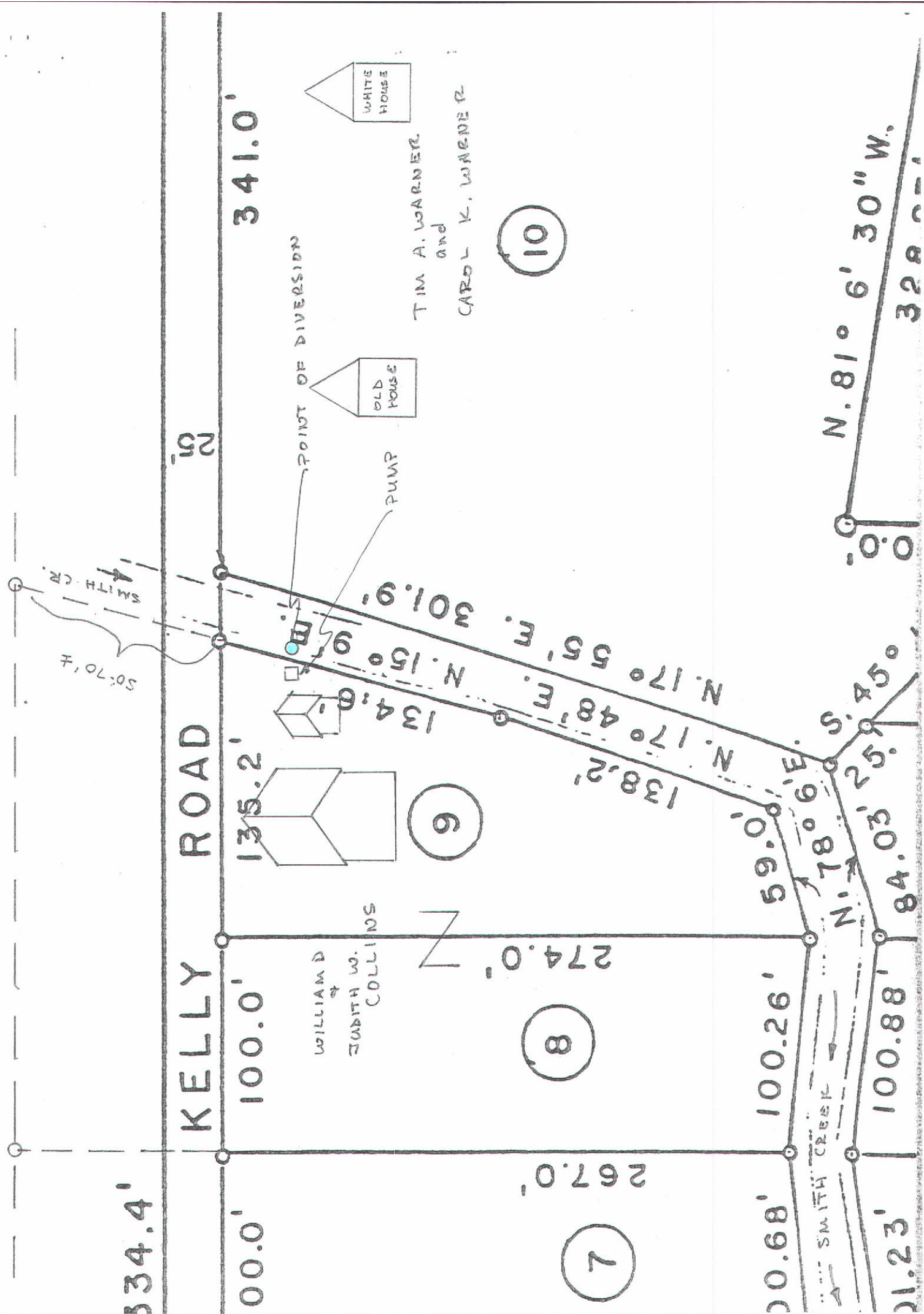


ACTUAL LOCATION OF KELLY ROAD



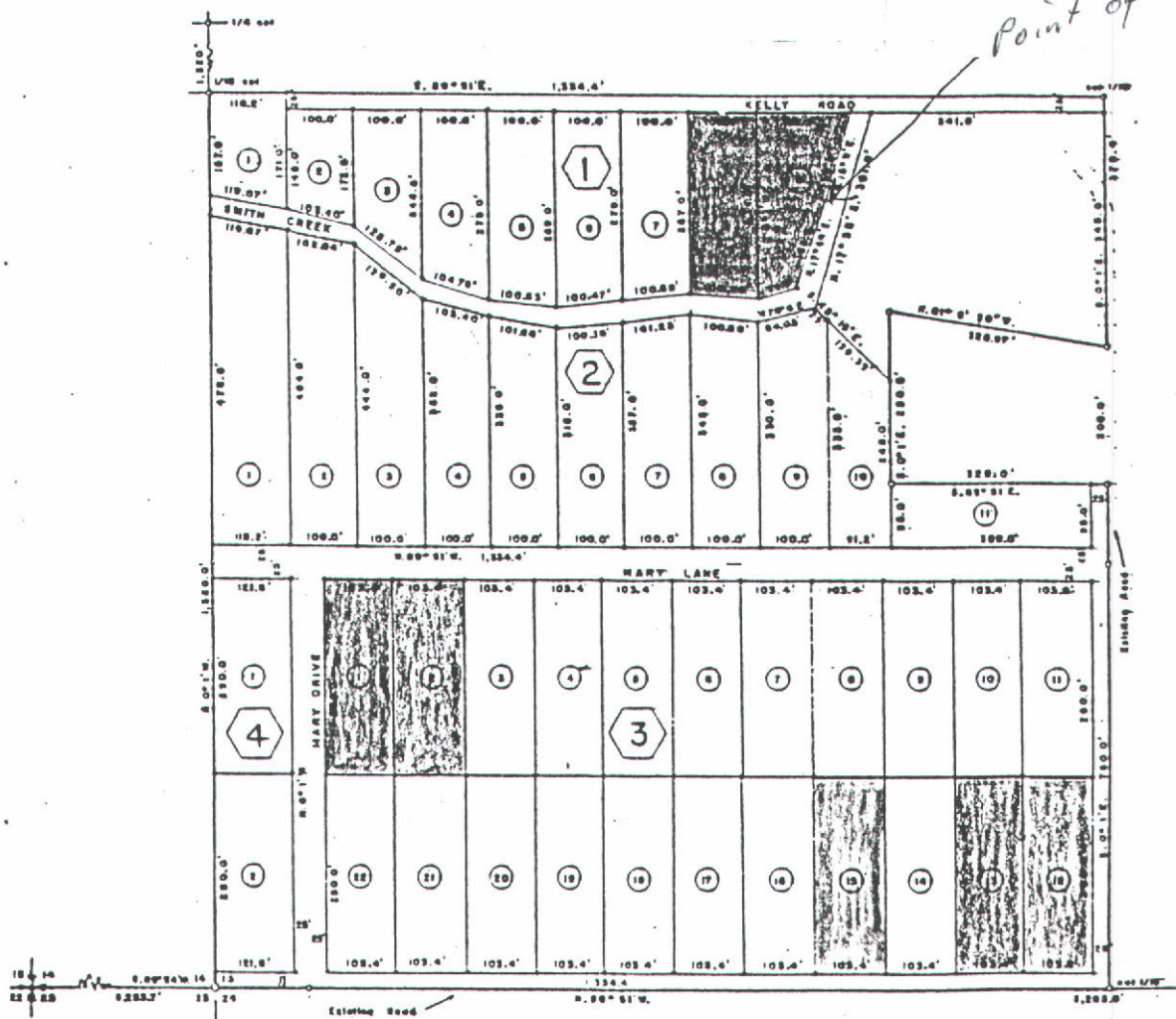
Mr. Knowles

PARKER SUBDIVISION

N.



Point of Diversion



59-A

MICROFILMED
AUG 24 1992



Photo 1. Field exam 8/31/01 photos by RDH. Point of diversion from Smith Creek.
License # 63-8238. T02N, R07E, S13 SWSW.



Photo 2. Field exam 8/31/01 photos by RDH. Place of use view is to East. Home is on right. Smith Creek point of diversion is behind garage.



Photo 3. Field exam 8/31/01 photos by RDH. Place of use view is to East. Home is on left. Extreme South West corner of property.

