

OCT 05 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern Region

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-2299 <i>OK</i>	Yes ☐	Yes ☐	35-12726 <i>OK</i>	Yes ☐	Yes ☐
35-2637 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-7063 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-12724 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-12725 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Lynn W. Kendell and Tamara Kendell
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): The Kendell Living Trust, dated April 18, 2022
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 3690 Summit Dr. Pocatello ID 83201
Mailing address City State Zip
(208) 251-7777 or (208) 251-7771 tkendell60@gmail.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: July 6, 2022
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
o \$25 per *undivided* water right.
o \$100 per *split* water right.
o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9

SUPPORT DATA

IN FILE # 35-2299

8. Signature: *Lynn W. Kendell* Trustee Oct 3, 22
Signature of new owner/claimant Title, if applicable Date
Lynn W. Kendell
Print name
- Signature: *Tamara Kendell* Trustee Oct 3, 22
Signature of new owner/claimant Title, if applicable Date
Tamara Kendell
Print name

For IDWR Office Use Only:

Received by M. Pettis Date 10-5-22 Receipt No. E048604 Receipt Amt. 150.00
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
Name on W-9 _____ Approved by JB Processed by JB Date 10/12/2022



ESTATE PROTECTION
& PLANNING PLLC

Curry D. Andrews
Macy M. White
Lesley N. Casner
Attorneys at Law
202 Idaho Street
American Falls, ID 83211
(208) 226-5138 Office
curryandrews@gmail.com
macymwhite.jd@gmail.com
lesleycasnerlaw@gmail.com

NOTICE OF OWNERSHIP CHANGE: REVOCABLE TRUST FUNDING
THE KENDELL LIVING TRUST DATED APRIL 18, 2022

Details Attached to Notice of Change in Water Right Ownership Form

Water Right No.	Deed/Instrument No.	Additional Notes
35-2299	220525	Power County
35-2637	220525	Power County
35-7063	220526	Power County
35-12724	220525	Power County
35-12725	220525	Power County
35-12726	220526	Power County

Enclosures:

Check for \$150 (\$25 per Water Right);

Certificate of Trust and Trustee Affidavit (showing Trustee authority);

Print out from IDWR website –Reports & Water Maps (using map tool);

Instrument Nos. 220525 & 220526 (conveyance documents)

*For questions or additional information, please contact Estate Protection & Planning, PLLC.
202 Idaho Street, American Falls, ID 83211
(208) 226-5138*

AFTER RECORDING, PLEASE RETURN TO:

Curry D. Andrews, Attorney at Law
Estate Protection & Planning, PLLC
202 Idaho St., American Falls, ID 83211
(208) 226-5138 Office

Send Tax Statements to:

The Kendell Living Trust
Attn. Lynn and Tamara Kendell, Trustees
3690 Summit Dr., Pocatello, ID 83201
(208) 251-7777

Instrument # 220526

POWER COUNTY, IDAHO
07-06-2022 04:23:49 PM No. of Pages: 2
Recorded for: ESTATE PROTECTION & PLANNING,
SHARIE SPRAGUE Fee: \$15.00
Ex-Officio Recorder Deputy: Chelsy Fehringer
Electronically Recorded by Simplifile

GRANTORS: LYNN KENDELL, a married man
GRANTEE: LYNN W. KENDELL and TAMARA KENDELL, TRUSTEES OF THE KENDELL
LIVING TRUST, DATED APRIL 18, 2022, AND ANY AMENDMENTS THERETO.
PARCEL NO: RPD0523-00 and RPD0544-00

WARRANTY DEED

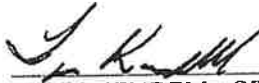
THE UNDERSIGNED Grantor, Lynn Kendell, a married man, hereby grants, bargains, sells, conveys and confirms to Lynn W. Kendell and Tamara Kendell, Trustees of the Kendell Living Trust, dated April 18, 2022, and any amendments thereto, his undivided interest in the following property formerly partially conveyed under instrument no. 212434, located in Power County, Idaho, to wit:

SEE EXHIBIT "A" LEGAL DESCRIPTION

TOGETHER WITH ALL APPURTENANCES. SUBJECT TO: TAXES, EASEMENTS, RESTRICTIONS, COVENANTS, ENCUMBRANCES AND ASSESSMENTS AS SHOWN OF RECORD.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that the premises are free from all encumbrances and that the said Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 18th day of April, 2022.



LYNN KENDELL, GRANTOR

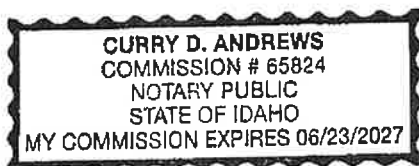
STATE OF IDAHO)

) ss.

COUNTY OF POWER)

On this day personally appeared before me LYNN KENDELL, THE GRANTOR, to me known to be the individual described herein and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 18th day of April, 2022.




NOTARY PUBLIC in and for the STATE OF IDAHO
Residing in: AMERICAN FALLS, IDAHO
My Commission Expires: JUNE 23, 2026

EXHIBIT "A"
LEGAL DESCRIPTION

The West half of the West half ($W\frac{1}{2}W\frac{1}{2}$) of section Thirty-four (34), Township Seven (7) South, Range Twenty-nine (29), E.B.M., and the Southwest quarter of the Southwest quarter ($SW\frac{1}{4}SW\frac{1}{4}$) of Section Twenty-seven (27), Township Seven (7) South, Range Twenty-nine (29), E.B.M., in Power County, Idaho.

