

RECEIVED

DEPARTMENT OF
WATER RESOURCES

NDE
WR# 67-2377A
67-10784

*Presum'd owned - James Bain
added to Claim. C/o
needed.*

FRED L EDMISTON
606 COVE RD

SCANNED
FEB 27 2007

Adjudication Bureau
P. O. Box 83720
Seattle, ID 83720-0098

ADDRESS SERVICE
REQUESTED

RETURNED
TO
SENDER
UNDELIVERABLE
AS ADDRESSED
FORWARDING
ORDER EXPIRED

FIRST CLASS



UNIT 02 14
0004310839
MAILED FROM ZIP CODE 83720
\$ 00.87

RECEIVED
FEB 27 2007
DEPARTMENT OF
JUVENILE RECEPTION

~~FRED L EMMISTON
606 COVE RD
WEBER ID 83672~~

Present owner, James
Bain is added
to claim.
C/O Needed

NDE
WR # 67-3377A

SCANNED
FEB 27 2007

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

RECEIVED

JAN 22 2007

DEPARTMENT OF
WATER RESOURCES

RECEIVED

JAN 22 2007

DEPARTMENT OF
WATER RESOURCES

NOT DELIVERABLE
NO ADDRESSES -
UNABLE TO FORWARD

FRED L EDMISTON
606 COVE RD
WEISER ID 83720

FIRST CLASS



UNITEL
02 1A
0004389393
MAILED FROM ZIP CODE 95712
PITNEY BOWLES
\$ 00.870
JAN 18 2007

Director's Report
LDR # 67-2377A

SCANNED
MAR 13 2007

11/15/2006

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

RIGHT NUMBER: 67-2377A
NAME AND ADDRESS: JAMES BAIN
606 COVE RD
WEISER ID 83672

FRED L EDMISTON
606 COVE RD
WEISER ID 83672

SOURCE: UNNAMED SLOUGH TRIBUTARY: WEISER RIVER
QUANTITY: 0.080 CFS
21.000 AFY
PRIORITY DATE: 06/14/1967
POINT OF DIVERSION:

T11N R05W S33 NWSWSE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/01	0.080 CFS 21.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after October 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in WASHINGTON County

T11N R05W S33 SESW 4.00 T11N R05W S33 SWSE 0.20

4.2 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 - License

This right is a split from former right 67-2377.

Use of this right is combined with water from Lower Payette Ditch Company.

James T Bain
PO Box 14
Weiser ID 83672
Present owner
67-2377A



Idaho Department of Water Resources

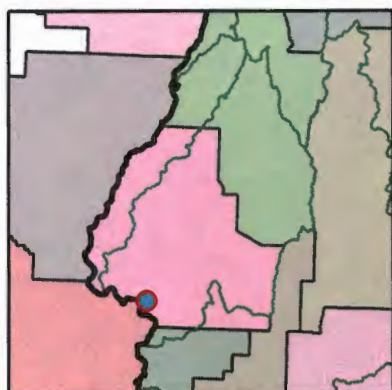
SRBA Recommendation:

67-2377A

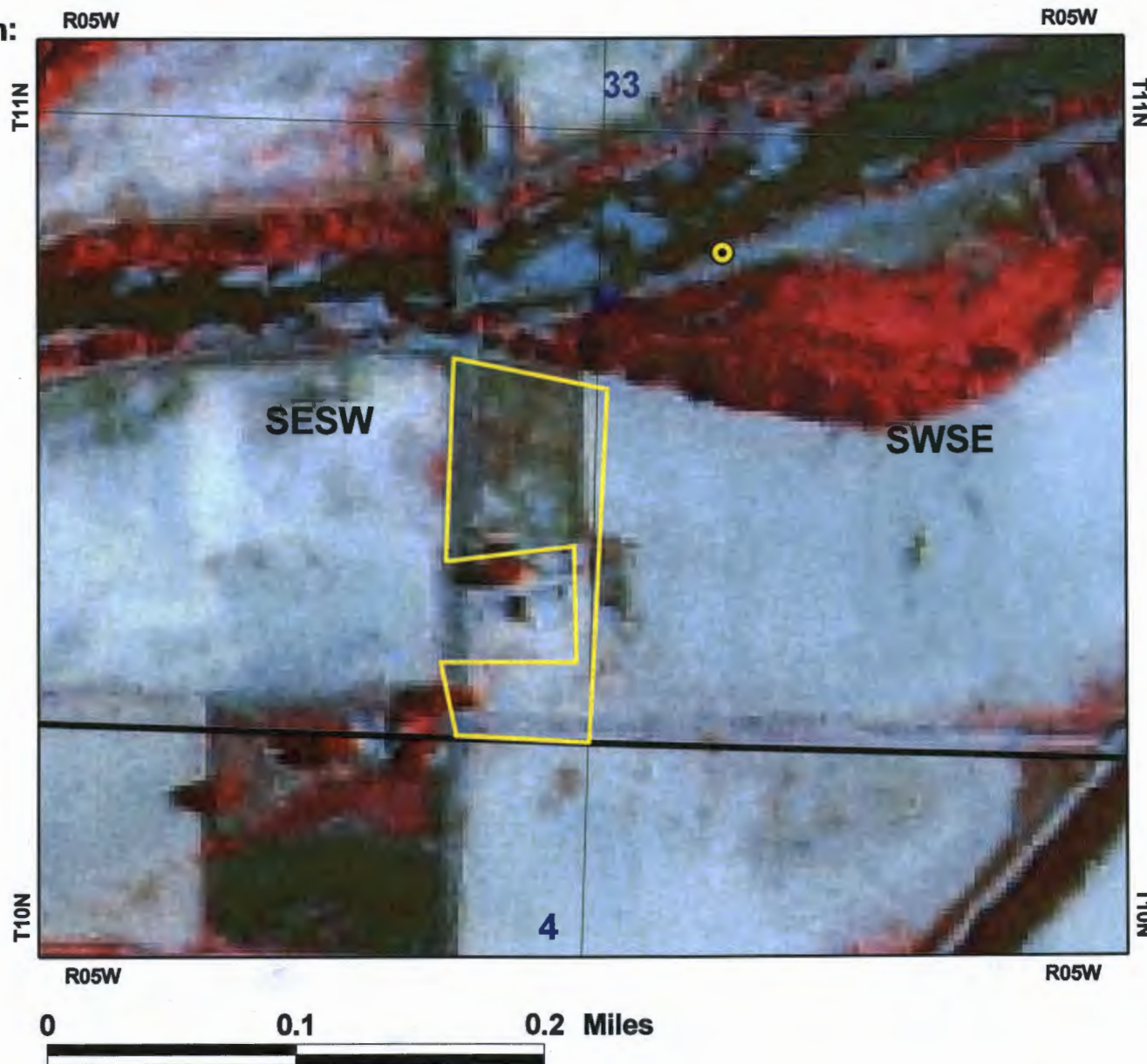
(Irrigation)

Legend

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



Washington County
IDWR Basin 67



Prepared by J. Dean
On Wednesday, November 15, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2377A V1

WATER RIGHT NUMBER: 67-2377A V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RHONDA D EDMISTON 606 COVE RD WEISER, ID 83672 (208)549-0898
Present Owner	JAMES BAIN 606 COVE RD WEISER, ID 83672 (208)549-8165
Original Owner	QUENTIN MOSER 1470 HWY 95 WEISER, ID 83672 (208) 414-1050
Current Owner	FRED L EDMISTON 606 COVE RD WEISER, ID 83672 (208)549-0898

Priority Date: 06/14/1967

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED SLOUGH	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/01	0.080 CFS	21.00 AF
	<u>Total Diversion:</u>	0.080 CFS	21.00 AF

Location of Point(s) of Diversion

UNNAMED SLOUGH	NW1/4SW1/4SE1/4	Sec. 33, Twp 11N, Rge 05W, B.M.
WASHINGTON 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	
11N	05W	33																	4.2

Total Acres: 4.2

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2377A V1

1. C18 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.
2. This right is a split from former right 67-2377.
3. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after October 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. F14 Use of this right is combined with water from Lower Payette Ditch Company.

