

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

07/13/2001

RIGHT NUMBER: 29-7619

NAME AND ADDRESS: CARL BARKDULL
KATHLEEN BARKDULL
3202 HEDSTROM LN
AMERICAN FALLS, ID 83211

SOURCE: GROUND WATER

QUANTITY: 0.02 CFS
4.8 AFY

PRIORITY DATE: 01/05/1982

POINT OF DIVERSION: T08S R30E S13 NENENE 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	0.02 CFS 4.20 AFY
DOMESTIC 1 HOMES	01-01 12-31	0.02 CFS 0.60 AFY

PLACE OF USE:

IRRIGATION Within POWER County
T08S R30E S13 NENE 1.2
DOMESTIC Use same as IRRIGATION

1.2 ACRES TOTAL

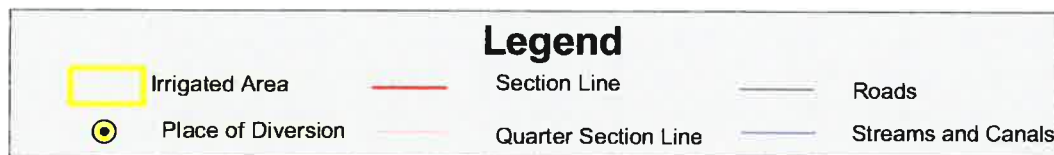
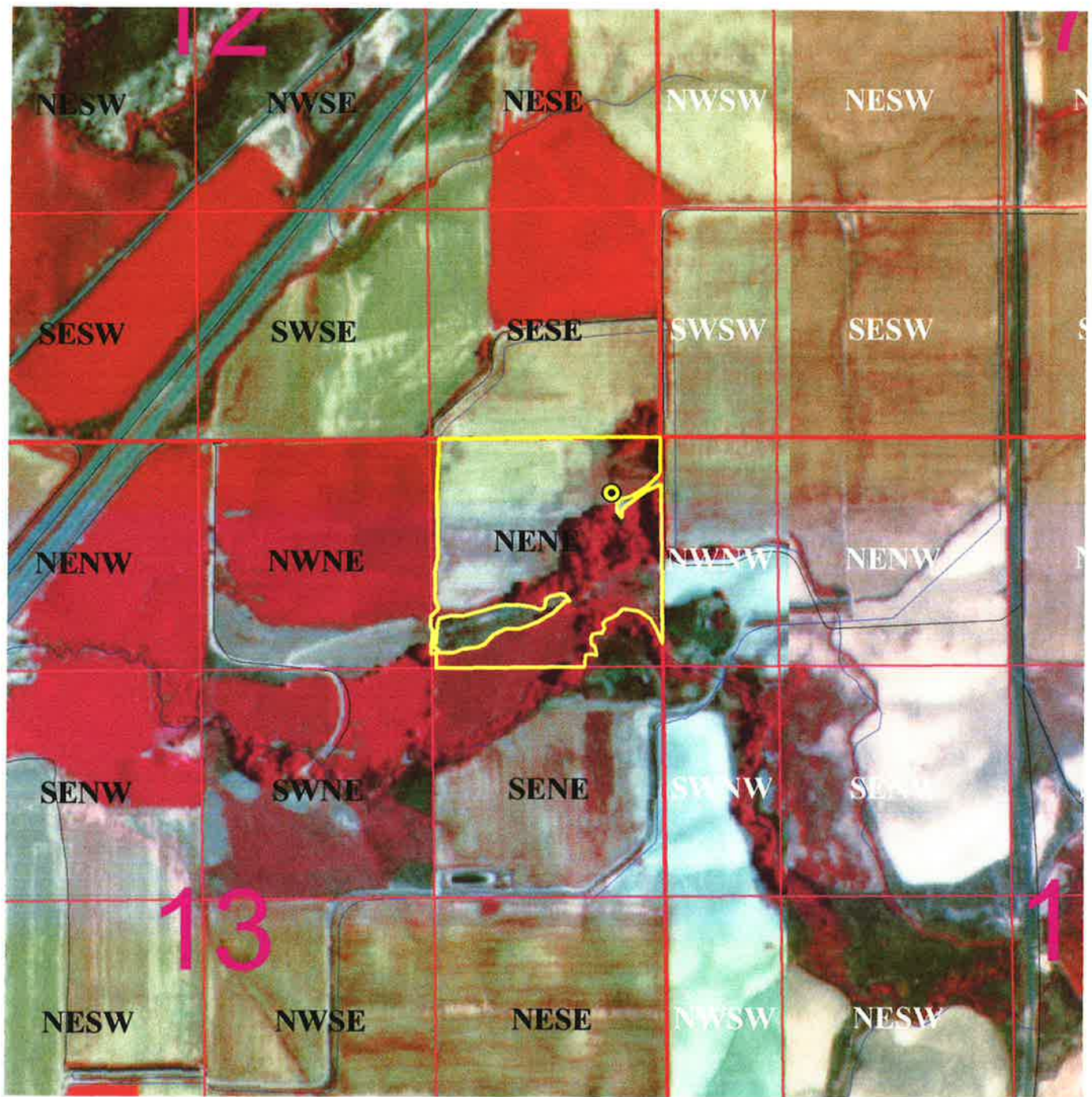
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

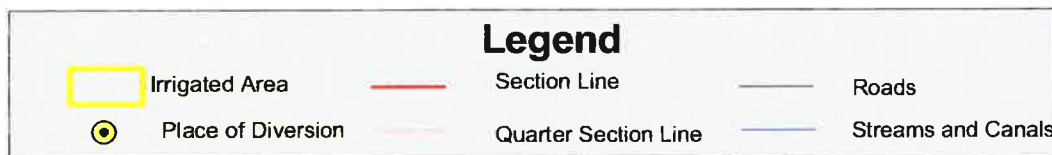
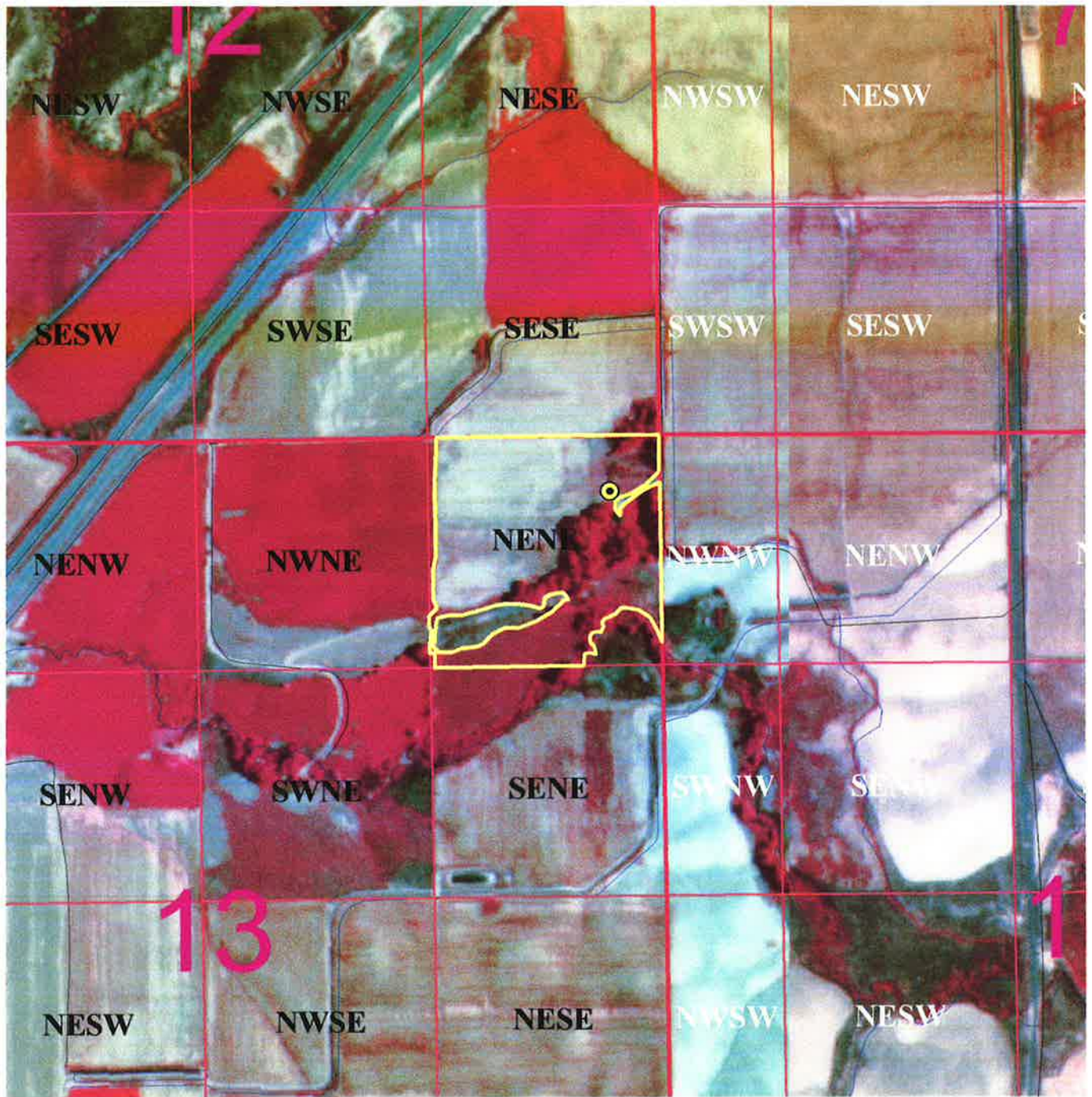
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM
WARM CREEK IRRIGATION CO.

