02/24/2004

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-48C

NAME AND ADDRESS: SUSAN SARGENT
PO BOX 24
SWAN VALLEY ID 83449

SOURCE: RAINEY CREEK TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 0.240 CFS

PRIORITY DATE: 06/01/1893

POINT OF DIVERSION:

T01N R44E S7 SWNENE Within BONNEVILLE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	0.240 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R43E S01	NESE	0.4	T01N R43E S01	NWSE	0.2
T01N R43E S01	SWSE	5.6	T01N R43E S01	SESE	10.0

16.2 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 23-98C IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 16.2 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 12.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE 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: Decreed

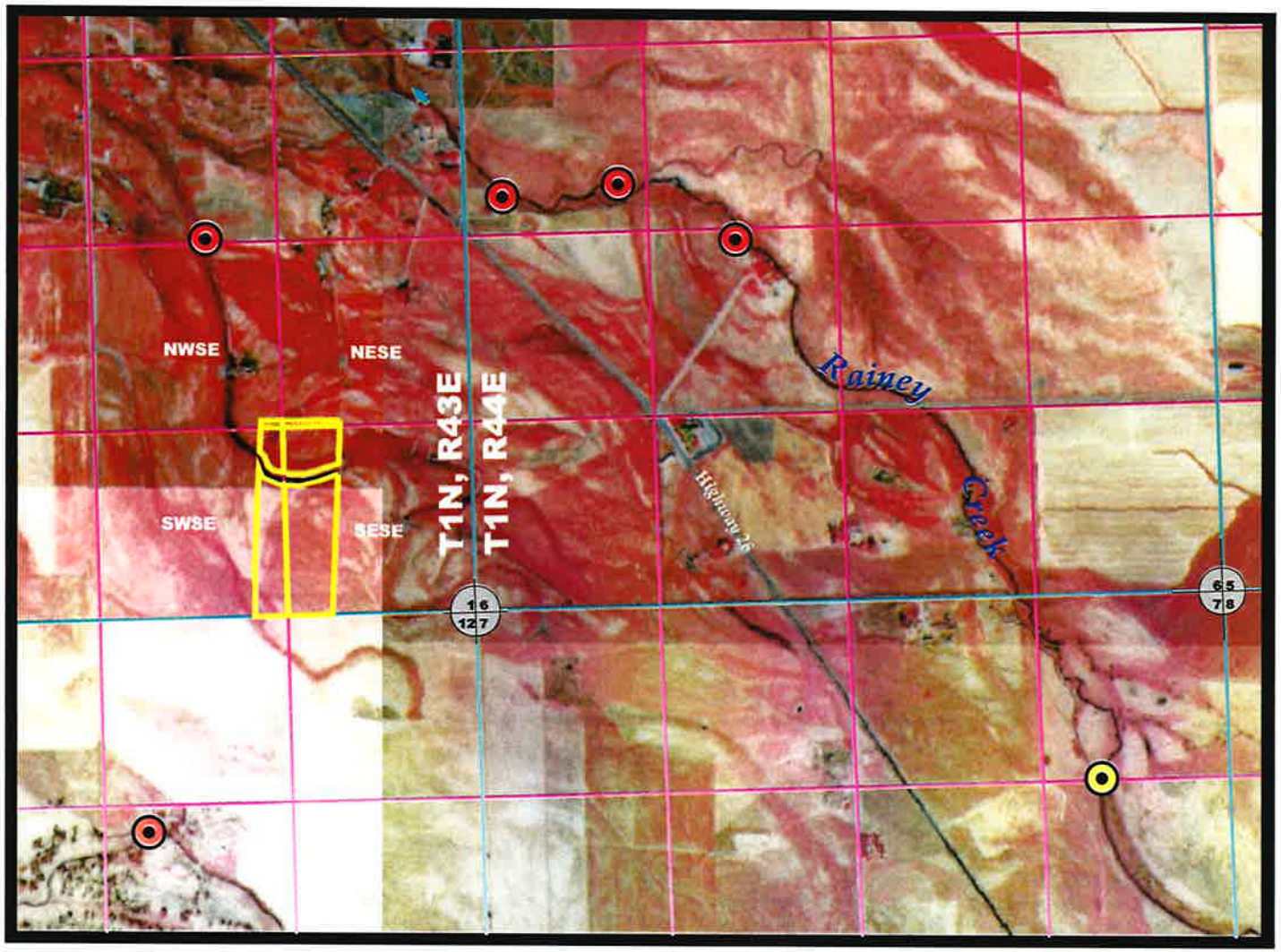
RIGHT NO. 23-98C IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

