

02/11/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 27-10505

NAME AND ADDRESS: EDWARD BERGEMAN
453 WEST RIVERTON ROAD
BLACKFOOT ID 83221

ILENE BERGEMAN
453 W RIVERTON
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.200 CFS

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T03S R35E S9 SESENE Lot 1 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.200 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T03S R35E S08 NESW 3.4

3.4 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: **Decreed**

WATER IS DELIVERED THROUGH MINERS DITCH.

This right is a split from former right 27-4.



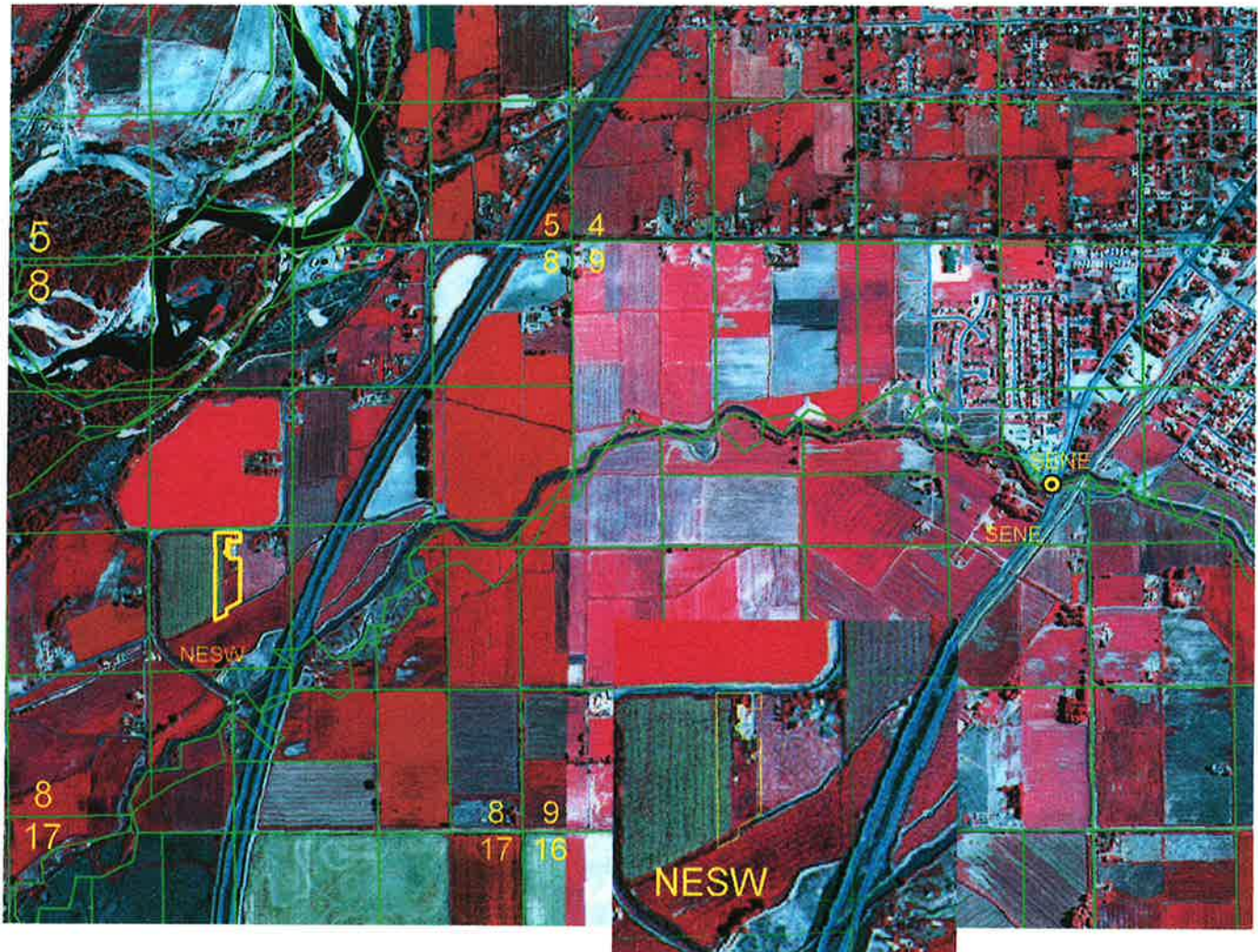
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-10505



1000 0 1000 2000 Feet

LEGEND

- ⊙ Point of Diversion
- Place of Use
- ▭ Townships
- ▭ Sections
- ▭ Quarter-Quarters

Place of Use: T3S, R35E:
(part of) Sec. 8, NESW.

Point(s) of Diversion: T3S, R35E:
Sec. 9, SWSNE.

IRRIGATED ACRES 3.4

PROFILED



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: February 2005

MAY 25 2006

02/11/2005

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 27-10505

Edward Bergeman
453 West Riverton Road
Blackfoot, ID 83221
Telephone Number: (208) 785-2704

Ilene Bergeman
453 West Riverton Road
Blackfoot, ID 83221
Telephone Number: (208) 785-2704

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
*NEED TO INCREASE NO. OF ACRES FROM 3.4 TO 3.9. AS SOON ON ENCLOSED MAP.
BAKED TO KENIE IN BLACKFOOT.*
3. Give a brief explanation as to why you disagree with these portions:

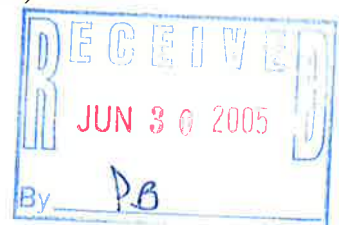
____ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6/7/05 SIGNATURE: E. Bergeman

Please print your name: E. BERGEMAN.

IDWR Regional Office, 900 N Skyline Dr. Ste A, Idaho Falls, ID 83402, (208) 525-7161

*Blackfoot River - 24 shares.
Eastern Idaho - 5 shares.*



SCANNED
MAY 25 2006

PROFILED

*KMT
6/19*



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 14, 2005

Edward Bergeman
453 West Riverton Rd
Blackfoot ID 83221

RE: Notice of Error on 27-10505

Dear Edward:

Enclosed for your review is a new Preliminary Director's Report for claim 27-10505. This new report is based on a modification to the shape of the irrigated place of use per our discussions and my work with ArcView. Changes from the original Preliminary Director's Report are identified by underline/overstrike.

Naturally if there are questions concerning this new Preliminary Director's Report feel free to call me at the above phone number.

A copy of this information is being forwarded to the Soda Springs office to be included in the claim file.

Respectfully yours,

A handwritten signature in cursive script, reading 'Ernie Carlsen', followed by a horizontal line extending to the right.

Ernie Carlsen
Water Rights Supervisor

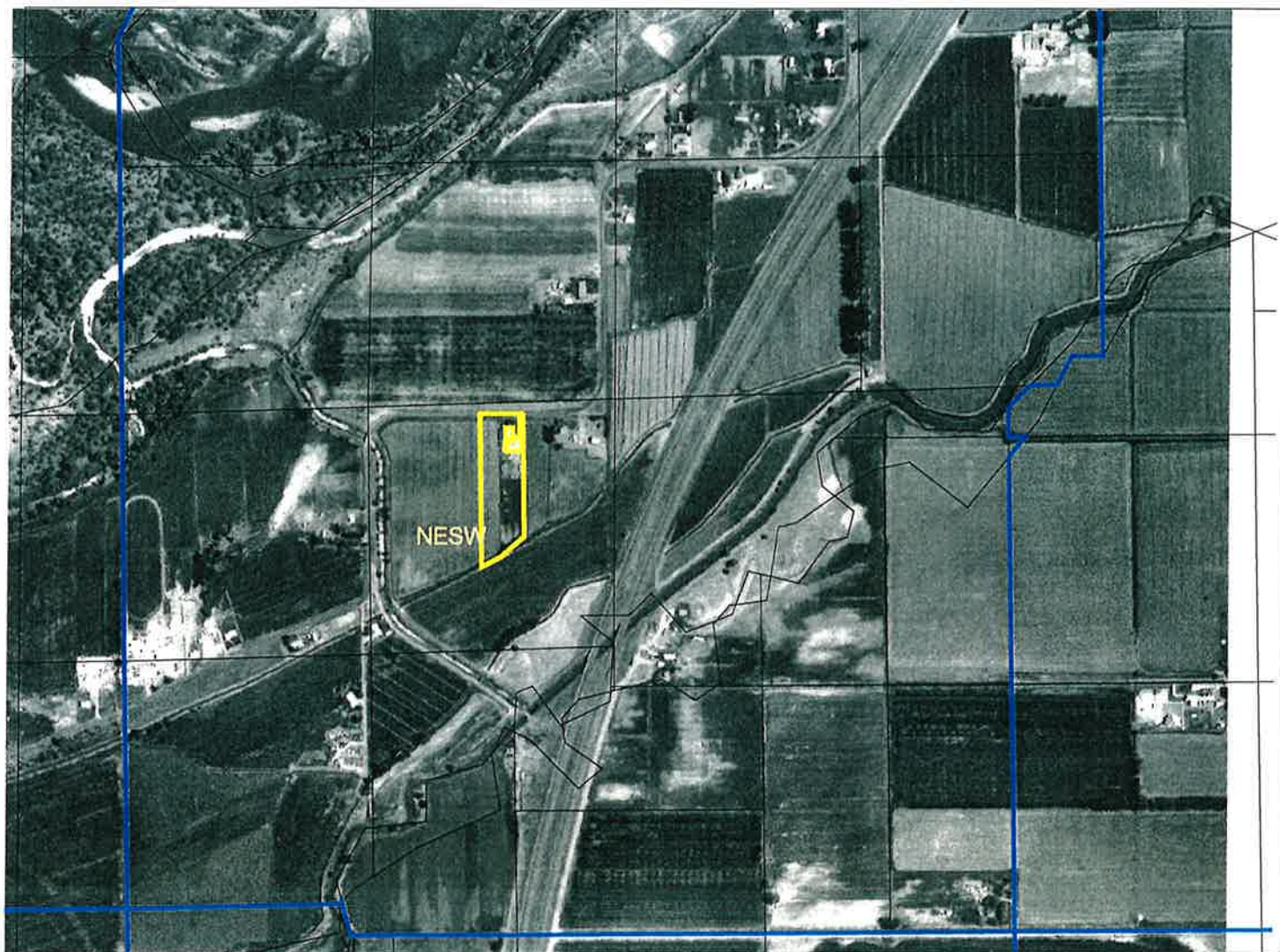
Enclosures (2)

emc

cc: Cindy Bird

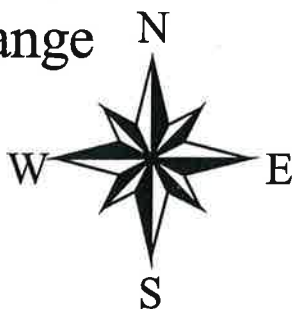
Idaho Department of Water Resources

Claim No.: 27-10505



0 1320 2640 3960 5280 Feet

-  Place of use.shp
-  Township/Range
-  Sections
-  QQ



1992 Orthophotograph
Prepared by: Ernest Carlsen
Date Prepared: June 2005

06/14/2005

**NOTICE OF ERROR
REPLY**

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 27-10505

EDWARD BERGEMAN
453 WEST RIVERTON ROAD
BLACKFOOT ID 83221

ILENE BERGEMAN
453 W RIVERTON
BLACKFOOT ID 83221
Telephone Number: (208)785-2704

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PEDIGREE
PRIORITY DATE
06/01/1885

27-00004(WR)	27-00004a (WR)	27-10293	renumbered to	27-00004v	renumbered to 27-12116
				27-00004aa	disallowed
		27-00004w		27-00004ab	disallowed
	27-00004b (WR)				
	27-00004c (WR)	27-00004ac			
	27-00004d (WR)				
	27-00004e (WR)	27-00004r			
		27-00004f			
	27-00004f (WR)				
		27-00004h			
	27-00004g (WR)	27-00004g	renumbered to	27-10539	
	27-00004h (WR)	27-10505			
		27-10388			
		27-10390			
	27-00004j (WR)	27-00004t	renumbered to	27-12064	
		27-00004y			
		27-00004z			
		27-00004k			
	27-00004k (WR)				
		27-10389	Combined with 27-00004r then renumbered to	27-12064	
	27-00004l (WR)	27-00004l			
		27-00004N (WR)			
	27-00004m (WR)	27-00004P (WR)			
		27-00004Q (WR)			
		27-00004n	renumbered to	27-00004u	renumbered to 27-12029
	27-00004n (WR)				
		27-00004p	renumbered to	27-12030	
	27-00004q (WR)	27-00004q	renumbered to	27-12027	
		27-10555			
		27-10116			
		27-10362			
	27-00004s (WR)				
		27-10728			
		27-10790			
		27-11236			
	27-00004t (WR)				
		27-00004s			
	27-00004u (WR)				
		27-00004m			

27-00004	Water right #	to adjudication #	Miscellaneous info
	27-00004a	27-10293	renumbered to 27-00004v
		27-00004w	27-00004aa disallowed
			27-00004ab disallowed
	27-00004b		
	27-00004c	27-00004ac	
	27-00004d		
	27-00004e	27-00004r	
	27-00004f	27-00004f	
		27-00004h	
	27-00004g	27-00004g	renumbered to 27-10539
	27-00004h	27-10505	
	27-00004j	27-10388	
		27-10390	
		27-00004t	renumbered to 27-12064
		27-00004y	
		27-00004z	
	27-00004k	27-00004k	
		27-10389	
	27-00004l	27-00004l	
	27-00004m	27-00004m split to n/p/q on water rights side	
	27-00004n	27-00004n	renumbered to 27-00004u
		27-00004p	renumbered to 27-12030
	27-00004q	27-00004q	renumbered to 27-12027
	27-00004s	27-10555	
		27-10116	
		27-10362	
		27-10728	
		27-10790	
		27-11236	
	27-00004t		
	27-00004u	27-00004s	
		27-00004m	

Notes

6/22/04 Edward & Ellen Bergman did an ownership change on this right but they also only own 5 acres. Merlin Yancey is going to research who currently owns this 46 acres. It has been sold to several different people. The entire right doesn't go to Edward. Also, the water deed is for 10" of Fox and Whittier, not 15 inches CB.

7/1/05 Rodney Bergman is deceased. Edward Bergman has 5 acres. He has an apt tomorrow at 9:30 am to sat this mt CB.