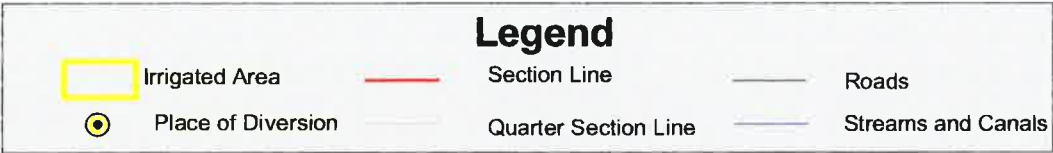
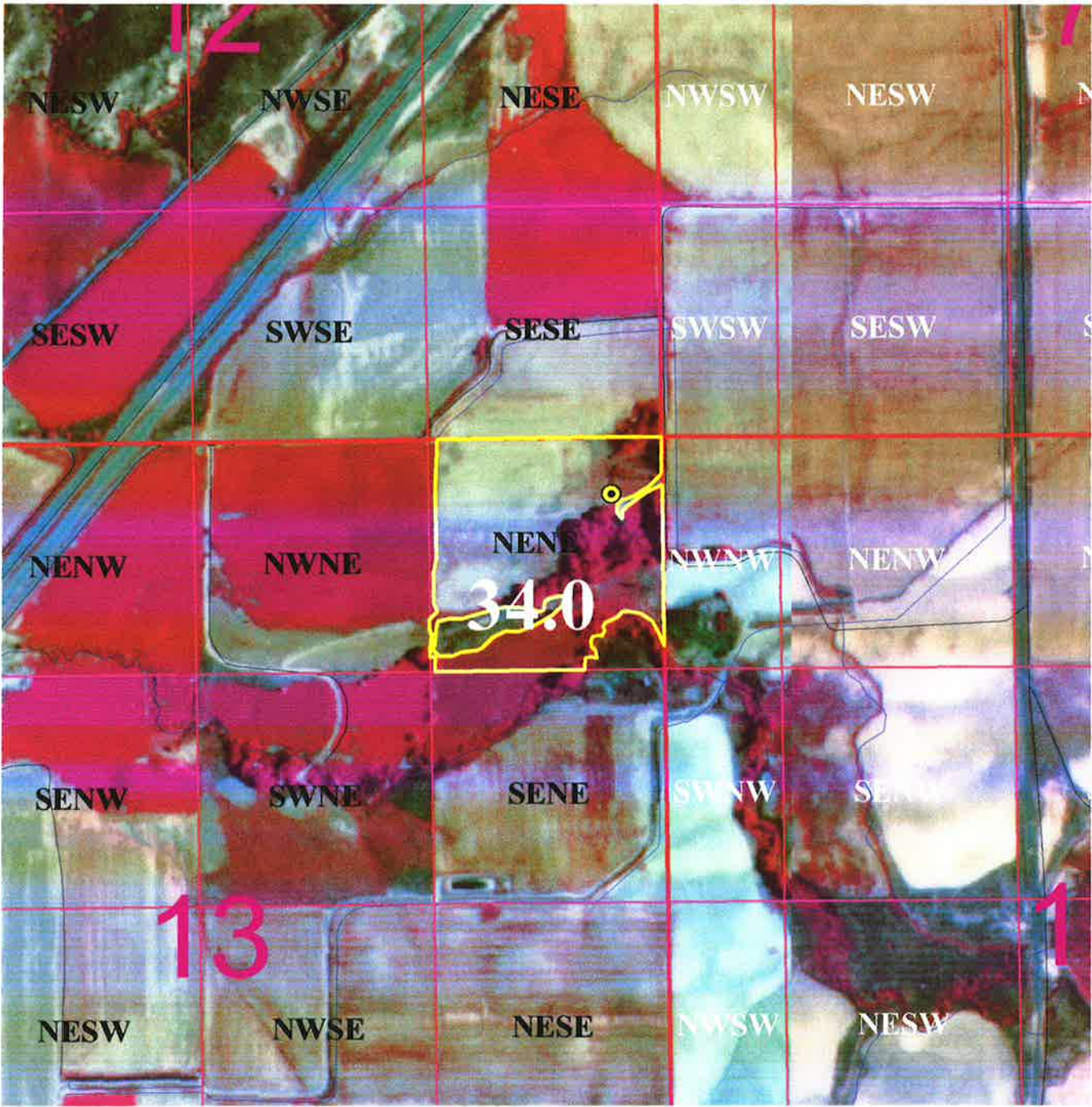
Township, 8S30E



Township , 8S30E



Township , 8S30E



02/08/2003

Paul

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-7619

KATHLEEN BARKDULL
3202 HEDSTROM LN
AMERICAN FALLS ID 83211
Telephone Number: (208)226-5817

CARL BARKDULL
3202 HEDSTROM LN
AMERICAN FALLS ID 83211
Telephone Number: (208)226-5817

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 3-11-03 SIGNATURE: Kathleen Barkdull
Please print your name: Kathleen Barkdull
Carl Barkdull

