

IDAHO DEPARTMENT OF WATER RESOURCES 12/13/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: SALLY R SMITH
2396 S GRANT
POCATELLO ID 83204

RANDY L SMITH
2396 S GRANT
POCATELLO ID 83204

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.06 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-08004 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.09 CFS.

PRIORITY DATE: 10/04/1919

POINT OF DIVERSION:

T07S R34E S1 NWSNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.060 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County
T07S R34E S01 SENW 3.0

3 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-08004 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 3 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 3.0 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

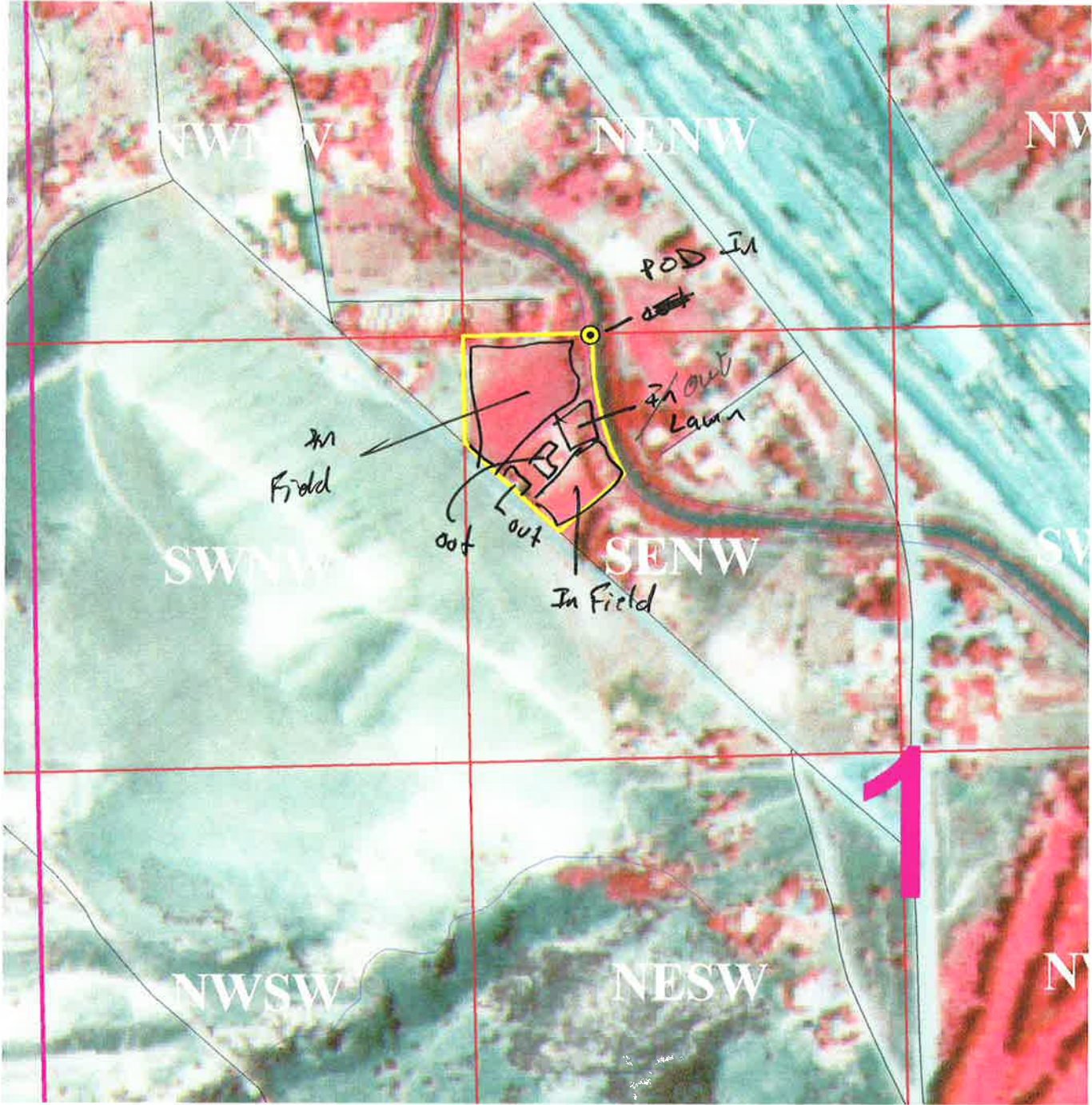
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

Water Right Claim Number A29-02224E
Township , 7S34E

08/29/2000



Legend

 Irrigated Area	 Section Line	 Roads
 Place of Diversion	 Quarter Section Line	 Streams and Canals