Idaho Department of Water Resources

T02N R07E
S13

Claim: 63-8238
Updated: 4 Sep 01
Map by: Ron Howerton

 Place of use

 POD

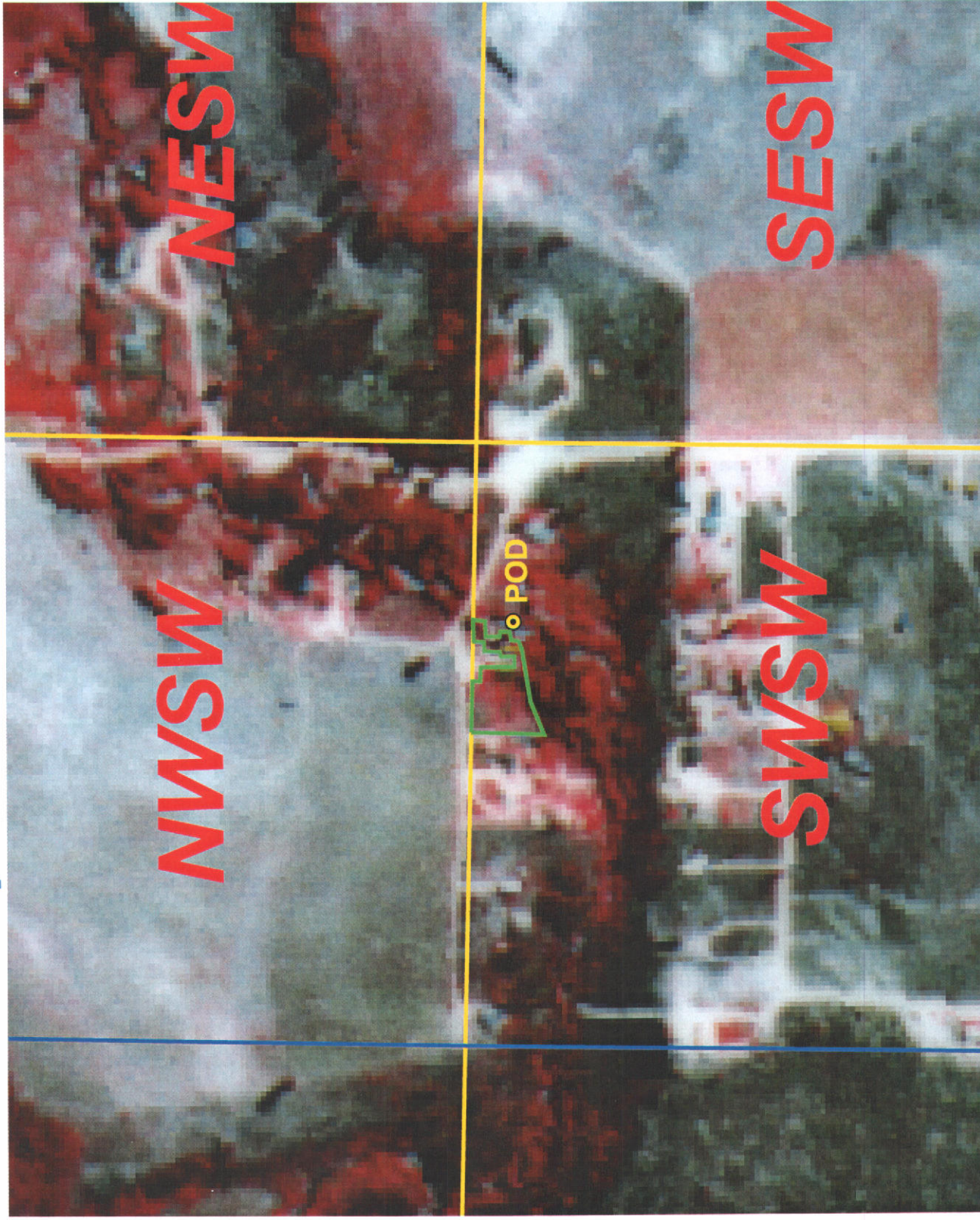
 SECTION

 1/4 1/4

0.5 Acres



1987 NAPP



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 63-8238
Date Received: 10/17/1989
Receipt No: C012295
Received By:

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

1. Name of Claimant(s): WILLIAM D COLLINS Phone: (208)336-5200
2414 E TABLE ROCK RD
BOISE ID USA 83712

JUDITH W COLLINS Phone: (208)336-5200
2414 E TABLE ROCK RD
BOISE ID USA 83712

2. Date of Priority: 12/04/1975

3. Source: SMITH CREEK Trib. to: BOISE RIVER SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	07E	13	SW SW	ELMORE	

5. Description of diverting works:

1-1/2 HP ELECTRIC CENTRIFUGAL PUMP W/1-1/4 ID PIPE OUTLET

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	10/15	0.04	2

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	07E	13	SW	SW	IRRIGATION	1
Section Acres						1
Total Acres						1

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

LOTS 8 & 9 BLOCK 1, PARKER SUBDIVISION
Ownership changed by DB 9/4/2001

15. Basis of Claim: License

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: A63-08238
Date Received: 10/17/1989
Receipt No: C012295
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: EDWARD L KNOWLES 208-868-3226
Address: STAR RT A BOX 78
MOUNTAIN HOME ID 83647
OR
Name: BARBARA K KNOWLES 208-868-3226
Address: STAR RT A BOX 78
MOUNTAIN HOME ID 83647
2. Date of Priority: DEC 4, 1975
3. Source: SMITHS CREEK Trib. to: SOUTH FORK BOISE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	07E	13	SW	SW			ELMORE
5. Description of diverting works:
1-1/2 HP ELECTRIC CENTRIFUGAL PUMP W/1-1/4 ID PIPE OUTLET
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/15	0.040		2.00
7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 2.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	07E	13	SW	SW		IRR	1.0
Section Acres							1.0
Total Acres							1.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
63-08237

14. Remarks:
LOTS 8 & 9 BLOCK 1, PARKER SUBDIVISION

15. Basis of Claim: BENEFICIAL USE

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: 39576Ident. Number 63-08238 *ef*Date Received 10-17-89Receipt Number 612295*balance paid on 0023002*

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 17 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Edward L or Barbara K. Knowles Phone (208) 868-3226Mailing Address Star Rte A Box 78 Mountain Home ID Zip 836472. Date of Priority (Only one (1) per claim) 12/04/19753. Source of water supply (a) Smiths Creek
which is tributary to (b) South Fork Boise River4. a. Location of existing point of diversion is: Township 02N Range 07E Section 13SW 1/4 of SW 1/4 of 1/4, Govt. Lot, B.M., County of ElmoreAdditional points of diversion if any: none BLK 1 Lots 8 & 9 Parker Subdivision

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

Township Range Section , 1/4 of 1/4 of 1/4,Govt. Lot B.M., County of ending point is: Township Range Section , 1/4 of 1/4 of 1/4, Govt. Lot B.M., County of 5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.1 1/2 HP electric Centrifugal
pump w/ 1 1/4 10 pipe outlet

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AUG 24 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 05/01 to 10/15 amount 0.04 or 2.00

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) 2 (acre feet)

8. Total consumptive use claimed is 2.00 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) none

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>2N</u>	<u>7E</u>	<u>13</u>											<u>X</u>						<u>.01</u>

Total number of acres irrigated 1.0

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
63-08237 or None ()

14. Remarks: Lots 8 + 9 Block 1 Parker Subdivision

Last Name Knowles Ident No. _____

MICROFILMED
Copies: White-State, Yellow-Claimant
AUG 24 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

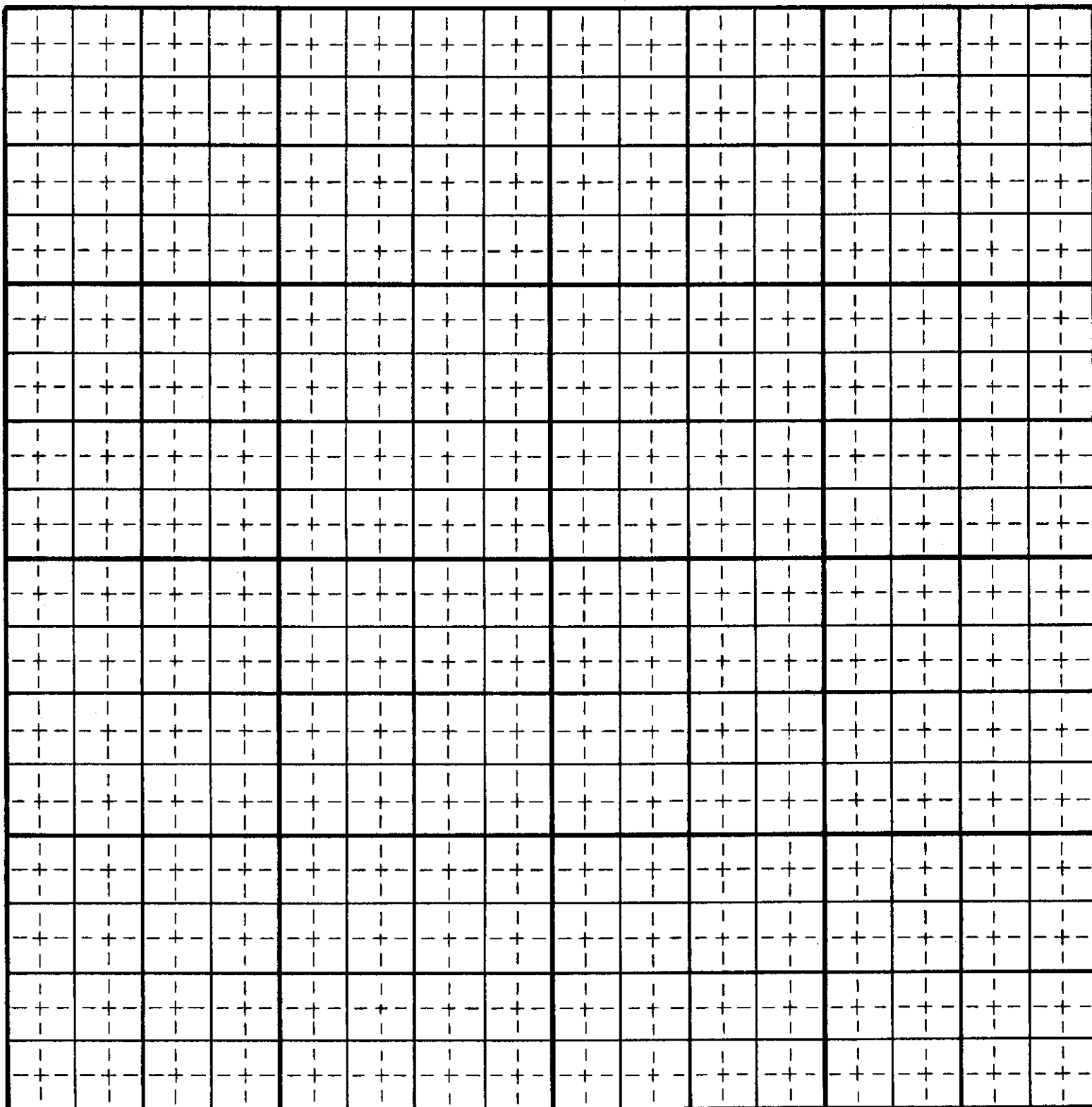
If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED

Last Name Knowles Ident No. _____

Copies: White-State, Yellow-Guilford
AUG 24 1992

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 63-08238

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled

"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☒ do not ☐

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

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

Signature of Claimant (s) Edward L. Knowles Date 10/15/89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)

County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15th day of October 19 89

Notary Public Irene F. Doherty

Residing at Boise Idaho

My Commission Expires 11-12-92

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Knowles Ident. Number _____

MICROFILMED

AUG 24 1992
Copies White-State, Yellow-Claimant

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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, 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
	<u>63-8238</u>			<u>(Basis of Claim, License 63-8238)</u>	

RECEIVED

AUG 30 2001

WATER RESOURCES
WESTERN REGION

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A
- 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) are 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) Edward L / Barbara K Knowles
Star Rt A Box 78, Mth Home, Id 83647
4. New Owner/Claimant(s) William D. Collins and Judith W. Collins
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2414 E. Table Rock Road
- City, State and ZIP Code Boise, ID 83712
- New Telephone Number wk (208) 336-5200 res. (208) 344-5989
5. Date you acquired the property September 10, 1997

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)

[Signature]
Judith W. Collins

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 _____

QUIT CLAIM DEED

For no consideration, E. L. KNOWLES, also known as EDWARD L. KNOWLES, ED L. KNOWLES AND EDWARD LEROY KNOWLES, and BARBARA K. KNOWLES, also known as BARBARA KIRK KNOWLES, a married couple, do hereby convey, release, remise and forever quit claim unto

"E. L. KNOWLES and BARBARA K. KNOWLES, Co-Trustees, or their successors in trust, of the E. L. KNOWLES AND BARBARA K. KNOWLES TRUST, U/T/A dated the 18th day of April, 1990, and any amendments thereto. "

whose current address is HC-84, Box 188, Mountain Home, Idaho 83647, the following described premises, in Elmore County, Idaho, to-wit:

Lot 9 and Lot 8, Block 1, Parker Subdivision, Prairie, Idaho, Elmore County, Idaho

together with their appurtenances.

DATED this 18th day of April, 1990.

E. L. Knowles
E. L. KNOWLES

Barbara K. Knowles
BARBARA K. KNOWLES

STATE OF IDAHO)
ss.
County of Ada)

On this 18th day of April, 1990, before me, a notary public in and for said State, personally appeared E. L. KNOWLES and BARBARA K. KNOWLES known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Susan M. Quinn
Notary Public in and for Idaho
Residing at Boise, Idaho

ELMORE COUNTY, IDAHO, ss.
Request of

Susan M. Quinn att
Time 9:57 A. M.
Date April 19, 1990
Book _____ of _____
Page _____

RAMONA YRAZABAL
By Marta Yraza

Quit Claim Deed - Page 49

EXHIBIT A

302197

Request of

Westburn, McCabe & Collins
 Time 10:55 A M
 Date August 6, 1997
 Book 1 Page 1
 DOLORES ROBISON
 Recorder

TRUSTEE'S DEED

By [Signature]
 Deputy
 Fee \$12.00

THIS TRUSTEE'S DEED is made this 31st day of JULY, 1997, between TRUST DEPARTMENT OF U.S. BANK OF IDAHO as Trustee of The E. L. Knowles and Barbara K. Knowles Trust dated April 18, 1990 (Grantor) and Carol K. Warner and Robert L. Knowles as Trustees of The Carol and Robert Knowles Family Trust dated May 7, 1997 and whose address is 2300 Pendleton, Boise, Idaho 83705 (Grantee).

WHEREAS, E. L. Knowles, a/k/a Edward L. Knowles, Ed L. Knowles and Edward LeRoy Knowles, and Barbara K. Knowles, a/k/a Barbara Kirk Knowles, husband and wife, on April 18, 1990 as Grantors executed and created a Trust under the name of "The E. L. Knowles and Barbara K. Knowles Trust" with E. L. Knowles and Barbara K. Knowles as Trustees. The Trust was registered with the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Elmore, Case No. 9-29A on April 19, 1990 pursuant to the provisions of Idaho Code, §§ 15-7-101 and 15-7-102.

WHEREAS, on the 18th day of April, 1990, E. L. Knowles and Barbara K. Knowles conveyed the real property described below in this instrument to "E. L. Knowles and Barbara K. Knowles as Co-Trustees, or their successors in trust, of the (formerly The) E. L. Knowles and Barbara K. Knowles Trust, U/T/A dated the 18th day of April, 1990, and any amendments thereto," which deed was recorded as Instrument No. 258429, records of the Elmore County Recorder, Elmore County, Idaho.

WHEREAS, Barbara K. Knowles died May 27, 1995. Her Death Certificate has been recorded as Instrument No. 300483, records of the Elmore County Recorder, Elmore County, Idaho. E. L. Knowles died April 14, 1997. His Death Certificate is recorded as Instrument No. 300484, records of the Elmore County Recorder, Elmore County, Idaho.

WHEREAS, The E. L. Knowles and Barbara K. Knowles Trust provides that upon the death of both E. L. Knowles and Barbara K. Knowles that the successor trustee shall be Trust Department, West One Bank of Idaho, N.A. The Trust Department of U.S. Bank of Idaho is the surviving entity of Trust Department, West One Bank of Idaho. Trust Department of U.S. Bank of Idaho was duly appointed by the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Elmore, as the successor trustee of The E. L. Knowles and Barbara K. Knowles Trust on May 5, 1997, which appointment was recorded as Instrument No. 300485, records of the Elmore County Recorder, Elmore County, Idaho.

WHEREAS, the beneficiaries of The E. L. Knowles and Barbara K. Knowles Trust are Carol K. Warner, Robert L. Knowles and Curtis E. Knowles. They have created a Trust dated May 7, 1997 wherein they are the Grantors and Carol K. Warner and Robert L. Knowles are the Trustees, which Trust is known as The Carol and Robert Knowles Family Trust and is the Grantee named herein. Carol K. Warner, Curtis E. Knowles and Robert L. Knowles have each requested the Grantor to execute this Deed and have each assigned to the Grantee their respective rights to receive the real property described below.

NOW, THEREFORE, the Grantor for valuable consideration and for the purpose of distributing certain real property from The E. L. Knowles and Barbara K. Knowles Trust does by these presents hereby distribute, grant, bargain, sell, convey and confirm unto Grantee and to Grantee's successors, heirs and assigns forever, all of those certain parcels of land, situate, lying and being in Elmore County, State of Idaho, together with the income and profits therefrom as follows:

Lots 8 and 9 of Block 1, PARKER SUBDIVISION, according to the plat thereof on file and of record with the Elmore County Recorder, Elmore County, Idaho.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any way appertaining, the reversion or reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the premises, together with the appurtenances, unto Grantee and to Grantee's successors, heirs and assigns forever.

IN WITNESS WHEREOF, Grantors have executed this Deed the day and year first above written.

TRUST DEPARTMENT OF
U. S. BANK OF IDAHO

By A. Wesley Seideman
A. Wesley Seideman
Senior Trust Officer
U.S. Bank of Idaho
P.O. Box 7928
Boise, ID 83707

STATE OF IDAHO)
) ss.
County of Ada)

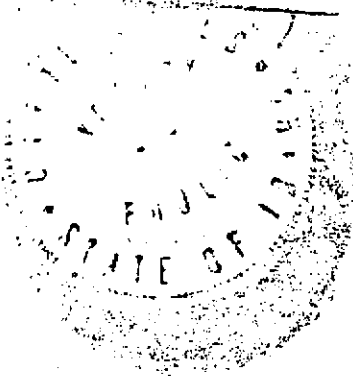
On this 31st day of July, 1997, before me, a notary public in and for said State, personally appeared A. WESLEY SEIDEMAN, known or identified to me to be the Senior Trust Officer of U.S. Bank of Idaho, and known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his representative capacity as the Senior Trust Office of said Bank.

Carol Doney

Notary Public for State of Idaho

Residing at: Caldwell Idaho

My Commission Expires: 7-11-00



TRUSTEE'S DEED

THIS TRUSTEE'S DEED is made this 10th day of September, 1997, between CAROL K. WARNER and ROBERT L. KNOWLES as Trustees of The Carol and Robert Knowles Family Trust dated May 7, 1997 (Grantor) and WILLIAM D. COLLINS and JUDITH W. COLLINS, husband and wife, whose address is 2414 East Table Rock Road, Boise, ID 83712 (Grantees).

WHEREAS, Carol K. Warner, a/k/a Carol Knowles Warner and Carol Warner; Curtis E. Knowles, a/k/a Curtis Edward Knowles; and Robert L. Knowles, a/k/a Robert Lester Knowles on May 7, 1997 as Grantors created a Trust under the name of The Carol and Robert Knowles Family Trust in which Carol K. Warner and Robert L. Knowles were the Trustees and Carol K. Warner, Curtis E. Knowles and Robert L. Knowles were the Beneficiaries. The Trust was registered with the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Ada, Case No. SP OT 9700285M on the 5th day of August, 1997 pursuant to the provision of Idaho Code, §§ 15-7-101 and 15-7-102.