2-9-05 Prepare layout re map. BT

Claim Summary Worksheet

Claim No. 27 - 10505

Completion of claim is dependent on processing the following documents and/or actions.	Requested	Response date	Received	Completed	Notes
OWNERSHIP					
Ownership Change Form	11-6-03		4-5-04		
Warranty Deed			✓		
Map(s)			✓		
Is this a split? Y <u>N</u>					
AMENDMENT					
Notarized amended claim					
Correction in POD/Source					
Correction in POU					
Change in Priority Date					
Change in Diversion Rate					
ENLARGEMENT					
1. Advised claimant need to file enlargement claim					
2. Receive enlargement claim					
3. Eastern registration process					
4. Notarized claim					Enlargement Claim # -
SPLIT CLAIM	Obtain information from Eastern				Parent Right # - : CFS
Ownership					Children # - ; CFS
					Children # - ; CFS
					Children # - ; CFS
					Children Total: CFS

Children total must agree with parent right.

Notes

10-2-03 Web search is 898 S. Meridian St
in Blackfoot. Phone # is disconnected.
Check Benham County. BP

10-10-03 Benham Area

T10973 Susan G. Christiansen 423 W Pioneer

T11006 Rhonda Johnson 431 W Avonway

T12099 Ray H + Diane Pedro Ramirez

T13855 & Don + Donna Low Carson

T11669 Washington Mutual Bank

T6310 Edward + Helen Bergeson

T10494 " " "

T11164 Rogelio Lima Silva

Christiansen, Susan PO Box 695 Blackfoot, ID

irrig ac 9.5 ac 3 S 35 E Sec 8 T10386

irrig ac 6.624 ac 3 S 35 E 8 T10973

10-15-03 See memo re phone conversations w/ Susan
Christiansen. BP

10-16-03 See memo re phone conversations w/ Susan
Christiansen. BP

10-16-03 Checked for address for Rodney Bergeson. Phone
book lists 898 S. Meridian, Blackfoot. Phone
785-0316 has been disconnected.

11-6-03 A&J sent letter to Clarendon. BP

4-5-04 Ownership change received BP

Law Offices of
BAKER & HARRIS

Dwight E. Baker
Jared M. Harris *
Stephen K. Madsen *
* Also Admitted in Utah

199 W. BRIDGE STREET
PO BOX 577
BLACKFOOT, ID 83221
Telephone (208) 785-2310
Facsimile (208) 785-6749
E-Mail — bakerharrislaw@cableone.net

March 8, 2004

RECEIVED

MAR 11 2004

Department of Water Resources
Eastern Region

Idaho Department of Water Resources
Eastern Region
900 N Skyline Dr., Suit A
Idaho Falls, ID 83402-1718

Re: Notice of Change in Water Right Ownership/Water Right 27-10505
Claim to Water Right ~~27-37B~~ 27-37P

Dear Sir or Madam:

Enclosed please find the following:

1. Claim to a Water Right — *enclosed*
 2. Notice of Change in Water Right Ownership. — *sent to Cindy*
 3. Our check in the sum of \$275 for your filing fees. — *receipted*
- E 029606

If anything further is required, please advise through this office.

Very truly yours,

BAKER & HARRIS



Dwight E. Baker

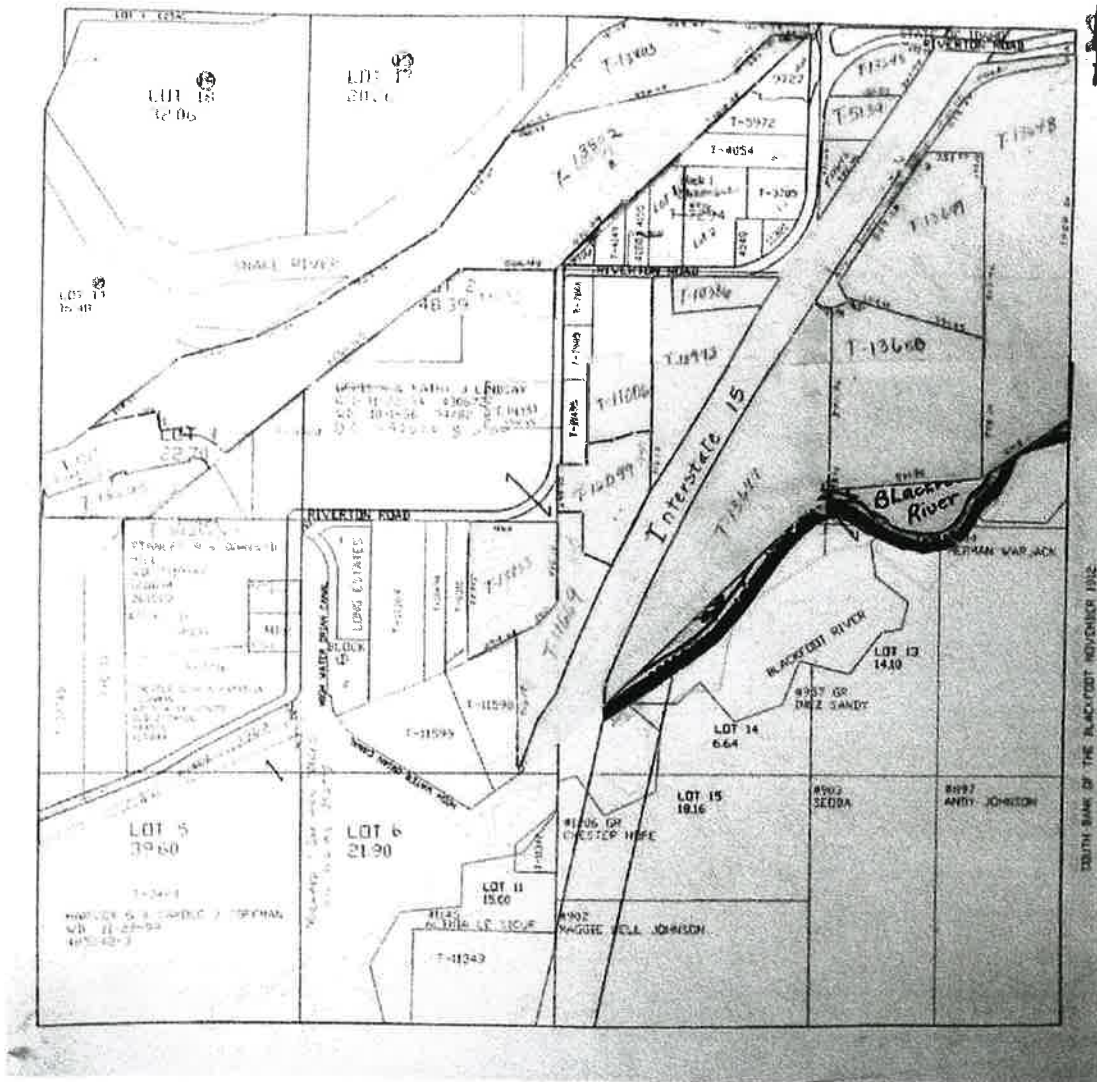
DEB/lis

Enclosures

cc: Eddie Bergeman

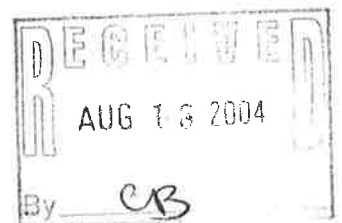
E029615

10505



Township 3S Section 8 Range 35E

COPY



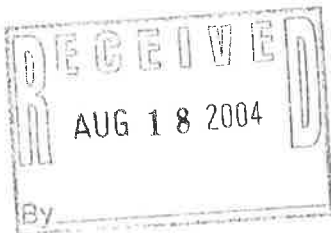
Current List of Owners for TS 3S Section 8 Range 35E

Twn 3 South Rge 35E
Section 08 1"=400'

Tax # Block/Lot	Name	Kind of Inst.	Date Recorded	Inst. Number
LOT 1	John & Emma Christensen	WD	11-10-58	100/131
T-427	John & Emma Christensen	WD	10-19-94	429052
T-3795	Bill Hadden	WD	8-4-97	452045
T-4048 (T-11321)	Thomas A. & Marilyn McIntosh	WD	5-18-98	461519
T-4054 (T-11456)	David R. & Denise C. Stark	WD	11-22-00	495345
T-4092 (T-11457)	George & Edna Christensen	WD	3-1-01	501127
T-4149	Bernice & Shirley K. Nelson	WD	12-21-02	495996
T-4151 (T-11472)	Charles & Mariella Moore	WD	1-1-03	501127
T-4155 (T-11482)	Dean & Ren Hu	WD	5-1-91	503276
T-4188 (T-10102)	Edward Wagoner	WD	9-14-67	109917
T-5139 (T-11496)	C. Larry & Eliza A. Henderson	WD	5-18-72	170020
T-5209	Ann & Zina Christensen	WD	10-15-72	172837
T-5309 (T-1130)	Bernice & Shirley K. Nelson	WD	12-21-02	495996
T-5972	Robert & Mary Ann Carlson	WD	10-9-75	305122
T-6310	Edward & Irene Bergstrom	WD	10-10-76	317275
T-7061	Robert & Mary Peterson	WD	6-30-78	346910
T-7234 (T-11301)	John & Zina Christensen	WD	1-1-03	501127
T-7285	David W. Henderson	WD	3-1-03	501127
T-8714 (T-10745)	Ann Hilzmann	WD	12-10-01	501127
T-8936	Clara & Zina Christensen	WD	11-22-00	495345
T-9727 (T-10972)	Paul E. & Lois A. Zimmerman	WD	9-30-91	401849
T-10102	Dean & Ren Hu	WD	7-10-91	400661
T-10386	Edward G. Christensen	WD	9-20-00	492674
T-10494	Edward & Irene Bergstrom	WD	1-23-03	501127
T-10495	Edward & Mary Ann Vanderhoff	WD	2-1-03	501127
T-10745	Ann Hilzmann	WD	2-20-01	492822
T-10973	Edward G. Christensen	WD	3-22-00	487146
T-11006	Rhonda Johnson	WD	10-18-01	495345
T-11164	Roberto & Lena Silva	WD	4-14-97	452045
T-11321	Bill Hadden	WD	8-4-97	452045
T-11598	James H. & Mary S. Schmitt	WD	3-2-96	442074
T-11599	do	WD	3-3-07	492071
T-11669 (T-12011)	Washington & Martha Brown	WD	5-17-04	540734
T-12099	Charles N. Lackey	WD	5-17-04	540734
T-428	John & Emma Christensen	WD	10-19-94	429052
T-5027 (T-11302)	Clara & Zina Christensen	WD	5-17-01	500616
LONG ESTATES				
BLOCK 1 LOT 1	David H. Hu	WD	3-21-00	492674
LOT 2	Edward & Irene Bergstrom	WD	1-23-03	501127
BLOCK 2 LOT 1	David A. & Kathy S. Daniels	WD	5-15-00	492071
RESERVATION				
T-11342	Charles N. Lackey	WD	1-22-99	452045
T-11343	Charles N. Lackey	WD	1-22-99	452045
LOT 111342 (11343)	Charles N. Lackey	WD	1-22-99	452045

SOUTH BANK OF THE BLACKFOOT NOVEMBER 1912.

COPY



12-26-1963

BOOK 115

WATER DEED

THIS INDENTURE, Made this 26th day of December, 1963, between
S. GEORGE CARSON and ETHEL J. CARSON, husband and wife, of Blackfoot, Bingham
County, Idaho, hereinafter referred to as Grantors, and RODNEY E. BERGEMAN
and MARY BERGEMAN, husband and wife, of Blackfoot, Bingham County, Idaho,
hereinafter referred to as Grantees.

WITNESSETH: That the said Grantors, for and in consideration of
the sum of TEN and NO/100 - - - (\$10.00) - - - DOLLARS, and other valuable
consideration, to them in hand paid by the said Grantees, the receipt where-
of is hereby acknowledged, do hereby grant, bargain, sell, convey and con-
firm unto the Grantees and their heirs and assigns forever, all of the fol-
lowing described water rights, situated in the County of Bingham, State of
Idaho, to-wit:

Fourteen inches of the water of the Blackfoot River,
diverted in Bingham County, Idaho, from the decreed water
right of James O. Welch, said decreed water right being for
four hundred inches of the water of the Blackfoot River, with
priority date, March 20th, 1886, being that fourteen inches
of water heretofore conveyed to Grantors herein by Cyril J.
Wright and Esther A. Wright, husband and wife, by deed dated
March 4th, 1942, and recorded as Instrument No. 103070 in
Book 115 of Deeds, records of Bingham County, Idaho.

1886

ALSO, ten Miner inches of decreed water in the Black-
foot River, being a part of the decree to A. Whitten and
Susan E. Whitten, husband and wife, with priority date,
June 1st, 1885, in the decree in the action of F. S. Stevens,
et al, plaintiffs, vs. Eastern Idaho Water Company, et al,
defendants, recorded in Judgment Book No. 1, at Pages 107
to 116, records of Bingham County, Idaho, being that ten
Miner inches of water heretofore conveyed to Grantors here-
in by John H. Peterson and Bernadine B. Peterson, husband
and wife, by deed dated March 16th, 1955, and recorded in
Book 90 of Deeds, at Page 182, records of Bingham County,
Idaho.

1885

ALSO, 25/33rds of one share of irrigation water in
the Eastern Idaho Water Company, represented by stock
certificate No. 1539.

TO HAVE AND TO HOLD all and singular the above described water rights,
together with their appurtenances unto the Grantees and to their heirs and
assigns forever.

IN WITNESS WHEREOF, the said Grantors have hereunto set their
hands and seals the day and year first above written.

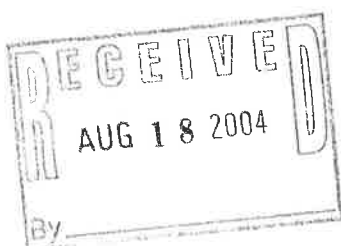
Signed, Sealed and Delivered in
the Presence of:


Witness

 (SEAL)
 (SEAL)

COPY

The following documents support the water deeded by George Carson to Rodney
Bergeman.



10-4-4

DEED RECORD, BINGHAM COUNTY
Quitclaim Deed

BOOK NO. 21

1. I have examined the above and signed and affixed my stamp and official seal, and my commission expires first above written.

March 22, 1930. (Initials)

Henry J. Parker, Secretary of the Department of the Interior, Washington, D.C.

