

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

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.

This right is limited to the irrigation of 558 acres within the place of use described above in a single irrigation season.

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

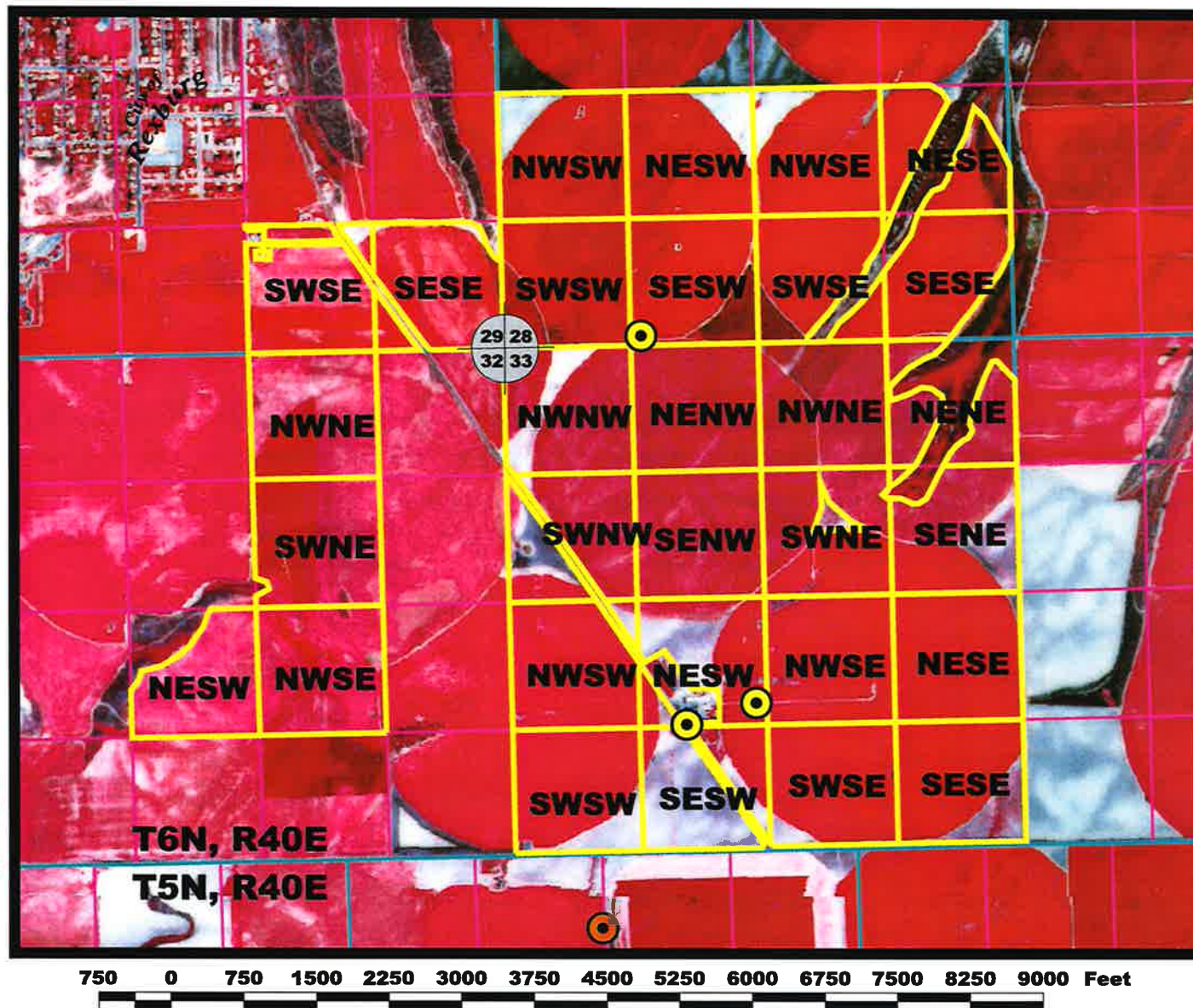
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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



