

08/21/2001

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

RIGHT NUMBER: 29-7617

NAME AND ADDRESS: KURTTIS B SMITH
SUZAN K SMITH
9562 S MARSH CREEK RD
MC CAMMON, ID 83250

SOURCE: SPRINGS

QUANTITY: 0.06 CFS
1.4 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 10/01/1981

POINT OF DIVERSION: T09S R36E S22 NWNWSW Within BANNOCK County
T09S R36E S22 NWNWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.02 CFS 0.20 AFY
DOMESTIC 1 HOMES	01-01 12-31	0.04 CFS 1.20 AFY

PLACE OF USE:

STOCKWATER Within BANNOCK County
T09S R36E S22 NWSW
DOMESTIC Within BANNOCK County
T09S R36E S22 NWSW

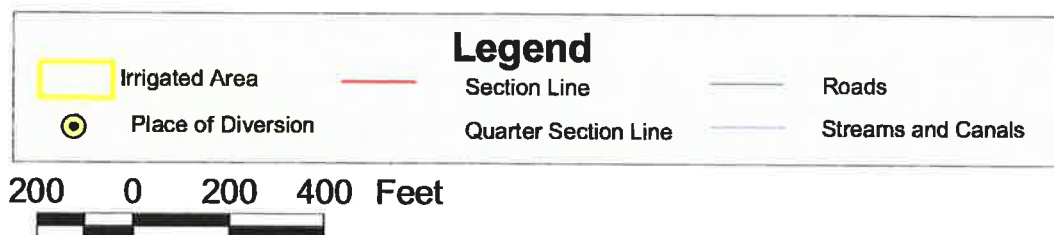
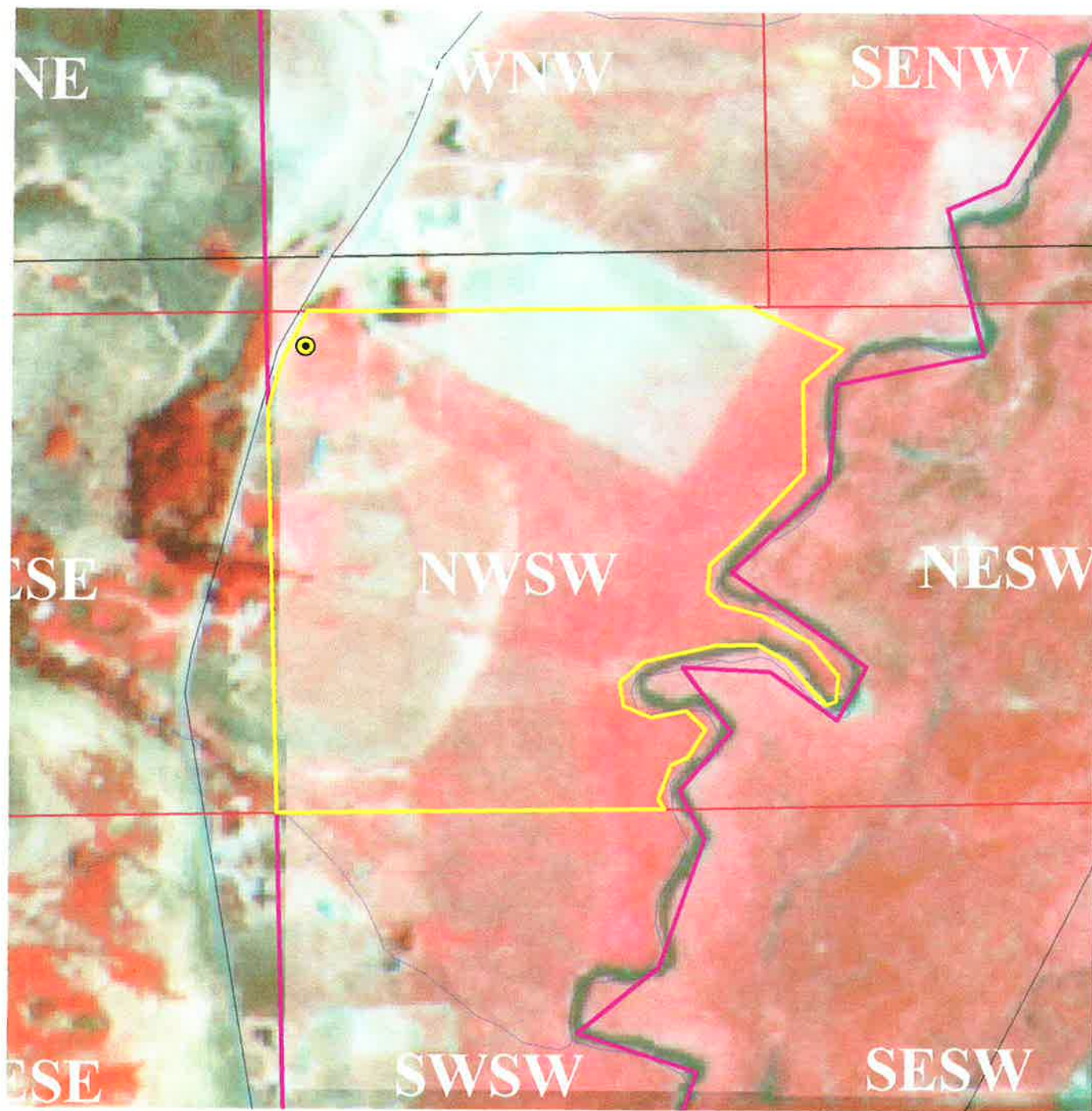
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

