



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

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This right is limited to the irrigation of 148 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 1114 acres in a single irrigation season. Combined Right Nos.: 22-2184, 22-2230, 22-7075, 22-11147, 22-11149.

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: BASIS OF CLAIM - License

Right No. 22-11149 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

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

The following rights are diverted through points of diversion described above: 22-2184, 22-2230, 22-7075, 22-7507, 22-11147, 22-11149.

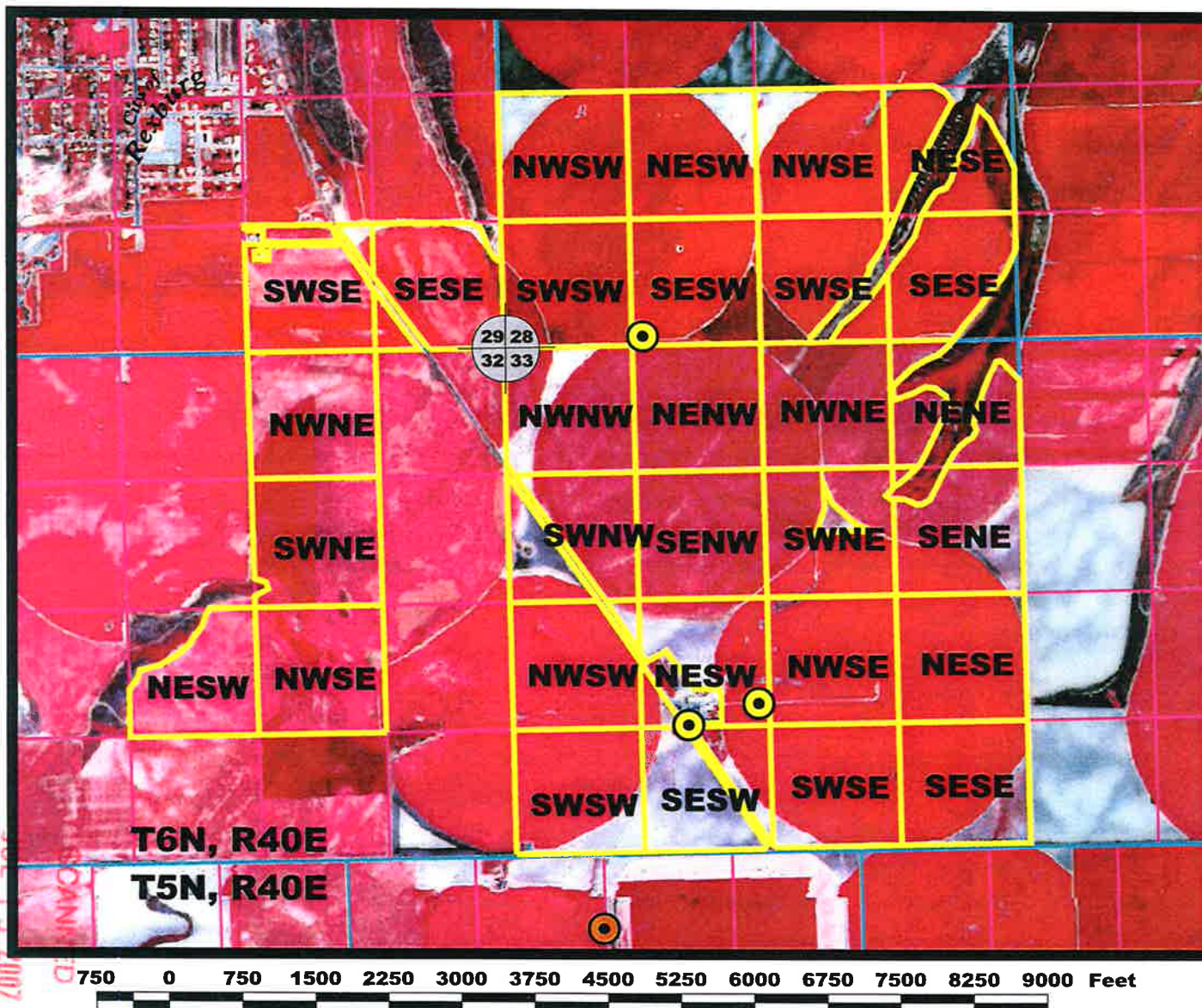
Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



