

07/13/2004

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

RIGHT NUMBER: 25-2122A
NAME AND ADDRESS: MALISSA SCHWENDIMAN
PO BOX 608
RIRIE ID 83443-0608

RUSSELL SCHWENDIMAN
PO BOX 608
RIRIE ID 83443-0608

SOURCE: GROUND WATER
QUANTITY: 6.500 CFS
1,728.000 AFY
PRIORITY DATE: 04/27/1956
POINT OF DIVERSION:

TRIBUTARY:

T03N R40E S5 SENESW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	6.500 CFS 1,728.00 AFY

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R40E S08	NWNE	40.0	T03N R40E S08	SWNE	40.0
T03N R40E S08	NENW	40.0	T03N R40E S08	NWNW	10.0
T03N R40E S08	SWNW	10.0	T03N R40E S08	SENW	40.0
T03N R40E S08	NESW	40.0	T03N R40E S08	NWSW	10.0
T03N R40E S08	SWSW	10.0	T03N R40E S08	SESW	40.0
T03N R40E S08	NWSE	40.0	T03N R40E S08	SWSE	40.0
T03N R40E S17	NWNE	36.0	T03N R40E S17	NENW	27.0
T03N R40E S17	NWNW	9.0			

432 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: License

USE OF THIS RIGHT IS COMBINED WITH WATER FROM ENTERPRISE CANAL
CO. AND FARMERS FRIEND CANAL CO.

