

05/25/2004

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

RIGHT NUMBER: 23-11315

NAME AND ADDRESS: ROBERT SWEET
C/O BRUSH CREEK RANCH
38634 HWY 9
SILVERTHORNE CO 80498

SOURCE: PALISADES CREEK TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 0.460 CFS

PRIORITY DATE: 08/15/1893

POINT OF DIVERSION:
T01N R44E S26 SWSWSE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.460 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County
T01N R44E S09 SWSW 19.6

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

USE OF THIS RIGHT IS COMBINED WITH WATER FROM PALISADES IRRIGATION CANAL.

WATER IS DELIVERED THROUGH PALISADES IRRIGATION CANAL SYSTEM.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-00011.

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 23-11315
Date Received: 4/12/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERT SWEET Phone: (970)468-8977
C/O BRUSH CREEK RANCH
38634 HWY 9
SILVERTHORNE CO USA 80498

2. Date of Priority: 08/15/1893

3. Source: PALISADES CREEK Trib. to: SNAKE RIVER SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	44E	26	SW SW SE	BONNEVILLE	

5. Description of diverting works:

SAME POD AND CONVEYANCE AS PALISADES IRRIG CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	0.46	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

01N	44E	9	SW	SW	IRRIGATION	19.6
					Section Acres	19.6
					Total Acres	19.6

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:

14. Remarks:

CLAIM IS A PORTION OF 23-00011, BAKER DIXON DITCH RIGHT.

15. Basis of Claim: Decreed

RECEIVED
MAY 10 2004

FEB \$120.00

IN THE DISTRICT COURT OF THE ^{Department of Water Resources} 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 23-11315
Date Received: 4/12/2004
Receipt No:
Received By: *E029863*
gc

TEMPORARY

TEMPORARY

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s) *970-389-5200 cell*
ROBERT SWEET Phone: *970-468-8977 Hm* *New Address Robert Sweet*
~~10926 DOBBINS RUN~~ *c/o Brush Creek Ranch*
~~LA FAYETTE ID USA 80026~~ *38634 Hwy 9*
Silverthorne, Co. 80498
2. Date of Priority: 08/15/1893
3. Source: PALISADES CREEK Trib. to: SNAKE RIVER SOUTH FORK
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County Type
01N 44E 26 SW SW SE BONNEVILLE
5. Description of diverting works:
SAME POD AND CONVEYANCE AS PALISADES IRRIG CANAL.
6. Water is used for the following purposes:
Purpose From To C.F.S. (or) A.F.A.
IRRIGATION 04/15 10/31 0.46
7. Total Quantity Appropriated is:
0.46 C.F.S.
8. Total consumptive use:
9. Non-irrigation uses:
10. Place of use:
Township Range Section 1/4 of 1/4 Lot Use
01N 44E 9 SW SW IRRIGATION
Section Acres 19.6
Total Acres 19.6
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:
14. Remarks:
CLAIM IS A PORTION OF 23-00011, BAKER DIXON DITCH RIGHT.
15. Basis of Claim:

*I will still
have to link
POD/PUR on*

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 X 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): [Signature] Date: 4-20-04

Date: _____

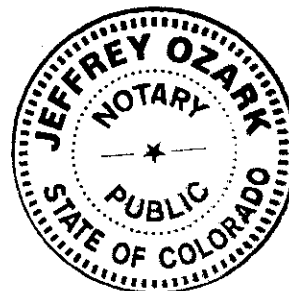
State of Colorado)
Summit) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of April 2004 [Signature]