# State of Idaho

## Department of Water Resources

Eastern Region



### Water Right(s):

22-07075, 22-02184,  
22-02230, 22-11147,  
22-11149

### Point(s) of Diversion:

T6N, R40E Sec. 28 SWSESW  
Sec. 33 SENESW, SWNESW

### Place of Use: (parts of)

T6N, R40E  
Sec. 28 S2SE, Sec. 29 S2,  
Sec. 32 W2NE, NESW, NWSE  
Sec. 33 ALL

### LEGEND



Point of Diversion



Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration  
1987/1988 NAPP Photography  
Prepared by: A. Ruberry  
Date: September 2005

Water Right No(s). A22-2184, A22-2230, A22-7507, A22-11147, A22-11149

See Attached photo

**GPS DATA:**

Tag # A0015901 Location: on metal power panel pole  
GPS data - 2681106 GPS File # 222184  
1402489

**Diversion Data:**

Source: Groundwater Trib to: \_\_\_\_\_

**MOTOR**

Make: U.S. Motors Model: \_\_\_\_\_ Hp: 500  
SN: ID# H07-03107247-61-01

**PUMP**

Make: Peerless Model: \_\_\_\_\_ Disch: \_\_\_\_\_  
SN: 201228

**NOTES:**

met with claimant Richard Smith on-site. He verified  
P.O.U maps + addresses + phone #. His cell is 390-7000.  
System is a well + pump thru 10" mainline to pivots.

Field Exam Date: 6-17-2005 Agent: J.W. Jones

SCANNED

JUL 19 2007

GPS  
Tag



SENECA SW Sec. 33 T6N, R40E.

A22-2230 et al, Looking South

Same POB as 2184. DIFFERENT POC.

LICENSED @ 148<sup>0</sup> AC, GPS shows 140<sup>0</sup> AC

$$\frac{1.68 \text{ cfs}}{148} = 0.01135 \Rightarrow 0.011 \text{ cfs/AC}$$

Q NOT Reduced.

$$148 \text{ AC} \times 3.5 = 518^0 \text{ AC}$$

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227075

06N40E33

222184

221115

LINE

City of Knappton

29 28  
32 33

422-2230

T6N, R40E  
T5N, R40E

## State of Idaho

## License and Certificate of Water Right

Water License No. G-31388 Priority September 18, 1963 Amount 1.68 c.f.s.

THIS IS TO CERTIFY that

ELDON W. SMITH

of Rexburg, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 18, 1963; that Permit No. G-31388 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 1.68 second feet, was issued thereunder on March 22, 1968, showing that said works were completed on the 20th day of July, 1964; and that on the 20th day of July, 1964 ELDON W. SMITH

of Rexburg, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation, under Use Permit No. G-31388 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume of Licenses, at Page, on the 22nd day of March, 1968.

The right hereby confirmed dates from September 18, 1963.

The Point of Diversion is located

in the NE 1/4 SW 1/4, Sec. 33, Twp. 6N, R. 40 E, B.M. Madison County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.68 cubic feet per second.

Description and location of use:

| Twp. | Range | Section | Forty-Acre Tract                  | No. Acres Described in Permit | No. Acres Actually Irrigated |
|------|-------|---------|-----------------------------------|-------------------------------|------------------------------|
| 6 N. | 40 E  | 33      | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 10                            | 10                           |
|      |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 20                            | 20                           |
|      |       |         | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 20                            | 20                           |
|      |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 20                            | 20                           |
|      |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                            | 38                           |
|      |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                            | 40                           |
|      |       |         | Total acres to be irrigated:      |                               |                              |

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 22nd day of March, 1968.

*R. Keith Higgins*  
State Reclamation Engineer.

22 2200

G 31388

0113 Sds/ac

# APPLICATION FOR PERMIT *22-22* To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 39494  
Permit No. G- 31388  
District No.

