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Documents
In File

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: A67-11651
Date Received: 10/18/1989
Receipt No: C012341
Received By: _____

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

1. Name: ARTHUR H. SMITH 208-549-2463
Address: 136 GLASCOCK RD.
WEISER, ID 83672

OR

Name: HENRIETTA SMITH 208-549-2463
Address: 136 GLASCOCK RD.
WEISER, ID 83672

2. Date of Priority: MAR 02, 1880

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	05W	25	SW	NE	SW		WASHINGTON

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOUSE. STOCKWATER, 100 HEAD LIVESTOCK.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	25	NE	SW		DOMEST	
			NE	SW		STOCK	

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
LOWER PAYETTE DITCH COMPANY

14. Remarks:

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: 39576

Identification No. 467-11651Date Received 10-18-89Receipt Number 6012341

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Department of Water Resources

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) ARTHUR H. OR HENRIETTA SMITH Phone () 549-2463Mailing Address 136 GLASCOCK ROAD - (WEISER) Zip 836722. Date of Priority (Only one per claim) 1880 - MARCH 2 Month/Day/Year3. Source of water supply (Check one) (X) Groundwater or Other () (a) _____

which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 10N Range 5WSection 25, SW 1/4 of NE 1/4 of SE 1/4, Govt. Lot _____, BM.,

County of _____

Additional points of diversion if any: _____

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. WELL + PUMP

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For HOUSE purposes from JAN 1st to DEC 31st amount .04 (cfs)For STOCK purposes from JAN 1st to DEC 31st amount .02 (Both dates are inclusive)7. Total quantity claimed .06 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 HOUSE HOLD - 100 HEAD LIVESTOCK

MICROFILMED

OCT 05 1992

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 of use is: Township: 10N Range 5W
Section 25 NE 1/4 of SW 1/4, Govt. Lot _____, B.M.,

County of _____ for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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

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. None ()

EXHIBIT DITCH COMPANY
LOWER TAYETTE

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

By signing I/We acknowledge reading the notice on the back of this claim form.
I/We wish to receive for a small annual fee monthly copies of the docket sheet.
YES _____ NO X

16. Signature (s)

Number of Attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Arthur N Smith Date 9/29/89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____ } SS.

County of Washington

Subscribed and sworn (or affirmed) before me this 29 day of Sept 19 89

SEAL

Notary Public Bruce A. Schmid

Residing at BRUCE A. SCHMID, NOTARY PUBLIC

My Commission Expires RESIDING AT BOISE, IDAHO

MY COMMISSION EXPIRES APRIL 11, 1995

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

OCT 05 1992

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.

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Smith CLAIM IDENT. NO. A67-11651

DATE RECEIVED 10/17/89 CK # C012341 AMOUNT \$ _____ YES NO Require Info?

1. Is the name and address complete with zip code? ✓ NO *
2. Is a priority date entered? ✓ NO *
Is the priority date acceptable in view of mandatory filing dates? ✓ NO *
See Adjudication Memo #1 and #4 to determine if a permit is required. ✓ NO *
3. (a) Is a source entered? ✓ NO *
(b) Is a tributary to entered? (if required) N/A ✓ NO *
4. Is the legal description of the p.d. sufficient? ✓ NO *
5. Is there a description of the diverting works? ✓ NO *
6. 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. domestic ✓ NO *
Is the period of use included? ✓ NO *
Is a quantity claimed for each use? ✓ NO *
7. Is a total quantity claimed entered? ✓ NO *
8. If required is a consumptive use entered? N/A ✓ NO *
Is the consumptive use correct? N/A ✓ NO *
9. 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, see Adjudication Memo # 4. N/A ✓ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ✓ NO *
11. Is (are) the county(ies) entered? ✓ NO *
12. Is the ownership of p.u. checked? ✓ NO *
13. Are other water rights listed or "none" indicated? ✓ NO *
14. 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.) N/A ✓ NO *
15. Is the basis of the claim indicated? ✓ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (if yes, describe payment status in "Comments" below.) N/A ✓ NO *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ✓ NO *
18. Has the claim been signed, sealed, and dated by a notary? ✓ NO *
19. Was this claim filed on time, or was an extension granted? ✓ NO *
20. Is the fee enclosed correct? Exempt ✓ NO *
21. If this claim is based on an existing water right, has the identification number been entered? N/A ✓ NO *
22. Should this claim be data entered? ✓ NO *