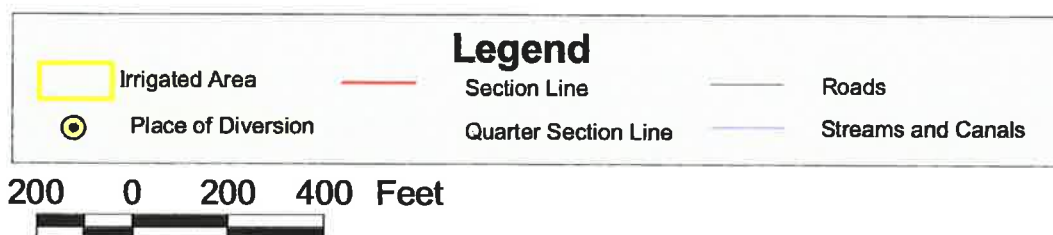
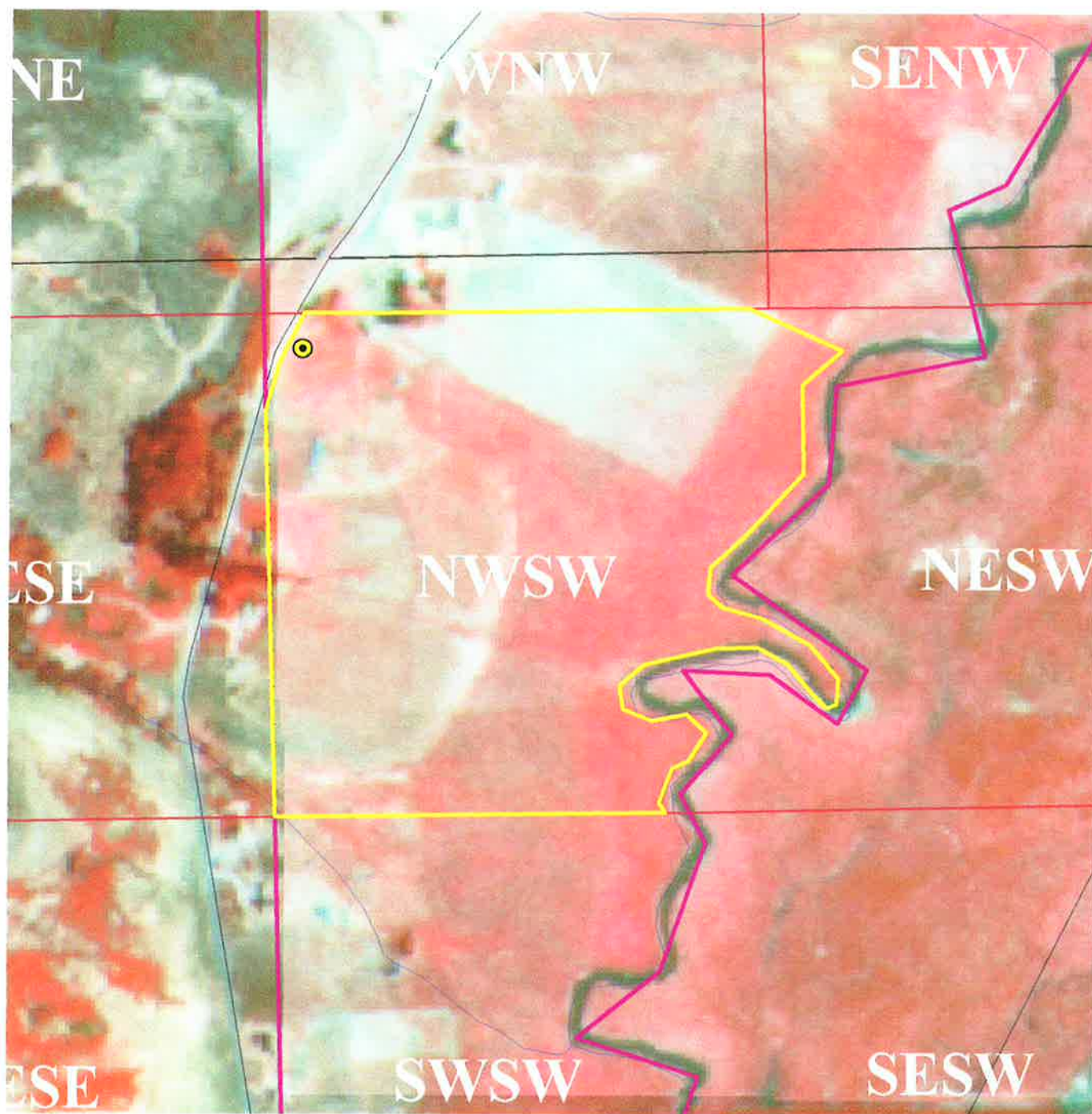
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

