

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

RECEIVED

APR 16 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
47-4267B					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) John Gleason
949 Robertson St., Twin Falls, ID 83301
4. New Owner/Claimant(s) Robert L. Sears
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1202 Arapahoe Way
Boulder CO 80005
- City, State and ZIP Code
- New Telephone Number (702) 275-9463

5. Date you acquired the property

4/13/2007

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

Robert L. Sears

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by ChloeDate 4/17/07

Receipt Amt. _____

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____ Date _____

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
260 Third Avenue North
Twin Falls, ID 83303

TWIN FALLS COUNTY
RECORDED FOR:
FIRST AMERICAN TITLE CO
4:27:12 pm 04-13-2007
2007-008614
NO. PAGES: 2 FEE: \$6.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: BHUNTER

RECEIVED
APR 17 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **206859-TF (1b)**

Date: **April 11, 2007**

For Value Received, **John R Gleason and Sandy K Gleason, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Robert L Sears, a married man**, hereinafter called the Grantee, whose current address is **1202 Arapaho Way, Boulder City, NV 89005**, the following described premises, situated in **Twin Falls County, Idaho**, to-wit:

TOWNSHIP 9 SOUTH, RANGE 14 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO

SECTION 15: THAT PORTION OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ LYING SOUTH AND EAST OF THE CENTERLINE OF MUD CREEK

EXCEPTING THEREFROM A CERTAIN TRACT OF LAND LOCATED IN THE SOUTHWEST CORNER THEREOF DESCRIBED AS FOLLOWS:

**BEGINNING AT THE SOUTHWEST CORNER OF SAID 40 ACRE TRACT;
THENCE NORTH 350 FEET;
THENCE EAST TO THE CENTER LINE OF MUD CREEK;
THENCE FOLLOWING A MEANDER LINE IN THE CENTER OF MUD CREEK TO THE SOUTH BOUNDARY LINE OF SAID FORTY ACRE TRACT;
THENCE WEST TO THE POINT OF BEGINNING.**

ALSO EXCEPTING THEREFROM THAT PORTION OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ LYING SOUTH AND EAST OF THE CENTERLINE OF MUD CREEK, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 15, BEING THE TRUE POINT OF BEGINNING;
THENCE NORTH 0°00'00" EAST A DISTANCE OF 1314.06 FEET;
THENCE SOUTH 89°10'18" WEST A DISTANCE OF 26.88 FEET;
THENCE SOUTH 34°02'51" WEST A DISTANCE OF 272.73 FEET;
THENCE SOUTH 34°35'56" WEST A DISTANCE OF 17.86 FEET;
THENCE SOUTH 0°00'00" WEST A DISTANCE OF 1076.76 FEET;
THENCE NORTH 88°55'03" EAST A DISTANCE OF 190.00 FEET TO THE TRUE POINT OF BEGINNING.**

AND ALSO EXCEPTING THEREFROM THAT PORT OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ LYING SOUTH AND EAST OF THE CENTERLINE OF MUD CREEK, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 15;
THENCE SOUTH 88°28'40" WEST ALONG THE SOUTH BOUNDARY OF SECTION 15 FOR A DISTANCE OF 190.00 FEET TO THE TRUE POINT OF BEGINNING;
THENCE NORTH 0°26'14" WEST FOR A DISTANCE OF 1076.76 FEET TO THE CENTER OF MUD CREEK;**

Date: 04/11/2007

Warranty Deed
- continued

File No.: 206859-TF (lb)

**THENCE SOUTH 32°01'13" WEST ALONG THE CENTER OF MUD CREEK FOR A DISTANCE OF 91.82 FEET;
THENCE DEPARTING THE CENTER OF MUD CREEK, SOUTH 3°15'37" EAST FOR A DISTANCE OF 1000.50 FEET TO THE TRUE POINT OF BEGINNING.**

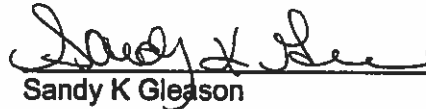
Together with 8 shares of Twin Falls Canal Co. water stock.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.



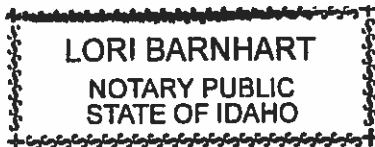
John R Gleason



Sandy K Gleason

STATE OF Idaho)
SS.
COUNTY OF Twin Falls)

On this **Thirteenth day of April, 2007**, before me, a Notary Public in and for said State, personally appeared **John R Gleason and Sandy K Gleason**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Notary Public for the State of Idaho
Residing at: Twin Falls, ID
My Commission Expires: 11/06/2012



First American Title Company
260 Third Avenue North, Twin Falls, ID 83303
Phone (208)734-2905, Fax (208)734-2945

RECEIVED
APR 17 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301

April 16, 2007
File No.: 206859-TF (lb)

Attn: Carrie

Re: **John and Sandy Gleason transferring water to Robert Sears**
Property: **Bare Land, Buhl, ID 83316**
Buyer: **Robert L Sears**
Seller: **John R Gleason and Sandy K Gleason**

Sincerely,



Jeannie Azevedo, Assistant for
Lori Barnhart, Escrow Officer

ja/ja



First American Title Company
260 Third Avenue North, Twin Falls, ID 83303
Phone (208)734-2905, Fax (208)734-2945

RECEIVED
APR 16 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301

April 13, 2007
File No.: 206859-TF (Ib)

Attn:

Re: **Check No 25902 in the amount of \$25.00**
Property: **Bare Land, Buhl, ID 83316**
Buyer: **Robert L Sears**
Seller: **John R Gleason and Sandy K Gleason**

Sincerely,

Jeannie Azevedo, Assistant for
Lori Barnhart, Escrow Officer

ja/ja



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

SOUTHERN REGION

April 17, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

FIRST AMERICAN TITLE COMPANY
260 3RD AVE N
TWIN FALLS ID 83301
ATT: JEANNIE AZEVEDO

RE: SRBA Claim No. #47-4264B

Dear Ms. Azevedo,

The Department has received the *Notice of Change of Water Right Ownership* you recently submitted referenced above and we have changed the record of current ownership. Please find the enclosed copy of the water right claim noting the change in owner. Review this record and if there is an error, or you have any questions, please contact this office.

Since this claim has not been decreed in the Snake River Basin Adjudication, no fees are due at this time. I am herein returning your check #25902 for twenty-five dollars (\$25.00)

Should you have any questions please call me at (208) 736-3033.

Sincerely,

Carrie Hahn
Clerk

Enc.

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 47-4267B
Date Received: 2/10/1995
Receipt No: S017734
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JOHN GLEASON Phone: (208)280-2417
949 ROBERTSON ST
BUHL ID 83316

SANDY GLEASON Phone: (208)280-2417
949 ROBERTSON ST
BUHL ID 83316

2. Date of Priority: 05/01/1900

3. Source: UNNAMED STREAM Trib. to: MUD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09S	14E	14	SW SW	TWIN FALLS	

5. Description of diverting works:

CONCRETE CHECK WITH HEADGATE, EARTHEN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1	
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

09S	14E	15	SE	SE	IRRIGATION	15
			SE	SE	STOCKWATER	
					Section Acres	15
					Total Acres	15

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Statutory Claim

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

RECEIVED
JUN 05 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
47-4267 B					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

John and Gloria Smith

4. New Owner/Claimant(s)

John and Sandy Gleason

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

949 Robertson St

City, State and ZIP Code

Buhl, Id 83316

New Telephone Number

(208) 280-2417

5. Date you acquired the property

NOV 10, 2005

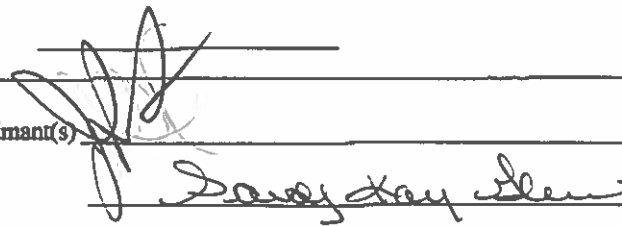
Form 42-248/42-1409(6) July, 2000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)



