

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

RIGHT NUMBER: 22-11147

NAME AND ADDRESS: RICHARD F SMITH
PO BOX 8
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.540 CFS
168.00 AFY

The rights listed below are limited to a total combined diversion rate of 10.85 cfs. Combined Right Nos.: 22-2184, 22-2230, 22-7075, 22-7507, 22-11147, 22-11149.

The rights listed below are limited to a total combined diversion rate of 10.17 cfs and to a total combined annual diversion volume of 3899 AF. Combined Right Nos.: 22-2184, 22-2230, 22-7075, 22-11147, 22-11149.

PRIORITY DATE: 04/01/1962

POINT OF
DIVERSION:

T06N R40E S28 SWSESW Within MADISON County
T06N R40E S33 SWNESW Within MADISON County
T06N R40E S33 SENESW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.540 CFS 168.00 AFY

PLACE OF USE:

IRRIGATION in MADISON County

T06N R40E S28	NESW	40.00	T06N R40E S28	NWSW	40.00
T06N R40E S28	SWSW	40.00	T06N R40E S28	SESW	40.00
T06N R40E S28	NESE	25.00	T06N R40E S28	NWSE	40.00
T06N R40E S28	SWSE	35.00	T06N R40E S28	SESE	31.00
T06N R40E S29	SWSE	37.00	T06N R40E S29	SESE	37.00
T06N R40E S32	NWNE	40.00	T06N R40E S32	SWNE	39.00
T06N R40E S32	NESW	31.00	T06N R40E S32	NWSE	40.00
T06N R40E S33	NENE	23.00	T06N R40E S33	NWNE	40.00
T06N R40E S33	SWNE	37.00	T06N R40E S33	SENE	37.00
T06N R40E S33	NENW	40.00	T06N R40E S33	NWNW	40.00
T06N R40E S33	SWNW	37.00	T06N R40E S33	SENW	40.00
T06N R40E S33	NESW	33.00	T06N R40E S33	NWSW	39.00
T06N R40E S33	SWSW	39.00	T06N R40E S33	SESW	37.00
T06N R40E S33	NESE	40.00	T06N R40E S33	NWSE	40.00
T06N R40E S33	SWSE	38.00	T06N R40E S33	SESE	39.00

1114 ACRES TOTAL

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

This right is limited to the irrigation of 48 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 - Beneficial Use

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



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.
Evidence of priority requested.

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

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SENSW Sec. 33 T6N R40E

A22-11147 et al, looking South

Same POD as 22-2230 & 2184

EVALUATION: CLAIM OF 22-2230 - EVIDENCE REQUESTED - NONE
 RECEIVED - DISALLOWED.

CLAIMS 90 AC @ 3.2 cfs - $\frac{1}{2}$ f. RECOMMENDED FAVORABLY

THE BEST Q = 180 cfs. - REMOVED 50 AC @ 0.56 cfs, 175^{ac}

CLAIMS 90 AC - RENO BY MINION DID NOT RECOGNIZE AC

CLAIMS IN S2N1E SEC. 33 -

POU w/ 7075, 2230, 11147, 11149, 2184

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7507 is a Permit Same PODs/sy skm

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06N40E33

227075

222184

221115

City of Redburg

29 28
32 33

A22-1147

T6N, R40E
T5N, R40E

MAILED
11-MARCH 04

March 11, 2004

**RICHARD F SMITH
PO BOX 8
REXBURG ID 83440**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11147

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 23, the Swan Valley area. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of MAY 1, 1961, from a WELL.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

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.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

Please submit the documentation supporting the priority date within 30 days of the date of this letter, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,

Nick L. Olson
Special Contract Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim (copy)

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Contacts Data Entry Form

Water Right No. A 2211147

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	Richard Smith					
Name connector: and						
Current Owner						
Current Owner						

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

B.U. Claim - Enlargement Claim 42-1426

* THIS CLAIM BASED ON 22-4190 - why is 4190
NOT CLAIMED?

pod is shared with A2202230, A2202184

THIS CLAIM WAS ORIGINALLY FILED AS AN EXPANSION
OF A2202230 WAS AMENDED TO REFLECT THE
PRIORITY DATE WAS FIRST TRIGGERED CLAIM IS BASED
ON 22-04190

FE pod/pou CONVEYANCE/System

Reviewer: _____

Date: _____

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Priority Date Data Entry Form

Claim Number: A2211147

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 1 May 1961 Claimed Basis: B.U

Recommended Priority Date: _____ Recommended Basis BU

 Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

R. H. Clason

Reviewer: _____

Date: _____

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Point of Diversion and Source Data Entry Form

Claim Number: A2211147

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County:_____

Source:_____ Tributary:_____

Claimed Point of Diversion: T 6N, R 40E, Sec. 33,____,____,____. County: Madison

Source: Ground Water Tributary:_____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County:_____

