

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: A29-07480
Date Received: 3/15/1990
Receipt No: M006251
Received By: _____

RECEIVED

APR 12 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ANTON SMITH 208-232-5731
Address: 1651 WEST SUNDANCE RD.
POCATELLO, ID 83202

2. Date of Priority: APR 19, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
06S	33E	20	SE NE		POWER

5. Description of diverting works:
DEEP WELL & PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.410		77.00

7. Total Quantity Appropriated is:
0.410 C.F.S. (and/or) 77.00 A.F.A.

8. Total consumptive use is 77.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	33E	20	NE NE		IRR	15.0
			SW NE		IRR	7.0
Section Acres						22.0

A29-07480

Page 1

Date: 03/15/90

NOV 13 1992

A2907480



10. Place of Use: Continued

Total Acres 22.0

11. Place of use in counties: POWER

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

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A29-07480
Date Received 3-15-90
Receipt Number 2 MOCC251

RECEIVED
MAR 15 1990

Department of Water Resources

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 12 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) ANTON SMITH Phone (208) 232-5731
Mailing Address 1651 WEST SUNDANCE RD, POCAHELLO, IDAHO zip 83202

2. Date of Priority (Only one (1) per claim) APRIL 19, 1979

3. Source of water supply (a) GROUND WATER
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 6 SOUTH Range 33 EAST Section 20,
_____ 1/4 of SE 1/4 of NE 1/4, Govt. Lot, E. B.M., County of POWER

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.

Deep well & pump to sprinkler system

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NOV 13 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from MAR 15 to NOV 15 amount .41 or 77

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .41 cfs (cfs) and/or (b) 77 (acre feet)

8. Total consumptive use claimed is 77 acre feet per annum.

9. Non-Irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

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	
65	33E	20	15		7														22

Total number of acres irrigated 22

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

12. Do you own the property listed above as place of use? Yes X 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.
NONE or None ()

14. Remarks:

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NOV 13 1992

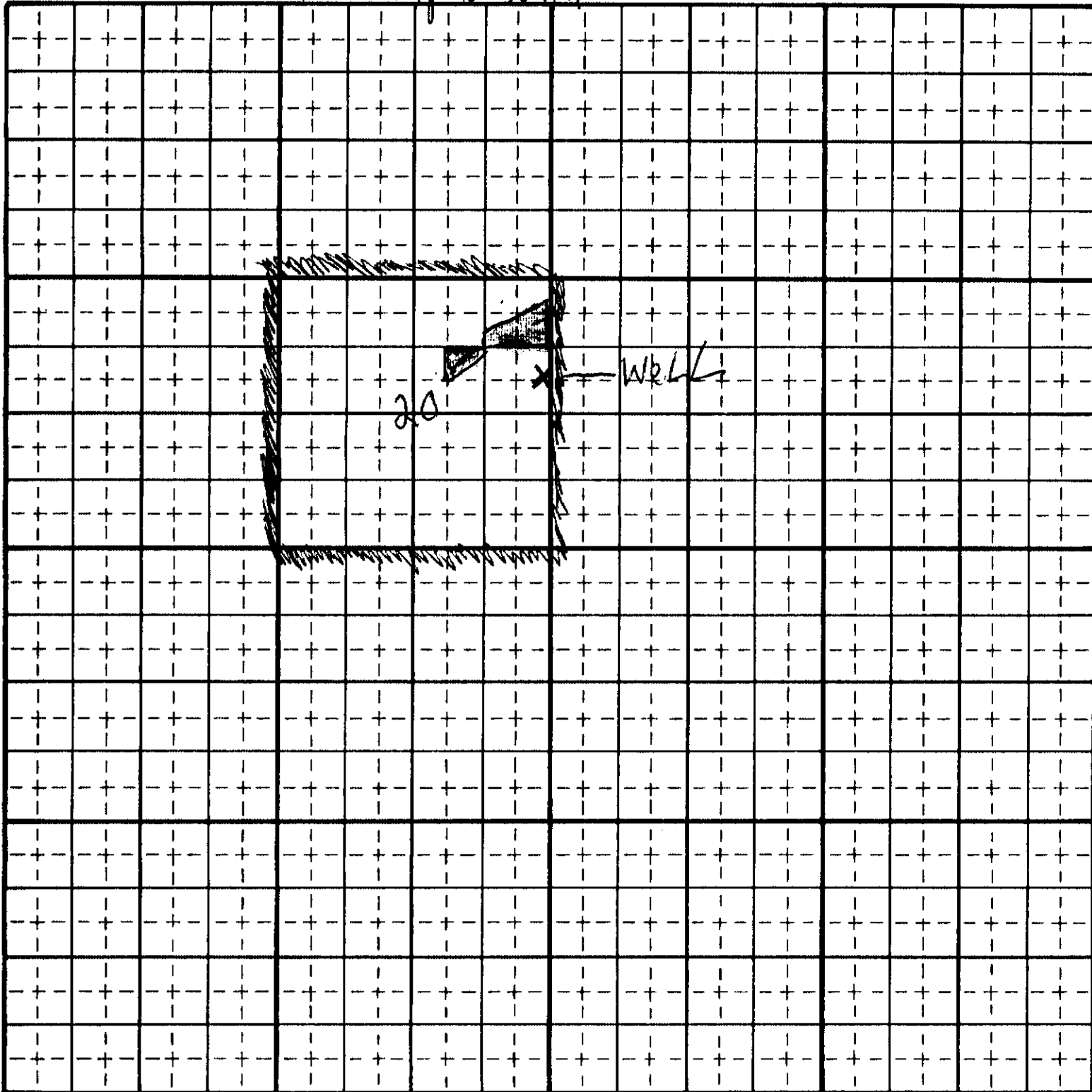
Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