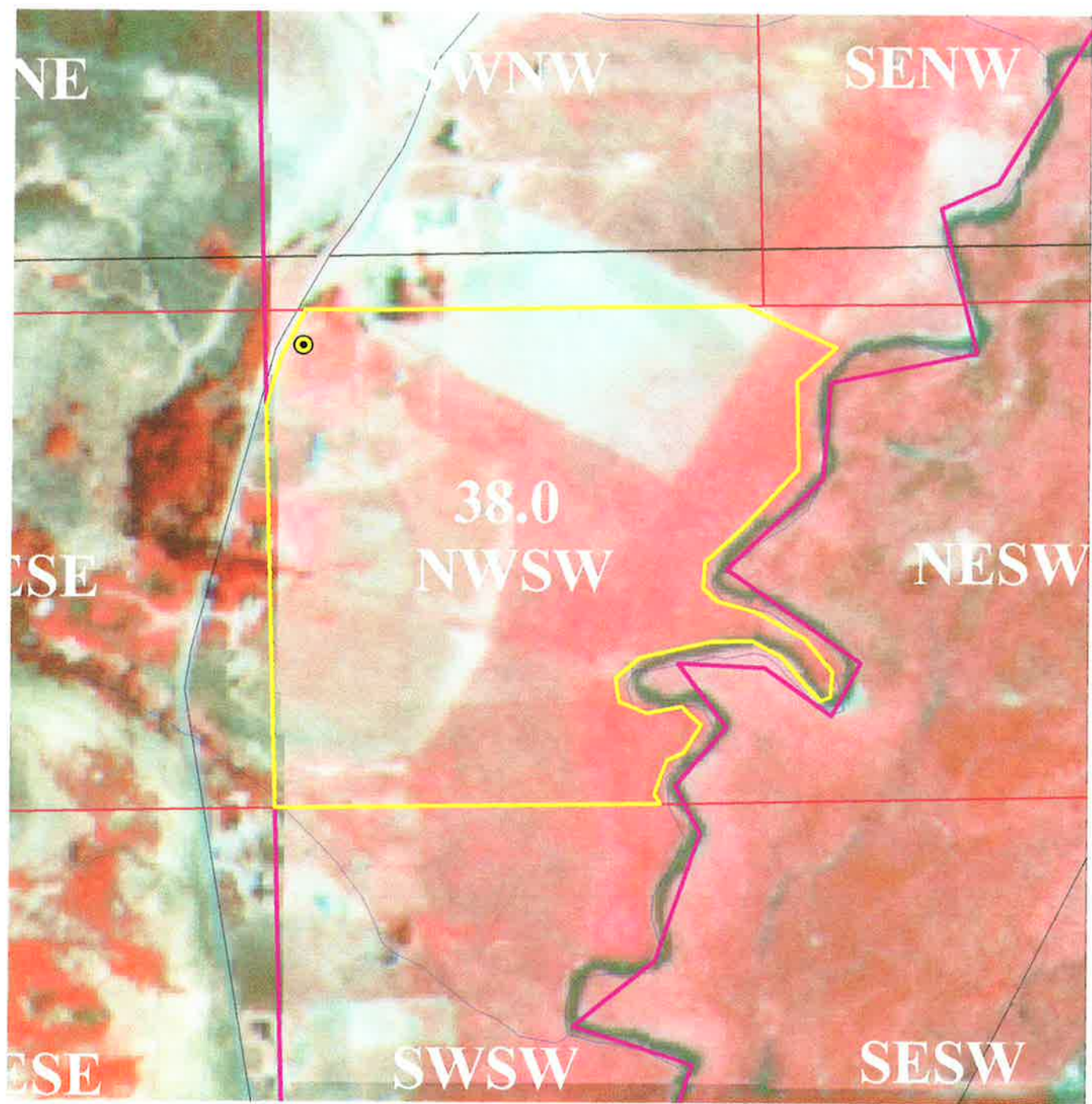
Township , 9S36E



Township , 9S36E



Township , 9S36E



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



02/18/2003

Dave

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: 29-7617

SUZAN K SMITH
9562 S MARSH CREEK RD
MC CAMMON ID 83250
Telephone Number: (208)254-3170

KURTTIS B SMITH
9562 S MARSH CREEK RD
MC CAMMON ID 83250
Telephone Number: (208)254-3170

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: MAR. 20, 2003

SIGNATURE: Kurtis B. Smith

Please print your name: Kurtis B. Smith

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

PROFILE

SCANNED

MAY 11 2006

RECEIVED

MAY 20 2006

Idaho Department of Water Resources
Laramie, Idaho

JUN 04 2001

Log for claim A29-07617

Spatial Dynamics LTD

7/14/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s36e	22	NWSW	14	38	Indiscernible
Totals:			14	38	

AJ5809NP
No. A29-07617

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 194

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SUZAN K SMITH	10/01/1981	IRRIGATION	04-01 11-01	0.280 CFS	
C	KURTIS B SMITH		DOMESTIC	01-01 12-31	0.060 CFS	
	9562 S MARSH CREEK RD					
	MC CAMMON ID 83250			TOTAL DIVERSION:	0.340 CFS	
	(208) 254-3170			CONSUMPTIVE USE:		35.00 AFA

Water Source: SPRINGS

Tributary to: SINKS

Stage: PERMIT

Point(s) of Diversion:

T09S R36E S22

NWNWSW

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	:	
09S	36E	22	:					:					:					:					:	14.0
																							TOTAL ACRES	14.0

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
09S	36E	22	:					:					:					:					:	D