Source:_____ Tributary:_____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? GPS Tag #

Document how the POD and Source were verified and/or Pump and Motor data:

Transfers Changing POD _____

Reviewer: _____

Date: _____

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AUG 28 2007

Place Of Use Data Entry Form

Claim Number: A. 2211147 Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
6N	40E	33	NW	NE	MADISON		10	Targeting
"	"	"	NE	NW	"		20	"
"	"	"	NW	NW	"		20	"

Total Acres 50

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres

Document how the POU was verified:

Transfers Changing POU Reviewer: Date: **SCANNED****AUG 28 2007**

Period of Use and Quantity Data Entry Form

Claim Number: A2211147☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	11/1	3.20	

Overall Diversion Rate 3.20

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

IDWR STD SOU. 4/1 — 10/31

Reviewer: _____

Date: _____

SCANNED
AUG 28 2007

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 22-11147
Date Received: 8/25/1988
Receipt No: E001765
Received By:

Amended

Amended

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RICHARD F SMITH Phone: (208)356-4912

PO BOX 8
REXBURG ID USA 83440

2. Date of Priority: 05/01/1961

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
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	4/01	11/01	3.2	

7. Total Quantity Appropriated is:
3.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
06N	40E	33	NW NE	IRRIGATION	10

NE	NW	IRRIGATION	20
NW	NW	IRRIGATION	20
SE	NE	IRRIGATION	25
SW	NE	IRRIGATION	15

Section Acres 90

Total Acres 90

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:

P/D IS SHARED WITH A22-02230, A22-11149, & A22-02184.

*THIS CLAIM WAS ORIGINALLY FILED AS AN EXPANSION OF A22-02230. IT WAS AMENDED TO REFLECT THE PRIORITY DATE THAT THE ACREAGE WAS ACTUALLY FIRST IRRIGATED. THE DATE PRE DATES THE LICENSE 2230 BECAUSE ALTHOUGH AN APP. FOR PERMIT WAS FILED IN SEPT 1963 THE LAND WAS BEING IRRIGATED PRIOR TO THE APPLICATION.

*THIS CLAIM IS BASED ON 22-04190.

Amended to accurately reflect acres

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):

Dee F. Simon

Date:

3/25/04

Date:

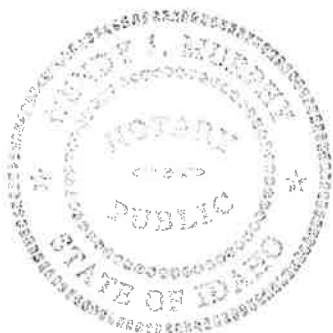
State of Idaho

County of

Bonneville

SS.

Subscribed and sworn (or affirmed) before me this 28th day of March 2004



Wendy J. Murphy

Notary Public

Residing at

Idaho Falls

My commission Expires

6/23/06

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: **A22-11147**
Date Received: 8/25/1988
Receipt No: E001765
Received By: MT. 2-2-98

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

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

2. Date of Priority: MAY 1, 1961

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	3.200		

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

8. Total consumptive use is 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
			NE	NW		IRR	20.0
			NW	NW		IRR	20.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	50.0
					Total Acres	50.0

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:
NONE

14. Remarks:

P/D IS SHARED WITH A22-02230, A22-11149, & A22-02184.

*THIS CLAIM WAS ORIGINALLY FILED AS AN EXPANSION OF A22-02230. IT WAS AMENDED TO REFLECT THE PRIORITY DATE THAT THE ACREAGE WAS ACTUALLY FIRST IRRIGATED. THE DATE PRE DATES THE LICENSE 2230 BECAUSE ALTHOUGH AN APP. FOR PERMIT WAS FILED IN SEPT 1963 THE LAND WAS BEING IRRIGATED PRIOR TO THE APPLICATION.

*THIS CLAIM IS BASED ON 22-04190.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

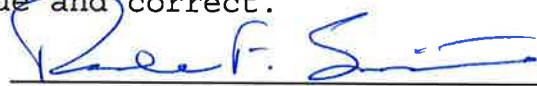
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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:

2/2/98

Date:

State of Idaho)
County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of Feb. 19 98

Gregory J. Taylor
Notary Public

Seal



Residing at Idaho Falls Id

My Commission Expires 3/3/98

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: A22-11147
Date Received: 8/23/1988
Receipt No: E901765
Received By: HPM

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 125.0 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
			NE	NW		IRR	20.0
			NW	NW		IRR	20.0
						Section Acres	50.0

A22-11147

Page 1

Date: 08/23/88

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AUG 28 2007

MICROFILMED
NOV 06 1992

A221147



10. Place of Use: Continued

Total Acres 50.0

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:
 NONE

14. Remarks:

THIS RIGHT, WHEN COMBINED WITH A22-02230, SHALL NOT EXCEED 1.68
C.F.S. TOTAL DIVERSION RATE. THIS RIGHT IS AN EXPANSION OF
A22-02230. P/D IS SHARED WITH A22-02230, A22-11149, & A22-02184.
PRIORITY DATE IS BASED ON A22-02230. LAND COVERED BY THIS RIGHT,
A22-11147, HAS BEEN IRRIGATED SINCE PRIORITY DATE OF A22-02230.

