

RECEIVED

MAY 22 1998

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right No(s).: 65-04531Adjudication Claim No(s).: see attached sheet

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant John & Betsy Haysen205 Park Ave4. New Owner/Claimant(s) Bruce & Idaho 83619Name Connector (Check one): ☐ and, ☐ or, ☐ and/orNew Mailing Address David G. & Sherry SmithCity, State and ZIP Code Box 1026 Emmet Idaho 83619New Telephone Number (208) 452-49105. Date you acquired the property Nov 966. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. I Acquired all of the property - then sold off the house + 25 ft of lot - I am the owner of the well & well property, there are no more water rights with the house & a previous owner of the well to split water costs But I am the sole owner of the water right!

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS .04 Number of homes 2 Other uses 1

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

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

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

✓

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

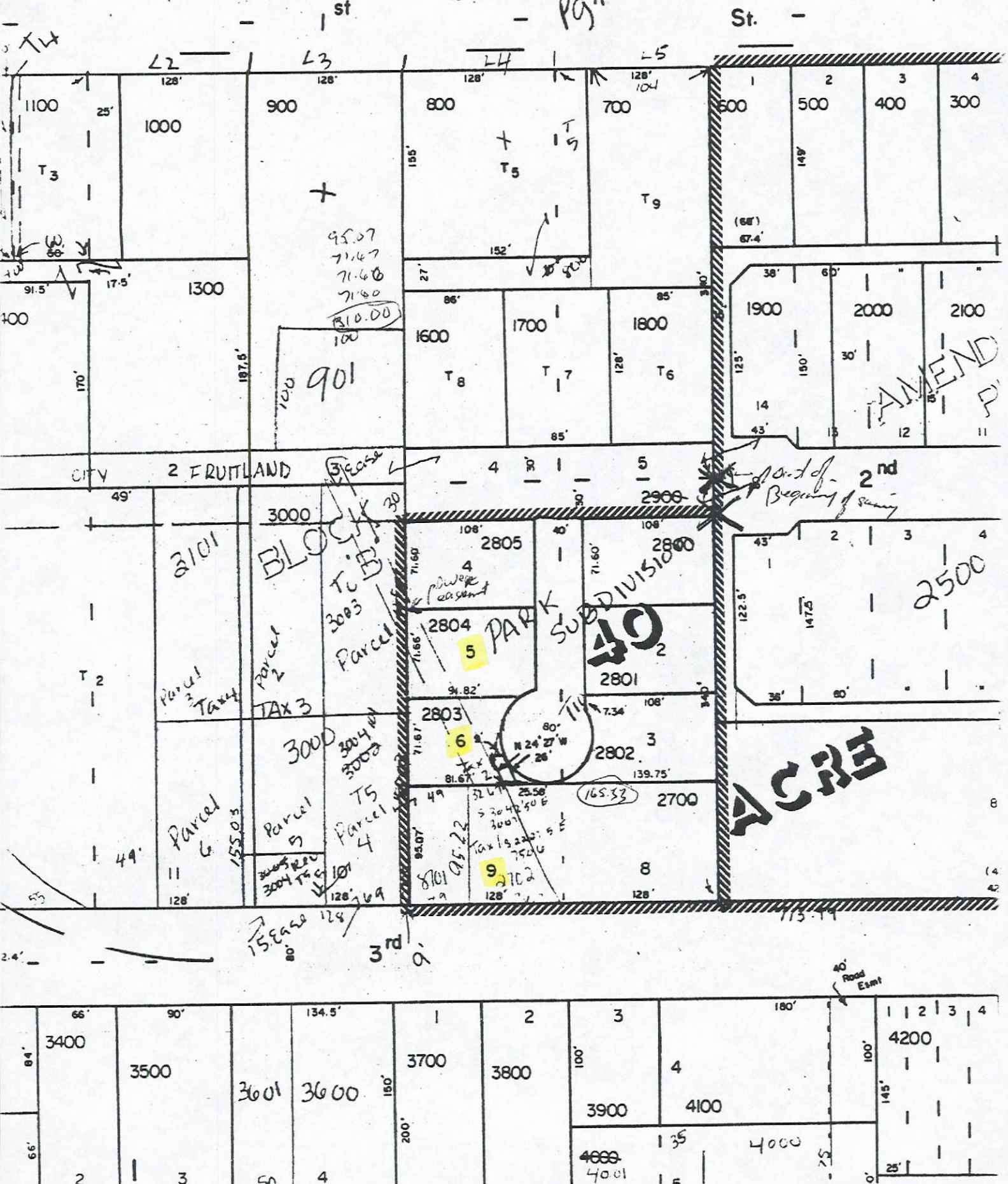
IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

THE SKETCH BELOW IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING SAID LOT AND THE COMPANY ASSUMES NO LIABILITY FOR ERRATIONS IF ANY IN DIMENSIONS AND LOCATIONS ASCERTAINED BY ACTUAL SURVEY.

PG 168-A



North

766

Meyer

Horse

513

91.82

C-3

64

71.66

108

7.34

21 ft x 21 ft

Haagensen

C-2

C-4

3

$R = 40'$

11.75

Ficken later conveyed to Haagensen

Lot 6

S 24° 47' E
26.00

9.00

Well (Euc)
Lot 9

C-1

C-5

81.67

25.58

11.75

139.75

West 81.67

N 24° 47' W
26.00

165.33

West 165.33

Ficken
Lot 9

Lot 8

Lee

off
off
off



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

May 15, 1998

KARL J. DREHER
DIRECTOR

DAVID G SMITH
715 SW THIRD
PO BOX 1026
FRUITLAND ID 83619

RE: Snake River Basin Adjudication (SRBA)
Water Right #65-04531 - Domestic Well, Payette County

Dear Water Right Holder:

Thank you for writing us that you are the owner of the property with the water right referenced above.

Before we can modify our records to reflect your ownership of the property and water right referenced above, we need Form 42-248/42-1409(6) completed and returned. I have enclosed this form for your use. Please send the completed form with warranty deed copy and map to our Boise Region office by June 15, 1998:

Idaho Department of Water Resources
Adjudication Bureau
2735 Airport Way
Boise, ID 83705-5082

If you have any other water rights which have changed ownership, enter each water right number on the form before mailing it.

Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Form 42-248/42-1409(6)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 22, 1998

ELSIE & JOHN T HAAGENSEN
400 PINE ST
NEW PLYMOUTH ID 83655-5286

*06-04-98
response.*

RE: Snake River Basin Adjudication (SRBA)
Water Right #65-04531
Change of Address

Dear Water Right Holders:

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, **list any other water right claims you have**, and return the letter by May 15, 1998. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosures

The address is correct as shown above or as otherwise changed.

Water Right Holder Signature

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: A65-04531
Date Received: 2/26/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN T. HAAGENSEN 208-452-4402
Address: 205 PARK AV
FRUITLAND, ID 83619

AND

Name: ELSIE HAAGENSEN 208-452-4402
Address: 205 PARK AV
FRUITLAND, ID 83619

2. Date of Priority: APR 01, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	05W	27	NW	NE			PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	05W	27	NW	NE		DOMEST	

A65-04531

Page 1

Date: 10/03/90

MICROFILMED

SEP 22 1992

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

LOT 8, BLOCK B, FRUITLAND FORTY ACRE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ 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 _____

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

(3956)
CIVIL CASE NUMBER: 3956
Ident. No. *A65-04531*

**ATTACHMENT TO
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly:

Name of claimant(s) JOHN T & ELSIE HAAGENSEN (Purchased from C.G.Ficken
February 24, 1975)

Mailing Address
(including zip code) 205 PARK AVE., FRUITLAND, IDAHO, 83619
P.O. BOX 23

Phone Number (208) 452-4402

MICROFILMED
SEP 22 1992

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: 65-04531
DATE RECEIVED: 2-26-90
RECEIPT NO: X999999
RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
FEB 26 1990

Department of Water Resources

1. NAME: C. G. FICKEN
ADDRESS: 607 3RD STREET
FRUITLAND, ID

83619

2. DATE OF PRIORITY:

APR 01, 1961

TRIB. TC:

3. SOURCE: GROUNDWATER

4. POINT OF DIVERSION:

TOWNSHIP RANGE SECTION
08N 05W 27

1/4 OF 1/4 OF 1/4
NW NE LOT

COUNTY
PAYETTE

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE
DOMESTIC

FROM TO
01/01 12/31

C.F.S. (CR)
0.040

A.F.A.
1.20

7. TOTAL QUANTITY APPROPRIATED IS:
0.040 C.F.S. (AND/OR)

1.20 A.F.A.

ACRE FEET PER ANNUM.

8. TOTAL CONSUMPTIVE USE IS

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP RANGE SECTION
08N 05W 27

1/4 OF 1/4 LOT
NW NE

USE
DOMEST ACRES

11. PLACE OF USE IN COUNTIES: PAYETTE, PAYETTE

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

DATE: 01/23/90

PAGE

1

65-04531

2241

MICROFILMED
SEP 22 1992

13. OTHER WATER RIGHTS USED:

14. REMARKS:

LOT 8, BLOCK B, FRUITLAND FORTY ACRE.

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS DECREE 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 DE NOT WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: -----

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): *Christopherson* DATE: 2/23/90
Blair Hansen DATE: 2/23/90

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM ----- OF
TITLE

-----, 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

MICROFILMED

SEP 22 1992

INDIVIDUAL
ACKNOWLEDGEMENT

West One Bank, Idaho, N.A.

WEST ONE
BANK

STATE OF IDAHO,

COUNTY OF Payette

} ss

On this 23 ~~X~~ day of February, in the year 1990, before me Cori Lynn Smith

_____, a notary public in and for said State of

Idaho, personally appeared John T. HHaagensen and Elsie Haagensen

known or identified to me (or proved to me on the oath of _____) to be the person s

whose name s are subscribed to the within instrument and acknowledged to me that t he y executed the same

Cori Lynn Smith
Notary Public for Idaho

Residing at Fruitland

My commission expires 6-6-92

65-04531
RE01090

page 3

2243

WARRANTY DEED

copy

For Value Received CLARENCE G. FICKEN and IRENE M. FICKEN, husband and wife,

the grantor S, do hereby grant, bargain, sell and convey unto JOHN T. HAAGENSEN and ELSIE HAAGENSEN, husband and wife, whose address is Box 23, Fruitland, Idaho 83619,

the grantee S, the following described real estate situated in Payette County, State of Idaho, to-wit:

Land in Forty Acre Addition to the Original Townsite to Fruitland as per Plat in Book 1, Page 28, Plat Records, Payette County, Idaho:

. In Block B: A parcel of land in Lot 9 more particularly described as follows:
Commencing at the Northeast corner of Lot 8 in said Block B;
thence South, along the East boundary thereof, 244.93 feet;
thence West 165.33 feet to the POINT OF BEGINNING;
thence N 24° 47' W., 26 feet;
thence West 9 feet;
thence S 24° 47' E., 26 feet;
thence East 9 feet to the POINT OF BEGINNING:

RESERVING unto the GRANTORS the right to use the pump and well located thereon in common with the GRANTEES for irrigation purposes for the remainder of the GRANTORS' natural lifetimes.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor^S do hereby covenant to and with the said Grantee S, that they are the owner S in fee simple of said premises; that said premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated this 21 day of February, 19 75.

