

06/29/2001

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

RIGHT NUMBER: 29-7480

NAME AND ADDRESS: ANTON SMITH  
1651 W SUNDANCE RD  
POCATELLO, ID 83202

SOURCE: GROUND WATER

QUANTITY: 0.41 CFS  
88 AFY

PRIORITY DATE: 04/19/1979

POINT OF DIVERSION: T06S R33E S20 NESENE Within POWER County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY              |
|----------------|---------------|-----------------------|
| IRRIGATION     | 03-15 11-15   | 0.41 CFS<br>88.00 AFY |

PLACE OF USE:

| <u>IRRIGATION Within POWER County</u> |      |    |                       |
|---------------------------------------|------|----|-----------------------|
| T06S R33E S20                         | NENE | 16 | T06S R33E S20 SWNE 31 |
| T06S R33E S20                         | SENE | 39 |                       |

86 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-7586 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 86 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 22 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

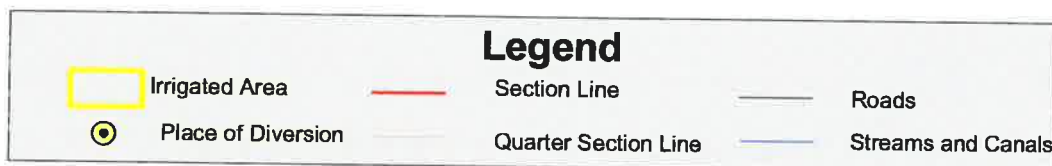
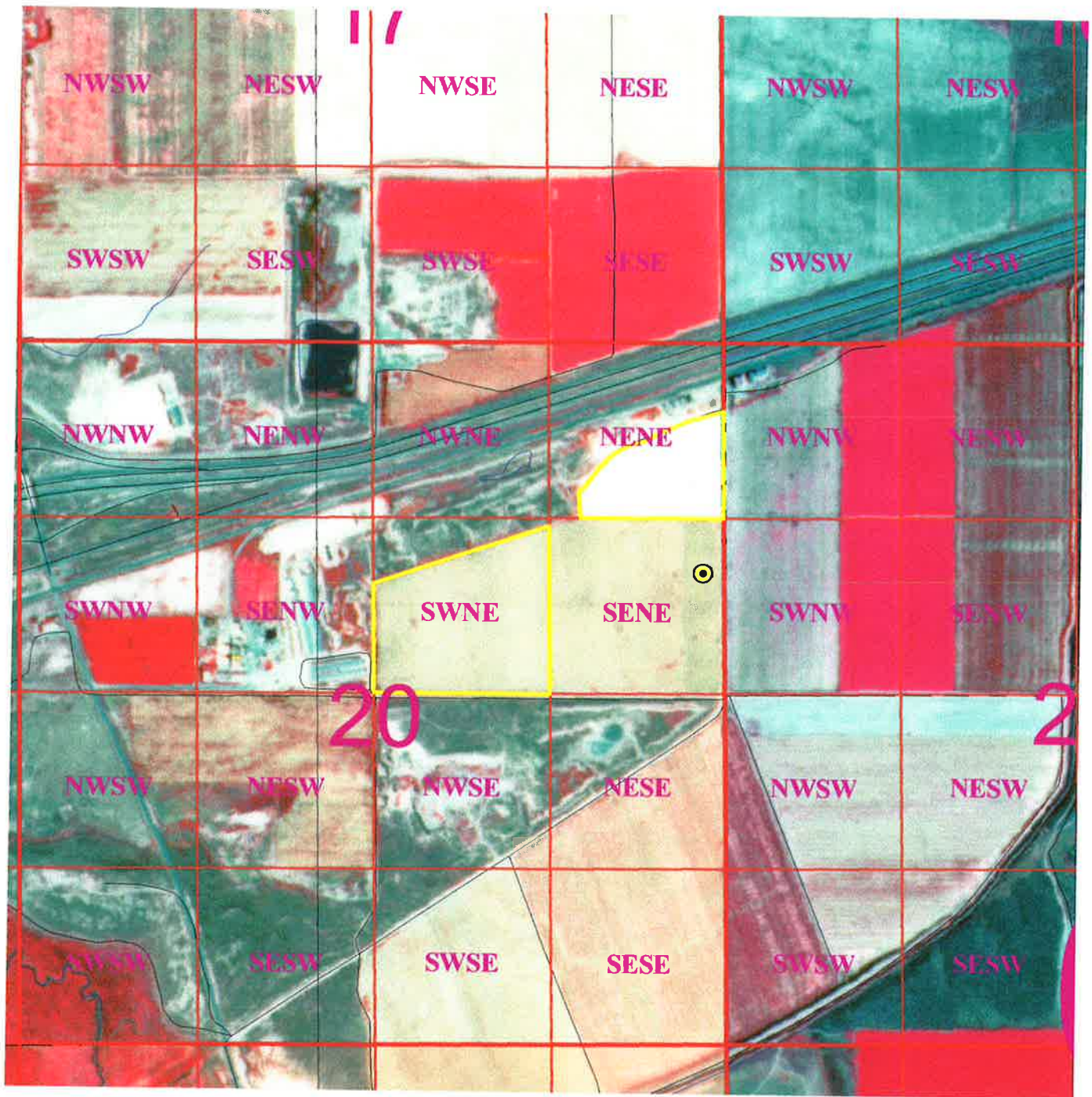
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - License

