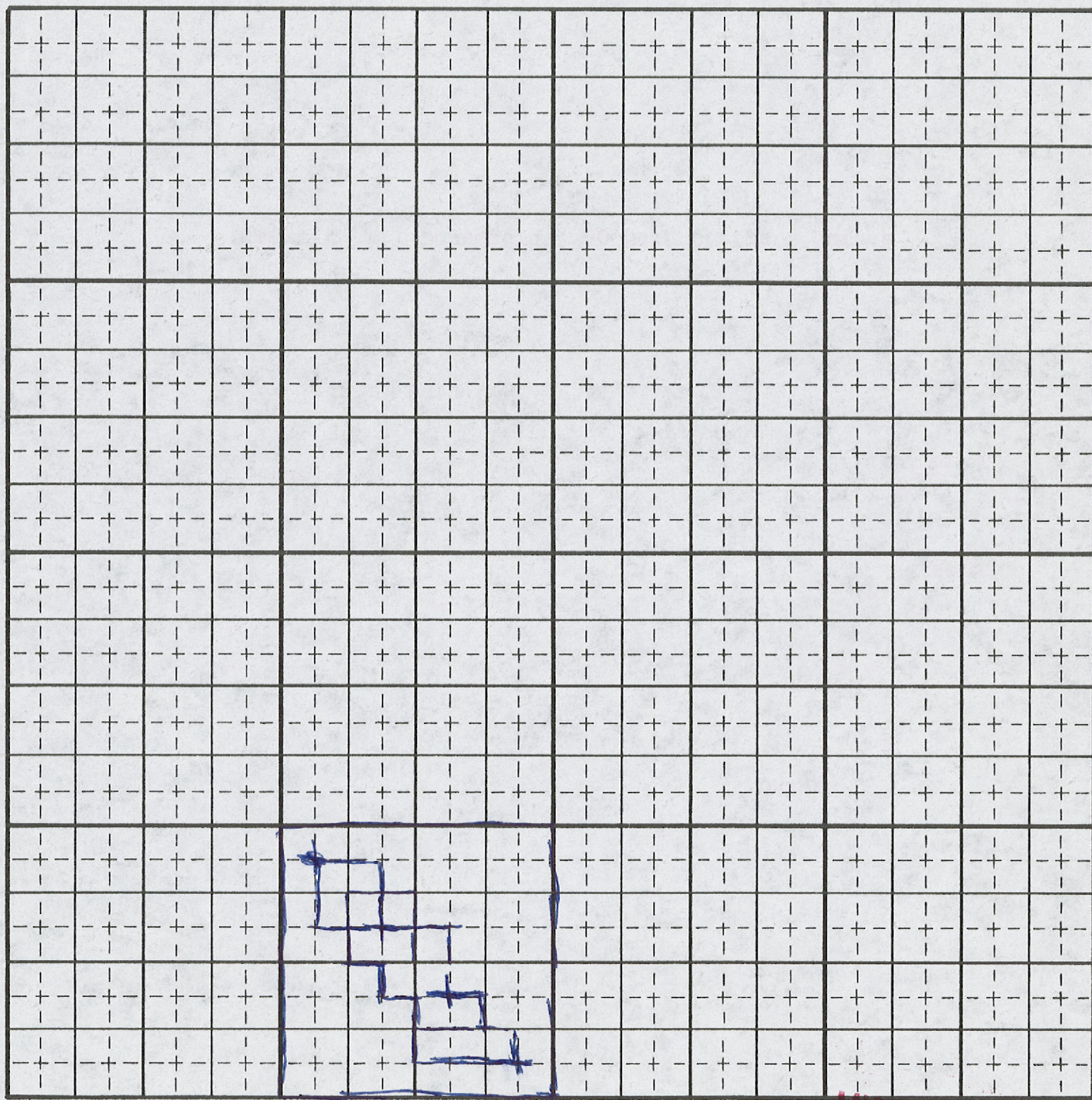


Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED
SEP 29 1992

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>11S</u>	<u>30</u>	<u>20</u>	<u>SE</u>	<u>NE</u>	<u>SW</u>	<u>N/A</u>	<u>OWY.</u>

SOURCE: SPRING

TRIB: SINKS

REVIEWED BY:

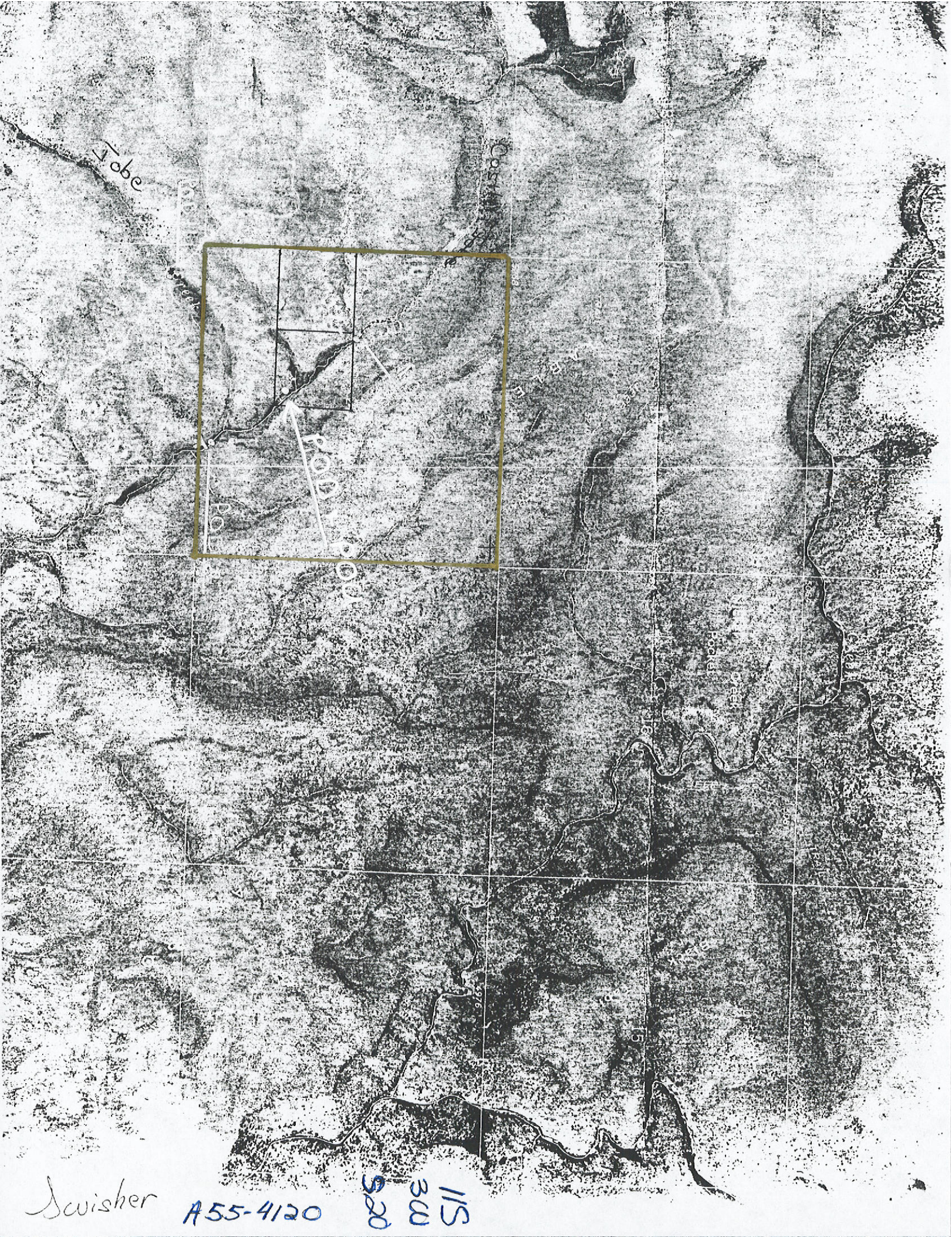
Linda Werner

DATE:

5-9-95



Place of Use: Cabin & lawn irrigation



Tobe

Colorado

Swisher

A55-4120

115
300
520

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: A55-04120
Date Received: 4/13/1989
Receipt No: W002566
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DARLENE E SWISHER 541-586-2394
Address: 2660 SWISHER LANE
JORDAN VALLEY OR 97910

2. Date of Priority: MAR 15, 1938

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	03W	20	NE	SW			OWYHEE
			NW	SW			OWYHEE

5. Description of diverting works:
DITCHES, SPRING BOX, PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		
STOCKWATER	01/01	12/31	0.050		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD; S/90 HD CATTLE & HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	03W	20	NE	SW		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	03W	20	NE NE	SW SW	DOMEST STOCK	
Section Acres						3.0
Total Acres						3.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:

MRS. SWISHER INDICATED IN A PHONE CONVERSATION OF 5/10/89 THAT 10/18/1920 WAS THE PATENT DATE OF THE PROPERTY. SHE WOULD, HOWEVER, LIKE TO KEEP PRIORITY DATE SAME AS ON PREVIOUS STATUTORY CLAIM. ALSO FOLLOW STATUTORY CLAIM FOR THE POD, POU. SHE INDICATED ON THE TRIBUTARY THAT THE SPRING DOES SINK BUT DOES APPEAR AGAIN TO DRAIN INTO CASTLE CREEK. ALSO STATED THAT SHE WOULD LIKE TO ADD DOMESTIC AND STOCKWATER USAGE TO THE CLAIM AND SAID IT HAD BEEN USED FOR SUCH SINCE PATENT DATE BUT TO USE PRIORITY DATE OF 1938.

