

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

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

CIVIL CASE NUMBER: 39576

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

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

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

208-375-2934

83714

AND

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

208-375-2934

83714

2. Date of Priority: JAN 1, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

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

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

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

9. Non-irrigation uses:
SEE REMARKS

A63-25741

Page 1

Date: 12/06/91

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SEP 14 1992

10. Place of Use:

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

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

STOCKWATER TAKEN OUT OF THE THURMAN MILL DITCH

14. Remarks:

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

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

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

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

15. Basis of Claim: BENEFICIAL USE

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 463-35741Date Received 8-18-89Receipt Number 0009892
28

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

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

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

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

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

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

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

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

Govt. Lot _____ B.M., County of _____

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

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

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

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

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

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

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

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

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

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

10. Description of place of use:

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

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

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

Total number of acres irrigated 14+

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Stockwater taken out of the Thurman Mill Ditch or None ()

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

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SEP 14 1992

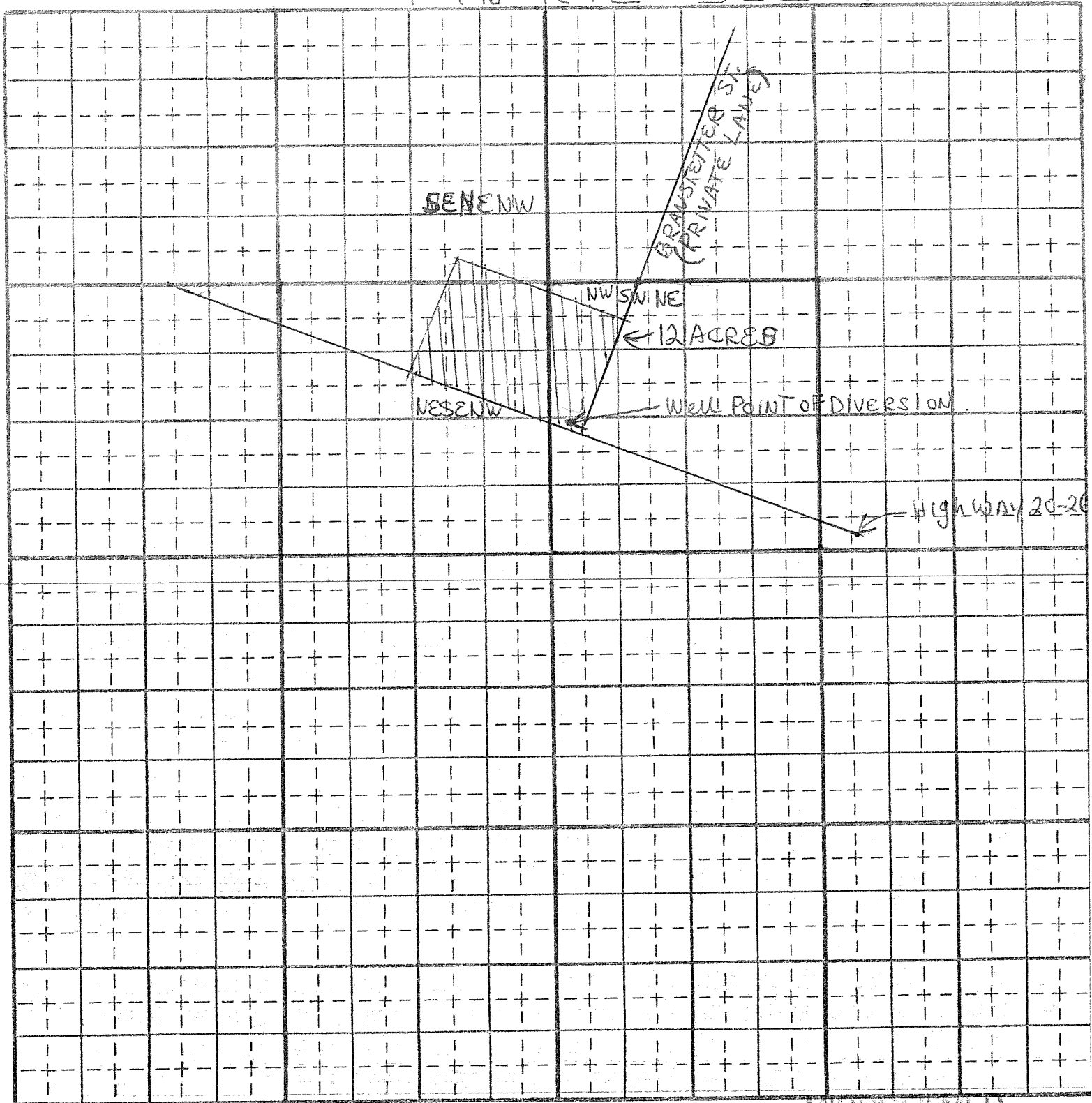
Last Name SMITH Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

T 4 N R 1 E SEC 26



MICROFILMED

SEP 14 1992

Last Name

SMITH

Ident No.

Copies: White-State, Yellow-Claimant

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

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

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

Signature of Claimant (s) 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 Bonne, Idaho

My Commission Expires _____

Please Print Name VERNON K. SMITH

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

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Last Name SMITH Ident. Number _____

Copies White-State, Yellow-Claimant



SEP

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DRIVE

McVillain

Shapel

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4/5/ 989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Smith

#4

CLAIM IDENT. NO.

463-25741

DATE RECEIVED

8-18-89

CK #

0009892

AMOUNT \$

YES

NO

Required Info?

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

Claim checked by:

Date: 5-15-91

Date: 2-07-90

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☒ (No) ☐

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date: 08-13-91

Date:

Checked by:

Date:

MICROFILMED

Comments:

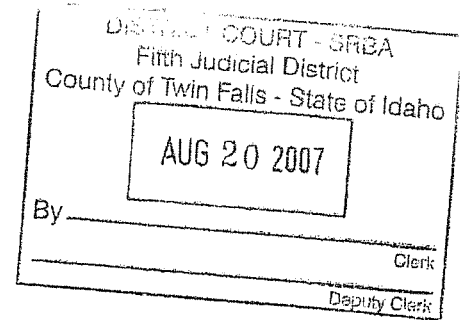
Per D. Shaff 12-6-91, add Vern Smith as R owner.

SEP 14 1992

RECEIVED

AUG 21 2007

Department of Water Resources
Adjudication Bureau



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) SPECIAL MASTER'S REPORT
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 63-25741

I. FINDINGS OF FACT

A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* recommended that this water right be disallowed.

On December 1, 2006, pursuant to an order granting leave to file a late objection, an objection was filed by the claimant, by and through her attorney Vernon Smith. On August 16, 2007, the parties to the subcase filed a *Standard Form 5 - Stipulated Elements of a Water Right*, which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 63-25741 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated August 20, 2007

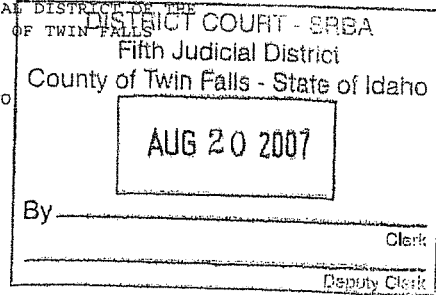
A handwritten signature in black ink, appearing to read "Theodore R. Booth".