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

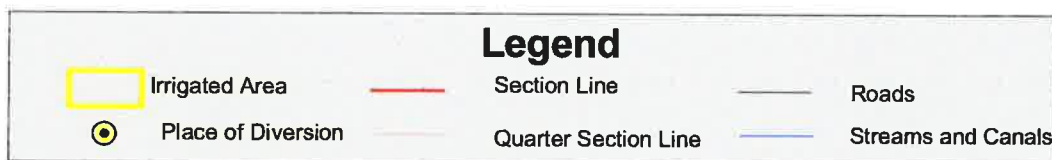
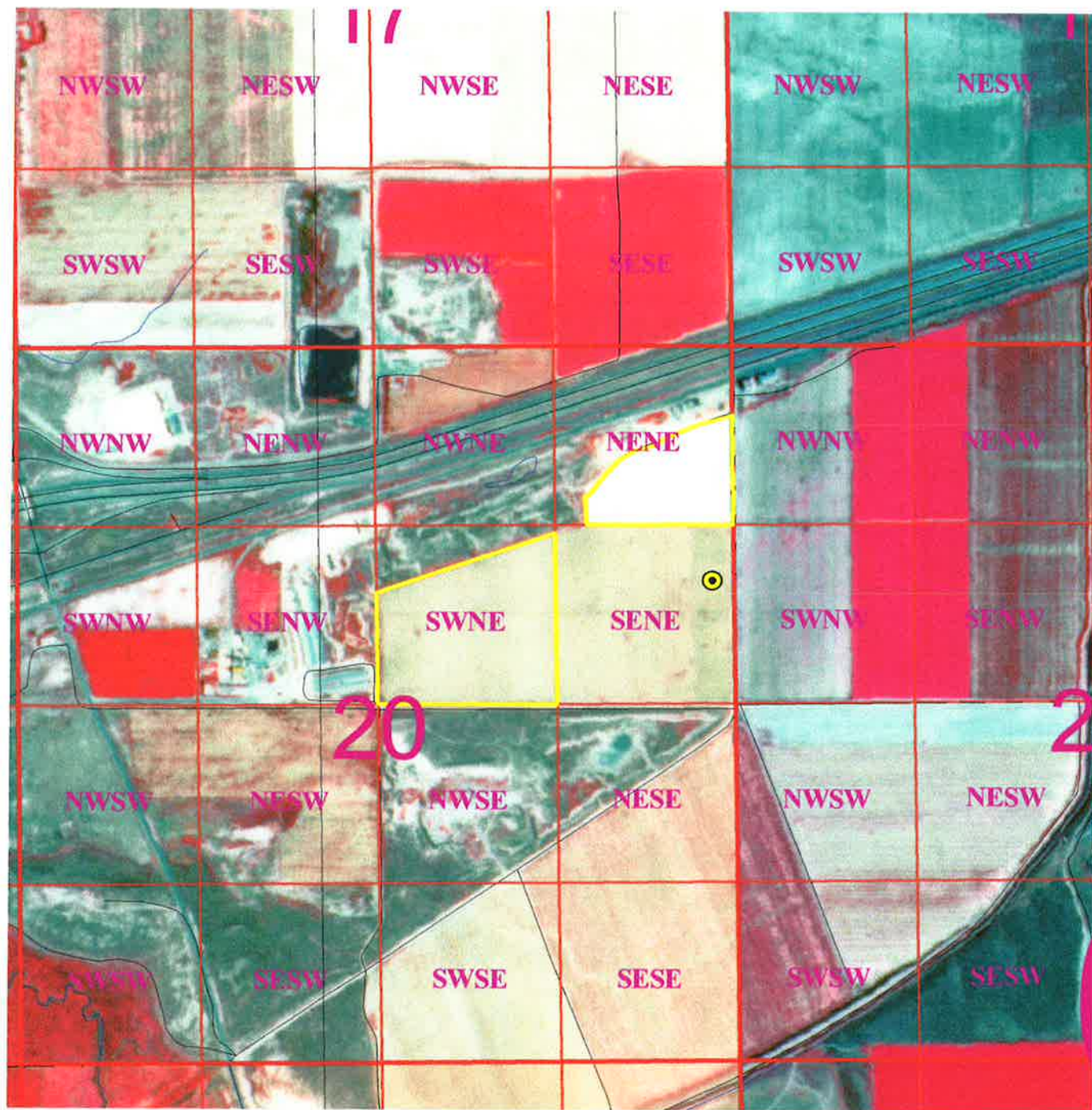
Township , 6S33E



