

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/2/2020

Water Right 71-4019

Owner Type **Name and Address**
Current Owner LOYEL DEAN SMITH
 PO BOX 734
 CHALLIS, ID 83226
 (208) 879-2416

Current Owner JUDY SMITH
 PO BOX 734
 CHALLIS, ID 83226
 (208) 879-2416

Priority Date: 1/1/1960

Basis: Decreed

Status: Disallowed

Source
GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
DOMESTIC	1/01	12/31	0.044 CFS	
	Total Diversion		0.044 CFS	

Source and Point(s) of Diversion

GROUND WATER NENE Sec. 9, Twp 10N, Rge 13E, CUSTER County

Place Of Use

DOMESTIC within CUSTER County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	13E	9	X																

Conditions of Approval:

1. p23 This right was not claimed in the Snake River Basin Adjudication.

Comments:

1. MERRITT 6/1/1993 COPIED FROM REMARKS
P/U IS BLOCK 6, LOTS 7 & 8, UPPER STANLEY TOWNSITE.
2. mciscell 12/4/2013 POD
Bulk Generate Shape From PLS

Dates and Other Information

Decreed Date: 4/25/2012

Civil Case Number: 39576



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Judicial District: FIFTH
State or Federal: S
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

November 4, 1980

Loyel Dean & Judy Smith
P.O. Box 734
Challis, Idaho 83226

Re: Claim 72-4070 renumbered 71-4019

Dear Mr. & Mrs. Smith:

Your claim to a water right, a copy of which was sent to you on September 2, 1980, was given an incorrect identification number of 72-4070.

Your claim has been re-numbered in Department records as 71-4019, and a copy of the re-numbered claim is enclosed for your reference.

This change will have no effect on the validity of your claim, but is made to avoid confusion in the future when researching the water right.

If you have any questions, please contact this office.

Very truly yours,

Loren O. Holmes
LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

in as 71-4019

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

SEPTEMBER 2, 1980

LOYEL DEAN SMITH
JUDY SMITH
P.O. BOX 734
CHALLIS

ID 83226

RE: Claim No. 72-4070

Dear Claimants:


The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,


LOREN O. HOLMES
Southern Region Supervisor

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 10 1980

CLAIM TO A WATER RIGHT

Department of Water Resources
Southern District Office

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Loyel Dean Smith and Judy Smith
(Name of Claimant)

P.O. Box 734

(Mailing Address)

Challis, Idaho 83226

(Zip Code)

Telephone No. 879-4245

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) January 1, 1960

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
groundwater tributary to

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.044cfs</u>	Use <u>domestic, commercial</u>	Period of Use From <u>Jan 1</u>	To <u>Dec. 31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) .044cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NE ¼ NE ¼, Sec. 9 Twp. 10N Rge. 13E B.M., County of Custer
Additional points of diversion: Upper Stanley Townsite

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
pump and 6 inch well, 68 feet deep

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10N	13E	9	X																

2 city lots
No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
water for house and store on Lots 7 and 8, Block 6,
Upper Stanley Townsite

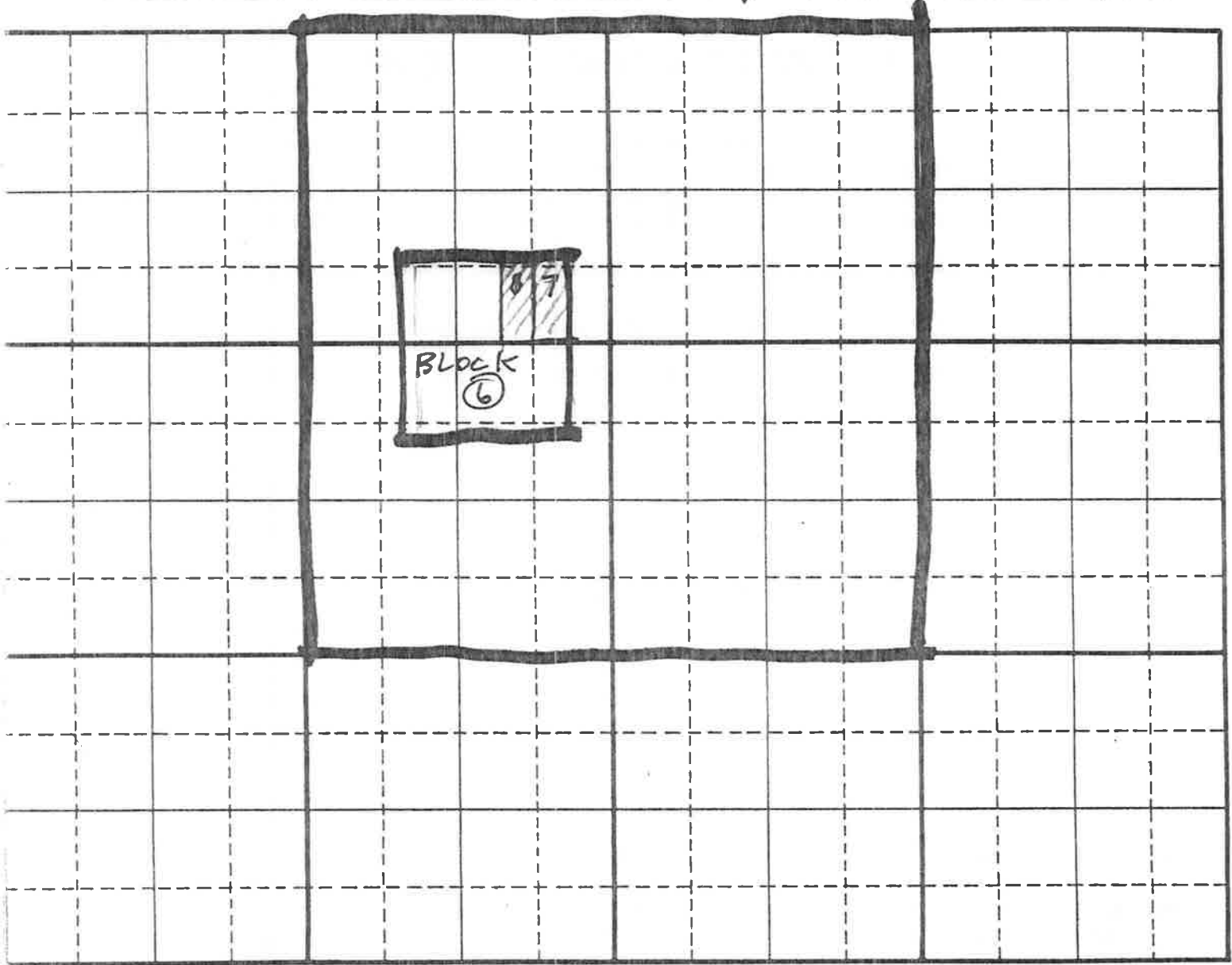
NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

71-4019

(8) Remarks

NE NE SEC. 9, T10N., R13E, R1M



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

) ss.

County of CUSTER)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Loyal D. Smith

Judy L. Smith

(Claimant)

Sworn to before me this 1 day of July

1980

Bonne Springs
Notary Public
Residing at Challus ID

My commission expires lifetime

FOR DEPARTMENT USE ONLY

Received by Marya

Date 7/1/80

Exception filed by:

Forwarded to

Date

Prelim. check by

Date 7/1/80

claimant by:

\$20.00 fee received by

Date 7/1/80

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Dates 7/24/80 7/31/80