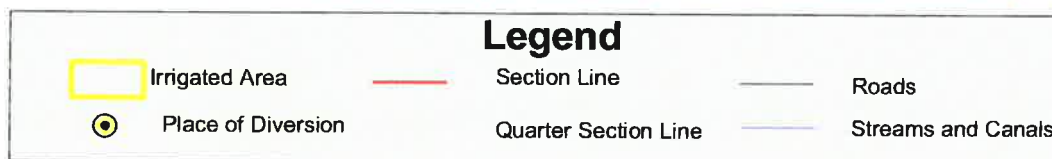
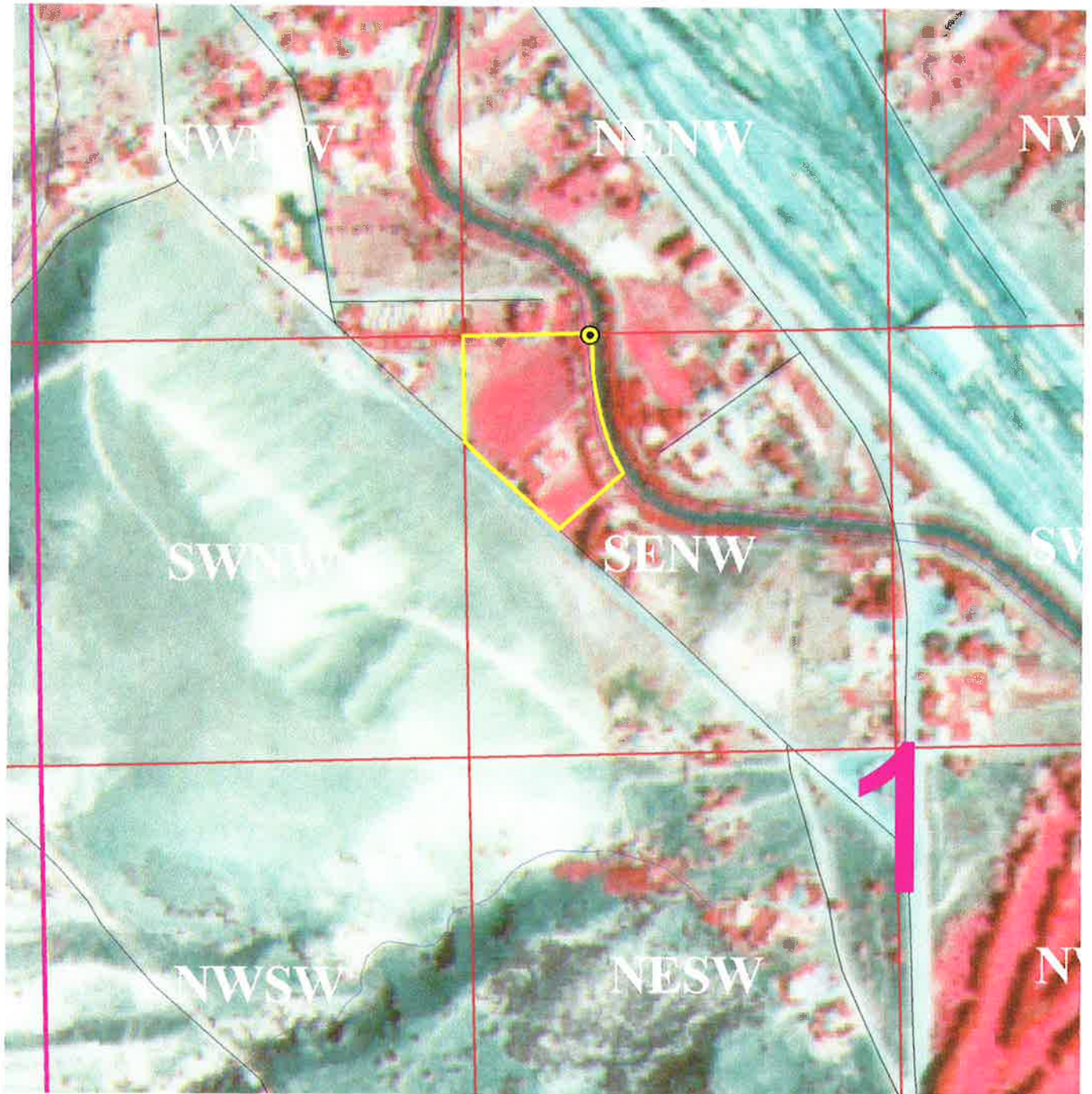