WHEREAS, Carol K. Warner and Robert L. Knowles as Trustees of The Carol and Robert Knowles Family Trust dated May 7, 1997 received a Trustee's Deed to the real property described below which was recorded as Instrument No. 302197, records of the Elmore County Recorder, Elmore County, Idaho and have this day agreed to convey the real property described below to the Grantees herein

named.

NOW, THEREFORE, the Grantor for good and valuable consideration, receipt and sufficiency whereof is hereby acknowledged does hereby grant, bargain, sell, convey and confirm unto Grantee and to Grantee's successors, heirs and assigns forever, all of those certain parcels of land, situate, lying and being in Elmore County, State of Idaho, as follows:

Lots 8 and 9 of Block 1, PARKER SUBDIVISION, according to the plat thereof on file and of record with the Elmore County Recorder, Elmore County, Idaho.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any way appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof together with all water rights and claims to water right which shall include, without limitation, Water Right License Nos. 63-8237 and 63-8238.

TO HAVE AND TO HOLD, all and singular the premises, together with the appurtenances, unto Grantee and to Grantee's successors, heirs and assigns forever.

IN WITNESS WHEREOF, Grantors have executed this Deed the day and year first above written.

ELMORE COUNTY, IDAHO ss
Request of

GUARANTY TITLE, INC.

303064

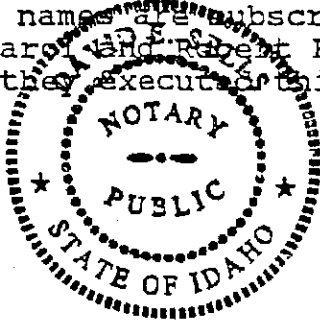
Time 4:22 P M
Date September 11, 1997
Book _____ Page _____
DOLORES ROBISON
Recorder
By [Signature]
Deputy
Fee 49.00

[Signature]
Carol K. Warner, Trustee of The
Carol and Robert Knowles Family
Trust dated May 7, 1997.

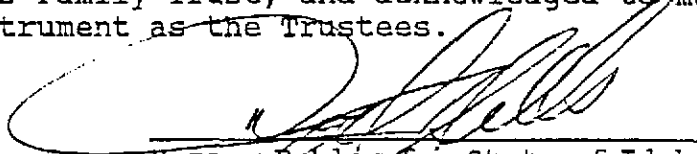
[Signature]
Robert L. Knowles, Trustee of
The Carol and Robert Knowles
Family Trust dated May 7, 1997.

STATE OF IDAHO)
) ss.
County of Ada)

On this 10th day of September, 1997, before me, a notary public in and for said State, personally appeared CAROL K. WARNER and ROBERT L. KNOWLES, known or identified to me to be the persons whose names are subscribed to the within instrument as Trustees of The Carol and Robert Knowles Family Trust, and acknowledged to me that they executed this instrument as the Trustees.



Residing at Meridian, ID
Comm Exp 10/28/99


Notary Public for State of Idaho
Residing at: Meridian, Idaho
My Commission Expires: 10-28-99

ACCEPTANCE

Acceptance of the form and delivery of the foregoing Deed is acknowledged.

Dated this _____ day of September, 1997.

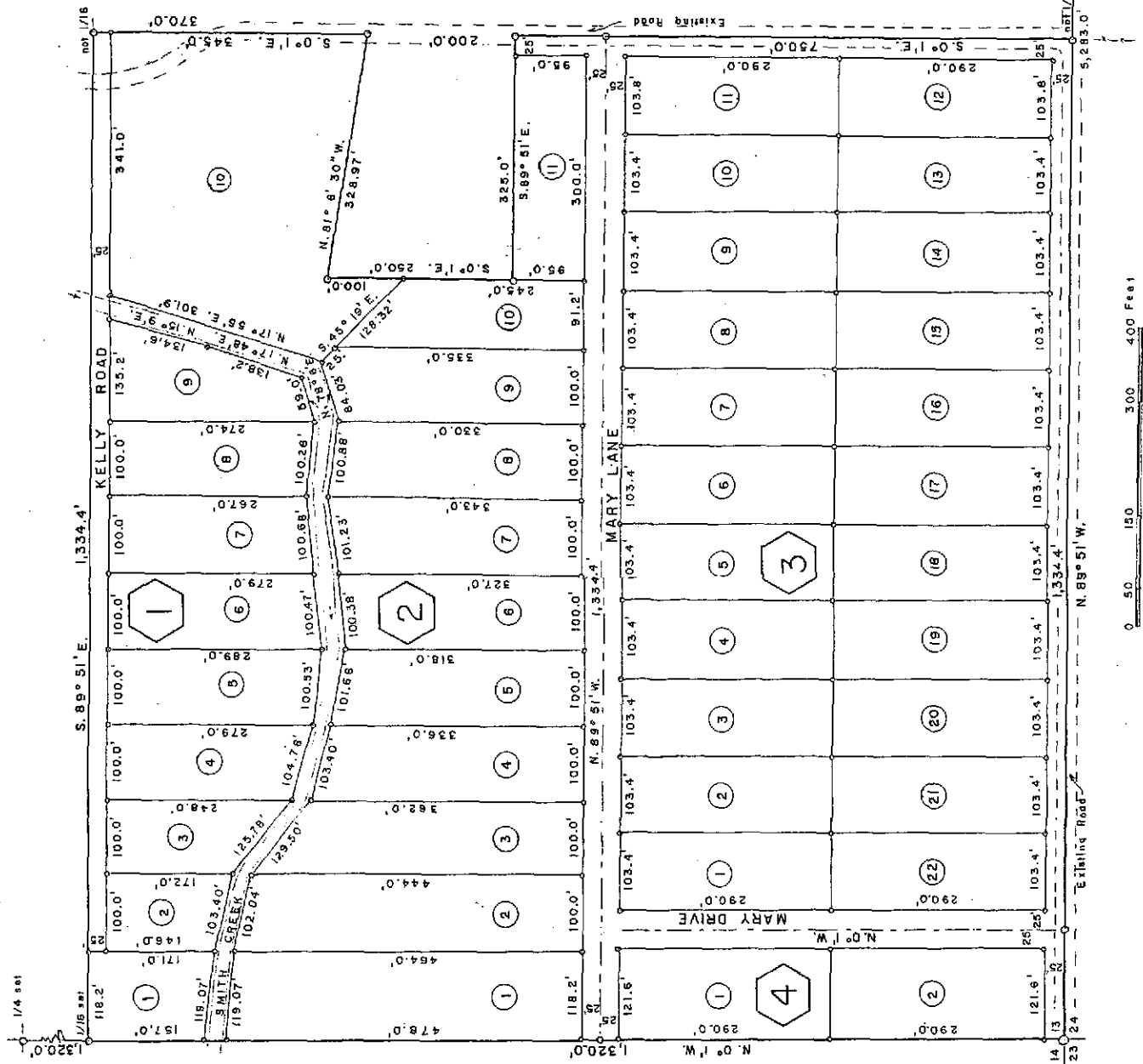
William D. Collins

Judith W. Collins

PARKER SUBDIVISION

A Subdivision of a portion of the
S.W. 1/4 of Section 13, T.2 N.,
R.7 E., Boise Meridian, Elmore
County, Idaho. (PRARIE IDAHO)
1972

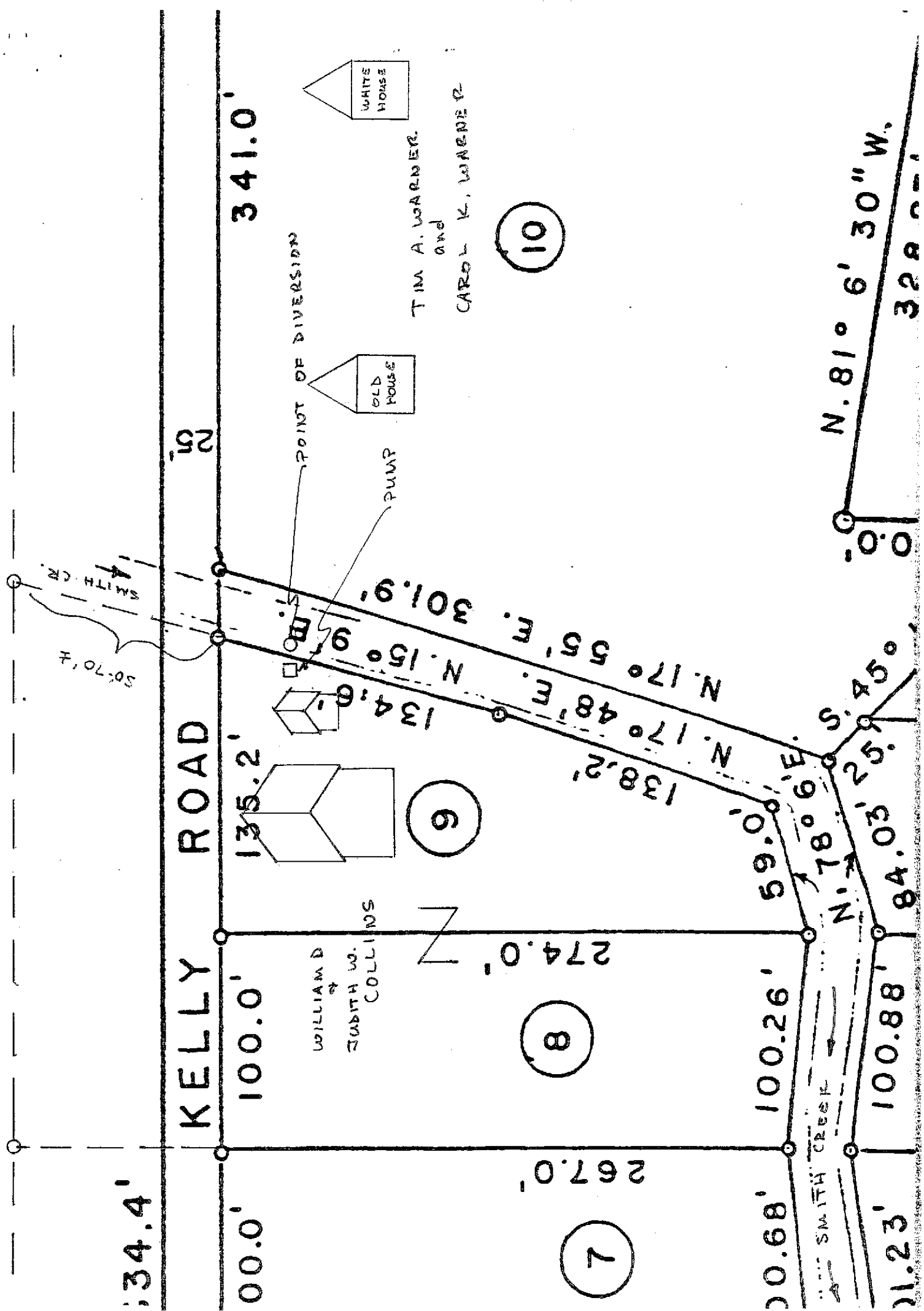
All lots bordering Smith Creek
extend to mean high water



