

09/29/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-21177

JACOB HEIDA
8184 BASE LINE RD
MELBA ID 83641
Telephone Number: (208)495-2206

RECEIVED
OCT 19 2006
**WATER RESOURCES
WESTERN REGION**

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation; no changes need to be made.

DATE:

OCT 15

SIGNATURE:

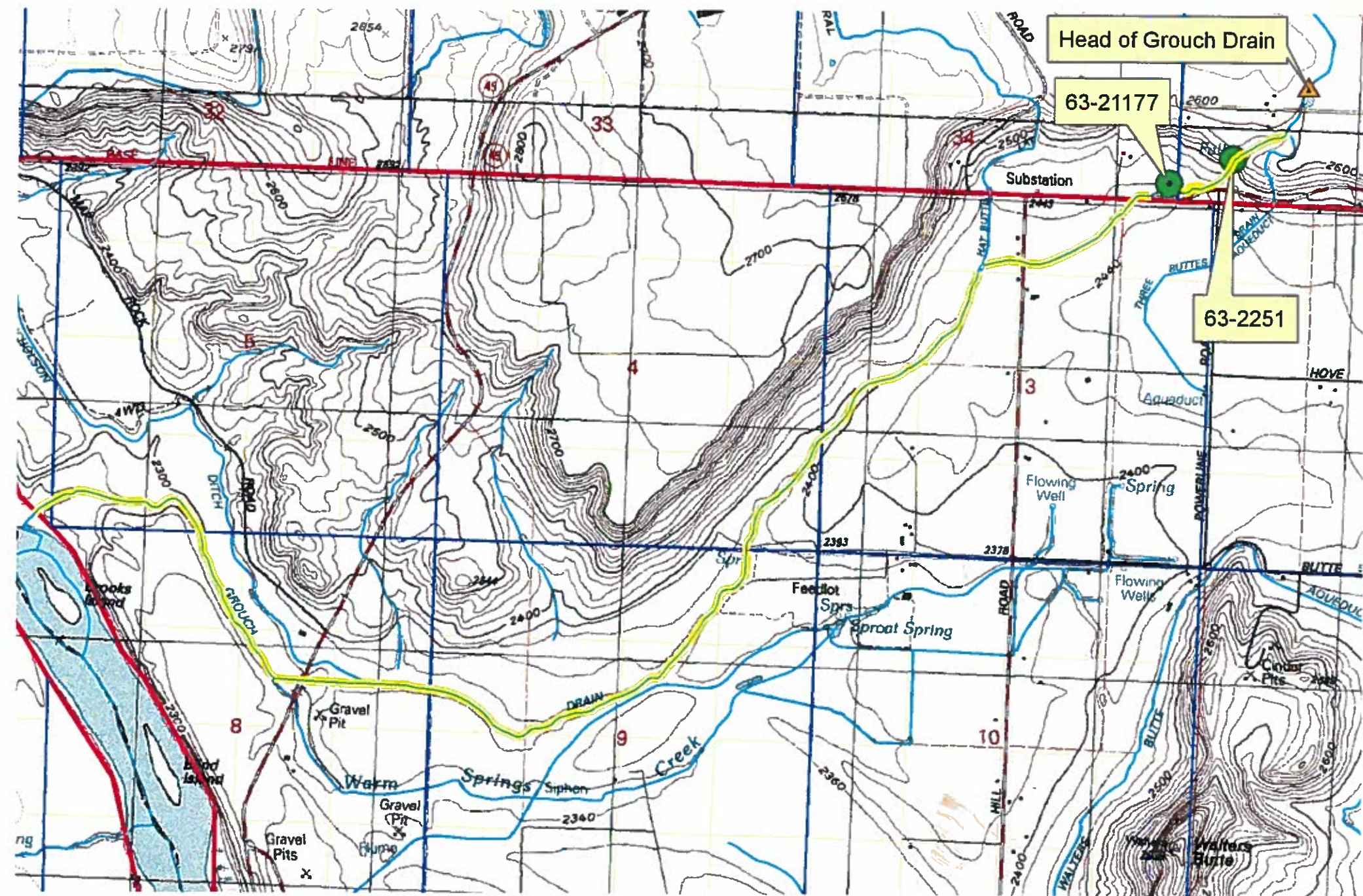
Jacob Heida

Please print your name:

Jacob Heida

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

SCANNED
OCT 23 2006



JUN 22 2007

DEPARTMENT OF
WATER RESOURCES

In Re SRBA) A. Subcase 63-21177
(Insert water right number)
)
Case No. 39576) STANDARD FORM 1
) OBJECTION
)

B. NAME AND ADDRESS OF PERSON OBJECTING

Name & Address of Attorney, if any:

Shelley M. Davis
Barker Rosholt & Simpson, LLP
1010 W. Jefferson, Ste. 102, Boise ID 83702

Name: Jacob Heida
Address: 8184 Base Line Rd.
Melba, ID 83641

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☒ **Source**

Should be: The source should be described as waste waters, and waste waters belong to the Boise-Kuna Irrigation District.

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point of Diversion**

Should be: _____

6. ☐ **Instream Flow Beginning and Ending Point**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: Land Subject to Boise-Kuna Irrigation Water Right

10 ☐ **I object because:**

☒ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): There has been no lawful appropriation of this right. The description of the source should have been waste water. The waste waters belong to the Boise-Kuna Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Boise-Kuna Irrigation District. The place of use is covered by an existing Boise-Kuna Irrigation District water right, which is the primary water right for the place of use. Proposed wastewater remark does not sufficiently protect original appropriator.

F. VERIFICATION (must be completed)

State of Idaho)
)ss.

County of Boise)

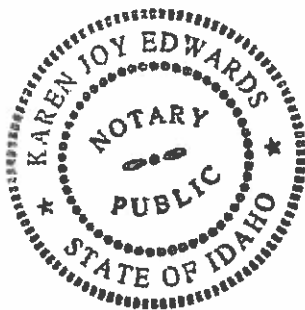
Jeffrey M. Davis, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/18/07



Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 8/2/2012

Karen Joy Edwards

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 18, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Jacob Heida
Address: 8184 Base Line Rd.
Melba, ID 83641

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf

12/10/2006

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

RIGHT NUMBER: 63-21177 *ANN HEIDA*
NAME AND ADDRESS: JACOB HEIDA
8184 BASE LINE RD
MELBA ID 83641
SOURCE: GROUCH DRAIN *THREE BUTTES WASTEWATER DRAIN* TRIBUTARY: SNAKE RIVER
QUANTITY: 0.280 CFS
63.00 AFY
PRIORITY DATE: 05/20/1940
POINT OF
DIVERSION: T01N R02W S34 SESE Within CANYON County
PURPOSE AND
PERIOD OF USE:

RECEIVED
DEC 12 2006
DEPARTMENT OF
WATER RESOURCES

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	03/01 11/15	0.280 CFS 63.00 AFY
PLACE OF USE:	<u>IRRIGATION in CANYON County</u>		
	T01N R02W S34 SESE 14.00		
	14 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.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Boise-Kuna Irrigation District.



Idaho Department of Water Resources

SRBA Recommendation:

63-21177

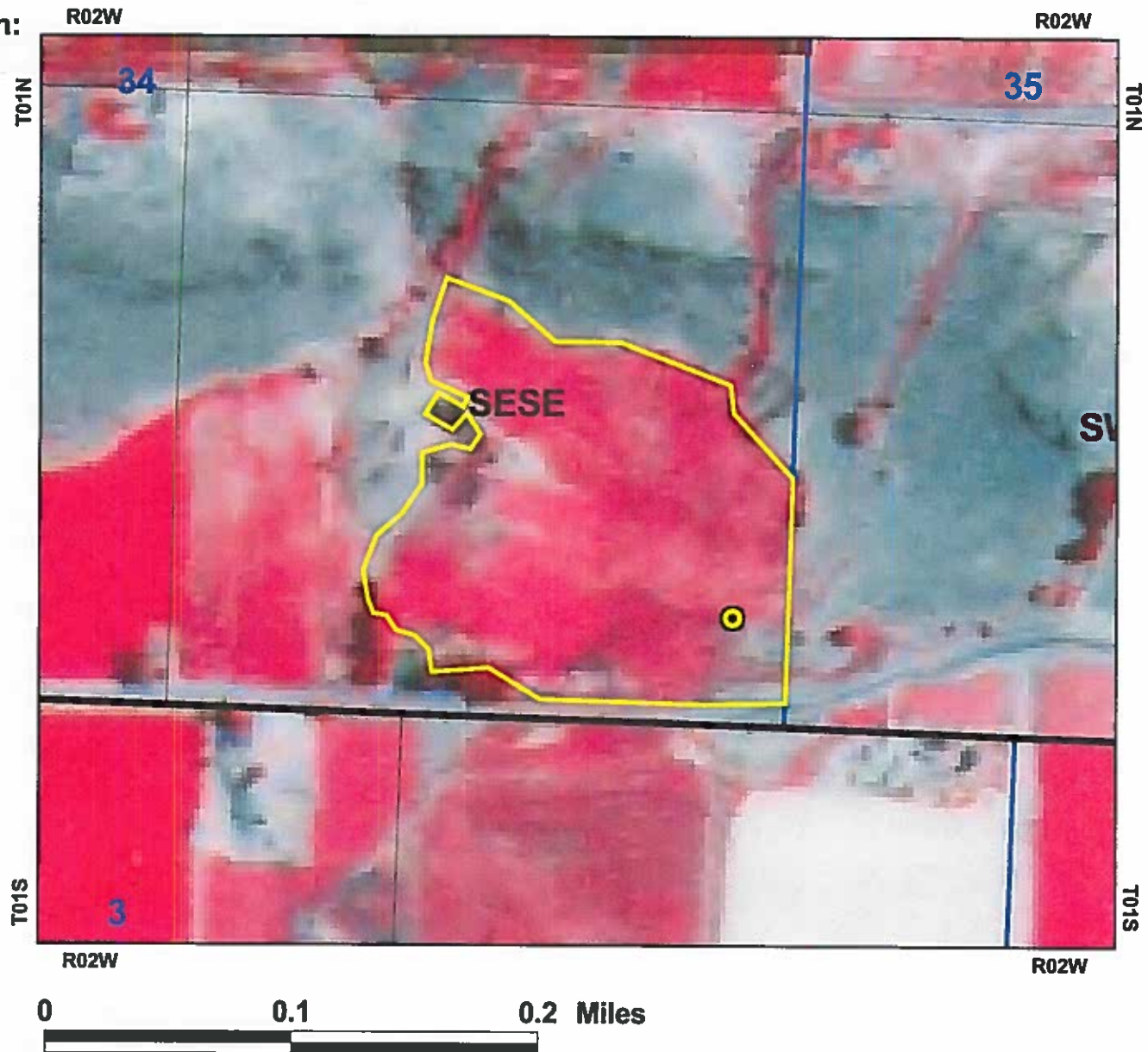
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Canyon County
IDWR Basin 63



