

09/28/2006

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

RIGHT NUMBER: 22-134A
NAME AND ADDRESS: ARDELL SMELLIE
PO BOX 126
TETONIA ID 83452

R K SMELLIE
PO BOX 126
TETONIA ID 83452

SOURCE: SPRING CREEK TRIBUTARY: TETON RIVER
QUANTITY: 0.500 CFS
PRIORITY DATE: 01/22/1916
POINT OF DIVERSION:

T06N R45E S33 NWSWNE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.500 CFS

PLACE OF USE: IRRIGATION Within TETON County
T06N R45E S28 SESW 15.00

15 ACRES TOTAL

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

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 - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Water is delivered through Tetonia Canal.

01/13/2005

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TRIBUTARY: TETON RIVER

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PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.500 CFS

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T06N R45E S28 SESW 15.0

15 ACRES TOTAL

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EXPLANATORY MATERIAL: Decreed

DELIVERY THROUGH TETONIA CANAL.

(C05
C02)



PROFILED

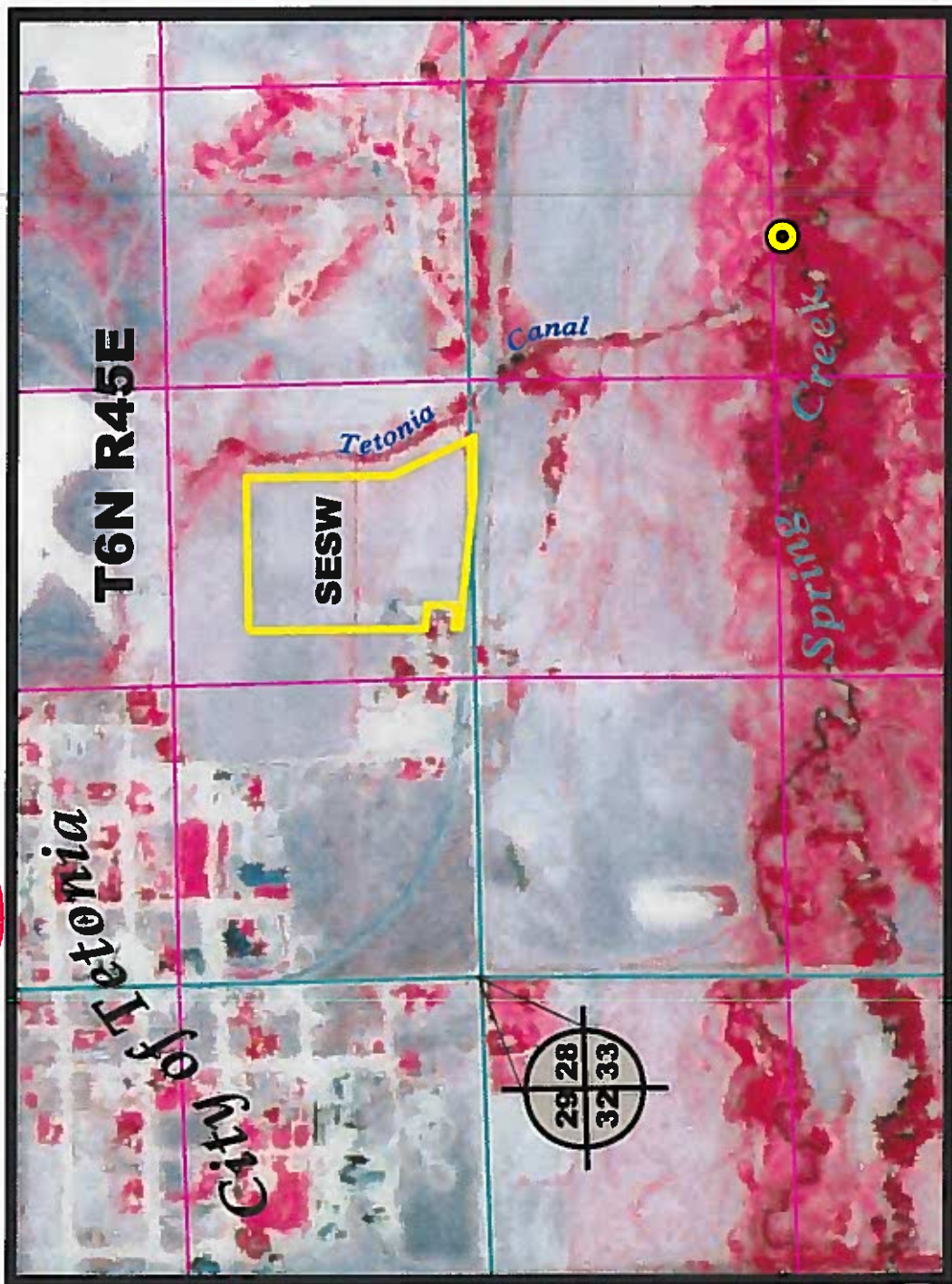
SCANNED

MAY 13 2005

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-00134A

Point(s) of Diversion:
T6N, R45E
Sec. 33 NWSWNE

Place of Use: (part of)
T6N, R45E
Sec. 28 SESW

Delivery through Tetonia Canal

LEGEND

- Point of Diversion
- SESE Place of Use
- Section
- Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Rubery
Date: January 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN IDAHO, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RICHARD BRUMMER
119 HUNTLEY RD
FLETCHER NC 28732-8522

RE: CHANGE IN WATER RIGHT OWNERSHIP FOR 22-134A

Dear Mr. Brummer:

It has come to our attention that you may have recently purchased a tract of land in Teton County, Idaho. The property to which I am referring was most recently owned by R. K. Smellie. The legal description is as follows:

T06N, R45E, S28, SE1/4 SW1/4

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have questions regarding this matter, please call 525-7161.

Respectfully submitted,

Jennifer Crabtree

Jennifer Crabtree
Technical Records Specialist
Enclosure(s)

