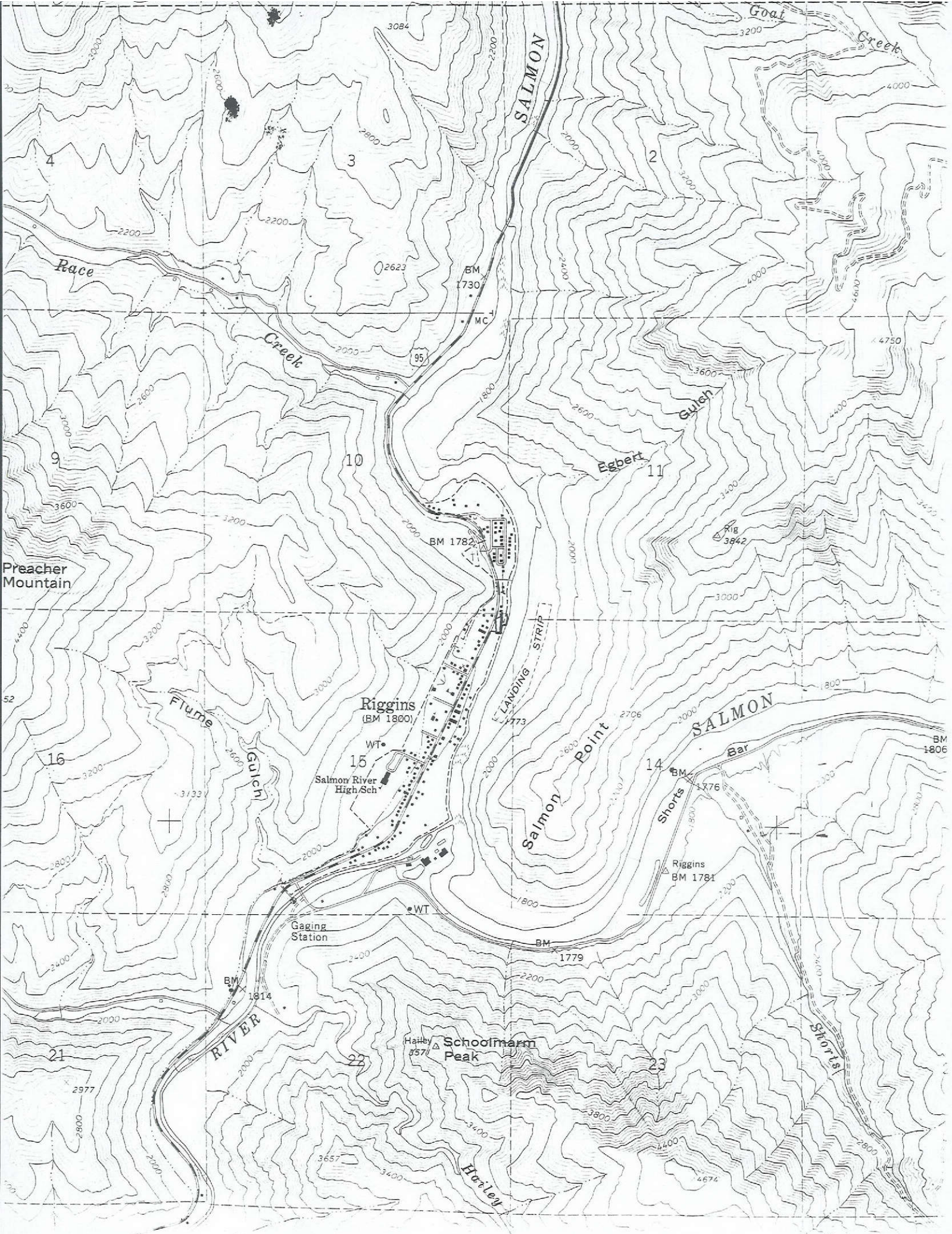




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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 79-4126A
Date Received: 6/7/88
Receipt No: C001176
Received By:

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

1. Name of Claimant(s)

WILMA SMITH
PO BOX 8
RIGGINS ID USA 83549

Phone: (208)628-3238

RUTH HAMELL
PO BOX 1104
RIGGINS ID USA 83549

Phone: (208)628-3711

HOWARD SMITH
PO BOX 8
RIGGINS ID USA 83549

Phone: (208)628-3238

ROLAND HAMELL
PO BOX 1104
RIGGINS ID USA 83549

Phone: (208)628-3711

HAZEL SPICKELMIRE
PO BOX 1143
RIGGINS ID USA 83549

Phone: (208)628-3238

2. Date of Priority: 06/01/1963

3. Source: SPRINGS Trib. to: RACE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
24N	01E	10	SE NE NW	IDAHO	

5. Description of diverting works:

COLLECTION BOX AND 2 PIPELINES TO HOMES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	1/01	12/31	0.14	

7. Total Quantity Appropriated is:

0.14 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
24N	01E	3	SE SE	7	DOMESTIC	
24N	01E	10	NE NE		DOMESTIC	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

Swift had filed claim 78-04103 for all parties for 6 homes. Meanwhile, the other parties filed on their homes under this number, and 79-04126B, minus Swift's home. In an effort to Straighten this out, we are changing 78-04103 to Swift, but leaving in Basin 78 for the time being. DB 5/22/2001

15. Basis of Claim: Statutory Claim

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: A79-04126A
Date Received: 6/06/1988
Receipt No: C001176
Received By: ER

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name:	HOWARD SMITH	208-628-3238
Address:	P.O. BOX 8	
	RIGGINS, ID	83549
AND/OR		
Name:	WILMA SMITH	208-628-3238
Address:	P.O. BOX 8	
	RIGGINS, ID	83549
AND/OR		
Name:	HAZEL SPICKELMIRE	208-628-3238
Address:	P.O. BOX 1143	
	RIGGINS, ID	83549
AND/OR		
Name:	ROLAND HAMELL	208-628-3711
Address:	P.O. BOX 1104	
	RIGGINS, ID	83549
AND/OR		
Name:	RUTH HAMELL	208-628-3711
Address:	P.O. BOX 1104	
	RIGGINS, ID	83549

2. Date of Priority: JUN 01, 1963

3. Source: SPRINGS Trib. to: RACE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	01E	10	SE	NE	NW		IDAHO

5. Description of diverting works:
COLLECTION BOX AND 2 PIPELINES TO HOMES

A79-04126A

Page 1

Date: 10/14/88

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6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.140		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
D/3 HOUSEHOLDS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	01E	3	SE	SE	7	DOMEST	
		10	NE	NE		DOMEST	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 _____

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: A79-04126A
Date Received: 6/06/1988
Receipt No: C001176
Received By: DE SA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name:	HOWARD SMITH	208-628-3238
Address:	P.O. BOX 8	
	RIGGINS, ID	83549
AND/OR		
Name:	WILMA SMITH	208-628-3238
Address:	P.O. BOX 8	
	RIGGINS, ID	83549
AND/OR		
Name:	HAZEL SPICKELMIRE	208-628-3395
Address:	P.O. BOX 1143	
	RIGGINS, ID	83549
AND/OR		
Name:	ROLAND HAMELL	208-628-3711
Address:	P.O. BOX 1104	
	RIGGINS, ID	83549
AND/OR		
Name:	RUTH HAMELL	208-628-3711
Address:	P.O. BOX 1104	
	RIGGINS, ID	83549

2. Date of Priority: JUN 01, 1963

3. Source: SPRINGS Trib. to: RACE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	01E	10	SE	NE	NW		IDAHO

5. Description of diverting works:
COLLECTION BOX & TWO PIPELINES TO HOMES.

A79-04126

Page 1

Date: 10/12/88

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6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.140		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
D/3 HOUSEHOLDS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	01E	3	SE	SE		DOMEST	
		10	NE	NE		DOMEST	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

IN THE NWNE, SEC. 10 - ONE HOME, NENE, SEC. 10 - 1 HOME, SESE,
SEC. 3 - 4 HOMES.

15. Basis of Claim: BENEFICIAL USE

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 _____

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:

Ident. Number

Date Received

Receipt Number

A7904126 A

39576

A7804103

06/06/88

C001176

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Department of Water Resources

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Please type or print clearly

1. Name of Claimant (s) ① ROLAND AND/OR RUTH HAMELL Phone (628-3711
② AND HOWARD AND/OR WILMA SMITH 628-3238
③ AND HAZEL SPICKELMIRE 628-3395
Mailing Address ① P.O. BOX 1104 RIGGINS, ID 83549
② P.O. BOX 8 Zip _____
③ P.O. BOX 1143

2. Date of Priority (Only one (1) per claim) JUNE 1963

3. Source of water supply (a) UNNAMED SPRINGS
which is tributary to (b) RACE CREEK

4. Location of point of diversion is: Township 24 N Range 1 E
Section 10, SE 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____, B.M.,
County of IDAHO

Additional points of diversion if any: NONE

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. COLLECTION BOX GRAVITY
FLOW TO HOMES

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive)
For DOMESTIC purposes from 1/1 to 12/31 amount .14 (cfs)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .14 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) DOMESTIC - 3 HOUSEHOLDS

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
24 N	1 E	3																D(2)
		10	D															

11. In which county (ies) are lands listed above as place of use located? IDAHO

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

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

14. Remarks: _____

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

X Signature of Claimant (s) *Samuel Spickelmire* Date May 27-88
Harold P. Smith Date 5-27-88
Robert L. Hamell Date 5/27/88

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or IDAHO)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 27th day of May 1988

SEAL

Notary Public *Roma P. McAshe*

Residing at Whitebird, Idaho

Last Name HAMELL
SMITH
SPICKELMIRE Ident No. A7904126

My Commission Expires August 13, 1990

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It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

10/13/88 08:08:01

Page 1

Water Right Number - 79-04126

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

SEYFRIED

ED

1 -

2 -

3 -

City- RIGGINS

State- ID Zip- 83549

Phone -

HAMELL

ROLAND

1 -

2 -

3 -

City-

State- Zip-

Phone -

SWIFT

GARY

1 -

2 -

3 -

City-

State- Zip-

Phone -

SMITH

HOWARD

1 -

2 -

3 -

City-

State- Zip-

Phone -

SPICKELMIRE

R. M.

1 -

2 -

3 -

City-

State- Zip-

Phone -

+ - - Priority Date - - +

06/01/1963

+ - - Region - - - +

14

+ - - Stage - - - +

S - STATUTORY CLAIM

+ - - Status - - - +

+ - - Source - - - - - +

SPRINGS

+ - - Tributary - - - - - +

RACE CREEK

+ - - Point of Diversion - - - - - +

Twn Rng Sec Tract Lot RFlg County

Stream Index (Blank if no Index Code)

24N 01E 10 NE NW (49) IDAHO

24N 01E 10 NW NW (49) IDAHO

+ - - Water Use - - - - - +

Code Description

Period From Period To

Diversion Rate

Diversion Volume

43 - DOMESTIC

01/01

12/31

0.240

- Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +

0.240

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OCT 06 1992

Water right number - 79-04126 Adj. flag translation: Standard Water Right Number

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
24N	01E	3	SE SE	7		43	DOMESTIC	(49) IDAHO
24N	01E	10	NW NE			43	DOMESTIC	(49) IDAHO

Total Acres:

+ - - Diversion Means - COLLECTION BOX & PIPELINE.

+ - - Non-Irrigation Use - D/6 HOMES.

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - -
No Remarks found.

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

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

+ - - Microfilm Rolls -

+ - - Audit Fields - 01/13/86 05/01/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Start Work Date - 00/00/0000	Verified Date - 01/13/1986	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000		

MICROFILMED
OCT 06 1992

9/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME HAMELL, SMITH, SPICKELMIRECLAIM IDENT. NO. A 79-04126

DATE RECEIVED _____

CK # C001176AMOUNT \$ 64.00

2524

YES

NO

1. Is the name and address complete with zip code? ☒ YES ☐ NO2. Is a priority date entered? ☐ YES ☐ NO

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered? ☐ YES ☐ NO(b) Is a tributary to entered? (if required) ☐ YES ☐ NO4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO5. Is there a description of the diverting works? ☐ YES ☐ NO6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐ YES ☐ NOIs the period of use included? ☐ YES ☐ NOIs a quantity claimed for each use? ☐ YES ☐ NO7. Is a total quantity claimed entered? ☐ YES ☐ NO8. If required is a consumptive use entered? ☐ YES ☐ NOIs the consumptive use correct? ☐ YES ☐ NO9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4. ☐ YES ☐ NO10. Is (are) the place(s) of use entered? ☐ YES ☐ NO11. Is (are) the county(ies) entered? ☐ YES ☐ NO12. Is the ownership of p.u. checked? ☐ YES ☐ NO13. Are other water rights listed or "none" checked? ☐ YES ☐ NO14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☐ NO15. Is the basis of the claim checked? ☐ YES ☐ NO16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☐ YES ☐ NOHas the claim been signed, sealed, and dated by a notary? ☐ YES ☐ NOIs the fee enclosed correct? ☐ YES ☐ NOIf this claim is based on an existing water right, has the identification number been entered? ☐ YES ☐ NOShould this claim be receipted and data entered? ☒ YES ☐ NOClaim checked by: Rom

Comments:

STATUTORY CLAIM # 79-4126

MICROFILMED

OCT 06 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

February 9, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Linda Swift
12357 E 35th St
Yuma, AZ 85367

Re: Claim Nos. 78-04103 and 78-04104

Dear Ms. Swift:

I am following up on our conversation from February 4, 2000.

You had inquired about the status of claim 78-04103, filed on by Gary Swift. This is a claim for domestic use for 6 households. This claim has been not been recommended yet, rather it has been held for inclusion with the irrigation and other claims. It looks like this claim will probably be recommended for 1 home in the name of Swift. Claim 79-04126A in the name of Smith, Hamell, and Spickelmire was recommended for 3 homes, and claim 79-04126B in the name of Lundgren was recommended for 2 homes. It appears that it was an oversight on our part that your claim was not recommended at the same time.

During our investigation of irrigation claims, we will be reviewing 78-04104, filed on by Swift, as well as 79-04127A, filed on by Seyfried, and 79-04127B, filed on by Hamell, Spickelmire, and Marek.

The current estimate for investigation of irrigation claims in basins 78 and 79 is 2004. At that time an agent will get in touch with you to conduct a beneficial use exam. Please notify us if your address changes, we show it as PO Box 272, New Meadows, 83654.

Thank you for your patients. Please call if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sue Bock'.

Sue Bock
Sr. Water Resource Agent

AJ5809NP
No. 79-04126A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/11/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILMA SMITH PO BOX 8 RIGGINS ID 83549 (208) 628-3238	06/01/1963	DOMESTIC	01-01 12-31	0.140 CFS	
				TOTAL DIVERSION:	0.140 CFS	
C	HAZEL SPICKELMIRE PO BOX 1143 RIGGINS ID 83549 (208) 628-3238					
C	RUTH HAMELL ROLAND HAMELL PO BOX 1104 RIGGINS ID 83549 (208) 628-3711					
C	HOWARD SMITH PO BOX 8 RIGGINS ID 83549 (208) 628-3238					

Water Source: SPRINGS

Tributary to: RACE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T24N R01E S10

SENEW

IDAHO County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:
24N	01E	3	:					:					:					:					:
24N	01E	10	:	D				:					:					:					:

POU County: IDAHO

Non-Irrigation Uses: 3 HOMES

Other Rights: NONE

Conditions of Approval:

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

Remarks: EXP PARCEL NOS: 24N01E039800, 24N01E039770, 24N01E100150

AJ5809NP
No. 79-04126A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/11/00
PAGE: 2

=====

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:

Comments: Date: 11/10/1998 User-ID: CWALKER Subject: COPIED FROM REMARKS
SESE, WITH WILMA SMITH HOUSE
SESE
NENE, NO HOME

Audit: 04/17/98 SSHERMAN 04/21/98 SSHERMAN 11/10/98 CWALKER 03/04/99 CPDSHAFF
04/06/99 ADT-DSHA



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 17, 1988

Howard & Wilma Smith
P.O. Box 8
Riggins, ID 83549

Dear Mr. & Mrs. Smith:

Enclosed is a copy of claim #A79-04126A which supersedes your claim #A79-04126. The reason for this superseding is as follows:

1. You and the co-claimants filed against water right #A79-04126 on 6/6/88.
2. Iris Lundgren also filed against claim #A79-04126 on 7/5/88.
3. Since both your claim and Lundgren's claim is based on the original claim #A79-04126 for 0.24 cfs, this department has split the right into #A79-04126A (your claim for 0.14 cfs and #A79-04126B, Lundgren's claim for 0.08 cfs.

Please review your claim and contact myself or this Department if there are any errors or you have any questions. If the claim is acceptable, please dispose of your copy of claim #A79-04126.

Sincerely,

Eldon L. Roush
Water Resource Agent
Adjudication Section

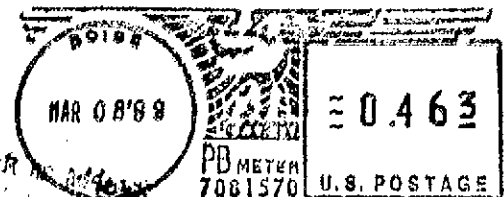
ER:lh
Enclosures

cc: Hazel Spickelmire
Roland & Ruth Hamell
Iris Helen Lundgren
File #A79-04126A
File #A79-04126B

MICROFILMED
OCT 06 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE
REQUESTED



IMPORTANT WATER RIGHT INFORMATION

79-04126A
HAZEL SPICKELMIRE
PO BOX ~~1143~~
RIGGINS ID ~~83549~~

RECEIVED

MAR 15 1999

Department of Water Resources

A37





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

79-04126A
HAZEL SPICKELMIRE
PO BOX 1143
RIGGINS ID 83549

RE: Domestic and/or Stockwater Rights in Reporting Area 24, Basin 79
Snake River Easin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basin 79 (the Salmon River drainage area below Riggins). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in basin 79 will be recommended in a later process.

Note that you have 180 days in which to file any objection to our recommendation and to review the domestic and stockwater water rights of other claimants, including those of the United States. Information on the other water rights can be found at the county courthouses in Burley, Gooding, Jerome, Mountain Home, Twin Falls, Murphy, Boise, Caldwell, Payette, Weiser, Council, Grangeville, Lewiston, Nezperce, Cascade, Salmon, Challis, and all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the Court does not receive an objection from you about our recommendation, and no other party objects to your water right, your water right will be decreed as recommended after the 180-day objection period. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

APR 26 1999

March 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

79-04126A

RUTH HAMELL

ROLAND HAMELL

PO BOX 1104

RIGGINS ID 83549

CORRECT NAME

CORRECT ADDRESS

RECEIVED

MAY 03 1999

WATER RESOURCES
WESTERN REGION

RE: Domestic and/or Stockwater Rights in Reporting Area 24, Basin 79
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basin 79 (the Salmon River drainage area below Riggins). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in basin 79 will be recommended in a later process.

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Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

DEAR MR DREHER -

THERE IS CONFUSION ON OUR WATER RIGHT CLAIM. IN AD TO THE ATTACHED INFORMATION THERE IS ONE ADDITIONAL CLAIM FOR THE SAME WATER RIGHT:

JUNE 14 OR 27, 1988 CLAIM # A 78-04103 FILED BY SWIFT EXACTLY AS ENCLOSED 78-4103 FOR THE SAME 5 APPLICANT FOR .24 CFS. THIS, I THINK, SHOULD BE THE ONE PUT OF PERMANT RECORD TO CLARIFY THE CFS PER HOUSEHOLD. TO ADDITIONALLY CORRECT THIS FILING DUE TO DEATHS AN DIVORCE THE FOLLOWING SHOULD BE CHANGED.

RM SPICKLEMIRE	SHOULD	READ	HAZEL SPICKLEMIRE
ROLAND HAMELL	"	"	RUTH HAMELL
HOWARD SMITH	"	"	WILMA SMITH
ED SEYFRIED	"	"	IRIS SEYFRIED LUNGREN
GARY SWIFT	(SAME)	"	THANK YOU, R. J. HAMELL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Ed Seyfried &/or Roland Hamell &/or Gary Swift
Notice is hereby given that &/or Howard Smith &/or R. M. Spickelmire

(Name of Claimant)

Riggins, ID 83549

(Mailing Address)

(Zip Code)

Telephone No. 628-3395

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) June 1963

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
unnamed springs tributary to Race Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.24</u>	Use <u>domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 0.24 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NE ¼ NW ¼, Sec. 10 Twp. 24N Rge. 1E B.M., County of Idaho

Additional points of diversion: NW¼NW¼, Sec. 10, Twp. 24N, Rge. 1E

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Collection box with pipeline for distribution

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
24N	1E	3	Gov. Lot 7															X	
		10		X															

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Domestic for 6 households.

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: March 3, 1999

PAGE: 1

RIGHT NUMBER: 79-04126A

NAME AND ADDRESS: RUTH HAMELL
ROLAND HAMELL
PO BOX 1104
RIGGINS ID 83549HAZEL SPICKELMIRE
PO BOX 1143
RIGGINS ID 83549WILMA SMITH
HOWARD SMITH
PO BOX 8
RIGGINS ID 83549

SOURCE: SPRINGS TRIBUTARY: RACE CREEK

QUANTITY: 0.14 CFS

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

PRIORITY-DATE: 06/01/1963

POINT OF DIVERSION T24N R01E S10 SENENW Within IDAHO County,

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 3 HOMES	01-01 12-31	0.14 CFS

PLACE OF USE: DOMESTIC Within IDAHO County
T24N R01E S03 LOT 7 (SESE)
S10 NENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NOS: 24N01E039800, 24N01E039770, 24N01E100150



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 17, 1988

Howard & Wilma Smith
P.O. Box 8
Riggins, ID 83549

Dear Mr. & Mrs. Smith:

Enclosed is a copy of claim #A79-04126A which supersedes your claim #A79-04126. The reason for this superseding is as follows:

1. You and the co-claimants filed against water right #A79-04126 on 6/6/88.
2. Isis Lundgren also filed against claim #A79-04126 on 7/5/88.
3. Since both your claim and Lundgren's claim is based on the original claim #A79-04126 for 0.24 cfs, this department has split the right into #A79-04126A (your claim for 0.14 cfs and #A79-04126B, Lundgren's claim for 0.08 cfs.

Please review your claim and contact myself or this Department if there are any errors or you have any questions. If the claim is acceptable, please dispose of your copy of claim #A79-04126.

Sincerely,

Eldon L. Roush

Eldon L. Roush
Water Resource Agent
Adjudication Section

ER:lh
Enclosures

cc: Hazel Spickelmire
— Roland & Ruth Hamell
Iris Helen Lundgren
File #A79-04126A
File #A79-04126B

ON JUNE 14 OR JUNE 27 (DATE CHECK MAILED)
A 78-04103 FILED BY SWI
FOR .24 CFS. FOR ALL 5 CLAIMANT
SWIFT, HAMMILL-SPICKELMIRE-SMITH
& SPICKELMIRE (LUNDGREN)
ON THIS SAME WATER RIGHT
ORIGINAL CLAIM - 6 HOUSEHOLDS
.24 CFS AND ~~THE~~ THE ONLY
FIVE NAMES ON THE ORIGINAL
CLAIM.

AJ0749NP
No. R79-04126A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/10/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILMA SMITH PO BOX 8 RIGGINS ID 83549 (208) 628-3238	06/01/1963	DOMESTIC	01-01 12-31	0.14 CFS	
				TOTAL DIVERSION:	0.14 CFS	
C	HAZEL SPICKELMIRE PO BOX 1143 RIGGINS ID 83549 (208) 628-3238					
C	RUTH HAMELL ROLAND HAMELL PO BOX 1104 RIGGINS ID 83549 (208) 628-3711					
C	HOWARD SMITH PO BOX 8 RIGGINS ID 83549 (208) 628-3238					

Water Source: SPRINGS

Tributary to: RACE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T24N R01E S10

SENEW

IDAHO County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
24N	01E	3	:																	:
24N	01E	10	:	D																:

POU County: IDAHO

Non-Irrigation Uses: 3 HOMES

Other Rights: NONE

Conditions of Approval:

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

Remarks: EXP PARCEL NOS: 24N01E039800, 24N01E039770, 24N01E100150

AJ0749NP
No. R79-04126A

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)**

DATE: 11/10/98
PAGE: 2

[illegible]

Dates: **Exam Made Date:** **Verified Date:** **Objection Filed Date:**

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 11/10/1998 User-ID: CWALKER Subject: COPIED FROM REMARKS
SESE, WITH WILMA SMITH HOUSE
SESE
NENE, NO HOME

Audit: 11/10/98 CWALKER

AJ0749NP
No. R79-04126A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/21/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HOWARD SMITH	06/01/1963	DOMESTIC	01-01 12-31	0.14 CFS	
C	WILMA SMITH PO BOX 8 RIGGINS ID 83549 (208) 628-3238					
				TOTAL DIVERSION:	0.14 CFS	
C	HAZEL SPICKELMIRE PO BOX 1143 RIGGINS ID 83549 (208) 628-3238					
C	RUTH HAMELL ROLAND HAMELL PO BOX 1104 RIGGINS ID 83549 (208) 628-3711					

Water Source: SPRINGS

Tributary to: RACE CREEK

Stage: ~~STATUTORY CLAIM~~ *Blu*

Point(s) of Diversion:

T24N R01E S10

SENEW

IDAHO County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
---	---	---	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
24N	01E	3	:					:					:					:						:	
24N	01E	10	:	D				:					:					:						:	

POU County: IDAHO

Non-Irrigation Uses: 3 HOMES

Other Rights: NONE

Conditions of Approval:

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

Remarks: EXP PARCEL NOS:
24N01E039800 (SESE, WITH WILMA SMITH HOUSE)
24N01E039770 (SESE)
24N01E100150 (NENE, NO HOME)

Send this portion to comments

AJ0749NP
No. R79-04126A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/21/98
PAGE: 2

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Dates: Exam Made Date: Verified Date: 04/21/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: FEB-13-1998

PAGE: A-171

RIGHT NUMBER: 79-04126A

NAME & ADDRESS: ROLAND HAMELL
RUTH HAMELL ✓
PO BOX 1104 ✓
RIGGINS ID 83549

HAZEL SPICKELMIRE ✓
PO BOX 1143 ✓
RIGGINS ID 83549

HOWARD SMITH
WILMA SMITH ✓
PO BOX 8 ✓
RIGGINS ID 83549

SOURCE: SPRINGS

TRIBUTARY: RACE CREEK

QUANTITY: 0.14 CFS

PRIORITY DATE: 06/01/1963

POINT OF DIVERSION: T24N R01E S10

SENEW

Within IDAHO County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE ✓
DOMESTIC D/3 HOUSEHOLDS

PERIOD OF USE
01-01 12-31

QUANTITY
0.14 CFS

PLACE OF USE:

DOMESTIC

T24N R01E S03 ✓
S10 ✓

Within IDAHO County

Lot 7 (SESE) ✓
NENE ✓

EXPLANATORY MATERIAL: BASIS OF CLAIM - STATUTORY CLAIM

+ Wilma Smith hse

imp = ca. 47 + 48 = stnd. filed to
declare as real prop.

oimps

HameLL { RP 24N 01E 03 9800 = SESE
RP 24N 01E 10 0150 = NENE

W. Smith { RP 24N 01E 03 9770 = SESE

P 03-17-98

