

05/31/2002

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

RIGHT NUMBER: 29-4189

NAME AND ADDRESS: T CRAIG SMITH
1827 E ARIMO RD
POCATELLO ID 83214

SANDRA SMITH
1827 E ARIMO RD
POCATELLO ID 83214

SOURCE: MARSH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.62 CFS

PRIORITY DATE: 04/01/1942

POINT OF DIVERSION:

T10S R37E S7 SWSW Lot 8 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	0.620 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T10S R37E S07 Lot 6	10.0	T10S R37E S07 Lot 7	1.6
T10S R37E S07 Lot 5	NWSW 17.0	T10S R37E S07 Lot 8	SWSW 2.4

31 ACRES TOTAL

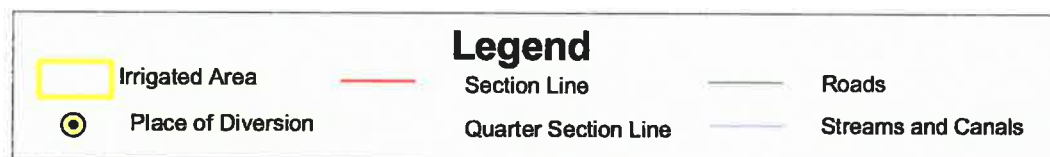
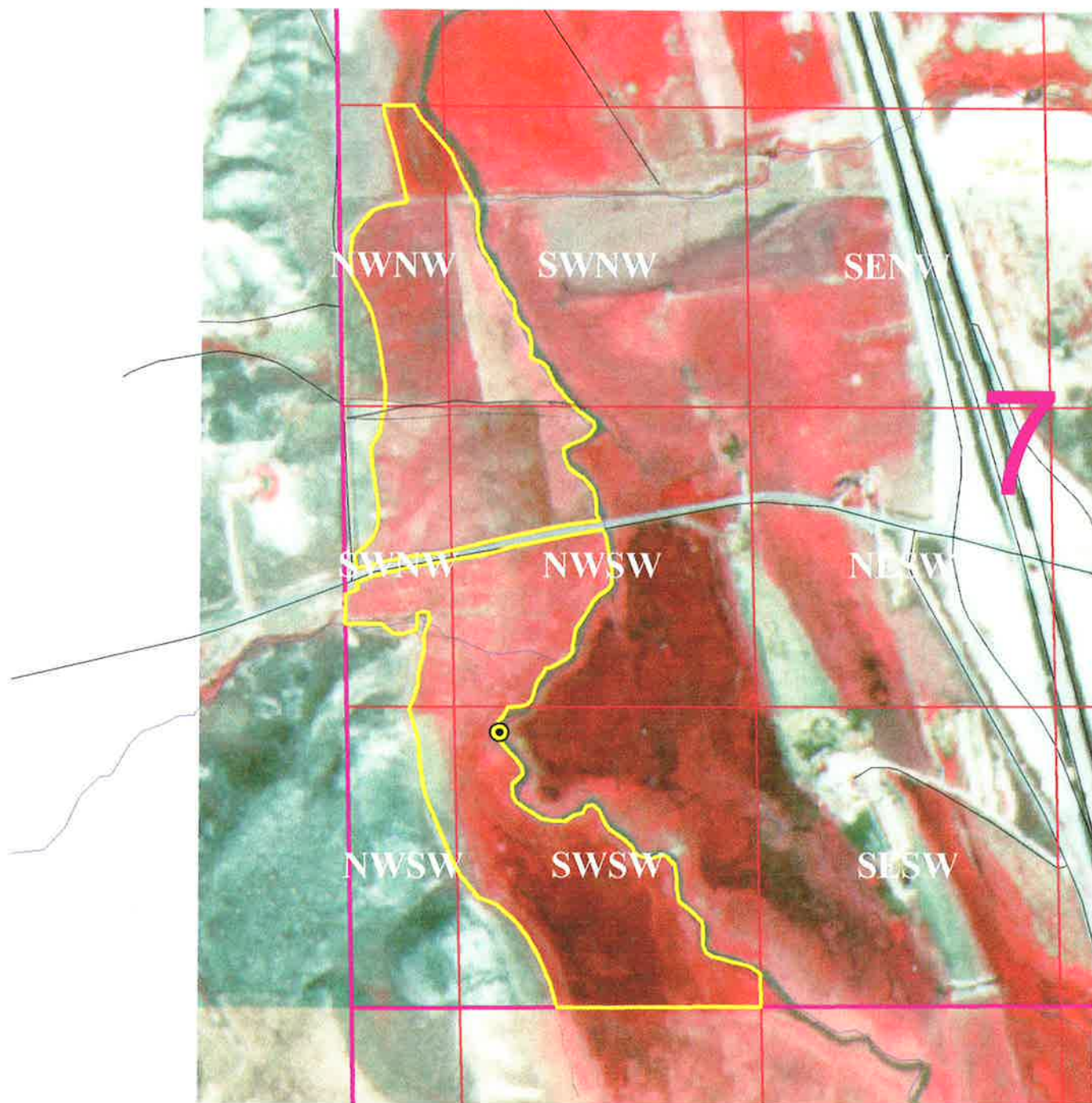
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 31 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-04189, 29-11488

