

S26

SENW

63-25741
14 AC irr.

63-25742

63-24160
D&S-.08cfs

old homestead
#63-25740

63-25743
7 AC irr.

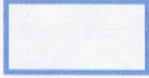
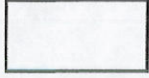
Idaho Department of Water Resources

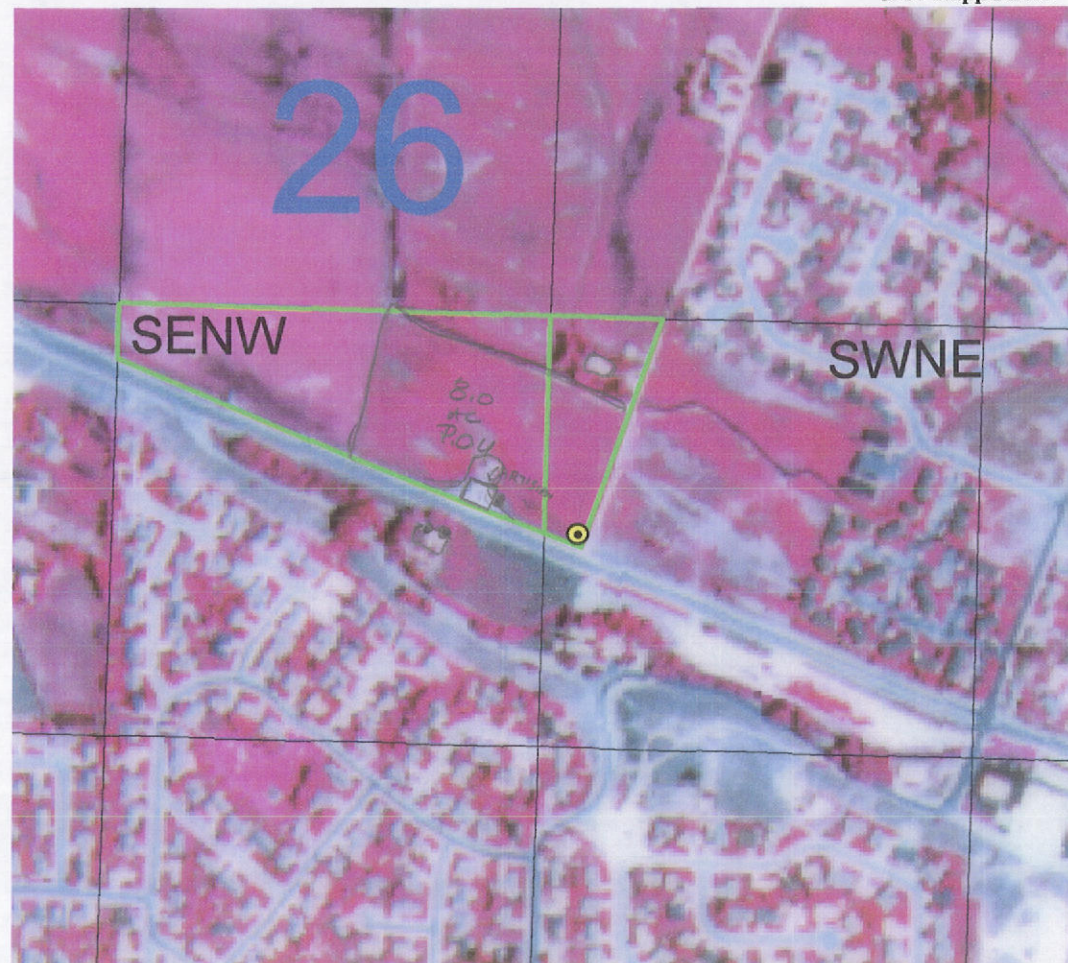
Claim Number: 63-25741

Legal: T4N, R1E, S26

Reviewed By:

1987 Napp Photo

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

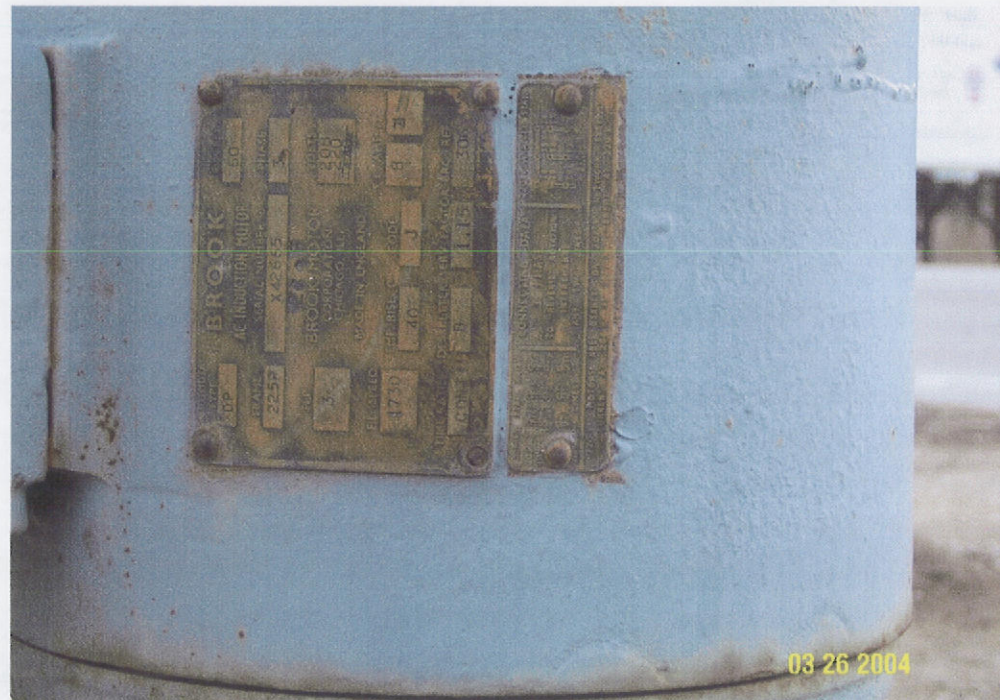


0 0.25 0.5 Miles





63-25741



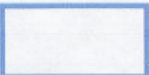
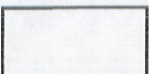
Idaho Department of Water Resources

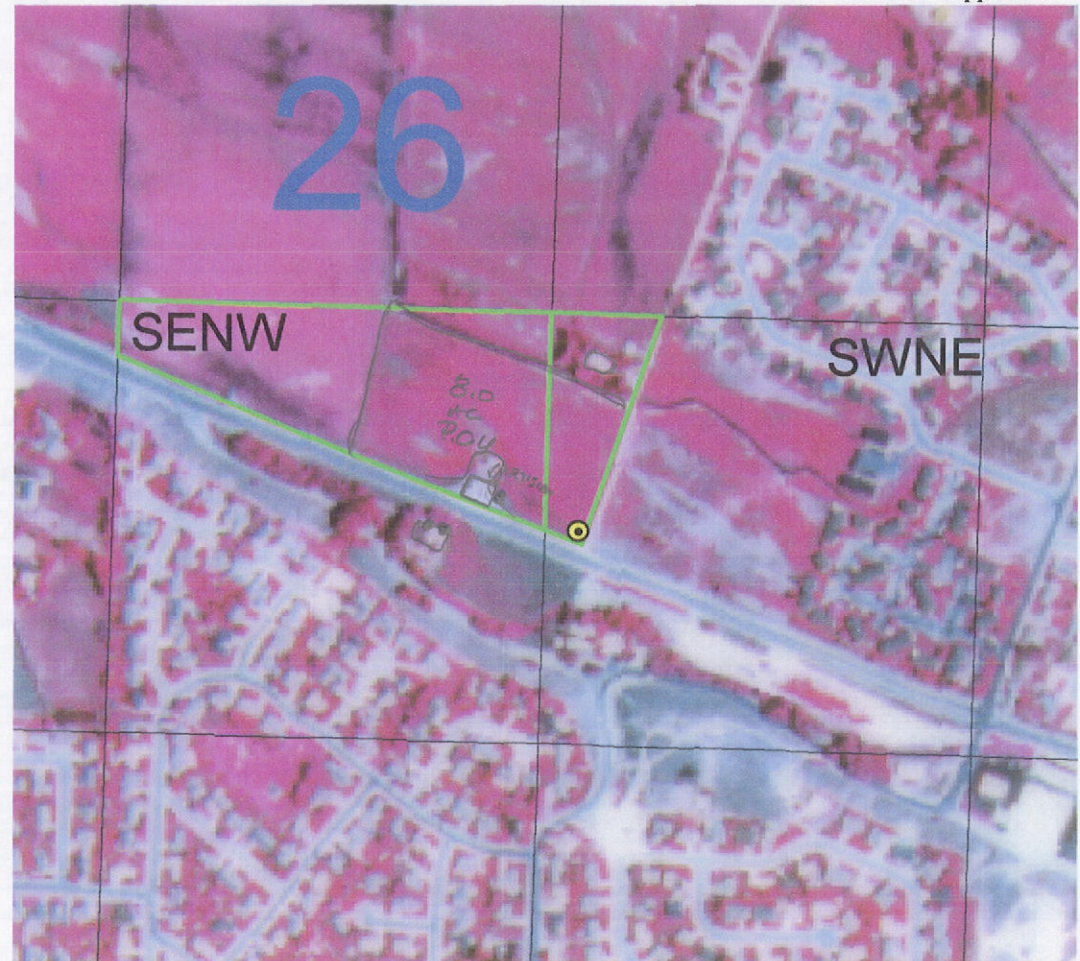
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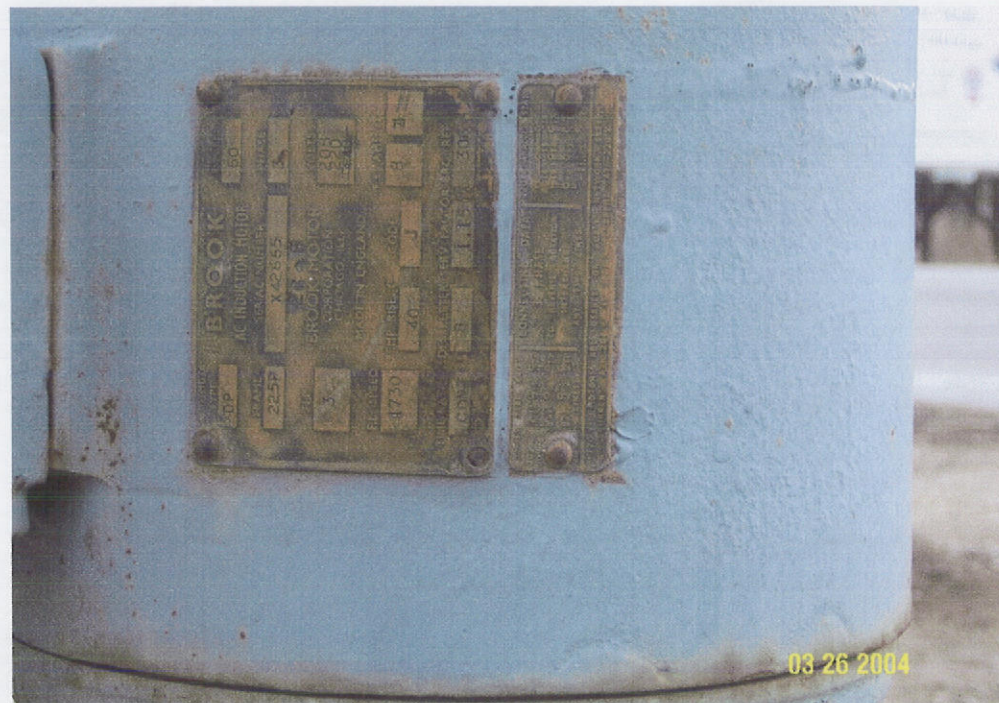