PROFILED

SCANNED
JAN 18 2006

Water Right Claim Number A29-02224E
Township , 7S34E

08/29/2000



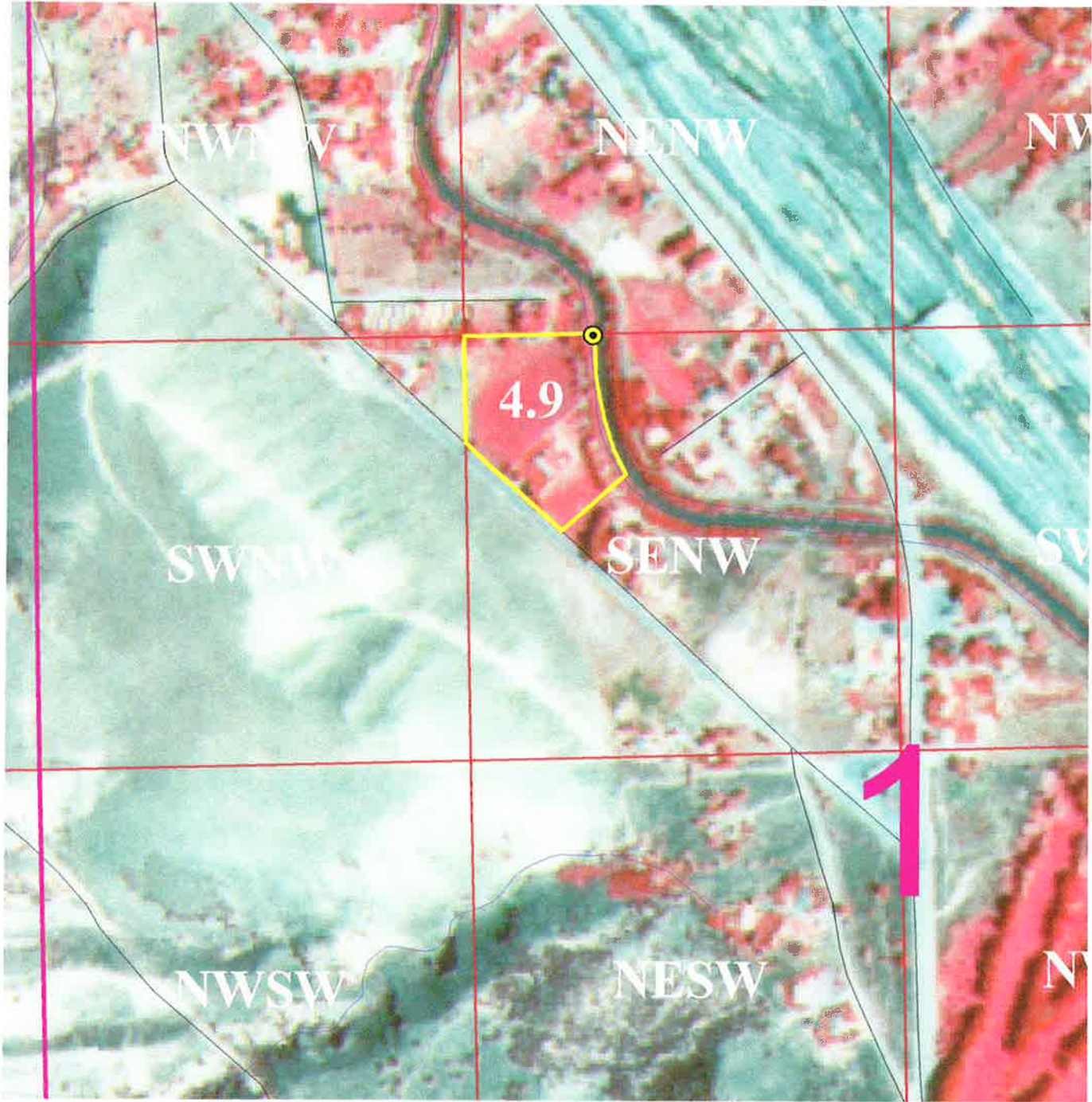
300 0 300 600 Feet



SCANNED
JAN 18 2003

Water Right Claim Number A29-02224E
Township , 7S34E

08/29/2000



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals

Legend



SCANNED
JAN 18 2000

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 29-2224E V1

WATER RIGHT NUMBER: 29-2224E V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ROBERT A KREBS 2396 S GRANT POCATELLO, ID 83204 (208)233-0568
Original Owner	HENRY O LEARY POCATELLO, ID 83201
Original Owner	MYMRIE KREBS 2396 S GRANT POCATELLO, ID 83204 (208)233-0568
Current Owner	SALLY R SMITH 2396 S GRANT POCATELLO, ID 83204 (208)233-5569
Current Owner	RANDY L SMITH 2396 S GRANT POCATELLO, ID 83204 (208)233-5569

Priority Date: 10/04/1919

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
PORTNEUF RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.060 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of Diversion

PORTNEUF RIVER	NW1/4SE1/4NW1/4	Sec. 1,	Twp 07S,	Rge 34E, B.M.
BANNOCK County				

Place of Use

IRRIGATION Within BANNOCK County

T07S R34E S01 SENW 3.0

Total Acres: 3

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2224E V1

2. C18 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.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-08004 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.09 CFS.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 29-08004 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3 ACRES IN A SINGLE IRRIGATION SEASON.
3. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 3.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. csaxton 12/13/2001 POD

Comment: Claim filed in 1990. Right not split in C/O in 1995 so no indication that POD has not been in current location since prior to 1987.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 29
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	12/13/2001 4:09:44 PM	csaxton			Active
POD	12/13/2001 4:12:27 PM	csaxton			Active
Source	12/13/2001 4:14:59 PM	csaxton			Active
POU	12/13/2001 4:15:17 PM	csaxton			Active
Use	12/13/2001 4:16:34 PM	csaxton			Active
Season	12/13/2001 4:17:00 PM	csaxton			Active
Quantity	12/13/2001 4:17:35 PM	csaxton			Active
Summary	12/13/2001 4:21:13 PM	csaxton	12/13/2001 4:21:13 PM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2224E V1