Theodore R. Booth
Special Master
Snake River Basin Adjudication

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

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-25741



NAME AND ADDRESS: ESTATE OF VERNON K SMITH
C/O VICTORIA H SMITH
5933 N BRANSTETTER
RT 4
BOISE, ID 83714

VICTORIA H SMITH
5933 N BRANSTETTER
RT 4
BOISE, ID 83714

SOURCE: GROUND WATER

QUANTITY: 0.29 CFS
60.70 AFY

The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1956

POINT OF DIVERSION: T04N R01E S26 SWSWNE Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.24 CFS 54.00 AFY
	Stockwater	01-01 TO 12-31	0.05 CFS 6.70 AFY

PLACE OF USE:	Irrigation		Within Ada County
	T04N R01E S26	SWNE 2.0	SENW 10.0
	12.0 Acres Total		
	Stockwater		Within Ada County
	T04N R01E S26	SNNE	SENW

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

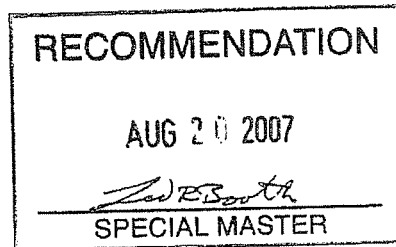
The quantity of water decreed for this water right for stockwater
use is not a determination of historical beneficial use.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



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

In Re SRBA)
)
Case No. 39576)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

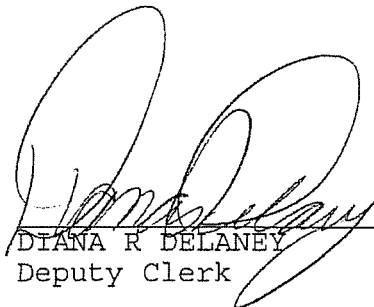
Water Right(s): 63-25741

On August 20, 2007, Special Master THEODORE R. BOOTH
issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s)
pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party
to the adjudication including parties to the subcase, may file a Motion
to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate
in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION
shall constitute a waiver of the right to challenge it before the
Presiding Judge.

DATED August 20, 2007.



DIANA R DELANEY
Deputy Clerk

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)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s) : 63-25741

CERTIFICATE OF MAILING

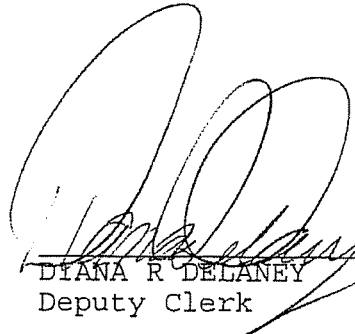
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on August 20, 2007, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

VICTORIA H SMITH
Represented by:
VERNON K. SMITH JR.
1900 W MAIN ST
BOISE, ID 83702
Phone: 208-345-1125

ESTATE OF VERNON K SMITH
C/O VICTORIA H SMITH
5933 N BRANSTETTER
RT 4
BOISE, ID 83714
Phone: 208-375-2934

CERTIFICATE OF MAILING


DIANA R DELANEY
Deputy Clerk

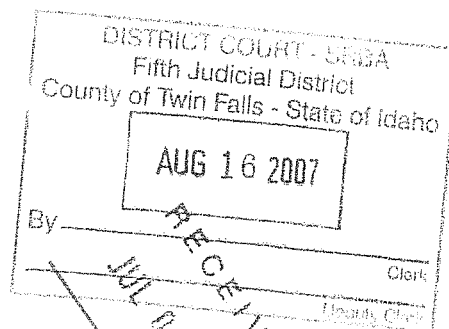
PAGE 1
08/20/07

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AUG 20 2007

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

Case No. 39576

Subcase No. 63-25741

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

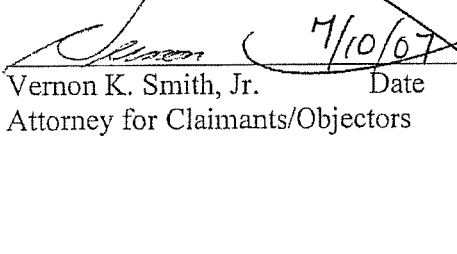
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s)/OBJECTOR(s):

Estate of Vernon K. Smith
Victoria H. Smith


Vernon K. Smith, Jr. Date
Attorney for Claimants/Objectors

IDWR Concurrence:

Kay Walker 6-26-07
Kay Walker Date
Senior Water Resource Agent

Nicholas B. Spencer 6-25-07
Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

SF5 Right No. 63-25741

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

RIGHT NUMBER: 63-25741

NAME AND ADDRESS: VICTORIA H SMITH
5933 N BRANSTETTER
RT 4
BOISE ID 83714

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

[Handwritten signature]
NBS

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.390 CFS
60.700 AFY

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1956

POINT OF DIVERSION:

T04N R01E S26 EWSWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	0.240 CFS 54.00 AFY
STOCKWATER	01/01 12/31	0.050 CFS 6.70 AFY

PLACE OF USE: IRRIGATION in ADA County

T04N R01E S26 SWNE 2.00 T04N R01E S26 SENW 10.00

STOCKWATER in ADA County

T04N R01E S26 SWNE T04N R01E S26 SENW

12 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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.

SF5 Right No. 63-25741

SF5 Right No. 63-25741

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Stockwater use is for 500 range cattle.

Use of this right is combined with water from Thurman Mill Ditch Company Ltd.

[Handwritten signature]
NBS
KW

SF5 Right No. 63-25741

CERTIFICATE OF MAILING

I certify that on Aug. 14, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

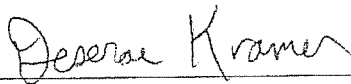
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

VICTORIA H SMITH
Represented by:
VERNON K. SMITH JR.
1900 W MAIN ST
BOISE, ID 83702

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

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing form

Walker, Kay

From: Harvey, Becky
Sent: Wednesday, August 08, 2007 11:14 AM
To: Walker, Kay
Subject: RE: Victoria Smith 63-25741, etc.

When Nick had the Status conference, Vernon stated he was going to sign them and mail them back. I will check on it. Thanks for the heads up! You are NEVER a pain...however Basin 63, Part 3 Boise lawyers are driving me bonkers with all of these objections....my Case Management Report is over 50 pages long so far and I still have the municipal objections to review. Ugh.

-----Original Message-----

From: Walker, Kay
Sent: Wednesday, August 08, 2007 11:10 AM
To: Harvey, Becky
Cc: Walker, Kay
Subject: Victoria Smith 63-25741, etc.

Hi, Becky... Ray Williams sent SF5's to Vernon K. Smith on June 28 (when you were on vacation) and I can't seem to find anything on them - not on court summary or back to me. I was wondering if you had heard anything on these. Sorry to be a pain. Kay



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

June 28, 2007

Vernon K. Smith, Jr.
1900 W. Main Street
Boise, ID 83702

RE: SRBA Subcase Nos. 63-25741, 63-25742, 63-25743 & 63-25744

Dear Mr. Smith:

Recently, Kay Walker, Senior Water Resource Agent at IDWR's Western Regional office requested information concerning the above-referenced water rights from you. Since Ms. Walker has not yet received your response, she has gone ahead and prepared proposed recommendations based upon what information she does now have.

I am enclosing a Standard Form 5 ("SF5") for each of the above-referenced subcases. The SF5 is the document required by the Snake River Basin Adjudication ("SRBA") Court to resolve water right disputes. Please review the SF5's and the revised recommendations, and if the documents are acceptable, please sign on the indicated signature lines, initial the revised recommendations and return the documents to me.

If you should have any questions or concerns regarding the revised recommendations, please contact Kay Walker at 334-2190. She will be able to assist you.

Sincerely,

A handwritten signature in cursive script that reads "Ray Williams".

Ray Williams
Paralegal

Enclosures

cc; Kay Walker

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

RIGHT NUMBER: 63-25741

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.290 CFS
60.700 AFYThe quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1956

POINT OF DIVERSION:

T04N R01E S26 SWSWNE Within ADA CountyPURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
<u>IRRIGATION</u>	<u>03/01 11/15</u>	<u>0.240 CFS</u> <u>54.00 AFY</u>
<u>STOCKWATER</u>	<u>01/01 12/31</u>	<u>0.050 CFS</u> <u>6.70 AFY</u>

PLACE OF USE: IRRIGATION in ADA CountyT04N R01E S26 SWNE 2.00 T04N R01E S26 SENW 10.00STOCKWATER in ADA CountyT04N R01E S26 SWNE T04N R01E S26 SENW12 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.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.