0 0.25 0.5 Miles



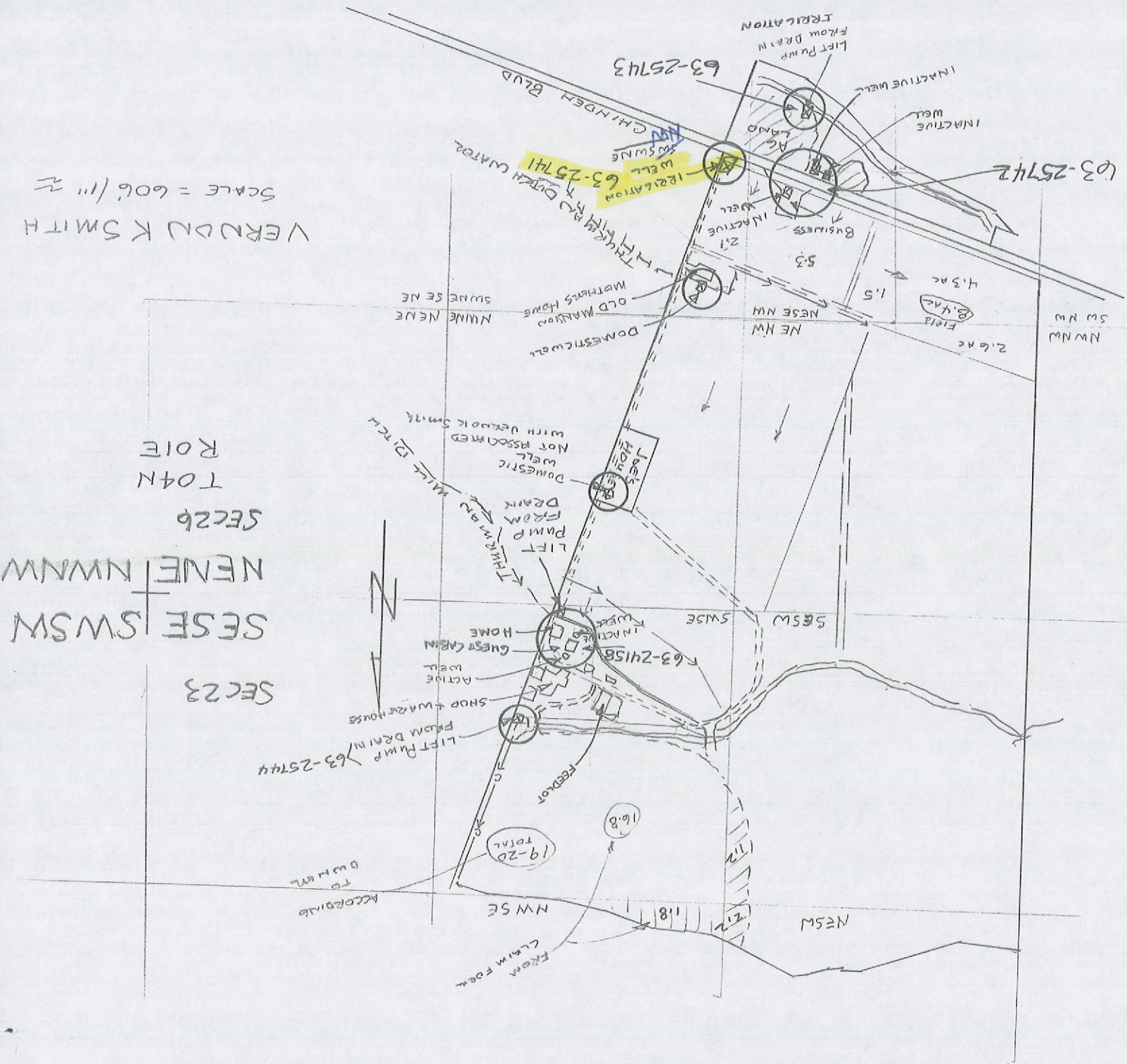


63-25741



* DRAWN BY IDWR CONTRACTOR, BUCKE SCHOLEK, DURING FIELD EXAMS. (3/04)

17258-59#



VERNON K SMITH
SCALE = 606/1" $\approx$

5E26
T04N
R01E

SESE | SWSW
NNNN | NNNW



This PARMA WATERLIFTER is the one South of the farmstead. It is used to lift water coming from the Thurman-Mill Ditch, which empties into this drain ditch. No other water right is associated with it. SEE REVERSE SIDE FOR DATA

OVER →





brother, **Joseph H. Smith**
Domestic

This domestic well is not associated with Vernon K. Smith. See reverse for pump location



OVER →



Mother's house Domestic Well

PUMP INFORMATION: *(Intrepid)*

Site Tag A0013254

GPS	2314253	#
	1386806	24

1 HP Submersible Pump

Franklin Motor

Serial No. 2801084915

1" Discharge Pipe



63-25741



63-25741



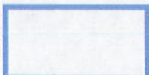
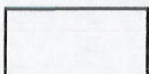
Idaho Department of Water Resources

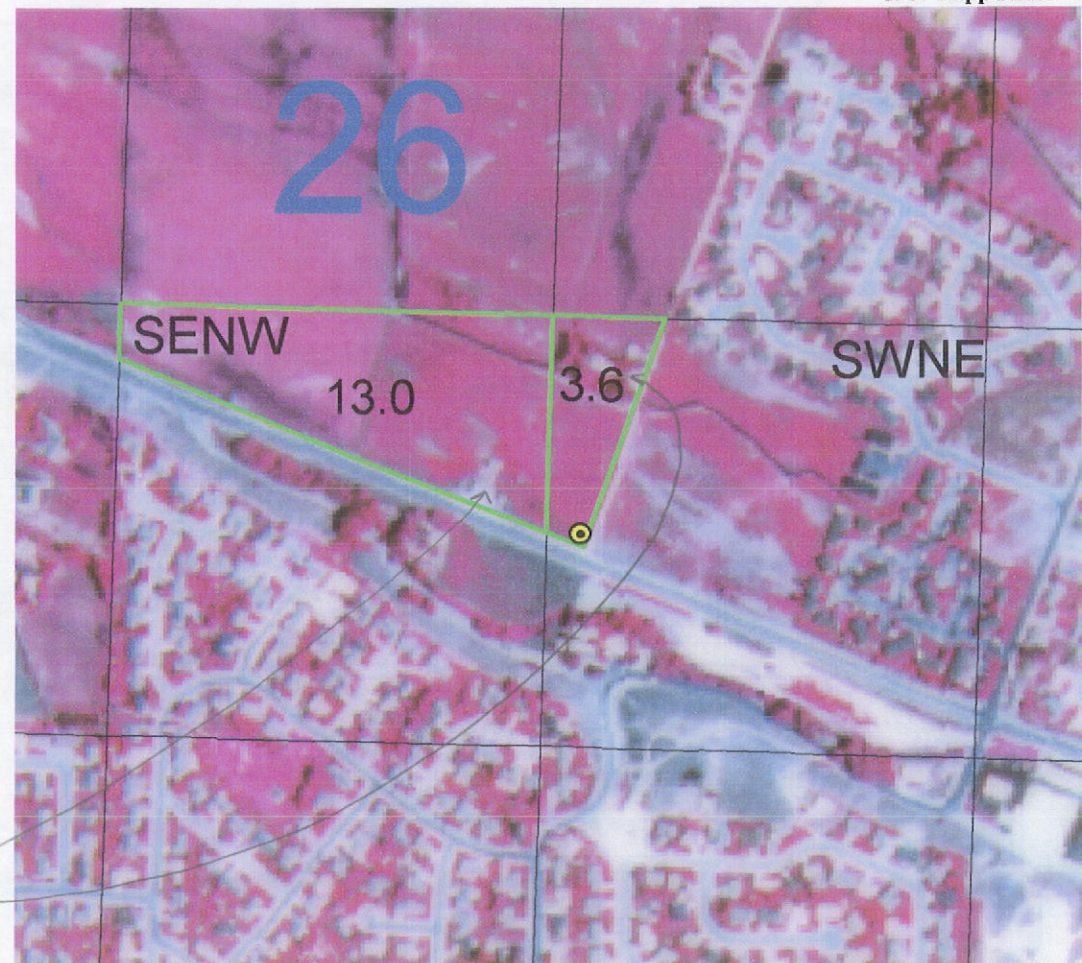
Claim Number: 63-25741

Legal: T4N, R1E, S26

Reviewed By:

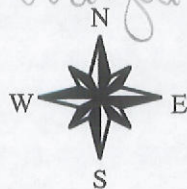
1987 Napp Photo

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



0 0.25 0.5 Miles

 should remove
these two areas
from irrigated acres
(houses,
buildings, etc.)





RECEIVED
APR 24 2006
DEPARTMENT OF
WATER RESOURCES

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)

A. Subcase 63-25741
(Insert water right number)

Case No. 39576)
_____)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Vernon K. Smith Representative for Victoria H. Smith (owner)

Address: and Estate of Vernon K. Smith Sr (owner)

1900 West Main St. Boise Idaho 83702

Daytime Phone: 208-345-1125

Name & Address of Attorney, if any:

Vernon K. Smith

1900 West Main St.

Boise, Idaho 83702

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

Name: Victoria H. Smith and Estate of Vernon K. Smith

Address: 5933 N. Branstetter

Boise, Idaho 83714

COPY

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

1. ☒ **Name and Address**
Should be: Estate of Vernon K. Smith and Victoria H. Smith
2. ☒ **Source**
Should be: Ground water
3. ☒ **Quantity**
Should be: 0.050 stock cfs and 0.750 irrigation cfs total 0.800 cfs
4. ☒ **Priority Date**
Should be: January 1, 1956
5. ☒ **Point of Diversion**
Should be: NW 1/4 SW 1/4 NE 1/4 Sec 26 TWP 4N R. 1E BM
6. ☒ **Instream Flow Beginning and Ending Point**
Should be: Ground water
7. ☒ **Purpose(s) of Use**
Should be: Stockwater and Irrigation
8. ☒ **Period of Year**
Should be: April 1 to December 31 - Stockwater
April 1 to October 15 - Irrigation
9. ☒ **Place of Use**
Should be: See attached claim and above point of diversion
10. ☒ **I object because:**
☐ This water right Should not exist.