Clarence G. Ficken
Clarence G. Ficken

Irene M. Ficken
Irene M. Ficken

STATE OF OREGON
COUNTY OF Malheur
On this 21 day of Feb., 1975,
before me, a notary public in and for said State, personally appeared

CLARENCE G. FICKEN and
IRENE M. FICKEN

known to me to be the person S who se names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

John C. O'Keefe
Notary Public
Residing at Ontario, Oregon
Comm. Expires 3/12/75

STATE OF IDAHO, COUNTY OF Payette
I hereby certify that this instrument was filed for record at
the request of John T. Haagensen
at 25 minutes past 11 o'clock A.M.,
this 24th day of February
19 75, in my office, and duly recorded in Book 48
of Deeds at page 157684

Eula Cheese
Ex-Officio Recorder
By Ardis M. Smith Deputy.
Fees \$ 100
Mail to:

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME HodgsonCLAIM IDENT. NO. 405-04531DATE RECEIVED 2-26-90

CK # _____

AMOUNT \$ Exempt

YES

NO

Require Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Require Info? *
2. Is a priority date entered? ☐ YES ☐ NO ☐ Require Info? *
- Is the priority date acceptable in view of mandatory filing dates? ☐ YES ☐ NO ☐ Require Info? *
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☐ YES ☐ NO ☐ Require Info? *
- (b) Is a tributary to entered? (if required) ☐ YES ☐ NO ☐ Require Info? *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO ☐ Require Info? *
5. Is there a description of the diverting works? ☐ YES ☐ NO ☐ Require Info? *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐ YES ☐ NO ☐ Require Info? *
- Is the period of use included? ☐ YES ☐ NO ☐ Require Info? *
- Is a quantity claimed for each use? ☐ YES ☐ NO ☐ Require Info? *
7. Is a total quantity claimed entered? ☐ YES ☐ NO ☐ Require Info? *
8. If required is a consumptive use entered? ☐ YES ☐ NO ☐ Require Info? *
- Is the consumptive use correct? ☐ YES ☐ NO ☐ Require Info? *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☐ NO ☐ Require Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO ☐ Require Info? *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO ☐ Require Info? *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO ☐ Require Info? *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO ☐ Require Info? *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☐ NO ☐ Require Info? *
15. Is the basis of the claim indicated? ☐ YES ☐ NO ☐ Require Info? *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO ☐ Require Info? *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Require Info? *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Require Info? *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Require Info? *
20. Is the fee enclosed correct? ☐ YES ☐ NO ☐ Require Info? *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☐ NO ☐ Require Info? *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ Require Info? *

Claim checked by: ROJDate: 8-6-90Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by: _____
 Claim data entered by: _____
 Sent to claimant by: _____

Date: _____
 Date: _____
 Date: _____

Checked by: _____ Date: _____

Comments: _____

MICROFILMED

SEP 22 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

March 23, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

David G Smith
PO Box 1026
Fruitland, Idaho 83619

Re: Change of ownership of right no. 65-04531.

Mr. Smith:

In 1998, you sent in a change of ownership on the above-mentioned right. This right has been partially decreed by the Court, this has been part of the reason for delay in responding to you.

This right is for domestic use from a well with a priority date of 04/01/1961. At the time of filing the original claimant, C.G. Flicker, stated this right was for use on Lot 8, Block B, Fruitland Forty Acre. Subsequently John and Elsie Haagensen purchased this property, still to be used on Lot 8. According to the information provided, you purchased lots 5,6, and 9 from Haagensen. This right is appurtenant to lot 8 and can only be changed through a transfer by the current owner.

Domestic groundwater uses do not require the filing of a water right, however, if you would like to file a right, you are welcome to do so.

I apologize for the delay in responding to you. Please call this office with any questions.

Sincerely,

Sue Bock
Sr. Water Resource Agent



David G. Smith, D.D.S.
FAMILY DENTISTRY

65-04531

Dear Sirs:

5/20/98

Here is a narrative & attached documents you requested.

① my wife & I Bought lots 5 & 6 & a portion of lot 9 From John Haagenesen.

lot 5 was his house, lot 6 a garden, lot 9 the well & well property.

② we sold to Tim & Amber Meyer
lot 5 & North 21 Feet of lot 6

③ Well Agreement w/ Lee & Meyers & myself to
use water from this well.

Lee Property - house & yard

Meyer Property - house & yard

Smith property - portion lot with well & 6 grapes.

This claim is

for Lot 8 Blk B

Frontland 40 Acres.

~~the~~ Deed is for
lots 5-6-9... Park
Sub.

RECEIVED

MAY 22 1998

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page

1. Water Right No(s).: 65-04531Adjudication Claim No(s).: see attached sheet

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Julia & Bessie Mayes205 Park Ave4. New Owner/Claimant(s) Fruitland Idaho 83619New Mailing Address David G & Sherry SmithCity, State and ZIP Code BLX 1026 Fruitland Idaho 83619New Telephone Number (208) 452-49105. Date you acquired the property APR 966. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. I acquired all of the property - then sold off the house + 25 ft of lot - I am the owner of the well & well property. There are 2 owners of the house & a primary owner of the well to split water costs but I am the sole owner of the water right!

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS .04 Number of homes 2 Other uses 1

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

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

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

~~IDWR Western Region, 2225 Idaho Street, Boise, ID 83705-5082 (208) 334-2190~~

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE. April 6, 1998

PAGE. 1

RIGHT NUMBER: 65-04531

NAME AND ADDRESS: ELSIE HAAGENSEN
JOHN T HAAGENSEN
205 PARK AV
FRUITLAND ID 83619

→ David G. Smith
Box 1026
Fruitland Idaho 83619

SOURCE. GROUNDWATER

QUANTITY. 0.04 CFS
1.2 AFY

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

PRIORITY-DATE. 04/01/1961

POINT OF DIVERSION T08N R05W S27 NWNE Within PAYETTE County

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE,	DOMESTIC	01-01 12-31	0.04 CFS
			1.2 AFY

PLACE OF USE. DOMESTIC Within PAYETTE County
T08N R05W S27 NWNE

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
PARCEL NO. 3129002
PROPERTY ALSO KNOWN AS LOT 8, BLK B, FRUITLAND FORTY ACRE.

264569

2803
P-23840, 2804
(176)

WARRANTY DEED

For Value Received

JOHN T. HAAGENSEN, a single person,

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

DAVID G. SMITH and SHANNON K. SMITH, husband and wife,

the grantee s, whose current address is 6775 *Beatrice Drive, Fruitland* #83619

the following described premises, in

Payette

County Idaho, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

264569

EXHIBIT "A"

Land in the City of Fruitland, County of Payette, Idaho, as follows:
In PARK SUBDIVISION, as per Plat in Book 3, Page 28, Plat Records,
Payette County, Idaho:

Lots 5 and 6;

ALSO,

Land in the City of Fruitland, Payette County, Idaho as follows:
In the ADDITION OF 40 ACRES TO THE ORIGINAL TOWNSITE OF FRUITLAND,
as per Plat in Book 1, Page 28, Plat Records, Payette County, Idaho:

In Block B: A parcel of land in Lot 9 more particularly
described as follows:
Commencing at the Northeast corner of Lot 8 in
said Block B;
thence South, along the East boundary thereof,
244.93 feet;
thence West 165.33 feet to the POINT OF BEGINNING;
thence N. 24° 47' W, 26 feet;
thence West 9 feet;
thence S. 24° 47' E, 26 feet;
thence East 9 feet to the POINT OF BEGINNING.

well piece

_____ before me, the undersigned, a notary public in and for said State, personally appeared _____, known or identified to me to be one of the partners in the partnership of _____ and the partner who subscribed said partnership name on the within foregoing instrument, and acknowledged to me that _____ executed the same in said partnership name.

