

S26

SENW

63-25741
14 AC irr.

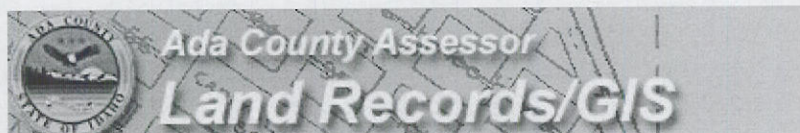
63-25742

63-24160
D&S-.08cfs

old homestead
#63-25740

63-25743
7 AC irr.

1987 NAPP



Land Records

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- Image Documents
- Old interactive map

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Property Details for Parcel S0526244660

*nothing listed
under Residential
Property Characteristics
for year buildings were
built ->

General Information

Property Acres: 9.800
 Zone Code: RUT
 Primary Code Area: 212 Tax Districts
 Group Type: SECT
 Subdivision: 4N 1E 26
 Section: 4N1E26

Property Description

PAR #4660 IN NW4
 SEC 26 4N 1E


[Click to View Interactive M](#)

Assessor Links

- Assessor Main Page
- Administration
- Information
- Appraisal
- Exemptions and Reductions
- Motor Vehicles
- Levy Rates

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	10-IRRIGATED AG	8.800	\$5,000	INCOME
Primary	100-HOMESITE ON AG	1.000	\$64,800	MARKET
Primary	310-RES IMPROVEMENT	0.000	\$6,000	COST
Total Assessed Value:			\$75,800	

Parcel Valuation History

Assessed value for year 2004 \$75,800
 Assessed value for year 2003 \$70,900
 Assessed value for year 2002 \$70,900
 Assessed value for year 2001 \$38,300
 Assessed value for year 2000 \$37,700

Ada County Links

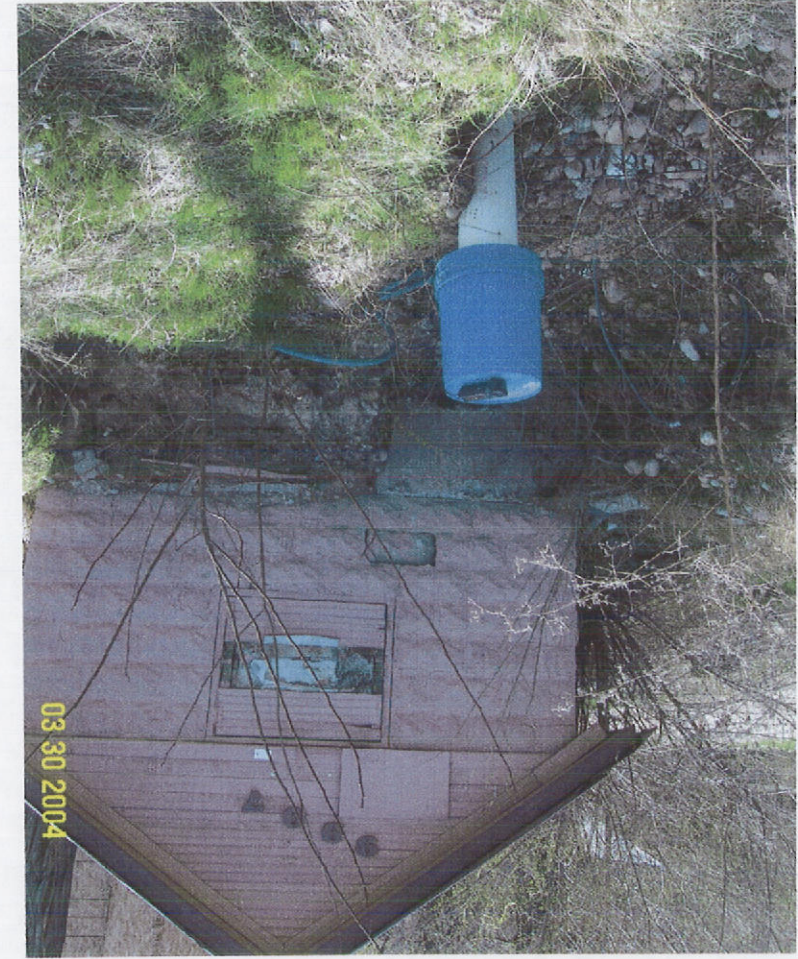
- Ada County Home Page
- Commissioners
- Treasurer
- Clerk/Auditor/Recorder
- Development Services
- Human Resources

