

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: A22-02184

Date Received: 8/23/1988

Receipt No: E 90 1765

Received By: DPN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD F. SMITH
Address: P. O. BOX 8
REXBURG, ID

208-356-4912

83440

2. Date of Priority: OCT 03, 1960

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	40E	33	NE	SW			MADISON

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.550		

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

A.F.A.

8. Total consumptive use is 775.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	33	NE	SW		IRR	39.0
			NW	SW		IRR	38.0
			SW	SW		IRR	38.0
			SE	SW		IRR	37.0

A22-02184

Page

1

Date: 08/23/88

A2202184



007 23 888

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	33	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	39.0
			SE	SE		IRR	39.0
						Section Acres	310.0
						Total Acres	310.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

14. Remarks:

SHARED P/D WITH A22-02230, A22-11147, A22-11149.

15. Basis of Claim: LICENSE

Water Right Number: 29064

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): R. B. D. Date: 8/25/88

Date: _____

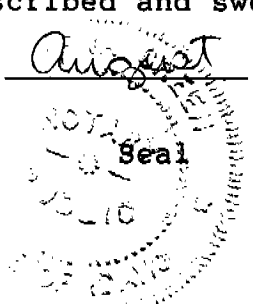
State of Idaho)

County of Benneville) SS.

Subscribed and sworn (or affirmed) before me this 25th day

of August 19 88

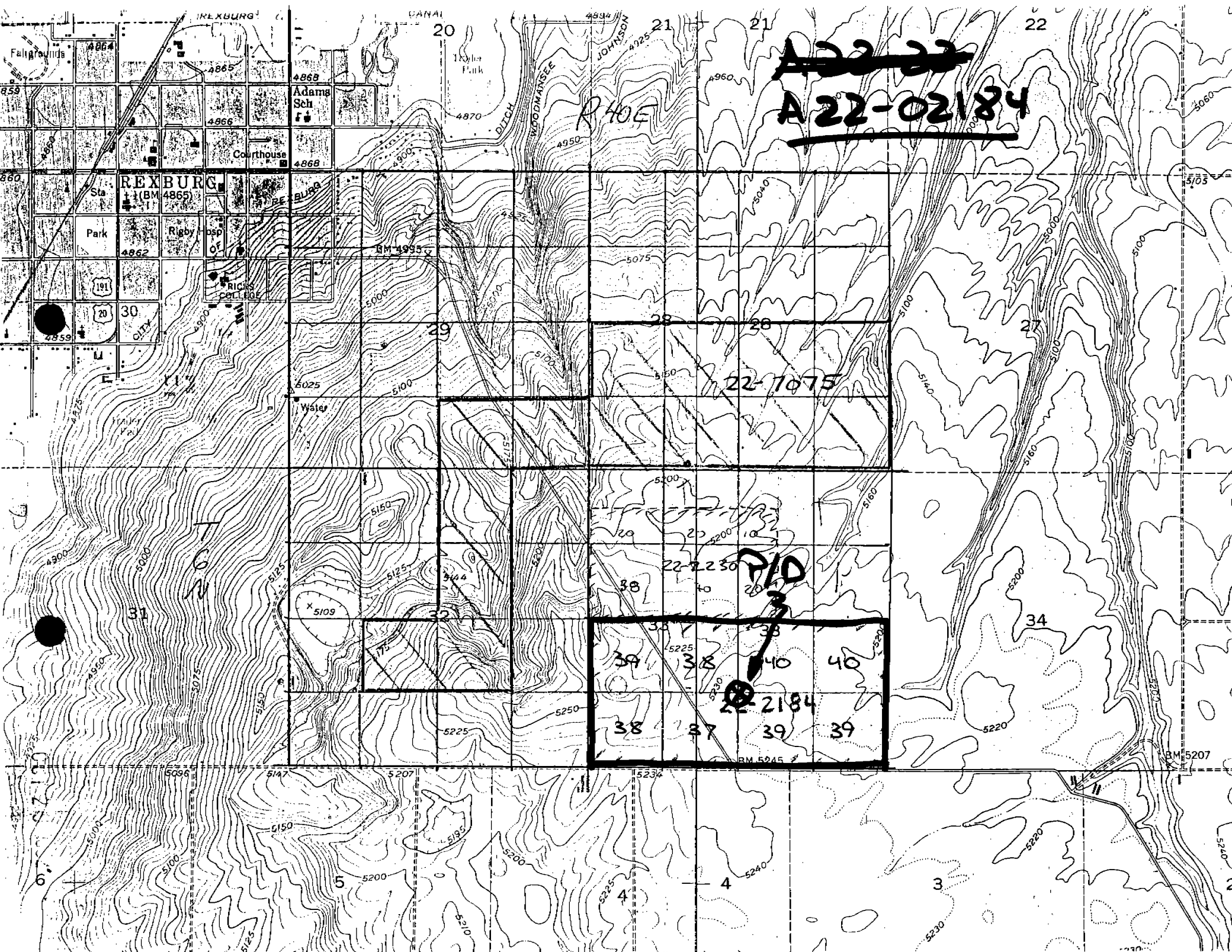
Dana Green
Notary Public



Residing at Ridgely

My Commission Expires 4-22-1994

08/23/88



~~A22-02184~~
A22-02184

R40E

22-1075

P10

22-2230

22-2184

38 39 40 37 38 39

Log for claim 22-02184

Spatial Dynamics LTD

6/26/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06n40e	33	NESW	39	32	
06n40e	33	NWSW	38	39	
06n40e	33	SWSW	38	38	
06n40e	33	SESW	37	36	
06n40e	33	NESE	40	40	
06n40e	33	NWSE	40	40	
06n40e	33	SWSE	39	38	
06n40e	33	SESE	39	38	
Totals:			310	301	

License and Certificate of Water Right

Water License No. G-29064 Priority October 3, 1960 Amount 3.55 c.f.s.

THIS IS TO CERTIFY that

ELDON W. SMITH

of Rexburg, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 3, 1960; that Permit No. G-29064 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 3.55 second feet, was issued thereunder on March 22, 1968, showing that said works were completed on the 20th day of July, 1964; and that on the 20th day of July, 1964

ELDON W. SMITH

of Rexburg, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation, under Use Permit No. G-29064 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record ~~on~~ ~~Volume~~ ~~of License~~ ~~at Page~~ on the 22nd day of March, 1968.

The right hereby confirmed dates from October 3, 1960.

The Point of Diversion is located

in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, Twp. 6 N, R. 40 E, B.M. Madison County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.55 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N.	40 E	33	N $\frac{1}{2}$ SE $\frac{1}{4}$	80	80
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	39
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	39