POU County: BANNOCK

Non-Irrigation Uses: D/1 HOUSE, STOCK, 70 SHEEP

Other Rights: A29-04045C, A29-11621, A29-11622

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

29-07246 29-10008 29-12552 A29-02269C A29-07246 A29-10008 A29-12552

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

A29-02269D A29-04045 A29-04045B A29-04045C A29-04045D A29-04113 A29-04113A A29-10007 A29-11621 A29-11622

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

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

Audit: 04/25/90 ESRBA 07/28/94 THOMPSON 03/29/95 POST-STD 04/13/00 CVANDERM

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07617

Priority: October 1, 1981

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

1.4 AF

This is to certify, that KURTTIS B SMITH
9562 S MARSH CREEK RD
MC CAMMON ID 83250

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated October 1, 1981; and
has submitted Proof of Beneficial Use on April 27, 1987. An examination indicates
that the works have a diversion capacity of 17.000 cfs of water from:

SPRINGS

tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.06 CFS	1.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNWSW , Sec. 22, Township 09S, Range 36E
BANNOCK County

PLACE OF USE: STOCKWATER

TWN RGE SEC

09S 36E 22

NWSW

PLACE OF USE:

DOMESTIC, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Two points of diversion located in NWNWSW, S22, T9S, R36E.
6. Domestic use is for 1 home.

RECORDED
FEB 4 1987

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07617

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 26TH
day of NOVEMBER, 1977.


KARL J. DREHER, Director
Acting for

MICROFILMED

DEC 08 1977

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 29-07617

FOR DEPARTMENT USE ONLY

Preliminary check by SUL Fee = 50.00 Received by LS # 645745 Date 11/26/97

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 29-07617 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Two points of diversion located in NWNWSW, S22, T9S, R36E.
6. Domestic use is for 1 home.

Witness my hand this 26TH day of NOVEMBER, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED
DEC 08 1997

RECEIVED
APR 27 1987

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by _____
Sent to region _____

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 29-7617

Name(s) of Permit Holder: Kurttis B. Smith ✓

Post Office Address: ⁹⁵5962 S. March Creek Rd. ✓

McCammon, ID 83250 ✓

X Telephone No. 208-254-3120

Source of Water: springs ✓

Extent of Use:

X Domestic 1 ✓ (number of households)

Stockwater 70 head ^{SHEEP} (number and type of stock)

Irrigation _____ (acres)

Other/Remark _____

X Total rate and/or volume for which proof is submitted 0.04 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: _____

Measuring Device: Required? _____ Yes * X No
Installed? _____ Yes _____ No

Fee enclosed \$ _____
(See License Examination Fee Schedule)

Flow Measurement Port: Required? _____ Yes X No
Installed? _____ Yes _____ No

Person to contact to accompany the Department representative during the field examination:

X KURTIS SMITH
(Name)

254-3120
(Telephone Number)

9562 SO MARCH CREEK Rd. McCammon, Id. 83250
(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

JUL 02 1987

X Apr. 20, 1987
Date

X Kurtis B. Smith
Signature of Permit Holder (and title, if appropriate)

State of Idaho

License and Certificate of Water Right

Water License No. **20063**

Amount **Two second feet**

Water District No. _____

Priority **April 24, 1947**

THIS IS TO CERTIFY that FRED H. BISHOPP

of **McCammon, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **April 24, 1947**; that Permit No. **20063** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **2.5** second feet, was issued thereunder on **March 28, 1952**, showing that said works were completed on the **15th** day of **March, 1952**; and that on the **5th** day of **May, 1952**.

FRED H. BISHOPP

of **McCammon**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of **March Creek**, a tributary of **Portneuf River**, for the purpose of **Irrigation**, under Use Permit No. **20063** of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume **8** of Licenses at page **4907**, on the **22nd** day of **July, 1952**.

The right hereby confirmed dates from **April 24, 1947**.

The Point of Diversion is located

in the **NW 1/4 SW 1/4** Sec. **22**, Tp. **9 S.**, R. **36 E.**, H. M. **Seanoak Creek**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **Two (2) cubic feet per second**.

Description and location of use.

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	36 E.	21 22	Part of E1/2 E1/2 SW1/4 NW1/4 Lot 8 Lot 9 Lot 10	120	20 20 20 20 20
Number of Acres actually irrigated					100

MICROFILMED

E. NARRATIVE/REMARKS/COMMENTS

House, yard and stock troughs fed from a combination of springs into ditches and underground 2" pipe. System works with a combination of 2 pumps - 1.5 HP and 0.75 H.P. PSI at place of use = 36 PSI. Theoretical #1 pump - 0.11 CFS; Theoretical #2 pump - 0.06 CFS.

* Note: Springs flow in excess of amount theoretically pumped.

* Note: Mr. Smith has 3 other permits/water right applications for irrigation of 14 acres. Even though Application for Permit, submitted in 1982 requested 0.28 CFS for irrigation and 0.06 CFS, Proof of Beneficial Use filed in 1987 requested 0.04 CFS for domestic (1) and 70 head of sheep (stock watering). Two stat. claims

* 29-4045C/29-4097. 29-2269 old permit.