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

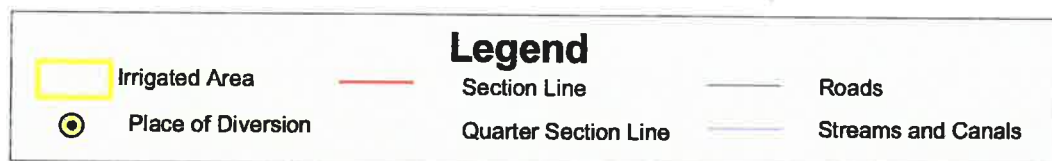
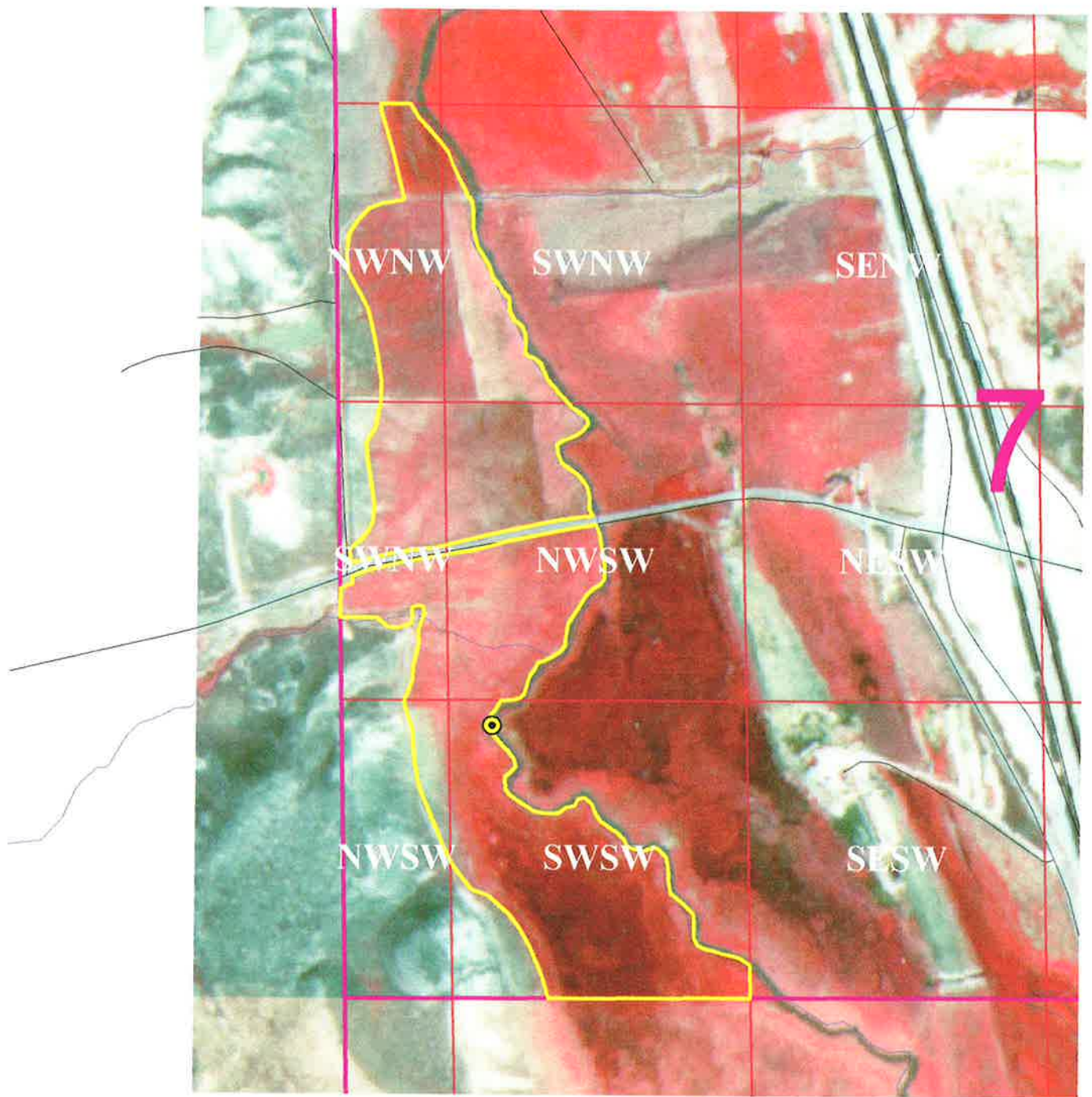
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