Remarks:Comments:

1. mcase 4/14/2004 Period of Use

Comment: The claimed season of use does not match the licensed season of use. I recommended the licensed period of use.

2. mcase 4/14/2004 Quantity

Comment: The annual diversion for the parent right is 175 AF. I could not determine the annual diversion for the split right.

3. mcase 6/1/2004 Period of Use

Comment: Licensed Period of Use shorter than standard Season of Use. Shoulder remark needed.

4. jdean 11/15/2006 Quantity

Comment: The diversion rate is recommended at 1"/acre as per license ($0.02 \text{ cfs/acre} \times 4.2 \text{ acres} = 0.08$, when rounded). The diversion volume is recommended at 5 afy/acre as per license ($5 \text{ afy/acre} \times 4.2 \text{ acres} = 21 \text{ afy}$).

5. jdean 11/15/2006 Present Owner

Comment: The tax lot data for this property did not match the claimant. The current tax lot owner was added as a present owner.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: OR

Water District Number: 67

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:Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
---------	--------------------	----------	--------------------	----------	--------

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2377A V1

Priority Date	4/14/2004 10:50:42 AM	mcase	Active
POD	4/14/2004 10:56:45 AM	mcase	Active
Source	4/14/2004 11:01:58 AM	mcase	Active
POU	4/14/2004 11:03:03 AM	mcase	Active
Use	4/14/2004 11:03:10 AM	mcase	Active
Season	4/14/2004 11:03:39 AM	mcase	Active
Quantity	4/14/2004 11:05:52 AM	mcase	Active
Season	6/1/2004 4:08:15 PM	mcase	Active
Contacts	11/15/2006 10:27:33 AM	jdean	Active
Summary	11/15/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	4/14/2004 10:53:30 AM	mcase	Edited point location
POU	4/14/2004 11:03:03 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	4/14/2004 11:03:10 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	4/14/2004 11:03:39 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (No) 5. Can the claimed Period of Use be verified using the water right file? (No) 6. Is there evidence that there has been a change in the Period of Use?
Quantity	4/14/2004 11:05:52 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use?
POU	2/4/2004 11:55:43 AM	awarntje	Edited shape boundary
POU	2/4/2004 11:57:35 AM	awarntje	Edited shape boundary
POU	2/4/2004 11:58:18 AM	awarntje	Edited shape boundary
POU	2/4/2004 11:58:54 AM	awarntje	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2377A V1

POD	4/14/2004 10:56:45 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/14/2004 11:01:58 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
Priority Date	4/14/2004 10:50:42 AM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	4/14/2004 10:55:45 AM	mcase	Edited point location
Season	6/1/2004 4:08:16 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (No) 5. Can the claimed Period of Use be verified using the water right file? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use?
Contacts	11/15/2006 10:27:34 AM	jdean	(No) 1. Do you want to schedule an appointment?

Comment for 1: Desk Review

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2377A V1

Summary 11/15/2006 10:40:49 AM jdean

(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?
(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
(No) 5. Does this right have any combined use limits with other rights?
(Yes) 6. Is an additional remark and/or condition required?
(Yes) 7. Would you like to view the recommended right?
(Yes) 8. Is this a split or combined right?
(No) 9. Do you have documents you would like to attach or link to the file?
(Yes) 10. Would you like to set the verification date?

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: **A67-02377A**
Date Received: 10/12/1989
Receipt No: X777777
Received By: _____

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

1. Name: FRED L EDMISTON 208-549-0898
Address: 606 COVE ROAD
WEISER ID 83672

2. Date of Priority: JUN 14, 1967

3. Source: UNNAMED SLOUGH Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	05W	33	NW	SW	SE		WASHINGTON

5. Description of diverting works:
5 HP IRRIGATION PUMP DIRECTLY OUT OF SLOUGH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.084		

7. Total Quantity Appropriated is:
0.084 C.F.S. (and/or) 21.10 A.F.A.

8. Total consumptive use is 14.8 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11N	05W	33	SE	SW		IRR	4.0
			SW	SE		IRR	0.2

Section Acres 4.2

10. Place of Use: Continued

Total Acres 4.2

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF
CLAIM NO. A67-02377 FEE PAID UNDER RECEIPT NO. M004907.
RDH 1-19-96.

15. Basis of Claim: LICENSE

Water Right Number: 33545

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 _____

ANALYSIS OF CLAIM A67-02377

January 17, 1996

Adjudication Agent: Ron Howerton

SPLIT CLAIM TABLE FOR A67-02377

ASCS MAP ACRES	PROPORTIONAL FACTOR USED TO = RECOMMENDED ACRES	RECOMMENDED IRRIGATED ACRES & CFS TOTALS
DEROCCHIS = 15.3 SPLIT A67-02377B	$15.3 \times .879397 =$	<u>13.5</u> IRR ACRES $\times 0.02 = .269$ CFS
EDMISTON = 4.8 SPLIT A67-02377A	$4.8 \times .879397 =$	<u>4.2</u> IRR ACRES $\times 0.02 = .084$ CFS
DICKERSON = 19.7 SPLIT A67-02377C	$19.7 \times .879397 =$	<u>17.3</u> IRR ACRES $\times 0.02 = .347$ CFS
TOTAL MAP ACRES = 39.8 IRR ACRES	35 ACRES/39.8 = FACTOR = .879397	IRR LICENSED TOTAL = <u>35 IRR ACRES</u> IRR LICENSED CFS = <u>0.70 CFS</u>

PART I.

TABLE EXPLANATION

1. Each claimant will receive a proportional amount of irrigated acres based upon the Acres shown on the ASCS map.
2. The ASCS map showed a total of 39.8 irrigated acres for a total for the SESW & SWSE tracts of land.
3. The licensed water right shows a total of 35 irrigated acres for the SESW & SWSE tracts of land.
4. Since the amount of irrigated land licensed is less than the amount found on the ASCS map, a factor must be used to reduce the proportional amounts fairly to each new owner. This was done by dividing the licensed 35 irrigated acres by the ASCS 39.8 irrigated acres, which equals 0.879397 factor.
5. The table above shows the ASCS amount X the factor that will equal the

recommended irrigated acres for each owner to add up to the original licensed and claimed 35 irrigated acres in the SESW & SWSE tracts of land.

6. CFS then may be calculated by the proportional amount of irrigated acres X 0.02 CFS. (0.02 CFS is a factor used in the original license per recommended irrigated acre)
7. The licensed acres (35) X (0.02 CFS) = 0.7 CFS, thus all above CFS totals were proportionally calculated to amount to the licensed total.