Property Characteristics

Residential
 Agriculture
 Land

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#1

63-25742

* These are the south side of Clinch
K13
4/13/05



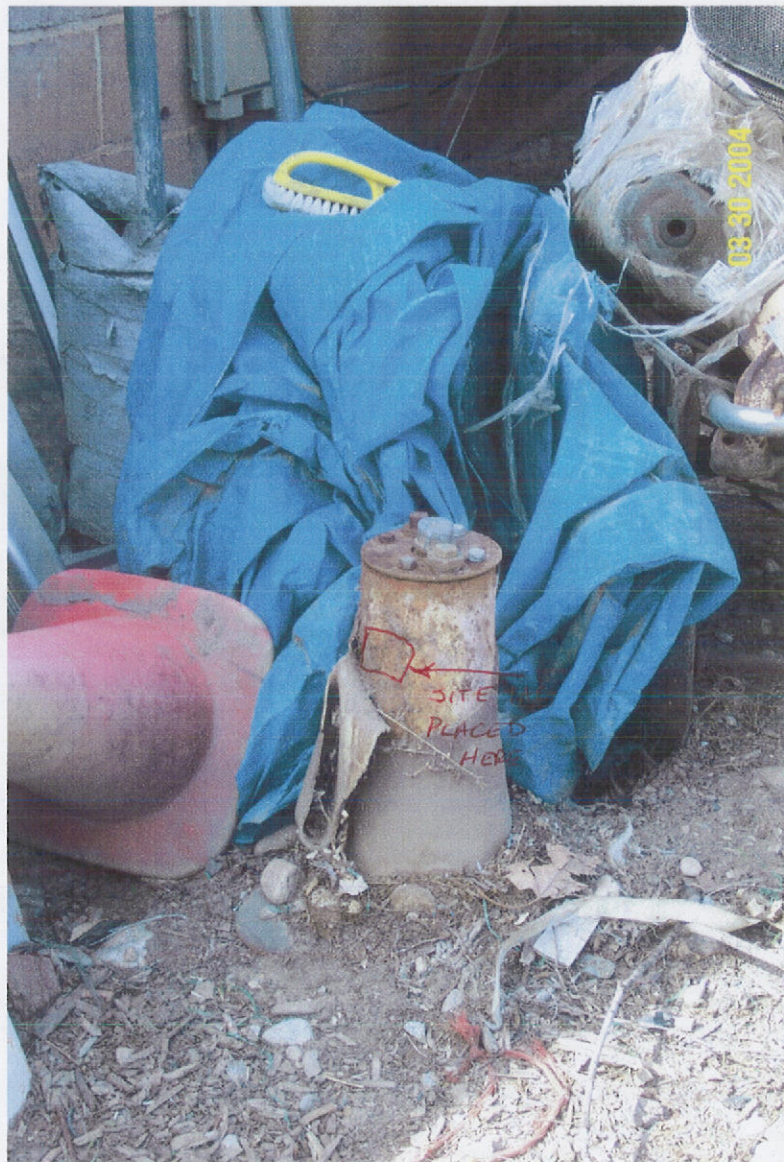
#2



* These two wells are
located on the south
side of the children
tub
4/13/05



63-25742

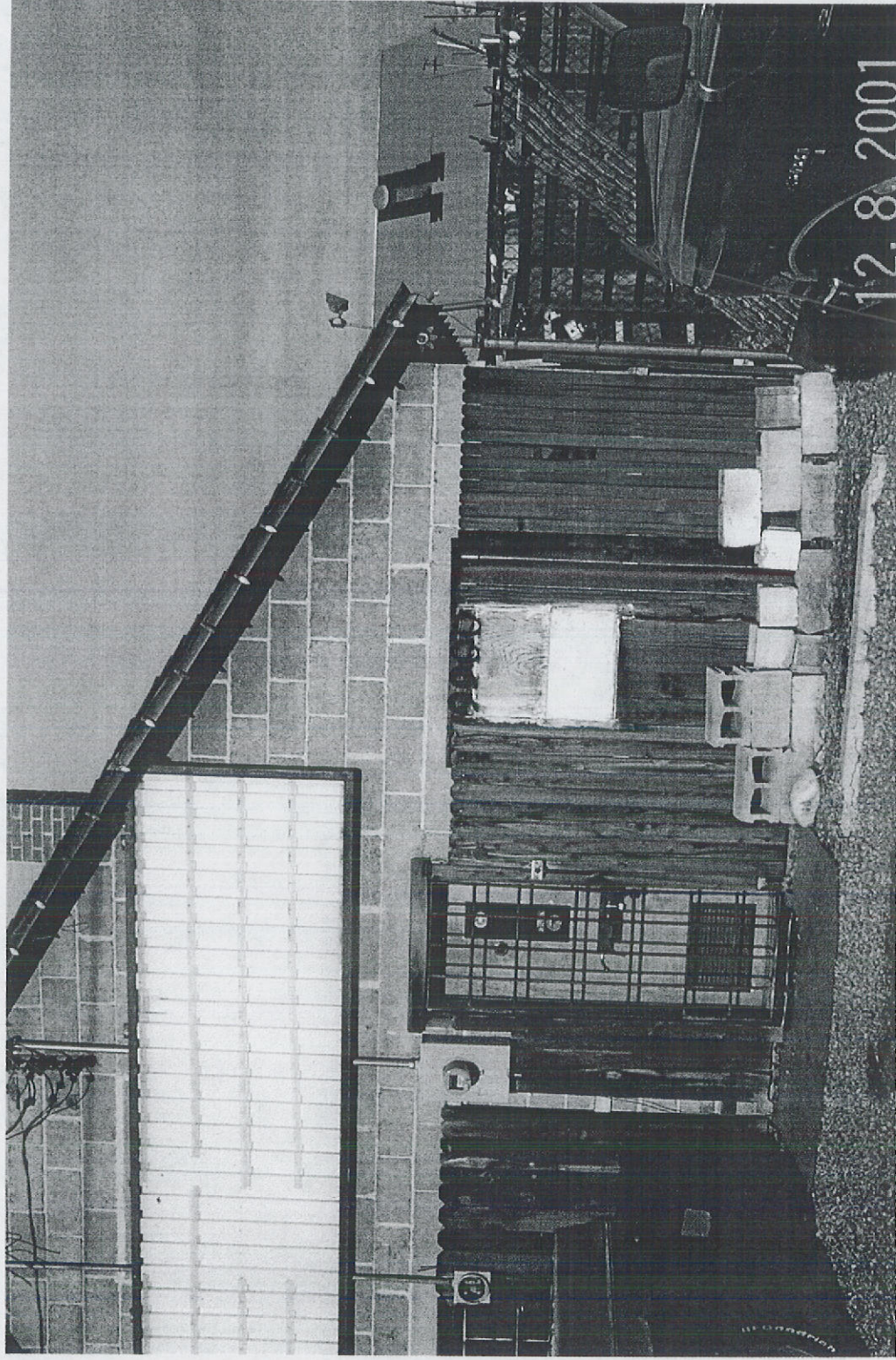


63-25742



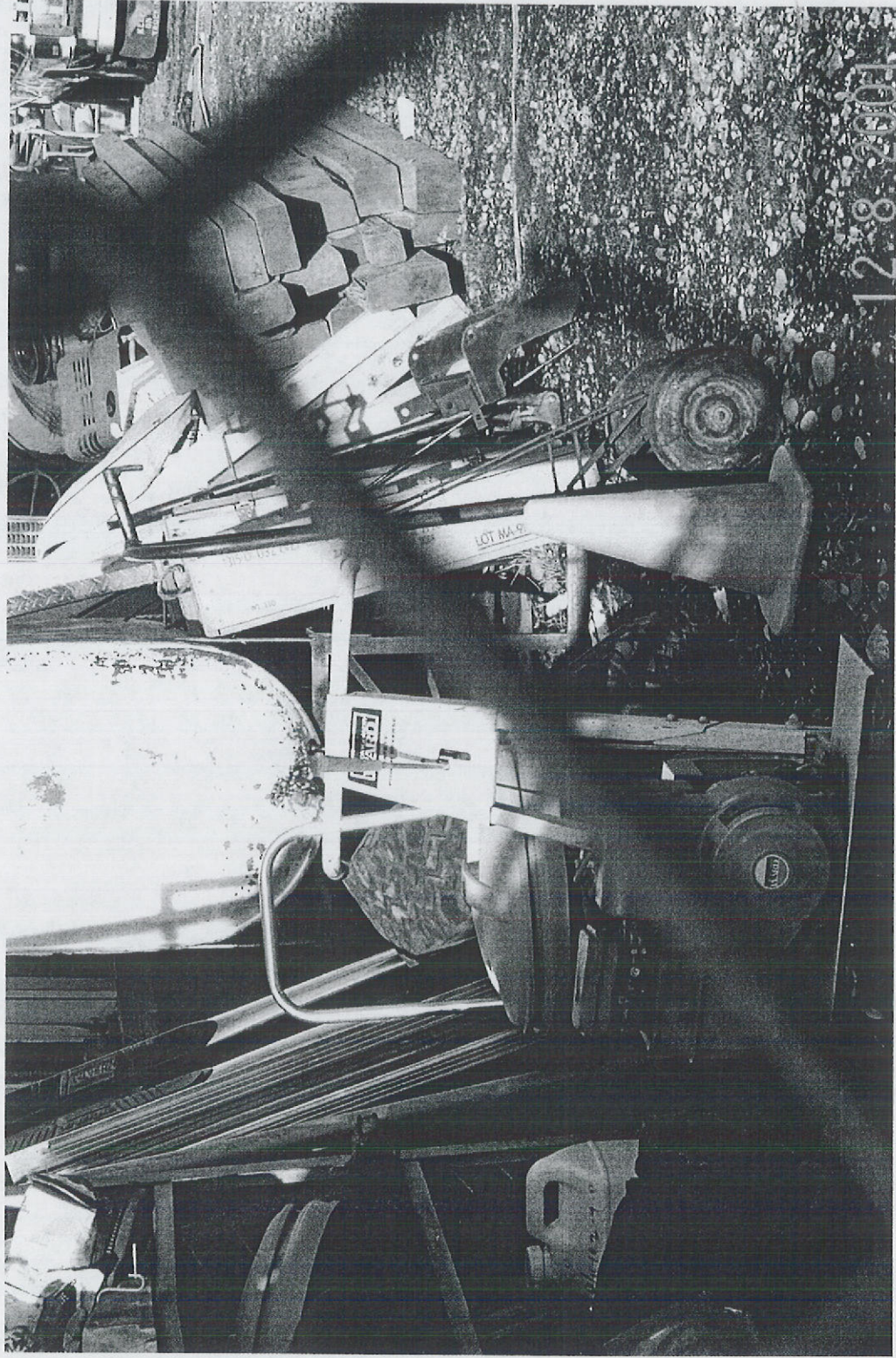
this building was once used as a dairy processing building, but it hasn't been used for this purpose since the mid-60's. -KLB

63-25742



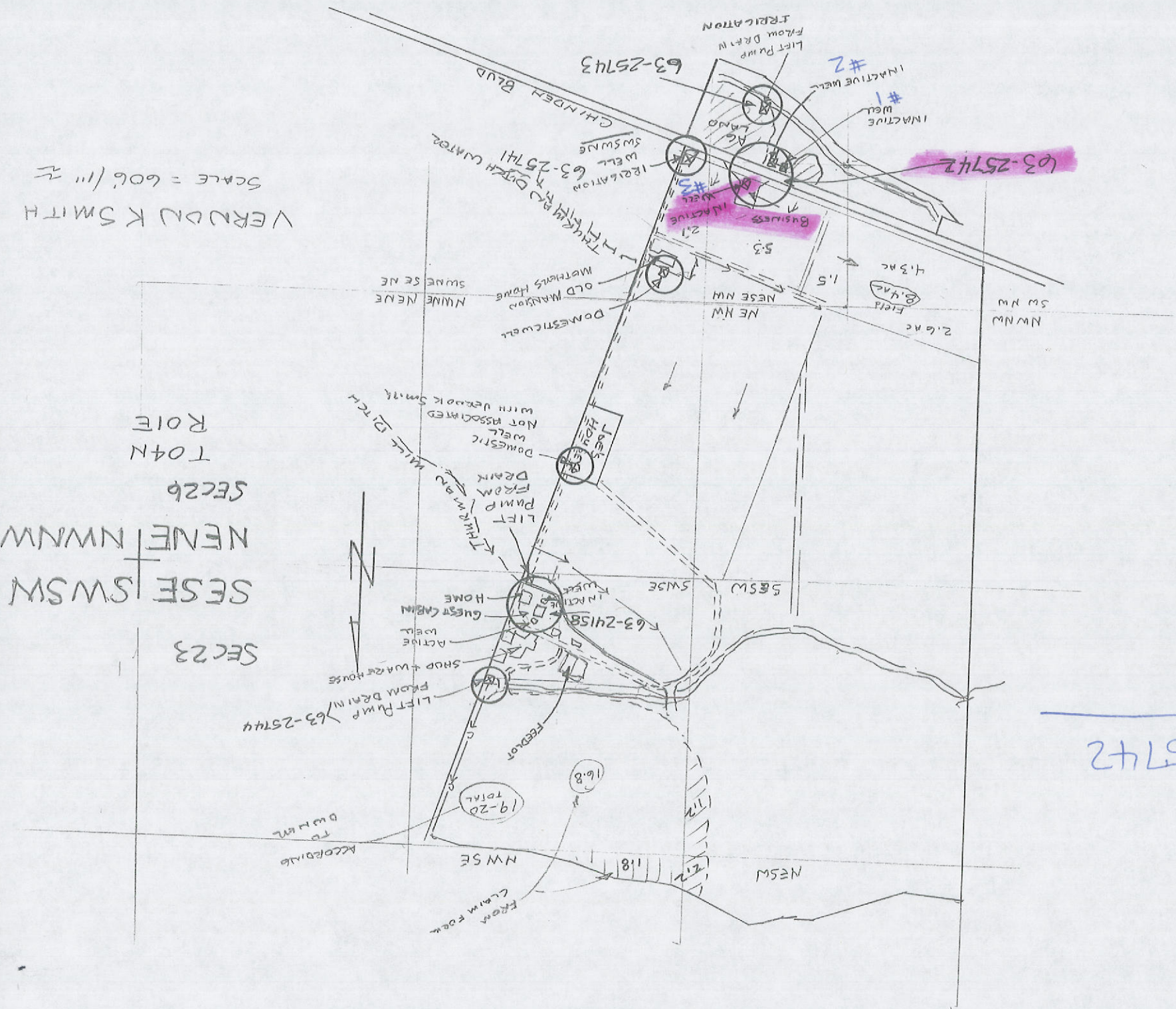
12.8.2001

63-25742



* DRAWN BY IDWR CONTRACTOR, BUCKE SCHOLER, DURING FIELD EXAMS. (5/04)

#63-25742





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



63-25742



63- 25742



63- 25742



63- 25742



63-25742

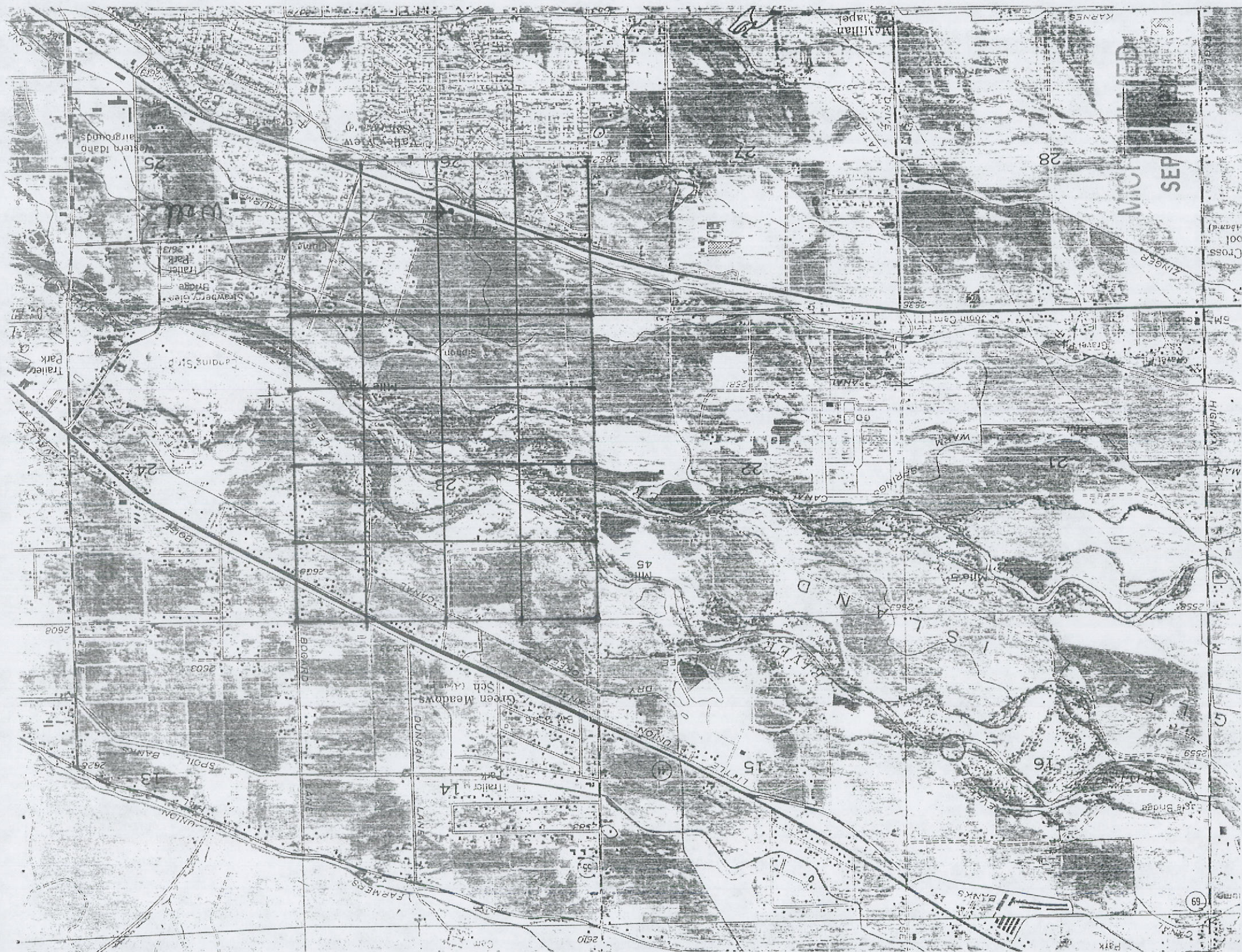


63-25742



63-25742





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 63-25742
(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
Address: and Estate of Vernon K. Smith Sr (owner) 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 Sr.
Address: 5933 N. Braustetter
Boise, Idaho 83714

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: Groundwater
3. ☒ **Quantity**
Should be: Industrial .020, commercial .020, domestic .040, stock .040 total .120 cfs
4. ☒ **Priority Date**
Should be: January 1, 1953
5. ☒ **Point of Diversion**
Should be: NW 1/4 SE 1/4 NW 1/4 Sec 26 Twp 4N R 1E BM
6. ☒ **Instream Flow Beginning and Ending Point**
Should be: Groundwater
7. ☒ **Purpose(s) of Use**
Should be: Industrial, Commercial, Domestic, Stockwater
8. ☒ **Period of Year**
Should be: January 1 - December 31
9. ☒ **Place of Use**
Should be: See attached claim
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, 1953, and beneficial use exists.