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

PROFILED

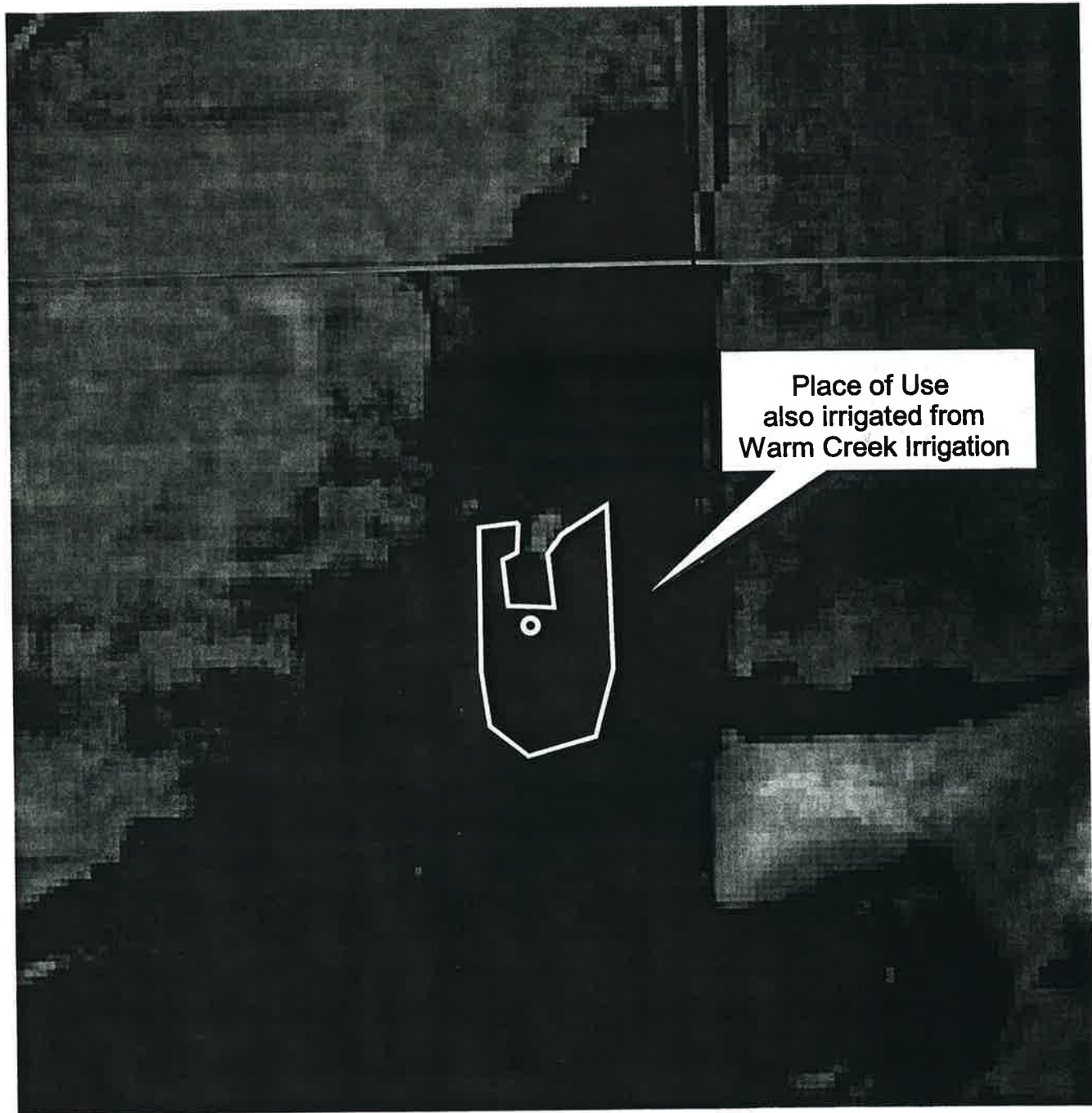
SCANNED

MAY 11 2006

RECEIVED
MAY 11 2006
IDWR Regional Office
Idaho Falls, ID

Idaho Department of Water Resources

Water Right 29-7619



Township 8S Range 30E Section 13
NE quarter of the NE quarter

● Point of Diversion
Place of Use

■ Townships
■ Sections
■ QQ

PROFILED

SCANNED

MAY 11 2001



Prepared by Bryce Contor from 1987/88 NAPP Photography, 7/2001

MEMORANDUM

Fr: Bryce Cantor

To: 29-2619

Date: 7/13/01

Re: Recommendation

Per Post-1987 license. AF review not appropriate.

Per per attached memo to Tera Severt.

BAC 7/13/01

PROTECTED

SCANNED

MAY 11 2006

MEMORANDUM

Fr: Bryce Center

To: 29-7619

Date: 7/13/01

Re: Place of use

Today I spoke on the phone w/ Mrs. Barkdall. The pole irrigated from the well is in front? back of the house south of the angled driveway. More land in front of the house, south of the driveway, is irrigated from sprinklers served by 7 shares of Warm Creek Irr.

I explained Mrs. Barkdall that she will have an opportunity to review recommended shapes in Notice of Error process.

As long as Warm Creek water is available, the low irrigation appears to be less than licensed but I will recommend a licensed because I construct the well as "supplemental" and the land remains in irrigation.

Note that sketch on licensing exam appears to be incorrectly oriented.

JBL 7/13/01

SCANNED
MAY 11 2008

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Before you

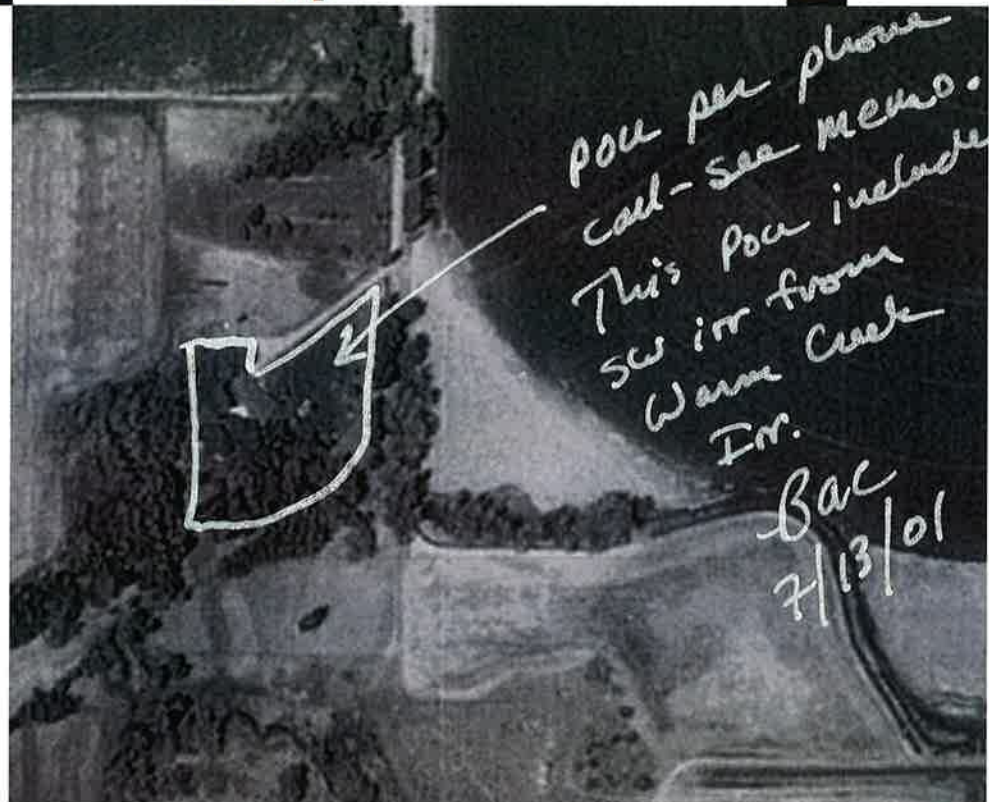
COM

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01 Jul 1980

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Locator

**6 km S of American Falls, Idaho, United States** 29 Jul[Zoom](#)

4m

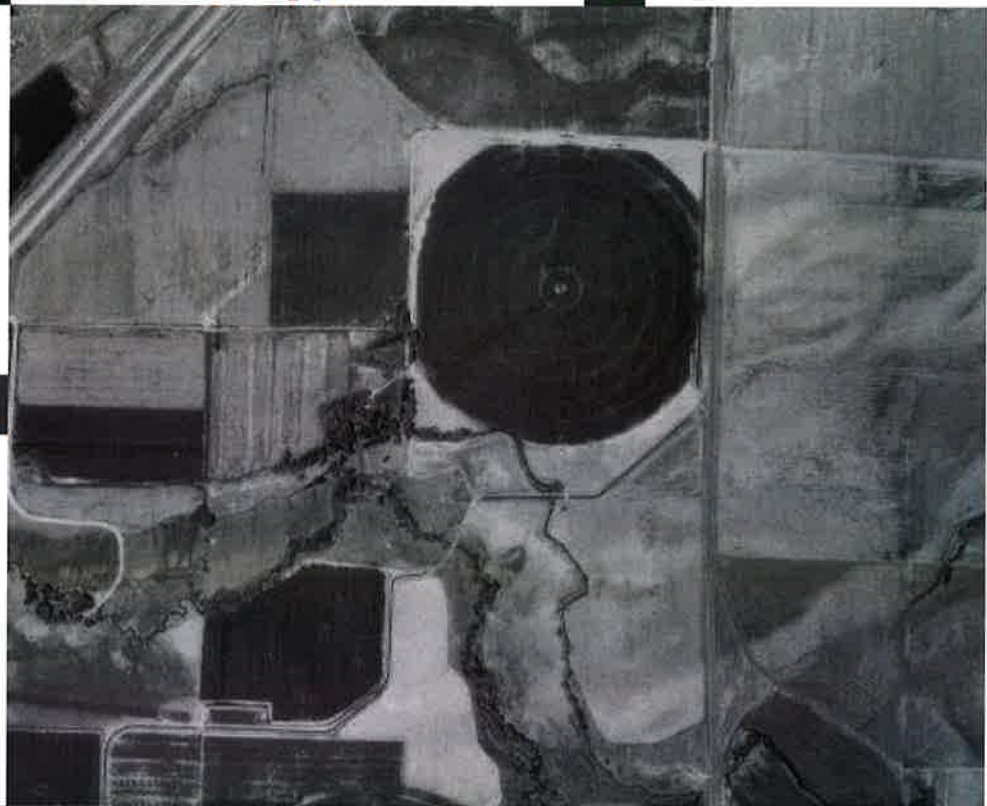


Other Imagery:

[USGS Topo Map](#)

01 Jul 1980

HomeAdvisor Links:

[Homes for sale in 83211](#)[Schools, Crime and Demographics for 83211](#)

0 0.5Km

0 0.25Mi

Image courtesy of the US Geological Survey.

OrigMetaTag = '4211217NE' Center Lon,Lat= -112.88110,42.72866 Running Time 0 ms Time 6/29/2001 11:37:14 AM

*According to the Gomeztm Summer 2000, Fall 2000 and Winter 2000/2001 Internet Home Buying Scorecardtm.[Buy](#) | [Finance](#) | [Sell](#) | [Rent](#) | [Move](#) | [Garden](#) | [Food](#) | [Decorate](#) | [Improve](#) | [Shop](#) | [Search](#) | [Help](#)[Other Links:](#)[Special Features:](#)<http://terraserver.homeadvisor.msn.com/image.asp?S=12&T=1&X=432&Y=5915&Z=12&...> 6/29/2001

SCANNED

MAY 14 2001

Log for claim A29-07619

Spatial Dynamics AMH

7/10/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s30e	13	NENE	1	34	Permissible place of use?
Totals:			1	34	

AJ5809NP
No. A29-07619

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 64

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CARL BARKDULL	01/05/1982	IRRIGATION	03-15 11-15	0.020 CFS	
C	KATHLEEN BARKDULL		DOMESTIC	01-01 12-31	0.020 CFS	
	3202 HEDSTROM LN					
	AMERICAN FALLS ID 83211					
	(208) 226-5817					
				TOTAL DIVERSION:	0.020 CFS	3.60 AFA
				CONSUMPTIVE USE:		3.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T08S R30E S13

NENENE

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
08S	30E	13	:	01																:	1.2
																				TOTAL ACRES	1.2

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
08S	30E	13	:	D																:	

POU County: POWER

Non-Irrigation Uses: 1 HOME

Other Rights: WARM CREEK IRRIGATION CO.

