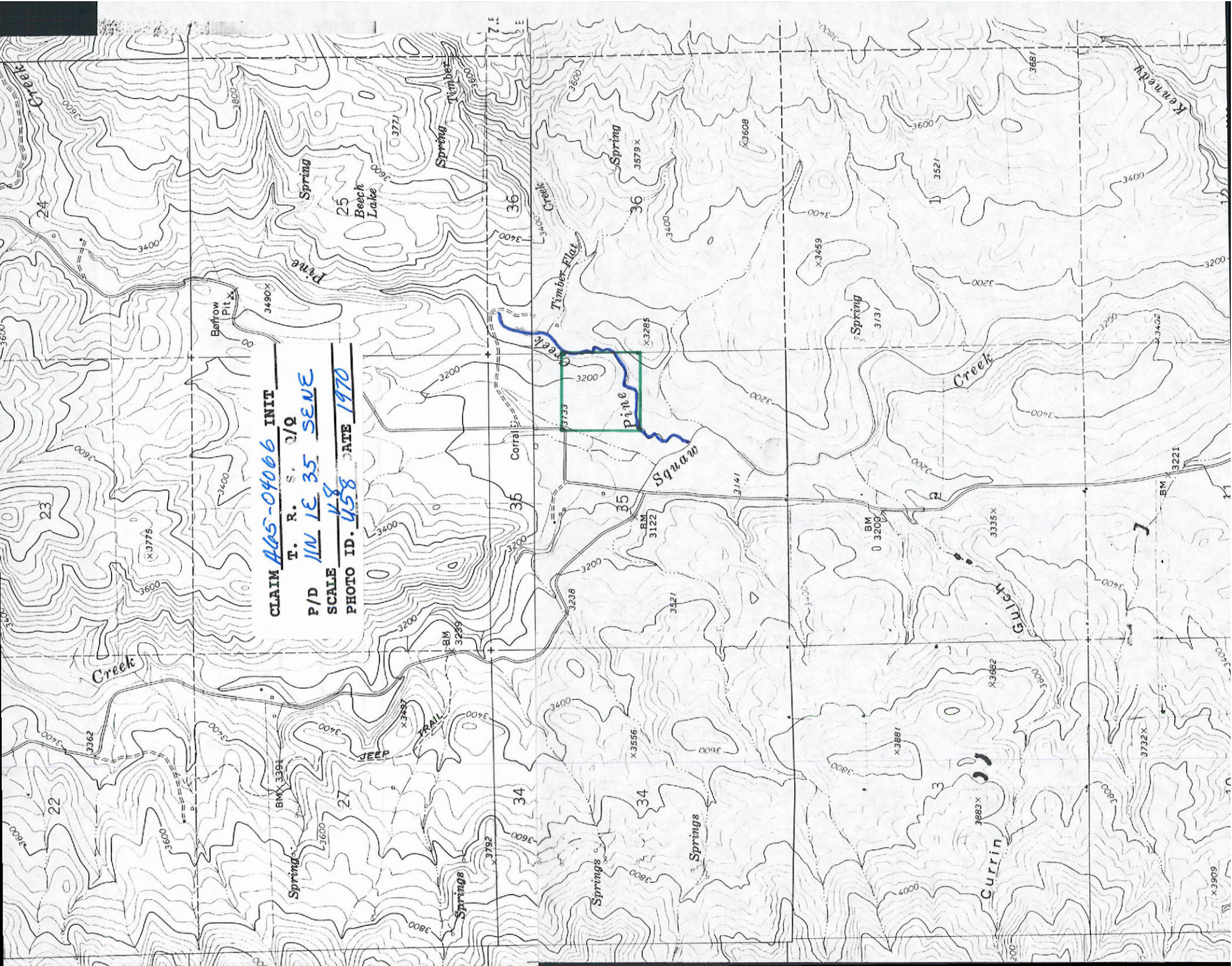


CLAIM A65-04066 INIT INIT  
T. R. S. Q/Q  
P/D 11N 1E 35 SENE  
SCALE 1:50,000  
PHOTO ID. 458 DATE 1970

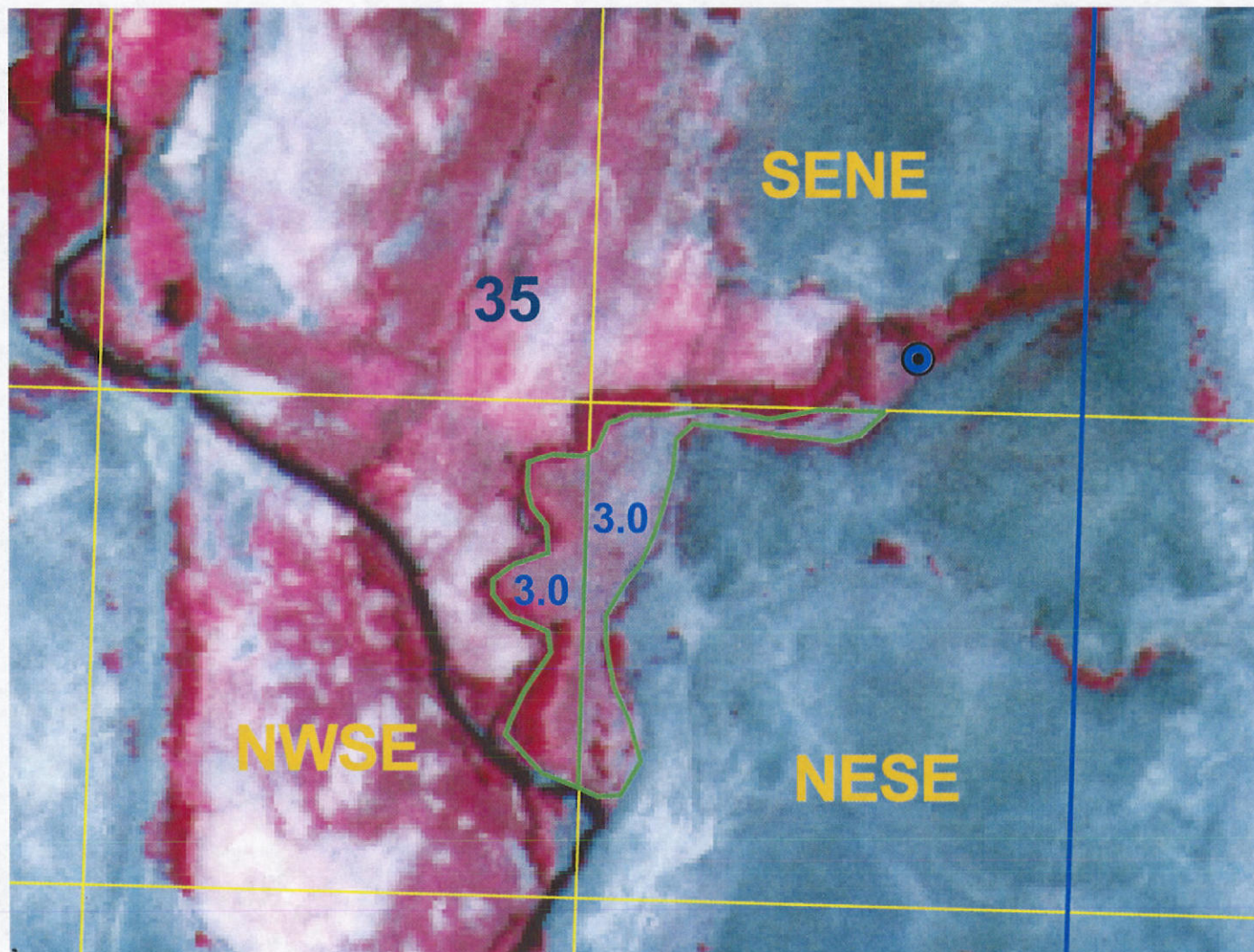
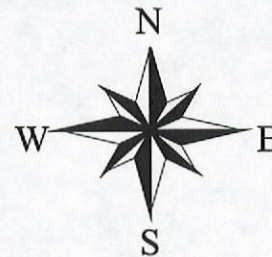


A hand-drawn sketch map on a grid. The map features a river or road winding through the center, with several numbered points (circles) and labels. A blue handwritten note "AAS-4056" is on the left. The grid has coordinates 26, 35, 34, and 35. Labels include "Pine", "A", "B", and "C".