EUGENE SMART
PROFESSIONAL ENGINEER
BOISE IDAHO

- LEGEND
- Brass Cap
 - Block
 - Lot
 - 2" Iron Pipe by 36"
 - 1" Iron Pipe by 30"
 - Metal Fence Post
 - 8 1/2" Iron Pin by 24"

ACTUAL LOCATION OF KELLY ROAD





NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: September 10, 1997

RECEIVED

JUL 10 2001

WATER RESOURCES
WESTERN REGION

LEGAL DESCRIPTION OF PROPERTY: Township 2N Range 7E
Section 13, SW 1/4 of SW 1/4 of 1/4 Govt. Lot , BM.
Lot 8 & 9, Block 1, Subdivision/Townsite Parker Subdivision
If you have additional legal descriptions, please attach separate sheet.

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s) ok
Assigned by IDWR: 63-08237 and 63-08238
- [] Name and Address of Former Owner/Claimant(s)(Seller): The Carol and Robert Knowles Family Trust,
2300 Pendleton May 7, 1997
Boise, ID 83705
- [] New Owner/Claimant (Purchaser): William D. Collins and Judith W. Collins
- [] New Mailing Address: 2414 E. Table Rock Road
Boise, ID 83712
- [] New Telephone Number: (208) 336 - 5200 and (208) 344-5989
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: Quitclaim Deed, April 18, 1990, Inst. No. 258429, Exh. A
Trustee's Deed, July 31, 1997, Inst. No. 302197, Exh. B
Trustee's Deed, September 10, 1997, Inst. No. 303064, Exh. C

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

- [] Signature of New Owner/Claimant(s): William D. Collins Date 9-10-97
Judith W. Collins Date
- [] Signature of Former Owner/Claimant(s): [Signature] Trustee Date 9-10-97
[Signature] Trustee Date 9-10-97

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: By:
Further Action Needed:

Further Action Taken
Date: By:
Final Review and Data-Entry
Date: By:
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

QUIT CLAIM DEED

For no consideration, **E. L. KNOWLES**, also known as **EDWARD L. KNOWLES**, **ED L. KNOWLES** AND **EDWARD LEROY KNOWLES**, and **BARBARA K. KNOWLES**, also known as **BARBARA KIRK KNOWLES**, a married couple, do hereby convey, release, remise and forever quit claim unto

"E. L. KNOWLES and BARBARA K. KNOWLES, Co-Trustees, or their successors in trust, of the E. L. KNOWLES AND BARBARA K. KNOWLES TRUST, U/T/A dated the 18th day of April, 1990, and any amendments thereto. "

whose current address is HC-84, Box 188, Mountain Home, Idaho 83647, the following described premises, in Elmore County, Idaho, to-wit:

Lot 9 and Lot 8, Block 1, Parker Subdivision, Prairie, Idaho,
Elmore County, Idaho

together with their appurtenances.

DATED this 16th day of April, 1990.

C. L. Knowles
 E. L. KNOWLES

Barbara K. Knowles
BARBARA K. KNOWLES

STATE OF IDAHO)
County of Ada) ss.

On this 14th day of April, 1990, before me, a notary public in and for said State, personally appeared E. L. KNOWLES and BARBARA K. KNOWLES known 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 in and for Idaho
Residing at Boise, Idaho

ELMORE COUNTY, IDAHO. ss

Request of

Susan M Hakam att

Time 9:57 A. M.

Date April 19, 1990

Book 4 of 10 pages.

Page 10

RAMON de YRAZABAL

[Handwritten signature]

Quit Claim Deed - Page 49

302197

Westburg, McCabe & Collins
Time 10:05 A M
Date August 6, 1997
Book 7 Page 8
DOLORES ROBISON
Recorder
By [Signature]
Deputy
Fee \$12.00

TRUSTEE'S DEED

THIS TRUSTEE'S DEED is made this 31ST day of JULY, 1997, between TRUST DEPARTMENT OF U.S. BANK OF IDAHO as Trustee of The E. L. Knowles and Barbara K. Knowles Trust dated April 18, 1990 (Grantor) and Carol K. Warner and Robert L. Knowles as Trustees of The Carol and Robert Knowles Family Trust dated May 7, 1997 and whose address is 2300 Pendleton, Boise, Idaho 83705 (Grantee).

WHEREAS, E. L. Knowles, a/k/a Edward L. Knowles, Ed L. Knowles and Edward LeRoy Knowles, and Barbara K. Knowles, a/k/a Barbara Kirk Knowles, husband and wife, on April 18, 1990 as Grantors executed and created a Trust under the name of "The E. L. Knowles and Barbara K. Knowles Trust" with E. L. Knowles and Barbara K. Knowles as Trustees. The Trust was registered with the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Elmore, Case No. 9-29A on April 19, 1990 pursuant to the provisions of Idaho Code, §§ 15-7-101 and 15-7-102.

WHEREAS, on the 18th day of April, 1990, E. L. Knowles and Barbara K. Knowles conveyed the real property described below in this instrument to "E. L. Knowles and Barbara K. Knowles as Co-Trustees, or their successors in trust, of the (formerly The) E. L. Knowles and Barbara K. Knowles Trust, U/T/A dated the 18th day of April, 1990, and any amendments thereto," which deed was recorded as Instrument No. 258429, records of the Elmore County Recorder, Elmore County, Idaho.

WHEREAS, Barbara K. Knowles died May 27, 1995. Her Death Certificate has been recorded as Instrument No. 300483, records of the Elmore County Recorder, Elmore County, Idaho. E. L. Knowles died April 14, 1997. His Death Certificate is recorded as Instrument No. 300484, records of the Elmore County Recorder, Elmore County, Idaho.

WHEREAS, The E. L. Knowles and Barbara K. Knowles Trust provides that upon the death of both E. L. Knowles and Barbara K. Knowles that the successor trustee shall be Trust Department, West One Bank of Idaho, N.A. The Trust Department of U.S. Bank of Idaho is the surviving entity of Trust Department, West One Bank of Idaho. Trust Department of U.S. Bank of Idaho was duly appointed by the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Elmore, as the successor trustee of The E. L. Knowles and Barbara K. Knowles Trust on May 5, 1997, which appointment was recorded as Instrument No. 300485, records of the Elmore County Recorder, Elmore County, Idaho.

WHEREAS, the beneficiaries of The E. L. Knowles and Barbara K. Knowles Trust are Carol K. Warner, Robert L. Knowles and Curtis E. Knowles. They have created a Trust dated May 7, 1997 wherein they are the Grantors and Carol K. Warner and Robert L. Knowles are the Trustees, which Trust is known as The Carol and Robert Knowles Family Trust and is the Grantee named herein. Carol K. Warner, Curtis E. Knowles and Robert L. Knowles have each requested the Grantor to execute this Deed and have each assigned to the Grantee their respective rights to receive the real property described below.

NOW, THEREFORE, the Grantor for valuable consideration and for the purpose of distributing certain real property from The E. L. Knowles and Barbara K. Knowles Trust does by these presents hereby distribute, grant, bargain, sell, convey and confirm unto Grantee and to Grantee's successors, heirs and assigns forever, all of those certain parcels of land, situate, lying and being in Elmore County, State of Idaho, together with the income and profits therefrom as follows:

Lots 8 and 9 of Block 1, PARKER SUBDIVISION, according to the plat thereof on file and of record with the Elmore County Recorder, Elmore County, Idaho.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any way appertaining, the reversion or reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the premises, together with the appurtenances, unto Grantee and to Grantee's successors, heirs and assigns forever.

IN WITNESS WHEREOF, Grantors have executed this Deed the day and year first above written.

