

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.

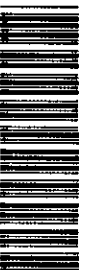
CIVIL CASE NUMBER: 39576

Ident. Number: A29-10844
Date Received: 3/29/1990
Receipt No: 1006417
Received By: RWA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PATRICIA MC CARDELL DUNCAN 208-233-3109
Address: 8851 N. KRAFT RD.
POCATELLO, ID 83204
OR
Name: RICHARD KEITH MC CARDELL 208-745-7577
Address: RIGBY, ID 83442
OR
Name: PETER D. MC CARDELL 206-486-0962
Address: BOTHEL, WA 0

A2910844



2. Date of Priority: OCT 06, 1938

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	34E	21	SW	NE	NW		BANNOCK

5. Description of diverting works:
WELL, 75' DEEP, 3/4 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is 10.0 Acre Feet Per Annum.

D, 2 HOMES S, 25 CATTLE & 7 HORSES

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	34E	21	NE		NW		IRR	4.0
			NE		NW		STOCK	
			NE		NW		DOMEST	

Total Acres 4.0

NONE

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Pauline McCordell Juman Date: 3/29/90

Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of March 19 90

Anna Baumhoff
Notary Public

Seal

Residing at Anna Baumhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994

copy

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A29-10844

Page 1

Date: 03/29/90

MICROFILMED
NOV 14 1990

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	34E	21	NE NE	NW NW	STOCK DOMEST	
Section Acres						5.0
Total Acres						5.0

11. Place of use in counties: BANNOCK

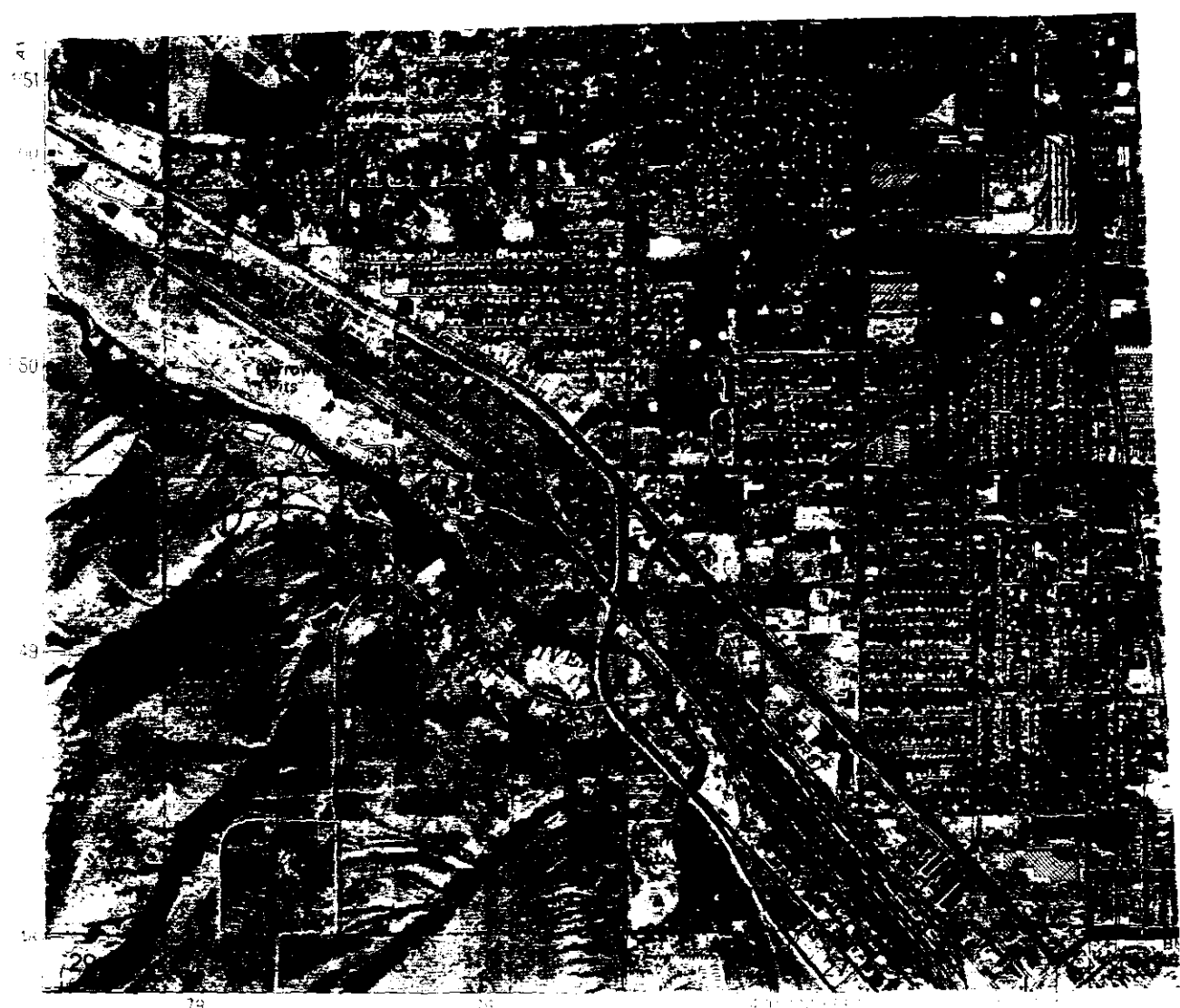
12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

