

No Color
Documents
In File

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED
FEB 13 2001
IDWR/North

1. Water Right or Adjudication Claim No(s): 85-11186, 85-11187, and 85-11188
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 attached to your deed or on file with the county.)
- OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Robert J. Smith Willard Smith
4. New Owner/Claimant(s) Robert J. Smith
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address Rt. 1, Box 53
City, State and ZIP Code Craigmont, Idaho 83523
New Telephone Number (208) 924-5403
- RECEIVED
FEB 20 2001
Department of Water Resources
5. Date you acquired the property See Attached Partial Decrees
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. (See attached Partial Decrees)
- Number of acres you irrigate _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
- 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 or Claimant(s) Robert J. Smith
- Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

MICROFILMED

MAR 27 2002

See file 85-11186 for support documentation.

RECEIVED

FEB 20 2001

AFFIDAVIT

Department of Water Resources

RECEIVED
FEB 13 2001
IDWR/North

STATE OF IDAHO)
) ss.
County of Lewis)

THE UNDERSIGNED, ROBERT J. SMITH, of Rt. 1, Box 53, Craigmont, Idaho 83523, who was the Personal Representative of the Estate of WILLARD SMITH, deceased, Lewis County Case No. P-558, (copy attached hereto) does hereby certify that the decedent's name was correctly listed as WILLARD SMITH, on the application for water right, which application was submitted to the Dept. of Water Resources in 1988. The name is incorrect on the Partial Decree in Re Case No. 39576 for water right numbers 85-11186, 85-11187 and 85-11188, issued December 29, 2000, as it is listed as WILLIAM SMITH.

The person referred to in the water right application and water right Partial Decree, Water Right #85-11186, #85-11187 and #85-11188 is the same and identical person as Willard Smith.

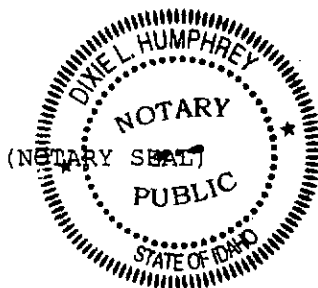
Willard Smith is now deceased and I wish to have his name taken off of the above Water Rights. Attached is a copy of the death certificate.

FURTHER AFFIANT SAYETH NOT.

DATED this 9 day of February, 2001.

Robert J. Smith
Robert J. Smith

SUBSCRIBED AND SWORN TO before me this 9 day of February, 2001.



Dixie L. Humphrey
Notary Public, State of Idaho
Residing at Kamiah, therein.
My Commission Expires: 9/18/05

MICROFILMED

MAR 27 2002

SUBSCRIBED AND SWORN TO before me this 28th day of
November, 1989.

(NOTARY SEAL)

Kelly Young
Notary Public, State of Idaho
Residing at Kamiah, therein.

STATE OF IDAHO } SS
County of Lewis

I hereby certify that this instrument to which this certificate
is affixed is a true and correct copy of the original on file and
on record in my office.

WITNESS my hand and official seal this 28th day
of February, 1990

CATHY RAUP
Clerk of the District Court

By Kathy Harris
Deputy

LETTERS TESTAMENTARY

-2-

MICROFILMED
MAR 27 2002



COOPERATIVE CENTER FOR
HEALTH STATISTICS - VITAL
STATISTICS

450 W. STATE ST.
BOISE, IDAHO 83720

RECEIVED
FEB 13 2001
IDWR/North

CERTIFICATE OF DEATH

DATE FILED: NOVEMBER 20, 1989 STATE FILE NUMBER: 89-06118
DECEDENT: WILLARD SHELBY SMITH
DATE OF DEATH: OCT. 29, 1989 PLACE OF DEATH: LEWISTON, IDAHO
DATE OF BIRTH: JULY 28, 1904 PLACE OF BIRTH: TENNESSEE
AGE: 85 YEARS SEX: MALE VETERAN? NO
MARITAL STATUS: WIDOWED
SOCIAL SECURITY NUMBER: 519-42-2954 RESIDENCE: LEWISTON, IDAHO
FATHER: EDWARD J. SMITH
FATHER'S BIRTHPLACE: TENNESSEE
MOTHER (MAIDEN): ADA WAGNER
MOTHER'S BIRTHPLACE: TENNESSEE
MORTUARY: UHLORN FUNERAL HOME
MORTICIAN: ANDREW F. UHLORN
COTTONWOOD, IDAHO
DISPOSITION: BURIAL
CERTIFYING PHYSICIAN: DANIEL B. MCINTOSH, MD
AUTOPSY: NO
1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:
INTERVAL
PNEUMONIA 1 WEEKS
PULMONARY FIBROSIS & EMPHYSEMA
2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:
CONGESTIVE HEART FAILURE

RECEIVED
FEB 20 2001
Department of Water Resources

DATE ISSUED: NOVEMBER 21, 1989

This is to certify that this is a true and correct reproduction or abstract of the official record
filed with the Idaho Department of Health & Welfare, Boise, Idaho.

