

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: A22-02297
Date Received: 8/08/1988
Receipt No: E001124
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON SMITH & SONS INC.
Address: 2082 WEST 5200 SOUTH
REXBURG, ID

208-356-3510

83440

2. Date of Priority: SEP 20, 1960

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	40E	20		NW	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	1.520		

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

A.F.A.

8. Total consumptive use is 282.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	40E	19	NE	SE		IRR	33.0

Section Acres 33.0

A22-02297

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1

Date: 08/08/88

A2202297



OCT 20 1988

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	20	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
						Section Acres	80.0
						Total Acres	113.0

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: 29035

OCT 20 1988

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 Organizations:

I do solemnly swear or affirm that I am Sec Treas of _____
Title

Don Smith & Sons Inc., that I have signed the foregoing
Organization

document in the space below as Sec Treas of _____
Title

Don Smith & Sons Inc. and that the statements contained in the
Organization
foregoing document are true and correct.

Blaine Smith
Signature of Authorized Agent

Sec Don Smith & Sons Inc.
Title and Organization

8-8-88
Date

State of Idaho)
County of Bonnerille) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of August 19 88

Deena Green
Notary Public

Seal

Residing at Rigby
My Commission Expires 4-22-1994

OCT 26 1988

Log for claim 22-02297

Spatial Dynamics LTD

6/29/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05n40e	19	NESE	33	33	
05n40e	20	NESW	40	38	
05n40e	20	NWSW	40	40	
Totals:			113	111	

6/12/2003

This claimant should file for
an enlargement for additional
Acres. Permit 22-7563 covers
another 133Ac and that isn't
enough for the entire DOW in
1987.

DAVE CARLSON

State of Idaho
License and Certificate of Water Right

Water License No. G-29035

Amount 1.52 c.f.s.

Water District No. _____

Priority September 20, 1960

THIS IS TO CERTIFY that DON SMITH
of Thornton, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 20, 1960; that Permit No. G-29035
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.52 second feet, was issued thereunder on January 11, 1963, showing that said works
were completed on the 15th day of January, 1962; and that on the 15th
day of January, 1962,

DON SMITH

of Thornton, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-29035 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
12 of Licenses at page 7545, on the 11th day of January, 1963;
The right hereby confirmed dates from September 20, 1960;

The Point of Diversion is located
in the NW 1/4 SW 1/4, Sec. 20, Tp. 5 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 1.52 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	40 E.	19 20	NE 1/4 SE 1/4	40	33
			NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			Total number of acres to be irrigated:		113

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
11th day of January, 1963.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

25-2132
22-2297

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37027
Permit No. G- 29035
District No.

1. Name of Applicant: Don Smith

Postoffice address: Thornton

County: Madison

State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second 2.4 or Idaho
Miners' inches 120 or gallons per minute

(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 NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 20
Twp. 5 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: Deep well pump, electric motor, main and lateral pipes

8. Estimated cost of works: \$15,000.00

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:

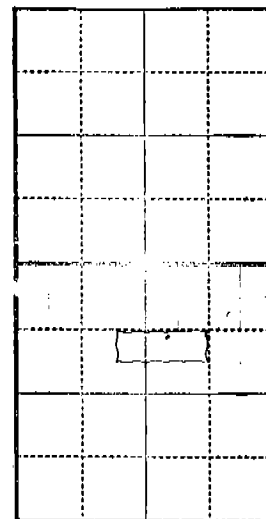
(d) Other resources:

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) 2.4 (cubic feet per second, inches or gallons per minute) is for new lands.



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

Permit No. G-29035

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant Don Smith2. Source of water supply: Subterranean3. Location of point of diversion: Is in the NW 1/4 SW 1/4 of Section 20T. 5 N. R. 40 E.B.M. County of Madison

4. Describe works as they exist, giving dimensions and capacities of same: 75 HP. U.S. Hoist shaft.
Motor #1240817, Johnston Pump # JS 1319, Column 285' x 8"
Well - 4.14' x 20" reduced to 16" Pumping at 265', 1320' x 8"
Portable aluminum Main line - (50' Main line Pressure at pump.)

5. Water is used for: irrigation6. 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):

NE 1/4 SE 1/4, Sec. 19., N 1/2 SW 1/4 Sec. 20 all in Twp. 5 N., Rgr. 40 E.B.M.

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

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

Remarks: Mr. Don Smith a long

Measured by taking pressure readings along each lateral.

This examination was made on the 6th day of July, 1962

(Signed)

Lynn Johnson

Examiner.

29035

Don Smith
Thornton, Idaho

356-6422
Permit No. C-29035

Examination for Completion of Works & Beneficial Use

County.....Madison.....

Sec. 20 T. 5 N R. 40 E.B.M.

Quantity:

Source:

P.D.:

Use:

Filed:

Due:

Extension:

Completion of Works:

Other Rights:

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.

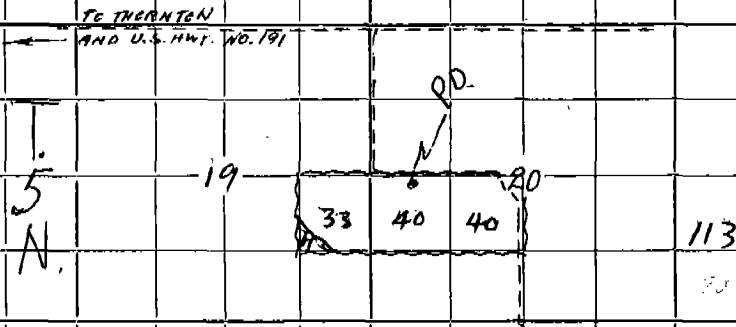


DEPARTMENT OF AGRICULTURE

WASHINGTON, D. C.

29035

R-40E.



Subdivisions 3

AREA 113 acres

Q 1.52 cfs. or 76 inches

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-29035

REPORT ON PROOF OF Completion of Works & Beneficial Use

Don Smith, Thornton, Idaho

29035