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Ada)

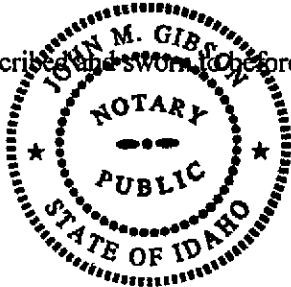
Vernon K. Smith, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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 day of April 2006

John M. Gibson
Notary Public for Idaho

Residing at: Boise

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 day 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:

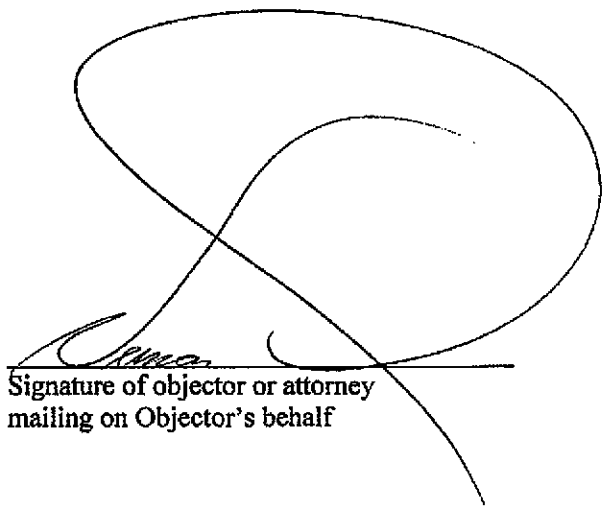
Name: Victoria H. Smith
Address: 5933 N. Braustetter
Boise, Idaho 83714

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

Adjudication Claim Report 63-25742

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

Status: Active

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
INDUSTRIAL	1/01	to 12/31	0.020 CFS	
COMMERCIAL	1/01	to 12/31	0.020 CFS	
DOMESTIC	1/01	to 12/31	0.040 CFS	
STOCKWATER	1/01	to 12/31	0.040 CFS	
		<u>Total Diversion:</u>	0.120 CFS	

GROUND WATER **NE1/4SE1/4NW1/4** **Sec. 26, Twp 04N, Rge 01E, B.M.**
ADA County

INDUSTRIAL

[illegible]

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25742

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

DOMESTIC

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

STOCKWATER

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

Conditions of Approval:Remarks:

- General THAT APPEARS TO BE THE P/D FROM THE AERIAL PHOTO AT IDWR. WELL WITH PUMP LOCATED AT THE SIDE OF THE OLD HOMESTEAD MILK BARN, WHICH WAS LONG AGO CONVERTED TO ACCOMMODATE A COMMERCIAL BUSINESS AND INDUSTRIAL USAGE OF THE BUILDING AND SUCH COMMERCIAL AND INDUSTRIAL BENEFICIAL USE OF THE WATER, STARTING IN ABOUT 1959/1960 IN ADDITION TO THE DOMESTIC AND STOCK WATER USAGE CONSISTENT WITH ITS HISTORIC USE.

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 Claim Report 63-25742

ADJUDICATION CLAIM REPORT 63-25742

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-25742 V1

WATER RIGHT NUMBER: 63-25742 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	ESTATE OF VERNON K SMITH C/O VICTORIA H SMITH RT 4 5933 N BRANSTETTER BOISE, ID 83714 (208)375-2934
Current Owner	VICTORIA H SMITH 5933 N BRANSTETTER RT 4 BOISE, ID 83714 (208)375-2934

Priority Date: 01/01/1953

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>
INDUSTRIAL	1/01 to 12/31	0.020 CFS	
COMMERCIAL	1/01 to 12/31	0.020 CFS	
DOMESTIC	1/01 to 12/31	0.040 CFS	
STOCKWATER	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.120 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4NW1/4	Sec. 26, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

INDUSTRIAL

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																	
										X									

COMMERCIAL

Twp	Rge	Sec	NE	NW	SW	SE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-25742 V1

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

DOMESTIC

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								X									

STOCKWATER

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								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). In addition, although the claimed domestic and stockwater uses do not require evidence, they are already covered by right #63-24160 and are, therefore, also disallowed.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-25742 V1

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:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	4/15/2005 12:47:55 PM	kbrown			Disallowed
Summary			04/15/2005	kbrown	Disallowed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	4/15/2005 12:49:49 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 12:47:55 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 63-25742 ✓

WATER RIGHT NUMBER: 63-25742 ✓

Owner Type Name and Address
Representative VERNON K SMITH ✓
 1900 W MAIN
 BOISE, ID 83702
 (208)345-1125

Current Owner ESTATE OF VERNON K SMITH ✓
 C/O VICTORIA H SMITH
 RT 4
 5933 N BRANSTETTER
 BOISE, ID 83714
 (208)375-2934

Current Owner VICTORIA H SMITH ✓
 5933 N BRANSTETTER
 RT 4
 BOISE, ID 83714
 (208)375-2934

Priority Date: 01/01/1953 ✓
Basis: Beneficial Use ✓
Status: Active

Property Address:
9900 E. Chinden Blvd.
Eagle, ID 83616

Source Tributary
GROUND WATER ✓

once an old milk barn
JUNKYARD & MOTORCYCLE SHOP
covered by #63-24160

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>	
INDUSTRIAL ✓	1/01 to 12/31 ✓		0.020 CFS ✓		REMOVE
COMMERCIAL ✓	1/01 to 12/31 ✓		0.020 CFS ✓		REMOVE
~~DOMESTIC~~ ✓	1/01 to 12/31 ✓		~~0.040 CFS~~ ✓		(no evidence)
~~STOCKWATER~~ ✓	1/01 to 12/31 ✓		~~0.040 CFS~~ ✓		
<u>Total Diversion:</u>			0.120 CFS ✓		

Location of Point(s) of Diversion

GROUND WATER
ADA County ✓

NE1/4SE1/4NW1/4 ✓

Sec. 26, Twp 04N, Rge 01E, B.M. ✓

(only 1 PDD for this site)

Place of Use

INDUSTRIAL ✓

Twp	Rge	Sec	NE				NW				SW				SE				Totals
✓ 04N	01E	26	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
										X									

COMMERCIAL ✓

ADD _____ - Domestic use is for _____ household?

Twp Rge Sec | NE | NW | SW | SE |

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

Parcel No: A portion of 80526244660. (9.6 AC)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25742

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

DOMESTIC ✓

	NE				NW				SW				SE				Totals
Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N 01E 26								X									

STOCKWATER ✓

	NE				NW				SW				SE				Totals
Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N 01E 26								X									

Conditions of Approval:Remarks:

- General THAT APPEARS TO BE THE P/D FROM THE AERIAL PHOTO AT IDWR. WELL WITH PUMP LOCATED AT THE SIDE OF THE OLD HOMESTEAD MILK BARN, WHICH WAS LONG AGO CONVERTED TO ACCOMMODATE A COMMERCIAL BUSINESS AND INDUSTRIAL USAGE OF THE BUILDING AND SUCH COMMERCIAL AND INDUSTRIAL BENEFICIAL USE OF THE WATER, STARTING IN ABOUT 1959/1960 IN ADDITION TO THE DOMESTIC AND STOCK WATER USAGE CONSISTENT WITH ITS HISTORIC USE.

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

DISALLOWED

DISALLOWED

Field Exam Date 4.13.05

(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 \$54.00
- ☐ Well logs (if needed) none found in IDWR files - KLB
- ☒ 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 complete

Claim No(s) A63 - 25742
Owner: Estate of Vernon K. Smith c/o Victoria H. Smith
Phone No. (208) 375-2934
Current Address: 5933 N. Boran Stetter, Rt. 4, Boise 83714

Property Address: 9900 E. Chinden Blvd. Eagle
☒ 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: 1/1/1953

(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 Mr. 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 Memos). I then sent a letter to both the home and office addresses stating that I have no choice but to recommend this claim as disallowed (continued on p. 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:
- ☐ If different, when did POD change?

* Only Tag # 0002468 (GPS coordinates: 2314148 / 1386673) from IDWR field
Report # POD ID 233661.3 (well at 9900 Chinden) from Intrepid applies.

According to the field report, well #3 is located on the north side of Chinden (the other two wells that were GPSed are on the south side of Chinden and, therefore, are ~~not applicable~~ to this site). I believe that contractor Burke Scholer GPSed three wells because Intrepid did also; which is incorrect. The only well applicable to this site is the one well located on the side of the

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

building located at 9900 E. Chinden (not the two

Description of diverting works

See Field Report.

across the street at 9907 Chinden (covered by #63-25740)

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

REMOVE (junkyard & motor cycle shop) once an old milk barn INDUSTRIAL & COMMERCIAL uses since no evidence of priority has been submitted. D# S does not require evidence, but is covered by

covered by #63-24160

Use Domestic From _____ To _____ Amount $\emptyset$ CFS AFA
Use Stockwater From _____ To _____ Amount $\emptyset$ CFS AFA
Use _____ From _____ To _____ Amount _____ CFS AFA

#63-24160.

TOTAL VOLUME - Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS AFA
☐ Changes found, the new total is, Amount $\emptyset$ 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 on claim
Types _____ Additional comments: _____

PLACE OF USE:

- ☐ No Change
☐ Changes shown below:

Parcel No: a portion of 80526244660. (9.6 AC)

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	

Overlap with other water rights: _____

Thurman Mill Ditch Co.?

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:

No pumps were installed at time of field exam - no measurement.

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 FX
- ☒ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 4.13.05

FIELD EXAMINER: Kimberly Brown

DISALLOWED

Priority Date - (continued)

Since I have not received any evidence of priority 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 on Parcel No: S05 26 244660. Unfortunately, nothing was listed under Residential Property Characteristics for the year the buildings were built (see file).
- 2.) I also checked our Well Driller's Reports file for 4N, 1E, S26 and found nothing. -KUB

claimed - Industrial & Commercial -

#63-25742

Smith

"junkyard & motorcycle shop"

COMMERCIAL USE VOLUME

* Please keep in mind that these questions pertain only to the use of the water listed on the enclosed **Adjudication Claim Report**.

Type of Establishment: (example - camp, church, country club, bar/lounge, boardinghouse, factory, motel, highway rest area, hospital, laundry, office, park, restaurant, school, service station, theater)

Type of Facilities: (example: kitchen facility/cafeteria, lavatory facilities, shower(s), bath(s), sink(s), trailers, flush toilets)

Number of Fixtures: (example: number of flush toilets, number of bathtubs, number of bathroom/kitchen sinks, number of showers, etc.)

How many employees (and/or public individuals) per day use each of the facilities your commercial use is based upon?

How many hours per day is the facility open for this specific use?

How many days per week is the facility open for this use?

Is this facility open year round? ____ Yes ____ No

If not, please indicate the length of time the facility is open during the year.

****** Most businesses have a good idea of how many gallons of water per day they use. If this is true in your case, please indicate how many **total gallons of water you use** for the commercial purposes explained above:

Additional information you feel may be pertinent:

Your name

Business telephone number

Please return to:

**ATTN: Kimberly Brown
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082**

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

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-24160

WATER RIGHT NUMBER: 63-24160

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

* Covers buildings)
located at 9900 Chinden
(see Remarks)

Priority Date: 01/01/1953

Basis: ~~Decreed~~

Status: Active

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01	to 12/31	0.040 CFS	
DOMESTIC	1/01	to 12/31	0.040 CFS	
	<u>Total Diversion:</u>		0.080 CFS	

Location of Point(s) of Diversion

GROUND WATER NE1/4SE1/4NW1/4 Sec. 26, Twp 04N, Rge 01E, B.M.
ADA County

Place of Use

STOCKWATER

[illegible]

DOMESTIC

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-24160

Conditions of Approval:

1. C18 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.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. S0526244430

Comments:

1. DUNN1 10/17/1993 COPIED FROM REMARKS

Comment: THIS APPEARS TO BE THE 1/4 1/4 1/4 IN WHICH IT IS LOCATED FROM THE AERIAL PHOTO. WELL AND PUMPING SYSTEM LOCATED BY THE OLD MILK BARN NOW USED FOR DOMESTIC AND STOCKWATER AND BUSINESS, COMMERCIAL AND INDUSTRIAL NEEDS; DEPTH UNKNOWN. USED AS A COMMERCIAL, INDUSTRIAL, BUSINESS AND DOMESTIC WATER SOURCE AS WELL AS FOR LIVESTOCK OVER THE PAST MANY YEARS.

