

AJ5809NP
No. R43-10835

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/03/98
PAGE: 18

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CLEVE G SMITH FAMILY TRUST	10/22/1968	STOCKWATER DOMESTIC	01-01 12-31 01-01 12-31	0.07 CFS 0.06 CFS	
TOTAL DIVERSION:					0.13 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T13S R29E S08 SWSWSE CASSIA County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
13S	29E	8	:	:	:	:	:	:	:	:	:	:	:	:	:

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
13S	29E	8	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: CASSIA

Non-Irrigation Uses: 2 ~~HOUSES~~ 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 STOCKWATER, 300 CATTLE/HORSES
PARCEL NO. RP13S29E086100A

Dates: Exam Made Date: Verified Date: 12/22/1997 Objection Filed Date:

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

OK with
Chgs.
VERIFIED BY *[Signature]*
2.4.98

Old (D) Number -

1 - HC 61 BOX 1132
2 - - -
3 - - -

City- MALTA
Phone - 208-645-2249

+ - - - Stage -
J - BENEFICIAL USE

+ - - - - Tributary

- - - - - Point of Diversion
RFlg County

(31) CASSIA

..... Diversion Volume

0.060
0.070

+ - Total Consumptive 0.0

County

04 STOCKWATER
43 DOMESTIC

Total Acres:

+ - - Diversion Means - WELL, 349', LINES

+ - - Non-Irrigation Use - 2 HOUSES

+ - - Other Rights for Same Use - NONE

Remarks

STOCKWATER, 300 CATTLE/HORSES
PARCEL NO. RP13S29E086100A

- - - Old Water Right Numbers

No Old Water Right Numbers Found

+ - - - - - 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.

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

+ - - - -	-Comments-	+ - - - -
Date: 12/22/1997	User Id: DSMITH	Subject: COPIED FROM REMARKS
AMENDED CLAIM PER CLAIMANT PHONE CALL TO DELETE POU SECTION IN T13S-29E-S09-NENW TO ELIMINATE CONFLICT WITH BLM PROPERTY IN THAT SECTION. CLAIMED FOR STOCKWATER USAGE ORIGINALLY. AMENDED CLAIM SENT TO CLAIMANT FOR NOTARIZATION. FH 08-15-1997.		

+ - - Audit Fields - - +
12/22/97 DSWITH

	Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	-	39576
	Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-	
	Response Filed Date	- 00/00/0000	Verified Date	- 12/22/1997	Old Judicial District	-	
	Claim Received Date	- 02/17/1993	Last Amended Date	- 08/15/1997	Temporary Right	-	P
			Receipt Number	- C026776	Water District	-	
			POU Ownership Flag	- Y	Federal/State Indicator	-	S
			Name Connector	-	Presumption Flag	-	
					Notice of Error Flag	-	

RIGHT NUMBER: 43-10835

NAME & ADDRESS: CLEVE G SMITH FAMILY TRUST
HC 61 BOX 1132
MALTA ID 83342

SOURCE: GROUNDWATER

QUANTITY: 0.13 CFS

PRIORITY DATE: 10/22/1968

POINT OF DIVERSION: 113S R29E S08
SWSSE

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01-01 12-31	0.07 CFS
DOMESTIC DOMESTIC, 2 HOUSES; STOCK	01-01 12-31	0.06 CFS

PLACE OF USE: STOCKWATER 113S R29E S08
Within CASSIA County

DOMESTIC 113S R29E S08
Within CASSIA County

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

AMENDED CLAIM PER CLAIMANT PHONE CALL TO DELETE POU SECTION IN
113S-29E-S09-NEWN TO ELIMINATE CONFLICT WITH BLM PROPERTY IN THAT
SECTION. CLAIMED FOR STOCKWATER USAGE ORIGINALLY. AMENDED CLAIM
SENT TO CLAIMANT FOR NOTARIZATION. FH 08-15-1997.

RP/3529E08G/00A

T2/63

from 8-22-93 answer printout
for id. card + plat map,

100 88-28-97

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE

July 29, 1997 1:51pm

CUSTOMER

Carl Simonson per Steve Davis

SUBJECT: A43-10835

phone call (x) walk-in (.)

