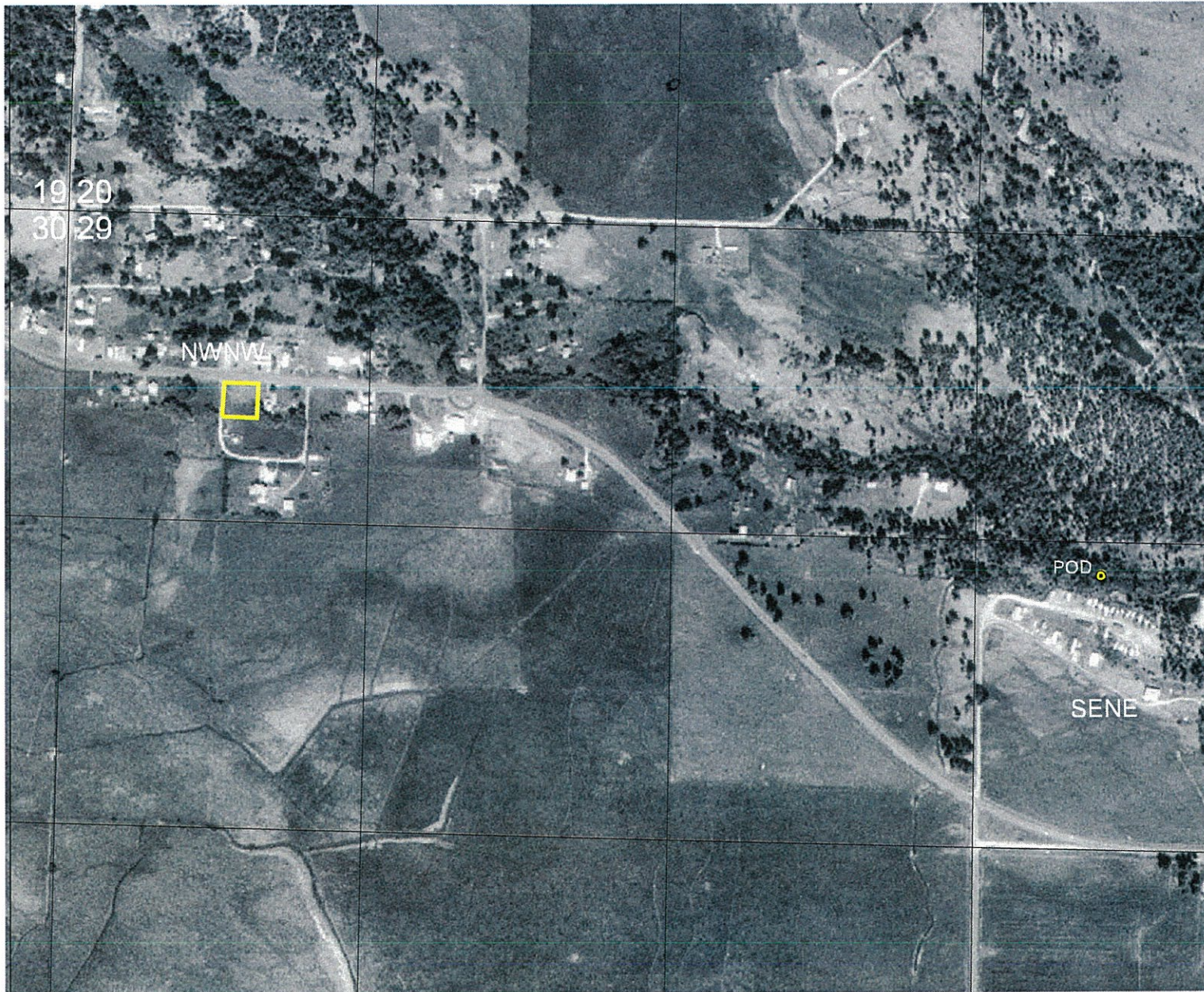


78-221

**T19N R02E
S29**



1000 0 1000 2000 Feet



Map prepared by: Carter Fritschle
Date prepared: 07/07/05
Digital Orthophotoquad - 1992 Photography
Idaho Department of Water Resources

07/07/2005

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

RIGHT NUMBER: 78-221

NAME AND ADDRESS: MARK D SMITH
3215 HWY 55
NEW MEADOWS ID 83654

SOURCE: WEST BRANCH GOOSE CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 05/01/1878

POINT OF DIVERSION:

T19N R02E S29 SENE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/1 10/31	0.040 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T19N R02E S29 NWNW 0.5

0.5 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

Water is delivered through the Cal White Canal.

