

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

VERIFIED BY

DATE: OCT-29-1996

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-10438

NAME AND ADDRESS: IRVING E KACALEK
NOLAN M KACALEK
1763 E 2950 S
1763E 2950S
WENDELL ID 83355ALLAN R BIRDWELL
LETA JUNE BIRDWELL
1763 E 2950 S
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY
USED FOR DOMESTIC 1 HOME, STOCKWATER & BEEF CATTLETHE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 03/01/1984

POINT OF DIVERSION: T07S R15E S31 NENWSE Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.01 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within GOODING County
T07S R15E S31 NWSEDOMESTIC Within GOODING County
T07S R15E S31 NWSE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
PARCEL NO/ RP07815E317821

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

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OCT 31 1996

AJ5856NP

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

DATE: OCT-29-1996

PAGE: A-2

36-10438 (CONT.)

PARCEL NO. RP07S15E317821
STOCKWATER/5 BEEF CATTLE

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SEP 11 1996

AJ5809NP
No. R36-10438

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/96
PAGE: 79

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	IRVING E KACALEK	03/01/1984	STOCKWATER	01-01 12-31	0.01 CFS	
C	NOLAN M KACALEK		DOMESTIC	01-01 12-31	0.04 CFS	
	1763E 2950S					
	WENDELL ID 83355					
	(208) 536-5021			TOTAL DIVERSION:	0.04 CFS	
D	ALLAN R BIRDWELL					
D	LETA JUNE BIRDWELL					
	1763 E 2950 S					
	WENDELL ID 83355					
	(208) 536-2309					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07S R15E S31

NENWSE

GOODING County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE											
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
07S	15E	31	:					:					:					:					:
																			S				

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
07S	15E	31	:					:					:					:					:
																			D				

POU County: GOODING

Non-Irrigation Uses: ~~DOMESTIC~~ 1 HOUSE, STOCKWATER 5 BEEF CATTLE

Other Rights: NONE

Remarks: GEN PARCEL NO. RP07S15E317821

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

REC'D 05 1996

RECORDED

AJ5809NP
No. R36-10438

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/96
PAGE: 80

Comments: Date: 04/08/1993 User-ID: GIVENS Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP RECEIVED 3/30/93 FORMER OWNERS ALLAN R. &/OR
LETA JUNE BIRDWELL NEW OWNERS IRVING E &/OR NOLA M. KACALEK.
COPY OF TITLE INSURANCE SUBMITTED WITH FORM.

Audit: 09/30/96 DSHAFF

RECEIVED
OCT 5 1996

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: **A36-10438**
Date Received: 8/11/1988
Receipt No: X777777
Received By: _____

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

1. Name: IRVING E KACALEK 208-536-5021
Address: 1763E 2950S
WENDELL ID 83355
AND/OR
Name: NOLA M KACALEK 208-536-5021
Address: 1763E 2950S
WENDELL ID 83355

2. Date of Priority: MAR 1, 1984

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	15E	31	NE	NW	SE		GOODING

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.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.010		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/5 BEEF CATTLE

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	15E	31	NW	SE	STOCK DOMEST	

11. Place of use in counties: GOODING

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: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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OCT 24 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

MAR 30 1993

Department of Water Resources
Southern Region Office

DATE OF CLOSING: 3-27-91

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) Assigned by IDWR: 36-10438

☐ Name and Address of Former Owner/Claimant(s)(Seller): ALLAN R BIRDWELL

☐ New Owner/Claimant (Purchaser): IRVING E KACALEK
NOLA M KACALEK

☐ New Mailing Address: 1763 E - 2950 S
WENDELL IDAHO 83355

☐ New Telephone Number: (208) 536 - 5021

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Policy of title Insurance (5 sheets) letter from last insurance title.
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): Irving E Kacalek Date 3-29-93
Nola M. Kacalek Date 3-29-93

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 4/8/93 By: LC

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 4/8/93 By: LC

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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OCT 24 1994

