

12/15/2003

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

RIGHT NUMBER: 23-96A

NAME AND ADDRESS: SWAN VALLEY PROPERTIES LLC
50 KING ST STE 101
PO BOX 4741
JACKSON WY 83001

SOURCE: RAINEY CREEK TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 0.140 CFS

USE OF THIS RIGHT WITH RIGHT NO. 23-00022A IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.14 CFS.

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:
T02N R44E S33 SENWSE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.140 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T02N R44E S33	NWSW	0.1	T02N R44E S33	SWSW	5.9
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6 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 23-00022A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 6.0 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: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

RIGHT NO. 23-00022A IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.



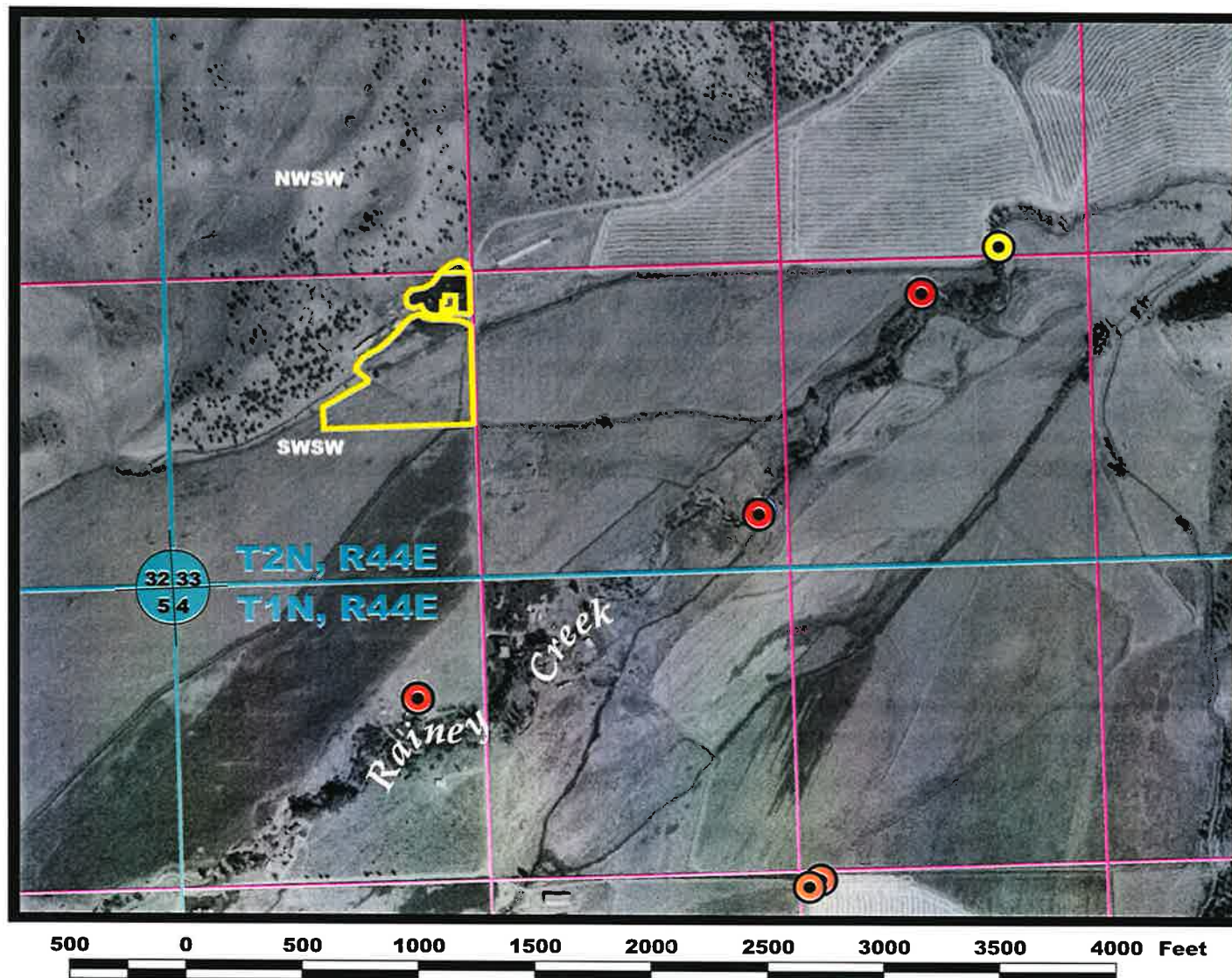
JUL 12 2004

SCANNED

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

23-00022A,

23-00096A

Place of Use: (parts of)

