

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

RECEIVED

APR 12 1990

Ident. Number: A29-07586
Date Received: 3/15/1990
Receipt No: M006249
Received By: _____

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ANTON SMITH
Address: 1651 WEST SUNDANCE RD.
POCATELLO, ID

208-232-5731

83202

2. Date of Priority: APR 02, 1981

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	1.200		224.00

7. Total Quantity Appropriated is:
1.200 C.F.S. (and/or) 224.00 A.F.A.

8. Total consumptive use is 224.0 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	SW	NE		IRR	26.0
			SE	NE		IRR	38.0
Section Acres							64.0

A29-07586

Page 1

Date: 03/15/90

MICROFILMED

NOV 13 1992

A2907586

10. Place of Use: Continued

Total Acres 64.0

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
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Ident. Number A29-07586Date Received 3-15-90Receipt Number 4006249

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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, POCA TELLO, IDAHO Zip 83202

2. Date of Priority (Only one (1) per claim) APRIL 2, 1981

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,

_____ 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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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 1.2 or 224

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.2 cfs (cfs) and/or (b) 224 (acre feet)

8. Total consumptive use claimed is 224 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
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
65	33E	20			26	38													64

Total number of acres irrigated 64

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.
_____ or None ()

14. Remarks:

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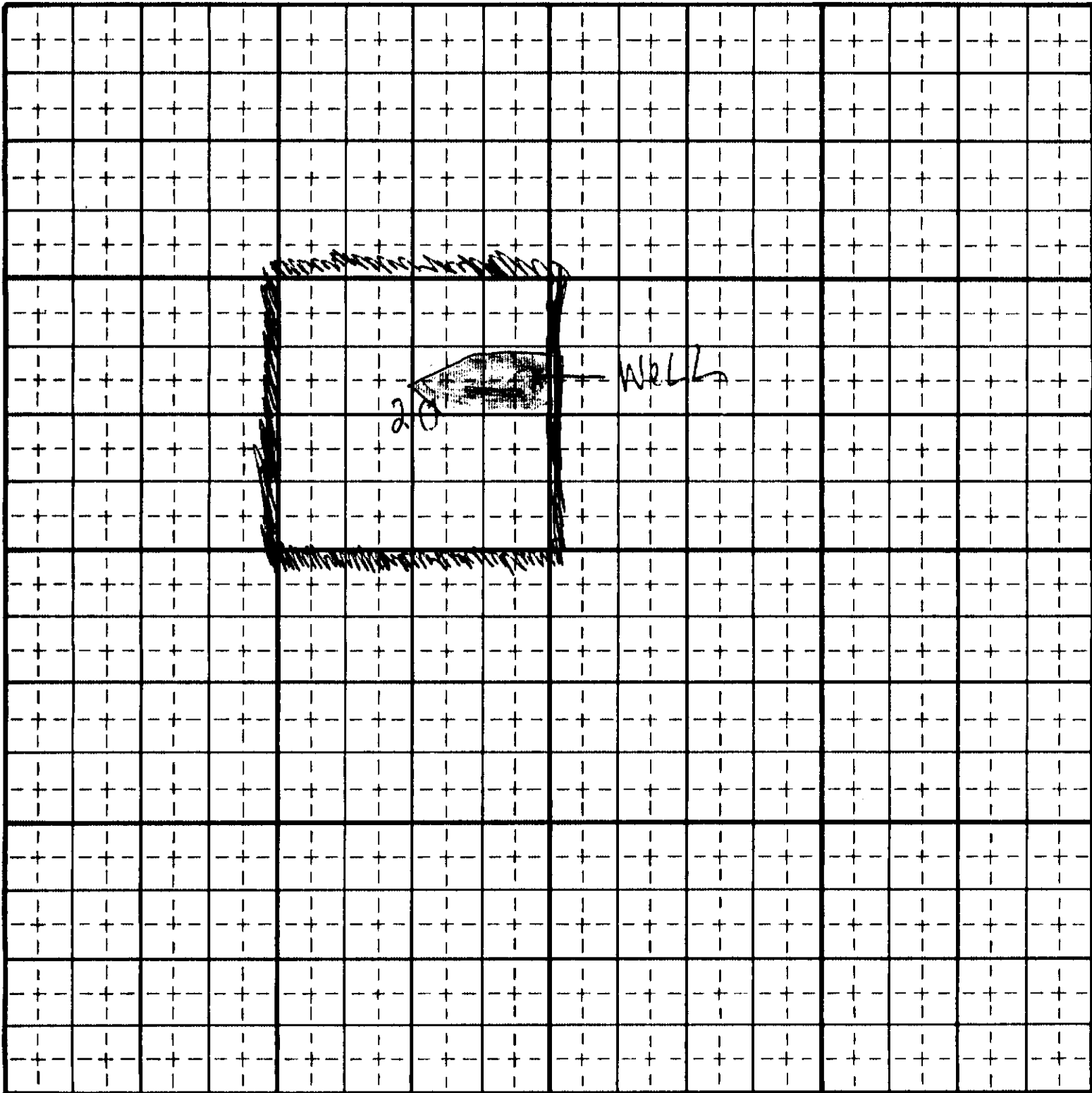
NOV 13 1992