Mr. Simonson has concerns about the described P/U (Section 9 only) in the above claim. It appears the description stapled to original claim does not match with the computer generated claim. When the situation is rectified, Mr. Simonson would like to be called at:

BLM Burley Office 677-6640

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: A43-10835
Date Received: 2/17/1993
Receipt No: C026776
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLEVE G SMITH FAMILY TRUST 208-645-2249
Address: HC 61 BOX 1132
MALTA ID 83342

2. Date of Priority: OCT 22, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	29E	8	SW	SW	SE		CASSIA

5. Description of diverting works:
WELL, 349', LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 2 HOUSES; STOCKWATER 300 CATTLE/HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	29E	8	SW	SE		DOMEST	
			SW	SE		STOCK	
		9	NE	NW		STOCK	

11. Place of use in counties: CASSIA

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: 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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, 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

Title and Organization

Date

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

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

MAR 31 1993

Department of Water Resources

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. 443-10835Date Received 2-17-93Receipt Number C026776 includes entire feeNOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

FEB 17 1993

Department of Water Resources

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) Clara B. ...Tax Number 2165 in Section 8, Township 13 South, Range 29
East, Boise Meridian, described as follows, to-wit:Beginning at the NW corner of the NW 1/4, SW 1/4 of said
Section 8; thence East 1320 feet; thence South 600 feet;
thence South 83° 0' West 610 feet; thence South 88° 30'
West 360 feet; thence South 83° 0' West 365 feet; thence
North 671 feet to the place of beginning.Section 8 NW 1/4 of SW 1/4 of 15 Range 29 EastCounty of CassiaAdditional points of diversion if any: see attachment

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 drilled 22 Oct. 1968 - replaced windmill well
349 feet deep 2 water lines to stock waterer points
2 House holds have been served on well.

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

For Domestic purposes from Jan Month/Day to Jan Month/Day amount 0.006 (cfs)
For stock purposes from Jan (Both dates are inclusive) to Jan amount 0.077. Total quantity claimed 0.13 (cfs)8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock)

(2 Households) (varies from 200 to 300 head)
of cattle & horses

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

RECEIVED

FEB 17 1993

Department of Water Resources

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.

CLEVE G. Smith 208 645-2949
Name of Claimant Phone Number

HC 161 Box 1132 Malta Id. 83342
Mailing Address City State Zip

Cassia ?
County(s) where place of use is located Date claim originally due

CLEVE G. Smith Domestic well at Sublett
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:

I thought it had been done but
no check to substantiate action

Claimant requests an extension to _____, 19 _____
Cleve G. Smith Feb. 13, 19 1993
Signature Date of request
Farm owner
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

and if granted the filing deadline is extended to _____, 19 _____

Signed this 4 day of March, 19 93

David B. Shaw
Director or his designated agent
DAVID B. SHAW

10. Place of use is: Township: 13 Range 29 East
Section 8, NW 1/4 of SW 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any 2

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

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 or _____

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 _____

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 X 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) Cleve G. Smith Date Feb 13 1993

For Organizations: I do solemnly swear or affirm that I am CLEVE G. Smith Family Trust
of CLEVE G. Smith Family Trust, that I have signed the foregoing
document in the space below as Trustee of CLEVE G. Family Trust
Organization Title Organization

and that the statements contained in the foregoing document are true and correct.
Signature of Authorized Agent Cleve G. Smith Trustee Carol Smith co-trustee Date Feb 13 1993
Title and Organization CLEVE G. Smith Family Trust

State of Idaho/or _____)
County of CASSIA) SS.

Subscribed and sworn (or affirmed) before me this 16th day of February 1993

SEAL

Notary Public Burtace Anderson

Residing at Albion, Id

My Commission Expires 7-23-93

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

NOTARIZATION REQUIRED FOR EACH CLAIM



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 26, 1993

Cleve G. Smith
HC 61, Box 1132
Malta, ID 83372

RE: Snake River Basin Adjudication (SRBA)
Cassia County - Notice of Claim A43-10835

Dear Mr. Smith:

Thank you for the prompt response to my previous letter. However, there was one element which you did not address in your response.

At Items 6 and 7, a diversion rate, not a diversion volume, must be shown. You have identified minimum and maximum volumes, but these figures do not clearly describe the rate of flow. Specifically, these items must be completed with an amount in cubic feet per second (cfs). As I mentioned in my previous letter, there are common diversion rates for types of uses you are claiming; however, you should claim the amount that is actually beneficially used. Standard diversion rates for your uses are in the area of 0.06 cfs for 2 homes and 0.07 for 300 head of cattle.

