

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 02 2020

DEPARTMENT OF  
WATER RESOURCES

## Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
23-11272	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	23-11272 Split into 23-11272 & 23-11487		Yes <input type="checkbox"/>
23-11404	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	23-11404 Split into 23-11404 & 23-11488		Yes <input type="checkbox"/>
23-11406	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	23-11406 Split into 23-11406 & 23-11489		Yes <input type="checkbox"/>
23-11408	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	23-11408 Split into 23-11408 & 23-11490		Yes <input type="checkbox"/>
23-11410	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	23-11410 Split into 23-11410 & 23-11491		Yes <input type="checkbox"/>
				Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Adam D. Korth and Ashlee M. Korth

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Swan Valley Farms LLC

New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or ☐ and/or

525 N 3200 NE

Menan

ID

83434

Mailing address

City

State

ZIP

208-390-6967

adam\_korth@us.afiac.com

Telephone

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: July 6, 2020

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following **REQUIRED** items:

- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.  
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).  
☒ Filing fee (see instructions for further explanation):  
     o \$25 per *undivided* water right.  
     o \$100 per *split* water right.  
     o No fee is required for pending adjudication claims.

SUPPORT DATA

IN FILE # 23-11272

☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.

☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: 

Signature of new owner/claimant

Title, if applicable

Date

11-20-20

- Signature: 

Signature of new owner/claimant

Title, if applicable

Date

11-20-20

**For IDWR Office Use Only:**

Received by KU Date 12.2.2020

Receipt No. C101548

Receipt Amt. \$ 500 -


Active in the Water Supply Bank? Yes ☐ No ☐

If yes, forward to the State Office for processing

W-9 received? Yes ☐ No ☒

Name on W-9

Approved by

Processed by 

Date 12-4-2020

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
110 N. Clark Street/PO Box 405  
Rigby, ID 83442

Instrument # 1647306  
Bonneville County, Idaho Falls, Idaho  
07/08/2020 11:41:51 AM No. of Pages: 3  
Recorded for: FIRST AMERICAN TITLE - IDAHO FALLS  
Penny Manning Fee: \$15.00  
Ex-Officio Recorder Deputy Saltken  
Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

**WARRANTY DEED**

File No.: **898395-RI (ss)**

Date: **July 02, 2020**

For Value Received, **Swan Valley Farms, LLC, an Idaho limited liability company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Adam D. Korth and Ashlee M. Korth, husband and wife**, hereinafter called the Grantee, whose current address is **525 N 3200 E, Menan, ID 83434**, the following described premises, situated in **Bonneville County, Idaho**, to-wit:

**THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 44 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO**

**ALSO:**

**THE EAST HALF OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 44 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO**

**LESS AND EXCEPTING THEREFROM THE FOLLOWING THREE PARCELS:**

**BEGINNING AT A POINT THAT IS SOUTH ALONG THE SECTION LINE 361.07 FEET AND WEST 433.13 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 16; THENCE NORTH 338.11 FEET; THENCE SOUTH 89°30'19" WEST 350.89 FEET; THENCE SOUTH 1°44'18" EAST 118.97 FEET; THENCE SOUTH 31°26'23" EAST 153.74 FEET; THENCE SOUTH 88°44'56" EAST 132.02 FEET; THENCE SOUTH 72°41'1" EAST 65.23 FEET; THENCE SOUTH 49°16'19" EAST 96.08 FEET TO THE POINT OF BEGINNING**

**ALSO LESS:**

**BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 16; THENCE SOUTH ALONG THE SECTION LINE 315.16 FEET; THENCE WEST 433.13 FEET; THENCE NORTH 315.16 FEET; THENCE EAST 433.13 FEET TO THE POINT OF BEGINNING**

**ALSO LESS:**

**BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 16; THENCE SOUTH 315.16 FEET TO THE TRUE POINT OF BEGINNING; THENCE WEST 315.16 FEET; THENCE NORTH 315.16 FEET; THENCE WEST 117.97 FEET; THENCE SOUTH 361.07 FEET TO THE EAST BANK OF THE BAKER-DIXON DITCH; THENCE FOLLOWING THE MEANDERINGS OF THE BAKER-DIXON DITCH TO A POINT ON THE EAST BANK WHICH IS SOUTH 626 FEET AND WEST 563 FEET MORE OR LESS FROM THE POINT OF BEGINNING; THENCE EAST 563 FEET MORE OR LESS TO THE SECTION LINE; THENCE NORTH 626 FEET TO THE POINT OF BEGINNING**

