

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: A61-07236B
Date Received: 12/ 7/1989
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: CARLENE SMITH 208-366-2711
Address: RT 1 BOX 420
GLENNS FERRY ID 83623

2. Date of Priority: JUL 10, 1975

3. Source: WASTE WATER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	10E	18	NW	SE	SE		ELMORE

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.140		
STOCKWATER	11/01	03/31	0.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FROM STREAMBED FOR 400-500 HEAD CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	10E	18	SW	SE		IRR	7.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	7.0
					Total Acres	7.0

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

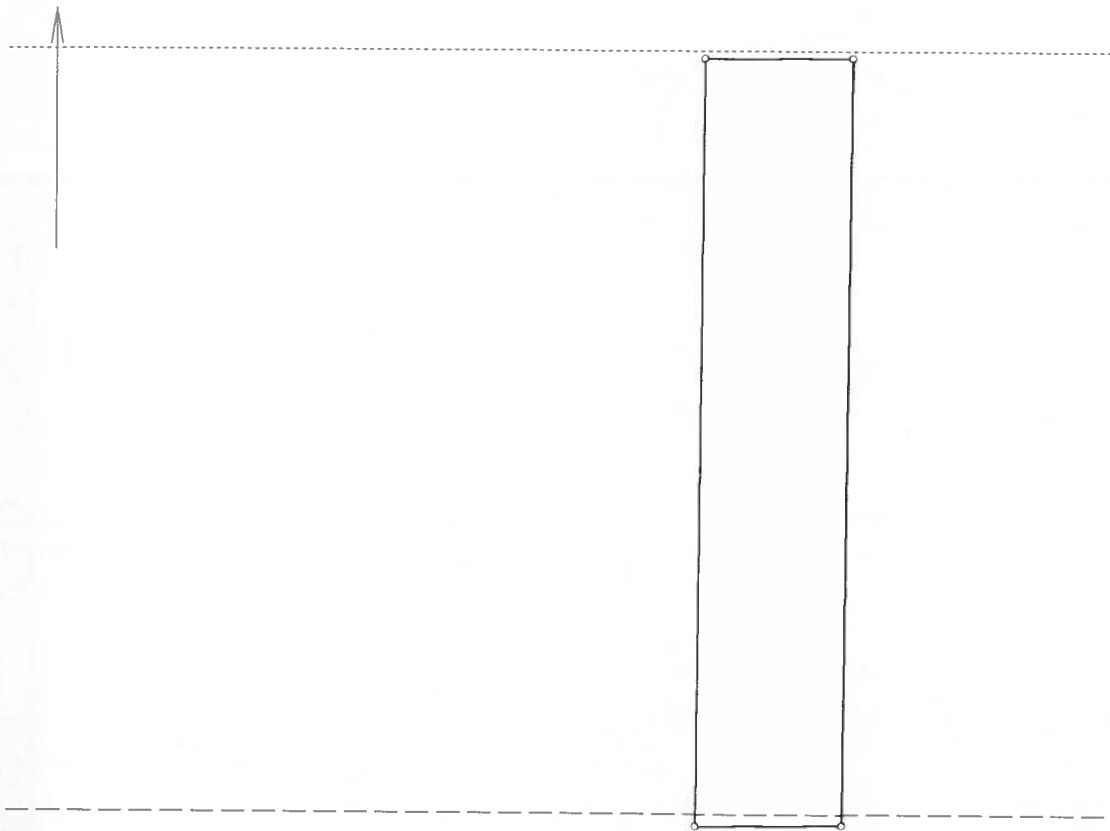
14. Remarks:

The maximum combined rate of diversion under this right & Right 61-2000 from the point of diversion in the SESE, S18, T5S, R10E shall not exceed 1.67 cfs.

DESCRIP. OF DIVERSION WORKS: WATER IS DIVERTED BY MEANS OF A TURBINE PUMP. THE WATER LEVEL IS RAISED BY MEANS OF CEMENT STRUCTURE AND BOARDS PLACED IN THE CREEK. THE PUMP THEN PRESURIZES THE MAINLINE TO SPRINKLE THE GROUND.

THIS PORTION OF THE ORIGINAL CLAIM IS FOR 7 ACRES WITHIN THE ORIGINAL POU.