Adjudication

	Pump #1	Pump #2
for Theoretical:	HP = 1.5	HP 0.75
	PSI = 36	
	Eff = 70%	

Have conditions of permit approval been met? ☒ yes ☐ no

MICROFILMED
DEC 08 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 11 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 29-7617

1. Owner: Kurtis B. Smith, Phone No. 254-3170

Current Address: 9562 S. Marsh Creek Rd McCammon, ID 83250

2. Accompanied by: Suzanne K Smith EXAM DATE: 2 AUG 96

Address: 9562 S. Marsh Creek Rd. Phone No. _____

Relationship to Permit Holder: _____

3. Source: Springs tributary to Link

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NW	SW	22	09S	36E	Bannock	ON site / USGS

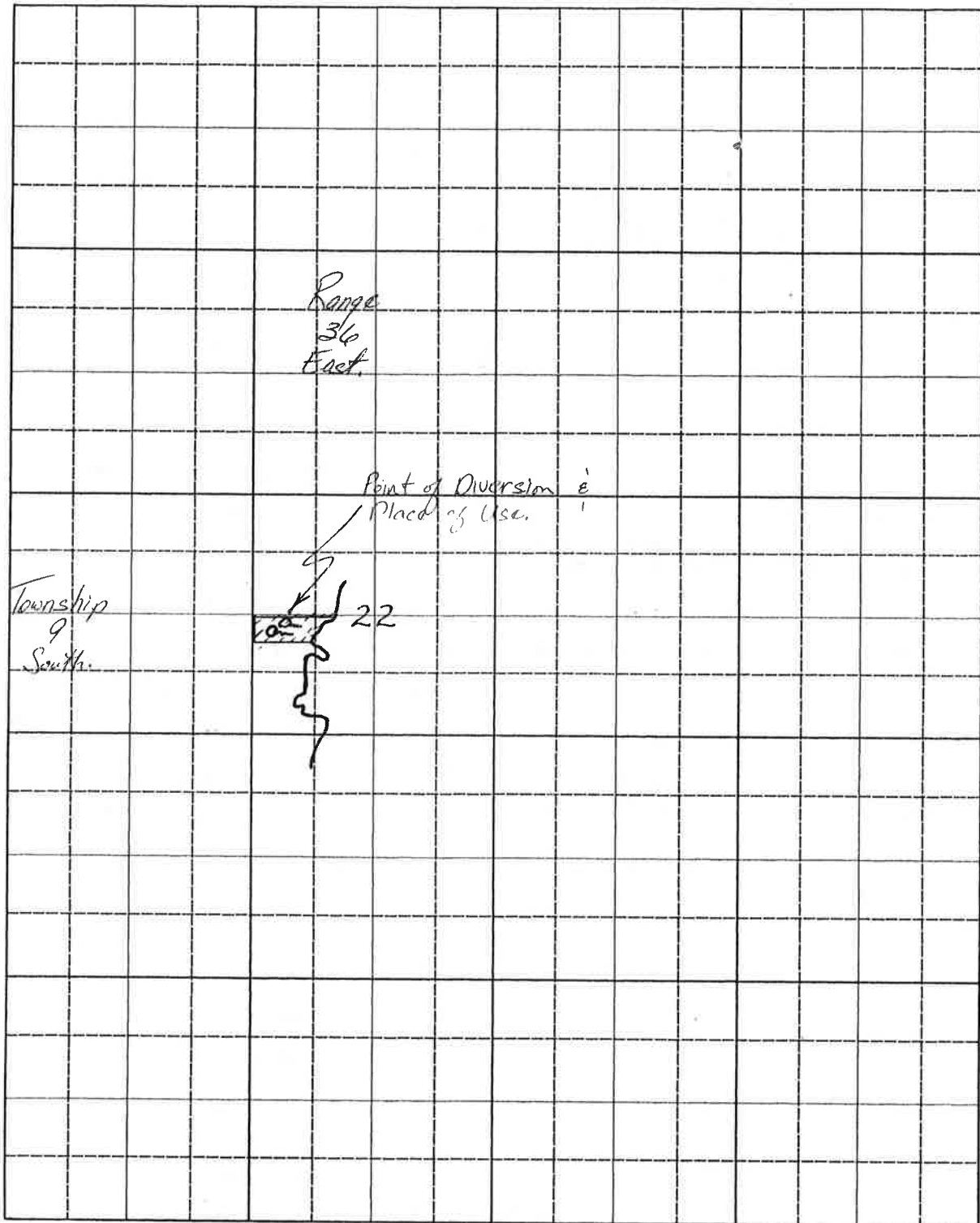
2. Place(s) of Use:

Indicate Method of Determination ON site

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	36E	22																	

DEC 08 1997

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



Scale: 2 inches equal 1 mile.

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.

Walter B. Smith

(Applicant)

RECEIVED

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 Kurttis B. Smith Phone 254-3170

Post office address Star Route Box 291 McCammon, Idaho 83250

2. Source of water supply Springs which is a tributary of Sinks

3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 22 Township 9S

Range 36E B.M. Bannock County, additional points of diversion if any: _____

two points

4. Water will be used for the following purposes:

Amount 0.28 cfs for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.06 cfs for Domestic purposes from 1/1 to 12/31 (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. 0.34 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Spring head box, holding pond and
sprinkler system

b. Height of storage dam _____ 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 _____ inches; proposed depth of well is _____ 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: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 22 Township 9S
Range 36E 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 two.

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

RECEIVED
MAY 10 1978

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

Hp = Horsepower = 1.5
Eff = Efficiency = .7 (Usually 70%)

Lift: (Static Level + Assumed Draw down)

Static Water Level = 0 ft.