Other Water Rights Listing Overlapping Place(s) of Use:
A29-04338

Remarks: GEN Domestic use is for 1 home.
CHANGED OWNERSHIP 12/11/96/JT/EC
MODIFIED CLAIM TO CORRESPOND TO LICENSE; RET'D FOR SIGNATURE TO
NEW CLAIMANT 12/12/96/JT

EXP STOCKWATER, 6 CATTLE, 12 SHEEP

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 03/14/90 HAUMANN 07/28/94 THOMPSON 03/29/95 POST-STD 12/12/96 JTHOMPSO

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07619

Priority: January 5, 1982 ✓ Amount: 0.02 CFS ✓ 4.8 AFA

This is to certify, that E. UDELL HEDSTROM
3202 HEDSTROM LN.

AMERICAN FALLS, ID 83211 has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated November 9, 1981, and
has submitted proof to the Department of Water Resources on May 16, 1985, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of .160 cfs of water from a GROUNDWATER
source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15 ✓	0.02 CFS	4.2 AFA
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AFA
	Totals	0.02 CFS	4.8 AFA

LOCATION OF POINT OF DIVERSION(S):

NENE , Sec. 13, Township 08S, Range 30E
POWER County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S 30E 13	NENE 1.2			1.2

Total number of acres irrigated: 1.2

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 1 home.

MICROFILMED

MAR 03 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07619

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 17th
day of FEBRUARY, 1989.

Acting for the Director

Norman Young

RECORDED

MAR 03 1989

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pitot gauge		Asticroft	AAR		D-100	psi

2. Measurements:

1/64" Nozzles, Orbit Jet #5201-2
30 psi 32 psi
~~30~~ ~~32~~ NOTE: they only run two birds at a time.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: model 35PJ 1/64" nozzle @ 31 psi = 4.64 g.p.m.

$$Q = (2 \text{ birds})(4.64 \text{ g.p.m.}) = 9.28 \text{ g.p.m.} \div 448.8 \text{ c.f.s.} = 0.02 \text{ c.f.s.}$$

2. Alternate Method for Checking Purposes:

$$\text{Theoretical } Q = \frac{(510)(8.814)(.80)}{152 + (31 \times 2.308)} = 0.16 \text{ c.f.s.}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (1.2 \text{ ac.})(3.5) = 4.20$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.02)(245)(1.9835) = 9.72$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 4.20$$

2. Volume Calculations for Other Uses:

N.A.

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MAR 03 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 29-7619

1. Owner: E. Udell Hedstrom Phone No. 226-7263

Current Address: 3202 Hedstrom lane, American Falls, Idaho

2. Accompanied by: Susan Hedstrom EXAM. DATE: 6-8-87

Address: SAME Phone No. —

Relationship to Permit Holder: Wife

3. Source: Groundwater tributary to —

B. OVERLAP REVIEW

1. Other water rights with same place of use: WARM SPRINGS Irrigation (3)

☐ Copies Attached

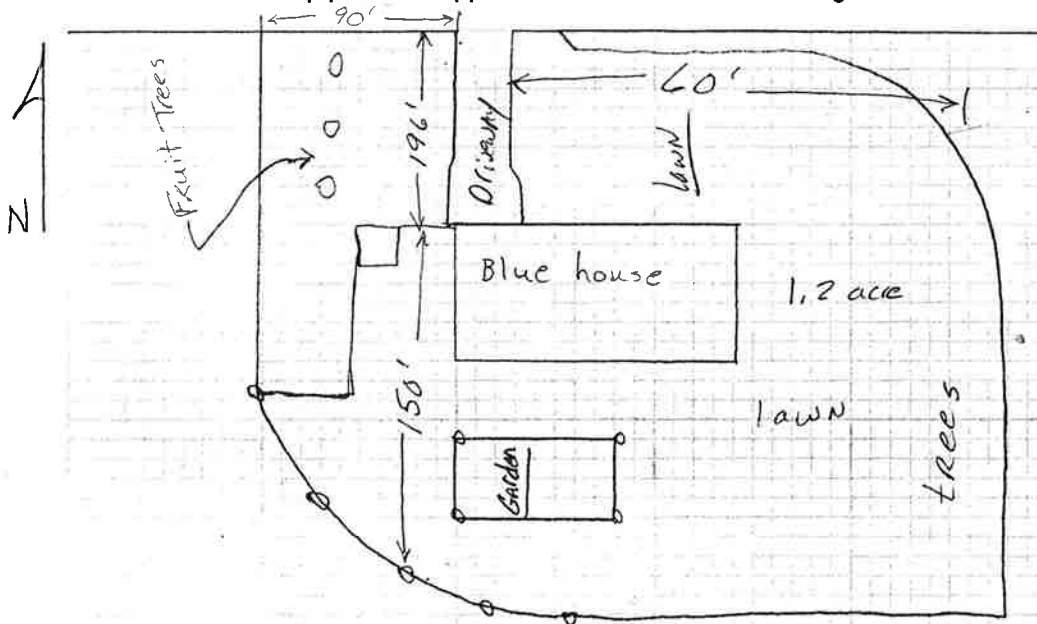
2. Other water rights with same point of diversion: N.A.

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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MAR 03 1989

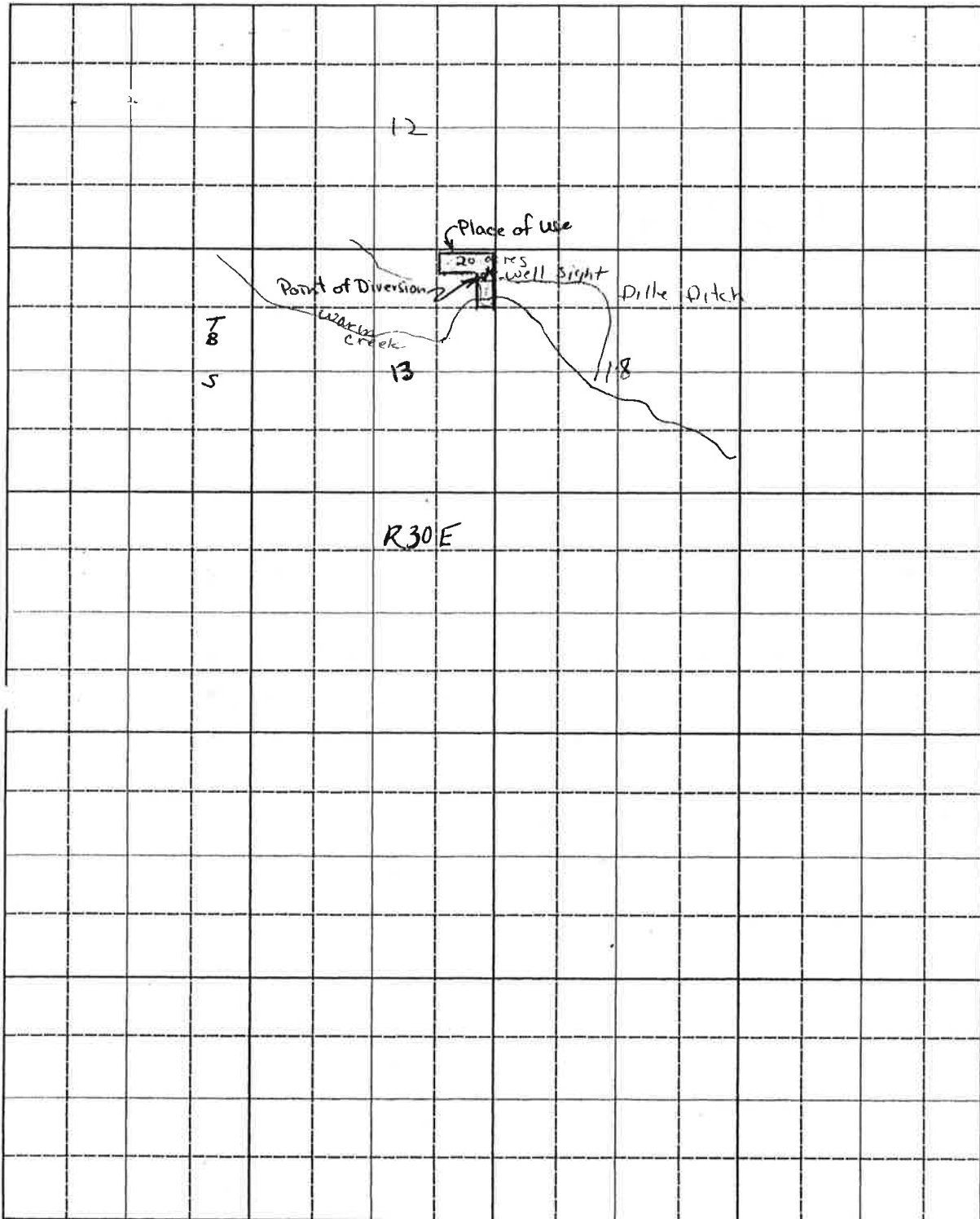
Scale: 1" = 100'

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

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.

