

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 SYSTEMCIVIL CASE NUMBER: 39576
Ident. Number A22-11960
Date Received Nov-17-92
Receipt Number EOO 2673*also receipt # EG 18111*AMENDED
NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 17 1992

Department of Water Resources
Eastern District Office

1. Name of Claimant(s) Boyd Charles Smith and Jill Johnson Smith, or their successors(s), under the Boyd Charles Smith and Jill Johnson Smith Trust Agreement, dated December 13, 1990

Mailing Address 301 Coleridge Avenue, Palo Alto, CA Zip 94301

2. Date of Priority (Only (1) per claim) May 11, 1900

3. Source of water supply (a) Driggs Springs and Swamp

which is tributary to (b) Teton River

- 4.a. Location of existing

point of diversion is: Township 4N. Range 45E. Section 4,SW 1/4 of NE 1/4 of NW, Govt. Lot, 4 B.M., County of Teton

Additional points of diversion if any: _____

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

Township 4N. Range 45E. Section 4, SE 1/4 of NW 1/4 of NW 1/4,
and the NE 1/4 of SW of NW, same Township, Range and Section.Govt. Lot _____ B.M., County of Tetonending point is: Township 4N. Range 45E. Section 5, NW 1/4 ofSE 1/4 of NE 1/4 Govt. Lot _____ B.M., County of Teton

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. _____

Wood diversion dam and ditches to place of use -- gravity irrigation.

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6. Water is claimed for the following purposes:

(Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/15 to 10/15 amount 3.2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.2 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 120 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)
S/60 beef cattle.

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 instruction for standard symbols.

TWP:RNG:SEC:	NE1/4	:	NW1/4	:	SW1/4	:	SE1/4	:TLS
:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:
4N :45E: 4	:	:	: 25' S	:	:	:	:	:25
:	: 5 : 37'	:	: S&3: 5	:	:	:	:	:45
:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:

Total number of acres irrigated 70

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

12. Do you own the property listed above as place of use? Yes X 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:

Water right (originally 01-0026) based on deeds and page 72 of District #1 water records (Aug. 1976) - (N. A. Barrett). Miscellaneous rights in Teton Basin. See attached page. This claim amended to correct the places of diversion, to correct the priority date and the amount appropriated (based on recently discovered records). Instream stockwater use also added to this claim. 12/27/1989 -- R.V.W.

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Last Name SMITH Ident. Number A22-11960 APR 11 1994

15. Basis of Claim (Check one) Beneficial Use X Posted Notice _____
Permit _____ Decree _____ License _____

If applicable provide IDWR Water Right Number A22-11960
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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0

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

Signature of Claimant(s) Boyd Charles Smith Date 12 Nov 92

For Organizations: I do solemnly swear or affirm that we are trustees of the Boyd Charles Smith and Jill Johnson Smith Trust, that we have signed Organization

the foregoing document in the space below as trustees

Title
of said trust and that the statements contained in the Organization

foregoing document are true and correct.

Signatures of Authorized Agents

Boyd Charles Smith
BOYD CHARLES SMITH

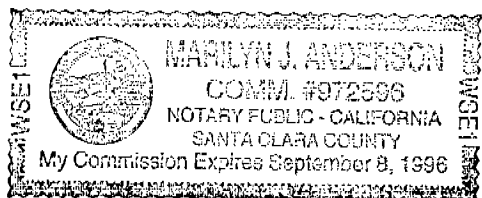
Jill Johnson Smith
JILL JOHNSON SMITH

Title and Organization trustees, the Boyd Charles Smith and Jill Johnson Smith Trust Date 12 Nov 92

State of California)
County of Santa Clara) SS.

Subscribed and sworn (or affirmed) before me this 12th day of November, 1992.

