

09/14/2005

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

RIGHT NUMBER: 78-4020A

NAME AND ADDRESS: DENIS E CALLAGHER
4214 HOLMES ST
BOISE ID 83706

CELIA R CALLAGHER
4214 HOLMES ST
BOISE ID 83706

SOURCE: SQUAW CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.200 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION:

T24N R01E S21 NWNW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.180 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T24N R01E S21 NWNW 6.0

STOCKWATER Within IDAHO County

T24N R01E S21 NWNW

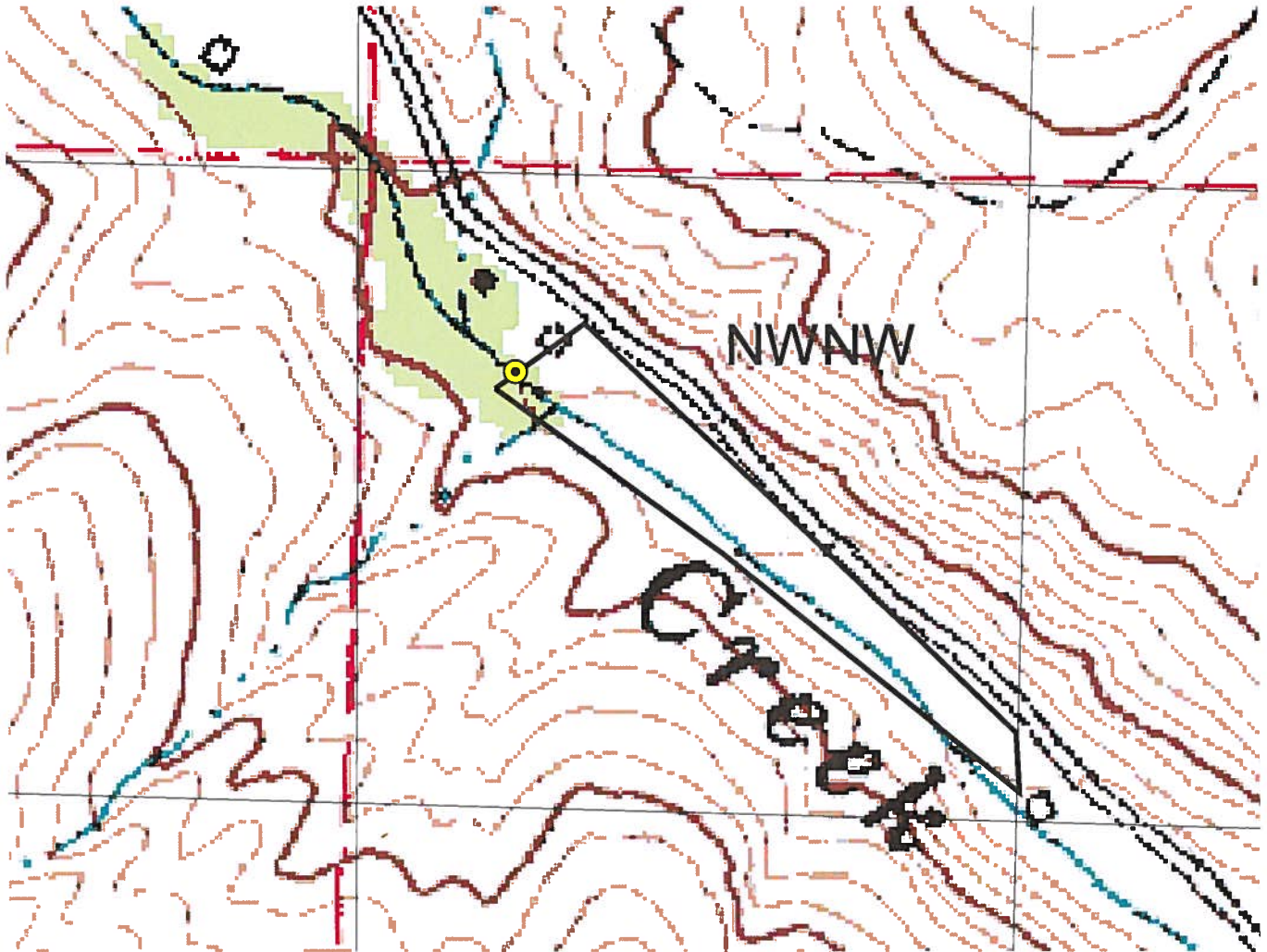
6 ACRES TOTAL

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 - Beneficial Use

78-4020A



0 300 600 Feet

Section 21
T24N R1E



● Point of Diversion

□ Place of Use

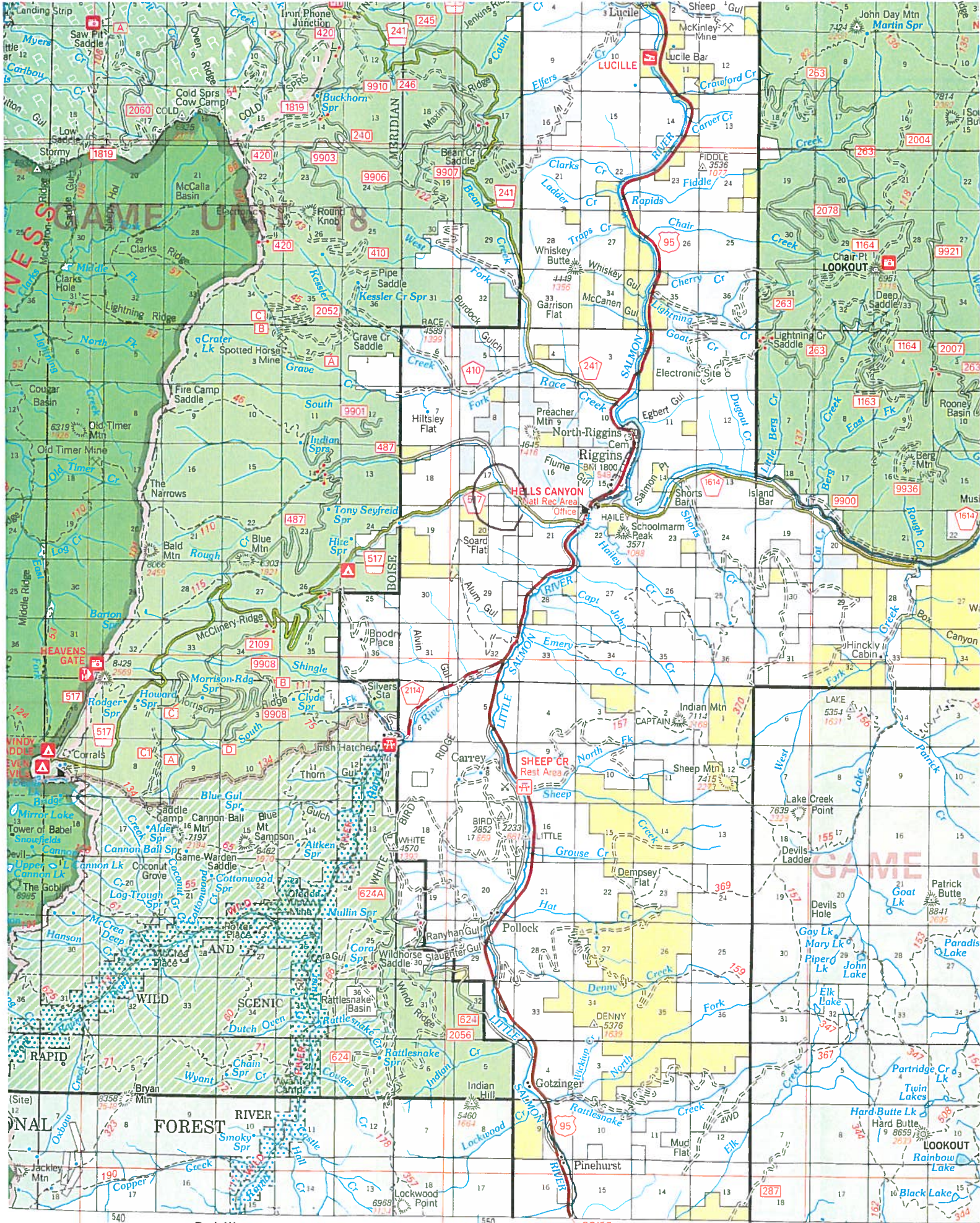
Map prepared on September 14, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

Wisdom Water Filing:

EXHIBIT A

4c: Conveying works:

1. Diversion from Squaw Creek in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17:
Ditch 24" wide by 1320' long: irrigates 8 acres in
SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17.
2. Diversion from Squaw Creek in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17:
Ditch 12" wide by 1000' long: irrigates 1 acre in
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17. (Ditch used jointly with Kenneth
Twillegger).
3. Diversion from Squaw Creek in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17:
Ditch 24" wide by 1320' long: irrigates 8 acres in
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17.
4. Diversion from Squaw Creek in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21:
Ditch 24" wide by 1200' long: irrigates 4 acres in
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21.
5. Diversion from Squaw Creek in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21:
Ditch 12" wide, by 1000' feet long: irrigates 2 acres
in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21.
6. Diversion from Squaw Creek in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21:
Ditch 24" wide by 1500' long; irrigates 5 acres in
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21.
(Used jointly with Stewart Aitkin).



R. 1 W.

R. 1 E. BOISE

R. 2 E.

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 78-4020A
Date Received: 7/26/1988
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DENIS E CALLAGHER
4214 HOLMES ST
BOISE ID USA 83706

Phone: (208)388-1636

CELIA R CALLAGHER
4214 HOLMES ST
BOISE ID USA 83706

Phone: (208)388-1636

2. Date of Priority: 04/01/1890

3. Source: SQUAW CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
24N	01E	21	NW	NW		IDAHO	
24N	01E	17	NW	SE		IDAHO	
24N	01E	17	SE	SE		IDAHO	

5. Description of diverting works:

GRAVITY FLOW FROM CREEK TO HEADGATES AND DITCHES-GRAVITY IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/15	0.45	
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.45 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	01E	21	NW	NW	IRRIGATION	6
			NW	NW	STOCKWATER	
					Section Acres	6
					Total Acres	6

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 7/15/2002

DURING THE LOW WATER MONTHS A PORTABLE PUMP IS PLACED IN THE CREEK TO IRRIGATE PORTIONS THE FLOOD IRRIGATION CANNOT REACH.

PUMP IS PLACED IN THE SAME QUARTER-QUARTERS AS PDS.
LANDS IRRIGATED ARE MOSTLY NARROW, IRREGULARLY SHAPED TRACTS ALONG NORTH AND SOUTH SIDES OF SQUAW CREEK. ALL TRACTS SLOPE SHARPLY TOWARDS CREEK AND SOIL IS SHALLOW, ALL UNDERLAIN WITH GRAVEL AND SAND. LAND DOES NOT SUB-IRRIGATE LIKE LOWER COUNTRY HEAVY SOIL LANDS, BUT WATER SINKS QUICKLY AND GOES BACK TO STREAM FOR THIS REASON, NOT LESS THAN 4 MINERS INCHES OF WATER PER ACRE IS REQUIRED TO EFFECTIVELY IRRIGATE LAND.

