

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

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APR 18 2005

WATER RESOURCES
WESTERN REGION

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

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APR 20 2005

DEPARTMENT OF
WATER RESOURCES

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 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
78-2077					

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) is 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) ANGIE SCHMIDT
6144 SONOMA AVE MOJAVE CA 93501
4. New Owner/Claimant(s) DENNIS P. BABINEAU
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address P.O. BOX 1283
 City, State and ZIP Code MCCALL, ID 83638
 New Telephone Number 208 628-3376
5. Date you acquired the property 3-29-2005

Form 43-24B/43-140X(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 _____	Fcc _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

03/17/2005

WATER RIGHT NO. 78-2077

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ANGIE SCHMIDT
Current Owner	HARRY A SCHMIDT PO BOX 1276 RIGGINS, ID 83549 (208)628-3376
Original Owner	LEOLA M CAMPBELL
Original Owner	PAUL ALBERT CAMPBELL PO BOX 283 RIGGINS, ID 83549 (208)628-3472

Priority Date: 08/12/1965

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
PAPOOSE CREEK SPRING	SQUAW CREEK PAPOOSE CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/01	12/01	0.06 CFS	
DOMESTIC	1/01	12/31	0.02 CFS	
Total Diversion			0.08 CFS	

Location of Point(s) of Diversion:

NWNE	Sec. 19	Township 24N	Range 01E	IDAHO County
SENE	Sec. 19	Township 24N	Range 01E	IDAHO County

Place(s) of use:

Place of Use Legal Description: IRRIGATION IDAHO County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
24N	01E	18		SESE	1.5						
		19		NENE	1.5						

Place of Use Legal Description: DOMESTIC IDAHO County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
24N	01E	19		NENE							

Total Acres: 3

Remarks:

1.	General	SOURCES ARE PAPOOSE CREEK FOR IRRIGATION, AND SPRING IS USED FOR DOMESTIC AND LAWN IRRIGATION.
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Dates:

Licensed Date: 10/10/1979

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

WARRANTY DEED

GRANTOR, ANGIE SCHMIDT, a single woman, of 6144 Sonoma Ave., Mojave, CA 93501, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to DENNIS P. BABINEAU, a single man, of P. O. Box 1283, McCall, ID 83638, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and hereby incorporated by this reference.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. General taxes for the year 2005, which are a lien, not yet due and payable.

2. Right of Way for Wagon Road, including the terms and conditions thereof, by and between LOUIS REEVES and BELLE REEVES, his wife, and COUNTY OF IDAHO, STATE OF IDAHO, a municipal corporation, recorded February 7, 1918, in Book 42 page 418, records of Idaho County, Idaho.

3. Right of Way Deed, including the terms and conditions thereof, by and between LOUIS REEVES and the UNITED STATES OF AMERICA, for a sixty foot right of way known as the Squaw Creek \$ 517 Project, recorded September 28, 1937, in Book 66 page 509, records of Idaho County, Idaho.

4. Easement, including the terms and conditions thereof, by and between PAUL A. CAMPBELL and LEOLA M. CAMPBELL, and the IDAHO POWER COMPANY, a corporation, recorded February 4, 1965, in Book 102 page 369, records of Idaho County, Idaho.

5. Easement, including the terms and conditions thereof, by and between PAUL A. CAMPBELL and LEOLA M. CAMPBELL, and VALLEY TV & SUPPLY/RIGGINS TV CABLE, INC., recorded April 24, 1985, under Instrument No. 319459, records of Idaho County, Idaho.

6. Any adverse claims based on the assertion that the location of the Papoose Creek has moved subsequent to its adoption as a title boundary.