Notary Public Marilyn J. Anderson
Residing at Palo Alto California
My Commission Expires September 8, 1996



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APR 11 1994

Last Name SMITH Ident. Number A22-11960

17. Notice of Appearance.

Notice is hereby given that I, Kent W. Foster 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 P.O. Box 50130, Idaho Falls, Idaho 83405

Date

11/17/92

MICROFILMED

APR 11 1994

Last Name SMITH

Ident. Number A22-11960

Logged in
11-20-92-J

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-11960
Date Received: 9/27/1988
Receipt No: E002673
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOYD CHARLES SMITH 415-327-7878
Address: TRUSTEE
301 COLERIDGE AVENUE
PALO ALTO CA 94301

Name: JILL JOHNSON SMITH 415-327-7878
Address: TRUSTEE
301 COLERIDGE AVENUE
PALO ALTO CA 94301



2. Date of Priority: MAY 11, 1900

3. Source: DRIGGS SPRINGS & SWAMP Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	45E	4	SW	NE	NW	4	TETON

Beginning Point of Minimum Instream Flow

04N	45E	4	SE	NW	NW	TETON
04N	45E	4	NE	SW	NW	TETON

Ending Point of Minimum Instream Flow

04N	45E	5	NW	SE	NE	TETON
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5. Description of diverting works:

WOOD DIVERSION DAM & DITCHES TO PLACE OF USE.- GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.200		

7. Total Quantity Appropriated is:

3.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/60 BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	4	NW	NW	4	IRR	20.0
			SW	NW		STOCK	
						Section Acres	20.0
		5	NE	NE	1	IRR	37.0
			SE	NE		STOCK	
			SE	NE		IRR	3.0
						Section Acres	40.0
						Total Acres	60.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
NONE

14. Remarks:

WATER RIGHT BASED ON DEEDS & PAGE 72 OF DIST. #1 WATER RECORDS
(AUG. 1976) - (N. A. BARRETT). MISC. RIGHTS IN TETON BASIN.
SEE ATTACHED PAGE.

THIS CLAIM AMENDED TO CORRECT THE PLACES OF DIVERSION, TO CORRECT
THE PRIORITY DATE, & THE AMOUNT APPROPRIATED (BASED ON RECENTLY
DISCOVERED RECORDS). IN STREAM STOCKWATER USE ALSO ADDED TO
THIS CLAIM. 12/27/1989 - R.V.W.

**CLAIMANTS ARE TRUSTEES OF THE BOYD C SMITH/JILLJOHNSON SMITH
TRUST**

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and
understand the form entitled "How you will receive notice in the Snake River
Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay
a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
Organization document in the space below as _____ of
_____ Title
_____ and that the statements contained in the
Organization foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
_____ Print Name
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 _____

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 ALLOCATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

DEC 28 1989

Department of Water Resources
Eastern District Office

CIVIL CASE NUMBER: 39576

Ident. Number: A22-11960
Date Received: 9/27/1988
Receipt No: E002673
Received By: [Signature]

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: EST. OF GEORGE H. SPENCER 208-734-6122
Address: RT. 3 BOX 6458
TWIN FALLS, ID 83301

2. Date of Priority: MAY 11, 1900

3. Source: DRIGGS SPRINGS & SWAMP Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	45E	4	SW	NE	NW	4	TETON

Beginning Point of Minimum Instream Flow

04N	45E	4	SE	NW	NW	TETON
04N	45E	4	NE	SW	NW	TETON

Ending Point of Minimum Instream Flow

04N	45E	5	NW	SE	NE	TETON
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5. Description of diverting works:

WOOD DIVERSION DAM & DITCHES TO PLACE OF USE.- GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.200		

7. Total Quantity Appropriated is:

3.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:

S/60 BEEF CATTLE

A22-11960

Page 1

Date: 12/27/89

NOV 08 1989

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	4	NW	NW	4	IRR	20.0
			SW	NW		STOCK	
						Section Acres	20.0
		5	NE	NE	1	IRR	37.0
			SE	NE		IRR	3.0
			SE	NE		STOCK	
						Section Acres	40.0
						Total Acres	60.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
NONE

14. Remarks:

WATER RIGHT BASED ON DEEDS & PAGE 72 OF DIST. #1 WATER RECORDS
(AUG. 1976) - (N. A. BARRETT). MISC. RIGHTS IN TETON BASIN.
SEE ATTACHED PAGE.

THIS CLAIM AMENDED TO CORRECT THE PLACES OF DIVERSION, TO CORRECT
THE PRIORITY DATE, & THE AMOUNT APPROPRIATED (BASED ON RECENTLY
DISCOVERED RECORDS). IN STREAM STOCKWATER USE ALSO ADDED TO
THIS CLAIM. 12/27/1989 - R.V.W.