**EXCEPTING THEREFROM THE EXISTING ROAD RIGHT-OF-WAYS ALONG THE NORTH AND EAST SIDE OF SAID PROPERTY**

RECORDING REQUESTED BY  
First American Title Company

AND WHEN RECORDED MAIL TO:  
First American Title Company  
110 N. Clark Street/PO Box 405  
Rigby, ID 83442



Space Above This Line for Recorder's Use Only

File No.: 898395-RI (ss)

## WARRANTY DEED

Date: July 02, 2020

For Value Received, **Swan Valley Farms, LLC**, an Idaho limited liability company, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Adam D. Korth and Ashlee M. Korth, husband and wife**, hereinafter called the Grantee, whose current address is **525 N 3200 E, Menan, ID 83434**, the following described premises, situated in **Bonneville County, Idaho**, to-wit:

**THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 44 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO**

**ALSO:**

**THE EAST HALF OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 44 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO**

**LESS AND EXCEPTING THEREFROM THE FOLLOWING THREE PARCELS:**  
**BEGINNING AT A POINT THAT IS SOUTH ALONG THE SECTION LINE 361.07 FEET AND WEST 433.13 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 16; THENCE NORTH 338.11 FEET; THENCE SOUTH 89°30'19" WEST 350.89 FEET; THENCE SOUTH 1°44'18" EAST 118.97 FEET; THENCE SOUTH 31°26'23" EAST 153.74 FEET; THENCE SOUTH 88°44'56" EAST 132.02 FEET; THENCE SOUTH 72°41'1" EAST 65.23 FEET; THENCE SOUTH 49°16'19" EAST 96.08 FEET TO THE POINT OF BEGINNING**

**ALSO LESS:**

**BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 16; THENCE SOUTH ALONG THE SECTION LINE 315.16 FEET; THENCE WEST 433.13 FEET; THENCE NORTH 315.16 FEET; THENCE EAST 433.13 FEET TO THE POINT OF BEGINNING**

**ALSO LESS:**

**BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 16; THENCE SOUTH 315.16 FEET TO THE TRUE POINT OF BEGINNING; THENCE WEST 315.16 FEET; THENCE NORTH 315.16 FEET; THENCE WEST 117.97 FEET; THENCE SOUTH 361.07 FEET TO THE EAST BANK OF THE BAKER-DIXON DITCH; THENCE FOLLOWING THE MEANDERINGS OF THE BAKER-DIXON DITCH TO A POINT ON THE EAST BANK WHICH IS SOUTH 626 FEET AND WEST 563 FEET MORE OR LESS FROM THE POINT OF BEGINNING; THENCE EAST 563 FEET MORE OR LESS TO THE SECTION LINE; THENCE NORTH 626 FEET TO THE POINT OF BEGINNING**

**EXCEPTING THEREFROM THE EXISTING ROAD RIGHT-OF-WAYS ALONG THE NORTH AND EAST SIDE OF SAID PROPERTY**

Date: 07/02/2020

Warranty Deed  
- continued

File No.: 898395-RI (ss)

**ALSO INCLUDING THERETO:**

**THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 1 NORTH,  
RANGE 44 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO**

**LESS AND EXCEPTING THEREFROM THE FOLLOWING TWO PARCELS:**

**BEGINNING AT THE NORTHWEST CORNER OF SECTION 22, TOWNSHIP 1 NORTH, RANGE 44  
EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO; RUNNING THENCE SOUTH  
00°39'45" EAST ALONG THE SECTION LINE 793.15 FEET TO THE TRUE POINT OF  
BEGINNING; RUNNING THENCE SOUTH 73°39'23" WEST 149.85 FEET; THENCE SOUTH  
00°39'45" EAST 490.66 FEET; THENCE NORTH 89°23'35" EAST 144.27 FEET TO THE WEST  
LINE OF SAID SECTION 22; THENCE NORTH 89°19'18" EAST 299.67 FEET; THENCE NORTH  
16°17'54" WEST 592.44 FEET; THENCE SOUTH 73°39'23" WEST 145.40 FEET TO THE TRUE  
POINT OF BEGINNING**

