

11/27/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-10205

ZONA K SMITH
2674 DIXIE CREEK RD
CAMBRIDGE ID 83610

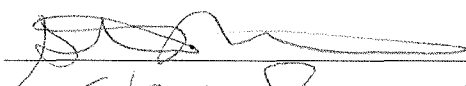
W EMMETT SMITH
2674 DIXIE CREEK RD
CAMBRIDGE ID 83610

KIMBERLY ROYER
2705 BURTON LN
CAMBRIDGE ID 83610
Telephone Number: (208)257-3808

STEVEN ROYER
2705 BURTON LN
CAMBRIDGE ID 83610

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12-8-06 SIGNATURE: 

Please print your name: Steve Royer

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

SCANNED
DEC 13 2006

11/27/2006

NOTICE OF ERROR
REPLY

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Telephone Number: (208)257-3808

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2705 BURTON LN
CAMBRIDGE ID 83610

RECEIVED
DEC 14 2006
WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12-6-06

SIGNATURE: W. Emmett Smith

Please print your name: W. Emmett Smith

Zona K Smith
Zona K Smith

11/24/2006

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

RIGHT NUMBER: 67-10205

NAME AND ADDRESS: ZONA K SMITH
2674 DIXIE CREEK RD
CAMBRIDGE ID 83610

W EMMETT SMITH
2674 DIXIE CREEK RD
CAMBRIDGE ID 83610

KIMBERLY ROYER
2705 BURTON LN
CAMBRIDGE ID 83610

STEVEN ROYER
2705 BURTON LN
CAMBRIDGE ID 83610

SOURCE: LITTLE WEISER RIVER TRIBUTARY: WEISER RIVER

QUANTITY: 1.110 CFS

PRIORITY DATE: 05/12/1947

POINT OF DIVERSION:

T14N R03W S14 SENWSE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	1.110 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R03W S14	NESE	29.00	T14N R03W S14	NWSE	26.00
T14N R03W S14	SWSE	22.00	T14N R03W S14	SESE	23.00

100 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 - Beneficial Use



Idaho Department of Water Resources

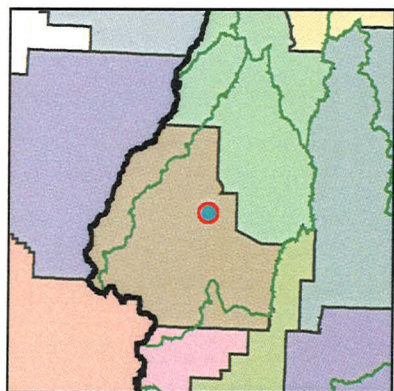
SRBA Recommendation:

67-10205

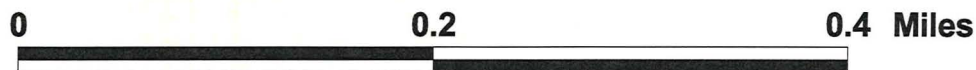
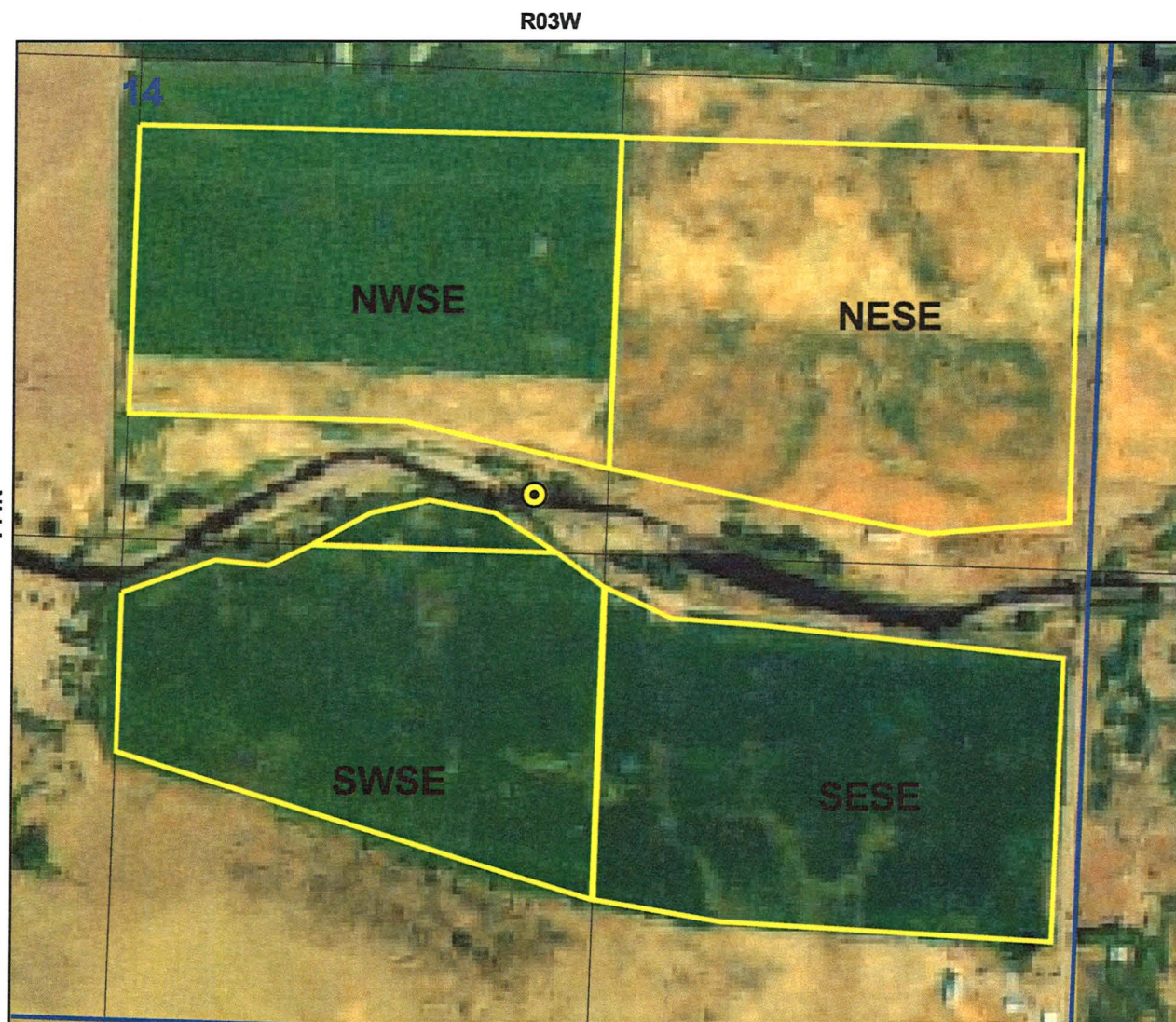
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



Prepared by L. Graves
On Friday, November 24, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10205 V1

WATER RIGHT NUMBER: 67-10205 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ZONA K SMITH 2674 DIXIE CREEK RD CAMBRIDGE, ID 83610
Original Owner	RICHARD R HIGGINS 2674 DIXIE CREEK RD CAMBRIDGE, ID 83610 (208)257-3535
Original Owner	LUCILE M HIGGINS 2674 DIXIE CREEK RD CAMBRIDGE, ID 83610 (208)257-3535
Current Owner	W EMMETT SMITH 2674 DIXIE CREEK RD CAMBRIDGE, ID 83610
Current Owner	KIMBERLY ROYER 2705 BURTON LN CAMBRIDGE, ID 83610 (208)257-3808
Current Owner	STEVEN ROYER 2705 BURTON LN CAMBRIDGE, ID 83610

Priority Date: 05/12/1947

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE WEISER RIVER	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	1.110 CFS	
	<u>Total Diversion:</u>	1.110 CFS	

Location of Point(s) of Diversion

LITTLE WEISER RIVER	SE1/4NW1/4SE1/4	Sec. 14, Twp 14N, Rge 03W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
14N	03W	14																	29.0	26.0	22.0	23.0	100.0

Total Acres: 100

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-10205 V1

Conditions of Approval:

1. C18 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.

Remarks:Comments:

1. Igraves 11/24/2006 Parcel Nos.
Comment: Irrigation is within Parcel Nos. RP14N03W148420 and RP14N03W147820.
2. Igraves 11/24/2006 P/D
Comment: P/d was clarified rather than changed from the original license.
3. Igraves 11/24/2006 History
Comment: This claim represents license 67-2295. See claim remarks.
4. Igraves 11/24/2006 P/U
Comment: P/u adjusted to acres closest to the river that appear irrigated, not in excess of the 100 licensed and claimed acres. More acres than those that were licensed and claimed are being irrigated.
5. Igraves 11/24/2006 Overlaps
Comment: Acres in the SE S14 appear on permit 67-7376 for Cambridge Ditch Co. water, however, were not recommended for licensing on the draft license yet to be finalized or the SRBA claim recommendation. Claim also references Lost Valley Reservoir rights, however, no SRBA claims for that water appear in the overlap analysis.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-10205