COPY

RECEIVED
AUG 18 2004
By _____

NE ¼ of the SW ¼ and Lot 6 of Section 8 Range 35E
50 inches of Eastern Idaho Water (Part deeded to Bergeman)
5 December 1939
See Page 5

438

WARRANTY DEED

Book No. 61

THIS INDENTURE, Made the _____ day of _____, 1939, between
one thousand nine hundred and thirty-nine, between
George H. Bergman, of the County of _____ and State of _____, the part _____ of the first part, and
George Carson and David Carson, his wife, of the County of _____ and State of _____, the part _____ of the second part
WITNESSETH, That the said part _____ of the first part, for and in consideration of the sum of
Five Thousand Five Hundred and no/100 DOLLARS,
lawful money of the United States of America, to him in hand paid by the said part _____ of the second part, the receipt
whereof is hereby acknowledged

do hereby these presents grant, sell, bargain and convey and confirm unto the said part _____ of the second part, and to their
heirs and assigns forever, all the certain lot, piece or parcel of land situate, lying and being in the
County of _____ and State of Idaho, and bounded and described as follows, to-wit:

The Northeast quarter of the Southeast quarter and all of 1/4 of Lot 6 in Section
Eight, Township Three South of Range Thirty-five, East of the Boise Meridian, in
Idaho, described as follows: Commencing at the point of intersection of the _____ of
said lot 6 with the Blackfoot River; thence running due North on the west line of said
lot 6 to the Northwest corner thereof; thence due East on the north line of said lot 6
30 rods to the Southwest corner of the Northeast quarter of the Southeast quarter of said
Section Eight; thence due South at a right angle to said mentioned line to the Blackfoot River;
thence in a westerly direction following the meanderings of the river to the point of be-
ginning, it being intended to describe all that portion of said lot 6 lying west of the
South of the Northeast quarter of the Southeast quarter and within the said forty rods
and the river, all being in Section Eight, Township Three South of Range Thirty-five, East of
the Boise Meridian, in Idaho.

Together with the ditches, ditch rights of way, water and water rights thereto
belonging and particularly one share of the capital stock of the _____ Water Com-
pany, and fifty inches of water in the Blackfoot River.

(Subject to unpaid balance of Federal and bank mortgage and land tax. Conditions:
mortgage in amount aggregating \$250,000, which matures August 1st, 1940, and to pay same
as due, with the interest accruing thereon, as a part of the consideration of the above
all taxes subsequent to January 1, 1937.)

\$2.00 I.R.S. Attached and Concluded

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertain-
ing, and the rents, issues and profits thereof

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereto in-
cident, unto the said part _____ of the second part, and to their heirs and assigns forever, and the said part _____ of the first
part, their heirs and assigns, against the said part _____ of the first part and his heirs, and against all and every
person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant by these presents forever defend.

IN WITNESS WHEREOF, The said part _____ of the first part has hereunto set his hand and seal
the day and year first above written.

SEIGNED, SIGNED AND DELIVERED IN THE PRESENCE OF
John H. Jones George H. Bergman [SEAL]
[SEAL]
[SEAL]
[SEAL]

STATE OF IDAHO,
County of _____ ss.
I DO HEREBY CERTIFY, That on this _____ day of _____, 1939, before me,
John H. Jones, a Notary Public in and for the State of Idaho,
personally appeared George H. Bergman, unmarried,
known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged
to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at _____, in _____ County,
Idaho, the day and year

My commission expires _____ day of _____, 1940.

Recorded at the request of _____ George Carson Dec. 9, 1939, at 3:10 o'clock P. M.

Recorder's Fee, \$1.00
J. H. Jones, Notary Public for the State of Idaho
J. H. Jones, Recorder
J. H. Jones, Deputy Recorder

COPY

RECEIVED
AUG 18 2004
By

John Peterson to George Carson
16 March 1955
10 inches of 1 June 1885 Whitten See Page 8

2575-1
WATER DEED 021-182

THIS INDENTURE, Made this 16th day of March, 1955, between JOHN H. PETERSON and BERNADINE B. PETERSON, husband and wife, of the County of Bingham, State of Idaho, hereinafter referred to as Grantors, and S. GEORGE CARSON, of the County of Bingham, State of Idaho, hereinafter referred to as Grantee.

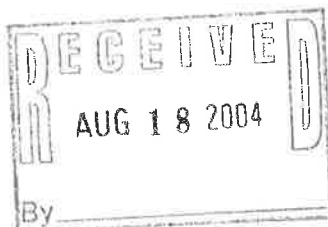
WITNESSETH: That the said Grantors, for and in consideration of the sum of THREE HUNDRED And No/100 (\$300.00) DOLLARS to them in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and confirm unto the Grantee, and his heirs and assigns forever, all of the following described water rights, situated in the County of Bingham, State of Idaho, to-wit:

Ten (10) Miner's inches of decreed water in the Blackfoot River, being a part of the decree to A. Whitten and Susan E. Whitten, husband and wife, with priority date June 1, 1885, in the decree in the action of P. S. Stevens, et al, Plaintiffs, vs. Eastern Idaho Water Company, et al, Defendants, recorded in Judgment Book No. 1, at Pages 107 to 116, records of Bingham County, Idaho, and being a portion of 25 Miner's inches of said decreed water heretofore conveyed to the Grantors herein by William E. Hall and Hattie Hall, husband and wife, by their certain Deed recorded in Book 69 of Deeds, at Page 69, records of Bingham County, Idaho.

Which said waters have been heretofore appurtenant to the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24 in Township 2 South, Range 36 East of the Boise Meridian, Bingham County, Idaho, and which shall become appurtenant to Lot 6, NE $\frac{1}{4}$ SW $\frac{1}{4}$, all in Section 8, Township 3 South, Range 35 East of the Boise Meridian, Bingham County, Idaho, the latter described lands being lands presently owned by the Grantee herein.

TO HAVE AND TO HOLD all and singular the above described water rights, together with its appurtenances unto the Grantee and to his heirs and assigns forever.

COPY



Yvonne McBride to George McBride
25 February 1935
50 inches of Eastern Idaho Water

288

WARRANTY DEED

No. 550

BOOK No. 36

THIS INDENTURE, Made the 25th day of February
one thousand nine hundred and thirty-five, between Yvonne McBride

of the county of Bingham and State of Idaho, the part y
George H. McBride, her husband

of the County of Bingham and State of Idaho, the part y

WITNESSETH, That the said part y of the first part, for and in consideration of the sum of ~~the~~ the exchange of interests
in joint property,

~~the sum of~~ to her in hand paid by the said party of the second part, the receipt
whereof is hereby acknowledged

do as by these presents grant, sell, bargain and convey and confirm unto the said party of the second part, and to his
heirs and assigns forever, all the certain lot, piece or parcel of land situate, lying and being in the
County of Bingham and State of Idaho, and bounded as follows, to-wit:

All of her right, title and interest, however, acquired, in and to
The Northeast Quarter of the Southwest Quarter, and all that portion of Lot 6, in
Section 8, Township 3 South, Range 35, East Boise Meridian, described as follows: Commencing
at the point of intersection of the west line of said Lot 6 with the Blackfoot River; thence
running due North on west line of said Lot 6 to Northwest corner thereof; thence due East
on the North line of said Lot 6, eighty rods to the Southeast corner of the Northeast Quarter
of the Southwest Quarter of said Section 8; thence due South at a right angle to last men-
tioned line to Blackfoot River; thence in a westerly direction following the meandering
of said river to the place of beginning, it being intended to describe all that part of said
Lot 6 lying immediately south of the Northeast Quarter of the Southwest Quarter and between
said 40 acre tract and the river, all being in Section 8, Township 3 South, Range 35 East
Boise Meridian; together with the ditches, ditch rights of way, water and water rights there-
unto belonging, and particularly one share of stock in Eastern Idaho Water Company, and fifty
inches of water in Blackfoot River and used in the irrigation of said land.

To hold and enjoy, all and singular, the same, and every part and parcel thereof,
as and for his separate estate, hereby relinquishing for herself and her heirs all right
or claim to the same, or any part thereof, as community property, so that the same may be
held by him as separate, and not in any respect as community property.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and
the rents, issues and profits thereof

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereto incident,
unto the said party of the second part, and to his heirs and assigns forever, and the said party of the first part,
and her heirs and assigns, against the said party of the first part and her heirs and assigns, against all and every person and persons
whomever, lawfully claiming or to claim the same, shall and will warrant by these presents forever defend. Subject to all taxes
and encumbrances.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal
the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF
John W. Jones

Yvonne McBride
(seal)
(seal)
(seal)
(seal)

STATE OF IDAHO,
County of Bingham } ss.
I DO HEREBY CERTIFY, That on this 25th day of February, 1935, before me
John W. Jones, a Notary Public in and for the State of Idaho,
personally appeared Yvonne McBride

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

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Blackfoot, in Bingham County,
Idaho, this day and year

My commission expires July 17, 1937 JOHN W. JONES Notary Public for the State of IDAHO

SEAL
Subscribed at BLACKFOOT, IDAHO

Recorded at the request of Geo. H. McBride, Feb. 26, 1935 at 2:30 P. M.

COPY

RECEIVED
AUG 18 2004
By

Peter McBride to Yvonne McBride
January 1933
50 inches of Eastern Idaho Water

No. 10030

DEED RECORD, BINGHAM COUNTY
QUITCLAIM DEED

Book No. 55

79

THIS INDENTURE, Made the day of January In the year of our Lord
one thousand nine hundred and thirty-three between
Peter C. McBride and Olive L. McBride, husband and wife, of the County of Bingham
and State of Idaho the parties of the first part, and
Yvonne McBride, of the County of Blaine, and the State of Idaho,
the parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of

One and no/100 DOLLARS, lawful money
of the United States of America, to them In hand paid by the said part y of the second part, the receipt whereof
is hereby acknowledged, do by these presents demise, release and forever quit-claim unto the said part y of the second part, and
to her heirs and assigns, all that certain lot, piece, or parcel of land situated in
the County of Bingham, and State of Idaho, and bounded and particularly described as follows, to-wit:

the Northeast quarter of the Southwest quarter, and all that portion of Lot 6, in
Section 34, Township 3 South, Range 35 East, Boise Meridian, described as follows:
Commencing at the point of intersection of the West line of said Lot 6 with the
Blackfoot River; thence running due North on East line of said Lot 6 to Northwest
corner thereof; thence due East on the North line of said Lot 6 eighty rods to the
Southeast corner of the Northeast quarter of the Southwest quarter of said Section 34;
thence due South at a right angle to last mentioned line to Blackfoot River; thence
in a westerly direction following meanderings of said river; to the place of beginning
it being intended to describe all that portion of said Lot 6 lying immediately South
of the Northeast quarter of the Southwest quarter and between said 40 acre tract and the
river, all being in Section 34, Township 3 South, Range 35 East, Boise Meridian; together
with the ditches, ditch rights of way, water and water rights thereunto belonging,
and particularly one share of stock in Eastern Idaho Water Company, and fifty inches
of water in Blackfoot River and used in the irrigation of said land

The consideration for this deed is less than \$100.00

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and
the reversion and reversions, remainder and remainders, rents, issues and profits thereof.
TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances, unto the said part- of the
second part, and to her heirs and assigns forever. IN WITNESS WHEREOF, The said parties of the first part have
hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

John W. Jones

Peter C. McBride

(REAL)

Olive L. McBride

(REAL)

(REAL)

(REAL)

STATE OF IDAHO ss
COUNTY OF BINGHAM

I DO HEREBY CERTIFY, that on this 14th day of March, in the year of 1933,
before me John W. Jones, a Notary Public commissioned, in and for the State of Idaho,
personally appeared Peter C. McBride and Olive L. McBride, husband and wife, known
to me to be the persons whose names are subscribed to the within and foregoing instru-
ment and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
at Blackfoot, in Bingham County, Idaho, the day and year first above written.

John W. Jones, Notary Public for the State of Idaho
Residing at Blackfoot, Idaho

My commission expires July 15, 1935

REAL

Recorded at request of J. H. Anderson, May 31, 1933 at 10:30 P. M.

P. B. DANOE

Recorder.

Deputy Recorder.

COPY

AUG 18 2004

8

By

7.3.0

Peter McBride to H.R. Boice
22 December 1930
50 inches of Eastern Idaho Water

WARRANTY DEED

No. 6882 Book No. 63

THIS INDENTURE, Made the 22nd day of December, 1930, between Peter C. McBride and Olive L. McBride, of the County of Bingham, State of Idaho, the part 1st of the first part, and the part 2nd of the second part, WITNESSETH, That the said part 1st of the first part, for and in consideration of the sum of One dollar and other valuable considerations, the sum of \$1.00, in hand paid by the said part 2nd of the second part, the receipt whereof is hereby acknowledged, do hereby presents grant, sell, bargain and convey and confirm unto the said part 2nd of the second part, and to his heirs and assigns forever, all the certain lot piece or parcel of land situated, lying and being in the County of Bingham and State of Idaho, and bounded and described as follows, to-wit:

The Northeast quarter of the Southwest quarter, and all that portion of Lot 6 in section 8, Township 3 South, Range 35 East, Boise Meridian described as follows: Commencing at the point of intersection of the west line of said Lot 6 with the Blackfoot River; thence running due North on west line of said Lot 6 to Northwest corner thereof; thence due East on the North line of said Lot 6 eighty rods to the Southeast corner of the Northeast quarter of the Southwest quarter of said Section 8; thence due South at a right angle to last mentioned line to Blackfoot River; thence in a westerly direction following the meanderings of said river to the place of beginning, it being intended to describe all that portion of said Lot 6 lying immediately south of the Northeast quarter of the Southwest quarter and between said 40 acre tract and the river, all being in Section 8, Township 3 South, Range 35 East, Boise Meridian; together with the ditches, ditch rights of way, water and water rights thereunto belonging, and particularly one share of stock in Eastern Idaho Water Company, and fifty inches of water in Blackfoot River and used in the irrigation of said land. Subject to all encumbrances on said premises.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said part 2nd of the second part, and to his heirs and assigns forever, and the said part 1st of the first part, his heirs and assigns, against the said part 2nd of the second part, his heirs, and against all and every person and persons whatsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said part 1st of the first part have hereunto set their hand and seal at Blackfoot in Bingham County, Idaho, the day and year first above written.

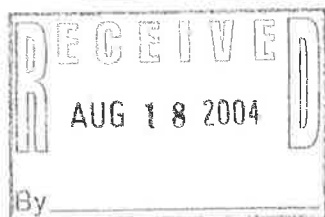
SHOWN, READ AND DELIVERED IN THE PRESENCE OF
Gay Stevens
Peter C. McBride
Olive L. McBride

STATE OF IDAHO, County of Bingham, I DO HEREBY CERTIFY, That the within and foregoing instrument, and acknowledged by Peter C. McBride and Olive L. McBride, his wife, known to me to be the persons whose names are subscribed to the same, and that they are the persons who executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Blackfoot in Bingham County, Idaho, the day and year first above written.

My commission expires Oct. 10, 1933. SEAL
Recorded at the request of Gay Stevens, Dec. 24, 1930 at 2:24 P. M.
Recorder's Fee, \$

COPY



William E Hall to John Peterson
17 November 1944
25 inches of 1 June 1885 Whitten

DEED RECORD, BINGHAM COUNTY

69

THIS INDENTURE, Made this 17th day of November, 1944, between William E. Hall and Hattie Hall, husband and wife, of the first part, and John H. Peterson, of the second part, of the County of Bingham, State of Idaho, the parties of the first part, and John H. Peterson, of the County of Bingham, State of Idaho, the party of the second part:

WITNESSETH, That the said part 1st of the first part, for and in consideration of the sum of Ten thousand (\$10,000) lawful money of the United States of America, to them in hand paid by the said part 2nd of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns, forever, all the following described real estate, situated in Bingham County, State of Idaho, to-wit:

The northwest quarter and the northwest quarter of the northeast quarter of section Twenty-four in Township Two south of Range Thirty-six, east of the Boise Meridian in Idaho.

