

4

35
45

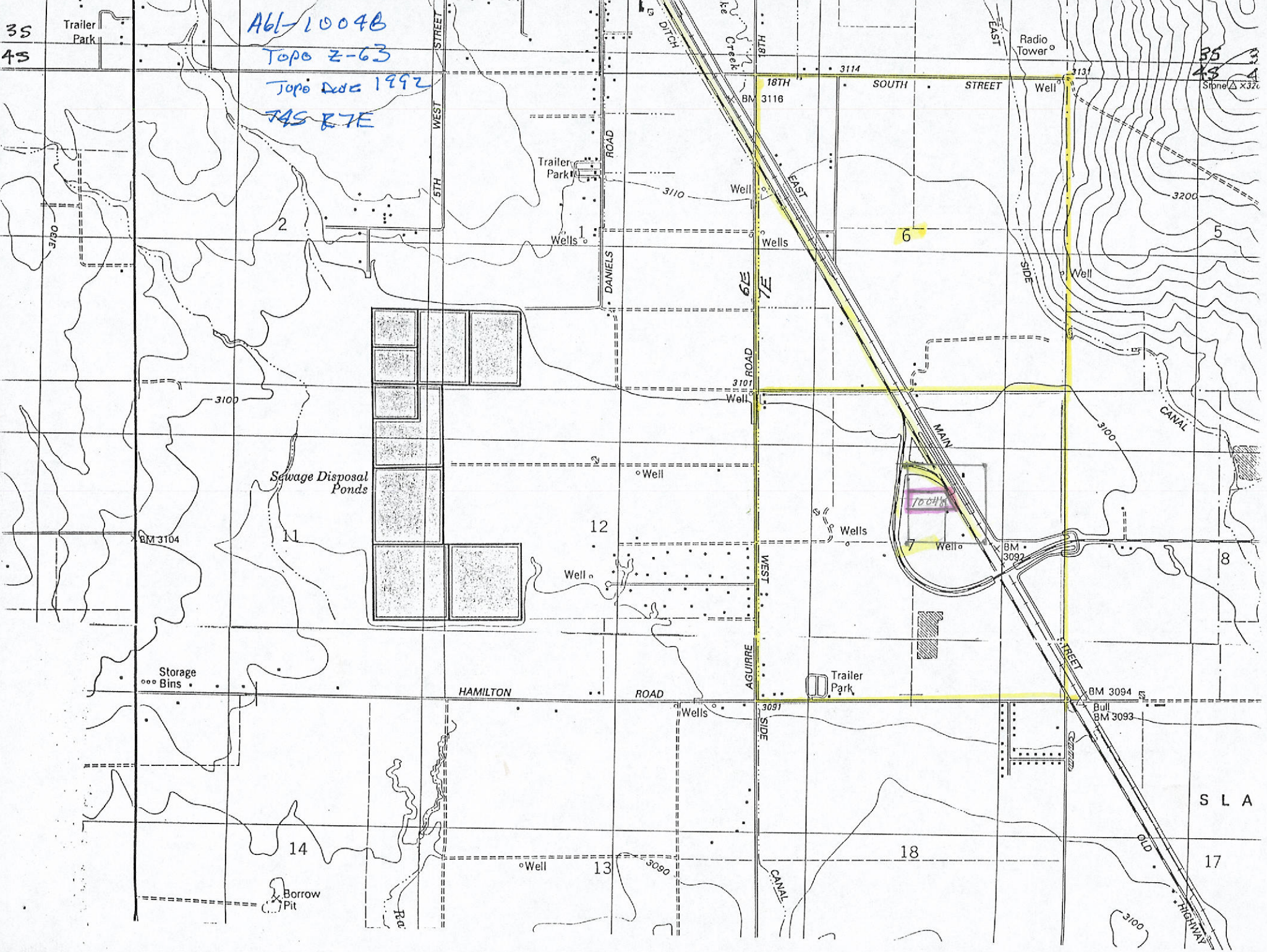
Trailer
Park

AG-1004B

Topo Z-63

Topo Dec 1992

745 R7E



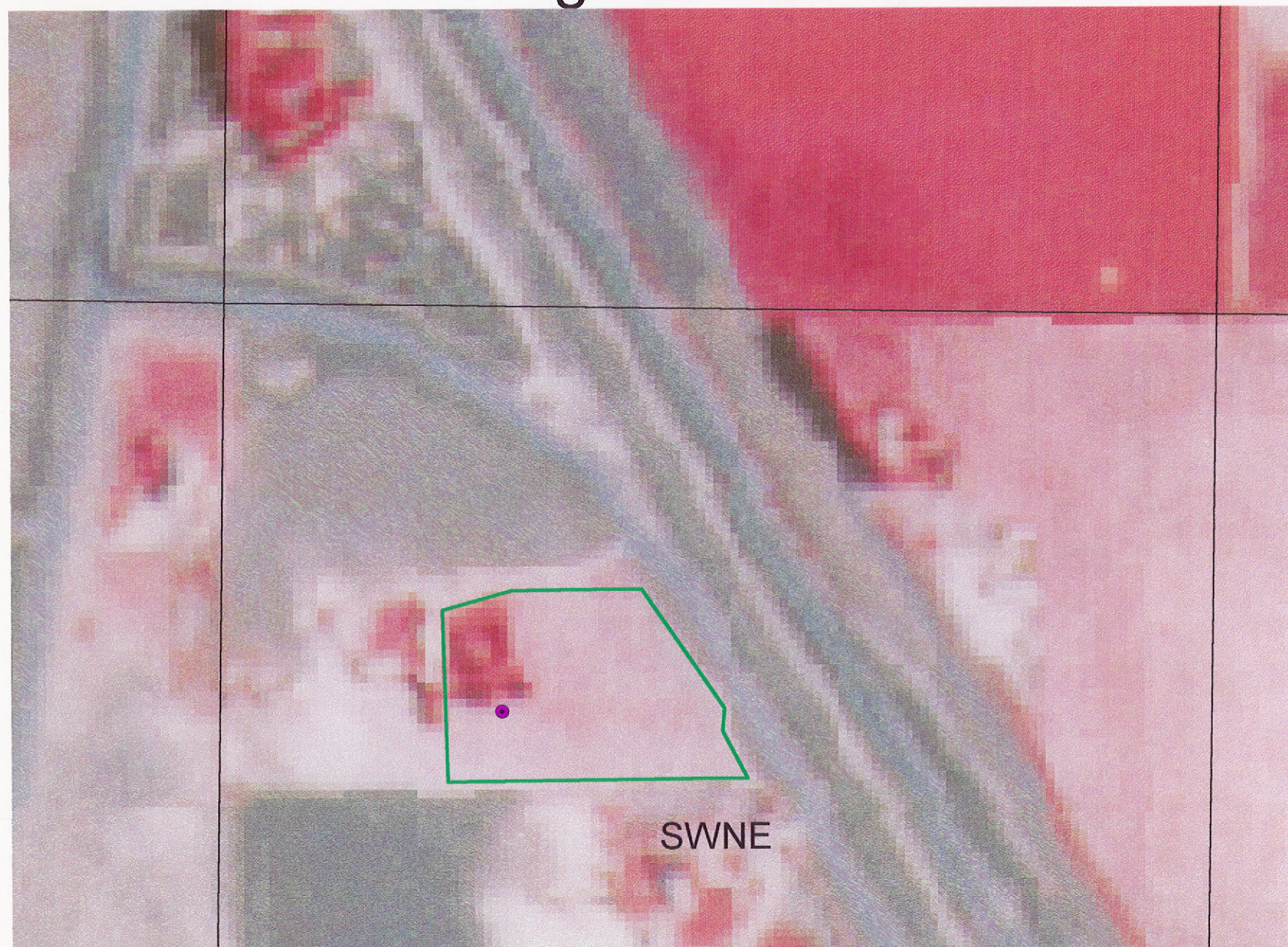
35
45

Stone x320

S L A

17

T04S R07E 07 Water Right No. 61-10048

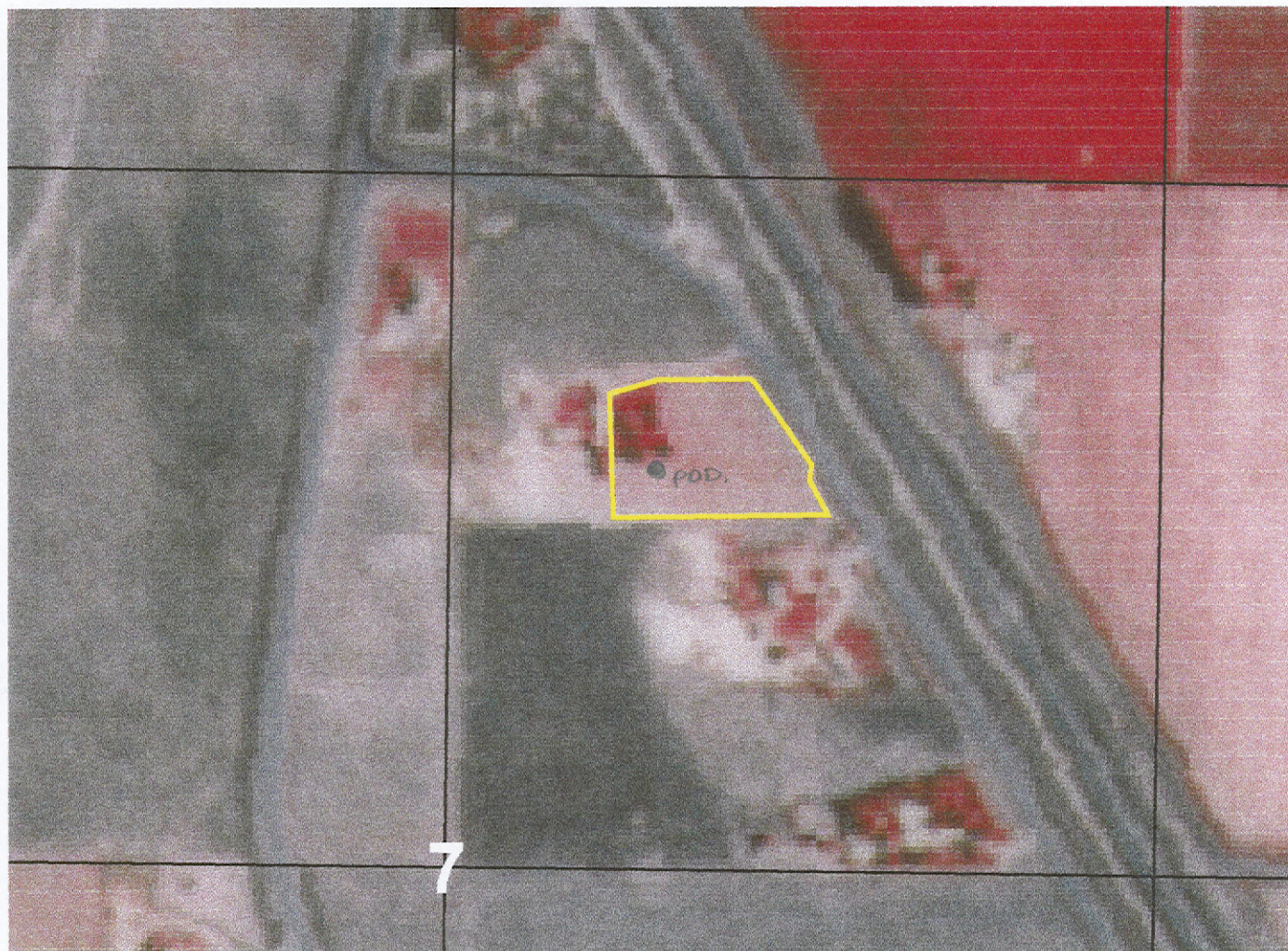


100 0 100 200 Feet

● Point of Diversion
□ Place of Use

Map prepared by: Jeff Peppersack
Date prepared: December 10, 1998
Photography: 1987-88 NAPP

61-10048



1000 0 1000 Feet

Map prepared by: Erik Norquest
Date prepared: 10/20/98
1987-1988 NAPP photography



T04S R07E S07



Photo #2 7-2-96
Same as #1



Claim identification no. A61-10048
AS TE SEC 7 HUSKIE
Photo #1 7-2-96
Looking West towards
Home from 45 TE sec 7
SINE showing mon-
uigated area to
The south of the Dunes
Sprinkle down
Winkie in Backyard

Claim identification no. AGI-10048



CF 9-15-94

Looking west at the claimed place of use.

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: A61-10048
Date Received: 8/ 8/1989
Receipt No: W004235
Received By: _____

*Rec'd from
SO 4/7/92*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: JOSEPH SWAILS 208-587-8715
Address: RT 1 BOX 839
MOUNTAIN HOME ID 83647

2. Date of Priority: SEP 15, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	07E	7	SW	NE			ELMORE

5. Description of diverting works:
WELL, PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 14.60 A.F.A.

8. Total consumptive use is 14.6 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	07E	7	SW	NE		IRR	4.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.0
					Total Acres	4.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:
WE UTILIZE OUR WELL FOR MINIMAL STOCK WATERING AND ACTUALLY IRRIGATE 2 ACRES FROM THE WELL; 10-15 CATTLE; 250-300 HOGS.

15. Basis of Claim: BENEFICIAL USE

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:

Ident. Number

Date Received

Receipt Number

39576
H 61-10048
8-8-89
W004235

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

RECEIVED