Assumed Draw down = + 0 ft.

Lift = 0

OR

Measured Dynamic Water Level = _____ ft.

psi = Operating Pressure = 36 psi

$$Q_{cfs} = \left[\frac{1.5}{Hp} \times 8.814 \times \frac{.7}{eff} \right] \div \left[\frac{0}{Lift} + \left(\frac{36}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{9.2547} \right] \div \left[\underline{83.088} \right]$$

$$Q_{cfs} = \underline{0.11} \text{ cfs}$$

Pump #1

PERMIT NO. 29-7617

RECEIVED
DEC 28 1971

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

$$Hp = \text{Horsepower} = \underline{0.75}$$

$$Eff = \text{Efficiency} = \underline{.7} \quad (\text{Usually } 70\%)$$

$$\text{Lift: (Static Level + Assumed Draw down)}$$

$$\text{Static Water Level} = \underline{0} \text{ ft.}$$

$$\text{Assumed Draw down} = + \underline{0} \text{ ft.}$$

$$\text{Lift} = \underline{0}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\hspace{2cm}} \text{ ft.}$$

$$psi = \text{Operating Pressure} = \underline{36} \text{ psi}$$

$$Q_{cfs} = \left[\frac{0.75}{Hp} \times 8.814 \times \frac{.7}{eff} \right] \div \left[\frac{0}{Lift} + \left(\frac{36}{psi} \times 2.308 \right) \right]$$

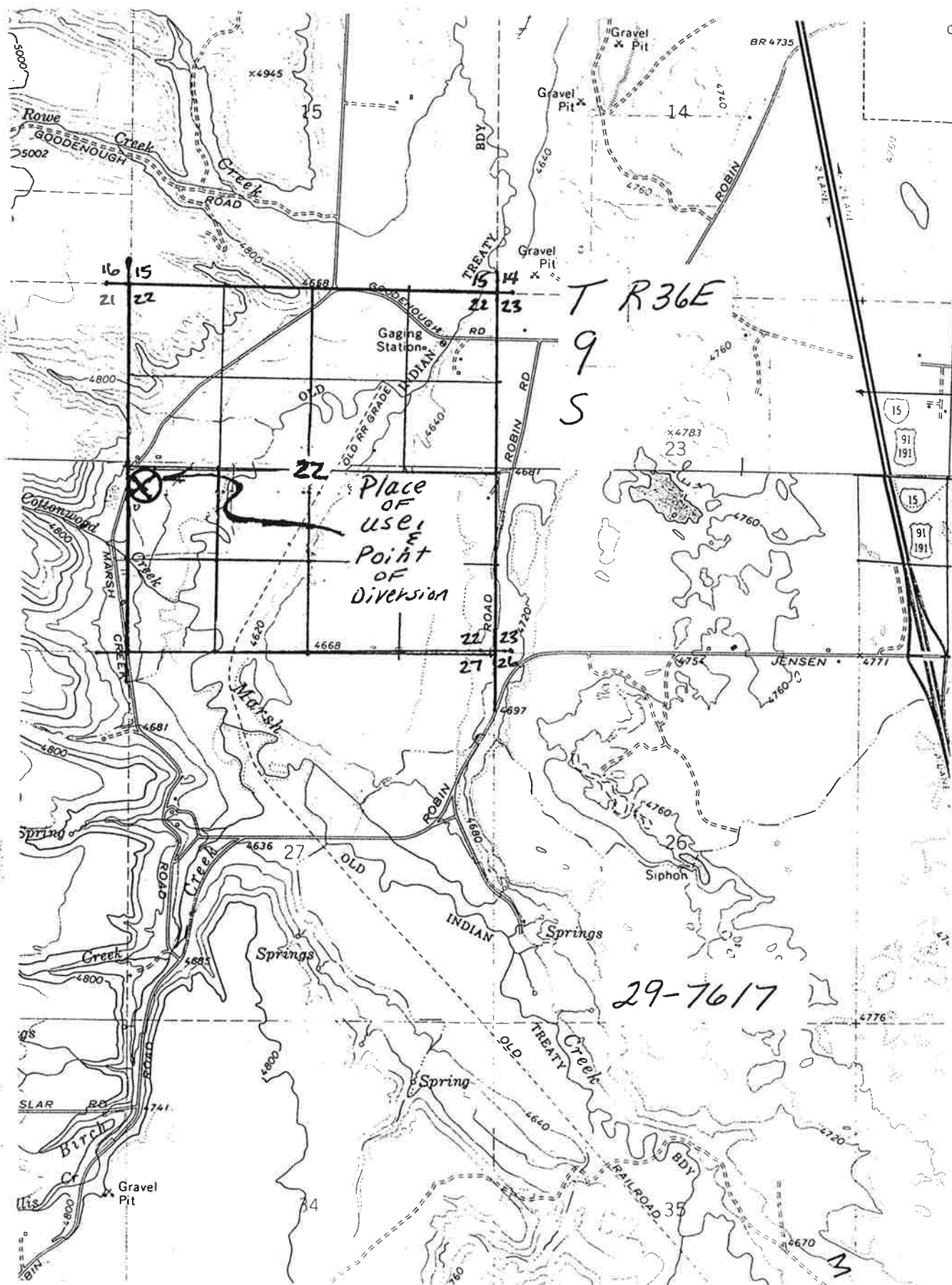
$$Q_{cfs} = \left[\underline{4.62735} \right] \div \left[\underline{83.088} \right]$$

$$Q_{cfs} = \underline{0.06} \text{ cfs}$$

Pump #2

PERMIT NO. 29-7617

DEC 23 1977



	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☐	☐	*
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒	☐	
22. Should this claim be data entered?	☒	☐	

