

11/14/2006

NOTICE OF ERROR
REPLY

RECEIVED

DEC 15 2006

DEPARTMENT OF
WATER RESOURCES

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 8, 2006

Water right number: 67-2188

FARM CREDIT BANK OF SPOKANE

PO BOX 279

ONTARIO OR 97914

Telephone Number: (503)889-6462

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:

farm credit Bank of Spokane

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

DATE: 12/14/06

SIGNATURE:

Please print your name:

DAN SWAIN
SWAIN Family Trust
IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

DEC 15 2006

05/30/2006

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

RIGHT NUMBER: 67-2188

NAME AND ADDRESS: FARM CREDIT BANK OF SPOKANE
PO BOX 279
ONTARIO OR 97914

SOURCE: BUTTERMILK SLOUGH CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.300 CFS

Right Nos. 67-7056 and 67-2188 are limited to a total combined diversion rate of 10.1 cfs.

PRIORITY DATE: 04/05/1949

POINT OF DIVERSION:

T10N R05W S14 NESW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2.300 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T10N R05W S14	NENE	15.00	T10N R05W S14	NWNE	35.00
T10N R05W S14	SWNE	35.00	T10N R05W S14	NENW	40.00
T10N R05W S14	NWNW	20.00	T10N R05W S14	SENW	35.00
T10N R05W S14	NESW	15.00	T10N R05W S14	NWSE	15.00
T10N R05W S14	SESE	5.00			

DOMESTIC same as IRRIGATION

215 ACRES TOTAL

Right Nos. 67-2188 and 67-7056 are limited to the irrigation of a combined total of 505 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

The following rights are also diverted through point of diversion described above: 67-7056



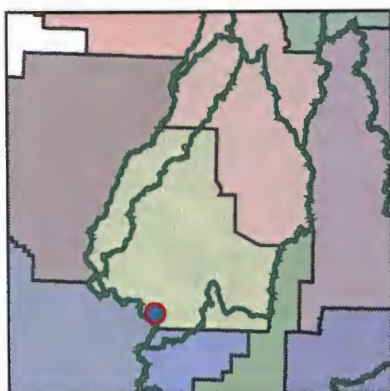
Idaho Department of Water Resources

SRBA Recommendation:

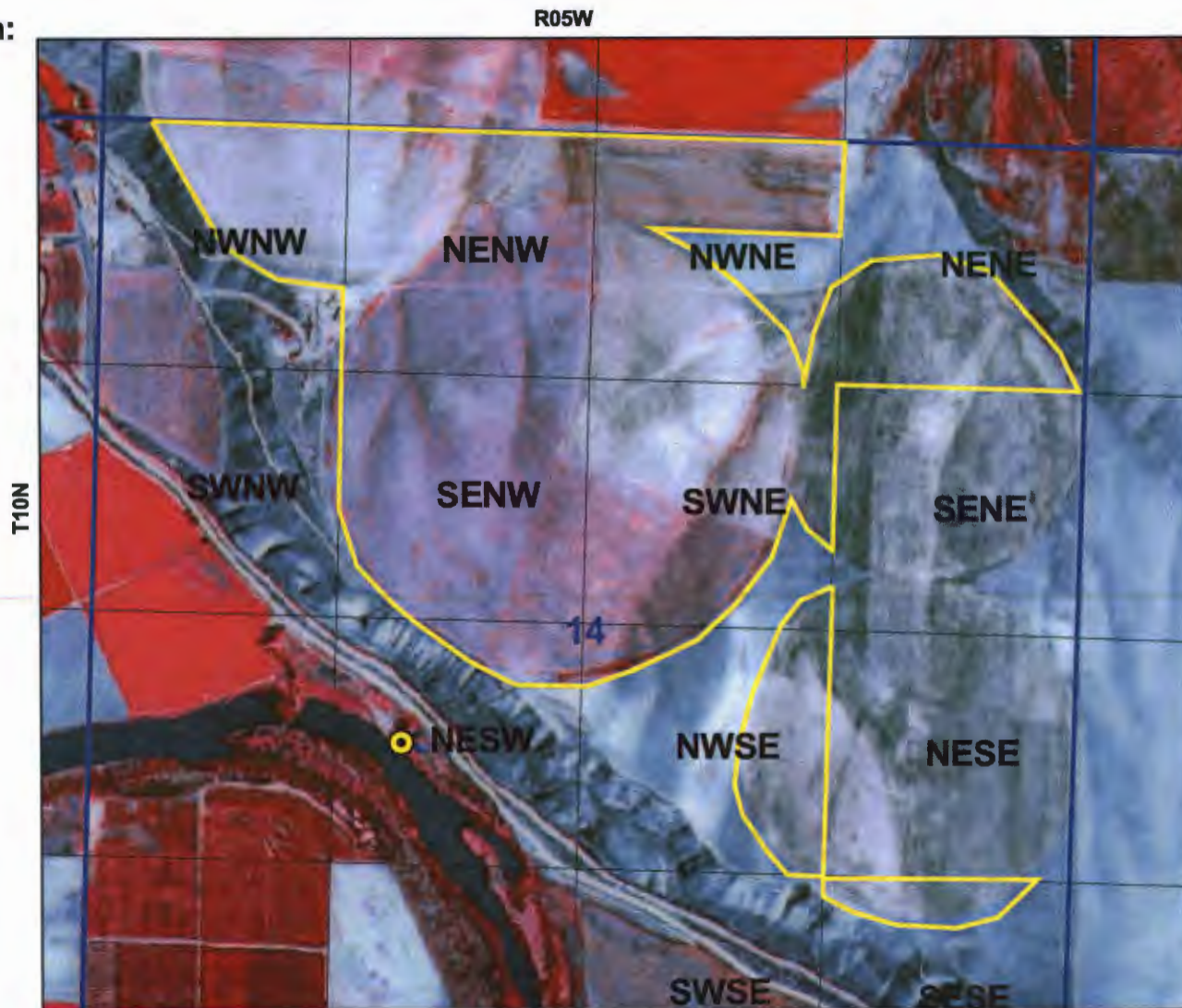
67-2188

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



0 0.4 0.8 Miles

Prepared by M. Mount
On Tuesday, May 30, 2006
1987/88 Aerial Photography

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.

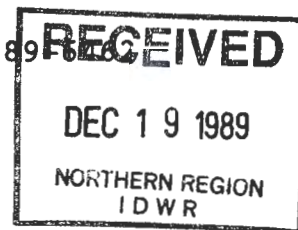
CIVIL CASE NUMBER: 39576

Ident. Number: A67-02188
Date Received: 10/19/1989
Receipt No: N003512
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FARM CREDIT BANK OF SPOKANE
Address: BOX 279
ONTARIO, OR 97914

503-889-6762



2. Date of Priority: APR 05, 1949

3. Source: BUTTERMILK SLOUGH Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	05W	14	NE	SW			WASHINGTON

5. Description of diverting works:
75 H.P. 100 H.P. 200 H.P. PUMPS DELIVER WATER TO IRRIGATION SYST.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	2.400		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC USE INCLUDES LAWN & GARDEN, 1/2 ACRE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10N	05W	14	NE	NE		IRR	15.0
			NW	NE		IRR	35.0

A67-02188

Page 1

Date: 11/21/89

SCANNED
MAY 10 2004

MICROFILMED
OCT 01 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	14	SW	NE		IRR	35.0
			NE	NW		IRR	40.0
			NW	NW		IRR	20.0
			SE	NW		IRR	35.0
			NE	SW		IRR	15.0
			NW	SE		IRR	15.0
			SE	SE		IRR	5.0

Section Acres 215.0

Total Acres 215.0

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
USED WITH LICENSE WATER RIGHT A67-07056

14. Remarks:
THIS PROPERTY IS CURRENTLY OWNED BY STEVEN SHAW; HOWEVER FARM CREDIT BANK OF SPOKANE WILL ACQUIRE THIS PROPERTY FROM BANKRUPTCY BY JAN.1, 1990.

15. Basis of Claim: LICENSE
Water Right Number: 21004

16. Signatures(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: 1

For Organizations

I do solemnly swear or affirm that I am the Senior Engineer-Appraiser of Farm Credit Bank of Spokane, that I have signed the foregoing document in the space below as Senior Engineer-Appraiser of Farm Credit Bank of Spokane and that the statements contained in the foregoing document are true and correct.

Herbert J. Sanders
(Signature of authorized Agent)

Senior Engineer-Appraiser
Farm Credit Bank of Spokane
(Title and Organization)

November 21, 1989
(Date)

State of Idaho)
County of Kootenai) SS.

Subscribed and sworn (or affirmed) before me this 21st day of November, 1989.

