

IDAHO DEPARTMENT OF WATER RESOURCES 09/18/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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: 1.28 CFS
256.0 AFY

PRIORITY DATE: 01/14/1981

POINT OF DIVERSION:

T06S R33E S17 SENENE Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.280 CFS 256.00 AFY

PLACE OF USE: IRRIGATION Within POWER County

T06S R33E S17	NENE	40.0	T06S R33E S17	NWNE	24.0
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64 ACRES TOTAL

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

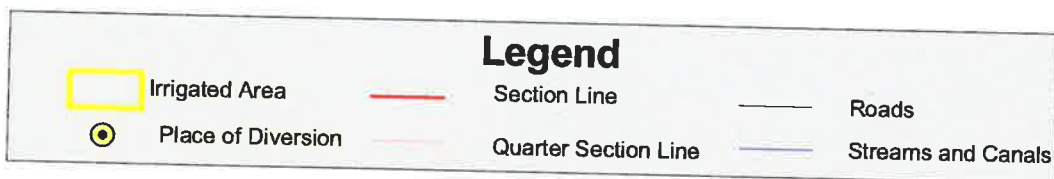
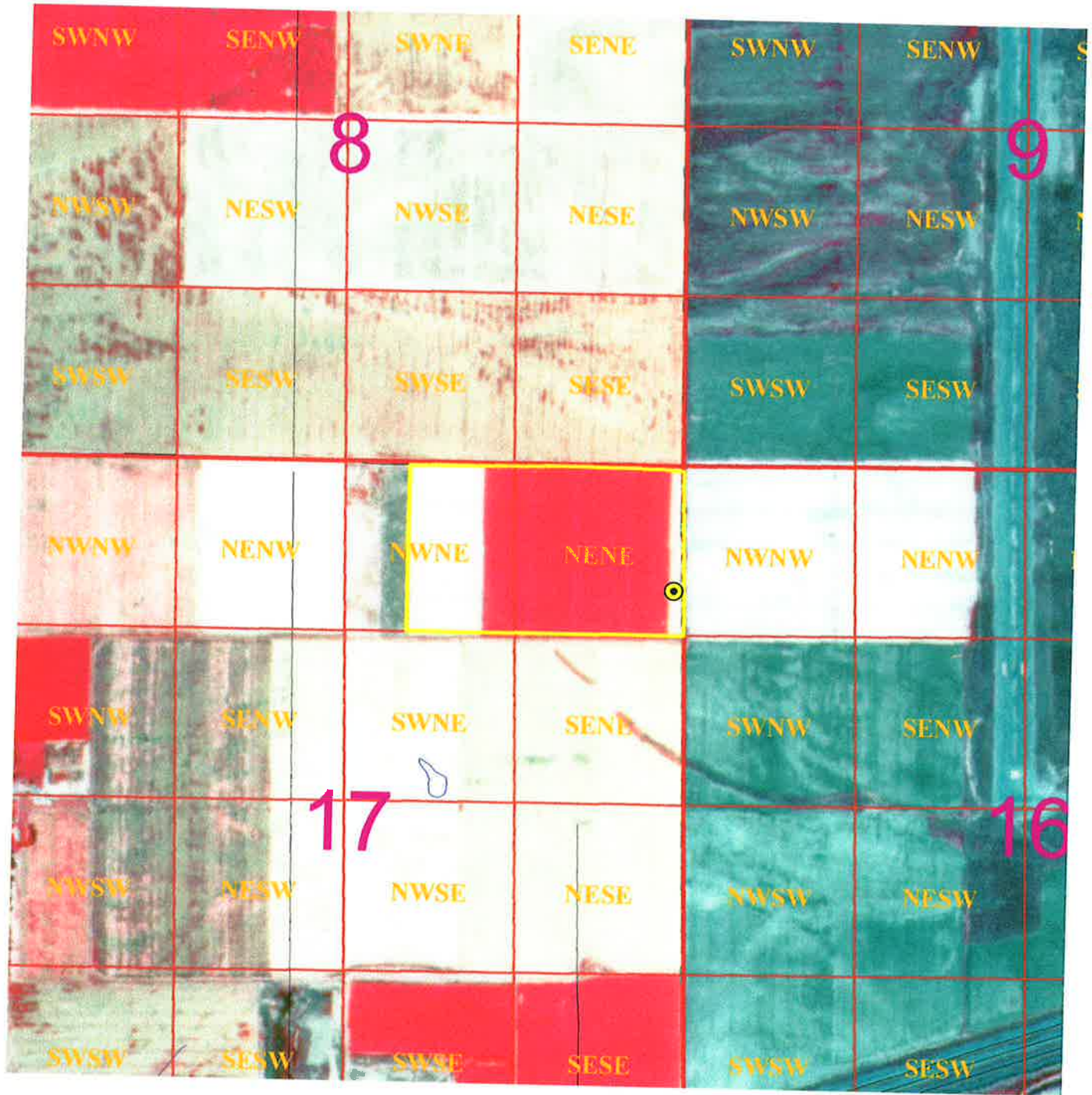
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

