

09/18/2001

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

RIGHT NUMBER: 29-2255D
NAME AND ADDRESS: MICHELLE SCHROEDER
2098 MICHAUD CREEK RD
POCATELLO ID 83204

NATHAN SCHROEDER
2098 MICHAUD CREEK RD
POCATELLO ID 83204

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.482 CFS
96.40 AFY

PRIORITY DATE: 05/22/1939

POINT OF DIVERSION:
T06S R33E S12 NWNWSW Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.482 CFS 96.40 AFY

PLACE OF USE: IRRIGATION Within POWER County
T06S R33E S12 NWSW 40.0 T06S R33E S12 SWSW 4.1

44.1 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-2255F IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 44.1 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 24.1 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

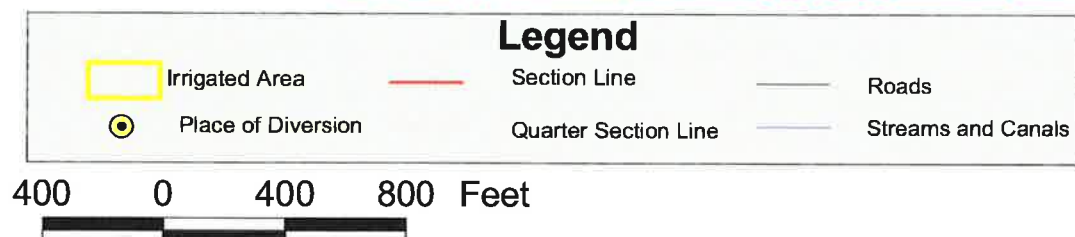
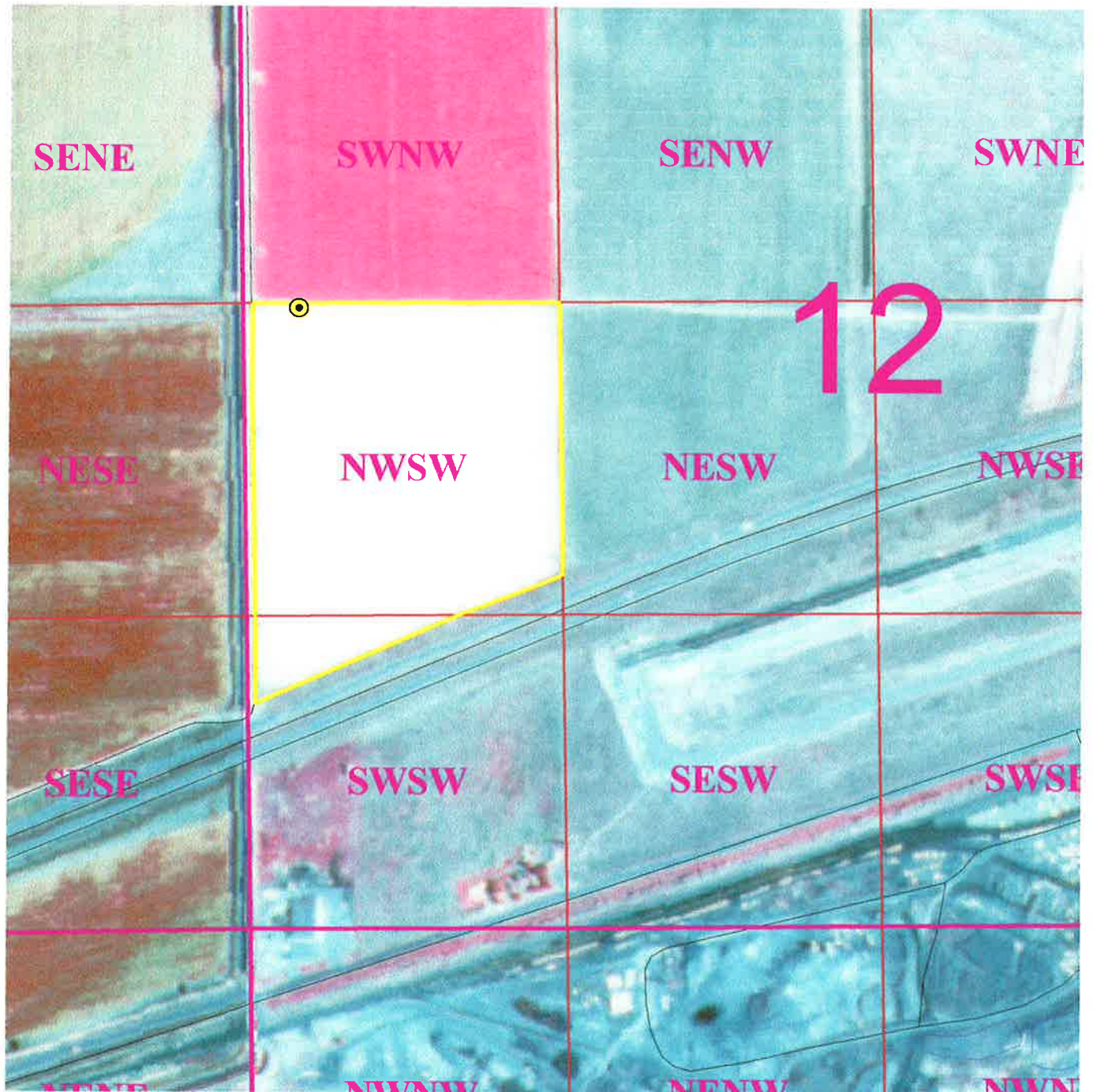
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: BASIS OF CLAIM - License