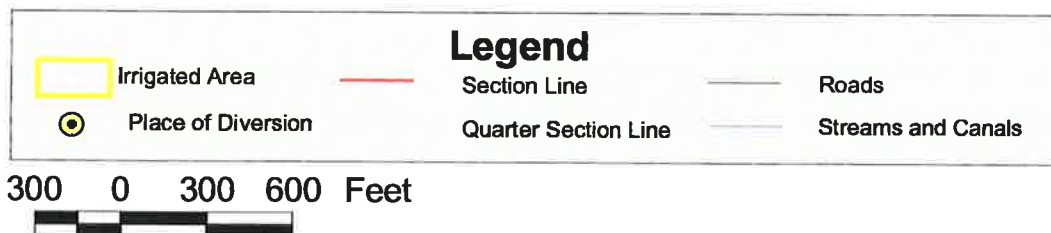
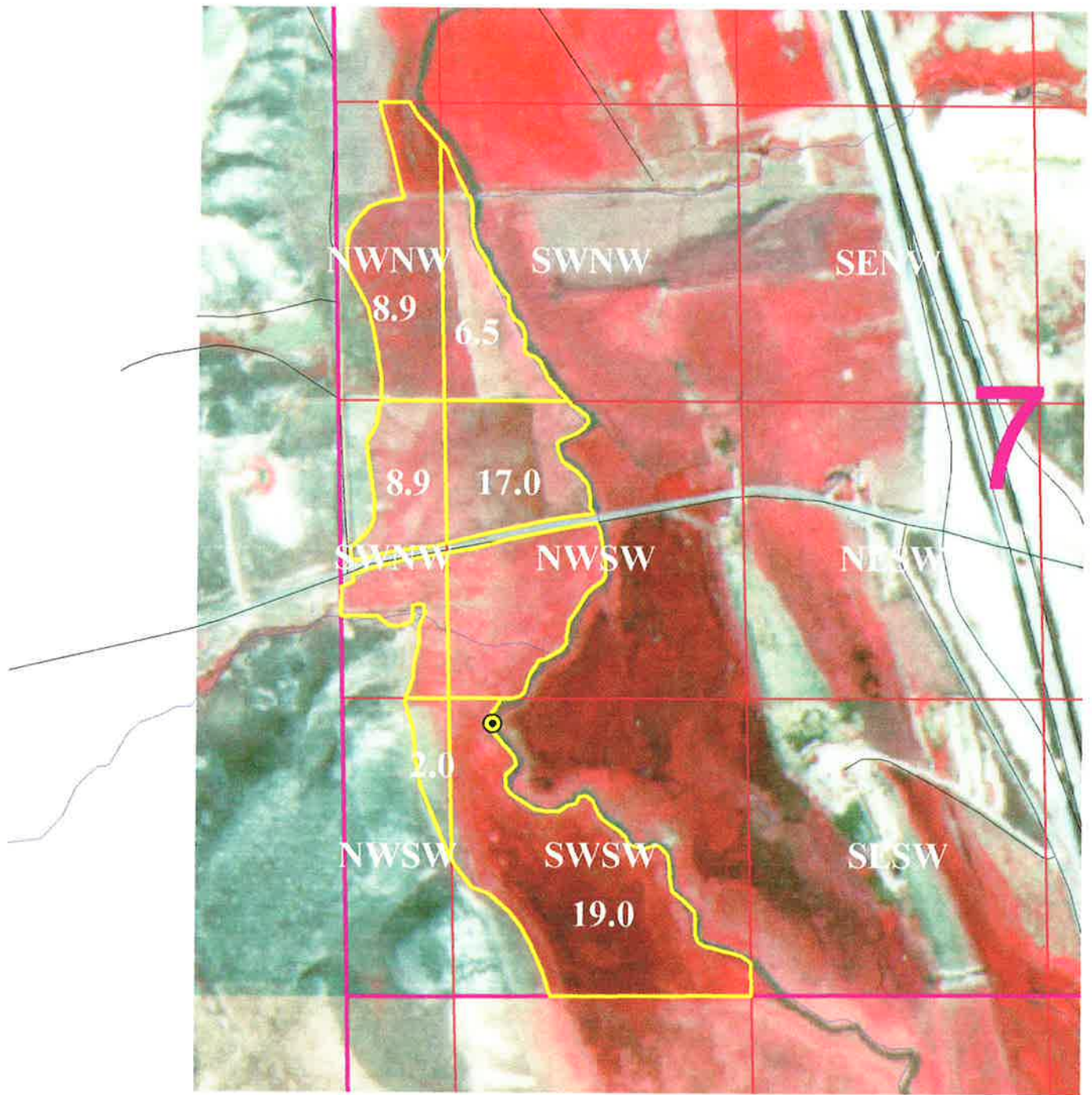
Townships , 10S37E, 10S36E