TRUST DEPARTMENT OF
U. S. BANK OF IDAHO

By



A. Wesley Seideman
Senior Trust Officer
U.S. Bank of Idaho
P.O. Box 7928
Boise, ID 83707

STATE OF IDAHO)
) ss.
County of Ada)

On this 31st day of July, 1997, before me, a notary public in and for said State, personally appeared A. WESLEY SEIDEMAN, known or identified to me to be the Senior Trust Officer of U.S. Bank of Idaho, and known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his representative capacity as the Senior Trust Office of said Bank.

Carol Doney

Notary Public for State of Idaho
Residing at: Caldwell Idaho
My Commission Expires: 7-17-00



TRUSTEE'S DEED

THIS TRUSTEE'S DEED is made this 10th day of September, 1997, between CAROL K. WARNER and ROBERT L. KNOWLES as Trustees of The Carol and Robert Knowles Family Trust dated May 7, 1997 (Grantor) and WILLIAM D. COLLINS and JUDITH W. COLLINS, husband and wife, whose address is 2414 East Table Rock Road, Boise, ID 83712 (Grantees).

WHEREAS, Carol K. Warner, a/k/a Carol Knowles Warner and Carol Warner; Curtis E. Knowles, a/k/a Curtis Edward Knowles; and Robert L. Knowles, a/k/a Robert Lester Knowles on May 7, 1997 as Grantors created a Trust under the name of The Carol and Robert Knowles Family Trust in which Carol K. Warner and Robert L. Knowles were the Trustees and Carol K. Warner, Curtis E. Knowles and Robert L. Knowles were the Beneficiaries. The Trust was registered with the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Ada, Case No. SP OT 9700285M on the 5th day of August, 1997 pursuant to the provision of Idaho Code, §§ 15-7-101 and 15-7-102.

WHEREAS, Carol K. Warner and Robert L. Knowles as Trustees of The Carol and Robert Knowles Family Trust dated May 7, 1997 received a Trustee's Deed to the real property described below which was recorded as Instrument No. 302197, records of the Elmore County Recorder, Elmore County, Idaho and have this day agreed to convey the real property described below to the Grantees herein

named.

NOW, THEREFORE, the Grantor for good and valuable consideration, receipt and sufficiency whereof is hereby acknowledged does hereby grant, bargain, sell, convey and confirm unto Grantee and to Grantee's successors, heirs and assigns forever, all of those certain parcels of land, situate, lying and being in Elmore County, State of Idaho, as follows:

Lots 8 and 9 of Block 1, PARKER SUBDIVISION, according to the plat thereof on file and of record with the Elmore County Recorder, Elmore County, Idaho.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any way appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof together with all water rights and claims to water right which shall include, without limitation, Water Right License Nos. 63-8237 and 63-8238.

TO HAVE AND TO HOLD, all and singular the premises, together with the appurtenances, unto Grantee and to Grantee's successors, heirs and assigns forever.

IN WITNESS WHEREOF, Grantors have executed this Deed the day and year first above written.

ELMORE COUNTY, IDAHO ss
Request of

GUARANTY TITLE, INC.

Time 4:22 P M
Date September 11, 1997
Book _____ Page _____

DOLORES ROBISON

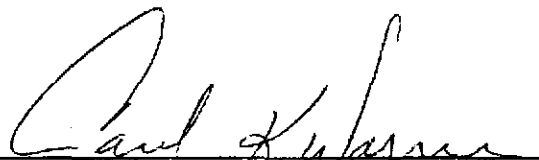
Recorder

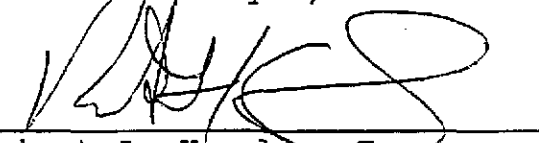
By _____

Deputy

Fee 49.00

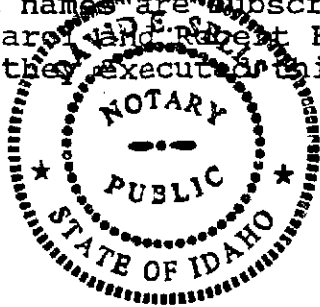
303064


Carol K. Warner, Trustee of The
Carol and Robert Knowles Family
Trust dated May 7, 1997.

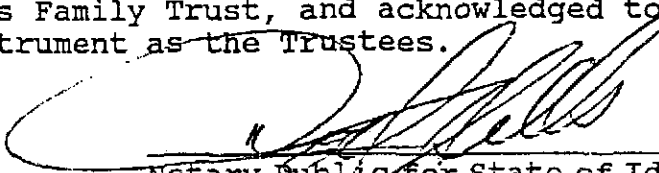

Robert L. Knowles, Trustee of
The Carol and Robert Knowles
Family Trust dated May 7, 1997.

STATE OF IDAHO)
) ss.
County of Ada)

On this 10TH day of September, 1997, before me, a notary public in and for said State, personally appeared CAROL K. WARNER and ROBERT L. KNOWLES, known or identified to me to be the persons whose names are subscribed to the within instrument as Trustees of The Carol and Robert Knowles Family Trust, and acknowledged to me that they executed this instrument as the Trustees.



Residing at Meridian, ID
Comm Exp 10/28/99


Notary Public for State of Idaho
Residing at: Meridian, Idaho
My Commission Expires: 10-28-99

ACCEPTANCE

Acceptance of the form and delivery of the foregoing Deed is acknowledged.

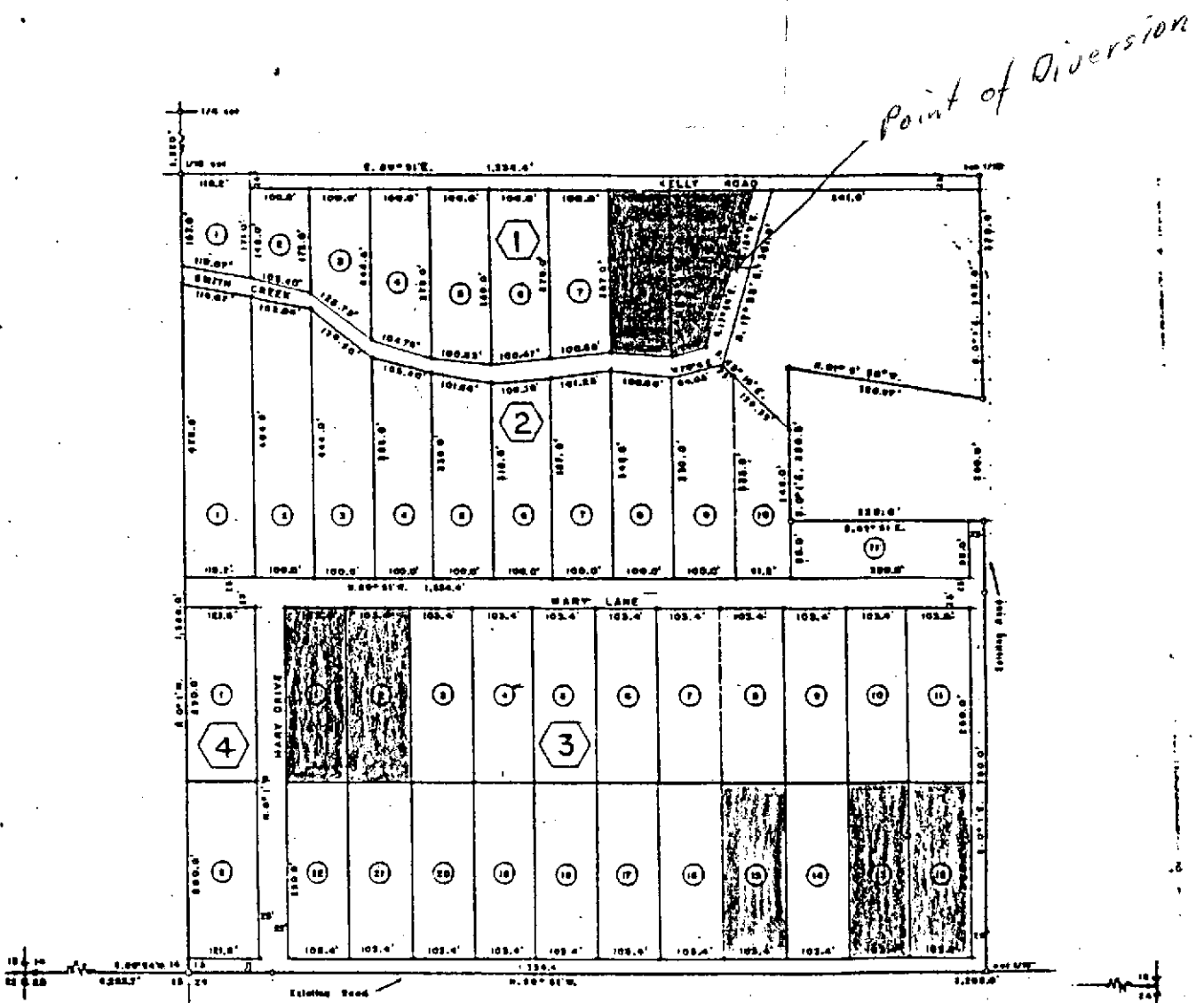
Dated this _____ day of September, 1997.