15. Basis of Claim: STATUTORY CLAIM

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 _____

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: A55-04120
Date Received: 12/29/1988
Receipt No: W002566
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DARLENE E. SWISHER 503-586-2394
Address: PO BOX 275
JORDAN VALLEY, OR 97910

2. Date of Priority: MAR 15, 1938

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	03W	20	NE	SW			OWYHEE
			NW	SW			OWYHEE

5. Description of diverting works:
DITCHES, SPRING BOX, PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		
STOCKWATER	01/01	12/31	0.050		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD; S/90 HD CATTLE & HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	03W	20	NE	SW		IRR	3.0
			NE	SW		DOMEST	
			NE	SW		STOCK	
						Section Acres	3.0
						Total Acres	3.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:

MRS. SWISHER INDICATED IN A PHONE CONVERSATION OF 5/10/89 THAT 10/18/1920 WAS THE PATENT DATE OF THE PROPERTY. SHE WOULD, HOWEVER, LIKE TO KEEP PRIORITY DATE SAME AS ON PREVIOUS STATUTORY CLAIM. ALSO FOLLOW STATUTORY CLAIM FOR THE POD, POU. SHE INDICATED ON THE TRIBUTARY THAT THE SPRING DOES SINK BUT DOES APPEAR AGAIN TO DRAIN INTO CASTLE CREEK. ALSO STATED THAT SHE WOULD LIKE TO ADD DOMESTIC AND STOCKWATER USAGE TO THE CLAIM AND SAID IT HAD BEEN USED FOR SUCH SINCE PATENT DATE BUT TO USE PRIORITY DATE OF 1938.

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
SEP 29 1992

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 _____

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 A55-04120
Date Received 12-29-88 *lw*
Receipt Number W0002566

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
APR 13 1989

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Darlene E Swisher Phone (503) 586-2394
Mailing Address P. O. Box 275, Jordan Valley, Oregon Zip 97910
2. Date of Priority (Only one (1) per claim) October 18, 1920 (patent Date)
3. Source of water supply (a) Spring
which is tributary to (b) Castle Creek, tributary to Deep Ckto Owyhee River
4. a. Location of existing point of diversion is: Township 11S Range 03 W Section 20,
NW 1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Owyhee
Additional points of diversion if any: Spring box, pipe and ditches
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Spring box, pipe

MICROFILMED
SEP 29 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in the newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 03/15 to 11/15 amount .060 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .060 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic 1 household 90 head cattle & horses

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11S	03W	20		X						X			X						3

Total number of acres irrigated 3

11. In which county (ies) are lands listed above as place of use located? Owyhee

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks:

MICROFILMED
SEP 29 1992

Last Name Swisher Ident No. _____

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

MICROFILMED

SEP 5 1988

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____ STATUTORY CLAIM

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

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

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title
of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Barlene E Swisher

Title and Organization owner Date 4/12/89

State of Idaho / or ore)
County of Malheur) SS.

Subscribed and sworn (or affirmed) before me this 12th day of April 19 89

SEAL

Notary Public Jane Gellerin

Residing at Jordan Valley

My Commission Expires 7-12-89

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED
SEP 29 1992

Last Name Swisher Ident. Number _____

Copies White-State, Yellow-Claimant

Water Right Number - 55-04120

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

SWISHER

DENNIS

1 - P.O. BOX 275

2 -

3 -

City- JORDAN VALLEY

State- OR Zip- 97910

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/15/1938 14 WESTERN S - STATUTORY CLAIM+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
SPRING SINKS+ - - - - - - - - - - - - - - - - - Point of Diversion - - - - - - - - - - - - - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

11S 03W 20 NE SW (73) OWYHEE

11S 03W 20 NW SW (73) OWYHEE

+ - - - - - - - - - - - - - - - - - Water Use - - - - - - - - - - - - - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

03/15

11/15

0.060

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.060+ - - - - - - - - - - - - - - - - - Place of Use - - - - - - - - - - - - - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

11S 03W 20 NE SW 3.0 01 IRRIGATION

(73) OWYHEE

Total Acres: 3.0

+ - - Diversion Means - DITCHES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - - - - - Remarks - - - - - - - - - - - - - - - - - +
No Remarks found.+ - - - - - - - - - - - - - - - - - Old Water Right Numbers - - - - - - - - - - - - - - - - - +
No Old Water Right Numbers found.+ - - - - - - - - - - - - - - - - - Conditions of Approval - - - - - - - - - - - - - - - - - +
No Conditions of Approval found.+ - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000MICROFILMED
SEP 29 1992

| | | | | | |
|------------------|--------------|-------------------|--------------|------------------|-----|
| Proof Due Date | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 00/00/0000 | Protested Date | - 00/00/0000 | Swan Falls | - |
| Proof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 | Temporary Right | - P |
| Start Work Date | - 00/00/0000 | Verified Date | - 01/17/1986 | DLE/Carey Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - |
| Licensed Date | - 00/00/0000 | Appl Received | - 00/00/0000 | Transfer/Amended | - |
| Decree Date | - 00/00/0000 | Microfilm Roll No | - | Presumption Flag | - |

MICROFILMED
SEP 29 1992

1/23/1988

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Surshir Darlene

CLAIM IDENT. NO.

