

02/27/2004

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

RIGHT NUMBER: 25-13963

NAME AND ADDRESS: RICHARD P SMITH  
5004 N FOOTHILL RD  
IDAHO FALLS ID 83401-5706

NANCY BOB SMITH  
5004 N FOOTHILL RD  
IDAHO FALLS ID 83401-5706

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 02/01/1991

POINT OF DIVERSION:

T03N R39E S31 SWSE Within BONNEVILLE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>                       | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|---------------------------------------------|----------------------|-----------------|
| DOMESTIC                                    | 1/01 12/31           | 0.040 CFS       |
| STOCKWATER                                  | 1/01 12/31           | 0.020 CFS       |
| Domestic use is for 1 home.                 |                      |                 |
| Stockwater use is for 20 cattle, 20 horses. |                      |                 |

PLACE OF USE: DOMESTIC Within BONNEVILLE County

T03N R39E S31 SWSE

STOCKWATER Within BONNEVILLE County

T03N R39E S31 SWSE

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

Water Right 25-13963

SCANNED

1 NOV 17 2004

PROFILED

JUL 25 2001

#25

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: **A25-13963**  
Date Received: 11/16/1999  
Receipt No: E025485  
Received By: DC

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name: RICHARD P SMITH  
Address: 5004 N FOOTHILL RD  
IDAHO FALLS ID

208-522-5812

83401-5706

AND/OR

Name: NANCY BOB SMITH  
Address: 5004 N FOOTHILL RD  
IDAHO FALLS ID

208-522-5812

83401-5706

2. Date of Priority: FEB 1, 1991

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

|          |       |         |        |        |     |     |            |
|----------|-------|---------|--------|--------|-----|-----|------------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County     |
| 03N      | 39E   | 31      | SW     | SE     |     |     | BONNEVILLE |

5. Description of diverting works:  
WELL/PUMP TO HOME AND STOCK

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| STOCKWATER | 01/01 | 12/31 | 0.020  |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.040  |      |        |

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:  
1 HOME

A2513963



10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 03N      | 39E   | 31      | SW     | SE  |     | STOCK  |       |
|          |       |         | SW     | SE  |     | DOMEST |       |

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:

14. Remarks:

STOCKWATER, 20 CATTLE, 20 HORSES

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): [Signature] Date: 11-23-99  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 23 day  
of Nov 19 99

[Signature]  
Notary Public

Seal

Residing at Regdon, Id  
My Commission Expires 2/26/2002