Water Right Claim Number A29-07575

07/18/2000

Township , 6S33E



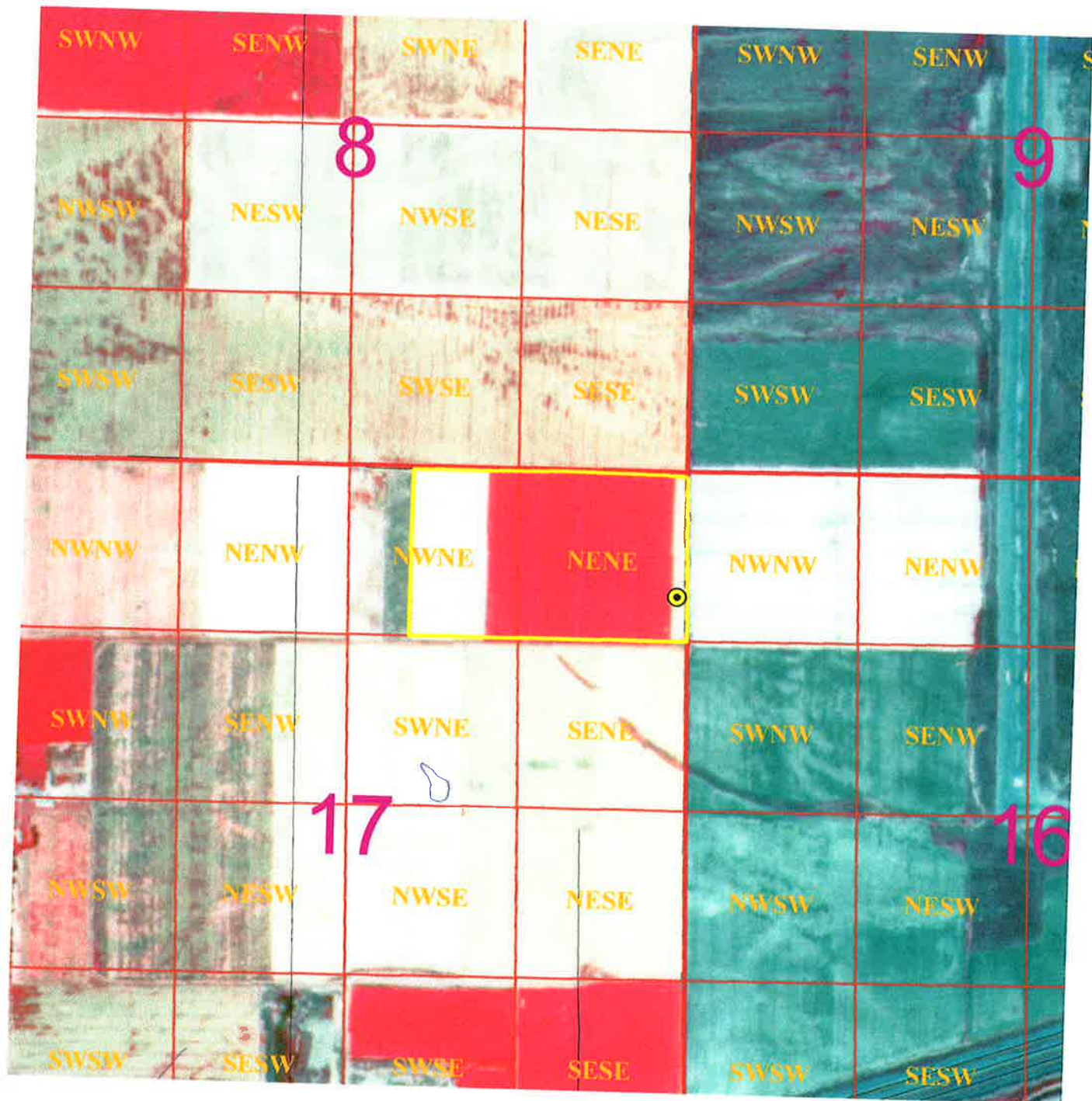
900 0 900 1800 Feet



Water Right Claim Number A29-07575

07/18/2000

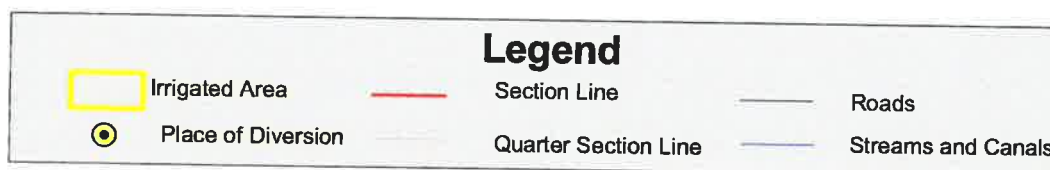
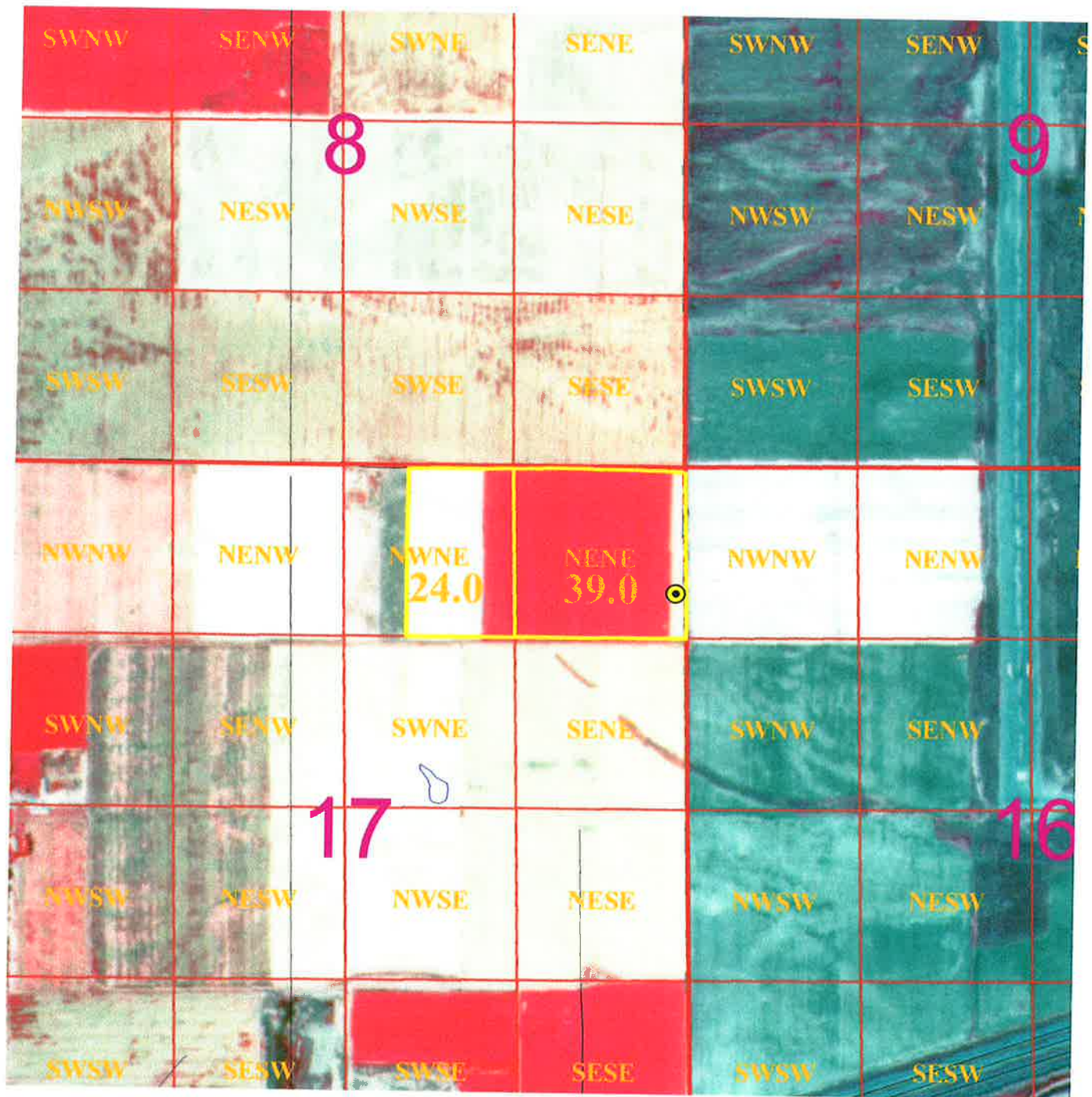
Township , 6S33E