Allen Beardslee

Notary Public

Residing at Rathdrum
My Commission Expires: 7/20/1994



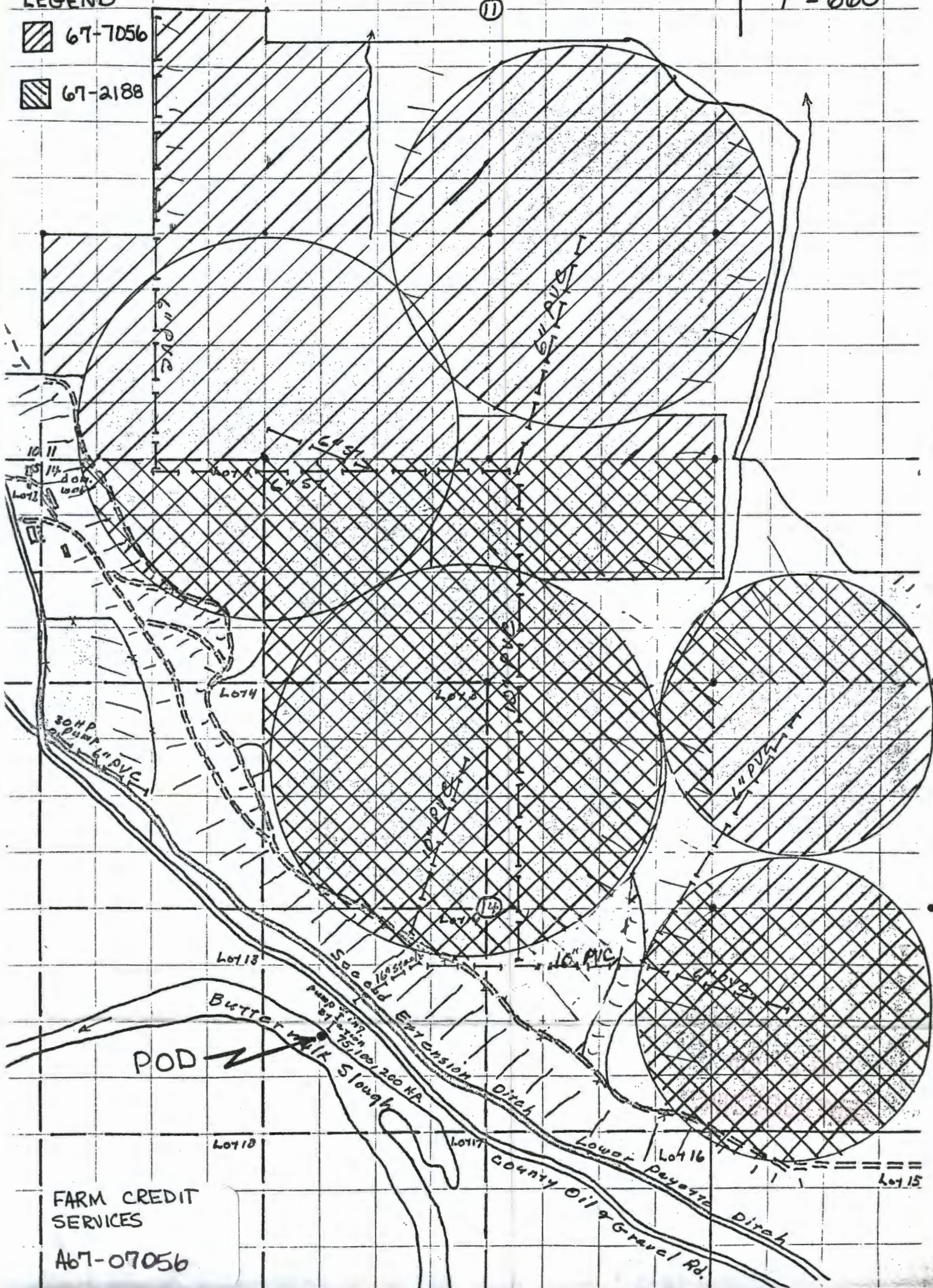
MICROFILMED

OCT 01 1992

$$1'' = 660'$$

 67-7056

 67-2188



FARM CREDIT
SERVICES

A67-07056

TO Allen Beardslee
Idaho Department of Water Resources

RECEIVED

DEC 19 1989

NORTHERN REGION
IDWR

SUBJECT

Adjudication filings Ab7-02188 & Ab7-07056

DATE 12/18/89

MESSAGE Attached are the above noted filings and payment. Also attached is a copy of the extension granted by D. Shaw.

Please note the check date is 11/6/89, the date I originally intended to pay the fees.

Thanks for your time and have a Merry Christmas.

SIGNED Herb Sanders

DATE

REPLY

MICROFILMED

OCT 01 1992

SIGNED

NOV 24 1989

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

RECEIVED

DEC 19 1989

NORTHERN REGION
IDWR

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Farm Credit Bank of Spokane
Name of Claimant

(509) 838-9525
Phone Number

W 601 1st Ave, TAF-C5
Mailing Address

Spokane
City

WA
State

99220
Zip

Washington
County(s) where place of use is located

10/19/89
Date claim originally due

67-02188 and 67-01056
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

An extension was originally filed by Steven Shaw on 10/19/89. The Extension was not granted due to lack of explanation. Mr. Shaw brought the extension to Farm Credit and informed them they must file. The property is currently in Bankruptcy; therefore, ownership is in question. Farm Credit will file the adjudication claim and requests an extension due to the Bankruptcy problems.

Claimant requests an extension to December 8 *, 19 89

Herbert J. Sanders
Signature

Nov 20, 19 89
Date of request

Senior Engineer-Appraiser
Title

* Forms will be filed immediately after extension request response.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to December 22, 19 89

Signed this 3 day of December, 19 89

DAVID B. SHAW
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

DAVID B. SHAW

MICROFILMED
OCT 01 1992

TO

Allen Beardslee

Idaho Department of Water Resources

SUBJECT

Adjudication Filings 167-02188 & 167-07056

DATE

12/18/89

MESSAGE

Attached are the above noted filings and payment. Also attached is a copy of the extension granted by D. Shaw.

Please note the check date is 11/6/89, the date I originally intended to pay the fees.

Thanks for your time and have a Merry Christmas.

SIGNED

Neil Sanders

DATE

REPLY

SIGNED