AFTER RECORDING, PLEASE RETURN TO:

Curry D. Andrews, Attorney at Law
Estate Protection & Planning, PLLC
202 Idaho St., American Falls, ID 83211
(208) 226-5138 Office

Send Tax Statements to:

The Kendell Living Trust
Attn. Lynn and Tamara Kendell, Trustees
3690 Summit Dr., Pocatello, ID 83201
(208) 251-7777

Instrument # 220525

POWER COUNTY, IDAHO
07-06-2022 04:23:49 PM No. of Pages: 2
Recorded for: ESTATE PROTECTION & PLANNING,
SHAREE SPRAGUE Fee: \$15.00
Ex-Officio Recorder Deputy: Chelsy Fehringer
Electronically Recorded by Simplifile

GRANTORS: LYNN KENDELL and TAMARA KENDELL, HUSBAND AND WIFE
GRANTEE: LYNN W. KENDELL and TAMARA KENDELL, TRUSTEES OF THE KENDELL
LIVING TRUST, DATED APRIL 18, 2022, AND ANY AMENDMENTS THERETO.
PARCEL NO: RPD0539-00 and RPD0532-00

WARRANTY DEED

THE UNDERSIGNED Grantors, Lynn Kendell and Tamara Kendell, Husband and Wife, hereby grant, bargain, sell, convey and confirm to Lynn W. Kendell and Tamara Kendell, Trustees of the Kendell Living Trust, dated April 18, 2022, and any amendments thereto, their undivided interest in the following property formerly partially conveyed under instrument no. 203478, located in Power County, Idaho, to wit:

SEE EXHIBIT "A" LEGAL DESCRIPTION

TOGETHER WITH ALL APPURTENANCES. SUBJECT TO: TAXES, EASEMENTS, RESTRICTIONS, COVENANTS, ENCUMBRANCES AND ASSESSMENTS AS SHOWN OF RECORD.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that the premises are free from all encumbrances and that the said Grantors will warrant and defend the same from all lawful claims whatsoever.

DATED this 18th day of April, 2022.



LYNN KENDELL, GRANTOR



TAMARA KENDELL, GRANTOR

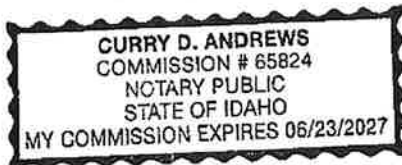
STATE OF IDAHO)

) ss.

COUNTY OF POWER)

On this day personally appeared before me LYNN KENDELL and TAMARA KENDELL, Husband and Wife, THE GRANTORS, to me known to be the individuals described herein and who executed the within and foregoing instrument, and acknowledged that each signed the same as his and her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 18th day of April, 2022.





NOTARY PUBLIC in and for the STATE OF IDAHO
Residing in: AMERICAN FALLS, IDAHO
My Commission Expires: JUNE 23, 2026

EXHIBIT "A"
LEGAL DESCRIPTION

Tract 1: The South half of the Southeast quarter ($S\frac{1}{2} SE\frac{1}{4}$), Section 28. West half of the Northeast quarter ($W\frac{1}{2} NE\frac{1}{4}$); West half of the Southeast quarter ($W\frac{1}{2} SE\frac{1}{4}$); the Southeast quarter of the Southwest quarter ($SE\frac{1}{4} SW\frac{1}{4}$); and the Southeast quarter of the Southeast quarter ($SE\frac{1}{4} SE\frac{1}{4}$), Section 33, all in Township 7 South, Range 29, E. B. M., in Power County, Idaho.

Tract 2: The East half of the Northeast quarter ($E\frac{1}{2} NE\frac{1}{4}$), and the Northeast quarter of the Southeast quarter ($NE\frac{1}{4} SE\frac{1}{4}$), Section 33, Township 7 South, Range 29, E.B.M., in Power County, Idaho.

Certification of Trust for the Kendell Living Trust dated April 18, 2022

Pursuant to Idaho Code Ann. § 68-114, this Certification of Trust is signed by all the currently acting Trustees of the Kendell Living Trust dated April 18, 2022, who declare:

1. The Grantors are Lynn W. Kendell, also known as Lynn William Kendell, and Tamara Kendell, also known as "Tammy" Kendell. The trust is revocable by the Grantors, acting jointly and not separately.
2. The Trustees of the trust are Lynn W. Kendell and Tamara Kendell. The signature of one Trustee is sufficient to exercise the powers of the Trustee.
3. The Successor Trustees of the trust are:

Upon Incapacity or Death:

The non-incapacitated or surviving spouse will serve as sole Trustee. If he or she is unable to serve or to continue to serve for any reason, then the following will serve as successor Trustee, in the order named:

Jennifer L. Lee

Kimberly A. Petersen

4. The tax identification number of the trust is the Social Security number of Lynn W. Kendell.
5. Title to assets held in the trust will be titled as:

