

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: A22-00380B  
Date Received: 9/27/1988  
Receipt No: M001442  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: R. K. SMELLIE 208-456-2576  
Address: BOX 126  
TETONIA, ID 83452  
OR  
Name: ARDELL SMELLIE 208-456-2576  
Address: BOX 126  
TETONIA, ID 83452

2. Date of Priority: JUN 01, 1896

3. Source: SPRING CREEK Trib. to: TETON RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County |
|----------|-------|---------|-------------------|-----|--------|
| 06N      | 45E   | 33      | SW NW NE          |     | TETON  |

5. Description of diverting works:  
HEADWORKS OF TETONIA CANAL CO. LTD. TO REDIVERSION PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 0.070  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

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Date: 07/17/89

MICROFILMED

NOV 04 1992

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10. Place of Use:

| Township      | Range | Section | 1/4 | of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|-----|----|-----|-----|-----|-------|
| 06N           | 45E   | 28      | SW  |    | SW  |     | IRR | 3.5   |
| Section Acres |       |         |     |    |     |     |     | 3.5   |
| Total Acres   |       |         |     |    |     |     |     | 3.5   |

11. Place of use in counties: TETON

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

13. Other Water Rights Used:  
22-00135,7008

14. Remarks:

RIGHT SPLIT BY OWNERSHIP

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THIS RIGHT ORIGINALLY FILED AS A2200380A. EASTERN SENT OFF  
FIRST UPDATE AND REGION WAS STUCK IN FILE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

REXBURG IRR. CO. ETAL  
Decree Plaintiff

vs TETON IRR. CANAL CO. ETAL  
Decree Defendant

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: \_\_\_\_\_

**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): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_