

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

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2-4020, 2-7426
Preliminary Report
NO SUCH
NUMBER

IDA ANNA SMITH
HC 79 BOX 39



06/10/2003

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

RIGHT NUMBER: 2-7426

NAME AND ADDRESS: IDA ANNA SMITH
HC 79 BOX 39
MELBA ID 83641

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.600 CFS
135.000 AFY

Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.

PRIORITY DATE: 02/25/1988

POINT OF DIVERSION:

T01S R02W S35 NWNE Lot 2 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.600 CFS
135.00 AFY

PLACE OF USE: IRRIGATION Within OWYHEE County

T01S R02W S35 Lot 2 NWNE	4.0	T01S R02W S35	SWNE	3.0
T01S R02W S35 Lot 3 NENW	5.0	T01S R02W S35 Lot 4 NWNW		1.0
T01S R02W S35	SWNW	2.0	T01S R02W S35	SENW 15.0

30 ACRES TOTAL

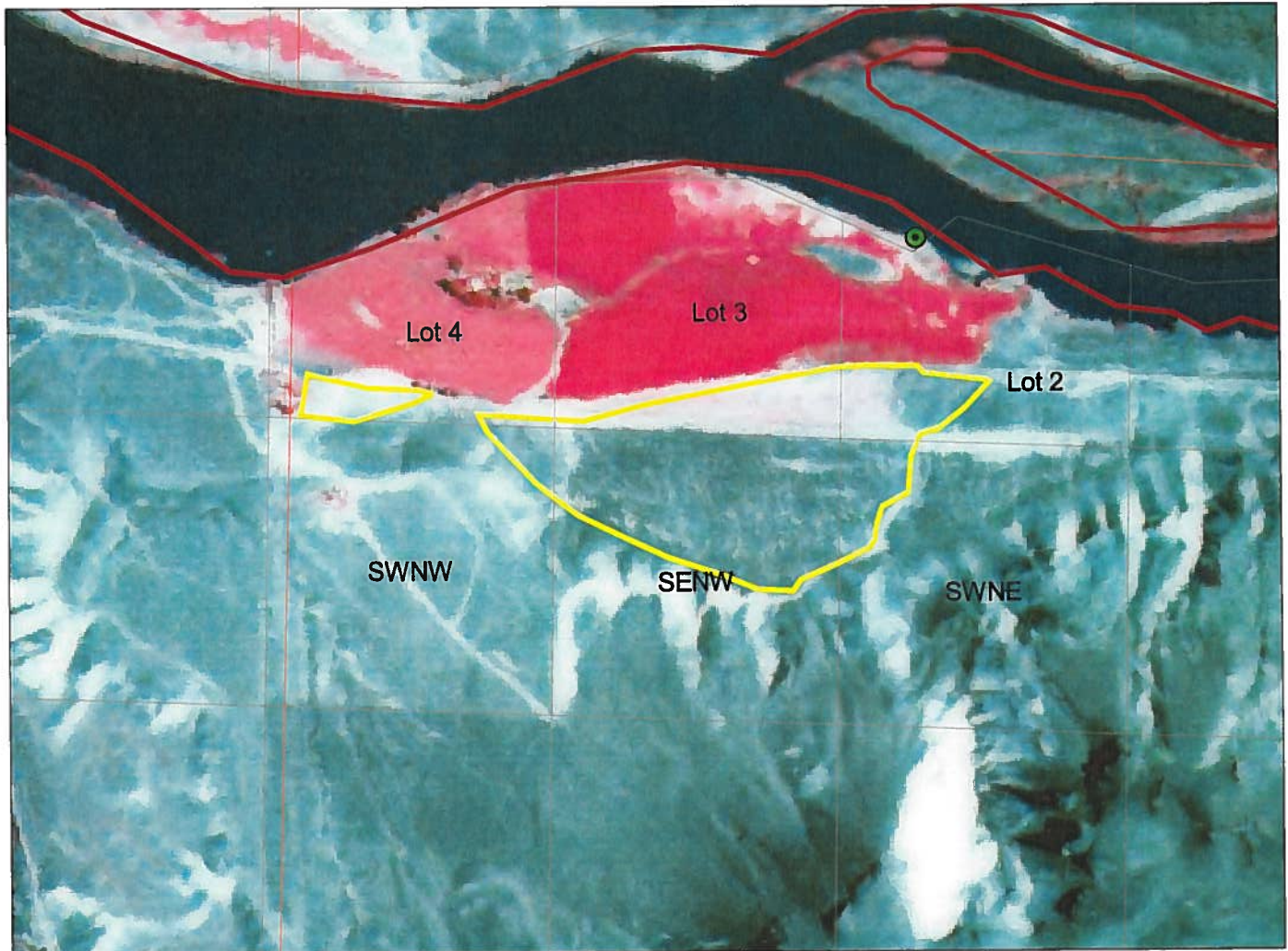
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: License