Lynn W. Kendell and Tamara Kendell, Trustees of the Kendell Living Trust dated April 18, 2022, and any amendments thereto.
6. An alternative description will be effective to title assets in the name of the trust or to designate the trust as a beneficiary if the description includes the name of at least one initial or successor Trustee, any reference indicating that property is being held in a fiduciary capacity, and the date of the trust.
7. Excerpts from the trust document that establish the trust, designate the Trustee, and set forth the powers of the Trustee will be provided upon request. The powers of the Trustees include the power to acquire, sell, assign, convey, pledge, encumber, lease, borrow, manage, and deal with real and personal property interests.
8. The terms of the trust provide that a third party may rely upon this Certification of Trust as evidence of the existence of the trust and is specifically relieved of any obligation to inquire

Certification of Trust for the Kendell Living Trust

Page 1

ESTATE PROTECTION & PLANNING, PLLC, 202 IDAHO ST., AMERICAN FALLS, IDAHO 83211 | (208) 226-5138

into the terms of this trust or the authority of my Trustee, or to see to the application that my Trustee makes of funds or other property received by my Trustee.

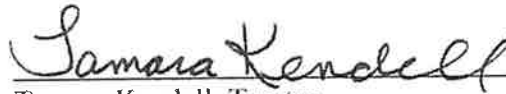
9. The trust has not been revoked, modified, or amended in any way that would cause the representations in this Certification of Trust to be incorrect.

April 18, 2022



Lynn W. Kendell, Trustee

April 18, 2022



Tamara Kendell, Trustee

STATE OF IDAHO

)

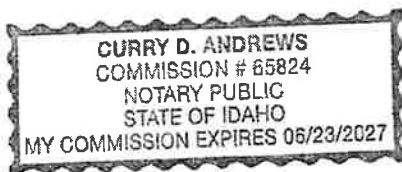
) ss.

COUNTY OF POWER

)

On this day, April 18, 2022, before me Curry D. Andrews, a notary public, personally appeared Lynn W. Kendell and Tamara Kendell, as Trustees, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within Certification of Trust, and acknowledged that they executed the same.

[Seal]



Curry D. Andrews, Notary Public
202 Idaho St
American Falls, Idaho 83211-1236
My commission expires: June 23, 2027

Certification of Trust for the Kendell Living Trust

Page 2

Trustee Affidavit

Lynn W. Kendell and Tamara Kendell, being first duly sworn upon oath, depose and say:

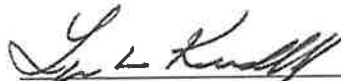
1. Affiants are the Trustees of the Revocable Living Trust named below and as such have the authority to execute this Trustee Affidavit.
2. This Trustee Affidavit relates to the Kendell Living Trust, dated April 18, 2022.
3. The names of the currently serving Trustees of the above-described trust are:

Lynn W. Kendell

Tamara Kendell

4. Selected provisions of the trust, including the pages naming the initial Trustees, creating the trust, stating the relevant trustee powers, stating the revocability of the trust, designating successor Trustees, as well as a copy of the signature pages, may be attached to this Trustee Affidavit or are available upon request.
5. Under the terms of the trust, any person may rely upon this Trustee Affidavit as evidence of the existence of the trust and is relieved of any obligation to verify that any transaction entered into by a Trustee or successor Trustee is consistent with the terms and conditions of the trust.
6. The other provisions of the trust are of a personal nature and set forth the distribution of trust property. They do not modify the powers of the Trustee.
7. The trust has not been revoked.

Dated: April 18, 2022



Lynn W. Kendell, Trustee

Samara Kendel

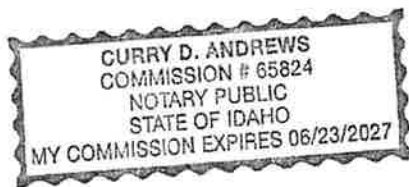
)

) SS.

)

Subscribed and sworn to (or affirmed) before me this day, April 18, 2022 by Lynn W. Kendell and Tamara Kendell, as Trustees.

[Seal]



Curry D. Andrews, Notary Public
202 Idaho St
American Falls, Idaho 83211-1236
My commission expires: June 23, 2027

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

5/24/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 35-2299

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KEVIN JOHNS
Current Owner	TRACI JOHNS 2287 SATTERFIELD POCATELLO, ID 83201 2082517777
Current Owner	LYNN W KENDELL
Current Owner	TAMARA KENDELL 2287 SATTERFIELD DR POCATELLO, ID 83201 2082387000
Original Owner	WILLIAM LIESE AMERICAN FALLS, ID 83211

Priority Date: 01/30/1953

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	2.32 CFS	640 AFA
Total Diversion			2.32 CFS	640 AFA

Location of Point(s) of Diversion:

GROUND WATER|NENWNE|Sec. 33|Township 07S|Range 29E|POWER County

IRRIGATION Use:

Acre Limit: 160

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07S	29E	28		SWSE	39		SESE	35						
		33		NENE	40		NWNE	40		SWNE	9		SENE	8

Total Acres: 171

Conditions of Approval:

1. RIGHT NO. 35-12724 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
2. USE OF THIS RIGHT WITH RIGHT NO. 35-12724 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 171 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. USE OF THIS RIGHT WITH RIGHT NO. 35-12724 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 684 AF.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 01/31/2002