1/13/05 No Response

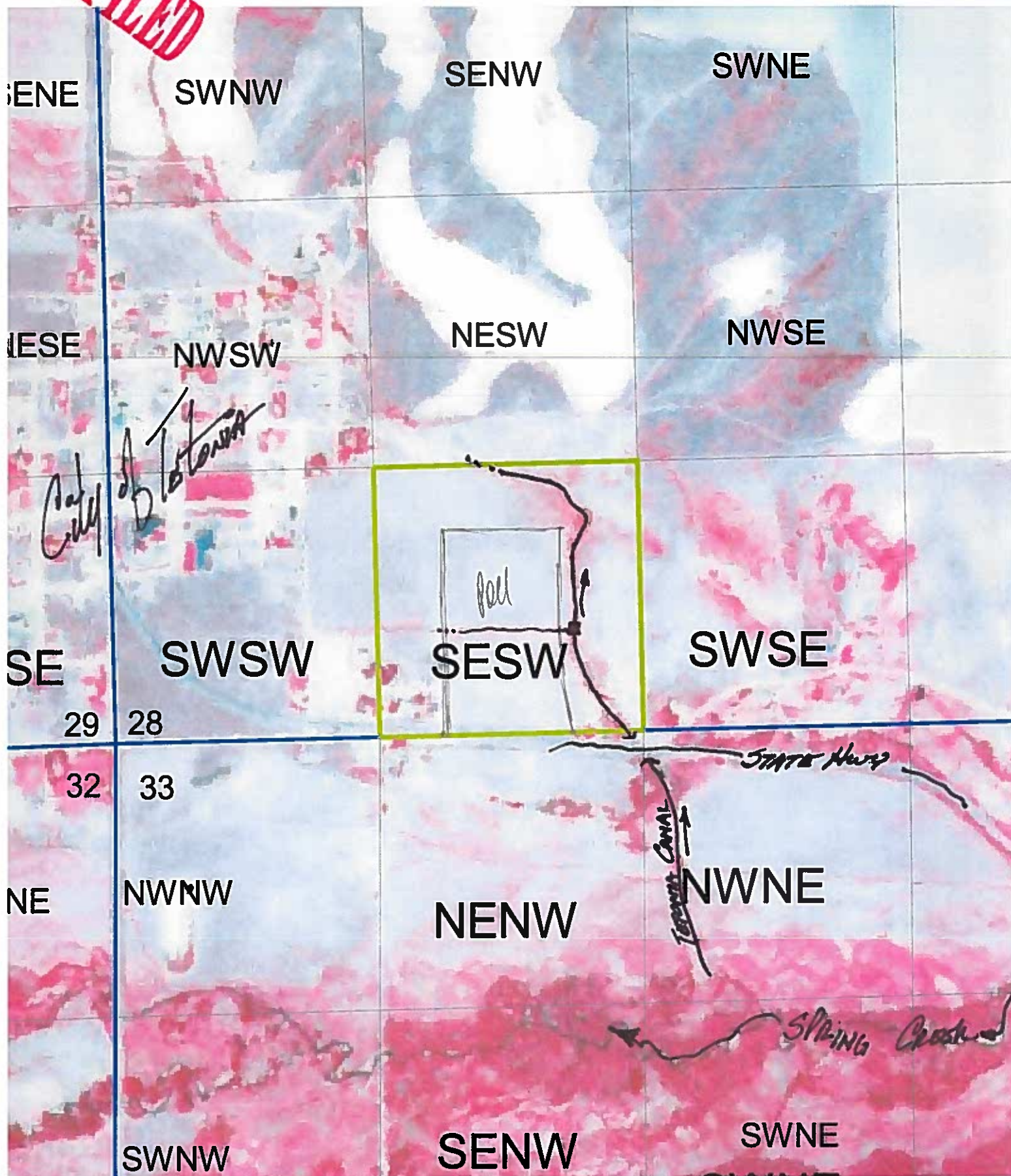
PROFILED

SCANNED
MAY 13 2005

PROFILED

22-134A

SCANNED
MAY 13 2005
7/13/04





Tetonia Canal POD off Spring Creek
GPS TAG # A0013691
7/13/2004 9:46:32 AM; ABR

PROFILED

SCANNED
MAY 13 2005

Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.Discussed w/ 10.4 cts134A claims 0.50NO OTHER SRBA CLAIMS KNOWN7/12/04 FE: Visited PCD/POCI, CONVERSATION BY Tedann Brown

Reviewer: _____ Date: _____

PROFILED

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MAY 13 2005

Claim Number: _____

Recommended Place of Use						Purpose of Use		
Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	
10N	4SE	28	SESW				15 ⁰⁰	Paving
Total acres							15 ⁰⁰	

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POJ was verified:

Reviewer: _____ Date: _____

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MAY 13 2005

Season of Use and Quantity Data Entry Form

Claim Number: _____

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Permit	4/15	10/31	0.50	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

19/6 FLOOD RT. - NO REDUCTION OR Q

SOLD TO DORT STD - NOT SPEC. BY DWR

Reviewer: _____

PROFILED

SCANNED
Date: _____

MAY 13 2005

Claim No. 22-131A

Document Checklist

☒ Copy License/Decree

Query tools

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

Clk Read to: RICHARD BRUMMER
119 HUNTLEY RD
FLETCHER NC
28752-0522

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SCANNED
MAY 13 2005

02/26/2004

Claim Number: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____ County: _____

Source: _____ Tributary to : _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____ County: _____

Source: _____ Tributary to : _____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Twtp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
4N	15S	33		NWSWNE		Spq Ck	Teton River

Other rights from this POD? _____

Transfers Pending or approved: _____

[illegible]