THERE ARE 2 P/DS IN THE NWSE, 1 IN THE SESE, SEC. 17, AND 2 P/DS IN THE NWNW.

15. Basis of Claim: Beneficial Use

RECEIVED
OCT 19 1998
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP SEP 01 1998

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED
SEP 01 1998

1. Water Right Number(s) A78-04020A A78-11972
Adjudication Claim Number(s) AJ 5809NP AJ 5809NP
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) Sindi Gibson
PO Box 1253 SCAPPOOSE OR 97056
4. New Owner/Claimant(s) DENIS E & CELIA R CALLAGHER
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 4214 HOLMES ST BOISE ID 83706
City, State and ZIP Code BOISE ID 83706
New Telephone Number (208) 388-1636
5. Date you acquired the property JULY 16, 1998
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) Dennis E. Callagher Date 8-30-98
Celia R. Callagher Date 8-30-98
8. 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.

401099

WARRANTY DEED

THIS INDENTURE, made on this 16th day of July, 1998, by and between SINDI GIBSON, a single person, of P.O. Box 1253, Scappoose, Oregon, 97056, hereinafter referred to as the Grantor, and DENIS E. CALLAGHER and CELIA R. CALLAGHER, husband and wife, of 4214 Holmes, Boise, Idaho, 83706, hereinafter referred to as the Grantees.

WITNESSETH:

That, the said Grantor, for and in consideration of the sum of Ten Dollars (\$10), lawful money of the United States of America, and other good and valuable considerations to her in hand paid by the said Grantees, the receipt whereof is hereby acknowledged, having granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the said Grantees, their heirs and assigns forever, all the following described real property situate in the County of Idaho, State of Idaho, to wit:

See Schedule C, which is attached hereto and hereby incorporated by this reference.

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, the remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity of the said Grantor.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances unto the said Grantees, their heirs and assigns forever.

And the said Grantor, for herself, her heirs, executors and administrators, does covenant, grant, bargain and agree to and with the said Grantees, their heirs and assigns, that at the time of the ensealing and delivery of these presents she was well seized of the premises above conveyed as of good, sure, perfect, absolute and indefeasible estate of inheritance, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in the manner and form aforesaid, and that the same

County of IDAHO	St.	COMPUTER
Recorded at request of		INDEXED
IDAHO COUNTY TITL CC		TRACTED
at 32 minutes past 4 o'clock P.M.		FILMED
on 24 day of July, 1998		ASSFSSOM
ROSE F. GEHRING		
Recorded		
Carol Speltz		
12.00		

are free and clear from all and former grants, bargains, liens, taxes, assessments and encumbrances of whatever kind or nature whatsoever, EXCEPT:

(a) General taxes for the year 1998, which are a lien, not yet due and payable.

(b) Power Line Easement, including the terms and conditions thereof, by and between ROY D. WISDOM and META T. WISDOM, his wife, and the IDAHO POWER COMPANY, a corporation, recorded April 24, 1948, under Instrument No. 159357, in Book 80 page 558, records of Idaho County, Idaho.

(c) Easement Agreement, including the terms and conditions thereof, by and between ROY WISDOM and META WISDOM, husband and wife, and RIGGINS T.V. CABLE CO., INC., an Idaho corporation, recorded December 22, 1972, under Instrument No. 247974, records of Idaho County, Idaho.

(d) Right of Way Easement, including the terms and conditions thereof, by and between DONALD R. EBERLY and SELMA A. EBERLY, Grantor, and IDAHO COUNTY, a municipal corporation, Grantee, recorded September 30, 1991, under Instrument No. 360455, records of Idaho County, Idaho.

(e) Subject to Idaho County Ordinance No. 33, including the terms and conditions thereof, recorded April 25, 1995, under Instrument No. 379899, records of Idaho County, Idaho.

(f) Rights and easements in favor of the public for recreational uses of the Squaw Creek.

And that the above bargained premises, in the quiet and peaceable possession of the said Grantees, their heirs and assigns, against all and every person or persons lawfully claiming or to claim whole or any part thereof, the said Grantor will and shall WARRANT AND FOREVER DEFEND.

That this deed is given by Grantor to Grantees, not on account of any default in any security agreements or arrangements which pertain to the real property herein above written and described, but is given for full consideration paid by Grantees to Grantor.

IN WITNESS WHEREOF, the said Grantor has hereunto set her hand and seal the day and year first above written.


SINDI GIBSON

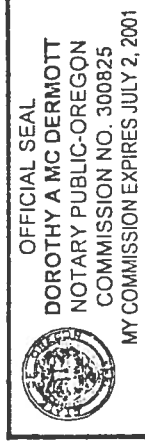
STATE OF Oregon)
County of Columbia) ss

On this 16 day of July, 1998, before me, a Notary Public, in and for said County and State, personally appeared SINDI GIBSON, a single person, known to me to be the person whose name is subscribed to the within instrument, and she acknowledged to me that she freely executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(NOTARY SEAL)


Notary Public for the State of Oregon,
Residing at Warren, therein.
My Commission expires July 2 2001.