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 171

Combined Volume Limit: 684

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

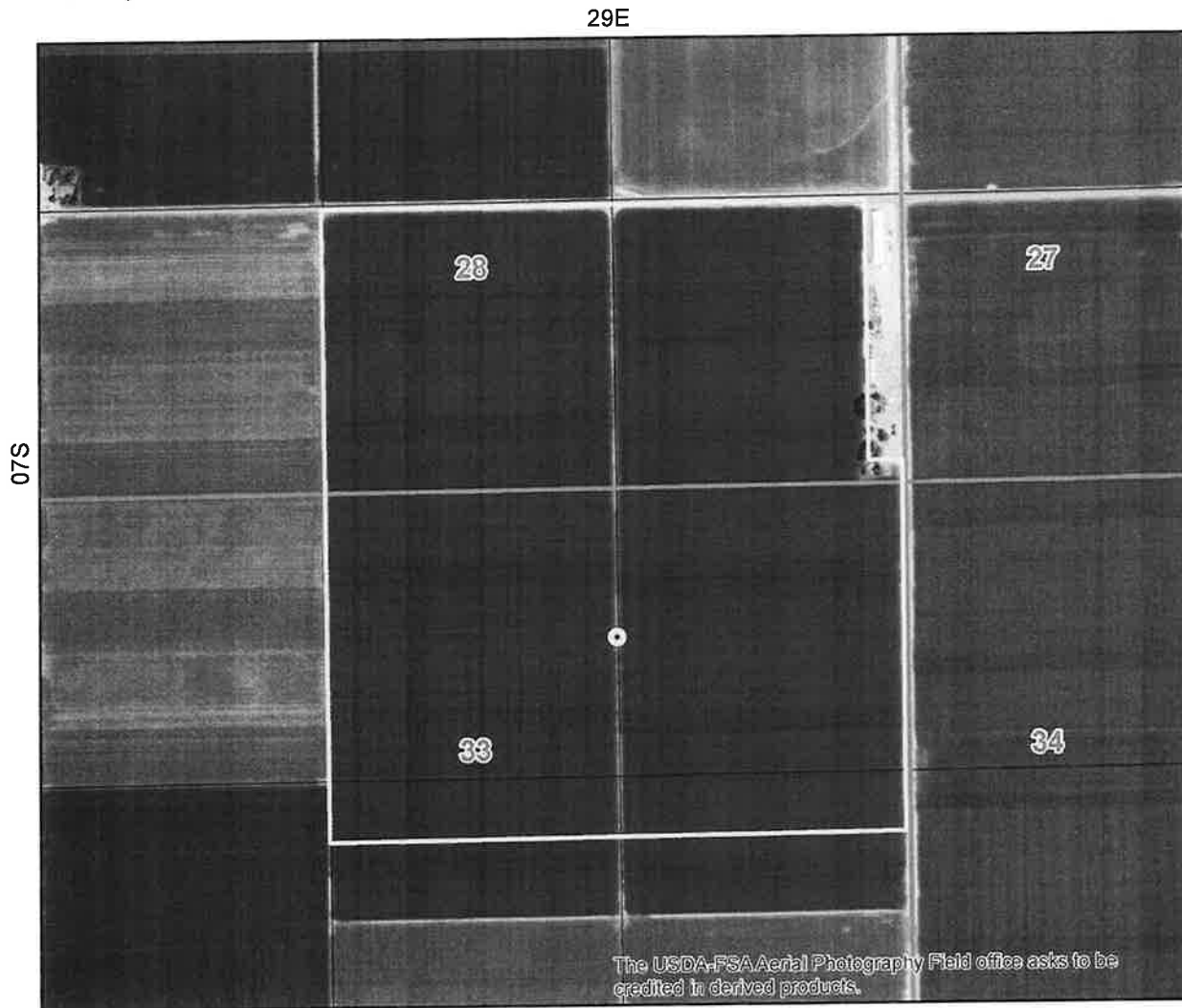
Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
35-2299

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- ⊙ Point of Diversion
- ▭ Place Of Use Boundary
- ▭ Townships
- ▭ PLS Sections
- ▭ Quarter Quarters

0 0.1 0.2 0.4 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

5/24/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 35-2637

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KEVIN JOHNS
Current Owner	TRACI JOHNS 2287 SATTERFIELD POCATELLO, ID 83201 2082517777
Current Owner	LYNN W KENDELL
Current Owner	TAMARA KENDELL 2287 SATTERFIELD DR POCATELLO, ID 83201 2082387000
Original Owner	WILLIAM LIESE AMERICAN FALLS, ID 83211

Priority Date: 01/25/1961

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	1.47 CFS	
Total Diversion			1.47 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SENESE|Sec. 33|Township 07S|Range 29E|POWER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07S	29E	33		SWNE	31		SENE	31						
				SESW	26									
				NESE	39		NWSE	40		SWSE	19		SESE	15

Total Acres: 201

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 35-12725 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 804 AF.
2. USE OF THIS RIGHT WITH RIGHT NO. 35-12725 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 201 ACRES IN A SINGLE IRRIGATION SEASON.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. RIGHT NO. 35-12725 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Dates:

Licensed Date:

Decreed Date: 03/06/2002

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 201

Combined Volume Limit: 804

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

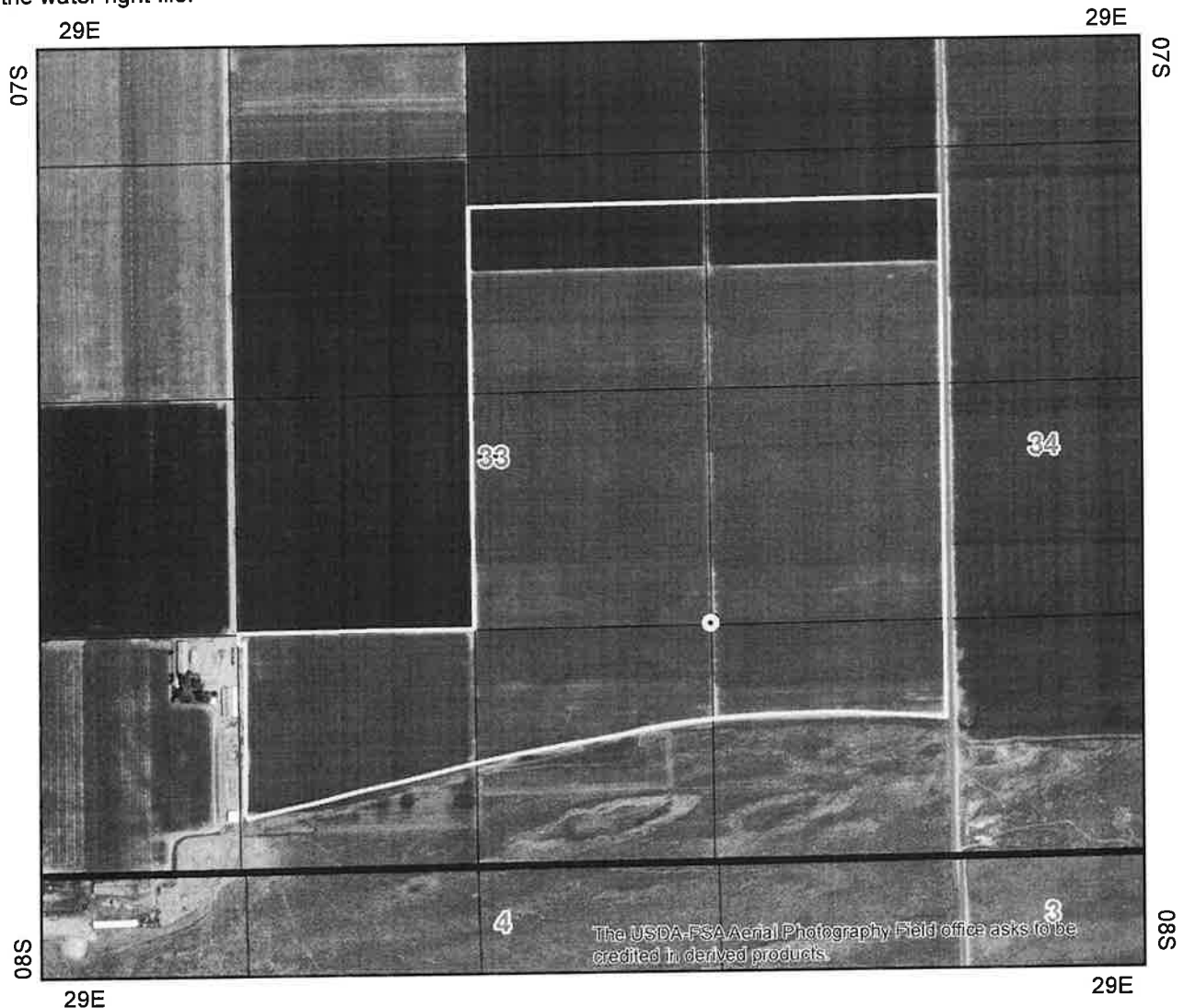
State of Idaho
Department of Water Resources

Water Right

35-2637

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- ⊙ Point of Diversion
- Place Of Use Boundary
- ▭ Townships
- ▭ PLS Sections
- ▭ Quarter Quarters

0 0.1 0.2 0.4 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

5/24/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 35-7063

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KEVIN JOHNS
Current Owner	TRACI JOHNS 2287 SATTERFIELD POCATELLO, ID 83201 2082517777
Current Owner	LYNN W KENDELL
Current Owner	TAMARA KENDELL 2287 SATTERFIELD DR POCATELLO, ID 83201 2082387000
Original Owner	WAYNE KENDELL 2652 W 1200 S ABERDEEN, ID 83210 2083974884

Priority Date: 11/15/1968

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	3.1 CFS	
Total Diversion			3.1 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SENWNW|Sec. 34|Township 07S|Range 29E|POWER County

IRRIGATION Use:

Acre Limit: 156

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07S	29E	27		SWSW	39									
		34		NWNW	39		SWNW	39						
				NWSW	39		SWSW	22.5						

Total Acres: 178.5

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHT NO. 35-12726 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.1 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 714 AF.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 156 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 35-12726 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 178.5 ACRES IN A SINGLE IRRIGATION SEASON.
4. M01 A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
5. RIGHT NO. 35-12726 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. RIGHT NO. 35-12726 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 01/31/2002

