

06/13/2003

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

RIGHT NUMBER: 29-13626

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

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.900 CFS

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

PRIORITY DATE: 06/14/1867

POINT OF DIVERSION:

T07S R35E S24 NWSW Within BANNOCK County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 10/31          | 0.900 CFS       |

PLACE OF USE: IRRIGATION Within BANNOCK County

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

72.7 ACRES TOTAL

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

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 45 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

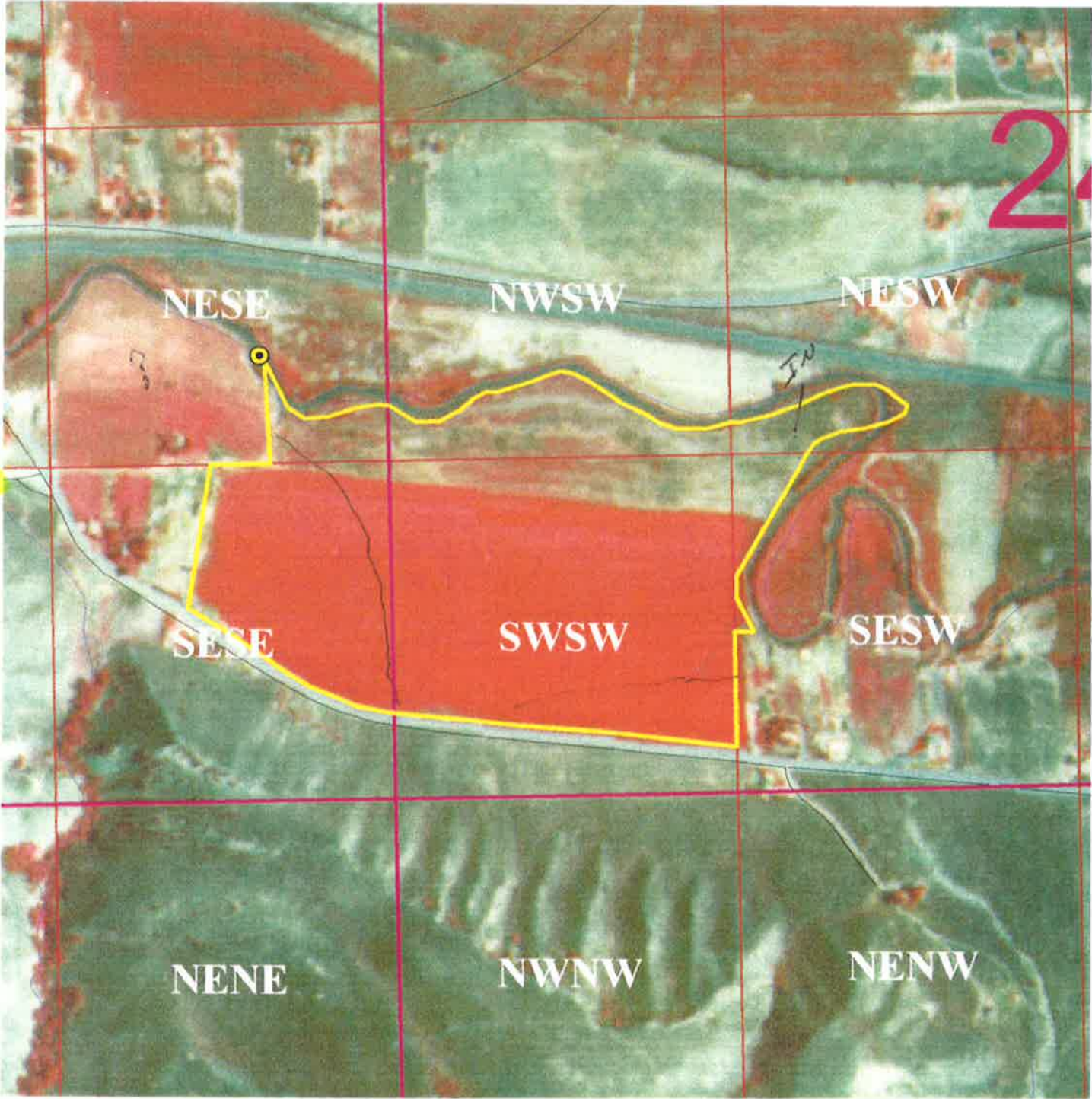
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for  
the definition of the rights or for the efficient administration of the water  
rights as may be ultimately determined by the Court at a point in time no  
later than the entry of a final unified decree. Section 42-1412(6), Idaho  
Code.

EXPLANATORY MATERIAL: Beneficial Use

Water Right Claim Number A29-04065  
Township , 7S35E

08/31/2000



 Irrigated Area

 Place of Diversion

**Legend**

 Section Line

 Quarter Section Line

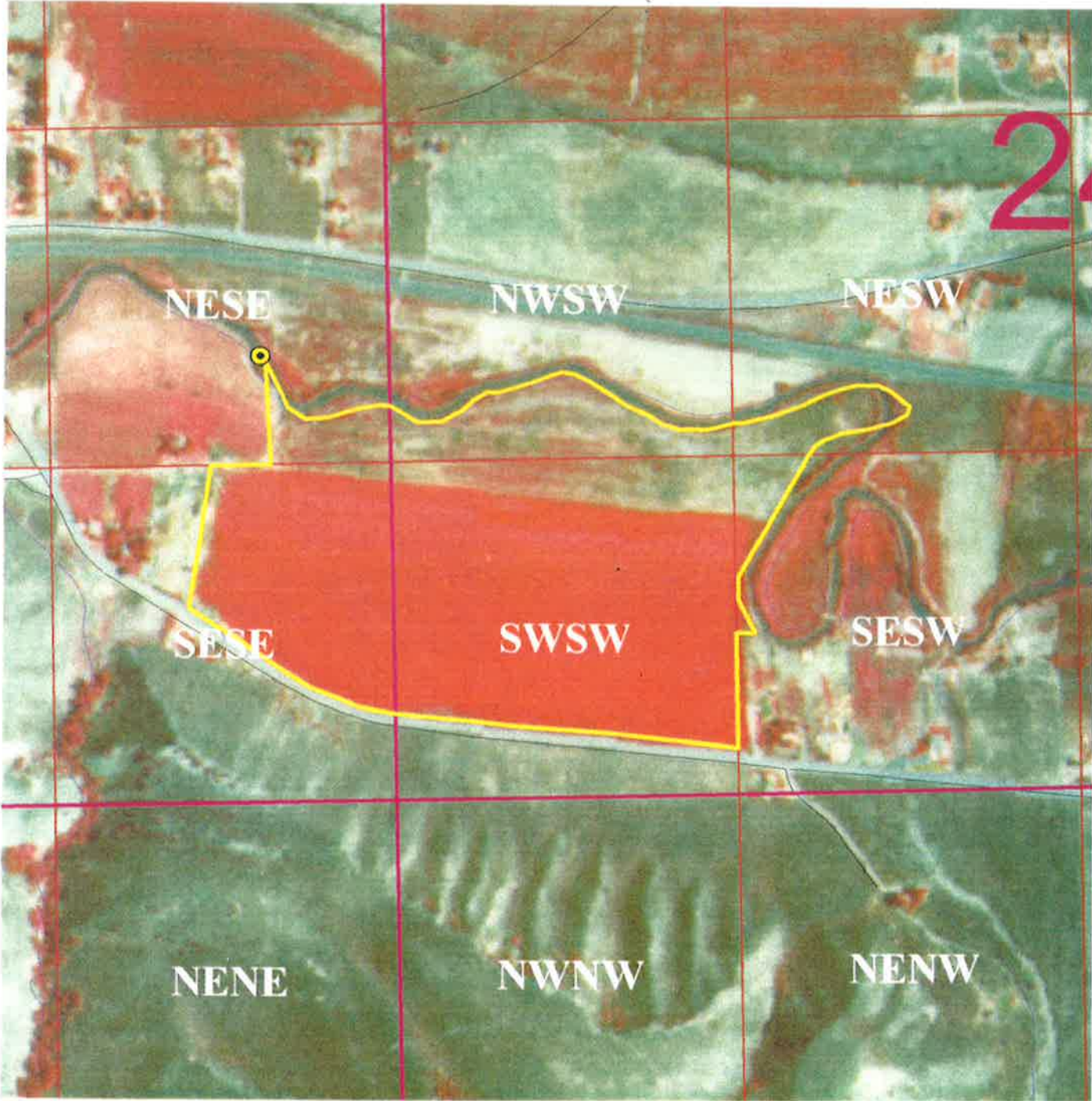
 Roads

 Streams and Canals



Water Right Claim Number A29-04065  
Township , 7S35E

08/31/2000



**Legend**

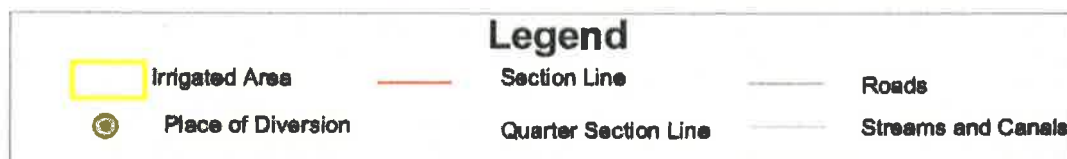
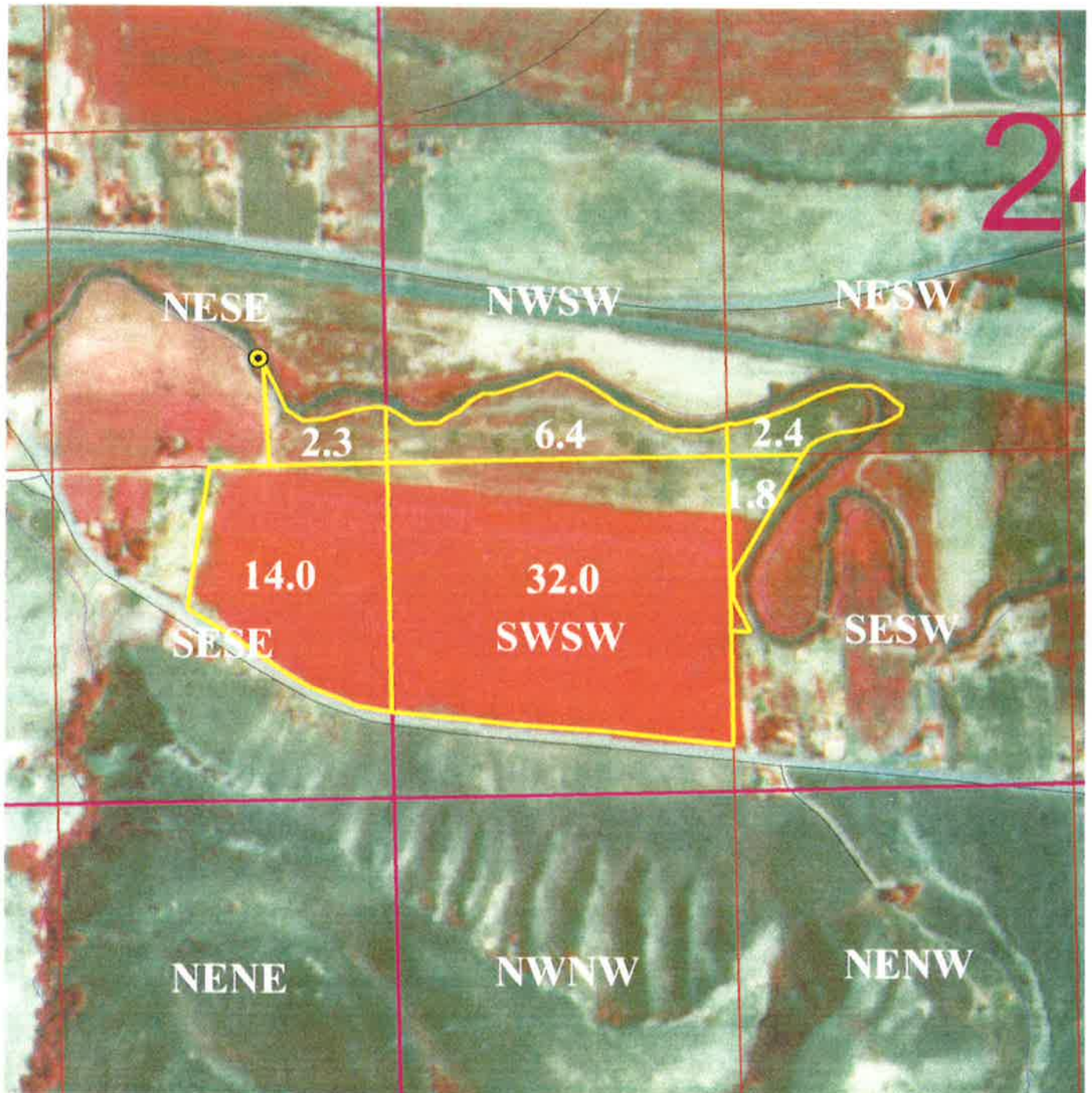
|                    |                      |                    |
|--------------------|----------------------|--------------------|
| Irrigated Area     | Section Line         | Roads              |
| Place of Diversion | Quarter Section Line | Streams and Canals |



