

08/30/2005

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

RIGHT NUMBER: 78-4014

NAME AND ADDRESS: COLLEEN K CUMMINS
5365 HWY 95 N
NEW MEADOWS ID 83654

DANIEL N CUMMINS
5365 HWY 95 N
NEW MEADOWS ID 83654

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 07/01/1950

POINT OF DIVERSION:

T22N R01E S27 SWNE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.020 CFS
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER Within ADAMS County

T22N R01E S27 SWNE

DOMESTIC same as STOCKWATER

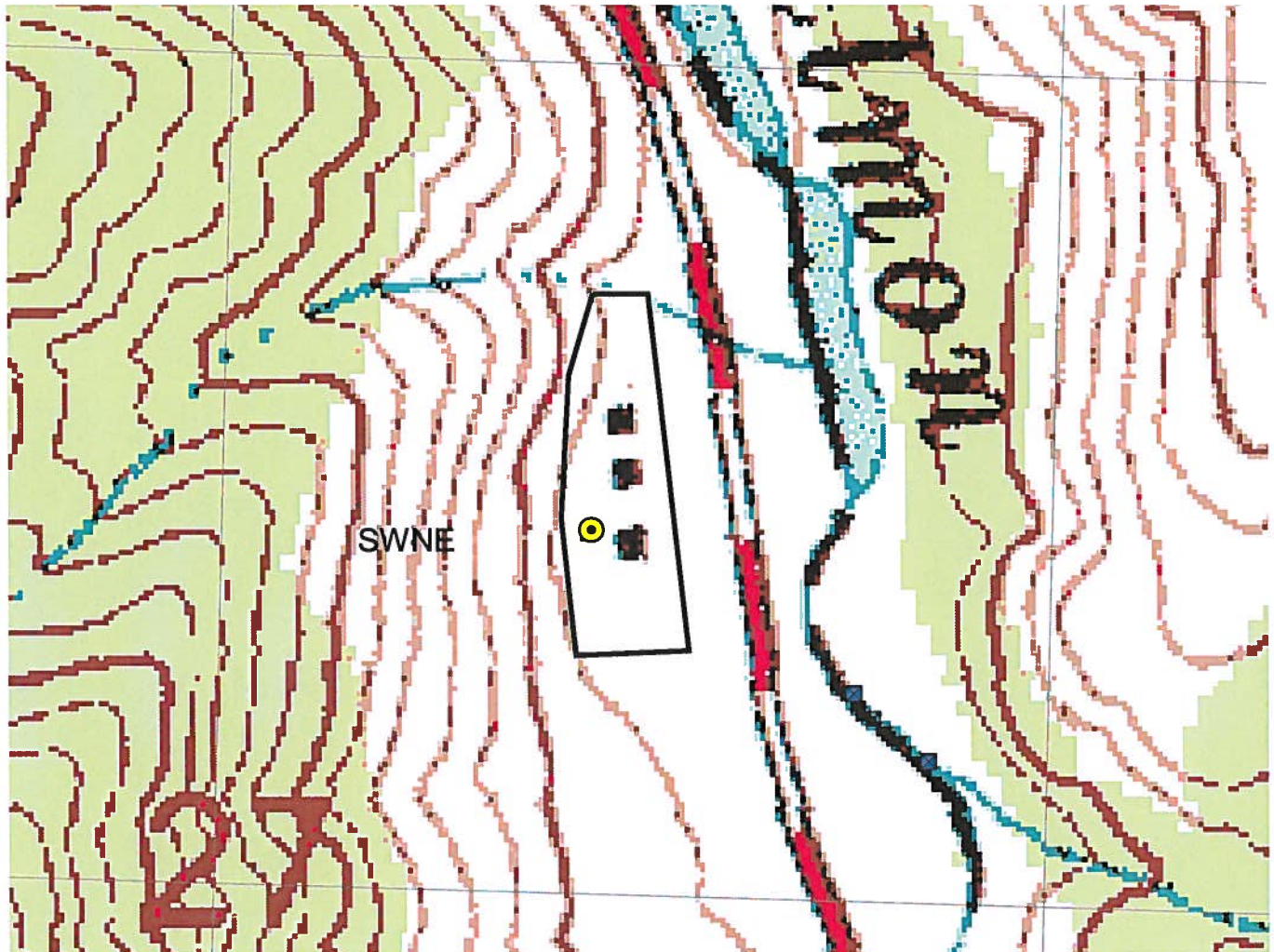
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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

