

12/22/2004

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

RIGHT NUMBER: 25-7018
NAME AND ADDRESS: RUSSELL SCHWENDIMAN
PO BOX 608
RIRIE ID 83443-0608

MALISSA SCHWENDIMAN
PO BOX 608
RIRIE ID 83443-0608

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 5.370 CFS
1,418.000 AFY

Use of this right with Right No. 25-14161 is limited to a total combined diversion rate of 5.37 cfs.

PRIORITY DATE: 03/23/1972

POINT OF DIVERSION:

T03N R40E S9 SWNESE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	5.370 CFS 1,418.00 AFY

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R40E S09	SWNE	40.0	T03N R40E S09	SENE	35.0
T03N R40E S09	NESE	39.0	T03N R40E S09	NWSE	40.0
T03N R40E S09	SWSE	40.0	T03N R40E S09	SESE	39.0
T03N R40E S16	NENE	39.0	T03N R40E S16	NWNE	40.0
T03N R40E S16	SWNE	34.0	T03N R40E S16	SENE	39.0
T03N R40E S16	NESE	30.0	T03N R40E S16	NWSE	1.0

416 ACRES TOTAL

Use of this right with Right No. 25-14161 is limited to the irrigation of a combined total of 416 acres in a single irrigation season.

This right is limited to the irrigation of 405 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: License

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

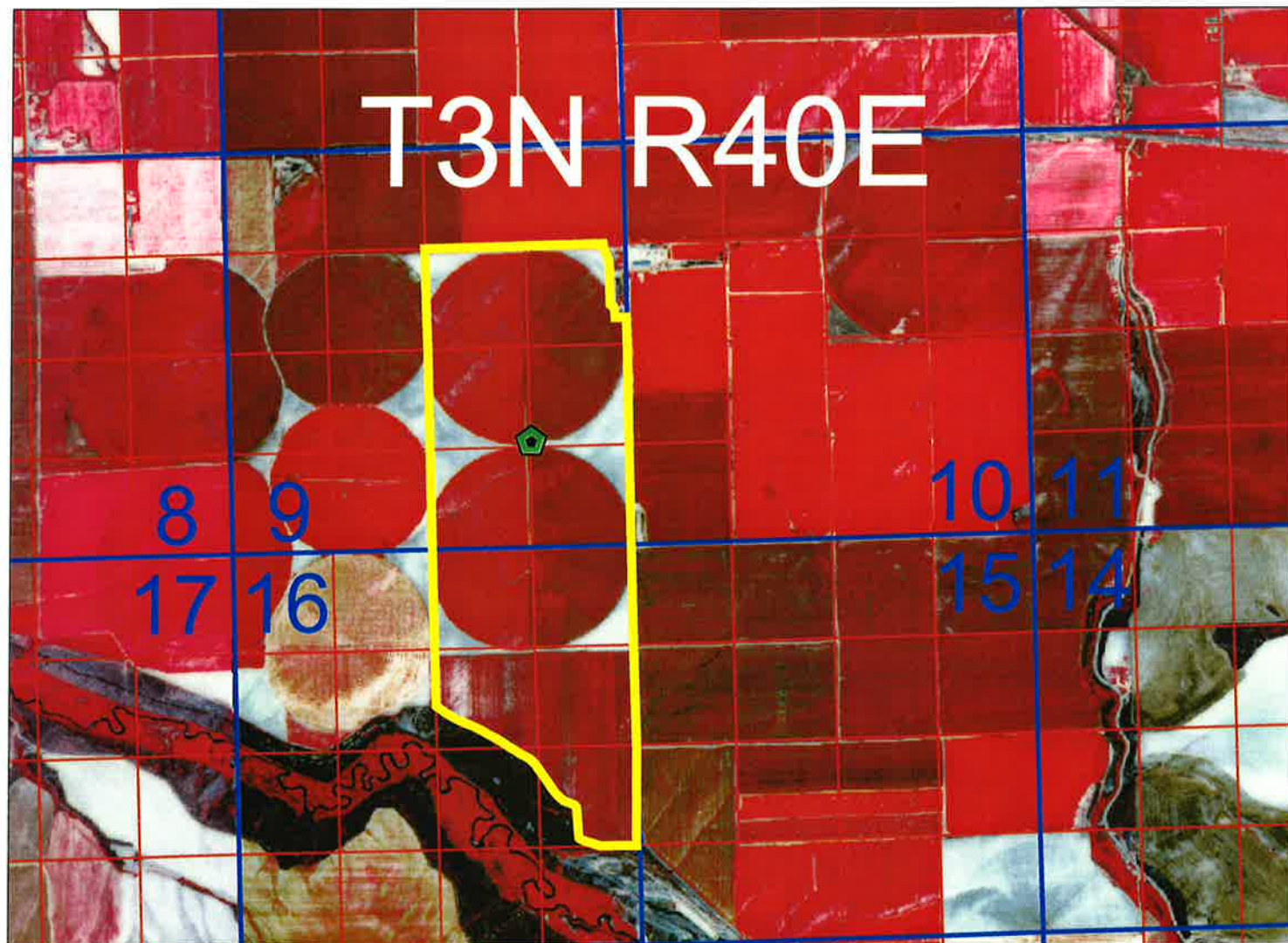
Right No. 25-14161 is also diverted through point of diversion described above.