55

DATE RECEIVED

12-29-88

CK #

62946417

AMOUNT \$

187-(71.00)53Required
Info?

- | | YES | NO | Required Info? |
|--|-------------------------------------|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☒ | ☐ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☒ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☒ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | |
| 22. Should this claim be receipted and data entered? | ☒ | ☒ | |

Claim checked by:

LW

Date:

3-1-89

Claim must be returned to claimant:

☐ (Yes) ☐ (No)

Claimant must be sent a copy of amended claim for approval:

☐ (Yes) ☐ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

MICROFILMED

SEP 29 1992

Comments:

AJ0749NP
No. R55-04120

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/17/98
PAGE: 1

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|------------------|--|------------------|------------------------|----------------------------|----------------------|---------------------|
| C | DARLENE E SWISHER
2660 SWISHER LANE
JORDAN VALLEY OR 97910
(541) 586-2394 | 03/15/1938 | STOCKWATER
DOMESTIC | 01-01 12-31
01-01 12-31 | 0.03 CFS
0.03 CFS | |
| TOTAL DIVERSION: | | | | | 0.06 CFS | |

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion: T11S R03W S20 SENESW OWYHEE County

Place of use Legal Description for: STOCKWATER

| NE | | | | NW | | | | SW | | | | SE | | | | |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|---|
| T | R | S | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : |
| 11S | 03W | 20 | : | | | | | | | | | | | | | : |

Place of use Legal Description for: DOMESTIC

| NE | | | | NW | | | | SW | | | | SE | | | | |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|---|
| T | R | S | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : |
| 11S | 03W | 20 | : | | | | | | | | | | | | | : |

POU County: OWYHEE

Non-Irrigation Uses: ONE HOME

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
55-10334 A55-04120 A55-10334 R55-10334

Other Water Rights Listing Overlapping Place(s) of Use:
A55-04120

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP STOCKWATER, 100 RANGE CATTLE

Dates: Exam Made Date: 07/16/1993 Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. R55-04120

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/17/98
PAGE: 2

=====

Comments: Date: 05/09/1995 User-ID: LWERNER Subject: COPIED FROM REMARKS
MRS. SWISHER INDICATED IN A PHONE CONVERSATION OF 5/10/89 THAT
10/18/1920 WAS THE PATENT DATE OF THE PROPERTY. SHE WOULD, HOW-
EVER, LIKE TO KEEP PRIORITY DATE SAME AS ON PREVIOUS STATUTORY
CLAIM. ALSO FOLLOW STATUTORY CLAIM FOR THE POD, POJ. SHE
INDICATED ON THE TRIBUTARY THAT THE SPRING DOES SINK BUT DOES
APPEAR AGAIN TO DRAIN INTO CASTLE CREEK. ALSO STATED THAT SHE
WOULD LIKE TO ADD DOMESTIC AND STOCKWATER USAGE TO THE CLAIM AND
SAID IT HAD BEEN USED FOR SUCH SINCE PATENT DATE BUT TO USE
PRIORITY DATE OF 1938.

Audit: 03/17/98 MSCHULTE

March 6, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED

MAR 17 1998

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation. **YOUR DEADLINE FOR RETURNING A**

NOTICE OF ERROR REPLY IS: March 30, 1998

Water right number:

55-04120

DARLENE E SWISHER

~~P.O. BOX 275~~

JORDAN VALLEY OR 97910

2660 Swisher Lane

Daytime Telephone Number:

Evening Telephone Number:

541 - 586 - 2394

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation; no changes need to be made.

DATE: Mar 16, 1998

SIGNATURE: Darlene E Swisher

Please print your name: Darlene E Swisher

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A55-04120

| WR ELEMENT | FIELD EXAM
Y/N-IF NO,
DO OFFICE
VERIFICATION | FIELD EXAM
OR IN-OFFICE
VERIFICATION
WHOM/DATE | CLAIM
VERIFIED BY
CODE
(SEE BELOW) | CHANGE
CLAIM
Y/N | CLAIMANT CONTACT
NEEDED - Y/N** | REVIEW
COMPLETED
WHOM/DATE | "R" RECORD |
|-----------------------|---|---|---|------------------------|------------------------------------|----------------------------------|---|
| PRIORITY* | Y | 7-16-93 | | | | | |
| PT. OF DIV. | | L. Werner | | | | | DATA ENTRY COMPLETED
BY _____ DATE _____ |
| SOURCE | | | | | | | |
| PL. OF USE | | | | | | | FINAL RECOMMENDATION
BY _____ DATE _____ |
| DIV. AMOUNT
CFS/AF | | | | | | | |
| CONSUMPTIVE
USE | | | | | | | |
| NATURE OF
USE | | | | | | | |
| PERIOD OF
USE | | | | | | | |
| BASIS OF
CLAIM | Stat.
Claim | | | | | | |
| REMARKS | 1 | | | | | | |