SD-0601-2 Last Name: BIRDWELL

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
---	BIRDWELL						
---	ALLAN R	C	A36-10438✓	03/01/1984	GROUNDWATER	0.040	43 DOMEST 04 STOCK
---	LETA JUNE	C	A36-10438✓	03/01/1984	GROUNDWATER	0.040	43 DOMEST 04 STOCK
---	WM A	C	A36-10829	07/15/1986	GROUNDWATER	0.040	43 DOMEST
---	PEGGY J	C	A36-10829	07/15/1986	GROUNDWATER	0.040	43 DOMEST
---	WM A	C	36-10829	07/15/1986	GROUNDWATER	0.040	43 DOMEST
---	PEGGY J	C	36-10829	07/15/1986	GROUNDWATER	0.040	43 DOMEST
---	ALLAN R	C	36-10438✓	03/01/1984	GROUNDWATER	0.040	43 DOMEST 04 STOCK
---	LETA JUNE	C	36-10438✓	03/01/1984	GROUNDWATER	0.040	43 DOMEST 04 STOCK

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
OCT 24 1994

SD-0604-2 Township: 07S Range: 15E Section: 31			Tract: NWSE Lot:							
S	L	STATE	O	S	Max # Records	64				
E	O	Water	Name	T	Priority	Use				
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
—	NWSE		A36-10438	BIRDWELL, ALLAN R	C		J	03/01/1984	43	DOMEST
—				BIRDWELL, LETA JUNE	C				04	STOCK
—	NWSE		A36-10571	CHANDLER, IVY	C		J	01/01/1932	04	STOCK
—				CHANDLER, RULON	C				43	DOMEST
—	NWSE		A36-10655	ALLRED, MELVIN T	C		J	01/01/1920	43	DOMEST
—				ALLRED, ANILA C	C					
—	NWSE		36-10655	ALLRED, MELVIN T	C		J	01/01/1920	43	DOMEST
—				ALLRED, ANILA C	C					
—	NWSE		36-10571	CHANDLER, IVY	C		J	01/01/1932	04	STOCK
—				CHANDLER, RULON	C				43	DOMEST
—	NWSE		36-10571	CHANDLER, IVY	C		J	01/01/1932	04	STOCK
—				CHANDLER, RULON	C				43	DOMEST
—	NWSE		36-10437	CHANDLER, SHARON R	C			08/01/1983	43	DOMEST
—				CHANDLER, JAY C	C					
—	NWSE		36-10438	BIRDWELL, ALLAN R	C		J	03/01/1984	43	DOMEST
—				BIRDWELL, LETA JUNE	C				04	STOCK

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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OCT 24 1994

SD-0604-2 Township: 07S Range: 15E Section: 31			Tract: NWSE Lot:		
S	L	STATE	O	S	Max # Records 64
E	O	Water	Name	T	Priority Use
L	Tract T	Right No.	Last, First	N	AC G Date Code Desc
---	---	-----	-----	---	---
---	NWSE	36-10438	BIRDWELL, ALLAN R	C	J 03/01/1984 43 DOMEST
---			BIRDWELL, LETA JUNE	C	04 STOCK
---	NWSE	A01-00212Z0	NORTH SIDE CANAL COMPA	C	40 D 10/07/1905 01 IRR
---			ROSHOLT, JOHN A.	A	02 IRR S
---					03 IRR FS

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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First American Title Company

P.O. BOX 446, 102 FIFTH AVENUE EAST, GOODING, IDAHO 83330
TELEPHONE (208) 934-4427

March 30, 1991

Mr. & Mrs. Irvin Kacalek
303 South Main
Bellevue, ID 83313

RECEIVED

MAR 30 1993

Department of Water Resources
Southern Region Office

Re: G-001646

Dear Mr. & Mrs. Kacalek:

The real estate you have purchased is protected with the enclosed Policy of Title Insurance issued by FIRST AMERICAN TITLE COMPANY. This is your guarantee of ownership.

We have enclosed the following to be retained in your file:

Owners Policy of Title Insurance No. H 474531
Original recorded Warranty Deed, #144158

We have assigned the above number to your records to assure prompt processing of future title orders involving the property. If you sell or obtain a loan on this property within two years, FIRST AMERICAN TITLE COMPANY will REDUCE the usual Policy Rate 25 percent (25%).

