

02/18/2003

NOTICE OF ERROR
REPLY

Paul

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: 29-2490

MICHAUD CREEK RANCHES INC
2470 MICHAUD CREEK RD
POCATELLO ID 83204
Telephone Number: (208)232-0803

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:

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

DATE: 3-3-03 SIGNATURE: Mark Swanson
Please print your name: Mark Swanson

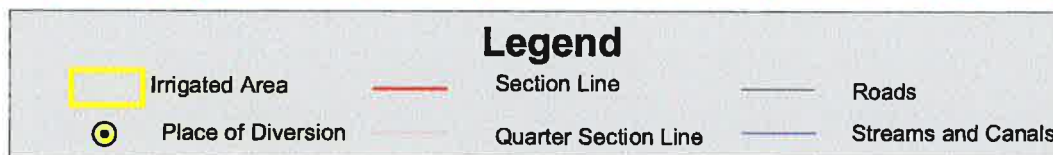
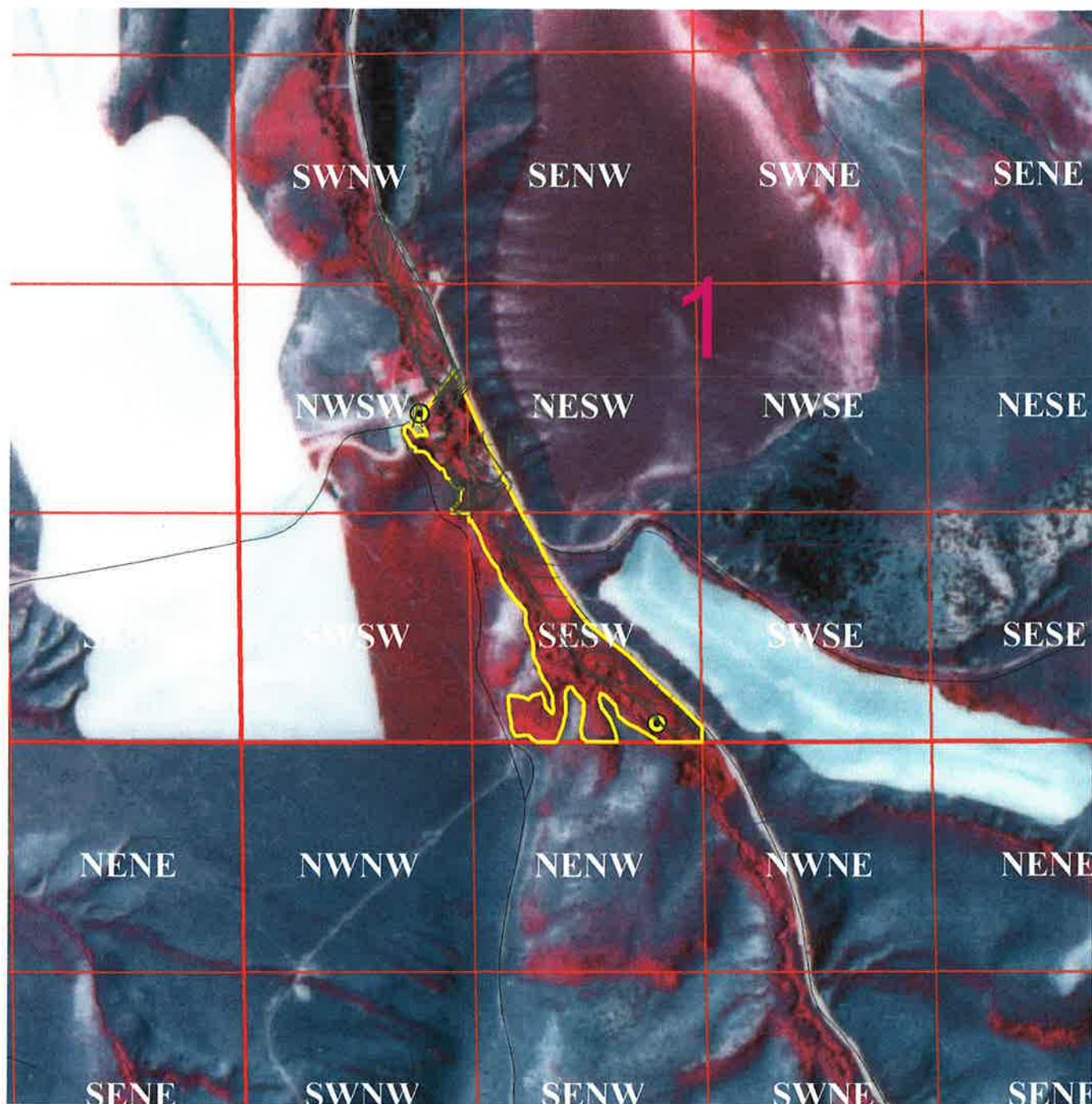
IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

