

2000 MAR 16 PM 02:00
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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 02-10119

RECEIVED

NAME AND ADDRESS: LARRY R SMITH
PAT SMITH
RT 1 BOX 25
KING HILL, ID 83623

MAR 17 2000

Department of Water Resources

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1920

POINT OF DIVERSION: T05S R11E S08 LOT 02 (SWSW) (Instream Ending Point) Within Elmore County
S17 LOT 03 (SWNE) (Instream Beginning Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Stockwater	Within Elmore County
	T05S R11E S08 LOT 02 (SWSW)	LOT 02 (SESW)
	S17 LOT 02 (NWNE)	LOT 03 (SWNE)
	LOT 02 (NENW)	

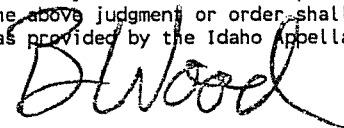
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A02-10119
Date Received: 5/25/1993
Receipt No: W016305
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: LARRY R SMITH
Address: RT 1 BOX 25
KING HILL ID

208-366-2093

83623

OR

Name: PAT SMITH
Address: RT 1 BOX 25
KING HILL ID

208-366-2093

83623

2. Date of Priority: DEC 31, 1920

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
----------	-------	---------	--------	--------	-----	-----	--------

Beginning Point of Instream Flow							
05S	11E	17	SW	NE			ELMORE

Ending Point of Instream Flow							
05S	11E	8	SW	SW			ELMORE

5. Description of diverting works:
NONE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.050		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER, 100 COWS, 10 HORSES

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	11E	8	SW		SW		STOCK	
			SE		SW		STOCK	
		17	NW		NE		STOCK	
			SW		NE		STOCK	
			NE		NW		STOCK	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:
INSTREAM STOCKWATER USE

15. Basis of Claim: BENEFICIAL USE

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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

Renumbered to A02-10119

Ident. Number: **A51-10392**

Date Received: 5/25/1993

Receipt No: W016305

Received By: Rob

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY R SMITH 208-366-2093
Address: RT 1 BOX 25
KING HILL ID 83623
OR
Name: PAT SMITH 208-366-2093
Address: RT 1 BOX 25
KING HILL ID 83623

2. Date of Priority: DEC 31, 1920

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
Beginning Point of Instream Flow							
05S	11E	17	SW	NE			ELMORE
Ending Point of Instream Flow							
05S	11E	8	SW	SW			ELMORE

5. Description of diverting works:
NONE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 100 COWS, 10 HORSES

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	11E	8	SW		SW		STOCK	
			SE		SW		STOCK	
		17	NW		NE		STOCK	
			SW		NE		STOCK	
			NE		NW		STOCK	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:
INSTREAM STOCKWATER USE

15. Basis of Claim: BENEFICIAL USE

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)
) SS.
County of _____)

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 ASI-10392Date Received 5/25/93Receipt Number W016305

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Pat or Larry R. Smith Phone (208) 366-2093Mailing Address Rt 1, Box 25, King Hill, Id Zip 836232. Date of Priority (Only one (1) per claim) Dec 31, 19203. Source of water supply (a) Snake River
which is tributary to (b) COLUMBIA RIVER4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

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

Township 5S Range 11E Section 17, _____ 1/4 of SW 1/4 of NE 1/4,Govt. Lot _____ B.M., County of Elmoreending point is: Township 5S Range 11E Section 8, _____ 1/4 of SW 1/4 ofSW 1/4, Govt. Lot _____ B.M., County of Elmore5. 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. None

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For stock water purposes from 1 Jan to 31 Dec amount .05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .05 (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.) Stockwater - 100 Cows, 10 horses

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
55	11E	8											S	S					
		17		S	S		S												

Total number of acres irrigated NA

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

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.
_____ or None (X)

14. Remarks: In stream stockwater use

Last Name Smith Ident No. _____

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Copies: White - State, Yellow - Claimant
JUL 08 1994

Scale: 2 inches equals 1 mile

A 16x16 grid of squares. Each square contains a crosshair pattern formed by two dashed lines intersecting at the center. The grid is composed of 16 columns and 16 rows of these squares.

Ident No.

