07/01/2002

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-2302

NAME AND ADDRESS: SMITH RANCH FAMILY PARTNERSHIP
2551 KELLY TOPONCE RD
BANCROFT ID 83217

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 1.60 CFS
270.0 AFY

PRIORITY DATE: 09/10/1951

POINT OF DIVERSION:

T07S R38E S26 NENESW Within CARIBOU County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 11/01	1.600 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T07S R38E S26	NESW	25.0	T07S R38E S26	SWSW	13.0
T07S R38E S26	SESW	39.0			

77 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

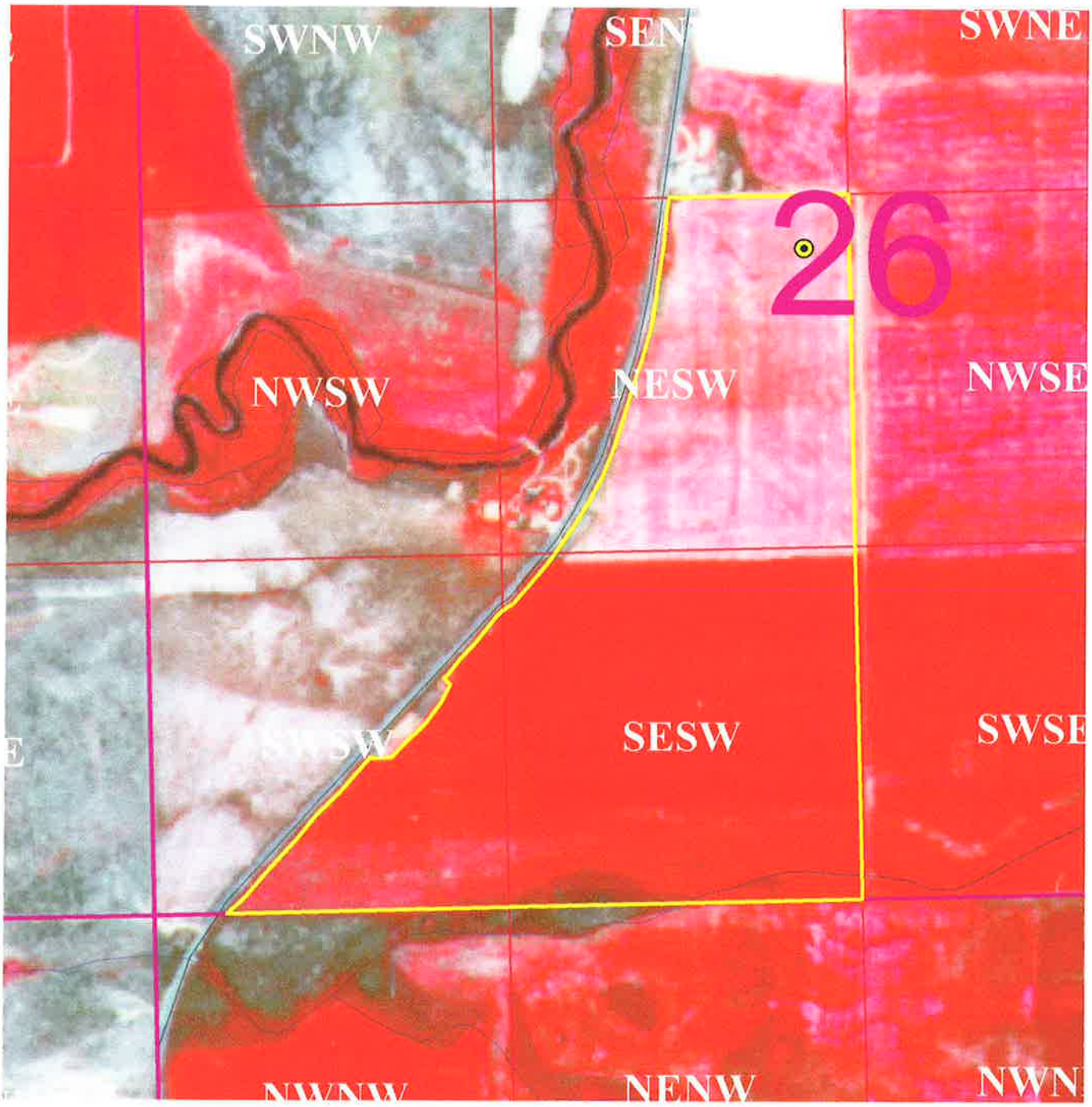
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NO. 29-4006 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Water Right Claim Number A29-02302

