

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-25742
Date Received: 8/18/1989
Receipt No: C009892
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

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

208-375-2934

83714

AND

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

208-375-2934

83714

2. Date of Priority: JAN 1, 1953

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.040		
COMMERCIAL	01/01	12/31	0.020		
INDUSTRIAL	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC, STOCK, COMMERCIAL, INDUSTRIAL YEAR AROUND USAGE

10. Place of Use:

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

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

THERE ARE WATER RIGHTS FOR IRRIGATION USED IN THE SAME AREA

14. Remarks:

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

15. Basis of Claim: BENEFICIAL USE

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

063-25742

Date Received

8-18-89

Receipt Number

COO 9892df

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

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

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

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

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

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well with pump located at the side of
the old homestead milk barn, which was long ago converted to accommodate
a commercial business and industrial usage of the building and such
commerical and industrial beneficial use of the water, starting in about
1959/1960 in addition to the domestic and stock water usage consistent
with its historic use.

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SEP 14 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

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

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

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

For _____ purposes from _____ to _____ amount _____ or _____

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

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

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

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	1E	26								DS CI									

Total number of acres irrigated _____ None irrigated from
this well

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

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
There are water rights for irrigation used in the same area. or None ()

14. Remarks:

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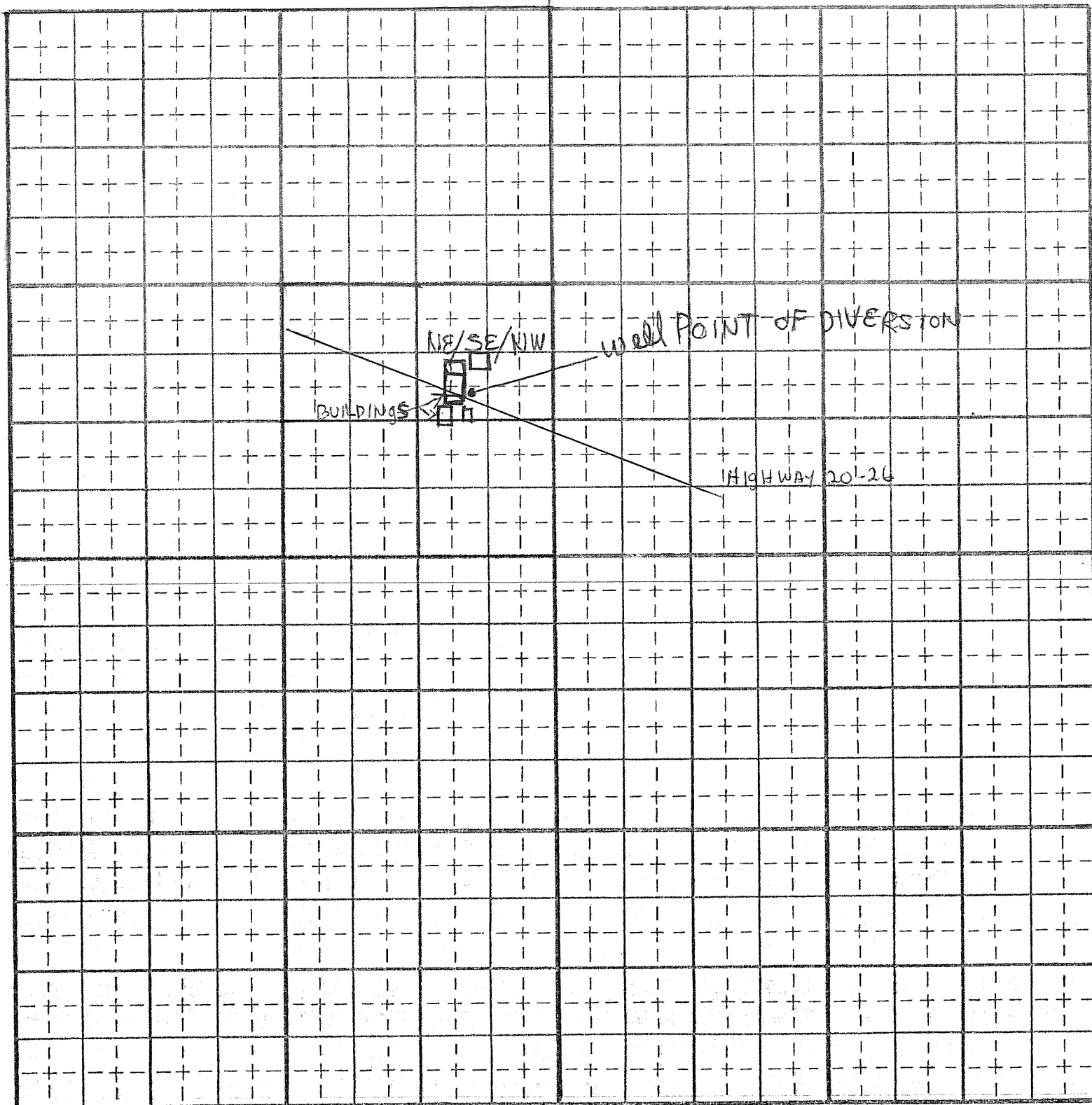
Last Name SMITH Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

T. 4N R. 1E. SEC. 26



MICROFILMED

Last Name SMITH

Ident No. _____

Copies: White-State Yellow-Claimant
SEP 14 1992

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

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

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

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

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____ Organization _____, that I have signed the foregoing
document in the space below as _____ Title _____ of _____ 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 [Signature]

Residing at Bore, Idaho

My Commission Expires 12/20/94

Please Print Name VERNON K Smith

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

Signature _____

Address _____

Date _____

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SEP 14 1992

Last Name SMITH Ident. Number _____

Copies White-State, Yellow-Claimant



4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

54.00

CLAIMANT'S NAME

Smith

#3C

CLAIM IDENT. NO.

A63-25742

DATE RECEIVED

8-18-89

CK #

0009892

AMOUNT \$

YES

NO

Required Info?

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

Claim checked by: QJDate: 2-08-90

Claim must be returned to claimant:

☐ (Yes) ☒ (No)

Claimant must be notified of modifications:

☐ (Yes) ☒ (No)

Receipt Prepared by:

Claim data entered by: spencer

Sent to claimant by:

Date:

Date: 08-14-91

Date:

Checked by: QJDate: 8/1/91Comments: See A. Shaff 12-6-91, add Vern Smith as R owner.

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SEP 14 1992

AUG 21 2007

DISTRICT COURT - NREB
Fifth Judicial District
County of Twin Falls - State of Idaho

AUG 20 2007

By _____
Clerk

Deputy Clerk

In Re SRBA) SPECIAL MASTER'S REPORT
)
Case No. 39576) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 63-25742

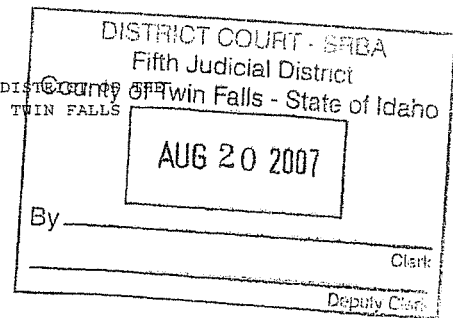
W. R. Bond

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
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 63-25742



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: 0.04 CFS

The quantity of water under this right shall not exceed 2,500
gallons per day.

PRIORITY DATE: 01/01/1953

POINT OF DIVERSION: T04N R01E S26 NESENW Within Ada County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

Domestic

01-01 TO 12-31

0.04 CFS

Domestic use is for motorcycle restoration purposes.

