

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: A29-02302
Date Received: 1/17/1990
Receipt No: 1005537
Received By: ER

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DELMO SMITH 208-648-7774
Address: BANCROFT, ID 83217
OR
Name: MADA SMITH 208-648-7774
Address: BANCROFT, ID 83217

A2902302

2. Date of Priority: SEP 10, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	38E	26	NE	NE	SW		CARIBOU

5. Description of diverting works:
150'X16" WITH 75HP PUMP INTO MAINLINE TO WHEEL LINES/HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		

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

8. Total consumptive use is 225.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	38E	26	NE	SW		IRR	25.0
			SW	SW		IRR	25.0
			SE	SW		IRR	40.0
						Section Acres	90.0
						Total Acres	90.0

11. Place of use in counties: CARIBOU

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

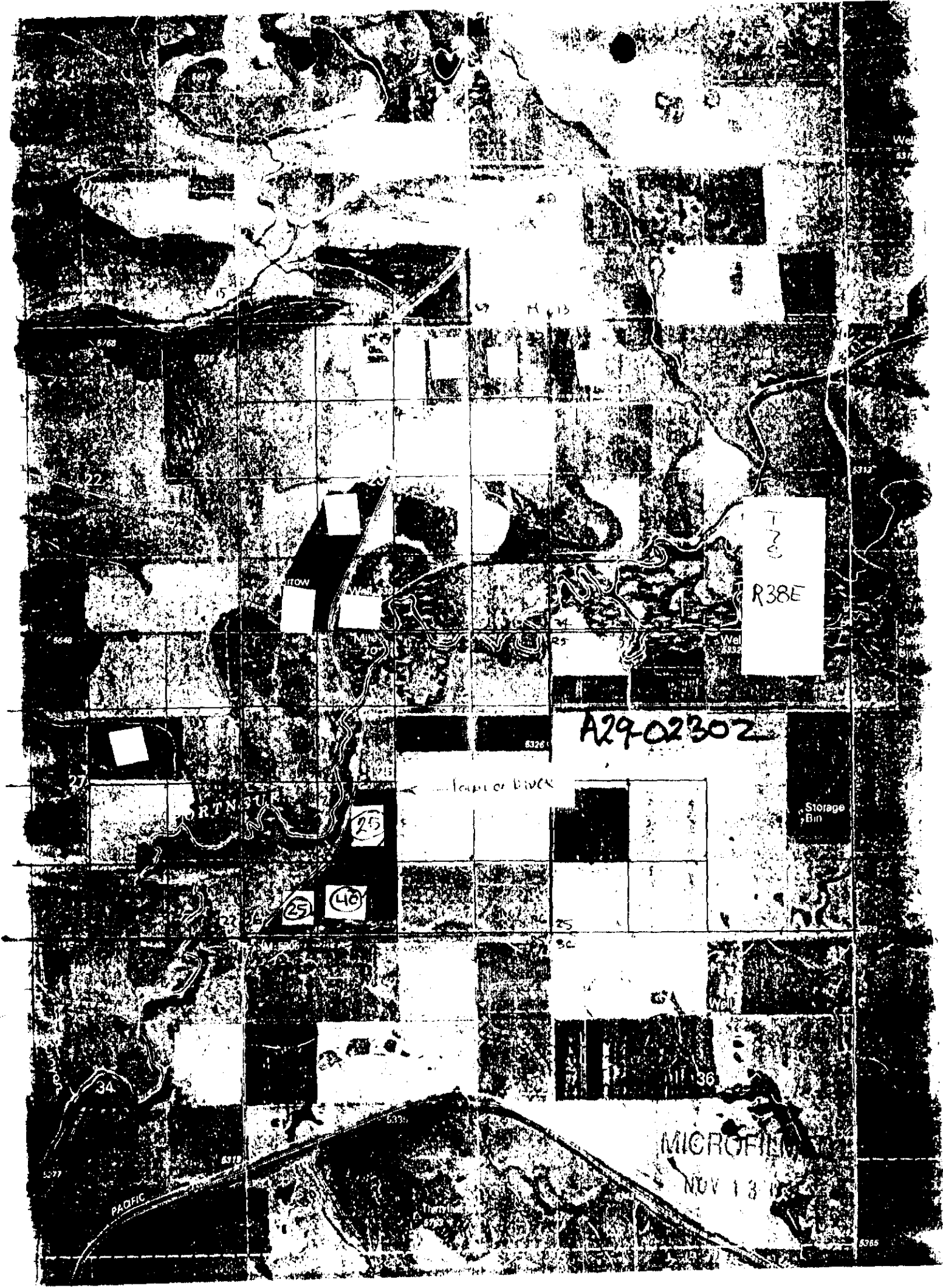
13. Other Water Rights Used:
29-04006 FROM SAME WELL

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 22079

(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.