For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

Order No. T051404

WARRANTY DEED

For Value Received

TWIN FALLS COUNTY
 RECORDED FOR:
 TWIN FALLS TITLE
 5:01:38 pm 11-14-2005
2005-025853
 NO. PAGES: 2 FEE: \$6.00
 KRISTINA GLASCOCK
 COUNTY CLERK
 DEPUTY: CASHMAN

JOHN GREGG SMITH and GLORIA P. SMITH, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

JOHN R. GLEASON AND SANDY K. GLEASON, husband and wife

the grantee(s), whose current address is

949 ROBERTSON ST, BUHL, ID 83316

the following described premises, to-wit:

See Attached Exhibit "A"

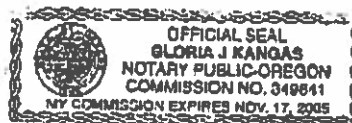
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: November 10, 2005

John Gregg Smith
 JOHN GREGG SMITH

Gloria P. Smith
 GLORIA P. SMITH

STATE OF ~~IDAHO~~ Oregon
 : ss
 COUNTY OF ~~TWIN FALLS~~ Deschutes



On This 10 day of ~~October~~ Nov, in the year 2005, before me, a Notary Public in and for said State, personally appeared JOHN GREGG SMITH and GLORIA P. SMITH, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Gloria J. Kangas
 Notary Public of ~~Idaho~~ Oregon
 Residing at ~~Filler, Idaho~~ Burnsville
 Commission Expires: ~~July 24, 2011~~ Nov 17, 2005

**EXHIBIT A
T051404**

Township 9 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho

Section 15: That portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying South and East of the centerline of Mudd Creek

SUBJECT TO county road right of way along the Southerly boundary.

EXCEPTING THEREFROM a certain tract of land located in the Southwest corner thereof described as follows:

BEGINNING at the Southwest corner of said 40 acre tract;
THENCE North 350 feet;
THENCE East to the center line of Mud Creek;
THENCE following a meander line in the center of Mud Creek to the South boundary line of said forty acre tract;
THENCE West to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying South and East of the centerline of Mudd Creek, more particularly described as follows:

BEGINNING at the Southeast corner of said Section 15, being the TRUE POINT OF BEGINNING;
THENCE North 0°00'00" East a distance of 1314.06 feet;
THENCE South 89°10'18" West a distance of 26.88 feet;
THENCE South 34°02'51" West a distance of 272.73 feet;
THENCE South 34°35'58" West a distance of 17.88 feet;
THENCE South 0°00'00" West a distance of 1076.76 feet;
THENCE North 88°55'03" East a distance of 190.00 feet to the TRUE POINT OF BEGINNING.

AND ALSO EXCEPTING THEREFROM that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying South and East of the centerline of Mudd Creek, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 15;
THENCE South 88°28'40" West along the South boundary of Section 15 for a distance of 190.00 feet to the TRUE POINT OF BEGINNING;
THENCE North 0°26'14" West for a distance of 1076.76 feet to the center of Mudd Creek;
THENCE South 32°01'13" West along the center of Mudd Creek for a distance of 91.82 feet;
THENCE departing the center of Mudd Creek, South 3°15'37" East for a distance of 1000.50 feet to the TRUE POINT OF BEGINNING.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 6, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JOHN AND SANDY GLEASON
949 ROBERTSON ST
BUHL ID 83316

Re: SRBA Claim #47-4267B

Dear Mr. And Mrs. Gleason,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copy of the computer record of the claim noting the change in claimant. Review this record and if there is an error, or you have any questions, please contact this office.

Sincerely,

Carrie Hahn
Office Specialist

Enc.

COPY

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 MAY 2 AM 11 54

**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

Subcase No. 47-4267B

Case No. 39576

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

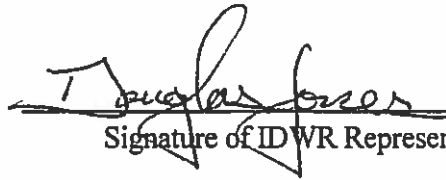
Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: _____

5/1/07



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5/2, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Robert L Sears
1202 Arapaho Way
Boulder City NV 89005

Sandy Gleason
John Gleason
949 Robertson St
Buhl ID 83316


Signature of person or attorney mailing the form

04/23/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 47-4267B

NAME AND ADDRESS: ROBERT L SEARS
1202 ARAPAHO WY
BOULDER CITY NV 89005

SOURCE: UNNAMED STREAM

TRIBUTARY: MUD CREEK

QUANTITY: 0.150 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/16/1918

POINT OF
DIVERSION: T09S R14E S15 SESESE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.130 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in TWIN FALLS County

T09S R14E S15 SESE 6.40

STOCKWATER in TWIN FALLS County

T09S R14E S15 SESE

6.4 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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 47-04267.

Use of this right is combined with water from Twin Falls Canal Co.

Stockwater use is for 10 range cattle.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

SOUTHERN REGION

May 2, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
~~Interim~~ Director

ROBERT SEARS
1202 ARAPAHO WAY
BOULDER CITY NV 89005

RE: SRBA Claim(s) 47-4267B

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

cc: John and Sandy Gleason
949 Robertson St
Buhl ID 83316

06/12/2006

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

RIGHT NUMBER: 47-4267B

NAME AND ADDRESS: SANDY GLEASON
949 ROBERTSON ST

BUHL ID 83316

JOHN GLEASON
949 ROBERTSON ST

BUHL ID 83316

SOURCE: UNNAMED STREAM

TRIBUTARY: MUD CREEK

QUANTITY: 0.150 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 03/16/1918

POINT OF DIVERSION:

T09S R14E S15 SESESE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.130 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within TWIN FALLS County

T09S R14E S15 SESE 6.40

STOCKWATER Within TWIN FALLS County

T09S R14E S15 SESE

6.4 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

This right is a split from former right 47-04267.

Use of this right is combined with water from Twin Falls Canal Co.

Stockwater use is for 10 range cattle.



Idaho Department of Water Resources

SRBA Recommendation:

47-4267B

Legend

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



Twin Falls County
IDWR Basin 47



0 0.1 0.2 Miles

Prepared by N. Erickson
On Monday, June 12, 2006
2004 Aerial Photography

Owner: SANDY GLEASON

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.



Idaho Department of Water Resources

SRBA Recommendation:

47-4267B

Legend

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



Twin Falls County
IDWR Basin 47



0 0.1 0.2 Miles



Owner: SANDY GLEASON

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Prepared by N. Erickson
On Monday, June 12, 2006
2004 Aerial Photography

File No. – A47-4267B

????

BUHL, ID 83316

5/17/2006

Spoke to the neighbors about this property; apparently it has been sold recently to someone from out of state. Mike Neville (543-5451) is leasing the property from the new owner. I am trying to contact Mr. Neville to find out who the new owner is.

The point of diversion is a concrete box with head gate that goes into a 6" PVC pipe, located at E2435082 / N1271090 EPE 23'. The PVC pipe is buried, it takes the water towards the west, when it reaches the property is spills into a ditch that is used to gravity irrigate the pasture. This water right includes a stock water right; at the time of inspection there were 5 horses in the pasture.

