

11/19/2003

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

RIGHT NUMBER: 29-7135

NAME AND ADDRESS: RANDY BERTAGNOLE
2864 E BOWMAN RD
DOWNEY ID 83234

SHARON BERTAGNOLE
2864 E BOWMAN RD
DOWNEY ID 83234

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.240 CFS
373.60 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND
STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/01/1973

POINT OF
DIVERSION: T11S R37E S7 SWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.240 CFS 371.00 AFY
STOCKWATER	01/01 12/31	0.020 CFS 1.40 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County

T11S R37E S07	SWSE	37.0	T11S R37E S07	SESE	33.0
T11S R37E S18	NENE	36.0			

STOCKWATER Within BANNOCK County

T11S R37E S07 SWSE

DOMESTIC Within BANNOCK County

T11S R37E S07 SESE

106 ACRES TOTAL

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

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

USE OF THIS RIGHT IS COMBINED WITH WATER FROM PORTNEUF MARSH VALLEY CANAL CO.

STOCKWATER, 50 DAIRY COWS

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NUMBER: 29-7135
NAME AND ADDRESS: ALLEN M ARCHIBALD
BOWMAN RD
DOWNEY ID 83234

LARRY ARCHIBALD
19988 S DEGN RD
DOWNEY ID 83234

SOURCE: GROUND WATER
QUANTITY: 1.24 CFS
373.6 AFY

TRIBUTARY:

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND
STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/01/1973

POINT OF DIVERSION:

T11S R37E S7 SWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.240 CFS 371.00 AFY
STOCKWATER	01/01 12/31	0.020 CFS 1.40 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY

PLACE OF USE:

IRRIGATION Within BANNOCK County

T11S R37E S18	NENE	36.0	T11S R37E S07	SWSE	37.0
T11S R37E S07	SESE	33.0			

STOCKWATER Within BANNOCK County

T11S R37E S07	SWSE
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DOMESTIC Within BANNOCK County

T11S R37E S07	SESE
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106 ACRES TOTAL

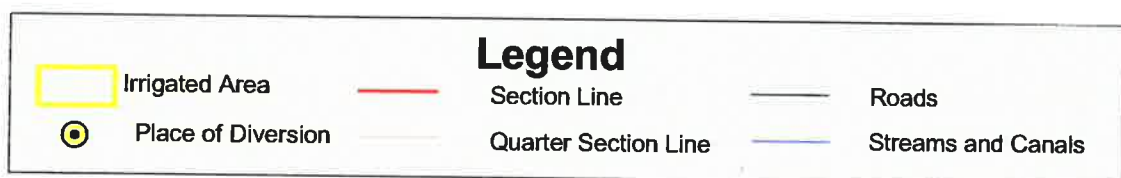
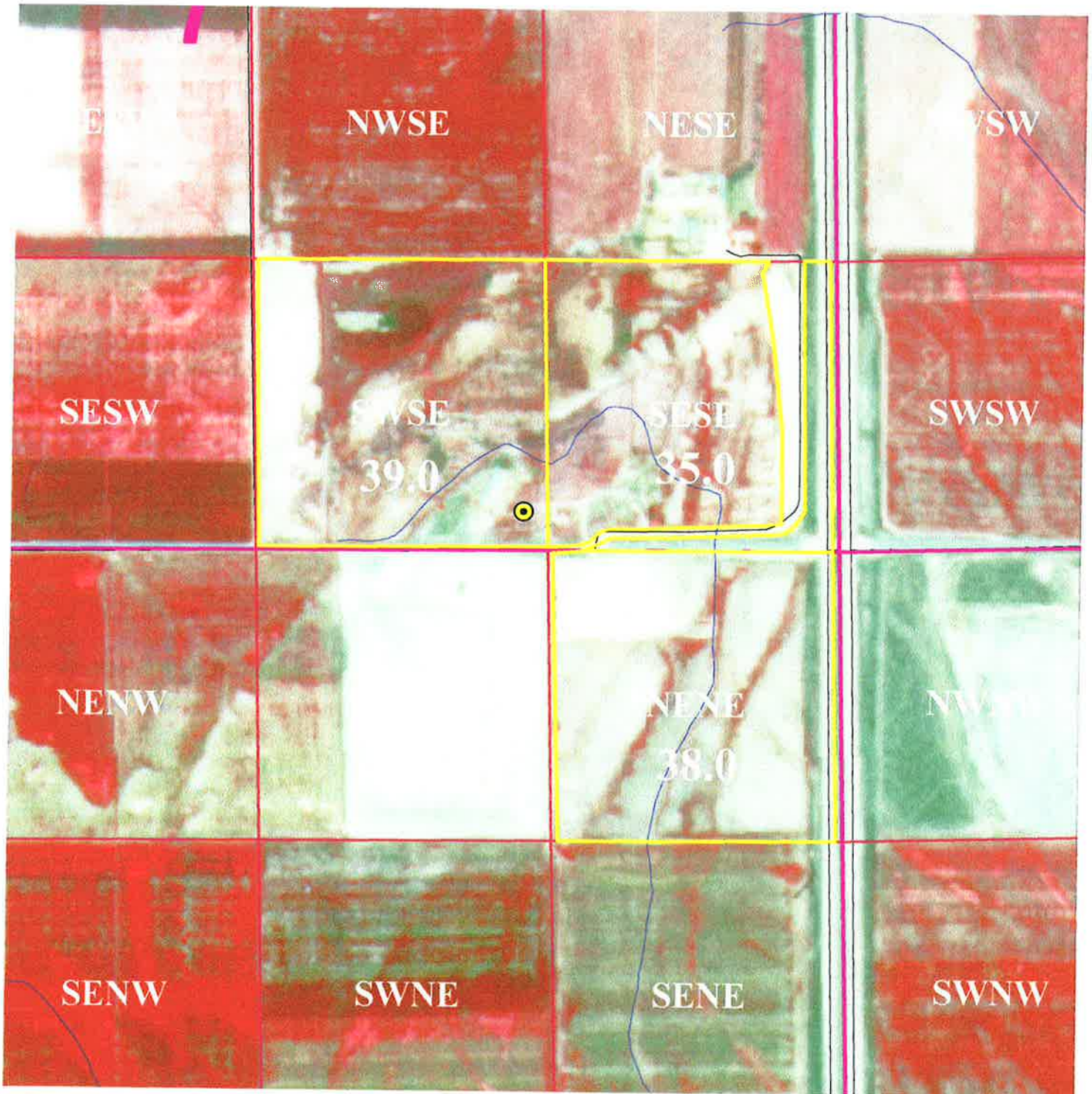
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

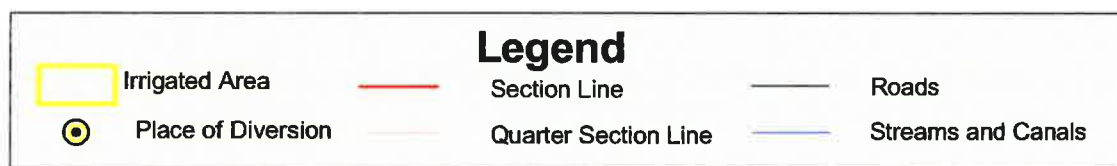
EXPLANATORY MATERIAL: License

STOCKWATER, 50 DAIRY COWS
USE OF THIS RIGHT IS COMBINED WITH WATER FROM PORTNEUF MARSH
VALLEY CANAL CO.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