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



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NOV 13 1992

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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

Decree _____

If applicable provide IDWR Water Right Number 29-1586

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

Number of attachments 8

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 19 90

SEAL

Notary Public Brian S. Carver

Residing at Am. Falls, Idaho

My Commission Expires 11/5/91

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 _____

MICROFILMED

NOV 13 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

Log for claim A29-07586

Spatial Dynamics AMH

7/18/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s33e	20	SWNE	26	32	
06s33e	20	SENE	38	40	
Totals:			64	72	

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	04/02/1981	IRRIGATION	03-15 11-15	1.200 CFS	224.00 AFA
					TOTAL DIVERSION:	1.200 CFS 224.00 AFA
					CONSUMPTIVE USE:	224.00 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	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06S	33E	20	:					26		38										:	64.0
																				TOTAL ACRES	64.0

POU County: POWER

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-07480Other Water Rights Listing Overlapping Place(s) of Use:
A29-07480

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

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

Audit: 03/15/90 MOBILE3 07/28/94 THOMPSON 03/29/95 POST-STD

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that Anton Smith
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7586 issued pursuant to Application for Permit dated April 2, 1981,
and has submitted proof to the Department of Water Resources on January 13, 1983,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.61 CFS of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Subject, however, to the condition that no more than 1520 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled, and confirmed for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 224.0 acre feet per year, said waters to be diverted within the SE 1/4 Section 20,
Twp 6S, Rge 33E in the County of Power

[illegible]

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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

Roman C. Young

MICROFILMED

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JUL 30 1986

STATE OF IDAHO

Ident. No. _____

APPLICATION FOR AMENDMENT
Department of Water Resources (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. 29-7586, 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 1.20 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 1.20 cfs or 224.0* 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			26	38													64

Total number of acres to be irrigated = 64

4. Date of priority: April 2, 1981

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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 12.24 P.M., this 29 day of July, 19 86
Anton Smith
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 ✓ Received by sf 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. 29-7586.

Witness my hand this 28TH day of August, 19 86.

Norman C. Young
Acting for the Director

MICROFILMED

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 ground water 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 1.4 cfs for irrigation purposes from April 1 to Nov. 1 (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. 1.4 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Deep well, 16" in diameter,
multi stage pump, electric motor, panel and hand lines

b. Height of storage dam _____ 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 250 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is five 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: _____

APPROVED

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6 S	33E	20			30	40													70

Total number of acres to be irrigated 70

c. Describe any other water rights used for the same purposes as described above. None