T2N, R44E Sec.33 W2SW

Point(s) of Diversion:

T2N, R44E Sec. 33 SWNWSE



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

Contacts Data Entry Form

Water Right No. 23-00096A

Owner Type	Full Name	Address	City	State	Zip	Phone
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Current Owner

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 PALISADES TRAIL CO. vs LYNN CRANDALL,
01/16/1951 (DECREES 23-H), TO D. H. PETERSON AND J. L.
PETERSON, Priority on JANUARY 22, 1916, RAINY CR
@ 100" (2.0 cfs).

4/17/03 RE.

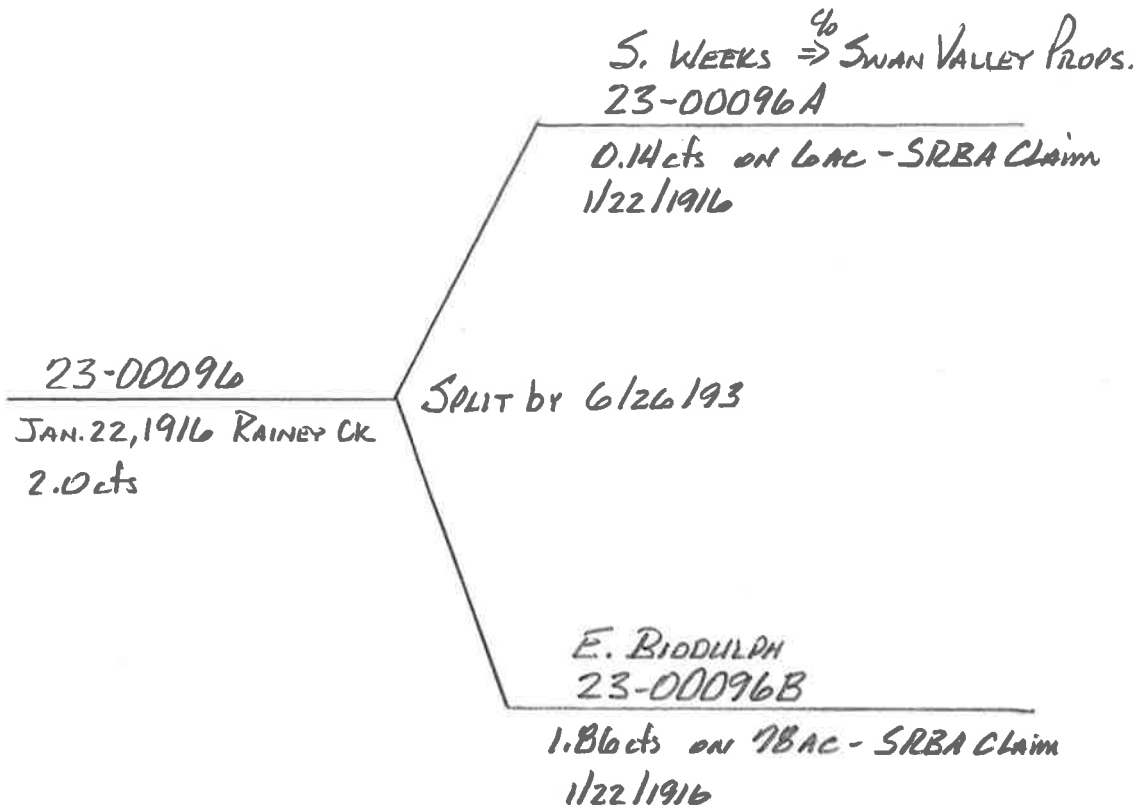
RE: PDD/POU, CONVEYANCES

Reviewer: _____

Date: _____

SCANNED
JUL 12 2004

Water Right Split History Analysis



Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 1/22/1916 Claimed Basis: DocRecommended Priority Date: 1/22/1916 Recommended Basis: Doc☐ 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:

MATCHES DISCRETS

Reviewer: _____

Date: _____

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 2N, R 44E, Sec. 34, NE, NW, SW. County: BONNI.Source: RAINY CR Tributary: SNAKE RIVER, SO. FK

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
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? GPS TAG #: A0013617

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

* Claims POD AS ABOVE - THERE IS NO DIVERSION IN THIS 10 AC TRACT. ACTUAL POD SERVING THE CONVEYANCE DITCH FOR THIS AND OTHER AREAS IS IN SE1/4 SEC. 33 2N/44E. SAME FOR 23-22A.