Water Right 25-2122A

SCANNED
AUG 25 2004

1

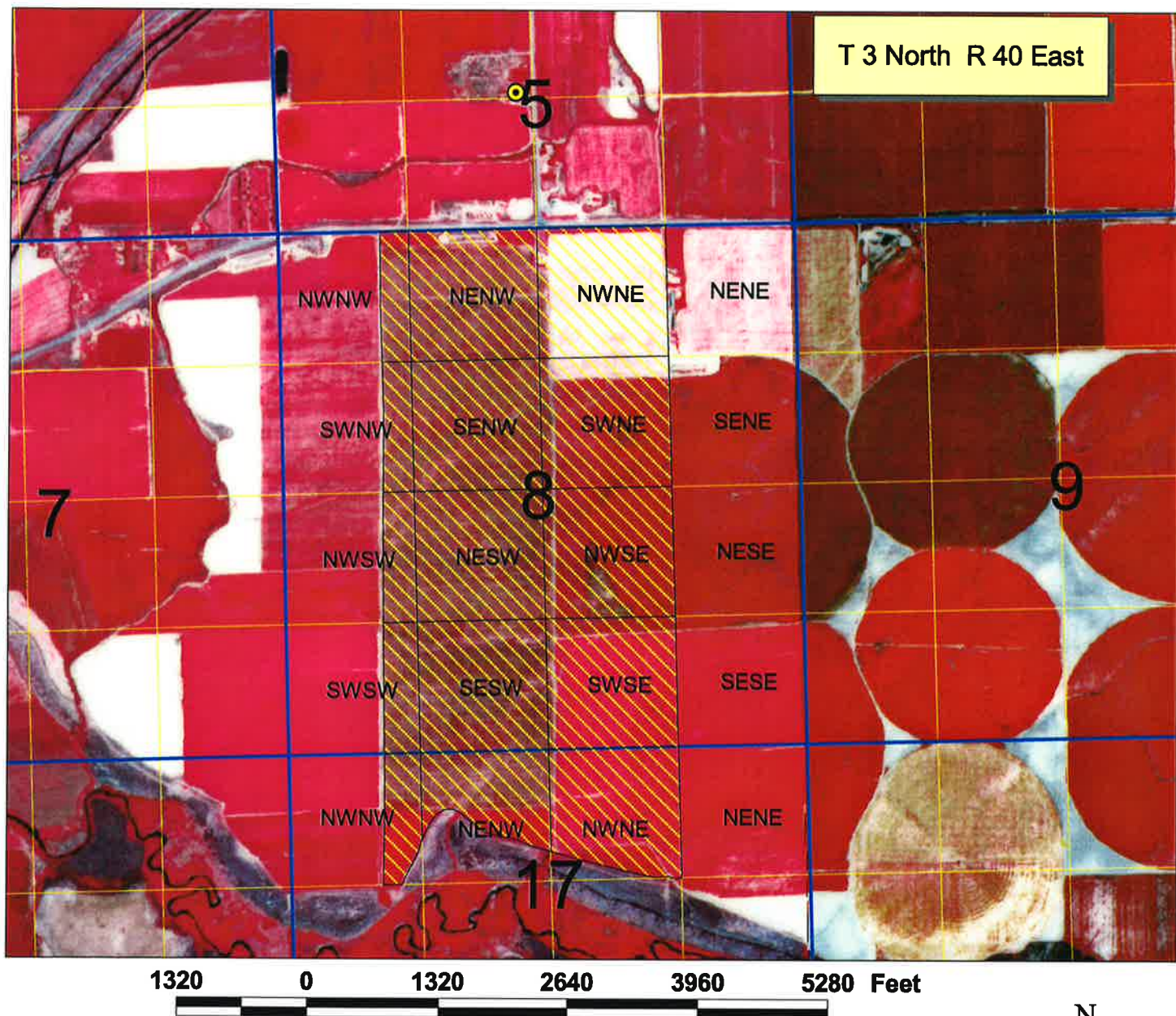


State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 25-2122A



- Point of Diversion
- ▨ Place of Use
- ▭ Sections
- ▭ QQ

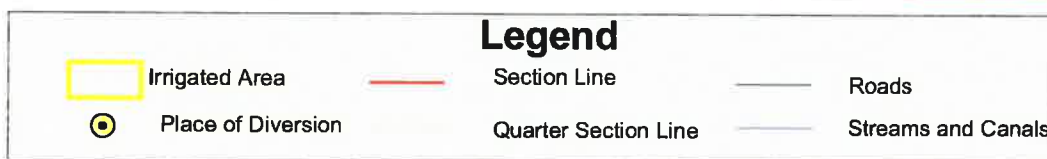