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: A78-00221
Date Received: 5/10/1988
Receipt No: C000625
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARK D. SMITH 208-347-2149
Address: STAR ROUTE #3325
NEW MEADOWS, ID 83654

2. Date of Priority: MAY 01, 1878

3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	02E	28		SE	NW		ADAMS

5. Description of diverting works:
HEADWORKS FOR CAL WHITE CANAL OFF WEST BRANCH OF GOOSE CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	11/01	0.040		

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

8. Total consumptive use is 1.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	02E	29	NW	NW		IRR	0.5
Section Acres							0.5

10. Place of Use: Continued

Total Acres 0.5

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:

LOTS 11 THRU 19, BLOCK 10. LOTS 1 THRU 4, BLOCK 10. LOTS 9 &
10, BLOCK 11, MEADOWS TOWNSITE. THIS WATER IN THE CAL WHITE
CANAL.

15. Basis of Claim: DECREED

Water Right Number:

Case Number:

Court :

Decree date:

HENRY T. CLAY ET. AL.

Decree Plaintiff

vs

T. A. CLARK ET. AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A78-00221
Date Received: 6/03/1988 5-10-88
Receipt No: C000625

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARK D. SMITH 208-347-2149
Address: STAR FOURTE #3325
NEW MEADOWS, ID 83654

2. Date of Priority: MAY 01, 1878

3. Source: WEST BRANCH GOOSE CREEK Trib. to: *Little Salmon River*
GOOSE CREEK

4. Point of Diversion: *corrected in adabas.*
Township Range Section 1/4 of 1/4 of 1/4 Lot County *CA*
19N 02E 28 SE NW ADAMS *6-9-88*

5. Description of diverting works:
HEADWORKS FOR CAL WHITE CANAL OFF WEST BRANCH OF GOOSE CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	11/01	0.040		

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

8. Total consumptive use is 1.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	02E	29	NW	NW		IRR	0.5
Section Acres							0.5
Total Acres							0.5

A78-00221

Page 1

Date: 06/03/88

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11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:
LOTS 11 THRU 19, BLOCK 10. LOTS 1 THRU 4, BLOCK 10. LOTS 9 &
10, BLOCK 11, MEADOWS TOWNSITE. THIS WATER IN THE CAL WHITE
CANAL.

15. Basis of Claim: DECREED
Water Right Number:
Case Number:
Court :
Decree date:

HENRY T. CLAY ET. AL.
Decree Plaintiff

vs T. A. CLARK ET. AL.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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: 39356

Ident. Number

478-00221

Date Received

5-10-88

Receipt Number

488/2

C 625

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) MARK D. SMITH Phone (208) 347-2149
Mailing Address STAR ROUTE #3325 NEW MEADOWS Zip 83654
2. Date of Priority (Only one (1) per claim) MAY 1, 1878
3. Source of water supply (a) CAL WHITE CANAL WEST BRANCH GOOSE CRK.
which is tributary to (b) WEST BRANCH OF GOOSE CREEK GOOSE CREEK
4. a. Location of existing point of diversion is: Township 19 N Range 2 E Section 28,
SE 1/4 of NW 1/4 of 1/4, Govt. Lot, ADAMS B.M., County of ADAMS
Additional points of diversion if any: _____
- 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.
(1) MAIN HEADGATE OF CAL WHITE CANAL OFF WEST BRANCH
OF GOOSE CREEK

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 15 APRIL to 1 NOV amount .04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .04 (cfs) and/or (b) (2 miners inches) (acre feet)

8. Total consumptive use claimed is 1.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

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	
<u>19N</u>	<u>2E</u>	<u>29</u>					<u>.5</u>												<u>.5</u>

Total number of acres irrigated .5

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

12. Do you own the property listed above as place of use? Yes ☒ 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. _____ or None ()

