

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 BEAR RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 79576

Claim ID: 11-7774
Date Received: 11/17/24
Receipt No: P000719
Claim Fee: 25.00 By: mb

RECEIVED

JAN 17 2024

IDWR/Preston

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

Please type or print clearly

- Name of claimant(s) Janet Smith Trust Phone (208) 847-5750
Mailing address 2808 East Hwy 36 Preston ID Zip 83263
Street or Box City State
Email address (optional) ashkc09@hotmail.com
- Date of priority: (Only one per claim) 7/15/2013 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water () or Other (✓) (a) Spring
which is tributary to (b) Sinks
- Location of point of diversion is: Township 12S, Range 42E, Section 24,
NE 1/4 of NW 1/4, or Govt. Lot _____ BM, County of _____;
Parcel no. _____
Additional points of diversion, if any: _____
If available, GPS coordinates: _____
- Description of diverting works (wells, pumps, spring boxes, pipelines, etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.
Cattle Drink directly out of the spring
- Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)
For Stockwater Use purposes from 04/01 to 10/31 amount .01 cfs (✓) or AFY ()
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed .01 cfs (✓) or AFY ()
- Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
Stockwater

9. Location of place of use is: Township 12S, Range 42E, Section 24,
NE 1/4 of NW 1/4, Govt. Lot _____ BM, Parcel no. _____
If different than shown in Item 4
for (check one) **Domestic** () **Stock** (✓) **Domestic and Stock** ()

Additional places of use, if any NON

10. In which county(ies) are lands listed above as place of use located? Bear Lake County

11. Do you own the property listed above as place of use? Yes (✓) No ()
If the answer is No, describe in Remarks below the authority you have to claim this water right.

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

13. Remarks (include an explanation of the priority date selected):

Filed on spring on this date 07/15/2013

14. Basis of claim (check one) **Beneficial Use** () **Posted Notice** () **License** (✓) **Permit** () **Decree** ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 11-7774

15. **Signature(s)**

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."

(b.) I/We do () do not (✓) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Trustee of Janet Smith Trust,
Agent's title (Please print) Name of organization (Please print)

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

Signature of Authorized Agent KC Smith Date 1-17-24

Printed Name of Authorized Agent KC Smith

16. **Notice of Appearance:**

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

Signature _____ Date _____

Address _____

Name of claimant(s) _____ Claim ID _____

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

1/10/2024

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 11-7774

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JANET SMITH
Current Owner	KC HYRUM SMITH
	5868 DRY FORK CANYON RD
	VERNAL, UT 84078
	2082264407

Priority Date: 07/15/2013

Basis: License

Status: Active



Source Tributary

SPRING SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	04/01	10/31	0.01 CFS	1.3 AFA
Total Diversion			0.01 CFS	1.3 AFA

Location of Point(s) of Diversion:

SPRING|NWNENW|Sec. 24|Township 12S|Range 42E|BEAR LAKE County

STOCKWATER Use:

Number of stock: 150

Place(s) of use:

Place of Use Legal Description: STOCKWATER BEAR LAKE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
12S	42E	24		NENW										

Conditions of Approval:

1. 111 This right authorizes the watering of livestock directly from the spring without a diversion.
2. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.

Dates:

Licensed Date: 06/16/2020

Decreed Date:

Permit Proof Due Date: 9/1/2019

Permit Proof Made Date: 9/4/2019

Permit Approved Date: 8/21/2013

Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date: 05/10/2013
Protest Deadline Date: 07/08/2013
Number of Protests: 0

Other Information:
State or Federal:
Owner Name Connector: AND/OR
Water District Number: EXC
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False