Reviewer: _____ Date: _____

PROFILED

SCANNED

MAY 13 2005

22-134A

7/13/04 Met w/ Mitch Smarovich - Apparently this house
has been sold -

1.) Note to Letter/Kenn to:

Richard Brummor

119 Huntley Rd

FLETCHER, N.C.

28732-8522

MAILED 7/15/04

PROFILED

SCANNED

MAY 13 2005

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: A22-00134A
Date Received: 9/27/1988
Receipt No: 1001442
Received By: ES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: R. K. SMELLIE 208-456-2576
Address: BOX 126
TETONIA, ID 83452
OR
Name: ARDELL SMELLIE 208-456-2576
Address: BOX 126
TETONIA, ID 83452

2. Date of Priority: JAN 22, 1916

3. Source: SPRING CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	45E	33	SW	NW	NE		TETON

5. Description of diverting works:
HEADGATE IN STREAM TO TETONIA CANAL CO. LTD. REDIV. PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.500		

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

8. Total consumptive use is 40.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-00134A

Page 1

Date: 09/27/88

PROFIT

SCANNED
MAY 13 2005

MICROFILMED
NOV 04 1992

A2200134A

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	45E	28	SE SW		IRR	20.0
Section Acres						20.0
Total Acres						20.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
22-7008

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

Decree Defendant

PROFILE

SCANNED
MAY 13 2005

MICROFILMED
NOV 04 1992

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: 1

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): [Signature] Date: Sept 27-88
Date: _____

State of Idaho)
County of Teton) SS.

Subscribed and sworn (or affirmed) before me this 27 day
of September 19 88

[Signature]
Notary Public

Seal

Residing at Idaho Falls, Idaho
My Commission Expires 22 Aug 1994

PROFILE

SCANNED
MAY 13 2005

MICROFILMED
NOV 04 1992

T6N

PROFILE

TON

45E

SPRING

A22-003804

001344

SCANNED
MAY 13 2008

MICROFILMED

NOV 04 1992

