

04/21/2010

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

RIGHT NUMBER: 67-15038

NAME AND ADDRESS: PAULA M BALDERSON
PO BOX 246
COUNCIL ID 83612

JOHN W BALDERSON
PO BOX 246
COUNCIL ID 83612

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/31/1970

POINT OF DIVERSION:

T17N R01W S36 SENW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER in ADAMS County

T17N R01W S36 SENW

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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 200 range cattle and 4 horses.

Parcel No: RP17N01W361205



Idaho Department of Water Resources

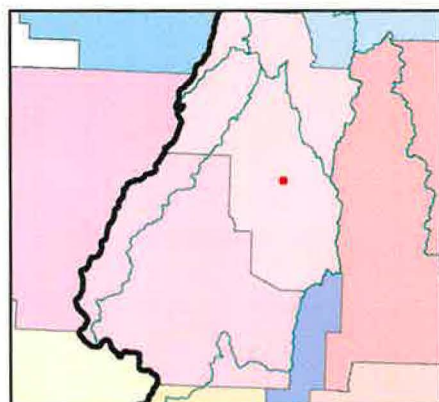
Adjudication Recommendation

67-15038

(STOCKWATER)

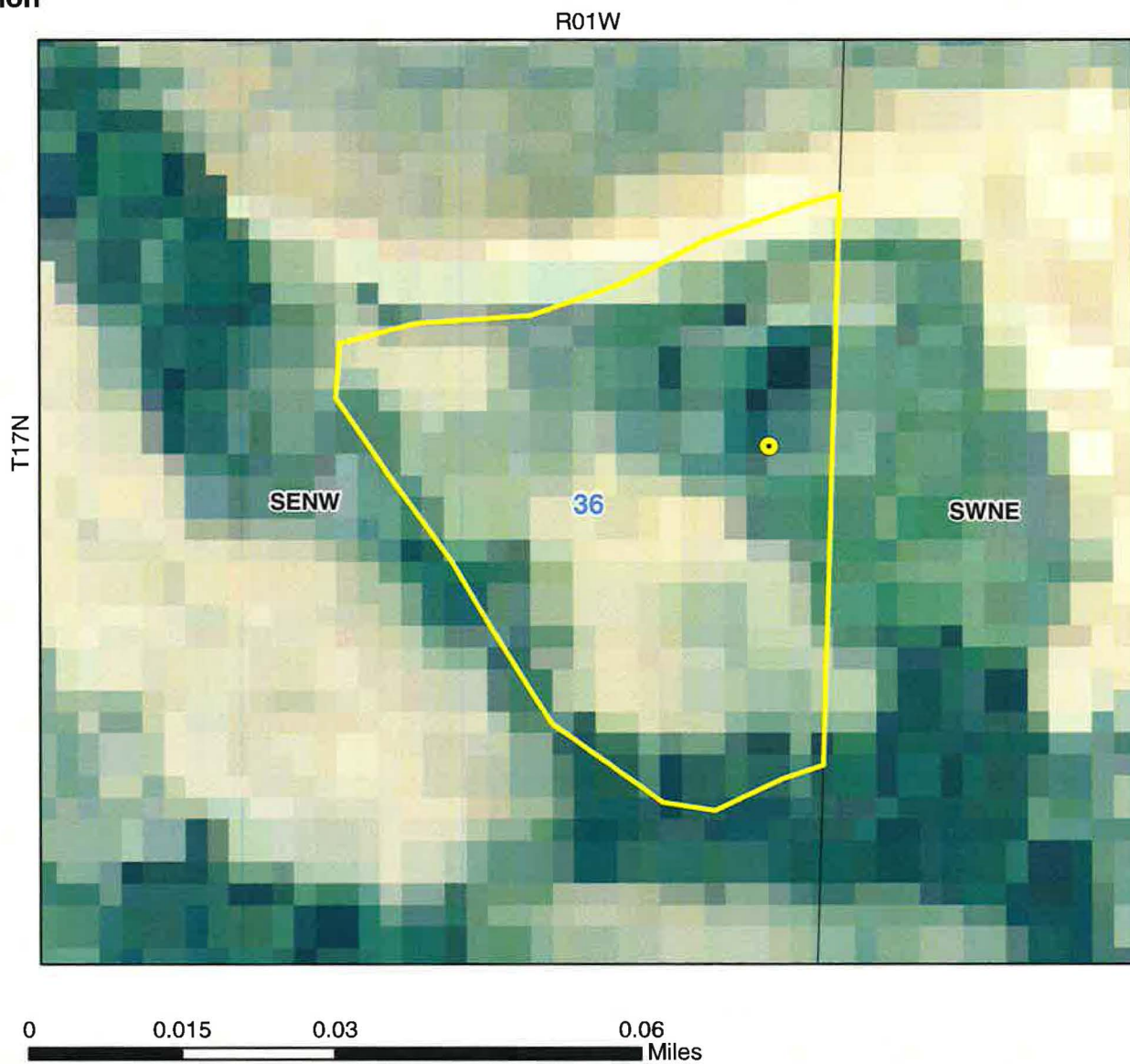
Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Adams County
IDWR Basin 67

