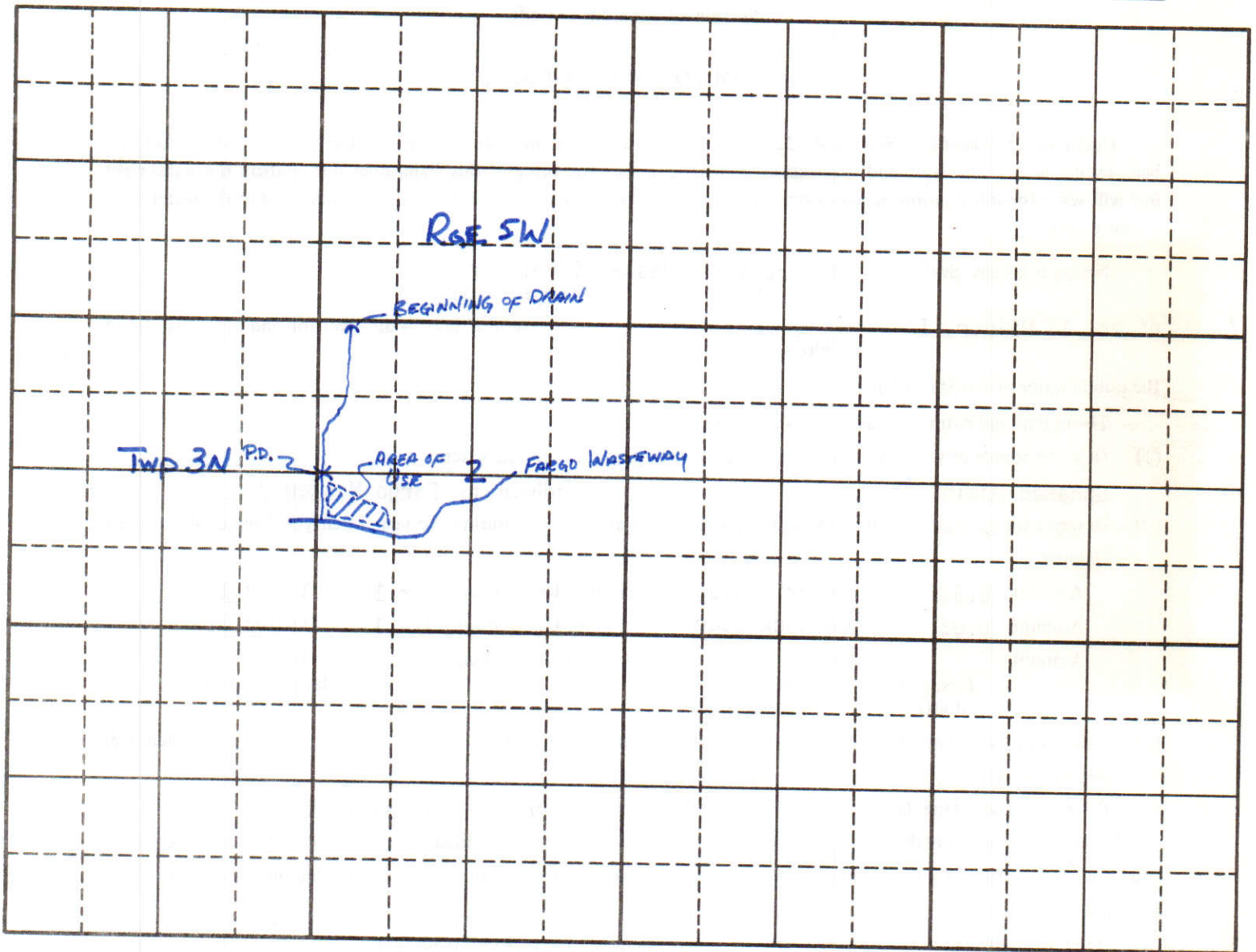


(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 24th day of March, 19 77

Albert Edmiller (Claimant)
Lyle Glen Saxton Notary Public
Residing at Boise, Idaho

My commission expires 11-25-78

For Department Use Only

Received by <u>RS</u>	Date <u>3-24-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>3-24-77</u>		claimant by:	
\$10.00 fee received by <u>RS</u>	Date <u>3-24-77</u> #764			
Approved for publication by <u>RS</u>				
Published in <u>News Tribune</u>				
Dates <u>April 7-14</u>				

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
) ss.
County of Canyon.)