06/09/2000

Township , 7S38E



Legend

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

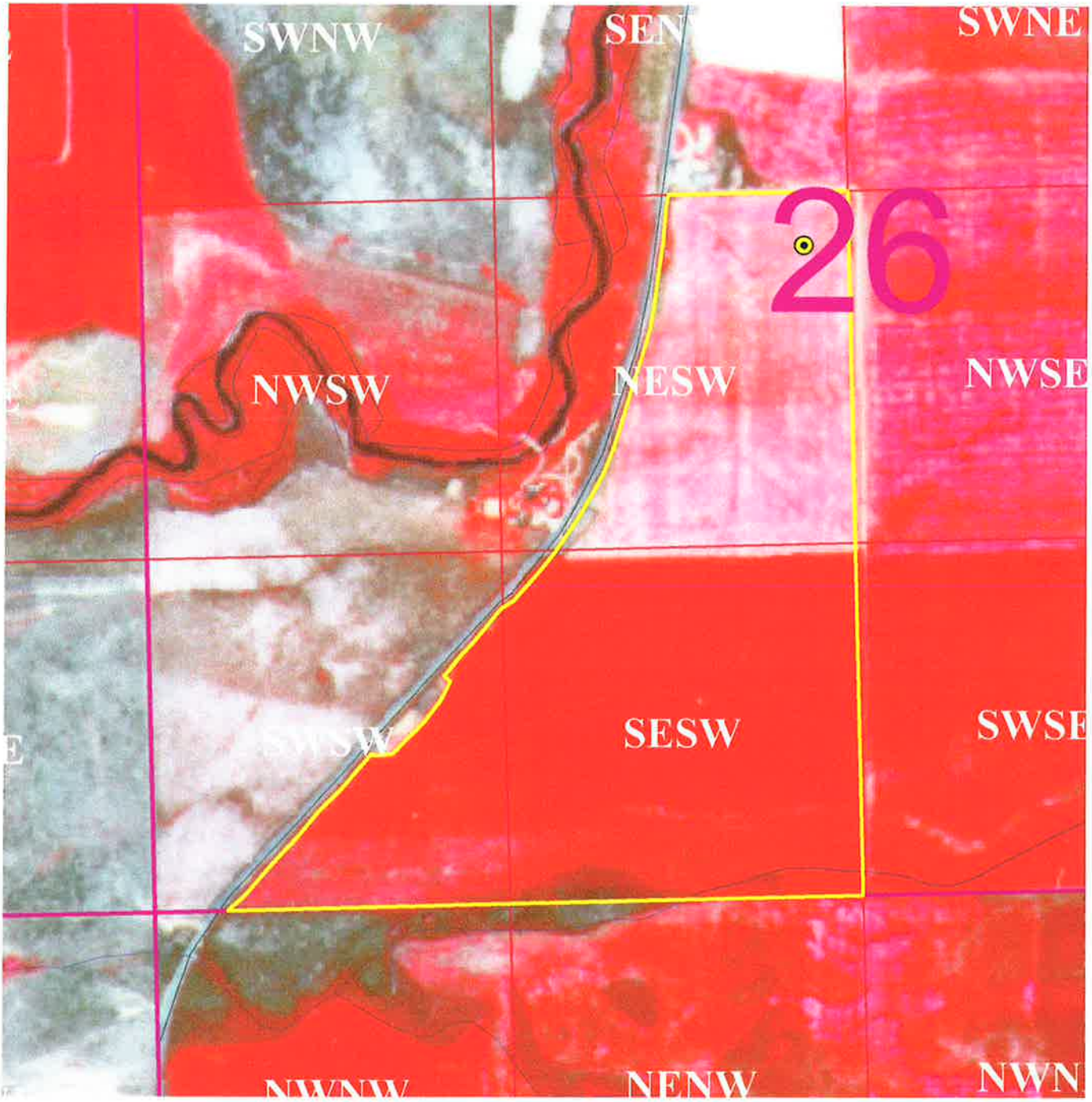
N

200 0 200 400 Feet

Water Right Claim Number A29-02302

06/09/2000

Township , 7S38E



Legend

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

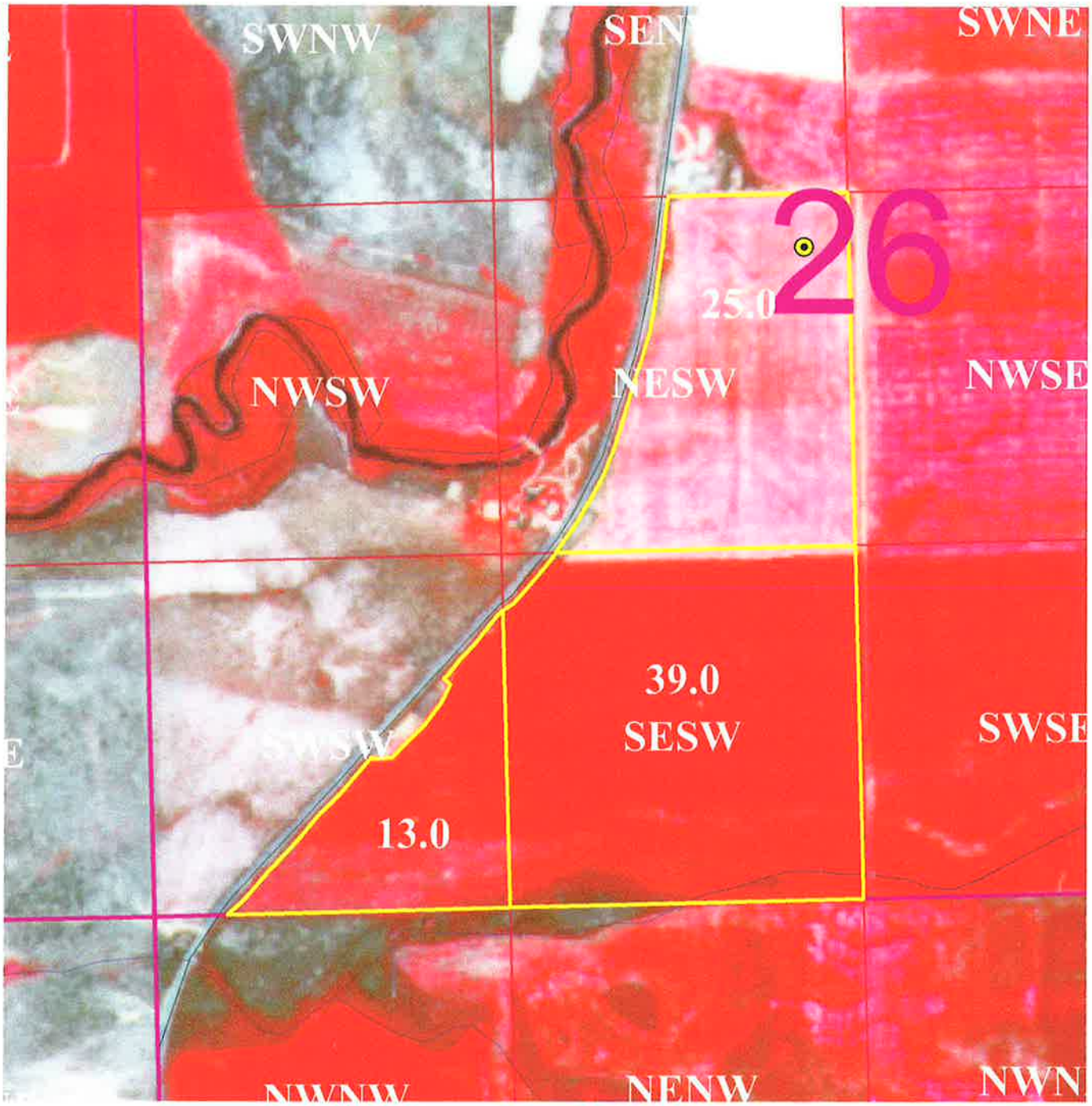
N

200 0 200 400 Feet

Water Right Claim Number A29-02302

06/09/2000

Township , 7S38E



Legend

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

N

200 0 200 400 Feet

02/18/2003 Cindy

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: 29-2302

SMITH RANCH FAMILY PARTNERSHIP
2651 KELLY TOPONCE RD
BANCROFT ID 83217
Telephone Number: (208)648-7384

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:

X **I AGREE with this proposed recommendation: no changes need to be made.**

DATE: 20 Mar 03 **SIGNATURE:** Loren Smith

Please print your name: Loren Smith

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

SCANNED
JAN 23 2006

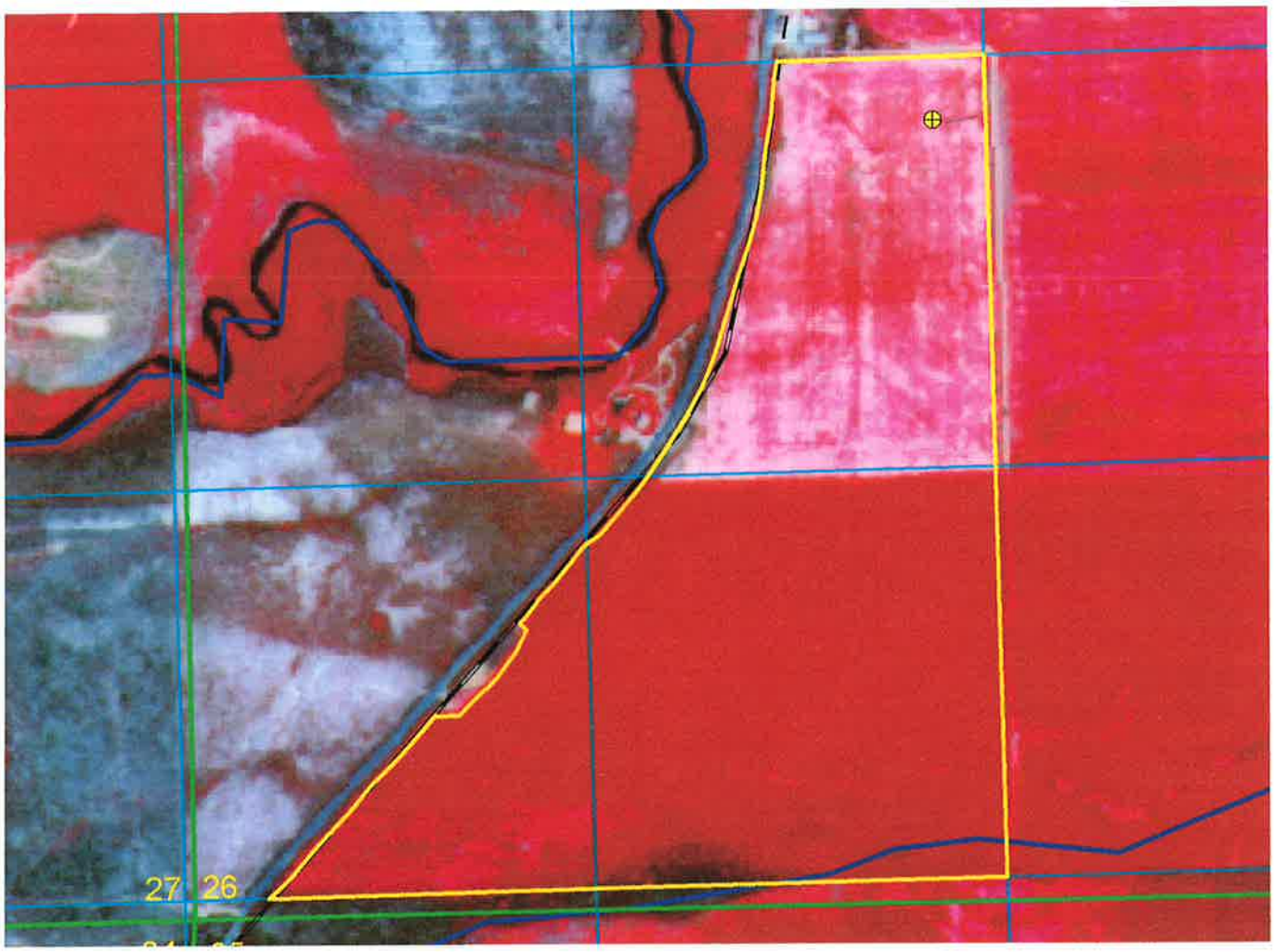
PROTEST

STATE OF IDAHO

Department of Water Resources

Eastern Region

Water Right 29-2302



300 0 300 600 900 Feet

N
W E
S

LEGEND

- Point of Diversion
- Place of Use
- STREETS
- SECTIONS
- QUATER-QUATERS
- STREAMS

Place of Use: T7S, R38E,
(part of) Section 26

Points of Diversion: T7S, R38E
Sec. 26 NENESW

GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by C. Bird
Date: July 2002

SCANNED
JAN 23 2006
PROOFED

Priority Date Data Entry Form

Claim Number: 29-2302

Water Right Priority Date: 9/10/1951 Water Right Basis: license

Claimed Priority Date: 9/10/1951 Claimed Basis: license

Recommended Priority Date: 9/10/1951 Recommended Basis license

X **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:

+ when combine w/29-4006 it can't exceed 1.6 cfs.

Reviewer: CB Date: 7/1/02

SCANNED
JAN 23 2006
PROFILED

IDWR Field Exam Form 04/03/2002

Point of Diversion and Source Data Entry Form

Claim Number: 29-2302

Water Right Point of Diversion: T 7S, R 38E, Sec. 26, ____, NE, SW. County: Caribou

Source: ground water. Tributary: ____

Claimed Point of Diversion: T 7S, R 38E, Sec. 26, NE, NE, SW. County: Caribou

Source: G.W. Tributary: ____

Recommended Point of Diversion: T 7S, R 38E, Sec. 26, ____, NE, SW. County: Caribou

Source: G.W. Tributary: ____

X **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: ____

GPS Coordinates: ____

Other rights from this POD? 29-4006.

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

license file

add FOS Remark

Transfers Changing POD ____

Reviewer: CB Date: 7/1/02.

SCANNED
JAN 23 2006

IDWR Field Exam Form 04/03/2002

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
7S	38E	26	NESW		Caribou		25	Irrigation
			SWSW		"		25	"
			SESW		"		40	"

Total Acres 90

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
7S	38E	26	NESW		Caribou		25	Irrigation
			SESW		"		39	"
			SWSW		"		13	"

Total Acres 77

Document how the POU was verified:

field exam 6/11/01

Transfers Changing POU _____

Reviewer: CB

Date: 7/1/02

SCANNED

JAN 23 2006

IDWR Field Exam Form 04/03/2002

Purpose of Use Data Entry Form

Claim Number: _____

_____ **Use Claimed Purpose of Use as Recommended Purpose of Use**

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			90	

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			90	

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			77	

Document how the Purpose of Use was verified:

field exam 6/11/02

Transfers Changing Purpose of Use _____

Reviewer: CB

Date: 7/1/02.

