

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: A63-00346A
Date Received: 8/24/1989
Receipt No: W004944
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARIE ODIAGA
Address: 7373 S. MAPLE GROVE RD.
BOISE, ID 83705 208-362-2834

2. Date of Priority: FEB 20, 1901

3. Source: FIVE MILE CREEK Trib. to: FIFTEEN MILE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	01E	23	SE	NE			ADA
		24	SW	NW			ADA
			NW	SW			ADA
			NW	SE			ADA

5. Description of diverting works:
DAM AND PUMP TO GATED PIPE AND CEMENT DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.900		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 HEAD

A63-00346A

Page 1

Date: 08/24/89

SCANNED

OCT 05 2006

MICROFILMED

AUG 17 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	01E	23	SE	NE		IRR	40.0
Section Acres							40.0
Total Acres							40.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NAMPA MERIDIAN

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

MUELLER

Decree Plaintiff

vs

GIBSON

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

Signature of Claimant(s): Marie Odiaga Date: 8-25-89
_____ Date: _____

State of Idaho)
County of AD4) SS.

Subscribed and sworn (or affirmed) before me this 25TH day
of August 19 89

Victoria Margolis
Notary Public

Seal

Residing at BOISE, ID

My Commission Expires 05-22-95

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

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-00346A

FILED

2008 FEB 7 6 10 54

NAME AND ADDRESS: ESTATE OF MARIE ODIAGA
C/O LOUISE M GUNDERSON
PERSONAL REPRESENTATIVE
5265 UMATILLA
BOISE, ID 83709

SOURCE: FIVEMILE CREEK TRIBUTARY: FIFTEENMILE CREEK

QUANTITY: 0.80 CFS

PRIORITY DATE: 02/20/1901

POINT OF DIVERSION: T03N R01E S23 SENE Within Ada County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-01 TO 11-15 0.80 CFS

PLACE OF USE: Irrigation Within Ada County
T03N R01E S23 SENE 40.0
40.0 Acres Total

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

The source of this water right is waste water. The wasting of water may be discontinued at anytime.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

RECOMMENDATION

FEB - 7 2008

Red B. Booth
SPECIAL MASTER

FILED
TWIN FALLS CO., IDAHO
2008 FEB 7 AM 10 53

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

In Re SRBA) SPECIAL MASTER'S REPORT
Case No. 39576) FINDINGS OF FACT AND
CONCLUSIONS OF LAW
FOR WATER RIGHT 63-00346A

I. FINDINGS OF FACT

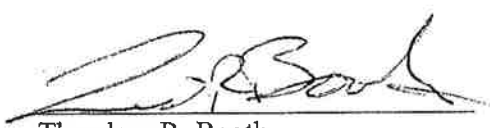
A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On April 21, 2006, the Nampa & Meridian Irrigation District, through its attorney Bryce Farris, filed an objection to the *Director's Report*, seeking inclusion of a remark stating that the source of the water is wastewater and that the wasting of water may be discontinued at anytime. On February 6, 2008, the parties to the subcase filed a *Standard Form 5 – Stipulated Elements of a Water Right*, which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 63-00346A be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated Feb. 7, 2008


Theodore R. Booth
Special Master
Snake River Basin Adjudication

DISTRICT COURT - FIFTH
TWIN FALLS CO., IDAHO
FILED _____

2008 FEB 7 8:10 54

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

In Re SRBA)

Case No. 39576)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 63-00346A

On February 07, 2008, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (A01), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED February 07, 2008.


DIANA R DELANEY
Deputy Clerk

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

2009 FEB 7 AM 10 54

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

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s): 63-00346A

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S
REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE
OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed
on February 07, 2008, with sufficient first-class postage prepaid to
the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

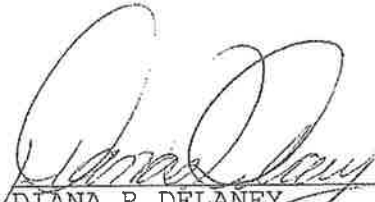
NAMPA AND MERIDIAN
Represented by:
DANIEL V. STEENSON
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CERTIFICATE OF MAILING

PAGE 1
02/07/08

ESTATE OF MARIE ODIAGA
C/O LOUISE M GUNDERSON
PERSONAL REPRESENTATIVE
5265 UMATILLA
BOISE, ID 83709
Phone: 208-362-2834



DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 2
02/07/08

SF5 Right No. 63-346A

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

RIGHT NUMBER: 63-346A

NAME AND ADDRESS: ESTATE OF MARIE ODIAGA
C/O LOUISE M GUNDERSON
PERSONAL REPRESENTATIVE
5265 UMATILLA
BOISE ID 83709

SOURCE: FIVEMILE CREEK

TRIBUTARY: FIFTEENMILE CREEK

QUANTITY: 0.800 CFS

PRIORITY DATE: 02/20/1901

POINT OF DIVERSION:

T03N R01E S23 SENE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.800 CFS

PLACE OF USE:

IRRIGATION in ADA County

T03N R01E S23

SENE

40.00

40 ACRES TOTAL

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

The source of this water right is waste water. The wasting of water may be discontinued at anytime.

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.

long
SBF DG NBS

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of this right is combined with water from Nampa Meridian Irrigation District.

SF5 Right No. 63-346A

COPY

WATER RESOURCES
TWIN FALLS CO., IDAHO
FILES

RECEIVED

FEB 07 2008

DEPARTMENT OF
WATER RESOURCES

2008 FEB 6 PM 10 09

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

In Re SRBA

SUBCASE NO: 63-346A

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR indicate their concurrence by their signatures below and by initialing each of the attached pages.

CLAIMANT(s):

Estate of Marie Odiaga

OBJECTOR(s):

Nampa-Meridian Irrigation Dist.

Louise Gunderson

Date

S. Bryce Farris

Date

RESPONDENT(s):

USDI-BOR

E. Gail McGarry

Date

SF5 Right No. 63-346A

SF5 Right No. 63-346A

IDWR CONCURRENCE:


Jan Shurte
Adjudication Supervisor, IDWR
Date 1-8-08


Nicholas B Spencer
Deputy Attorney General
Attorney for IDWR
Date 1-31-08

SF5 Right No. 63-346A

CERTIFICATE OF MAILING

I certify that on February 4, 2008 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

United States Dept. of Justice
Environment & Natural Resource Div
550 W Fort St. MSC 033
Boise, ID 83724

Estate of Marie Odiaga
c/o Louise Gunderson
Personal Representative
5265 Umatilla
Boise ID 83709

S. Bryce Farris
Ringert Clark Chartered
PO Box 2773
Boise ID 83701

Nampa-Meridian Irrigation Dist.
1503 First St. South
Nampa ID 83651

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098



Signature of person or attorney mailing the form



U.S. Department of Justice

Environment and Natural Resources Division

DWG:DAJ

90-6-2-63c

David A. Jarvis
Labat-Anderson, Inc.
1961 Stout Street, 8th Floor
Denver, Colorado 80294

Telephone (303) 844-1485
Facsimile (303) 844-1350
E-mail: David.Jarvis2@usdoj.gov

January 25, 2008

via FedEx Mail

RECEIVED

JAN 28 2008

WATER RESOURCES
WESTERN REGION

Lori Harris
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

Re: SRBA Case No. 39576
Subcase No. 63-00436A (Estate of Marie Odiaga)

Dear Ms. Harris:

Per your request, I am returning the signed SF-5 in the above subcase for filing. Please note that while Gail McGarry is the technical contact person for BOR involvement in the SRBA subcases, David Gehlert of the Environment and Natural Resources Division of the U.S. Department of Justice is the attorney handling these issues for the United States

Sincerely,

David A. Jarvis
Paralegal

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

January 16, 2008

E Gail McGarry
Bureau of Reclamation, Regional Director
1105 N Curtis Rd, Ste 100
Boise ID 83706-1234

RE: SRBA Subcase No. 63-346A (Estate of Marie Odiaga)

Dear Ms. McGarry:

I am enclosing a Standard Form 5 ("SF5") for your review and signature. The SF5 is the form required by the Snake River Basin Adjudication ("SRBA") Court to resolve water right disputes. If the SF5 is acceptable, please sign on the indicated signature line and initial the revised recommendation.

After signing the SF5, please return the original document to me. I will file the original with the SRBA Court and provide copies.

If you should have any questions or comments, please feel free to contact me at (208) 334-2190.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region

Encls:
LH:l



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

January 8, 2008

S Bryce Farris
Ringert Clark Chartered
PO Box 2773
Boise ID 83701

RE: SRBA Subcase No. 63-346A (Estate of Marie Odiaga)

Dear Mr. Farris:

I am enclosing a Standard Form 5 ("SF5") for your review and signature. The SF5 is the form required by the Snake River Basin Adjudication ("SRBA") Court to resolve water right disputes. If the SF5 is acceptable, please sign on the indicated signature line and initial the revised recommendation.

After signing the SF5, please return the original document to me. I will file the original with the SRBA Court and provide copies.

If you should have any questions or comments, please feel free to contact me at (208) 334-2190.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region

LH:l

JAN 15 2008

WATER RESOURCES
WESTERN REGION

January 14, 2008

Laura E. Burri
Adam S. Christenson
Jeffrey R. Christenson
David P. Claiborne
D. Blair Clark *
S. Bryce Farris
Jon C. Gould
David Hammerquist
Charles L. Honsinger **
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid *
Daniel V. Steenson

Lori Harris
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Re: SRBA Subcase No. 63-346A (Estate of Marie Odiaga)

Dear Ms. Harris:

Enclosed please find the original Standard Form 5 ("SF5") in the above-referenced matter, which I have signed and initialed on behalf of my client Nampa & Meridian Irrigation District. Once the SF5 has been fully executed, please provide me with a conformed copy of the same for my files.

Thank you for your assistance in this matter. Please contact me if you have any questions or comments.

Yours very truly,



S. Bryce Farris

SBF:kw
Enclosure

cc: NMID

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

RIGHT NUMBER: 63-346A

NAME AND ADDRESS: ESTATE OF MARIE ODIAGA
C/O LOUISE M GUNDERSON
PERSONAL REPRESENTATIVE
5265 UMATILLA
BOISE ID 83709

MARIE ODIAGA
7373 S MAPLE GROVE RD
BOISE ID 83709

SOURCE: FIVEMILE CREEK

TRIBUTARY: FIFTEENMILE CREEK

QUANTITY: 0.800 CFS

PRIORITY DATE: 02/20/1901

POINT OF DIVERSION:

T03N R01E S23 SENE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.800 CFS

PLACE OF USE: IRRIGATION in ADA County

T03N R01E S23 SENE 40.00

40 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 - Decreed

Use of this right is combined with water from Nampa Meridian Irrigation District.

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

In Re SRBA

Case No. 39576

Water Rights: 63-346A

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

☐ Address change

XX Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion

☐ Place of use

☐ Period of use

☐ Nature of use

☐ Split of water right

☐ Change in ownership

☐ Other

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: December 6, 2007


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on December 6, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

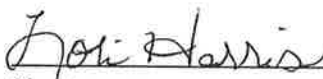
3. Copies to all parties to the subcase:

Estate of Marie Odiaga
c/o Louise Gunderson
5265 Umatilla
Boise ID 83709

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Nampa-Meridian Irrigation Dist.
c/o Bryce Farris
Ringert Clark Chartered
PO Box 2773
Boise ID 83701

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

December 6, 2007

ESTATE OF MARIE ODIAGA
C/O LOUISE GUNDERSON
PERSONAL REPRESENTATIVE
5265 UMATILLA
BOISE ID 83709

Re: Water Right No. 63-346A

Dear Ms. Gunderson:

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

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

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:1
Enclosures

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

RECEIVED

NOV 29 2007

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
63-00346A					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *N/A*
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Marie Odiaga
7373 S. Maple Grove Rd. Boise

4. New Owner/Claimant(s)

Louise M. Gunderson

Private Connector (Check one): ☐ Individual ☐ Business

New Mailing Address

5265 Umatilla

City, State and ZIP Code

Boise, ID 83709

New Telephone Number

(208) 362-9361

5. Date you acquired the property

Upon Marie's death
on 12/27/2003

ID
83709

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Louise M. Gunderson
Louise M. Gunderson
Personal Representative
Marie Adias's Estate

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by DB Date 11-29-07 Fee 0
 Received by _____ Date _____ Receipt No. _____
 Processed by [Signature] AJ Date 12-4-07 WR _____ Date _____

FILED
FEB 26 2004

J. DAVID NAVARRO, Clerk
By MARGARET LUNDQUIST
DEPUTY

1 **ROBERT L. ALDRIDGE, CHARTERED**
2 Attorney at Law
3 1209 North Eighth Street
4 Boise, Idaho 83702-4297
5 Telephone: (208) 336-9880
6 Fax: (208) 336-9882
7 Idaho State Bar N^o 1296
8 Attorney for Personal Representative

9 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
10 STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

SP IE 04 00088M

Probate Case N^o

11 **IN THE MATTER OF THE ESTATE OF**
12 **Marie Louise Odiaga,**
13 **Deceased.**
14
15

LETTERS TESTAMENTARY

(I.C. §15-3-602 & §15-3-702)

16 The Will of Marie Louise Odiaga having been admitted to informal probate, Louise M. Gunderson
17 is hereby appointed personal representative of the estate of Marie Louise Odiaga, deceased, with
18 all authority pertaining thereto. Administration of the estate is unsupervised. These Letters are
19 issued to evidence the appointment, qualification, and authority of the said personal representative.

