

09/28/2005

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

RIGHT NUMBER: 22-12656
NAME AND ADDRESS: DAVID V SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE ID 83436

MELANIE SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE ID 83436

Disallowed

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.800 CFS

PRIORITY DATE: 01/16/1979

POINT OF DIVERSION:

T07N R41E S29 SESWNE Injection Within FREMONT County

T07N R42E S23 SWSW Within MADISON County

T07N R42E S23 SENWSE Rediversion Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.800 CFS

PLACE OF USE: IRRIGATION Within MADISON County

T07N R42E S21	NENE	7.0	T07N R42E S21	SENE	33.0
T07N R42E S22	NESW	20.0			

60 ACRES TOTAL

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

No beneficial use found.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-12656

NAME AND ADDRESS: DAVID V SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE ID 83436

MELANIE SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE ID 83436

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.380 CFS
73.30 AFY

Use of this right with Right Nos. 22-7210, 22-7271, 22-7287, 22-7313A, 22-7313B, and 22-12656 is limited to a total combined diversion rate of 33.22 cfs and to a total combined annual diversion volume of 13,767.25 AF.

Right Nos. 22-7287 and 22-12656 are limited to a total combined diversion rate of 5.12 cfs.

PRIORITY DATE: 01/17/1979

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF
DIVERSION:

T07N R42E S23 SESWSW Within MADISON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.380 CFS 73.30 AFY
PLACE OF USE:	<u>IRRIGATION in FREMONT County and MADISON County</u>		
	T07N R42E S21	NENE 7.00	T07N R42E S21 SENE 32.00
	T07N R42E S21	NESE 38.00	T07N R42E S22 NENE 14.00
	T07N R42E S22	NWNE 14.00	T07N R42E S22 SWNE 39.20
	T07N R42E S22	SENE 39.20	T07N R42E S22 NENW 31.00
	T07N R42E S22	NWNW 31.00	T07N R42E S22 SWNW 40.00
	T07N R42E S22	SENW 40.00	T07N R42E S22 NESW 17.00
	T07N R42E S22	NWSW 36.00	T07N R42E S22 NESE 39.00
	T07N R42E S22	NWSE 39.00	T07N R42E S23 NWNW 2.80
	T07N R42E S23	SWNW 29.00	T07N R42E S23 SENW 3.10
	T07N R42E S23	NESW 24.00	T07N R42E S23 NWSW 39.20
	T07N R42E S23	SWSW 40.00	T07N R42E S23 SESW 38.00
	T07N R42E S23	SWSE 12.00	
	644.5 ACRES TOTAL		

Place of use does not include federal public lands unless authorized in writing by the managing federal agency.

The rights listed below are limited to the irrigation of a combined total of 644.5 acres in a single irrigation season. Combined Right Nos.: 22-7287 and 22-12656.

Right Nos. 22-7210, 22-7271, 22-7287, 22-7313A, 22-7313B, and 22-12656 are limited to the irrigation of a combined total of 3933.5 acres in a single irrigation season.

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

This right is based upon an enlargement of Right No. 22-7287 pursuant to Section 42-1426, Idaho Code.

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.

Totalizing measuring devices shall be maintained at the point of diversion.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right Nos. 22-7287 and 22-12656 are also diverted through point of diversion described above.

This right is for an enlargement of 44.5 acres within the place of use described for this right.



Idaho Department of Water Resources

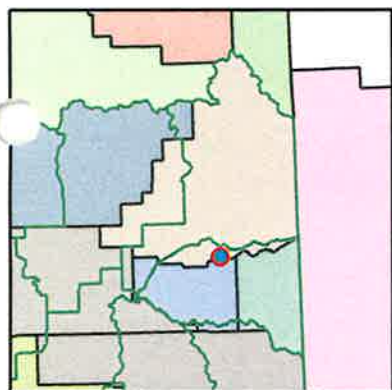
SRBA Recommendation:

22-12656

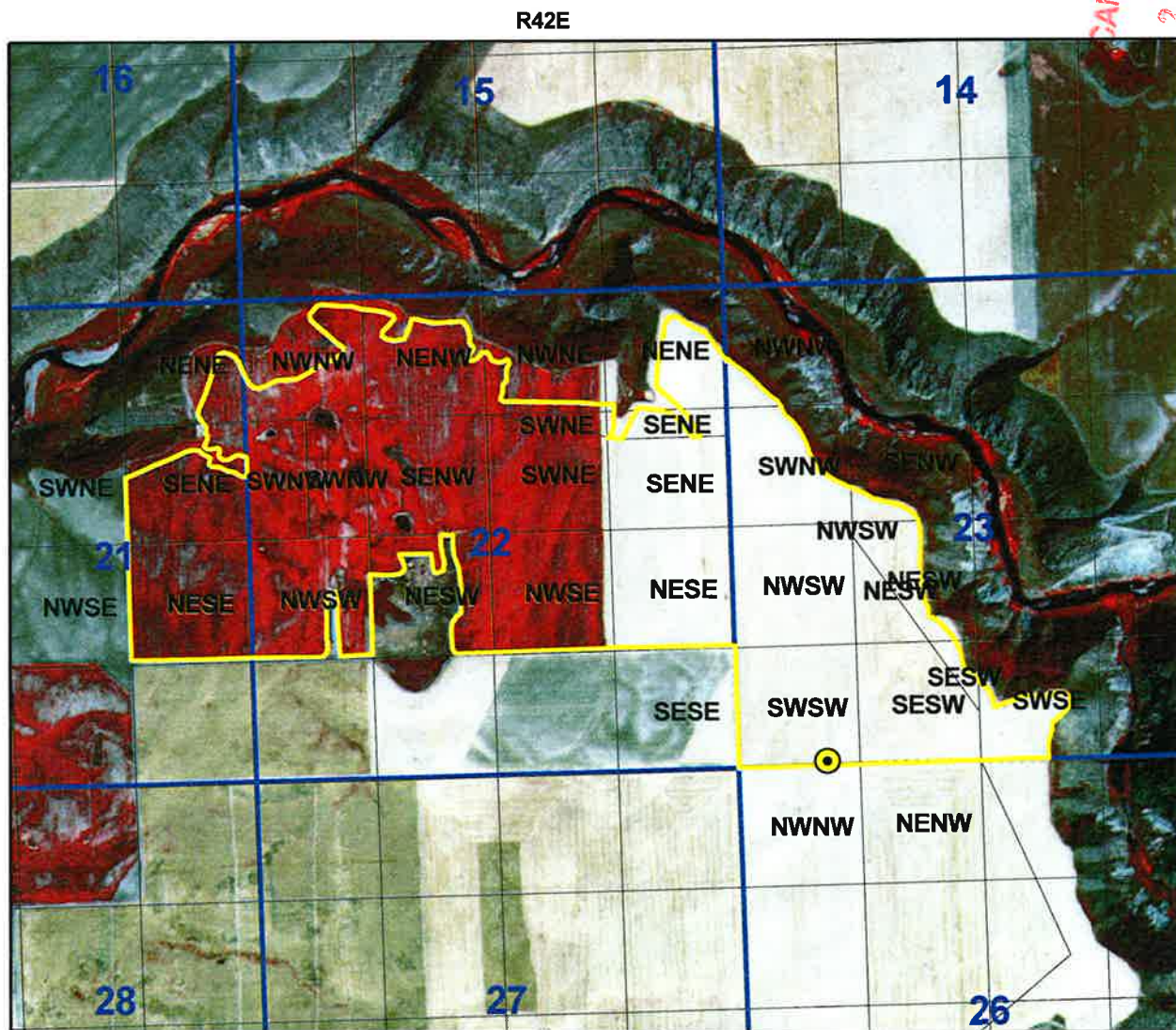
(Irrigation)

Legend

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



Fremont, Madison Counties
IDWR Basin 22



Prepared by C. Moore
On Monday, August 28, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

SRBA Recommendations:

22-7287
22-12656

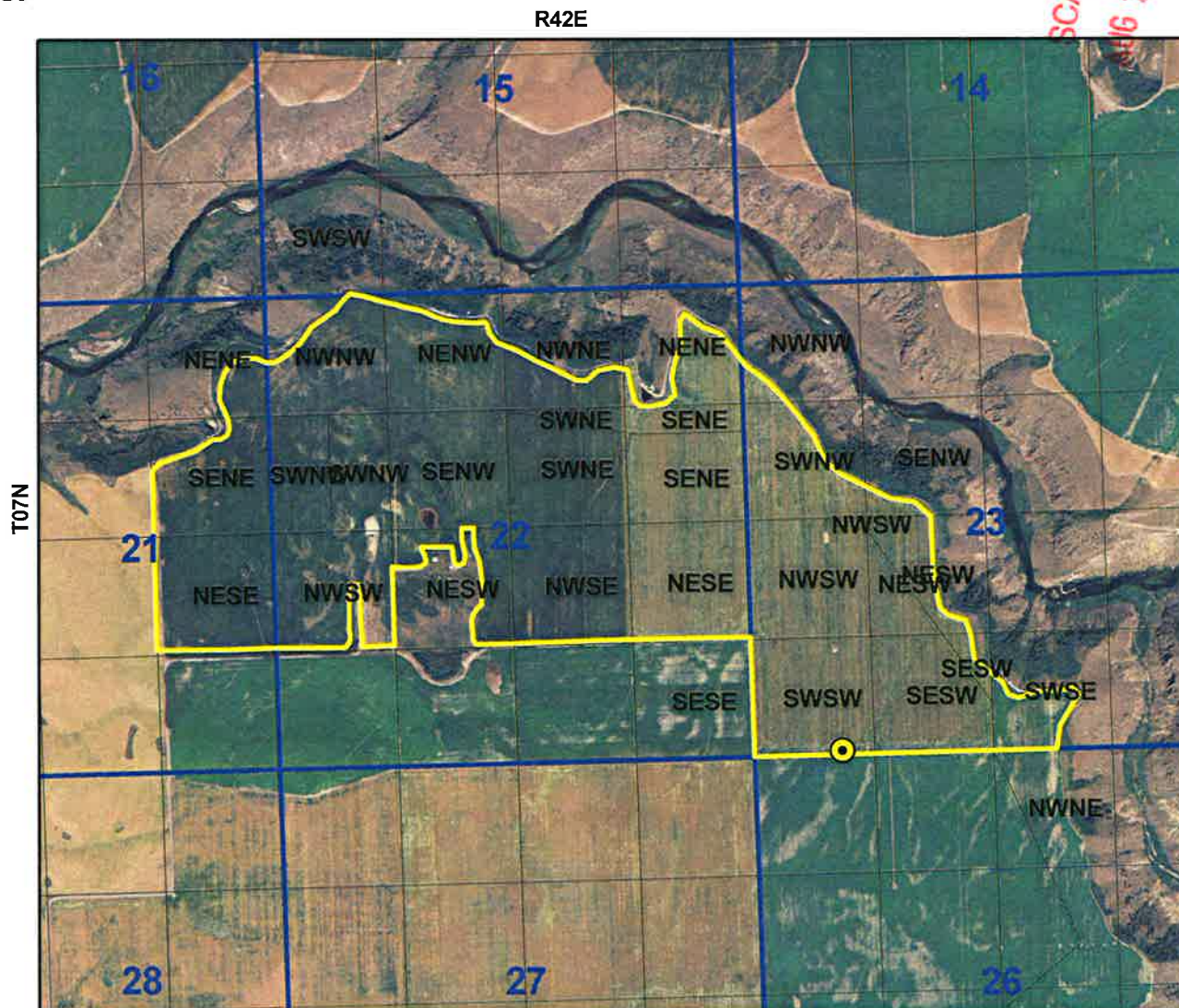
(Irrigation)

Legend

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



Fremont, Madison Counties
IDWR Basin 22



0 0.8 1.6 Miles

Prepared by C. Moore
On Tuesday, February 27, 2007
2004 Aerial Photography

SCANNED
AUG 20 2007

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 22-12656

Date Received:
Receipt Nos:
Received By:

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

Name of Claimant DAVID V SCHWENDIMAN
MELANIE SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE, ID 83436
(208)458-4224

Priority Date: 06/01/1900
Basis: Decreed/License
Status: Active

<u>Source</u>	<u>Tributary</u>
Ground Water	
Teton River	Snake River

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.38 CFS	73.3 AFA
Total Diversion			0.38 CFS	

Location of Point(s) of Diversion:

GROUND
WATER

SESWSW

Sec. 23

Township 07N

Range 42E

MADISON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION FREMONT County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	42E	21		NENE 7			SENE 32							
				NESE 38										
		22		NENE 14			NWNE 14			SWNE 39.2			SENE 39.2	
				NENW 31			NWN W 31			SWNW 40			SENW 40	
				NESW 17			NWSW 36							
				NESE 39			NWSE 39							
		23		NWNW 2.8			SWNW 29			SENW 3.1				
				NESW 24			NWSW 39.2			SWSW 40			SESW 38	
				SWSE 12										

Total Acres: 644.5

Remarks: This water right includes the right to divert water which is recovered ground water resulting from recharge for irrigation and/or water resulting from irrigation under the Canyon Creek Canal Company irrigation works for use on lands within said irrigation entity's authorized place of use. Diversion of this right for the purpose of irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code. § I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code. In the event recharge or recovered water is not available, the priority date shall revert to the previously licensed priority date.

1. K02 This right is based upon an enlargement of Right No. 22-7287 pursuant to Section 42-1426, Idaho Code.

2. F05 Right Nos. 22-7287 and 22-12656 are also diverted through point of diversion described above.

3. C18 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.
4. Totalizing measuring devices shall be maintained at the point of diversion.
 5. E60 Use of this right with Right Nos. 22-7210, 22-7271, 22-7287, 22-7313A, 22-7313B, and 22-12656 is limited to a total combined diversion rate of 33.22 cfs and to a total combined annual diversion volume of 13,767.25 AF.
 6. E56 The rights listed below are limited to the irrigation of a combined total of 644.5 acres in a single irrigation season. Combined Right Nos.: 22-7287 and 22-12656.
 7. K09 This right is for an enlargement of 44.5 acres within the place of use described for this right.
 8. E51 Right Nos. 22-7287 and 22-12656 are limited to a total combined diversion rate of 5.12 cfs.
 9. E55 Right Nos. 22-7210, 22-7271, 22-7287, 22-7313A, 22-7313B, and 22-12656 are limited to the irrigation of a combined total of 3933.5 acres in a single irrigation season.
 - 10C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
 - 11U42 Place of use does not include federal public lands unless authorized in writing by the managing federal agency.

Describe any other water rights used at the same place and for the same purposes as describe above: Those water rights recommended as of the date of this amended claim.

Basis of Claim: Decreed/License

Signature(s)

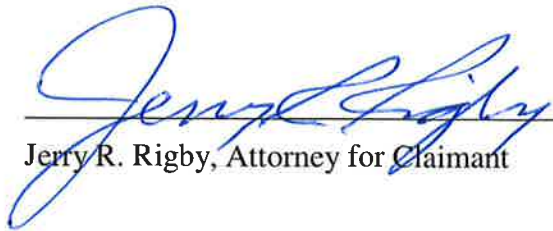
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: Previously submitted and on file with IDWR

For Individuals/Organizations:

I do solemnly swear or affirm under penalty of perjury that I am the attorney for the above individual or organization, that I have signed the foregoing document in the space below as attorney for the individual or organization and that the statements contained in the foregoing document are true and correct.

DATED this 17th day of August, 2010.


Jerry R. Rigby, Attorney for Claimant

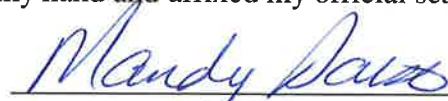
STATE OF IDAHO,)

ss.