78-4014



0 200 400 Feet

Section 27
T22N R1E



● Point of Diversion

□ Place of Use

Map prepared on August 30, 2005
By Kenneth Knoblock
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: **A78-04014**
Date Received: 5/13/1988
Receipt No: C001463
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: DANIEL CUMMINS 208-328-3926
Address: 5555 HWY 95
NEW MEADOWS ID 83654
OR
Name: COLLEEN CUMMINS 208-328-3926
Address: 5555 HWY 95
NEW MEADOWS ID 83654

2. Date of Priority: JUL 1, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
22N	01E	27	SW	NE			ADAMS

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/4 RANGE D/2 HOMES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	01E	27	SW	NE		STOCK	

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:

14. Remarks:

P/U NOT LISTED.

OWNERSHIP CHANGE BY DB 12/17/97.

15. Basis of Claim: STATUTORY CLAIM

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
SEP 16 1997
WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) A78-04014
Adjudication Claim Number(s) _____

2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Jean Schultz
5365 Hwy 95, New Meadows, ID 83654

4. New Owner/Claimant(s) Daniel Cummins or Colleen Cummins
Name connector (Check one): [] AND, [X] OR, [] AND/OR
New Mailing Address 5555 Hwy 95

City, State and ZIP Code New Meadows, ID 83654
New Telephone Number (208) 628-3926

5. Date you acquired the property 8/15/97

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

 Number of acres actually irrigated _____ Number and type of stock _____

 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Daniel Cummins Date 8-15-97
Colleen Cummins Date 8-15-97

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

POOR ORIGINAL

COPY

WARRANTY DEED.

RECEIVED

DEC 15 1993

WATER RESOURCES
WESTERN REGION

For Value Received

SHARON FOGG, Personal Representative of the
Estates of WALTER W. OVERLANDER, JR. and GLADYS E. OVERLANDER

the Grantor, does hereby grant, bargain, sell and convey unto

JEAN W. SCHULTZ, a single woman

whose current address is HC 75 Box 3580, New Meadows, ID 83654

the following described premises, to-wit:

See Exhibit A

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

Dated this day of June, 1988.

STATE OF NEW JERSEY, County of

On this day of June, 1988, before me,
a notary public in and for said State, personally appeared SHARON FOGG,
personal representative of the estates of WALTER W. OVERLANDER, JR. and
GLADYS E. OVERLANDER, known or identified to me to be the person whose
names is subscribed to the within instrument, and acknowledged to me that
she executed the same on behalf of the estates.

In Witness Whereof I have hereunto set my hand and affixed my seal the day
and year first above written.

Notary Public for New Jersey
Residing at

MICROFILMED

AUG 08 1994

DEC 15 1993

WATER RESOURCES
WESTERN REGION

EXHIBIT A

Parcel 1:

Township 22 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 27: A parcel in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ described as follows:

Commencing at a point on the Westerly boundary of the right of way of U.S. Highway 95, as now established, which point is 364 feet Northerly of U.S. Highway Survey Station No. 383-65.7 P.C., and which said Highway Survey Station is now established on the Westerly side of said Highway right of way by concrete highway survey station monument;

thence Northerly on and along the Westerly boundary of said U.S. Highway 95 a distance of 162 feet;

thence West 174 feet;

thence Southerly 162 feet;

thence East 174 feet to the POINT OF BEGINNING.

EXCEPTING the right of way of U.S. Highway 95.