SCANNED
AUG 25 2004



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: April 2004

Water Right Claim Number 25-02122A
Township , 3N40E

11/30/2000

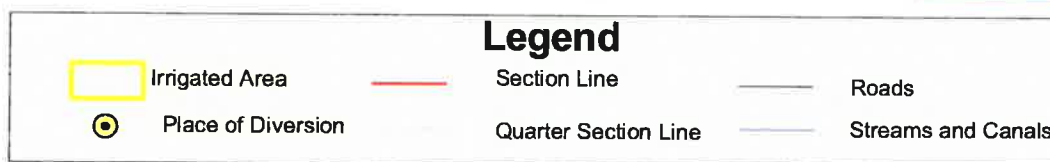
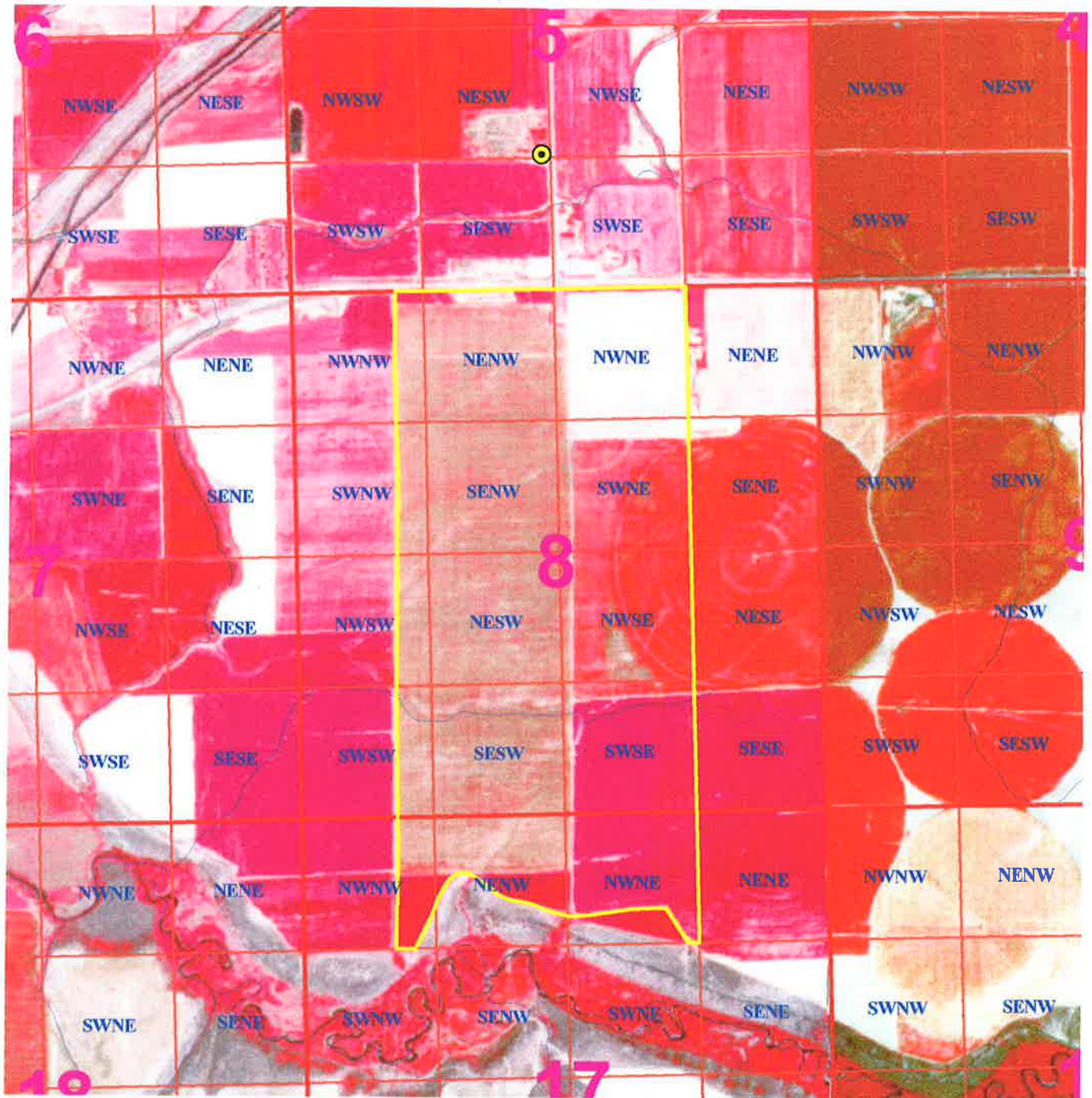