NOTICE OF CLAIM TO
A WATER RIGHT
No. 63-4443

Notice is hereby given that
ALBERT &/or ODESSA
EIDEMILLER Route 1, Wilder,
ID has filed a claim to a water
right established by diversion
and application to beneficial use
of 0.36 cubic feet per second of
water from an unnamed drain
trib. Fargo Wasteway with the
point of diversion in the
NW1/4SW1/4, NW1/4SW1/4 Sec 2
T3N-R5W B.M., Canyon County.

The water is claimed to be
used from Jan. 1 to Dec. 31 for
stockwater and from Mar. 15 to
Nov. 15 for irrigation of 17 acres
with a priority of April 1, 1934;
the place of use is within the
NW1/4SW1/4 Sec 2 T3N-R5W B.M.

Any exception to this claim of
water right may be filed with the
Idaho Department of Water
Resources, Statehouse, Boise,
Idaho, 83720.

C. STEPHEN ALLRED
Acting Director
April 7, 14, 1977

Verla Harker
of Caldwell, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all
times hereinafter mentioned was over the age of twenty-one years,
and not a party to the above entitled action.

2. That I am the Principle Clerk of the News-Tribune,
a daily, (except Sunday) newspaper published in the City of
Caldwell, in the County of Canyon, State of Idaho; that
the said newspaper is in general circulation in the said County of
Canyon, and in the vicinity of Caldwell, and has
been uninterruptedly published in said County during a period of
seventy-eight consecutive weeks prior to the first publication of the
notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper

Two Times
in the regular and entire issue of said paper, and was
printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

April 7, 14, 1977

Verla Harker

Subscribed and sworn to before me this _____

14th day of April,
19 77.

Adam D. Law
Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

OK
4-25-77
mj

MICROFILMED

4/27/77

Mr. Eidemiller originally filed a claim for the acreage not knowing that the owner should usually file. After he filed, he decided not lease the described property any longer and notified the owner, Mr. Danforth, that he should file, since Mr. Danforth plans to continue use of the right. The two men came in to the office on 4-21-77 to make their filing changes

Albert &/or Odessa Eidemiller

63-4443

W. L. Danforth

63-4477

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Albert &/or Odessa Eidemiller (name of claimant)
of Rt. 1, Wilder, ID (mailing address), claims a right to the diversion and beneficial use of
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Unnamed Drain, tributary to, Fargo Wasteway
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | | |
|--------|-------------------|-----|----------------------------|----------------|------|--------|----|------------------------|
| Amount | 0.34 | Use | Irrigation | Period of Use: | From | Mar 15 | To | Nov 15 |
| Amount | 0.02 | Use | Stockwater | Period of Use: | From | Jan 1 | To | Dec 31 |
| Amount | | Use | | Period of Use: | From | | To | |
| | (cfs, gpm or a/f) | | (dom., irri., stock, etc.) | | | | | (both dates inclusive) |
- (3) Total quantity of water claimed: 0.36 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) April 1, 1934

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW ¼ SW ¼, Sec. 2 Twp. 3N Rge. 5W B. M. County of Canyon
Additional points of diversion: SW ¼ NW ¼, Sec 2, T3N, R5W

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Diversion dam into gravity ditch