E. Ullrich Hedstrom
(Applicant)

RECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT **APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant E. Udell Hedstrom Phone 233-8845
Post office address 2059 Beth Pocatello, Idaho 83201
2. Source of water supply Groundwater as per T/C RCW which is a tributary of _____
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13 Township 8S
Range 30E B.M. Power County, additional points of diversion if any: _____

4. Water will be used for the following purposes:
180 G. P.M.

- Amount 0.40 for IRRIGATION purposes from April to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.04 for Domestic purposes from Jan 1 to Dec 31 (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. 0.44 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. Pump: to Ditch for irrigation, and
to main line for domestic home.
- 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.
(Month/Day) (Month/Day)
- c. Proposed well diameter is 10 inches; proposed depth of well is _____ 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: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13 Township 8S
Range 30E B.M.

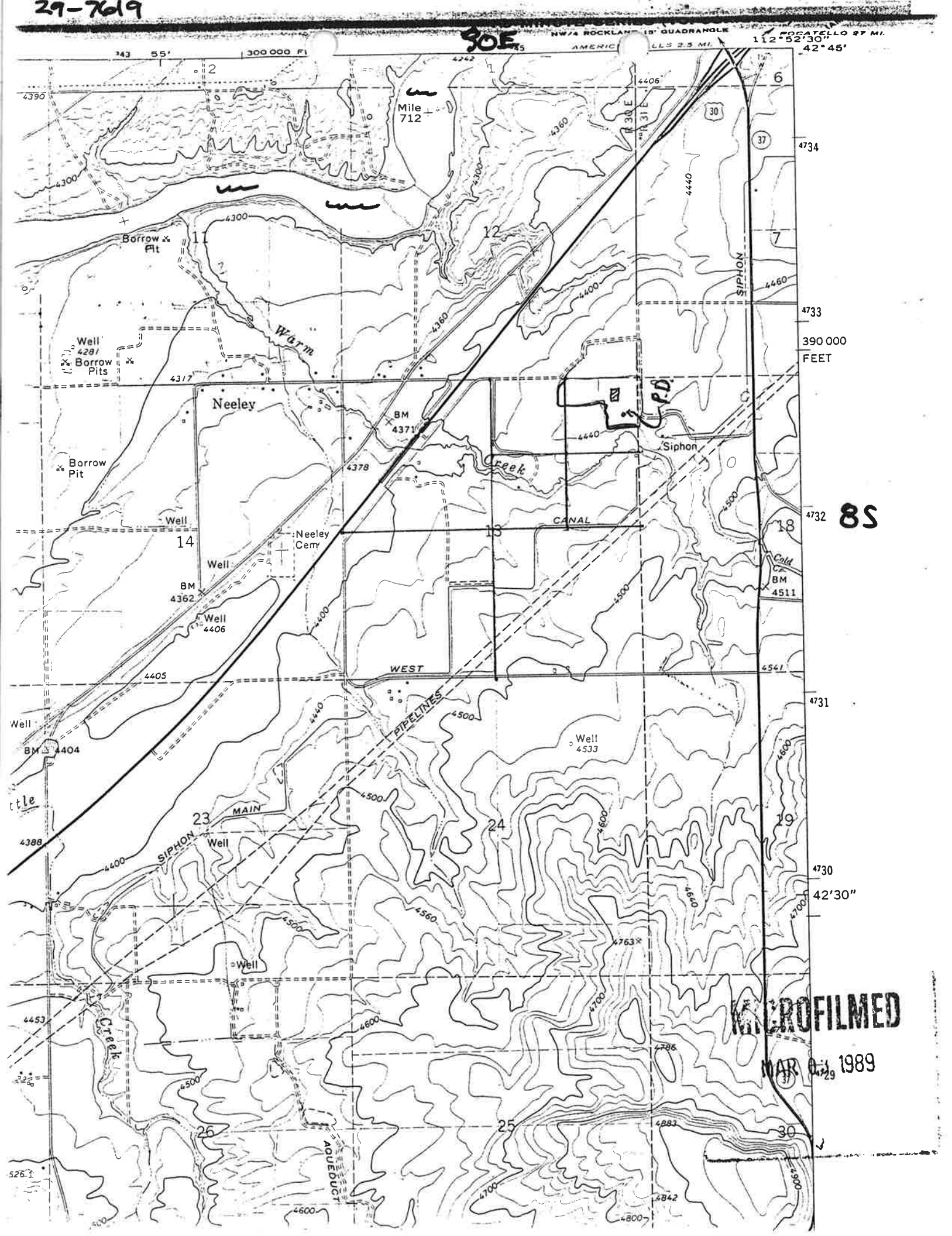
(2) Amount of power to be generated: _____ horsepower under _____ feet of head,

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

(4) Name of municipality to be served _____, or number of families to
supplied with domestic water 1.

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

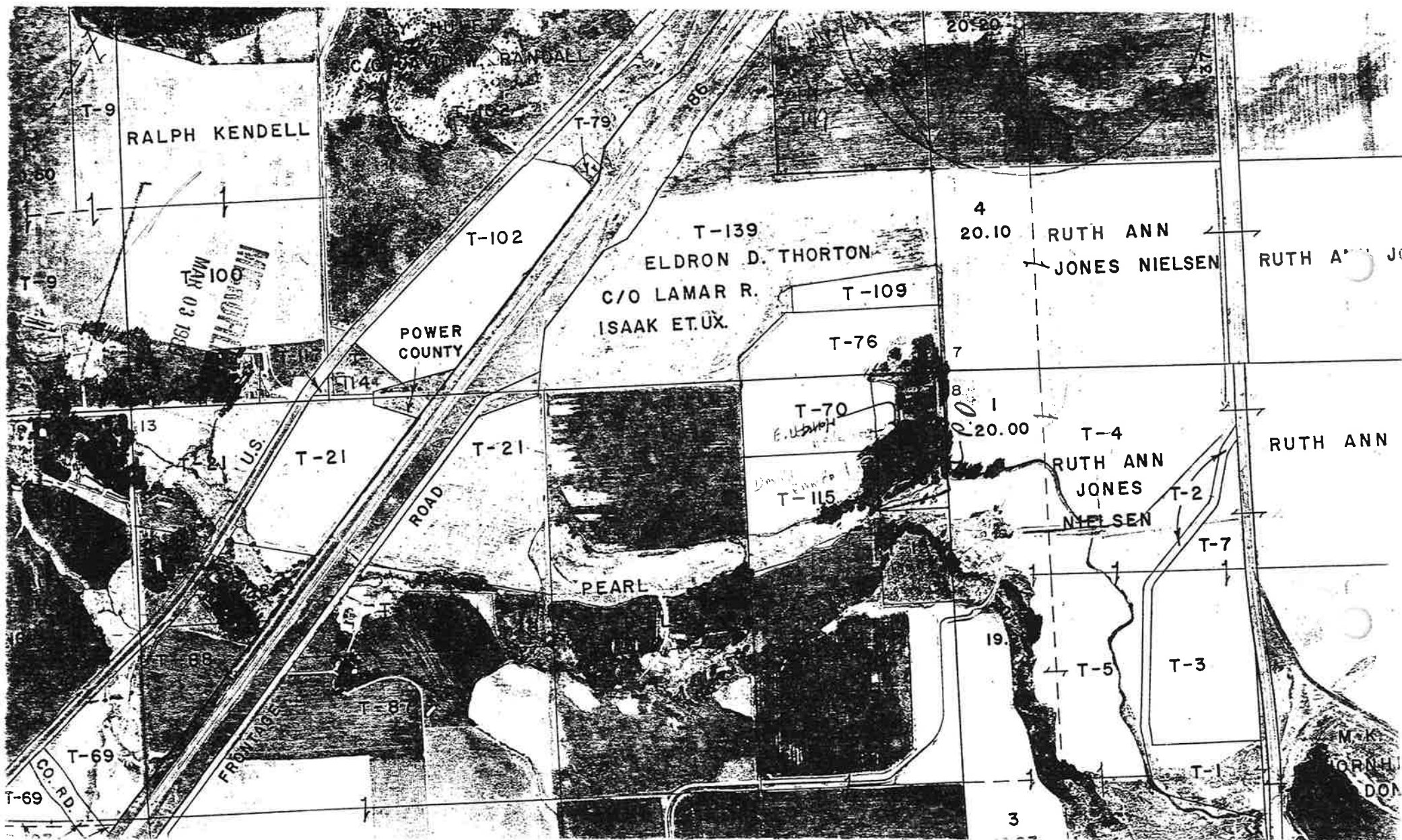
MUNICIPALITY



85

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MAR 29 1989





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

DECEMBER 12, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CARL BARKDULL
3202 HEDSTROM LN
AMERICAN FALLS ID 83211

RE: CHANGE IN OWNERSHIP FOR A29-07619

Dear Mr. Barkdull:

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.