☒ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** priority date
is January 1, 1956, and beneficial
use exists.

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Ada)

Vernon K. Smith, 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)

(Attorney signing in representative capacity)



Subscribed and sworn to before me on:

21st of April 2006

John M. Gibson
Notary Public for Idaho

Residing at: Bowse

My Commission Expires: 10-17-07

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 21st of April, 2006 I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

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

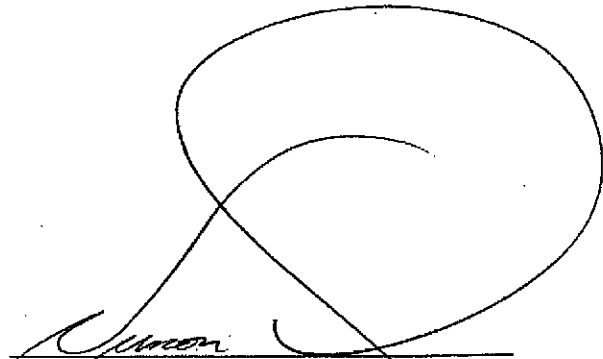
Name: Victoria H. Smith
Address: 5933 N. Braustetter
Boise, Idaho 83714

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25741

WATER RIGHT NUMBER: 63-25741

<u>Owner Type</u>	<u>Name and Address</u>
Representative	VERNON K SMITH 1900 W MAIN BOISE, ID 83702 (208)345-1125
Current Owner	VICTORIA H SMITH 5933 N BRANSTETTER RT 4 BOISE, ID 83714 (208)375-2934
Current Owner	ESTATE OF VERNON K SMITH C/O VICTORIA H SMITH RT 4 5933 N BRANSTETTER BOISE, ID 83714 (208)375-2934

Priority Date: 01/01/1956

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/15	0.750 CFS	
STOCKWATER	1/01 to 12/31	0.050 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4NE1/4	Sec. 26, Twp 04N, Rge 01E, B.M.
ADA County		
GROUND WATER	SW1/4SW1/4NE1/4	Sec. 26, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	26			5.0			1.0	8.0										14.0

Total Acres: 14

STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25741

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 01E 26			X			X		X									

Conditions of Approval:Remarks:

- General THE P/D COULD BE LOCATED ABOUT ON THE QUARTER LINE AND BE IN THE SW1/4, SW1/4, NE1/4.
WELL WITH TURBINE PUMP AND PIPE DISCHARGE INTO CONCRETE-LINED IRRIGATION DITCH USED TO IRRIGATE 14+ ACRES AND FOR STOCKWATER AS NEEDED THROUGHOUT THE YEAR.
CATTLE GRAZE IN FIELD AND ALSO FED HAY OR FIELD DURING FALL/ WINTER AND SPRING BEFORE FIELDS BECOME TOO SOFT.
THE SOIL COMPOSITION CONTAINS SAND AND GRAVEL IN ITS NATURAL STATE LYING ALONG THE NORTH SIDE OF HIGHWAY 20-26 IN THE BOISE RIVER BASIN BOTTOM LOWLAND.

Comments:Dates and Other Information:

Claim Received Date: 8/18/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-25741 V1

WATER RIGHT NUMBER: 63-25741 V1

<u>Owner Type</u>	<u>Name and Address</u>
Representative	VERNON K SMITH 1900 W MAIN BOISE, ID 83702 (208)345-1125
Current Owner	VICTORIA H SMITH 5933 N BRANSTETTER RT 4 BOISE, ID 83714 (208)375-2934
Current Owner	ESTATE OF VERNON K SMITH C/O VICTORIA H SMITH RT 4 5933 N BRANSTETTER BOISE, ID 83714 (208)375-2934

Priority Date: 01/01/1956

Basis:

Status: Disallowed

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/15	0.750 CFS	
STOCKWATER	1/01 to 12/31	0.050 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4NE1/4	Sec. 26, Twp 04N, Rge 01E, B.M.
ADA County		
GROUND WATER	SW1/4SW1/4NE1/4	Sec. 26, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	26			5.0			1.0	8.0										14.0

Total Acres: 14

STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-25741 V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 01E 26			X			X		X									

Conditions of Approval:

1. P03 NO BENEFICIAL USE FOUND: This is included for a claim based on beneficial use that is PROPOSED to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

Remarks:

1. Explanatory NO BENEFICIAL USE FOUND.

Comments:

1. kbrown 4/15/2005 Reason for Disallowal

Comment: After numerous attempts to obtain evidence of priority, I have not received anything to substantiate the claimed priority date (see Conversation Memorandum and Priority Date remarks, Adjudication Field Report, p. 1).

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	4/15/2005 12:07:47 PM	kbrown			Disallowed
Summary			04/15/2005	kbrown	Disallowed

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-25741 V1

Summary	4/15/2005 12:09:55 PM	kbrown	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	4/15/2005 12:07:48 PM	kbrown	(No) 1. Do you want to schedule an appointment? Comment for 1: Disallowed.

DISALLOWED

Page 1

08/01/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25741 ✓

WATER RIGHT NUMBER: 63-25741 ✓

<u>Owner Type</u>	<u>Name and Address</u>
Representative	VERNON K SMITH ✓ 1900 W MAIN BOISE, ID 83702 (208)345-1125
Current Owner	VICTORIA H SMITH ✓ 5933 N BRANSTETTER RT 4 BOISE, ID 83714 (208)375-2934
Current Owner	ESTATE OF VERNON K SMITH ✓ C/O VICTORIA H SMITH RT 4 5933 N BRANSTETTER BOISE, ID 83714 (208)375-2934

Priority Date: 01/01/1956 ✓

Basis: Beneficial Use ✓

Status: Active

Source

GROUND WATER ✓

Tributary

Beneficial Use

IRRIGATION ✓

STOCKWATER

change to
3/1-11/15
From To
4/01 to 10/15 ✓
1/01 to 12/31 ✓

Diversion Rate

-0.750 CFS ✓

0.050 CFS ✓

Total Diversion: -0.800 CFS ✓

Annual Volume

49.0 AF

Location of Point(s) of Diversion

GROUND WATER

NW1/4SW1/4NE1/4 ✓

Sec. 26, Twp 04N, Rge 01E, B.M. ✓

ADA County ✓

~~GROUND WATER~~

~~SW1/4SW1/4NE1/4 ✓~~

~~Sec. 26, Twp 04N, Rge 01E, B.M. ✓~~

~~ADA County ✓~~

REMOVE - the POb is not located on the quarter line.

Place of Use

IRRIGATION ✓

Twp Rge Sec

04N 01E 26

NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
		5.0		1.0		7.0	8.0									-14.0

Total Acres: 14

STOCKWATER

→ 3.0 (minus house, bldgs.)
REMOVE - claimant does not own any land in NWNW

Twp Rge Sec

NE

NW

SW

SE

ADD W57 - Use combined with Thurman Ditch water. Mill

ADD X02 - Stockwater use is for ? range or dairy cattle.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25741

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 01E 26			X			X		X									

Conditions of Approval:Remarks:

- General THE P/D COULD BE LOCATED ABOUT ON THE QUARTER LINE AND BE IN THE SW1/4, SW1/4, NE1/4.
WELL WITH TURBINE PUMP AND PIPE DISCHARGE INTO CONCRETE-LINED IRRIGATION DITCH USED TO IRRIGATE 14+ ACRES AND FOR STOCKWATER AS NEEDED THROUGHOUT THE YEAR.
CATTLE GRAZE IN FIELD AND ALSO FED HAY OR FIELD DURING FALL/ WINTER AND SPRING BEFORE FIELDS BECOME TOO SOFT.
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Comments:Dates and Other Information:

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 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Parcel Nos: S0526244660
 S0526244434
 a portion of S0526120995

DISALLOWED

DISALLOWED

(in office review)

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$64.00
- ☐ Well logs (if needed) None found in IDWR files - KUB
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ Check POD & POU overlap, see below - include overlapping right for exam
- ☐ Evidence of Priority - if none, talk with claimant

CLAIMANT INFORMATION - verify contact information is completeClaim No(s) A63-25741Owner: Estate of Vernon K. Smith & Victoria H. Smith Phone No. (208) 375-2934Current Address: 5933 N. Branstetter, Boise 83714

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property? _____

Accompanied by: N/A**PRIORITY DATE**

- ☐ No change - Complete evidence submitted or not necessary
- ☒ Incomplete - Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 1/1/1956

(If priority date, based on your exam, seems questionable, explain below.)

I have sent two letters requesting evidence of priority. In addition, I spoke with Vernon Smith in Sept. 2003 and March 2004 regarding evidence. I also spoke with his mother, Victoria H. Smith, in April 2004 and subsequently left a message for Vernon Smith at his office requesting an affidavit (see Conversation Memoes). I then sent a letter to both the home and office addresses (continued on page 4).

Source: _____ Tributary to _____

- ☒ No Change - SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: Remove SW SWNE since the POB is not located on the quarter line.
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

See Field Report.**OVERLAP REVIEW**

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain: _____

WATER USES☐ No change☐ Different Uses

Season of use is 8/1 to 11/15. reduce of # AF amt.

Use Irrigation From 8/1 To 11/15 Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☒ Changes found, the new total is, Amount _____ CFS _____ AFA☒ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☐ No change☐ Changes Exam found: Domestic # of homes _____ Stock # not specified

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☒ Changes shown below:the claimant does not own any land in the NW/4W

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
					3.0		1.0			8.0									12.0

Overlap with other water rights: _____

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: See Field Report.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS: See Field Report.

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS (OVER)

JUSTIFICATION FOR DISALLOWAL -

see Priority Date, p.1

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ Completed claim checklist
- ☒ Photographs of POD's and POU > Intrepid & IDWR Field Report
- ☒ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: Kimberly Brown

DISALLOWED

Priority Date-(Continued)

stating that since I have not received any evidence of priority, I have no choice but to recommend this claim as disallowed.

Even though I have not received any evidence from the Smiths, I attempted to locate evidence on my own by:

1.) checking the 2005 Ada County Assessor's Land Records website for information, and

2.) checking our Well Driller's Reports file for 4N, 1E, S26.

Neither attempt yielded any information. -KLB

SRBA REVIEW STANDARDS

LEVEL OF REVIEW -

IV. Beneficial Use Claims Other Than Small D&S

A. Claim will be field examined same as a licensing exam.

Query: With respect to beneficial use claims to groundwater for irrigation, would it be sufficient to determine only the amount of water diverted, and assume that the rate of flow is an inch per acre unless less is claimed, permitted, licensed, or decreed?

B. Each claimant will be required to submit documentation to show some support for the priority date and amount of right claimed. For example, homestead records, desert land entries, assessor records, posted notices, affidavits of witnesses, etc. In the absence of evidence of appropriation not in violation of the mandatory permit system, the claim will be recommended for disallowal on the basis that no such evidence was submitted. The burden will then fall to the claimant to object and to put such evidence before the court.