Nathan Erickson

Point of diversion



Ditch used to irrigate pasture



Panoramic of pasture from southeast corner



Water Right Claim, Number 47-4267B
Township, 9S 14E 15

5/8/2006
John Smith



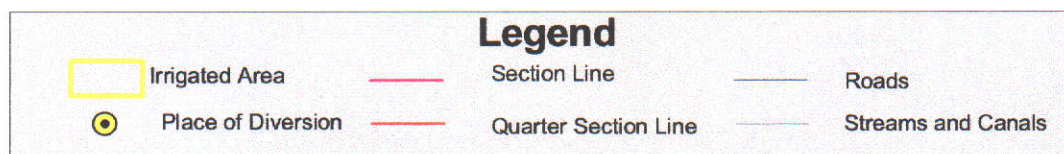
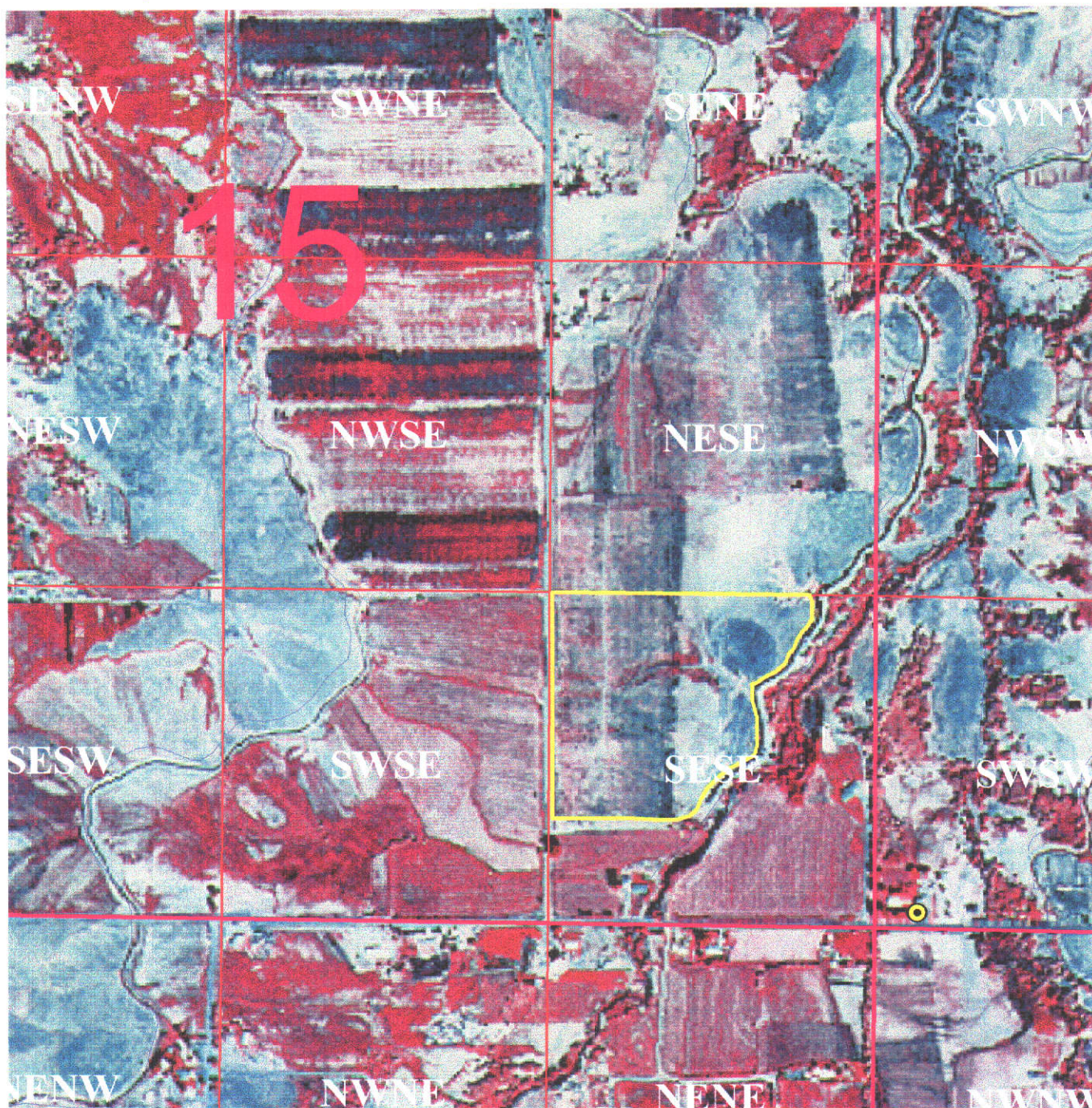
 Twin Falls taxlots
 GCDB09S14E GCDB
 Claim POD

500 0 500 Feet




Water Right Claim Number 47-04267B
Township , 9S14E

02/22/2001



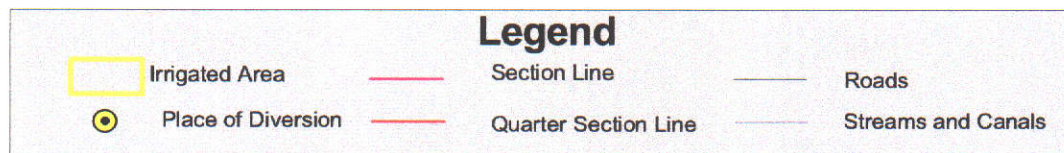
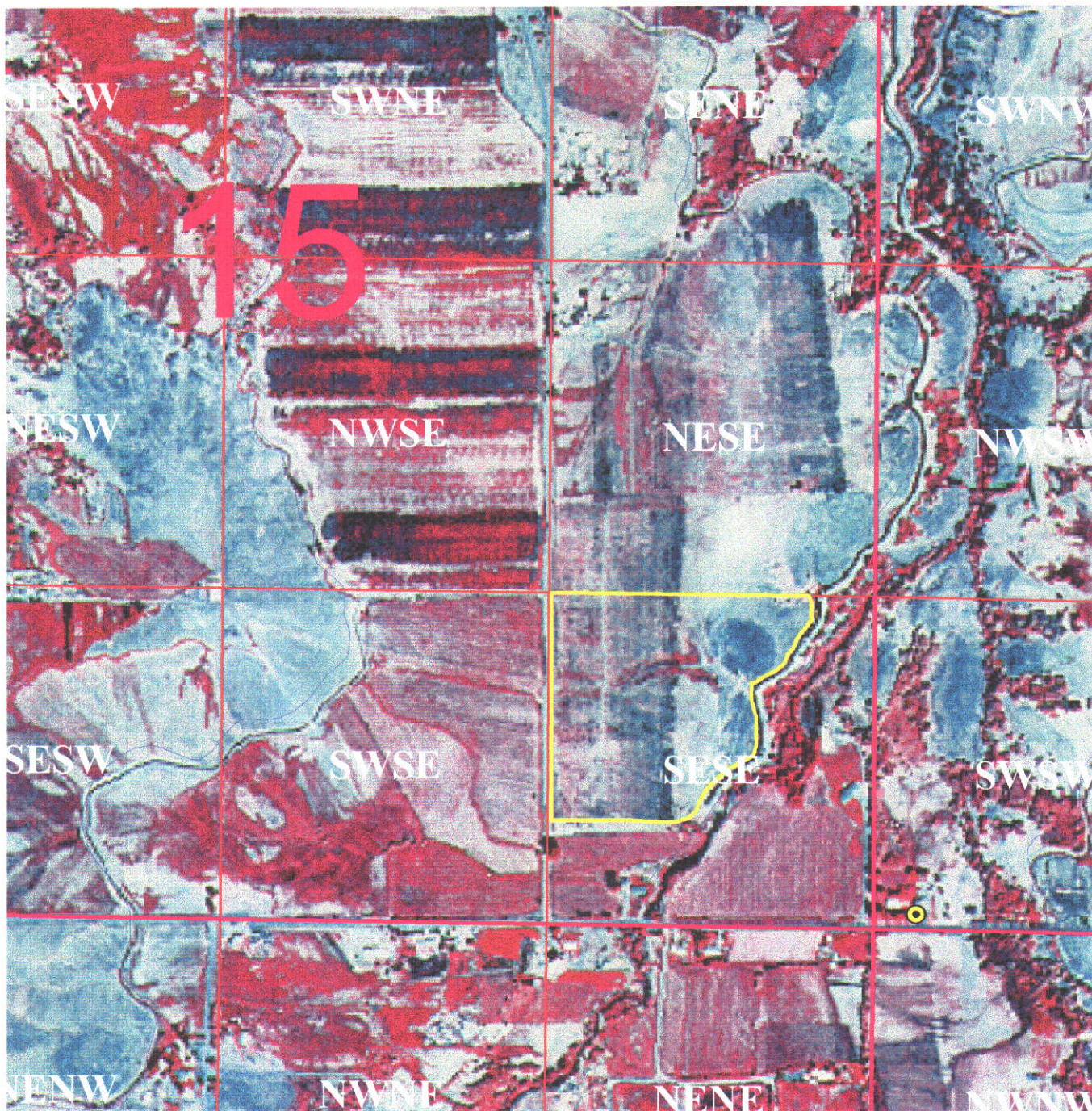
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-04267B
Township , 9S14E