Prepared by Craig Saxton
On April 21, 2010
1987/88 Aerial Photography





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

April 28, 2010

JOHN W BALDERSON
PAULA M BALDERSON
PO BOX 246
COUNCIL ID 83612

Re: Snake River Basin Adjudication (SRBA)
Late Notice of Claim to a Water Right No. 67-15038

Dear John & Paula:

The Notice of Claim you filed was received from the SRBA Court recently. I have enclosed Receipt No. C090579 for the filing fees you paid. Please retain the receipt for your records.

Your Notice of Claim will be investigated and reported to the Court in a future supplemental Director's Report. If you have any questions, please feel free to contact our office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section

LH:l
Enclosure

SCANNED
APR 30 2010

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 67-15038
Date Received: 4/22/2010
Receipt No: C090579
Received By:

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

1. Name of Claimant(s)

PAULA M BALDERSON Phone: (208)253-4346
PO BOX 246
COUNCIL ID USA 83612

JOHN W BALDERSON Phone: (208)253-4346
PO BOX 246
COUNCIL ID USA 83612

2. Date of Priority: 05/31/1970

3. Source: SPRING Trib. to: UNNAMED DRAIN

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	01W	36	SE NW	ADAMS	

5. Description of diverting works:

Pipe in stockwater tank put in in early 1970. In continuous use since.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 104

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	01W	36	NE	SE	STOCKWATER	

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

Stockwater use is for 200 range cattle and 4 horses.

Parcel No: RP17N01W361205

15. Basis of Claim: Beneficial Use

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

RECEIVED
APR 22 2010
DEPARTMENT OF
WATER RESOURCES

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received:

Receipt No:

Received By:

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JAN - 7 2010

Clerk
Deputy Clerk

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) BALDERSON, John W + Paula M. Phone (208) 253-4346

Mailing Address PO Box 246 Council ID ZIP 83612
Street or Box City State

2. Date of Priority (Only one (1) per claim) MAY 1970
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (X) (a) SPRING

which is tributary to (b) unnamed drainage that evaporates before reaching my main creek

4. a. Location of Point of Diversion is: Township 17N, Range 01W, Section 36,
SE, 1/4 of NW, 1/4 Govt. Lot _____, BM., County of ADAMS

Parcel (PIN) no. RP 17N01W361205A

Additional points of diversion if any: N/A

If available, GPS Coordinates _____

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

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

Govt. Lot _____, BM., County of _____

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

Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. PIPE & STOCK WATER TANK PUT IN

IN EARLY 1970 IN CONTINUOUS USE SINCE.

SCANNED

APR 23 2010

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Stock water purposes from JAN 1 to DEC 31 amount .04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .04 (cfs) and/or (b) _____ (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) Stockwater - Cows 100 PR. - Horses 4

9. Description of place of use:

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

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

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	D/W	36													X				

Parcel (PIN) no(s) R P 17 N G 1 W 36 1205

Total number of acres irrigated _____

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

11. Do you own the property listed above as place of use? Yes (X) No ()

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (X)

13. Remarks: _____

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APR 23 2010

Last Name BALDERSON Identification No. _____

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License () Permit () Decree (X)

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)

Paula M. Balderson

Date: *1-5-10*

Paula M. Balderson

Date: *1-5-10*

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____,
Title Organization

that I have signed the foregoing document in the space below as

_____ of _____,
Title Organization

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

16. Notice of Appearance:

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

Signature _____ Date _____

Address _____

SCANNED

APR 23 2010

Last Name

Balderson

Identification No. _____

Scale: 2 Inches equals 1 mile

17 Nov

A 20x20 grid of graph paper. The grid is composed of small squares, each containing a crosshair. A blue border is drawn around the grid. In the bottom right corner, the text "see 36" is handwritten in blue ink.

