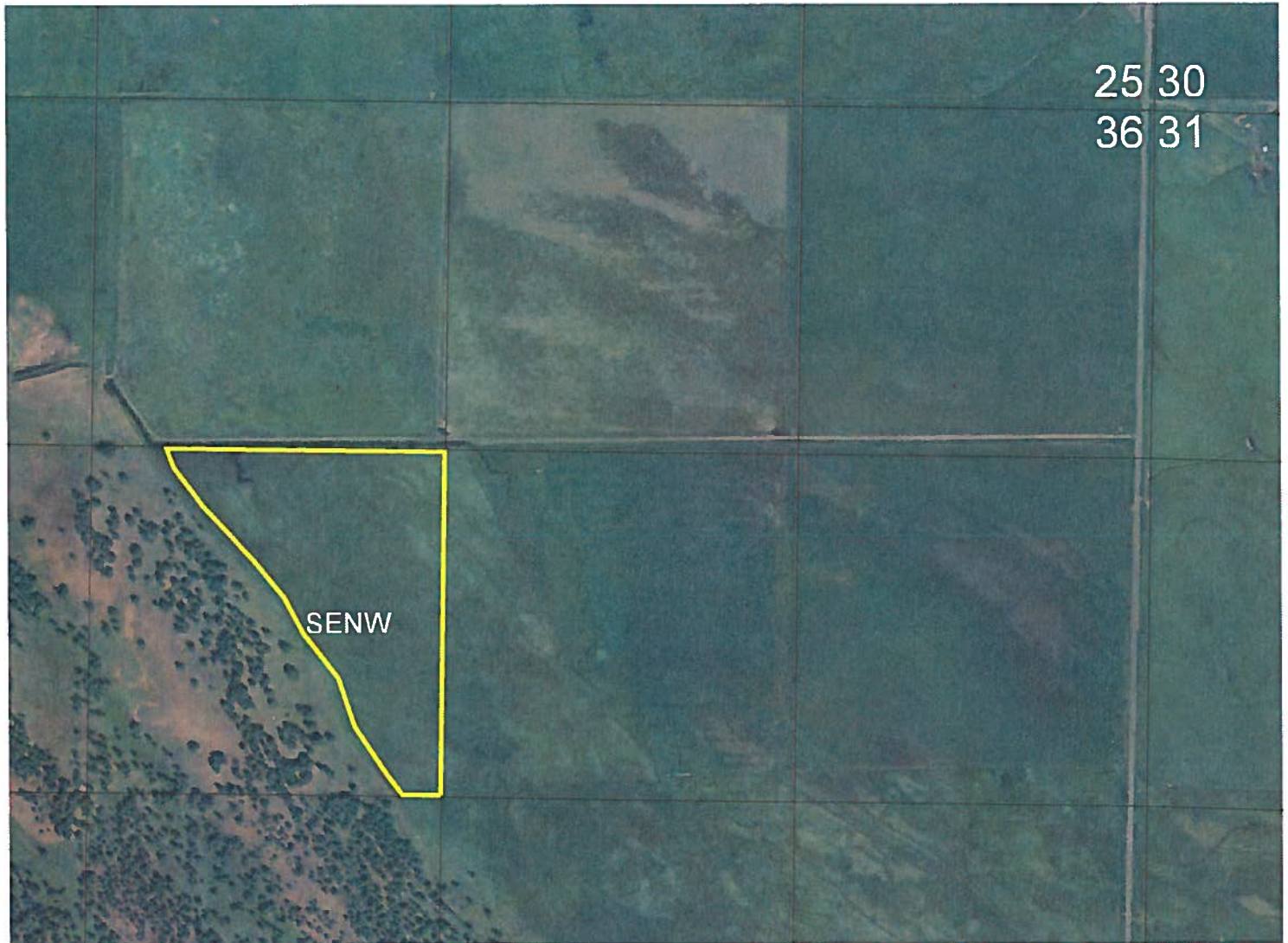
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

Water is delivered through the South End Ditch.

This right is a split from former right 78-10181B.