SF5 Right No. 63-25741

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Stockwater use is for 500 range cattle.

Use of this right is combined with water from Thurman Mill Ditch Company Ltd.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
DAVID R. TUTHILL, JR., Director

May 17, 2007

VERNON K SMITH JR
1900 W MAIN ST
BOISE, ID 83702

RE: Notice of Claims to Water Right Nos. 63-25741 and 63-25744

Dear Mr. Smith:

Following the status conference on May 8, 2007, regarding claims filed in the SRBA, it was determined that you may still be interested in excessive flow for the claims identified above. When we spoke on the telephone before your status conference, it was not my intention to indicate that excessive flow was not needed for your property. What I did say is that an inch per acre is normally enough water for crops to grow in Idaho and is the statutory amount recognized by Idaho law to provide enough water for crops. As explained in Idaho Code, Sec. 42-220, the need for excessive flow is up to the claimant, and you, as the representative of the claimant, must decide if you want to pursue excessive flow or not.

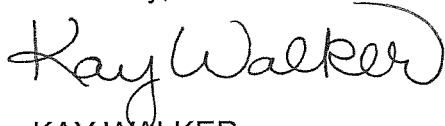
Claim 63-25741 was filed claiming 0.75 cfs of water for 14 acres, which is approximately 2.5 inches of water per acre. Claim 63-25744 was filed claiming 2.5 cfs for 22 acres, which is approximately 5.7 inches of water per acre. You mentioned a need to keep your pumps running for long periods of time to keep the land under your water rights productive. My response was that you would be able to pump the recommended amount of water from March 1st through November 15th if you wished to do so. In the case of claim 63-25741, at 1" per acre, you would be able to pump 0.24 cubic feet per second (which is equivalent to 108 gallons per minute) of water throughout the irrigation season until you reach the annual volume limit of 54.0 acre feet (4.5 acre feet per acre per year).

We will withhold our final recommendations on these claims for one more month in case you wish to complete and submit the enclosed Irrigation Flow Rate Questionnaires. Once the forms are completed and returned, the Department can then determine if more than 1 inch per acre is necessary. **Please complete the questionnaires and return them to this office within 30 days.** If we do not receive the completed forms

within this amount of time, we will recommend 1 inch per acre for the lands to be recommended to the SRBA Court.

If you have any questions please do not hesitate to contact me at 334-2190.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is written in a cursive style with a large, looping "K" and a distinct "W".

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

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

Walker, Kay

From: Peppersack, Jeff
Sent: Monday, May 14, 2007 7:48 AM
To: Walker, Kay
Subject: RE: Hubble Analysis Information

Hi Kay,

The MAD method was a shortcut method used to resolve the Hagerman cases and possibly some others. It was basically a regression analysis to determine a relationship between the soil characteristics (MAD), crop types grown and water requirements based on many of the Hagerman Hubble results from the detailed analysis that were completed in the area. If I remember correctly, all we asked for was the crop types typically grown and we looked up the soil types to determine the irrigation water depth for the soil. We used the regression relationship to determine the inches per acre necessary for the soil type and crops. The study may work in other areas, but I think we'd need to find the information in the Adjudication area - I think Scott King and then Jennifer Dean may have kept some of it, but it would take some digging.

Jeff

-----Original Message-----

From: Walker, Kay
Sent: Wednesday, May 09, 2007 3:41 PM
To: Peppersack, Jeff
Cc: Walker, Kay
Subject: Hubble Analysis Information

Hi, Jeff. I have a claimant in Ada County that thinks he needs 5.7 inches of water per acre on his recommendation of beneficial use claim. I sent him the "Irrigation Flow Rate Questionnaire" that we have been using and asked that he complete the form and return it so I could determine if he needed more than the standard inch per acre. He went to a status conference yesterday and stated he would go with the inch per acre rather than complete the questionnaire. Nick Spencer believes that there is another form out there that could be used in lieu of the Hubble Analysis called the MADD form. I found the meaning of MAD (management allowed deficit) but no special form. Do you remember this form or is this just one portion of the Hubble analysis that needs to be completed? Any input you have would be appreciated. Thanks. Kay

Walker, Kay

From: Spencer, Nick
Sent: Tuesday, May 08, 2007 3:49 PM
To: Walker, Kay
Cc: Harvey, Becky
Subject: 63-25741 et al. (Vernon K. Smith)

Hi Kay. I just got out of a telephone status conference on these rights. I reported that draft SF-5s are close to completion, but that Vernon K. will need to ponder the diversion rates of an inch per acre to make sure he's comfortable with that. He seems to be a little nervous that an inch per acre might not be enough, since, he says, the soil is sandy and has to be irrigated frequently. He seems to be relying very much on your assurances that an inch per acre ought to be enough. That being the case, I am curious how big a difference there is between what he claimed and an inch per acre. If it isn't very much, I figure it ought to be okay. But if it is a big difference I fear that Vernon K. may sign the SF-5s and then discover this summer he doesn't have enough water, and try to get the subcases re-opened. If there is a significant risk of that happening do you think it might be more efficient to work with him up front to see if he needs more water (e.g. maybe a Hubble exam or a MADD analysis?) I ask this because he seems to be relying on your guidance so much. I fear that if it doesn't work out to his satisfaction he may think it's all your fault, a situation I'd like to avoid. Please let me know your thoughts. Thanks. NBS

MEMORANDUM

TO: Files

FROM: Kay Walker *KW*

RE: Status of Claims 63-25741, 63-25742, 63-25743 and 63-25744

Date: May 8, 2007

.....

Vernon Smith called me this morning in regard to the status of the above claims. He stated he had received the letters I had sent in regard to the excessive flow information request. He stated that the information we requested was attached to the notice of objection forms he had submitted. I told him all that was attached to the objection form was a profile report of the claim his mother had filed and a profile report of the recommendation that had been made. Mr. Smith stated the information concerning excessive flow was on these documents. I went further and explained that the claims submitted by his mother were only claims and the Department had never documented any need for excessive flow under these rights.

Mr. Smith wanted to know if he could reschedule the status conference that was to be held today at 3:00 pm. I told him that was not up to me and he needed to discuss with Becky. Shortly after this conversation, Becky called me and relayed that Mr. Smith wanted us to prepare the SF5's for these rights so he could sign off on them today. Becky relayed that was not possible, but we would prepare the SF5's and get them out for signature right away.

MEMORANDUM

TO: Nick Spencer

FROM: Kay Walker 

RE: Status of Claims 63-25741, 63-25742, 63-25743 and 63-25744

Date: May 3, 2007

.....

We received evidence of priority for the above claims on March 15, 2007. I reviewed the evidence and found we can now recommend each of the claims for decree.

In preparing the recommendations, I found that Claim Nos. 63-25741 and 63-25744 were filed for excessive flow rates for irrigation purposes. On March 27, 2007, I prepared and sent correspondence requesting submittal of completed excessive flow rate questionnaires within 30 days of the date of my letter. I also included a statement in my letter that said if we did not receive the requested information within the 30-day period we would recommend the claims for one inch per acre for irrigation use. As of this day I have not received any correspondence or completed questionnaires from the claimant, Victoria H. Smith or her representative, Vernon K. Smith Jr. (who was sent a copy of all correspondence with enclosures).



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 27, 2007

VICTORIA H SMITH
5933 N BRANSTETTER
BOISE ID 83714

RE: Notice of Claim to a Water Right No. 63-25741

Dear Claimant:

We are currently in the process of reviewing and preparing the above referenced claim for court decree in the Snake River Basin Adjudication (SRBA). During this review a question arose concerning the flow rate claimed for irrigation purposes.