02/22/2001



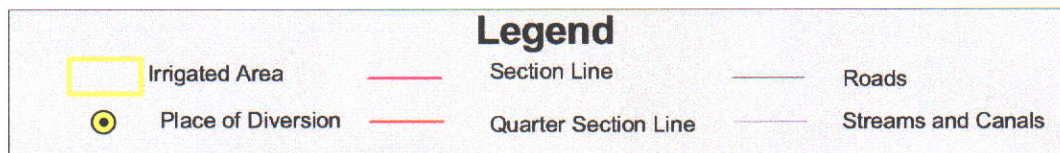
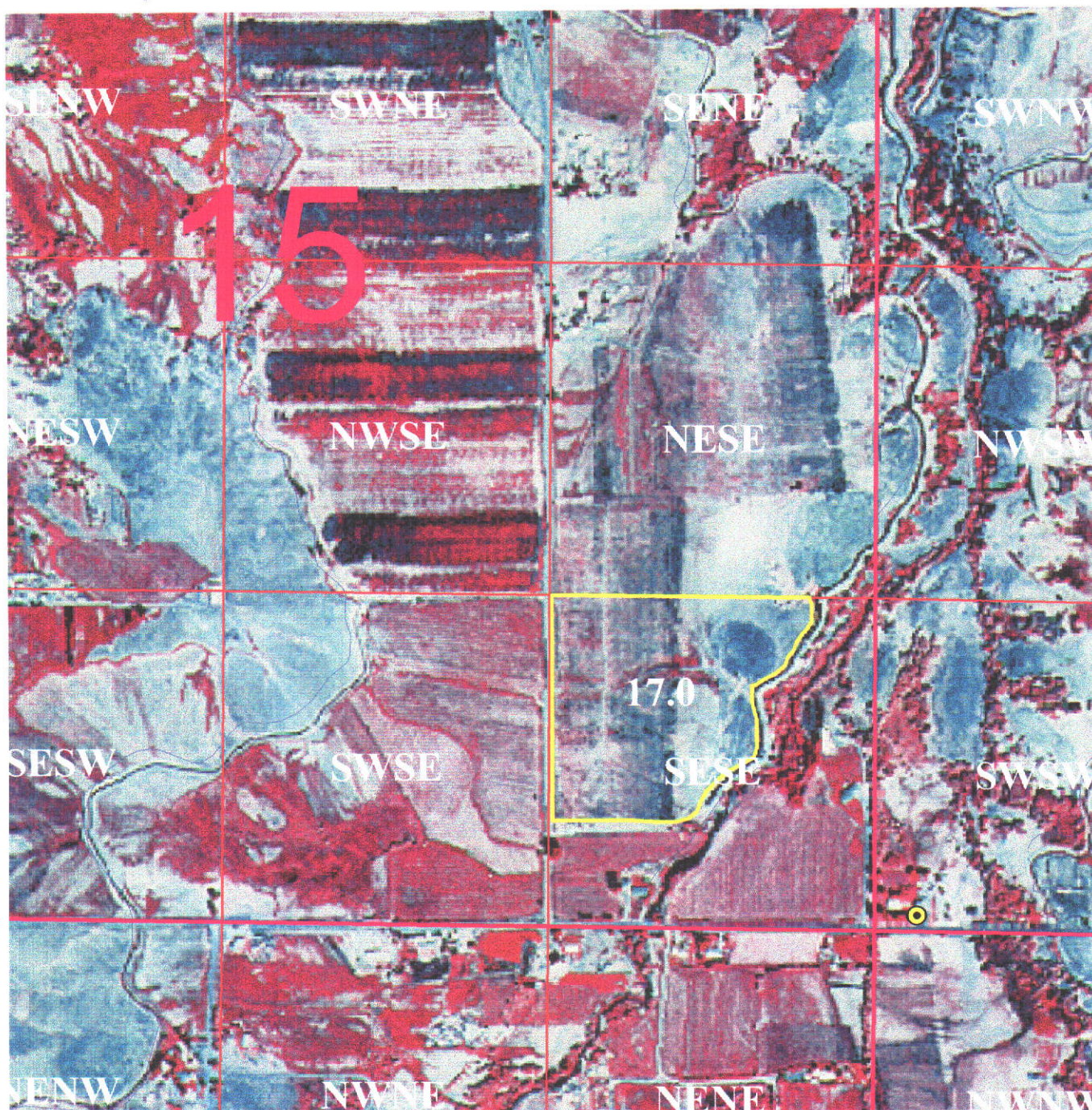
400 0 400 800 Feet



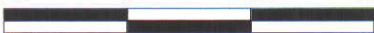
SPATIAL
DYNAMICS

Water Right Claim Number 47-04267B
Township , 9S14E

02/22/2001



400 0 400 800 Feet



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: A47-04267B
Date Received: 2/10/1995
Receipt No: S017734
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: JOHN GREGORY SMITH
Address: 14560 SW 77TH CT
MIAMI FL

305-238-3334

33158

AND

Name: GLORIA SMITH
Address: 14560 SW 77TH CT
MIAMI FL

305-238-3334

33158

2. Date of Priority: MAY 1, 1900

3. Source: UNNAMED STREAM

Trib. to: MUD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	14	SW	SW			TWIN FALLS

5. Description of diverting works:
CONCRETE CHECK WITH HEADGATE, EARTHEN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		
STOCKWATER	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is

45.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER

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NOV 29 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	15	SE	SE		IRR	15.0
			SE	SE		STOCK	

Section Acres 15.0

Total Acres 15.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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NOV 29 1996

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 A47-04262BDate Received 2/7/95Receipt Number 5017734

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

FEB 07 1995

Department of Water Resources
Southern Region

Please type or print clearly

1. Name of Claimant (s) JOHN GREGORY SMITH & GLORIA SMITH Phone (305) 238-3334Mailing Address 14560 SW 77th Ct. Miami, FL Zip 331582. Date of Priority (Only one (1) per claim) 05/01/19003. Source of water supply (a) Unnamed Streamwhich is tributary to (b) Mud Creek4. a. Location of existing point of diversion is: Township 09S Range 14E Section 14,
SW 1/4 of SW 1/4 of 1/4, Govt. Lot, B.M., County of Twin Falls

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. CONCRETE CHECK WITH HEADGATE, EARTHEN
DITCH

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 1,000 or _____

For stockwater purposes from 1/01 to 12/31 amount 0.020 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1,000 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for Irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
09S	14E	15																15	15

Total number of acres irrigated 15.0 acres

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

12. Do you own the property listed above as place of use? Yes 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 (x)

14. Remarks:

This claim is Water Right Number - 47 - 04267 (see attached water right proof reading report

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NOV 29 1996

Last Name SMITH Ident No. 79556 39576

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 16x16 grid of squares, each containing a crosshair pattern of dashed lines. The grid is used for drawing a 16x16 square.

~~MICROFILMED~~

NOV 29 1996

Last Name SMITH

Ident No. 39576

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use xxxx Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 47-04267
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 Water Right Proof Reading Report Attached

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

Signature of Claimant (s)

John Gregory Smith
Gloria Smith

Date

12/28/94

Date

12/28/94

Gloria Smith

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

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~~ or FLORIDA)

County of DADE)

SS.

Subscribed and sworn (or affirmed) before me this

28th

day of

DECEMBER 19 94

SEAL

Notary Public

Myrna B. Schneider

Residing at

Miami, FLORIDA

My Commission Expires

Notary Public, State of Florida

My Commission Expires Oct. 8, 1995

Bonded Thru Troy Fain - Insurance Inc.

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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NOV 29 1996

Last Name

SMITH

Ident. Number

39576

Copies White-State, Yellow-Claimant

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FEB 07 1995

Department of Water Resources
Southern Region

09514E151820
P-13042.1

92.15.0

09514E151820

MUD CREEK

09514E150020

09514E150012

09514E150010

P-13047

A47-04267B

Water Right Number - 47-04267

Prefix Translation: WATER RIGHT

Old (D) Number -

♦ - - - - Last Name - - - - ♦

+ - First Name - - +

+ - - - - Address - - - - -

*** C - CURRENT OWNER ***
SMITH

JOHN GREGORY

1 - RT, 3 BOX 185

2 -

13.