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 178.5

Combined Volume Limit: 714

Combined Rate Limit: 3.1

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

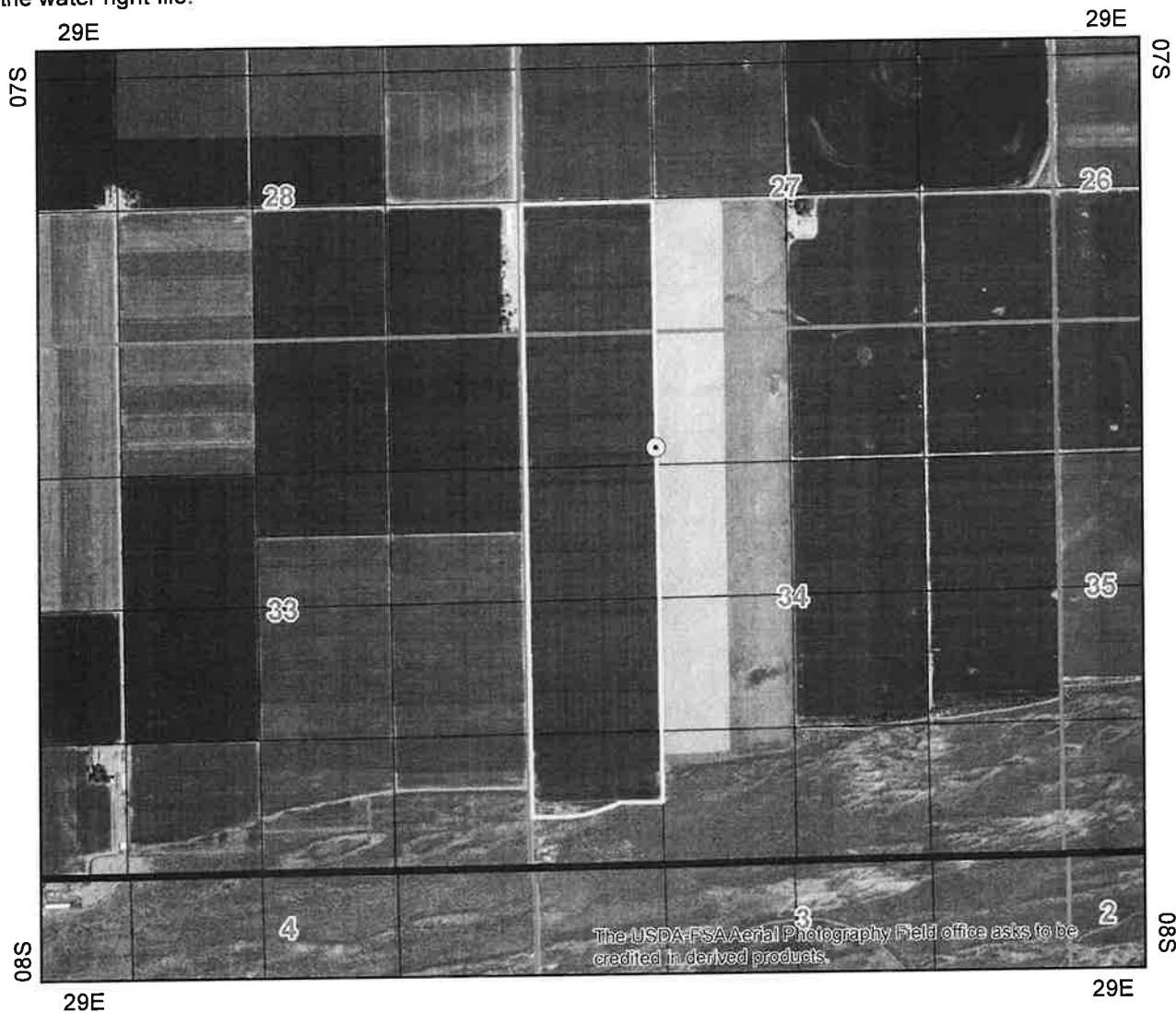
Cary Act Number:
Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
35-7063

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- ⊙ Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.2 0.4 0.8 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

5/6/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 35-12724

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KEVIN JOHNS
Current Owner	TRACI JOHNS 2287 SATTERFIELD POCATELLO, ID 83201 2082517777
Current Owner	LYNN W KENDELL
Current Owner	TAMARA KENDELL 2287 SATTERFIELD DR POCATELLO, ID 83201 2082387000
Original Owner	WAYNE KENDELL 2652 W 1200 S ABERDEEN, ID 83210 2083974884

Priority Date: 04/01/1962

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.1 CFS	
Total Diversion			1.1 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NENWNE|Sec. 33|Township 07S|Range 29E|POWER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07S	29E	28		SWSE	39		SESE	35						
		33		NENE	40		NWNE	40		SWNE	9		SENE	8

Total Acres: 171

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 35-02299 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 684 AF.
2. USE OF THIS RIGHT WITH RIGHT NO. 35-02299 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 171 ACRES IN A SINGLE IRRIGATION SEASON.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. RIGHT NO. 35-02299 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Dates:

Licensed Date:

Decreed Date: 03/06/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 171

Combined Volume Limit: 684

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

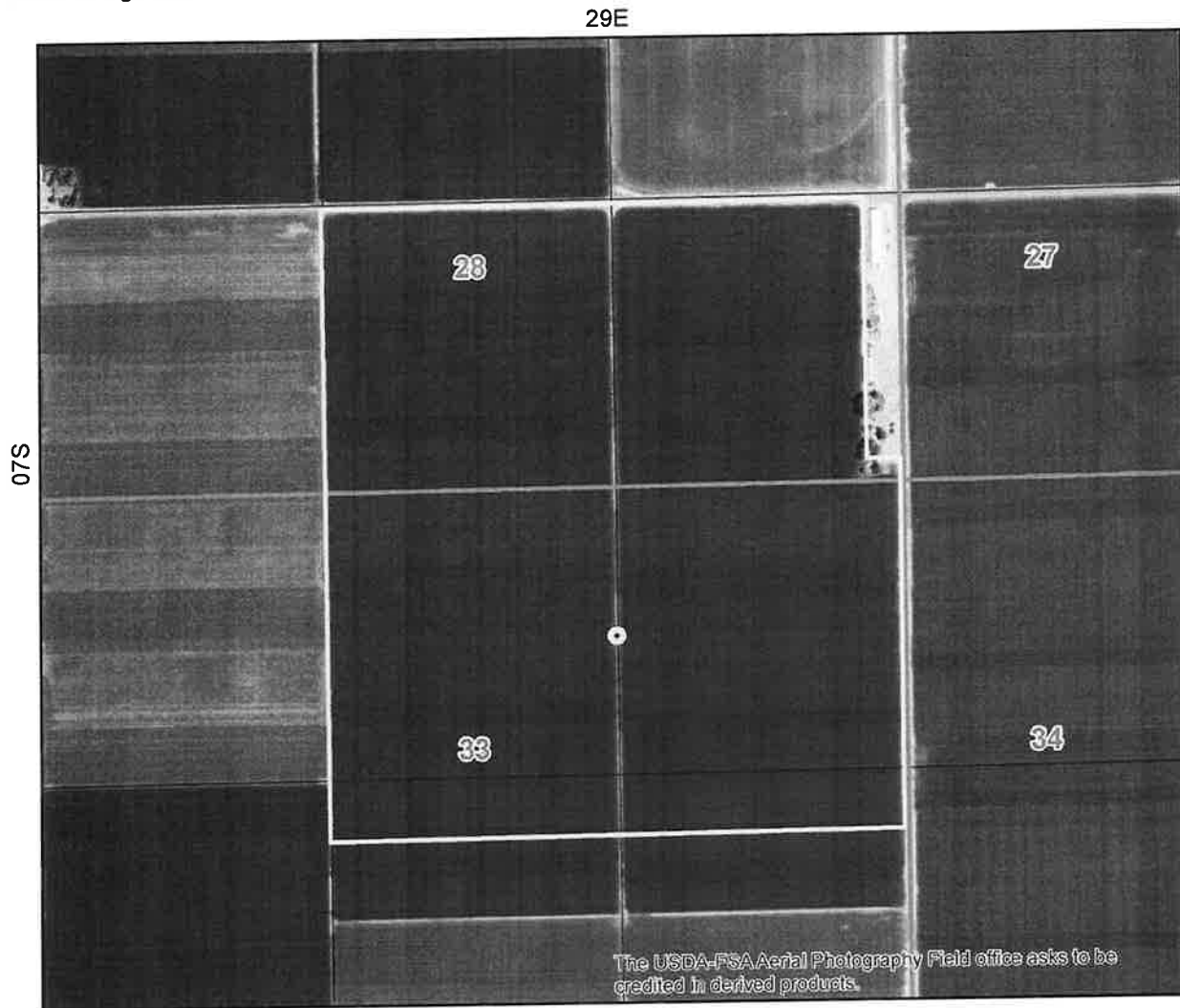
Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
35-12724

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- ⊙ Point of Diversion
- Place Of Use Boundary
- ▬ Townships
- ▬ PLS Sections
- ▬ Quarter Quarters

0 0.1 0.2 0.4 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

5/24/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 35-12725

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KEVIN JOHNS
Current Owner	TRACI JOHNS 2287 SATTERFIELD POCATELLO, ID 83201 2082517777
Current Owner	LYNN W KENDELL
Current Owner	TAMARA KENDELL 2287 SATTERFIELD DR POCATELLO, ID 83201 2082387000
Original Owner	WILLIAM LIESE AMERICAN FALLS, ID 83211

Priority Date: 04/01/1963

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.55 CFS	
Total Diversion			1.55 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SENWSE|Sec. 33|Township 07S|Range 29E|POWER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07S	29E	33		SWNE	31		SENE	31						
				SESW	26									
				NESE	39		NWSE	40		SWSE	19		SESE	15

Total Acres: 201

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 35-02637 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 804 AF.
2. USE OF THIS RIGHT WITH RIGHT NO. 35-02637 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 201 ACRES IN A SINGLE IRRIGATION SEASON.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. RIGHT NO. 35-02637 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Dates:

Licensed Date:

Decreed Date: 03/06/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 201

Combined Volume Limit: 804

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Water Right
35-12725

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

A horizontal number line representing distance in miles. It starts at 0 on the left and ends at 0.4 on the right. There are major tick marks labeled 0, 0.1, 0.2, and 0.4. Between each major tick mark, there are four smaller tick marks, dividing each 0.1-mile segment into five 0.02-mile segments. The label "0.4 Miles" is placed at the far right end of the line.



IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

5/24/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 35-12726

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KEVIN JOHNS
Current Owner	TRACI JOHNS 2287 SATTERFIELD POCATELLO, ID 83201 2082517777
Current Owner	LYNN W KENDELL
Current Owner	TAMARA KENDELL 2287 SATTERFIELD DR POCATELLO, ID 83201 2082387000
Original Owner	WAYNE KENDELL 2652 W 1200 S ABERDEEN, ID 83210 2083974884

Priority Date: 04/01/1987

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	0.39 CFS	
Total Diversion			0.39 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SENWNW|Sec. 34|Township 07S|Range 29E|POWER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07S	29E	27		SWSW	39									
		34		NWNW	39		SWNW	39						
				NWSW	39		SWSW	22.5						

Total Acres: 178.5

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHT NO. 35-07063 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.10 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 714 AF.
3. C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
4. USE OF THIS RIGHT WITH RIGHT NO. 35-07063 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 178.5 ACRES IN A SINGLE IRRIGATION SEASON.
5. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-07063 PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. RIGHT NO. 35-07063 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. THIS RIGHT IS FOR AN ENLARGEMENT OF 22.5 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

Dates:

Licensed Date:

Decreed Date: 01/31/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date: 4/12/1994

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 178.5

Combined Volume Limit: 714

Combined Rate Limit: 3.1

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

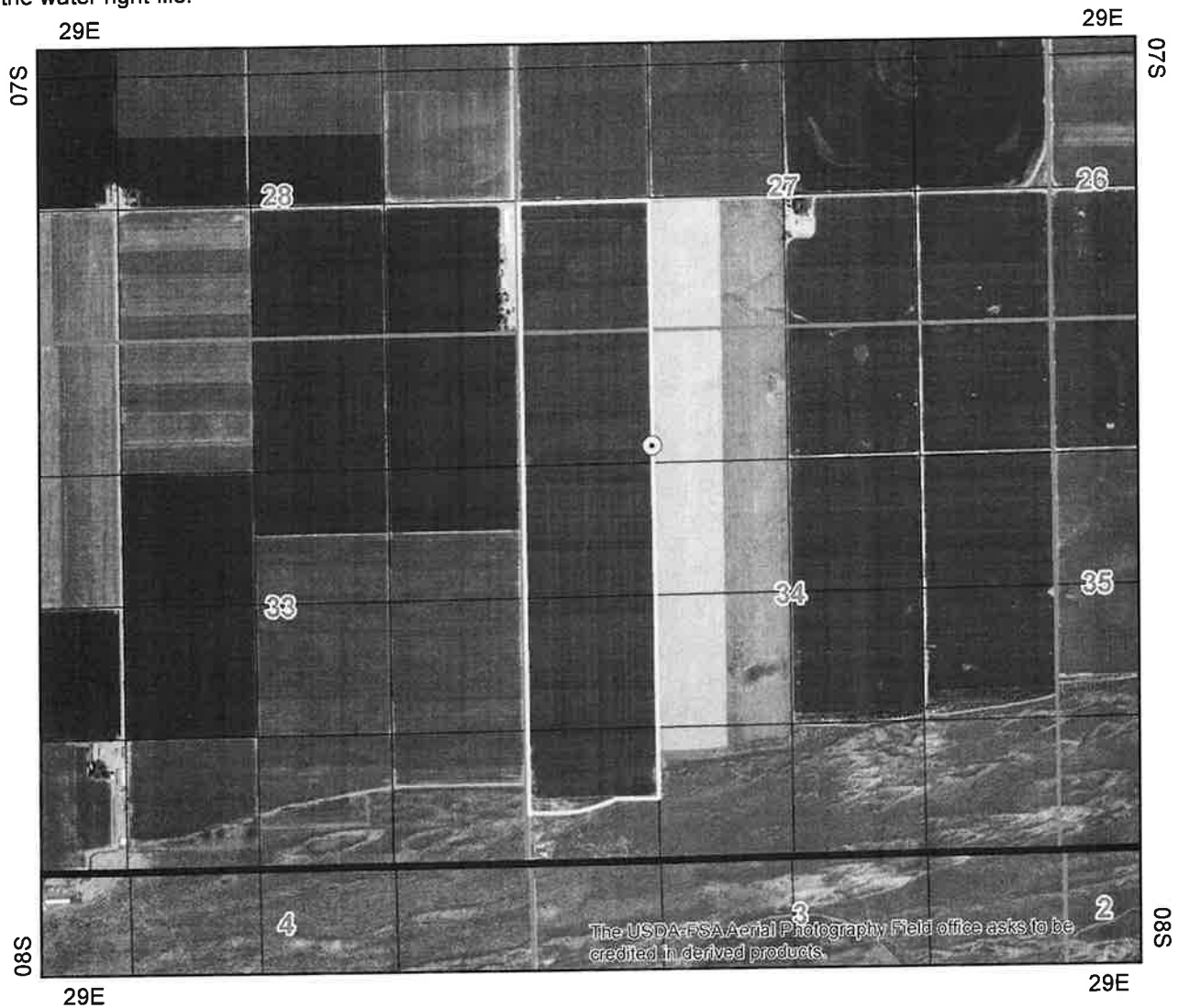
Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
35-12726

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- ▭ Townships
- ▭ PLS Sections
- ▭ Quarter Quarters

0 0.2 0.4 0.8 Miles





IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

October 12, 2022

THE KENDELL LIVING TRUST
3690 SUMMIT DR
POCATELLO ID 83201-8012

Re: Change in Ownership for Water Right No(s): 35-2299, 35-2637, 35-7063, 35-12724, 35-12725, 35-12726

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 120
ABERDEEN AMERICAN FALLS GROUND WATER DISTRICT