Water Right Claim Number A29-04065  
Township , 7S35E

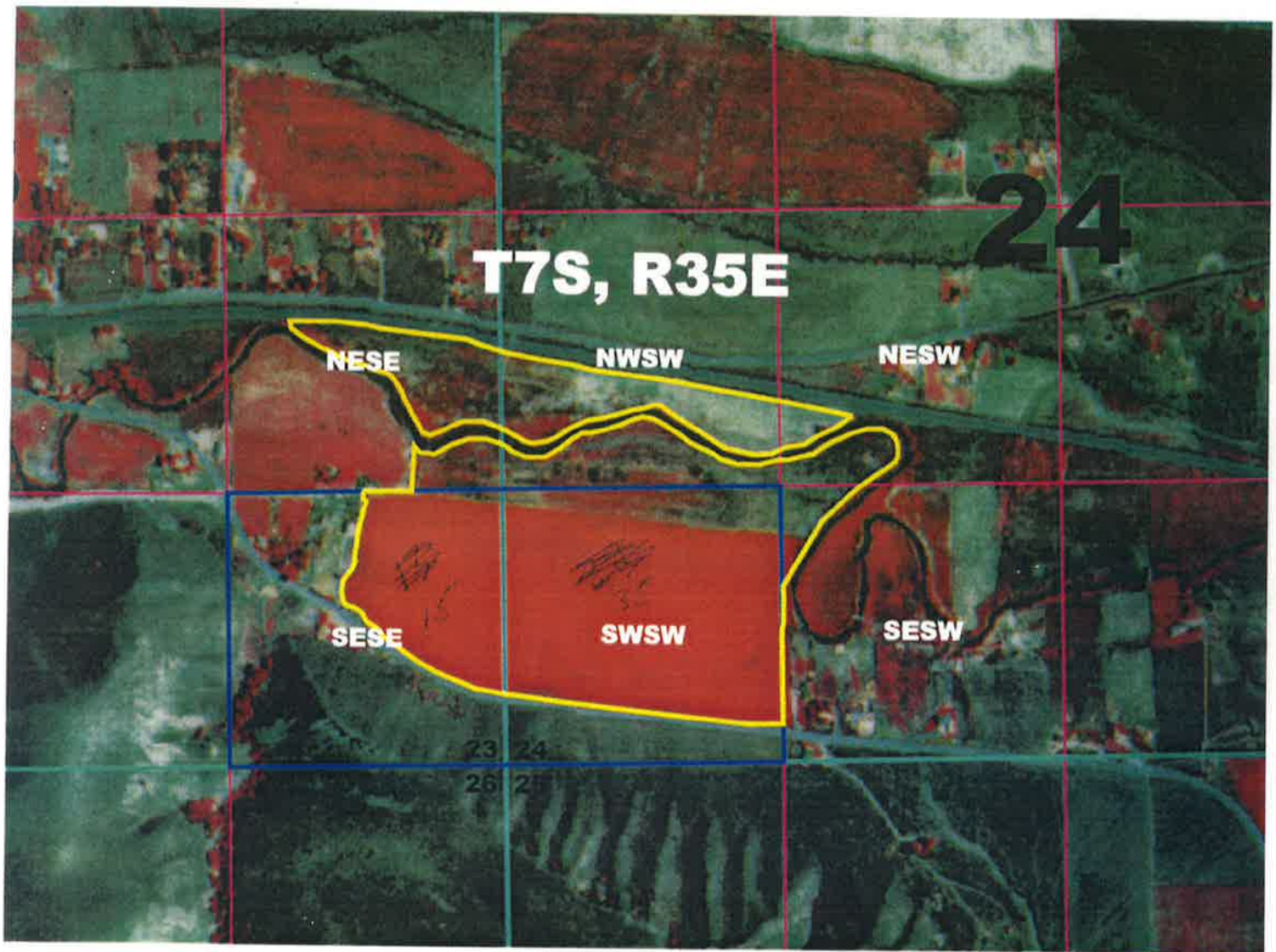
08/31/2000

24



# Carma Smith 29-04065

## Indian Allotment Issue



**Point of Diversion - N/A**

**Total Acres:**



**Bannock County Tax Lot Data N/A**



**Recommended POU**



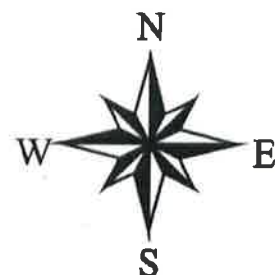
**Indian Allotment Boundary**



**Section Lines**



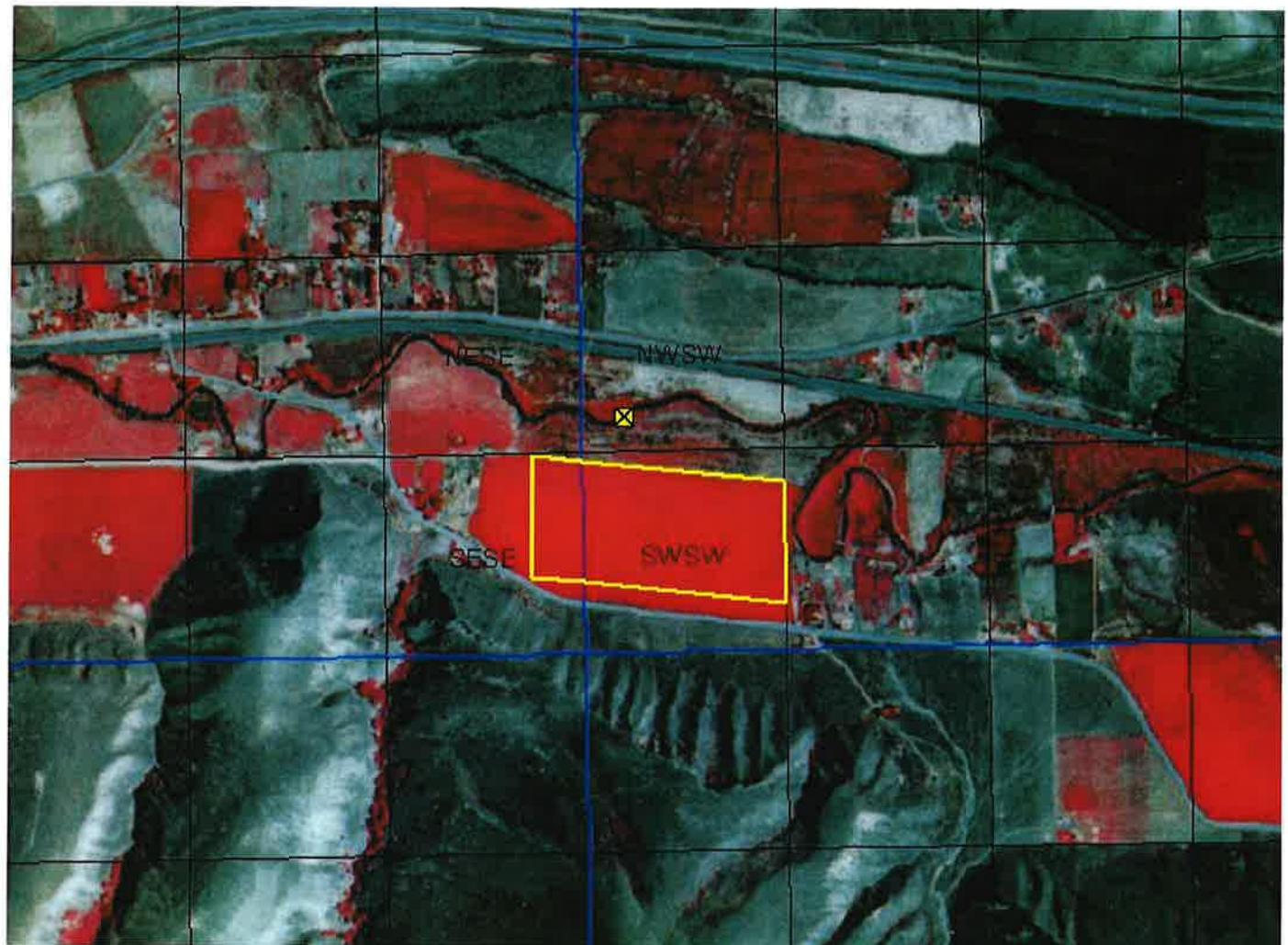
**Quarter Quarter Lines**



Prepared By: Craig Saxton  
April 2003

# DEPARTMENT OF WATER RESOURCES

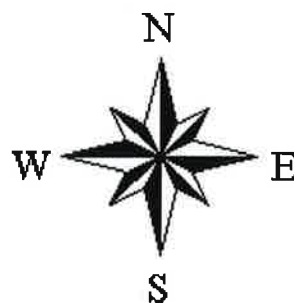
Claim No.: 29-13626



0 1320 2640 3960 Feet



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



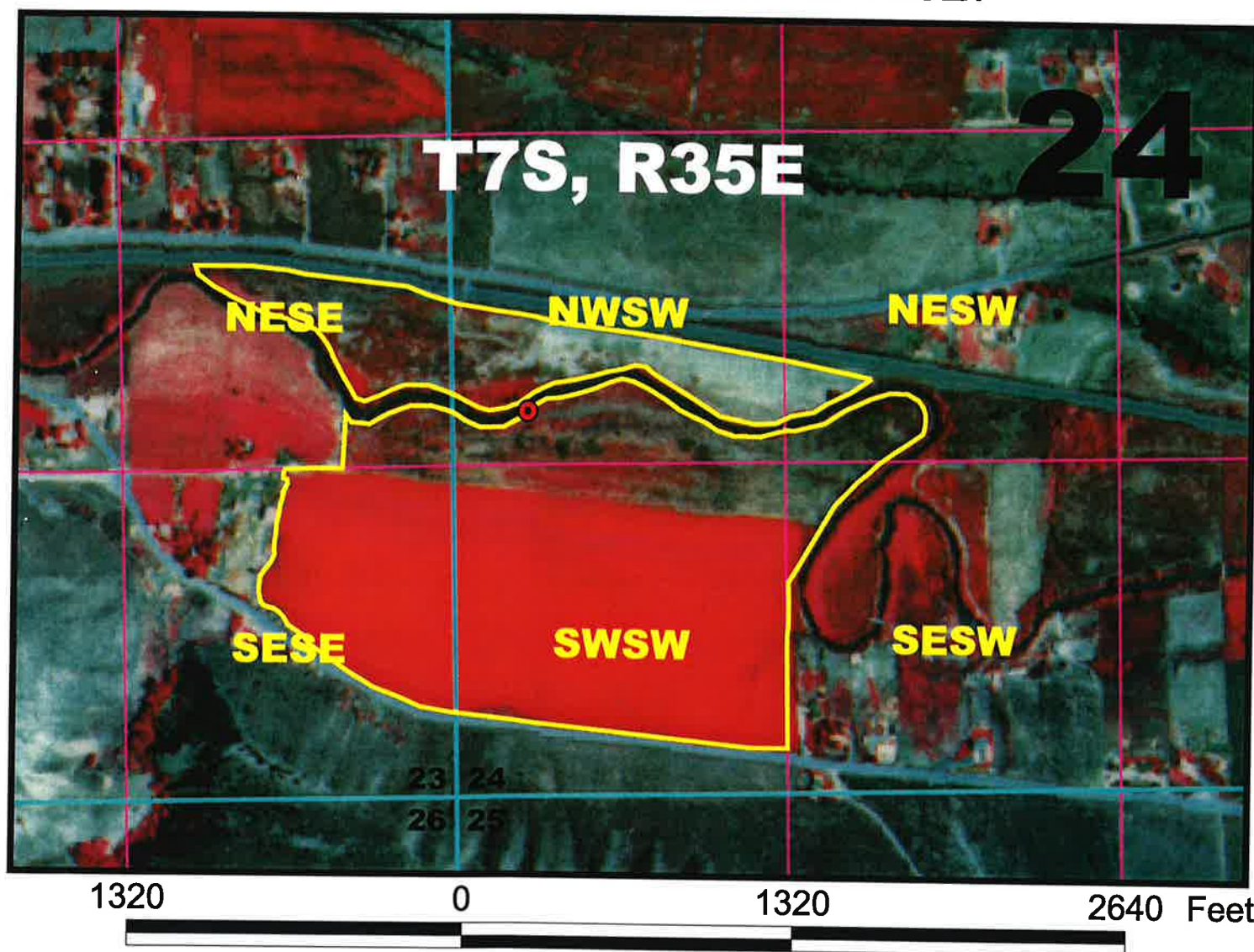
GIS Place of Use Illustration  
1987/1988 NAPP Photography  
Prepared by: E. Carlsen  
Date: August 2004