VERIFICATION CODES

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES ☒ NO ☐

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

TOPO MAP/ORTHOPHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6

COMMENTS: Claimant added domestic + stockwater to claim -
See Remarks on claim... fw 5/12/92

| RIGHT
NUMBER | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | MAXIMUM
DIVERSION | STAGE |
|-----------------|--|------------------|--------------------------------------|---|----------------------------------|-----------------|
| A55-04120 | DARLENE E. SWISHER
PO BOX 275
JORDAN VALLEY OR 97910 | 03/15/1938 | IRRIGATION
STOCKWATER
DOMESTIC | 03-15 11-15
01-01 12-31
01-01 12-31 | 0.06 CFS
0.05 CFS
0.02 CFS | STATUTORY CLAIM |
| | | | | | 0.06 CFS TOTAL
0.00 AFA TOTAL | ADDED |

SOURCE: SPRING
OTHER RIGHTS: NONE
CONDITIONS OF APPROVAL:

TRIBUTARY: SINKS

REMARKS: MRS. SWISHER INDICATED IN A PHONE CONVERSATION OF 5/10/89 THAT 10/18/1920 WAS THE PATENT DATE OF THE PROPERTY. SHE WOULD, HOWEVER, LIKE TO KEEP PRIORITY DATE SAME AS ON PREVIOUS STATUTORY CLAIM. ALSO FOLLOW STATUTORY CLAIM FOR THE POD, POB. SHE INDICATED ON THE TRIBUTARY THAT THE SPRING DOES SINK BUT DOES APPEAR AGAIN TO DRAIN INTO CASTLE CREEK. ALSO STATED THAT SHE WOULD LIKE TO ADD DOMESTIC AND STOCKWATER USAGE TO THE CLAIM AND SAID IT HAD BEEN USED FOR SUCH SINCE PATENT DATE BUT TO USE PRIORITY DATE OF 1938.

POINT OF DIVERSION:
T11S R03W S20

NESW
NWSW

PLACE OF USE: IRRIGATION
T11S R03W S20
3.0 ACRES TOTAL

NESW 3.0

PLACE OF USE: STOCKWATER
T11S R03W S20

NESW

PLACE OF USE: DOMESTIC
T11S R03W S20

NESW

*Res = Allanna Ferry Grazing
Is it licensed?*

*7-16-93 Exam results
Spring & home located in NESW, Sec. 20, T11S, R3W
Uses = D/S
1/2 acre
100 hd stock*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:26:39
05/23/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A55-04120

LAST: SWISHER FIRST: DENNIS
ADDRESS: P.O. BOX 275
CITY: JORDAN VALLEY STATE: OR ZIP: 97910
PHONE NUMBER: 208-000-0000

OWNER CODE: O

LAST: SWISHER FIRST: DARLENE E.
ADDRESS: PO BOX 275
CITY: JORDAN VALLEY STATE: OR ZIP: 97910
PHONE NUMBER: 503-586-2394

OWNER CODE: C

| FIELD EXAM REQUIRED? | DATABASE | FIELD EXAMINER |
|---------------------------------------|----------|----------------|
| VERIFICATION REQUIRED DUE TO REMARKS? | Y | |

CLAIM REMARKS: MRS. SWISHER INDICATED IN A PHONE CONVERSATION OF 5/10/89 THAT 10/18/1920 WAS THE PATENT DATE OF THE PROPERTY. SHE WOULD, HOWEVER, LIKE TO KEEP PRIORITY DATE SAME AS ON PREVIOUS STATUTORY CLAIM. ALSO FOLLOW STATUTORY CLAIM FOR THE POD, POU. SHE INDICATED ON THE TRIBUTARY THAT THE SPRING DOES SINK BUT DOES APPEAR AGAIN TO DRAIN INTO CASTLE CREEK. ALSO STATED THAT SHE WOULD LIKE TO ADD DOMESTIC AND STOCKWATER USAGE TO THE CLAIM AND SAID IT HAD BEEN USED FOR SUCH SINCE PATENT DATE BUT TO USE PRIORITY DATE OF 1938.

CONTACT PERSON: Dennis Stanford - leasee

PHONE NUMBER: () -

DATE OF FIELD EXAM: 7/16/93

APPOINTMENT MADE: Y(X) N()

TIME: 9:00 A() P()

ACCOMPANIED BY: D. Stanford

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: Leasee

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A55-04120 PRIORITY DATE: 03-15-1938 STAGE: S

B. WR RECORD: # 55-04120 PRIORITY DATE: 03-15-1938 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y(X) N()
IF YES EXPLAIN.