Parcel 2:

Township 22 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 27: A parcel in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ described as follows:

Commencing at a point on the Westerly boundary of the right of way of U.S. Highway 95, as now established, which point is 364 feet Northerly of U.S. Highway Survey Station No. 383-65.7 P.C., and which said Highway Survey Station is now established on the Westerly side of said Highway right of way by concrete highway survey station monument;

thence West 100 feet;

thence Southerly 200 feet;

thence East 100 feet;

thence Northerly, along the Westerly right of way boundary of, said U.S. Highway 95 to the POINT OF BEGINNING.

EXCEPTING the right of way of U.S. Highway 95.

TOGETHER WITH all water, water rights, ditch and ditch rights appurtenant thereto or in anywise appertaining.

POOR ORIGINAL

ADAMS COUNTY
ABSTRACT CO.

HUD-1 REV. 5/76

Cheryl Ringering, Manager
Title Insurance and Escrows

102 California - Box 738
Council, Idaho 83612
208-253-6851

FORM APPROVED
OMB NO. 63-R-1501

U. S. DEPARTMENT OF HOUSING

SETTLEMENT

TYPE OF LOAN

2. ☐ FmHA 3. ☐ CONV. UNINS.
5. ☐ CONV. INS.

7. LOAN NUMBER:

URANCE CASE NUMBER:

NOTE: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

D. NAME OF BORROWER: Jean W. Schultz, a single woman HC 75 Box 3580 New Meadows, ID 83654		E. NAME OF SELLER: Sharon Fogg, Pers. Rep. of Estates of Walter W. Overlander Jr. and Gladys E. Overlander 33 S. State St., Vineland, NJ 08360	F. NAME OF LENDER: Estates
G. PROPERTY LOCATION: Lot. SW $\frac{1}{4}$ NE $\frac{1}{4}$ -27-22-1E Adams County, Idaho	H. SETTLEMENT AGENT: Adams County Abstract PLACE OF SETTLEMENT: 102 California, Council		I. SETTLEMENT DATE: June 30, 1988

J. SUMMARY OF BORROWER'S TRANSACTION		K. SUMMARY OF SELLER'S TRANSACTION	
100. GROSS AMOUNT DUE FROM BORROWER:		400. GROSS AMOUNT DUE TO SELLER:	
101. Contract sales price	19,900.00	401. Contract sales price	19,900.00
102. Personal property		402. Personal property	
103. Settlement charges to borrower (line 1400)	84.00	403.	
104.		404.	
105.		405.	
Adjustments for items paid by seller in advance		Adjustments for items paid by seller in advance	
106. City/town taxes to		406. City/town taxes to	
107. County taxes to		407. County taxes to	
108. Assessments to		408. Assessments to	
109.		409.	
110.		410.	
111.		411.	
112.		412.	
113. GROSS AMOUNT DUE FROM BORROWER	19,984.00	420. GROSS AMOUNT DUE TO SELLER	19,900.00
200. AMOUNTS PAID BY OR IN BEHALF OF BORROWER:		500. REDUCTIONS IN AMOUNT DUE TO SELLER:	
201. Deposit or earnest money	50.00	501. Excess deposit (see instructions)	

RECEIVED

DEC 15 1993

WATER RESOURCES
WESTERN REGION

MICROFILMED

AUG 08 1994

ORIGINAL

WARRANTY DEED

FOR VALUE RECEIVED, JEAN W. SCHULTZ aka JEAN SCHULTZ, a single woman, the grantor, does hereby grant, sell and convey unto DANIEL CUMMINS and COLLEEN CUMMINS, husband and wife, the grantees, whose address is 5555 Highway 95, New Meadows, Idaho 83654, the following described premises, to-wit:

PARCEL 1

Township 22 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 27: A parcel in the SW 1/4 NE 1/4 described as follows: Commencing at a point on the Westerly boundary of the right-of-way of U.S. Highway 95 as now established, which point is 364 feet Northerly of U.S. Highway Survey Station No. 383-65.7 P.C., and which said Highway Survey Station is now established on the Westerly side of said Highway right-of-way by concrete highway survey station monument; Thence Northerly on and along the Westerly boundary of said U.S. Highway 95 a distance of 162 feet; Thence West 174 feet; thence Southerly 162 feet; Thence East 174 feet to the REAL POINT OF BEGINNING.