SCANNED
FEB 22 2006

Water Right Claim Number A29-02490
Township , 7S33E

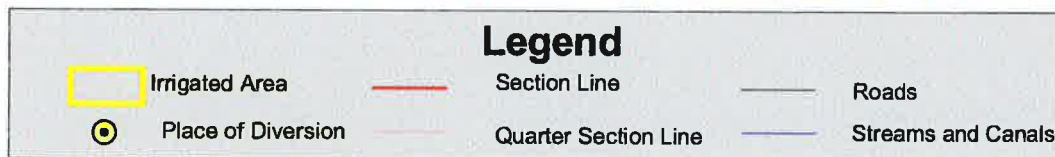
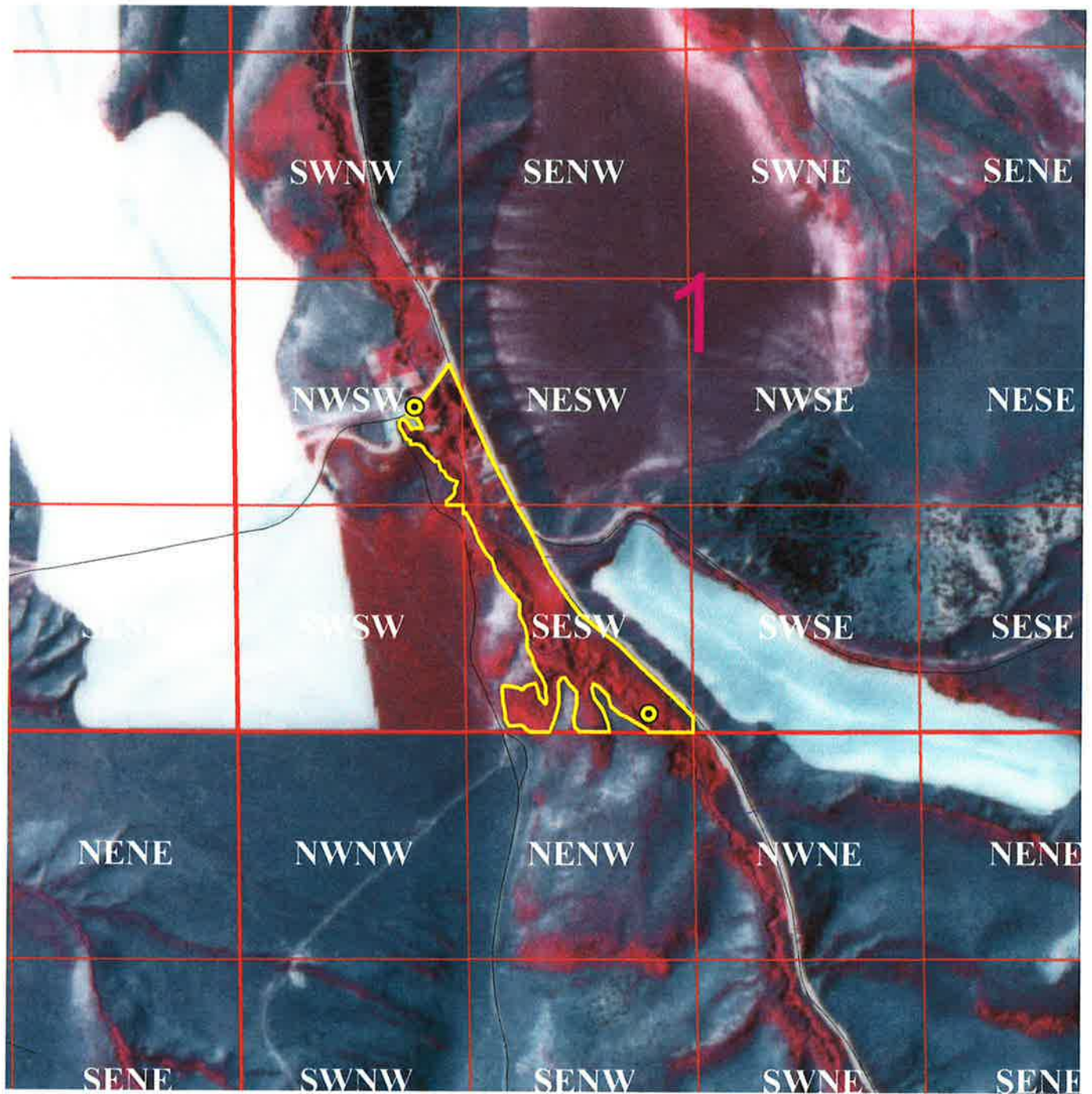
07/31/2000