Notary Public

Residing at 818 Oak house, Frisco, CO 80443

My commission Expires March 27, 2007



My commission expires
March 27, 2007



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
23-11315

Place of Use: (part of)
T1N, R44E
Sec. 9 SWSE

Point(s) of Diversion:
T1N, R44E
Sec. 26 SWSWSE

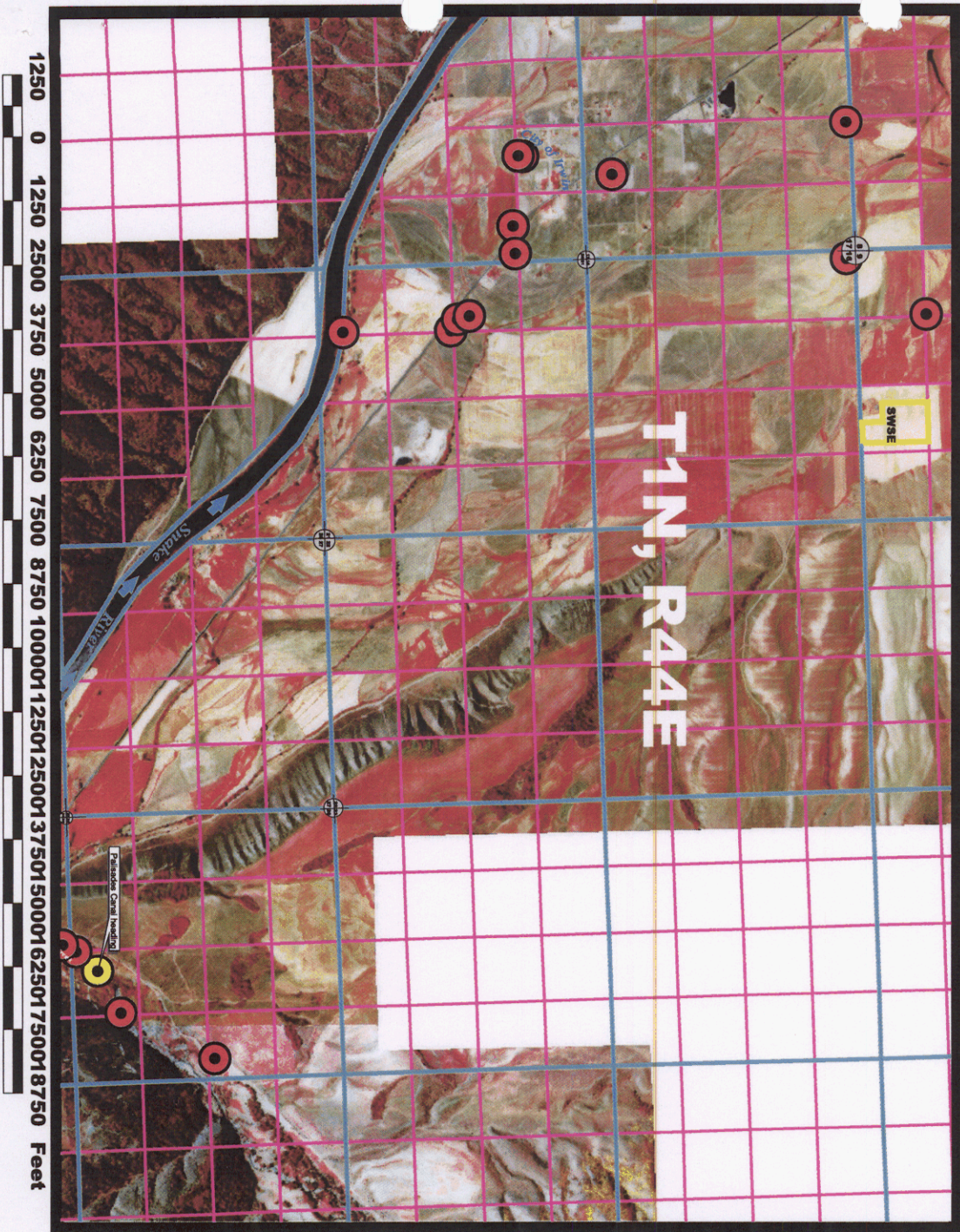
NOTE: Delivery through Palisades
Irrigation canal system.

