

12/22/2004

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

RIGHT NUMBER: 25-14161
NAME AND ADDRESS: MALISSA SCHWENDIMAN
PO BOX 608
RIRIE ID 83443-0608

RUSSELL SCHWENDIMAN
PO BOX 608
RIRIE ID 83443-0608

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.220 CFS
44.000 AFY

Use of this right with Right No. 25-7018 is limited to a total combined diversion rate of 5.37 cfs.

PRIORITY DATE: 04/01/1972

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF DIVERSION:

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	04/01 10/31	0.220 CFS 44.00 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. 25-7018 is limited to the irrigation of a combined total of 416 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.

This right is based upon an enlargement of Right No. 25-7018 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

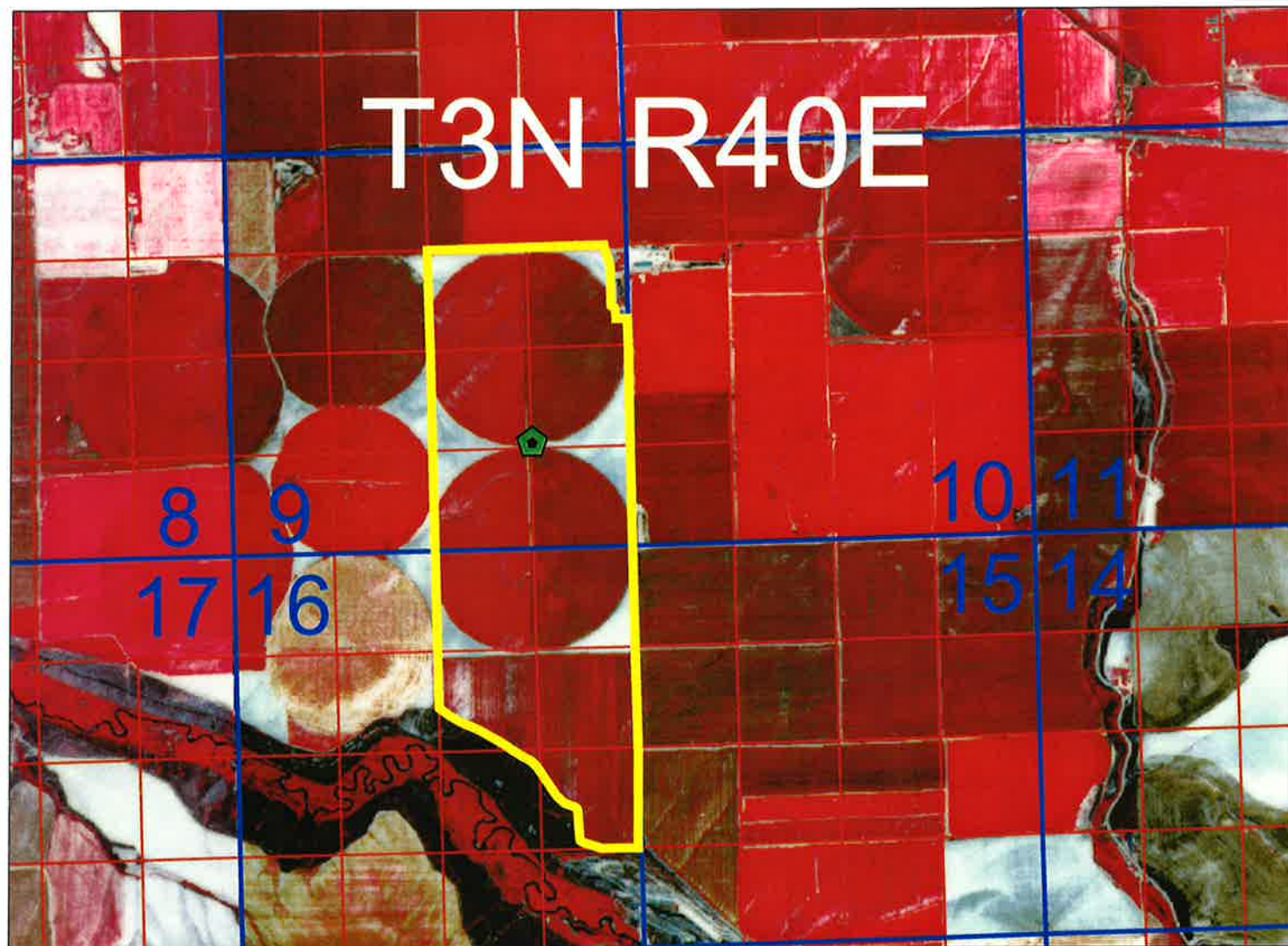
Right No. 25-7018 is also diverted through point of diversion described above.

This right is for an enlargement of 11 acres within the place of use described for this right.



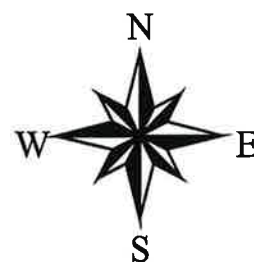
Department of Water Resources

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

December 21, 2004

As former operator and owner of the farm in question, I have personal knowledge of the continuous irrigation of the following lands from 1972 through the present:

SWNE of section 9, Township 3N and Range 40E,
SENE of section 9, Township 3N and Range 40E, and
about 1 acre in NENWSE of section 16, Township 3N and Range 40E.

I also have personal knowledge of the irrigation of the following pasture land from 1972 through approximately 1979:

the portion of the NESE of section 16, Township 3N and Range 40E described in
SRBA claim no. 25-14161.

Respectfully,



Doyle Cromwell

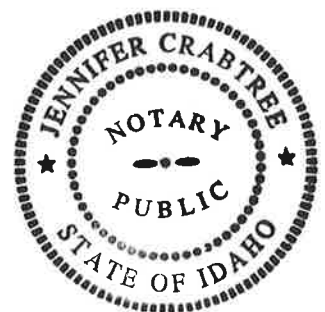
State of Idaho

Subscribed and sworn (or affirmed) before me
this 21st of Dec, 2004.

Jennifer Crabtree
Notary Public

Residing at Idaho Falls, Id

My commission expires: 9/23/09



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 25-14161
Date Received: 12/21/2004
Receipt No:
Received By: MWH

**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: 04/01/1972

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	9	NE SE	BONNEVILLE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.39	

7. Total Quantity Appropriated is:
0.39 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
03N	40E	9	SW NE	IRRIGATION	6.1
			SE NE	IRRIGATION	4.5

				Section Acres	10.6
03N	40E	16	NW	SE	IRRIGATION
			NE	SE	IRRIGATION
				Section Acres	8.8
				Total Acres	19.4

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 RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 25-7018 PURSUANT TO SECTION 42-1426, IDAHO CODE.

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): *Russell Schumaker* Date: 12-21-04

_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 21st
of Dec 2004

Jennifer Crabtree
Notary Public

Residing at Idaho Falls ID

My commission Expires 9/23/09