465-4056

# IDAHO DEPARTMENT OF WATER RESOURCES

## T11N, R01E, S35



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-04056

OWNER(S): SMITH, JAMES & MARY

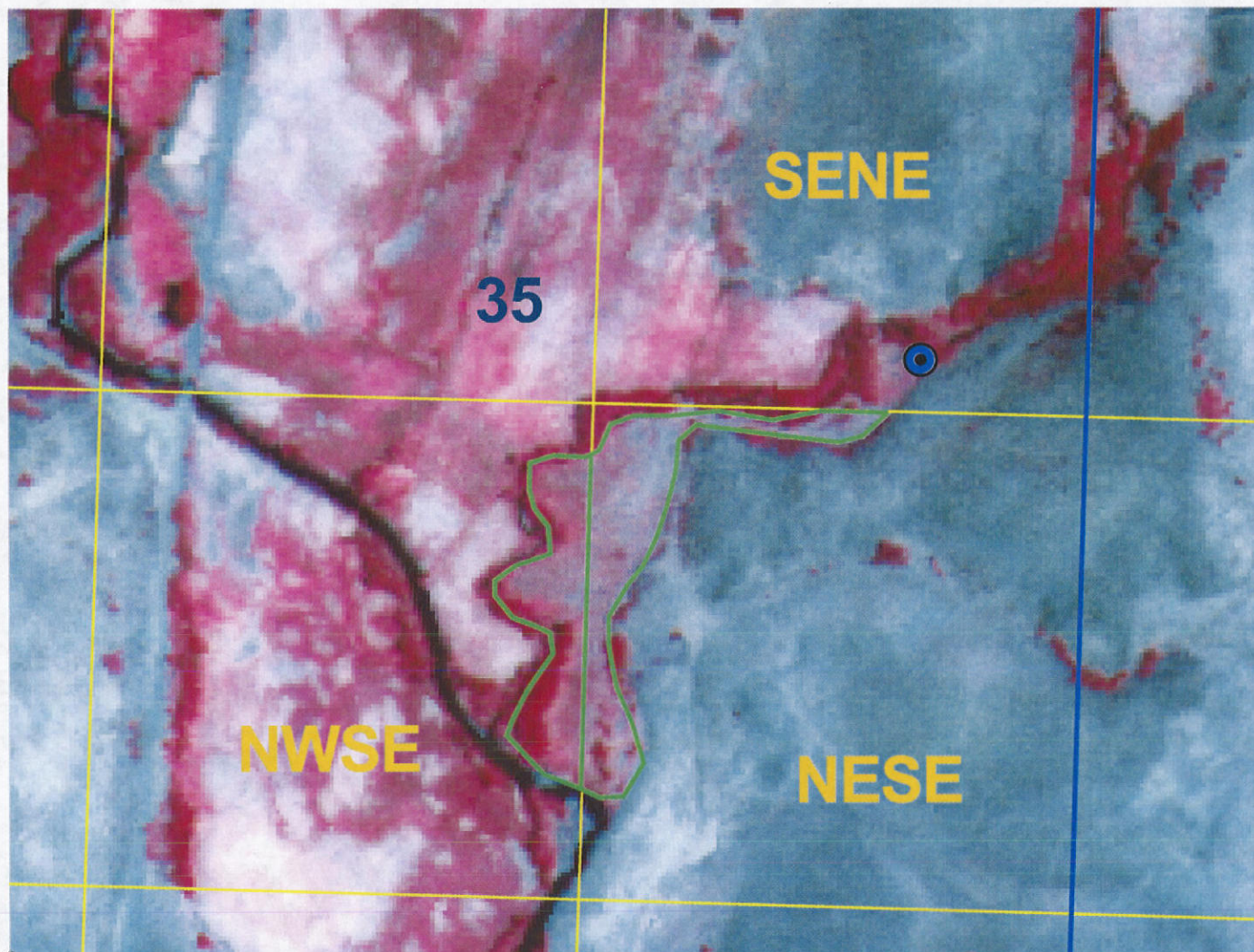
Prepared by Mel Schulte

DATE: JULY 11, 2000

0 0.25 0.5 Miles

# IDAHO DEPARTMENT OF WATER RESOURCES

## T11N, R01E, S35



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-04056

OWNER(S): SMITH, JAMES & MARY

Prepared by Mel Schulte

DATE: JULY 11, 2000

0 0.25 0.5 Miles

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: **A65-04056**  
Date Received: 8/29/1988  
Receipt No: X999999  
Received By: \_\_\_\_\_

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

1. Name: JAMES W SMITH  
Address: 1024 PARK HILL DRIVE  
BOISE ID

83703

OR

Name: MARY B SMITH  
Address: 1024 PARK HILL DRIVE  
BOISE ID

83703

2. Date of Priority: MAY 29, 1927

3. Source: PINE CREEK Trib. to: SQUAW CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 11N      | 01E   | 35      | SE     | NE     |     |     | GEM    |
|          |       |         | SE     | NE     |     |     | GEM    |

5. Description of diverting works:  
NON-PERMANANT DAM TO DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.120 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

**MICROFILMED**

**AUG 03 1994**

10. Place of Use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---------------|-------|---------|------------|-----|-----|-------|
| 11N           | 01E   | 35      | NE         | SE  | IRR | 3.0   |
|               |       |         | NW         | SE  | IRR | 3.0   |
| Section Acres |       |         |            |     |     | 6.0   |
| Total Acres   |       |         |            |     |     | 6.0   |

11. Place of use in counties: GEM

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
CHANGE OF OWNERSHIP COMPLETED BY L.R.W. ON 12/3/93.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

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): \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
Date: **MICROFILMED**

**AUG 03 1994**

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

MICROFILMED  
AUG 03 1994

POOR ORIGINAL

DEED

Printed and for sale by Syme York Company, Boise Idaho

al)  
rded ☐ Platted ☐ Key Punched ☐ To Treasurer ☐  
icrofilmed ☐ Deed Card ☐ Master File ☐  
Indexed ☐ Compared ☐ Abstracted ☐

(DO NOT WRITE ABOVE THIS LINE)

## WARRANTY DEED

BERNARD W. HOFFMAN, a/k/a B. W. HOFFMAN, a single man

( Ola County of Gem  
ereby CONVEYS, GRANTS and WARRANTS TO

GRANTOR(S)  
State of Idaho

JAMES W. SMITH and MARY B. SMITH, husband and wife,

GRANTEE(S)

hose current address is 1024 Park Hill Dr., Boise, Id.

on the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION Dollars (\$10.00 )

he following described tract(s) of land in Gem County, State of Idaho:

Property as more particularly described on attached Exhibit "A"

LIFE  
ESTATE

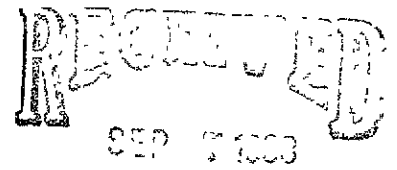
MICROFILMED

Location of above described property: \_\_\_\_\_