Last Name

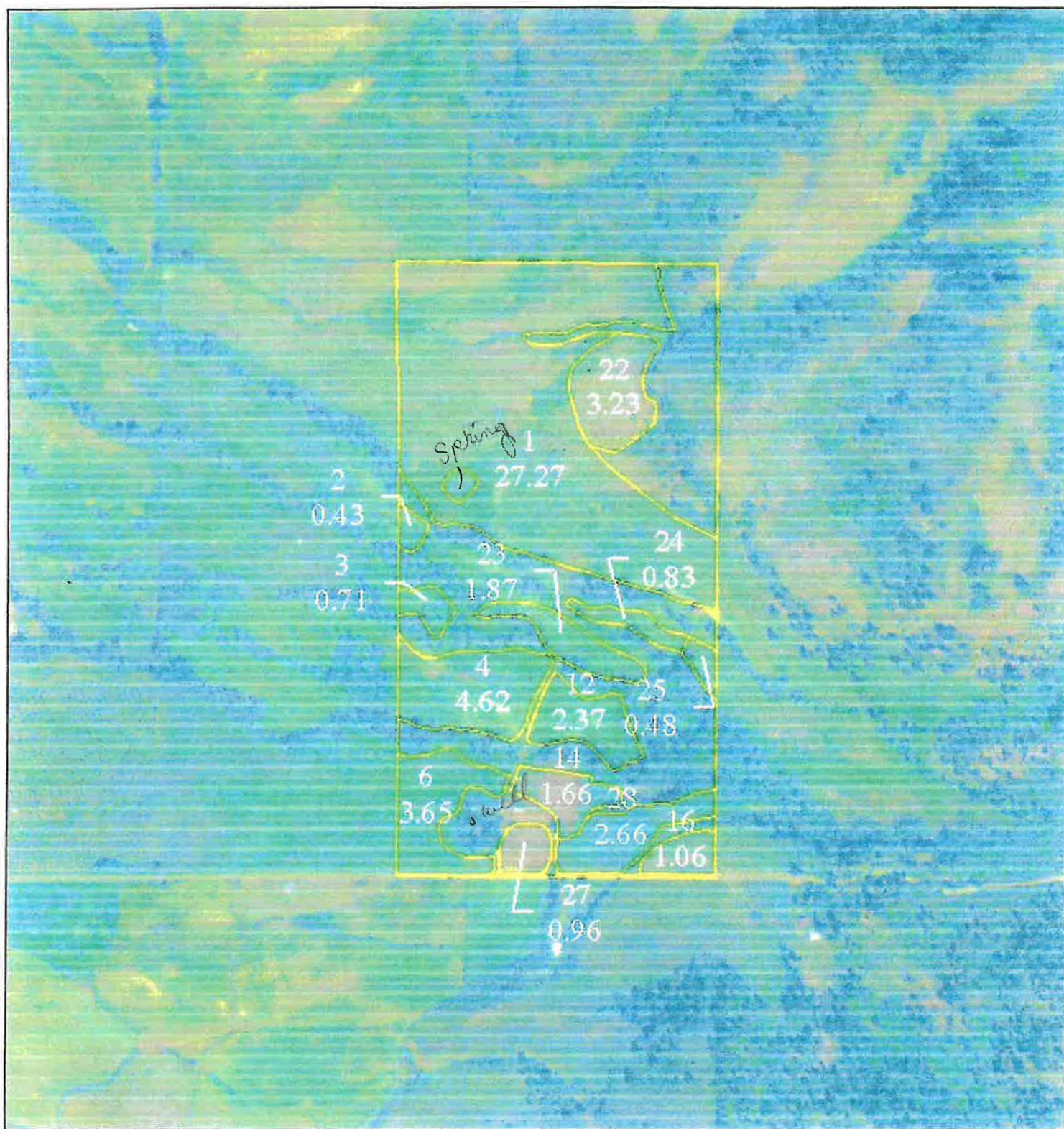
Balderson

Identification No.