REMARKS: No irrigation usage. Domestic & stock

RECOMMENDED PRIORITY DATE:
03-15-1938

REVIEWED BY Linda Warner

DATE 5-9-95

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A55-04120 | 11S | 03W | 20 | | NW | SW | | OWYHEE |
| A55-04120 | 11S | 03W | 20 | | NE | SW | | OWYHEE |

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
55-07360

SOURCE: SPRING

TRIB: SINKS

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|----------|------|------|------|-----|-----|-----|-----|--------|
| 55-04120 | 11S | 03W | 20 | | NW | SW | | OWYHEE |
| 55-04120 | 11S | 03W | 20 | | NE | SW | | OWYHEE |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

55-07360

SOURCE: SPRING

TRIB: SINKS

C. FIELD EXAM REQUIRED?

| | DATABASE | FIELD EXAMINER |
|----------------------------------|----------|----------------|
| DUE TO POD DISCREPANCY? (Y/N) | Y | _____ |
| DUE TO SOURCE DISCREPANCY? (Y/N) | N | _____ |

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY |
|------------|-----------|-----------|-----------|-----------|-----------|------------|-------------|
| <u>11S</u> | <u>3W</u> | <u>20</u> | <u>SE</u> | <u>NE</u> | <u>SW</u> | <u>N/A</u> | <u>OWY.</u> |

SOURCE: SPRING

TRIB: SINKS

REVIEWED BY:

Jonda Werner

DATE:

5-9-95

Place of Use: Cabin & lawn irrigation

Devisher

A55-4120

520

300

115



A. ROOT WATER RIGHT NUMBERS: A55-04120

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|-------------------------|-----------------|----------------|-----------------|----------------|------------------|
| 11S | 03W | 20 | NE | SW | | SWISHER, DARLENE E. | A55-04120 / 3.0 | 55-04120 / 3.0 | | | |
| | | | NE | SW | | SWISHER, EST. OF DENNIS | | 55-07360 /10.0 | | | |
| 11S | 03W | 20 | NE | SW | | SWISHER, DARLENE E. | A55-04120 / | 55-04120 / 3.0 | | | |
| | | | NE | SW | | SWISHER, EST. OF DENNIS | | 55-07360 /10.0 | | | |
| 11S | 03W | 20 | NE | SW | | SWISHER, DARLENE E. | A55-04120 / | 55-04120 / 3.0 | | | |
| | | | NE | SW | | SWISHER, EST. OF DENNIS | | 55-07360 /10.0 | | | |
| TOTAL ACRES | | | | | | | A55-04120 | 3.00 | | 9.00 | |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

PRESUMPTION FLAG: C

REMARKS:

POU = T11S, R3W, Sec. 20, N2ESW - Dom/Stock

RECOMMENDATIONS:

TOTAL ACRES: N/A

REVIEWED BY: Linda Warner

DATE: 5-9-95

A. AJ CLAIMED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| A55-04120 IRRIGATION | FROM 03-15 TO 11-15 | .060 CFS |
| A55-04120 STOCKWATER | FROM 01-01 TO 12-31 | .050 CFS |
| A55-04120 DOMESTIC | FROM 01-01 TO 12-31 | .020 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | .060 CFS |

B. WR RECORDED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| 55-04120 IRRIGATION | FROM 03-15 TO 11-15 | .060 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | .060 CFS |

PRESUMPTION FLAG: C

C. FIELD EXAM REQUIRED?

| | DATABASE | FIELD EXAMINER |
|--|----------|----------------|
| DUE TO WATER-USE DISCREPANCY? (Y/N) | Y | _____ |
| DUE TO DIVERSION RATE DISCREPANCY? (Y/N) | Y | _____ |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | Y | _____ |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(☒)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N() Explain in remarks, below.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 0.060 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.060 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B.

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

Domestic
1 home = 0.04³
Stock
188 cattle = 0.03
Total 0.06
as claimed.

N/A

REC.
PURPOSES

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

DATABASE EXAMINER

DATABASE EXAMINER

1-1 12.31

0.03

N/A

1-1 12-31

0.03

0.06

REVIEWED BY:

DATE :

5-9-95

A. CHECK ONLY THE FOLLOWING THAT APPLY:

| | ACCEPTED
AS CLAIMED | NEEDS
REVIEW |
|------------------------|------------------------|-----------------|
| OWNERSHIP | (X) | () |
| FORFEIT/ABANDON | () | () |
| ADDITIONAL DIV. AMOUNT | () | () |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-04120

| | DATABASE | EXAMINER | CFS |
|-----------------------------------|----------|----------|-----|
| TOTAL DIVERSION RATE OF WR SPLITS | 0.060 | | |

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A55-04120 | 0.060 | - | | 55-04120 | 0.060 |
| TOTAL CFS | | 0.060 | | | | 0.060 |

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

| DATABASE | FIELD
EXAMINER |
|----------|-------------------|
| Y | |

REMARKS:

AUTHENTICATION:

SIGNATURE:

Linda Werner

DATE:

5-9-95

NAME OF FIELD EXAMINER:

Linda Werner

TITLE:

Sr. WR Agent

Jordan Valley, OR 97910
July 26, 1991

RECEIVED

JUL 29 1991

Department of Water Resources
Western Regional Office

State of Idaho
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Sirs:

Concerning Calim # A55-04120, enclosed is a copy of the Patent as recorded in Owyhee County, State of Idaho. Dennis Swisher used the date of 1938 as the use of the spring for irrigation purpose cause that was the date he first lived on the the property and he used the spring for that purpose. This year the spring did not flow till the first of June due to lack of a snow pack on Juniper Mountain, which feeds the spring. The spring has been used for stockwater and domestic use since the patent date of 1920.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 26 day of July, 1991.

Dennis E. Swisher

STATE OF IDAHO
County of ADAMS

On this the 26 day of July, 1991, before me, the undersigned, a Notary Public and for said State, personally appeared Dennis E. Swisher, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year in this certificate first above written.

Notary Public
Notary Public for Idaho
Residing at Council, Idaho

MICROFILMED

SEP 29 1992

RECEIVED

JUL 29 1991

Department of Water Resources
Western Regional Office

United States, : Character of Instrument,
Grantor, : Patent.
to : Date of Instrument,
William Kinney, : January 6th, 1927.
Grantee. : Date of Record,
: May 9th, 1927, at 9:15 o'clock A.M.
: Book 9 of Patents, pages 148 & 149,
: Owyhee County Records.

Boise 025933.

Issued pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto.

Executed by the President: Calvin Coolidge,

By Viola B. Pugh, Secretary.

M. P. Leroy,

Recorder of the General Land Office.

Seal of the General Land Office affixed.

Recorded: Patent Number 993899.

Description--The west half of the southeast quarter and the southeast quarter of the southeast quarter of Section twenty, the southwest quarter of the northwest quarter, the west half of the southwest quarter, and the southeast quarter of the southwest quarter of Section twenty-eight, and the southeast quarter of the northeast quarter, the northeast quarter of the northwest quarter, the northeast quarter of the southeast quarter, and the north half of the northeast quarter of Section twenty-nine in Township eleven South of Range three west of the Boise Meridian, Idaho, containing four hundred eighty acres. **MURPHY, IDAHO**

Covenants---Subject to the usual water right reservations.

And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat., 862).

United States, : Character of Instrument,
Grantor, : Patent.
to : Date of Instrument,
William Kinney, : October 18th, 1920.
Grantee. : Date of Record,
: May 9th, 1927, at 9:10 o'clock A.M.
: Book 9 of Patents, page 147,
: Owyhee County Records.

Boise 020098.

Issued pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto.

Executed by the President: Woodrow Wilson,

By M. P. LeRoy, Secretary.

L. Q. C. Lamar,

Recorder of the General Land Office.

(Seal of the General Land Office affixed).

Recorded: Patent Number 778017.

Description---The east half of the southwest quarter and the southwest quarter of the southwest quarter of Section twenty and the northwest quarter of the northwest quarter of Section twenty-nine in Township eleven south of Range three west of the Boise Meridian, Idaho, containing one hundred sixty acres.

Covenants---Subject to the usual water right reservations.

And there is reserved from the lands hereby granted a right of way thereon for ditches as hereinafter constructed by the authority of the United States.

MURPHY, IDAHO



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

A55-04120 *JUNE 28, 1991*
DARLENE E. SWISHER
PO BOX 275

RE: Claim No(s): A55-04120

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

JORDAN VALLEY OR 97910

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no license, decree or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of first use, or "Priority Date", for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes the types of evidence required and explains what kind of documents will fulfill this requirement. While we encourage you to read the entire pamphlet, we would like to direct your attention to the right-hand half of this pamphlet once you open it. There you will find information concerning the evidence requirements mentioned above. The other sections describe to you why this evidence is necessary.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, cannot be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the above claim(s) have been or soon will be conducted by Department personnel.

Please submit the required evidence supporting the priority date(s) by August 1, 1991, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact a water resource agent in this office.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

MICROFILMED

SEP 29 1992

JS:lh
Enclosures

April 11, 1989

Jan Shurte,
Water Rights Supervisor
Adjudication Section
2735 Airport Way
Boise, Idaho 83705

Dear Ms Shurte;

I received your letter concerning my water rights and claims. I understand that the two in the permit stage need not be filed on.

I have enclosed a claim for 55-04120 and the Owyhee River claim. Also is a check for \$78. which should cover the claim 55-04120 and the Owyhee river.

Thank you.

