

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: A22-02270
Date Received: 7/25/1988
Receipt No: E000876
Received By: KCW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ERVIN B. SMITH 208-356-8315
Address: 4371 SOUTH 5500 WEST 83440
REXBURG, ID
OR
Name: JOYCE B. SMITH 208-356-8315
Address: 4371 SOUTH 5500 WEST 83440
REXBURG, ID



2. Date of Priority: MAR 29, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	39E	17	SE	SE			MADISON

5. Description of diverting works:
WELL PUMP MAINLINE WITH OPEN DISCHARGE FOR FLOOD IRRIGAION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.330		

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

8. Total consumptive use is 70.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	17	SE	SE		IRR	28.0
Section Acres							28.0
Total Acres							28.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 32859

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: _____

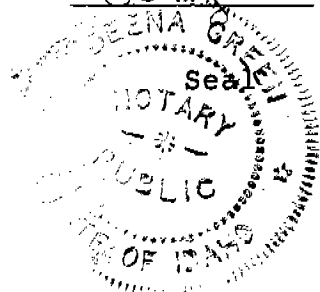
For Individuals:

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

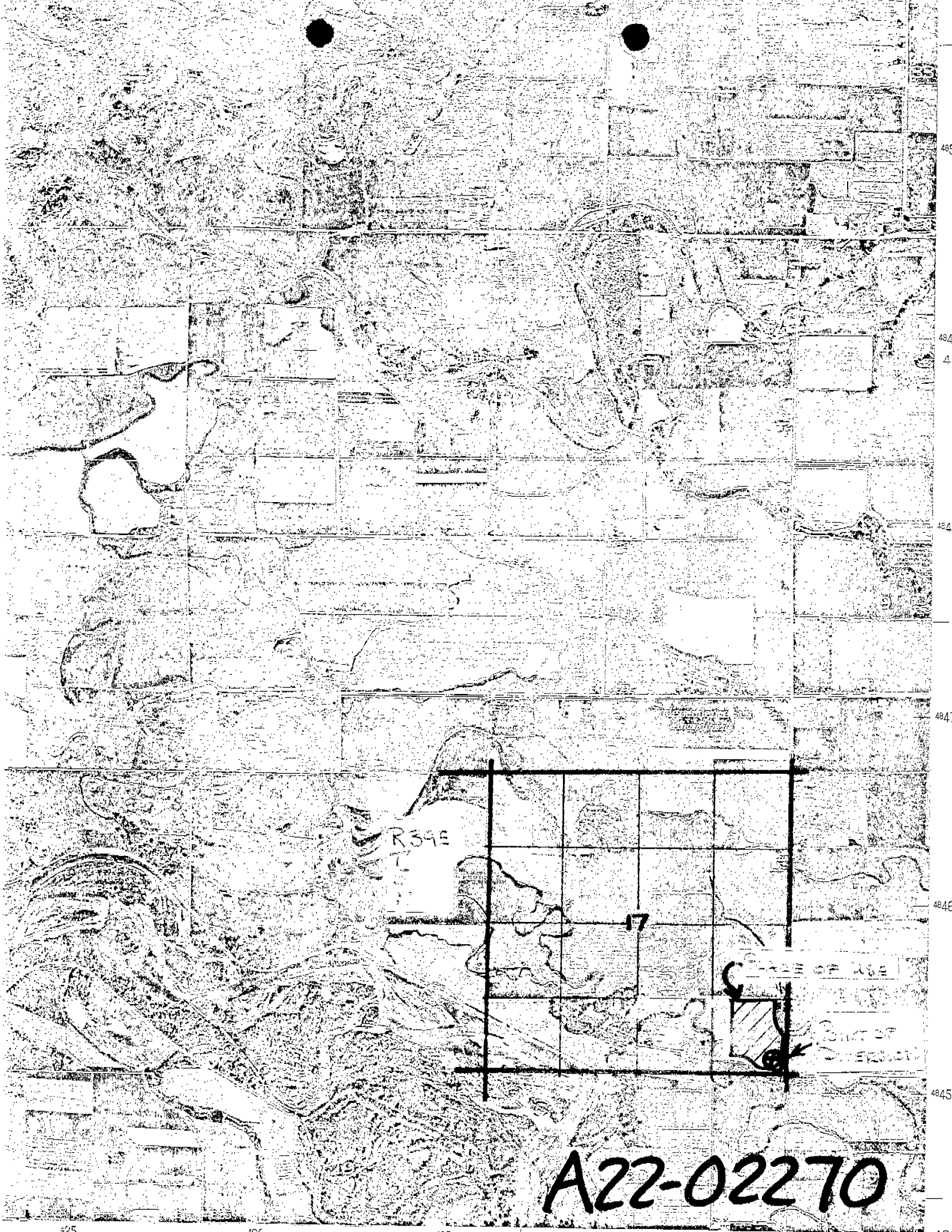
Signature of Claimant(s): Joyce Smith Date: 7-25-88
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of July 19 88 Deena Green
Notary Public