900 0 900 1800 Feet



Township , 6S33E



900 0 900 1800 Feet



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-7575 V1

WATER RIGHT NUMBER: 29-7575 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MICHELLE SCHROEDER
Original Owner	LU VERN T CLARK TRUST
Current Owner	NATHAN SCHROEDER

Priority Date: 01/14/1981

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	03/15 to 11/15	1.280 CFS	256.00 AF
	<u>Total Diversion:</u>	1.280 CFS	256.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4NE1/4	Sec. 17, 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	17	40.0	24.0															64.0

Total Acres: 64

Conditions of Approval:

1. C18 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.

Remarks:Comments:

1. bcontor 9/18/2001 POU Conflict
Comment: There is an apparent conflict in the recommended POU for 29-7575 and 29-7984. 29-7575 is recommended per license and claim as confirmed by GIS analysis. 29-7984 is recommended according to the permit. Note that licensing exam already done for 29-7984 recommends a POU which will not conflict with 29-7575. When the license is issued this apparent conflict will go away.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-7575 V1

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 2:32:48 PM	bcontor			Active
POD	9/18/2001 2:36:10 PM	bcontor			Active
Source	9/18/2001 2:36:26 PM	bcontor			Active
POU	9/18/2001 2:37:27 PM	bcontor			Active
Use	9/18/2001 3:44:41 PM	bcontor			Active
Season	9/18/2001 3:45:26 PM	bcontor			Active
Quantity	9/18/2001 3:46:52 PM	bcontor			Active
Summary	9/18/2001 3:50:58 PM	bcontor	9/18/2001 3:50:58 PM	bcontor	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	9/18/2001 2:32:26 PM	bcontor	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review. Claim is consistent with license and verified by GIS. No field exam required.
POD	9/18/2001 2:34:53 PM	bcontor	Edited point location
POD	9/18/2001 2:36:10 PM	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?
Source	9/18/2001 2:36:26 PM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7575 V1

POU	9/18/2001 2:36:57 PM	bcontor	Edited shape boundary
POU	9/18/2001 2:37:27 PM	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? (No) 14. Is a POU remark and/or condition required?
Priority Date	9/18/2001 2:32:49 PM	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?
Use	9/18/2001 3:44:41 PM	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 3:45:26 PM	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?
POD	9/18/2001 3:46:52 PM	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? (Yes) 8. Does the parent right have an annual 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 - Licensed volume = 224.0 acre feet. Per Carter Fritschle instructions in B31, I use current standard. 64 acres x 4.0 acre feet = 256 acre feet. 1.28 cfs x 1.9835 x 246 days = 623 acre feet, therefore diversion rate is not limiting.

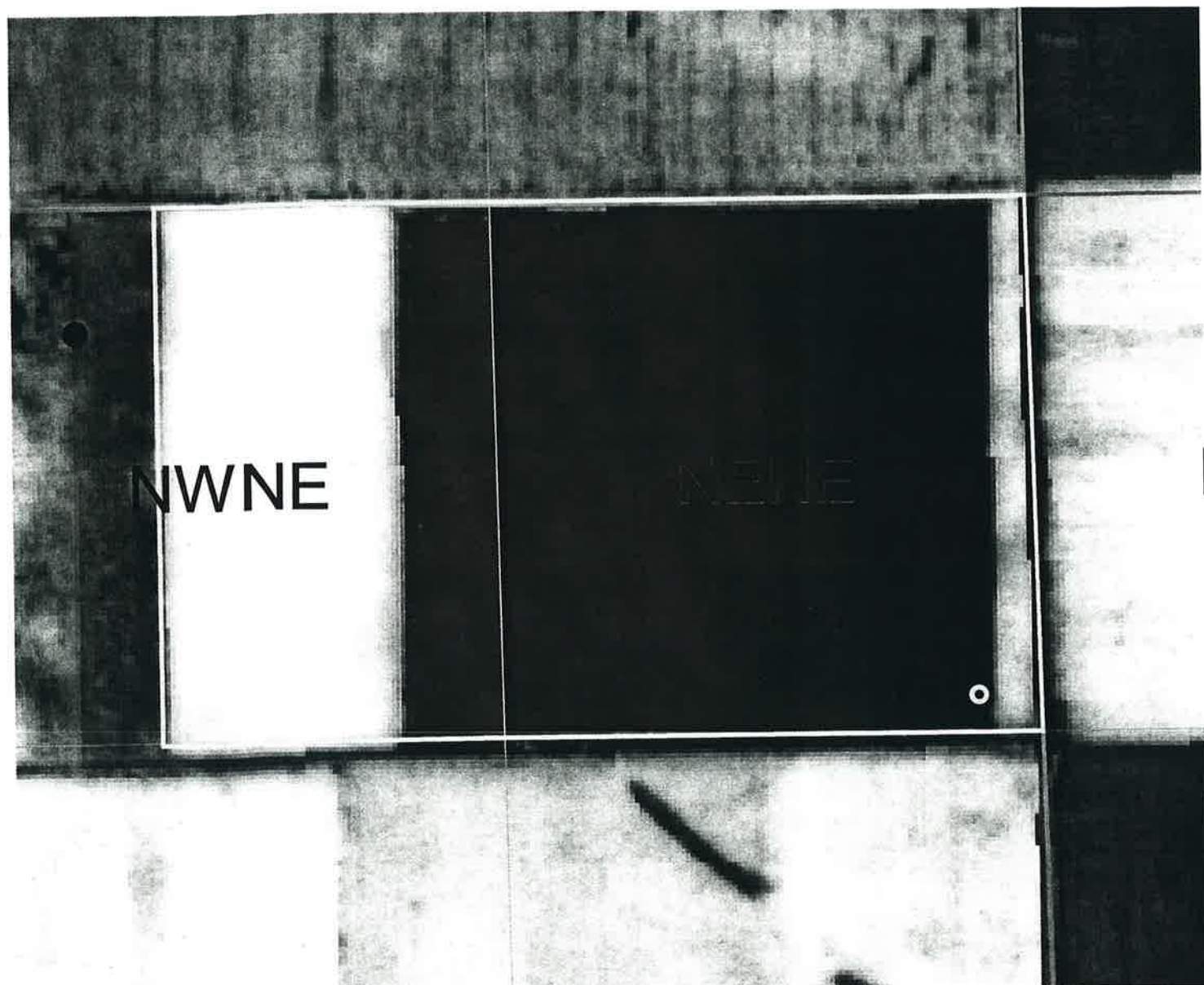
IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7575 V1

Summary	9/18/2001 3:50:59 PM	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? (No) 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?
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Idaho Department of Water Resources

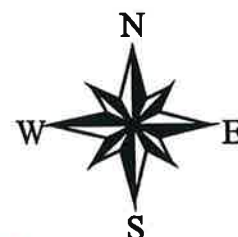
Water Right 29-7575



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

PROFILED



Township 6S 33E 17

SCANNED

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

Contor, Bryce

From: Contor, Bryce
Sent: Tuesday, September 18, 2001 3:43 PM
To: Wilson, Keith; Curtis, Sharla; Jones, Harold
Cc: Carlsen, Ernie
Subject: POU Permit 29-7984

The permitted place of use interferes with licensed and recommended POU for 29-7575. The POU sketched by the field examiner in exam 29-7984 does not interfere with the recommended POU for 29-7575. I was out there on a Water Measurement District visit in 1998 and I think the examiner got it 100% correct.