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

CORPORATE NOTARY
STATE OF IDAHO

County of _____)
On this _____ day of _____,) ss.

and the _____, before me, the undersigned notary public in and for said state, personally appeared _____, known or identified to me to be the _____, of _____

the corporation that executed the within instrument or the person who executed the same on behalf of said corporation, and acknowledged to me that said corporation executed in same.

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

Notary Public for Idaho

Residing at: _____

Commission expires: _____

Notary Public for Idaho

Residing at: _____

Commission expires: _____

SCHEDULE A

The street address of the Property (if applicable) is: 205 S. PARK
FRUITLAND, ID 83619

The legal description of the Property is:

LAND IN THE CITY OF FRUITLAND, COUNTY OF PAYETTE, IDAHO, AS FOLLOWS:
IN PARK SUBDIVISION, AS PER PLAT IN BOOK 3, PAGE 28, PLAT RECORDS,
PAYETTE COUNTY, IDAHO.
LOTS 5 AND 6;

ALSO, LAND IN THE CITY OF FRUITLAND, PAYETTE COUNTY, IDAHO AS FOLLOWS:
IN THE ADDITION OF 40 ACRES TO THE ORIGINAL TOWNSITE OF FRUITLAND, AS PER
PLAT IN BOOK 1, PAGE 28, PLAT RECORDS, PAYETTE COUNTY, IDAHO:
IN BLOCK B: A PARCEL OF LAND IN LOT 9 MORE PARTICULARLY DESCRIBED AS
FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 8 IN SAID BLOCK B;
THENCE SOUTH, ALONG THE EAST BOUNDARY THEREOF, 244.93 FEET; THENCE WEST
165.33 FEET TO THE POINT OF BEGINNING; THENCE N. 24 DEGREES 47' W, 26 FEET;
THENCE WEST 9 FEET; THENCE S. 24 DEGREES 47' E, 26 FEET; THENCE EAST 9
FEET TO THE POINT OF BEGINNING.