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JAN 23 2006

IDWR Field Exam Form 04/03/2002

Period of Use and Quantity Data Entry Form

Claim Number: 29-2302

__ 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
Irrigation	4/1	11/1	1.6	270 A-F

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	11/1	1.6.	

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation.	4/1	Nov 1	1.6	270 A-F

Overall Diversion Rate _____ Overall Diversion Volume _____

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

license

Reviewer: CB

Date: 7/1/02

SCANNED

JAN 23 2006

IDWR Field Exam Form 04/03/2002

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone

Current Owner Delmo Smith.

Name connector: and ____, or ____, and/or ____

→ Current Owner Smith Ranch family Partnership

New owner after Delmo's death!

Current Owner

~~Representing Attorney:~~ Dean Smith Phone Number: 648-7330

Accompanied By: Joen Smith Phone Number: 648-7384

Relationship to Claimant: Son.

Date of Field Exam: 6/11/01 Time: 1pm.

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

Kelly Toponce Rd.

Reviewer: CB Date: 7/1/02

SCANNED

JAN 23 2006

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 7, 2002

SMITH RANCH FAMILY PARTNERSHIP
2551 KELLY TOPONCE RD
BANCROFT ID 83217

RE: Snake River Basin Adjudication (SRBA)
Notices of Claims to a Water Right #29-126, 29-2302, 29-2545, 25-4006 and 29-7028

Dear Claimant:

We have processed your change in ownership of the Notices of Claims referenced above. Thank you for your patience.

Enclosed are copies of your Notices of Claims. Please refer to these record numbers in any future inquiries or correspondence.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claims.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosures:
Copies of Notices of Claims Referenced Above

PROFILED

SCANNED
JAN 23 2006

Water Right Report

Close

12/12/2001
IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 29-2302

PROCESSED

Owner Type	Name and Address
Current Owner	DELMO SMITH
Current Owner	MADA SMITH 2629 KELLY TOPONCE RD BANCROFT, ID 83217 (208)648-7774
Original Owner	LESTER SMITH BANCROFT, ID 83217

Priority Date: 09/10/1951
Basis: License
Status: Active

SCANNED
JAN 2 3 2006

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	1.6 CFS	
Total Diversion			1.6 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENESW	Sec. 26	Township 07S	Range 38E	CARIBOU County

IRRIGATION Use:
Acre Limit: 90

Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07S	38E	26		NESW	25		SWSW	25		SESW	40			

Total Acres: 90

JAN 2 3 2006
SCANNED

Dates:
Licensed Date: 08/14/1979
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plantiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

SCANNED
JAN 2 3 2006

Water Right Report

Close

12/12/2001
IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 29-2302

Owner Type	Name and Address
Current Owner	LESTER SMITH BANCROFT, ID 83217

Priority Date: 09/10/1951
Basis: License
Status: Active

Source	Tributary
GROUND WATER	

SCANNED
JAN 2 3 2006

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	1.6 CFS	270 AFA
Total Diversion			1.6 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NESW	Sec. 26	Township 07S	Range 38E	CARIBOU County

IRRIGATION Use:
Acre Limit: 90

Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07S	38E	26		NESW	25		SWSW	25		SESW	40			

Total Acres: 90

Dates:
Licensed Date: 08/14/1979
Decreed Date:
Permit Proof Due Date:
Permit Proof Made Date:
Permit Approved Date:
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

SCANNED JAN 2 3 2006

Other Information:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plantiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

SCANNED
JAN 23 2006

6/11/01 6/11/01

29-4006. Loren Smith. 1pm 6/11/01.

evidence of Priority - Per Loren Smith.

Delmo Smith has never owned the land in SWSE, SESE land.

Originally Harris Gilbert.

Neddie Crowning (SESE)

Hazel Crowning's mother

sold to King Crk grazing association - early to mid 70's.

29-2302.

Satelite imagery correct at 47 acres.

29-7028.

Purchased Property in ~~198~~ 70's.

Pipe-1984 Starting ~~put~~ putting pipe in.

- Land in section 14, SWSW, NWSW irrigates. 36 acres. crop alfalfa (barley).
has 2300 shares of Toponce Shares but has never been able to use the shares.
- land ~~in~~ (20 acres) in NWSW has been irrigated since the 1902. alfalfa/barley has been the crop.
- Ownership change to Smith family partner on all rights - left an ownership chg form with Loren.

PROFILED SCANNED JAN 23 2006

CLAIM NUMBERS A29-2302.

DATE 8/17/01

AGENT CB

TRANSFER NUMBER

HOMESTEAD ENTRY NO.