For now, per AJ instructions, the *recommended* POU for A29-7984 follows the permit and therefore does interfere with recommendation 29-7575. I trust that when you issue the license you'll follow the field exam and everything will be swell again?

Thanks.

9/18/2001

PROFILED

SCANNED
MAY 03 2006

SCANNED

MAY 14 2001

Log for claim A29-07575

Spatial Dynamics AMH

7/18/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s33e	17	NENE	40	39	
06s33e	17	NWNE	24	24	
Totals:			64	63	

DATE: 05/23/00
PAGE: 72

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
		Presumption Flag:	
Audit:	03/08/90 BAUMHOFF	07/28/94 THOMPSON	03/29/95 POST-STD
			05/06/97 JTHOMPSON

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7575 Priority January 14, 1981 Amount 1.28 cfs

THIS IS TO CERTIFY, that LuVern T. Clark Trust
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7575 issued pursuant to Application for Permit dated January 14, 1981,
and has submitted proof to the Department of Water Resources on May 18, 1983,
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 1.42 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
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>1.28</u> cfs and	<u>224.0</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.28 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 is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
224.0 acre feet per year, said waters to be diverted within the NE1/4 NE1/4 Section 17,
Twp 6S, Rge 33E in the County of Power

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				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	17	40	24															64

Total number of acres irrigated 64

$1.28 \times 1.9835 \times 246$
 $= 623 \text{ ft}$

$64 \times 4 = 256$
afa

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant LuVern T. Clark Trust Phone 233-2100

Post office address P. O. Box 4168, Pocatello, Idaho
as per tel/con HJ 1/15/81 Groundwater

2. Source of water supply Snake River Aquifer which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 17 Township 6S

Range 33E B.M. _____ Power _____ County, additional points of diversion if any: _____

_____ none _____

4. Water will be used for the following purposes:

Amount 1.28 cfs for irrigation purposes from April 1 to November (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 1.28 CFS cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.

c. Proposed well diameter is 12 inches; proposed depth of well is 200 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M. _____

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

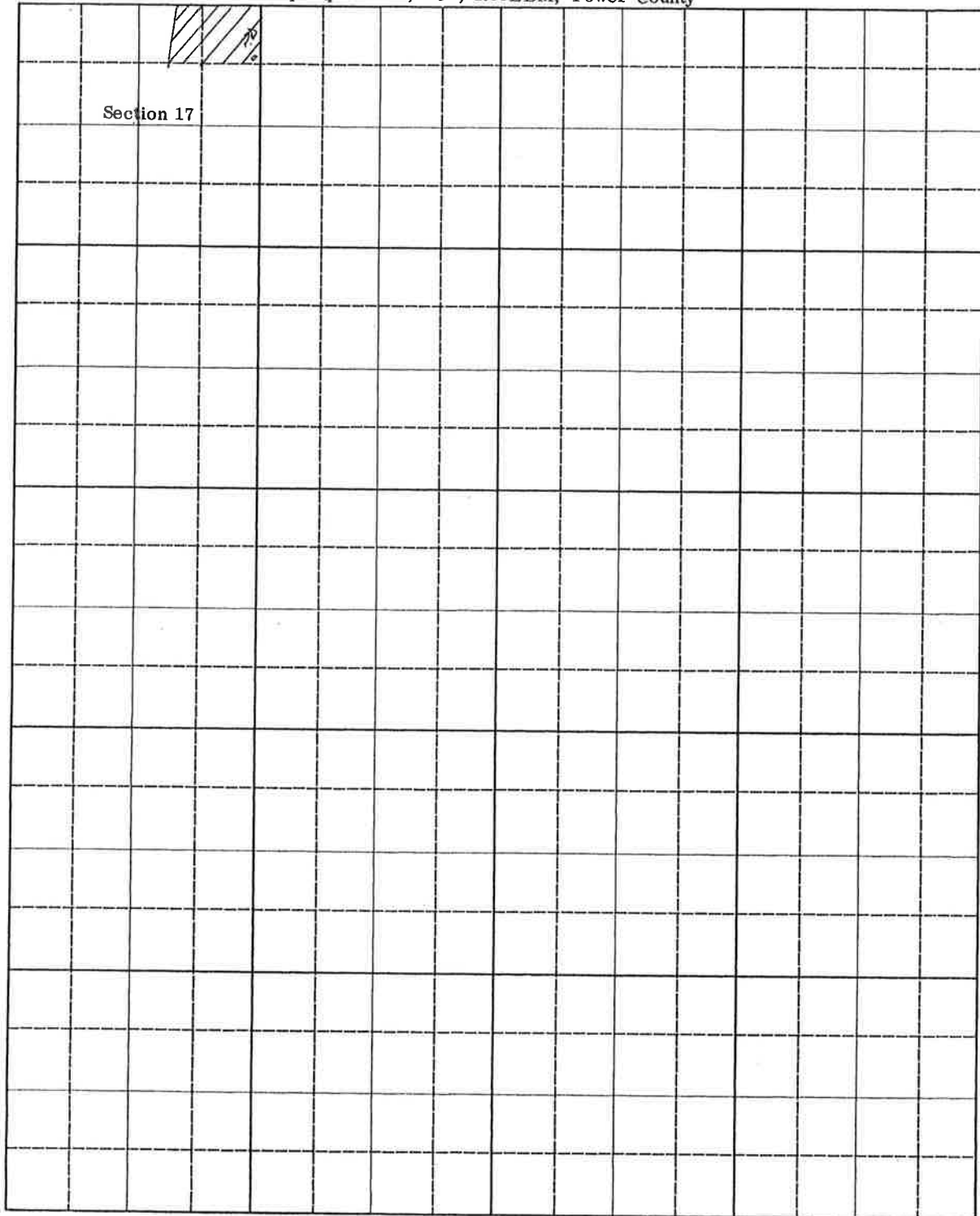
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

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

64 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17, T6S, R33EBM, Power County



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.

