

IDWR T4S, R03E

Claim(s) 61-04044

Owner(s) : Smith

Prepared by:

Ron Howerton

Date: 3 Sep 98

Total Acres: 71

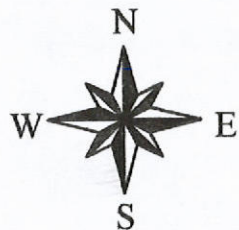
 POU

POD

 SECTION LINES

 1/4 1/4

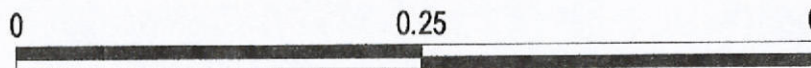
ACRES: 34



1987 NAPP



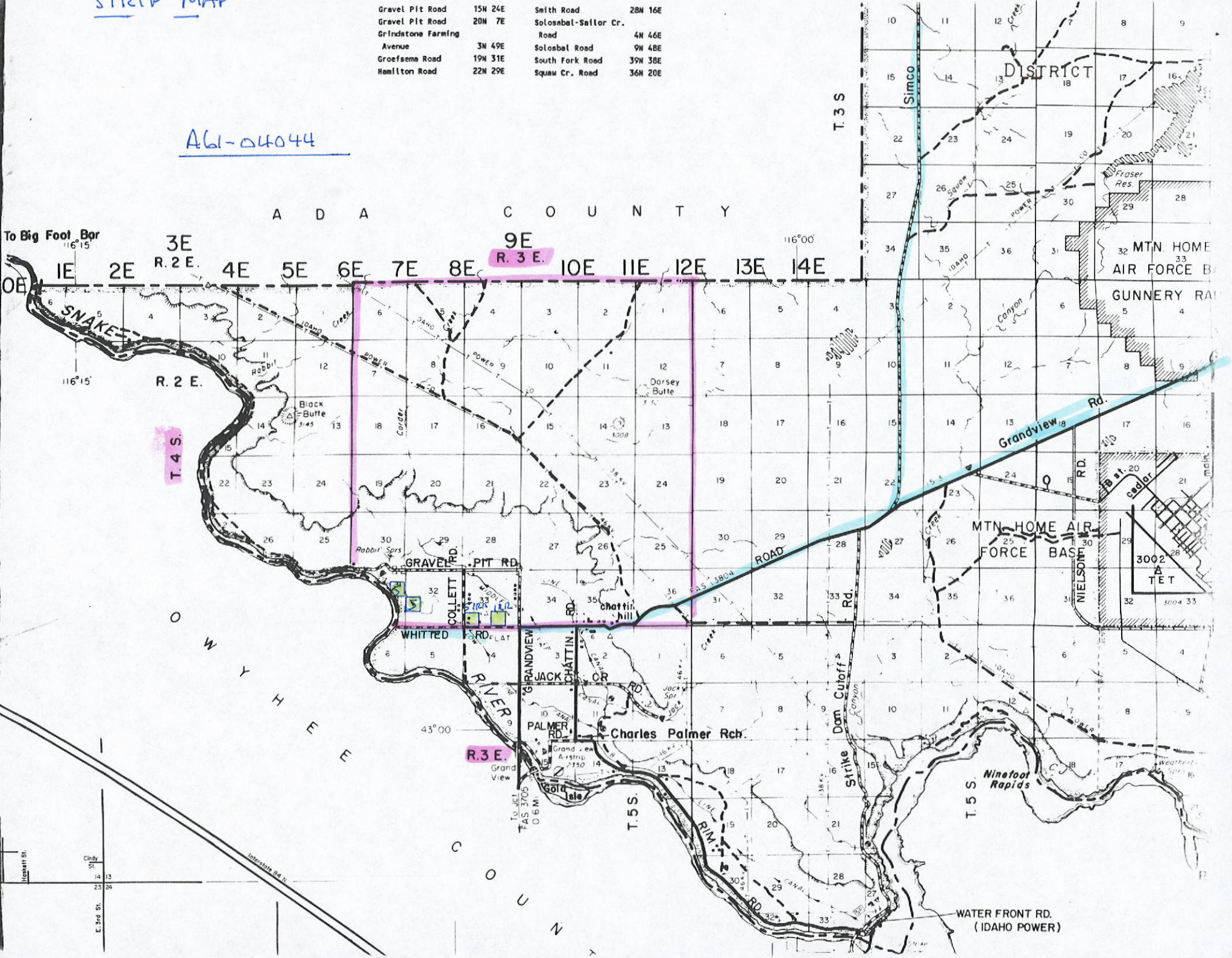
0 0.25 0.5 Miles



STRIP MAP

Gravel Pit Road	15N 24E	Smith Road	28N 16E
Gravel Pit Road	20N 7E	Solosbal-Sailor Cr.	
Grindstone Farming		Road	4N 46E
Avenue	3N 49E	Solosbal Road	9N 48E
Groefsema Road	19N 31E	South Fork Road	39N 38E
Hamilton Road	22N 29E	Squaw Cr. Road	36N 20E

AG-04044

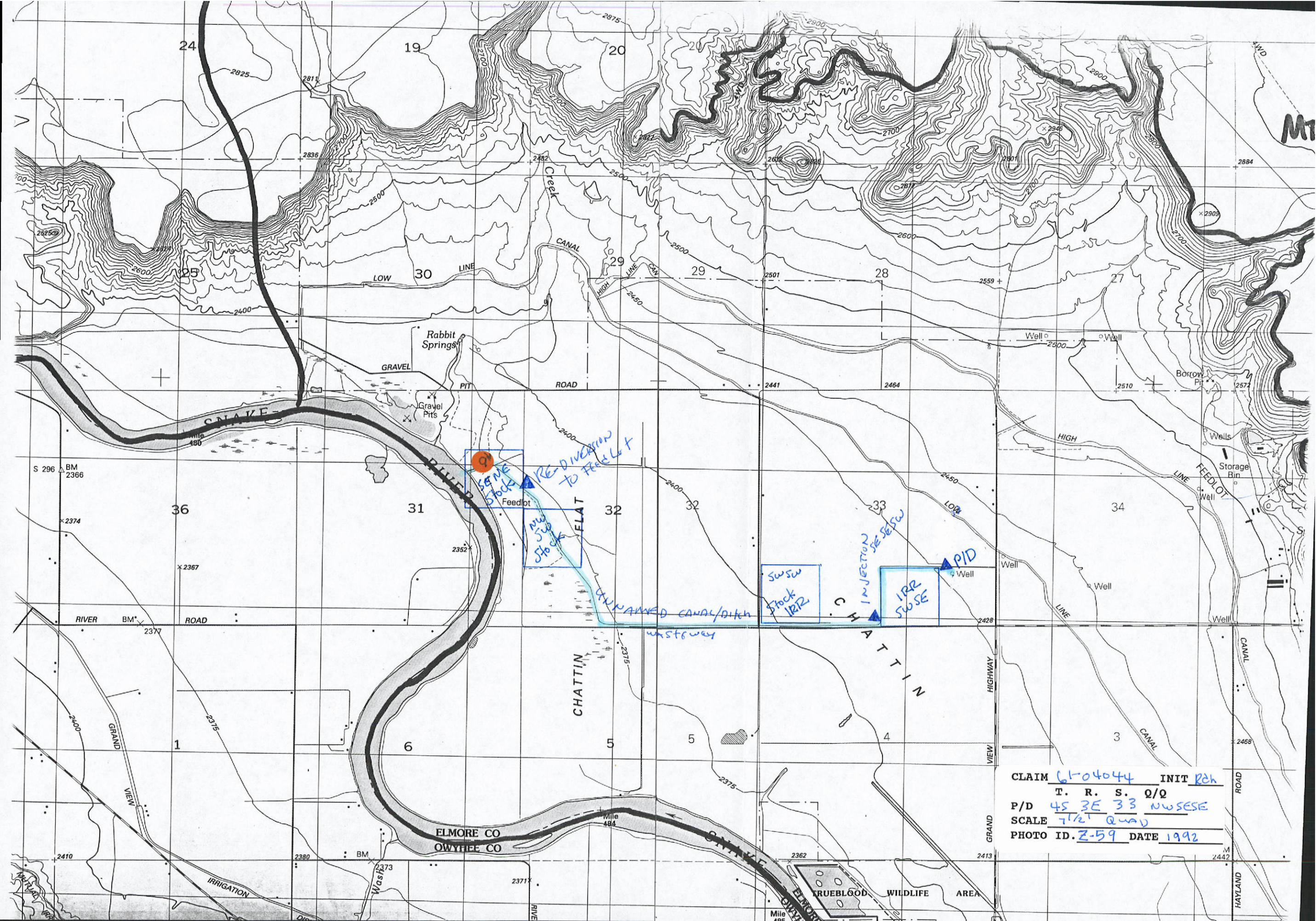


[illegible]

CLAIM 61-04044 INIT Rel ⁵⁷ 19.2
T. R. S. Q/Q
P/D 453E 33 NWSESE
SCALE _____
PHOTO ID. ASCS DATE 1987
- NHEL - 41.4 - NHEL -

CLAIM 61-040 44 INIT REL
T. R. S. Q/Q
P/D 4S 7E 33 NWSESE
SCALE ENLARGED 7 1/2 QUAD
PHOTO ID. 2-59 DATE 1974

2-60 1974 ORTHO 8" = 1 MILE



CLAIM 6504044 INIT Rch
T. R. S. Q/Q
P/D 45 3E 33 NWSE
SCALE 7 1/2" QWD
PHOTO ID. Z-59 DATE 1992

PICTURE #1

61-04044: FX 10/14/94. Photo's by RDH. Idaho Power box 2150, at point of diversion. Located in T04S, R03E, S33, NWSWSW.



PICTURE #2

Point of injection. Located in T04S, R03E, S33, SESESW.



PICTURE #3

61-04044: FX 10/14/94. Photo's by RDH. Open discharge point, located about 150 feet North of well.



PICTURE #4

View from open discharge point towards well.



PICTURE #5

61-04044: FX 10/14/94. Photo's by RDH. Place of use from well looking SW.



PICTURE #6

Distribution box #1, see ASCS map for location.



PICTURE #7

61-04044: FX 10/14/94. Photo's by RDH. 2nd ditribution box. See ASCS map for location.



PICTURE #8

Overflow from neighbors field, view of place of use in S33, SWSW.



PICTURE #9

61-04044: FX 10/14/94. Photo's by RDH. Place of use view of bottom field in the SWSW, S33.



PICTURE #10

Stockwatering point, intercepts the wasteway that is used for their conveyance for the well water. Also conveyed groundwater is pumped to other stock holding areas within the feedlot. This point is identified as a re-diversion point. Located in the SENE, S32.



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

RECEIVED

DEC 4 1989

Ident. Number: A61-04044

Date Received:

Receipt No: CD13180

Received By: D.K.

