

Form No.42-1409-1 (Internet 06/21)

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

RECEIVED

CIVIL CASE NUMBER: 79576

Claim ID: 11-40334

Date Received: 2/6/26

Receipt No: P002202

Claim Fee: 368.00 By: MB

JAN 30 2026

IDWR/Preston NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of claimant(s) Smith Legacy Ranch LLC Phone (801) 656-9403

Mailing address PO Box 141 Payson Utah Zip 84651
Street or Box City State

Email address (optional) doublemlivestock@gmail.com

2. Date of priority: (Only one per claim) July 1, 1960 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Bear River
which is tributary to (b) Great Salt Lake

4. a. Location of point of diversion is: Township 12S, Range 44E, Section 29,
SW 1/4 of SW 1/4, Govt. Lot _____, BM, County of Bear Lake

Parcel no. RP12S44E294800

Additional points of diversion, if any: _____

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,

Govt. Lot _____, BM, County of _____

Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,

Govt. Lot _____, BM, County of _____

5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, 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.

River pump to mainline to center pivots, sprinklers, and flood. Southwest irrigated field is irrigated with portable mainline and sprinklers. Original 2 cfs developed in 1953, with additional flow being developed in 1960 (a portion of which applies to this claim). An enlargement in the original acres occurred in 2018.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Irrigation purposes from 4/15 to 10/31 amount 0.3 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.3 (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12s	44E	29							28	22	35	31	17	38		17	13		201
		30																1.1	1.1
		31	9.4																9.4
		32		11	0.2		40	36	4.6	14									105.8

Parcel no(s). _____ Total number of acres irrigated 317.3

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

11. Do you own the property listed above as place of use? Yes (☒) No (☐)
If your 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.
Two rights based on 11-4033B and an enlargement or None (☐)

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

See attached

Name of claimant(s) Smith Legacy Ranch LLC Claim ID _____

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 11-4033 A

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: 6

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.

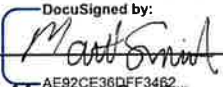
Signature of Claimant (s) _____ Date: _____

_____ 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

Member _____ of Smith Legacy Ranch LLC
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  Date 1/30/2026

Printed Name of Authorized Agent Matthew Smith

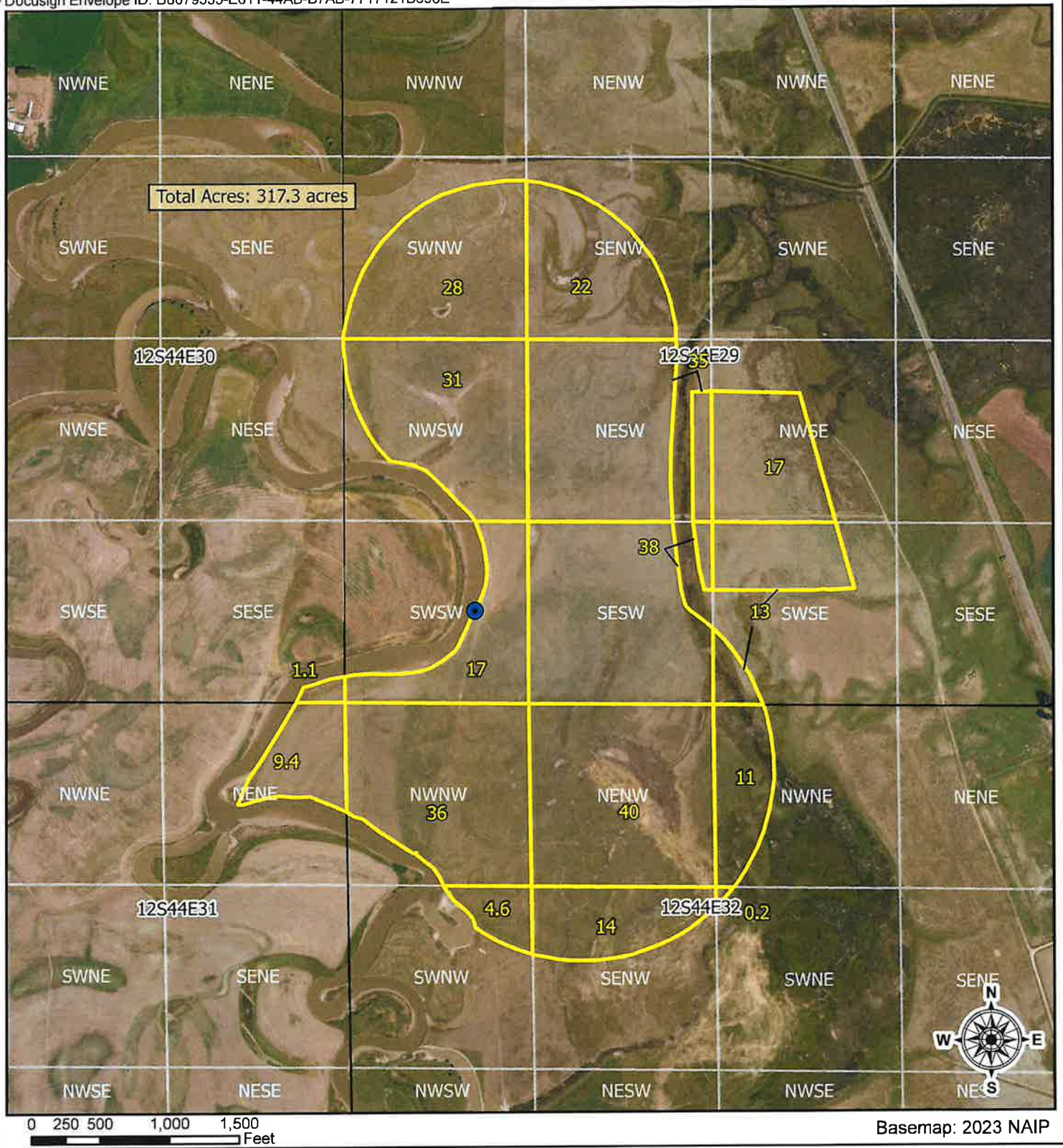
16. Notice of Appearance:

Notice is hereby given that I, (please print) _____, will be acting as attorney at law on behalf of 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) Smith Legacy Ranch LLC Claim ID _____



Claim POU and Current Irrigation

- Claim POD
- Claim POU by QQ
- PLSS Section
- PLSS QQ

Smith Legacy Ranch, LLC
Bear River Basin Adjudication
Claim Based on Water Right
No. 11-4033
Bear Lake County, Idaho

Date: 1/2/2026

RMEA #: 21-0096

Drafted by: AG



Remarks for Adjudication Claim 11-4033A

(numbered according to Claim Form numbering)

2. Affidavits in the backfile to 11-4033 indicate that the underlying right was developed in two stages, with the part of the original POU in Section 30 (split 11-4033A) being developed in the second stage. The claim indicates June 1, 1960 as the Priority of the second stage but affidavits indicate July 1. This claim uses the later date.
- 4a. Point of Diversion is an accomplished change due to the original pump station being washed out.
9. Place of Use for this claim is an accomplished transfer to be part of a larger Place of Use in combination with two claims based on 11-4033B and an Enlargement claim.

Historical aerial photos from June 1953 and July 1953 (Attached) support that at least half of the total acres identified in the statutory claim for water right 11-4033 were being irrigated in July of 1953 under the newly developed system. The fields primarily located within the SW1/4 of Section 29 appear irrigated. It is possible that other acres were irrigated, but which are not as obvious. An April 1966 aerial shows additional development within the historical place of use that suggests irrigation of about 262 acres (the claimed place of use of the original acres under statutory claim 11-4033). No aerial images were available from 1960-1965.

Claim 11-4033A is for 20 acres of irrigation within the larger Place of Use. It is clear from the backfile that the 20 acres within NESE of Section 30 originally irrigated were on the east of Bear River.

Both pivots cover areas that appear to be sloughs/wetlands in the aerial imagery. These are irrigated in dry periods of the year.

Attachments:

Remarks (this document)

Theoretical calculation supporting claimed original diversion rate

Affidavits from backfile 11-4033 supporting claimed priority date

Historical Aerial Photos from 1953 and 1966

THEORETICAL

10" MAINLINE @ 8 ft/s

$$RADIUS = \frac{5}{12}'' = 0.42'$$

$$AREA = \pi r^2 = (3.14)(0.42')^2 = 0.55 \text{ ft}^2$$

$$Q = AV = 0.55 \text{ ft}^2 \times 8 \text{ ft/s} = 4.4 \text{ ft}^3/\text{s}$$

NOZZLE CHARTS

1/4" NOZZLE @ 65 PSI = 15.03 GPM

$$4 \text{ LINES} \times 3.2 \text{ NOZZLES/LINE} = 128 \text{ NOZZLES}$$

$$128 \text{ NOZZLES} \times 15.03 \text{ GPM/NOZZLE} = 1924 \text{ GPM}$$

$$1924 \text{ GPM} \times \frac{1 \text{ cfs}}{448.83 \text{ GPM}} = 4.29 \text{ cfs}$$

SPRINKLER IRRIGATION— APPLICATION RATES AND DEPTHS

by Thomas W. Ley, Extension Irrigation Engineer, WSU Prosser

Procedure

1. Measure sprinkler pressure (psi) using Pitot gauge. Hold gauge in center of jet no more than 1/8" from nozzle face.
2. Measure sprinkler discharge (gallons per minute) using a 5-gallon bucket, hose, and watch. Sprinkler gpm equals 300 divided by time (seconds) to fill 5-gallon bucket. For 2-nozzle heads, measure both.
3. Record nozzle size(s) and check nozzles for wear by inserting shank end of a new drill bit (same size as nozzle) into operating sprinkler. Observe any leakage or spray (amount and distance). Fine-to-coarse spray up to 10 to 15 feet from head may mean at least 15% nozzle wear or 15% more water being discharged.
4. Repeat steps 1, 2, and 3 for at least 3 sprinklers (beginning, middle, and end) on hand, wheel, and permanent systems to get average for lateral. Do same for center pivot, and record sprinkler number.
5. Measure sprinkler spacing on lateral (ft) and lateral spacing on mainline (ft) for handlines, wheel-lines, and permanent systems. Determine total

area irrigated and design or actual gallons (gpm) for center pivots.

6. Compare measured data (nozzle size, pressure, and gpm) with theoretical data in Table 1. Measured discharge vs discharge in Table 1 (at same nozzle size and pressure) indicates amount of nozzle wear. If nozzles are new and pressure is known, use Table 1 to find discharge of sprinkler. For pivots, compare sprinkler number and measured data with pivot design package to determine if pressures and discharges are correct.
7. Average gross application rates for different sprinkler gpm and spacings are given in Table 2. For other spacings or gpm use:

$$\text{Gross Application Rate (inches/hour)} = \frac{\text{GPM} \times 96.3}{\text{sprinkler spacing} \times \text{lateral spacing (or area irrigated, sq ft)}}$$

Example: 6 gpm heads on 40 x 60 spacing

$$\text{Average Gross Appl Rate} = \frac{6 \times 96.3}{40 \times 60} = 0.24 \text{ in/hr}$$

(or use Table 2)

Table 1. Sprinkler discharge gpm (gallons per minute) for nozzle size (inches) and pressures (psi) (pounds per square inch).

	Nozzle Size (in)										
psi	3/32	7/64	1/8	9/64	5/32	11/64	3/16	13/64	7/32	15/64	1/4
20	1.17	1.60	2.09	2.65	3.26	3.92	4.69	5.51	6.37	7.32	8.34
25	1.31	1.78	2.34	2.96	3.64	4.38	5.25	6.16	7.13	8.19	9.32
30	1.44	1.95	2.56	3.26	4.01	4.83	5.75	6.80	7.86	8.97	10.21
35	1.55	2.11	2.77	3.50	4.31	5.18	6.21	7.30	8.43	9.69	11.03
40	1.66	2.26	2.96	3.74	4.61	5.54	6.64	7.80	9.02	10.35	11.79
45	1.76	2.39	3.13	3.99	4.91	5.91	7.03	8.30	9.60	10.99	12.50
50	1.85	2.52	3.30	4.18	5.15	6.19	7.41	8.71	10.10	11.58	13.18
55	1.94	2.64	3.46	4.37	5.39	6.48	7.77	9.12	10.50	12.15	13.82
60	2.03	2.76	3.62	4.50	5.65	6.80	8.12	9.56	11.05	12.68	14.44
65	2.11	2.88	3.77	4.76	5.87	7.06	8.45	9.92	11.45	13.21	15.03
70	2.19	2.99	3.91	4.96	6.10	7.34	8.78	10.32	11.95	13.70	15.59
75	2.27	3.09	4.05	5.12	6.30	7.58	9.08	10.66	12.32	14.19	16.14
80	2.35	3.19	4.18	5.29	6.52	7.84	9.39	11.02	12.74	14.64	16.67
85	2.42	3.29	4.31	5.45	6.71	8.07	9.67	11.35	13.11	15.10	17.18
90	2.49	3.38	4.43	5.61	6.91	8.31	9.95	11.69	13.51	15.53	17.68
100	2.62	3.57	4.67	5.91	7.29	8.76	10.50	12.32	14.23	16.37	18.64
110	2.75	3.74	4.89	6.19	7.63	9.24	11.00	12.90	14.97	17.17	19.55
120	2.87	3.91	5.10	6.46	7.97	9.65	11.48	13.47	15.63	17.93	20.42
130	2.99	4.07	5.31	6.72	8.30	10.04	11.95	14.02	16.27	18.66	21.25

Note: Figures given are approximate maximum discharge rates for given nozzle size and pressure.

8. Table 3 gives the average *net* depth of irrigation for different set times and application rates assuming a 70% application efficiency. For efficiencies other than 70%, multiply the values in Table 3 by the factors given in Table 4.

*Example: 0.24 in/hr application rate
70% efficiency
12-hour set*

$$\text{Av Net Depth} = (0.24 \text{ in/hr}) \times (12 \text{ hr}) \times 70\% = 2.02 \text{ in (or use Table 3)}$$

If 80% efficiency, multiply by 1.14 (from Table 4)

$$\begin{aligned} \text{Av Net Depth (at 80\% efficiency)} &= 1.14 \times 2.02 \\ &= 2.3 \text{ in} \end{aligned}$$

Example: Center pivot: 1,200 gpm system on 130 acres; 24-hour revolution; 80% efficiency.

$$\begin{aligned} \text{Av Gross} &= \frac{1,200 \times 96.3}{130 \text{ ac} \times 43,560 \text{ sq ft/ac}} \\ \text{Application Rate} &= \frac{1,200 \times 96.3}{130 \text{ ac} \times 43,560 \text{ sq ft/ac}} = 0.02 \text{ in/hr} \end{aligned}$$

$$\text{Av Net Depth} = (0.02 \text{ in/hr}) \times (24 \text{ hr}) \times 80\% = 0.38 \text{ in}$$

Table 2. Average gross application rate (in/hr).

Spacing (ft)	Gallons per minute from each sprinkler									
	1	2	3	4	5	6	7	8	9	10
20 x 20	0.24	0.48	0.72	0.96	1.20	1.44	1.70	1.93	2.16	2.40
20 x 30	.16	.32	.48	.64	0.80	0.96	1.12	1.28	1.43	1.60
20 x 40	.12	.24	.36	.48	.60	.72	0.84	0.96	1.08	1.20
30 x 30	.11	.21	.32	.43	.54	.64	.75	.86	0.96	1.07
30 x 40	.08	.16	.24	.32	.40	.48	.56	.64	.72	0.80
30 x 50	.06	.13	.19	.25	.32	.38	.45	.51	.58	.64
40 x 40	.06	.12	.18	.24	.30	.36	.42	.48	.54	.60
40 x 50	.05	.10	.14	.19	.24	.29	.34	.38	.43	.48
40 x 60	0.04	0.08	0.12	0.16	0.24	0.24	0.28	0.32	0.36	0.40

Table 3. Net applied depth (in) at 70% efficiency.

Set time (hrs)	Application rate (in/hr)											
	0.10	0.12	0.14	0.16	0.18	0.20	0.24	0.28	0.32	0.36	0.45	0.60
1	.07	.08	.10	.11	.13	.14	.17	.20	.22	.25	.32	.42
2	.14	.17	.20	.22	.25	.28	.34	.39	.45	.50	.63	0.84
3	.21	.25	.29	.34	.38	.42	.50	.59	.67	0.76	0.95	1.26
4	.28	.34	.39	.45	.50	.56	.67	.78	0.90	1.01	1.26	1.68
5	.35	.42	.49	.56	.63	.70	0.84	0.98	1.12	1.26	1.58	2.10
6	.42	.50	.59	.67	.76	.84	1.01	1.18	1.34	1.51	1.89	2.52
7	.49	.59	.69	.78	0.88	0.98	1.18	1.37	1.57	1.76	2.21	2.94
8	.56	.67	.79	0.90	1.01	1.12	1.34	1.57	1.79	2.02	2.52	3.36
9	.63	.76	.88	1.01	1.13	1.26	1.51	1.76	2.02	2.27	2.84	3.78
10	.70	0.84	0.98	1.12	1.26	1.40	1.68	1.96	2.24	2.52	3.15	4.20
12	0.84	1.01	1.18	1.34	1.51	1.68	2.02	2.35	2.69	3.02	3.78	5.04
18	1.26	1.51	1.76	2.02	2.27	2.52	3.02	3.53	4.03	4.54	5.67	7.56
24	1.68	2.02	2.35	2.69	3.02	3.36	4.03	4.70	5.38	6.05	7.56	10.08
36	2.52	3.02	3.53	4.03	4.54	5.04	6.05	7.06	8.06	9.07	11.34	15.12
48	3.36	4.03	4.70	5.38	6.05	6.72	8.06	9.41	10.75	12.10	15.12	20.16

Table 4. Adjustment factor to use with values in Table 3 for other than 70% efficiency.

Efficiency	Multiply by	Efficiency	Multiply by
55	0.79	75	1.07
60	0.86	80	1.14
65	0.93	85	1.21

IN THE MATTER OF:)

Claim of Water right)
by)
LYLE C. STEPHENS)

AFFIDAVIT

State of Idaho)
County of Bear Lake)

_____ being first duly sworn,

deposes and says: That the undersigned does hereby certify that
Lyle C. Stephens, Star Route #2 Montpelier, Idaho, diverted water
from Bear River in the Northwest quarter of the Southwest quarter
Section 29, Township 12 South, Range 44 East of the Boise Meridian
in July 1953, and pumped 2 cfs or more between 1953 and 1960
for irrigation of lands in the South half of Section 29, Township
12 South Range 44 East of the Boise Meridian. That starting July
1960 he has pumped and used approximately 4 cfs of water for ir-
rigation of said lands. That he is using a pump and diesel motor
and a sprinkler system to apply said water on about 200 acres or
more in the South half of Section 29, Township 12 South, Range 44
East of the Boise Meridian and on about 20 acres in the Northeast
quarter Southeast quarter, Section 30, same Township and Range.


(Signature)

Subscribed and sworn to before me this 24 day of March, 1972


(Notary Public)

Residing at Montpelier, Idaho
My Commission Expires September 16, 1973

IN THE MATTER OF:

Claim of Water right
by
LYLE C. STEPHENS

AFFIDAVIT

State of Idaho
County of Bear Lake

being first duly sworn,

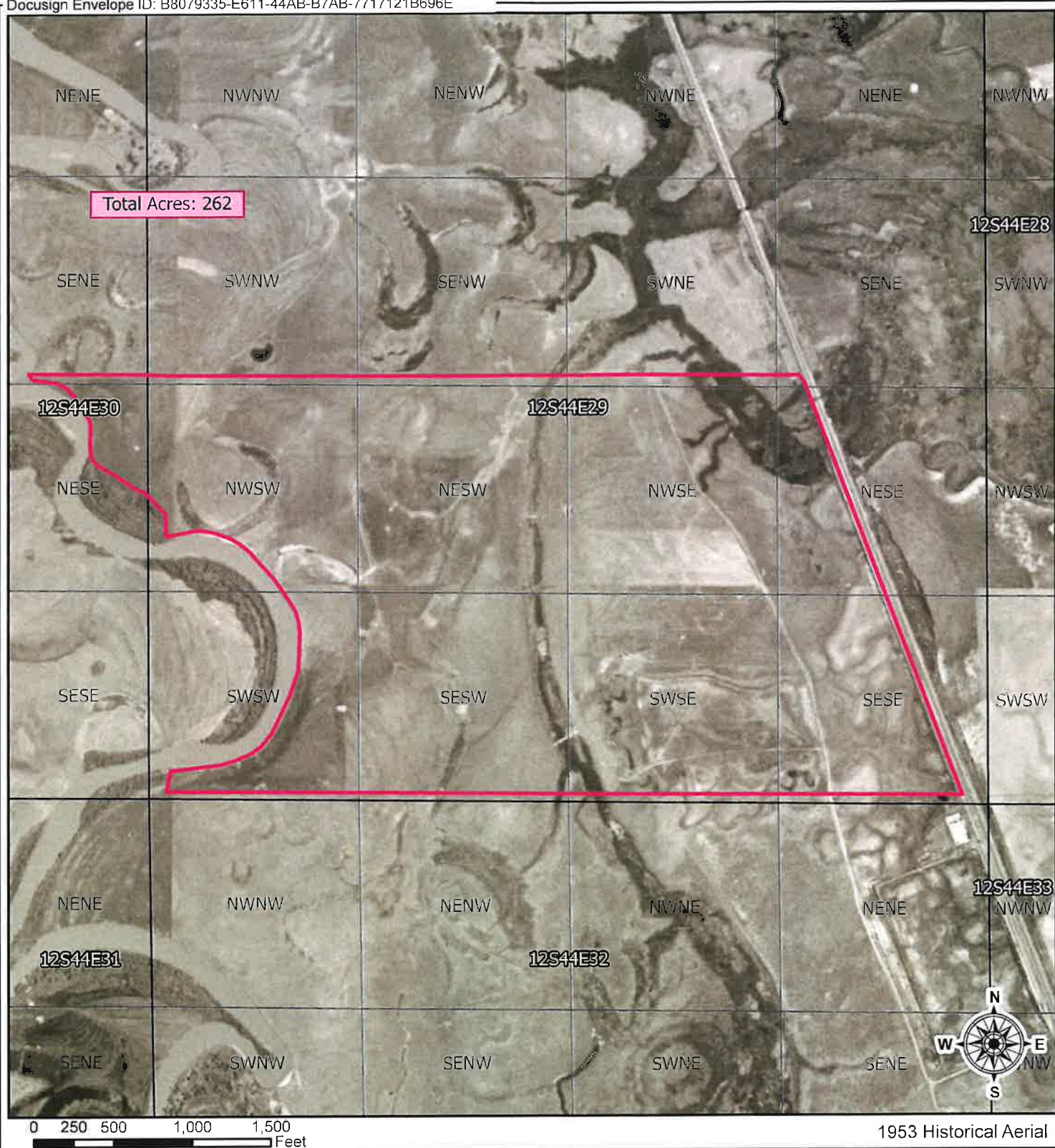
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for irrigation of lands in the South half of Section 29, Township
12 South Range 44 East of the Boise Meridian. That starting July
1960 he has pumped and used approximately 4 cfs of water for ir-
rigation of said lands. That he is using a pump and diesel motor
and a sprinkler system to apply said water on about 200 acres or
more in the South half of Section 29, Township 12 South, Range 44
East of the Boise Meridian and on about 20 acres in the Northeast
quarter Southeast quarter, Section 30, same Township and Range.

Ray C. Dunford
(Signature)

Subscribed and sworn to before me this 24th day of March, 1972

Ronald O. Stinson
(Notary Public)

Residing at Montpelier
My Commission Expires 3/23/73



Evidence of Historical Irrigation on June 25, 1953

- Historical POU
- PLSS Section
- PLSS QQ

Smith Legacy Ranch, LLC
Bear River Basin Adjudication
Claim Based on Water Right
No. 11-4033
Bear Lake County, Idaho

Date: 10/23/2025

RMEA #: 21-0096

Drafted by: AG





Evidence of Historical Irrigation on July 16, 1953

- Historical POU
- PLSS Section
- PLSS QQ
- Old Pump
- Old Mainline

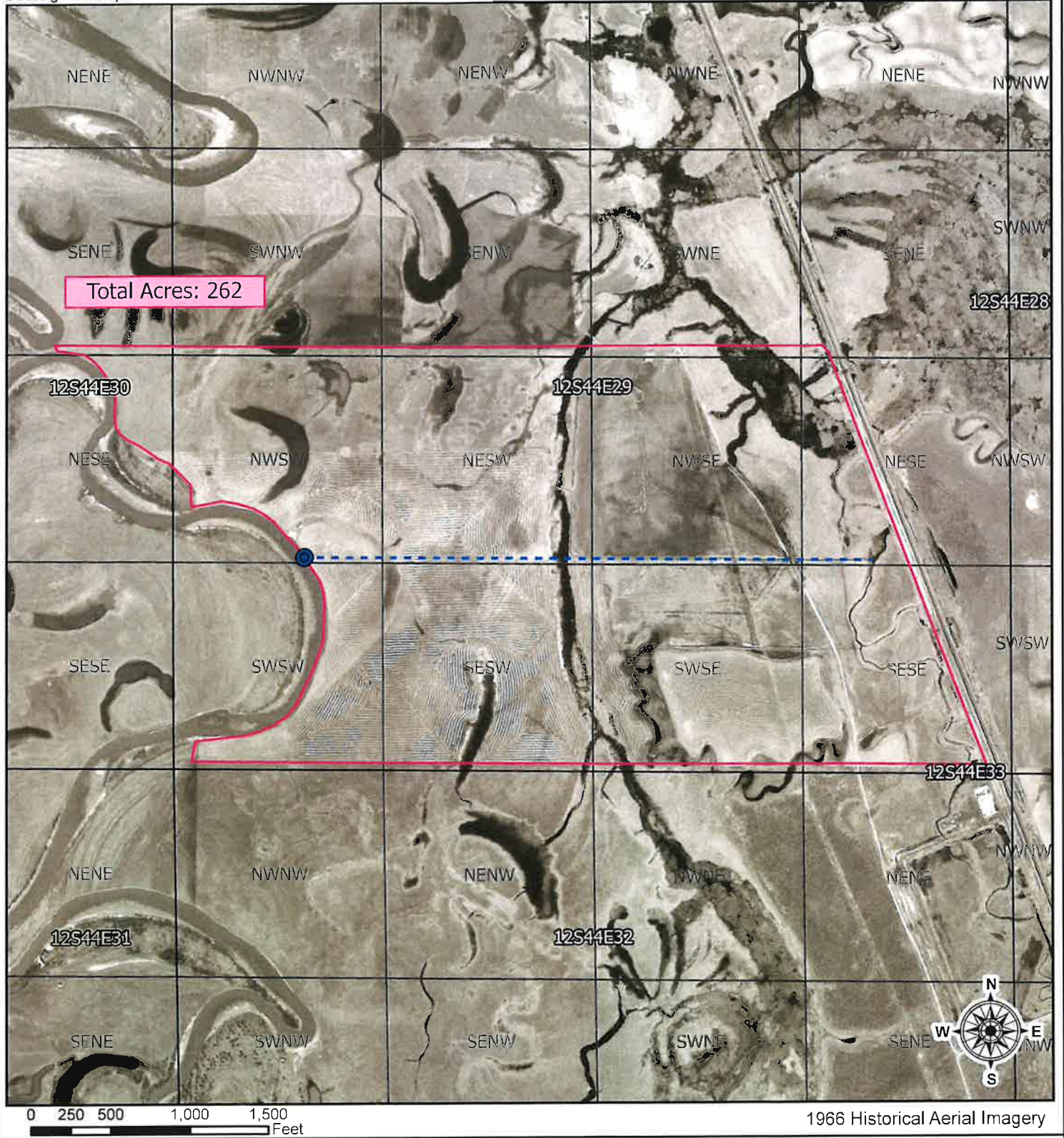
Smith Legacy Ranch, LLC
Bear River Basin Adjudication
Claim Based on Water Right
No. 11-4033
Bear Lake County, Idaho

Date: 10/23/2025

RMEA #: 21-0096

Drafted by: AG





Evidence of Historical Irrigation on April 30, 1966

- PLSS QQ
- PLSS Section
- Historical POU
- Old Mainline
- ⊙ Old Pump

Smith Legacy Ranch, LLC
Bear River Basin Adjudication
Claim Based on Water Right
No. 11-4033
Bear Lake County, Idaho

Date: 10/23/2025

RMEA #: 21-0096

Drafted by: AG





RECEIVED

JAN 30 2026

IDWR/Preston

January 30, 2026

RMEA 21-0096

Idaho Department of Water Resources
Preston Field Office
325 East 600 South, Ste 300
Preston, Idaho 83263-4921

Re: Bear River Basin Adjudication Claims – Smith Legacy Ranch, LLC

Dear Ms. Marion Beck,

This letter accompanies a check for four Adjudication claims for the Smith Legacy Ranch, LLC, which were transmitted electronically, along with GIS shapefiles to aid in review of the claims. The total fee of \$518 is calculated as follows:

11-4033A: \$50 for the base fee plus \$318 at \$1/irrigated acre for a total of \$368.
11-4033B Portion #1: \$50 for the base fee. Acreage is accounted under 11-4033A.
11-4033B Portion: \$50 for the base fee. Acreage is accounted under 11-4033A.
Enlargement Claim: \$50 for the base fee. Acreage is accounted under 11-4033A.

In addition to responses to be provided to the claimant, please copy Rocky Mountain Environmental Associates, Inc. (RMEA) at kristin.rmea@gmail.com with a copy of the receipt and copies of the first pages of each claim, showing the numbers assigned by IDWR.

Please contact our office with any questions regarding these applications.

Thank you,

A handwritten signature in blue ink that reads "Kristin Moore".

Kristin Moore
Principal Water Rights Analyst

Enclosures: Check