LuVERN T. CLARK TRUST

Stephen W. Clark, Trustee
(Applicant)



Phone No. 233-2100

- [illegible]

RECOMMENDED AMOUNTS *License*

- | Permit No. ✓ | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
|--------------|-----------|------------|-----------|----------------------|-----------------|
| 29-7575 | 1-14-1981 | 1.28 cfs ✓ | 1-14-1981 | 5-18-1983 | 1.42 cfs ✓ |

4. Permit Holder: LuVern T. Clark Trust ✓

Address: P.O. Box 4168 Pocahontas, ID 83201

5. Source: Groundwater ✓ tributary to ✓

6. Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
<u>Irrigation ✓</u>	<u>3-15 11-15</u> <u>per rules & regs.</u>	<u>1.28 cfs ✓</u>	<u>224 afa ✓</u>

Allowable Maximums: 1.28 c/s 224.0 AF

7. Point(s) of Diversion: ✓

[illegible]

8. Place(s) of Use ☒

[illegible]

9. Recommended Conditions/Remarks: _____

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

11. Examiner's Signature HL James

Date 8-20-84

Checked in Regional Office by M. J. Kromer

Date 11-15-84

Approved in State Office by Karl Walker

Date 7-7-1986

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

NOV 26 1984

29-7575
Permit No.

Department of Water Resources

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

Correction Factor $0.978 \times 7.8'' \text{ Meter Reading} = 7.63$

$\sqrt{7.63} \times 3.85 \times (7.75'' \text{ ID})^2 = 638.74 \text{ gpm or } 1.42 \text{ cfs}$ ✓
(capacity)

64 acres at 0.02 cfs = 1.28 cfs

- b) Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 64 \text{ acres} \times 3.5 \text{ af/a} = 224 \text{ af}$ ✓
 $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.28 \text{ cfs} \times 314 \text{ d} \times 1.9835 = 540.31$ ✓
 $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 224 \text{ af}$ ✓

- c) Volume Calculations for Other Uses:

2. Overlap Review

- a) Other water rights with same place of use: NO

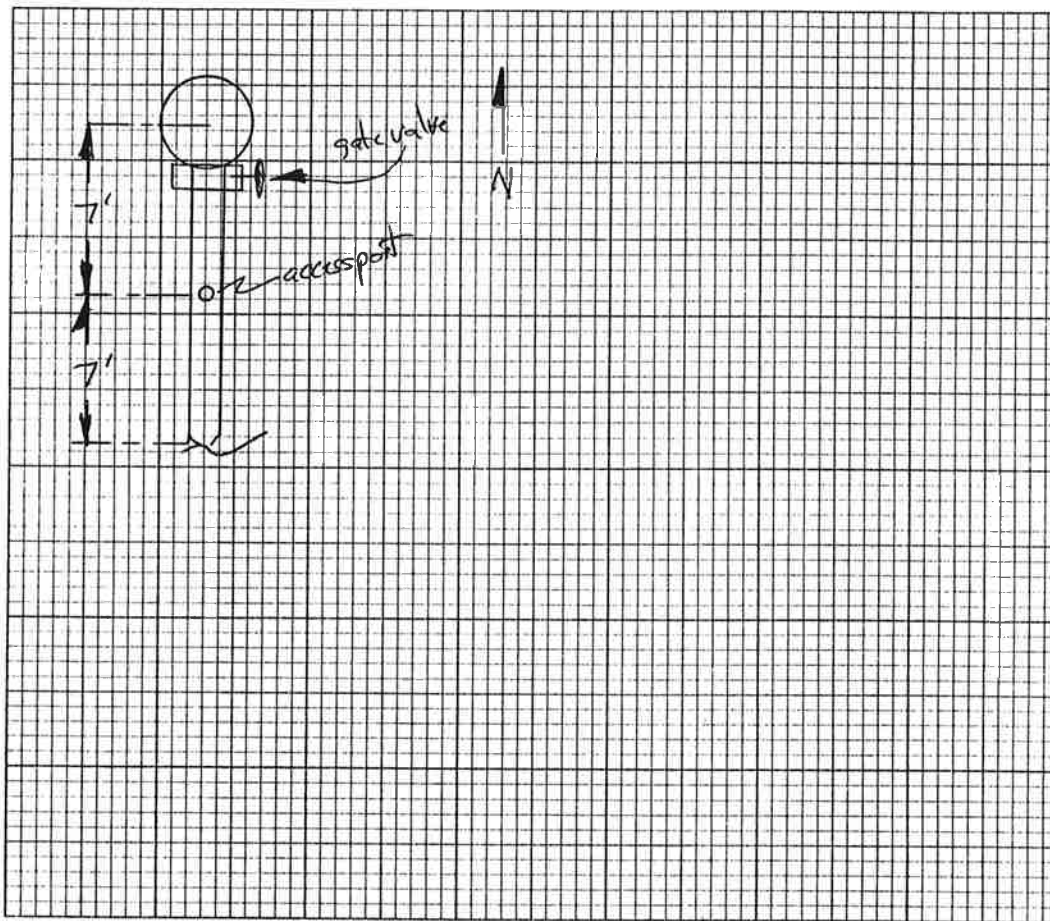
- b) Other water rights with same point of diversion: NO

P/D overlap per VAX: none -

- c) Analysis:

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10. Other water rights on the lands _____
11. Other water right diverted from same p.d. _____
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached
or Map of Irrigated Acreage Attached

14. Remarks Land is being farmed by Ed Johnson (231-5577)

15. Recommended Amendments

- ☐ Change P.D. as reflected above
- ☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
- ☐ Add P.U. as reflected above

- ☒ None
- ☐ Other

16. Examiner's/Consultant's Signature Ed Johnson Date 8-20-84

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL

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S-5
T

NOT TO SCALE

B-944
Ed Smith
(24.5 x 14.5)