Excepting the right-of-way of U.S. Highway 95.

PARCEL 2

Township 22 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 27: A parcel in the SW 1/4 NE 1/4 described as follows: Commencing at a point on the Westerly boundary of the right-of-way of U.S. Highway 95 as now established, which point is 364 feet Northerly of U.S. Highway Survey Station No. 383-65.7 P.C., and which said Highway Survey Station is now established on the Westerly side of said Highway right-of-way by concrete highway survey station monument; Thence West 100 feet; Thence Southerly 200 feet; Thence East 100 feet; Thence Northerly, along the Westerly right-of-way boundary of said U. S. Highway 95 to the REAL POINT OF BEGINNING.

EXCEPTING the right-of-way of U.S. Highway 95.

TOGETHER with all water, water rights, ditch and ditch rights appurtenant thereto or in anywise appertaining.

PARCEL 3

Township 22 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 27: A parcel of land situated in the SW 1/4 NE 1/4 of said section more

particularly described as follows: Commencing therefore at a point on the Westerly boundary of the right-of-way of U.S. Highway 95, as now established, which is 104 feet Southerly of U. S. Highway Survey Station 389 plus 77.9 feet, 3° rt. and which Survey Station is now established on the boundary of said Highway by a concrete highway survey station monument and running Thence Northerly along the Westerly boundary of said highway right-of-way 330 feet to a point; thence Westerly at right angles to said highway right-of-way 300 feet to a point; Thence Southerly and parallel to said highway right-of-way 330 feet to a point; Thence Easterly 300 feet to the POINT AND PLACE OF BEGINNING.

TOGETHER with a perpetual right and easement to construct a water storage tank in said Southwest Quarter of the Northeast Quarter of said Section, Township and Range at a point approximately 150 feet Westerly of the West boundary line of the tract herein conveyed, and to store water therein and conduct the same down to and upon the lands hereby conveyed by pipe line. TOGETHER with water and water rights if any; and, SUBJECT to any and all other granted, reserved and/or existing easements, restrictions and rights of way.

SUBJECT TO:

1. Easements, claims of easement or encumbrances which are not shown by the public records..
2. EASEMENT, including terms and conditions thereof, granted to STATE OF IDAHO, as set forth in deed recorded June 11, 1936 in Book 14 Deeds page 492.
3. PUBLIC UTILITIES EASEMENT granted to MOUNTAIN STATES TELEPHONE AND TELEGRAPH recorded August 11, 1932 in Book 3 Misc. page 340.
4. EXCEPTING all road and highway rights-of-way and all easements for public utilities as now established.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

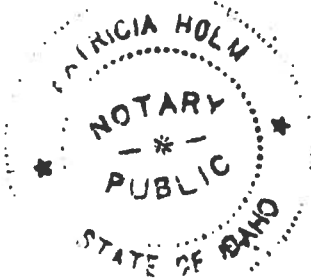
DATED this 15 day of August, 1997.

Jean W. Schultz
JEAN W. SCHULTZ aka JEAN SCHULTZ

STATE OF IDAHO)
) ss.
County of Adams)

On this 15 day of August, 1997, before me, Patricia Holm,
a Notary Public in and for said State, personally appeared JEAN W. SCHULTZ aka JEAN
SCHULTZ, known or identified to me to be the person whose name is subscribed to the within
and foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal the day and year
in this Certificate first above written.



Patricia Holm
Notary Public for Idaho
Residing at: New Meadows
My Commission Expires: 11-2-99

INSTRUMENT NO. 92498
State of Idaho)
County of Adams) ss.