Prepared by M. Ciscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography

MEMORANDUM

TO: AJUDICATION CLAIM 63-21177

FROM: DANIEL A. NELSON

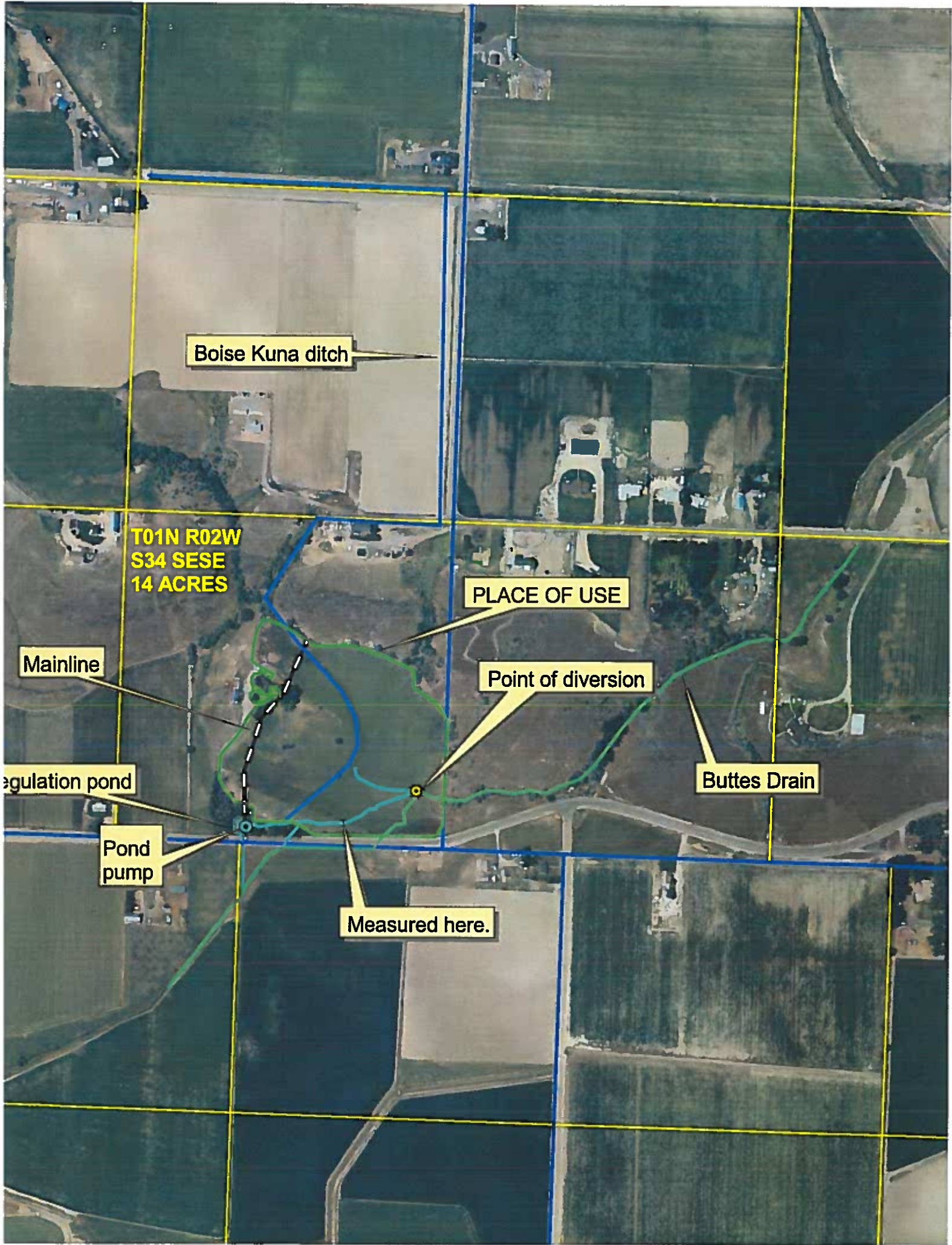
DATE: 6/30/06

SUBJECT: FIELD EXAM NARRATIVE

I visited the property associated with this claim on 6/28/2006. The claim lists the water sources as wastewater, but it appears to be diverted from the Three Buttes Drain where it crosses over to the point where Hat Butte Lateral turns into Grouch Drain. Since all the water comes from Three Buttes Drain, I would refer to the water being diverted as Three Buttes Drain. I shorten the name on the pictures to Buttes Drain for space saving purposes.

The water for this claim is diverted from the drain through a culvert. At the culvert there is also a ditch that allows for wild flooding of the portion of the filed lying along the ditch. The water that is diverted through the culvert goes down to a small pond. A 5 Hp pump diverts the water from the pond uphill to irrigate the property with sprinklers. The pond can collect Boise Kuna water that is also diverted into the pond and wild flooded through the pastures. The pond has a small overflow ditch that regulates the pond level. Most of the land is irrigated with the pond pump, which diverts approximately 0.21 cfs, but the wild flooding ditch can divert the full capacity of the irrigation ditch or 2.14 cfs. The amount of water that can be used for irrigation is 2.14 cfs, even though 90 percent of the time only 0.21 cfs is used.

I only found 14 acres of the 20-acre parcel that could be irrigated with this system. Therefore, the claim should be reduced to 14 acres in the SESE. As the system is set up, there is no need to include ditch loss, so the diversion rate should be reduced to 0.28 cfs or 0.02 cfs per acre for the 14 acres. The total volume used should also be limited to 4.5 afa per acre or 63 afa.



Boise Kuna ditch

T01N R02W
S34 SESE
14 ACRES

Mainline

regulation pond

Pond pump

PLACE OF USE

Point of diversion

Buttes Drain

Measured here.

