

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: A37-00791B
Date Received: 7/19/1988
Receipt No: S000994
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAURICE C. SMITH 208-837-6658
Address: 543 RIVER RD
BLISS, ID 83314

AND/OR
Name: DELORES SMITH 208-837-6658
Address: 543 RIVER RD
BLISS, ID 83314

2. Date of Priority: APR 01, 1888

3. Source: SPRING Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	13E	21	SE	NW	SE		GOODING

5. Description of diverting works:
HEADBOX & 12" PIPELINE TO GRAVITY IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.364		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 54.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

A37-00791B

Page 1

Date: 07/19/88

COPY

MICROFILMED

FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	13E	21	NE	SW	IRR DOMEST	18.2
Section Acres						18.2
Total Acres						18.2

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
PART OF 37-0791 DECREE

14. Remarks:
LIC. 37-2411 WILL NOT BE CLAIMED, WATER SPLIT BETWEEN 3 OWNERS,
SAME WATER COVERED BY DECREED RIGHT.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

Decree Defendant

COPY

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FEB 23 1993

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): Delores J. Smith Date: 7/19/88

Date: _____

State of Idaho)
County of T.F.) SS.

Subscribed and sworn (or affirmed) before me this 19th day

of July 19 88

Seal

Len White
Notary Public

Residing at T.F.

My Commission Expires 5/95

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FEB 23 1993

19/16
20/21

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(4846)

+517

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File with
37-00791 A

B
C
D
E

V. HANCOCK
DECREEED RIGHT 37-791

9-29-2000

A SHALLOW ANALYSIS DONE IN PREPARATION FOR MEETING WITH CLAIMANT J.
TED TALBOT re: CLAIM 37-791A

Mr. Talbot came into the office subsequent to a meeting with Water Measurement Bureau personnel who noted that he was diverting and putting to use much more than was claimed by him in the Adjudication as his portion of decreed right 37-791. Before my meeting with Mr. Talbot on 10-2-2000 I found the following information about this right as claimed this date:

Decreed Water Right 37-791 - Priority 1888 - Decree date May 1913

2 cfs

POU = SWNE, NWSE & NESW (LOT 2), SEC 21, T06S, R13E - 135 ac more or less

Source - Springs tributary to the Montana Mining Company Ditch

Note that the Decree did not indicate if all uses and users from the springs were included in the decree, and all rights were given the same priority date.

Adjudication Claims filed and based upon 37-791:

- 791A 0.34 cfs on 11.0 ac
- 791B 0.36 18.2 ac
- 791C 0.18 6.3 ac
- 791D 0.90 30.0 ac
- 791E 0.11 5.0 ac
- 1.89 cfs 70.5 ac

} this does not include any
domestic or stockwater
claims that may exist

In 1921, a permit to appropriate water for use on 101 acres, in the same location and from the same source, was applied for and protested by other decree holders. A license was subsequently issued for 1.06 cfs for use on 53 acres. A more thorough investigation, using readable copies of documents from the file, will have to be conducted before it can be determined if this was intended to be additional water licensed to the property, if the license superceded the decree, or if it somehow evidences water use on the property circa 1921, etc.

