

02/24/2004

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

RIGHT NUMBER: 23-48C
NAME AND ADDRESS: SUSAN SARGENT
PO BOX 24
SWAN VALLEY ID 83449

SOURCE: RAINEY CREEK
QUANTITY: 0.240 CFS
PRIORITY DATE: 06/01/1893
POINT OF DIVERSION:

TRIBUTARY: SOUTH FORK SNAKE RIVER

T01N R44E S7 SWNE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
0.240 CFS

PLACE OF USE:

IRRIGATION Within BONNEVILLE County

T01N R43E S01	NWSE	0.4	T01N R43E S01	NWSE	0.2
T01N R43E S01	SWSE	5.6	T01N R43E S01	SESE	10.0

16.2 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 23-98C IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 16.2 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 12.0 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Decreed

RIGHT NO. 23-98C IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

12/18/2003

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

RIGHT NUMBER: 23-48C

NAME AND ADDRESS: SUSAN SARGENT
PO BOX 24
SWAN VALLEY ID 83449

SOURCE: RAINEY CREEK

TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 0.240 CFS

USE OF THIS RIGHT WITH RIGHT NO. 23-98C IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.33 CFS.

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 23-98C SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 06/01/1893

POINT OF DIVERSION:

T01N R44E S7 SWNE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
0.240 CFS

PLACE OF USE:

IRRIGATION Within BONNEVILLE County

T01N R43E S01	NESE	0.4	T01N R43E S01	NWSE	0.2
T01N R43E S01	SWSE	5.6	T01N R43E S01	SESE	10.0

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later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Decreed

RIGHT NO. 23-98C IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

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: **A23-00048C**
Date Received: 8/25/1989
Receipt No: X777777
Received By: _____

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

1. Name: SUSAN SARGENT
Address: PO BOX 24
SWAN VALLEY ID

83449

2. Date of Priority: JUN 1, 1893

3. Source: RAINEY CREEK, LOWER

Trib. to: SNAKE RIVER, SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	44E	7	SW	NE	NE		BONNEVILLE

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.240		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	43E	1	SW	SE		IRR	8.5
			SE	SE		IRR	8.5

Section Acres 17.0

A2300048C

10. Place of Use: Continued

Total Acres 17.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

A23-00098A, PALISADES CANAL RTS, PALISADES STORAGE RTS.

14. Remarks:

P/D AND P/U INCOMPLETE IN DECREE.

APPEARS TO BE ERROR IN DESCRIPTION IN DECREE. SHOULD BE SE1/4
OF SECTION 1 RATHER THAN SW1/4 AS INDICATED.

* THIS RIGHT PAID FOR UNDER RECEIPT #E009979. CHANGE IN
OWNERSHIP.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO ET AL

Decree Plaintiff

TETON IRRIGATION CANAL CO. ET

vs Decree Defendant

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: _____

Contacts Data Entry Form

Water Right No. 23-00048C

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	<u>SUSAN SARGENT</u>					
Name connector: and _____, or _____, and/or _____						
Current Owner	_____					
Current Owner	_____					
Representing Attorney: _____			Phone Number: _____			
Accompanied By: _____			Phone Number: _____			
Relationship to Claimant: _____						
Date of Field Exam: _____			Time: _____			

Directions to Property (if different from above) and/or update owner information:

DESCRIBED UNDER KOLBURG TRIG. VS TETON TRIG, 1910,
AS #112, TO ROBT. GARDEN AS 160 INCHES. SEE SPLIT HISTORY.

8/26/03 FE - PASTURE - NO DEVELOPMENT

FE INDICATED: POW, POD, CONVEY Syst., OVERLAP Rts

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____

Water Right Basis: _____

Claimed Priority Date: JUNE 1, 1893Claimed Basis: DECRecommended Priority Date: 6/01/1893Recommended Basis: DECREED☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

CLAIM MATCHES DECREE

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T IN, R 44E, Sec. 7, SW, NE, NE, County: BONNSource: RAINOT CK, LOWER Tributary: Snake River, So. Fr OK

Recommended Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov	Lot	QQQ of QQ of Q	County	Source
<u>IN</u>	<u>44E</u>	<u>7</u>			<u>SWNE</u>	<u>BONN</u>	<u>RAINOT CK</u>
GPS Coordinates: _____							
GPS Coordinates: _____							
GPS Coordinates: _____							
GPS Coordinates: _____							
GPS Coordinates: _____							
GPS Coordinates: _____							
GPS Coordinates: _____							
GPS Coordinates: _____							

TRIB To:
Snake River,
So Fr

Other rights from this POD? _____

GPS POD - TAG # A0009501 ON HERRGATE
UNDER WHEEL

Document how the POD and Source were verified and/or Pump and Motor data:

POD NOT ADDRESSSED BY DEGREE.