File No. 12889

SCHEDULE C

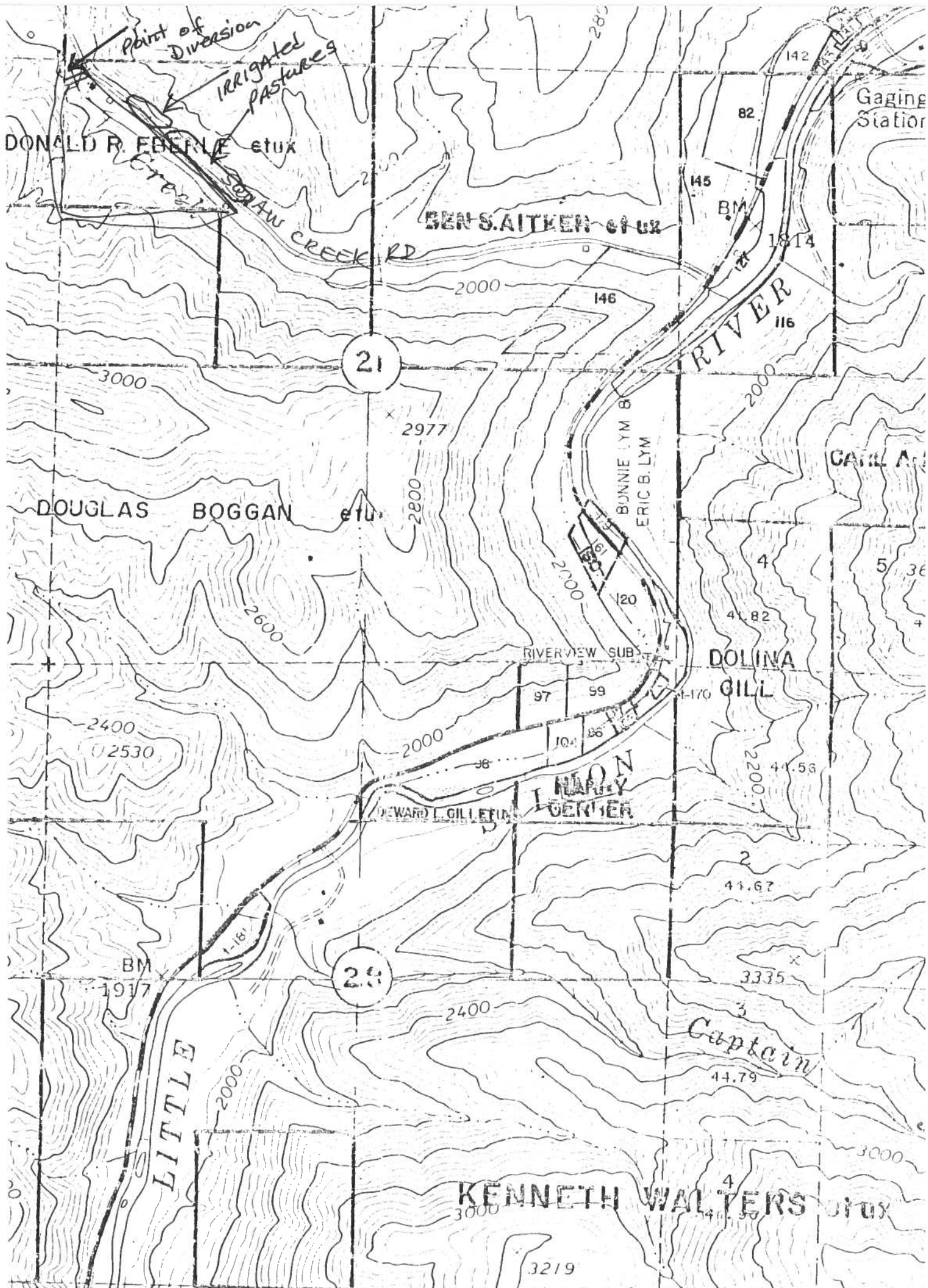
Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 21: That portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ lying South and West of the
existing County Road (United States Forest Service
Papoose Creek Road Number 517) centerline;

EXCEPTING THEREFROM the following tract beginning at the
Section corner for Sections 16, 17, 20 and 21, a brass
cap and pipe and the True Point of Beginning,
thence S.00°12'15"E. along the Section line between
Sections 20 and 21, 621.90 feet, a monument;
thence N.54°17'06"E., 355.21 feet, a monument;
thence continuing N.54°17'06"E., 20.00 feet to the
centerline of Squaw Creek;
thence Northwesterly (upstream) along the centerline of
said Squaw Creek approximately 550 feet to the Place of
Beginning;

All positions called as monuments are marked with a 5/8
inch diameter by 24 inch long steel pin with a one inch
diameter yellow service cap.

The bearings are based on the record General Land Office
Survey Bearing between Section Corner 9, 10, 15 and 16, a
brass cap and pipe;
S.00°05'05"E., 2614.88 feet to the $\frac{1}{4}$ corner between
Sections 15 and 16, a brass cap and pipe.