15. Basis of Claim: LICENSE



Title: Parcel 4B		Date: 11-23-1998
Scale: 1 inch = 332 feet	File:	
Tract 1: 7.795 Acres: 339536 Sq Feet: Closure = s67.2707w 0.01 Feet: Precision =1/619012: Perimeter = 3168 Feet		
001=/se,se,se,18,5s,10e	004=n89.4650e 256.35	
002=/s89.3300w 2680.51	005=s00.3222w 1327.77	
003=n00.2843e 1328.78	006=s89.3300w 254.95	

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

ALB-C-7236

Date Received

12-5-89

Receipt Number

W006865

RECEIVED

DEC 05 1989

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) CARLENE VINER Phone (208) 366-2638Mailing Address RT 1 Box 420 GLENNS FERRY, IDAHO Zip 836232. Date of Priority (Only one (1) per claim) 7-10-19753. Source of water supply (a) WASTE WATER (LITTLE CANYON CREEK)
which is tributary to (b) LITTLE CANYON CREEK4. a. Location of existing point of diversion is: Township 5S Range 10E Section 18,
NW 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of SIMONE

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

WATER IS DIVERTED BY MEANS
OF A TURBINE PUMP. THE WATER LEVEL IS RAISED BY MEANS OF
A CEMENT STRUCTURE AND BOARDS PLACED IN THE CREEK. THE PUMP
THEN PRESURIZES THE MAIN LINE TO SPRINKLE THE GROUND

NOV 11 1989

61-7236

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 1/4 to 1/1 amount 1.0 or _____

For Stockwater purposes from 1/1 to 3/31 amount -10 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.10 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 300/508 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 from the stream bed to water 4-500 head during the non-irrigating season.

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	
5S	10E	13															40	10	50

Total number of acres irrigated 50

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 (✓)

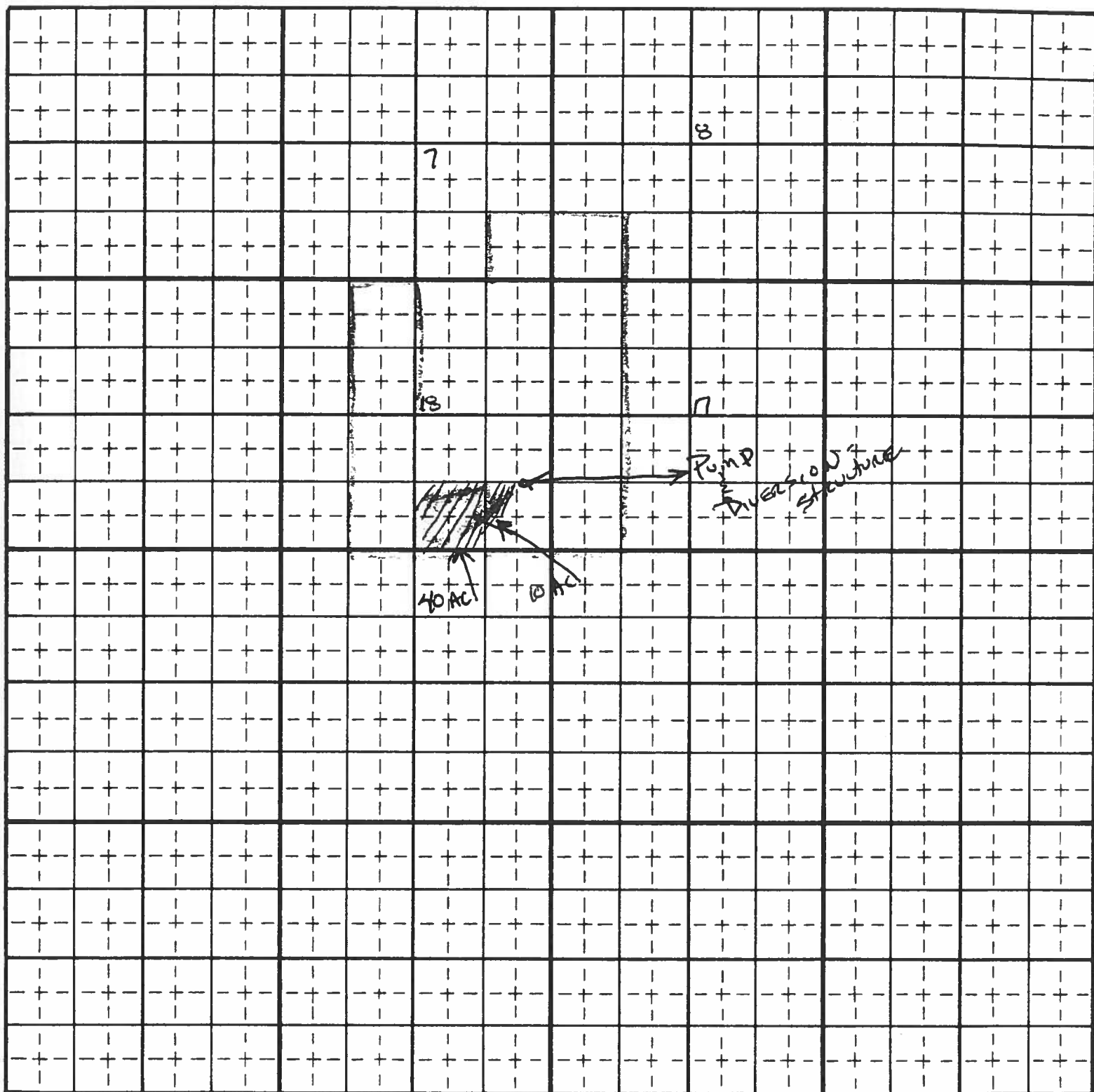
14. Remarks:

Last Name _____ 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



Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit ☒
Decree _____
If applicable provide IDWR Water Right Number 61-7236
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 1

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

Signature of Claimant (s) [Signature] Date 11-30-89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 30 day of November 1989

SEAL

Notary Public [Signature]

Residing at BRUCE A. SULLIVAN, Notary Public

My Commission Expires RECEIVED AT 3706 10403
MY COMMISSION EXPIRES APRIL 11, 1995

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 _____

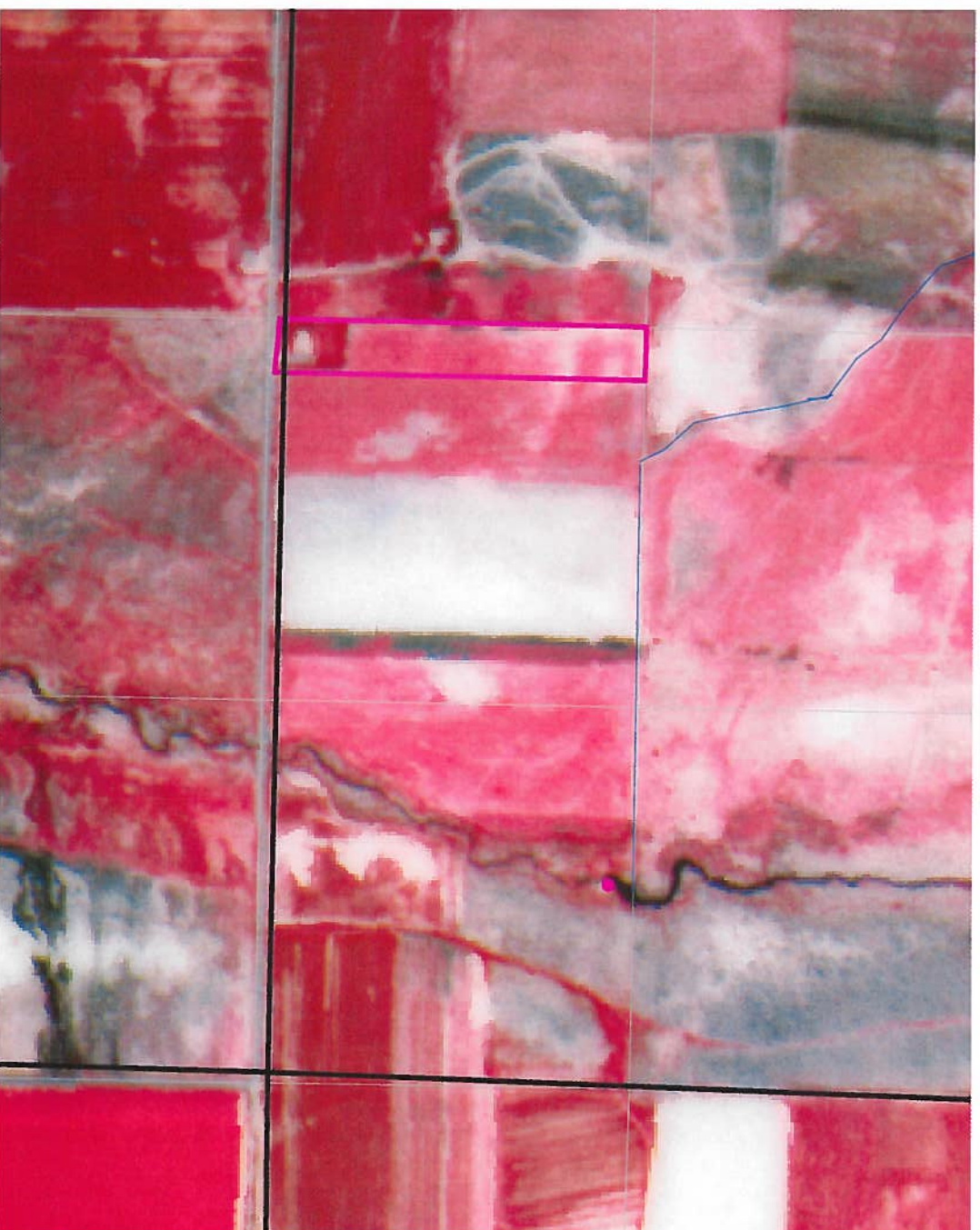
Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

