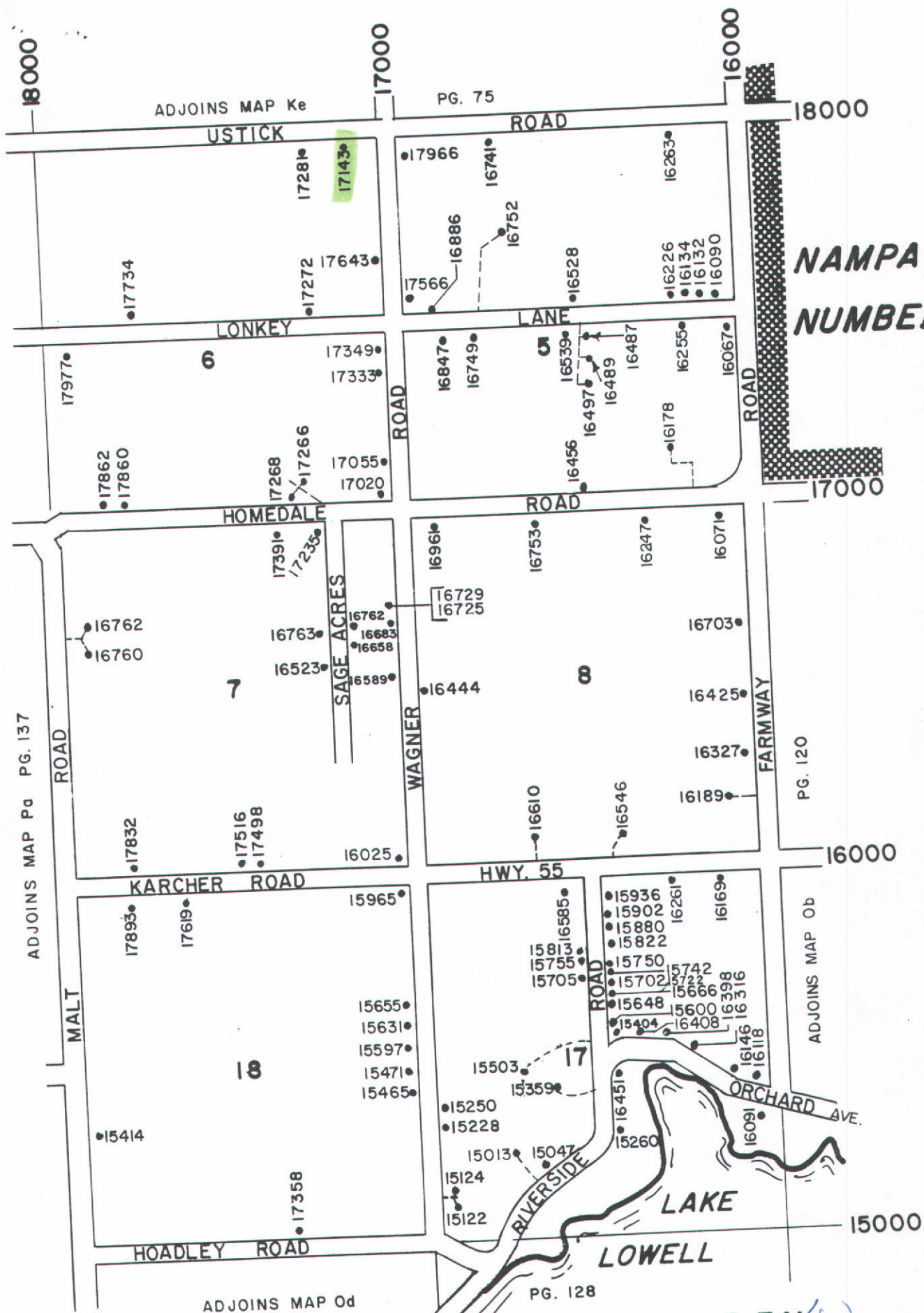




SECTIONS 5,6,7,8,17,18 T.3N., R.3N. *W*

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: A63-04798
Date Received: 1/26/1990
Receipt No: CO14260
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ERWIN C. SCHMITT 208-459-9126
Address: 17143 USTICK
CALDWELL, ID 83605

2. Date of Priority: JAN 01, 1920

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	03W	6	NW	NE	NE	1	CANYON

5. Description of diverting works:
WELL, 4" CASING, 190' DEEP WHEN DUG, SUBMERSIBLE PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	03W	6	NE	NE	1	DOMEST	

11. Place of use in counties: CANYON

A63-04798

Page 1

Date: 01/26/90

MICROFILMED
AUG 20 1992

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

13. Other Water Rights Used:

WILDER IRRIGATION DISTRICT FOR LAWN AND GARDEN

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: -0-

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): Erwin C. Schmitt Date: 1-26-90