[Note that case law says amount and priority must be shown to establish a water right. The notice of claim is an affidavit and therefore evidence, but the statute says it is also a pleading. In absence of any other evidence as to priority, can it be said that the notice of claim is sufficient evidence? This would put the burden of verification of priorities on the objectors, and would give beneficial use water right holders a substantial advantage over licensed and decreed water right holders, since they could lie or make something up easier.]

C. If a right is claimed with a priority that predates a prior adjudication, then IDWR's files as to that case should be checked to see if that claimant's predecessor was made a party. Contact claimant, who must submit evidence to show the predecessor was not made a party (unless IDWR staff has already made that determination from IDWR records). Absent such documentation, the earliest priority date that can be recommended is the date after the cut-off date of the earlier adjudication.

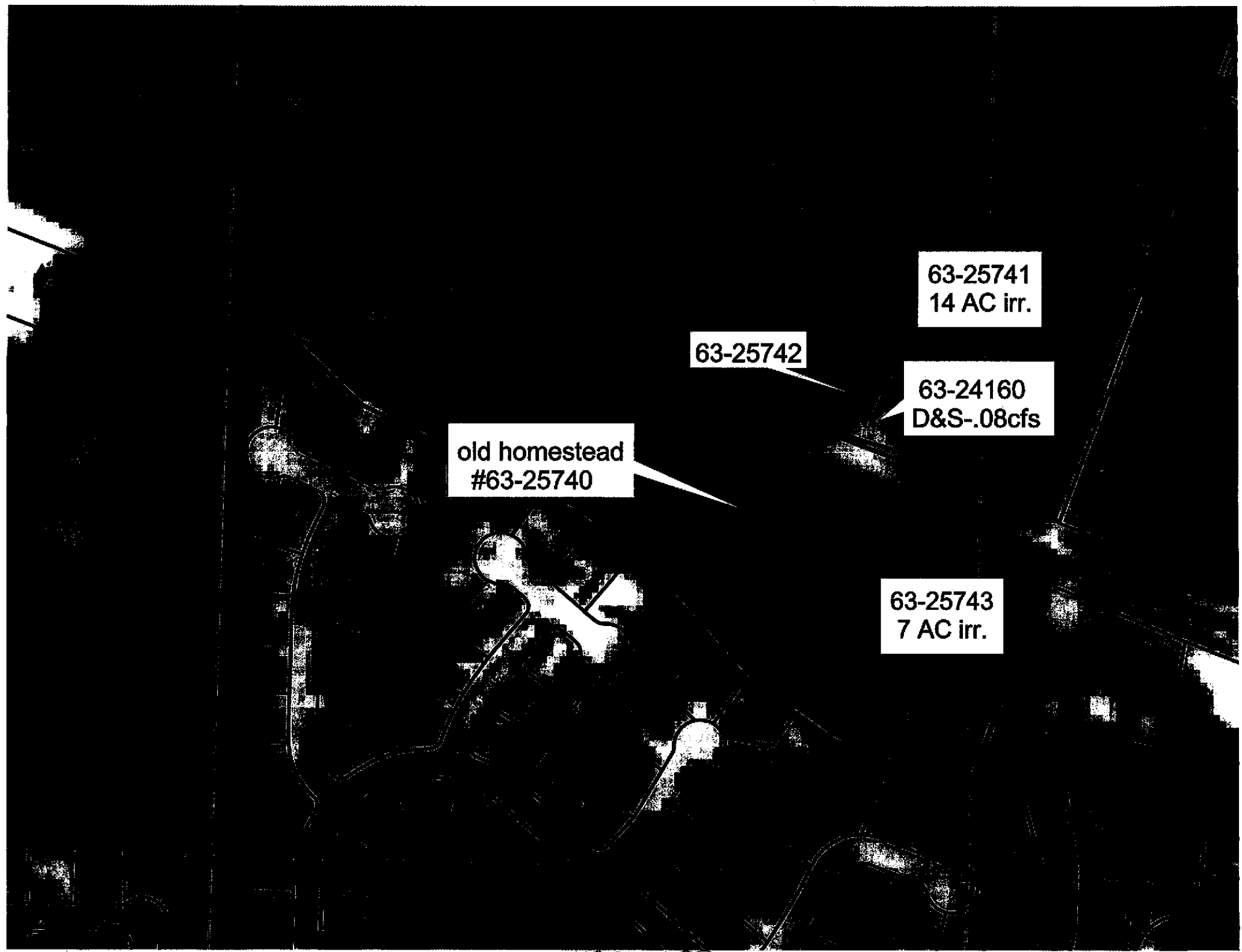
D. If a right is claimed that is in violation of the mandatory permit system, it can be recommended only based on the second presumption. See Part VII below.

V. Posted Notice Claims

Review same as beneficial use claim, except that the posted notice is evidence of the priority date if

A. the posted notice meets the statutory requirements for completeness,

B. all elements of the claim are the same as or less than the posted notice, or to the extent that they are different they can be considered a change in use of the posted notice water right (see Part VIII below as to changes), and



63-25741
14 AC irr.

63-25742

63-24160
D&S-.08cfs

old homestead
#63-25740

63-25743
7 AC irr.

April 7, 1975

OPERATIONS DIVISION
ADMINISTRATOR'S MEMORANDUM

TO: District Office
FROM: A. Kenneth Dunn
SUBJECT: Annual Use of Water for Stockwater Purposes

No. of Stock (head)	RANGE CATTLE		DAIRY CATTLE	
	Rate* c.f.s. (1)	Volume AF/yr. (1)	Rate* c.f.s. (2)	Volume AF/yr. (2)
0 - 10	0.02	0.2	0.02	0.4
11 - 25	0.02	0.4	0.02	1.0
26 - 50	0.02	0.7	0.04 <i>claimed</i>	2.0
51 - 100	0.03 <i>claimed</i>	1.4	0.07	4.0
101 - 200	0.05	2.7	0.13	7.9
201 - 300	0.07	4.1	0.20	12.0
301 - 400	0.09	5.4	0.26	16.0
401 - 500	0.12	6.7	0.33	20.0
501 - 600	0.14	8.1	0.39	24.0
601 - 700	0.16	9.4	0.46	28.0
701 - 800	0.19	11.0	0.52	32.0
801 - 900	0.20	12.0	0.58	36.0
901 - 1000	0.23	14.0	0.65	40.0
1001 - up (3)				

11
12,500 gpd

(1 The amounts shown are based on 12 gpd/head with a 12 month period of use. (i.e. for range cattle, horses and mules). The amount does not include a loss (i.e. thru conveyance, etc.)

2. The amounts shown are based on 35 gpd/head with a 12 month period of use. (i.e. for dairy cattle). The amount does not include a loss. (i.e. thru conveyance, etc.).

3. For annual use calculations which involve more than 1000 head, round the number of head up to the next even one hundred, and

Volume

- a) for livestock use @ 12 gpd/hd, N (0.0134).
- b) for dairy use @ 35 gpd/hd, N (0.0391).

Rate

- a) for livestock use @ 12 gpd/hd, N (0.00022).
- b) for dairy use @ 35 gpd/hd, N (0.00065).

The answer should be rounded up to the nearest whole acre-foot.

*The rate is based upon approx. 2 hr/day diversion to obtain daily requirement.

A. Kenneth Dunn

Receipt Details for ID C009892

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
8/18/1989 1:54:47 PM	8/18/1989	State	\$347.00	Check
Payer		SMITH, EXEC., VICTORIA H.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2952			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE_ (SEE REC # C020476)

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$347.00	ADJUDICATION FEE_ (SEE REC # C020476)	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	24102		\$25.00	Claim
63	24105		\$25.00	Claim
63	24160		\$25.00	Claim
63	24158		\$25.00	Claim
63	25740		\$25.00	Claim
63	25741		\$64.00	Claim
63	25742		\$54.00	Claim
63	25743		\$57.00	Claim

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right No. A63-24158, A63-25741,
A63-25742, A63-25743, & A63-25744**

September 9, 2003 @ 10:25 a.m.

Vernon K. Smith called in response to the evidence of priority letter he recently received from our office. I explained the reason for my request and gave Mr. Smith several examples of how to supply this evidence; specifically an affidavit written and signed by his mother, Victoria H. Smith, since she filled-out the *Notices of Claim*. During our conversation, Mr. Smith said that there are four wells associated with the five water rights and that he has 176 shares with the Thurman-Mill Ditch Company. He also stated that, due to the gravel pits in their area, the water table is going down, and as a result, they are using 5 times the amount that they are allotted from the ditch company.

March 8, 2004 @ 10:44 a.m.

Vernon Smith called in response to the second evidence of priority letter sent from the Attorney General's office. Mr. Smith said that all these claims pertain to a 200-acre ranch that his family bought in 1954. He stated that he will write-out an (1) affidavit for all of these claims.

April 29, 2004 @ 12:18 p.m.

Since I have not received any evidence of priority, I called #375-2934 and Vernon Smith's mother, Victoria H. Smith, answered the telephone. Since she filled-out the original *Notices of Claim*, I thought that I would broach the subject of her writing an affidavit about her personal knowledge of the use of the wells and how she came up with the two different priority dates (1953 & 1956) for these claims. When I asked why she chose 1953 and 1956, Mrs. Smith became confused and very uncomfortable. She said that I should contact "Vernon" at: (cell) #919-0024 or (office) #345-1125. I told her that I would do as she requested.

At 12:24 p.m., I called #345-1125 (office) and asked for Vernon Smith. Since Mr. Smith was not in the office, I left a message with the man that answered the telephone and stated that he needed to submit evidence of priority as soon as possible; and that an affidavit would suffice.

Kimberly Brown
Senior Water Resource Agent
Western Region

IRRIGATION WELL
NEAR CHINDEN.