5-3-89

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: JEAN M. SMITH
Address: 905 WARM SPRINGS AVENUE
BOISE, ID 83702
208-342-5757

2. Date of Priority: JUL 15, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	03E	33	SE	SE			ELMORE

5. Description of diverting works:
WELL, PUMP, PIPELINE & TROUGHS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		
STOCKWATER	01/01	12/31	0.360		

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

8. Total consumptive use is 248.5 ~~218X0~~ Acre Feet Per Annum.

9. Non-irrigation uses:
S/1600 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	03E	31	SE	NE		STOCK	
		32	NW	SW		STOCK	

A61-04044

Page 1

Date: 05/03/89

MICROFILMED

AUG 11 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	03E	33	SW	SW		STOCK	
			SW	SW		IRR	39.0
			SW	SE		IRR	32.0
						Section Acres	71.0
						Total Acres	71.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
SNAKE RIVER IRRIGATION DISTRICT

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Jean M. Smith Date: 6-20-89
_____ Date: _____

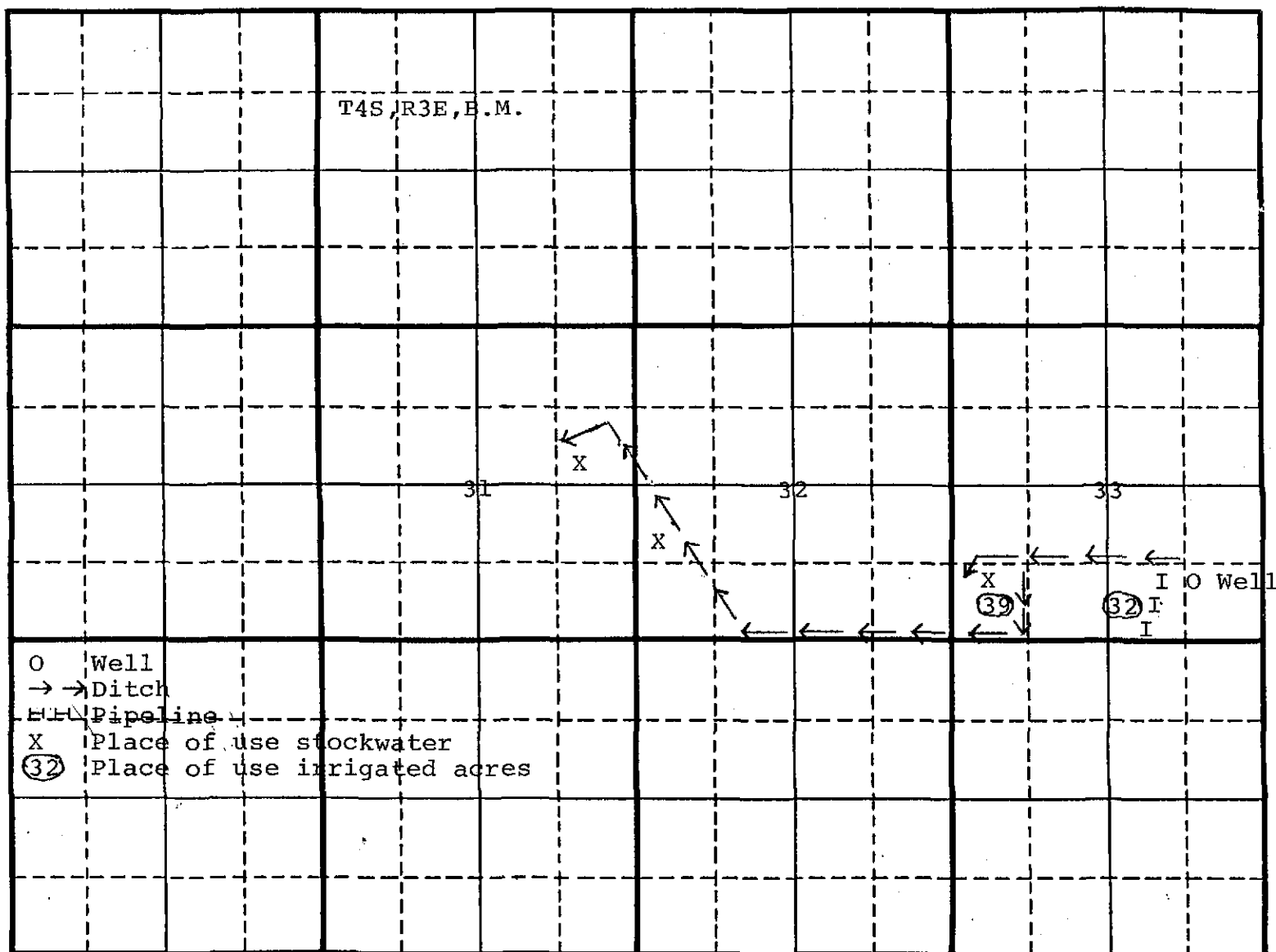
State of Idaho }
County of Ada } SS.

Subscribed and sworn (or affirmed) before me this 20th day
of June 19 89 Lina M Crockett
Notary Public

Seal

Residing at Boca, Ia
My Commission Expires 2-19-91

- (8) Remarks This irrigation water is supplemental to surface water rights from Snake River Irrigation District, which are also applied to this land.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of Ada)

MICROFILMED

AUG 11 1982

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge. Jean M. Smith individually and as Personal Representative of the Estate of Bill Smith, deceased,

Jean M. Smith
(Claimant)
Cheryl M. Smith

Sworn to before me this 7th day of November

, 19 81

VARIABLE FEE
PAID BY
SNAKE RIVER
IRR. DIST.

AB
FEB. 1, 1990

MICROFILMED

AUG 11 1992

Water Right Number - 61-04044

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

SMITH

EST. OF BILL

1 - C/O JEAN M. SMITH
2 - 905 WARM SPRINGS AVE.
3 -City- BOISE State- ID Zip- 83702
Phone -

SMITH

JEAN M.

1 - C/O JEAN M. SMITH
2 - 905 WARM SPRINGS AVE.
3 -City- BOISE State- ID Zip- 83702
Phone -+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
07/15/1950 14 WESTERN S - STATUTORY CLAIM+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
04S 03E 33 SE SE (39) ELMORE+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.000
04 - STOCKWATER 01/01 12/31 0.360+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.000+ - - - - - - - - - - - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
04S 03E 33 SW SW 39.0 01 IRRIGATION (39) ELMORE
04S 03E 33 SW SE 32.0 01 IRRIGATION (39) ELMORE
04S 03E 31 SE NE 04 STOCKWATER (39) ELMORE
04S 03E 32 NW SW 04 STOCKWATER (39) ELMORE
04S 03E 33 SW SW 04 STOCKWATER (39) ELMORE

Total Acres: 71.0

+ - - Diversion Means - WELL, PUMP, PIPELINE & TROUGHS

+ - - Non-Irrigation Use - S/1600 RANGE

+ - - Other Rights for Same Use -

Water right number - 61-04044

Prefix Translation: WATER RIGHT

+ - - - - Remarks - - - - -
No Remarks found.

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - 01/13/86 05/01/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 01/13/1986	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag -
Presumption Flag -		

AJ0749NP
No. R61-04044

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/27/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JEAN M SMITH 905 WARM SPRINGS AVENUE BOISE ID 83702 (208) 342-5757	07/15/1950	IRRIGATION STOCKWATER	03-01 11-15 01-01 12-31	1.00 CFS 0.36 CFS	284.00 AFA 21.44 AFA
TOTAL DIVERSION:					1.00 CFS	284.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T04S R03E S33
Point(s) of Injection: T04S R03E S33
Point(s) of Re-diversion: T04S R03E S31

NWSESE
SESESW
SENE

ELMORE County
ELMORE County
ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
04S	03E	33	:																	
																			71.0	
TOTAL ACRES																			71.0	

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
04S	03E	31	:																	
04S	03E	32	:																	
04S	03E	33	:																	

POU County: ELMORE

Conditions of Approval:

- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.
- W08 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- SNAKE RIVER IRRIGATION DISTRICT.

Remarks: EXP STOCKWATER, 1600 RANGE CATTLE

Dates: Exam Made Date: 10/14/1994 Verified Date: 10/27/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Y
Presumption Flag:

AJ0749NP
No. R61-04044

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/27/98
PAGE: 2

=====

Comments: Date: 10/27/1998 User-ID: RHOWERTO Subject: POINTS OF DIVERSION
THE INJECTION AND RE-DIVERSION POINTS ARE ONLY USED FOR STOCK.

Audit: 10/27/98 RHOWERTO

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. 61-04044

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	X	Rdh 10/14/94	6	N	N		
PT. OF DIV.			5	N			DATA ENTRY COMPLETED BY _____ DATE _____
SOURCE			6	N			
PL. OF USE			6	N			FINAL RECOMMENDATION BY _____ DATE _____
DIV. AMOUNT CFS/AF			6	N			
CONSUMPTIVE USE			NA	NA			
NATURE OF USE			6	N			
PERIOD OF USE			5	Y			
BASIS OF CLAIM			6	N			
REMARKS							

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER(SEE COMMENTS) = 6

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
 SUBMITTED - YES ☒ NO ☐

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
 CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: 6= SAME AS CLAIM

IDWR T4S, R03E

Claim(s) 61-04044
Owner(s) : Smith
Prepared by:
Ron Howerton
Date: 3 Sep 98
Total Acres: 71