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

SESE

Place of Use



Section



Quarter-Quarter



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

12345678910111213141516171819202122232425262728293031323334353637383940414243444546474849505152535455565758596061626364656667686970717273747576777879808182838485868788899091929394959697989910010110210310410510610710810911011111211311411511611711811912012112212312412512612712812913013113213313413513613713813914014114214314414514614714814915015115215315415515615715815916016116216316416516616716816917017117217317417517617717817918018118218318418518618718818919019119219319419519619719819920020120220320420520620720820921021121221321421521621721821922022122222322422522622722822923023123223323423523623723823924024124224324424524624724824925025125225325425525625725825926026126226326426526626726826927027127227327427527627727827928028128228328428528628728828929029129229329429529629729829930030130230330430530630730830931031131231331431531631731831932032132232332432532632732832933033133233333433533633733833934034134234334434534634734834935035135235335435535635735835936036136236336436536636736836937037137237337437537637737837938038138238338438538638738838939039139239339439539639739839940040140240340440540640740840941041141241341441541641741841942042142242342442542642742842943043143243343443543643743843944044144244344444544644744844945045145245345445545645745845946046146246346446546646746846947047147247347447547647747847948048148248348448548648748848949049149249349449549649749849950050150250350450550650750850951051151251351451551651751851952052152252352452552652752852953053153253353453553653753853954054154254354454554654754854955055155255355455555655755855956056156256356456556656756856957057157257357457557657757857958058158258358458558658758858959059159259359459559659759859960060160260360460560660760860961061161261361461561661761861962062162262362462562662762862963063163263363463563663763863964064164264364464564664764864965065165265365465565665765865966066166266366466566666766866967067167267367467567667767867968068168268368468568668768868969069169269369469569669769869970070170270370470570670770870971071171271371471571671771871972072172272372472572672772872973073173273373473573673773873974074174274374474574674774874975075175275375475575675775875976076176276376476576676776876977077177277377477577677777877978078178278378478578678778878979079179279379479579679779879980080180280380480580680780880981081181281381481581681781881982082182282382482582682782882983083183283383483583683783883984084184284384484584684784884985085185285385485585685785885986086186286386486586686786886987087187287387487587687787887988088188288388488588688788888989089189289389489589689789889990090190290390490590690790890991091191291391491591691791891992092192292392492592692792892993093193293393493593693793893994094194294394494594694794894995095195295395495595695795895996096196296396496596696796896997097197297397497597697797897998098198298398498598698798898999099199299399499599699799899910001001100210031004100510061007100810091010101110121013101410151016101710181019102010211022102310241025102610271028102910301031103210331034103510361037103810391040104110421043104410451046104710481049105010511052105310541055105610571058105910601061106210631064106510661067106810691070107110721073107410751076107710781079108010811082108310841085108610871088108910901091109210931094109510961097109810991100110111021103110411051106110711081109111011111112111311141115111611171118111911201121112211231124112511261127112811291130113111321133113411351136113711381139114011411142114311441145114611471148114911501151115211531154115511561157115811591160116111621163116411651166116711681169117011711172117311741175117611771178117911801181118211831184118511861187118811891190119111921193119411951196119711981199120012011202120312041205120612071208120912101211121212131214121512161217121812191220122112221223122412251226122712281229123012311232123312341235123612371238123912401241124212431244124512461247124812491250125112521253125412551256125712581259126012611262126312641265126612671268126912701271127212731274127512761277127812791280128112821283128412851286128712881289129012911292129312941295129612971298129913001

Water Right No(s). A22-7075 + A22-7507

See Attached photo

GPS DATA:

Tag # 40000300 Location: on divert on mainline
GPS data - 2680746 GPS File # 227075
1403646

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: U.S. Motors Model: _____ Hp: 400
SN: ID# D7003660

PUMP

Make: FMC Powerless Model: _____ Disch: _____
SN: P18698

NOTES:

Claimant Richard Smith confirmed P.O. box Mailing address
& phone # is still good. His cell is 390-7000.

Field Exam Date: 6-17-05 Agent: HW Jones

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JUL 20 2007

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?

?

11149

20

12

8

7075

11147

2230

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11/1/2007

35 7

older Eldon W. Smith

J. M. Bat & R. R. R. R.

35 G. 4712 - H

9044 Short

Tributary to _____

(b) (7)(C), (b) (7)(D)

irrigation)
(nature of use)

(mo.-day) inclusive (mo.-day)

(nature of use)

(mo.-day) inclusive (mo.-day)

(nature of use)

(mo.-day) inclusive (mo.-day)

Permit No. 22-7075
Examination for blue

11.20 cubic feet per second and annual volume _____ AF/Annum.

