

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: A22-07075
Date Received: 8/23/1988
Receipt No: EOP 1765
Received By: FRM

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: JUL 05, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	40E	28	SE	SW			MADISON

5. Description of diverting works:
WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.940		

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

8. Total consumptive use is 1395.0 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	28	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0

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Date: 08/23/88

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A2207075

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	40E	28	NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	320.0
		29	SW		SE		IRR	39.0
			SE		SE		IRR	39.0
							Section Acres	78.0
		32	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			NE		SW		IRR	40.0
			NW		SE		IRR	40.0
							Section Acres	160.0
							Total Acres	558.0

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 A22-11148.

15. Basis of Claim: LICENSE

OCT 29 1992

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. B. B.

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

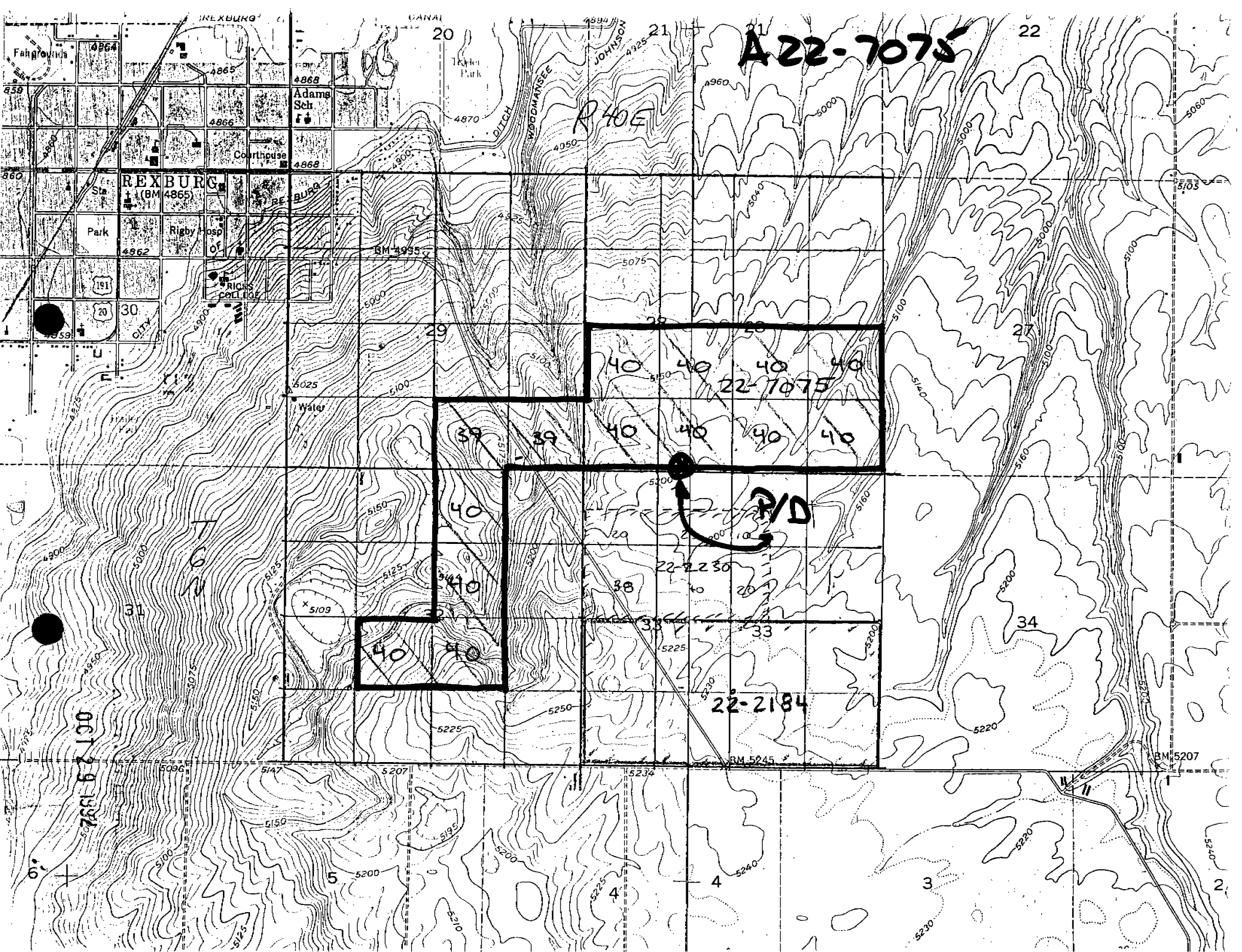
Notary Public

Residing at

Rigby

My Commission Expires

4-22-1994



Log for claim 22-07075

Spatial Dynamics LTD

7/5/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06n40e	28	NESW	40	40	
06n40e	28	NWSW	40	40	
06n40e	28	SWSW	40	40	
06n40e	28	SESW	40	40	
06n40e	28	NESE	40	28	
06n40e	28	NWSE	40	40	
06n40e	28	SWSE	40	40	
06n40e	28	SESE	40	32	
06n40e	29	SWSE	39	36	
06n40e	29	SESE	39	37	
06n40e	32	NWNE	40	39	
06n40e	32	SWNE	40	39	
06n40e	32	NESW	40	40	
06n40e	32	NWSE	40	40	
Totals:			558	531	

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7075 Priority July 5, 1973 Amount 4.94 cfs

THIS IS TO CERTIFY, that ELDON W. SMITH
of Rexburg, Idaho, has complied with the terms and conditions of Permit
No. 22-7075 issued pursuant to Application for Permit dated July 5, 1973,