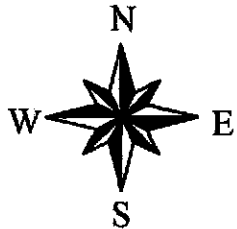
 POU

POD

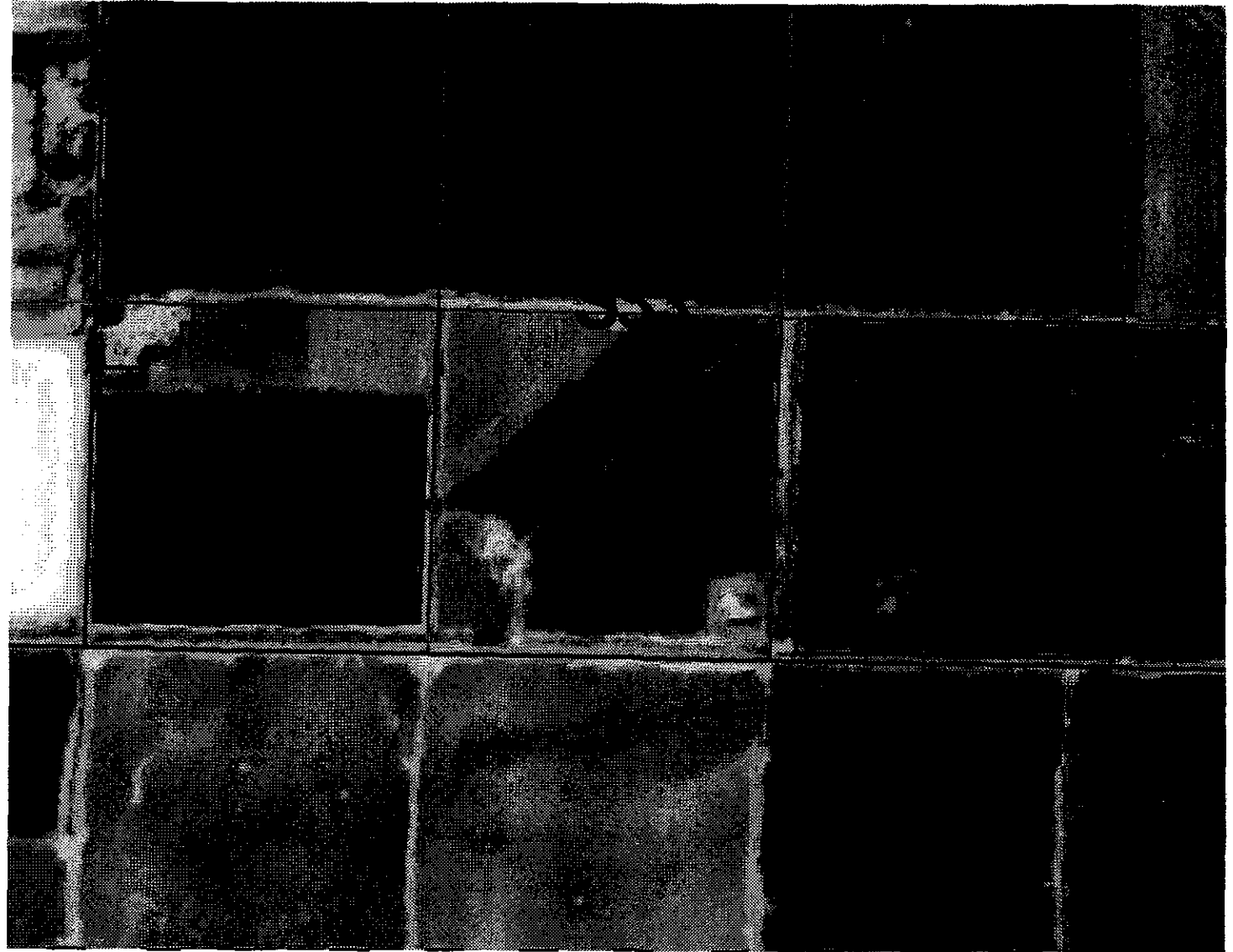
 SECTION LINES

 1/4 1/4

ACRES: 34



1987 NAPP



0 0.25 0.5 Miles

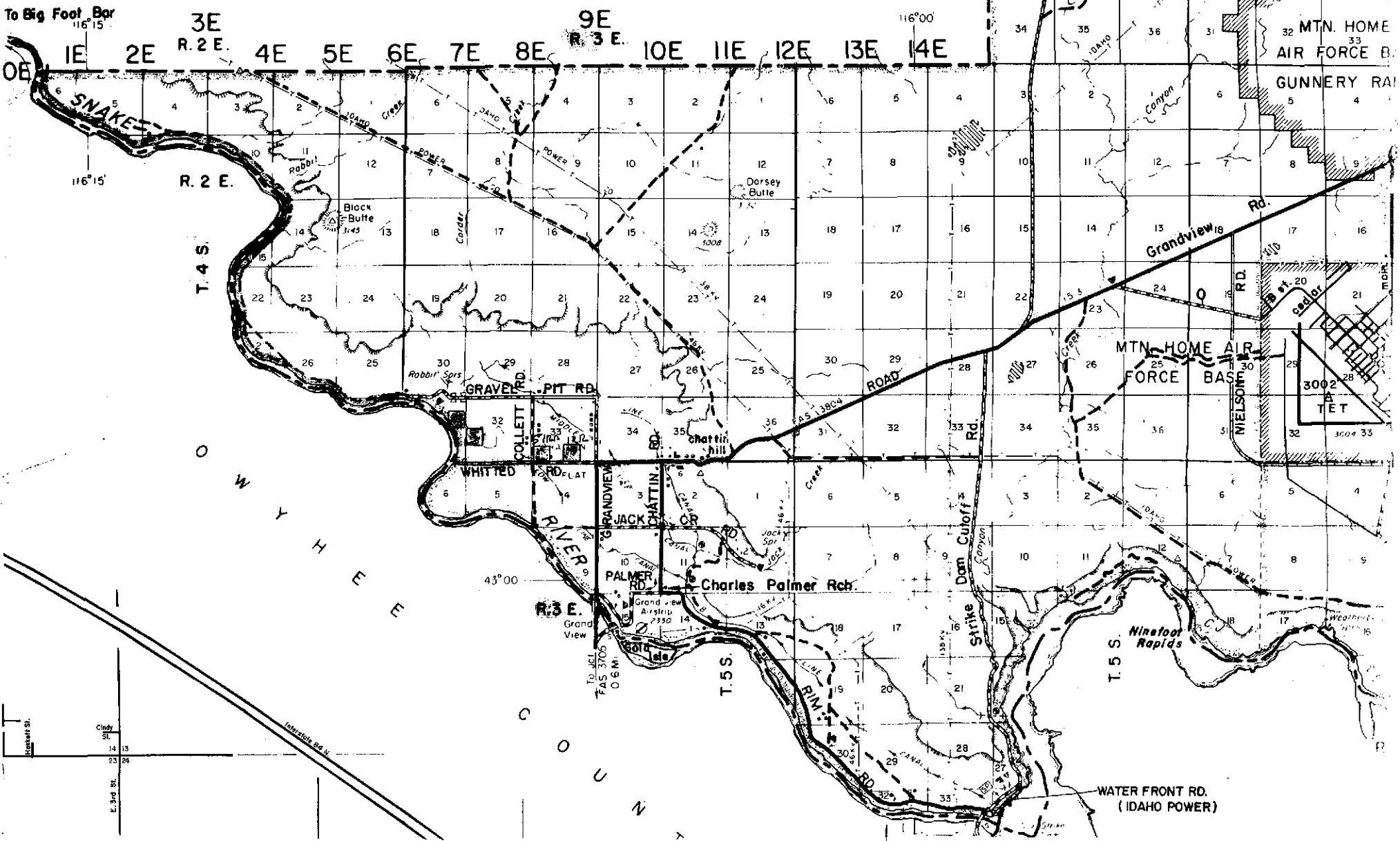


STRIP MAP

Gravel Pit Road	15N 24E	Smith Road	28N 16E
Gravel Pit Road	20N 7E	Solosabal-Sallor Cr.	
Grindstone Farming		Road	4N 46E
Avenue	3N 49E	Solosabal Road	9N 48E
Groefsema Road	19N 31E	South Fork Road	39N 38E
Hamilton Road	22N 29E	Squam Cr. Road	36N 20E