SAME POD
AS 9BC

105

Transfers Changing POD _____

Reviewer: _____

Date: _____



Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
1N	43E	1	S2SE		BONN.		17 ⁰	Pasture

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
1N	43E	1	S2SE		BONN.		0 ²	Pasture
			S2SE		"		8 ²	Pasture

Total Acres 17

Document how the POU was verified:

POU NOT ADDRESSED BY DECREE.0/26/03 POU is IRRIGATED PASTURE w/o ANY DEVELOPMENT.

Transfers Changing POU _____

Reviewer: _____

Date: _____

COMBINED
USE Limits
Q/AC
w/23-98

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate 0.24 Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

CLAIMED AT 0.24 ON 17AC = 0.01399... $\approx$ 0.014 cfs/ac
 DECRET IS AT 0.02 cfs/ac (AND 42-202,220 I.C.). PPH OF 1145
 w/ ac/Q Limits: 17AC $\times$ 0.02 = 0.34 cfs - 4BC Limits to 12⁰⁰ AC
 DECRET NOT ADDRESSED BY DECRET. 1/500 4/15 TO 10/31 PER
 DEPT STR FOR ARBA.

Reviewer: _____

4BC = 0.24 (1873)
 9BC = 0.20 (1916) Remarks
 0.44 — EOI/E28
 -0.34
 0.10 = CONVOY LOSS

Date: _____

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 23-48

WATER RIGHT NUMBER: 23-48

Owner Type Name and Address
 Current Owner ROBERT OAKDEN

, ZZ

Priority Date: 06/01/1893

Basis: Decreed

Status: Active

Source
 RAINEY CREEK

Tributary
 SOUTH FORK SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	3.200 CFS	
<u>Total Diversion:</u>		3.200 CFS	

Location of Point(s) of Diversion
 RAINEY CREEK

Place of Use
 IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	43E	1									X	X	X	X					
01N	44E	6									*	*	*	*	X	X	X	X	ERROR

Conditions of Approval:Remarks:

- General P/D AND P/U INCOMPLETE.

Comments:

SEE SPLIT HISTORY ATTACHED

Dates and Other Information:

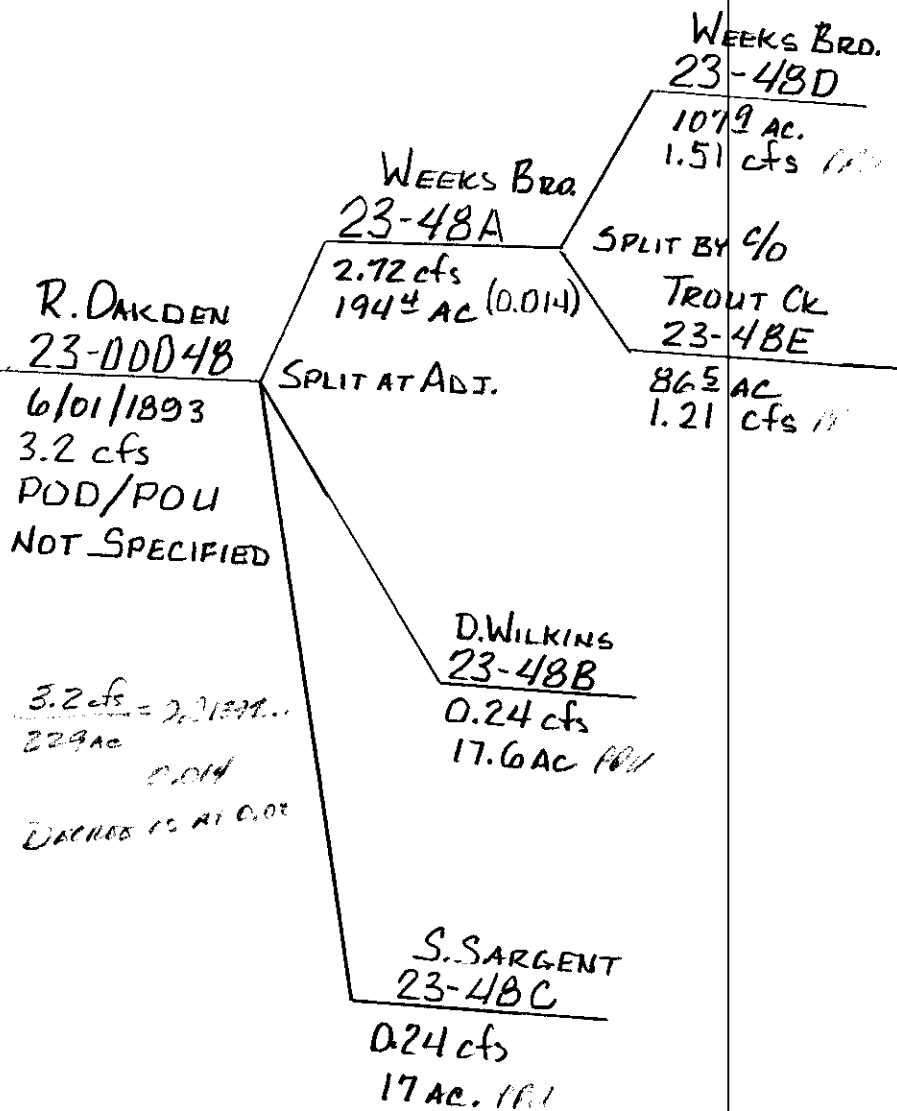
06/24/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 23-48

Dates and Other Information:

Licensed Date:
 Decreed Date: 12/16/1910
 Water Supply Bank Enrollment Accepted:
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number: 01
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant: Teton Irrigation Canal Co, et al
 Decree Plaintiff: Rexburg Irrigation Co
 Civil Case Number:
 Judicial District: Sixth District
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False



ADJ. PARTS	CFS CLAIMED
B.	0.24
C.	0.24
D.	1.51
E.	1.21
TOTAL Q = 3.2 cfs	
<u>CLAIMED IN-FULL</u>	

$$E_{AC} = 229 - 3.2 \text{ cfs} / 0.02 = 160 \text{ AC}$$

OVERLAP OF Dts - POU w/ Limits

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

(.24 cfs) 2.96 cfs

(.200):

211.4

2.49 cfs

A23-00048A

Susan Sargent

See legal description attached (17.07 acres)

Susan Sargent by Lola Sargent

Date 6-5-97

Date _____

+ Acute Weekly Pres

Date 6-5-97

Date _____

Claim Numbers of Split, if any:

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

OWNERS

SCHEDULE A

td

OFFICE FILE NUMBER	POLICY NUMBER	DATE OF POLICY	AMOUNT OF INSURANCE	PREMIUM AMOUNT
T-12643 13 4032	106 001008	06/05/97 4:46 p.m.	\$54,000.00	\$394.00

1. Name of Insured:

SUSAN SARGENT, an unmarried person

2. The estate or interest in the land which is covered by this policy is: **A Fee Simple.**

3. Title to the estate or interest in the land is vested in:

SUSAN SARGENT, an unmarried person

4. The land herein described is encumbered by the mortgages or trust deeds, and assignments, if any, as shown in Schedule B hereof.

5. The land referred to in this Policy is described as follows:

TRACT I:

Beginning at the South Quarter Corner of Section 1, Township 1 North, Range 43 East of the Boise Meridian, Bonneville County, Idaho, thence South 89°56'07" East 1107.66 feet to the true point of beginning; running thence South 89°56'07" East 550.00 feet, thence North 02°48'37" East 955.67 feet, thence North 04°20'13" East 398.17 feet, thence North 89°56'07" West 550.00 feet, thence South 04°20'13" West 398.17 feet; thence South 02°48'37" West 955.68 feet to the true point of beginning.