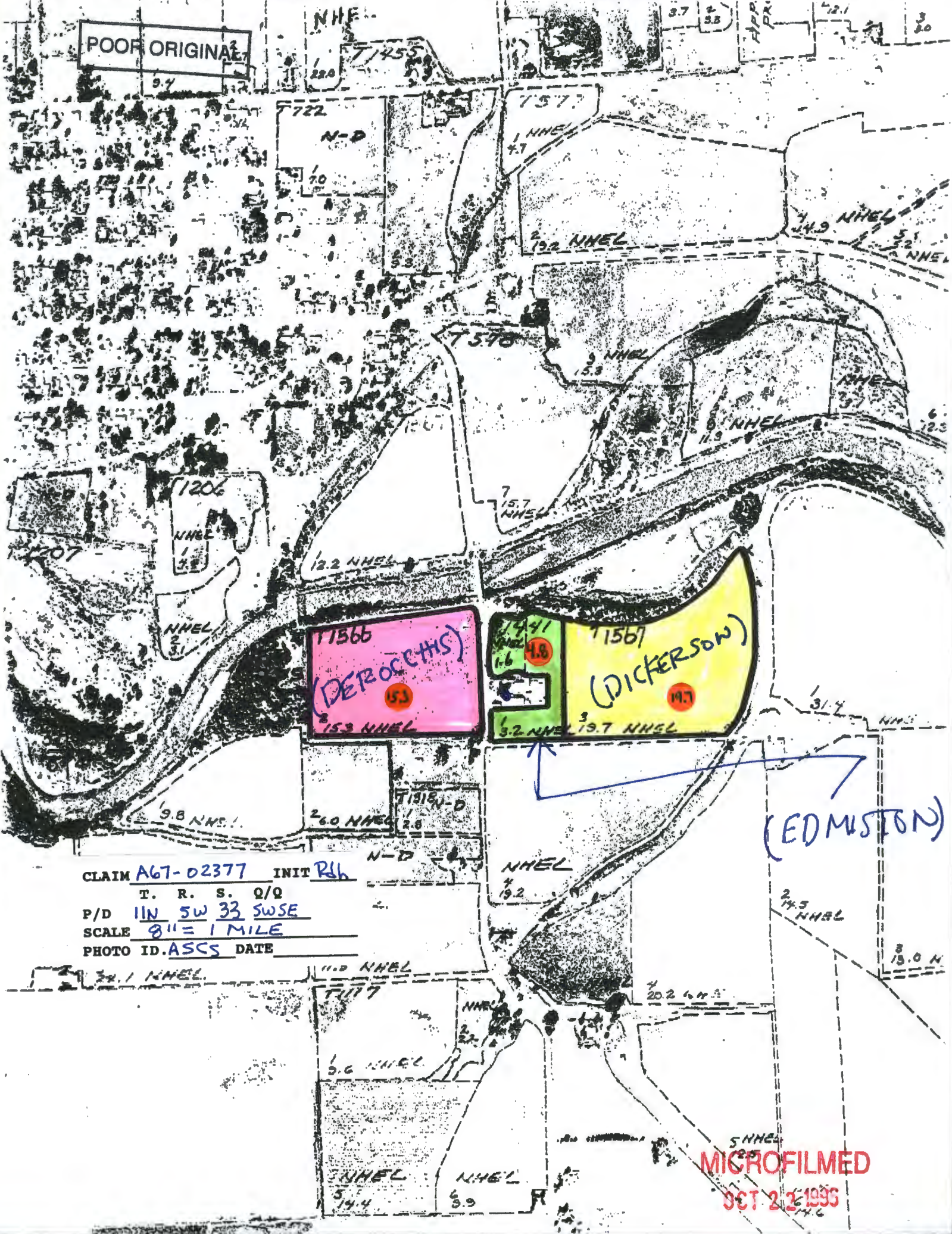
PART II. WARRANTY DEEDS WERE SILENT

1. The warranty deeds were silent on how many irrigated acres were to have been transferred from the sale of these properties.
2. The obvious expansion of these lands from 35 irrigated acres to 39.8 irrigated acres as shown on the ASCS map.
3. It can not be determined from reviewing the field exam notes from the original license to the exact location of each irrigated acre then, to now where the exact irrigated acre of expansion is.
4. However, since the ASCS map is a known factor now. It does show the most up to date location of the irrigated acres.
5. It is logical to resolve an unclear picture of the past expansion with the ASCS map in splitting this right.
6. Thus, using the known factors of the licensed irrigated acres (35) versus the known amount of irrigated acres shown by the ASCS map (39.8) were used in splitting this right as shown in the SPLIT CLAIM TABLE and in **PART I**.

PART III. SUMMARY

1. The claimants may want file an expansion claim to cover their own separate expanded irrigated acres based upon their proportional split difference from the amount shown on the ASCS map.
2. If the new owners do not want to use the licensed point of diversion an application for transfer is needed.
3. If a different point of diversion has been used prior to 1987, then it may be possible to recommend that diversion with an accomplished transfer, if proper documentation is shown.

POOR ORIGINAL



CLAIM A67-02377 INIT Rh
T. R. S. Q/Q
P/D 11N 5W 33 SWSE
SCALE 8" = 1 MILE
PHOTO ID. ASCS DATE _____

MICROFILMED
OCT 22 1995

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)01/17/96 13:34:42
Page 1Water Right Number - A67-02377 **A**

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 33545

X777777

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

EDMISTON

FRED L

1 - 606 COVE RD

2 -

3 -

City- WEISER

State- ID Zip- 83672

Phone - 208-549-0898

1 - 606 COVE RD

2 -

3 -

City- WEISER

State- ID Zip- 83672

Phone - 208-549-0898

EDMISTONRHONDA D

*** O - ORIGINAL OWNER ***

MOSER

DARWIN

1 -

2 -

3 -

City- WEISER

State- ID Zip- 83672

Phone - 208-000-0000

+ - - Priority Date - - +
06/14/1967+ - - Region - - - +
14 WESTERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - - +
UNNAMED SLOUGH+ - - Tributary - - - - - +
WEISER RIVER+ - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

11N 05W 33 NW SW SE (87) WASHINGTON

+ - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/01

10/31

0.700 .084

+ - Total Div. Rate - + + - Total Div. Volume - +
0.700 175.00+ - Total Consumptive Use - + + - KW Usage - +
122.5 14.8 (4.221)(3.5)+ - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

11N

05W

33

SE SW

18.0

4.0

01

IRRIGATION

(87) WASHINGTON

11N

05W

33

SW SE

17.0

4.221

01

IRRIGATION

(87) WASHINGTON

Total Acres:

35.0

4.221

4.2

Lbs / Ac
cfs / Ac

+ - - Diversion Means - 5 HP IRRIGATION PUMP DIRECTLY OUT OF SLOUGH

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

$$(4.221 \text{ Ac})(.02) = .084442$$

MICROFILMED
OCT 22 1996

SEE SPLIT CLAIM TABLE ATTACHMENT

Water right number - A67-02377

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Remarks - - - - -
No Remarks found.

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - - + - - - - Decree Defendant - - - - + - - - - Decree Date - - +
00/00/0000

+ - - - - Comments - - - - -
No Comments Found

+ - - - - Audit Fields - - - +
00/00/00

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing - 00/00/0000	Field Inspection Made - 00/00/0000	Civil Case Number - 39576
Objection Filed Date - 00/00/0000	Field Inspection Flag -	Old Case Number -
Response Filed Date - 00/00/0000	Verified Date - 02/26/1985	Old Judicial District -
Claim Received Date - 10/12/1989	Last Amended Date - 00/00/0000	Temporary Right - P
	Receipt Number - M004907	Water District - 67
	POU Ownership Flag - Y	Federal/State Indicator - S
	Name Connector - OR	Presumption Flag -
		Notice of Error Flag -

This claim is a result of a change in ownership for a portion of claim No. A67- fee paid under receipt No. M004907 Rch DATE

MICROFILMED
OCT 22 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

FEB 01 1996

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____, 1/4 of _____ 1/4 of _____ 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: A67-02377 (WILL BE SPLIT TO YOUR PORTION WITH AN "A" SUFFIX)
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): FRED L OR RHONDA D EDMISTON
606 COVE ROAD
WEISER ID 83672
- ☐ New Owner/Claimant (Purchaser): FRED L EDMISTON
606 COVE ROAD
- ☐ New Mailing Address: WEISER ID 83672
- ☐ New Telephone Number: (208) 549 - 0898
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? X yes no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
PORTION OF 35 LICENSED IRRIGATED ACRES PROPORTIONED EQUALLY BASED UPON
ASCS MAP AND ORIGINAL CLAIM FOR THOSE TRACTS.
- ☐ Attach proof of ownership, describe proof attached: WARRANTY DEED

