

09/03/2002

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

RIGHT NUMBER: 29-2045A
NAME AND ADDRESS: WAYNE C MORRIS
55 E MERRILL RD
MC CAMMON ID 83250
SHERRILL S MORRIS
55 E MERRILL RD
MC CAMMON ID 83250

SOURCE: UNNAMED STREAM
QUANTITY: 0.73 CFS
PRIORITY DATE: 06/16/1906
POINT OF DIVERSION:

TRIBUTARY: SINKS

T09S R36E S11 SENESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.730 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R36E S11	NENW	6.5	T09S R36E S11	NWNW	7.9
T09S R36E S11	SWNW	8.6	T09S R36E S11	SENW	13.5

36.5 ACRES TOTAL

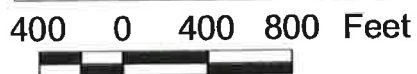
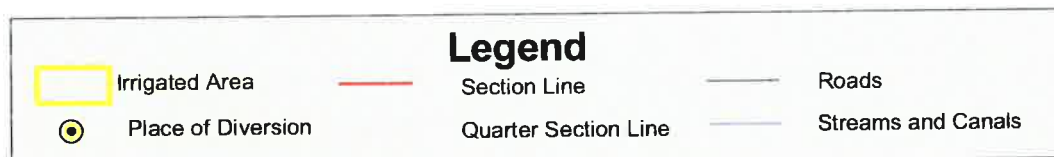
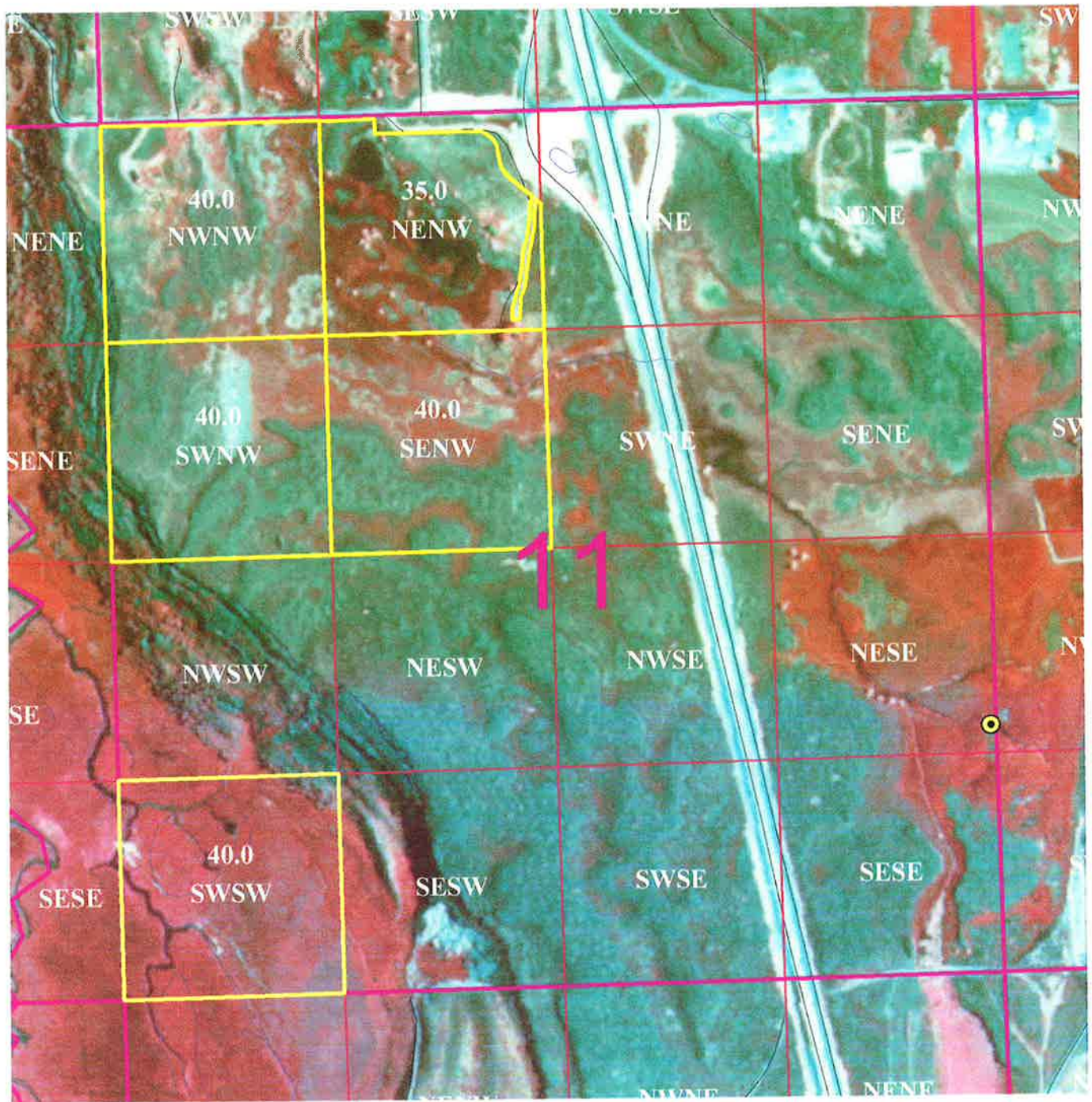
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