AUG 08 1989

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Joseph Swails Phone (208) 587-8715Mailing Address Route 1, Box 839, Mtn. Home, ID Zip 836472. Date of Priority (Only one (1) per claim) September 15, 19623. Source of water supply (a) Ground Water
which is tributary to (b) N/A4. a. Location of existing point of diversion is: Township 45 Range 7 E Section 7,
SW 1/4 of NE 1/4 of 1/4, Govt. Lot, B.M., County of ElmoreAdditional points of diversion if any: Noneb. If instream flow, beginning point of claimed instream flow is: N/A

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. Well, pump and pipe line

MICROFILMED

AUG 11 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 local newspapers.

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

Scale: 2 inches equals 1 mile

Last Name Swails Ident No.

MICROFILMED
Copies: White-State, Yellow-Claimant
AUG 11 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic Irrigation purposes from 1/1 to 12/31 amount .04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 14.60 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 14.60 CFS 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) Residence

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	
4	7	7			X														4

Total number of acres irrigated 4

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

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: We utilize our well for minimal stock watering and actually irrigate two acres from the well. 10-15 cattle; 250-300 hogs

Last Name Swails Ident No. _____

MICROFILMED
AUG 11 1992
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.

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

Decree _____

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) Joseph Swails Date 8/27/89

Gloria Swails

Date 8-27-89

Gloria Swails

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 _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Elmore) SS.

