

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: A29-02545
Date Received: 1/17/1990
Receipt No: 11005537
Received By: EBV

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

2. Date of Priority: DEC 07, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	38E	23	NE	SE	SW		CARIBOU

5. Description of diverting works:
45'X16" WELL WITH 50HP PUMP. HANDLINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.750		

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

8. Total consumptive use is 260.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-02545

Page 1

Date: 01/17/90

MICROFILMED

NOV 13 1992

A2902545



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	38E	23	SE		NW		IRR	36.0
			NE		SW		IRR	33.0
			NW		SW		IRR	5.0
			SW		SW		IRR	10.0
			SE		SW		IRR	20.0
							Section Acres	104.0
							Total Acres	104.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 33396

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: 1

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): *Delmo Smith* Date: 1/17/90
Date: _____

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 17 day

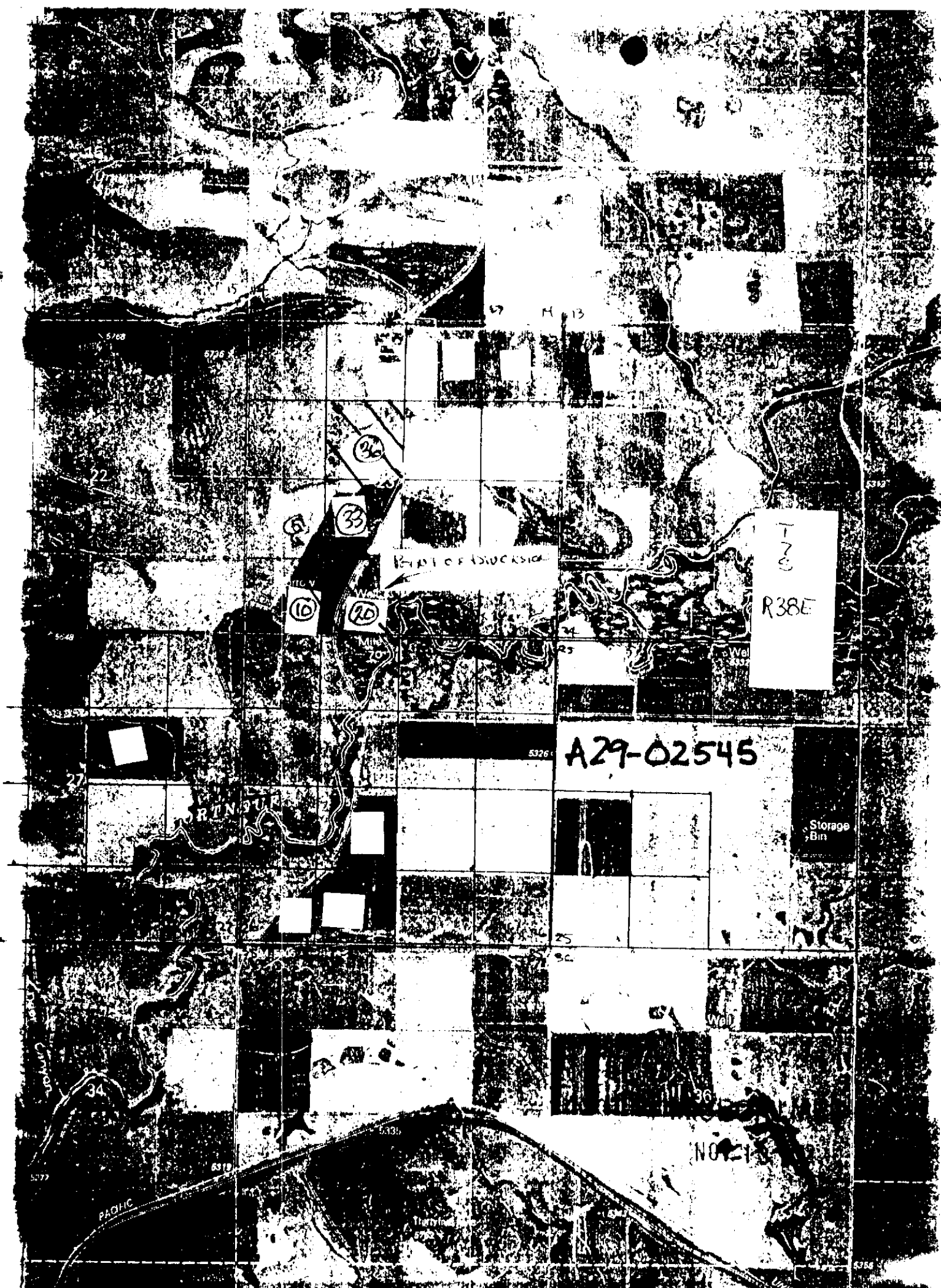
of January 19 90

Seal

[Signature]
Notary Public

Residing at RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES 8-22-1994

My Commission Expires _____



(36)
(33)
(10)
(20)