WATER RIGHT NUMBER: 67-10205

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ZONA K SMITH 2674 DIXIE CREEK RD CAMBRIDGE, ID 83610
Current Owner	KIMBERLY ROYER 2705 BURTON LN CAMBRIDGE, ID 83610 (208)257-3808
Original Owner	RICHARD R HIGGINS 2674 DIXIE CREEK RD CAMBRIDGE, ID 83610 (208)257-3535
Original Owner	LUCILE M HIGGINS 2674 DIXIE CREEK RD CAMBRIDGE, ID 83610 (208)257-3535
Current Owner	W EMMETT SMITH 2674 DIXIE CREEK RD CAMBRIDGE, ID 83610
Current Owner	STEVEN ROYER 2705 BURTON LN CAMBRIDGE, ID 83610

*replaced license
67-2295*

Priority Date: 05/12/1947 ✓
Basis: Beneficial Use ✓
Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE WEISER RIVER ✓	WEISER RIVER ✓

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15 ✓ <i>10/31</i>	1.110 CFS ✓	
	<u>Total Diversion:</u>	1.110 CFS ✓	

Location of Point(s) of Diversion

LITTLE WEISER RIVER SE1/4NW1/4SE1/4 Sec. 14, Twp 14N, Rge 03W, B.M. ✓
WASHINGTON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	03W	14													15.0	15.0	25.0	35.0	90.0
															29	26	22	23	100
14N	03W	23	10.0																10.0

recommended acres close to river. More than 100 acres found irrigated

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-10205

Total Acres: 100

Conditions of Approval:

1. THIS CLAIM REPLACES LICENSE NO. 67-02295 SHOWING AN EARLIER DATE OF PRIORITY THAN THAT REFLECTED ON THE LICENSE. AN EARLIER APP. FOR PERMIT WAS FILED (OLD #20075) ON MAY 12, 1947, BUT WAS NEVER PROVEN UP ON. THE PRIORITY FOR THIS CLAIM IS BASED ON THIS OLD FILING.
OWNERSHIP CHANGED BY LH 6/6/97.

Remarks:

Comments:

Dates and Other Information:

Claim Received Date: 9/14/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-10205

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SEP 13 2005

Department of Water Resources

WATER RIGHT NUMBER: 67-10205

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ZONA K SMITH 2674 DIXIE CREEK RD CAMBRIDGE, ID 83610
Current Owner	KIMBERLY ROYER 2674 DIXIE CREEK RD CAMBRIDGE, ID 83610
Current Owner	W EMMETT SMITH 2674 DIXIE CREEK RD CAMBRIDGE, ID 83610
Current Owner	STEVEN ROYER 2674 DIXIE CREEK RD CAMBRIDGE, ID 83610

Priority Date: 05/12/1947

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE WEISER RIVER	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15' to 11/15	1.110 CFS	
	<u>Total Diversion:</u>	1.110 CFS	

Location of Point(s) of Diversion

LITTLE WEISER RIVER	SE1/4NW1/4SE1/4	Sec. 14, Twp 14N, Rge 03W, B.M.
WASHINGTON County		

Place of UseIRRIGATION Within WASHINGTON County

T14N R03W S14	NESE 15.0	T14N R03W S14	NWSE 15.0
T14N R03W S14	SWSE 25.0	T14N R03W S14	SESE 35.0
T14N R03W S23	NENE 10.0		

Total Acres: 100

Conditions of Approval:

- THIS CLAIM REPLACES LICENSE NO. 67-02295 SHOWING AN EARLIER DATE OF PRIORITY THAN THAT REFLECTED ON THE LICENSE. AN EARLIER APP. FOR PERMIT WAS FILED (OLD #20075) ON MAY 12, 1947, BUT WAS NEVER PROVEN UP ON. THE PRIORITY FOR THIS CLAIM IS BASED ON THIS OLD FILING.
OWNERSHIP CHANGED BY LH 6/6/97.

