

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

RECEIVED

SEP 22 2005

Department of Water Resources

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case 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
	AJ 3-4005				

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)

SKYWAY PARTNERSHIP
 BARBARA SMITH & JIM SMITH

4. New Owner/Claimant(s)

W. JAMES SMITH
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

1634 VINEYARD DR.

City, State and ZIP Code

LEWISTON, ID 83501

New Telephone Number

208 746-0828

5. Date you acquired the property

9-9-05

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	12.7 ACRES	FARM LAND
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

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

For Office Use Only

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



State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 287-4800 FAX: (208) 287-6700 www.idwr.idaho.gov

RECEIVED
SEP 22 2005
Department of Water Resources

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 8, 2005

3-4005
JIM SMITH
1634 VINEYARD DR
LEWISTON ID 83501

Re: Change of Ownership, Water Right Claim 3-4005

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). We have reason to believe you may soon be the owner of some or all of the lands covered by the subject claim. All claimants and owners of water rights are required (42-248 and 42-1409(6), Idaho Code) to notify the Idaho Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right.

Enclosed please find the Notice of Change in Water Right Ownership form and filing instructions. When the transaction is complete and deed has been recorded, please complete the form and return it together with the additional required information in the envelope provided. Until that time the claim will continue to be in the name of Skyway Enterprises. In order to enable us to proceed with the claim investigation process process, please provide this information as soon as possible. Should you decide to return the materials in a different mailer, please be sure to write "ATTN: SRBA claim number 3-4005" on the front of the mailer.

If you have any questions, please contact this office. Our toll free number is 1-800-451-4129. It will help speed things along if you have your claim number, 3-4005, handy when you call.

Steve Robischon
Adjudication Technical Support Section

Enclosure

AS PER TELEPHONE CALL.
Jim



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Department of Water Resources

WARRANTY DEED

For Value Received, SKYWAY ENTERPRISES, a partnership the Grantors, do hereby grant, bargain, sell and convey unto **W. James Smith, a married man as his sole and separate property** whose address is , 1634 VINEYARD DR. LEWISTON, IDAHO 83501, the Grantee, the following described premises, to-wit:

Lots 78, 79 and 80 of SUNNYSIDE ORCHARD TRACT, as the same appears on file in the office of the County Recorder, Washington County, Idaho.

PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 2005 taxes and assessments and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 9/9/05

SKYWAY ENTERPRISES

BY

Barbara Syme, Partner

Maurice Syme

BY

W. James Smith, Partner

Fern Smith

State of Idaho)

SS

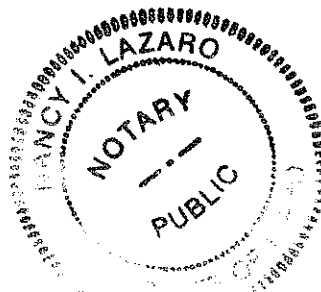
County of WASHINGTON)

On this 9 day of SEPTEMBER, 2005 before me, a notary public in and for said State, personally appeared Barbara Syme and W. James Smith known or identified to me to be the partner's in the partnership of SKYWAY ENTERPRISES and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

Lancey Lazaro
Notary Public

Residing at: WEISER, ID

Commission Expires: 10/03/07

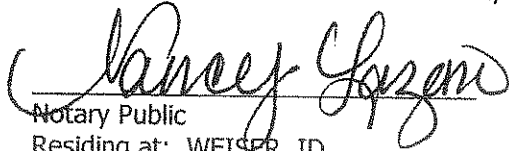


State of Idaho)

SS

County of WASHINGTON)

On this 9 day of SEPTEMBER, 2005 before me, a notary public in and for said State, personally appeared MAURICE SYME AND FERN SMITH known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Notary Public

Residing at: WEISER, ID

Commission Expires: 10/03/07