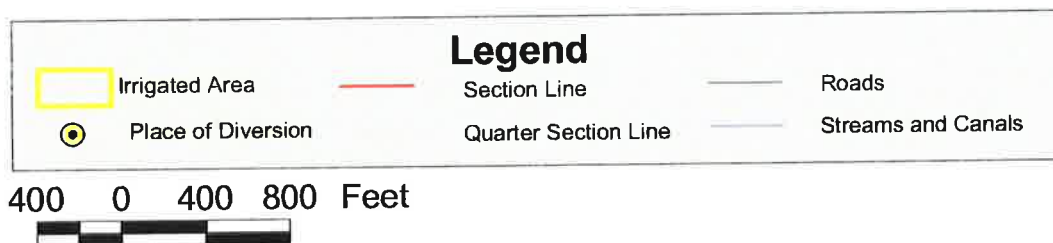
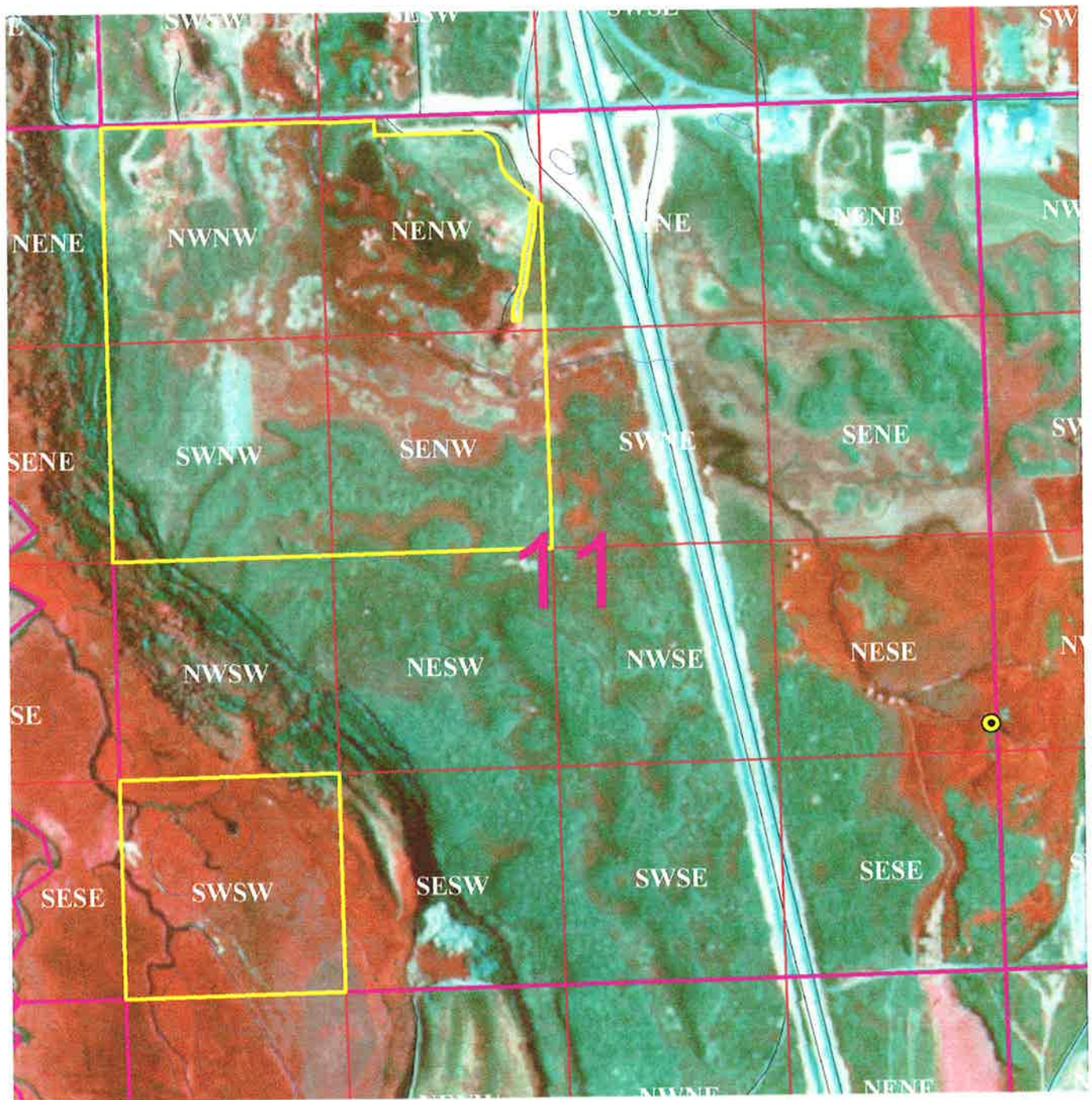
EXPLANATORY MATERIAL: License