Right No. 25-14161 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.



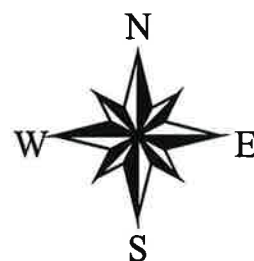
Department of Water Resources

Claim No.: 25-7018 and
25-14161



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

PROFILED



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: December 2004

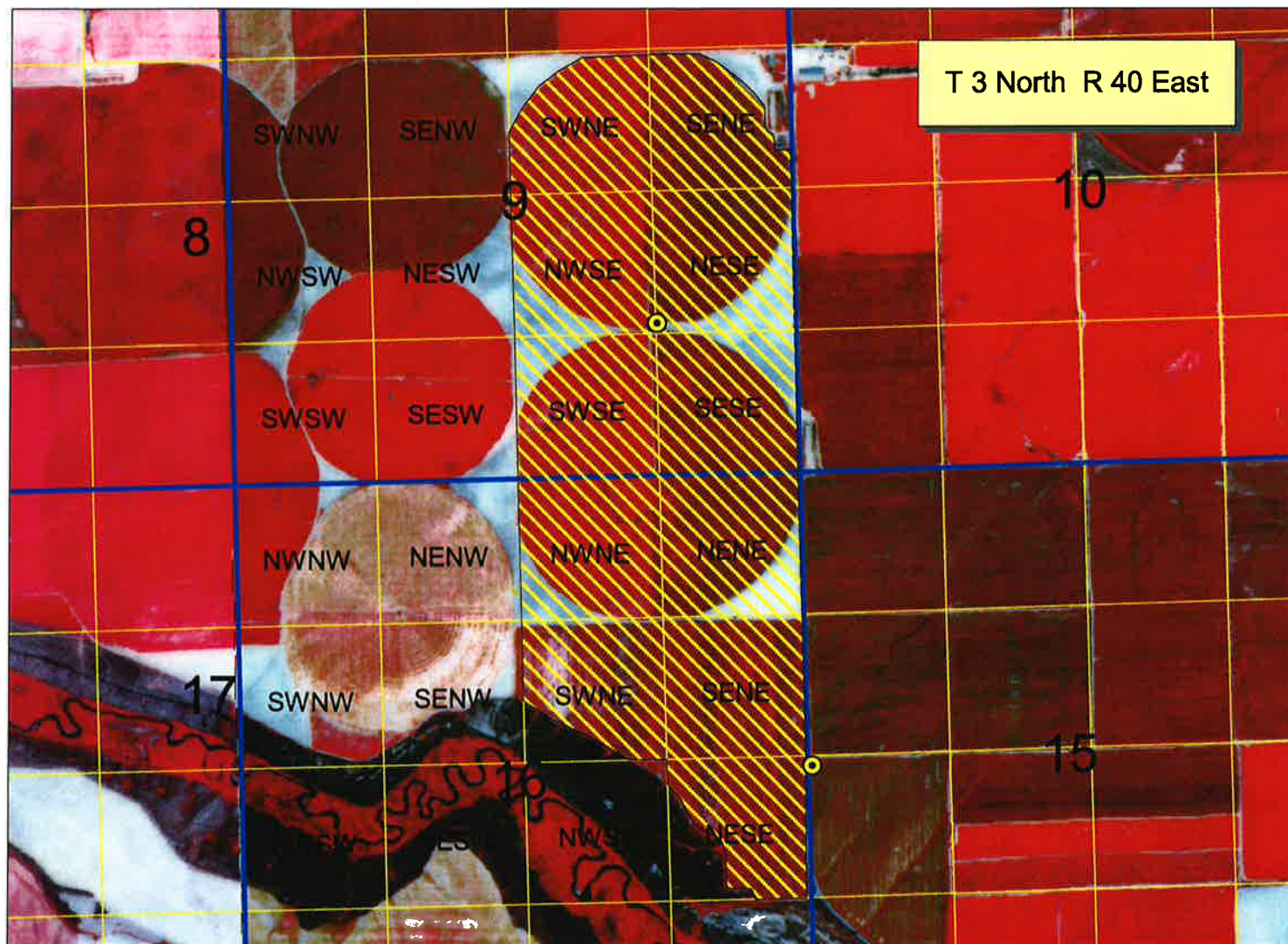


State of Idaho

Division of Water Resources

Eastern Region

Water Right(s): 25-07018



1320 0 1320 2640 3960 5280 Feet

- Point of Diversion
- ▨ Place of Use
- ▭ Section
- ▭ Quarter Quarter

VOID

SCANNED

AUG 12 2004



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

JUL 30 2001

#455 X

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: A25-07018
Date Received: 9/19/1989
Receipt No: E010896
Received By: TO

RECEIVED

SEP 29 1989

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Eastern District Office

1. Name: BONNIE CROMWELL
Address: P.O. BOX 117
RIRIE, ID 83443

208-538-7716

AND
Name: NANCY MC CRACKEN
Address: P.O. BOX 117
RIRIE, ID 83443

A2507018

2. Date of Priority: MAR 23, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	40E	9	NE	SE			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	5.370		1418.00

