

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 22-13468

Date Received:
Receipt Nos:
Received By:

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

Name of Claimant
DIANE P SCHWENDIMAN
VAL E SCHWENDIMAN
9633 E HWY 33
NEWDALE, ID 83436
(208)458-4261

Priority Date: 06/01/1900
Basis: Decreed/License
Status: Active

<u>Source</u>	<u>Tributary</u>
Ground Water	
Teton River	Snake River

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.47 CFS	595 AFA
Total Diversion			1.47 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SESENE	Sec. 01	Township 06N	Range 41E	MADISON County
GROUND WATER	NENWNW	Sec. 01	Township 06N	Range 41E	MADISON County
GROUND WATER	SENWSW	Sec. 12	Township 06N	Range 41E	MADISON County
GROUND WATER	SESESE	Sec. 14	Township 06N	Range 41E	MADISON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION MADISON 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>
06N	41E	1		SWNE 40		SENE	39							
			3	NENW 39		4	NWNW 39			SWNW 40			SENW 40	
				NESW 40			NWSW 39			SWSW 39			SESW 40	
				NESE 30			NWSE 39			SWSE 13				
		2	1	NENE 39		2	NWNE 36			SWNE 39			SENE 39	
			3	NENW 17			SENW 16							
				NESW 17			SESW 17							
				NESE 40			NWSE 40			SWSE 40			SESE 40	
		11		NENE 40			NWNE 40			SWNE 40			SENE 40	
				NESE 40			NWSE 1			SESE 40				
		12		NENW 39			NWNW 39			SWNW 40			SENW 40	
				NESW 40			NWSW 40			SWSW 39			SESW 40	
				NWSE 40			SWSE 40							
		13		NENE 39			NWNE 40			SWNE 40			SENE 39	
				NESW 40			NWSW 40			SWSW 40			SESW 40	
				NESE 40			NWSE 40			SWSE 40			SESE 40	
07N		36		NESW 5			NWSW 10			SWSW 38			SESW 27	

Total Acres: 2053

Remarks: This water right includes the right to divert water which is recovered ground water resulting from recharge for irrigation and/or water resulting from irrigation under the Canyon Creek Canal Company irrigation works for use on lands within said irrigation entity's authorized place of use. Diversion of this right for the purpose of irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code. § I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code. In the event recharge or recovered water is not available, the priority date shall revert to the previously licensed priority date.

1.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.

2. This right is a split from former right 22-10129 .

3.E56 The rights listed below are limited to the irrigation of a combined total of 2053 acres in a single irrigation season. Combined Right Nos.:22-13466, 22-13467, 22-13468, 22-13469, 22-13470, 22-13471, 22-13472

4.E54 The rights listed below are limited to a total combined annual diversion volume of 7178.5 af. Combined Right Nos.:22-13466, 22-13467, 22-13468, 22-13469, 22-13470, 22-13471, 22-13472

5.K06 This right is limited to the irrigation of 170 acres within the place of use described above in a single irrigation season.

6. This right is based on former license 22-2271B

7. Place of use is within the area served by Canyon Creek Canal Company.

8.F06 The following rights are all diverted through point of diversion described above: 22-13466 through 22-13472.

Describe any other water rights used at the same place and for the same purposes as describe above: Those water rights recommended as of the date of this amended claim.

Basis of Claim: Decreed/License

Signature(s)

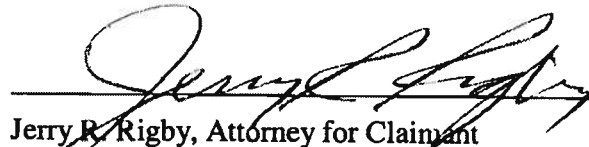
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: Previously submitted and on file with IDWR

For Individuals/Organizations:

I do solemnly swear or affirm under penalty of perjury that I am the attorney for the above individual or organization, that I have signed the foregoing document in the space below as attorney for the individual or organization and that the statements contained in the forgoing document are true and correct.

DATED this 17th day of August, 2010.


Jerry R. Rigby, Attorney for Claimant

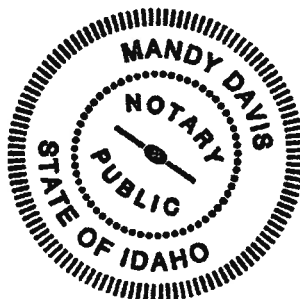
STATE OF IDAHO,)

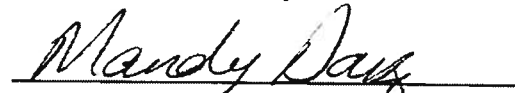
ss.

County of Madison.)

On this 17th day of August, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry R. Rigby, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public for Idaho

Residing at: St. Anthony

My Commission Expires: 6/24/2011