20 WITNESS: Hon. John F. Dutcher, Magistrate of the District Court, County of Ada, State of Idaho,
21 with the seal of the Court affixed this February 25, 2004.

JOHN DUTCHER

Hon. John F. Dutcher, Magistrate

STATE OF IDAHO }
COUNTY OF ADA } ss.
I, J. David Navarro, Clerk of the District Court of the Fourth
Judicial District of the State of Idaho, in and for the County
of Ada, do hereby certify that the foregoing is a true and
correct copy of the original on file in my office. In witness
whereof, I have hereunto set my hand and affixed my official
seal this 26 day
of Feb. 2004
J. DAVID NAVARRO, Clerk
By Margaret Lundquist Deputy

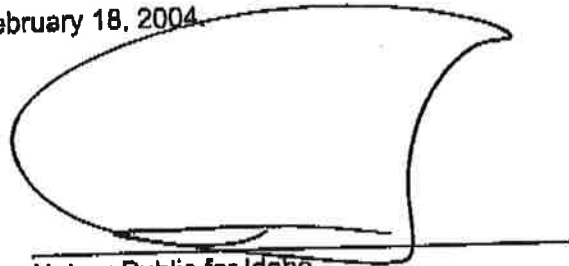
1 STATE OF IDAHO)
2) ss.
3 COUNTY OF ADA)

4 The undersigned, Louise M. Gunderson, hereby accepts the appointment to the office of personal
5 representative of the Estate of Marie Louise Odiaga, deceased, and does solemnly swear that I will
6 perform, according to law, the duties of personal representative of said estate.

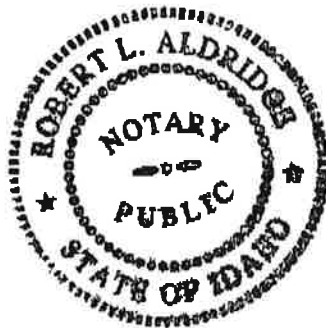


Louise M. Gunderson
5265 ~~2nd~~ Umatilla Avenue
Boise, Idaho 83709
Telephone: (208) 362-9361

7
8
9
10
11
12 SUBSCRIBED AND SWORN to before me this February 18, 2004.



Notary Public for Idaho
Residing at Meridian
My commission expires on 7-1-2006



Letters Testamentary, In the Matter of the Estate of Marie Louise Odiaga

Page 2

COPY

NO. _____ FILED _____
A.M. _____ P.M. _____

FEB 26 2004

MARGARET LUNDQUIST
Clerk

ROBERT L. ALDRIDGE, CHARTERED
Attorney at Law
1209 North Eighth Street
Boise, Idaho 83702-4297
Telephone: (208) 336-9880
Fax: (208) 336-9882
Idaho State Bar No 1296
Attorney for Personal Representative

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

Sp IE 04 00088 M
Probate Case No

IN THE MATTER OF THE ESTATE OF
Marie Louise Odiaga,
Deceased.

STATEMENT OF INFORMAL
PROBATE OF WILL AND INFORMAL
APPOINTMENT OF PERSONAL
REPRESENTATIVE
(I.C. §§15-3-303 and 15-3-308)

Upon consideration of the Application for Informal Probate of Will and Informal Appointment of
Personal Representative filed by Louise M. Gunderson, the Court finds that:

1. The application is complete.
2. Applicant has made oath or affirmation that the statements contained in the application are true to the best of applicant's knowledge and belief.
3. Applicant appears from the application to be an interested person as defined by the Idaho Uniform Probate Code.
4. The decedent died on December 27, 2003, at the age of ninety-two (92) years.
5. On the basis of the statements in the application, venue is proper.
6. An original, duly executed, and apparently unrevoked will, dated March 30, 1990, is in the Court's possession.
7. Any required notice has been given or waived.
8. On the basis of the statements in the application, the will to which the application relates is not part of a known series of testamentary instruments (other than wills or codicils), the latest of which does not expressly revoke the former.

Statement of Informal Probate of Will and Informal Appointment of Personal Representative, In the
Matter of the Estate of Marie Louise Odiaga, Deceased
Page 1

9. On the basis of the statements in the application no personal representative has been appointed in this state or elsewhere.

10. On the basis of the statements in the application, neither the will to which the application relates nor any other will of the decedent has been the subject of a previous probate order in this state.

11. It appears from the application that the time limit for informal probate and appointment has not expired.

12. The application does not indicate the existence of a possible unrevoked testamentary instrument which may relate to property subject to the law of this state, and which is not filed for probate in this Court.

13. Based on the statements in the application, the person whose appointment as personal representative is sought is qualified to act as personal representative and has priority entitling said person to the appointment.

14. Bond is not required.

15. The applicable time period within which no action can be taken on an application for informal probate and appointment has elapsed.

THEREFORE:

1. The will of the decedent, dated March 30, 1990, is hereby informally probated.

2. Louise M. Gunderson is hereby appointed personal representative of the estate of the decedent, to act without bond.

3. Upon qualification and acceptance, letters testamentary shall be issued.

4. Notice shall be given in accordance with Idaho Code §15-3-705.

DATED: February 18, 2004.

JOHN DUTCHER (S)
Hon. John F. Dutcher, Magistrate

Statement of Informal Probate of Will and Informal Appointment of Personal Representative, In the
Matter of the Estate of Marie Louise Odiaga, Deceased

S. BRYCE FARRIS (ISB #5636)
RINGERT CLARK CHARTERED
455 S. Third Street
P.O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591
Facsimile: (208) 342-4657

RECEIVED

NOV 01 2007

DEPARTMENT OF
WATER RESOURCES

Attorneys for Nampa & Meridian Irrigation District

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

In Re SRBA

Case No. 39576

)
) Subcase No. 63-346A
)

) MOTION FOR ORDER DEEMING
) REQUESTS FOR ADMISSION
) ADMITTED
)
)

COMES NOW Nampa & Meridian Irrigation District (hereinafter "NMID") by and through its attorneys of record, Ringert Clark Chartered, and hereby moves this Court for an Order Deeming the Requests for Admission directed to Claimant Marie Odiaga, (hereinafter "Claimant"), be admitted.

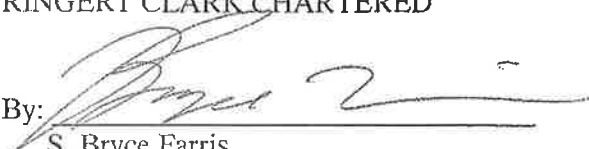
Claimant was served with Nampa & Meridian Irrigation District's First Set of Discovery Requests to Claimant on September 20, 2007, via regular mail. Pursuant to Rule 36(a) of the Idaho Rules of Civil Procedure, the time allotted to respond and answer the requests for admission expired on October 22, 2007. Rule 36(a) further provides that requests for admission shall be deemed admitted when a party fails to answer within thirty (30) days after service of the request. Accordingly, NMID moves this Court for an order deeming all requests for admission propounded to Claimant as admitted.

MOTION FOR ORDER DEEMING REQUESTS FOR ADMISSION ADMITTED - Page 1

COPY

DATED this 31st day of October, 2007.

RINGERT CLARK CHARTERED

By: 

S. Bryce Farris

Attorneys for Nampa & Meridian
Irrigation District

CERTIFICATE OF SERVICE

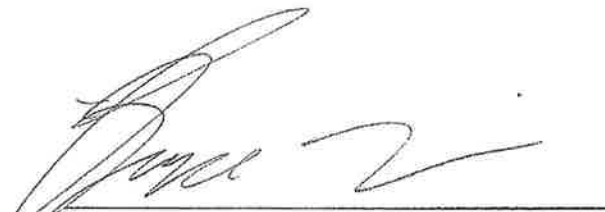
I hereby certify that on this 31st day of October, 2007, I served a true and correct copy of the foregoing document by U.S. mail, postage pre-paid to the following:

Loise Gunderson
5265 Umatilla
Boise, Idaho 83709

Marie Odiaga
7373 S. Maple Grove Road
Boise, Idaho 83709

USDI Bureau of Reclamation
Represented by:
US Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, Idaho 83724

Director of IDWR
P.O. Box 83720
Boise, Idaho 83720-0098


S. Bryce Farris

S. BRYCE FARRIS (ISB #5636)
RINGERT CLARK CHARTERED
455 S. Third Street
P.O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591
Facsimile: (208) 342-4657

RECEIVED
SEP 24 2007
DEPARTMENT OF
WATER RESOURCES

Attorneys for Nampa & Meridian Irrigation District

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

In Re SRBA	)	
	)	Subcase No. 63-346A
	)	
Case No. 39576	)	NOTICE OF SERVICE OF
	)	NAMPA & MERIDIAN IRRIGATION
	)	DISTRICT'S FIRST SET OF DISCOVERY
	)	REQUESTS TO CLAIMANT

COMES NOW Nampa & Meridian Irrigation District, by and through its counsel of record, Ringert Clark Chartered, and pursuant to Idaho Rules of Civil Procedure, hereby gives notice that on the 20th day of September, 2007, Nampa & Meridian Irrigation District's First Set of Discovery Requests to Claimant, was served by depositing the original of the foregoing document via U.S. mail to the following:

Marie Odiaga
7373 S. Maple Grove Road
Boise, Idaho 83709

Loise Gunderson
5265 Umatilla
Boise, Idaho 83709

NOTICE OF SERVICE OF NAMPA & MERIDIAN IRRIGATION DISTRICT'S FIRST SET OF
DISCOVERY REQUESTS TO CLAIMANT - Page 1

COPY

DATED this 20th day of September, 2007.

RINGERT CLARK CHARTERED

By: 

S. Bryce Farris

Attorney for Nampa & Meridian
Irrigation District

CERTIFICATE OF SERVICE

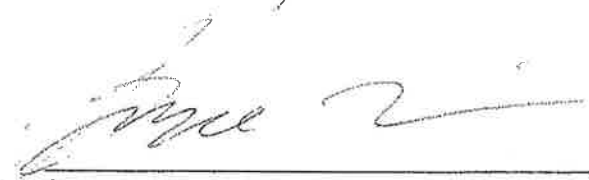
I hereby certify that on this 20th day of September, 2007, I served a true and correct copy of the foregoing document by U.S. mail, postage pre-paid to the following:

Loise Gunderson
5265 Umatilla
Boise, Idaho 83709

Marie Odiaga
7373 S. Maple Grove Road
Boise, Idaho 83709

USDI Bureau of Reclamation
Represented by:
US Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, Idaho 83724

Director of IDWR
P.O. Box 83720
Boise, Idaho 83720-0098


S. Bryce Farris

S. BRYCE FARRIS (ISB #5636)
RINGERT CLARK CHARTERED
455 S. Third Street
P.O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591
Facsimile: (208) 342-4657

Attorneys for Nampa & Meridian Irrigation District

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

In Re SRBA	)	
	)	Subcase No. 63-346A
	)	
Case No. 39576	)	NAMPA & MERIDIAN IRRIGATION
	)	DISTRICT'S FIRST SET OF DISCOVERY
	)	REQUESTS TO CLAIMANT

INTRODUCTION

This document contains the interrogatories, requests for admissions, and requests for production being submitted to the claimant for the above-referenced water right, Marie Odiaga, c/o Loise Gunderson . These interrogatories, requests for admissions, and requests for production are made pursuant to and are governed by Rules 26, 33, 34 and 36 of the Idaho Rules of Civil Procedure.

GENERAL INSTRUCTIONS

1. Unless otherwise indicated, these interrogatories, requests for admissions, and requests for production refer to water right no. 63-00346A.

2. These interrogatories, requests for admission, and requests for production are deemed continuing in nature, and your responses are to be supplemented as additional information and knowledge becomes available or known to you as provided in Rule 26(e) of the Idaho Rules of Civil

NAMPA & MERIDIAN IRRIGATION DISTRICT'S FIRST SET OF DISCOVERY REQUESTS TO
CLAIMANT - Page 1

COPY

Procedure.

3. Any reference herein to an individual, partnership, corporation, or other entity, shall include the present and past agents, employees, representatives, and assigns of that individual or entity.

4. If you withhold any information, in whole or in part, which is called for in and interrogatory or request for production on the ground that it is subject to attorney-client privilege or other privilege, identify each person or entity having knowledge of the bases for each claim of privilege or other objection.

5. If, for reasons other than alleged privilege, you do not provide a complete response to any interrogatory or request for production, state with respect to such interrogatory or request for production that a complete response is not provided and state the reason for the incomplete response.

6. Serve the original written answers to these interrogatories, request for admission, and responses to request with a copy of the notice of service on S. Bryce Farris, Ringert Clark Chartered, P.O. Box 2773, Boise, Idaho 83701.

INSTRUCTIONS FOR INTERROGATORIES

1. Provide answers to these interrogatories within thirty (30) days of service by fully setting forth each interrogatory followed by an answer or objection to each interrogatory under oath in accordance with I.R.C.P. 33.

INSTRUCTIONS FOR ADMISSIONS

1. Provide answers to these request for admission within thirty (30) days of service by fully setting orth each request for admission followed by an answer or objection to each request for admission under oath in accordance with I.R.C.P. 36.

INSTRUCTIONS FOR REQUEST FOR PRODUCTION

1. If you will make the original copies of the requested documents available at a subsequent time requested by NMID, upon reasonable notice, then the requests for production of documents may be satisfied by mailing a true, correct, and legible copy of each and every requested document to S. Bryce Farris, Ringert Clark Chartered, P.O. Box 2773, Boise, ID 83701 within the prescribed time.