7. Total Quantity Appropriated is:
5.370 C.F.S. (and/or) 1418.00 A.F.A.

8. Total consumptive use is 1012.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED
NOV 10 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	40E	9	SW		NE		IRR	40.0
			SE		NE		IRR	34.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	39.0
							Section Acres	232.0
		16	NE		NE		IRR	39.0
			NW		NE		IRR	40.0
			SW		NE		IRR	32.0
			SE		NE		IRR	39.0
			NE		SE		IRR	23.0
							Section Acres	173.0
							Total Acres	405.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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): *Bonnie Cromwell* Date: *9/22/89*
Nancy McCracken Date: *9/22-89*

State of Idaho)
County of *Jefferson*) SS.

Subscribed and sworn (or affirmed) before me this *22*ND day
of *Sept* 19 *89*

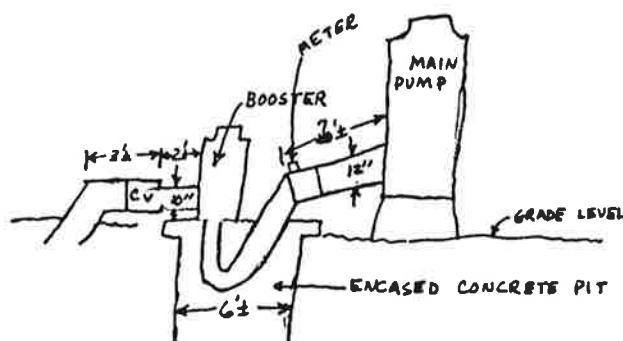
Wendy Freeman
Notary Public

Seal

Residing at *Pinus Id*
My Commission Expires *4-1-94*



Diagram of System



MICROFILMED
NOV 10 1992

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 25-7018
Date Received: 9/29/89
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RUSSELL SCHWENDIMAN Phone: (208)538-7493
PO BOX 608
RIRIE ID USA 834430608