# STATE OF IDAHO

Department of Water Resources  
Eastern Region

Water Right(s): 29-04156, 29-13626  
and 29-13627



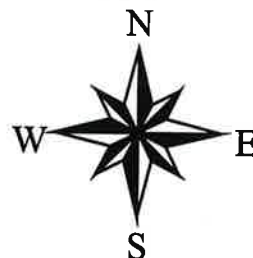
**Total Irrigated Acres: 72.7**

● Point(s) of Diversion

□ Place of Use

□ Quarter Quarter Lines

□ Section Lines



GIS Place of Use Illustration  
1987/1988 NAPP Photography  
Prepared by: C. Saxton  
Date: June 2003

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

RIGHT NUMBER: 29-13626

NAME AND ADDRESS:

CARMA B SMITH  
5137 W PORTNEUF RD  
INKOM ID 83245

SOURCE:

Source:  
PORTNEUF RIVER

Tributary:  
SNAKE RIVER

QUANTITY:

0.600 CFS      ~~0.900 CFS~~

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

PRIORITY DATE:

06/26/1869      ~~06/14/1867~~

POINT OF DIVERSION:

T07S R35E S24 NWSW      Within BANNOCK County

PURPOSE AND  
PERIOD OF USE:

| Purpose of use | Period of use: | Quantity:                             |
|----------------|----------------|---------------------------------------|
| IRRIGATION     | 04/01 10/31    | <u>0.600 CFS</u> <del>0.900 CFS</del> |

PLACE OF USE:

IRRIGATION      within BANNOCK County

T07S R35E S23 SESE 6.0

~~T07S R35E S23 NESE 8.4~~

~~T07S R35E S23 SESE 13.0~~

~~T07S R35E S24 NESW 3.4~~

~~T07S R35E S24 NWSW 14.0~~

T07S R35E S24 SWSW 24.0

~~T07S R35E S24 SWSW 32.0~~

~~T07S R35E S24 SESE 1.9~~

30 ACRES TOTAL

~~72.7 ACRES TOTAL~~

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

~~USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 72.7 ACRES IN A SINGLE IRRIGATION  
SEASON. COMBINED RIGHT NOS.: 29-04156, 29-13626, and 29-13627.  
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 45 ACRES WITHIN THE PLACE OF  
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.~~

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

This partial decree is subject to such general provisions necessary for  
the definition of the rights or for the efficient administration of the water  
rights as may be ultimately determined by the Court at a point in time no  
later than the entry of a final unified decree. Section 42-1412(6), Idaho  
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13626 V1

WATER RIGHT NUMBER: 29-13626 V1

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

Priority Date: 06/14/1867

Basis: Beneficial Use

Status: Active

| <u>Source</u>  | <u>Tributary</u> |
|----------------|------------------|
| PORTNEUF RIVER | SNAKE RIVER      |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/01 to 10/31          | 0.900 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.900 CFS             |                      |

Location of Point(s) of Diversion

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

Place of Use

IRRIGATION

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

Total Acres: 72.7

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

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

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-13626 V1

2. Place of Use USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION  
- Irrigation OF A COMBINED TOTAL OF 72.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED  
RIGHT NOS.: 29-04156, 29-13626, and 29-13627.
3. Place of Use THIS RIGHT IS LIMITED TO THE IRRIGATION OF 45 ACRES WITHIN THE PLACE OF USE  
- Irrigation DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. dhatfield 6/12/2003 Split Information  
Comment: This right is the result of a split for a portion of 29-4065.

2. csaxton 6/13/2003 Priority Date  
Comment: See Memo in file.

## Documentation of Ownership of the Current Place of Use

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

Dates and Other Information:

Decreed Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
Defendant:  
Plaintiff:  
Civil Case Number:  
Judicial District:  
Notice of Error Flag:  
State or Federal: S  
Owner Name Connector:  
Water District Number:  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Summary        |                           |                 | 06/12/2003                | dhatfield       | Active        |
| Contacts       | 6/13/2003 9:29:05 AM      | csaxton         |                           |                 | Active        |
| Priority Date  | 6/13/2003 9:30:34 AM      | csaxton         |                           |                 | Active        |
| POD            | 6/13/2003 9:30:52 AM      | csaxton         |                           |                 | Active        |
| Source         | 6/13/2003 9:35:50 AM      | csaxton         |                           |                 | Active        |
| POU            | 6/13/2003 9:36:13 AM      | csaxton         |                           |                 | Active        |
| Use            | 6/13/2003 9:39:40 AM      | csaxton         |                           |                 | Active        |
| Season         | 6/13/2003 9:39:59 AM      | csaxton         |                           |                 | Active        |
| Quantity       | 6/13/2003 9:50:37 AM      | csaxton         |                           |                 | Active        |

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13626 V1

Summary

06/13/2003

csaxton

Active

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------|------------------------|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Summary        | 6/12/2003 8:19:03 AM   | dhatfield       | (No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?<br>(No) 5. Is an additional remark and/or condition required?<br>(Yes) 6. Would you like to view the recommended right?                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Contacts       | 6/13/2003 9:29:05 AM   | csaxton         | (No) 1. Do you want to schedule an appointment?<br><br>Comment for 1: Field exam 8/7/01                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Priority Date  | 6/13/2003 9:30:34 AM   | csaxton         | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?<br>(No) 4. Is the basis of claim decree or license?<br>(No) 7. Is the basis of claim a Application or Permit?<br>(No) 8. Is the basis of claim a posted notice?<br>(No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use?<br>(Yes) 12. Does the claim file contain sufficient evidence of Priority Date?<br>(Yes) 15. Is the basis of claim coded correctly?<br>(No) 16. Is a Priority Date remark and/or condition required?<br>Description for Question 12/13 - Based on Indian allotment. Evidence provided that water was used within 5 years of property changing from Indian owner to non-Indian owner. |
| POD            | 6/13/2003 9:30:52 AM   | csaxton         | (No) 1. Is the basis of this claim a Decree or License?<br>(No) 2. Is the basis of this claim a Application or Permit?<br>(No) 6. Is there evidence that there has been a change in the POD?<br>(Yes) 9. Does the file contain all the necessary information to verify the POD?<br>(No) 10. Is a POD remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| POU            | 6/13/2003 9:37:06 AM   | csaxton         | Edited shape boundary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| POU            | 6/13/2003 9:37:53 AM   | csaxton         | Edited shape boundary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| POU            | 6/13/2003 9:38:21 AM   | csaxton         | Edited PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-13626 V1

|          |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------|----------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use      | 6/13/2003 9:39:37 AM | csaxton | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the Purpose of Use?</p> <p>(Yes) 11. Does the file contain all the necessary information to verify the Water Use?</p> <p>(No) 13. Is a Purpose of Use remark and/or condition required?</p> <p>Description for Question 10,11,12 - FE 8/7/01</p>                                                                                                                                                         |
| Season   | 6/13/2003 9:39:57 AM | csaxton | <p>(No) 1. Is the basis of claim Decree or License?</p> <p>(No) 2. Is the basis of claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the Period of Use?</p> <p>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?</p> <p>(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined?</p> <p>(Yes) 15. Is irrigation claimed as a Purpose of Use?</p> <p>(No) 18. Is a Period of Use remark and/or condition required?</p> |
| POD      | 6/13/2003 9:34:47 AM | csaxton | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Quantity | 6/13/2003 9:50:37 AM | csaxton | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is the basis of claim a posted notice?</p> <p>(Yes) 7. Is a flow measurement required?</p> <p>(No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?</p> <p>(No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use?</p> <p>(Yes) 12. Is a Quantity remark or condition required?</p> <p>Description for Question 7 - Intrepid Field Exam data</p>             |
| Summary  | 6/13/2003 9:55:31 AM | csaxton | <p>(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?</p> <p>(Yes) 5. Is an additional remark and/or condition required?</p> <p>(Yes) 6. Would you like to view the recommended right?</p> <p>(Yes) 7. Is this a split or combined right?</p> <p>(No) 8. Do you have documents you would like to attach or link to the file?</p> <p>(Yes) 9. Would you like to set the verification date?</p>                                                               |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-13626 V1

|        |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------|----------------------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Source | 6/13/2003 9:35:50 AM | csaxton | (No) 1. Is the basis of claim Decree or License?<br>(No) 2. Is the basis of claim an Application or Permit?<br>(No) 6. Is the basis of claim a Posted Notice?<br>(No) 7. Is there evidence that there has been a change in the source?<br>(Yes) 10. Does the file contain all the necessary information to verify the source?<br>(No) 11. Is a Source remark and/or condition required?<br>Description for Question 10 - FE 8/7/01 |
| POU    | 6/13/2003 9:36:14 AM | csaxton | (No) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2b. Is the POU required?<br>(No) 3. Is the basis of claim a Application or Permit?<br>(No) 7. Is there evidence that there has been a change in the POU?<br>(Yes) 13. Does the file contain all the necessary information to verify the POU?<br>(No) 14. Is a POU remark and/or condition required?<br>Description for Question 13 - Field Exam 8/7/01            |

RECEIVED

JUL 14 2003

WATER RESOURCES  
WESTERN REGION

29-13626

3-14-03

Ms. Carma Smith

5137 W Portneuf Rd

Inkom ID 83245-1611

ph: 208-  
775-3604

Craig -

The following deeds are  
inclosed to help determine  
our Indian Water Rights:

- 1) Martin Kipehwe - Indian
- 2) Samuel J. Palmer - Non-Indian
- 3) Martin Palmer - " "
- 4) Sharon & Carma Smith " "

Please contact me if you  
need more information.

Sincerely,

Carma Smith

P.S. May I have  
a copy of the  
Peace Treaty?

Please send me  
a copy

RECEIVED

JUL 17 2003

Department of Water Resources  
Eastern Region

1172568  
92208-24. I. O.

The United States of America.

10

To all to whom these presents shall come, Greeting:

WHEREAS, a schedule of allotments approved by the Secretary of the Interior has been deposited in the General Land Office, whereby it appears that Martin Kizehue, an Indian of the Fort Hall Reservation, has been allotted the following-described land:

The southwest quarter of the southwest quarter of Section twenty-four and the southeast quarter of the southeast quarter of Section twenty-three in Township seven South of Range thirty-five east of the Boise Meridian, Idaho, containing eighty acres,

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in accordance with the provisions of the Act of Congress of February 23, 1889 (25 Stat. 688), HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said Martin Kizehue and to his heirs, the lands above described: TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said Martin Kizehue and to his heirs forever, with the provision that the title hereby acquired shall not be subject to alienation, lease, or incumbrance, either by voluntary conveyance of the grantee or his heirs, or by the judgment, order, or decree of any court, or subject to taxation of any character, but shall be and remain inalienable and not subject to taxation for the period of twenty-five years, and until such time thereafter as the President may set fit to remove the restriction. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

This patent is issued in lieu of one dated May 3, 1902 and shall not operate to extend the restriction declared in that patent.

IN TESTIMONY WHEREOF, I, Calvin Coolidge, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the THIRTIETH day of APRIL in the year of our Lord one thousand nine hundred and TWENTY-FIVE and of the Independence of the United States the one hundred and FORTY-NINTH.

By the President: Calvin Coolidge

By Viola B. Pugh, Secretary.

(SEAL)

M. P. LeRoy, Recorder of the General Land Office.

RECORDED: Patent Number 958545.

OFFICE OF INDIAN AFFAIRS

RECEIVED

MAR 15 1924

20353

## DEED NONCOMPETENT INDIAN LANDS.

THIS INDENTURE, Made and entered into this Thirtieth day of November one thousand nine hundred and twenty-three by and between ~~Samuel J. Palmer~~ of Fort Hall, Idaho, non-competent Fort Hall Indian, party of the first part, and Samuel J. Palmer, of Pocatello, Idaho, party of the second part:

WITNESSETH, that the said party of the first part, for and in consideration of the sum of TWENTY ONE HUNDRED THIRTEEN (\$2113.00) dollars, in hand paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto said party of the second part the following-described real estate and premises situated in Bannock County, State of Idaho, to wit:

South-west quarter (SW/4) of the south-west quarter (SW/4) of section twenty-four (24) and the south-east quarter (SE/4) of the south-east quarter (SE/4) of section twenty-three (23) township seven (7) south, range thirty-five (35) east of the Boise Meridian, Idaho, containing eighty (80) acres more or less.