(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): Fred L. Edmiston Date 1/30/96
- ☐ 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

MICROFILMED
 OCT 22 1996

RECEIVED

FEB 0 1 1988

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

MICROFILMED

OCT 5 5 1988

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: A67-02377
Date Received: 10/12/1989
Receipt No: M004907
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRED L. EDMISTON 208-549-0898
Address: 606 COVE RD.
WEISER, ID 83672

OR
Name: RHONDA D. EDMISTON 208-549-0898
Address: 606 COVE RD.
WEISER, ID 83672

2. Date of Priority: JUN 14, 1967

3. Source: UNNAMED SLOUGH Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	05W	33	NW	SW	SE		WASHINGTON

5. Description of diverting works:
5 HP IRRIGATION PUMP DIRECTLY OUT OF SLOUGH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.700		

7. Total Quantity Appropriated is:
0.700 C.F.S. (and/or) 175.00 A.F.A.

8. Total consumptive use is 122.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A67-02377

Page 1

Date: 10/12/89

MICROFILMED
OCT 22 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	05W	33	SE	SW		IRR	18.0
			SW	SE		IRR	17.0
					Section Acres		35.0
					Total Acres		35.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 33545

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 _____

85^a

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

H67-02377

Date Received

10-12-89 ct

Receipt Number

1004907

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Fred L. or Rhonda D. Edmiston Phone (208) 549-0898Mailing Address 606 Cove Rd. Weiser, Idaho Zip 836222. Date of Priority (Only one (1) per claim) 6-14-19673. Source of water supply (a) unnamed slough
which is tributary to (b) Weiser River4. a. Location of existing point of diversion is: Township 11N Range 5W Section 33,
NW 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Washington

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.5hp irrigation pump directly out of slough

MICROFILMED
OCT 22 1996

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 10-31 amount 0.70 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.70 (cfs) and/or (b) 175.0 (acre feet)

8. Total consumptive use claimed is 122.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>11N</u>	<u>5W</u>	<u>33</u>												<u>18</u>				<u>17</u>	<u>35</u>

Total number of acres irrigated 35

11. In which county (ies) are lands listed above as place of use located? Washington

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purpose:

14. Remarks:

Last Name _____ Ident No. _____

MICROFILMED

OCT 22 1996

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 67-02377

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) *Fred L Edmister* Date Oct 12, 1989

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 12th day of October 1989

SEAL

Notary Public *Anna Baunhoff*

Residing at _____

Anna Baunhoff, Notary Public
Residing at Boise, Idaho

My Commission Expires _____
My Commission Expires December 7, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

MICROFILMED
OCT 22 1996

11 N - 5W

55'



524

Line

Microfilm with the above
titles in 1964.

MICROFILMED

OCT 22 1996

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2377A V1

WATER RIGHT NUMBER: 67-2377A V1

Owner Type Name and Address
Original Owner DARWIN MOSER

WEISER, ID 83672
Original Owner RHONDA D EDMISTON
606 COVE RD
WEISER, ID 83672
(208)549-0898
Current Owner FRED L EDMISTON
606 COVE RD
WEISER, ID 83672
(208)549-0898

Priority Date: 06/14/1967

Basis:

Status:

Source Tributary
UNNAMED SLOUGH WEISER RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 10/01	0.084 CFS	
Total Diversion:		0.084 CFS	21.10 AF

Location of Point(s) of Diversion

UNNAMED SLOUGH NW1/4SW1/4SE1/4 Sec. 33, Twp 11N, Rge 05W, B.M.
WASHINGTON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
11N	05W	33	NE	NW	SW	SE	4.2

Total Acres: 4.2

Conditions of Approval:

Remarks:

04/14/2004

DO NOT
SCAN

04/14/2004

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2377A V1

Comments:

1. mcase 4/14/2004 Period of Use

Comment: The claimed season of use does not match the licensed season of use. I recommended the licensed period of use. - Licensed is shorter than standard. Shoulder remark needed.

2. mcase 4/14/2004 Quantity

Comment: The annual diversion for the parent right is 175 AF. I could not determine the annual diversion for the split right.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
Water District Number: 67
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:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	4/14/2004 10:50:42 AM	mcase			
POD	4/14/2004 10:56:45 AM	mcase			
Source	4/14/2004 11:01:58 AM	mcase			
POU	4/14/2004 11:03:03 AM	mcase			
Use	4/14/2004 11:03:10 AM	mcase			
Season	4/14/2004 11:03:39 AM	mcase			
Quantity	4/14/2004 11:05:52 AM	mcase			

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
POD	4/14/2004 10:53:30 AM	mcase	Edited point location
POU	4/14/2004 11:03:03 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2377A V1

Use	4/14/2004 11:03:10 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	4/14/2004 11:03:39 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (No) 5. Can the claimed Period of Use be verified using the water right file? (No) 6. Is there evidence that there has been a change in the Period of Use?
Quantity	4/14/2004 11:05:52 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use?
POU	2/4/2004 11:55:43 AM	awarnlje	Edited shape boundary
POU	2/4/2004 11:57:35 AM	awarnlje	Edited shape boundary
POU	2/4/2004 11:58:18 AM	awarnlje	Edited shape boundary
POU	2/4/2004 11:58:54 AM	awarnlje	Edited shape boundary
POD	4/14/2004 10:56:45 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/14/2004 11:01:58 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
Priority Date	4/14/2004 10:50:42 AM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	4/14/2004 10:55:45 AM	mcase	Edited point location

Idaho Department of Water Resources

67-2377A



500 0 500 1000 1500 2000 2500 3000 Feet



T11N, R05W, S33



Prepared by Anita L. Warntjes
February 4, 2004
1993/94 True Color Photo



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

February 2, 1996

PHILIP E. BATT
GOVERNOR

Re: Original Notice of Claim to a Water Right No. A67-02377

KARL J. DREHER
DIRECTOR

Renumbered to Notice of Claim to a Water Right No. A67-02377A

FRED L EDMISTON
606 COVE ROAD
WEISER ID 83672

Dear Fred,

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by adding alpha suffixes to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

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

Sincerely,


Ron Howerton
ADJUDICATION STAFF
Department of Water Resources
Western Region Office
(208) 334-2190

Attachment(s)

Claim A67-02377A
Analysis of Claim with Table & Explanations (See Part III)
ASCS Map Copy

SCANNED
MAY 10 2004

MICROFILMED
OCT 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

January 12, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Fred L. Edmiston
606 Cove Road
Weiser ID 83672

REF: Part A: Amended Claims A67-10783, A67-10784
Part B: Portion of Claim A67-02377A

Dear Fred,

Part A: Amended Claims A67-10783, A67-10784

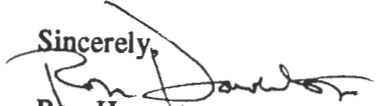
1. Attached are Amended Claims A67-10783, A67-10784. Also attached is a copy of a map from the Washington County Addressing System Book. I obtained a QUITCLAIM DEED from Weiser Valley Title, also attached. I used its legal description and the map from the Washington County Addressing System Book to plot your land on the map attached.
2. It appears that the Point of diversion for both of these claims would be in the SESESW. The place of use for the Domestic appears to be in the SESESW, identified on the new amended claim to the 40 acre track as the SESW. The stockwater on these claims appear to have the place of use in both the SESW & SWSE. IF YOU AGREE WITH THIS, PLEASE SIGN THE TWO AMENDED CLAIMS AND HAVE YOUR SIGNATURE NOTARIZED ON THESE FORMS.

Part B: Portion of Claim A67-02377

1. Attached is a second Change of Ownership Form for a portion of A67-02377.
2. You do not need to attach proof of ownership of the warranty deed to any of the forms returned, as I have a QUITCLAIM DEED copy. Rhonda will not need to sign the Change of Ownership Forms since we have a QUITCLAIM DEED in place of a warranty deed.