SPATIAL DYNAMICS



Water Right Claim Number 25-02122A
Township , 3N40E

11/30/2000

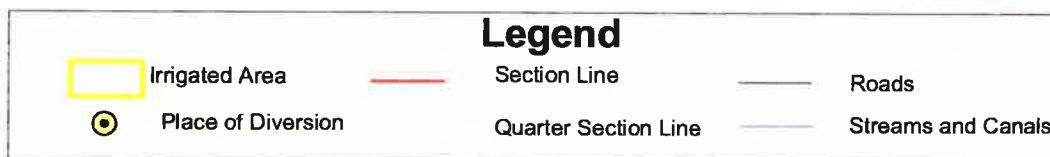
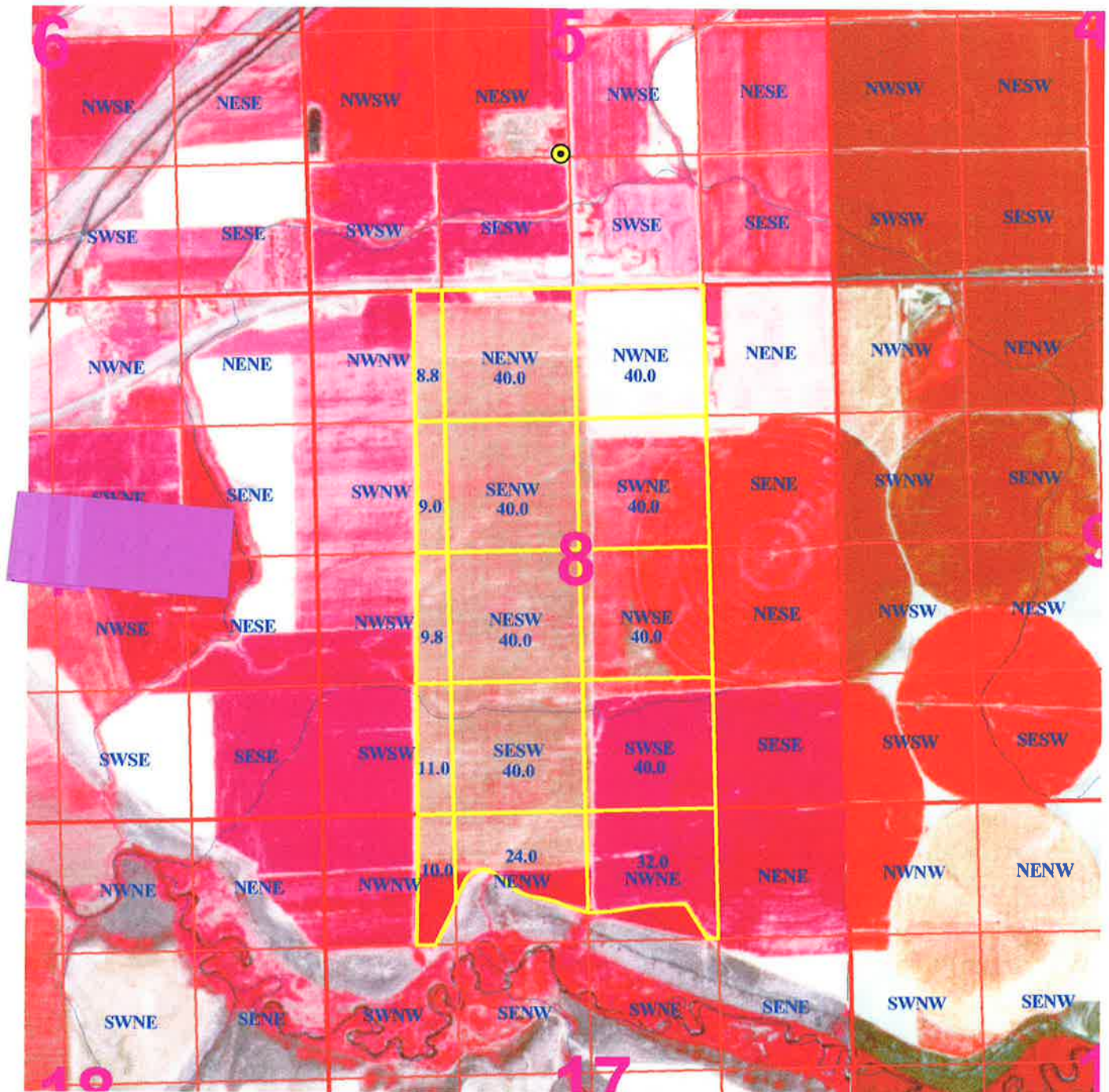


 SPATIAL DYNAMICS



Water Right Claim Number 25-02122A
Township , 3N40E

11/30/2000



SPATIAL DYNAMICS



August 18, 2003

Sunrise Ranch, Parker Farms
c/o Leo Parker
PO Box 26
Ririe, ID 83443

Re: Water Right Adjudication Claim(s) A25-02122A, A25-02123, A25-07068

Dear Water User:

Idaho Department of Water Resources (IDWR) is reviewing claims to water rights in the Snake River Basin Adjudication in your area. Water Resources Field Services has been retained to do field inspections to aid the Department in making correct recommendations to the court. In the next weeks and months I will be contacting you to make an appointment to look at your diversion works and uses of water.