SCANNED
FEB 22 2006

Water Right Claim Number A29-02490
Township , 7S33E

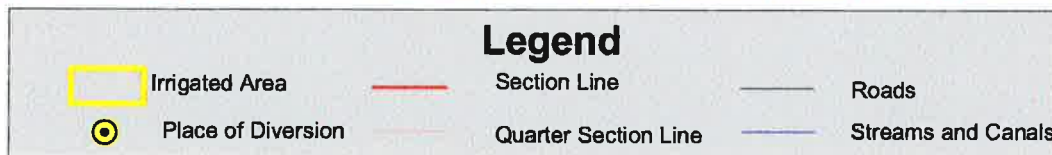
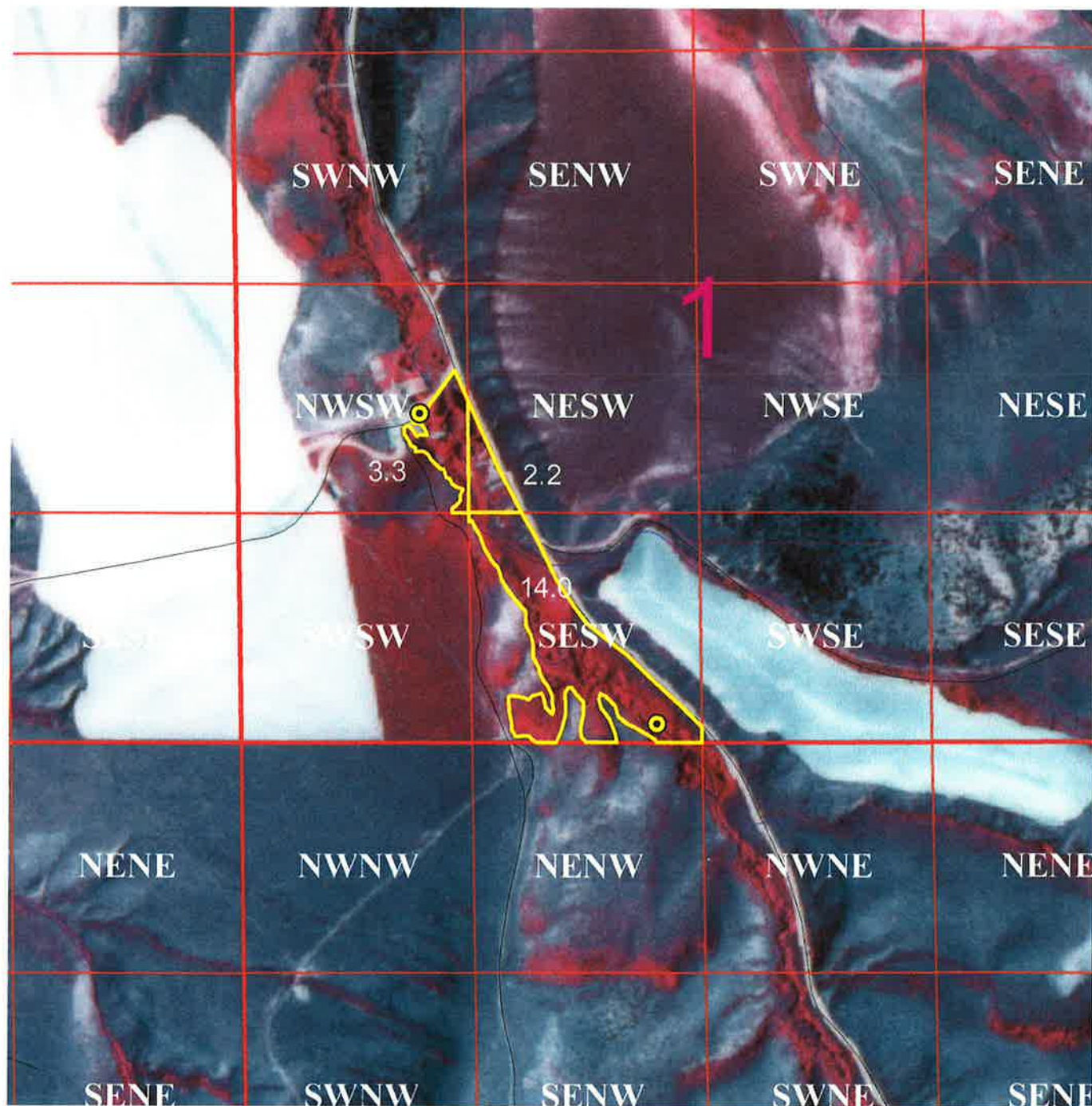
07/31/2000