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 63-25741

1. Owner: VERNON K. SMITH Phone No. 345-1125

Current Address: _____

2. Accompanied by: VERNON. EXAM DATE: 3/26/04

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUND WATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

SITE TAG
A0002463

1. Point(s) of Diversion:

GPS 2314239
1386633

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#1		SW	SW	NE	26	04N	01E	ADA	FROM NAPP PHOTO AND GPS
		NW							

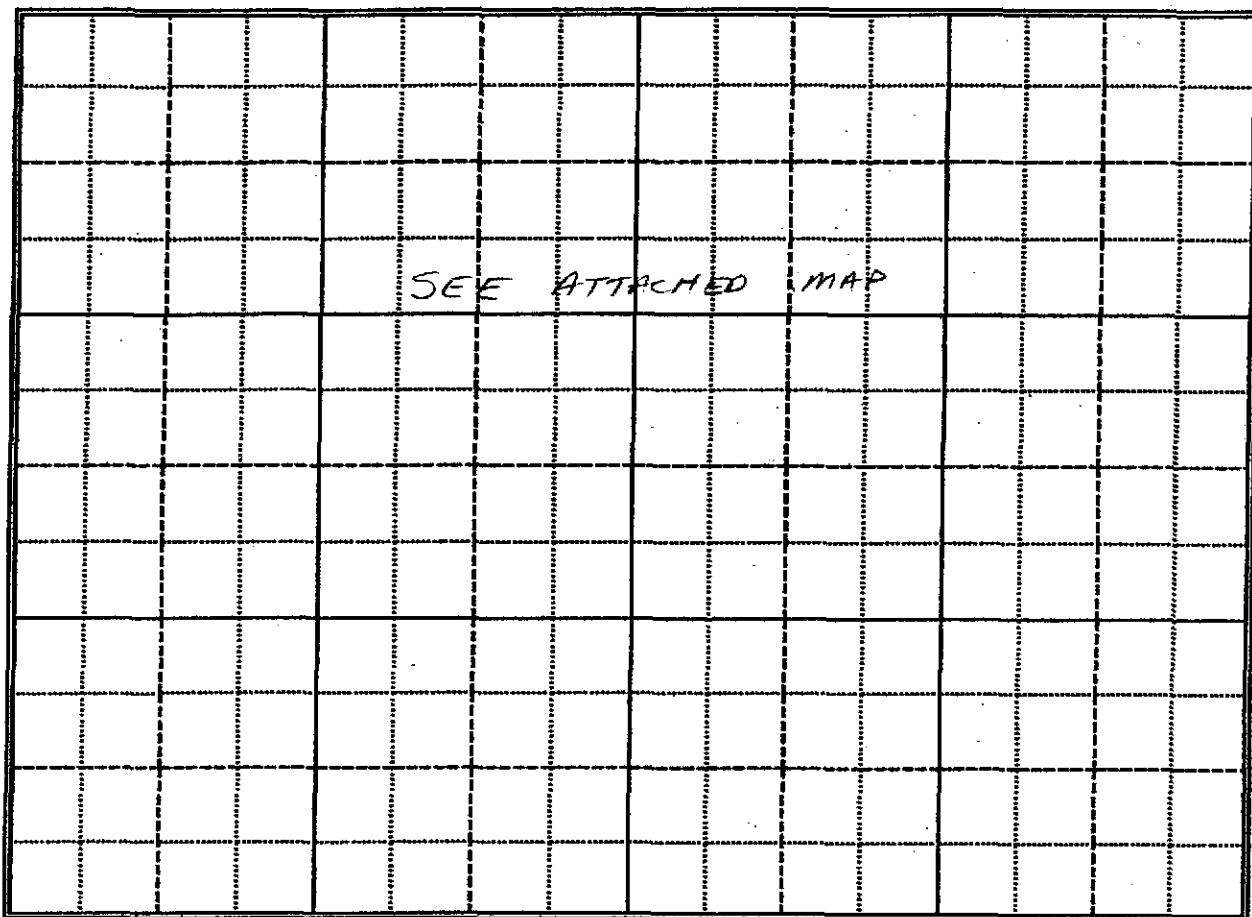
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	26			2.1					5.3									PRIMARY 7.4
04N	01E	26					2.6			5.8									8.4*

* SUPPLEMENTAL TO THURMAN
DITCH WATER

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	BROOK	3	N/A	STRUNG PUMP CO.	4" DISCHARGE
	1730 RPM			VERTICAL SECTION CENTRIFUGAL	
	SF=1.15				

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: SEE "F"

E. NARRATIVE/REMARKS/COMMENTS

THIS PUMP IS A VERTICAL SUCTION CENTRIFUGAL AND HAS A
MAX. OF 15' @ THIS ELEV (PWL WATER LEVEL) THE WATER IS ^{THE TOTAL}
DISCHARGED INTO A CONCRETE DITCH AND IS USED FOR IRRIGATION
OF A 7.4 AC FIELD BUT CAN BE USED AS PRIMARY OR SUPPLEMENTAL
WATER WITH THURMAN DITCH WATER WHICH ENTERS FARM NEAR
THE MOTHERS HOME SEE MAP. THE GROUNDWATER IS USED MOSTLY
ON THE 7.4 AC FIELD AND THE 8.4 ACRE FIELD AS SHOWN ON THE
MAP. THEY CURRENTLY HAVE NO CATTLE ON THE PLACE, WHEN
THIS WELL WAS USED FOR STOCK WATER ^{IT} WAS WHEN CATTLE
GRAZED THE FIELDS IN FALL & WINTER. THIS HAS NOT BEEN DONE FOR
SEVERAL YEARS.

Have conditions of permit approval been met? ___ yes ___ no

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

3 HP
65% EFF

SWL = 5.77'
DWL = 15' MAX (NPSH AVAILABLE)
LIFT = 15'
DISCHARGE HEAD 1.5'
TDH = 16.5'

$$GPM = \frac{(3)(65)3960}{16.5} = 468 GPM = \underline{1.04 CFS}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 14.0 \times 4.5 = 63 AF$$

$$V_{D.R.} = [\text{Diversión Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.04 \times 200 \times 1.9835 = 412 AF$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 63 AF$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversión Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	10/15	0.75	63
Totals:				

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Brent H. Schen Date 4/1/04

Reviewer _____ Date _____

SEAL

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25741

WATER RIGHT NUMBER: 63-25741

<u>Owner Type</u>	<u>Name and Address</u>
Representative	VERNON K SMITH 1900 W MAIN BOISE, ID 83702 (208)345-1125
Current Owner	VICTORIA H SMITH 5933 N BRANSTETTER RT 4 BOISE, ID 83714 (208)375-2934
Current Owner	ESTATE OF VERNON K SMITH C/O VICTORIA H SMITH RT 4 5933 N BRANSTETTER BOISE, ID 83714 (208)375-2934

Burke - please verify various
points of diversion (below)
based on maps (attached).

PUMP MOTOR "BROOK" MFG.

3HP
1730 RPM
SF 1.15
V=208
AMP= 4
3 PHASE

PUMP
STRUNG PUMP COMPANY
1760 RPM
VERTICLE CENTRIFUGAL

Priority Date: 01/01/1956

Basis: Beneficial Use

Status: Active

SWL = 5.77'
FROM PUMP BASE

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to	10/15	0.750 CFS	
~~STOCKWATER~~	1/01 to	12/31	0.050 CFS	
<u>Total Diversion:</u>			0.800 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4NE1/4	Sec. 26, Twp 04N, Rge 01E, B.M.
ADA County		
GROUND WATER	SW1/4SW1/4NE1/4	Sec. 26, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

A0002463 = POWER POLE
EAST OF WELL

GPS

2314239
1386633 d18

Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 01E 26			5.0			1.0		8.0									14.0

Total Acres: 14
STOCKWATER

claimant doesn't own any land in NWNW per
county data (true!) nothing

Twp Rge Sec	NE	NW	SW	SE
-------------	----	----	----	----

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25741

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 01E 26			X			X		X									

Conditions of Approval:Remarks:

1. General

THE P/D COULD BE LOCATED ABOUT ON THE QUARTER LINE AND BE IN THE SW1/4, SW1/4, NE1/4.

WELL WITH TURBINE PUMP AND PIPE DISCHARGE INTO CONCRETE-LINED IRRIGATION DITCH USED TO IRRIGATE 14+ ACRES AND FOR STOCKWATER AS NEEDED THROUGHOUT THE YEAR.

CATTLE GRAZE IN FIELD AND ALSO FED HAY OR FIELD DURING FALL/ WINTER AND SPRING BEFORE FIELDS BECOME TOO SOFT.

THE SOIL COMPOSITION CONTAINS SAND AND GRAVEL IN ITS NATURAL STATE LYING ALONG THE NORTH SIDE OF HIGHWAY 20-26 IN THE BOISE RIVER BASIN BOTTOM LOWLAND.

NOT A TURBINE
Description of diversion works -

Comments:Dates and Other Information:

Claim Received Date: 8/18/1989

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Idaho Department of Water Resources

Claim Number: 63-25741

Legal: T4N, R1E, S26

Reviewed By:

1987 Napp Photo

⊙ Point of Diversion

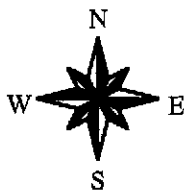
□ Place of Use

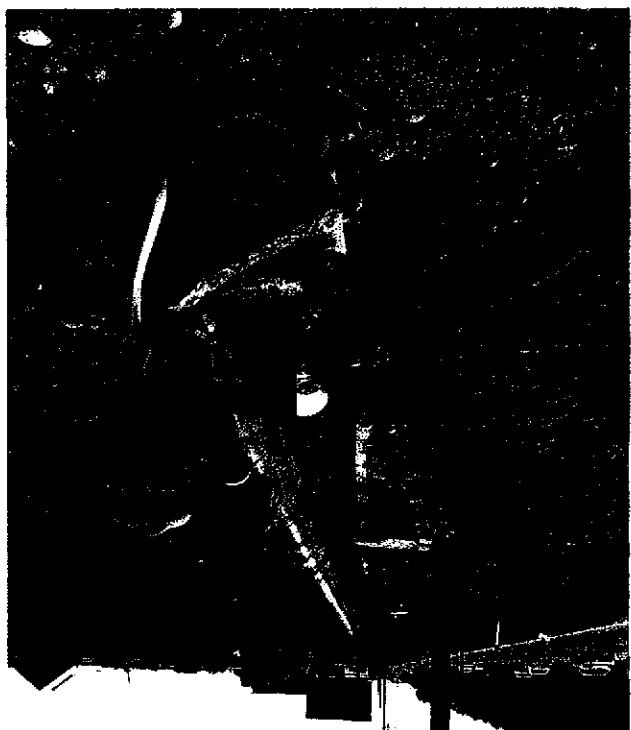
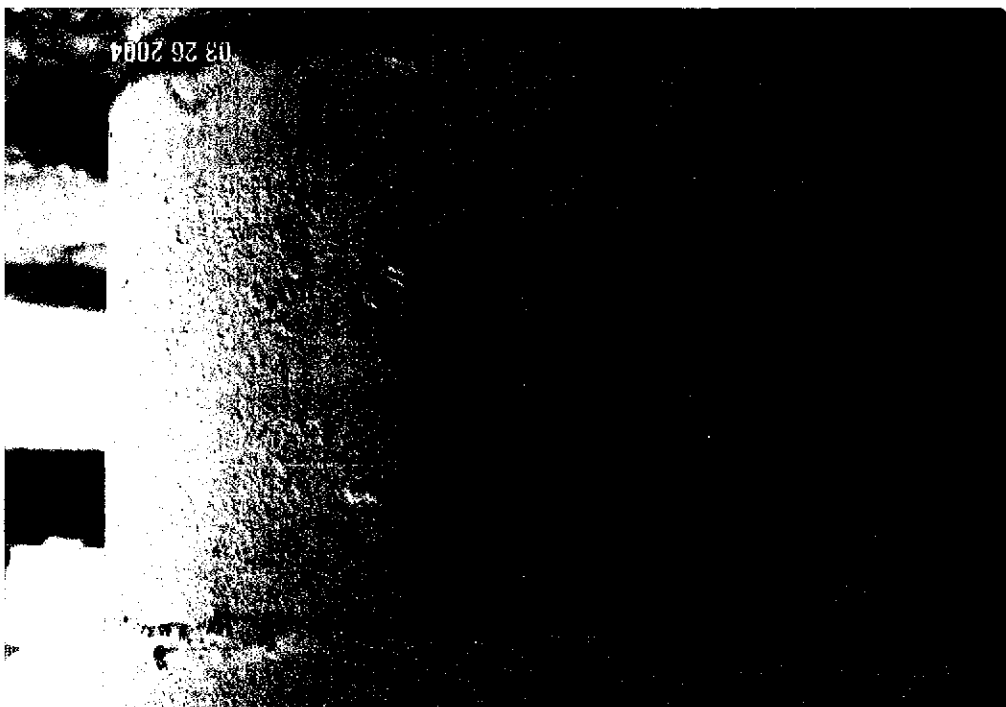
□ Section Lines