Townships , 10S37E, 10S36E



Townships , 10S37E, 10S36E



Dave

02/18/2003

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-4189

T CRAIG SMITH
1827 E ARIMO RD
POCATELLO ID 83201
Telephone Number: (208)254-3981

SANDRA SMITH
1827 E ARIMO RD
POCATELLO ID 83214
Telephone Number: (208)254-3981

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: 4/14/2003 SIGNATURE: Thomas Craig Smith
Please print your name: Thomas Craig Smith

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

RECEIVED

APR 23 2003

PROFILED

SCANNED

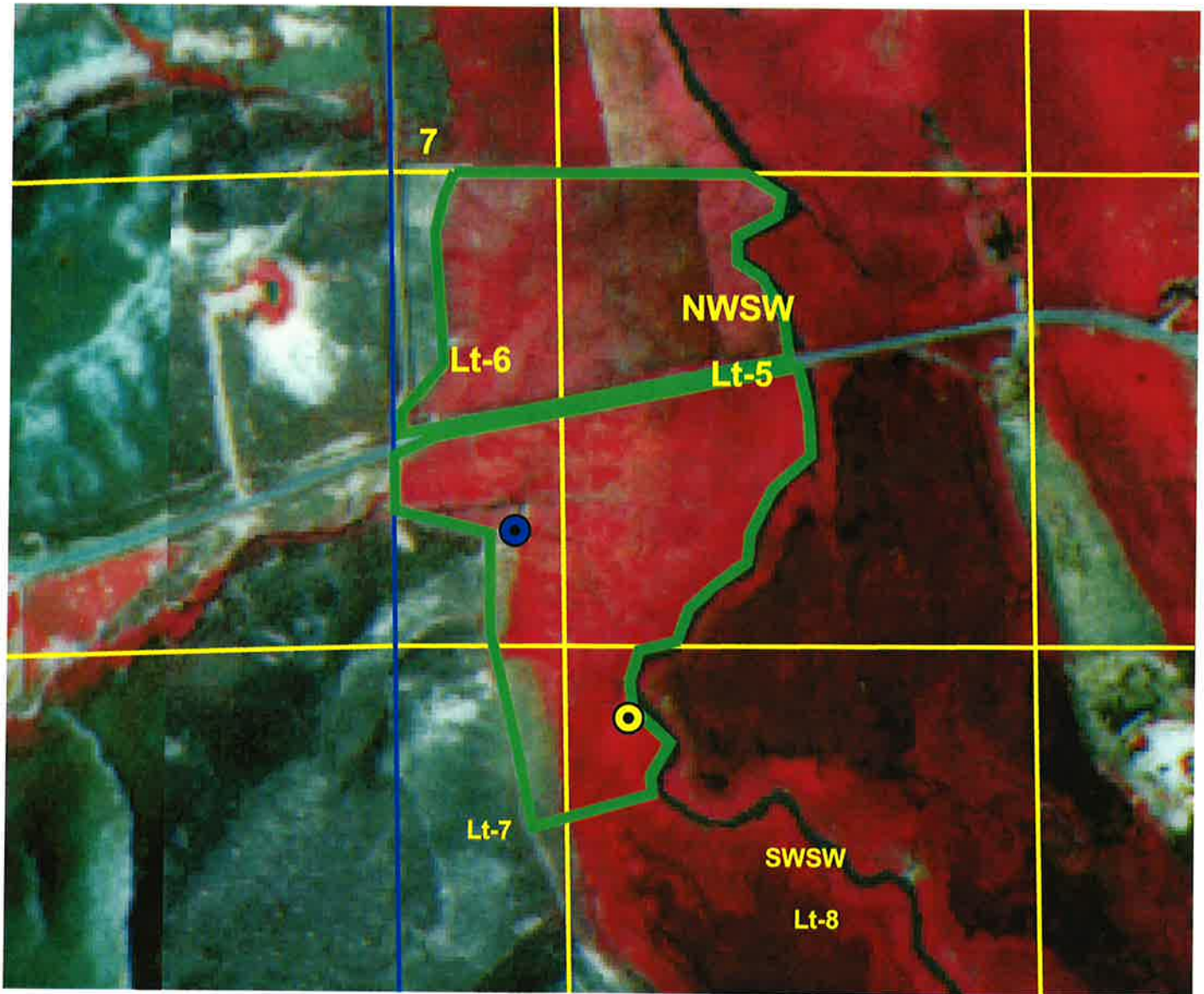
FEB 25 2005

Department of
Fish and Game

IDAHO DEPARTMENT OF WATER RESOURCES

29-04189

T10S, R37E SEC. 7



ACRES IRRIGATED- 31

FEB 22 2005



POINT OF DIVERSION



PLACE OF USE

PRO

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**



$$\frac{15 (6.16)}{25 + (2.31(10))} \quad \sim \quad 48.1 \quad 1.92 \text{ cfs}$$

open discharge = no real psi

PROFILED

SCANNED
FEB 22 2005



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

PUMP, PIPELINE & DITCH. 15 hp VT with 10" discharge, GE Motor. Pumps from Marsh Creek to ditch.

Assumptions

Pressure head.

Invoice #

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)

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

This Form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Servc, Inc.

INTREPID
Engineering Services, Inc. (IES)
Enabling People and Solutions

SCANNED

FEB 25 2005

PROFILED



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



POD ID 205931

Quad Arimo

Claim Type L

Easting 648790

Northing 164318

GPSID A0012616

Diversion Description

PUMP, PIPELINE & DITCH. 15 hp VT with 10" discharge, GE Motor. Pumps from Marsh Creek to ditch.

29 - 4189

Assumptions

Pressure head.

Linked Photos

.. \IDWR Basin 2

.. \IDWR Basin 2

.. \IDWR Basin 2

Invoice #

Phase-0 (No Attention)

Phase-I (Ready to Go to Field)

Phase-II (Site Visit - Data Missing

Phase-III (Complete w/issues)

Phase-IV (Total Complete)

EPE (ft)

16

Date (M/D/Y)

10/15/01

Time

12.55

Flow Rate (CFS)

0.787589437819421

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 0

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

0

☐ 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 15

Pressure Head (psi) 40

Elevation Head (ft) 25

Motor Mfg GE

Motor Serial # GJJ704329

Pump Type Vertical Turbine

Pump Mfg Johnston

Pump Serial#

New Contact Information



New Contact Comments

This Form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Servc, Inc.