Together with the ditches and water rights thereto belonging and particularly twenty-five inches of decreed water in the Blackfoot River, being a part of the decree to A. Whitten and Susan E. Whitten with priority date June 1, 1885, in the decree in action recorded in Judgment book 1 at pages 107 to 116, records of Bingham County, Idaho, conveyance to grantors by deed recorded in book 47 at page 102, said records, and thirty inches of said decreed water right with priority of June 1, 1885, as conveyed by A. Whitten and Susan E. Whitten, his wife, to William E. Hall by deed recorded in book 46 of records, page 430, said records, and thirty inches of water decreed in said action with priority of June 1, 1885, out of the decreed right of P. E. Cox, Jr., William Howard, A. Whitten, Susan E. Whitten and Calvin Miles as conveyed by E. V. Cull and wife to said William E. Hall and in said deed as Ellis Hall by deed recorded in book 48, page 247 of said records, and one hundred inches of said water decree of A. Whitten and Susan E. Whitten with priority June 1, 1885, and by mesne conveyances vesting in Carrie J. Barth and by her conveyed to W. E. Hall, being the aforesaid grantor William E. Hall, by deed recorded in book 61 of records page 250 of said records.

Together with 14/50 of one share of capital stock in Blackfoot Irrigation Company.

\$11.00 I.R.C. attached and cancelled.

1885 as shown by deed to William Pratt recorded in book 4 of records.

Subject to any and all vested rights of way on or across the same.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, the REVERSION, AND REMAINDER, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said part 1st of the first part.

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together with the appurtenances, unto the said party of the second part and to his heirs and assigns, forever, and the said part 1st of the first part and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, and against the said part 1st of the first part, their heirs, and against all and every person and persons whatsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said part 1st of the first part has hereunto set their hand and seal, the day and year first above written.

Signed, Sealed and Delivered in the Presence of

John H. Jones

William E. Hall

Hattie Hall

(SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO, }
COUNTY OF BINGHAM } ss.

On this 17th day of November, in the year 1944, before me, John H. Jones, a Notary Public in and for said State, personally appeared William E. Hall and Hattie Hall, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

Seal
My Commission expires July 17, 1945.

John H. Jones
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho.

Recorded at the request of John H. Peterson, December 1st, 1944 at 2:10 p.m.
Recorder's Fee, \$1.00

By [Signature] Recorder
[Signature] Deputy

COPY



10

8.4.4

George Dunn to W E Hall
7 March 1925
25 inches of 1885 Whitten

DEED RECORD, BOOK 37
QUIT CLAIM DEED

No 2124

THIS INSTRUMENT made the 7th day of March in the year of our Lord, 1925 between George W. Dunn and Julia Dunn, of the County of Blaine and State of Idaho William E. Hall of the County of Blaine and the State of Idaho.

WITNESSETH that the said part 1st of the first part, for and in consideration of the sum of Two Hundred DOLLARS, lawful money of the United States of America, to them in hand paid by the said part 2nd of the second part, the receipt whereof is hereby acknowledged, do hereby present, demise, release and forever quit claim unto the said part 3rd of the second part, and his heirs and assigns, all the certain lot, piece, or parcel of land situated in the County of Blaine, and State of Idaho, and bounded and particularly described as follows, to wit: that certain water right in and to the waters of Blackfoot River, diverted in Blaine County, Idaho, and particularly described as Twenty-five (25) inches of the decreed waters of Blackfoot River, being part of the waters of said Blackfoot River decreed to A. Whitten and Susan E. Whitten, of Date of priority of June 1st, 1886, in that certain decree wherein F. S. Stevens et al were plaintiffs, and Western Idaho Water Company et al., were defendants and was in recorded in Judgment book I at Pages 107 to 116 records of Blaine County, Idaho, fifty (50) inches of said water right having been conveyed by A. Whitten and Susan E. Whitten to F. S. Mitchell on June 10, 1919, and deed therefor being recorded June 11, 1919, in Book 37 of deeds, page 479, and said right being conveyed by said F. S. Mitchell and wife to the grantors herein. 80% I.R.R. Attached and cancelled.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining and the rents and revenues, remainder and remainders, rents, issues and profits thereof, TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances unto the said part 3rd of the second part, and to his heirs and assigns forever. IN WITNESS WHEREOF, The said part 1st of the first part have hereunto set their hands and seal the day and year first above written.

Signed, Sealed and Delivered in the presence of
John E. Jones

George W. Dunn
Julia Dunn

(SEAL)
(SEAL)
(SEAL)
(SEAL)

STATE OF IDAHO
County of Blaine ss.

I DO HEREBY CERTIFY that on this 14th day of March in the year of 1925, before me John E. Jones, a Notary Public, in and for the State of Idaho, personally appeared George W. Dunn and Julia Dunn, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Blackfoot, in Blaine County, Idaho, the day and year first above written.

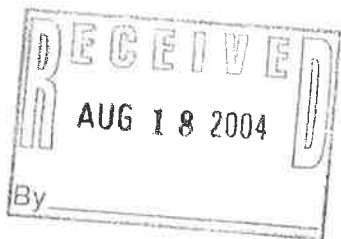
My Commission expires July 16, 1928

John E. Jones, Notary Public for the State of Idaho, residing at Blackfoot, Idaho

Recorded at request of W. E. Hall, May 6, 1925 at 11:05 A. M.
Recorded Fee \$

H. A. Denton, Recorder
Deputy Recorder

COPY



6.24.41

A Whitten to F.C. Twitchell
10 Jun 1919
50 inches 1 June 1885

No. 8006

WARRANTY DEED

Book No. 17

This Indenture, Made the --10th-- day of June in the year of our Lord one thousand nine hundred and Nineteen, between A. Whitten and Susan E. Whitten, his wife of the County of Bingham and State of Idaho, the parties of the first part, and -- F. C. Twitchell-- of the County of Bingham and State of Idaho, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Two hundred, fifty and no/100- - - - - (\$250.00) DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged

do by these presents grant, sell, bargain and convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all that certain lot, place or parcel of ~~land~~ ^{water} situate, lying and being in the County of Bingham and State of Idaho, and bounded and described as follows, to-wit:

Fifty (50) inches of the waters of the Blackfoot River, said water being a part of the Deceased water of the said Blackfoot River, decreed to the grantors herein as of date of June 1st, A. D. 1885, in that certain Decree wherein F. S. Stevens, et.al, were plaintiffs and Eastern Idaho Water Co. et.al, were defendants, and which was recorded in judgment book "I" at pages 107 to 116 of the records of Bingham County, Idaho.

50 cents I. R. S. attached and cancelled.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the rents, issues and profits thereof

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereto, unto the said party of the second part, and to his heirs and assigns forever, and the said parties of the first part, and their heirs, and the said premises in a quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend

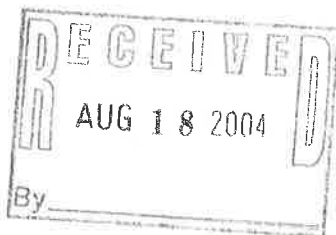
IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand and seal, the day and year first above written.

Signed, Sealed and Delivered in the Presence of

W. H. Stufflebeam.

A. Whitten (SEAL)
Susan E. Whitten (SEAL)

STATE OF IDAHO, } ss.
County of Bingham }
I DO HEREBY CERTIFY, That on this 10th day of June in the year of 1919, before me, Notary Public, in and for said County and State, personally appeared A. Whitten and Susan E. Whitten, his wife, subscribed to the within and foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed, and that they were duly advised of my official seal at Blackfoot, Idaho.



COPY

5.64

E V Call to Ellis Hall
27 February 1923
30 inches 1 June 1885 Whitten

H. A. Benson, Recorder

No. 2125

E. V. CALL TO ELLIS HALL

THIS INDENTURE, Made this 27th day of February in the year of our Lord One Thousand Nine Hundred Twenty, three between E. V. Call, and Hannah L. Call, husband and wife, of the County of Bingham, State of Idaho, the parties of the first part, and Ellis Hall of Bingham County, State of Idaho, the party of the second part, WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Three Hundred Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents convey and grant and set over and forever quit claim unto the said party of the second part, and his heirs and assigns that certain water right as decreed in the Blackfoot River, in the County of Bingham, State of Idaho, as follows:

Thirty (30) inches of the one-sixth interest of the said first parties in the decree of fifteen hundred (1500) inches of the waters of Blackfoot River to P. B. Cox, Jr., William Howard, A. Whitten, Susan E. Whitten, and Calvin Miles, dating from June 1, 1885 by the District Court of Bingham County, State of Idaho, in an action wherein Fred S. Stevens et al. were plaintiffs and Eastern Idaho Water Company et al. were defendants, dated August 1, 1891, and entered in Judgement Book 1, at pages 107 to 116 of the records of said Court. 50¢ I.R.S. Attached and cancelled.

TO have and to hold all and singular the said water rights unto the said party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

STATE OF IDAHO.

E. V. Call

County of Bingham.

ss.

Hannah L. Call

I DO HEREBY CERTIFY that on this 27th day of February, 1923, before me, John W. Jones a Notary Public in and for said County and State, personally appeared E. V. Call and Hannah L. Call, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

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

Seal

John W. Jones, Notary Public for the
State of Idaho, Residing at Blackfoot,
Idaho.

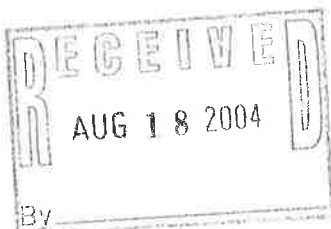
My commission expires July 16, 1925

Recorded at the request of Wm. E. Hall, May 2, 1925 at 11:10 a. m.

By *John W. Jones*

Deputy

H. A. Benson, Recorder



Carrie J Barth to W. E. Hall Deed.
8 October 1938

Book No. 61

No. 18964

THIS INDENTURE, Made the 8th day of October in the year of our Lord one thousand nine hundred and thirty-eight, between

Carrie J. Barth, widow,
of the County of Bingham and State of Idaho, the part y of the first part, and

W. E. Hall
of the County of Bingham and State of Idaho, the part y of the second part,

WITNESSETH, That the said part y of the first part, for and in consideration of the sum of

Two Thousand Five Hundred & no/100 DOLLARS,

lawful money of the United States of America, to her In hand paid by the said party of the second part, the receipt whereof is hereby acknowledged

doth by these presents grant, sell, bargain and convey and confirm unto the said part y of the second part, and to his heirs and assigns forever, all the certain lots, pieces or parcels of land situate, lying and being in the County of Bingham and State of Idaho, and bounded and described as follows, to-wit:

The South Half of the Northeast quarter, the Northeast quarter of the Northeast quarter, the Northwest quarter of the Northeast quarter of Section Twenty-three, and the Southeast quarter of the Southeast quarter of Section Fourteen and the Southwest quarter of the Southwest quarter of Section Thirteen, all in Township Two South of Range Thirty-six, East of the Boise Meridian, in Idaho.

Together with all ditches, ditch rights of way and water rights thereto appertaining and belonging.

\$2.50 I. R. S. Attached and Cancelled

(Subject to the taxes for the year 1938, which the Grantee assumes and agrees to pay.)

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the rents, issues and profits thereof

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said part y of the second part, and to his heirs and assigns forever, and the said part y of the first part, his heirs and assigns, against the said part y of the first part and her heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant by these presents forever defend.

IN WITNESS WHEREOF, The said part y of the first part has hereunto set her hand and seal the day and year first above written.

WITNESSES, SEATED AND DELIVERED IN THE PRESENCE OF

Maurine C. White

Carrie J. Barth [SEAL]

[SEAL]

[SEAL]

[SEAL]

STATE OF IDAHO,
County of Bingham } ss.

I DO HEREBY CERTIFY, That on this 10th day of October in the year 1938, before me, Maurine C. White, a Notary Public for the State of Idaho, personally appeared Carrie J. Barth, a widow known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Blackfoot, in Bingham County, Idaho, the day and year first above written.

My commission expires July 17, 1941

Maurine C. White
Notary Public for the State of Idaho
Residing at Blackfoot, Idaho

Recorded at the request of W. E. Hall November 1, 1938, at 9:53 o'clock A. M.

Recorder's Fee \$

W. E. Hall
Jno. H. Falk, Recorder.
Deputy Recorder.

COPY



Whitten to Willam Pratt
21 September 1918
100 inches 1 June 1885 Whitten

No. 4761

WARRANTY DEED

89

Book No. 40.

THIS INDENTURE, Made the 21st day of September In the year of our Lord one thousand nine hundred and eighteen, between A. Whitten and Susan E. Whitten, his wife of the County of Bingham and State of Idaho the part 1st of the first part, and William Pratt of the County of Bingham and State of Idaho the part 2nd of the second part.

WITNESSETH, That the said part 1st of the first part, for and in consideration of the sum of Five Hundred and no/100 - - - - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said part 2nd of the second part, the receipt whereof is hereby acknowledged do by these presents grant, sell, bargain and convey and confirm unto the said part 2nd of the second part, and to his heirs and assigns forever, all the certain lot, piece or parcel of land situate, lying and being in the County of Bingham and State of Idaho, and bounded as follows, to-wit:

One hundred (100) inches of water from the Blackfoot River in Bingham County, Idaho, being a part of the water as decreed to A. Whitten and Susan E. Whitten of 1500 hundred inches as of date of appropriation of June 1st, 1888, in that certain suit of Fred S. Stevens, et al. vs. Northern Idaho Water Co., et al., said decree dated August 1st, 1891 and recorded in Judgment Book 1 at pages 107 to 116 inclusive.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the rents, issues and profits thereof

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said part 2nd of the second part, and to his heirs and assigns forever, and the said part 1st of the first part, their heirs, and the said premises in a quiet and peaceable possession of the said part 2nd of the second part, his heirs and assigns against the said parties of the first part and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said part 1st of the first part has hereunto set their hand and seal, the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

W. H. Stufflebeam

A. Whitten

[SEAL]

Susan E. Whitten

[SEAL]

[SEAL]

[SEAL]

STATE OF IDAHO,
County of Bingham

I DO HEREBY CERTIFY, That on this 21st day of September In the year 1918 before me, W. H. Stufflebeam, Notary Public, in and for said County and State, personally appeared A. Whitten and Susan E. Whitten, his wife,

known to me to be the persons whose names are subscribed to the within and foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Blackfoot, Idaho, the day and year first above written.

W. H. Stufflebeam Notary Public.
My commission expires Nov. 15th, 1919, for Bingham County, Idaho residing at Blackfoot, therein.

Recorded at the request of Wm. Pratt Oct 28, 1918 at 2:27 P. M.