We appreciate the opportunity of serving you and will be glad to assist you in any way, remembering that PROTECTION OF YOUR PROPERTY IS YOUR FIRST CONSIDERATION--AND OURS.

Sincerely,

FIRST AMERICAN TITLE COMPANY

Teresa L. Foster
Escrow Assistant

Enclosures

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OCT 24 1994

Form No. 1402-87
(4-6-90)
ALTA Owner's Policy



POLICY OF TITLE INSURANCE



RECEIVED

MAR 30 1993

ISSUED BY

Department of Water Resources

First American Title Insurance Company

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN 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.

FIRST AMERICAN TITLE CO.

By: Shelli Mason

First American Title Insurance Company

BY Parker S. Kennedy

PRESIDENT

ATTEST William C. Zaepf

SECRETARY

474531

H

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OCT 24 1994

the district in which the land is located.
(g) "unmarketability of the title": an alleged or apparent matter affecting the title to the land, not excluded or excepted from coverage, which would entitle a purchaser of the estate or interest described in Schedule A to be released from the obligation to purchase by virtue of a contractual condition.

TERMINATION OF COVERAGE
In case of a claim under this policy, the Company shall have 30 days thereafter.
the following additional options:
(a) To Pay or Tender Payment of the Amount of Insurance.

13. SUBROGATION UPON PAYMENT OR SETTLEMENT.



ALTA Owner's Policy
(6-1-87) Schedule A

SCHEDULE A

Order No. G-001646

Policy No. H 474531

Amount of Insurance: \$25,000.00

Premium \$224.50

Date of Policy: March 27, 1991 at 11:50 a.m.

1. Name of Insured:

IRVING E. KACALEK AND NOLA M. KACALEK, HUSBAND AND WIFE

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:

IRVING E. KACALEK AND NOLA M. KACALEK, HUSBAND AND WIFE

4. The land referred to in this policy is situated in the State of Idaho, County of Gooding and is described as follows:

SEE ATTACHED EXHIBIT A

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EXHIBIT A

That part of the Northwest Quarter of the Southeast Quarter, Section 31, Township 7 South, Range 15, East Boise Meridian, Gooding County, Idaho, described as follows:

Commencing at the East Quarter Corner of said Section 31;
Thence West along the North boundary of the Northeast Quarter of the Southeast Quarter, 1,320.00 feet, more or less, to the Northeast corner of the Northwest Quarter of the Southeast Quarter;
Thence South along the East boundary of the Northwest Quarter of the Southeast Quarter 33.00 feet to the Southerly boundary of the Wendell-Hagerman Highway;
Thence West along the Southerly boundary of the Wendell-Hagerman Highway 208.72 feet to the TRUE POINT OF BEGINNING;
Thence South parallel to the East boundary of the Northwest Quarter of the Southeast Quarter 534.00 feet;
Thence West parallel to the North boundary of the Northwest Quarter of the Southeast Quarter 207.00 feet;
Thence North parallel to the East boundary of the Northwest Quarter of the Southeast Quarter 534.00 feet to the Southerly boundary of the Wendell-Hagerman Highway;
Thence East along the Southerly boundary of the Wendell-Hagerman Highway 207 feet to the TRUE POINT OF BEGINNING.

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ALTA Owner's Policy
(6-1-87)
Schedule B

SCHEDULE B

Order No. G-001646

Policy No. H 474531

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:

PART I

SECTION 1

1. Taxes or 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.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims or easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by 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. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

SECTION 2

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OCT 24 1994

SCHEDULE B CONTINUED

Section 2

1. Taxes for 1991 are an accruing lien and not yet due or payable.
2. Liens, levies and assessments of the American Falls Reservoir District and the rights, powers and easements of said District as by laws provided. Said assessments are included in the taxes.
3. Liens, levies and assessments of the North Side Canal Company, and the rights, powers and easements of said Company, as by law provided.
4. Canals and laterals of North Side Canal Company and subject to the rights of ingress and egress.
5. A Deed of Trust dated March 19, 1991 to secure an indebtedness in the principal sum of \$13,309.71, and any other amounts and/or obligations secured thereby.
Recorded: March 27, 1991, Instrument No. 144159
Grantor: Irving E. Kacalek and Nola M. Kacalek
Trustee: First American Title Co., Inc.
Beneficiary: The Farmers National Bank Buhl, Idaho

