

02/18/2003

RECEIVED

NOTICE OF ERROR
REPLY

MAR 17 2003

WATER RESOURCES
WESTERN REGION

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: 29-4156

CARMA B SMITH
5137 W PORTNEUF RD
INKOM ID 83245
Telephone Number: (208)775-3604

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Copy of deeds for Indian Rights are enclosed -

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: 3/14/03

SIGNATURE:

Carma B. Smith

Please print your name:

CARMA B. Smith

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

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JUN 13 2001

Log for claim A29-04156

Spatial Dynamics LTD

9/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	23	NESE	8	7	
07s35e	24	NWSW	7	8.2	
Totals:			15	15.2	

- Evidence of Priority is 1905 - 1904 claimed

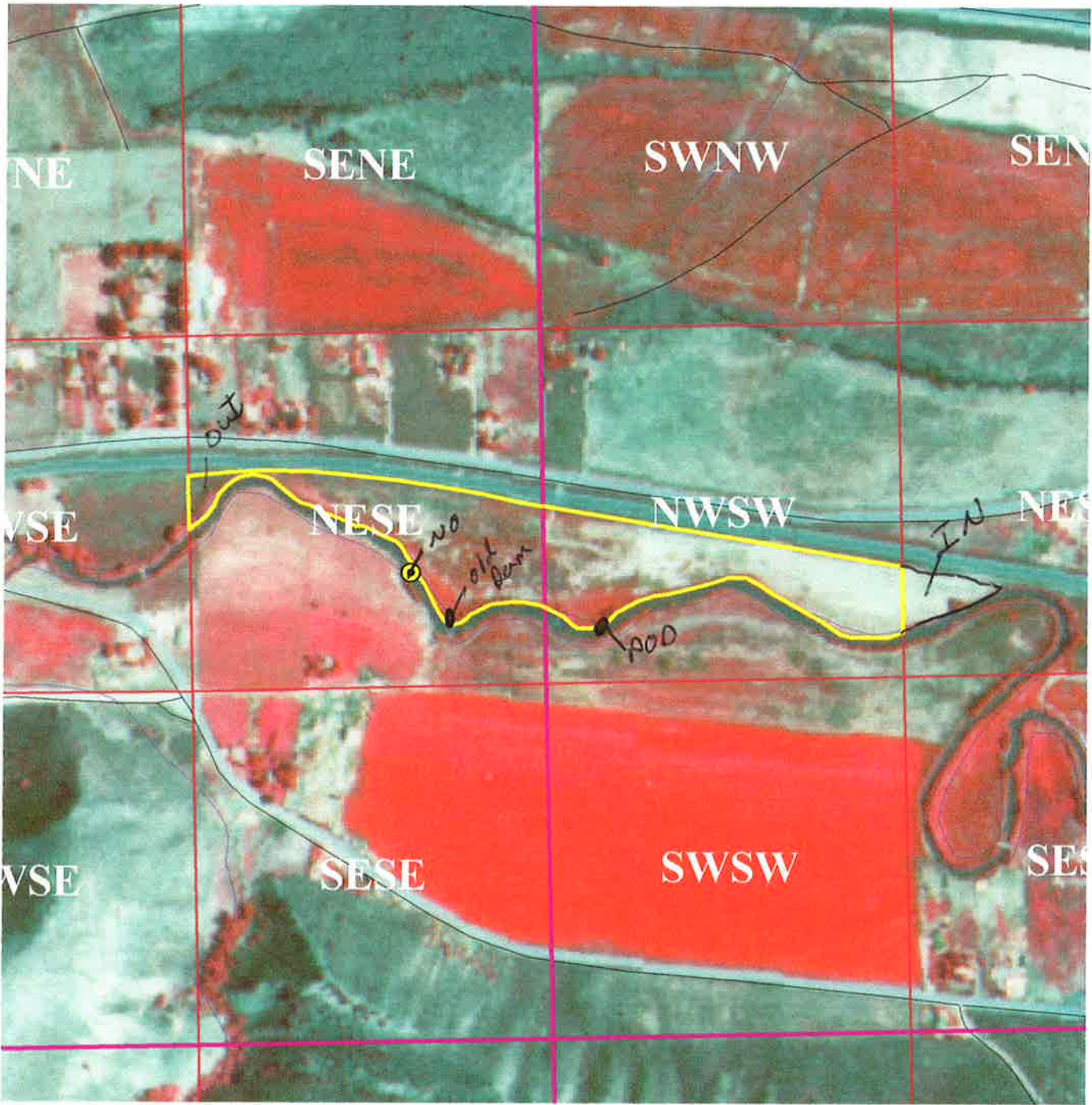
5/1/01 POO = ?

POW:

NE SW not claimed possible amended claim

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JUN 30 2004



Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

Roads

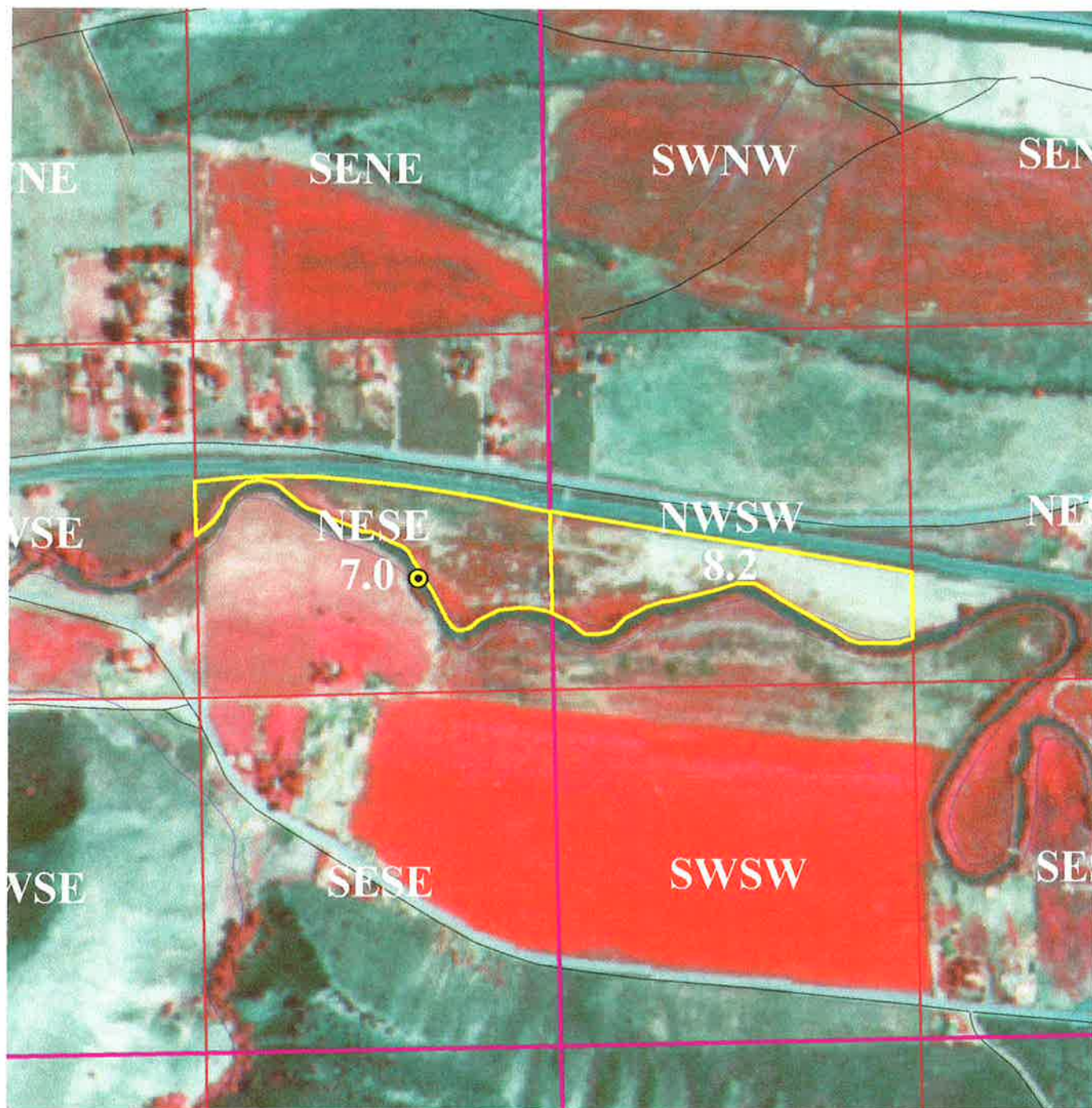
Streams and Canals

Legend



Water Right Claim Number A29-04156
Township , 7S35E

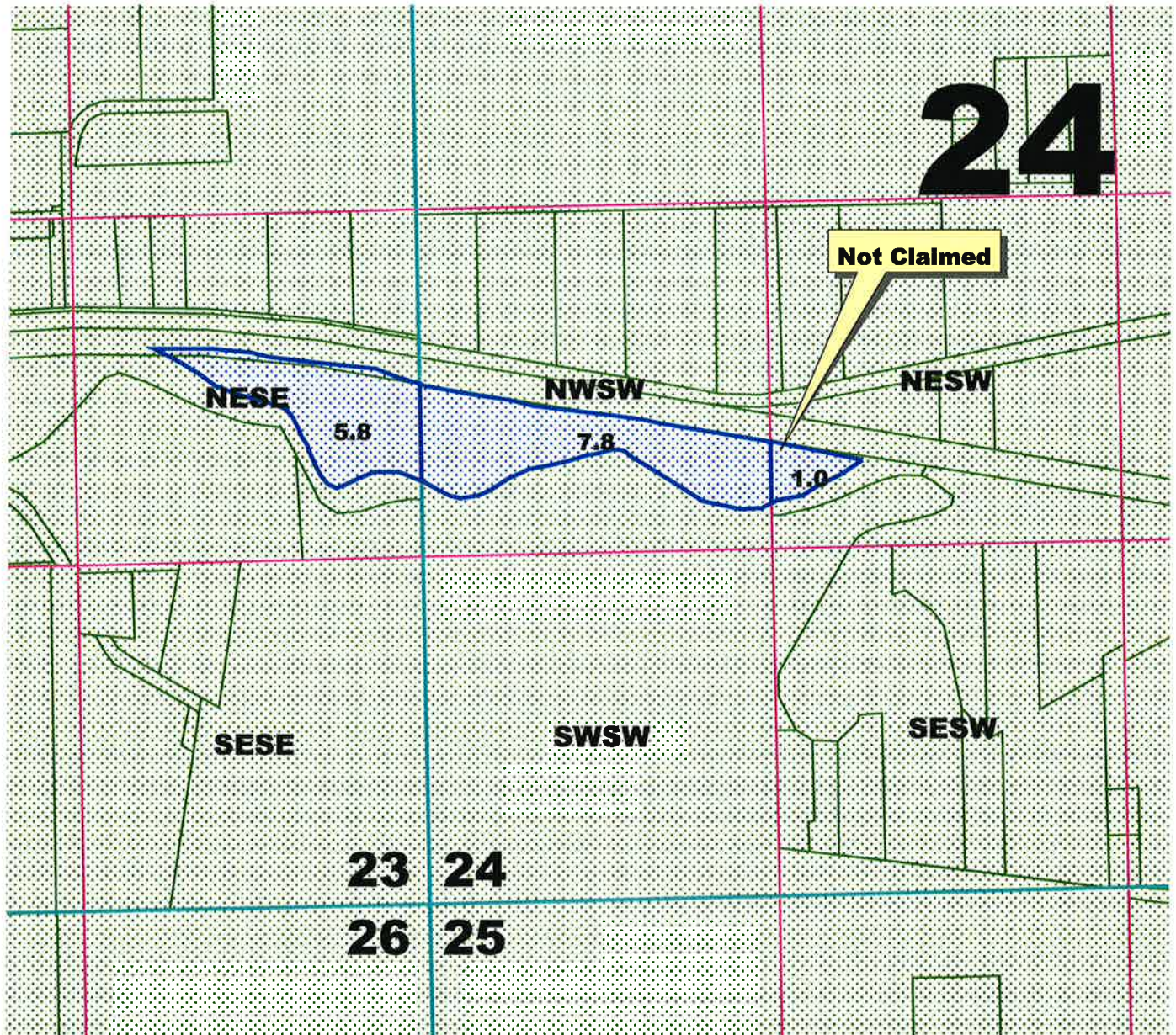
09/05/2000



Theron Smith

WR # (s): 29-04156

Initial Findings



Total Irrigated Acres: 14.6

Acreage Distribution

Prepared By: Craig Saxton
May 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 13, 2003

CARMA B SMITH
5137 W PORTNEUF RD
INKOM ID 83245

RE: Priority date recommendations for claim 29-04065 and 29-04156

Dear Ms. Smith,

The Idaho Dept. of Water Resources has reviewed the information provided that you submitted concerning your request to change the recommended priority date to 6/14/1867 as defined in the Fort Hall Indian agreement.

Our legal staff, the Adjudication Bureau Chief, and myself reviewed the information. It was determined that there is not enough information to change the recommended priority date for the water right claimed under 29-04065 since the evidence submitted does not show that the water was used within 5 years of the property changing from Indian ownership to non-Indian ownership.

However, the evidence provided for 29-04156 does support that water was put to beneficial use before or within 5 years of the property changing from Indian to non-Indian ownership.

Because a portion of the claimed place of use under 29-04156 was not part of the original Indian allotment, claim 29-04156 was split into two new claims 29-13626 and 29-13627 to represent the different priority dates for the claimed place of use.

