

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: A72-16496

Date Received: 9/13/1994

Receipt No: S017374

Received By: *F. H. H. H.*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK D. SMITH 208-734-4138
Address: 643 MONTE VISTA DR
TWIN FALLS ID 83301

AND/OR

Name: BEVERLY L. SMITH 208-734-4138
Address: 643 MONTE VISTA DR
TWIN FALLS ID 83301

2. Date of Priority: JAN 1, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	17E	25	NW	NE	NE		CUSTER

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		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11N	17E	25	NE NE		DOMEST	

11. Place of use in counties: CUSTER

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 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 _____

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
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CIVIL CASE NUMBER: 39576

Identification No. A72-16496Date Received 09-13-1994Receipt Number 5817374

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.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) FRANK D & Beverly L Smith Phone () 734-4138Mailing Address 643 Monte Vista Dr Twin Falls Id Zip 833012. Date of Priority (Only one per claim) 1-1-1958 Month/Day/Year3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
which is tributary to (b) _____ Name or kind of source4. Location of point of diversion is: Township 11N Range 17E
Section 25, NW 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____, BM.,
County of CUSTER

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 DOMESTIC purposes from 1-1 Month/Day to 12-31 Month/Day amount .04 cfs
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .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) DOMESTIC 1 HOME

10. Place of use is: Township: 11N Range 27E

Section 25, NE 1/4 of NE 1/4, Govt. Lot _____, B.M.,

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? CUSTER

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 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 ✓ 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) Frank D. Smith Date 9-13-94

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 TWIN FALLS) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 13th day of September 19 94

SEAL

Notary Public Steve Collins

Residing at Twin Falls

My Commission Expires 12-7-94

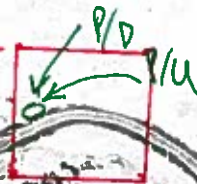
Last Name SMITH Ident No. A72-16496

Copies: White-State, Yellow-Claimant

MAP-4-73

T11N

P/D
NW NE NE



17 E

17 E

CUSTER COUNTY TITLE, INC.

P.O. BOX 370 • CHALLIS, IDAHO 83226

(208) 879-4424 • FAX (208) 879-5249

MESSAGE

REPLY

TO

FRANK D. AND BEVERLY L. SMITH
643 Monte Vista Drive
Twin Falls, ID. 83301

DATE

RE: 8552 Campbell-Smith

DATE

August 24, 1994

Dear Frank and Beverly:

Please find enclosed the change of ownership
form regarding the above.

You will need to contact the Department of
Water Resource, and tell them that we have
the Legal - T-11N R-17E Boise, Meridian,
Section 25.

Please call if you have any questions.

Respectfully,



Susan Chivers
Secretary for Patsy Kindt

BY

SIGNED

INSTRUCTIONS TO SENDER:

1. KEEP YELLOW COPY. 2. SEND WHITE AND PINK COPIES INTACT.

Item #NN73U The Drawing Board, Dallas, Texas 75266-0429
© Wheeler Group, Inc., 1982

INSTRUCTIONS TO RECEIVER:

1. WRITE REPLY. 2. DETACH STUB, KEEP PINK COPY, RETURN WHITE COPY TO SENDER.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

August 29 1994

PATSY KINDT
CUSTER COUNTY TITLE INC
PO BOX 370
CHALLIS ID 83226

RE: ADJUDICATION CLAIM(S) NO. THE ESTATE OF ROBERT SAMUAL & EDITH
AGUSTA CAMPBELL

Dear Ms. Kindt:

Pursuant to the notification that you are representing the owners on the property with the above-referenced Adjudication Claim(s), I find we need some additional information. The area that needs an Water Right Number was not filled in. I did a name search in our records for a Robert Samuel & Edith Augusta Campbell, nothing showed in our computer system. The Personal Representative's Deed lists Lots 2 and 5, Blk 5 Original Townsite of Clayton, which could be a subdivison description. I will need to know the Township, Range, and Section of the place of use of this property. I am returning the paper work to you.

Should you have any questions, please call me at the above-listed number.

Sincerely,

A handwritten signature in red ink, appearing to read 'Judy Givens'.

Judy Givens
Technical Records Specialist

Enclosures - return of Custer County Title Inc.