Contacts	12/13/2001 4:09:17 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field Exam 7/5/01 by Dean Byington
Source	12/13/2001 4:15:03 PM	csaxton	(Yes) 1. Is the basis of claim decree or license? (Yes) 4. Does the parent right have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	12/13/2001 4:15:22 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the parent right have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (Yes) 14. Is a POU remark and/or condition required?
Use	12/13/2001 4:16:38 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Priority Date	12/13/2001 4:09:48 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	12/13/2001 4:12:31 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 8. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	12/13/2001 4:14:03 PM	csaxton	Edited point location
POD	12/13/2001 4:14:38 PM	csaxton	Edited PLS
POU	12/13/2001 4:15:41 PM	csaxton	Edited shape boundary
POU	12/13/2001 4:16:00 PM	csaxton	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2224E V1

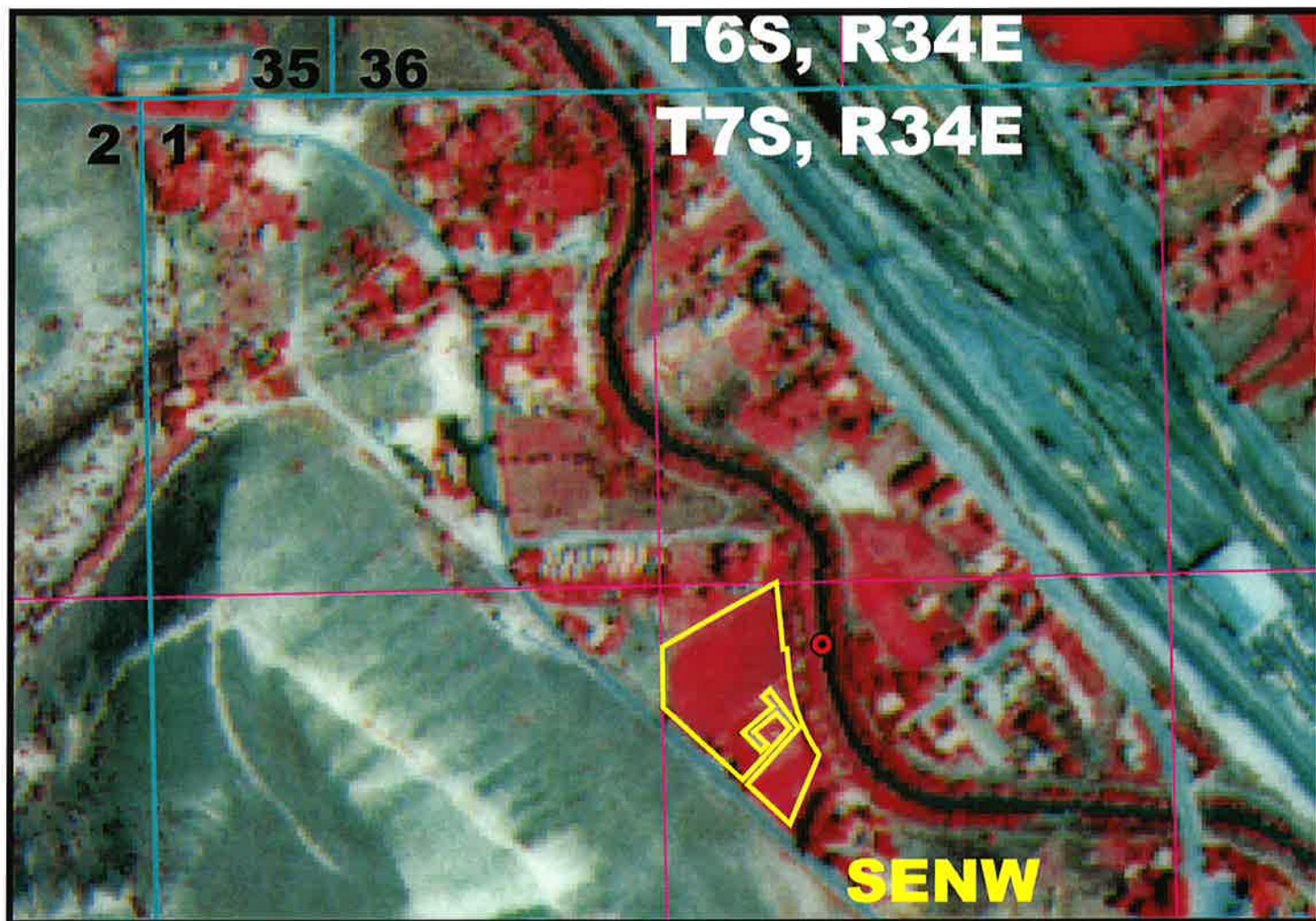
Season	12/13/2001 4:17:04 PM	csaxton	(Yes) 1. Is the basis of claim decree or license? (No) 4. Does the parent right have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	12/13/2001 4:17:39 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required?
Summary	12/13/2001 4:21:17 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-02224C^D