Filed for record at the request of
Timberline Title & Escrow
30 min. past 10 o'clock A.M.
this 22 day of Aug, 1997
MICHAEL FISK, RECORDER
by Deputy
Deputy
Fee \$ 9.00

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: A78-04014
Date Received: 5/13/1988
Receipt No: C001463

WITHDRAWN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUN 17 1988

no # encl
Department of Water Resources

1. Name: WALTER OVERLANDER
Address: 122 N. 10TH ST.
PAYETTE, ID 83661

2. Date of Priority: JUL 01, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
22N	01E	27	SW	NE			ADAMS

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/4 RANGE D/0 HOME.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	01E	27	SW	NE		STOCK	

11. Place of use in counties: ADAMS

A78-04014

Page 1

Date: 05/13/88

MICROFILMED
OCT 05 1992

JUN - 3 1988

Department of Water Resources

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

13. Other Water Rights Used:

14. Remarks:

P/U NOT LISTED.

15. Basis of Claim: STATUTORY CLAIM
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): Sharon Fogg for Date: 5/24/88
Walter E. Gladys Overlander
3380 State St Date: _____
Union NJ 08360

State of ~~Idaho~~ New Jersey)
County of Cumberland) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of May 19 88
Seal

Nathan Edelstein
Notary Public
907 Park Lane
Residing at Union NJ 08360
My Commission Expires _____

NATHAN J. EDELSTEIN
NOTARY PUBLIC OF NEW JERSEY
" Commission Expires 3-25-92
NE

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: A78-04014
Date Received: 5/13/1988
Receipt No: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WALTER OVERLANDER
Address: 122 N. 10TH ST.
PAYETTE, ID 83661

2. Date of Priority: JUL 01, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
22N	01E	27	SW		NE		ADAMS

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/4 RANGE D/2 HOMES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	01E	27	SW	NE		STOCK	

11. Place of use in counties: ADAMS

A78-04014

Page 1

Date: 05/13/88

RECEIVED
MICROFILMED
JUN 03 1988
1992

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

13. Other Water Rights Used:

14. Remarks:
P/U NOT LISTED.

15. Basis of Claim: STATUTORY CLAIM
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): Sharon Fogg for Date: 5/24/88
Walter E. Gladys Overlander
3380 Bluff St Date: _____

State of ~~Idaho~~ New Jersey)
County of Cumberland) SS.

Unincorporated NJ 08360

Subscribed and sworn (or affirmed) before me this 24th day
of May 19 88

Seal

Nathan J. Edelstein
Notary Public
707 Park Lane

Residing at Unincorporated NJ 08360

My Commission Expires NATHAN J. EDELSTEIN
NOTARY PUBLIC OF NEW JERSEY
" Commission Expires 3-25-92



AJ0749NP
No. R78-04014

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

DATE: 12/03/98
PAGE: 2

Comments: Date: 12/17/1997 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE.
OWNERSHIP CHANGE.

Audit: 12/03/98 CWALKER



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

December 17, 1997

Re: Notice of Claim to a Water Right No. A78-04008, A78-04009,
A78-04014

DANIEL CUMMINS
COLLEEN CUMMINS
5555 HWY 95
NEW MEADOWS ID 83654

Dear Mr. & Mrs. Cummins:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Denise Buffington
Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

MICROFILMED
AUG 08 1994

RECEIVED
DEC 10 1993
Department of Water Resources

104

WALTER OVERLANDER
122 N 10TH ST
PAYETTE ID 83661

Forwarding Order
Expired



78-4614

PRESORTED
FIRST CLASS





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

RECEIVED

DEC 08 1993

WATER RESOURCES
WESTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

- . Gas Schultz
- . 5365 Hwy 95
- . New Meadows ID 83654

MAILING DATE: Dec 6, 1993

RESPONSE DATE: Dec 21, 1993

RE: NOTICE OF CLAIM NO[S]: **A78**-04014

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in either the ownership or address for the above claim(s). IDWR records currently show the following name and address for the owner of the claim(s) listed above:

- . Walter Duerlander
- . 122 N 10th St
- . Payette ID 83661

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership or Change of Address form, as appropriate, to correct our records.