County of Madison.)

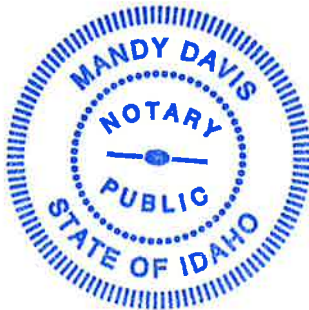
On this 17th day of August, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry R. Rigby, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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


Notary Public for Idaho

Residing at: St. Anthony

My Commission Expires: 6/24/2011



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Water Rights: 22-7287 and 22-12656

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer 74650

☐ point of diversion ☐ place of use

☐ period of use ☐ nature of use

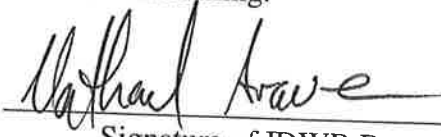
☐ split of water right ☐ change in ownership

☒ other-update conditions

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 3/3/2009


Signature of IDWR Representative

March 6
CERTIFICATE OF MAILING

I certify that on March 6, 2009, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:

David Schwendiman	Melanie Schwendiman	Val E Schwendiman
2573 N 15000 E Hwy 33	2573 N 15000 E Hwy 33	9633 Hwy 33
Newdale ID 83436	Newdale ID 83436	Newdale ID 83436

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

4. One copy to:

Each party in the subcase, or attorney of record

Milner Irrigation District
North Side Canal Company
Twin Falls Canal Company
Represented by:
Barker, Rosholt & Simpson LLP
113 Main Ave W Ste 303
PO Box 485
Twin Falls ID 83303-0485

American Falls Reservoir
Represented by:
C Thomas Arkoosh
301 Main St
PO Box 32
Gooding ID 83330

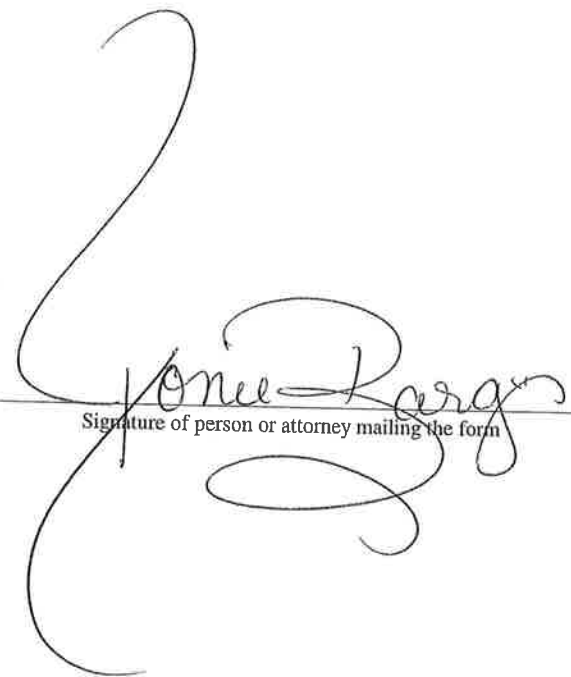
A & B Irrigation District
Burley Irrigation District
Represented by:
Roger Ling
615 H Street
PO Box 396
Rupert ID 83350-0396

Canyon Creek Canal Co
David Schwendiman
David V Schwendiman
Fremont Madison Irrigaion
Melanie Schwendiman
Val E Schwendiman
Represented by:
Jerry R. Rigby
25 N 2nd E
PO Box 250
Rexburg ID 83440

IGWA Inc
Represented by:
Randall C Budge
201 E Center, Ste A2
PO Box 1391
Pocatello ID 83204-1391

Minidoka Irrigation District
Represented by:
W Kent Fletcher
1200 Overland Ave
PO Box 248
Burley ID 83318

5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

03/06/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-7287

NAME AND ADDRESS: DAVID V SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE ID 83436

VAL E SCHWENDIMAN
9633 E HWY 33
NEWDALE ID 83436

MELANIE SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE ID 83436

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.120 CFS
2,100.00 AFY

Right Nos. 22-7287 and 22-12656 are limited to a total combined diversion rate of 5.12 cfs.

Use of this right with Right Nos. 22-7210, 22-7271, 22-7287, 22-7313A, 22-7313B, and 22-12656 is limited to a total combined diversion rate of 33.22 cfs and to a total combined annual diversion volume of 13,767.25 AF.

PRIORITY DATE: 01/16/1979

POINT OF
DIVERSION:

T07N R42E S23 SESWSW Within MADISON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	5.120 CFS 2,100.00 AFY
PLACE OF USE:	<u>IRRIGATION in MADISON County</u>		
	T07N R42E S21 NENE	7.00	T07N R42E S21 SENE 32.00
	T07N R42E S21 NESE	38.00	T07N R42E S22 NENE 14.00
	T07N R42E S22 NWNE	14.00	T07N R42E S22 SWNE 4.20
	T07N R42E S22 SWNE	35.00	T07N R42E S22 SENE 30.00
	T07N R42E S22 SENE	9.20	T07N R42E S22 NENW 31.00
	T07N R42E S22 NWNW	31.00	T07N R42E S22 SWNW 20.00
	T07N R42E S22 SENW	40.00	T07N R42E S22 NESW 17.00
	T07N R42E S22 NWSW	36.00	T07N R42E S22 NESE 39.00
	T07N R42E S22 NWSE	39.00	T07N R42E S23 NWNW 2.80
	T07N R42E S23 SWNW	29.00	T07N R42E S23 SENW 3.10
	T07N R42E S23 NESW	13.00	T07N R42E S23 NESW 11.00
	T07N R42E S23 NWSW	0.20	T07N R42E S23 NWSW 39.00
	T07N R42E S23 SWSW	40.00	T07N R42E S23 SESW 3.00
	T07N R42E S23 SESW	35.00	T07N R42E S23 SWSE 12.00

624.5 ACRES TOTAL

Place of use does not include federal public lands unless authorized in writing by the managing federal agency.

This right is limited to the irrigation of 600 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 644.5 acres in a single irrigation season. Combined Right Nos.: 22-7287 and 22-12656.

Right Nos. 22-7210, 22-7271, 22-7287, 22-7313A, 22-7313B, and 22-12656 are limited to the irrigation of a combined total of 3933.5 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.

Totalizing measuring devices shall be maintained at the point of diversion.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 22-12656 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

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

Right Nos. 22-7287 and 22-12656 are also diverted through point of diversion described above.

03/06/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-12656

NAME AND ADDRESS: DAVID V SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE ID 83436

MELANIE SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE ID 83436

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.380 CFS
73.30 AFY

Right Nos. 22-7287 and 22-12656 are limited to a total combined diversion rate of 5.12 cfs.

Use of this right with Right Nos. 22-7210, 22-7271, 22-7287, 22-7313A, 22-7313B, and 22-12656 is limited to a total combined diversion rate of 33.22 cfs and to a total combined annual diversion volume of 13,767.25 AF.

PRIORITY DATE: 01/17/1979

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF
DIVERSION:

T07N R42E S23 SESWSW Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.380 CFS
73.30 AFY

PLACE OF USE:

IRRIGATION in MADISON County

T07N R42E S21	NENE	7.00	T07N R42E S21	SENE	32.00
T07N R42E S21	NESE	38.00	T07N R42E S22	NENE	14.00
T07N R42E S22	NWNE	14.00	T07N R42E S22	SWNE	4.20
T07N R42E S22	SWNE	35.00	T07N R42E S22	SENE	30.00
T07N R42E S22	SENE	9.20	T07N R42E S22	NENW	31.00
T07N R42E S22	NWNW	31.00	T07N R42E S22	SWNW	20.00
T07N R42E S22	SENW	40.00	T07N R42E S22	NESW	17.00
T07N R42E S22	NWSW	36.00	T07N R42E S22	NESE	39.00
T07N R42E S22	NWSE	39.00	T07N R42E S23	NWNW	2.80
T07N R42E S23	SWNW	29.00	T07N R42E S23	SENW	3.10
T07N R42E S23	NESW	13.00	T07N R42E S23	NESW	11.00
T07N R42E S23	NWSW	0.20	T07N R42E S23	NWSW	39.00
T07N R42E S23	SWSW	40.00	T07N R42E S23	SESW	3.00

T07N R42E S23

SESW 35.00

T07N R42E S23

SWSE 12.00

624.5 ACRES TOTAL

Place of use does not include federal public lands unless authorized in writing by the managing federal agency.