Boise Kuna ditch

T01N R02W
S34 SESE
14 ACRES

PLACE OF USE

Mainline

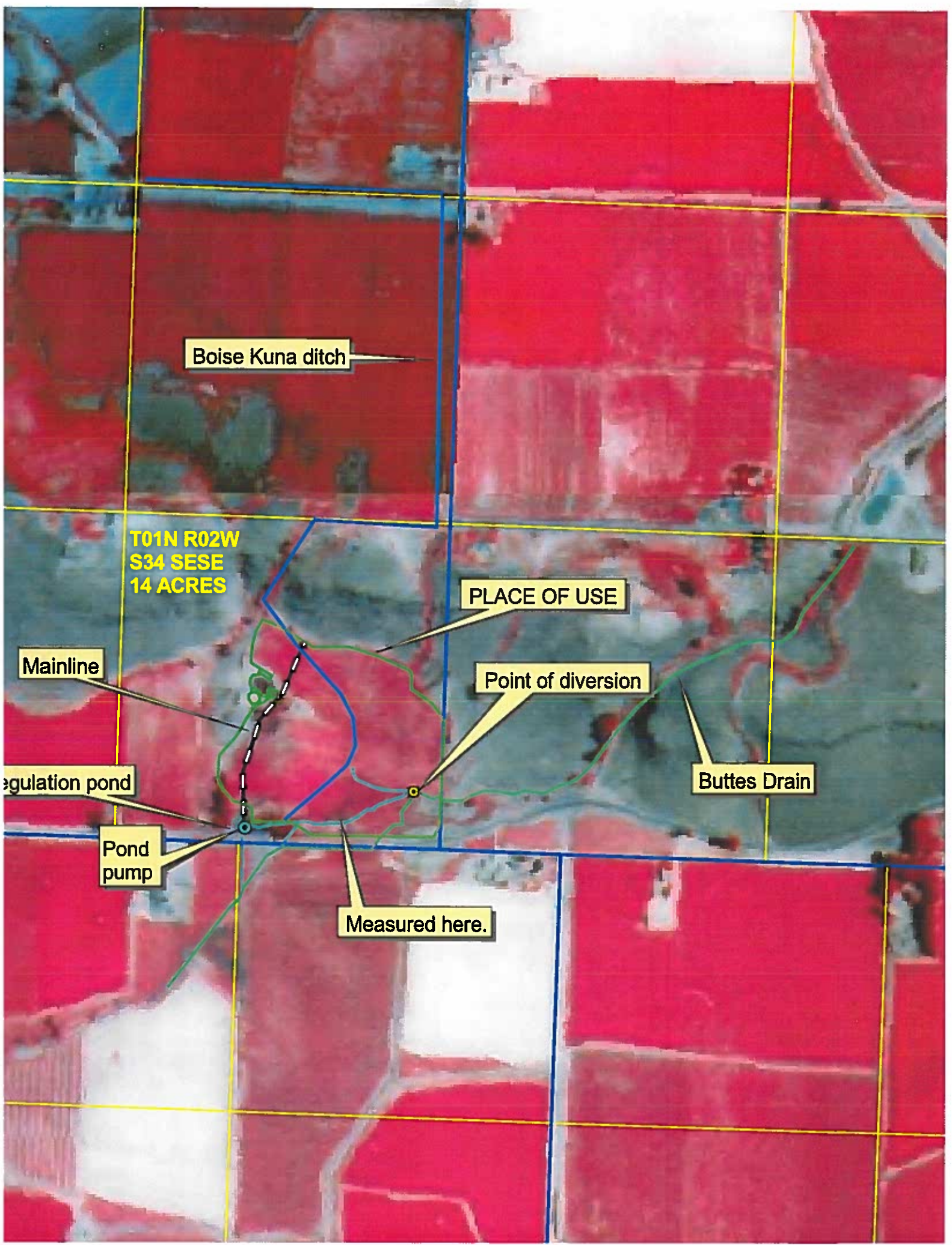
Point of diversion

Buttes Drain

regulation pond

Pond pump

Measured here.



AgauCalc 5000 (tm) by JBS Instruments
Firmware Version AQCUG7b (c)1993,'94,'95,'96,'97, 1999

