

11/04/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-7083

NAME AND ADDRESS: MICHAEL E SMITH
PO BOX 149
SWAN VALLEY ID 83449

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.070 CFS
9.000 AFY

PRIORITY DATE: 05/06/1982

POINT OF DIVERSION:

T02N R43E S36 SWSE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.070 CFS

9.00 AFY

PLACE OF USE:

IRRIGATION Within BONNEVILLE County

T02N R43E S36 SWSE 3.0

3 ACRES TOTAL

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: License

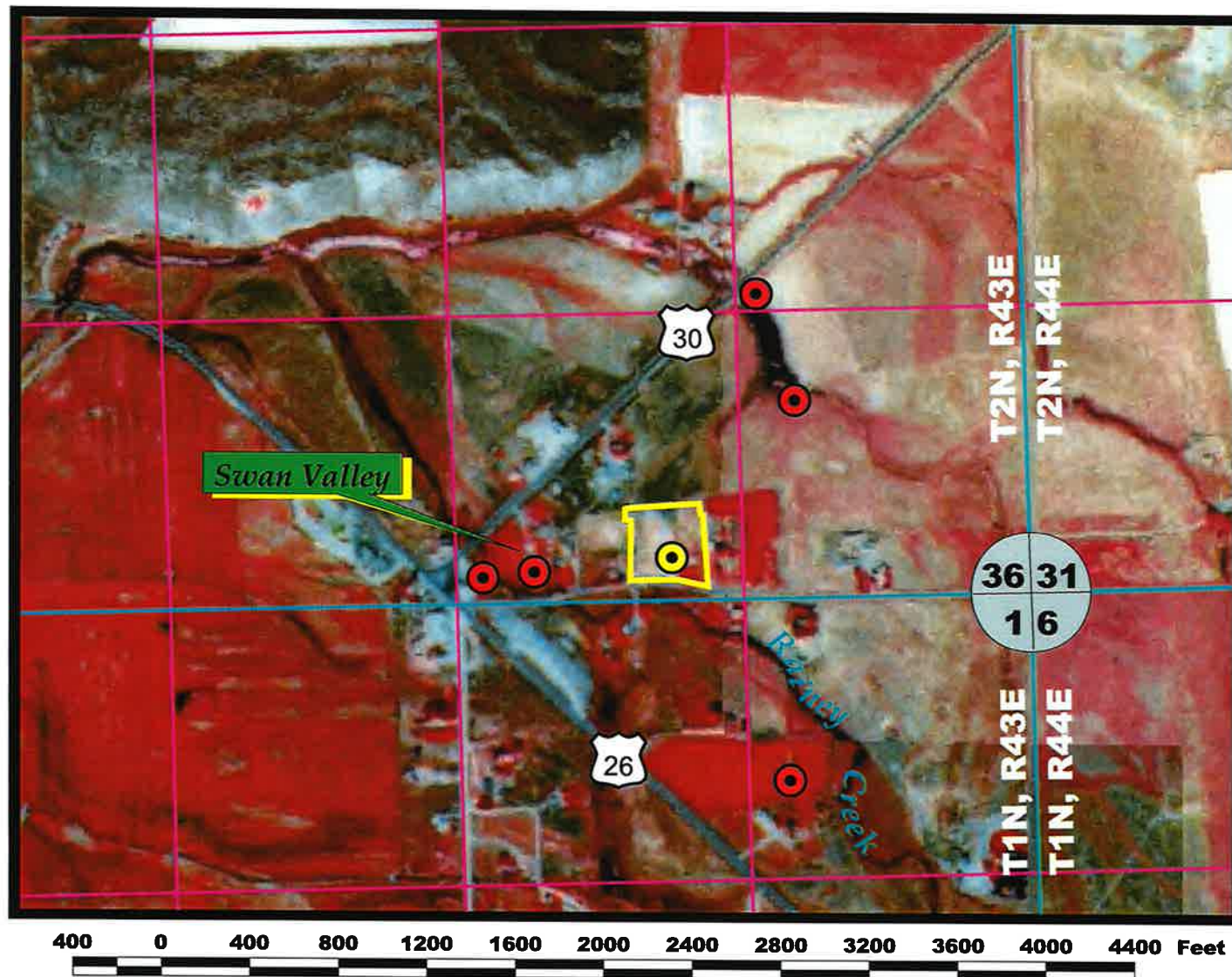


SCANNED
JUL 16 2004

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

23-7083

Place of Use: (part of)
T2N, R43E Sec. 36 SWSE

Point(s) of Diversion: T2N, R43E
Sec. 36 SESWSE



LEGEND

-  **Point of Diversion**
-  **Place of Use**
-  **Section**
-  **Quarter-Quarter**

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: November 2003

Recommended as Claimed

23-07083 CLAIMED AS LICENSED 6/05/03 - C/O DOWB, ANELKON
ADD 9⁰ ARA PROBS - LINKING BDD.

Mike Smith: 523-7030 WK
483-2507 HM

FE INDICATED: LOCATE PDW. DOES NOT RELATE TO
BONN CO ASSESSOR OWNERSHIP TIGHE.