The rights listed below are limited to the irrigation of a combined total of 644.5 acres in a single irrigation season. Combined Right Nos.: 22-7287 and 22-12656.

Right Nos. 22-7210, 22-7271, 22-7287, 22-7313A, 22-7313B, and 22-12656 are limited to the irrigation of a combined total of 3933.5 acres in a single irrigation season.

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

Totalizing measuring devices shall be maintained at the point of diversion.

This right is based upon an enlargement of Right No. 22-7287 pursuant to Section 42-1426, Idaho Code.

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 - Beneficial Use

Right Nos. 22-7287 and 22-12656 are also diverted through point of diversion described above.

This right is for an enlargement of 44.5 acres within the place of use described for this right.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Water Rights: 22-7287 & 22-12656

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☒ I.C. § 42-222 transfer 74650-Amended
 - ☐ point of diversion ☒ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership
 - ☐ conditions

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: November 4, 2009

Ernest Culver

Signature of IDWR Representative

NOV 04 2009

CERTIFICATE OF MAILING

I certify that on Nov. 4, 2009, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:

David V Schwendiman	Melanie Schwendiman	Val E Schwendiman
2573 W 15000 E Hwy 33	2573 W 15000 E Hwy 33	9633 E Hwy 33
Newdale ID 83436	Newdale ID 83436	Newdale ID 83436

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

4. One copy to:

Each party in the subcase, or attorney of record

David V Schwendiman	Milner Irrigation District
Melanie Schwendiman	Represented by:
Val E Schwendiman	Baker Rosholt & Simpson LLP
Val E Schwendiman Farms Inc	113 Main Ave W Ste 303
Canyon Creek Canal Co	PO Box 485
Fremont Madison Irrigation Co	Twin Falls, ID 83303-0485
Represented by:	
Jerry Rigby	American Falls Reservoir
25 N 2 nd E	Represented by:
PO Box 250	C Thomas Arkoosh
Rexburg ID 83440-0250	301 Main St
	PO Box 32
IGWA Inc	Gooding ID
Represented by:	
Randall C Budge	North Side Canal Co Ltd
201 E Center Ste A2	Twin Falls Canal Company
PO Box 1391	Represented by:
Pocatello ID 83204-1391	Travis L Thompson
	113 Main Ave W, Ste 303

SCANNED

NOV 04 2009

4. One copy to:

Each party in the subcase, or attorney of record (Continued)

A & B Irrigation District

Burley Irrigation District

Represented by:

Roger D Ling

615 H Street

PO Box 396

Rupert ID 83350-0396

Minidoka Irrigation District

Represented by:

W Kent Fletcher

1200 Overland Ave

PO Box 248

Burley ID 83318

5. One copy each to:

Chief Natural Resources Division

Office of the Attorney General

PO Box 44449

Boise ID 83711-4449

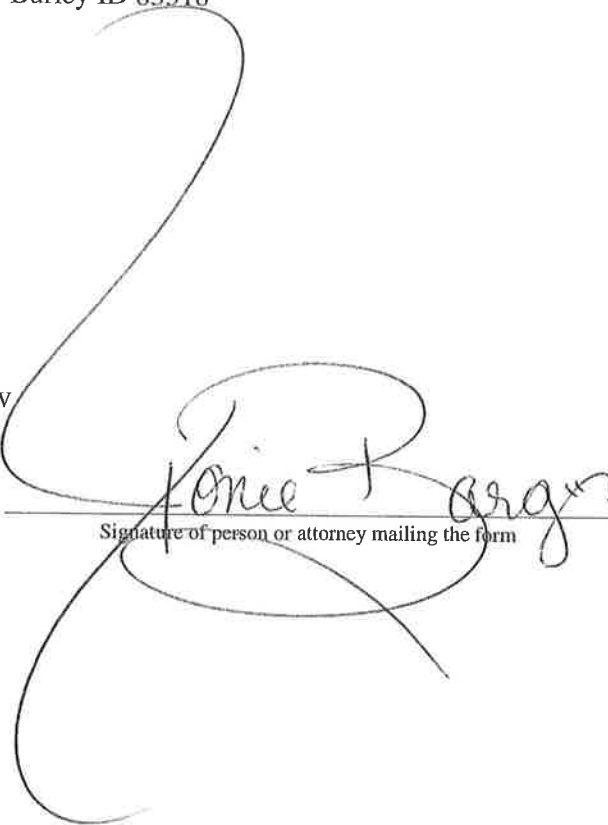
6. One Copy to:

United States Dept of Justice

Environment & Natural Resource Div

550 West Fort Street MSC 033

Boise ID 83724


Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-7287

NAME AND ADDRESS: DAVID V SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE ID 83436

VAL E SCHWENDIMAN
9633 E HWY 33
NEWDALE ID 83436

MELANIE SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE ID 83436

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.120 CFS
2,100.00 AFY

Right Nos. 22-7287 and 22-12656 are limited to a total combined diversion rate of 5.12 cfs.

Use of this right with Right Nos. 22-7210, 22-7271, 22-7287, 22-7313A, 22-7313B, and 22-12656 is limited to a total combined diversion rate of 33.22 cfs and to a total combined annual diversion volume of 13,767.25 AF.

PRIORITY DATE: 01/16/1979

POINT OF
DIVERSION:

T07N R42E S23 SESWSW Within MADISON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	5.120 CFS 2,100.00 AFY
PLACE OF USE:	<u>IRRIGATION in FREMONT County and MADISON County</u>		
	T07N R42E S21	NENE 7.00	T07N R42E S21 SENE 32.00
	T07N R42E S21	NESE 38.00	T07N R42E S22 NENE 14.00
	T07N R42E S22	NWNE 14.00	T07N R42E S22 SWNE 39.20
	T07N R42E S22	SENE 39.20	T07N R42E S22 NENW 31.00
	T07N R42E S22	NWNW 31.00	T07N R42E S22 SWNW 40.00
	T07N R42E S22	SENW 40.00	T07N R42E S22 NESW 17.00
	T07N R42E S22	NWSW 36.00	T07N R42E S22 NESE 39.00
	T07N R42E S22	NWSE 39.00	T07N R42E S23 NWNW 2.80
	T07N R42E S23	SWNW 29.00	T07N R42E S23 SENW 3.10
	T07N R42E S23	NESW 24.00	T07N R42E S23 NWSW 39.20
	T07N R42E S23	SWSW 40.00	T07N R42E S23 SESW 38.00
	T07N R42E S23	SWSE 12.00	
	644.5 ACRES TOTAL		

SCANNED

NOV 04 2009

Place of use does not include federal public lands unless authorized in writing by the managing federal agency.

This right is limited to the irrigation of 600 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 644.5 acres in a single irrigation season. Combined Right Nos.: 22-7287 and 22-12656.

Right Nos. 22-7210, 22-7271, 22-7287, 22-7313A, 22-7313B, and 22-12656 are limited to the irrigation of a combined total of 3933.5 acres in a single irrigation season.

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

Totalizing measuring devices shall be maintained at the point of diversion.

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.

Right No. 22-12656 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Right Nos. 22-7287 and 22-12656 are also diverted through point of diversion described above.

SCANNED

NOV 04 2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-12656

NAME AND ADDRESS: DAVID V SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE ID 83436

MELANIE SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE ID 83436

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.380 CFS
73.30 AFY

Use of this right with Right Nos. 22-7210, 22-7271, 22-7287, 22-7313A, 22-7313B, and 22-12656 is limited to a total combined diversion rate of 33.22 cfs and to a total combined annual diversion volume of 13,767.25 AF.

