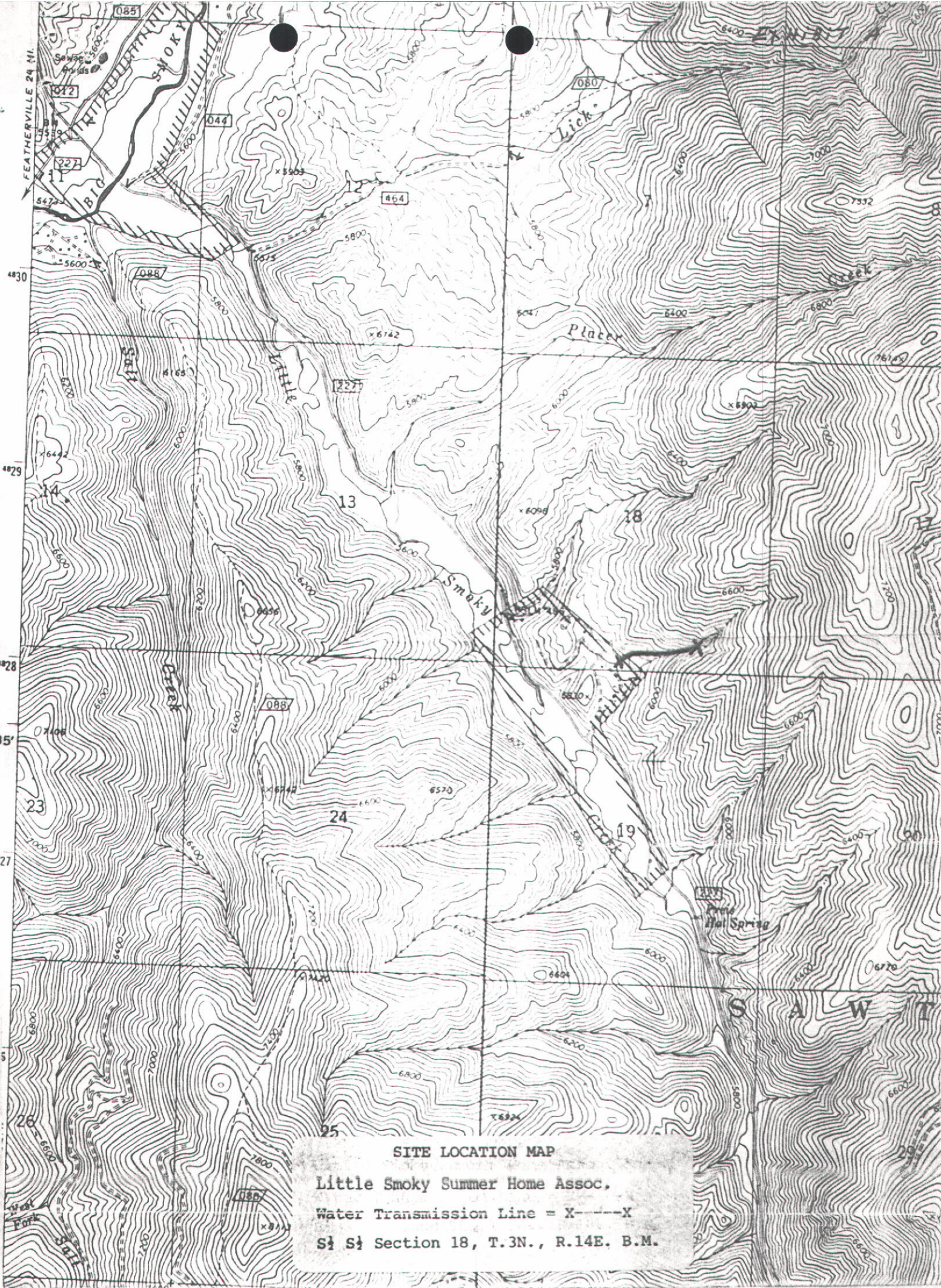




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pod for 63-7242

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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 63-7242  
Date Received: 6/23/88  
Receipt No: S000510  
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s): LITTLE SMOKY WATER USERS ASSN Phone: (208) 733-2920  
C/O TED CHENEY  
988 PLAIN VIEW DR  
TWIN FALLS ID USA 83301

2. Date of Priority: 06/10/1969

3. Source: SPRINGS Trib. to: LITTLE SMOKY CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 03N      | 14E   | 18      | SW SE                 | CAMAS  |      |
| 03N      | 14E   | 18      | SE SE                 | CAMAS  |      |

5. Description of diverting works:

PIPELINE.

6. Water is used for the following purposes:

| Purpose  | From | To    | C.F.S. | (or) A.F.A |
|----------|------|-------|--------|------------|
| DOMESTIC | 1/01 | 12/31 | 0.22   |            |

7. Total Quantity Appropriated is:  
0.22 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4     | Lot | Use                  | Acres |
|----------|-------|---------|----------------|-----|----------------------|-------|
| 03N      | 14E   | 18      | SW SW<br>SE SW |     | DOMESTIC<br>DOMESTIC |       |
| 03N      | 14E   | 19      | NE NW<br>NW NW |     | DOMESTIC<br>DOMESTIC |       |

11. Place of use in counties: CAMAS

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

LOTS 1, 3, 6, 7, 17, 18, 19, 21, 23, 25 BYRAM'S LITTLE SMOKY CABIN SITE SUBDIVISION  
Address change by DB 7/13/2001

15. Basis of Claim: License

**SNAKE RIVER BASIN ADJUDICATION  
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Claim Number(s):

63-~~84~~7242

Previous Mailing Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

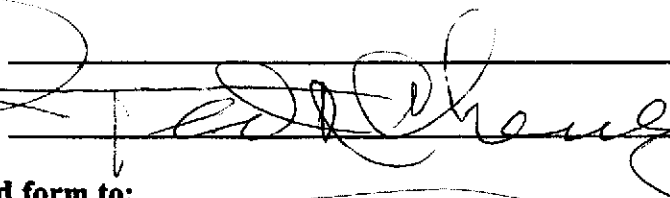
New Mailing Address:

Little Smoky Water Users Assoc.  
c/o Ted Cheney  
988 Plainview Dr  
Twin Falls, ID 83301

Telephone Number:

(208) 733-2920

Signature of Claimant(s):



Please return this completed form to:

Adjudication Bureau  
Idaho Dept. of Water Resources  
1301 N. Orchard St.  
Boise, ID 83706-2237  
Ph. 1/800/451-4129 or  
FAX 208/327-5400

Adjudication Bureau  
Idaho Dept. of Water Resources  
2735 Airport Way  
Boise, ID 83705-5082  
Ph. 208/334-2190 or  
FAX 208/334-2348

Adjudication Bureau  
Idaho Dept. of Water Resources  
1341 Fillmore St., Ste. 200  
Twin Falls, ID 83301-3380 or  
FAX 208/736-3037

Adjudication Bureau  
Idaho Dept. of Water Resources  
900 N. Skyline, Ste. A  
Idaho Falls, ID 83402-3653 or  
FAX 208/525-7177

RECEIVED

JUL 12 2001

WATER RESOURCES  
WESTERN REGION

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: A63-07242  
Date Received: 5/31/1988  
Receipt No: 5000510 472

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Department of Water Resources  
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: LITTLE SMOKY WATER USERS ASSN.  
Address: C/O HERMAN POPE  
GOODING, ID 83330

2. Date of Priority: JUN 10, 1969

3. Source: SPRINGS Trib. to: LITTLE SMOKY CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 03N      | 14E   | 18      | SW     | SE     |     |     | CAMAS  |
|          |       |         | SE     | SE     |     |     | CAMAS  |

5. Description of diverting works:  
PIPELINE.

6. Water is used for the following purposes:

| Purpose  | From  | To    | C.F.S | (or) | A.F.A. |
|----------|-------|-------|-------|------|--------|
| DOMESTIC | 01/01 | 12/31 | 0.220 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/ 5 CABINS 10 TOTAL PROPERTY OWNERS

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 03N      | 14E   | 18      | SW     | SW  |     | DOMEST |       |
|          |       |         | SE     | SW  |     | DOMEST |       |
|          |       | 19      | NE     | NW  |     | DOMEST |       |

A63-07242

Page 1

Date: 05/31/88

MICROFILMED  
AUG 21 1992

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 03N      | 14E   | 19      | NW NW      |     | DOMEST |       |

11. Place of use in counties: CAMAS

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:  
NONE

14. Remarks:  
LOTS 1, 3, 6, 7, 17, 18, 19, 21, 23, 25 BYRAM'S LITTLE SMOKY  
CABIN SITE SUBDIVISION.

15. Basis of Claim: LICENSE  
Water Right Number:

5601-01  
unit # TP14

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

For Organizations:

I do solemnly swear or affirm that I am President of  
Title  
Little Smokey Water Assoc., that I have signed the foregoing  
Organization  
document in the space below as President of  
Title  
Little Smokey Water Assoc. and that the statements contained in the  
Organization  
foregoing document are true and correct.

[Signature]  
Signature of Authorized Agent  
President Little Smokey  
Title and Organization  
Water Association  
USCWB  
Date

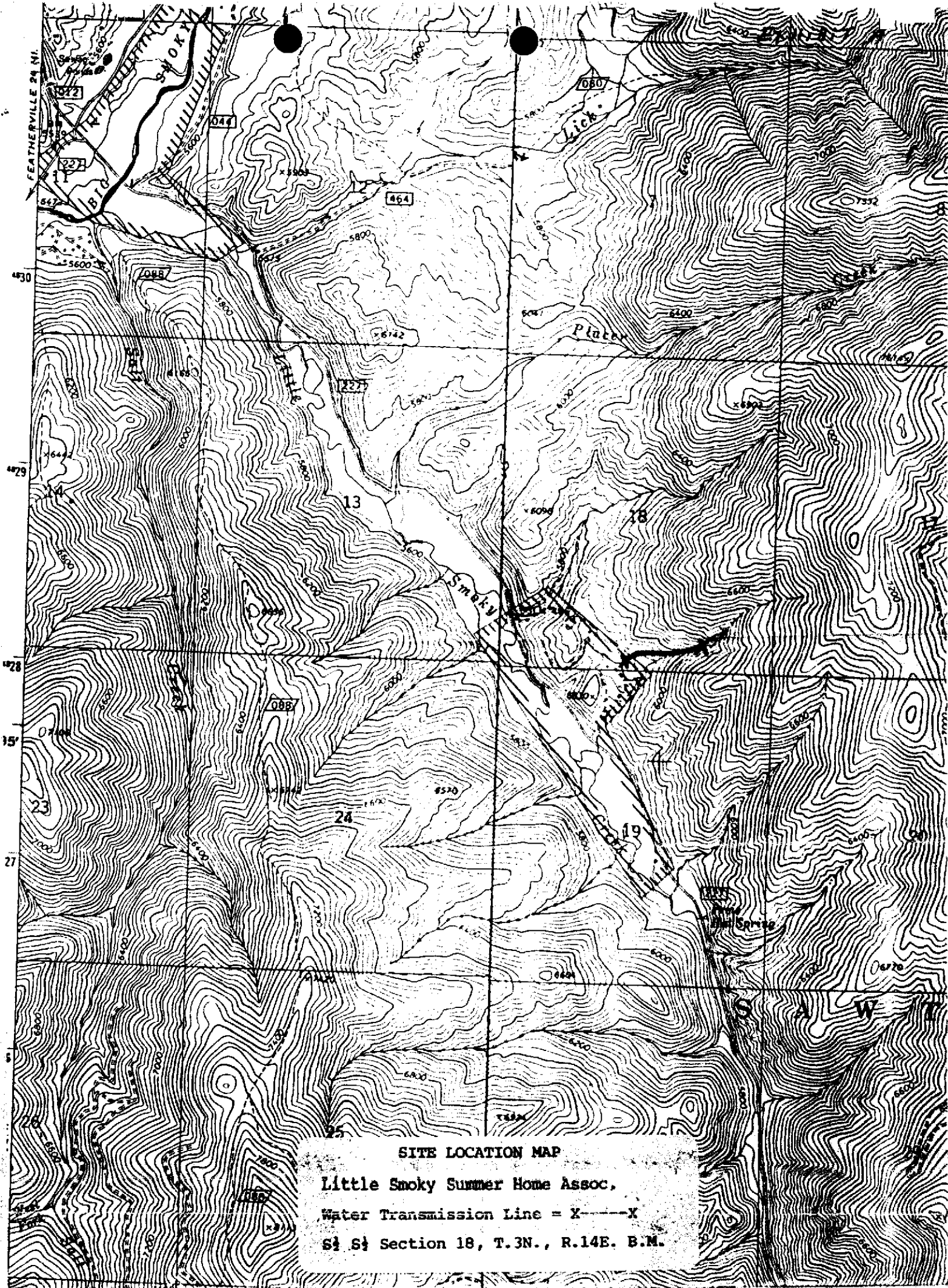
State of Idaho )  
County of Twin Falls ) SS.

Subscribed and sworn (or affirmed) before me this 23rd day  
of June 19 88

Mary A. Baldwin  
Notary Public

Seal

Residing at Gooding ID  
My Commission Expires 10/16/1992



02/28/2002

RECEIVED

NOTICE OF ERROR  
REPLY

MAR 28 2002

Department of Water Resources

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 5, 2002

Water right number: 63-7242

LITTLE SMOKY WATER USERS ASSN  
C/O TED CHENEY  
988 PLAIN VIEW DR  
TWIN FALLS ID 83301

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

3-25-02

SIGNATURE:

*Ted N. Cheney*

Please print your name:

Ted N. Cheney

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

RECEIVED

MAR 29 2002

WATER RESOURCES  
WESTERN REGION

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7242 V1

WATER RIGHT NUMBER: 63-7242 V1

|                   |                                                                                              |
|-------------------|----------------------------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                                      |
| Current Owner     | LITTLE SMOKY WATER USERS ASSN<br>C/O TED CHENEY<br>988 PLAIN VIEW DR<br>TWIN FALLS, ID 83301 |

Priority Date: 06/10/1969

Basis: License

Status: Active

|               |                    |
|---------------|--------------------|
| <u>Source</u> | <u>Tributary</u>   |
| SPRINGS       | LITTLE SMOKY CREEK |

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| DOMESTIC              | 01/01 to 12/31          | 0.220 CFS             | 12.00 AF             |
|                       | <u>Total Diversion:</u> | 0.220 CFS             | 12.00 AF             |

Location of Point(s) of Diversion

|              |            |                                 |
|--------------|------------|---------------------------------|
| SPRINGS      | SW1/4SE1/4 | Sec. 18, Twp 03N, Rge 14E, B.M. |
| CAMAS County |            |                                 |
| SPRINGS      | SE1/4SE1/4 | Sec. 18, Twp 03N, Rge 14E, B.M. |
| CAMAS County |            |                                 |

Place of Use

DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 14E | 18  |    |    |    |    |    |    |    |    |    |    | X  | X  |    |    |    |    |        |
| 03N | 14E | 19  |    |    |    |    | X  | X  |    |    |    |    |    |    |    |    |    |    |        |

Conditions of Approval:

1. C18 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.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7242 V1

1. Explanatory DOMESTIC USE IS FOR 5 HOMES.
2. Explanatory PROPERTY IS ALSO KNOWN AS LOTS 1,3,6,717,18,19,21,23, & 25 BYRAMS LITTLE SMOKY CABIN SITE SUBDIVISION.

Comments:

Dates and Other Information:

Decreed Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
Defendant:  
Plaintiff:  
Civil Case Number:  
Judicial District:  
Notice of Error Flag:  
State or Federal: S  
Owner Name Connector:  
Water District Number:  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

**DIRK KEMPTHORNE**  
Governor

**KARL J. DREHER**  
Director

July 18, 2001

LITTLE SMOKEY WATER USERS ASSN  
c/o TED CHENEY  
988 PLAIN VIEW DR  
TWIN FALLS ID 83301

Re: Notice of Claim to a Water Right No. 63-7242

Dear Claimant(s):

Enclosed are copies of the above referenced claims, which reflect the change in address.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Denise Buffington  
Office Specialist 1  
Adjudication Section  
Western Region Office

DB:db

Enclosure

RIGHT NUMBER: 63-7242

NAME AND ADDRESS: LITTLE SMOKY WATER USERS ASSN  
C/O HERMAN POPE  
GOODING ID 83330

SOURCE: SPRINGS

TRIBUTARY: LITTLE SMOKY CREEK

QUANTITY: 0.22 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 06/10/1969

POINT OF DIVERSION:

T03N R14E S18 SWSE Within CAMAS County

T03N R14E S18 SESE Within CAMAS County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

1/01 12/31

0.220 CFS

PLACE OF USE:

DOMESTIC Within CAMAS County

T03N R14E S18

SWSW

T03N R14E S18

SESW

T03N R14E S19

NENW

T03N R14E S19

NWNW

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.  
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: License

PROPERTY IS ALSO KNOWN AS LOTS 1, 3, 6, 7, 17, 18, 19, 21, 23, 25,  
BYRAM'S LITTLE SMOKY CABIN SITE SUBDIVISION.

Completed Kingdon  
Jep 311424042  
Cecilia the



State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-7242 Priority June 2, 1969 Amount .22 cfs

THIS IS TO CERTIFY, that LITTLE SMOKY WATER USERS ASSOCIATION  
of Gooding, Idaho, has complied with the terms and conditions of Permit  
No. 63-7242 issued pursuant to Application for Permit dated June 2, 1969  
and has submitted proof to the Department of Water Resources on October 3, 1979  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of .22 cfs of water from Springs  
tributary to Little Smoky Creek and that the permit holder has applied to a beneficial use an  
established a right to use water as follows:

| Beneficial Use         | Period of Use                               | Rate of Diversion     | Annual Volume       |
|------------------------|---------------------------------------------|-----------------------|---------------------|
| Domestic               | from <u>January 1</u> to <u>December 31</u> | at <u>.22</u> cfs and | <u>12</u> acre feet |
| (10 homes)             | from _____ to _____                         | at _____ cfs and      | _____               |
|                        | from _____ to _____                         | at _____ cfs and      | _____               |
| (both dates inclusive) |                                             |                       |                     |

Subject, however, to the condition that no more than .22 cfs of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
12 acre feet per year, said waters to be diverted within the SE/4 Sec. 18,  
Twp. 3N, Rge. 14E, B.M. in the County of Camas

Description and location of place of use:

| Twp. | Range | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 3N   | 14E   | 18   |        |        |        |        |        |        |        |        |        |        | X      | X      |        |        |        |        |        |
|      |       | 19   |        |        |        |        | X      | X      |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated \_\_\_\_\_

REMARK: Lots 1, 3, 6, 7, 17, 18, 19, 21, 23, 25 Byram's Little Smoky Cabin  
Site Subdivision.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho  
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use  
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of

July, 19 80

*[Signature]*  
Director



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pod for 63-7242

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