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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
11-02003					
11-00442					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a **USDA Farm Service Agency AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

MARGARETA M. SCHMIDT - DECEASED

JOHN GEORGE SCHMIDT - DECEASED

4. New Owner/Claimant(s)

PRESBYTERY OF KENDALL, INC / HILDA THOMPSON RANCH

Name Connector (Check one): ☐ and, ☒ or, ☐ and/or

c/o LARRY BULL

New Mailing Address

5787 W. PORTNEUF RD

City, State and ZIP Code

POCATELLO, IDAHO 83204

New Telephone Number

(208) 775-4582

5. Date you acquired the property

27 December 1995

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SUPPORT DATA

IN FILE # 11-442

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Larry BULL - Pres of Kendall

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by <u>jc</u>	Date <u>10-30-03</u>	Fee <u>\$ 50-</u>
Received by <u>jc</u>	Date <u>10-31-03</u>	Receipt No. <u>F 029321</u>
Processed by _____	AJ Date _____	WR _____ Date _____

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- Brief -

Bannock County *
Soda Creek Spring *
7/10 sec. ft. *
Irrigation *
Priority 11-18-04. *

S T A T E O F I D A H O

- Water License No. 949 -

Whereas, On the eighteenth day of November, A. D., 1904, Margareta M. Schmidt of Soda Springs, County of Bannock, and State of Idaho, duly made application (No. 1319) to me for a permit to use one and six-tenths cubic feet per second of the waters of Soda Creek Spring, County of Bannock, State of Idaho, for irrigation & domestic purposes; and,

WHEREAS, On the twenty-eighth day of November, A. D. 1904, Permit No. 949 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 28th day of November, A. D. 1905, and for the application to beneficial use of said water on or before the 28th day of November, A. D. 1905; and,

WHEREAS, On the third day of November, A. D., 1905, the holder of said permit duly made proof of the completion of adequate works for the diversion of one and six-tenths cubic feet per second of said waters, as evidenced by my Certificate No. 949, dated November 28, 1905, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use one and six-tenths cubic feet per second of water, with date of priority of November 18, 1904, and,

WHEREAS, On the third day of November, A. D. 1905, proof was duly made of the application to beneficial use of seven-tenths cubic feet per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to MARGARETA M. SCHMIDT of Soda Springs, the holder and owner of said Permit No. 949 a perpetual right, dating from November 18, 1904, to the use of seven-tenths cubic feet per second of the waters of Soda Creek Spring, in the County of Bannock, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at Southeast Quarter of Southeast Quarter of Section Fourteen, Township Eight South, Range Forty One East of Boise Meridian, and conducted to and upon (Southeast Quarter of Southeast Quarter of Section Fourteen; Northeast Quarter of Northeast Quarter of Section Twenty-three, Township Eight South, Range Forty One East of Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS My hand and the seal of my office, at Boise, Idaho, this twenty-eighth day of November, A. D. Nineteen Hundred and five.

Jas. Stephenson, Jr.

(Seal)

State Engineer.

A P P L I C A T I O N F O R P E R M I T

No? 1319.

To Appropriate the Public Waters of the State of Idaho.

1. Name of applicant - MARGARETA M. SCHMIDT
Postoffice address: P. O. - Soda Springs
County - Idaho.
2. The quantity of water claimed is 1.6 cubic feet per second.
3. Source of water supply - Soda Creek Spring in ^{Cari-bou} Bannock County.
4. Location of point of diversion - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, Twp. 8 S., R. 41 E. B. M.
5. To be used for:
 1. Irrigation and domestic use:
 - (a) Number of acres to be irrigated 80 acres.
 - (b) In the following legal subdivisions - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 8 S., Range 41 E. B. M.
6. Estimated cost of works - \$250.00
7. Description of Works for Diversion:
 1. Kind of works - Dam, ditch, wind mill, pump and ditches.
 II. Dimensions of Works:
 - (a) Height of dam 2 ft., length of dam at top 150 feet, length of dam at bottom 150 feet, material used in construction stone & earth.
 - (c) Size of headgate, width 2 feet, height 2 feet.
 - (d) Ditch (flume or pipe) width at bottom 1 $\frac{1}{2}$ feet, width at water line 2 feet, depth of water 1 foot. Average grade per mile is 13 feet. Length of ditch is one mile, and it crosses the following quarter sections - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23, T. 8 S., Range 41 E. B. M., to SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 8 S., Range 41 E. B. M., which is the point of intended use.
8. Time required for the completion of the construction of such work is - Work is now completed.
9. Time required for the complete application of the water to the proposed use is - Water is now being applied.