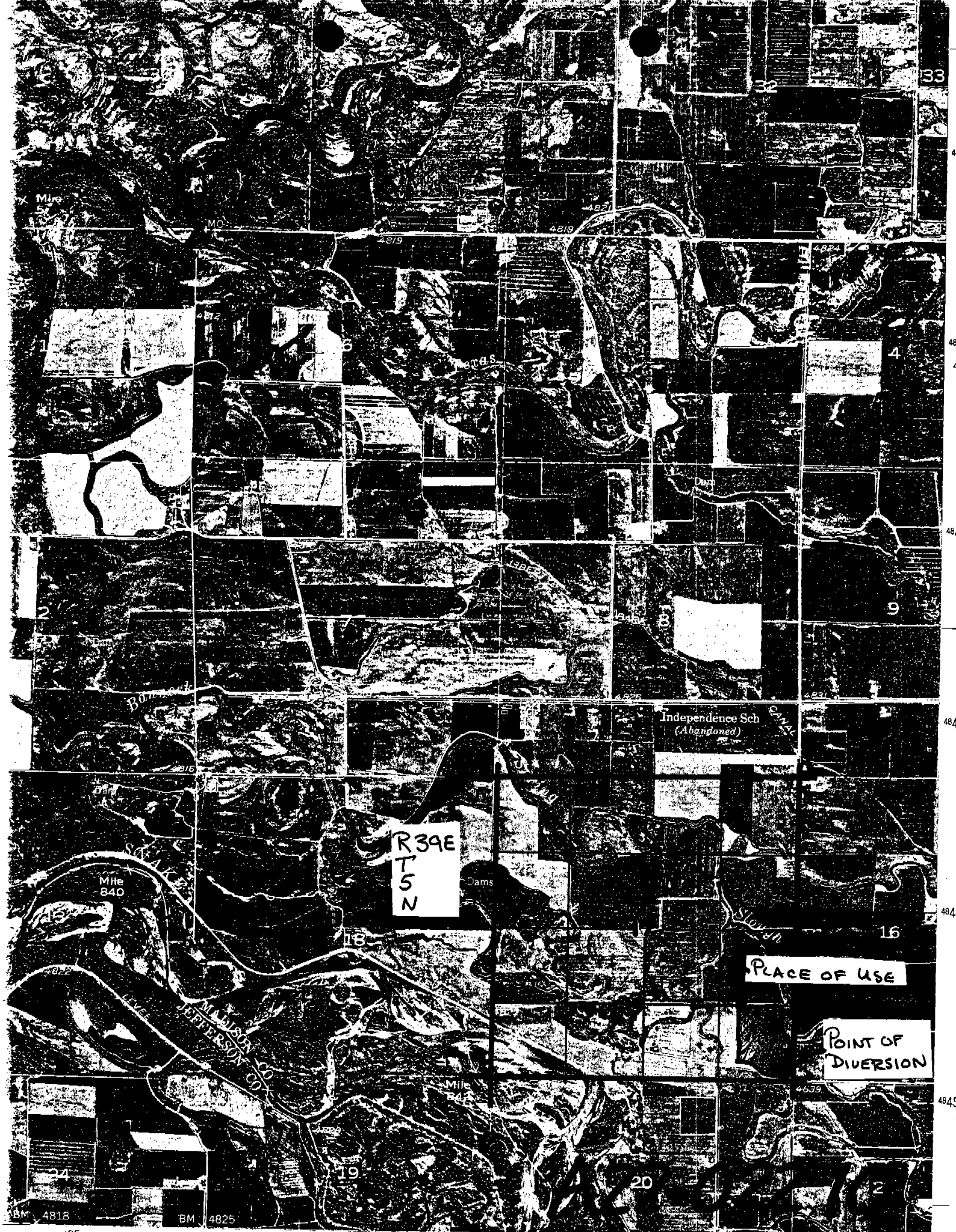
Residing at Rigby
My Commission Expires 4-22-1994