Cite

Phone -

State- ID Zip- 83316

1 - RT. 3 BOX 185

2 -

3 -

City- BUHL

Phone -

State- ID Zip- 83316

+ - - Priority Date - - +
05/01/1900

+ - - - Region - - - +
17 SOUTHERN

+ - - - Stage - - - +
S - STATUTORY CLAIM

+ - * - Status - - - +

```

+ - - - - Source - - - - - +
      UNNAMED STREAM

```

+ Tributary
MUD CREEK

Point of Diversion							Diversion Name	Diversion Rate	Diversion No.
Twn	Rng	Sec	Tract	Lot	RFlg	County			
09S	14E	14	SW SW			(83) TWIN FALLS			

		Water Use			
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 -	IRRIGATION	03/15	11/15	1.000	
04 -	STOCKWATER	01/01	12/31	0.020	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.000

Tract	Lot	Acres	Place of Use	Description	County
09S	14E	15	SE SE	15.0 01 IRRIGATION	(83) TWIN FALLS

Total Acres: 15.0

+ - - Diversion Means - CONCRETE CHECK WITH HEADGATE, EARTHEN DITCH

+ . - Non-Irrigation Use - S/50 RANGE

+ - - Other Rights for Same Use -

IN	Remarks
	No Remarks found.

- - - Old Water Right Numbers - -
No Old Water Right Numbers found.

NOV 29 1996
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FEB 07 1995

**Department of Water Resources
Southern Region**

Water right number - 47-04267

Prefix Translation: WATER RIGHT

----- Conditions of Approval -----
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

----- Comments -----
No Comments Found

+ - - Audit Fields - 03/07/86 05/28/88 CONVERT

----- Water Rights Dates and Flags Area -----

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 03/07/1986	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag -
Presumption Flag -		

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NOV 29 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor PHIL BATT

R. KEITH HIGGINSON
Director

January 4, 1995

A47-04267B
JOHN AND GLORIA SMITH
14560 SW 77TH CT
MIAMI, FL 33158

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will at a later date conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

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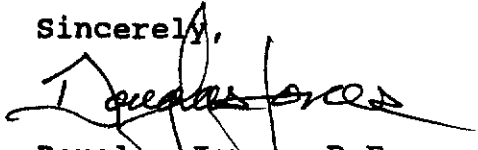
NOV 29 1996

February 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,



Douglas Jones, P.E.
Water Rights Supervisor

Enc.

PS Additionally, please indicate on the enclosed maps the property(ies) irrigated under A47-02259 and A47004267B, the diversion points for each right and any other relelvent information pertaining to these rights. The plat map included with the claims does not show what is irrigated and from where. Make copies for your record if you wish and return the originals at your earliest opportunity for inclusion with your claim file. Thank you,

Douglas

MICROFILMED

NOV 29 1996

WARRANTY DEED

For Value Received

PAUL F. FLEMING and ROSE FLEMING, husband and wife

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto

JOHN GREGG SMITH and GLORIA P. SMITH, husband and wife
whose address is: Route #3 Buhl, Idaho

Hereinafter called the grantee, the following described premises, in Twin Falls County, Idaho,
to-wit:

Township 9 South, Range 14 East, B.M., Twin Falls County, Idaho
Section 15: N $\frac{1}{2}$ SE $\frac{1}{4}$, the SW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING a tract of land 300 feet
square in the Northeast corner thereof; AND the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPT-
ING therefrom a certain tract located in the Northwest corner
thereof described as follows:

BEGINNING at the Southwest corner of the N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$,

THENCE South a distance of 23 rods;

THENCE East 26 rods;

THENCE North 23 rods;

THENCE West 26 rods to the point of beginning,

AND the SE $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING therefrom a certain tract of land located
in the Southwest corner thereof described as follows:

BEGINNING at the Southwest corner of said 40 acre tract;

THENCE North 350 feet;

THENCE East to the center line of Mud Creek;

THENCE Following a meandering line in the center of Mud Creek
to the South boundary line of said forty acre tract;

THENCE West to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
and to the Grantee's heirs and assigns forever. And the said Grantor does hereby
covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises;
that they are free from all incumbrances except as described above and that Grantor will warrant
and defend the same from all lawful claims whatsoever.

Dated: June 5, 1974

Rose Fleming
ROSE FLEMING

Paul F. Fleming
PAUL F. FLEMING

PAUL F. FLEMING, attorney in fact

STATE OF IDAHO, COUNTY OF Twin Falls
On this 5th day of June, 1974
before me, a notary public in and for said State, personally appeared

Paul F. Fleming

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

William Myford
Notary Public

Residing at Buhl, Idaho
Comm. Expires 3-2-76

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at
the request of TitleFact, Inc.
at 2 minutes past 1 o'clock p.m.,
this JUN 6 1974 day of
19 in my office, and duly recorded in Book
of Index at page

H.A. LANCASTER
Ex-Officio Recorder

By *[Signature]* Deputy.

Fees \$
Mail to John Gregg Smith
Route #3
Buhl, Idaho 83316

STATE OF IDAHO, COUNTY OF Twin Falls
On this 5th day of June, 1974.
before me, a notary public in and for said State, personally appeared PAUL F. FLEMING known
to me to be the person whose name is
subscribed to the within instrument
as Attorney in Fact of ROSE FLEMING,
and acknowledged to me that he sub-
scribed the name of Rose Fleming
thereto as principal and his own
name as attorney in fact.

Witness my hand and official seal.

William Myford
Notary Public
Residing at Buhl, Idaho
Comm. Expires 3-2-76

RECEIVED

FEB

Department of
Southern

resources
on

INSTRUMENT No.

666551

ROFILMED

29 1996

WARRANTY DEED

For Value Received

L. V. HOFGAARDEN and LYDIA HOFGAARDEN, husband and wife

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto
PAUL F. FLEMING and ROSE FLEMING, husband and wife, AND
JOHN GREGG SMITH and GLORIA P. SMITH, husband and wifeHereinafter called the grantee, the following described premises, in Twin Falls County, Idaho,
to-wit:

Township 9 South, Range 14 East, B.M., Twin Falls County, Idaho

Section 13; N4SE4, the SW4NE4, EXCEPTING a tract of land 300 feet
square in the Northeast corner thereof; AND the S4SE4NE4, EXCEPT-
ING therefrom a certain tract located in the Northwest corner
thereof described as follows:

BEGINNING at the Southwest corner of the N4SE4NE4,

THENCE South a distance of 23 rods;

THENCE East 2t rods;

THENCE North 23 rods;

THENCE West 26 rods to the point of beginning,

AND the SE4SE4, EXCEPTING therefrom a certain tract of land located
in the Southwest corner thereof described as follows:

BEGINNING at the Southwest corner of said 40 acre tract;

THENCE North 350 feet;

THENCE East to the center line of Mud Creek;

THENCE Following a meandering line in the center of Mud Creek

to the South boundary line of said forty acre tract;

THENCE West to the point of beginning.

Together with, but not limited to, State of Idaho, Department of
Reclamation, License and Certificate of Water Right No. 21790.TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
and to the Grantee's heirs and assigns forever. And the said Grantor does hereby
covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises;
that they are free from all incumbrances except as described above and that Grantor will warrant
and defend the same from all lawful claims whatsoever.

Dated: March 19, 1973

L. V. Hofgaarden

Lydia Hofgaarden

STATE OF IDAHO, COUNTY OF

On this day of 1973
before me, a Notary Public in and for said State, personally appearedL. V. HOFGAARDEN and LYDIA
HOFGAARDEN, husband and wifeknown to me to be the person(s) whose name(s) are
subscribed in the within instrument, and acknowledged to
me that they executed the same.Notary Public
IdahoResiding at
Comm. Expires

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of TITLEFACT, Inc.at 30 minutes past 9 o'clock a.m.
this MAR 22 1973 day of
1973, in my office, and duly recorded in Book
of deeds at pageH. A. LANCASTER
Ex-Officio RecorderBy Helen Hansen Deputy.
Free \$ 1.00
Mail to: TITLEFACT, INC.99 499 9
(Individual)STATE OF CALIFORNIA
COUNTY OF Los AngelesOn March 22, 1973 before me, the undersigned, a Notary Public in and for said
State, personally appeared L. V. Hofgaarden and Lydia Hofgaardento be the person(s) whose name(s) are
subscribed in the within instrument and acknowledged that they
executed it.

WITNESS my hand and office seal.

Signature M. Barnhouse
M. Barnhouse
Name (Typed or Printed)FILMED
29 1996

593445

Seven Eleven Valley
Clinic Pharmacy, Inc.
Clinic Pharmacy, Inc.

L. V. Hofgaarden

STATE OF IDAHO
County of Twin Falls
I hereby certify that this instrument
has been recorded at the office of the
County Clerk of the County of Twin Falls
this 22nd day of October, 1958
in my office and the same is now on file
in my office and is available for
recording.