Idaho Department of Water Resources

Place of Use Layout 2-7426



0 0.25 0.5 Miles

Township 1S Range 2W Section 35

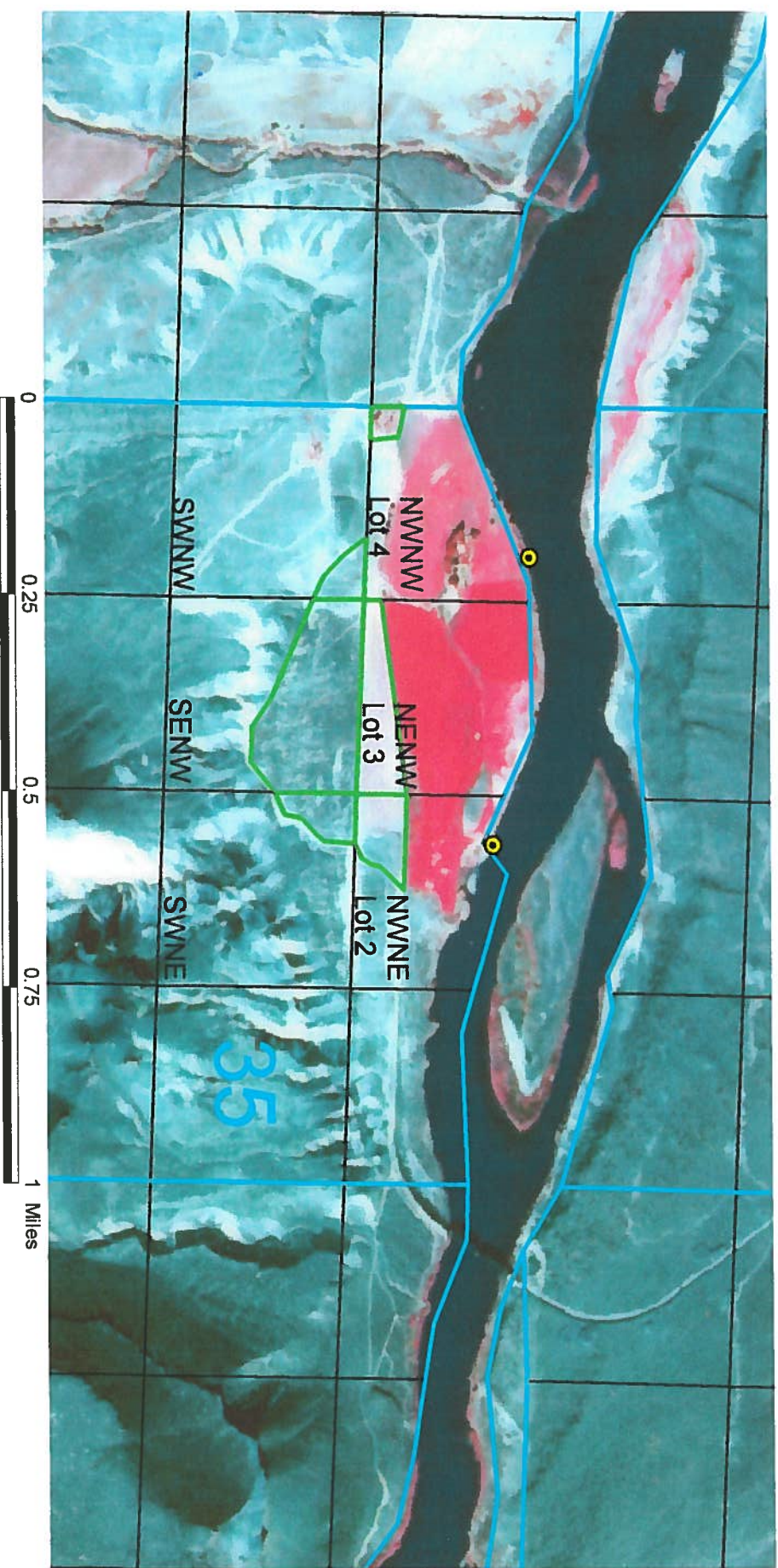


GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: Scott King
Date prepared: May 30, 2003

	Point of Diversion
	Place of Use
	PLSS Township
	PLSS Section Lines
	PLSS quarter-quarter lines

Idaho Department of Water Resources

1987 Napp Photo



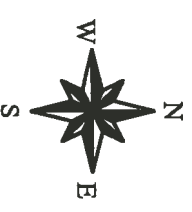
Claim Number: 02-07426
Legal: T01S, R02W, S35
Reviewed By:

 Point of Diversion

 Place of Use

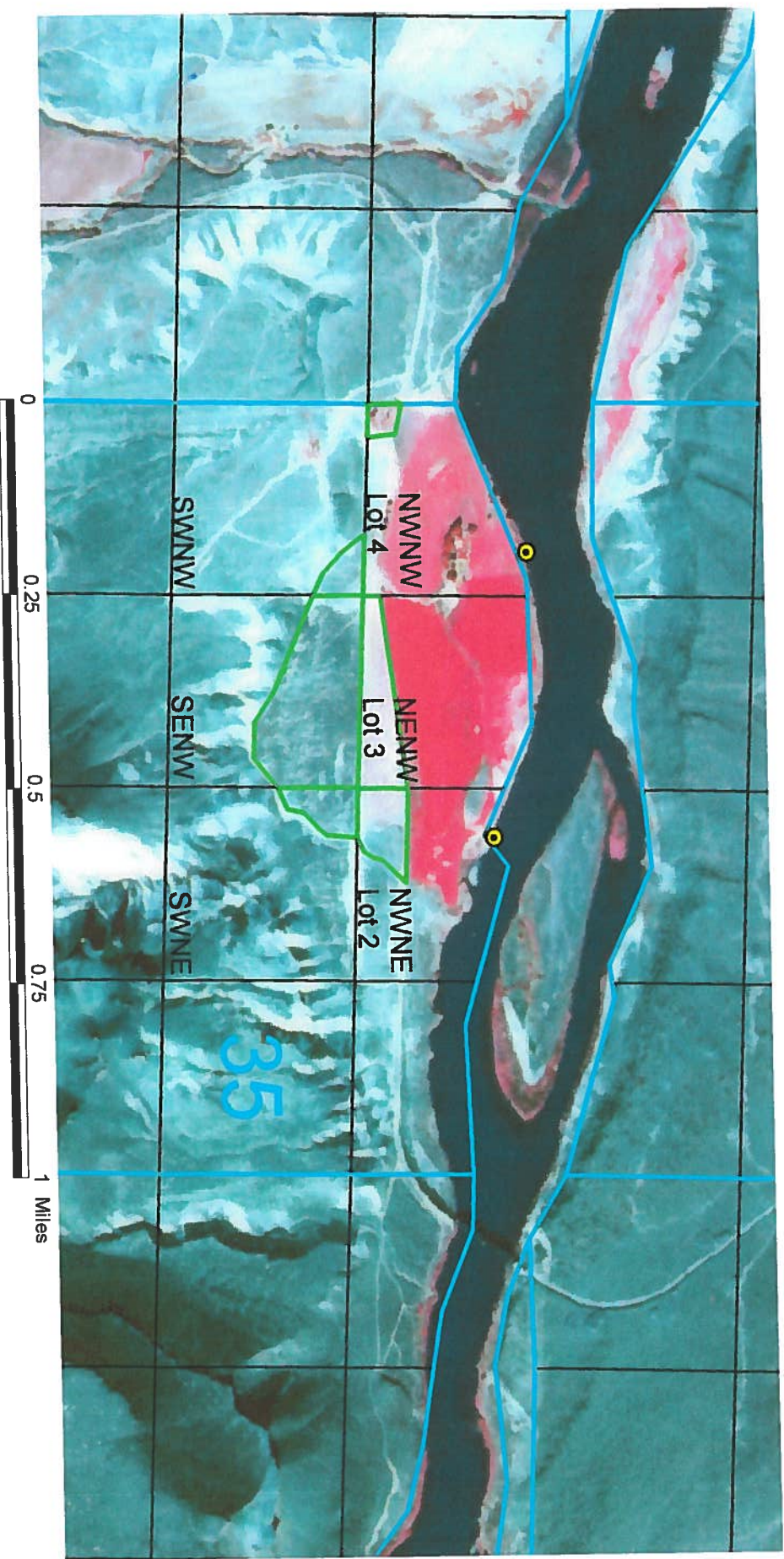
 Section Lines

 Quarter Quarter Lines



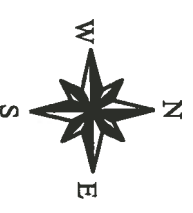
Idaho Department of Water Resources

1987 Napp Photo



Claim Number: 02-07426
Legal: T01S, R02W, S35
Reviewed By:

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

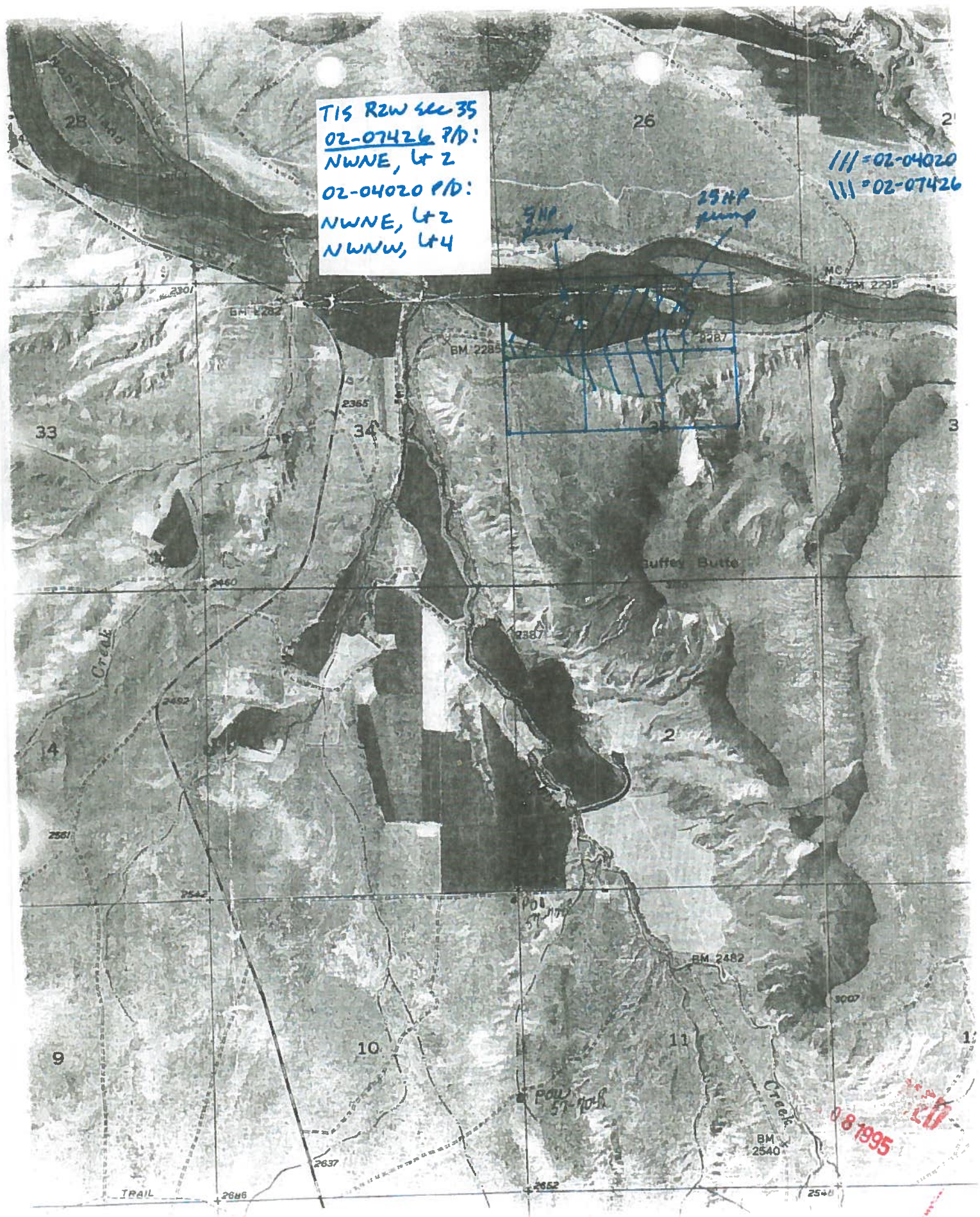


T1S R2W SEC 35
02-07426 P/D:
NWNE, Lt 2
02-04020 P/D:
NWNE, Lt 2
NWNW, Lt 4

/// = 02-04020
/// = 02-07426

5 HP pump

25 HP pump



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-07426

Date: _____

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	1S	2W	35		-2 10	10				10	10									40
GIS					3.9	3		6.8	1	2	17									33.7
License					-2 4	3		-3 5	-4 1	2	15									30
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's _____

Total Claimed Acres: 40

Overlapping FOU Claim #'s: _____

Total GIS Acres: 33.7

COMMENTS:

claimant does not own all land claimed, digitized per map
from original WR file

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07426

Priority: February 25, 1988

Maximum Diversion Rate:

0.60 CFS

Maximum Diversion Volume:

135.0 AF

This is to certify, that IDA ANNA SMITH

HC 79 BOX 39

MELBA ID 83641

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 25, 1988; and has submitted Proof of Beneficial Use on May 9, 1990. An examination indicates that the works have a diversion capacity of 0.890 cfs of water from:

SNAKE RIVER

tributary to COLUMBIA RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.60 CFS	135.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2 (NWNE), Sec. 35, Township 01S, Range 02W
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	02W	35	Lot 2 (NWNE)	3	Lot 3 (NENW)	5
			Lot 4 (NWNW)	2	SENW	15

Total number of acres irrigated: 30

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
6. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.

MICROFILMED
SEP 19 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07426

CONDITIONS/REMARKS:

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 19TH day of July, 1995.

Acting for


KARL J. DREHER, Director



MICROFILMED
SEP 19 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 12, 1990

RECEIVED
OCT 15 1990

Department of Water Resources
Western Regional Office

Ida Anna Smith
HC 79, Box 39
Melba, ID 83641-0000

RE: Snake River Basin Adjudication (SRBA)
Owyhee County, Claim #A02-074265

Dear Mrs. Smith:

Notice of the change in ownership of the above-referenced water right has been received. The Claim to Water Rights records of the Department have been changed to reflect such notice.

A claim prepared from the Agency's computer is enclosed for your review and records. If you find the address is incorrect, please contact us. We wish to be sure that you are aware that you are under no statutory or court-ordered obligation to file a Notice of Claim on this water right. Only those water rights which were in existence as of, or prior to, November 19, 1987, are required to file such a notice. Because your priority date is February 25, 1988, you are under no obligation to file a claim.