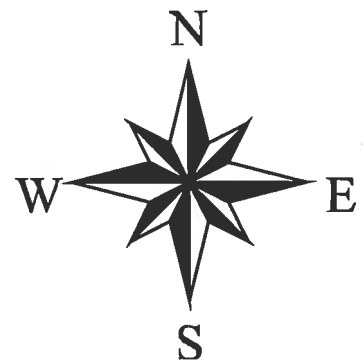
78-12294 78-12296 & 78-12298



1000 0 1000 2000 Feet

T19N R01E S36

Map prepared by: Carter Fritschle
Date prepared: 12/09/06
2004 NAIP Photography
Idaho Department of Water Resources



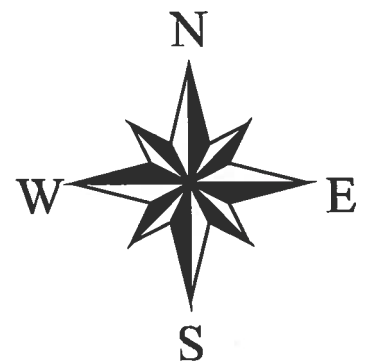
78-12295 78-12297 & 78-12299



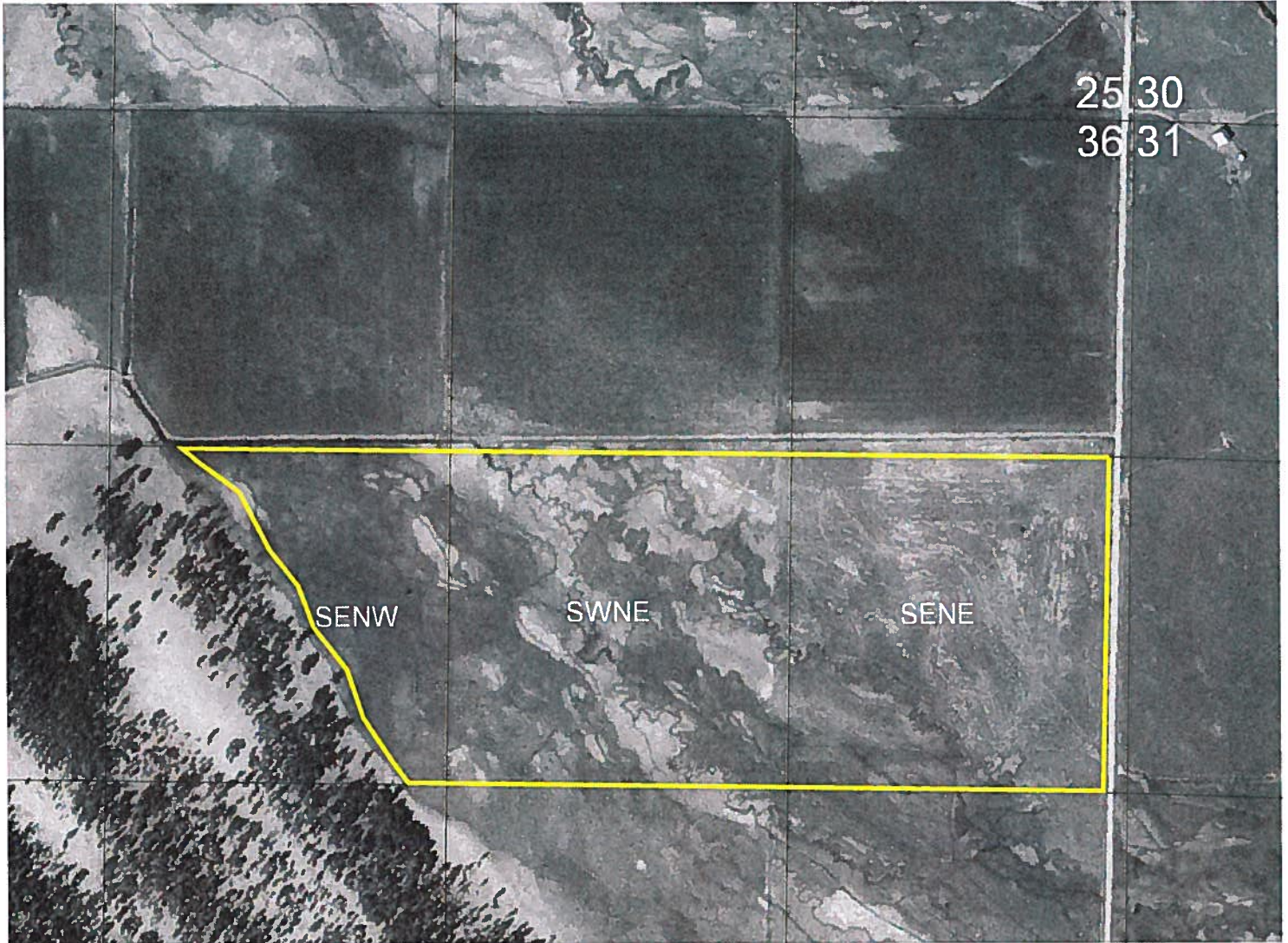
1000 0 1000 2000 Feet

T19N R01E S36

Map prepared by: Carter Fritschle
Date prepared: 11/25/06
2004 NAIP Photography
Idaho Department of Water Resources

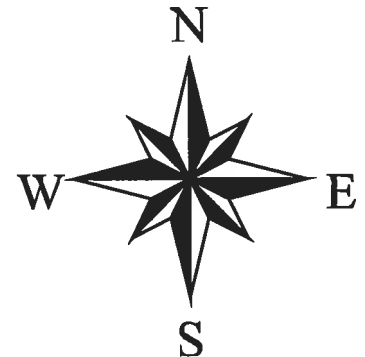


78-128B 78-10181B & 78-10182B



1000 0 1000 2000 Feet

T19N R01E S36



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

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: A78-10181B
Date Received: 5/17/1988
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: SELMA ANN EBERLE 208-634-2092
Address: PO BOX 1389
MCCALL ID 83638-2509
AND/OR
Name: DONALD R EBERLE 208-634-2092
Address: PO BOX 1389
MCCALL ID 83638-2509
2. Date of Priority: MAY 1, 1936
3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
19N 02E 28 SW NE ADAMS
5. Description of diverting works:
CEMENT HEADGATE THROUGH DIRT CANAL 3 MILES LONG.
6. Water is used for the following purposes:
Purpose From To C.F.S (or) A.F.A.
IRRIGATION 04/15 07/01 2.320
7. Total Quantity Appropriated is:
2.320 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
Section Acres								94.0
Total Acres								94.0

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:
A78-00128B & A78-10182B.

14. Remarks:
FLOOD WATER THROUGH SOUTH END DITCH.