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	5W	2										17							17

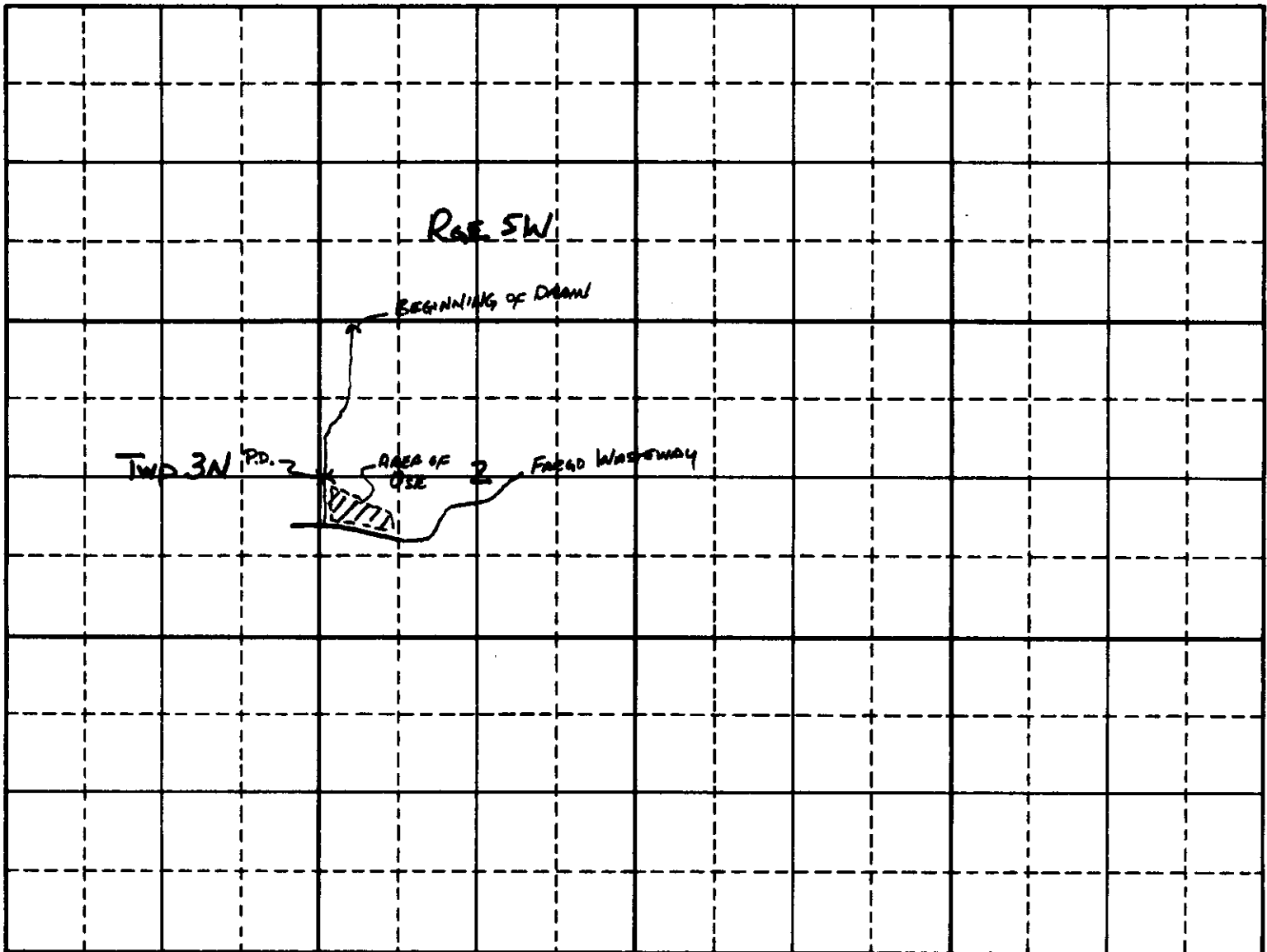
Total No. of acres 17

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
40 Head cattle

If you are claiming water as a member of an organization, list name of organization:

MICROFILMED

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 24th day of

March, 19 77

Albert Edmister
(Claimant)
Lyle Glen Saxton
Notary Public
Residing at Boise, Idaho

My commission expires 11-25-78

For Department Use Only

Received by <u>RW</u>	Date <u>3-24-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>3-24-77</u>		claimant by:	
\$10.00 fee received by <u>RW</u>	Date <u>3-24-77</u> # <u>2064</u>			
Approved for publication by <u>[Signature]</u>				
Published in <u>News Tribune</u>				
Dates <u>April 7 + 14</u>				

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
) ss.
County of Canyon.)

Verla Harker
of Caldwell, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all
times hereinafter mentioned was over the age of twenty-one years,
and not a party to the above entitled action.

2. That I am the Principle Clerk of the News-Tribune,
a daily, (except Sunday) newspaper published in the City of
Caldwell, in the County of Canyon, State of Idaho; that
the said newspaper is in general circulation in the said County of
Canyon, and in the vicinity of Caldwell, and has
been uninterruptedly published in said County during a period of
seventy-eight consecutive weeks prior to the first publication of the
notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper

Two Times
in the regular and entire issue of said paper, and was
printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

April 7, 14, 1977

Verla Harker

Subscribed and sworn to before me this

14th day of April,
19 77.