1320

0

1320 Feet

Total Irrigated Acres: 3.0



Point(s) of Diversion



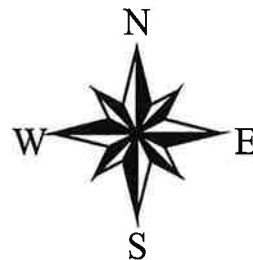
Place of Use



Quarter Quarter Lines



Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: December 2001

02/18/2003

Craig

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: April 21, 2003

Water right number: 29-2224E

SALLY R SMITH
2396 S GRANT
POCATELLO ID 83204
Telephone Number: (208)233-5569

RANDY L SMITH
2396 S GRANT
POCATELLO ID 83204
Telephone Number: (208)233-5569

RECEIVED

MAR 24 2003

WATER RESOURCES
WESTERN REGION

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: 02-27-03

SIGNATURE:

Sally Smith

Randy L Smith

Please print your name:

Sally Smith

Randy Smith

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROCESSED

SCANNED

JAN 18 2006



13-782 500 SHEETS, FILLER 5 SQUARE
42-381 50 SHEETS EYE-EASE 5 SQUARE
42-382 100 SHEETS EYE-EASE 5 SQUARE
42-383 200 SHEETS EYE-EASE 5 SQUARE
42-392 100 RECYCLED WHITE 5 SQUARE
42-399 200 RECYCLED WHITE 5 SQUARE
Made in U.S.A.

12-13-01 : Called Randy Smith to ask when POD was put
in place. Returned call and said POD was in same
place when he bought property 10 yrs ago.
Recommend CDS.

PROPERTY

SCANNED

JAN 18 2006

Split history for Decreed Right 29-02224

Claimed		Recommend
A Strand - PD'd		
	0.01 Domestic	0.01 Domestic
B Orr		
	0.02 1	0.02 0.8
C Honas		
	0.02 1	0.02 1
D Worth - PD'd		
	0.02 Domestic	0.02 Domestic
E Smith		
	0.06 3	0.06 3
F Vestal		
	0.04 2	0.04 1.2
G Rodemacher		
	0.02 1	0.02 0.6
H Holton (split)		
	0.03 1.5	
L Holton		
	0.01 0.5	0.01 0.3
M Thomas		
	0.02 1	0.05 0.5
I Ellis		
	0.02 1	0.02 1
J Harris		
	0.02 1	0.2 0.6
K Armstrong		
	0.08 4	0.01 0.4
N Knecht		
	0.03 1.3	0.03 0.9
P Tilly		
	0.01 0.49	0.01 0.5
29-13191 (Blom)		
	0.03 0.4	0.1 0.4

Disallow

Not in Stone

Licensed Acreage = 44
Licensed CFS = 0.88

Sum of claimed Acreage = 17.69
Sum of claimed cfs = 0.41

Sum CFS=	0.62
Sum Acre=	11.2
Un-accounted for CFS=	0.26
Un-accounted for Acres=	32.8

SCANNED

JAN 18 2006

COMMUNICATION DOCUMENTATION

Claim No. 29-2224E

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Dean Byington Date 7-5-01Contact Person(s) Randy SmithNature of Contact Called Setup appointment

Substance of Communication _____

* Said he was pumping out of River to Irrigate Fields on
Both Sides of Property.

PROVIDED

SCANNED

JAN 18 2006

IDWR SUPPLEMENTAL CLAIM VERIFICATION REPORT FOR DOCUMENTING CHANGES TO CVR

1. ☒ NAME - No change
☐ NEW OWNER: _____
(SUPPORTING DOCUMENTATION REQUIRED - ATTACH COPY)
☒ ADDRESS - No change
☐ NEW ADDRESS: _____

2. ☐ SOURCE - No change
☐ CHANGE - New source and/or tributary is: _____
3. ☐ QUANTITY - No change
☐ CHANGE - New amounts: _____ CFS and/or _____ AFY
4. ☐ PRIORITY DATE - No change
☐ CHANGE - Priority date to: _____
(EVIDENCE OF PRIORITY REQUIRED - ATTACH COPY)
5. ☒ POINT OF DIVERSION - No Change
☐ CHANGE - New point of diversion is: T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
When 1st = _____ T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
(LOCATION OF POD(S) SHOULD BE SHOWN ON MAP)
6. ☒ PURPOSE AND PERIOD OF USE - No change
☐ CHANGE New purpose of use _____ New period of use _____ New amount(s) _____
_____ from _____ to _____ cfs _____ af
_____ from _____ to _____ cfs _____ af
_____ from _____ to _____ cfs _____ af
7. ☒ PLACE OF USE - No change
☐ CHANGE New place(s) of use: (LOCATION(S) AND ACRES SHOULD ALSO BE SHOWN ON MAP)

[illegible]

REMARKS _____

CONDITIONS

Reviewer _____ Date _____

03/19/98

Date _____

SCANNED

JAN 18 2006

29-02224E

POD

Field Exam 7/05/01



Pump used to irrigate field (Dean Byington Notes)

PROTECTED

SCANNED
JAN 18 2006

29-02224E

POD

Field Exam 7/05/01



Intake hose from river (Revised Dean Byington notes).