⇒ C#3
ERROR OF CLAIM.

Transfers Changing POD _____

Reviewer: _____

Date: _____

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

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
2N	44E	33	SWSW		Bonn			
			SWSW					

Total Acres 60 As Claimed

C/S

Document how the POU was verified:

CLAIMS POU IN SWSW AND SWSW SEC. 33 2N/44E.
 THERE IS NO IRRIGATION IN SWSW - THERE IS LAWN AND
 CROP FIELD IN SWSW AND NWSW (LAWN ONLY).

Transfers Changing POU _____

Reviewer: _____

Date: _____

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
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Spring</i>	<i>4/15</i>	<i>10/31</i>	<i>0.14</i>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

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

SOI to DORT STD 4/15 TO 10/31.

Reviewer: _____

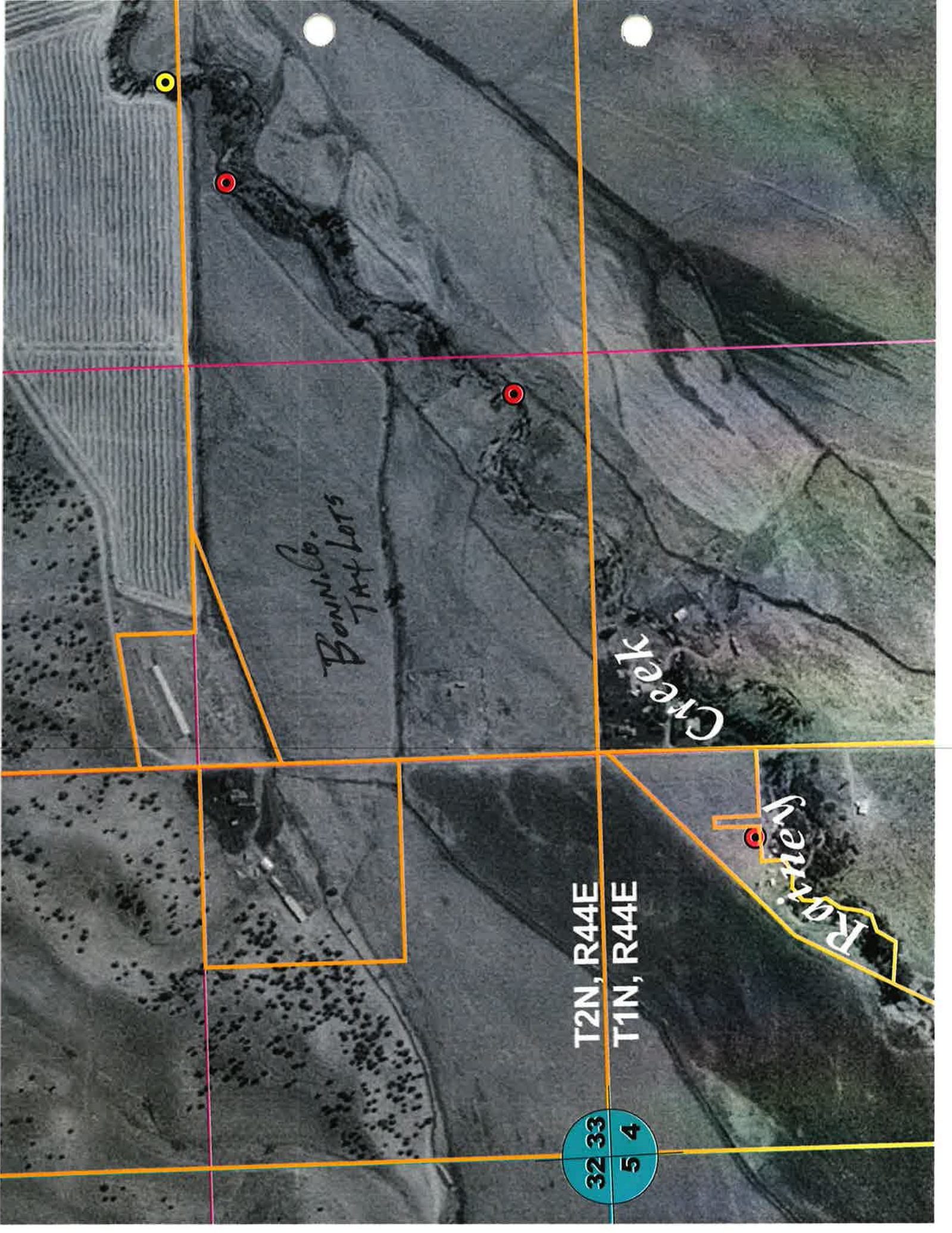
Date: _____

Log for claim 23-00096A

Spatial Dynamics LTD

6/1/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02n44e	33	SWSW	4	26	Indiscernible
02n44e	33	SESW	2	31	Indiscernible
Totals:			6	57	



Bourne Co.
1st 4 lots

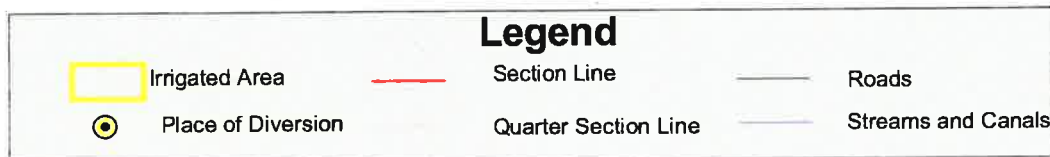
Creek

Piney

T2N, R44E
T1N, R44E

32	33
5	4

06/01/2001



700 0 700 1400 Feet

 SPATIAL
DYNAMICS

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 23-96

WATER RIGHT NUMBER: 23-96

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JESS L PETERSON
	, ID
Current Owner	DAVID H PETERSON
	, ID

Priority Date: 01/22/1916

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
RAINEY CREEK	SOUTH FORK SNAKE RIVER
UPPER RAINEY CREEK	SOUTH FORK SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	2.000 CFS	