2. Each document requested to be produced shall be provided in a manner which preserves its sequential relationship with other documents being produced and shall include the file folder and folder tabs associated with its file location. If the file location is not apparent on the folder and tabs, the document shall be accompanied by information indicating from where the file was taken and such additional information as is necessary to enable NMID to determine the document's original pre-production location.

3. You are requested to provide a response within thirty (30) days of service in accordance with I.R.C.P. 34.

Definitions:

In answering these interrogatories and requests for production, all terms used retain their normal meaning. The following terms, in addition to their commonly understood definitions, shall have the following meanings:

- A. The term "NMID" refers to the Nampa & Meridian Irrigation District.
- B. The term "you" or the "claimant" refers to the claimant for water right no. 63-00346A, including, but not limited to, Marie Odiaga, Loise Gunderson or the estate of Marie Odiaga.
- C. The term "document" shall be defined in the broadest possible manner and shall, at a

minimum, mean any original or copy of words or information, whether produced in original or copying form by printing, typing, recording, retrieval from electronic storage, manual reproduction, or other process regardless of the form. The term "document" includes, but is not limited to, writings, agreements, communication, correspondence, electronic mail messages, reports, telegrams, memoranda, summaries or records of telephone conversations, summaries or records of personal conversations or interviews, diaries, records, maps, charts, plans, drawings, sketches, photographs, graphs, notes, summaries or records of meetings,, conferences or congressional hearings, summaries or reports of investigations or negotiations, opinions or reports of consultants, drafts of any document, phono-records, printouts from electronic storage or other data compilations from which information can be obtained or translated, if necessary, by the respondent through detection devices into reasonably usable form, marginal comments appearing on any document and all other writing.

D. The term "identify" means:

- (1) as to documents, give the date of each such document, the addresser's name, position, and address, the addressee's name, position and address, any file, index or other identification number, title and general character of the document, and specify the name, address and position of the person or persons having custody and control thereof. Alternatively, the document may be appended to your answer.
- (2) as to a person, or entity, give the full name, business address and telephone number, home address and telephone number, the person's current employment, position and duties, the person's relationship to Marie Odiaga and the person's educational

background.

- (3) as to conversations, including telephone communications, or meetings give:
 - a. the date, place and time such communication occurred;
 - b. the identify of each and every person between whom the communication was transmitted, who was present or who participated in the conversation, and any other person(s) who have knowledge of such communication;
 - c. the place at which such communication occurred, or in the case of telephone conversations, the location of each party; and
 - d. a detailed statement of the substance of what was discussed or what actions were taken.
- (4) as to administrative, judicial, or congressional proceedings, give:
 - a. the caption of the proceeding;
 - b. the administrative or judicial tribunal or the name of the congressional committee or subcommittee, including the business address and phone number; and
 - c. the date(s) a witness provided testimony.

E. The term "relied," when used in a request for all documents relied upon in the preparation of an answer or response, refers not only to documents containing information supporting the answer or response, but also documents reviewed, obtained, or prepared by the Claimant or its employees, agents or contractors in the course of preparing its answer or response.

INTERROGATORIES, REQUESTS FOR ADMISSION, AND
REQUESTS FOR PRODUCTION

REQUEST FOR ADMISSION NO. 1: Please admit that you are not the current owner of the property listed in the place of use for water right no. 63-00346A.

INTERROGATORY NO. 1: If you deny, in whole or in part, Request for Admission No. 1, then describe in detail the factual and legal basis for your denial.

REQUEST FOR PRODUCTION NO. 1: If you deny, in whole or in part, Request for Admission No. 1, please produce a true and correct copy of any documents and/or deeds which supports your claim to ownership.

REQUEST FOR ADMISSION NO. 2: Please admit that you are not the current owner of the real property where the point of diversion for water right no. 63-00346A is located.

INTERROGATORY NO. 2: If you deny, in whole or in part, Request for Admission No. 2, then describe in detail the factual and legal basis for your denial.

REQUEST FOR PRODUCTION NO. 2: If you deny, in whole or in part, Request for Admission No. 2, please produce a true and correct copy of any documents and/or deeds which supports your claim to ownership.

REQUEST FOR ADMISSION NO. 3: Please admit that when you sold the real property that is described in the place of use for water right no. 63-00346A, you did not reserve the water right in the deed or any other document which would purport to transfer title to said real property.

INTERROGATORY NO. 3: If you deny, in whole or in part, Request for Admission No. 3, then describe in detail the factual and legal basis for your denial.

REQUEST FOR PRODUCTION NO. 3: If you deny, in whole or in part, Request for

Admission No. 3, please produce a true and correct copy of any documents and/or deeds which supports your claim to ownership of water right no. 63-00346A.

REQUEST FOR ADMISSION NO. 4: Please admit that the real property listed in the place of use for water right no. 63-00346A is currently a subdivision that is supplied irrigation water by NMID.

INTERROGATORY NO. 4: If you deny, in whole or in part, Request for Admission No. 4, then describe in detail the factual and legal basis for your denial.

REQUEST FOR PRODUCTION NO. 4: If you deny, in whole or in part, Request for Admission No. 4, please produce a true and correct copy of any documents and/or deeds which supports your claim to ownership.

REQUEST FOR ADMISSION NO. 5: Please admit that you have not beneficially used water right no. 64-00346A for the past ten years.

INTERROGATORY NO. 5: If you deny, in whole or in part, Request for Admission No. 5, then describe in detail the factual and legal basis for your denial.

REQUEST FOR PRODUCTION NO. 5: If you deny, in whole or in part, Request for Admission No. 5, please produce a true and correct copy of any documents and/or deeds which supports your claim to ownership.

INTERROGATORY NO. 6: Set forth and describe the last time water right no. 63-00346A was beneficially used, how it was used and who owned the property at that time.

INTERROGATORY NO. 7: Set forth and describe when you intend to beneficially use water right no. 63-00346A next and what lands you intend to irrigate.

REQUEST FOR PRODUCTION NO. 6: Produce all documents that evidence the beneficial use of water right no. 63-00346A for the past ten years.

INTERROGATORY NO. 8: Set forth and describe what you believe is the source of water right no. 63-00346A, including, but not limited to, what you believe is the source of the water in the Five Mile Creek/Drain and to what extent, if any, you believe the source is not waste water.

REQUEST FOR ADMISSION NO. 6: Please admit that the source of water right no. 63-00346A is waste water.

INTERROGATORY NO. 9: If you deny, in whole or in part, Request for Admission No. 6, then describe in detail the factual and legal basis for your denial.

REQUEST FOR PRODUCTION NO. 7: If you deny, in whole or in part, Request for Admission No. 6, please produce a true and correct copy of any documents which supports your denial.

REQUEST FOR ADMISSION NO. 7: Please admit that the source of water right no. 63-00346A is, at least in part, NMID's waste water.

INTERROGATORY NO. 10: If you deny, in whole or in part, Request for Admission No. 7, then describe in detail the factual and legal basis for your denial.

REQUEST FOR PRODUCTION NO. 8: If you deny, in whole or in part, Request for Admission No. 7, please produce a true and correct copy of any documents which supports your denial.

INTERROGATORY NO. 11: Please identify each and every person whom you expect to call as a fact witness in the trial of this matter and state the substance of the facts upon which the

person is expected to testify.

INTERROGATORY NO. 12: Please identify each and every person whom you know has knowledge about water right no. 63-00346A.

INTERROGATORY NO. 13: Please identify each and every person whom you expect to call as an expert witness in this matter. For each such person identify, please state the subject matter on which the expert is expected to testify, the substance of the opinions to which the expert is expected to testify, and the underlying facts and data upon which the expert opinions are based.

REQUEST FOR PRODUCTION NO. 9: Produce every document or tangible item that you intend to offer as an exhibit in the trial of this matter.

REQUEST FOR PRODUCTION NO. 10: For each person identified in your response to Interrogatory no. 13, please produce: (1) a curriculum vitae or resume, including a list of publications authored by that person, if any, as well as any other information which would demonstrate the person's knowledge or qualifications to state the facts or express the opinions to which the person is expected to testify; and (2) all documents containing or evidencing the underlying facts or data described in your response to Interrogatory No. 13.

INTERROGATORY NO. 14: Identify all persons who assisted in the preparation of the responses to these Interrogatories, Request for Admission and Requests for Production.

DATED this 20th day of September, 2007.

RINGERT CLARK CHARTERED

By: 

S. Bryce Farris
Attorney for Nampa & Meridian
Irrigation District

CERTIFICATE OF SERVICE

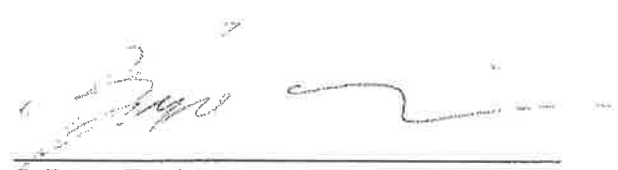
I hereby certify that on this 21st day of September, 2007, I served a true and correct copy of the foregoing document by U.S. mail, postage pre-paid to the following:

Loise Gunderson
5265 Umatilla
Boise, Idaho 83709

Marie Odiaga
7373 S. Maple Grove Road
Boise, Idaho 83709

USDI Bureau of Reclamation
Represented by:
US Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, Idaho 83724

Director of IDWR
P.O. Box 83720
Boise, Idaho 83720-0098



S. Bryce Farris

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 SEP 19 PM 4 41

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

In Re SRBA) Subcase 63-00346A
)
Case No. 39576) TRIAL SCHEDULING ORDER
)
_____)

A Scheduling Conference was held on September 11, 2007. The following dates shall govern the conduct of this subcase through trial:

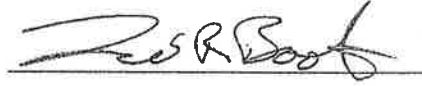
November 30, 2007	5:00 PM	Disclosure of Witnesses. Disclosure of all witnesses, except impeachment witnesses, shall be completed by this deadline. All non-disclosed witnesses, except impeachment witnesses, shall be excluded from testifying in the trial unless permitted by the Special Master in the interests of justice. I.R.C.P. 16(e)(6)(J).
January 8, 2008	5:00 PM	Hearing on Motion for Summary Judgment. Motions for summary judgment shall be filed, notice for hearing, and actually heard by this deadline. The filing and service of the motion, affidavits, and briefing shall be conducted in compliance with I.R.C.P. 56(c).
January 18, 2008	5:00 PM	Discovery Served and Responses Completed. Deadline for completion of all discovery, meaning that all discovery is served and response is complete, including the taking of depositions of lay and expert witnesses, all interrogatories, request for production / inspections and admissions. Motions to compel should be filed accordingly so as to accommodate this deadline.
February 5, 2008	11:00 AM	Final Pre-Trial Conference. Pursuant to I.R.C.P. 16, a final pre-trial conference will be held at the Snake River Basin Adjudication Courthouse, 253 3 rd Avenue North, Twin Falls, Idaho. Parties may participate by telephone by dialing 225-383-1099

and when prompted entering the code 675342.

February 22, 2008 1:30 PM

Trial. The trial be held at the Idaho Supreme Court Building, 451 West State Street, Boise, Idaho, in the lower-level conference room.

Dated September 19, 2007

A handwritten signature in dark ink, appearing to read 'Theodore R. Booth', written over a horizontal line.

THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the TRIAL SCHEDULING ORDER was mailed on September 19, 2007, with sufficient first-class postage to the following:

NAMPA AND MERIDIAN

Represented by:
DANIEL V. STEENSON
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR

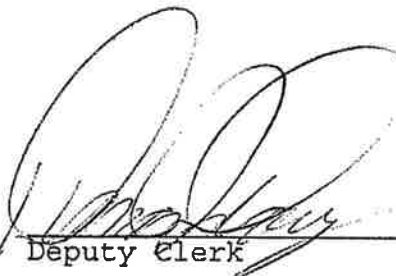
PO BOX 83720
BOISE, ID 83720-0098

LOISE GUNDERSON

5265 UMATILLA
BOISE, ID 83709

MARIE ODIAGA

7373 S MAPLE GROVE RD
BOISE, ID 83709
Phone: 208-362-2834



RECEIVED

DEC 22 2006

DEPARTMENT OF
WATER RESOURCES

706 DEC 20 AM 8:00

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED

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

In Re SRBA

) Subcase 63-00346A

Case No. 39576

) ORDER TO SHOW CAUSE
)

This matter came before this Special Master pursuant to a *Notice Setting Subcases for Initial Hearing* issued September 11, 2006. Marie Odiaga (hereinafter "Claimant") was notified of the hearing via first class mail sent to his/her last known address. The Claimant failed to appear at the December 5, 2006, initial hearing either in person or through counsel.

On April 21, 2006, the Nampa & Meridian Irrigation District, by and through its attorney Daniel Steenson of Ringert Clark Chartered, filed an objection to the *Director's Report* for this water right claim, asserting that the source of the water right claim is wastewater and or seepage from the Nampa & Meridian Irrigation District, and it is subject to the irrigation district's right to recapture said water, cease wasting it or to change the place and manner of use. On June 23, 2006, the United States of America, Department of Interior, Bureau of Reclamation, filed a response to the objection.

It is hereby ordered that the Claimant shall appear before this Special Master on **January 9, 2007, at 1:30 P.M.** Mountain Time, at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue North, Twin Falls, Idaho, or participate by telephone by dialing 1-225-383-1099 participation code 675342, to show cause why the objection filed by the Nampa & Meridian Irrigation District should not be granted. The purpose of the show cause hearing is to provide the Claimant with a final opportunity to oppose the objection despite failing to appear at the initial hearing.