SCANNED
JAN 18 2006

29-02224E

POU

Field Exam 7/05/01



Field on NW end of property (Dean Byington notes).

SCANNED
JAN 18 2006

29-02224E

POU

Field Exam 7/05/01



Property on SE end of Property (Dean Byington Notes).

SCANNED
JAN 18 2006

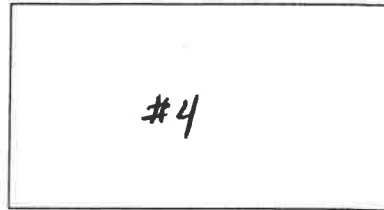
WR #: 29- 2224E

DATE: _____

GPS File: 2224E OR

Northing: _____

Easting: _____



Notes: Property on S.E. End of Property (Red flag in middle of field)

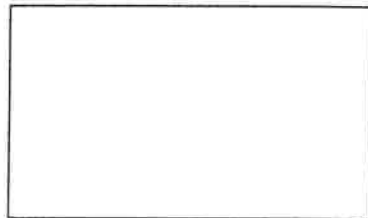
WR #: _____

DATE: _____

GPS File: _____ Or

Northing: _____

Easting: _____



Notes: _____

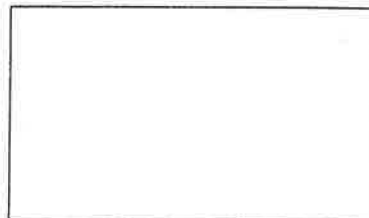
WR #: _____

DATE: _____

GPS File: _____ Or

Northing: _____

Easting: _____



Notes: _____

SCANNED
JAN 18 2006

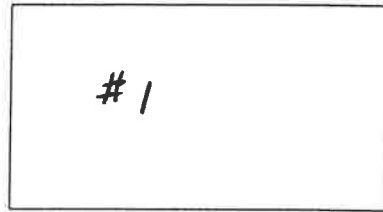
WR #: 29-2224

DATE:

GPS File: 2224E OR

Northing:

Easting:



Notes: Pump Used to Irrigate field

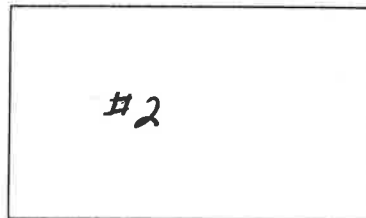
WR #: 29-2224E

DATE:

GPS File: 2224E Or

Northing:

Easting:



Notes: Hose going into river

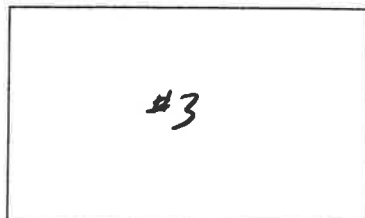
WR #: 29-2224E

DATE:

GPS File: 2224E Or

Northing:

Easting:



Notes: Field on N.W. End of Property

SCANNED
JAN 18 2006

Log for claim A29-02224E

Spatial Dynamics BTD

8/29/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s34e	1	SENW	3	4.9	Indiscernible
Totals:			3	4.9	

SCANNED

JAN 18 2006



AJ5809NP
No. A29-02224E

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 121

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RANDY L SMITH	10/04/1919	IRRIGATION	04-01 11-01	0.060 CFS	
C	SALLY R SMITH					
	2396 S GRANT					
	POCATELLO ID 83204					
	(208) 233-5569					
TOTAL DIVERSION:					0.060 CFS	
CONSUMPTIVE USE:						9.00 AFA

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T07S R34E S01

NWSENW

BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
07S	34E	1	:					:				03	:					:						3.0
																							TOTAL ACRES	3.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: APPLICATION FOR PERMIT FOR GROUNDWATER

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-10915	29-10918	29-10947	29-11259	29-12062	29-12174	A29-02224F	A29-02224G	A29-10915	A29-10918
A29-10947	A29-11259	A29-11528	A29-11945	A29-12062	A29-12174	A29-12191			

Other Water Rights Listing Overlapping Place(s) of Use:

A29-02224	A29-02224F	A29-02224G	A29-02224I	A29-02224K	A29-04288	A29-11528	A29-12191
-----------	------------	------------	------------	------------	-----------	-----------	-----------

Remarks: GEN **CHANGED OWNERSHIP 9/14/95/JT/GT**

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag:

Audit: 04/17/90 VERNER 06/02/94 COX 03/29/95 POST-STD 09/14/95 JTHOMPSO



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

SEPTEMBER 14, 1995

RANDY L SMITH
2396 S GRANT
POCATELLO ID 83204

RE: CHANGE IN OWNERSHIP FOR A29-02224E

Dear Mr. Smith:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a copy of the Notice of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

