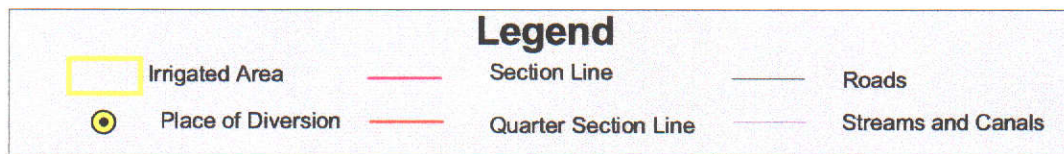


Water Right Claim Number 47-04369
Township , 10S14E

03/21/2001



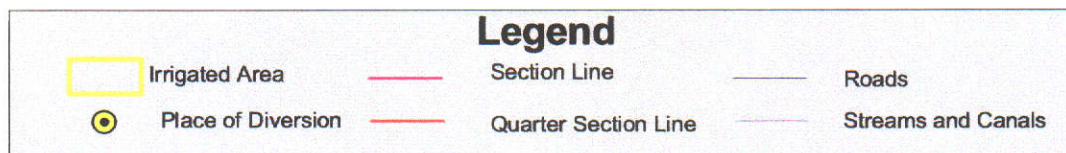
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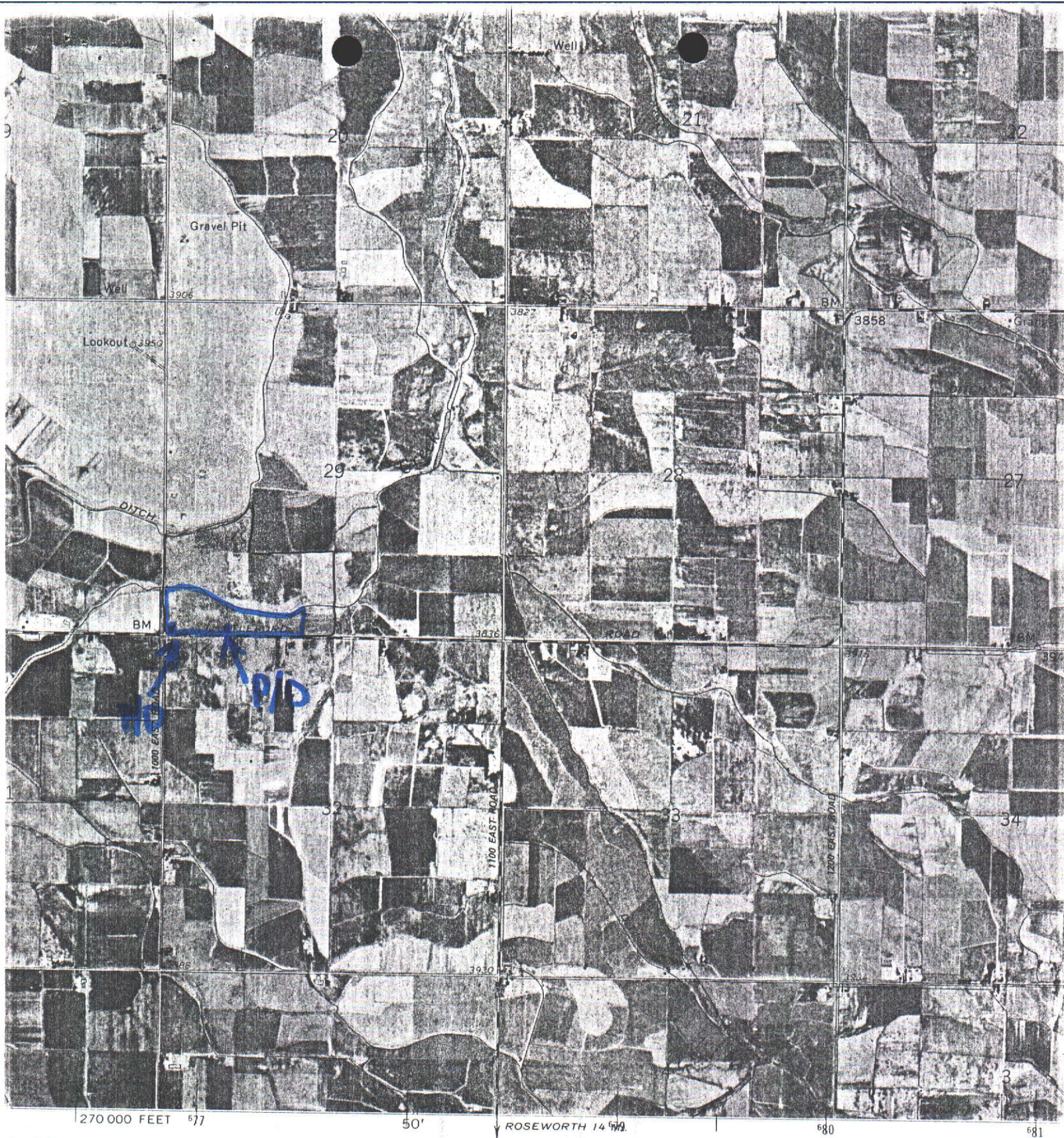