You may withdraw this claim and receive a refund of the filing fees, if you choose. I have enclosed a Request for Withdrawal for your possible use.

Yours truly,

John D. Carlson
Adjudication Supervisor

JDC:sf:state:west

Enclosures:

Claim #A02-07426

Request for Withdrawal

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AUG 10 1992

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: A02-07426
Date Received: 10/11/1988
Receipt No: W001082
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PHILIP SMITH 208-495-2620
Address: HC 79, BOX 39
MELBA, ID 83641-0000

OR

Name: IDA ANNA SMITH 208-495-2620
Address: HC 79, BOX 39
MELBA, ID 83641-0000

2. Date of Priority: FEB 25, 1988

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	02W	35	NW	NE		2	OWYHEE
			NW	NW		4	OWYHEE

5. Description of diverting works:
25 HP PUMP & 10 HP PUMP TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		

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

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	02W	35	NW NE	2	IRR	10.0
			SW NE		IRR	10.0
			SW NW		IRR	10.0
			SE NW		IRR	10.0
Section Acres						40.0
Total Acres						40.0

Not Covered

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

CLAIM NO. A02-04020, SAME P.D., DIFFERENT LANDS.

14. Remarks:

NONE

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A02-07426
Date Received: 10/11/1988
Receipt No: W001082 \$90
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PHILIP SMITH 208-495-2620
Address: HC 79, BOX 39
MELBA, ID 83641-0000
OR
Name: IDA ANNA SMITH 208-495-2620
Address: HC 79, BOX 39
MELBA, ID 83641-0000

2. Date of Priority: FEB 25, 1988

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	02W	35	NW	NE		2	OWYHEE
			NW	NW		4	OWYHEE

5. Description of diverting works:
25 HP PUMP & 10 HP PUMP TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		

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

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A02-07426

Page 1

Date: 10/11/88

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AUG 10 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	35	NW	NE	2	IRR	10.0
			SW	NE		IRR	10.0
			SW	NW		IRR	10.0
			SE	NW		IRR	10.0
						Section Acres	40.0
						Total Acres	40.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

CLAIM NO. A02-04020, SAME P.D., DIFFERENT LANDS.

14. Remarks:

NONE

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: 2

For Individuals:

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

Signature of Claimant(s): Ila Anna Smith Date: 10-11-1988

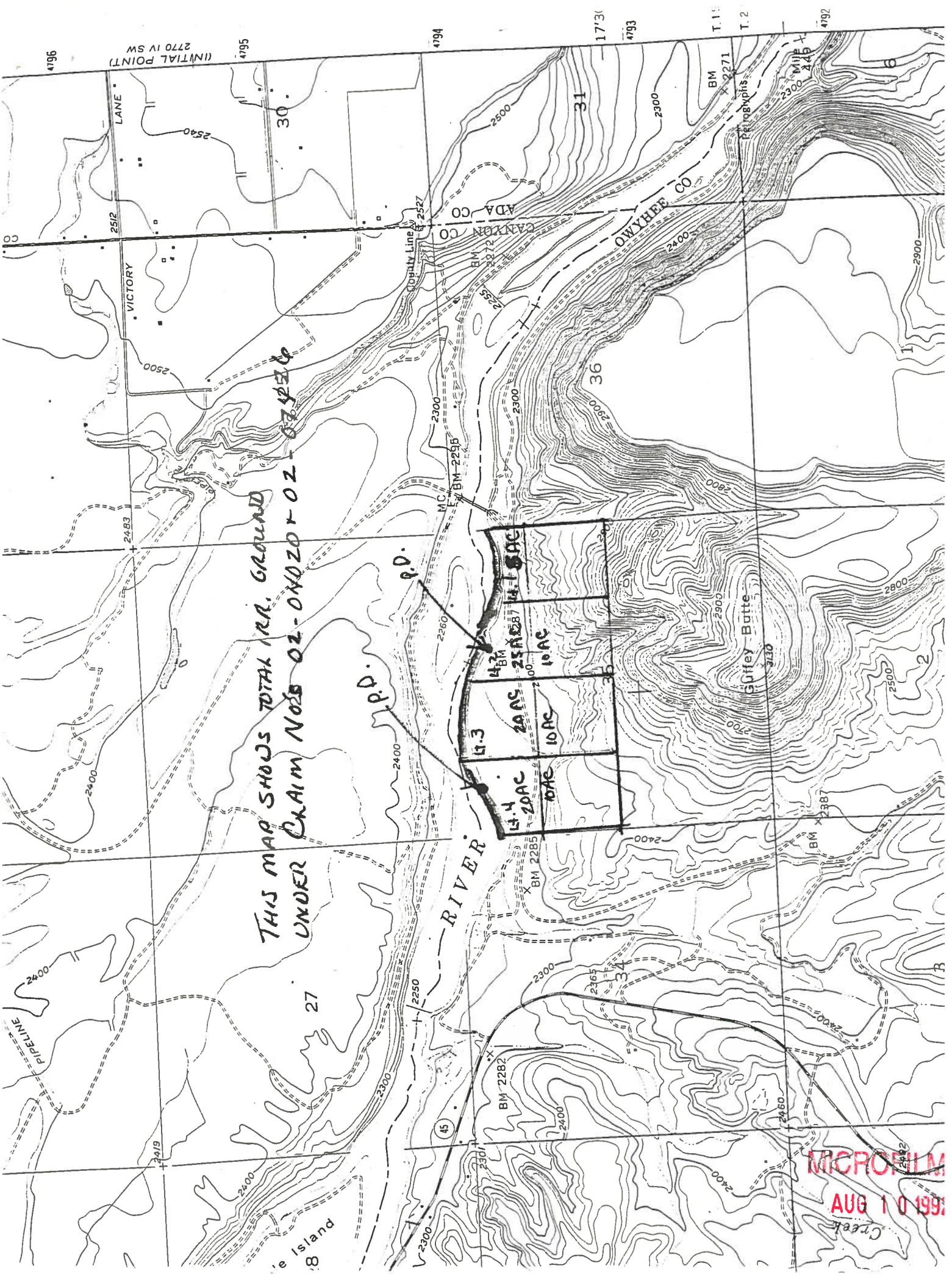
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of October 19 88
Jan Thunte
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94