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

Township , 9S36E



Township , 9S36E





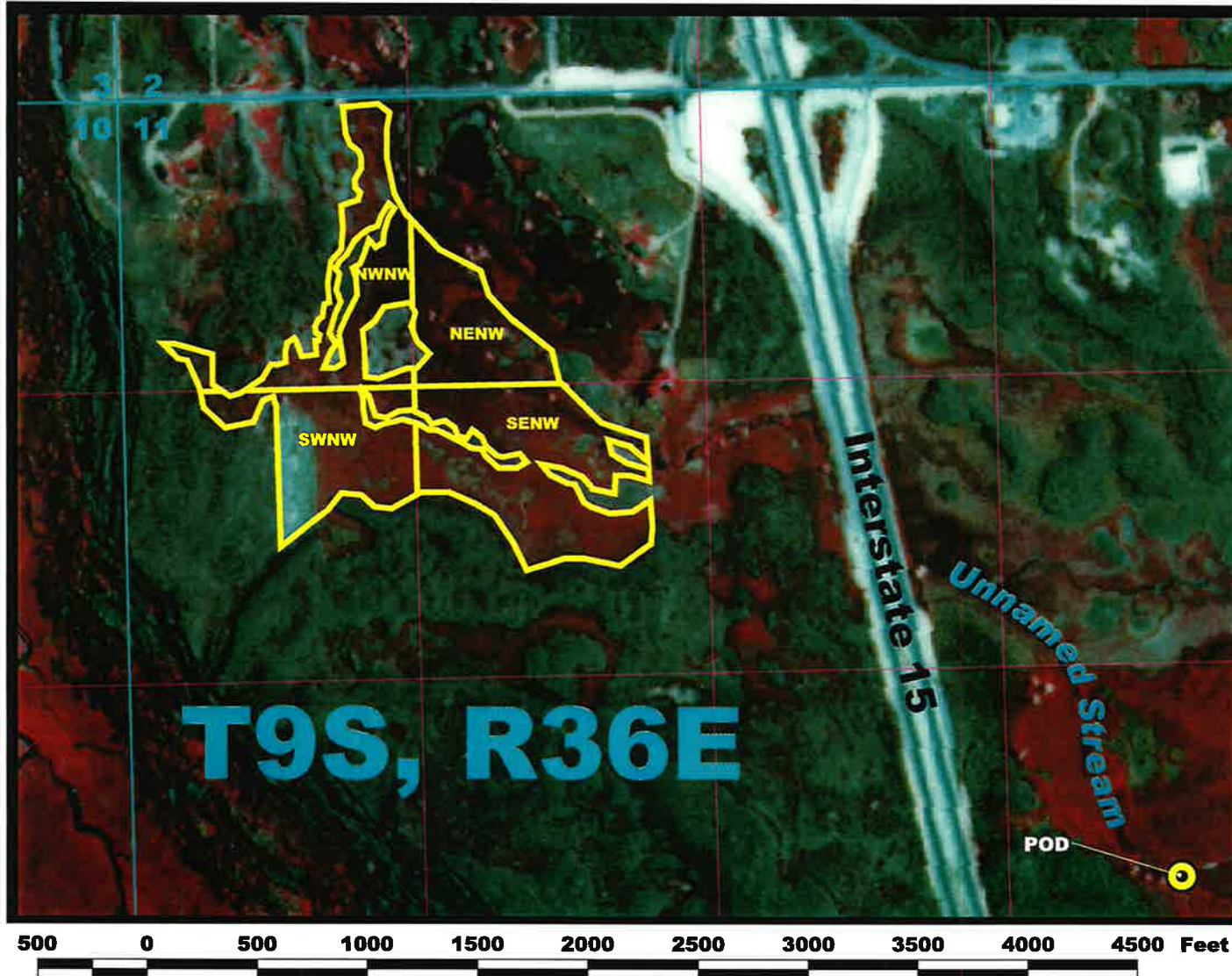
DEC 21 2005

SCANNED

State of Idaho

Department of Water Resources

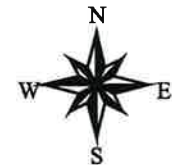
Eastern Region



Water Right(s):
29-02045A

Place of Use: T9S, R36E
(parts of) Sec. 11 NW

Point(s) of Diversion: T9S, R36E
Sec. 11 SENESE



LEGEND



Point of Diversion

SESE

Place of Use



Section



Quarter-Quarter

02/13/2003

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-2045A

WAYNE C MORRIS
55 E MERRILL RD
MC CAMMON ID 83250
Telephone Number: (208)254-3160

SHERRILL S MORRIS
55 E MERRILL RD
MC CAMMON ID 83250
Telephone Number: (208)254-3160

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: Feb. 20, 2003 SIGNATURE: Wayne C Morris
Please print your name: Wayne C Morris

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

SCANNED
DEC 21 2005

RECEIVED
FEB 21 2003
Department of Water Resources
Eastern Region

DELOG AR
3/6/02
66 3/4/2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
FEB 11 2002

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, 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
29-02045A					
229-02045A					

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 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) are 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) Charles H & Helen M Mowers
175 Railroad Av, Arimo, Idaho 83214
4. New Owner/Claimant(s) Wayne C and/or Sherrill S Morris
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 55 East Merrill Road
City, State and ZIP Code McLammon, Idaho 83250
New Telephone Number (208) 254-3160
5. Date you acquired the property Feb 1, 2002

SCANNED

DEC 21 2005

PROFILED

WARRANTY DEED 2-1

20202263

For Value Received CHARLES H. MOWERS and HELEN M. MOWERS

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

WAYNE C. MORRIS and SHERRILL S. MORRIS, HUSBAND AND WIFE

whose address is: 55 East Merrill Road, McCammon ID. 83250

Hereinafter called the Grantee, the following described premises situated in Bannock County, Idaho, to-wit:

SEE ATTACHED LEGAL DESCRIPTION

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: January 31, 2002

Charles H. Mowers
CHARLES H. MOWERS

Helen M. Mowers
HELEN M. MOWERS

STATE OF Idaho

)ss. .

COUNTY OF BANNOCK

On this 1st day of FEBRUARY, 2002, before me LINDA CHIVERS, personally appeared CHARLES H. MOWERS and HELEN M. MOWERS, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) ARE subscribed to the within instrument, and acknowledged to me that THEY executed the same.

Linda Chivers

Notary Public of Idaho

Residing at POCATELLO, Idaho

Commission Expires: 02/18/05

20202263

NO. 20202263
RECORDED AT REQUEST OF
FIRST AMERICAN TITLE

2002 FEB 1 AM 11 09

BOOK NO 807
FIRST AMERICAN TITLE IDAHO
DEPUTY CLERK RECORDER
6 DEPUTY M!

SCANNED

DEC 21 2005

EXHIBIT A

This parcel is a portion of the NW1/4 of Section 11, Township 9 South, Range 36 East of the Boise Meridian and is more particularly described as follows:

COMMENCING at the northeast corner of said NW1/4;

thence South 0° 01' 16" East along the east boundary of said NW1/4 a distance of 1198.35 feet to a point on the north boundary of the parcel described in the warranty deed filed as Inst. No. 643637, Records of Bannock County;

thence North 89° 54' 42" West along said north boundary a distance of 301.15 feet to the northwest corner thereof said point being the **TRUE POINT OF BEGINNING**;

thence South 0° 01' 16" East along the west boundary of said parcel a distance of 1446.92 feet to a point on the south boundary of said NW1/4;

thence North 89° 54' 42" West along said south boundary a distance of 1512.46 feet;

thence North 0° 02' 00" West a distance of 2640.89 feet to a point on the north boundary of said NW1/4;

thence North 89° 57' 00" East along said north boundary a distance of 816.52 feet;

thence South 0° 31' 00" East a distance of 108.40 feet to a point on the south boundary of the right-of-way conveyed to the State of Idaho by deeds recorded July 6, 1959, in Book 142, No. 346035 and September 30, 1960 in Book 154, No. 361300, Records of Bannock County, Idaho;

thence North 89° 31' 00" East along said south boundary a distance of 514.49 feet;

thence South 0° 01' 16" East parallel with the said east boundary of said NW1/4 a distance of 1092.68 feet;

thence South 89° 54' 42" East a distance of 181.09 feet to the **TRUE POINT OF BEGINNING**, containing 85.54 acres, more or less, and subject to all easements and right-of-way of record or implied.

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DEC 21 2005

3 2
10 11

Wayne Morris
29-02045A

NWNW

7.9

NENW

6.5

SWNW

8.6

SENW

13.5

POU 36.5 acres

T9S, R36E

Interstate 15

Unnamed Stream

POD



Contacts Data Entry Form

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner Wayne Morris

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: Owner

Date of Field Exam: 7/25/02 Time: AM

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

FE: VISITED ALL

Mr. Morris DON'T UNDERSTAND why his pt was
PRODUCED. IT is as follows:

ORIGINAL LIO. 29-02045; 0.61 cfs on 40⁵ ac (0.02 cfs/ac)

SRBA claim 29-02045B: 0.08 cfs on 4² ac Sec. 2

SRBA claim 29-02045A: 0.21 cfs on 40⁵ ac Sec. 11 (0.005 cfs/ac)

AT 2025 SHOULD HAVE BEEN 36⁵ ac @ 0.13 cfs

'B' RECOMM. AS CLAIMED

'A' PRODUCED TO 33⁵ ac @ 0.02 cfs = 0.67 cfs $\Rightarrow$ 0.62 cfs? why

Mr. Morris DON'T UNDERSTAND reduction

* RE-EVALUATE: 36⁵ ac @ 0.13 cfs $\Rightarrow$ SO RECOMMENDED

Reviewer: _____

Date: _____

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DEC 21 2005

PROFILED

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____

6/16/1906

Water Right Basis: _____

Lic

Claimed Priority Date: _____

6/16/1906

Claimed Basis: _____

r

Recommended Priority Date: _____

"

Recommended Basis _____

Lic

☐ 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:

Claims as Lic -

Reviewer: _____

Date: _____

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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____, R____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____

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
95	308	11		58N85E	BANK	UNWINDO Stream

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

Other rights from this POD? _____

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

Transfers Changing POD _____

Reviewer: _____

Date: _____

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DEC 21 2005

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
9S	36E	11	NWNW		BANK		29	Range
			NENW				6.5	"
			SWNW				8.6	"
			SENW				13.5	"

Total Acres 365

Document how the POU was verified:

Lots or Rocks/Rock Islands w/ POU.