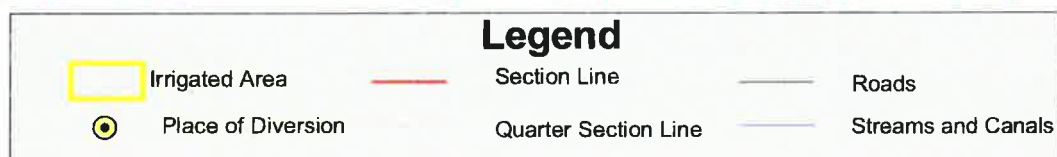
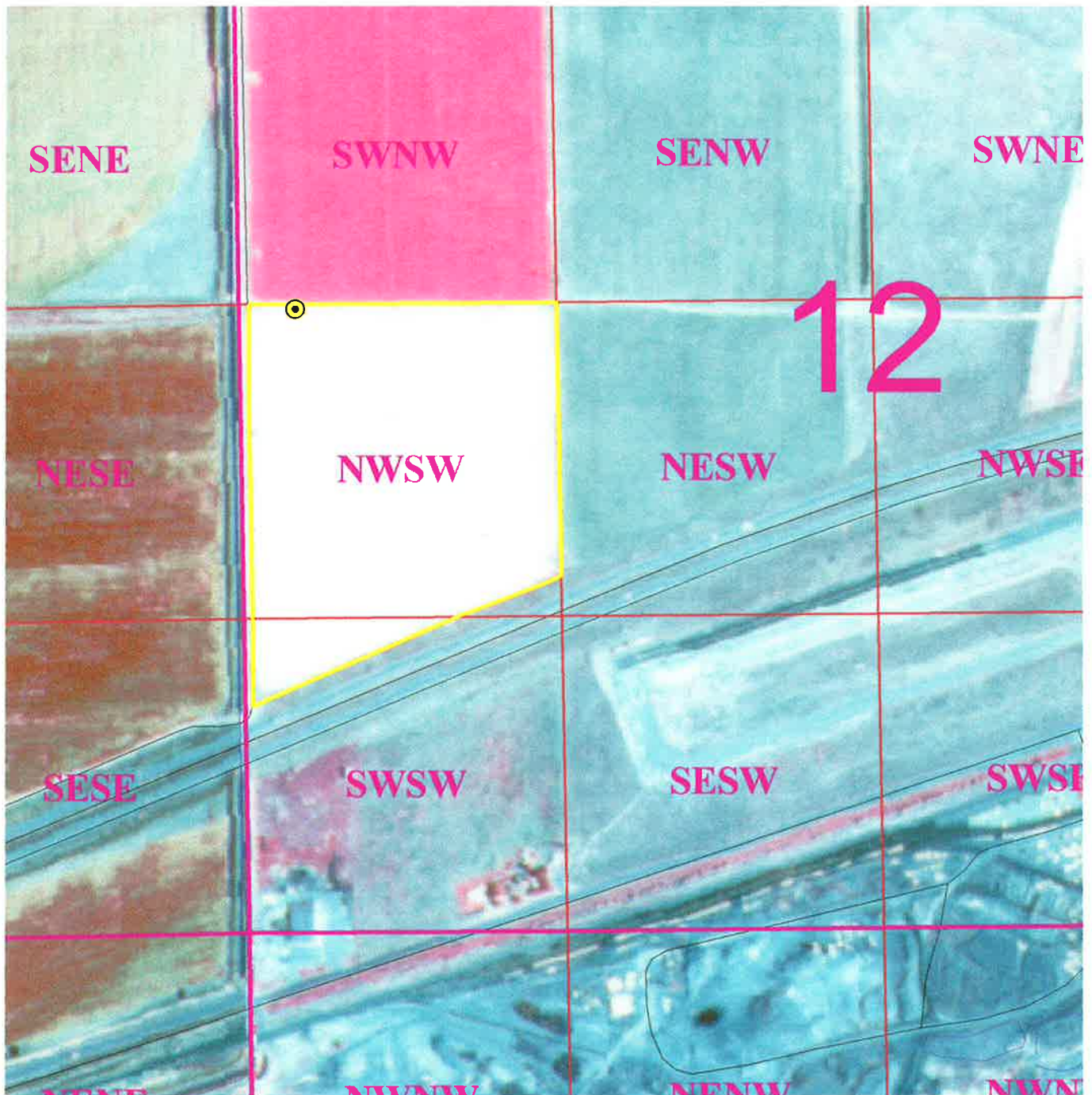
09/19/2000

Water Right Claim Number A29-02255D and A29-02255F
Township , 6S33E



09/19/2000

Water Right Claim Number A29-02255D and A29-02255F
Township , 6S33E

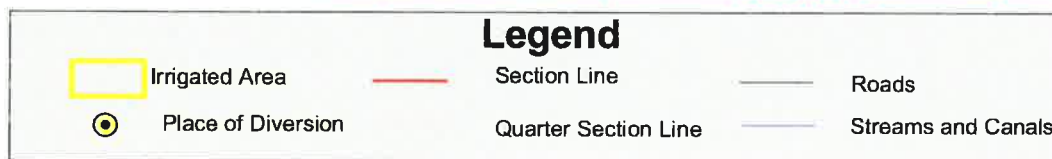
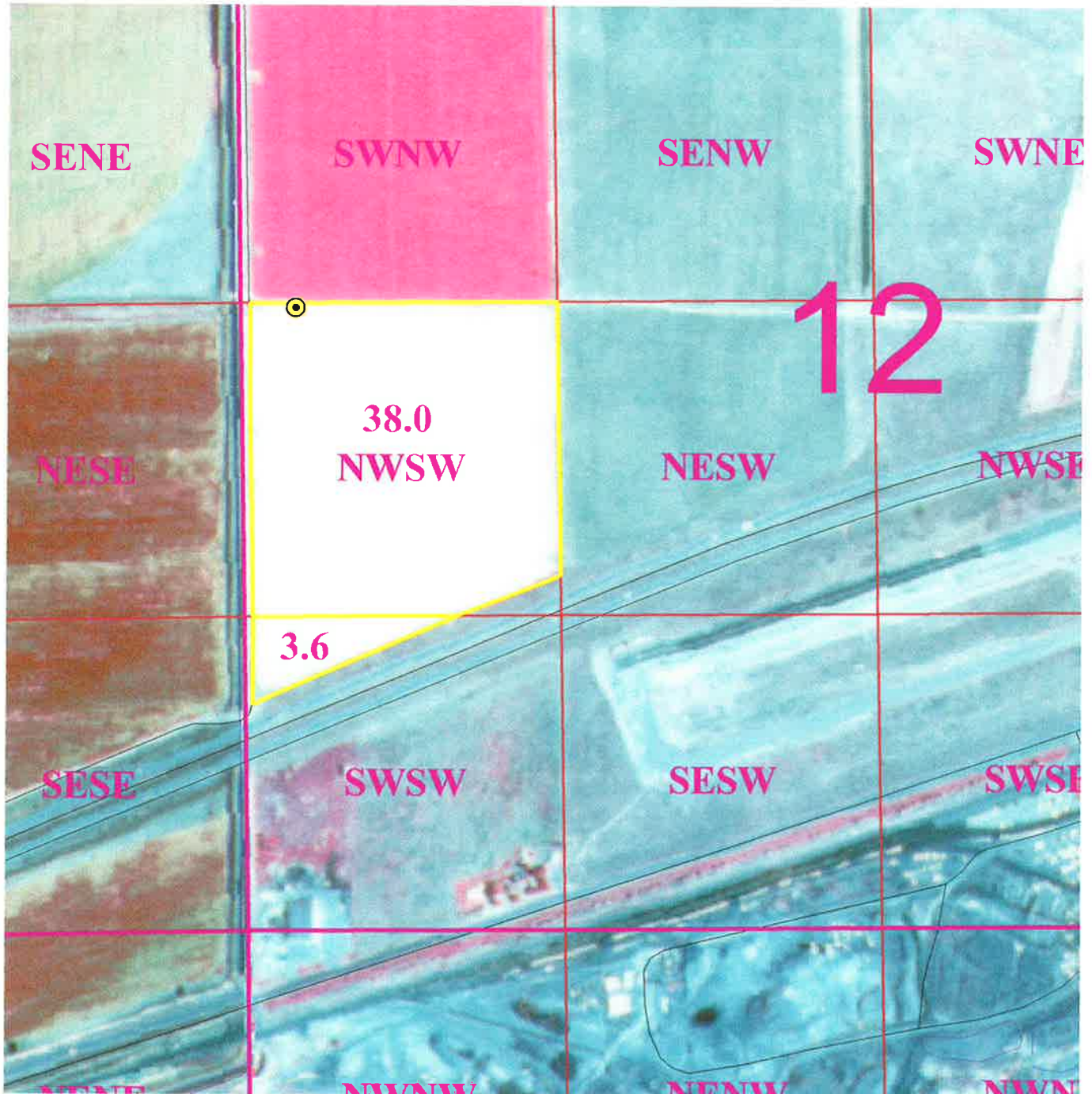