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): Ree B. B. Date: 8/25/88

Date: _____

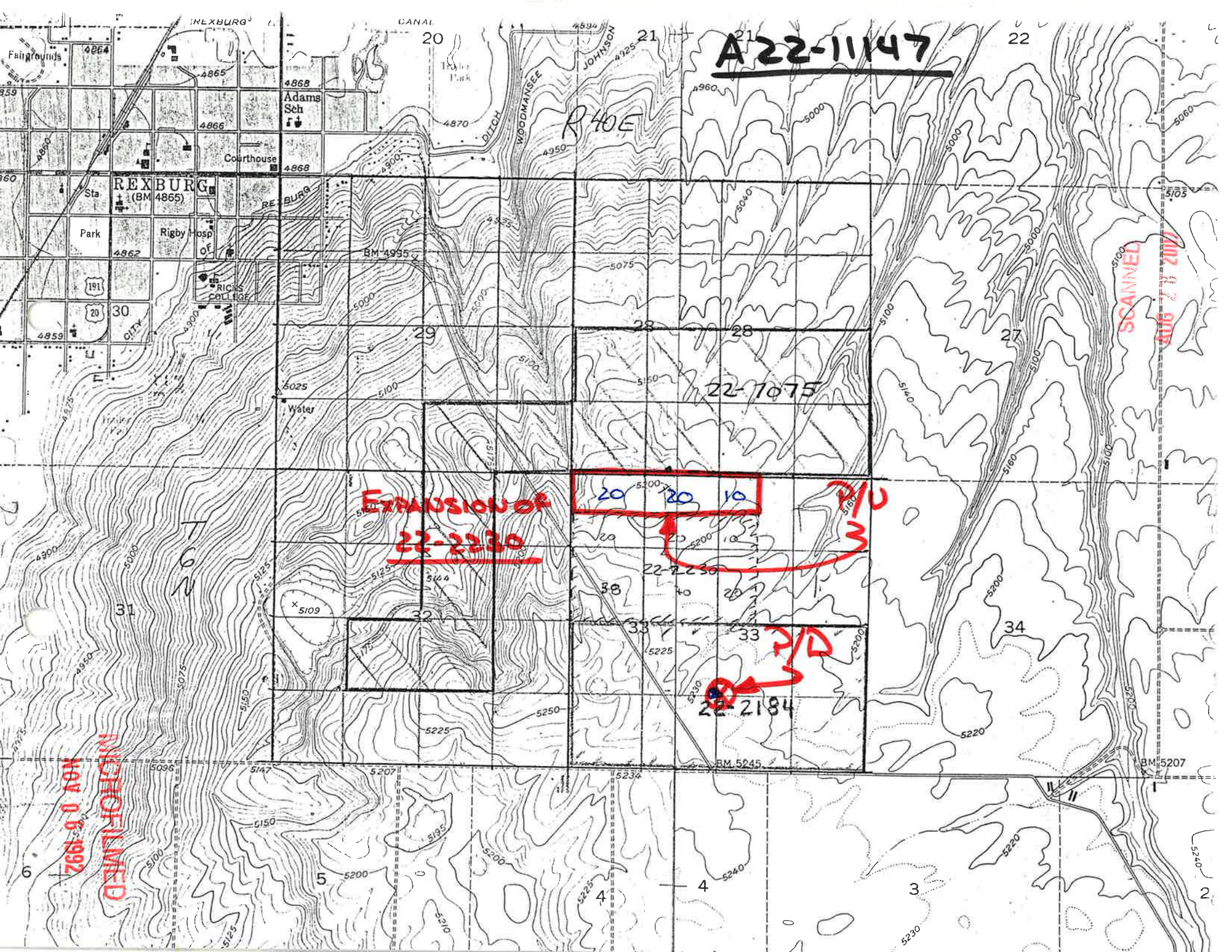
State of Idaho)
County of Bonneville) SS.

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

Deena Green
Notary Public

Seal

Residing at Highway
My Commission Expires 4-22-99



A 22-1147

R 40E

EXPANSION OF
22-2230

20 20 10

22-2230

22-2184

3/0

SCANNED
AUG 17 2007

NOV 06 1992

MICROFILMED