AGI-D4044

A D A C O U N T Y

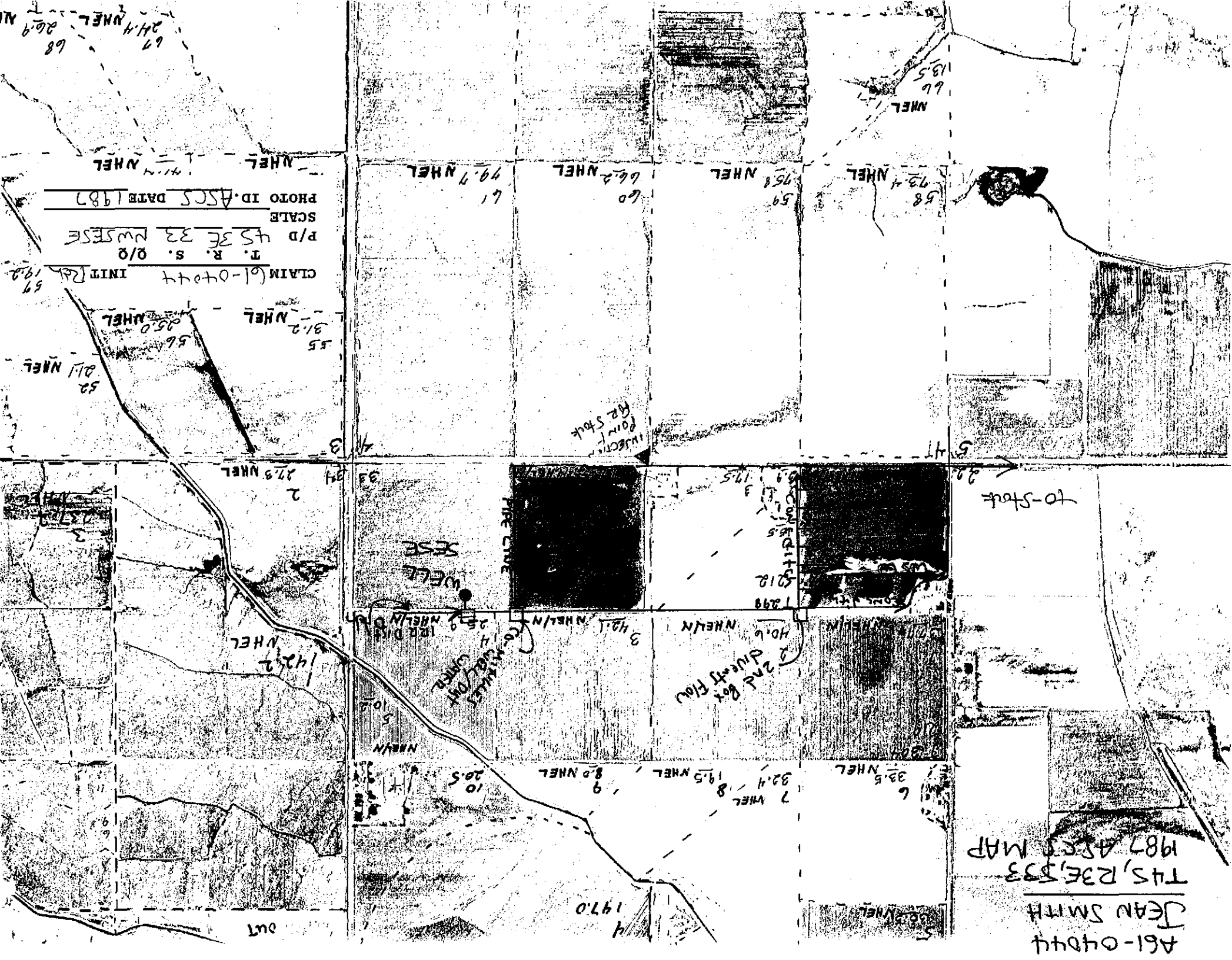


AGI-04044

JEAN SMITH

T4S, R3E, S33

1987 ASES MAP



CLAIM 61-04044 INIT R 1987
T. R. S. 0/0
P/D 45.3E 33. NWSE
SCALE
PHOTO ID. ASCS DATE 1987

to-Stock

2nd Box
divert flow

PIKE CREEK

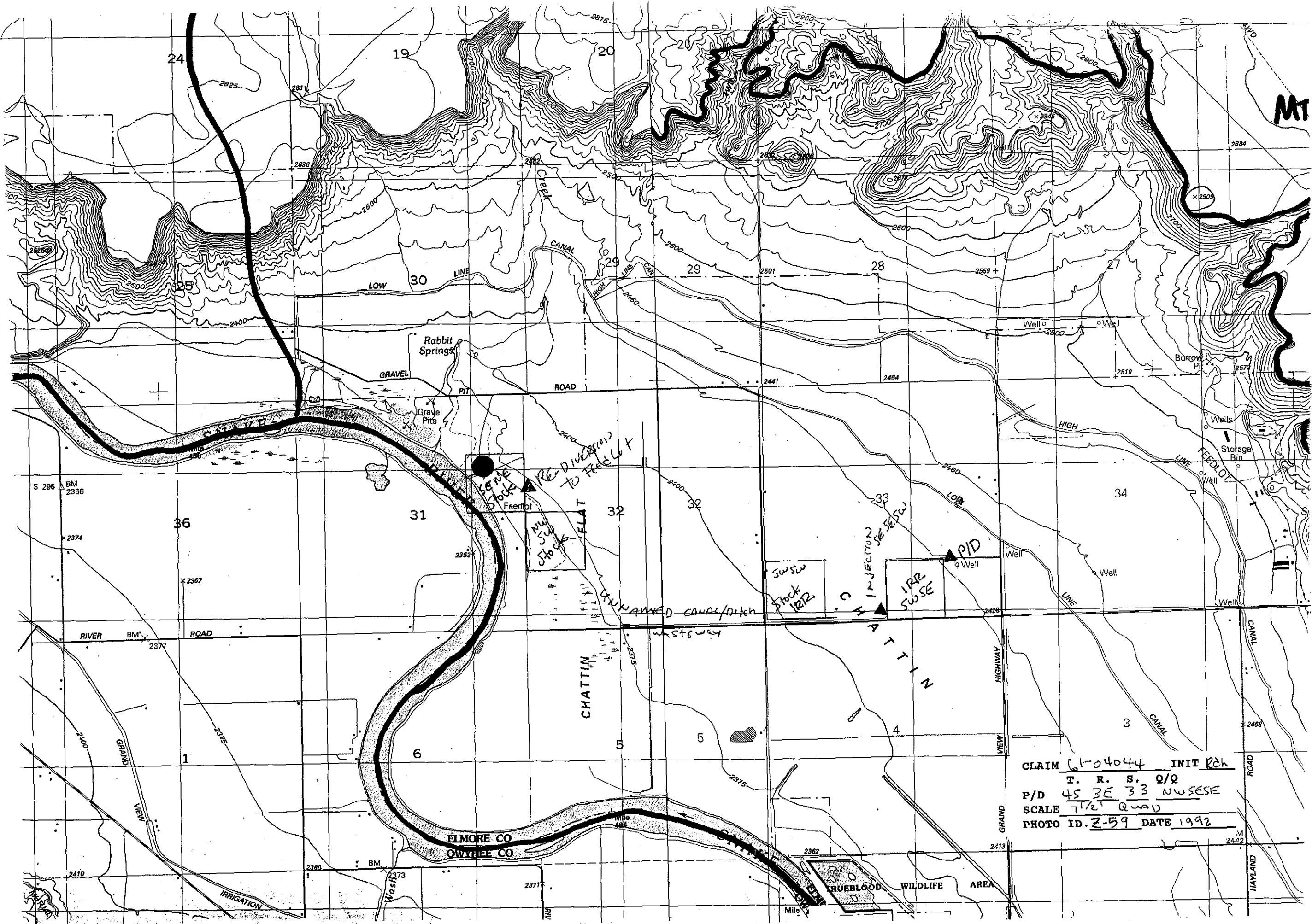
WELL
SESE

1470

OUT

CLAIM 61-04044 INITIALLY
T. R. S. 0/0
P/D 45 7E 33 NUSSE
SCALE ENLARGED 7 1/2 TIMES
PHOTO ID. 2-59 DATE 1974

2-60 07140 07140 07140



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:19:52
07/06/94

PAGE: 1
GENERAL INFORMATION

187
CLAIM NUMBER: A61-04044

LAST: SMITH
ADDRESS: C/O JEAN M. SMITH
905 WARM SPRINGS AVE.
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST: EST. OF BILL

STATE: ID ZIP: 83702

OWNER CODE: 0

LAST: SMITH
ADDRESS: C/O JEAN M. SMITH
905 WARM SPRINGS AVE.
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST: JEAN M.

STATE: ID ZIP: 83702

OWNER CODE: 0

LAST: SMITH
ADDRESS: 905 WARM SPRINGS AVENUE
CITY: BOISE
PHONE NUMBER: 208-342-5757

FIRST: JEAN M.

STATE: ID ZIP: 83702

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

CONTACT PERSON: DM MILLER (ATTORNEY)

PHONE NUMBER: () 344-9883

DATE OF FIELD EXAM: 10/14/94

APPOINTMENT MADE: Y(☒) N()

TIME: ____:____ A() P()

ACCOMPANIED BY: BASILIO SUSAETA

PHONE NUMBER: () ____-____

RELATIONSHIP TO CLAIMANT: FOREMAN

DIRECTIONS TO PROPERTY / NOTES:

SEE ATTACHED COUNTY STRIP MAP

A. AJ CLAIM: # A61-04044 PRIORITY DATE: 07-15-1950 STAGE: S
B. WR RECORD: # 61-04044 PRIORITY DATE: 07-15-1950 STAGE: S

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

NOTES: SEE AFFIDAVITS

=====

RECOMMENDED PRIORITY DATE:
07-15-1950

REVIEWED BY RCH DATE 10/27/98
=====

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A61-04044	04S	03E	33		SE	SE		ELMORE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
61-04044	04S	03E	33		SE	SE		ELMORE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
Ben

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
4S	3E	33	NW	SE	SE	—	P/D ELMORE	POINT OF DIVERSION
4S	3E	33	SE	SE	SW	—	I	POINT OF INJECTION (FOR Stockwater)
4S	3E	31	—	SE	NE	—	R	REDIVERSION (FOR Stockwater)
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

REh

DATE:

10/27/98

SYSTEM DESCRIPTION:

WELL, Pump, PIPE LINES, (15HP U.S. ELECTRIC) (Ditch for Stock water)
POINT OF INJECTION INTO UNNAMED CANAL-DITCH, WASTEWAY...
(SEE DWG. ON 7 1/2 QUAD Z-59) Stock CAN DRINK DIRECTLY FROM
(WASTEWAY) CONVEYANCE FOR GROUNDWATER, IN THE SWSW, S33 &
NWSW, S32. WATER IS RE-DIVERTED (pumped) to FEED lot.

USED AS

CONVEYANCE FOR Stockwater)

WATER IS CO-MINGLED IN CONC BOX with
IRRIG DIST WATER. PIPE LINES ARE USED
FOR GRAVITY FLOWS. & CONC. DITCH.
SEE ASCS MAP DIAGRAM

A. ROOT WATER RIGHT NUMBERS: A61-04044

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	03E	31	SE	NE		SMITH, JEAN M.	A61-04044 /	61-04044 /	31.0		
			SE	NE		SNAKE RIVER IRRIGATION DIST.	A02-00078 /	- /			
			SE	NE		SNAKE RIVER IRRIGATION DIST.	A02-00079 /	- /			S
04S	03E	32	NW	SW		SMITH, JEAN M.	A61-04044 /	61-04044 /	38.0		
			NW	SW		SNAKE RIVER IRRIGATION DIST.	A02-00078 /40.0	- /			
			NW	SW		SNAKE RIVER IRRIGATION DIST.	A02-00079 /40.0	- /			
			NW	SW		US DEPT OF INTERIOR	A61-10898 /	- /			
			NW	SW		US DEPT OF INTERIOR	R61-10898 /	- /			
			NW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00088 /			
			NW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00089 /			
			NW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00090 /			
			NW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00091 /			
			NW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00092 /			
			NW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00093 /			
			NW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00094 /			
			NW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00095 /			S
			NW	SW		SNAKE RIVER IRRIGATION DIST.		A02-04023 /			
04S	03E	33	SW	SW		SMITH, JEAN M.	A61-04044 /	61-04044 /39.0	42.0		
			SW	SW		SMITH, JEAN M.	R61-04045 /	61-04045 /			
			SW	SW		SNAKE RIVER IRRIGATION DIST.	A02-00078 /40.0	- /			34
			SW	SW		SMITH, JEAN M.	A61-04045 /	- /			
			SW	SW		SNAKE RIVER IRRIGATION DIST.	A02-00079 /40.0	- /			
			SW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00088 /			
			SW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00089 /			
			SW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00090 /			
			SW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00091 /			
			SW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00092 /			
			SW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00093 /			
			SW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00094 /			
			SW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00095 /			
			SW	SW		SNAKE RIVER IRRIGATION DIST.		A02-04023 /			
04S	03E	33	SW	SW		SMITH, JEAN M.	A61-04044 /39.0	61-04044 /39.0	42.0		
			SW	SW		SMITH, JEAN M.	R61-04045 /	61-04045 /			
			SW	SW		SNAKE RIVER IRRIGATION DIST.	A02-00078 /40.0	- /			S
			SW	SW		SMITH, JEAN M.	A61-04045 /	- /			
			SW	SW		SNAKE RIVER IRRIGATION DIST.	A02-00079 /40.0	- /			
			SW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00088 /			
			SW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00089 /			
			SW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00090 /			
			SW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00091 /			
			SW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00092 /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00093	/		
			SW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00094	/		
			SW	SW		SNAKE RIVER IRRIGATION DIST.		A02-00095	/		
			SW	SW		SNAKE RIVER IRRIGATION DIST.		A02-04023	/		
04S	03E	33	SW	SE		SMITH, JEAN M.	A61-04044 /32.0	61-04044 /32.0	44.0		
			SW	SE		SNAKE RIVER IRRIGATION DIST.	A02-00078 /40.0	- /			
			SW	SE		SNAKE RIVER IRRIGATION DIST.	A02-00079 /40.0	- /			
			SW	SE		SNAKE RIVER IRRIGATION DIST.		A02-00088	/		
			SW	SE		SNAKE RIVER IRRIGATION DIST.		A02-00089	/		
			SW	SE		SNAKE RIVER IRRIGATION DIST.		A02-00090	/		
			SW	SE		SNAKE RIVER IRRIGATION DIST.		A02-00091	/		
			SW	SE		SNAKE RIVER IRRIGATION DIST.		A02-00092	/		
			SW	SE		SNAKE RIVER IRRIGATION DIST.		A02-00093	/		
			SW	SE		SNAKE RIVER IRRIGATION DIST.		A02-00094	/		
			SW	SE		SNAKE RIVER IRRIGATION DIST.		A02-00095	/		
			SW	SE		SNAKE RIVER IRRIGATION DIST.		A02-04023	/		
TOTAL ACRES							A61-04044	71.00	110.00	197.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X) NO-PRIVATE OVERLAPS
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POU COUNTY: ELMORE

PRESUMPTION FLAG: —

NOTES:

W08-SR IRR DIST OVERLAP - THIS WELL RIGHT IS
A SUPPLEMENTAL RIGHT FOR IRRIGATION.

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A61-04044 IRRIGATION	FROM 03-15 TO 11-15	1.000 CFS
A61-04044 STOCKWATER	FROM 01-01 TO 12-31	.360 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.000 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
61-04044 IRRIGATION	FROM 03-15 TO 11-15	1.000 CFS
61-04044 STOCKWATER	FROM 01-01 TO 12-31	.360 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.000 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(☒)

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in notes, below.

NOTES:

3/1 to 11/15 NEW-SEASON MAP

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y Rch

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B.

FLOW MEASUREMENT

MEASUREMENT METHOD TAUTORETICAL HP, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: SNAKE RIVER IRRIGATION DISTRICT

W08 CODE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A61-04044	GROUNDWATER	SMITH, JEAN M.	1.000	0.014		
A02-00078	SNAKE RIVER	SNAKE RIVER IRRIGATION DIST.	127.000	0.015		
A02-00079	SNAKE RIVER	SNAKE RIVER IRRIGATION DIST.	61.000	0.007		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A61-04044	STOCKWATER	SMITH, JEAN M.	FROM 01-01 TO 12-31	.360 CFS	
A61-10898	STOCKWATER	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	1.180 CFS	
A61-10898	WILDLIFE	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.020 CFS	
R61-10898	STOCKWATER	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	1.180 CFS	
R61-10898	WILDLIFE	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.020 CFS	
R61-04045	STOCKWATER	SMITH, JEAN M.	FROM 01-01 TO 12-31	.020 CFS	
R61-04045	DOMESTIC	SMITH, JEAN M.	FROM 01-01 TO 12-31	.040 CFS	
A61-04045	STOCKWATER	SMITH, JEAN M.	FROM 01-01 TO 12-31	.020 CFS	
A61-04045	DOMESTIC	SMITH, JEAN M.	FROM 01-01 TO 12-31	.040 CFS	

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: A61-04044 OWNER: JEAN SMITH
 Examiner: RON HOWERTON
 Date of Field Exam: 14 OCT 1994, ACC. BY BASILO SUSAETA

	OPTION 1	OPTION 2	OPTION 3
P/D No.:	1	1	1
PUMP HORSEPOWER	15	15	15
BOOSTER HORSEPOWER	0	0	0
PUMPING LEVEL	60	60	12
DISCHARGE PRESSURE	0	10	10
RATE OF FLOW (cfs)	1.54	1.11	2.63