\$2.50 I.R.S. attached and cancelled

"And there is reserved from the lands hereby granted a right of way for ditches and canals constructed by the authority of the United States.

together with all the improvements thereon and the appurtenances thereunto belonging. And the said party of the first part, for himself and his heirs, executors, and administrators, does hereby covenant, promise, and agree to and with the said party of the second part, his heirs and assigns, that they will forever warrant and defend the said premises against the claim of all persons, claiming or to claim by, through, or under him only.

To have and to hold said described premises unto the said party of the second part, his heirs, executors, administrators, and assigns, forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written.

Witnesses:

Robert R. Burns  
Frances E. Burns

Martin Kizehue  
(Finger Print)  
his mark.

(SEAL)

STATE OF IDAHO )  
 ) ss:  
County of Bingham )

BE IT REMEMBERED, That on this First day of December, A. D. 1923, before the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared Martin Kizehue, to me personally known to be the identical person who executed the within instrument of writing, and such person duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF I have hereunto subscribed my name and affixed my official

Witnesses:

Robert R. Burns  
Frances E. B

Martin Kizehue  
(Fing (int)  
his mark.

(SEAL)

6

STATE OF IDAHO )  
County of Bingham ) ss:

BE IT REMEMBERED, That on this First day of December, A. D. 1923, before the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared Martin Kizehue, to me personally known to be the identical person who executed the within instrument of writing, and such person duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last above written.

Robert R. Burns

Notary Public  
Fort Hall, Idaho.

(SEAL)

My commission expires April 1, 1925.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
APR 11 1924

The within deed is respectfully submitted to the Secretary of the Interior, with the recommendation that it be approved.

C. F. Hauke  
Chief Clerk.

DEPARTMENT OF THE INTERIOR.  
APR 17 1924

The within deed is hereby approved.

F. M. Goodwin  
Assistant Secretary.

OFFICE OF INDIAN AFFAIRS,  
LAND DIVISION,  
December 30, 1923

Recorded in Deed Book,  
Indian Lands, Vol. 52, page 363

This instrument was filed for record on the 25 day of Jan, 1927 at 12 31 o'clock P.M.  
and duly recorded in Book 55, on page 606 at the request of S J Palmer  
Lillian Sponberg, Recorder Fee \$1.20

By Anna Keefe, Deputy

City, Pocatello, Idaho

Warranty Deed

This Indenture, Made this 19th

day of November

in the year of our Lord

One Thousand Nine Hundred and Twenty - seven

Samuel J. Palmer and Nora I. Palmer, his wife

of Pocatello, County of Bannock, State of Idaho

first part, and Myrum Martin Palmer

of Pocatello

County of Bannock

State of Idaho

the part y of

the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of

One

DOLLARS,

lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged and for other good and valuable considerations by these presents, Grant, Bargain, Sell and Convey and Confirm unto the said party of the second part, and to his heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

The Southwest Quarter of the Southwest Quarter of Section Twenty-four; and the southeast quarter of the southeast quarter of Section Twenty three; in Township Seven (7) South, Range Thirty-Five (35) East of the Boise Meridian, and containing 80 acres, more or less. Together with all water, water rights, privileges and franchises belonging to or with the said lands, or any part or parcel thereof, for the irrigation of the same or for domestic or culinary purposes thereon, and all dams, ditches, flumes, reservoirs, aqueducts, or other works used for the storage, diversion or distribution of any such waters or in conveying the same to, upon or over the said lands, or any part or parcel thereof.

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or otherwise appertaining and the rents, issues and profits thereof:

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereunto incident, unto the said party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs the said premises in the quiet and peaceable possession of the said party of the second part.

his heirs and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Paul Bistline

Samuel J. Palmer (SEAL)

Nora I. Palmer (SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

ss.

County of Bannock

On this 19th day of November

in the year 1927, before me, Paul Bistline

a Notary Public

in and for said County and State, personally appeared Samuel J. Palmer and Nora I. Palmer, his wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Paul Bistline

Notary Public.

Residence Pocatello, Idaho

(SEAL)

748621

125

THIS INDENTURE made this 2nd day of January in the year of our Lord, One Thousand Nine Hundred and sixty nine, between

Hyrum Martin Palmer and Grace Palmer, husband and wife  
of Pocatello, County of Bannock, State of Idaho

the parties of the first part, and Theron J. Smith and Carma Smith, husband and wife  
of Pocatello, County of Bannock, State of Idaho

the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Ten Dollars and other valuable considerations ----- DOLLARS, lawful money of the United States of America, to day in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, and to their heirs and assigns forever: All those certain lots, pieces or parcels of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit: Parcels of land lying South of the Portneuf River in the East 1/4 SE 1/4 Section 23, in the North 1/4 SW 1/4 Section 24 and the SW 1/4 SW 1/4 Section 24 all in T.7S., R.35E., B.M., Bannock County Idaho, more particularly described as follows: Beginning at a point on the South 1/16 line of said Section 23, 516 feet East of the Southeast 1/16 corner of said Section 23; Thence continuing East along said 1/16 line 300 feet; Thence at right angles North to the centerline of the Portneuf river; Thence Southeast along the centerline of said Portneuf River to the West line of said Section 23; Thence South along the East line of said Section 23, 1542 feet, more or less, to the Southeast corner of said Section 23; Thence West along the South line of said Section 23, 1004 feet, more or less, to a point 316 feet East of the East 1/16 corner of said Section 23; Thence N 90° 53' E, 1320 feet, more or less, to the Point of Beginning, containing 31.4 acres, more or less. And beginning at the South 1/16 corner on the West line of Section 24, T.7S., R.35E., B.M.; Thence North along said West line of Section 24, 222 feet, more or less, to the centerline of the Portneuf River; Thence Southeast along said centerline of the Portneuf River to the South 1/16 line of said Section 24; Thence West along said South 1/16 line 2075 feet, more or less, to the Point of Beginning, containing 10 acres, more or less. And the SW 1/4 SW 1/4 Section 24, T.7S., R.35E., B.M., containing 40 acres, more or less.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said parties of the second part, and to their heirs and assigns forever and the said parties of the first part, and their heirs warrant the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seal on the day and year first above written.

Signed, Sealed and Delivered in the Presence of

*Theron J. Smith* ) *Hyrum Martin Palmer* [SEAL]  
*Carma Smith* ) *Grace Palmer* [SEAL]

*Hyrum Martin Palmer* [SEAL]  
*Grace Palmer* [SEAL]

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7-2

748621

STATE OF IDAHO,

COUNTY OF BANNOCK

}

ss:

On this 2th day of January, in the year 19 69, before me

P. W. Carlson, a Notary Public in and for said County and

State, personally appeared Hyrum Martin Palmer and Grace Palmer

known to me to be the persons whose names are  
 subscribed to the within instrument, and acknowledged to me that they executed the same.

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

*P. W. Carlson*  
 Notary Public

Residence Pocatello, Idaho

My commission expires June 1, 1972.

NOTARY SE

NO 748621  
 REFERRED AT REQUEST OF

Theron Smith  
 '85 MAY -3 A8:31

424  
 OFFICIAL RECORDS  
 BANNOCK COUNTY, IDAHO  
 LARRY W. GHAN RECORDER  
 FEE 4.00 DEPUTY ka

Jan. 16, 1995

My husband Martin Palmer began pumping water from the Portneuf River in 1924 to irrigate this said property. He purchased this property which was an Indian Allotment with the understanding it had water rights to water that was available.

He first used an old Fordson tractor for power to propel an eight inch pump. We pumped water to the high point of the field into an irrigation ditch which we constructed using surveying instruments to obtain the proper gravity flow. We used canvas dams in the ditches and moved them from place to place as needed.

During the depression the old tractor was wearing out so Martin decided to build a water wheel to propel the pump, by using several different sizes of gears, pulleys and belts the water wheel generated enough power to pump the water.

He later built a more improved water wheel which we used until electric power was available. We still used the irrigation ditches for several years until we could afford to purchase a new pump and a sprinkler system. We later sold this property to Theron Smith.

MICROFILM

NOV 13 1990  
Grace Palmer

SUBSCRIBED AND SWORN to, before me, the undersigned, Notary Public, this 16th day of January, 1995.

IDAHO  
CONE

Boone



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

FAX (208) 334-2348

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

June 13, 2003

CARMA B SMITH  
5137 W PORTNEUF RD  
INKOM ID 83245

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

Dear Ms. Smith,

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

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

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

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

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

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Craig L. Saxton', is written over a horizontal line.

Craig L. Saxton  
Sr. Water Resource Agent  
Adjudication Bureau

## **Memorandum**

Date: June 13, 2003

From: Craig L. Saxton

To: File

Subject: Recommendation and split of 29-04065

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

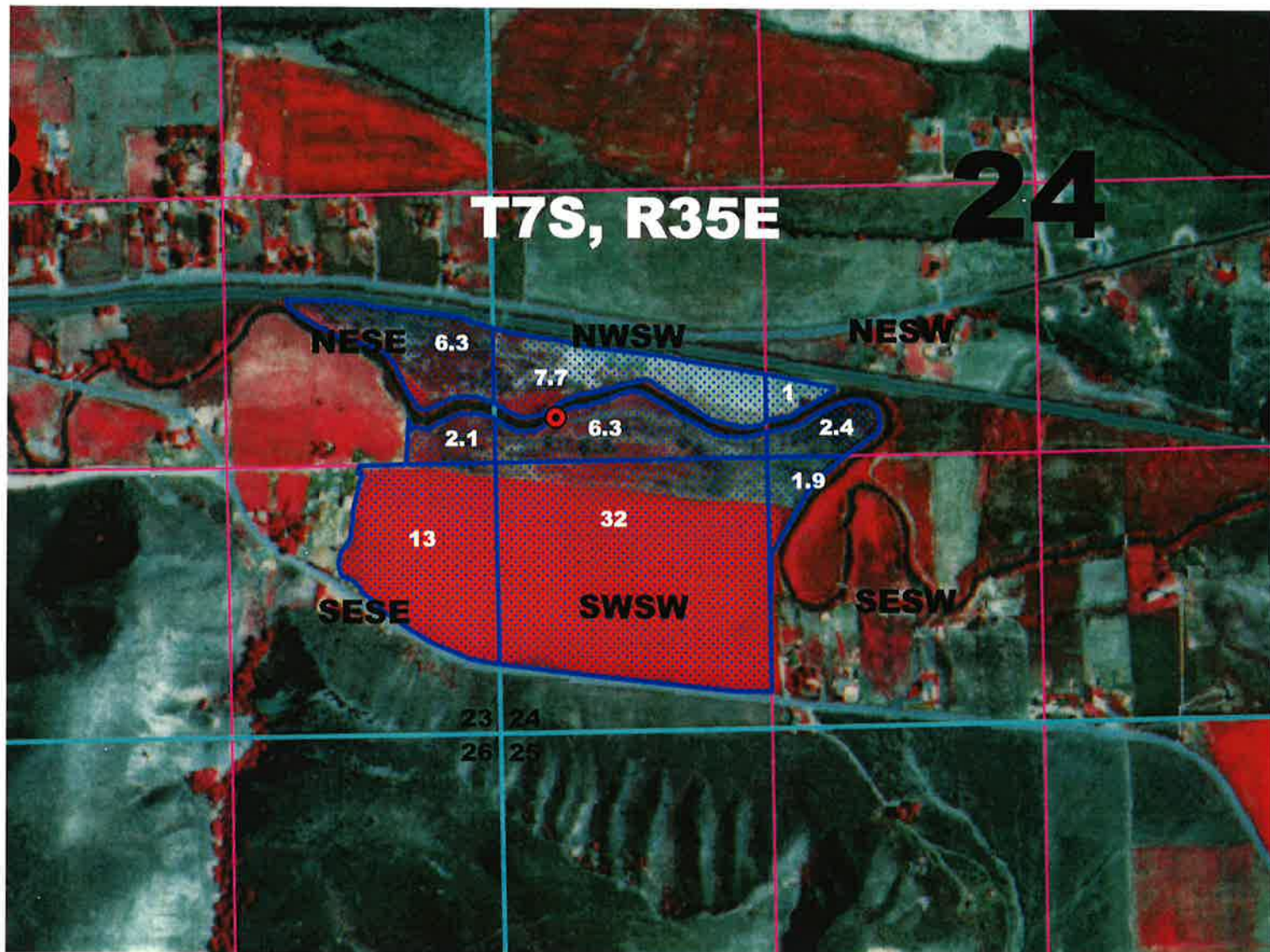
IDWR requested a deed trail showing evidence of when the property change hands from and Indian owner to a Non-Indian owner. The claimant then provided evidence that the property was irrigated within 5 years of when the property changed hands from an Indian owner to a non-Indian owner.