1938 Well
 Domestic. + Irrigation
 4 A.



Produced by the Geological Survey
 in cooperation with the Bureau of Indian Affairs
 for the purpose of showing the location of
 the well and the area of the well.

MICROFILMED
 NOV 16 1992

Log for claim A29-10844

Spatial Dynamics LTD

9/26/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s34e	21	NENW	4	11	Indiscernible
Totals:			4	11	

Priority Evidence 1940.

AJ5809NP
No. A29-10844

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD KEITH MCCARDELL RIGBY ID 83442 (208) 745-7577	10/06/1938	IRRIGATION STOCKWATER DOMESTIC	03-15 11-15 01-01 12-31 01-01 12-31	0.060 CFS 0.020 CFS 0.020 CFS	
C	PATRICIA MCCARDELL DUNCAN 8851 N KRAFT RD POCATELLO ID 83204 (208) 233-3109			TOTAL DIVERSION: CONSUMPTIVE USE:	0.060 CFS	10.00 AFA
C	PETER D MCCARDELL BOTHEN WA 0 (206) 486-0962					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T06S R34E S21 SWNENW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
06S	34E	21	:					:	04				:					:					:	4.0
																							TOTAL ACRES	4.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
06S	34E	21	:					:	S				:					:					:	

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
06S	34E	21	:					:	D				:					:					:	

POU County: BANNOCK

Non-Irrigation Uses: D, 2 HOMES S, 25 CATTLE & 7 HORSES

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-10618

Other Water Rights Listing Overlapping Place(s) of Use:

AJ5809NP
No. A29-10844

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 155

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Other Water Rights Listing Overlapping Place(s) of Use:
A29-10618 A29-10845

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
		Presumption Flag:	
Audit:	03/29/90 HAUMANN	08/04/94 THOMPSON	03/29/95 POST-STD

This well is the one used to irrigate the said 7.0
Acres.

Pocatello, Id.

3-3-95

Dear Pat,

Les & I built the house & he
dug a well in about May or June
of 1940. This was on Kraft Road,
now known as 8851-53 No.
Kraft Rd., Pocatello, Id.

Afton L. Falter

STATE OF IDAHO, COUNTY OF

On this 6th day of March, 1995,
before me, a notary public in and for said State, personally appeared

Afton L. Falter

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me
that she executed the same.

Diane F. Bilyeu

Notary Public

Residing at Pocatello, Idaho

Comm. Expires 4-20-98

not 14 1990

March 1, 1995

TO WHOM IT MAY CONCERN

In regards to the water usage of the two wells at
8851-8853 N. Kraft Road
Pocatello, Idaho 83204

Keith and Fern McCardell purchased the eighty acres from Sue Paulson of Burley, Idaho on March 15, 1943 and took occupancy of the house with one hand dug well next to the house and a well in the field below and to the left of the house.

The well next to the house was used for domestic use and to water approximately 4 acres of ground from that time on. Domestic stock included a dairy herd (approx. 45 milk cows), 7 horses, 60 pigs, chickens, and various other livestock.

The McCardell's operated a dairy from 1943 until 1967 at this address. The acreage in question was used to graze the younger stock until they became old enough to use at the dairy. Mr. McCardell also had a feeder lot with anywhere from 50 to 100 beef cattle.

A well was drilled in 1975 to augment the first well for domestic and irrigation. This well is used to irrigate approximately seven acres of ground and to furnish water to the second home on the property, along with 26 head of feeder stock and 4 horses.

Mr. and Mrs. McCardell deeded their land to their children in 1987.

Sincerely yours,

Patricia M. Cardell Duncan
Patricia McCardell Duncan

MICROFILMED

NOV 14 1990

7/9/95
Notary: *Annette Dalton*