PLACE OF USE: Domestic
T04N R01E S26

SENEW

Within Ada County

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

The quantity of water decreed for this water right 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

RECOMMENDATION

AUG 20 2007

John M. Melanson
SPECIAL MASTER

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 63-25742 File Number: 01350

PAGE 1
Aug-16-2007

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
AUG 20 2007	
By _____	Clerk
_____	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)
)
Case No. 39576)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

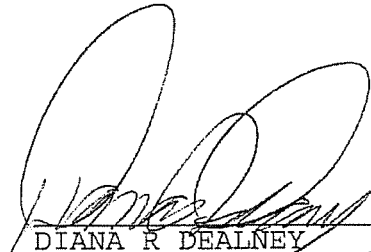
Water Right(s): 63-25742

On August 20, 2007, Special Master JOHN M MELANSON
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 DEALNEY
Deputy Clerk

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
AUG 20 2007	
By _____	Clerk
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)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 63-25742

CERTIFICATE OF MAILING

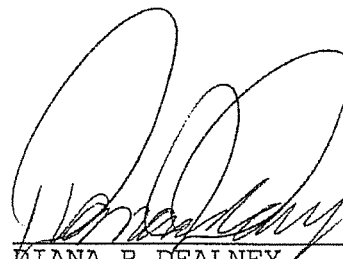
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on August 20, 2007, with sufficient first-class postage prepaid to the following:

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 DEALNEY
Deputy Clerk

PAGE 1
08/20/07

COPY

RECEIVED RECEIVED
AUG 20 2007 JUL 02 2007
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
AUG 16 2007
By _____
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	)	Subcase No. 63-25742
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

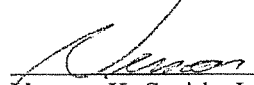
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

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

SF5 Right No. 63-25742

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

RIGHT NUMBER: 63-25742

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: 0.040 CFS

The quantity of water under this right shall not exceed 2,500 gallons per day.

PRIORITY DATE: 01/01/1953

POINT OF DIVERSION:

T04N R01E S26 NESENW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

Domestic use is for motorcycle restoration purposes.

PLACE OF USE: DOMESTIC in ADA County

T04N R01E S26 SENW

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

SF5 Right No. 63-25742

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:

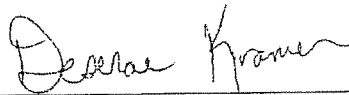
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

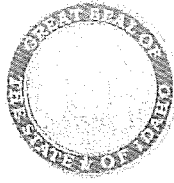
VICTORIA H SMITH
Represented by:
VERNON K. SMITH JR.
1900 W MAIN ST
BOISE, ID 83702

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



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, reading "Ray Williams".

Ray Williams
Paralegal

Enclosures

cc; Kay Walker

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

RIGHT NUMBER: 63-25742

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 83714SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFSThe quantity of water under this right shall not exceed 2,500 gallons per day.PRIORITY DATE: 01/01/1953

POINT OF DIVERSION:

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

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
<u>DOMESTIC</u>	<u>01/01 12/31</u>	<u>0.040 CFS</u>
<u>Domestic use is for motorcycle restoration purposes.</u>		

PLACE OF USE: DOMESTIC in ADA CountyT04N R01E S26 SENW

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.The quantity of water decreed for this water right is not a determination of historical beneficial use.EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial UseRight includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

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).

03/26/2007

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

RIGHT NUMBER: 63-25742

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: 0.040 CFS

The quantity of water under this right shall not exceed 2,500 gallons per day.

PRIORITY DATE: 01/01/1953

POINT OF DIVERSION:

T04N R01E S26 NESENW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
Domestic use is for motorcycle restoration purposes.		

PLACE OF USE: DOMESTIC in ADA County

T04N R01E S26 SENW

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25742

WATER RIGHT NUMBER: 63-25742

Owner Type Name and Address

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

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

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

Priority Date: 01/01/1953 ✓

Basis: Beneficial Use ✓

Status: Active

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
INDUSTRIAL ✓	1/01 to	12/31 ✓	0.020 CFS	
COMMERCIAL ✓	1/01 to	12/31 ✓	0.020 CFS	
DOMESTIC ✓	1/01 to	12/31 ✓	0.040 CFS	
STOCKWATER ✓	1/01 to	12/31 ✓	~~0.010 CFS~~	
<u>Total Diversion:</u>			~~0.120 CFS~~	

Location of Point(s) of Diversion

GROUND WATER ✓

ADA County

NE1/4SE1/4NW1/4 ✓

Sec. 26, ✓ Twp 04N, ✓ Rge 01E, B.M. ✓

Place of Use

INDUSTRIAL

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

COMMERCIAL

= Salvage operation for ~~restoring~~ restoration purposes.

can be included under domestic 13000 gpd limit.

3 wells found with no pumping equipment to get water out of ground. Agree with examiner to recommend only a domestic use - See claimant's son's comment bottom of page 3 - field exam report.

allow this per field exam by Burke Scholte dated 3/30/04 signed 4/6/04

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25742

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

DOMESTIC

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

STOCKWATER

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

Conditions of Approval:

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

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 RESOURCES
WESTERN REGION

attached documentation from the Idaho Department of Water 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 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.

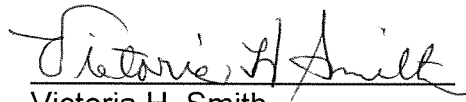
2. The real property involved in this proceeding was purchased by Affiant and her late husband in the 1950's. The real property in question, is located on the north side of State Highway 20-26, which at times is also referred to as Chinden Boulevard, and located on that property, is a well that has actively been used since 1953, and the real property being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, has been receiving the beneficial use of water through the use of a well and pump station. The stockwater, along with industrial and commercial usage and the domestic water was used from January 1 to December 31 of each year, specifically including 1987. The stock water was used at a diversion rate that has been recognized by the IDWR to be 0.040 cfs; the industrial use of water in 1987 was at a diversion rate recognized by IDWR to be 0.020 cfs; the commercial use of the water in 1987 was at a diversion rate recognized by IDWR to be 0.020; and the domestic water use in 1987 was at a diversion rate recognized by IDWR to be 0.020, for a total diversion rate in 1987 to be 0.120 cfs, See also the attached Volume Statement. The source of the water was

ground water, pumped out of a well with a pump located at the side of the Old Homestead Milk Barn. The Milk Barn was long ago converted to accommodate a commercial business and a small industrial usage of the building. The commercial and industrial beneficial use of the water, had started in/about 1959/1960 and was used for that purpose, in addition to the ongoing domestic and stock water usage that remained consistent with its historic use in that adjacent field that contained about 7 acres, more or less.

3. That Affiant's claim was submitted on August 18, 1989, pursuant to the Snake River Adjudication Project, and the appropriation of beneficial use for stock water, commercial, industrial, and domestic use was in affect as described above, based on the use of the water in the year 1987.

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 63-25742

WATER RIGHT NUMBER: 63-25742

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

Priority Date: 01/01/1953

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

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

Location of Point(s) of Diversion

GROUND WATER

NE1/4SE1/4NW1/4

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

ADA County

Place of Use

INDUSTRIAL

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

COMMERCIAL

Twp	Rge	Sec	NE	NW	SW	SE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25742

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

DOMESTIC

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

STOCKWATER

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

Conditions of Approval:Remarks:

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

Comments:Dates and Other Information:

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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-25742

INDUSTRIAL USE VOLUME

*Please keep in mind that these questions pertain only to the use of the water listed on the enclosed **Adjudication Claim Report #A63-25742**.

Type of Establishment: In 1987 the ongoing activity at the Milk barn was a high end salvage operation for restoring certain models of pickups, motorcycles, ATV's and equipment items, using water for washing, stem cleaning, restoration, domestic consumption, coffee pots, sanitation and cleaning needs.

Type of Facilities: See above.

Number of Fixtures: Several outlets, using hoses, pipes, fittings, PVC pipe, etc., to connect to water dispensing desires that were used as needed in the routine use and application of water.

How many employees (and/or public individuals) per day use each of the facilities your industrial use is based upon? In 1987, it would have been between three (3) and ten (10) individuals there, depending on the projects and who was doing the project.

How many hours per day is the facility open for this specific use? At most time it was day and late evening activities.

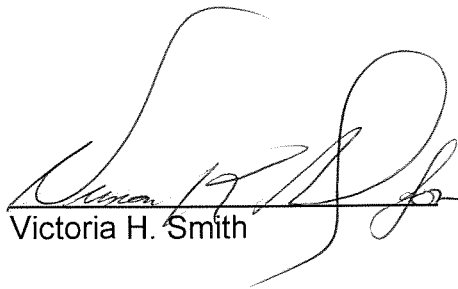
How many days per week is the facility open for this use? They worked all seven (7) days, again depending on the number of projects.

Is this facility open year round? Yes. In 1987, Todd Mattock and Bernie Miller ran it year round in their operation.

****Most businesses have a good idea of how many gallons of water per day they use. If this is true in your case, please indicate how many total gallons of water you use for the industrial purposes explained above:** The water source was used as needed, and typically, in the late 1980's, the water would also be pumped into the concrete ditch to be used for irrigation water during the irrigation season, and then stockwater when cattle grazed in the pastures the rest of the year. It was a constant flow that had the industrial and commercial usage that allocated water from the source as needed. It would appear IDWR has allocated the projected usage as being .020 industrial, .020 commercial, .040 domestic and .040 stockwater/irrigation, for a consumption total of 0.120 CFS.

