

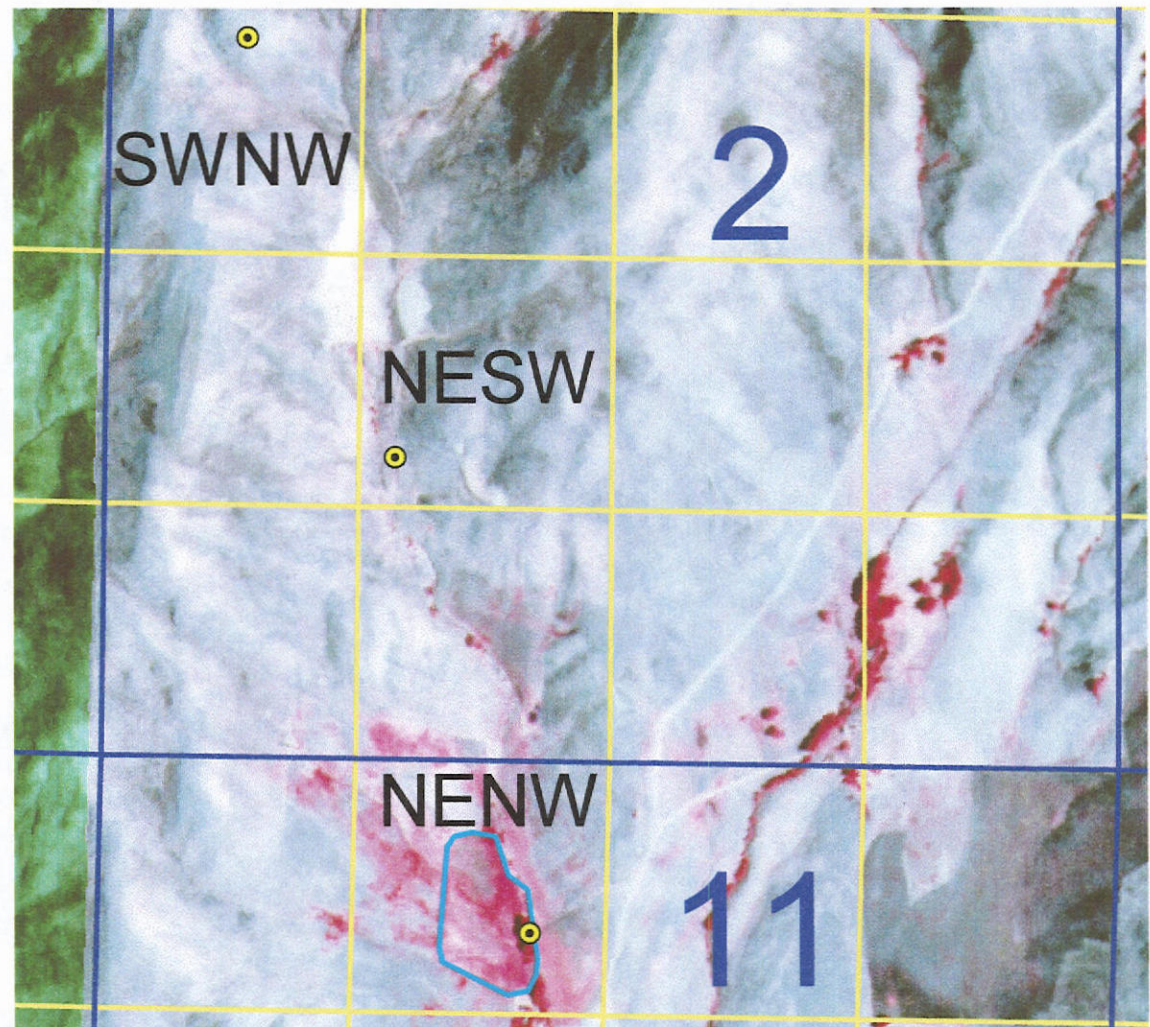
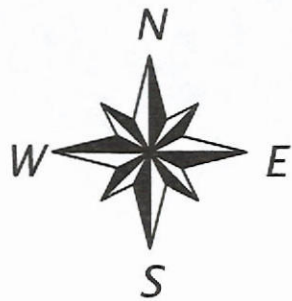
Idaho Department of Water Resources

Claim Number: 65-00407

Legal: T07N, R01W, S11

Reviewed By:

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



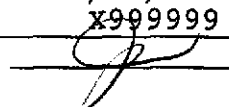
1987 Napp Photo



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: A65-00407
Date Received: 1/19/1990
Receipt No: X999999
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALBERT W. SWANDER
Address: 1011 MELROSE DR.
EMMETT, ID 83617
OR
Name: JOHN SWANDER 208-365-4762
Address: 6210 SPRING CREEK RD.
EMMETT, ID 83617

2. Date of Priority: JUL 01, 1955

3. Source: SPRINGS Trib. to: SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	01W	2		SW	NW		GEM
				NE	SW		GEM
		11		NE	NW		GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		
STOCKWATER	01/01	12/31	0.020		0.70

7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or) 0.70 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER - 120 HD.