TRACT II:

A 60 foot wide Access Easement being described as follows:

Beginning at a point that is South 89°56'07" East 50.00 feet along the Section line from the South Quarter Corner of Section 1, Township 1 North, Range 43 East of the Boise Meridian, Bonneville County, Idaho; said point being on the East right of way line of Stoltenberg Lane; running thence South 89°56'07" East along the Section line 1057.66 feet, thence North 02°48'37" West 60.07 feet, thence North 89°56'07" West 1060.60 feet, thence South 60.00 feet to the point of beginning.

943952

CORPORATION WARRANTY DEED

RENELL WEEKS FARMS, INC., a Corporation under the laws of the State of Idaho having been duly authorized by its Board of Directors, as **GRANTOR**,
for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto
SUSAN SARGENT, an unmarried person, as **GRANTEE**, whose address is P. O. Box 34, Swan Valley, Idaho, and Grantee's successors
and assigns, all of the following described real property, to-wit:

TRACT I:

Beginning at the South Quarter Corner of Section 1, Township 1 North, Range 43 East of the Boise Meridian, Bonneville County, Idaho, thence South 89°56'07" East 1107.66 feet to the true point of beginning; running thence South 89°56'07" East 550.00 feet, thence North 02°48'37" East 955.67 feet, thence North 04°20'13" East 398.17 feet, thence North 89°56'07" West 550.00 feet, thence South 04°20'13" West 398.17 feet; thence South 02°48'37" West 955.68 feet to the true point of beginning.

TRACT II:

A 60 foot wide Access Easement being described as follows:

Beginning at a point that is South 89°56'07" East 50.00 feet along the Section line from the South Quarter Corner of Section 1, Township 1 North, Range 43 East of the Boise Meridian, Bonneville County, Idaho; said point being on the East right of way line of Stollenberg Lane; running thence South 89°56'07" East along the Section line 1057.66 feet, thence North 02°48'37" West 60.07 feet, thence North 89°56'07" West 1060.60 feet, thence South 60.00 feet to the point of beginning.

SUBJECT TO the 1997 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

Grantor, for itself, and its successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: June 5, 1997

RENELL WEEKS FARMS, INC.

Corporation Name

by: Renell Weeks
President

STATE OF IDAHO)

COUNTY OF Bonneville) ss

On June 5, 1997, before me, the undersigned, personally appeared

Renell Weeks
known or identified to me to be President of the
corporation that executed the within instrument, and acknowledged to me that such
corporation executed the same.