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

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

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

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



**Point of Diversion**

**Irrigated Acres = 72.7**



**Bannock Co Tax Lot Data - N/A**



**Place of Use - N/A**



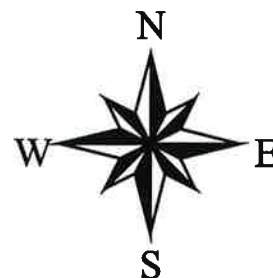
**Recommended POU**



**Section Lines**



**Quarter Quarter Lines**



Prepared By: Craig Saxton  
June 2003

# MEMORANDUM

Date: April 17, 2003

To: Candice McHugh  
Ernie Carlsen

From: Craig L. Saxton

Subject: Beneficial use claims on Fort Hall Indian Reservation ground.

Carma Smith has two different Beneficial use claims for use of the Portneuf on a POU that falls on old Indian ground. I am sending you the information that she gathered for your review.

When we spoke about this issue in my office you said she needed to start by doing two things. 1) Send the deed trail in from Indian to Non-Indian. 2) Amend the priority date on the claim.

Carma Smith sent me all the information she could find and I told her I would pass it onto our legal staff and supervisor for review since you are more familiar with the situation.

## **29-04215:**

- 1) I confirmed that the deeds provided by Carma do fit the claimed POU.
- 2) Within the Recommended POU for 29-04215, three of the four QQ's fall within the old Indian allotments (Section 21, SENW, NESW, NWSE. See attached map).
- 3) The deed trail provided by Carma Smith only dates back to 1967. Her notes say that Guyer was the first Non Indian owner, but Carma couldn't find the deed that shows when Guyer bought the property.

Conclusion: It seems to me that we do not have enough information to recommend the newly claimed priority date of 6/14/1867. Do you agree with this or is there another avenue that could be pursued.

## **29-04065:**

- 1) I confirmed that the deeds provided by Carma do fit the claimed POU.
- 2) Within the Recommended POU for 29-04065, two of the six QQ's fall within the old Indian allotments (Section 23, SESE and Section 24, SWSW. See attached map).

3) The deed trail shows that Kizehue sold the property to Palmer in 1923. Evidence of priority originally provided by Carma Smith supports use in 1926. This right will need to be split since not all the recommended POU falls within an Indian allotment.

Conclusion: It seems that we can support the newly claimed priority date of 6/14/1867.

Would it be too much to ask you Candice to contact Carma Smith with a letter (Attorney General letterhead) to explain our decision on this issue? I feel that you could explain our reasoning better than I and it would seem more official particularly for the one we can't support (if we can't support it).

Let me know what you think.

Ownership/chain of title claim no. 29-4215

| Date      | Owner                  | Conveyed to            | Property                                | Document                                                                  |
|-----------|------------------------|------------------------|-----------------------------------------|---------------------------------------------------------------------------|
| 6/1/1967  | Gay and Gertrude Guyer | Boyd and Edna Gunter   | SE1/4, NE1/4, NW1/4, SW1/4 S21 T7S R35E | Real Estate Agreement                                                     |
| 1/2/1969  | H Martin Palmer        | Theron and Carma Smith | SE1/4, NE1/4, NW1/4, SW1/4 S21 T7S R35E | Contract? Conveyence referenced in affidavit of Billie Croxall, 1/16/1995 |
| 2/15/1984 | Boyd and Edna Gunter   | Theron and Carma Smith | SE1/4, NE1/4, NW1/4, SW1/4 S21 T7S R35E | Warranty Deed                                                             |
|           |                        |                        |                                         |                                                                           |

Ownership/chain of title claim no. 29-4065

| Date       | Owner                      | Conveyed to                             | Property                                       | Document                                                                                                                     |
|------------|----------------------------|-----------------------------------------|------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| 4/13/1925  | USA                        | Martin Kizehue – <b>Ft. Hall Indian</b> | SWSW S24, SESE S23, T7S R35E [80 acres]        | Patent for allotment. Refers to act of congress of 1889 and that this patent is issued in lieu of the patent dated 5/3/1902. |
| 11/13/1923 | Martin Kizehue             | Samuel Palmer                           | SWSW S24, SESE S23, T7S R35E [80 acres]        | Deed noncompetent Indian Lands                                                                                               |
| 11/19/1927 | Samuel and Nora Palmer     | Hyrum Martin Palmer                     | SWSW S24, SESE S23, T7S R35E [80 acres]        | Warranty Deed                                                                                                                |
| 1/2/1969   | H. Martin and Grace Palmer | Theron and Carma Smith                  | E/2SE S23, N/2SW, SWSW S24 T7S R35E [50 acres] | Warranty Deed                                                                                                                |
|            |                            |                                         |                                                |                                                                                                                              |



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

April 2, 2003

CARMA B SMITH  
5137 W PORTNEUF RD  
INKOM ID 83245

RE: Amendment of Snake River Basin Adjudication (SRBA) claims 29-04065 and 29-04215.

Dear Ms. Smith,

I have enclosed the two amended claims we spoke about on the phone. One is for the property just north of your house and the other is for the property in "the gap".

I want to note that I did not amend anything other than the priority date. Thus the acreage and diversion rate are just as you originally claimed, despite that the recommendations for these rights are probably different.

Please look over the amended claims and initial any changes you wish to make. I inserted a priority date that matches when the Fort Hall Agreement was signed, but feel free to change the priority date to what you feel is appropriate. When satisfied, sign the claim in front of a notary and return it to this office with the deed trail we spoke about for the Portneuf gap property. I will then forward this onto our legal staff and they will take it from there.

I left a message on your answering machine about sending you a copy of the Fort Hall Indian Water Rights Agreement. It is 246 pages. I can E-mail it to you free of charge, but if that will not work for you and you want me to mail you a copy of it, I am afraid we will have to charge you \$12.30 (\$0.05 a page).

As always, feel free to give me a call with any questions at (208) 334-2190.

Respectfully submitted,

Craig L. Saxton  
Sr. Water Resource Agent  
Adjudication Bureau

29-10011

Karma Smith.  
Papoose Ck.  
Partially Deceased  
Ck C/O

3-11-03 : Spoke with Karma and told her that Papoose Ck  
Rights Deceased.

She is sending me deed trail to prove should  
be Treaty Priority date. Review and contact  
Candice.

## Important Message



Time: 10:01 Date: 3-11

For: Craig

From: Karma Smith

Telephone: 208-775-3604

- |                                              |                                                 |
|----------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> Telephoned          | <input checked="" type="checkbox"/> Please call |
| <input type="checkbox"/> Wants to see you    | <input type="checkbox"/> Will call again        |
| <input type="checkbox"/> Returned your call  | <input type="checkbox"/> URGENT                 |
| <input type="checkbox"/> Was here to see you |                                                 |

Message: Indian Rights  
29-04065 + 29-04156

Taken by: \_\_\_\_\_

RECEIVED

MAR 17 2003

WATER RESOURCES  
WESTERN REGION

## MEETING EVALUATION

Meeting Date & Time: March 3, 2003 7 P.M. Meeting Place: Pocatello Armed Forces Reserve Ctr.

Please Circle Response

|                                                                                                                                      | EXCELLENT |  | AVERAGE |  | POOR     |
|--------------------------------------------------------------------------------------------------------------------------------------|-----------|--|---------|--|----------|
| 1. Rate your contact with a department water resource agent within the last year regarding your water right(s)?                      | 10 (9) 8  |  | 7 6 5 4 |  | 3 2 1 NA |
| 2. Rate the information that was mailed to you on your water right for this meeting as to how easy the information is to understand. | 10 (9) 8  |  | 7 6 5 4 |  | 3 2 1 NA |
| 3. Rate the presentation and information you received at this meeting. Has it been helpful?                                          | 10 (9) 8  |  | 7 6 5 4 |  | 3 2 1 NA |
| 4. Rate the assistance you have received from the department staff at this meeting.                                                  | 10 (9) 8  |  | 7 6 5 4 |  | 3 2 1 NA |
| 5. Overall rating of the adjudication process                                                                                        | 10 9 8    |  | 7 6 5 4 |  | 3 2 1 NA |

Comment on your contact with a water resource agent: very helpful

Comments about the information that was mailed to you: \_\_\_\_\_

Comments about the presentation and information you received today: \_\_\_\_\_

Comments about the department assistance you received today: \_\_\_\_\_

How can we make the SRBA adjudication easier for you? \_\_\_\_\_

*helpful  
and  
enlightening*

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: 29-4065

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

RECEIVED

MAR 17 2003

WATER RESOURCES  
WESTERN REGION

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

*Copies of deeds for Indian Rights are inclosed*

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 3/14/03 SIGNATURE: *Carma B. Smith*  
Please print your name: CARMA B. Smith

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

3-14-03

Ms. Carma Smith  
5137 W Portneuf Rd  
Inkom ID 83245-1611

ph: 208 -  
775-3604

Craig -

The following seeds are  
inclosed to help determine  
our Indian Water Rights:

- 1) Martin Kipehuc - Indian
- 2) Samuel J. Palmer - Non Indian
- 3) Martin Palmer - " "
- 4) Thron & Carma Smith " "

Please contact me if you  
need more information.

Sincerely,

Carma Smith

P.S. May I have  
a copy of the  
Peace Treaty?

Please send me  
a copy

1172568

92208-24. I. O.

The United States of America,

10

To all to whom these presents shall come, Greeting:

WHEREAS, a schedule of allotments approved by the Secretary of the Interior has been deposited in the General Land Office, whereby it appears that Martin Kizehue, an Indian of the Fort Hall Reservation, has been allotted the following-described land:

The southwest quarter of the southwest quarter of Section twenty-four and the southeast quarter of the southeast quarter of Section twenty-three in Township seven South of Range thirty-five east of the Boise Meridian, Idaho, containing eighty acres,

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in accordance with the provisions of the Act of Congress of February 23, 1889 (25 Stat. 688), HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said Martin Kizehue and to his heirs, the lands above described: TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said Martin Kizehue and to his heirs forever, with the provision that the title hereby acquired shall not be subject to alienation, lease, or incumbrance, either by voluntary conveyance of the grantee or his heirs, or by the judgment, order, or decree of any court, or subject to taxation of any character, but shall be and remain inalienable and not subject to taxation for the period of twenty-five years, and until such time thereafter as the President may set fit to remove the restriction. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

This patent is issued in lieu of one dated May 3, 1902 and shall not operate to extend the restriction declared in that patent.

IN TESTIMONY WHEREOF, I, Calvin Coolidge, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the THIRTIETH day of APRIL in the year of our Lord one thousand nine hundred and TWENTY-FIVE and of the Independence of the United States the one hundred and FORTY-NINTH.

By the President: Calvin Coolidge

By Viola B. Pugh, Secretary.

(SEAL)

M. P. LeRoy, Recorder of the General Land Office.

RECORDED: Patent Number 958545

RECORDED JAN 25 1927 12-20 PM in Book 55 of Deeds page 605 Records of Bennecko County State of Idaho at the request of Stephen Janus, Fort Hall.  
Lillian Soengberg, Recorder Fee \$1.00 By Anna Keefe, Deputy

OFFICE OF INDIAN AFFAIRS  
RECEIVED  
MAR 15 1924  
20353

## DEED NONCOMPETENT INDIAN LANDS.

THIS INSTRUMENT, Made and entered into this Thirtieth day of November one thousand nine hundred and twenty-three by and between Martin Kizehue, of Fort Hall, Idaho, non-competent Fort Hall Indian, party of the first part, and Samuel J. Palmer, of Pocatello, Idaho, party of the second part:

WITNESSETH, that the said party of the first part, for and in consideration of the sum of TWENTY ONE HUNDRED THIRTYEIGHT (\$21,388) Dollars, in hand paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto said party of the second part the following-described real estate and premises situated in Bannock County, State of Idaho, to wit:

South-west quarter (SW/4) of the south-west quarter (SW/4) of section twenty-four (24) and the south-east quarter (SE/4) of the south-east quarter (SE/4) of section twenty-three (23) township seven (7) south, range thirty-five (35) east of the Boise Meridian, Idaho, containing eighty (80) acres more or less. \$2.00 I.R.S. attached and cancelled.

"And there is reserved from the lands hereby granted a right of way for ditches and canals constructed by the authority of the United States.

together with all the improvements thereon and the appurtenances thereto belonging. And the said party of the first part, for himself and his heirs, executors, and administrators, does hereby covenant, promise, and agree to and with the said party of the second part, his heirs and assigns, that they will forever warrant and defend the said premises against the claim of all persons, claiming or to claim by, through, or under him only.