MALISSA SCHWENDIMAN Phone: (208)538-0608
PO BOX 608
RIRIE ID USA 834430608

2. Date of Priority: 03/23/1972

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03N	40E	9	NE SE		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	5.37	1418

7. Total Quantity Appropriated is:

5.37 C.F.S. and/or 1418 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	40E	9	NE SE		IRRIGATION	39
			NW SE		IRRIGATION	40
			SW SE		IRRIGATION	40
			SE SE		IRRIGATION	39
			SW NE		IRRIGATION	40
			SE NE		IRRIGATION	34

					Section Acres	232
03N	40E	16	NE	NE	IRRIGATION	39
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	32
			SE	NE	IRRIGATION	39
			NE	SE	IRRIGATION	23
					Section Acres	173
					Total Acres	405

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:

CHANGED OWNERSHIP PER REQUEST/JC/10-6-00

15. Basis of Claim: License

AJ5809NP
No. A25-07018A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 115

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NANCY MC CRACKEN PO BOX 117 RIRIE ID 83443	03/23/1972	IRRIGATION	04-01 11-01	5.370 CFS	1418.00 AFA
TOTAL DIVERSION:					5.370 CFS	1418.00 AFA
C	BONNIE CROMWELL PO BOX 117 RIRIE ID 83443 (208) 538-7716					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03N R40E S09 NESE BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
03N	40E	9	:				40	34	:					:					:	39	40	40	39	:	232.0
03N	40E	16	:	39		40	32	39	:					:					:	23				:	173.0
																					TOTAL ACRES			405.0	

POU County: BONNEVILLE

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A25-07018B

Other Water Rights Listing Overlapping Place(s) of Use:
A25-07018 A25-07018B

Remarks: GEN PAID UNDER RECEIPT NO. E010894.

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

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

Audit: 06/08/99 ARUBERRY

AJ5809NP
No. A25-07018B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 116

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BONNIE CROMWELL PO BOX 117 RIRIE ID 83443 (208) 538-7716	03/23/1972	IRRIGATION	04-01 11-01	5.370 CFS	1418.00 AFA
TOTAL DIVERSION:					5.370 CFS	1418.00 AFA
C	NANCY MC CRACKEN PO BOX 117 RIRIE ID 83443					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

AJ5809NP
No. A25-07018B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 117

Point(s) of Diversion: T03N R40E S09 NESE 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	:	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
03N	40E	9	:					40	34	:											:	39	40	40	39	:				232.0		
03N	40E	16	:	39		40		32	39	:											:	23								173.0		
																										TOTAL ACRES		405.0				

POU County: BONNEVILLE

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A25-07018A

Other Water Rights Listing Overlapping Place(s) of Use:
A25-07018 A25-07018A

Remarks: GEN PAID UNDER RECEIPT NO. E010894.

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

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

Audit: 06/08/99 ARUBERRY

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 25-7018 Priority March 23, 1972 Amount 5.37 cfs

THIS IS TO CERTIFY, that Bonnie Barnes &/or Nancy McCracken
of Ririe, Idaho, has complied with the terms and conditions of Permit
No. 25-7018 issued pursuant to Application for Permit dated March 23, 1972,
and has submitted proof to the Department of Water Administration on May 24, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 5.37 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 5.37 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 5.37 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9, Twp. 3 N, Rge. 40 E, B. M.

in the county of Bonneville; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1,418 acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 N	40 E	9			40	34									39	40	40	39	232
		16	39	40	32	39									23				173

Total number of acres irrigated 405

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 1st day of

May, 19 73.


Director

25 7018

Received by bj Date 3-23-72 Time 10:20 a.m.Preliminary check by NCY Fee \$ 105.00 # 7273Received by bj Date 3-23-72Publication prepared by bj Date 3-23-72Published in Post Register, Idaho Falls, IDPublication dates 3-30-72 & 4-6-72Publication approved CR Date 4-27-72

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by D. M. F.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 25-7018, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 77.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 16th day of May, 19 72.