7. Rights and easements in favor of the public for recreational uses of Papoose Creek.

8. County Roads as the same now exists.

WARRANTY DEED

1

STATE of IDAHO	
County of Idaho	
Recorded at request of	
IDAHO COUNTY TITLE CO.	
at 12:10 P.m.	on 3-29-05
ROSE E. GEHRING	
By <i>Stephan Brown</i>	Recorder
Fees \$ 12.00	Deputy

1 TO HAVE AND TO HOLD the said premises, with their appurtenances,
2 unto the said Grantees, their heirs and assigns forever. And the said
3 Grantors do hereby covenant to and with the said Grantees that they are
4 the owners in fee simple of said premises; that they are free from all
5 encumbrances, and that they will warrant and defend the same from all
6 lawful claims whatsoever, except general taxes for the year 2005, and
easements, reservations, restrictions and rights-of-way of record or in
use.

7 Except as otherwise expressly provided in this instrument, GRANTORS,
8 hereby declare pursuant to Title 5, Chapter 2 of the Idaho Code, that in
9 the event GRANTORS shall have permitted or suffered at any time prior to
10 the making of this instrument, any person or entity to possess, use or
11 occupy the above-described premises, or any portion thereof, for any
12 purpose, with or without the knowledge of GRANTORS, it was not the intent
of GRANTORS, by permitting or suffering such possession, use or
occupation, to thereby define property boundaries or ownership thereof.

13 In construing this deed, and where the context so requires, the
14 singular includes the plural and the masculine, the feminine and the
neuter.

15 IN WITNESS WHEREOF, Grantor has hereunto subscribed her name to this
16 instrument this 25th day of March 2005.

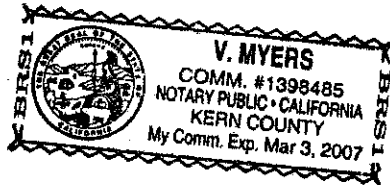
17 
18 ANGIE SCHMIDT

19 STATE OF CALIFORNIA)
20) ss.
County of KERN)

21 On this 25TH day of March 2005, before me,
22 THE UNDERSIGNED, a Notary for the said County and State,
23 personally appeared ANGIE SCHMIDT, a single woman, known or identified to
24 me to be the person whose name is subscribed to the within instrument,
25 in her authorized capacity
and she acknowledged to me that she freely executed the same/ and that the
26 statements therein contained are true.

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

3
4 (NOTARY SEAL)



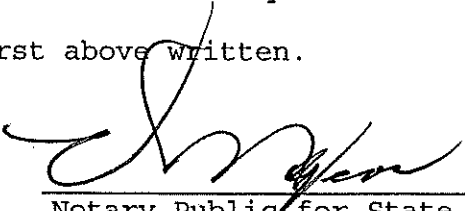

Notary Public for State of CA.
Residing at Calif. City, therein.
My commission expires on
3/3/, 2007.

EXHIBIT A

Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Sections 18 and 19: A parcel of land lying in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the
NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19 and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section
18, and lying between the centerline of the
Papoose Creek Road and the center of Papoose
Creek, more particularly described as follows:

Beginning at a $\frac{1}{2}$ "x36" iron pipe driven in the
left bank of Papoose Creek, which pipe bears
South 495 feet and East 3822 feet from the
Northwest corner of Section 19, said Township and
Range;

thence N 31°38' W, 85.4 feet to a $\frac{1}{2}$ "x36" iron
pipe at the toe of the road fill;

thence continuing N 31°38' W, 19.3 feet to the
centerline of the Papoose Creek Road;

thence N 67°00' E, 262.4 feet along the
centerline of said road;

thence N 73°35' E, 149.8 feet;

thence N 45°36' E, 91.3 feet;

thence N 21°39' E, 142.5 feet;

thence N 10°40' E, 182.2 feet;

thence N 42°09' E, 186.3 feet;

thence S 88°09' E, 31.0 feet to a fence corner
post;

thence continuing S 88°09' E, 124.1 feet along a
fence to a gate post;

thence S 01°51' W, 50 feet along a fence to the
center of Papoose Creek;

thence southwesterly along the center of Papoose
Creek to the Point of Beginning.

Sometimes known as Assessor's Tax No. 85.