End of Schedule B

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EXHIBIT A

That part of the Northwest Quarter of the Southeast Quarter, Section 31, Township 7 South, Range 15, East Boise Meridian, Gooding County, Idaho, described as follows:

Commencing at the East Quarter Corner of said Section 31;
Thence West along the North boundary of the Northeast Quarter of the Southeast Quarter, 1,320.00 feet, more or less, to the Northeast corner of the Northwest Quarter of the Southeast Quarter;
Thence South along the East boundary of the Northwest Quarter of the Southeast Quarter 33.00 feet to the Southerly boundary of the Wendell-Hagerman Highway;
Thence West along the Southerly boundary of the Wendell-Hagerman Highway 208.72 feet to the TRUE POINT OF BEGINNING;
Thence South parallel to the East boundary of the Northwest Quarter of the Southeast Quarter 534.00 feet;
Thence West parallel to the North boundary of the Northwest Quarter of the Southeast Quarter 207.00 feet;
Thence North parallel to the East boundary of the Northwest Quarter of the Southeast Quarter 534.00 feet to the Southerly boundary of the Wendell-Hagerman Highway;
Thence East along the Southerly boundary of the Wendell-Hagerman Highway 207 feet to the TRUE POINT OF BEGINNING.

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Issuing Receipt
171 E. 2950 S
Wendell Id 83355

RECEIVED

MAR 30 1993

Department of Water Resources
Southern Region Office

LDWR Southern Region
222 Shoreline St East
Twin Falls Id

83301-6602





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

08-Apr-1993 16:16

IRVING E KACALEK
NOLA M KACALEK
1763E 2950S
WENDELL ID 83355

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM NO. 36-10438
ALLAN R &/OR LETA JUNE BIRDWELL

Dear Claimant(s):

Pursuant to the notification that you now own the property with the above-referenced Adjudication Claim(s), we have changed the Department's record(s) as you have requested. Please note that the Director's Report for Basin 36 has been filed with the court and the recommendations for the above-listed right is listed with the Owner's Code D, which stands for the past owners name. Your name will be listed with a C, standing for Current Owner.

Please review the record(s) and should you have any questions, please feel free to call this office.

Sincerely,

A handwritten signature in cursive script, likely belonging to Judy Givens.

Judy Givens
Adjudication Secretary

/jg

Enclosures

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OCT 24 1994

Water Right Number - 36-10438 Prefix Translation: WATER RIGHT Old (D) Number -

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

*** C - CURRENT OWNER ***

KACALEK IRVING E 1 - 1763E 2950S
2 -
3 -
City- WENDELL State- ID Zip- 83355
Phone - 208-536-5021

KACALEK NOLAN M 1 - 1763E 2950S
2 -
3 -
City- WENDELL State- ID Zip- 83355
Phone - 208-536-5021

*** D - DIR RPT OWNER ***

BIRDWELL ALLAN R 1 - 1763 E 2950 S
2 -
3 -
City- WENDELL State- ID Zip- 83355
Phone - 208-536-2309

BIRDWELL LETA JUNE 1 - 1763 E 2950 S
2 -
3 -
City- WENDELL State- ID Zip- 83355
Phone - 208-536-2309

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/01/1984 ERROR IN REGION J - BENEFICIAL USE

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

+ - - - - Point of Diversion - - - - +

TwN	Rng	Sec	Tract	Lot	RFlg	County
07S	15E	31	NE NW SE		(47)	GOODING

+ - - - - Water Use - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
43 - DOMESTIC		01/01	12/31	0.040	
04 - STOCKWATER		01/01	12/31	0.010	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0

+ - - - - Place of Use - - - - +

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	15E	31	NW SE			04	STOCKWATER	(47) GOODING
07S	15E	31	NW SE			43	DOMESTIC	(47) GOODING