Also, I have enclosed a map showing the area described as the point of diversion and place of use (Items 4 and 10) listed on your claim. The map you enclosed is a relatively large scale for identifying 40-acre tracts, so I have enclosed the map for you to confirm the location is correct. If the area outlined in red is correct, no further action is needed; however, if it is wrong, please show the correct location of the well and house on this map to enable me to identify the 40-acre tract correctly.

Cleve G. Smith
March 25, 1993
Page 2 - Cassia County

Please do not hesitate to call me or the Twin Falls Office (736-3033) if we can be of any assistance. Please return the claim form before April 26, 1993 in order to avoid late fees.

Sincerely,


Helen Harrington-Thornton
Senior Water Resource Agent
Adjudication Bureau

HHT:sf:south:state

Enclosures:

Instruction Booklet (short)
Claim Form
Map

This is where the house & well is

HANZEL
CHEVROLET
COMPANY



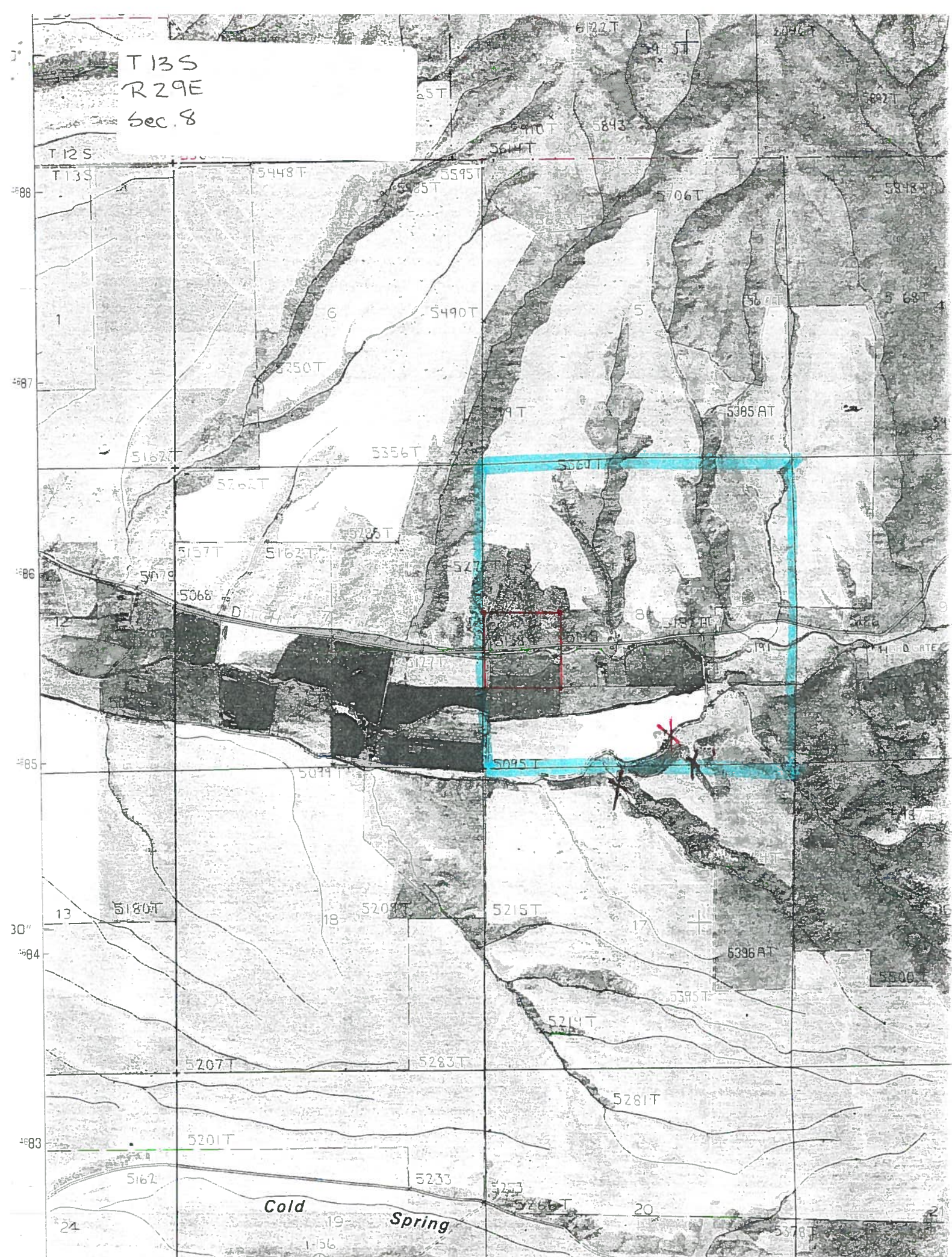
OLD MOBILE



401-407 6TH STREET
RUPERT, IDAHO

[illegible]

T 135
R 29E
Sec. 8



ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME Cleveg. Smith Family Trust

CLAIM IDENT. NO.