900 0 900 1800 Feet



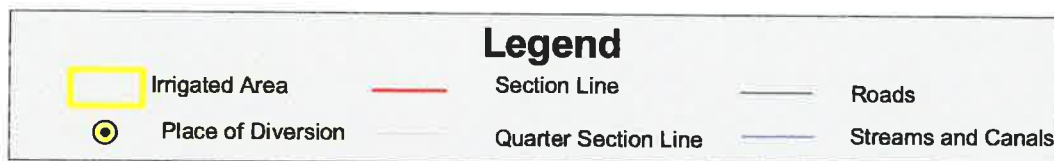
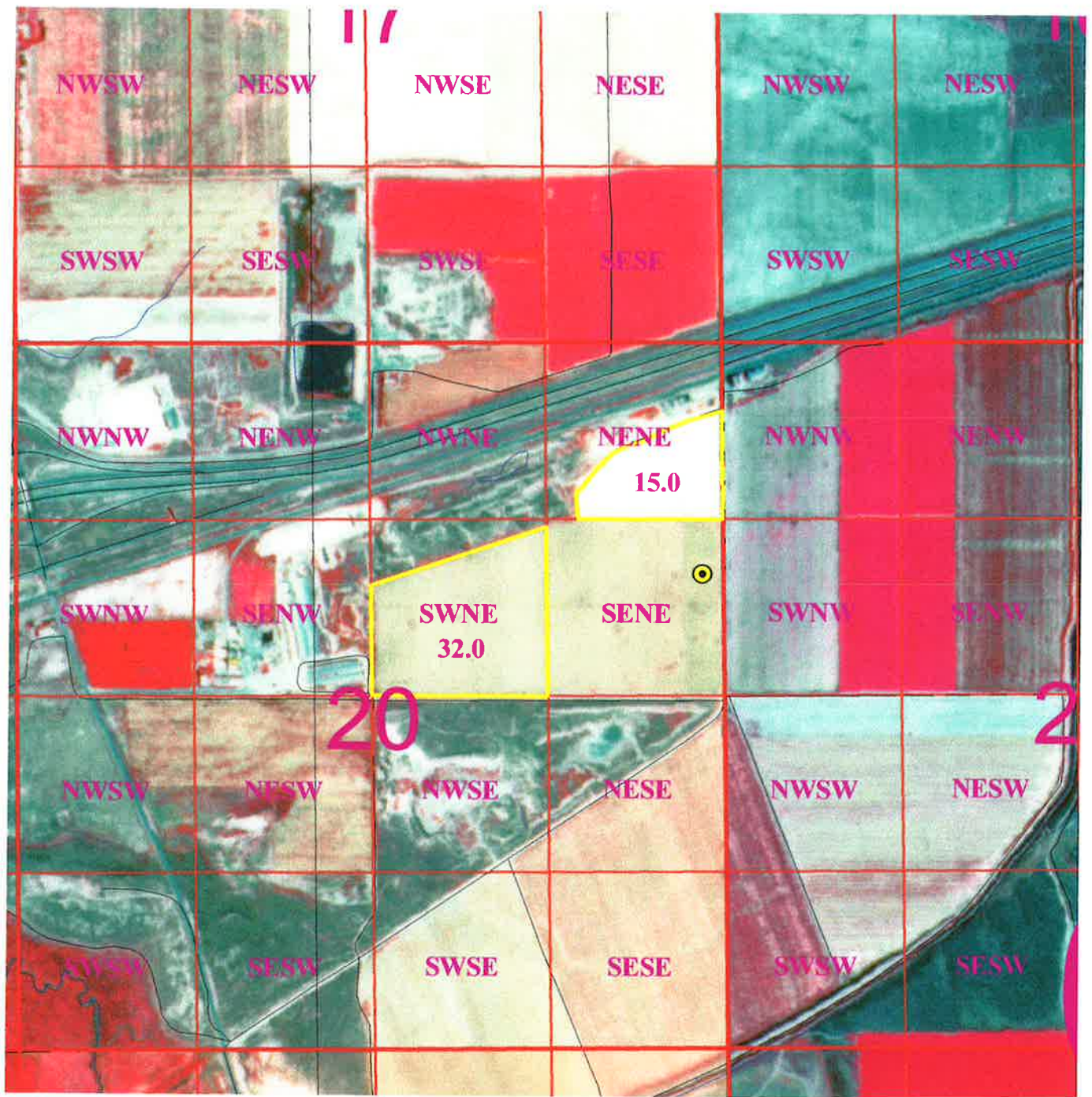
Township , 6S33E



900 0 900 1800 Feet



Township , 6S33E

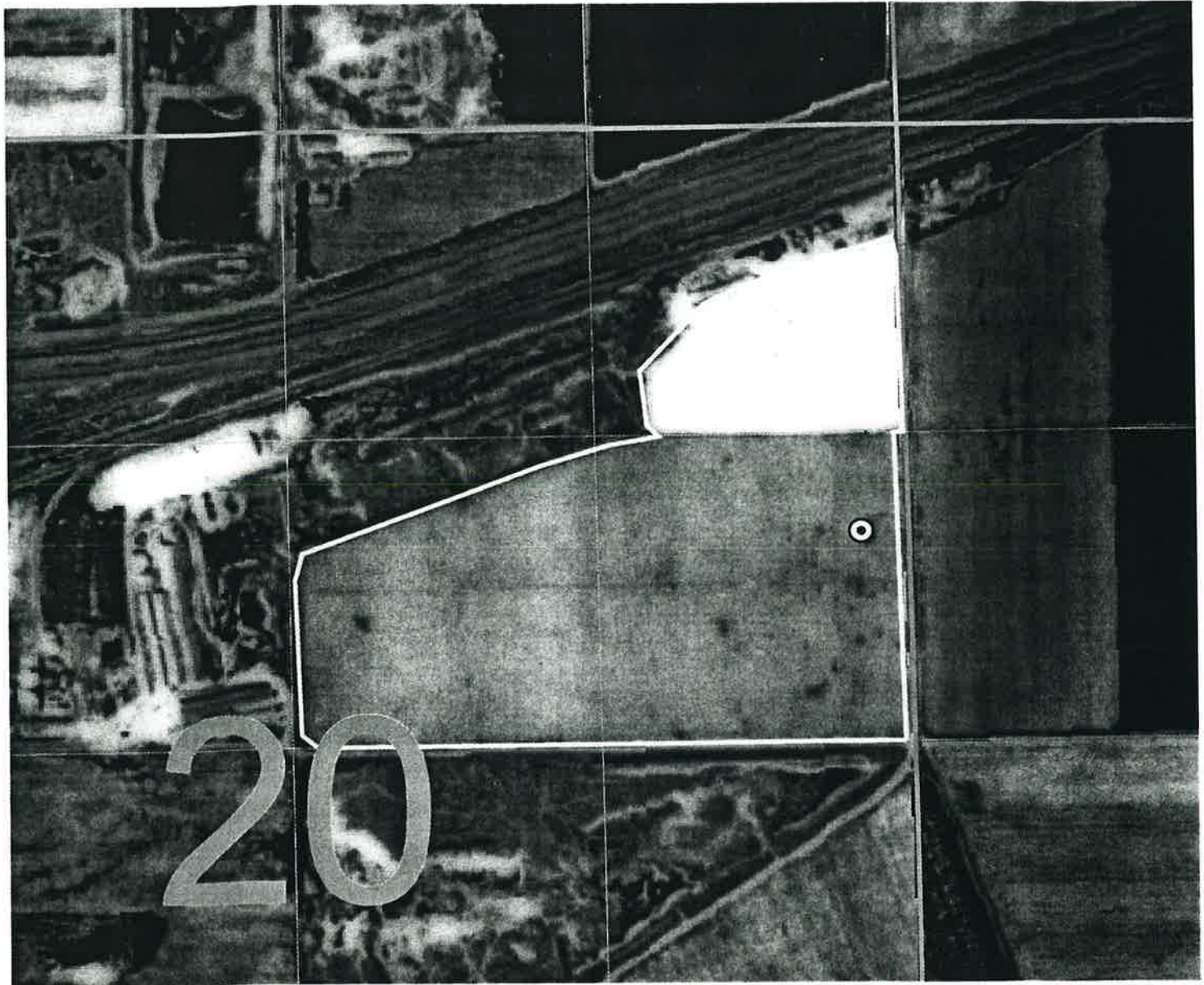


900 0 900 1800 Feet



# Idaho Department of Water Resources

## Water Right 29-7480, 29-7586



500 0 500 Feet

- ⊙ Point of Diversion - This Right
- Point of Diversion - Other Rights
- Place of Use - This Right
- Place of Use - Other Rights
- Township
- Section
- Quarter-quarter Section

