

12/12/2006

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

RIGHT NUMBER: 67-14795

NAME AND ADDRESS: NEIL J SWENSON
1788 HWY 95
COUNCIL ID 83612

BARBARA A SWENSON
1788 HWY 95
COUNCIL ID 83612

SOURCE: COTTONWOOD CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 04/25/1910

POINT OF DIVERSION:

T16N R01W S26 NWSW Rediversion Within ADAMS County
T16N R01W S36 NWNW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.040 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T16N R01W S27 NENW 2.00

2 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: BASIS OF CLAIM - License

This right is a split from former right 67-2045.

Right No.67-14794 is also diverted through points of diversion described above.

11/08/2006

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

RIGHT NUMBER: 67-14795

NAME AND ADDRESS: MICHAEL R SWENSON
14838 INDIANA AVE
NAMPA ID 83651

KATHLEEN SWENSON
14838 INDIANA AVE
NAMPA ID 83651

SOURCE: COTTONWOOD CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 04/25/1910

POINT OF DIVERSION:

T16N R01W S26 NWSW Rediversion Within ADAMS County

T16N R01W S36 NWNW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.040 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T16N R01W S27 NENW 2.00

2 ACRES TOTAL

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

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Idaho Department of Water Resources

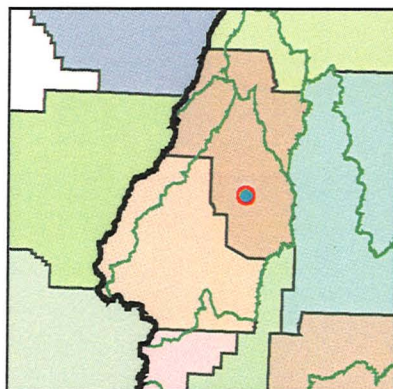
SRBA Recommendation:

67-14795

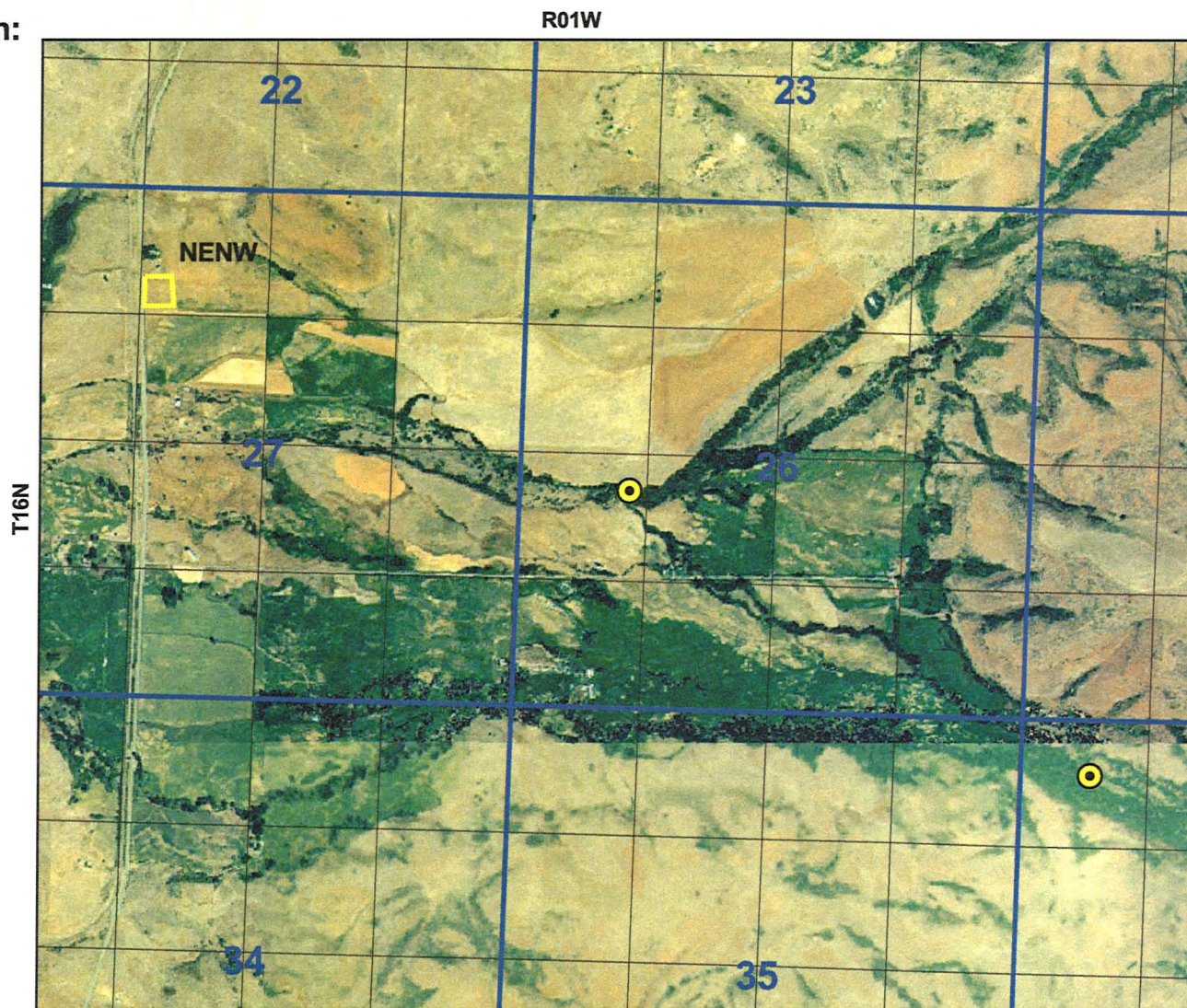
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Adams County
IDWR Basin 67



0 0.8 1.6 Miles



Prepared by V. Music
On Thursday, November 16, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14795 V1