15. Basis of Claim: BENEFICIAL USE

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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 Organizations:

I do solemnly swear or affirm that I am Personal Representative of Estate of George Spencer, that I have signed the foregoing document in the space below as Personal Representative of Estate of George Spencer and that the statements contained in the foregoing document are true and correct.

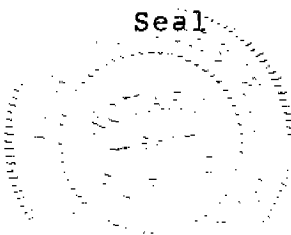
[Signature]
Signature of Authorized Agent
Personal Representative
Title and Organization

12-27-89
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 27 day
of December 19 89

Robert V. Norstell
Notary Public



Residing at Twin Falls, Idaho
My Commission Expires January 16, 1995

NOV 06 1989

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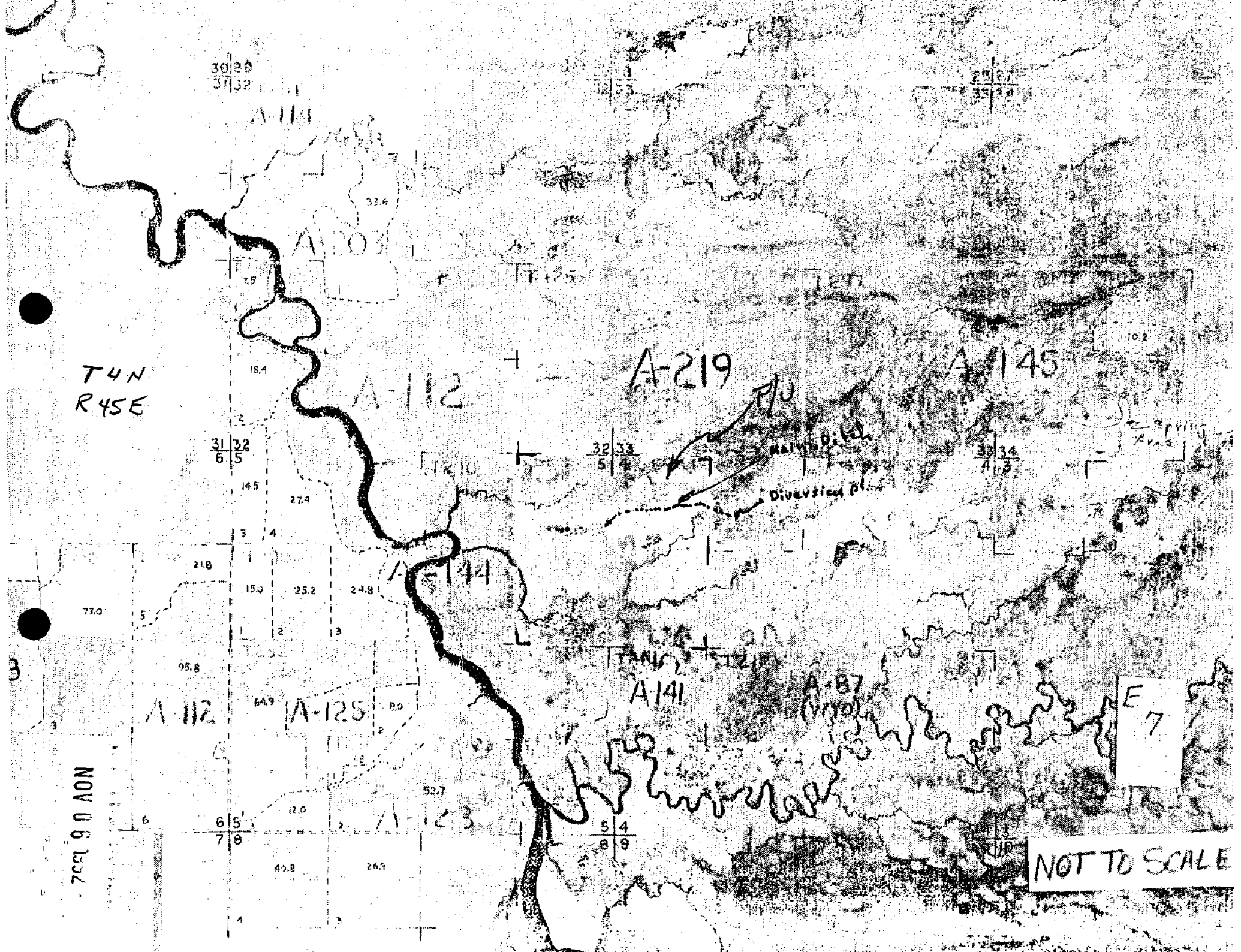
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NOV 1961