□ Quarter Quarter Lines



0 0.25 0.5 Miles



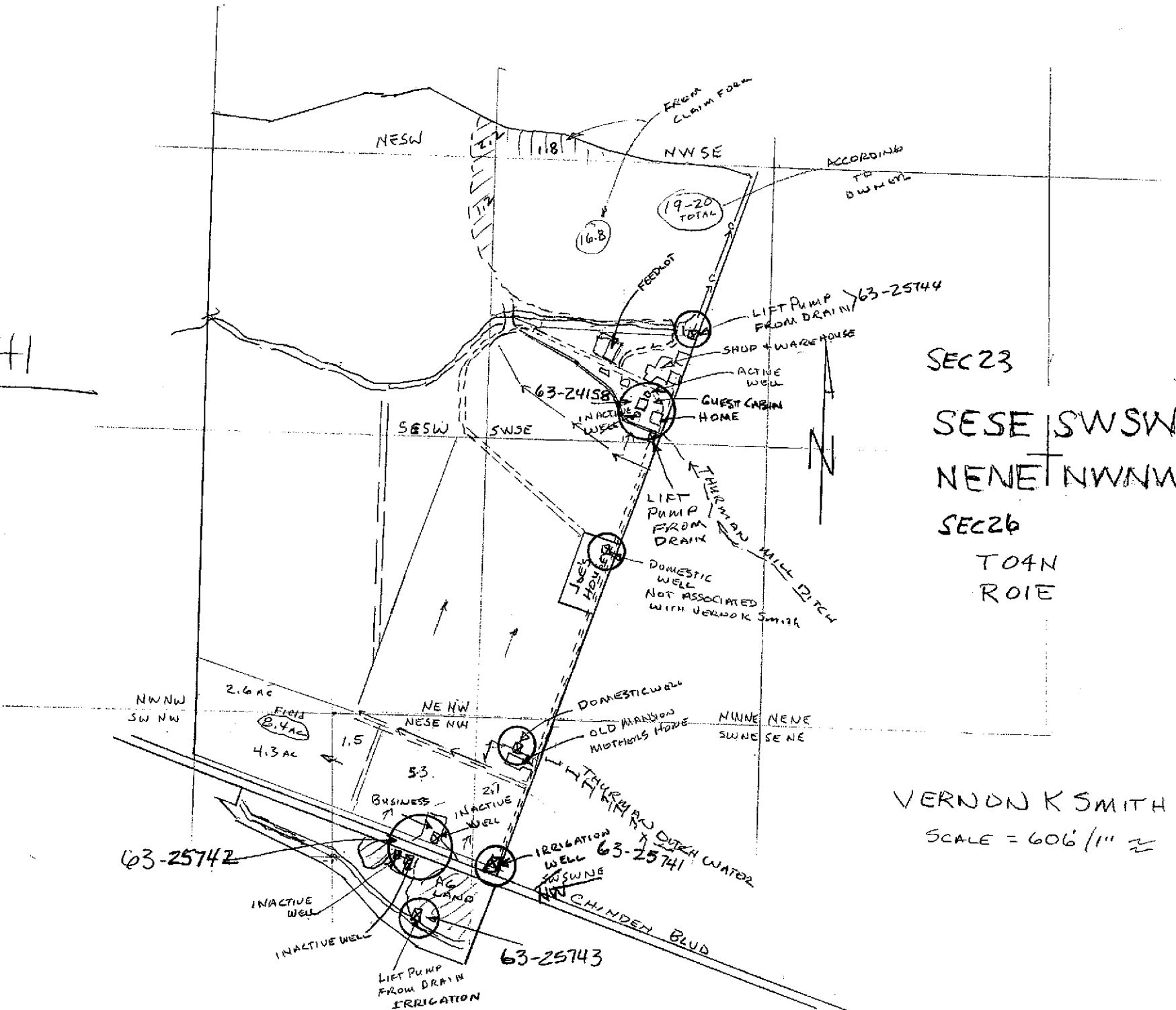


63-25741



* DRAWN BY IDWR CONTRACTOR, BURKE SCHOLEK, DURING FIELD EXAMS. (3/04)

#63-25741



SEC 23

SESE | SWSW
NENE | NWNW

SEC 26

TO4N
ROIE

VERNON K SMITH
SCALE = 606' / 1" ==



This PARMA WATERLIFTER is the one South of the farmstead. It is used to lift water coming from the Thurman-Mill Ditch, which empties into this drain ditch. No other water right is associated with it. *SEE REVERSE SIDE FOR DATA*



OVER →

PARMA WATER LIFTER

MOTOR - "INDUSTRIAL MOTOR"

10 HP 1740 RPM

SF 1.15

SN = F99-G626A-F

IDAHO POWER MTR

02 455 612 ABB

K_F = 7.2

ID# 04NOIE 23-02

SITE TAG A0002465

GPS

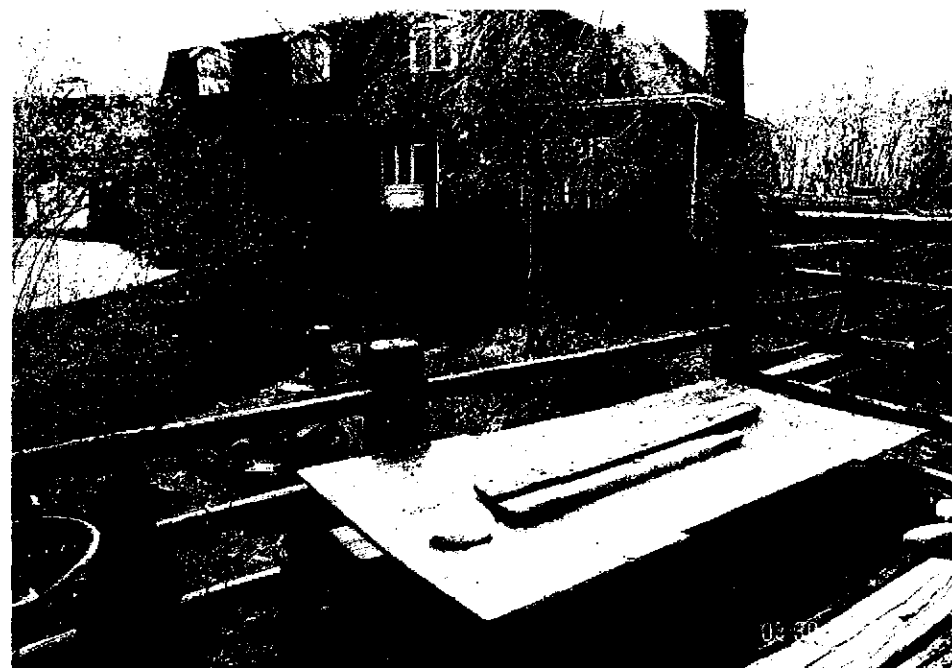
2314470	#
1387262	20

PUMP HAS AN 8" DISCHARGE.

PIPELINE ^{TO} THE SOUTH ABOUT

200 FT. TO MAIN DITCH FROM

THURMAN MILL DITCH.



brother, **Joseph H. Smith**
Domestic

This domestic well is not associated with Vernon K. Smith. See reverse for pump location

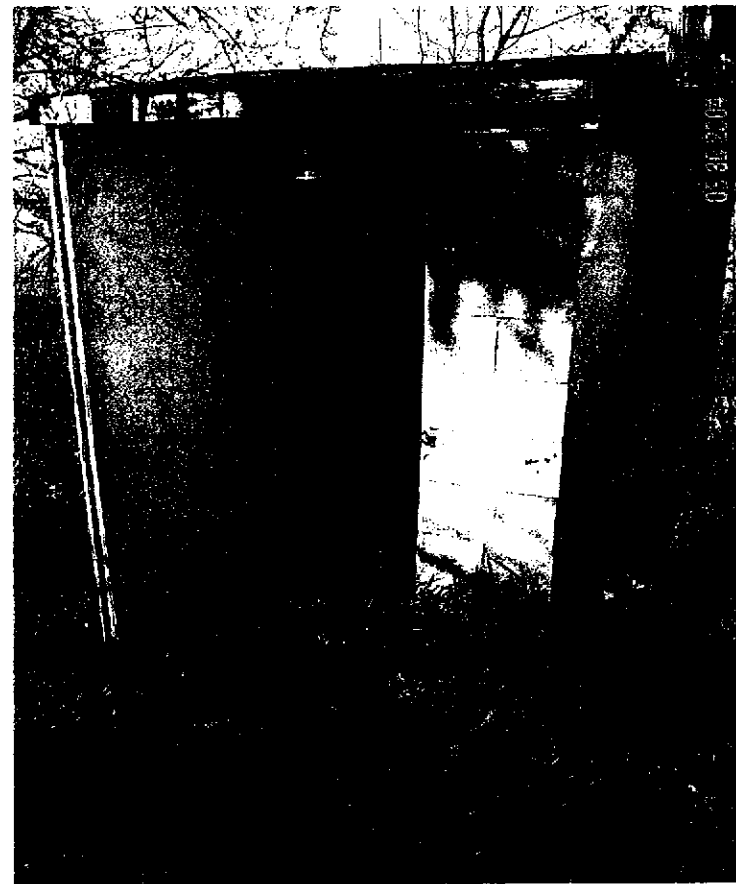


OVER →

Location Data

Site Tag # A6002469

GPS - 2314390
1387066



Mother's house Domestic Well

PUMP INFORMATION: *(Intrepid)*

Site Tag A0013254

GPS	2314253	#
	1386806	24

1 HP Submersible Pump

Franklin Motor

Serial No. 2801084915

1" Discharge Pipe





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 21, 2004

ESTATE OF VERNON K SMITH
C/O VICTORIA H SMITH
5933 N BRANSTETTER
RT 4
BOISE ID 83714

**RE: Snake River Basin Adjudication (SRBA) Claim Nos. A63-24158, -25741,
-25742, -25743, -25744**

Dear Ms. Smith,

As you are aware, the Department of Water Resources, Western Region, is in the process of reviewing adjudication water right claims in your area. Although it is our goal to favorably recommend historic water rights, I have no choice but to recommend your claims as disallowed to the Snake River Basin Adjudication court.