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OCT 24 1994

Water right number - 36-10438

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
----	-----	-----	-------	-----	-------	------	-------------	--------

Total Acres:

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use - DOMESTIC 1 HOUSE, STOCKWATER 5 BEEF CATTLE

+ - - Other Rights for Same Use - NONE

Remarks
PARCEL NO. RP07S15E317821

Old Water Right Numbers
No Old Water Right Numbers Found

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments
Date: 04/08/1993 User Id: GIVENS Subject: OWNERSHIP CHANGE CHANGE OF OWNERSHIP RECEIVED 3/30/93 FORMER OWNERS ALLAN R. &/OR LETA JUNE BIRDWELL NEW OWNERS IRVING E &/OR NOLA M. KACALEK. COPY OF TITLE INSURANCE SUBMITTED WITH FORM.

+ - - Audit Fields - - +
04/08/93 GIVENS

Adjudication Rights Dates and Flags Area
--

Court Report Filing - 11/02/1992	Field Inspection Made - 00/00/0000	Civil Case Number - 39576
Objection Filed Date - 00/00/0000	Field Inspection Flag -	Old Case Number -
Response Filed Date - 00/00/0000	Verified Date - 00/00/0000	Old Judicial District -
Claim Received Date - 08/11/1988	Last Amended Date - 00/00/0000	Temporary Right - P
	Receipt Number - M001029	Water District -
	POU Ownership Flag - Y	Federal/State Indicator - S
	Name Connector - AND/OR	Presumption Flag -
		Notice of Error Flag -

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OCT 24 1994

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: A36-10438
Date Received: 8/11/1988
Receipt No: M001029
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALLAN R. BIRDWELL 208-536-2309
Address: 1763E 2950S
WENDELL, ID 83355

AND/OR

Name: LETA JUNE BIRDWELL 208-536-2309
Address: 1763E 2950S
WENDELL, ID 83355

2. Date of Priority: MAR 01, 1984

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	15E	31	NE	NW	SE		GOODING

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.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.010		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/5 BEEF CATTLE

MICROFILMED
FEB 10 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	15E	31	NW SE		STOCK DOMEST	

11. Place of use in counties: GOODING

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: BENEFICIAL USE

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: 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): Lita June Birdwell Date: Aug. 11, 1988
_____ Date: _____

State of Idaho)
County of T.F.) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of August 19 88