DOMESTIC	/ to /		
<u>Total Diversion:</u>		2.000 CFS	

Location of Point(s) of Diversion

RAINEY CREEK

UPPER RAINEY CREEK

Place of UseIRRIGATION Within BONNEVILLE County

T02N R44E S33	NESW	T02N R44E S33	NESE
T02N R44E S33	NWSE	T02N R44E S33	SESE

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

- General P/D NOT GIVEN IN DECREE.
P/U INCOMPLETE.
RIGHT CANNOT BE TRANSFERRED. SEE DECREE.

Comments:Dates and Other Information:

*Revised as per
1/16/1951*

AK
4/2/03

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	23-38B			23-96A	
	23-18A			23-25	
	23-24				
	23-97				
	23-22A				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights(s) or claims(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use your water rights(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county.)
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant Steve & Ruth Weeks
4. New Owner/Claimant(s) Swan Valley Properties, L.L.C.
 Name connector (check one): [] and [] or, [] and/or
 New Mailing Address 50 King St., Ste 101, P.O. Box 4741
 City, State and ZIP Code Jackson, WY 83001
 New Telephone Number 307-733-8229
5. Date you acquired the property December 16, 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Allen
RECEIVED

JUL 02 2003

Department of Water Resources
Eastern District Office

CHANGE IN ADDRESS

This form can be used to notify the Department
of a change in address for Department records
(Please print or type)

23-18A
23-2054
23-22A
23-24
23-25-
23-38B
23-96A
23-97
1-10964B
1-4122
1-7267B

[] Name(s): Basin 23 Steve Weeks
Swan Valley Land + Livestock Inc.