Subscribed and sworn (or affirmed) before me this 27th day of July 19 89

SEAL

Notary Public James W. Jones

Residing at 1107 Maple Lane, Mt. Home, Id

My Commission Expires 4-27-92

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Michael McLaughlin 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 Michael McLaughlin

Address Post Office Box 580

Mountain Home, ID 83647

Date July 27, 1989

Last Name Swails Ident. Number _____

MICROFILMED

AUG 11 1992
Copies White- State, Yellow- Claimant

AG-1-10 048

20.2

2 NHBL
14.8

3 NHBL
35.0

10

1 NHBL
19.8

2 NHBL
19.8 NW

3
15.0

15.0

NHBL

Swails
T45
R7E
Sec 7

8 NHBL
36.8

3 NHBL
41.7

6 NHBL

6 NHBL
36.0

7 NHBL
36.0

12

35
45

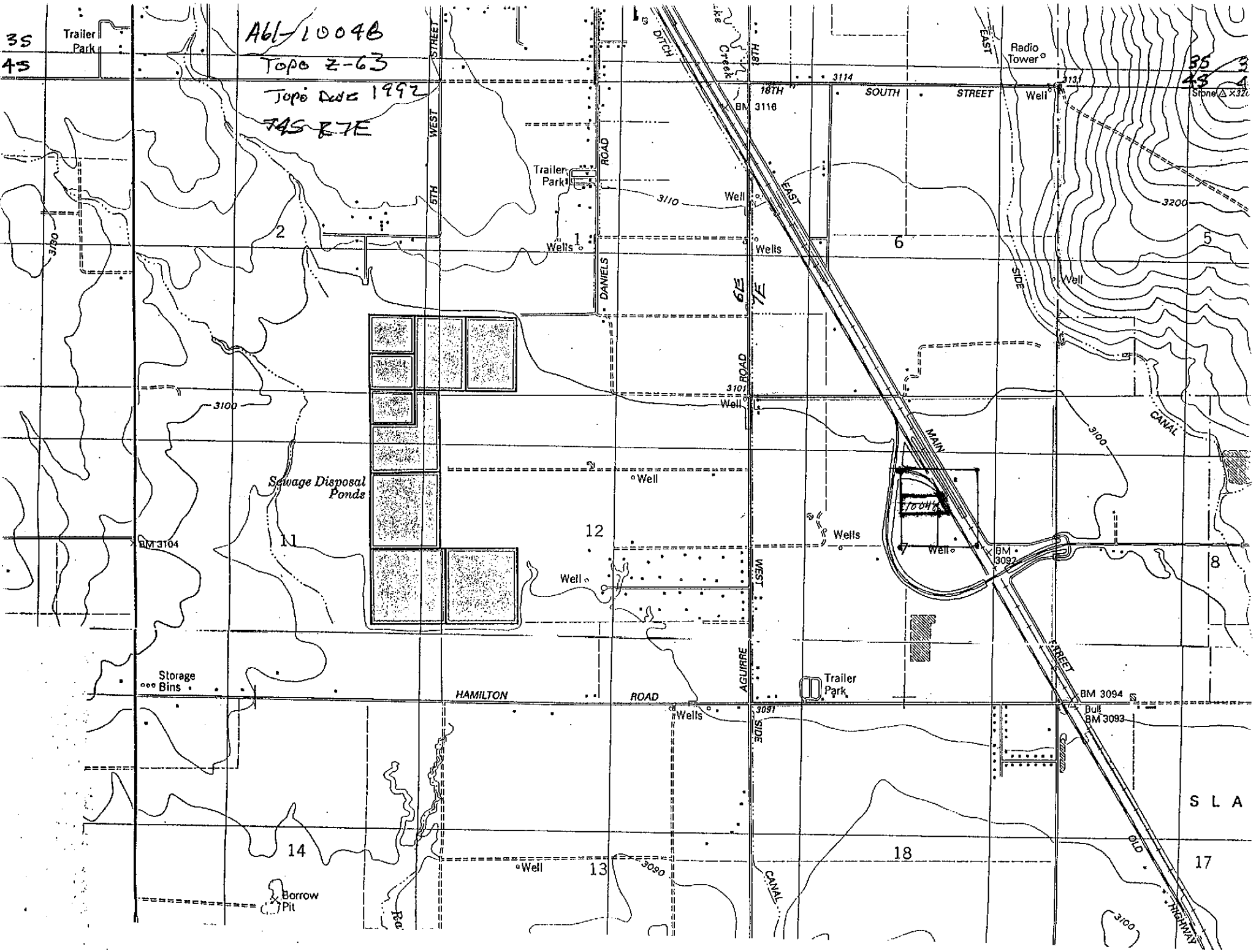
Trailer
Park

AGL-1004B

Topo Z-63

Topo Date 1992

745 R 7E



35
45
Stone x320

S L A

Swails
A61-10048

Tax # 22 Sec. 7 4S 7E

Commencing 660 ft. North of the SW corner NE¼,
Sec. 7, 4S 7E, BM;

Thence North 330 ft.

- " East 520 ft. m/l to Hwy 30 R/W
- " Southeasterly 390 ft. m/l to a
pt. east of point of beginning
- " West 730 ft. m/l to pt. of beg.

Howard Fleming

USE ADDITIONAL SHEETS IF NECESSARY

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Joseph L. Swails
(Name of Claimant)

Rt 1, Box 839, Mountain Home, Idaho 83647 Telephone No. 587-8715 S 098
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) September 15, 1962

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

ground water tributary to N/A

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.04 cfs</u>	Use <u>domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	<u>.06 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>3/15</u>	To <u>11/15</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) .10 cfs TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SW 1/4 NE 1/4, Sec. 7 Twp. 4S Rge. 7E B.M., County of Elmore

Additional points of diversion: N/A

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. well, pump and pipeline

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			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	
4S	7E	7			2X														2