Please sign and date BOTH Change of Ownership Forms and BOTH amended claims. Then return them immediately. If you feel that I am in error in my analysis of the legal descriptions of these claims or forms, please call me ASAP.

Sincerely,


Ron Howerton

ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Attachments: 6

MICROFILMED
OCT 22 1996

POOR ORIGINAL

WEISER VALLEY TITLE, INC.

FAX: #(208) 549-1794
PHONE: #(208) 549-1792

DATE: 1-10-96

TO: Ron Howerton
ID Dept. of Water Resources

PAGES INCLUDING THIS PAGE
PLEASE CALL IF YOU DO NOT RECEIVE COMPLETE FAX.

RE: Deed from Rhonda Edmiston to Fred.
On the map I sent previously. He owns
the part highlighted as Edmiston
Rhonda no longer owns any of this
property.

THANK YOU,

WEISER VALLEY TITLE, INC.
P.O. BOX 591
WEISER, ID 83672

MICROFILMED
OCT 22 1996

POOR ORIGINAL

15470.
3

QUITCLAIM DEED

FOR VALUE RECEIVED, RHONDA D. EDMISTON, former wife of the Grantee, the Grantor, does hereby convey, release, remise and forever quitclaim unto FREDRICK L. EDMISTON, former husband of the Grantor, the Grantee, whose address is 606 Cove Road, Weiser, Idaho 83672, the following described premises situate in the County of Washington, State of Idaho, to-wit:

Beginning at the point of intersection of the east line of Cove Road and the south line of SE1/4SE1/4SW1/4, Section 33, Township 11 North, Range 5 West of the Boise Meridian;

Thence east along the said south line of Section 33, 400 feet;

Thence north parallel to the west line of the SW1/4SW1/4 SE1/4 of said Section 33, to a point on the north line of the SW1/4SW1/4SE1/4 of said Section 33;

Thence west along said line to the easterly right-of-way of Cove Road;

Thence south along said easterly right-of-way of Cove Road to the point of beginning.

Together with the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including, but not limited to ditch rights and water rights.

Dated: June 2, 1992.

Rhonda D. Edmiston
Rhonda D. Edmiston

POOR ORIGINAL

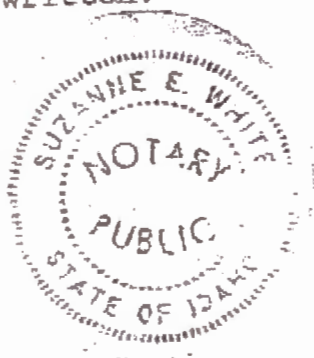
154700
PAGE 2 OF 2

STATE OF IDAHO

) : ss.
)COUNTY OF Washington

On this 2nd day of June, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared RHONDA D. EDMISTON, known to me to be the person executing the within instrument, and acknowledged to me that she executed the same.

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



Suzanne E. White
Notary Public

Residing at Weiser

My Commission expires: 10-12-95

INSTRUMENT NO. 154700
STATE OF IDAHO, COUNTY OF WASHINGTON ss.
Filed for record at the request of
WEISER VALLEY TITLE

00 Min. past 16:00 o'clock P.M.
This 17TH day of JUNE 19 92
INDEXED TO DEEDS

MARY KATZ, Recorder, Fee 6.00

By Carol Phylax Deputy
WEISER VALLEY TITLE

✓ Comp. Index
✓ Comp. Rel.
✓ Film
✓ Compare
✓ Card Rel.
✓ Ek. Rel.
✓ Up-date
✓ Return

QUITCLAIM DEED * jw * 2
(C-EDMISTON.QCD)

MICROFILMED
OCT 22 1996

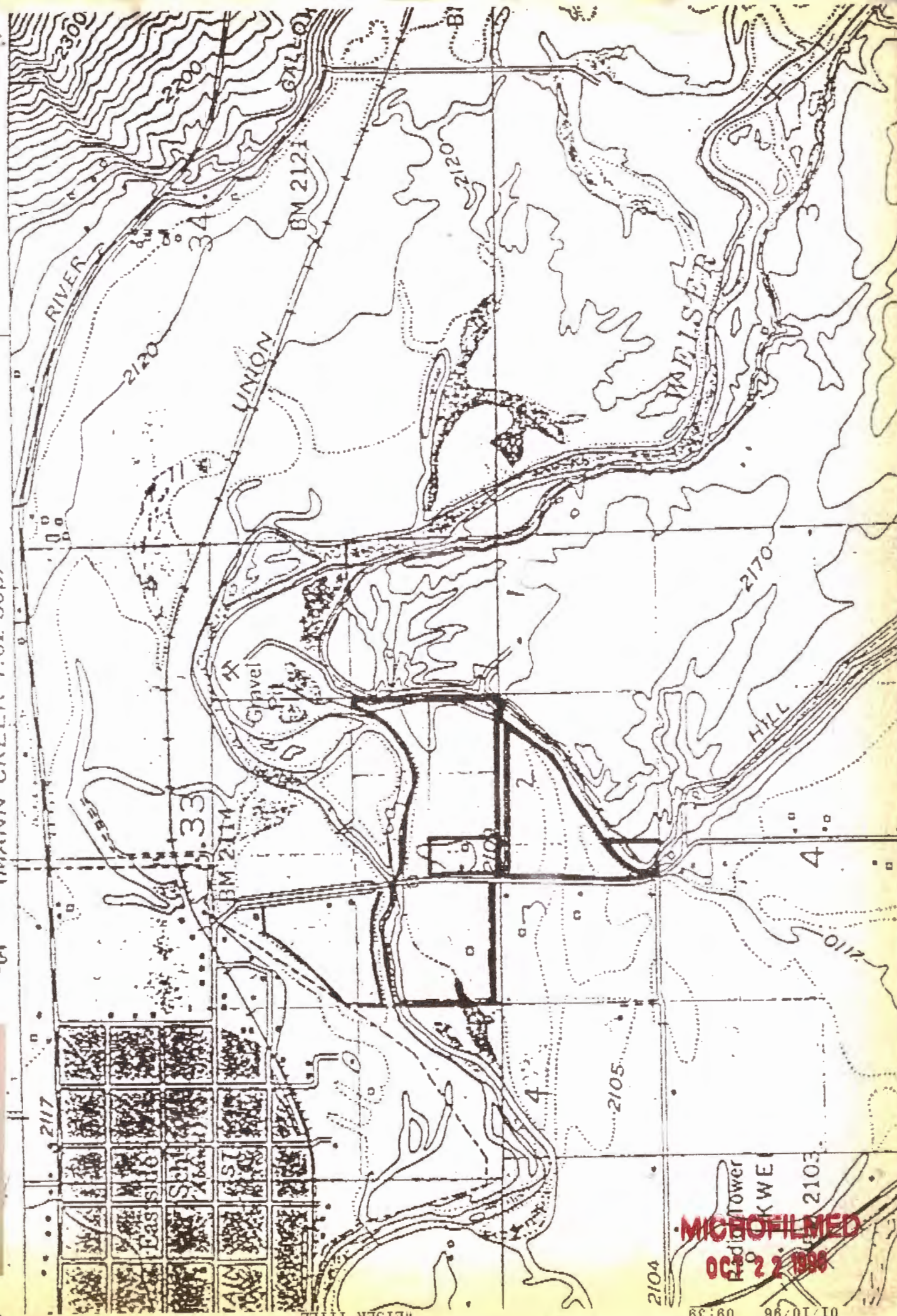
POOR ORIGINAL

004

2672 IV
(MANN CREEK 1:62 500)

55'

506



MICROFILMED
OCT 22 1996
01/10/96 09:39

WEISER TITLE

DATE

January 9, 1996 15:00

CUSTOMER

FRED EDMISTON

SUBJECT: CALLED BACK FROM SENDING TABLE FAX, A67-02377

A. Received my fax and his ASCS fax, the following items were discussed & or determined:

1. Addresses:

Doug Dickerson
1500 E Main
Weiser ID 83672

Ph: 549-1735 T1567 TRACT

541 Domenick Derocchis &
Maria Derocchis
561 Day Road
Weiser ID 83672

Ph: 549-3027 T1566 TRACT

Fred L Edmiston
606 Cove Road
Weiser ID 83672

Ph: 549-0898 T1441 TRACT

2. Fred says that the land on T1567 has district irrigation water and is diverted for both rights at this point. (Dickerson's)

3. Fred says that the land on T1566 still uses the same P/D as him as shown by an X on the ASCS above his land T1441. (Derocchis)

4. I said I now will start the splitting of these rights and make contact with the other owners. I will send any ownership forms I may still need him to sign as needed.