400 0 400 800 Feet



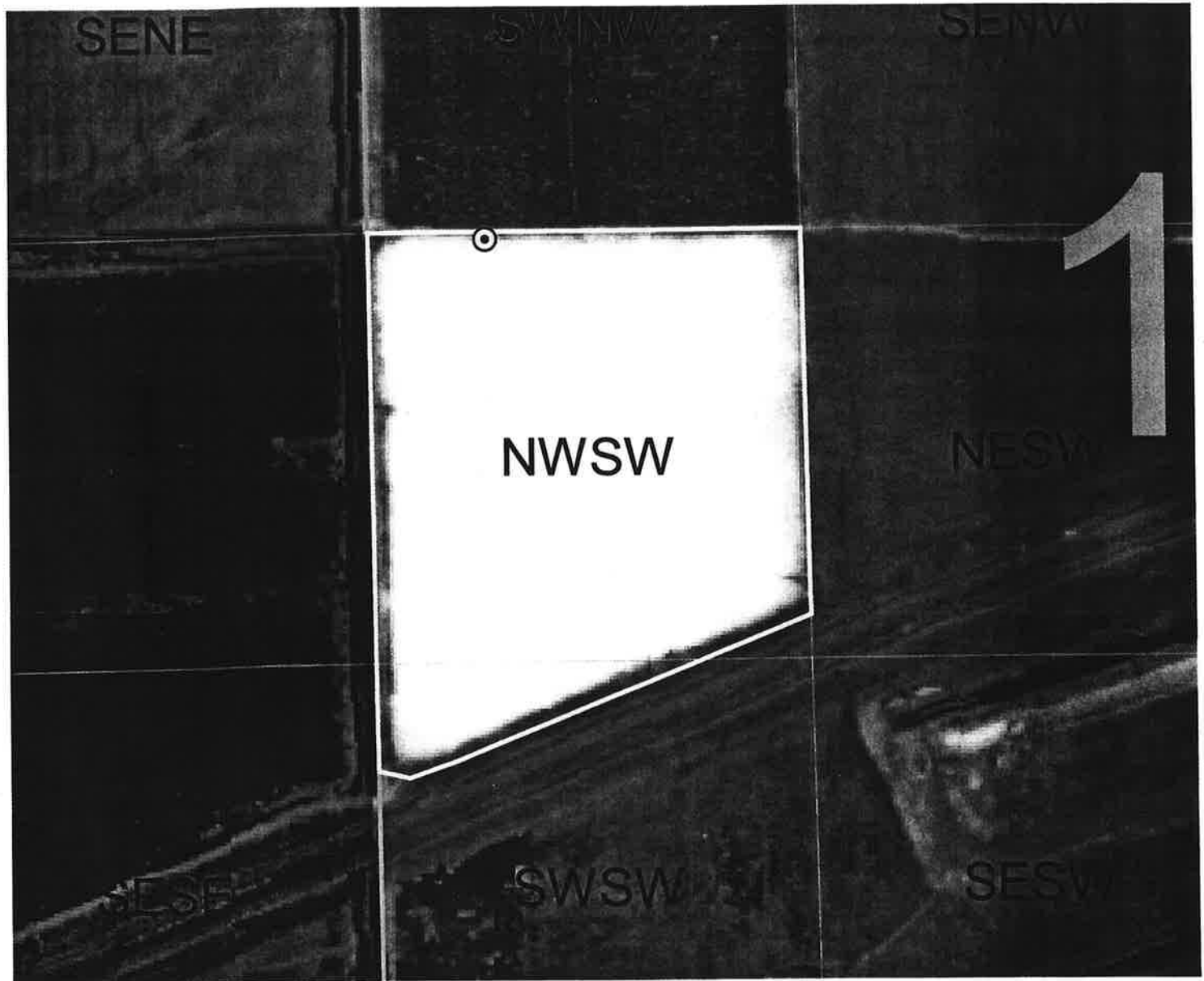
09/19/2000

Water Right Claim Number A29-02255D and A29-02255F
Township , 6S33E



Idaho Department of Water Resources

Water Right 29-2255D, 29-2255F

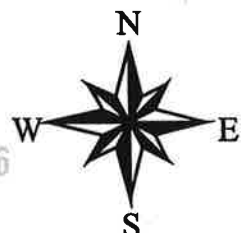


500 0 500 Feet

- ⊙ Point of Diversion - This Right
- Point of Diversion - Other Rights
- Place of Use - This Right
- Place of Use - Other Rights
- ▬ Township
- ▬ Section
- ▬ Quarter-quarter Section

PROFILE

SCANNED
JAN 13 2006



Township 6S Range 33E Section 12

Prepared from 1987/1988 NAPP photography by B. Contor, 9/2001.

MEMORANDUM

To: 29-2255E, 29-2255F

Fr: Bryce Center

Date: 9/18/01

Re: Split of Original License

It appears from the microfiche documents

in paper file 29-2255D and the WR proof reports

that 29-2255 was originally issued in two

parts, 1.12 cts on 56 acrs in 1941 (punchy 1939)

and 0.44 cts on 78 acrs (which appears to include

the original 56, see Matt Kulp letter 12/19/1950) in

1950, punchy 1949. The freeway split the bottom

of the original farm, south of the freeway has

now been acquired by Astoria & part of it transferred

to a new POC & use. This is 29-2255C & 29-2255E,

29-2255D and 29-2255F appear to be the part on

the north of the freeway. There are claimed on

a POC basis, consistent w/ WR proof reports

(copy in files). Division rates & acrs appear

to add up. Resurveyed as claimed it 615

supports claimed acrs.

SCANNED

JAN 13 2006

PROPERTY

Bryce C. Center

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-2255D

WATER RIGHT NUMBER: 29-2255D

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ROY LINDLEY
Current Owner	RUSSELL LINDLEY

Priority Date: 05/22/1939

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.482 CFS	
<u>Total Diversion:</u>		0.482 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 12, Twp 06S, Rge 33E, B.M.
POWER County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	33E	12									20.0	4.0							24.0

Total Acres: 24

Conditions of Approval:Remarks:

1. General AC. IRR. = 24.1.^^ TRANS. 2816.^^

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-2255D

Dates and Other Information:

Licensed Date: 10/7/1983
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-2255D V1

Comments:

1. bcontor 9/18/2001 Split analysis

Comment: See paper file.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	9/18/2001 10:58:28 AM	bcontor			Active
POD	9/18/2001 11:00:10 AM	bcontor			Active
Source	9/18/2001 11:00:24 AM	bcontor			Active
POU	9/18/2001 11:03:08 AM	bcontor			Active
Use	9/18/2001 11:03:43 AM	bcontor			Active
Season	9/18/2001 11:05:43 AM	bcontor			Active
Quantity	9/18/2001 11:06:51 AM	bcontor			Active
Summary	9/18/2001 11:07:54 AM	bcontor	9/18/2001 11:07:54 AM	bcontor	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	9/18/2001 10:57:44 AM	bcontor	Edited point location
Contacts	9/18/2001 10:57:53 AM	bcontor	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop analysis per licenses and transfers
POD	9/18/2001 10:58:20 AM	bcontor	Edited PLS
POD	9/18/2001 10:58:34 AM	bcontor	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition

required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2255D V1

Priority Date	9/18/2001 10:56:51 AM	bcontor	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (No) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Source	9/18/2001 10:58:47 AM	bcontor	(Yes) 1. Is the basis of claim decree or license? (Yes) 4. Does the parent right have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	9/18/2001 10:59:13 AM	bcontor	Edited shape boundary
POU	9/18/2001 10:59:32 AM	bcontor	Edited PLS
POU	9/18/2001 11:01:31 AM	bcontor	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the parent right have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (Yes) 14. Is a POU remark and/or condition required?
Use	9/18/2001 11:02:06 AM	bcontor	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	9/18/2001 11:04:07 AM	bcontor	(Yes) 1. Is the basis of claim decree or license? (Yes) 4. Does the parent right have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2255D V1

POD	9/18/2001 11:05:15 AM	bcontor	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - 24.1 acres x 4 afa/acre = 96.4 acre feet. 0.482 cfs x 1.9835 x 214 days = approx 205 acre feet. capacity is not limiting; recommend standard volume per acre.
Summary	9/18/2001 11:06:17 AM	bcontor	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?