WATER RIGHT NUMBER: 67-14795 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MICHAEL E PARADIS PO BOX 348 COUNCIL, ID 83612
Original Owner	ETHEL L TOMLINSON COUNCIL, ID
Current Owner	MICHAEL R SWENSON 14838 INDIANA AVE NAMPA, ID 83651 (208)463-9362
Current Owner	KATHLEEN SWENSON 14838 INDIANA AVE NAMPA, ID 83651 (208)463-9362
Original Owner	JANICE M PARADIS PO BOX 348 COUNCIL, ID 83612 (208)253-4458

Priority Date: 04/25/1910

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
COTTONWOOD CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

COTTONWOOD CREEK	NW1/4NW1/4	Sec. 36, Twp 16N, Rge 01W, B.M.
ADAMS County		
COTTONWOOD CREEK	NW1/4SW1/4	Sec. 26, Twp 16N, Rge 01W, B.M.
ADAMS County	(Rediversion)	

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
16N	01W	27	NE	NW	SW	SE	2.0

Total Acres: 2

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14795 V1

Conditions of Approval:

1. P21 This right is a split from former right 67-2045.
2. F05 Right No.67-14794 is also diverted through points of diversion described above.
3. C18 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.

Remarks:Comments:

1. Vmusic 11/8/2006 PARENT
Comment: 67-2045 SPLIT INTO 67-14794 AND 67-14795

2. Vmusic 11/8/2006 POU
Comment: LOT IS 5 ACRES. LICENSE FILE MAP SHOWS NORTHERN PART OF PARCEL WITH THE HOUSE ON IT NOT INCLUDED IN LICENSED POU. SWENSON LISTED ON CHANGE OF OWNERSHIP THAT 2 ACRES WERE IRRIGATED

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	11/8/2006 2:40:18 PM	Vmusic			Active
Priority Date	11/8/2006 2:40:33 PM	Vmusic			Active
POD	11/8/2006 2:41:43 PM	Vmusic			Active
Source	11/8/2006 3:05:32 PM	Vmusic			Active
POU	11/8/2006 3:06:01 PM	Vmusic			Active
Use	11/8/2006 3:06:38 PM	Vmusic			Active
Season	11/8/2006 3:06:56 PM	Vmusic			Active
Quantity	11/8/2006 3:07:15 PM	Vmusic			Active
Summary			11/08/2006	Vmusic	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	11/8/2006 3:04:54 PM	Vmusic	Updated shape
Source	11/8/2006 3:05:31 PM	Vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14795 V1

POU	11/8/2006 3:06:01 PM	Vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	11/8/2006 3:06:18 PM	Vmusic	Updated shape for Active POU
Use	11/8/2006 3:06:38 PM	Vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	11/8/2006 3:06:56 PM	Vmusic	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	11/8/2006 3:07:14 PM	Vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14795 V1

Summary	11/8/2006 3:09:34 PM	Vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	11/8/2006 2:40:18 PM	Vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: LICENSE
General	11/8/2006 2:40:32 PM	Vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	11/8/2006 2:41:43 PM	Vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (Yes) 10. Is a POD remark and/or condition required?
POD	11/8/2006 3:04:38 PM	Vmusic	Updated shape

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 67-14795

11/08/2006

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
67-2045	Claim	16N	01W	26	NW	SW		COTTONWOOD CREEK WEISER RIVER	MICHAEL R SWENSON
67-14794	Claim	16N	01W	26	NW	SW		COTTONWOOD CREEK WEISER RIVER	MICHAEL E PARADIS
67-14795	Claim	16N	01W	26	NW	SW		COTTONWOOD CREEK WEISER RIVER	MICHAEL R SWENSON
67-311	Claim	16N	01W	26	NW	SW		COTTONWOOD CREEK WEISER RIVER	MARGARET F RENWICK
67-315	Claim	16N	01W	26	NW	SW		COTTONWOOD CREEK WEISER RIVER	MARGARET F RENWICK
67-316	Claim	16N	01W	26	NW	SW		COTTONWOOD CREEK WEISER RIVER	MARGARET F RENWICK
67-317	Claim	16N	01W	26	NW	SW		COTTONWOOD CREEK WEISER RIVER	JAMES A RENWICK
67-4102	Claim	16N	01W	26	NW	SW		COTTONWOOD CREEK WEISER RIVER	MARGARET F RENWICK
67-11239	Claim	16N	01W	26	NW	SW		GROUND WATER	JACK W FRASIER
67-309	Claim	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	SANDRA J JAMES
67-311	Claim	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	MARGARET F RENWICK
67-315	Claim	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	MARGARET F RENWICK
67-316	Claim	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	MARGARET F RENWICK
67-317	Claim	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	JAMES A RENWICK
67-2045	Claim	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	MICHAEL R SWENSON
67-4102	Claim	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	MARGARET F RENWICK
67-4103	Claim	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	ANTHONY J FINCHEN
67-4112	Claim	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	
67-4112A	Claim	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	MANIS INVESTIGATIONS INC
67-4112B	Claim	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	CHARISSA M BRANSON
67-4112C	Claim	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	MANIS RANCH LLC
67-4148	Claim	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	SANDRA J JAMES
67-14794	Claim	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	MICHAEL E PARADIS
67-14795	Claim	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	MICHAEL R SWENSON
67-7825	Water Right	16N	01W	26	NW	SW		COTTONWOOD CREEK WEISER RIVER	JANICE M PARADIS
67-11239	Water Right	16N	01W	26	NW	SW		GROUND WATER	DAVID E CEREGHINO
67-2045	Water Right	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	ETHEL L TOMLINSON