|
ADDRESS CHANGE BY CLAIMANT LETTER.
ADDRESS CHANGED 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):

See attachment
for add'l #'s.

65-13785, 7F-1025F,
67-11199B, 67-11200,
67-11198, 67-11197

☒ Claimant Name(s):

DAVID 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 9150)
" 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 By DJ

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 DJ



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
Filing Clerk's Office: 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, A78-10256 & A78-10258
Change of Address

Dear Claimants:

Records changed 11-27-98. as

TR previously changed.

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: **A78-10181B**
Date Received: 5/17/1988
Receipt No: X777777
Received By: _____

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

1. Name: DONALD R EBERLE 208-634-3092
Address: PO BOX 1091
MCCALL ID 83638

AND/OR

Name: SELMA ANN EBERLE 208-634-3092
Address: PO BOX 1091
MCCALL ID 83638

2. Date of Priority: MAY 1, 1936

3. Source: GOOSE CREEK Trib. to: LITTLE SALMON

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	02E	28	SW		NE		ADAMS

5. Description of diverting works:
CEMENT HEADGATE THROUGH DIRT CANAL 3 MILES LONG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	07/01	2.320		

7. Total Quantity Appropriated is:
2.320 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
							Section Acres	94.0
							Total Acres	94.0

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:
A78-00128B & A78-10182B.