TZE
R38E

A29-02545

Storage Bin

NO. 1

END OF DISSECTION

PACIFIC

PORTN

Log for claim A29-02545

Spatial Dynamics BTD

6/13/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s38e	23	NWSW	5	3.5	
07s38e	23	SENW	36	38	
07s38e	23	NESW	33	28	
07s38e	23	SWSW	10	17	
07s38e	23	SESW	20	11	
Totals:			104	97.5	

AJ5809NP
No. A29-02545

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 92

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DELMO SMITH	12/07/1966	IRRIGATION	04-01 10-31	1.750 CFS	
C	MADA SMITH					
	BANCROFT ID 83217			TOTAL DIVERSION:	1.750 CFS	
	(208) 648-7774			CONSUMPTIVE USE:		260.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R38E S23 NESESW

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	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM
07S 38E 23	:				:			36	:	33	05	10	20	:			: 104.0
																	: TOTAL ACRES 104.0

POU County: CARIBOU

Non-Irrigation Uses: NONE

Other Rights: NONE

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

Dates: Exam Made Date: Verified Date: 03/12/1985 Objection Filed Date:

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

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

WATER LICENSE

Water License No. G-33396 Priority December 7, 1966 Amount 1.75 c.f.s.

THIS IS TO CERTIFY, that DELMO SMITH
of Bancroft, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated December 7, 1966; that Permit G-33396 was issued pursuant
to said application; that the proposed works were completed on or about April 10, 1967,
with a storage/or carrying capacity of 1.75 c.f.s., said works consisting of
well, pump, motor, and sprinkler system; and that on March 18, 1969,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 312
acre feet per season, with a maximum rate of diversion of 1.75 cubic feet per second of the waters
of ground water, tributary of _____,
for the purpose of irrigation from April 1 to October 31;
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 Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, 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 312 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7 S	38 E	23								36	33	15	10	10					104

Total number of acres irrigated 104

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

4th day of August, 1969

[Signature]
State Reclamation Engineer

53396
52-2544 JVB

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41589
Permit No. G- 33396
District No.

Power of Attorney
Wallace M. Transtrum, Attorney
159 South Main
Soda Springs, Idaho 83276

1. Name of Applicant: Delmo Smith
Postoffice address: Bancroft County: Caribou State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 4.8 or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 23
Twp. 7 S , Rge. 38 E , B.M., County of Caribou
5. Water is to be used for: irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: well, pump and sprinkler system
8. Estimated cost of works: \$ 9,000.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is
years. 5
11. If applicant is a corporation, give:
 - I. (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 (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 2000 shares Toponce Creek decreed -
No water available.
 - (a) 4.8 (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supple-
mental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

LICENSE ISSUED FOR 1.75 SEC. FT.
 LICENSE PAG. NO. _____

Rec. No. 11-11165

1965
Recorder of Atty
Address all communications to:
Wallace M. Transtrum, Department of Rec.
159 South Main
Soda Springs, Idaho 83276
REC 7 1965
9:00
DI REC

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G 41579

Permit No. G 33396

Water District No. _____

1. Name of applicant: Delmo Smith
Post office address: Bancroft County Caribou State Idaho
2. Quantity of water claimed: 4.8 Cu. Ft. per second
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 23
Twp. 7S, Rge. 38E, B.M., County of Caribou
5. Water is to be used for: Irrigation
6. If for domestic, municipal, industrial or recreational purposes give:
 - (a) Point of use of water is in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____
Twp. _____, Rge. _____, B.M.
 - (b) Waste water or sewage effluent is to be returned to _____
at a point in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____, Twp. _____, Rge. _____, B.M.
7. Kind of Works: Well, pump, sprinkler system
8. Estimated cost of works: \$9,000.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir: _____
10. The time required for the completion of such work and complete application of the water to the proposed use is
5 years.
11. 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: _____

22

33396

11. The financial resources of the applicant are: (a) Cash on hand: \$_____

(b) Treasury stock: _____ (c) Bonds to be issued: _____

(d) Other resources: _____

12. The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 2000 Shares

Toponce Creek decreed - No water available

(a) 4.8 (Cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) _____ (cubic feet per second, inches or gallons per minute) is for new lands.