While modifying the name, we discovered certain portions of the claim did not correspond with License 29-07619. To resolve this discrepancy, we changed the Notice so it is consistent with the license.

Enclosed is a copy of the "amended" Notice of Claim with your name shown as the current owner. In order to update the changes mentioned above, it is necessary that you sign the form (where highlighted) in the presence of a Notary Public and return it promptly to me. You will want to make a copy for your records before you return it.

My phone number is 208 525-7161, if you have any questions.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Amended Notice of Claim

EMC 11 Dec 96
RECEIVED
DEC 06 1996

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

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

RECEIVED
DEC 11 1996
Department of Water Resources
Eastern District Office

1. Water Right Number(s) _____
Adjudication Claim Number(s) A29-07619
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) Edell & Susan Hedstrom
4. New Owner/Claimant(s) Carl & Kathleen Barkdull
 Name connector (Check one): ☐ AND, ☐ OR, ☒ AND/OR
 New Mailing Address 3202 Hedstrom Lane
 City, State and ZIP Code Am Falls, Id 83211
 New Telephone Number (208) 226 - 5817
5. Date you acquired the property April 1990
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 2 Number and type of stock 2 horses

Diversion rate in CFS _____ Number of homes 1 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)

x Carl Barkdull Date 11-21-96

Kathleen Barkdull Date 11-21-96
8. 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.

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

2-5688-6

WARRANTY DEED

For Value Received

ERNEST UDELL HEDSTROM AND SUSAN LEE HEDSTROM, HUSBAND AND WIFE.

the grantor , do hereby grant, bargain, sell and convey unto
CARL BARKDULL AND KATHLEEN BARKDULL, HUSBAND AND WIFE.

whose current address is
3202 HEDSTROM LANE, AMERICAN FALLS, ID 83211

the grantee , the following described premises, in ^{Power}~~Bannock~~ County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO: ALL existing patent reservations, easements, rights of way, protective covenants, zoning ordinances and applicable building codes, laws and regulations.

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

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

Dated: April 6, 1990

Ernest Udell Hedstrom
ERNEST UDELL HEDSTROM

Susan Lee Hedstrom
SUSAN LEE HEDSTROM

Furn. 10

EXHIBIT "A"

PARCEL 1:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 30 E.B.M., POWER COUNTY, IDAHO, RUNNING THENCE WEST ON THE NORTH LINE OF SAID SECTION 13 A DISTANCE OF 80 RODS TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 13; THENCE SOUTH ON SAID WEST LINE OF SAID NE $\frac{1}{4}$ OF NE $\frac{1}{4}$ OF SAID SECTION 13 A DISTANCE OF 30 RODS; THENCE EAST A DISTANCE OF 80 RODS TO THE EAST BOUNDARY LINE OF SAID SECTION 13; THENCE NORTH ALONG SAID EAST BOUNDARY TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 13.

EXCEPT: A TRACT OF LAND IN THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 30 E.B.M., DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF SAID NE $\frac{1}{4}$ NE $\frac{1}{4}$; THENCE SOUTH 0°15'49" WEST ALONG THE WEST LINE OF SAID NE $\frac{1}{4}$ NE $\frac{1}{4}$, 409.10 FEET; THENCE SOUTH 89°46'47" EAST, 110.00 FEET; THENCE NORTH 0°15'49" EAST, 409.10 FEET TO THE NORTH LINE OF SAID NE $\frac{1}{4}$ NE $\frac{1}{4}$; THENCE NORTH 89°46'47" WEST ALONG SAID NORTH LINE, 110.00 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A PORTION OF THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 30 E.B.M., POWER COUNTY, IDAHO, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 13, THENCE SOUTH ALONG THE EAST SECTION LINE 30 RODS TO THE TRUE POINT OF BEGINNING; RUNNING THENCE SOUTH ALONG THE EAST SECTION LINE 23.7 RODS; THENCE WEST AT RIGHT ANGLES 27 RODS; THENCE NORTH AT RIGHT ANGLES 23.7 RODS; THENCE EAST 27 RODS TO THE TRUE POINT OF BEGINNING.

RESERVING THE EAST 30 FEET OF PARCELS 1 AND 2 OF SUBJECT PROPERTY FOR INGRESS AND EGRESS TO ADJACENT PROPERTY ON SOUTH.:

15-5-3
N.C. GARRETT

30 Rods
495'

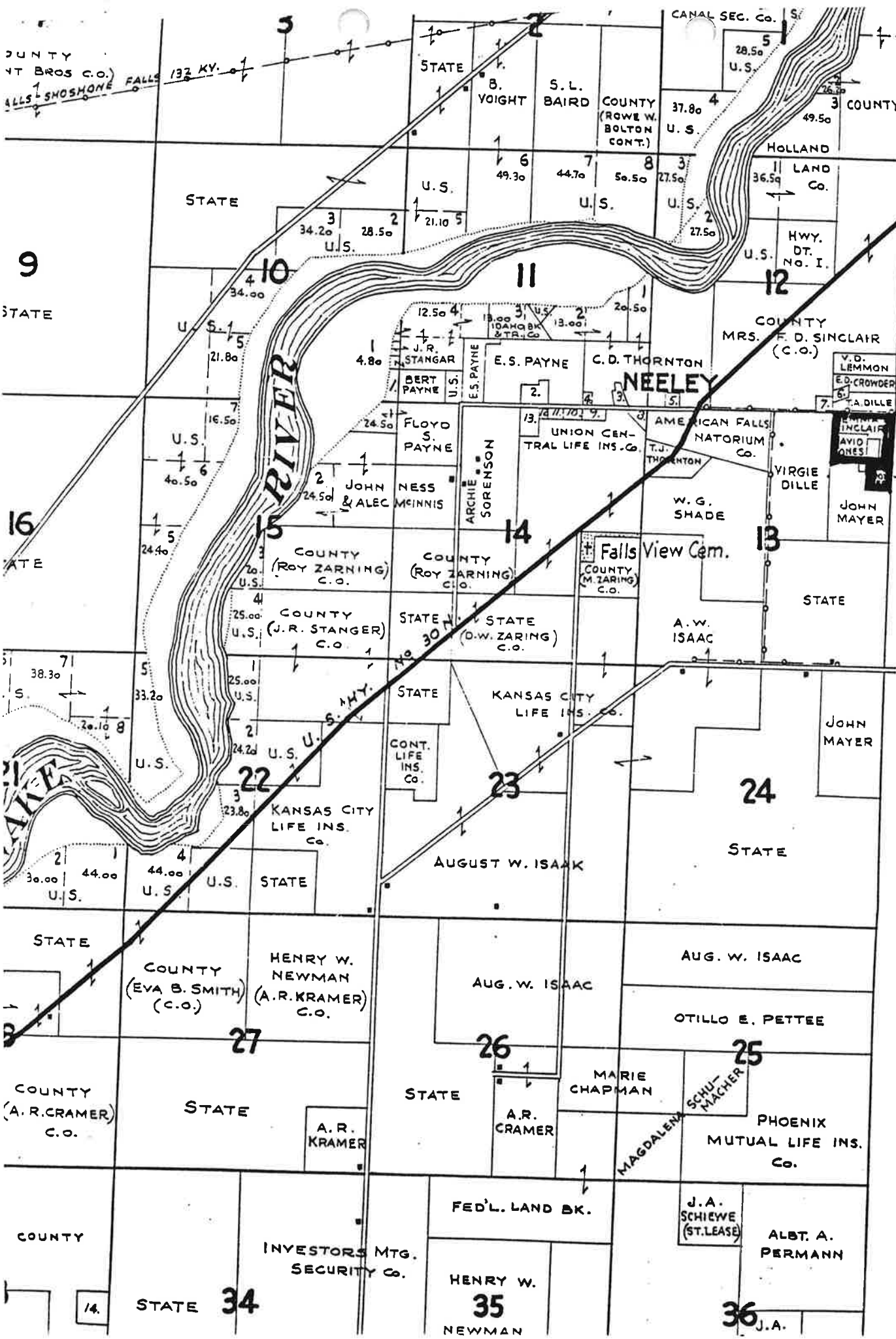
23.7 Rods
391.05'

27 Rods
445.5'

80 Rods
1,021'
5,902.08

80 Rods
1,021'
5,902.08

110'
EXCEPT
01.604



To American Falls

- 7- CITY OF
- 8- JOHN
- 9- H. J. TH
- 10- U. R. S
- 11- E. C. W
- 12- H. C. R
- 13- GLADYS
- 14- COUNTY

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS
RICHMOND, VIRGINIA

OWNER'S POLICY NUMBER
113 - 00 - 210784

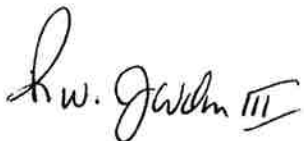
SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, LAWYERS TITLE INSURANCE CORPORATION, a Virginia corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding 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.