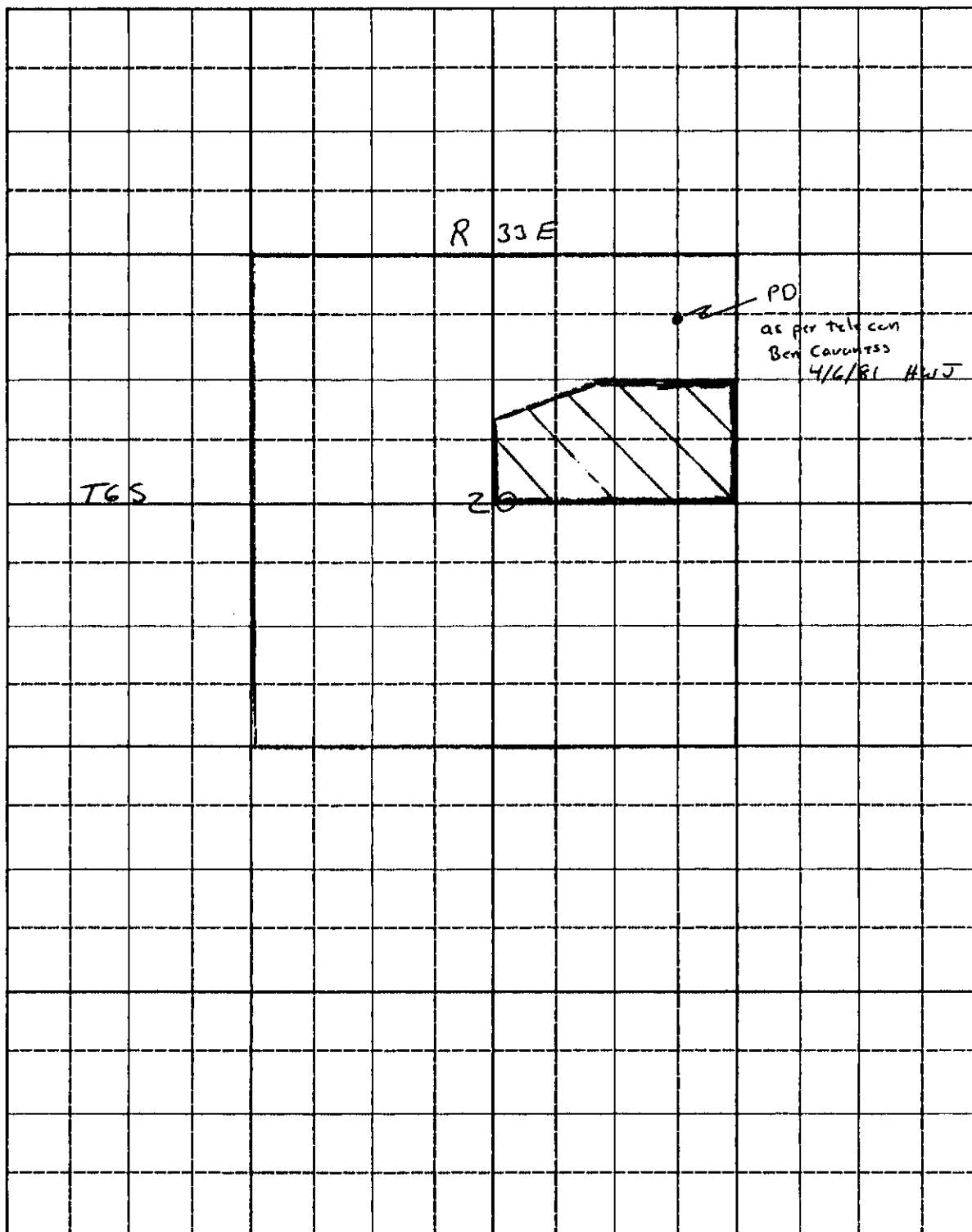
9. a. Who owns the property at the point of diversion applicant

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 _____

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



Scale: 2 inches equal 1 mile.

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.

REGISTERED

Antoine Smith

(Applicant)

Proposed Priority

4/2/81

Received by KW Date 4/2/81 Time 11:05

Preliminary check by HWJ Fee \$ 65.00

Receipted by KW Date 4/8/81 # 17158

Publication prepared by KW Date 4/9/81

Published in Power Co. Press

Publication dates 4/16 & 4/23/81

Publication approved KW Date 4/14/81

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC R

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. 29-7586, 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 May 1, 19 86.
- 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 20th day of May, 19 81.

RECEIVED

L. Glen Saylor
Chief, Operations Bureau

RECEIVED
JAN 20 1984State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

D. of Water Resources

29-7586

Permit No.

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: $V = 64 \text{ acres} \times 3.5 \text{ cfs}$ $= 224 \text{ cfs}$ $V = 1.2 \text{ cfs} \times 1.9835 \times 214 \text{ hrs}$ $= 509.4 \text{ afa}$	Line 1. - $4.96 \text{ gpm} \times 326 = 163.68$ 2. - $4.96 \text{ gpm} \times 326 = 158.72$ 3. - $4.96 \text{ gpm} \times 336 = 163.68$ 4. - $4.96 \text{ gpm} \times 326 = 158.72$ 5. - $4.96 \text{ gpm} \times 16 = 79.36$ <u>1.61 cfs = 724.12 gpm</u>	Total of 86 acres under irrig. from 29-7480 + 29-7586. This is 0.0187 cfs/acre ✓ $64 \text{ acres} \times 0.0187 \text{ cfs}$ 1.20 cfs ✓
--	--	--

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	75	Yaskawa	00763115506	Jacuzzi	108870253	Pitot gauge		