Q: OWNERSHIP TO WHOM: Mike Smith
4/23/03 C/O AND PHOTO SENT POR. TOLSON TO: POB149, SWANALUDY 83449

Att. A RUBY

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
					
	23-07083				

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

4. New Owner/Claimant(s)

Michael E Smith

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 144

City, State and ZIP Code

Swan Valley Id 83449

New Telephone Number

(208) 483-2507

5. Date you acquired the property

Nov. 1995

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MAY 27 2003

JUL 16 2004
Department of Water Resources
Eastern Region

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) *Michael E. Smith*
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

11/04/2003

**NOTICE OF ERROR
REPLY**

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:

Water right number: 23-7083

MICHAEL E SMITH
PO BOX 149
SWAN VALLEY ID 83449

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: 3/6/04 SIGNATURE: Michael E Smith
Please print your name: Michael E Smith

IDWR Regional Office,

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MAR 22 2004

Department of Water Resources
Eastern Region

Warranty Deed

For Value Received

THOMAS E. NEWMAN, JR. AND KATHRYN L. NEWMAN, husband and wife
the grantor s, do hereby grant, bargain, sell and convey unto

MICHAEL F. SMITH AND KAREN D. SMITH, husband and wife
whose current address is

197 COMMISSARY ROAD, SWAN VALLEY, ID 83459

the granted, the following described premises, in

County Idaho, to wit:

BONNEVILLE

See Attached Exhibit "A"

SUBJECT TO: ALL existing patent reservations, easements, rights of way, protective covenants, zoning ordinances and applicable building codes, laws and regulations.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said
Grantee s, that they are the owner s in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 26, 1995

Thomas E. Newman Jr.
THOMAS E. NEWMAN JR.

Kathryn L. Newman
KATHRYN L. NEWMAN

STATE OF IDAHO, COUNTY OF Bonneville
On this 26 day of OCTOBER, 1995,
before me, a notary public in and for said State, personally appeared

THOMAS E. NEWMAN JR.
KATHRYN L. NEWMAN

known to me to be the persons whose name s are
subscribed to the within instrument, and acknowledged to me that
executed the same.

[Signature]
Notary Public
Residing at OF IDAHO FALLS
Comm. Expires 6/17/98

INSTRUMENT NO. 908750
DATE 10-27-95
POST CODE 205
FBI NO. 10970-13
FILE 6.00
STATE OF IDAHO)
COUNTY OF (BONNEVILLE) ss
I hereby certify that the foregoing instrument was received.
Recorded Longmore,
County Recorder
By *[Signature]* Deputy
Recorder of

EXHIBIT A

TRACT I:

Beginning at the Southeast Corner of Section 36, Township 2 North, Range 43, East of the Boise Meridian, Bonneville County, Idaho, and running thence North $87^{\circ}01'14''$ West 1492.13 feet to the true point of beginning; running thence North $83^{\circ}04'00''$ West 190.03 feet; thence North $89^{\circ}37'07''$ West 120.14 feet; thence North $0^{\circ}31'23''$ West 328.52 feet; thence North $84^{\circ}21'17''$ East 296.33 feet; thence South $02^{\circ}29'41''$ East 380.18 feet to the true point of beginning.

TRACT II:

A plot of land located in and being part of Section 36, Township 2 North, Range 43, East of the Boise Meridian, Bonneville County, Idaho, describes as follows: Beginning at a point 36 rods East of the Southwest Corner of the Southeast Quarter of said Section along the township line between 1 and 2 North; thence running North 160.00 feet to the true point of beginning; thence continuing North 170.00 feet; thence North $81^{\circ}44'$ East 266.00 feet; thence South 172.00 feet; thence West 92.15 feet; thence South $77^{\circ}25'$ East 172.50 feet to the point of beginning.

WATER RIGHT LICENSE

WATER RIGHT NO. 23-7083

Priority: May 6, 1982 Amount: .07 CFS 9.0 AFA

This is to certify, that THOMAS S. WELSTAD
SHARON WELSTAD

P.O. BOX 26

SWAN VALLEY, ID 83449

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated May 6, 1982, and has submitted proof to the Department of Water Resources on July 17, 1984, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .10 cfs of water from a GROUNDWATER 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	.07 cfs	9.0 afa

LOCATION OF POINT OF DIVERSION(S): SWSE , Sec. 36, Township 2N, Range 43E
Bonneville County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
2N	43E	36	SWSE 3				3

Total number of acres irrigated: 3

CONDITIONS/REMARKS:

1. The right to the use of the 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.

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 31st day of December, 1987.

RECORDED

Director

FEB 24 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

23 7083

To appropriate the public waters of the State of Idaho **APPROVED**

1. Name of applicant Thomas S. or Sharon Welstad Phone 483-4251
Post office address P.O. Box 26, Swan Valley, Idaho 83449

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 36 Township 2N
Range 43E B.M. Bonneville County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.07 cfs for irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.07 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. sandpoint well 15 ft. deep,
pump, mainline with laterals

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 4 years (minimum 1 year — maximum 5 years).