Transfers Changing POU _____

Reviewer: _____

Date: **SCANNED**

DEC 21 2005

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>Tring</i>	<i>4/1</i>	<i>10/31</i>	<i>0.73</i>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume *0.73*

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

See to Dept. STD

Reviewer: _____

Date: _____

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DEC 21 2005

RECEIVED

AUG 28 2001

CHANGE IN ADDRESS

Department of Water Resources
Eastern Region

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

[] Water Right Number(s): 29-2045 A

[] Old Mailing Address: 327 E Merrill Rd

M^c Camman Rd

83250

[] New Mailing Address: PO Box 127

Arino, CO

83214

[] Telephone Number: 208-254-3539

[] Signature of Claimant: Helen M. Mawers

[] Date: 8-27-01

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:

PROFILED

SCANNED

DEC 21 2005

AUGUST 28, 2001

DEAR MR. & MRS. MOWERS;

WATER RIGHT NUMBER A29-020245A HAS BEEN CHANGED TO REFLECT
THE ADDRESS ON THE FRONT OF THIS CARD.

IF YOU HAVE ANY QUESTIONS FEEL FREE TO CONTACT THIS OFFICE
AT 208-525-7161.

RESPECTFULLY SUBMITTED,

Cheri Vandermeulen

CHERI VANDERMEULEN
RECORDS CLERK



CHARLES H & HELEN M MOWERS
PO BOX 127
ARIMO ID 83214

PROFILED

SCANNED
DEC 21 2005



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

August 17, 2001

CHARLES H & HELEN M MOWERS
PO BOX 127
ARIMO ID 83214-0127

RE: CHANGE OF ADDRESS FOR A29-02045

Dear Mr. & Mrs. Mowers:

It has come to our attention that your mailing address may have recently changed. The address currently recorded on the above referenced water right(s) is as follows:

Charles H & Helen M Mowers
327 E Merrill Rd
McCammon ID 83250

We recommend if, in fact, the address in question has been changed, you file a "Change in Address" with this department in order that we may send all further correspondence to the appropriate address.

Enclosed is a Change in Address form. Please fill out the form completely, sign and date it and return it to my attention.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosure(s)

PROFILED

SCANNED
DEC 21 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 25, 2002

WAYNE & SHERRILL MORRIS
55 E MERRILL RD
MC CAMMON ID 83250

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 29-2045A

Dear Mr. & Mrs. Morris:

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
Technical Records Specialist

Enclosure

PROFILED

SCANNED

DEC 21 2005

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
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, 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
	29-02045A				

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 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) are 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) Charles + Helen Mowers
175 Railroad Avenue
4. New Owner/Claimant(s) Arimo Idaho 83214
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
Wayne C and/or Sherrill S Morris
 New Mailing Address 55 East Merrill Road
 City, State and ZIP Code McLamman Idaho 83250
 New Telephone Number (208) 254 3160
5. Date you acquired the property Feb 1, 2002

FILED

DEC 21 2005

RECEIVED

JUN 04 2002

Department of Water Resources
Eastern Region

P35741
WARRANTY DEED

20202263

For Value Received **CHARLES H. MOWERS and HELEN M. MOWERS**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

WAYNE C. MORRIS and SHERRILL S. MORRIS, HUSBAND AND WIFE

whose address is: 55 East Merrill Road, McCammon ID. 83250

Hereinafter called the Grantee, the following described premises situated in **Bannock** County, Idaho, to-wit:

SEE ATTACHED LEGAL DESCRIPTION

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: January 31, 2002

Charles H. Mowers
CHARLES H. MOWERS

Helen M. Mowers
HELEN M. MOWERS

STATE OF Idaho
)ss.
COUNTY OF BANNOCK

On this 1st day of FEBRUARY, 2002, before me LINDA CHIVERS, personally appeared CHARLES H. MOWERS and HELEN M. MOWERS, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) ARE subscribed to the within instrument, and acknowledged to me that THEY executed the same.

Linda Chivers
Notary Public of Idaho
Residing at: POCATELLO, Idaho
Commission Expires: 02/19/05

SCANNED

DEC 21 2005

20202263

NO.

RECORDED AT REQUEST OF...

20202263

2-8

PARCEL 2: $\approx$ 85 acres

A PORTION OF THE NW¼ OF SECTION 11, TOWNSHIP 9 SOUTH, RANGE 36 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NW¼;

THENCE SOUTH 0°01'16" EAST ALONG THE EAST BOUNDARY OF SAID NW¼ A DISTANCE OF 1198.35 FEET TO A POINT ON THE NORTH BOUNDARY OF THE PARCEL DESCRIBED IN THE WARRANTY DEED FILED AS INSTRUMENT NO. 643637, RECORDS OF BANNOCK COUNTY;

THENCE NORTH 89°54'42" WEST ALONG SAID NORTH BOUNDARY A DISTANCE OF 301.15 FEET TO THE NORTHWEST CORNER THEREOF SAID POINT OF BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 0°01'16" EAST ALONG THE WEST BOUNDARY OF SAID PARCEL A DISTANCE OF 1446.92 FEET TO A POINT ON THE SOUTH BOUNDARY OF SAID NW¼;

THENCE NORTH 89°54'42" WEST ALONG SAID SOUTH BOUNDARY A DISTANCE OF 1512.46 FEET;

THENCE NORTH 0°02'00" WEST A DISTANCE OF 2640.89 FEET TO A POINT ON THE NORTH BOUNDARY OF SAID NW¼;

THENCE NORTH 89°57'00" EAST ALONG SAID NORTH BOUNDARY A DISTANCE OF 816.52 FEET;