The main purpose for this visit is to identify and photograph the place of use and point(s) of diversion for the older licenses.

I look forward to helping make sure your water right recommendation is correct. Please contact me if there is a particular time that would be convenient for you. You may call in the evenings, or leave a message on the answering machine.

Sincerely,

Bryce A. Contor

SCANNED

AUG 25 2004

RECEIVED

APR 19 2004

DELOG
MH
4-22-04

STATE OF IDAHO Department of Water Resources
DEPARTMENT OF WATER RESOURCES Eastern Region
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

APR 13 2004

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

Department of Water Resources
Eastern Region

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
25-2122 A					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. 0
- 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 right(s) or claim(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 of your water right(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(s) Sunrise Ranch % Leo Parker
801 Branden Dr, Idaho Falls ID 83402-2984
4. New Owner/Claimant(s) Russell Schwendiman Malissa Schwendiman
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 608
- City, State and ZIP Code Ririe ID 83443
- New Telephone Number (208) 538-7493
5. Date you acquired the property 06/08/2000

SCANNED

AUG 25 2004

RECEIVED

APR 13 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Eastern Region

Notice of Security Interest in a Water Right

And Request for Notification of a Change in Ownership or Any Proposed
Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right

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

1. Water Right No(s): 25-2122A

Adjudication Claim No(s): _____

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

A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

B) A FEE of \$25.00 per water right or adjudication claim.

\$25-

3. Name and Mailing Address of Person or Company holding Security Interest

Idaho AgCredit, FLCA
P.O. Box 386
Rexburg, Id 83440

4. Name of Water Right Owner/Claimant(s)

Russell and Malissa Schwendiman

5. Expiration Date of Notification Period

11-1-2003

6. Is this a Renewal of Request for Notification?

☐ YES

☒ NO

7. Signature(s) (and title if applicable)

Steve Jannasch
Asst. V. P.

For Office Use Only

Received by JC
Receipted by JC
Processed by AJ

Date 4-20-04
Date 4-20-04
Date _____

Fee \$25-
Receipt No. E029741
WR _____ Date _____

LOAN

SCHEDULE A

gc

OFFICE FILE NUMBER	POLICY NUMBER	DATE OF POLICY	AMOUNT OF INSURANCE	PREMIUM AMOUNT
T-19743a	74107 403109	10/31/03	\$1,331,635.00	\$3,444.00
		4:52 pm		

1. Name of Insured:

IDAHO AGCREDIT, FLCA

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

TRACTS 1 and 2: Fee Simple

TRACT 3: Easement for and access to that certain Well, Water System, and Pipeline described in that certain conveyance recorded in Book 20 at Page 151 of Leases and Contracts, and in that certain Special Warranty Deed recorded as Instrument No. 996072, in the records of Bonneville County, Idaho.

TRACT 4: Easement for and access to that certain Water Pump and Pipeline as described in those certain Warranty Deeds recorded in Book 113 at Page 433 and Book 129 at Page 387 of Deed Records, records of Bonneville County, Idaho.