Your response must be received in this office by the **Response Date** indicated above. If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at 1-800-451-4129.

Sincerely,

Donald V. Shaff
Manager Adjudication Section

state:region

Enclosures:

- Change of Ownership Form
- Change of Address Form

MICROFILMED

AUG 08 1994

WATER RIGHT NUMBER - A78-04014

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
OVERLANDER

WALTER

1 - 122 N. 10TH ST.
2 -
3 -
CITY- PAYETTE
PHONE -

STATE- ID ZIP- 83661

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
07/01/1950 14 WESTERN S - STATUTORY CLAIM

+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
GROUNDWATER

+ - - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

22N 01E 27 SW NE (3) ADAMS

+ - - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

04 - STOCKWATER 01/01 12/31 0.020
43 - DOMESTIC 01/01 12/31 0.040

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040 0.0

+ - - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

22N 01E 27 SW NE 04 STOCKWATER (3) ADAMS

+ - - DIVERSION MEANS - *well & pump*

+ - - NON-IRRIGATION USE - S/4 RANGE D/2 HOMES.

+ - - OTHER RIGHTS FOR SAME USE -

+ - - - - - REMARKS - - - - - +
P/U NOT LISTED.

+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

MICROFILMED

AUG 0 8 1994

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 00/00/00 SHURTE 11/07/89 HARRINGT 11/21/89 REFUNDML

PREFIX TRANSLATION: ADJUDICATION CLAIM

ADJUDICATION RIGHTS DATES AND FLAGS AREA

22 NOV 27 1600

New Meadows 83654

CHANGE OF OWNERSHIP
LETTER SENT 11-30-93

ENTERED 8-8 93 75
CHECKED 1024 193000

VERIFIED
JUN 16 1993

CERTIFIED
James B. [Signature]
WATER EXAMINER

MICROFILMED
AUG 08 1994

SMITH & PEART

ATTORNEYS AT LAW

DALE SMITH
JAMES C. PEART

BOX 950
FRUITLAND, IDAHO 83619
PHONE 208 - 452-4040

RECEIVED
JUN 20 1988

June 17, 1988

Department of Water Resources

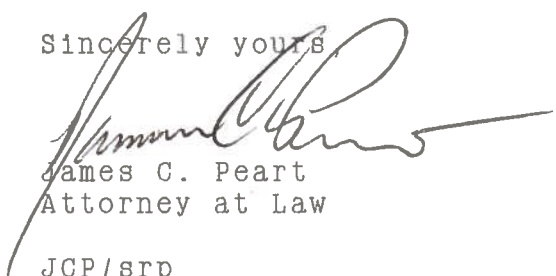
Department of Water Resources
1301 North Orchard Street
State House Mail
Boise, Idaho 83720

RE: Overlander
No. A78-Q4Q14

Dear Sirs:

Enclosed is a check for \$25.00 which was not enclosed with the letter of June 15, 1988.

Sincerely yours,



James C. Peart
Attorney at Law

JCP/srp

Encl.

MICROFILMED
OCT 05 1992

SMITH & PEART

ATTORNEYS AT LAW

DALE SMITH
JAMES C. PEART

BOX 950
FRUITLAND, IDAHO 83619
PHONE 208 - 452-4040

RECEIVED

JUN 17 1988

no \$ encl. JB

Department of Water Resources

June 15, 1988

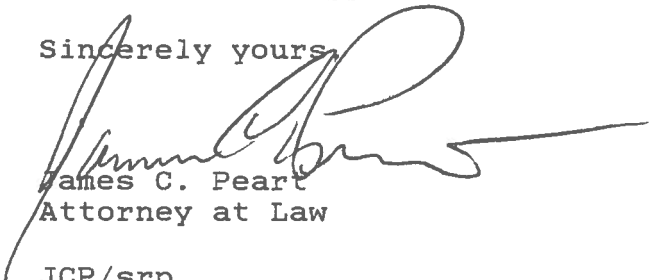
Department of Water Resources
1301 North Orchard Street
State House Mail
Boise, Idaho 83720

Attention: Donald Shaff

Dear Mr. Shaff:

Enclosed you will find a photocopy of your June 10, 1988 letter to me together with the claim and case A78-04014. Also enclosed is a check for \$25.00. I understand that this \$25.00 is in addition to the \$51.00 required for filing the surface water application, and that this application is for ground water for one home.