SPATIAL
DYNAMICS

Water Right Claim Number 47-04369
Township , 10S14E

03/21/2001



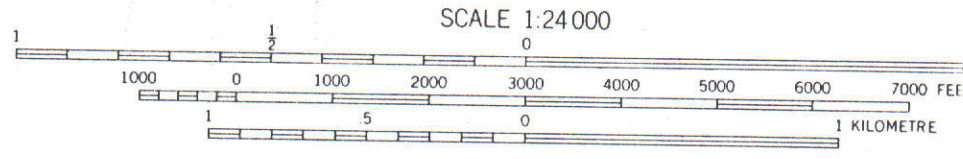
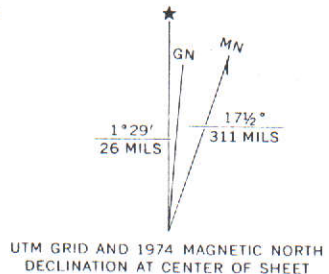


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MICROFILMED
MAR 11 1993

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225. OR RESTON, VIRGINIA

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: A47-04369
Date Received: 1/03/1989
Receipt No: 5005523
Received By: na

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DARRELL G. HENSON 208-733-3170
Address: 2311 ELIZABETH BLVD.
TWIN FALLS, ID 83301

AND/OR

Name: DAVID R. SMITH 208-537-6920
Address: RT. 1 BOX 186
BUHL, ID 83316

2. Date of Priority: JUN 01, 1905

3. Source: WASTE WATER Trib. to: DEEP CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	14E	29	SW	SW	SW		TWIN FALLS
			SE	SW	SW		TWIN FALLS

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/01	2.000		
STOCKWATER	04/15	10/01	0.020		

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

8. Total consumptive use is 72.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/10 CALVES

A47-04369

Page 1

Date: 01/03/89

MICROFILMED

MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	14E	29	SW	SW		IRR	16.0
			SE	SW		STOCK	
			SE	SW		IRR	8.0
Section Acres							24.0
Total Acres							24.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
NONE

14. Remarks:
WASTE WATER FLOWS UNDER THE ROAD AT TWO LOCATIONS INTO THE DITCH.

15. Basis of Claim: STATUTORY CLAIM

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): David R. Smith Date: 1/3/89