SCANNED
FEB 22 2006

Water Right Claim Number A29-02490
Township , 7S33E

07/31/2000

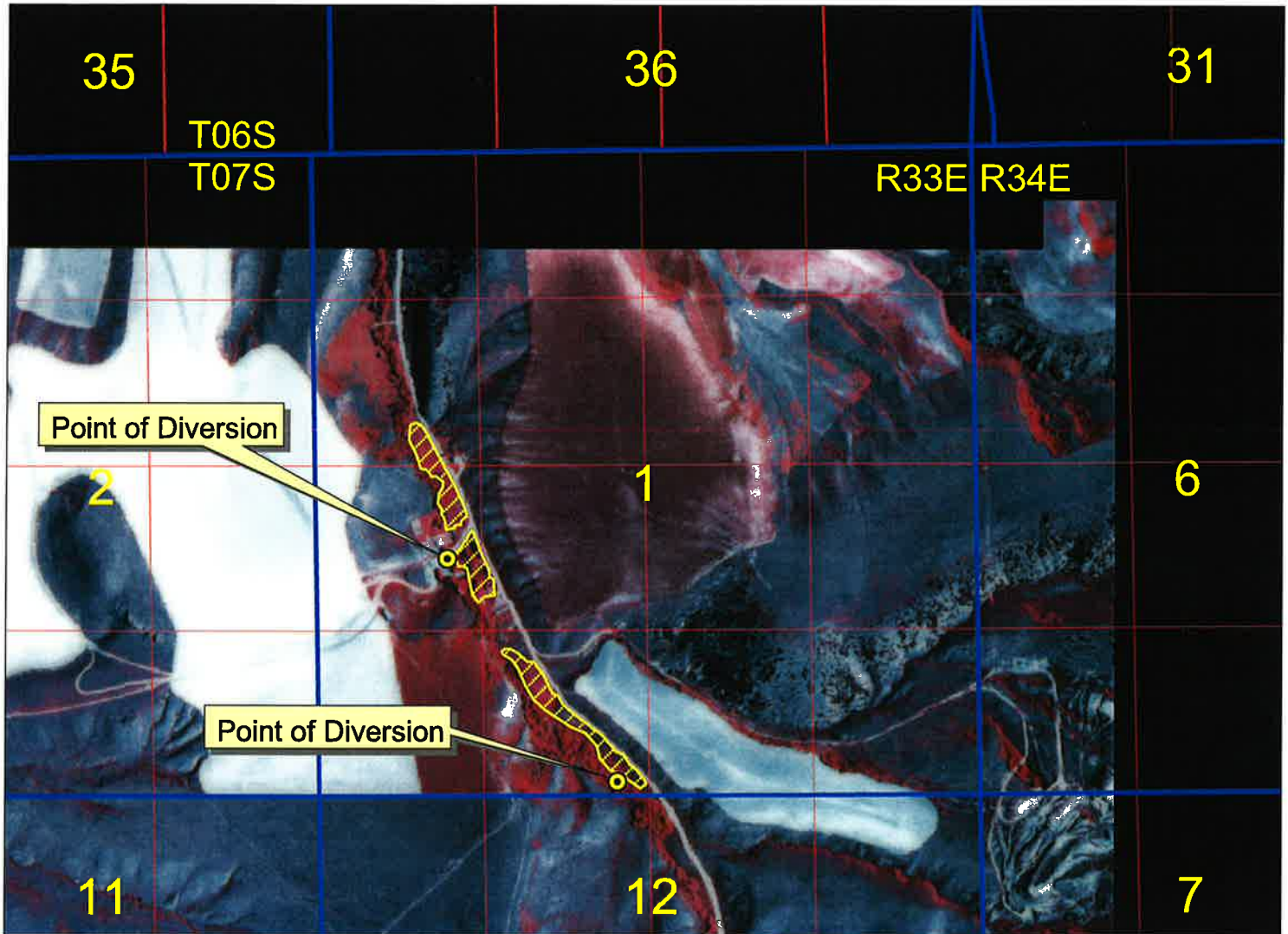


SCANNED
FEB 22 2006

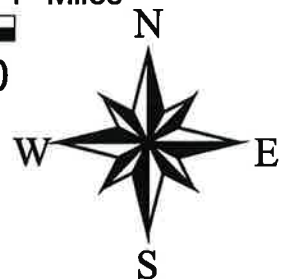


State of Idaho
Department of Water Resources
Eastern Region

Water Right: 29-02490



1:16000



- Point(s) of Diversion
- ▨ Place of Use
- ▭ Section Lines
- ▭ Quarter Quarter Lines