House No. \_\_\_\_\_

Street \_\_\_\_\_

AUG 03 1994



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: A65-04056  
Date Received: 8/29/1988  
Receipt No: X999999  
Received By: ERR

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: B. W. HOFFMAN 208-584-3507  
Address: P.O. BOX 44  
OLA, ID 83657

2. Date of Priority: MAY 29, 1927

3. Source: PINE CREEK Trib. to: SQUAW CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 11N      | 01E   | 35      | SE     | NE     |     |     | GEM    |
|          |       |         | SE     | NE     |     |     | GEM    |

5. Description of diverting works:  
NON-PERMANANT DAM TO DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.120 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 11N           | 01E   | 35      | NE     | SE  |     | IRR | 3.0   |
|               |       |         | NW     | SE  |     | IRR | 3.0   |
| Section Acres |       |         |        |     |     |     | 6.0   |

A65-04056

Page 1

Date: 08/29/88

MICROFILMED  
SEP 22 1992

10. Place of Use: Continued

Total Acres 6.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:  
NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

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 X 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): x B.W. Hoffman Date: Sept 6/88  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Gem ) ss.

Subscribed and sworn (or affirmed) before me this 6<sup>th</sup> day  
of September 19 88

Carolyn R Farber  
Notary Public

Seal

Residing at Emmett, Idaho  
My Commission Expires 1-14-1994

RECEIVED

JAN 24 2002

WATER RESOURCES  
WESTERN REGION

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

In Re SRBA

Case No. 39576

A. Subcase 65-4056  
(Insert water right number)

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: United States of America acting through the Department of Interior,  
Bureau of Reclamation, Regional Director PN Code-3100  
Address: 1150 N. Curtis Rd. Suite 100  
Boise, Idaho 83706-1234  
Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:  
David W. Gehlert (303 312-7352)  
Trial Attorney, General Litigation Section  
Environment and Natural Resource Division  
U.S. Department of Justice  
999 18th Street, Suite N 945  
Denver, CO 80202

**C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT**

Name: Mary B. Smith & James W. Smith  
Address: 1024 Park Hill Dr.  
Boise, ID 83703

**D.** I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
1. ☐ **Name and Address**  
Should be:
  2. ☐ **Source**  
Should be:
  3. ☐ **Quantity**  
Should be:
  4. ☐ **Priority Date**  
Should be:
  5. ☐ **Point(s) of Diversion**  
Should be:
  6. ☐ **Instream Flow Description**  
Should be:
  7. ☐ **Purpose(s) of Use**  
Should be:
  8. ☐ **Period of Year**  
Should be:
  9. ☐ **Place of Use**  
Should be:
  11. **I object because:**
    - ☐ This water right should not exist.
    - ☐ This water right was not recommended, but should be recommended with the elements described.