MAY 10 2001

Log for claim A29-02255D

Spatial Dynamics LTD

9/19/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s33e	12	NWSW	40	38	
06s33e	12	SWSW	4	3.6	
Totals:			44	41.6	

AJ5809NP
No. A29-02255D

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 40

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NATHAN SCHROEDER	05/22/1939	IRRIGATION	04-01 11-01	0.482 CFS	
C	MICHELLE SCHROEDER					
	2098 MICHAUD CREEK RD					
	POCATELLO ID 83204			TOTAL DIVERSION:	0.482 CFS	
	(208) 234-1543			CONSUMPTIVE USE:		110.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T06S R33E S12

NWNWSW

POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06S	33E	12	:											40	04					:	44.1
																				TOTAL ACRES	44.1

POU County: POWER

Other Rights: 29-02255F

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-02255F

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02255E A29-02255F

Remarks: GEN ORIGINAL WATER RIGHT NO. 29-2255 FOR 1.12 CFS IRRIGATED 56 ACRES WITH 5/22/39 PRIORITY. EXPANSION VIA NO. 29-2255 ON 9/16/49 ADDED 20 ACRES FOR TOTAL OF 76 ACRES. SOUTHMOST 33 ACRES SOLD OFF LEAVING 44.1 ACRES. APPLICATION FOR POINT OF DIVERSION CHANGE FILED 3/28/83 AND APPROVED. TWO CLAIMS ARE BEING FILED AT THIS TIME, NO. 29-3355 D [2255D] AND NO. 29-2255F.

CHANGE OF OWNERSHIP, 2/23/98,ABR.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 04/26/90 THOMPSON 03/29/95 POST-STD 02/23/98 ARUBERRY



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 9, 1998

NATHAN & MICHELLE SCHROEDER
2098 MICHAUD CREEK RD
POCATELLO ID 83204

RE: CHANGE IN OWNERSHIP FOR A29-02255D, A29-02255F

Dear Mr. & Mrs. Schroeder:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure: Notice(s) of Claim

RECEIVED

FEB 11 1998

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

Department of Water Resources
Eastern Region

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

1. Water Right Number(s) A29-022550^{irr}, A29-02255F
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Helen Lindley
834 Brundage, Poc, ID, 83202
4. New Owner/Claimant(s) Nathan & Michelle Schroeder
Name connector (Check one): [] AND, [] OR, ☒ AND/OR
New Mailing Address 2098 Michaud crk Rd
City, State and ZIP Code Pocatello, Idaho, 83204
New Telephone Number (208) 234-1543
5. Date you acquired the property 5-1-91
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated 42 Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Nathan Schroeder Date 2-8-98
Michelle Schroeder Date 2-8-98
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

Copies for file

CONTRACT OF SALE

THIS AGREEMENT is made and entered into in duplicate this 31 day of May, 1991, by and between HELEN LINDLEY, a widow, of 834 Brundage, Pocatello, Idaho (hereinafter "Seller"), and NATHAN SCHROEDER and MICHELLE SCHROEDER, husband and wife, of 2811 Margo Lane, Pocatello, Idaho (hereinafter "Buyers").

IT IS HEREBY AGREED AS FOLLOWS:

1. SALE OF PROPERTY. The Seller covenants and agrees to sell and convey and Buyers covenant and agree to purchase from Seller, the following described real property, situated in the County of Power, State of Idaho, to-wit:

All of that portion of the W1/2 of the SW1/4
of Section 12, Township 6 South, Range 33
E.B.M. lying northwest of I-86.

TOGETHER WITH all improvements, easements, rights of way and appurtenances thereto and all of Seller's right, title, and interest in all public ways adjoining said property.

2. PURCHASE PRICE. The purchase price of the above-described property shall be SIXTY ONE THOUSAND FIVE HUNDRED DOLLARS (\$61,500). The purchase price shall be paid by Buyers to Seller as follows:

2.1 TWENTY THOUSAND DOLLARS (\$20,000) paid this date, receipt of which is hereby acknowledged.

2.2 The balance of the purchase price, to-wit: The sum of FORTY-ONE THOUSAND FIVE HUNDRED DOLLARS (\$41,500), together with interest in the amount of nine percent (9%) per annum, which shall

begin accruing thereon on June 1, 1991, shall be due and payable in five (5) equal annual payments in the amount of TEN THOUSAND SIX HUNDRED SIXTY-NINE AND 38/100 DOLLARS (\$10,669.38), commencing on June 1, 1992, and a like amount on each subsequent June 1 until paid in full.

2.3 Any prepayment shall be applied first to interest and then to installments last to become due hereunder and shall not affect the obligation to pay the balance when due.

2.4 Late Penalty. On any payment not made on the due date or within fifteen (15) days thereafter, the Buyers agree to pay a late charge of five percent (5%) of the unpaid installment amount due.

3. TITLE. Seller represents and warrants title in fee simple free from claims and encumbrances, subject only to taxes and assessments for the current year, and rights of way, reservations and exceptions of public record as reflected on the title report and approved by Buyers. Simultaneous with the execution of this Contract, Seller will execute and cause to be delivered to Escrow a good and sufficient Warranty Deed conveying to Buyers the property hereinabove described.

4. ESCROW. The parties agree that a copy of this Contract and the original of the Warranty Deed from Seller to Buyers to the described property shall be deposited in escrow at the offices of Racine, Olson, Nye, Cooper & Budge, with instructions to said escrow holder to deliver the Deed to the Buyers upon payment in full of the purchase price in accordance with the terms and

conditions of this Contract of Sale. Any charges or costs incident to the opening and maintenance of the escrow shall be paid equally by the parties. In addition to the documents herein described as being in escrow, the Seller will deposit a Standard Owner's Policy of Title Insurance insuring the real property against all liens and encumbrances, except easements of record as of the date of this Agreement.

5. EFFECTIVE DATE AND POSSESSION. This Agreement shall be effective upon execution hereof, at which time Buyers shall have possession of the premises.

The Buyers acknowledge that they have had a full opportunity for inspection of and are familiar with the physical condition of the premises, and accept the same in its present condition without relying upon any representations of the Seller or her agent.

6. TAXES. All taxes and assessments for 1990 and prior years have been or will be paid by Seller. Taxes and assessments for 1991 shall be pro-rated to June 1, 1991, with Seller paying taxes to that date and Buyers paying all taxes and assessments thereafter.