SCANNED
FEB 22 2006

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GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: December 2001

Log for claim A29-02490

Spatial Dynamics AMH

7/28/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s33e	1	NESW	1	2.2	
07s33e	1	NWSW	3	3.3	
07s33e	1	SESW	5	14	Indiscernible
Totals:			9	19.5	

PROFILED

 **SPATIAL
DYNAMICS**

SCANNED

FEB 22 2006

DATE: 05/23/00
PAGE: 25

Stage: LICENSE

Audit: 03/22/90 DUNN 07/13/94 COX 03/29/95 POST-STD

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 31849/29-2490 Priority April 20, 1964 Amount 0.32 cfs

THIS IS TO CERTIFY, that RAY V. SWANSON & SON
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 31849/29-2490 issued pursuant to Application for Permit dated April 20, 1964
and has submitted proof to the Department of Water Administration on April 30, 1970
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.63 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Michaud Creek
tributary of Bannock Creek, is hereby confirmed in the following amounts:
Amount 0.18 cfs for Irrigation from April 1 to Oct. 31 (both dates inclusive)
Amount 0.14 cfs for Stockwater from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.32 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 1, Twp. 7 S, Rge. 33 E, B. M.

in the county of Power; 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 31.5 acre feet per year or
3.5 acre feet per acre, for irrigation use and 8.1 acre feet per year for
stockwater use with the total amount not to exceed 39.6 acre feet per year.

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 $\frac{1}{4}$	
7 S	33 E	1									1	3		5					9
		1							(stockwater)		X	X		X					

Total number of acres irrigated 9

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 9 day of

August, 19 73.


Director

29 2490

To Approprate the Public Waters of the State of Idaho

APPLICATION No. 39964
PERMIT No. 31849
DISTRICT No.

1. Name of Applicant: Ray V. Swanson & Son

Postoffice address: Star Rt., Pocatello

County: Power

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(b) Treasury stock:

(c) Bond to be issued:

(d) Other resources:

2. Quantity of water claimed: 3 (Three) cubic feet per second.

3. Source of water supply: Michaud Creek which is a tributary of Bannock Creek

4. Location of point of diversion: 75 feet distant from the SE corner of Section 1, T. 7 S, R. 33 E., B.M., and is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 12, T. 7 S., R. 33 E., B. M., County of Power

5. Water is to be used for Domestic and irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section T. , R. , B.M., in the of Section of , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B.M., in the of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 400

8. Kind of works: Ditch, headgate

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam: No dam but a headgate

10. Size of headgate: Width 24" Round feet; height feet.

11. Ditch: Width at bottom 0 fee; width at water line 3.0 feet; depth of water 1. feet; dimensions of flume:

Diameter of pipe inches; length of conduit Approx. 1 mile miles.

Average grade per mile feet.

12. The time required for the completion of such work is 1 years.

13. The time required for the complete application of the water to the proposed use is 1 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

- (b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

s/ R. V. SWANSON & SON

Applicant.

By R. V. Swanson

Agent.

Date of first receipt at Department of Reclamation: 9:15 A.M. April 20, 1964

Returned to applicant for correction: April 20, 1964

Corrected application received: April 28, 1964

Approval of State Reclamation Engineer

The number of this permit is 31849

Recorded in Book 111 Page 31849 Approved April 30, 1964

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 approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before June 30, 1964 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before October 30, 1964

The whole of said work to be completed on or before April 30, 1965 69

Beneficial use of water appropriated in accordance herewith, to be made on or before April 30, 1966 70

WITNESS My hand this 30th day of April, 1964

s/ CARL E. TAPPAN

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 30th

day of April, 1964.

STATE OF IDAHO

Countersigned:

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE

Governor.

Secretary of State.