Approval of State Engineer.

The number of this permit is 949.

Date of first receipt of application 8 a.m. November 18, 1904.

Recorded in Book 4, Page 949. Approved November 28, 1904.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

One-fifth of the work above specified to be completed on or before May 28, 1905.

The whole of said work to be completed on or before November 28, 1905.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to November 28, 1905.

Witness my hand this twenty-eighth day of November, 1904.

Jas. Stephenson, Jr.
State Engineer.

Form 103, Notice of Proof of Completion of Works, and form 121, Notice of Proof of Application of Water to Beneficial Use, mailed applicant September 1, 1905.

Notice of Proof of Completion of Works and Notice of Proof of Application of Water to Beneficial Use received September 16, 1905, fixing November 3rd, 1905 as the date, and Soda Springs, Idaho, as the place of proof.

Notice for publication mailed Soda Springs Chieftain, Soda Springs, Idaho, September 28, 1905, and deposition blanks mailed applicant same date.

Fee of \$5.00, affidavit of publication of notice, report of E. J. Turner, depositions of holder in the matter of proof of completion of works and application of water to beneficial use, and depositions of witnesses in the matter of both proofs, received November 20, 1905.

Depositions and report show that works have been completed to comply with the terms of the permit, and are of sufficient capacity to divert and convey to the place of intended use the amount of water for which application was made, and that water has been beneficially applied to 35 acres of land.

Certificate of Completion of Works and License issued November 28, 1905.

Permit No. 949

C E R T I F I C A T E O F C O M P L E T I O N O F W O R K S .

To All Whom It May Concern:

This is to certify that MARGARETA M. SCHMIDT of Soda Springs, County of Bannock, and State of Idaho, the holder of Permit No. 949, issued upon Application No. 1319, bearing date of priority of November 18, 1904, authorizing the diversion of one and six-tenths second-feet of the waters of Soda Creek Spring, County of Bannock, State of Idaho, at Southeast Quarter of Southeast Quarter of Section Fourteen, Township Eight South, Range Forty-one East of Boise Meridian, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use one and six-tenths second-feet of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Southeast Quarter of Southeast Quarter of Section Fourteen; Northeast Quarter of Northeast Quarter of Section Twenty-three, Township Eight South, Range Forty One East of Boise Meridian.

Witness my hand this twenty-eighth day of November, A. D., 1905.

Jas. Stephenson, Jr.

State Engineer of the State of Idaho.

License issued for ^{7/10}.....second feet

P. 35



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 5, 2003

PRESBYTERY OF KENDALL INC
C/O LARRY BULL
5787 W PORTNEUF RD
POCATELLO ID 83204

RE: Change of Ownership for Water Rights 11-442 and 11-2003

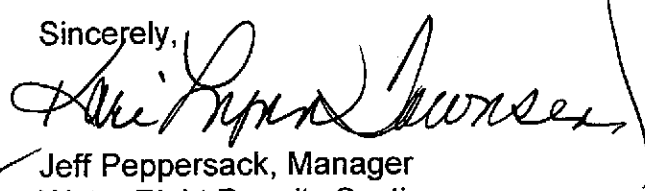
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

Cc: DON R AYERS
PO BOX 91
SODA SPRINGS ID 83276

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