B. The claims A67-10783 & A67-10784 didn't include maps and appeared to be described incomplete so:

1. For Fred's D&S well, he says that the well for the Domestic is located in the triangle part on the ASCS map. This appears to be in the SESW. So in amending this claim I will show the Domestic POU and P/D in this tract.

2. The stock well is East of this well and may be on the $\frac{1}{4}$ line. So in amending this claim, I will show in remarks that this P/D may be on the line and stock use in both tracts.

3. I told Fred I would send amended claims for him to sign and ownership forms to make the change legal.

MICROFILMED
OCT 22 1996



IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705
(208) 334-2190

PHILLIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FAX COVER SHEET

January 9, 1996

TO: FRED EDMISTON
FAX: 549-0469

FROM: RON HOWERTON
IDWR-WESTERN REGION
FAX: 334-2348
PH: 334-2190

DOCUMENT DESCRIPTION: SPLIT CLAIM TABLE FOR A67-02377

Fred,

1. I got the ASCS map you sent. It may be exactly what I need to split claim A67-02377 proportionally.
2. ASCS listed the irrigated acres for each of the fields on the map you sent.
 - * If there isn't any specific amount of irrigated acres spelled out by the sale to each new property owner, this is probably the best way to do this.
 - * Otherwise, an agreement to the number of irrigated acres would need to be drawn up by an attorney and probably would cost more than just money.
 - * Another option would be to wait until we start our field exams in that area, but that may be some time from now and the ownership for this claim would be in question.
3. If you concur with this method and by showing this table with the ASCS map to the others, we just might be successful in defining this complex ownership change.

PAGES SENT:

COVER SHEET
SPLIT CLAIM TABLE

MICROFILMED
OCT 22 1996

SPLIT CLAIM TABLE FOR A67-02377

January 9, 1996

Adjudication Agent: Ron Howerton

ASCS MAP ACRES	PROPORTIONAL FACTOR USED TO = RECOMMENDED CLAIMED ACRES	RECOMMENDED IRRIGATED ACRES
DEROCCHIS= 15.3	15.3 X .879397 =	<u>13.455</u> IRR ACRES +
EDMISTON = 4.8	4.8 X .879397 =	<u>4.221</u> IRR ACRES +
DICKERSON= 19.7	19.7 X .879397 =	<u>17.324</u> IRR ACRES =
TOTAL MAP ACRES = 39.8 IRR ACRES	35 ACRES/39.8 = FACTOR =.879397	LICENSED TOTAL= <u>35 IRR ACRES</u>

1. Each claimant will receive a proportional amount of irrigated acres based upon the Acres shown on the ASCS map.
2. The ASCS map showed a total of 39.8 irrigated acres for a total for the SESW & SWSE tracts of land.
3. The licensed water right shows a total of 35 irrigated acres for the SESW & SWSE tracts of land.
4. Since the amount of irrigated land licensed is less than the amount found on the ASCS map, a factor must be used to reduce the proportional amounts fairly to each new owner. This was done by dividing the licensed 35 irrigated acres by the ASCS 39.8 irrigated acres, which equals 0.879397 factor.
5. The table above shows the ASCS amount X the factor that will equal the recommended irrigated acres for each owner to add up to the original licensed and claimed 35 irrigated acres in the SESW & SWSE tracts of land.

MICROFILMED
OCT 22 1996

POOR ORIGINAL

Facsimile Cover Sheet

To: RON HOWERTON
Company:
Phone:
Fax: (208) 334-2348

From: Fred L. Edmiston
Company: County Agricultural Agent
University of Idaho
Washington County
Cooperative Extension System
485 East Third
Weiser, Idaho 83672
Phone: (208) 549-0415
Fax: (208) 549-0469

Date: 1-9-96
Pages including this
cover page: 3

Comments:

MICROFILMED

OCT 22 1996

334-2348

POOR ORIGINAL

Don - my north line does not go to
slough, so I have slightly less than indicated
x - marks diversions for fields.

There is one from canal to 19.2 A field.

There is one from canal to 19.7 A field.

and the diversion from the slough just North
of T 1441 this is for 15.3 A field west of
county road and for my property.

North of river x indicates approximate
location of P of D 12.2 A field west of
road.

Hope this helps.

Sincerely

Fred L. Edmiston

MICROFILMED

OCT 22 1996

MICROFILMED
OCT 22 1996



IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705
(208) 334-2190

PHILLIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FAX COVER SHEET

January 9, 1996

TO: FRED EDMISTON
FAX: 208 549-0469

FROM: RON HOWERTON
IDWR-WESTERN REGION
FAX: 334-2348
PH: 334-2190

DOCUMENT DESCRIPTION: MAP SHOWING LICENSE RIGHT A67-02377 WITH REFERENCE TO AMOUNTS LICENSED IN EACH TRACT TO BE PROPORTIONED AMONG NEW OWNERS TO A TOTAL OF 35 IRRIGATED ACRES.
SE $\frac{1}{4}$ SW $\frac{1}{4}$ = 18 IRRIGATED ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ = 17 IRRIGATED ACRES

1. QUESTION, HOW MANY IRRIGATED ACRES DID EACH OWNER RECEIVE? *DIDNT SAY ON WARRANTY DEED. Rwh*
2. QUESTION, DOES THE STRIP OF LAND 40' WIDE X 62 RODS (1023') THAT WE TALKED ABOUT BEING AN EXCEPTION, INCLUDED SOME THE LAND LICENSED FOR 18 ACRES? *POT INCLUDED... Rwh*
- 2b. QUESTION, IF SO IT MAY RECEIVE A PORTION OF THE 18 LICENSED ACRES, AND WHO WOULD GET IT? SEE COPY OF WARRANTY DEED *NOT INCLUDED... (PROPORTIONAL AMOUNTS NOW CALC. BY Rwh)*

TOTAL PAGES SENT:

COVER SHEET
MAP
WARRANTY DEED

MICROFILMED
OCT 22 1996

WARRANTY DEED

POOR ORIGINAL

For Value Received

RHONDA D. EDMISTON, a single person

JAN 11 1993

Department of Water Resources
Western Regional Office

The grantor, do es hereby grant, bargain, sell and convey unto

DOMENICK DEROCCHIS AND MARIA DEROCCHIS, husband and wife
the grantee s, whose current address is 541 Day Road, Weiser, ID 83672

the following described premises, in WASHINGTON County Idaho, to-wit:

IN TOWNSHIP 11 NORTH, RANGE 5 WEST, BOISE MERIDIAN, WASHINGTON
COUNTY, IDAHO:SECTION 33: All that part of the E $\frac{1}{2}$ SW $\frac{1}{4}$ lying South of the Weiser
River and West of the right-of-way for the County Road known as Cove
Road: EXCEPTING THEREFROM a tract described as follows: Beginning
on the Township line at the Southwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said
Sec. 33; thence East 62 rods; thence North 40 feet; thence West
62 rods; thence South 40 feet to the Place of Beginning.TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s
their heirs and assigns forever. And the said Grantor do es hereby covenant to and
with the said Grantee s, that s he 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: APRIL 9, 1992