IN WITNESS WHEREOF the Company has caused this policy to be signed and sealed, to be valid when Schedule A is countersigned by an authorized officer or agent of the Company, all in accordance with its By-Laws.

Attest:



Secretary.

By:

Lawyers Title Insurance Corporation



President

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.

CASE NUMBER

2-5688-G

SCHEDULE B

POLICY NUMBER

113-00-210784

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:

1. Rights or claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are 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. Unpatented mining claims; reservations or exceptions in patents or in Act authorizing the issuance thereof; water rights, claims or title to water.
6. Any and all unpaid taxes, assessments and unredeemed tax sales.
7. IN LIEU OF ITEM 6 ABOVE, TAXES FOR THE YEAR 1990 AND SUBSEQUENT YEARS. LIABILITY FOR ADDITIONAL ASSESSMENT AND SUBSEQUENT TAX BILLING IF ANY, PURSUANT TO IDAHO CODE SECTIONS 63-403 AND 63-3905.
8. LEVIES AND ASSESSMENTS UNDER THE FALLS IRRIGATION DISTRICT.
9. EASEMENT TO IDAHO POWER COMPANY, RECORDED APRIL 20, 1983, DRAWER NO. 7, NO. 129804, RECORDS OF POWER COUNTY, IDAHO. SAID EASEMENT BEING FOR POWER LINES.
10. EASEMENT TO UNITED STATES OF AMERICA AND FALLS IRRIGATION DISTRICT, RECORDED DECEMBER 11, 1989, DRAWER NO. 8, INSTRUMENT NO. 151877, RECORDS OF POWER COUNTY, IDAHO. SAID EASEMENT BEING FOR RIGHT OF WAY AND USAGE AND MAINTENANCE THEREOF.
11. RIGHT, TITLE AND INTEREST OF THE PUBLIC IN AND TO THOSE PORTIONS OF ABOVE DESCRIBED PREMISES FALLING WITHIN THE BOUNDS OF ROADS OR HIGHWAYS.
12. THE EFFECT OF CONDITIONS CONTAINED IN WARRANTY DEED, RECORDED APRIL 6, 1990, IN DRAWER NO. 8, NO. 152804, AS FOLLOWS: RESERVING THE EAST 30 FEET OF PARCELS 1 AND 2 OF SUBJECT PROPERTY FOR INGRESS AND EGRESS TO ADJACENT PROPERTY ON SOUTH.

BG/MM

causes of action which allege matters not insured against by this policy.
(b) The Company shall have the right, at its own cost, to institute and prosecute any action or proceeding or to do any or act which in its opinion

for cancellation.

(b) To Pay or Otherwise Settle With Parties Other than the Insured or With the Insured Claimant.

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS
RICHMOND, VIRGINIA

SCHEDULE A

CASE NUMBER
2-5688-G

DATE OF POLICY
APR. 6, 1990 3:12 PM

OWNER'S POLICY

AMOUNT OF INSURANCE
\$147,000.00

ENDORSEMENTS

POLICY NUMBER
113-00-210784

1. Name of insured:

CARL BARKDULL AND KATHLEEN BARKDULL

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 the land is vested in:

CARL BARKDULL AND KATHLEEN BARKDULL, HUSBAND AND WIFE

4. The land referred to in this policy is described as follows:

PARCEL 1:

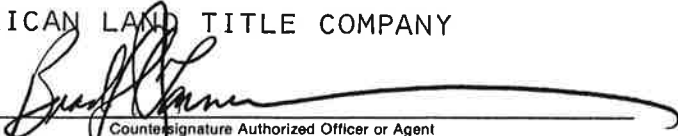
COMMENCING AT THE NORTHEAST CORNER OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 30 E.B.M., POWER COUNTY, IDAHO, RUNNING THENCE WEST ON THE NORTH LINE OF SAID SECTION 13 A DISTANCE OF 80 RODS TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 13; THENCE SOUTH ON SAID WEST LINE OF SAID NE $\frac{1}{4}$ OF NE $\frac{1}{4}$ OF SAID SECTION 13 A DISTANCE OF 30 RODS; THENCE EAST A DISTANCE OF 80 RODS TO THE EAST BOUNDARY LINE OF SAID SECTION 13; THENCE NORTH ALONG SAID EAST BOUNDARY TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 13.

EXCEPT: A TRACT OF LAND IN THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 30 E.B.M., DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF SAID NE $\frac{1}{4}$ NE $\frac{1}{4}$; THENCE SOUTH 0°15'49" WEST ALONG THE WEST LINE OF SAID NE $\frac{1}{4}$ NE $\frac{1}{4}$, 409.10 FEET; THENCE SOUTH 89°46'47" EAST, 110.00 FEET; THENCE NORTH 0°15'49" EAST, 409.10 FEET TO THE NORTH LINE OF SAID NE $\frac{1}{4}$ NE $\frac{1}{4}$; THENCE NORTH 89°46'47" WEST ALONG SAID NORTH LINE, 110.00 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A PORTION OF THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 30 E.B.M., POWER COUNTY, IDAHO, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 13, THENCE SOUTH ALONG THE EAST SECTION LINE 30 RODS TO THE TRUE POINT OF BEGINNING; RUNNING THENCE SOUTH ALONG THE EAST SECTION LINE 23.7 RODS; THENCE WEST AT RIGHT ANGLES 27 RODS; THENCE NORTH AT RIGHT ANGLES 23.7 RODS; THENCE EAST 27 RODS TO THE TRUE POINT OF BEGINNING.

AMERICAN LAND TITLE COMPANY


County Signature Authorized Officer or Agent

POCATELLO, IDAHO
Issued at (Location)



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**

October 10, 1996

**KARL J. DREHER
DIRECTOR**

NEW PROPERTY OWNER
3202 HEDSTROM LN
AMERICAN FALLS ID 83211

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. #A29-07619

Dear New Property Owner:

A legal notice mailed recently by IDWR was returned to us by the Post Office. The notice was mailed to an apparent former owner at your address who has or had this property or others in the area.

Before we can modify our records to reflect your new ownership of the property and water rights 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

Enclosure:

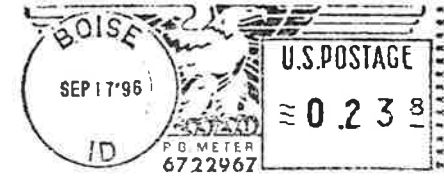
Form 42-248/42-1409(6)
How You Will Receive Notice ...
Docket Sheet Order Form

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720

Boise, Idaho 83720-0098

PRESORTED
FIRST CLASS



FORWARDING ORDER EXPIRED

✓ A29-07619
E UDELL HEDSTROM
SUSAN LEE HEDSTROM
3202 HEDSTROM LN
AMERICAN FALLS

ID 83211

FOE
9-18-96

RECEIVED
SEP 20 1996

Department of Water Resources

AUTO 83211

APRIL 6, 1990

TO: Warm Creek Irrigation Company
Carol Henish
3210 Neeley Loop
American Falls, ID 83211

RE: Certificates for 7 water shares

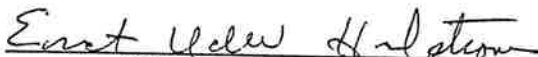
Dear Ms. Henish:

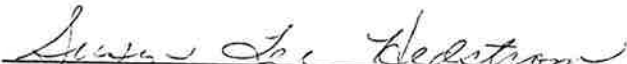
Please accept this notice of the sale of the property referenced in the attached legal description. It is our desire and intent to transfer our interest in the 7 shares of the Warm Creek Irrigation Company to the new owners, Carl and Kathleen Barkdull.

Unfortunately we are unable to locate the original certificates for said shares and hereby notify you that if said certificates should surface they would be delivered to the Warm Creek Irrigation Company immediately.

Thank you for your assistance in this matter.

Sincerely,


ERNEST UDELL HEDSTROM

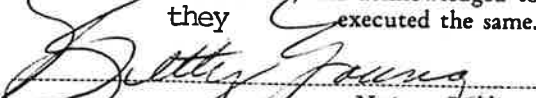

SUSAN LEE HEDSTROM

STATE OF IDAHO, COUNTY OF BANNOCK

On this 6th day of April, 1990,
before me, a notary public in and for said State, personally
appeared

ERNEST UDELL HEDSTROM
SUSAN LEE HEDSTROM

known to me to be the person^S whose name^S are
subscribed to the within instrument, and acknowledged to
me that they executed the same.