and has submitted proof to the Department of Water Resources on July 24, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.94 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>May 1</u> to <u>November 1</u> at <u>4.94 cfs</u> and <u>1953 acre feet</u>		
	from _____ at _____ cfs and _____		
	from _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 4.94 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1953 acre feet per-year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, Twp. 6N,
Rge. 40E, B.M. in the County of Madison

Description and location of place of use:

Twp.	Range	Sec.	NEW				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	40E	28									40	40	40	40	40	40	40	40	320
		29															39	39	78
		32			40	40					40					40			160

Total number of acres irrigated 558

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 my seal and signature of the Director, affixed at Boise, Idaho, this 14th day of
April, 19 81.

Director

Identification No. 22 7075

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant ELDON W. SMITH
post office address 74 Ash Avenue, Rexburg, Idaho 83440
2. Source of water supply well, subterranean which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 28 Township 6 N
Range 40 E. B.M. Madison County; additional points of diversion if any: None

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
CIS
Amount 11.20 for irrigation purpose from May 1st to Oct. 31st (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 11.20 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
Well, pump and sprinkler system

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 20 inches; proposed depth of well is 450 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 50,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

22-7075

22 7015

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

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	40E	28									40	40	40	40	40	40	40	40	320
6 N	40E	29															40	40	80
6 N	40E	32		40	40						40					40			160

Total number of acres to be irrigated 560

c. Describe any other water rights used for the same purposes as described above. None

