

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 A85-10991
 Date Received Sept. 8, 1988
 Receipt Number N-1283

**NOTICE OF CLAIM
TO A**

A vertical strip of ten postage stamps from the United States. The stamps are arranged vertically and feature various designs, including a portrait of George Washington, a landscape, and a building. The stamps are separated by perforations.

BRANA

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

1.

1. Name of Claimant(s) DAVID YADON Phone (208) 667 9262

Mailing Address PO Box 734 COEUR D'ALENE ID Zip 83814

2. Date of Priority (Only one (1) per claim) 1918

3. Source of water supply (a) Domestic Well (b) which is tributary to

4. Location of point of diversion is: Township 35 N Range 2 E BM

Section 29 NW 1/4 of NW 1/4, Govt. Lot —, B.M.

Country of Lewis

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well equipped with Submersible electric pump - piped to house and livestock buildings. Well is 216" deep cased with 4" casing for 216"

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See instructions)
 For Domestic purposes from 1-1 to 12-31 (Both dates are inclusive) amount 04 (c/s)

For Stockwater purposes from 1-1 to 12-3 amount .05

Total quality control, 09 (09)

The figure shows a sequence of 15 graphs illustrating the steps of the algorithm for finding the minimum spanning tree of a graph. The graphs are labeled 1 through 15. The process starts with a graph with 6 vertices and 10 edges. It shows the selection of edges, the removal of edges that either create a cycle or result in a vertex with a degree greater than 2. The final result is a minimum spanning tree with 5 edges.

5. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) one household ~ 600 pigs ~ 40 cows

REPORT

Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains.

APR 26 1963

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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: **A85-10991**
Date Received: 9/ 8/1988
Receipt No: N001283
Received By: _____

COPY FOR YOUR FILES **NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW** **COPY FOR
YOUR FILES**

1. Name: DAVID YADON 208-667-9262

Address: PO BOX 734
COEUR D'ALENE ID 83814

2. Date of Priority: DEC 31, 1918

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township 35N	Range 02E	Section 29	1/4 of 1/4 of 1/4	Lot NW NW	County LEWIS
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5. Description of diverting works:
216'X 4.5" WELL, SUBMERSIBLE PUMP, PIPELINE TO POU

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.050		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.090 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, 40 COWS, 600 PIGS

10. Place of Use:

Township 35N	Range 02E	Section 29	1/4 of 1/4	Lot SW NW NW	Use STOCK DOMEST	Acres
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11. Place of use in counties: LEWIS

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

DO NOT FILM

85-10991

NY 7-16-99

Telcon with David Baldus.

Mr. Baldus purchased home and some land from David Yadon and rents additional farm land from Mr. Yadon. Although he believes Mr. Yadon intended to claim the p.o.d. and p.o.u. in the same legal description, he doesn't want to risk his relationship with his landlord. He said he would talk to Mr. Yadon and get back to us if he (they) decide to file an objection to correct the p.o.u.

To C

Date 7-8 Time 11:32 ☐ AM ☐ PM

WHILE YOU WERE OUT

M David Baldus

of _____

Phone Numbers

Office ☒ Telephoned ☐ Please call (j. f. w.)

Voicemail ☐ Returned your call

FAX ☐ Called to see you

Pager ☐ Wants to see you

Mobile ☐ Will call again

e-mail ☐ URGENT

Message

85-10991

Legalis correct. Deed

shows 3w4 NW1/4.

left message - does not join

p.o.u. described on fac.

AMPAD EFFICIENCY® Operator _____ Reorder #23-000

7-8-99



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 28, 1999

DAVID AND JANICE BALDUS
HCR 1 BOX 57
NEZPERCE ID 83543

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #85-10991

Dear Mr. and Mrs. Baldus:

Thank you for sending us the plat map so promptly. During the investigation of your ownership change, we discovered an error which you may wish to correct. The claimed and recommended Place of Use is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Township 35N, Range 02E, Section 29. However, the property you purchased is located in the ~~NW $\frac{1}{4}$ NW $\frac{1}{4}$~~ of Township 35N, Range 02E, Section 29. The Lewis County Assessor's office confirmed there are no improvements in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Township 35N, Range 02E, Section 29.

The court's process to correct the legal description in your water right is to have you file an objection and a Standard Form 5/Amended Claim with the Court. I have enclosed the partially-completed forms for your use. Instructions for the objection (Standard Form 1a) are attached to the form.

Since David Yadon appears to have retained an ownership interest in the place of use described for the claim, to reach a settlement of your objection you will need to obtain his signature on the SF5/Amended Claim. All persons signing the SF5/Amended Claim should also initial the second page (the one that describes the elements of the water right).