To have and to hold said described premises unto the said party of the second part, his heirs, executors, administrators, and assigns, forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Witnesses:

Robert R. Burns  
Frances E. Burns

Martin Kizehue  
(Flange Print)  
his mark.

(SEAL)

STATE OF IDAHO )

County of Bingham )

ss:

BE IT REMEMBERED, That on this First day of December, A. D. 1923, before the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared Martin Kizehue, to me personally known to be the identical person who executed the within instrument of writing, and such person duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last above written.

Witnesses:

Robert R. Burns  
Frances E.

Martin Kizehue  
(Print)  
(his mark.)

(SEAL)

STATE OF IDAHO )  
County of Bingham ) ss:

BE IT REMEMBERED, That on this First day of December, A. D. 1923, before the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared Martin Kizehue, to me personally known to be the identical person who executed the within instrument of writing, and such person duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last above written.

Robert R. Burns  
Notary Public  
Fort Hall, Idaho.

(SEAL)

My commission expires April 1, 1925.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
APR 11 1924

The within deed is respectfully submitted to the Secretary of the Interior, with the recommendation that it be approved.

C. F. Hauke  
Chief Clerk.

DEPARTMENT OF THE INTERIOR.  
APR 17 1924

The within deed is hereby approved.

F. M. Goodwin  
Assistant Secretary.

OFFICE OF INDIAN AFFAIRS,  
LAND DIVISION,  
December 30, 1926

Recorded in Deed Book,  
Indian Lands, Vol. 52, page 363

This instrument was filed for record on the 25 day of Jan, 1927 at 12 21 o'clock P.M.  
and duly recorded in Book 55, on page 606 at the request of S J Palmer  
Lillian Sponberg, Recorder Fee \$1.20 By Anna Keefe, Deputy

See, Patrick &amp; Sons, Mfg. Stationers, Boise, Idaho

## Warranty Deed

This Indenture, Made this 19th day of November in the year of our Lord One Thousand Nine Hundred and Twenty - seven between Samuel J. Palmer and Nora I. Palmer, his wife of Locatello, County of Bannock, State of Idaho, the parties of the first part, and Myrum Martin Palmer of Locatello, County of Bannock, State of Idaho, the party of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of

One DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged and for other good and valuable considerations, by these presents, Grant, Bargain, Sell and Convey and to affirm into the said party of the second part, and to his heirs and assigns forever: All that certain lot or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

The Southwest Quarter of the Southwest Quarter of Section Twenty-four; and the southeast quarter of the southeast quarter of Section Twenty-three; in Township Seven (7) South, Range Thirty-Five (35) East of the Boise Meridian, and containing 80 acres, more or less. Together with all water, water rights, privileges and franchises belonging to or with the said lands, or any part or parcel thereof, for the irrigation of the same or for domestic or culinary purposes thereon, and all dams, ditches, flumes, reservoirs, aqueducts, or other works used for the storage, diversion or distribution of any such waters or in conveying the same to, upon or over the said lands, or any part or parcel thereof.

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or otherwise appertaining and the rents, issues and profits thereof:

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereunto incident, unto the said party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs the said premises in the quiet and peaceable possession of the said party of the second part.

his heirs and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Paul Bistline (SEAL)  
 Samuel J. Palmer (SEAL)  
 Nora I. Palmer (SEAL)  
 (SEAL)  
 (SEAL)

STATE OF IDAHO,

County of Bannock

On this 19th day of November, in the year 1927, before me, Paul Bistline, a Notary Public in and for said County and State, personally appeared Samuel J. Palmer and Nora I. Palmer, his wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Paul Bistline  
 Notary Public.  
 Residence Locatello, Idaho

(SEAL)

748621

THIS INDENTURE made this 125 2nd day of January in the year of our Lord, One Thousand Nine Hundred and sixty nine, between  
Myrum Martin Palmer and Grace Palmer, husband and wife  
of Pocatello, County of Bannock, State of Idaho  
the parties of the first part, and Theron J. Smith and Cora Smith, husband and wife  
of Pocatello, County of Bannock, State of Idaho  
the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Ten Dollars and other valuable considerations ----- DOLLARS, lawful money of the United States of America, to day in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, and to their heirs and assigns forever: All those certain lots, pieces or parcels of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit: Parcels of land lying South of the Portneuf River in the East 1/4 SE 1/4 Section 23, in the North 1/4 SW 1/4 Section 24 and the SW 1/4 SW 1/4 Section 24 all in T.7S., R.35E., B.M., Bannock County Idaho, more particularly described as follows: Beginning at a point on the South 1/16 line of said Section 23, 546 feet East of the Southeast 1/16 corner of said Section 23; Thence continuing East along said 1/16 line 300 feet; Thence at right angles North to the centerline of the Portneuf river; Thence southeasterly along the centerline of said Portneuf River to the West line of said Section 23; Thence South along the East line of said Section 23, 1542 feet, more or less, to the Southeast corner of said Section 23; Thence West along the South line of said Section 23, 1004 feet, more or less, to a point 316 feet East of the East 1/16 corner of said Section 23; Thence N 90° 53' E, 1320 feet, more or less, to the Point of Beginning, containing 31.4 acres, more or less. And beginning at the South 1/16 corner on the West line of Section 24, T.7S., R.35E., B.M.; Thence North along said West line of Section 24, 222 feet, more or less, to the centerline of the Portneuf River; Thence southeasterly along said centerline of the Portneuf River to the South 1/16 line of said Section 24; Thence West along said South 1/16 line 2075 feet, more or less, to the Point of Beginning, containing 10 acres, more or less. And the SW 1/4 SW 1/4 Section 24, T.7S., R.35E., B.M., containing 40 acres, more or less.



Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.  
TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said parties of the second part, and to their heirs and assigns forever and the said parties of the first part, and their heirs warrant the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.  
IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

*Theron J. Smith* [SEAL]  
*Myrum Martin Palmer* [SEAL]  
*Grace Palmer* [SEAL]

126

748621

STATE OF IDAHO,

COUNTY OF BANNOCK

} ss:

On this 9th day of January, in the year 1969, before me

P. W. Carlson, a Notary Public in and for said County and

State, personally appeared Hyrum Martin Palmer and Grace Palmer

known to me to be the persons whose names are  
 subscribed to the within instrument, and acknowledged to me that they executed the same.

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

*P. W. Carlson*  
 Notary Public

Residence Pocatello, Idaho

My commission expires June 1, 1972.

NOTARY SEAL

NO 748621  
 RECEIVED AT REQUEST OF

Theron Smith  
 '85 MAY -3 18:31

424  
 OFFICIAL RECORDS NO.  
 BANNOCK COUNTY, IDAHO  
 LARRY W. GHAN RECORDER  
 EYE 4 OODEPUTY ka



# IDAHO DEPARTMENT OF WATER RESOURCES

## SNAKE RIVER BASIN ADJUDICATION - BASIN 29

RIGHT ID    
POD ID   
Quad   
Claim Type   
Easting   
Northing   
GPSID

### Diversion Description

PUMP TO SPRINKLER SYSTEM.

### Assumptions

### Invoice #

2000-037-01-0

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

Linked  
Photos

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

1.62286967968407

### Open Channel Flow

☐ Complete one box from both Area and Calculation sections

#### Cross Sectional Area

##### ☐ Circular Channel

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

Diameter

Depth

##### ☐ Rectangular Channel

Width

Depth

### Flow Calculation

☐ Continuity

Velocity

##### ☐ Orifice

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

Depth of Water  
above orifice  
centerline

##### ☐ Weir

(Use only for water flowing freely over weir)

Height of water  
above nappe

Width of weir

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

Channel Slope

Channel  
Description

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

### Pumped System ☒

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

### New Contact Information ☐

New Contact Comments

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.



USGS OrthoQuad 1976

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.  
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s).         | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-------------------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| <u>29-4065</u>                |                              |       |                       |                              |       |
| <u>29-4156</u>                |                              |       |                       |                              |       |
| <u>29-4215</u>                |                              |       |                       |                              |       |
| <u>29-10010</u>               |                              |       |                       |                              |       |
| <u><del>29</del> 75-10881</u> |                              |       |                       |                              |       |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

**OR**

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former  
Owner/Claimant(s)

\_\_\_\_\_

\_\_\_\_\_

4. New Owner/Claimant(s)

Carma B Smith

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

New Mailing Address

5137 W Portneuf RD

City, State and ZIP Code

Idaho ID 83245

New Telephone Number

(208) 775-3604

5. Date you acquired the property

\_\_\_\_\_

748621

THIS INDENTURE, made this 2nd day of January in the year of our Lord, One Thousand Nine Hundred and sixty nine, between

Hyrum Martin Palmer and Grace Palmer, husband and wife  
of Pocatello, County of Bannock, State of Idaho  
the parties of the first part, and Theron J. Smith and Carma Smith, husband and wife  
of Pocatello, County of Bannock, State of Idaho  
the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of

Ten Dollars and other valueable considerations - - - - - DOLLARS,  
lawful money of the United States of America, to day in hand paid by the said parties of the  
second part, the receipt whereof is hereby acknowledged do by these presents, Grant, Bar-  
gain, Sell and Convey and Confirm unto said parties of the second part, and to their heirs  
and assigns forever: All those certain lots, pieces or parcels of land situate, lying and  
being in the County of Bannock, State of Idaho, bounded and more particularly

described as follows, to-wit: Parcels of land lying South of the Portneuf River in the  
East  $\frac{1}{2}$  SE  $\frac{1}{4}$  Section 23, in the North  $\frac{1}{2}$  SW  $\frac{1}{4}$  Section 24 and the SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  Section 24 all  
in T.7S., R.35E., B.M., Bannock County Idaho, more particularly described as follows;  
Beginning at a point on the South  $\frac{1}{16}$  line of said Section 23, 546 feet East of the  
Southeast  $\frac{1}{16}$  corner of said Section 23; Thence continuing East along said  $\frac{1}{16}$   
line 300 feet; Thence at right angles North to the centerline of the Portneuf river;  
Thence Southeasterly along the centerline of said Portneuf River to the West line of  
said Section 23; Thence South along the East line of said Section 23, 1542 feet,  
more or less, to the Southeast corner of said Section 23; Thence West along the South  
line of said Section 23, 1004 feet, more or less, to a point 316 feet East of the East  
 $\frac{1}{16}$  corner of said Section 23; Thence N  $90^{\circ}53'E$ , 1320 feet, more or less, to the  
Point of Beginning, containing 31.4 acres, more or less. And beginning at the South  
 $\frac{1}{16}$  corner on the West line of Section 24, T.7S., R.35E., B.M.; Thence North along  
said West line of Section 24, 222 feet, more or less, to the centerline of the  
Portneuf River; Thence Southeasterly along said centerline of the Portneuf River  
to the South  $\frac{1}{16}$  line of said Section 24; Thence West along said South  $\frac{1}{16}$  line  
2075 feet, more or less, to the Point of Beginning, containing 10 acres, more or less.  
And the SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  Section 24, T.7S., R.35E., B.M., containing 40 acres, more or less.

