

#210

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: A29-00128
Date Received: 6/25/1990
Receipt No: 504897
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALAN SMITH 208-648-7775
Address: BANCROFT, ID 83217
OR
Name: ADA K. SMITH 208-648-7775
Address: BANCROFT, ID 83217



2. Date of Priority: JUN 18, 1902
3. Source: KING CREEK Trib. to: PORTNEUF RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	38E	14	SW	SW			CARIBOU

5. Description of diverting works:
HEADGATE/ DITCHES TO FLOOD IRR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	09/15	0.400		

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

8. Total consumptive use is 275.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER

MICROFILMED
NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	38E	23	NE	SE		IRR	36.0
			NW	SE		IRR	39.0
					Section Acres		75.0
		24	NW	SW		IRR	35.0
					Section Acres		35.0
					Total Acres		110.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
3.2 CFS TOPONCE CREEK

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MCCAMMON DITCH CO. ET. AL.
Decree Defendant

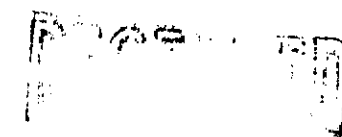
16. Signature(s)

(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: _____

BY 3/14/90IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS160 20
50IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 129-0012Date Received 6/25/90Receipt Number E014897NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

FILED

D. Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Alan or Ada K. Smith Phone (208) 648 7715
Mailing Address Bancroft Idaho Zip 832172. Date of Priority (Only one (1) per claim) June 28 19023. Source of water supply (a) King Creek
which is tributary to (b) Portneuse4. a. Location of existing point of diversion is: Township 7 S. Range 38 E Section 14,
SW 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Caribou

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Headgate, Ditches, Flood Irrigation

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from April 15 to Sept 15 amount 20-40 or NO

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 275 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stock water

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	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	
75	38E	23										35			36	39			110
		24										35							35

Total number of acres irrigated 110

11. In which county (ies) are lands listed above as place of use located? Caribou

12. Do you own the property listed above as place of use? Yes ✓ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
160" Toponce Creek or None ()

14. Remarks:

REPROFILMED

NOV 13 1992

Last Name Smith Ident No. _____

Copies: White - State, Yellow - Claimant

Scale: 2 inches equals 1 mile

[illegible]

Ident No.

MICROFILMED

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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree X

If applicable provide IDWR Water Right Number 29-0128

Court _____ Case Number _____ Decree Date 6 Aug 1932

Plaintiff vs Defendant Union Grain & Elevator vs McConner Ditch Co.

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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)

Alan Smith
Ada X Smith

Date 2-12-90

Date 2-12-90

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)

County of Ada)

SS.

Subscribed and sworn (or affirmed) before me this

12th

day of

February 19 90

SEAL

Notary Public

Susanna McGraw

Residing at

Bosse, Idaho

My Commission Expires

9-4-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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NOV 13 1992

Last Name

Smith

Ident. Number

Copies White-State, Yellow-Claimant

Log for claim A29-00128

Spatial Dynamics LTD

6/8/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s38e	23	NESE	36	40	Indiscernible
07s38e	23	NWSE	39	37	
07s38e	24	NWSW	35	40	Indiscernible
Totals:			110	117	

AJ5809NP
No. A29-00128

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 32

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALAN SMITH	06/18/1902	IRRIGATION	04-15 09-15	0.400 CFS	
C	ADA K SMITH					
	BANCROFT ID 83217					
	(208) 648-7775					
				TOTAL DIVERSION:	0.400 CFS	
				CONSUMPTIVE USE:		275.00 AFA

Water Source: KING CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T07S R38E S14 SWSW

CARIBOU County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE						
T	R S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: SUM
07S	38E 23	:		:		:		:		:		:		:		:	36	39	:	75.0
07S	38E 24	:		:		:		:		:		:	35	:		:			:	35.0
																			TOTAL ACRES	110.0

POU County: CARIBOU

Non-Irrigation Uses: STOCKWATER

Other Rights: 3.2 CFS TOPONCE CREEK

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00127 A29-12137

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00103 A29-00104 A29-00105 A29-00106 A29-10322

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag:

Audit: 06/26/90 DCARLSON 04/04/94 THOMPSON 03/29/95 POST-STD