**E. REASONS SUPPORTING EACH OBJECTION(S):**

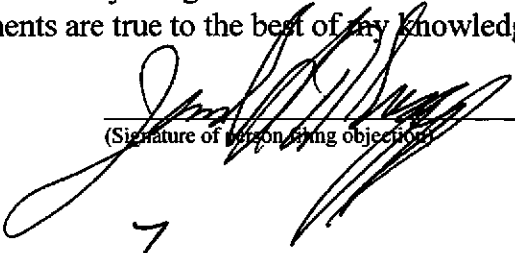
The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

**F. VERIFICATION (Must be Completed)**

State of Idaho )  
 ) ss.  
County of Ada )

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

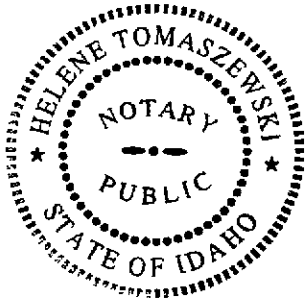
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

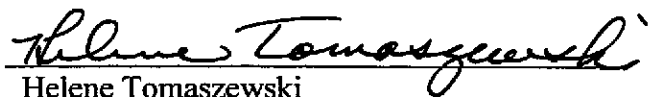
  
(Signature of person filing objection)

7  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 9, 2002



  
Helene Tomaszewski  
Notary Public for: Idaho  
Residing at: Meridian  
My Commission Expires: 01-16-2002

## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on January 17, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Mary B. Smith & James W. Smith

Address: 1024 Park Hill Dr.  
Boise, ID 83703

3. Copies to:

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 44449  
Boise, Idaho 83711-4449

IDWR Document Depository  
P.O. Box 83720  
Boise, Idaho 83720-0098

United States Department of Justice  
Environment and Natural Resource Division  
General Litigation Section  
550 West Fort Street, MSC 033  
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098  
 Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

DEC 14 2001

WATER RESOURCES  
 WESTERN REGION

October 23, 2001

DIRK KEMPTHORNE  
 GOVERNOR

KARL J. DREHER  
 DIRECTOR

MR AND MRS JAMES W SMITH  
~~10000~~ CARTWRIGHT RD 11606  
 BOISE ID-83707 83703

Re: Snake River Basin Adjudication (SRBA)  
Change of Address

Dear Water Right Holders:

*Recommendations & claims:*  
 ac 65-4056 } all  
 65-4055 } modified  
 65-3086 } 11-21-01.  
 P.P. 65-288 } -ss  
 NCAP prepared.

When Mrs. James W. Smith called Monday to let us know your address has changed, the person she spoke to was not aware that we need the new address information in writing and signed by the water right holders before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list your water right numbers before returning this letter by November 5, 2001. I checked our database under "James W. Smith" and found three, with three different spouses, of course, so was unable to determine your water right numbers since I don't know which spouse goes with which James W. Smith. Your signatures on this letter will clarify which James W. Smith you are (unless Mrs. Smith signs 'Mrs. James W. Smith'). Thank you for your help.

If there has been a change in ownership of the property connected with your water right(s), please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

*Sally*  
 Sally Sherman  
 Technical Records Specialist  
 Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

*Mary B. Smith*

Telephone No.

m 11/20

11/20/2001

To: Sally Sherman

Fax 327-7866

From: Mary B. Smith  
11606 Cartwright Rd Boise Idaho 83702  
Fax 938-9731

Following this cover sheet  
is your letter signed by my  
husband and myself. (James W. Smith)  
Please put back to us  
with right number and  
clarified account.

Sincerely,  
Mary B. Smith

Updated 65-288  
( -3086  
-4055  
-4056

-no 11-21-01.

HP LaserJet 3100  
Printer/Fax/Copier/Scanner

SEND CONFIRMATION REPORT for  
WATER RESOURCES  
2083275400  
Nov-21-01 10:10AM

| Job | Start Time    | Usage | Phone Number or ID | Type | Pages | Mode  | Status    |
|-----|---------------|-------|--------------------|------|-------|-------|-----------|
| 156 | 11/21 10:08AM | 1'56" | 2089389731         | Send | 6/ 6  | EC 96 | Completed |

Total 1'56" Pages Sent: 6 Pages Printed: 0



State of Idaho  
DEPARTMENT OF WATER RESOURCES  
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000  
Phone: (208) 327-7900 FAX: (208) 327-5400

DWC 12/01/01  
DWC 12/01/01  
DWC 12/01/01  
DWC 12/01/01

FAX TRANSMITTAL COVER SHEET

DATE November 21, 2001  
TO Mary B and James W Smith FROM Sally Sherman  
Ph 342-1010 Ph 327-7862  
Fx 938-9731 Fx 327-7866

DOCUMENT DESCRIPTION 65-288, 65-3086, 65-4055 and 65-4056

These are the only records which needed updating. These are for your files. If you have questions, give me a buzz. I'll be gone Friday, but here today.

Have a lovely Thanksgiving.

COVER SHEET + 4 PAGES

5

12/10/2001

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-4056

NAME AND ADDRESS: MARY B SMITH  
11606 CARTWRIGHT RD  
BOISE ID 83703

JAMES W SMITH  
11606 CARTWRIGHT RD  
BOISE ID 83703

SOURCE: PINE CREEK

TRIBUTARY: SQUAW CREEK

QUANTITY: 0.120 CFS

PRIORITY DATE: 05/29/1927

POINT OF  
DIVERSION:

T11N R01E S35 SENE Within GEM County

PURPOSE AND  
PERIOD OF USE

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 0 120 CFS       |

PLACE OF USE.