PROFILED

SCANNED

JAN 18 2006

MICROFILMED

NOV 14 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

SEP 05 1995

Department of Water Resources

RECEIVED

SEP 11 1995

Department of Water Resources
Eastern District Office

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 07 S Range 34 E
Section 1, NW 1/4 of SE 1/4 of NW 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR:

A29-02224E

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

ROBERT A. & MYRIE KREBS

☐ New Owner/Claimant
(Purchaser):

2396 S. GRANTLOCATELLO ID 83204RANDY L & SALLY R SMITH

☐ New Mailing Address:

2396 S. GRANTLOCATELLO ID 83204

☐ New Telephone Number:

(208) 233 - 5569

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of
ownership, describe
proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New
Owner/Claimant(s)

Randy L. SmithDate 09-02-95Sally R. SmithDate 09-02-95

☒ Signature of Former
Owner/Claimant(s):

Robert A. KrebsDate 8-12-95Myrie KrebsDate 8-12-95

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:

Further Action Taken
Date: _____ By: _____

Final Review and Data-Entry
Date: _____ By: _____

Claim Numbers of Split, if any:

SCANNED
PROFILED
JAN 13 2006

MICROFILMED

NOV 14 1995

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

License and Certificate of Water Right

Water License No. 14352

Water District No. 17-D

Amount 0.88 sec. ft.

Priority 12-4-19

THIS IS TO CERTIFY that HENRY O'LEARY of Pocatello, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 4, 1919; that Permit No. 14352 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.35 second/ft., was issued thereunder on September 30, 1921, showing that said works were completed on the 20th day of September, 1921; and that on the 30th day of October, 1922,

HENRY O'LEARY of Pocatello, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation, of Idaho, of the right to use the waters of Portneuf River, a tributary of Snake River, for the purpose of irrigation, under Use Permit No. 14352 of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume 8 of Licenses, at page 3007, on the 13th day of November, 1922. The right hereby confirmed dates from October 4, 1919;

The Point of Diversion is located in the SW 1/4 of Sec. 3, T. 7 S., R. 34 E., B. M. County of Bernook. That 0.88 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 0.88 cubic feet per second.

Description and location of water

Twp.	Range	Sec.	Portneuf River	No. Acres Described in Permit	No. Acres Actually Irrigated
3	34 E.	1	SW 1/4 Lot 3 SW 1/4 NE 1/4	39 19 9	23 12 6
					Total 44

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 Commissioner of Reclamation, affixed at Boise, Idaho, this 13th day of November, 1922.

W. G. SWENDSEN.
Commissioner of Reclamation.

(SEAL)

REPORT OF ENGINEER

This report is for Beneficial Use of Water In Water District No. 17-D

1. State name of applicant and number of permit: Henry O'Leary - Permit No. 14352

2. State source of water supply: Portneuf River

3. Location of point of diversion: SE 1/4 Sec. 1, Twp. 7 S., R. 34 E., B.M.

4. Describe works as they exist giving dimensions and capacities of same:

4" Fairbanks-Morse Pump and 5 h. p. motor, capacity 2-1/2 s. f.

5-1/2" Fairbanks-Morse Pump and 10 h. p. motor, capacity 4 s. f.

3/4 mi. of ditch, 1-1/2 ft. bottom, 6" deep.

No control works and pumps from Portneuf River.

5. State whether or not water has been turned into works of diversion: Yes.

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SE 1/4, NW 1/4 and SW 1/4, Sec. 1, Twp. 7 S., R. 34 E., B.M.

Lot 7, 12 A.

Lot 1, 65 A.

SE 1/4 NW 1/4 26 A.

SW 1/4 NE 1/4 6 A. (overflow lands, cultivated but not watered.)

SE 1/4 NW 1/4 4 A.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? One.

9. Give names and amount of each right:

Henry O'Leary, as above.

10. What large stream would the water here appropriated finally reach? Snake River.

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: Portneuf into Snake River.

Remarks:

This examination was made on the 21st day of September, 1922.