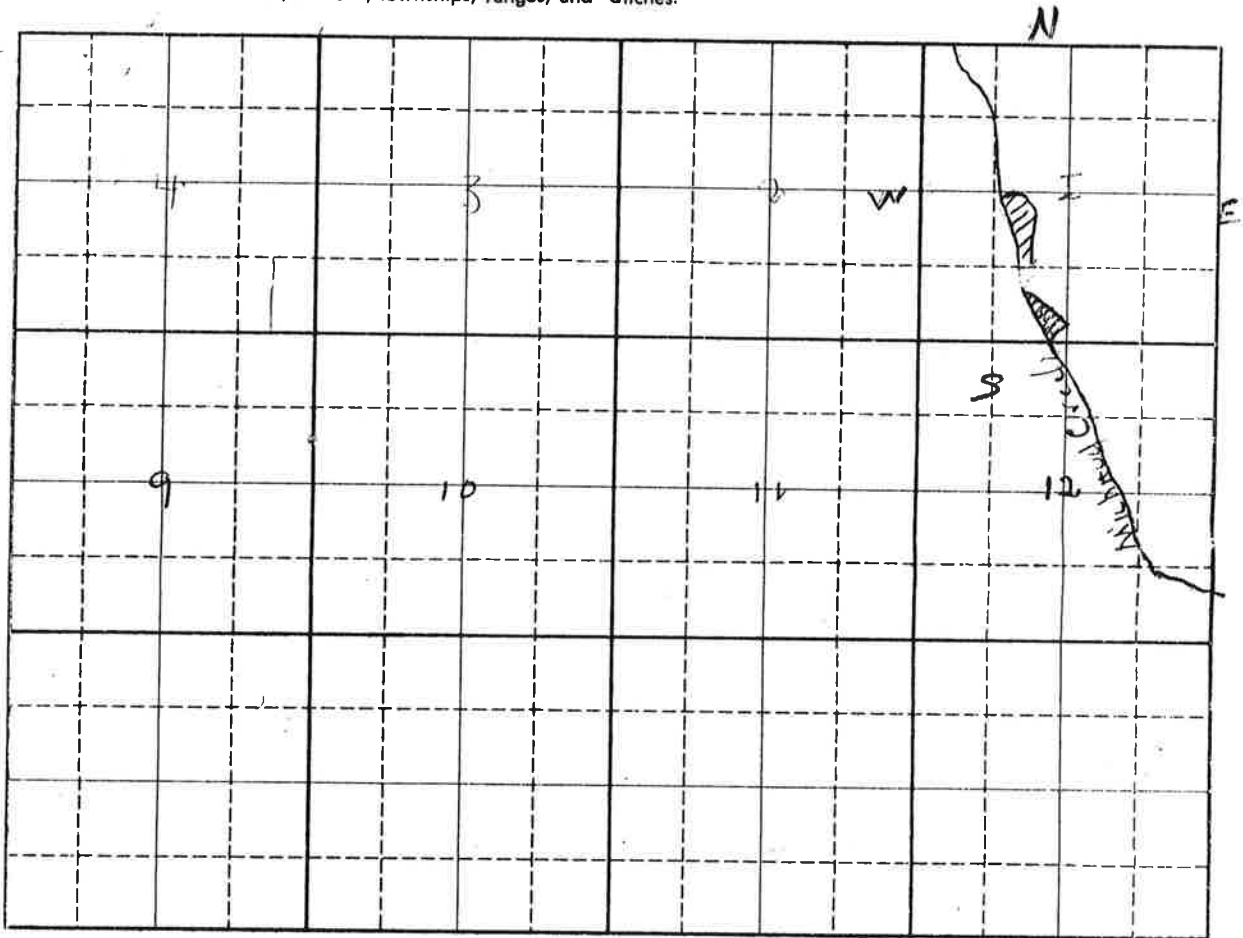
REMARKS: This creek does not flow into any stream but sinks in Sec. 15, T.6S., R. 33 E.B.M.
This farm has used the water from stream for domestic purposes since 1913 or 1914.

14.

Twp.	Range	Sec.	NE 1/4	NW 1/4	SW 1/4	SE 1/4	Totals
			NE 1/4 NW 1/4 SW 1/4 SE 1/4	NE 1/4 NW 1/4 SW 1/4 SE 1/4	NE 1/4 NW 1/4 SW 1/4 SE 1/4	NE 1/4 NW 1/4 SW 1/4 SE 1/4	
7 S	33 E	1			20 40 40 20		120
				EXTENSION OF TIME			
				APPROVAL OF STATE RECLAMATION ENGINEER			
			I, RALPH W. THOMAS, Deputy, State Reclamation Engineer of the State of Idaho hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 31849 to April 30, 1969				
			Witness my hand this 26th day of March, 1965				
					s/ RALPH W. THOMAS Deputy State Reclamation Engineer		

LICENSE ISSUED FOR 0.32 SEC. FT.
LICENSE PAGE NO.