Notary Public for the State of Idaho
Commission Expiration Date: 1/28/2003

NOTARY PUBLIC
LENORE J. KATRI
STATE OF IDAHO

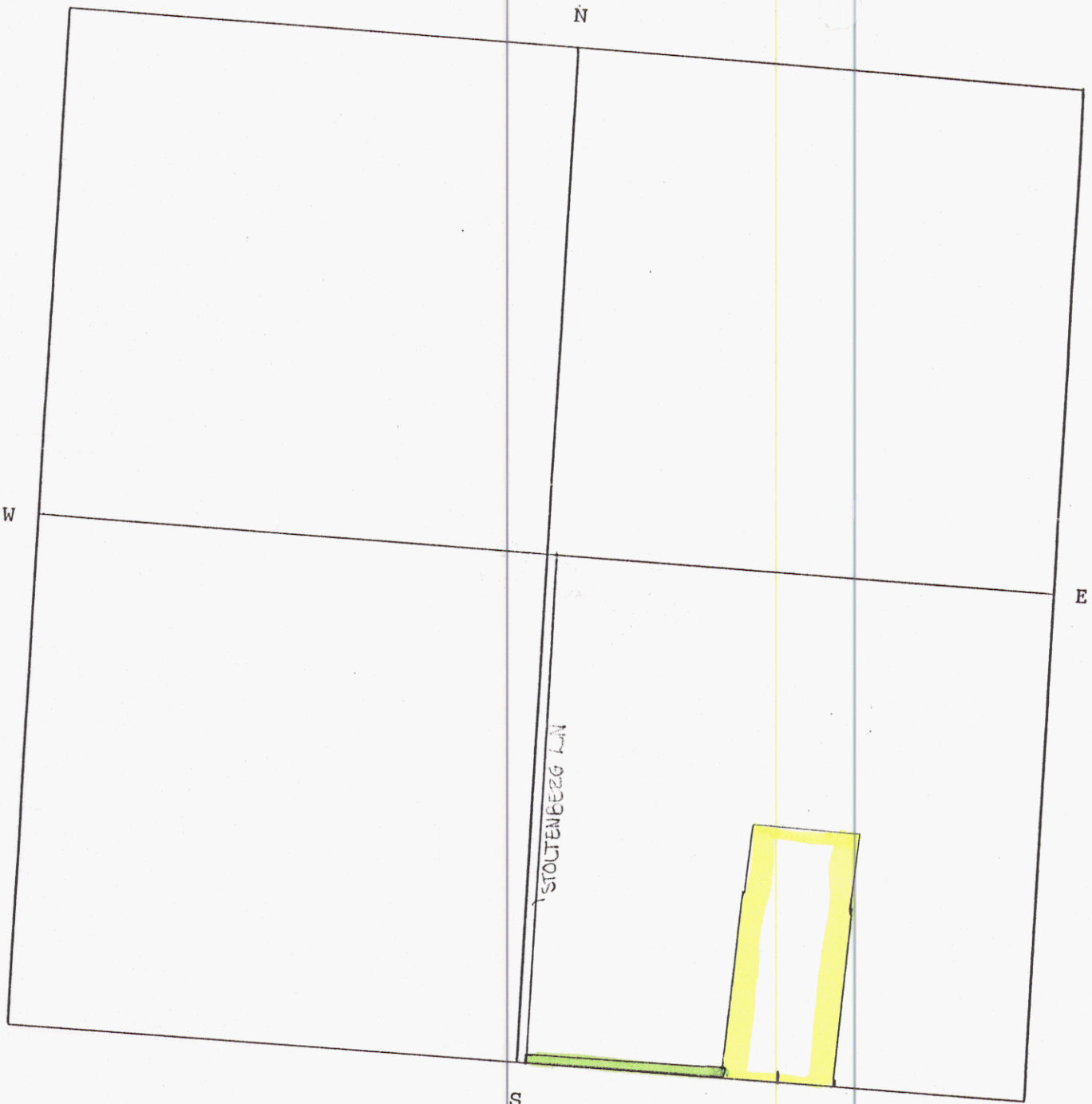
Residing at Idaho Falls, Idaho
My Commission Expires Jan 28, 2003

97 JUN 5 PM 4 46
BONNEVILLE COUNTY
RECORDER

943952

INSTRUMENT NO.	943952
DATE	6-5-97
INST. CODE	235
FICHE NO.	12331-62
FEE	300
STATE OF IDAHO) COUNTY OF BONNEVILLE) ss	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By <u>[Signature]</u> Deputy Request of	

Bonneville Land & Title Co.



Section: 1 Township: 1N Range 43, East of the Boise Meridian, Bonneville County, Idaho.

Scale: ✓ 800 feet = 1 inch, Section
 400 feet = 1 inch, Quarter Section
 200 feet = 1 inch, Quarter Quarter Section

Tract I: ☐
 Tract II: ☐

This plat is made solely for the purpose of assisting in locating said land. The company assumes no liability for variations found, if any, with an actual survey.

Bonneville Land & Title Co.

497 N. Capital Ave. * P.O. Box 51690 * Idaho Falls, ID 83405-1690 * (208)524-6600 * Fax (208)524-6072

Log for claim 23-00048C

Spatial Dynamics BTD

5/18/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n43e	1	SWSE	8.5	39	Indiscernible
01n43e	1	SESE	8.5	40	Indiscernible
Totals:			17	79	



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
23-00048C,
23-00098C

Place of Use: (parts of)
T1N, R43E Sec. 1 SE

Point(s) of Diversion:
T1N, R44E Sec. 7 SWNENE



LEGEND



Point of Diversion



SESE



Place of Use



Section

Quarter-Quarter

500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 5500 6000 6500 7000 7500 Feet



City of
Swan Valley



POD WHERE?

T1N, R43E
T1N, R44E

Susan Sargent ???
23-00098C, 23-00048C

1 6
9 127

Water Right Claim Number 23-00048C
Townships , 1N44E, 1N43E

05/18/2001