Enclosed are revised copies of the preliminary recommendations for 29-04065, 29-13626, and 29-13627. I am not sending a copy of 29-04065 because that recommendation did not change.

If you still do not agree with the recommendations, you will be notified at the time the directors report is issued and will have a chance to object and be heard by the SRBA court.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

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PROFILE

Memorandum

Date: June 13, 2003

From: Craig L. Saxton

To: File

Subject: Recommendation and split of 29-04065

Carma Smith claimed 73 acres with a 4/1/1926 priority date. Upon further review, the claimant found out that part of her property is located on an old Indian allotment.

IDWR requested a deed trail showing evidence of when the property change hands from and Indian owner to a Non-Indian owner. The claimant then provided evidence that the property was irrigated within 5 years of when the property changed hands from an Indian owner to a non-Indian owner.

IDWR personnel and IDWR legal staff reviewed this evidence. It was determined that the claimant had right to an priority date of 6/14/1867 as established by the Fort Hall Indian agreement.

Since only a portion of the claimed POU falls on and old Indian allotment, the claim was split to represent two different priority dates on the entire property.

The split portions of original claim 29-04065 (29-13626 and 29-13627) was recommended as a PPU with claim 29-04156.

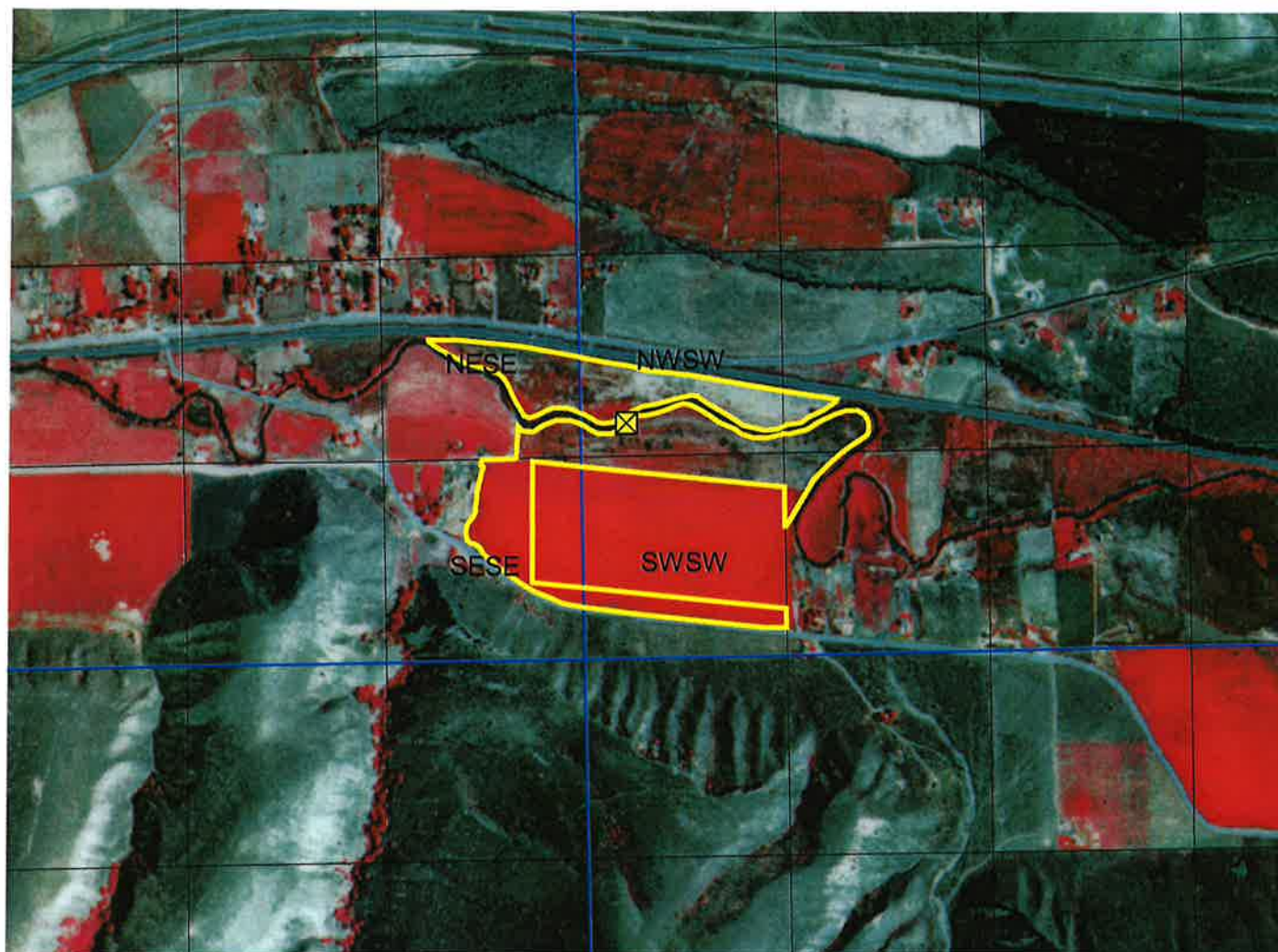
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DEPARTMENT OF WATER RESOURCES