Your adjudication claims are being recommended for disallowal because:

_____ 1.) No beneficial use was found.

_____ 2.) Ownership was not confirmed.

 X 3.) Other – After two letters requesting evidence of priority (last due date: March 12, 2004) and subsequent telephone conversations, we have not received any documentation to substantiate the claimed priority date.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Kimberly Brown'.

Kimberly Brown
Senior Water Resource Agent
Western Region

Cc: File



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 21, 2004

VERNON K SMITH
1900 W MAIN
BOISE ID 83702

** This letter was sent to
Mr. Smith's office, along
with one to his home.*

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

**RE: Snake River Basin Adjudication (SRBA) Claim Nos. A63-24158, -25741,
-25742, -25743, -25744**

Dear Ms. Smith,

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Respectfully submitted,

Kimberly Brown

Kimberly Brown
Senior Water Resource Agent
Western Region

Cc: File



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WARDEN
February 10, 2004

ESTATE OF VERNON K SMITH
C/O VICTORIA H SMITH
5933 N BRANSTETTER
BOISE ID 83714

Re: SRBA Claim A63-24158, -25741, -25742, -25743, -25744

Dear Claimant(s):

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 63 in the Snake River Basin Adjudication.

The Department of Water Resources has previously contacted you regarding information on the priority date for the above SRBA claim. In order to make a positive recommendation of this water right, each element of the water right must be proven.

The Department plans to issue its Preliminary Recommendations on this water right later this year. If the Department does not receive all the necessary evidence for this claim, it will have no option but to recommend to the SRBA Court that this water right be disallowed, meaning that the water right will not be valid.

Please contact Kimberly Brown at the Western Regional Office for the Idaho Department of Water Resources at (208) 334-2190. **If she does not hear from you by March 12, 2004, then your water right will be recommended as disallowed.**

Very truly yours,

A handwritten signature in black ink that reads "Nick Spencer".

NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

NBS/pm

cc: Kimberly Brown



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 4, 2003

ESTATE OF VERNON K. SMITH
VICTORIA H. SMITH
5933 N BRANSTETTER
RT 4
BOISE ID 83714

RE: EVIDENCE OF PRIORITY

SNAKE RIVER BASIN CLAIM NO(S): A63-24158, A63-25741, A63-25742, A63-25743,
A63-25744

Dear Claimant,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You 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 historical use of the water for a beneficial use 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 required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

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.

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

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 SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area.

The required evidence supporting the priority date(s) requested needs to be submitted by September 4, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

In addition, please contact me at the Western Region office as soon as possible to set up a ~~field~~ exam.

~~KAUFELD~~ DREHER
Director

(up a field)

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-24158, A63-25741, A63-25742, A63-25743, A63-25744



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

RIGHT ID 63 25741
POD ID 233659
Quad Eagle 5
Claim Type Large
Easting 314316
Northing 286641
GPSID A0013253

Diversion Description

There are multiple wells at the site. Information correlates with PODID #s 228537, 233659, 233660, 233661.1, 233661.2, 233661.3. Well located at intersection of Bransetter and Chinden. 1st driveway west of Republic Storage. Irrigation.

Assumptions

Elevation head, Pressure head. Correct POD.

Invoice #
2000-055-01

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked [a Photos\233659a.jpg](#) [a Photos\233659c.jpg](#)
Photos [a Photos\233659b.jpg](#)
EPE (ft) 15 Date (M/D/Y) 12/8/01 Time 12.30 Flow Rate (CFS) 0.18

Open Channel Flow ☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation ☐ Continuity Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	Concrete lined	.016
	Smooth earth	.025
	Earth	.033
	Rough bed, weeds on sides	.04
	Smooth natural stream	.033
	Rough natural stream	.1

Pumped System ☒

HP 3

Pressure Head (psi) 40

Elevation Head (ft) 10

Motor Mfg Brook

Motor Serial # X42665

Pump Type Vertical Turbine

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

This Form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Service, Inc.



RIGHT ID

63 25741

63-25741



Photo 233659b

63-25741

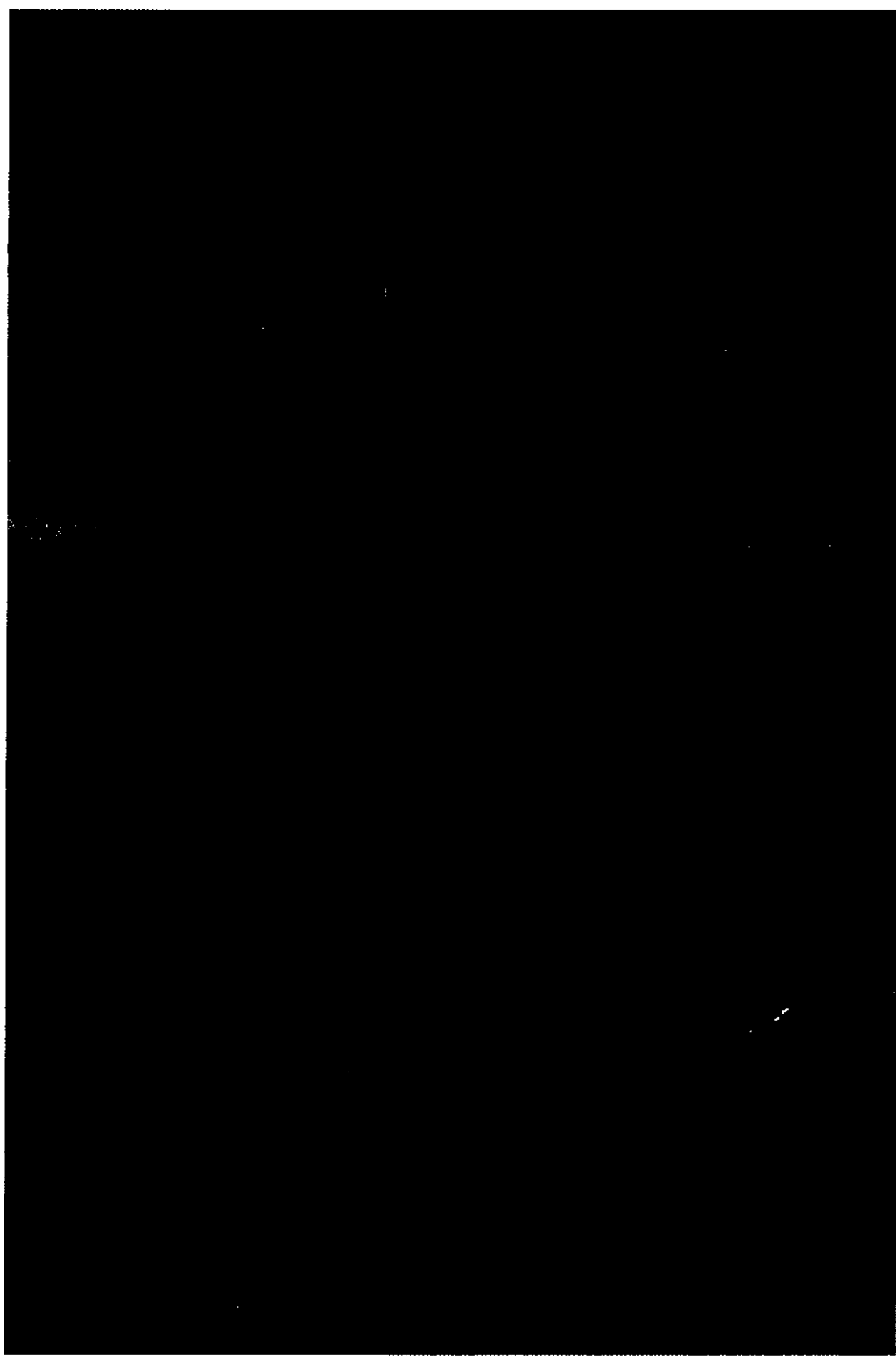


Photo 233659c



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 9, 2001

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist us with this task.

The purpose of this letter is to advise you that Intrepid might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Intrepid with access to your water diversion system so that their personnel can conduct this field examination. Intrepid will be gathering information on the rate of flow, diversion location and place of use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in the Boise River Basin, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our office. If you are unable to forward this letter, please send any information regarding a new owner to our Western Regional Office located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-25741 Date: 6-4-01

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	1E	26			5			1		8									14
GIS						36			0		12.9									16.5
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 14

Overlapping POU Claim #'s:

Total GIS Acres: 16.5

COMMENTS:

map shows acres in NE1/4, claims says NW1/4, applicant doesn't own any land in NE1/4 per county data nor does image show anything in that QD that attaches to applicants fields.

Idaho Department of Water Resources

Claim Number: 63-25741

Legal: T4N, R1E, S26

Reviewed By:

1987 Napp Photo

⊙ Point of Diversion

□ Place of Use

□ Section Lines

□ Quarter Quarter Lines



0 0.25 0.5 Miles



⊙ should remove
these two areas
from irrigated acres
(houses,
buildings, etc.)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 11, 1991

Victoria H. Smith
Rt. 4, 5933 N. Branstetter
Boise, ID 83714

RE: Snake River Basin Adjudication (SRBA)
Ada County - Claims #A63-24158, A63-24160
A63-25740, A63-25741, A63-25742, A63-25743
& A63-27544

Dear Mrs. Smith:

Enclosed for your records is a copy of the water rights filed by you for your property in Ada County. We have also sent a copy of each right to your son, Vernon K. Smith.

Please contact us if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald V. Shaff'.

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:west

Enclosures:

Claims Referenced Above

cc: Vernon K. Smith w/Enclosures

MICROFILMED

SEP 14 1992

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: A63-25741
Date Received: 8/18/1989
Receipt No: C009892
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: VICTORIA H SMITH
Address: 5933 N BRANSTETTER
RT 4
BOISE ID

208-375-2934

83714

AND

Name: ESTATE OF VERNON K SMITH
Address: C/O VICTORIA H SMITH
5933 N BRANSTETTER
RT 4
BOISE ID

208-375-2934

83714

2. Date of Priority: JAN 1, 1956

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	01E	26	NW	SW	NE		ADA
			SW	SW	NE		ADA

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.750		
STOCKWATER	01/01	12/31	0.050		

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

A.F.A.

8. Total consumptive use is 49.0 Acre Feet Per Annum.

9. Non-irrigation uses:
SEE REMARKS

A63-25741

Page 1

Date: 12/06/91

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SEP 14 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	26	SW	NE		STOCK	
			SW	NE		IRR	5.0
			NW	NW		STOCK	
			NW	NW		IRR	1.0
			SE	NW		STOCK	
			SE	NW		IRR	8.0
						Section Acres	14.0
						Total Acres	14.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

STOCKWATER TAKEN OUT OF THE THURMAN MILL DITCH

14. Remarks:

THE P/D COULD BE LOCATED ABOUT ON THE QUARTER LINE AND BE IN THE SW1/4, SW1/4, NE1/4.

