

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: A22-02298  
Date Received: 6/16/1988  
Receipt No: E004119  
Received By: KCW

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: CRAIG J. SMITH  
Address: 19 NORTH 1427 EAST  
REXBURG, ID

208-356-9009

83440

2. Date of Priority: OCT 05, 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   | 16      |        | SW     | SW     |     | MADISON |

5. Description of diverting works:  
WELL PUMP MAINLINE TO CENTER PIVOTS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 3.930  |      |        |

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

8. Total consumptive use is 912.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 05N      | 40E   | 16      | NE     | SW     |     | IRR | 39.0  |
|          |       |         | NW     | SW     |     | IRR | 40.0  |
|          |       |         | SW     | SW     |     | IRR | 39.0  |
|          |       |         | SE     | SW     |     | IRR | 38.0  |

Section Acres 156.0

A22-02298

Page 1

Date: 06/16/88

OCT 2 1988

Department of Water Resources  
Eastern District Office

A2202298



10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 05N      | 40E   | 21      | NE     | NW  |     | IRR           | 38.0  |
|          |       |         | NW     | NW  |     | IRR           | 39.0  |
|          |       |         | SW     | NW  |     | IRR           | 38.0  |
|          |       |         | SE     | NW  |     | IRR           | 36.0  |
|          |       |         | NE     | SW  |     | IRR           | 36.0  |
|          |       |         | NW     | SW  |     | IRR           | 38.0  |
|          |       |         | SW     | SW  |     | IRR           | 37.0  |
|          |       |         | SE     | SW  |     | IRR           | 38.0  |
|          |       |         |        |     |     |               |       |
|          |       |         |        |     |     | Section Acres | 300.0 |
|          |       |         |        |     |     | Total Acres   | 456.0 |

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:  
SYSTEM SUPPLIES WATER FOR A22-02227

15. Basis of Claim: LICENSE  
Water Right Number: 29068

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): Graig J. Smith Date: 8-23-88  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Madison ) SS.