Lot 5

Lot 6

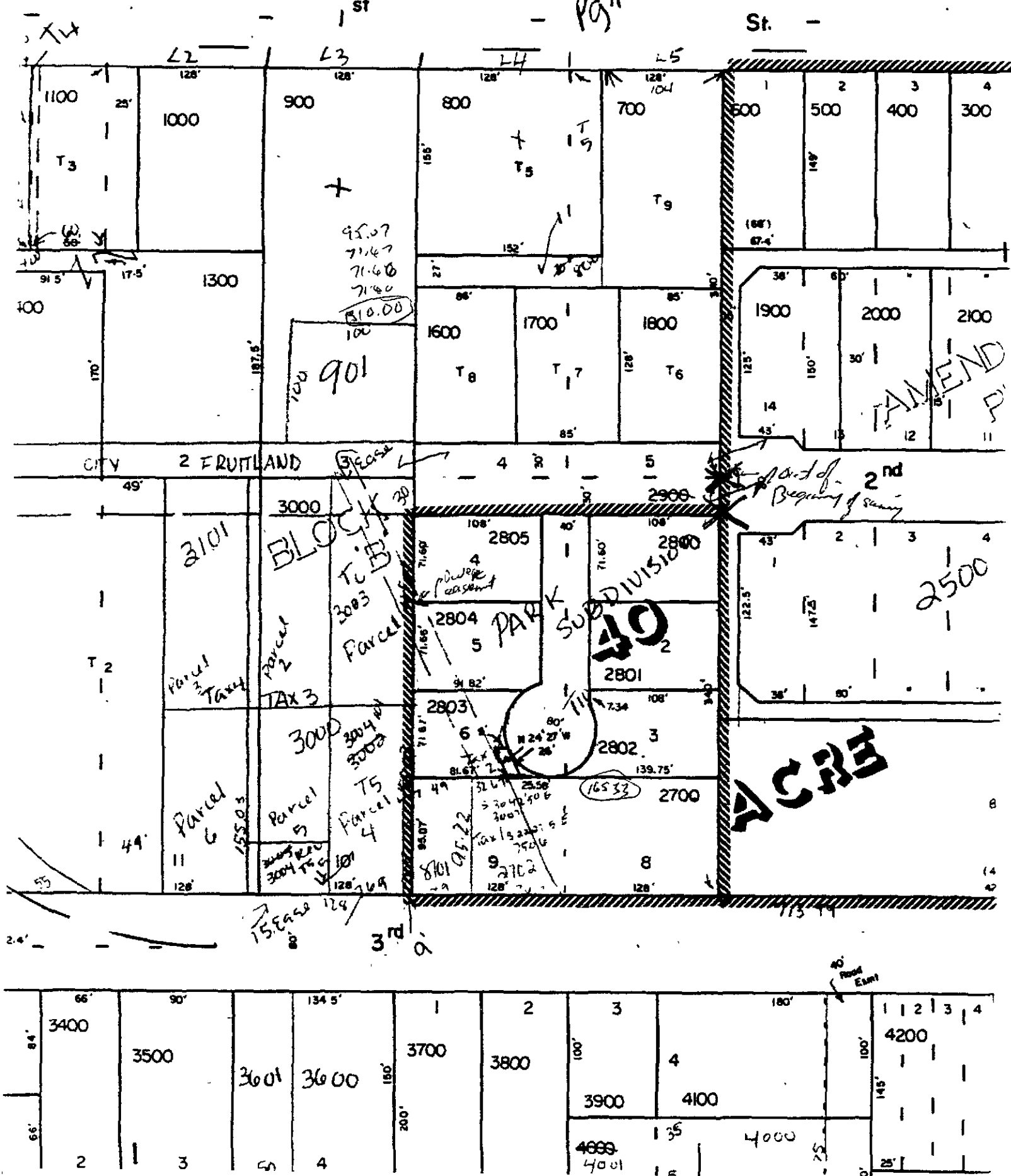
Portion of Lot 9 - west

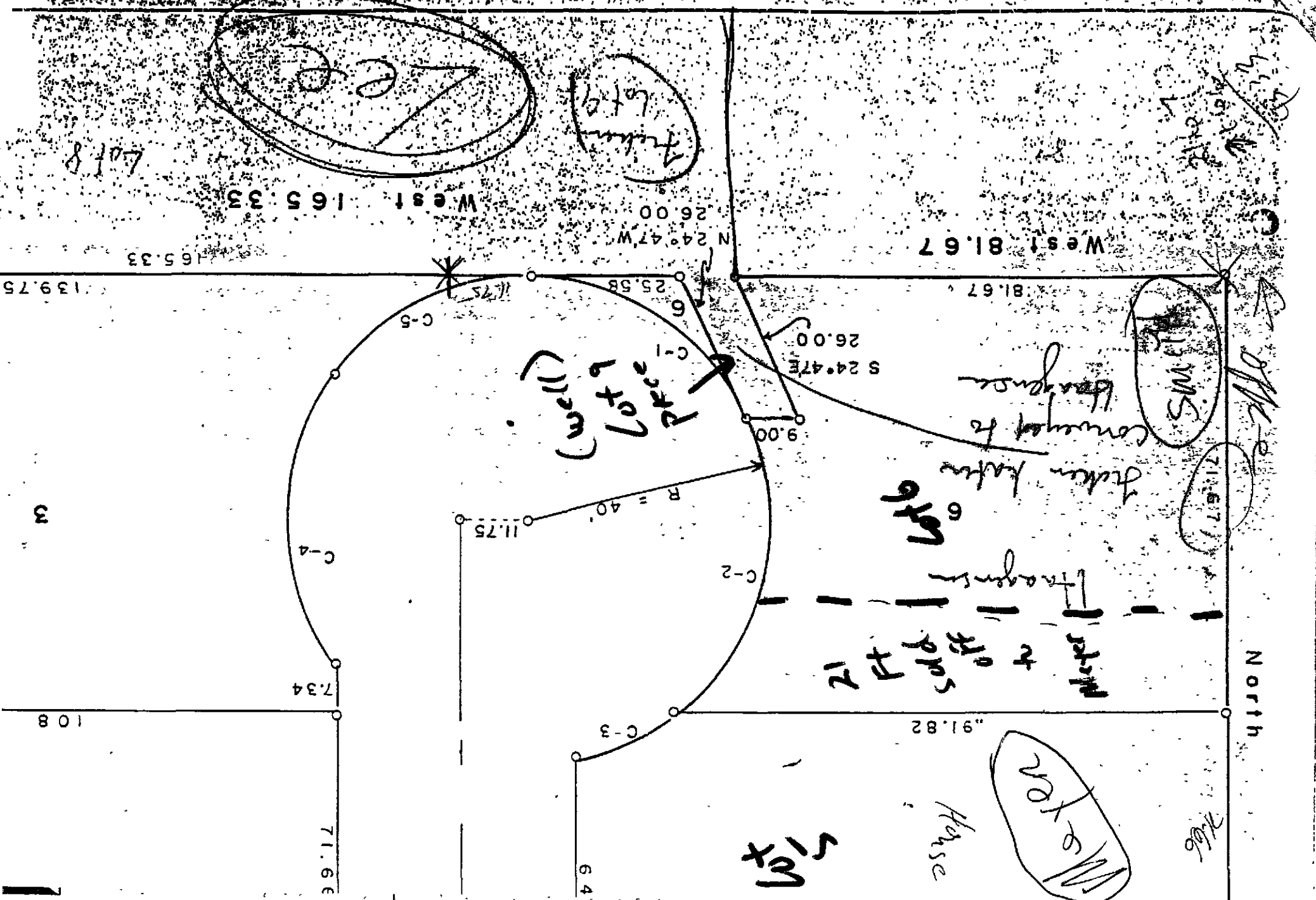
NONE

SCHEDULE B

*Bought from
Hauges*

PG 168-A





///

DAVID D. SMITH AND SHANNON K. SMITH, HUSBAND AND WIFE

TIMOTHY D. MEYER AND AMBER D. MEYER, HUSBAND AND WIFE

209 NW 2nd AVE. ONTARIO, OR 97914

see 8, the following described premises, in
 1. and in the City of Fruitland, County of Payette,
 in PARK SUBDIVISION, as per Plat in Book 3, Page 28, Plat Records
 of Payette County, Idaho :

County Idaho, to wit:
 Idaho as follows:

Lot 5 and the North 21 feet of Lot 6.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee A, THEIR heirs and assigns forever. And the said Grantor A do hereby covenant to and with the said Grantee, that they the owner s in fee simple of said premises; that they are free from all incumbrances SUBJECT TO: All existing patent reservations, easements, rights of way, protective easements, zoning ordinances and applicable building codes, laws and regulations.

and that the y will warrant and defend the same from all lawful claims whatsoever.

1997

SHANNON K. SMITH

On this day of JUNE

On this day of JUNE, 1997, before me, a notary public in and for said State, personally appeared

WELL AGREEMENT AND EASEMENTS

This Well Agreement and Easements is made effective the 15th day of July, 1997, by and among **DAVID G. SMITH** and **SHANNON K. SMITH**, husband and wife (hereinafter referred to as "Smith"), and **GLENN M. LEE** and **MARY R. LEE**, husband and wife (hereinafter referred to as "Lee"), and **TIMOTHY DAVID MEYER** and **AMBER DANYELL MEYER**, husband and wife (hereinafter referred to as "Meyer").