Dates and Other Information:

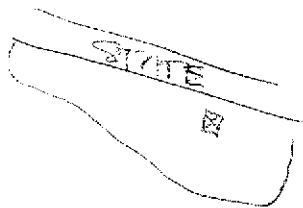
Licensed Date:
 Decreed Date: 4/7/2000
 Water Supply Bank Enrollment Accepted:
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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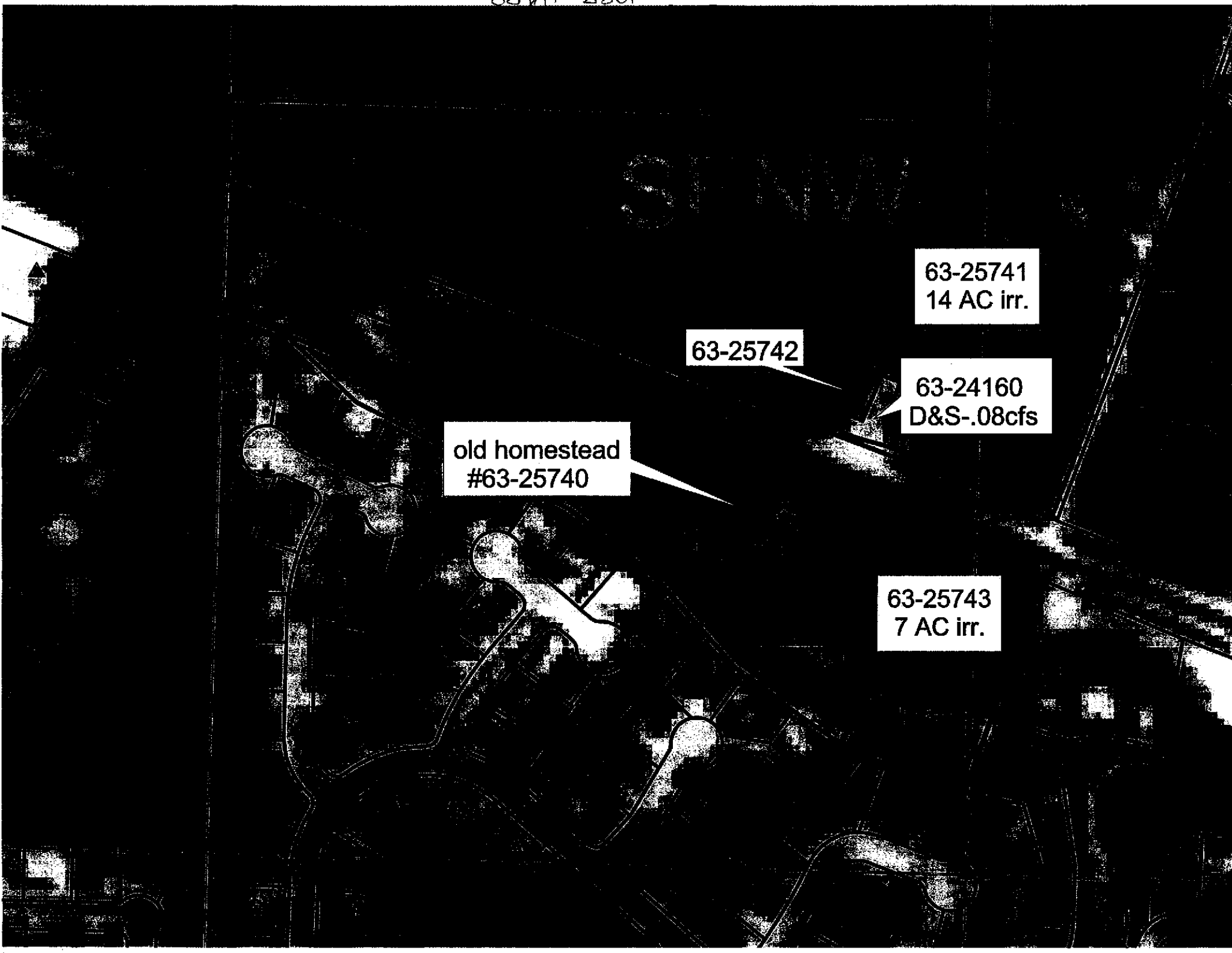
Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------



~~80526244250~~ nothing found

9907 W Chinden Blvd.
(1910)



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	2.0
51 - 100	0.03	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)				

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



Land Records

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Property Details for Parcel S0526244660

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General Information

Property Acres: 9.800
Zone Code: RUT
Primary Code Area: 212 Tax Districts
Group Type: SECT
Subdivision: 4N 1E 26
Section: 4N1E26

Property Description

PAR #4660 IN NW4
 SEC 26 4N 1E

* Nothing listed
 under Residential
 Property Characteristics
 for year buildings were
 built ->



Assessor Links

Property Address
 E CHINDEN BLVD
 EAGLE, ID 00000

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Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	10-IRRIGATED AG	8.800	\$5,000	INCOME
Primary	100-HOMESITE ON AG	1.000	\$64,800	MARKET
Primary	310-RES IMPROVEMENT	0.000	\$6,000	COST

Total Assessed Value: \$75,800

Parcel Valuation History

Assessed value for year 2004 \$75,800
Assessed value for year 2003 \$70,900
Assessed value for year 2002 \$70,900
Assessed value for year 2001 \$38,300
Assessed value for year 2000 \$37,700

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Property Characteristics

Residential
 Agriculture
 Land

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Residential**Agricultural****Land****Residential Characteristics 1 for Parcel "S0526244660"**

Occupancy Date:	No Date Available
Year Built:	1
Year Remodel:	0
Effective Age:	0
Construction Class:	3
Number of Bedrooms:	0
Number Bathrooms:	1.75
Number of Fireplaces:	0
Air Conditioning:	N
Car Storage Sq Ft #1:	0
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	0
Porch Sq Ft:	0
Deck Sq Ft:	0
Deck Covered:	N
Patio Sq Ft:	0
Patio Covered:	N
Pool Sq Ft:	0
Total Sq Ft:	0
Main Floor Sq Ft:	0
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

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Residential**Agricultural****Land****Agriculture Characteristics 1 for Parcel "S0526244660"****Irrigated Acres:**

Capability Class 1:	0.0
Capability Class 2:	0.0
Capability Class 3:	0.0
Capability Class 4:	8.8

Non-Irrigated Acres:

Capability Class 1:	0.0
Capability Class 2:	0.0
Capability Class 3:	0.0
Capability Class 4:	0.0

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Waste Acres:

Capability Class 8:	0.0
----------------------------	-----

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Residential**Agricultural****Land****Land Characteristics 1 for Parcel "S0526244660"**

Residential Acres:	1.000
Commercial Acres:	0.000
Other Acres:	0.000
MLS Area:	650 - W Boise - Meridian Dist
Street:	Asphalt/Concrete
Utility:	Not Available
Water Source:	Not Available
Sewer:	Not Available
Sidewalks:	N
Curb-Gutters:	N
Topography:	Not Available
View:	Not Available
Water Influence:	None
Water Frontage Feet:	0
Corner:	N

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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.

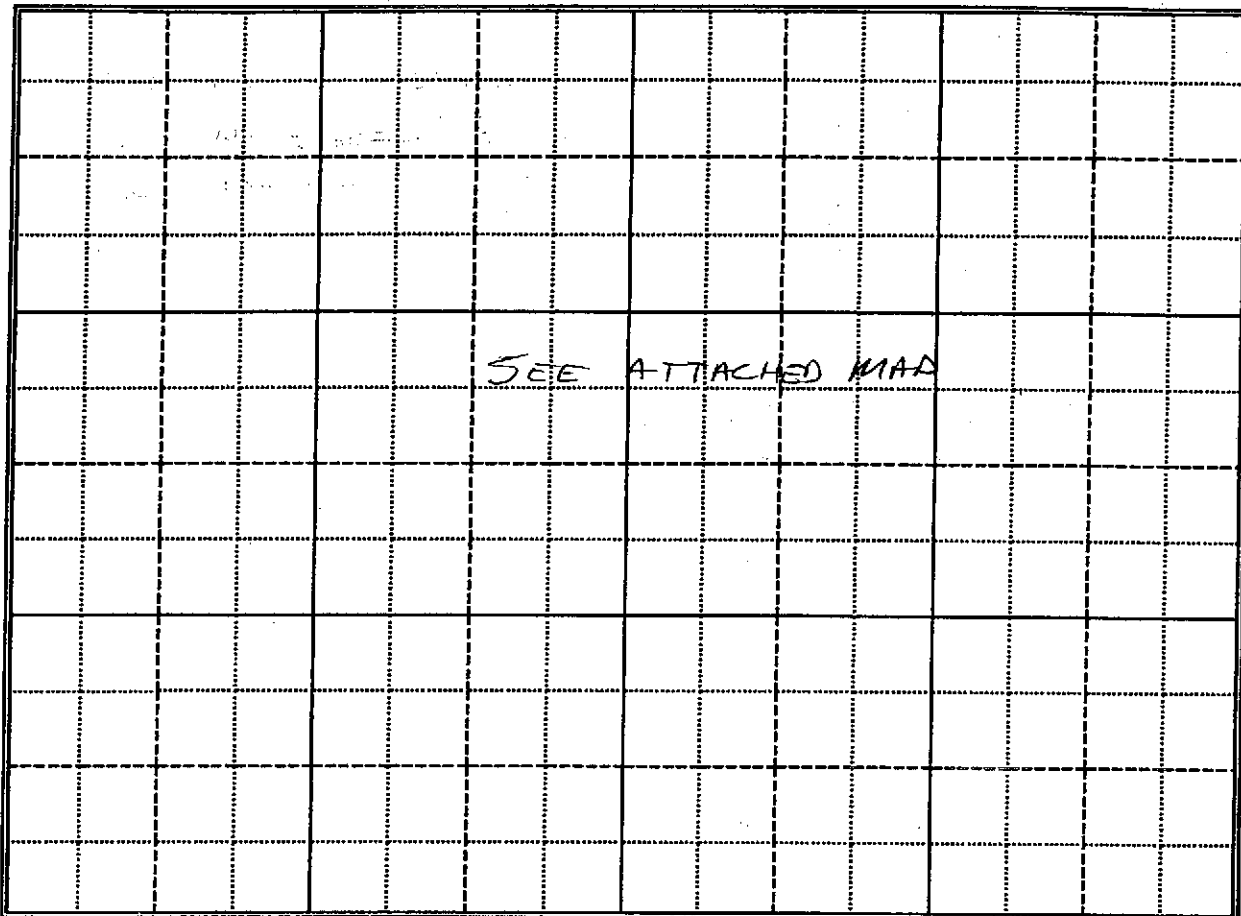
Since I have not received any evidence of priority, I called #375-2934 and Vernon Smith's mother, Victoria H. Smith, answered the telephone. Since she filled-out the original *Notices of Claim*, I thought that I would broach the subject of her writing an affidavit about her personal knowledge of the 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

[illegible]

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
	NO PUMPS INSTALLED PRESENTLY				

*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: NONE

E. NARRATIVE/REMARKS/COMMENTS

I MET W/ VERNON ON 3/26/04 AND HE SHOWED ME AROUND TO ALL THE RODS ON THIS PLACE (9 TOTAL). HE WAS LATE FOR APPOINTMENT AND I DID NOT HAVE TIME TO COMPLETE THE EXAMS.

THIS RIGHT 63-25742 HAS 3 ROD. THERE ARE 2 WELLS CLOSE TO AN OLD HOUSE ON THE SOUTH SIDE OF CHINDEN AND ONE CLOSE TO A BUILDING ON THE NORTH SIDE OF CHINDEN. ALL THREE WELLS ARE IN NESE NW OF SEC 26.

#1. SITE TAG A0002466 IS A 6.64" O.D. PVC PIPE CASING. NO LID OR COVER ON TOP OF PIPE. IT RISES OUT OF THE GROUND ABOUT 2'. THE STATIC WATER LEVEL IS 6.77' ^{FROM TOP OF PIPE} AND PUMPING EQUIPMENT INSTALLED. MR. SMITH SAID THE WELL HAD BEEN RE-DUG & CLEANED OUT SEVERAL (?) YRS. AGO. AND THEY STARTED TO RE-DO THE CONNECTING PIPE TO THE HOUSE BUT HAS NOT BEEN COMPLETED. SEE PHOTO #1 FOR THIS RIGHT. THE WELL IS INTENDED FOR DOMESTIC USE ONLY.