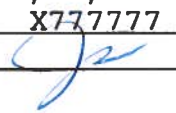




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: A78-04020A
Date Received: 7/26/1988
Receipt No: X777777
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SINDI GIBSON 208-628-3649
Address: PO BOX 1281
RIGGINS ID 83549

2. Date of Priority: APR 1, 1890

3. Source: SQUAW CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	01E	17		NW	SE		IDAHO
				SE	SE		IDAHO
		21		NW	NW		IDAHO

5. Description of diverting works:
GRAVITY FLOW FROM CREEK TO HEADGATES AND DITCHES-GRAVITY IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.450		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 18.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 50 HD CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	01E	21	NW	NW		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	01E	21	NW	NW	STOCK	
Section Acres						6.0
Total Acres						6.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

DURING THE LOW WATER MONTHS A PORTABLE PUMP IS PLACED IN THE CREEK TO IRRIGATE PORTIONS THE FLOOD IRRIGATION CANNOT REACH. PUMP IS PLACED IN THE SAME QUARTER-QUARTERS AS PD'S. LANDS IRRIGATED ARE MOSTLY NARROW, IRREGULARLY SHAPED TRACTS ALONG NORTH AND SOUTH SIDES OF SQUAW CREEK. ALL TRACTS SLOPE SHARPLY TOWARDS CREEK AND SOIL IS SHALLOW, ALL UNDERLAIN WITH GRAVEL AND SAND. LAND DOES NOT SUB-IRRIGATE LIKE LOWER COUNTRY HEAVY SOIL LANDS, BUT WATER SINKS QUICKLY AND GOES BACK TO STREAM FOR THIS REASON, NOT LESS THAN 4 MINERS INCHES OF WATER PER ACRE IS REQUIRED TO EFFECTIVELY IRRIGATE LAND. THERE ARE 2 P/D'S IN THE NWSE, 1 IN THE SESE, SEC. 17, AND 2 P/DS IN THE NWNW.

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)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

SEP 28 1995

WATER RESOURCES
WESTERN REGIONDATE OF CLOSING: N/A

LEGAL DESCRIPTION OF PROPERTY: Township 24N Range 1E
Section 21, — 1/4 of NW 1/4 of NW 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: A78-04020

☐ Name and Address of Former Owner/Claimant(s)(Seller): DONALD & SELMA EBERLE

☐ New Owner/Claimant (Purchaser): PO BOX 1091
MC CALL, ID 83638

☐ New Mailing Address: SINDI GIBSON

☐ New Telephone Number: PO BOX 1281
RIGGINS, ID 83549
(208) 628-3649

☐ 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:
NW 1/4 NW 1/4, S. 21, T. 24N, R. 1E. (Pt. of WSE)

☒ 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): Sindi Gibson Date 9-19-95

☐ 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
Copies to Former Owner and New Owner

MICROFILME

OCT 22 1996

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SEP 28 1995

WATER RESOURCES
WESTERN REGIONWARRANTY DEED

COPY

GRANTOR, DAVID E. CEREGHINO, also known as DAVE CEREGHINO, and JoANN CEREGHINO, husband and wife, of P. O. Box 387, Lucile, ID 83542, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto SINDI GIBSON, a single woman, of P. O. Box 1281, Riggins, ID 83549, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and hereby incorporated by this reference.

Reserving unto the Grantee her heirs and assigns an easement as set forth in Exhibit "B", to be used jointly with Grantor.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. Power Line Easement, including the terms and conditions thereof, by and between ROY D. WISDOM and META T. WISDOM, his wife, and the IDAHO POWER COMPANY, a corporation, recorded April 24, 1948, under Instrument No. 159357, in Book 80 page 558, records of Idaho County, Idaho.
2. Easement Agreement, including the terms and conditions thereof, by and between ROY WISDOM and META WISDOM, husband and wife, and RIGGINS T.V. CABLE CO., INC., an Idaho corporation, recorded December 22, 1972, under Instrument No. 247974, records of Idaho County, Idaho.
3. Right of Way Easement, including the terms and conditions thereof, by and between DONALD R. EBERLY and SELMA A. EBERLY, Grantors, and IDAHO COUNTY, a municipal corporation, Grantee, recorded September 30, 1991, under

WARRANTY DEED

1

MICROFILME
OCT 22 1996

Instrument No. 360455, records of Idaho
County, Idaho.

Grantor, for himself, his heirs and assigns does hereby covenant, warranty and shall defend the quiet and peaceable possession of said premises by the Grantee, her heirs and assigns forever against the lawful claims of all persons.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to this instrument this 19 day of December, 1994.

David E. Cereghino
DAVID E. CEREGHINO

JOANN CERECHINO

STATE OF IDAHO)
County of Idaho) ss.

On this 19th day of December, 1994, before me,
J. Paul Eimers, a Notary for the said County and
State, personally appeared DAVID E. CEREGHINO, also known as DAVE
CEREGHINO, and JOANN CEREGHINO, husband and wife, known or
identified to me to be the persons whose names are subscribed to
the within instrument, and they acknowledged to me that they freely
executed the same and that the statements therein contained are
true.

WARRANTY DEED

2

RECEIVED
SEP 28 1995

**WATER RESOURCES
WESTERN REGION**

MICROFILMED
OCT 22 1996

1 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
2 official seal the day and year first above written.

3
4 (NOTARY SEAL)


Notary Public for State of Idaho,
Residing at Grangeville, therein.
My commission expires on
6-24, 1999.

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WARRANTY DEED

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RECEIVED

SEP 28 1995

WATER RESOURCES
WESTERN REGIONMICROFILMED
OCT 22 1996

EXHIBIT A

Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 21: That portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ lying South and West of the
existing County Road (United States Forest Service
Papoose Creek Road Number 517) centerline;

EXCEPTING THEREFROM the following tract beginning at the
Section corner for Sections 16, 17, 20 and 21, a brass
cap and pipe and the True Point of Beginning,
thence S.00°12'15"E. along the Section line between
Sections 20 and 21, 621.90 feet, a monument;
thence N.54°17'06"E., 355.21 feet, a monument;
thence continuing N.54°17'06"E., 20.00 feet to the
centerline of Squaw Creek;
thence Northwesterly (upstream) along the centerline of
said Squaw Creek approximately 550 feet to the Place of
Beginning;

All positions called as monuments are marked with a 5/8
inch diameter by 24 inch long steel pin with a one inch
diameter yellow service cap.