POWER COUNTY
RANGE 33 EAST
TOWNSHIP 6 SOUTH



Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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

Decree _____

If applicable provide IDWR Water Right Number 29-7480

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0

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

Signature of Claimant (s) X Anton Smith Date 3-14-1990

Date _____

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 _____ of _____

Title

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 Power) SS.

Subscribed and sworn (or affirmed) before me this 14th day of March 1990

SEAL

Notary Public Ben Carvanes

Residing at Arm. Falls, Idaho

My Commission Expires 11/3/91

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 _____ Ident. Number _____

Copies White-State, Yellow-Claimant

Log for claim A29-07480

Spatial Dynamics AMH

7/18/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s33e	20	NENE	15	15	
06s33e	20	SWNE	7	32	Permissible place of use?
Totals:			22	47	

A15800NP
[REDACTED]

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 68

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ANTON SMITH 1651 W SUNDANCE RD POCATELLO ID 83202 (208) 232-5731	04/19/1979	IRRIGATION	03-15 11-15	0.410 CFS	77.00 AFA
TOTAL DIVERSION:					0.410 CFS	77.00 AFA
CONSUMPTIVE USE:						77.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T06S R33E S20 SENE

POWER County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE																																																																																																																																																	
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM																																																																																																																																					
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TOTAL ACRES

POU County: POWER

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-07586

Other Water Rights Listing Overlapping Place(s) of Use:
A29-07118 A29-07403 A29-07586

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 03/15/90 MOBILE3 07/27/94 THOMPSON 03/29/95 POST-STD

Total number of acres irrigated 22

CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28TH day of August, 19 86.

Acting for the Director

MICROFILMED

RECEIVED
JUL 30 1980

Ident. No. _____

STATE OF IDAHO

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)

APPROVED

Comes now Anton Smith Phone _____
of (address) Star Rt., Box 182 Pocatello, ID 83201, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the
State of Idaho No. 29-7480, and requests that the permit be changed as follows:

1a. Point of diversion: SE 1/4 NE 1/4, Section 20, Township 6S, Range 33E,
B.M., County of Power. Other points of diversion: _____

1b. Source: groundwater tributary to -----

2a. Period and nature of use:

Amount 0.41 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

2b. The maximum quantity diverted shall not exceed 0.41 cfs or 77.0 acre feet
per year.

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE				NW				SW				SE				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	
6S	33E	20	15		7														22

Total number of acres to be irrigated = 22

4. Date of priority: April 19, 1979

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5. Conditions (if any):

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at 12.20 P.M., this 29 day of July, 1986
Anton Smith
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$20.00 ✓ Received by af Date 7-30-86 # 38877

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby Approve the above Application for Amendment for Permit No. 29-7480.