Remarks:Water Supply Bank:

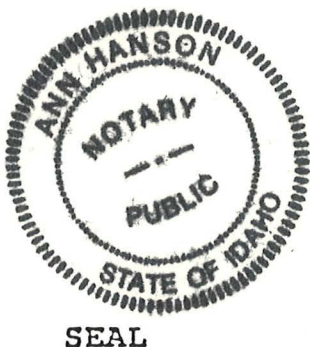
SCANNED

SEP 13 2005

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
_____)
_____)
_____)
State of Idaho)
County of _____)

AFFIDAVIT

RICHARD R HIGGINS being first duly sworn,
deposes and says: I OBSERVED THE USE OF
WATER FROM THE LITTLE WEISER RIVER
FOR IRRIGATION THE FOLLOWING LAND
T14N R03 W S14 ^{NESE} T14N R03 W S14 SWSE
T14N R03 W S23 NENE — T14N R03 W S14 NWSE
T14N R03 W S14 SESE IN THE SPRING +
SUMMER OF 1946, 1947, 1948, 1950. AND
THROUGH THE YEAR OF 1997.



Richard R Higgins
(Signature)

Subscribed and sworn to before me this
day 7th of September, 192005.

Ann Hanson
(Notary Public)

Residing at Cambridge.

My Commission Expires 3-31-10-.

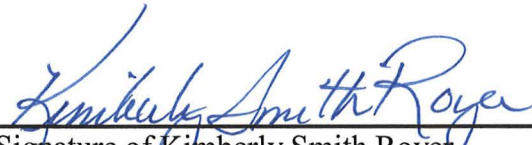
SCANNED

SEP 13 2005

Kimberly Smith Royer, being first duly sworn, deposes and says:

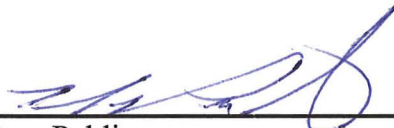
Steven S. Royer and Kimberly Smith Royer have beneficially used the irrigation water to irrigated 100 acres each and every year on the land described below since purchasing the land in May 1997. Steven S. Royer, Kimberly Smith Royer, along with her parents W. Emmett Smith and Zona K. Smith shall continue to use these water rights into the future for as many years as they own the property.

T14N R03W S14 NESE T14NR03W S14 SWSE T14NR03W S23 NENE



Signature of Kimberly Smith Royer

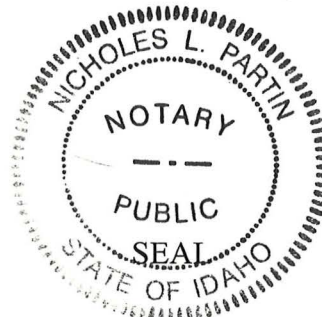
Subscribed and sworn to before me this day 9th of September, 2005.



Notary Public

Residing at Midvale, Idaho

My commission expires 7/23/06



SCANNED

SEP 13 2005

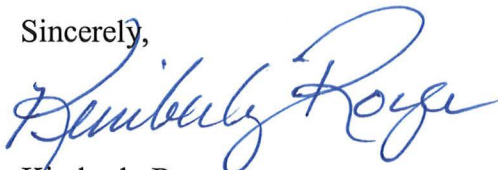
Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Dear Sir or Madam,

Please correct your information system to show our correct address:

Steven Royer
Kimberly Royer
2705 Burton Ln
Cambridge, ID 83610

Sincerely,



Kimberly Royer
208-549-4241wk
208-257-3808

SCANNED

SEP 13 2005

State of Idaho License and Certificate of Water Right

Water License No. 30324

Amount 1.11 c.f.s.

Water District No.

Priority December 7, 1961

THIS IS TO CERTIFY that JOHN H. HIGGINS
of Cambridge, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 7, 1961; that Permit No. 30324
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.11 second feet, was issued thereunder on October 1, 1963, showing that said works
were completed on the 19th day of November, 1962; and that on the 19th
day of November, 1962,

JOHN H. HIGGINS

of Cambridge, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Little
Weiser River, a tributary of Main Weiser River, for the purpose of irrigation
under Use Permit No. 30324 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

12 of Licenses at page 7734, on the 1 day of October, 1963;

The right hereby confirmed dates from December 7, 1961;

The Point of Diversion is located

in the SE 1/4, SE 1/4, Sec. 14, Twp. 14 N., R. 3 W., B. M. County of Washington

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.11 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 N.	3 W.	14	NE 1/4 SE 1/4	20	15
			NW 1/4 SE 1/4	20	15
			SW 1/4 SE 1/4	40	25
			SE 1/4 SE 1/4	40	35
		23	NE 1/4 NE 1/4	15	10
Total number of acres to be irrigated:					100

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

1st day of October, 1963.