Claim checked by: RA Date: 4/24/90

Claim must be returned to claimant: ☐ (Yes) ☐ (No)

Claimant must be notified of modifications: ☐ (Yes) ☐ (No)

Receipt Prepared by: RA Date: 4/25/90

Claim data entered by: RA Date: 4/25/90 Checked by: RA Date: 4/25/90

Sent to claimant by: RA

Comments: _____

MICROFILMED

NOV 13 1992

JUN 04 2001

eat

X

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: A29-07617
Date Received: 4/23/1990
Receipt No: E013517
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KURTTIS B. SMITH 208-254-3170
Address: 9562 S. MARSH CK. RD.
MC CAMMON, ID 83250-0000
OR
Name: SUZAN K. SMITH 208-254-3170
Address: 9562 S. MARSH CK. RD.
MC CAMMON, ID 83250-0000

A2907617



2. Date of Priority: OCT 01, 1981
3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	36E	22	NW	NW	SW		BANNOCK

5. Description of diverting works:
DAM, DITCHES, & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.280		
DOMESTIC	01/01	12/31	0.060		

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

8. Total consumptive use is 35.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, STOCK, 70 SHEEP

A29-07617

Page 1

Date: 04/25/90

MICROFILMED

NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	36E	22	NW	SW		IRR	14.0
			NW	SW		DOMEST	

Section Acres 14.0

Total Acres 14.0

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:

A29-04045C, A29-11621, A29-11622

14. Remarks:

15. Basis of Claim: PERMIT

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 _____

A. ROOT WATER RIGHT NUMBERS: A29-07617

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	36E	22	NW	SW		SMITH, SUZAN K	A29-07617 /	29-07617 /			
			NW	SW		POWELL, ARTHUR	29-10008 /	- /			
			NW	SW		ALLEN, VIRGINIA B	A29-04252 /	29-04252 /			
			NW	SW		POWELL, ARTHUR	A29-10007 /	1.0 - /			
			NW	SW		POWELL, ARTHUR	A29-10008 /	- /			
			NW	SW		WORTHYLAKE, MURIEL L	A29-04113A /	5.0 - /			
			NW	SW		SMITH, KURTIS B	A29-11621 /	14.0 - /			
			NW	SW		SMITH, KURTIS B	A29-11622 /	14.0 - /			
			NW	SW		SCOTT, ELOISE A	29-04252 /	- /			
			NW	SW		MUETING, CONSTANCE MARIE	29-12552 /	- /			
			NW	SW		MURRAY, MAUREEN	29-07246 /	29-07246 /			
			NW	SW		WORTHYLAKE, MURIEL L	A29-04045B /	6.0 - /			
			NW	SW		SMITH, KURTIS B	A29-04045C /	14.0 - /			
			NW	SW		MUETING, CONSTANCE MARIE	A29-02269D /	15.0 - /			
			NW	SW		MUETING, CONSTANCE MARIE	A29-04045D /	15.0 - /			
			NW	SW		MUETING, CONSTANCE MARIE	A29-12552 /	- /			
			NW	SW	9	WORTHYLAKE, DONALD H	A29-02269B /	6.0 - /			
			NW	SW	9	MURRAY, ROBERT J	A29-02269C /	7.6 - /			
			NW	SW	9	MURRAY, ROBERT	A29-07246 /	- /			
			NW	SW		LEW, FRANK		29-04045 /	26.0		
			NW	SW		LEW, FRANK		29-04097 /	25.0		
			NW	SW		HUSKAMP, EMIL A.		29-04113 /	10.0		
			NW	SW	9	BISHOFF, FRED R.		29-02269 /	35.0		
09S	36E	22	NW	SW		SMITH, SUZAN K	A29-07617 /	14.0 29-07617 /			
			NW	SW		POWELL, ARTHUR	29-10008 /	- /			
			NW	SW		ALLEN, VIRGINIA B	A29-04252 /	29-04252 /			
			NW	SW		POWELL, ARTHUR	A29-10007 /	1.0 - /			
			NW	SW		POWELL, ARTHUR	A29-10008 /	- /			
			NW	SW		WORTHYLAKE, MURIEL L	A29-04113A /	5.0 - /			
			NW	SW		SMITH, KURTIS B	A29-11621 /	14.0 - /			
			NW	SW		SMITH, KURTIS B	A29-11622 /	14.0 - /			
			NW	SW		SCOTT, ELOISE A	29-04252 /	- /			
			NW	SW		MUETING, CONSTANCE MARIE	29-12552 /	- /			
			NW	SW		MURRAY, MAUREEN	29-07246 /	29-07246 /			
			NW	SW		WORTHYLAKE, MURIEL L	A29-04045B /	6.0 - /			
			NW	SW		SMITH, KURTIS B	A29-04045C /	14.0 - /			
			NW	SW		MUETING, CONSTANCE MARIE	A29-02269D /	15.0 - /			
			NW	SW		MUETING, CONSTANCE MARIE	A29-04045D /	15.0 - /			
			NW	SW		MUETING, CONSTANCE MARIE	A29-12552 /	- /			
			NW	SW	9	WORTHYLAKE, DONALD H	A29-02269B /	6.0 - /			
			NW	SW	9	MURRAY, ROBERT J	A29-02269C /	7.6 - /			
			NW	SW	9	MURRAY, ROBERT	A29-07246 /	- /			
			NW	SW		LEW, FRANK		29-04045 /	26.0		