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

RUSSELL SCHWENDIMAN and MALISSA SCHWENDIMAN a.k.a. MALISA SCHWENDIMAN, husband and wife

4. The insured mortgage and assignments thereof, if any, are described as follows:

Real Estate Mortgage given by RUSSELL SCHWENDIMAN and MALISSA SCHWENDIMAN a.k.a. MALISA SCHWENDIMAN, husband and wife to IDAHO AGCREDIT, FLCA, dated September 24, 2003 and recorded as Instrument No. 1133945 on October 31, 2003 at 4:52 pm, given to secure the payment of \$1,331,635.00 and interest (and future advances if provided for in the Mortgage), due November 1, 2033, records of Bonneville County, Idaho.

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

TRACT 1:

Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho.

Section 7: E1/2 NE1/4 lying East of the ditch and South of the Highway.

LOAN

SCHEDULE A

AND A portion of Sections 7 and 18, being more particularly described as follows: Beginning at the Southeast Corner of Section 7, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho; running thence North 2640 feet to the East Quarter Corner of said Section 7; thence West 500.0 feet; thence S8°31'W 202.2 feet; thence S57°51'W 206.7 feet; thence S25°21'W 210.2 feet; thence S2°58'W 290.5 feet; thence N85°43'W 200.0 feet; thence S43°09'W 219.4 feet; thence S57°59'W 1179.2 feet; thence S13°53'E 1313.4 feet; thence S79°26'E 900.3 feet; thence S29°40'E 896.0 feet; thence S49°03'E 701.7 feet; thence North along the Section line 1575.0 feet to the point of beginning.

Section 8:

W1/2

W1/2 E1/2

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. Beginning at a point that is N89°39'53"E along the section line 2550.38 feet, South 47.44 feet and S87°25'12"E 24.03 feet from the Northwest Corner of Section 8, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho, said point of beginning being on the South right-of-way line of U.S. Highway No. 26; running thence S87°25'12"E along said right-of-way line 226.42 feet; thence N89°08'47"E 11.49 feet; thence S01°32'53"E 361.39 feet; thence S89°26'03"W 237.36 feet; thence N01°32'53"W 373.76 feet to the point of beginning.
- b. The W1/2 SE1/4 and the East 440.0 feet of the SW1/4 of said Section 8, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho.
- c. That certain property conveyed to State of Idaho for roadway purposes by that certain Warranty Deed recorded as Instrument No. 384921, records of Bonneville County, Idaho.

Section 17:

NW1/4 NE1/4

N1/2 NW1/4

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTY:

- a. Beginning at a point that is 1320 feet South and 1320 feet West of the Northeast Corner of Section 17, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho; running thence

LOAN

SCHEDULE A

N77°28'W 1012 feet; thence N66°40'W 360 feet; thence N73°35'W 601.4 feet; thence N50°15'W 387.4 feet; thence S79°07'W 252.4 feet; thence S26°02'W 817 feet; thence East 2800 feet to the point of beginning.

TRACT 2:

Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho.

**Section 8: The East 440.0 feet of the E1/2 SW1/4
 W1/2 SE1/4**

TRACT 3:

Easement for and access to that certain Well, Water System, and Pipeline described in that certain conveyance recorded in Book 20 at Page 151 of Leases and Contracts, and in that certain Special Warranty Deed recorded as Instrument No. 996072, in the records of Bonneville County, Idaho.

TRACT 4:

Easement for and access to that certain Water Pump and Pipeline as described in those certain Warranty Deeds recorded in Book 113 at Page 433 and Book 129 at Page 387 of Deed Records, records of Bonneville County, Idaho.