Subscribed and sworn (or affirmed) before me this 23 day  
of August 19 88

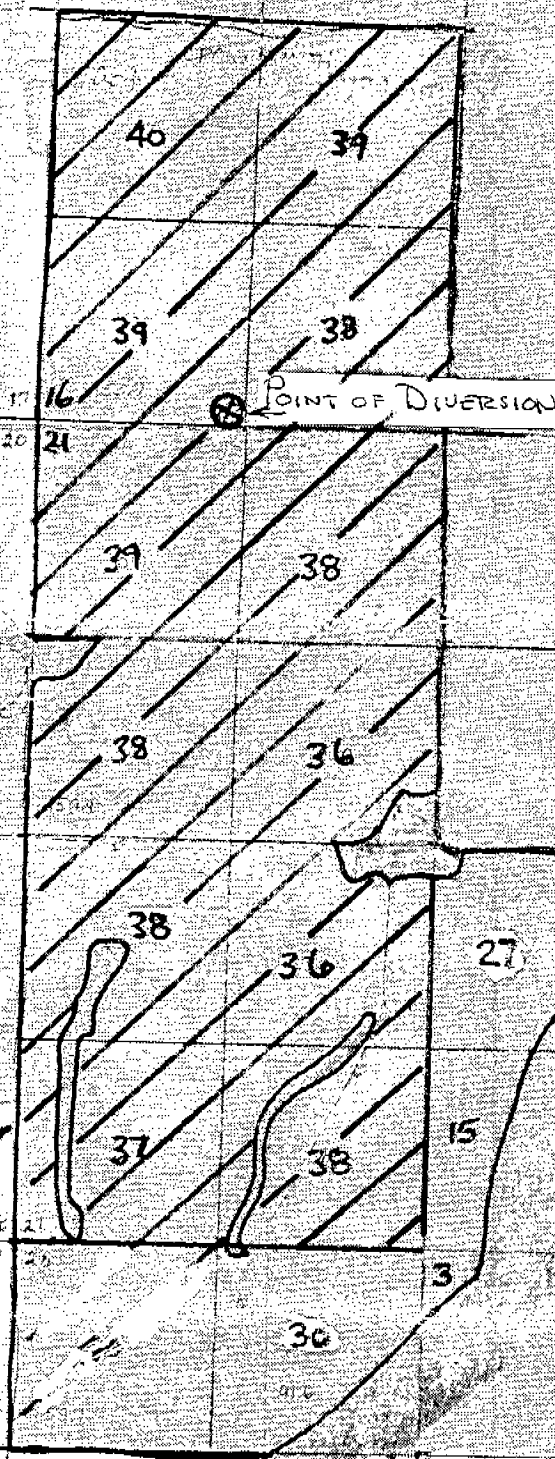
Anna Mae Johnson  
Notary Public

Seal

Residing at Lewiston, Idaho  
My Commission Expires 9-1-92

R40E

T5T



D75  
705

033

035

E33  
253

DUAL SMITH & SONS

405

T5T

PLACE OF USE

R40E

A22-02298

Log for claim 22-02298

Spatial Dynamics LTD

6/29/01

| TR      | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT |
|---------|-----|------|------------------|----------------|---------|
| 05n40e  | 16  | NESW | 39               | 40             |         |
| 05n40e  | 16  | NWSW | 40               | 40             |         |
| 05n40e  | 16  | SWSW | 39               | 38             |         |
| 05n40e  | 16  | SESW | 38               | 39             |         |
| 05n40e  | 21  | NENW | 38               | 40             |         |
| 05n40e  | 21  | NWNW | 39               | 40             |         |
| 05n40e  | 21  | SWNW | 38               | 37             |         |
| 05n40e  | 21  | SENW | 36               | 36             |         |
| 05n40e  | 21  | NESW | 36               | 37             |         |
| 05n40e  | 21  | NWSW | 38               | 38             |         |
| 05n40e  | 21  | SWSW | 37               | 37             |         |
| 05n40e  | 21  | SESW | 38               | 38             |         |
| Totals: |     |      | 456              | 460            |         |

State of Idaho

# License and Certificate of Water Right

Water License No. G-29068 Priority October 5, 1960 Amount 3.93 c.f.s.

THIS IS TO CERTIFY that ED S. COVINGTON

of Rexburg, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 5, 1960; that Permit No. G-29068 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 3.93 second feet, was issued thereunder on April 2, 1968, showing that said works were completed on the 29 day of September, 1965; and that on the 29 day of September, 1965 ED S. COVINGTON

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 sprinkler irrigation, under Use Permit No. G-29068 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, Book Page~~ on the 2 day of April, 1968.

The right hereby confirmed dates from October 5, 1960.

The Point of Diversion is located

in the SW 1/4 SW 1/4, Sec. 16, Twp. 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 3.93 cubic feet per second.

Description and location of use:

| Twp. | Range | Section  | Forty-Acre Tract                 | No. Acres Described in Permit | No. Acres Actually Irrigated |
|------|-------|----------|----------------------------------|-------------------------------|------------------------------|
| 5 N  | 40 E  | 16<br>21 | SW                               | 160                           | 160                          |
|      |       |          | NE NW                            | 40                            | 40                           |
|      |       |          | NW NW                            | 40                            | 39                           |
|      |       |          | SW NW                            | 40                            | 37                           |
|      |       |          | SE NW                            | 40                            | 39                           |
|      |       |          | NE SW                            | 40                            | 37                           |
|      |       |          | NW SW                            | 40                            | 38                           |
|      |       |          | SW SW                            | 40                            | 37                           |
|      |       |          | SE SW                            | 40                            | 35                           |
|      |       |          | Total number of acres 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 -2 day of April, 1968.

*R. Keith Higgins*  
State Reclamation Engineer.