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	43E	36															2.4		2.4

Total number of acres to be irrigated 2.4

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

*ROUND TO
3 ACRES
TR 4/9/82*

9. a. Who owns the property at the point of diversion Applicants

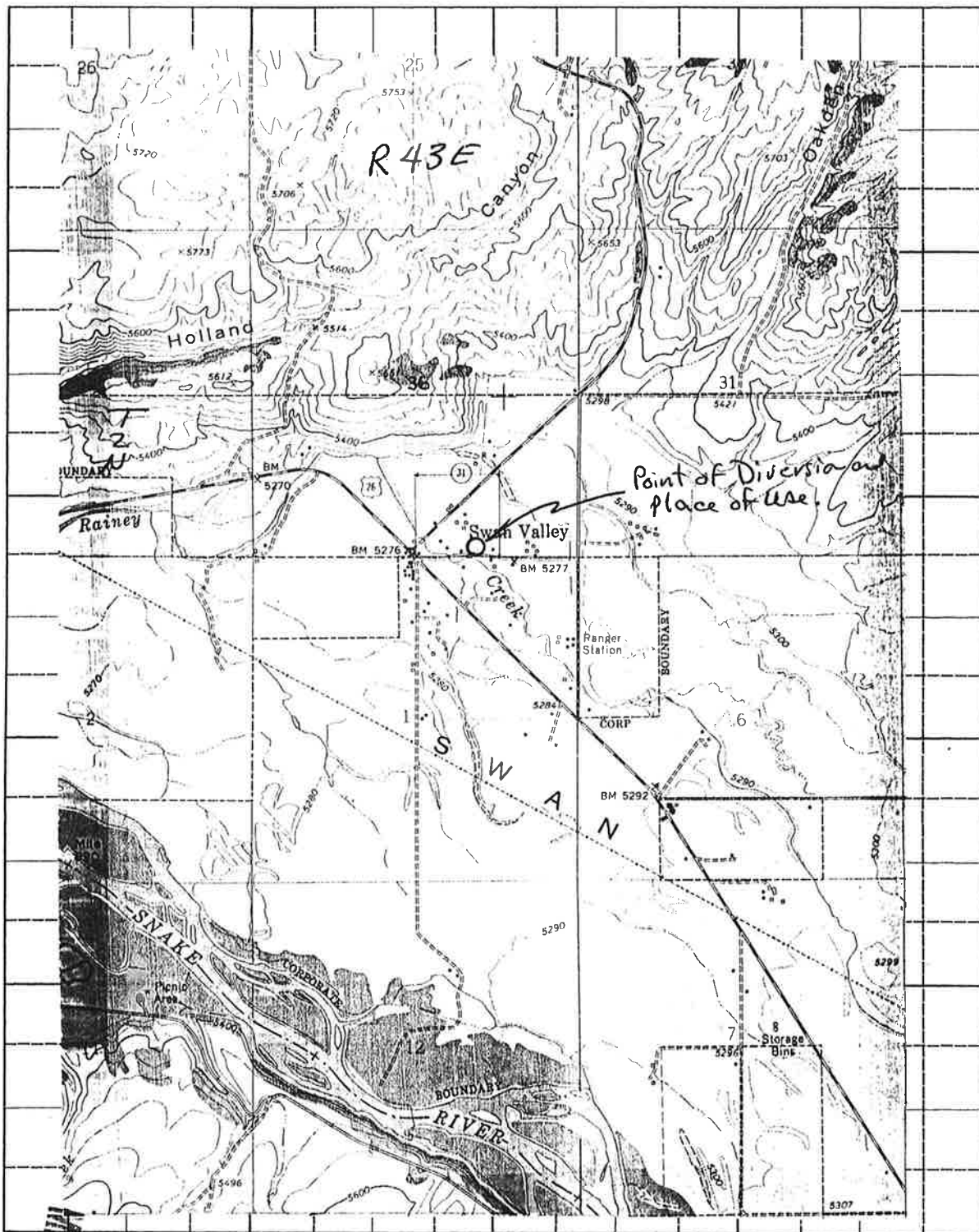
b. Who owns the land to be irrigated or place of use Applicants

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.

Thomas Webster

(Applicant)

Proposed Priority 5/6/1982

Assisted by

Received by KW Date 6 May 82 Time 1000 AM

Preliminary check by HWS Fee \$ 30.00

Received by BP Date 5-6-82 # 22241

Publication prepared by BP Date 5-13-82

Published in Post Register

Publication dates 5-20 & 5-27-82

Publication approved EW Date 6-08-82

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC. RC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 23-7083, 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 July 1, 19 86.
 - c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
 - d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 22nd day of June, 1982.

A. Glen Sayton
Chief, Operations Bureau

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

MAR 12 1986

23-7083
Permit No.

Department of Water Resources

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$Q = A \sqrt{2gh}$$

$$A = \text{area in ft}^2 = \frac{\pi(d)^2}{4} = \frac{\pi\left(\frac{8.5}{12}\right)^2}{4}$$

$$g = 32.2 \text{ ft/sec}^2$$

$$h = \text{psi} \times 2.308$$

$$Q = \frac{3.1416 \left(\frac{8.5}{12}\right)^2}{4} \sqrt{2(32.2)(12 \times 2.308)} = 0.0056237 \text{ cfs} = 2.52 \text{ gpm}$$

$$18 \text{ sprinklers} \times 2.52 \text{ gpm/sprinkler} = 45.36 \text{ gpm} \div 448.8 \text{ gpm/cfs} = 0.10 \text{ cfs}$$

$$Q_{\text{LIMITED BY PERMIT}} = 0.07 \text{ cfs}$$

b) Volume Calculations for Irrigation:

$$V_{\text{IR}} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3 \text{ ac} \times 3.0 \text{ cfs} = 9.0 \text{ acf}$$

$$V_{\text{DR}} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.07)(214)(1.9835) = 29.7$$

$$V = \text{Smaller of } V_{\text{IR}} \text{ and } V_{\text{DR}} = 9.0$$

c) Volume Calculations for Other Uses: NONE

2. Overlap Review

a) Other water rights with same place of use: NONE

b) Other water rights with same point of diversion: NONE

c) Analysis:

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FEB 24 1988

RECOMMENDED AMOUNTS

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
23-7083	5-6-82	0.07	5-6-82	7-23-84	0.10 cfs

4. Permit Holder: Thomas S. or Sharon Welstad

Address: P.O. Box 26 Swan Valley Id 83449

5. Source: Groundwater

tributary to

6. Beneficial Use

Period of Use
From To

Rate of Diversion
Q (cfs)Annual Volume
V (afa)

Irrigation

4/1

$$u/1$$

0.07 cfs

 9.0 cf_E

Allowable Maximums:

0.07 cfs

9.0af

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

Twp.	Rge.	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	
2N	43E	36															3	3	
Total Acres																		3	

9. Recommended Conditions/Remarks:

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10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

11. Examiner's Signature

Date 21 Feb 1986

Checked in Regional Office by

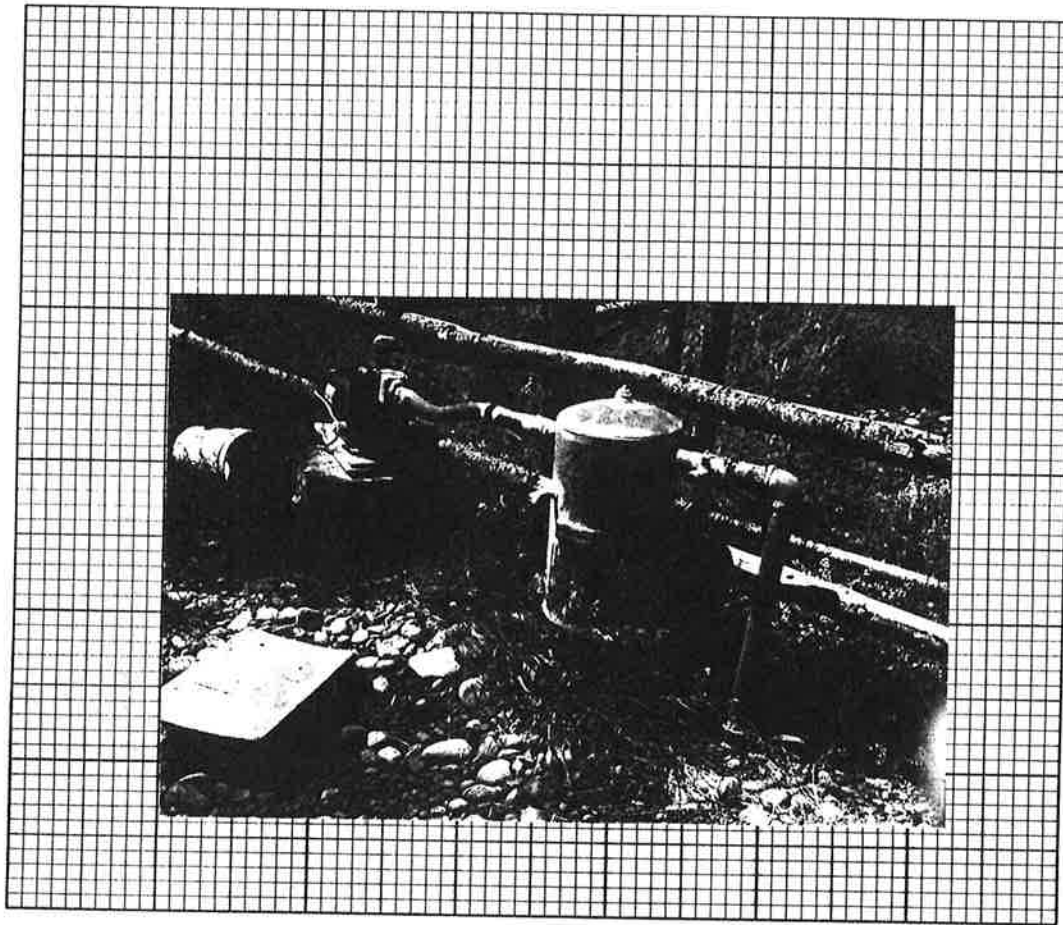
Date 3-5-86

Approved in State Office by _____

Date 12-12-87

[illegible]

10. Other water rights on these lands NONE
11. Other water right diverted from same p.d. NONE
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached
or Map of Irrigated Acreage Attached

14. Remarks _____

15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature Keith C. Wilson Date 13 July 1984