NOT TO SCALE



Owner (Orig. Owner)	Approx. Location	Stream	Date	Amount	Owner
(C. A. Costello)	not given	Spring Creek	June 15, 1895	2.4	J. Zohner
(C.A. Costello)	not given	Pine Creek	June 15, 1895	0.8	Kunz,
C.M. Hatch (A.I. Robertson)	Sec 14-3N-45E	Springs	June 1, 1896	0.2	Mille
C. Mickelson (J.P. Moffat)	Sec 18-5N-45E	Swamps	June 1, 1896	1.0	R. Kunz (
A.C. Gillette, W. Stratton, Utah Home Fire Ins Co.					F. Kirks
(J. Lauritzen)	Sec 17-3N-45E	Pine Creek	June 1, 1896	1.6	(M.H.)
Utah Home Fire Ins Co.					A. Winge
(A. Larsen)	Sec 17-3N-45E	Lauritzen Spg	July 1, 1896	0.8	(H.L.)
Octavus Smith	Sec 3-4N-45E	Buffalo Flat	Apr. 2, 1897	1.6	E. Kunz,
Mark Zohner	Sec 34-5N-45E	Buffalo Flat Spg	Apr. 2, 1897	0.8	(L.W.)
Gordon Sorensen	Sec 34-5N-45E	Buffalo Flat Spg	Apr. 1, 1897	0.8	
J. Ingram (I.T. Allen)	Sec 12-3N-45E	Cherry Creek & All Cherry Crk Springs	June 1, 1897	1.0	D.C. Bu
B.F. Blodgett, F. Dirksen					W.F. Jam
(F.E. Nelson)	Sec 5-3N-45E	Spring Creek	Apr. 15, 1898	2.4	Calderw
D. Nelson (J.L. Hoozier)	Sec 17-4N-46E	Spring Creek	June 1, 1898	2.4	
M.L. Kearsley (E.N. Kirsley)	Sec 17-3N-45E	Pine Creek	July 15, 1898	1.2	Sanford
New Int'l Mtg Bank					(Perm
(J. Beasley)	Sec 35-5N-45E	Teton Ri (also Springs	June 1, 1899	1.4	Kunz (I
C.E. Carrington, C.P.					Ulrich
Groschlose (J. Borrowman)	Sec 32-5N-45E	Wood Creek & Springs	June 1, 1899	1.6	(Lic
					Hal Ras
(P.D. Letham)	not given	Driggs Swamp	July 15, 1899	2.8	L.N. Bal
(N.A. Barrett)	not given	Driggs Spgs & Swamp	May 11, 1900	3.2	Lorin M
(P.D. Letham)	not given	Driggs Swamp	July 15, 1900	2.4	V.A. Pr
G.P. Bagley, A. Spencer					F. Dirks
(E. Bagshaw)	Sec 8-3N-45E	Pine Creek	Aug. 15, 1900	0.6	G.P. Bag
Vera Price	Sec 33-5N-45E	Buffalo Flat Spg	Aug. 20, 1900	1.6	B.F. Boc
					Mary L.
(Maria Bevan)	Sec 17-5N-45E	Swamp Creek	Apr. 6, 1901	1.6	First
Wm Hansen (L.C. Waterman)	Sec 26 & 35 6N-45E	Little Dry Crk	June 1, 1901	0.8	J.M. In
(Lamoine Hatch)	Sec 21-3N-45E	Spring Creek	Sept. 1, 1901	0.8	F.C. G.
D. Sorensen	not given	Buffalo Spring	1902	1.1	D.K. B.
M.L. Kearsley (E.N. Kirsley)	Sec 17-3N-45E	Spring Creek	June 1, 1902	1.2	F. Bow
					State
W. Johnson, A.C. Dorr,		Spring Creek &			(A.F)
H. Hatch (L.L. Eynon)	Sec 21-3N-45E	Pine Creek	June 15, 1902	2.4	State
L. & E. Buxton (S. Buxton)	Sec 30-5N-45E	Twin Crk Slough	June 1, 1903	2.0	(S.
					Bank o
					Ed Rig