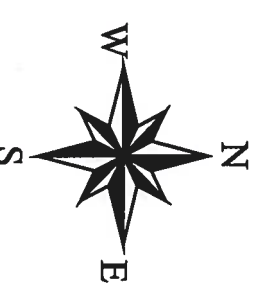
Water Right No. 61-07236B

T05S, R10E

Map Prepared February 18, 1999
By Roxanne Brown for the
Dept. of Water Resources



● Points of Diversion
61-07236B
Sand Springs Gulch



November 20, 1998

NOTICE OF ERROR
REPLY

RECEIVED
DEC 16 1998
Department of Water Resources

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

Water right number: 61-07236B

CARLENE SMITH
RT 1 BOX 420
GLENN'S FERRY ID 83623

Daytime Telephone Number: (208) 366-2711
Evening Telephone Number: Above

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.

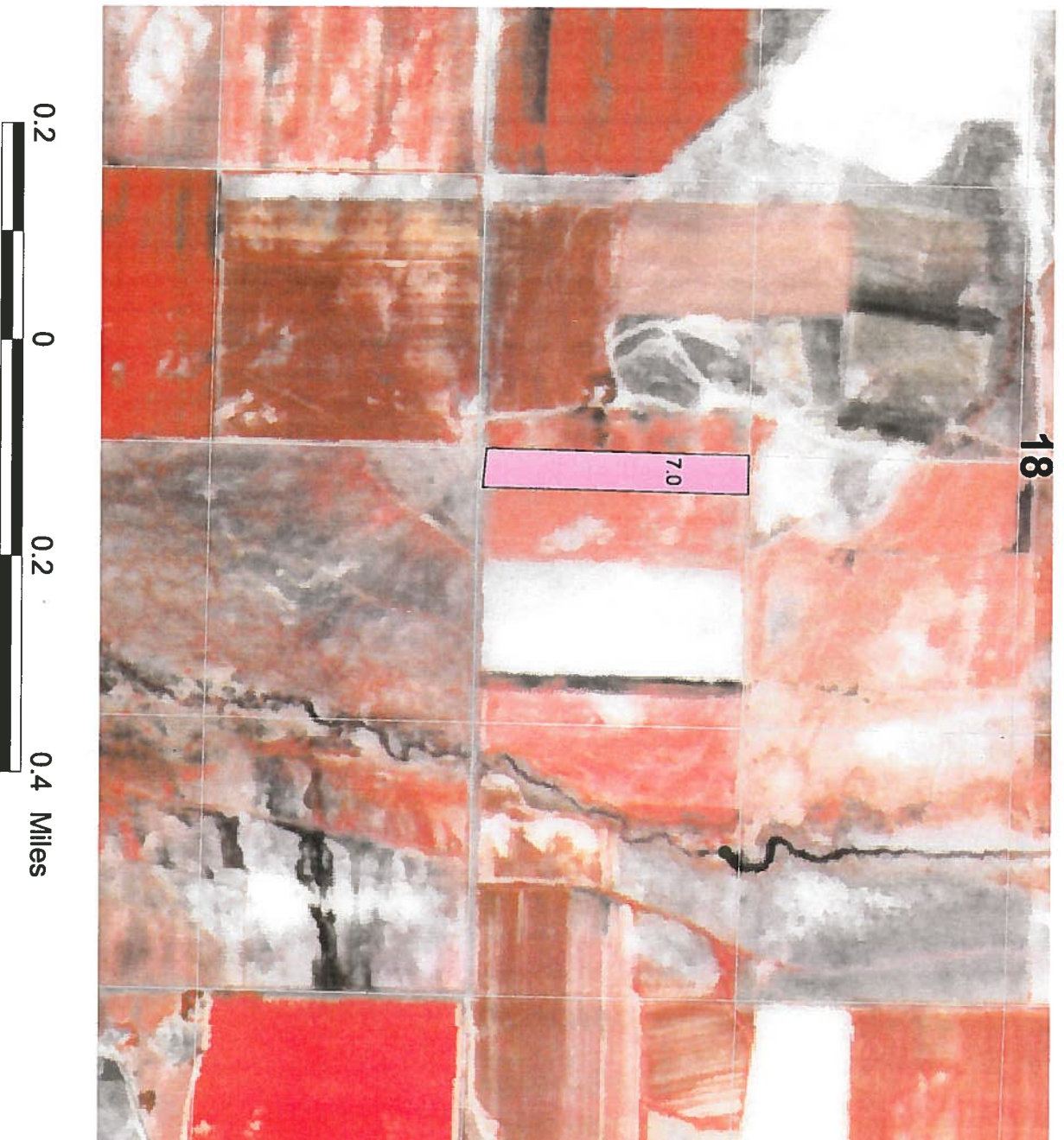
DATE: 12/15/98

SIGNATURE:

Please print your name:

Carlene Smith
Carlene Smith

Claim No.: 61-07236B Smith



Idaho Department
of Water Resources

T05S R10E Sec. 18

Prepared by: Roxanne Brown
December 1, 1998

- Point of Diversion
- Irrigated land
- 40 acre tracts



Water Right Number - R61-072368

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - - + - - - - - Address - - - - - +
*** C - CURRENT OWNER *** CARLENE
SMITH 1 - RT 1 BOX 420
2 -
3 -
City- GLENN'S FERRY
Phone - 208-366-2711
State- ID Zip- 83623

*** O - ORIGINAL OWNER ***
VINER

CARLENE

1 - RT 1 BOX 420
2 -
3 -
City- GLENN'S FERRY
Phone - 208-366-2638
1 - RT 1 BOX 420
2 -
3 -
City- GLENN'S FERRY
Phone - 208-000-0000
State- ID Zip- 83623

VINER

RICHARD P

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
07/10/1975 14 WESTERN L - LICENSE

WASTE WATER

Tributary - - - - -
SNAKE RIVER

+ - - - - Source - - - - - + - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
05S 10E 18 SE SE (39) ELMORE

+ - - Code Description Period From Period To Water Use - - - - - Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.140
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.140 0.0

+ - - - - Place of Use - - - - - Description County
Twn Rng Sec Tract Lot Acres Code
05S 10E 18 SW SE 7.0 01 IRRIGATION (39) ELMORE
Total Acres: 7.0

+ - - Diversion Means - SEE REMARKS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

Prefix Translation: RESEARCH

Remarks