1. Name of Applicant: Eldon W. Smith  
c/o Mary Smith  
Postoffice address: Rexburg County: Madison State: Idaho
2. Quantity of water claimed:
  - (a) Rate of withdrawal in cubic feet per second 3.0 or Idaho  
Miners' inches or gallons per minute
  - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Well
4. Location of point of diversion or well is in the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 33  
Twp. 6 N , Rge. 40 E , B.M., County of Madison
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
  - (a) Point of use of water is in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp.  
Rge. , B.M.
  - (b) Waste water or sewage effluent is to be returned to  
at a point in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp. , Rge. , B.M.
7. Kind of works: Pump and sprinkler system
8. Estimated cost of works: \$ 5,000
9. (a) Is reservoir to be used?  
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is five years.
11. If applicant is a corporation, give:
  - I. (a) Date and place of incorporation:  
(b) Amount of capital stock: \$ (c) Amount paid in: \$  
(d) Names and addresses of directors:
  - II. The financial resources of the applicant are (a) Cash onhand: \$  
(b) Treasury stock: (c) Bonds to be issued:  
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
  - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
  - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

| Twp.                        | Range | Sec. | NE 1/4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | NW 1/4                      | SW 1/4                      | SE 1/4                      | Totals |
|-----------------------------|-------|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------------------------|-----------------------------|--------|
|                             |       |      | NE 1/4 NW 1/4 SW 1/4 SE 1/4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | NE 1/4 NW 1/4 SW 1/4 SE 1/4 | NE 1/4 NW 1/4 SW 1/4 SE 1/4 | NE 1/4 NW 1/4 SW 1/4 SE 1/4 |        |
| 6 N                         | 40 E  | 33   | 10 20                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 20 20                       | 40 40)))                    |                             | 150    |
| TO ALL WHOM IT MAY CONCERN: |       |      | <p style="text-align: center;">Permit No. G-31388<br/>CERTIFICATE OF COMPLETION OF WORKS</p> <p>This is to certify that ELDON W. SMITH of Rexburg, County of Madison, and State of Idaho, the holder of No. G-31388, issued upon Application No. G-39494, bearing date of priority of September 18, 1963, authorizing the of 3.0 second feet of waters of a well, County of Madison, State of Idaho for irrigation purposes, has fully completed the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use second feet of the water of a well from subterranean flow; that the point of diversion of said waters is NE 1/4 SW 1/4 S 33, Township 6 N., Range 40 E., B. M., and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:</p> <p style="text-align: center;">W 1/2 NE 1/4, NW 1/4, Section 33, Township 6 North, Range 40 E., B. M.</p> <p>Completion of Works Made: July 20, 1964</p> <p>Witness my hand this 22nd day of March, A. D. 1968.</p> <p style="text-align: right;">s/ R. Keith Higginson<br/>State Reclamation Engineer</p> <p>LICENSE ISSUED FOR 1.68 SEC. FT.<br/>LICENSE PAGE NO. 31388.</p> |                             |                             |                             |        |

**INSTRUCTIONS TO EXAMINERS**

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

*S*  
*400' x 500'* *h. 380'*  
*5/14* *7-7-50* *4-1-55*  
Eldon W. Smith  
Mary Smith  
Rexburg, Idaho  
Permit No. G-31388

**Examination for Completion of Works & Beneficial Use**

County Madison

Quantity: 3.0 c.f.s. Sec. 33 T. 6N R. 40 EBM

Source: WELL

P.D.: NE 1/4 of SW 1/4 Sec. 33 Twp 6N  
R. 40 E BM

Use: Irrigation

Filed: September 18, 1963

Due: September 20, 1964

Extension:       

Protest:       

Completion of Works:       