/s/ RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 30324

This proof is for Completion of Works and In Water District No. _____
Beneficial Use

1. Name of applicant John H. Higgins

2. Source of water supply: Little Weiser River

3. Location of point of diversion: Is in the SE 1/4 SE 1/4 of Section 14

T. 14 N. R. 3 W. County of Washington

4. Describe works as they exist, giving dimensions and capacities of same: 25 H.P. H.E.

Motor # 011216262 Cornell pump # 7412 A 8" x 30' suction
pipe 6" check valve into 6" x 1000' of buried mainline (sprinkler)

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SE 1/4, Sec. 14, Twp. 14 N., Rge. 3 W., - 120 acres

NE 1/4, Sec. 23, Twp. 14 N., Rge. 3 W., - 15 acres

Total acres - 135

(Submit map on attached plat, showing location and details of above description.)

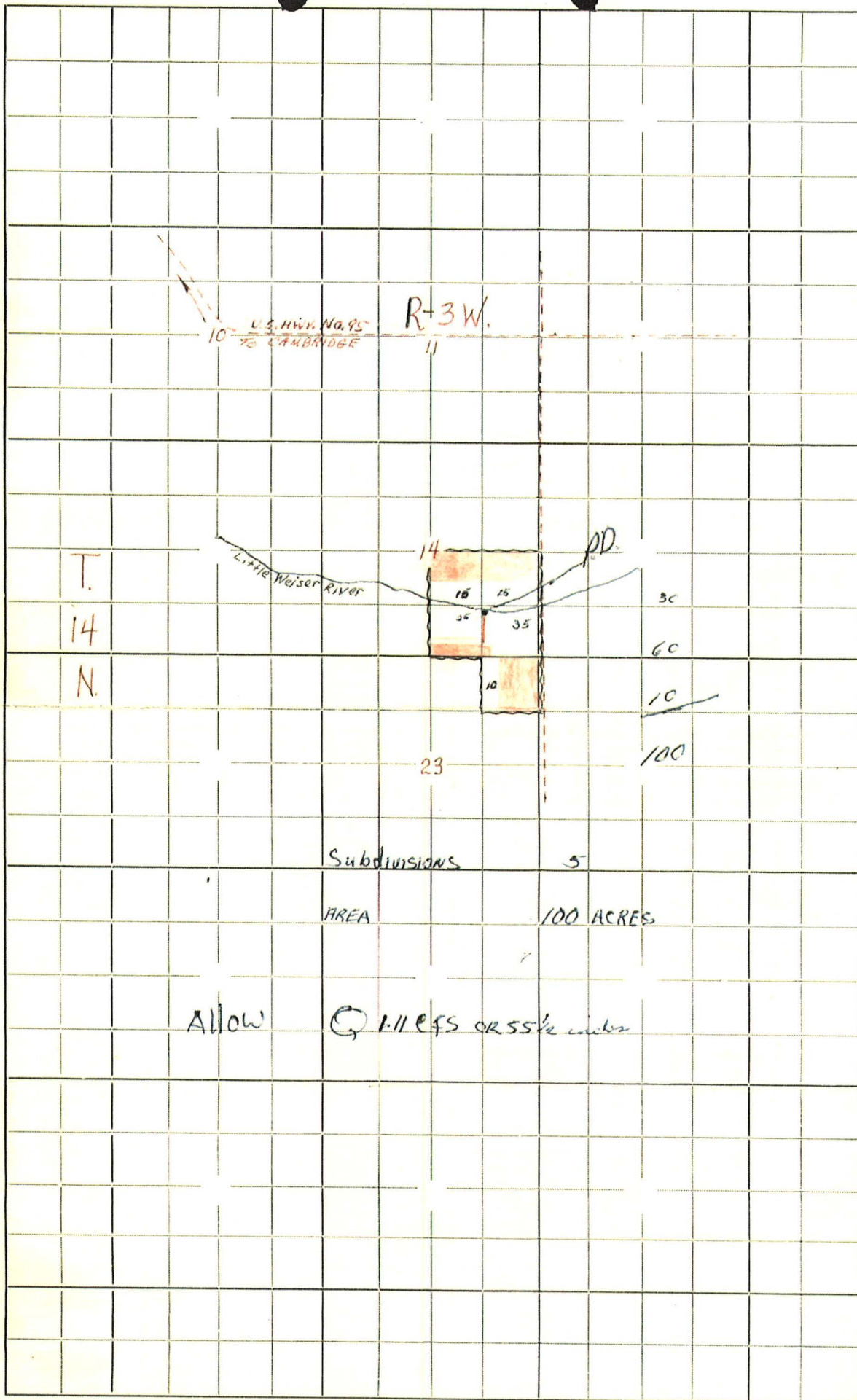
8. What large stream would the water here appropriated finally reach?