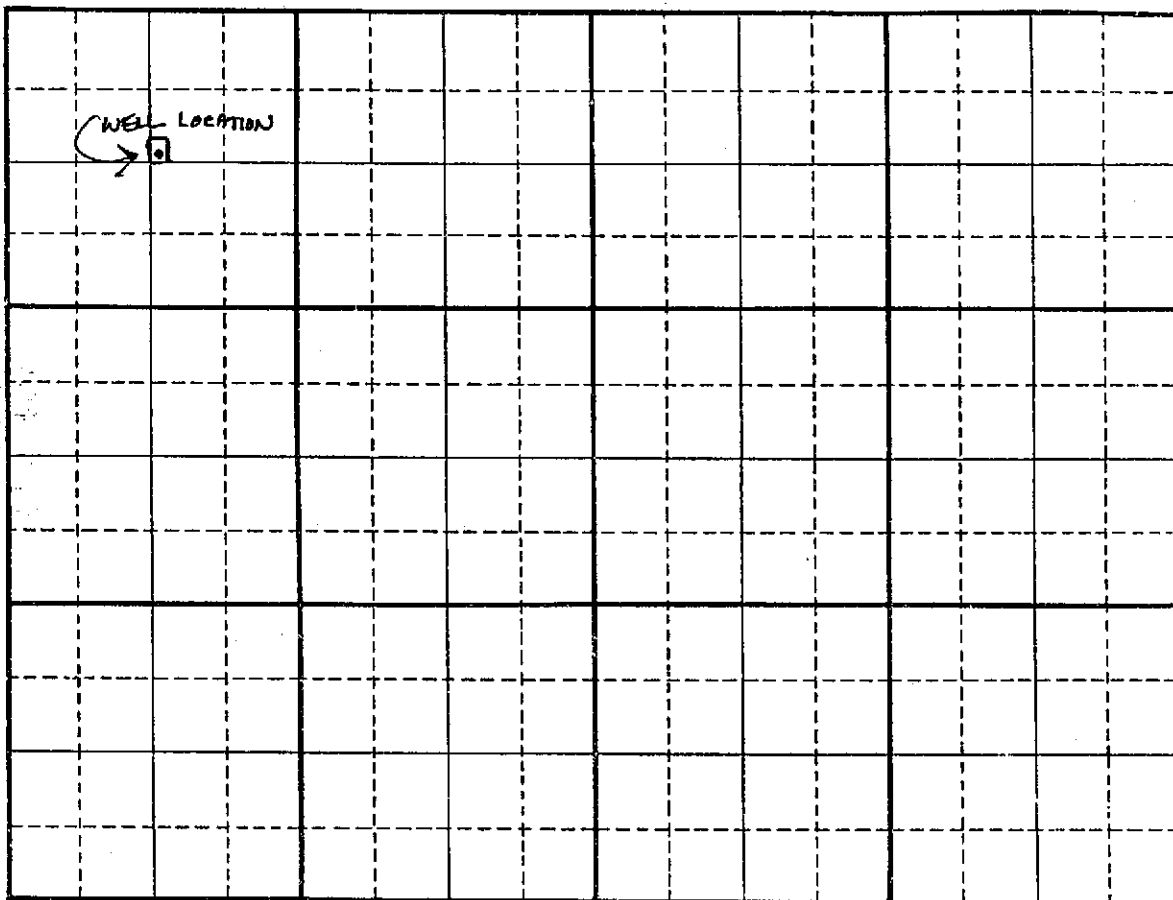
No. of acres 2

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: domestic, minimal stock water, and irrigation of 2 acres.

NOTE: Include here the type and number of stock watered: cattle 10-15; 250-350 hogs

- (7) If you are claiming water as a member of an organization, list name of organization: N/A

(8) Remarks N/A



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of ELMORE) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 19th day of May

Joseph E. Smith Sr.
(Claimant)
19 83
Notary Public
Residing at Mountain Home, Idaho

My commission expires 9-6-86

No check
FOR DEPARTMENT USE ONLY
Received by mm Date 5-23-83 Exception filed by: _____ Date _____
Prelim. check by GLS Date _____
\$30.00 fee received by JP Date 6/1/83 28915
Published in Mountain Home News
Dates 1/2 & 6/15/83

November 20, 1998

**NOTICE OF ERROR
REPLY**

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: December 18, 1998

Water right number: 61-10048

JOSEPH SWAILS
RT 1 BOX 839
MOUNTAIN HOME ID 83647

Daytime Telephone Number:

Evening Telephone Number:

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:

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

DATE: 12/10/98

SIGNATURE: Joseph L Swails Sr.

Please print your name: JOSEPH SWAILS Sr.

By his attorney in fact
Angelina Edwards

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

12/11/98 10:32:20
Page 1

Water Right Number - R61-10048

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
SWAILS

JOSEPH

1 - RT 1 BOX 839

2 -

3 -

City- MOUNTAIN HOME
Phone - 208-587-8715

State- ID Zip- 83647

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
09/15/1962 14 WESTERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

04S 07E 7 NW SW NE (39) ELMORE

Code	Description	Period From -	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15		0.040	8.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 8.00 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
04S	07E	7	SW NE		2.0	01	IRRIGATION	(39) ELMORE

Total Acres: 2.0

+ - - Diversion Means - WELL, PUMP AND PIPELINE

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

C15 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 61:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER

Revised 12-11-98

Sent revised preliminary
recommendation

Water right number - R61-10048

Prefix Translation: RESEARCH

+ - - - - Conditions of Approval - - - - - +

(Condition continued from previous page)
- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

Date: 10/22/1998 User Id: ENORQUES Subject: COPIED FROM REMARKS
WE UTILIZE OUR WELL FOR MINIMAL STOCK WATERING AND ACTUALLY IRRIGATE 2 ACRES FROM THE WELL; 10-15 CATTLE; 250-300 HOGS.
Date: 11/22/1998 User Id: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C15 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

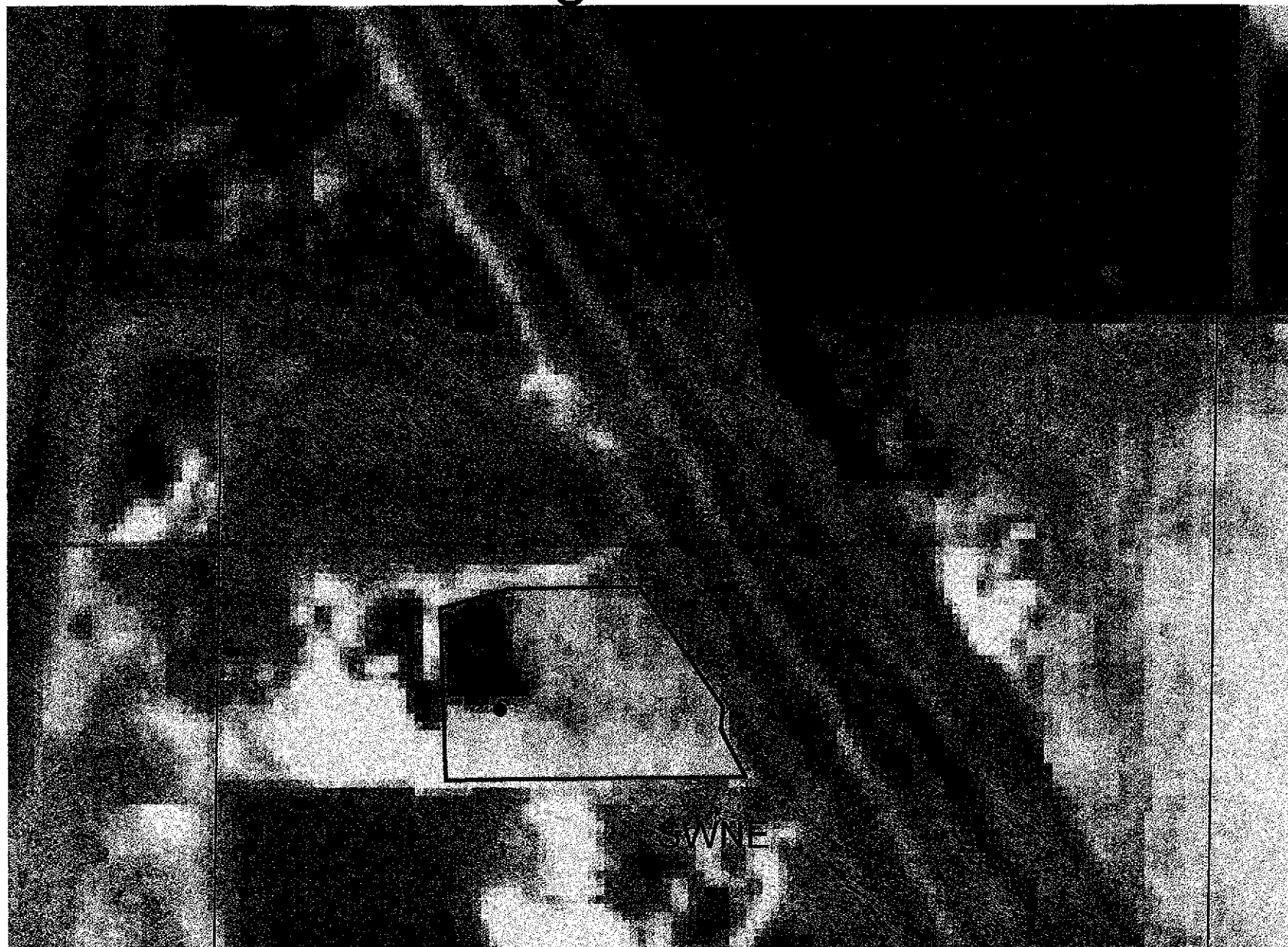
+ - - Audit Fields - - +

12/11/98 CFRITSCH

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 08/09/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- W004235	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