Claim checked by: RMK Date: 6/11/90
Claim must be returned to claimant: (Yes) (No)
Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: _____ Date: _____
Claim data entered by: MDX Date: 6/19/90 Checked by: RMK Date: 6/21/90
Sent to claimant by: _____ Date: _____

AJ0749NP
No. R67-11651

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

DATE: 11/23/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ARTHUR H SMITH	03/02/1880	STOCKWATER	01-01 12-31	0.02 CFS	
C	HENRIETTA SMITH		DOMESTIC	01-01 12-31	0.04 CFS	
	136 GLASCOCK RD					
	WEISER ID 83672					
	(208) 549-2463			TOTAL DIVERSION:	0.06 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10N R05W S25

SWNESW

WASHINGTON County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
10N	05W	25	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

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
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
10N	05W	25	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: WASHINGTON

Non-Irrigation Uses: 1 HOME

Other Rights: LOWER PAYETTE DITCH COMPANY

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 STOCKWATER, 100 RANGE CATTLE
PARCEL NO. RP 002528

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 11/23/98 CWALKER

AJ5809NP
No. R67-11651

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/31/98
PAGE: 248

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ARTHUR H SMITH	03/02/1880	STOCKWATER	01-01 12-31	0.02 CFS	
C	HENRIETTA SMITH 136 GLASCOCK RD WEISER ID 83672 (208) 549-2463		DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.06 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10N R05W S25

SWNESW

WASHINGTON County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
10N	05W	25	:																

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
10N	05W	25	:																

POU County: WASHINGTON

Non-Irrigation Uses: 1 HOUSE home

Other Rights: LOWER PAYETTE DITCH COMPANY

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 STOCKWATER, 100 LIVESTOCK range cattle
RP 002528

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 02/24/97 CORR2

OLD (D) NUMBER -

STATE- ID ZIP- 83672

+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

WATER RIGHT NUMBER - A67-11651

PREFIX TRANSLATION: ADJUDICATION CLAIM

- - - CONDITIONS OF APPROVAL - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 06/19/90 SEBASTIA

- - - COMMENTS - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING - 00/00/0000
OBJECTION FILED DATE - 00/00/0000
RESPONSE FILED DATE - 00/00/0000
CLAIM RECEIVED DATE - 10/18/1989
PROOF DUE DATE - 00/00/0000
LICENSED DATE - 00/00/0000
CLAIMS TAPE ERROR FLG -
FEE EXEMPT FLAG -

FIELD INSPECTION MADE - 00/00/0000
FIELD INSPECTION FLAG -
VERIFIED DATE - 00/00/0000
LAST AMENDED DATE - 00/00/0000
PROOF MADE DATE - 00/00/0000
RECEIPT NUMBER - C012341
POU OWNERSHIP FLAG - Y
NAME CONNECTOR - OR

CIVIL CASE NUMBER - 39576
OLD CASE NUMBER -
OLD JUDICIAL DISTRICT -
TEMPORARY RIGHT - P
WATER DISTRICT -
FEDERAL/STATE INDICATOR - S
PRESUMPTION FLAG -
NOTICE OF ERROR FLAG -

RP002528

DATA ENTRY
ENTERED
CHECKED

[Handwritten signature]

74 226

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
APR 12 1992

PROOF
MAR 05 1992

CERTIFIED
MAR 21 1992
WATER EXAMINER