This claim was filed claiming 0.75 cfs of water for 14 acres, which is approximately 2.5 inches of water per acre. Idaho water law states that the normal duty of water in Idaho be limited to 1 inch of water per acre, unless it can be shown that more water is needed. In order to determine if more water is necessary, the enclosed Irrigation Flow Rate Questions must be completed. Once this form is completed and returned, the Department can then determine if more than 1 inch per acre is needed. Please complete the questionnaire and return it to this office within 30 days. If we do not receive the completed questionnaire within this amount of time, we will recommend 0.24 cfs, which is 1 inch per acre for 12 acres found irrigated by our field examiner.

Enclosed is a layout of the 12 acres found irrigated and the location of the well used under this claim. Please review the layout for accuracy and if you have any changes to the proposed place of use or point of diversion location please let me know at your earliest convenience. If you have any questions please do not hesitate to contact me at 334-2190.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

Cc: Vernon K. Smith Jr.
1900 W Main St.
Boise, ID 83702

w/enclosures



Idaho Department of Water Resources

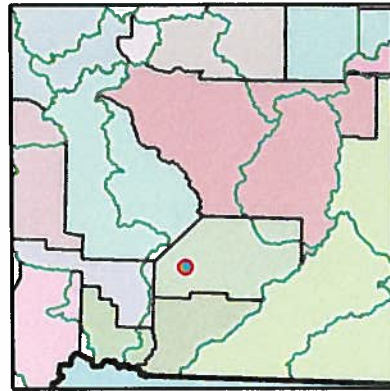
SRBA Recommendation:

63-25741

(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Ada County
IDWR Basin 63

Prepared by K. Walker
On Thursday, March 15, 2007
1987/88 Aerial Photography

R01E



T04N

SENW

26

0.2 Miles

0.1

0

03/26/2007

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

RIGHT NUMBER: 63-25741

NAME AND ADDRESS: VICTORIA H SMITH
5933 N BRANSTETTER
RT 4
BOISE ID 83714

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.290 CFS
60.700 AFY

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1956

POINT OF DIVERSION:

T04N R01E S26 SWSWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.240 CFS 54.00 AFY
STOCKWATER	01/01 12/31	0.050 CFS 6.70 AFY

PLACE OF USE: IRRIGATION in ADA County

T04N R01E S26	SWNE	2.00	T04N R01E S26	SENW	10.00
---------------	------	------	---------------	------	-------

STOCKWATER in ADA County

T04N R01E S26	SWNE	T04N R01E S26	SENW
---------------	------	---------------	------

12 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Stockwater use is for 500 range cattle.

Use of this right is combined with water from Thurman Mill Ditch Company Ltd.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25741

WATER RIGHT NUMBER: 63-25741

Owner Type Name and Address

Representative VERNON K SMITH
1900 W MAIN
BOISE, ID 83702
(208)345-1125

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

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

Priority Date: 01/01/1956 ✓ OK

Basis: Beneficial Use ✓

Status: Active

Source

GROUND WATER ✓

Beneficial Use

IRRIGATION ✓

STOCKWATER

From To

4/01 to 10/15 ✓

1/01 to 12/31 ✓

Diversion Rate

0.750 CFS 0.24

0.050 CFS ✓

Total Diversion: 0.800 CFS

0.29

Annual Volume

54.0 AF

9.2 AF 6.7

63.2 AF

60.7

Location of Point(s) of Diversion

GROUND WATER ✓

ADA County ✓

GROUND WATER

ADA County

SW

per meas. tool

in arc view

SW 1/4 SW 1/4 NE 1/4

SW 1/4 SW 1/4 NE 1/4

Sec. 26, Twp 04N, Rge 01E, B.M.

Sec. 26, Twp 04N, Rge 01E, B.M.

- GPS'd

Place of Use

IRRIGATION ✓

Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 01E 26	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	14.0
	2.0	1.0	2.0	2.0	2.0	1.0	2.0	2.0	2.0	1.0	2.0	2.0	2.0	1.0	2.0	2.0	14.0
Total Acres: 14																	
STOCKWATER																	

2 ← → 10

12 per Kimberly per GIS shape

$$\text{stock} = 150 \text{ dairy} \times 0.0391 = 5.86$$

$$250 \text{ range} \times 0.0134 = 3.35$$

9.21

OK w/ Thurman mill.

$$\text{Kimberly's hearing notes} = 500 \text{ range} \times 0.0134 = 6.7 \text{ AFA}$$

Excessive flow -

Stock?

250 range

150 dairy

12ac x 0.02 = 0.24 cfs

12ac x 4.5 =

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25741

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			X	X										

Conditions of Approval:

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

Remarks: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

Combined Use Limits:Water Supply Bank:

RECEIVED
MAR 15 2007
WATER RESOURCES
WESTERN REGION

o0o

Subcase 63-25741

AFFIDAVIT OF VICTORIA H. SMITH

000

ORIGINAL

Resources, adjudication claim report, in reference thereto, which does therein identify the owner of said real property and water right interests to be your Affiant, Victoria H. Smith, and the Estate of Affiant's deceased husband, Vernon K. Smith, each of whom have been represented by Vernon K. Smith Jr., who has assisted in the preparation of the documentation for the perfection of those water rights that have been appropriated to and used continuously on the real property described within said adjudication claim report attached hereto.

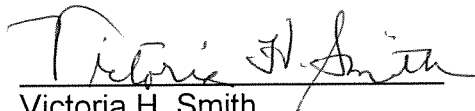
2. The real property involved in this proceeding was purchased by Affiant and her late husband in 1950's. The real property in question is located on the north side of State Highway 20-26, also referred to at times as Chinden Boulevard, and within that property there is a cement lined ditch that is used for irrigation and stockwater. The water source is a well, located within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of SEC 26, TWP 4 north, Rgi 1 east BM. The use of water is drawn from a pumping station along the ditch, that have been in existence and in use since January 1, 1956, through 1987, and to the present. In 1987, stockwater was used from January 1 to December 31 of that year, as in the case of each year, at a diversion rate that has been recognized by IDWR to be 0.050 cfs, and the irrigation water has been utilized from April 1 to October 15 of that year, as in the case of each year, at a diversion rate recognized by IDWR to be 0.750 cfs, for a total diversion rate of 0.800 cfs. The source of water is ground water, and the point of diversion of the ground water is located approximately on what may be the corner line as described in the adjudication claim report that was created August 1, 2003.. The ground water source has been a well with either a turbine

pump or submersible pump equipped with a piped discharge into the concrete lined irrigation ditch and used to irrigate approximately 7 acres in 1987, and now that concrete ditch is used to accommodate irrigation of 14 acres, depending how the other dirt ditch is being used. In 1987, the stockwater was needed throughout the year. The cattle grazed in the fields and are also fed hay during the fall, winter and early spring before the fields become too soft for their presence. The soil composition consists of sandy loam in its natural state lying along the north side of Highway 20-26 in the Boise River Basin bottom low land, requiring continuous flow of water during the irrigation season for proper irrigation.

3. The Affiants claim was submitted on August 18, 1989, pursuant to the Snake River Adjudication Project, and the appropriation of beneficial use for both stockwater and irrigation was in effect as described above as based on the use of the water in the year 1987. The use continues to the present date.

4. This water right should be recommended and approved within the State of Idaho Department of Water Resource Director's report, with the priority date of January 1, 1953 and an appropriation of beneficial use as described above.

DATED this 5th day of March, 2007.