T04S R07E 07 Water Right No. 61-10048

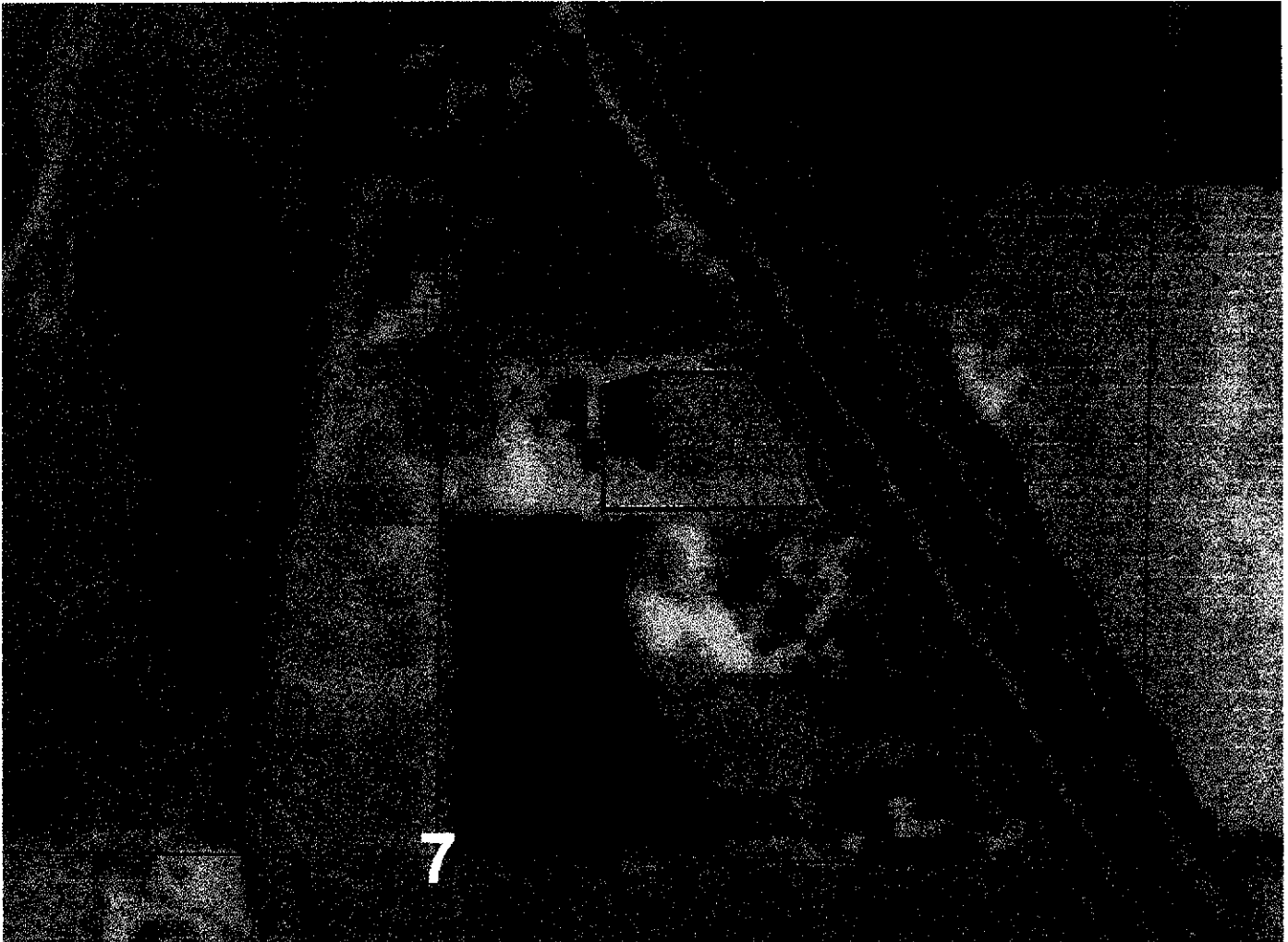


100 0 100 200 Feet

- Point of Diversion
- Place of Use

Map prepared by: Jeff Peppersack
Date prepared: December 10, 1998
Photography: 1987-88 NAPP

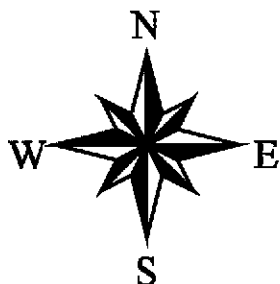
61-10048



1000 0 1000 Feet

A horizontal scale bar with a black and white alternating pattern. It is marked with '1000' at the left end, '0' in the middle, and '1000 Feet' at the right end.

Map prepared by: Erik Norquest
Date prepared: 10/20/98
1987-1988 NAPP photography



T04S R07E S07

AJ0749NP
No. R61-10048

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

DATE: 10/22/98
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOSEPH SWAILS RT 1 BOX 839 MOUNTAIN HOME ID 83647 (208) 587-8715	09/15/1962	IRRIGATION	~~04-01-12-31~~ 3-15 11-15	0.04 CFS	8.00 AFA
				TOTAL DIVERSION:	0.04 CFS	8.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T04S R07E S07 NWSWNE

ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
04S	07E	7	:				02	:												:	2.0
																				TOTAL ACRES	2.0

POU County: ELMORE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A61-10048

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Comments: Date: 10/22/1998 User-ID: ENORQUES Subject: COPIED FROM REMARKS
WE UTILIZE OUR WELL FOR MINIMAL STOCK WATERING AND ACTUALLY IRRIGATE 2 ACRES FROM THE WELL; 10-15 CATTLE; 250-300 HOGS.

Audit: 10/22/98 ENORQUES

EV 10-22-98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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08/25/94

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QUICKLOOK INFORMATION

27
CLAIM NUMBER: A61-10048

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE 7-2-96 EN	CHANGE CLAIM Y/N	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE 2/11 10-22-93	ELEMENT DOCUMENTED WHOM/DATE 2/11 10-22-93	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y							
POINT OF DIV	Y		/					
SOURCE	Y		/					
PLACE OF USE	Y		/					
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y		/					
PERIOD OF USE	Y		/					
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

11-8-94 GH CIX 89

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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GENERAL INFORMATION

15
CLAIM NUMBER: A61-10048

LAST: SWAILS FIRST: JOSEPH
ADDRESS: RT 1 BOX 839
CITY: MOUNTAIN HOME STATE: ID ZIP: 83647
PHONE NUMBER: 208-587-~~8715~~
5098
OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE Y FIELD EXAMINER Y() N(X)

CLAIM REMARKS: WE UTILIZE OUR WELL FOR MINIMAL STOCK WATERING AND ACTUALLY IRRI- *copy to comments*
GATE 2 ACRES FROM THE WELL; 10-15 CATTLE; 250-300 HOGS.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER: () -

DATE OF FIELD EXAM: 7/2/96 APPOINTMENT MADE: Y() N(☒) TIME: : A() P()

ACCOMPANIED BY: _____ PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A61-10048 PRIORITY DATE: 09-15-1962 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N(☒)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y() N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y() N()

FIELD EXAM COMPLETED N/A(☒) Y() N()

FIELD EXAM SENT TO STATE OFFICE N/A(☒) Y() N()

LICENSE ISSUED N/A(☒) Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A() Y() N(☒)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N()

NOTES: Affidavits from Robert Smith (well driller) and Ralph
Groffsma (well witcher) state that they witnessed the use
of groundwater on the claimant's property from Oct.
1962 to the present.

=====

RECOMMENDED PRIORITY DATE:

10 - 31 - 1962

REVIEWED BY CA

DATE 8-26-94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A61-10048	04S 07E	7	NW	SW	NE			ELMORE		
OTHER AJ CLAIMS WITH SAME AJ POD			WR RECORDS IN SAME 40 ACRE TRACT							
A PREFIX			R PREFIX							
NONE			NONE							
						61-04082				
						61-04129				

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A(☐) Y(☐) N(☒)

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y(☒) N(☐)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☐) N(☒)

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y(☒) N(☐)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y(☐) N(☒)

AJ FIELD EXAM (DATE OF FIELD EXAM 7-2-96 NAME OF EXAMINER EN) Y(☒) N(☐)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED () ?

TWP. 04S	RGE. 07E	SEC. 7	1/4 NW	1/4 SW	1/4 NE	LOT	POD FLAG	COUNTY ELMORE	DIVERSION NAME	DIVERSION NBR
AS	7E	7	NW	SW	NE					

SOURCE: groundwater TRIB: _____

REVIEWED BY: EN DATE: 7-8-96

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A61-10048

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES	
04S	07E	7	SW	NE		SWAILS, JOSEPH	A61-10048	4.0	-	/	19.0	4.0
			SW	NE		MOUNTAIN HOME IRRIGATION DISTRA	61-00264	/ 3.0	-	/		
			SW	NE		MOUNTAIN HOME IRRIGATION DISTRA	61-00266	/ 3.0	-	/		
			SW	NE		MOUNTAIN HOME IRRIGATION DISTRA	61-10417	/ 3.0	-	/		
			SW	NE		WATSON, LEROY R.	A61-10189	/	-	/		
			SW	NE		MOUNTAIN HOME IRRIGATION DISTRA	61-00263	/ 3.0	-	/		
			SW	NE		MOUNTAIN HOME IRRIGATION DISTRA	63-02214	/ 3.0	-	/		
			SW	NE		MOUNTAIN HOME IRRIGATION DISTRA	63-19893	/ 3.0	-	/		
			SW	NE		MOUNTAIN HOME IRRIGATION DISTRA	63-20139	/ 3.0	-	/		
			SW	NE		WATSON, ANN M	61-10189	/	-	/		
			SW	NE		MOUNTAIN HOME IRRIGATION DISTRA	61-10419	/ 3.0	-	/		
			SW	NE		MOUNTAIN HOME IRRIGATION DISTRA	61-10421	/ 3.0	-	/		
			SW	NE		MOUNTAIN HOME IRRIGATION DISTRA	63-02188	/ 3.0	-	/		
			SW	NE		SWAILS, JOSEPH L.		61-04082	/ 2.0			
			SW	NE		CAMPBELL, VIRGINIA		61-04129	/			

ADDITIONAL POU FOUND

4.0

TOTAL ACRES	A61-10048	4.00	19.00
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POU COUNTY: ELMORE

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A61-10048	GROUNDWATER	SWAILS, JOSEPH	0.040	0.010	14.60	3.65
A61-00263	CANYON CREEK	MOUNTAIN HOME IRRIGATION DISTR	6.000	0.001	2880.00	0.64
A61-00264	CANYON CREEK	MOUNTAIN HOME IRRIGATION DISTR	3.200		1536.00	0.34
A61-00266	CANYON CREEK	MOUNTAIN HOME IRRIGATION DISTR	2.400		1152.00	0.25
A61-10417	CANYON CREEK	MOUNTAIN HOME IRRIGATION DISTR	2.200		924.00	0.20
A61-10419	CANYON CREEK	MOUNTAIN HOME IRRIGATION DISTR	18.100	0.004	8688.00	1.95
A61-10421	CANYON CREEK	MOUNTAIN HOME IRRIGATION DISTR	400.000	0.089	7695.49	1.72
	RATTLESNAKE CREEK					
A63-02188	CAT CREEK	MOUNTAIN HOME IRRIGATION DISTR	2.840		1192.80	0.26
A63-02214	CASTLE ROCK CREEK	MOUNTAIN HOME IRRIGATION DISTR	1.800		756.00	0.16
A63-19893	LITTLE CAMAS CREEK	MOUNTAIN HOME IRRIGATION DISTR	19.000	0.004	9120.00	2.04
A63-20139	LITTLE CAMAS CREEK	MOUNTAIN HOME IRRIGATION DISTR			24000.00	5.39

LIST OF ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION:

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A61-10189	DOMESTIC	WATSON, LEROY R.	FROM 01-01 TO 12-31	.040 CFS	
R61-10189	DOMESTIC	WATSON, ANN M	FROM 01-01 TO 12-31	.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(X) Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N(X)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(X) N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

2 Y() N()

NOTES:

TOTAL ACRES: 2.0 N/A()
REVIEWED BY: EH DATE: 7-8-96

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A61-10048 IRRIGATION	FROM 01-01 TO 12-31	.040 CFS	
TOTAL DIVERSION RATE/VOLUME		.040 CFS	14.60 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
----------------	---------------------------	------------------------	------------------------

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(X) Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(X) N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y() N(X)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(X) N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(X) Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y(X) N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(X) Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y(X) N()

NOTES:

Standard season 4-1 to 10-31
3-15 to 11-15

AJ CLAIM TOTAL DIVERSION RATE: 0.040 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? ? Y(☐) N(☐)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y(☒) N(☐)

E. FLOW MEASUREMENT
MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 2 x 0.02 CFS/ACRE = .04 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y(☐) N(☐)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(☐) N(☐)

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 14.6 AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 14.60 AF/A

ACRES 2 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 8 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	⁴ OK-01 3-15	¹⁰ 12-31 11-15	DATABASE 0.040	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 14.6	EXAMINER _____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT	_____	_____	_____	_____	_____	_____	_____	_____

NON-IRRIGATION USES CLAIMED: DOMESTIC, 1 HOME

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: EN DATE: 10-22-98

FLAG: _____
STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): _____

EXPLANATORY CONDITIONS (CODE): _____

EXPLANATORY REMARKS (CODE): _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 61-10048

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A61-10048	0.040	-	-	-	-
TOTAL CFS		0.040				

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 DESCRIBED BELOW () OR SEE ATTACHMENT()?

