

Scale: 2 inches equals 1 mile

Section 16

Section 70

20 columns wide and 20 rows high grid of graph paper.

MICROFILMED
AUG 22 1994

Last Name

Smedley

Ident No.

Copies: White-State, Yellow-Claimant

POOR ORIGINAL

T 10 N R 05 W Sec. 16

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AUG 22 1994

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: A67-12328
Date Received: 1/ 6/1993
Receipt No: C026456
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: TIMOTHY EDWARD SMEDLEY
Address: 365 CLABBY RD
WEISER ID

208-549-3162

83672

2. Date of Priority: JAN 1, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	16	SE	NW			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.
IRRIGATION	03/15	11/15	0.040		9.00
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) 9.00 A.F.A.

8. Total consumptive use is 7.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 10 MIXED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	16	SE	NW		IRR	2.0
			SE	NW		STOCK	

A67-12328

Page 1

Date: 03/03/93

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.0
					Total Acres	2.0

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:

14. Remarks:

LAND DEVELOPED BY J.F. CLABBY IN 1950. NEW WELL DRILLED IN 1969.
THIS LAND WAS ORIGINALLY LICENSED UNDER 67-02217 WITH A 1952
PRIORITY DATE.

15. Basis of Claim: BENEFICIAL USE

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: A67-12328
Date Received: 1/6/1993
Receipt No: C 026540 4
Received By: C 026456

RECEIVED

FEB 24 1993

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TIMOTHY EDWARD SMEDLEY 208-549-3162
Address: 365 CLABBY RD
WEISER ID 83672

2. Date of Priority: JAN 1, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	16	SE	NW			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.
IRRIGATION	03/15	11/15	0.040		9.00
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) 9.00 A.F.A.

8. Total consumptive use is 7.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 10 MIXED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	16	SE	NW		IRR	2.0
			SE	NW		STOCK	

A67-12328

Page 1

Date: 01/21/93

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.0
					Total Acres	2.0

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:

14. Remarks:

LAND DEVELOPED BY J.F. CLABBY IN 1950. NEW WELL DRILLED IN 1969.
THIS LAND WAS ORIGINALLY LICENSED UNDER 67-02217 WITH A 1952
PRIORITY DATE.

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 X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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): Timothy Edward Smalley Date: 2-18-83

Date: _____

State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of February 19 93

Harold Sutton
Notary Public

Seal

Residing at Weiser, ID

My Commission Expires 2-04-98



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 3, 1993

Timothy E. Smedley
365 Clabby Rd.
Weiser, ID 83672

Re: Snake River Basin Adjudication (SRBA)
Washington County - Handwritten Claim

Dear Mr. Smedley,

We recently received your claim, No. A67-12328, along with the additional filing fees. Thank-you for your prompt attention to this matter. I have enclosed Receipt No. C026840 for your records.

I have also enclosed your original handwritten claim. It was my understanding that A67-12328 took the place of this claim. If this is correct, please keep the original form.

If you have any questions, please contact me at 327-7925 in Boise.

Sincerely,

A handwritten signature in cursive script that reads 'Roxanne McCarthy'.

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:r:west

Enclosures:

Handwritten Claim
Receipt No. C026840

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AUG 22 1994

RECEIVED

FEB 24 1993

Department of Water Resources

2-19-93

Dear Mrs. Mc Carthy,

Please find enclosed my check for \$25.00 as you requested. Find also the completed and notarized claim # A67-12328 and the original water right claim. The signed and notarized affidavit from Mr. Orrell Krouse concerning Mr. J. F. Clabby and the original will here on the property, I have completed and sent to Mr. Krouse who lives in McCall. I have learned from his Daughter that he is in Mexico for a month and won't be back for a few weeks so I am sending the enclosed now and will send Orrell's affidavit as soon as I get it back from him. Thank-You again for all your help - it is greatly appreciated.

Sincerely,

Tim Smedley
T. Smedley

MICROFILMED
AUG 22 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 29, 1993

Timothy E. Smedley
365 Clabby Rd.
Weiser, ID 83672

Re: Snake River Basin Adjudication (SRBA)
Washington County - Claim No. A67-12328

Dear Mr. Smedley,

In response to our telephone conversation on January 21st, I am returning your handwritten Notice of Claim to a Water Right filed for your property in Washington County. I am also enclosing Receipt No. C026456 in the amount of \$25.00, for a portion of your filing fees. Please retain the receipt for your records.

As we discussed, your claim needed a great deal of amendment before it could be processed. I constructed a claim using information from the original and details taken from our conversation. That claim, A67-12328, is enclosed and you should examine it very carefully. If you wish to make changes to the new claim, simply line through the information, provide new information and initial the change. The claim form should be signed and notarized before it is returned. I have also enclosed an Affidavit form for you to complete and return.

In addition, the fees for irrigation claims are calculated differently than those for domestic purposes. An irrigation claim requires a flat \$50.00 fee and an additional \$1.00 per acre. The per acre charge has been paid by Johnson-Bryant; please enclose the additional \$25.00 when filing this claim.

Please return claim No. A63-12328 to my attention by February 28, 1993, or late fees will apply; keep the handwritten claim. If we do not receive the claim by that date, we will assume you do not wish to continue the filing process and will begin the refund

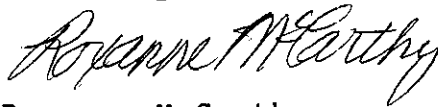
MICROFILMED

AUG 22 1994

Timothy E. Smedley
January 29, 1993
Page 2 - Washington County

process of your filing fees. Do not hesitate to contact this office if you have any questions.

Sincerely,



Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:sf:state:tf
Enclosures:

Claim No. A67-12328
Handwritten Claim
Receipt No. C026456
Affidavit

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AUG 22 1994

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

Date Received

Receipt Number

1-6-93

C026456

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JAN 6 1993

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Timothy Edward Smedley Phone (208) 549-3162
Mailing Address 365 Elsie Road Weiser, Idaho Zip 83672
2. Date of Priority (Only one (1) per claim) 1969
3. Source of water supply (a) 9200 ft well - 6" casing - 40' depth 35 gpm 1 1/2 hp submersible
which is tributary to (b) used to irrigate 2 acres and water livestock.
4. a. Location of existing point of diversion is: Township 10 N Range 5 W Section 16
E 1/3 of SE 1/4 of SE 1/4 of NW 1/4 of SE 1/4 of NE 1/4 of NW 1/4 B.M., County of Washington

Additional points of diversion if any: _____

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

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

Govt. Lot _____ B.M., County of _____

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

_____ 1/4, Govt. Lot _____ B.M., 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. NAME

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AUG 22 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation - Stockwater purposes from 1-1 to 12-31 amount 0.08 or 35 gpm

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.08 (cfs) and/or (b) 35 gpm (acre feet)

8. Total consumptive use claimed is 0.08 cfs / 35 gpm acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 3 Horses 5 calves

10. 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	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
10 N	5 W	16								2									2

Total number of acres irrigated 2

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.
_____ or None (X)

14. Remarks:

MICROFILMED
AUG 22 1994

Last Name Smidley Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

Section 16

MICROFILMED

AUG 22 1994

Last Name

Smedley

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ 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 2

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

Signature of Claimant (s) Timothy Edward Smedley Date 12-31-92
_____ Date _____

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 _____)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 5th day of January 19 93

SEAL

Notary Public Jane H. Edwards

Residing at Weiser

My Commission Expires 3/27/97

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

MICROFILMED
AUG 22 1994

Last Name Smedley Ident. Number _____

Copies White-State, Yellow-Claimant

OCT 20 1992

Department of Water Resources

State of Idaho
Department of Water Resources
**REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

**COPY
FOR YOUR FILES**

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Timothy E. Smedley 208 549-3162
Name of Claimant Phone Number

365 Elabby Road Weiser Idaho 83622
Mailing Address City State Zip

Washington NOT AWARE of date
County(s) where place of use is located Date claim originally due

Domestic and Stock Water - pasture irrigation groundwater for 2 1/2 acres
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

Have been working out of the country the past couple years -
was unaware of the need to file - had understood that it
was not necessary. Am somewhat unclear at this point -
but have been advised to file. I will need time to
file on my irrigation well also. No filing had been done when I purchased

Claimant requests an extension to January 1, 19 93 the
Timothy E. Smedley 10-19-92, 19 92 property
Signature Date of request 2 years ago.

Owner
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to January 1, 19 93

Signed this 30 day of October

[Signature]
Director or his designated agent
DAVID B. SHAW

MICROFILMED

AUG 22 1994

POOR ORIGINAL

T10N R05W Sec. 16

MICROFILMED

AUG 22 1994

MEMORANDUM

To: File A67-02217
Smedley Irrigation Claim

From: Roxanne McCarthy

Re: Conflicting Claims

Date: January 21, 1993

=====

The Department received an irrigation claim from Mr. Smedley on January 6, 1993. The claim appeared to be in conflict with the permit statute (priority date 1969) and the land was also claimed by Johnson-Bryant Equipment under licensed right 67-02217. I called Mr. Smedley this date for additional information.

Mr. Smedley, in turn, called Johnson-Bryant and determined that his two acres is indeed a portion of the 40-acre tract originally farmed by J.F. Clabby and licensed under 67-02217. In addition, he was told that the land was originally developed in 1950 and not licensed until later. Mr. Smedley wishes to file a beneficial use claim for his land with a 1950 priority date. I am sending him a new claim form and affidavit form to be filed as evidence of priority.

MICROFILMED

AUG 22 1994