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	39
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	38
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	38
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	37
			Total acres to be irrigated:		310

The right to the use of the water aforesaid 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 22nd day of March, 1968.

R. Keith Higgins
State Reclamation Engineer.

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29064

22-2184

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37058
Permit No. G- 29064
District No.

1. Name of Applicant: Eldon W. Smith
Postoffice address: Route #2, Rexburg County: Madison State: Idaho
2. Quantity of water claimed: 320 miner inches
 - (a) Rate of withdrawal in cubic feet per second 6.4 or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Well
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 33
Twp. 6 N , Rge. 40 E , B.M., County of Madison
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: Turbine pump & sprinkler irrigation
8. Estimated cost of works: \$48,000.00
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:
 - 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: none
 - (a) (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) 6.4 (cubic feet per second, inches or gallons per minute) is for new lands.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

By _____ Agent.

Returned to applicant for correction:

Corrected application received:

The number of this permit is G— 29064
Recorded in Book 102 Page 29064 Approved October 7, 1960

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 on or before _____

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before April 7, 1963
The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before October 7, 1965

Witness my hand this 7th day of October, 1960

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, 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 7th
day of October, 1960.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE
Governor

12.

Twp.	Range	Sec.	NE¼	NW¼	SW¼	SE¼	Totals
			NE¼NW¼SW¼SE¼	NE¼NW¼SW¼SE¼	NE¼NW¼SW¼SE¼	NE¼NW¼SW¼SE¼	
6 N	40 E	33			X X X	X X X X	320
TO ALL WHOM IT MAY CONCERN:			Permit No. G-29064 CERTIFICATE OF COMPLETION OF WORKS ✓				
This is to certify that ELDON W. SMITH of Rexburg, County of Madison, and State of Idaho, the holder of Permit No. G-29064, issued upon Application No. G-37058, bearing date of priority of October 3, 1960, authorizing the diversion of 6.4 second feet of waters of a well, County of Madison, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.55 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is the NE¼SW¼, Section 33, Township 6 North, Range 40 E., B. M.; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: S½, Section 33, Township 6 North, Range 40 E., B. M. PROOF OF COMPLETION OF WORKS MADE: July 20, 1964 Witness my hand this 22nd day of March, A. D. 1968 s/ R. KEITH HIGGINSON State Reclamation Engineer LICENSE ISSUED FOR 3.55 SEC. FT. LICENSE PAG NO. 29064							

