

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: A22-02230
Date Received: 8/23/1988
Receipt No: 5901765
Received By: DPN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD F. SMITH 208-356-4912
Address: P. O. BOX 8
REXBURG, ID 83440

2. Date of Priority: SEP 18, 1963

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 AND PUMP TO SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.680		

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

8. Total consumptive use is 370.0 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	NW	NE		IRR	10.0
			SW	NE		IRR	20.0
			NE	NW		IRR	20.0
			NW	NW		IRR	20.0

A22-02230

Page 1

Date: 08/23/88



MICROFILMED

OCT 29 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	40E	33	SW	NW	IRR	38.0
			SE	NW	IRR	40.0
					Section Acres	148.0
					Total Acres	148.0

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 A22-11147, A22-11149, A22-02184.

15. Basis of Claim: LICENSE

Water Right Number: 31388

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:

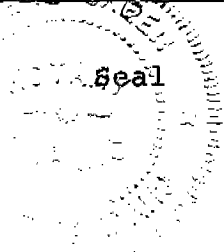
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Ree B. L.* Date: 8/25/88
Date:

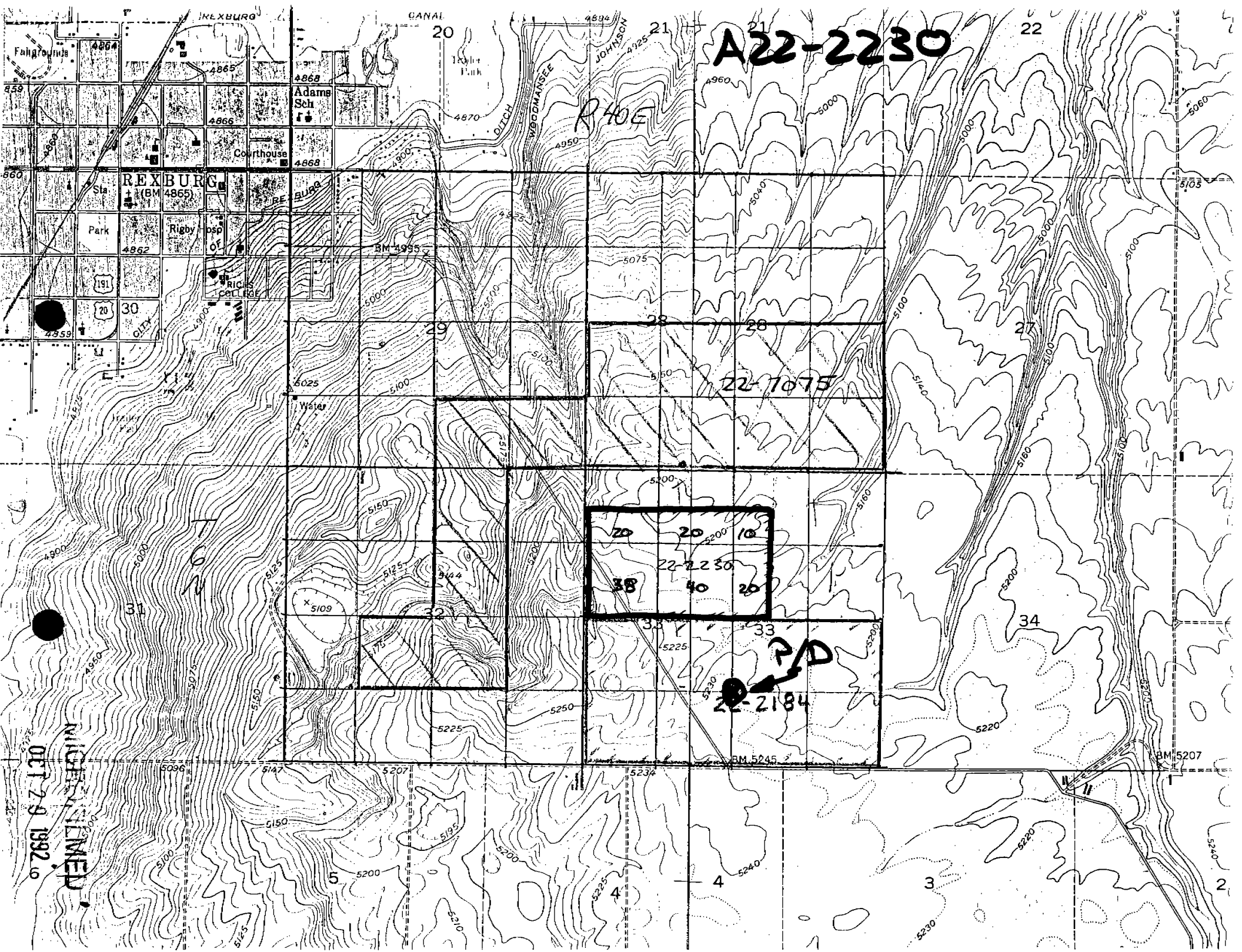
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of August 19 88

Deena Green
Notary Public



Residing at *Reidy*
My Commission Expires 4-22-1994



A22-2230

R40E

22-1075

22-2184

P.D.

