

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



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

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

Notice is hereby given that T. CRAIG SMITH
(Name of Claimant)
Robin Road, Arimo, Idaho 83214 Telephone No. 254-3981
(Mailing Address) (Zip Code)

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

(1) Date of priority: (When was the water first applied to a beneficial use) April 1942
A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
MARSH CREEK tributary to PORTNEUF RIVER

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

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>2cfs</u>	Use	<u>Irrigation</u>	Period of Use From <u>4/1</u>	To <u>10/1</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 2 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
(SW SW) Lot #8 $\frac{1}{4}$ Sec. 7 Twp. 10S Rge. 37E B.M., County of Bannock
Additional points of diversion:

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

(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.

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
10S	37E	7	lot 1	3	lot 4		lot 5	lot 6			lot 7	lot 8							75
				8		7		25	15		5	15							

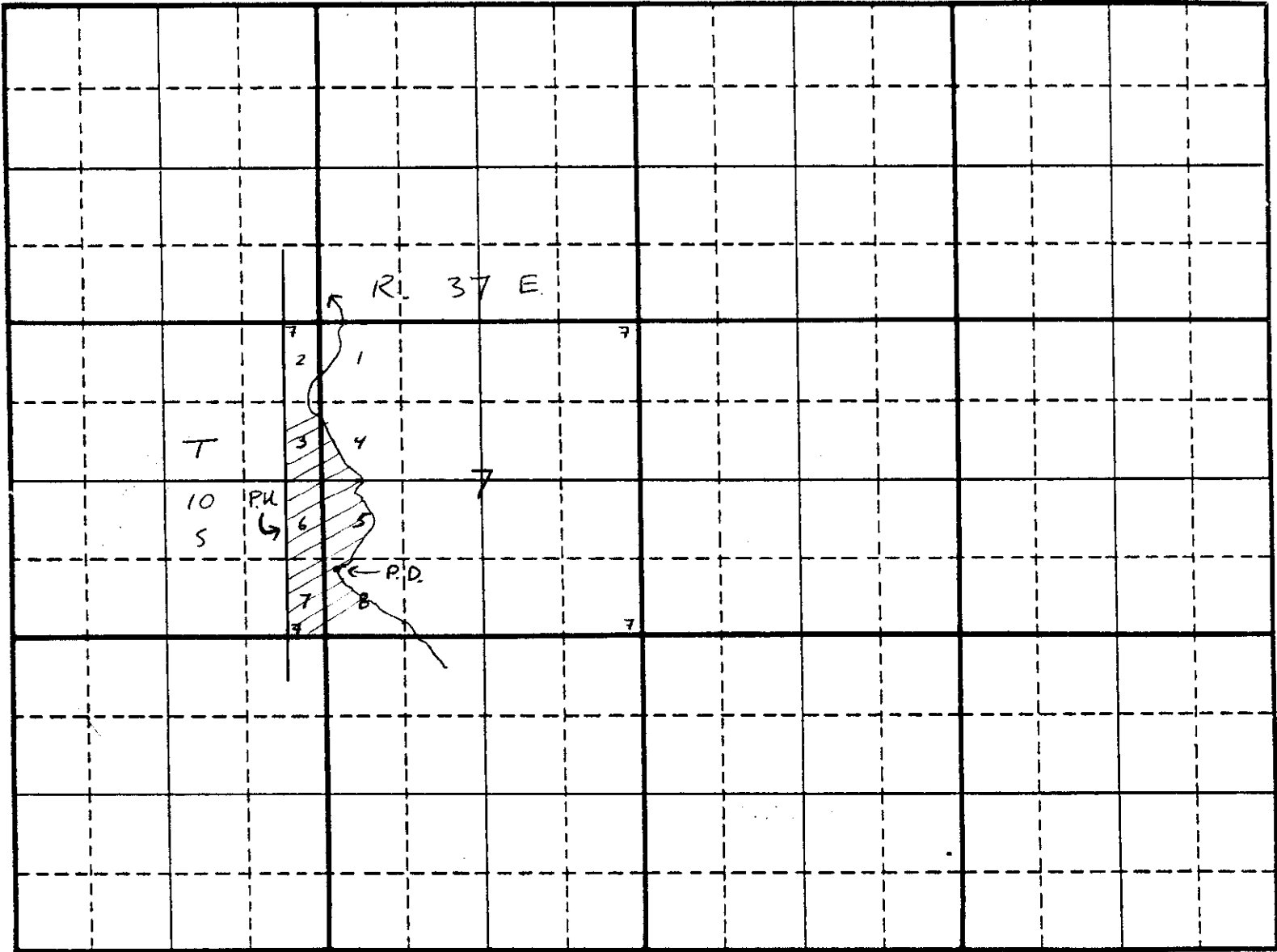
No. of acres 75

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

NOTE: Include here the type and number of stock watered:
If you are claiming water as a member of an organization, list name of organization:

RECORDED

(8) Remarks SEE ATTACHMENT



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bonneville) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 27th day of March

T. Craig Smith
(Claimant)

Charles Wray
Notary Public
Residing at Idaho Falls, ID

My commission expires 6/15/81

RECEIVED

FOR DEPARTMENT USE ONLY

Received by JK Date 27 MARCH 81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWS Date _____ claimant by: _____
\$30.00 fee received by AW Date 3-27-81
Published in Idaho State Journal #17140
Filed 4/29 & 4/30/81

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

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

MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Rosalee Olmstead

NOTICE OF CLAIMS TO
WATER RIGHTS
Notice is hereby given that the
following water rights have been established by
diversion and application to bene-
ficial use:
SMITH, T. CRAIG
ROBIN ROAD, ARIMO, ID 83214
Source: MARSH CREEK tributary to PORTNEUF RIVER
Priority Date: 04-01-1942
Amount: 2.00 CFS
Diversion Point: LOT 08 Sec 07 T
105 R 37E, BANNOCK Co.
Use: IRRIGATION (2.00 CFS)
from 04-01 to 10-01
Place of Use: LOT 03 (NWNE)
LOT 04 (SENE) LOT 05 (NWNW)
LOT 06 (SESW) LOT 07 (NWSW)
LOT 08 (SESW) Sec 07 T 105 R
37E FOR 75 ACRES
Diversion Means: PUMP, PIPE-
LINE & DITCH.
Any exception to any claim of
water right may be filed with the
Director of the Idaho Department
of Water Resources, 150 Shoup
Ave., Idaho Falls, Idaho 83401.
S/C, Stephen Allen
Director
April 9, 1981
No. 614

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of Ameri-
ca, more than 21 years of age, and the Principal Clerk of THE IDAHO
STATE JOURNAL, a daily newspaper, printed and published at Pocatello,
Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

<u>April 9</u>	<u>19 81</u>	<u>19</u>
<u>April 16</u>	<u>19 81</u>	<u>19</u>
	<u>19</u>	<u>19</u>
	<u>19</u>	<u>19</u>
	<u>19</u>	<u>19</u>

That said paper has been continuously and uninterruptedly published
in said County for a period of seventy-eight weeks prior to the publication
of said notice or advertisement and is a newspaper within the meaning
of the laws of Idaho.

Rosalee Olmstead

Subscribed and sworn to before me this 21st

day of April, 1981

[Signature]

Notary Public, State of Idaho

Residence: Pocatello, Idaho

RECEIVED

APR 22 1981

Department of Water Resources
Eastern District Office

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

29-4189

SMITH, T. CRAIG
ROBIN ROAD, ARIMO, ID 83214
Source: MARSH CREEK tributary to PORTNEUF RIVER
Priority Date: 04-01-1942
Amount: 2.00 CFS
Diversion Point: LOT 08 Sec 07 T 10S R 37E, BANNOCK Co.
Use: IRRIGATION (2.00 CFS) from 04-01 to 10-01
Place of Use: LOT 03 (NWNE) LOT 04 (SENE) LOT 05 (NWNW) LOT 06 (SENE) LOT 07 (NWSW) LOT 08 (SESW) Sec 07 T 10S R 37E FOR 75 ACRES
Diversion Means: PUMP, PIPE, LINE & DITCH.
Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401.
S/C. Stephen Allred
Director
April 9, 16, 1981
No. 614

being first duly sworn on oath deposes and says: That was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

_____	, 19 ____	_____	, 19 ____
_____	, 19 ____	_____	, 19 ____
_____	, 19 ____	_____	, 19 ____
_____	, 19 ____	_____	, 19 ____
_____	, 19 ____	_____	, 19 ____

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Rosalea Olmstead

Subscribed and sworn to before me this _____

day of _____, 19 ____

Stephen Allred

Notary Public, State of Idaho
Residence: Pocatello, Idaho

RECEIVED

APR 22 1981

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWS

Right Number 29 4189 Applicant Smith

NOTE: *IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.*

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

4/27

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date April 30, 1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Hansen Date 5/8/81

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

APRIL 29, 1981

T. CRAIG SMITH
ROBIN ROAD
ARIMO

ID 83214

RE: Claim No. 29-4189

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

APRIL 2, 1981

Idaho State Journal
P. O. Box 431
Pocatello, Idaho 83201

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 27, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

RECORDED
INDEXED

NOTICE OF CLAIMS TO WATER RIGHTS

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Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 .

C. STEPHEN ALLRED

Director

Published 4/09 & 4/16/81.

MICROFILMED

29-4189

SMITH, T. CRAIG

ROBIN ROAD, ARIMO, ID 83214

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Priority Date: 04/01/1942

Amount: 2.00 CFS

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LOT 07 (NWSW) LOT 08 (SESW) Sec 07 T 10S R 37E FOR 75 ACRES

Diversion Means: PUMP, PIPELINE & DITCH.

MICROFILMED