If you wish to file the objection to change the ownership to your name and correct the legal description of the place of use, please complete the objection form and send it to the Court. **The deadline for filing the objection is September 17, 1999.**

You may want to make a photocopy of all the documents you file for your records. You will also need to make copies of the

David and Janice Baldus
June 28, 1999
Page 2 of 2

documents and mail them as directed on the Certificate of Mailing. Please give me a call at 1/800-451-4129 if you have any questions.

Sincerely,



Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

CF:ss:region:tf

Enclosures:

Standard Form 1a

Standard Form 5/Amended Claim of #85-10991

A85-10991

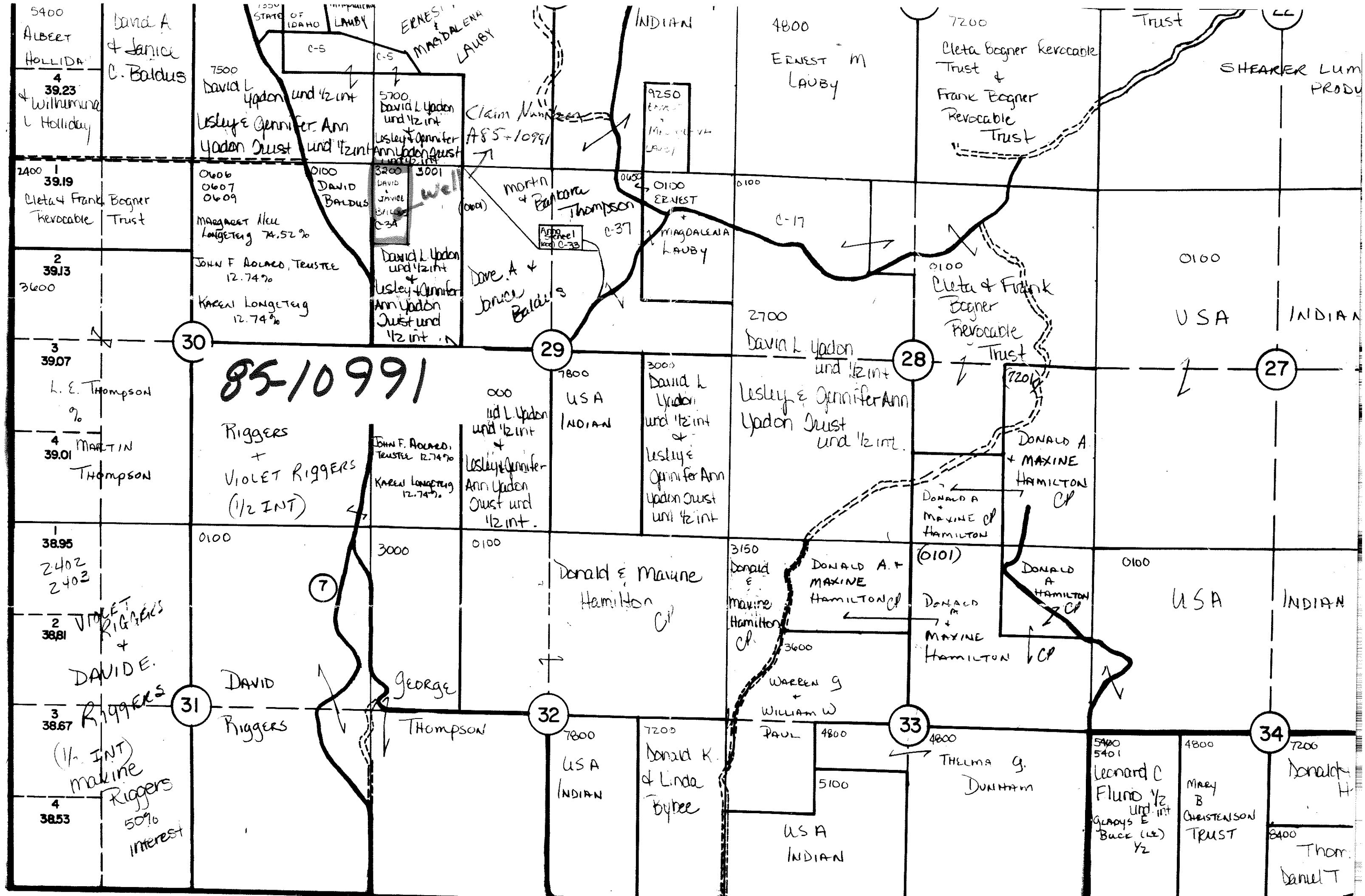
Claimed and recommended p.o.u. is in the SWNW. New "owner" purchased land in NWNW. Check to see if there are any improvements in SWNW.*

If there are none, Baldus will need to file an objection and an amended claim to correct legal description of p.o.u.