CLAIMED ACRE TOTAL 90

GEOGRAPHIC INFO ACRES

	TNS	RNG	SEC	NE NE	NE NW	NE SW	NE SE	NW NE	NW NW	NW SW	NW SE	SW NE	SW NW	SW SW	SW SE	SE NE	SE NW	SE SW	SE SE	
license	07S	38E	26									25		25	40					90
CLAIM	07S	38E	26									25		25	40					90
GIS	07S	38E	26.									25		13	39					77
RECOM																				
license																				
CLAIM																				
GIS																				
RECOM																				
license																				
CLAIM																				
GIS																				
RECOM																				

Claim 29-4006; claimed the same point of diversion
Examiner found the well capacity at 80" or 1.6 cfs.
This claim matches the licensed right.
The B.U. claim filed by Delmo Smith has an earlier
priority date?

PROTEST
SCANNED
JAN 23 2006

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: **05/15/01**
Time: **16:19:11**

Rec/No - **M005537** AR/No -
From: - **SMITH, DELMO/MADA**

Receipt Type - **CK** Doc/No - **104**
Remarks -

MOST CURRENT RECEIPT

Receipt Date: **01/17/1990**

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION FEE	**9337**		**410162**	**6490**		**895.00**

Total Due - **895.00**

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A2910160	**25.00**	**A2910161**	**25.00**	**A2910162**	**25.00**
A2910163	**25.00**	**A2910164**	**25.00**	**A2910165**	**25.00**
A2907028	**191.00**	**A2900126**	**50.00**	**A2902545**	**154.00**
A2902302	**140.00**	**A2904006**	**210.00**		

(Enter=Continue) (GOLD7=Selection Screen) (GOLD8=Cancel)

SCANNED
JAN 23 2006

SCANNED
MAY 4 2001

Log for claim A29-02302 **Spatial Dynamics BTD** **6/9/00**

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s38e	26	NESW	25	25	
07s38e	26	SWSW	25	13	
07s38e	26	SESW	40	39	
Totals:			90	77	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	TO	DIVERSION RATE	DIVERSION VOLUME
C	DELMO SMITH	09/10/1951	IRRIGATION	04-01	11-01	1.600 CFS	
C	MADA SMITH						
	BANCROFT ID 83217			TOTAL DIVERSION:		1.600 CFS	
	(208) 648-7774			CONSUMPTIVE USE:			225.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T07S R38E S26 NENESW CARIBOU County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
07S	38E	26									25		25	40					90.0
																		TOTAL ACRES	90.0

POU County: CARIBOU

Non-Irrigation Uses: NONE

Other Rights: 29-04006 FROM SAME WELL

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-10165 A29-04006 A29-10165

Dates: Exam Made Date: Verified Date: 03/26/1985 Objection Filed Date:

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

Audit: 01/17/90 MOBILE3 03/29/95 POST-STD

State of Idaho

WATER LICENSE

Water License No. 22079 or 29-2302 Priority September 10, 1951 (late proof) Amount 1.6 c.f.s.

THIS IS TO CERTIFY, that LESTER SMITH

of Bancroft, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 9, 1951; that Permit 22079 or 29-2302 was issued pursuant to said application; that the proposed works were completed on or about May 16, 1951, with a storage or carrying capacity of 1.6 c.f.s., said works consisting of well, pump, motor and sprinklers; and that on September 13, 1954, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 270 acre feet per season, with a maximum rate of diversion of 1.6 cubic feet per second of the waters of a well, tributary of subterranean flow, for the purpose of irrigation from April 1st to November 1st; and for _____ from _____ to _____; and for _____ from _____ to _____; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in NE ¼ SW ¼, Sec. 26, T. 7 S., R. 38 E., B.M., and other additional points _____, in the County of Caribou; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 270 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7 S	38 E	26									25		25	40					90

Total number of acres irrigated 90

The right to the use of the water 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 State Reclamation Engineer, affixed at Boise, Idaho, this 2nd day of August, 1968.

R. Keith Higginson
State Reclamation Engineer

29-2302 22079

29-2302

APPLICATION FOR PERMIT

29-2302

To Appropriate the Public Waters of the State of Idaho

APPLICATION NO. 29814
PERMIT NO. 22079
DISTRICT NO.

1. Name of Applicant: LESTER SMITH

Postoffice address: Bancroft County: Caribou State: Idaho

I. If applicant is a corporation, give:
(a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:

II. The financial resources of the applicant are:
(a) Cash on hand:
(b) Treasury stock:
(c) Bonds to be issued:
(d) Other resources:

2. Quantity of water claimed: Two (2) cubic feet per second.

3. Source of water supply: Well tapping subterranean water which is a tributary of

4. Location of point of diversion: feet distant from the corner of Section , T. , R. , B. M., and is in the N.E. corner of NE¼ SW¼ of Section 26 , T. 7 S. , R. 38 E. , B.M., County of Caribou

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B.M., in the of Section , T. , R. , B.M.

7. Estimated cost of works: $3,500.00

8. Kind of works: Well, pump and ditches, and probable sprinkler system.

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet; dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is One (1) years.

13. The time required for the complete application of the water to the proposed use is Two (2) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is One (1) years.