A43-10835DATE RECEIVED 3/31/93 RECEIPT # CO26716 FEE PAID \$ 75 FEE REQ'D \$ 75

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient? <u>SWSWSE</u>	☒	☐	* <u>Mod</u>
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form?	☒	☐	*
The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.			
Is the period of use included?	☒	☐	<u>mod</u>
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock? <u>SWSE, S. 8</u> <u>NENW, S. 17</u>	☒	☐	*
If multiple domestic, is single ownership indicated?	☒	☐	<u>Mod</u>
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☐	☒	<u>None</u>
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.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed?	☒	☐	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.	☒	☐	
If no, was water right no. found?	☐	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim?	☒	☐	
(If yes, attach a proof report & complete number change)	☒	☐	
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, was the fee paid?	☒	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time?	☒	☐	*
(Check ML3 for date mailed-not all were mailed on the planned date)	☒	☐	*
If no, was an extension of time filed & approved? <u>not for per</u>	☒	☐	*
22. Is the fee enclosed correct?	☒	☐	*

RECEIVED

MAR 24 1993

Department of Water Resources

I hope this clarifies the points
in Question. sorry for my oversight

Thank you

Clive J Smith

HCCI Box 1132

Matta Jolu

83342



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 11, 1993

Cleve G. Smith
HC 61, Box 1132
Malta, ID 83372

RE: Snake River Basin Adjudication (SRBA)
Cassia County - Notice of Claim #A43-10835

Dear Mr. Smith:

We are returning the Notice of Claim to a Water Right filed for the property of the Cleve G. Smith Family Trust in Cassia County. We have noted some problems with your claim which we would like you to correct.

A critical item of the water right, the date of priority, was left off your claim in Item #2. This is the date that the water was first placed to beneficial use to the best of your knowledge. If the date shown in Item 5, 22 Oct. 1968, is the date the water was put to use, please complete that date in Item 2. If the water was actually put to use a later time, please complete that date in Item 2.

Additionally, at Item #6 and #7, a diversion rate must be completed in these items. Please see the enclosed instruction booklet for more information on these items. As a general guide, a standard diversion rate for a home is 0.04 cubic feet per second (cfs); a standard diversion rate for 300 head of cattle is 0.07 cfs.

Finally, please locate the place of use on the enclosed map. The partial copy of the deed does not identify the location of the place of use. It is a description of the real point of beginning of the land description, which is not included. If you would put a point at the location where the houses are, we can confirm the quarter-quarter.

If you will make these corrections before April 11, 1993, you will not be assessed a late filing fee. Do not hesitate to contact this office or our office in Twin Falls (736-3033) if you

Cleve G. Smith
March 11, 1993
Cassia County - Page 2

have any questions or desire an appointment to obtain assistance
in completing the form.

Sincerely,

Helen Harrington-Thornton

Helen Harrington-Thornton
Senior Water Resource Agent
Adjudication Bureau

HHT:sf:state:tf

Enclosures:

Notice of Claim to a Water Right
Instruction Booklet (short)
Map



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

April 2, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Cleve G. Smith
HC61, Box 1132
Malta, ID 83372

RE: Snake River Basin Adjudication (SRBA)
Cassia County - Notice of Claim #A43-10835

Dear Mr. Smith:

Thank you for your prompt response to my letter. The claim is processed, and no other action is needed on your part at this time, unless you wish to change the enclosed copy.

We have interpreted the data from this claim in the process of data entry in a manner which we feel more accurately reflects the true status of this water right. The items that were modified are highlighted. Please review the enclosed claim to assure that these modifications are in agreement with this water right.

If you believe our data is incorrect, and you wish to make any changes to this Notice of Claim, initial the changes before signing the form, have your signature notarized, and return it to this office within 30 days.