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 67-14795

11/08/2006

2

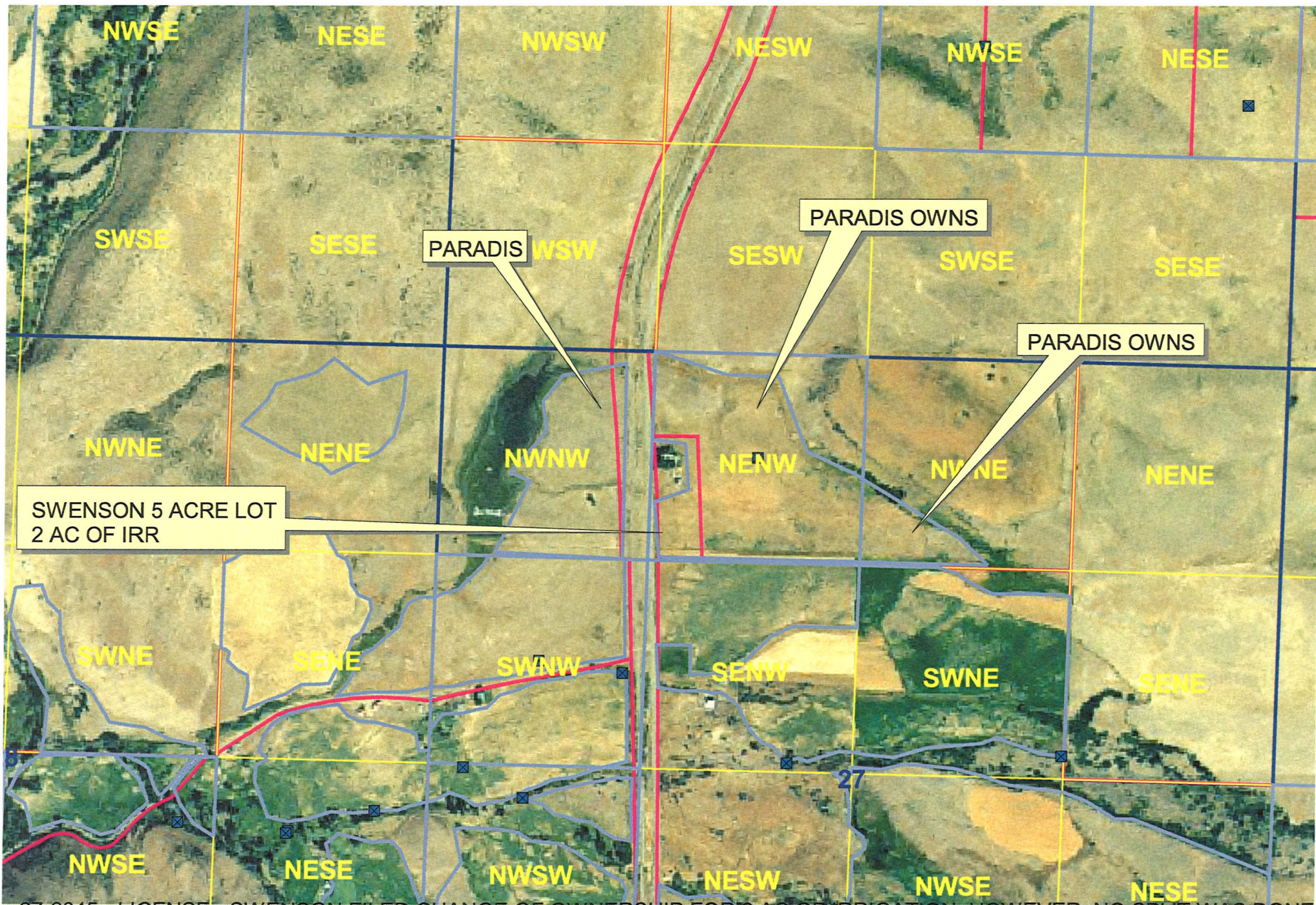
ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
67-4102	Water Right	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	JAMES A RENWICK
67-4103	Water Right	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	JUNE I DERIE
67-4112	Water Right	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	JOHN FRASIER
67-7825	Water Right	16N	01W	36	NW	NW		COTTONWOOD CREEK WEISER RIVER	JANICE M PARADIS

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 67-14795

11/08/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
14794	Claim	16N	01W	27	NE	NW		IRRIGATION	21.5/48	MICHAEL E PARADIS
14795	Claim	16N	01W	27	NE	NW		IRRIGATION	2/2	MICHAEL R SWENSON
4105	Water Right	16N	01W	27	NE	NW		STOCKWATER		KATHLEEN SWENSON
4105	Water Right	16N	01W	27	NE	NW		DOMESTIC		KATHLEEN SWENSON



67-2045 - LICENSE - SWENSON FILED CHANGE OF OWNERSHIP FOR 2 AC OF IRRIGATION. HOWEVER, NO SPLIT WAS DONE AND THE ENTIRE LICENSE AND 50 ACRES WAS CHANGED TO SWENSON OWNERSHIP. WILL BE SPLIT 2 AC FOR SWENSON AND 48 AC FOR PARADIS.

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 67-14795
Date Received: 12/15/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BARBARA A SWENSON Phone: (208)253-4221
1788 HWY 95
COUNCIL ID USA 83612

NEIL J SWENSON Phone: (208)253-4221
1788 HWY 95
COUNCIL ID USA 83612

2. Date of Priority: 04/25/1910

3. Source: COTTONWOOD CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
16N	01W	36	NW	NW		ADAMS	
16N	01W	26	NW	SW		ADAMS R	

5. Description of diverting works:

18"CEM. HEADGATE, STUCTURE IS 6'TALL X 18' WIDE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.04	

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

8. Total consumptive use:

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	01W	27	NE	NW	IRRIGATION	2
					Section Acres	2
					Total Acres	2

11. Place of use in counties: ADAMS

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

APPROX. 1984 NOLAND WOOD S BUILT RESERVOIR AND PLACE OF USE CHANGE MAY HAVE OCCURED THEN.

CRP LAND IN NWNE AND NENW APPROX. 5.5 ACRES.

OWNERSHIP CHANGE BY DB 1/8/98.

This right is a split from former right 67-2045 .

