

#2500

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: A29-13107
Date Received: 1/ 6/2000
Receipt No:
Received By: E025564
EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRENT PHILLIPS 208-775-3489
Address: 5250 W OLD HWY 91
POCATELLO ID 83204
OR
Name: ANN MARIE SMITH 208-775-3489
Address: 5250 W OLD HWY 91
POCATELLO ID 83204

2. Date of Priority: JUL 4, 1999

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	23	SE	NE			BANNOCK

5. Description of diverting works:
WELL, PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
1 HOME

A2913107



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	23	SE	NE		DOMEST	
			SE	NE		STOCK	

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

STOCKWATER, 4 TO 8 HORSES
PARCEL NO. R4013039706

15. Basis of Claim: BENEFICIAL USE

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.

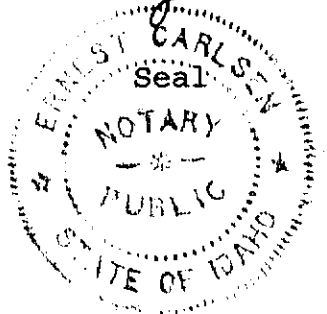
Signature of Claimant(s): Ann Marie Smith Date: 1-06-2000
Brent Pelly Date: 1-16-00

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 6 day

of January 20 00

Ernest Carlson.
Notary Public



Residing at Idaho Falls.

My Commission Expires 6-14-2000.

RECORD OF SURVEY PLAT

A PARCEL OF LAND LOCATED IN THE
S 1/2, NE 1/4, SEC 23,
T 7 S, R 35 E, B. M.

NOTES

- [illegible]

2. All bearings and distances are measured unless otherwise noted.

3. I find no records indicating a breakdown of the NE 1/4 of Sec 23 in the Burdick County Surveyor's office or in private surveyor's offices. Based on my breakdown of Amdt 1/4, previous survey corners approximately but not on the East 1/4, the corner at the intersection of the centerline of the section were found to be slightly off line. I used these previous corners as starting corners in establishing the boundaries shown on this survey.
4. I placed the corner 1/2-inch deep, set by Larry Bailey for the SE corner of section 25, T25N, R25E, corner, since it is not marked on the East line of the section as shown for in the deed.

4. The northeast line of this survey was calculated using the "broken boundary-Grant Boundary" method described in the 1873 BLM Manual of Survey Instructions, Section 5-64. I used this method because the deed description in the adjoining parcel was based on a survey by Terry Bell, but no intermediate corners were shown but during this survey. This method requires the deed calls fit between the found property corners with the least amount of discrepancy.

LEGEND

- ④ found Somerset County Brass Gas Management (SCM)
 - ⑤ found a 1/2-inch dia. ruler with a yellow plastic cap stamped "Terry Bailey 1812"
 - ⑥ found 1/2-inch dia. ruler with no markings; approximately not an answer for the tip of East-Arden Plastic Subdivision
 - ⑦ found original stamp lot number with "X" on top that are shown on plot of Dutch Road Subdivision
 - ⑧ lot 1/2-inch dia. by 24-inch long ruler with a yellow plastic cap stamped "P.E./S. 4440"
 - ⑨ lot 3/8-inch dia. by 30-inch long ruler with a yellow plastic cap stamped "P.E./S. 4440"
- Existing fence lines
- Property lines
- (C) indicates compass bearing/distance
- (R-) indicates bearing/distance from reference monument(s) listed in Note 1.

COUNTY RECORDER

INSTRUMENT No. _____ TIME _____ DATE _____

BOOK _____ PAGE _____ FILE _____

COUNTY RECORDER

RECORD OF SURVEY PLAT FOR JAMES GABRIELSON.
SH. NE 1/4, SEC 23, T 7 S, R 35 E. B.M.

JOB No. 02124		Drawn by		DWG. No. 36
Issued by	DATE 3/2/85	CHKD	BY	
Checked by	DATE	DESIGNED	BY	
PLT SCALE	BY	DATE	BY	

BITHELL ENGINEERING INC.

P.O. BOX 2226
POCATELLO, IDAHO 83205
PHONE: (208) 233-3896

SURVEYOR'S CERTIFICATE

I, JOHN ELLE, LS 4440 IDAHO, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH LAWS, CHAPTER 19, TITLE 55 IDAHO CODE AT THE REQUEST OF JAMES GARNERSON.

INST #735115

SCALE: 1" = 100'

FD 12" DIA RUBBER W/ YELLOW
PLASTIC CAP STAMPE: "TERR"
DAILY 1812" D-56" EAST

NE 1/4 SEC 23 T 7 S R 15 E B.M.

SCALE: 1" = 1000'

② - F.D. BARRICK COUNTY D.C.M.

BLACK AUGUS RANCH
SUB INST #654572

INST 4232371

INST 1409687

P. ARCEL
B

PARCEL
C

PARCEL D

• BASIS OF BEARINGS

N 8800' [among the latitudinal centerline of Section 23, between the second Beaumont County lines and approximately marking the East 1/16 and East 1/4 corners on said centerline. This bearing is identical to that shown on the official plat of Buck Lake Subdivision, recorded as plat #173437 in the Beaumont County Recorder's office.

BLACK - ROCK SUBDIVISION
INST #175137

LOT 13

107 1

LOT 15