7. DEFAULT. In the event Buyers fail to perform any of the terms, conditions or provisions of this Contract, Seller shall give written notice thereof to Buyers by certified mail, return receipt requested, and Buyers shall have sixty (60) days from the date of receipt of such notice to cure or correct such default. If Buyers fail to timely cure or correct the noticed default, Seller may, at her option, and without further notice, accelerate the entire

balance of principal and interest then remaining due and unpaid under the terms of this Contract and the Promissory Note, or exercise any other remedies available under Idaho law.

8. TIME IS OF THE ESSENCE. Time is of the essence of this Contract, and it is expressly agreed that any concessions or departures from, or delay in, enforcing the provisions of the same, with or without the consent of Seller, shall not operate, waive or be a waiver of any rights of Seller to stand upon the strict letter and construction of the terms hereof or construed to be a waiver of the rights of Seller to enforce the same in accordance with its terms at any time without notice.

9. NOTICES. All notices required to be given shall be in writing and shall be sent postage prepaid, by United States certified mail, return receipt requested. Notice shall be deemed given on the date shown on the return receipt. The mailing addresses for the parties are set forth on page 1 of this Contract and are binding upon the parties absent notice of any change of address.

10. LEGAL FEES. In the event either party is required to retain the services of an attorney in order to enforce the terms or provisions of this Contract, the prevailing party in any litigation arising therefrom, shall be entitled to recover all reasonable attorney fees and costs incurred.

11. CITY EASEMENT AND ROAD RIGHT OF WAY. By this Agreement, Seller represents to Buyers that an agreement exists with the City of Pocatello by reason of an easement granted by Seller to the City

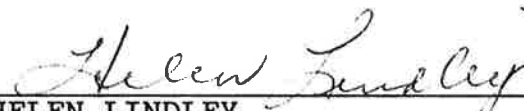
of Pocatello for the maintenance of pressure sewer lines along the frontage of the described property immediately adjacent to the northwest side of I-86, in consideration of which the City of Pocatello agreed to construct and maintain a gravel roadway on the easement granted by the Seller. Such roadway has not yet been constructed.

By this Agreement, Seller assigns any and all rights to Buyers to such Agreement and arrangement with the City of Pocatello and hereby authorizes Buyers to mutually complete with the City arrangements for the alignment of the roadway and such other matters arising from the rights Seller has to require the City to build and maintain a gravel roadway as herein referred to.

12. BINDING EFFECT. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their legal representatives, successors, heirs and assigns.

IN WITNESS WHEREOF, the parties have executed this Contract the day and year first above written.

SELLER:


HELEN LINDLEY

BUYERS:

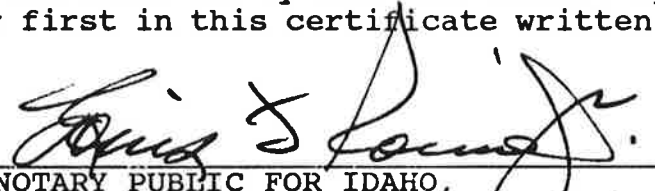

NATHAN SCHROEDER


MICHELLE SCHROEDER

STATE OF IDAHO)
 : ss
County of Bannock)

On this 13 day of June, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared HELEN LINDLEY, a widow, known to me to be the person whose name is subscribed to the 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, the day and year first in this certificate written.



NOTARY PUBLIC FOR IDAHO,
Residing at Pocatello.
My Commission Expires: Indefinite

(SEAL)

STATE OF IDAHO)
 : ss
County of Bannock)

On this 31 day of May, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared NATHAN SCHROEDER and MICHELLE SCHROEDER, husband and wife, known to me to be the persons whose names are subscribed to the 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, the day and year first in this certificate written.



NOTARY PUBLIC FOR IDAHO,
Residing at Pocatello.
My Commission Expires: _____

MY COMMISSION EXPIRES 2-9-93
NOTARY PUBLIC
RESIDING AT AMERICAN FALLS, IDAHO

(SEAL)

PROMISSORY NOTE

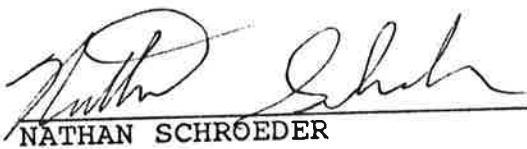
Copy
Pocatello, Idaho
May 31, 1991

\$41,500.00

FOR VALUE RECEIVED, I, we, or either of us promise to pay to the order of HELEN LINDLEY, a widow, 834 Brundage, Pocatello, Idaho, or at such other place as the holder may designate in writing, the principal sum of FORTY-ONE THOUSAND FIVE HUNDRED DOLLARS (\$41,500.00), with interest from June 1, 1991, at the rate of nine percent (9%) per annum, lawful money of the United States of America, in installments as follows:

June 1, 1992	\$10,699.38
June 1, 1993	\$10,699.38
June 1, 1994	\$10,699.38
June 1, 1995	\$10,699.38
June 1, 1996	\$10,699.38

If default be made in the payment of any installment under this note, the entire principal sum and accrued interest shall at once become due and payable without notice at the option of the holder of this note. The failure of the holder of this note to enforce its rights upon default in any of the terms of this note shall not constitute a waiver of any such right in the event of a subsequent default. If suit is instituted to collect this note or any portion thereof, I agree to pay, in addition to the costs and disbursements as are allowed by law, such additional sums as the court may adjudge reasonable as attorney's fees in such suit. The makers, sureties, guarantors and endorsers hereof severally waive presentment for payment, protest, notice of protest and of non-payment of this note.


NATHAN SCHROEDER


MICHELLE SCHROEDER

ESCROW AGREEMENT

To RACINE, OLSON, NYE, COOPER & BUDGE

P.O. BOX 1391

Pocatello, ID 83204-1391

(Address)

The undersigned, HELEN LINDLEY, a widow, 834 Brundage, Pocatello,
Idaho

hereinafter called "Grantor," and NATHAN SCHROEDER and MICHELLE SCHROEDER, husband
and wife, 2811 Margo Lane, Pocatello, Idaho,

hereinafter called "Grantee," herewith deliver to you in escrow the documents and property hereinafter described, to be held and disposed of by you in accordance with the instructions and upon the terms herein set forth, and not otherwise, to all of which the undersigned hereby agree. Said documents and property are described as follows:

1. Contract of Sale dated 31 May, 1991.
2. Promissory Note in the amount of \$41,500 dated 31 May, 1991.
3. Warranty Deed dated 13 June 1991

You are hereby authorized and directed to deliver the above described documents and property to Grantee upon payment to you, at the address above specified, for the Grantor of the total sum of \$ 41,500.00, principal and interest on the unpaid balance thereof at 9 per cent. per annum from June 1, 1991, to be paid as follows:

(Specify date and amount of each payment of principal and dates of interest payments)

June 1, 1992	-	\$10,669.38
June 1, 1993	-	\$10,669.38
June 1, 1994	-	\$10,669.38
June 1, 1995	-	\$10,669.38
June 1, 1996	-	\$10,669.38

D
130.0

12
K922

B-881

LeRoy Lindley

5th map
T-5

A
75.0

T823

B-882

Russell Lindley

A
41.1

T824
FMC

B
8.3

2
3
A
8.1

CLAIMANT'S NAME CindleyCLAIM IDENT. NO. A29-02255DDATE RECEIVED 4/23/90AMOUNT \$

- | | YES | NO | Required Info? |
|--|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | * |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | |
| 22. Should this claim be data entered? | ☒ | ☐ | |

Claim checked by: RAJDate: 4/25/90

Claim must be returned to claimant:

(Yes) ☒(No) ☐

Claimant must be notified of modifications:

(Yes) ☒(No) ☐

Receipt Prepared by:

Claim data entered by: RAJSent to claimant by: RAJ

Date:

Date: 4/25/90Checked by: RAJDate: 4/25/90Comments:

MICROFILMED

NOV 13 1992

Water Right Number - 29-02255D

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 18826

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
LINDLEY

RUSSELL

1 - STAR RT. BOX 2

2 -

3 -

City- POCATELLO

State- ID Zip- 83201

Phone -

*** O - ORIGINAL OWNER ***
LINDLEY

ROY

1 -

2 -

3 -

City-

State- Zip-

Phone -

+ - - Priority Date - - +
05/22/1939

+ - - - Region - - - +
15

+ - - - Stage - - - +
L - LICENSE

+ - - - Status - - - +

+ - - - - Source - - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

06S 33E 12 NW SW (77) POWER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 11/01 0.482

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.482

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

06S 33E 12 NW SW 20.0 01 IRRIGATION (77) POWER
06S 33E 12 SW SW 4.0 01 IRRIGATION (77) POWER

Total Acres: 24.0

DO NOT FILM

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

AC. IRR. = 24.1.
TRANS. 2816.

Remarks

Water right number - 29-02255D

Adj. flag translation: Standard Water Right Number

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

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

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

+ - - Audit Fields - 04/08/85 05/22/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000
Approved/Denied - 00/00/0000
Proof Made Date - 00/00/0000
Start Work Date - 00/00/0000
Order Show Cause - 00/00/0000
Licensed Date - 10/07/1983
Decree Date - 00/00/0000

Field Exam Made - 00/00/0000
Protested Date - 00/00/0000
Hearing Date - 00/00/0000
Verified Date - 04/08/1985
Receipt Number -
Appl Received - 00/00/0000
Presumption Flag -

Field Exam Fee -
Swan Falls -
Temporary Right - P
DLE/Carey Act -
Water District -
Transfer/Amended - P

Microfilm Roll Number -

DO NOT FILM

April 6, 1990

Randall C. Budge
RACINE, OLSON, NYE, COOPER
& BUDGE, Chartered
P.O. Box 1391
Pocatello, ID 83204

RE: Notice of Claim for Helen Lindley

Dear Mr. Budge:

The Idaho Department of Water Resources (IDWR) is returning Check #3771 (\$94.00) and Notice of Claim to a Water Right for Helen Lindley because of discrepancies with the licensed rights.

Please correct the items identified below and return the notice(s), filing fee(s) and a copy of this letter to the IDWR within 30 days of the date of this letter. If the corrected notice(s) are not returned within the 30 days, each notice will be subject to an additional late fee.

It appears the intent of this notice was to combine portions of licensed rights 29-2255D (05/22/1939) and 29-2255F (09/16/1949) into a single water right. For your convenience a photocopy of Transfer #2816 describing these portions is enclosed.

When filing an adjudication notice it is possible to combine water rights diverted from the same source to irrigate the same place of use. The priority date, Item #2, however, becomes the later priority date of the rights being combined. Therefore instead of May 22, 1939, the priority date would be September 16, 1949. To preserve the earlier priority date a Notice must be file on each right.

Should your client elect to file two notices, for Item #6 the quantity of water under each portion is 0.482 CFS under 29-2255D and 0.40 CFS under 29-2255F.

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NOV 13 1992

April 6, 1990
Page 2
Budge

The total consumptive in Item #8 is 2.5 times the number of irrigated acres listed in Item #10.

If you wish to discuss this matter, please call the IDWR at (208) 525-7161.

Respectfully submitted,

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

3771

RUSSELL OR HELEN LINDLEY
834 BRUNDAGE 237-6377
POCATELLO, ID 83202

3-19-1990

92-155/1241

PAY TO THE
ORDER OF

Idaho State Water Resource Bd. \$94⁰⁰

Ninety-four & 00/100

DOLLARS



Key Bank of Idaho
Pocatello West Center Office
P.O. Box 1788
Pocatello, Idaho 83204

MEMO

water right

Helen Lindley

11 24 10 1555 00 200 211 11 3771

TELEPHONE
AREA CODE 208
232-6101

TELEX
208-232-6109

Department of Water Resources
Eastern Regional Office
150 Shoup #15
Idaho Falls, Idaho 83402

MICROFILMED
Department of Water Resources
Eastern District Office
NOV 13 1992

LOUIS F. RACINE, JR.
WILLIAM D. OLSON
W. MARCUS W. NYE
GARY L. COOPER
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL*
JOHN B. INGELSTROM
DANIEL C. GREEN
REED W. LARSEN
CARY B. COLAIANNI
BRENT O. ROCHE
FRED J. LEWIS
KIRK B. HADLEY

LAW OFFICES OF
RACINE, OLSON, NYE, COOPER & BUDGE
CHARTERED
CENTER PLAZA-CORNER FIRST & CENTER
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-0391

TELEPHONE
AREA CODE 208
232-6101

TELEX
208-232-6109

*ALSO MEMBER ILLINOIS BAR

March 30, 1990

Department of Water Resources
Eastern Regional Office
150 Shoup #15
Idaho Falls, Idaho 83402

RECEIVED

APR 7 1990

Department of Water Resources
Eastern District Office

Re: SRBA Claims - Power County

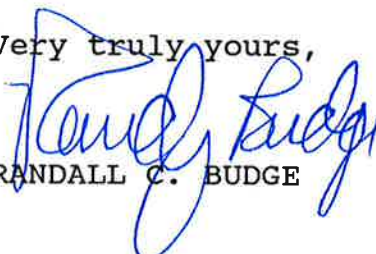
Gentlemen:

Enclosed for filing please find the original and an extra copy of the SRBA Claim for Helen Lindley. Also enclosed is her check for the filing fees in the amount of \$94.00.

When this has been filed, would you please conform the extra copy that we have enclosed and return it to us in the self-addressed, stamped envelope that has been enclosed for your convenience.

Thank you for your assistance. If you have any questions, please feel free to give me a call.

Very truly yours,


RANDALL C. BUDGE

RCB:gr

Enclosures

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NOV 13 1992

DO NOT MICROFILM
From WR License File Microfiche

Permit No. 18936

December 10, 1950

Mr. Roy Lindley
Star Route
Poncha Springs, Colo.

Dear Mr. Lindley:

We enclose License and Certificate of Water Right issued under Permit No. 18936, confirming your right to the use of 0.44 of a second foot of additional water from your well in the SW 1/4 Section 12, Township 6 South, Range 33 East, R.M., with priority of September 16, 1949.

This, with the license previously issued under this permit for 1.15 second feet of water from this well, makes a total of 1.59 second feet, or an inch to the acre for the 78 acres irrigated in the SW 1/4 of said Section 12.

We also enclose Departmental Receipt No. 22987 for the \$4.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KUTZ
State Reclamation Engineer
By

Chief Clerk

Albin
Lindley

18826

State of Idaho

License and Certificate of Water Right

Water License No. 18826

Amount 1.12 Sec. Ft.

Water District No.

Priority May 22, 1939

THIS IS TO CERTIFY that ROY LINDLEY of Arbon, Idaho, made application for permit to appropriate the public waters of the State of Idaho, dated May 22, 1939; that Permit No. 18826 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.6 second feet, was issued thereunder on June 1, 1940, showing that said works were completed on the 8th day of May, 1940; and that on the 1st day of July, 1940.