INTREPID

Engineering Services, Inc. (IES)
Enabling People and Solutions

PROFILED

SCANNED
FEB 25 2005

MAY 31 2001

Log for claim A29-04189

Spatial Dynamics LTD

6/30/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s37e	7	NWNW	8	8.9	
10s37e	7	SWNW	7	6.5	
10s37e	7	SWNW	15	8.9	
10s37e	7	NWSW	25	17	
10s37e	7	NWSW	5	2	
10s37e	7	SWSW	15	19	
Totals:			75	62.3	

13 Ae

check south end

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-04189	10S	37E	7	NW	SW	SW			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-04189	10S	37E	7		SW	SW			BANNOCK		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP. 10S	RGE. 37E	SEC. 7	1/4 NW	1/4 SW	1/4 SW	LOT	POD FLAG	COUNTY BANNOCK	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A29-04189

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	37E	7	NW	NE	3	SMITH, T CRAIG	A29-04189 / 8.0	29-04189 / 8.0	33.0		
			NW	NE		PORTNEUF IRRIGATION CO	A29-11277 / 28.4	- /			
			NW	NE		PORTNEUF IRRIGATING CO	A29-00051 / 28.4	29-00051 /			
10S	37E	7	SE	NE	4	SMITH, T CRAIG	A29-04189 / 7.0	29-04189 / 7.0	39.0		
			SE	NE		PORTNEUF IRRIGATING CO.		29-00051 /			
10S	37E	7	NW	NW	5	SMITH, T CRAIG	A29-04189 / 25.0	29-04189 / 25.0			
			NW	NW		ARIMO CORP	A29-02416 / 5.0	29-02416 / 2.0			
			NW	NW		ARIMO CORP	A29-12055 / 8.0	- /			
			NW	NW		BUDGE, RANDALL C	A29-04200 / 13.0	- /			
			NW	NW		BUDGE, RANDALL C	A29-04202 / 13.0	29-04202 / 40.0			
			NW	NW		HENDERSON RANCHES INC	A29-04203 / 13.0	- /			
			NW	NW		HENDERSON RANCHES INC	A29-11089 / 13.0	- /			
			NW	NW		HENDERSON RANCHES INC	A29-04201 / 13.0	- /			
			NW	NW	1	ARIMO CORP	A29-04408 / 2.0	29-04408 / 12.0			
			NW	NW	1	ARIMO CORP	A29-04423 / 19.0	- /			
			NW	NW	2	PORTNEUF IRRIGATION CO	A29-11277 / 29.6	- /			
			NW	NW	2	PORTNEUF IRRIGATING CO	A29-00051 / 29.6	29-00051 /			
10S	37E	7	SE	NW	6	SMITH, T CRAIG	A29-04189 / 15.0	29-04189 / 15.0	18.0		
			SE	NW		PORTNEUF IRRIGATING CO	A29-00051 / 19.6	29-00051 /			
			SE	NW		PORTNEUF IRRIGATION CO	A29-11277 / 19.6	- /			
			SE	NW		HENDERSON RANCHES INC	A29-04201 / 13.0	- /			
			SE	NW		BUDGE, RANDALL C	A29-04200 / 13.0	- /			
			SE	NW		BUDGE, RANDALL C	A29-04202 / 13.0	29-04202 / 40.0			
			SE	NW		HENDERSON RANCHES INC	A29-11089 / 13.0	- /			
			SE	NW		ARIMO CORP.		29-04423 / 20.0			
10S	37E	7	NW	SW	7	SMITH, T CRAIG	A29-04189 / 5.0	29-04189 / 5.0			
			NW	SW		PORTNEUF IRRIGATING CO	A29-00051 / 23.2	- /			
			NW	SW		PORTNEUF IRRIGATION CO	A29-11277 / 23.2	- /			
			NW	SW	5	SMITH, T CRAIG	A29-11491 /	- /			
			NW	SW	5	SMITH, T CRAIG	R29-11491 /	- /			
			NW	SW	5	SMITH, T CRAIG	A29-11490 /	- /			
			NW	SW	5	SMITH, T CRAIG	A29-11489 /	- /			
			NW	SW	5	SMITH, T CRAIG	A29-11488 / 3.0	- /			
			NW	SW	5	SMITH, SANDRA	29-11490 /	- /			
			NW	SW	5	SMITH, T CRAIG	29-11489 /	- /			
			NW	SW		HENDERSON RANCHES INC.		29-04202 / 40.0			
10S	37E	7	SE	SW	8	SMITH, T CRAIG	A29-04189 / 15.0	29-04189 / 15.0	38.0		
			SE	SW		PORTNEUF IRRIGATING CO	A29-00051 / 25.6	- /			
			SE	SW		PORTNEUF IRRIGATION CO	A29-11277 / 25.6	- /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SE	SW		HENDERSON RANCHES INC.		29-04202 / 40.0			
ADDITIONAL POU FOUND											