#2. SITE TAG A0002467 IS A 3.27" O.D. PVC PIPE CASING. NO PUMPING EQUIP IS INSTALLED. THERE IS A CAP ON THE TOP. I REMOVED IT AND MEASURED THE STATIC WATER LEVEL @ 4.22' FROM THE TOP OF THE PIPE. THIS WELL IS INTENDED TO BE CONNECTED TO THE OTHER WELL (#1) AND BE USED FOR DOMESTIC USE. SINCE NEITHER OF THE TWO WELLS HAVE BEEN USED FOR SEVERAL YEARS, IT APPEARS THAT ONE WELL SHOULD BE SUFFICIENT FOR DOMESTIC PURPOSES.

#3. THIS WELL IS ON THE NORTH SIDE OF CHINDEN. SITE TAG HAD002468. I TALKED WITH THE TENANT OF THIS PROPERTY AND HE SHOWED ME THE WELL HEAD. IT WAS COVERED WITH A SAFETY MARKING CONE AND THE TENANT REMOVED IT FOR SITE TAGGING & PICTURES. SEE PHOTOS. ACCORDING TO THE TENANT, THIS IS AN OLD ARTESIAN WELL AND HAS BE CAPPED W/OUT AND USE FOR SEVERAL YEARS. THIS PROPERTY IS CURRENTLY BEING USED AS A MOTORCYCLE SHOP AND JUNK YARD.

BMS

Have conditions of permit approval been met? yes no

ADDITIONAL NOTE: 4/8/04

I TALKED WITH VERNON ON 4/7/04 ABOUT THESE WELLS AND THE USE. I TOLD HIM THAT ALL 3 WELLS ARE INACTIVE AND IF THEY WERE PUT INTO USE, THE ONLY USE WOULD BE FOR DOMESTIC PURPOSES. HE SAID "YES, THAT IS RIGHT!" I SUGGEST THESE TO BE STRICTLY DOMESTIC. *Buck & Helen*

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

NO PUMPS INSTALLED
NO ^{FLOW} MEASUREMENTS MADE
NO FLOW RATES CALCULATED

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{LR} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
#1 DOMESTIC	?			
#2 DOMESTIC				
#3 DOMESTIC				
Totals:				

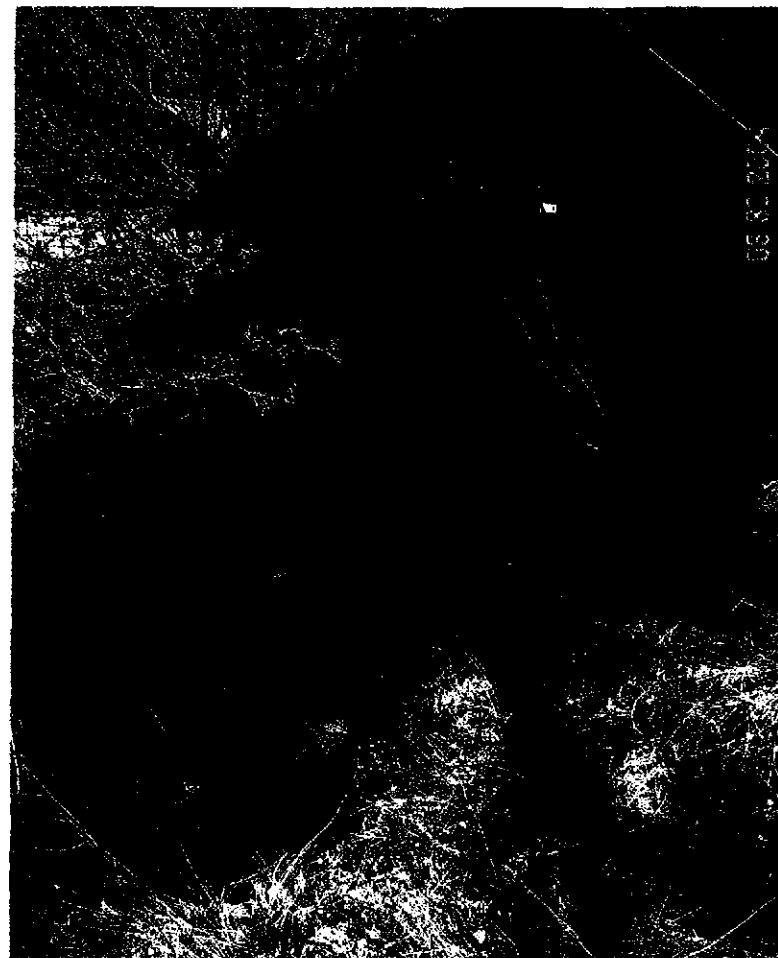
2. Recommended Amendments

____ 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. AUTHENTICATIONField Examiner's Name Burke H. Schell Date 4/6/04

Reviewer _____ Date _____

SEAL



#1

63-25742

* these are located on
the south side
of Chinden
-KLB
4/13/05



#2



* these two wells are
located on the south
side of Chinden
-KIB
4/13/05

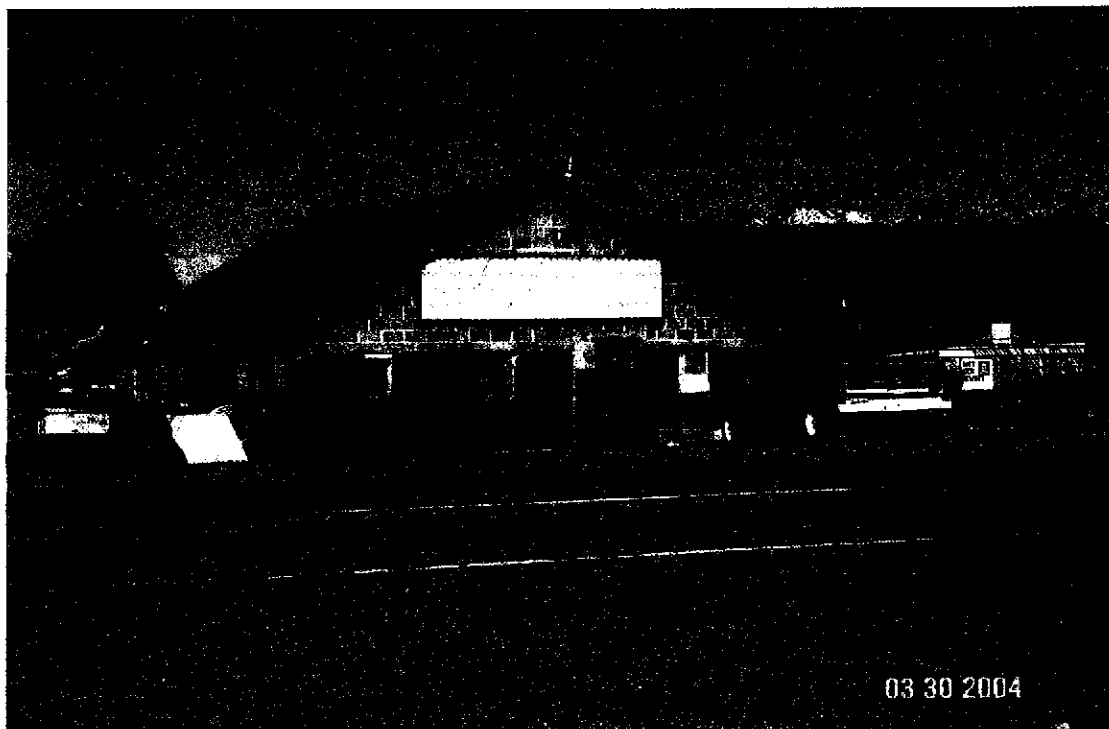
63-25742



05/30/2004



63-25742



03 30 2004



this building was once used as a dairy processing building,
but it hasn't been used for this purpose since the mid-60's. -KLB

DOMESTIC ONLY

Page 1

08/01/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25742

WATER RIGHT NUMBER: 63-25742

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

Priority Date: 01/01/1953
Basis: Beneficial Use
Status: Active

Source

GROUND WATER

Tributary

Burke - Intrepid has 3 separate reports (+ photos) relating to this claim (attached). Please have claimant make sense of all this information, since the claim only lists one point of diversion for industrial, commercial, domestic, + stockwater uses. Please GPS the POD (NESE NW) listed below.

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
INDUSTRIAL	1/01	to 12/31	0.020 CFS	
COMMERCIAL	1/01	to 12/31	0.020 CFS	
DOMESTIC	1/01	to 12/31	0.040 CFS	
STOCKWATER	1/01	to 12/31	0.040 CFS	
	<u>Total Diversion:</u>		0.120 CFS	

Location of Point(s) of Diversion

GROUND WATER NE1/4SE1/4NW1/4 Sec. 26, Twp 04N, Rge 01E, B.M.
ADA County

Place of Use

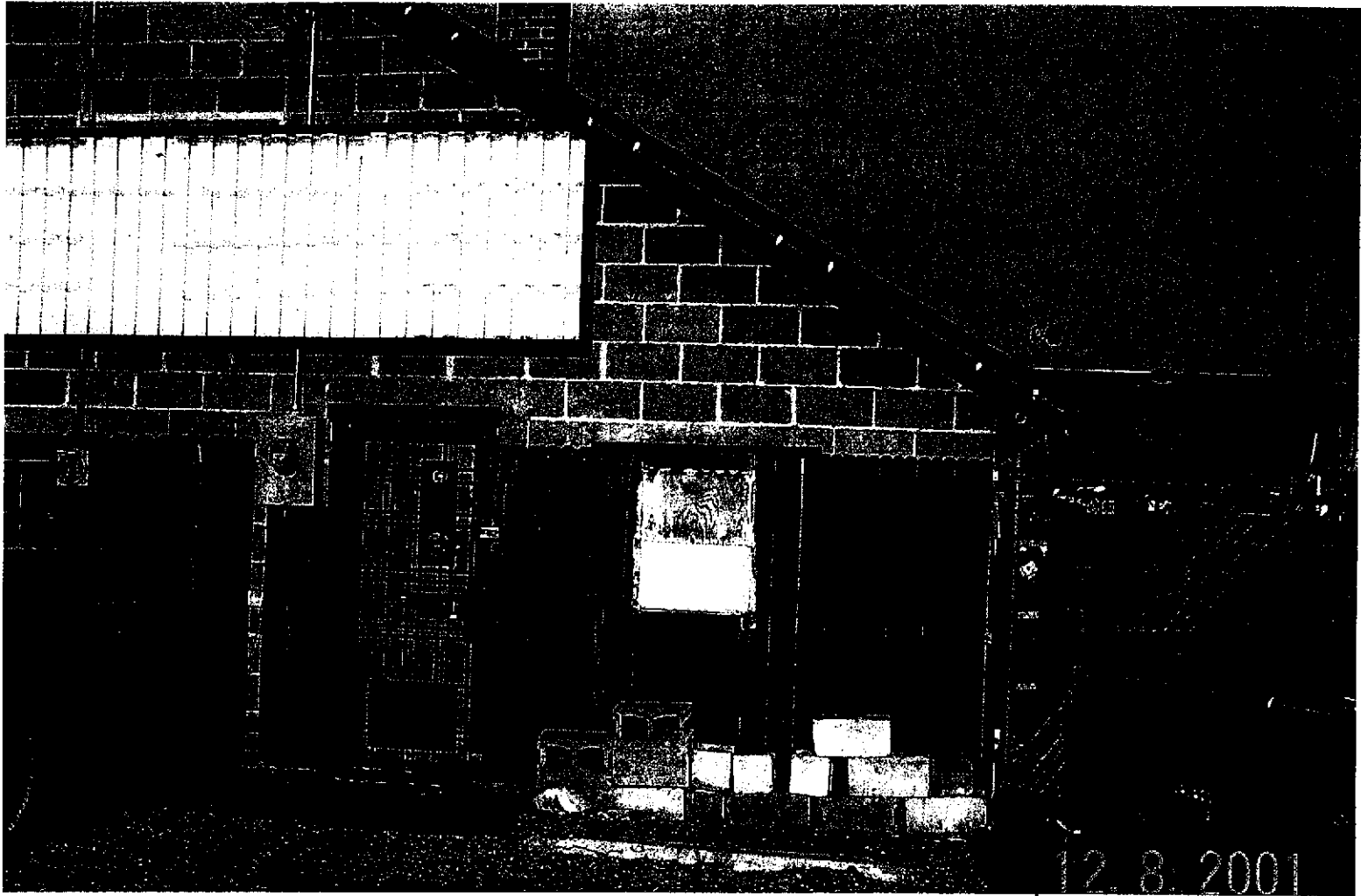
INDUSTRIAL

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	01E	26	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
				X			