Yours truly,

Darlene E. Swisher

Darlene E. Swisher

RECEIVED
APR 13 1989

Department of Water Resources
Western Regional Office

MICROFILMED
SEP 29 1992

CONVERSATION MEMORANDUM

DATE 5-4-89FILE A55-4120NAME OF PARTY Darlene SwisherEMPLOYEE Linda Werner

5-10-89

RE: Priority date (C) 10-18-1920 vs (S) 3-15-38
Tributary (C) - Castle creek vs (S) sinks
Has diversion pt. changed
POD diff. on (C) than (S) - stay w/s. claim
POU different - stay w/stat. claim.
Domestic & stock indicated in item 9, but not item 6
Called @ 9:30 - no answers wants to claim

→ Trib - Does sink but then appears again D/S w/same
to drain into Castle creek. priority
S/D claim Located in same
POD area as Irr.
POU

→ stock drink out of river
domestic uses for other than culinary.
Diversion by means of bucket.

MICROFILMED

SEP 29 1992

March 24, 1989

Darlene E. Swisher
Box 275
Jordan Valley, OR 97910-0275

Dear Ms. Swisher;

This office has received your Notice of Claims to a Water Right. Upon review of these claims I find there are existing claims which had been filed previously. Enclosed are copies of the water right proofs for such claims.

Two of these claims (55-07359 and 55-07360) are still in the permit stage of licensure with proof of beneficial use not due until December 1, 1989. Since such proof has not yet been made it is not necessary to file an adjudication claim at this time. Also enclosed is a proof of water right 55-04120 which lists a spring source and is used for irrigation of 3 acres. If this is still in use the enclosed claim should be completed for it. The four page forms are required on irrigation uses over 1/2 acre.

I am returning your claim forms, with check number 6294 for \$187.00, along with the above mentioned proofs. Please review these to determine if they are appurtenant to your property and existing uses. The claim you filled out for the domestic/stockwater use from the Owyhee river is correct. Simply return this claim with 55-04120.

Please don't hesitate to contact me if you have questions regarding these claims.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

Enclosures

MICROFILMED
SEP 29 1992



CECIL D. ANDRUS
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

R. KEITH HIGGINSON
Director

[Darlene E. Swisher]
[PO Box 275]
[Jordan Valley, OR]
[97910-0275]

Dear Claimant(s):

This office has received the Notice of Claim(s) to a Water Right for the use of water within the Snake River Drainage Basin. However, due to the items checked below, we cannot process this claim. We are returning the claim to you, along with your Check No. 6294 in the amount of \$187 for the adjudication filing fee. If your water use is for either domestic or stockwater, please read the enclosed brochure entitled, "Small Domestic and Stockwater Right Claims in the Snake River Basin Adjudication" prior to completing the item(s) checked below.

☒ Fee - No fee received or inadequate fee received, fee due is Dependent on acres irrigated. See enclosed fee schedule for computation of fees.

☐ Late Notice of Claim - Claim has been received after filing deadline for _____ County. This date was _____. See enclosed Late Fee Notice.

☐ Item No. 2 - Date of priority - date water was first put to beneficial use.

☐ Item No. 3 - Source of Water

☒ Item No. 4 - Point of Diversion - must be shown by quarter-quarter (40 acre tract), section, township and range, except for spring sources which should be shown by quarter-quarter-quarter (10 acre tract), section, township and range. Lot and block for a subdivision are not acceptable as the legal description for the point of diversion, however, please include this information in the remarks section of your claim.

☐ Item No. 6 - Uses of Water

☐ Item No. 9 - Non-Irrigation Uses

☒ Item No. 10 - Place of Use - must be listed by quarter-quarter (40 acre tract), section, township, and range. Lot and block for subdivision are not acceptable as the legal description for the place of use, however, please include this information in the remarks section of your claim.

☐ Item No. 16 - Signature - this claim form does require your signature be affixed and notarized by a notary public. Note, the notary public signs below the signature blocks listed in this item.

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✓ Other: The irrigation claims should be on form 42-1409(2) a.
(enclosed)

If your uses are for domestic or stockwater and after reading the enclosed brochure you have decided to file the claim(s), please complete the above item(s) on your claim form(s) and return the claim(s), with the fee, to our office prior to the deadline date for filing adjudication claims in your county. If you are returning a claim form which was received in our office, with the fee, by the deadline for your county, then as long as the corrected claim and fee are returned within 30 days of the date of this letter, no late fee will be charged. If your deadline is upcoming, please try to return the corrected claim by that date. The deadline date for your county is 1-19-89. If you do not wish to file your claim(s), no further correspondence is needed.

Please feel free to contact this office if you have any questions concerning this letter.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

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SEP 29 1992

December 9, 1988

Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, Idaho 83705

Sirs:

Enclosed, you will find four claims for Water Rights
and a check for one hundred, ~~seventy~~ ^{eighty} seven Dollars.

I trust that I have filed out these forms correctly
and figured the fees required right, If I have not
completed then correct, please send them back with
an explanation.

Thank you.

Sincerely

Darlene E Swisher

Darlene E Swisher
P.O.Box 275
Jordan Valley, Oregon 97910-0275

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Department of Water Resources
Western Regional Office

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