Deputy Director ~~XXXXXX~~

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

LI. 1061 SU. D FOR 5.37 SEC. F.I.
LICENSE PAGE NO. _____

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant BONNIE BARNES &/or NANCY McCRACKEN
post office address P.O. Box 117, Ririe, Idaho 83443
2. Source of water supply Ground Water which is a tributary of ---
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 9 Township 3N
Range 40E B.M. Bonneville County; additional points of diversion if any: ---
- b. If water is not consumed, it will be discharged into --- at a point in ---
of --- $\frac{1}{4}$ of Section --- Township --- Range --- B.M. ---
4. Water will be used for the following purposes:
Amount 8.4 ^{cfs} for irrig. purpose from Apr. 1 to Nov. 1 (both dates inclusive)
Amount --- for --- purpose from --- to --- (both dates inclusive)
Amount --- for --- purpose from --- to --- (both dates inclusive)
5. Total quantity to be appropriated:
a. 8.4 ^{cfs} cubic feet per second ~~and/or~~
b. --- acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, deep well turbine pump, electric motor, mainline & sprinkler.
- b. Height of storage dam --- feet, active reservoir capacity --- acre feet; total reservoir capacity --- acre feet, materials used in storage dam: ---
Period of year during which storage will occur --- (Mo. Day) to --- (Mo. Day) inclusive.
- c. Proposed well diameter is 20 inches; proposed depth of well is 200 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$100,000.00.
8. Description of proposed uses:
a. If water is not for irrigation: N.A.
(1) Give the place of use of water: --- $\frac{1}{4}$ of --- $\frac{1}{4}$ of Section --- Township ---
Range --- B.M. ---
(2) Amount of power to be generated: --- hp under --- feet of head.
(3) List number of each kind of livestock to be watered ---
(4) Name of municipality to be served ---, or number of families to be supplied with domestic water ---
(5) If water is to be used for other purposes describe: ---

FIELD REPORT

TOTAL ACREAGE

Permit No. 25-7018

Examination for b/u

DATE OF EXAM Aug 24, 1972

ACREAGE 405
Found 440
Recommended 440 405

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 5.37 c.f.s. V = 1417 AF/Ann. from April 1 to Nov 1
Domestic Q = _____ c.f.s. V = 435 AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ☒

Name source exchanged with: NA
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: NA
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: NA
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 5.37 CFS Method of measurement Macrometer Meter

Total Q recommended 5.37 CFS Meter No. 7212168 Type new Condition new

Total V recommended 1417.5 AF/ANN

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

Macrometer meter registering AF x .001 10 rev = 435.6 cu. ft.
10 revolutions in 81 seconds = 5.37 cubic feet per second.

SYSTEM DESCRIPTION:

200 HP P.E. Motor Ser # VAJ217192, Peerless pump Ser # 207381
2" discharge for 6' that 4's into a booster - 75 HP P.E. motor Ser # PHA224149
Peerless pump Ser # 207957 with a 10" discharge. Macrometer meter
Serial # 7212168

REMARKS:

Accompanied on the exam by Bob Mead farm manager.

Examiner's Signature John Ferbauer Date Aug 24, 1972

Checked by Norman C. Young, P.E. Date 11-8-72

Approved by _____ Date _____

20-2-8

5 4
8 9

4 3
9 10

73.6

✓
40A

✓
34A



✓
40A

✓
39
~~40A~~

P.D.

240.3

✓
40A

✓
39A
~~40A~~

8 9
17 16

9 10
16 15

✓
40A

✓
39A
~~40A~~

✓
32A

✓
39A
~~40A~~

165.0

3A. OVER
PROOF IN
THIS SUBDIV.

87



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 6, 2000

RUSSELL & MALISSA SCHWENDIMAN
PO BOX 608
RIRIE ID 83443-0608

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 25-7018

Dear Mr. & Mrs. Schwendiman:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Jennifer Crabtree
Jennifer Crabtree
Technical Records Specialist

Enclosure

July 17, 2000

Ms. Jennifer Hoagland
Technical Records Specialist
State of Idaho Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

Dear Ms. Hoagland:

I am writing in response to your letter, dated June 11, 1999, to Russell and Malissa Schwendiman regarding the transfer of my water rights in property sold to the Schwendimans.

