

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 22-13160
Date Received: 4/4/01
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

BOYD C SMITH Phone: (208) 523-0620

C/O HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID USA 83405

2. Date of Priority: 01/01/1905

3. Source: SOUTH LEIGH CREEK Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	45E	32	SE NW NE	TETON	

5. Description of diverting works:

PUMPS IN SOUTH LEIGH CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.625	

7. Total Quantity Appropriated is:
0.625 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:



10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	45E	36	NE	NE	IRRIGATION	40
					Section Acres	40
					Total Acres	40

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

MAR 27 2001

Department of Water Resources
Eastern RegionIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number ~~22-208~~ 22-13160

Date Received 4-3-01

Receipt Number E026604

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s) Boyd C. Smith Phone (208) 523-0620
Mailing Address c/o Holden, Kidwell, Hahn & Crapo, P.L.L.C., P.O. Box 50130, Idaho Falls, ID Zip 83405

2. Date of Priority (Only (1) per claim) January 1, 1905

3. Source of water supply (a) South Leigh Creek
which is tributary to (b) _____

4.a. Location of existing

point of diversion is: Township 6N Range 45E Section 32; SE 1/4 of NW 1/4 of
NE 1/4, Govt. Lot 1, E B.M., County of Teton

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Pumps in South Leigh Creek

6. Water is claimed for the following purposes:

(Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from April 15 to October 15 amount .625 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .625 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (e.g. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TLS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	45E	36	40																40

Total number of acres irrigated 40

11. In which county(ies) are lands listed above as place of use located? Teton

12. Do you own the property listed above as place of use? Yes X No

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
22-42 or None ()

14. Remarks:

15. Basis of Claim (Check one) Beneficial Use Posted Notice Permit Decree X License
If applicable provide IDWR Water Right Number 22-208
Court Sixth District-Fremont County Case Number Decree Date December 16, 1910
Plaintiff vs Defendant Rexburg Irrigation Company et al v. Teton Irrigation Company et al

By signing I/We acknowledge reading the notice on the back of this claim form. I/We wish to receive for a small annual fee monthly copies of the docket sheet. YES ___ NO ___.

16. Signature(s)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) [Signature] Date 20 March 2001

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Trustee of _____
(Title)

Boyd C. and Jill J. Smith Trust, that I have signed the foregoing document in the space below as _____
(Organization)

Trustee of Boyd C. and Jill J. Smith Trust and that the statements contained in the
(Title) (Organization)
foregoing document are true and correct.

Signature of Authorized Agent [Signature]

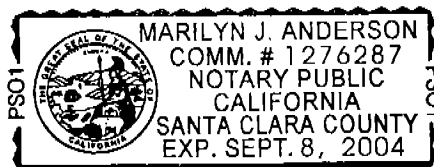
Title and Organization Boyd C. and Jill J. Smith Trust Date 20 March 2001

State of California)
County of Santa Clara) SS.

Subscribed and sworn (or affirmed) before me this 20th day of March, 2001.

Notary Public Marilyn J. Anderson
Residing at San Jose, California
My Commission Expires 9/8/2004

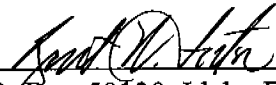
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Last Name Smith Ident. Number 22-208

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature 

Address P.O. Box 50130, Idaho Falls, Idaho 83405

Date 3/26/01

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