Addition information you feel may be pertinent: As Todd Mattock's health declines, and the relocation process occurs from the use over the past many years of his business activities, it will be converted to a produce facility, operated

year round, requiring water for washing, sanitation, cleaning, domestic needs etc..

 VHS
Victoria H. Smith

(208) 345-1125

COMMERCIAL USE VOLUME

*Please keep in mind that these questions pertain only to the use of the water listed on the enclosed **Adjudication Claim Report #A63-25742**.

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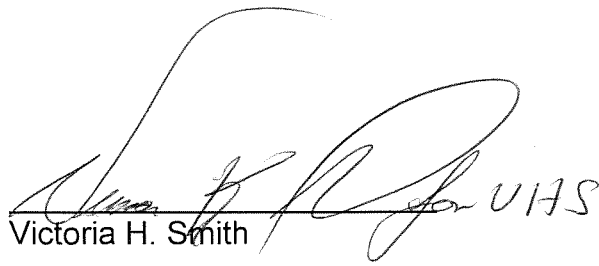
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A handwritten signature in black ink, appearing to read "Victoria H. Smith" followed by "UHS". The signature is written over a horizontal line.

Victoria H. Smith

(208) 345-1125

* * * Memory TX Result Report (Dec. 1. 2006 12:05PM) * * *

1) Idaho Dept. of Water Resources
2)

Date/Time: Dec. 1. 2006 12:04PM

File No. Mode	Destination	Pg(s)	Result	Page Not Sent
6595 Memory TX	93451129	P. 5	OK	

Reason for error

E. 1) Hang up or line fail
E. 3) No answer
E. 5) Exceeded max. E-mail size

E. 2) Busy
E. 4) No facsimile connection



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5682 - (208) 334-2190

FAX (208) 334-2348

JAMES E. RISCH
GovernorKARL J. DREHER
Director

FAX COVER SHEET

TO Vernon Smith DATE 12/01/06
FROM Kimberly Porown FAX # 345-1129
RE Industrial & Commercial Use Volume
Questionnaires. Please fill-out the
questionnaire based on the use of the water

TOTAL PAGES SENT 4 + COVER SHEET

in 1987, as we spoke
about at the initial

IDWR INFORMATION & THE INTERNET

You can search for IDWR records on the Internet at www.idwr.idaho.gov

See main menus in the upper left corner. Click on any of those main menus for a more specific homepage with more information. Most IDWR records are organized by township, range and section. Township, range and section information is usually available from county offices. For best results, try a broad search first and narrow the search as needed to avoid overlooking the information you seek.

Water Right &/or Adjudication information: click main menu on-line data for that homepage, then click water right & adjudication search. For type of query, select all arba & water rights then click the where tab and enter township, range, section (and maybe ¼ or ¼ of section). Be sure to choose "Point of Diversion" or "Place of Use" depending on the information you need ("both" means diversion and use within identical search parameters, not that either are within the parameters).

Well Log information: on-line data, then well construction search. Enter the township, range and section. Results will list information about ¼ ¼ location in a section. Many well logs have been scanned and are available on the Internet.

Forms, Rules and Statutes: click that main menu item to find this homepage.

If you cannot find any information or have trouble interpreting the information, contact the IDWR staff person on duty each day. This person is called the "office day" person and is available to provide general assistance. Call the office day person at 208-334-2190 between the hours of 8 and 5 Monday through Friday.

Your cooperation in using the Internet is appreciated. Your help in asking for the "office day" person for general help instead of a particular IDWR staff member helps us improve our efficiency and provide better, more cost effective service to the public. Thank you.

hearing this
morning.
KB



State of Idaho

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INDUSTRIAL USE VOLUME

* Please keep in mind that these questions pertain only to the use of the water listed on the enclosed **Adjudication Claim Report #A63-25742**.

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

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

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

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

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

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

Is this facility open year round? ___Yes ___No

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

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

Additional information you feel may be pertinent:

Your name

Business telephone number

Please return to:

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

COMMERCIAL USE VOLUME

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Additional information you feel may be pertinent:

Your name

Business telephone number

Please return to:

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

RECEIVED

SEP 08 2006

DEPARTMENT OF
WATER RESOURCES

2006 SEP -6 PM 12: 52

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

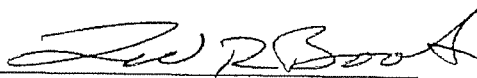
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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

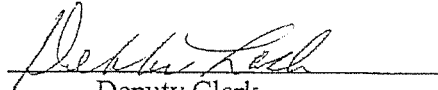
CERTIFICATE OF MAILING

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)

A. Subcase 63-25742
(Insert water right number)

Case No. 39576)
_____)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

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

Name & Address of Attorney, if any:

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

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

Name: Victoria H. Smith and Estate of Vernon K. Smith Sr.
Address: 5933 N. 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: Industrial .020, Commercial .020, domestic .040, stock .040 total .120 cfs
4. ☒ **Priority Date**
Should be: January 1, 1953
5. ☒ **Point of Diversion**
Should be: NW 1/4 SE 1/4 NW 1/4 Sec 26 Twp 4N R 1E BM
6. ☒ **Instream Flow Beginning and Ending Point**
Should be: Ground water
7. ☒ **Purpose(s) of Use**
Should be: Industrial, Commercial, Domestic, Stockwater
8. ☒ **Period of Year**
Should be: January 1 - December 31
9. ☒ **Place of Use**
Should be: See attached claim
10. ☒ **I object because:**
 - ☐ This water right Should not exist.
 - ☒ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** priority date is January 1, 1953, and beneficial use exists.

F.

VERIFICATION (must be completed)

State of Idaho)
) ss.
County of Ada)

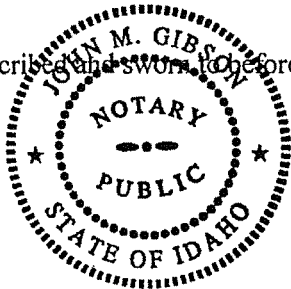
Vernon K. Smith, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:



21st day of April 2006

John M. Gibson
Notary Public for Idaho

Residing at: Boise

My Commission Expires: 10-17-07

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

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

1. Original to:

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

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

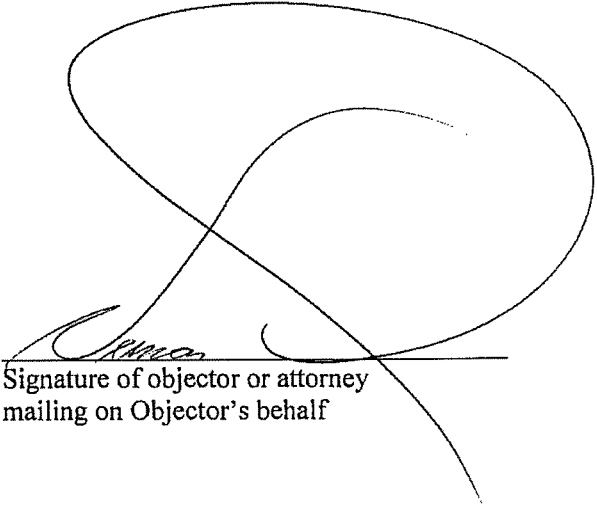
Name: Victoria H. Smith
Address: 5933 N Branstetter
Boise, Idaho 83714

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 63-25742

WATER RIGHT NUMBER: 63-25742

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

Priority Date: 01/01/1953

Basls: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

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

Location of Point(s) of Diversion

GROUND WATER

NE1/4SE1/4NW1/4

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

ADA County

Place of Use

INDUSTRIAL

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

COMMERCIAL

Twp Rge Sec	NE	NW	SW	SE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25742

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

DOMESTIC

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

STOCKWATER

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

Conditions of Approval:Remarks:

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

Comments:Dates and Other Information:

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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-25742

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-25742 V1

WATER RIGHT NUMBER: 63-25742 V1

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

Priority Date: 01/01/1953

Basis:

Status: Disallowed

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

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

Location of Point(s) of Diversion

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

Place of Use

INDUSTRIAL

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

COMMERCIAL

Twp	Rge	Sec	NE	NW	SW	SE

Adjudication Recommendation Report 63-25742 V1

[illegible][illegible][illegible]

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.