J. M. Fisher,

Recorder.

By Margaret Hard, Deputy Recorder.

COPY

RECEIVED
AUG 18 2004
By

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that Edward and Ilene Bergeman, Husband and Wife,
453 W Riverton Road, Blackfoot ID 83221 Telephone No: 208-785-2704
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) 3-20-1886
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Blackfoot River tributary to Snake River

3. Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive) (MM/DD) (MM/DD)
Quantity <u>.48 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>04/01</u> to <u>11/01</u>
Quantity _____	Use _____	Period of Use From _____ to _____
Quantity _____	Use _____	Period of Use From _____ to _____
Quantity _____	Use _____	Period of Use From _____ to _____

4. .48 cfs (24 miner's inches) TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is SE NE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot _____
Sec. 9 Township 03 S Range 35 E B.M., Bingham County; additional points of diversion, if any: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.
The City of Blackfoot pumps out of Blackfoot River, supplemented by City of Blackfoot well on Lansing Street, by ditch N along W side of Meridian, across rivertonRaod, then W across interstate and Frontage Road, into E side of Corbett Slough, which then goes southwesterly across Riverton Road and along interstate to claimaint's property.

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.

D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	31E	08									5								

TOTAL ACRES 5

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific. none

NOTE: Include here the type and number of stock watered: _____

7. Remarks: This is a portion of Water Right No. 27-37B as evidenced transfer 52. See Water Right Deed attached,
8. **Map** -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an **aerial photograph** of the place of use if available.

State of Idaho)
) ss.
County of Bingham)

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

W Bergeman
Claimant's Signature (and title if claim is for an organization)

Sworn to before me this 10th day of March, 2004.

Laura Sykes
Notary Public
Residing at: Blackfoot
My commission expires: 05-17-08



FOR DEPARTMENT USE ONLY

Received by JC Date 3-12-04
Prelim. check by _____ Date _____
Fee 275- Receipt # E029606
Receipt prepared by JC Date 3-12-04

Published in _____
Publication dates _____
Publication checked by _____ Date _____
Exceptions filed by _____

W A T E R D E E D

THIS INDENTURE, Made this 26th day of December, 1963, between S. GEORGE CARSON and ETHEL J. CARSON, husband and wife, of Blackfoot, Bingham County, Idaho, hereinafter referred to as Grantors, and RODNEY E. BERGEMAN and MARY BERGEMAN, husband and wife, of Blackfoot, Bingham County, Idaho, hereinafter referred to as Grantees.

WITNESSETH: That the said Grantors, for and in consideration of the sum of TEN and NO/100 - - - (\$10.00) - - - DOLLARS, and other valuable consideration, to them in hand paid by the said Grantees, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and confirm unto the Grantees and their heirs and assigns forever, all of the following described water rights, situated in the County of Bingham, State of Idaho, to-wit:

Fourteen inches of the water of the Blackfoot River, diverted in Bingham County, Idaho, from the decreed water right of James G. Welch, said decreed water right being for four hundred inches of the water of the Blackfoot River, with priority date, March 20th, 1886, being that fourteen inches of water heretofore conveyed to Grantors herein by Cyril J. Wright and Esther A. Wright, husband and wife, by deed dated March 4th, 1942, and recorded as Instrument No. 103070 in Book 115 of Deeds, records of Bingham County, Idaho.

ALSO, ten Miner inches of decreed water in the Blackfoot River, being a part of the decree to A. Whitten and Susan E. Whitten, husband and wife, with priority date, June 1st, 1885, in the decree in the action of F. S. Stevens, et al, plaintiffs, vs. Eastern Idaho Water Company, et al, defendants, recorded in Judgment Book No. 1, at Pages 107 to 116, records of Bingham County, Idaho, being that ten Miner inches of water heretofore conveyed to Grantors herein by John H. Peterson and Bernadine B. Peterson, husband and wife, by deed dated March 16th, 1955, and recorded in Book 90 of Deeds, at Page 182, records of Bingham County, Idaho.

ALSO, 25/33rds of one share of irrigation water in the Eastern Idaho Water Company, represented by stock certificate No. 1539.

TO HAVE AND TO HOLD all and singular the above described water rights, together with their appurtenances unto the Grantees and to their heirs and assigns forever.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in
the Presence of:

Edna J. Bergeman
Witness

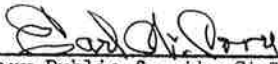
George Carson (SEAL)
Ethel J. Carson (SEAL)

STATE OF IDAHO,)
 : ss.
County of Bingham.)

On this 26th day of December, 1963, before me, Earl W. Cory,
a Notary Public in and for the State of Idaho, personally appeared S. GEORGE
CARSON and ETHEL J. CARSON, husband and wife, of Blackfoot, Idaho, and
known to me to be the persons whose names are subscribed to the within and
foregoing instrument and acknowledged to me that they executed the same.

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

(NOTARY SEAL)


Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho.

My Commission Expires:
February 29th, 1964.

STATE OF IDAHO }
County of Bingham, } ss
I hereby certify that the within
instrument was filed for record in
this office at the request of Earl W. Cory
on the 26 day of DEC 27 1963
at 40 minutes past 5 o'clock
P. M. and was duly recorded in
Book 115 of Deeds Page
Bingham County Records.
GRACE WILLIAMS
County Recorder
E. J. Williams
Deputy Recorder
Recorder's fee \$ 1.50

103441

RECORDED

413311

WARRANTY DEED

For Value Received

RODNEY E. BERGEMAN AND MARY BERGEMAN, HUSBAND AND WIFE

the grantors, do hereby grant, bargain, sell and convey unto

EDWARD BERGEMAN AND ILENE BERGEMAN, HUSBAND AND WIFE

whose current address is 453 RIVERTON ROAD
BLACKFOOT, ID 83221

the grantees, the following described premises, in BINGHAM County Idaho, to wit:

Part of the N.E. 1/4 S.W. 1/4 of Section 8, Township 3 South,
Range 35 East, Boise Meridian, Bingham County, Idaho described
as:Beginning at a point that is N 00°10'47" E 2639.56 feet along
the section line to the West 1/4 corner and S 89°55'10" E 1927.44
feet along the north line of the Southwest 1/4 from the
southwest corner of said Section 8 and running thence
S 89°55'10" E 106.30 feet along said north line to the northwest
corner of Deed Instrument Number 217043; thence
S 00°04'50" W 787.92 feet along the west line of said Deed
Instrument Number 217043 to the south bank of the Central Ditch;
thence S 66°50'12" W 125.95 feet along said ditch; thence
N 00°43'30" E 837.68 feet to the point of beginning.
Together with the water rights and ditch rights of way used for
the irrigation thereof.Parcel is subject to a county road right-of-way along the
north side.TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
their heirs and assigns forever. And the said Grantor s do hereby covenant to and
with the said Grantee s that they are the owners in fee simple of said premises; that they are free
from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: February 9, 1993

RODNEY E. BERGEMAN

*Rodney E. Bergeman**Mary Bergeman*
MARY BERGEMANSTATE OF IDAHO, COUNTY OF BINGHAM
On this 12 day of FEB, 1993,
before me, a notary public in and for said State, personally
appeared

RODNEY E. BERGEMAN

MARY BERGEMAN

known to me to be the person s whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.*[Signature]*
Notary Public
Residing at BLACKFOOT
Comm. Expires 11.22.98FEB 9 1993
95 FEB -9 PM 1:51
413311RECORDED BY
BINGHAM COUNTY CLERK
971 067

WARRANTY DEED

217011

For Value Received RODNEY E. BERGEMAN and MARY BERGEMAN, husband and wife,
of the County of Bingham, State of Idaho,

the grantors, do hereby grant, bargain, sell, and convey unto EDWARD BERGEMAN and
ILENE BERGEMAN, husband and wife, of Route 3, Blackfoot, County of Bingham, State of
Idaho,
the grantees, the following described premises, to-wit:

A portion of the NE1SW1 of Section 8 in Township 3 South, Range 35
East of the Boise Meridian, in Bingham County, Idaho, described as:

Beginning at a point 460 feet West of the Northeast corner of the NE1SW1
of said Section 8, and running thence West 125 feet; thence South 750 feet,
more or less, to the South bank of the Central Ditch; thence Northeasterly
along the South bank of said ditch to a point due South of the point of
beginning; thence North 648 feet, more or less, to the point of beginning.

Together with the water rights and ditch rights of way used for the
irrigation thereof.

Subject to unpaid taxes, if any, and to all rights of way for public roads,
utility lines, existing irrigation ditches and canals and to all existing
building, zoning and other regulations of use.

217013

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee's,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee's that they are the owners in fee simple of said premises; that said
premises are free from all incumbrances except as hereinabove set forth and that they will warrant and
defend the same from all lawful claims whatsoever.
Dated: September 21, 1970

STATE OF IDAHO, COUNTY OF BINGHAM
On this 5th day of September, 1970,
before me, a notary public in and for said State, personally
appeared
RODNEY E. BERGEMAN, husband and wife,
MAY I certify that the foregoing is a true and correct copy of the original instrument filed for record at
Blackfoot, Idaho, on September 21, 1970.

STATE OF IDAHO, COUNTY OF BINGHAM
I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock P.M.
this _____ day of _____
I, _____, Notary Public in and for the State of Idaho,
do hereby certify that the foregoing is a true and correct copy of the original instrument filed for record at
Blackfoot, Idaho, on September 21, 1970.

INSTRUMENT NO.

22.70

T-426

STANLEY M & DORIS D
HILL
WD 7-19-66
125034
361503

T-4151

T-8716

CHESTER GENE & PATRICIA
CUSHMAN
WD 9-4-84 325205
QCD 2-24-86
344576
455844

T-10745

T-8714

LOT 5
39.60

T-3488

HARVEY G & CAROLE J COFFMAN
WD 11-29-99
485242-3

RICHARD & SUE HUNTER
WD 9-14-90 392773

LOT 6
21.90

RIVERTON ROAD

HIGH WATER DRIAN CANAL

LONG ESTATES

BLOCK

T-11164

T-10494

T-6310

T-4092

T-11598

T-11599

LOT 11
15.00

#1145
ALTHIA LE SICUR

T-11343

T-11669

#1206 GR
CHESTER HOPE

#902
MAGGIE BELL JOHNSON

INTERSTA

T-12099

WD 12-17-82
300066

T-3820

LOT 7
39.47

BLACKFOOT RIVER

#957 GR
INEZ SANDY

LOT 14
6.64

LOT 15
18.16

#903
SEODA

LOT 14.1

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[Change to 11x17 Print Size](#)

[Remove Grid Lines](#)

[Change to Portrait](#)

USGS 3 km SW of Blackfoot, Idaho, United States 01 Jul 1991

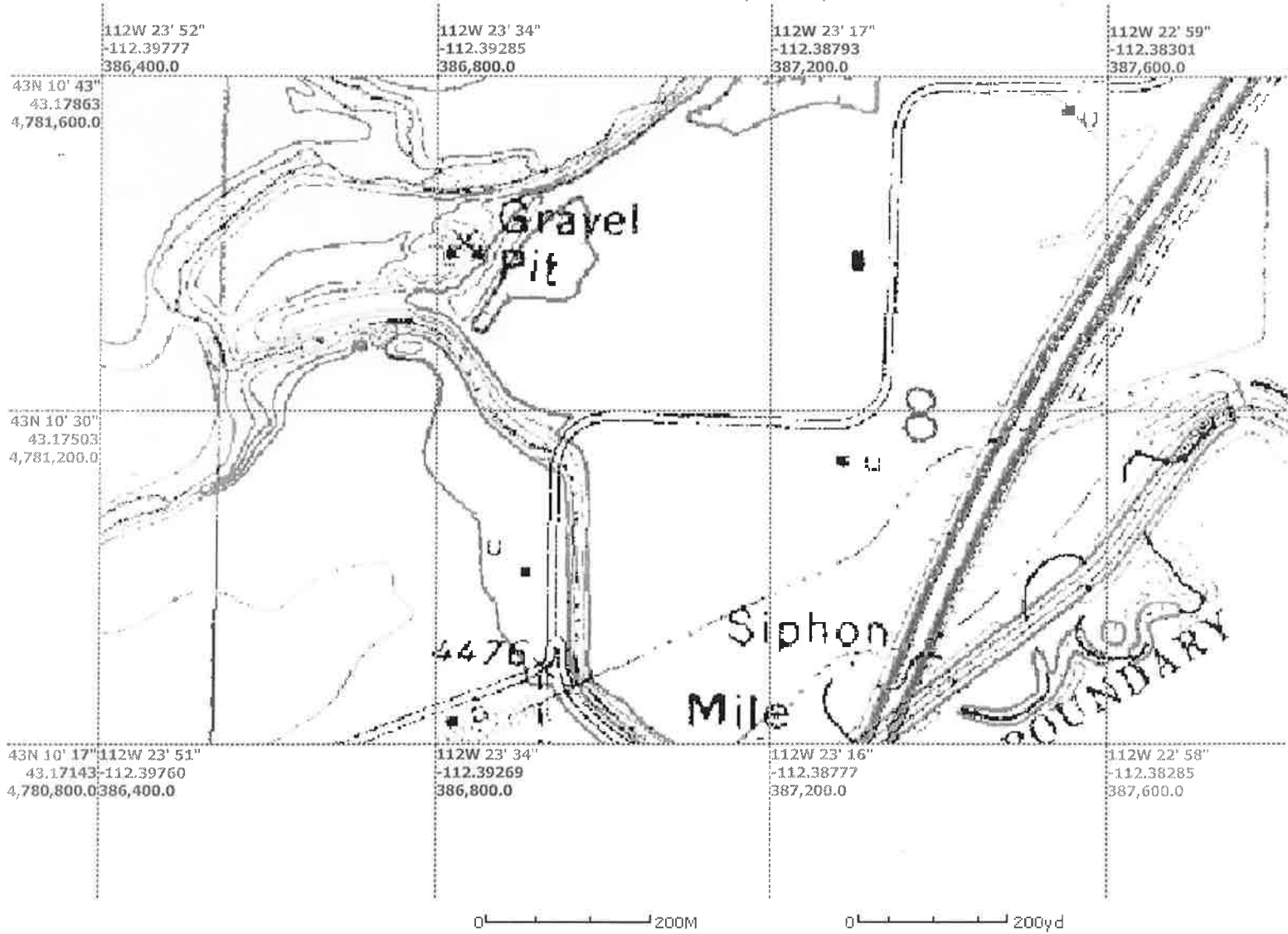


Image courtesy of the U.S. Geological Survey
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Send To Printer