SCANNED

APR 23 2010

Pale skin



United States Department of Agriculture
Farm Service Agency

1:6,683

Farm 59
Tract 844

Adams



SCANNED
APR 23 2010

Handwritten annotations on the map include:

- Top Left:** 4951, 4952
- Top Center:** 5200
- Top Right:** 7500, CARSON, FAIR, 7603
- Middle Left:** Folke, 7000, Russell, 6000, Ryals, 7100, Guttenberger, 8800
- Middle Right:** Ryals, 7602, Johnson, 7200
- Bottom Left:** Distortion 909.5 ft, 2400, Haavey, 2800
- Bottom Center:** Balderson #, Balderson M, Balderson W, 3600, 60AC, Balderson John, 1205, 80AC, Distortion 909.5 ft, available do Co-inside
- Bottom Right:** State of Idaho, 1805, Balderson #, Balderson M, Balderson W, 195.20K, 5-11C

QUITCLAIM DEED

THIS IS A TRUE
AND EXACT COPY

For Value Received JOHN W. BALDERSON does hereby convey,
release, remise and forever quit claim unto JOHN W. BALDERSON PAULA M. BALDERSON
whose current address is

PO Box 246 COUNCIL, ID 83612, the following described premises, to-wit:

RP17N01W361205A

T17N R01W SEC 36

see attached for complete description

Together with their appurtenances.

Dated: 12/21/09

John W. Balderson

Instrument # 119569

COUNCIL, ADAMS, IDAHO

12-21-2009 09:01:23 No. of Pages: 2

Recorded for : JOHN BALDERSON

SHERRY WARD Fee: 6.00

Ex-Officio Recorder Deputy Peggy Linkel

Index to: DEED

STATE OF Idaho

: ss.

County of Adams

On this 21st day of Dec, 2009, before me, a notary public in and for
said State, personally appeared John W. Balderson 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.



Peggy Linkel
Notary Public
Residing Council Id
Commission expires: 9-28-12

SCANNED
APR 23 2010

BALDERSON (80.00 Ac. - Center Parcel)

A parcel of land situated within the SW1/4NE1/4, the NW1/4SE1/4, the NE1/4SW1/4 and the SE1/4NW1/4 of Section 36, Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho, which parcel of land is more particularly described as follows:

Beginning at the southwest corner of the NE1/4SW1/4 of Section 36, T.17N., R.1W., B.M.;

Thence N 89°42'50"E, a distance of 1011.24 feet along the south line of said NE1/4SW1/4 to the TRUE POINT OF BEGINNING;

Thence N 0°32'41"E, parallel to the east line of said NE1/4SW1/4 and the east line of the SE1/4NW1/4 of said Section 36, a distance of 2602.90 feet to a point on the north line of said SE1/4NW1/4;

Thence N 89°50'24"E, a distance of 293.72 feet along the north line of said SE1/4NW1/4 to the northeast corner of said SE1/4NW1/4 (northwest corner of the SW1/4NE1/4 of said Section 36;

Thence N 89°54'23"E, a distance of 1044.36 feet along the north line of said SW1/4NE1/4;

Thence S 0°32'41"W, parallel to the west line of said SW1/4NE1/4 and the west line of the NW1/4SE1/4 of said Section 36, a distance of 2607.84 feet to a point on the south line of said NW1/4SE1/4;

Thence N 89°47'13"W, a distance of 1044.31 feet along the south line of said NW1/4SE1/4 to the southwest corner of said NW1/4SE1/4 (southeast corner of said NE1/4SW1/4);

Thence S 89°42'50"W, a distance of 293.73 feet along the south line of said NE1/4SW1/4 to the TRUE POINT OF BEGINNING.

SUBJECT TO the right-of-way of Mill Creek Road along the south side of the above described parcel of land.