13. The time required for the complete application of the water to the proposed use is Two (2) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

LESTER SMITH *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation: 9:00 A. M. May 9, 1951

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 22079
Recorded in Book 79 Page 22079 Approved May 12, 1951
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve he same, subject to the following limitations and conditions:
Bond in the sum of $ to be filed on or before
Work to begin on or before July 12, 1951 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before November 12, 1951
The whole of said work to be completed on or before May 12, 1952
Beneficial use of water appropriated in accordance herewith, to be made on or before May 12, 1954

WITNESS My hand this 12th *day of* May, 1951

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, LEN JORDAN, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 12th day of May, 19 51.

(SEAL)

Countersigned:
By IRA H. MASTERS
Secretary of State.

STATE OF IDAHO
By LEN JORDAN
Governor.

REMARKS: Elevation of well is high enough to permit irrigation by flooding by ditches. If any lands cannot be so irrigated, applicant will install sprinklers. Well has been constructed.

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7 S.	38 E.	26									95 acres in SW¼								95

A tract of land located in the SW¼ Section 26, Twp. 7 S.,Range 38 E.,B.M., consisting of 95 acres, more or less, more particularly described as follows, to-wit: All that certain land lying East of Kelly Road in the SW¼ of Section 26, Twp. 7 S.,Range 38 E.,B.M.

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that LESTER SMITH of Bancroft, County of Caribou, and State of Idaho, the holder of Permit No. 22079, issued upon Application No. 29814 bearing date of priority of May 9, 1951, authorizing the diversion of Two (2) second feet of the waters of a well (subterranean flow) County of Caribou, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.5 second feet of the waters of said well; that the point of diversion of said waters is in the Northeast corner of the NE¼ SW¼ Section 26, Township 7 South, Range 38 East, B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: All that tract of land lying East of Kelly Road in the SW¼ Section 26, Township 7 South, Range 38 East, B.M.

Witness my hand this 9th day of June, A. D. 1952.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made May 27, 1952.
Certificate of completion of works issued June 9, 1952.

NE¼ SW¼ Section 26, Township 7 South, Range [illegible] East of Kelly Road in [illegible]
are described as follows, to-wit: All that tract of land lying
Range 38 East, B.M.

Witness my hand this 9th day of June, A. D. 1952.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made May 27, 1952.
Certificate of completion of works issued June 9, 1952.

LICENSE ISSUED FOR 1.6 SEC. FT.
LICENSE PAGE NO. 22079 on 29.2302

WATER RIGHT NUMBER 29-2302

OWNER LAST NAME - SMITH FIRST NAME - LESTER ORIG OWNER -
ADDRESS LINE 1 - ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - BANCROFT STATE - ID ZIP CODE - 83217
SOURCE - GROUNDWATER TRIBUTARY OF -
STAGE - LICENSE STATUS - PRIORITY - 09-10-1951 COUNTY - CARIBOU TOTAL DIV. RATE - 1.6000 -CFS
TOTAL DIV. VOLUME - 270.00 AFA TRFR/AMEND - WATER DIST. - OLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - NESW 26 07S 38E LOT REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
FROM - 04-01 TO - 11-01 USE - IRRIGATION USE DIV. RATE - 1.6000 CFS USE DIV. VOLUME - 270.00 AFA
USE - IRRIGATION PLACE OF USE - TWN 07S RNG 38E SEC 26 TRACT NESW LOT AC 23 TRACT SWSW LOT AC 25
TRACT SESW LOT AC 40

DECREE NAME - DATE - TOTAL ACRES 90
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. - 22079
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 22079

This proof is for Beneficial Use In Water District No.

1. Name of applicant Lester Smith, Bancroft, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the NE¼ SW¼ of Section 26

   T. 7 S. R. 38 E. County of Caribou

4. Describe works as they exist, giving dimensions and capacities of same: Well is 150' deep by 16" diameter cased 29'. H=22', draw down estimated at 8'. Equipped with a Fairbanks Morse Pomona Turbine, serial No. PM 3187 and a 30 hp Westinghouse motor, serial No. 17-22V163. 8" discharge into a closed system to the East to the fields by sprinklers.

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions 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 other than irrigation):

   That portion of land lying East of Kelly Road in the Southwest Quarter Section 26, Twp. 7 South, Range 38 East, B. M.

   See the map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

Smith's son on place. Buying farm.

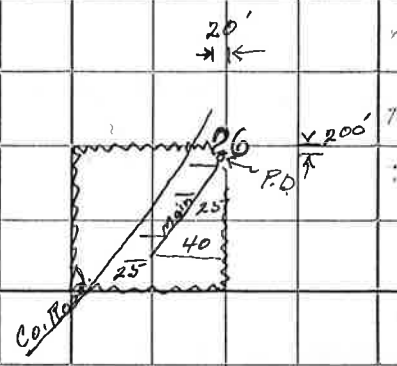
This examination was made on the 10 day of July, 19 56

(Signed) E. N. Humphrey Examiner.