CA 6-4-79

* None were apparent on A.Q. There are buildings on tract in NWNW that Baldus purchased.

6-7-79 Lewis Co. Assessor WZ NW = 8 imp's. 00



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

RECEIVED

APR 08 1999

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

RECEIVED

APR 23 1999

1. Water Right or Adjudication Claim No(s): A85-109912. 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** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.) 13.2 acres OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a **USDA Farm Service Agency AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

David Yaden
P.O. Box 734, Coeur D'Alene Id 83814

4. New Owner/Claimant(s)

David and Janice Baldus
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
HCR 1 Box 57

New Mailing Address

City, State and ZIP Code

Nezperce Idaho 83543

New Telephone Number

(208) 937-2298

5. Date you acquired the property

June 20, 1989

6.

If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate 0 Number and type of stock 600 Pigs 30 cows

Diversion rate in CFS .090 Number of homes 1 Other uses _____

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.

7. Signature of New Owner or Claimant(s)

David A Baldus

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

Department of Water Resources

Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 14, 1999

DAVID AND JANICE BALDUS
HCR 1 BOX 57
NEZPERCE ID 83543

RE: Snake River Basin Adjudication (SRBA)
Water Right #85-10991

Dear Mr. and Mrs. Baldus:

We are returning the Notice of Change of Water Right Ownership you submitted for your property in Lewis County. Before we can process your ownership change, we need your assistance.

Item 2.B. of the form requests a copy of a plat map. If you do not already have a plat map, the Lewis County Assessor's office (telephone 208/937-2261) should be able to assist you.

After you obtain a copy of the plat map, please outline your property, mark the location of your well, write your claim number on the map, and return the ownership change form with the map and deed to me at this office.

Please call me toll-free at 1/800-451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Incomplete Form 42-248/42-1409 (6)

STATE OF IDAHO } ss.
COUNTY OF LEWIS
FILED FOR RECORD JUN 22 1989
AT 10 O'CLOCK A.M. AT THE
REQUEST OF

RECEIVED

APR 08 1999

100577

INDEXED

LEWIS COUNTY ABSTRACT CO., LTD.

Department of Water Resources

By Cathy Ramp
COUNTY RECORDER
Cathy Ramp

QUITCLAIM DEED

FEES \$ 3.00 DE GRANTOR, Jean DeBarbieris, wife of David Yadon acting only to remove claim of community property and with the express denial of any such interest, of Coeur d'Alene, Idaho, County of Kootenai, State of Idaho, for a good and valuable consideration the receipt whereof is hereby acknowledged does REMISE, RELEASE and forever QUITCLAIM, unto David A. Baldus and Janice C. Baldus, husband and wife, 23543 whose current address is Rt. 1 Box 57, Nezperce, Idaho 83543, as GRANTEES, and to GRANTEES' heirs and assigns, forever, all the following described real property, situated in Lewis County, State of Idaho, to-wit:

Beginning at the Northwest corner of Section 29, Township 35 North, Range 2 East of the Boise Meridian;

Thence South 1150 feet; thence East 500 feet;
thence North 1150 feet; thence West 500 feet to
the point of beginning.

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

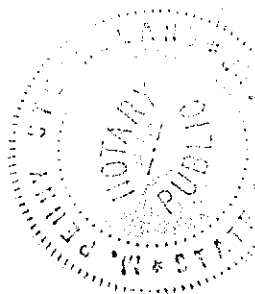
IN WITNESS WHEREOF, GRANTOR has hereunto set her hand
this 21st day of June, 1989.

STATE OF IDAHO)
) ss.
County of Kootenai)

Jean A. DeBarbieris

On this 21st day of June, 1989, before me the undersigned, a Notary Public for Idaho, personally appeared Jean DeBarbieris, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year in this
certificate first above written.



85-10991

Jean DeBarbieris
Notary for the State of Idaho
Residing at Coeur d'Alene
Commission Expires: 11/13/91

100518

RECEIVED

RECEIVED

APR 08 1999

Department of Water Resources

WARRANTY DEED

GRANTORS, Betty J. Yadon, a widow of Spokane, Washington, and Dave Yadon, her son (acting with their sole and separate property of each) of Coeur d'Alene, Idaho, for a good and valuable consideration, the receipt of which hereby acknowledged, does hereby GRANT, BARGAIN, SELL, and CONVEY unto David A. Baldus and Janice C. Baldus, husband and wife, whose current address is Rt. 1 Box 57, Nezperce, Idaho 83543, County of Lewis, State of Idaho as GRANTEES, and to GRANTEES' heirs and assigns forever, all of the following described real property located in Lewis County, State of Idaho, more particularly described as follows:

Beginning at the Northwest corner of Section 29, Township 35 North, Range 2 East of the Boise Meridian;

Thence South 1150 feet; thence East 500 feet; thence North 1150 feet; thence West 500 feet to the point of beginning.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances hereto.