14. Remarks:
FLOOD WATER THROUGH SOUTH END DITCH.

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)
) SS.
County of _____)

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 of 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
220 JENKINS
WEISER, ID 83672

☐ New Owner/Claimant (Purchaser): DONALD R & DR JELMA ANN EBERLE

☐ New Mailing Address: PO BOX 1091
MC CALL ID
83638

☐ New Telephone Number: 608.634-3092 (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) Signature of New Owner Date 9-18-95

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

Instrument No.

STATE OF ~~IDAHO~~ COUNTY OF ~~ADAMS~~ VALLEYOn this 19th day of DECEMBER, 1988,
before me, a notary public in and for said State, personally appearedDONALD J. WALKER and
BARBARA WALKERknown to me to be the persons whose names ARE
subscribed to the within instrument, and acknowledged
to me that they executed the same.*Michael R. Anderson*

Notary Public

Residing at McCall, Idaho.

My Commission Expires: Oct 9, 1992

STATE OF IDAHO, COUNTY OF Adams

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

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: A78-10181
Date Received: 5/17/1988
Receipt No: M0000006

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BARBARA WALKER
Address: WEISER, ID 83672
AND/OR
Name: DONALD J. WALKER 208-549-1154
Address: 720 JENKINS CREEK RD.
WEISER, ID 83672

2. Date of Priority: MAY 01, 1936

3. Source: GOOSE CREEK Trib. to: LITTLE SALMON

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
19N	02E	(2)	SW, NE		ADAMS

5. Description of diverting works: CEMENT HEADGATE THROUGH DIRT CANAL 3 MILES LONG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	07/01	4.000		

7. Total Quantity Appropriated is:
4.000 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:
A7800128,787077,787263

14. Remarks:
FLOOD WATER THROUGH SOUTH END DITCH.

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 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):

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

Mary

19

88

Carter Fritschle
Notary Public

Seal

Residing at

Eagle, Id.

My Commission Expires

3-21-94



ADAMS Co. S.W.C.D.