Witness my hand this 28TH day of August, 1986.

Norman C. Young
Acting for the Director

RECORDED

OK
Jim

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant ANTON SMITH Phone 232-5731
Post office address Star Route, Pocatello, Idaho 83201

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20 Township 6 South
Range 33 E.B.M. Power _____ County, additional points of diversion if any: _____
None

4. Water will be used for the following purposes:

Amount .74 cfs for irrigation purposes from April 1 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .74 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, motor & panel

b. Height of storage dam N/A feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 16 inches; proposed depth of well is 200 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year -- maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

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

[illegible]

Total number of acres to be irrigated 37

c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion Applicant

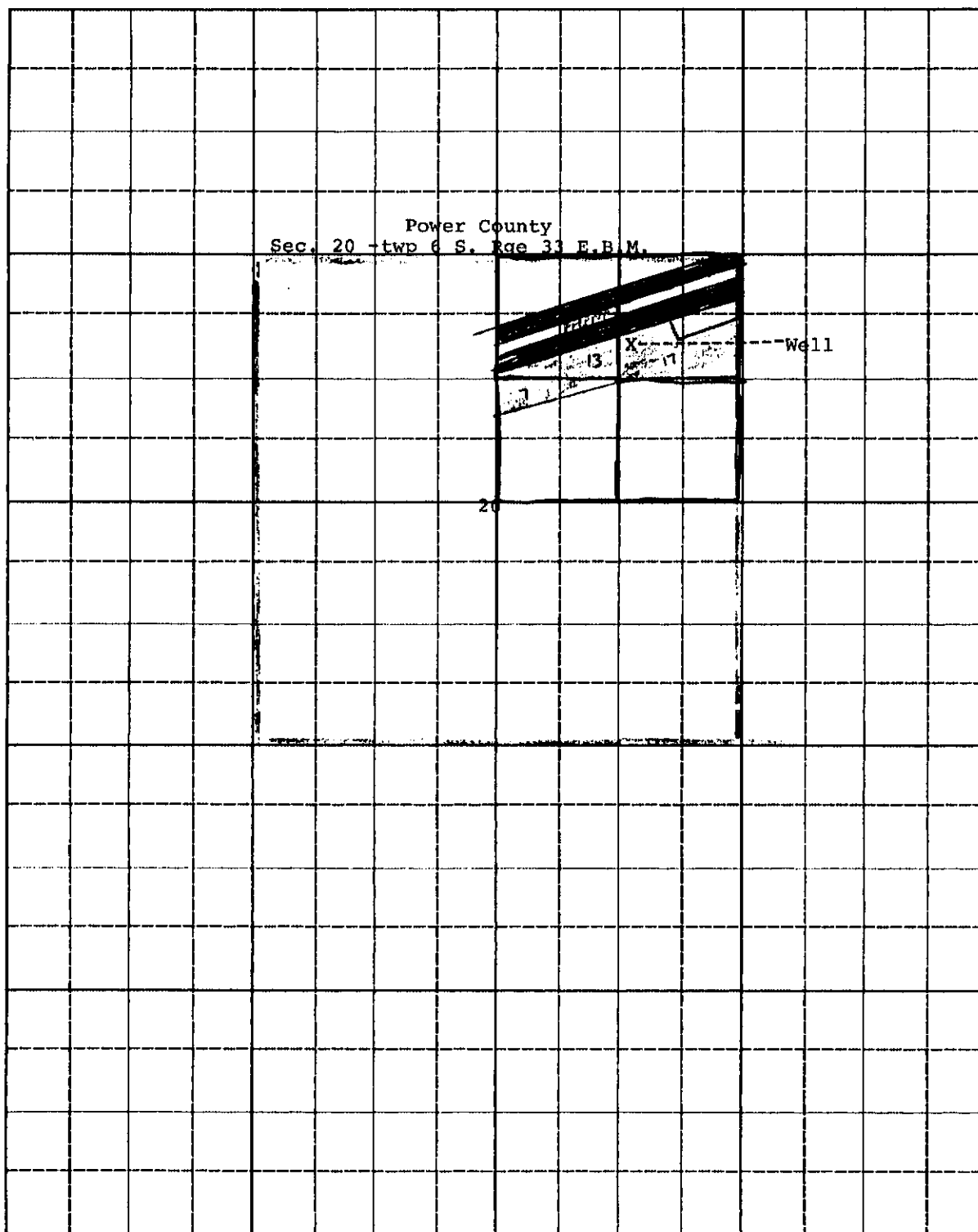
b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks _____

[illegible]

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: $\frac{1}{4}$ inches equal 1 mile.