Miscellaneous rights in Teton Basin continued next page -

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-11960
Date Received: 9/27/1988
Receipt No: E002673
Received By: Kcw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EST. OF GEORGE H. SPENCER 208-734-6122
Address: RT. 3 BOX 6458
TWIN FALLS, ID 83301

2. Date of Priority: MAY 01, 1961

3. Source: UNNAMED STREAM Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	45E	4	NE	NW	NW	4	TETON

5. Description of diverting works:
DIVERSION DAM TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.200		

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

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	45E	4	NW	NW	4	IRR	20.0
Section Acres							20.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	5	NE	NE	1	IRR	37.0
			SE	NE		IRR	3.0
						Section Acres	40.0
						Total Acres	60.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
NONE

14. Remarks:
WATER RIGHT BASED ON DEEDS.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not ✓ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am Personal Representative of Estate of George Spencer, that I have signed the foregoing document in the space below as Personal Representative of Estate of George Spencer and that the statements contained in the foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Personal Representative
Title and Organization

9-27-88
Date

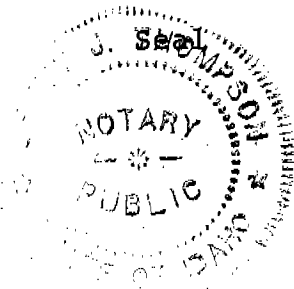
State of Idaho)
County of Bonneville) SS.