Copies: White-State, Yellow-Claimant

~~MICROFILMED~~

~~Allow Claimant~~

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

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) Larry R. Smith Date 5-25-93

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or IDAHO)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 25th day of May 19 93

SEAL

Notary Public Ron Howerton

Residing at Ron Howerton

Residing at Boise, Idaho

My Commission Expires December 8, 1994

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name Smith Ident. Number _____

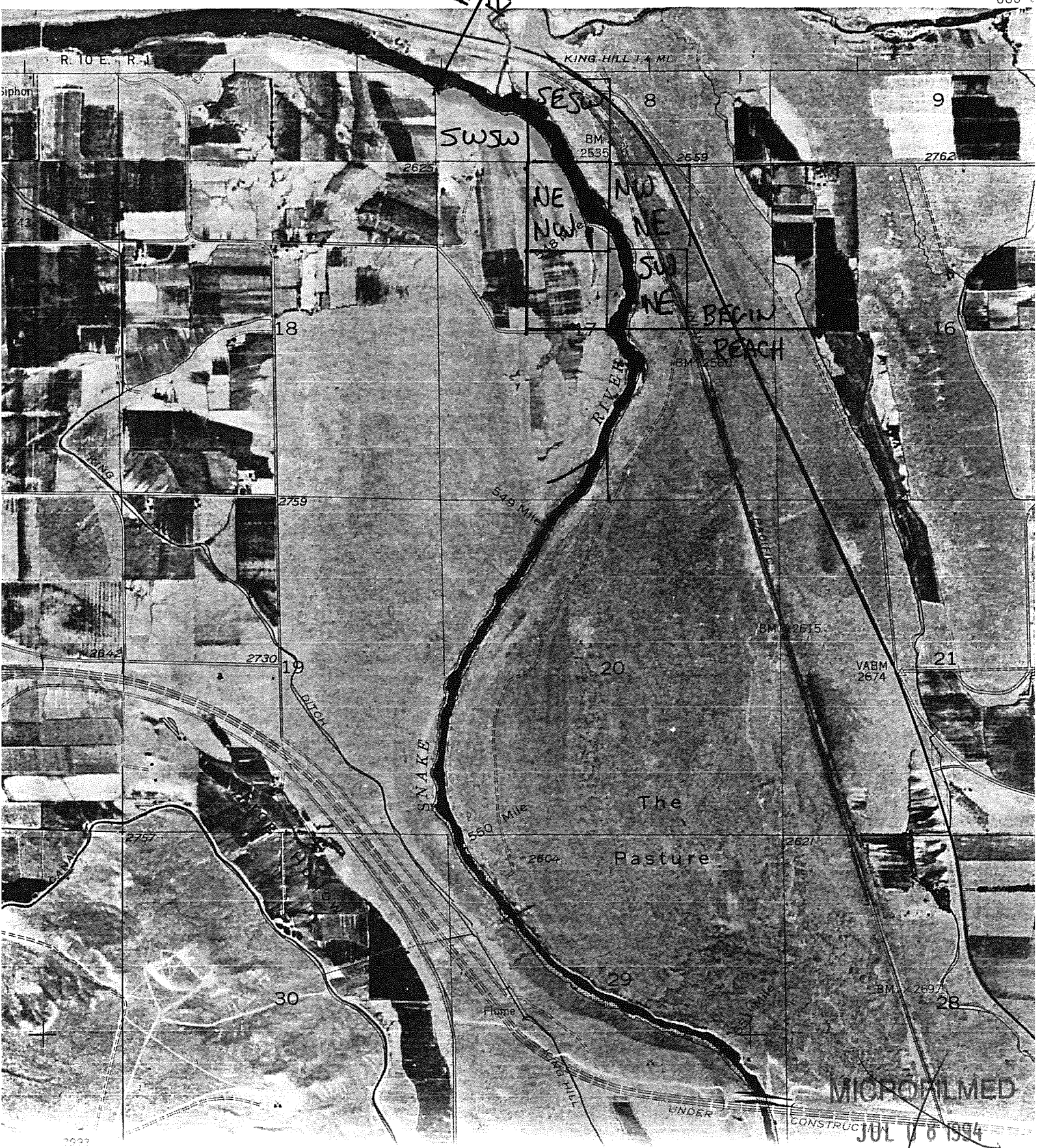
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Copies White-State, Yellow-Claimant

POOR ORIGINAL

IOE RIEE

END
REACH



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JUL 16 1994

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. R02-10119

OWNER NAME & ADDRESS
C LARRY R SMITH
C PAT SMITH
RT 1 BOX 25
KING HILL ID 83623
(208) 366-2093

PRIORITY DATE
12/31/1920

WATER USE
STOCKWATER

USE PERIOD FROM TO
01-01 12-31

DIVERSION RATE
0-05 CFS

DIVERSION VOLUME
0.02

TOTAL DIVERSION:
0-05 CFS

Water Source: SNAKE RIVER
Tributary to: COLUMBIA RIVER
Stage: BENEFICIAL USE
ELMORE County
ELMORE County

Point(s) of Beginning Stream Reach: T05S R11E S17
Point(s) of Ending Stream Reach: T05S R11E S08