A65-00407

Page 1

Date: 01/19/90

MICROFILMED

SEP 15 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	01W	11	NE	NW		IRR	5.0
Section Acres							5.0
Total Acres							5.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

CLAIM NO. A65-00406, A65-00404, A65-00405.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

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): John E. Swander Date: 1-19-90
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of Jan. 19 90 Jan Shurte
Notary Public

Seal

Residing at JAN SHURTE
RESIDING AT MERIDIAN, IDAHO
My Commission Expires MY COMMISSION EXPIRES SEPT. 14, 1994

03/09/2001

RECEIVED

APR 11 2001

WATER RESOURCES
WESTERN REGION

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: April 13, 2001

Water right number: 65-407

JOHN SWANDER
6210 SPRING CREEK RD
EMMETT ID 83617
Telephone Number: (208)365-4762

ALBERT W SWANDER
1011 MELROSE DR
EMMETT ID 83617
Telephone Number: (208)365-3302

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: 4-9-2001

SIGNATURE: John W Swander

Please print your name: John W Swander

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

03/09/2001

RECEIVED

APR 11 2001

WATER RESOURCES
WESTERN REGION

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1011 MELROSE DR
EMMETT ID 83617
Telephone Number: (208)365-3302

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: April 9, 2001

SIGNATURE:

John W Swander

Please print your name:

John W Swander

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

11/03/2000

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

RIGHT NUMBER: 65-407

NAME AND ADDRESS: ALBERT W SWANDER
1011 MELROSE DR
EMMETT, ID 83617
JOHN SWANDER
6210 SPRING CREEK RD
EMMETT, ID 83617

SOURCE: SPRINGS TRIBUTARY: SPRING CREEK

QUANTITY: 0.12 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 07/01/1955

POINT OF DIVERSION:	T07N R01W S2	SWNW	Within GEM County
	T07N R01W S2	NESW	Within GEM County
	T07N R01W S11	NENW	Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01-01 12-31	0.02 CFS
IRRIGATION	03-15 11-15	0.10 CFS

PLACE OF USE:

IRRIGATION Within GEM County
T07N R01W S11 NENW 5
5 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

Stockwater use is for 120 range cattle.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

AJ5809NP
No. A65-00407

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/14/00
PAGE: 8

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALBERT W SWANDER 1011 MELROSE DR EMMETT ID 83617	07/01/1955	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	0.100 CFS 0.020 CFS	0.70 AFA
TOTAL DIVERSION:					0.120 CFS	~~0.70 AFA~~

C JOHN SWANDER
6210 SPRING CREEK RD
EMMETT ID 83617
(208) 365-4762

Water Source: SPRINGS

Tributary to: SPRING CREEK

Stage: DECREED

Point(s) of Diversion:

T07N R01W S02
S11

SWNW 287
NENW 289

NESW 289

GEM County
GEM 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
07N	01W	11	:							05										5.0
TOTAL ACRES																			5.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: GEM

Non-Irrigation Uses: STOCKWATER - 120 HD.

Other Rights: CLAIM NO. A65-00406, A65-00404, A65-00405.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-00404 65-00406 65-00408 A65-00404 A65-00406 A65-00408 A65-12248

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Audit: 01/19/90 SHURTE 03/30/95 POST-STD

C18
MTJ 205
MTJ 208

WR5809NP
No. 65-00407

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/30/00
PAGE: 7

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALBERT W. SWANDER	07/01/1955	IRRIGATION	03/15 11/15	0.100 CFS	
C	DOROTHY L. SWANDER		STOCKWATER	01/01 12/31	0.020 CFS	0.70 AFA
	1011 MELROSE DR.					
	EMMETT ID 83617					
TOTAL DIVERSION:					0.120 CFS	0.70 AFA

Water Source: SPRINGS

Tributary to: SPRING CREEK

Stage: DECREED

Point(s) of Diversion: T07N R01W S02 S11 SWNW NENW NESW
GEM County
GEM 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
07N	01W	11	:																	:	5.0
																				TOTAL ACRES	5.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Pou County: GEM

Dates: App. Received: Priority Date: 07/01/1955
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