The bearings are based on the record General Land Office
Survey Bearing between Section Corner 9, 10, 15 and 16, a
brass cap and pipe;
S.00°05'E., 2614.88 feet to the $\frac{1}{4}$ corner between Sections
15 and 16, a brass cap and pipe.

RECEIVED**SEP 28 1995****WATER RESOURCES
WESTERN REGION****MICROFILMED****OCT 22 1996**

EXHIBIT B

RESERVING an Easement for Road and Utilities ingress and egress located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho, being 50.00 feet wide and 25.00 feet each side the following described centerline, to-wit: Beginning at the Northwest Section corner for said Section 21, a brass cap and pipe;
thence S.00°12'15"E. along the Section line 25.00 feet to the True Point of Beginning;
thence S.89°40'06"E. parallel to the Section line between Sections 16 and 21, a distance of 262.00 feet to the centerline of the existing County Road (United States Forest Service Papoose Creek Road Number 517) and the Place of Terminus.

All positions called as monuments are marked with a 5/8 inch by 24 inch long steel pin with a one inch yellow service cap.

The Bearings are based on the record General Land Office Survey Bearing between Section corner 9, 10, 15 and 16, a brass cap and pipe;
S.00°05'E., 2614.88 feet to the $\frac{1}{4}$ corner between Sections 15 and 16, a brass cap and pipe.

RESERVING an easement for use of water ditch along Squaw Creek at the Southeast corner of property on said Exhibit A as same now exists

RECEIVED

SEP 28 1995

WATER RESOURCES
WESTERN REGIONtract 4(2)
Papoose CreekMICROFILME
OCT 22 1996

Due to the fact that this parcel is being broke off of an existing ranch and the water rights have not been allocated yet;

Buyer to receive deeded water rights for irrigation purposes out of Squaw Creek and/or existing ditch system. Irrigation water rights to be prorated and allocated to according to the approx. number of acres that are possible to irrigate on said parcel and the existing allotted acres and CFS on the whole ranch.

Buyer shall have reasonable easement on adjacent properties for access and maintenance of irrigation system as necessary to utilize said irrigation water. Said irrigation ditch may be moved if adjacent landowner so wishes so long as said irrigation rights and use thereof are not interrupted or discontinued.

Sellers to survey and mark property lines and corners within one year of closing date.

New application/claim to ~~the~~ water Right

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SEP 28 1995

WATER RESOURCES
WESTERN REGION

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1 property described in this Contract; that Purchaser has had
2 adequate opportunity to inspect and investigate the said property;
3 that Purchaser has made a through independent examination and
4 inspection of the said property and is relying solely upon his own
5 examination and inspection thereof; and, that Purchaser is
6 acquiring the property "as is."

7 4. Seller shall cooperate with Purchaser to transfer existing
8 irrigation water rights, to the extent the same exist, to Purchaser
9 to provide Purchaser with a pro-rated portion of water rights for
10 the property being purchased hereunder. Said water rights shall be
11 apportioned by taking the number of CFS of water allocated to the
12 irrigable acres of the ranch multiplied by the percent of irrigable
13 acres being sold hereunder in relation to the entire irrigable
14 acres of the ranch. In addition Purchaser shall identify a
15 reasonable easement over the adjoining property owned by the Seller
16 to access and maintain an irrigation system for use of the
17 irrigation water. Seller shall execute such easement upon
18 identification of the same.

19 Purchaser shall receive exclusive water rights for the
20 existing spring/cistern system presently used by the existing home
21 for domestic water purposes.

22 5. In the event of litigation between the parties hereto
23 concerning the subject matter hereof, the prevailing party in any
24 suit or action shall have the right to demand and collect as part
25 of any judgment to be rendered a reasonable sum as attorney's fees
26 in addition to costs allowed by law.

27 MEMORANDUM OF AGREEMENT
28 TO SELL

RECEIVED**SEP 28 1995**WATER RESOURCES
WESTERN REGION**MICROFILMED****OCT 22 1995**

Sindi Gibson
PO BOX 1281
Riggins ID
83849

T24 N1E

POOR ORIGINAL

② Deleted
A Right?
often

Sec 17

white pipe system starts
at Nancy Riggs?