Victoria H. Smith
Affiant

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25741

WATER RIGHT NUMBER: 63-25741

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

Priority Date: 01/01/1956

Basis: Beneficial Use

Status: Active

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

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

Location of Point(s) of Diversion

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

Place of Use

IRRIGATION

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

Total Acres: 14

STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25741

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

Conditions of Approval:Remarks:

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

Comments:Dates and Other Information:

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

Dec. 1, 2006

Initial Hearing
w/ Rick
Spencer

dairy use ended in 1958

then bought in 1954

→ irrigation use

Currently -

junk
yard

Matlock (leasee) now uses it to wash
trucks ("car washing" operation)
Mr. works on small engines
(motorcycles)
kinda a "junk yard"

→ + the water is used for such

Mr. Smith
but he has plans for a
produce stand

#63-25742 - Comm & Ind. use

1987 - Mr. ^{Glen} Beadeau leased at that time
for comm/ind use

BUT there was irrigation use also. (not
drained)

* 176 shares w/ Thurman-Mill

Comm & Ind. Vdi

#345-1129 FAX
Qu.

- 744 -

Train Ditch

doesn't think ~~he uses~~ ^{it is} Thurman-Mill

we now pump out of a lake that was created
by a neighbor that created a subdivision
in area (+ had to raise the land by
3 ft. - out of floodplain) + it created a
pond / lake + he now uses it.

Cattle Hs -

~~150~~

Dairy - 250 dairy (sold in 1960)

then went to range cattle

800 range

sold cattle in 1966

(after father dies)

1300 leasee (range cattle)

(+)

Terrill

Smith would have
come in coral -



cattle

1987 -

Tom Blessinger or

Judd

↓ had 500 range cattle



no more
cows in
1994
damaged

1) Ev. of Prior. Letter - August 4, 2003

2) Sept. 9, 2003 - Letter received: Vernon Smith called in response to letter. I gave several examples of how to supply evidence (affidavit)

3) 2nd Round Letter from Attorney General's office - Feb. 10, 2004

4) March 8, 2004 - Letter received: Vernon Smith called in response to the 2nd evidence of priority letter he received in the mail. He stated that he would write an affidavit for all of his claims.

April 29, 2004 - 375-2934 + spoke w/
5) I called Victoria H. Smith - since she filled out Notice of Claim, I asked her about the priority dates. She said I should contact Vernon + gave me her cell phone # + office #.

Due to Mrs. Smith's request, I called #345-1125 (Vernon Smith's office) + since Mr. Smith was not in the office, I left a message with the man that answered the telephone + stated that he needed to submit evidence as soon as possible + that an affidavit would suffice.

6) September 21, 2004
sent 2 letters stating disallowal - 1 sent to home add. + 1 sent to Vernon Smith's office
(+) 63-25742 - requires Industrial + Commercial Use Volume

RECEIVED

SEP 08 2006

DEPARTMENT OF
WATER RESOURCES

2006 SEP -6 PM 12: 52

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

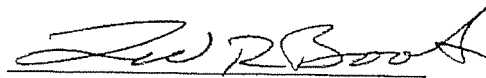
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) Subcase 63-25741, 63-25742, 63-25743, and
Case No. 39576) 63-25744
)
) ORDER RE: LATE OBJECTION;
)
) NOTICE OF HEARING

On April 25, 2006, the claimants of the above-captioned water rights, Victoria H. Smith and the Estate of Vernon K. Smith, Sr., by and through their attorney of record Vernon K. Smith, submitted to the SRBA District Court a *Standard Form 1 Objection* in each subcase, seeking to object to the *Director's Report* for the water right claims. Because the objections were submitted after the April 21, 2006 objection deadline, the objections were lodged rather than filed. No motion seeking to file late objections was filed therewith.

Although no motion has been filed, this Special Master is treating the late objection as a motion to file a late objection. Pursuant to SRBA Administrative Order 1, § 10(j), a hearing on the matter will be held on December 1, 2006, at 10:00 am, at the Idaho Supreme Court, 451 West State Street, Boise, Idaho. This *Order* and *Notice of Hearing* shall be reported on the Court's monthly Docket Sheet.

Dated September 7, 2006.



THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

EDWR

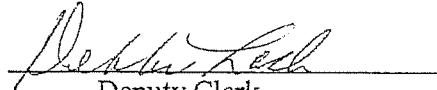
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER RE: LATE OBJECTION: NOTICE OF HEARING was mailed on September 7, 2006, with sufficient first-class postage to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

Vernon K Smith Jr
1900 W Main St
Boise, Idaho 83702

Estate of Vernon K smith
c/o Victoria H Smith
Rt 4, 5933 N Branstetter
Boise, Idaho 83714


Deputy Clerk

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)

Case No. 39576)
_____)

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

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Vernon K. Smith Representative for Victoria H. Smith (owner)
Address: and Estate of Vernon K. Smith Sr (owner)
1900 West Main St. Boise Idaho 83702
Daytime Phone: 208-345-1125

Name & Address of Attorney, if any:

Vernon K. Smith
1900 West Main St.
Boise, Idaho 83702

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

Name: Victoria H. Smith and Estate of Vernon K. Smith
Address: 5933 N. Branstetter
Boise, Idaho 83714

SCANNED
OCT 03 2006

COPY

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

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

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

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

F.

VERIFICATION (must be completed)

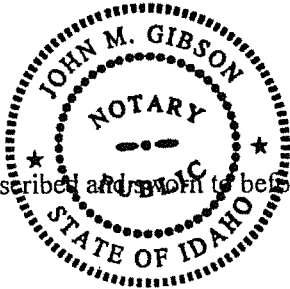
State of Idaho)
)ss.
County of Ada)

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

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

(Signature of person filing objection)

(Attorney signing in representative capacity)



Subscribed and sworn to before me on:

21st of April 2006
John M. Gibson
Notary Public for Idaho
Residing at: 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 of April, 2006 I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

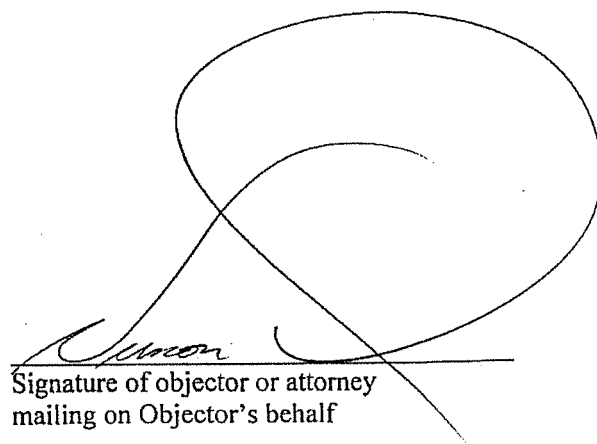
Name: Victoria H. Smith
Address: 5933 N. Braustetter
Boise, Idaho 83714

3. Copies to:

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

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

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


Signature of objector or attorney
mailing on Objector's behalf

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25741

WATER RIGHT NUMBER: 63-25741

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

Priority Date: 01/01/1956

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

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

Location of Point(s) of Diversion

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

Place of Use

IRRIGATION

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

Total Acres: 14

STOCKWATER

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25741

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

Conditions of Approval:Remarks:

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

Comments:Dates and Other Information:

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-25741 V1

WATER RIGHT NUMBER: 63-25741 V1

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

Priority Date: 01/01/1956

Basis:

Status: Disallowed

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

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

Location of Point(s) of Diversion

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

Place of Use

IRRIGATION

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

Total Acres: 14

STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-25741 V1

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

Conditions of Approval:

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

Remarks:

1. Explanatory NO BENEFICIAL USE FOUND.

Comments:

1. kbrown 4/15/2005 Reason for Disallowal

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

Dates and Other Information:

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

Combined Use Limits:Element Reviewed/Verified Dates:

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

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
---------	-----------------	----------	----------

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-25741 V1

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

DISALLOWED

Page 1

08/01/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25741

WATER RIGHT NUMBER: 63-25741

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

Priority Date: 01/01/1956

Basis: Beneficial Use

Status: Active

Source

Tributary

GROUND WATER

Beneficial Use

IRRIGATION

STOCKWATER

From To
4/01 to 10/15
1/01 to 12/31

Diversion Rate

-0.750 CFS

0.050 CFS

Total Diversion: -0.800 CFS

Annual Volume

49.0 AF

Location of Point(s) of Diversion

GROUND WATER
ADA County

NW1/4SW1/4NE1/4

Sec. 26, Twp 04N, Rge 01E, B.M.