B
1399

17
16
FD

A
1301

B-944
Ed Smith

B-455

8
9
5
4

1377
E

2031
D

8
5
6

A-384
H. Alan Flux

A
156

1514

1515

1280

A
Tompson

32
5

3233
5

21-7513

METER NO. 04,401

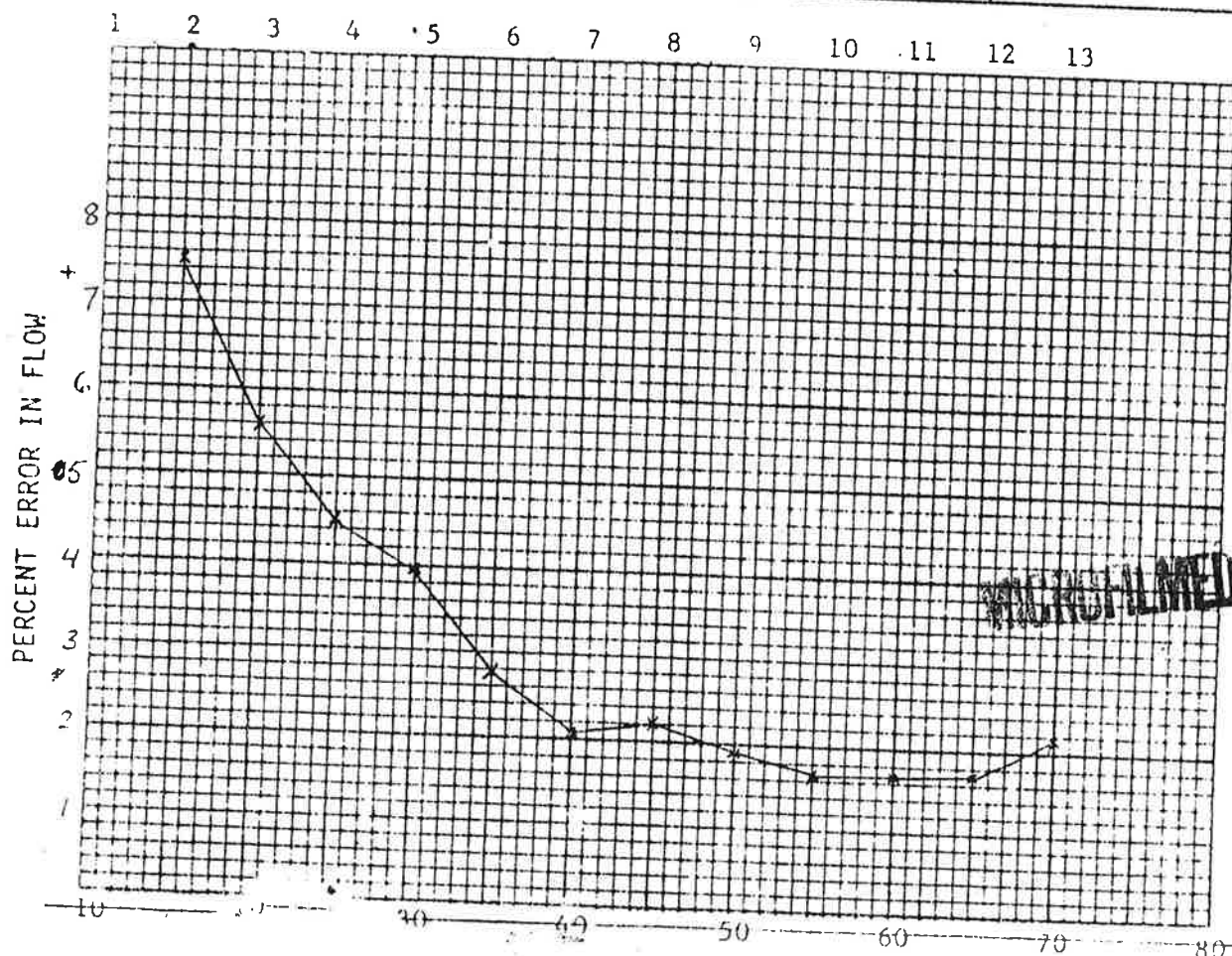
RANGE 0-13

1983
DATE TESTED 4/25/83

by LOH
ADN

Ref
point
29-7575

APPLIED PRESSURE			METER READING	FLOW ERROR (%)	FLOW CORRECTION FACTOR
UPSCALE	DOWNSCALE	AVERAGE			
1.76	1.70	1.73	2.0	7.52	0.925
2.74	2.64	2.69	3.0	5.61	.944
3.73	3.59	3.66	4.0	4.54	.955
4.71	4.54	4.63	5.0	3.98	.960
5.76	5.60	5.68	6.0	2.78	.972
6.80	6.64	6.72	7.0	2.06	.979
7.74	7.58	7.66	8.0 ^{7.8} MR	2.20	<u>.978</u>
8.73	8.60	8.67	9.0	1.91	.981
9.73	9.63	9.68	10.0	1.64	.984
10.71	10.59	10.65	11.0	1.63	.984
11.66	11.54	11.60	12.0	1.71	.983
12.49	12.42	12.46	13.0	2.16	.978



APRIL 25, 1997

NATHAN SCHROEDER
2811 MARGO
POCATELLO ID 83201

RE: CHANGE IN OWNERSHIP *A29 07575*

Dear Mr. Schroeder:

It has come to our attention that you may have recently purchased a tract of land in Power County. The land I am referring to was most recently owned by LuVern T Clark Trust, Po Box 4168, Pocatello, ID. The legal description is as follows:

06S 33E 17 SENENE

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,


Jo Thompson
Adjudication Secretary

Enclosure

DE-109
Steve Ball
3-10-97

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

5/2/97
RECEIVED
MAR 10 1997
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) _____
Adjudication Claim Number(s) # A29 - 07575
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) Lu Vern T. Clark Trust
120 Spence Pl., Pocatello Idaho 83201
4. New Owner/Claimant(s) Nathan & Michelle Schroeder
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
New Mailing Address 2098 Michard Crk. Rd.
City, State and ZIP Code Pocatello Idaho 83204
New Telephone Number (208) 234 - 1543
5. Date you acquired the property 3-3-93
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 64 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 3-3-97
Michelle Schroeder Date 3-3-97
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.

WARRANTY DEED

For Value Received MARK B. CLARK, ROBERT L. CLARK, STEPHEN W. CLARK and
RODNEY T. CLARK, trustees for the LuVern T. Clark Trust

the grantor, do es hereby grant, bargain, sell and convey unto

NATHAN SCHROEDER & MICHELLE SCHROEDER, husband and wife

whose current address is 2811 Margo, Pocatello, Id 83201

the grantee^s, the following described premises, in Power County Idaho, to wit:

Beginning at the Northeast Corner of Section 17, Township 6
South, Range 33 E. B. M.; thence South along Easterly line of
North half of Northeast Quarter of Section 17, Township 6
South, Range 33 E.B.M., 1320 feet more or less to the Southeast
corner of said North half of Northeast Quarter, thence West
along South line of said North half of Northeast Quarter, 2112
feet; thence North 1320 feet more or less to inter-sect the
North line of said North half of the Northeast Quarter; thence
East along the North line of said North half of the Northeast
Quarter 2112 feet to the point of beginning; the same being
the Easterly 2112 feet of North half of the Northeast Quarter,
Section 17, Township 6 South, Range 33 E.B.M., Power County,
Idaho....

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantor does hereby covenant to and
with the said Grantee s, that ~~he~~ it is the owner in fee simple of said premises; that they are free
from all incumbrances

and that ~~he~~ it will warrant and defend the same from all lawful claims whatsoever.