**ALSO LESS:**

**BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 22; RUNNING THENCE SOUTH  
89°27'15" WEST ALONG THE SECTION LINE 144.27 FEET; THENCE SOUTH 00°39'45" EAST  
833.95 FEET; THENCE NORTH 73°39'23" EAST, CROSSING INTO SECTION 22, A DISTANCE  
OF 295.25 FEET; THENCE SOUTH 16°17'54" EAST 592.44 FEET; THENCE NORTH 89°19'18"  
EAST 571.78 FEET; THENCE NORTH 00°39'45" WEST 1324.15 FEET TO THE NORTH LINE OF  
SAID SECTION; THENCE SOUTH 89°20'28" WEST ALONG SAID SECTION LINE 871.45 FEET  
TO THE POINT OF BEGINNING**

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 its 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.



Date: 07/02/2020

Warranty Deed  
- continued

File No.: 898395-RI (ss)

Swan Valley Farms, LLC, an Idaho limited liability  
company

By:

  
Name: Blaine Liljenquist  
Title: Manager

STATE OF

South Carolina

SS.

COUNTY OF

Horry

)

*Blaine  
mab*  
On this **Sixth day of July, 2020**, before me, a Notary Public in and for said State, personally appeared ~~Paul R. Liljenquist~~, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Swan Valley Farms, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.





Notary Public of So. Carolina **Mary Alice Blackburn**

Residing at: 3790 Cogswell Lane Myrtle Beach, SC

Commission

Expires:

June 13, 2022



IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to [call ahead for an appointment](#). ×

## WATER RIGHT REPORT

10/26/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 23-11272

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SWAN VALLEY FARMS LLC C/O DOUG NELSON PO BOX 51630 IDAHO FALLS, ID 83405-1630 4803481600
Original Owner	THE ROGER H BALL ANNUITY TRUST #1 DBA SWAN VALLEY RANCH LLC PO BOX 1491 IDAHO FALLS, ID 83403-1491 2085245454
Security Interest	BANK OF IDAHO PO BOX 126 SAINT ANTHONY, ID 83445-0126 2086244900

Priority Date: 04/01/1987

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PALISADES CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.01 CFS	
Total Diversion			0.01 CFS	

## Location of Point(s) of Diversion:

PALISADES CREEK|SWSWSE|Sec. 26|Township 01N|Range 44E|BONNEVILLE County

IRRIGATION Use:

Acre Limit: 5.9

Place(s) of use:

Place of Use Legal Description: IRRIGATION BONNEVILLE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
01N	44E	15		SWSW	24									
		16		NENE	30		NWNE	39		SWNE	39		SENE	39
				NENW	31									
				NESE	39		NWSE	40		SWSE	40		SESE	40
		21		NENE	34.9		NWNE	38						

Total Acres: 433.9

## Conditions of Approval:

1. K09 This right is for an enlargement of 5.9 acres within the place of use described for this right.
2. X35 Rights 23-11272, 23-11408 and 23-11410 when combined shall not exceed a total diversion rate of 5.3 cfs and the irrigation of 271.4 acres.
3. X35 Rights 23-11404, 23-11406, 23-11408, 23-11410 and 23-11272 when combined shall not exceed a total diversion rate of 6.98 cfs and the irrigation of 433.9 acres.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
5. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
7. F01 Water is delivered through Palisades Irrigation Canal.
8. Use of this right is combined with water from Palisades Irrigation Co.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

12. K02 This right is based upon an enlargement of Right No. 23-11408, 23-11410 pursuant to Section 42-1426, Idaho Code.
13. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

**Dates:**

Licensed Date:

Decreed Date: 01/31/2005

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

**Other Information:**

State or Federal:

Owner Name Connector: Or

Water District Number: 01

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 433.9

Combined Volume Limit:

Combined Rate Limit: 6.98

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False





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## WATER RIGHT REPORT

10/26/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 23-11404

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SWAN VALLEY FARMS LLC C/O DOUG NELSON PO BOX 51630 IDAHO FALLS, ID 83405-1630 4803481600
Original Owner	GARY FLEMING
Original Owner	LAURENCE FLEMING
Original Owner	TRILLIS FLEMING
Original Owner	VERONA FLEMING
Original Owner	ROBERTA OVIATT 139 FIRST ST HENDERSON, NV 89015 7025656090
Security Interest	BANK OF IDAHO PO BOX 126 SAINT ANTHONY, ID 83445-0126 2086244900

Priority Date: 08/15/1893

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PALISADES CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
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IRRIGATION	04/15	10/31	1.68 CFS
Total Diversion			1.68 CFS

Location of Point(s) of Diversion:

PALISADES CREEK | SWSWSE | Sec. 26 | Township 01N | Range 44E | BONNEVILLE County

IRRIGATION Use:

Acre Limit: 84.1

Place(s) of use:

Place of Use Legal Description: IRRIGATION BONNEVILLE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01N	44E	15		SWSW	24									
		16		NENE	30		NWNE	39		SWNE	39		SENE	39
				NENW	31									
				NESE	39		NWSE	40		SWSE	40		SESE	40
		21		NENE	34.9		NWNE	38						

Total Acres: 433.9

Conditions of Approval:

1. X27 This right is limited to the irrigation of 84.1 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 23-11404 and 23-11406 when combined shall not exceed a total diversion rate of 1.68 cfs and the irrigation of 162.5 acres.
3. X35 Rights 23-11404, 23-11406, 23-11408, 23-11410 and 23-11272 when combined shall not exceed a total diversion rate of 6.98 cfs and the irrigation of 433.9 acres.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
5. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. F01 Water is delivered through Palisades Irrigation Canal.
7. K01 Right No. 23-11406 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. Use of this right is combined with water from Palisades Irrigation Co.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

12. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

**Dates:**

Licensed Date:

Decreed Date: 01/31/2005

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

**Other Information:**

State or Federal: S

Owner Name Connector:

Water District Number: 01

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 162.5

Combined Volume Limit:

Combined Rate Limit: 1.68

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

# IDAHO Department of Water Resources



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## WATER RIGHT REPORT

10/26/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 23-11406

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SWAN VALLEY FARMS LLC C/O DOUG NELSON PO BOX 51630 IDAHO FALLS, ID 83405-1630 4803481600
Original Owner	THE ROGER H BALL ANNUITY TRUST #1 DBA SWAN VALLEY RANCH LLC PO BOX 1491 IDAHO FALLS, ID 83403-1491 2085245454
Security Interest	BANK OF IDAHO PO BOX 126 SAINT ANTHONY, ID 83445-0126 2086244900

Priority Date: 04/01/1987

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PALISADES CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	1.57 CFS	
Total Diversion			1.57 CFS	

## Location of Point(s) of Diversion:

PALISADES CREEK|SWSWSE|Sec. 26|Township 01N|Range 44E|BONNEVILLE County

IRRIGATION Use:

Acre Limit: 78.4

Place(s) of use:

Place of Use Legal Description: IRRIGATION BONNEVILLE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01N	44E	15		SWSW	24									
		16		NENE	30		NWNE	39		SWNE	39		SENE	39
				NENW	31									
				NESE	39		NWSE	40		SWSE	40		SESE	40
		21		NENE	34.9		NWNE	38						

Total Acres: 433.9

## Conditions of Approval:

1. K09 This right is for an enlargement of 78.4 acres within the place of use described for this right.
2. X35 Rights 23-11404 and 23-11406 when combined shall not exceed a total diversion rate of 1.68 cfs and the irrigation of 162.5 acres.
3. X35 Rights 23-11404, 23-11406, 23-11408, 23-11410 and 23-11272 when combined shall not exceed a total diversion rate of 6.98 cfs and the irrigation of 433.9 acres.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
5. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
7. K02 This right is based upon an enlargement of Right No. 23-11404 pursuant to Section 42-1426, Idaho Code.
8. F01 Water is delivered through Palisades Irrigation Canal.
9. Use of this right is combined with water from Palisades Irrigation Co.
10. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



- |     |     |  |
|-----|-----|--|
| 12. | R63 | This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.  |
| 13. | T19 | Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree. |

**Dates:**

Licensed Date:

Decreed Date: 01/31/2005

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

**Other Information:**

State or Federal:

Owner Name Connector: Or

Water District Number: 01

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 162.5

Combined Volume Limit:

Combined Rate Limit: 1.68

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to [call ahead for an appointment.](#)

## WATER RIGHT REPORT

10/26/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 23-11408

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SWAN VALLEY FARMS LLC C/O DOUG NELSON PO BOX 51630 IDAHO FALLS, ID 83405-1630 4803481600
Original Owner	THE ROGER H BALL ANNUITY TRUST #1 DBA SWAN VALLEY RANCH LLC PO BOX 1491 IDAHO FALLS, ID 83403-1491 2085245454
Security Interest	BANK OF IDAHO PO BOX 126 SAINT ANTHONY, ID 83445-0126 2086244900

Priority Date: 06/01/1898

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PALISADES CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	2.9 CFS	
Total Diversion			2.9 CFS	

## Location of Point(s) of Diversion:

PALISADES CREEK|SWSWSE|Sec. 26|Township 01N|Range 44E|BONNEVILLE County

IRRIGATION Use:

Acre Limit: 145.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION BONNEVILLE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01N	44E	15		SWSW	24									
		16		NENE	30		NWNE	39		SWNE	39		SENE	39
				NENW	31									
				NESE	39		NWSE	40		SWSE	40		SESE	40
		21		NENE	34.9		NWNE	38						

Total Acres: 433.9

## Conditions of Approval:

1. X27 This right is limited to the irrigation of 145.5 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 23-11272, 23-11408 and 23-11410 when combined shall not exceed a total diversion rate of 5.3 cfs and the irrigation of 271.4 acres.
3. X35 Rights 23-11404, 23-11406, 23-11408, 23-11410 and 23-11272 when combined shall not exceed a total diversion rate of 6.98 cfs and the irrigation of 433.9 acres.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
5. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. K01 Right No. 23-11272 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
7. F01 Water is delivered through Palisades Irrigation Canal.
8. Use of this right is combined with water from Palisades Irrigation Co.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

12. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

**Dates:****Licensed Date:****Decreed Date:** 01/31/2005**Enlargement Use Priority Date:****Enlargement Statute Priority Date:****Water Supply Bank Enrollment Date Accepted:****Water Supply Bank Enrollment Date Removed:****Application Received Date:****Protest Deadline Date:****Number of Protests:** 0**Other Information:****State or Federal:** S**Owner Name Connector:** Or**Water District Number:** 01**Generic Max Rate per Acre:** 0.02**Generic Max Volume per Acre:** 3.5**Combined Acres Limit:** 433.9**Combined Volume Limit:****Combined Rate Limit:** 6.98**Civil Case Number:****Old Case Number:****Decree Plaintiff:****Decree Defendant:****Swan Falls Trust or Nontrust:****Swan Falls Dismissed:****DLE Act Number:****Cary Act Number:****Mitigation Plan:** False



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## WATER RIGHT REPORT

10/26/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 23-11410

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SWAN VALLEY FARMS LLC C/O DOUG NELSON PO BOX 51630 IDAHO FALLS, ID 83405-1630 4803481600
Original Owner	THE ROGER H BALL ANNUITY TRUST #1 DBA SWAN VALLEY RANCH LLC PO BOX 1491 IDAHO FALLS, ID 83403-1491 2085245454
Original Owner	WILBERT E SHAW BOX 91 IRWIN, ID 83428 2084833305
Original Owner	BRIT L ROSS PO BOX 87 IRWIN, ID 83428 2084832220
Security Interest	BANK OF IDAHO PO BOX 126 SAINT ANTHONY, ID 83445-0126 2086244900

Priority Date: 08/15/1893

Basis: Decreed



Status: Active

Source	Tributary
PALISADES CREEK	SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/15	10/31	2.4 CFS	
Total Diversion			2.4 CFS	

Location of Point(s) of Diversion:

PALISADES CREEK | SWSWSE | Sec. 26 | Township 01N | Range 44E | BONNEVILLE County

IRRIGATION Use:

Acre Limit: 120

Place(s) of use:

Place of Use Legal Description: IRRIGATION BONNEVILLE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01N	44E	15		SWSW	24									
				NENE	30		NWNE	39		SWNE	39		SENE	39
		21		NENW	31									
				NESE	39		NWSE	40		SWSE	40		SESE	40
			NENE	34.9		NWNE	38							

