

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: A29-12860
Date Received: 5/13/1994
Receipt No: E019802
Received By: SC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MICHEAL BAVERLE 208-233-6635
Address: 8856 W BARTON RD
POCATELLO ID 83204

AND

Name: TERRI BERGMEIER 208-233-6635
Address: 8856 W BARTON RD
POCATELLO ID 83204

2. Date of Priority: JUL 1, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	35E	32	SW	NW			BANNOCK

5. Description of diverting works:
WELL 6" CASING 1 HP SUBMERSIBLE PUMP, PIPE TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC; 1 HOME, STOCKWATER; TURKEYS

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	35E	32	SW	NW		DOMEST	

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

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MAY 13, 1994

MICHEAL BAVERLE AND TERRI BERGMEIER
8856 W BARTON RD
POCATELLO ID 83204

RE: NOTICE OF CLAIM #A29-12860

Dear Ms. Bergmeier:

Please find enclosed your receipt and a typed Notice of Claim, prepared with information from your original Notice.

By referring to your warranty deed and the plat maps provided by Bannock County, we have determined the legal description for the rural address listed on the notice. This description has been entered in Items #4 and #10.

Review the Notice for accuracy. If you have any questions or objections regarding your Notice, please contact this office.

Respectfully submitted,

Sharla Cox
Adjudication Clerk

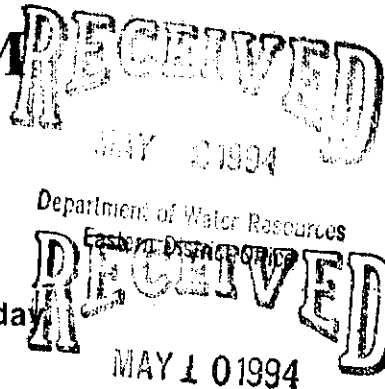
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NOV 14 1995

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A29-12860Date Received 5-13-94Receipt Number E019802NOTICE OF CLAIM
TO A
WATER RIGHTACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day

Filing Fee \$25



Please type or print clearly

Department of Water Resources
Eastern District Office1. Name of Claimant (s) Michael Baverle, Terri Bergmeier Phone (208) 233 6635Mailing Address 8850 W. Barton Rd. Pocatello IDAHO Zip 832042. Date of Priority (Only one per claim) June 4 1978 Month/Day/Year3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
which is tributary to (b) _____ Name or kind of source4. Location of point of diversion is: Township 6 South Range 35 EASTSection 31 & 32, S.E. 1/4 of N.E. 1/4 of 31 1/4, Govt. Lot _____, Bl _____County of Bannock

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well, 6" casing, unknown depth, 1 hp submersible pump, pipe to house

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount .04 cfs (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic; 1 home; Stockwater; 1 horse

A2912860

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10. Place of use is: Township: 6 South Range 35 East

Section 31, SE 1/4 of N.E. 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

(X) None or _____

14. Remarks: N.A. - (The property listed above was purchased by M. Bauerle + T. Bergmeier on Nov. 1 1993)

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 0

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

Signature of Claimant (s) Jean Bergmeier Date 2/19/94

Michael Bauerle Date 2/19/94

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

of _____, that I have signed the foregoing

document in the space below as _____ of _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Bannock) SS. **NOTARIZATION REQUIRED FOR EACH CLAIM**

Subscribed and sworn (or affirmed) before me this 19th day of February 19 94

SEAL

Notary Public Jean Rodriguez

Residing at Pocatello

My Commission Expires Sept. 1994

Last Name _____ Ident No. _____

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Copies: White-State, Yellow-Claimant
NOV 14 1996

5-8
EXHIBIT "C"

93003232

PARCEL 1:

Lot 3, BARTON FELTCH ACRES, BANNOCK COUNTY, IDAHO, as the same appears on the official plat thereof, filed in the office of the County Recorder of said County, excepting therefrom: A description of the Southerly portion of Lot 3, in BARTON FELTCH ACRES, a Subdivision in BANNOCK COUNTY, IDAHO.