COMMERCIAL

Twp	Rge	Sec	NE	NW	SW	SE

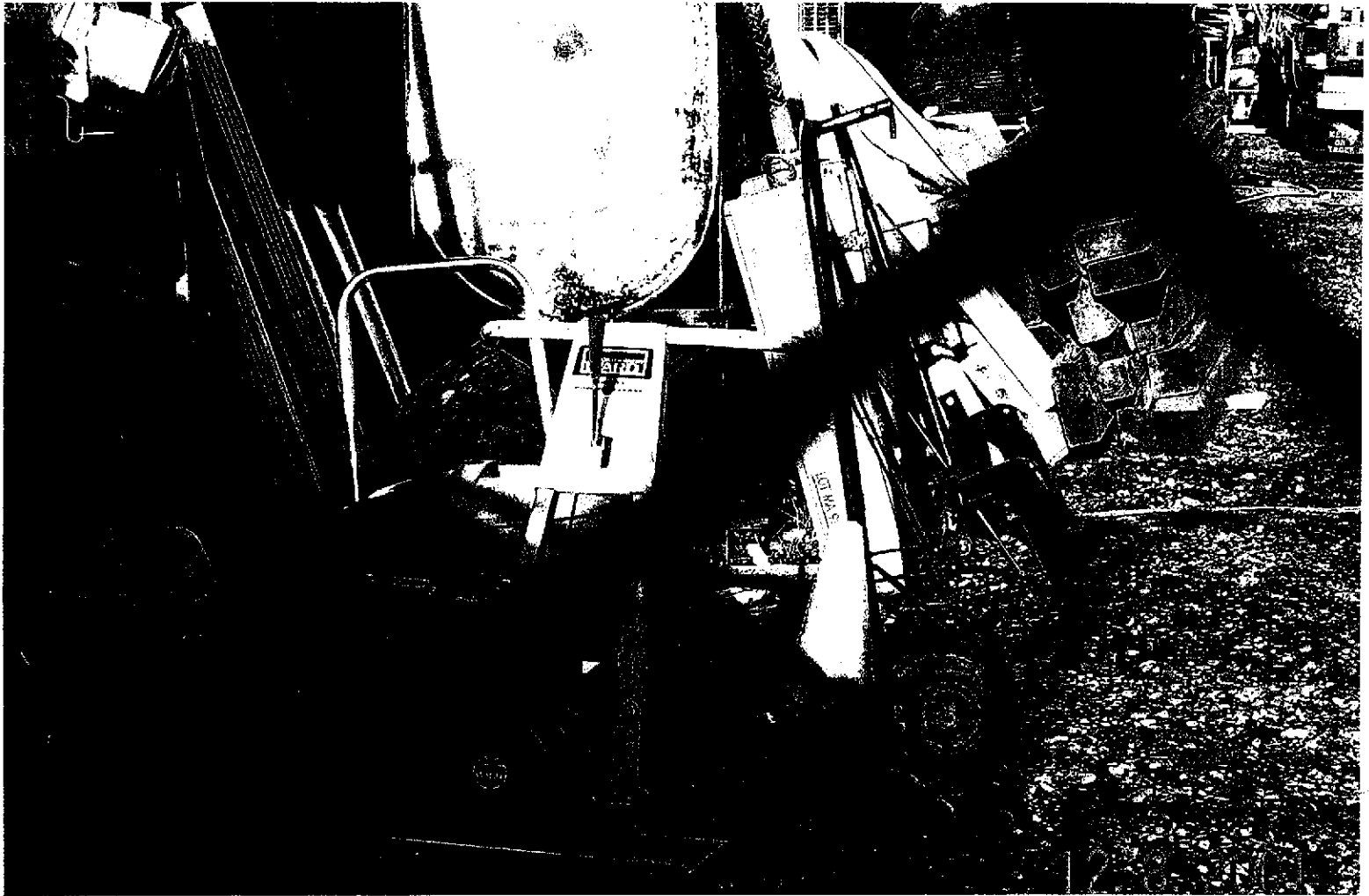
63-25742



IN YARD
A0002468

2466 = 6.64" ^{OD} D.A PVC. SWL 6.77'
2467 = 3.27" O.D. =, SWL 4.22'

63-25742



#63-25742



SESE | SW SW

NENE NWNW

SECZ6

T04N
R01E

VERNON K SMITH

SCALE = 606' / 1" $\approx$



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

$K_h = 7.2$

ID# 04NOIE 23-02

SITE TAG A0002465

GPS

2314470
1387262

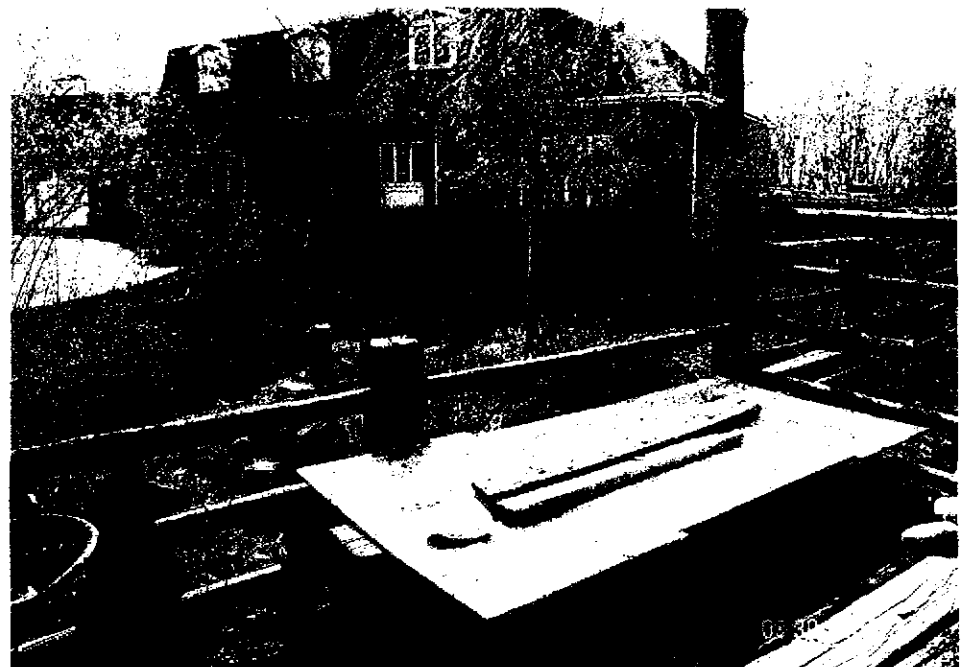
[#]₂₀

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 # A0002469

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 21, 2004

VERNON K SMITH
1900 W MAIN
BOISE ID 83702

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

**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,

Kimberly Brown

Kimberly Brown
Senior Water Resource Agent
Western Region

Cc: File



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
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.

KARL 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



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', written over a horizontal line.

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:west

Enclosures:

Claims Referenced Above

cc: Vernon K. Smith w/Enclosures

MICROFILMED

SEP 14 1992



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

RIGHT ID 63 25742
POD ID 233661.3
Quad Eagle 5
Claim Type Small
Easting 314212
Northing 286681
GPSID No tag placed

Diversion Description

There are multiple wells at the site. Information corresponds with PODID #s 223537, 233659, 233660, 233661.1, 233661.2, 233661.3. Three wells for POD ID 233661. One Artesian and one Submersible located at 9907 Chinden, plus one at 9900 Chinden. This is the well at 9900 Chinden. Domestic use only.

Assumptions

POD corresponds to Right ID

Invoice

2000-055-01

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

Linked

ja Photos\233661h.jpg

ja Photos\233661g.jpg

Photos

EPE (ft)

17 (LH)

Date (M/D/Y)

12/8/01

Time

13.50

Flow Rate (CFS)

0.00

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 0

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

New Contact Comments

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INTREPID
Engineering Services, Inc. (IESI)
Enabling People and Solutions

RIGHT ID

63 25742

63-25742

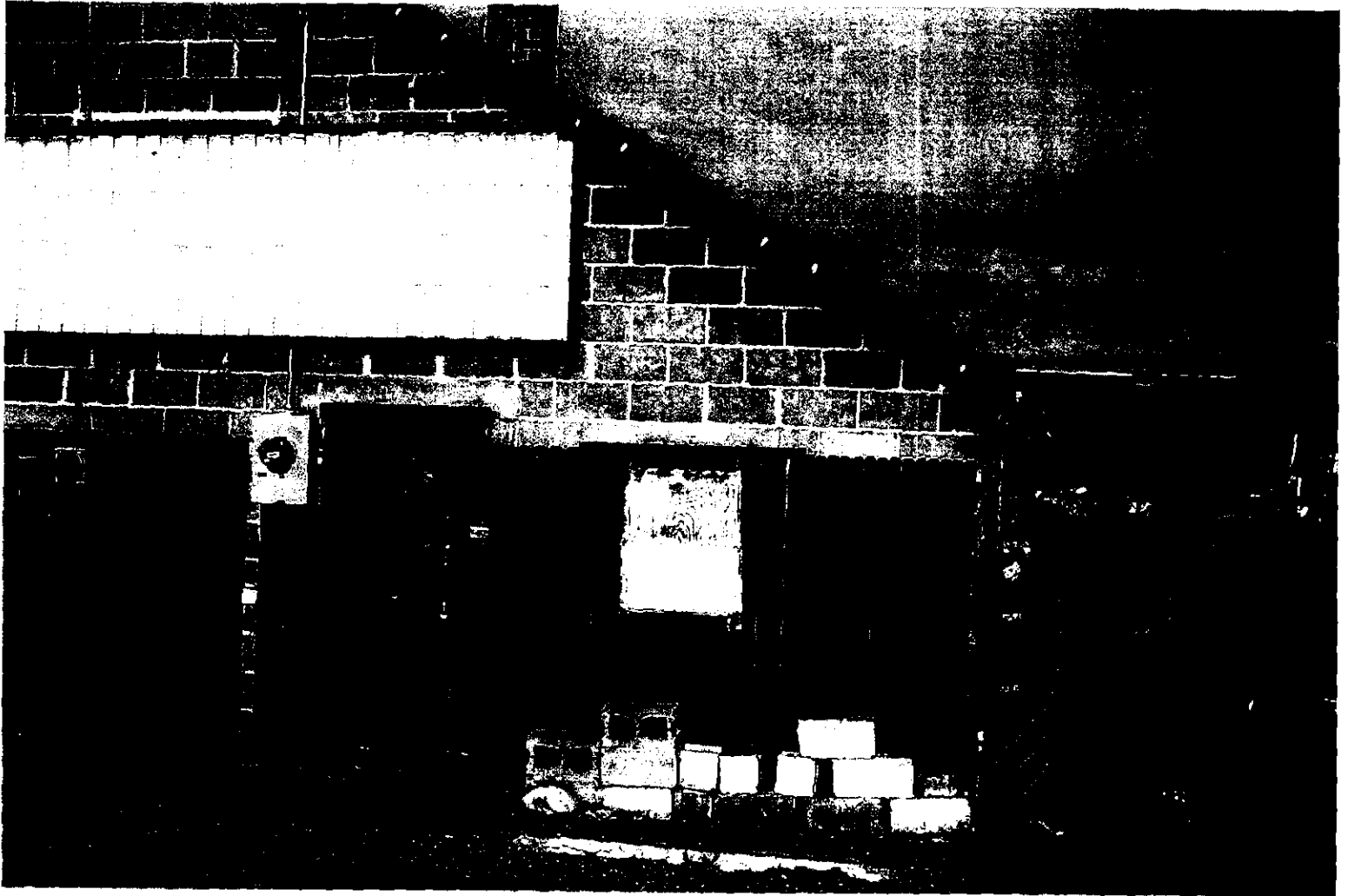


Photo 233661h

63- 25742



Photo 233661g



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

25740

RIGHT ID 63 25742
POD ID 233661.2
Quad Eagle 5
Claim Type Small
Easting 314169
Northing 286640
GPSID A0013226

Diversion Description

There are multiple wells at the site. Information corresponds with PODID #s 223537, 233659, 233660, 233661.1, 233661.2, 233661.3. Three wells for POD ID 233661. One Artesian and one Submersible located at 9907 Chinden, plus one at 9900 Chinden. This is the the apparent submersible on the North side of the house, although there is no indication of a pump in the PVC casing currently.