MICROFILMED
NOV 13 1994



T
Z
R38E

A29-02302

← Japan or Diver

Storage Bin

MICROFILM

NOV 13 1964

Log for claim A29-02302

Spatial Dynamics BTD

6/9/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s38e	26	NESW	25	25	
07s38e	26	SWSW	25	13	
07s38e	26	SESW	40	39	
Totals:			90	77	

DATE: 03/21/00
PAGE: 55

Audit: 01/17/90 MOBILE3 03/29/95 POST-STD

WATER LICENSE

Water License No. 22079 of 29-2302 Priority September 10, 1951 Amount 1.6 c. f. s.
(late proof)

THIS IS TO CERTIFY, that LESTER SMITH

of Baucroft, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 9, 1951; that Permit 22079 or 29-2302 was issued pursuant to said application; that the proposed works were completed on or about May 16, 1951, with a storage or carrying capacity of 1.6 c.f.s., said works consisting of well, pump, motor and sprinklers; and that on September 13, 1954, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 270 acre feet per season, with a maximum rate of diversion of 1.6 cubic feet per second of the waters of a well, tributary of subterranean flow, for the purpose of irrigation from April 1st to November 1st; and for from to; and for from to; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation; the point of diversion is located in NE ¼ SW ¼, Sec. 26, T. 7 S., R. 38 E., B.M., and other additional points, in the County of Caribou; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 270 acre feet per year.

Description and location of place of use:

[illegible]

Total number of acres irrigated..... 90

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

2nd day of August 19 68

State Reclamation Engineer

20 2902

22079

29-2302

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho

APPLICATION No. 29814
PERMIT No. 22079
DISTRICT No.

1. Name of Applicant: **LESTER SMITH**

Postoffice address: **Bancroft**

County: **Caribou**

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:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: **Two (2)**

cubic feet per second.

3. Source of water supply: **Well tapping subterranean water** which is a tributary of

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the **N.E. corner of NE $\frac{1}{4}$ SW $\frac{1}{4}$**
of Section **26** , T. **7 S.** , R. **38 E.** , B.M., County of **Caribou**

5. Water is to be used for **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 , 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: **\$ 3,500.00**

8. Kind of works: **Well, pump and ditches, and probable sprinkler system.**

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is **One (1)** years.

13. The time required for the complete application of the water to the proposed use is **Two (2)** additional years.

14. The land to be irrigated is described in the following table (fill in): See remarks:

dimensions of flume:

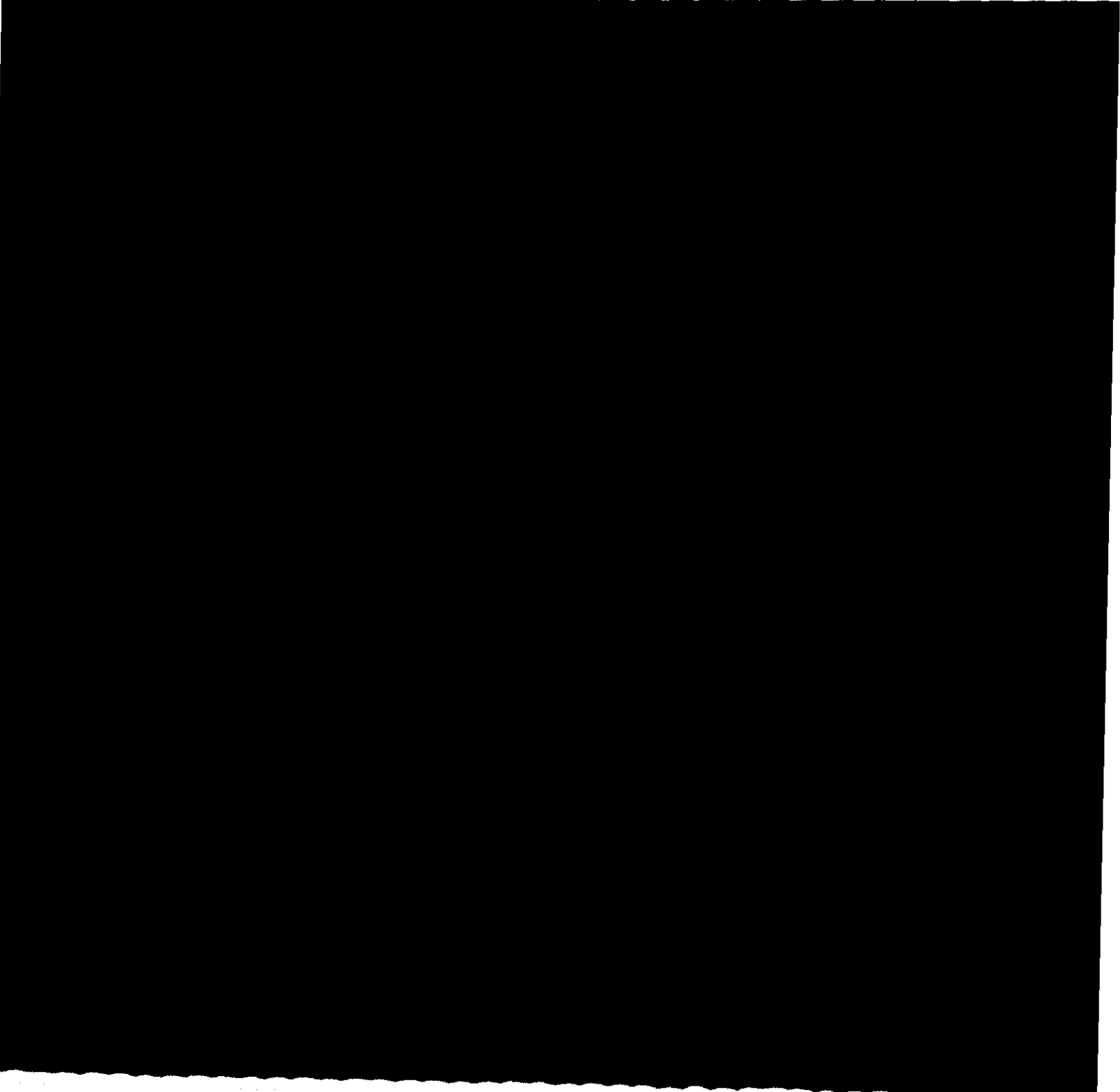
Diameter of pipe

inches; length of conduit

miles.

Average grade per mile

feet.

12. The time required for the completion of such work is **One (1)** years.
13. The time required for the complete application of the water to the proposed use is **Two (2)** additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.
15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **None**
- 

- (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.

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. May 9, 1951

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 22079

Recorded in Book **79** Page **22079** Approved **May 12, 1951**

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 **July 12, 1951** 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 **November 12, 1951**

The whole of said work to be completed on or before **May 12, 1952**

Beneficial use of water appropriated in accordance herewith, to be made on or before **May 12, 1954**

WITNESS My hand this 12th day of May, 1951

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, LEN JORDAN, Governor of the State of Idaho,

and **IRA H. MASTERS**, 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 12th

day of May 19 51

STATE OF IDAHO

Countersigned:

(SEAL) By LEN JORDAN

By **IRA H. MASTERS**

Governor.

REMARKS: Elevation of well is high enough to permit irrigation by flooding by ditches. If any lands cannot be so irrigated, applicant will install sprinklers. Well has been constructed.

1.1.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
7 S.	38 E.	26				95 acres in SW $\frac{1}{4}$	95
A tract of land located in the SW $\frac{1}{4}$ Section 26, Twp. 7 S., Range 38 E., B.M., consisting of 95 acres, more or less, more particularly described as follows, to-wit: All that certain land lying East of Kelly Road in the SW $\frac{1}{4}$ of Section 26, Twp. 7 S., Range 38 E., B.M.							
TO ALL WHOM IT MAY CONCERN:							
CERTIFICATE OF COMPLETION OF WORKS This is to certify that LESTER SMITH of Benecroft, County of Caribou, and State of Idaho, the holder of Permit No. 22079, issued upon Application No. 29814 bearing date of priority of May 9, 1951, authorizing the diversion of Two (2) second feet of the waters of a well (subterranean flow) County of Caribou, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.5 second feet of the waters of said well; that the point of diversion of said waters is in the Northeast corner of the NE$\frac{1}{4}$ SW$\frac{1}{4}$ Section 26, Township 7 South, Range 38 East, B.M., and that the lands proposed to be irrigated by the use of said waters are described as follows, to-wit: All that tract of land lying East of Kelly Road in the SW$\frac{1}{4}$ Section 26, Township 7 South, Range 38 East, B.M. Witness my hand this 9th day of June, A. D. 1952. Proof of completion of works made May 27, 1952. Certificate of completion of works issued June 9, 1952. MARK R. KULP State Reclamation Engineer							

NE 1/4 SW 1/4 Section 26, Township 7 South, Range 38 East, B.M.
are described as follows, to-wit: All that tract of land lying East of Kelly Road in
Range 38 East, B.M.