GIVEN DATA BY Fx & FOREMAN:

1. 15 HP MOTOR
2. STATIC WA. LEVEL 2'
3. BOWLS SET AT 75'

CLAIM IS FOR 1 CFS

OPTION 1

1. DYNAMIC PUMP LEVEL BASED UPON $75' - 15' = 60'$
2. USED 0 PSI FOR OPEN FLOW PRESSURE

OPTION 2

1. SAME AS 1 BUT USED 10 PSI FOR OPEN FLOW

OPTION 3

1. USED STATIC LEVEL OF $2' + 10' = 12'$ DYNAMIC PUMP LEVEL
2. USED 10 PSI FOR OPEN FLOW PRESSURE

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 71 x 0.02 CFS/ACRE = 1.42 CFS
(Taken from p/u review)

CLAIMED 1 CFS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

1b. CALCULATIONS

(SEE ATTACHED)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 213.0 AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 71 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 284 AF/A

10L - 5+k

$$(1600)(0.0134) = 21.44$$

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

Stock water, 1600 RANGE CATTLE

(N08 - CODE)

NOT LIMITED TO 13,000 GPD

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	3/1 - 11/15	1.000		
STOCKWATER	03-15 11-15 01-01 12-31	0.360		
TOTAL FOR THIS RIGHT		1.000		

REVIEWED BY: Rch DATE: 10/27/98

284 TOTALS

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(X)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 61-04044

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 1.000 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A61-04044	1.000	-		61-04044	1.000
TOTAL CFS		1.000				1.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

NO SPLITS

NOTES:

AUTHENTICATION:

SIGNATURE:

Ron Howerton

DATE:

10/27/98

NAME OF FIELD EXAMINER:

Ron Howerton

TITLE:

Sr Water Agent

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO 1974 IDWR ID NO. 259	Y(☒) N() ENLARGED
☒ TOPOGRAPHIC	DATE FIELD CHECKED 1992 IDWR ID NO. 259	Y(☒) N()
☒ NAPP	DATE OF PHOTO 1987 IDWR ID NO. 259	Y(☒) N()
☒ ASCS AERIAL PHOTO	DATE OF PHOTO 1987	Y(☒) N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO	Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO	Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY	Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED	Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP	Y() N()
☒ OTHER STRIP MAP	DATE (Country) Location Map	Y(☒) N()
☐ OTHER	DATE	Y() N()
☐ OTHER	DATE	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM		
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED		
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED		
☐ SYSTEM DESCRIPTION	DATE DRAWN		
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN 10-14-94	5	10 Photo's
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED		
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED 10-14-94	1	
☒ OTHER EVIDENCE OF PRIORITY	DATE AFFIDAVIT		
☐ OTHER	DATE		

PICTURE #1

61-04044: FX 10/14/94. Photo's by RDH. Idaho Power box 2150, at point of diversion. Located in T04S, R03E, S33, NWSWSW.



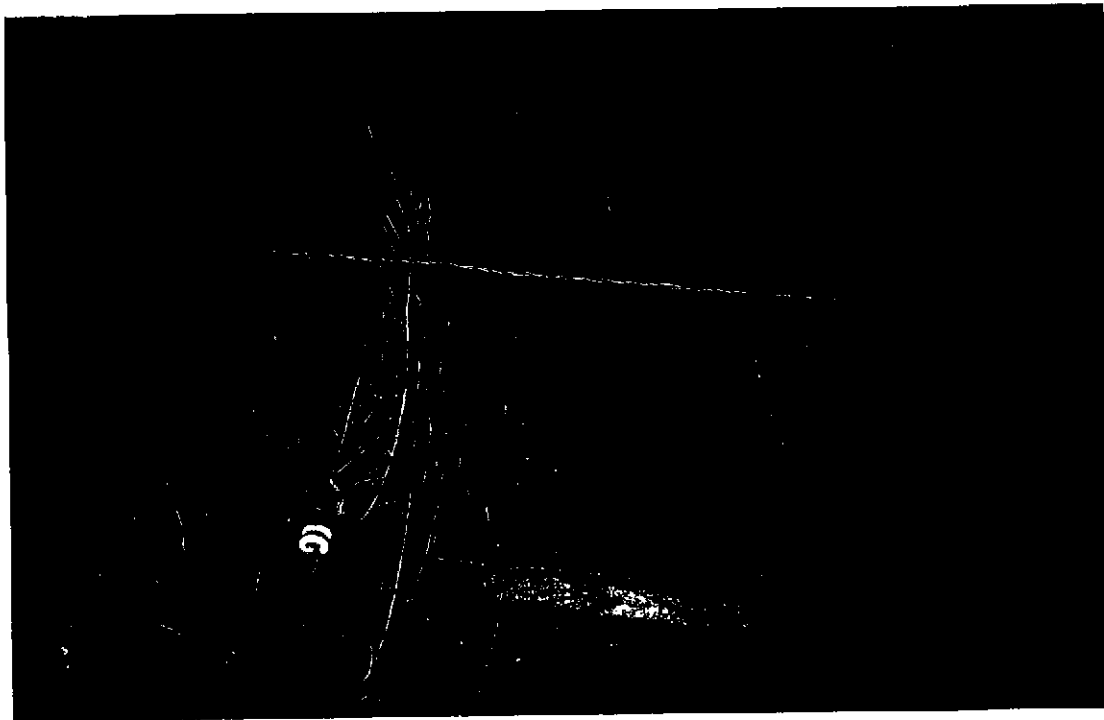
PICTURE #2

Point of injection. Located in T04S, R03E, S33, SESESW.



PICTURE #3

61-04044: FX 10/14/94. Photo's by RDH. Open discharge point, located about 150 feet North of well.



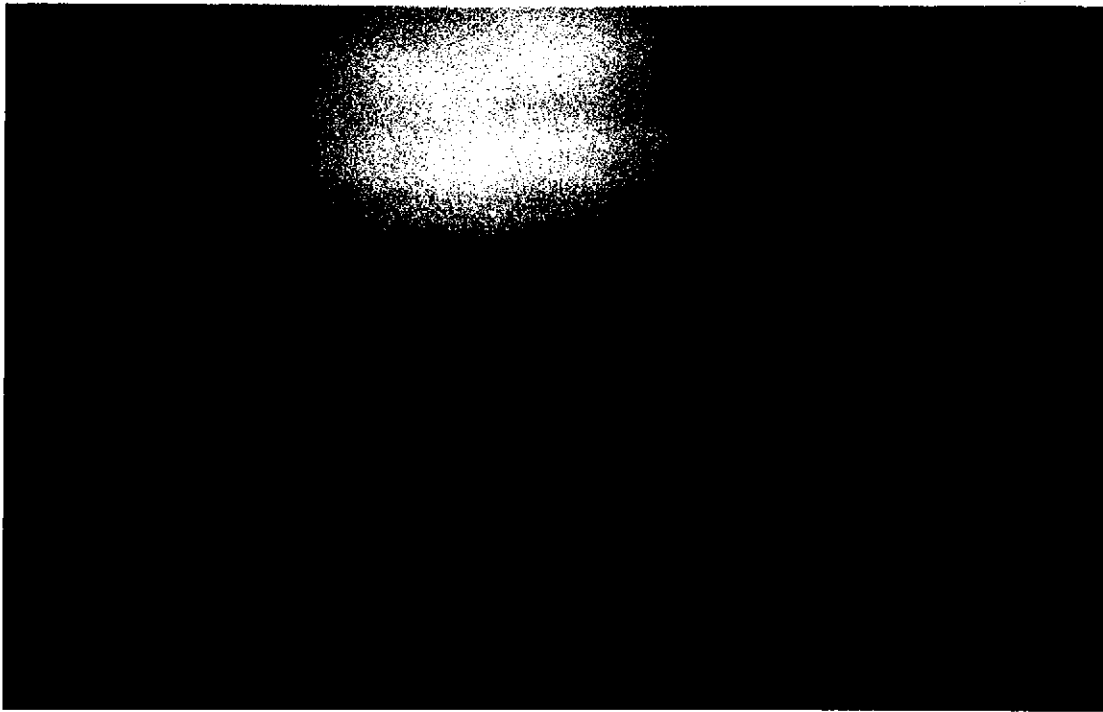
PICTURE #4

View from open discharge point towards well.



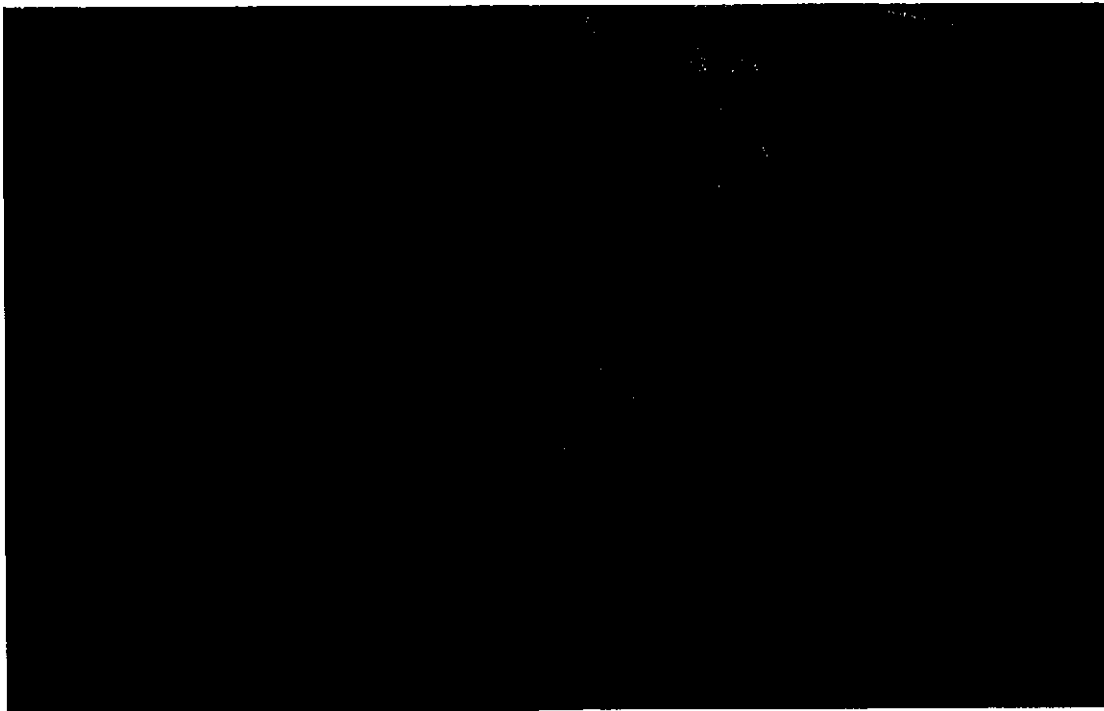
PICTURE #5

61-04044: FX 10/14/94. Photo's by RDH. Place of use from well looking SW.



PICTURE #6

Distribution box #1, see ASCS map for location.