Remarks: Mr. John H. Higgins (owner) participated in examination

Measurement was made by taking pressure readings
along each lateral 2 times 65 Nozzle size 1/4" x 3/32"

This examination was made on the 22nd day of August, 1963

(Signed) Ray Weber Examiner.



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

202211

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: **A67-10205**
Date Received: 9/14/1989
Receipt No: W005949
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: W EMMETT SMITH
Address: 2674 DIXIE CREEK ROAD
CAMBRIDGE ID 83610
OR
Name: ZONA K SMITH
Address: 2674 DIXIE CREEK ROAD
CAMBRIDGE ID 83610
OR
Name: STEVEN ROYER
Address: 2674 DIXIE CREEK ROAD
CAMBRIDGE ID 83610
OR
Name: KIMBERLY ROYER
Address: 2674 DIXIE CREEK ROAD
CAMBRIDGE ID 83610

2. Date of Priority: MAY 12, 1947

3. Source: LITTLE WEISER RIVER Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	03W	14	SE	NW	SE		WASHINGTON

5. Description of diverting works:
DIV. DAM INTO DITCH W/PUMP & PIPELINE FOR SPRINKLER IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.110		

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

SCANNED
APR 08 2004

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, INSTREAM STOCKWATER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	03W	14	NE	SE		IRR	15.0
			NW	SE		IRR	15.0
			SW	SE		IRR	25.0
			SE	SE		IRR	35.0
						Section Acres	90.0
		23	NE	NE		IRR	10.0
						Section Acres	10.0
						Total Acres	100.0

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:
LOST VALLEY RESERVOIR RIGHTS.

14. Remarks:
THIS CLAIM REPLACES LICENSE NO. 67-02295 SHOWING AN EARLIER DATE OF PRIORITY THAN THAT REFLECTED ON THE LICENSE. AN EARLIER APP. FOR PERMIT WAS FILED (OLD #20075) ON MAY 12, 1947, BUT WAS NEVER PROVEN UP ON. THE PRIORITY FOR THIS CLAIM IS BASED ON THIS OLD FILING.
OWNERSHIP CHANGED BY LH 6/6/97.