R39E

17

A22-02270



R39E
T5N

Independence Sch
(Abandoned)

PLACE OF USE

POINT OF
DIVERSION

Mile
840

BM 4825

427

428

42900m F

43°

Log for claim 22-02270

Spatial Dynamics LTD

6/29/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05n39e	17	SESE	28	23	
Totals:			28	23	

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32859/22-2270 Priority March 29, 1966 Amount 3.33 cfs
(late proof)

THIS IS TO CERTIFY, that ERVIN B. SMITH
of Rexburg, Idaho, has complied with the terms and conditions of Permit
No. 32859/22-2270 issued pursuant to Application for Permit dated March 28, 1966
and has submitted proof to the Department of Water Administration on May 4, 1971
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 3.33 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source

tributary of _____, is hereby confirmed in the following amounts:

Amount 3.33 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 3.33 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17, Twp. 5 N, Rge. 39 E, B. M.

in the county of Madison; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 140 acre feet per year or _____
5.0 acre feet per acre.

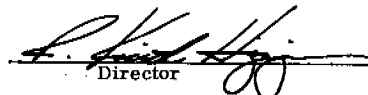
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 N	39 E	17																28	28

Total number of acres irrigated 28

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10 day of
April, 1972.


Director

22 2270

22-

% Mary Smith, Attorney
Rexburg, Idaho 83440

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41030
Permit No. G- 32859
District No.

1. Name of Applicant: ERVIN B. SMITH
Postoffice address: Rexburg County: Madison State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 6.0 or Idaho not to exceed 150 acre feet per
Miners' inches or gallons per minute annum.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SE 1/4 of the SE 1/4 of Section 17
Twp. 5 N , Rge. 39 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 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: well, pump, and ditches for flood irrigation.
8. Estimated cost of works: \$ 15,000.00
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
years. Five
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) 6.0 (cubic feet per second, inches or gallons per minute) is for new lands.

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.

Applicant.

Agent.

Corrected application received: April 25, 1966 9:00 A.M.

Twp.	Range	Sec.	NE¼	NW¼	SW¼	SE¼	Totals
			NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	
5N	39 E	17				30	30

LICENSE ISSUED FOR 3.33 SEC. FT.
LICENSE PAGE NO. _____

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Ervin B. Smith
Post office address Rexburg, Idaho Phone _____
Person to contact _____ Phone _____
2. Source of water supply: Groundwater ☒ Surface water ☐ Subterranean
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 6.0 c.f.s. for Irrigation
AF/Annum (nature of use)

Period of Use: from May 15 to November 1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 6.0 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 5 N N/S, Range 39 E E/W, B.M., Section 17, Subdivision SE 1/4 SE 1/4, Madison
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

Township _____ N/S. Range _____ E/W. B.M. Section _____ Subdivision _____ 1/4 _____ 1/4 _____

Other Points of Diversions: _____

Description of diverting works: Well, pump, and ditches. Pump size 12½" x 10"; discharge head, 25' of 10" col. 1½ x 1" tube and shaft - 1 stage 101s bowl 6-3/16" dia. with 10" basket strainer. Power source gear head 1:3 ratio for 1800 rpm on pump shaft for 200' water. 20" casing 33" total depth.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