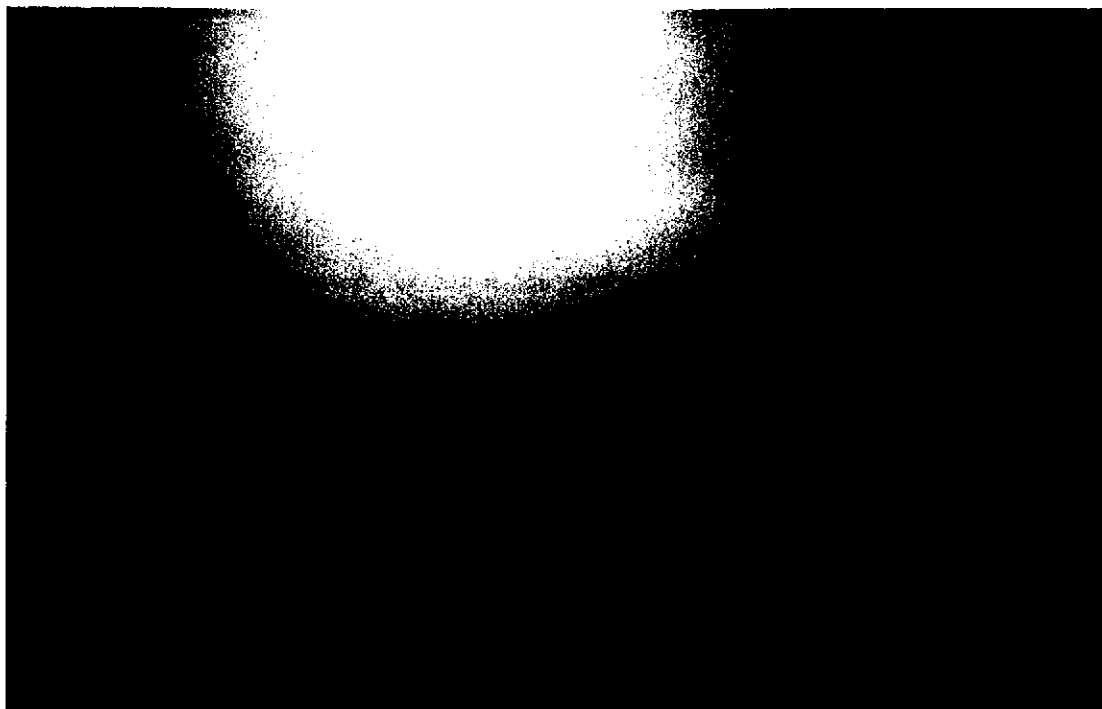
PICTURE #7

61-04044: FX 10/14/94. Photo's by RDH. 2nd ditribution box. See ASCS map for location.



PICTURE #8

Overflow from neighbors field, view of place of use in S33, SWSW.



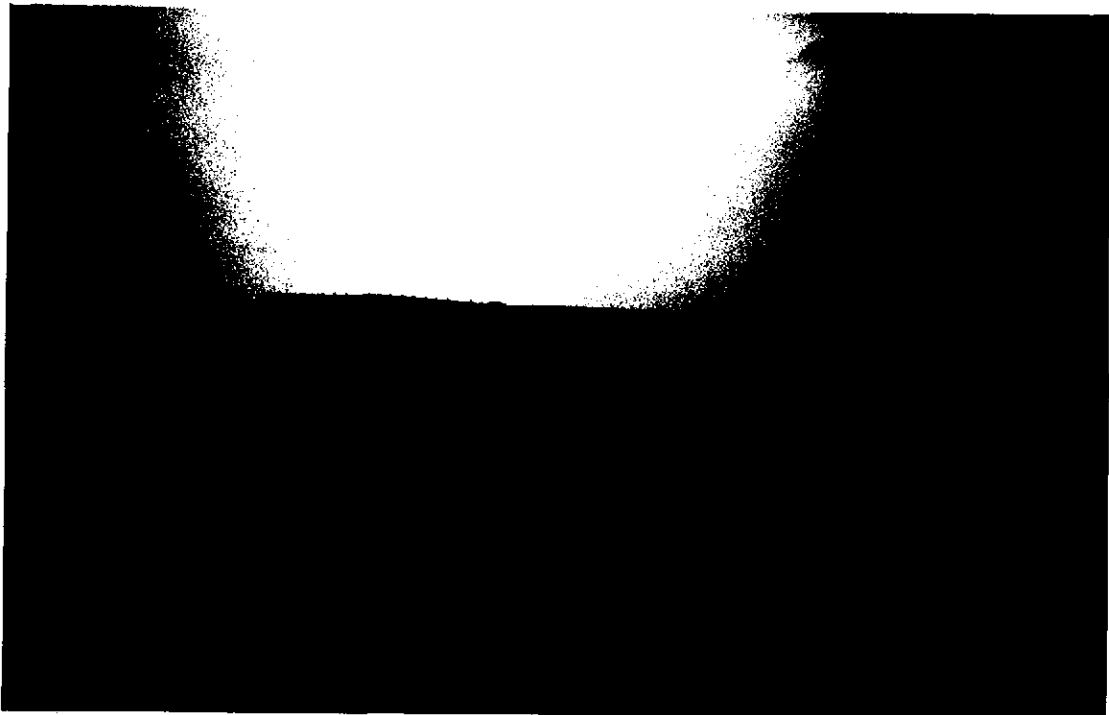
PICTURE #9

61-04044: FX 10/14/94. Photo's by RDH. Place of use view of bottom field in the SWSW, S33.



PICTURE #10

Stockwatering point, intercepts the wasteway that is used for their conveyance for the well water. Also conveyed groundwater is pumped to other stock holding areas within the feedlot. This point is identified as a re-diversion point. Located in the SENE, S32.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:19:52
07/06/94

PAGE: 13
QUICKLOOK INFORMATION

199
CLAIM NUMBER: A61-04044

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAIP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:07:24
07/06/94
200

PAGE: 14
PROFILE REPORT

CLAIM NUMBER: A61-04044

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JEAN M. SMITH 905 WARM SPRINGS AVENUE BOISE ID 83702 (208) 342-5757	07/15/1950	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	1.00 CFS 0.36 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	1.00 CFS 213.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T04S R03E S33

SESE

ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM				
04S	03E	33	:																	:					
												39								:					
																32								:	71.0
																TOTAL ACRES								:	71.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
04S	03E	31	:																	:
04S	03E	32	:																	:
04S	03E	33	:																	:

POU County: ELMORE

Non-Irrigation Uses: S/1600 RANGE

Other Rights: SNAKE RIVER IRRIGATION DISTRICT

Dates: Exam Made Date: Verified Date: 01/13/1986

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

OCT, 5, 1994

FIELD EXAM
TELEPHONE CONVERSATION MEMO

I.D. NUMBER AGI-04044 & 4140

NAME OF CONTACT TOM MILLER (HOME PHONE IS 344-9883) ATTORNEY

PHONE NO. _____ ADJ. AGENT RON HOWERTON

DATE SET FOR EXAM 09:30 14 OCT 94

LOCATION MEET FOREMAN BASILIO JUSAETA AT
RE BRICK HS PAST FEEDLOT ON WAY TO GRANDVIEW
GO STRAIGHT NOT LEFT WHERE MAIN ROAD GOES
SOUTH INTO GRANDVIEW. TURN ON COLLETT RD RIGHT
THEN ABOUT 300 yards ON RIGHT IS RED BRICK HS.

Diverting at full rates? _____

Type of measuring devices? _____

Places to make measurements? _____

Type of system? (pipeline, ditches) _____

How many laterals are used? _____

Length and size of mainline? _____

Size of Motor used for each P/D? _____

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler head? _____

COMMENTS BASILIO CAN SHOW BOTH AREA'S.

ADJUDICATION MEMORANDUM

CLAIM NO.: AB1-040448 4140

SUBJECT: Poc-ATTORNEY 344-6000

EMPLOYEE: RN

DATE: 7-7-94

TOM MILLER, CALLED ABOUT REQUIREMENTS I NEED TO DO FX. HE WILL GET BACK AND SCHEDULE A FX DATE LATER, HE WAS CONCERNED ABOUT WHO I OR HE MIGHT NEED TO GO WITH ME ON FX. (I FELT THAT HE WOULD WANT TO GO.)

8-30-94

I LEFT MESSAGE WITH RECEPTIONIST TO HAVE TOM CALL ME.

8-31-94

TALKED TO TOM, I LET HIM KNOW THAT WE WERE GETTING LOW ON REMAINING EXAMS AND I WAS TRYING TO GET THESE GOING.

TOM SAID HE WOULD GET BACK WITH ME TO FIND SOMEONE TO MEET WITH ME OR MEET THEM...

- 9-29-94 -

TALKED WITH TOM AGAIN, HE SAID HE TRYED TO GET JEAN TO MEET WITH ME BUT SHE WASN'T ABLE NOW SHE WON'T BE BACK UNTIL THE 14TH OF OCTOBER, I ASKED TOM IF SOMEONE ELSE COULD GO IN HER PLACE AND WENT OVER WHAT I WAS LOOKING FOR. HE THOUGHT HE POSSIBLY KNEW ANOTHER AND WOULD TRY THEM AND LEAVE A MESSAGE FOR ME IF THAT PERSON COULD.

10-5-94

TOM CALLED, HE WILL TOUCH BASES WITH FOREMAN BASILIO SUSAETA FOR JEAN ON FX FOR 14th OR NEXT WEEK EXCEPT 20th TO MEET AT THEIR HEADQUARTERS NR GRAND VIEW, PAST SIMPOT FREDLOT, GO STRAIGHT INSTEAD OF LEFT INTO GRANDVIEW, TURN ON COLLETT RD AND LEFT AGAIN TO RED BRICK HS.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

Date: July 5, 1994

CECIL D. ANDRUS
GOVERNOR

Jean M Smith
905 Warm Springs Ave
Boise, Id 83702

R. KEITH HIGGINSON
DIRECTOR

RE: Field Exam Scheduling Letter for the following Adjudication Claims:

A61-04044 & A61-04140

Dear Jean,

The Adjudication Staff of the Department of Water Resources will be conducting Snake River Basin Adjudication Claim Examinations for Elmore County from July through November 1994.

Information on your claim that may need to be verified includes, source(s) of water, uses and amounts, legal descriptions of point(s) of diversion, place of use and in some cases documentation verifying the date of priority as claimed in the Snake River Basin Adjudication.

Although it is not mandatory that you accompany me, should questions arise during the exam, it would be most helpful for yourself or a knowledgeable representative to be available during the field exam. This will help in the accuracy of collecting specific information about your water right and speed up our findings.

I would appreciate your call **ASAP** to set-up a field exam date. I may also be calling to help speed up the scheduling due to the short field season this year.

If you have other questions prior to scheduling a date or about the field examination, feel free to call me on that too. **Please call today to set-up your exam!**

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Howerton', written over the typed name.

Ron Howerton
ADJUDICATION STAFF
Department of Water Resources
Western Region Office
(208) 334-2190

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS

FIRST INTERSTATE CENTER

SUITE 1000

POST OFFICE BOX 1617

BOISE, IDAHO 83701

TELEPHONE

(208) 344-6000

FAX

(208) 342-3829

POCATELLO OFFICE

125 NORTH GARFIELD

POST OFFICE BOX 4167

POCATELLO, IDAHO 83205

TELEPHONE

(208) 233-0845

THOMAS A. MILLER

RECEIVED

MAR 22 1993

March 19, 1993

Department of Water Resources
Western Regional Office

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Re: SRBA Claims Nos. A61-04044 and A61-04140
Jean M. Smith

Gentlemen:

We write on behalf of Jean M. Smith with regard to the above-referenced Snake River Basin Adjudication claims. I spoke with Lorie on Monday and advised her that additional evidence of priority would be filed in connection with those claims.

We are enclosing herewith the following in that regard:

1. Original and one copy of Affidavit of Lauri Uriona, also known as Larry Uriona, relating to both claims.
2. Duplicate originals of Affidavit of Jean M. Smith relating to both claims.
3. Small and large copies of Homestead Certificate No. 915 in favor of Charles P. Oliver relating to Claim No. A61-04140.
4. Small and large copies of Warranty Deed Instrument No. 77700 relating to Claim No. A61-04140.
5. Small and large copies of Warranty Deed Instrument No. 77699 relating to Claim No. A61-04044.
6. Warranty Deed Instrument No. 80895 relating to Claim No. A61-04044.