THENCE SOUTH 0°31'00" EAST A DISTANCE OF 108.40 FEET TO A POINT ON THE SOUTH BOUNDARY OF THE RIGHT-OF-WAY CONVEYED TO THE STATE OF IDAHO BY DEEDS RECORDED JULY 6, 1959, IN BOOK 142, NO. 346035 AND SEPTEMBER 30, 1960 IN BOOK 154, NO. 361300, RECORDS OF BANNOCK COUNTY, IDAHO;

THENCE NORTH 89°31'00" EAST ALONG SAID SOUTH BOUNDARY A DISTANCE OF 514.49 FEET;

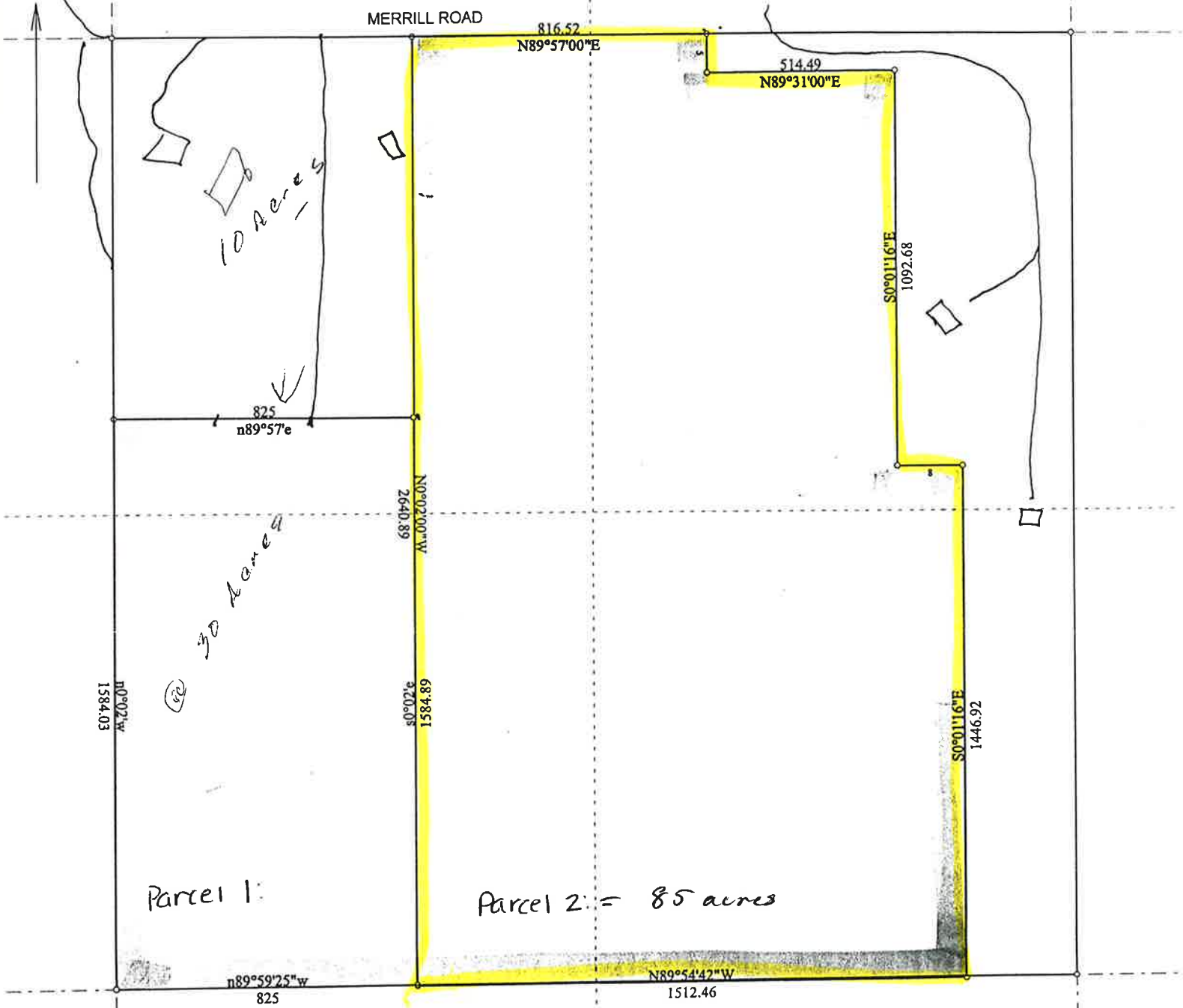
THENCE SOUTH 0°01'16" EAST PARALLEL WITH THE SAID EAST BOUNDARY OF SAID NW¼ A DISTANCE OF 1092.68 FEET;

THENCE SOUTH 89°54'42" EAST A DISTANCE OF 181.09 FEET TO THE TRUE POINT OF BEGINNING.

SCANNED

DEC 21 2005

NW1/4 SECTION 11, TOWNSHIP 9S, RANGE 36 E.B.M.



Title:		Date: 01-28-2002
Scale: 1 inch = 400 feet	File: 35741.des	

SCANNED
DEC 21 2005

THIS SKETCH IS MADE SOLELY FOR
THE PURPOSE OF ASSISTING IN
LOCATING THE PREMISES. THE
COMPANY ASSUMES NO LIABILITY
FOR ALLEGED LOSS OR DAMAGE WHICH
MAY RESULT FROM RELIANCE ON THIS
MAP.

WR5809NP
No. 29-02045

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/30/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN G. SCHWING	06/16/1906	IRRIGATION DOMESTIC	00/00 00/00 00/00 00/00	0.810 CFS	
TOTAL DIVERSION:					0.810 CFS	

Water Source: SPRINGS

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T09S R36E S11

NESE

BANNOCK 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	Lt	Ac	Lt	Ac	:	
09S	36E	2	:					:					:					:						:	4.0	
09S	36E	11	:					:	16	02	10	08	:					:						:	36.0	
																							TOTAL ACRES	40.0		

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: BANNOCK

Remarks: GEN AC. IRR.=40.5

Dates: App. Received:
Proof Due Date:
Exam Made Date:
Licensed Date: 08/01/1979

Priority Date: 06/16/1906
Proof Made Date:
Exam Sent to S.O.:

Misc: Water District Number: Field Exam Fee:

Audit: 04/23/85 05/22/88 CONVERT

DEC 21 2005
SCANNED

Town 9 S R. 36 E B. 14.