20 20 22 2230 38 40 20

MICHIGAN LIME CO
OCT 29 1992

Log for claim 22-02230

Spatial Dynamics LTD

6/27/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06n40e	33	NWNE	10	8.6	
06n40e	33	SWNE	20	19	
06n40e	33	NENW	20	19	
06n40e	33	NWNW	20	19	
06n40e	33	SWNW	38	37	
06n40e	33	SEnw	40	40	
Totals:			148	142.6	

State of Idaho

License and Certificate of Water Right

Water License No. G-31388 Priority September 18, 1963 Amount 1.68 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 September 18, 1963; that Permit No. G-31388 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 1.68 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-31388 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 ~~in~~ Volume ~~of Licenses, at Page~~, on the 22nd day of March, 1968.

The right hereby confirmed dates from September 18, 1963.
The Point of Diversion is located

in the NE 1/4 SW 1/4, Sec. 33, Twp. 6N, 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 1.68 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	NW $\frac{1}{4}$ NE $\frac{1}{4}$	10	10
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	20	20
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	20	20
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	20	20
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	38
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			Total acres to be irrigated:		

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.

28 2200

G 31388

APPLICATION FOR PERMIT *22-22*

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 39494
Permit No. G- 31388
District No.

1. Name of Applicant: Eldon W. Smith
c/o Mary Smith
Postoffice address: Rexburg County: Madison State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 3.0 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: Pump and sprinkler system
8. Estimated cost of works: \$ 5,000
9. (a) Is reservoir to be used?
(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 five 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 onhand: \$
(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) (cubic feet per second, inches or gallons per minute) is for new lands.

Twp.	Range	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	
6 N	40 E	33	10 20	20 20 40 40)))			150
TO ALL WHOM IT MAY CONCERN:			Permit No. G-31388 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 No. G-31388, issued upon Application No. G-39494, bearing date of priority of September 18, 1963, authorizing the of 3.0 second feet of waters of a well, County of Madison, State of Idaho for irrigation purposes, has fully complied the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use second feet of the water of a well from subterranean flow; that the point of diversion of said waters is NE 1/4 SW 1/4, S 33, Township 6 N., 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: W 1/2 NE 1/4, NW 1/4, Section 33, Township 6 North, Range 40 E., B. M. 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 <u>1.68</u> SEC. FT. LICENSE PAG. NO. <u>31388</u>.							

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-31388This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Eldon W. Smith
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the NE 1/4 of Section 33
T. 6 N R. 40 E. B.M. County of Madison
4. Describe works as they exist, giving dimensions and capacities of same: 120 HP US C.I.C. MOTOR # 1280578
PERLESS VERT PUMP # 201228
10" DISCHARGE TO CHECK VALVE - 10" PATE
VALVES ON C & S LINE - UNDER GROUND
LINE
5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion: YES
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

30 acres in NE 1/4, NW 1/4 Sec. 33, Twp. 6 N., Rge. 40 E.B.M.
120 acres
Total of 150 acres.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks:

1. 10" line L-1 - R.P. NTRAL 200 1/2" @ 52 lbs
Q = (163 NO2) (5.08) = 5.23 cfs
148 gpm
ALLOW .572 / 1000 / ACRE
PERMITS G-31388
G-11664
See G-29164 same system

This examination was made on the 30th day of Aug, 1957(Signed) D.R.

Examiner.

G31388Adv OK
DW
Plat

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.

5/10/40 11:38 AM
Eldon W. Smith
Mary Smith
60 Rexburg, Idaho
Permit No. C-31388

Examination for Completion of Works & Beneficial Use

County Madison
Quantity 3.0 cfs.
Sec. 33 T. 6N R. 40 E BM

Source WELL
P. D.: NE 1/4 of SW 1/4 Sec. 33 T. 6N R. 40 E
Use: Irrigation

Filed: September 18, 1963

Due: September 20, 1968

Extension: _____

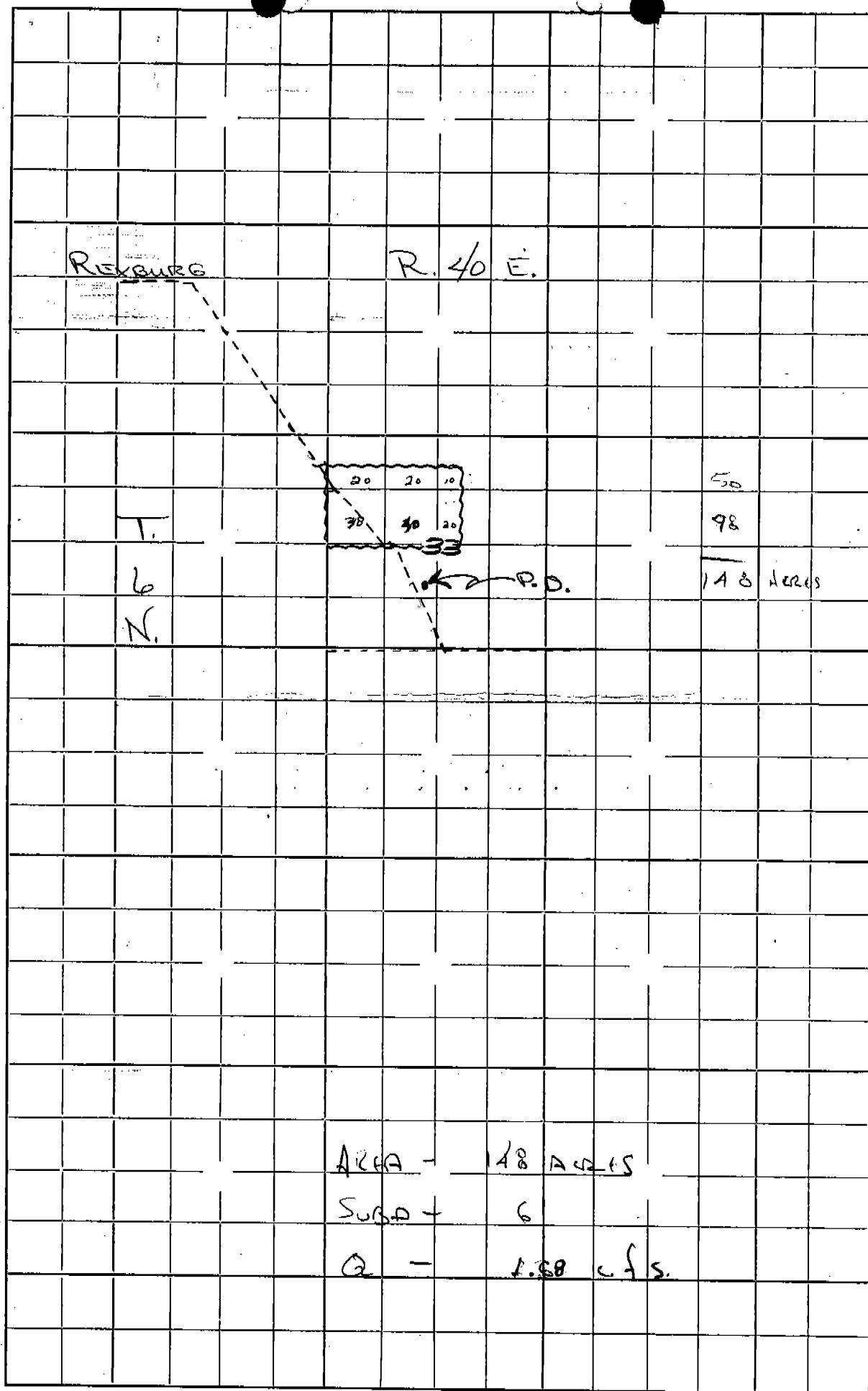
Protest: _____

Completion of Works: _____

Other Rights: NONE
Made: July 29, 1964
Priority: Sept. 18, 1963

320 Raw man @ 60 lbs. RUC

B 31388



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

B31388

20964

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-31388

REPORT ON PROOF OF Completion of Works & Beneficial Use

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

8/30/67

D 31388

32/334

33

3334

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

1032

43	
910	

$$\begin{array}{r} 32 \\ \hline 401 \end{array}$$

401

... ..

778

14

931388