HAWLEY TROXELL ENNIS & HAWLEY

IDWR
March 19, 1993
Page 2

Please call me if you have any questions concerning any of the enclosed documents or regarding either of said SRBA claims.

Based on the claims and these documents, we assume that you will assign a priority date of August 20, 1892 to Claim No. A61-04140 which involves the property known as the "Rattlesnake Property" and a priority date of 1951 with respect to Claim No. A61-04044 which is referred to as the "Grandview Property" in the enclosed Affidavits.

Yours truly,



Thomas A. Miller

TAM/jw
Encs.
cc: Mrs. Jean M. Smith
(w/Encs.)

RECEIVED
MAR 22 1993

AFFIDAVIT

Department of Water Resources
Western Regional Office

(Re Claim to Water Rights Nos. 61-4140 & 61-4044)

JEAN M. SMITH, being first duly sworn on oath deposes and says that:

1. The undersigned affiant, Jean M. Smith, is the Claimant in the above referenced Claims to Water Rights Nos. 61-4140 and 61-4044 filed with the Idaho Department of Water Resources (DWR) filed on May 9, 1984 and on November 18, 1981, respectively.

2. The DWR has requested further information concerning the water rights claimed therein. Affiant has secured and files concurrently herewith (a) the Affidavit of Lauri Uriona, also known as Larry Uriona, dated March 8, 1993, (b) copy of Homestead Certificate No. 915, from the United States of America to Charles P. Oliver dated August 20, 1892, (c) copy of Warranty Deed dated November 29, 1948, from Wood Creek Sheep Company (Isaguire, Anduiza, Urquidi and Archabal) to Bill Smith, recorded January 25, 1949, as Instrument No. 77699, records of Elmore County, Idaho, (d) copy of Warranty Deed dated November 28, 1948 from Wood Creek Sheep Company (Isaguire, Anduiza, Urquidi and Archabal) to Bill Smith, recorded January 25, 1949, as Instrument No. 77700, records of Elmore County, Idaho, and (e) copy of Warranty Deed dated October 3, 1950, from Herbert H. Mossman, a widower, to Bill Smith, recorded October 18, 1950, as Instrument No. 80895, records of Elmore County, Idaho.

3. Affiant was the wife of Bill Smith at the time of the delivery and recording of said deeds and at the time of his death in 1980. Affiant was the sole devisee of Bill Smith's estate and succeeded to his interest in the real property mentioned herein and all other real property comprising the Wood Creek Sheep Company operation, later named the Wood Creek Livestock Co. operation after the sheep were sold and it became solely a cattle operation. Affiant has continued to operate Wood Creek Livestock Co. as a sole proprietorship from the date of her husband's death and until the present time. Affiant was married for a short period of time to Keith McCarthy and used that surname in making said Claim No. 61-4140.

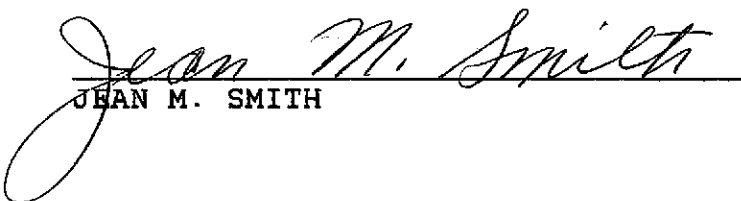
4. Affiant claims a priority date of August 20, 1892, in Claim to a Water Right No. 61-4140, based upon the date of Homestead Certificate No. 915 and the fact that the claimant under said homestead certificate would have had to have settled upon and improved the subject property described therein in order to secure the issuance of said homestead certificate. Also, the Affidavit of Larry Uriona testifies to the old homestead buildings on the property and the old irrigation ditch system used to irrigate the meadows on that subject property from the nearby spring. The real property described in said homestead certificate and in Claim No. 61-4140 (as the place of use) was referred to by Bill Smith and is

referred to by affiant as the "Rattlesnake property" because of its proximity to Rattlesnake Creek; it is described as follows:

SE1/4NE1/4, NE1/4SE1/4, and S1/2SE1/4 of Section 35, Township 2 South, Range 7 East, B.M., Elmore County, Idaho

5. Affiant recalls visiting the Rattlesnake property with her husband after she and her husband, Bill Smith, acquired it in November 1948, and recalls seeing the remnants of the old Charles P. Oliver homestead referred to in the affidavit of Lauri Uriona. She and her husband have used the water referred to in Claim No. 61-4140 on the above described Rattlesnake property for irrigating the meadows and for watering stock (sheep, cattle and horses) from the time they acquired the property and up until the present time.

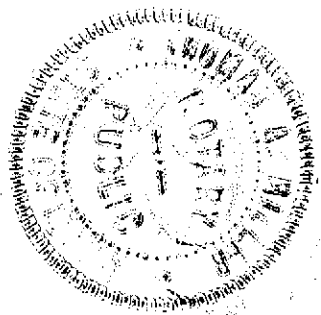
6. Affiant and her husband Bill Smith acquired the so-called "Grandview property" in two parcels - the first 120 acres by the Warranty Deed referred to in paragraph 2(c) and the remaining 160 acres by the Warranty Deed referred to in paragraph 2(e), above - as alluded to in the Affidavit of Lauri Uriona. Affiant was in error in claiming a priority date of July 15, 1950, in Claim No. 61-4044, relating to said Grandview property. That priority date should be about April 1, 1951, after the well referred to therein was drilled earlier in 1951, as mentioned in the Affidavit of Lauri Uriona. (Incidentally, the other lands referred to in the Warranty Deed referred to in paragraph 2(c), above, namely, Lots 2 and 3, Section 9, T 5 S, R 3 E., B.M., are non-contiguous lands not irrigated from the subject well.


JEAN M. SMITH

STATE OF IDAHO)
) ss.
County of Ada)

SUBSCRIBED AND SWORN TO before me this 14th day of March, 1993.


Thomas A. Miller
Notary Public for Idaho,
Residing at Boise, Idaho.
My Comm. Expires: 8-1-97



RECEIVED
MAR 22 1993

Department of Water Resources
Western Regional Office

AFFIDAVIT

(Re Claims to Water Rights Nos. 61-4140 & 61-4044)

LAURI URIONA, also known as Larry Uriona, being first duly sworn on oath, deposes and says that:

1. The undersigned Affiant resides at 535 North 5th East Street, Mountain Home, Idaho 83647, telephone number (208) 587-4541, was born in Elmore County in 1923, and has resided in Elmore County generally in or around Mountain Home since 1923.

2. Affiant was a very close friend of the Joe Urquidi family, part owners of the old Wood Creek Sheep Company, which owned the property hereinafter referred to as the "Rattlesnake" property at all times mentioned herein until 1948, when Bill and Jean Smith (husband and wife) bought the Wood Creek Sheep Company operation, name and property. Smiths continued the operation in that same name for many years, although they also owned and raised cattle, gradually phasing in the cattle and phasing out the sheep. Finally they disposed of all of their sheep and devoted the operation entirely to raising cattle, and changed the name to "Wood Creek Livestock Co.," a business name.

3. Affiant visited the so called "Rattlesnake" property, at least as early as 1935 or 1936 and probably at least yearly thereafter if not several times a year.

4. Affiant was employed from 1941 until 1948 by the old Wood Creek Sheep Company (Urquidis, et al.), and continued working for Wood Creek Sheep Company after it was acquired by Bill and Jean Smith, that employment continuing until 1953.

5. Affiant recalls from his earliest visits the old homestead buildings on the Rattlesnake property and the ditches used to divert water from the nearby springs to irrigate the meadows on the Rattlesnake property and also to water sheep and horses. The sheep bands were moved through the area in the spring and then again in the fall, going to and from the forest lands on which they grazed during the late spring and summer and into the early fall. Affiant also recalls that horses, bucks (sheep) and sometimes crippled ewes were kept on the Rattlesnake property for extended periods and that at least in the mid-1930's Wood Creek Sheep Company lambed in the open desert on or near the Rattlesnake property and used the spring water mentioned above for watering the ewes and lambs and the horses used in the lambing operation. The so called "Rattlesnake property" is described as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 35,
Township 2 South, Range 7 East, B.M.

6. When Affiant left Wood Creek Sheep Company in 1953, Bill and Jean Smith owned 280 acres near Grandview described as follows:

N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ of Section 33,
Township 4 South, Range 3 East, B.M., Elmore
County, Idaho.

(herein called the "Grandview property") of which 160 acres was acquired in 1950 from Herbert H. Mossman, a widower, although that 160 was known as the "Rogers Place," described as follows:

SE $\frac{1}{4}$ of Section 33, Township 4 South, Range 3
East, B.M., Elmore County, Idaho.

7. Bill Smith hired Art Bolts of Mountain Home, now deceased, to drill a new domestic well on the Grandview property to service the house and other farm buildings located on what is now called Collett Road on the west side of the Grandview property, and after that well was drilled Art Bolts drilled a second well located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33, Township 4 South, Range 3 East, B.M., Elmore County, Idaho that was used to irrigate the above-described 280 acres located in the South Half of said Section 33 and to water stock in the west part of Section 32 and the east part of Section 31, which lie to the west of said Section 33. Affiant recalls that the domestic well was drilled soon after Smiths acquired the so called Rogers Place in the fall or winter of 1950 and then, after the domestic well was drilled, Art Bolts drilled the irrigation and stock water well which is the subject of the above-mentioned claim to a water right (No. 61-4044).

8. That well served several purposes: lowering the water table and providing irrigation water to get rid of the alkali on the newly acquired Rogers Place and on the rest of the Grandview property (which was very successful), to irrigate the Grandview property, and to water livestock on that property and further to the west on the so called "lambing shed property" owned by the Smiths or on which they had occupancy permits from the Bureau of Land Management.

9. I understand that the purpose of this affidavit is to support the two claims to water rights (Nos. 61-4140 & 61-4044) filed by Jean M. Smith for herself and as personal

representative of the estate of Bill Smith, deceased, who died in
April of 1980.

Lauri Uriona
LAURI URIONA

STATE OF IDAHO)
County of Elmore) ss.

March, 1993. SUBSCRIBED AND SWORN before me this 8th day of

Dorothy J. Hickory
Notary Public for Idaho
Residing at Mtn. Home, Id. 83647
My commission expires 7-22-97

THIS INDENTURE, Made this 29th day of November, 1948, by and between WOOD CREEK SHEEP COMPANY, a copartnership consisting of ZENON ISAGUIRE, MATILDA ANDUIZA, JOE URQUIDI, and FIDEL ARCHABAL; and ZENON ISAGUIRE and HAZEL ISAGUIRE, husband and wife; MATILDA ANDUIZA and JULIO ANDUIZA, wife and husband; JOE URQUIDI, a widower; and FIDEL ARCHABAL and ETHEL ARCHABAL, husband and wife; the Parties of the First Part hereto, and BILL SMITH, of Shoshone, Lincoln County, Idaho, the Party of the second part hereto, WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of \$10.00, lawful money of the United States of America, and other good and valuable consideration, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have GRANTED, BARGAINED, and SOLD, and by these presents do GRANT, BARGAIN, SELL, CONVEY, and CONFIRM unto the said party of the second part, and to his heirs and assigns forever, all of the following described real estate situate in Ada County, State of Idaho, to-wit:

N1SW1, SW1SW1, Sec. 33, Twp. 4 S, R 3 E, B.M.;
Lots 2 and 3, Sec. 9, Twp. 5 S, R 3 E, B.M.;

Together with all water, water rights, ditches and rights-of-way for ditches appurtenant thereto used in connection therewith and thereunto belonging;

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest, in and to the said property as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular, the above described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever, and the said parties of the first part and their heirs, successors and assigns, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, successors and assigns, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

Zenon Isaguires, Matilda Anduiza, Joe Urquidi and Fidel Archabal hereby warrant and covenant that they are the sole and only partners of Wood Creek Sheep Company.