Right Nos. 22-7287 and 22-12656 are limited to a total combined diversion rate of 5.12 cfs.

PRIORITY DATE: 01/17/1979

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:

T07N R42E S23 SESWSW Within MADISON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.380 CFS
73.30 AFY

PLACE OF USE:

IRRIGATION in FREMONT County and MADISON County

T07N R42E S21	NENE	7.00	T07N R42E S21	SENE	32.00
T07N R42E S21	NESE	38.00	T07N R42E S22	NENE	14.00
T07N R42E S22	NWNE	14.00	T07N R42E S22	SWNE	39.20
T07N R42E S22	SENE	39.20	T07N R42E S22	NENW	31.00
T07N R42E S22	NWNW	31.00	T07N R42E S22	SWNW	40.00
T07N R42E S22	SENW	40.00	T07N R42E S22	NESW	17.00
T07N R42E S22	NWSW	36.00	T07N R42E S22	NESE	39.00
T07N R42E S22	NWSE	39.00	T07N R42E S23	NWNW	2.80
T07N R42E S23	SWNW	29.00	T07N R42E S23	SENW	3.10
T07N R42E S23	NESW	24.00	T07N R42E S23	NWSW	39.20
T07N R42E S23	SWSW	40.00	T07N R42E S23	SESW	38.00
T07N R42E S23	SWSE	12.00			
644.5 ACRES TOTAL					

SCANNED

NOV 04 2009

Place of use does not include federal public lands unless authorized in writing by the managing federal agency.

The rights listed below are limited to the irrigation of a combined total of 644.5 acres in a single irrigation season. Combined Right Nos.: 22-7287 and 22-12656.

Right Nos. 22-7210, 22-7271, 22-7287, 22-7313A, 22-7313B, and 22-12656 are limited to the irrigation of a combined total of 3933.5 acres in a single irrigation season.

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

This right is based upon an enlargement of Right No. 22-7287 pursuant to Section 42-1426, Idaho Code.

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.

Totalizing measuring devices shall be maintained at the point of diversion.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right Nos. 22-7287 and 22-12656 are also diverted through point of diversion described above.

This right is for an enlargement of 44.5 acres within the place of use described for this right.

SCANNED

NOV 04 2009

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

)

Water Rights: 22-7287 & 22-12656

Case No. 39576

)

)

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative proceeding for the above
mentioned water right(s):

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer

☐ point of diversion

☒ place of use

☐ period of use

☐ nature of use

☐ split of water right

☐ change in conditions

IDWR projects the Administrative Proceeding shall be completed no later than: Insert Date

DATED: 24 April 2009

Ernest Carlson

Signature of IDWR Representative

24 April 2010

SCANNED
MAY 12 2009

CERTIFICATE OF MAILING

I certify that on April 24, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
DAVID V SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE ID 83436

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

4. One copy to:

Each party in the subcase, or attorney of record
MILNER IRRIGATION DISTRICT
NORTH SIDE CANAL COMPANY
TWIN FALLS CANAL COMPANY

Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE W STE 303
PO BOX 485
TWIN FALLS ID 83303-0485

AMERICAN FALLS RESERVOIR

Represented by:
C THOMAS ARKOOSH
PO BOX 32
GOODING ID 83330

CANYON CREEK CANAL CO
DAVID SCHWENDIMAN
DAVID V SCHWENDIMAN
FREMONT MADISON IRRIGATION
MELANIE SCHWENDIMAN
VAL E SCHWENDIMAN

Represented by:
JERRY R RIGBY
25 N 2ND E
PO BOX 250
REXBURG ID 83440-0250

SCANNED
MAY 12 2009

IGWA INC

Represented by:
RANDALL C BUDGE
201 E CENTER STE A2
PO BOX 1391
POCATELLO ID 83204-1391

A & B IRRIGATION DISTRICT
BURLEY IRRIGATION DISTRICT

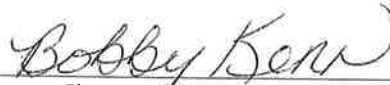
Represented by:
ROGER D LING
615 H ST
PO BOX 396
RUPERT ID 83350-0396

MINIDOKA IRRIGATION DISTRICT

Represented by:
W KENT FLETCHER
1200 OVERLAND AVE
PO BOX 248
BURLEY ID 83318

5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

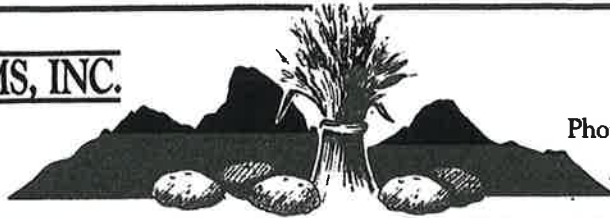


Signature of person or attorney mailing the form

SCANNED
MAY 12 2009

VAL SCHWENDIMAN FARMS, INC.

Specialized Grower of
Idaho Potato Seed



9633 East Highway 33
Newdale, Idaho 83436
Phone: (208) 458-4261, 458-4285
or 458-4224

Aug 16 - 2006

To Dept. of Water Resources

To Whom it may Concern

I Jerry Harris a private
Welder did a road Crossing and
tie in from river system to
Nedrow well system in May 1985

Signed

Jerry Harris

SCANNED

JUN 06 2007

May 1985

April 1985						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May 1985						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June 1985						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

MONDAY

20 May

Victoria Day (Canada)

140/225

Thurs.
Worked on American potato
Gave the cows their shots
Levelled off the barley
put in one more horse gate
got water in garden ditch

TUESDAY

21 May

141/224

Worked american potato 5 1/2
Started Val Schumacher Road Crossing

WEDNESDAY

22 May

142/223

Seminar on Education Stake Center
8 o'clock -
Worked american potato 5 1/2
got Simon's money

SCANNED

JUN 06 2007

IMPORTANT
MATTERS
THIS WEEK:

143/222

Worked American potato
welded Road crossing & by into
the 14" Steel

May 23

THURSDAY

144/221

Worked american potato
put Gates in head gates
Made dike larger by the Hay patch

May 24

FRIDAY

Went to Island park fishing
& Camping

SATURDAY

25

May

145/220

~~W~~ fished Island
park

146/219

May

26

SUNDAY

Stake Center
2 o'clock

Came home &
Went to church

SCANNED

JUN 06 2007

May 1985

April 1985							May 1985							June 1985						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6	5	6	7	8	9	10	11	2	3	4	5	6	7	8
7	8	9	10	11	12	13	12	13	14	15	16	17	18	9	10	11	12	13	14	15
14	15	16	17	18	19	20	19	20	21	22	23	24	25	16	17	18	19	20	21	22
21	22	23	24	25	26	27	26	27	28	29	30	31		23	24	25	26	27	28	29
28	29	30												30						

MONDAY

27 May

147/218

Memorial Day (Observed)

Start watering hay over to Sugar

TUESDAY

28 May

148/217

Finished watering hay over to Sugar

Worked on Al Schumacher 4 1/2 hrs

got steel for mark Schumacher job

WEDNESDAY

29 May

149/216

Graduation museum old tobacco

8 o'clock

welded the hulls for David Schumacher

welded 1 Riser for Ben Mc Kay

SCANNED

JUN 06 2007

5-30-85
 Finished the job 8 hrs -
 7/14-10" 760' \$1050⁰⁰

5-29-85
 welded the fill steel & bracing
 7 1/2 hrs

5-28-85
 weld on 10" 4 1/2 hrs

5-23-85
 Cap the 6" line to the 14" steel
 make by an to the 14" steel
 5 hrs

5-21-85 - welded a back pipe
 do steel covering
 6 hrs

5-9-85
 cut 15 pieces of pipe & 12 pieces
 of pipe to make
 3 1/4 hrs
 1 hr per

7/11 - Schweinerman Steel

5-1-85
 6-1-85

paid

5-11-85 - welded 6-6" pipe
 on 3/4" welded up - 9 total
 9 hrs -
 Ball Bo -
 John Woot

SCANNED
 JUN 06 2007

\$270⁰⁰

01/06/2006

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:

Water right number: 22-12656

DAVID V SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE ID 83436
Telephone Number: (208)458-4224

MELANIE SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE ID 83436
Telephone Number: (208)458-4224

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: Jan 12-06 SIGNATURE: David V. Schwendiman
Please print your name: David V. Schwendiman

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

RECEIVED

JAN 12 2006

Department of Water Resources
Eastern Region

SCANNED

AUG 20 2007

KMT
1113

09/29/2005

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:

Water right number: 22-12656

DAVID V SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE ID 83436
Telephone Number: (208)458-4224

MELANIE SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE ID 83436
Telephone Number: (208)458-4224

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

I disagree with this recommendation because this 60 acres has been irrigated since the priority date, the same as the rest of the acres in this water right.