Licensed Water Right 37-2411- Priority date 7-18-1921 - Issued 2-1922

1.06 cfs

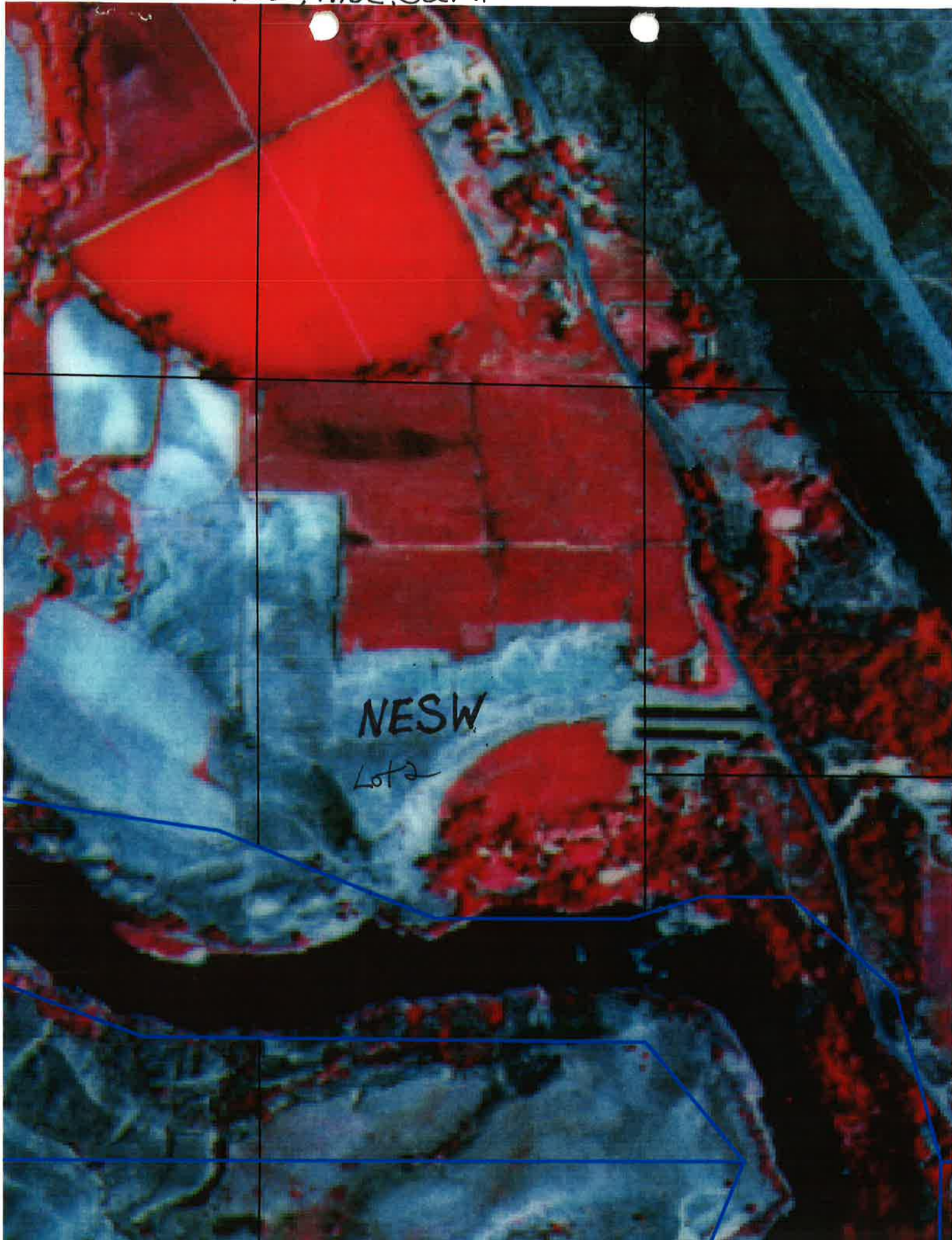
POU = SWNW 5ac, NWSE 4ac, NESW (LOT 2) 44ac = 53 acres

Source - Two unnamed springs tributary to Snake River

Adjudication Claims

- 37-02411 1.06 cfs 5.0 ac
- 37-02411A .05 2.5 ac
- 1.11 cfs 7.5 ac

T06S, R13E, Sec. 21



37-791B

5-2-02

837-6658

Bonnie Smith is working on getting the signatures of her siblings on the O/C form, so all four of them will be the new owners (Maurice & Delores Smith) (parents deceased). She will then probably amend the diversion rate to 0.5 cfs which will make the right overclaimed and analysis can occur at review —

R

(may take awhile - some siblings as far away as Alaska; Jamaica)

37-791A, B, D

37-791

37-20490
(Smith estate)37-20491
(for log)

$$A = 11 \text{ Ac.} \quad .34 \text{ cfs}$$

$$B = 18.2 \text{ Ac.} \quad .36 \text{ cfs}$$

$$C = 6.3 \text{ Ac.} \quad .18 \text{ cfs}$$

$$D = 26.3 \text{ Ac.} \quad .79 \text{ cfs}$$

$$E = 5 \text{ Ac.} \quad .11 \text{ cfs}$$

$$20491 \quad 3.7 \text{ Ac.} \quad .11 \text{ cfs}$$

$$70.5 \text{ Ac.} \quad 1.89$$

$$2 \div 70.5 \text{ Ac.} = .028 / \text{Ac.}$$

$$.028 \text{ cfs/Ac.} \times 18.2 \text{ Ac.} = 0.5 \text{ cfs}$$

amend to ↑