SCANNED
JUL 07 2004

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

23-00048C,
23-00098C

Place of Use: (parts of)
T1N, R43E Sec. 1 SE

Point(s) of Diversion:
T1N, R44E Sec. 7 SWNENE

N
W E
S

LEGEND

- Point of Diversion
- SESE — Place of Use
- Section
- Quarter-Quarter

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: December 2003

IDWR Field Exam Form 04/03/2002

Contacts Data Entry Form

Water Right No. 23-00048C

Owner Type Full Name Address City State Zip Phone

Current Owner SUSAN SARGENT

Name connector: and ____, or ____, and/or ____

Current Owner ____

Current Owner ____

Representing Attorney: ____ Phone Number: ____

Accompanied By: ____ Phone Number: ____

Relationship to Claimant: ____

Date of Field Exam: ____ Time: ____

Directions to Property (if different from above) and/or update owner information:

DECREED UNDER KELBURG IRRIG. VS TETON CANAL, 1910, AS #112, TO ROBT. OAKDEN AS 160 INCHES. SEE SPLIT HISTORY.

8/26/03 FS - PASTURE - NO DEVELOPMENT

FS INDICATED! POU, POD, CONVEY SYST., OVERLAP RTS

Reviewer: ____ Date: ____

SCANNED

JUL 07 2004

IDWR Field Exam Form 04/03/2002

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: JUNE 1, 1893 Claimed Basis: DEC

Recommended Priority Date: 6/01/1893 Recommended Basis DECREED

_____ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

CLAIM MATCHES DECREE

Reviewer: _____ Date: _____

DIVERSION OFF RANCH CK
GPS TAG
RANCH CK

IDWR Field Exam Form

04/03/2002

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 1N, R 44E, Sec. 7, SW, NE, NE. County: BONN

Source: RAINEY CK, LOWER Tributary: SNAKE RIVER, SO. FK ← OK

Recommended Point of Diversion: T____, R____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____

_____ **Use Claimed POD and Source as Recommended POD and Source**

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
1N	44E	7		SWNENE	BONN	RAINEY CK

TRIB TO: SNAKE RIVER, SO FK

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

Other rights from this POD? GPS POD - TAG # A0000951 ON HEADGATE UNDER WHEEL

Document how the POD and Source were verified and/or Pump and Motor data:

POD NOT ADDRESSED BY DEVICES.

SAME POD AS 98C

PDS

Transfers Changing POD _____

Reviewer: _____ Date: _____

IDWR Field Exam Form 04/03/2002

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
1N	43E	1	S2SE		Bonn.		17±	Irrig.

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
1N	43E	1	SWSE		Bonn.		8±	Irrig.
			SESE		"		8±	Irrig.

Total Acres 17

Document how the POU was verified:

POU NOT ADDRESSED BY DECREE.

8/26/03 POU IS IRRIGATED PASTURE W/O ANY DEVELOPMENT.

Combined Use Limits Q/AC w/ 23-48C

Transfers Changing POU _____

Reviewer: _____ Date: _____

IDWR Field Exam Form 04/03/2002

Period of Use and Quantity Data Entry Form

Claim Number: _____

__ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrig	4/1	11/1	0.24	

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrig	4/15	10/31	0.24	

Overall Diversion Rate 0.24 Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