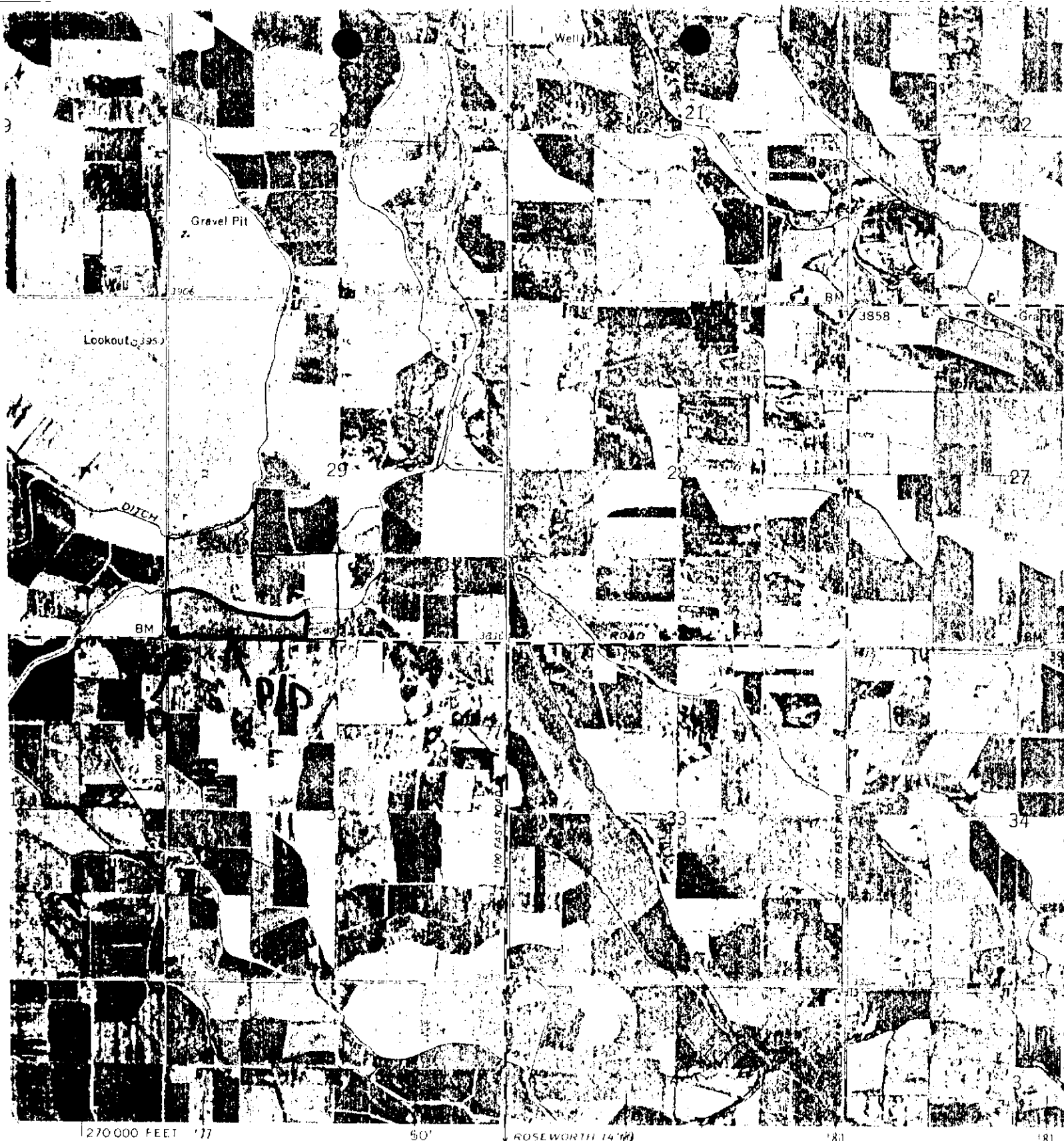
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of Jan. 19 89 David M. Smith
Notary Public

Seal

Residing at Kimberly, ID
My Commission Expires 6/30/94

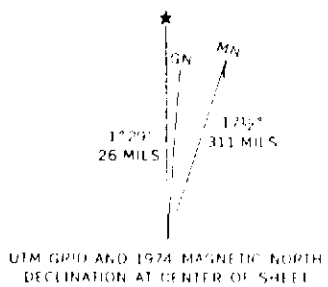


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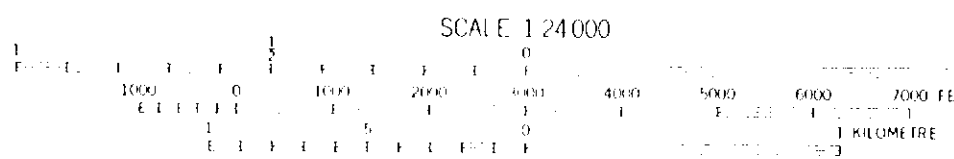
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and to
Snake



UTM GRID AND 1974 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



MICROFILMED
MAR 11 1993

THIS MAP COMPLEIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225 OR RESTON, VIRGINIA



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 28, 1989

David R. Smith
Rt. 1
Buhl, ID 83316

147-04369

RE: SRBA Claim

Dear Claimant:

Please find enclosed your adjudication claim and your check # 8961 for \$ 25.00. We are returning these to give you the opportunity to withdraw the claim as originally filed. Since March 25, 1963 it has been required by law to apply for a water right permit to establish a water use from groundwater for any water use other than that defined as single household domestic (including irrigation of less than 1/2 acre) and/or stockwater (less than 1000 range cattle) using 13,000 gallons per day or less.

Since we can find no record of a permit or license for the use you describe, the Department, in its final report to the court, would be forced to recommend that your claim be rejected.

At this point please consider the following options:

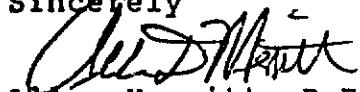
Return the claim as filed understanding that the Department will recommend the claim be rejected. Upon rejection you can pursue litigation.