W I T N E S S E T H:

WHEREAS, Smith is the owner of certain real properties more particularly described in **EXHIBIT "A"**, **EXHIBIT "B"**, and **EXHIBIT "C"** attached hereto and incorporated by reference; and,

WHEREAS, Lee is the owner of certain real properties more particularly described in **EXHIBIT "D"** and **EXHIBIT "E"** attached hereto and incorporated by reference; and,

WHEREAS, Meyer is the owner of certain real property more particularly described in **EXHIBIT "F"** attached hereto and incorporated by reference; and,

WHEREAS, there is a certain irrigation well (together with a pump and pressure system, and electrical boxes and connections) located upon the property of Smith described in **EXHIBIT "A"**; which the parties intend to use to irrigate the said properties of Lee and the said property of Meyer; and which may, at Smith's option, irrigate the said properties of Smith;

NOW THEREFORE, IT IS HEREBY MUTUALLY AGREED that:

(1) Smith hereby grants unto Meyer, their assigns and successors-in-interest forever, the right to connect one (1) **one-inch (1") pipeline** to said well, pump and pressure system located on the said lands described in **EXHIBIT "A"** hereto, and to receive such water from said well as is reasonably necessary to irrigate the property of Meyer described in **EXHIBIT "F"** hereto. This grant is made together with a perpetual easement over, across and under the lands of Smith described in **EXHIBIT "A"** hereto to install and maintain a pipeline to transport water from the said well to the property of Meyer and for access to and maintenance of the said facilities. With respect to the existing pipeline running from said well in a Northwesterly direction to the Southerly property line of the lands described in **EXHIBIT "F"** hereto (which lands Smith conveyed to Meyer) Smith hereby grants unto Meyer a perpetual 9 foot wide easement over, across and under the properties of Smith described in **EXHIBIT "A"** and

EXHIBIT "B" hereto to the property described in **EXHIBIT "F"** hereto from the said well for the said pipeline and for access to and maintenance thereof. The said pipeline shall at all times be buried at a reasonable depth and Meyer, their assigns and successors in-interest forever, shall be solely responsible for any maintenance or repair of their pipeline and any irrigation system attached thereto.

(2) Smith hereby grants unto Lee, their assigns and successors-in-interest forever, the right to connect one (1) **one-inch (1") pipeline** to said well, pump and pressure system located on the said lands described in **EXHIBIT "A"** hereto, and to receive such water from said well as is reasonably necessary to irrigate the property of Lee described in **EXHIBIT "D"** hereto. This grant is made together with a perpetual easement over, across and under the lands of Smith described in **EXHIBIT "A"** hereto to install and maintain a pipeline to transport water from the said well to the property of Lee and for access to and maintenance of the said facilities. The said pipeline shall at all times be buried at a reasonable depth and Lee, their assigns and successors in-interest forever, shall be solely responsible for any maintenance or repair of the pipeline and any irrigation system attached thereto.

(3) Smith hereby grants unto Lee, their assigns and successors-in-interest forever, the right to connect one (1) **one-inch (1") pipeline** to said well, pump and pressure system located on the said lands described in **EXHIBIT "A"** hereto, and to receive such water from said well as is reasonably necessary to irrigate the property of Lee described in **EXHIBIT "E"** hereto. This grant is made together with a perpetual easement over, across and under the lands of Smith described in **EXHIBIT "A"** hereto to install and maintain a pipeline to transport water from the said well to the property of Lee and for access to and maintenance of the said facilities. The said pipeline shall at all times be buried at a reasonable depth and Lee, their assigns and successors in-interest forever, shall be solely responsible for any maintenance or repair of the pipeline and any irrigation system attached thereto.

(4) Smith, their assigns and successors-in-interest forever, shall have the right at any time, at their option, to connect irrigation lines to said well, pump and pressure system to irrigate the lands described in **EXHIBIT "A"**, **EXHIBIT "B"** and/or **EXHIBIT "C"**;

(5) Each party shall have the right to the reasonable use of water from the well, pump and pressure system located on the lands of Smith described in **EXHIBIT "A"** to reasonably irrigate their respective properties as set forth herein.

(6) Each party shall be responsible for the maintenance, repair, and upkeep of their respective irrigation line or lines running from the said well to their property or properties and for their irrigation system located upon their respective properties and shall hold all other parties to this

agreement harmless for damage which their respective lines or irrigation system may incur.

(7) Each party shall be responsible for and pay, each month, their prorata share of the cost of the electricity for operating said pump and pressure system; and, in addition, each party shall be responsible for, and shall pay, their prorata share of all maintenance, upkeep, repair and/or replacement of the said well, pump and pressure system, electrical boxes and connections and any pump facilities and any and all other costs incurred in connection therewith (including any building where the said facilities are housed and any pressure system). The prorata shares shall be computed on the basis of one share for each one-inch irrigation pipeline connected to the said well and pressure system.

(8) Smith hereby agrees, and does hereby grant unto the Lee and Meyer the right to use the property of Smith only for ingress and egress to the said well, water system and irrigation pipelines, and for maintenance of the same.

(9) This Agreement shall be recorded in the records of Payette County, Idaho, and all rights and obligations hereunder shall run with the respective properties of the parties hereto, and shall be for the use and benefit of the respective properties of the parties; and, in case of any subsequent sale or any transfer of any of the said properties, it shall continue.

(10) This Agreement shall be binding upon the heirs, executors, administrators, assigns and successors-in-interest of the respective parties hereto.

IN WITNESS WHEREOF, the parties have here unto set their hands the day and year first above written.

SMITH:

David G. Smith
DAVID G. SMITH

LEE:

Glenn M. Lee
GLENN M. LEE

Shannon K. Smith
SHANNON K. SMITH

Mary R. Lee
MARY R. LEE

MEYER:

Timothy David Meyer
TIMOTHY DAVID MEYER

Amber Danyell Meyer
AMBER DANYELL MEYER



EXHIBIT "A"

SMITH

Land in the City of Fruitland, Payette County, Idaho, to-wit:

In the **ADDITION OF FORTY ACRES TO THE ORIGINAL TOWNSITE OF FRUITLAND**, as per Plat in Book 1, Page 28, Plat Records, Payette County, Idaho:

In Block B: A parcel of land in Lot 9 more particularly described as follows:
Commencing at the Northeast corner of Lot 8
in said Block B;
thence South, along the East boundary
thereof, 244.93 feet;
thence West 165.33 feet to the POINT OF
BEGINNING;
thence N. 24° 47' W., 26 feet;
thence West 9 feet;
thence S. 24° 47' E., 26 feet;
thence East 9 feet to the POINT OF BEGINNING.