[] Old Mailing Address: PO Box 25
Swan Valley ID 83449

[] New Mailing Address: 45785 County Rd. 16
Cope, CO 80812

Telephone Number: (970) 357 - 4399

[] Signature(s)
(must be signed by all
individuals listed unless
you have authority to sign
on their behalf)

Steve Weeks Pres.
Swan Valley Land + Livestock Inc.
(include your title if on behalf of company or organization)

Date: 7-2-03

When complete, please mail or FAX this form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
FAX: (208) 769-1454

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
FAX: (208) 334-2348

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
FAX: (208) 525-7177

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
FAX: (208) 736-3037



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

JULY 7, 1993

EDWIN C BIDDULPH
2560 S 60 E
IDAHO FALLS ID 83406

RE: CHANGE IN OWNERSHIP FOR A23-00096 AND A23-00022

Dear Mr. Biddulph:

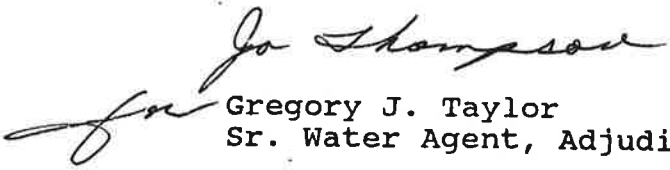
The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) have been split as follows:

RUTH AND STEVE WEEKS: A23-00096A, .14 CFS, 6 ACRES
EDWIN BIDDULPH: A23-00096B, 1.86 CFS, 78 ACRES

RUTH AND STEVE WEEKS: A23-00022A, .14 CFS, 6 ACRES
EDWIN BIDDULPH: A23-00022B, 1.86 CFS, 78 ACRES

Enclosed for your records are typed Notices reflecting your portion of the rights. Review these Notices and if there are other corrections or questions, feel free to contact this office (525-7161).

Respectfully submitted,


Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:jt

Enclosure: Notices of Claim

cc: Steve Weeks/copies of claims

File: P

MICROFILMED
APR 11 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

JUL - 6 1993

DATE OF CLOSING: June 17, 1992

LEGAL DESCRIPTION OF PROPERTY: Township 2N Range 44 Department of Water Resources
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM. Eastern District Office

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet.

SEE ATTACHED LEGAL DESCRIPTION on w/deed

☐ 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:

A23-00022; A23-00096

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

Steven J. and Ruth Weeks, h+wP.O. Box 25Swan Valley, Idaho 83449

☐ New Owner/Claimant
(Purchaser):

Edwin C and Jeanne Biddulph

☐ New Mailing Address:

2560 So. 60th EIdaho Falls, Ida. 83406

☐ New Telephone Number:

(208) 523-0726

☒ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

NESW 11 Acres and SESE 9 acres.NESE 30 AcresNWSE 28 Acrestotal 78

☐ Attach proof of
ownership, describe
proof attached:

Warranty deed - N/A

(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)

Ed Biddulph
Jeanne BiddulphDate 6/26/93Date 6-26-93

☐ Signature of Former
Owner/Claimant(s):

Steven J. Weeks
Ruth WeeksDate 6-26-93Date 6-26-93

(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:

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APR 11 1994

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

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: A23-00096A
Date Received: 8/25/1989
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: STEVE WEEKS
Address: PO BOX 25
IDAHO FALLS ID 83449

OR

Name: RUTH WEEKS
Address: PO BOX 25
IDAHO FALLS ID 83449

A2300096A



2. Date of Priority: JAN 22, 1916

3. Source: RAINE~~X~~Y CREEK, UPPER Trib. to: SNAKE RIVER, SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	44E	34	NE	NW	SW		BONNEVILLE

5. Description of diverting works:

HEADGATE IN STREAM TO DITCH. REDIVERSION PUMP INTO SPRINKLER SYS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.140		

7. Total Quantity Appropriated is:

0.140 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:

INCIDENTAL STOCKWATERING

MICROFILMED

APR 11 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	44E	33	SW	SW		IRR	4.0
			SE	SW		IRR	2.0
					Section Acres		6.0
					Total Acres		6.0

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:
23-00022

14. Remarks:

RIGHT CANNOT BE TRANSFERRED. SEE DECREE.
THIS RIGHT PAID FOR UNDER RECEIPT #E009978

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/16/1951

PALISADE IRR. CO., ET AL.
Decree Plaintiff

LYNN CRANDALL.
vs Decree Defendant

MICROFILMED

APR 11 1994