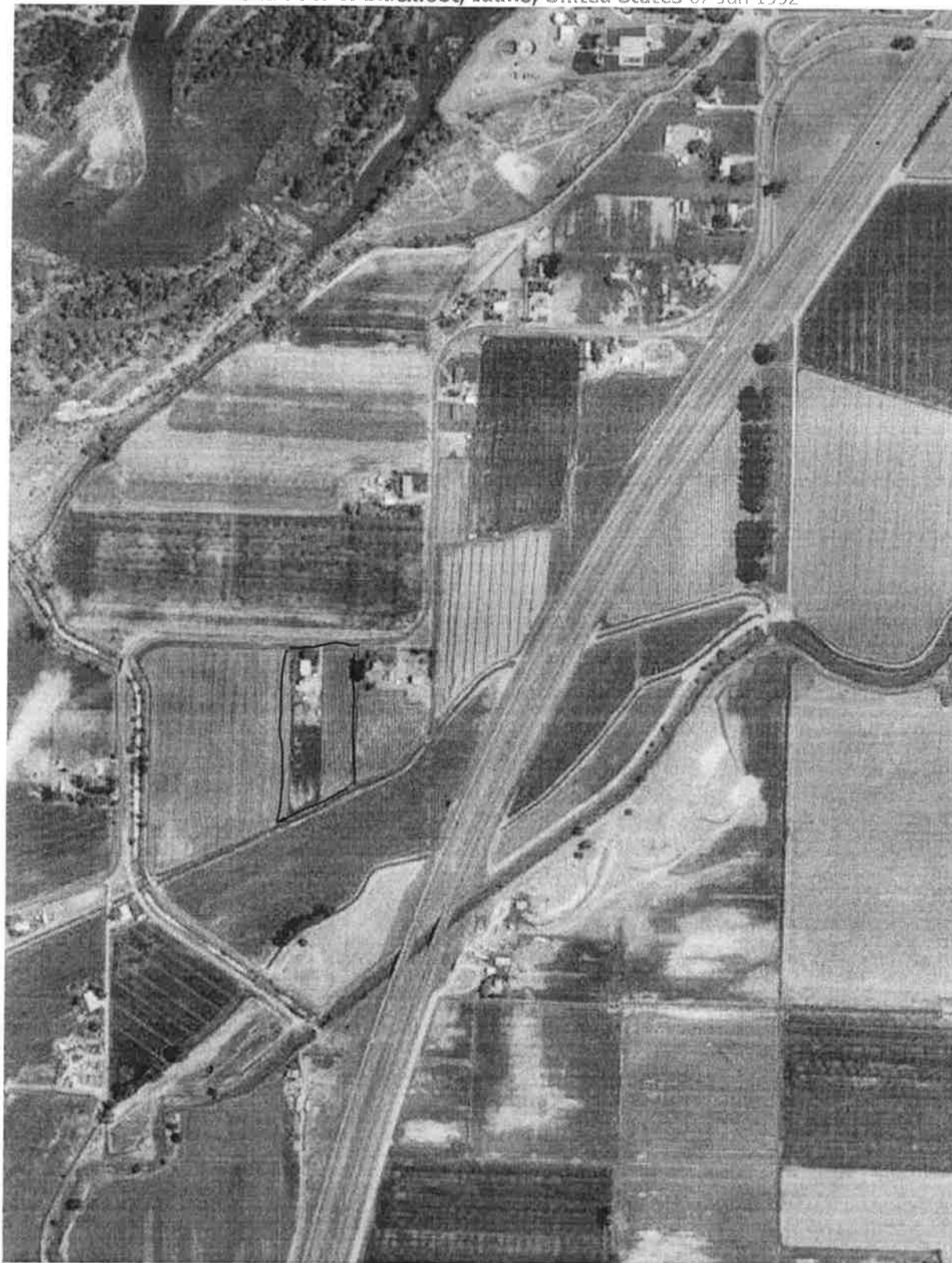
Back To TerraServer

Change to 11x17 Print Size

Show Grid Lines

Change to Landscape

USGS 3 km SW of Blackfoot, Idaho, United States 07 Jun 1992



0 200M

0 200yd

Image courtesy of the U.S. Geological Survey
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED**MAR 12 2004**Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
27-10505		split			

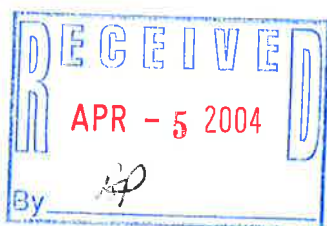
2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) 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/Claimant(s) Rodney E Bergeman
- Mary Bergeman
4. New Owner/Claimant(s) Edward and Ilenen Bergeman
- Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 453 W Riverton Raod
- City, State and ZIP Code Blackfoot, ID 83221
- New Telephone Number (208) 785-2704
5. Date you acquired the property 9/24/76 and 2/9/93



6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

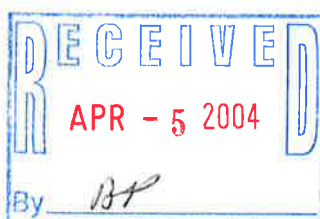
7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

EJ Dugeman

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



413312

2-9-1993

WARRANTY DEED

For Value Received

RODNEY E. BERGEMAN AND MARY BERGEMAN, HUSBAND AND WIFE

the grantors, do hereby grant, bargain, sell and convey unto

EDWARD BERGEMAN AND ILENE BERGEMAN, HUSBAND AND WIFE

whose current address is 453 RIVERTON ROAD
BLACKFOOT, ID 83221

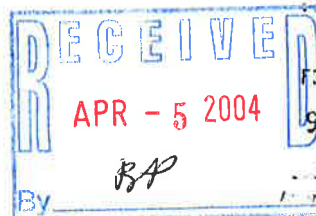
the grantees, the following described premises, in BINGHAM County Idaho, to wit:

Part of the N.E. 1/4 S.W. 1/4 of Section 8, Township 3 South,
Range 35 East, Boise Meridian, Bingham County, Idaho described
as:Beginning at a point that is N 00°10'47" E 2639.56 feet along
the section line to the West 1/4 corner and S 89°55'10" E 1927.44
feet along the north line of the Southwest 1/4 from the
southwest corner of said Section 8 and running thence
S 89°55'10" E 106.30 feet along said north line to the northwest
corner of Deed Instrument Number 217043; thence
S 00°04'50" W 787.92 feet along the west line of said Deed
Instrument Number 217043 to the south bank of the Central Ditch;
thence S 66°50'12" W 125.95 feet along said ditch; thence
N 00°43'30" E 837.68 feet to the point of beginning.
Together with the water rights and ditch rights of way used for
the irrigation thereof.Parcel is subject to a county road right-of-way along the
north side.TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
their heirs and assigns forever. And the said Grantor s do hereby covenant to and
with the said Grantee s that t he y are the owners in fee simple of said premises; that they are free
from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: February 9, 1993

RODNEY E. BERGEMAN

By *R. E. Bergeman**Mary Bergeman*
MARY BERGEMANSTATE OF IDAHO, COUNTY OF BINGHAM
On this 9th day of FEB, 1993,
before me, a notary public in and for said State, personally
appearedRODNEY E. BERGEMAN
MARY BERGEMANknown 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.Residing at BLACKFOOT
Comm. Expires 11-27-94Notary Public
IdahoFEB 3 1993
93 FEB -9 PM 1:51
413312

Furnished by the AMERICAN LAND TITLE CO., Blackfoot, Idaho

134

WARRANTY DEED

217017

For Value Received RODNEY E. BERGEMAN and MARY ANN BERGEMAN, husband and wife,
of the County of Bingham, State of Idaho,

the grantors do hereby grant, bargain, sell, and convey unto EDWARD BERGEMAN and
ILENE BERGEMAN, husband and wife, of Route 3, Blackfoot, County of Bingham, State of
Idaho,
the grantees, the following described premises, to-wit:

A portion of the NE1SW1 of Section 8 in Township 3 South, Range 35
East of the Boise Meridian, in Bingham County, Idaho, described as:

Beginning at a point 460 feet West of the Northeast corner of the NE1SW1
of said Section 8, and running thence West 125 feet; thence South 750 feet,
more or less, to the South bank of the Central Ditch; thence Northeasterly
along the South bank of said ditch to a point due South of the point of
beginning; thence North 648 feet, more or less, to the point of beginning.

Together with the water rights and ditch rights of way used for the
irrigation thereof.

Subject to unpaid taxes, if any, and to all rights of way for public roads,
utility lines, existing irrigation ditches and canals and to all existing
building, zoning and other regulations of use.

217013



TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee, that they are the owners in fee simple of said premises, that said
premises are free from all liens and claims except as hereinafter set forth and that the said
Grantees shall defend the same from all lawful claims whatsoever.
Dated: September 21, 2004

STATE OF IDAHO, COUNTY OF BINGHAM

On this 5th day of April, 2004,
before me, a notary public in and for said State, personally
appeared EDWARD BERGEMAN and ILENE BERGEMAN, husband and wife,
known to me to be the persons whose names are subscribed to the foregoing instrument,

STATE OF IDAHO, COUNTY OF BINGHAM

I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock p.m.
this _____ day of _____

Notary Public, State of Idaho, Commission Expires _____

INSTRUMENT NO.