GROUND WATER
-ADA County

SW1/4SW1/4NE1/4

Sec. 26, Twp 04N, Rge 01E, B.M.

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

Place of Use

IRRIGATION

Twp Rge Sec

NE
NW
SW 5.0
SE

NE 1.0
NW 1.0
SW 8.0
SE

SW
NE
NW
SW
SE

SE
NE
NW
SW
SE

Totals
-14.0

Total Acres: 14

STOCKWATER

REMOVE - claimant does not own any land in NW1/4

Twp Rge Sec

NE

NW

SW

SE

ADD W57 - Use combined with Thurman-Ditch water. Mill

ADD W57 - Stockwater use in Ranch ? range or cattle.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25741

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

Conditions of Approval:Remarks:

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

Comments:Dates and Other Information:

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

Parcel Nos: S0526244660
 S0526244434
 a portion of S0526120995

DISALLOWED

DISALLOWED

(in office review)

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

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$64.00
- ☐ Well logs (if needed) None found in IDWR files - 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 completeClaim No(s) A63-25741Owner: Estate of Vernon K. Smith & Victoria H. Smith Phone No. (208) 375-2934Current Address: 5933 N. Branstetter, Boise 83714

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

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

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

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

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

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

Source: _____ Tributary to _____

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

ses (continue
on page 4)

POINT OF DIVERSION

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

03/06/14-2/15

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

See Field Report.

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

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

WATER USES

Season of use is 8/1 to 11/15.

☐ No change

☐ Different Uses

Use Irrigation From 8/1 To 11/15 Amount _____ CFS _____ AFA reduce of 7 AF amt.
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☒ Changes found, the new total is, Amount _____ CFS _____ AFA

☒ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☐ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # not specified

Types _____ Additional comments: _____

PLACE OF USE:

☐ No Change

☒ Changes shown below:

the claimant does not own any land in the NW/NE

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

Overlap with other water rights: _____

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

Delivery System Narrative: See Field Report.

COMMENTS

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

FLOW MEASUREMENTS: See Field Report.

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS (OVER)

JUSTIFICATION FOR DISALLOWAL -

see Priority Date, p.1

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED: 4.13.05

FIELD EXAMINER: Kimberly Brown

DISALLOWED

Priority Date-(Continued)

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

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

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

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

Neither attempt yielded any information. -KLB

S26

SENW

63-25741
14 AC irr.

63-25742

63-24160
D&S-.08cfs

old homestead
#63-25740

63-25743
7 AC irr.

CONVERSATION MEMORANDUM

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

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

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

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

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

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

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

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

Kimberly Brown
Senior Water Resource Agent
Western Region

IRRIGATION WELL
NEAR CHIDDEN.

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 63-25741

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

Current Address: _____

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

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUND WATER tributary to _____

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

SITE TAG
A0002463

1. Point(s) of Diversion:

GPS 2314239
1386633

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

2. Place(s) of Use:

Indicate Method of Determination

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

* SUPPLEMENTAL TO THURMAN
DITCH WATER

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

Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: SEE "F"

E. NARRATIVE/REMARKS/COMMENTS

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

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

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

3 HP
65% EFFSWL = 5.77'
DWL = 15' MAX (NPSH AVAILABLE)
LIFT = 15'
DISCHARGE HEAD 1.5'
TDH = 16.5'

$$GPM = \frac{(3)(1.65)3960}{16.5} = 468 \text{ GPM} = \underline{1.04 \text{ CFS}}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

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		
<u>IRRIGATION</u>	<u>4/1</u>	<u>10/15</u>	<u>0.75</u>	<u>63</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
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. Scholer Date 4/9/04

Reviewer _____ Date _____

SEAL

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25741

WATER RIGHT NUMBER: 63-25741

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

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

Pump motor "BROOK" MFG.

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

Pump
STRUNG PUMP COMPANY
1760 RPM
VERTICLE CENTRIFUGAL

Priority Date: 01/01/1956
Basis: Beneficial Use
Status: Active

SWL = 5.77'
FROM PUMP BASE

Source

GROUND WATER

Tributary

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

Location of Point(s) of Diversion

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

Place of Use

IRRIGATION

A0002463 = POWER POLE
EAST OF WELL

GPS

2314239
1386633

#18

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

Total Acres: 14
STOCKWATER

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

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25741

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

Conditions of Approval:Remarks:

1. General

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

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

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

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

NOT A
TURBINE
Description of diversion works -

Comments:Dates and Other Information:

Claim Received Date: 8/18/1989

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

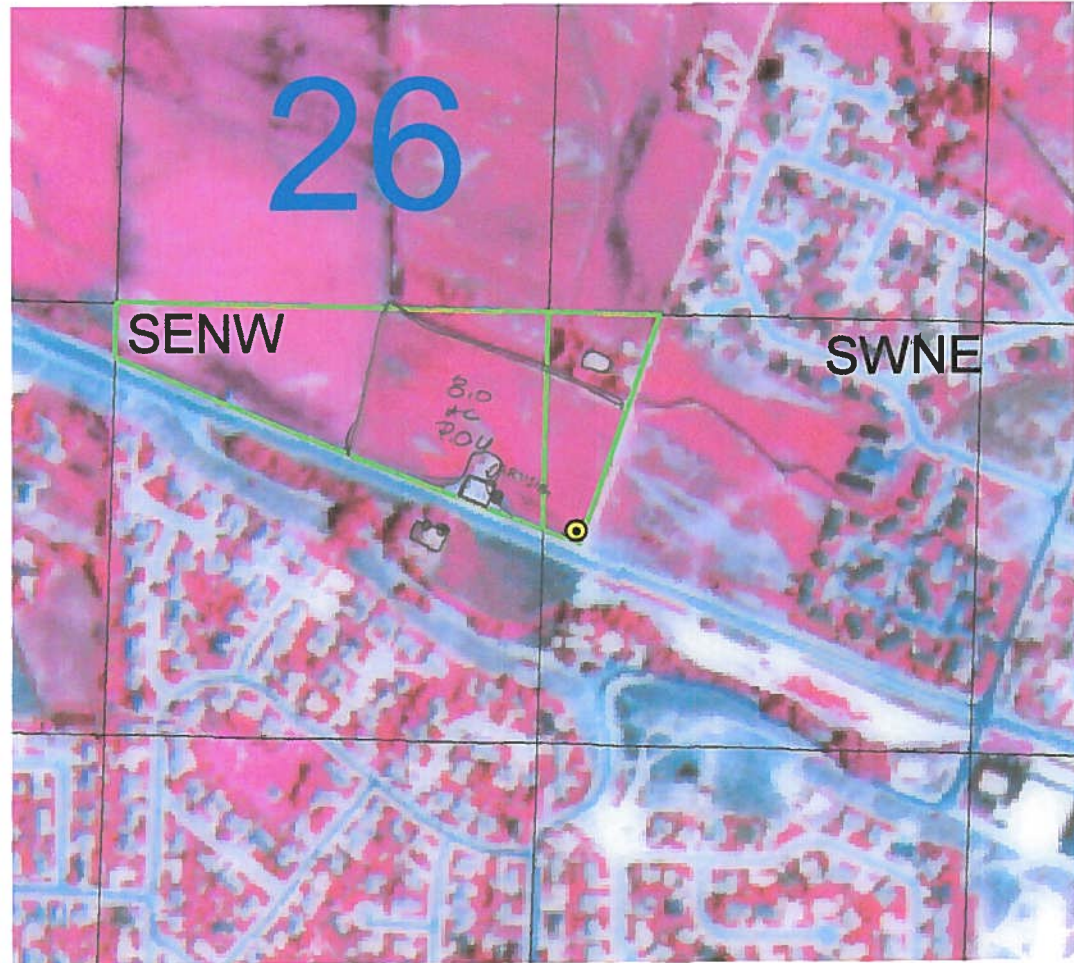
Idaho Department of Water Resources

Claim Number: 63-25741

Legal: T4N, R1E, S26

Reviewed By:

1987 Napp Photo



Point of Diversion



Place of Use

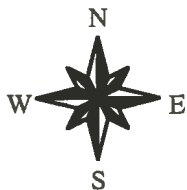


Section Lines



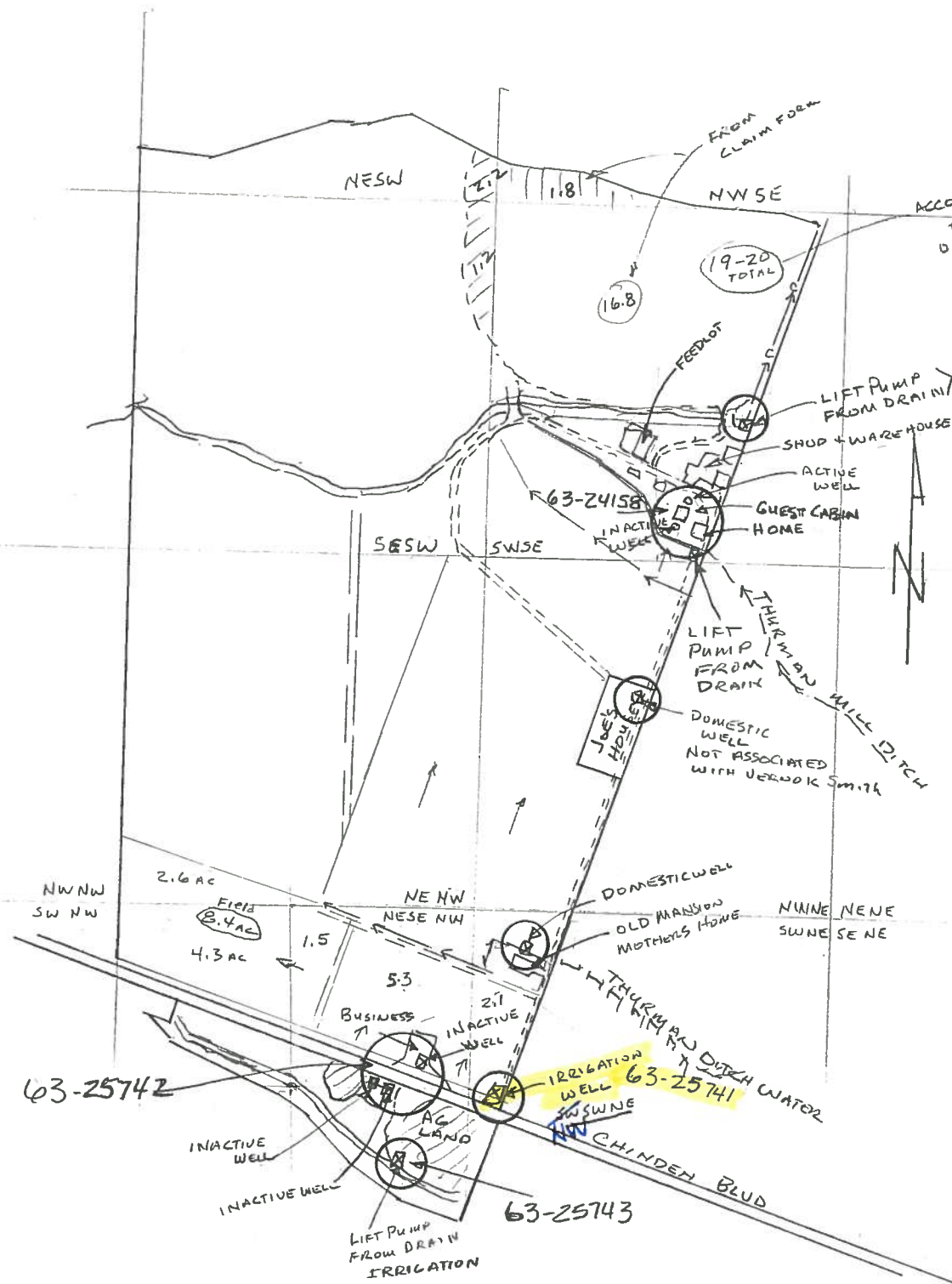
Quarter Quarter Lines

0 0.25 0.5 Miles



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

63-25741



SEC 23
SESE | SWSW
NENE | NWNW
SEC 26
T04N
R01E

VERNON K SMITH
SCALE = 606' / 1" =



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

OVER →

PARMA WATER LIFTER

MOTOR - "INDUSTRIAL MOTOR"

10 HP 1740 RPM

SF 1.15

SN = F99-G626A-F

IDAHO POWER MTR

OZ 455 612 ABB

$K_h = 7.2$

ID# 04NOIE 23-02

SITE TAG A0002465

GPS

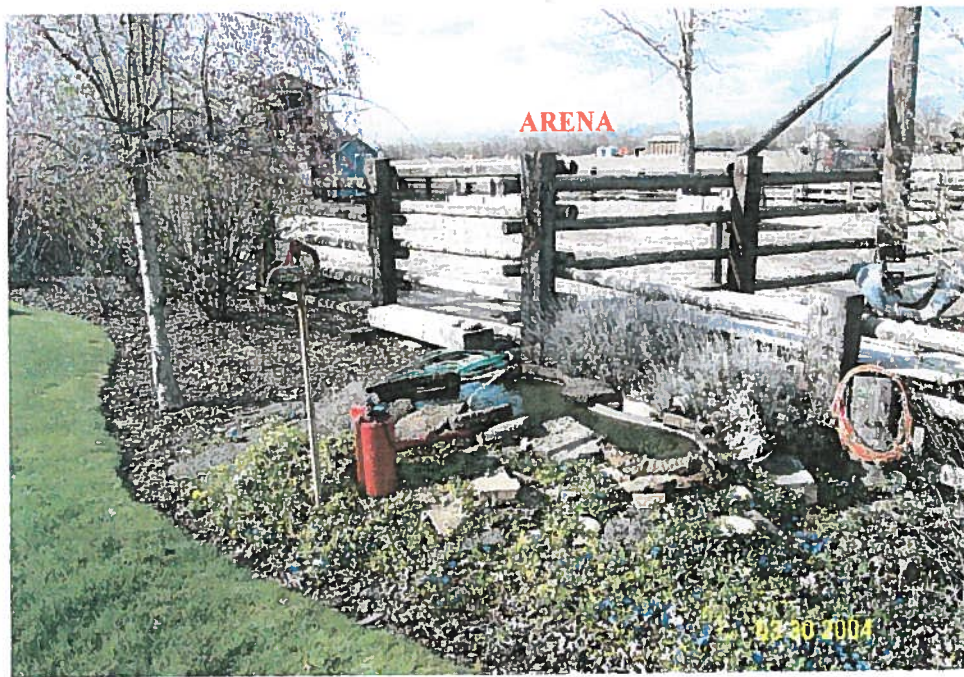
2314470	#
1387262	20

PUMP HAS AN 8" DISCHARGE.

PIPELINE ^{TO} THE SOUTH ABOUT

200 FT. TO MAIN DITCH FROM

THURMAN MILL DITCH.