Claim No.: 29-4156

29-13627



0 1320 2640 3960 Feet

-  Point of diversion.shp
-  Place of use.shp
-  Sections
-  QQ

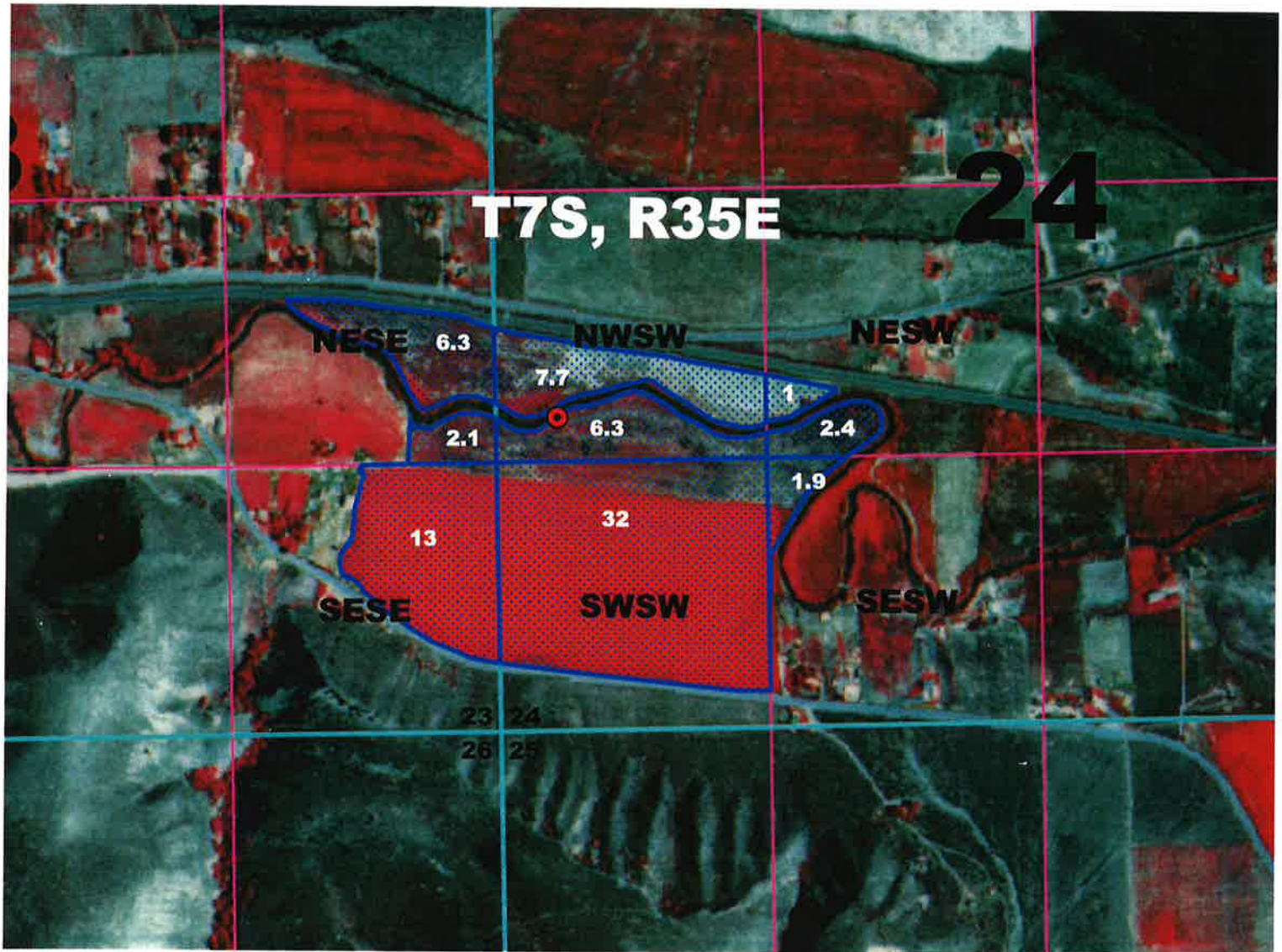


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GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: E. Carlsen
Date: August 2004

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Acreage Calculation Map for 29-04156, 29-13626, 29-13627