15. Basis of Claim: License

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

RECEIVED
 DEC 07 2006
 DEPARTMENT OF
 WATER RESOURCES

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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
17-14795					

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) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Mike Swenson
14838 Indiana Ave Nampa ID 83451
4. New Owner/Claimant(s) NEIL J + BARBARA A SWENSON
 Name Connector (Check one: ☒ and, ☐ or, ☐ and/or)
- New Mailing Address 1788 Hwy 95
- City, State and ZIP Code Council ID 83612
- New Telephone Number (208) 253-4221
5. Date you acquired the property 1-6-06

* According to Closing Statement, fee was pd at closing by Timberline Title

SCANNED
 DEC 19 2006

INSTRUMENT NO. 110790 WARRANTY DEED

aka MIKE SWENSON

For Value Received, MICHAEL R. SWENSON, a married man as his sole and separate property

the grantor, does hereby grant, bargain, sell and convey unto
NEIL J. SWENSON and BARBARA A. SWENSON, husband and wife

the grantees, whose current address is 1788 Hwy 95, Council, ID 83612

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that he will warrant and defend the same from all lawful claims whatsoever.

Date: January 6, 2006

Michael R Swenson
MICHAEL R. SWENSON

Instrument # 110790

COUNCIL, ADAMS, IDAHO

2006-01-09

02:18:03 No. of Pages: 2

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK

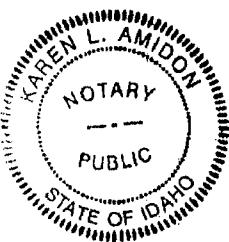
Fee: 6.00

Ex-Officio Recorder Deputy Robert L. Leland

Index to: DEED

STATE OF Idaho)
COUNTY OF Adams) : ss

On this 6th day of January, in the year of 2006, before me, a Notary Public in and for said State, personally appeared
MICHAEL R. SWENSON aka MIKE SWENSON
known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me he executed the same.



Karen L. Amidon
Notary Public
Residing at: Cambridge, ID
Commission expires: 6/26/2009

#05-1094

UNED
09 2006

EXHIBIT 'A'

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 27: A parcel of land situated within the N1/2NW1/4 more particularly described as follows:

Beginning at the intersection of the South line of the N1/2NW1/4 of Section 27, T16NR1BM, and the Easterly right-of-way line of U.S. Highway 95 (Project 104-A);

Thence East along the South line of said N1/2NW1/4 a distance of 276 feet more or less to a point on a line (Northerly/Southerly line) marked with a 1 inch diameter iron pipe;

Thence North 03°21' West a distance of 793 feet more or less to a point marked with a 1 inch diameter iron pipe;

Thence West a distance of 276 feet more or less to a point on the Easterly right-of-way line of said U.S. Highway 95 (the North/South location of said point being marked with a 1 inch diameter iron pipe along the Easterly right-of-way fence of said U.S. Highway 95);

Thence South 03°21' East a distance of 793 feet, more or less, along the Easterly right-of-way line of said U.S. Highway 95 to the REAL POINT OF BEGINNING.



Idaho Department of Water Resources

SRBA Recommendation:

67-14795

(Irrigation)