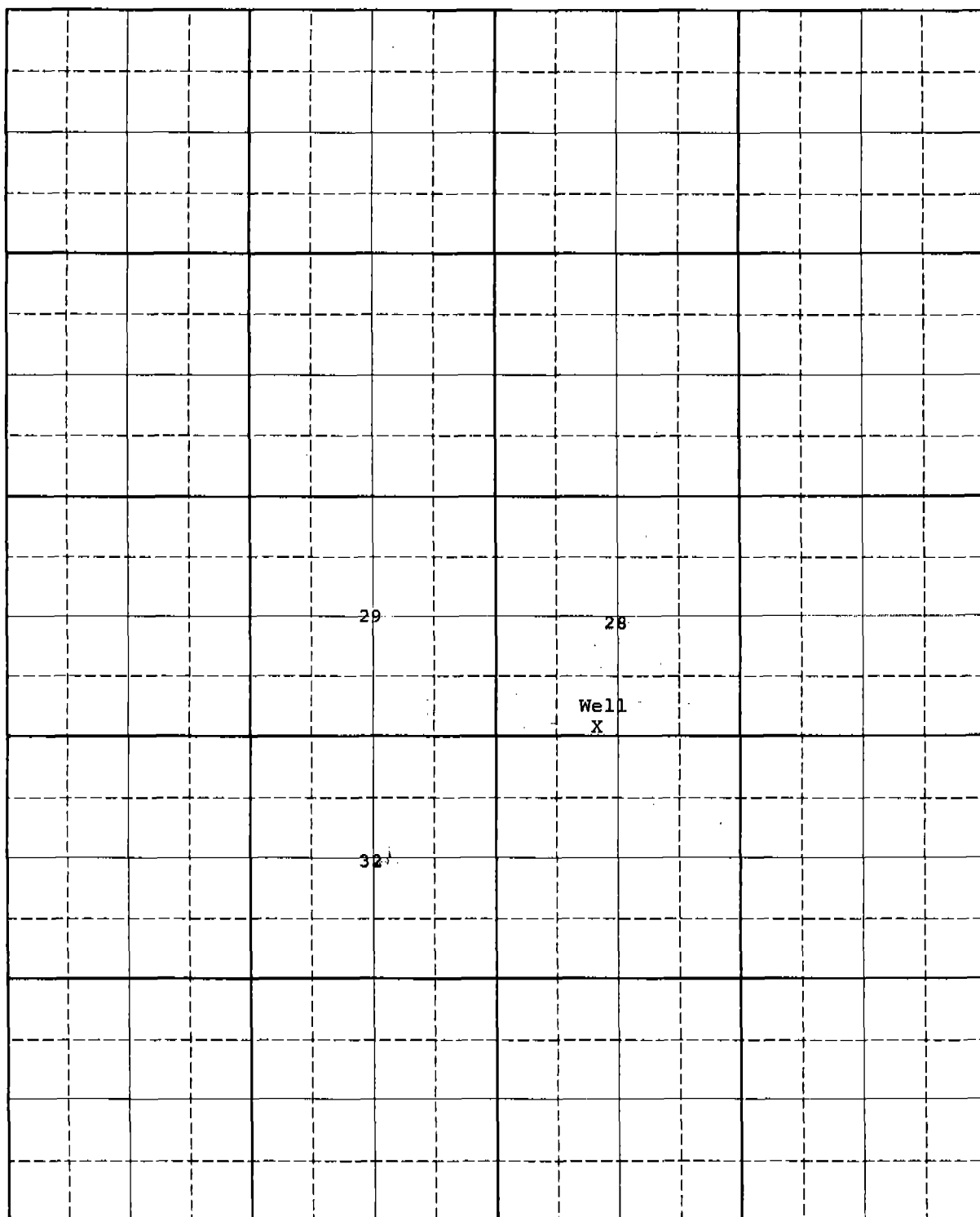
9. a. Who owns the property at the point of diversion Eldon W. Smith

b. Who owns the land to be irrigated or place of use Eldon W. Smith

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

Edwin W. Smith
(Applicant)

22-7075

Received by ef Date July 5/73 Time 10:30 A
 Preliminary check by ef Fee \$ #135.00
 Receipted by ef Date 7-5-73 Rec'd # 11273
 Publication prepared by ef Date 7-6-73
 Published in Boylburg Journal
 Publication dates July 12 + 19 1973
 Publication approved NCY Date 7/27/73
 Priority ~~reduced~~ 7-5-73 Reason _____

 Protests filed by: _____

 Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for approval denial by NCY

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7075, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 78.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 2nd day of August, 19 73.


 Director

35

9044 shed

(name: spring, stream, etc.)

13

(nature of use)

(mo.-day) inclusive (mo.-day)

(nature of use)

(mo.-day) inclusive (mo.-day)

(nature of use)

(mo.-day) inclusive (mo.-day)

Permit No. 22-1013
Examination for h/w

7/11

AF/Annum.