EXHIBIT A

SCANNED

APR 23 2010

THIS IS A TRUE
AND EXACT COPY

PERSONAL REPRESENTATIVE'S DEED

THIS PERSONAL REPRESENTATIVE'S DEED, made by RONALD D. DUNHAM, as Personal Representative of the Estate of GERALD ELMER BALDERSON, deceased, Grantor, to JOHN W. BALDERSON, as his sole and separate property, Grantee, whose current address is: P. O. Box 246, Council, Idaho, 83612.

WHEREAS, Grantor is the qualified Personal Representative of said Estate, filed as Probate Number CV 2007-02176 in Adams County, Idaho;

THEREFORE, for valuable consideration received, Grantor sells and conveys to Grantee all interest in the following described real property located in Adams County, Idaho, claimed by the estate:

IN ADAMS COUNTY, IDAHO:

Real property described in Exhibit A and attached hereto.

This property is also subject to and includes for the benefit of the grantee and adjoining water users a 20 foot wide operation and maintenance easement for existing irrigation system across the NE1/4SW1/4 and NW1/4SE1/4 of Section 36, Township 17 North, Range 1 West of Boise Meridian, Adams County, Idaho, more particularly described as follows:

Beginning at the headgate and weir located in Mill Creek in the SE1/4NW1/4SE1/4 of said Section 36;

Thence westerly along existing ditch across said SE1/4NW1/4SE1/4 to a point within said SE1/4NW1/4SE1/4 where said ditch enters a 6 inch diameter buried pipeline;

Thence continuing westerly along said buried pipeline across said NW1/4SE1/4 and NE1/4SW1/4 to a point of termination 293.73 feet west of the East line of said NE1/4SW1/4.

Together with all water rights and ditch rights appurtenant thereto.

1 ** PERSONAL REPRESENTATIVE'S DEED

Instrument # 118050

COUNCIL, ADAMS, IDAHO

3-27-2009 01:22:34 No. of Pages: 3

Recorded for : CHARLES R KROLL

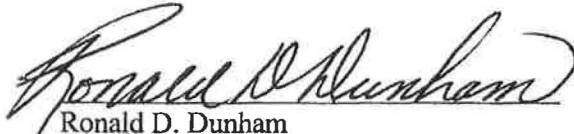
SHERRY WARD Fee: 9.00

Ex-Officio Recorder Deputy

Index to: DEED

SCANNED
APR 23 2010

EXECUTED this 25th day of March, 2009.


Ronald D. Dunham
Personal Representative

STATE OF IDAHO)
County of Washington)ss.
~~Adams~~

On this the 25th day of March, 2009, before me the undersigned, a Notary Public in and for said State, personally appeared RONALD D. DUNHAM, known to me to be the person whose name is subscribed to the foregoing instrument as the Personal Representative of the Estate of GERALD ELMER BALDERSON, deceased, and acknowledged to me that he executed the same for and on behalf of said estate.

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




Notary Public for said State
Residing at: Fruitland, Idaho
Comm. Expires: June 20, 2014

RECEIVED
APR 22 2010
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 21 2010	
By _____	Clerk _____
_____	Deputy Clerk _____

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

) Subcase: 67-15038

Case No. 39576

)
) ORDER GRANTING MOTION TO FILE
) LATE NOTICE OF CLAIM
)
)
)

On January 7, 2010, John W. and Paula M. Balderson filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on April 20, 2010. This *Motion* complied with all procedural requirements under **SRBA Administrative Order 1**, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted**.

The original Notice of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of **SRBA Administrative Order 1** 4d(2)(h).

IT IS SO ORDERED.

Dated April 21, 2010.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

SCANNED
APR 23 2010

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on April 21, 2010, with sufficient first-class postage to the following:

JOHN W BALDERSON
PAULA M BALDERSON
PO BOX 246
COUNCIL, ID 83612
Phone: 208-253-4346

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

SCANNED

APR 23 2010

ORDER

Page 1 4/21/10

FILE COPY FOR 00583

Deputy Clerk

Julie Murphy

Hearing: 4-20-2014

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

☐ **AMENDED NOTICE OF CLAIM**

☒ I have read **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996).