22 2298

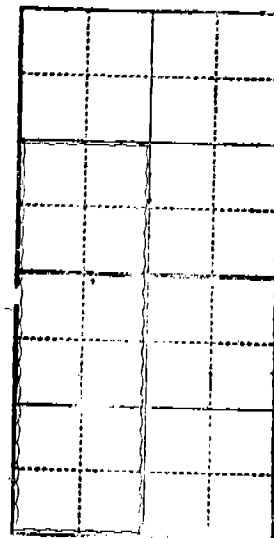
29068

APPLD. John H. H. H.  
25-2133  
22-2298

# APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37063  
Permit No. G- 29068  
District No.

1. Name of Applicant: Ed S. Covington  
125 E. 2nd No.  
Postoffice address: Rexburg, County: Madison State: Idaho
2. Quantity of water claimed: 480 miners inches  
(a) Rate of withdrawal in cubic feet per second 9.6 or Idaho  
Miners' inches 480 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 NW  $\frac{1}{4}$  of Section 21  
Twp. 5 N , Rge. 40 E , B.M., County of Madison
5. Water is to be used for: Irrigation, sprinkler
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: Sprinkler irrigation
8. Estimated cost of works: \$50,000
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 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) 9.6 (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.

**Applicant.**

**By**

**Agent.**

Date of first receipt at Department of Reclamation: 8:00 A.M. October 5, 1960

**Returned to applicant for correction:**

**Corrected application received:**

The number of this permit is G— 29068

Recorded in Book 102 Page 29068 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. SMYLLIE, 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. SMYTHE  
Governor

*Secretary of State.*

**12.**

| Twp.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Range | Sec.     | NE¼          | NW¼          | SW¼                        | SE¼          | Totals                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|----------|--------------|--------------|----------------------------|--------------|-----------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |       |          | NE¼NW¼SW¼SE¼ | NE¼NW¼SW¼SE¼ | NE¼NW¼SW¼SE¼               | NE¼NW¼SW¼SE¼ |                       |
| 5 N                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 40 E  | 16<br>21 |              | 40 40 40 40  | 40 40 40 40<br>40 40 40 40 |              | 160<br>320<br><br>480 |
| <p style="text-align: center;">Application for Amendment<br/>POINT OF DIVERSION<br/>Permit No. G-29068</p>                                                                                                                                                                                                                                                                                                                                                                                        |       |          |              |              |                            |              |                       |
| <p>Comes now Ed. S. Covington and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-29068. That the point of diversion is described in said permit as being located: NE¼NW¼ Sec. 21., Twp. 5 N., Rge. 40 E.B.M.</p>                                                                                                                                                     |       |          |              |              |                            |              |                       |
| <p>That he now requests that the point of diversion be changed to a point located: SW¼SW¼ Sec. 16., Twp. 5 N., Rge. 40 E.B.M.</p>                                                                                                                                                                                                                                                                                                                                                                 |       |          |              |              |                            |              |                       |
| <p>That the reason for desiring to make such change is as follows: It was an error in the original Permit. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.</p>                                                                                                                                                                                                                                                                         |       |          |              |              |                            |              |                       |
| <p style="text-align: center;">Signed at Boise, Idaho, this 29 day of March, 1963.<br/>/s/ Ed. S. Covington</p>                                                                                                                                                                                                                                                                                                                                                                                   |       |          |              |              |                            |              |                       |
| <p>Date of Receipt at Department of Reclamation: March 29, 1963</p>                                                                                                                                                                                                                                                                                                                                                                                                                               |       |          |              |              |                            |              |                       |
| <p style="text-align: center;">Approval of State Reclamation Engineer</p>                                                                                                                                                                                                                                                                                                                                                                                                                         |       |          |              |              |                            |              |                       |
| <p>I, Ralph W. Thomas, Deputy State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-29068. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.</p> |       |          |              |              |                            |              |                       |
| <p style="text-align: center;">/s/ RALPH W. THOMAS<br/>Deputy State Reclamation Engineer</p>                                                                                                                                                                                                                                                                                                                                                                                                      |       |          |              |              |                            |              |                       |
| <p>Recorded: March 29, 1963</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |       |          |              |              |                            |              |                       |

PERMIT NO. G-29068 ✓

## CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that ED S. COVINGTON of Rexburg, County of Madison, and State of Idaho, the holder of Permit No. G-29068, issued upon Application No. G-37063 bearing date of Priority of October 5, 1960, authorizing the diversion of 9.6 second feet of waters of a well County of Madison, State of Idaho, for sp rinkler 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 3.93 second feet of the waters of a well from subterranean flow that the point of diversion of said waters is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 16, Township 5 North, Range 40 East, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:

SW $\frac{1}{4}$  Section 16; W $\frac{1}{2}$  Section 21, Township 5 North, Range 40 East, Boise Meridian.