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Pocatello, Idaho, this 6th day of July, 19 70.

Ray V. Swanson
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, C. STEPHEN ALLRED, Deputy Director, ~~State Reclamation Engineer~~ of the State of Idaho,
Dept. of Water Administration

hereby _____
approve the above application for amendment for permit No. 31849/29-2490.

Witness my hand this 17th day of August, 19 70

C. Stephen Allred
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR AMENDMENT

REC-1
AUG 6 1964
Department of Water Administration

Permit No. 31849/29-2490

Comes now Ray V. Swanson & Son of (address) Star Route, Pocatello, Idaho, and represents to the Director of the Idaho Department of Water Administration:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 31849/29-2490, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, Twp. 7 S
Rge. 33 E, B. M., County of Power. Other points of diversion:
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, Twp. 7 S, Rge. 33 E, B. M.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre feet per annum) NO CHANGE

3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated	Nine
---------------------------------------	------

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.

Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at _____, this 1 day of August, 19 73.
Robert W. Swanson
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration,
hereby approve the above application for amendment for Permit No. 31849/29-2490.

Witness my hand this 9 day of August, 19 73.

R. Keith Higgins
Director

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 31849/29-2490

REPORT ON PROOF OF B/U Ray V. Swanson & Son

29 2490

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
 6. Give general characteristics of soils, topography, and crops raised.
-
-

29 2490

ASCS: American Falls

SCS: American Falls

Permit No. 31849/p9-2490

Examination for B/U Ray V. Swanson & Son

County Power

Sec 12 T.7S R. 33E

Quantity:

(permit)3cfs (proof).87cfs

Source: Michaud Creek

P.D.: NE~~1~~NW~~4~~

Use: domestic use & irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: April 20, 1964

Made: April 30, 1970

Due: April 30, 1970

Priority: April 20, 1964

.0 .10 .20 .30 .40 .50 .60 .70 .75

Clay

80
85

515

River at

.90
.92
.94
.96
.97
.98
.99
1.00

.99
.98
.97
.96
.94
.92
.90

.85

.0	.10	.20	.30	.40	.50	.60	.70
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.0	.10	.20	.30	.40	.50	.60	.70
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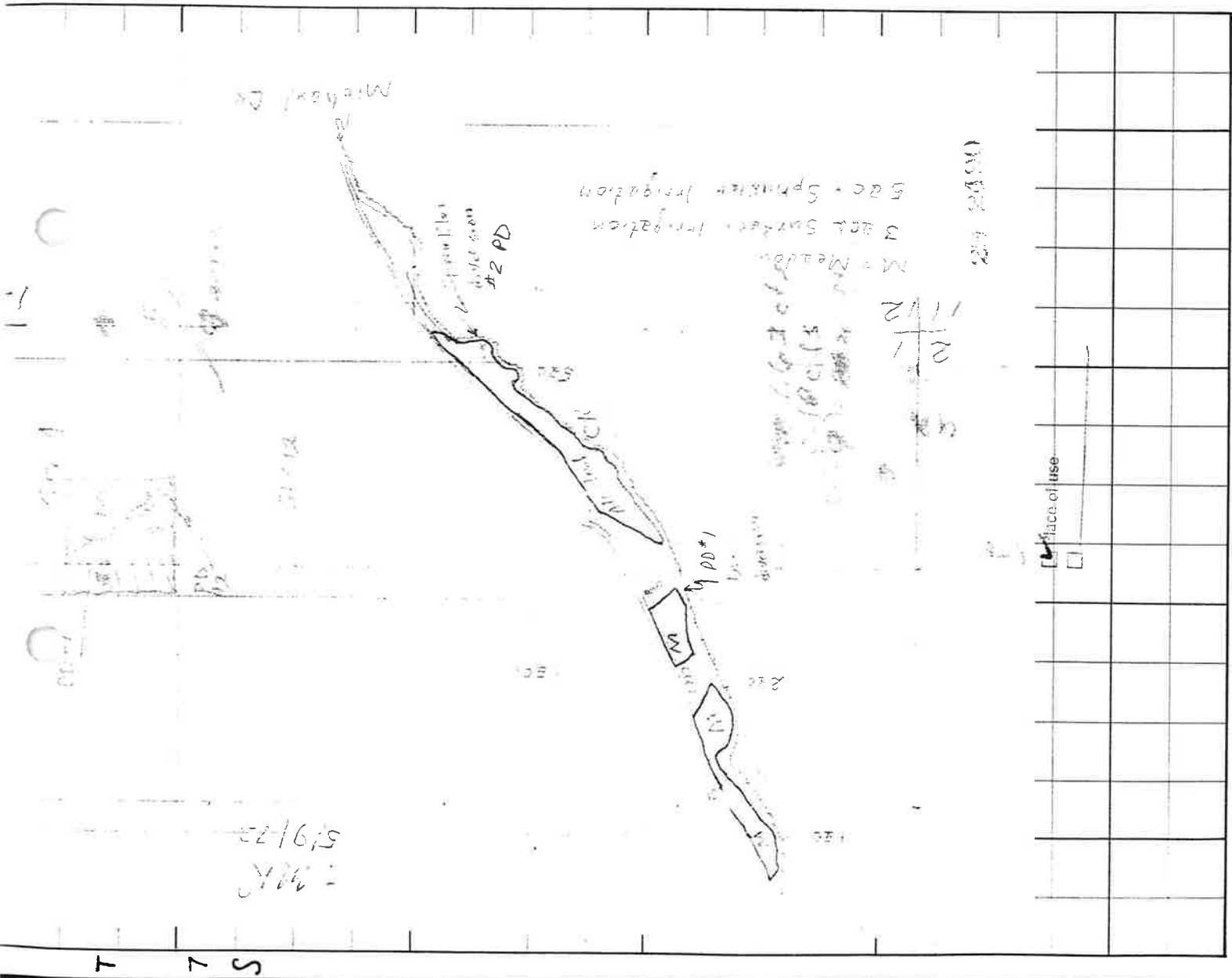
1 PD-1