1. Explanatory NO BENEFICIAL USE FOUND.

1. kbrown 4/15/2005 Reason for Disallowal
Comment: After numerous attempts to obtain evidence of priority, I have not received anything to substantiate the claimed priority date (see Conversation Memorandum and Priority Date remarks, Adjudication Field Report, p. 1). In addition, although the claimed domestic and stockwater uses do not require evidence, they are already covered by right #63-24160 and are, therefore, also disallowed.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-25742 V1

Dates and Other Information:

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

Combined Use Limits:Element Reviewed/Verified Dates:

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

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	4/15/2005 12:49:49 PM	kbrown	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	4/15/2005 12:47:55 PM	kbrown	(No) 1. Do you want to schedule an appointment? Comment for 1: Disallowed.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25742

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

DOMESTIC ✓

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

STOCKWATER ✓

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

Conditions of Approval:Remarks:

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

Comments:Dates and Other Information:

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

DISALLOWED

DISALLOWED

Field Exam Date 4.13.05

(in office review)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$54.00
- ☐ Well logs (if needed) none found in IDWR files - KLB
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ Check POD & POU overlap, see below - include overlapping right for exam
- ☐ Evidence of Priority - if none, talk with claimant

CLAIMANT INFORMATION - verify contact information is complete

Claim No(s) A63 - 25742

Owner: Estate of Vernon K. Smith c/o Victoria H. Smith
Phone No. (208) 375-2934

Current Address: 5933 N. Boran Stetter, Rt. 4, Boise 83714

Property Address: 9900
E. Chinden Blvd.
Eagle

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

Accompanied by: N/A

PRIORITY DATE

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

Priority date, per claimant, is: 1/1/1953

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

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

Source:

Tributary to

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

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed:
- ☐ If different, when did POD change?

home and office address stating that I have no choice but to recommend this claim as disallowed (continued on p. 4).

* Only Tag #A 0002468 (GPS Coordinates: 2314148/1386673) from IDWR Field Report # POD ID 233661.3 (well at 9900 Chinden) from Indripid applies.

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

building located at 9900 E. Chinden (not the two

Description of diverting works

See Field Report.

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

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

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

WATER USES

REMOVE (junkyard & motor cycle shop) once an old milk barn INDUSTRIAL & COMMERCIAL uses since

☐ No change

☐ Different Uses

no evidence of priority has been submitted. D# S does not require evidence, but is covered by #63-

Use Domestic From _____ To _____ Amount Ø CFS _____ AFA
 Use Stockwater From _____ To _____ Amount Ø CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

covered by #3-24160

#63-24160.

TOTAL VOLUME – Groundwater only

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

☐ Changes found, the new total is, Amount Ø CFS _____ AFA

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

NON-IRRIGATION USES:

☐ No change

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

Types _____ Additional comments: _____

PLACE OF USE:

☐ No Change

☐ Changes shown below:

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

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: Thurman- Mill Ditch Co.?

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

Delivery System Narrative: See Field Report

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

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

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS (OVER)

JUSTIFICATION FOR DISALLOWAL -

see Priority Date, p. 1

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED: 4.13.05

FIELD EXAMINER: Kimberly Brown

DISALLOWED

Priority Date - (continued)

- Since I have not received any evidence of priority from the Smiths, I attempted to locate evidence on my own by:
- 1.) checking the 2005 Ada County Assessor's Land Records website for information on Parcel No: S05 26 244660. Unfortunately, nothing was listed under Residential Property Characteristics for the year the buildings were built (see file).
 - 2.) I also checked our Well Driller's Reports file for 4N, 1E, S26 and found nothing. -KLB

Water Right Report 63-24160

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

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

Status: Active

Tributary

GROUND WATER

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

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

STOCKWATER

[illegible]

DOMESTIC

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-24160

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. S0526244430

Comments:

1. DUNN1 10/17/1993 COPIED FROM REMARKS

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

Dates and Other Information:

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

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

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

S26

SENW

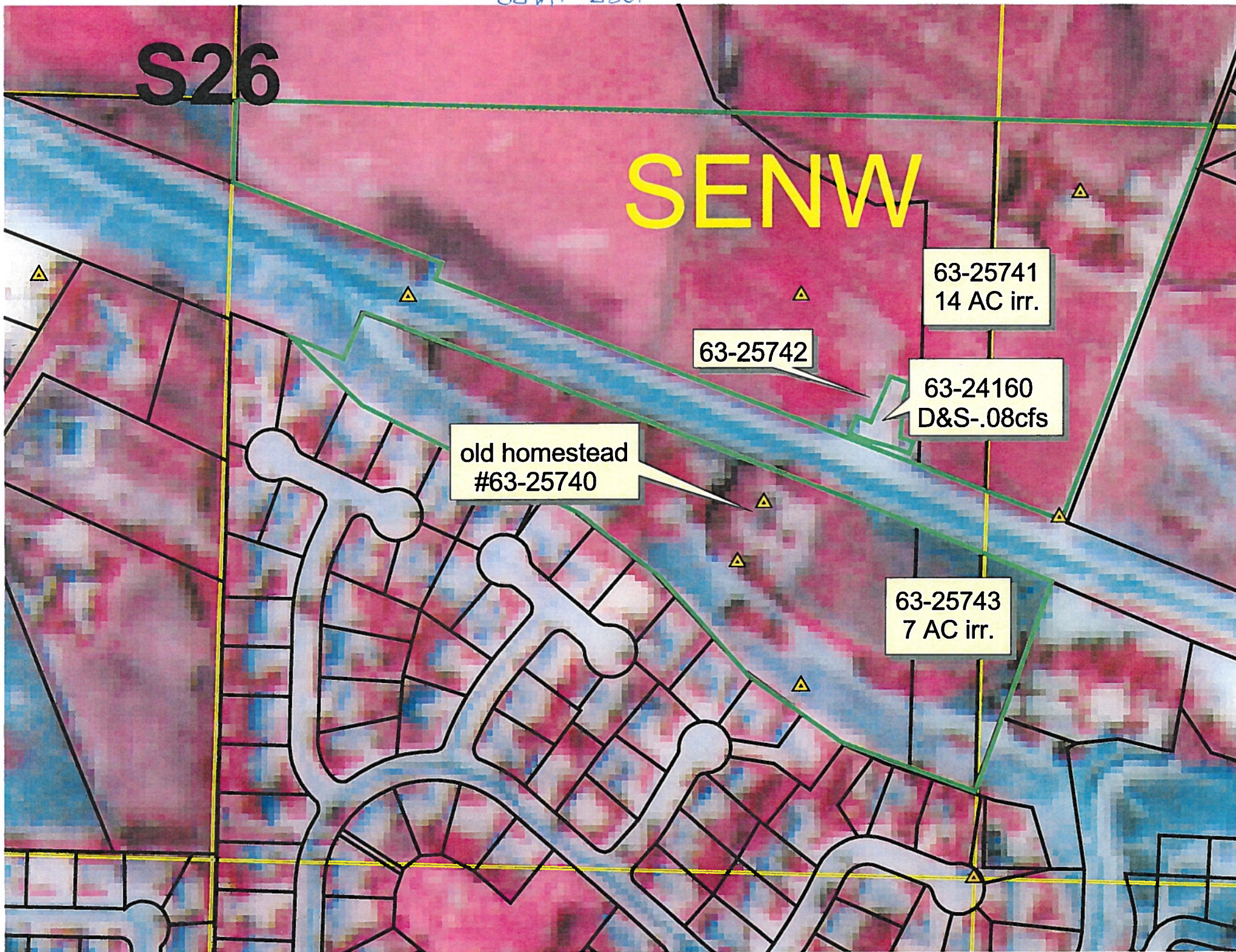
63-25741
14 AC irr.

63-25742

63-24160
D&S-.08cfs

old homestead
#63-25740

63-25743
7 AC irr.