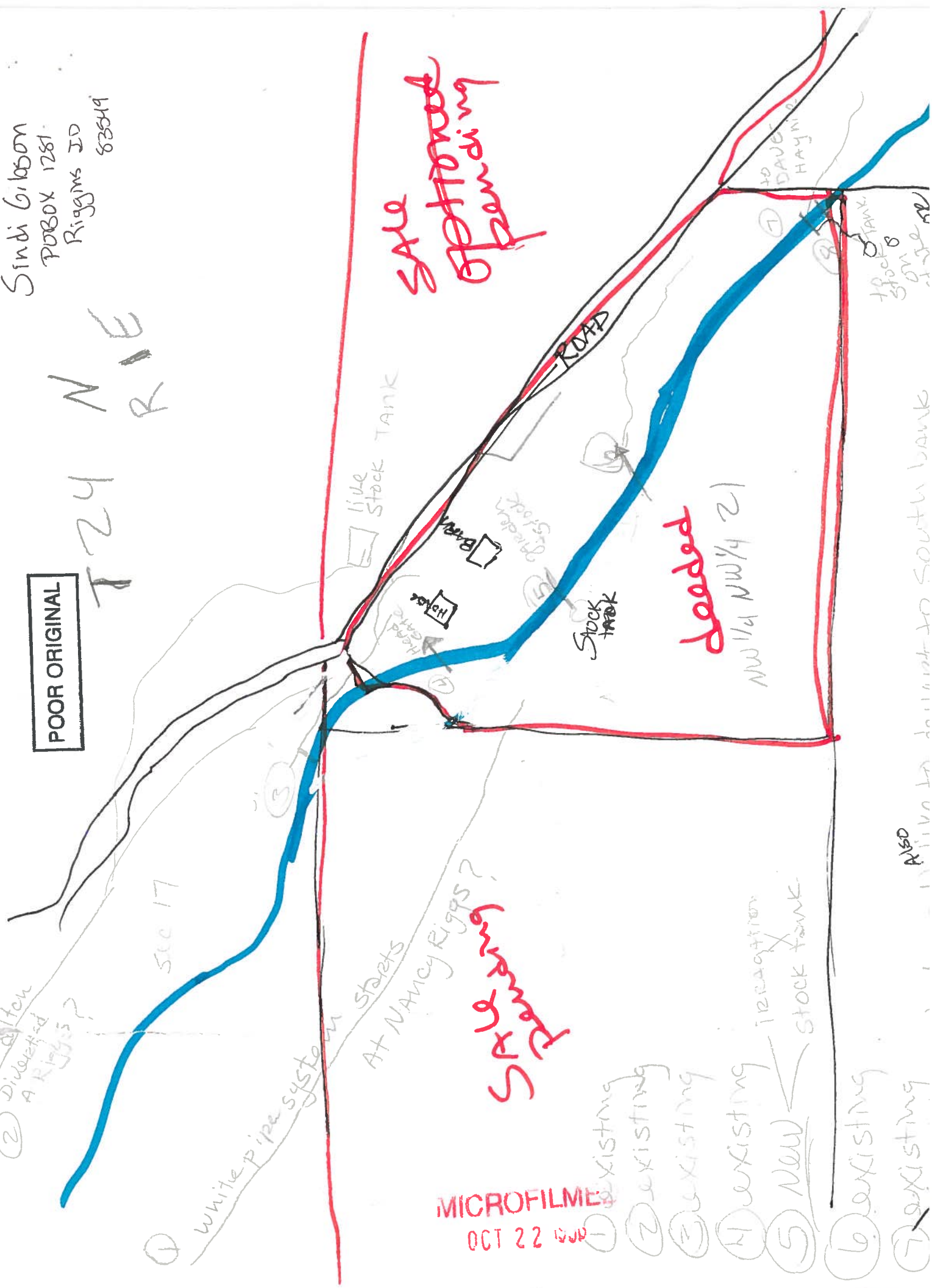
sale
of
fording
pend

loaded
NW 1/4 NW 1/4 21

MICROFILMED
OCT 22 1990

- ① existing
- ② existing
- ③ existing
- ④ existing irrigation
- ⑤ New stock tank
- ⑥ existing
- ⑦ existing

Also in line to divert to south bank



29

21

3000

POOR ORIGINAL

10

4000

DONALD R. EBERLE et ux

DONALD R. EBERLE et ux

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

SPLIT CLAIM - A78-04020A
Ident. Number: ~~A78-04020~~
Date Received: 7/26/1988
Receipt No: *MCCO-593*
Received By: *[Signature]*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD R. EBERLE 208-634-2092
Address: P.O. BOX 1091
MCCALL, ID 83638

OR
Name: SELMA ANN EBERLE 208-634-2092
Address: P.O. BOX 1091
MCCALL, ID 83638

2. Date of Priority: APR 01, 1890

3. Source: SQUAW CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	01E	17	NW	SE			IDAHO
			SE	SE			IDAHO
		21	NW	NW			IDAHO
			SE	NW			IDAHO

5. Description of diverting works:
GRAVITY FLOW FROM CREEK TO HEADGATES AND DITCHES-GRAVITY IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	2.120		
STOCKWATER	01/01	12/31	0.050		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is 84.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 HD. CATTLE, D/1 HOME(IRRIG. ONLY).
A78-04020 Page 1

Date: 07/26/88

[X]
MICROFILMED

OCT 22 1988

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
24N	01E	17	NW		SE		STOCK	
			SE		SE		IRR	17.0
			SE		SE		STOCK	
			SE		SE		DOMEST	
			Section Acres					17.0
		21	NW		NW		IRR	6.0
			NW		NW		STOCK	
			SE		NW		IRR	5.0
			SE		NW		STOCK	
			Section Acres					11.0
			Total Acres					28.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

DURING THE LOW WATER MONTHS A PORTABLE PUMP IS PLACED IN THE CREEK TO IRRIGATE PORTIONS THE FLOOD IRRIGATION CANNOT REACH. PUMP IS PLACED IN THE SAME QUARTER-QUARTERS AS PD'S. LANDS IRRIGATED ARE MOSTLY NARROW, IRREGULARLY SHAPED TRACTS ALONG NORTH AND SOUTH SIDES OF SQUAW CREEK. ALL TRACTS SLOPE SHARPLY TOWARDS CREEK AND SOIL IS SHALLOW, ALL UNDERLAIN WITH GRAVEL AND SAND. LAND DOES NOT SUB-IRRIGATE LIKE LOWER COUNTRY HEAVY SOIL LANDS, BUT WATER SINKS QUICKLY AND GOES BACK TO STREAM FOR THIS REASON, NOT LESS THAN 4 MINERS INCHES OF WATER PER ACRE IS REQUIRED TO EFFECTIVELY IRRIGATE LAND. THERE ARE 2 P/D'S IN THE NWSE, 1 IN THE SESE, SEC. 17; 2 P/D'S IN THE NWNW, AND 1 P/D IN THE SENW, SEC. 21