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GAGE ID#, 0
DATE, 6/28/06
TRANSECT, 1
USER ID#, 0
STAFF HEIGHT, 0.00
GAGE HEIGHT, 0.00
METER ID#, 0
AQUACALC ID#, 0
METER TYPE, Pygmy ST2
METER CONST. C1, 0.9604
METER CONST. C2, 0.0312
METER CONST. C3, 0.9604
METER CONST. C4, 0.0312
METER CONST. C5, 1.0000
MEAS. SYSTEM, S.A.E. (English)
TOTAL STATIONS, 8
TOTAL WIDTH, 1.00
TOTAL AREA, 2.80
TOTAL DISCHARGE, 2.1378
MEAN VELOCITY, 0.76

```

ST. Q)	,DIST	,DEPTH	,REVS	,TIME	,COS:VF	,LOC	,CLOCK	,VEL	,AREA	,FLOW(
1, 00,	1.0,	0.00,	0,	0.0,	1.00,	.6,	0:00,	0.000,	0.000,	0.00
2, 01,	1.5,	0.60,	14,	40.0,	1.00,	.6,	9:21,	0.367,	0.300,	0.11
3, 35,	2.0,	1.50,	33,	40.3,	1.00,	.6,	9:22,	0.818,	0.750,	0.61
4, 19,	2.5,	1.30,	41,	40.5,	1.00,	.6,	9:25,	1.003,	0.650,	0.65
5, 22,	3.0,	1.10,	33,	41.0,	1.00,	.6,	9:27,	0.804,	0.550,	0.44
6, 01,	3.5,	1.00,	23,	40.1,	1.00,	.6,	9:29,	0.582,	0.550,	0.32
7, 30,	4.1,	0.00,	32,	40.8,	1.00,	.6,	12:50,	0.000,	0.000,	0.00
8, 30,	0.0,	0.00,	41,	40.6,	1.00,	.6,	12:49,	0.000,	0.000,	0.00

Record ID		Measured Flow:	
Water Right No. 63-31127		Designed Flow:	
Name ZAVALA		HP/Eff Flow:	0.21 cfs <<-Max
pod POND PUMP		Sprinkler Flow:	0.21 cfs
year: 2006		Pivot/System Flow:	
Flow Measurement: _____ gpm =			
Curve/Pump Design: _____ gpm =			
Horsepower / Efficiency Method			
Horsepower	5 hp		
PWL	2.5 ft		
Disch Psi	66 psi		
PUMP Eff Estimate	0.73 %		
TDH	155 ft		
OHP	3.65 hp		
Flow	93 gpm =	0.21 cfs	
System Method:			
No Lines	1	Nozzle Equation: $Q=C\sqrt{A}\sqrt{2gh}/\sqrt{1-r^4}$	
Birds per line	20	C=	1.00 Nozzle coefficient, typical 0.97 to 1.00
Til no nozzles	20	r=	0.0065 ft Nozzle radius
Nozzle size	5/32 in	A=	0.00013 ft ² Nozzle area
Nozzle pressure	40 psi	h=	92 ft Head
Flow per nozzle	4.61 gpm	g=	32.2 ft/sec ² Gravitational constant
Sprinkler Flow	92 gpm	Q=	0.010 cfs Flow per nozzle
Percent Leaks	%	=	4.610 gpm Flow per nozzle
Total Flow	92 gpm =	0.21 cfs	
Pivot / System rating _____ gpm =			

Max Flow from all sheets:

0.21

ASSUMPTIONS

- 1) "Horsepower" is the motor shaft horsepower, equivalent to nameplate for a fully loaded motor
 - 2) "PUMP Eff Estimate" is the efficiency of the pump only; motor efficiency would be included to assess total pumping system efficiency. Over-ride this value if additional information (such as a pump curve) is available.
- .73 for <7.5 hp
.76 for 7.5 to <15 hp
.77 for 15 to <40 hp
.79 for 40 to <75 hp
.82 for 75 hp and larger

The sprinkler equations assumes new nozzles; increase "Percent Leaks" to account for wear.

Comments / Data Supplied:

The theoretical and the sprinkler nozzles are identical. Therefore, a diversion rate of 0.21 cfs is the approximate flow rate of the pump system. Flood irrigation is also used, so the actual system capacity is the pygmy meter measurement in the ditch of 2.13 cfs. This calculation is just for informational purposes only.

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 6/30/2006

FILE NUMBER 63-21177



POND PUMP IS
APPROXIMATELY HERE

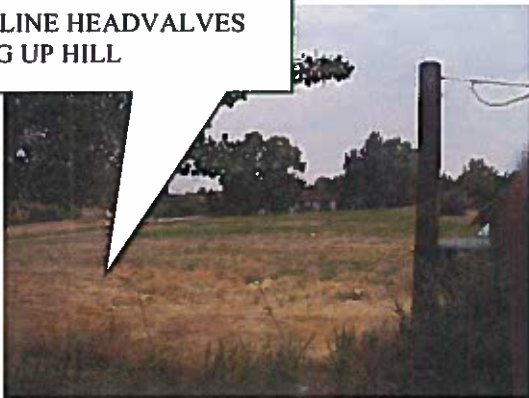


These photos show the pond and the pond pump. You can't see the entire pond from one location due to the cattails. However, I have marked the general location of the pump.

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 6/30/2006

FILE NUMBER 63-21177

MAINLINE HEADVALVES
GOING UP HILL



The photo above shows the mainline going up the hill from the pond pump. It irrigates from the driveway over to the edge of the property.

The bottom photo shows the entire property that is irrigated from the eastern border (fence lines). Handlines irrigate the ground on the upper elevations.



BUTTE DRAIN

DIVERSION

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 6/30/2006

FILE NUMBER 63-21177



The photo above shows the diversion from Buttes Drain. In the photo, Buttes Drain travels toward the top of the photo and the diversion to the Heida property goes through the board diversion and through the wild flooding irrigation ditch with the tarp across it. There is enough water in the drain that water can be sent to the pond and through the wild flooding irrigation ditch.

The middle picture shows the diversion ditch right before it enters the pond. This is the point where I measured the ditch. At the bottom right of the picture, you can see where water from Boise Kuna can enter the ditch.