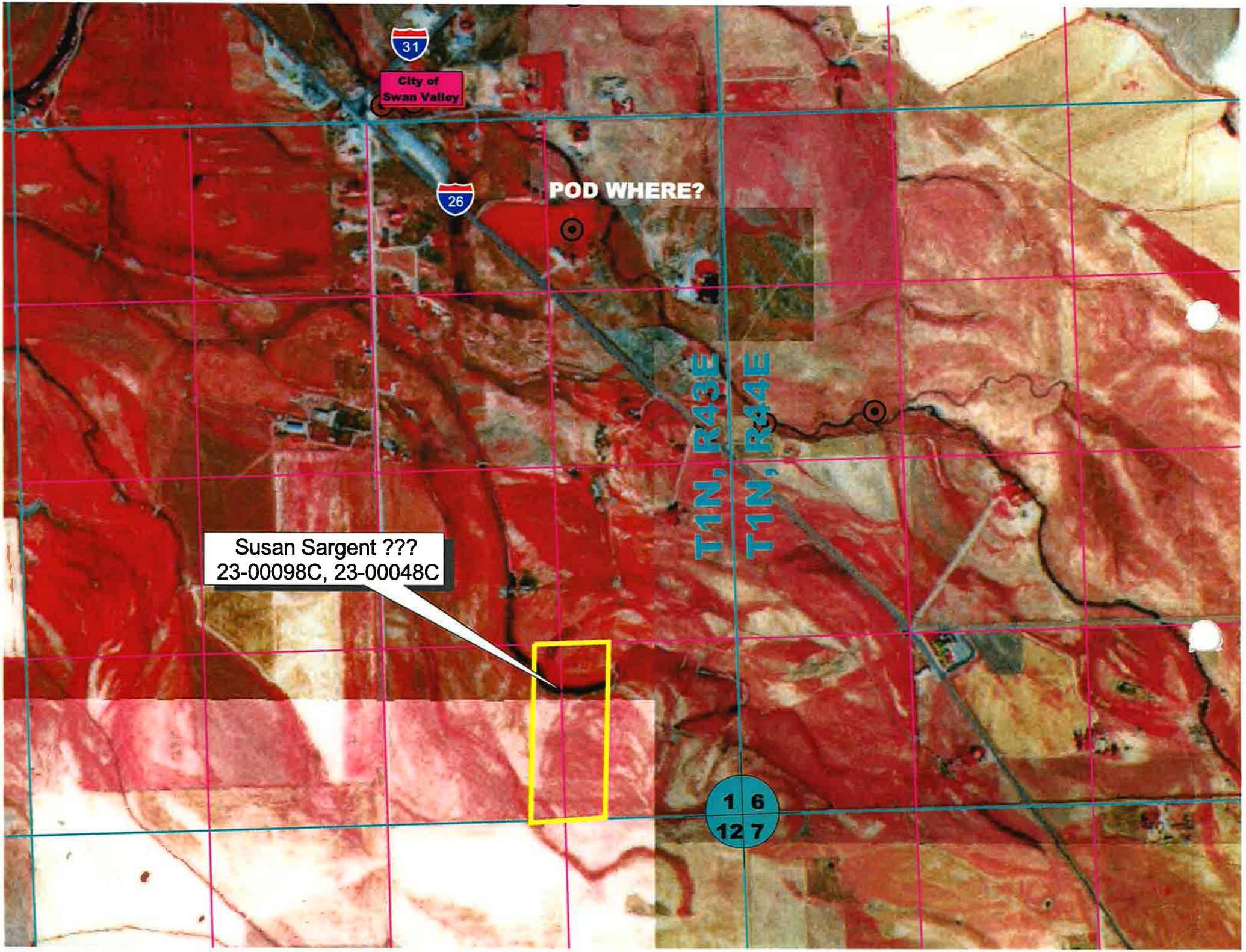
Q CLAIMED AT 0.24 ON 17AC = 0.01397... ≈ 0.014cfs/AC
DIVERSION IS AT 0.02cfs/AC (AND 42-202,220 IC). PPH OF Qs
W/ AC/Q LIMITS. 17AC X 0.02 = 0.34cfs - 48C LIMITED TO 12AC
SOIL NOT ADDRESSED AT DIVERSION. USED 4/15 TO 10/31 PER
DEPT STD FOR AREA.