$\log 1.52 \text{ of } 2$
 $\log 10 \text{ of } 1.5$
 $\log 10 \text{ of } 1.5$

$\mu = \text{Mean}$
 3 Dec - Surface Irrigation
 5 Dec - Sprinkler Irrigation

21 22494

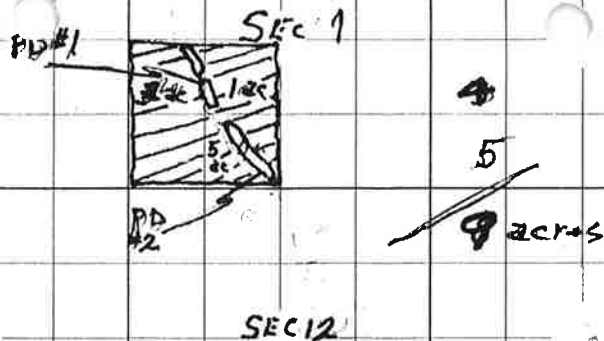
1



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

20 20 0

T
7
S



Q measured ~~1.63~~ 1.63 cfs
 Q recommended 0.10 cfs
 Volume $(3.5)(9) = 31.5$ ac. ft. 30.5
 Acreage 120
 Found 9
 recommended 9
 Subdiv. 3
 Amendments
☒ None
☒ P.D.
☒ Place of use
☐

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

29 2400

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: A29-02490

Date Received: 3/22/1990

Receipt No: E012498

Received By: DMD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MICHAUD CREEK RANCHES INC 208-232-0803
Address: 2470 MICHAUD CREEK ROAD
POCATELLO, ID 83204

2. Date of Priority: APR 20, 1964

3. Source: MICHAUD CREEK Trib. to: BANNOCK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	33E	1	NW	SW			POWER
			SE	SW			POWER

5. Description of diverting works:
DITCH TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.180		
STOCKWATER	01/01	12/31	0.140		

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

8. Total consumptive use is 27.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 550 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	33E	1	NE	SW		IRR	1.0

A29-02490

Page 1

Date: 03/22/90

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FEB 22 2006

MICROFILMED
NOV 13 1992

A2902490



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	33E	1	NW	SW	IRR	3.0
			SE	SW	IRR	5.0
					Section Acres	9.0
					Total Acres	9.0

11. Place of use in counties: POWER

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
Water Right Number: 31849

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 Organizations:

I do solemnly swear or affirm that I am Russ W. Swanson (President)
Title
Mitchell Creek Ranches Inc., that I have signed the foregoing
Organization
document in the space below as President of
Title
Mitchell Creek Ranches Inc. and that the statements contained in the
Organization
foregoing document are true and correct.
Russ W. Swanson
Signature of Authorized Agent
President Mitchell Creek Ranches Inc.
Title and Organization
3/22/90
Date

State of Idaho)
County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of March 19 90

[Signature]
Notary Public

Seal

Residing at TONO FALLS
My Commission Expires 9-12-94

T6S / T7S

R33E R34E

M 7.5