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 26th day

of January 19 90

Carter Fritschle
Notary Public

Seal

Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

AJ5856NP

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

DATE: JUL-30-1999
PAGE: A-1

RIGHT NUMBER: 63-04798

NAME & ADDRESS: GARY SCHMITT
JUDI SCHMITT
6309 138TH PL SW
EDMONDS WA 98026

SOURCE: GROUNDWATER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 01/01/1920

POINT OF DIVERSION: T03N R03W S06 LOT 1 (NWNENE) Within CANYON County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.02 CFS

PLACE OF USE: DOMESTIC Within CANYON County
T03N R03W S06 Lot 1 (NENE)

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 3R 32629

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	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDINGS
Case No. 39576	)	
	)	Water Right 63-04798

IDWR has completed the following Administrative Proceeding:

☐	Change of Address
☒	Substitution of Party
☐	I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

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

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 63-04798

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
7/30/1999

63-04798

PAGE 1

From (Claimant/Seller):

Name of Claimant: ERWIN C SCHMITT
Address: 17143 USTICK
CALDWELL ID 83605
Phone: (208) 459-9126

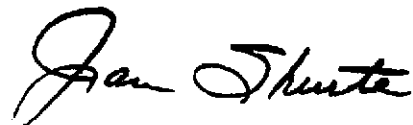
To (Claimant/Purchaser):

Name of Claimant: GARY SCHMITT
JUDI SCHMITT
Address: 6309 138TH PL SW
EDMONDS WA 98026
Phone: (425) 787-6439

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

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

DATED: July 30, 1999



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 30, 1999 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

ERWIN C SCHMITT
17143 USTICK
CALDWELL ID 83605
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

GARY SCHMITT
JUDI SCHMITT
6309 138TH PL SW
EDMONDS WA 98026
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Felix Harris

Signature of person or attorney mailing the form

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

RECEIVED

NOV 20 1998

WATER RESOURCES
WESTERN REGION

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 or Adjudication Claim No(s): 63-04798
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 Erwin P. Schmitt
17143 Ustick Rd, Caldwell, ID 83605
4. New Owner/Claimant(s) Gary + Judi Schmitt
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 6309 138th Pl. S.W.
 City, State and ZIP Code Edmonds, WA 98026
 New Telephone Number (1) 425-787-6439
5. Date you acquired the property 02-19-91
6. 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.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 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: Gary Schmitt]
[Signature: Judi Schmitt]
 Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this 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., Suite 200
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

9104038

WARRANTY DEED

FOR VALUE RECEIVED, GARY G. SCHMITT, Personal Representative of the Estate of Erwin Claude Schmitt, aka E. C. Schmitt, Deceased, the Grantor, does hereby grant bargain sell and convey unto GARY G. SCHMITT and JUDI SCHMITT, husband and wife, the Grantees, of West 322 Center Street, Spokane, WA 99208, the following described premises, located in Canyon County, Idaho, to-wit:

Gov. Lot 1 in Section 6, T3N, R3W, B.M., Canyon County, Idaho, located at Corner of Wagner and Ustick, together with all water and ditch rights and rights of way for water and ditches.

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

DATED This 19th day of Feb, 1991.

Gary G. Schmitt
Gary G. Schmitt, Personal Representative of the Estate of Erwin Claude Schmitt, aka E. C. Schmitt, Deceased

STATE OF Wash)
County of Spokane) ss.

On this 19th day of Feb, 1991, before me the undersigned Notary Public in and for the State of Wash., personally appeared GARY G. SCHMITT, known to me to be the Personal Representative of the Estate of Erwin Claude Schmitt, aka E. C. Schmitt, Deceased, and known to me to be the person whose name is subscribed to the within instrument, and who acknowledged to me that he executed the same.

Witness my hand and seal on the day first above written.

Jan Lynn
Notary Public for
Residing at Spokane Wash.
My commission expires 2-21-92



REQUEST
TYPE Deed FEB 3 1991

STEWART - 200

'91 MAR 6 AM
RECORDED
CANYON COUNTY RE
BY UCL

RECORDED

9101

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED



INSUFFICIENT ADDRESS

ERWIN C SCHMITT
17143 USTICK
CALDWELL ID 83605

PS

★ ★ ★
160
9462 \$ 00.330 JUL 30 99
0345 MAILED FROM BOISE ID 83705



RECEIVED

AUG 06 1999

WATER RESOURCES
WESTERN REGION

83605-5082 17143 USTICK CALDWELL ID 83605

86L70-37

DATE: 07/27/99
PAGE: 1

Comments:	Date: 07/27/1999	User-ID: LHARRIS	Subject: NAME CHANGE - OWNERSHIP CHANGE
-----------	------------------	------------------	---

AJ0749NP
No. 63-04798

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

DATE: 07/27/99
PAGE: 2

Comments: Date: 07/27/1999 User-ID: LHARRIS Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 07/27/99 LHARRIS