ROY LINDLEY

of Arbon, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of pumping from well, a tributary of, for the purpose of irrigation & domestic, under Use Permit No. 18826 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 4042, on the 27th day of January, 1941;

The right hereby confirmed dates from May 22, 1939;

The Point of Diversion is located in the $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, Tp. 6 S, R. 33 E, B. M. Power County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S	33 E	12	NW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00	20.00
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00	36.00
			Total acres irrigated.		56.00

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 27th day of January, 1941

E. V. BERO.

Commissioner of Reclamation

(SEAL)

DO NOT MICROFILM
From WR License File Microfiche

State of Idaho License and Certificate of Water Right

Water License No. 18826

Amount 0.44 second feet

Water District No. _____

Priority September 16, 1949

THIS IS TO CERTIFY that ROY LINDLEY

of Pocatello, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 22, 1939; that Permit No. 18826 was issued under said application; the Certificate of Completion of works, with a carrying capacity of 1.6 second feet, was issued thereunder on June 1, 1940, showing that said works were completed on the 6th day of May, 1940; and that on the 20th day of May, 1950.

ROY LINDLEY

of Pocatello, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of subterranean flow from a well, ~~under the~~ for the purpose of irrigation and domestic

use, under Use Permit No. 18826 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

8 of Licenses at page 4645, on the 15th day of December, 1950;

The right hereby confirmed dates from September 16,, 1949;

The Point of Diversion is located

in the SW 1/4 SW 1/4, Sec. 12, Tp. 6 S., R. 35 E., B. M. Power County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.44 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S.	33 E.	12	NW 1/4 SW 1/4 SW 1/4 SW 1/4	40 40	40 30
Number of Acres Actually Irrigated					- - 70
License issued under this Permit January 27, 1941, for 1.12 second feet.					

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 15th day of December, 1950.

MARK R. KULP

State Reclamation Engineer

(SEAL)

DO NOT MICROFILM
From WR License File Microfiche

SD-0613-2 Source System OR Prefix: Basin: 0
 Starting Water Right: 02255 Ending Water Right: 02255

S Water Name
 E
 L Right No. Last, First CFS

29-02255
 --- SPLIT INTO 29-2255A & 29-2255B.
 --- 29-02255A
 --- SPLIT INTO 29-2255C & 29-2255D BY TRANS. 2816.
 --- 29-02255B
 --- SPLIT INTO 29-2255E & 29-2255F BY TRANS. 2816.
 --- 29-02255C FMC CORPORATION
 --- 29-02255D LINDLEY, RUSSELL
 --- 29-02255E LINDLEY, ROY
 --- 29-02255F LINDLEY, RUSSELL

0.640
 0.482
 0.040
 0.400

1.562

(Enter-Continue) (GOLD 6-Produce Report) (GOLD 7-This Query) (Menu _____)

Split analysis's

$$\text{License 29-2255} \quad \frac{1.56}{\frac{0.44 \text{ cfs}}{78 \text{ acres}}} = 0.02$$

$$29-2255 D \quad \frac{0.482}{0.02} = 24.1 \text{ acres}$$

$$29-2255 F \quad \frac{0.400}{0.02} = 20 \text{ acres}$$

44.1 acres

 DO NOT MICROFILM
 From WR License File Microfiche

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18826

This proof is for Beneficial use

In Water District No.

1. Name of applicant Roy Lindley, Arbon, Idaho (or Star Route, Pocatello)
2. Source of water supply: Subterranean (well)
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 12, T. 6 S., R. 33 E., County of Power
4. Describe works as they exist, giving dimensions and capacities of same: Drilled well, cased 90 Ft with 20 inch pipe with a ten inch pipe enclosed and extended to a total depth of 103 Ft.
Water is diverted by a 10 inch "Peerless" pump which is belt connected to an Allis Chalmers gas power unit.
5. Water is used for: Irrigation and domestic purposes
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, Twp. 6 S., Range 33 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? None

Remarks:

Also 3 $\frac{1}{2}$ and 2 inch pipes are installed inside the 20 inch casing for use in a domestic pressure system
Water table is 52 feet below ground surface, and pump drawdown is twelve feet.

This examination was made on the 14th day of August, 1940

(Signed)

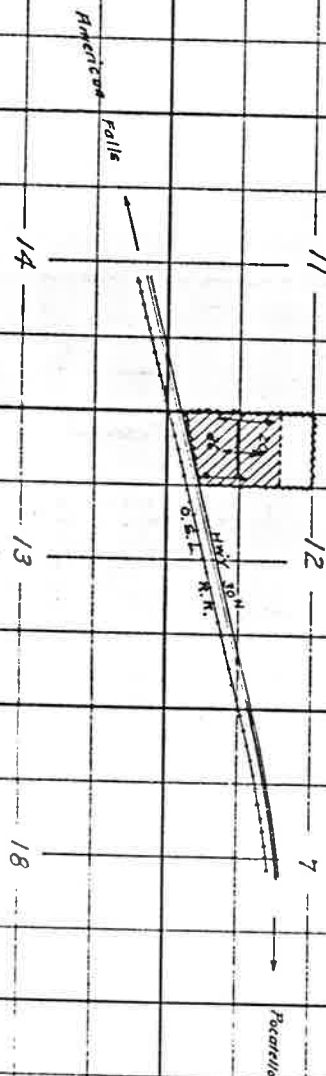
Geo. G. Johnson
Examiner

18826

DO NOT MICROFILM
From WR License File Microfiche

 DO NOT MICROFILM
 From WR License File Microfiche

2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.



18826

MAY 10 2001

act X

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-02255D
Date Received: 4/23/1990
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HELEN LINDLEY 208-237-6377
Address: 834 BRUNDAGE
POCATELLO, ID 83202

2. Date of Priority: MAY 22, 1939

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	33E	12	NW	NW	SW		POWER

5. Description of diverting works:
WELL, PUMP, MAINLINES, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.482		

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

8. Total consumptive use is 110.2 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	33E	12	NW	SW		IRR	40.0
			SW	SW		IRR	4.1

Section Acres 44.1

MICROFILMED

NOV 13 1992

10. Place of Use: Continued

Total Acres 44.1

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
29-02255F

14. Remarks:

ORIGINAL WATER RIGHT NO. 29-2255 FOR 1.12 CFS IRRIGATED 56 ACRES WITH 5/22/39 PRIORITY. EXPANSION VIA NO. 29-2255 ON 9/16/49 ADDED 20 ACRES FOR TOTAL OF 76 ACRES. SOUTHMOST 33 ACRES SOLD OFF LEAVING 44.1 ACRES. APPLICATION FOR POINT OF DIVERSION CHANGE FILED 3/28/83 AND APPROVED. TWO CLAIMS ARE BEING FILED AT THIS TIME, NO. 29-3355 D [2255D] AND NO. 29-2255F.