H. A. LANCASTER
County Clerk
Twin Falls, Idaho

HEPORTH, HUNGSTER & FELTON

LAW OFFICES
HEPORTH
HUNGSTER
AND
FELTON
HEPORTH, HUNGSTER & FELTON
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ORIGINAL

WARRANTY DEED

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For Value Received Seven Eleven Valley Clinic Pharmacy,
Inc., d/b/a Clinic Pharmacy, Inc., a California corporation with
its principal place of business in Alhambra, County of Los Angeles
State of California, the grantor, does hereby grant, bargain,
sell and convey unto L. V. Hofgaarden and Lydia Hofgaarden,
husband and wife, the grantees, the following described premises
in Twin Falls County, Idaho, to wit:

The North Half of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$)
and the Southwest Quarter of the Northeast Quarter,
(SW $\frac{1}{4}$ NE $\frac{1}{4}$), excepting a tract of land 300 feet square
in the Northeast corner thereof; and the South Half
of the Southeast Quarter of the Northeast Quarter
(S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$), saving and excepting therefrom a certain
tract comprising 3.73 acres located in the Northwest
corner of said twenty (20) acre subdivision and des-
cribed as follows:

Beginning at the Southwest corner of the North
Half of the Southeast Quarter of the Northeast Quarter,
(N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$); thence South a distance of 23 rods; thence
East 26 rods; thence North 23 rods; thence West 26
rods to the point of beginning. All being situated in
Section 15, Township 9 South, Range 14, E.B.M., con-
taining in all 134.27 acres of land, more or less.
Together with a water right appurtenant to the said
premises evidenced by a certificate for 31.75 shares
of the capital stock in the Twin Falls Canal Company
and rights to take water out of Mud Creek issued by the
Department of Reclamation of the State of Idaho, and,

The Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 15, Township 9 South, Range 14, E.B.M., saving
and excepting therefrom a certain tract of land con-
taining 3.25 acres in the Southwest corner thereof,
described as follows, to wit:

Beginning at Southwest corner of said forty (40)
acre tract; thence North 350 feet; thence East to the
center line of Mud Creek; thence following a meander-
ing line in the center of Mud Creek to the South

LAW OFFICES
HEPORTH
HUNGSTER
AND
FELTON
HEPORTH, HUNGSTER & FELTON
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MIKROFILMED
29 1996

POOR ORIGINAL

Boundary line of said forty acre tract; thence West to the point of beginning, together with a water right appurtenant to said premises evidenced by a certificate of twenty (20) shares of capital stock of the Twin Falls Canal Company; as shown on the records of the County Recorder of Twin Falls County, Idaho.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said grantees, their assigns forever. And the said grantor does hereby covenant to and with the said grantees that it is the owner in fee simple of said premises; that it is free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

Dated: August , 1968.

SEVEN ELEVEN VALLEY CLINIC
PHARMACY, INC., d/b/a/ CLINIC
PHARMACY, INC.

ATTEST:

By

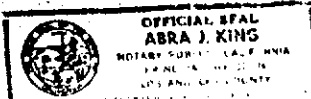
Donally Hancock

STATE OF CALIFORNIA :
: ss.
County of Los Angeles :

On this ~~16TH~~ ^{OCTOBER} day of ~~AUGUST~~, 1968, before me, the undersigned, a Notary Public in and for said County and State, personally appeared L. V. HOGAARDEN

president and secretary respectively of the above corporation, known to me to be the persons whose names are subscribed to the above instrument, and acknowledged to me that they executed the same as the officers of said corporation.

-2-



Abba J. King
My Commission Expires July 21, 1971
ABBA J. KING

LAW OFFICES
HEPWORTH
HUNGERFORD
AND
FELTON
OAKLAND, CALIF.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Abba J. King
Notary Public for California
Residing at

My Commission Expires July 21, 1971
ABBA J. KING

PROFILMED
OV 29 1996

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1 Boundary line of said forty acre tract; thence West
2 to the point of beginning, together with a water
3 right appurtenant to said premises evidenced by a
4 certificate of twenty (20) shares of capital stock
5 of the Twin Falls Canal Company; as shown on the
6 records of the County Recorder of Twin Falls County,
7 Idaho.

8 TO HAVE AND TO HOLD the said premises, with their
9 appurtenances unto the said Grantee, its assigns forever. And
10 the said Grantors do hereby covenant to and with the said
11 Grantee, that they are the owners in fee simple of said premises,
12 that they are free from all encumbrances and that they will
13 warrant and defend the same from all lawful claims whatsoever.

14 Dated: September 7, 1965.

15 Calvin R. Harper

16 Pauline W. Harper

17
18 STATE OF IDAHO :
19 : ss.
20 County of Twin Falls :

21 On this 7th day of September, 1965, before me, a
22 Notary Public in and for said State, personally appeared Calvin
23 R. Harper, also known as Calvin Harper, and Pauline W. Harper,
24 husband and wife, known to me to be the persons whose names are
25 subscribed to the within instrument, and acknowledged to me that
26 they executed the same.

27 W. E. Nungester

28 Notary Public for Idaho
Residing at Buhl, Idaho

591432

Catrina R. Harper

to

*Pharmacy, Inc dba
Clinic Pharmacy, Inc*

STATE OF IDAHO }
County of Twin Falls } ss.

I hereby certify that this instrument

filed for record at the request of

Idaho First National Bank of Butte

2:30 o'clock *AM* the *AUG 15* 1968

at the place and day recorded in book

H. A. LANCASTER

Cheryl [Signature]
Deputy

Fee \$*2.00*

Return to

Idaho First National Bank of Butte

MICROFILMED

NOV 29 1996

WARRANTY DEED

THIS INDENTURE, Made this 1st day of June, 1952, between

ALFRED JACQUES also known as FRED JACQUES & VERINA JACQUES, husband and wife
at all times since acquiring the within described premises
of Buhl, County of Twin Falls, State of Idaho,
the parties of the first part, hereinafter called the grantor, and

CALVIN HARPER & PAULINE W. HARPER, husband and wife
of Jerome, County of Jerome, State of Idaho,
the parties of the second part, hereinafter called the grantee,

WITNESSETH, that the grantor, for and in consideration of the sum of
TEN DOLLARS (\$ 10.00) AND OTHER VALUABLE PROPERTY DOLLARS,
in lawful money of the United States of America, to the grantor in hand paid by the grantee, the receipt
whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant,
bargain, sell, convey and confirm unto the grantee, and to the grantee's heirs and assigns forever, all of
the following described real estate, situated in Twin Falls County, State of Idaho:

The North Half of the Southeast Quarter (N $\frac{1}{2}$ -SE $\frac{1}{4}$) and the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ -NE $\frac{1}{4}$) excepting a tract of land 300 feet square in the Northeast corner thereof, and the South Half of the Southeast Quarter of the Northeast Quarter (S $\frac{1}{2}$ -SE $\frac{1}{4}$ -NE $\frac{1}{4}$) saving and excepting therefrom a certain tract comprising 3.73 acres located in the Northwest corner of said Twenty (20) acre subdivision and described as follows; Beginning at the Southwest corner of the North Half of the Southeast Quarter of the Northeast Quarter (N $\frac{1}{2}$ -SE $\frac{1}{4}$ -NE $\frac{1}{4}$); thence South a distance of 23 rods; thence East 26 rods; thence North 23 rods; thence West 26 rods to the point of beginning. All being situated in Section Fifteen (15), Township Nine (9) South, Range Fourteen (14) East of the Boise Meridian containing in all 134.27 acres of land, more or less. Together with a water right appurtenant to the said premises evidenced by a certificate for 31.75 shares of the Capital Stock in the Twin Falls Canal Company and rights to take water out of Mud Creek issued by the Department of Reclamation of the State of Idaho.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the grantor.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances, unto the grantee, and to the grantee's heirs and assigns forever. And the grantor, and the grantor's heirs, the said premises in the quiet and peaceable possession of the grantee, and the grantee's heirs and assigns, against the grantor, and the grantor's heirs, and against all and every person and persons whomsoever lawfully claiming the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF the grantor has subscribed this deed the day and year first above written.