On March 31, 1999 I gifted my ownership of the above mentioned property to the McCracken Irrevocable Trust. This gift to the Trust included all of my water rights in the property. My husband and I are the trustees of the Trust.

On April 27, 1999, the McCracken Irrevocable Trust sold the property and all of the attached water rights to Russell and Malissa Schwendiman. As such, I consider all interests in the property and attached water rights previously owned by me personally to have been transferred to the Schwendimans.

Copies of warranty deeds supporting the above are attached.

Please let me know if you have any questions.

Sincerely,


Nancy McCracken
4421 Altura St.
Eugene, OR 97404
(541) 688-9788


Nancy McCracken, Trustee
McCracken Irrevocable Trust


Roy L. McCracken, Trustee
McCracken Irrevocable Trust

DELOG AR 5/17/99
DELOG SC 8/11/00STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
RECEIVED

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

AUG 11 2000
Department of Water Resources
Eastern Region1. Water Right Number(s) _____ RECEIVED
Adjudication Claim Number(s) A25-02122B and A25-07018 MAY 10 1999

2. The following REQUIRED information must be submitted with this form. Department of Water Resources Eastern Region
- A. 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 or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
- AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
- OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Doyle Cromwell and Bonnie Cromwell
P. O. Box 117
Ririe, Idaho 83443

4. New Owner/Claimant(s) Russell Schwendiman and Malissa Schwendiman
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P. O. Box 206

City, State and ZIP Code Newdale, Idaho 83436
New Telephone Number (208) 458- - 4934

5. Date you acquired the property 05/04/99

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Russell Schwendiman Date 5-4-99
Malissa Schwendiman Date 5-4-99

- (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 9, 1999

RUSSELL & MALISSA SCHWENDIMAN
PO BOX 608
RIRIE ID 83443-0608

RE: CHANGE OF ADDRESS REQUEST FOR A25-02122G, A25-07018

Dear Mr. & Mrs. Schwendiman:

On July 8, 1999 our office received your request to change the address on the above referenced claims.

A25-02122G is changed and a copy of this claim is enclosed for your records. However, A25-07018 was not changed. Our records show that we are waiting for a change of ownership and warranty deed from you showing the sale of property from Doyle Cromwell and Nancy McCracken to you.

If you have questions about this matter, please contact Senior Water Agent Allen Ruberry at (208) 525-7161.

Sincerely,

Jennifer Hoagland
Technical Records Specialist

Enclosure

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): 25-07018B → can't change. Waiting for deed. Jst 7/9/99

25-02122B/G

[] Old Mailing Address: PO Box 2016

Newdale Id 83436

[] New Mailing Address: PO Box 608

Ririe Id 83443-0608

[] Telephone Number: 208-538-7493

[] Signature of Claimant: Russell Schumacher

[] Date: July 6 1999

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:

RECEIVED

JUL 08 1999

Department of Water Resources
Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 11, 1999

RUSSELL & MALISSA SCHWENDIMAN
PO BOX 206
NEWDALE ID 83436

RE: CHANGE OF WATER RIGHT OWNERSHIP FOR A25-07018

Dear Mr. & Mrs. Schwendiman:

I am returning your request to change water right ownership on the above-referenced claim.

Our research of this water right indicates it was co-owned by Bonnie Cromwell and Nancy McCracken. The deed you submitted that conveys this property from the Cromwell's to you makes no mention of Nancy McCracken.

Before our office can process your request, we need a document that indicates Nancy McCracken no longer owns the property and has no interest in the water right. Please resubmit your request with this additional information and we will process it as soon as possible.

If you have questions regarding this matter, please contact Senior Water Agent Allen Ruberry at (208) 525-7161.

Sincerely,

Jennifer Hoagland
Technical Records Specialist

Enclosure

WARRANTY DEED

THIS INDENTURE, made this 31st day of March, 1999,
between Nancy G. McCracken

of Eugene, County of Lane, State of Oregon,
the party of the first part and McCracken Irrevocable Trust

of Eugene, County of Lane, State of Oregon,
the party of the second part.