A2502 122A

Tag # A0009513

350 H.P. C.E. pump SN# 08J 213006

10' To 14" MAINLINE

C.P.S 0679521
0281887

HAS NEW OWNER

RUSSEL + MALISSA
SCHWENDMAN

WELL HAS OTHER WATER RIGHTS

A2502122F

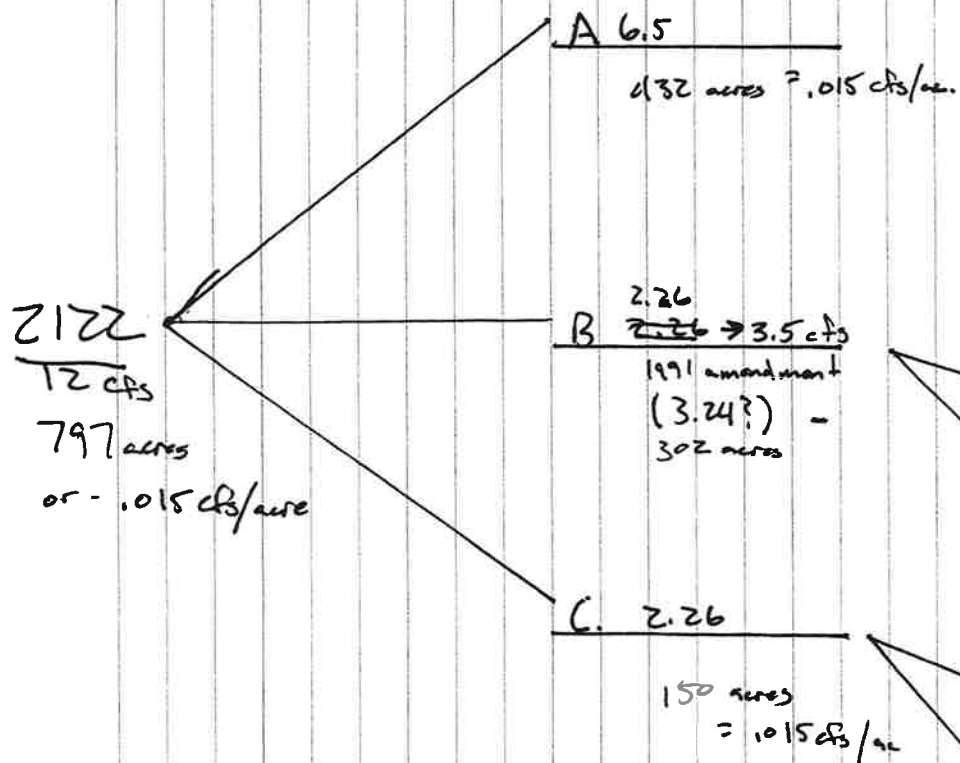
A2502122G

Also comes with
Information on claim
+ photo

FARMER'S FRIEND CANAL WATER
A2502122G

SCANNED

AUG 25 2004



$$\frac{A}{+ B} = 8.76 \text{ cfs}$$

B should be 3.24
at 216 acres

Should be 1.07 for "F" 71.25 ac
2.17 for "G" 144.72 ac
- accomplished transfer

F 1.15 99 ac
33% of right "B"

- over claim in parts
B, F, & G

G 2.35 203 ac
67% of right "B"

D 1.88 / 125 ac = .015 cfs/acre

E .38 / 25 ac = .015 cfs/acre

SCANNED

JUL 27 2001

Log for claim 25-02122A

Spatial Dynamics CAT

11/30/00

TR	SEC	QQ	Acres Claimed	Acres Found	1/2	COMMENT
03n40e	8	NWNE	40	40		
03n40e	8	SWNE	40	40		
03n40e	8	NENW	40	40		
03n40e	8	NWNW	10	8.8	40	
03n40e	8	SWNW	10	9	40	
03n40e	8	SENW	40	40		
03n40e	8	NESW	40	40		
03n40e	8	NWSW	10	9.8	40	
03n40e	8	SWSW	10	11	40	
03n40e	8	SESW	40	40		
03n40e	8	NWSE	40	40		
03n40e	8	SWSE	40	40		
03n40e	17	NWNE	36	32		
03n40e	17	NENW	27	24		
03n40e	17	NWNW	9	10	57	
Totals:			432	424.6		