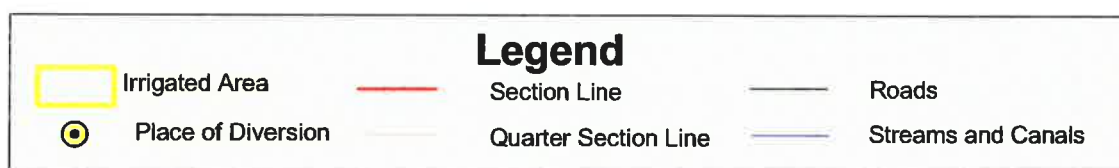
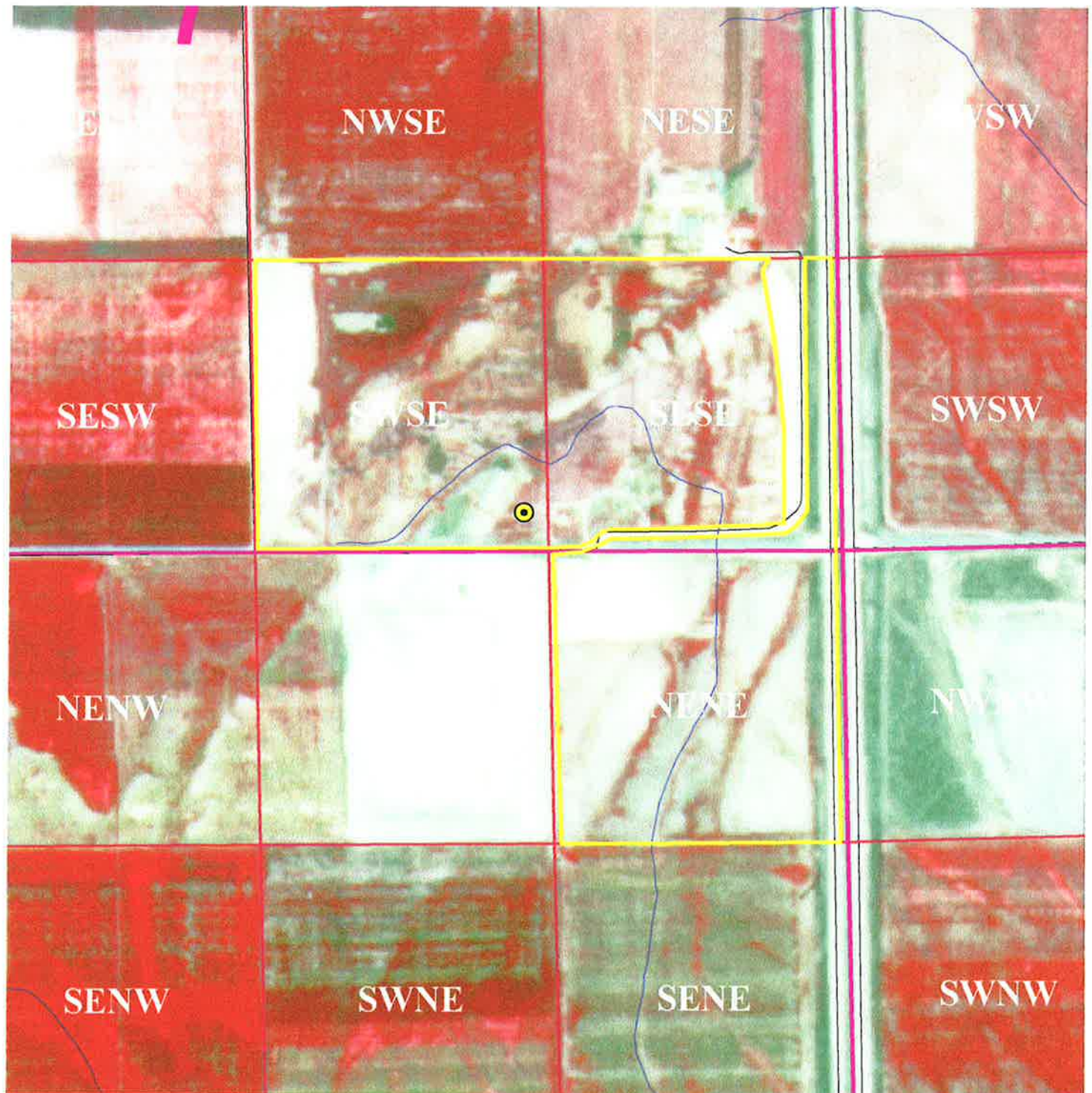
Township , 11S37E