Dated: March 3, 1993

Mark B. Clark
Mark B. Clark, trustee
Robert L. Clark
Robert L. Clark, trustee
Stephen W. Clark
Stephen W. Clark, trustee

LuVERN T. CLARK TRUST
Robert L. Clark
Robert L. Clark, trustee
Rodney T. Clark
Rodney T. Clark, trustee

STATE OF IDAHO)
COUNTY OF BANNOCK) ss

On this 5th day of March, in the year 1993,
before me, the undersigned, personally
appeared MARK B. CLARK, ROBERT L. CLARK,
STEPHEN W. CLARK & RODNEY T. CLARK,
trustees of LuVern T. Clark Trust, known
or identified to me to be the persons
whose names are subscribed to the within
instrument as Trustees and acknowledged
to me that they executed the same as
such trustees of the LuVern T. Clark
Trust.

Loraine Green
Notary Public
Residing at: Pocatello, Id
My Commission expires: 5/21/94

158973

Instrument #	
Dwr #	8
Time	3:33 PM
Req. of	American Land Title
MAR 3 1 1993	
POPPA COUNTY AM FALLS	
C. SCHNEIDER	
BY	Maurice Schelake
	DEPUTY Ed. 3 1993

POLICY OF TITLE INSURANCE

13 0030 60 001460

SECURITY UNION TITLE INSURANCE COMPANY

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, SECURITY UNION TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of date of policy shown in Schedule A, against loss or damage, not exceeding the amount of insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title.
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

Issued by:
AMERICAN LAND TITLE COMPANY
312 W. Center St. - P. O. Box 1176
Pocatello, ID 83204
(208) 232-6163
Fax No. (208) 233-0212

SECURITY UNION TITLE INSURANCE COMPANY

By:

Richard L. Polla
President

By:

Richard M. Leann
Secretary

[Signature]
Authorized Signature



ALTA OWNER'S POLICY (4-6-90)

O W N E R S

SCHEDULE A

Office File Number	Policy Number	Date Of Policy	Amount Of Insurance	Premium Amount
2-6199	13 0030 60 001460	03/31/93 3:33 P.M.	\$ 76,800.00	\$ 474.50

1. Name Of Insured:

NATHAN SCHROEDER and MICHELLE SCHROEDER

2. The estate or interest in the land which is covered by this Policy is:

FEE SIMPLE

3. Title to the estate or interest in land is vested in:

NATHAN SCHROEDER AND MICHELLE SCHROEDER, HUSBAND AND WIFE

4. The land herein described is encumbered by the following mortgage or trust deed, and assignments:

and the mortgages or trust deeds, if any, shown in Schedule B hereof.

5. The land referred to in this Policy is described as follow:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 17, TOWNSHIP 6 SOUTH, RANGE 33 E.B.M.; THENCE SOUTH ALONG EASTERLY LINE OF NORTH HALF OF NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 6 SOUTH, RANGE 33 E.B.M., 1320 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SAID NORTH HALF OF NORTHEAST QUARTER, THENCE WEST ALONG SOUTH LINE OF SAID NORTH HALF OF NORTHEAST QUARTER, 2112 FEET; THENCE NORTH 1320 FEET MORE OR LESS TO INTER-SECT THE NORTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER; THENCE EAST ALONG THE NORTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER 2112 FEET TO THE POINT OF BEGINNING; THE SAME BEING THE EASTERLY 2112 FEET OF NORTH HALF OF THE NORTHEAST QUARTER, SECTION 17, TOWNSHIP 6 SOUTH, RANGE 33 E.B.M., POWER COUNTY, IDAHO

This Policy valid only if Schedule B is attached.

OWNERS

SCHEDULE B

Policy Number: 13 0030 60 001460

Exceptions From Coverage

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

General Exceptions:

- (1) Rights or claims of parties in possession not shown by the public records.
- (2) Encroachments, overlaps, boundary lines disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
- (3) Easements, or claims of easements, not shown by the public records.
- (4) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
- (5) (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
- (6) Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

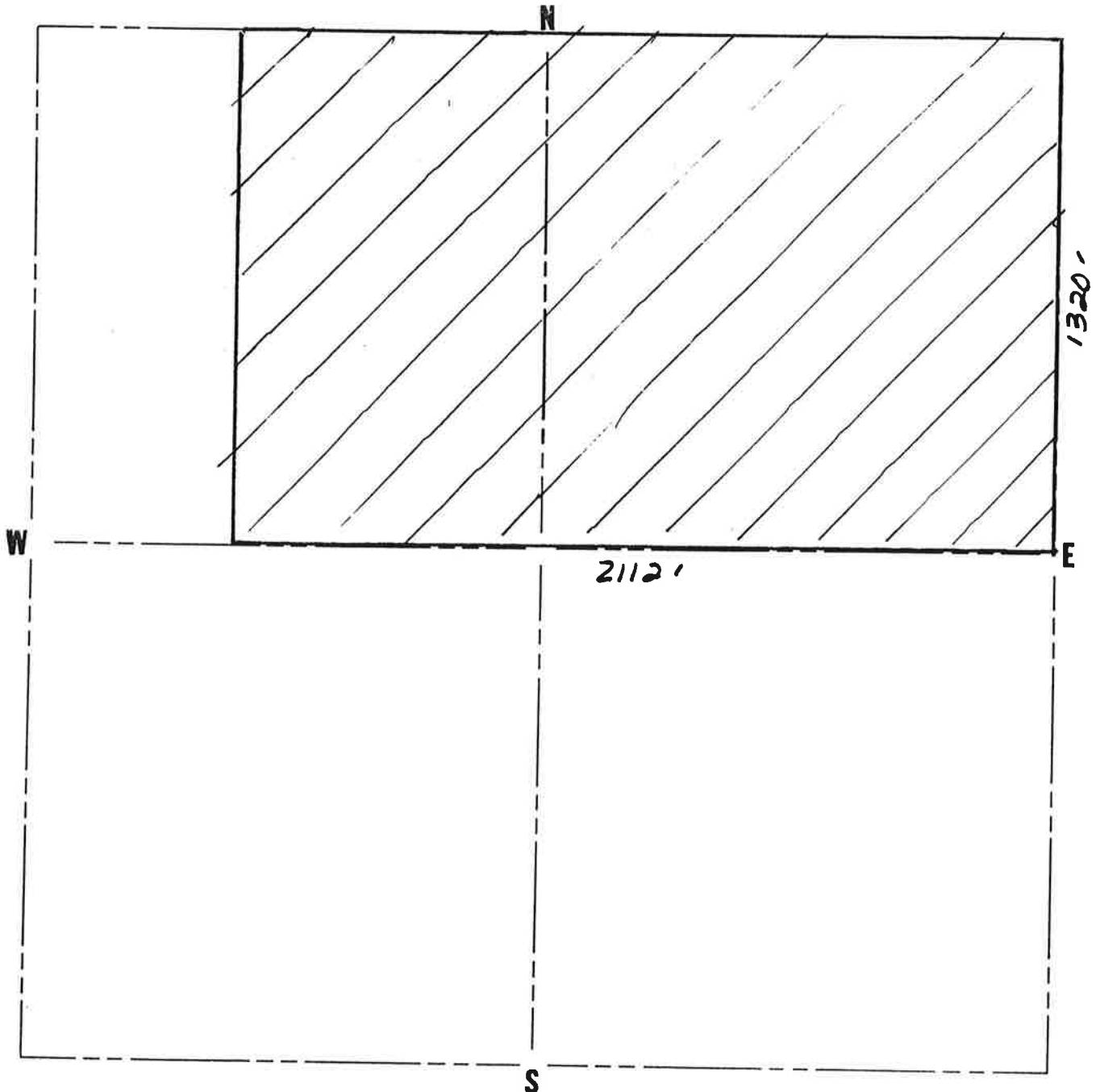
Special Exceptions: The mortgage, if any, referred to in Item 4 of Schedule A.