Rhonda D. Edmiston
RHONDA D. EDMISTONSTATE OF IDAHO, COUNTY OF WASHINGTON
On this 9TH day of APRIL, 1992,
before me, a notary public in and for the said State, personally
appeared

RHONDA D. EDMISTON

known or identified to me to be the person whose name IS
subscribed to the within instrument, and acknowledged to me
that SHE executed the same.*[Signature]*
Notary Public
Residing at WEISER, Idaho
Comm. Expires 3/27/97

STATE OF IDAHO, COUNTY OF WASHINGTON

I hereby certify that this instrument was filed for record at the
request of WEISER VALLEY TITLEat 00 minutes past 16:00 o'clock P. M.,
this 17TH day of JUNE
1992, in my office, and duly recorded in INDEXED
of Deeds at BOOK #154703

MARY KAUTZ

Ex-Officio Recorder

By *[Signature]* Deputy.Fees \$ 3.00
Mail to: WEISER VALLEY TITLEINDEXED
✓Cmp. Ind.
✓Cmp. Rel.
✓Film
✓Compare
✓Card Rel.
✓Ex. Rel.
✓Update
✓ReturnMICROFILMED
OCT 22 1996

DATE

January 8, 1996

CUSTOMER

FRED EDMISTON (208) 549-0415 wk
549-0469 fax

SUBJECT: OWNERSHIP CHANGES FOR A67-02377, A67-10783, A67-10784 & A67-10786

1. Fred returned my call. I explained who I was and what I needed in order to change the ownerships on the above listed claims.
2. Fred said that he no longer was married to Rhonda, and these water right claims no longer belong to them together. The following is how they are now according to Fred:

* A67-02377:

- A. The land will be divided 2 ways for 17 irrigated acres in the SWSE, between Fred Edmiston SPLIT A and Dickerson SPLIT C.
 - B. Then it appears that the portion of land in the SESW of 18 irrigated acres will be divided between Derocchis SPLIT B and Fred Edmiston SPLIT A.
1. First an additional ownership change forms must be completed with old and new owners signatures.
 2. Then, I will make a draft of how many irrigated acres for the proportions and sent that draft so all can verify that this is a good representation of their proportions.

Fred said there was an agreement drawn up between him and Dickerson about irrigation. Fred's property appears in 2- $\frac{1}{4}$'s by my map, the SESW & SWSE. Per the title company's maps degree of accuracy. Thus, the D&S claims may need to be amended.

* A67-10783 & A67-10784:

These are D&S that still belong to Fred but not to Rhonda. (These claims may be resolved by having Rhonda and Fred sign a separate ownership form as old/new owner as needed.) However, the legal descriptions may be wrong and need to be amended.

* A67-10786:

This ownership of this claim appears to be Derocchis: IDWR will need an ownership change form for this. (This land description may be on a warranty deed provided by fax from Weiser Valley Title, received 1-8-96.)

3. Fred preferred not to come into Boise if possible to resolve these ownership issues. I then said, I would fill out some ownership forms for him to complete to try and resolve this by mail. Fred seemed agreeable to clearing these claims up.

MICROFILMED

OCT 22 1996

DATE

January 5, 1996

CUSTOMER

Contacted Weiser Valley Title,
talked to Ginger

SUBJECT: POSSIBLE OWNERSHIP CHANGE FOR: A67-02377, A67-10783, A67-10784 & A67-10786

1. Called Weiser Valley Title, talked to Ginger on the sale from Edmiston to Derocchis.
2. Sale only included property in the E $\frac{1}{2}$ SW $\frac{1}{4}$ South of the Weiser River to Derocchis, thus maybe only A67-02377 is involved in this ownership change. However, excepting a part she withheld as shown in warranty deed. Ginger is faxing me a copy of a map for splitting this ownership.
3. The exception is a narrow strip 40'X 1023' which is .94 Acres.
4. The claims A67-10783 & A67-10784 by Edmiston are in the SWSE, so unless the legal was claimed wrong these rights don't appear to be included in this sale by the legals claimed.
5. Claim A67-10786 is North of the Weiser River and only property South of the river was included in this sale.
6. Also, Ginger sent me a Warranty deed from a later sale to Dickerson including property in the SWSE which possibly could include A67-10783 & A67-10784 for Domestic & Stock if the legals were claimed correct.
7. This also appears to be the new property owners of what the remainder of A67-02377 is after the property in the SESW was sold to Derocchis with the exception in that tract & the other remaining tract in the SWSE for this claim now appears to belong to Dickerson.
8. Also from the map Ginger sent shows that Dickerson should be the owner of the A67-10786 claim.
9. It also showed land owned in section 2, however no Edmiston rights are shown here.
10. Ginger is sending me a clearer map in the mail.
11. I called Fred Edmiston's home and found out that Rhonda no longer lives there and to call Fred at his office. I left a message there for him to call me next week. (208) 549-3942
12. I may need a divorce decree paper to take off Rhonda as a owner if this is the case...

MICROFILMED

OCT 22 1996



CLOSINGS-ESCROWS
TITLE INSURANCE

WEISER VALLEY TITLE, INC.

POB 591
128 EAST MAIN ST.
WEISER, ID 83672
(208) 549-1792

January 5, 1996

RECEIVED

JAN 08 1996

WATER RESOURCES
WESTERN REGION

RON HOWERTON
IDAHO DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, ID 83705

RON,

ENCLOSED IS THE MAP THAT YOU REQUESTED ON RHONDA EDMISTON AND DEROCCHIS,
IF YOU NEED ANYTHING ELSE PLEASE LET ME KNOW.

SINCERELY,

WEISER VALLEY TITLE, INC.

GINGERLOU PEDROZA
TITLE OFFICER

ENC.