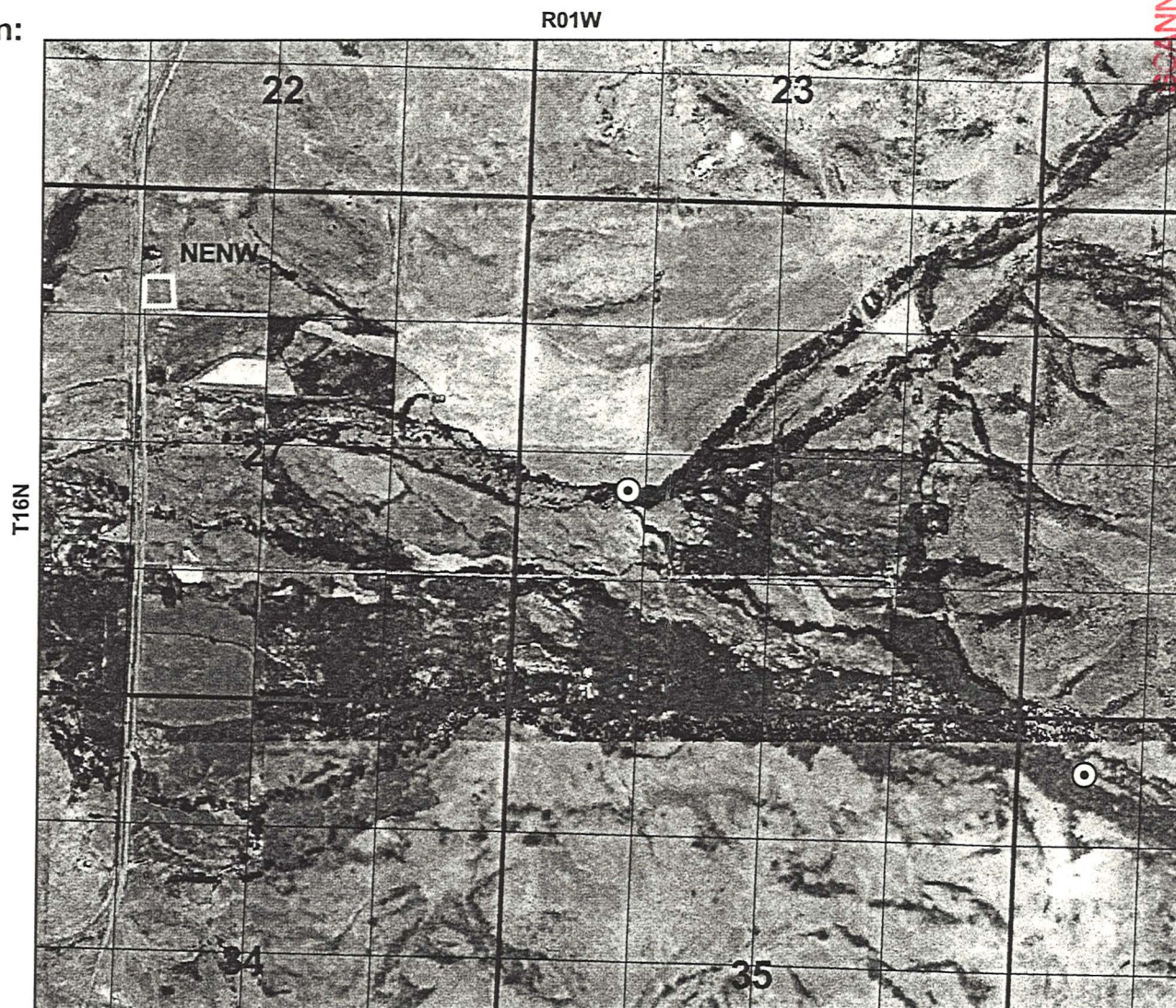
Legend

- Point of Diversion
- Place of Use

- ▭ Townships
- ▭ PLS Sections
- ▭ Quarter Quarters



Adams County
IDWR Basin 67



0 0.8 1.6 Miles

Prepared by IDWR State Office
On Wednesday, November 15, 2006
1987/88 Aerial Photography

11/14/2006

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

RIGHT NUMBER: 67-14795

NAME AND ADDRESS: MICHAEL R SWENSON
14838 INDIANA AVE
NAMPA ID 83651

KATHLEEN SWENSON
14838 INDIANA AVE
NAMPA ID 83651

SOURCE: COTTONWOOD CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 04/25/1910

POINT OF DIVERSION:

T16N R01W S26 NWSW Rediversion Within ADAMS County
T16N R01W S36 NWNW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.040 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T16N R01W S27 NENW 2.00
2 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: BASIS OF CLAIM - License

This right is a split from former right 67-2045.

Right No.67-14794 is also diverted through points of diversion described above.

SCANNED
DEC 9 9 2006

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 67-14795
Date Received: 12/15/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MICHAEL R SWENSON Phone: (208)463-9362
14838 INDIANA AVE
NAMPA ID USA 83651

KATHLEEN SWENSON Phone: (208)463-9362
14838 INDIANA AVE
NAMPA ID USA 83651

2. Date of Priority: 04/25/1910

3. Source: COTTONWOOD CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
16N	01W	36	NW	NW		ADAMS	
16N	01W	26	NW	SW		ADAMS R	

5. Description of diverting works:

18"CEM. HEADGATE, STUCTION IS 6'TALL X 18' WIDE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.04	

7. Total Quantity Appropriated is:
0.04 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
16N	01W	27	NE	NW	IRRIGATION	2
					Section Acres	2
					Total Acres	2

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

APPROX. 1984 NOLAND WOOD S BUILT RESERVOIR AND PLACE OF USE CHANGE MAY HAVE OCCURED THEN.

CRP LAND IN NWNE AND NENW APPROX. 5.5 ACRES.

OWNERSHIP CHANGE BY DB 1/8/98.

This right is a split from former right 67-2045 .

15. Basis of Claim: License

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: **A67-02045**
Date Received: 12/15/1989
Receipt No: W007146
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: MICHAEL R SWENSON 208-463-9362
Address: 14838 INDIANA AVE
Nampa ID 83651
OR
Name: KATHLEEN SWENSON 208-463-9362
Address: 14838 INDIANA AVE
Nampa ID 83651

2. Date of Priority: APR 25, 1910

3. Source: COTTONWOOD CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16N	01W	26	NW	SW		R	ADAMS
		36	NW	NW			ADAMS

5. Description of diverting works:
18"CEM. HEADGATE, STUCTURE IS 6'TALL X 18' WIDE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	27	NW	NE		IRR	9.5
			NE	NW		IRR	23.5
			NW	NW		IRR	17.0
						Section Acres	50.0
						Total Acres	50.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
A67-04105

14. Remarks:
APPROX. 1984 NOLAND WOOD S BUILT RESERVOIR AND PLACE OF USE
CHANGE MAY HAVE OCCURED THEN.
CRP LAND IN NWNE AND NENW APPROX. 5.5 ACRES.
OWNERSHIP CHANGE BY DB 1/8/98.