Township , 11S37E



Township , 11S37E



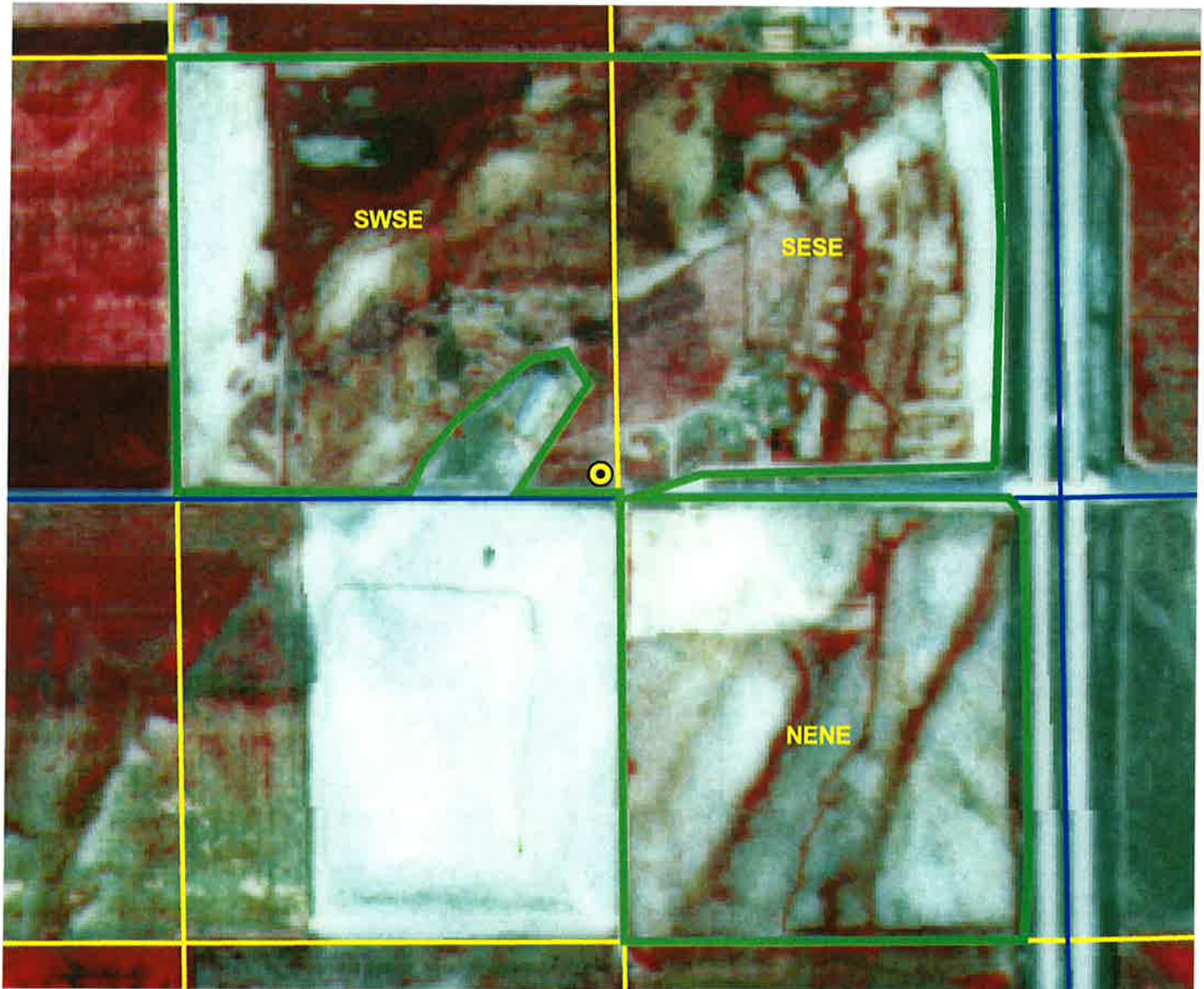
SCANNED

MAY 24 2001

IDAHO DEPARTMENT OF WATER RESOURCES

29-07135

T11S, R37E SEC 7, 18



ACRES IRRIGATED- 106



POINT OF DIVERSION



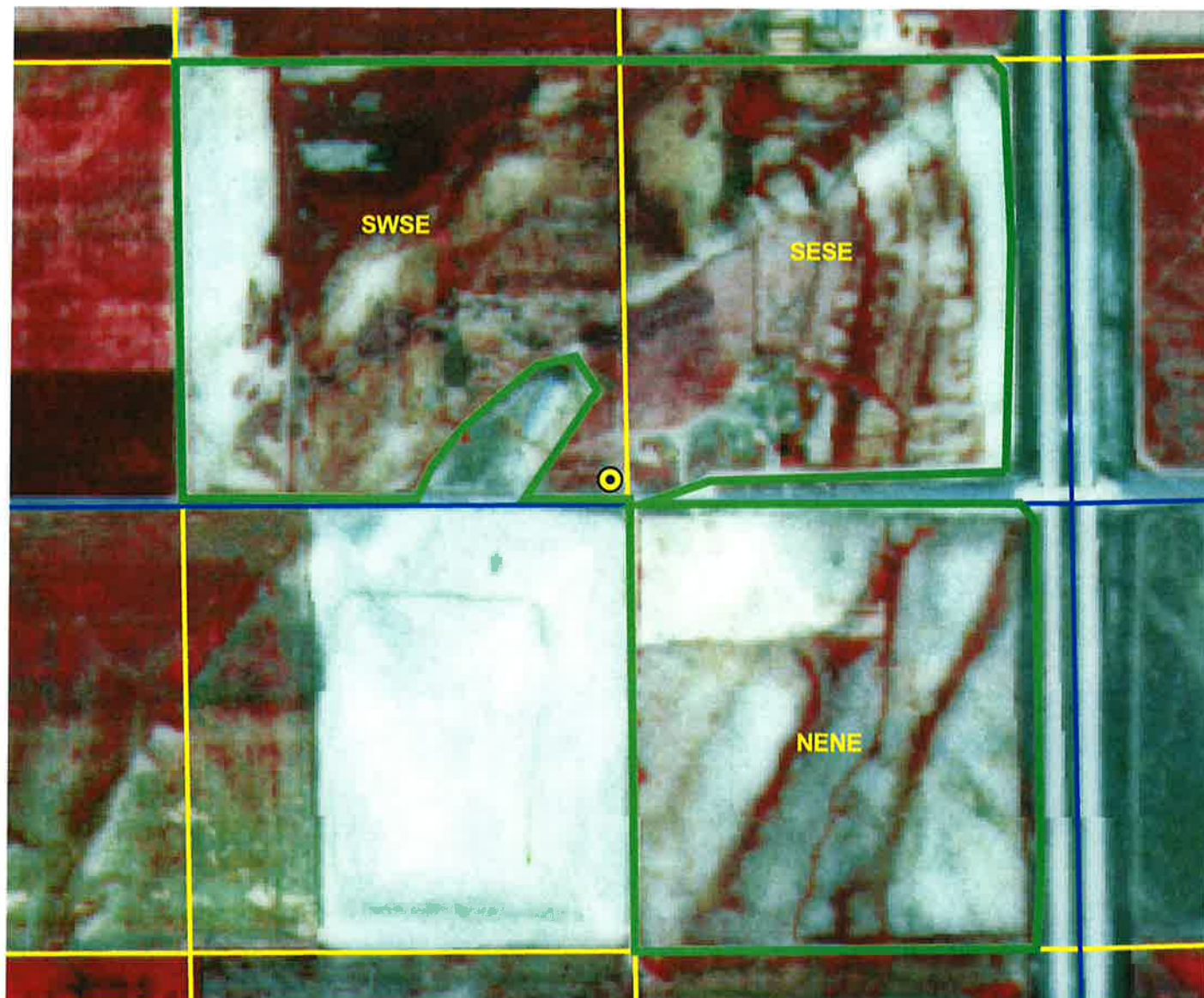
PLACE OF USE

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

IDAHO DEPARTMENT OF WATER RESOURCES

29-07135

T11S, R37E SEC 7, 18



ACRES IRRIGATED- 106



POINT OF DIVERSION



PLACE OF USE

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**



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

November 21, 2003

RANDY & SHARON BERTAGNOLE
2864 E BOWMAN RD
DOWNEY ID 83234

RE: Notice of Change of Water Right Ownership (NCO) for 29-7135 and Notice
of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On November 7, 2003, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Kristen Forsgren
Office Specialist 1

Enclosure

cc: LARRY & ALLEN ARCHIBALD

PROFILE

SCANNED
APR 14 2004

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

In Re SRBA

Water Rights: 29-7135

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Nov 19, 2003.

Ernest Carlson
Signature of IDWR Representative

SCANNED

APR 14 2004

CERTIFICATE OF MAILING

I certify that on November 21, 2003, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
LARRY & ALLEN ARCHIBALD
19988 S DEGN RD
DOWNEY ID 83234

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
RANDY & SHARON BERTAGNOLE
2864 E BOWMAN RD
DOWNEY ID 83234

4. One copy to:

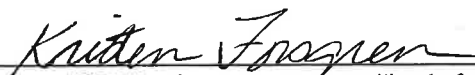
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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APR 14 2006

OK JC 11-7-03

RECEIVED
NOV 07 2003
Department of Water Resources
Eastern Region

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

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
	29-7135				
29-11859					
29-11860					

sent
copy
to
Kari
Lynn

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$50.00
- 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) Larry & Allen Archibald
19988 S. Degr Rd. Downey, ID
4. New Owner/Claimant(s) Randy and Sharon Bertagnole
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2864 E. Bowman Rd.
- City, State and ZIP Code Downey ID 83234
- New Telephone Number (208) 897-5779
5. Date you acquired the property SEPTEMBER 11, 1996

P.D. issued on 29-11859 &
29-11860

PROFILED PROFILED

APR 14 2003

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)

Garth Burt

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 JC Date 11-7-03 Fee \$50
 Received by JC Date 11-7-03 Receipt No. 2029337
 Processed by _____ AJ Date _____ WR _____ Date _____

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APR 14 2003

5-1

Position 5

96017753

01183

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS' HOME ADMINISTRATION

FH-22503

QUITCLAIM DEED

The UNITED STATES OF AMERICA, acting through the Administrator of the Farmers Home Administration, United States Department of Agriculture, CONVEYS and QUITCLAIMS to

RANDY AND SHARON BERTAGNOLE

, Grantee, for the sum of ONE HUNDRED TWENTY THOUSAND AND 00/100 DOLLARS (\$120,000.00)

all interest in the following described real estate situated in the County of BANNOCK

State of IDAHO

, to-wit: 1517 WEST, 4920 SOUTH, SLC, UT 84123

See Attached Exhibit A-

01184

5-2

96017753

This deed is executed and delivered pursuant to the provisions of a sale of Government Property, formerly belonging to Neldon J. Cobbley, Account No. 12-003-0528767622, Advice No. 1200300020, Sealed Bid Sale, Sale of Property by the United States of America.

authority set forth in 7 CFR 1900, Subpart A.

No member of Congress shall be admitted to any share or part of this deed or to any benefit that may arise therefrom.

Dated Septemeber 11

, 19 96 .

Wherever "Farmers Home Administration", "FmHA", "Rural Development Administration", or "RDA" may appear, the term "United States of America" is substituted.

UNITED STATES OF AMERICA (Grantor)

By

Dennis R. Nelson
DENNIS R. NELSON, ACTING STATE EXECUTIVE
DIRECTOR, Farm Service Agency, formerly,
Farmers Home Administration
United States Department of Agriculture

In the presence of:

96017753

NO

RECORDED AT REQUEST OF
FIRST AMERICAN TITLE
96 OCT 18 PM 3 43

OFFICIAL RECORD BOOK NO 676
BANNOCK COUNTY IDAHO
LARRY W. GHAN RECORDER
FEE 1500 DEPUTY LL

ACKNOWLEDGMENT

STATE OF IDAHO)
County of Ada)

On this 11th day of September, 1996, before me, the undersigned, a Notary Public in and for said state, personally appeared Dennis R. Nelson, known to me to be the Acting State Executive Director, Farm Service Agency, USDA, and person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last above mentioned.

NOTARY SEAL

Chris Reminger
CHRIS REMINGER
Notary Public in and for State of Idaho
Residing at Meridian, Idaho
My Bond Expires: 7/6/2000

Exhibit A - Page 1 of 3

PARCEL 1:

TOWNSHIP 11 SOUTH, RANGE 37 E.B.M., BANNOCK COUNTY, IDAHO,
SECTION 7: S $\frac{1}{2}$ SE $\frac{1}{4}$ EXCEPTING THEREFROM:

TOWNSHIP 11 SOUTH, RANGE 37 E.B.M., BANNOCK COUNTY, IDAHO,
SECTION 7: BEGINNING AT THE NORTHWEST CORNER OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ AND RUNNING
THENCE EAST 510 FEET; THENCE SOUTH 1320 FEET; THENCE WEST 510 FEET;
THENCE NORTH 1320 FEET TO THE PLACE OF BEGINNING. EXCEPT: A PARCEL OF
LAND IN THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 7, TOWNSHIP 11 SOUTH, RANGE 37 E.B.M.,
BEGINNING AT THE NORTHWEST CORNER OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION 7; THENCE
EAST ALONG THE SOUTH 1/16 LINE A DISTANCE OF 510 FEET; THENCE SOUTH 900
FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 300 FEET, MORE
OR LESS, TO THE NORTHERLY RIGHT OF WAY WHICH WAS DEEDED TO THE STATE OF
IDAHO IN BOOK 232, INSTRUMENT 467429; THENCE WESTERLY ALONG THE STATE
RIGHT OF WAY 300 FEET; THENCE NORTH 300 FEET, MORE OR LESS, TO A POINT
300 FEET WEST OF THE TRUE POINT OF BEGINNING; THENCE EAST 300 FEET, MORE
OR LESS, TO THE TRUE POINT OF BEGINNING.