Consultant's License Number _____

IDWR Director's Authorization to Conduct

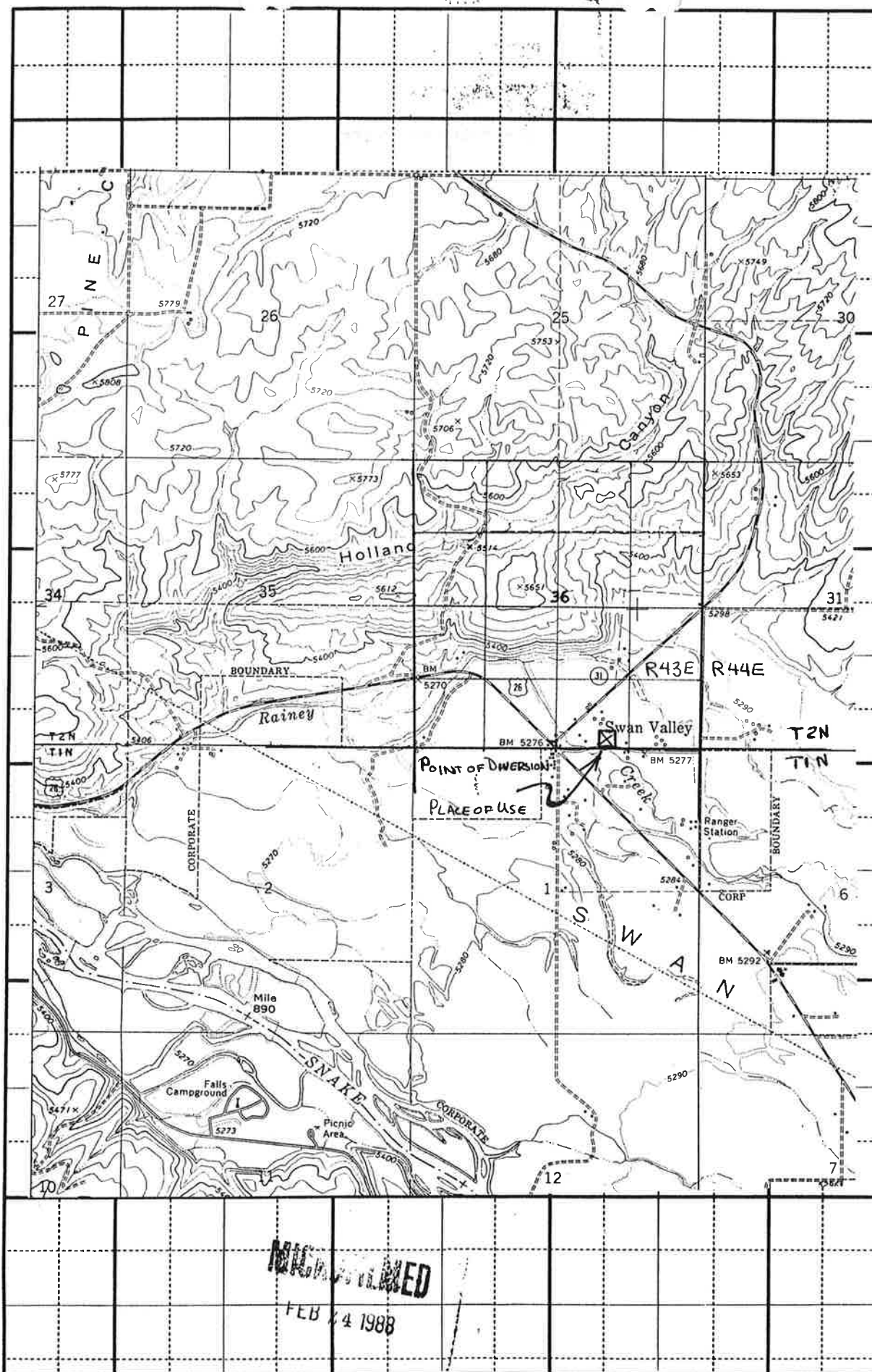
Beneficial Use Examination _____

Date

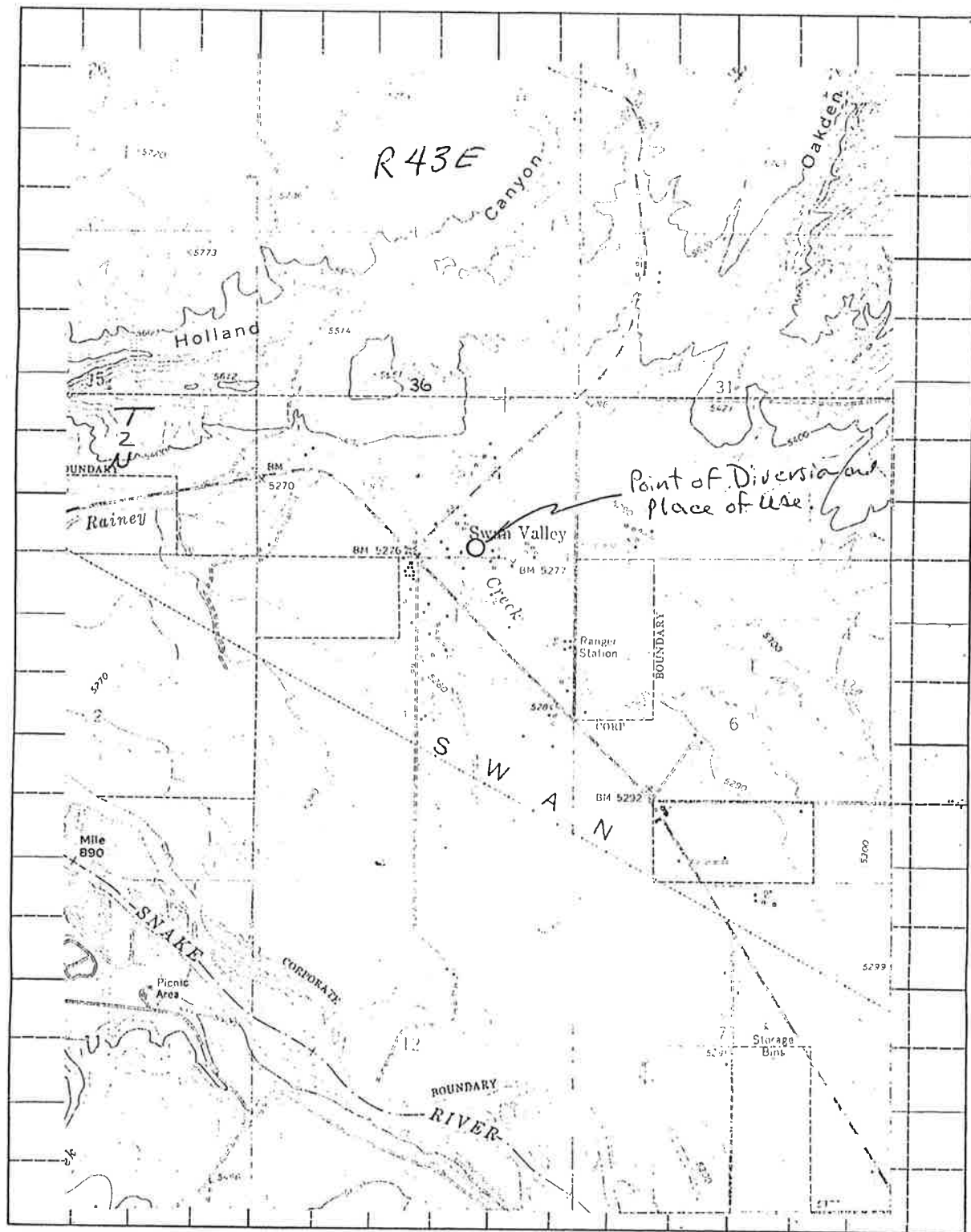
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CONSULTANT SEAL

FEB 24 1988



11. Map proposed project: show clearly the proposed location 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.

Thomas Whitford
(Applicant)

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME NEWMAN CLAIM ENT. NO. A23-07083
DATE RECEIVED 8/7/89 CK # _____ AMOUNT \$ _____

- | | YES | NO | Required Info? |
|--|----------|----------|----------------|
| 1. Is the name and address complete with zip code? | <u>X</u> | ___ | * |
| 2. Is a priority date entered? | <u>X</u> | ___ | * |
| Is the priority date acceptable in view of mandatory filing dates? | <u>X</u> | ___ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | <u>X</u> | ___ | * |
| 3. (a) Is a source entered? | <u>X</u> | ___ | * |
| (b) Is a tributary to entered? (if required) N/A <u>X</u> | ___ | ___ | * |
| 4. Is the legal description of the p.d. sufficient? | <u>X</u> | ___ | * |
| 5. Is there a description of the diverting works? | <u>X</u> | ___ | * |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | <u>X</u> | ___ | * |
| Is the period of use included? | <u>X</u> | ___ | * |
| Is a quantity claimed for each use? | <u>X</u> | ___ | * |
| 7. Is a total quantity claimed entered? | <u>X</u> | ___ | * |