**PROFILED**

Township 6S Range 33E  
Section 20

SCANNED  
MAY 3 4 2006



Prepared from 1987/1988 NAPP photography by B. Contor, 6/2001.



## State of Idaho

### DEPARTMENT OF WATER RESOURCES

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

#### EASTERN REGION

June 29, 2001

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

Anton Smith  
1651 West Sundance Road  
Pocatello, Idaho 83202

Re: Adjudication Claims 29-7480, 29-7586

Dear Mr. Smith:

When these two rights were licensed, they were licensed to partially overlap one another. Both rights are licensed out of the same well.

To more accurately reflect what appears to be the historical use of these rights, and to give you some flexibility in the use of the rights, I would like to recommend both rights to the same place of use on a "permissible place of use" basis. The attached map shows the proposed place of use for both rights in combination.

Each right will bear a remark limiting it to the original licensed acreage. This will not affect the use or administration of these rights, but will clarify what the original right was, in case you ever want to transfer one of the rights to a new use.

Unless I hear from you, I plan to go ahead and recommend the rights as shown on the map. You may contact me at 525-7161. I'm hard to catch but I will return your calls.

Sincerely,

Bryce A. Contor  
Senior Water Resource Agent

PROFILED

SCA  
MAY 04 2001

06/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommended Right Report

WATER RIGHT NO. 29-7480

## Comments:

| Author  | Date      | Subject          | Comment                                                                                                                                              |
|---------|-----------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| bcontor | 6/29/2001 | recommendation   | Claimed as licensed, confirmed by GIS. Recommended as licensed except as noted below.                                                                |
| bcontor | 6/29/2001 | Diversion Volume | Current standard afa/acre is higher than licensed volume. Per Carter Fritschle instructions in similar case in B31, recommended at current standard. |
| bcontor | 6/29/2001 | PPU              | See letter in file to claimant re: PPU. See license exam.                                                                                            |

## Dates:

Licensed Date: 08/28/1986  
 Claim Received Date: 03/15/1990  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 Decreed Date:  
 Date Filed with Court:  
 Objection Filed Date:  
 SF5 Filed:  
 Special Master Recom Signed Date:

## Element Reviewed/Verified Dates:

| Element | Last Review Date     | Reviewer | Last Verified Date   | Verifier | Status     |
|---------|----------------------|----------|----------------------|----------|------------|
| POU     | 6/29/2001 6:12:17 PM | bcontor  |                      |          | In Process |
| Summary | 6/29/2001 6:12:08 PM |          | 6/29/2001 6:12:08 PM | bcontor  | Complete   |
| Use     | 6/29/2001 6:12:28 PM | bcontor  |                      |          | In Process |

## Other Information:

Receipt Number(s): M006251  
 State or Federal: S  
 Owner Name Connector:  
 Water District Number:  
 Generic Max Rate per Acre:  
 Generic Max Volume per Acre:  
 Civil Case Number:  
 Old Case Number:  
 Decree Plaintiff:  
 Decree Defendant:  
 PresumptionFlag:  
 Notice of Error Flag:C  
 Swan Falls Trust or Nontrust:  
 Swan Falls Dismissed:  
 DLE Act Number:  
 Cary Act Number:  
 Mitigation Plan: False

## Verification Log:

| Element | Date Time Stamp      | Reviewer | Log Text                                                                                                                                                                                                                                                                     |
|---------|----------------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POD     | 6/29/2001 6:07:53 PM | bcontor  | Edited PLS                                                                                                                                                                                                                                                                   |
| POD     | 6/29/2001 6:07:40 PM | bcontor  | Edited point location                                                                                                                                                                                                                                                        |
| POU     | 6/29/2001 6:12:13 PM | bcontor  | 1. (YES) The POU is required.<br>2. (NO) The basis of claim is not beneficial use.<br>3. (YES) The Parent Right has a POU.<br>4. (NO) The claimed POU can not be verified using the water right file.<br>5. (YES) There is evidence that there has been a change in the POU. |

|         |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|---------|----------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU     | 6/29/2001 6:08:32 PM | bcontor | 6. (YES) The change can be verified as an accomplished transfer.<br>Edited PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| POU     | 6/29/2001 6:08:21 PM | bcontor | Edited shape boundary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Summary | 6/29/2001 6:12:02 PM | bcontor | 1. (NO) The basis of the claim is not beneficial use.<br>3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture.<br>5. (NO) General remark was not required.<br>6. (NO) Explanatory remark was not required.<br>7. (YES) Additional condition was required.<br>8. (YES) Wanted to view the recommended right.<br>9. (NO) This is not a split right.<br>10. (NO) This is not a combined right.<br>11. (NO) Documents were not linked or attached to this file.<br>12. (YES) Set the verification date. |
| Use     | 6/29/2001 6:12:18 PM | bcontor | 1. (NO) The basis of claim is not beneficial use.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

SCANNED

MAY 14 2001

Log for claim A29-07480

Spatial Dynamics AMH

7/18/00

| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT                   |
|----------------|-----|------|------------------|----------------|---------------------------|
| 06s33e         | 20  | NENE | 15               | 15             |                           |
| 06s33e         | 20  | SWNE | 7                | 32             | Permissible place of use? |
| <b>Totals:</b> |     |      | 22               | 47             |                           |