Other Rights: NONE

Made: July 20, 1964

Priority: Sept. 18, 1963

*5/32* *Power line @ 60 ft R. 40 E*

*P 31388*

20964

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

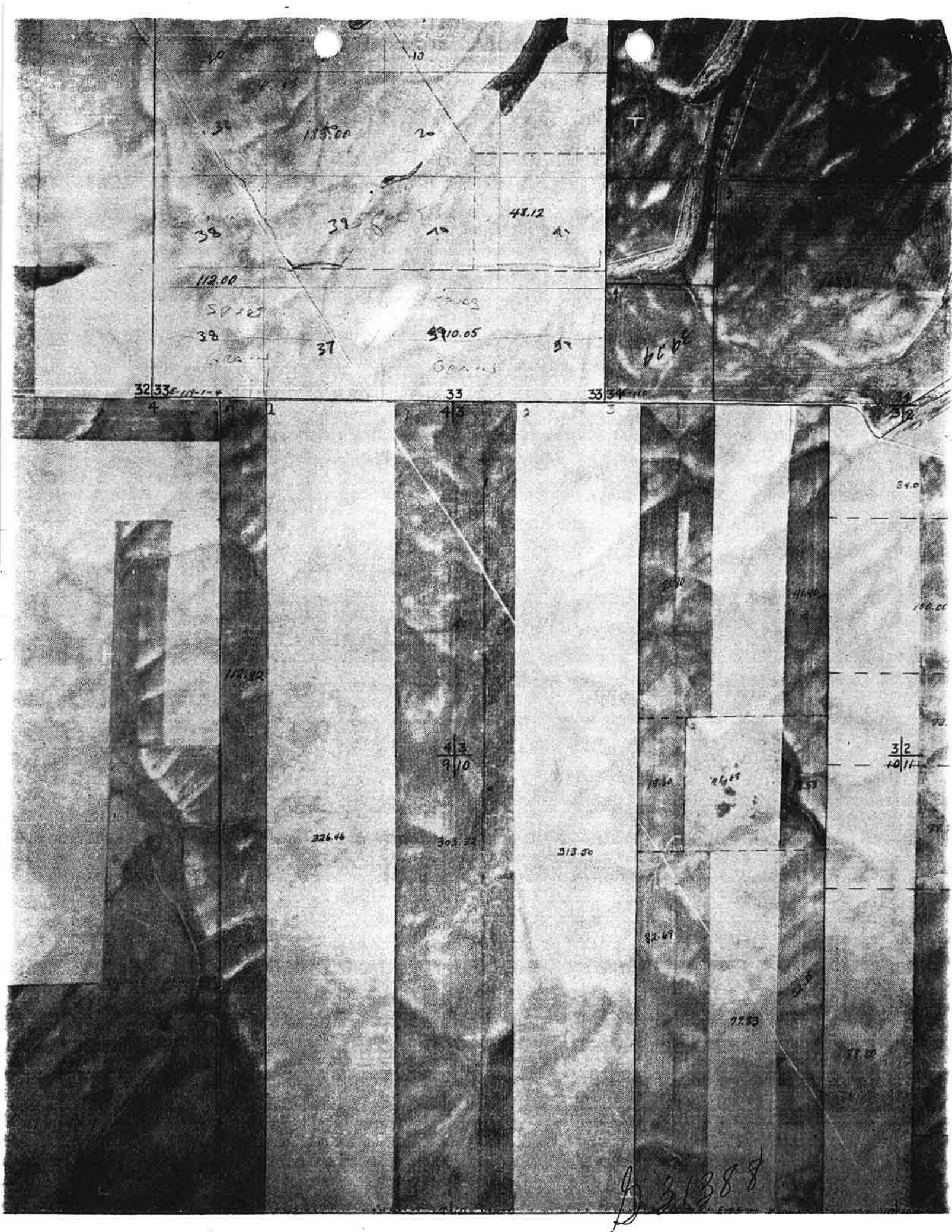
PERMIT NO. G-31388

REPORT ON PROOF OF Completion of Works & Beneficial Use

Eldon W. Smith, & Mary Smith, Rexburg, Idaho

8/30/67

§ 31388



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: A22-02230

Date Received: 8/23/1988

Receipt No: E901765

Received By: DRM

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: RICHARD F. SMITH 208-356-4912  
Address: P. O. BOX 8  
REXBURG, ID 83440

2. Date of Priority: SEP 18, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County  |
|----------|-------|---------|-------------------|-----|---------|
| 06N      | 40E   | 33      | NE SW             |     | MADISON |

5. Description of diverting works:  
WELL AND PUMP TO SPRINKLERS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.680  |      |        |

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

8. Total consumptive use is 370.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|-----|-----|-------|
| 06N      | 40E   | 33      | NW NE      |     | IRR | 10.0  |
|          |       |         | SW NE      |     | IRR | 20.0  |
|          |       |         | NE NW      |     | IRR | 20.0  |
|          |       |         | NW NW      |     | IRR | 20.0  |

A22-02230

Page 1

Date: 08/23/88

SCANNED

JUL 19 2007

MICROFILMED

OCT 29 1992



10. Place of Use: Continued

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 06N           | 40E   | 33      | SW     | NW  |     | IRR | 38.0  |
|               |       |         | SE     | NW  |     | IRR | 40.0  |
| Section Acres |       |         |        |     |     |     | 148.0 |
| Total Acres   |       |         |        |     |     |     | 148.0 |

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

14. Remarks:

SHARED P/D WITH A22-11147, A22-11149, A22-02184.