SECTION 18: NE $\frac{1}{4}$ NE $\frac{1}{4}$; EXCEPTING THEREFROM THE FOLLOWING DESCRIBED
PROPERTY:

A PARCEL OF LAND BEING ON THE WESTERLY SIDE OF THE CENTER LINE OF
INTERSTATE 15 PROJECT NO. 1-15-1(15)32 HIGHWAY SURVEY AS SHOWN ON THE
PLANS THEREOF NOW ON FILE IN THE OFFICE OF THE DEPARTMENT OF HIGHWAYS
OF THE STATE OF IDAHO, AND BEING A PORTION OF THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 18
AND THE S $\frac{1}{2}$ SE $\frac{1}{4}$ OF SECTION 7, TOWNSHIP 11 SOUTH, RANGE 37 E.B.M.,
DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE NORTHEAST CORNER OF THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 18,
TOWNSHIP 11 SOUTH, RANGE 37 E.B.M.; THENCE SOUTH 0°03'42" WEST ALONG
THE EAST LINE OF SAID NE $\frac{1}{4}$ NE $\frac{1}{4}$ A DISTANCE OF 1320.0 FEET, MORE OR LESS,
TO THE SOUTHEAST CORNER THEREOF, THENCE NORTH 89°05'33" WEST ALONG THE
SOUTH LINE OF SAID NE $\frac{1}{4}$ NE $\frac{1}{4}$ A DISTANCE OF 150.02 FEET TO A POINT IN A
LINE PARALLEL WITH AND 150.00 FEET WESTERLY FROM THE CENTERLINE AND
OPPOSITE STATION 886+18.20 OF SAID INTERSTATE 15, PROJECT NO.
1-15-1(15)32 HIGHWAY SURVEY; THENCE NORTH 0°03'42" EAST ALONG SAID
PARALLEL LINE 1253.82 FEET TO A POINT THAT BEARS NORTH 89°56'18" WEST
FROM STATION 898+72.02 OF SAID HIGHWAY SURVEY; THENCE NORTH 87°07'36"
WEST 881.78 FEET TO A POINT IN A LINE PARALLEL WITH AND 40.0 FEET
SOUTHERLY FROM THE CENTERLINE AND OPPOSITE STATION 9+69.40 OF THE BOWMAN
ROAD SURVEY AS SHOWN ON THE PLANS OF SAID INTERSTATE 15, PROJECT NO.
1-15-1(15)32 HIGHWAY SURVEY; THENCE NORTH 89°10'50" WEST ALONG SAID LAST
PARALLEL LINE 248.58 FEET TO A POINT IN A LINE PARALLEL WITH AND 20.0
FEET EASTERLY FROM THE CENTERLINE AND OPPOSITE STATION 0+40.02 OF THE
ACCESS ROAD NO. 1 SURVEY AS SHOWN ON THE PLANS OF SAID INTERSTATE 15
HIGHWAY SURVEY; THENCE SOUTH 2°31'10" WEST ALONG SAID LAST PARALLEL LINE
1282.78 FEET TO A POINT IN THE SOUTH LINE OF SAID NE $\frac{1}{4}$ NE $\frac{1}{4}$ AND OPPOSITE
STATION 13+22.80 OF SAID ACCESS ROAD NO. 1 SURVEY; THENCE NORTH 88°02'30"
WEST ALONG THE SOUTH LINE OF SAID NE $\frac{1}{4}$ NE $\frac{1}{4}$ A DISTANCE OF 40.0 FEET TO THE
SOUTHWEST CORNER OF SAID NE $\frac{1}{4}$ NE $\frac{1}{4}$ AND OPPOSITE STATION 13+23.20 OF SAID
ACCESS ROAD NO. 1 SURVEY; THENCE NORTH 2°31'10" EAST ALONG THE WEST LINE
OF SAID NE $\frac{1}{4}$ NE $\frac{1}{4}$ A DISTANCE OF 1320.0 FEET, MORE OR LESS, TO THE NORTHWEST
CORNER OF SAID NE $\frac{1}{4}$ NE $\frac{1}{4}$; THENCE NORTH 89°10'50" WEST ALONG THE SOUTH LINE

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OF THE SW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 7, TOWNSHIP 11 SOUTH, RANGE 37 E.B.M., 181.0 FEET, MORE OR LESS, TO A POINT COINCIDENT WITH STATION 5+00 OF SAID BOWMAN ROAD SURVEY; THENCE NORTH 0°49'10" EAST, 25.0 FEET; THENCE NORTH 85°29'24" EAST, 161.50 FEET TO A POINT IN A LINE PARALLEL WITH AND 40.0 FEET NORTHERLY FROM THE CENTERLINE AND OPPOSITE STATION 6+60.80 OF SAID BOWMAN ROAD SURVEY; THENCE SOUTH 89°10'50" EAST ALONG SAID LAST PARALLEL LINE 222.17 FEET TO A POINT IN A LINE PARALLEL WITH AND 20.0 FEET NORTHWESTERLY FROM THE CENTERLINE OF ACCESS ROAD NO. 2 SURVEY AS SHOWN ON THE PLANS OF SAID INTERSTATE 15, PROJECT NO. 1-15-1(15)32 HIGHWAY SURVEY; THENCE ALONG SAID LAST PARALLEL LINE AS FOLLOWS: NORTHEASTERLY ALONG A 70.0 FOOT RADIUS CURVE RIGHT 90.0 FEET, MORE OR LESS, TO A POINT OPPOSITE STATION 892+00.42 OF SAID ACCESS ROAD NO. 2 SURVEY; SOUTH 89°45'27" EAST, 450.0 FEET, MORE OR LESS, TO A POINT OPPOSITE STATION 896+50.22 AN ANGLE POINT OF 2°30" LEFT OF SAID ACCESS ROAD NO. 2 SURVEY; NORTH 87°44'33" EAST, 340.0 FEET, MORE OR LESS, TO A POINT OPPOSITE STATION 899+84.32 OF SAID ACCESS ROAD NO. 2 SURVEY; NORTHEASTERLY ALONG AN 80.0 FOOT RADIUS CURVE LEFT 122.44 FEET TO A POINT OPPOSITE STATION 901+37.55 OF SAID ACCESS ROAD NO. 2 SURVEY; NORTH 0°03'42" EAST 962.65 FEET TO A POINT OPPOSITE STATION 911+00 OF SAID ACCESS ROAD NO. 2 SURVEY; THENCE NORTH 25°19'46" WEST LEAVING SAID LAST PARALLEL LINE 182.63 FEET TO A POINT IN THE NORTHLINE OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION 7; THENCE SOUTH 88°58'30" EAST, ALONG SAID LAST NORTH LINE 268.0 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SAID SE $\frac{1}{4}$ SE $\frac{1}{4}$; THENCE SOUTH 0°03'42" WEST ALONG THE EAST LINE OF SAID SE $\frac{1}{4}$ SE $\frac{1}{4}$ A DISTANCE OF 1320.0 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