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 _____

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

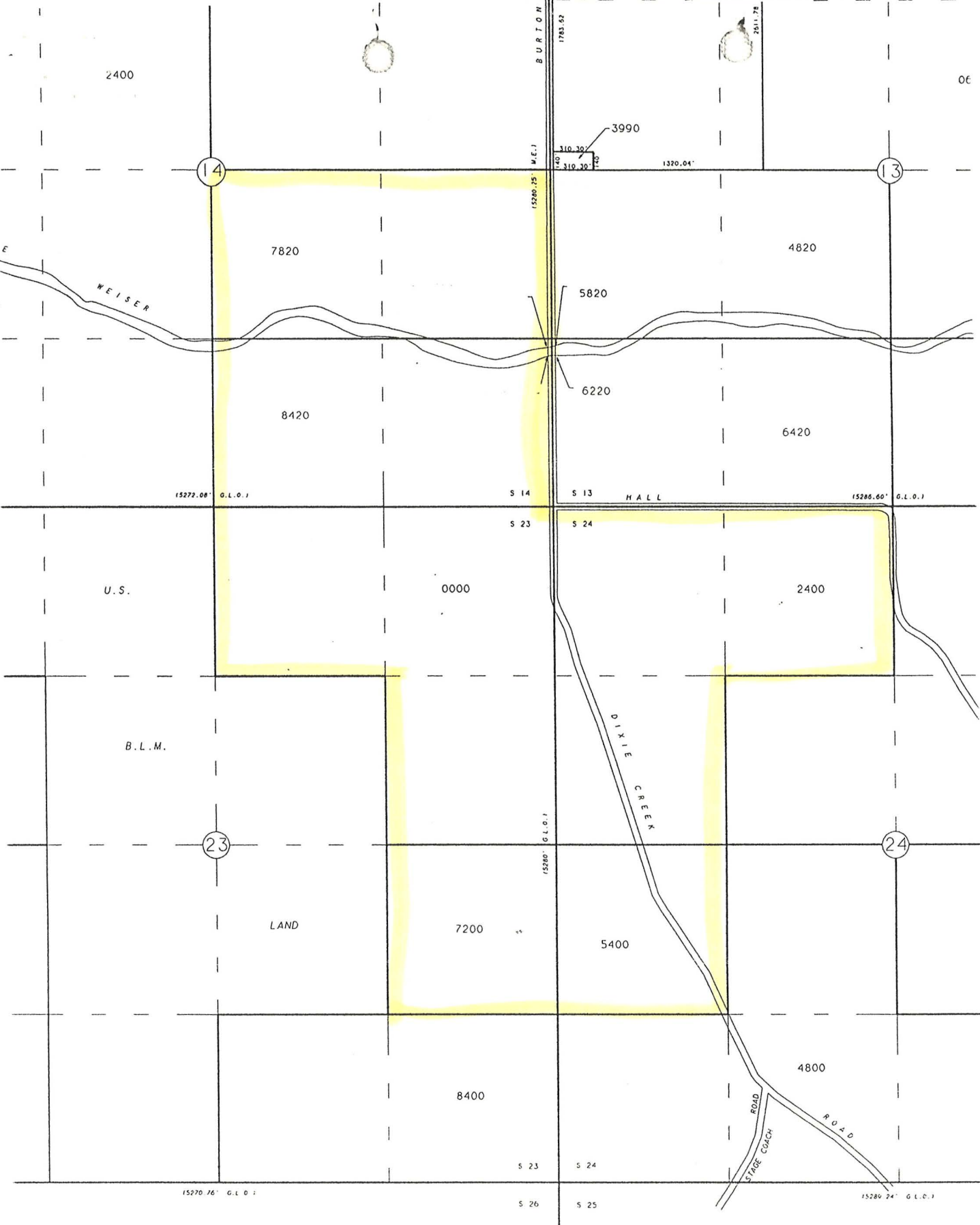
APR 08 1997

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) A67-10206 AND A67-10205
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) RICHARD R. HIGGINS OR LUCILE M. HIGGINS
2674 DIXIE CREEK ROAD, CAMBRIDGE, ID 83610
4. New Owner/Claimant(s) W. EMMETT SMITH OR ZONA K. SMITH
STEVEN ROYER OR KIMBERLY ROYER
Name connector (Check one): ☐ AND, ☒ OR, ☐ AND/OR
New Mailing Address 2674 DIXIE CREEK ROAD
City, State and ZIP Code CAMBRIDGE, ID 83610
New Telephone Number () -
5. Date you acquired the property 3/31/97
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) W. Emmett Smith Zona K Smith Date 4/5/97
STEVEN ROYER KIMBERLY ROYER Date 4/6/97
(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



TOWNSHIP 14 NORTH RANGE 3 WEST EM

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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: A67-10205
Date Received: 9/14/1989
Receipt No: W005949
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD R. HIGGINS 208-257-3535
Address: 2674 DIXIE CREEK RD.
CAMBRIDGE, ID 83610

OR

Name: LUCILE M. HIGGINS 208-257-3535
Address: 2674 DIXIE CREEK RD.
CAMBRIDGE, ID 83610

2. Date of Priority: MAY 12, 1947

3. Source: LITTLE WEISER RIVER Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	03W	14	SE	NW	SE		WASHINGTON

5. Description of diverting works:
DIV. DAM INTO DITCH W/PUMP & PIPELINE FOR SPRINKLER IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.110		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATERING.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	03W	14	NE	SE		IRR	15.0
			NW	SE		IRR	15.0
			SW	SE		IRR	25.0
			SE	SE		IRR	35.0
						Section Acres	90.0
		23	NE	NE		IRR	10.0
						Section Acres	10.0
						Total Acres	100.0

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:
LOST VALLEY RESERVOIR RIGHTS.

14. Remarks:
THIS CLAIM REPLACES LICENSE NO. 67-02295 SHOWING AN EARLIER DATE OF PRIORITY THAN THAT REFLECTED ON THE LICENSE. AN EARLIER APP. FOR PERMIT WAS FILED (OLD #20075) ON MAY 12, 1947, BUT WAS NEVER PROVEN UP ON. THE PRIORITY FOR THIS CLAIM IS BASED ON THIS OLD FILING.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
OCT 05 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): Richard R. Higgins Date: 9/14/89
Lucile M. Higgins Date: 9/14/89

State of Idaho)
County of AOA) SS.