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: Jan 5-2006 SIGNATURE: David Schwendiman
Please print your name: David Schwendiman

IDWR Regional Office,

SCANNED
AUG 20 2007

Dear Sirs:

January 5, 2006

I am writing in response to the request that an affidavit be provided in regard to a Notice of Error on water right number : 22-12656 which is part of water right number : 22-7287.

The priority date of January 16, 1979 is correct and the 60 acres claimed under water right number : 22-12656 is also correct. However, as we reviewed the application these 60 acres that should have been included on water right number : 22-7287 was not included.

Thank you,

A handwritten signature in black ink, appearing to read "Val Schwendiman", with a stylized flourish at the end.

Val Schwendiman

SCANNED

AUG 20 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 10, 2005

D V SCHWENDIMAN
2573 N 150000 E HWY 33
NEWDALE ID 83436

FINAL NOTICE
PLEASE READ

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-12656

Dear Claimant (s):

The Idaho Department of Water Resources is beginning water rights review in Basin 22, the Teton Valley area. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of JANUARY 16, 1979, from a WELL.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**". **PLEASE READ THE ENCLOSED PAMPHLET.**

SCANNED
AUG 20 2007

9/28/05 NO RESPONSE TO REQUEST ⇒ DISALLOWED ⇒ NO BILL SHOWN

June 4, 2004

**DAVID OR MELANIE SCHWENDIMAN
2573 N 15000 E HWY 33
NEWDALE ID 83436**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-12656

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 22, the Teton River drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of JAN 16 1979, from GROUNDWATER.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**". **PLEASE READ THE ENCLOSED PAMPHLET.**

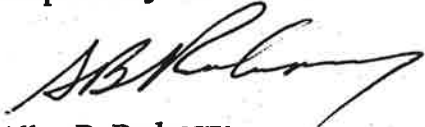
It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

SCANNED
AUG 20 2007

.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

Please submit documentation supporting the priority date within 30 days of the date of this letter, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,



Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"

Log for claim 22-12656

Spatial Dynamics LTD

8/22/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07n42e	21	NENE	7	11	
07n42e	21	SENE	33	33	
07n42e	22	NESW	20	16	
Totals:			60	60	

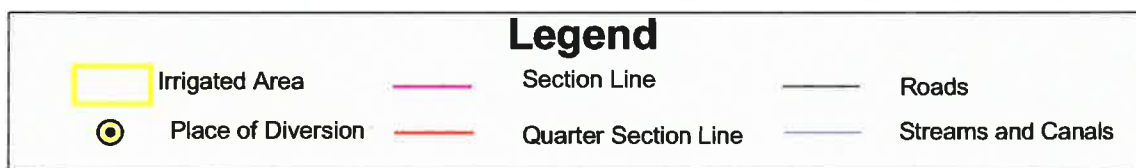
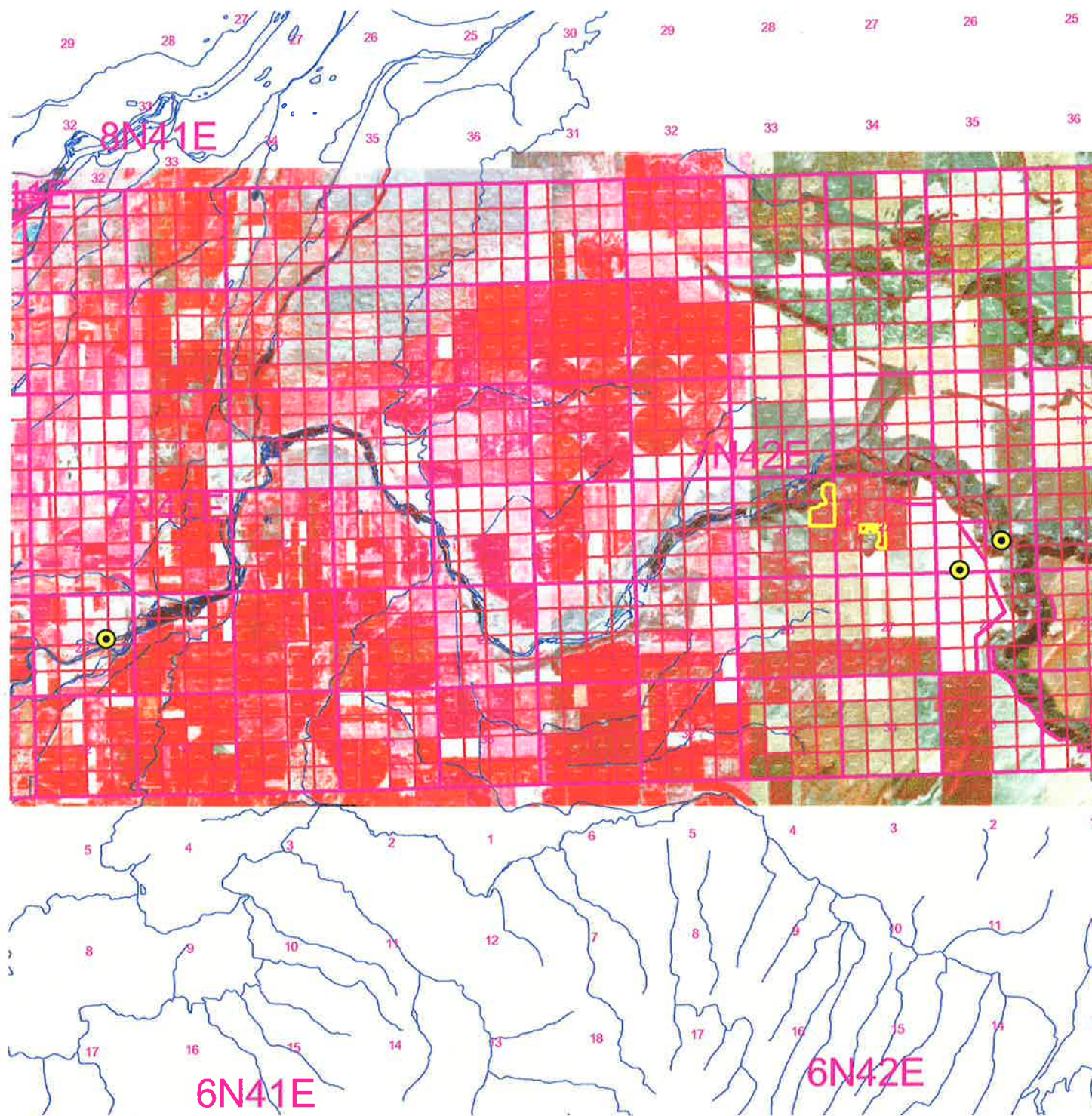