ALSO EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY: A PARCEL OF LAND BEING ON BOTH SIDES OF THE CENTER LINE OF INTERSTATE 15 PROJECT NO. 1-15-1(15)32 HIGHWAY SURVEY AS SHOWN ON THE PLANS THEREOF NOW ON FILE IN THE OFFICE OF THE DEPARTMENT OF HIGHWAYS OF THE STATE OF IDAHO, AND BEING A PORTION OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 18; THE W $\frac{1}{2}$ SW $\frac{1}{4}$ AND THE SW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 17, TOWNSHIP 11 SOUTH, RANGE 37 E.B.M. DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTHWEST CORNER OF THE SW $\frac{1}{4}$ SW $\frac{1}{4}$ SECTION 17, TOWNSHIP 11 SOUTH, RANGE 37 E.B.M.; THENCE NORTH 89°44'20" EAST ALONG THE SOUTH LINE OF SAID SW $\frac{1}{4}$ SW $\frac{1}{4}$ A DISTANCE OF 125.0 FEET, MORE OR LESS, TO A POINT IN A LINE PARALLEL WITH AND 150.0 FEET EASTERLY FROM THE CENTERLINE OF SAID INTERSTATE 15, PROJECT NO. 1-15-1(15)32 HIGHWAY SURVEY; THENCE ALONG SAID PARALLEL LINE AS FOLLOWS: NORTHERLY ALONG AN 11,609.16 FOOT RADIUS CURVE LEFT 783.0 FEET, MORE OR LESS, TO A POINT OPPOSITE STATION 854+25.62 OF SAID HIGHWAY SURVEY; NORTH 0°03'42" EAST 2774.38 FEET TO A POINT OPPOSITE STATION 882+00 OF SAID HIGHWAY SURVEY; THENCE NORTH 1°45'36" EAST, LEAVING SAID PARALLEL LINE, 413.90 FEET TO A POINT IN THE NORTH LINE OF THE SW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SAID SECTION 17 AND BEARS SOUTH 89°56'18" EAST, 162.62 FEET FROM STATION 886+13.17 OF SAID HIGHWAY SURVEY; THENCE NORTH 89°08'03" WEST ALONG SAID NORTH LINE 162.64 FEET TO THE NORTHWEST CORNER OF SAID SW $\frac{1}{4}$ NW $\frac{1}{4}$; THENCE SOUTH 0°03'42" WEST ALONG THE WEST LINE OF SAID SECTION 17 A DISTANCE OF 2640.0 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 18, TOWNSHIP 11 SOUTH, RANGE 37 E.B.M.; THENCE WESTERLY ALONG THE NORTH LINE OF SAID SE $\frac{1}{4}$ SE $\frac{1}{4}$ A DISTANCE OF 150.0 FEET, MORE OR LESS, TO A POINT IN A LINE PARALLEL WITH AND 150.0 FEET WESTERLY FROM THE CENTER LINE OF SAID HIGHWAY SURVEY; THENCE ALONG SAID LAST PARALLEL LINE AS FOLLOWS: SOUTH 0°03'42" WEST 552.0 FEET, MORE OR LESS, TO A POINT OPPOSITE STATION 854+25.62 OF SAID HIGHWAY SURVEY; SOUTHERLY ALONG AN 11,309.16 FOOT RADIUS CURVE RIGHT 752.06 FEET TO A POINT OPPOSITE STATION 846+63.58 OF SAID HIGHWAY SURVEY; THENCE SOUTH 38°42'50" WEST LEAVING SAID LAST PARALLEL LINE 37.04 FEET TO A POINT IN THE SOUTH LINE OF SAID SE $\frac{1}{4}$ SE $\frac{1}{4}$; THENCE SOUTH 89°21'43" EAST ALONG SAID SOUTH LINE 205.0 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING...

SCANNED

APR 11 1991

01187

Exhibit A - Page 3 of 3

5-5

96017753

PARCEL 2:

TOWNSHIP 11 SOUTH, RANGE 37 E.B.M., BANNOCK COUNTY, IDAHO, SECTION 7: BEGINNING AT THE NORTHWEST CORNER OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ AND RUNNING THENCE EAST 510 FEET; THENCE SOUTH 1320 FEET; THENCE WEST 510 FEET; THENCE NORTH 1320 FEET TO THE PLACE OF BEGINNING... EXCEPT: A PARCEL OF LAND IN THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 7, TOWNSHIP 11 SOUTH, RANGE 37 E.B.M., BEGINNING AT THE NORTHWEST CORNER OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION 7; THENCE EAST ALONG THE SOUTH 1/16 LINE A DISTANCE OF 510 FEET; THENCE SOUTH 900 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 300 FEET, MORE OR LESS, TO THE NORTHERLY RIGHT OF WAY WHICH WAS DEEDED TO THE STATE OF IDAHO IN BOOK 232, INSTRUMENT 467429; THENCE WESTERLY ALONG THE STATE RIGHT OF WAY 300 FEET; THENCE NORTH 300 FEET, MORE OR LESS, TO A POINT 300 FEET WEST OF THE TRUE POINT OF BEGINNING; THENCE EAST 300 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING...

TOGETHER WITH ALL water and water rights, ditches and ditch rights used thereon or pertinent thereto, including but not limited to 120 shares in Portneuf Marsh Valley Canal Company; Water under Application No. 29-7135 approved by the Department of Water Administration on July 16, 1973; Water under License No. 29-7031 and 29-2340; All irrigation equipment of every kind and character and additions thereto and replacements now or hereafter owned by the borrower(s) and used in the irrigation of above premises to the extent that it still exists.

Commonly Known Address: 5 Miles Northwest of Downey, Idaho, on Bowman Road.

STATE OF IDAHO }
County of Bannock }

I hereby certify that the foregoing is a full true and correct copy of an instrument as the same now remains on file and of record in my office.

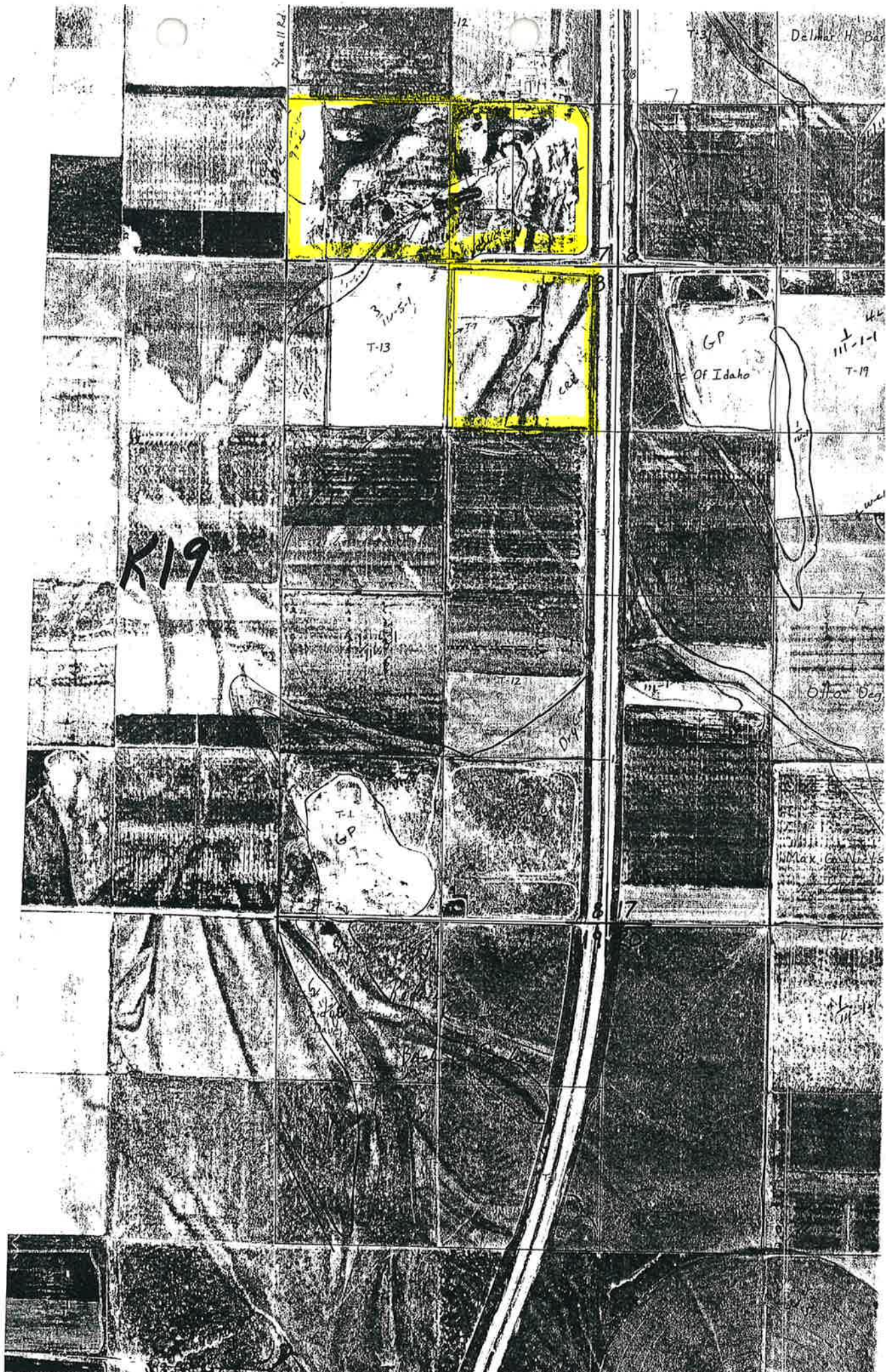
WITNESS my hand and official seal hereto affixed

this 3rd day of Nov. a.d. 2003
LARRY W. GHAN, CLERK OF THE DISTRICT COURT
EX-OFFICIO AUDITOR AND RECORDER

By Deputy B. Perkin

SCANNED

APR 14 2003



IPM101 |

PARCEL MASTER INQUIRY

| [2004] | [INQUIRY] | [11/03/03]