WITNESSETH, that said party of the first part, for and in consideration of the sum of _____
-----zero and no/100----- Dollars

lawful money of the United States of America to party of the first part in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents, does grant, bargain, sell and convey and confirm unto the said party of the second part, and to party of the second part's heirs and assigns, forever, all of the following described real estate situated in Rural, County of Bonneville, State of Idaho, to-wit:

N1/2 SW1/4 NE1/4, NE1/4 SE1/4, SEC. 16, T3N, R40 (RB) (RB05); NW1/4 NE1/4, SEC 16, T3N, R40 (RB); SW1/4 NE1/4, W1/2 SE1/4, SEC 9, T3N, R40 (RB)

COPY

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainder and remainders, and rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the party of the second part, and to party of the second part's heirs and assigns forever. And the said party of the first part, and said party of the first part's heirs shall and will warrant and by these presents forever defend the said premises in the quiet and peaceable possession of the said party of the second part, and party of the second part's heirs and assigns, against the said party of the first part, and party of the first part's heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same.

In construing this deed and where the context so requires, the singular includes the plural.
IN WITNESS WHEREOF, the said party of the first part hereunto has set his hand.

STATE OF OREGON
County of Lane
On this 31st day of March 1999, before me
@ 4:14 PM P.S. T. _____, a Notary Public in and for said State, personally appeared
NANCY G. McCRACKEN
By Nancy G. McCracken 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.

(Seal)



Notary Public for the State of Oregon

WARRANTY DEED

ROY McCracken and NANCY G. McCracken, as Trustee of the McCracken IRREVOCABLE TRUST, as GRANTOR, for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto RUSSELL SCHWENDIMAN and MALISSA SCHWENDIMAN, husband and wife, as GRANTEE, whose address is P. O. Box 206, Newdale, Id 83436, and Grantee's successors and assigns, all of the following described real property, to-wit:

TRACT 1:

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

Section 9: SW1/4 NE1/4;
W1/2 SE1/4.

Section 16: N1/2 SW1/4 NE1/4;
NW1/4 NE1/4.

TRACT 2:

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

Section 16: NE1/4 SE1/4.

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTY:

- a. That certain property conveyed to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded as Instrument No. 404927 on March 5, 1970, at 9:00 a.m., records of Bonneville County, Idaho.

SUBJECT TO the 1999 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 himself and his 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: April 27, 1999

Roy M. McCracken, Trustee
Roy M. McCracken, Trustee

Nancy G. McCracken, Trustee
Nancy G. McCracken, Trustee

COPY

STATE OF OREGON

COUNTY OF LANE

On April 23, 1999, before me, the undersigned, personally appeared ROY McCracken and NANCY G. McCracken known or identified to me to be the persons whose names are subscribed to the within instrument as Trustees of the McCracken Irrevocable Trust and acknowledged to me that they executed the same as such Trustees.

Kathy Hayes
Notary Public for the State of Oregon
Commission Expiration Date: 7/1/2001

Notarize



Bonneville Land & Title Co.

49° N. Capital Ave. • P.O. Box 31690 • Idaho Falls, ID 83403-1690 • (208) 324-6600

WARRANTY DEED

BONNEVILLE COUNTY RECORDER
996073 MAY 5 '99 PM 2:59

DOYLE CROMWELL and BONNIE CROMWELL a/k/a BONNIE BARNES CROMWELL a/k/a BONNIE K. CROMWELL
a/k/a BONNIE BROWN s/k/a BONNIE KAY BARNES, husband and wife, as GRANTOR,
for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto
RUSSELL SCHWENDIMAN and MALISSA SCHWENDIMAN, husband and wife, as GRANTEE,
whose address is P. O. Box 206, Newdale Id 83436, and Grantee's successors and assigns, all of the following described real property, to-wit:

TRACT 1:

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

Section 9: SE1/4 NE1/4; A2S-0701B
E1/2 SE1/4. 0701B

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. That certain property conveyed to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded as Instrument No. 404926 on March 5, 1970, at 8:59 a.m., records of Bonneville County, Idaho.
- b. That certain property conveyed to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded as Instrument No. 404928 on March 5, 1970, at 9:01 a.m., records of Bonneville County, Idaho.