33346

Remarks

BE IT KNOWN That the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Delmo Smith

Applicant

By

Wallace M. French

Agent

33396

Approval of State Reclamation Engineer

33396

The number of this permit is G.

Recorded in Book 116 Page 33396 Approved JAN 10 1967

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 before.

One-fifth of the work above specified to be completed on or before July 10, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before January 10, 1972

Witness my hand this 10th day of January, 1967

R. Keith Higgins
State Reclamation Engineer

IN TESTIMONY WHEREOF, We DON W. SAMUELSON, Governor of the State of Idaho

and EDSON H. DEAL, 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 10th day of January, 1967

Countersigned:

STATE OF IDAHO

By *Edson H. Deal*
Secretary of State

By *Don Samuelson*
Governor

No. G. 33396

PERMIT

Date of first receipt at office of State Reclamation Engineer

December 7, 1966 8:00 A.M.
Returned to applicant for correction

Corrected application received

Fees, \$ 6.00

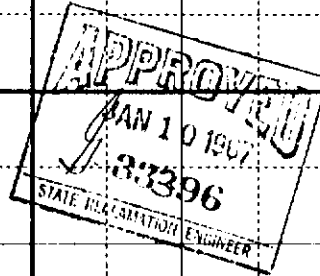
FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof .25

33396



Section 23, T 7 S,
R 38 E, B. m.

23

Well

660 N
320 W
SE 1/4 corner

WATER RIGHT NUMBER 29-2545 ✓

OWNER LAST NAME - SMITH

FIRST NAME - DELMO

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - SANCROFT

STATE - ID ZIP CODE - 83217 ✓

SOURCE - GROUNDWATER

TRIBUTARY OF -

AGE - LICENSE

STATUS -

PRIORITY - 12-07-1966 COUNTY - CARIBOU

TOTAL DIV. RATE - 1.7500 -CFS

TOTAL DIV. VOLUME - 312.00 AFA TRFR/AMEND -

WATER DIST. -

OLE/CAREY ACT -

RIGHT BASIS -

VERSION POINT - SESW 23 07S 38E LOT REDEV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

DATE - 04-01 TO - 10-31 USE - IRRIGATION

USE DIV. RATE - 1.7500 CFS USE DIV. VOLUME - 312.00 AFA

USE - IRRIGATION

PLACE OF USE - T4N 07S R4G 38E SEC 23 TRACT SENW LOT AC 36 TRACT NESW LOT AC 33

TRACT NWSW LOT AC 15 TRACT SWSW LOT AC 10

TRACT SESW LOT AC 10

DATE -

TOTAL ACRES 104

ORIG NAME -

MARKS -

IRRIG USE -

WATER RIGHTS FOR SAME USE -

DUP DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 33396

DUP MADE - OLD EXAM - COND. OF APPROVAL - ✓

VERSION MEANS -

Source of supply SUBKARAN

a tributary of _____

Location of P.D.(s) SE SW SEC 23 T5 S30 E

Water is used for IRRIGATION

Quantity of water found _____

How was the measurement made? SPRINKLER NOZ PRESSURE

Measurement calculations _____

3 1/4 mile LAT 1 3/4" RAINBIRD 30WS @ 42 lbs

$$Q = (3 \text{ LAT}) (33 \text{ NOZ}) (7.73 \text{ gpm}) = 1.75 \text{ cfs}$$

448.8 gpm

Diversion works description and diagram

50 HP GE ELEC MOTOR # F12 615466

2 1/2 B V.T.P. # D15266

700 gpm 240' 1770 RPM

8" DISCHARGE THROUGH GRADE UNDERPASS

main line - SPRINKLER SYSTEM

8" - 2000'

6" - 600'

4" - 600'

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated _____

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?

MR. DELIA SANTI

Recommended allowance for licensing _____

Description of required amendments. Comments. _____

Report checked? _____

Examination date 7-25-68

Signature

DR. [Signature]

33396