IRRIGATION Within GEM County

|               |      |     |               |      |     |
|---------------|------|-----|---------------|------|-----|
| T11N R01E S35 | NESE | 3.0 | T11N R01E S35 | NWSE | 3 0 |
|---------------|------|-----|---------------|------|-----|

6 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT .

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY  
FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF  
THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A  
POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION  
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL BASIS OF CLAIM - Decreed

RECEIVED

DEC 12 2001

WATER RESOURCES  
WESTERN REGION

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

|                |   |                                 |
|----------------|---|---------------------------------|
| In Re SRBA     | ) | Water Rights: 65-4055, 65-4056, |
|                | ) | 65-3086                         |
|                | ) |                                 |
| Case No. 39576 | ) | NOTICE OF COMPLETED             |
|                | ) | ADMINISTRATIVE                  |
|                | ) | PROCEEDING                      |

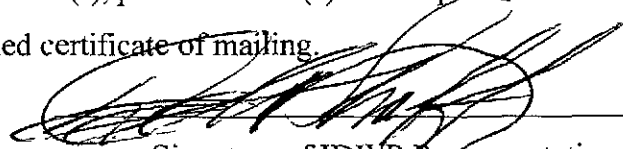
IDWR has completed the following administrative proceeding:

- ☒ Address change
- ☐ Substitution of Party
- ☐ IC § 42-222 transfer
  - ☐ Point of diversion      ☐ Place of use
  - ☐ Period of use      ☐ Nature of use
  - ☐ Split of water right      ☐ Change in ownership
  - ☐ Other

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 12/10/01

  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on December 11, 2001, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

### 1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
P.O. Box 2707  
Twin Falls, ID 83303-2707

☐ overnight mail  
☒ regular mail  
☐ hand-delivered  
☐ facsimile

### 2. Copies to:

Clive Strong  
Off ice of the Attorney General  
P.O. Box 44449  
Boise, ID 83711-4449

☐ overnight mail  
☐ regular mail  
☒ hand-delivered  
☐ facsimile

United States Dept of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

☐ overnight mail  
☒ regular mail  
☐ hand-delivered  
☐ facsimile

### 3. Copies to all parties to the subcase:

James W. Smith  
Mary B. Smith  
11606 Cartwright Rd.  
Boise, ID 83703

☐ overnight mail  
☒ regular mail  
☐ hand-delivered  
☐ facsimile

☐ overnight mail  
☐ regular mail  
☐ hand-delivered  
☐ facsimile

Kaz Lew

Signature of person mailing this document



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

June 7, 2001

RECEIVED

JUN 12 2001

WATER RESOURCES  
WESTERN REGION

H RONALD BJORKMAN  
PO BOX 188  
EMMETT ID 83617-0188

RE A65-00288; A65-03086 A65-04055 and ~~A65-04056~~

Dear Mr. Bjorkman

Thank you for your letter dated May 18, 2001, asking for confirmation of information you received from Ms. Danni Smith of this office regarding filing additional claims for water rights for stockwater purposes in Basin 65.

The information you received from our office is correct Idaho Code §42-113 provides that a water right is not required for the appropriation of water for the instream watering of livestock. In addition, claims to these instream stockwatering uses are not required, by order of the Snake River Basin Adjudication Court.

Thank you for addressing the helpfulness and courtesy of Danni Smith -- we agree that she is a gem, and I appreciate your note Please advise if we can assist you further in this matter

Sincerely,

David R Tuthill, Jr., P.E.  
Adjudication Bureau Chief

11/24/2000

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

---

RIGHT NUMBER: 65-4056

NAME AND ADDRESS: JAMES W SMITH  
MARY B SMITH  
1024 PARK HILL DRIVE  
BOISE, ID 83703

SOURCE: PINE CREEK                      TRIBUTARY: SQUAW CREEK

QUANTITY: 0.12 CFS

PRIORITY DATE: 05/29/1927

POINT OF DIVERSION: T11N R01E S35              SENE                      Within GEM County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4-01 11-01           | 0.12 CFS        |

PLACE OF USE:

|                                     |      |   |                                                |
|-------------------------------------|------|---|------------------------------------------------|
| <u>IRRIGATION Within GEM County</u> |      |   |                                                |
| T11N R01E<br>S35                    | NESE | 3 | T11N R01E S35              NWSE              3 |

6 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL  
PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS  
OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS  
AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT  
IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED  
DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

AJ5809NP  
No. A65-04056

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/24/00  
PAGE: 2

| OWNER<br>CODE | NAME & ADDRESS       | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|----------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | JAMES W SMITH        | 05/29/1927       | IRRIGATION | 04-01 11-01           | 0.120 CFS         |                     |
| C             | MARY B SMITH         |                  |            |                       |                   |                     |
|               | 1024 PARK HILL DRIVE |                  |            | TOTAL DIVERSION:      | 0.120 CFS         |                     |
|               | BOISE ID 83703       |                  |            |                       |                   |                     |

Water Source: PINE CREEK

Tributary to: SQUAW CREEK

Stage: DECREED

Point(s) of Diversion:

T11N R01E S35

SENE

SENE

GEM County

Place of use Legal Description for: IRRIGATION

|     |     |    |   | NE   |      |      |      | NW |      |      |      | SW   |    |      |      | SE   |      |    |      |      |      |      |    |     |   |     |
|-----|-----|----|---|------|------|------|------|----|------|------|------|------|----|------|------|------|------|----|------|------|------|------|----|-----|---|-----|
| T   | R   | S  | : | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | :  | NESW | NWSW | SWSW | SESW | :  | NESE | NWSE | SWSE | SESE | :  | SUM |   |     |
|     |     |    | : | Lt   | Ac   | Lt   | Ac   | Lt | Ac   | Lt   | Ac   | Lt   | Ac | :    | Lt   | Ac   | Lt   | Ac | Lt   | Ac   | Lt   | Ac   | Lt | Ac  | : |     |
| 11N | 01E | 35 | : |      |      |      |      | :  |      |      |      |      | :  |      |      |      |      | :  |      |      |      |      |    |     | : |     |
|     |     |    | : |      |      |      |      | :  |      |      |      |      | :  |      |      |      |      | :  | 03   | 03   |      |      |    |     | : | 6.0 |
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WR5809NP  
No. 65-04056

