

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 29-13123
Date Received: 9/21/00
Receipt No:
Received By:

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

1. Name of Claimant(s)

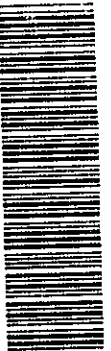
BRAD BURTON Phone: (208) 478 8470

3435 SOMERSET DRIVE
POCATELLO ID USA 83201

LORI BURTON Phone: (208) 478 8470

3435 SOMERSET DRIVE
POCATELLO ID USA 83402

A2913123



2. Date of Priority: 05/31/1908

3. Source: INDIAN CREEK Trib. to: Portneuf River

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07S	36E	21	SW SW SW	BANNOCK
07S	36E	28	NW NW	BANNOCK

5. Description of diverting works:

DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.08	

7. Total Quantity Appropriated is:
0.08 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	20	SE	SE	IRRIGATION	3
					Section Acres	3
07S	36E	29	NE	NE	IRRIGATION	2.2
					Section Acres	2.2
					Total Acres	5.2

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:

14. Remarks:

THIS CLAIM IS SPLIT OFF OF ORIGINAL CLAIM 29-10522 BY CHANGE OF OWNERSHIP. SEE ALSO 29-13122 AND 29-13124. 29-10522 WAS A COMBINED CLAIM BASED ON DECREEED RIGHTS 29-603 AND 29-604.

BCONTOR 9/27/2000.

15. Basis of Claim: Decreed

A29-10522 - Burton Parcel - 29-13123

A29-10522 - Roudice Parcel - 29-13124

Part of the
NE 1/4 of the NE 1/4 of Section 29, T. 7 S., R. 36 E., B.M.
and part of the
SE 1/4 of the SE 1/4 of Section 20, T. 7 S., R. 36 E., B.M.
BANNOCK COUNTY, IDAHO

RECORDERS CERTIFICATE

Instrument No. _____
Time of Day _____
Date _____
Recorded in BANNOCK COUNTY, IDAHO

County Recorder

LEGAL DESCRIPTION

LEGEND

- Section corner center
- Placed 1/2" x 24" br red with cap marker P.L.S. 5360
- Fence line
- Found 1/2" x 24" br red