1. Taxes for the year 1993 and subsequent years.
2. Levies and assessments under the FALLS Irrigation DISTRICT.
3. Easement to IDAHO POWER COMPANY, recorded MAY 19, 1976, in DRAWER 3, as Instrument No. 108282, records of Power County, Idaho. Said easement being for POWER LINES.
4. Right, title and interest of the Public in and to those portions of above described premises falling within the bounds of roads or highways.

SECTION 17
TOWNSHIP 6 SOUTH
RANGE 33 E.B.M.

NE⁴NE⁴

SCALE FOR QUARTER SECTION { Each side large blue squares= 10 chains, 40 rods, 660 feet; area of square 10 acres.
400 Ft. 1 Inch { Each side small red squares=2.5 chains, 10 rods, 165 feet; area of square .625 of 1 acre.



SCALE FOR QUARTER QUARTER SECTION, { Each side large blue squares= 5 chains, 20 rods, 330 feet; area of square 2.5 acres.
200 Ft.=1 Inch { Each side small red squares=1.25 chains, 5 rods, 82.5 feet; area of square .15625 of 1 acre.

PRONTO LAND MEASURE 20-40 MAP SHEET

PRONTO LAND MEASURE

Copyright, 1967, James Hamilton Adair, Flint, Michigan

#1448
Nathan Schroeder
(Bailey)

HEL
1-83.8

T739

HEL
1-64.0

#1448
Nathan Schroeder

8-49 89

17/16

T65

Pump

#1261
Swanson



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

October 10, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

NATHAN SCHROEDER
2811 MARGO
POCATELLO ID 83201

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A29-07575

Dear Claimant:

We have been advised by the former owner of your property that you are the new owner of the property and water right.

Before we can modify our records to reflect your new ownership of the property and water right referenced above, we need Form 42-248/42-1409(6) completed and returned. We have enclosed this form for your use.

Please contact this office at 208/327-7862 or call us toll-free at 800/451-4129 if you have any questions.

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:ss:region

Enclosures:

Form 42-248/42-1409(6)

"How You Will Receive Notice..."

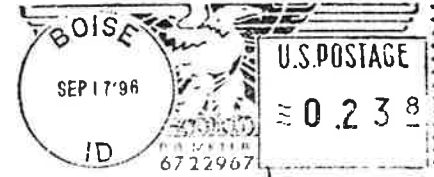
Docket Sheet Order Form

cc: Lu Vern T. Clark Trust

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

RECEIVED
SEP 23 1996
Department of Water Resources

PRESORTED
FIRST CLASS



A29-07575
LU VERN T CLARK TRUST
PO BOX 4168
POCATELLO

ID 83201

*This property has
been sold to
Nathan Schroeder
2811 Margo
Pocatello, ID 83701*

AUTO 83205



MAY 14 2001

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A29-07575**
Date Received: 3/14/1990
Receipt No: E012358
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name:	NATHAN SCHROEDER	208-234-1543
Address:	2098 MICHAUD CREEK RD POCATELLO ID	83204
	AND/OR	
Name:	MICHELLE SCHROEDER	208-234-1543
Address:	2098 MICHAUD CREEK RD POCATELLO ID	83204

2. Date of Priority: JAN 14, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	33E	17	SE	NE	NE		POWER

5. Description of diverting works:
WELL & PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.280		

7. Total Quantity Appropriated is:
1.280 C.F.S. (and/or) 224.00 A.F.A.

8. Total consumptive use is 192.0 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	17	NE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	33E	17	NW NE		IRR	24.0
Section Acres						64.0
Total Acres						64.0

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:
NONE

14. Remarks:
CHANGED OWNERSHIP PER REQUEST 5/6/97/JT/SB

15. Basis of Claim: LICENSE



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

MAY 6, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

NATHAN SCHROEDER
2098 MICHAUD CREEK RD
POCATELLO ID 83204

RE: CHANGE IN OWNERSHIP FOR A29-07575

Dear Mr. 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.

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,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

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: A29-07575

Date Received:

Receipt No: E012358/90

Received By: _____

RECEIVED

MAR 11 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LU VERN T. CLARK TRUST
Address: P.O. BOX 4168
POCATELLO, ID

208-232-5758

83201

2. Date of Priority: JAN 14, 1981

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	33E	17	SE	NE	NE		POWER

5. Description of diverting works:
WELL & PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.280		

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

224.00 A.F.A.

8. Total consumptive use is 192.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	33E	17	NE	NE		IRR	40.0
			NW	NE		IRR	24.0

Section Acres 64.0

A29-07575

Page 1

Date: 03/08/90

MICROFILMED
NOV 13 1992

A2907575



10. Place of Use: Continued

Total Acres 64.0

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:
NONE

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 Organizations:

I do solemnly swear or affirm that I am Trustee of
Luc Venn T Clark Trust, that I have signed the foregoing
Organization Title
document in the space below as Trustee of
Luc Venn T Clark Trust and that the statements contained in the
Organization Title
foregoing document are true and correct.

Stephen W Clark
Signature of Authorized Agent

Luc Venn T Clark Trust
Title and Organization

March 8, 1990
Date

State of Idaho)
County of Tower) ss.

Subscribed and sworn (or affirmed) before me this 8th day

of March 19 90

Anna Baumhoff
Notary Public

Seal

Residing at Anna Baumhoff, Notary Public

Residing at Boise, Idaho

My Commission Expires Expires December 7, 1994

54 4 475

Well 4437

M I C H A U D

BM 4442

8 9

BODCATEL

Borrow Pit

MUNICIPAL A

24 40

Well 4437

17 16

Gravel Pits

BM 4442

Michoud

Borrow Pit

20 21

Wells

29 28

380,000 FEET

MICROFILMED

NOV 13 1994

50 MI. TO INTERSTATE 80N
AMERICAN FALLS EXIT - 13 MI.

SCHILLER 1.7 MI.

NOV 13 1992

Orthophotograph prepared from 1:40,000 scale aerial
photographs taken September 25, 1985