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

Land Records

[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)

Property Details for Parcel S0526244660

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General Information

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

Property Description

PAR #4660 IN NW4
 SEC 26 4N 1E



Assessor Links

Property Address
 E CHINDEN BLVD
 EAGLE, ID 00000

[Click to View Interactive M](#)

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- [Appraisal](#)
- [Exemptions and Reductions](#)
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Parcel Valuation Details

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

Parcel Valuation History

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

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Property Characteristics

Residential
 Agriculture
 Land

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Residential

Agricultural

Land

Residential Characteristics 1 for Parcel "S0526244660"

Occupancy Date:

No Date Available

Year Built:

1

Year Remodel:

0

Effective Age:

0

Construction Class:

3

Number of Bedrooms:

0

Number Bathrooms:

1.75

Number of Fireplaces:

0

Air Conditioning:

N

Car Storage Sq Ft #1:

0

Car Storage Sq Ft #2:

0

General Purpose Building Sq Ft:

0

Porch Sq Ft:

0

Deck Sq Ft:

0

Deck Covered:

N

Patio Sq Ft:

0

Patio Covered:

N

Pool Sq Ft:

0

Total Sq Ft:

0

Main Floor Sq Ft:

0

Upper Floor Sq Ft:

0

Finished Lower Floor Sq Ft:

0

Unfinished Lower Floor Sq Ft:

0

Finished Basement Floor Sq Ft:

0

Unfinished Basement Floor Sq Ft:

0

Finished Attic Sq Ft:

0

Unfinished Attic Sq Ft:

0

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

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

Non-Irrigated Acres:

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

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- [Motor Vehicles](#)
- [Levy Rates](#)

Waste Acres:

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

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- [Image Documents](#)
- [Old interactive map](#)

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

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

Assessor Links

- [Assessor Main Page](#)
- [Administration](#)
- [Information](#)
- [Appraisal](#)
- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
- [Levy Rates](#)

Ada County Links

- [Ada County Home Page](#)
- [Commissioners](#)
- [Treasurer](#)
- [Clerk/Auditor/Recorder](#)
- [Development Services](#)
- [Human Resources](#)

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CONVERSATION MEMORANDUM

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

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

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

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

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

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

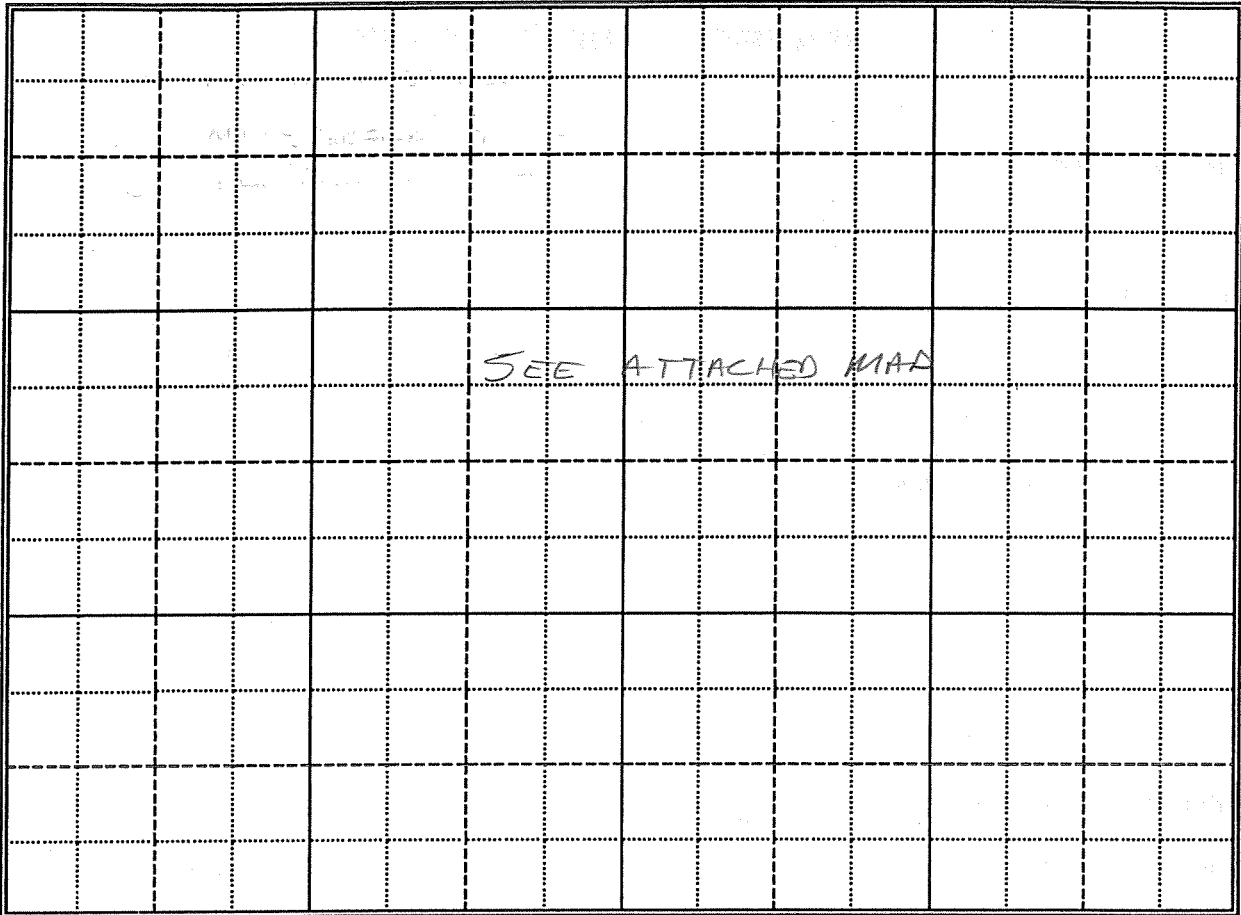
Since I have not received any evidence of priority, I called #375-2934 and Vernon Smith's mother, Victoria H. Smith, answered the telephone. Since she filled-out the original *Notices of Claim*, I thought that I would broach the subject of her writing an affidavit about her personal knowledge of the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

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

Kimberly Brown
Senior Water Resource Agent
Western Region

[illegible]

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



Scale: 1" = _____

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

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

_____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	NO PUMPS INSTALLED PRESENTLY				

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: NONE

E. NARRATIVE/REMARKS/COMMENTS

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

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

→ #1 SITE TAG A 0002466 IS A 6.64" O.D. PVC PIPE CASING. NO LID OR COVER ON TOP OF PIPE. IT RISES OUT OF THE GROUND ABOUT 2'. THE STATIC WATER LEVEL IS 6.77' ^{FROM TOP OF PIPE}. NO PUMPING EQUIPMENT INSTALLED. MR. SMITH SAID THE WELL HAD BEEN RE-DUG & CLEANED OUT SEVERAL (?) YRS. AGO. AND THEY STARTED TO RE-DO THE CONNECTING PIPE TO THE HOUSE BUT HAS NOT BEEN COMPLETED SEE PHOTO #1 FOR THIS RIGHT. THE WELL IS INTENDED FOR DOMESTIC USE ONLY.

→ #2. SITE TAG A 0002467 IS A 3.27" O.D. PVC PIPE CASING. NO PUMPING EQUIP IS INSTALLED. THERE IS A CAP ON THE TOP. I REMOVED IT AND MEASURED THE STATIC WATER LEVEL @ 4.22' FROM THE TOP OF THE PIPE. THIS WELL IS INTENDED TO BE CONNECTED TO THE OTHER WELL (#1) AND BE USED FOR DOMESTIC USE. SINCE NEITHER OF THE TWO WELLS HAVE BEEN USED FOR SEVERAL YEARS, IT APPEARS THAT ONE WELL SHOULD BE SUFFICIENT FOR DOMESTIC PURPOSES.

→ #3. THIS WELL IS ON THE NORTH SIDE OF CHINDEN. SITE TAG #A0002468 I TALKED WITH THE TENANT OF THIS PROPERTY AND HE SHOWED ME THE WELL HEAD. IT WAS COVERED WITH A SAFETY MARKING CONE AND THE TENANT REMOVED IT FOR SITE TAGGING & PICTURES. SEE PHOTOS. ACCORDING TO THE TENANT, THIS IS AN OLD ARTESIAN WELL AND HAS BE CAPPED W/OUT AND USE FOR SEVERAL YEARS. THIS PROPERTY IS CURRENTLY BEING USED AS A MOTORCYCLE SHOP AND JUNK YARD.