Point of Diversion

Irrigated Acres = 72.7



Bannock Co Tax Lot Data - N/A



Place of Use - N/A



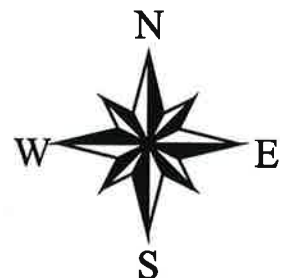
Recommended POU



Section Lines

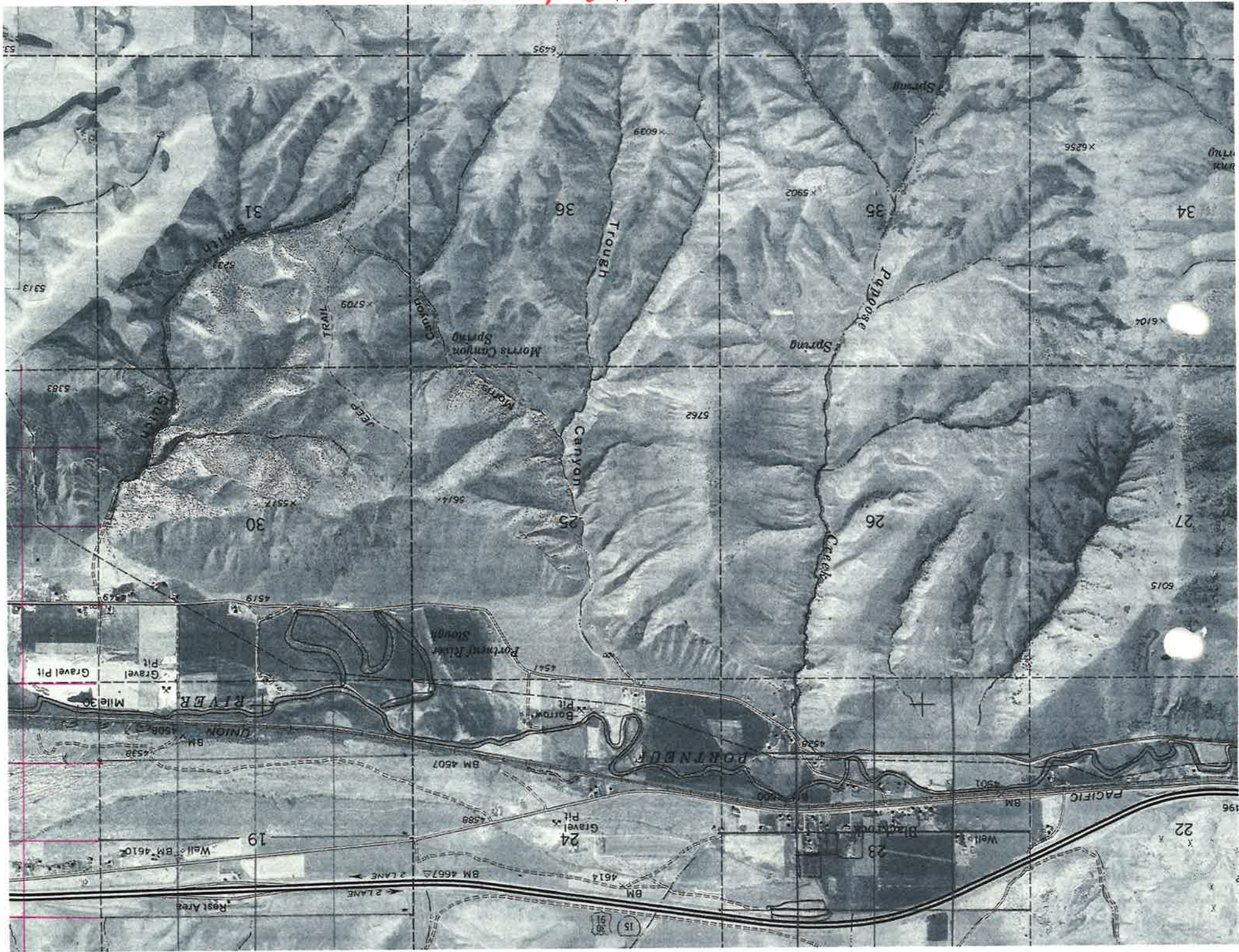


Quarter Quarter Lines



Prepared By: Craig Saxton
June 2003

USGS On the Ground 1976





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PRO

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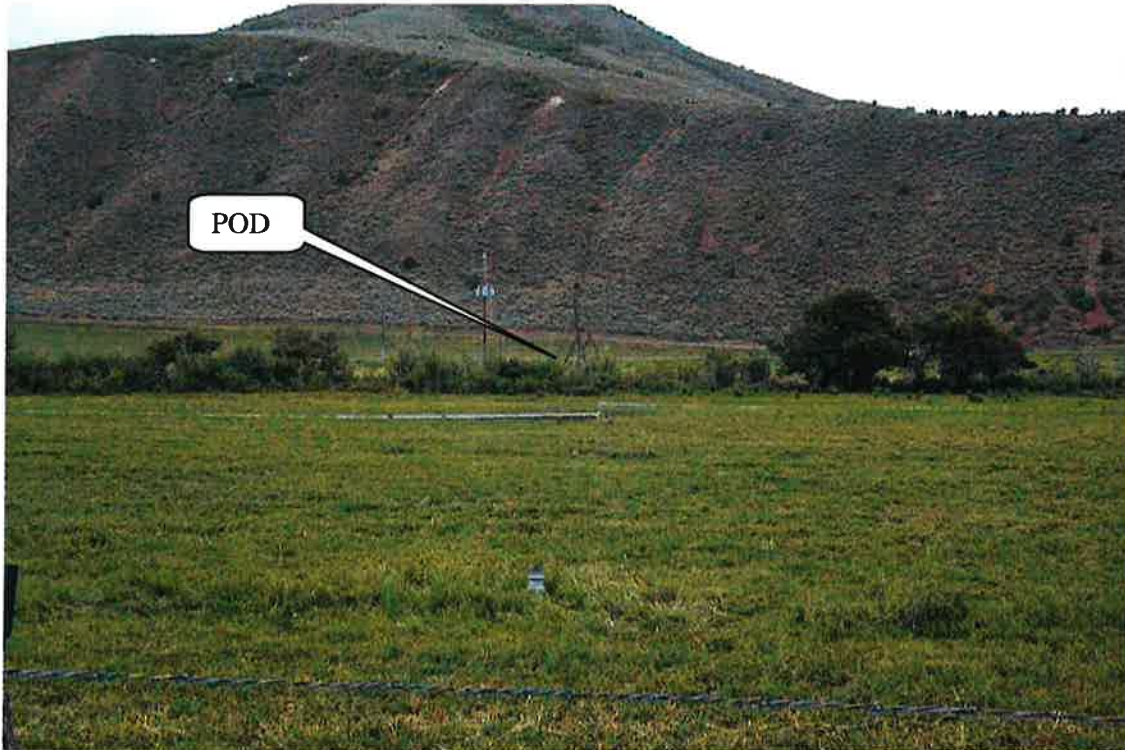


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29-04165 & 29-04065 POD

Field Exam 8/7/01



Looking South. Pump supplies water to both 29-04065 and 29-04165. Place of use is separated by the Portneuf River. North property under 29-04165 and southern property under 29-04065. (csaxton 8/9/01).

PROFILE

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29-04165 & 29-04065

POU

Field Exam 8/7/01



Looking South. View shows West of POD. (csaxton 8/9/01).

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PROFILE

29-04165 & 29-04065 POU

Field Exam 8/7/01



Looking SW. Picture shows POU East of the POD. (csaxton 8/9/01).

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IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29

RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

PUMP & HANDLINE.

Assumptions

Same POD as POD ID 110788.

Invoice

2000-037-01-0

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin)
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked
Photos

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

1.62286967968407

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity Velocity

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	
Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System ☒

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

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AJ5809NP
No. A29-04156

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 179

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HERON J SMITH 5137 W PORTNEUF RD INKOM ID 83245 (208) 775-3604	05/01/1904	IRRIGATION	04-01 11-01	0.400 CFS	
TOTAL DIVERSION:					0.400 CFS	
CONSUMPTIVE USE:						37.50 AFA

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T07S R35E S23 NESE BANNOCK 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	: 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	: 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	35E	23	:	:	:	:	:	:	:	:	:	:	:	8.0		
07S	35E	24	:	:	:	:	:	07	:	:	:	:	:	7.0		
TOTAL ACRES													15.0			

POU County: BANNOCK

Non-Irrigation Uses: NONE.

Other Rights: A29-04215 SAME P/D.

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

29-07659 A29-04065 A29-07658 A29-07659 A29-10094 A29-10696 A29-10698

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

A29-04065 A29-04067 A29-04425 A29-07658 A29-10696 A29-10698 A29-12029 R29-04067

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

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

Audit: 06/29/88 MCC 07/19/94 THOMPSON 03/29/95 POST-STD

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
<u>29-4065</u>					
<u>29-4156</u>					
<u>29-4215</u>					
<u>29-10010</u>					
<u>29 75-10881</u>					

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)

Carma B Smith

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

New Mailing Address

5137 W Portneuf RD

City, State and ZIP Code

Idaho ID 83245

New Telephone Number

(208) 775-3604

5. Date you acquired the property

PROFIT

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FEB 25 2005

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) _____
(include title if applicable)

Carma B. Smith

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

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FEB 25 2005

PROFILE

2-1
WARRANTY DEED

Across the river

752002

FOR VALUE RECEIVED, FRANEY GABRIELSON, a widow, the Grantor, does hereby grant, bargain, sell and convey unto THEREON J. SMITH and CARMA SMITH, husband and wife, Grantees, the following described premises in Bannock County, Idaho: 5138 W. Portneuf Road
Inkom, Idaho

Commencing at a point where the South boundary line of Oregon Short Line Railroad Right of Way crosses West boundary line of Section 24 in Township 7 South, Range 35 East of Boise Meridian in Idaho, running thence in Southeasterly direction along South boundary line of Oregon Short Line Railroad Right of Way to a point where said Right of Way intersects East boundary line of Northwest quarter of Southwest quarter of said Section 24, thence South following East boundary line of said Northwest quarter of Southwest quarter to a point where same intersects with North line of Portneuf River, thence in Westerly direction following meander of Portneuf River to a point where said Portneuf River intersects West boundary line of said Section 24, thence North along said West boundary line of said Section 24 to point of beginning, same being that parcel of land in Northwest quarter of Southwest quarter of Section 24, Township 7 South, Range 35 East of Boise Meridian, that lies between Oregon Short Line Railroad Right of Way and Portneuf River and containing ten acres, more or less.