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

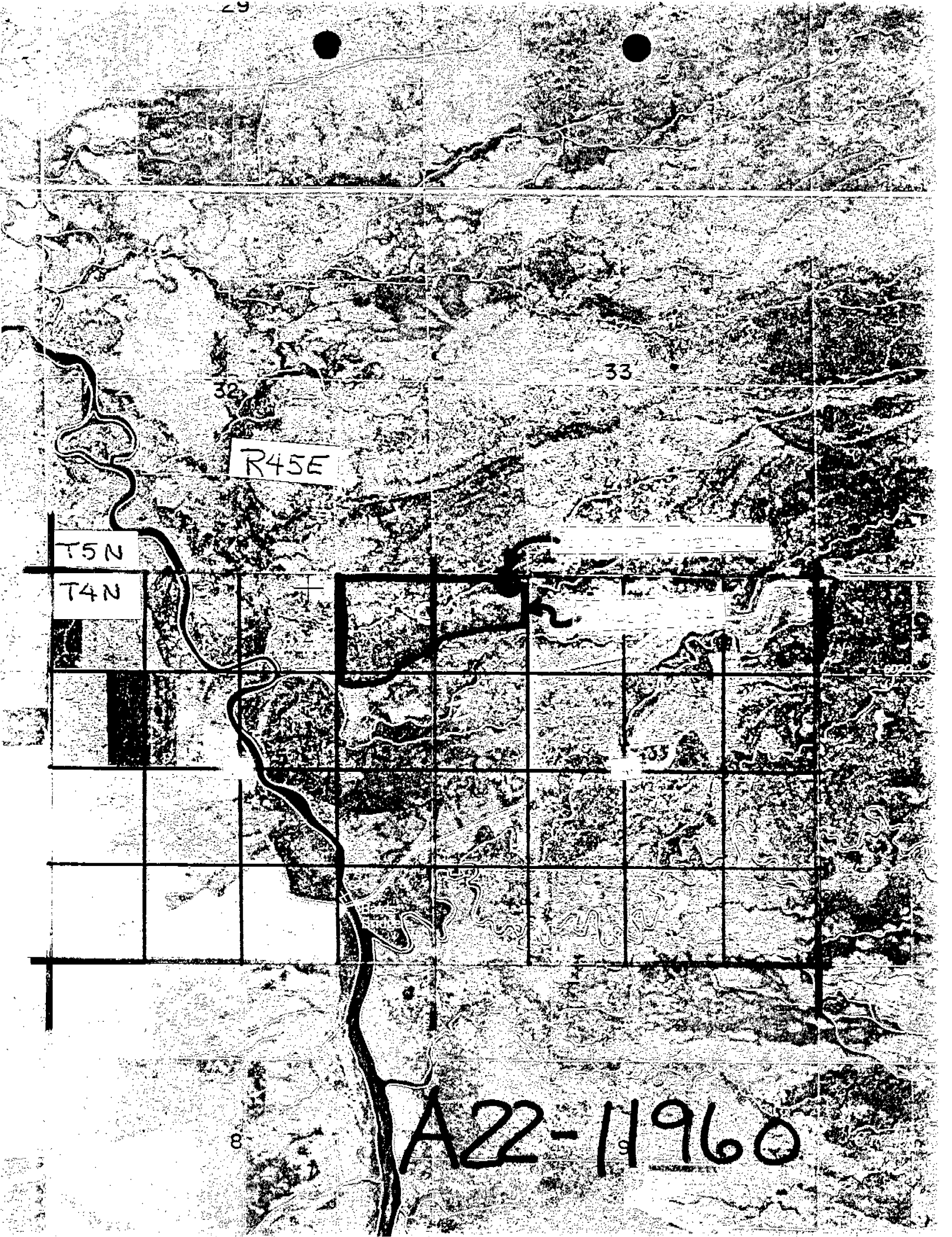
[Signature]
Notary Public

Residing at Idaho Falls

My Commission Expires 6-94



NOV 06 1988



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R45E

T5N

T4N

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A22-11960

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS
MARIE T. TYLER
JOHN G. SIMMONS
ROBERT M. FOLLETT
KUMEN L. TAYLOR
JAMES K. SLAVENS

WEST ONE BANK
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

KEY FINANCIAL CENTER
702 W. IDAHO SUITE 610
BOISE, IDAHO 83702

TELEPHONE (208) 343-0820
TELEFAX (208) 343-8078

BOISE OFFICE

WM. LYMAN BELNAP, P.A.
RANDALL B. REED
RONALD D. CHRISTIAN
FREDERICK J. HAHN III

ARTHUR W. HOLDEN
(1877-1967)
ROBERT B. HOLDEN
(1911-1971)
TERRY L. CRAPO
(1939-1982)
WILLIAM S. HOLDEN
(1907-1988)

November 17, 1992

RECEIVED

NOV 17 1992

Department of Water Resources
Eastern District Office

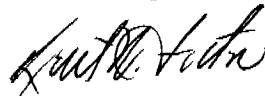
Idaho Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

Gentlemen:

We are enclosing with this letter an Amended SRBA Claim, #A22-11960, on behalf of the new owner of the property, Mr. Boyd C. Smith. The original notice was filed by the Estate of George H. Spencer and we believe you already have copies of the assignment and notice of the sale to Mr. Smith.

This notice has basically been amended to add 10 acres to cover the land actually being irrigated. Since the previous claim covered only 60 acres, we assume that there is an additional \$10.00 filing fee required and our check for that amount is also enclosed.

Yours very truly,



Kent W. Foster

#8527.00/srs

Enclosure

MICROFILMED

APR 11 1994

NOVEMBER 13, 1991

CHARLES A HOMER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 51030
IDAHO FALLS ID 83405

RE: CHANGE OF OWNERSHIP FOR A22-11960

Dear Mr. Homer:

The request for Change in Ownership concerning Notice of Claim in the above reference has been processed and the Notice modified to reflect your clients as the new owners.

Enclosed is a typed Notice with your clients' names shown as the current owners. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your clients' records.