15. Basis of Claim: LICENSE

Water Right Number: 5995

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

RECEIVED

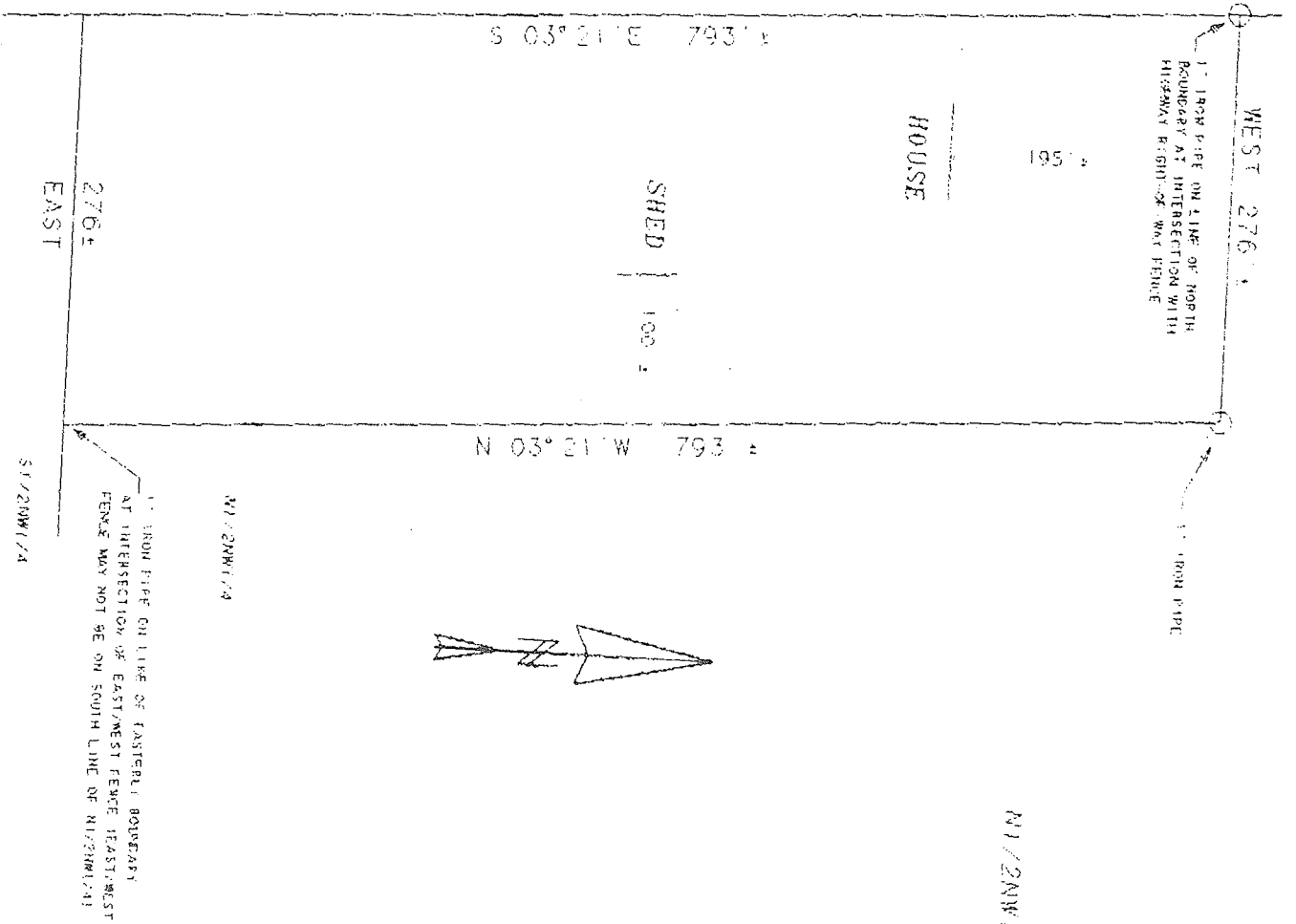
JAN 08 1998

WATER RESOURCES
WESTERN REGION

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) A67-02045 & A67-04105
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - 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) Michael E. Paradis / Janice M. Paradis
P.O. Box 348, Council, ID 83612
4. New Owner/Claimant(s) Michael R. Swenson or Kathleen Swenson
Name connector (Check one): [] AND, [x] OR, [] AND/OR
New Mailing Address 14838 Indiana Ave.
City, State and ZIP Code Nampa, ID. 83651
New Telephone Number (208) 463 - 9362
5. Date you acquired the property Dec. 18, 1997
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. RE A67-02045
Number of acres actually irrigated 2 Number and type of stock _____
Diversion rate in CFS .04 Number of homes _____ Other uses irrigation
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) Michael R. Swenson Date 12-18-97
Kathleen A. Swenson Date 12-18-97
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.

U. S. HIGHWAY 95



MIKE PARADIS

WITHIN

N1/2NW1/4 OF SECTION 27, T.16N., R.1W., B.1M

ADAMS COUNTY, IDAHO

DRAWING BY:
MULLINIX ENGINEERING, INC.
WEISER, IDAHO
DECEMBER 6, 1997

EXHIBIT 'A'

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 27: A parcel of land situated within the N1/2NW1/4 more particularly described as follows:

Beginning at the intersection of the South line of the N1/2NW1/4 of Section 27, T16NR1BM, and the Easterly right-of-way line of U.S. Highway 95 (Project 104-A);

Thence East along the South line of said N1/2NW1/4 a distance of 276 feet more or less to a point on a line (Northerly/Southerly line) marked with a 1 inch diameter iron pipe;

Thence North 03°21' West a distance of 793 feet more or less to a point marked with a 1 inch diameter iron pipe;

Thence West a distance of 276 feet more or less to a point on the Easterly right-of-way line of said U.S. Highway 95 (the North/South location of said point being marked with a 1 inch diameter iron pipe along the Easterly right-of-way fence of said U.S. Highway 95);

Thence South 03°21' East a distance of 793 feet, more or less, along the Easterly right-of-way line of said U.S. Highway 95 to the REAL POINT OF BEGINNING.

NOTICE OF CONTRACT OF SALE

93225

INSTRUMENT NO.

PAGE 1 OF 2

BE IT KNOWN BY THESE PRESENTS:

That a Contract of Sale was entered into on the 18th day of December, 19 97,
by and between MICHAEL E. PARADIS and JANICE M. PARADIS, H&W as Seller,
and MICHAEL R. SWENSON and KATHLEEN SWENSON, H&W as Buyer, whose
address is 14838 Indiana Ave., Nampa, Idaho 83651

WHEREBY the following described real property was conveyed by Seller to Buyer pursuant to the terms of the
Contract of Sale escrowed at Timberline Title, Council, Idaho :

More particularly described on attached Exhibit "A"

DATED this 18th day of December, 19 97

Michael R. Swenson
Michael R. Swenson
Kathleen M. Swenson
Kathleen Swenson
BUYER

Michael E. Paradis
Michael E. Paradis
Janice M. Paradis
Janice M. Paradis
SELLER

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: A67-02045
Date Received: 12/15/1989
Receipt No: W007146
Received By: Kdh

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MIKE E. PARADIS 208-253-4458
Address: P.O. BOX 348
COUNCIL, ID 83612

OR

Name: JANICE M. PARADIS 208-253-4458
Address: P.O. BOX 348
COUNCIL, ID 83612

2. Date of Priority: APR 25, 1910

3. Source: COTTONWOOD CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16N	01W	26	NW	SW		R	ADAMS
		36	NW	NW			ADAMS

5. Description of diverting works:
18"CEM. HEADGATE, STUCTURE IS 6'TALL X 18' WIDE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	27	NW	NE		IRR	9.5
			NE	NW		IRR	23.5
			NW	NW		IRR	17.0
						Section Acres	50.0
						Total Acres	50.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
A67-04105

14. Remarks:
APPROX. 1984 NOLAND WOOD S BUILT RESERVOIR AND PLACE OF USE
CHANGE MAY HAVE OCCURED THEN.
CRP LAND IN NWNE AND NENW APPROX. 5.5 ACRES.