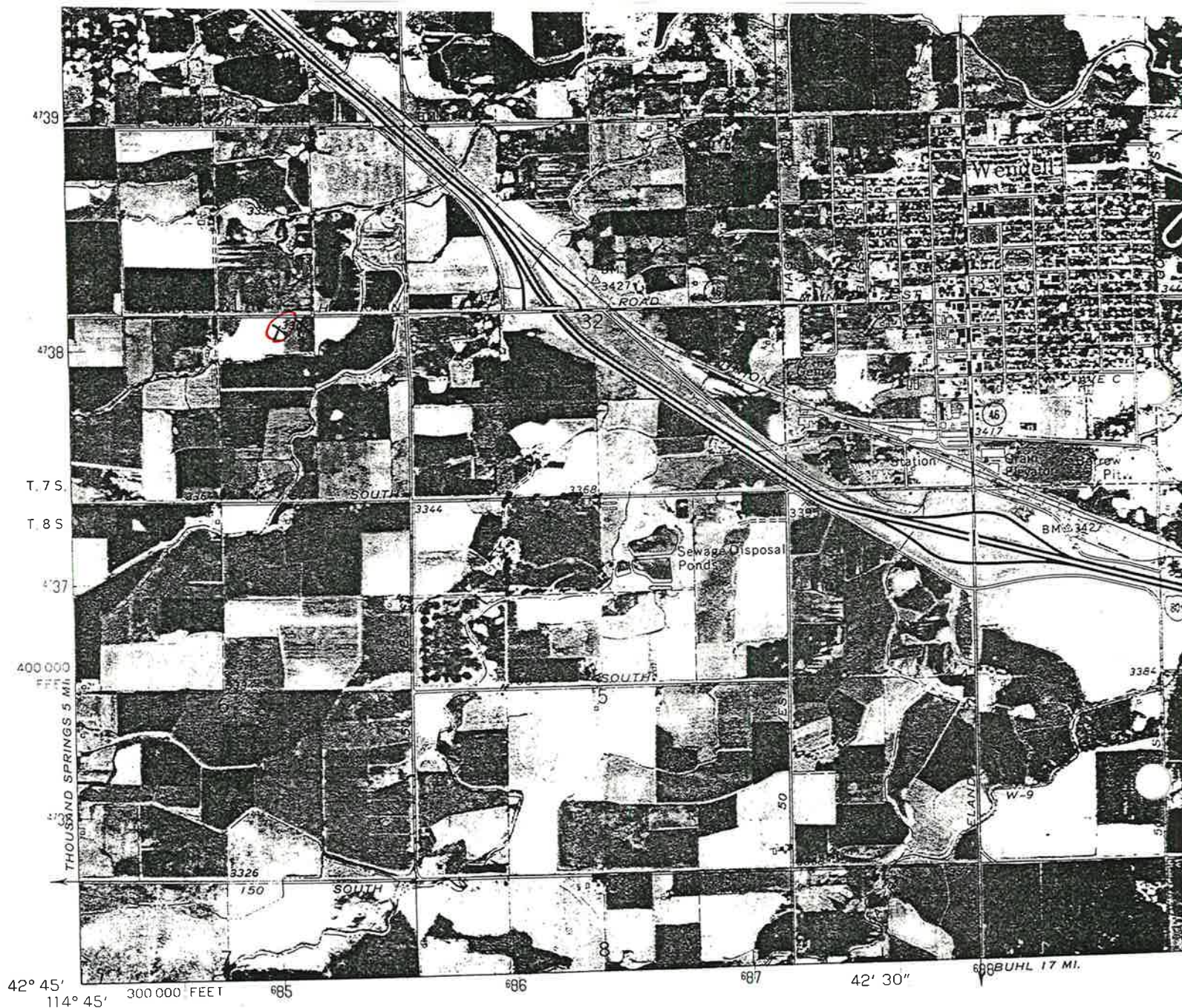
Lori White
Notary Public

Seal

Residing at T.F.
My Commission Expires 5/95

T7S

T8S



Produced by the Geological Survey
in cooperation with the Soil Conservation Service

Orthophotograph prepared from 1:78,000-scale
aerial photographs taken August 23, 1977

Projection and 10,000-foot grid ticks
Idaho coordinate system, central zone

MICROFILMED
FEB 10 1993

1000
FEB 10 1993

WATER RIGHT NUMBER - A36-10438

ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.
+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.
+ - - - - DECREE PLAINTIFF - - - - + + - - - - DECREE DEFENDANT - - - - + + - DECREE DATE - +
00/00/0000
+ - - - - COMMENTS - - - - - +
NO COMMENTS FOUND
+ - - AUDIT FIELDS - 08/11/88 MOBILE3 10/03/89 REFUNDML
+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING - 00/00/0000	FIELD INSPECTION MADE - 00/00/0000	CIVIL CASE NUMBER - 39576
OBJECTION FILED DATE - 00/00/0000	FIELD INSPECTION FLAG -	OLD CASE NUMBER -
RESPONSE FILED DATE - 00/00/0000	VERIFIED DATE - 00/00/0000	OLD JUDICIAL DISTRICT -
CLAIM RECEIVED DATE - 08/11/1988	LAST AMENDED DATE - 00/00/0000	TEMPORARY RIGHT - P
CLAIMS TAPE ERROR FLG -	RECEIPT NUMBER - M001029	WATER DISTRICT -
FEE EXEMPT FLAG -	POU OWNERSHIP FLAG - Y	FEDERAL/STATE INDICATOR - S
	NAME CONNECTOR - AND/OR	PRESUMPTION FLAG -

RP 073 15E317821

DATA ENTRY 2/28/91

ENTERED 1/9/91 SW

CHECKED 3/4/92 AD

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

CERTIFIED
DEC 27 1990
WATER EXAMINER

VERIFIED
NOV 21 1990