Form 42-1409(7)



**NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 8-24-94

AUG 26 1994

LEGAL DESCRIPTION OF PROPERTY: Township 11 N Range 17 E Department of Water Resource
Section 25, 1/4 of 1/4 of 1/4 Govt. Lot BM Southern Region Office
Lot 2&5, Block, %, Subdivision/Townsite Clayton.
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: _____
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): The Estates of Robert Samuel & Edith Augusta Campbell
HC 67 Box 2071 Challis, Idaho 83226
- ☐ New Owner/Claimant (Purchaser): Frank D. and Beverly L. Smith
- ☐ New Mailing Address: 643 Monte Vista Dr. Twin Falls, Idaho 83301
- ☐ New Telephone Number: () _____
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) _____ Date _____
_____ Date _____

☐ Signature of Former Owner/Claimant(s): Tom Campbell Personal Representative 8-24-94
of the Estates of Robert Samuel & Edith Augusta Campbell Date _____
(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 08-13-94 By: HL

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by TOM CAMPBELL, whose address is HC 67 Box 2071, Challis, Idaho 83226, as personal representative of the estate of ROBERT SAMUAL CAMPBELL and EDITH AGUSTA CAMPBELL, deceased, Grantor, to FRANK D. SMITH and BEVERLY L. SMITH, husband and wife, whose address is 643 Monte Vista Drive, Twin Falls, Idaho 83301, Grantees.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Probate Number SP-94-08, in Custer County, Idaho;

THEREFORE, for valuable consideration received, Grantor sells and conveys to Grantees the following described real property in Custer County, Idaho, to-wit:

Lots 2 and 5, Block 5, Original Townsite of Clayton as shown by the Official Plat thereof now on file in the office of the Custer County Recorder.

(Replacement Property)

EXECUTED this 24th day of August, 1994.

15 16 17 18 19

AUG 26 1994

Department of Water Resource
Southern Region Office

STATE OF IDAHO)

County of CUSTER)

Tom Campbell
TOM CAMPBELL

Personal Representative of the
Estate of Robert Samual Campbell
and Edith Augusta Campbell

On this 24th day of August, 1994, before me, PAISY Kindt, a notary public in and for said State, personally appeared Tom Campbell, known to me to be the person whose name is subscribed to the within instrument, as personal representative of the Estate of

1 Robert Samual Campbell and Edith Agusta Campbell, and
2 acknowledged to me that he executed the same as such personal
representative.

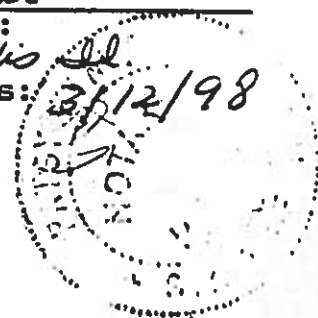
3 IN WITNESS WHEREOF, I have hereunto set my hand and
4 affixed my official seal, the day and year in this
certificate first above written.

5 Patsy Kinnick

6 Notary Public for:

7 Residing at: Challis, Id.

8 Commission Expires: 3/12/98



9
10
11 # 207214

12 Custer County Reg. of
Custer County Title

13 Time 2:15 P.M.

14 Aug 24 1994

15 Ethel M. Peck, Clerk
Wanda J. Murphy
16 S. L. _____ Deputy

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-16498

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 Steve Clelland

September 8, 1997 4:15pm

NAME:
FRANK SMITH

CAMEIN

RE:
OBJECTION FROM BLM

HE WANTED TO KNOW WHAT TO DO ABOUT THE OBJECTION TO HIS WATER RIGHT CLAIM BY THE BLM. I TOLD HIM THE USUAL DISCLAIMERS ABOUT MY STATEMENTS. I TRIED TO CLARIFY THE PROBLEM ON A MAP BUT THE INFO SUPPLIED BY BLM DID NOT MAKE ANY SENSE. I TOLD HIM IT WAS UP TO THE BLM TO SHOW THE ERROR AND CORRECT LEGAL DESCRIPTIONS, IT DID NOT APPEAR TO DONE. I TOLD HIM HE COULD CALL THE NUMBERS IN D.C. LISTED ON THE PAPER OR WAIT UNTIL SOME FORM OF SETTLEMENT IS INITIATED BY BLM OR THE COURT. CLAIM: A72-16498

September 9, 1997

CALLBACK TO FRANK SMITH:

AFTER DISCUSSING THIS ISSUE WITH MY ATTORNEY IN BOISE, HE SUGGESTED THE CLAIMANTS CALL LEE LENINGER IN D.C. AND RESOLVE AN AGREEMENT. AT THAT POINT CHARLIE HONSINGER, IDWR, WOULD DRAFT THE SF5 NECESSARY TO COMPLETE A RESOLUTION OF THIS MATTER. I CALLED MR. SMITH TO INFORM HIM OF THIS NEW INFORMATION.

734-4138