Eldon W. Smith
% Mary Smith
Rexburg, Idaho
Permit No. 0-29064

Examination for Completion of Works & Beneficial Use

County Madison

Sec. 33 T. 6N R. 40 EBM

Quantity: 6.4 cfs

Source: WELL

P.D.: NE 1/4 SW 1/4 Sec 33 T. 6N R. 40 EBM

Use: IRRIGATION

Filed: SEP 2 1960

Due: SEP 2 1960

Extension: _____

Protest: _____

Completion of Works: _____

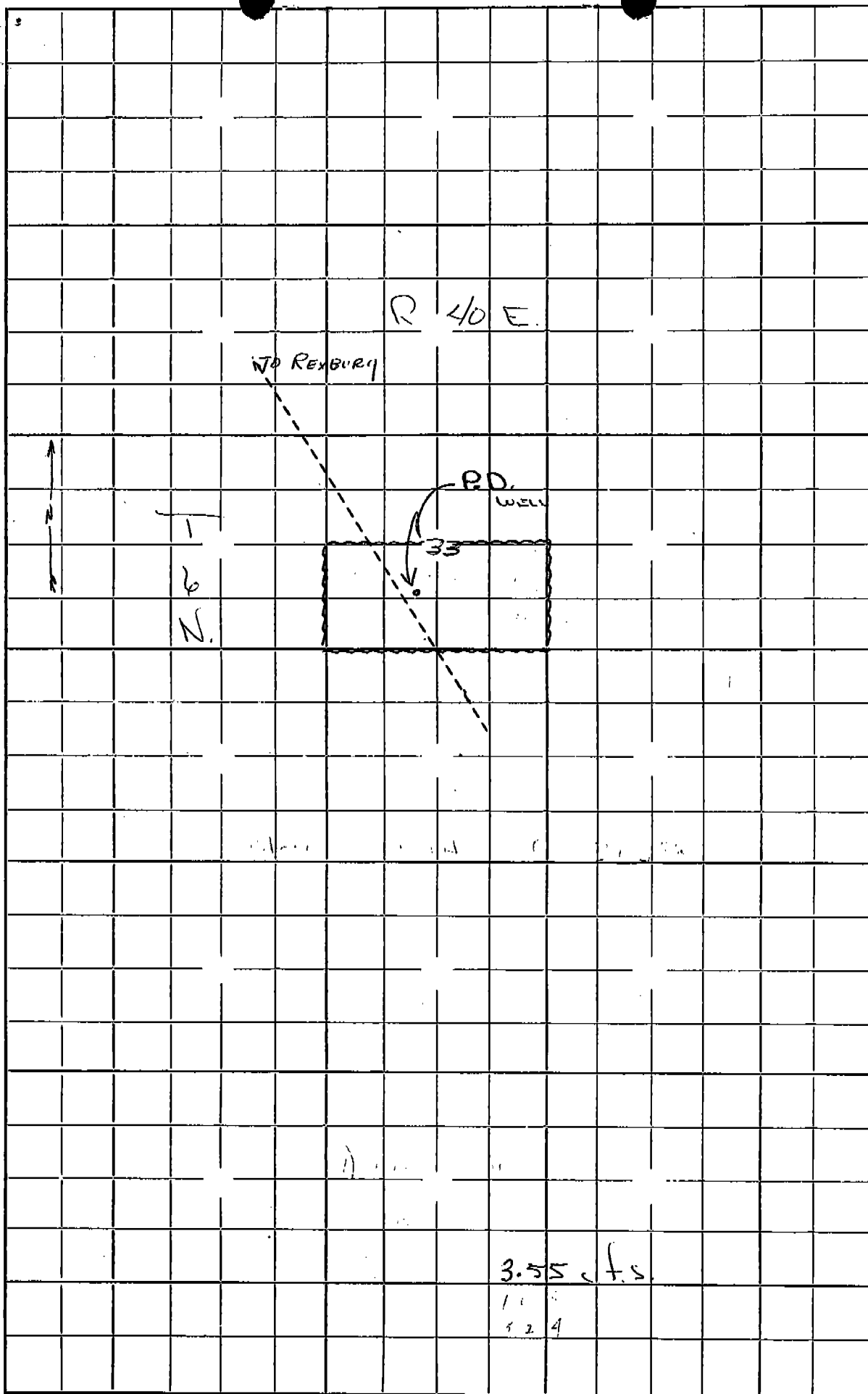
Other Rights: NONE

Made: July 20, 1964
Priority: Oct. 3, 1960

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

29064



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

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STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-29064

REPORT ON PROOF OF Completion of Works & Beneficial Use

Eldon W. Smith, & Mary Smith, Rexburg, Idaho

29064