The bottom picture shows the same ditch at the pond overflow. This overflow is designed to allow the water in the ditch to automatically regulate itself. As the pump pond reaches a certain level, the excess water goes through this side channel and back to the drain. When the owner wants to bypass the pond completely, he inserts the board on the ground into the ditch in-front of the board across the creek.

BOISE KUNA WATER ENTERS HERE



IRRIGATION DITCH TO POND

OVERFLOW DITCH

IRRIGATION DITCH TO POND





IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21177

WATER RIGHT NUMBER: 63-21177

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JACOB HEIDA 8184 BASE LINE RD MELBA, ID 83641 (208)495-2206

Priority Date: 05/20/1920

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	SNAKE RIVER

THREE BUTTES DRAIN

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.400 CFS	
	<u>Total Diversion:</u>	0.400 CFS	

Location of Point(s) of Diversion

WASTE WATER	SE1/4SE1/4	Sec. 34, Twp 01N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	02W	34																20.0	20.0

Total Acres: 20

Conditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21177

Claim Received Date: 2/22/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

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 63-21177
Date Received: 2/22/1990
Receipt No: W009370
Received By:

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

1. Name of Claimant(s)

JACOB HEIDA Phone: (208)495-2206
8184 BASE LINE RD
MELBA ID USA 83641

2. Date of Priority: 05/20/1920

3. Source: WASTE WATER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	02W	34	SE SE	CANYON	

5. Description of diverting works:

PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.4	

7. Total Quantity Appropriated is:
0.4 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
01N	02W	34	SE SE	IRRIGATION	20
Section Acres					20

Total Acres 20

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

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): *James M. Hinde* Date: *May 4, 06*
_____ Date:

State of Idaho)
County of *Ada*) SS.

Subscribed and sworn (or affirmed) before me this

of *May* 20*06*

4th day
Carter Fritschle

Notary Public

Residing at *Kuna ID*

My commission Expires *4-3-2012*



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: A63-21177
Date Received: 2/22/1990
Receipt No: W009370
Received By: LM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACOB HEIDA 208-495-2206
Address: RT 1, BASE LINE RD.
MELBA, ID 83641

2. Date of Priority: MAY 20, 1940

3. Source: WASTEWATER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	02W	34	SE	SE			CANYON

5. Description of diverting works:
PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		

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

8. Total consumptive use is 70.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK-30 HD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02W	34	SE	SE		IRR	20.0
Section Acres							20.0

10. Place of Use: Continued

Total Acres 20.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
BOISE-KUNA

14. Remarks:

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):

X Paul Ylide

Date:

Feb 22 1990

Date:

State of Idaho

County of

Ada

)
) SS.
)

Subscribed and sworn (or affirmed) before me this

22 day

of

Feb

19

90

Linda Werner

Notary Public

Seal

Residing at

LINDA WERNER

RESIDING AT EAGLE, IDAHO

MY COMMISSION EXPIRES DEC. 8, 1994

My Commission Expires

T1N
R2W
Sec. 34
SESE

✓ AG 3-21177

P1D

F
W

7.5

33 Nampa 15 MI

35'

34

36

38

32' 30"

38 Nampa 15 MI



AJ5809NP
No. A63-21177

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/07/95
PAGE: 53

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JACOB HEIDA RT 1 BASE LINE RD MELBA ID 83641 (208) 495-2206	05/20/1940	IRRIGATION	03-15 11-15	0.40 CFS	
TOTAL DIVERSION:					0.40 CFS	
CONSUMPTIVE USE:						70.00 AFA

Water Source: WASTEWATER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T01N R02W S34 SESE

CANYON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---	
01N	02W	34	:					:					:					:					:		
																							20	:	20.0
																							TOTAL ACRES	:	20.0