SUBJECT TO:

1. Such rights, easements, covenants, restrictions and zoning of regulations as appear of record or view.
2. Any ordinance or regulation affecting the Nez Perce Indian Reservation of which the land is apart or violation of said Indian law.
3. Current taxes.

GRANTORS, for themselves, their heirs and assigns do hereby covenant, warranty and shall defend the quiet and peaceable possession of said premises by the GRANTEES, their heirs and assigns forever against the lawful claims of all persons.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

85-10991

IN WITNESS WHEREOF, GRANTOR has hereunto set her hand
this 20th day of June, 1989.

Betty J. Yadon
Doris L. Yadon

STATE OF WASHINGTON)
County of Spokane) ss.

On this 20th day of June, 1989, before me the undersigned,
a Notary Public for Idaho, personally appeared Betty J.
Yadon, a widow, known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me
that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year in this
certificate first above written.

Debra J. Albini
Notary for the State of Washington
Residing at Spokane
Commission Expires: September 15, 1990

STATE OF IDAHO
County of Kootenai)

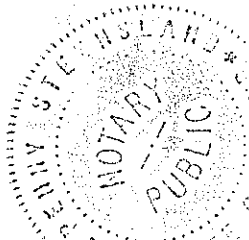
On this 21st day of June, 1989, before me the undersigned,
a Notary Public for Idaho, personally appeared Dave Yadon,
known to me to be the person whose name is subscribed to the
within instrument, and acknowledged to me that he executed
the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year in this
certificate first above written.

100513

STATE OF IDAHO }
COUNTY OF LEWIS } ss.
FILED FOR RECORD JUN 22 1989
AT 10 O'CLOCK A M AT THE
REQUEST OF

LEWIS COUNTY ABSTRACT CO., LTD.



Cathy Lay
COUNTY CLERK
By Anne V. Crea
DEPUTY

FEES \$ 6.00

85-10991

AJ5856NP

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

DATE: OCT-31-1997
PAGE: A-411

RIGHT NUMBER: 85-10991

NAME & ADDRESS:
DAVID YADON
PO BOX 734
COEUR DALENE ID 83814

SOURCE: GROUNDWATER

QUANTITY: 0.09 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1918

POINT OF DIVERSION: T35N R02E S29 SWNW Within LEWIS County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.05 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within LEWIS County
T35N R02E S29 SWNW

DOMESTIC Within LEWIS County
T35N R02E S29 SWNW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 35N02E293001
STOCKWATER, 600 PIGS, 40 RANGE

claim prepared by: KT

Date: 11-12

OLD (C) NUMBER -

STATE- ID ZIP- 83814

+ - - AUDIT FIELDS - 09/15/88 BEARDSLE 10/08/88 REFUNDING

WATER RIGHT NUMBER - A05-10991

PREFIX TRANSLATION: ADJUDICATION CLAIM

-----COMMENTS-----
NO COMMENTS FOUND

-----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	-	00/00/0000	OLD JUDICIAL DISTRICT	-	
CLAIM RECEIVED DATE	-	09/15/1988	LAST AMENDED DATE	-	00/00/0000	TEMPORARY RIGHT	-	P
PROOF DUE DATE	-	00/00/0000	PROOF MADE DATE	-	00/00/0000	WATER DISTRICT	-	
LICENSED DATE	-	00/00/0000	RECEIPT NUMBER	-	N001293	FEDERAL/STATE INDICATOR	-	S
CLAIMS TAPE ERROR FLG	-		POU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
FEE EXEMPT FLAG	-		NAME CONNECTOR	-		NOTICE OF ERROR FLAG	-	

35N 02E 293001

PROOF
OCT 10 1991

DATA ENTRY

ENTERED

CHECKED

1-25-94 JS
6-18-94

Verified By
Topo Map/Ortho-PQ
AEC Map
Watermaster Records
NAEP Photos
Field Exam
Other (To Remarks)
County Records
Voucher Statement
FWS 117 Records
IDWR Records

VERIFIED
MAR 22 1993

CERTIFIED
MAR 22 1993
WATER EXAMINER