IN WITNESS WHEREOF, The parties of the first part have hereunto set their hands and seals, the day and year first above written.

\$8.00 documentary stamps attached and cancelled.

Wood Creek Sheep Company,
WOOD CREEK SHEEP COMPANY, a copartnership,
By Zenon Isaguires
Matilda Anduiza
Joe Urquidi
Fidel Archabal
Zenon Isaguires
Hazel Isaguires
Matilda Anduiza
Julio Anduiza
Joe Urquidi
Fidel Archabal
Ethyl M. Archabal

STATE OF IDAHO)
COUNTY OF ADA) SS.

On this 1st day of Dec, in the year 1948, before me, the undersigned, a Notary Public in and for said state, personally appeared ZENON ISAGUIRE, MATILDA ANDUIZA and JOE URQUIDI, known to me to be three of the partners of the partnership of Wood Creek Sheep Company, and the partners who subscribed their names to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Seal

E. F. Diven
Notary Public for Idaho
Residing at Boise, Idaho

STATE OF MASSACHUSETTS)
County of Suffolk) SS.

On this 10th day of December, in the year 1948, before me, the undersigned, a Notary Public in and for said State, personally appeared FIDEL ARCHABAL, known to me to be one of the partners of the partnership of Wood Creek Sheep Company, and the partner who subscribed his name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

My commission expires Oct 6, 1955

Nancy P. Donovan Notary Seal
Notary Public for Massachusetts
Residing at Boston, Mass.

STATE OF IDAHO)
COUNTY OF ADA) SS.

On this 1st day of Dec, in the year 1948, before me, the undersigned, a Notary Public in and for said state, personally appeared ZENON ISAGUIRE and HAZEL ISAGUIRE, husband and wife; MATILDA ANDUIZA and JULIO ANDUIZA, wife and husband; and JOE URQUIDI, a widower; known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Seal

E. F. Diven
Notary Public for Idaho
Residing at Boise, Idaho

STATE OF MASSACHUSETTS)
COUNTY OF Suffolk) SS.

On this 10th day of December, in the year 1948, before me, the undersigned, a Notary Public in and for said State, personally appeared FIDEL ARCHABAL and ETHEL ARCHABAL, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

Instrument No. 80895

613-WARRANTY DEED

THIS INDENTURE, Made this 3rd day of October, in the year of our Lord one thousand nine hundred and fifty, between HERBERT H. MOSSMAN, a widower,

of Boise, County of Ada, State of Idaho, the part y of the first part, and
BILL SMITH
of Boise, County of Ada, State of Idaho, the part y of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of

SEVEN THOUSAND THREE HUNDRED and no/100 ----- DOLLARS,

lawful money of the United States of America, to him in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all of the following described real estate, situated in the County of Elmore, State of Idaho, to-wit:

The Southeast Quarter (SE $\frac{1}{4}$) of Section thirty-three (33), Township four (4) South, Range three (3) East of the Boise Meridian, in Elmore County, Idaho, together with all water rights, ditches and rights-of-way for ditches thereto belonging or in anywise appertaining.

Together, with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said part y of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the part y of the second part, and to his heirs and assigns forever, and the said part y of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said part y of the second part, his heirs and assigns, against the said part y of the first part, and his heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND. EXCEPT: All reservations to the United States as contained in the patent for said lands; also except all highway and irrigation district bonds and all existing rights-of-way for roads and ditches along or upon said lands.

IN WITNESS WHEREOF, The said part y of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in

Presence of

Herbert H. Mossman

(SEAL)

Edwin Snow

(SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

SS.

County of ADA

On this 3rd

day of October

, in the year 1950, before

me personally appeared

the undersigned,
HERBERT H. MOSSMAN, a widower,

, a Notary Public in and for said State.

known to me to be the person
and acknowledged to me that

he executed the same.

whose name is

subscribed to the within instrument,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

Walter H. Oros

Notary Public for the State of Idaho,

Residing at Boise, Idaho.

\$ 8.25 documentary stamps attached and cancelled
Notary Seal

STATE OF IDAHO

SS.

County of Elmore,

I hereby certify that this instrument was filed for record at

request of Karl Paine

at # minutes past 9 o'clock A. M., this 18

day of October

, A. D. 1950,

in my office, and duly recorded in Book 50 of Warranty Deeds at Page 409

By James A. O'Neill

Ex Officio Recorder.

Fees, \$ 1.50

Deputy.

THIS INDENTURE, Made this 29th day of November, 1948, by and between WOOD CREEK SHEEP COMPANY, a copartnership consisting of ZENON ISAGUIRE, MATILDA ANDUIZA, JOE URQUIDI, and FIDEL ARCHABAL; and ZENON ISAGUIRE and HAZEL ISAGUIRE, husband and wife; MATILDA ANDUIZA and JULIO ANDUIZA, wife and husband; JOE URQUIDI, a widower; and FIDEL ARCHABAL and ETHEL ARCHABAL, husband and wife; the Parties of the First Part hereto, and BILL SMITH, of Shoshone, Lincoln County, Idaho, the Party of the second part hereto, WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of \$10.00, lawful money of the United States of America, and other good and valuable consideration, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have CRANTED, BARGAINED, and SOLD, and by these presents do GRANT, BARGAIN, SELL, CONVEY, and CONFIRM unto the said party of the second part, and to his heirs and assigns forever, all of the following described real estate situate in Ada County, State of Idaho, to-wit:

-N $\frac{1}{2}$ SW $\frac{1}{4}$, -SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.-33, Twp. 4 S, R 3 E, B.M.;
Lots 2 and 3, Sec.-9, Twp. 5 S, R 3 E, B.M.;

Together with all water, water rights, ditches and rights-of-way for ditches appurtenant thereto used in connection therewith and thereunto belonging;

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest, in and to the said property as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular, the above described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever, and the said parties of the first part and their heirs, successors and assigns, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, successors and assigns, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

Zenon Isaguire, Matilda Anduiza, Joe Urquidi and Fidel Archabal hereby warrant and covenant that they are the sole and only partners of Wood Creek Sheep Company.

IN WITNESS WHEREOF, The parties of the first part have hereunto set their hands and seals, the day and year first above written.

\$8.00 documentary stamps attached and cancelled.

STATE OF IDAHO)

COUNTY OF ADA)

SS.

Wood Creek Sheep Company,
WOOD CREEK SHEEP COMPANY, a copartnership,
By Zenon Isaguire
Matilda Anduiza
Joe Urquidi
Fidel Archabal
Zenon Isaguire
Hazel Isaguire
Matilda Anduiza
Julio Anduiza
Joe Urquidi
Fidel Archabal
Ethyl M. Archabal

On this 1st day of Dec, in the year 1948, before me, the undersigned, a Notary Public in and for said state, personally appeared ZENON ISAGUIRE, MATILDA ANDUIZA and JOE URQUIDI, known to me to be three of the partners of the partnership of Wood Creek Sheep Company, and the partners who subscribed their names to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Seal

STATE OF MASSACHUSETTS)

County of Suffolk)

SS.

E. F. Diven
Notary Public for Idaho
Residing at Boise, Idaho

On this 10th day of December, in the year 1948, before me, the undersigned, a Notary Public in and for said State, personally appeared FIDEL ARCHABAL, known to me to be one of the partners of the partnership of Wood Creek Sheep Company, and the partner who subscribed his name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

My commission expires Oct 6, 1955

STATE OF IDAHO)

COUNTY OF ADA)

SS.

Nancy P. Donovan
Notary Public for Massachusetts
Residing at Boston, Mass.

On this 1st day of Dec, in the year 1948, before me, the undersigned, a Notary Public in and for said state, personally appeared ZENON ISAGUIRE and HAZEL ISAGUIRE, husband and wife; MATILDA ANDUIZA and JULIO ANDUIZA, wife and husband; and JOE URQUIDI, a widower; known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Seal

STATE OF MASSACHUSETTS)

COUNTY OF Suffolk)

SS.

E. F. Diven
Notary Public for Idaho
Residing at Boise, Idaho

On this 10th day of December, in the year 1948, before me, the undersigned, a Notary Public in and for said State, personally appeared FIDEL ARCHABAL and ETHEL ARCHABAL, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

Instrument No. 80895

613--WARRANTY DEED

THIS INDENTURE, Made this 3rd day of October, in the year of our Lord one thousand nine hundred and fifty, between HERBERT H. MOSSMAN, a widower, of Boise, County of Ada, State of Idaho, the part y of the first part, and BILL SMITH of Boise, County of Ada, State of Idaho, the part y of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of SEVEN THOUSAND THREE HUNDRED and no/100 ----- DOLLARS, lawful money of the United States of America, to him in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged, ha s granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all of the following described real estate, situated in the County of Elmore, State of Idaho, to-wit:

The Southeast Quarter (SE $\frac{1}{4}$) of Section thirty-three (33), Township four (4) South, Range three (3) East of the Boise Meridian, in Elmore County, Idaho, together with all water rights, ditches and rights-of-way for ditches thereto belonging or in anywise appertaining.

Together, with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said part y of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the part y of the second part, and to his heirs and assigns forever, and the said part y of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said part y of the second part, his heirs and assigns, against the said part y of the first part, and his heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND. EXCEPT: All reservations to the United States as contained in the patent for said lands; also except all highway and irrigation district bonds and all existing rights-of-way for roads and ditches along or upon said lands.

IN WITNESS WHEREOF, The said part y of the first part ha s hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in	Presence of	Herbert H. Mossman	(SEAL)
Edwin Snow			(SEAL)

STATE OF IDAHO, }
County of ADA } SS.

On this 3rd day of October, in the year 19 50, before me the undersigned, a Notary Public in and for said State, personally appeared HERBERT H. MOSSMAN, a widower, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)	Walter M. Oros
\$ 8.25 documentary stamps attached and cancelled	Notary Public for the State of Idaho,
Notary Seal	Residing at Boise, Idaho.

STATE OF IDAHO }
County of Elmore, } SS.

I hereby certify that this instrument was filed for record at request of Karl Paine at # minutes past 9 o'clock A. M., this 18 day of October, A. D. 19 50, in my office, and duly recorded in Book 50 of Warranty Deeds at Page 409.

By James A. O'Neill Ex Officio Recorder.

Fees, \$ 1.50 Deputy.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

January 28, 1993

Re: Claim No(s) - Al-04044, Al-04140

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JEAN M SMITH
905 WARM SPRINGS AVENUE
BOISE ID 83702

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area should be conducted this summer by Department personnel. Prior to conducting the field exams, we will contact you to discuss details and schedule a time convenient for you.

Please submit the required evidence supporting the priority date(s) by March 15, 1993, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the toll-free number listed on the back page of the pamphlet or the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

BOISE TOWNE SQUARE

350 N. Milwaukee
375-5220

DOWNTOWN

170 N. 8th
344-8303



ORCHARD

1310 N. Orchard
377-3686

VISTA VILLAGE

936 Vista Village
343-8075

MOMENTS TO REMEMBER WITH PHOTOS