Parcel No	[R4433018300]	Status	[]	Legal Description	
Owner Name	[BERTAGNOLE, RANDY]			[TR NE4NE4 TAX 8 32.72 AC]	
Address 1	[2864 E BOWMAN RD]			[S18-T11S-R37E]	
Address 2	[]			[]	
Address 3	[]			[]	
Address 4	[]			[]	
City	[DOWNEY]		St [ID]	[]	
		Zip	[832341553]	Comment	
Property House	Dr	Street	[]		
Address	[000000]	[]	[]		
Property Type	[RR]	Deed Number	[96017753]		
Code Area	[005000]	Old Deed No	[694179]		
Bank Code	[]	Previous No	[]		
LL []	SM []	Next Parcel	[]	Homeowner's	[]
		Last Signed	[]		
CB Code	[]	Hardship Flag	[]		
CB Amount	[]	Hardship Pct	[.00]		
--- Urban Renewal					
Code []	Base []	Appr 05	Coml	Geo	[]

SCANNED

APR 14 2006

IPM101 |

PARCEL MASTER INQUIRY

| [2004] | [INQUIRY] | [11/03/03]

Parcel No	[R4433006603]	Status []	Legal Description
Owner Name	[BERTAGNOLE, RANDY	]	[S7-T11S-R37E]
Address 1	[& BERTAGNOLE, SHARON	]	[TR SE4SE4 TAX 17 13.12 AC]
Address 2	[2864 E BOWMAN RD	]	[]
Address 3	[]	]	[]
Address 4	[]	]	[]
City	[DOWNEY	]	St [ID] []
		Zip [832341553]	Comment
Property House	Dr	Street	[]
Address [000000]	[]	[]	[]
Property Type	[RR]	Deed Number	[96017753]
Code Area	[005000]	Old Deed No	[95006857]
Bank Code	[]	Previous No	[R4433006602]
LL []	SM []	Next Parcel	[] Homeowner's [31]
		Last Signed	[BERTAGNOLE, RANDY/SHARON -2000]
CB Code	[]	Hardship Flag	[]
CB Amount	[]	Hardship Pct	[.00]
--- Urban Renewal			
Code []	Base []	Appr 05	Coml Geo []

SCANNED

APR 14 2006

IPM101 |

PARCEL MASTER INQUIRY

|[2004]| [INQUIRY] |[11/03/03]

Parcel No	[R4433006604]	Status []	Legal Description
Owner Name	[BERTAGNOLE, RANDY	]	[TR SE4SE4 TAX 16 2.00 AC]
Address 1	[2864 E BOWMAN RD	]	[S7-T11S-R37E]
Address 2	[	]	[]
Address 3	[	]	[]
Address 4	[	]	[]
City	[DOWNEY	] St [ID]	[]
		Zip [832341553]	Comment
Property House	Dr	Street	[]
Address [019988]	[S]	[DEGN	] []
Property Type	[RR]	Deed Number	[96017753]
Code Area	[005000]	Old Deed No	[896050]
Bank Code	[]	Previous No	[R4433006602]
LL []	SM []	Next Parcel	[] Homeowner's []
		Last Signed	[ARCHIBALD, LARRY A - 1989]
CB Code	[]	Hardship Flag	[]
CB Amount	[]	Hardship Pct	[.00]
--- Urban Renewal	-----		
Code []	Base []	Appr 05 Coml	Geo []

SCAIF

APR 14 2004

IPM101 |

PARCEL MASTER INQUIRY

| [2004] | [INQUIRY] | [11/03/03]

Parcel No	[R4433006601]	Status	[]	Legal Description	
Owner Name	[BERTAGNOLE, RANDY		]	[TR SW4SE4 TAX 15 39.86 AC	]
Address 1	[2864 E BOWMAN RD		]	[TR SE4SE4 TAX 14 16.78 AC	]
Address 2	[		]	[S7-T11S-R37E	]
Address 3	[		]	[	]
Address 4	[		]	[	]
City	[DOWNEY		]	St [ID]	[
		Zip	[832341553]	Comment	
Property House	Dr	Street	[		]
Address	[000000]	[]	[		]
Property Type	[RR]	Deed Number	[96017753		]
Code Area	[005000]	Old Deed No	[694179		]
Bank Code	[]	Previous No	[		]
LL []	SM []	Next Parcel	[		]
		Last Signed	[		]
CB Code	[]	Hardship Flag	[]		
CB Amount	[	Hardship Pct	[.00]		
--- Urban Renewal					
Code []	Base []	Appr 05	Coml	Geo []	

COANNED
MAY 24 2001

Log for claim A29-07135

Spatial Dynamics TWB

5/31/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s37e	7	SWSE	36	39	
11s37e	7	SESE	35	35	
11s37e	18	NENE	35	38	
Totals:			106	112	

AJ5809NP
No. A29-07135

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 135

=====

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:
Audit:	05/01/90 JONES	07/25/94 THOMPSON	03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7135 Priority 6/1/1973 Amount 1.24 cfs

THIS IS TO CERTIFY, that ALLEN M. ARCHIBALD

of Downey, ID, has complied with the terms and conditions of Permit No. 29-7135 issued pursuant to Application for Permit dated 6/1/1973, and has submitted proof to the Department of Water Resources on 6/29/1978, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 1.24 cfs of water from a groundwater source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>4/1</u> to <u>11/1</u>	at <u>1.24</u> cfs and	<u>371.0</u> AF
Domestic	from <u>1/1</u> to <u>12/31</u>	at <u>.04</u> cfs and	<u>1.2</u> AF
(1 unit)			
Stockwater	from <u>1/1</u> to <u>12/31</u>	at <u>.02</u> cfs and	<u>1.4</u> AF

(both dates inclusive)

Subject, however, to the condition that no more than 1.24 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 373.6 acre feet per year, said waters to be diverted within the SWSE, Sec. 7, T11S, R37E in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NEW				NW¼				SW¼				Totals				
			NEW	NW¼	SW¼	SE¼	NEW	NW¼	SW¼	SE¼	NEW	NW¼	SW¼	SE¼	NEW	NW¼	SW¼	SE¼	
11S	37E	7															36	35	71
		18																	35

Total number of acres irrigated 106

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29th day of May, 19 81.


Director

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

1000000
coverage
8/11/78

RECEIVED

1. Name of permit holder Allen M. Archibald
Post office address Rt #2, Downey, ID
Person to contact _____
2. Source of water supply: Groundwater ☒ Surface water ☐
Tributary to _____

Phone _____
AUG 11 1978
Department of Water
Eastern District
(name spring, stream, etc.)

3. Water will be used for the following purposes:

Amount 2.0 c.f.s. for Irrigation
AF/Annum (nature of use)

Period of Use: from Apr. 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

Amount 0.02 c.f.s. for Stockwater (pork)
AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount 0.04 c.f.s. for Domestic
AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 29-7135
Examination for 6/4

4. Total amount to be appropriated:

Max Rate of Diversion 2.04 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 11S N/S, Range 37E E/W, B.M., Section 7, Subdivision SW 1/4 SE 1/4 Barnock County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Other Points of Diversions: _____

Description of diverting works: Pipe 8" pump. 20 hp motor
10" well casing - 55' deep