Township 4N N/S, Range 4SE E/W, B.M., Section 28, Subdivision SE 1/4 SW 1/4 Madison

County

County

County

Description of diverting works: 20" A/C, 400 hp motor

☒ no ☐

[illegible]

56.0

20 2007

DATE OF EXAM 6/25/79

ACREAGE
Found 558 AC ✓
Recommended 558 AC ✓

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 4.94 c.f.s. V = 1953 AF/Ann. from April 1 to Nov 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: n/a
Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no X

Name source exchanged with: n/a
Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: n/a
Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: n/a
Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 4.94 cfs Method of measurement Annubar
Total Q recommended 4.94 cfs Meter No. 12 Type Annubar Condition New
Total V recommended 1953 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None

MEASUREMENT CALCULATION:

Annubar Reading (instantaneous) $3.85 \sqrt{16} = (12)^2 (3.85) \sqrt{16} = 2218 \text{ gpm} = 4.94 \text{ cfs}$
 $558 \text{ AC} \times 3.5 \text{ AC/Ft} = 1953 \text{ AF/Ann}$
 $4.94 \text{ cfs} \times 1.9835 \text{ AF/cfs} \times 214 \text{ days} = 2097 \text{ AF/Ann}$

SYSTEM DESCRIPTION:

Abundant in climate from a 20" by 450' deep well, with water level 360', a U.S. #40 is 7' below top 400' by note 10" 0-7007600 Pressure Pump with Turbine, over 2 1/2 mile of mainline, two 10" steel center pivots noted 1100 gpm and 32 1/2 mile hard line also noted of 300 mm well on system. Some of pipe is picked up by headlines.

REMARKS:

No Conflicting Rights
System shown and described by Mark Smith.

Examiner's Signature John D. Carlson Date 2/28/80
Checked by Anthony R. Kozlowski Date 2/29/80
Approved by [Signature] Date 3/25/81

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JUL 20 2007

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7075 Priority July 5, 1973 Amount 4.94 cfs

THIS IS TO CERTIFY, that ELDON W. SMITH
of Rexburg, Idaho, has complied with the terms and conditions of Permit
No. 22-7075 issued pursuant to Application for Permit dated July 5, 1973
and has submitted proof to the Department of Water Resources on July 24, 1978
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.94 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use _____ Period of Use _____ Rate of Diversion 4.94 Annual Volume 1953
Irrigation from May 1 to November 1 at 4.94 cfs and 1953 acre feet
_____ from _____ to _____ at _____ cfs and _____
_____ from _____ to _____ at _____ cfs and _____
(both dates inclusive)

Subject, however, to the condition that no more than 4.94 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1953 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, Twp. 6N,
Rge. 40E, B.M. in the County of Madison

Description and location of place of use:

Twp.	Range	Sec.	NEW				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	40E	28									40	40	40	40	40	40	40	40	320
		29															39	39	78
		32			40	40					40					40			160

Total number of acres irrigated 558

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14th day of
April, 19 81.

Director

SCANNED

007

Identification No. 22 7075

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant ELDON W. SMITH
post office address 74 Ash Avenue, Rexburg, Idaho 83440
2. Source of water supply well, subterranean which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 28 Township 6 N
Range 40 E. B.M. Madison County; additional points of diversion if any: None

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
CIS
Amount 11.20 for irrigation purpose from May 1st to Oct. 31st (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 11.20 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
Well, pump and sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 20 inches; proposed depth of well is 450 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 50,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

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22-7075

JUL 20 2007

0300000

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

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	28									40	40	40	40	40	40	40	40	320
6 N	40 E	29															40	40	80
6 N	40 E	32		40	40						40				40				160

Total number of acres to be irrigated 560

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion Eldon W. Smith

b. Who owns the land to be irrigated or place of use Eldon W. Smith

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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

Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Eldon W. Smith
(Applicant)

SCANNED

JUL 20 2007

22-7075

JUL 20 2007

SCANNED

Received by ef Date July 5/73 Time 10:30 A
 Preliminary check by YH Fee \$ #135.00
 Receipted by ef Date 7-5-73 List # 11273
 Publication prepared by YH Date 7-6-73
 Published in Bozeman Journal
 Publication dates July 12 & 19, 1973
 Publication approved NCY Date 7/27/73
 Priority ~~reduced~~ 7-5-73 Reason _____

 Protests filed by: _____

 Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for approval denial by NCY

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7075, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 78.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 2nd day of August, 19 73.