located on north side of house

Assumptions

POD corresponds to Right ID

Invoice

2000-055-01

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

Linked

ja Photos\233661e.jpg

Photos

ja Photos\233661d.jpg

EPE (ft)	Date (M/D/Y)	Time	Flow Rate (CFS)
20 (LH)	12/8/01	13.30	0.00

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 0

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

New Contact Comments

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RIGHT ID

63 25742

63- 25742

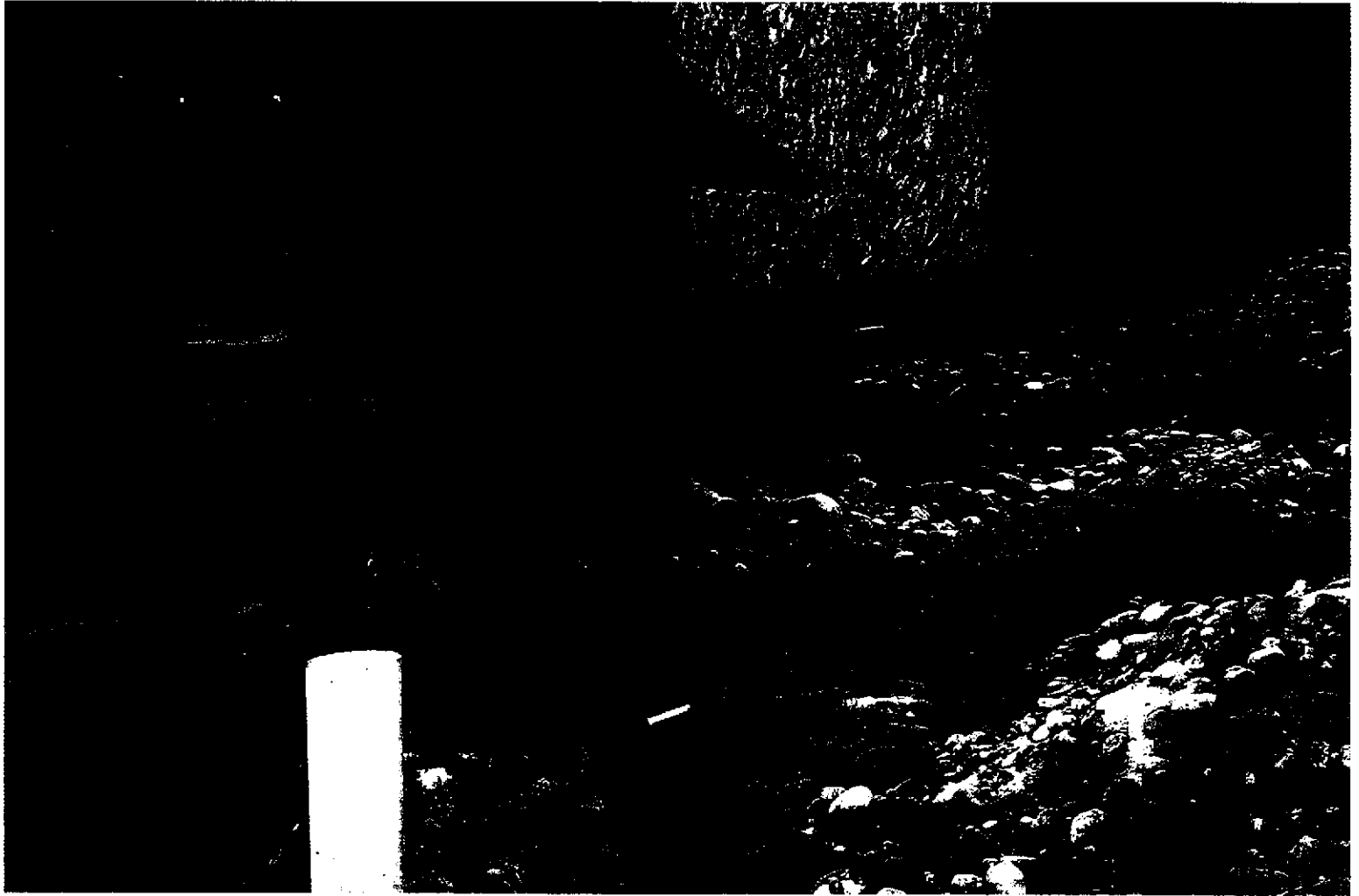


Photo 233661e

63- 25742

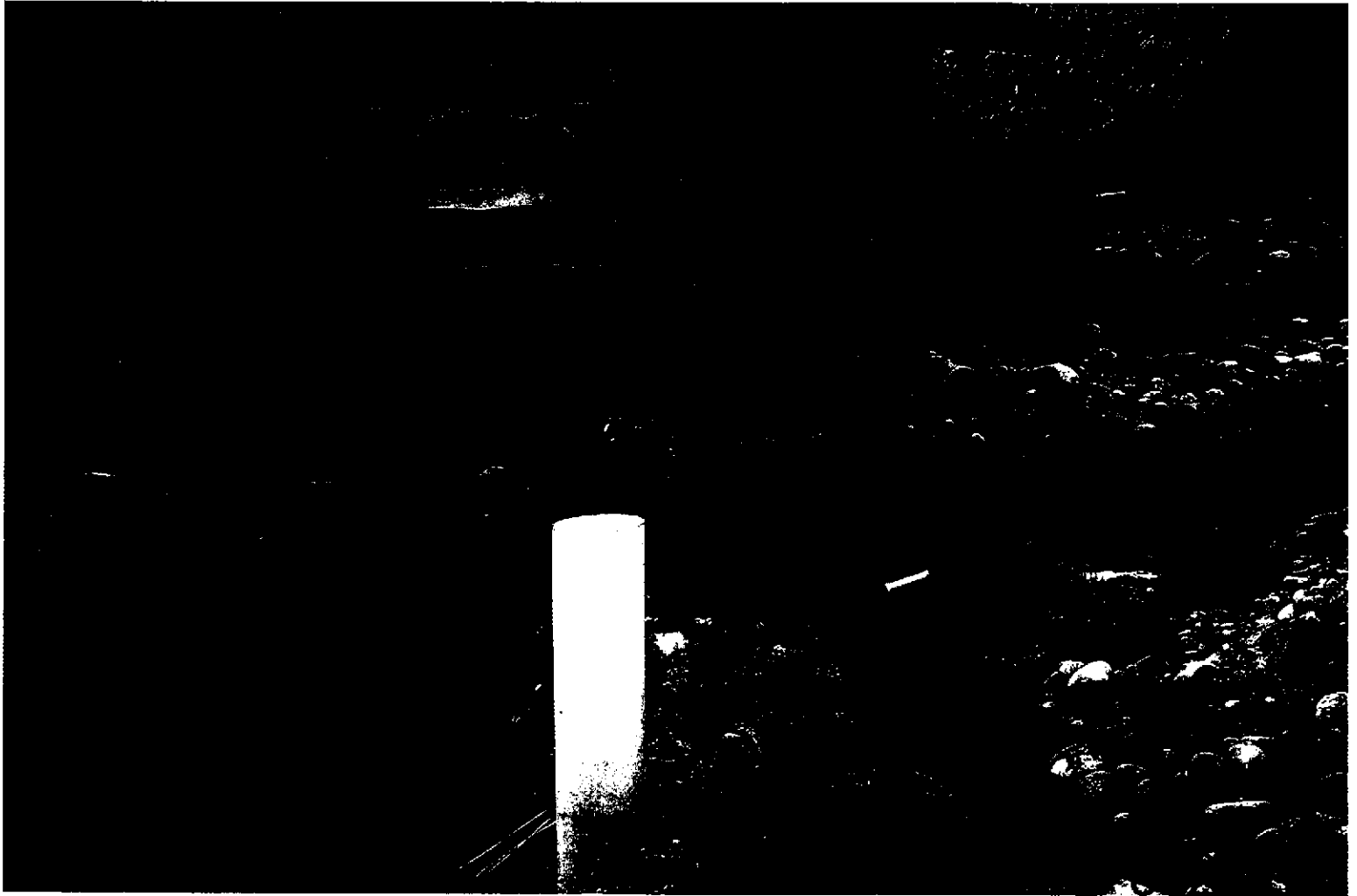


Photo 233661d



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63



RIGHT ID 63 25742
POD ID 233661.1
Quad Eagle 5
Claim Type Small
Easting 314160
Northing 286649
GPSID A0013227

Diversion Description

There are multiple wells at the site. Information corresponds with PODID #s 223537, 233659, 233660, 233661.1, 233661.2, 233661.3. Three wells. One Artesian and one Submersible located at 9907 Chinden, plus one at 9900 Chinden. This is the the artesian well, butted up against house in a concrete pit.

located on south side of Chinden

Assumptions

All three PODs correspond to the same claim.

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

Photos

ja Photos\233661b.jpg ja Photos\233661d.jpg ja Photos\233661f.jpg
ja Photos\233661c.jpg ja Photos\233661e.jpg ja Photos\233661g.jpg

EPE (ft)

25 (LH)

Date (M/D/Y)

12/8/01

Time

13.30

Flow Rate (CFS)

0.00

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 0

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

New Contact Comments

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RIGHT ID

63 25742

63-25742



Photo 233661b

63-25742

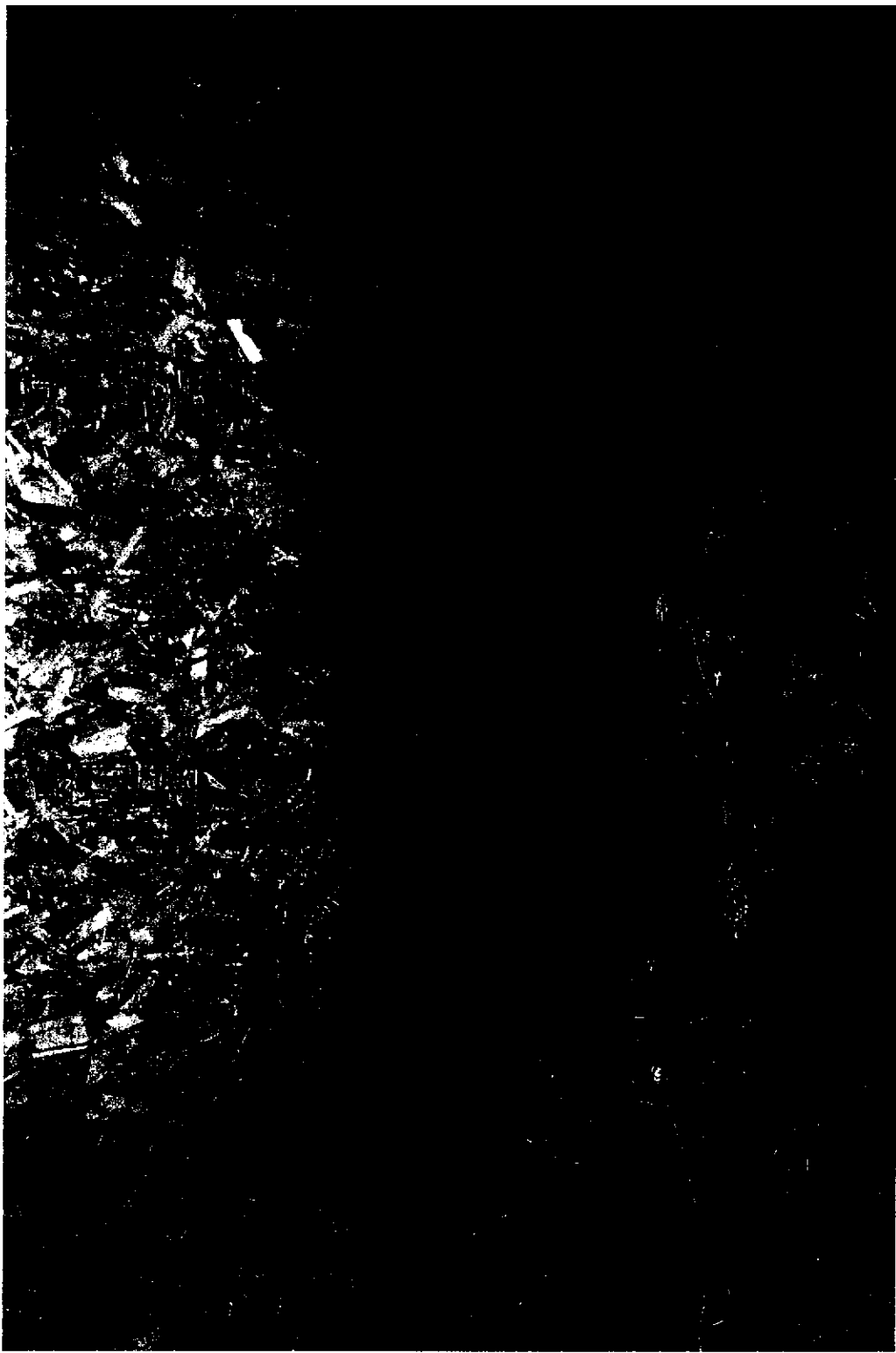


Photo 233661c

63-25742



Photo 233661 f



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

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: A63-25742
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: ESTATE OF VERNON K SMITH
Address: C/O VICTORIA H SMITH
5933 N BRANSTETTER
RT 4
BOISE ID