Notary Public

Residing at
Comm. Expires

POCATELLO

1-14-92

, Idaho

SCANNED
RECEIVED
MAY 1 1997
JAN 22 1997

Department of Water Resources
Idaho District Office

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: A29-07619
Date Received: 3/14/1990
Receipt No: M006228
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CARL BARKDULL 208-226-5817
Address: 3202 HEDSTROM LN
AMERICAN FALLS ID 83211
OR
Name: KATHLEEN BARKDULL 208-226-5817
Address: 3202 HEDSTROM LN
AMERICAN FALLS ID 83211
2. Date of Priority: JAN 5, 1982
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
08S	30E	13	NE		NE		NE		POWER
5. Description of diverting works:
WELL, 10" CASING, 5HP PUMP, PIPED TO HOME, SPRINKLER & STOCK TANK.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.020		
DOMESTIC	01/01	12/31	0.020		
7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 3.60 A.F.A.
8. Total consumptive use is 3.6 Acre Feet Per Annum.
9. Non-irrigation uses:
1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	30E	13	NE	NE		IRR	1.2
			NE	NE		DOMEST	
Section Acres							1.2
Total Acres							1.2

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:
WARM CREEK IRRIGATION CO.

14. Remarks:

Domestic use is for 1 home.
CHANGED OWNERSHIP 12/11/96/JT/EC
MODIFIED CLAIM TO CORRESPOND TO LICENSE; RET'D FOR SIGNATURE TO
NEW CLAIMANT 12/12/96/JT
STOCKWATER, 6 CATTLE, 12 SHEEP

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): Carl Barkdull Date: 1-21-97

Date: _____

State of Idaho)
County of Bonner) SS.

Subscribed and sworn (or affirmed) before me this 21 day
of January 19 97

Seal

Patricia Lowry
Notary Public

Residing at American Lake

My Commission Expires March 1997

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: **A29-07619**
Date Received: 3/14/1990
Receipt No: M006228
Received By: _____

COPY

AMENDED

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CARL BARKDULL 208-226-5817
Address: 3202 HEDSTROM LN
AMERICAN FALLS ID 83211
OR
Name: KATHLEEN BARKDULL 208-226-5817
Address: 3202 HEDSTROM LN
AMERICAN FALLS ID 83211

2. Date of Priority: JAN 5, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	30E	13	NE	NE	NE		POWER

5. Description of diverting works:
WELL, 10" CASING, 5HP PUMP, PIPED TO HOME, SPRINKLER & STOCK TANK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.040	.02	
DOMESTIC	01/01	12/31	0.040	.02	

7. Total Quantity Appropriated is:
0.440 C.F.S. (and/or) 4.80 A.F.A.

8. Total consumptive use is 3.6 6.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D / 1 HOME S / 6 BEEF CATTLE, 12 SHEEP.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	30E	13	NE		NE		IRR	2.0
			NE		NE		DOMEST	1.2
			~~NE~~		~~NE~~		~~STOCK~~	
Section Acres								2.0
Total Acres								2.0

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:
WARM CREEK IRRIGATION CO.

14. Remarks:
Domestic use is for 1 home.
CHANGED OWNERSHIP 12/11/96/JT/EC

15. Basis of Claim: LICENSE

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: A29-07619
Date Received: 3/14/1990
Receipt No: M006228
Received By: RWH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: E. UDELL HEDSTROM
Address: 3202 HEDSTROM LN.
AMERICAN FALLS, ID 83211

OR

Name: SUSAN LEE HEDSTROM
Address: 3202 HEDSTROM LN.
AMERICAN FALLS, ID 83211

2. Date of Priority: JAN 05, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	30E	13	NE	NE	NE		POWER

5. Description of diverting works:
WELL, 10" CASING, 5HP PUMP, PIPED TO HOME, SPRINKLER & STOCK TANK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.040		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.440 C.F.S. (and/or) 4.80 A.F.A.

8. Total consumptive use is 6.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D / 1 HOME S / 6 BEEF CATTLE, 12 SHEEP.

A29-07619

Page 1

Date: 03/14/90

A2907619



MICROFILMED

NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	30E	13	NE	NE		IRR	2.0
			NE	NE		DOMEST	
			NE	NE		STOCK	
					Section Acres		2.0
					Total Acres		2.0

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:
WARM CREEK IRRIGATION CO.

14. Remarks:
Domestic use is for 1 home.

15. Basis of Claim: LICENSE

MICROFILMED
NOV 13 1992

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: 1

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): Susan L. Hedstrom Date: 3-14-1990

Date: _____

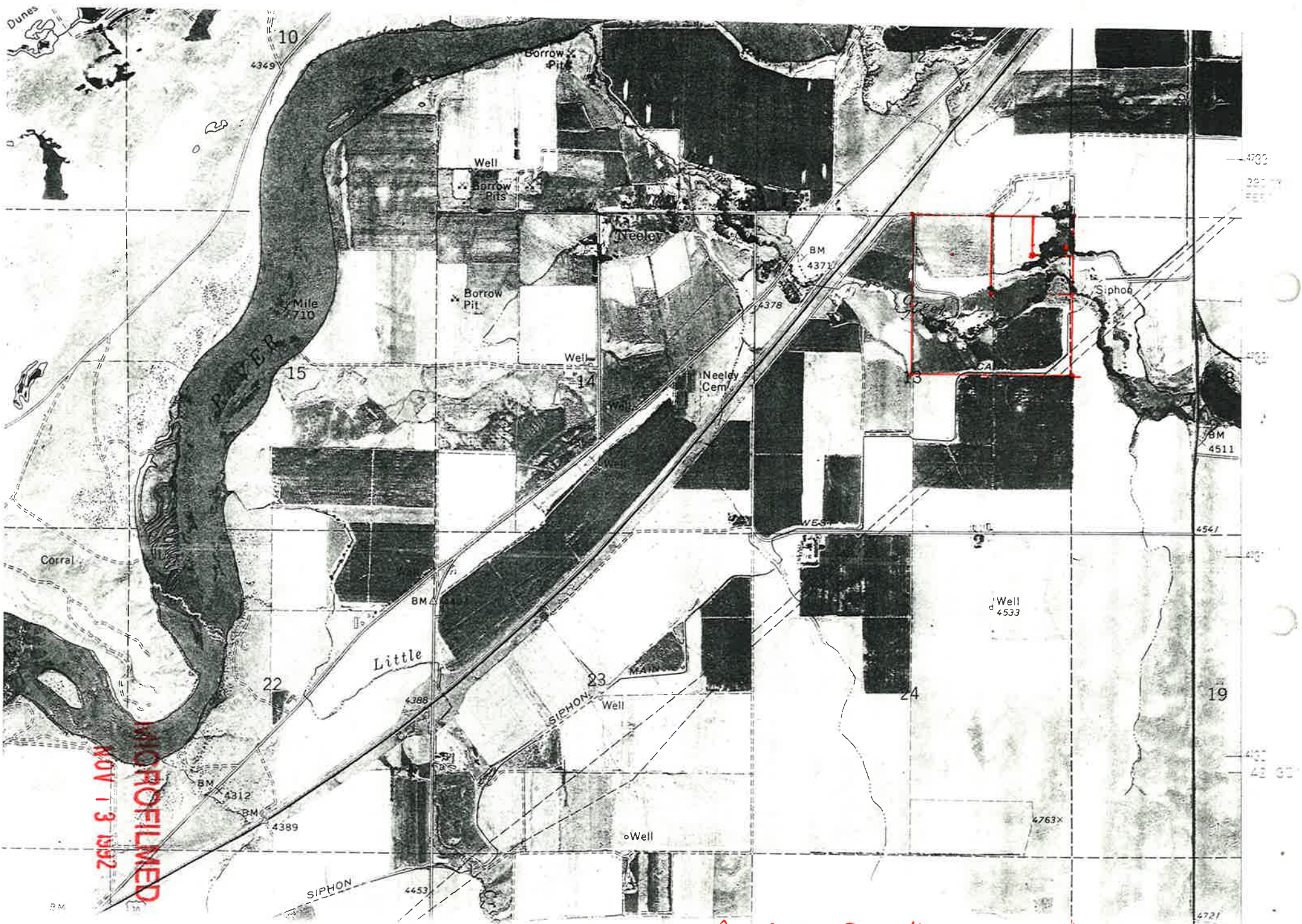
State of Idaho)
County of Poun) SS.

Subscribed and sworn (or affirmed) before me this 14 day
of March 19 90

[Signature]
Notary Public

Seal

Residing at 2nd Falls
My Commission Expires 22 Aug 1994



T085. R.30 E Sec 13. NE, NE, NE