Alfred Jacques

Verina Jacques

STATE OF IDAHO } ss.
County of TWIN FALLS }

On this 1st day of June, 1953, before me, the undersigned, a Notary Public in and for said State, personally appeared

Alfred Jacques and Varina Jacques

known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

John O. Kentman
Notary Public for the State of Idaho
residing at Buhl, Idaho

555961

No.	WARRANTY DEED	TO	STATE OF IDAHO, } ss. County of	I hereby certify that this instrument was filed for record at the request of	at 10 minutes past 1 o'clock P.M., on SEP 11, 1953	in my office and duly recorded in Book	of Deeds at	page	W. A. LANCASTER Ex-Officio Recorder By <i>William K. Williams</i> Deputy Fees \$1.00	From the office of: BOONE ABSTRACT COMPANY Twin Falls, Idaho	Return to: <i>W. A. Lancaster</i> <i>City of Buhl, Idaho</i>
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MICROFILMED
NOV 28 1955

WARRANTY DEED

THIS INDENTURE, Made this first day of May, 19 63, between

WALTER D. WORLEY & ERA WORLEY, husband and wife
at all times since acquiring the within described premises

of Buhl, County of Twin Falls, State of Idaho
the parties of the first part, hereinafter called the grantor, and

CALVIN HARPER & PAULINE W. HARPER, husband and wife

of Buhl, County of Twin Falls, State of Idaho
the parties of the second part, hereinafter called the grantee,

WITNESSETH, that the grantor, for and in consideration of the sum of
FOUR THOUSAND (\$ 4,000.00) DOLLARS,
in lawful money of the United States of America, to the grantor in hand paid by the grantee, the receipt
whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant,
bargain, sell, convey and confirm unto the grantee, and to the grantee's heirs and assigns forever, all of
the following described real estate, situated in Twin Falls County, State of Idaho:



The Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ -SE $\frac{1}{4}$) of
Section Fifteen (15), Township Nine (9) South, Range Fourteen
(14) East of the Boise Meridian saving and excepting therefrom
a certain tract of land containing 3 $\frac{1}{4}$ acres in the Southwest
corner thereof described as follows, to wit:

Beginning at the Southwest corner of said Forty (40) acre
tract; thence North 350 feet; thence East to the center
line of Mud Creek; thence following a meandering line in
the center of Mud Creek to the South Boundary line of said
forty acre tract; thence West to the point of beginning.



Together with a water right appurtenant to the said premises
evidenced by a certificate for Twenty (20) shares of the
Capital Stock of the Twin Falls Canal Company.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging
or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and
profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in
equity, of the grantor.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with
the appurtenances, unto the grantee, and to the grantee's heirs and assigns forever. And the grantor, and
the grantor's heirs, the said premises in the quiet and peaceable possession of the grantee, and the
grantee's heirs and assigns, against the grantor, and the grantor's heirs, and against all and every person
and persons whomsoever lawfully claiming the same, shall and will WARRANT and by these presents
forever DEFEND.

IN WITNESS WHEREOF, the grantor has subscribed this deed the day and year first above written.

✓ Walter D. Worley

Era Worley

WICHOLMED

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STATE OF IDAHO }
County of TWIN FALLS } ss.

On this first day of May, 1963, before me, the undersigned, a Notary Public in and for said State, personally appeared Walter D. Worley & Era Worley

known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

Jan O. Eastman
Notary Public for the State of Idaho
residing at Buhl, Idaho

555960

No.	WARRANTY DEED	TO <i>Calvin Harper</i>
<i>Walter D. Worley</i>		
STATE OF IDAHO, } County of } ss.	I hereby certify that this instrument was filed for record at the request of <i>Boone Land Title Company</i>	
at <i>Bo</i> minutes past <i>1</i> o'clock <i>P</i> M., on <i>May 1, 1963</i>	In my office and duly recorded in Book <i>1</i> of Deeds at page <i>1</i>	
H. A. LANCASTER Ex-Officio Recorder	By <i>William L. Lister</i> Deputy Fees \$ <i>1.50</i>	
From the office of: BOONE LAND TITLE COMPANY Twin Falls, Idaho	Return to: <i>Boone Land Title Company</i> <i>Boone, Idaho</i>	

MICROFILMED
NOV 29 1966

WARRANTY DEED

THIS INDENTURE, Made this 1st day of June, 1953, between

ALFRED JACQUES also known as FRED JACQUES & VERINA JACQUES, husband and wife
at all times since acquiring the within described premises
of Buhl, County of Twin Falls, State of Idaho,
the parties of the first part, hereinafter called the grantor, and

WALTER D. WORLEY & ERA WORLEY, husband and wife
of Buhl, County of Twin Falls, State of Idaho,
the parties of the second part, hereinafter called the grantee,

WITNESSETH, that the grantor, for and in consideration of the sum of
TEN DOLLARS (\$ 10.00) AND OTHER VALUABLE CONSIDERATION \$ DOLLARS,
in lawful money of the United States of America, to the grantor in hand paid by the grantee, the receipt
whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant,
bargain, sell, convey and confirm unto the grantee, and to the grantee's heirs and assigns forever, all of
the following described real estate, situated in Twin Falls County, State of Idaho:

The Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ -SE $\frac{1}{4}$) of
Section Fifteen (15), Township Nine (9) South, Range Fourteen
(14) East of the Boise Meridian saving and excepting therefrom
a certain tract of land containing 3 $\frac{1}{2}$ acres in the Southwest
corner thereof described as follows, to wit:

Beginning at the Southwest corner of said above described
Forty acre tract; thence North 350 feet; thence East to the
center line of Mud Creek; thence following a meandering line
in the center of Mud Creek to the South boundary line of said
forty acre tract; thence West to the point of beginning.

Together with a water right appurtenant to the said premises
evidenced by a certificate for Twenty (20) shares of the Capital
Stock in the Twin Falls Canal Company.



TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging
or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and
profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in
equity, of the grantor.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with
the appurtenances, unto the grantee, and to the grantee's heirs and assigns forever. And the grantor, and
the grantor's heirs, the said premises in the quiet and peaceable possession of the grantee, and the
grantee's heirs and assigns, against the grantor, and the grantor's heirs, and against all and every person
and persons whomsoever lawfully claiming the same, shall and will WARRANT and by these presents
forever DEFEND.

IN WITNESS WHEREOF, the grantor has subscribed this deed the day and year first above written.

Alfred Jacques
Verina Jacques

NOV 2 1953

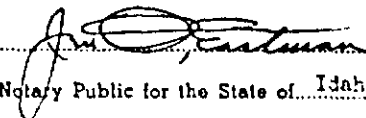
STATE OF IDAHO }
County of TWIN FALLS } ss.

On this 1st day of June, 1953, before me, the undersigned, a Notary Public in and for said State, personally appeared

Alfred Jacques and Verina Jacques

known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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


Notary Public for the State of Idaho
residing at Pocatello, Idaho

No. 455511	WARRANTY DEED	Alfred Jacques TO Verina Jacques	STATE OF IDAHO, County of Twin Falls } ss. I hereby certify that this instrument was filed for record at the request of BOONE ABSTRACT CO.	at 32 minutes past 4 o'clock P. M., on JUN 3 1953 in my office and duly recorded in Book of Deeds at page 175 By W. STIVERS Ex-Officio Recorder Deputy Fees \$ 1.75 From the office of: BOONE ABSTRACT COMPANY Twin Falls, Idaho Return to: Harvey Hale Esq. Boone Abstract Co.
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MICROFILMED
NOV 29 1996

Security Title Company of Idaho

Escrow No: 8-547441vd 12/29/9

Prop. Add:

VICTOR GALLO

/ JOHN GREGG SMITH

Water Resources

Water Resources

115.00 A47-04267B
163.00

~~STH~~
RECEIVED

FEB 07 1995

311 Second St N
T.F. 83301

Department of Water Resources
Southern Region

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NOV 29 1995

Log for claim 47-04267B

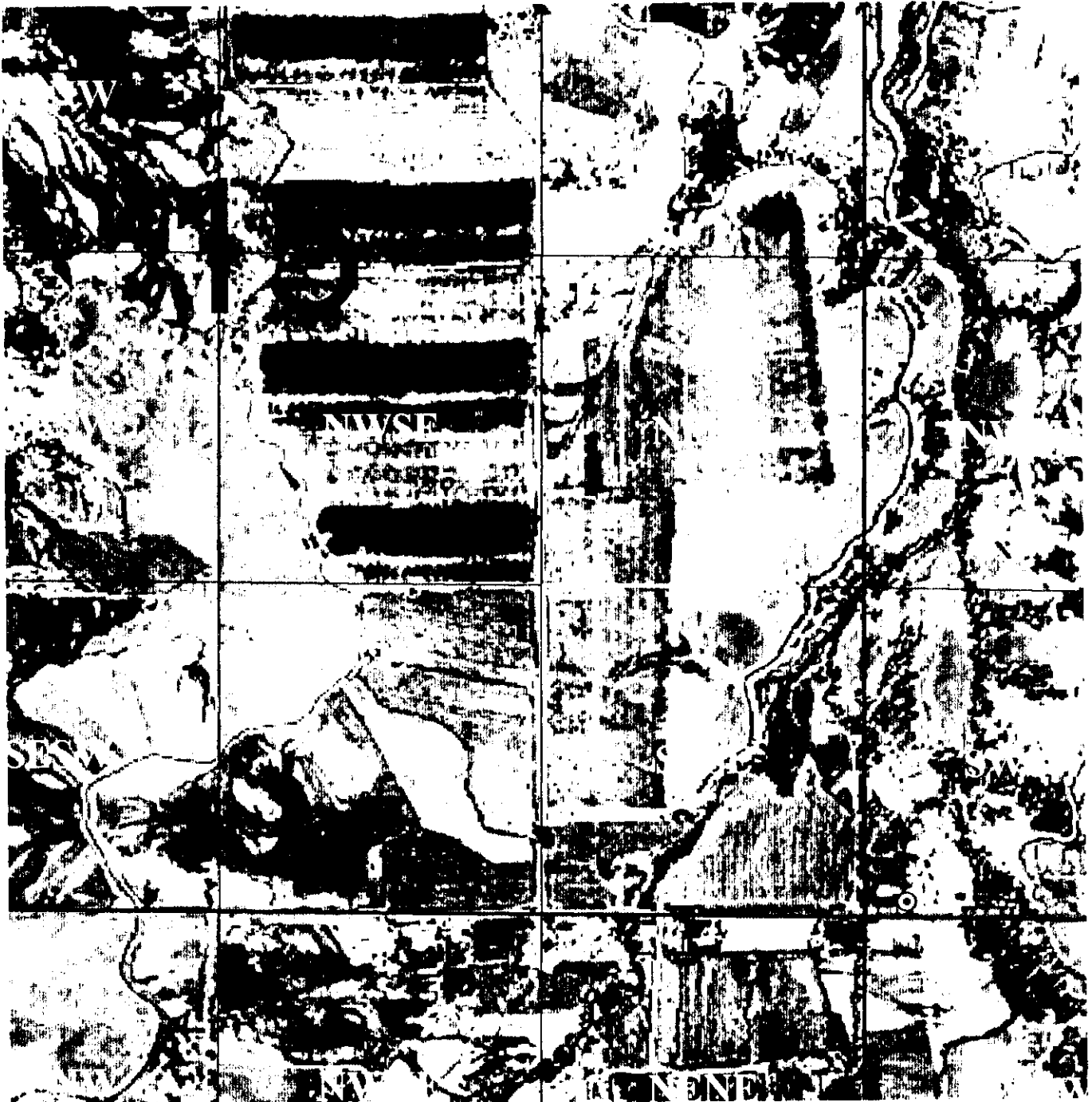
Spatial Dynamics BTD

2/22/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s14e	15	SESE	15	17	
Totals:			15	17	

Water Right Claim Number 47-04267B
Township , 9S14E

02/22/2001



Legend

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| Irrigated Area | Section Line | Roads |
| ⊙ Place of Diversion | Quarter Section Line | Streams and Canals |



400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-04267B
Township , 9S14E

02/22/2001



Legend

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|--------------------|----------------------|--------------------|
| Irrigated Area | Section Line | Roads |
| Place of Diversion | Quarter Section Line | Streams and Canals |

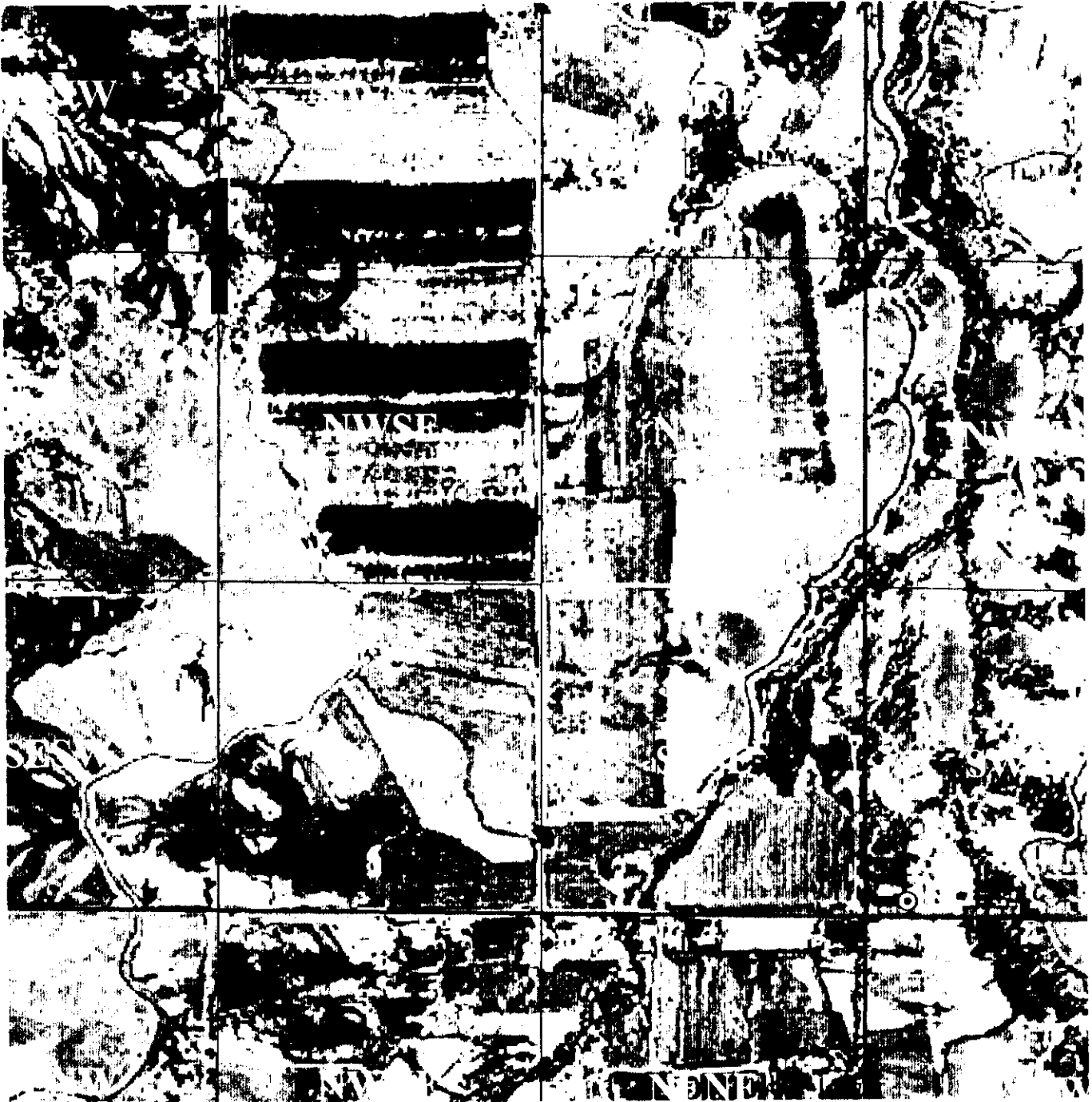


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*SPATIAL
DYNAMICS*

Water Right Claim Number 47-04267B
Township , 9S14E

02/22/2001



Legend

- | | | |
|----------------------|-------|----------------------|
| Irrigated Area | _____ | Section Line |
| ⊙ Place of Diversion | _____ | Quarter Section Line |
| | | Roads |
| | | Streams and Canals |

400 0 400 800 Feet

SPATIAL
DYNAMICS

DATE: 01/30/01
PAGE: 136

Audit: 02/13/95 AMERRITT 03/30/95 POST-STD