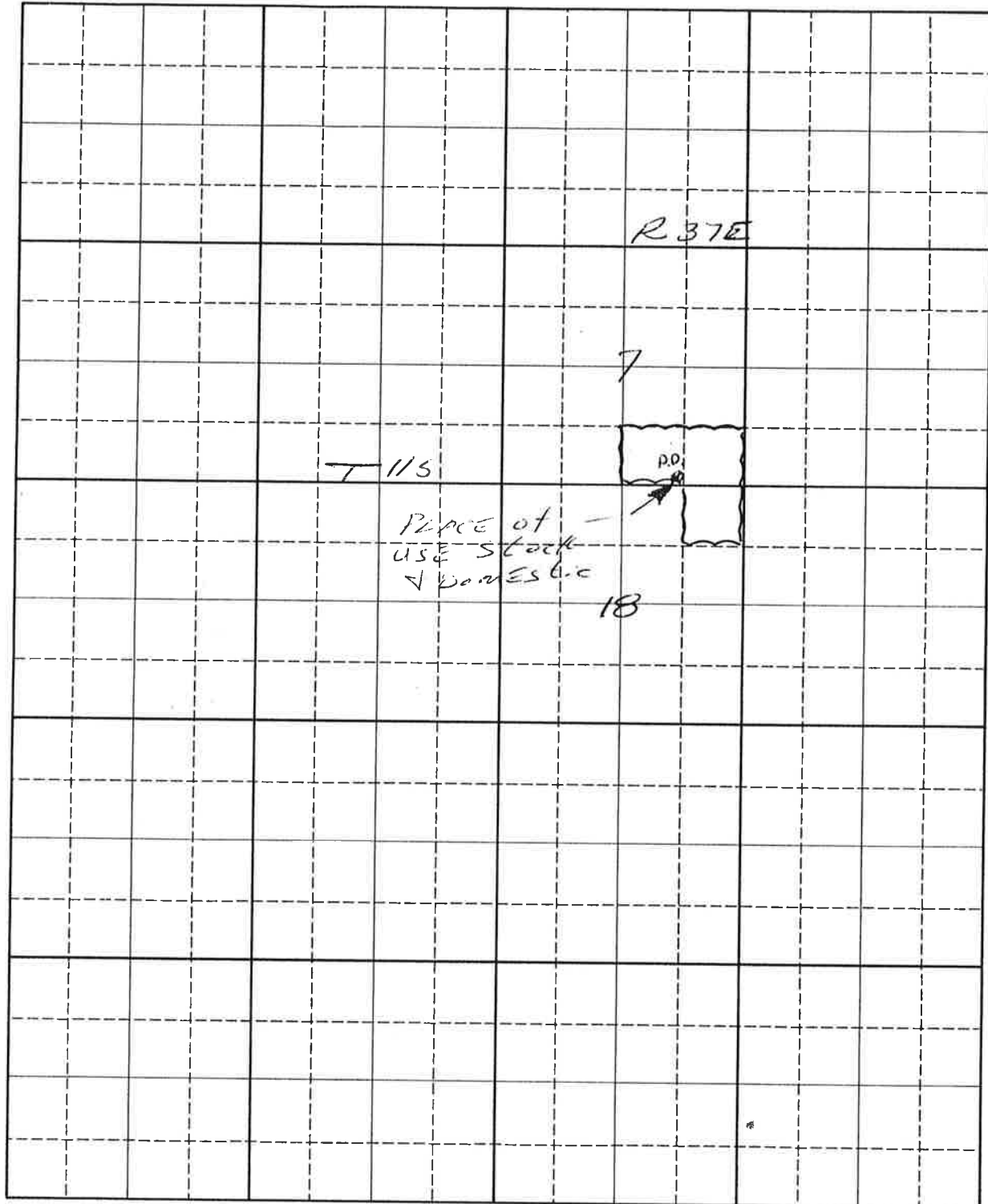
Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11S	37E	7															40	40	80
		18																	40
																			120
11S	37E	7															30	40	70
		18																	32.72
																			102.72

TOTAL ACREAGE _____

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



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Alvin M. Archibald
(Applicant)

Identification No. 29 7135

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Allen M. Archibald
post office address Downey, Idaho
2. Source of water supply ground-water which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 7 Township 11S
Range 37E B.M. Bannock County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2.0 LHJ for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.06 ~~XXXX~~ cubic feet per second ~~and/or~~ Per letter 6/08/73 LHJ
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. electric pump, sprinkler, stock tanks

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 16 inches; proposed depth of well is 50 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ \$2000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 7 Township 11S
Range 37E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 100 dairy cattle

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water one.
(5) If water is to be used for other purposes describe: _____

DATE OF EXAM 5/22/79

ACREAGE
Found 106 Ac
Recommended 106 Ac

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 1.24 c.f.s. V = 371 AF/Ann. from April 1 to Nov. 1
Domestic Q = .04 c.f.s. V = 1.2 AF/Ann. from Jan 1 to Dec. 31
Livestock Q = .02 c.f.s. V = 1.4 AF/Ann. from Jan 1 to Dec. 31
1.24 373.6

Is water co-mingled? yes no X

Name source: n/a
twp. N/S Rge 17 E/W, B.M., Sec. 7 Sub. 5 1/4 1/4 1/4 County

Exchange? yes no X

Name source exchanged with: n/a
twp. N/S Rge E/W B.M., Sec. 1/4 1/4 County

Point of injection: n/a
twp. N/S Rge E/W B.M., Sec. 1/4 1/4 County

Point of exchange: n/a
twp. N/S Rge E/W B.M., Sec. 1/4 1/4 County

Total Q measured 1.24 capacity 1.28 cfs Method of measurement in line meter

Total Q recommended 1.24 capacity 1.28 cfs Meter No. 78 8 745 Type me. turbine Condition Good

Total V recommended 373.6 AF/yr

Recommended Amendments:

P.D. _____
Place of Use _____
Other None

MEASUREMENT CALCULATION:

.001 Acp in 35 sec x 10 = .01 Acp in 350 sec. 350 sec / 435.67 = 1.24 cfs + assigned .04 Domestic = 1.28 cfs
Volume = 3.5 Acp/Ac x 106 Ac = 371 Acp/yr 1.24 cfs x 1.9835 x 214 days = 526.34 Acp/yr
Volume = 1.20 by assign. 1 stock = .02 cfs by assignment V = 1.4 AF/yr from dependent structure meter

SYSTEM DESCRIPTION:

Groundwater is diverted from a 16" dia well 55' deep, by a 3 phase 20 hp. U.S. motor Ser H 64 3131 and a Dayton + Babcock pump. There is 10' of 8" main which reduces to 6" main for 200' water is open discharged and at times co-mingles with surface water, while flood irrigating. A 1/2" dia. submersible pump located in a stream supplies water for domestic use. Stockwater is diverted by the irrigation pump and fills stock tanks.

REMARKS:

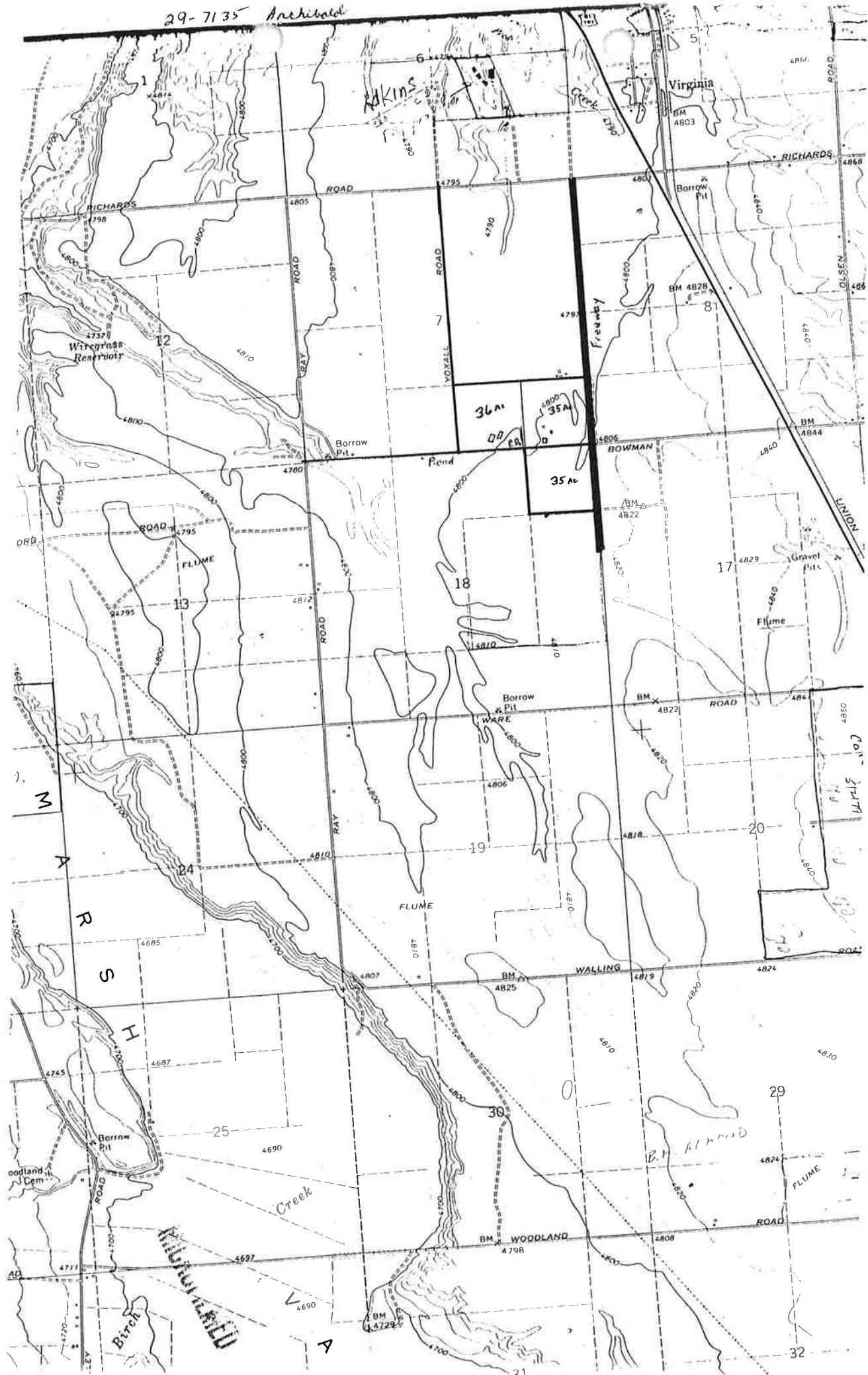
System shown and described by Allen Archibald
1-29-2340 overlaps his filing on 35a in NENE sec 18 and contributes .35 cfs for lands covered by his filing from a different well located on the SE NW of sec 17.
No conflict.