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 11/24/00  
PAGE: 2

| OWNER<br>CODE    | NAME & ADDRESS                               | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | B. W. HOFFMAN<br>P.O. BOX 44<br>OLA ID 83657 | 05/29/1927       | IRRIGATION | 04/01 11/01           | 0.120 CFS         |                     |
| TOTAL DIVERSION: |                                              |                  |            |                       | 0.120 CFS         |                     |

Water Source: PINE CREEK

Tributary to: SQUAW CREEK

Stage: DECREED

Point(s) of Diversion:

T11N R01E S35

SENE

GEM County

Place of use Legal Description for: IRRIGATION

|             |     |    |   | NE   |      |      |      | NW |      |      |      | SW   |   |      |      | SE   |      |   |      |      |      |      |     |     |
|-------------|-----|----|---|------|------|------|------|----|------|------|------|------|---|------|------|------|------|---|------|------|------|------|-----|-----|
| T           | R   | S  | : | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE | :   | SUM |
|             |     |    |   | Lt   | Ac   | Lt   | Ac   |    | Lt   | Ac   | Lt   | Ac   |   | Lt   | Ac   | Lt   | Ac   |   | Lt   | Ac   | Lt   | Ac   |     |     |
| 11N         | 01E | 35 | : |      |      |      |      | :  |      |      |      |      | : |      |      |      |      | : | 03   | 03   |      |      | :   | 6.0 |
| TOTAL ACRES |     |    |   |      |      |      |      |    |      |      |      |      |   |      |      |      |      |   |      |      |      |      | 6.0 |     |

Pou County: GEM

Other Water Rights Listing Overlapping Place(s) of use:  
65-03086

|        |                 |                    |            |
|--------|-----------------|--------------------|------------|
| Dates: | App. Received:  | Priority Date:     | 05/29/1927 |
|        | Proof Due Date: | Proof Made Date:   |            |
|        | Exam Made Date: | Exam Sent to S.O.: |            |
|        | Licensed Date:  |                    |            |

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

AG-4056

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 299

\*INDICATES TOTAL\*

SOURCE: PINE CREEK

TRIBUTARY TO: LAKE FORK CREEK

| RIGHT<br>NUMBER | NAME AND<br>ADDRESS                                                                                                                                             | PRIORITY<br>DATE | USE        | USE PERIOD<br>FROM TO | MAX AMOUNT<br>MAX RATE | DIVERSION<br>POINT    | PLACE OF USE<br>AND ACREAGE                                                                                | BASIS FOR<br>RIGHT |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|------------------------|-----------------------|------------------------------------------------------------------------------------------------------------|--------------------|
| 65-2356         | CRUZEN, EDWARD A.<br>DUNNELLY, IDAHO 83615<br>REMARKS: THIS RIGHT WHEN<br>COMBINED WITH RIGHTS 65-3190 &<br>65-3192 SHALL PROVIDE NO MORE<br>THAN .02 CFS/ACRE. | 7/20/1928        | IRRIGATION | 4/15 10/15            | --- AFA<br>2.70 CFS    | SESW S 3<br>T17N R 3E | NENE(39) NWNE(39)<br>SWNE(40) SENE(40)<br>NESE(40) NWSE(38)<br>SWSE(38) SESE(39)<br>S21 T17N R 3E<br>*313* | LICENSE            |
| 65-2355         | HAYBACH, DOROTHY<br>203 VISTA BALLS DRIVE, SANTA<br>CRUZ, CALIFORNIA 95060                                                                                      | 7/20/1928        | IRRIGATION | 4/15 10/15            | --- AFA<br>.50 CFS     | SESW S 3<br>T17N R 3E | SENE(33)<br>S16 T17N R 3E<br>*33*                                                                          | LICENSE            |

\*INDICATES TOTAL\*

SOURCE: PINE CREEK

TRIBUTARY TO: SQUAW CREEK

| RIGHT<br>NUMBER | NAME AND<br>ADDRESS                                       | PRIORITY<br>DATE | USE        | USE PERIOD<br>FROM TO | MAX AMOUNT<br>MAX RATE                      | DIVERSION<br>POINT                             | PLACE OF USE<br>AND ACREAGE                                    | BASIS FOR<br>RIGHT |
|-----------------|-----------------------------------------------------------|------------------|------------|-----------------------|---------------------------------------------|------------------------------------------------|----------------------------------------------------------------|--------------------|
| 65-3096         | CHERRY, TOM<br>P.O. BOX 37, OLA, IDAHO 83657              | 5/ 1/1886        | IRRIGATION | 4/ 1 11/ 1            | --- AFA<br>.61 CFS                          | SWSW S25<br>T11N R 1E<br>NWNW S36<br>T11N R 1E | SWSW( 4)<br>S25 T11N R 1E<br>NWNW(19)<br>S36 T11N R 1E<br>*23* | DECREE             |
| 65-3093         | SIMPLLOT CATTLE CO.<br>P.O. BOX 27, BOISE, IDAHO<br>83707 | 5/ 1/1892        | IRRIGATION | 4/ 1 11/ 1            | --- AFA<br>.26 CFS                          | NWSE S24<br>T11N R 1E                          | SENE( 1) SWNW( 1)<br>NENW( 2) SESE( 3)<br>S24 T11N R 1E *7*    | DECREE             |
|                 |                                                           |                  | STOCKWATER | 1/ 1 12/31            | 5.40 AFA<br>.09 CFS<br>*---*AFA<br>*.26*CFS |                                                | SAME AS OTHER USE                                              |                    |
| 65-4056         | HOFFMAN, B. W.<br>P.O. BOX 44, OLA, IDAHO 83657           | 5/29/1927        | IRRIGATION | 4/ 1 11/ 1            | --- AFA<br>.12 CFS                          | SENE S35<br>T11N R 1E                          | NESE( 3) NWSE( 3)<br>S35 T11N R 1E *6*                         | BENEFICIAL<br>USE  |