15. Basis of Claim: STATUTORY CLAIM

~~MICROFILMED~~
OCT 05 1988
MICROFILMED
OCT 22 1988

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): Alma Rene Elvick Date: 7/26/88

Date: _____

State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 27 day

of July 19 88

John Dale Carver
Notary Public

Seal

Residing at Bain Id

My Commission Expires 6/2/94

POOR ORIGINAL



07/15/2002

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

RIGHT NUMBER: 78-4020A

NAME AND ADDRESS: DENIS E CALLAGHER
4214 HOLMES ST
BOISE ID 83706

CELIA R CALLAGHER
4214 HOLMES ST
BOISE ID 83706

SOURCE: SQUAW CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.45 CFS

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION:

T24N R01E S17 NWSE Within IDAHO County

T24N R01E S17 SESE Within IDAHO County

T24N R01E S21 NWNW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/15	0.450 CFS
STOCKWATER	1/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T24N R01E S21 NWNW 6.0

STOCKWATER Within IDAHO County

T24N R01E S21 NWNW

6 ACRES TOTAL

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

EXPLANATORY MATERIAL: Beneficial Use

STOCKWATER, 50 HD CATTLE.

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

P. made in error - sorry!

Water Source:	SQUAW CREEK	Point(s) of Diversion:	T24N R01E S17 S21	Tributary to:	LITTLE SALMON RIVER	Stage:	BENEFICIAL USE
				NWSE	SESE		IDAHO County
				NWNW			IDAHO County

[illegible]

Other Rights: NONE

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

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

Comments:

Date: 05/12/1998 User-ID: SSHERMAN Subject: COPIED FROM REMARKS
DURING THE LOW WATER MONTHS A PORTABLE PUMP IS PLACED IN THE
CREEK TO IRRIGATE PORTIONS THE FLOOD IRRIGATION CANNOT REACH.
PUMP IS PLACED IN THE SAME QUARTER-QUARTERS AS PD'S.
LANDS IRRIGATED ARE MOSTLY NARROW, IRREGULARLY SHAPED TRACTS
ALONG NORTH AND SOUTH SIDES OF SQUAW CREEK. ALL TRACTS SLOPE
SHARPLY TOWARDS CREEK AND SOIL IS SHALLOW, ALL UNDERLAIN WITH
GRAVEL AND SAND. LAND DOES NOT SUB-IRRIGATE LIKE LOWER COUNTRY
HEAVY SOIL LANDS, BUT WATER SINKS QUICKLY AND GOES BACK TO STREAM
FOR THIS REASON, NOT LESS THAN 4 MINERS INCHES OF WATER PER ACRE
IS REQUIRED TO EFFECTIVELY IRRIGATE LAND.
THERE ARE 2 P/D'S IN THE NWSE, 1 IN THE SESE, SEC. 17, AND 2 P/DS
IN THE NWNW.

Audit: 05/12/98 SSHERMAN

Misc: Water District Number: Field Inspection Flag:



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

PHILIP E. BATT
GOVERNOR

April 29, 1998

KARL J. DREHER
DIRECTOR

SINDI GIBSON
PO BOX 1253
SCAPPOOSE OR 97056-1253

Re: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #A78-04020A & A78-11972
Change of Address

Dear Claimant:

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 can be sent only to the address on your water right 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 before returning this letter. Please return the letter by May 14, 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 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.

Claimant Signature



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 26, 1995

Sindi Gibson
PO Box 1281
Riggins, ID 83549

Dear Ms. Gibson:

Enclosed is a copy of your portion of Claim to a Water Right No. A78-04020. This change required a split of the original claim and resulted in the renumbering of this claim by adding alpha suffixes to represent each split. Your portion of this claim is numbered A78-04020A.

As we spoke of before, any new diversion points will need to be recorded by filing an Application for Transfer. I did put the five existing diversion points previously claimed under your portion of this right. It appears from your map that there may be existing diversion points not previously claimed. On the map you submitted, a copy of which is enclosed, I did not put diversion points 8 and 9 since they are downstream from your land and do not appear on the original claim. There is a diversion point in the SENW, Sec. 21 which may be one of these points of diversion. Enclosed is a copy of the map from the original claim filing showing the diversion point locations and which ones were included on your portion of this claim.

Please let me know if you have further information concerning the diversion points to include on your claim, or any questions about the transfer procedure.

Sincerely,

JAN SHURTE
Water Rights Supervisor
Adjudication Section
Western Regional Office
(208) 334-2190

Enclosures

MICROFILMED
OCT 22 1996

U.S. POSTAL SERVICE
PS FORM 3547

return
to sender

FEE DUE 50¢

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE \$300

2018

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

ADDRESS SERVICE
REQUESTED

PRESORTED
FIRST CLASS



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

METER
7070155 U.S. POSTAGE

A78-04020A
A78-11972

Po Box 287

SINDI GIBSON
PO BOX 1281
RIGGINS ID 83549

GIBS287 635492020 1A97 12 04/24/98
FORM 3547
GIBSON
PO BOX 1253
SCAPPPOOSE OR 97056-1253

Re: Snake River Basin Adjudication
Notice of Claim

AUTO