SEC. 1

SEC. 2

SEC. 3

SEC. 4

SEC. 5

SEC. 6

SEC. 7

SEC. 8

SEC. 9

SEC. 10

SEC. 11

SEC. 12

SEC. 13

SEC. 14

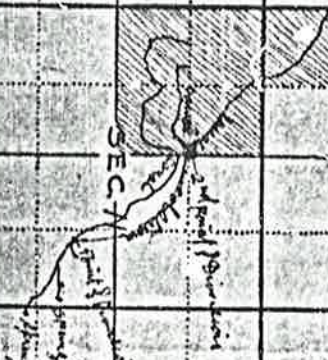
SEC. 15

SEC. 16

SEC. 17

SEC. 18

2027



Report of Engineer

1. State name of applicant and number of permit: John G. Schwinge 2077.
 2. State source of water supply: unnamed springs in S. E. 1/4 Sec 11 and 11 E. 1/4 Sec 11
11. Town 9 N. R. 36 E. B. 14.
 3. Location of point of diversion: 11. E. 1/4 S. E. 1/4 Sec 11. Town 9 N. R. 36 E.
Division point No. 2 - in S. E. 1/4 N. W. 1/4 Sec 11.
 4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: works of diversion are fully completed and in accordance with terms of permit.
 5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: twenty inches.
 - (b) Width at water line: three feet.
 - (c) Depth of water: ten inches.
 - (d) Grade per mile: four feet.
 6. State whether or not water has been turned into works of diversion and if so, to what extent: seventy inches (12 1/2 feet) has been turned in.
 7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: North West 1/4 Sec 11 and S. W. 1/4 Sec 2. Town 9 N. R. 36 E. B. 14.
4 acres in S. W. 1/4 Sec 2 - 2 acres in N. W. 1/4; 10 acres in South 1/4; 8 1/2 in S. E. 1/4; and 16 in N. E. 1/4 of N. W. 1/4 Sec 11.
 8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.
- Remarks: Applicant has used a second point of diversion in S. E. 1/4 N. W. 1/4 Sec 11 using water in unnamed stream formed by water flowing from above mentioned springs.

Jas L McDowell

STATE OF IDAHO,

County of Bannock } ss.

Jas L McDowell being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 7 day of Jan 190 7

My Commission Expires Dec 18-1910

[Signature]

Notary Public.

SCANNED
DEC 21 2005
2077

29-02045
Bannock County *
.81 of 1 second foot *
Irrigation *
Priority 6-16-1906 *

S T A T E O F I D A H O .

Water License No. 2077.

WHEREAS, On the 16th day of June, A.D.1906, JOHN G. SCHWING, of McCammon, County of Bannock, and State of Idaho, duly made application (No. 2921) to me for a permit to use 1.4 cubic feet per second of the waters of unnamed springs, County of Bannock, State of Idaho, for irrigation and domestic purposes; and

WHEREAS, On the 16th day of June A.D.1906, Permit No. 2077 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 18th day of December, A.D. 1906, and for the application to beneficial use of said water on or before the 18th day of December, A.D.1908, and

WHEREAS, On the 20th day of November A.D.1906, the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.4 cubic feet per second of said waters, as evidenced by my certificate No. 2077, dated December 1,1908, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1.4 cubic feet per second of water, with date of priority of June 16,1906, and,

WHEREAS, On the 20th day of February A.D.1909, proof was duly made of the application to beneficial use of .81 of 1 cubic foot per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to JOHN G. SCHWING, of McCammon, Idaho, the holder and owner of said permit No. 2077, a perpetual right, dating from June 16,1906, to the use of .81 of 1 cubic foot per second of the waters of unnamed springs, in the county of Bannock, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the northeast quarter of southeast quarter, section 11, township 9 south, range 36 east Boise meridian, and conducted to and upon 4 acres in southwest quarter of southwest quarter sec. 8., 2 acres in northwest quarter of northwest quarter, 10 acres in southwest quarter of northwest quarter; 8.5 acres in southeast quarter of northwest quarter; 16 acres in northeast quarter of northwest quarter of section 11, township 9 south, range 36 east of the Boise meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 3rd day of March,

A.D. Nineteen hundred and nine.

Jas. Stephenson, Jr.

southwest quarter of southwest quarter sec. 2., 2 acres in northwest quarter of northwest quarter, 10 acres in south t quarter of northwest quarter ; 5 acres in southeast quarter of northwest quarter; 16 acres in northeast quarter of northwest quarter of section 11, township 9 south, range 36 east of the Boise meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 3rd day of March,

A.D. Nineteen hundred and nine.

Jas. Stephenson, Jr.

State Engineer.

(SEAL)

Recorded March 3, 1909.

SCANNED
DEC 2

29 2045

A P P L I C A T I O N F O R P E R M I T

To Appropriate the Public Waters of the State of Idaho.

1. Name of applicant: JOHN G. SCHVING.

Postoffice address: P. O. McCammon

County: Bannock

2. The quantity of water claimed is $1 \frac{2}{5}$ cubic feet per second.

3. Source of water supply: Unnamed springs.

Bannock County.

4. Location of point of diversion: NE4 SE4 Sec. 11. Tp. 9 S.R. 36 E.

5. To be used for:

I. Irrigation and domestic use:

(a) Number of acres to be irrigated: 70 acres.

(b) In the following legal subdivisions: SW4 SW4 Sec. 2. T. 8. S.R. 36 E. NW $\frac{1}{4}$ Sec. 11
Tp. 9 S.R. 36 E.

6. Estimated cost of works: \$125400

7. Description of works for diversion:

I. Kind of works: Dam and ditch.

II. Dimensions of works:

(a) Height of dam four feet, length of dam at top fifteen feet, length of dam at bottom
fourteen feet. Material used in construction: Earth.

(b) Ditch (flume or pipe) width at bottom twenty inches, width at water line three
feet, depth of water ten inches. Average grade per mile is four feet. Length of
ditch is one-half mile, and it crosses the following quarter sections: SW4 NE4.
SE4 NW4, Sec. 11. Tp. 9 S.R. 36 E., to NE4NW4 said section, which is the point of
intended use.

8. Time required for the completion of the construction of such work is - finished & in use one
year.

9. Time required for the complete application of the water to the proposed use is two years.

APPROVAL OF STATE ENGINEER.

The number of this permit is 2077.

Date of first receipt of application 9. a.m. June 16, 1906.

Recorded in Book 6, Page 2077. Approved June 16, 1906.

This is to certify that I have examined the within application for a permit to appropriate
the public waters of the State of Idaho and hereby grant the same, subject to the following li-
mitations and conditions:

One-fifth of the work above specified to be completed on or before September 18, 1906.

The whole of said work to be completed on or before December 18, 1906.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to

December 18, 1908

SCANNED
DEC 21 2005

Work to begin on or before August 17, 1906, and to continue diligently and uninterrupted to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

Witness my hand this 18 day of June, 1906.