Reviewer: _____ Date: _____

48C = 0.24 (1693)
98C = 0.20 (1916) Remark
0.44 — EOI/E28
-0.34
0.10 = CONVEY LOSS

Log for claim 23-00048C **Spatial Dynamics BTD** **5/18/01**

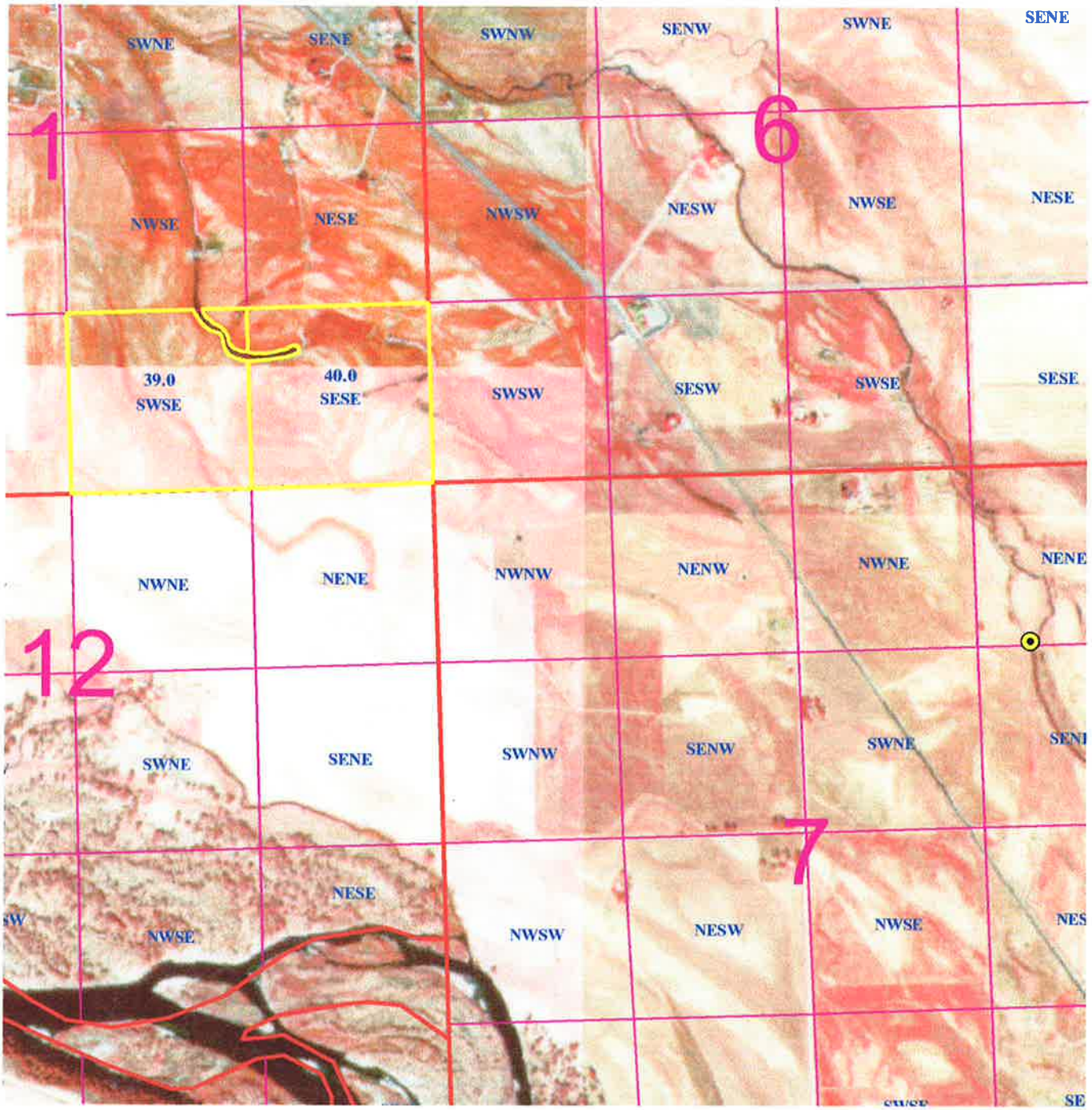
TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n43e	1	SWSE	8.5	39	Indiscernible
01n43e	1	SESE	8.5	40	Indiscernible
Totals:			17	79	


31
City of Swan Valley
26
POD WHERE?
T1N, R43E
T1N, R44E
Susan Sargent ???
23-00098C, 23-00048C
1
6
12
7

Water Right Claim Number 23-00048C

05/18/2001

Townships , 1N44E, 1N43E



Legend

- Irrigated Area
- Place of Diversion
- Section Line
- Quarter Section Line
- Roads
- Streams and Canals