| 8. If required is a consumptive use entered? N/A | ___ | <u>X</u> | * |
| Is the consumptive use correct? N/A | ___ | <u>X</u> | * |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | <u>X</u> | ___ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | <u>X</u> | ___ | * |
| 11. Is (are) the county(ies) entered? | <u>X</u> | ___ | * |
| 12. Is the ownership of p.u. checked? | <u>X</u> | ___ | * |
| 13. Are other water rights listed or "none" indicated? | ___ | <u>X</u> | * |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A | <u>X</u> | ___ | * |
| 15. Is the basis of the claim indicated? | <u>X</u> | ___ | * |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A <u>X</u> | ___ | ___ | * |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | <u>X</u> | ___ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | <u>X</u> | ___ | * |
| 19. Was this claim filed on time, or was an extension granted? | <u>X</u> | ___ | * |
| 20. Is the fee enclosed correct? Exempt | <u>X</u> | ___ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? N/A | <u>X</u> | ___ | * |
| 22. Should this claim be data entered? | <u>X</u> | ___ | * |

Claim checked by: TO Date: 8/8/89Claim must be returned to claimant: ___ (Yes) X (No)Claimant must be notified of modifications: X (Yes) ___ (No)

Receipt Prepared by: _____ Date: _____
Claim data entered by: SS-8-8-89 Date: _____
Sent to claimant by: _____ Date: _____