22 2270

TOTAL ACREAGE

30

P. 39 E.

T.
5
N.

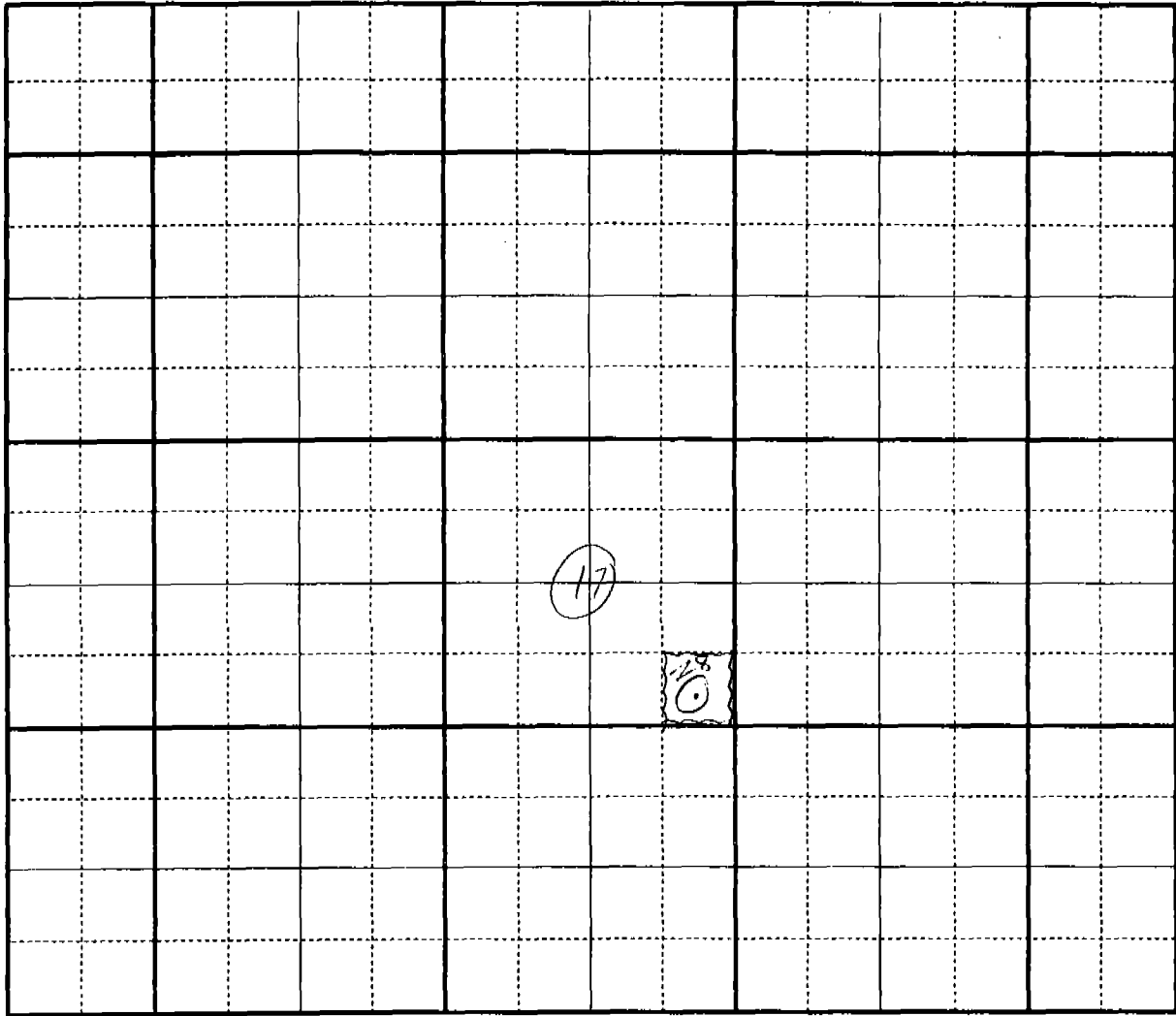
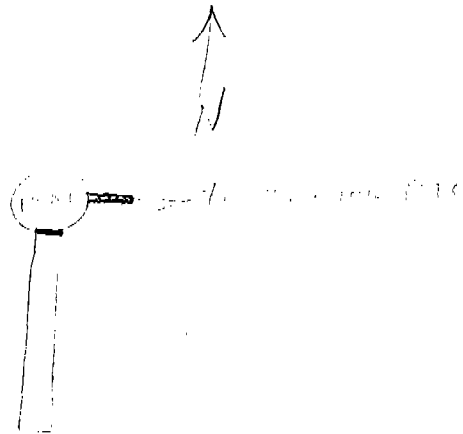


Diagram of System



0000000000

DATE OF EXAM July 29-11

ACREAGE

Found 28

Recommended 28

Irrigation Requirement 3.5 Ac Ft/Ac

USE

Irrigation Q = 5.6 c.f.s. V = 98 AF/Ann. from April to Nov. 1

Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Exchange? yes _____ no ✓

Name source exchanged with: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of injection: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of exchange: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Total Q measured 3.33 cfs Method of measurement meter

Total Q recommended 5.6 Meter No. 6712174 Type _____ Condition _____

Total V recommended 98 AF/Ann

Recommended Amendments:

P.D. _____

Place of Use _____

Other _____

None

MEASUREMENT CALCULATION:

METER - 3.33 cfs or 1500 GPM

SYSTEM DESCRIPTION:

REMARKS:

Examiner's Signature [Signature] Date July 29-11

Checked by _____ Date _____

Approved by _____ Date _____