\*INDICATES TOTAL\*

SOURCE: PINE CREEK SPRING NUMBER ONE

TRIBUTARY TO: SINKS

| RIGHT<br>NUMBER | NAME AND<br>ADDRESS                                                                             | PRIORITY<br>DATE | USE        | USE PERIOD<br>FROM TO | MAX AMOUNT<br>MAX RATE | DIVERSION<br>POINT    | PLACE OF USE<br>AND ACREAGE | BASIS FOR<br>RIGHT |
|-----------------|-------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|------------------------|-----------------------|-----------------------------|--------------------|
| 65-9995         | U. S. DEPT. OF AGRI.<br>FOREST SERVICE, FEDERAL BLDG.,<br>324 25TH STREET, OGDEN, UTAH<br>84401 | 6/ 1/1934        | STOCKWATER | 1/ 1 12/31            | .50 AFA<br>.07 CFS     | NENE S16<br>T11N R 2E | NENE<br>S16 T11N R 2E       | BENEFICIAL<br>USE  |



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

Date December 3, 1993

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

[ James or Mary Smith ]  
1024 Park Hill Dr.  
[ Boise, ID 83703 ]

Notice of Claim No.(s) A65-00288, A65-03086, A65-04055, A65-04056

Dear Claimant:

Enclosed is **your** copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Linda A. Werner  
Sr. Water Resource Agent  
Adjudication Section

Enclosure(s)

MICROFILMED  
AUG 03 1994



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

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

Date December 3, 1993

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

[ B W HOFFMAN ]  
PO BOX 44  
OLA ID 83657  
[ ]

Notice of Claim No.(s) A65-00288, A65-03086, A65-04055, A65-04056

Dear Claimant:

Our office has received the change of ownership notice on the above referenced claim(s).

We have completed the ownership change and a copy of the claim(s) has been sent to the new owner.

If you have any questions concerning the above, please feel free to contact this office.