BHS

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

ADDITIONAL NOTE: 4/8/04

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

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

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

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
#1 DOMESTIC	7			
#2 DOMESTIC				
#3 DOMESTIC				
Totals:				

2. Recommended Amendments

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

I. AUTHENTICATION

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

Reviewer _____ Date _____

SEAL



#1

63-25742

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



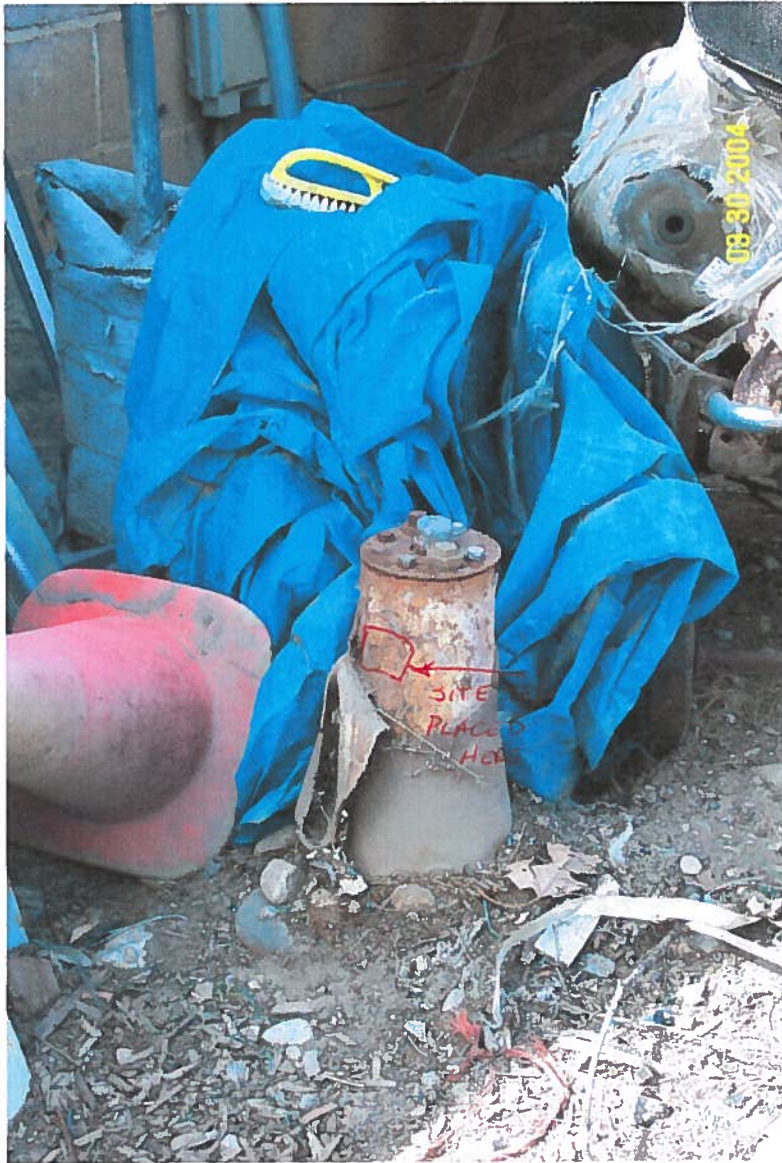
#2



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

63-25742





63-25742



this building was once used as a dairy processing building, but it has been used for other things since the mid-1900s. -KJR