$\frac{1}{4}$ "

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.

Arthur Smith
(Applicant)

Proposed Priority 4-19-79

Received by dh Date 4-19-79 Time 11:00 a.m.

Preliminary check by PP Fee \$35.00

Receipted by dh Date 4-20-79 #11826

Publication prepared by dh Date 4-20-79

Published in Power County Press

Publication dates April 26 and May 3, 1979

Publication approved JS Date 5/9/79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RPC J.J.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7480, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 84.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 28 day of June, 19 79.

A. Glen Saptor
Chief, Operations Bureau

JAN 20 1984

39-2480
Permit No.

1. Management of Water Resources

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made:			
(List Telephone No. used)			
☐ Appointment scheduled for:			
(Date, time, location)			

EXAMINATION

Date 6-15-1982 Accompanied by Anton Smith Total Q measured 1.61 cfs ✓
If source is surface water, estimate total flow of source _____
Methods of measurement Pitot gauge Meets Permit requirements? _____

Measurement calculations: $V = 22 \text{ acres} \times 3.50\%$ $= 77 \text{ cfs}$ $V = 0.46 \text{ cfs} \times 1.6835 \times 228 \text{ days}$ $= 180 \text{ cfs}$	Line 1 - $4.96 \text{ gpm} \times 33 = 163.68 \text{ gpm}$ 2 - $4.96 \text{ gpm} \times 32 = 158.72$ 3 - $4.96 \text{ gpm} \times 33 = 163.68$ 4 - $4.96 \text{ gpm} \times 32 = 158.72$ 5 - $4.96 \text{ gpm} \times 16 = 79.36$ $724.12 \text{ cfm} = 1.61 \text{ cfs}$	totally 86 acres under irris. from 29-7480 + 29-7586 This is 0.0187 cfs/acre. 22 acres $\times$ 0.0187 cfs 0.41 cfs
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[illegible]

System Description well/pump thru mainline to 5 sprinkler lines

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Q (cfs)	V (afa)	FROM	TO
Irrigation ✓	0.41 ✓	77 ✓	April 1 ✓	Nov 15
			3/15	11-15
			per rules & regs	

Total 0.4/cfs 77.0 AF

Remarks The grounds for 29-7480 and 29-7586 are being irrigated as
one unit. Basically both field exams were accomplished at the same time.