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.67 CRS. COMBINED RIGHT NOS.-:
61-02000A, 61-02000B, 61-07236A

+-----+
No Old Water Right Numbers Found
+-----+
Old Water Right Numbers
+-----+

Conditions of Approval
No Conditions of Approval found.

+ - - - Decree Plaintiff	- - +
+ - - - Decree Defendant	- - +
+ - Decree Date	- +

+-----+
-Comments-
No Comments Found

+ - - Audit Fields - - +
11/23/98 RBROWN

+ + + + + Adjudication Rights Dates and Flags Area + + + + +

Court Report Filing - 00/00/0000
 Objection Filed Date - 00/00/0000
 Response Filed Date - 00/00/0000
 Claim Received Date - 12/07/1989

Field Inspection Made	- 00/00/0000	Civil Case Number	-	39576
Field Inspection Flag	-	Old Case Number	-	
Verified Date	- 00/00/0000	Old Judicial District	-	
Last Amended Date	- 00/00/0000	Temporary Right	- P	
Receipt Number	- XXXXXXX	Water District	-	
POU Ownership Flag	- Y	Federal/State Indicator	- S	
Name Connector	-	Presumption Flag	- C	

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07236

Priority: July 10, 1975 Amount: 1.00 CFS 225.0 AFA

This is to certify, that RICHARD P. VINER

RT. 1 BOX 420

GLENNS FERRY, ID 83623

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated July 10, 1975, and has submitted proof to the Department of Water Resources on April 28, 1981, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 1.670 cfs of water from:

WASTE WATER

tributary to SNAKE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/01 to 11/01	1.00 CFS	225.0 AFA

LOCATION OF POINT(S) OF DIVERSION:

SESE, Sec. 18, Township 05S, Range 10E
ELMORE 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>
05S	10E	18	SWSE 40	SESE 10		50

Total number of acres irrigated: 50

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.
5. The maximum combined rate of diversion under this right & Right 61-2000 from the point of diversion in the SESE, shall not exceed 1.67 cfs.

MAY 12 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 61-07236

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 3rd
day of April, 1939.

Acting for the Director

RECORDED

MAY 18 1939