William D. Collins

Judith W. Collins

Mr. Knowles

PARKER
SUBDIVISION



59-A

MICROFILMED
AUG 24 1992



DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 16, 1992

Edward or Barbara Knowles
Star Rt. A, Box 78
Mountain Home, ID 83647

Re: Snake River Basin Adjudication (SRBA) - Elmore County
Claim Nos. A63-08237 and A63-08238

Dear Mr. and Mrs. Knowles,

We are forwarding to you a computer-generated copy of the Notice of Claim which you filed for your domestic use in Elmore County. We are also enclosing Receipt #C012295 in the amount of \$50.00; this covers the filing fee for A63-08237 and a portion of the fee for A63-08238.

The correct filing fee of \$51.00 for A63-08238 was not enclosed. The correct and full filing fee must be submitted with each Notice of Claim in order to include your water rights in the report to the court. Please submit an additional \$26.00; at that time we can continue to process A63-08238.

Please return the additional fees to this office to my attention. If you will make these corrections before February 17, 1992, you will not be assessed a late filing fee. Do not hesitate to contact this office if you have any questions.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:sf:state:tf

Enclosures:

Copy of A63-08237

Receipt #C012295

MICROFILMED

AUG 24 1992

342671990

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Knowles, Edward or Barbara CLAIM IDENT. NO. 63-08238

DATE RECEIVED 10-17-89 CK # 3569 AMOUNT \$ \$50⁰⁰ Required

- | | YES | NO | Info? |
|--|-------------------------------------|-------------------------------------|-------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) N/A | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 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. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? N/A | ☒ | ☐ | |
| Is the consumptive use correct? N/A | ☐ | ☐ | |
| 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. N/A | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? (see Item No. 17 for checking other water rights) | ☒ | ☐ | |
| 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.) N/A | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the basis of claim is shown as license, permit or decree is the existing water right number listed? (If yes, compare claim with the existing water right and either attach a proof report or state in comments that existing right was compared to claim) N/A | ☐ | ☒ | |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. on the claim? (If yes, describe these rights in "Comments") NOTE: If the claim is for domestic/stockwater this check is not as necessary unless it is indicated there is an existing right N/A | ☒ | ☐ | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A | ☒ | ☐ | |
| 19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 20. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 21. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 22. Is the fee enclosed correct? Exempt | ☐ | ☒ | * |

MICROFILMED

AUG 24 1992

YES 7 NO

23. Should this claim be receipted and data entered?

Claim checked by: JH

Date: 4-3-91

Claim must be returned to claimant:

(Yes) X (No)

Claimant must be notified of modifications:

(Yes) X (No)

Receipt Prepared by: D Keathley Date: 10-17-89

Claim data entered by: JH Date: 01-23-92

Checked by: RTF Date: 1-27-92

Sent to claimant by: JH Date: 01-27-92

Comments: Proof report attached. Fees not correct, need
\$26 more.

IDAHO DEPARTMENT OF WATER RESOURCES 12/07/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: WILLIAM D COLLINS
2414 E TABLE ROCK RD
BOISE ID 83712

JUDITH W COLLINS
2414 E TABLE ROCK RD
BOISE ID 83712

SOURCE: SMITH CREEK TRIBUTARY: SOUTH FORK BOISE RIVER
QUANTITY: 0.04 CFS
2.0 AFY

PRIORITY DATE: 12/04/1975

POINT OF DIVERSION:
T02N R07E S13 NESWSW Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/15	0.040 CFS 2.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within ELMORE County
T02N R07E S13 SWSW 0.5

0.5 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

PROPERTY IS ALSO KNOWN AS LOTS 8 & 9, BLK 1, PARKER SUBDIVISION.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 63-8238

1. ☐ No Change NAME IS SAME
☒ NEW OWNER: _____
☐ No Change ADDRESS
☐ NEW ADDRESS: _____

2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 NE 1/4 SW 1/4 SW
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

CLARIFIED POD
PER 10 ACRE
TRACT
GPS READING

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

RECOMMEND
SAME AS LICENSED

Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: ONLY 1/2 Acre of Irrigation

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4

Remarks: (Comments pertinent to field examination) See additional attachment

INCORRECTLY claimed as B/W - RIGHT IS LICENSED!

Recommend Same AS Lic.

COMMENTS:

LIC. ALLOWED HIGHER RATE OF FLOW BUT LIMITED VOLUME.

(BECAUSE IT IS PUMPED AT higher rate) SEE ATTACHED

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

LICENSE DOCUMENTS

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 8-31-01

FIELD EXAMINER:

Ron Howerton

Print Name

Ron Howerton

Signature

C18

J01

property is AKA
lots 8 & 9 BLK 1
PARKER SUBD.

Shouldn't
Rmk 502
purpose of use
season may
begin as
early and
end as late

DATE: 05/22/01
PAGE: 51

DIVERSION
VOLUME

TOTAL DIVERSION:

Stage: LICENSE

ELMORE COUNTY

	SE	E SW SE	SE SE	:
C Lt AC Lt AC	- - - -	- - - -	- - - -	: :
SUM	-- --	-- --	-- --	: : 1-0

Misc: Water District Number: 63
Audit: 06/03/85 05/01/88 CONVERT



Photo 1. Field exam 8/31/01 photos by RDH. Point of diversion from Smith Creek.
License # 63-8238. T02N, R07E, S13 SWSW.



Photo 2. Field exam 8/31/01 photos by RDH. Place of use view is to East. Home is on right. Smith Creek point of diversion is behind garage.



Photo 3. Field exam 8/31/01 photos by RDH. Place of use view is to East. Home is on left. Extreme South West corner of property.