Jas. Stephenson, Jr.

State Engineer.

Blank notice for proof of completion of works mailed applicant.

Notice received, fixing November 20, 1906 as date, and McCammon as place of proof.

Notice for publication mailed the Banner at McCammon. October, 11, 1906.

Deposition blanks mailed applicant: October 11, 1906.

George Perry, authorized October 11, 1906, to make examination of works.

Depositions, affidavit of publication and report received January 14, 1907.

Fees received December 1, 1908.

Certificate of Completion of works issued. December, 1, 1908.

Permit No. 2077.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that JOHN G. SCHIFFING, of McCammon, County of Bannock, and State of Idaho, the holder of permit No. 2077, issued upon application (No. 2921) bearing date of priority of June 16, 1906, authorizing the diversion of 1.4 second feet of the waters of an unnamed stream, County of Bannock, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho, relating to the proof of completion of the works of diversion set out and described in said Permit: that said works are adequate for diverting and conveying to the place of intended use 1.4 second feet of the waters of an unnamed stream, that the point of diversion of said waters, is at a point in the northeast quarter of southeast quarter of section 11, township 9 south, range 36 east of the Boise meridian, and that the lands proposed to be irrigated by the use of said waters are described as follows: to-wit: The southwest quarter of southwest quarter of section 2, township 8 south, range 36 east of the Boise meridian, and northwest quarter of section 11, township, 9 south, range 36 east of the Boise meridian.

Witness my hand this 1st day of December, A.D. 1908.

Jas. Stephenson, Jr.

State Engineer.

License issued for

8 1/100 second feet

SCANNED
DEC 21 2005

AJ5809NP
No. A29-02045

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 76

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HELEN M MOWERS	06/16/1906	IRRIGATION	04-15 11-01	0.810 CFS	
C	CHARLES H MOWERS					
	327 E MERRILL RD					
	MC CAMMON ID 83250					
	(208) 254-3539					
				TOTAL DIVERSION:	0.810 CFS	
	Water Source: SPRINGS		Tributary to: SINKS			Stage: LICENSE

AJ5809NP
No. A29-02045

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 77

Point(s) of Diversion: T09S R36E S11 NESE BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
09S	36E	11	:							16	02	10	08			04				:	40.5
																				TOTAL ACRES	40.5

POU County: BANNOCK

Non-Irrigation Uses: S/ 20 HEAD

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of Use:
A29-11458

Remarks: GEN AC. IRR.=40.5

Dates: Exam Made Date:

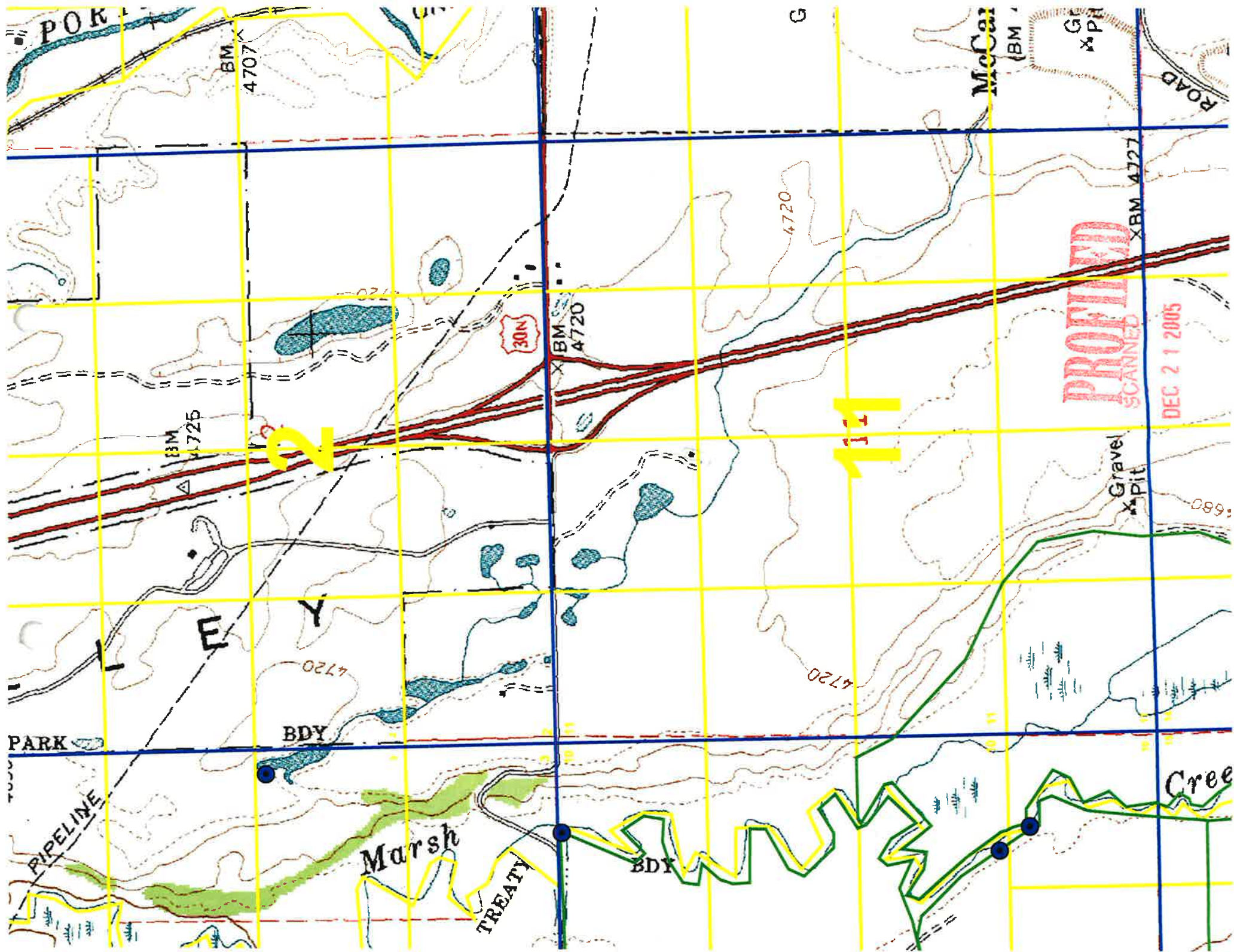
Verified Date:

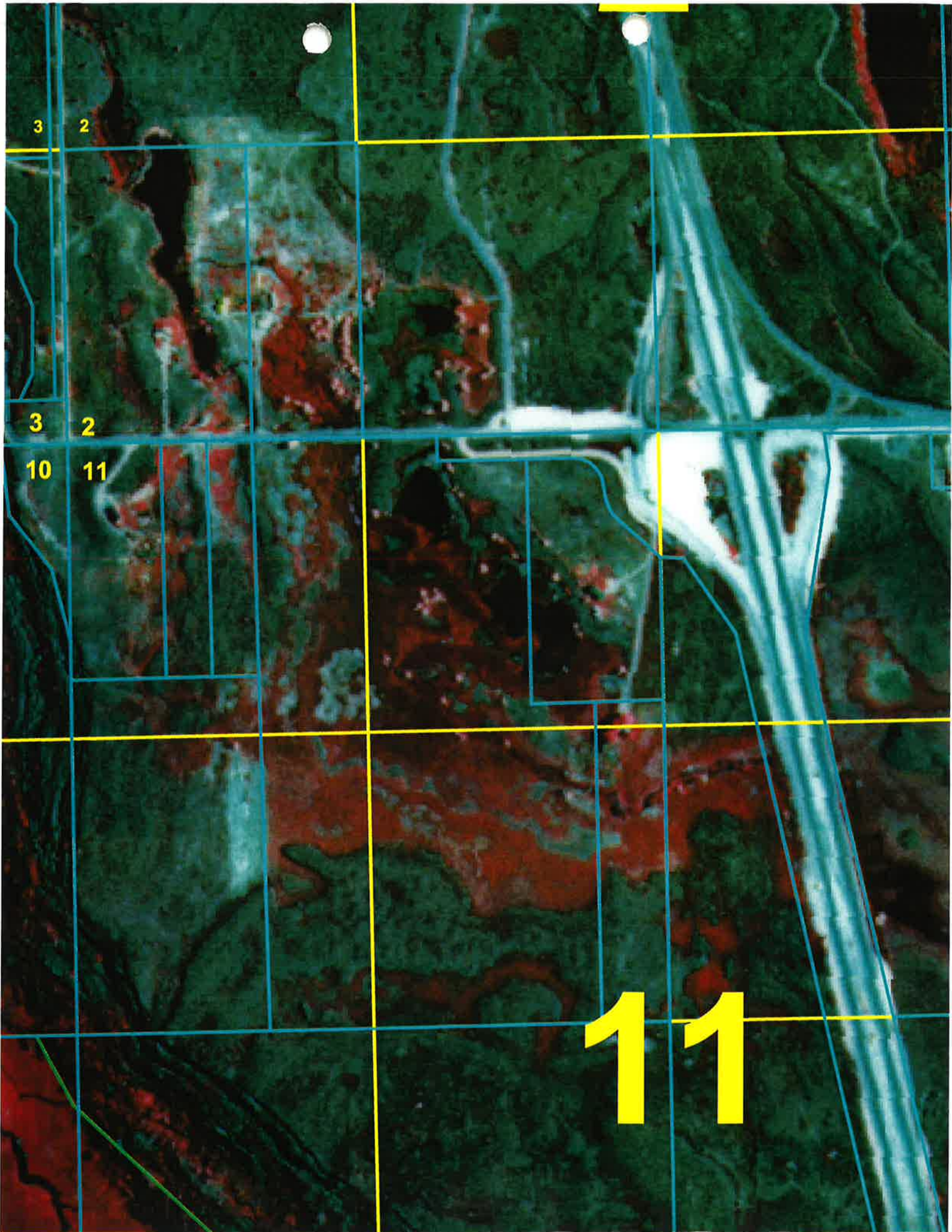
Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 04/30/90 DCARLSON 06/02/94 COX 03/29/95 POST-STD 04/12/00 CVANDERM





MAY 31 2001

Log for claim A29-02045

Spatial Dynamics LTD

7/13/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s36e	11	NENW	16	35	Indiscernible
09s36e	11	NWNW	2	40	Indiscernible
09s36e	11	SWNW	10	40	Indiscernible
09s36e	11	SEnw	8	40	Indiscernible
09s36e	11	SWSW	4	40	Indiscernible
Totals:			40	195	

unnamed stream
spring AREA
Interstate

N42 39 17.0 475.3
W112 12 37.4

pod
N42 39 04.2 4718.20
W112 12 21.2

Report of Engineer

1. State name of applicant and number of permit: John G. Schwing - 2077
 2. State source of water supply: Unnamed Springs in S.W. 1/4 Sec 11 and N.E. 1/4 Sec 11
 3. Location of point of diversion: 1/2 mi. S. 1/2 Sec 11, T. 9 N. R. 36 E. B. 14

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: works of diversion are fully completed and in accordance with terms of permit.

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: twenty inches.
- (b) Width at water line: three feet.
- (c) Depth of water: ten inches.
- (d) Grade per mile: four feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent: seventy inches (12 1/2 feet) has been turned in.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: North 1/2 of Sec 11 and S.W. 1/4 of Sec 2 - T. 9 N. R. 36 E. B. 14. 4 acres in S.W. 1/4 of Sec 2 - 2 acres in N.W. 1/4, 10 acres in South 1/2, 4 1/2 in S.E. 1/4, and 16 in N.E. 1/4 of N.W. 1/4 Sec 11.

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: Applicant has used a second point of diversion in S.W. 1/4 of Sec 11 using water in unnamed stream formed by water flowing from above mentioned springs.

Joe L. McDowell

STATE OF IDAHO,

County of Blaine }

Joe L. McDowell, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 1 day of Feb, 1907.

My Commission Expires Dec 18 - 1910

Geo. L. Brown
Notary Public

Town 9 S R. 36 E. B.M.

SEC.

SEC. 2

SEC.

SE

SEC

SEC. 2

SEC. 12

SE



2nd point of diversion

1st point of diversion

spring

spring

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 29-2045A
Date Received: 8/17/2001
Receipt No:
Received By: DC

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

1. Name of Claimant(s)

CHARLES H MOWERS Phone: (208)254-3539

327 E MERRILL RD
MC CAMMON ID USA 83250

HELEN M MOWERS Phone: (208)254-3539

327 E MERRILL RD
MC CAMMON ID USA 83250

2. Date of Priority: 06/16/1906

3. Source: SPRINGS Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09S	36E	11	NE SE	BANNOCK	

5. Description of diverting works:

dam/ditches

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	11/01	0.81	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

A2902045A



Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
09S	36E	11	SW	SW		IRRIGATION	4
			NE	NW		IRRIGATION	16
			NW	NW		IRRIGATION	2
			SW	NW		IRRIGATION	10
			SE	NW		IRRIGATION	8.5
						Section Acres	40.5
						Total Acres	40.5

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

acres 40.5

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.