Proof of completion of works made: September 29, 1965

Witness my hand this 2 day of April, A. D. 1968

/s/ R. KEITH HIGGINSON  
State Reclamation Engineer

LICENSE ISSUED FOR 3.93 SEC. FT.  
LICENSE PAGE NO. 29068

*Lj*

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

Permit No. G-29068

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

1. Name of applicant Ed. S. Covington

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SW<sup>1</sup>SW<sup>1</sup> of Section 16

T. 5 N. R. 40 E.B.M. County of Madison

4. Describe works as they exist, giving dimensions and capacities of same:

150 HP G.E. SLCC motor # SW11K16013  
L & B VERT Pump # 800153  
3200 g.p.m. 150'  
14" DISCHARGE UNDERGROUND MAIN LINE  
THROUGH 12 1/4 mile LAT - RAILROAD 200' 1/4"

5. Water is used for: sprinkler 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):

SW<sup>1</sup> Sec. 16., W<sup>1</sup> Sec. 21., Twp. 5 N., Rge. 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: 12 - 1/4 mile LAT RAILROAD 200' 1/4" @ 62 lbs

$$Q = \frac{(5.56 \text{ g.p.m.}) (376 \text{ ft}^2)}{150 \text{ g.p.m.}} = 1.90 \text{ c.f.s.}$$

ALL P.M. / 12:00 / 12:00 For PERMIT G-29068

This examination was made on the 31 day of Aug., 1967

(Signed) D. R. Examiner.

29068

plat  
200

# 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.

S 4:200'  
Ed. S. Covington  
125 E. 2nd No.  
Rexburg, Idaho  
Permit No. G-29068

68' X 16"

576-1/2" 1/2" 1/2" 1/2"

Mr. JOHN SUMMERS

## Examination for Completion of Works & Beneficial Use

County Madison 16  
Quantity: 9.6 cfs Sec 15 T. 5N R. 40E

Source: Well

P.D.: SW SW, Sec. 16 Twp. 5N, Rge. 40E

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: None

Filed: Oct. 5, 1960

Due: Oct. 7, 1965

Made: Sept. 29, 1965

Priority: Oct. 5, 1960

450 HP GE MOTOR

# SWJ 1216013

LE B 1/2" 1/2" 1/2" 1/2"

# 000153

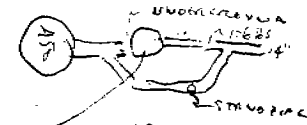
3200 gpm 450'

RAIN TUBE #200 11/16"

2 AVERAGE 60-62 lbs

14" DISCHARGE UNDER 1/2" MAIN LINE

12 - 1/4" 1/2" 1/2" 1/2"



200 HP GE # RWJ 406102

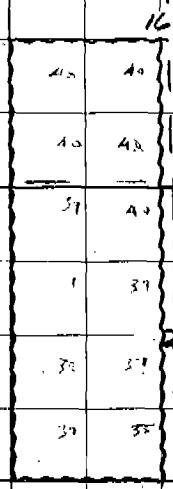
LE B 1/2" 1/2" 1/2" 1/2"  
3200 gpm 200' 1770 RPM  
# D-00064

29068

To Rebering

Twp 5N Rge 40E

Section



16.2 acres

AREA - 462 ACRES

SUBD - 12

Q - 3.93 c.f.s.

NOTE : SEE PERMIT # G-31066

Form 28  
2M-4-65

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF EXAMINER

PERMIT NO G-29068

REPORT ON PROOF OF Completion of Works & Beneficial Use



[illegible]

SMITH, CRAIG J.

Incorrect  
FEE  
\$556.00  
Correct Fee  
= \$671.00

This copy of a receipt was given by me to Mr. Smith. An error was made in the calculation of the Adjudication fee. The fee should have been \$671<sup>00</sup>. NOTE: This filing was received by the deadline date; therefore, NO LATE FEE.

AUG 40 1952

Department of Water Resources  
Eastern District Office

OCT 20 1992