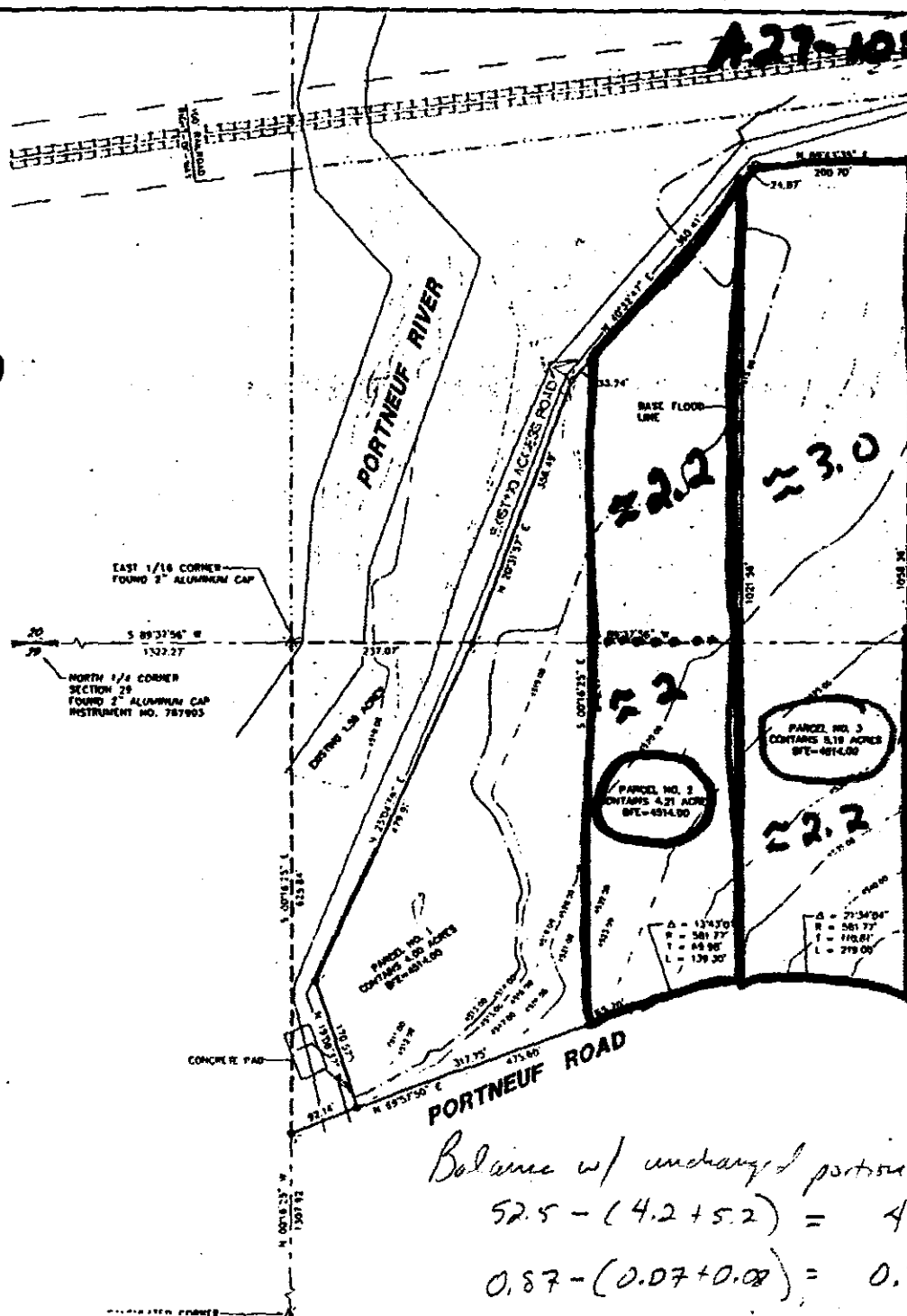
SURVEYORS CERTIFICATE

I, Terry R. Heppner, a Registered Professional Land Surveyor in the State of Idaho do hereby certify that this plot is an accurate representation of the survey completed under my supervision.

Terry R. Heppner
License No. 7380
DATE OF SURV. 1991

HE	RECORD OF SURV	
	JACQUE KARLSON Sections 20 and 29, T. 7 S., R. 36 E.	
HARPER-LEAVITT ENGINEERING, INC. PROFESSIONAL ENGINEER AND LAND SURVEYOR		DATE 1991
BY: [Signature] Terry R. Heppner		DATE 1991

NORTH 1/16 CORNER
FOUND ALUMINUM CAP



$$\text{Original Claim } \frac{0.87 \text{ cfs}}{52.5 \text{ acres}} \times 5.2 \text{ acres} = 0.08 \text{ cfs}$$

$$\frac{0.87}{52.5} \times 4.21 = 0.07 \text{ cfs}$$

Balance w/ unchanged portion:

$$52.5 - (4.2 + 5.2) = 43.1$$

$$0.87 - (0.07 + 0.08) = 0.72$$

29-13122

AJ5809NP
No. A29-10522

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/14/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RONALD D KARLSON	05/31/1908	IRRIGATION	03-15 11-15	0.870 CFS	
C	JACKE L KARLSON		STOCKWATER	01-01 12-31	0.020 CFS	
	1520 KINGHORN					
	POCATELLO ID 83201			TOTAL DIVERSION:	0.870 CFS	
	(208) 237-8876			CONSUMPTIVE USE:		157.50 AFA

Water Source: INDIAN CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T07S R36E S21 S28 SWSWSW NWNW

BANNOCK County
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	
07S	36E	20	:																	18.0
07S	36E	21	:											25						25.5
07S	36E	29	:																	9.0
																				52.5

4.8 2.2 2.0

TOTAL ACRES

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	
07S	36E	21	:											S						

POU County: BANNOCK

Non-Irrigation Uses: S/25 HEAD CATTLE

Other Rights: NONE

Remarks: GEN CHANGED OWNERSHIP 3/27/95/JT/GT
THIS RIGHT WAS AMENDED TO REFLECT THE PORTIONS OF 29-00603 AND
29-00604 THAT ARE NOW OWNED BY CLAIMANT. KARLSON OWNS PORTIONS
OF INDIAN ALLOTMENTS 14 & 17. THIS RIGHT WAS ORIGINALLY CLAIMED
(IN ERROR) BY PREVIOUS OWNER AS A BENEFICIAL USE RIGHT.
PORTIONS OF ORIGINAL RIGHT CLAIMED: 29-00603 0.20 CFS
29-00604 0.67 CFS
*THIS CLAIM WAS AMENDED TO SHOW ALL HISTORICAL POINTS OF
DIVERSION.
*THREE POINTS OF DIVERSION IN THE NW1/4 NW1/4 SEC. 28 T07S R36E.

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

October 5, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BRAD & LORI BURTON
3435 SOMERSET DR
POCATELLO ID 83201

RE: CHANGE IN OWNERSHIP FOR 29-10522

Dear Mr. & Mrs. Burton:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

29-10522 SPLIT TO:
29-13122, 0.72 CFS, 43.1 ACRES, KARLSON
29-13123, 0.08 CFS, 5.2 ACRES, BURTON
29-13124, 0.07 CFS, 4.2 ACRES, RENDACE

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist

Enclosure

DELOG JC 6/7/00
DELOG BS 6/7/00
RECEIVED

JUN 05 2000

Department of Water Resources
Eastern RegionOK bsc
9/27/00STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIPPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.1. Water Right No(s): A29-10500

Adjudication Claim No(s): _____

2. The following **REQUIRED** information must be submitted with this form:A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim 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/ClaimantRON & JACKE KARLSONPO Box 96 Inkom ID 83245