22.70

T-426

STANLEY M & DORIS D
HILL
WD 7-19-66
125034
361503

T-4151

T-8716

CHESTER GENE & PATRICIA
CUSHMAN
WD 9-4-84 325205
OCD 2-24-86
344576
455844

T-10745

T-8714

LOT 5
39.60

T-3488

HARVEY G & CAROLE J COFFMAN
WD 11-29-99
485242-3

RIVERTON ROAD

HIGH WATER DRIAN CANAL

LONG ESTATES

T-11164

T-10494

T-6310

T-4092

HIGH WATER DRIAN CANAL

LOT 6
21.90

RICHARD & SUE ANN STOKES
WD 9-4-90 392978

LOT 11
15.00

#1145
ALTHIA LE SICUR

T-11343

#1206 GR
CHESTER HOPE

#902
MAGGIE BELL JOHNSON

T-12099

INTERSTA

WD 12-17-82
300066

T-3820

LOT 7
39.47

BLACKFOOT RIVER

#957 GR
INEZ SANDY

LOT 14
6.64

LOT 15
18.16

#903
SEDDA

RECEIVED
APR - 5 2004
BP

Send To Printer

Back To TerraServer

Change to 11x17 Print Size

Remove Grid Lines

Change to Portrait

USGS 3 km SW of Blackfoot, Idaho, United States 01 Jul 1991

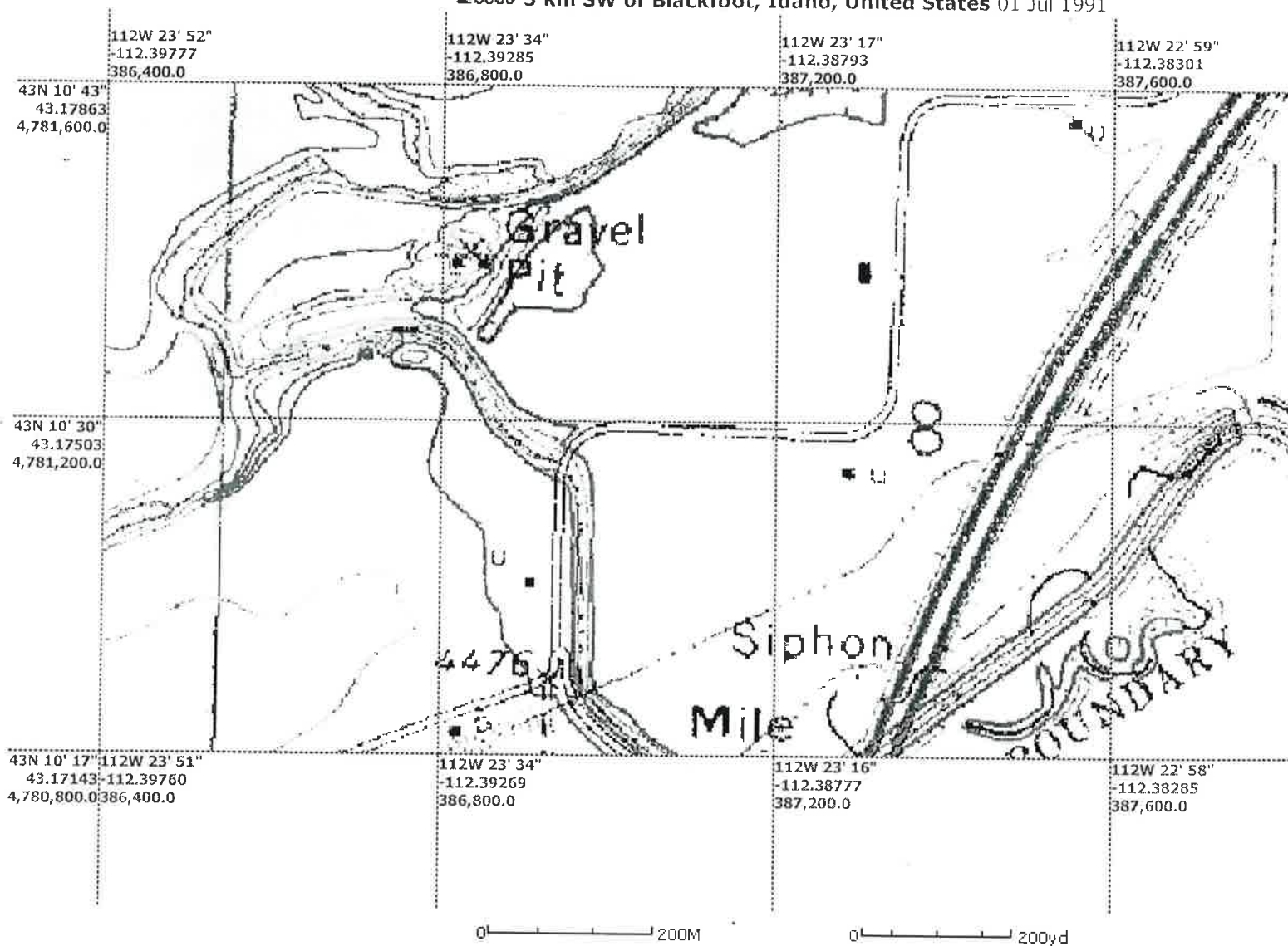


Image courtesy of the U.S. Geological Survey
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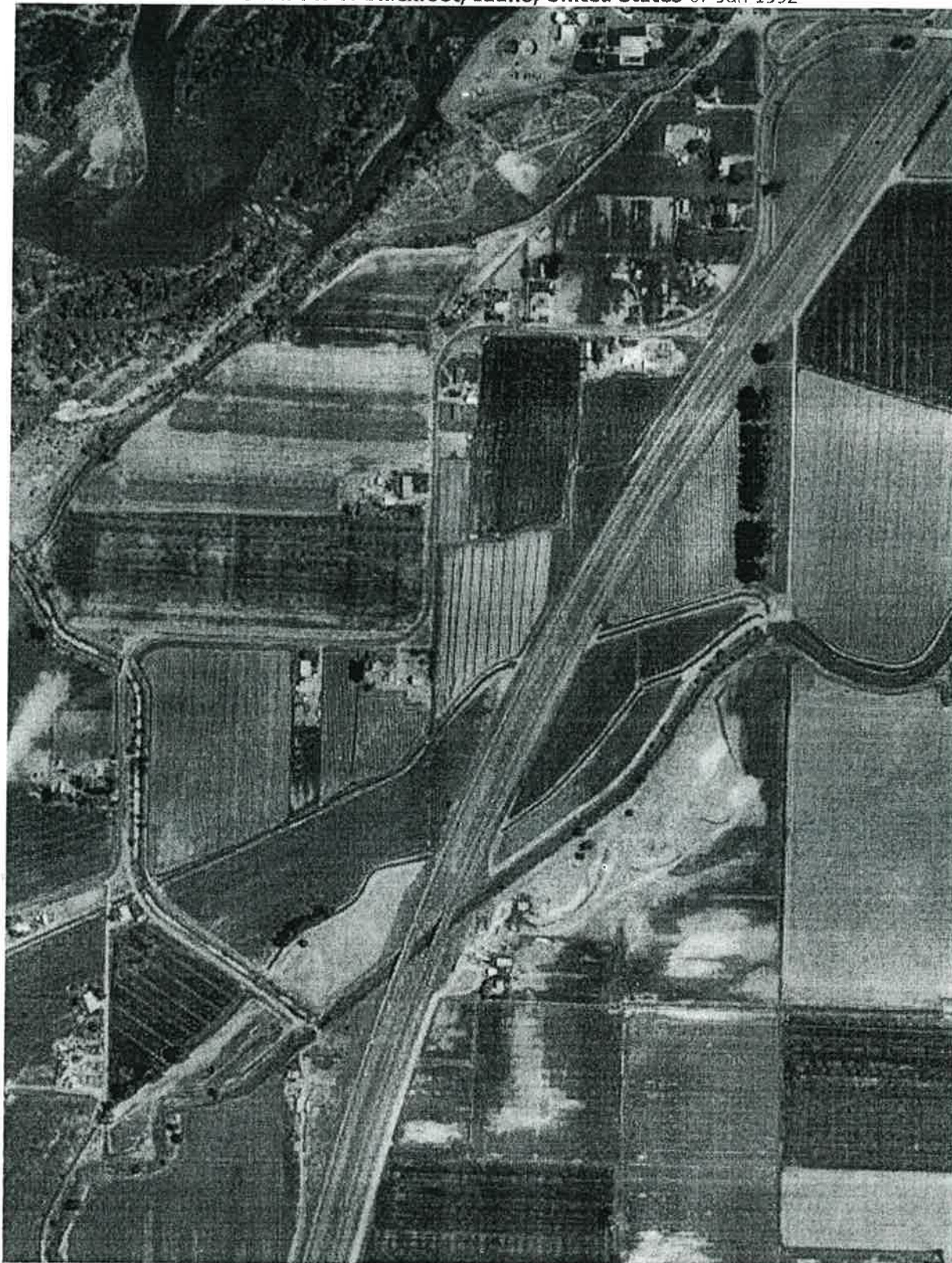
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Change to 11x17 Print Size

Show Grid Lines

Change to Landscape

USGS 3 km SW of Blackfoot, Idaho, United States 07 Jun 1992



0 200M

0 200yd

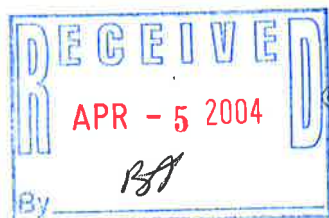


Image courtesy of the U.S. Geological Survey
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29291-1

WARRANTY DEED

2-10-1953

THIS INDENTURE, Made this 10th day of February
 in the year of our Lord one thousand nine hundred and fifty-three, between
 W. D. CHRISTENSEN and ELVA C. CHRISTENSEN, husband and wife,
 of Blackfoot County of Bingham State of Idaho
 the parties of the first part, and
 RODNEY E. BERGEMAN and MARY BERGEMAN, husband and wife,
 of Blackfoot County of Bingham State of Idaho
 the parties of the second part.

WITNESSETH, that the said parties of the first part, for and in consideration of the
 sum of Twelve Thousand Five Hundred and NO/100 - - (\$12,500.00) - - - - DOLLARS
 lawful money of the United States of America,

to them in hand paid by the said
 parties of the second part, the receipt whereof is hereby acknowledged, have granted,
 bargained and sold, by these presents do grant, bargain, sell, convey and confirm
 unto the said parties of the second part, and to their heirs and assigns forever, all of
 the following described real estate, situated in the County of
 Bingham State of Idaho, to-wit

The Southwest quarter of the Northeast quarter of Section
 Eight in Township Three South of Range Thirty-five East, Boise
 Meridian, in Idaho, and that part of Lot Seven lying south of
 said Southwest quarter of the Northeast quarter of said Section
 Eight, more particularly described as follows, Commencing at
 the intersection of the Blackfoot River with the North and South
 center line of said Section Eight; thence North about 80 rods
 to the Southwest corner of the Northeast quarter of said Section
 Eight; thence East 80 rods; thence at a right angle to the last
 course south to the Blackfoot River; thence southwesterly along
 said River with its meanderings to the place of beginning.

Together with one share of the capital stock of the
 Eastern Idaho Water Company, fifteen inches of water of the
 Blackfoot River, being a part of that certain water right
 of one thousand inches of date of June 1st, 1885, decreed to
 A. Whitten and Susan E. Whitten August 1st, 1891, in that
 certain Decree as recorded in Judgment Book "I" at pages 107
 to 116 of the records of Bingham County, Idaho, and sixty
 shares of the capital stock of the Miner's Ditch Company,
 and 33 1/3 shares of the capital stock of the Blackfoot
 Slough Company.



MICROFILMED
 NOV 12 1992

9.1.1



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

November 6, 2003

Rodney E. Bergeman
423 West Riverton Road
Blackfoot, ID 83221

Re: Claim No. 27-10505

Dear Mr. Bergeman:

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 27 in the Snake River Basin Adjudication.

In order to make a complete and accurate recommendation of your water rights, each element of the water right must be proven. At this time, the Department does not have proof of ownership for your claim number referenced above. Please submit deed and proof of your ownership of the water right referenced above to the attention of Vicky Music, IDWR, 1301 N. Orchard, Boise, ID, 83706 Please submit your proof by **November 30, 2003.**

If you have questions regarding this request, please contact Cindy Bird at the Soda Springs Office for the Idaho Department of Water Resources at 208-547-3993 or you can contact me directly at 208-327-7900.

Very truly yours,

SUSAN HAMLIN NYGARD
Deputy Attorney General
Idaho Department of Water Resources

cc: Cindy Bird

Claim 27-10505

16 October 2003

Memo to File:

I called Susan Christiansen and she advised that in about 1992 they first bought 2 acres from Rodney E. Bergeman. I am not sure there was a house already on the land or they put a house on the 2 acres after they purchased it. (NOTE: According to Assessors' records, they have 9.5 acres under Lot #T10386 and 6.624 acres under Lot T10973.)

She said Ronald Bair was the one that subdivided the land in about 1994. At some point in time Mr. Bair leased the ground to a Mr. Windmill for feed for his cattle.

Ronald and Janice(?) Bair
123 Second Avenue #510
Salt Lake City, UT 84103

801 596-9100

Barbara

Claim 27-10505

15 October 2003

On 10 October I went to the Bingham County Assessor's office and noted there were several owners in this section. I listed them in the file and then decided that perhaps Susan G. Christiansen would be the best contact to start with.

Today I called Susan. She said that she thought the land they now have was once about 40-50 acres and it was subdivided. She stated that they are the only original property owners left of the first owners of the subdivided property.

Susan G. Christiansen
Physical address: 423 West Riverton
Mailing: P. O. Box 695
Blackfoot, ID 83221
785-6267

Barbara



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 28, 2003

Dear Claimant in the Snake River Basin Adjudication (SRBA):

About 13 years ago you or your predecessor filed with the Idaho Department of Water Resources a claim to water right in the Snake River Basin. The investigation phase of this process is now focused on your area, Basin 27.

You are invited to attend a **public meeting to be held on March 11 at 7:00 p.m. in the Eastern Idaho State Fairgrounds, Needle Craft Building, at the corner of Park and Maple streets.** The purpose of this meeting is for (1) the Department to update you on how the adjudication process works, and (2) for you, the claimant, to express concerns or discuss problems relating to water delivery in your area. This will help us to understand from an historical perspective the use and delivery of your water right.

Throughout this summer our adjudication staff, primarily from our Eastern Regional Office but also at times from Boise, will be contacting various water users in Basin 27. We ask for your cooperation in this process – the better we understand your water rights the better chance of you receiving an accurate decree from the SRBA Court that fully describes your water rights.

This investigation effort is being conducted by an experienced and successful staff. During recent years, this staff has accurately investigated and reported water rights in neighboring basins including the Big Lost River, the Little Lost River, Birch Creek, Camas Creek and the Portneuf River.

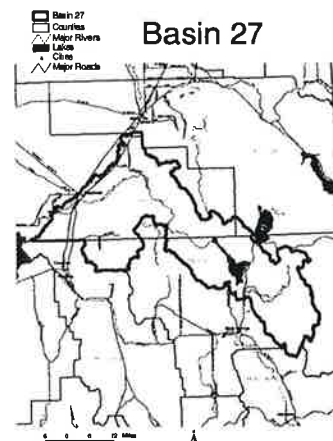
Please contact the Idaho Falls Office with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Ernest Carlsen".

Ernest Carlsen
Adjudication Supervisor, Eastern Region

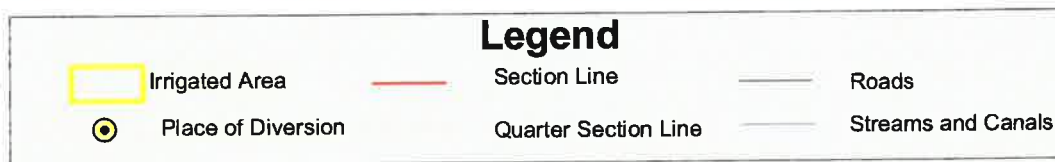
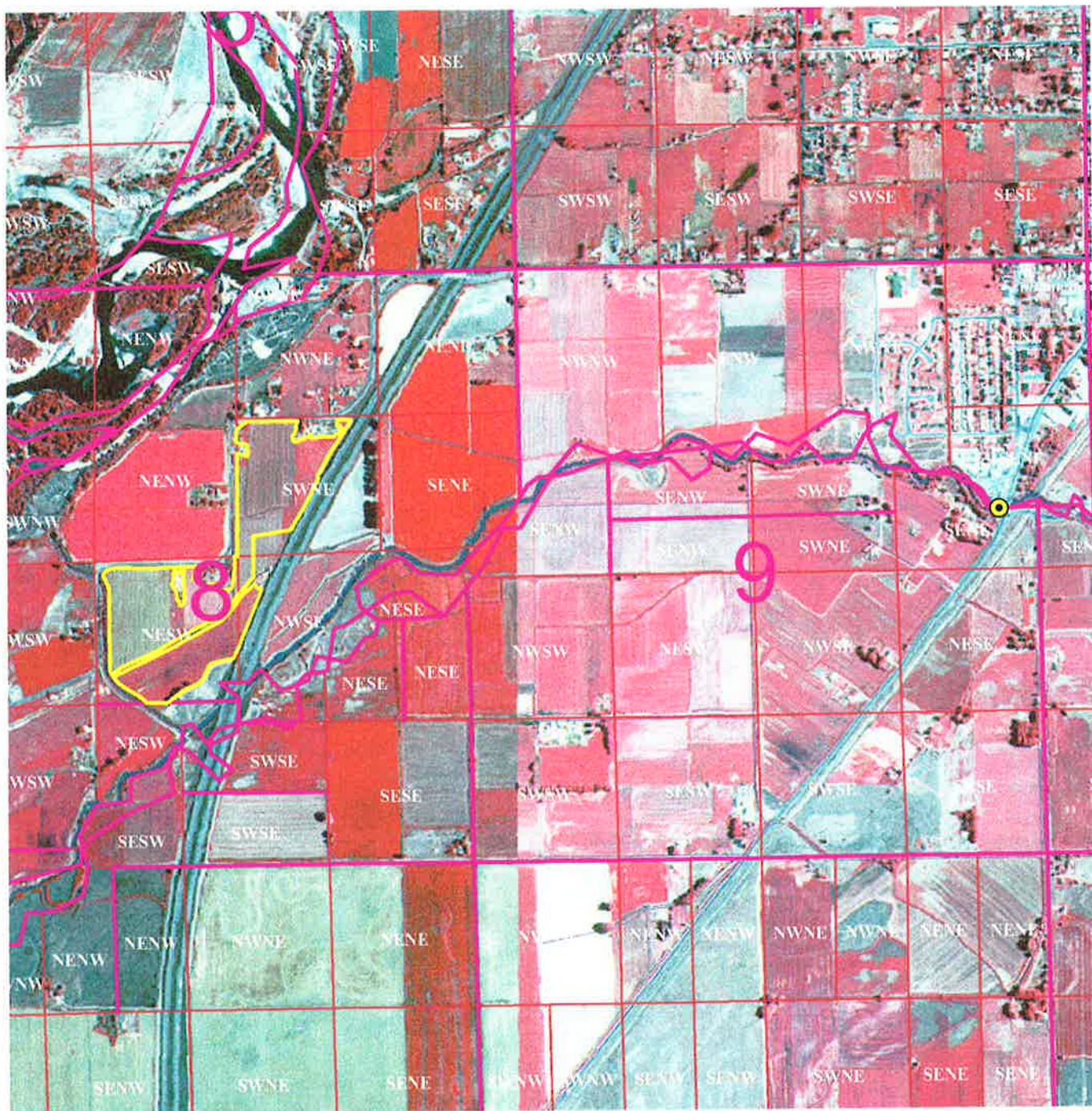
Enclosure: Information Brochure