SCANNED
AUG 20 2007

Water Right Claim Number 22-12656

Township , 7N42E

08/22/2001



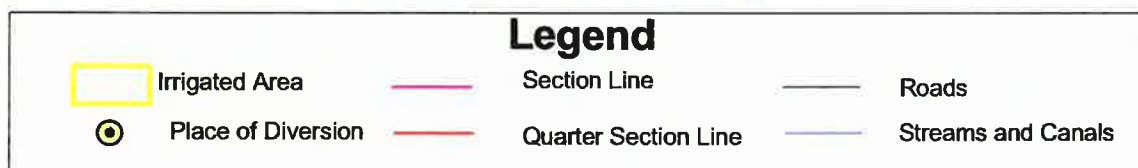
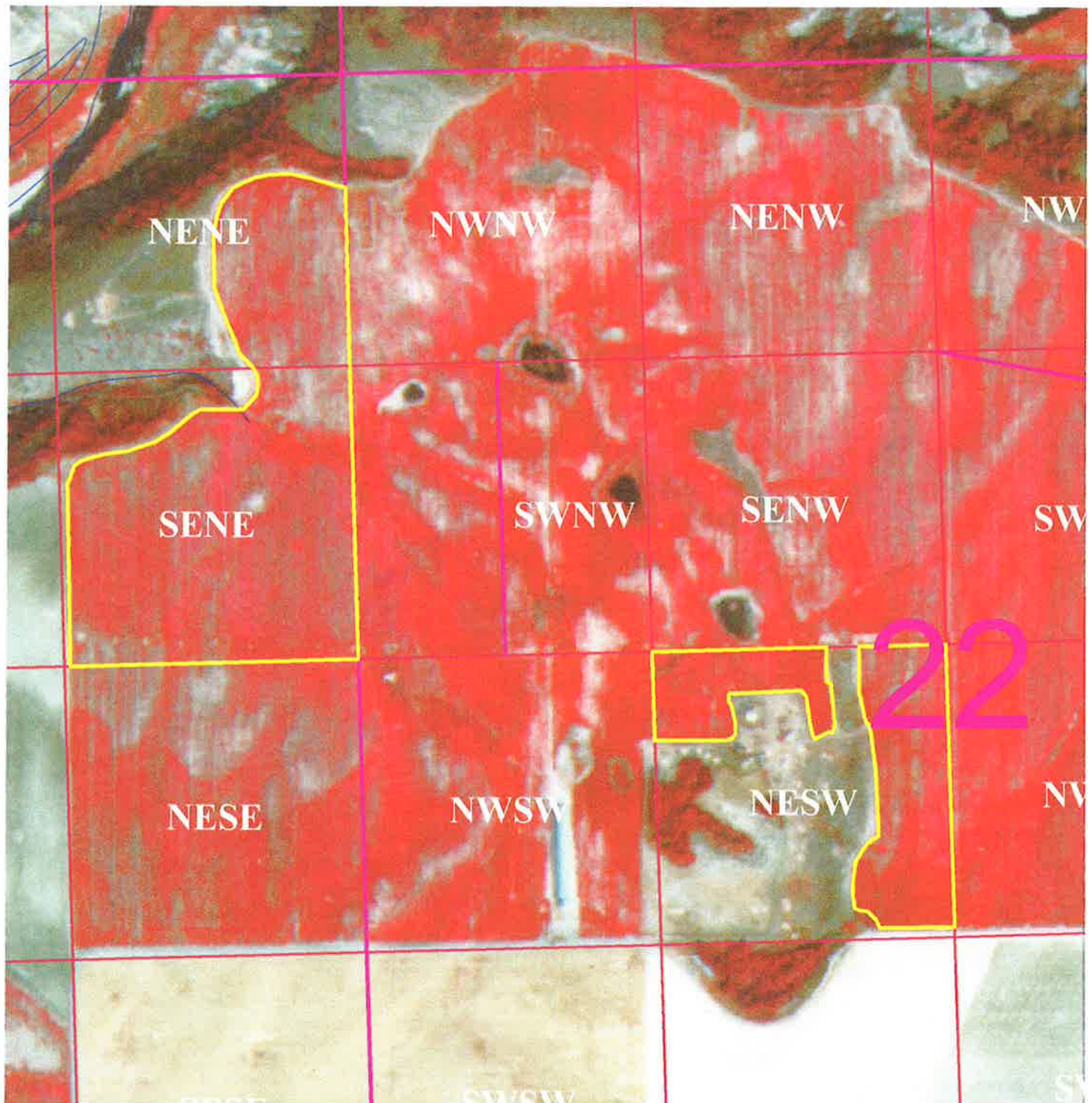
6000 0 6000 12000 Feet

SCANNED
AUG 20 2007

SPATIAL
DYNAMICS

Water Right Claim Number 22-12656
Township , 7N42E

08/22/2001



SCANNED
AUG 20 2007

SPATIAL
DYNAMICS

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 22-12656
Date Received: 3/8/1989
Receipt No: E005999
Received By:

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

1. Name of Claimant(s)

DAVID V SCHWENDIMAN Phone: (208)458-4224

2573 N 15000 E HWY 33
NEWDALE ID USA 83436

MELANIE SCHWENDIMAN Phone: (208)458-4224

2573 N 15000 E HWY 33
NEWDALE ID USA 83436

2. Date of Priority: 01/16/1979

3. Source: GROUND WATER , GROUND WATER , GROUND WATER Trib. to: , ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
07N	42E	23	SW	SW		MADISON	
07N	41E	29	SE	SW	NE	FREMONT	I
07N	42E	23	SE	NW	SE	FREMONT	R

5. Description of diverting works:

3-EXCHANGE WELLS, REDIV. PUMPS, WELL & PUMP, MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.8	

7. Total Quantity Appropriated is:

0.8 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	42E	21	NE	NE	IRRIGATION	7
			SE	NE	IRRIGATION	33
			Section Acres		40	
07N	42E	22	NE	SW	IRRIGATION	20
			Section Acres		20	
			Total Acres		60	

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

14. Remarks:

P/D SAME AS 22-7210/7313A/7313B/7287 THIS IS AN EXPANSION OF 22-7287

The right holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department.

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: 39576

Ident. Number: A22-12656
Date Received: 3/08/1989
Receipt No: E005999
Received By: KCW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID V. SCHWENDIMAN 208-458-4224
Address: 2573 NORTH 15000 EAST HWY 33
NEWDALE, ID 83436

OR

Name: MELANIE SCHWENDIMAN 208-458-4224
Address: 2573 NORTH 15000 EAST HWY 33
NEWDALE, ID 83436

2. Date of Priority: JAN 16, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	41E	29	SE	SW	NE	I	FREMONT
	42E	23		SW	SW		MADISON
			SE	NW	SE	R	FREMONT

5. Description of diverting works:
3-EXCHANGE WELLS, REDIV. PUMPS, WELL & PUMP, MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		

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

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-12656

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Date: 03/08/89

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AUG 20 2007

MICROFILMED
NOV 07 1992

A2212656



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	42E	21	NE	NE		IRR	7.0
			SE	NE		IRR	33.0
					Section Acres		40.0
		22	NE	SW		IRR	20.0
					Section Acres		20.0
					Total Acres		60.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
NONE

14. Remarks:
P/D SAME AS 22-7210/7313A/7313B/7287
THIS IS AN EXPANSION OF 22-7287

15. Basis of Claim: BENEFICIAL USE

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.