N

700 0 700 1400 Feet

Spatial Dynamics

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 23-48

WATER RIGHT NUMBER: 23-48

Owner Type	Name and Address
Current Owner	ROBERT OAKDEN
	, ZZ

Priority Date: 06/01/1893
Basis: Decreed
Status: Active

Source	Tributary
RAINEY CREEK	SOUTH FORK SNAKE RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	/ to /	3.200 CFS	
	Total Diversion:	3.200 CFS	

Location of Point(s) of Diversion
RAINEY CREEK

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	43E	1									X	X	X	X					
01N	44E	6									~~X~~	~~X~~	~~X~~	~~X~~	X	X	X	X	ERROR

Conditions of Approval:

Remarks:

1. General P/D AND P/U INCOMPLETE.

Comments:

SEE SPLIT HISTORY ATTACHED

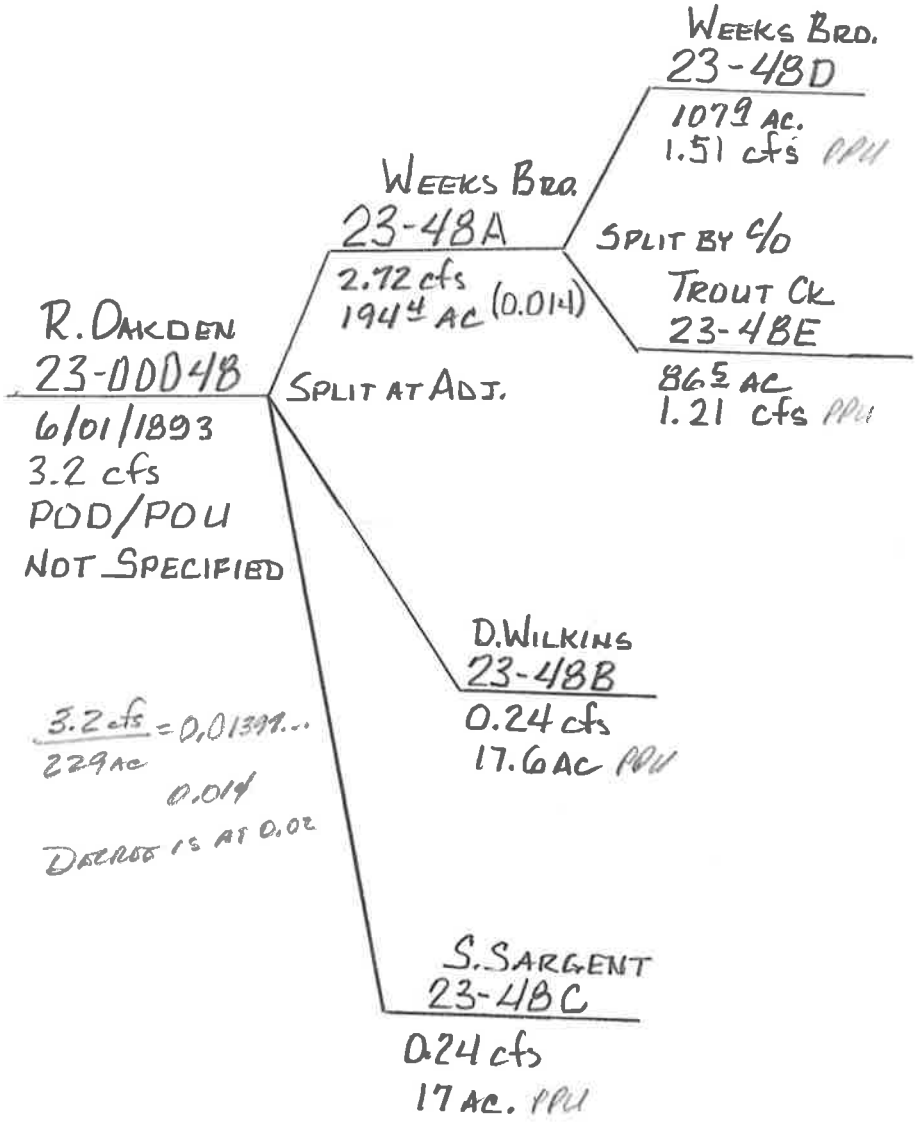
Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 23-48