My name is John W. & Paula M. Balderson

My address is PO Box 246
Council ID 83612

My phone number is: Paula Work 208-253-4372 Home 208-253-4346

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

☒ I did not file a Notice of claim to the use of water in the SRBA because: *I inherited the property from my father, Gerald E. Balderson and was under the impression that the spring in question had been filed on. There was 2 springs filed on, but upon looking into the legal description neither one was located on the portion of property that I received as inheritance. In the early 1970 my father put in a pipe and stock water tank and has*
☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock *been in use* watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use. *since*.

☒ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

notice of Claim of water right, copy of deed, area of said property with location of spring.

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☒ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 25.00.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☐ I must amend my Notice of Claim to the use of water in the SRBA because:

☒ I am providing legal and factual documentation to support my amended Notice of Claim.
You must describe these documents and attach a readable copy.

I have attached:

☐ An amended Notice of Claim (available from IDWR).

☒ Payment of the following additional fees required by IDWR:

525.00

VERIFICATION (Must be completed)

State of Idaho

County of Adams

PAULA M BALDERSON being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Paula M. Balderson
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on January 5, 2010
(Insert Date)



Peggy Pinkal
Notary Public for Idaho
Residing at: Council
My Commission expires: 9-28-12

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on January 16, ~~199~~²⁰¹⁰, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court ✓
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository ✓
PO Box 83720
Boise, ID 83720-0098

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

United States Department of Justice ✓
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)

Paul M. Balderson
Signature of person or attorney mailing the form

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO(208) 736-3011
FAX (208) 736 3121SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

DATE:

1/7/10

TO:

Sally Sherman

FAX #:

1-208-287-6700

FROM:

Julie

RE:

Balderson SF4

OF PAGES INCLUDING THIS COVER SHEET

5

MESSAGE:

Will you please assign a
water right # & email it to me.
Thanks!

This facsimile may contain confidential information that is protected by the Idaho Court Administrative Rules. It is intended to the use of the individual(s) named above. If you are not the named recipient or an employee responsible for delivering the facsimile, you are instructed not to deliver, distribute or copy this facsimile, nor should you disclose its contents or take any action in reliance on the information it contains. If you have received this facsimile in error, please notify the Court immediately by telephone to arrange the return of the transmitted documents to us. Thank you.

SCANNED

JAN - 7 2010

SRBA Form No.42-1409 1 (Internet 2/09)

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 67-15038

Date Received: _____

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) BALDERSON, JOHN W + PAULA M. Phone (208) 253-4346Mailing Address PO Box 276 COUNCIL ID ZIP 83612
Street or Box City State2. Date of Priority (Only one (1) per claim) MAY 1970
Month Day Year (YYYY)3. Source of water supply (Check one) Ground Water () or Other (X) (a) SPRINGwhich is tributary to (b) unnamed drainage that impregnates before reaching my main creek4. a. Location of Point of Diversion is: Township 17N Range 01W Section 36SE, 1/4 of N42, 1/4 Govt. Lot _____, BM., County of ADAMSParcel (PIN) no. RP 17N01W361205AAdditional points of diversion if any: N/A

If available, GPS Coordinates _____

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

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

Govt. Lot _____, BM., County of _____

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

Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. PIPE AND STOCK WATER TANK (P.T.A.N.)was built 1970 IN CONTINUOUS USE SINCE

SCANNED

JAN - 7 2010

6. Water is claimed for the following purposes:

(both dates are inclusive MM DD)

(cfs)

(acre feet)

For Stock WATER purposes from Jan 1 to Dec 31 amount 04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 04 (cfs) and/or (b) _____ (acre feet)8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) Stock WATER - Cows 40 PR. - HORSES 4

9. Description of place of use:

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

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

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	12W	36													X				

Parcel (PIN) no(s) 8817N01W361205

Total number of acres irrigated _____

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

11. Do you own the property listed above as place of use? Yes (X) No ()

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (X)

13. Remarks: _____

Last Name BALDERSON Identification No. _____

SCANNED

JAN - 7 2010

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License () Permit () Decree (X)

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) *Paula M. Balderson* Date: 1-5-10