Madison
County

County

County

County

County

County

County

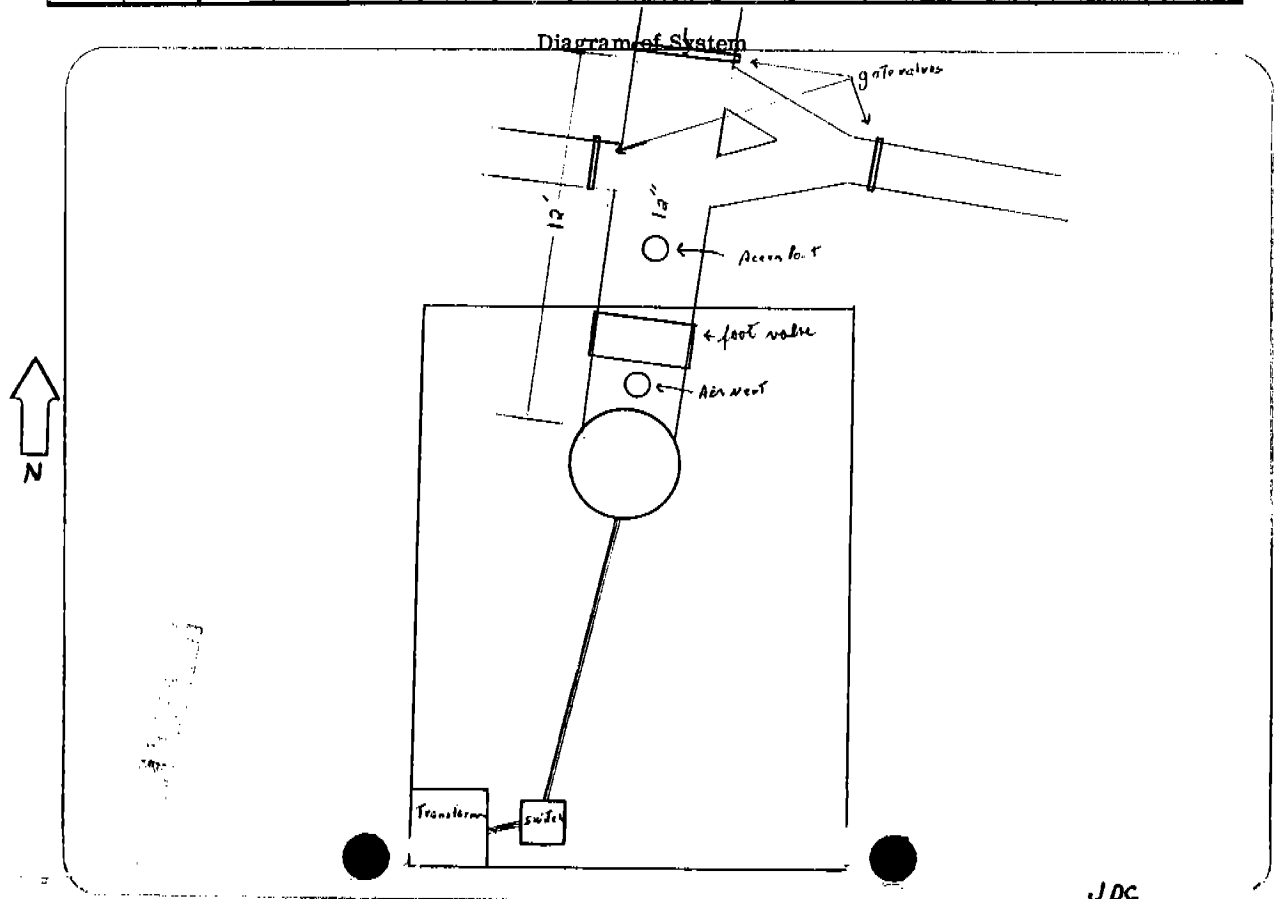
20'3" x 6.0, 400 Hp motor

☒ no ☐

56.0

MICROFILMED

TOTAL ACREAGE. 56.0

[illegible]

DATE OF EXAM 6/25/79

ACREAGE
Found 558 ac ✓
Recommended 558 ac ✓

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 4.94 c.f.s. V = 1953 AF/Ann. from April 1 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 X

Name source: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no X

Name source exchanged with: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 4.94 cfs Method of measurement Annubar

Total Q recommended 4.94 cfs Meter No. 12 Type Annubar Condition New

Total V recommended 1953 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None

MEASUREMENT CALCULATION:

Annular Reading (inches) $3.85 \sqrt{100} \text{ (HOB)} = (12)^2 (3.85) \sqrt{16} = 2218 \text{ gal} = 4.94 \text{ cfs}$
 $558 \text{ ac} \times 3.5 \text{ ac-ft/ac} = 1953 \text{ AF/Ann}$ $4.94 \text{ cfs} \times 1.9835 \text{ ac-ft/cfs} \times 214 \text{ days} = 2097 \text{ AF/Ann}$

SYSTEM DESCRIPTION:

System is located from a 20" by 450' deep well, with water level 360' a U.S. water
7' below 400' by meter 10" 0-7003600 Pressure Piping with Turbine, on 2 1/2" sub
of mainline, two 10' main center pivots noted 1100' and 32 1/2' mainhead down the main
of 30' main well on system. Some of pivots sealed up by handlines.

REMARKS:

No Conflicting Rights
System shown and described by Mark Smith

Examiner's Signature John D. Carlson Date 2/28/80

Checked by Anthony R. Kozlowski Date 2/29/80

Approved by [Signature] Date 3/25/81

72-7075 Smith

F

40 40 40 40

Pivot Pivot

39 39 40 40 40 40

Mainline PD main

40 40 40 40

W-100