DATABASE
N

FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: Erik Norquest DATE: 10-22-98
NAME OF FIELD EXAMINER: ERIK NORQUEST TITLE: WRA

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>9-8-74</u> IDWR ID NO. <u>263</u>	Y(☒) N(☐)
☒ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. <u>263</u>	Y(☒) N(☐)
☐ NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y(☐) N(☐)
☒ ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y(☒) N(☐)
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y(☐) N(☐)
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y(☐) N(☐)
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y(☐) N(☐)
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y(☐) N(☐)
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y(☐) N(☐)
☐ OTHER _____	DATE _____	Y(☐) N(☐)
☐ OTHER _____	DATE _____	Y(☐) N(☐)
☐ OTHER _____	DATE _____	Y(☐) N(☐)

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
☐ SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>7-2-96 & ?</u>	<u>3</u>	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
☐ OTHER _____	DATE _____	_____	_____
☐ OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:20:56
08/25/94
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PAGE: 15
PROFILE REPORT

CLAIM NUMBER: A61-10048

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOSEPH SWAILS RT 1 BOX 839 MOUNTAIN HOME ID 83647 (208) 587-8715	09/15/1962	IRRIGATION	01-01 12-31 3-15 11-15	0.04 CFS	8.0
					TOTAL DIVERSION:	0.04 CFS
					CONSUMPTIVE USE:	14.60 AFA ~~8.0 14.60 AFA~~

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T04S R07E S07 NW SWNE

ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE												
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
04S	07E	7	:					04	:																			
																										TOTAL ACRES	4.0 ~~4.0~~ 2.0	

POU County: ELMORE

Non-Irrigation Uses: DOMESTIC, 1 HOME

Other Rights: NONE

Remarks: WE UTILIZE OUR WELL FOR MINIMAL STOCK WATERING AND ACTUALLY IRRIGATE 2 ACRES FROM THE WELL; 10-15 CATTLE; 250-300 HOGS.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

61-10048

GIS



2.0

A61-10048 7-2-96

4S 7E Sec 7 NW SW NE Joseph Swails - 208 587-5098

There is no evidence of 4 acres being irrigated, either by pump/sprinkler lines, or by gravity. The 4 acres does not appear to have anything but weeds on it (no one at home).

Photo #1 & #2 Looking West Towards house from T4S R. 7E Sec 7 SW NE - Showing non-irrigated areas to the N and S of the driveway.

The only thing that appears to be watered is a small lawn and garden.
no one was at home to ask about pump.

Swaile
9-15-91 ct
AG-10048

Photo #7 Looking west at what should be

Box 839

Photograph of house in file at Elmore Co.
Assessor's Office taken in 1984. appears to
be of property found and photographed
Assessor's office also stated Mr. Swail
lived in Hammett.

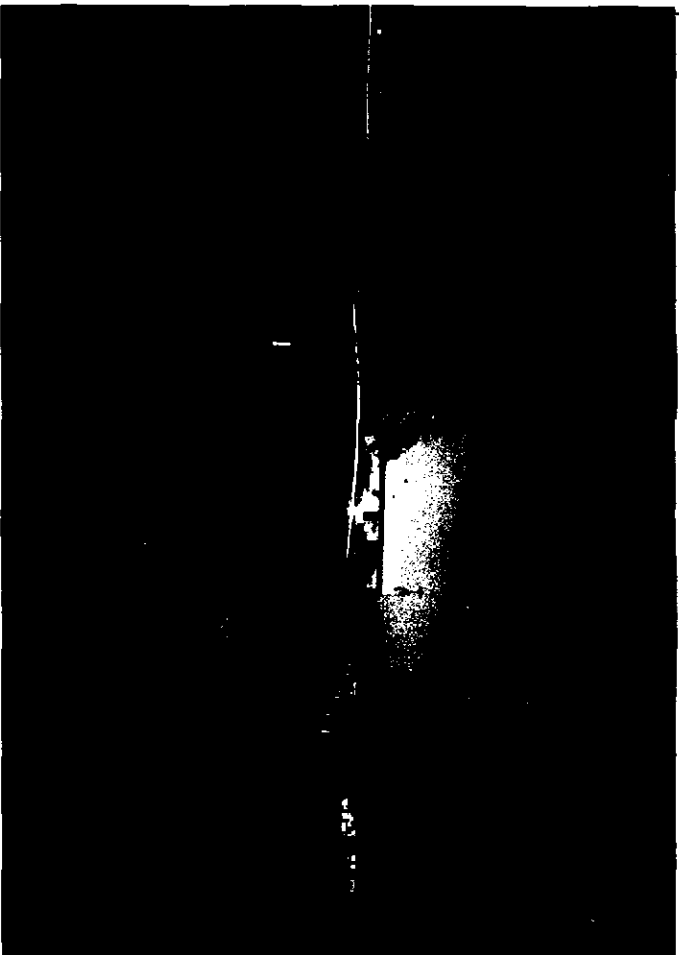
Only the lawn area around the house
appeared irrigated. The balance was
fenced and cattle had trampled nearly
all of the vegetation to the point that
the fenced in areas were for the most
part, bare dirt.

Claim identification no.

Ab1-1004B

457E SEC 7 NISSENE

Photo # 1 7-2-96



Looking West towards
Home from 457E Sec 7
SUN E Shoring man-
cipated area to
the south of the Dunes
Sprinkle Line
Whodile in Background

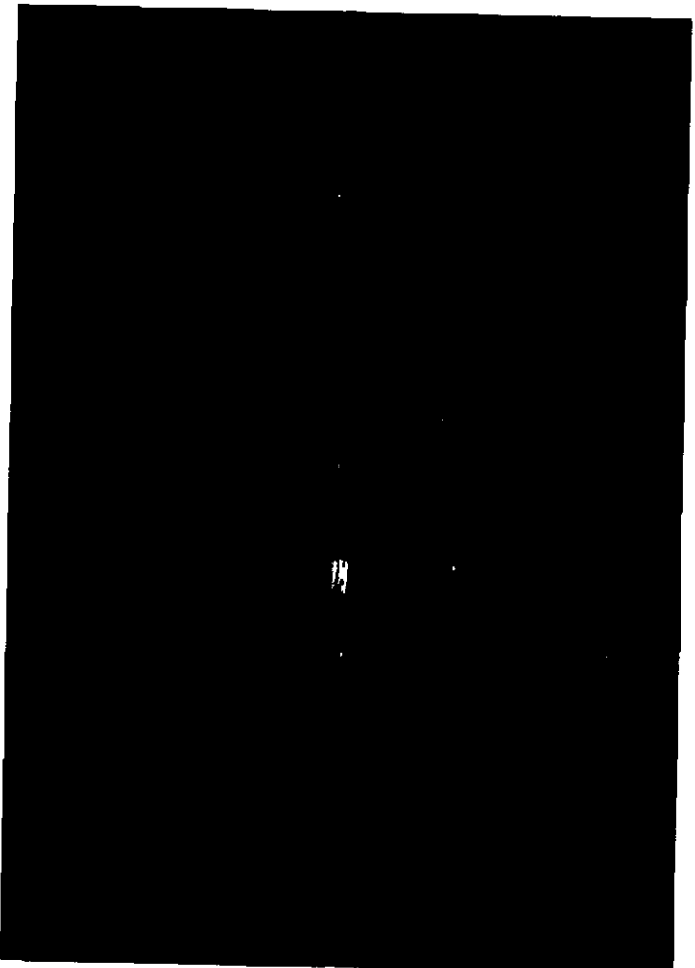


Photo # 2 7-2-96

Same as # 1

Claim identification no. AGI-10048



CT 9-15-94

Looking west at the claimed place of use.

TELEPHONE MEMORANDUM

Agent: Roxanne McCarthy

Date: 4-1-93

Re: A61-04082/A61-10048

I spoke to Mrs. Swails concerning A61-04082, a claim stuck in the host temporary file. It appears that A61-10048 may represent A61-04082 (see reference to err. in remarks of A61-10048)

I am sending the Swails a copy of A61-10048. They will respond if necessary.

I will data enter A61-04082 as "not claimed" pending review.

R. McCarthy

Roxanne McCarthy



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 26, 1993

Joseph L. Swails
Rt. 1, Box 839
Mountain Home, ID 83647

Re: Snake River Basin Adjudication (SRBA)
Claim No(s): A61-04082

Dear Claimant,

Our office is currently reviewing claims in Elmore County for recommendation in the Snake River Basin Adjudication. Our records indicate that you may have contacted our office concerning the claim noted above. This claim was never completed.