LEGEND

- Point of Diversion
- SESE Place of Use
- Section
- Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: May 2004



23-02064

T1N, R44E

T1N, R44E

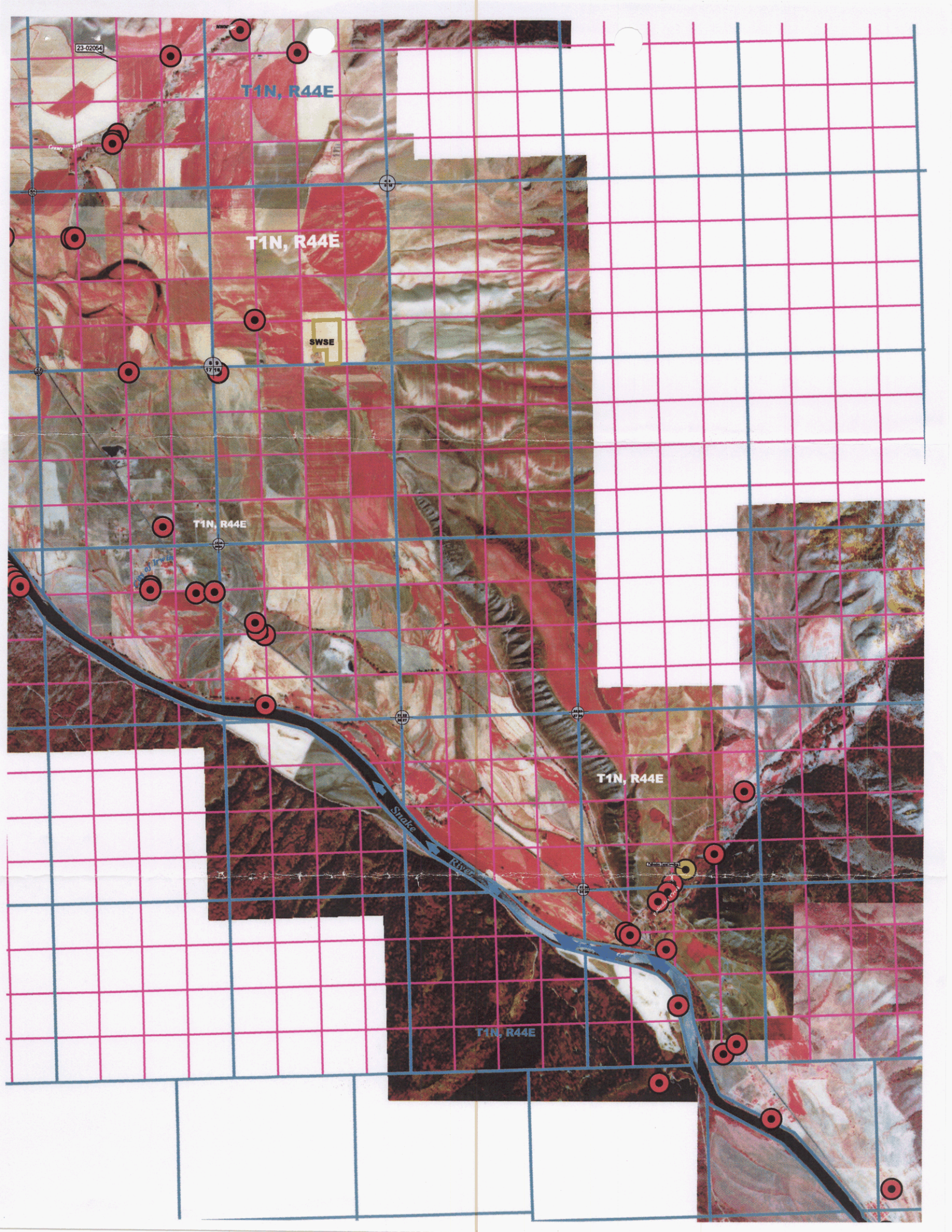
SWSE

T1N, R44E

T1N, R44E

T1N, R44E

Stoke River



Water Right Split History Analysis
(R. Fleming) % to %/los/los
R. Eau Annuity Trust #1
23-00011A claim