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NW	SW		LEW, FRANK		29-04097 / 25.0			
			NW	SW		HUSKAMP, EMIL A.		29-04113 / 10.0			
			NW	SW	9	BISHOFF, FRED R.		29-02269 / 35.0			

ADDITIONAL POU FOUND

TOTAL ACRES A29-07617 14.00

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
A29-07617	SPRINGS	SMITH, SUZAN K	0.340	0.024		
A29-02269B	MARSH CREEK	WORTHYLAKE, DONALD H	0.320	0.020		
A29-02269C	MARSH CREEK	MURRAY, ROBERT J	1.500	0.197		
A29-02269D	MARSH CREEK	MUETING, CONSTANCE MARIE	0.600	0.040		
A29-04045B	COTTONWOOD CREEK	WORTHYLAKE, MURIEL L	0.140	0.020		
A29-04045C	COTTONWOOD CREEK	SMITH, KURTIS B	0.545	0.038		
A29-04045D	COTTONWOOD CREEK	MUETING, CONSTANCE MARIE	0.500	0.033		
A29-04113A	COTTONWOOD CREEK	WORTHYLAKE, MURIEL L	0.100	0.020		
A29-10007	COTTONWOOD CREEK	POWELL, ARTHUR	0.200	0.200		
A29-11621	MARSH CREEK	SMITH, KURTIS B	0.280	0.020		
A29-11622	UNNAMED STREAM	SMITH, KURTIS B	0.280	0.020		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-07617	DOMESTIC	SMITH, SUZAN K	FROM 01-01 TO 12-31	0.060 CFS	
29-10008	DOMESTIC	POWELL, ARTHUR	FROM 01-01 TO 12-31	0.020 CFS	
A29-04252	STOCKWATER	ALLEN, VIRGINIA B	FROM 01-01 TO 12-31	0.050 CFS	

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
A29-07617	09S	36E	22	NW	NW	SW			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A29-02269C	29-07246
A29-02269D	29-10008
A29-07246	29-12552
A29-10008	
A29-11621	
A29-12552	

WR RECORDS IN SAME 40 ACRE TRACT

29-02269
29-07246

SOURCE: SPRINGS

TRIB: SINKS

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
29-07617	09S	36E	22	NW	NW	SW			BANNOCK		

OTHER WR RECORDS WITH SAME WR POD

29-02269
29-07246

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A29-02269C	29-07246
A29-02269D	29-10008
A29-07246	29-12552
A29-10008	
A29-11621	
A29-12552	

SOURCE: SPRINGS

TRIB: SINKS

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()

\$64

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

Date Received

Receipt Number

A 29-07617

4-23-90

E013517

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 23 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) KURTIS B. OR SUZAN K. SMITH Phone (208) 254-3170
Mailing Address 9562 SO. MARSH CR. ROAD
MCCAMMEN, IDAHO Zip 83250

2. Date of Priority (Only one (1) per claim) 10/1/1981

3. Source of water supply (a) SPRINGS
which is tributary to (b) SINKS

4. a. Location of existing point of diversion is: Township 9S Range 36E Section 22,
NW 1/4 of NW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of BANNOCK

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. Dam, Ditches, & Pump

MICROFILMED

NOV 13 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 11/1 amount .28 or _____

For DOMESTIC purposes from 1/1 to 12/31 amount .06 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .34 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 35 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) DOMESTIC 1 HOUSE, STOCKWATER 20 SHEEP

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	
<u>9S</u>	<u>36E</u>	<u>22</u>										<u>D14</u>							<u>14</u>

Total number of acres irrigated 14

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

12. Do you own the property listed above as place of use? Yes ☒ 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.
A29-04045 (PORTION), A-29-002269 (PORTION), RUNOFF (FILED SEPARATELY) or None ()

14. Remarks:

MICROFILMED

NOV 13 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit ☒

Decree _____

If applicable provide IDWR Water Right Number 29-07617

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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

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. *Therrell B. Smith* Date 7 MARCH 21, 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 Bannock)

SS.

Subscribed and sworn (or affirmed) before me this 21st day of March 19 90

SEAL

Notary Public *Helen Harrington*

Residing at Helen Harrington, Notary Public

Residing at Boise, Idaho

My Commission Expires December 1, 1994

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

A29-07617



house

350 000
FEET

42° 37' 30"

Springs

0.00m N

12' 30"

ARIMO 5 M 02
PRESTON (VIA U.S. 91) 39 V

SCALE 1:24,000

Copies Of These Maps Can Be
At Bonneville Blue Print. Bo

THIS MAP COMPLEIES WITH NATIONAL MAP ASSURANCE
FOR SALE BY U. S. GEOLOGICAL SURVEY, MENLO PARK

MICROFILMED

NOV 13 1992