A parcel of land in a portion of Lot 3, of BARTON FELTCH ACRES, A Subdivision in the Southeast 1/4 Northeast 1/4 of Section 31 and the West 1/4 of Section 32, Township 6 South, Range 35 East, Boise Meridian, BANNOCK COUNTY, IDAHO, and as filed for record in the office of the County Recorder of BANNOCK COUNTY, IDAHO, more particularly described as follows: Beginning at the Iron pin marking the Southeasterly corner of the private road as delineated on the recorded plat as filed for record in the office of the County Recorder of BANNOCK COUNTY, IDAHO, said pin being the TRUE POINT OF BEGINNING; thence North 03°57'51" West, 468.48 feet along the Easterly line of said private road; thence North 89°25'00" West, 394.45 feet to a point on the Westerly line of said Lot 3; thence South 00°35'00" West, 183.00 feet; thence South 89°25'00" East 358.32 feet; thence South 03°47'51" East, 335.06 feet to a point on the Northerly right of way line of Barton Road; thence North 43°24'50" East, 68.14 feet along said Northerly right of way line to the TRUE POINT OF BEGINNING, subject to the private road, therefrom.

ALSO EXCEPTING THEREFROM:

A description of a portion of Lot 3, BARTON FELTCH ACRES, a Subdivision of BANNOCK COUNTY, IDAHO, recorded at Instrument 614832, records of said BANNOCK COUNTY, situated in the Southwest 1/4 of the Northwest 1/4 of Section 32, Township 6 South, Range 35 East, Boise Meridian, more particularly described as follows: Beginning at the Southeasterly Corner of Lot 3, BARTON FELTCH ACRES, which is also the Southeasterly Corner of a private road as delineated on the recorded plat as filed for record as Instrument 614832 in the office of the County Recorder of BANNOCK COUNTY, IDAHO; thence North 03°47'51" West, along the Easterly line of said Lot 3 a distance of 468.48 feet to the Northeasterly Corner of the lands described at Instrument 90008424, records of said BANNOCK COUNTY, said point being marked by a one-half inch uncapped rebar found in place; the POINT OF BEGINNING; thence North 89°25'00" West along the North line of the lands described at said Instrument 90008424 a distance of 394.45 feet to a point on the Westerly line of said Lot 3, said point being marked by a one-half inch uncapped rebar found in place; thence North 00°35'00" East along said Westerly line of Lot 3 a distance of 63.88 feet, said point being marked by a five-eighths inch rebar set this survey; thence North 89°11'17" East through a portion of said Lot 3, described at Instrument 91006584, records of said BANNOCK COUNTY, a distance of 388.46 feet to an intersection with a non-tangent curve on the Easterly line of said Lot 3, said intersection being marked by a five-eighths inch rebar set this survey, the radius point of said curve bears South 82°25'35" West a distance of 215.99 feet from said intersection, said curve having a central angle of 03°46'34"; thence Southerly along the Easterly line of said Lot 3, along said curve an arc distance of 14.24 feet to a tangent line, said point of tangency being marked by a five-eighths inch rebar with an aluminum cap stamped "LS 1812" found in place, from which point the radius of said curve bears South 86°12'09" West a distance of 215.99 feet; thence South 03°47'51" East, along the Easterly line of said Lot 3, a distance of 59.36 feet to the POINT OF BEGINNING.

PARCEL 2:

Lot 5, BARTON FELTCH ACRES, BANNOCK COUNTY, IDAHO, as the same appears on the official plat thereof, filed in the office of the County Recorder of said County.