Comments: (13) NONE

MICROFILMED

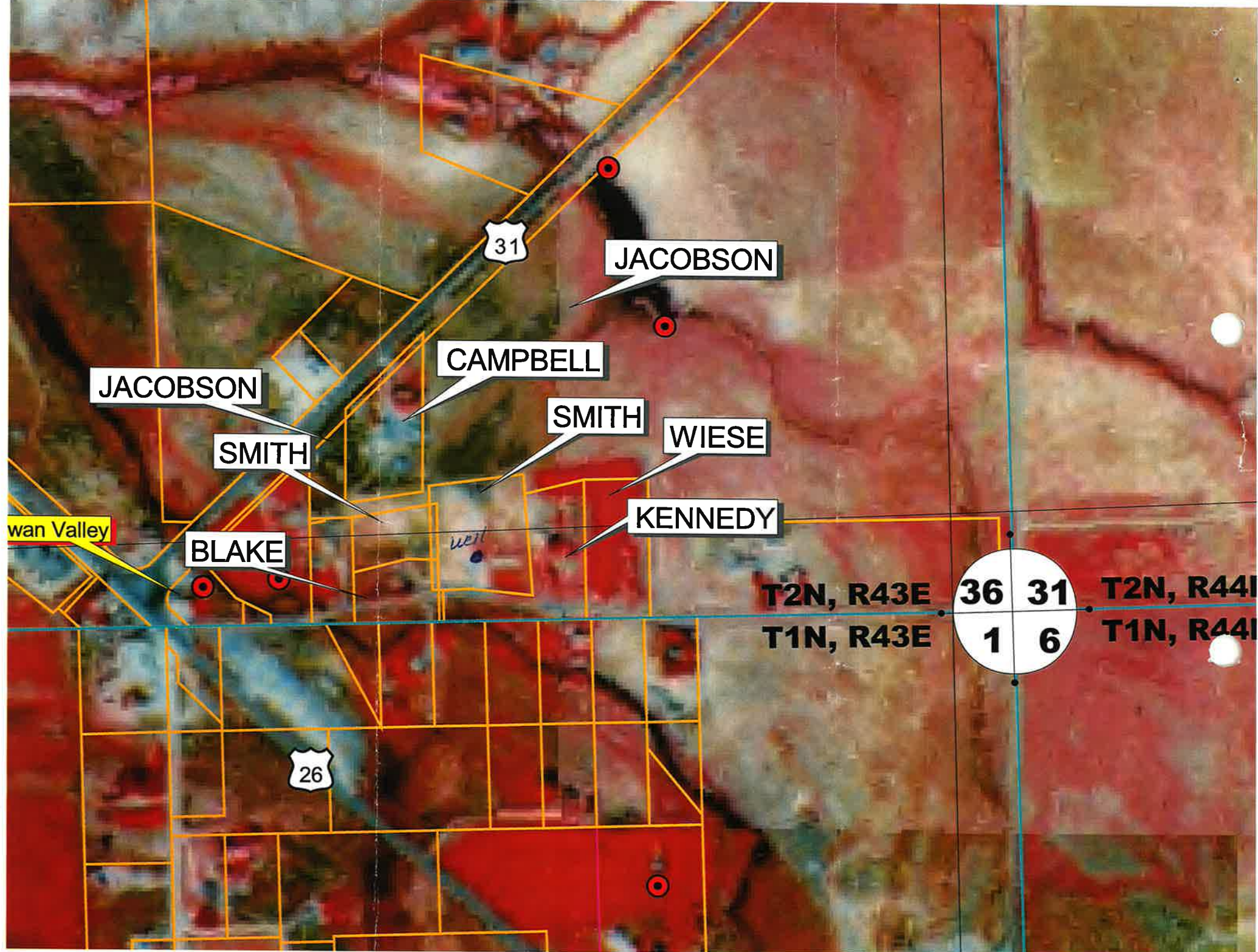
NOV 10 1992

Log for claim 23-07083

Spatial Dynamics BTD

6/12/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02n43e	36	SWSE	3	2.8	
Totals:			3	2.8	



