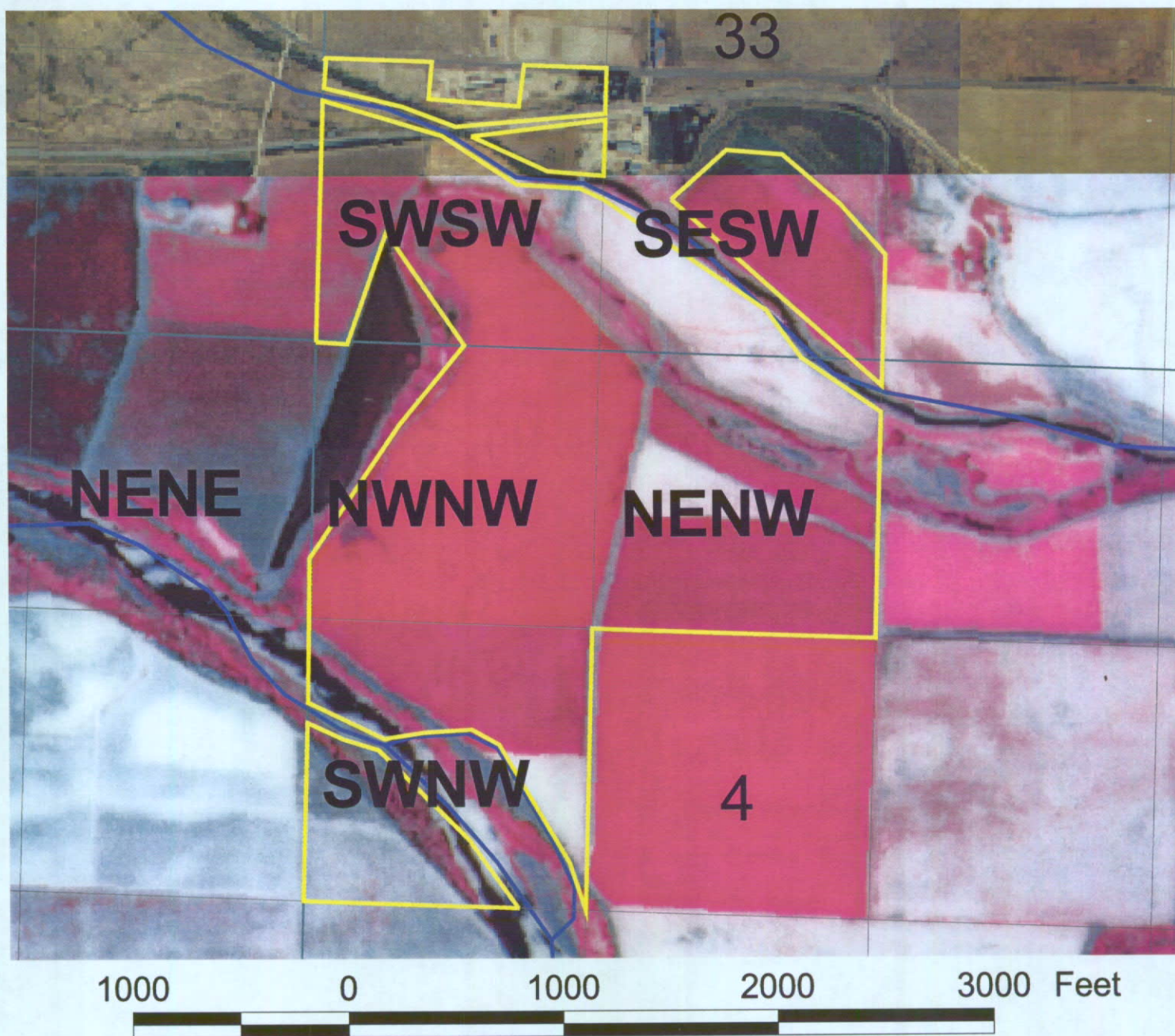
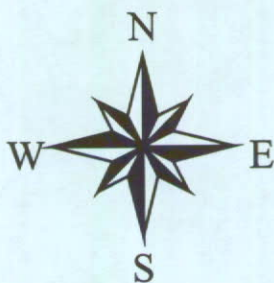


Idaho Department of Water Resources

67-2164A



T10N, R04W, S4 &  
T11N, R04W, S33



Prepared by Anita L. Warntjes  
January 8, 2004  
1993/94 True Color Photo



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

THE GENERAL ADJUDICATION  
RIGHTS TO THE USE OF WATER FROM  
SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A67-02164A  
Date Received: 9/28/1989  
Receipt No: M004741  
Received By: RS

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: SMITH LAND & LIVESTOCK CO. 208-549-0867  
Address: 2039 WEISER RIVER ROAD  
WEISER, ID 83672

2. Date of Priority: AUG 15, 1933

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County     |
|----------|-------|---------|--------|--------|--------|-----|------------|
| 10N      | 04W   | 4       | NE     | NE     | NE     |     | WASHINGTON |
| 11N      | 04W   | 35      | SW     | NE     | NW     |     | WASHINGTON |

Description of diverting works:

HEADGATE IN GALLOWAY CANAL, GRAVITY DITCH TO IRRIGATION.

Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 3.080  |      |        |

Total Quantity Appropriated is:

3.080 C.F.S. (and/or) A.F.A.

\* Total consumptive use is 539.0 Acre Feet Per Annum.

Non-irrigation uses:

STOCKWATER INCIDENTAL TO THE IRRIGATION

Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 10N      | 04W   | 4       | NE     | NW     | 3   | IRR | 40.0  |
|          |       |         | NW     | NW     | 4   | IRR | 30.0  |

7-02164A

Page 1

Date: 09/28/89

MICROFILMED

OCT 01 1992

## 10. Place of Use: Continued

|          |       |         |        |     |     |               |       |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
| 10N      | 04W   | 4       | SW     | NW  |     | IRR           | 32.0  |
|          |       |         |        |     |     |               |       |
|          |       |         |        |     |     | Section Acres | 102.0 |
|          |       |         |        |     |     |               |       |
| 11N      | 04W   | 33      | SW     | SW  |     | IRR           | 32.0  |
|          |       |         | SE     | SW  |     | IRR           | 20.0  |
|          |       |         |        |     |     |               |       |
|          |       |         |        |     |     | Section Acres | 52.0  |
|          |       |         |        |     |     |               |       |
|          |       |         |        |     |     | Total Acres   | 154.0 |

Place of use in counties: WASHINGTON

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

Other Water Rights Used:

STORAGE RIGHTS CRANE CK.RES.361.6 SHARES.

REMARKS:

SPLIT RIGHT FROM PARENT 67-2164, ORIGINALLY LICENSED TO IDA M. SHOESMITH & POLLY A. SMITH. FOR 299 ACRES & 5.98 CFS.

Basis of Claim: LICENSE

Water Right Number: 17813

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OCT 01 1992

Signature(s)

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 not wish to receive and pay annual fee for monthly copies of the docket sheet.

Number of attachments: 1

Organizations:

I solemnly swear or affirm that I am V President of  
Smith Land & Livestock Co. that I have signed the foregoing  
Organization  
document in the space below as V. President of  
Smith Land & Livestock Co. and that the statements contained in the  
Organization  
foregoing document are true and correct.

Richard C. Smith  
Signature of Authorized Agent  
V. Pres. Smith Land & Livestock Co.  
Title and Organization  
9/28/89  
Date

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 28<sup>th</sup> day  
SEPTEMBER 1989  
Donna P. Smith  
Notary Public