4. New Owner/Claimant(s)

BRAD & LORI BURTON

New Mailing Address

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
3435 Somerset Drive

City, State and ZIP Code

Pocatello ID 83201

New Telephone Number

(208) 478-8470

5. Date you acquired the property

4-25-2000

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right 5.2 Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s)
or Claimant(s)Brad BurtonLori Burton

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

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

WARRANTY DEED

20006379

For Value Received RONALD D. KARLSON and JACKIE L. KARLSON, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

ACCEPTED AND APPROVED:

BRAD BURTON and LORI BURTON, husband and wife

whose address is: 3435 SOMERSET DRIVE, POCATELLO, ID 83201

Hereinafter called the Grantee, the following described premises situated in BANNOCK County, ID, to-wit:

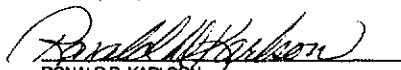
PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE¹/₄NE¹/₄) OF SECTION 29, AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE¹/₄SE¹/₄) OF SECTION 20, TOWNSHIP 7 SOUTH, RANGE 36 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO DESCRIBED AS FOLLOWS:

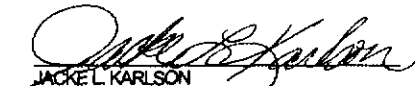
BEGINNING AT A POINT THAT IS S 89°37'56" W. 522.27 FEET ALONG THE SECTION LINE FROM THE NORTHEAST CORNER OF SAID SECTION 29 AND RUNNING THENCE S. 00°16'25" E. 453.30 FEET TO A POINT ON A CURVE ON THE NORTHERLY RIGHT-OF-WAY LINE OF PORTNEUF ROAD; THENCE 218.99 FEET ALONG SAID CURVE TO THE LEFT, CURVE DATA: DELTA=21°34'03", RADIUS= 581.77 FEET, CHORD BEARING=N. 85°32'01" W. 217.70 FEET; THENCE N. 00°16'25" W. 1021.55 FEET; THENCE N 40°32'47" E. 24.87 FEET; THENCE N. 89°43'35" E. 200.70 FEET; THENCE S. 00°16'25" E. 605.06 FEET TO THE POINT OF BEGINNING.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: April 25, 2000

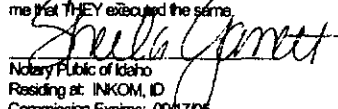

RONALD D. KARLSON


JACKIE L. KARLSON

STATE OF IDAHO

COUNTY OF BANNOCK

On this 25th day of April, 2000, before me, a Notary Public in and for said State, personally appeared RONALD D. KARLSON and JACKIE L. KARLSON, known or identified to me to be the person(s) whose name(s) ARE subscribed to the within instrument, and acknowledged to me that THEY executed the same.


Notary Public of Idaho
Residing at: INKOM, ID
Commission Expires: 09/17/06

SHEILA GARRETT
NOTARY PUBLIC
STATE OF IDAHO

NO. 20006379
RECORDED AT REQUEST OF
FIRST AMERICAN TITLE
2000 APR 25 PM 1 57

OFFICIAL BOOK NO. 257
BANNOCK COUNTY IDAHO
LARRY W. GEM RECORDER
FEE 3.00

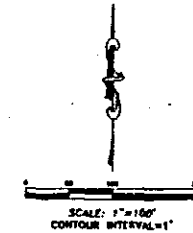
Part of the
NE 1/4 of the NE 1/4 of Section 29, T. 7 S., R. 36 E., B.M.
and part of the
SE 1/4 of the SE 1/4 of Section 20, T. 7 S., R. 36 E., B.M.
BANNOCK COUNTY, IDAHO

RECORDERS CERTIFICATE

Instrument No. _____
Time of Day _____
Date _____
Recorded in BANNOCK COUNTY, IDAHO

County Recorder

LEGAL DESCRIPTION



BASIS OF BEARING

RECORD OF SURVEY INSTRUMENT NO. 787904

522.27'

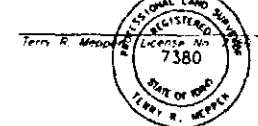
NORTHEAST SECTION CORNER
SECTION 29
FOUND 2" ALUMINUM CAP
INSTRUMENT NO. 787899

LEGEND

- Section corner control
- Placed 1/2" x 24" iron rod with cap marked P.L.S. 5360
- Fence line
- Found 1/2" x 24" iron rod

SURVEYORS CERTIFICATE

I, Terry R. Meppan, a Registered Professional Land Surveyor in the State of Idaho, do hereby certify that this plot is an accurate representation of the survey completed under my supervision.



RECORD OF SURVEY			
JACKIE KARLSON			
Sections 20 and 29, T. 7 S., R. 36 E., B.M.			
HARPER-LEAVITT ENGINEERING, INC.			
Professional Engineers and Land Surveyors			
DATE	BY	CHECKED	DATE
07/11/07	J.K.	T.R.M.	07/11/07
NO. OF COPIES		NO. OF COPIES	
1		1	

NORTH 1/16 CORNER
FOUND ALUMINUM CAP

CALCULATED CORNER
NOTHING FOUND OR SET