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____
Title Organization

that I have signed the foregoing document in the space below as

_____ of _____
Title Organization

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

16. Notice of Appearance:

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

Signature _____ Date _____

Address _____

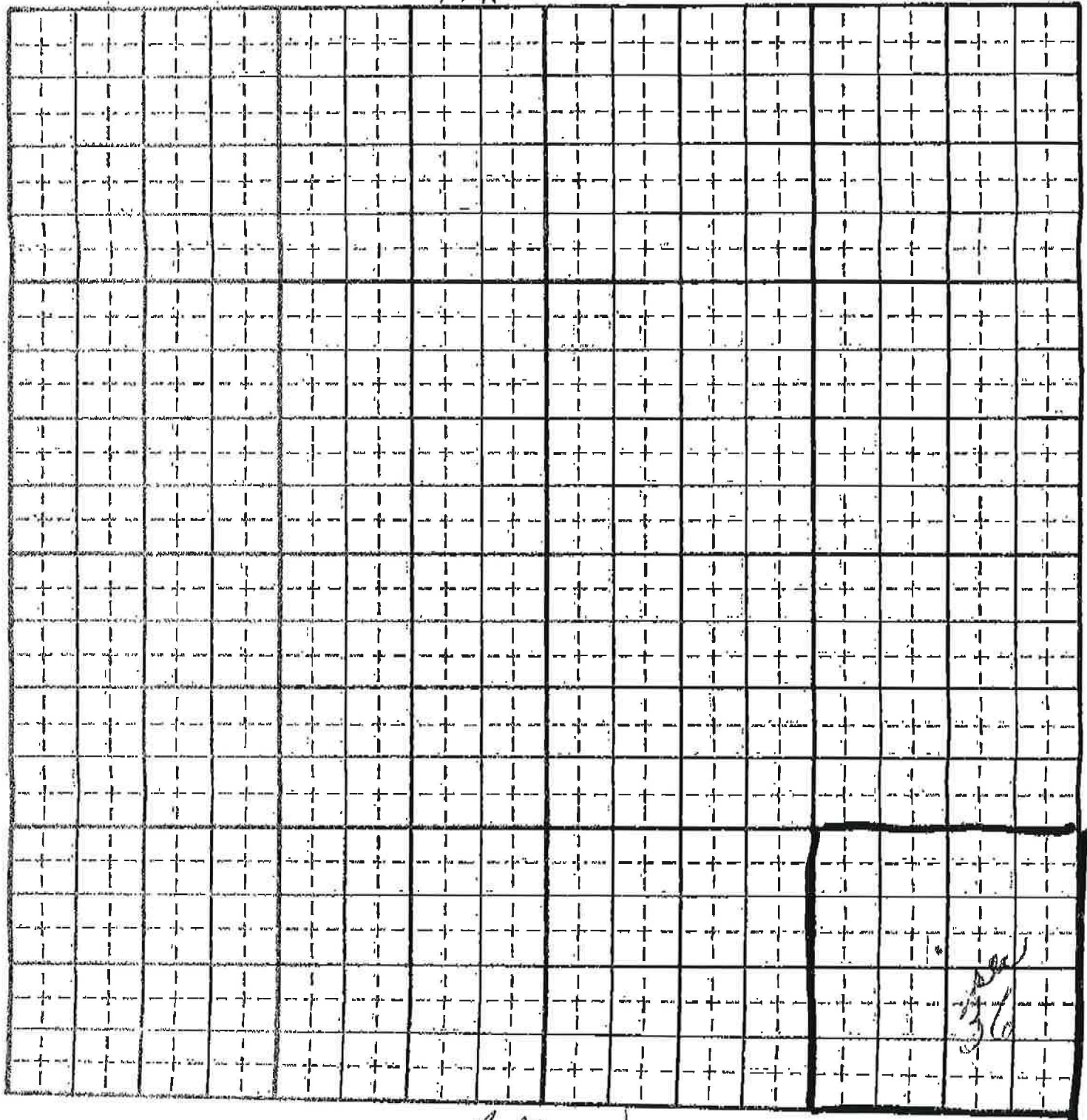
Last Name Balderson Identification No. _____

SCANNED
JAN - 7 2010

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 inches equals 1 mile

17N01W



Last Name Balderson

Identification No. _____

SCANNED

JAN - 7 2010