Record the use now by filing for an application for permit.
(Please contact our office for forms, instructions or assistance)

File modified claim or claims which would properly record your use. For example, if your use is multiple domestic you could file multiple claims each meeting the single family domestic definition. BUT BEFORE RETURNING SUCH CLAIMS PLEASE READ THE ENCLOSED DRAFT TEXT FOR D&S BROCHURE. Due to a recent court ruling you may defer filing such claims.

If you choose to file adjudication claims, you will need to return them with the correct fee within 30 days from the date of this letter or the claims will be considered late and each subject to additional late fees which could be \$50.00 or more. In returning claims please attach a copy of this letter. Please call if you have questions.

Sincerely


Allen Merritt, P.E.
Water Rights Supervisor

Enclosures:

MICROFILMED

MAR 11 1993



DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83401 (208) 736-3033

GOVERNOR PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-04369
DAVID R. SMITH
RT. 1 BOX 186
BUHL

ID 83316

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided by the claimant supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enc.

NOV 28 1996



DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho (208) 736-3033

GOVERNOR PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-04369
DARRELL G. HENSON
2311 ELIZABETH BLVD.
TWIN FALLS ID 83301

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* RESPONSE DEADLINE *
* MARCH 15, 1995 *

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January 10, 1995
page 2

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Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enc.

NOV 28 1996

9/20/94

COMMUNICATION DOCUMENTATION

File No. A47-07054 & A47-04369

This form is to be used to document public record information requests regarding any SRBA claim or other water right. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request.

IDWR Employee/Agent Allen Merritt Date March 4, 1996

Contact person(s) CHARLIE VAUGHN

Nature of Contact INQUIRE ABOUT DRILLING NEW WELL.

Substance of Communication: CHARLIE VAUGHN IS JERRY VAUGHN'S FATHER AND LIVES ON HIS SON'S PLACE. THE LAND HAS TWO WATER RIGHTS. THE CANAL SHARES ARE REPORTED TO HAVE BEEN SOLD OFF APPROXIMATELY 30 YEARS AGO AFTER WELL DEVELOPED. THE ONLY RELIABLE SOURCE OF WATER AT PRESENT IS THE WELL. WASTE WATER HAS REDUCED LAST YEAR WHEN NEIGHBORS TO SOUTH CONVERTED TO SPRINKLER. CHARLIE INQUIRED ABOUT DRILLING ANOTHER WELL UNDER 47-07054 ON SOUTH SIDE OF DEEP CREEK TO FACILITATE IRRIGATION OF ABOUT 12 ACRES AND ALSO TO PROVIDE SUPPLEMENTAL SOURCE OF WATER TO STOCK AT FARMSTEAD. (HE SAID ONLY HAS ONE WELL AND COULD USE AS BACKUP) WE REVIEWED THE RECORDS AND SEEMS TO BE CHANGE OF OWNERSHIP NOT COMPLETED ON 47-04369 AS IT SHOULD HAVE BEEN SPLIT BETWEEN VAUGHN AND SMITH. (SMITH RETAINED APPROX. 8 ACRES IN SESW WITH HENSON SELLING OUT TO VAUGHN). OWNERSHIP WAS CHANGED ON 47-07054 FROM SMITH & HENSON TO VAUGHN BUT QUESTION EXISTS IF IT SHOULD HAVE BEEN SPLIT SINCE VAUGHN DID NOT GET ALL OF LICENSED P/U.

WE ALSO DISCUSSED THE POSSIBLE ASPECT OF FORFEITURE OF PORTION OF WELL WATER FOR LANDS SOUTH OF DEEP CREEK. ALTHOUGH LICENSED MR. VAUGHN INDICATED THAT IT WAS MOSTLY IRRIGATED WITH WASTE WATER BUT HE SAID COULD HAVE ALSO BEEN SERVED VIA PORTABLE PIPELINE FROM WELL PRIOR TO HIM FARMING IT BUT HE SAID HE HASN'T SINCE HE MOVED ON PLACE. HE MAY RUN WATER FROM WELL THIS YEAR TO PROTECT WATER RIGHT AND PROVIDE WATER SINCE LAST YEAR WASTE WATER WAS ALMOST ELIMINATED.

I GAVE HIM TRANSFER APPLICATION AND HE SAID HE WOULD TALK IT OVER WITH SON.