TOTAL ACRES	A29-04189	75.00	75.00	128.00
-------------	-----------	-------	-------	--------

POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-04189	MARSH CREEK	SMITH, T CRAIG	2.000	0.026		
A29-00051	PORTNEUF RIVER	PORTNEUF IRRIGATING CO	55.000	0.016		
A29-02416	MARSH CREEK	ARIMO CORP	6.130	0.020		
A29-04200	SPRINGS	BUDGE, RANDALL C	1.030	0.003		
A29-04201	SPRING	HENDERSON RANCHES INC	3.030	0.010		
A29-04202	SPRINGS	BUDGE, RANDALL C	0.280			
	POND					
A29-04203	MARSH CREEK	HENDERSON RANCHES INC	3.030	0.015		
A29-04408	SCHOOL SPRING	ARIMO CORP	0.620	0.028		
A29-04423	SQUATTER CREEK SPRINGS	ARIMO CORP	0.650	0.021		
A29-11089	SPRING	HENDERSON RANCHES INC	0.280			
A29-11277	PORTNEUF RIVER	PORTNEUF IRRIGATION CO	55.000	0.016		
A29-11488	GROUNDWATER	SMITH, T CRAIG	0.080	0.020		
A29-12055	OLD STACK SPRING	ARIMO CORP	0.200	0.025		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-11491	STOCKWATER	SMITH, T CRAIG	FROM 01-01 TO 12-31	0.030 CFS	
R29-11491	STOCKWATER	SMITH, T CRAIG	FROM 01-01 TO 12-31	0.030 CFS	

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-11490	STOCKWATER	SMITH, T CRAIG	FROM 01-01 TO 12-31	0.030 CFS	
A29-11489	STOCKWATER	SMITH, T CRAIG	FROM 01-01 TO 12-31	0.030 CFS	
29-11490	STOCKWATER	SMITH, SANDRA	FROM 01-01 TO 12-31	0.030 CFS	
29-11489	STOCKWATER	SMITH, T CRAIG	FROM 01-01 TO 12-31	0.030 CFS	
A29-11488	STOCKWATER	SMITH, T CRAIG	FROM 01-01 TO 12-31	0.030 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

AJ5809NP

No. A29-04189

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00

PAGE: 128

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	T CRAIG SMITH	04/01/1942	IRRIGATION	04-01 10-01	2.000 CFS	
C	SANDRA SMITH 1827 E ARIMO RD ARIMO ID 83214 (208) 254-3981				2.000 CFS	
					TOTAL DIVERSION:	
					CONSUMPTIVE USE:	187.50 AFA

Water Source: MARSH CREEK

Tributary to: PORTNEUF RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T10S R37E S07

NWSWSW

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		
10S	37E	7	:		03-08		04-07	:		05-25		06-15	:		07-05		08-15	:						
																							TOTAL ACRES	75.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 04/19/90 VERNER 07/20/94 THOMPSON 03/29/95 POST-STD

Water was originally pumped from Marsh Creek and brought to irrigated acreage in a ditch approximately one and one-quarter mile south of present pump in 1942. [SESW, Sec. 18, T. 10S, R. 37E]. Pump is owned by Robert W. Henderson of Arimo.