*[Signature]*

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belong-  
ing or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and  
privileges thereunto incident unto the said parties of the second part, and to their heirs and  
assigns forever and the said parties of the first part, and their heirs warrant the said premises in the quiet and peaceable possession of the said parties of the second part,  
their heirs and assigns against the said parties of the first part, and their heirs and  
against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and  
will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands  
and seals the day and year first above written

# CERTIFICATION OF VITAL RECORD

## STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE  
CENTER FOR CERTIFICATION OF DEATH HEALTH POLICY

ONLY A COPY OF THIS DOCUMENT, CERTIFIED BY THE STATE REGISTRAR WITH THIS COPY OF HEALTH & WELFARE NAMED SEAL, SHALL BE USED AS PROOF FACT  
EVIDENCE OF THIS DEATH UNDER IDAHO CODES: 36-24101 & 36-371

State File No. \_\_\_\_\_  
Local Reg. No. 6-323

|                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                               |                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| <b>DECEDENT</b><br><br>TYPE OR PRINT IN PERMANENT BLACK INK DO NOT USE FELT TIP PEN<br><br>NAME OF DECEDENT For use by physician or institution                                                                                                                                                                                                                                                       | DECEDENT - NAME FIRST MIDDLE LAST<br><b>Theron J. Smith</b>                                                                   |                                                                                                                                                                                  | SEX<br><b>Male</b>                                                                                                                                                                                                                                                                                                                                               | DATE OF DEATH (Month, Day, Year)<br><b>July 14, 1998</b>                                                                              |
|                                                                                                                                                                                                                                                                                                                                                                                                       | SOCIAL SECURITY NUMBER<br><b>519-36-9890</b>                                                                                  |                                                                                                                                                                                  | AGE - Last birthday (Years) MONTHS DAYS<br><b>64</b>                                                                                                                                                                                                                                                                                                             | DATE OF BIRTH (Month, Day, Year)<br><b>May 6, 1934</b>                                                                                |
|                                                                                                                                                                                                                                                                                                                                                                                                       | WAS DECEDENT EVER IN U.S. ARMED FORCES?<br><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                |                                                                                                                                                                                  | PLACE OF DEATH (Check only one)<br><input type="checkbox"/> (1) Inpatient <input type="checkbox"/> (2) ER/Outpatient <input type="checkbox"/> (3) DOA<br><input type="checkbox"/> (4) Long-Term Care Facility <input type="checkbox"/> (5) Own Residence <input type="checkbox"/> (6) Other Private Residence <input type="checkbox"/> (7) Other (Specify) _____ |                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                       | FACILITY NAME AND ADDRESS (If not a hospital, enter name of place, street and number)<br><b>Own Res. 5137 W. Portneuf Rd.</b> |                                                                                                                                                                                  | CITY, TOWN OR LOCATION OF DEATH<br><b>Inkom</b>                                                                                                                                                                                                                                                                                                                  |                                                                                                                                       |
| MARITAL STATUS - Married, Never Married, Widowed, Divorced (Specify)<br><b>Married</b>                                                                                                                                                                                                                                                                                                                |                                                                                                                               | SURVIVING SPOUSE (If wife, give maiden name)<br><b>Carma Bowers</b>                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                  | DECEDENT'S USUAL OCCUPATION (Give kind of work done during most of working life. Do not use retired.)<br><b>Teacher/Farmer</b>        |
| RESIDENCE STATE<br><b>ID</b>                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                               | CITY, TOWN OR LOCATION<br><b>Bannock</b>                                                                                                                                         | STREET AND NUMBER<br><b>5137 W. Portneuf Rd.</b>                                                                                                                                                                                                                                                                                                                 | ZIP CODE<br><b>83245-</b>                                                                                                             |
| INSIDE CITY LIMITS?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                                                                                                                                                                                                                                                            |                                                                                                                               | WAS DECEDENT OF HISPANIC ORIGIN? (Specify No or Yes - If yes, specify Cuban, Mexican, Puerto Rican, etc.)<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |                                                                                                                                                                                                                                                                                                                                                                  | 18. DECEDENT'S EDUCATION (Specify only highest grade completed)<br>Elementary/Secondary (9-12) <b>5+</b><br>College (1-4 or 5+) _____ |
| FATHER - NAME<br><b>Jason Lynn Smith</b>                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                               | BIRTHPLACE<br><b>Utah</b>                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                  | MOTHER - FULL MAIDEN NAME<br><b>Ruby Alice Edwards</b>                                                                                |
| INFORMANT<br><b>Carma Smith</b>                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                               | MAILING ADDRESS (Street and Number or Rural Route Number, City or Town, State, Zip Code)<br><b>5137 W. Portneuf Rd., Inkom, Idaho 83245</b>                                      |                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                       |
| METHOD OF DISPOSITION<br><input checked="" type="checkbox"/> Burial <input type="checkbox"/> Cremation <input type="checkbox"/> Removal from Idaho<br><input type="checkbox"/> Donation <input type="checkbox"/> Other (Specify) _____                                                                                                                                                                |                                                                                                                               | PLACE OF DISPOSITION (Name of cemetery, crematory, or other place)<br><b>Inkom Cemetery</b>                                                                                      |                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                       |
| SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH<br><i>[Signature]</i>                                                                                                                                                                                                                                                                                                                  |                                                                                                                               | LICENSE NUMBER (of Licensee)<br><b>MRT 767</b>                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                       |
| TIME OF DEATH<br><b>12:00 PM</b>                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                               | DATE PRONOUNCED DEAD (Month, Day, Year)<br><b>July 14, 1998</b>                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                  | WAS CASE REFERRED TO CORONER?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                  |
| MANNER OF DEATH (Check one)<br><input checked="" type="checkbox"/> Natural <input type="checkbox"/> Homicide <input type="checkbox"/> Suicide <input type="checkbox"/> Accident<br><input type="checkbox"/> Pending Investigation <input type="checkbox"/> Could not be Determined                                                                                                                    |                                                                                                                               | APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH<br><b>3 mo</b>                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                       |
| 27. PART I. Enter the diseases, injuries, or complications that caused the death. List only one cause on each line. IMMEDIATE CAUSE (Final disease or condition resulting in death)<br><b>Renal Cell Carcinoma</b>                                                                                                                                                                                    |                                                                                                                               |                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                       |
| 27. PART II. Other Significant Conditions contributing to death but not resulting in the underlying cause given in Part I.                                                                                                                                                                                                                                                                            |                                                                                                                               |                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                       |
| WAS AN AUTOPSY PERFORMED?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                                                                                                                                                                                                                                                      |                                                                                                                               | WERE AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                    |                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                       |
| CERTIFIER (Check only one)<br><input checked="" type="checkbox"/> PHYSICIAN - To the best of my knowledge, death occurred at the time, date, and place; and due to the cause(s) and manner as stated.<br><input type="checkbox"/> CORONER - On the basis of examination and/or investigation, in my opinion, death occurred at the time, date and place and due to the cause(s) and manner as stated. |                                                                                                                               |                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                       |
| SIGNATURE AND TITLE OF CERTIFIER<br><i>[Signature]</i>                                                                                                                                                                                                                                                                                                                                                |                                                                                                                               | LICENSE NUMBER<br><b>0-136</b>                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                  | DATE SIGNED (Month, Day, Year)<br><b>7/17/98</b>                                                                                      |
| NAME AND ADDRESS OF CERTIFIER (If not a physician, specify)<br><b>Dr. D. Ty Smith, 220 Bannock St., Malad, Idaho 83252</b>                                                                                                                                                                                                                                                                            |                                                                                                                               |                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                       |
| DATE OF INJURY (Mo., Day, Yr.)<br><b>July 14, 1998</b>                                                                                                                                                                                                                                                                                                                                                |                                                                                                                               | DESCRIBE HOW INJURY OCCURRED                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                       |
| INJURY AT WORK?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                                                                                                                                                                                                                                                                |                                                                                                                               | IF TRANSPORTATION ACCIDENT, Specify: <input type="checkbox"/> Driver <input type="checkbox"/> Passenger <input type="checkbox"/> Pedestrian <input type="checkbox"/> Other _____ |                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                       |
| CORONER'S ACTION (Check one)<br><input type="checkbox"/> (1) Reviewed Only <input type="checkbox"/> (2) Reviewed and/or Amended, and Certified                                                                                                                                                                                                                                                        |                                                                                                                               | CORONER'S SIGNATURE<br><i>[Signature]</i>                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                       |
| REGISTRAR'S SIGNATURE<br><i>[Signature]</i>                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                               | DATE FILED (Month, Day, Year)<br><b>July 21, 1998</b>                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                       |

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

DATE ISSUED: July 21, 1998

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

JANE S. SMITH  
STATE REGISTRAR

**29-04165 & 29-04065 POD**

**Field Exam 8/7/01**



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

**29-04165 & 29-04065**

**POU**

**Field Exam 8/7/01**



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

**29-04165 & 29-04065 POU**

**Field Exam 8/7/01**



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

SCANNED

JUN 13 2001

Log for claim A29-04065

Spatial Dynamics LTD

8/31/00

| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT                    |
|----------------|-----|------|------------------|----------------|----------------------------|
| 07s35e         | 23  | NESE | 5                | 2.3            |                            |
| 07s35e         | 23  | SESE | 15               | 14             |                            |
| 07s35e         | 24  | NESW | 5                | 2.4            |                            |
| 07s35e         | 24  | NWSW | 10               | 6.4            |                            |
| 07s35e         | 24  | SWSW | 35               | 32             |                            |
| 07s35e         | 24  | SESW | 3                | 1.8            |                            |
| <b>Totals:</b> |     |      | 73               | 58.9           | → 400 - Best Case Scenario |

Priority Evidence Good

5/1/01 pod: ?

8/7/01 Field Exam - No claimant contact

GPS POD same as 29-04156

note: ~~~ 400~~ Head of cattle visible  
50

note: Look for Another claim

Willard Steadman - In town (POK Y)

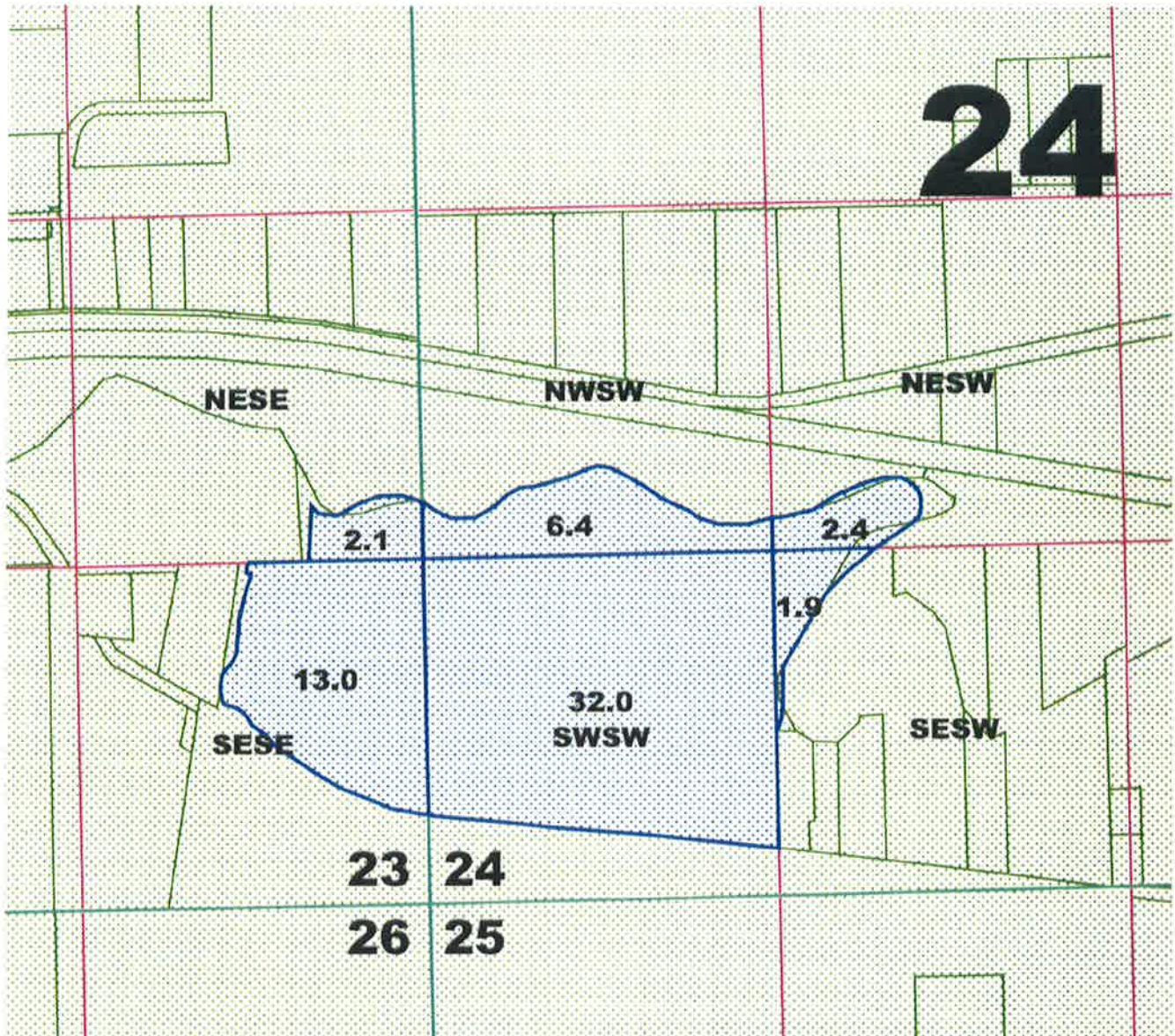
KIP - 29-02367 - Changed to Carme Smith  
L 775-3298