Witness my hand this 9th day of June, A. D. 1952.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made May 27, 1952.
Certificate of completion of works issued June 9, 1952.

FILED FOR 1-6 SEC. 11.
DEPOSED PAGE NO. ~~2227~~ 2227 or 29.2302

WRD417

WATER RIGHTS PROOF READING REPORT

03/19/85

PAGE 1

WATER RIGHT NUMBER 29-2302 ✓

OWNER LAST NAME - SMITH ✓

FIRST NAME - LESTER ✓

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - BANCROFT ✓

STATE - ID ZIP CODE - 83217 ✓

SOURCE - GROUNDWATER ✓

TRIBUTARY OF -

STAGE - LICENSE ✓

STATUS -

PRIORITY - 09-10-1951 ✓

COUNTY - CARIBOU ✓

TOTAL DIV. RATE -

1.6000 -CFS ✓

TOTAL DIV. VOLUME - ✓ 270.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NESW 26 07S 38E LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 ✓

FROM - 04-01-1971 - 11-01-1981 USE - IRRIGATION ✓

USE DIV. RATE -

1.6000 CFS ✓

USE DIV. VOLUME -

270.00 AFA ✓

USE - IRRIGATION

PLACE OF USE - TWN 07S RNG 38E SEC 26

TRACT NESW LOT

AC 23

TRACT SWSW LOT

AC 25 ✓

TRACT SESW LOT

AC 40 ✓

DATE -

TOTAL ACRES

90 ✓

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 22079

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

WRD417

WATER RIGHTS PROOF READING REPORT

03/19/85

PAGE

WATER RIGHT NUMBER 29-2302 ✓

OWNER LAST NAME - SMITH ✓

ADDRESS LINE 1 -

ADDRESS LINE 2 -

SOURCE - GROUNDWATER ✓

STAGE - LICENSE ✓

STATUS -

TOTAL DIV. VOLUME - ✓ 270.00 AFA TRFR/AMEND -

DIVERSION POINT - NESH 25 07S 38E LOT

FROM - 04-01-70 - 11-01-70 USE - IRRIGATION ✓

USE - IRRIGATION

TRIBUTARY OF -

FIRST NAME - LESTER ✓

ADDRESS LINE 2 -

CITY - BANCROFT ✓

ORIG OWNER -

STATE - ID ZIP CODE - 83217 ✓

PRIORITY - 09-10-1951 ✓

COUNTY - CARIBOU ✓

TOTAL DIV. RATE -

1.6000 -CFS ✓

WATER DIST. - DLE/CAREY ACT -

RIGHT BASIS -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

USE DIV. RATE -

1.6000 CFS ✓

USE DIV. VOLUME -

270.00 AFA ✓

PLACE OF USE - T4N 07S R4G 38E SEC 26 TRACT NESH LOT

AC 23 TRACT SWSW LOT

AC

TRACT SESW LOT

AC 40 ✓

TOTAL ACRES

90 ✓

DATE -

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 22079

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 22079This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Lester Smith, Bancroft, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26
T. 7 S. R. 38 E. County of Caribou
4. Describe works as they exist, giving dimensions and capacities of same: Well is 150' deep by 16" diameter cased 29'. H=22', draw down estimated at 8'. Equipped with a Fairbanks Morse Pomona Turbine, serial No. PM 3187 and a 30 hp Westinghouse motor, serial No. 17-22V163. 8" discharge into a closed system to the East to the fields by sprinklers.

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

That portion of land lying East of Kelly Road in the
Southwest Quarter Section 26, Twp. 7 South, Range 38 East, B. M.
See the map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

Smith's son on place. Buying farm.

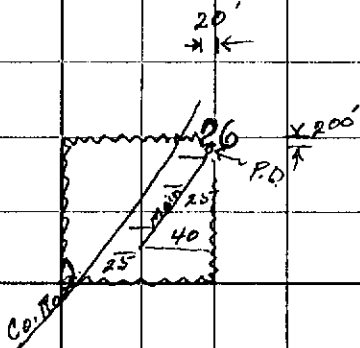
This examination was made on the 10 day of July, 1926(Signed) E. M. Humphrey Examiner.22079

Department of Reclamation.

five lines

R-38E.

T.
7
S.



main line is 8" 6"
8" buried steel
6" = port. al.

Subdivisions = Three
Area = 90 acres.
Q = 80 inches.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 22079

REPORT ON PROOF OF Beneficial Use

LESTER SMITH, Bancroft, Idaho

9466- 200 12
3
90

1/6 a/s
work