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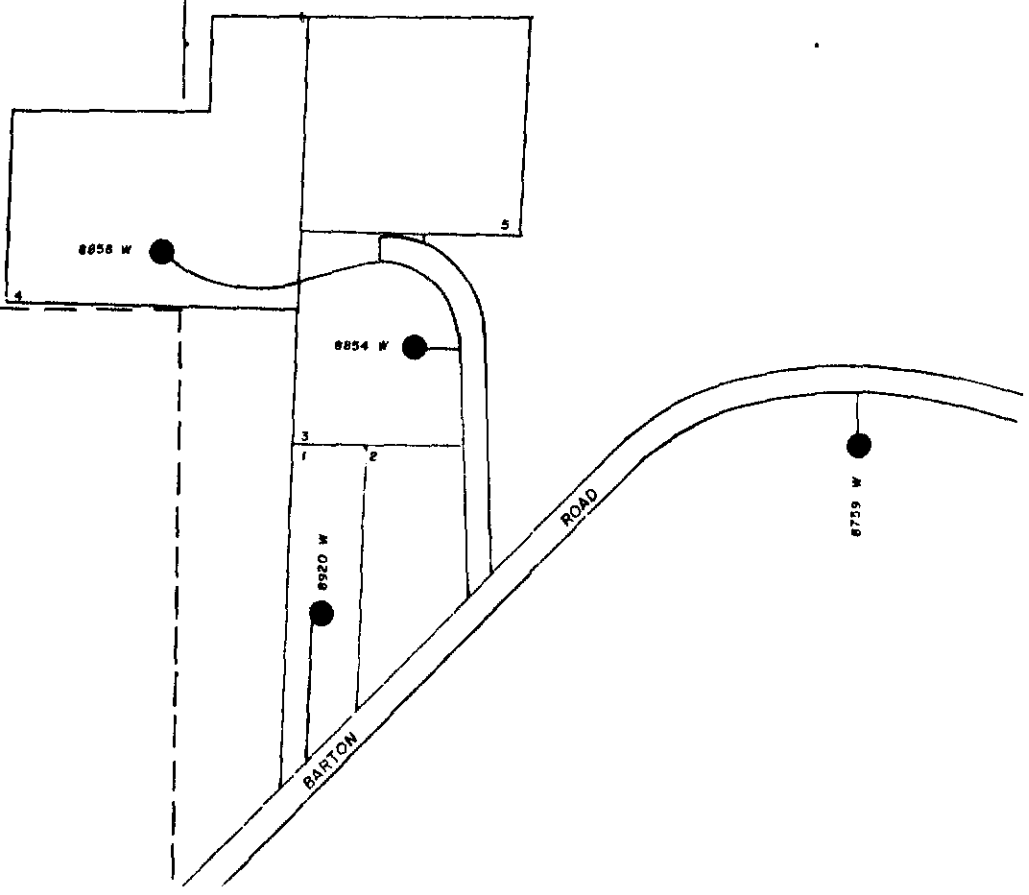
90
30 29
31 32

7000 N

CITY
BOUNDARY

BARTON FELTCH ACRES

SEC. 32



6500 N

POC CR. RD.

NO SCALE

DETAIL NO.

5

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NOV 14 1996

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R29-12860

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

BAVERLE

MICHEAL

1 - 8856 W BARTON RD

2 -

3 -

City- POCATELLO

State- ID Zip- 83204

Phone - 208-233-6635

BERGMEIER

TERRI

1 - 8856 W BARTON RD

2 -

3 -

City- POCATELLO

State- ID Zip- 83204

Phone - 208-233-6635

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
07/01/1978 15 EASTERN J - BENEFICIAL USE *+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER *+ - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

06S 35E 32 SW NW (5) BANNOCK

+ - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040 *+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0+ - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
06S 35E 32 SW NW 43 DOMESTIC (5) BANNOCK

Total Acres:

+ - - Diversion Means - WELL 6" CASING 1 HP SUBMERSIBLE PUMP, PIPE TO HOUSE

+ - - Non-Irrigation Use - 1 HOME

+ - - Other Rights for Same Use - NONE

+ - - - - - - - - - - - - - Remarks - - - - - +

EXP PARCEL NO. RRBFA000302
PROPERTY ALSO KNOWN AS LOT 3, TAX 2, BARTON FELCH ACRES SUBD. *

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

01/15/98 10:45:26
Page 2

Water right number - R29-12860

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

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

+ - - - - Conditions of Approval - - - - - +

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 *
- GALLONS PER DAY.

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

+ - - - - Comments - - - - - +

Date: 09/30/1997 User Id: AJU4-ECA Subject: DOMESTIC 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME". CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

+ - - Audit Fields - - +
01/15/98 DSMITH

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

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 01/15/1998 | Old Judicial District | - |
| Claim Received Date | - 05/13/1994 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - E019802 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - AND | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

JSKRB#
224 98

AJ5856NP

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

DATE: AUG-22-1997

PAGE: A-63

RIGHT NUMBER: 29-12860

NAME & ADDRESS: MICHEAL BAVERLE
TERRI BERGMEIER
8856 W BARTON RD
POCATELLO ID 83204

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 07/01/1978

POINT OF DIVERSION: T06S R35E S32 SWNW Within BANNOCK County

| PURPOSE AND
PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|-------------------------------|------------------------------------|---------------|----------|
| | DOMESTIC DOMESTIC; 1 HOME, STOCKWA | 01-01 12-31 | 0.04 CFS |

PLACE OF USE: DOMESTIC Within BANNOCK County
T06S R35E S32 SWNW

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Parcel # RRBFA000302

Barton Field Acres Subdivision

Lot 3 TAX 2 1.67 acres

Verified by alw Date: 9/17/97

Verification Source: computer / plat
map (subdivision map)