Participation in the show cause hearing is **not mandatory** and failure to appear will not be considered contempt of court. **However, failure to appear will result in the**

Claimant being deemed to have consented to the remedy sought by the objector. If the Claimant participates in the hearing, the Claimant will be expected to notify this Special Master whether he/she intends to oppose the objection, and accordingly a trial date will be set. In such case, no additional evidence or argument need be presented as subcases(s) will be allowed to proceed to trial as a matter of course. Therefore the parties need not produce testimony or evidence in accordance with I.R.C.P. 6(c)(4).

A copy of this *Order to Show Cause* shall be served upon the Claimant not less than five (5) days prior to the date herein shown, upon which those parties are required to appear before this Special Master and show cause. Service of the *Order to Show Cause* shall be made in accordance with I.R.C.P. 5(b) and 6(c)(2).

IT IS SO ORDERED

Dated December 19, 2006



THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER TO SHOW CAUSE was mailed on December 20, 2006, with sufficient first-class postage to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

Marie Odiaga
7373 S Maple Grove Rd
Boise, ID 83709

U.S. Department of Justice
Environment & Natural Resources Div.
550 W Fort St., MSC 033
Boise, ID 83724

Bryce Farris
Ringert Clark Chartered
PO Box 2773
Boise, ID 83701


Deputy Clerk

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

In Re SRBA)

Case No. 39576)

A. Subcase 63-346A

(Insert water right number
from the Objection Form)

**STANDARD FORM 2
RESPONSE TO OBJECTION**

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: E. Gail McGarry
United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100
Address: 1150 N. Curtis Rd. Suite 100
Boise, ID 83706 -1234
Daytime Phone: (208) 378-5306

Name & Address of Attorney, if any:

David W. Gehlert (303) 844-1386 Trial Attorney,
Natural Resources Section
Environment and Natural Resource Division
U.S. Department of Justice
1961 Stout Street – 8th Floor
Denver, CO 80294

**C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING**

Name: Nampa & Meridian Irrigation District
Address: c/o Daniel V. Steenson & S. Bryce Farris
Ringert Clark, Chtd
P. O. Box 2773
Boise, ID 83701

D. I am responding to the objections to the following elements. (Please check the appropriate box (es)).

1. ☐ Name and Address
2. ☒ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☐ Place of Use
10. Recommendation:
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. VERIFICATION (Must be Completed)

State of Idaho)
County of Ada) ss.

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

[Signature]
(Signature of person filing response)

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/23/06

Connie L. Wensman
Notary Public for: Idaho
Residing at: Meridian
My Commission Expires: 10/06/10



INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, 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.

F. CERTIFICATE OF MAILING

I certify that on 6-23, 2006, I mailed the original and copies of this response, 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:

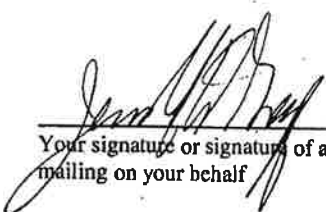
Name: Marie Odiaga
Address: 7373 S. Maple Grove
Boise, ID 83709
3. One copy to the party who filed the objection at the following address:

Name: Nampa & Meridian Irrigation District
Address: c/o Daniel V. Steenson & S. Bryce Farris
Ringert Clark, Chtd
P. O. Box 2773
Boise, ID 83701
4. Copies to:

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

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

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Your signature or signature of attorney
mailing on your behalf

RECEIVED
1998 11 13
DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA)

Case No. 39576)

A. Subcase 63-346A

(Insert water right no.)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: NAMPA & MERIDIAN IRRIGATION DISTRICT

Address: 1503 First Street South
Nampa, Idaho 83651

Daytime Phone: 208-466-7861

Name & Address of Attorney, if any:

Daniel V. Steenson

S. Bryce Farris

Ringert Clark Chartered

P.O. Box 2773

Boise, ID 83701

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS'S REPORT

Name: Marie Odiaga

Address: 7373 S Maple Grove
Boise, Idaho 83709

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: See below.
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
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 OBJECTION (S):** This claimed water right is within the boundaries of Nampa & Meridian Irrigation District ("NMID") and the source of the claimed water right is a drain that is owned, operated, maintained and controlled by NMID. The water in said drain, and the source of this claim, is NMID's seepage and/or waste water from NMID's prior or senior water rights and is subject to NMID's right to recapture said water, cease wasting it or to change the place and manner of its use.

F.

VERIFICATION (must be completed)

State of Idaho)
) ss.
County of Ada)

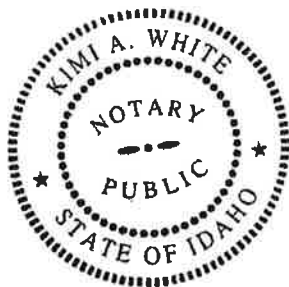
S. Bryce Farris, duly sworn, upon oath, deposes and says:

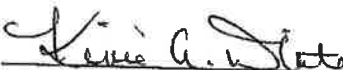
That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



S. Bryce Farris

Subscribed and sworn to before me on: April 20, 2016





Notary Public for Idaho
Residing at: 210110 Boise, Id
My Commission Expires: 01/01/16

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.

CERTIFICATE OF MAILING

I certify that on April 20th, 2006, 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: Marie Odiaga

Address: 7373 S. Maple Grove
Boise, Idaho 83709

3. Copies to:

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

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



Signature of Objector or attorney
mailing on Objector's behalf

05/04/2005

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

RIGHT NUMBER: 63-346A

NAME AND ADDRESS: MARIE ODIAGA
7373 S MAPLE GROVE RD
BOISE ID 83709

SOURCE: FIVEMILE CREEK TRIBUTARY: FIFTEENMILE CREEK

QUANTITY: 0.800 CFS

PRIORITY DATE: 02/20/1901

POINT OF DIVERSION:
T03N R01E S23 SENE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.800 CFS

PLACE OF USE: IRRIGATION Within ADA County
T03N R01E S23 SENE 40.0

40 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: Decreed

Use of this right is combined with water from Nampa Meridian Irrigation District.



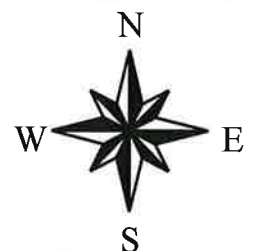
State of Idaho
Idaho Department of Water Resources
Western Region

T3N R1E SECTION 23
Water Right (s): 63-246A



1320 0 1320 2640 3960 Feet

TOTAL IRRIGATED ACRES = 40



- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: May 2005

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-346A V1

WATER RIGHT NUMBER: 63-346A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARIE ODIAGA 7373 S MAPLE GROVE RD BOISE, ID 83709 (208)362-2834
Original Owner	GEORGE MUELLER ID

Priority Date: 02/20/1901
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
FIVEMILE CREEK	FIFTEENMILE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

<u>Location of Point(s) of Diversion</u>		
FIVEMILE CREEK	SE1/4NE1/4	Sec. 23, Twp 03N, Rge 01E, B.M.
ADA County		

Place of Use
IRRIGATION Within ADA County
T03N R01E S23 SENE 40.0
Total Acres: 40

Conditions of Approval:

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. W51 Use of this right is combined with water from Nampa Meridian Irrigation District.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-346A V1

Comments:

1. vmusic 5/4/2005 DECREE

Comment: 63-346 DECREED IN IDWR DECREE 63-Q, MEULLER V GIBSON 11/3/1906. NO SEASON, I POD BUT LOCATION UNCLEAR, NUMBER OF ACRES NOT STATED, QUANTITY IS 45 INCHES, DUTY OF WATER IS IDWR STANDARD 1 INCH PER ACRE.

2. vmusic 5/4/2005 OWNERSHIP

Comment: PER ADA CO ASSESSOR TAX LOT INFO THE PROPERTY HAS BEEN SUBDIVIDED. MANY OWNERS. CLAIMANT NO LONGER OWNS ANY OF THE PARCEL.

3. vmusic 5/4/2005 PODs

Comment: 1 POD DECREED BUT 4 CLAIMED. LOCATIONS OF ALL PODs UNKNOWN. RECOMMENDED THE DECREED POD.

4. vmusic 5/4/2005 PLACE OF USE

Comment: DECREE ONLY DESCRIBED POU TO SECTION AND DOES NOT QUANTIFY ACRES. ACRES CLAIMED ARE 40. 87 NAPP SHOWS ABOUT 38 IRRIGATED. RECOMMENDED 40 BECAUSE WITHIN THE 5 PERCENT.

5. vmusic 5/4/2005 QUANTITY

Comment: DECREED QUANTITY OF .9 CFS CLAIMED. RECOMMENDED QUANTITY REDUCED TO IDWR STANDARD AND DECREED DUTY OF WATER.

6. vmusic 5/4/2005 CLAIMS

Comment: THERE IS NO B PORTION. REMAINDER OF DECREED RIGHT IS UNCLAIMED.

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	5/4/2005 10:17:20 AM	vmusic	Edited shape boundary
Priority Date	5/4/2005 9:06:53 AM	vmusic	(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	5/4/2005 9:07:29 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (No) 6. Is there evidence that there has been a change in the POD? (No) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-346A V1

Source	5/4/2005 10:15:45 AM	vmusic	(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? (No) 11. Is a Source remark and/or condition required?
POU	5/4/2005 10:16:10 AM	vmusic	(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? (No) 14. Is a POU remark and/or condition required?
Season	5/4/2005 10:18:20 AM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (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? (No) 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) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	5/4/2005 10:19:10 AM	vmusic	(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? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-346A V1

Summary	5/4/2005 10:23:59 AM	vmusic	(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? (No) 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?
Contacts	5/4/2005 9:06:29 AM	vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: DESKTOP REVIEW
POD	5/4/2005 10:14:26 AM	vmusic	Edited point location
Use	5/4/2005 10:17:47 AM	vmusic	(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? (No) 13. Is a Purpose of Use remark and/or condition required?

Water Supply Bank:

DATABASE SEARCH FOR POU IN T3N R1E S23 SENE

Search Information - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media Print Mail News RSS Feeds

Address http://wenet/apps/appsMisc/infoSearch.asp Go

Information Search (WR/AJ)

B...	Sequ...	S...	Source Table	Basis	Status	Priority Date	Di...	Source List	Water Use List	Owner List	Applic...
63	346	A	wtAdjudication...	Decreed	Active	1901-02-20	0.90	FIVEMILE ...	IRRIGATION	ODIAGA, MARIE (Current)	
63	348	B	wtAdjudication...	Decreed	Active	1903-06-01	0.80		IRRIGATION	ODIAGA, MARIE (Current)	
63	2106		wtAdjudication...	License	Active	1909-04-28	10...	FIVEMILE ...	DOMESTIC, IR...	UNITED STATES OF AMERICA ACT...	
63	2388		wtAdjudication...	License	Active	1924-08-18	30...	BOISE RIV...	IRRIGATION	UNITED STATES OF AMERICA ACT...	
63	2576		wtAdjudication...	License	Active	1938-04-26	1.90	GROUND ...	MUNICIPAL	UNITED WATER IDAHO INC (Current)	
63	2605		wtAdjudication...	License	Active	1943-07-02	0.90	GROUND ...	MUNICIPAL	UNITED WATER IDAHO INC (Current)	
63	2874		wtAdjudication...	License	Active	1951-08-18	4.00	GROUND ...	MUNICIPAL	UNITED WATER IDAHO INC (Current)	
63	2954		wtAdjudication...	License	Active	1953-08-27	0.90	GROUND ...	MUNICIPAL	UNITED WATER IDAHO INC (Current)	
63	2956		wtAdjudication...	License	Active	1953-08-27	0.56	GROUND ...	MUNICIPAL	UNITED WATER IDAHO INC (Current)	
63	2989		wtAdjudication...	License	Active	1954-06-02	1.00	GROUND ...	MUNICIPAL	UNITED WATER IDAHO INC (Current)	
63	3164		wtAdjudication...	License	Active	1959-08-05	1.73	GROUND ...	MUNICIPAL	UNITED WATER IDAHO INC (Current)	
63	7067		wtAdjudication...	License	Active	1968-02-28	2.84	GROUND ...	MUNICIPAL	UNITED WATER IDAHO INC (Current)	
63	7577		wtAdjudication...	License	Active	1972-04-06	2.01	GROUND ...	MUNICIPAL	UNITED WATER IDAHO INC (Current)	
63	7998		wtAdjudication...	License	Active	1974-06-25	1.27	GROUND ...	MUNICIPAL	UNITED WATER IDAHO INC (Current)	
63	19456		wtAdjudication...	Beneficial...	Active	1953-03-31	1.60	GROUND ...	MUNICIPAL	UNITED WATER IDAHO INC (Current)	
63	346		wrWaterRight	Decreed	Active	1901-02-20	0.90	FIVEMILE ...	IRRIGATION	ODIAGA, MARIE (Current)	
63	347		wrWaterRight	Decreed	Active	1901-04-24	1.90	FIVEMILE ...	IRRIGATION	CLAWSON, SALLIE T (Current); GIB...	
63	2106		wrWaterRight	License	Active	1909-04-28	10...	FIVEMILE ...	DOMESTIC, IR...	US DEPT OF INTERIOR (Current)	
63	2388		wrWaterRight	License	Active	1924-08-18	30...	BOISE RIV...	IRRIGATION	US DEPT OF INTERIOR (Current)	
63	17952		wrWaterRight	Decreed	Active	1901-02-20	0.07	GROUND ...	DOMESTIC, S...	ODIAGA, MARIE (Current)	