22079

R-38 E.

T. 7 S.



26/7

four lines

main line is 8" & 6"
8" buried steel.
6" = port. al.

Subdivisions = Three
Area = 90 acres.
Q = 80 inches.

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

22079

Form 16

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 22079

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Lester Smith, Bancroft, Caribou County, Idaho, farmer, Bancroft, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. not a corporation

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. 22079, May 9, 1951, May 9, 1951

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Subterrean, NE Corner of Northeast Quarter of Southwest Quarter, Section 26, Township 7 South, Range 38, E.B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Well, pump (turbine electric), aluminum laterals, steel main pipe, sprinkler system, used directly from well. No canal, or ditch used to convey water. Well 150 ft. deep, casing 12 in. with depth of approx. 5 ft, with depth to water of 70 feet. Discharge of pump -- least 2 cubic feet. Ed Reed of Bancroft measured above amount at time of installation of pump. 100 lateral nozzles size 1/32 and 1/16ths, operating pressure 60 lbs.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use. Used for irrigation.

Ans. Tract of land located in the S½ of Sec. 26 Township 7 South, Range 38, E.B.M. constituting 95 acres more or less. This land more particularly described as follows, to wit: All that certain land lying East of Kelly Road in the S½ of Section 26, Township 7 South, Range 38, E.B.M. Cultivated and improvement being from dry farm to irrigated farm.

22079

Ques. 7. If for other than irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. None

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. Two cu. feet on 100 second feeds

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. On about May 16, 1951 began using water for irrigating grain and hay crop in the amount of 2 cu. feet on 100 sec. inches during irrigation and growing season. Extent: during irrigation and growing season used for irrigation.

Ques. 11. State when, how, in what amount and to what extent water other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. No other water rights on ground.

(Sign) Lester Smith

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Pocatello County of Bannock State of Idaho, on this 13th day of September A. D. 19[illegible]

Notary Public
Residing at Pocatello, Idaho

My commission expires June 19, 1955

20079

WR5809NP
No. 29-02302

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	TO	DIVERSION RATE	DIVERSION VOLUME
C	LESTER SMITH	09/10/1951	IRRIGATION	04/01	11/01	1.600 CFS	270.00 AFA
				TOTAL DIVERSION:		1.600 CFS	270.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R38E S26 NESW

CARIBOU County

Place of use Legal Description for: IRRIGATION

T R S	NE NENE Lt Ac	NE NWNE Lt Ac	NE SWNE Lt Ac	NE SENE Lt Ac	NW NENW Lt Ac	NW NWNW Lt Ac	NW SWNW Lt Ac	NW SENW Lt Ac	SW NESW Lt Ac	SW NWSW Lt Ac	SW SWSW Lt Ac	SW SESW Lt Ac	SE NESE Lt Ac	SE NWSE Lt Ac	SE SWSE Lt Ac	SE SESE Lt Ac	SUM
07S 38E 26									25		25	40					90.0
																TOTAL ACRES	90.0

Pou County: CARIBOU

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-04006

Dates: App. Received:
Proof Due Date:
Exam Made Date:
Licensed Date: 08/14/1979

Priority Date: 09/10/1951
Proof Made Date:
Exam Sent to S.O.:

Misc: Water District Number:

Field Exam Fee:

Audit: 03/26/85 05/22/88 CONVERT

SCANNED
MAY 4 2001

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: A29-02302
Date Received: 1/17/1990
Receipt No: M005537
Received By: EG

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A2902302

1. Name: DELMO SMITH 208-648-7774
   Address:
   BANCROFT, ID 83217
   OR
   Name: MADA SMITH 208-648-7774
   Address:
   BANCROFT, ID 83217

2. Date of Priority: SEP 10, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	38E	26	NE	NE	SW		CARIBOU

5. Description of diverting works:
   150'X16" WITH 75HP PUMP INTO MAINLINE TO WHEEL LINES/HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		

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

8. Total consumptive use is 225.0 Acre Feet Per Annum.

9. Non-irrigation uses:
   NONE

MICROFILMED
NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	38E	26	NE	SW		IRR	25.0
			SW	SW		IRR	25.0
			SE	SW		IRR	40.0
					Section Acres		90.0
					Total Acres		90.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
    29-04006 FROM SAME WELL

14. Remarks:

15. Basis of Claim: LICENSE
    Water Right Number: 22079

MICROFILMED
NOV 13 1992

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: 1

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): Delmo Smith Date: 1/17/90

_____ Date: _____

State of Idaho)
) SS.
County of Caribou)

Subscribed and sworn (or affirmed) before me this 17 day of January 19 90

Seal

Notary Public
RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES 8-22-1994

Residing at _____

My Commission Expires _____

MICROFILMED
NOV 13 1992

T7S
R38E
A29-02302
POINT OF DIVER.
25
40
25
Storage Bin
Well
Borrow Pit
Mile 70
Mile 68
PACIFIC
MICROFILMED
NOV 13