Sincerely,

Linda A. Werner  
Sr. Water Resource Agent  
Adjudication Section

MICROFILMED

AUG 9 3 1994

CLAIM 445-04066 INIT

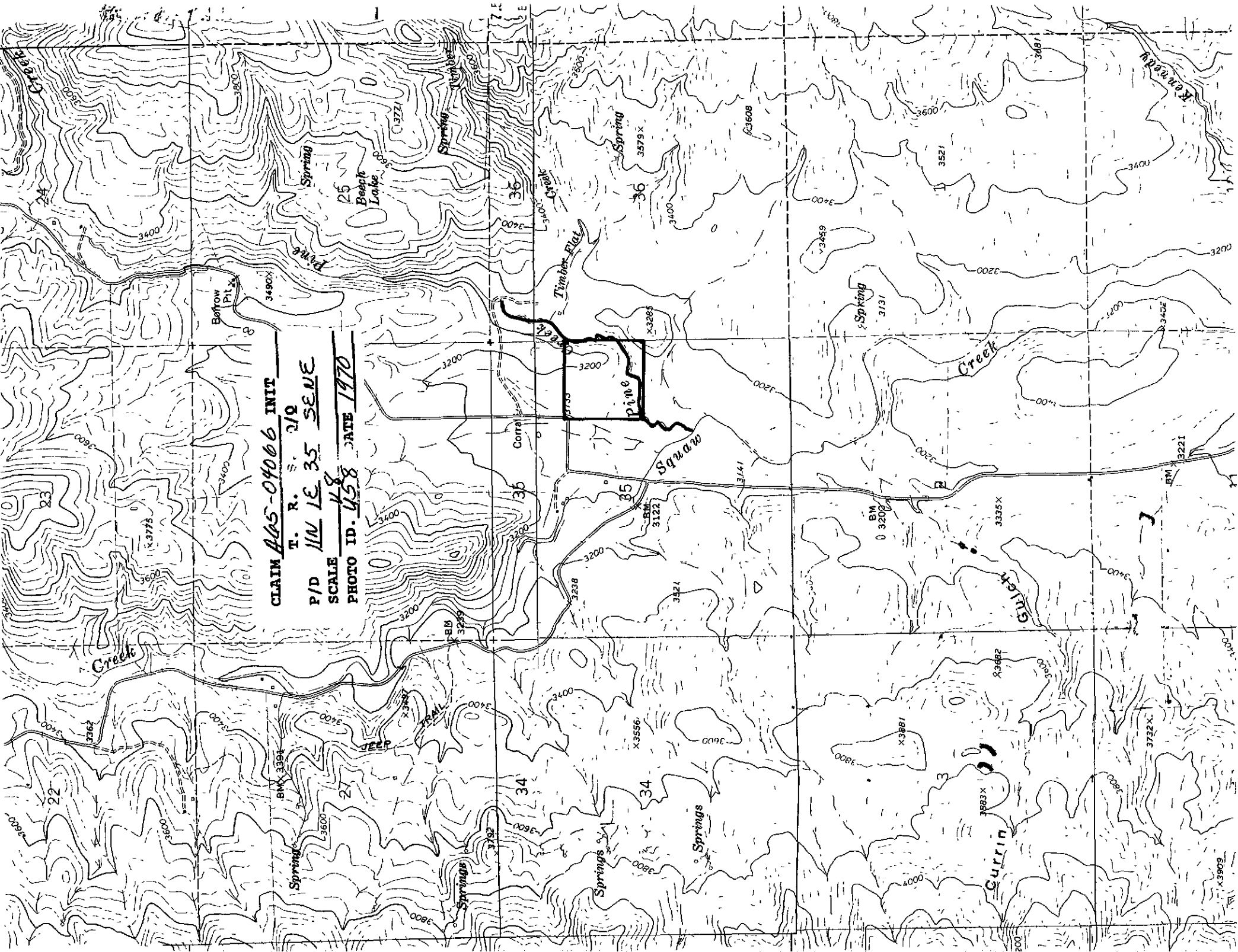
T. R. S. 210

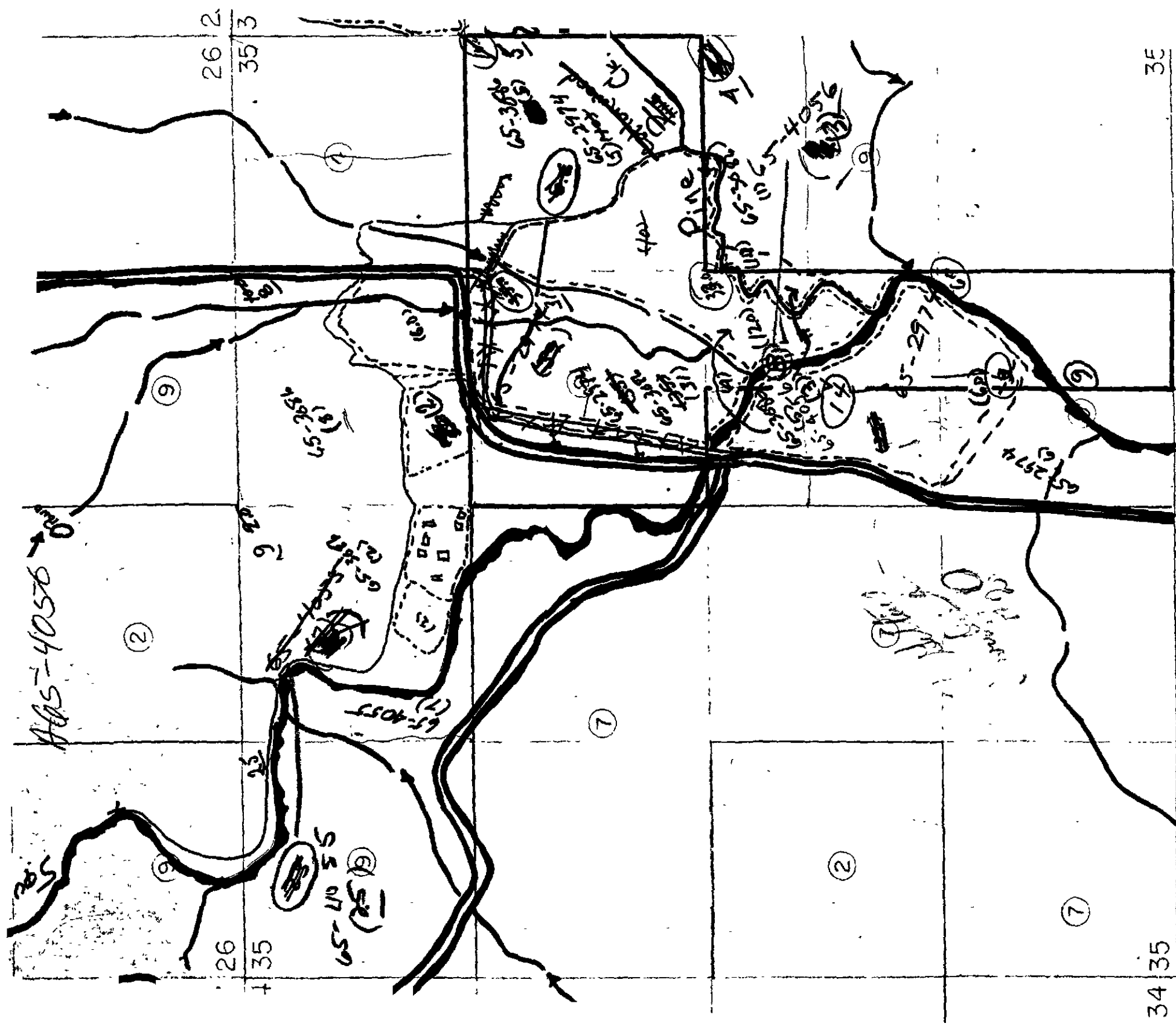
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SCALE

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DATE 1970

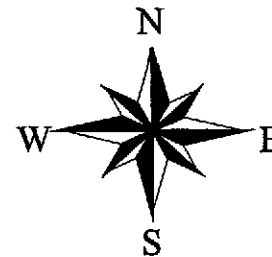




AGS-4056

# IDAHO DEPARTMENT OF WATER RESOURCES

## T11N, R01E, S35



1987 NAPP PHOTO

● POINT OF DIVERSION

▬ PLACE OF USE

▬ 1/4 1/4 LINES

▬ SECTION LINES

6 ACRES

6 SECTION NUMBERS

\* CLAIM(S): 65-04056

OWNER(S): SMITH, JAMES & MARY

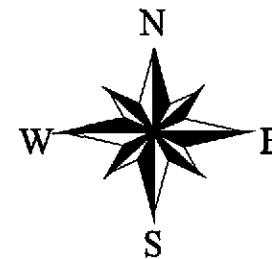
Prepared by Mel Schulte

DATE: JULY 11, 2000

0 0.25 0.5 Miles

# IDAHO DEPARTMENT OF WATER RESOURCES

## T11N, R01E, S35



1987 NAPP PHOTO

● POINT OF DIVERSION

▬ PLACE OF USE

▬ 1/4 1/4 LINES

▬ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-04056

OWNER(S): SMITH, JAMES & MARY

Prepared by Mel Schulte

DATE: JULY 11, 2000

0 0.25 0.5 Miles