(Signed) Elmer W. Lawrence

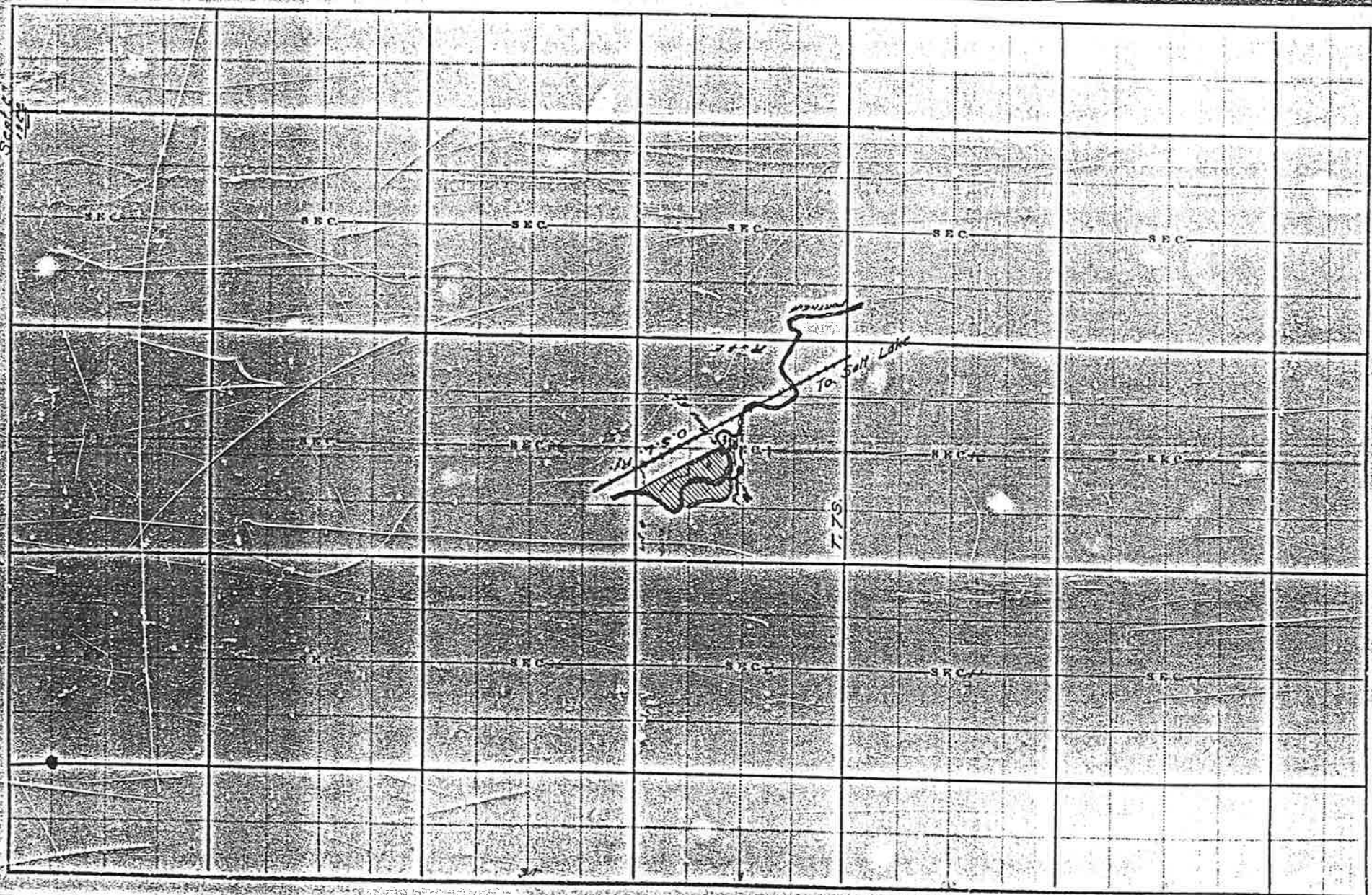
Examiner

14352

OVER

FWH
Seed Co

NAME OF APPLICANT: *Henry O'Leary* Permit No. 14352



SCALE: 2 INCHES EQUALS 1 MILE. DRAW PLAN IN INK.

14352

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: **A29-02224E**
Date Received: 4/13/1990
Receipt No: E013150
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: RANDY L SMITH 208-233-5569
Address: 2396 S GRANT
POCATELLO ID 83204
OR
Name: SALLY R SMITH 208-233-5569
Address: 2396 S GRANT
POCATELLO ID 83204

2. Date of Priority: OCT 4, 1919

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	34E	1	NW	SE	NW		BANNOCK

5. Description of diverting works:
PUMP IN STREAM TO SPRINKLER LINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		

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

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

SCANNED

JAN 18 2006

MICROFILMED

NOV 14 1996

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	34E	1	SE NW		IRR	3.0

Section Acres 3.0

Total Acres 3.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

APPLICATION FOR PERMIT FOR GROUNDWATER

14. Remarks:

CHANGED OWNERSHIP 9/14/95/JT/GT

15. Basis of Claim: LICENSE

Water Right Number: 14352

MICROFILMED

NOV 14 1996

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: A29-02224E

Date Received: 4/13/1990

Receipt No: 5013150

Received By: SN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT A. KREBS 208-233-0568
Address: 2396 S. GRANT
POCATELLO, ID 83204
OR
Name: MYMRIE KREBS 208-233-0568
Address: 2396 S. GRANT
POCATELLO, ID 83204

2. Date of Priority: OCT 04, 1919

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	34E	1	NW	SE	NW		BANNOCK

5. Description of diverting works:
PUMP IN STREAM TO SPRINKLER LINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		

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

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-02224E

Page 1

Date: 04/13/90

MICROFILMED
NOV 13 1992

A2902224E



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	34E	1	SE NW		IRR	3.0
Section Acres						3.0
Total Acres						3.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
APPLICATION FOR PERMIT FOR GROUNDWATER

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 14352

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: 2

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 A. Kups Date: 4-13-90

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of April 19 90

[Signature]
Notary Public

Seal

Residing at Red Falls, ID

My Commission Expires 22 Aug 1994