Sincerely yours,


James C. Peart
Attorney at Law

JCP/srp

Encls.

MICROFILMED
OCT 05 1992



RECEIVED JUN 11 1988

State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 10, 1988

RECEIVED

JUN 17 1988

Department of Water Resources

Mr. James C. Peart
Attorney at Law
Smith & Peart
P. O. Box 950
Fruitland, ID 83619

RE: Overlander Adjudication Claims

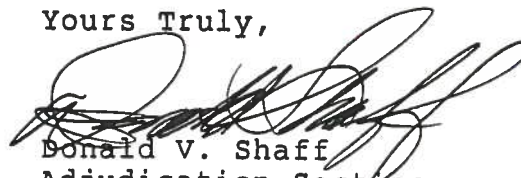
Dear Mr. Peart:

We are returning the adjudication claim for water right #A78-04014 to your office. We have receipted your check for \$51.00 as received for claim #A78-04008.

If claim A78-04014 is for domestic use with both homes under single ownership neither of which are rented or operated as an income producing unit, the filing fee is \$25. Otherwise, the fee is \$54. Please remit the proper fee when returning the claim.

Thank you for your cooperation.

Yours Truly,



Donald V. Shaff
Adjudication Section
Supervisor

DVS:db

MICROFILMED
OCT 05 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 9, 1988

Mr. James C. Peart
Attorney at Law
Smith & Peart
P. O. Box 950
Fruitland, ID 83619

RE: Overlander Adjudication Claims

Dear Mr. Peart:

We are returning the adjudication claim for water right #A78-04014 to your office. We have receipted your check for \$51.00 as received for claim #A78-04008.

~~Would you please submit an additional \$54.00 to cover the fees due on this claim?~~

Thank you for your cooperation.

Yours Truly,

Donald V. Shaff
Adjudication Section
Supervisor

DVS:db

If claim A78-04014 is for domestic use with both ~~two~~ homes under single ownership neither of which are rented or operated as an income producing unit, the filing fee is \$25. Otherwise, the fee is \$54. Please remit the proper fee when returning the claim

MICROFILMED
OCT 15 1992

SMITH & PEART

ATTORNEYS AT LAW

DALE SMITH
JAMES C. PEART

BOX 950
FRUITLAND, IDAHO 83619
PHONE 208 - 452-4040

RECEIVED
JUN - 3 1988

June 1, 1988

Department of Water Resources

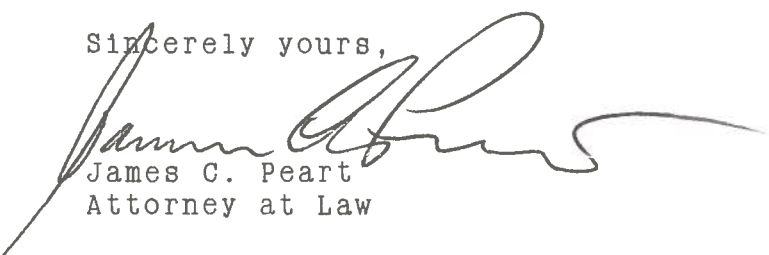
Water Resources
State House Mail
Boise, Idaho 83720 ~

Dear Sirs:

Enclosed for your records are two original Notice of Claim to Water right forms. Also enclosed is a check for \$51.00.

Should you have any questions, please do not hesitate to contact my office.

Sincerely yours,



James C. Peart
Attorney at Law

JCP/srp

Encl.

MICROFILMED
OCT 05 1992