Commencing at a point where the South boundary line of Oregon Short Line Railroad Right of Way crosses East boundary line of Section 23 in Township 7 South, Range 35 East of Boise Meridian, in Idaho, running thence South to North boundary line of Portneuf River, thence in Northwesterly direction and following meander of Portneuf River to point where boundary line of Portneuf River intersects West line of Northeast quarter of Southeast quarter of said Section, thence North along said West line of Northeast quarter of Southeast quarter of said Section to Oregon Short Line Railroad Right of Way, thence in Southeasterly direction following Oregon Short Line Railroad Right of Way to East boundary line of said Section, and the point of beginning, the same being that parcel of land in Northeast quarter of Southeast quarter of Section 23, which lies between Oregon Short Line Railroad Right of Way and Portneuf River, and containing six acres, more or less.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees that she

PROH

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FEB 25 2005

CERTIFICATION OF VITAL RECORDS

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY

ONLY A COPY OF THIS DOCUMENT, CERTIFIED BY THE STATE REGISTRAR WITH THE DEPT. OF HEALTH & WELFARE RAISED SEAL, SHALL BE USED AS PROOF.
EVIDENCE OF THIS DEATH LACKING DONE: 20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100

State File No. _____
Local Reg. No. 6-323

DECEDENT	DECEDENT - NAME (First, Middle, Last)		SEX	DATE OF DEATH (Month, Day, Year)
	Theron J. Smith		Male	July 14, 1998
	SOCIAL SECURITY NUMBER	AGE - LAST BIRTHDAY (Month, Day, Year)	DATE OF BIRTH (Month, Day, Year)	BIRTHPLACE (City and State or Foreign Country)
	519-36-9890	64	May 6, 1934	Bridgeland, Utah
FACILITY	WAS DECEDENT EVER IN U.S. ARMED FORCES?		PLACE OF DEATH (Check only one)	
	Yes ☐ No ☐		(1) ☐ Inpatient (2) ☐ ER/Outpatient (3) ☐ DOA	
	FACILITY NAME AND ADDRESS (If not a hospital, enter name of place, street and number)		OTHER (4) ☐ Long-Term Care Facility (6) ☐ Other Private Residence	
	Own Res. 5137 W. Portneuf Rd.		(5) ☒ Own Residence (7) ☐ Other (Specify)	
MARRIAGE	MARRIAGE STATUS (Married, Never Married, Widowed, Divorced) (Specify)		CITY, TOWN OR LOCATION OF DEATH	
	Married		Inkom	
	SURVIVING SPOUSE (If wife, give maiden name)		COUNTY OF DEATH	
	Carma Bowers		Bannock	
RESIDENCE	RESIDENCE STATE		CITY, TOWN OR LOCATION	
	ID		Inkom	
	COUNTY		STREET AND NUMBER	
	Bannock		5137 W. Portneuf Rd.	
INSIDE CITY LIMITS?	INSIDE CITY LIMITS?		RACE - ANCESTRY (Specify)	
	Yes ☐ No ☒		White	
	EDUCATION (Specify)		EDUCATION (Specify)	
	Elementary/Secondary (0-12)		College (13-16 or 17+)	
PARENTS	FATHER - NAME		BIRTHPLACE	
	Jason Lynn Smith		Utah	
	MOTHER - FULL MAIDEN NAME		BIRTHPLACE	
	Ruby Alice Edwards		Utah	
INFORMANT	INFORMANT'S NAME (Type/Print)		MAILING ADDRESS (Street and Number or Rural Route Number, City or Town, State, Zip Code)	
	Carma Smith		5137 W. Portneuf Rd., Inkom, Idaho 83245	
	METHOD OF DISPOSITION		PLACE OF DISPOSITION (Name of cemetery, crematory, or other place)	
	Burial ☒ Cremation ☐ Removal from Idaho ☐ Donation ☐ Other (Specify)		Inkom Cemetery	
DISPOSITION	SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH		LICENSE NUMBER (of Licensee)	
	[Signature]		MRT 767	
	NAME AND ADDRESS OF FACILITY		CITY, TOWN OR LOCATION	
	Colonial Funeral Home		2005 South Fourth Pocatello, ID 83201	
CAUSE OF DEATH	TIME OF DEATH		DATE PROHIBITED DEAD (Month, Day, Year)	
	12:00 PM		July 14, 1998	
	WAS CASE REFERRED TO CORONER?		MANNER OF DEATH (Check one)	
	Yes ☐ No ☒		Natural ☒ Homicide ☐ Suicide ☐ Accident ☐ Pending Investigation ☐ Could not be Determined ☐	
PART I	27. PART I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line.		APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH	
	IMMEDIATE CAUSE (Final disease or condition resulting in death)		3 mo	
	a. Renal Cell Carcinoma			
	b. DUE TO (or as a consequence of)			
PART II	27. PART II. Other Significant Conditions contributing to death but not resulting in the underlying cause given in Part I.		WAS AN AUTOPSY PERFORMED?	
			Yes ☐ No ☒	
			WERE AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH?	
			Yes ☐ No ☒	
CERTIFIER	CERTIFIER (Check only one)		SIGNATURE AND TITLE OF CERTIFIER	
	☒ PHYSICIAN — To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner as stated.		[Signature]	
	☐ CORONER — On the basis of examination and/or investigation, in my opinion, death occurred at the time, date and place and due to the cause(s) and manner as stated.		LICENSE NUMBER	
			0-136	
CORONER'S REVIEW AREA	NAME AND ADDRESS OF CERTIFYING PHYSICIAN		DATE SIGNED (Month, Day, Year)	
	Dr. D. Ty Smith, 220 Bannock St., Malad, Idaho 83252		4/17/98	
	DATE OF INJURY (Month, Day, Year)		HOUR OF INJURY	
TO BE USED FOR EXTERNAL CAUSES ONLY	INJURY AT WORK?		TRANSPORTATION ACCIDENT, Specify	
	Yes ☐ No ☒		Driver ☐ Passenger ☐ Pedestrian ☐ Other ☐	
	PLACE OF INJURY — At home, farm, street, factory, office building, etc. (Specify)		LOCATION (Street or Route Number, City/Town or County, and State)	
REGISTRAR	CORONER'S ACTION (Check one)		CORONER'S SIGNATURE	
	(1) ☐ Reviewed Only (2) ☐ Reviewed and/or Amended, and Certified		[Signature]	
	DATE SIGNED (Month, Day, Year)		DATE SIGNED (Month, Day, Year)	

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY.

