

Claim Identification No. A29-10010



CLF

Mr. Smith's house and lawn

3-15-90



CLF

Faucet on end of pipe, east side of Mr. Smith's lawn 3-15-90



CLF

Looking west towards Mr. Smith's home. The fruit trees are visible on the left side of the photo. 3-15-90

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
R29-10010	THERON SMITH 5137 W PORTNEUF RD INKOM ID 83245	01/02/1969	IRRIGATION	04-01 10-31	0-0+ CFS 0.000	BENEFICIAL USE

TOTAL DIVERSION RATE: 0-0+ CFS
TOTAL DIVERSION VOLUME: 0.00 AFA
CONSUMPTIVE USE: 0.9 AFA

SOURCE: PAPOOSE CREEK
TRIBUTARY: PORTNEUF RIVER

POINT OF DIVERSION:
T07S R35E S26 NENWNE

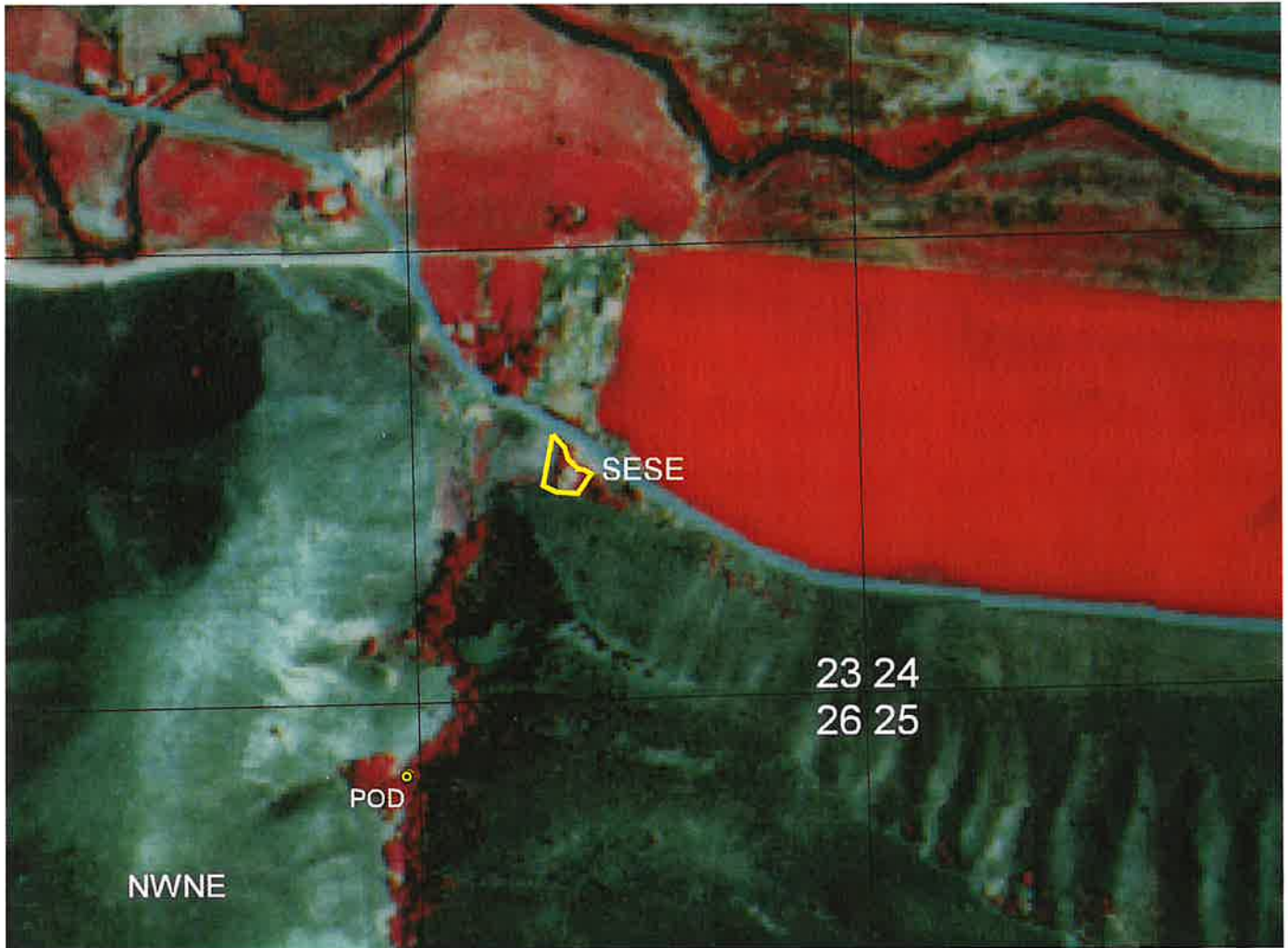
PLACE OF USE: IRRIGATION
T07S R35E S23 SESE 0.3
0.3 ACRES TOTAL

CONDITIONS OF APPROVAL:

REMARKS: THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 29-04064B, 29-04064C, 29-04064D

OTHER RIGHTS: ~~29-10011B AND DOMESTIC WELL~~
29-04064A,
NONE

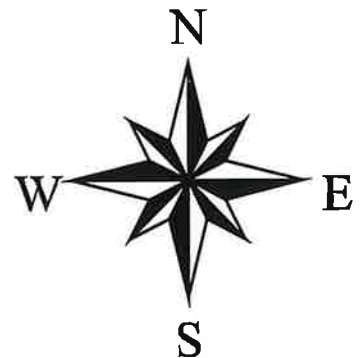
29-10010



600 0 600 1200 1800 2400 Feet

T07S R35E S23

Map prepared by: Carter Fritschle
Date prepared: 05/10/01
1987-1988 NAPP photography
Idaho Department of Water Resources



11/13/2002

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

RIGHT NUMBER: 29-10010

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

SOURCE: PAPOOSE CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.006 CFS

PRIORITY DATE: 01/02/1969

POINT OF DIVERSION:

T07S R35E S26 NENWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4/01 10/31