15. Basis of Claim: LICENSE
Water Right Number: 5995

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 X 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): Mike I. Parroli Date: 12-15-89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of Dec 19 89
Ron Howerton
Notary Public

Seal

Residing at _____
My Commission Expires Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 1994



NHEL - NOT HIGHLY ERODIBLE LAND
HEL - HIGHLY ERODIBLE LAND 0000
W - wetlands
AW - Artificial wetlands

MICROFILMED

OCT 01 1992



WR4001NP
(00-21)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS MICROFICHE BY PLACE OF USE

DATE: 09/06/89
PAGE: 4164

TWP	RNG	SECT	TRACT 1 4 1 4	LOT	ACRES	WATER-USE-CODE	WATER RIGHT NO.	LAST NAME	O	STG	PRIORITY DATE	WATER SOURCE
16N	01W	26	NW SE		40.0	01,04	67-04112	FRASIER	C	S	06/01/1889	COTTONWOOD CREEK
			SW SE			01	67-00312	PHIPPS	C	D	06/01/1884	COTTONWOOD CREEK
			SW SE			01	67-00313	PHIPPS	C	D	06/01/1889	COTTONWOOD CREEK
			SW SE			01	67-00314	PHIPPS	C	D	06/01/1892	COTTONWOOD CREEK
			SW SE	27.0		01,04	67-04119	JONES	C	S	06/01/1880	COTTONWOOD CREEK
								JONES	C			COTTONWOOD CREEK, NORTH F
			SE SE			01	67-00318	MC GINLEY	C	D	05/01/1889	COTTONWOOD CREEK
			SE SE			01	67-00319	MC GINLEY	C	D	07/01/1890	COTTONWOOD CREEK
			SE SE	15.0		01,04	67-04112	FRASIER	C	S	06/01/1889	COTTONWOOD CREEK
27			SW NE			01	67-00315	WHITLEY	C	D	06/01/1887	COTTONWOOD CREEK
			SW NE			01	67-00316	WHITLEY	C	D	06/01/1888	COTTONWOOD CREEK
								NEALE	C			
			SW NE	30.0		01	67-04102	RENNICK	C	S	09/06/1884	COTTONWOOD CREEK
			NE NW			04,43	67-04105	HOODS	C	S	04/01/1956	GROUNDWATER
			NW NW	30.0		01,43	67-00495	TOMLINSON	C	L	04/25/1910	COTTONWOOD CREEK
			SW NW			01	67-00499	LAY	C	D		SPRING
								LAY	C			
			SW NW	40.0		01,43	67-02208	LAY	C	L	10/12/1951	GROUNDWATER
			SW NW	17.0		01	67-02215	LAY	C	L	02/25/1952	LESTER CREEK
			SW NW	4.0		01,43	67-02235	LAY	C	L	08/31/1953	COTTONWOOD CREEK
			SW NW			43	67-04038	DERIE	C	S	06/15/1945	GROUNDWATER
								DERIE	C			
			SW NW	37.0		01	67-04103	DERIE	C	S	06/01/1896	LESTER CREEK
								DERIE	C			COTTONWOOD CREEK
			SE NW			01	67-00315	WHITLEY	C	D	06/01/1887	COTTONWOOD CREEK
								NEALE	C			
			SE NW			01	67-00316	WHITLEY	C	D	06/01/1888	COTTONWOOD CREEK
								NEALE	C			
			SE NW	25.0		01	67-04102	RENNICK	C	S	09/06/1884	COTTONWOOD CREEK
			NE SW	5.0		01	67-04102	RENNICK	C	S	09/06/1884	COTTONWOOD CREEK
			NW SW			01	67-00499	LAY	C	D		SPRING
								LAY	C			
			NW SW	18.0		01,43	67-02208	LAY	C	L	10/12/1951	GROUNDWATER
			NW SW	3.0		01	67-02215	LAY	C	L	02/25/1952	LESTER CREEK
			NW SW	6.0		01	67-04102	RENNICK	C	S	09/06/1884	COTTONWOOD CREEK
			NW SW	7.0		01	67-04103	DERIE	C	S	06/01/1896	LESTER CREEK
								DERIE	C			COTTONWOOD CREEK
			SW SW	25.0		01	67-04102	RENNICK	C	S	09/06/1884	COTTONWOOD CREEK
			SE SW			01	67-00311	MOSER	C	D	09/06/1884	COTTONWOOD CREEK
			SE SW	28.0		01	67-04102	RENNICK	C	S	09/06/1884	COTTONWOOD CREEK
			NE SE			01	67-00315	WHITLEY	C	D	06/01/1887	COTTONWOOD CREEK
								NEALE	C			
			NE SE			01	67-00316	WHITLEY	C	D	06/01/1888	COTTONWOOD CREEK
								NEALE	C			
			NE SE	15.0		01	67-04102	RENNICK	C	S	09/06/1884	COTTONWOOD CREEK
			NW SE			01	67-00315	WHITLEY	C	D	06/01/1887	COTTONWOOD CREEK
								NEALE	C			
			NW SE			01	67-00316	WHITLEY	C	D	06/01/1888	COTTONWOOD CREEK
								NEALE	C			
			NW SE	15.0		01	67-04102	RENNICK	C	S	09/06/1884	COTTONWOOD CREEK
			SW SE			01	67-00309	BEIER	C	D	06/01/1882	COTTONWOOD CREEK