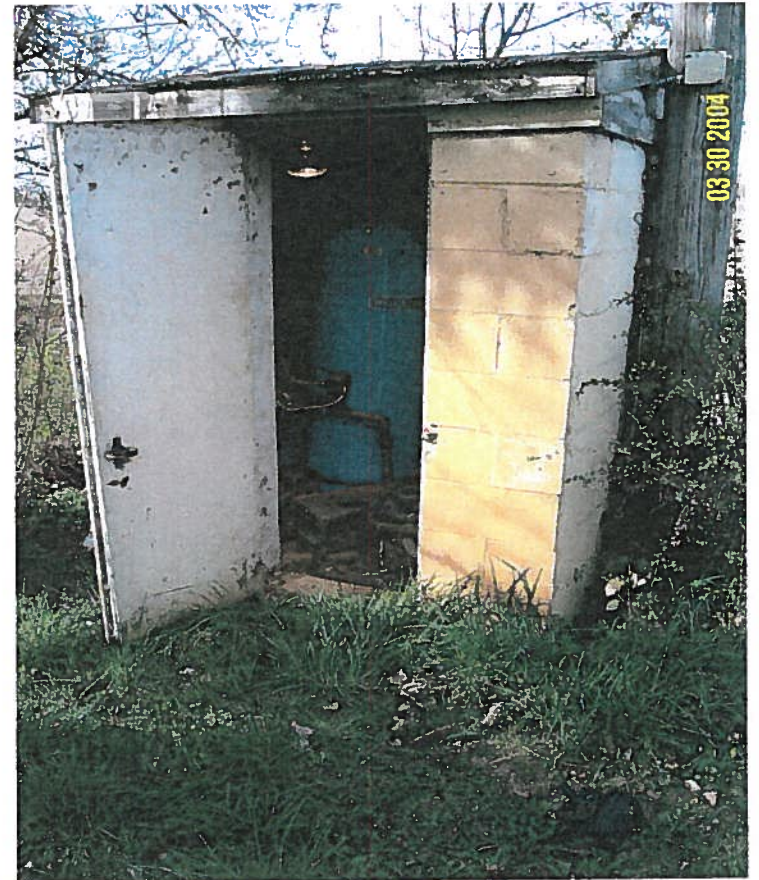


brother, **Joseph H. Smith**
Domestic

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



OVER →



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,

Kimberly Brown

Kimberly Brown
Senior Water Resource Agent
Western Region

Cc: File



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 21, 2004

VERNON K SMITH
1900 W MAIN
BOISE ID 83702

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

** 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.

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_____ 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, reading "Nick Spencer", is written over the typed name.

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

NBS/pm

cc: Kimberly Brown



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 4, 2003

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

RE: EVIDENCE OF PRIORITY

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

Dear Claimant,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement.

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

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area.

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

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

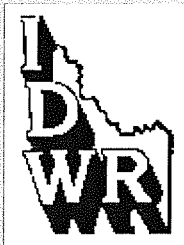
KAUFELD DREHER
Director
(up a field)

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

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



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

RIGHT ID

POD ID

Quad

Claim Type

Easting

Northing

GPSID

Diversion Description

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

Assumptions

Elevation head, Pressure head. Correct POD.

Invoice

2000-055-01

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

Linked
Photos

EPE (ft)	Date (M/D/Y)	Time	Flow Rate (CFS)
15	12/8/01	12.30	0.18

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

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

Diameter

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity Velocity

☐ Orifice

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

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

☐ 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

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information



New Contact Comments

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



RIGHT ID

63 25741

63-25741



63-25741





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 9, 2001

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

Dear Claimant:

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

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

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

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

Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

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

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	1E	26			5			1		8									14
GIS						3.6			0		12.9									16.5
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 14

Overlapping POU Claim #'s:

Total GIS Acres: 16.5

COMMENTS:

map shows acres in NENW, claims says NW/NE, applicant doesn't own any land in NW/NE per county data nor does image show anything in that Qd that attaches to applicants fields.

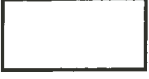
Idaho Department of Water Resources

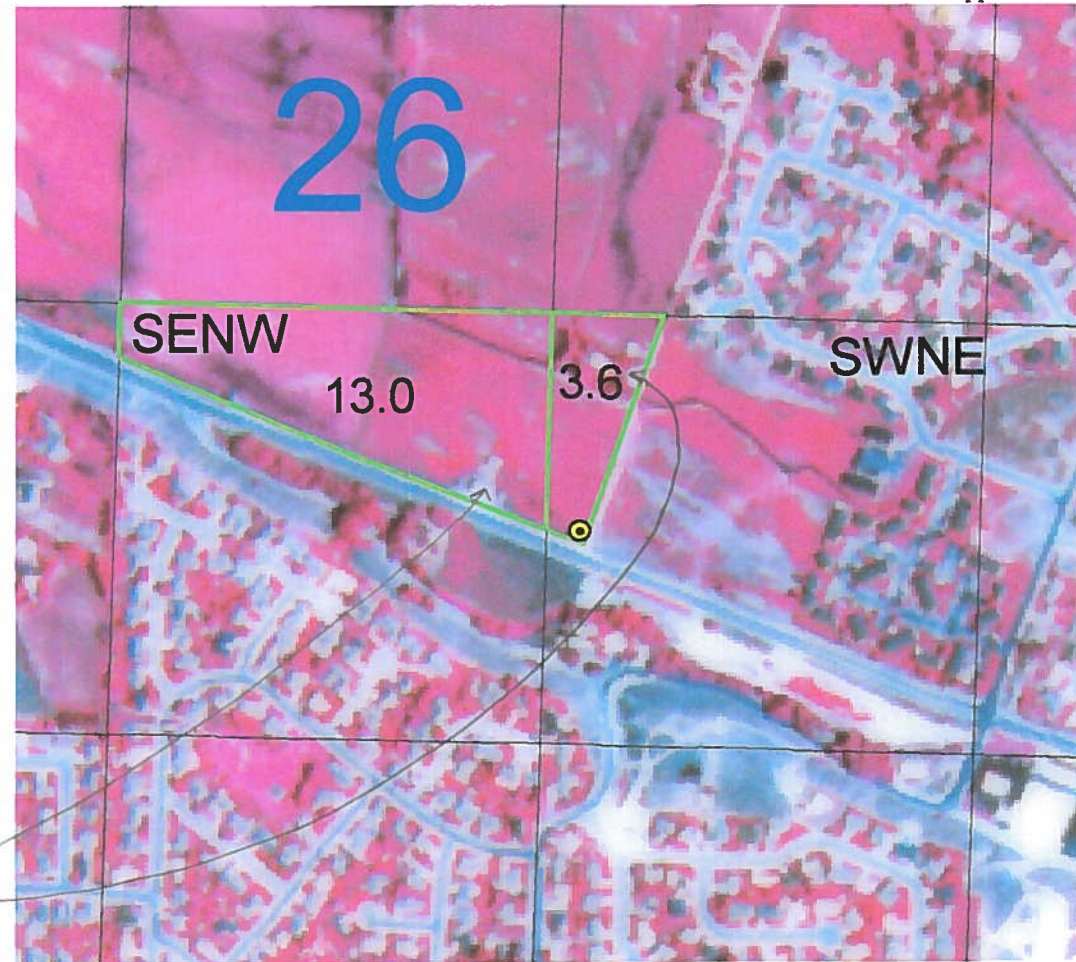
Claim Number: 63-25741

Legal: T4N, R1E, S26

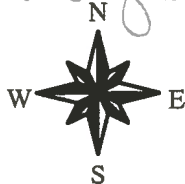
Reviewed By:

1987 Napp Photo

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



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





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 11, 1991

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

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

Dear Mrs. Smith:

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

Please contact us if you have any questions or concerns.

Sincerely,

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

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:west

Enclosures:

Claims Referenced Above

cc: Vernon K. Smith w/Enclosures

MICROFILMED

SEP 14 1992