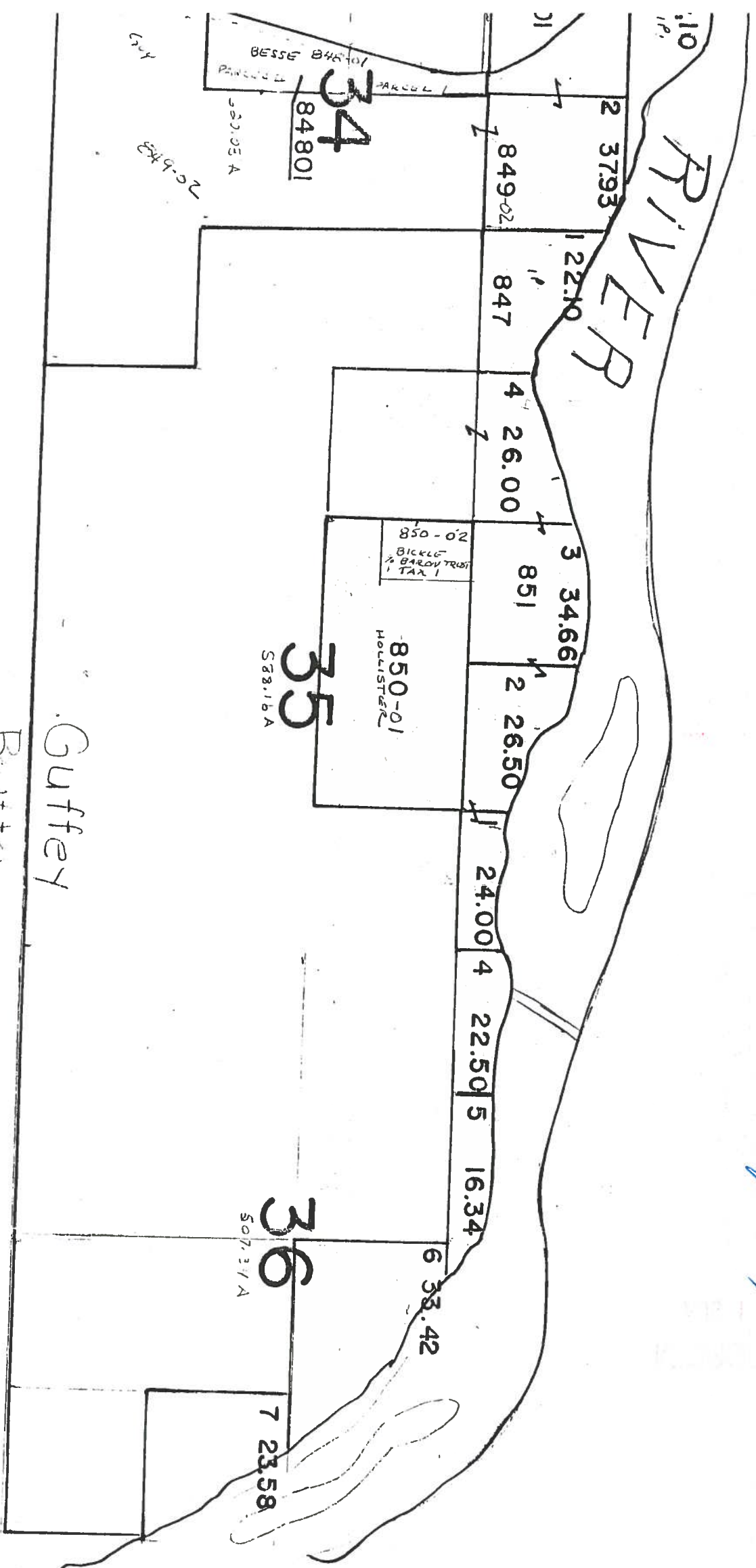


THIS MAP SHOWS TOTAL RA. GROUND
CLAIM NOS 02-0NDZ0R-02-074230

RIVER

MICROFILM
AUG 10 1991

Obtainments map showing Post. lots & acreage in the lot (not all are indicated) see type map.



CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): A02-07426

[] Name and Address of
Former Claimant(s): PHILIP SMITH - IDA A. SMITH

[] New Claimant(s): IDA A. SMITH

[] New Mailing Address: SAME - HC 79 BOX 39
WIELBA ID 83641

SAME
New Telephone Number: (208) 495-2620

[] Does the change in ownership result in a splitting of the
water right claimed? yes ✓ no
If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached:
(Proof of ownership must describe either the property
conveyed or include the claim number. Proof of ownership is
not required if this form is signed by the former claimant.)

[] Signature of New Claimant(s): Ida Anna Smith

Date: _____

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AUG 10 1992

CHANGE IN OWNERSHIP

Page 2

[] Signature of Former Claimant(s): _____

Date: _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry *SF*

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

*gpc 10/11/90 while deed does not reflect ownership of SW NE
and SE NW, Permit 02-07426 is filed for same land, (proof made
5/9/90) and claims ownership.*

After form has been completed, please return to the nearest
IDWR office below:

WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705
(208) 334-2190

EASTERN REGIONAL OFFICE
150 SHOUP SUITE #15
IDAHO FALLS, IDAHO 83402
(208) 525-7161

STATE OFFICE
1301 N. ORCHARD ST.
STATEHOUSE MAIL
BOISE, IDAHO 83720
(208) 327-7906

SOUTHERN REGIONAL OFFICE
222 SHOSHONE STREET EAST
TWIN FALLS, ID 83301
(208) 734-3578

NORTHERN REGIONAL OFFICE
1910 NORTHWEST BLVD. SUITE 210
COEUR D'ALENE, IDAHO 83814
(208) 765-4639