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 30, 1999

Re: Water Right No. 63-04798

GARY SCHMITT
JUDI SCHMITT
6309 138TH PL SW
EDMONDS WA 98026

Dear Mr. & Mrs. Schmitt:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water right, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1
Enclosures

cc: Erwin Schmitt

DATE= 08/27/98
PAGE= 1

Remarks:	EXP	PARCEL NO. 3R 32629	
Dates:	Exam	Made Date:	Verified Date:
Misc:	Water	District Number:	Field Inspection Flag: Presumption Flag:
Audit:	08/27/98	CWALKER	Objection Filed Date:

AJ5809NP
No. R63-04798

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/21/98
PAGE: 13

OWNER NAME & ADDRESS
C ERWIN C SCHMITT
17143 USTICK
CALDWELL ID 83605
(208) 459-9126

PRIORITY DATE WATER USE
01/01/1920 DOMESTIC

USE PERIOD FROM TO
01-01 12-31

DIVERSION RATE
0.02 CFS

DIVERSION VOLUME
0.02 CFS

TOTAL DIVERSION:
0.02 CFS

Water Source: GROUNDWATER Tributary to: Stage: BENEFICIAL USE
T03N R03W S06 Lot01(MNUNE)

Point(s) of Diversion: T03N R03W S06 Lot01(MNUNE)

Place of use Legal Description for: DOMESTIC

NE		NW		SW		SE	
NAME	SENE	NAME	SENE	NAME	SENE	NAME	SENE
T R S	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac
03N 03W 6	: 01-D	:	:	:	:	:	:

POU County: CANYON

Non-Irrigation Uses: 1 HOUSE Home

Other Rights: WILDER IRRIGATION DISTRICT FOR LAWN AND GARDEN

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 3R 32629

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 02/26/97 CORR4

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

WR5809NP
No. 63-04798

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ERWIN C. SCHMITT RT. 6, BOX 84 CALDWELL ID 83605	01/01/1920	DOMESTIC	01/01 12/31	0.040 CFS	
TOTAL DIVERSION:					0.040 CFS	

Water Source: GROUNDWATER

Tributary to:

Point(s) of Diversion:

T03N R03W S06

NENE

Stage: STATUTORY CLAIM

Place of use Legal Description for: DOMESTIC

NE		NW		SW		SE	
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW
T	R	S		Lt	Ac	Lt	Ac
03N	03W	6	D				

Pou County: CANYON

Dates:

Priority Date:

App. Received:

Proof Made Date:

Proof Due Date:

Exam Sent to S.O.:

Exam Made Date:

Licensed Date:

Misc:

Water District Number:

Field Exam Fee:

Audit: 01/17/86 05/01/88 CONVERT

WATER RIGHT NUMBER - A63-04798

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (O) NUMBER -

+ - - - - LAST NAME - - - - + + - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
SCHMITT

ERWIN C.

1 - 17143 USTICK
2 -
3 -

STATE- ID ZIP- 83605

CITY- CALDWELL
PHONE - 208-459-9126

+ - - - - PRIORITY DATE - - - + + - - - - REGION - - - + + - - - - STAGE - - - + + - - - - STATUS - - - - +

01/01/1920

1+ WESTERN

S - STATUTORY CLAIM

+ - - - - SOURCE - - - - + + - - - - TRIBUTARY - - - - - +

GROUNDWATER

+ - - - - TWN RNG SEC TRACT LOT RELG COUNTY

POINT OF DIVERSION - - - - - STREAM INDEX (BLANK IF NO INDEX CODE)

03N 03W 6 NW NE NE 1 (27) CANYON

+ - - - - CODE DESCRIPTION PERIOD FROM PERIOD TO WATER USE DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC 01/01 12/31 0.020

+ - - - - TOTAL DIV. RATE - + + - - - - TOTAL DIV. VOLUME - + + - - - - TOTAL CONSUMPTIVE USE - + + - - - - KW USAGE - +

0.020

+ - - - - TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

03N 03W 6 NE NE 1 43 DOMESTIC (27) CANYON

+ - - - - DIVERSION MEANS - WELL, 4" CASING, 190' DEEP WHEN DUG, SUBMERSIBLE PUMP

+ - - - - NON-IRRIGATION USE - DOMESTIC, 1 HOME

+ - - - - OTHER RIGHTS FOR SAME USE - WILDER IRRIGATION DISTRICT FOR LAWN AND GARDEN

+ - - - - REMARKS - NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - +

+ - - - - AUDIT FIELDS - 01/26/90 FRITSCHL

+ - - - - DECREE DATE - +

00/00/0000

WATER RIGHT NUMBER - A63-04798

PREFIX TRANSLATION: ADJUDICATION CLAIM

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	- 01/17/1986	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 01/26/1990	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- C014260	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLAG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-		

3R 32629
17143 Ustick
Schm. H Gary Gd Jud,
322 Center St
Spokane WA 99208

DATA ENTRY
ENTERED
CHECKED

7/1/91

Verified By
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
Map Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED

FEB 14 1993

CERTIFIED
FEB 23 1993
WATER EXAMINER