If you believe the modifications are correct, you may retain this copy of your claim for your records.

Please feel free to contact this office if you have any questions.

Sincerely,

Adjudication Bureau
Department of Water Resources

SO:west

Enclosures:

Notice of Claim to a Water Right

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: **A43-10835**
Date Received: 2/17/1993
Receipt No: C026776
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CLEVE G SMITH FAMILY TRUST 208-645-2249
Address: HC 61 BOX 1132
MALTA ID 83342

2. Date of Priority: OCT 22, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	29E	8	SW	SW	SE		CASSIA

5. Description of diverting works:
WELL, 349', LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 2 HOUSES; STOCKWATER 300 CATTLE/HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	29E	8	SW	SE		DOMEST	
			SW	SE		STOCK	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:

AMENDED CLAIM PER CLAIMANT PHONE CALL TO DELETE POU SECTION IN T13S-29E-S09-NENW TO ELIMINATE CONFLICT WITH BLM PROPERTY IN THAT SECTION. CLAIMED FOR STOCKWATER USAGE ORIGINALLY. AMENDED CLAIM SENT TO CLAIMANT FOR NOTARIZATION. FH 08-15-1997.

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 Organizations:

I do solemnly swear or affirm that I am Trustee of
Title
Chas L. Smith Fam Trust, that I have signed the foregoing
Organization
document in the space below as Chas L. Smith Trust of
Title
Chas L. Smith Fam Trust and that the statements contained in the
Organization
foregoing document are true and correct.
Signature of Authorized Agent
Chas L. Smith
Title and Organization
Chas L. Smith Family Trust
Date
Jan Feb / 2 / 1998

State of Idaho)
County of Sum Tule) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of February 19 98 [Signature]
Notary Public

Seal



Residing at Sum Tule, ID
My Commission Expires 5-7-2003

RECEIVED

FEB 06 1998

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

Department of Water Resources

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

CLEVE A Smith Trust A. (4)
Name of Claimant 208-645-2249
Phone Number
Sublett Road
Mailing Address Malta Id. 83342
City State Zip
Cassia
County(s) where place of use is located _____
~~Date claim originally due~~

Identify water right(s) for which extension is requested A43-10835 DOM/STK .13 CFS

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

amendment
Due to a mistake made on land description
we needed extra time to have it
amended correctly.

Claimant requests an extension to _____, 19____
Cleve A Smith
Signature 2/2/98, 19____
Date of request
Trustee for Trust
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

and if granted the filing deadline is extended to April 1, 1998, 19 98

Signed this 6th day of February, 19 98

David R. Tuttle
Director or his designated agent

Idaho Department of Water Resources
341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

FRANCIS G. HITCHCOCK
SR. WATER RESOURCE AGENT
SOUTHERN REGIONAL OFFICE
(208) 736-3033
FAX (208) 736-3037
fhitchco@idwr.state.id.us

DEPT OF WATER
Suite 200, Twin Falls
FAX: (208) 736-

MR SMITH: 08-15-97

30 days is when
you thought you
could get in. Please
call me at once if
you have to take
longer. Thanks, Frank

W/2 SASE
NEXT OF KIN

MR CLEVE G SMITH
TRUSTEE
SMITH FAMILY TRUST
HC 61
BOX 1132
MALTA, ID 83342

Dear Mr Smith:

Thank you for your call August 12, 1997 regarding the contact from the Bureau of Land Management about a conflict with your claim in the Snake River Basin Adjudication they feel identifies some of their lands. Your claim A43-10835 as filed 02-17-1993 in our main office in Boise is enclosed for your review in its original form.

I enclose, as you requested, an amended form of A43-10835 that has had the original place of use changed to delete the legal description of the land in question per your information. Please check the claim forms as amended that now don't have township 13S range 29E section 9 NENW in the place of use.

I also enclose a form for you to fill out and return to me that is required by Idaho Code whenever anyone amends or files a late claim in the adjudication. Just put down what you told me about the BLM phone call to you and sign it. When I get it here I'll forward it to our bureau chief for his sign-off.

Anyone in this office can notarize your claim forms for you when you stop in. You don't have to see me to do so. If you can get it done down your way just send them along to me in the enclosed envelope and I'll return copies to you once we update your file here.

Please call me if you have any questions. Thanks.

Sincerely Yours.

Frank

Francis G. Hitchcock
Water Resources Agent Sr.

enclosures

COPY