15. Basis of Claim: LICENSE  
Water Right Number: 31388

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.

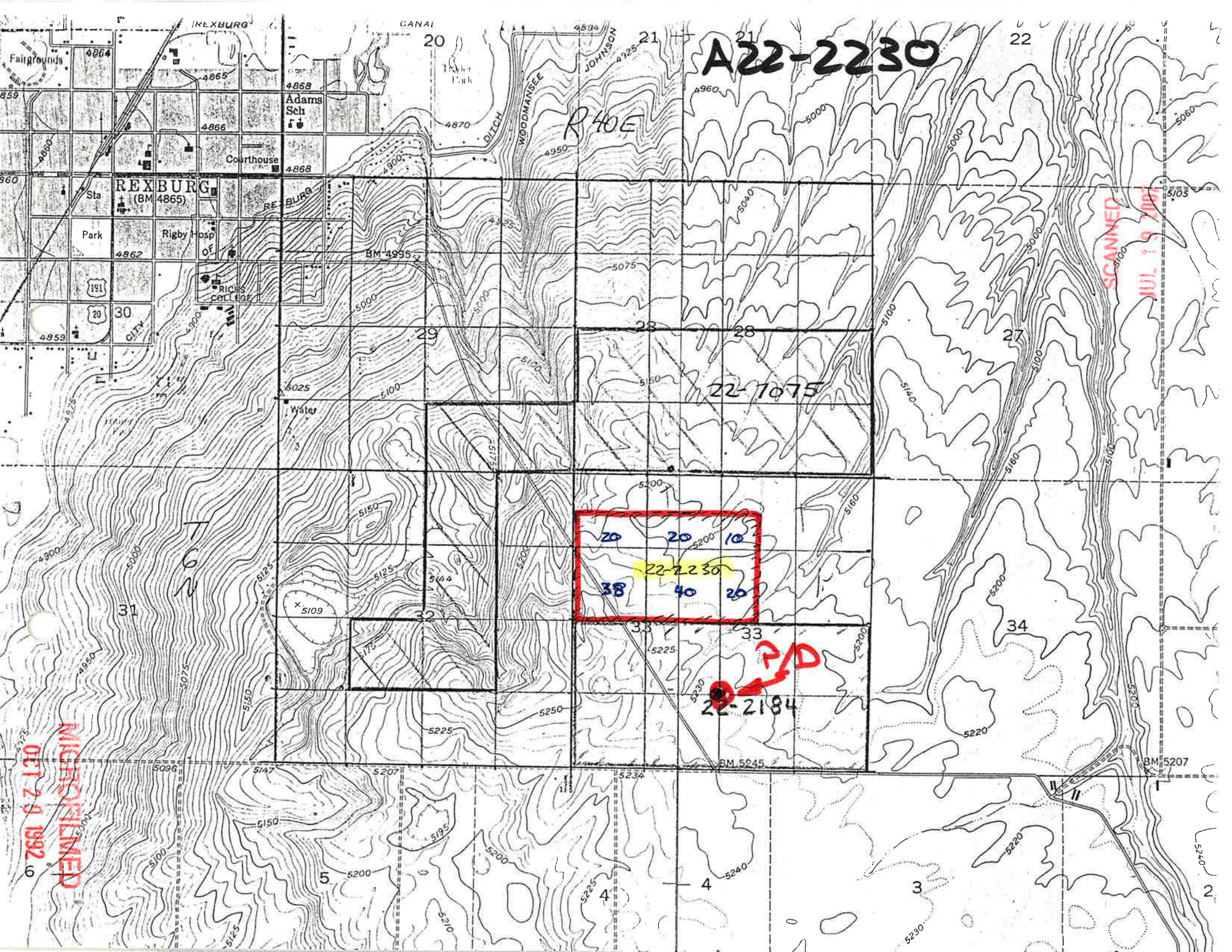
Signature of Claimant(s): *Lee B. L.* Date: 8/25/88  
Date:                     

State of Idaho )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 25<sup>th</sup> day  
of August 19 88

*Deena Green*  
Notary Public

Residing at *Reidy*  
My Commission Expires 4-22-1994



A22-2230

R40E

SCANNED  
JUL 9 2007

20 20 10  
22-2230  
38 40 20

22-2184  
P/D

NOTED  
OCT 20 1992