NOV 28 1996

Log for claim 47-04369

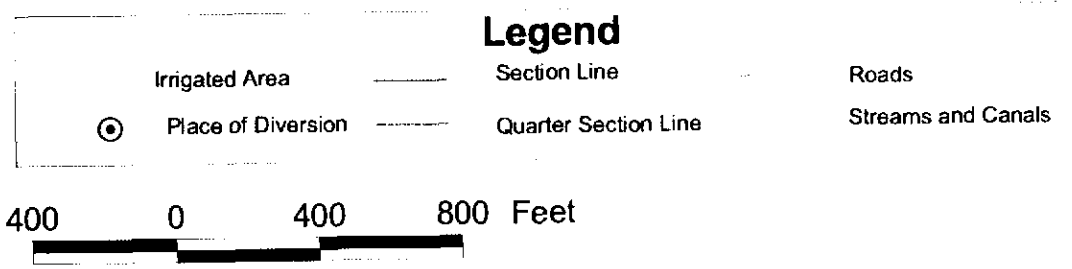
Spatial Dynamics BTD

3/21/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s14e	29	SWSW	16	15	
10s14e	29	SESW	8	10	
Totals:			24	25	

Water Right Claim Number 47-04369
Township , 10S14E

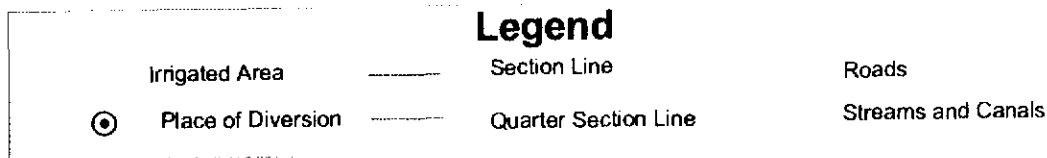
03/21/2001



*SPATIAL
DYNAMICS*

Water Right Claim Number 47-04369
Township , 10S14E

03/21/2001



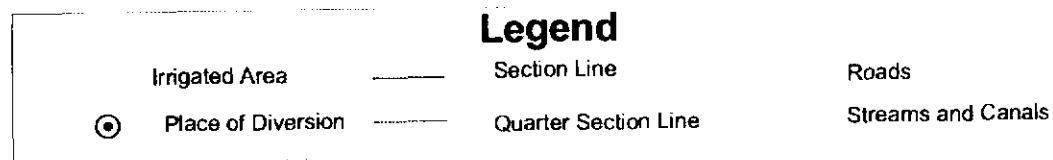
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-04369
Township , 10S14E

03/21/2001



400 0 400 800 Feet

SPATIAL
DYNAMICS

AJ5809NP
No. A47-04369

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/12/01
PAGE: 139

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID R SMITH RT 1 BOX 186 BUHL ID 83316 (208) 537-6920	06/01/1905	IRRIGATION STOCKWATER	04-15 10-01 04-15 10-01	2.000 CFS 0.020 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	2.000 CFS	72.00 AFA
C	DARRELL G HENSON 2311 ELIZABETH BLVD TWIN FALLS ID 83301 (208) 733-3170					

Water Source: WASTE WATER

Tributary to: DEEP CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion: T10S R14E S29 SWSWSW SESWSW TWIN FALLS 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
10S	14E	29	:											16	08					:	24.0
																				TOTAL ACRES	24.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
10S	14E	29	:													S				:	

POU County: TWIN FALLS

Non-Irrigation Uses: S/10 CALVES

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of Use:
A47-07054

Remarks: GEN WASTE WATER FLOWS UNDER THE ROAD AT TWO LOCATIONS INTO THE DITCH.

Dates: Exam Made Date: Verified Date: 03/07/1986 Objection Filed Date:

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

Audit: 01/03/89 MERRITT 03/30/95 POST-STD

MICROFILMED

[illegible][illegible]

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

SS.

1

Wesley H. Hensley
(Claimant)

Notary Public
Residing at Twin Falls, ID

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by 2A Date 4/30/93 claimant by: _____
\$30.00 fee received by 22324 Date 7/16/93 # 27234
Published in Times News
Dates 5/19 & 5/26/93

MACROFILMED

155-B

142-B
B-727

B
8.3

A
7.4

C
7.8

156-B
B-120

G
16.6

H
14.6

I
11.0

291B
B354

E
7.5

276B
B405

F
4.2

G
3.2

153-B
B-86

F
17.3

m
16.4

F
7.0

H
4.5

L
8.3

m
8.1

B
13.9

158-B
B-41P

B
6.8

F
8.1

157-B
B-403

A
34.0

G
8.1

E
37.0

145-B
B-221

B
9.9

C
9.1

E
5.1

D
15.1

E
12.5

F
14.9