WELL WITH TURBINE PUMP AND PIPE DISCHARGE INTO CONCRETE-LINED IRRIGATION DITCH USED TO IRRIGATE 14+ ACRES AND FOR STOCKWATER AS NEEDED THROUGHOUT THE YEAR.

CATTLE GRAZE IN FIELD AND ALSO FED HAY OR FIELD DURING FALL/WINTER AND SPRING BEFORE FIELDS BECOME TOO SOFT.

THE SOIL COMPOSITION CONTAINS SAND AND GRAVEL IN ITS NATURAL STATE LYING ALONG THE NORTH SIDE OF HIGHWAY 20-26 IN THE BOISE RIVER BASIN BOTTOM LOWLAND.

15. Basis of Claim: BENEFICIAL USE

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

463-25741

Date Received

8-18-89

Receipt Number

C009892

22

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

Victoria H. Smith individually, and as
1. Name of Claimant (s) Excatrix of the Estate of Vernon Phone (208) 375-2934
K. Smith, deceased
Mailing Address 5933 N. Branstetter, Rt. 4, Boise, Idaho Zip 83714

2. Date of Priority (Only one (1) per claim) Precedes January 1, 1956

3. Source of water supply (a) Groundwater
which is tributary to (b)

4. a. Location of existing point of diversion is: Township 4N Range 1E Section 26,
NW 1/4 of SW 1/4 of NE 1/4, Govt. Lot, B.M., County of Ada

Additional points of diversion if any: The P/D could be located about on the quarter line
and be in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$

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

Township Range Section, 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section, 1/4 of 1/4 of

1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well with turbine pump and pipe
discharge into concrete lined irrigation ditch used to irrigate 14+ acres
and for stockwater as needed throughout the year.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 10/15 amount .75 or _____

For Stockwater purposes from 1/1 to 12/31 amount .05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .80 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 49.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Cattle graze in field and also fed hay or field during fall/winter and spring before fields become too soft.

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	1E	26			5+/\$			1+/\$	8+/\$										

Total number of acres irrigated 14+

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

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.

Stockwater taken out of the Thurman Mill Ditch or None ()

14. Remarks: The soil composition contains sand and gravel in its natural state lying along the north side of Highway 20-26 in the Boise River basin bottom lowland.

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SEP 14 1992

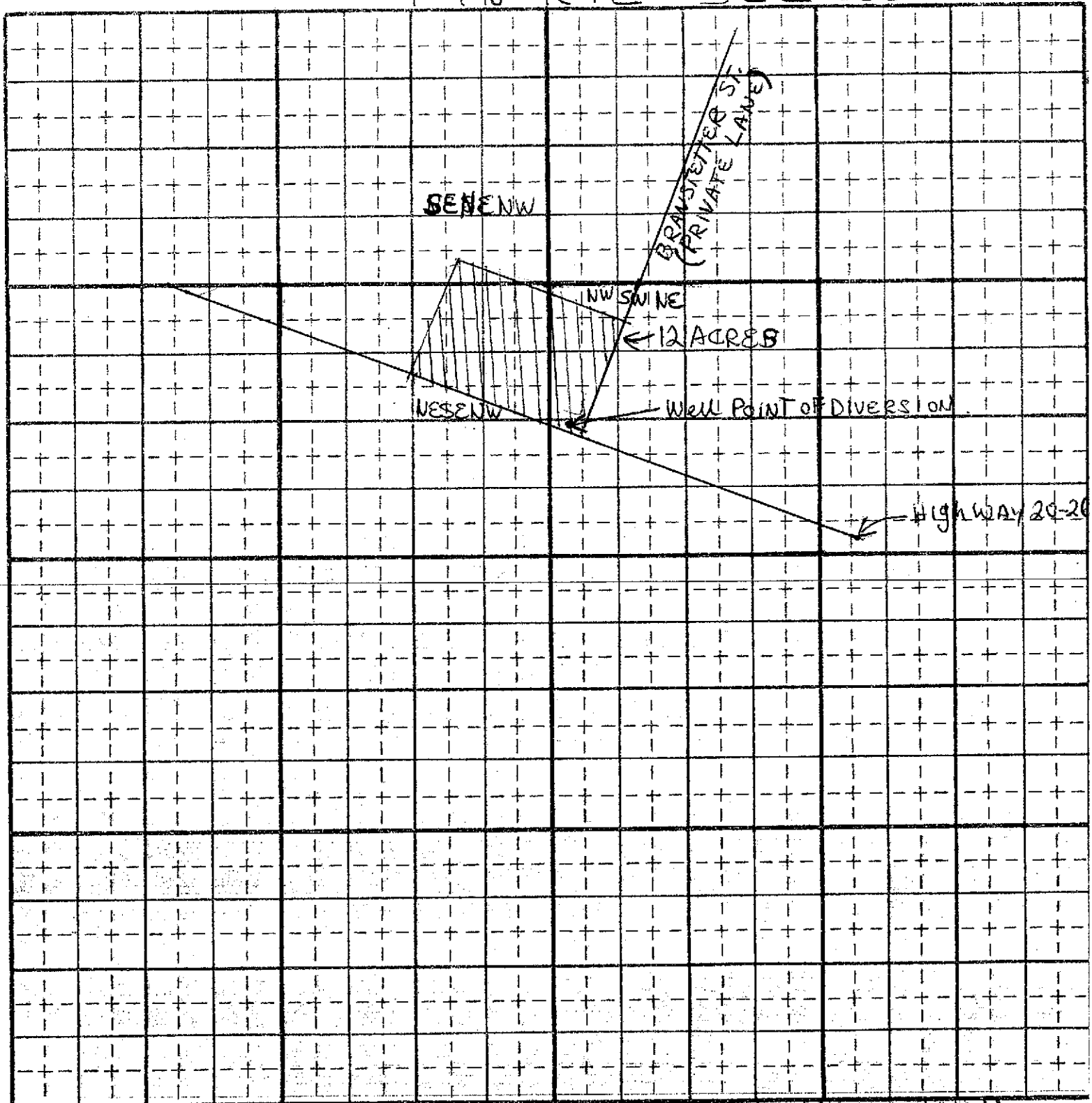
Last Name SMITH Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

T 4 N R 1 E SEC 26



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SEP 14 1992

Last Name SMITH Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 One Aerial Photo

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

Signature of Claimant (s) Teresa H. Smith Date 8-18-89
Executrix of Individual Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 18th day of August 19 89

SEAL

Notary Public Vernon K. Smith

Residing at Bonanza, Idaho

My Commission Expires _____

Please Print Name

VERNON K. SMITH

17. Notice of Appearance:

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

Signature _____

Address _____

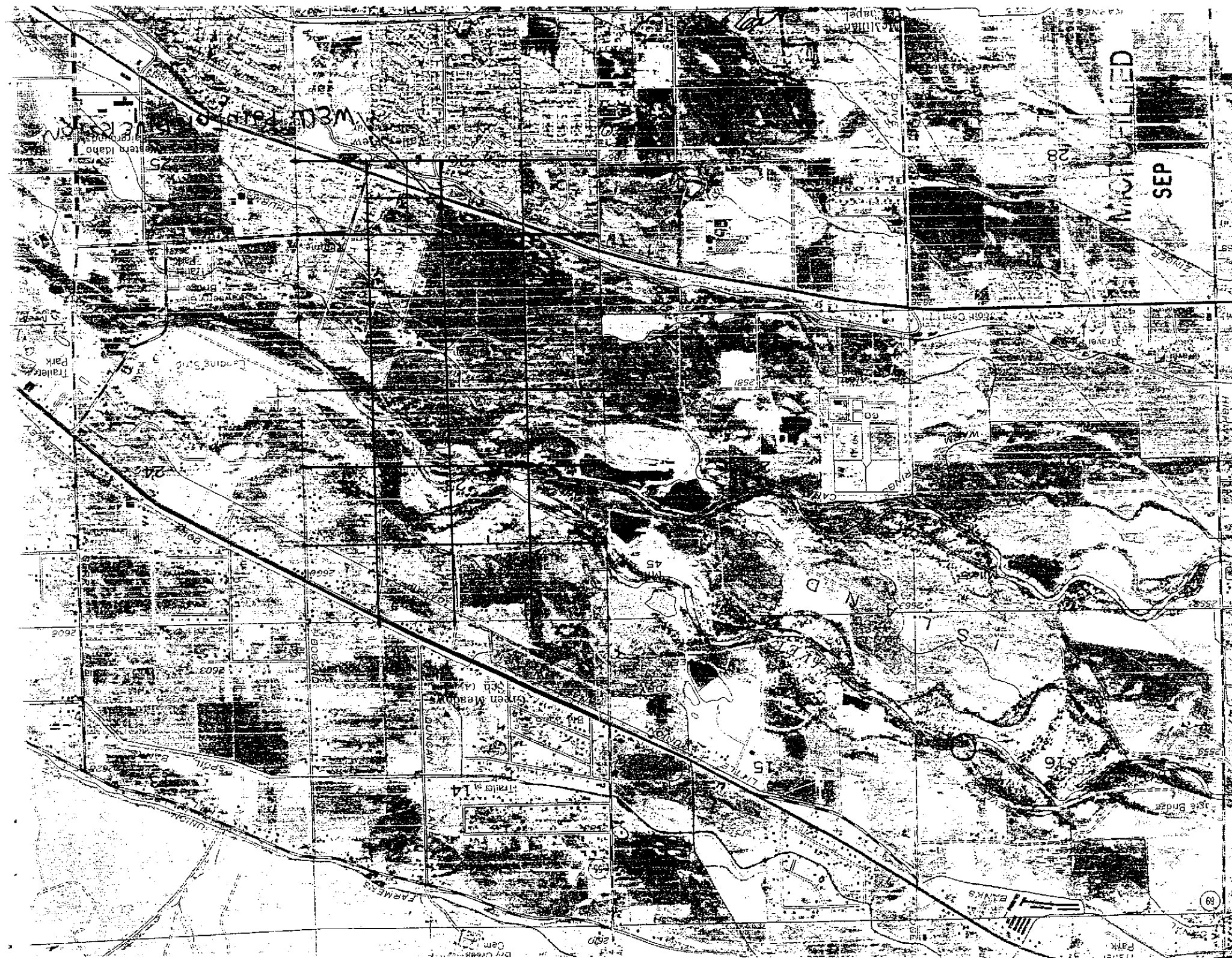
Date _____

MICROFILMED

SEP 14 1992

Last Name SMITH Ident. Number _____

Copies White-State, Yellow-Claimant



4/5 1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Smith

#4

CLAIM IDENT. NO.

463-25741

DATE RECEIVED

8-18-89

CK #

C009892

AMOUNT \$

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered?
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A *
- Is the consumptive use correct? ☒ YES ☐ NO N/A *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by: [Signature]Date: 8-15-91

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☒ (No) ☐

Receipt Prepared by:

Claim data entered by: [Signature]Sent to claimant by: [Signature]

Date:

Date: 08-13-91

Date:

Checked by: [Signature]Date: SEP 14 1992Comments: Per D. Shaff 12-6-91, add Vern Smith as R owner.

SEP 14 1992