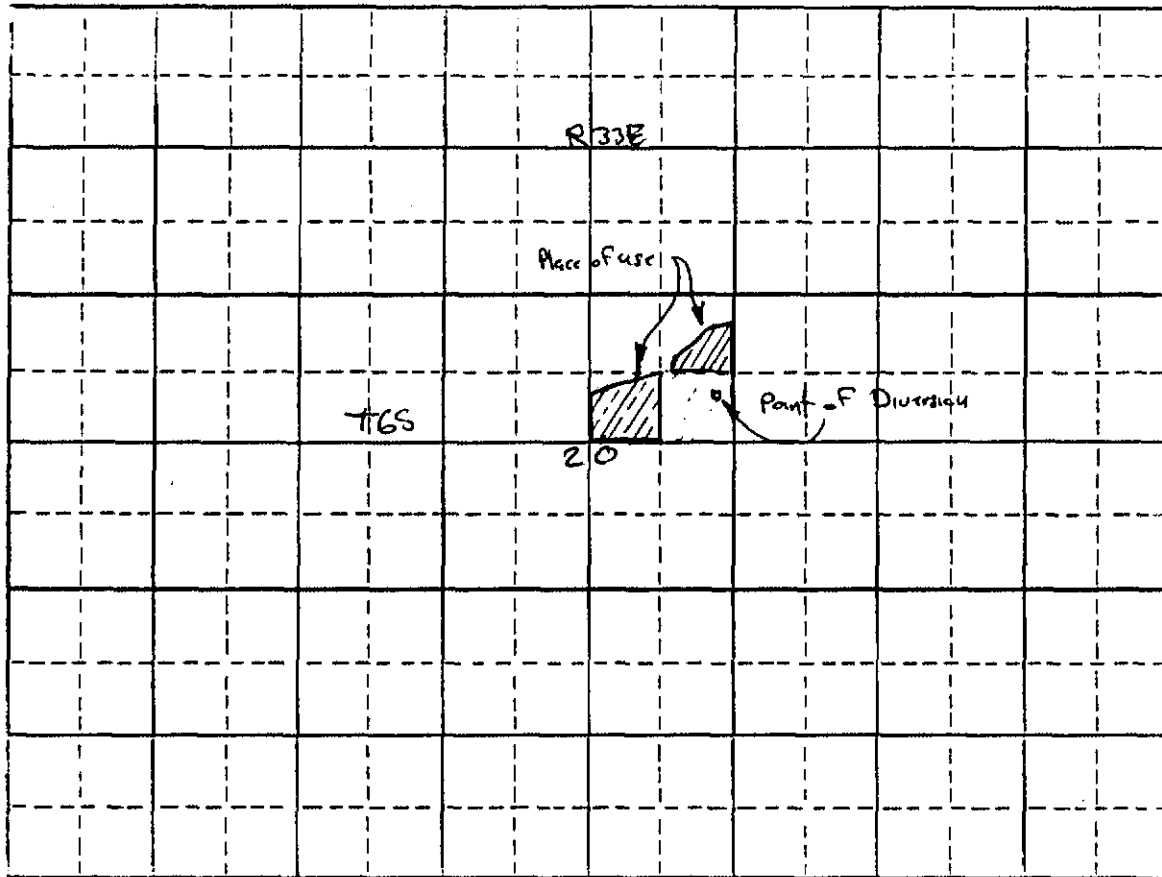
Both permits need to have a PD amendment to SRN/E Sect. 20

~~R17 (29-7586) (1.61 cfs)~~

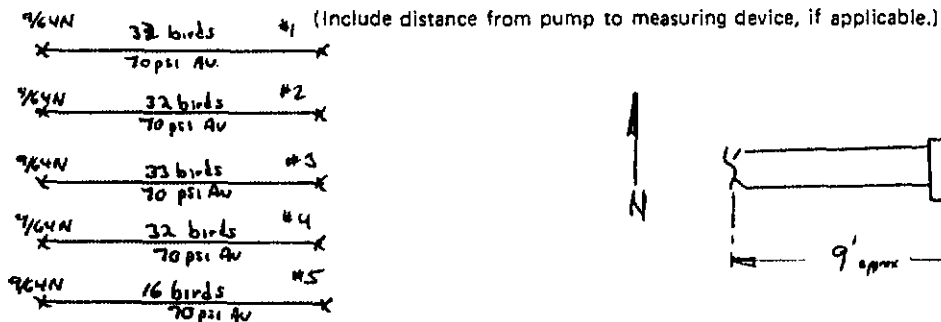
PID overlaps VAX: none - see 29-7586
also being
29-4104 on same ground licensed

UNRECORDED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM



Point(s) of diversion: SE 1/4 of NE 1/4 Section 20 TGS R33E

Place(s) of Use ☒

TWP.	RGE.	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	
GS	33E	20	15		7														22

Recommended Amendments:

- ☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature

Checked by

Approved by

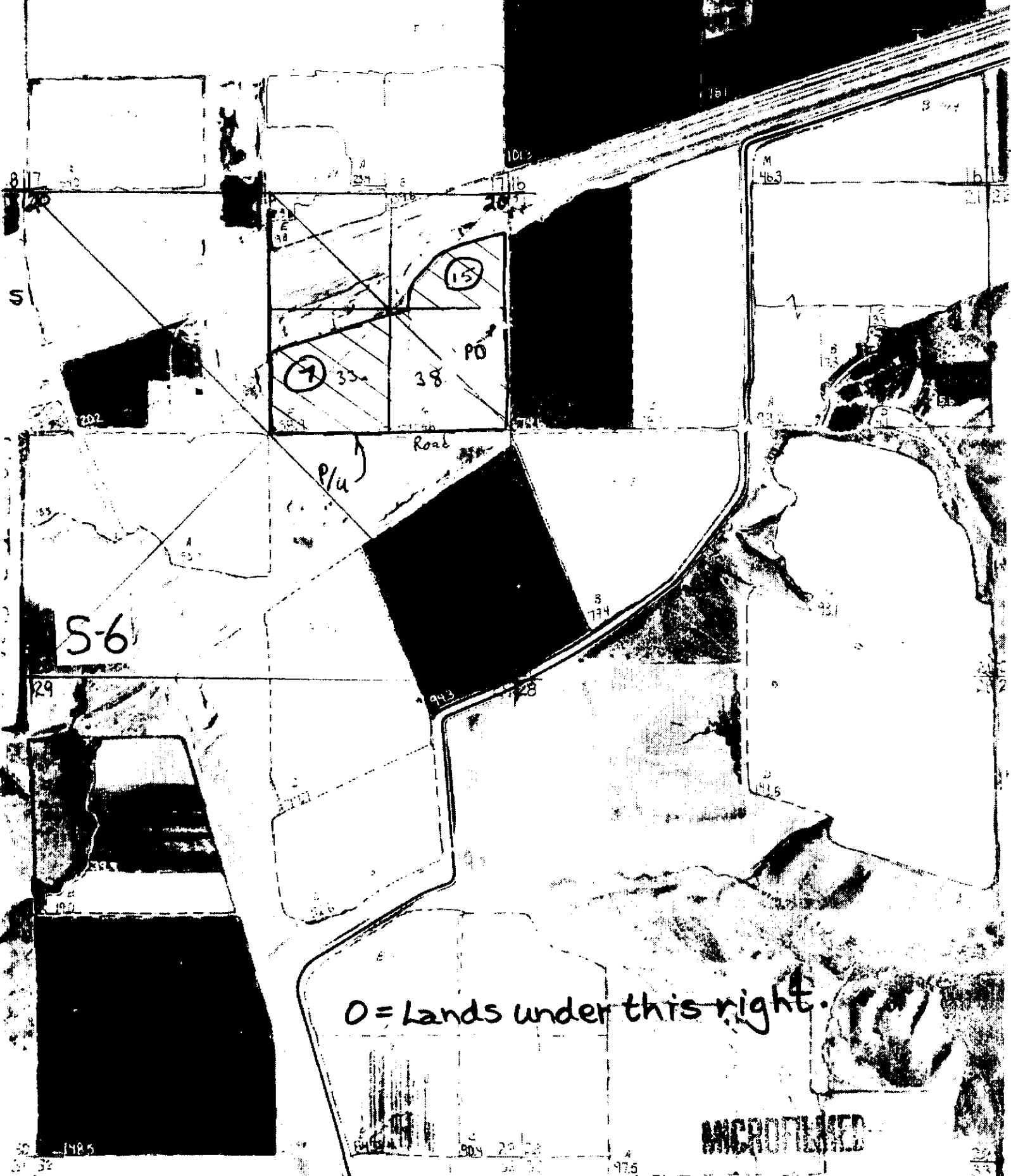
Date 1-07-1983

Date 13 Jan 1984

Date 7-7-86

NOT RECORDED

R 30 E



O = Lands under this right.

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 12, 1999

ED SMITH
2811 MARGO LN
POCATELLO ID 83201

RE: CHANGE IN OWNERSHIP FOR A 29-07403, 29-07480,
29-07586

Dear Mr. Smith:

It has come to our attention that you may have recently purchased a tract of land in Power County. The property to which I am referring was most recently owned by Anton Smith. The legal description is as follows:

T06S R33E S20 NE1/4 NE1/4
T06S R33E S20 NW1/4 NE1/4
T06S R33E S20 SW1/4 NE1/4
T06S R33E S20 SE1/4 NE1/4

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosure(s)