DATE ISSUED: July 21, 1998

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

JANE S. SMITH
STATE REGISTRAR

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FEB 25 2005

SCANNED

AMENDED

[illegible]

(7) If you are claiming water as a member of an organization, list name of organization:

PROFILE

FEB 23 2005

CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

MICROFILMED

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 29-4156
Date Received: 6/29/1988
Receipt No: E000563
Received By:

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

1. Name of Claimant(s)

CARMA B SMITH Phone: (208)775-3604

5137 W PORTNEUF RD
INKOM ID USA 83245

2. Date of Priority: 04/01/1905

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	Type
07S	35E	23	NE SE	BANNOCK	

5. Description of diverting works:

PUMP & HANDLINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.6	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
07S	35E	23	NE SE	IRRIGATION	7.8
			SE SE	IRRIGATION	7.3

PROFILED

07S	35E	24	NW	SW	Section Acres	15.1
			NE	SW	IRRIGATION	14
			SW	SW	IRRIGATION	3.5
			SE	SW	IRRIGATION	8.4
					IRRIGATION	1.8
					Section Acres	27.7
					Total Acres	42.8

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:

14. Remarks:

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 72.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-4156, 29-13626, AND 29-13627.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.45 CFS. COMBINED RIGHT NOS.: 29-4156, 29-13626, AND 29-13627.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 30.1 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

15. Basis of Claim: Beneficial Use

SCANNED

MAR 21 2005

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

RIGHT NUMBER: 29-4156

NAME AND ADDRESS: CARMA B SMITH
5137 W PORTNEUF RD
INKOM ID 83245

SOURCE: Source: Tributary:
PORTNEUF RIVER SNAKE RIVER

QUANTITY: 0.600 CFS ~~0.300 CFS~~

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.45 CFS. COMBINED RIGHT NOS.: 29-04156,
29-13626, AND 29-13627.

PRIORITY DATE: 04/01/1905
~~12/31/1905~~

POINT OF DIVERSION:
T07S R35E S24 NWSW Within BANNOCK County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	04/01 10/31	<u>0.600 CFS</u> 0.300 CFS

PLACE OF USE:	IRRIGATION	within BANNOCK County
	<u>T07S R35E S23 NESE 7.8</u>	T07S R35E S23 NESE 8.4
	<u>T07S R35E S23 SESE 7.3</u>	T07S R35E S23 SESE 13.0
	<u>T07S R35E S24 NESW 3.5</u>	T07S R35E S24 NESW 3.4
	T07S R35E S24 NWSW 14.0	
	<u>T07S R35E S24 SWSW 8.4</u>	T07S R35E S24 SWSW 32.0
	<u>T07S R35E S24 SESW 1.8</u>	T07S R35E S24 SESW 1.9
	<u>42.8 ACRES TOTAL</u>	72.7 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 72.8 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-04156, 29-13626, and 29-13627.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 30.1 ACRES WITHIN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

~~USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 72.7 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-04156, 29-13626, and 29-13627.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 15.0 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: BASIS OF CLAIM - Beneficial Use

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 29-4156
Date Received: 6/29/1988
Receipt No: E000563
Received By:

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

1. Name of Claimant(s)

CARMA B SMITH Phone: (208)775-3604
5137 W PORTNEUF RD
INKOM ID USA 83245

2. Date of Priority: 04/01/1905 ~~05/01/1904~~

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	Type
07S	35E	23	NE SE	BANNOCK	

5. Description of diverting works:

PUMP & HANDLINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	<u>0.60</u> 0.4	

7. Total Quantity Appropriated is:
0.60 ~~0.4~~ C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
<u>07S</u>	<u>35E</u>	<u>23</u>	<u>NE</u> <u>SE</u>	<u>IRRIGATION</u>	<u>7.8</u>
			<u>SE</u> <u>SE</u>	<u>IRRIGATION</u>	<u>7.3</u>
<u>Section Acres</u>					<u>15.1</u>
<u>07S</u>	<u>35E</u>	<u>24</u>	<u>NW</u> <u>SW</u>	<u>IRRIGATION</u>	<u>14</u>
			<u>NE</u> <u>SW</u>	<u>IRRIGATION</u>	<u>3.5</u>
			<u>SW</u> <u>SW</u>	<u>IRRIGATION</u>	<u>8.4</u>
			<u>SE</u> <u>SW</u>	<u>IRRIGATION</u>	<u>1.8</u>
<u>Section Acres</u>					<u>27.7</u>
<u>Total Acres</u>					<u>42.8</u>

PROFILED

07S	35E	23	NE	SE	IRRIGATION	7
					Section Acres	7
07S	35E	24	NW	SW	IRRIGATION	8
					Section Acres	8
					Total Acres	15

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:

14. Remarks:

This right is limited to the irrigation of 30.1 acres within the place of use described above in a single irrigation season.

Use of the rights listed below is limited to the irrigation of a combined total of 72.8 acres in a single irrigation season. Combined Right Nos.: 29-4156, 29-13626 and 29-13627.

Use of the rights listed below is limited to a total combined diversion rate of 1.45 cfs. Combined Right Nos.: 29-4156, 29-13626 and 29-13627.

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho

County of _____

} SS.

Subscribed and sworn (or affirmed) before me this ____ of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

06/13/2003

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

RIGHT NUMBER: 29-4156

NAME AND ADDRESS: CARMA B SMITH
5137 W PORTNEUF RD
INKOM ID 83245

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.300 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.45 CFS. COMBINED RIGHT NOS.: 29-04156,
29-13626, and 29-13627.

PRIORITY DATE: 12/31/1905

POINT OF DIVERSION:

T07S R35E S24 NWSW 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	0.300 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S23	NESE	8.4	T07S R35E S23	SESE	13.0
T07S R35E S24	NESW	3.4	T07S R35E S24	NWSW	14.0
T07S R35E S24	SWSW	32.0	T07S R35E S24	SESW	1.9

72.7 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 72.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-04156, 29-13626, and
29-13627.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 15.0 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: Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4156 V1

WATER RIGHT NUMBER: 29-4156 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CARMA B SMITH 5137 W PORTNEUF RD INKOM, ID 83245 (208)775-3604
Original Owner	THERON J SMITH 5137 W PORTNEUF RD INKOM, ID 83245 (208)775-3604

Priority Date: 12/31/1905

Basis: Beneficial Use

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	0.300 CFS	
<u>Total Diversion:</u>		0.300 CFS	

Location of Point(s) of Diversion

PORTNEUF RIVER	NW1/4SW1/4	Sec. 24, Twp 07S, Rge 35E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	35E	23													8.4			13.0	21.4
07S	35E	24									3.4	14.0	32.0	1.9					51.3

Total Acres: 72.7

Conditions of Approval:

1. 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 RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.45 CFS. COMBINED RIGHT NOS.: 29-04156, 29-13626, and 29-13627.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4156 V1

2. Place of Use USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
- Irrigation OF A COMBINED TOTAL OF 72.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHT NOS.: 29-04156, 29-13626, and 29-13627.
3. Place of Use THIS RIGHT IS LIMITED TO THE IRRIGATION OF 15.0 ACRES WITHIN THE PLACE OF USE
- Irrigation DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. csaxton 1/10/2002 PPU

Comment: Recommended as PPU since 29-04065 (split into 29-13627 & 29-13628) and 29-04156 have the same POD and system.

2. csaxton 1/10/2002 POD

Comment: Amended claim not requested for QQ change for POD per Claims investigation manual, chapter 5, Section I.B. Paragraph 3.

3. csaxton 1/10/2002 Priority date

Comment: Priority evidence supports 1905. Recommend 12/31/1905.