Dates and Other Information:

Licensed Date:
Decreed Date: 12/16/1910
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 01
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Teton Irrigation Canal Co, et al
Decree Plaintiff: Rexburg Irrigation Co
Civil Case Number:
Judicial District: Sixth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



ADJ. PARTS	cfs CLAIMED
B.	0.24
C.	0.24
D.	1.51
E.	1.21
TOTAL Q =	3.2 cfs

CLAIMED IN-FULL

ΣAC = 229 — 3.2cfs / 0.02 = 160 AC

OVERLAP OF RTs - PPU w/ Limits

Form 42-1409(7)

DE, Log
~~SB 6-10-97~~
DC 7/24/97

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 6/5/97

(.24 cfs) 2.96 cfs
(.20 cfs) 211.4
2.49 cfs

LEGAL DESCRIPTION OF PROPERTY: Township 1 N Range 43 EBM
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block, _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.
See Exhibit "A" attached

[ ] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[ ] Water Right Number(s) Assigned by IDWR: A23-00048A ~~(C)~~ /98A ~~(C)~~ - 48c - 48c

[ ] Name and Address of Former Owner/Claimant(s)(Seller): Weeks Brothers

RECEIVED
JUN 10 1997
Department of Water Resources
Eastern Region

[ ] New Owner/Claimant (Purchaser): Susan Sargent

[ ] New Mailing Address: _____

[ ] New Telephone Number: ( )_____-_____

[ ] Does the change in ownership result in a splitting of the water right owned/claimed? X yes ___ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
See legal description attached (17.07 acres)

[ ] Attach proof of ownership, describe proof attached: Corporation Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[ ] Signature of New Owner/Claimant(s): Susan Sargent by Lola Sargent Date 6-5-97
_____ Date

[ ] Signature of Former Owner/Claimant(s): + Darrell Weeks Pres. Date 6-5-97
_____ Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: **By:**
Further Action Needed:

Further Action Taken
Date: **By:**
Final Review and Data-Entry
Date: **By:**
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

have liability by reason of the estate of transfer or conveyance of the estate of in force in favor of any purchaser from the insured of (ii) an indebtedness secured by a purchase money mortgage given by a purchaser from the insured of either (i) all or any part of the land, at Date of Policy, and the use, at its option, only to the extent

OWNERS

SCHEDULE A

td

OFFICE FILE NUMBER	POLICY NUMBER	DATE OF POLICY	AMOUNT OF INSURANCE	PREMIUM AMOUNT
T-12643	13 4032 106 001008	06/05/97 4:46 p.m.	$54,000.00	$394.00

1. Name of Insured:

   SUSAN SARGENT, an unmarried person

2. The estate or interest in the land which is covered by this policy is: **A Fee Simple.**

3. Title to the estate or interest in the land is vested in:

   SUSAN SARGENT, an unmarried person

4. The land herein described is encumbered by the mortgages or trust deeds, and assignments, if any, as shown in Schedule B hereof.

5. The land referred to in this Policy is described as follows:

   TRACT I:

   Beginning at the South Quarter Corner of Section 1, Township 1 North, Range 43 East of the Boise Meridian, Bonneville County, Idaho, thence South 89°56'07" East 1107.66 feet to the true point of beginning; running thence South 89°56'07" East 550.00 feet, thence North 02°48'37" East 955.67 feet, thence North 04°20'13" East 398.17 feet, thence North 89°56'07" West 550.00 feet, thence South 04°20'13" West 398.17 feet; thence South 02°48'37" West 955.68 feet to the true point of beginning.

   TRACT II:

   A 60 foot wide Access Easement being described as follows:

   Beginning at a point that is South 89°56'07" East 50.00 feet along the Section line from the South Quarter Corner of Section 1, Township 1 North, Range 43 East of the Boise Meridian, Bonneville County, Idaho; said point being on the East right of way line of Stoltenberg Lane; running thence South 89°56'07" East along the Section line 1057.66 feet, thence North 02°48'37" West 60.07 feet, thence North 89°56'07" West 1060.60 feet, thence South 60.00 feet to the point of beginning.