Examiner's Signature John Dale Carlson Date Nov. 14, 79

Checked by Anthony R. Kiglowski Date 2-22-80

Approved by [Signature] Date 4/14/81

Overlap to river attached



OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LARRY ARCHIBALD 19988 S DEGN RD DOWNEY ID 83234 (208) 897-5909	06/01/1973	IRRIGATION STOCKWATER DOMESTIC	04-01 11-01 01-01 12-31 01-01 12-31	1.240 CFS 0.020 CFS 0.040 CFS	
C	ALLEN M ARCHIBALD BOWMAN RD DOWNEY ID 83234			TOTAL DIVERSION: CONSUMPTIVE USE:	1.240 CFS	265.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T11S R37E S07 SWSE

BANNOCK County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE										
T	R	S	:	Lt	Ac	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:						:					:					:					:	
11S	37E	7	:						:					:					:					:	
11S	37E	18	:	35					:					:					:			36	35	:	71.0
			:						:					:					:					:	35.0
																					TOTAL ACRES		:	106.0	

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
11S	37E	7	:					:					:					:					:
			:					:					:					:			S		:

Place of use Legal Description for: DOMESTIC

			NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
11S	37E	7	:					:					:					:					:
			:					:					:					:				D	:

POU County: BANNOCK

Non-Irrigation Uses: S/50 DAIRY AND ONE HOME

Other Rights: MARSH VALLEY IRR. CO.

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00052 A29-00053 A29-00589 A29-04060

Conditions of Approval:

- R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for
- irrigation of the lands above.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

April 3, 1997

KARL J. DREHER
DIRECTOR

KIMBERLY LEE
FARM CREDIT SERVICES OF UTAH
ADMINISTRATIVE SERVICES
PO BOX 870
RIVERTON UT 84065-9908

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A29-07135

Dear Ms. Lee:

I am returning the Notice of Pledge for a mortgage taken out by Randy and Sharon Bertagnole. I have enclosed an Adjudication Profile Report of Claim #A29-07135 indicating the current owners of the property and Notice of Claim as Larry and Allen Archibald.

I have also enclosed Form 42-148/42-1409(6) for your possible use. We cannot modify our records without this form being completed and returned.

Please contact me at 1/208-327-7862 if you have any questions.

Sincerely,

Sally Sherman
Secretary, Adjudication Bureau
Department of Water Resources

SS:region

Enclosures:

(Returned) Notice of Pledge
Form 42-248/42-1409(6)
How You Will Receive Notice ...
Profile Report of Claim A29-07135

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: A29-07135

Date Received: 5/01/1990

Receipt No: E013911

Received By: HWJ

55

50

+405

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALLEN M. ARCHIBALD
Address: BOWMAN RD.
DOWNEY, ID

83234

OR

Name: LARRY ARCHIBALD
Address: 19988 S. DEGN RD.
DOWNEY, ID

83234

208-897-5909

A2907135



2. Date of Priority: JUN 01, 1973

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	37E	7	SW	SE			BANNOCK

5. Description of diverting works:
WELL, PUMP, SPRINKLER & TANK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.240		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is 265.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/50 DAIRY AND ONE HOME

A29-07135

Page 1

Date: 05/01/90

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NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	37E	7	SW	SE		IRR	36.0
			SW	SE		STOCK	
			SE	SE		IRR	35.0
			SE	SE		DOMEST	
						Section Acres	71.0
		18	NE	NE		IRR	35.0
						Section Acres	35.0
						Total Acres	106.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
~~Portneuf~~ - MARSH VALLEY IRR. CO.

14. Remarks:

15. Basis of Claim: LICENSE

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): Larry Archibald Date: May 1 - 1990
 _____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 1st day

of May 19 90

Seal

Betty J. Thompson
Notary Public

Residing at BETTY J. TARY PUBLIC

RESIDENCE, IDAHO

My Commission Expires: 6-30-94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-07135	11S 37E	7		SW	SE			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-07135	11S 37E	7		SW	SE			BANNOCK		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP. 11S	RGE. 37E	SEC. 7	1/4	1/4 SW	1/4 SE	LOT	POD FLAG	COUNTY BANNOCK	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: GROUNDWATER

TRIB: _____

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A29-07135

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	37E	7	SW	SE		ARCHIBALD, LARRY	A29-07135 /	29-07135 / 36.0	41.0		
			SW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 40.0	- /			
			SW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 40.0	29-04060 /			
			SW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 40.0	- /			
			SW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 40.0	- /			
11S	37E	7	SW	SE		ARCHIBALD, LARRY	A29-07135 / 36.0	29-07135 / 36.0	41.0		
			SW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 40.0	- /			
			SW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 40.0	29-04060 /			
			SW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 40.0	- /			
			SW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 40.0	- /			
11S	37E	7	SE	SE		ARCHIBALD, LARRY	A29-07135 /	29-07135 / 35.0	33.0		
			SE	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 32.0	- /			
			SE	SE		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 32.0	29-04060 /			
			SE	SE		ARCHIBALD, LARRY	A29-11859 /	- /			
			SE	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 32.0	- /			
			SE	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 32.0	- /			
			SE	SE		ARCHIBALD, LARRY	29-11859 /	- /			
11S	37E	7	SE	SE		ARCHIBALD, LARRY	A29-07135 / 35.0	29-07135 / 35.0	33.0		
			SE	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 32.0	- /			
			SE	SE		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 32.0	29-04060 /			
			SE	SE		ARCHIBALD, LARRY	A29-11859 /	- /			
			SE	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 32.0	- /			
			SE	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 32.0	- /			
			SE	SE		ARCHIBALD, LARRY	29-11859 /	- /			
11S	37E	18	NE	NE		ARCHIBALD, LARRY	A29-07135 / 35.0	29-07135 / 35.0	29.0		
			NE	NE		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 33.0	- /			
			NE	NE		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 33.0	29-04060 /			
			NE	NE		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 33.0	- /			
			NE	NE		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 33.0	- /			
			NE	NE		ARCHIBALD, ALLEN M.		29-02340 / 40.0			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-07135	106.00	177.00	177.00
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POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-07135	GROUNDWATER	ARCHIBALD, LARRY	1.240	0.011		
A29-00052	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO	176.850	0.034		
A29-00053	TOPONCE CREEK	PORTNEUF MARSH VALLEY CANAL CO	164.430	0.032		
A29-00589	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO			16410.00	3.23
	TOPONCE CREEK					
A29-04060	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO			21834.00	4.30

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-07135	STOCKWATER	ARCHIBALD, LARRY	FROM 01-01 TO 12-31	0.020 CFS	
A29-07135	DOMESTIC	ARCHIBALD, LARRY	FROM 01-01 TO 12-31	0.040 CFS	
A29-11859	DOMESTIC	ARCHIBALD, LARRY	FROM 01-01 TO 12-31	0.040 CFS	
A29-11859	STOCKWATER	ARCHIBALD, LARRY	FROM 01-01 TO 12-31	0.020 CFS	
29-11859	DOMESTIC	ARCHIBALD, LARRY	FROM 01-01 TO 12-31	0.040 CFS	
29-11859	STOCKWATER	ARCHIBALD, LARRY	FROM 01-01 TO 12-31	0.020 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: MARSH VALLEY IRR. CO.

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

NOTES:

TOTAL ACRES: _____ N/A(____)

REVIEWED BY: _____ DATE: _____

A29-07135

T11S

P.D.

R37E

MICROFILMED

NOV 13 1992