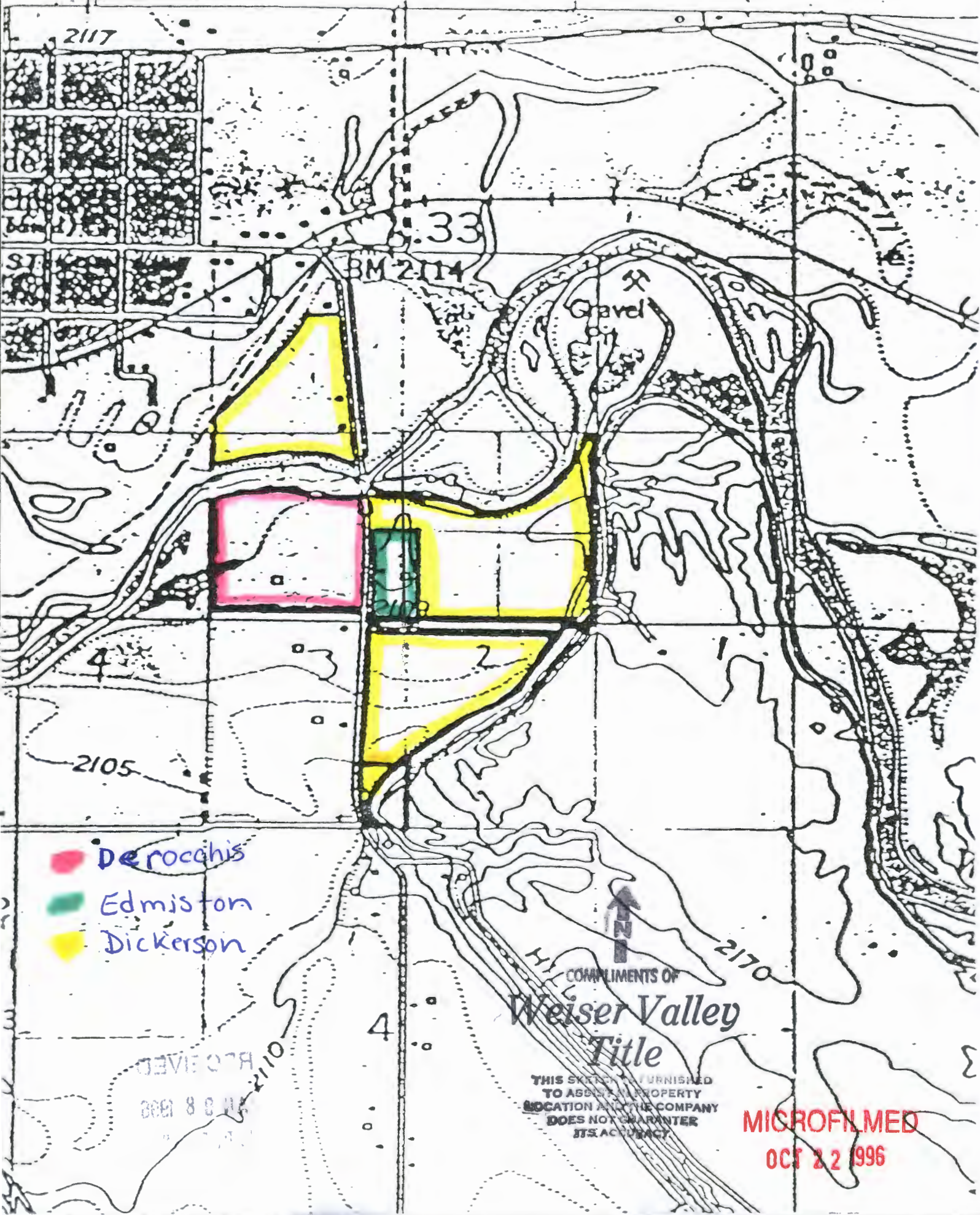
MICROFILMED

OCT 22 1996

POOR ORIGINAL

504

2672 IV
(MANN CREEK 1:62 500)



De roccis
Edmiston
Dickerson

COMPLIMENTS OF
Weiser Valley
Title

THIS SKETCH FURNISHED
TO AGENT FOR PROPERTY
LOCATION AND THE COMPANY
DOES NOT GUARANTEE
ITS ACCURACY

MICROFILMED
OCT 22 1996

10-2-01

RECEIVED
JAN 08 1996
WATER RESOURCES
WESTERN REGION

FOR ORIGINAL

file license ALLOW

ALCA - 35 ACRES

SUBD - 2

Q - 0.70 CH

Vok - 125 - AC-FY / Season

PR100172

~~1967~~
June 14, 1967

MICROFILMED
OCT 22 1996

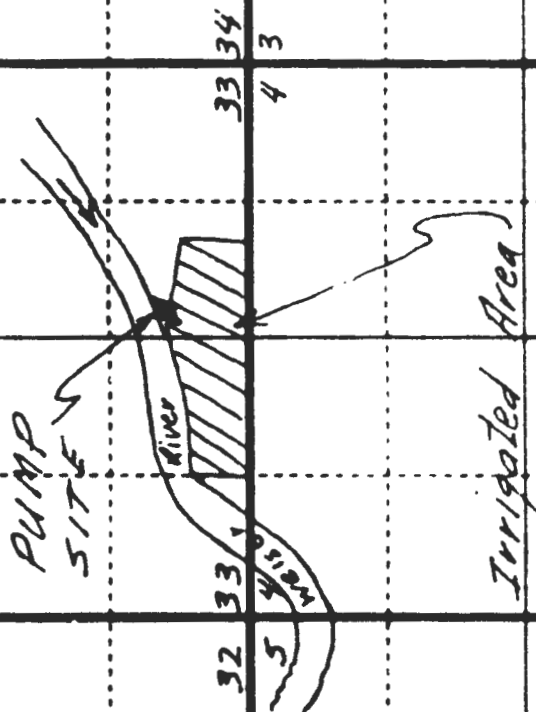
Wa Qu Typ
Lan T 11
Fil Due Oth

POOR ORIGINAL

R 5 W

T 11 N

T 10 N



APPROVED

APR 12 1967

33545

MICROFILMED

OCT 22 1996

SD-0604-2 Township: 11N Range: 05W Section: 33 Tract: NESW Lot: 82

S	L	Water	Name	O	S	Max #	Records	82	
E	O			W	T	Priority	Use		
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code Desc
			A67-11750	HERRIN, M MARGARET	C		J	07/25/1886	43 DOMEST 04 STOCK
NESW			A67-00007	WEISER CITY DITCH & IR	C	15	D	09/01/1880	01 IRR
NESW			A67-10786	EDMISTON, FRED L	C	10	J	03/15/1969	01 IRR
				EDMISTON, RHONDA D	C				
NESW			A67-10934	PERKINS, KENNETH C	C		J	07/22/1985	43 DOMEST
				PERKINS, MYRNA	C				
NESW			A67-10968	WEISER CITY DITCH & IR	C	15	J	06/21/1921	01 IRR
NESW			A67-10430	CLELLAND, CHARLES	C		J	12/31/1971	43 DOMEST
				CLELLAND, GRETCHEN	C				
NESW			A67-11361	DOVE, AMAL L	C		J	09/08/1940	43 DOMEST
				DOVE, LERLENE E	C				
NESW			A67-11750	HERRIN, M MARGARET	C		J	07/25/1886	43 DOMEST 04 STOCK

(Enter=Continue)

(GOLD7=This Query)

(Menu)

MICROFILMED
OCT 22 1996

SD-0604-2 Township: 11N Range: 05W Section: 33 Tract: SESW Lot: 82

S	L	Water	Name	O	S	Max # Records	82	
E	O			W	T	Priority	Use	
L Tract	T	Right No.	Last, First	N	AC	G	Date	Code Desc
		A67-11750	HERRIN, M MARGARET	C		J	07/25/1886	43 DOMEST 04 STOCK
SESW		A65-07882	LOWER PAYETTE DITCH CO	C	24	P	05/13/1977	01 IRR
SESW		A67-02377	MOSER, DARWIN	O	18	L	06/14/1967	01 IRR
			EDMISTON, FRED L	C				
			EDMISTON, RHONDA D	C				
SESW		A67-10786	EDMISTON, FRED L	C	5	J	03/15/1969	01 IRR
			EDMISTON, RHONDA D	C				
SESW		A65-00165A	LOWER PAYETTE DITCH CO	C	24	D	03/22/1884	01 IRR
SESW		A65-00165B	LOWER PAYETTE DITCH CO	C	24	D	06/20/1896	01 IRR
SESW		A65-00165C	LOWER PAYETTE DITCH CO	C	24	D	04/01/1917	01 IRR
SESW		A65-00165X	LOWER PAYETTE DITCH CO	C	24	D	06/01/1882	01 IRR
SESW		A65-11413	LOWER PAYETTE DITCH CO	C	24	D	05/07/1945	01 IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
OCT 22 1996

SD-0604-2 Township: 10N Range: 05W Section: 2 Tract: NENW Lot: 55

S	L	Water	Name	O	S	Max #	Records	55		
E	O			W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
NENW		A67-00007	WEISER CITY DITCH & IR	C	32	D	09/01/1880	01	IRR	
NENW		A67-04150	WINDING BROOK CORP	C	32	S	05/14/1950	01	IRR	
			WINDING BROOK CORPORAT	O						
			S & S LAND & CATTLE CO	O						
NENW		A67-10894	CRANE CREEK RESERVOIR	C	32	J	04/09/1920	02	IRR	S
								03	IRR	FS

NO EDMISTON PRIVATE RIGHTS

(Enter=Continue)

(GOLD7=This Query)

(Menu)

MICROFILMED
OCT 22 1996