943952

BLT T-12643

CORPORATION WARRANTY DEED

RENELL WEEKS FARMS, INC., *a Corporation under the laws of the State of Idaho having been duly authorized by its Board of Directors, as* ***GRANTOR,***
for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto ***SUSAN SARGENT, an unmarried person,*** *as* ***GRANTEE,*** *whose address is P. O. Box 34 , Swan Valley, Idaho, and Grantee's successors and assigns, all of the following described real property, to-wit:*

TRACT I:

Beginning at the South Quarter Corner of Section 1, Township 1 North, Range 43 East of the Boise Meridian, Bonneville County, Idaho, thence South 89°56'07" East 1107.66 feet to the true point of beginning; running thence South 89°56'07" East 550.00 feet, thence North 02°48'37" East 955.67 feet, thence North 04°20'13" East 398.17 feet, thence North 89°56'07" West 550.00 feet, thence South 04°20'13" West 398.17 feet; thence South 02°48'37" West 955.68 feet to the true point of beginning.

TRACT II:

A 60 foot wide Access Easement being described as follows:

Beginning at a point that is South 89°56'07" East 50.00 feet along the Section line from the South Quarter Corner of Section 1, Township 1 North, Range 43 East of the Boise Meridian, Bonneville County, Idaho; said point being on the East right of way line of Stoltenberg Lane; running thence South 89°56'07" East along the Section line 1057.66 feet, thence North 02°48'37" West 60.07 feet, thence North 89°56'07" West 1060.60 feet, thence South 60.00 feet to the point of beginning.

SUBJECT TO the 1997 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

Grantor, for itself, and its successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: June 5, 1997

RENELL WEEKS FARMS, INC.
Corporation Name

by: Renell Weeks Pres.
President

'97 JUN 5 PM 4 46
BONNEVILLE COUNTY RECORDER
943952

STATE OF IDAHO)
) *ss*
COUNTY OF Bonneville)

On June 5, 1997, *before me, the undersigned, personally appeared*

Renell Weeks
known or identified to me to be President of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

Notary Public for the State of Idaho
Commission Expiration Date: 1/28/2003

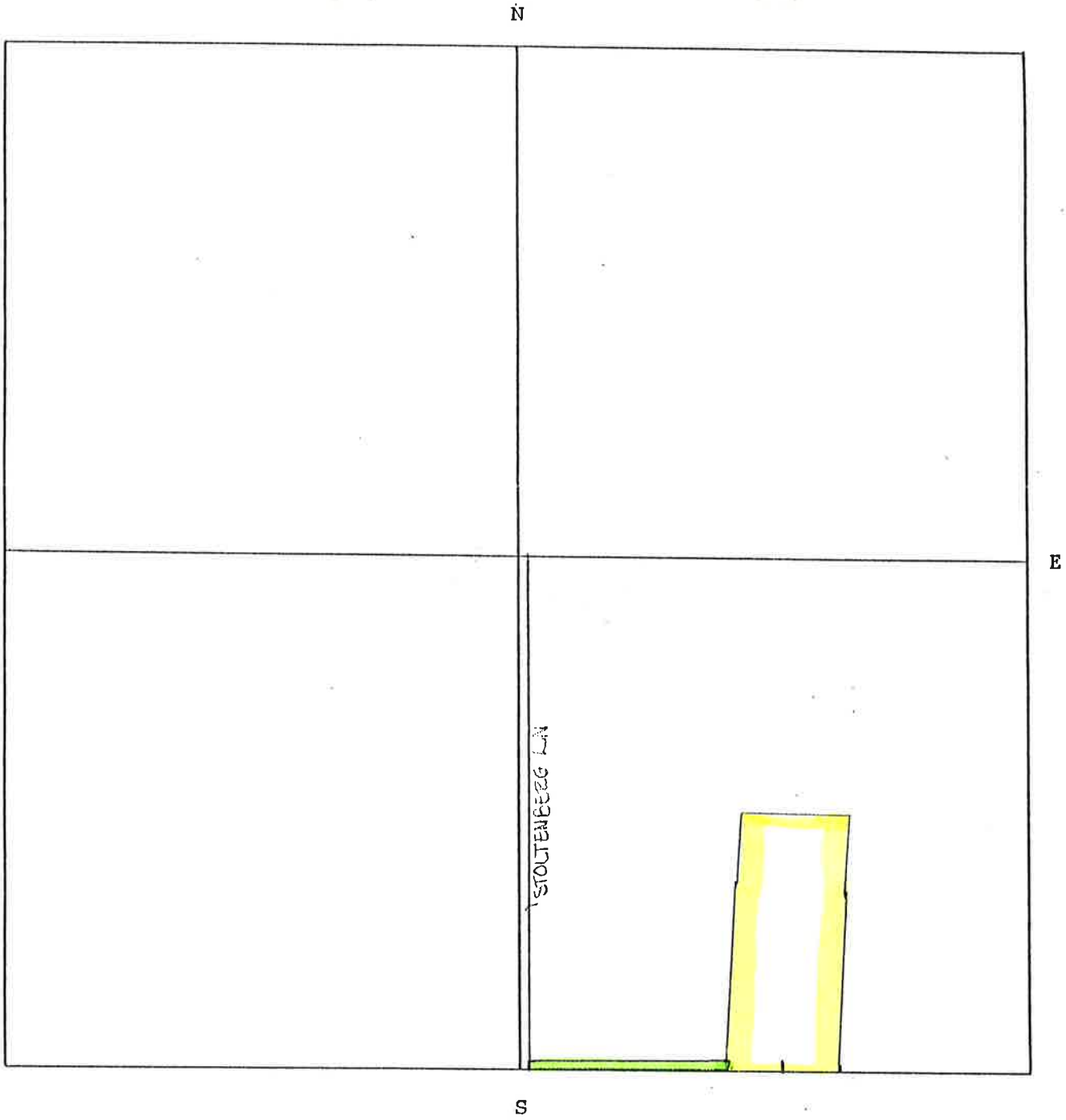
NOTARY PUBLIC
LENORE J. KATRI
STATE OF IDAHO