4. csaxton 1/10/2002 POU

Comment: Amended claim not requested for QQ change for POU per Claims investigation manual, chapter 8, Section II.B. Paragraph 3.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

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:

Water District Number:

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	1/10/2002 10:17:55 AM	csaxton			Active
POD	1/10/2002 10:19:01 AM	csaxton			Active
Source	1/10/2002 10:20:56 AM	csaxton			Active
POU	1/10/2002 10:21:33 AM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4156 V1

Use	1/10/2002 10:23:19 AM	csaxton	Active
Season	1/10/2002 10:24:36 AM	csaxton	Active
Quantity	1/10/2002 10:26:47 AM	csaxton	Active
Summary	01/10/2002	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	1/10/2002 10:21:56 AM	csaxton	Edited shape boundary
POD	1/10/2002 10:19:21 AM	csaxton	Edited point location
POD	1/10/2002 10:20:12 AM	csaxton	Edited PLS
POU	1/10/2002 10:22:17 AM	csaxton	Edited PLS
Contacts	1/10/2002 10:10:05 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field exam 8/7/01
Priority Date	1/10/2002 10:17:55 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Notarized statement form long time neighbor.
POD	1/10/2002 10:19:01 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	1/10/2002 10:20:56 AM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field Exam 8/7/01

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4156 V1

POU	1/10/2002 10:21:33 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field Exam 8/7/01 and NAPP photography
Use	1/10/2002 10:23:19 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field exam 8/7/01
Season	1/10/2002 10:24:36 AM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (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	1/10/2002 10:26:47 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (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? Description for Question 7 - Intrepid Engineers

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4156 V1

Summary	1/10/2002 10:30:07 AM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 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?
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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 29-4156
Date Received: 6/29/88
Receipt No: E000563
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CARMA B SMITH Phone: (208)775-3604

5137 W PORTNEUF RD
INKOM ID USA 83245

2. Date of Priority: 05/01/1904

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	Type
07S	35E	23	NE SE	BANNOCK	

5. Description of diverting works:

PUMP & HANDLINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.4	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	35E	23	NE	SE	IRRIGATION	8
					Section Acres	8
07S	35E	24	NW	SW	IRRIGATION	7
					Section Acres	7
					Total Acres	15

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:

14. Remarks:

CHANGED OWNERSHIP PER CLAIMANT REQUEST (CSAXTON 8/17/01).

15. Basis of Claim: Beneficial Use

JUN 13 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: A29-04156
Date Received: 6/29/1988
Receipt No: E000563
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THERON J. SMITH 208-775-3604
Address: 5137 WEST PORTNEUF ROAD
INKOM, ID 83245

2. Date of Priority: MAY 01, 1904

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	35E	23	NE	SE			BANNOCK

5. Description of diverting works:
PUMP & HANDLINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

8. Total consumptive use is 37.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	23	NE	SE		IRR	8.0
Section Acres							8.0

A2904156



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	24	NW	SW		IRR	7.0
Section Acres							7.0
Total Acres							15.0

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:
A29-04215 SAME P/D.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM
Water Right Number:

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 ~~-X-~~ 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): Theron J. Smith Date: 27 June 88
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 29 day

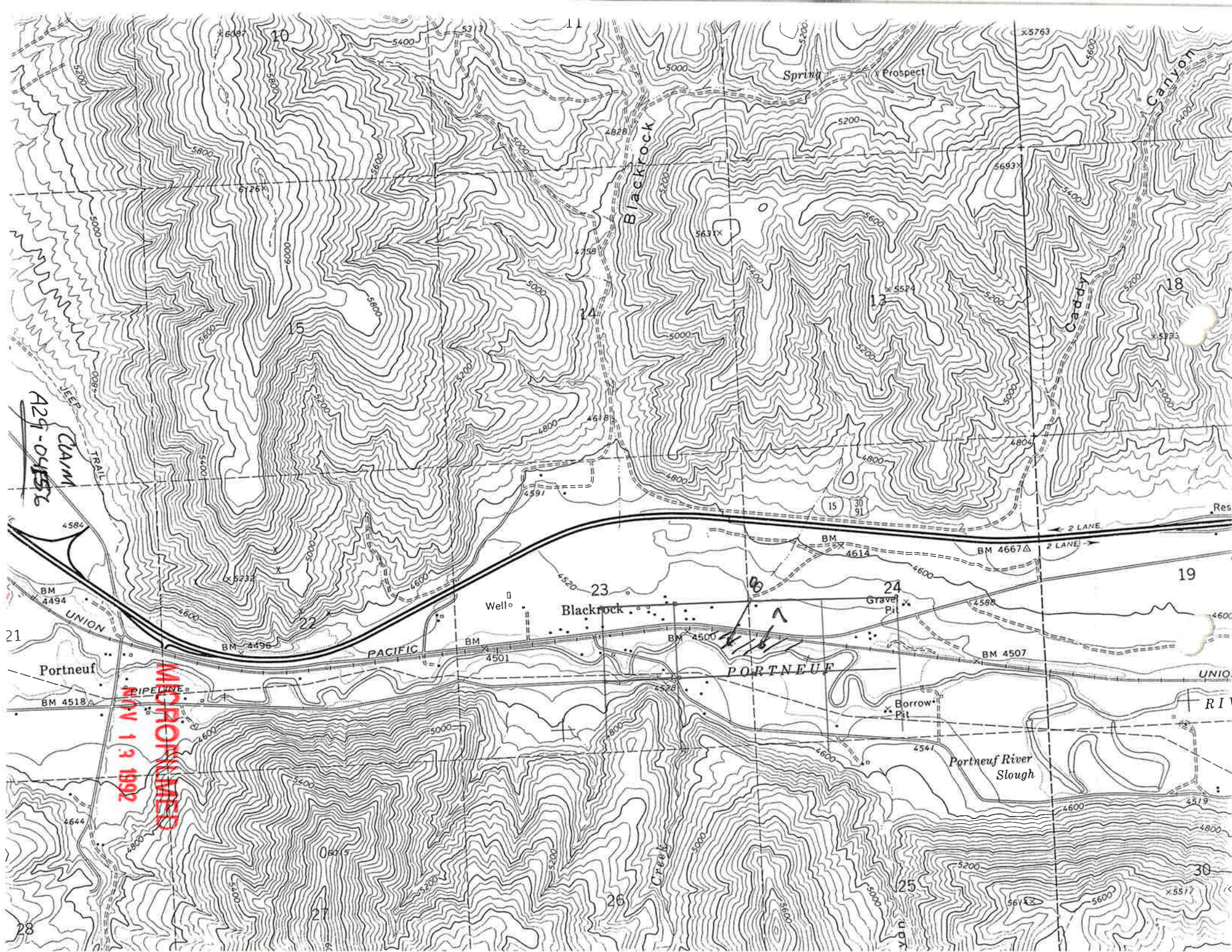
of June 19 88

Dana Green
Notary Public

Seal

Residing at Richy

My Commission Expires 3/22/1994



A29-04156

REPRODUCED
NOV 13 1992