Subscribed and sworn (or affirmed) before me this 14th day

of September 19 89

Jan Shurtl
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94



Cambridge

WEISE

SALUBRIA

VALL

POINT OF DIVERSION

MICROFILMED
OCT 15 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 23, 1997

Re: Notices of Claim to a Water Right Nos. A67-10205, A67-10206

W EMMETT SMITH
ZONA K SMITH
STEVEN ROYER
KIMBERLY ROYER
2674 DIXIE CREEK ROAD
CAMBRIDGE ID 83610

Dear Claimant(s):

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

Also during our review of this ownership change and appurtenant land we found another water right for which no claim has been filed. A computer report of this water right 67-02300 is enclosed for your review. Please review this right carefully to decide whether or not it is a water source you are beneficially using at this time. If so, complete the enclosed claim to a water right form and return it to this office with the appropriate fees.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:l

Enclosures

203—WARRANTY DEED

Printed and for sale by Capitol Lithograph, Boise, Idaho

INSTRUMENT NO. 169044PAGE 1 OF 2
To Treasurer ☐

(Optional)

Recorded ☐
Microfilmed ☐
Indexed ☐Platted ☐
Deed Card ☐
Compared ☐Key Punched ☐
Master File ☐
Abstracted ☐

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

RICHARD R. HIGGINS and LUCILE M. HIGGINS, husband and wife, and MICHAEL H. HIGGINS and LAURA HIGGINS, husband and wife,
of Cambridge County of Washington GRANTOR(S)
hereby CONVEYS, GRANTS and WARRANTS TO State of Idaho

W. EMMETT SMITH and ZONA K. SMITH, husband and wife, and
STEVEN ROYER and KIMBERLY ROYER, husband and wife, GRANTEE(S)
whose current address is 2674 DIXIE CREEK RD, CAMBRIDGE, ID 83610
for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION Dollars (\$ 10.00)

the following described tract(s) of land in Washington County, State of Idaho:

PARCEL 1

Township 14 North, Range 3 West of the Boise Meridian
Section 14: N1/2SE1/4 *
Section 24: N1/2NW1/4, SW1/4NW1/4, NW1/4SW1/4

PARCEL 2

Township 14 North, Range 3 West of the Boise Meridian
Section 14: S1/2SE1/4 **
Section 23: N1/2NE1/4, SE1/4NE1/4, and NE1/4SE1/4.

SUBJECT TO rights of way for existing county roads.

SUBJECT TO:

A Mortgage to secure an indebtedness in the original principal sum of \$134,000.00, and any other amounts and/or obligations secured thereby, recorded August 17, 1984, as Instrument No. 134076, records of said County.

Dated: August 3, 1984

Mortgage : Richard R. Higgins and Lucile M. Higgins, husband and wife;
Michael H. Higgins and Laura Higgins, husband and wife.

Mortgagee : THE FEDERAL LAND BANK OF SPOKANE

*Save and Except that portion conveyed to Washington County by deed recorded May 1, 1988 as Instrument No. 145024, official records.

**Save and Except that portion conveyed to Washington County by deed recorded May 1, 1988 as Instrument No. 145025, official records.

RECEIVED

APR 08 1997

WATER RESOURCES
WESTERN REGION

Location of above described property

House No.

Street

WITNESS the hand of said Grantors this

day of

A.D. 1997

Richard R. Higgins
Richard R. Higgins
Lucile M. Higgins
Lucile M. Higgins

Michael H. Higgins
Michael H. Higgins
Laura M. Higgins
Laura Higgins

(NOTARY SEAL)

State of Idaho }
County of Washington } ss.

On the 25th day of March A.D. 19 97

personally appeared before me RICHARD R. HIGGINS and LUCILE M. HIGGINS, hus. & wife, and MICHAEL H. HIGGINS and LAURA HIGGINS, hus. & wife,
the signer(s) of the within instrument, who duly acknowledged to me that they executed the same.

(NOTARY PUBLIC)

Residing at: Weiser

My Commission expires: 3/27/97

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name Mr. & Mrs. W. Emmett Smith
Mr. & Mrs. Steven Royer

Address _____

City & State _____

Zip _____

No. 169044

WARRANTY DEED

—TO—

Dated _____, 19____

STATE OF IDAHO

County of WASHINGTON } ss.

I hereby certify that this instrument was
filed for record at request of _____

WEISER VALLEY TITLE

at 29 minutes past FIFTEEN
o'clock P. M., this 31ST day
of MARCH, A.D. 19 97

in my office, and duly recorded in BOOK

XX DEEDS #169044 XXXXX

SHARON WIDNER

Ex-Officio Recorder.

By Sharon Widner Deputy.

Fees \$ 6.00

WEISER VALLEY TITLE

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