Respectfully submitted,

Dave Carlson
Water Rights Agent, Adjudication

DC:jt

Enclosure

File: "P"

NOV 13 1991
NOV 06 1991

LAW OFFICES

HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS
MARIE T. TYLER
JOHN G. SIMMONS
ROBERT M. FOLLETT
KUMEN L. TAYLOR
JAMES K. SLAVENS

WEST ONE BANK
P.O. BOX 51030
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

KEY FINANCIAL CENTER
702 W. IDAHO SUITE 610
BOISE, IDAHO 83702

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BOISE OFFICE

WM. LYMAN BELNAP, P.A.
RANDALL B. REED
RONALD D. CHRISTIAN

ARTHUR W. HOLDEN
(1877-1967)
ROBERT B. HOLDEN
(1911-1971)
TERRY L. CRAPO
(1939-1982)
WILLIAM S. HOLDEN
(1907-1988)

November 12, 1991

IDAHO DEPARTMENT OF WATER RESOURCES
150 Shoup Avenue
Idaho Falls, Idaho 83401

NOV 13 1991

Re: Assignment of Claim No. A22-11960

Gentlemen:

Our office was recently involved in a real estate sale from the Personal Representative of the Estate of George Spencer to Boyd Charles Smith and Jill Johnson Smith as Trustees of the Boyd Charles Smith and Jill Johnson Smith Trust. In connection with the real estate sale, Claim No. A22-11960 has been assigned to the purchasers.

Enclosed for your records is an original "Notice Concerning Water Rights for Property" and original "Assignment of Notice of Claim" which have been executed by the appropriate parties. Will you please change your records to reflect that Claim No. A22-11960 should now be in the name of Boyd Charles Smith and Jill Johnson Smith as Trustees.

Thank you for your assistance.

Very truly yours,


Charles A. Homer

#8527
6500j/sb
Enclosure
cc: Boyd Smith

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NOTICE CONCERNING WATER RIGHTS FOR PROPERTY
(to be mailed to the Idaho Department of Water Resources)

DATE OF CLOSING:

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LEGAL DESCRIPTION OF PROPERTY:

(lot and block, where applicable, and township, range, section, sixteenth section)

[] Served Only by a Public Service Water Supply (domestic water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[X] Water Right Number(s): A22-11960

[X] Name and Address of Former
Owner/Claimant(s):

Carol Reynolds, not individually but
as Personal Representative of the
Estate of George Spencer

[X] New Owner/Claimant(s): Boyd Charles Smith & Jill Johnson Smith
husband and wife, or their successors,
not individually, but as trustees under
the Boyd Charles Smith and Jill Johnson
Smith Trust Agreement dated 12/13/90

[X] New Mailing Address: 301 Coleridge Avenue

Palo Alto, California 94301

[X] New Telephone Number: (415) 327-7878

[X] Does the change in ownership result in a splitting of the
water right claimed? yes X no

If yes, then describe the portion of the water right that
is now claimed by the new owner:

NOV 30 1991

[x] Signature of New
Owner/Claimant(s):

Date:

[x] Signature of Former
Owner/Claimant(s):

Date:

[] Attach proof of
ownership, describe
proof attached:

(Proof of ownership must describe
either the property conveyed or
include the claim number. Proof of
ownership is not required if this
form is signed by the former
claimant.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources

Copies for Former Owner and New Owner

NOV 8 8 1988

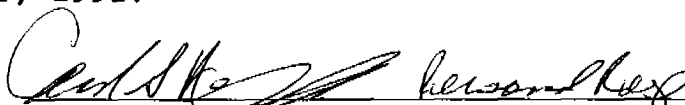
NOV 12 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF NOTICE OF CLAIM

I, CAROL REYNOLDS, not individually, but as Personal Representative of the estate of George Spencer, hereby assign to BOYD CHARLES SMITH and JILL JOHNSON SMITH, husband and wife, or their successors, not individually but as trustees under the Boyd Charles Smith and Jill Johnson Smith Trust Agreement dated December 13, 1990,

All my right, title, and interest in and to Notice of Claim No. A22-11960 to a Water Right Acquired Under State Law.

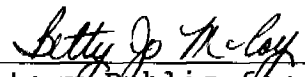
Made this 22 day of October, 1991.


Carol Reynolds, not individually,
but as personal representative of
the estate of George Spencer.

STATE OF IDAHO)
County of ~~Bonneville~~ ^{Turn Falls}) ss.

On this 22nd day of October, in the year 1991, before me, the undersigned Notary Public in and for said state, personally appeared CAROL REYNOLDS, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the estate of George Spencer, and acknowledged to me she executed the same as such Personal Representative.

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 Idaho
Residing at ~~Idaho Falls~~ ^{Turn Falls} Idaho
My commission expires 12/01/93

(Seal)

CAH/2830j/rfs

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