DOMESTIC ONLY

Page 1

08/01/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25742

WATER RIGHT NUMBER: 63-25742

Owner Type

Name and Address

Representative

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

Current Owner

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

Current Owner

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

Priority Date: 01/01/1953

Basis: Beneficial Use

Status: Active

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

INDUSTRIAL

1/01 to 12/31

0.020 CFS

COMMERCIAL

1/01 to 12/31

0.020 CFS

DOMESTIC

1/01 to 12/31

0.040 CFS

STOCKWATER

1/01 to 12/31

0.040 CFS

Total Diversion: 0.120 CFS

Location of Point(s) of Diversion

GROUND WATER

NE1/4SE1/4NW1/4

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

ADA County

Place of Use

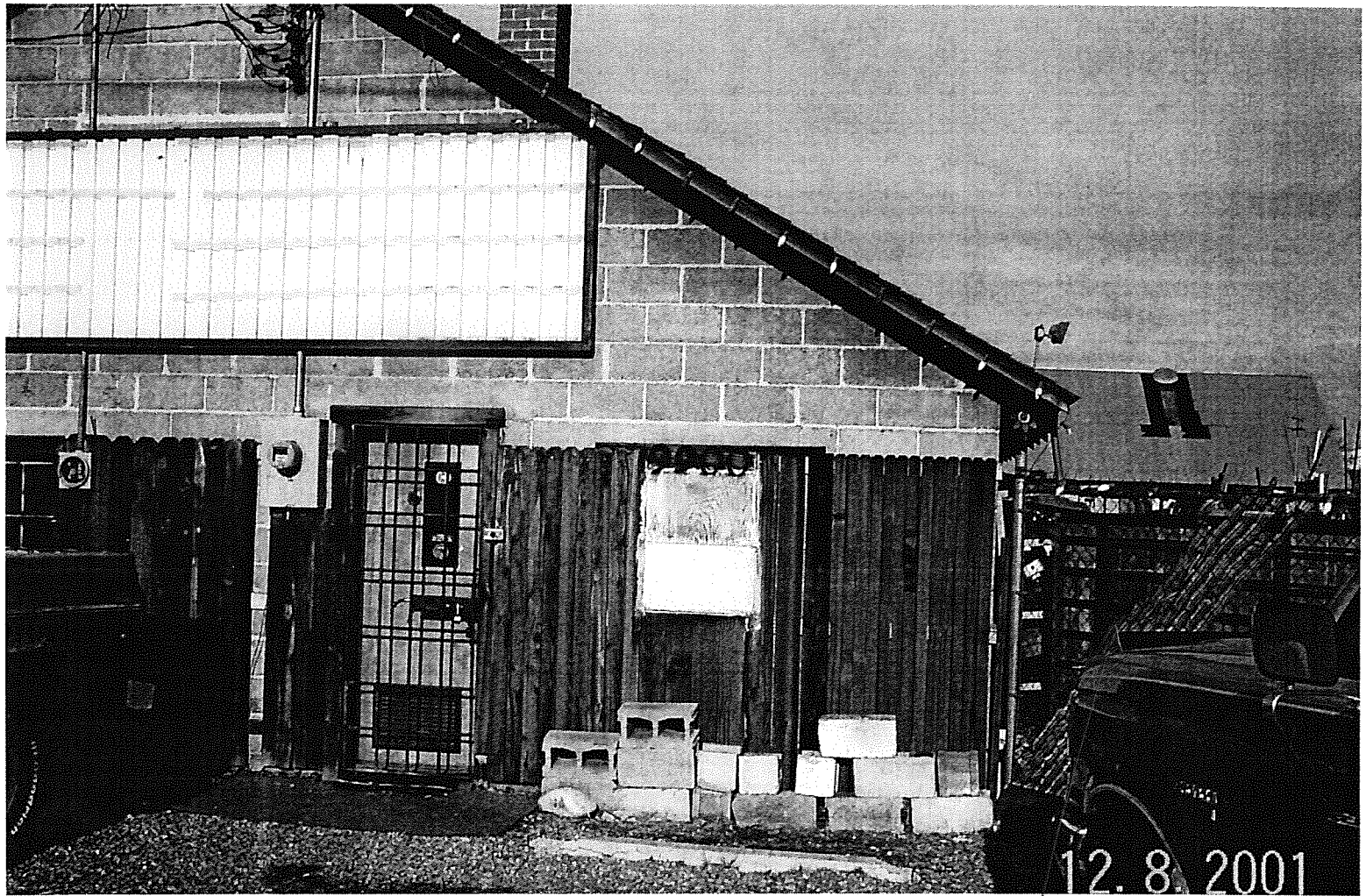
INDUSTRIAL

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

COMMERCIAL

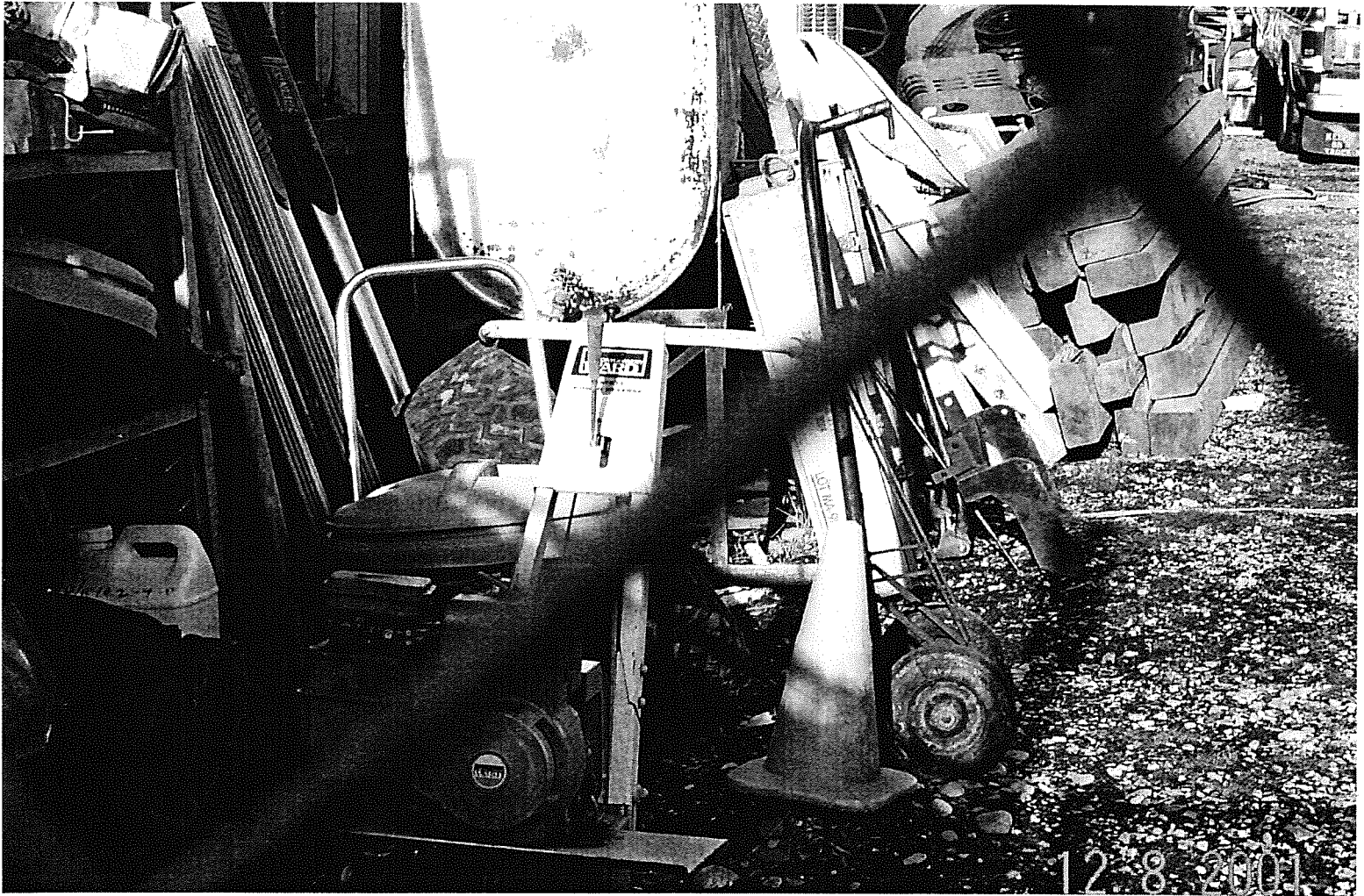
Twp	Rge	Sec	NE	NW	SW	SE

63-25742



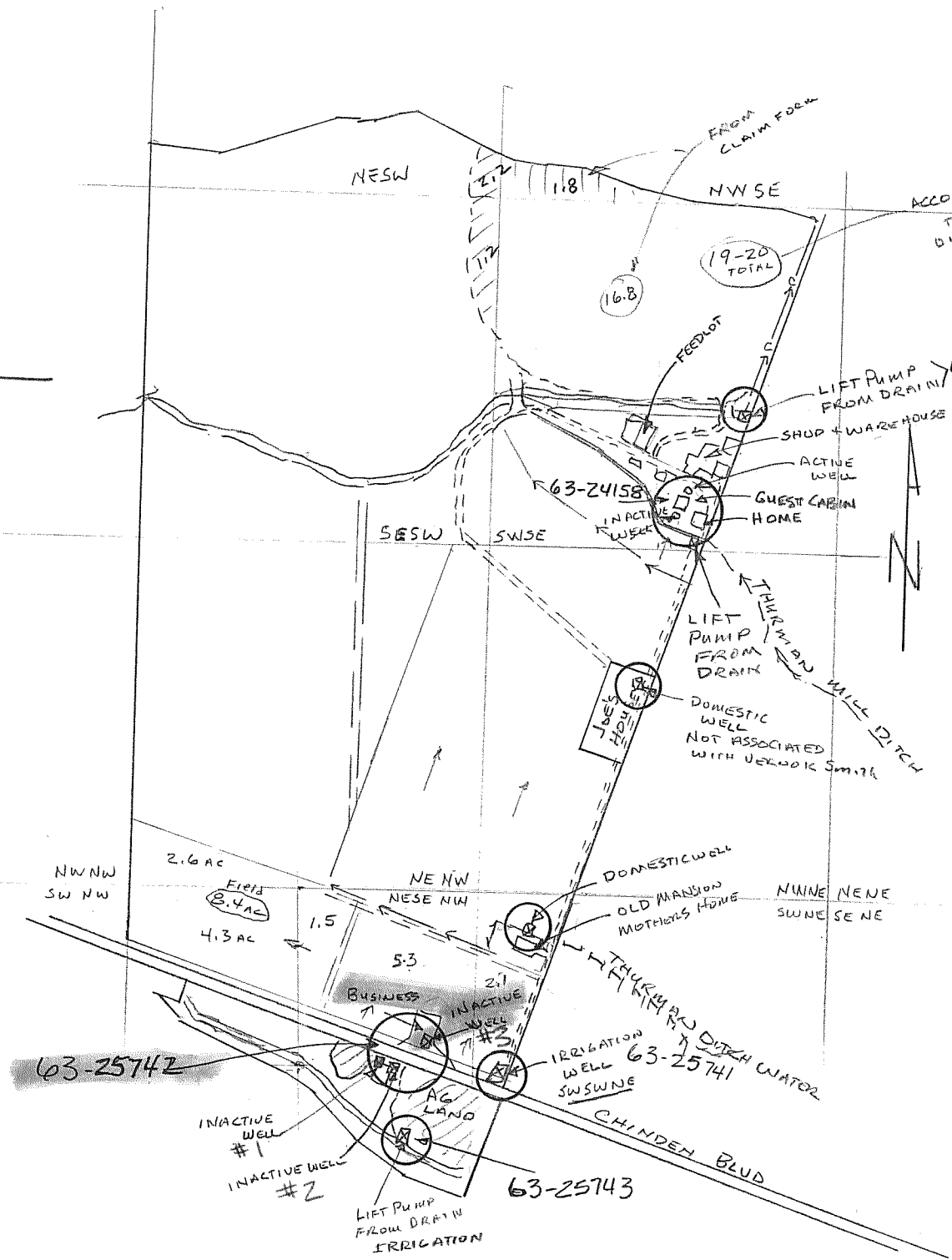
IN YARD
A0002462

63-25742



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

#63-25742



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

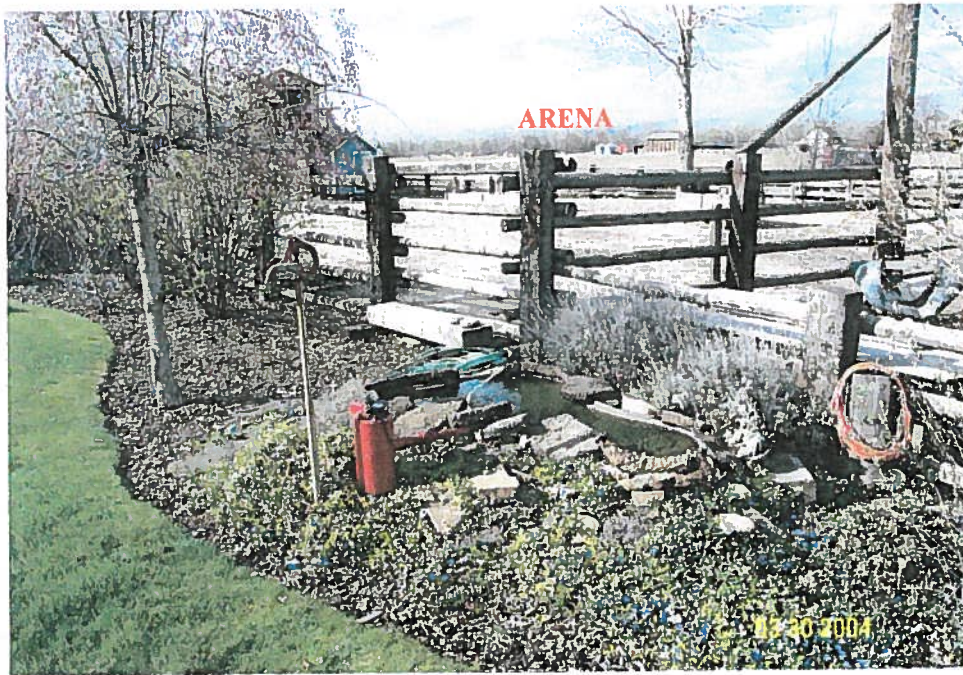
[#]₂₀

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

September 21, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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
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

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

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

Dear Ms. Smith,

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

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_____ 1.) No beneficial use was found.