Residing at Boise, ID  
My Commission Expires 11/08/1994

Idaho Department of Water Resources

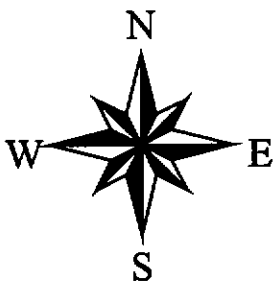
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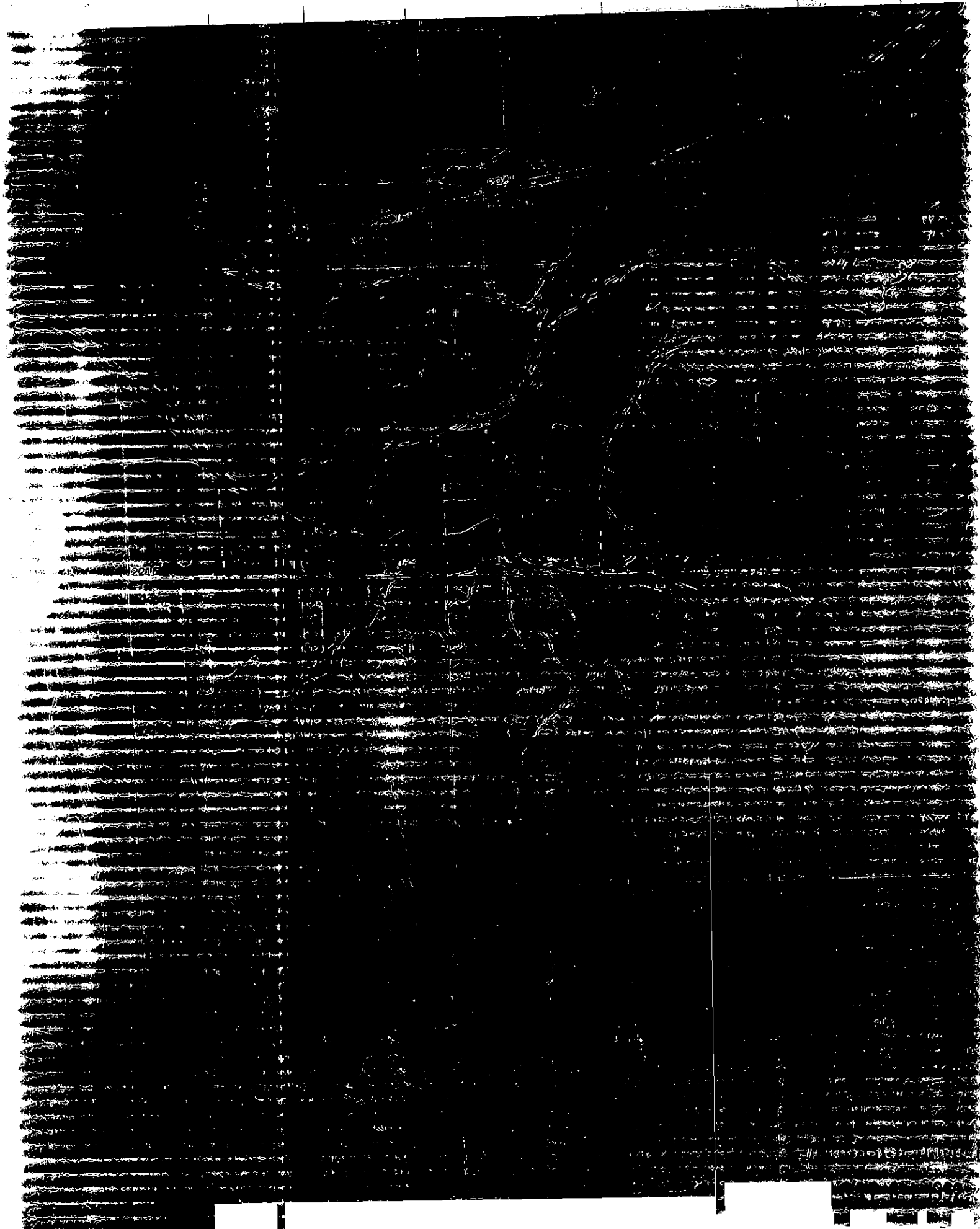
1000 0 1000 2000 3000 Feet

A horizontal scale bar with alternating black and white segments, corresponding to the 1000-foot intervals marked above it.

**T10N, R04W, S4 &  
T11N, R04W, S33**



Prepared by Anita L. Warntjes  
January 8, 2004  
1993/94 True Color Photo



# State of Idaho

## License and Certificate of Water Right

Water License No. 17813, Priority August 15, 1933, Amount 5.98 Sec. Ft..

THIS IS TO CERTIFY that IDA M. SHOESMITH & POLLY A. SMITH of Weiser, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 15, 1933; that Permit No. 17813 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 9.14 second feet, was issued thereunder on May 7, 1935, showing that said works were completed on the 6th day of January, 1934, and that on the 6th day of January, 1934,

IDA M. SHOESMITH & POLLY A. SMITH

of Weiser, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of a right to the use of the waters of Weiser River, a tributary of Snake River, for the purpose of irrigation and domestic use, under Use Permit No. 17813 of the Commissioner of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3796, on the 25th day of June, 1935;

The right hereby confirmed dates from August 15, 1933;

The Point of Diversion is located in the NE 1/4 SE 1/4 Sec. 35, Tp. 11 N., R. 4 W., B. M., Washington County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 5.98 cubic feet per second.

Description and location of use:

| Twp.  | Range | Section | Forty-Acre Tract         | No. Acres Described in Permit | No. Acres Actually Irrigated |
|-------|-------|---------|--------------------------|-------------------------------|------------------------------|
| 10 N. | 4 W.  | 3       | Ida M. Shoosmith's Lands |                               |                              |
|       |       |         | Lot 3                    | 27                            | 10                           |
|       |       |         | Lot 4                    | 38                            | 20                           |
|       |       |         | SW 1/4 NW 1/4            | 40                            | 35                           |
|       |       |         | SW 1/4 NE 1/4            | 40                            | 40                           |
|       |       |         | SE 1/4 NE 1/4            | 40                            | 40                           |
|       |       |         |                          |                               | 145                          |
| 11 N. | 4 W.  | 33      | Polly A. Smith's Lands   |                               |                              |
|       |       |         | Lot 3                    | 40                            | 40                           |
|       |       |         | Lot 4                    | 40                            | 40                           |
|       |       |         | SW 1/4 NE 1/4            | 32                            | 32                           |
|       |       |         | SW 1/4 SW 1/4            | 22                            | 22                           |
|       |       |         | SE 1/4 SW 1/4            | 38                            | 20                           |
|       |       |         |                          |                               | 154                          |

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 25th day of June, 1935.

  
Commissioner of Reclamation.