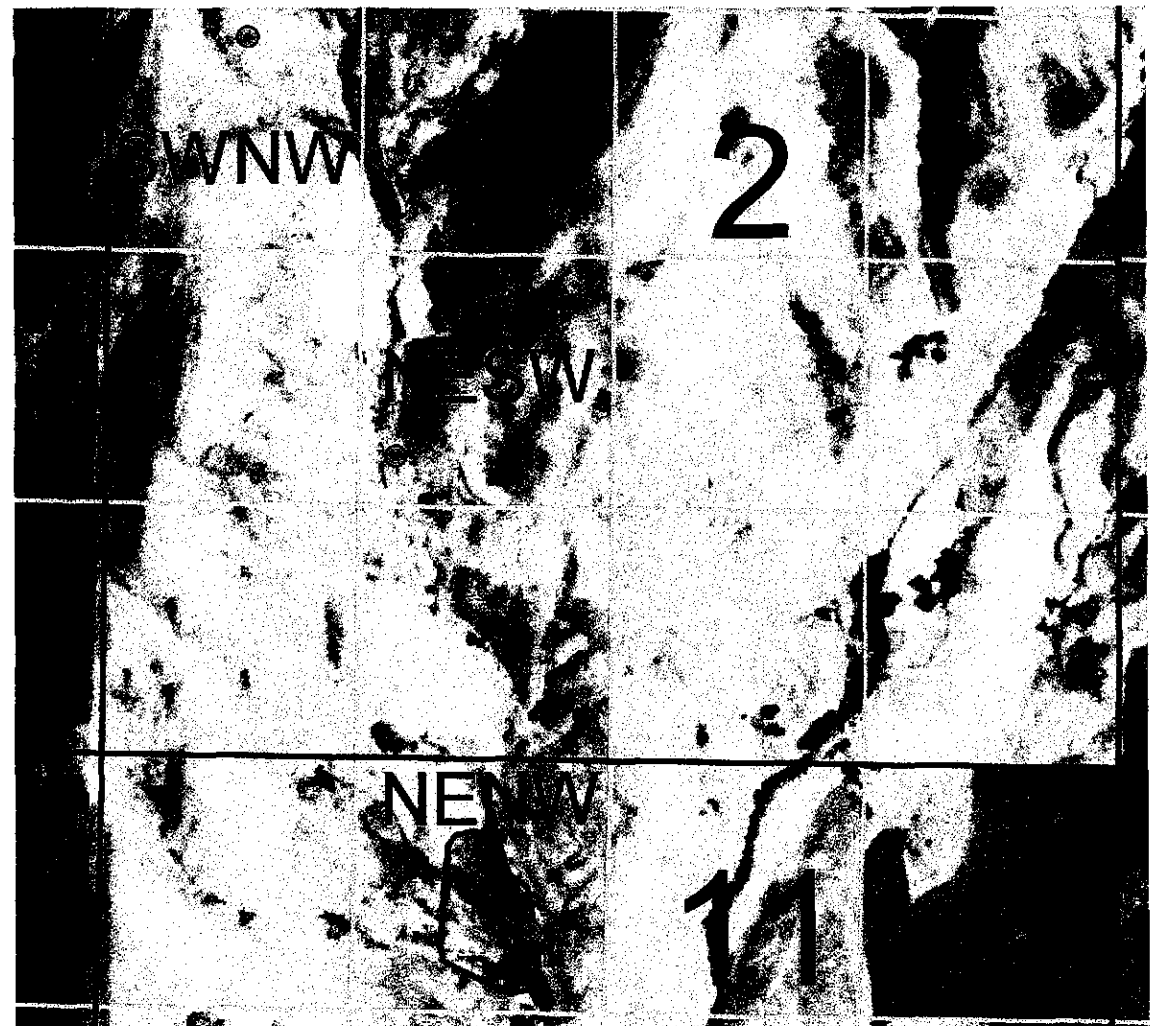
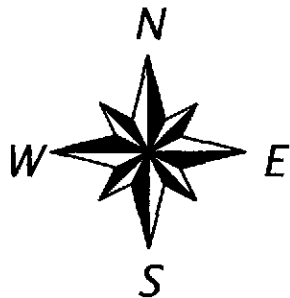
Idaho Department of Water Resources

Claim Number: 65-00407

Legal: T07N, R01W, S11

Reviewed By:

- ⊙ *Point of Diversion*
-  *Place of Use*
-  *Section Lines*
-  *Quarter Quarter Lines*



1987 Napp Photo



CONVERSATION MEMORANDUM

DATE 5/26/98

FILE _____

NAME OF PARTY John SwankEMPLOYEE FLRE: Office Visit - issues

WR's
AJ's
Dam Safety
SCA

- 1) Filed New Appl. for permit, Spring ck. for 100 acres.
- 2) Includes proposed 10 ac off stream reservoir.
- 3) Return flow from pond to creek (pipe) in
Sw of SWNG S.11 so SCA applies to that.
- 4) Possible Dam Safety & Reservoir.
- 5) "Future mitigation" condition in Appl.
- 6) "Immediate mitigation" probably will apply re
Water Dist #65 - gave him Wm's # to
call & discuss. Told Applicant that processing
will be delayed (backlog reduction).
- 7) May want to file expansion claim for A65-00407,
different source for 5 of the 100 acres. That's
the only inv right (w WRQ4, AJQ4) in
proposed plan. Advise him to make appt.
w/ AJ staff figures out more details of
historical use.
- 8) Filed FRDA claim A65-12248 to protect
license overlooked in his previous filings. Not
filed on defers per AJQ1 & AJQ4 checks.
- 9) Thinks downstream neighbor (Thomas?) may have
forfeited inv. right due to non-use

cc: A65-00401
A65-12248