POU County: CANYON

Non-Irrigation Uses: STOCK-30 HD CATTLE

Other Rights: BOISE-KUNA

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

RECEIVED
AUG 31 1995
WATER RESOURCES
WESTERN REGION

ADJUDICATION MEMORANDUM

CLAIM NO.: A63-21177

SUBJECT: Evidence of priority

EMPLOYEE: M. Minicucci

DATE: 08/04/1995

Jacob Herda's daughter (didn't get her name) called regarding EDWR's correspondence requesting evidence of the claimed priority date. We discussed what the priority date means and the significance of the mandatory permit statute date for surface water. Mr. Herda did not own the property in 1940, so they will pursue other sources of information (neighbors, previous owners, tax records, pump/irrigation system receipts). ~~The~~ File is being investigated by K Walker.



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

July 7, 1995

A63-21177
JACOB HEIDA
RT 1 BASE LINE RD

MELBA

ID 83641

Re: Claim No(s) - A63-21177

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by September 1 1995, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

lh
Enclosures

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
A63-21177)

AFFIDAVIT

State of Idaho)
County of Canyon)

Jacob Heida

being first duly sworn,

deposes and says: As the present owner of the described

property located at 8184 Baseline Road in Melba, Idaho in

Canyon County:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
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01N 02W 34 SE SE Canyon

I declare by speaking with several long-time residents in

the area of the described property that even as early as

1920, wastewater and irrigation water have been used for

irrigation purposes and for stock water at the described

property and location.

Subscribed and sworn to before me this
day 29 of August, 1995.

(Signature)

Lisa D. Roberts

(Notary Public)

Residing at

My Commission Expires

10/30/98

SCANNED

MAY 04 2006

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
A63-21177)
)
)
)

AFFIDAVIT

State of Idaho)
County of Canyon)

Mrs. H.W. Kaufman

being first duly sworn,

deposes and says: As a former owner of the described property
located at 8184 Baseline Road in Melba, Idaho in Canyon County:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
01N	02W	34	SE	SE	Canyon

I declare that wastewater and irrigation water have been
used since 1940 for irrigation purposes and for stock

water at the described property and location.

Dwain H. Kaufman
(Signature)

Subscribed and sworn to before me this
day 29th of August, 1995.

SEAL

Lucia Morley
(Notary Public)

Residing at Caldwell.

My Commission Expires 6-1-96.

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
A63-21177)
)
)
)

State of Idaho)
County of Canyon)

AFFIDAVIT

RECEIVED

AUG 31 1995

WATER RESOURCES
WESTERN REGION

Mrs. H.W. Kaufman

being first duly sworn,

deposes and says: As a former owner of the described property
located at 8184 Baseline Road in Melba, Idaho in Canyon County:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
01N	02W	34	SE SE		Canyon

I declare that wastewater and irrigation water have been
used since 1940 for irrigation purposes and for stock
water at the described property and location.

Edward Kaufman
(Signature)

Subscribed and sworn to before me this
day 29th of August, 1995.

Lucia Morley
(Notary Public)

Residing at Caldwell.

My Commission Expires 6-1-96.



IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
A63-21177)

AFFIDAVIT

RECEIVED

AUG 31 1995

**WATER RESOURCES
WESTERN REGION**

State of Idaho)
County of Canyon)

Jacob Heida

being first duly sworn,

deposes and says: As the present owner of the described
property located at 8184 Baseline Road in Melba, Idaho in
Canyon County:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	02W	34		SE	SE		Canyon

I declare by speaking with several long-time residents in the area of the described property that even as early as 1920, wastewater and irrigation water have been used for irrigation purposes and for stock water at the described property and location.

Harob Herida
(Signature)

Subscribed and sworn to before me this
day 29 of August, 1995.

Lisa D. Rehto
(Notary Public)

Residing at Namso.

My Commission Expires 10/30/98