_____ 2.) Ownership was not confirmed.

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

Respectfully submitted,

Kimberly Brown
Kimberly Brown
Senior Water Resource Agent
Western Region

Cc: File



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

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

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

Dear Claimant(s):

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

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

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Nick Spencer".

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

NBS/pm

cc: Kimberly Brown



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 4, 2003

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

RE: EVIDENCE OF PRIORITY

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

Dear Claimant,

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

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

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

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

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

DAVID DREHER
Director

(up a field)

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 4, 2003

JAMES E. RISCH
Governor

KARL J. DREHER
Director

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

RE: Commercial and Industrial use for Snake River Basin Adjudication claim 63-25742

To Whom It May Concern,

The Idaho Department of Water Resources is currently reviewing the claim to a water right you filed during claims taking in the Snake River Basin Adjudication (SRBA). During the initial review of this claim, we found that you claimed commercial and industrial use that requires a volume amount be included in our recommendation to the SRBA Court (please refer to the enclosed copy of your adjudication claim report: under **Annual Volume**). In order for us to calculate your annual volume, it is necessary that we ask for additional information not gathered when you, or the original claimant, filed this water right.

Please refer to the **Commercial and Industrial Use Volume** sheets (enclosed), answer the appropriate questions as specifically as possible, and return it to this office by September 4, 2003 so that we are able to calculate the annual volume associated with your water right; as required by the SRBA Court.

This review of your claim, in addition to the submittal of our recommendation to the SRBA Court, will result in a decreed right for your property. This water right then remains with the land as long as it is being used. We will give you the opportunity to review our recommendation and provide feedback, if necessary, prior to its submittal to the SRBA Court.

Please feel free to contact me at 334-2190 if you have any questions.

Respectfully submitted,

Kimberly Brown
Water Resource Agent

Enclosures



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

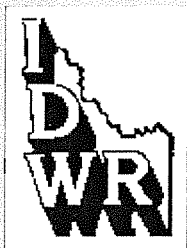
MICROFILMED

SEP 14 1992



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

Assumptions

POD corresponds to Right ID

Invoice

2000-055-01

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

Linked
Photos

EPE (ft)	Date (M/D/Y)	Time	Flow Rate (CFS)
17 (LH)	12/8/01	13.50	0.00

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

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

Diameter

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

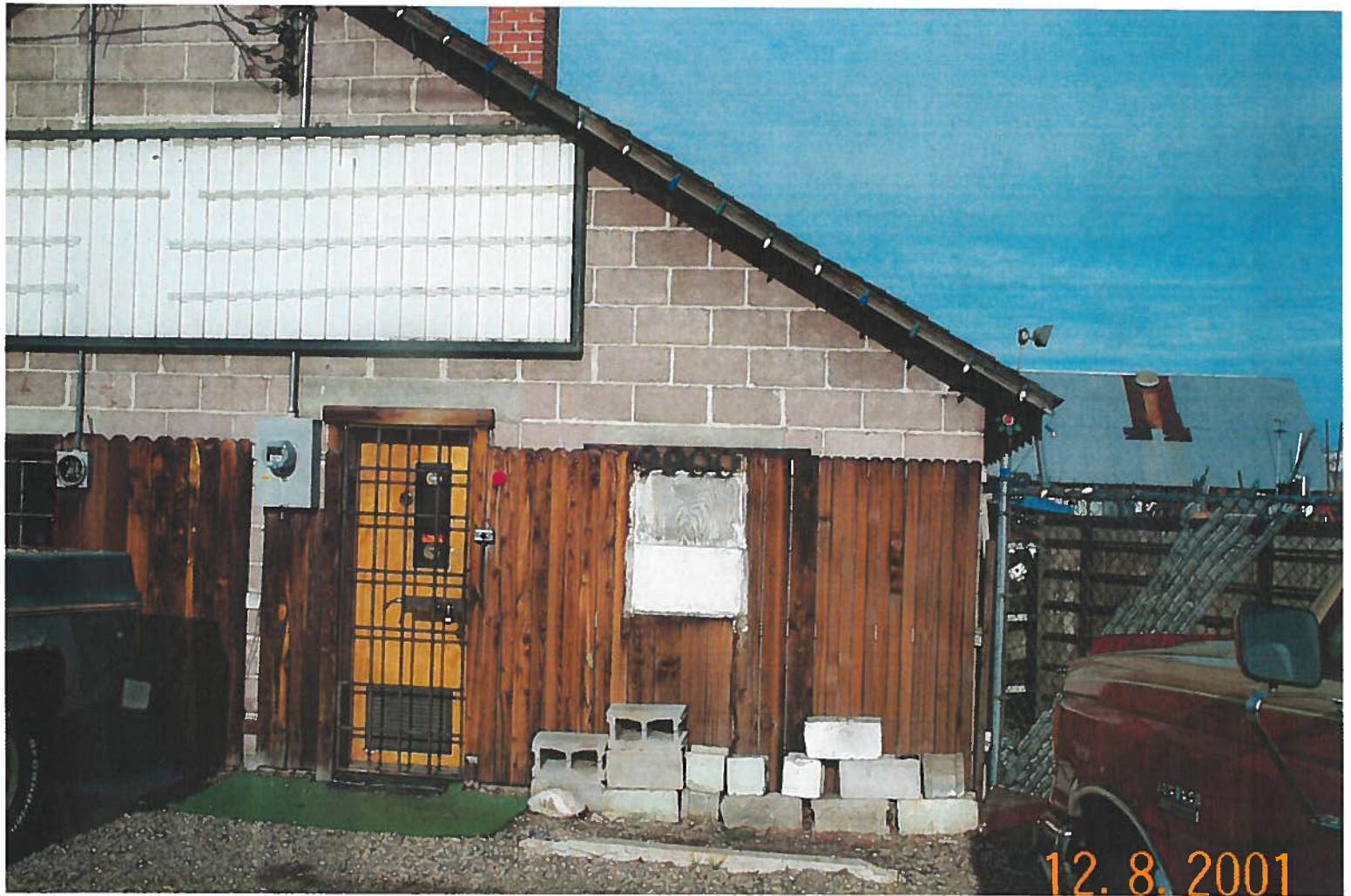
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RIGHT ID

63 25742

65-20142



63- 25742





IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

25740

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

Diversion Description

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

located on south side of Chinden

Assumptions

POD corresponds to Right ID

Invoice

2000-055-01

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

Linked

sa Photos\233661e.jpg

Photos

sa Photos\233661d.jpg

EPE (ft)

20 (LH)

Date (M/D/Y)

12/8/01

Time

13.30

Flow Rate (CFS)

0.00

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

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

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity

0

☐ Orifice

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

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning

(If used, include photo of representative channel section)

Channel Slope

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

Pumped System

HP 0

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

New Contact Comments

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

RIGHT ID

63 25742

63- 25742



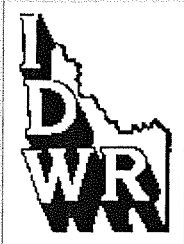
63- 25742





IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63



RIGHT ID 63 25740
POD ID 233661.1
Quad Eagle 5
Claim Type Small
Easting 314160
Northing 286649
GPSID A0013227

Diversion Description

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

located on south side of Chinden

Assumptions

All three PODs correspond to the same claim.

Invoice #

2000-055-01

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

Linked

ja Photos\233661b.jpg ja Photos\233661d.jpg Ba Photos\233661f.jpg

Photos

ja Photos\233661c.jpg ja Photos\233661e.jpg ja Photos\233661g.jpg

EPE (ft)

25 (LH)

Date (M/D/Y)

12/8/01

Time

13.30

Flow Rate (CFS)

0.00

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

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

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

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

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

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

Channel Slope 0

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

Pumped System

HP 0

Pressure Head (psi) 0

Elevation Head (ft) 0

Motor Mfg 0

Motor Serial # 0

Pump Type 0

Pump Mfg 0

Pump Serial# 0

New Contact Information

New Contact Comments

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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