AJ5809NP  
No. A29-07480

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00  
PAGE: 68

| OWNER<br>CODE    | NAME & ADDRESS                                                            | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|---------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | ANTON SMITH<br>1651 W SUNDANCE RD<br>POCATELLO ID 83202<br>(208) 232-5731 | 04/19/1979       | IRRIGATION | 03-15 11-15           | 0.410 CFS         | 77.00 AFA           |
| TOTAL DIVERSION: |                                                                           |                  |            |                       | 0.410 CFS         | 77.00 AFA           |
| CONSUMPTIVE USE: |                                                                           |                  |            |                       |                   | 77.00 AFA           |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T06S R33E S20

SENE

POWER County

Place of use Legal Description for: IRRIGATION

|     |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |   |             |      |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|-------------|------|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : | SUM         |      |
| 06S | 33E | 20 | : | 15 |    | 07 |    |    |    |    |    |    |    |    |    |    |    |    |    | : | 22.0        |      |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : | 22.0        |      |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : | TOTAL ACRES | 22.0 |

POU County: POWER

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
A29-07586

Other Water Rights Listing Overlapping Place(s) of Use:  
A29-07118 A29-07403 A29-07586

|        |                        |                        |                       |
|--------|------------------------|------------------------|-----------------------|
| Dates: | Exam Made Date:        | Verified Date:         | Objection Filed Date: |
| Misc:  | Water District Number: | Field Inspection Flag: |                       |
|        |                        | Presumption Flag:      |                       |
| Audit: | 03/15/90 MOBILE3       | 07/27/94 THOMPSON      | 03/29/95 POST-STD     |

State of Idaho  
DEPARTMENT OF WATER RESOURCES  
FIELD REPORT

## 4. Management of Water Resources

39-2480  
Permit No.

CONTACT WITH PERMIT HOLDER

DATE \_\_\_\_\_

INITIALS

REMARKS

- ☐ Appointment letter mailed:
- ☐ Telephone call made:  
(List Telephone No. used)
- ☐ Appointment scheduled for  
(Date, time, location)

## EXAMINATION

Date 6-15-1982 Accompanied by Anton Smith Total Q measured 1.6/cfs ✓

If source is surface water, estimate total flow of source

Methods of measurement Pitot gauge Meets Permit requirements?

Measurement calculations:

$V = 22 \text{ acres} \times 3.5\%$   
 $= 77 \text{ aFs}$   
 $V = 0.4 \text{ cfs} \times 1.9835 \times 228 \text{ days}$   
 $= 180 \text{ aFs}$

Line 1 -  $4.96 \text{ gpm} \times 33 = 163.68 \text{ gpm}$   
2 -  $4.96 \text{ gpm} \times 32 = 158.72$   
3 -  $4.96 \text{ gpm} \times 30 = 148.80$   
4 -  $4.96 \text{ gpm} \times 32 = 158.72$   
5 -  $4.96 \text{ gpm} \times 16 = 79.36$

$\frac{794.12 \text{ gpm}}{7.48 \text{ gpm}} = 106.1 \text{ cfs}$

totally 86 acres under irris.  
from  $29-7480 + 29-7586$   
This is  $0.0187 \text{ cfs/acre}$ .  
 $22 \text{ acres} \times 0.0187 \text{ cfs}$   
 $= 0.41 \text{ cfs}$

[illegible]

System Description well pump thru mainline to 5 sprinkler lines

\*Code with map on reverse side. Disregard code if only one.

## RECOMMENDED AMOUNTS

Irrigation requirement = 3.5 ✓ AFA/Acre

Irrigation ✓ USE

Q (cfs)  
0.41 ✓

V (afa)  
77 ✓

FROM TO  
~~April 1~~ ~~Nov 15~~  
3/15 11-15

per rules  
& pegs

Total 0.41 cfs 77.0 AF

Remarks The grounds for 29-7480 and 29-7586 are being irrigated as  
one unit. Basically both field exams were accomplished at the same time.

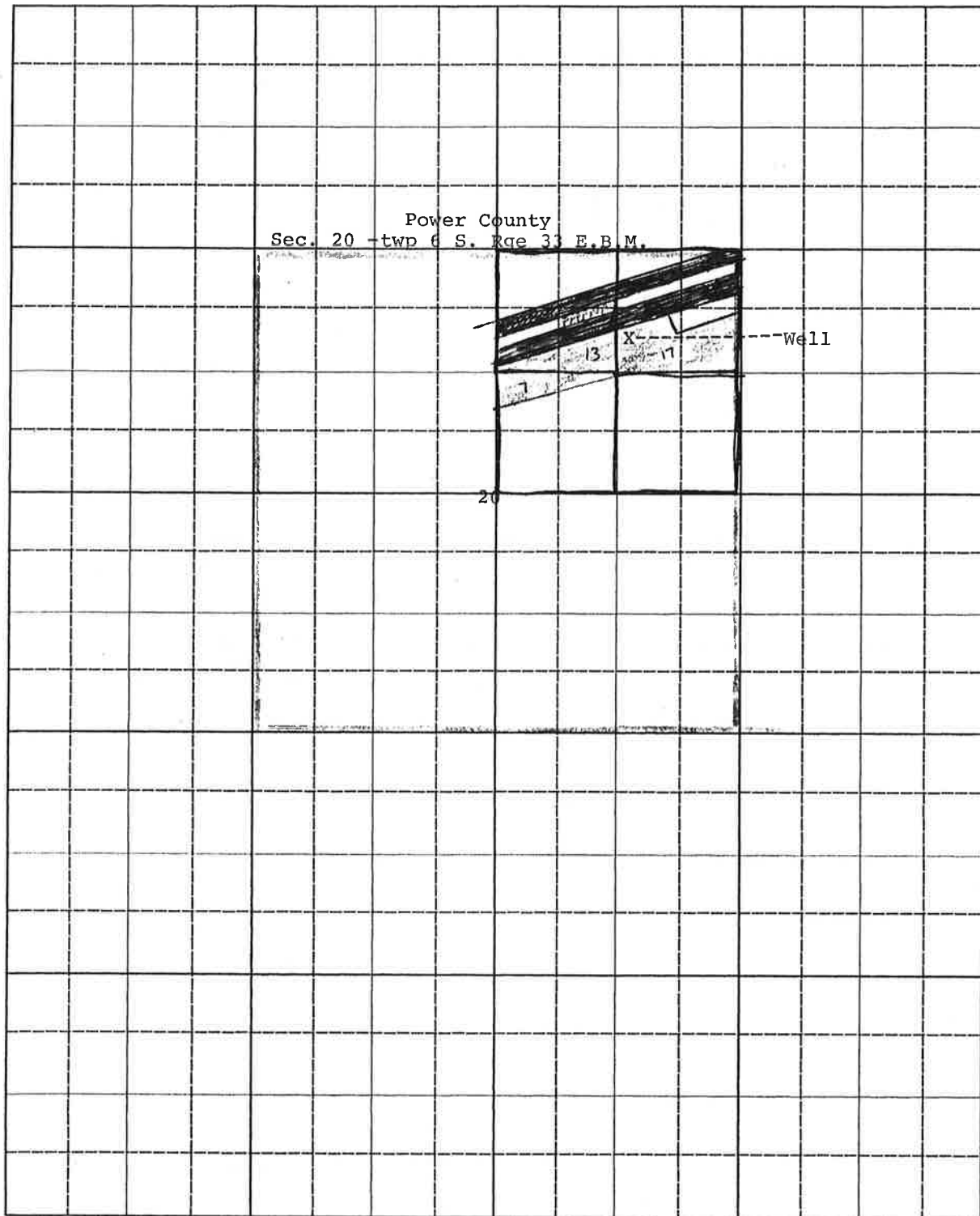
Both permits need to have a PD amendment to SENE Sect. 20