Richard W. Blair

MICROFILMED
MAR 27 2002

RICHARD W. BLAIR, State Registrar
DEPT. OF HEALTH & WELFARE CLEARLY AFFIXED.
Section 39-273, Idaho Code

HW0139

DEPARTMENT OF HEALTH AND WELFARE

179669

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

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 85-11186

RECEIVED

FEB 20 2001

Department of Water Resources

RECEIVED
FEB 13 2001
IDWR/North

NAME AND ADDRESS: ROBERT J SMITH
WILLIAM SMITH
RT 1 BOX 53
CRAIGMONT, ID 83523

SOURCE: GROUNDWATER

QUANTITY: 0.09 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 08/31/1944

POINT OF DIVERSION: T34N R01W S14 NENESE Within Lewis County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.05 CFS
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Stockwater Within Lewis County
T34N R01W S14 NESE

Domestic Within Lewis County
T34N R01W S14 NESE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED

MAR 27 2002

RECEIVED

FEB 13 2001

IDWR/North

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

39576

1835-11186

12-1387

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

Department of Water Resources
Boise District Office

Please type or print clearly

1. Name of Claimant (s) WILLARD OR ROBERT J. SMITH Phone (208) 924-5403Mailing Address RT 1, BOX 53, CAMIGNANT, IDAHO Zip 834232. Date of Priority (Only one (1) per claim) AUG., 19443. Source of water supply (a) DRIILLED WELL
which is tributary to (b) NONE4. Location of point of diversion is: Township 34N Range 14ESection 14, N 1/4 of N 1/4 of S 1/4, Govt. Lot _____, B.M.,County of LOUISAdditional points of diversion if any: NONE5. 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. DRIILLED WELL - 100'
DEEP - 6" CASING - PIPED FOR HOME AND
STOCKWATER

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

For DOMESTIC purposes from 1/1 (Both dates are inclusive) to 12/31 amount 0.04 (cfs)For STOCKWATER purposes from 1/1 to 12/31 amount 0.057. Total quantity claimed 0.09 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) ONE HOUSEHOLD AND STOCKWATER FOR 21 HEAD

MAR 27 2002

Copies: White-State, Yellow-Claimant

Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
34N	1W	14													D/S			

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

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.
_____ or None (☒)

14. Remarks: _____

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐
Decree ☐

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Robert J. Smith Date 9/19/88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho)
County of LEWIS) SS.

Subscribed and sworn (or affirmed) before me this 19TH day of SEPTEMBER 19 88

SEAL

MICROFILMED
MAR 27 2002
Notary Public [Signature]
Residing at Idaho

My Commission Expires CONTINUOUS W/BOND

Last Name SMITH Ident No. A85-11186

Copies White-State, Yellow-Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 5, 2001

ROBERT J SMITH
RT 1 BOX 53
CRAIGMONT ID 83523

RE: Change of Ownership for Water Rights 85-11186, 87, 88

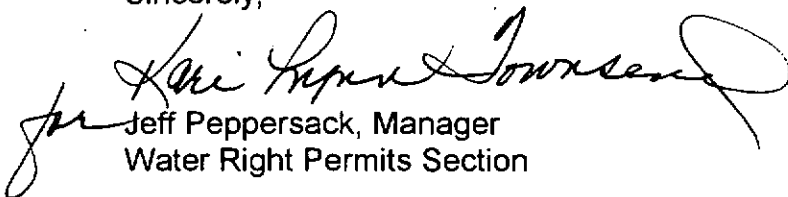
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records. Also enclosed is a receipt for the \$75.00 filing fee.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

MAR 27 2002

MICHAEL P. WASKO
Attorney at Law

RECEIVED

NOV - 1 2001

P.O. Box 118
Cottonwood, Idaho 83522
(208) 962-3351
(208) 962-3351 (fax)

P. O. Box 207
Nezperce, Idaho 83543
(208) 937-2409
(208) 937-2409 (fax)

October 29, 2001

IDWR
1301 North Orchard
Boise, Idaho 83706-2237

RE: Water Right 85-11186, 85-11187, 85-11188

Gentlemen:

Enclosed is a check in the amount of \$75.00 for change of ownership on the above Water Rights.

We had sent you information on February 9, 2001, but we had not sent you a check, as we did not know the fee.

If you have any questions, please advise.

Very truly yours,

Michael P. Wasko
by dlh

Michael P. Wasko

MPW/dlh
Enc.

MICROFILMED
MAR 27 2002

MICHAEL P. WASKO
Attorney at Law

RECEIVED

FEB 20 2001

P.O. Box 118
Cottonwood, Idaho 83522
(208) 962-3351
(208) 962-3351 (fax)

Department of Water Resources
P. O. Box 207
Nezperce, Idaho 83543
(208) 937-2409
(208) 937-2409 (fax)

February 9, 2001

Dept. of Water Resources
IDWR Northern Regional Office
1910 Northwest Blv., Suite 210
Coeur d'Alene, Idaho 83814-2615

RE: Water Right 85-11186, 85-11187, 85-11188
Robert Smith/Willard Smith

RECEIVED
FEB 13 2001
IDWR/North

Gentlemen:

Enclosed are the following documents:

1. Notice of Change of Water Right Ownership
2. Affidavit
3. Copy of Death Certificate for Willard Smith
4. Letters Testamentary
5. Copies of original Water Right Applications
6. Copies of Partial Decrees

Mr. Robert Smith is asking that you remove his father's name from the above Water Rights, as his father is deceased. The original Applications had Willard Smith's name correct, but on the Partial Decree it is listed as **William** Smith, so that is the reason for the Affidavit. We have enclosed copies of the original applications and copies of the Partial Decrees for your review.

If you have any questions, please advise.

Very truly yours,

Michael P. Wasko

Michael P. Wasko

MPW/dlh
Enc.
CC: Robert Smith

MICROFILMED
MAR 27 2002