There may be several reasons why the claim was not completed. You may have chosen not to complete the claim or it may have been an oversight. We would appreciate a response if you feel you wish to claim the right in question.

We have included a summary of the claim; please review this report. If you wish further information about the claim or the claim process, please call my office at (208)327-7925. If I do not receive a response within 30 days, I will assume that you have no further interest in the claim listed above. Thank you for your cooperation.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:sf:state:tf
Enclosure

Computer Summary of Claim(s)

RECEIVED
FEB 23 1993

State of Idaho
Department of Water Resources
Western Region/Adjudication Section
2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190

Department of Water Resources
Western Regional Office

AFFIDAVIT

Re: Claim # A61-10048 Evidence of Priority Date for use of
ground water on the property owned by Joseph Swails.

I, Ralph Groefsema do hereby swear that I water witched the
well on said claim; I personally witnessed the use of said water
from the date of October 1962 to the present time.

Liz Clark
notary

2-22-93
date

Ralph Groefsema
Ralph Groefsema
well witcher

22 Feb '93
date

RECEIVED
FEB 26 1993

State of Idaho
Department of Water Resources
Western Region/Adjudication Section
2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190

Department of Water Resources
Western Regional Office

AFFIDAVIT

Re: Claim # A61-10048 Evidence of Priority Date for use of
ground water on the property owned by Joseph Swails.

I, Robert Smith, do hereby swear that I did drill the well on
said claim; I personally witnessed the use of said water from
the date of October 1962 to the present time.

Dana J. Hecky
notary

2-18-93
date

My comission expires 7-22-97

Robert Smith
Robert Smith
well driller

2-18-93
date



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

January 28, 1993

Re: Claim No(s). AL-10048

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JOSEPH SWAILS
RT 1 BOX 839
MT HOME ID 83647

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 either 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 decree, license, 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 priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not 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 claims in this area should be conducted this summer by Department personnel. Prior to conducting the field exams, we will contact you to discuss details and schedule a time convenient for you.

Please submit the required evidence supporting the priority date(s) by March 15, 1993, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the toll-free number listed on the back page of the pamphlet or the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Februaury 18, 1992

Joseph L. Swails
Rt. 1, Box 839
Mountain Home, ID 83647

Re: Snake River Basin Adjudication (SRBA)
Elmore County - Claim Nos.: A61-04082, A61-10048

Dear Mr. Swails,

I am returning a photocopy of the Notice of Claim form you filed for your property in Elmore County, numbered A61-10048. It appears from comments on this claim that you may have been referencing a Statutory Claim that you previously filed with our Department. I have also enclosed a computer-generated claim form for this Statutory Claim, numbered A61-04082.

Please decide which of these forms represents your current water right. If you choose to file A61-04082, please sign and return the form, having your signature notarized. We will then assume that you do not wish to file A61-10048.

If you wish to continue to file A61-10048, do nothing and we will proceed.

Please return A61-04082, if you wish to file it, to my attention by March 18, 1992, or late fees will apply. If we do not receive it by that date, we will assume you wish to continue the filing process for A61-10048.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:sf:state:tf

Enclosures:

Claim No. A61-04082
Copy of Claim No. A61-10048
Receipt No. W004235

MICROFILMED

AUG 11 1992

CLAIMANT'S NAME

Swails, Joseph

CLAIM IDENT. NO.

Ala1-10048

DATE RECEIVED

8-8-89

RECEIPT #

W004235

AMOUNT \$

52.00Requi:
Info

- | | YES | NO | Requi:
Info |
|--|----------|----|----------------|
| 1. Is the name and address complete with zip code? | <u>X</u> | — | * |
| 2. Is a priority date entered? | <u>X</u> | — | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | <u>X</u> | — | * |
| 3. (a) Is a source entered? | <u>X</u> | — | * |
| (b) Is a tributary to entered? (if required) N/A <u>X</u> | — | — | — |
| 4. Is the legal description of the p.d. sufficient? <u>45</u> | <u>X</u> | — | * |
| 5. Is there a description of the diverting works? | <u>X</u> | — | — |
| 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 | <u>X</u> | — | * |
| Is the period of use included? | <u>X</u> | — | — |
| Is a quantity claimed for each use? | <u>X</u> | — | * |
| 7. Is a total quantity claimed entered? | <u>X</u> | — | — |
| 8. If required is a consumptive use entered? N/A — | <u>X</u> | — | — |
| Is the consumptive use correct? N/A — | — | — | — |
| 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 owner-
ship must be stated. If not under single ownership, see
Adjudication Memo # 4 N/A — | <u>X</u> | — | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? <u>45, 7E.</u> | <u>X</u> | — | * |
| 11. Is (are) the county(ies) entered? | <u>X</u> | — | — |
| 12. Is the ownership of p.u. checked? | <u>X</u> | — | — |
| 13. Are other water rights listed or "none" indicated?
(See Item No.'s 16 & 17 for checking other water rights) | <u>X</u> | — | — |
| 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.) N/A <u>X</u> | <u>X</u> | — | — |
| 15. Is the basis of the claim indicated? <u>B/u.</u> | <u>X</u> | — | — |
| 16. If the basis of claim is shown as license, permit, or decree is
the existing water rt. no. listed? N/A — | — | — | * |
| (Compare claim with the existing water rt. and either attach
a proof report or state in comments that the existing right
was compared to the claim) | — | — | — |
| 17. If the basis of claim is shown as beneficial use, or not marked,
are there existing water rights shown in our records using the
legal desc. or name on the claim? N/A — | — | — | — |
| (If yes, describe the right in "Comments" and attach a proof
report) NOTE: If the claim is for dom/stock this check is not
as necessary unless it is located within an area where dom/stock
rights were decreed. | — | — | — |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed?
(If yes, describe payment status in "Comments" below.) N/A <u>X</u> | — | — | — |
| 19. Is the claim signed by the claimant, and is the signature appropriate?
Organizations must complete the organization block. | <u>X</u> | — | * |
| 20. Has the claim been signed, sealed, and dated by a notary? | <u>X</u> | — | * |
| 21. Was this claim filed on time, or was an extension granted? | <u>X</u> | — | — |
| 22. Is the fee enclosed correct? Exempt — | — | — | — |

NOT REFILED

AUG 11 1992

23. Should this claim be data entered?

YES NO

Claim reviewed by:

Lod

Date

11-25-91

Claim data entered by:

Date

Claim is being returned to claimant:

___(Yes)___(No)

Claimant is being notified of modifications:

___(Yes)___(No)

Comments:

Total quantity claimed not correct. Acreage amount?

Water Right Number - 61-04082

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
SWAILS

JOSEPH L.

1 - RT. 1 BOX 839

2 -

3 -

City- MOUNTAIN HOME

State- ID Zip- 83647

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
09/15/1962 14 WESTERN S - STATUTORY CLAIM+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

04S 07E 7 SW NE (39) ELMORE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume01 - IRRIGATION 03/15 11/15 0.060
43 - DOMESTIC 01/01 12/31 0.040+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.100+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

04S 07E 7 SW NE 2.0 01 IRRIGATION (39) ELMORE

Total Acres: 2.0

+ - - Diversion Means - WELL, PUMP & PIPELINE

+ - - Non-Irrigation Use - D/10 - 15 RANGE, 250 - 350 HOGS.

+ - - 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
AUG 11 1992

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-	
Approved/Denied	-	00/00/0000	Tested Date	-	00/00/0000	Swan Falls	-	
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-	P
Exam to S.O. Date	-	00/00/0000	Verified Date	-	01/13/1986	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	Presumption Flag	-				

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 AUG 11 1982