14. Remarks: OWNERSHIP OF LANDS: IDWR 78 0221

LANDS: LOTS 11-12 in Block 10

LOTS 1-5 in Block 11

LOTS 9, 10 in BLOCK 11

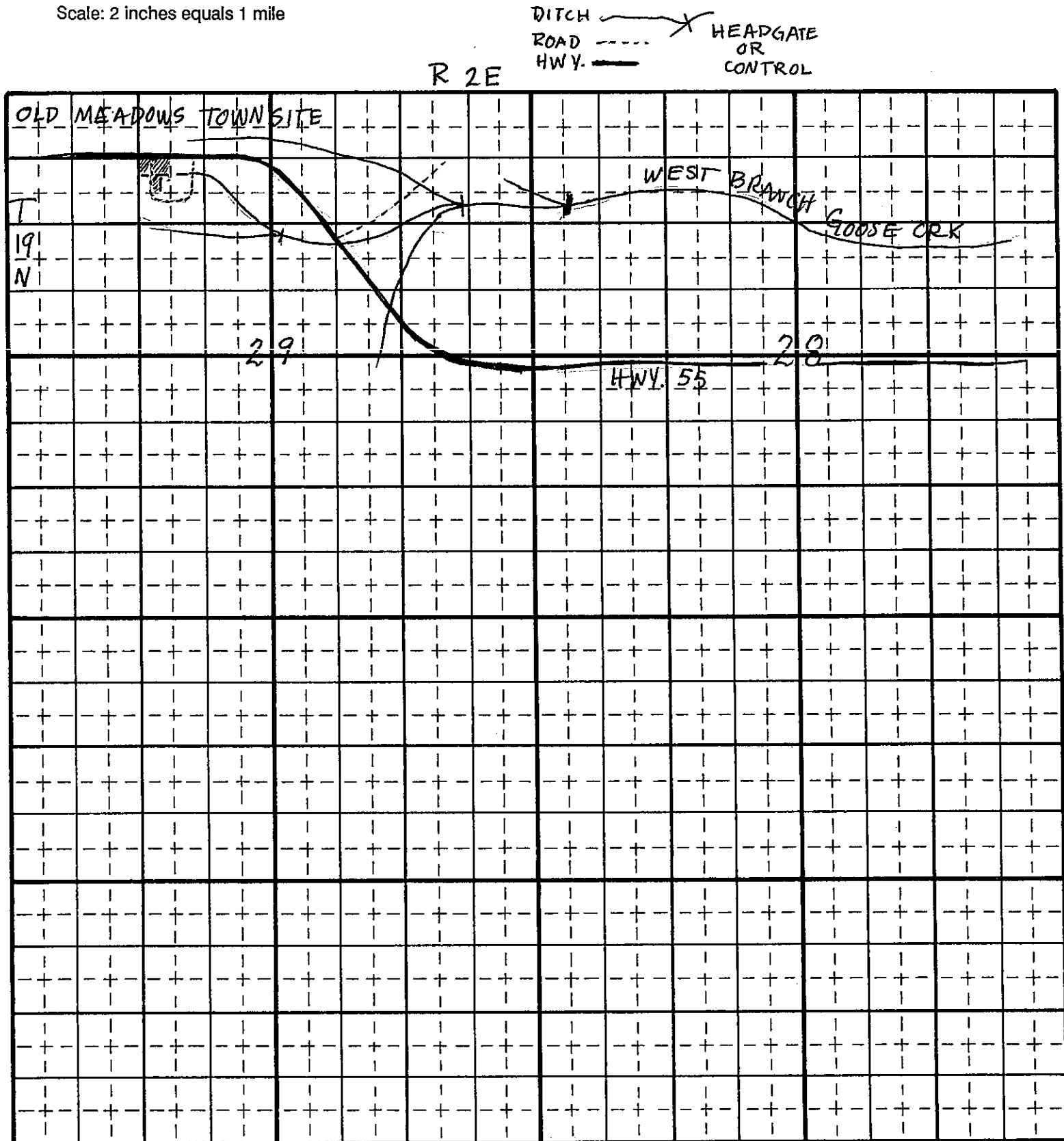
Last Name SMITH Ident No. A78-00221

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

Scale: 2 inches equals 1 mile



Last Name SMITH

Ident No. A78-00221

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15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐
Decree ☒
If applicable provide IDWR Water Right Number 78 0221
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 _____

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

Signature of Claimant (s) Mark D. Smith Date 10. May, 1988

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 Adams) SS.

Subscribed and sworn (or affirmed) before me this 10 day of May 19 88

SEAL

Notary Public [Signature]

Residing at Boise ID

My Commission Expires Life

Please Print Name

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 _____

Last Name SMITH Ident. Number A78-00221

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