 Director



6PS
Tas

⇒ Licenses ⇒ Permit
A22-7075 + A22-7507, Locking South

Same POD as 7507

Licence 500 at 558² ac - GPS shows 530² ac

$$530^2 \text{ ac} \times 3.5 = 1855^2 \text{ ac}$$

$$\frac{4.94 \text{ cts}}{558 \text{ ac}} = 0.00885... \Rightarrow 0.009 \text{ cts/ac 'pretty thin'}$$

$$\frac{4.94}{530} = 0.0093$$

Q not Reduced.

Claims 22-11148 as an "Expansion"... ENLARG... OF 22-7075

→ But 22-11148 is WITHDRAWN - CC Attached

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JUL 20 2007



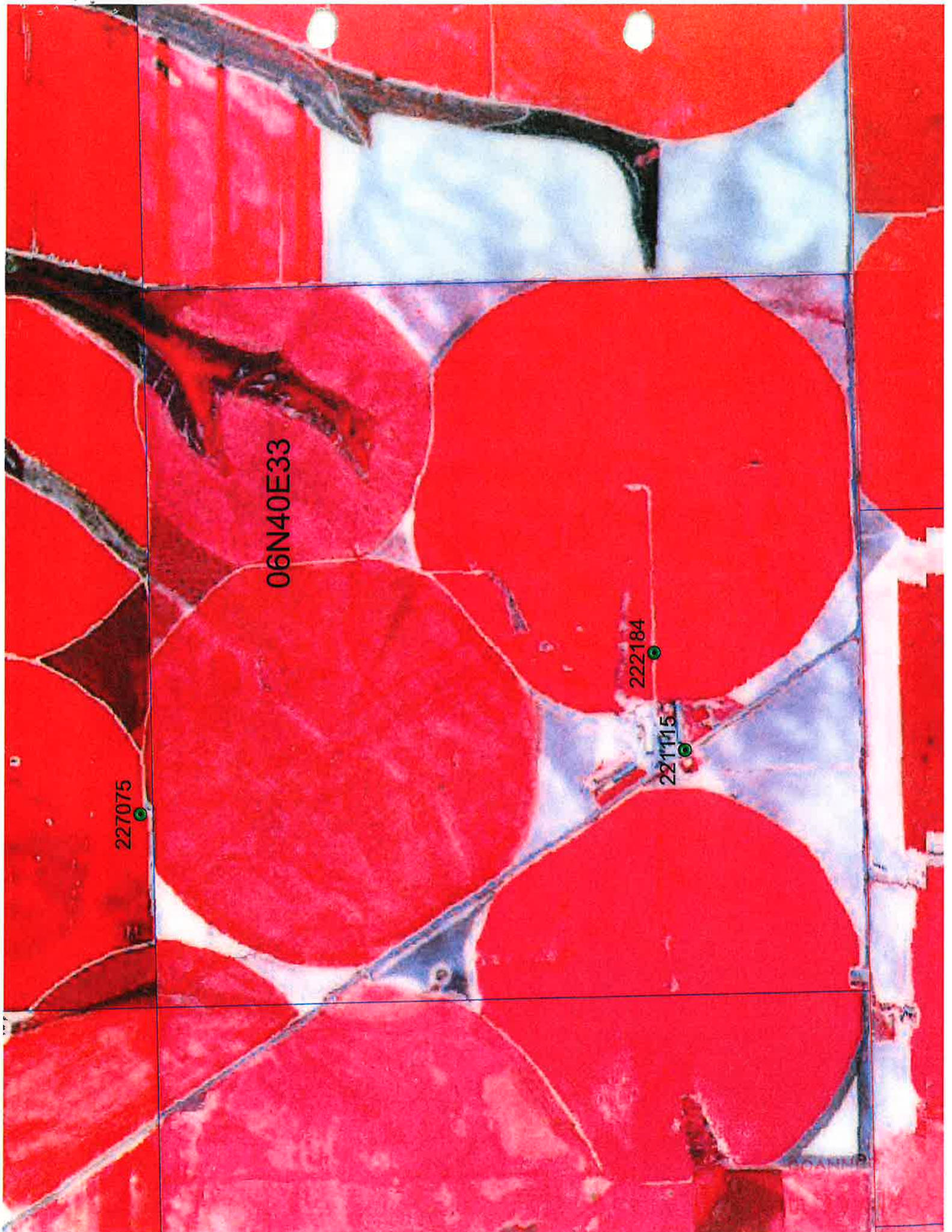
A22-7075 motor tag

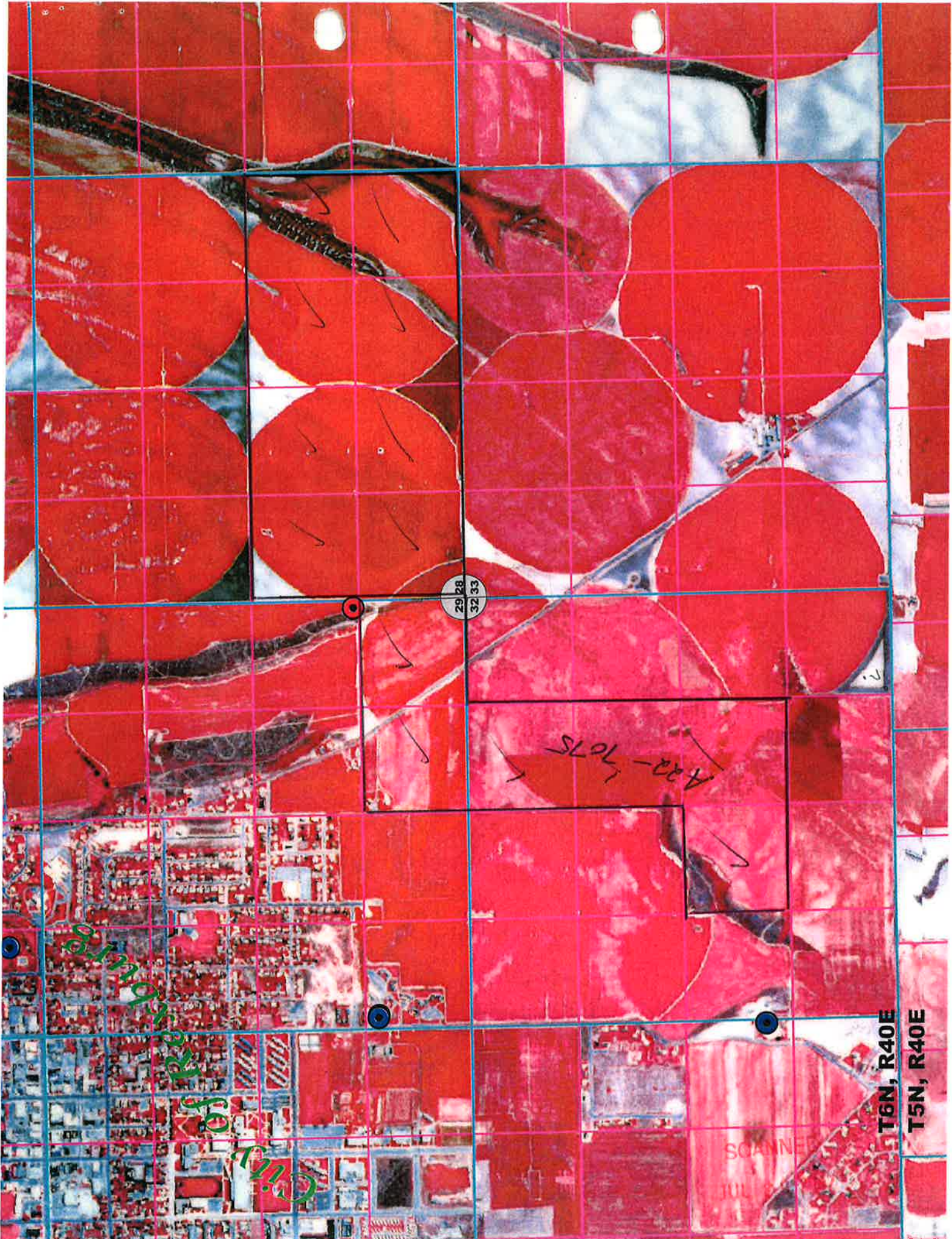
227075

06N40E33

222184

221115





29 28
32 33

A 22-7675

SCANNED
JUL 20 1975

T6N, R40E

T5N, R40E

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: A22-07075
Date Received: 8/23/1988
Receipt No: 500 1765
Received By: PRM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD F. SMITH
Address: P. O. BOX 8
REXBURG, ID

208-356-4912

83440

2. Date of Priority: JUL 05, 1973

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	40E	28		SE	SW		MADISON

5. Description of diverting works:
WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.940		

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

A.F.A.