\* Call this ~~week~~ Monday =

# Theron Smith

**WR # (s): 29-04065**

## **Initial Findings**



**Total Irrigated Acres: 57.8**

**Acreage Distribution**

Prepared By: Craig Saxton  
May 2001

AJ5809NP  
No. A29-04065

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00  
PAGE: 175

| OWNER<br>CODE    | NAME & ADDRESS                                                           | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|--------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | THERON J SMITH<br>5137 W PORTNEUF RD<br>INKOM ID 83245<br>(208) 775-3604 | 04/01/1926       | IRRIGATION | 04-01 11-01           | 1.460 CFS         |                     |
| TOTAL DIVERSION: |                                                                          |                  |            |                       | 1.460 CFS         |                     |
| CONSUMPTIVE USE: |                                                                          |                  |            |                       |                   | 182.50 AFA          |

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T07S R35E S23 NESE BANNOCK County

Place of use Legal Description for: IRRIGATION

| NE  |     |    |      |    |      |    |      |    |      |    |   | NW   |    |      |    | SW   |    |      |    | SE |      |    |      |    |      |    |      |    |   |             |    |      |    |      |    |      |  |   |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|-----|-----|----|------|----|------|----|------|----|------|----|---|------|----|------|----|------|----|------|----|----|------|----|------|----|------|----|------|----|---|-------------|----|------|----|------|----|------|--|---|-----|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| 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 | :  | Lt   | Ac | Lt   | Ac | Lt   | Ac | Lt   | Ac | : | Lt          | Ac | Lt   | Ac | Lt   | Ac | :    |  |   |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 07S | 35E | 23 | :    |    |      |    |      |    |      |    | : |      |    |      |    |      |    |      |    | :  |      |    |      |    |      |    |      |    | : |             |    |      |    |      |    |      |  |   |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 07S | 35E | 24 | :    |    |      |    |      |    |      |    | : |      |    |      |    |      |    |      |    | :  |      |    |      |    |      |    |      |    | : |             |    |      |    |      |    |      |  |   |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|     |     |    |      |    |      |    |      |    |      |    |   |      |    |      |    |      |    |      |    |    |      |    |      |    |      |    |      |    |   | 05          | 10 | 35   | 03 | :    |    |      |  |   |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|     |     |    |      |    |      |    |      |    |      |    |   |      |    |      |    |      |    |      |    |    |      |    |      |    |      |    |      |    |   | TOTAL ACRES |    |      |    |      |    |      |  |   |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|     |     |    |      |    |      |    |      |    |      |    |   |      |    |      |    |      |    |      |    |    |      |    |      |    |      |    |      |    |   |             |    |      |    |      |    |      |  |   |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

POU County: BANNOCK

Non-Irrigation Uses: NONE.

Other Rights: A29-04064A.

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

29-07659 A29-04156 A29-07658 A29-07659 A29-10094 A29-10696 A29-10698

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

A29-04064A A29-04064B A29-04064C A29-04064D A29-04067 A29-04156 A29-04392 A29-04404 A29-04425 A29-07658  
A29-10010 A29-10696 A29-10698 A29-11627 A29-12029 R29-04064A R29-04064B R29-04064C R29-04064D R29-04067  
R29-10010

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

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

Audit: 06/29/88 MEYER 01/20/94 THOMPSON 03/29/95 POST-STD 04/13/00 CVANDERM

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**Section 42-225a, Idaho Code**

## CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Hyrum Martin Palmer (name of claimant)  
of Rt. #2, Box 41-A, Inkom, Idaho, claims a right to the diversion and beneficial use of  
(mailing address)  
the public water of the State of Idaho

**The extent and nature of said claim is as follows:**

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Portneuf River  
, tributary to, SNAKE RIVER
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

|        |                      |     |                               |                |      |                   |    |                        |
|--------|----------------------|-----|-------------------------------|----------------|------|-------------------|----|------------------------|
| Amount | <u>1.46</u>          | Use | <u>Irrigation</u>             | Period of Use: | From | <u>Apr. 1</u>     | To | <u>Nov. 1</u>          |
| Amount | <u>          </u>    | Use | <u>          </u>             | Period of Use: | From | <u>          </u> | To | <u>          </u>      |
| Amount | <u>          </u>    | Use | <u>          </u>             | Period of Use: | From | <u>          </u> | To | <u>          </u>      |
|        | (cfs, gpm<br>or a/d) |     | (dom., irri.,<br>stock, etc.) |                |      |                   |    | (both dates inclusive) |

- (3) Total quantity of water claimed: 1.46 cubic feet per second, or \_\_\_\_\_ acre feet per annum, and/or \_\_\_\_\_ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) April 1, 1926

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)  
NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Sec. 23 Twp. 7S Rge. 35E 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. 30 Hp. pump, 6" buried mainline, 4" hand laterals

- (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]

Total No. of acres 73

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- (7) If you are claiming water as a member of an organization, list name of organization: \_\_\_\_\_

Jan. 16, 1995

My husband Martin Palmer began pumping water from the Portneuf River in 1924 to irrigate this said property. He purchased this property which was an Indian Allotment with the understanding it had water rights to water that was available.

He first used an old Fordson tractor for power to propel an eight inch pump. We pumped water to the high point of the field into an irrigation ditch which we constructed using surveying instruments to obtain the proper gravity flow. We used canvas dams in the ditches and moved them from place to place as needed.

During the depression the old tractor was wearing out so Martin decided to build a water wheel to propel the pump, by using several different sizes of gears, pulleys and belts the water wheel generated enough power to pump the water.

He later built a more improved water wheel which we used until electric power was available. We still used the irrigation ditches for several years until we could afford to purchase a new pump and a sprinkler system.

We later sold this property to Theron Smith.

MICROFILMED

NOV 13 1990  
Grace Palmer

SUBSCRIBED AND SWORN to, before me, the undersigned, Notary Public, this 16th day of January, 1995.

IDAHO  
C. CONE

1800me  
NOTARY PUBLIC-STATE OF IDAHO  
COMMISSION EXPIRES 6-99

AJ5809NP  
No. A29-04065

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/28/94  
PAGE: 7

| OWNER<br>CODE | NAME & ADDRESS                                                         | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | THERON SMITH<br>5137 W PORTNEUF RD<br>INKOM ID 83245<br>(208) 775-3604 | 04/01/1926       | IRRIGATION | 04-01 11-01           | 1.46 CFS          |                     |
|               |                                                                        |                  |            |                       | TOTAL DIVERSION:  | 1.46 CFS            |
|               |                                                                        |                  |            |                       | CONSUMPTIVE USE:  | 182.50 AFA          |

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T07S R35E S23

NESE

BANNOCK County

Place of use Legal Description for: IRRIGATION

| NE  |     |    |      |    |      |    |      |    |      |    |      | NW |      |    |      | SW |      |    |      | SE |      |    |      |             |      |    |      |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |      |
|-----|-----|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|-------------|------|----|------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|------|
| T   | R   | S  | NENE |    | NWNE |    | SWNE |    | SENE |    | NENW |    | NWNW |    | SWNW |    | SESW |    | NESE |    | NWSE |    | SWSE |             | SESE |    | SUM  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |      |
|     |     |    | Lt   | Ac | Lt   | Ac | Lt   | Ac | Lt   | Ac | Lt   | Ac | Lt   | Ac | Lt   | Ac | Lt   | Ac | Lt   | Ac | Lt   | Ac | Lt   | Ac          | Lt   | Ac |      |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |      |
| 07S | 35E | 23 |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |             |      |    | 20.0 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |      |
| 07S | 35E | 24 |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |             |      |    | 53.0 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |      |
|     |     |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      | 05          | 10   | 35 | 03   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 73.0 |
|     |     |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      | TOTAL ACRES |      |    |      |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |      |

POU County: BANNOCK

Non-Irrigation Uses: NONE.

Other Rights: A29-04064A.

Dates: Exam Made Date: Verified Date: 01/20/1994

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

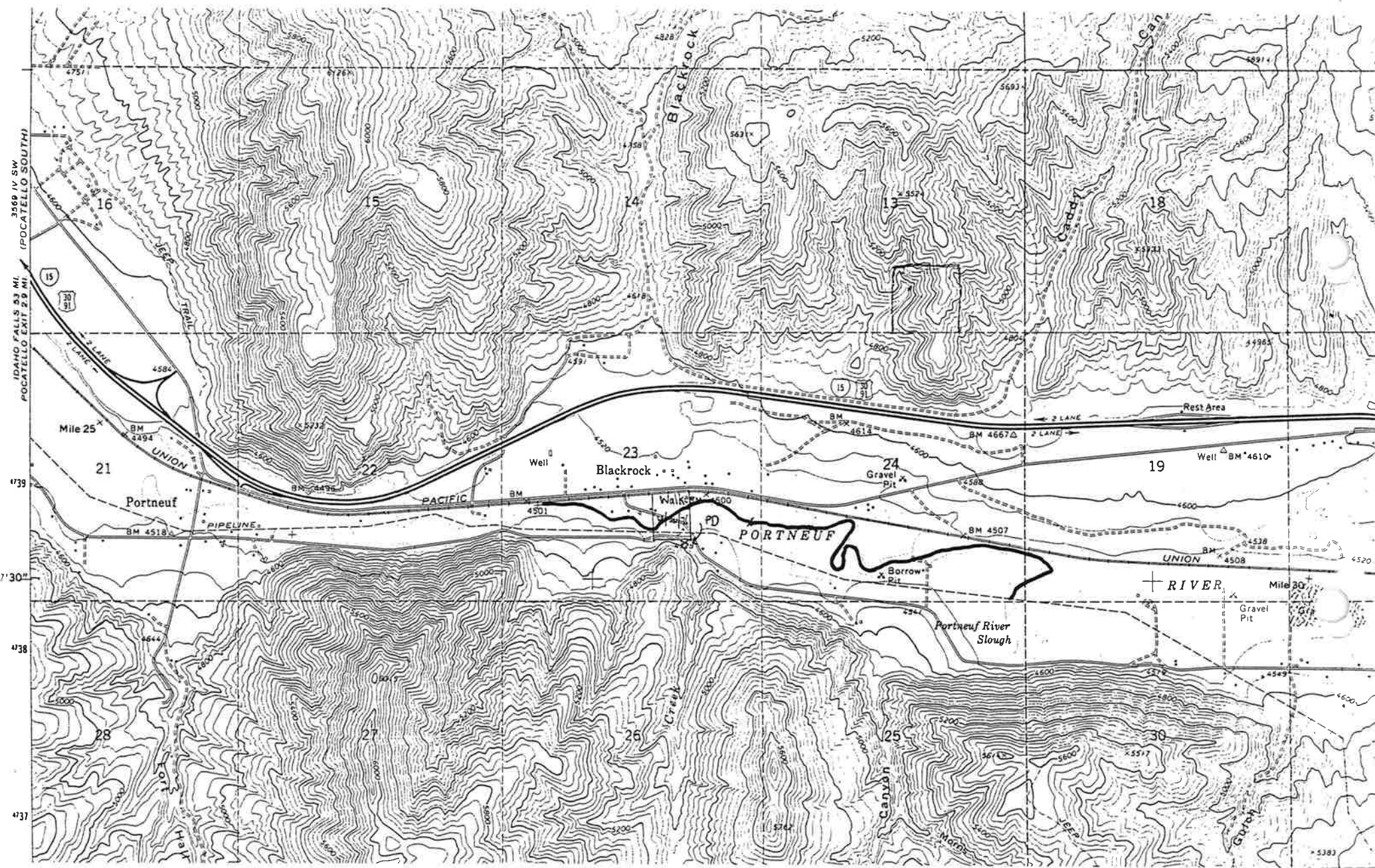
*I agree with this filing date as  
the diversion was placed on my brother's  
property.*

*P W Barron  
Geraldine Neeser*

SUBSCRIBED AND SWORN TO, before me, the undersigned Notary Public,  
this \_\_\_ day of January, 1995.

NOTARY PUBLIC  
STATE OF IDAHO  
J. COONE

*Joone*  
NOTARY PUBLIC-STATE OF IDAHO  
Commission Expires: *6/99*



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 29-13626  
Date Received: 6/29/1988  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CARMA B SMITH Phone: (208) 775-3604

5137 W PORTNEUF RD  
INKOM ID USA 83245

2. Date of Priority: 06/14/1867

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County  | Type |
|----------|-------|---------|-----------------------|---------|------|
| 07S      | 35E   | 23      | NE SE                 | BANNOCK |      |

5. Description of diverting works:

Pump to sprinkler system.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 1      |            |

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| 07S      | 35E   | 23      | SE         | SE  | IRRIGATION    | 15    |
|          |       |         |            |     | Section Acres | 15    |
| 07S      | 35E   | 24      | SW         | SW  | IRRIGATION    | 35    |
|          |       |         |            |     | Section Acres | 35    |
|          |       |         |            |     | Total Acres   | 50    |

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split, being a portion of 29-4065. DH 6/11/2003

15. Basis of Claim: Beneficial Use

16. Signature(s)

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