The number of records is 20

View Documents Print Proof Report Print Transfer Part 2

Parameters Results

Done Local intranet

Start In... Do... Ar... Htt... W... Se... Links Yahoo! 2:32 PM

SEARCH FOR POD IN T3N R1E S23 SENE

Search Information - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media Print Mail News RSS Feeds

Address http://wenet/apps/appsMisc/infoSearch.asp Go

Information Search (WR/AJ)

B...	Sequ...	S...	Source Table	Basis	Status	Priority Date	Di...	Source List	Water Use List	Owner List	Applic...
63	346	A	wrAdjudication...	Decreed	Active	1901-02-20	0.90	FIVEMILE ...	IRRIGATION	ODIAGA, MARIE (Current)	
63	348	B	wrAdjudication...	Decreed	Active	1903-06-01	0.80		IRRIGATION	ODIAGA, MARIE (Current)	
63	346		wrWaterRight	Decreed	Active	1901-02-20	0.90	FIVEMILE ...	IRRIGATION	ODIAGA, MARIE (Current)	
63	348		wrWaterRight	Decreed	Active	1903-06-01	2.80	FIVEMILE ...		MULLER, GEORGE (Current)	
63	17952		wrWaterRight	Decreed	Active	1901-02-20	0.07	GROUND ...	DOMESTIC, S...	ODIAGA, MARIE (Current)	

The number of records is 5

View Documents Print Proof Report Print Transfer Part 2

Parameters Results

Done Local intranet

Start I... D... A... h... W... S... D... Links Yahoo! 2:34 PM

SEARCH FOR POD IN T3N R1E S24 SWNW

Search Information - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media Links Go

Address http://wenet/apps/appsMisc/infoSearch.asp

Information Search (WR/AJ)

B...	Sequ...	S.	Source Table	Basis	Status	Priority Date	DI...	Source List	Water Use List	Owner List	Applic...
63	346	A	wtAdjudication...	Decreed	Active	1901-02-20	0.90	FIVEMILE ...	IRRIGATION	ODIAGA, MARIE (Current)	
63	348	B	wtAdjudication...	Decreed	Active	1903-06-01	0.80		IRRIGATION	ODIAGA, MARIE (Current)	
63	16106		wtAdjudication...	Beneficial...	Active	1976-04-29	0.05	GROUND ...	DOMESTIC, IR...	NYE, FRED J (Current); NYE, PAULI...	
63	346		wtWaterRight	Decreed	Active	1901-02-20	0.90	FIVEMILE ...	IRRIGATION	ODIAGA, MARIE (Current)	
63	22901		wtWaterRight	Decreed	Active	1984-04-01	0.04	GROUND ...	DOMESTIC	SHAWVER, BRENDA (Current); SHA...	

The number of records is 5

View Documents Print Proof Report Print Transfer Part 2

Parameters Results

Done Local intranet 2:36 PM

SEARCH FOR POD IN T3S R1E S24 NWSW

Search Information - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media Print Mail News RSS Feeds

Address http://wenet/apps/appsMisc/infoSearch.asp Go

Information Search (WR/AJ)

B...	Sequ...	S...	Source Table	Basis	Status	Priority Date	Di...	Source List	Water Use List	Owner List	Applic...
63	346	A	wrAdjudication...	Decreed	Active	1901-02-20	0.90	FIVEMILE ...	IRRIGATION	ODIAGA, MARIE (Current)	
63	348	B	wrAdjudication...	Decreed	Active	1903-06-01	0.80		IRRIGATION	ODIAGA, MARIE (Current)	
63	346		wrWaterRight	Decreed	Active	1901-02-20	0.90	FIVEMILE ...	IRRIGATION	ODIAGA, MARIE (Current)	
63	5412		wrWaterRight	Statutory ...	Active	1964-04-01	0.15	FIVEMILE ...	IRRIGATION	HADDOX, JOHN L (Current)	
63	15290		wrWaterRight	Decreed	Active	1972-04-20	0.04	GROUND ...	DOMESTIC	EVANS, DONALD R (Current)	
63	16626		wrWaterRight	Decreed	Active	1975-10-02	0.04	GROUND ...	DOMESTIC	LANFORD, DOUGLAS R (Current); L...	
63	17658		wrWaterRight	Decreed	Active	1963-07-31	0.05	GROUND ...	DOMESTIC, S...	HADDOX, BONNIE J (Current); HAD...	
63	22693		wrWaterRight	Decreed	Active	1939-06-01	0.04	GROUND ...	DOMESTIC, S...	MOLENAAR, GEORGIA (Current); M...	

The number of records is 8

View Documents Print Proof Report Print Transfer Part 2

Parameters Results

Done Local intranet

Start I... D... A... h... W... S... D... Links Yahoo! 2:37 PM

SEARCH FOR POD IN T3N R1E S24 NWSE

Search Information (WR/AJ)

B...	Sequ...	S.	Source Table	Basis	Status	Priority Date	Di...	Source List	Water Use List	Owner List	Applic...
63	346	A	wtAdjudication...	Decreed	Active	1901-02-20	0.90	FIVEMILE ...	IRRIGATION	ODIAGA, MARIE (Current)	
63	348	B	wtAdjudication...	Decreed	Active	1903-06-01	0.80		IRRIGATION	ODIAGA, MARIE (Current)	
63	346		wtWaterRight	Decreed	Active	1901-02-20	0.90	FIVEMILE ...	IRRIGATION	ODIAGA, MARIE (Current)	

The number of records is 3

View Documents Print Proof Report Print Transfer Part 2

Parameters Results

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-346A

05/04/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-346A	Claim	03N	01E	23	SE	NE		IRRIGATION	40/40	MARIE ODIAGA
63-348B	Claim	03N	01E	23	SE	NE		IRRIGATION		MARIE ODIAGA
63-2106	Claim	03N	01E	23	SE	NE		IRRIGATION		UNITED STATES OF AMERICA ACTING THROUGH
63-2106	Water Right	03N	01E	23	SE	NE		IRRIGATION		US DEPT OF INTERIOR
63-17952	Water Right	03N	01E	23	SE	NE		STOCKWATER		MARIE ODIAGA
63-2576	Claim	03N	01E	23	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
63-2605	Claim	03N	01E	23	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
63-2874	Claim	03N	01E	23	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
63-2954	Claim	03N	01E	23	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
63-2956	Claim	03N	01E	23	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
63-2989	Claim	03N	01E	23	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
63-3164	Claim	03N	01E	23	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
63-7067	Claim	03N	01E	23	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
63-7577	Claim	03N	01E	23	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
63-7998	Claim	03N	01E	23	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
63-19456	Claim	03N	01E	23	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
63-17952	Water Right	03N	01E	23	SE	NE		DOMESTIC		MARIE ODIAGA

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-346A**

05/04/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-347A	Claim	03N	01E	23	NW	NE		FIVEMILE CREEK FIFTEENMILE CREEK	ANNA M NIELSEN
63-19858	Claim	03N	01E	23	NW	NE		GROUND WATER	HOWARD W COLSON
63-21888	Claim	03N	01E	23	SW	NE		GROUND WATER	JAMES D PATTERSON
63-348B	Claim	03N	01E	23	SE	NE			MARIE ODIAGA
63-346	Claim	03N	01E	23	SE	NE		FIVEMILE CREEK FIFTEENMILE CREEK	
63-346A	Claim	03N	01E	23	SE	NE		FIVEMILE CREEK FIFTEENMILE CREEK	MARIE ODIAGA
63-348	Claim	03N	01E	23	SE	NE		FIVEMILE CREEK FIFTEENMILE CREEK	
63-17952	Claim	03N	01E	23	SE	NE		GROUND WATER	MARIE ODIAGA
63-348	Claim	03N	01E	23	SE	NE		NORTH SLOUGH PHYLLIS CANAL	
63-348	Claim	03N	01E	23	SE	NE		THREEMILE CREEK FIVEMILE CREEK	
63-9087	Claim	03N	01E	23	NW	NW		GROUND WATER	UNITED WATER IDAHO INC
63-3614A	Claim	03N	01E	23	SW	NW		BOISE RIVER SNAKE RIVER	PIONEER IRRIGATION DISTRICT
63-3618A	Claim	03N	01E	23	SW	NW		BOISE RIVER SNAKE RIVER	PIONEER IRRIGATION DISTRICT
63-5262A	Claim	03N	01E	23	SW	NW		BOISE RIVER SNAKE RIVER	PIONEER IRRIGATION DISTRICT
63-22255	Claim	03N	01E	23	SW	NW		GROUND WATER	THOMAS H HAZZARD
63-8011	Claim	03N	01E	23	SE	NW		GROUND WATER	UNITED WATER IDAHO INC
63-4205	Claim	03N	01E	23	SW	SW		GROUND WATER	DAISY DENE JENSON
63-5399	Claim	03N	01E	23	NW	SE		GROUND WATER	ROGER Z BROWN
63-15257	Claim	03N	01E	23	NW	SE		GROUND WATER	EVELINE TONGATE
63-18395	Claim	03N	01E	23	NW	SE		GROUND WATER	VIVIAN A LOVVORN
63-17310	Claim	03N	01E	23	NW	SE		GROUND WATER	DONNA F JENNINGS
63-17543	Claim	03N	01E	23	NW	SE		GROUND WATER	TONYA KESNER SMITH
63-17544	Claim	03N	01E	23	NW	SE		GROUND WATER	TONYA KESNER SMITH
63-17855	Claim	03N	01E	23	NW	SE		GROUND WATER	BETH L BECK
63-17935	Claim	03N	01E	23	NW	SE		GROUND WATER	DONNA JEAN DIGGS
63-19032	Claim	03N	01E	23	NW	SE		GROUND WATER	THELMA RUTH BECK
63-19803	Claim	03N	01E	23	NW	SE		GROUND WATER	RAY HOLSTE

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-346A**

05/04/2005

2

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-22803	Claim	03N	01E	23	NW	SE		GROUND WATER	PHILIP M GREMLING
63-20763	Claim	03N	01E	23	NW	SE		GROUND WATER	WILLIAM K BICKNELL
63-22429	Claim	03N	01E	23	NW	SE		GROUND WATER	EUGENE A BURBIDGE
63-23074	Claim	03N	01E	23	NW	SE		GROUND WATER	FRANCIS D WILSON
63-26272	Claim	03N	01E	23	NW	SE		GROUND WATER	RONALD HARWOOD
63-26806	Claim	03N	01E	23	NW	SE		GROUND WATER	WARREN H GILMORE
63-16484	Claim	03N	01E	23	NW	SE		GROUND WATER	JILL M LINDENBERG
63-23147	Claim	03N	01E	23	NW	SE		GROUND WATER	LARRY W ZUREK
63-16638	Claim	03N	01E	23	NW	SE		GROUND WATER	MARIANNE KETLINSKI
63-18188	Claim	03N	01E	23	NW	SE		GROUND WATER	DIANA DAVIS
63-18246	Claim	03N	01E	23	NW	SE		GROUND WATER	PATTY WHEELEN
63-19684	Claim	03N	01E	23	NW	SE		GROUND WATER	CAROL G HANSON
63-19700	Claim	03N	01E	23	NW	SE		GROUND WATER	MARGARET PUTNAM
63-20729	Claim	03N	01E	23	NW	SE		GROUND WATER	CAROL J BERTWELL
63-21803	Claim	03N	01E	23	NW	SE		GROUND WATER	DANA J BERTWELL
63-15049	Claim	03N	01E	23	NW	SE		GROUND WATER	STANLEY H BURRIS
63-17978	Claim	03N	01E	23	SW	SE		GROUND WATER	PAUL N MARKOWITZ
63-17982	Claim	03N	01E	23	SW	SE		GROUND WATER	TAMMY KLINE
63-18065	Claim	03N	01E	23	SW	SE		GROUND WATER	DONNA J SPENCER
63-8635	Claim	03N	01E	23	SE	SE		GROUND WATER	UNITED WATER IDAHO INC
63-22680	Claim	03N	01E	23	SE	SE		GROUND WATER	GEORGIA MOLENAAR
63-17249	Claim	03N	01E	24	NW	NE		GROUND WATER	A BOYD JEFFERY
63-18443	Claim	03N	01E	24	NW	NE		GROUND WATER	BARBARA JEAN CHESTER CHILD
63-18443	Claim	03N	01E	24	NW	NE		GROUND WATER	BARBARA JEAN CHESTER CHILD
63-18443	Claim	03N	01E	24	NW	NE		GROUND WATER	BARBARA JEAN CHESTER CHILD
63-18443	Claim	03N	01E	24	SW	NE		GROUND WATER	BARBARA JEAN CHESTER CHILD
63-5135	Claim	03N	01E	24	SE	NE		GROUND WATER	PRICE COLE ROAD CO LLC