JACOBSON

JACOBSON

CAMPBELL

SMITH

WIESE

KENNEDY

SMITH

BLAKE

wan Valley

31

26

36	31
1	6

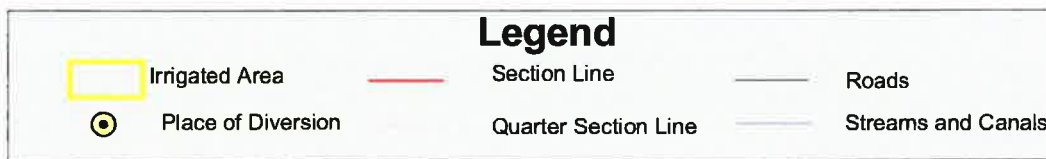
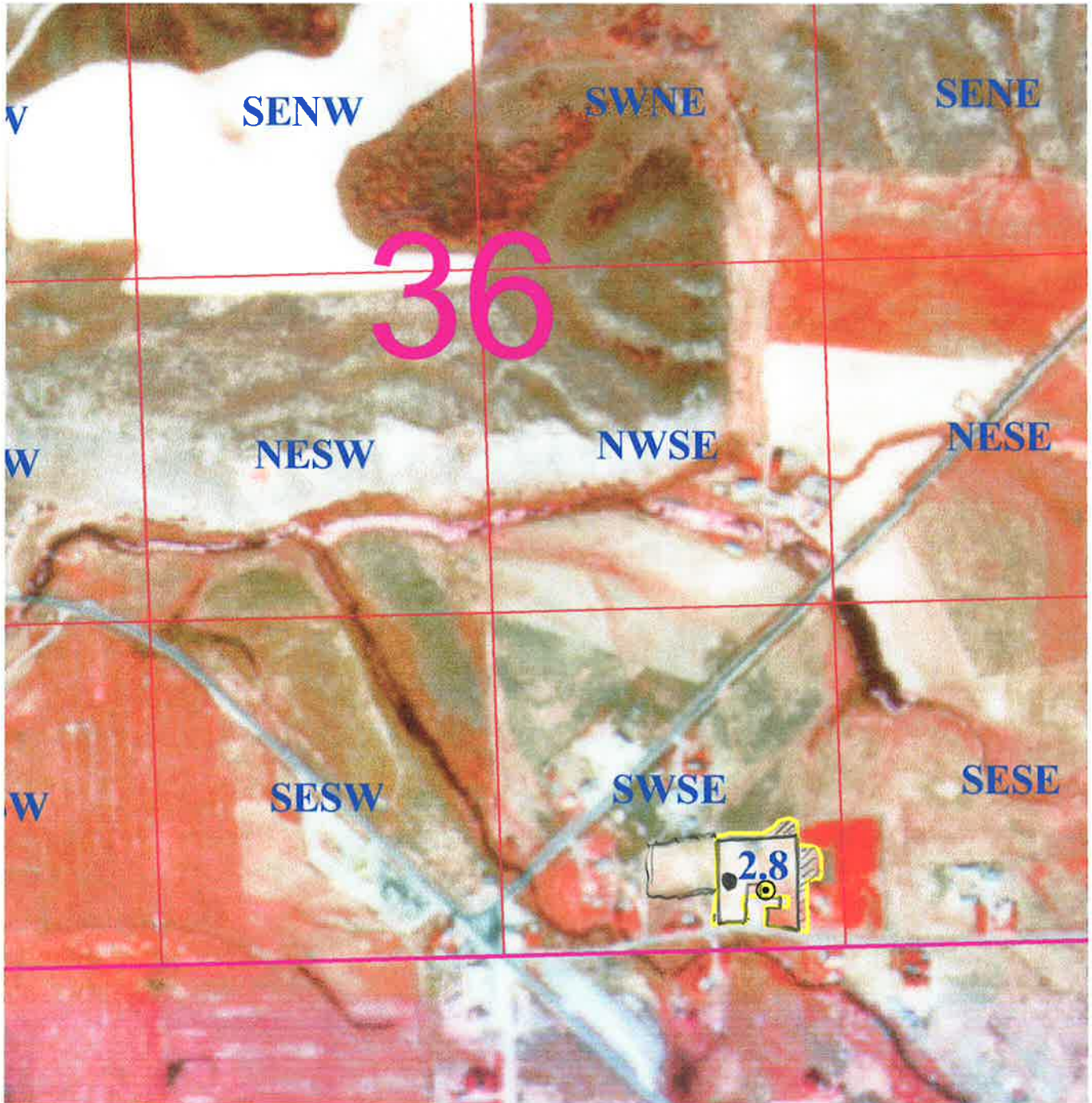
T2N, R43E
T1N, R43E

T2N, R44E
T1N, R44E

well

Water Right Claim Number 23-07083
Townships , 2N43E, 1N43E

06/12/2001



SPATIAL
DYNAMICS

4/22/03
ABR

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: A23-07083
Date Received: 8/08/1989
Receipt No: E009747
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS NEWMAN 208-483-2401
Address: P.O. BOX 2
SWAN VALLEY, ID 83449

AND/OR

Name: KATHRYN NEWMAN 208-483-2401
Address: P.O. BOX 2
SWAN VALLEY, ID 83449

A2307083



2. Date of Priority: MAY 06, 1982 *ok*

3. Source: GROUNDWATER *ok* Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	43E	36	SW	SE	<i>ok</i>		BONNEVILLE

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION <i>ok</i>	04/01	11/01 <i>ok</i>	0.070	<i>ok</i>	<i>90 by Lic.</i>

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A23-07083

Page 1

Date: 08/08/89

MICROFILMED
NOV 10 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	43E	36	SW	SE		IRR	~~24.0~~ 3.0
Deed - 10-22-91							
Section Acres							~~24.0~~
Total Acres							~~24.0~~ 3.0

on
30 by lic.

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
NONE

14. Remarks:

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

A23-7083

Date Received

8-7-89 *JS*

Receipt Number

E00 9747

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Thomas^{OR} + Kathryn Newman Phone (208) 483-2401Mailing Address P.O. Box 2, Swan Valley, ID Zip 834492. Date of Priority (Only one (1) per claim) May 6, 19823. Source of water supply (a) groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 2N Range 43E Section 36,
SW 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Bonneville

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. Sandpoint well 15 ft.deep, pump, mainline with laterals

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4/1 to 11/1 amount 0.07cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.07 (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.) _____

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	
2N	43E	36															2.4		2.4

Total number of acres irrigated 2.4 Rounded to 3 acres

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

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:

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NOV 10 1992

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 23-7083
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) Kathryn Deeman Date 8-7-89

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 Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 7th day of August 19 89

SEAL

Notary Public Betty J. Thompson

Residing at _____

My Commission Expires _____

Please Print Name

BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES: 6-30-94

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 _____

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NOV 10 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant