

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

In Re SRBA

Case No. 39576

)
)
)
)
)
)

Subcase No. 77-13850

Standard Form 5

**STIPULATED ELEMENTS
OF A WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Clarence E. Smith

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Clarence E. Smith

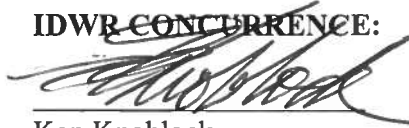
Date

Larry A. Brown

Date

Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:



Ken Knoblock
Senior Water Resource Agent

3/12/7

Date

IDWR CONCURRENCE:

Christopher M. Bromley, (as to form) Date
Deputy Attorney General

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

RIGHT NUMBER: 77-13850

NAME AND ADDRESS: CLARENCE E SMITH
1048 HAAS RD
WEISER ID 83672

SOURCE: BEMIS CREEK TRIBUTARY: WARREN CREEK

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed
13,000 gallons per day.

PRIORITY DATE: 12/31/1931

POINT OF
DIVERSION: T22N R06E S11 NENE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC Within IDAHO County
T22N R06E S11 NENE

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LAND.

OTHER PROVISIONS 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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on _____, 2007 mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Clarence E. Smith
1048 Haas Road
Weiser, Idaho 83672

Signature of person or attorney mailing the form

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

In Re SRBA

Case No. 39576

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Subcase No. 77-13850

Standard Form 5

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The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Clarence E. Smith


Clarence E. Smith

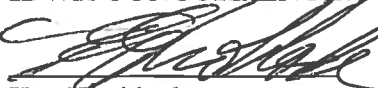
3-14-07
Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown *FWP* Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:


Ken Knoblock
Senior Water Resource Agent

3/16/7
Date

IDWR CONCURRENCE:

Christopher M. Bromley, (as to form) Date
Deputy Attorney General

CERTIFICATE OF MAILING

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Boise, Idaho 83711-4449

IDWR Document Depository
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Boise, Idaho 83720-0098

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Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Clarence E. Smith
1048 Haas Road
Weiser, Idaho 83672

Signature of person or attorney mailing the form

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

RIGHT NUMBER: 77-13850

NAME AND ADDRESS: CLARENCE E SMITH
1048 HAAS RD
WEISER ID 83672

SOURCE: BEMIS CREEK TRIBUTARY: WARREN CREEK

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed
13,000 gallons per day.

PRIORITY DATE: 12/31/1931

POINT OF
DIVERSION: T22N R06E S11 NENE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC Within IDAHO County
T22N R06E S11 NENE

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LAND.

OTHER PROVISIONS 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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RECEIVED
JUL 17 2009
DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA)

A. Subcase 77-13850
(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

_____) Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Clarence E. Smith
Address: 1048 Haas Road; Weiser, Idaho 83672

Name:
Address: ;

Name:
Address: ;

Name:
Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: See attached.

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

E.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of ADA)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

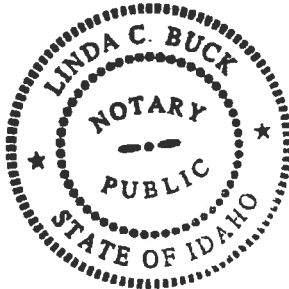
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry G. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: *July 24, 2006*

Linda C. Buck
Linda C. Buck



Notary Public for State of Idaho

Residing at: Mountain Home, ID.

My Commission Expires: 12-21-2011

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on July 15th, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Clarence E. Smith
Address: 1048 Haas Road; Weiser, Idaho 83672

Name:
Address: ;

Name:
Address: ;

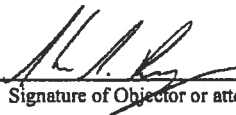
Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

03/29/2006

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

RIGHT NUMBER: 77-13850
NAME AND ADDRESS: CLARENCE E SMITH
1048 HAAS RD
WEISER ID 83672

Mixed POU:
-The place of use described below contains both private and public lands.
-Clarify such that it is clear only private land is intended.

SOURCE: BEMIS CREEK
QUANTITY: 0.040 CFS
TRIBUTARY: WARREN CREEK

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1931
POINT OF DIVERSION: T22N R06E S11 NENE Within IDAHO County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC Within IDAHO County.
Mixed T22N R06E S11 NENE

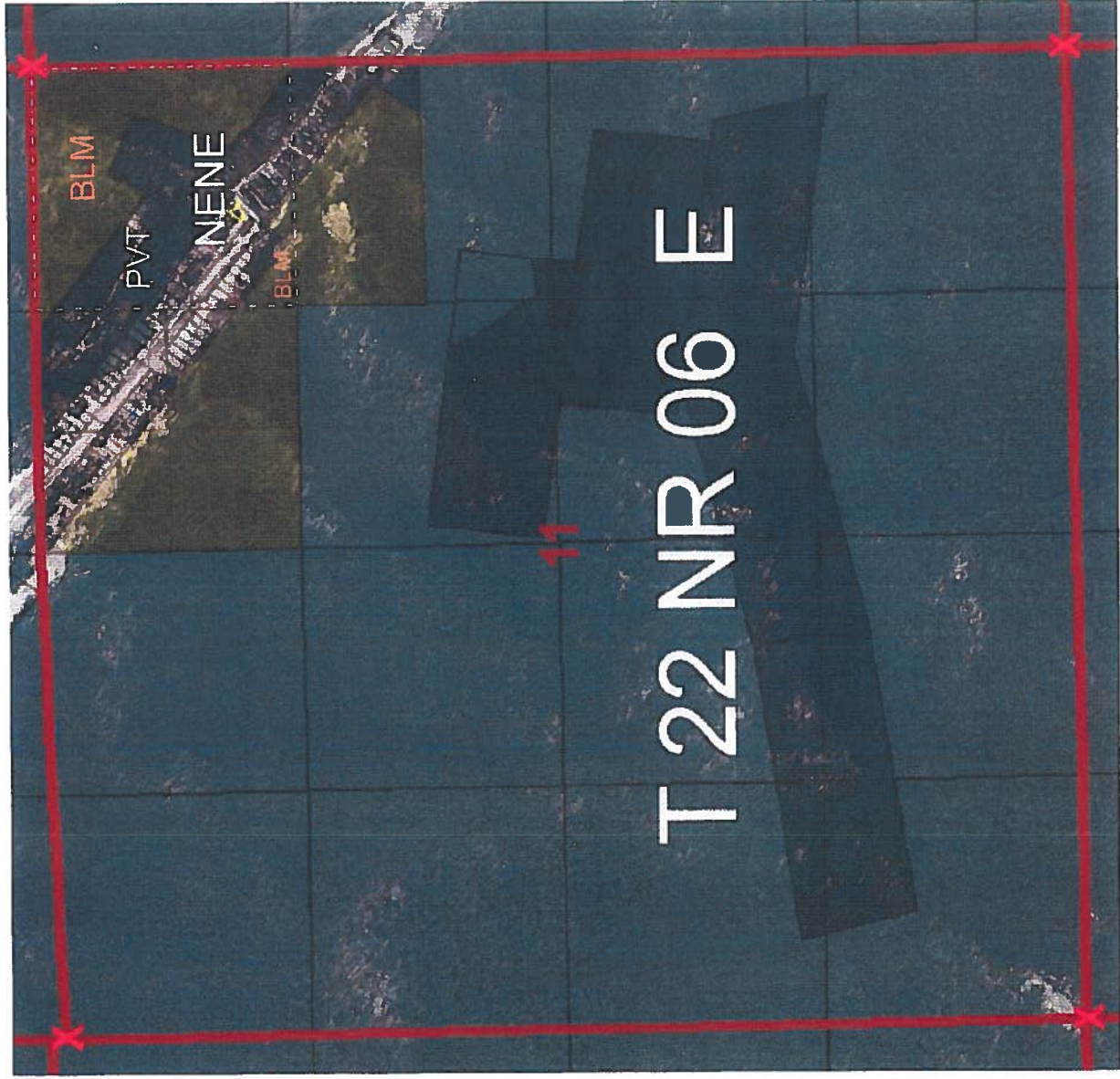
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

77-13850



Since the NENE of Section 11 contains both private and public lands, please insert the following language under place of use to clarify such that only private land is intended:

"Place of use does not include federal public land."

IDAHO COUNTY 049
COEUR D'ALENE DISTRICT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

[illegible]

All Tps included in 108157 Cat PL 167 FACT 01
(Comp 7/22/1955) completed 12/22/1960. All NF
surveys noted by 555N excluding

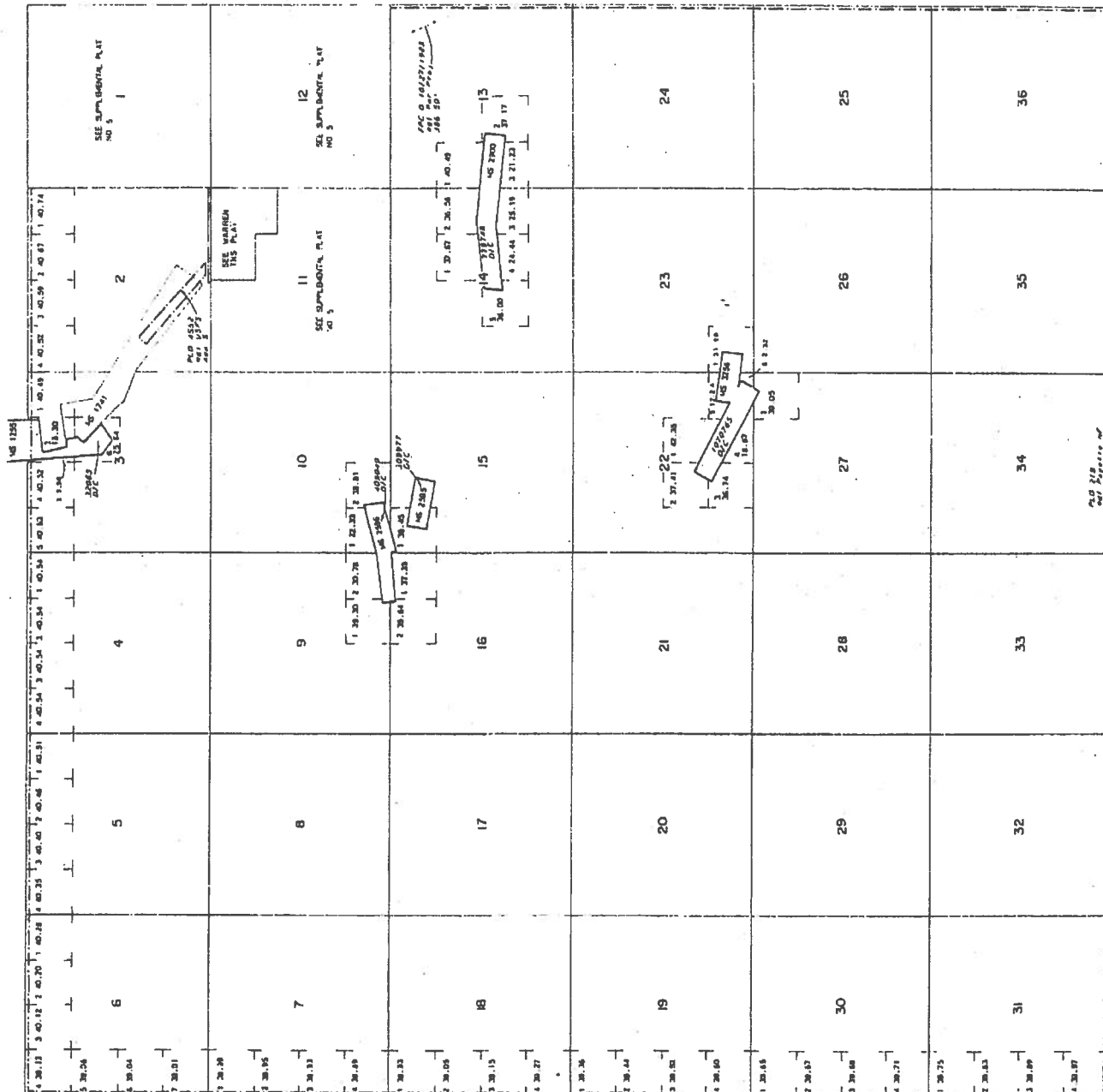
1 CB167-N-1 Sec 12 NW Old Reserve M11 5
1 CB167-N-2 Sec 12 NW Old Reserve No 1
1 CB167-N-3 Sec 17 SE Old Reserve No 2
1 CB167-N-4 Sec 12 SW Old Reserve No 3
1 CB167-N-5 Sec 12 SE Old Reserve No 4

1 07501 001 USFS V50 S Prop
Sac 12: 086

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

USE PLAYS:	CURRENT TO	CURRENT TO
	FEB 21 1999	

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WALLING STAIRCASE

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संज्ञा

404

TOWNSHIP 22 NORTH RANGE 6 EAST OF THE BOISE MERIDIAN, IDAHO

DAHO COUNTY 049

COEUR D'ALENE DISTRICT

504

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL Sec 1, 11, 12

[illegible]

All 16 included in 1 CR167 Dat Pl 167 (A, B, C)
 Cong 7/23/1953) completed 12/22/1960. All NF
 surface mount by USFS enclosing

1	00167-N-1	Sec 12 SW	Old Rescue Bill 5
1	00167-N-2	Sec 12 NW	Old Rescue No 1
1	00167-N-3	Sec 11 SE	Old Rescue No 2
1	00167-N-4	Sec 12 SW	Old Rescue No 3
1	00167-N-5	Sec 12 SE	Old Rescue No 4

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

DL AUGUST 24 1951	DL AUGUST 24 1951
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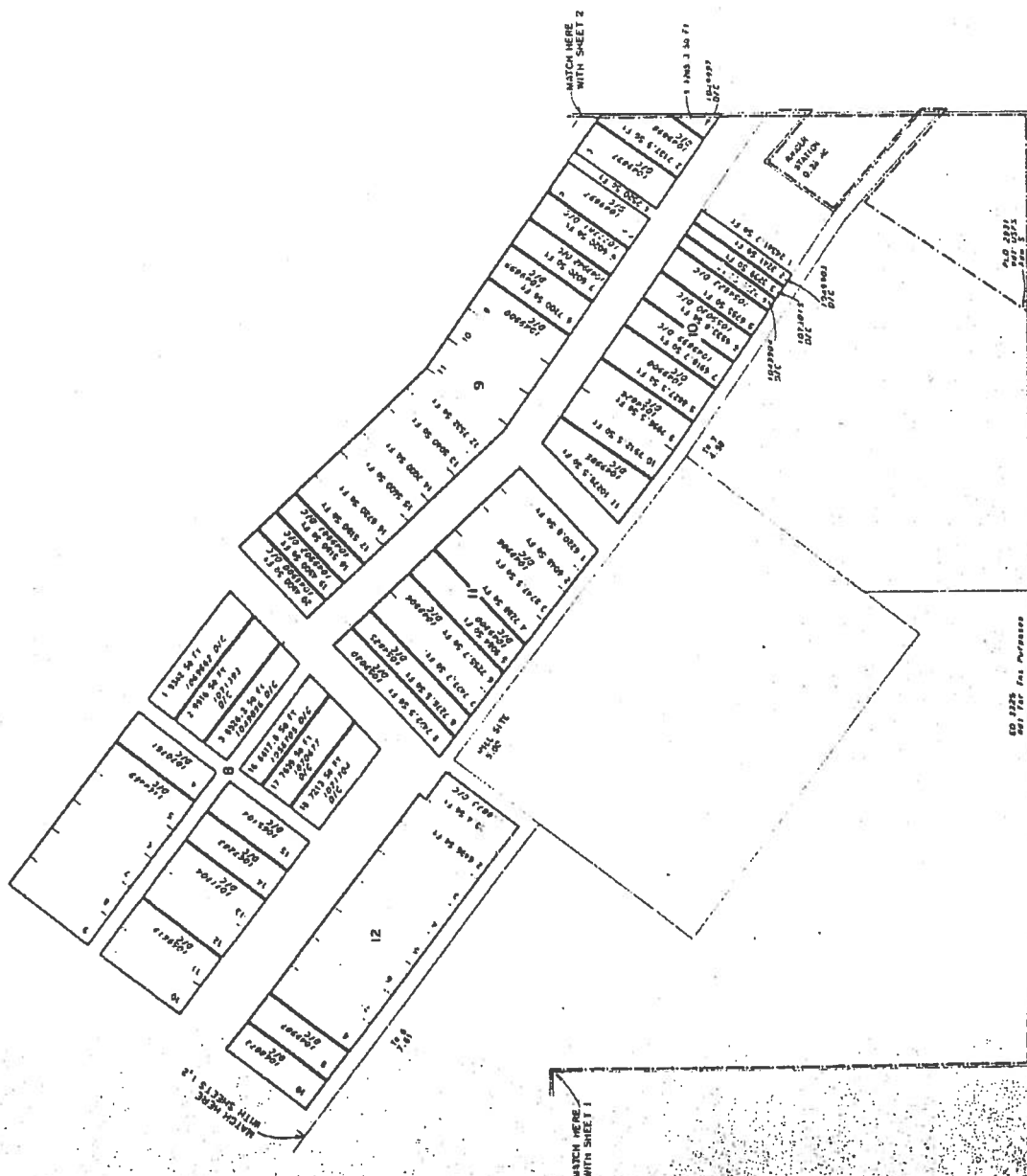
LAST NAME: _____

TOWNSHIP 22 NORTH RANGE 6 EAST OF THE BOISE MERIDIAN, IDAHO
 IDAHO COUNTY
 COLUMBIA ALPINE DISTRICT

NO. 4
 STATUS OF PUBLIC DOMAIN
 LAND AND MINERAL TITLES

WARREN
 TOWNSITE PLAT
 SHEET 3

INDEX TO SEGREGATED TRACTS		
TRACT NO.	SECTION	SUBDIVISION
1	36	
2	36	
3	36	
4	36	
5	36	
6	36	
7	36	
8	36	
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11	36	
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FOR ORDERS EFFECTING DISPOSAL OR USE OF
 UNIDENTIFIED LANDS REFER TO LIST OF
 MISCELLANEOUS DOCUMENTS.

COMMIT TO	COMMIT TO
MAY 1 1955	

USE PLATS:

SCALE IN FEET

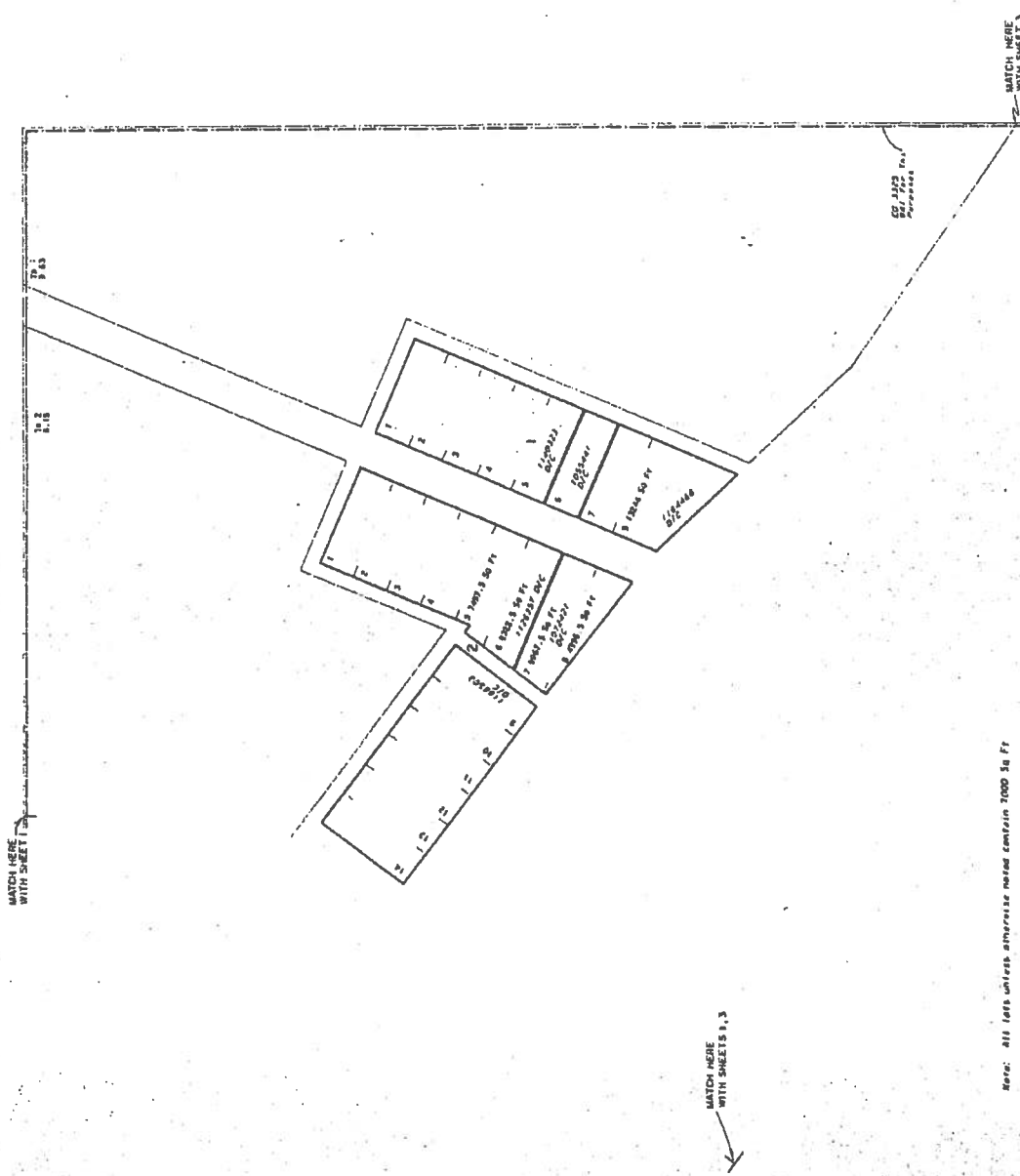
TOWNSHIP 22 NORTH RANGE 6 EAST OF THE BOISE MERIDIAN, IDAHO

IDAHO COUNTY
CLEAR VALLEY DISTRICT

NO. 2
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

WARREN TOWNSITE PLAT SHEET 2

INDEX TO SEGREGATED TRACTS			
TRACT NO.	ACRES	SECTION	SUBSECTION
1			
2			
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Note: All lots unless otherwise noted contain 2000 Sq. Ft.

FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
MAY 1 1914	
USE PLATS	

SCALE 1/4" = 100'

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

WARREN
TOWNSITE PLAT
SHEET 1

[illegible]

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MULTI-ANNUOUS DOCUMENTS

04 143990 04 143990

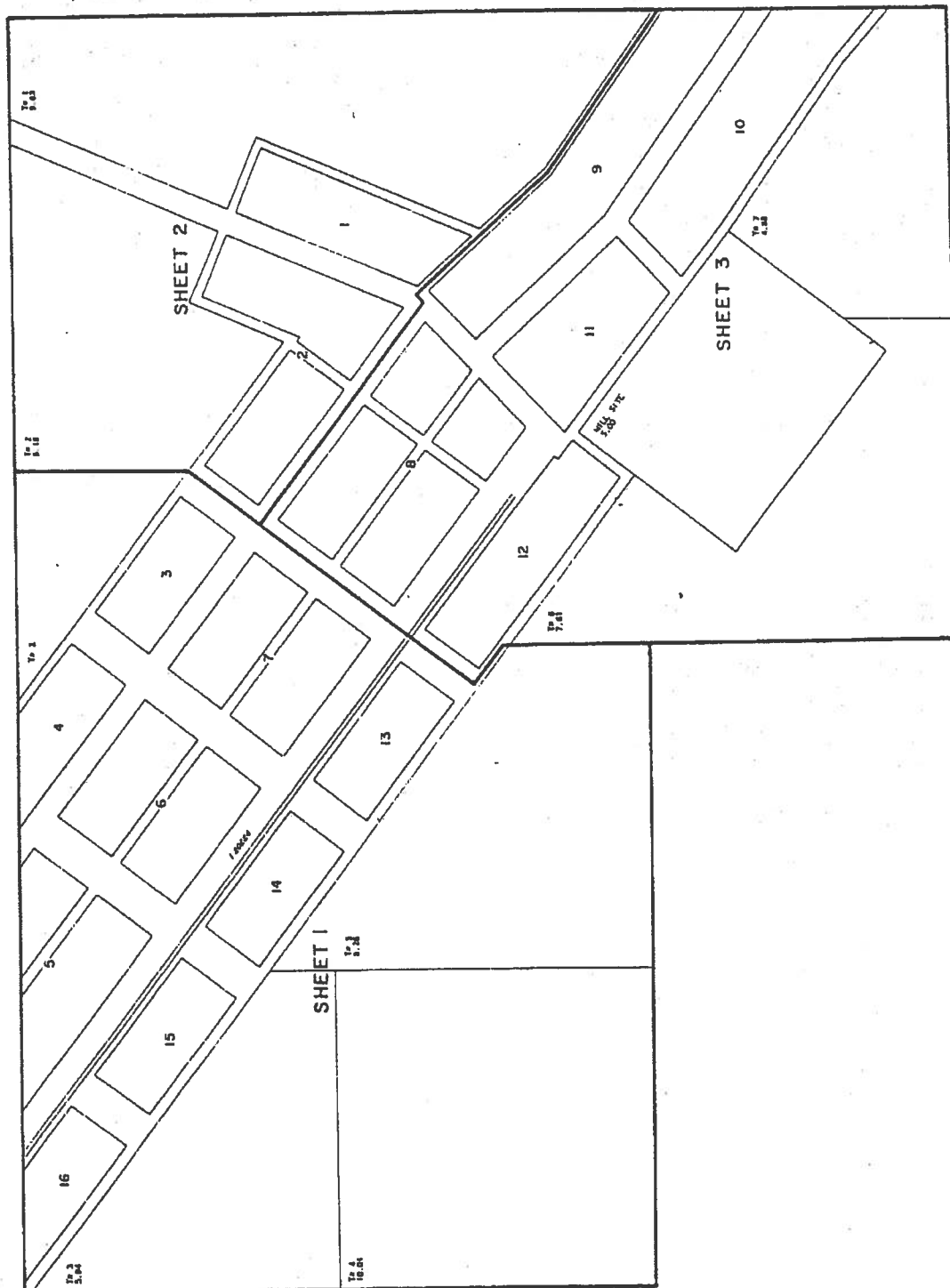
TOWNSHIP 22 NORTH RANGE 6 EAST OF THE BOISE MERIDIAN, IDAHO

IDAHO COUNTY 049
COEUR D'ALENE DISTRICT

NO. 1

INDEX MAP

WARREN TOWNSITE



12/19/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 77-13850

NAME AND ADDRESS: CLARENCE E SMITH
1048 HAAS RD
WEISER ID 83672

SOURCE: BEMIS CREEK

TRIBUTARY: WARREN CREEK

QUANTITY: 0.040 CFS

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1931

POINT OF DIVERSION:

T22N R06E S11 NENE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
1/01 12/31

QUANTITY
0.040 CFS

PLACE OF USE: DOMESTIC Within IDAHO County

T22N R06E S11 NENE

OTHER PROVISIONS 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.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 23, 2006

Clarence E. Smith
1048 Haas Road
Weiser, ID 83672

RE: 77-13850

Dear Mr. Smith:

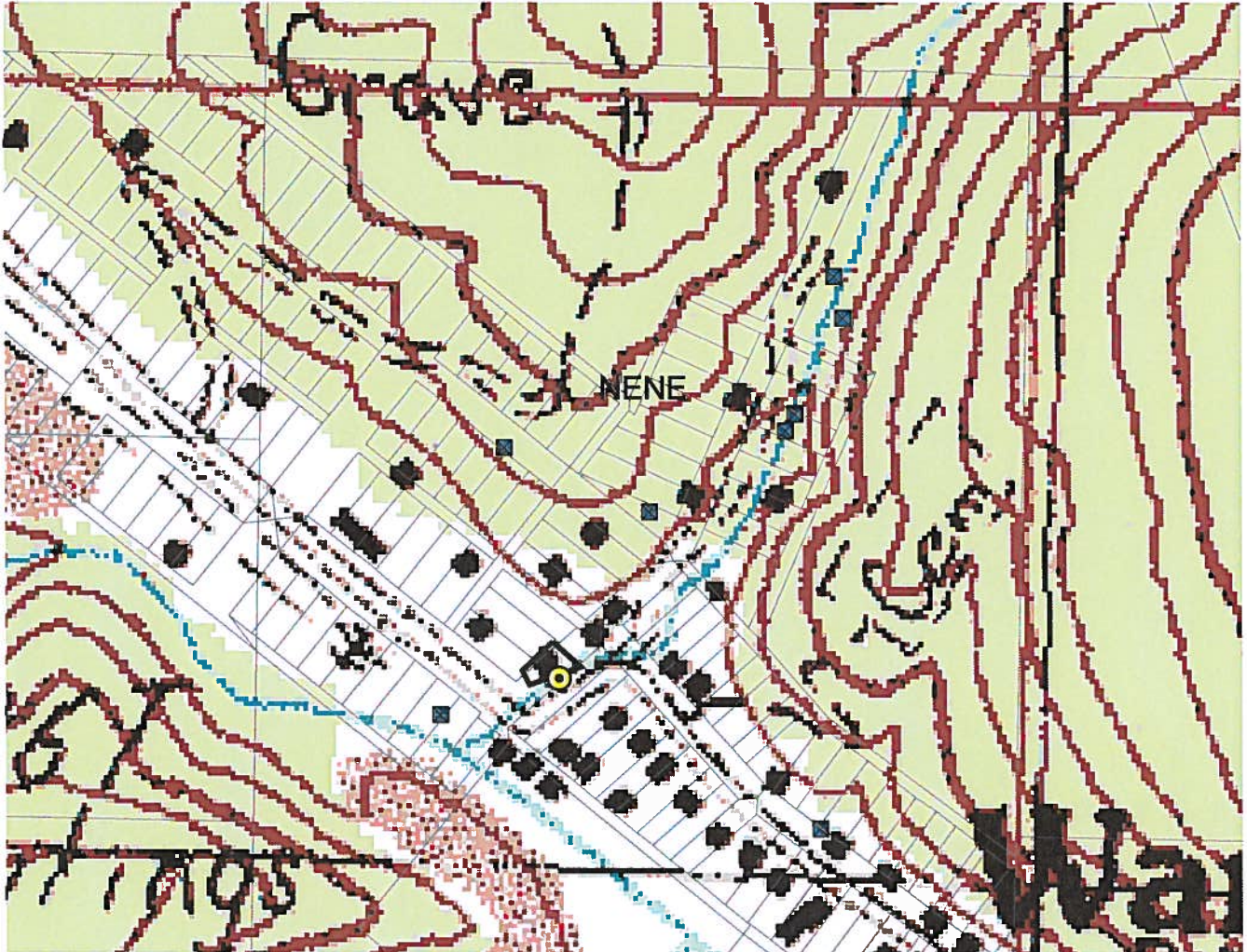
Enclosed is a new map reflecting the comments you made on the Notice of Error form.
Thank you for your help.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken Knoblock', written over a horizontal line.

Kenneth Knoblock
Water Resources Agent

77-13850



0 200 400 Feet

Section 11
T22N R6E



● Point of Diversion

□ Place of Use

Map prepared on December 19, 2005
By Kenneth Knoblock
Idaho Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 6, 2005

RECEIVED
DEC 19 2005
IDWR/North

Clarence Smith
1048 Haas Rd.
Weiser, ID 83672

RE: 77-13850

Dear Mr. Smith:

In order to identify the location of your water use in the townsite of Warren we need to know the lot number where you are using the water and the owner of that lot. Enclosed is a copy of a portion of the town to assist you.

Sincerely,

Kenneth Knoblock
Water Resources Agent

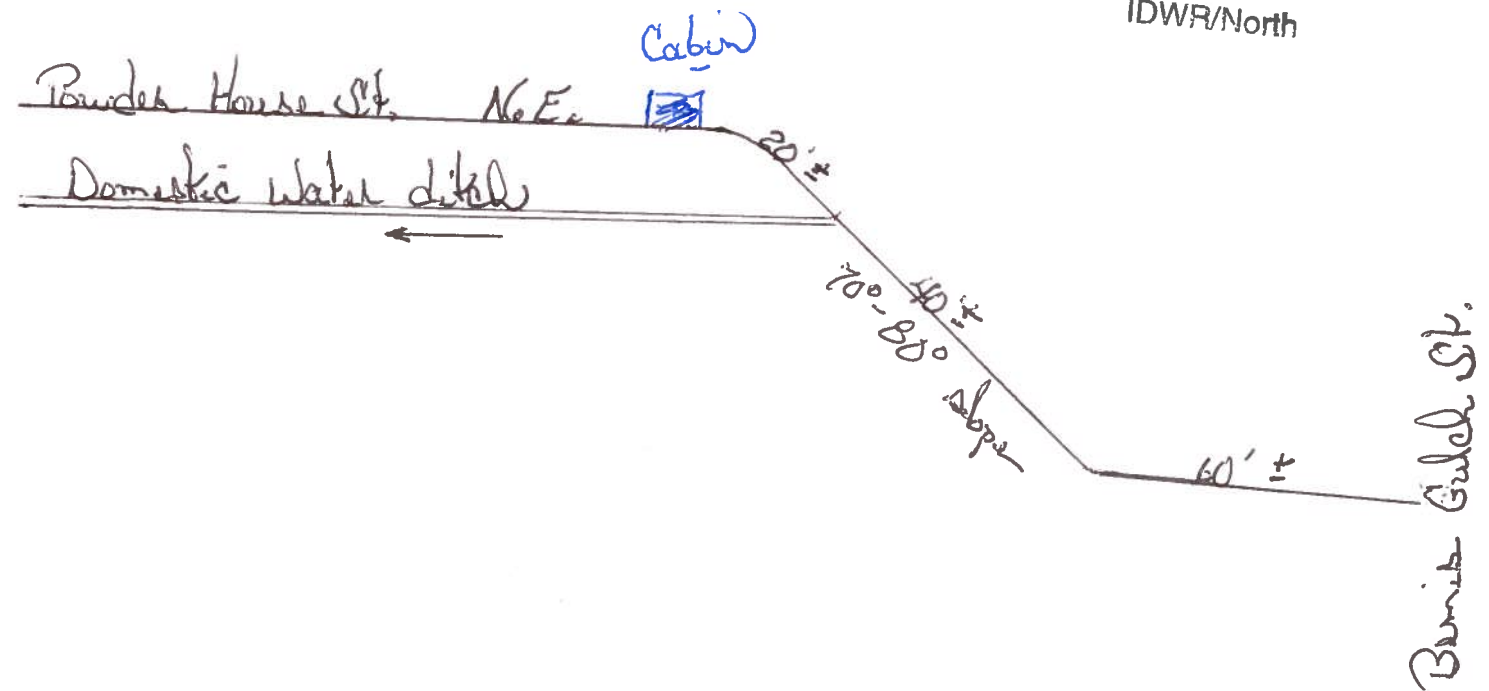
Hope this map will clear things up.

Thank you,

C. E. Smith

Horizontal sketch of Powder House Street.

RECEIVED
DEC 19 2005
IDWR/North



WEST

West

2000

52911

DWR/North

West

2028 West

CO

Cor. Secs. 1, 2, 11, and

TRACT No. 2

8.18 ACRES

TRACT No. 1

PARK AND

CEMETERY

RESERVE

9.63 ACRES

MILL SITE

5.00 Acres

7.61 ACRES

TRACT No. 6

TRACT No. 2

4.88 ACRES

East
EAST

660.99

Est

1321.98
660.99

W.C. N. 0'1'W. 21.78 FT.

COR. 6

Point for $\frac{1}{64}$ Sec. Co.

I hereby certify this plat of the townsite of Warren as surveyed by Robert A. Farmer, U. S. Cadastral Engineer, U. S. Surveyor, under Special Instructions, Group 135, is strictly conformable to the field notes of the survey office, which have been examined and approved.

Surveyor General's Office,

Survey



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

Sent again of 12/1/15

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 6, 2005

Clarence Smith
1048 Haas Rd.
Weiser, ID 83672

RE: 77-13850

Dear Mr. Smith:

In order to identify the location of your water use in the townsite of Warren we need to know the lot number where you are using the water and the owner of that lot. Enclosed is a copy of a portion of the town to assist you.

Sincerely,

Kenneth Knoblock
Water Resources Agent



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 13, 2005

Clarence Smith
1048 Haas Rd.
Weiser, ID 83672

RE: 77-13850

Dear Mr. Smith:

On May 27, 1988, you submitted a Notice of Claim in the Snake River Adjudication (copy enclosed for your reference). It lists domestic use in Section 11 Township 22N Range 6E. We searched the Idaho County tax lot information and we cannot find that you own property in that section. Would you please provide us with the parcel number?

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Knoblock', written over a horizontal line.

Kenneth Knoblock
Water Resources Agent

RECEIVED

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

MAY 27 1998

WATER RESOURCES
WESTERN REGION

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMIdentification No. A77-13850Date Received 5-27-98Receipt Number W023931NOTICE 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.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) CLARENCE E. Smith Phone (208) 549-1889Mailing Address 1048 HARS RD. WEISER, IDAHO Zip 836722. Date of Priority (Only one per claim) 1931 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other (☒) (a) BEMIS CREEK
Name or kind of sourcewhich is tributary to (b) WARREN CREEK4. Location of point of diversion is: Township 22N Range 6ESection 11, NE 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____, BM.,County of IDAHOAdditional points of diversion if any: NONE5. 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. A SMALL ditch built around 1920 DIVERTS DOMESTIC WATER FROM BEMIS CREEK TO 12/15 HOUSES/LOTS IN TOWNSHIP OF WARREN, IDAHO

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

For DOMESTIC purposes from JAN 1 ^{Month/Day} to DEC 31 ^{Month/Day} amount 0.04 ^(cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (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) ONE HOUSEHOLD

10. Place of use is: Township: 22N Range 6E

Section 11, NE 1/4 of NE 1/4, Govt. Lot _____, B.M.,

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

Additional places of use, if any NONE

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 _____ 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

14. Remarks: My cabin was built in 1930, but in the middle of a street.
A lot of homes are in streets or alleys & this is the towns property.

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 _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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.

Signature of Claimant (s) Chakona C. Smith Date 5-26-98
_____ 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 _____)

County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 26th day of May 19 98

SEAL

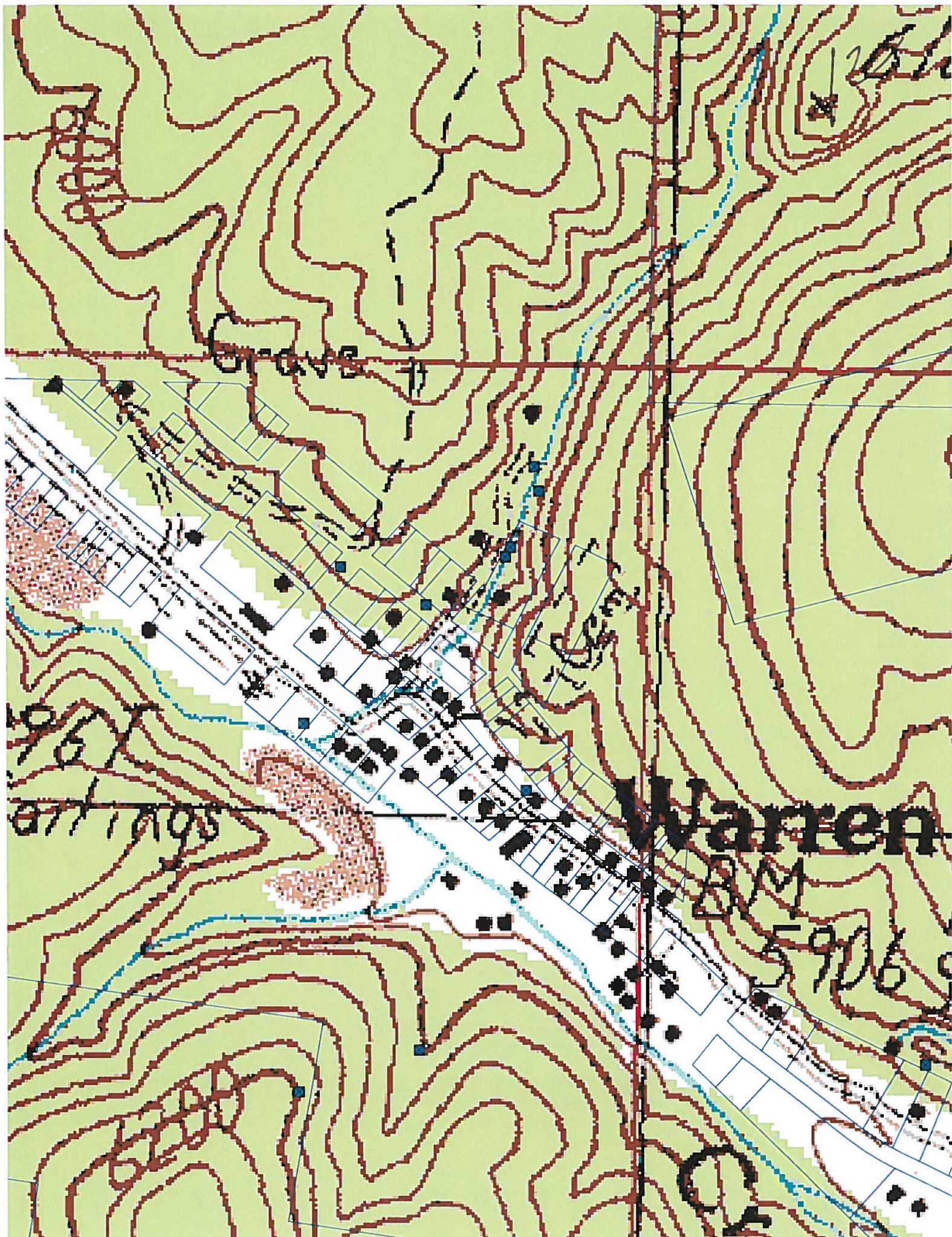
Notary Public Wendy S. Kautz

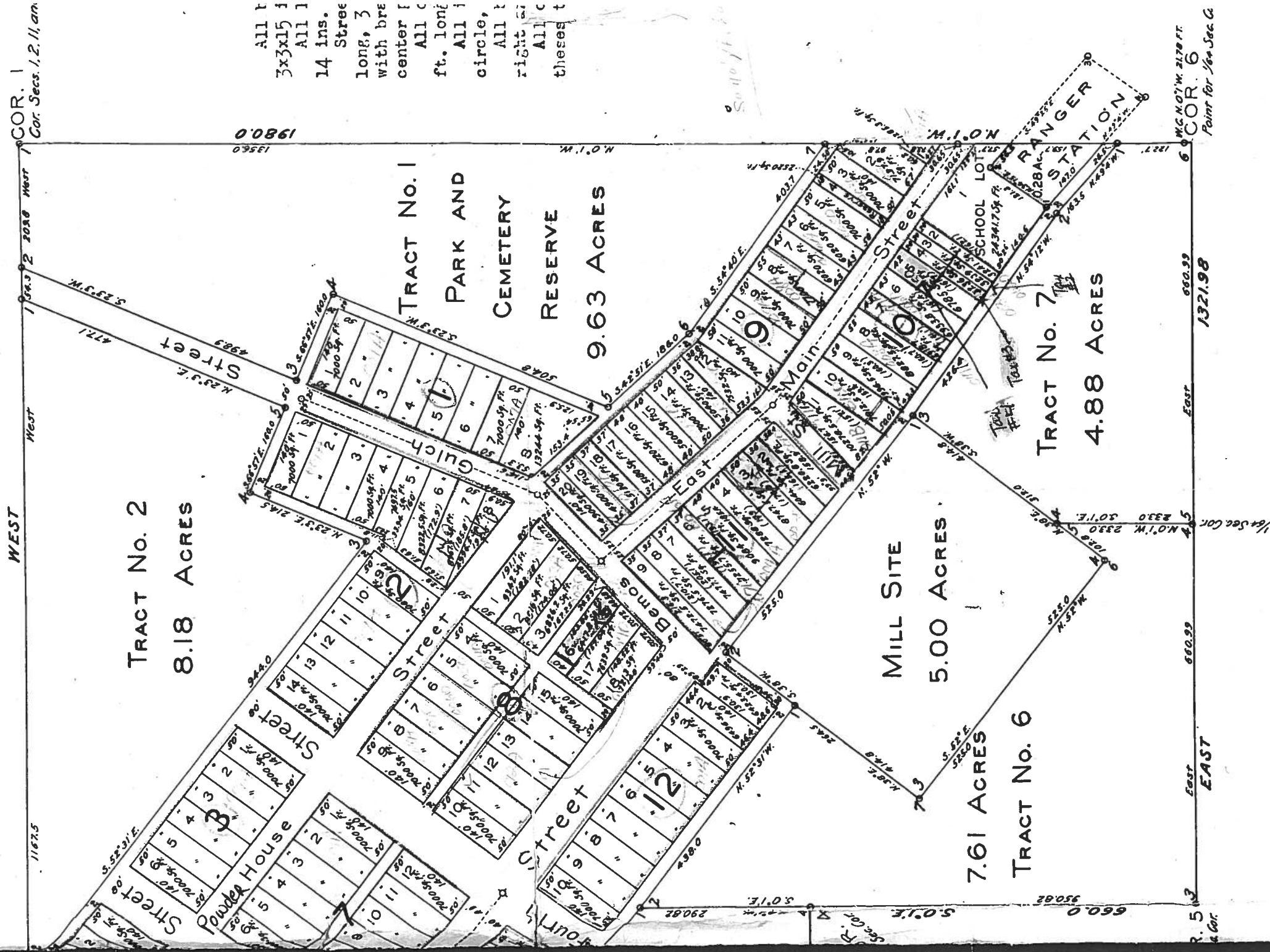
Residing at Weiser, Idaho

My Commission Expires 4-03-04

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant





I hereby certify this plat of the townsite of Warren as surveyed by Robert A. Farmer, U. S. Cadastral Engineer, U. S. Surveyor, under Special Instructions, Group 135, is strictly conformable to the field notes of the survey office, which have been examined and approved.

Digital W.C.
Surveyor General's Office,
Surveyor

RECEIVED
APR 28 2005
IDWR/North

Dear Mr. Knoblock,

We have owned this cabin since 1960 and the water diverted from Bemis Creek was used before 1960 and since then for domestic purposes.

Sincerely,



Clarence E. Smith

E-mail - mutual@ruralnetwork.net

Ron Funk, (Idaho County Appraiser) at Grangeville is familiar with me and this property. I had to work with Ron because of a County mistake on property taxes.

CHECK PAYABLE TO:

2004 TAX BILL/RECEIPT

PARCEL NUMBER

N A COX

LR0435000006

COUNTY TREAS. TAX COLL

BILL#

5

CODE AREA 10-0000

EST MAIN, ROOM 2

P

26,

EVILLE, ID 83530-1994

ST HALF DUE

2ND HALF DUE

FULL DUE

TOT MV

26,

174.28

TAX

174.28

TAX

348.56

LATE

LATE

INT

INT

COST

COST

TOT

TOT

GRUELL DON

E SMITH CLARANCE

C/O GRUELL DON

945 OLDS FERRY RD

WEISER

ID 83672

TAXING DISTRICT

RATE

AMC

STATE

.000000000

COUNTY

.002666001

59

SCHOOL #241

.007301770

190

COUNTY R & B

.000000000

SYRINGA HOSP

.000406535

10

DISTRICT TOTAL

.010374306

270

SOLID WASTE

78

AMOUNT DUE

348

IN WARREN ON POWDER STREET

Warren, Idaho

Rec'd 1st HALF
12-10-04 #3536
174.28

*** IMPORTANT ***

PLEASE READ BOTH FRONT AND BACK

★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT

SUBJECT TO BANK CLEARANCE.

RECEIVED
APR 28 2005
IDWR/North

ITS POSTMARKED AFTER DECEMBER 20, 2004 WILL
SUBJECT TO LATE FEES & INTEREST 208-983-2801

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

, DON

2004

5

2ND HALF

AMOUNT DUE

174.28

COUNTY

00000010A

000

LATE

INT

COST

TOT

IF NOT PAID ON OR BEFORE

JUNE 20, 2005

PAID

CHECK #



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

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Sincerely,

Kenneth Knoblock
Water Resources Agent

RECEIVED
APR 28 2005
IDWR/North

10. Place of use is: Township 22N Range 6E

Section 11 NE 1/4 of NE 1/4, Govt. Lot _____, B.M.,

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

Additional places of use, if any NONE

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

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Number of Attachments _____

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Signature of Claimant (s) Chakener C. Smith Date 5-26-98

Date _____

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

of _____ Title _____ 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 _____)

County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 26th day of May 19 98

SEAL

Notary Public Wendy S. Kautz

Residing at Wenau, Idaho

My Commission Expires 4-03-04

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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WATER RESOURCES
WESTERN REGION

CIVIL CASE NUMBER: 39576

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Date Received 5-27-98
Receipt Number W0023931NOTICE OF CLAIM
TO A
WATER RIGHTACQUIRED UNDER STATE LAW
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6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from JAN. 1 ^{Month/Day} to DEC 31 ^{Month/Day} amount 0.04 ^(cfs)
(Both dates are inclusive)

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