8. Total consumptive use is 1395.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	40E	28	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0

A22-07075

Page

1

Date: 08/23/88

SCANNED

JUL 20 2007

MICROFILMED

OCT 29 1992

A2207075



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	28	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				320.0
		29	SW	SE		IRR	39.0
			SE	SE		IRR	39.0
			Section Acres				78.0
		32	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	SW		IRR	40.0
			NW	SE		IRR	40.0
			Section Acres				160.0
			Total Acres				558.0

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 A22-11148.

15. Basis of Claim: LICENSE

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): *Robert B. L.* Date: 8/25/88

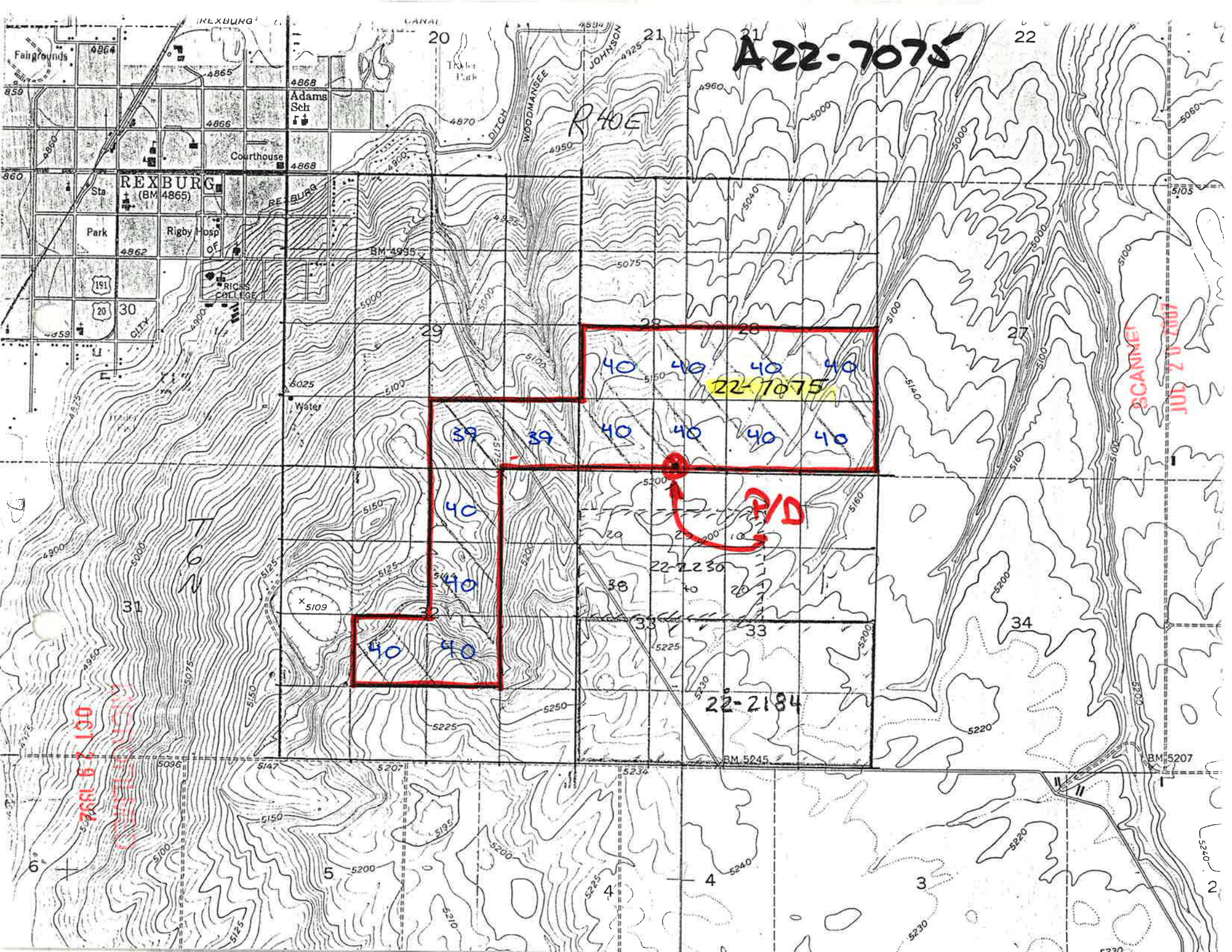
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of August 19 88 *Deena L. Aasen*
Notary Public

Seal

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



A 22-7075

R 40E

22-7075

P/D

22-2184

SCANNER
JUL 20 2007

OCT 29 1992