AJ5809NP
No. A25-02122A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 73

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SUNRISE RANCH % LEO PARKER PO BOX 26 RIRIE ID 83443 (208) 538-7980	04/27/1956	IRRIGATION	04-01 11-01	6.500 CFS	
TOTAL DIVERSION:					6.500 CFS	
CONSUMPTIVE USE:						1080.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03N R40E S05 SENESW BONNEVILLE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE												
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:			
03N	40E	8	:			40				40		10		40	:	40		10		10		40	:	40		40	:	360.0
03N	40E	17	:			36				27		09			:										:	72.0		
																							TOTAL ACRES		432.0			

POU County: BONNEVILLE

Non-Irrigation Uses: NONE

Other Rights: FARMER'S FRIEND/ENTERPRISE CANAL CO.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A25-02122F A25-02122G

Other Water Rights Listing Overlapping Place(s) of Use:
A01-00061 A01-00248 A01-10200 A01-10201 A01-10202 A01-10203 A25-02122B A25-02122G

Remarks: GEN THIS CLAIM IS FOR 54.2% OF LIC. 25-02122.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 09/19/89 OLENICHA 03/29/95 POST-STD

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 25-2122A
Date Received: 9/28/1989
Receipt No: E010879
Received By:

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

1. Name of Claimant(s)

MALISSA SCHWENDIMAN Phone: (208)538-0608
PO BOX 608
RIRIE ID USA 83443-0608

RUSSELL SCHWENDIMAN Phone: (208)538-7493
PO BOX 608
RIRIE ID USA 83443-0608

2. Date of Priority: 04/27/1956

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	40E	5	SE NE SW	BONNEVILLE	

5. Description of diverting works:

WELL/PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	6.5	

7. Total Quantity Appropriated is:
6.5 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
----------	-------	---------	----------------	-----

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AUG 25 2004

03N	40E	8	NW	NW	IRRIGATION	10
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			SW	NW	IRRIGATION	10
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	10
			SW	SW	IRRIGATION	10
			SE	SW	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40

Section Acres 360

03N	40E	17	NW	NW	IRRIGATION	9
			NW	NE	IRRIGATION	36
			NE	NW	IRRIGATION	27

Section Acres 72

Total Acres 432

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:

14. Remarks:

THIS CLAIM IS FOR 54.2% OF LIC. 25-02122.

15. Basis of Claim: License

16. Signature(s)

SCANNED

AUG 25 2004

(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: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

SCANNED
AUG 25 2004

JUL 27 2001

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: A25-02122A
Date Received: 9/19/1989
Receipt No: E010879
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SUNRISE RANCH
Address: % LEO PARKER
P.O. BOX 26
RIRIE, ID

208-538-7980

83443

2. Date of Priority: APR 27, 1956

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	40E	5	SE	NE	SW		BONNEVILLE

5. Description of diverting works:
WELL/PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.500		

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

A.F.A.

8. Total consumptive use is 1080.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	40E	8	NW	NE		IRR	40.0
			SW	NE		IRR	40.0

A25-02122A

Page 1

Date: 09/19/89

A2502122A



MICROFILMED
NOV 1 U 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	40E	8	NE		NW		IRR	40.0
			NW		NW		IRR	10.0
			SW		NW		IRR	10.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	10.0
			SW		SW		IRR	10.0
			SE		SW		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
							Section Acres	360.0
		17	NW		NE		IRR	36.0
			NE		NW		IRR	27.0
			NW		NW		IRR	9.0
							Section Acres	72.0
							Total Acres	432.0

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:
FARMER'S FRIEND/ENTERPRISE CANAL CO.

14. Remarks:
THIS CLAIM IS FOR 54.2% OF LIC. 25-02122.

15. Basis of Claim: LICENSE

(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.

MICROFILMED
NOV 10 1992

RIGBY SE QUADRANGLE
IDAHO
7.5 MINUTE SERIES (ORTHOPHOTOQUAD)

7.5 MINUTE SERIES (ORTHOPHOTOQUAD)

610 000 FEET 111° 45'

43° 37' 30"