EXHIBIT "B"

SMITH

Land in the City of Fruitland, Payette County, Idaho, to-wit:

In **PARK SUBDIVISION**, as per Plat in Book 3, Page 28, Plat Records, Payette County, Idaho:

Lot 6, **EXCEPTING** therefrom the North 21 feet.

EXHIBIT "C"

SMITH

Land in the City of Fruitland, Payette County, Idaho, to-wit:

In the **ADDITION OF FORTY ACRES TO THE ORIGINAL TOWNSITE OF FRUITLAND**, as per Plat in Book 1, Page 28, Plat Records, Payette County, Idaho:

Parcel 1:

In Block B: A parcel of land in lot 10 more particularly described as follows:
Commencing at the intersection of Kansas Street
and Third Street;
thence N. 0°00'14" E. (of record N. 0°00'05" E.)

Smith

along the centerline of said Kansas Street,
40.00 feet;
thence N. 89°59'30" W. along the Northerly right
of way boundary of said Third Street 722.99
feet to the TRUE POINT of BEGINNING;
thence continuing N. 89°59'30" W. along said right
of way boundary 60.00 feet;
thence N. 0°00'13" E. along a line parallel with
and 399.00 feet Easterly of the West boundary
of said NE¼, which is also the centerline of
Whitley Street, 155.02 feet;
thence S. 89°59'18" E. 69.00 feet;
thence S. 0°00'13" W. 9.0 feet;
thence S. 0°00'13" W. 95.07 feet to the TRUE POINT
of BEGINNING.

Parcel 2:

In Block B: That portion of Lots 10 and 11 described as
follows:
Commencing at the intersection of Kansas Street
and Third Street;
thence N. 0°00'05" E. along the center line of
Kansas Street 40.00 feet;
thence N. 89°59'30" W. along the Northerly right
of way boundary of said Third Street 782.99
feet to the TRUE POINT of BEGINNING;
thence continuing N. 89°59'30" W. along said right
of way boundary 69.00 feet;
thence N. 0°00'13" E. along a line parallel with
the West boundary of the NE¼ which is also
the center line of Whitley Street, 45 feet;
thence S. 89°59'18" E. 69.00 feet;
thence S. 0°00'13" W. 45 feet to the TRUE POINT of
BEGINNING.

EXHIBIT "D"

Lee

Land in the City of Fruitland, Payette County, Idaho, to-wit:

In the **ADDITION OF FORTY ACRES TO THE ORIGINAL TOWNSITE OF FRUITLAND**, as per Plat in Book 1, Page 28, Plat Records, Payette County, Idaho:

In Block B: The South 95.22 feet of Lot 8; **EXCEPTING** the West 35.5 feet thereof.

EXHIBIT "E"

Lee

Land in the City of Fruitland, Payette County, Idaho, to-wit:

In the **ADDITION OF FORTY ACRES TO THE ORIGINAL TOWNSITE OF FRUITLAND**, as per Plat in Book 1, Page 28, Plat Records, Payette County, Idaho:

In Block B: The South 95.22 feet of the West 35.5 feet of Lot 8;
AND,
The South 95.22 feet of the East 29 feet of Lot 9.

EXHIBIT "F"

Myer

Land in the City of Fruitland, Payette County, Idaho, to-wit:

In **PARK SUBDIVISION**, as per Plat in Book 3, Page 28, Plat
Records, Payette County, Idaho:

Lot 5 and the North 21 feet of Lot 6.

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

 **ATTEMPTED,
NOT KNOWN**

A 65-4531

83-100-2444 83

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-04531

NAME AND ADDRESS: ELSIE HAAGENSEN
JOHN T HAAGENSEN
205 PARK AV
FRUITLAND, ID 83619

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
1.20 AFY

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

PRIORITY DATE: 04/01/1961

POINT OF DIVERSION: T08N R05W S27 NWNE Within Payette County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.04 CFS
			1.20 AFY

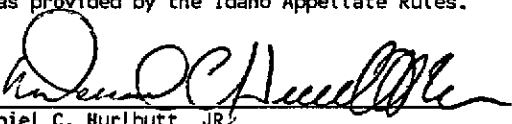
PLACE OF USE: Domestic Within Payette County
T08N R05W S27 NWNE

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

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

RULE 54(b) CERTIFICATE

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


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

May 15, 1998

KARL J. DREHER
DIRECTOR

DAVID G SMITH
715 SW THIRD
PO BOX 1026
FRUITLAND ID 83619

RE: Snake River Basin Adjudication (SRBA)
Water Right ~~83705-5082~~ - Domestic Well, Payette County

Dear Water Right Holder:

Thank you for writing us that you are the owner of the property with the water right referenced above.

Before we can modify our records to reflect your ownership of the property and water right referenced above, we need Form 42-248/42-1409(6) completed and returned. I have enclosed this form for your use. Please send the completed form with warranty deed copy and map to our Boise Region office by June 15, 1998:

Idaho Department of Water Resources
Adjudication Bureau
2735 Airport Way
Boise, ID 83705-5082

If you have any other water rights which have changed ownership, enter each water right number on the form before mailing it.

Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Form 42-248/42-1409(6)

— Change of Ownership —

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

[] Water Right Number(s): 65-04531

[] Old Mailing Address:

John Hargensen
205 S Park Ave
Shwittland, Id, 83619

[] New Mailing Address:

David G. Smith
715 SW Thru Box 1026
Frontland, Idaho 83619

Telephone Number:

(208) 452-4303

[] Signature of Claimant:

David G. Smith

Date:

5/13/98

PLEASE SEND YOUR SRBA CHANGE OF ADDRESS TO THE NEAREST
REGION OFFICE:

IDWR WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705-5082
(208) 334-2190

IDWR SOUTHERN REGION
1341 FILLMORE ST N
TWIN FALLS ID 83301-3380
(208) 736-3033

IDWR EASTERN REGION
900 N SKYLINE
IDAHO FALLS ID 83402-3653
(208) 525-7161

IDWR NORTHERN REGION
1910 NORTHWEST BLVD #210
COEUR D'ALENE ID 83814-2615
(208) 756-4639

Revised 5/95

IDWR: DATA ENTRY BY _____

DATE _____

CHANGE OF OWNERSHIP
LETTER SENT 05-15-98

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: April 6, 1998
PAGE: 1

RIGHT NUMBER: 65-04531

NAME AND ADDRESS: ELSIE HAAGENSEN
JOHN T HAAGENSEN
205 PARK AV
FRUITLAND ID 83619

→ David G. Smith
Box 1026
Pruitland Idaho 83619

RECEIVED
MAY 15 1998
Department of Water Resources

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
1.2 AFY

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

PRIORITY-DATE: 04/01/1961

POINT OF DIVERSION T08N R05W S27 NWNE Within PAYETTE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC	01-01 12-31	0.04 CFS
			1.2 AFY

PLACE OF USE: DOMESTIC Within PAYETTE County
T08N R05W S27 NWNE

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

PARCEL NO. 3129002

PROPERTY ALSO KNOWN AS LOT 8, BLK B, FRUITLAND FORTY ACRE.

State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866



PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 22, 1998

ELSIE & JOHN T HAAGENSEN
400 PINE ST
NEW PLYMOUTH ID 83655-5286

*06-04-98
response. MS*

RE: Snake River Basin Adjudication (SRBA)
Water Right #65-04531
Change of Address

Dear Water Right Holders:

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, **list any other water right claims you have**, and return the letter by May 15, 1998. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosures

The address is correct as shown above or as otherwise changed.

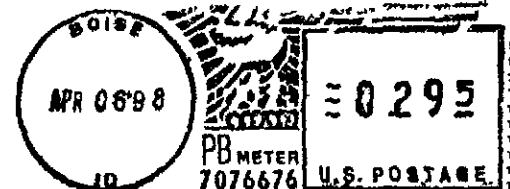
Water Right Holder Signature

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

~~RETURN SERVICE REQUESTED~~

ADDRESS SERVICE
REQUESTED

PRESORTED
FIRST CLASS



IMPORTANT WATER RIGHT INFORMATION

(Mx23)
65-04531
ELSIE HAAGENSEN
JOHN T HAAGENSEN
205 PARK AV
FRUITLAND ID 83619

RECEIVED
APR 16 1998
Department of Water Resources

HAAG 023

HAAG023 836192007 1297 05 04/14/98
FORWARD TIME EXP RTN TO SEND
HAAGENSEN
400 PINE ST
NEW PLYMOUTH ID 83655-5286

836192007 01

|||||

AJ0749NP
No. R65-04531

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 01/29/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELSIE HAAGENSEN	04/01/1961	DOMESTIC	01-01 12-31	0.04 CFS	1.20 AFA
C	JOHN T HAAGENSEN 205 PARK AV FRUITLAND ID 83619 (208) 452-4402			TOTAL DIVERSION:	0.04 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T08N R05W S27

NWNE

PAYETTE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
08N	05W	27	:					:					:					:					:
			:					:					:					:					:

POU County: PAYETTE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. 3129002
PROPERTY ALSO KNOWN AS LOT 8, BLK B, FRUITLAND FORTY ACRE.

Dates: Exam Made Date: Verified Date: 01/29/1998 Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Audit: 01/29/98 KWATERS

AJ5809NP
No. R65-04531

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/31/97
PAGE: 14

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELSIE HAAGENSEN	04/01/1961	DOMESTIC	01-01 12-31	0.04 CFS	1.20 AFA
C	JOHN T HAAGENSEN 205 PARK AV FRUITLAND ID 83619 (208) 452-4402			TOTAL DIVERSION:	0.04 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T08N R05W S27

NWNE

PAYETTE County

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
08N 05W 27	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: PAYETTE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: ~~GEN~~ LOT 8, BLOCK B, FRUITLAND FORTY ACRE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Audit: 04/13/94 DUNN1 03/30/95 POST-STD 12/30/97 AJU3-JSH

WR5809NP
No. 65-04531

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/30/97
PAGE: 13

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	C. G. FICKEN 607 3RD STREET FRUITLAND ID 83619	04/01/1961	DOMESTIC	01/01 12/31	0.040 CFS	1.20 AFA
TOTAL DIVERSION:					0.040 CFS	1.20 AFA

Water Source: GROUNDWATER Tributary to: Stage: DECREED
Point(s) of Diversion: T08N R05W S27 NWNE PAYETTE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
08N	05W	27	:			D																:

Pou County: PAYETTE

Remarks: LOT 8, BLOCK B, FRUITLAND FORTY ACRE.

Dates:	App. Received:	Priority Date:	04/01/1961
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

GLD (D) NUMBER -

+ - - - - - ADDRESS - - - - - +

PHONE - 203-600-0000

+ - - - STATUS - - - - +

+ - - - - - TRIBUTARY - - - - - +

00N 05W 27 NW NE / (75) PAYETTE

+ - - - - - REMARKS - - - - - +	
	LOT 8, BLOCK 8, FRUITLAND FORTY ACRE.

WATER RIGHT NUMBER - A65-04531

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.
+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.
+ - - - - DECREE PLAINTIFF - - - +
STATE OF IDAHO
+ - - - - DECREE DEFENDANT - - - +
A & C CORP., ET AL.
+ - - - - DECREE DATE - +
01/21/1986
+ - - - - AUDIT FIELDS - 10/03/90 SCHULTZ
+ - - - - COMMENTS - - - - - +
NO COMMENTS FOUND
+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 02/28/1990	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF CUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	- 65
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- X999999	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLAG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND	NOTICE OF ERROR FLAG	-

3129002

PROOF
APR 07 1992

DATA ENTRY

ENTERED _____

CHECKED _____

"Verified By"
Topo Map/Ortho-PQ
Aerial Map
Watermaster Records
Hydrographs
Flood Exem
C. or (see Remarks)
C. or (see Remarks)
Water Measurement
Project Records
IDWR Records

VERIFIED

FEB 09 1994

CERTIFIED

FEB 18 1994

WATER EXAMINER