System Description well/pump to mainline and 5 sprinkler lines

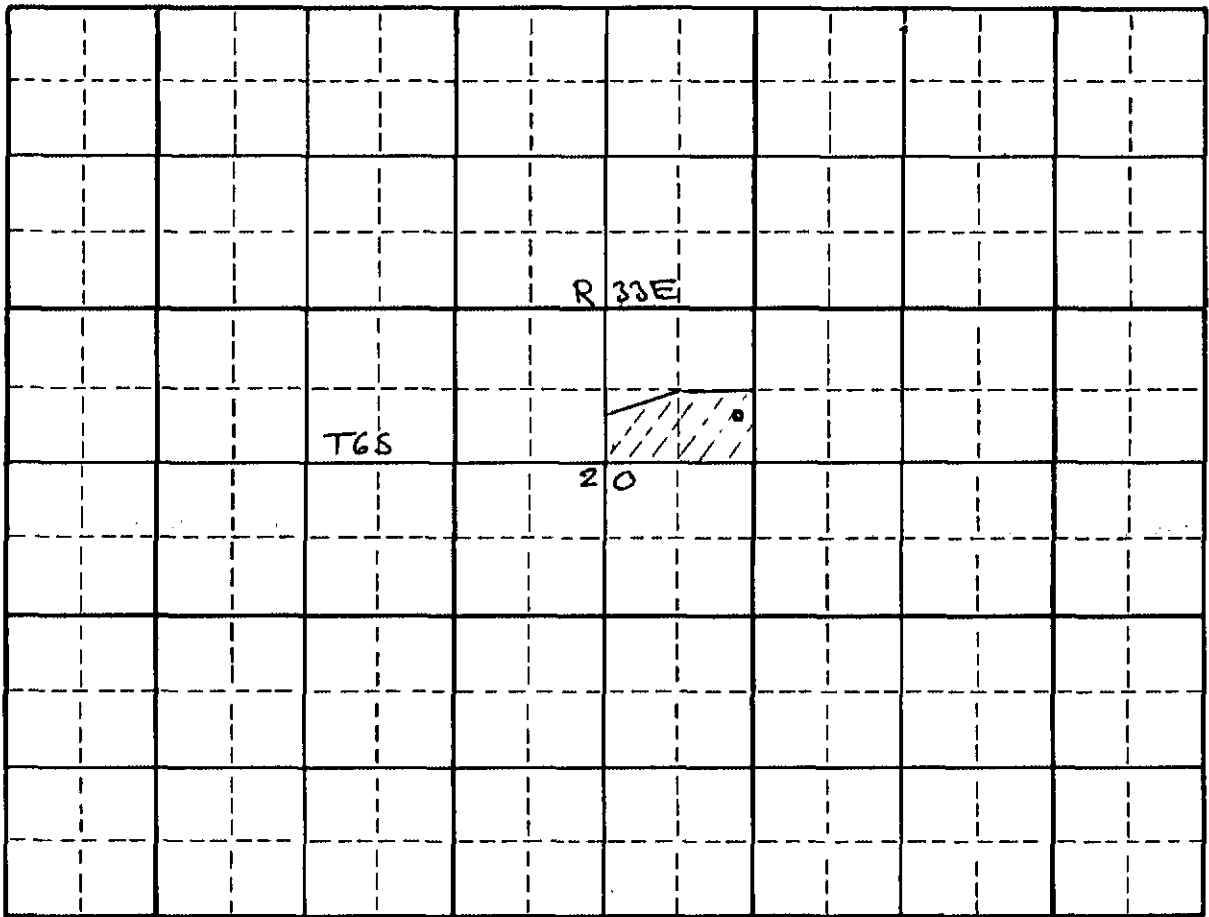
*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Irrigation requirement =	3.5	AFA/Acre
Irrigation	Q (cfs) ✓ 1.20 cfs	V (afa) ✓ 224 afa	FROM TO April 1 - Nov 1 3/15 11/15 per rules & regs.
Total	1.20 cfs ✓	224 afa ✓	

Remarks The grounds for "29-7480 and "29-7586 are being irrigated as one unit from the same well. Both field exams done at same time.Both permits need to have a P.D. amendment to SE/NE Sect. 20A17 (29-7480) (1.61 cfs)**MICROFILMED**29-7104 on same ground
P/D overlap per VAX: none - see 29-7480 also being licensed.

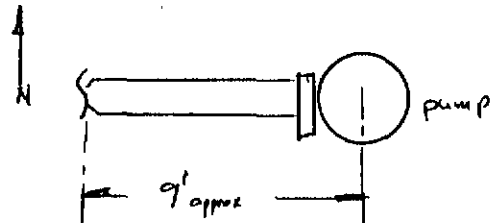
MAP (Attach Aerial Photo)



9/64N 33b #1
70 psi Au.
9/64N 32b #2
70 psi Au.
9/64N 37b #3
70 psi Au.
9/64N 32b #4
70 psi Au.
9/64N 16b #5
70 psi Ave

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



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

Place(s) of Use

TWP.	RGE.	SEC.	NEX				NWX				SWX				SEX				TOTALS
			NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	
6S	33E	20			26	38													64 ✓

Recommended Amendments:

- ☒ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☐ None
☐ Other

MICROFILMED

Examiner's Signature

Checked by

Approved by

W. Jones
Kate Wilson
Ray Walker

Date

Date

Date

1-07-1983

13 Jan 1984

7-7-86

0 = lands covered under
this right



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)