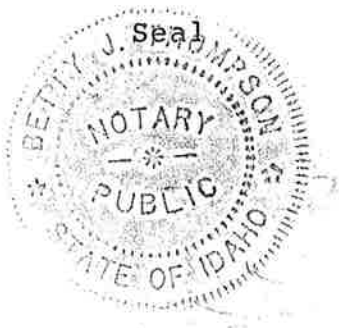
Signature of Claimant(s): David V. Schwendman Date: 3-8-89

Date: _____

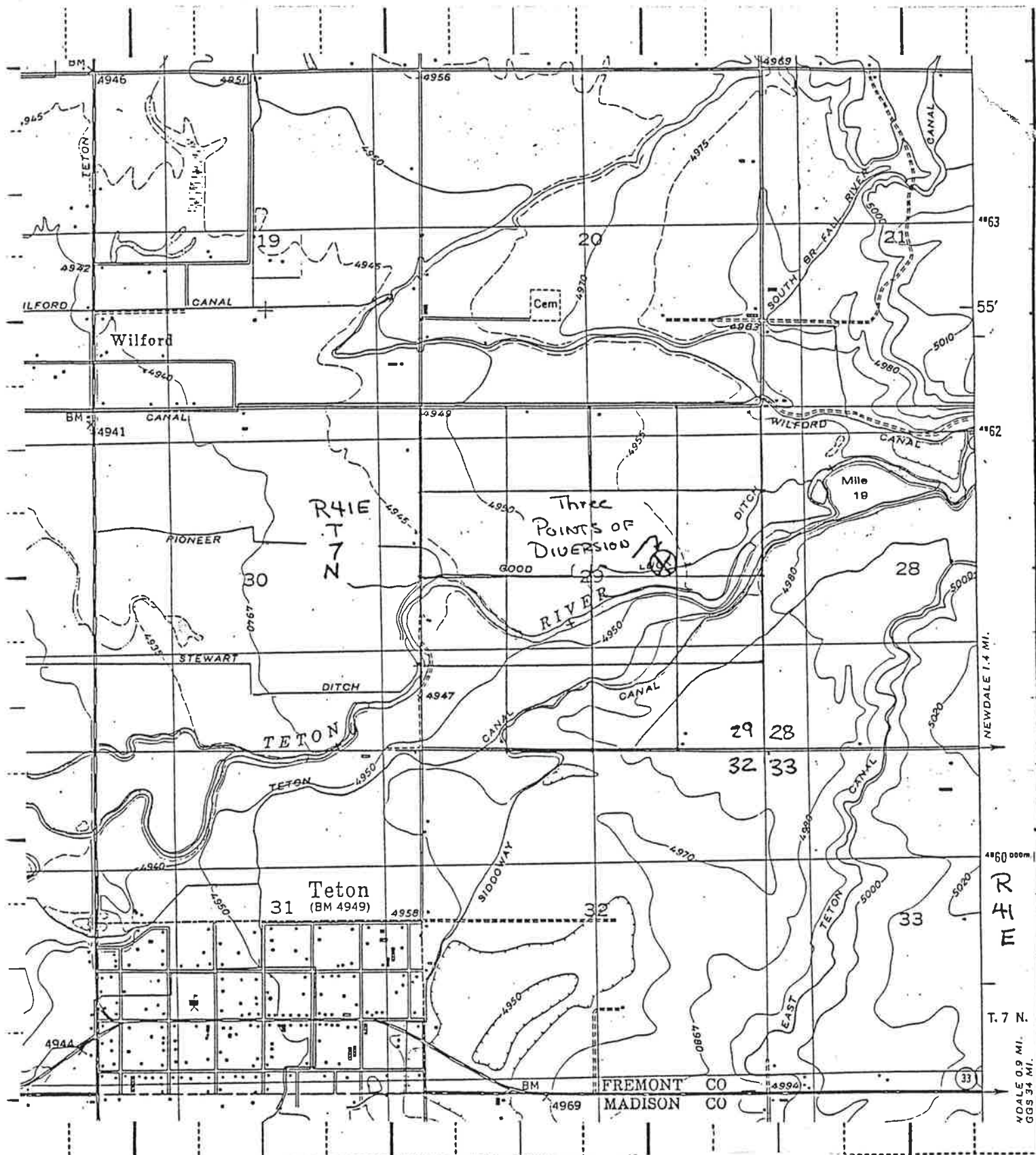
State of Idaho)
County of Bonneville) ss.

Subscribed and sworn (or affirmed) before me this 8th day
of March 19 89

Betty J. Thompson
Notary Public



Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires MY COMMISSION EXPIRES: 6-30-94

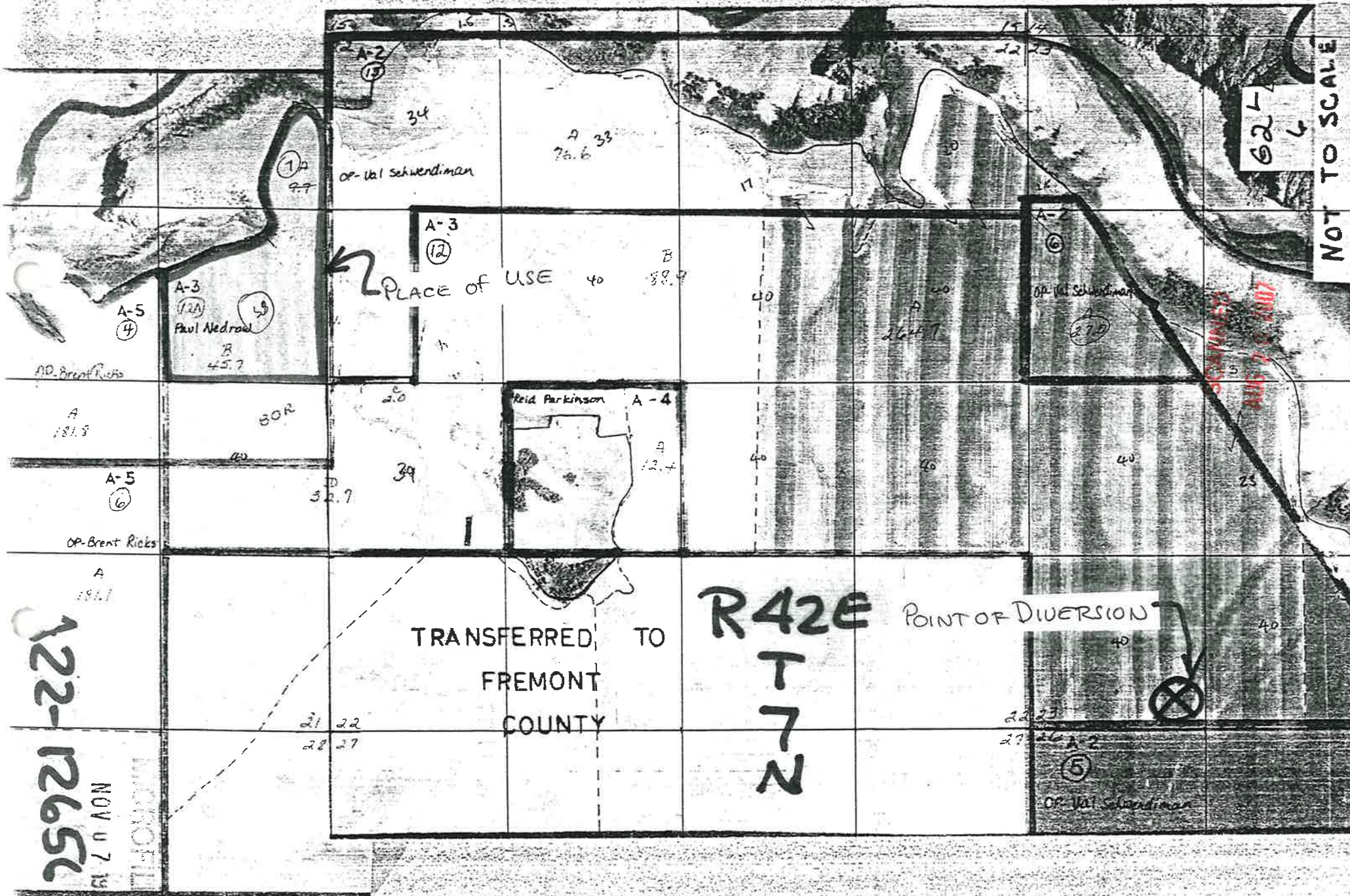


SCANNED
AUG 28 2007

A22-12656
MICROFILMED

NOV 07 1992

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.



NOT TO SCALE

624

PLACE OF USE

POINT OF DIVERSION

TRANSFERRED TO
FREMONT
COUNTY

R42E
T7N

122-12656

NOV 7 1912