Adam D. Law

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

OK
4-25-77
M

MICROFILMED

ACT
ION

N OWNER LAST NAME - EIDEMILLER
N OWNER LAST NAME - EIDEMILLER
N ADDRESS LINE 1 - RT. 1

FIRST NAME - ALBERT
FIRST NAME - ODESSA

N
N SOURCE - UNNAMED DRAIN

CITY - WILDER

STATE - ID ZIP CODE - 83676

N STAGE - STATRY CLM

TRIBUTARY OF - FARGO WASTEWAY

N DIVERSION POINT - NWSW 02 03N 05W

PRIORITY - 04-01-1934 COUNTY - CANYON

TOTAL DIV. RATE - .3600CFS

N FROM - 03-15 TO - 11-15 USE - IRRIGATION

SNNW 02 03N 05W

USE DIV. RATE - .3400CFS

N FROM - 01-01 TO - 12-31 USE - STOCKWATER

USE DIV. RATE - .0200CFS

N USE - IRRIGATION

PLACE OF USE - TWN 03N RNG 05W SEC 02 TRACT NWSW

AC 17

N NON IRRIG USE - S/40 RANGE.

IDENT. NO. 63-4443

ID A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 163-4443
 Old No. _____ New No. _____

Record

1. Original Owner: Albert & Odessa Eidemiller

Present Owner: _____

2. Address: Rt. 1

3. City: Wilder State: 10 Zip: 83676

4. A. Source of Water: unnamed drain

B. Tributary of: Large Wasteway

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 4-1-1934

D. County: 27

E. Total Diversion Rate: .34

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NW SW</u>	<u>2</u>	<u>3N</u>	<u>5W</u>		
	<u>SW NW</u>	<u>2</u>	<u>3N</u>	<u>5W</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 3-15 to 11-15 for A purposes. Amount .34
 (cfs or AC-FT/yr)

from 1-1 to 12-31 for S purposes. Amount .02

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

5/40 range.

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Claim
Application No. 63- 4443

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

☐ Pre-permit exam
☐ Adjudication Claim
☐ Dam Construction
Papers Sent

(1) R.W.H. 3-24-77

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant

(4) R.W.H. 3-24-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) Y OK

Affidavit of Publication received(date) 4-25-77

(12) 0

Final date for protests N/A
Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or
applicant: yes _____ no _____

(14) _____

Action recommended:

☐ Approve ☐ Deny

☐ Proposed Priority

☐ Reason for Reduction _____

☐ Measuring device required

☐ See attached sheet for other conditions of
approval

☐ No special conditions for approval

(15) District W By JH Date 4-25-77

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Carl D. Andrus
Governor

R. Keith Higgins
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

April 27, 1977

Re: Claim to a Water Right No. 63-4443

Albert &/or Odessa Eidemiller
Route 1
Wilder, ID 83676

Dear Mr. & Mrs. Eidemiller:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS: rf

Enclosure

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Anderson
Governor

R. Keith Higginson
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

April 1, 1977

Re: See attached sheet

News-Tribune
P. O. Box 1179
Caldwell, ID 83605

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before April 25, 1977.

Sincerely,

MICROFILMED

Bill submitted
4-25-77
rf

PUBLISHED IN THE NEWS-TRIBUNE, CALDWELL, IDAHO ON APRIL 7 & 14, 1977

Notice of Claim to a Water Right

63-4443	Albert &/or Odessa Eidemiller
63-4442	Albert &/or Odessa Eidemiller
63-4444	Harrry &/or Anna May Elston

Notice of Application for Water Permit

63-8612	Earl M. Tuckness
63-8616	Herman R. &/or Bessie Krantz
63-8617	Albert &/or Odessa Eidemiller
63-8619	Darwin G. &/or Annabelle Noe &/or Alan Noe
63-8620	Layton Noe & Teila Noe
63-8621	Max M. Takasugi
63-8622	Max M. Takasugi
63-8626	L. W. &/or Barbara J. Ragains

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

No. ~~63-4443~~

Notice is hereby given that ~~ALBERT &/or ODESSA EIDENMILLER~~

~~Route 1 Wilder, ID~~
has filed a claim to a water right established by diversion and application
to beneficial use of ~~0.36~~ cubic feet per second ~~XXXXXXX~~ feet of water
from ~~an unnamed drain trib. Fargo Westway~~
with the point of diversion in the ~~N1/4SW1/4, N1/4SW1/4 Sec 2 T3N R5W B.M.,~~

~~Canyon County~~

The water is claimed to be used from ~~XXXXX Jan 1 to Dec 31~~
for ~~stockwater and from Mar 15 to Nov 15 for irrigation of 17 acres~~

with a priority of ~~April 1, 1934~~;
the place of use is within the ~~N1/4SW1/4 Sec 2 T3N R5W B.M.~~

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, Statehouse, Boise, Idaho, 83720.

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXXXXX

ACTING Director

Published in the ~~News-Tribune, Caldwell, ID~~
on ~~April 7, 1977~~ and ~~April 14, 1977~~

RECEIVED