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-346A

05/04/2005

3

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-17805	Claim	03N	01E	24	NW	NW		GROUND WATER	JAMES R GILLESPIE
63-18174	Claim	03N	01E	24	NW	NW		GROUND WATER	THERESA F CLEMENTS
63-18175	Claim	03N	01E	24	NW	NW		GROUND WATER	RICHARD F CLEMENTS
63-20286	Claim	03N	01E	24	NW	NW		GROUND WATER	DARREL MACK
63-348B	Claim	03N	01E	24	SW	NW			MARIE ODIAGA
63-346	Claim	03N	01E	24	SW	NW		FIVEMILE CREEK FIFTEENMILE CREEK	
63-346A	Claim	03N	01E	24	SW	NW		FIVEMILE CREEK FIFTEENMILE CREEK	MARIE ODIAGA
63-16106	Claim	03N	01E	24	SW	NW		GROUND WATER	PAULINE F NYE
63-22901	Claim	03N	01E	24	SW	NW		GROUND WATER	BRENDA SHAWVER
63-24082	Claim	03N	01E	24	SW	NW		GROUND WATER	MARTHA E MURPHY
63-9111	Claim	03N	01E	24	SE	NW		GROUND WATER	DORIS I HANAWAY TRUSTEE, DORIS ILENE HANAHWAY LIVING TRUST
63-18079	Claim	03N	01E	24	SE	NW		GROUND WATER	GALE E MATTHEWS
63-18091	Claim	03N	01E	24	SE	NW		GROUND WATER	ELIZABETH REYNOLDS
63-18122	Claim	03N	01E	24	SE	NW		GROUND WATER	ETHEL PRIVATSKY
63-18129	Claim	03N	01E	24	SE	NW		GROUND WATER	CHERYL M PERALA
63-19279	Claim	03N	01E	24	SE	NW		GROUND WATER	MARGARET E CREED
63-26157	Claim	03N	01E	24	SE	NW		GROUND WATER	GLORIA W TAYLOR
63-27679	Claim	03N	01E	24	SE	NW		GROUND WATER	GARY O MYERS
63-22238	Claim	03N	01E	24	SE	NW		GROUND WATER	DONALD V ARCHULETA
63-30455	Claim	03N	01E	24	SE	NW		GROUND WATER	MARY E RUSSELL
63-18938	Claim	03N	01E	24	SE	NW		GROUND WATER	IRVIN E SACKMAN SR
63-21957	Claim	03N	01E	24	SE	NW		GROUND WATER	WILLIAM WALGAMOTT
65-18484	Claim	03N	01E	24	SE	NW		GROUND WATER	
63-19988	Claim	03N	01E	24	SE	NW		GROUND WATER	VANCE T HENRY
63-22337	Claim	03N	01E	24	SE	NW		GROUND WATER	JOAN K COVER
63-348B	Claim	03N	01E	24	NW	SW			MARIE ODIAGA
63-346	Claim	03N	01E	24	NW	SW		FIVEMILE CREEK FIFTEENMILE CREEK	

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-346A

05/04/2005

4

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-346A	Claim	03N	01E	24	NW	SW		FIVEMILE CREEK FIFTEENMILE CREEK	MARIE ODIAGA
63-16626	Claim	03N	01E	24	NW	SW		GROUND WATER	DOUGLAS R LANFORD
63-17658	Claim	03N	01E	24	NW	SW		GROUND WATER	BONNIE J HADDOX
63-15290	Claim	03N	01E	24	NW	SW		GROUND WATER	DONALD R EVANS
63-22693	Claim	03N	01E	24	NW	SW		GROUND WATER	JAKE MOLENAAR
63-16684	Claim	03N	01E	24	SW	SW		GROUND WATER	DENNIS K FISHER
63-17244	Claim	03N	01E	24	SW	SW		GROUND WATER	LOUIS ALDECOA
63-17963	Claim	03N	01E	24	SW	SW		GROUND WATER	MARJORIE MC KINNEY
63-19941	Claim	03N	01E	24	SW	SW		GROUND WATER	RODERICK HARTWELL
63-22467	Claim	03N	01E	24	SW	SW		GROUND WATER	LAURAY FEREDAY
63-7174	Claim	03N	01E	24	SW	SW		GROUND WATER	INDEPENDENT SCHOOL DISTRICT OF BOISE
63-17224	Claim	03N	01E	24	SW	SW		GROUND WATER	GUY REEVES
63-17246B	Claim	03N	01E	24	SE	SW		FIVEMILE CREEK FIFTEENMILE CREEK	STEPHEN J GRACE
63-17247	Claim	03N	01E	24	SE	SW		GROUND WATER	MARILYN A GRACE
63-30143	Claim	03N	01E	24	SE	SW		GROUND WATER	AUGUSTINE HESS
63-17808	Claim	03N	01E	24	SE	SW		GROUND WATER	EVELYN A POOLEY
63-19664	Claim	03N	01E	24	SE	SW		GROUND WATER	MERLIN E SHIELDS
63-348B	Claim	03N	01E	24	NW	SE			MARIE ODIAGA
63-346	Claim	03N	01E	24	NW	SE		FIVEMILE CREEK FIFTEENMILE CREEK	
63-346A	Claim	03N	01E	24	NW	SE		FIVEMILE CREEK FIFTEENMILE CREEK	MARIE ODIAGA
63-17970	Claim	03N	01E	24	SW	SE		GROUND WATER	BEVERLY SIMPSON
63-19858	Water Right	03N	01E	23	NW	NE		GROUND WATER	HOWARD W COLSON
63-2156	Water Right	03N	01E	23	SW	NE		UNNAMED STREAM BOISE RIVER	BERT L PILGRIM
63-21886	Water Right	03N	01E	23	SW	NE		GROUND WATER	JAMES D PATTERSON
63-346	Water Right	03N	01E	23	SE	NE		FIVEMILE CREEK FIFTEENMILE CREEK	MARIE ODIAGA
63-348	Water Right	03N	01E	23	SE	NE		FIVEMILE CREEK FIFTEENMILE CREEK	GEORGE MULLER
63-17952	Water Right	03N	01E	23	SE	NE		GROUND WATER	MARIE ODIAGA

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-346A**

05/04/2005

5

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-348	Water Right	03N	01E	23	SE	NE		NORTH SLOUGH PHYLLIS CANAL	GEORGE MULLER
63-348	Water Right	03N	01E	23	SE	NE		THREEMILE CREEK FIVEMILE CREEK	GEORGE MULLER
63-4197	Water Right	03N	01E	23	NW	NW		GROUND WATER	F H NEITZEL
63-7526	Water Right	03N	01E	23	NW	NW		GROUND WATER	GERALD R REED
63-9087	Water Right	03N	01E	23	NW	NW		GROUND WATER	UNITED WATER IDAHO INC
63-7526	Water Right	03N	01E	23	SW	NW		GROUND WATER	GERALD R REED
63-22255	Water Right	03N	01E	23	SW	NW		GROUND WATER	THOMAS H HAZZARD
63-8011	Water Right	03N	01E	23	SE	NW		GROUND WATER	UNITED WATER IDAHO INC
63-4205	Water Right	03N	01E	23	SW	SW		GROUND WATER	DAISY DENE JENSON
63-4657	Water Right	03N	01E	23	SE	SW		WASTE WATER FIVEMILE CREEK	RAY L SPENCER
63-5399	Water Right	03N	01E	23	NW	SE		GROUND WATER	ROGER Z BROWN
63-10907	Water Right	03N	01E	23	NW	SE		GROUND WATER	GLENN R QUIGLEY
63-15257	Water Right	03N	01E	23	NW	SE		GROUND WATER	EVELINE TONGATE
63-16395	Water Right	03N	01E	23	NW	SE		GROUND WATER	VIVIAN A LOVVORN
63-17543	Water Right	03N	01E	23	NW	SE		GROUND WATER	TONYA KESNER SMITH
63-17544	Water Right	03N	01E	23	NW	SE		GROUND WATER	JAMES HERB SMITH
63-17855	Water Right	03N	01E	23	NW	SE		GROUND WATER	BRUCE C BECK
63-17935	Water Right	03N	01E	23	NW	SE		GROUND WATER	DONNA JEAN DIGGS
63-19032	Water Right	03N	01E	23	NW	SE		GROUND WATER	THELMA RUTH BECK
63-19803	Water Right	03N	01E	23	NW	SE		GROUND WATER	MARLON HOLSTE
63-22803	Water Right	03N	01E	23	NW	SE		GROUND WATER	PHILIP M GREMLING
63-20763	Water Right	03N	01E	23	NW	SE		GROUND WATER	CHRISTINE S CIMBALIK
63-23074	Water Right	03N	01E	23	NW	SE		GROUND WATER	FRANCIS D WILSON
63-26272	Water Right	03N	01E	23	NW	SE		GROUND WATER	RONALD HARWOOD
63-26806	Water Right	03N	01E	23	NW	SE		GROUND WATER	ALTA R GILMORE
63-16484	Water Right	03N	01E	23	NW	SE		GROUND WATER	JILL M LINDENBERG
63-23147	Water Right	03N	01E	23	NW	SE		GROUND WATER	LARRY W ZUREK

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-346A**

05/04/2005

6

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-18638	Water Right	03N	01E	23	NW	SE		GROUND WATER	JOHN R KETLINSKI
63-18188	Water Right	03N	01E	23	NW	SE		GROUND WATER	JAMES DAVIS
63-18246	Water Right	03N	01E	23	NW	SE		GROUND WATER	CARL WHEELEN
63-19684	Water Right	03N	01E	23	NW	SE		GROUND WATER	CAROL G HANSON
63-19700	Water Right	03N	01E	23	NW	SE		GROUND WATER	GORDON PUTNAM
63-20729	Water Right	03N	01E	23	NW	SE		GROUND WATER	CAROL J BERTWELL
63-21803	Water Right	03N	01E	23	NW	SE		GROUND WATER	DANA J BERTWELL
63-15049	Water Right	03N	01E	23	NW	SE		GROUND WATER	BARBARA E BURRIS
63-17978	Water Right	03N	01E	23	SW	SE		GROUND WATER	MARY M MARKOWITZ
63-17982	Water Right	03N	01E	23	SW	SE		GROUND WATER	THOMAS KLINE
63-18065	Water Right	03N	01E	23	SW	SE		GROUND WATER	RAY L SPENCER
63-4939	Water Right	03N	01E	23	SE	SE		GROUND WATER	CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS
63-8635	Water Right	03N	01E	23	SE	SE		GROUND WATER	UNITED WATER IDAHO INC
63-22680	Water Right	03N	01E	23	SE	SE		GROUND WATER	GEORGIA MOLENAAR
63-17249	Water Right	03N	01E	24	NW	NE		GROUND WATER	A BOYD JEFFERY
63-5135	Water Right	03N	01E	24	SE	NE		GROUND WATER	PRICE COLE ROAD CO LLC
63-10445	Water Right	03N	01E	24	NW	NW		GROUND WATER	RICHARD F CLEMENTS
63-17605	Water Right	03N	01E	24	NW	NW		GROUND WATER	JUDITH H GILLESPIE
63-18174	Water Right	03N	01E	24	NW	NW		GROUND WATER	THERESA F CLEMENTS
63-18175	Water Right	03N	01E	24	NW	NW		GROUND WATER	RICHARD F CLEMENTS
63-22829	Water Right	03N	01E	24	NW	NW		GROUND WATER	RUBY P SMITH
63-20286	Water Right	03N	01E	24	NW	NW		GROUND WATER	DARREL MACK
63-346	Water Right	03N	01E	24	SW	NW		FIVEMILE CREEK FIFTEENMILE CREEK	MARIE ODIAGA
63-22901	Water Right	03N	01E	24	SW	NW		GROUND WATER	BRENDA SHAWVER
63-9111	Water Right	03N	01E	24	SE	NW		GROUND WATER	GARY O MYERS
63-10658	Water Right	03N	01E	24	SE	NW		GROUND WATER	BOBBIE MC CALL
63-10842	Water Right	03N	01E	24	SE	NW		GROUND WATER	ANNETTA DALE ROBBINS

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-346A**

05/04/2005

7

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-18079	Water Right	03N	01E	24	SE	NW		GROUND WATER	BETTY E MATTHEWS
63-18091	Water Right	03N	01E	24	SE	NW		GROUND WATER	ELIZABETH REYNOLDS
63-18122	Water Right	03N	01E	24	SE	NW		GROUND WATER	ETHEL PRIVATSKY
63-18129	Water Right	03N	01E	24	SE	NW		GROUND WATER	CHERYL M PERALA
63-19279	Water Right	03N	01E	24	SE	NW		GROUND WATER	MARGARET E CREED
63-24082	Water Right	03N	01E	24	SE	NW		GROUND WATER	HERBERT L MURPHY
63-26157	Water Right	03N	01E	24	SE	NW		GROUND WATER	GLORIA W TAYLOR
63-27679	Water Right	03N	01E	24	SE	NW		GROUND WATER	JUDY MYERS
63-22238	Water Right	03N	01E	24	SE	NW		GROUND WATER	ROSANNA L ARCHULETA
63-30455	Water Right	03N	01E	24	SE	NW		GROUND WATER	MARY E RUSSELL
63-18938	Water Right	03N	01E	24	SE	NW		GROUND WATER	IRVIN E SACKMAN SR
63-21957	Water Right	03N	01E	24	SE	NW		GROUND WATER	CINDY WALGAMOTT
63-19988	Water Right	03N	01E	24	SE	NW		GROUND WATER	VANCE T HENRY
63-22337	Water Right	03N	01E	24	SE	NW		GROUND WATER	JOAN K COVER
63-346	Water Right	03N	01E	24	NW	SW		FIVEMILE CREEK FIFTEENMILE CREEK	MARIE ODIAGA
63-5412	Water Right	03N	01E	24	NW	SW		FIVEMILE CREEK TENMILE CREEK	JOHN L HADDOX
63-16626	Water Right	03N	01E	24	NW	SW		GROUND WATER	DOUGLAS R LANFORD
63-17658	Water Right	03N	01E	24	NW	SW		GROUND WATER	BONNIE J HADDOX
63-15290	Water Right	03N	01E	24	NW	SW		GROUND WATER	DONALD R EVANS
63-22693	Water Right	03N	01E	24	NW	SW		GROUND WATER	JAKE MOLENAAR
63-7174	Water Right	03N	01E	24	SW	SW		GROUND WATER	INDEPENDENT SCHOOL DISTRICT OF BOISE
63-16684	Water Right	03N	01E	24	SW	SW		GROUND WATER	DENNIS K FISHER
63-17244	Water Right	03N	01E	24	SW	SW		GROUND WATER	LOUIS ALDECOA
63-17963	Water Right	03N	01E	24	SW	SW		GROUND WATER	WILBUR L MC KINNEY
63-19941	Water Right	03N	01E	24	SW	SW		GROUND WATER	RODERICK HARTWELL
63-22467	Water Right	03N	01E	24	SW	SW		GROUND WATER	LAURAY FEREDAY
63-17224	Water Right	03N	01E	24	SW	SW		GROUND WATER	LU ANNE REEVES