~~R17 (29-7586) (1.61 cfs)~~

P/D overlap per VAX: none - see 29-7586  
also being  
29-4104 on same ground licensed

**MICROWILK®**

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale:  $\frac{1}{4}$  inches equal 1 mile.

4"

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

Anton Smith  
(Applicant)

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant ANTON SMITH Phone 232-5731  
Post office address Star Route, Pocatello, Idaho 83201

2. Source of water supply groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 20 Township 6 South  
Range 33 E.B.M. Power \_\_\_\_\_ County, additional points of diversion if any: \_\_\_\_\_  
None

4. Water will be used for the following purposes:

Amount .74 cfs for irrigation purposes from April 1 to Nov. 15 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .74 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, motor & panel

b. Height of storage dam N/A feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is 16 inches; proposed depth of well is 200 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M.

(2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered \_\_\_\_\_

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water \_\_\_\_\_.

(5) If water is to be used for other purposes describe: \_\_\_\_\_

MICROFILMED

RECEIVED  
JUL 30 1980

Ident. No. \_\_\_\_\_

STATE OF IDAHO

Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)

APPROVED

Comes now Anton Smith Phone \_\_\_\_\_  
of (address) Star Rt., Box 182 Pocatello, ID 83201, and represents to the  
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the  
State of Idaho No. 29-7480, and requests that the permit be changed as follows:

1a. Point of diversion: SE 1/4 NE 1/4, Section 20, Township 6S, Range 33E,  
B.M., County of Power. Other points of diversion: \_\_\_\_\_

1b. Source: groundwater tributary to \_\_\_\_\_

2a. Period and nature of use:

Amount 0.41 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)  
(cfs or acre feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre feet per annum)

2b. The maximum quantity diverted shall not exceed 0.41 cfs or 77.0 acre feet  
per year.

3. Place of use or land to be irrigated:

| TWP | RGE | SEC | NE     |        |        |        | NW     |        |        |        | SW     |        |        |        | SE     |        |        |        | TOTALS |
|-----|-----|-----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |     |     | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 6S  | 33E | 20  | 15     |        | 7      |        |        |        |        |        |        |        |        |        |        |        |        |        | 22     |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres to be irrigated = 22

4. Date of priority: April 19, 1979

RECORDED

**State of Idaho  
Department of Water Resources**

**WATER RIGHT LICENSE**

License of Water Right No. 29-7480 Priority April 19, 1979 Amount 0.41 cfs

THIS IS TO CERTIFY, that Anton Smith  
of Pocatello, Idaho, has complied with the terms and conditions of Permit  
No. 29-7480 issued pursuant to Application for Permit dated April 19, 1979,  
and has submitted proof to the Department of Water Resources on March 9, 1981,  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of 1.61 cfs of water from a groundwater source,  
tributary to \_\_\_\_\_, and that the permit holder has applied to a beneficial use and  
established a right to use water as follows:

| Beneficial Use    | Period of Use                              | Rate of Diversion      | Annual Volume         |
|-------------------|--------------------------------------------|------------------------|-----------------------|
| <u>Irrigation</u> | from <u>March 15</u> to <u>November 15</u> | at <u>0.41</u> cfs and | <u>77.0</u> acre feet |
|                   | from _____ to _____                        | at _____ cfs and       |                       |
|                   | from _____ to _____                        | at _____ cfs and       |                       |

*(both dates inclusive)*

Subject, however, to the condition that no more than 0.41 cfs of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
77.0 acre feet per year, said waters to be diverted within the SE1/4, Section 20,  
Twp 6S, Rge 33E in the County of Power

Description and location of place of use:

| Twp. | Range | Sec. | NE1/4 |       |       |       | NW1/4 |       |       |       | SW1/4 |       |       |       | SE1/4 |       |       |       | Totals |
|------|-------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|
|      |       |      | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 |        |
| 6S   | 33E   | 20   | 15    |       | 7     |       |       |       |       |       |       |       |       |       |       |       |       |       | 22     |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |

Total number of acres irrigated 22

*0.41 cfs x 1.9835 x 246 days  
= 200 a/c  
22 x 4 = 88 a/c*

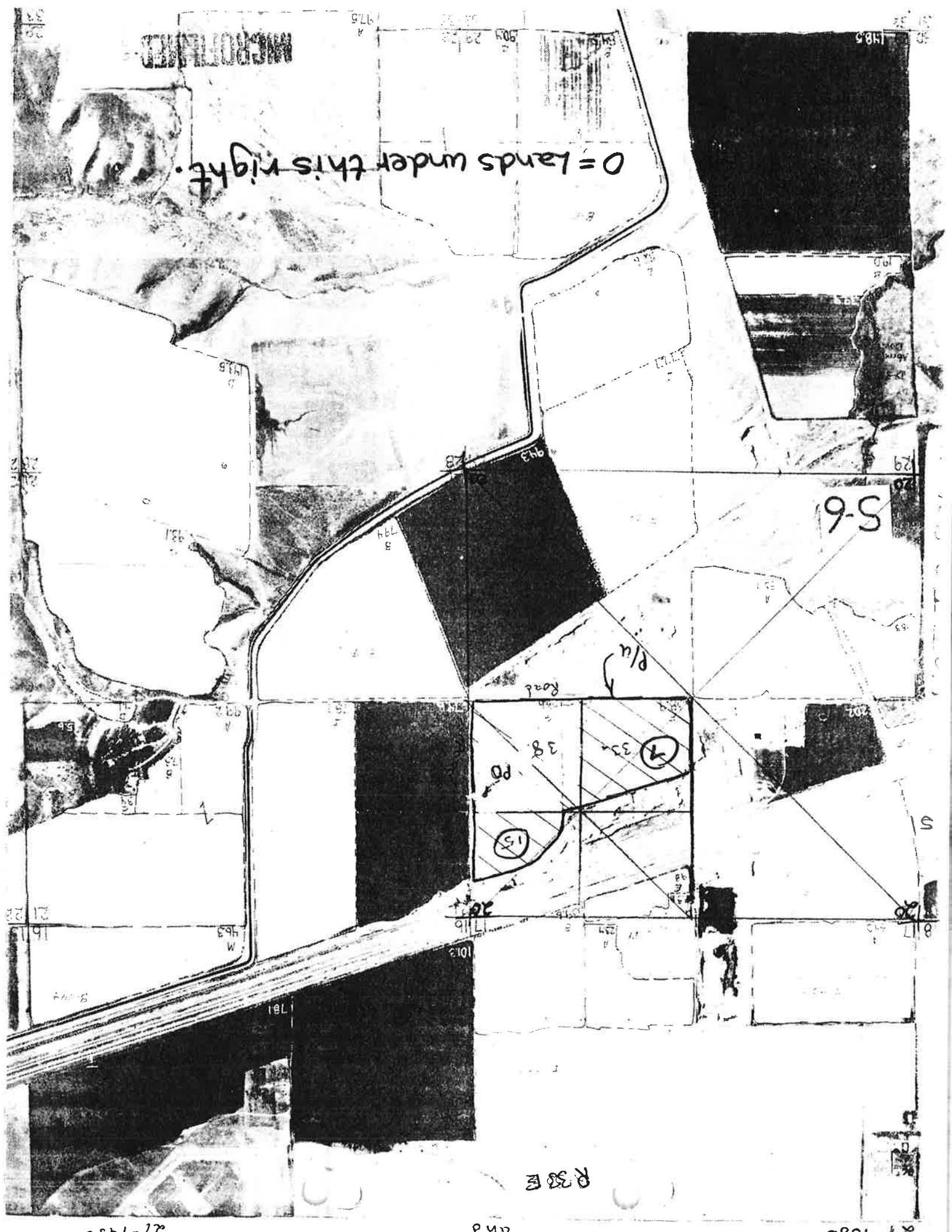
**WATER RIGHT**

UNCLASSIFIED

O = Lands under this right.

S-6

R 33 E





# State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

November 12, 1999

ED SMITH  
2811 MARGO LN  
POCATELLO ID 83201

RE: CHANGE IN OWNERSHIP FOR A 29-07403, 29-07480,  
29-07586

Dear Mr. Smith:

It has come to our attention that you may have recently purchased a tract of land in Power County. The property to which I am referring was most recently owned by Anton Smith. The legal description is as follows:

T06S R33E S20 NE1/4 NE1/4  
T06S R33E S20 NW1/4 NE1/4  
T06S R33E S20 SW1/4 NE1/4  
T06S R33E S20 SE1/4 NE1/4

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Cheri Vandermeulen  
Records Clerk

Enclosure(s)

MAY 14 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: A29-07480  
Date Received: 3/15/1990  
Receipt No: M006251  
Received By:

Department of Water Resources  
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: ANTON SMITH  
Address: 1651 WEST SUNDANCE RD.  
POCATELLO, ID 83202 208-232-5731

2. Date of Priority: APR 19, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

|          |       |         |        |        |     |     |        |
|----------|-------|---------|--------|--------|-----|-----|--------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
| 06S      | 33E   | 20      |        | SE     | NE  |     | POWER  |

5. Description of diverting works:  
DEEP WELL & PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

|            |       |       |        |      |        |
|------------|-------|-------|--------|------|--------|
| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
| IRRIGATION | 03/15 | 11/15 | 0.410  |      | 77.00  |

7. Total Quantity Appropriated is:  
0.410 C.F.S. (and/or) 77.00 A.F.A.

8. Total consumptive use is 77.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

|               |       |         |        |     |     |     |       |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
| 06S           | 33E   | 20      |        | NE  |     | IRR | 15.0  |
|               |       |         |        | SW  |     | IRR | 7.0   |
| Section Acres |       |         |        |     |     |     | 22.0  |

A29-07480

Page 1

Date: 03/15/90

NOV 13 1992

A2907480



10. Place of Use: Continued

Total Acres 22.0

11. Place of use in counties: POWER

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: LICENSE

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 \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