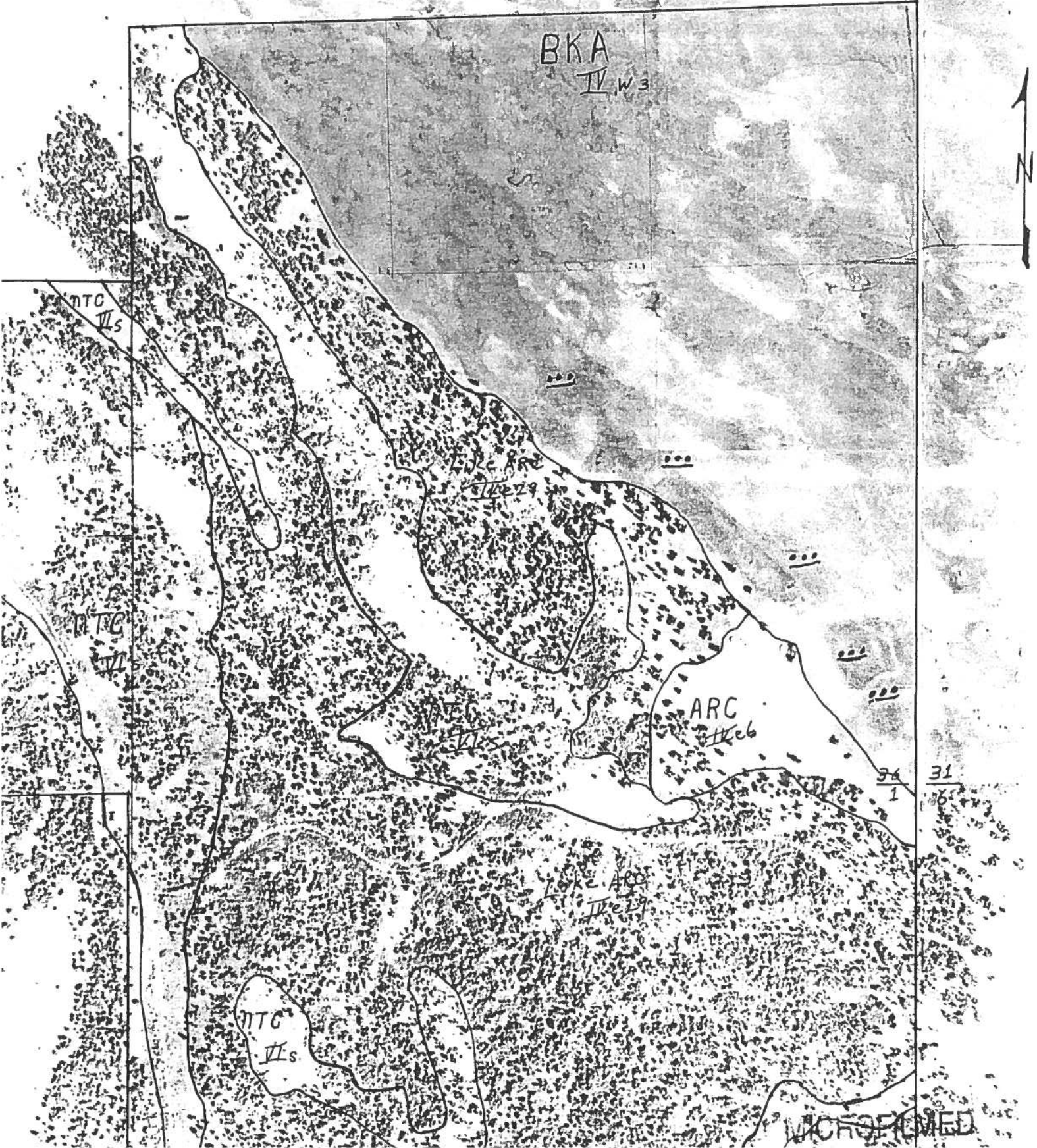
OWNER } DON WALKER
OPERATOR }

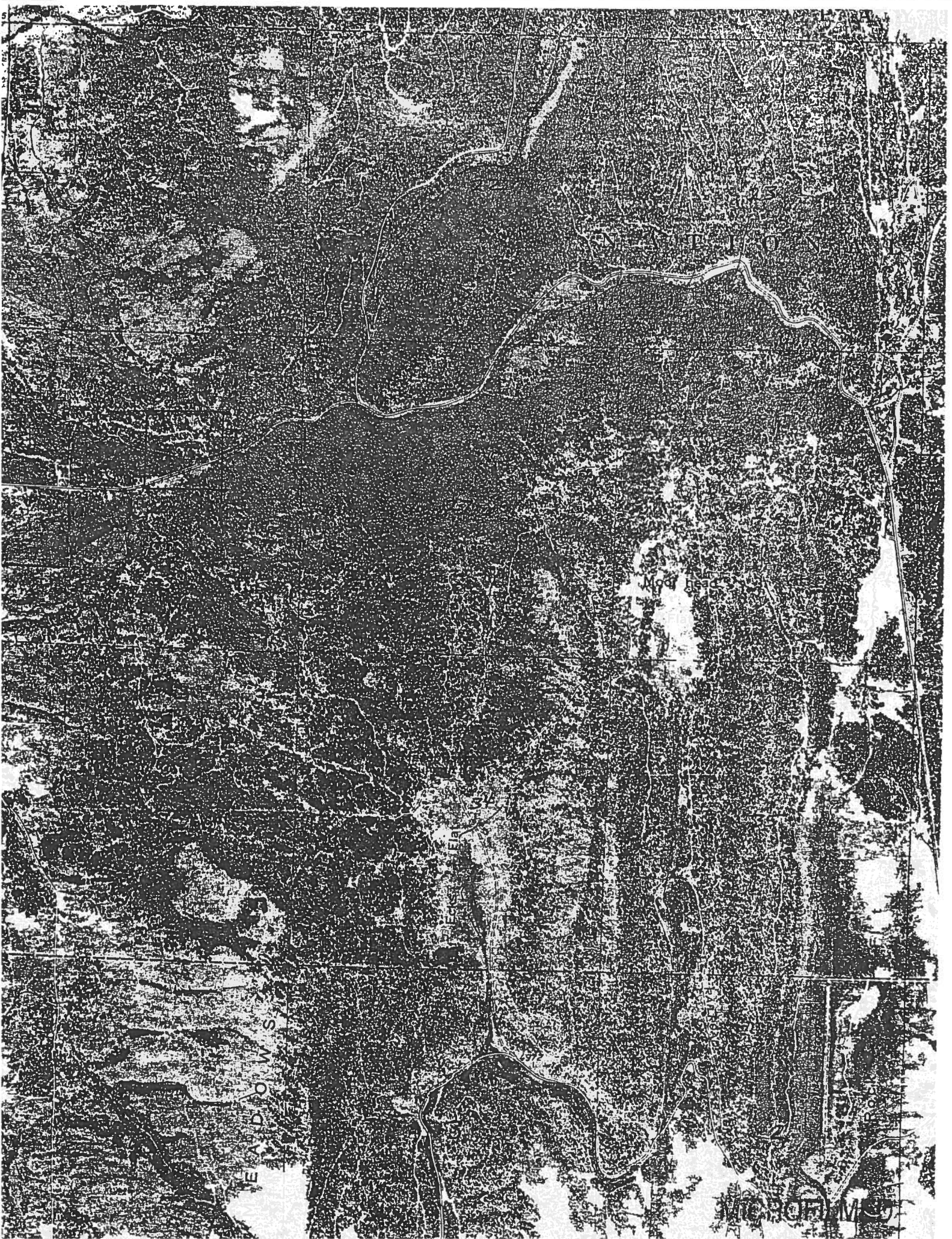
FARM NO.
SCALE
PHOTO NO.

DATE 5/75
8" / MILE ACRES
APPROXIMATE DRU-2HH-262
APPROXIMATE DRU-2HH-263

COUNTY STATE

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







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. A78-10181B

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

DATE: 11/27/98
PAGE: 1

OWNER
CODE NAME & ADDRESS PRIORITY DATE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME
C DONALD R EBERLE 05/01/1936 IRRIGATION D4-15 07-01 2.32 CFS
C SELMA ANN EBERLE
PO BOX J
MCCALL ID 836382509
(208) 634-2092
TOTAL DIVERSION: 2.32 CFS

Water Source: GOOSE CREEK Tributary to: LITTLE SALMON RIVER Stage: BENEFICIAL USE
Point(s) of Diversion: T19N R02E S28 SWNE ADAMS County

Place of use Legal Description for: IRRIGATION
NE NW SW SE
NENE NWNE SWNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE :
T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac : SUM
19N 01E 36 : 40 40 : 14 : TOTAL ACRES : 94.0
94.0

POU County: ADAMS

Non-Irrigation Uses: NONE

Other Rights: A78-00128B & A78-10182B.

Remarks: GEN FLOOD WATER THROUGH SOUTH END DITCH.

ADDRESS CHANGE BY CLAIMANT LETTER.

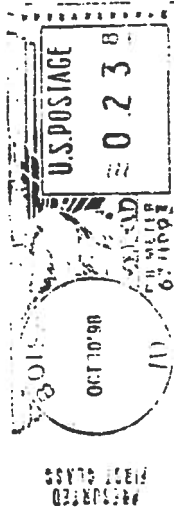
Dates: Exam Made Date: Verified Date: Objection Filed Date:

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
- 02086D
- 04020C
- 10156B
- 10181B
- 10182B
- 10256
- 10258



RECEIVED

NOV 04 1998

Department of Water Resources

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

EBER091 0360302007 1797 06 11/02/98
FORWARD TIME EXP RTN TO SEND
EBERLE
PO BOX J
MC CALL ID 036030-2509