1.80 cfs 8/15/1893 CLAIMED
POU: E² NW, SWNE, E² SW, SWSW, NWSE = 239⁰⁰ AC
* DELIVERY THROUGH PALISADES BRIDGE CANAL
ENLARGED... CLAIM 23-11271 : 80 AC

ALL DELIVERED THROUGH
PALISADES BRIDGE CANAL

Baker Dixon Arch Co.
23-00011

23.0 cfs 8/15/1893
PALISADES CR

POD: NOT SPECIFIED

DATE	OPERATOR	WATER	WHEELS	CHARGE	SHUTT
TOTAL PAGE 001	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 002	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 003	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 004	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 005	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 006	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 007	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 008	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 009	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 010	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 011	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 012	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 013	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 014	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 015	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 016	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 017	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 018	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 019	WATER	WHEELS	CHARGE	SHUTT	
TOTAL PAGE 020	WATER	WHEELS	CHARGE	SHUTT	

9500

DELIVERY THROUGH THE
PALISADES BRIDGE CANAL

Reviewer

* 2500' x 40' / 100 = 1000 ±

23.0 cfs = 0.02333 cfs/ac
1000 AC

claim
23-11265 50 ANN WHEELS
POU: 515/1893
POU: S1NW, NWNNW, NWSE = 1158 AC
* DELIVERY THROUGH PALISADES JARVIS CANAL

THOMAS WHEELS
23-11266
0.48 cfs Snake R.
8/15/1893
POU: TIRRUWE
SEC. 21
SESW (L2) 16'
SWSE (L1) 45'
203
POD: SNAKE RIVER
SEC. 21
SESW (L3)

23-00011B JESS WHEELS & SONS
No SRBA CLAIM
SPLIT OFF BY TX # 2559
2.45 cfs ON 105 AC = 0.0233 cfs/ac
Δ's POD AND SOURCE TO SNAKE RIVER

UNCLAIMED ? 1525 cfs ⇒ *

Sumner & Ross % to R. Eau Annu. Trust #1
23-10169

* 2.6 cfs 6/01/1898 AMENDED TO 8/15/1893
POU: PANK OR TIN RUWE SECS. 15, 16, 21, & 22
2.6 cfs ÷ 0.0233 = 1119 AC PPU w/ 23-00074

ENLARGED... CLAIM 23-11272 : AC.

* COMING USG Limits APPLY
23-74, 23-00011A

* UNCLAIMED
1525 cfs

WADE FLEMING
23-11284
0.21 cfs SNAKE RIVER
8/15/1893
POU: SEC. 21 (PT) SWSE (L1)
TIN RUWE
POD: SEC. 21 SESWSW (L3)
SEC. 28 CLAIMED IN ERROR

UNCLAIMED 1.76 cfs

23-11305 CLYDE WEEKS
0.44 cfs ON 19⁰⁰ AC
POU: TIN RUWE
SEC. 22 NESW, NWSE
POD: PALISADES BRIDGE CANAL HEADGAGE
DELIVERY THROUGH CANAL SYSTEM

23-11306 Tom Thompson
120 cfs ON 519 AC
POU: TIN RUWE SEC. 22
NWSW, SWNW, NESW
POD: DELIVERY THROUGH PALISADES BRIDGE CANAL

23-11314 D. CLAYTON
0.96 cfs ON 413 AC
POU: (PANK OR) SE SEC. 9 TIN RUWE
POD: DELIVERY THROUGH PALISADES CANAL

23-11315 R. SWEET
0.46 cfs ON 19.6 AC
POU: SWSW SEC. 9 TIN RUWE
POD: DELIVERY THROUGH PALISADES CANAL

12¹⁹ cfs UNCLAIMED

Water Right Number 22-11315

Recommended as Claimed

☐ Claimed as Beneficial Use, ☐ Claimed as Licensed, ☒ Claimed as Decreed
AS SPLIT

NOTES:

- ① A SPLIT OF FORMER RT 23-00011, BAKER DIXON DITCH.
- ② PDD & DELIVERY THRU PALISADES CANAL
- ③ USE w/ PALISADES CANAL SHARPS

Recommended AS CLAIMED