In 1965, we put in our own pump on Marsh Creek in present location. It is a 15 HP pump with 8" pipe approximately 300' long. The water is dumped into a ditch which flows approximately three-quarter miles north. Flood irrigation is practiced on all irrigated land at present time. Approximately fifteen acres of land owned by Robert W. Henderson on north end of ditch is irrigated with our pump. Fifteen (15) acres are shown on map.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

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

Notice is hereby given that T. CRAIG SMITH
(Name of Claimant)

Robin Road, Arimo, Idaho 83214 (Name of Claimant)
(Mailing Address) (Zip Code) Telephone No. 254-3981

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) April 1942

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

MARSH CREEK

PORTNEUF RIVER

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)
(Mo., Day) (Mo., Day)

Quantity 2cfs Use Irrigation Period of Use From 4/1 To 10/1

Quantity Use Period of Use From 4/1 To 10/1

Quantity	Use	Period of Use From	To

Quantity	Use	Period of Use From	To
----------	-----	--------------------	----

Quantity _____ Use _____ Period of Use From _____ To _____

(4) 2 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

(SW 1/4) Lot #8 1/4, Sec. 7 Twp. 10S Rge. 37E B.M., County of Bannock

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

SEE ATTACHMENT

SEE ATTACHMENT

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 75

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered:

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

T. Craig Smith
A29-04189

RECEIVED

MAR 27 1995

EVIDENCE OF PRIORITY WATER RIGHT

In 1942, I put an irrigation pump on Marsh Creek to irrigate pasture and cropland north and downstream several miles. This includes the land currently owned by Craig Smith and T. J. Smith and Sons Inc. The ditch ran through their property so they could irrigate their pasture and hay as defined by claim # A29-04189. It also allowed me to irrigate a field I have north of their current boundary. Due to water loss and frequent wash outs, another pump was put in at current diversion point by Craig's father, T.J. Smith. It is being used to irrigate his land as well as mine north of his boundary.

You can still see the date 1942 imprinted in the cement at the discharge end of the pipe coming from my pump. This pump is still in use. The original ditch is still plainly visible and most of it is still in use. I have personal knowledge of Craig Smith's beneficial use and priority date as described in claim #A29-04189.

Signed

Robert W. Henderson

State of Idaho,

County of Bannock

On this 23 day of March in the year 1995, before me, Robert Henderson, a Notary Public in and for said State, personally appeared, Robert W. Henderson.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Belva Olsen Hansen

Notary Public for Id

Residing at MCCA m m o N'

MICROFILMED

NOV 13 1996

MAY 31 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: A29-04189
Date Received: 4/19/1990
Receipt No: E013336
Received By: ESJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: T. CRAIG SMITH 208-254-3981
Address: 1827 E ARIMO RD.
ARIMO, ID 83214
OR
Name: SANDRA SMITH 208-254-3981
Address: 1827 E ARIMO RD.
ARIMO, ID 83214

A2904189



2. Date of Priority: APR 01, 1942
3. Source: MARSH CREEK Trib. to: PORTNEUF RIVER
4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
10S	37E	7	NW		SW		SW		BANNOCK

5. Description of diverting works:
PUMP, PIPELINE & DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/01	2.000		

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

8. Total consumptive use is 187.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10S	37E	7	NW		NE	3	IRR	8.0
			SE		NE	4	IRR	7.0
			NW		NW	5	IRR	25.0
			SE		NW	6	IRR	15.0
			NW		SW	7	IRR	5.0
			SE		SW	8	IRR	15.0

Section Acres 75.0

Total Acres 75.0

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:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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): T. Craig Smith Date: 4/19/90
Date:

State of Idaho)
County of Bannock) ss.

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

[Signature]
Notary Public

Seal

Residing at Shale Falls, B.
My Commission Expires 22 Aug 1994

MICROFILMED

Not NOV 13 1992

A29-04189

R36E 1 45.8

R37E

B310
(5910)

8227

2845

1921
5th

83-5

6113

82-42
1705-10