Place of use Legal Description for: STOCKWATER
NE NW SW SE
NENE NWNE SWNE SENE : NENW NWNW SNNW SENW : NESW NUSW SWSW SESW : NESE NWSE SWSE SESE :
T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac :
05S 11E 8 :
05S 11E 17 :
POU County: ELMORE

Non-Irrigation Use: STOCKWATER, 100 COWS, 10 HORSES

Other Rights: NONE

Remarks: EXP PARCEL NO. 05S11E086210

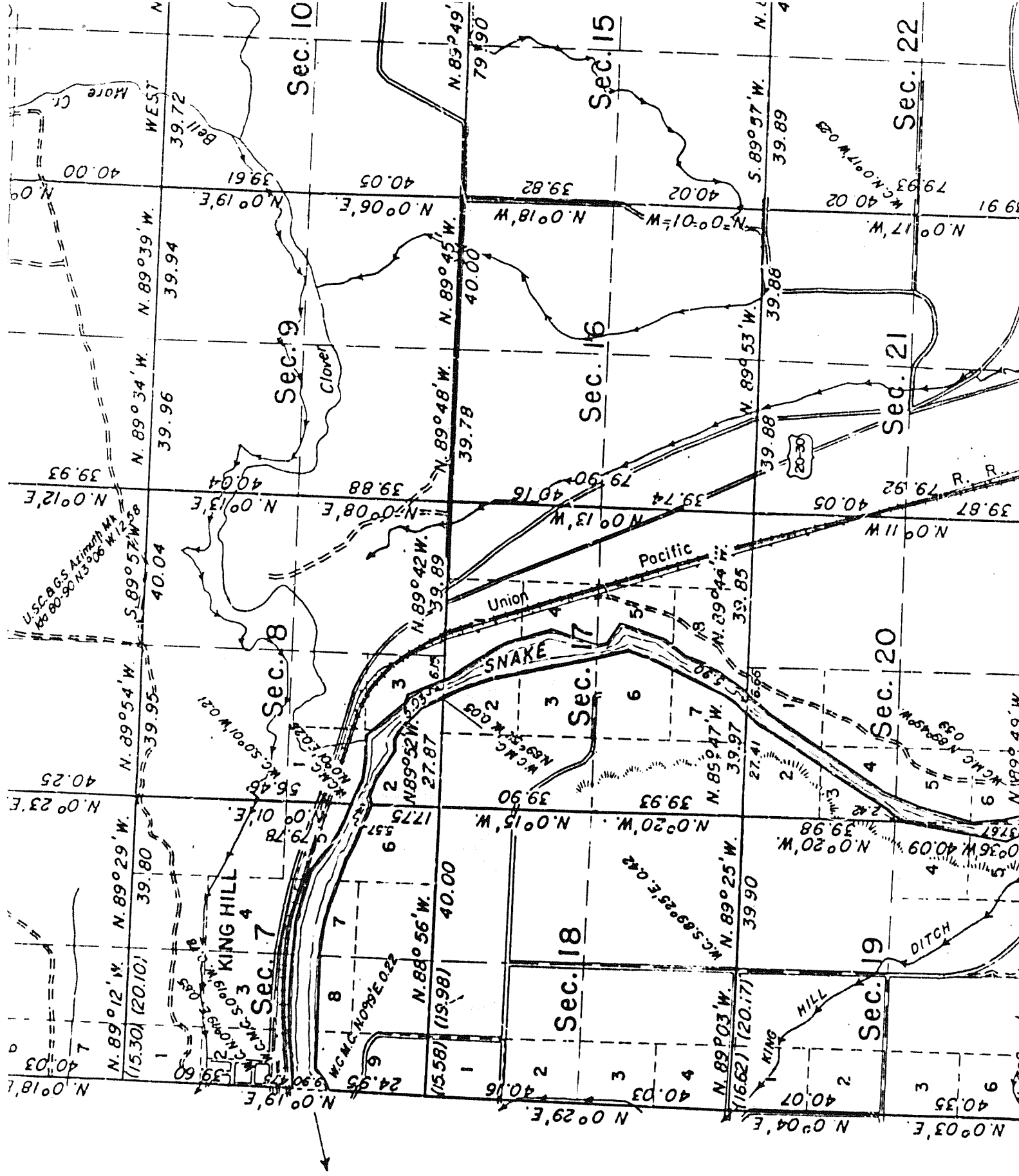
Dates: Exam Made Date: Verified Date: 08/22/1994 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Comments: Date: 01/20/1994 User-ID: DUNN1 Subject: COPIED FROM REMARKS
INSTREAM STOCKWATER USE

Audit: 05/12/94 SHAFF 08/22/94 DSHAFF 03/30/95 POST-STD

211, 213



55-11E



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

May 13, 1994

LARRY R SMITH
RT 1 BOX 25
KING HILL ID 83623

Re: Snake River Basin Adjudication (SRBA)
Elmore County - #A02-10119
Identification Number Change

RECEIVED

MAY 16 1994

WATER RESOURCES
WESTERN REGION

Dear Claimant:

The Identification Number to your Water Right has been changed from #A51-10392 to #A02-10119. This change does not affect your claim in any other way. A copy is enclosed for your records. Please use the new number in future inquiries or correspondence you may have with our Department.