Water Right Claim Number 27-10505

Township , 3S35E

01/03/2001



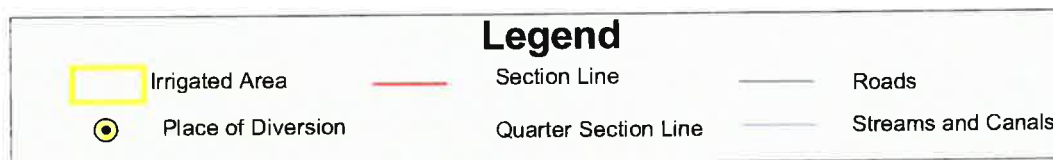
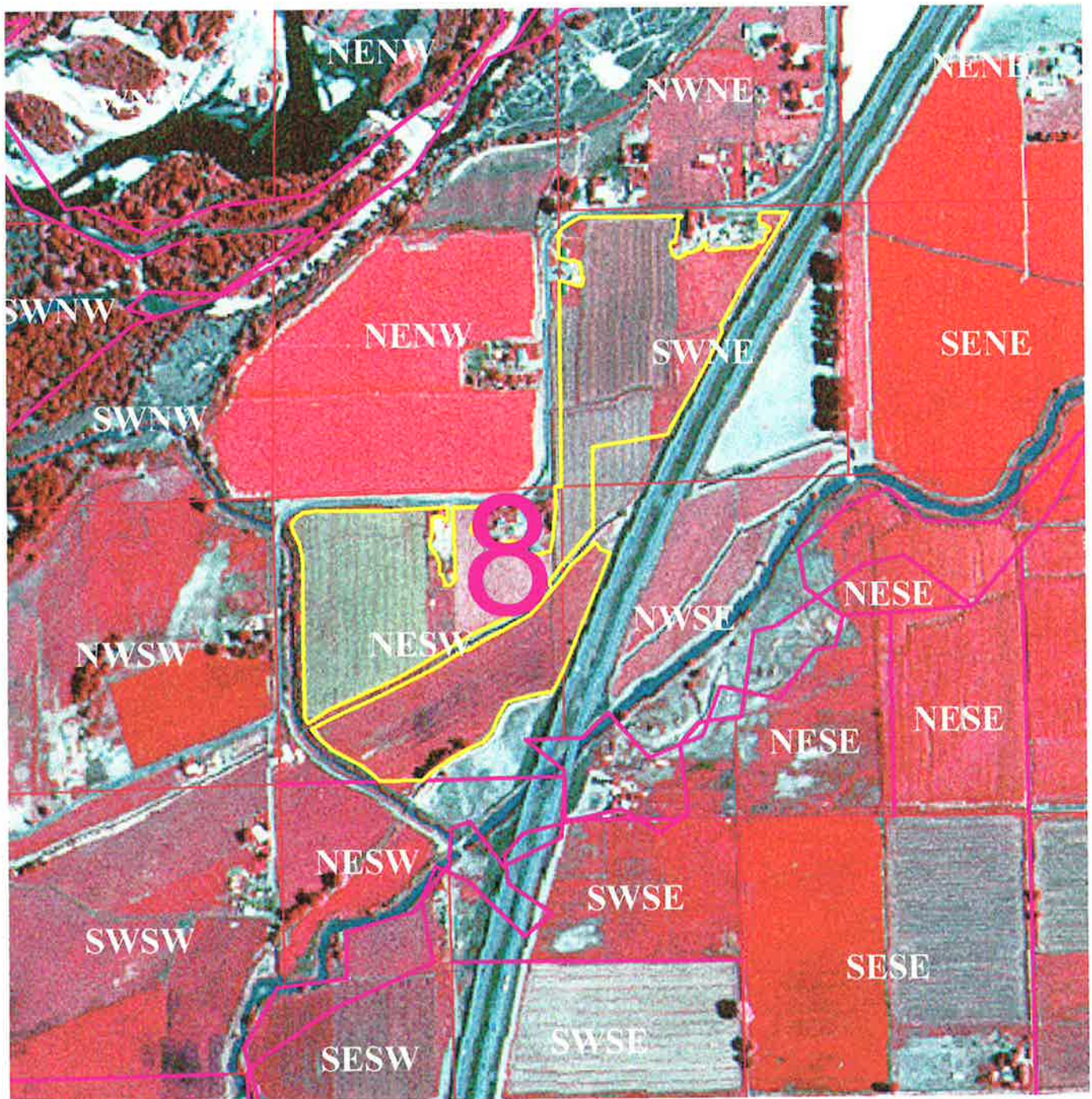
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SPATIAL
DYNAMICS

Water Right Claim Number 27-10505
Township , 3S35E

01/03/2001



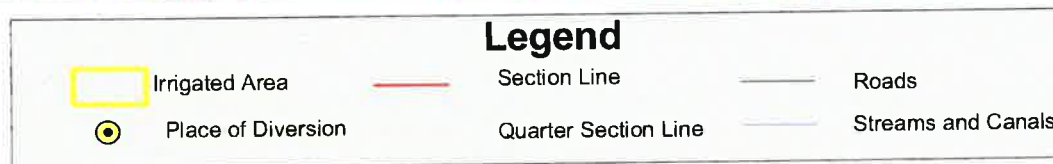
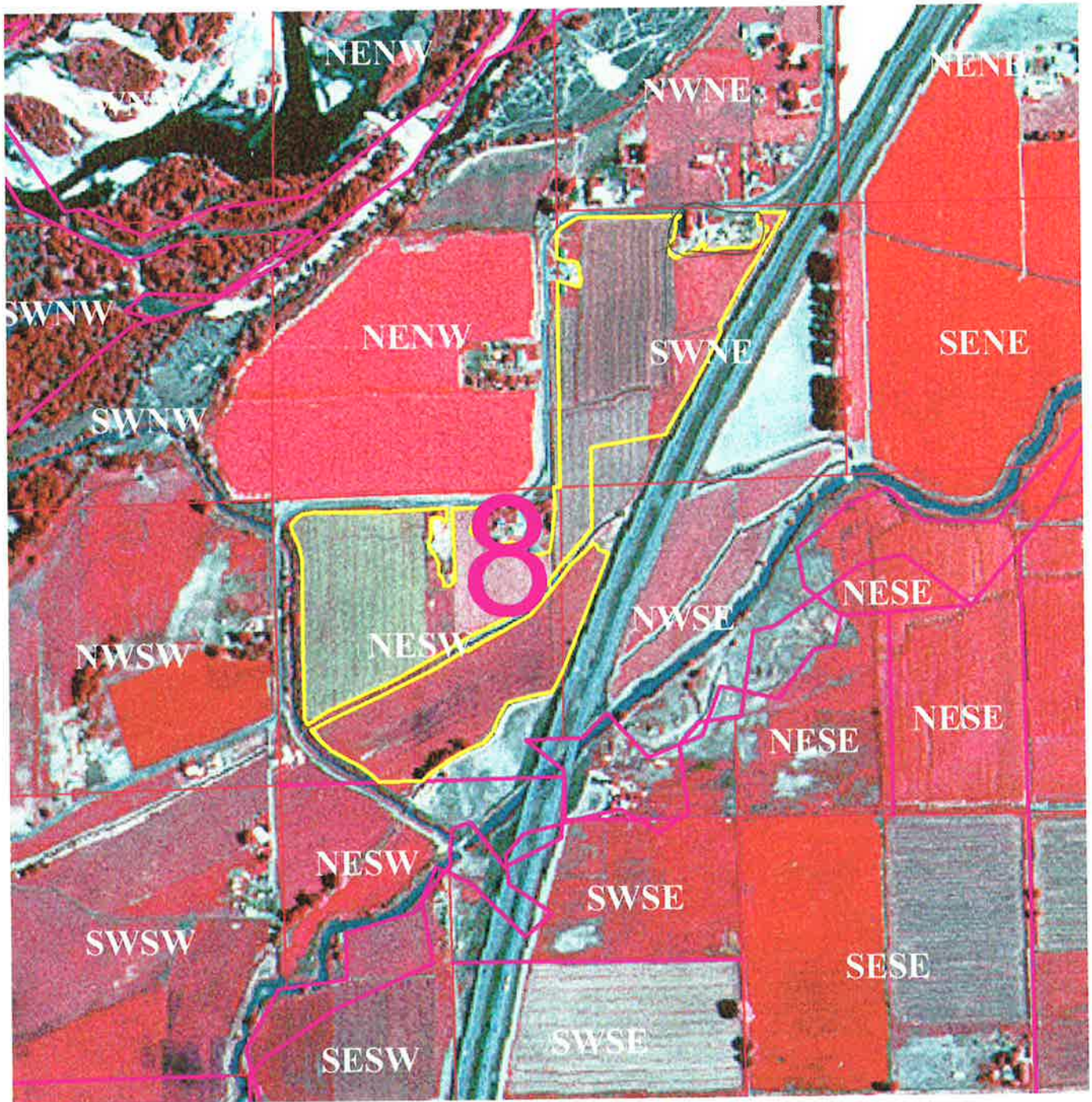
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SPATIAL
DYNAMICS

Water Right Claim Number 27-10505
Township , 3S35E

01/03/2001



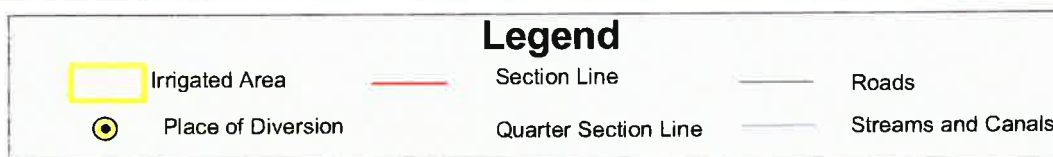
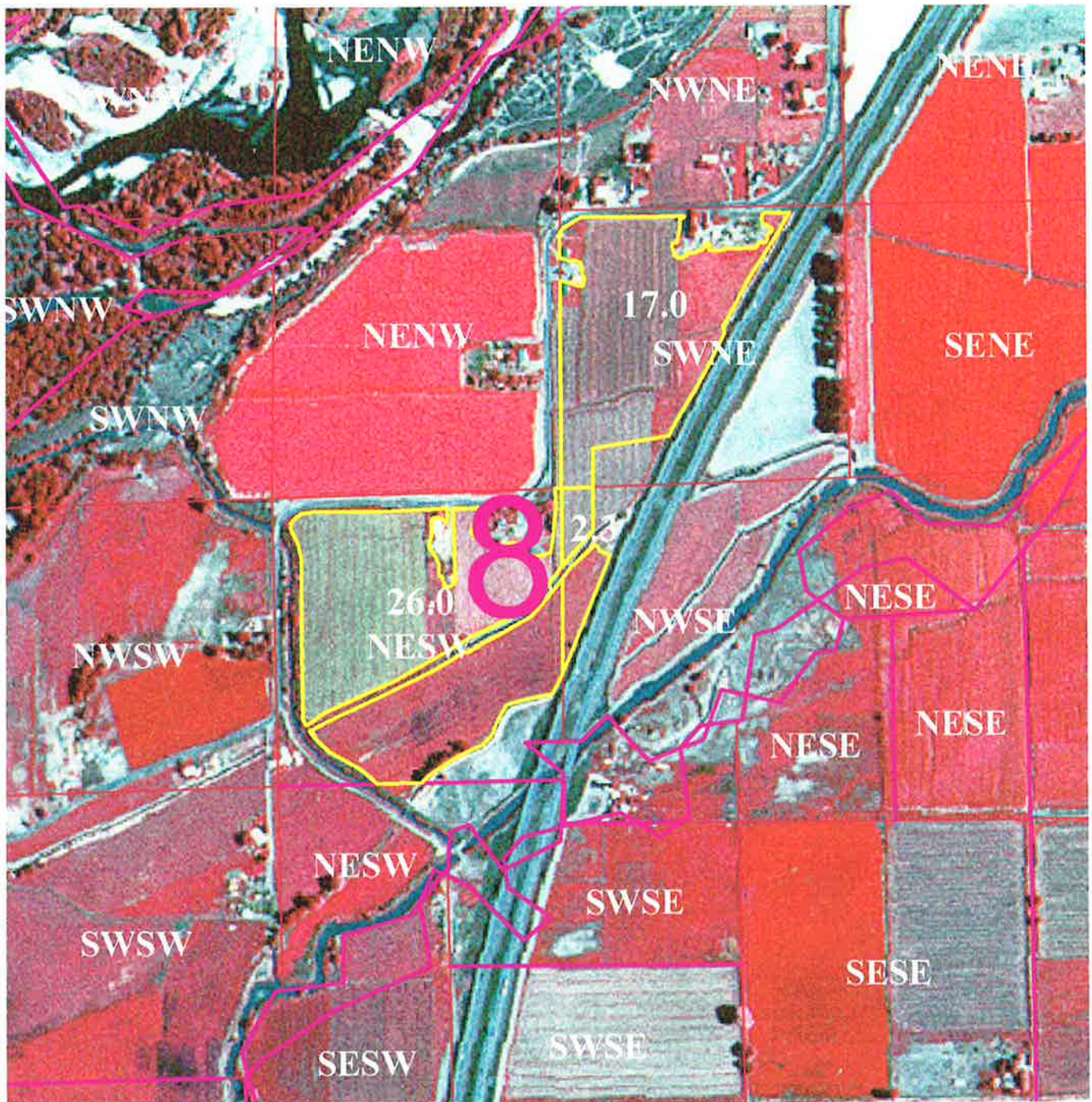
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SPATIAL
DYNAMICS

Water Right Claim Number 27-10505
Township , 3S35E

01/03/2001



500 0 500 1000 Feet



SPATIAL
DYNAMICS

SCANNED

JUL 20 2001

Log for claim 27-10505

Spatial Dynamics LTD

1/3/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s35e	8	SWNE	16	17	
03s35e	8	NESW	27	26	
03s35e	8	NWSE	3	2.3	
Totals:			46	45.3	

JUL 20 2001

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: A27-10505

Date Received: 5/09/1989

Receipt No: 6007252

Received By: S. J.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RODNEY E. BERGEMAN 208-785-0316
Address: 423 W. RIVERTON RD.
BLACKFOOT, ID 83221

OR

Name: MARY BERGEMAN 208-785-0316
Address: 423 W. RIVERTON RD.
BLACKFOOT, ID 83221

2. Date of Priority: JUN 01, 1885

3. Source: BLACKFOOT RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03S	35E	9	SE	SE	NE	2	BINGHAM

5. Description of diverting works:
PUMPS IN RIVER DISCHARGE INTO MINERS DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.300		

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

8. Total consumptive use is 138.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING OF 25 HEAD RANGE CATTLE

A27-10505

Page 1

Date: 05/09/89

MICROFILMED
NOV 12 1992

A2710505



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	35E	8	SW	NE		IRR	16.0
			NE	SW	6	IRR	27.0
			NW	SE	6	IRR	3.0
						Section Acres	46.0
						Total Acres	46.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
33.3 SHARES IN EASTERN IDAHO CANAL COMP.

14. Remarks:
THIS CLAIM IS FILED FOR PORTION OF DECREED RIGHT 27-00004H THAT
IS NOW OWNED AND USED BY CLAIMANTS. SEE ATTACHED DEED.

15. Basis of Claim: DECREED
Water Right Number: 270004
Case Number:
Court :
Decree date: 8/01/1891

FRED S. STEVENS, ET AL
Decree Plaintiff

vs

EASTERN IDAHO WATER CO., ET AL
Decree Defendant

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 P wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3

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): Rodney E. Bergeman Date: 5/9/89
Mary Bergeman Date: 5/9/89

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 9 day
of May 1989

[Signature]
Notary Public

Seal

Residing at Idaho Falls, ID
My Commission Expires 22 Aug 1994