MICROFILMED
OCT 0 1 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 67-02045 Adj. Flag Translation: Standard Water Right Number Old (D) Number - 5995

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
TOMLINSON ETHEL L. 1 -
2 -
3 -
City- COUNCIL State- ID Zip-
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/25/1910 14 L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
COTTONWOOD CREEK WEISER RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

16N 01W 36 NW NW (3) ADAMS

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 1.000
43 - DOMESTIC

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.000

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

16N 01W 22 SW SW 20.0 01 IRRIGATION (3) ADAMS
16N 01W 27 NW NW 30.0 01 IRRIGATION (3) ADAMS

Total Acres: 50.0

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

OCT 01 1992

MICROFILMED

Report of Engineer

1. State name of applicant and number of permit: Ethel L. Ashley - Permit 5995
2. State source of water supply: Cottonwood creek
3. Location of point of diversion: NW4 NW4 Sec. 36, Tp. 16 N., R. 1 W. B. M.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: yes
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: 2
 - (b) Width at water line: 3
 - (c) Depth of water: 6
 - (d) Grade per mile: 10 ft
6. State whether or not water has been turned into works of diversion and if so, to what extent:

7. Give exact location of lands to be irrigated. ~~Give exact location of lands to be irrigated.~~ About 20 acres on NW4 of NW4 Sec 36
30 NW4 of NW4 Sec 36
Tp. 16 N. R. 1 W. B. M.

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:

John Whelan
Water Commissioner
Dec 4 3

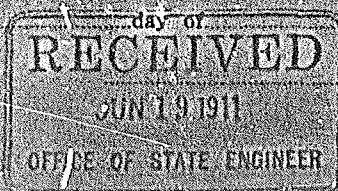
STATE OF IDAHO,
 County of _____

ss.

_____, 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.

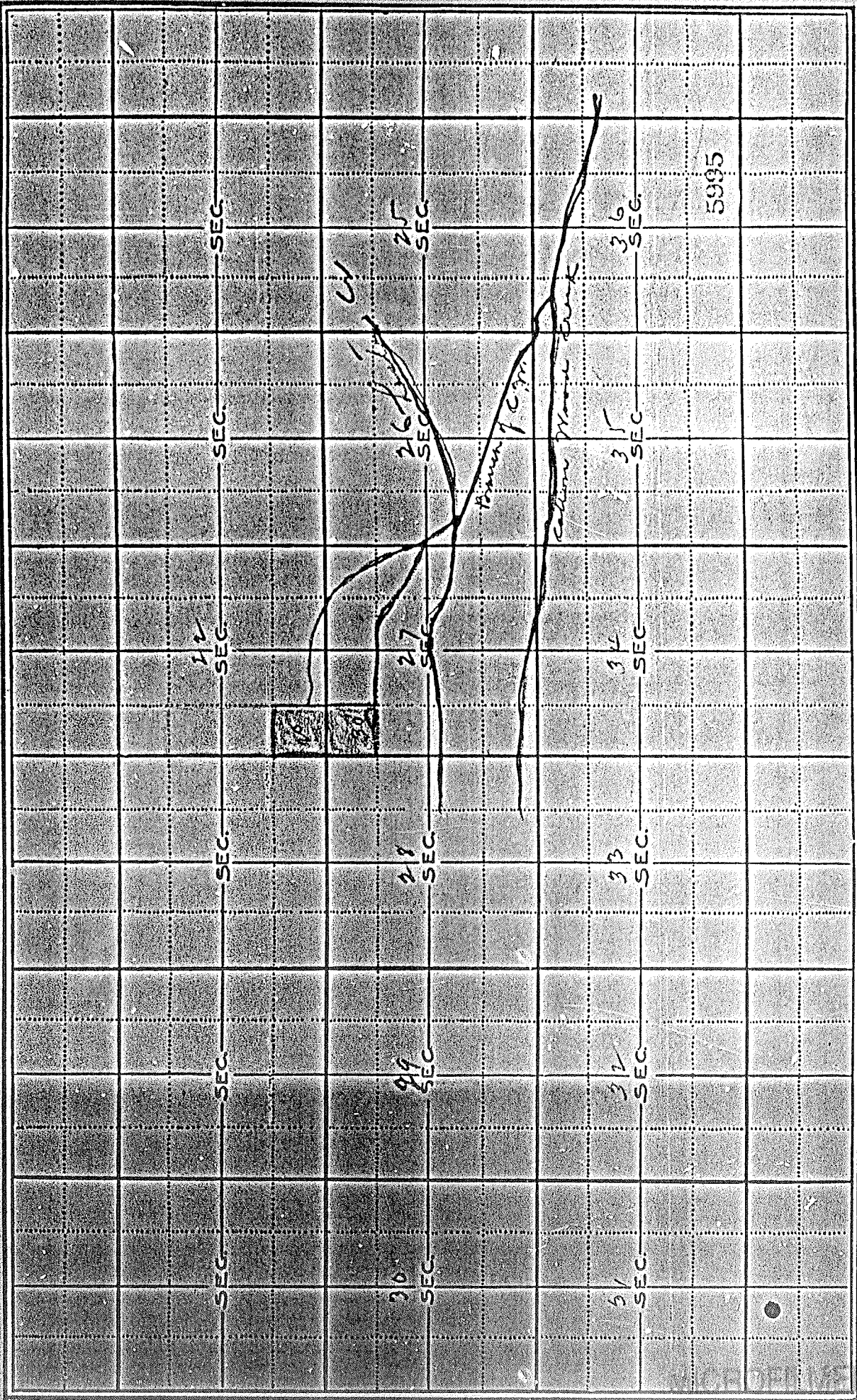
Subscribed and sworn to before me this _____ day of _____ 1911.

My Commission Expires _____



Notary Public

5995



5995

01/16/71 R 1 W R M