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-346A

05/04/2005

8

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-17247	Water Right	03N	01E	24	SE	SW		GROUND WATER	STEPHEN J GRACE
63-30143	Water Right	03N	01E	24	SE	SW		GROUND WATER	AUGUSTINE T HESS JR
63-17808	Water Right	03N	01E	24	SE	SW		GROUND WATER	EVELYN A POOLEY
63-19664	Water Right	03N	01E	24	SE	SW		GROUND WATER	DORIS L SHIELDS
63-346	Water Right	03N	01E	24	NW	SE		FIVEMILE CREEK FIFTEENMILE CREEK	MARIE ODIAGA
63-17970	Water Right	03N	01E	24	SW	SE		GROUND WATER	BEVERLY SIMPSON

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-346A

05/04/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-347A	Claim	03N	01E	23	NW	NE		FIVEMILE CREEK FIFTEENMILE CREEK	ANNA M NIELSEN
63-19858	Claim	03N	01E	23	NW	NE		GROUND WATER	HOWARD W COLSON
63-21886	Claim	03N	01E	23	SW	NE		GROUND WATER	JAMES D PATTERSON
63-348B	Claim	03N	01E	23	SE	NE			MARIE ODIAGA
63-346	Claim	03N	01E	23	SE	NE		FIVEMILE CREEK FIFTEENMILE CREEK	
63-346A	Claim	03N	01E	23	SE	NE		FIVEMILE CREEK FIFTEENMILE CREEK	MARIE ODIAGA
63-348	Claim	03N	01E	23	SE	NE		FIVEMILE CREEK FIFTEENMILE CREEK	
63-17952	Claim	03N	01E	23	SE	NE		GROUND WATER	MARIE ODIAGA
63-348	Claim	03N	01E	23	SE	NE		NORTH SLOUGH PHYLLIS CANAL	
63-348	Claim	03N	01E	23	SE	NE		THREEMILE CREEK FIVEMILE CREEK	
63-9087	Claim	03N	01E	23	NW	NW		GROUND WATER	UNITED WATER IDAHO INC
63-3614A	Claim	03N	01E	23	SW	NW		BOISE RIVER SNAKE RIVER	PIONEER IRRIGATION DISTRICT
63-3618A	Claim	03N	01E	23	SW	NW		BOISE RIVER SNAKE RIVER	PIONEER IRRIGATION DISTRICT
63-5262A	Claim	03N	01E	23	SW	NW		BOISE RIVER SNAKE RIVER	PIONEER IRRIGATION DISTRICT
63-22255	Claim	03N	01E	23	SW	NW		GROUND WATER	THOMAS H HAZZARD
63-8011	Claim	03N	01E	23	SE	NW		GROUND WATER	UNITED WATER IDAHO INC
63-4205	Claim	03N	01E	23	SW	SW		GROUND WATER	DAISY DENE JENSON
63-5399	Claim	03N	01E	23	NW	SE		GROUND WATER	ROGER Z BROWN
63-15257	Claim	03N	01E	23	NW	SE		GROUND WATER	EVELINE TONGATE
63-16395	Claim	03N	01E	23	NW	SE		GROUND WATER	VIVIAN A LOVVORN
63-17310	Claim	03N	01E	23	NW	SE		GROUND WATER	DONNA F JENNINGS
63-17543	Claim	03N	01E	23	NW	SE		GROUND WATER	TONYA KESNER SMITH
63-17544	Claim	03N	01E	23	NW	SE		GROUND WATER	TONYA KESNER SMITH
63-17855	Claim	03N	01E	23	NW	SE		GROUND WATER	BETH L BECK
63-17935	Claim	03N	01E	23	NW	SE		GROUND WATER	DONNA JEAN DIGGS
63-19032	Claim	03N	01E	23	NW	SE		GROUND WATER	THELMA RUTH BECK
63-19803	Claim	03N	01E	23	NW	SE		GROUND WATER	RAY HOLSTE
63-22803	Claim	03N	01E	23	NW			SEGROUND WATERPHILIP M GREMLING	
63-20763	Claim	03N	01E	23	NW	SE		GROUND WATER	WILLIAM K BICKNELL
63-22429	Claim	03N	01E	23	NW	SE		GROUND WATER	EUGENE A BURBIDGE
63-23074	Claim	03N	01E	23	NW	SE		GROUND WATER	FRANCIS D WILSON
63-26272	Claim	03N	01E	23	NW	SE		GROUND WATER	RONALD HARWOOD
63-26806	Claim	03N	01E	23	NW	SE		GROUND WATER	WARREN H GILMORE
63-16484	Claim	03N	01E	23	NW	SE		GROUND WATER	JILL M LINDENBERG
63-23147	Claim	03N	01E	23	NW	SE		GROUND WATER	LARRY W ZUREK
63-16638	Claim	03N	01E	23	NW	SE		GROUND WATER	MARIANNE KETLINSKI
63-18188	Claim	03N	01E	23	NW	SE		GROUND WATER	DIANA DAVIS
63-18246	Claim	03N	01E	23	NW	SE		GROUND WATER	PATTY WHEELEN

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-346A

WATER RIGHT NUMBER: 63-346A

no "B" remainder of decreed
rt. unclaimed

Owner Type Name and Address
Current Owner MARIE ODIAGA
7373 S MAPLE GROVE RD
BOISE, ID 83709
(208)362-2834
Original Owner GEORGE MUELLER

Priority Date: 02/20/1901

Basis: Decreed

Status: Active

Source
FIVEMILE CREEK

Tributary
FIFTEENMILE CREEK

Beneficial Use From To Diversion Rate Annual Volume
IRRIGATION 3/15 to 11/15 0.900 CFS
Total Diversion: 0.900 CFS

Location of Point(s) of Diversion

FIVEMILE CREEK	SW1/4NW1/4	Sec. 24, Twp 03N, Rge 01E, B.M.
ADA County		
FIVEMILE CREEK	NW1/4SW1/4	Sec. 24, Twp 03N, Rge 01E, B.M.
ADA County		
FIVEMILE CREEK	SE1/4NE1/4	Sec. 23, Twp 03N, Rge 01E, B.M.
ADA County		
FIVEMILE CREEK	NW1/4SE1/4	Sec. 24, Twp 03N, Rge 01E, B.M.
ADA County		

1 pt decreed
}

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	
03N	01E	23				40.0													40.0

Total Acres: 40

~ 38 ac. actually irr. will rec. 40 --- w/ 50/50

Conditions of Approval:

Des/Gap review/vlm

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION verify contact information is completeClaim No(s) 63-346A

Owner: _____ Phone No. _____

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☐ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property? _____

property has been subdivided

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

decreed Mueller v Gibson TWR REC # 63-Q

Source: _____ Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

Claimed 4 PODs ... location of PODs unknown -
decreed is not clear. REC the
decreed POD.

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

Self claim**OVERLAP REVIEW**

Other water rights with the same point of diversion:

none

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES☒ No change☐ Different Uses

Use irrigation From 3/1 To 11/15 Amount .9 CFS AFA
Use From To Amount CFS AFA
Use From To Amount CFS AFA

TOTAL VOLUME – Groundwater only

- ☐ Incomplete on claim, the total is, Amount N/A CFS AFA
☐ Changes found, the new total is, Amount CFS AFA
☐ More than 1" per Acre? Yes (claimant must complete excess flow sheet)

NON-IRRIGATION USES:☒ No change

☐ Changes Exam found: Domestic # of homes Stock #
Types Additional comments:

PLACE OF USE:☒ No Change☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: no

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

no

Delivery System Narrative: self draw

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

W51 nampa- meridian water also used.

Comments:

- 1- decree 63-Q Mueller v Gibson, no SDU, POD unclear, no # of acres, Q = 45 inches.
- 2- property subdivided - many owners. Claimant no longer owns pr.
- 3- PODs - claimed 4 PODs - no map so locations unknown. rec one decreed POD.
- 4- acres irrigated in §7 NAPP ~ 38 - rec 40 cuz w/ 5%.
- 5- Q - decreed to IOWA standard and direct duty of water.

AFTER EXAM THE FILE SHOULD CONTAIN:

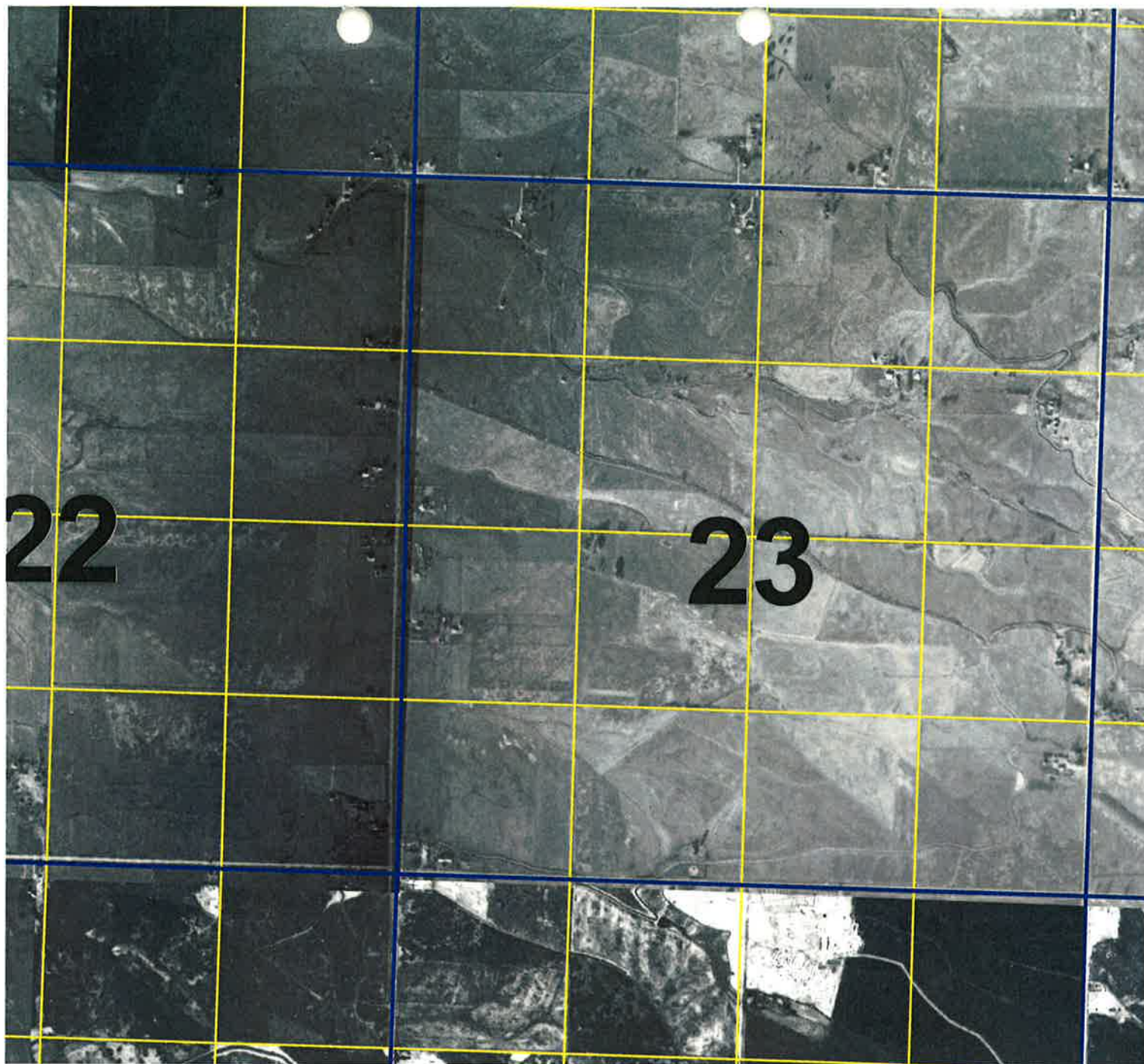
- NA ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED

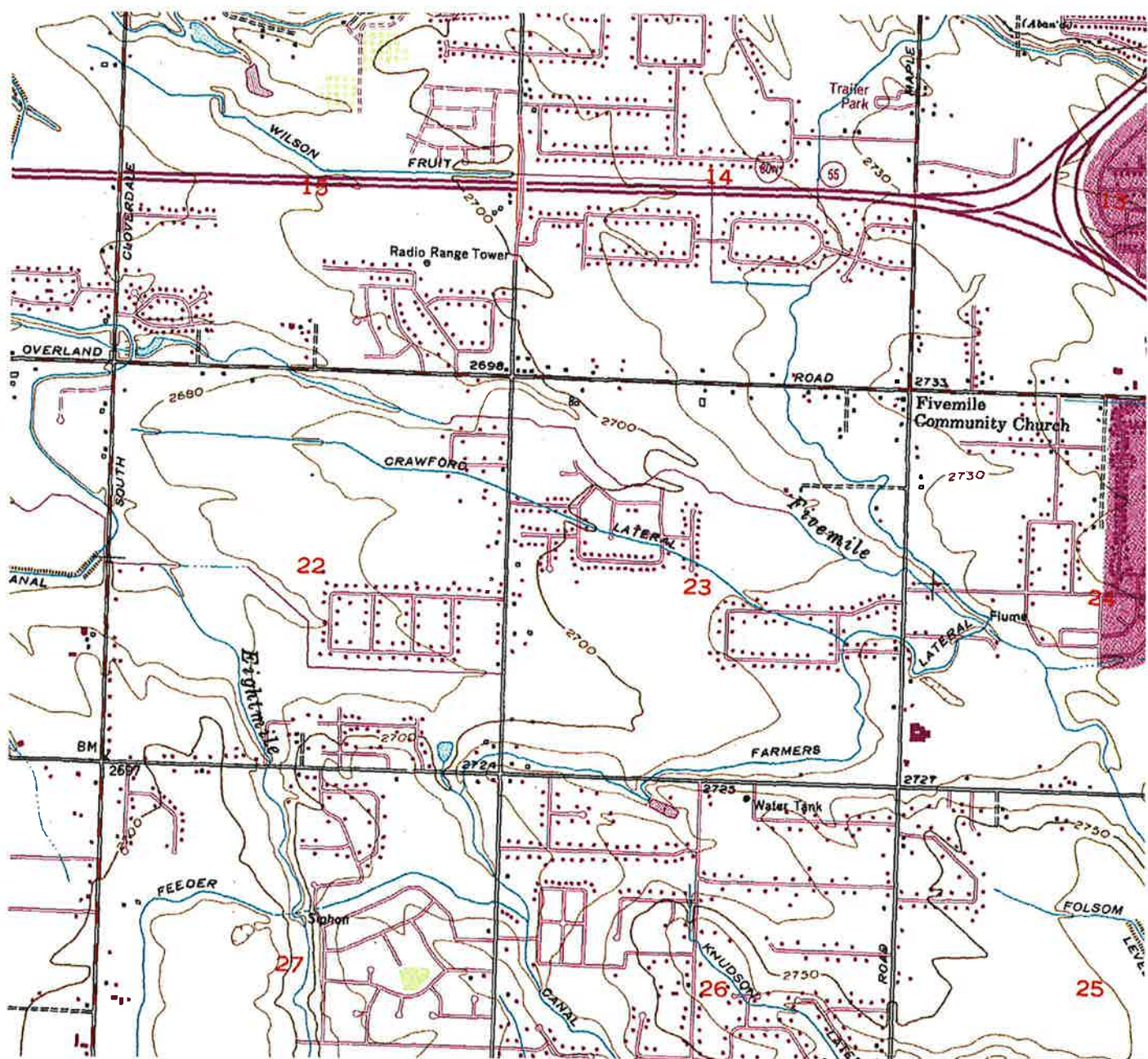
5-4-05

FIELD EXAMINER:

Wesley M. M. C.



T3N R1E SECTIONS 22, 23, 24 - 1939 AERIAL OF PARTIAL AREA OF THE 63-Q DECREE AND 63-347 AND 63-348



RECEIVED

11-2-1906

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO IN AND FOR THE COUNTY OF ADA.

George Muller,
Plaintiff

vs

O. L. Gibson, L.L.Folsom,
Sallie T. Clawson, and
O. J. Folsom,
Defendants.

DECREE BY THE COURT

11/07/1906

This cause came on regularly for trial before the Court on the day of November, 1906, C.C.Cavanah appearing as counsel for the plaintiff and Perky & Blaine Esqs., for the defendant O.L.gibson and Sallie T. Clawson, and Charles F. Koelsch Esq., appearing for the defendants L.L.Folsom and O.J.Folsom, trial by jury having been waived by the respective parties in open Court and findings of fact and conclusions of law by the Court were waived by the respective parties herein in writing filed in this cause, whereupon witnesses on the part of plaintiff and defendants were duly sworn and examined and documentary evidence introduced by the respective parties, and the evidence being closed, and the court having heard the arguments of the respective counsel for the parties, the cause was submitted to the Court for consideration and decision, - and, after due deliberation thereof, the court renders its decision and directs judgment to be entered herein as follows, to-wit:

1.

That each and every of the tracts of land described in the complaint, answers and cross-complaints in this action as belonging to the several parties, are tributary to File Mile Creek, Three Mile Creek, North Slough, and the ditches of the plaintiff and defendants herein, are arid in character and require the artificial application of water to render them valuable for agricultural purposes.

Decree # I

II.

That the quantity of water required for the successful irrigation and cultivation of said lands measured at the intake of the respective ditches under a four-inch pressure is one inch per acre for the land tributary to said ditches.

III.

That the quantity of water to which each of the parties to this action who are entitled under this decree, shall be measured at the point or points of diversion thereof from said Five Mile Creek.

IV.

It is further ordered, adjudged and decreed that none of the parties hereto who are awarded the use of water from said Creeks or their successors in interest, shall ^{have} a right to the use of the waters of Three Mile Creek, Five Mile Creek or North Slough situated in Ada County, Idaho, except for a beneficial purpose; and that whenever the beneficial use has ceased such party or parties shall cease to divert and have no right to divert the said waters; that each and every of the parties hereto, their servants, agents, attorneys, employees, privies and successors in interest, are hereby enjoined and restrained from any and all interference with or diversion or use of the waters of said Three Mile creek, Five Mile Creek and North Slough except as provided in this decree, whenever such interference, diversion or use would in any manner interfere with the quantity of water awarded by this decree.

V.

It is further ordered, adjudged and decreed that the complaint, answers and cross-complaints and all pleadings filed in this cause be and the same are hereby amended to conform with the facts as found herein.

VI.

That the plaintiff and the defendants Sallie T. Clawson and O.L. Gibson whose rights are adjudicated by this action, did

respectively appropriate and divert from Three Mile Creek, Five Mile Creek and North Slough in said Ada County, Idaho, the quantities of water hereinafter stated, such water to be estimated and measured under a four inch pressure and did respectively appropriate and divert such quantities of water for a beneficial use, that ever since said dates of the several appropriations referred to in this paragraph, such water has been by said parties so diverted and used.

VII

That the following named parties to this action are entitled to the use of the waters of Three Mile Creek, Five Mile Creek and North Slough in Ada County, Idaho, upon the lands mentioned and described in the complaint and answers herein in the following amounts and from the following dates, to-wit:

1. That the plaintiff, George Mueller, be and is hereby awarded the use of the waters of Three Mile Creek, Five Mile Creek and North Slough in said Ada County, Idaho, diverted from a point on the south side of said Five Mile Creek about 300 feet west from where the Ridenbaugh Canal crosses said Five Mile Creek and about 1000 feet east of where the main road crosses said Five Mile Creek, and about 300 feet east of the NE corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ in Sec 23, Township 3 N.R. 1 E.B.M., Ada County, Idaho, through what is commonly known as the Muller Lateral or Ditch, which ditch is situated on the south side of Five Mile Creek and runs in a westerly direction from said point of diversion in said County, for use upon lands lying in Sections 23 and 24 Township 3 N. R. 1 E.B.M. Ada County, Idaho, in the following amount from the following date;

0346 45 inches of water from February 20th 1901, and hereby designated as Right No 1

2. That the defendants O.L. Gibson and Sallie T. Clawson be and they are jointly awarded the use of the waters of Five

and each of them are hereby perpetually enjoined and restrained from in any manner interfering with, taking or using any of the waters of said Three Mile Creek, Five Mile Creek or North Slough, or interfering with the rights of the said plaintiff and the said defendants O.L.Gibson and Sallie T Clawson to the use of the waters of said Creeks or North Slough herein awarded to them.

VIII.

It is further ordered, adjudged and decreed that the said defendants O.J.Folsom and L.L.Folsom are not entitled to the use of any of the waters of said Three Mile Creek Five Mile Creek or North Slough, situated in said Ada County, Idaho.

IX

It is further ordered, and adjudged that the said plaintiff and the defendants O.L.Gibson and Sallie T.Clawson parties to this action shall forthwith construct and maintain at the aforesaid points of diversion of their said ditches, suitable and proper measuring wiers at which points of diversion said waters shall be measured and diverted as aforesaid.

X

It is further ordered and adjudged that each of the parties to this action pay their own costs incurred herein.

Done in open Court this 3rd day of November, 1906.

Geo. H. Stewart

District Judge

Filed Dec 3rd, 1906
Entered Dec 3rd, 1906

W.L. Cuddy.

STATE OF IDAHO, } ss.
County of Ada, }

I, STEPHEN UTTER, Clerk of the District Court of the Third Judicial District of the State of Idaho, in and for the County of Ada, do hereby certify that the foregoing is a true and correct copy of the original

Decree

filed in the above entitled action and remaining now on file in my office at Boise City, Ada County, Idaho.

Given under my hand and the seal of said Court, at office in Boise City, Ada County, Idaho, this
the 6th day of April A. D. 1912.

By Stephen Utter Deputy Clerk.

#347 95" FARMER (R. POD = SO. side of 5-mile Cr. 75' north
of the GENERAL SEC. 23 thru GIBSON lateral - POD = SEC. 22 & 23
#25-01

#348 3 mile, 5 mile or N-Slough POD SO. side of 5-mile Cr. same as #346. thru
MULLER lateral 140" in SEC. 22, 23, 24, 27

respectively appropriate and divert from Three Mile Creek,
Five Mile Creek and North Slough in said Ada County, Idaho,
the quantities of water hereinafter stated, such water to be
estimated and measured under a four inch pressure and did
respectively appropriate and divert such quantities of water for
a beneficial use, that ever since said dates of the several
appropriations referred to in this paragraph, such water has
been by said parties so diverted and used.

VII

That the following named parties to this action are en-
titled to the use of the waters of Three Mile Creek, Five
Mile Creek and North Slough in Ada County, Idaho, upon the lands
mentioned and described in the complaint and answers herein in
the following amounts and from the following dates, to-wit:

1. That the plaintiff, George Mueller, be and is hereby
awarded the use of the waters of Three Mile Creek, Five Mile
Creek and North Slough in said Ada County, Idaho, diverted from
a point on the south side of said Five Mile Creek about 300 feet
west from where the Ridenbaugh Canal crosses said Five Mile Creek,
and about 1000 feet east of where the main road crosses said Five
Mile Creek, and about 300 feet east of the NE corner of the SE $\frac{1}{4}$
of the NE $\frac{1}{4}$ in Sec 23, Township 3 N.R. 1 E.B.M., Ada County,
Idaho, through what is commonly known as the Muller Lateral or
Ditch, which ditch is situated on the south side of Five Mile
Creek and runs in a westerly direction from said point of
diversion in said County, for use upon lands lying in Sections
23 and 24 Township 3 N. R. 1 E.B.M. Ada County, Idaho, in the
following amount from the following date;

#346

45 inches of water from February 20th 1901, and hereby
designated as Right No 1

2. That the defendants O.L. Gibson and Sallie T. Clawson
be and they are jointly awarded the use of the waters of Five

POU T3N R1E, S 23 & 24
45"

AJ5809NP
No. A63-00346A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/27/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																							
C	MARIE ODIAGA 7373 S MAPLE GROVE RD BOISE ID 83705 (208) 362-2834	02/20/1901	IRRIGATION	03-15 11-15	0.900 CFS																																																																																								
TOTAL DIVERSION:					0.900 CFS																																																																																								
Water Source: FIVE MILE CREEK		Tributary to: FIFTEEN MILE CREEK			Stage: DECREED																																																																																								
Point(s) of Diversion:	T03N R01E S23 S24	SENE SWNW	NWSW	NWSE	ADA County ADA County																																																																																								
Place of use Legal Description for: IRRIGATION																																																																																													
<table><thead><tr><th colspan="4"></th><th colspan="4">NE</th><th colspan="4">NW</th><th colspan="4">SW</th><th colspan="4">SE</th><th></th></tr><tr><th>T</th><th>R</th><th>S</th><th>:</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>:</th><th>SUM</th></tr></thead><tbody><tr><td>03N</td><td>01E</td><td>23</td><td>:</td><td></td><td></td><td></td><td></td><td>40</td><td>:</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>:</td><td>40.0</td></tr><tr><td colspan="20"></td><td>TOTAL ACRES</td><td>40.0</td></tr></tbody></table>											NE				NW				SW				SE					T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	03N	01E	23	:					40	:											:	40.0																					TOTAL ACRES	40.0
				NE				NW				SW				SE																																																																													
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM																																																																								
03N	01E	23	:					40	:											:	40.0																																																																								
																				TOTAL ACRES	40.0																																																																								

POU County: ADA

Non-Irrigation Uses: S/100 HEAD

Other Rights: NAMPA MERIDIAN

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
63-15290 63-16626 63-17658 63-17952 63-22693 63-22901 A63-00348B A63-15290 A63-16106 A63-16626
A63-17658 A63-17952 A63-22693 A63-22901 A63-24082

Other Water Rights Listing Overlapping Place(s) of Use:
A63-00348B A63-02106 A63-3018120

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

Misc: Water District Number: 63 Field Inspection Flag:
Presumption Flag:

Audit: 08/24/89 ROUSH 03/30/95 POST-STD