QUANTITY
0.006 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S23 SESE 0.3

0.3 ACRES TOTAL

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

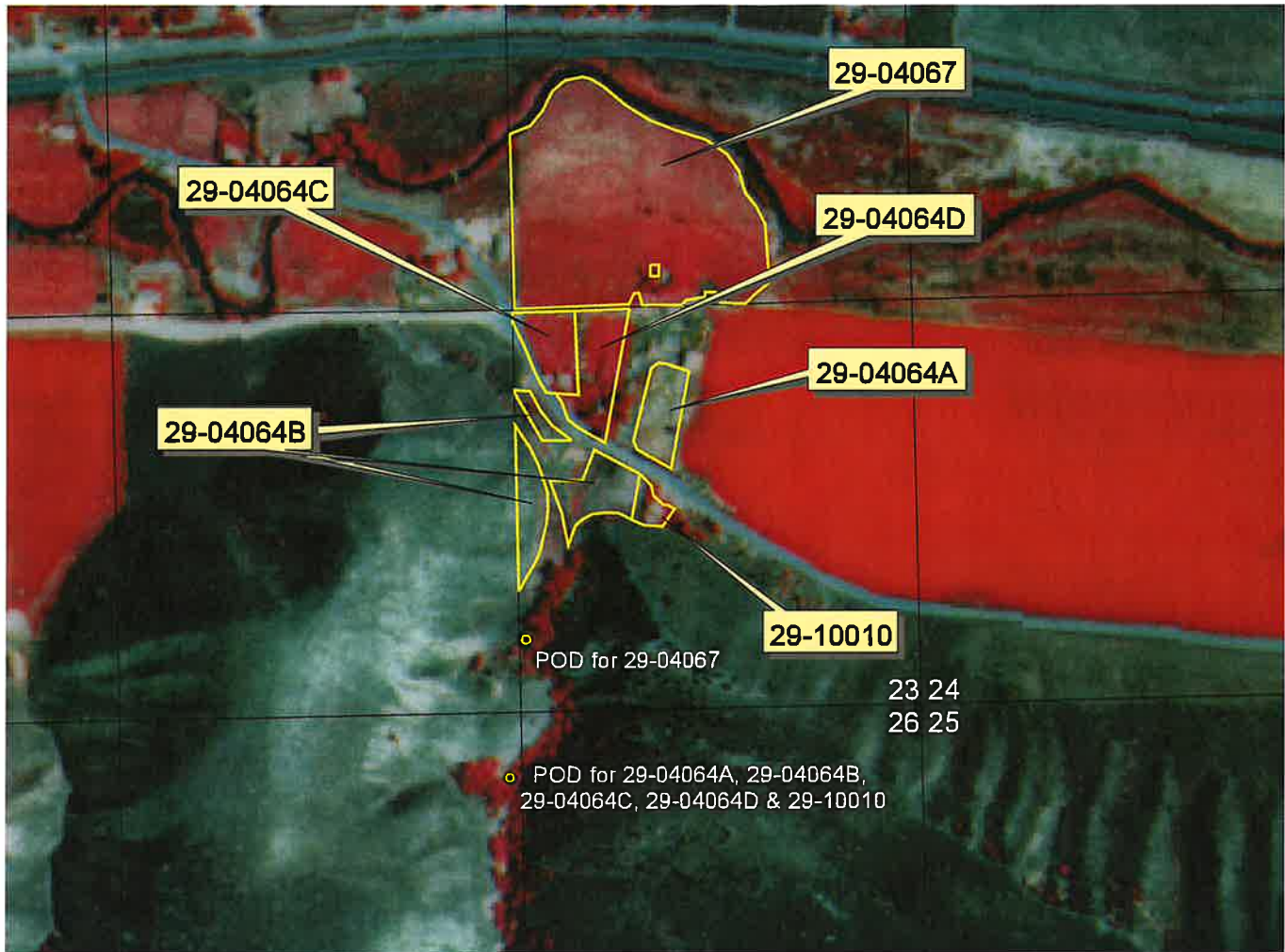
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-04064A, 29-04064B, 29-04064C,
29-04064D

A FINAL PARTIAL DECREE WAS ISSUED FOR THIS RIGHT IN SMITH V.
SCOFFIELD AS PART OF THE SRBA ON NOVEMBER 4, 1992.

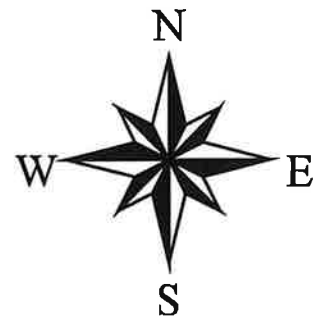
Papoose Creek Water Rights



500 0 500 1000 1500 Feet

T07S R35E S23 & S26

Map prepared by: Carter Fritschle
Date prepared: 05/10/01
1987-1988 NAPP photography
Idaho Department of Water Resources



RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
A29-10010	THELSON SMITH 5137 WEST PORTNEUF ROAD INKON ID 83245	01/02/1969	IRRIGATION	04-01 11-01	0.02 CFS	BENEFICIAL USE
					0.02 CFS TOTAL	
					0.00 AFA TOTAL	

SOURCE: PAPOOSE CREEK
OTHER RIGHTS: A29-04064A SAME P/D AND PIPELINE.
CONDITIONS OF APPROVAL:

TRIBUTARY: PORTNEUF RIVER

REMARKS:

POINT OF DIVERSION:
T07S R35E S26 NWNE

PLACE OF USE: IRRIGATION
T07S R35E S23 SESE 1.0
1.0 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R29-10010
Last Name -
*** C - CURRENT OWNER ***
SMITH

Prefix Translation:
+ First Name -

Old (D) Number -
Address -
1 - 5137 W PORTNEUF RD
2 -
3 -
City- INKROM
Phone - 208-775-3604
1 - PO BOX 1641
2 -
3 -
City- POCATELLO
Phone - 208-000-0000
State- ID Zip- 83245
State- ID Zip- 83204
Status -
Tributary
PORTNEUF RIVER

*** A - ATTORNEY ***
HOLMES

THOMAS J.

+ Priority Date -
01/02/1969

+ Source -
PAPOOSE CREEK
Region -
ERROR IN REGION

+ Twn Rng Sec Tract Lot RPlg County Point of Diversion
07S 35E 26 NE NW NE

Code (5) BANNOCK

01 - IRRIGATION
Description
Period From Water Use
Period To

+ Total Div. Rate + Total Div. Volume +
0.010 04/01 10/31
Diversions Rate
Diversions Volume

+ Twn Rng Sec Tract Lot Acres Place of Use Code
07S 35E 23 SE SE
0.3
01 IRRIGATION
Description
+ Total Consumptive Use + KW Usage +
0.9
County
(5) BANNOCK

+ Diversion Means - PIPELINE FROM CREEK TO SPRINKLER SYSTEM
+ Non-Irrigation Use
+ Other Rights for Same Use - 29-10011B AND DOMESTIC WELL
Total Acres: 0.3
RESEARCH

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 29-04064B, 29-04064C, 29-04064D

Ready to verify

✓ Right Numbers

Decree Defendant

--Comments--
No Comments Found

AD-743NP

1 FRITSCHL

Report Filing

Report Filing	Section Filed Date	Response Filed Date	Claim Received Date
-	00/00/0000	00/00/0000	00/00/0000
-	00/00/0000	00/00/0000	00/00/0000
-	06/29/1988		

Field	Inspection Made	Flags Area
Field Inspection Flag	- 03/15/1990	
Verified Date	- 00/00/0000	
Last Amended Date	- 00/00/0000	
Receipt Number	- E000563	
POU Ownership Flag	- Y	
Name Connector		

Civil Case Number	-	-
Old Case Number	-	39576
Temporary District	-	
Water District	-	P
Federal/State Indicator	-	S
Presumption Flag	-	
Notice of Error Flag	-	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:24:37
11/29/91

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A29-10010

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y		CA 3-15-90	N	6	CA 12-5-91	CA 12-10-91	
POINT OF DIV	Y		CA 3-15-90	Y	5			
SOURCE	Y		CA 3-15-90	N	5			
PLACE OF USE	Y		CA 3-15-90	N	5			
DIV. AMOUNT CFS/VOLUME	Y		CA 10-18-90 CA 4-9-91	~~N~~ Y	5	CA 12-27-91	CA 12-27-91	
CONSUMPTIVE USE	-		CA 3-15-90	Y	5	CA 12-27-91	CA 12-27-91	
PURPOSES			CA 3-15-90	KN	5	CA 12-27-91	CA 12-27-91	
PERIOD OF USE			CA 3-15-90	NY	6	CA 12-10-91		
BASIS OF CLAIM	Y		CA 3-15-90	N	6			
REMARKS								

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:24:37
11/29/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A29-10010

LAST: SMITH
ADDRESS: 5137 ~~W~~ PORTNEUF RD
CITY: INKOM
PHONE NUMBER: 208-775-3604

FIRST: THERON
STATE: ID ZIP: 83245

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

FIELD EXAMINATION INFORMATION

CONTRACT PERSON: Thomas Holmes Attorney
DATE OF FIELD EXAM: 3/15/90 APPOINTMENT MADE: Y(☒) N(☐)
ACCOMPANIED BY: Tuck Smith

PHONE NUMBER: (208) 775-3604

TIME: 9:00 A(M) P()

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

Exit 63 from I 15, Turn left. Go 2 miles east along R.R. tracks. Take first public crossing (there are 2 private crossings before the public crossing) turning right across R.R. tracks. Go 0.4 miles to brick home on right hand side of road (5137 W. Portneuf Rd) 2 steel granaries on opposite side of road.

A. AJ CLAIM: # A29-10010 PRIORITY DATE: 01-02-1969 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED? DATABASE Y FIELD EXAMINER N

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

REMARKS: Accept as claimed. See Affidavit of Carme B. Smith
dated December 19, 1990 Exhibit "A" page 2. It is a statement
by Grace Palmer supporting a 1969 priority date for this
right.

RECOMMENDED PRIORITY DATE:

1-2-1969

REVIEWED BY

CA

DATE

12-5-91

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A29-10010	07S	35E	26		NW	NE		BANNOCK

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX	NONE
A29-04064A		29-04064A
A29-04064C		29-04064B
A29-04064D		29-04064C
		29-04064D
		29-04064E

SOURCE: PAPOOSE CREEK

TRIB: PORTNEUF RIVER

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	Y	<u>N</u>
		Y	<u>N</u>

REMARKS:

Corrected to 10 acre tract.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:		TWP. RGE. SEC.		1/4 1/4		LOT	COUNTY
76	35E 810	NE	WD	NE			Barnock
SOURCE: Papoose Creek							
REVIEWED BY: [Signature]							
TRIB: Portneuf River						DATE: 12-5-97	

A. ROOT WATER RIGHT NUMBERS: A29-10010

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	35E	23	SE	SE		SMITH, THERON	A29-10010 / 1.0	-			
			SE	SE		SMITH, THERON	A29-04064A / 1.8	29-04064A / 2.0			
			SE	SE		THERON, SMITH	A29-04065 / 15.0	29-04065 / 25.0			
			SE	SE		SMITH, THERON	A29-10011 /	-			
			SE	SE		SCOFFIELD, JR., RONALD J.	A29-04064B / 8.2	29-04064B / 8.0			
			SE	SE		SCOFFIELD, JR., RONALD J.	A29-10103 /	-			
			SE	SE		CROXALL, BILLIE J.	A29-10101 /	-			
			SE	SE		PALMER, GRACE	A29-10102 /	-			
			SE	SE		PALMER, JOSEPH	A29-04064C / 1.1	29-04064C / 1.0			
			SE	SE		MATTHEWS, TRACY R	A29-04064D / 1.5	29-04064D / 2.0			
			SE	SE		THOMPSON, HYRUM MARTIN	A29-04064E / 1.5	29-04064E / 2.0			
			SE	SE							
TOTAL ACRES						A29-10010	1.00		13.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N (X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE Y FIELD EXAMINER

PRESUMPTION FLAG:

REMARKS:

less than 1/2 acre of irrigation - recommend as a domestic right for town irrigation.

RECOMMENDATIONS:

TOTAL ACRES:

Domestic 0.3

REVIEWED BY:

CT

DATE:

12-27-91

A. AJ CLAIMED USES:

PURPOSES
A29-10010 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY

.020 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.020 CFS

B. WR RECORDED USES:

PURPOSES

MONTH/DAY

DIVERSION QUANTITY

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	FIELD EXAMINER	DATABASE	(Y/N)
DUE TO WATER-USE DISCREPANCY?	<u>N</u>	N	(Y/N)
DUE TO DIVERSION RATE DISCREPANCY?	<u>N</u>	Y	(Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY?	<u>N</u>	N	(Y/N)

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

REMARKS:

Recommend new standard

Y (~~X~~) N ()
Y (X) N ()

Explain in remarks, below.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N(X)

AJ TOTAL CLAIMED DIVERSION RATE: 0.020 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD DATABASE EXAMINER
Y

B. MEASUREMENT METHOD Open Channel Flowing, see attached calculations.
meter

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW. — Domestic well & spring

OTHER RIGHTS LISTED IN CLAIM: A29-04064A SAME P/D AND PIPELINE.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-10010	PAPPOOSE CREEK	SMITH, THERON	0.020	0.020		
A29-04064A	PAPPOOSE CREEK	SMITH, THERON	0.040	0.022		
A29-04064B	PAPPOOSE CREEK	SCOFFIELD, JR., RONALD J.	0.164	0.020		
A29-04064C	PAPPOOSE CREEK	MATTHEWS, JOSEPH	0.022	0.020		
A29-04064D	PAPPOOSE CREEK	THOMPSON, TRACY R	0.031	0.020		
A29-04065	PORTRNEUF RIVER	THERON, SMITH	1.460	0.020		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-10011	DOMESTIC	SMITH, THERON	FROM 01-01 TO 12-31	.020 CFS	
A29-10011	STOCKWATER	SMITH, THERON	FROM 01-01 TO 12-31	.020 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES .3 x 0.02 CFS/ACRE = 0.006 CFS
(Taken from p/u review)

.3 x .03 = 0.009 cfs 1b. CALCULATIONS
x 0.01 cfs

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 2.5 AF/A

ACRES 0.3 x CONSUMPTIVE VOL. AF/A FOR AREA 3 N.A. =

TOTAL CONSUMPTIVE USE 0.9 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA N.A. =

TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

~~recommend 0.02 cfs
without any
consumptive use
(de minimus)~~
c4 12-27-91

**REC.
PURPOSES**

REC. PERIOD
FROM TO

REC.	DIV	RATE	CFS
1	1	1	1
2	2	2	2
3	3	3	3
4	4	4	4
5	5	5	5
6	6	6	6
7	7	7	7
8	8	8	8
9	9	9	9
10	10	10	10
11	11	11	11
12	12	12	12
13	13	13	13
14	14	14	14
15	15	15	15
16	16	16	16
17	17	17	17
18	18	18	18
19	19	19	19
20	20	20	20
21	21	21	21
22	22	22	22
23	23	23	23
24	24	24	24
25	25	25	25
26	26	26	26
27	27	27	27
28	28	28	28
29	29	29	29
30	30	30	30
31	31	31	31
32	32	32	32
33	33	33	33
34	34	34	34
35	35	35	35
36	36	36	36
37	37	37	37
38	38	38	38
39	39	39	39
40	40	40	40
41	41	41	41
42	42	42	42
43	43	43	43
44	44	44	44
45	45	45	45
46	46	46	46
47	47	47	47
48	48	48	48
49	49	49	49
50	50	50	50
51	51	51	51
52	52	52	52
53	53	53	53
54	54	54	54
55	55	55	55
56	56	56	56
57	57	57	57
58	58	58	58
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70	70	70	70
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72	72	72	72
73	73	73	73
74	74	74	74
75	75	75	75
76	76	76	76
77	77	77	77
78	78	78	78
79	79	79	79
80	80	80	80
81	81	81	81
82	82	82	82
83	83	83	83
84	84	84	84
85	85	85	85
86	86	86	86
87	87	87	87
88	88	88	88
89	89	89	89
90	90	90	90
91	91	91	91
92	92	92	92
93	93	93	93
94	94	94	94
95	95	95	95
96	96	96	96
97	97	97	97
98	98	98	98
99	99	99	99
100	100	100	100

REC. DIV
VOL. AF/A

REC. CONS.
USE

IRRIGATION

04-01

~~11-01~~
10-31

0.020

EXAMINER
8-62

10.0

DATABASE

EXAMINER

DATABASE EXAMINER

TOTAL FOR THIS RIGHT

2.5

$$\frac{1}{9} \text{ H.A.}$$

REVIEWED BY:

CA

DATE:

185

12-27-91

12-27-91

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
NEEDS
REVIEW

(X) ()
(X) ()
(X) ()
(X) ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 29-10010

DATABASE

EXAMINER

CFS

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

A29-10010

0.020

-

-

TOTAL CFS

0.020

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

*Recommend as domestic
Other rights A29-10011A and unclaimed ground water right*

FOG 29-04064B, 29-04064C, 29-04064D

AUTHENTICATION:

SIGNATURE:

Carter Fritschle

DATE:

12-3-91

NAME OF FIELD EXAMINER:

Carter Fritschle

TITLE:

Sr. W.R. Agent

CLAIM NUMBER: A29-10010

2.5 AFA

Stage: BENEFICIAL USE

BANNOCK County

TOTAL ACRES

Verified Date:

Field Inspection Flag:
Presumption Flag:

Field Inspection Flag:
Presumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Claim
Permit No. A29-10010

1. Owner: Theron Smith Phone No. 775-3604

Current Address: 5137 W. Portneuf Rd.

2. Accompanied by: Theron "Tuck" Smith EXAM. DATE: 3-15-90

Address: _____ Phone No. _____

Relationship to Permit Holder: Claimant

3. Source: Papoose Creek tributary to Portneuf River

B. OVERLAP REVIEW

1. Other water rights with same place of use: A29-10011, domestic well

☐ Copies Attached

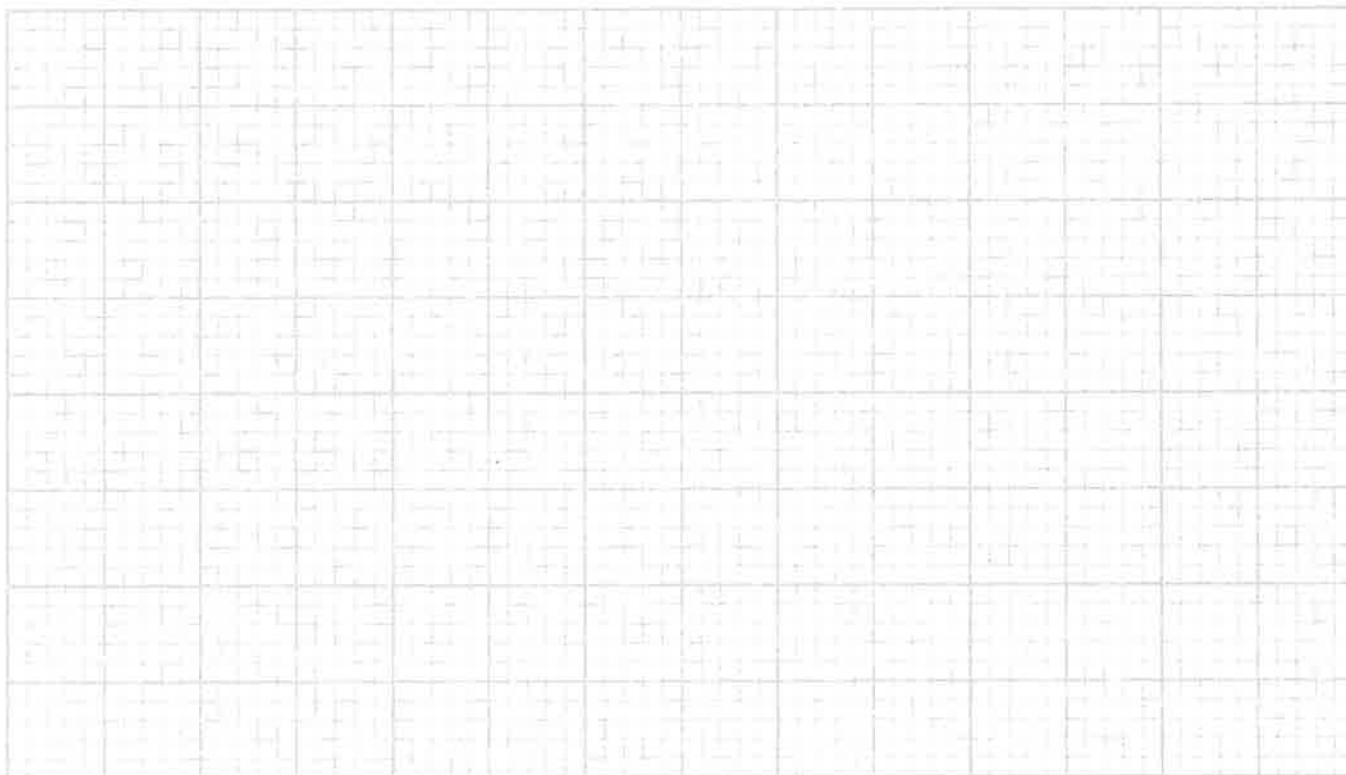
2. Other water rights with same point of diversion: A29-04064A, A29-04064B, A29-04064C
A29-04064D

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

System not operating, no measurements were made.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

and runs to the east side of Smith's lawn. The lawn and *fruit trees are irrigated with a garden hose. Total irrigation appears to be less than $1\frac{1}{2}$ acre.

and runs to the east side of Smith's lawn. The lawn and *fruit trees are irrigated with a garden hose. Total irrigation appears to be less than $1\frac{1}{2}$ acre.

1. Recommended Amounts

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (ata)
cf Domestic	4-1	0.02	NA.
Irrigation	4-1	0.01	NA.
	10-31		

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

Field Examiner's Name

Signature

Carter Frischle

Certification Date

Field Report Preparation Date

K. Licensing recommendation shall be prepared by employee on a computer printout attached hereto.

CONSULTANT SEAL

3-19-90

CLAIMANT(S): Theron Smith

ANALYSIS OF THE WATER USE

Mr. Smith uses this water for irrigating his lawn and some fruit trees (approximately 6) that are located east of his house. The total amount of land irrigated appears to less than 0.5 acres, not the 1 acre claimed. The lawn area around Mr. Smith's house appears red in the HAP photo dated 8-11-80. However, the area east of the house where the fruit trees are located appears gray.



CLF

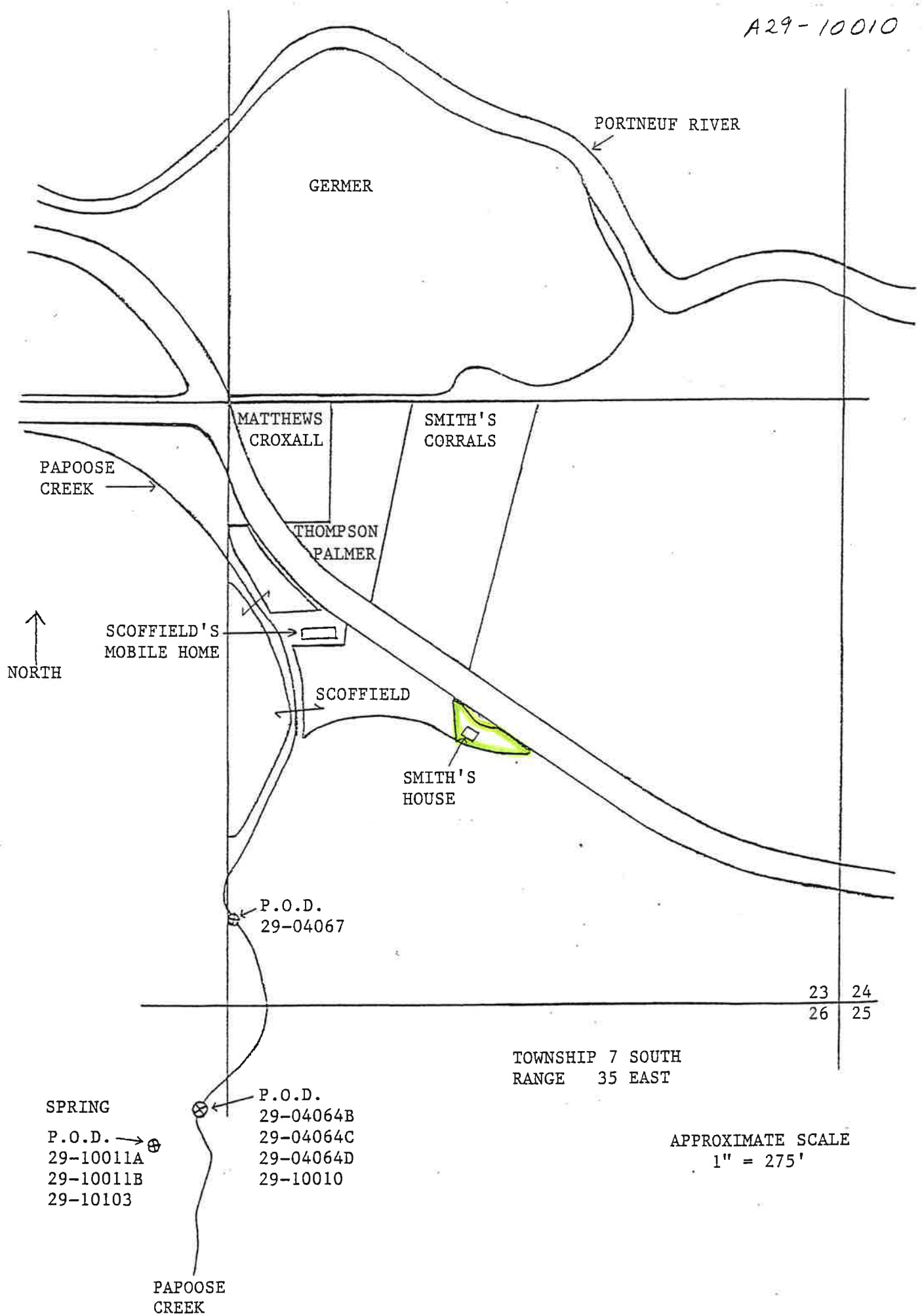
Point of diversion from Papoose Creek 3-15-90



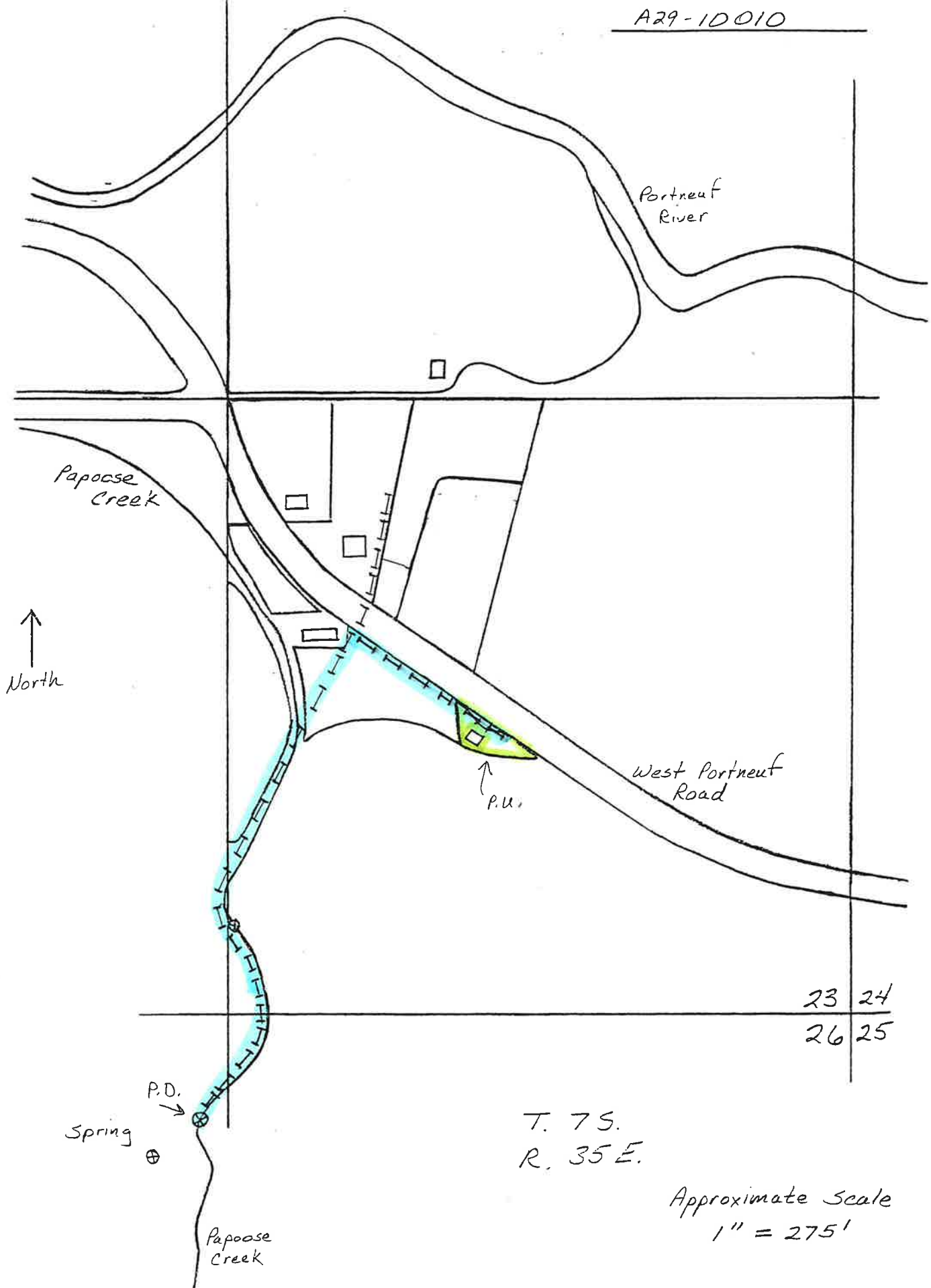
CLF

Trash screen, Papoose Creek is visible to the left
of the concrete box. 3-15-90





A29-10010



Water Right Number - A29-10010

Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number -

+ - - - - Last Name - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SMITH

THERON

1 - 5137 WEST PORTNEUF ROAD

2 -

3 -

City- INKON
Phone - 208-775-3604

State- ID Zip- 83245

+ - - Priority Date - - + + - - - Region - - + + - - Stage - - - + + - - Status - - - +
01/02/1969 J - BENEFICIAL USE+ - - - - Source - - - - + + - - - Tributary - - - - - - - - - - - +
PAPOOSE CREEK PORTNEUF RIVER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +
Twn Rng Sec Tract Lot Rflg County

07S 35E 26 NW NE (5) BANNOCK

+ - - - - - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume - - - - - +
Code Description Period From Period To

01 - IRRIGATION

04/01

11/01

0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.020 2.5+ - - - - - - - - - - - - - - - Place of Use - - - - - Description - - - - - County - - - - - +
Twn Rng Sec Tract Lot Acres Code

07S 35E 23 SE SE 1.0 01 IRRIGATION

(5) BANNOCK

Total Acres: 1.0

+ - - Diversion Means - PIPELINE FROM CREEK TO SPRINKLER SYSTEM

+ - - Non-Irrigation Use - NONE.

+ - - Other Rights for Same Use - A29-04064A SAME P/D AND PIPELINE.

+ - - - - - - - - - - - - - - - Remarks - - - - - No Remarks found. - - - - - +
No Remarks found.+ - - - - - - - - - - - - - - - Old Water Right Numbers - - - - - - - - - - - +
No Old Water Right Numbers found.+ - - - - - - - - - - - - - - - Conditions of Approval - - - - - Conditions of Approval found. - - - - - +
No Conditions of Approval found.+ - - - - Decree Plaintiff - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

Water right number - A29-10010 Adj. flag translation: Adjudication Temporary Work Area

+ - - Audit Fields - 06/29/88 MCC

[illegible]

Smith

North



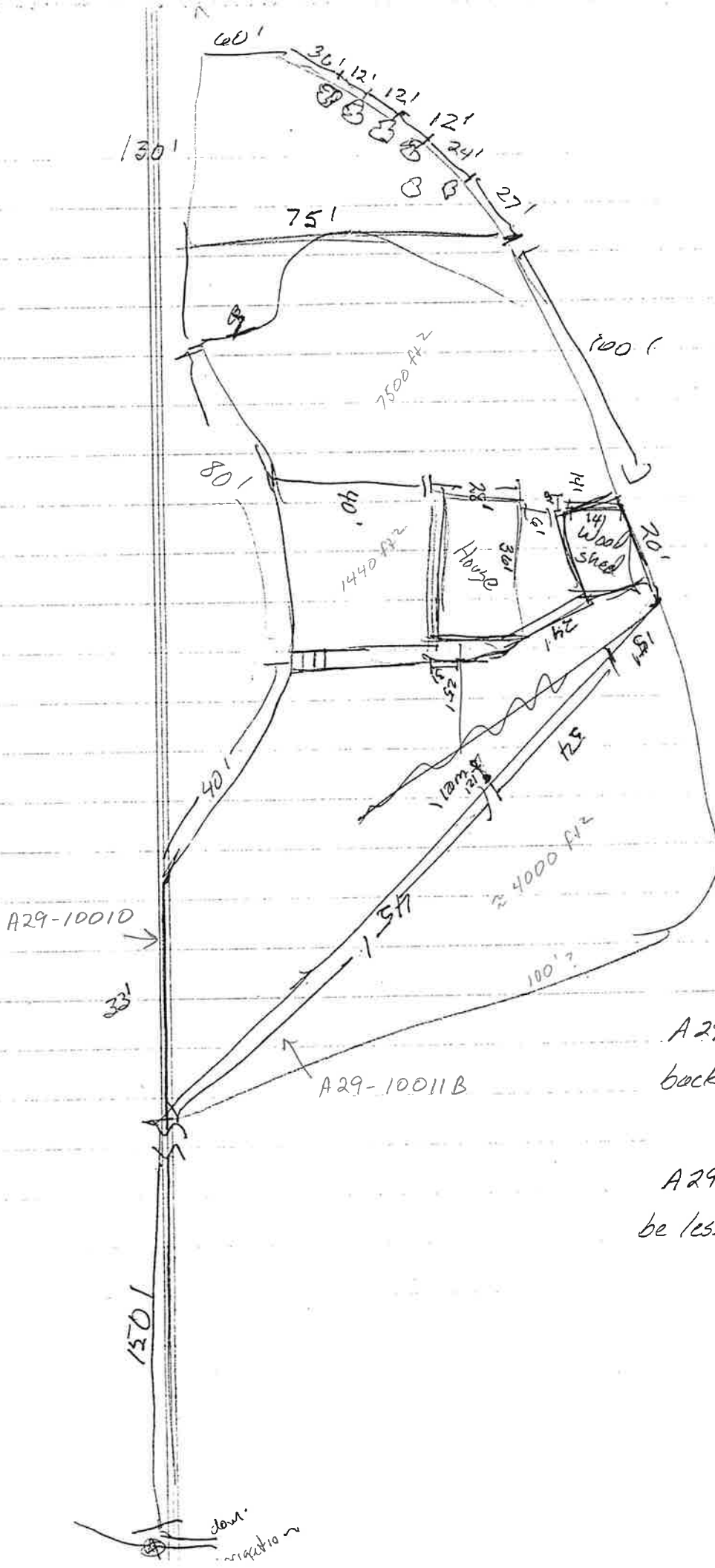
Approx. 12,940 ft²

$\frac{12940}{43560} \approx 0.3 \text{ ac}$

A29-10011B domestic use -
back up system for well.

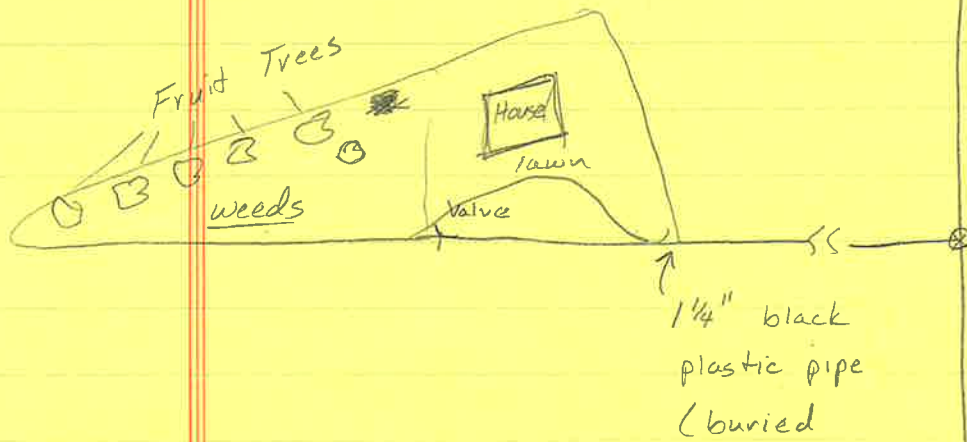
A29-10010 There appears to
be less than 1/2 acre of irrigation

3-15-90



A29-10010

Smith



6" mainline (buried)

North
↓

3-15-90

3-12-90 Theron Smith

A29-04064A

A29-10011

A29-10010

Appt. 9:00 A.M. Thursday 3-15-90

Directions Exit 63, Turn left 2 miles east along R.R. track. Take first public crossing (there are 2 private crossings before the public crossing) turning right across R.R. tracks. Go .4 miles Brick house on right-hand side of road (5137 W. Portneuf Rd.). 2 steel graneries on opposite side of road.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 20, 1990

Thomas J. Holmes
Attorney at Law
P.O. Box 1641
Pocatello, Idaho 83204

RE: Evidence of priority date for Notices of Claim to a Water Right filed in the Snake River Basin Adjudication (SRBA); claim numbers A29-10010, A29-10011, and A29-104064A

Dear Mr. Holmes:

The Notices of Claim to a Water Right referenced above have been filed in the SRBA in the name of your client, Theron Smith. The claims indicate the water usage is based on beneficial use. Beneficial use rights are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date the water was first put to use, known as the priority date, has not been confirmed by a license, decree or permit. Please note that certain beneficial use rights are identified as "Statutory Claims". A Statutory Claim is a beneficial use right that was recorded with the Department, but was not confirmed. Since the priority date of a beneficial use water right cannot be confirmed by a field examination, proof must be provided supporting the priority date.

Printouts of your client's claims are enclosed for your reference, as well as the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

It is the goal of the Department to recommend the historical water rights within the Snake River Basin as accurately as possible. A field examination to verify other items of the claims has been conducted. Since the Department cannot confirm the priority date the way other elements of the water right are confirmed by field examination we are asking for evidence of the priority shown on the Notice to make the record complete before recommending a beneficial use water right to the court.

Thomas J. Holmes
Page 2

The Department will not recommend the claims be decreed by the court as claimed if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date to the address shown below by December 20, 1990, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,



Carter Fritschle
Senior Water Resource Agent
Adjudication Bureau

Please submit documents to:

Idaho Department of Water Resources
Adjudication Bureau
1301 N. Orchard
Boise, ID 83706-2237

Enclosures:

"Evidence of Priority"
"Adj. Listing of Water Rights"



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Date: March 7, 1990

Thomas J. Holmes
Attorney at Law
P.O. Box 1641
Pocatello, ID 83204

Identification no. A29-04177, A29-10010, A29-10011, & A29-04064A

RE: Field examination of a water right claimed in the Snake
River Basin Adjudication

Dear Mr. Holmes:

We are planning to conduct water right field examinations in the vicinity of your client's water right claim on March 14 and 15, 1990. A field examination is needed to verify the water use. The field examiner will be visiting your client's property to obtain information necessary for the verification process.

A copy of the letter sent to your client is enclosed. If you wish to be present with your client at the time of the field examination, or if you have any questions regarding the field examination, you may contact this office at (208) 327-7862.

Sincerely,

Carter Fritschle
Senior Water Resource Agent
Adjudication Bureau

Enclosure:

Copy of letter to client



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Date: March 7, 1990

Theron Smith
5137 W. Portneuf Highway
Inkom, ID 83245

Identification no. A29-10010, A29-10011 & A29-04064A

RE: Field examination of a water right claimed in the Snake River
Basin Adjudication

Dear Claimant:

We are planning to conduct water right field examinations in the vicinity of your water right claim on March 14 and 15, 1990. A field examination is needed to verify your water use.

The field examiner will be visiting your property to obtain information necessary for the verification process. If you, or someone with knowledge of your water system could be available at the time of the field examination, it would be appreciated.

You will be contacted by telephone to schedule a time for the field examination. If you have any questions regarding the field examination, you may contact this office at (208) 327-7862.

Sincerely,

Carter Fritschle
Senior Water Resource Agent
Adjudication Bureau

MEMO

TO: File
FROM: Lynne Krogh-Hampe
DATE: February 12, 1990
RE: Smith v. Scoffield

I. CLAIMS (to Papoose Creek or spring trib to Papoose Creek)

A. Smith

A29-4064A* 1889, .04 cfs to irr 1.8 A (shows lot N of rd.)
A29-10011 1945, .02 cfs for D/1, S/100 (shows same lot, source spring)
A29-10010 1969, .02 cfs to irr 1 A (shows lot S of rd.)
Also has two claims (A29-4156 and A29-4215) from Portneuf River for irr of lands in different section.
Also has one claim (A29-4065) from Portneuf River for irr of same lands as A29-4064A.

B. Scoffield

A29-4064B* 1889, .164 cfs for irr of 8.2 A, plus incidental stock
A29-10103 1927, .02 cfs for D/1 (source spring)

C. Croxall

A29-4064C* 1889, .022 cfs for irr of 1.1 A
Also has one claim (A29-10101) from GW for D/1

D. Palmer

A29-4064D* 1889, .031 cfs for irr of 1.5 A
Also has one claim (A29-10102) from GW for D/1

E. Germer

A29-4067 1945, .260 cfs for irr of 13 A

*These claims are all part of one statutory claim for which there are assignments in IDWR files.

II. Notes

The report on these parties claims will include only the claims to Papoose Creek and the spring tributary to Papoose Creek.

The first step is to do the field work to review the claims, and to provide a fairly detailed report of the results of the field work, including a diagram (from which a map can later be made if necessary) of the diversion works and uses of water.

We also need to get some supporting information on the priority dates claimed, since they all have a basis of beneficial use or statutory claim. A29-10010 and 10103 qualify as small D&S which would normally come under the proposed policy that no supporting information is required for the priority date, but here, all the claims are small and we know there is a current dispute so we probably ought to seek supporting information as to all of them. Note that the statutory claim is evidence of the priority date only as of the date the claim was filed (8/30/76 for 29-4067, and 5/3/76 for 29-4064).

A29-4064A, A29-4064B, A29-4064C and A29-4064D are portions of A29-4064 that are claimed consistent with the assignments in IDWR files. A29-4064E, which is the remainder that was not conveyed away, was not claimed, and this should be checked out. A29-4067 is claimed consistent with the statutory claim, except that a later priority date is claimed in the adj claim.

Water Right Number - A29-10010 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

*** C - CURRENT OWNER ***
SMITH THERON
1 - 5137 WEST PORTNEUF ROAD
2 -
3 -
City- INKON State- ID Zip- 83245
Phone - 208-775-3604

Priority Date - 01/02/1969 Region - ERROR IN REGION Stage - J - BENEFICIAL USE Status -
Source - PAPOOSE CREEK Tributary - PORTNEUF RIVER

Point of Diversion -
Stream Index (Blank if no Index Code)

07S 35E 26 NW NE (5) BANNOCK

Code Description Period From Period To Diversion Rate Diversion Volume Total Div. Rate Total Div. Volume Total Div. Capacity Total Consumptive Use KW Usage
01 - IRRIGATION - domestic 04/01 11/01 0.020 same 0.020 2.5

TwN Rng Sec Tract Lot RFlg County Place of Use Code Description County
07S 35E 23 SE SE 1.0 01 IRRIGATION (5) BANNOCK
Total Acres: 1.0 less than 1/2 acre found

Diversion Means - PIPELINE FROM CREEK TO SPRINKLER SYSTEM

Non-Irrigation Use - NONE.

Other Rights for Same Use - A29-04064A SAME P/D AND PIPELINE.

Remarks - No Remarks found.

Old Water Right Numbers - No Old Water Right Numbers found.

Conditions of Approval - No Conditions of Approval found.

Decree Plaintiff - Decree Defendant - Decree Date - 00/00/0000

Remark -
outdoor use
for 1 domestic

Water right number - A29-10010

+ - - Audit Fields - 06/29/88 MCC

+ + + + + - - - - - + + + + +
 -Comments-
 No Comments Found

| | | | | | | |
|--|------------------------|--------------|-----------------------|--------------|-------------------------|---------|
| | Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| | Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| | Response Filed Date | - 00/00/0000 | Verified Date | - | Old Judicial District | - |
| | Claim Received Date | - 06/29/1988 | Last Amended Date | - | Temporary Right | - P |
| | Proof Due Date | - 00/00/0000 | Proof Made Date | - | Water District | - |
| | Licensed Date | - 00/00/0000 | Receipt Number | - E000563 | Federal/State Indicator | - S |
| | Claims Tape Error Flag | - | POU Ownership Flag | - Y | Presumption Flag | - |
| | Fee Exempt Flag | - | Name Connector | - | Notice of Error Flag | - |

| RIGHT
NUMBER | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | MAXIMUM
DIVERSION | STAGE
BENEFICIAL USE |
|-----------------|--|------------------|------------|-----------------------|----------------------|-------------------------|
| A29-10010 | HERON SMITH
5137 WEST PORTNEUF ROAD
INRON ID 83245 | 01/02/1969 | IRRIGATION | 04-01 11-01 | 0.02 CFS | BENEFICIAL USE |
| | | | | | 0.02 CFS TOTAL | |
| | | | | | 0.00 AFA TOTAL | |

SOURCE: PAPOOSE CREEK
OTHER RIGHTS: A29-04064A SAME P/D AND PIPELINE.
TRIBUTARY: PORTNEUF RIVER
CONDITIONS OF APPROVAL:

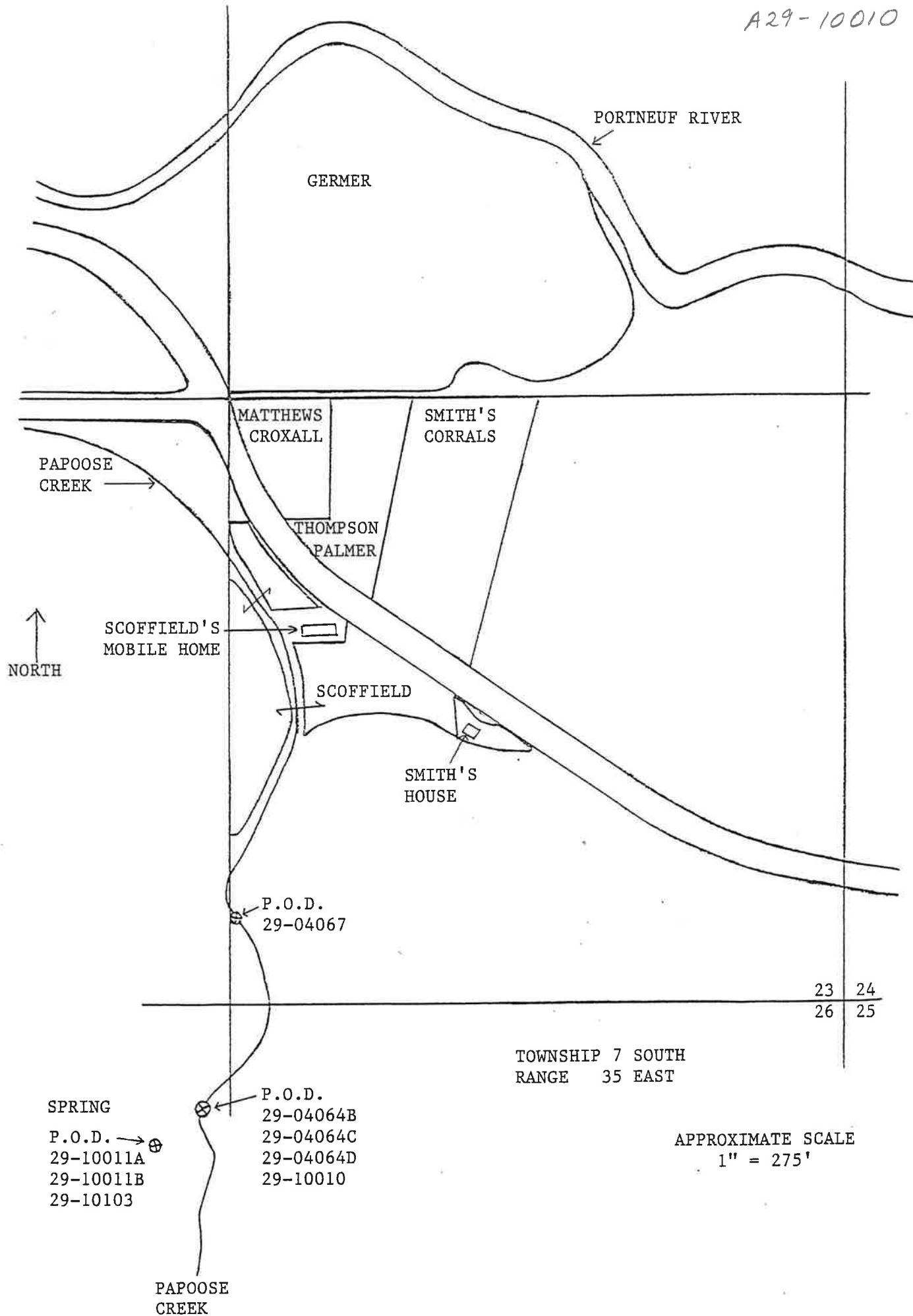
REMARKS:

POINT OF DIVERSION:
T07S R35E S26 NWNE

PLACE OF USE: IRRIGATION SESE 1.0
T07S R35E S23
1.0 ACRES TOTAL

- 1969 priority date is right
- P/D correct - same as 29-04064A
- P/D correct
- advice correct
- amt OK
- has than 1/2 acre found by field inspection - limit right ??

note: other landmarks agree Smith
has no at to this
location is there average always irrigated.



GERMER

PORTNEUF RIVER

MATTHEWS
CROXALL

SMITH'S
CORRALS

THOMPSON
PALMER

PAPOOSE
CREEK

NORTH
↑

SCOFFIELD'S
MOBILE HOME

SCOFFIELD

SMITH'S
HOUSE

P.O.D.
29-04067

23 24
26 25

TOWNSHIP 7 SOUTH
RANGE 35 EAST

APPROXIMATE SCALE
1" = 275'

SPRING

P.O.D. → ⊗
29-10011A
29-10011B
29-10103

P.O.D. → ⊗
29-04064B
29-04064C
29-04064D
29-10010

PAPOOSE
CREEK