208-375-2934

83714

AND

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

208-375-2934

83714

2. Date of Priority: JAN 1, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	26	NE	SE	NW		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.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.040		
COMMERCIAL	01/01	12/31	0.020		
INDUSTRIAL	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

A63-25742

Page 1

Date: 12/06/91

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SEP 14 1992

9. Non-irrigation uses:

DOMESTIC, STOCK, COMMERCIAL, INDUSTRIAL YEAR AROUND USAGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	26	SE	NW		DOMEST	
			SE	NW		STOCK	
			SE	NW		COMMER	
			SE	NW		INDUST	

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:

THERE ARE WATER RIGHTS FOR IRRIGATION USED IN THE SAME AREA

14. Remarks:

THAT APPEARS TO BE THE P/D FROM THE AERIAL PHOTO AT IDWR.
WELL WITH PUMP LOCATED AT THE SIDE OF THE OLD HOMESTEAD MILK
BARN, WHICH WAS LONG AGO CONVERTED TO ACCOMMODATE A COMMERCIAL
BUSINESS AND INDUSTRIAL USAGE OF THE BUILDING AND SUCH COMMERCIAL
AND INDUSTRIAL BENEFICIAL USE OF THE WATER, STARTING IN ABOUT
1959/1960 IN ADDITION TO THE DOMESTIC AND STOCK WATER USAGE
CONSISTENT WITH ITS HISTORIC USE.

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

163-25742

Date Received

8-18-89

Receipt Number

COP 9892

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

Victoria H. Smith, individually,
1. Name of Claimant (s) as Executrix 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, 1953

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

4. a. Location of existing point of diversion is: Township 4N Range 1E Section 26

NE 1/4 of SE 1/4 of NW 1/4, Govt. Lot, B.M., County of Ada

Additional points of diversion if any: that appears to be the P/D from the aerial photo
at IDWR.

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 pump located at the side of
the old homestead milk barn, which was long ago converted to accommodate
a commercial business and industrial usage of the building and such
commerical and industrial beneficial use of the water, starting in about
1959/1960 in addition to the domestic and stock water usage consistent
with its historic use.

MICROFILMED

SEP 14 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from Jan 1 to Dec. 31 amount .04+ or _____

For Stockwater purposes from Jan 1 to Dec. 31 amount .04+ or _____

For Commercial/Industrial purposes from Jan 1 to Dec. 31 amount .04+ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .12 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic, stock, commercial, industrial year around usage.

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								DS CI									

Total number of acres irrigated _____ None irrigated from
this well

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.

There are water rights for irrigation used in the same area. or None ()

14. Remarks:

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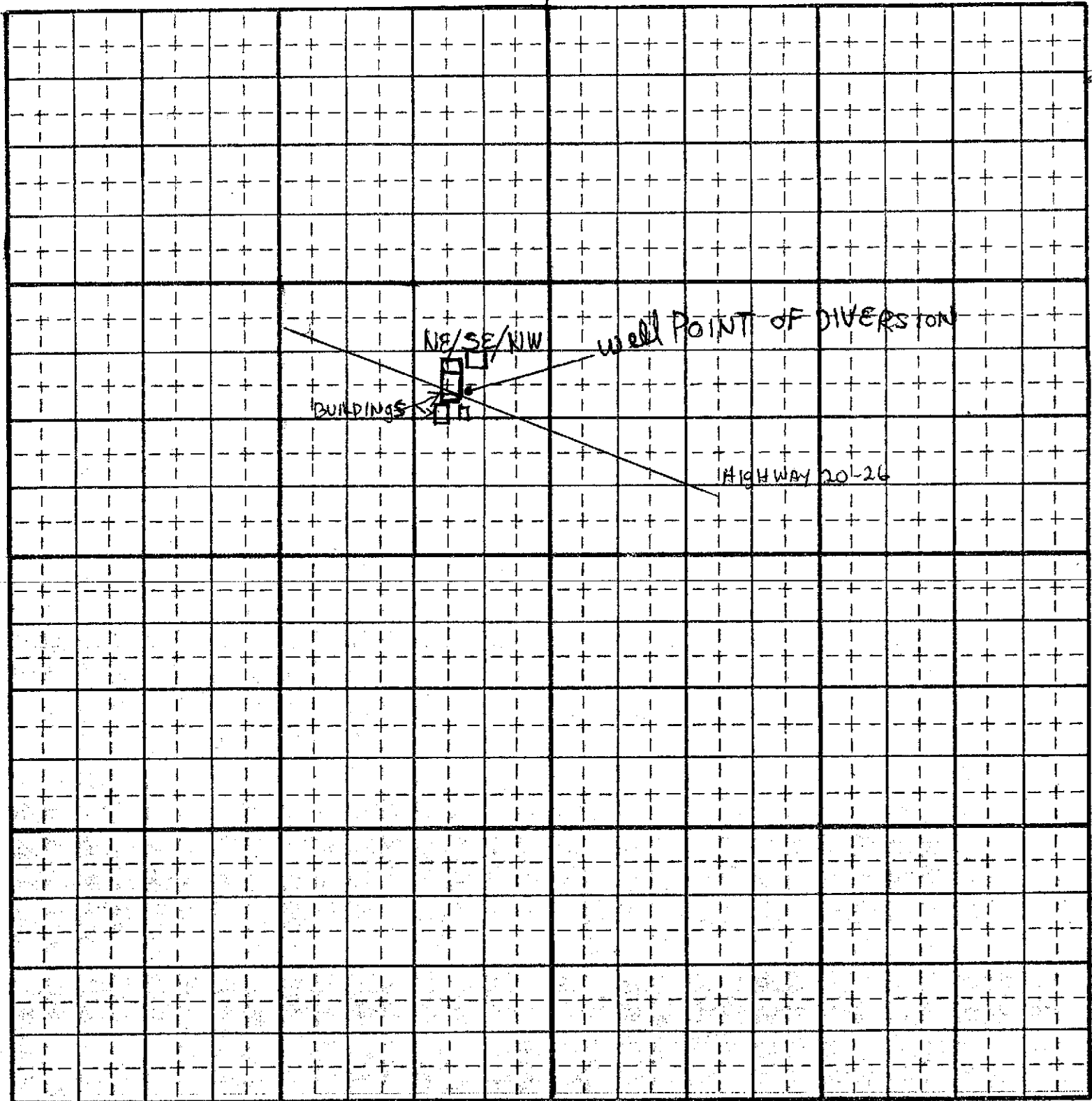
Last Name SMITH Ident No. _____

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. 4N R. 1E. SEC. 26



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Last Name

SMITH

Ident No.

Copies: White-State Yellow-Claims SEP 14 1992

15. Basis of Claim (check one) Beneficial Use X 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 X 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) Victoria 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 Bore, Idaho

My Commission Expires 12/20/94

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 _____

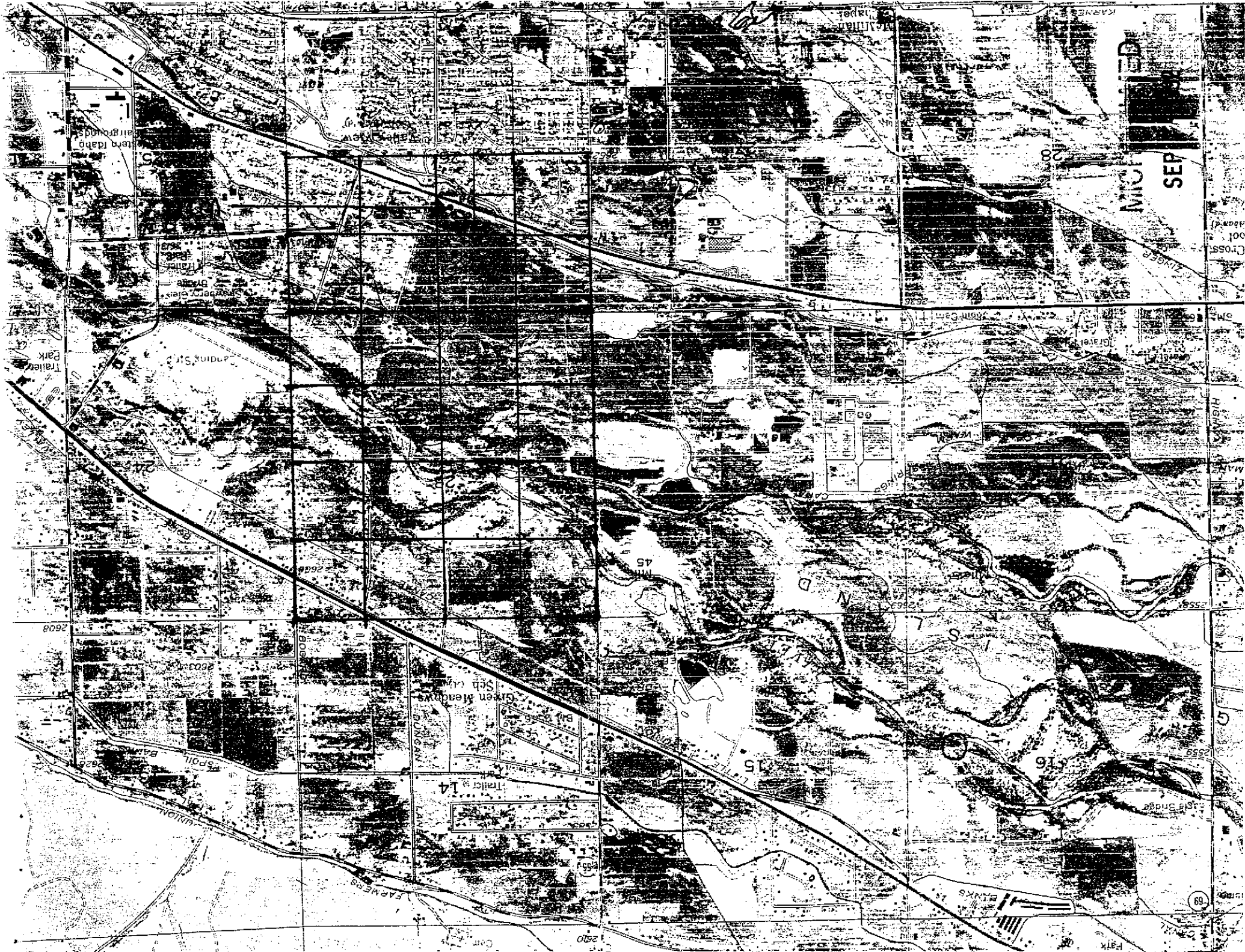
Date _____

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Last Name SMITH Ident. Number _____

Copies White-State, Yellow-Claimant



4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Smith

#3C

CLAIM IDENT. NO. A63-25742

DATE RECEIVED

8-18-89

CK #

0009892

AMOUNT \$

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- 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 ☒ 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 ☒ N/A
- Is the consumptive use correct? ☐ YES ☒ 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 ☒ 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 ☒ 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 ☒ 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 ☒ Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☒ N/A
22. Should this claim be data entered? ☒ YES ☐ NO

Claim checked by: RL

Date: 2-08-90

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☒ (No) ☐

Receipt Prepared by:

Date:

Claim data entered by: spayee

Date: 08-14-91

Sent to claimant by:

Checked by: one

Date: 9/1/91

Comments: For D. Staff 12-6-91, add Vern Smith as R owner.

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