15. Basis of Claim: LICENSE

Water Right Number: 18826

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

Water Right Number - A29-02255D

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 18826

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

*** C - CURRENT OWNER ***
SCHROEDER

NATHAN

1 - 2098 MICHAUD CREEK RD
2 -
3 -City- POCATELLO
Phone - 208-234-1543

State- ID Zip- 83204

SCHROEDER

MICHELLE

1 - 2098 MICHAUD CREEK RD
2 -
3 -City- POCATELLO
Phone - 208-234-1543

State- ID Zip- 83204

*** O - ORIGINAL OWNER ***
LINDLEY

HELEN

1 - 834 BRUNDAGE
2 -
3 -City- POCATELLO
Phone - 208-237-6377

State- ID Zip- 83202

+ - - Priority Date - - +
05/22/1939+ - - Region - - - +
15 EASTERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - - - Source - - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

06S 33E 12 NW NW SW (77) POWER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/01

11/01

0.482

+ - Total Div. Rate - + + - Total Div. Volume - +
0.482+ - Total Consumptive Use - + + - KW Usage - +
110.2+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County06S 33E 12 NW SW
06S 33E 12 SW SW40.0
4.101 IRRIGATION
01 IRRIGATION(77) POWER
(77) POWER

Total Acres: 44.1

+ - - Diversion Means - WELL, PUMP, MAINLINES, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 29-02255F

Water right number - A29-02255D

Prefix Translation: ADJUDICATION CLAIM

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

GEN ORIGINAL WATER RIGHT NO. 29-2255 FOR 1.12 CFS IRRIGATED 56
ACRES WITH 5/22/39 PRIORITY. EXPANSION VIA NO. 29-2255 ON
9/16/49 ADDED 20 ACRES FOR TOTAL OF 76 ACRES. SOUTHMOST 33
ACRES SOLD OFF LEAVING 44.1 ACRES. APPLICATION FOR POINT OF
DIVERSION CHANGE FILED 3/28/83 AND APPROVED. TWO CLAIMS ARE
BEING FILED AT THIS TIME, NO. 29-3355 D [2255D] AND NO. 29-
2255F.

CHANGE OF OWNERSHIP, 2/23/98,ABR.

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

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

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

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - - +
02/23/98 ARUBERRY

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 04/24/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- E013617	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

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:

Ident. Number

Date Received

Receipt Number

39576
A29-02255D
4-23-90
E013617

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 23 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Helen Lindley Phone (208) 237-6377
Mailing Address 834 Brundage, Pocatello, Idaho Zip 83202

2. Date of Priority (Only one (1) per claim) 5/22/39

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 6S Range 33E Section 12,
NW 1/4 of NW 1/4 of SW 1/4, Govt. Lot, E B.M., County of Power

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

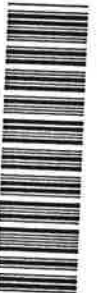
Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well, pump with mainlines to
sprinkler.

A2902255D



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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4/1 to 11/1 amount 0.482 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.482 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 110.25 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	33E	12										40	4.1						44.1

Total number of acres irrigated 44.1

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
No. 29-2255 F or None ()

14. Remarks: Original water right No. 29-2255 for 1.12 cfs. irrigated 56 acres with 5/22/39 priority. Expansion via No. 29-2255 on 9/16/49 added 20 acres for total of 76 acres. Southmost 33 acres sold off leaving 44.1 acres. Application for point of diversion change filed 3/28/83 and approved. Two claims are being filed at this time, No. 29-2255 D and No. 29-2255 F.

Last Name Lindley Ident No. _____

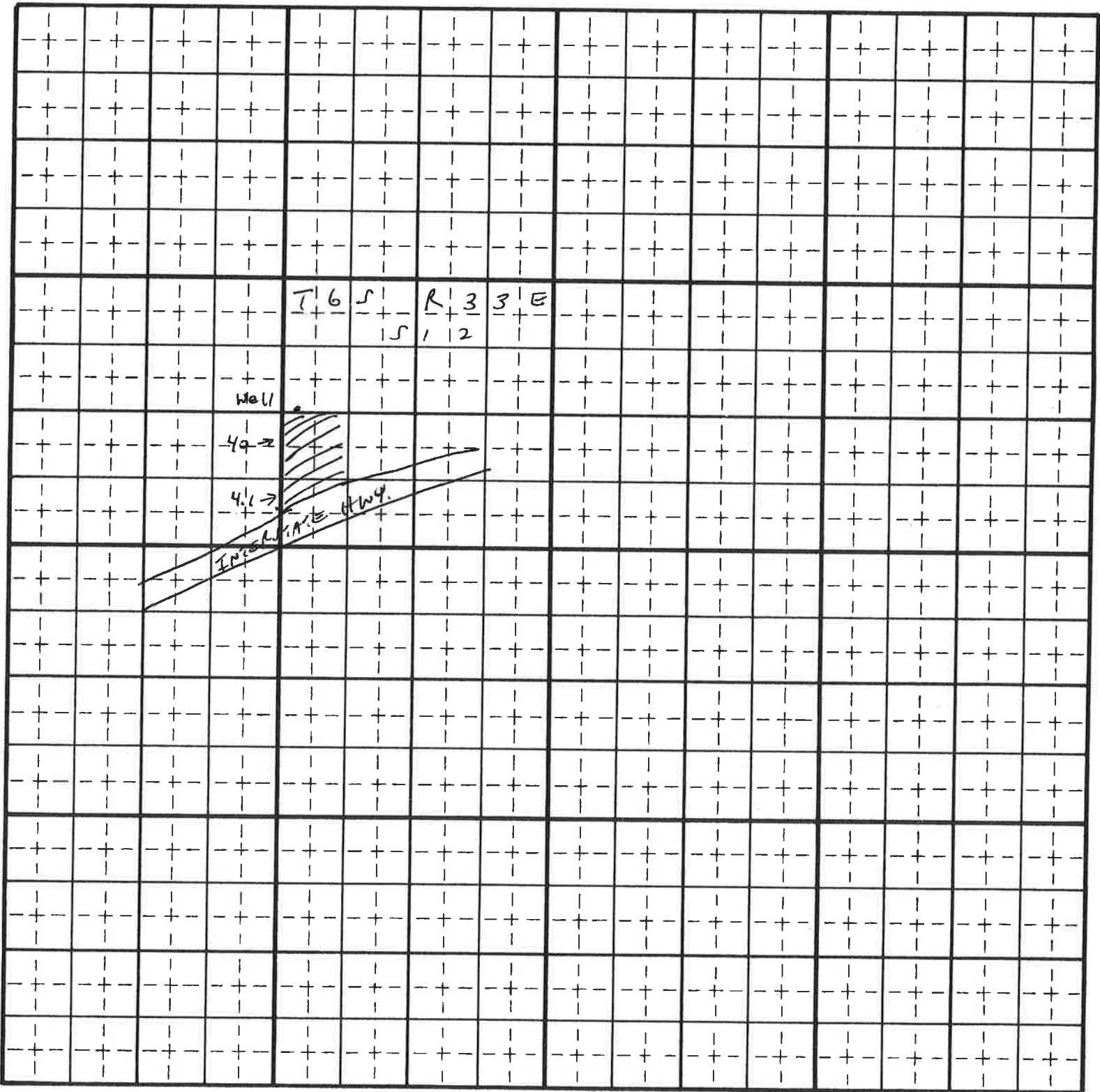
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Copies: White-State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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Last Name Lindley

Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____

If applicable provide IDWR Water Right Number 29-2255 A
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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

Signature of Claimant (s) Green Lindsey Date 4-18-90

Date _____

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

Title
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of BANNOCK) SS.

Subscribed and sworn (or affirmed) before me this 18th day of APRIL 19 90

SEAL

Notary Public Carol Hadley

Residing at POCAHELLO

My Commission Expires 12/19/95

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Lindley Ident. Number _____

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