Total Acres: 433.9

Conditions of Approval:

1. X27 This right is limited to the irrigation of 120 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 23-11272, 23-11408 and 23-11410 when combined shall not exceed a total diversion rate of 5.3 cfs and the irrigation of 271.4 acres.
3. X35 Rights 23-11404, 23-11406, 23-11408, 23-11410 and 23-11272 when combined shall not exceed a total diversion rate of 6.98 cfs and the irrigation of 433.9 acres.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
5. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. K01 Right No. 23-11272 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
7. F01 Water is delivered through Palisades Irrigation Canal.
8. Use of this right is combined with water from Palisades Irrigation Co.

- |     |     |  |
|-----|-----|--|
| 9.  | T07 | The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.  |
| 10. | T08 | Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.  |
| 11. | R63 | This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.  |
| 12. | T19 | Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree. |

**Dates:**

Licensed Date:

Decreed Date: 01/31/2005

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

**Other Information:**

State or Federal: S

Owner Name Connector: Or

Water District Number: 01

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 433.9

Combined Volume Limit:

Combined Rate Limit: 6.98

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

# Idaho Department of Water Resources Receipt

Receipt ID: C109548

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Payment Amount	\$500.00	Date Received	12/2/2020	Region	STATE
Payment Type	Check	Check Number	15537		
Payer	SPF WATER ENGINEERING, LLC				
Comments	CHANGE OF OWNERSHIP FOR WR # 23-11272; 23-11404; 23-11406; 23-11408; 23-11410 FOR: SWAN VALLEY FARMS LLC				

## Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$500.00	OWNERSHIP CHANGES/SECURITY INTERESTS	56140	0229	21		1155

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Signature Line (Department Representative)






**Korth Water Rights Portion:**  
**402.9 acres/433.9 acres = 92.855%**

1N44E

## Legend

 Korth Property

## Water Rights Place of Use

- |   |          |
|---|----------|
|  | 23-11272 |
|  | 23-11404 |
|  | 23-11406 |
|  | 23-11408 |
|  | 23-11410 |



300 East Mallard Drive, Suite 350  
Boise, Idaho 83706  
Tel (208) 383-4140 Fax (208) 383-4156

## Water Rights Ownership Change

Adam and Ashlee Korth

DATE: 10/26/2020

CREATOR: Igraves

PROJECT: 1304.0020



Absolute Scale: 1:18,000

0 0.25 0.5 Miles





State of Idaho

## DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

December 04, 2020

ADAM D KORTH  
ASHLEE M KORTH  
525 N 3200 E  
MENAN ID 83434-5075

Re: Change in Water Right Ownership: 23-11272 (Split into 23-11272 and **23-11487**), 23-11406 (Split into 23-11406 and **23-11489**), 23-11408 (Split into 23-11408 and **23-11490**), 23-11410 (Split into 23-11410 and **23-11491**), 23-11404 (Split into 23-11404 and **23-11488**)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

**Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right.** If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley  
Technical Records Specialist 2

Enclosure(s)

c: SWAN VALLEY FARMS LLC  
SPF WATER ENGINEERING LLC  
BANK OF IDAHO  
WATER DISTRICT NO. 01



RECEIVED  
DEC 02 2020  
DEPARTMENT OF  
WATER RESOURCES

November 30, 2020

Angela Grimm, P.G.  
Water Rights Section Supervisor  
Idaho Department of Water Resources  
322 East Front Street, Suite 648  
Boise, ID 83702-7371

Subject: Water Right Change of Ownership

Dear Angie,

Enclosed on behalf of Adam Korth and Ashlee Korth, please find water right change of ownership documents for 92.855% portions of water rights 23-11272, 23-11404, 23-11406, 23-11408, and 23-11410. The Korths have purchased lands that include 402.9 acres within the 433.9-acre place of use for these water rights. A check for the \$500 filing fee (five split rights at \$100 each) is included.

Please contact me with any questions or comments.

Sincerely,

*Terry M. Scanlan*

Terry M. Scanlan, P.E., P.G.  
Principal Engineer/Hydrogeologist

Cc: Adam Korth

SPF File 1304.0020