Residing at Idaho Falls, Idaho
My Commission Expires Jan 28, 2003

INSTRUMENT NO. 943952
DATE 6-5-97
INST. CODE 235
FICHE NO. 12331-62
FEE 3.00
STATE OF IDAHO)
COUNTY OF BONNEVILLE) ss
I hereby certify that the within instrument was recorded.
Ronald Longmore,
County Recorder
By Deputy
Request of

Bonneville Land & Title Co.

497 N. Capital Ave * P.O. Box 51690 * Idaho Falls, ID 83405-1690 * (208) 524-6600



Section: 1 Township: 1N Range 43, East of the Boise Meridian, Bonneville County, Idaho.

Tract I: ☐
Tract II: ☐

Scale: ✓ 800 feet = 1 inch, Section
400 feet = 1 inch, Quarter Section
200 feet = 1 inch, Quarter Quarter Section

This plat is made solely for the purpose of assisting in locating said land. The company assumes no liability for variations found, if any, with an actual survey.

Bonneville Land & Title Co.

*497 N. Capital Ave. * P.O. Box 51690 * Idaho Falls, ID 83405-1690 * (208)524-6600 * Fax (208)524-6072*

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: **A23-00048C**
Date Received: 8/25/1989
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SUSAN SARGENT
   Address: PO BOX 24
   SWAN VALLEY ID 83449

2. Date of Priority: JUN 1, 1893

3. Source: RAINEY CREEK, LOWER Trib. to: SNAKE RIVER, SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
01N	44E	7	SW NE	NE	BONNEVILLE

5. Description of diverting works:
   HEADGATE IN STREAM TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.240		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   INCIDENTAL STOCKWATERING

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	43E	1	SW SE		IRR	8.5
			SE SE		IRR	8.5

Section Acres 17.0

A2300048C

10. Place of Use: Continued

Total Acres 17.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
A23-00098A, PALISADES CANAL RTS, PALISADES STORAGE RTS.

14. Remarks:
P/D AND P/U INCOMPLETE IN DECREE.
APPEARS TO BE ERROR IN DESCRIPTION IN DECREE. SHOULD BE SE1/4 OF SECTION 1 RATHER THAN SW1/4 AS INDICATED.
* THIS RIGHT PAID FOR UNDER RECEIPT #E009979. CHANGE IN OWNERSHIP.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO ET AL
Decree Plaintiff

vs

TETON IRRIGATION CANAL CO. ET
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 ____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____