Do not hesitate to contact this office if you have any questions or concerns.

Sincerely,

A handwritten signature in cursive script that reads 'Roxanne McCarthy'.

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:sf:region

Enclosure:

Copy of Notice of Claim #A02-10119

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AUG 16 1994

ENTER AS R02-10/19

WATER RIGHT NUMBER ~~451-10392~~ 402-10/19
LAST NAME ~~SMITH~~ FIRST NAME ~~SMITH~~ ADDRESS ~~SMITH~~ OLD (0) NUMBER -

*** C - CURRENT OWNER ***
SMITH

LARRY R

SMITH

PAT

1 - RT 1 BOX 25
2 -
3 -
CITY- KING HILL
PHONE - 208-366-2093
1 - RT 1 BOX 25
2 -
3 -
CITY- KING HILL
PHONE - 208-366-2093
STATE- ID ZIP- 83623
STATE- ID ZIP- 83623

PRIORITY DATE - 12/31/1920
REGION - 14 WESTERN
STAGE - J - BENEFICIAL USE
STATUS -

SOURCE - SNAKE RIVER
TRIBUTARY - COLUMBIA RIVER

TWN RNG SEC TRACT LOT RFLG COUNTY POINT OF DIVERSION
05S 11E 17 8 SW NE B (39) ELMORE
SW SW E (39) ELMORE
DIVERSION NAME

CODE DESCRIPTION PERIOD FROM PERIOD TO WATER USE
04 - STOCKWATER 01/01 12/31 0.050
DIVERSION RATE DIVERSION VOLUME

TOTAL DIV. RATE - 0.050
TOTAL DIV. VOLUME -
TOTAL DIV. CAPACITY -
TOTAL CONSUMPTIVE USE -
KM USAGE -

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE	CODE	DESCRIPTION	COUNTY
05S	11E	8	SW SW			04	STOCKWATER	(39) ELMORE	
05S	11E	8	SE SW			04	STOCKWATER	(39) ELMORE	
05S	11E	17	NW NE			04	STOCKWATER	(39) ELMORE	
05S	11E	17	SW NE			04	STOCKWATER	(39) ELMORE	
05S	11E	17	NE NW			04	STOCKWATER	(39) ELMORE	

DIVERSION MEANS - NONE
NON-IRRIGATION USE - STOCKWATER, 100 COWS, 10 HORSES
OTHER RIGHTS FOR SAME USE - NONE
INSTREAM STOCKWATER USE
REMARKS

MICHOILMEU
SEP 19 1998

WATER RIGHT NUMBER 402-1019
~~ASI-10392~~

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD WATER RIGHT NUMBERS
OLD WATER RIGHT NUMBERS
NO OLD WATER RIGHT NUMBERS FOUND.
CONDITIONS OF APPROVAL
NO CONDITIONS OF APPROVAL FOUND.

DEGREE PLAINTIFF
DEGREE DEFENDANT
DEGREE DATE

AUDIT FIELDS - 05/27/93 HOWERTON

COMMENTS
NO COMMENTS FOUND

ADJUDICATION RIGHTS DATES AND FLAGS AREA
COURT REPORT FILING
OBJECTION FILED DATE
RESPONSE FILED DATE
CLAIM RECEIVED DATE
PROOF DUE DATE
LICENSED DATE
CLAIMS TAPE ERROR FLAG
FEE EXEMPT FLAG
FIELD INSPECTION MADE
FIELD INSPECTION FLAG
VERIFIED DATE
LAST AMENDED DATE
PROOF MADE DATE
RECEIPT NUMBER
PCU OWNERSHIP FLAG
NAME CONNECTOR
CIVIL CASE NUMBER
OLD CASE NUMBER
OLD JUDICIAL DISTRICT
TEMPORARY RIGHT
WATER DISTRICT
FEDERAL/STATE INDICATOR
PRESUMPTION FLAG
NOTICE OF ERROR FLAG

05 S 11 E 08 6 210

DATA ENTRY
ENTERED 1-20-94
CHECKED 5-8-94

Verified By
Topo Map/Critto-PO
ASCS Map
Watermeter Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
DEC 17 1993

CERTIFIED
DEAN S. 1993
WATER EXAMINER

DATA ENTRY

ENTERED

CHECKED

8-22-94