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

A29-07480

Date Received

3-15-90

Receipt Number

MOCC251  
E MOCC251

RECEIVED  
MAR 15 1990

Department of Water Resources

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

APR 12 1990

Department of Water Resources  
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) ANTON SMITH Phone (208) 232-5931Mailing Address 1651 West Sundance Rd, Pocatello, Idaho Zip 832022. Date of Priority (Only one (1) per claim) APRIL 19, 19793. Source of water supply (a) GROUND WATER  
which is tributary to (b) \_\_\_\_\_4. a. Location of existing point of diversion is: Township 6 South Range 33 EAST Section 20,  
\_\_\_\_\_ 1/4 of SE 1/4 of NE 1/4, Govt. Lot, E. B.M., County of Power

Additional points of diversion if any: \_\_\_\_\_

b. If instream flow, beginning point of claimed instream flow is:

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_

\_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well.Deep Well & Pump to Sprinkler system

MICROFILMED

NOV 13 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from MAR 15 to NOV 15 amount 41 or 77  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 41 cfs (cfs) and/or (b) 77 (acre feet)

8. Total consumptive use claimed is 77 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4 |       |       |       | SE 1/4 |       |       |       | Totals |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
|     |     |     | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 |        |
| 65  | 33E | 20  | 15     |       | 7     |       |        |       |       |       |        |       |       |       |        |       |       |       | 22     |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 22

11. In which county (ies) are lands listed above as place of use located? POWER

12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_  
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.  
NONE or None ( )

14. Remarks:

MICROFILMED

NOV 13 1992

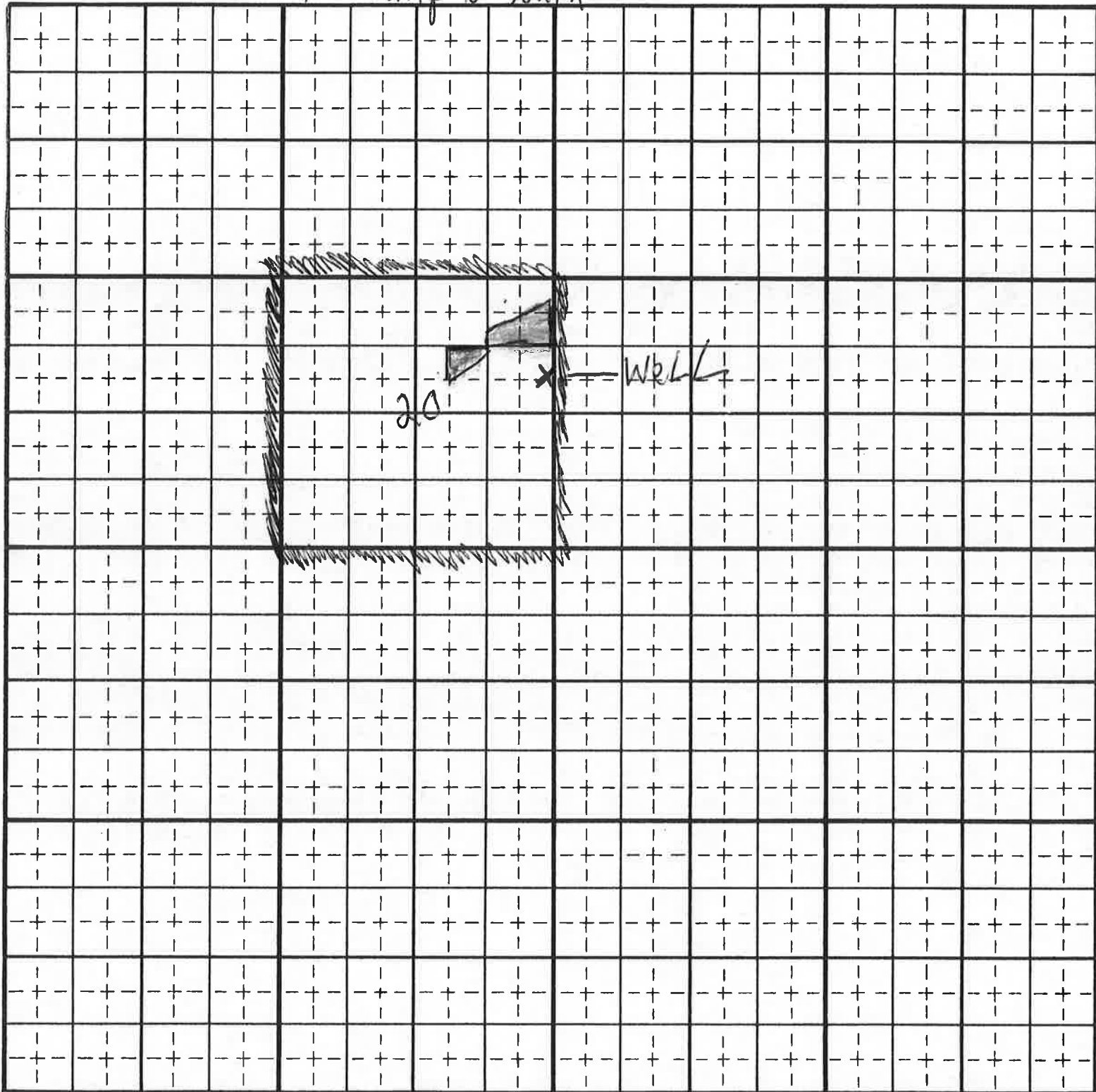
Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

POWER COUNTY  
RANGE 23 EAST  
TOWNSHIP 6 SOUTH



Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License X Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number 29-7480  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs Defendant \_\_\_\_\_

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 0

**For Individuals:** I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) X Anton Smith Date 3-14-1990

Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am \_\_\_\_\_

Title

of \_\_\_\_\_, that I have signed the foregoing  
Organization

document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )  
County of Power ) SS.

Subscribed and sworn (or affirmed) before me this 14<sup>th</sup> day of March 19 90

SEAL

Notary Public

Residing at

My Commission Expires

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

MICROFILMED

NOV 13 1992

Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

Copies White-State, Yellow-Claimant