ALSO EXCEPTING and RESERVING unto the Grantors one-half of any and all oil, gas and mineral rights.

TRACT 2:

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

Section 16: NW1/4 SE1/4 lying North and East of the Easterly rim of Willow Creek; -NO CLAIM
S1/2 SW1/4 NE1/4. 2S-0701B

TRACT 3:

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

Section 18: SE1/4 NW1/4; - NO CLAIM
The South 550.0 feet of the West 1200.0 feet of the NE1/4 NW1/4; NO CLAIM
SW1/4 NE1/4. NO CLAIM

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTY:

- a. That portion lying East of the rim of Willow Creek Canyon.

TRACT 4:

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

Section 7: Government Lot 4, lying South and West of Willow Creek; 1st 21?
SE1/4 SW1/4, lying South and West of Willow Creek. NO CLAIM

Section 18: Government Lots 1, 2 and 3;
NE1/4 SW1/4. NO CLAIM

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTY:

- a. Beginning at a point 200 feet West of the Southeast Corner of Government Lot 4, Section 7, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho; running thence North to Willow Creek; thence up the stream in a Southeasterly direction to a point intersecting the Section line between Sections 7 and 18; thence West to the point of beginning.
- b. That certain property conveyed to Bingham County for roadway purposes by that certain Warranty Deed and recorded in Book 5 at Page 174 of Deed Records, records of Bonneville County, Idaho.

TRACT 5:

INSTRUMENT NO.	996073
DATE	5-5-99
INST. CODE	205
IMAGED PGS	2
FEE	6.00
STATE OF IDAHO) COUNTY OF BONNEVILLE) ss I hereby certify that the within instrument was recorded. Ronald Longoria, County Recorder By <u>R. Longoria</u> Deputy Request of	

Bonneville Land & Title Co.

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

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.

TRACT 6:

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

Section 17: The West 1000 feet of the NW1/4 NW1/4.

AND ALSO: 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 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.

TRACT 7:

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

Section 8: The West 1000 feet of the West 1/2.

SUBJECT TO the 1999 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 all the rights, title and interest in the Water System which services the property and the Water System Agreement associated therewith (said agreement to be recorded subsequent to this conveyance).

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 himself and his 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: May 4, 1999


Doyle Cromwell

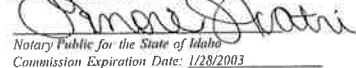

Bonnie Cromwell

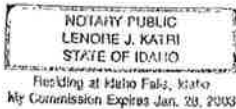
STATE OF IDAHO

COUNTY OF Bonneville

On May 4, 1999, before me, the undersigned, personally appeared
Doyle Cromwell and Bonnie Cromwell a/k/a Bonnie Barnes Cromwell a/k/a
Bonnie K. Cromwell f/k/a Bonnie Brown f/k/a Bonnie Kay Barnes

known or identified to me to be the person(s) whose name(s) is/are subscribed to
the within instrument, and acknowledged to me that he/she/they executed the same.


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



Bonneville Land & Title Co.

DELOG AR 5/17/99

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. Water Right Number(s) _____ **RECEIVED**
Adjudication Claim Number(s) A25-02122B and A25-07018 **MAY 10 1999**
2. The following **REQUIRED** information must be submitted with this form. Department of Water Resources
Eastern Region
- A. 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 or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Doyle Cromwell and Bonnie Cromwell
P. O. Box 117
Ririe, Idaho 83443
4. New Owner/Claimant(s) Russell Schwendiman and Malissa Schwendiman
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P. O. Box 206
City, State and ZIP Code Newdale, Idaho 83436
New Telephone Number (208) 458- - 4934
5. Date you acquired the property 05/04/99
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres actually irrigated _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Russell Schwendiman Date 5-4-99
Malissa Schwendiman Date 5-4-99
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.