Idaho Department of Water Resources

T02N R07E

S13

Claim: 63-8238

Updated: 4 Sep 01

Map by: Ron Howerton

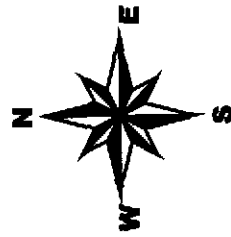
 Place of use

 POD

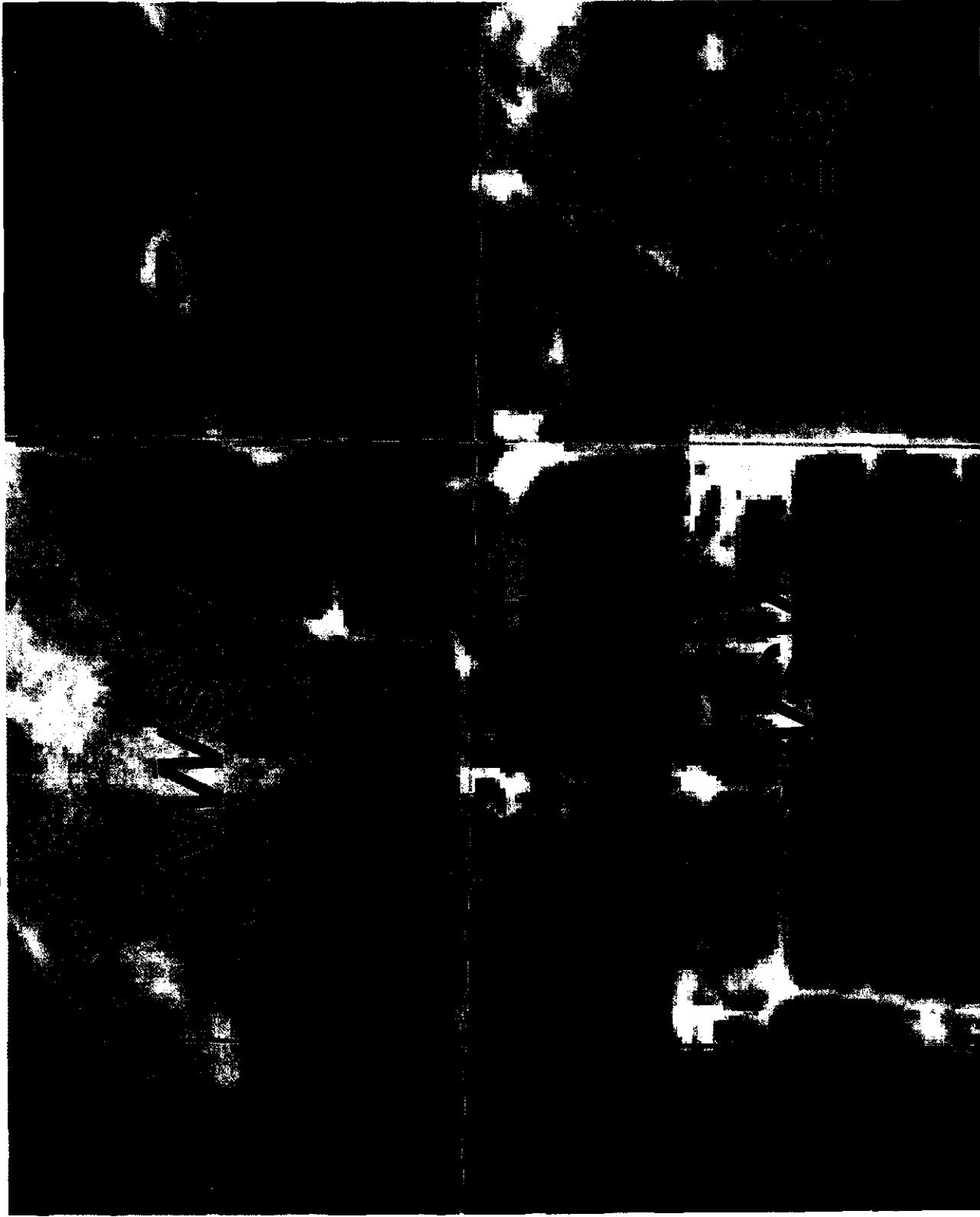
 SECTION

 1/4 1/4

0.5 Acres



1987 NAPP



0.4 Miles

0.3

0.2

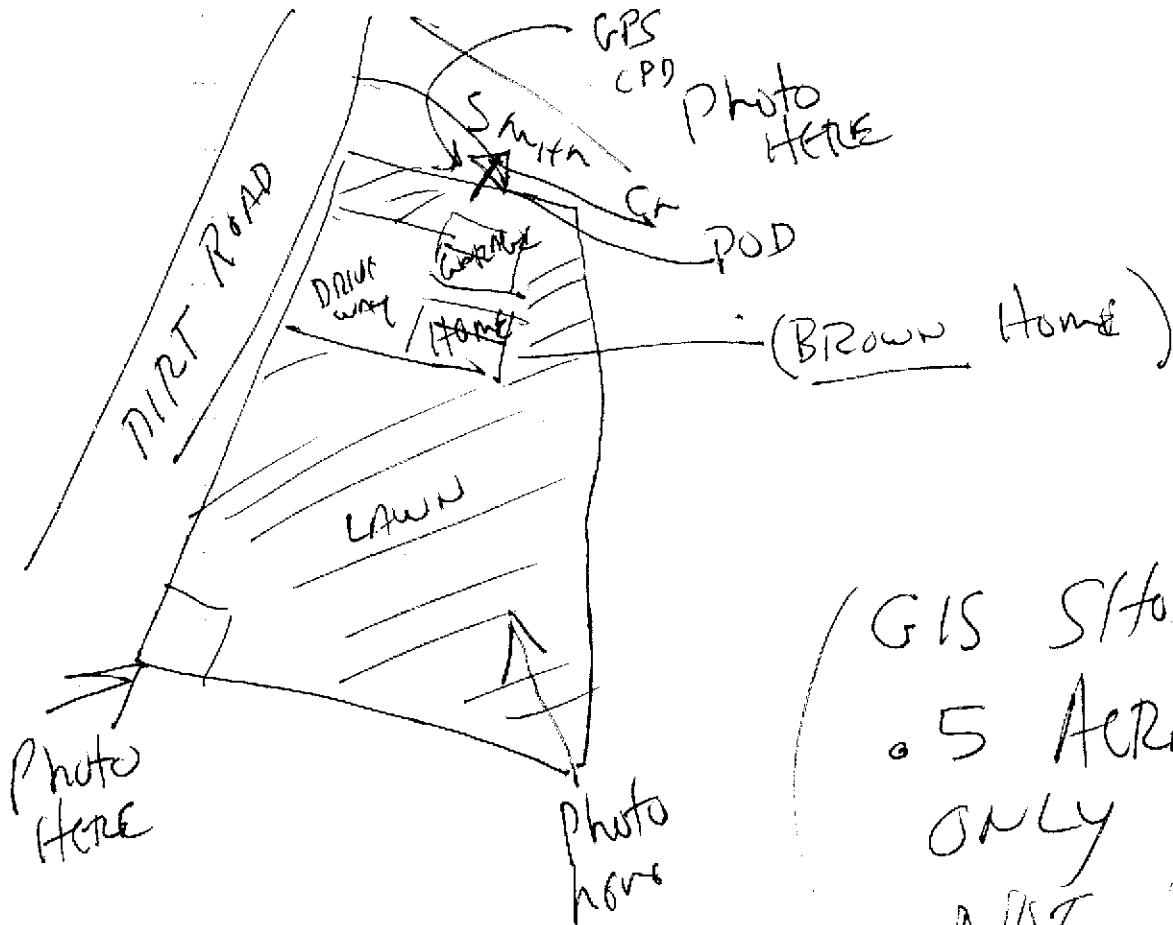
0.1

0

USED to work for IDWR - ATTORNEY

→ BILL COLLINS FX 8-31-01 (ABOUT 11 AM)
336-5200

ACCOMPANIED BY: TIM WARNER (BROTHER IN LAW)
Sister's Husband →



GIS STOWS

• 5 ACRE

ONLY

NOT 2 ACRES



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

September 4, 2001

WILLIAM D COLLINS
JUDITH W COLLINS
2414 E TABLE ROCK RD
BOISE ID 83712

Re: Notice of Claim to a Water Right No. 63-8238

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure

WESTBERG, McCABE & COLLINS, CTD.

ATTORNEYS & COUNSELORS AT LAW
516 WEST FRANKLIN STREET
P. O. BOX 2836
BOISE, IDAHO 83701-2836

PAUL L. WESTBERG
THOMAS J. McCABE
WILLIAM D. COLLINS

RECEIVED

AUG 30 2001

WATER RESOURCES
WESTERN REGION

FAX
(208) 336-2121

TELEPHONE
(208) 336-5200

August 30, 2001

HAND DELIVERED

Ron Howerton
ID Dept. Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Re: SRBA Claim No. 63-8238

Dear Mr. Howerton:

I am enclosing Form 42-248/42-1309(6), Notice of Change of Water Right Ownership with respect to the above water right with two Deeds attached:

- (a) Quitclaim Deed from E.L. Knowles and Barbara K. Knowles to The E.L. Knowles and Barbara K. Knowles Trust,
- (b) Trustee's Deed from the E.L. Knowles and Barbara K. Knowles Trust to the Carol and Robert Knowles Family Trust,
- (c) Trustee's Deed from the Carol and Robert Knowles Family Trust to William D. Collins and Judith W. Collins, and
- (d) Copy of Plat showing POD.

This chain of title places the property in my and my wife's names.

More importantly, I received a request to provide proof of priority. Apparently the basis of the claim as it is recorded in your file indicates that it is a "beneficial use." That is incorrect. The basis of the claim is License 63-8238. A copy of the License is enclosed. The confusion apparently occurs from the way the original claim was filed. It indicated that the basis of the claim was Water Right No. 63-08238 and then it also listed as a basis beneficial use. The claim form should have been clearly

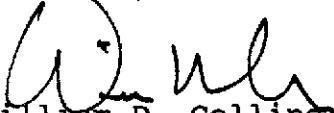
Ron Howerton
August 30, 2001
Page 2

marked that the basis of the claim was the License. If the claim needs to be amended to reflect the proper basis, please let me know. I believe this is just a typographical error in preparation of the claim.

I would also appreciate your giving me a call after you review the enclosures and inspect the use.

Very truly yours,

WESTBERG, McCABE & COLLINS, CTD.



William D. Collins

WDC:mrs
enclosures

WESTBERG, McCABE & COLLINS, CTD.

ATTORNEYS & COUNSELORS AT LAW
516 WEST FRANKLIN STREET
P. O. BOX 2836
BOISE, IDAHO 83701-2836

PAUL L. WESTBERG
THOMAS J. McCABE
WILLIAM D. COLLINS

FAX
(208) 336-2121

TELEPHONE
(208) 336-5200

July 9, 2001

RECEIVED
JUL 10 2001
WATER RESOURCES
WESTERN REGION

Denise Buffington
SRBA Adjudication Section
Dept. Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: Water Right No. 63-8238

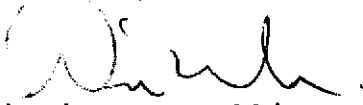
Dear Ms. Buffington:

Enclosed is a copy of your letter to me of July 6, 2001, asking that I execute the Notice of Change of Water Right Ownership form which you had enclosed.

Enclosed is a copy of my letter of September 29, 1997, which was received by the Department with the attached Notice of Change of Water Right Ownership and the accompanying exhibits. If the 1997 Notice of Change of Ownership is not sufficient, please give me a call.

Very truly yours,

WESTBERG, McCABE & COLLINS, CTD.


William D. Collins

WDC:mrs
enclosures

COPY

WESTBERG, McCABE & COLLINS, CTD.

ATTORNEYS & COUNSELORS AT LAW
516 WEST FRANKLIN STREET
P. O. BOX 2836
BOISE, IDAHO 83701-2836

PAUL L. WESTBERG
THOMAS J. McCABE
WILLIAM D. COLLINS

September 29, 1997

FAX
(208) 336-2121

TELEPHONE
(208) 336-5200

RECEIVED

SEP 29 1997

WATER RESOURCES
WESTERN REGION

HAND DELIVERED

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

RE: SRBA 63-08237A and 63-08238A

Dear Sir or Madam:

I have acquired the water rights and real property under the above claim numbers. The claims are founded on two Water Right Licenses with the same designation.

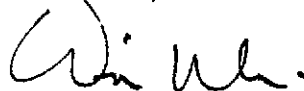
I am enclosing with this letter your form giving notice of change of ownership of the water right which has attached to it the deeds on the chain of title from the original licensee.

If anything further needs to be done to record the change of ownership into my name, please contact me.

I have asked my runner to have a copy of this letter stamped as having been received by your office so that I will have it as part of my file.

Very truly yours,

WESTBERG, McCABE & COLLINS, CTD.



William D. Collins

WDC:mrs
enclosure



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 6, 2001

WILLIAM D COLLINS
JUDITH W COLLINS
2414 E TABLEROCK RD
BOISE ID 83712

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-8238

Dear Property Owner(s):

We have been advised you may be the new owner of the property with the water right referenced above. Enclosed is a profile report for your review.

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions attached to the form and return to this office with all of the required information.

Also, please review the additional information enclosed carefully.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosures



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 6, 2001

WILLIAM D COLLINS
JUDITH W COLLINS
2414 E TABLEROCK RD
BOISE ID 83712

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-8238

Dear Property Owner(s):

We have been advised you may be the new owner of the property with the water right referenced above. Enclosed is a profile report for your review.

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions attached to the form and return to this office with all of the required information.

Also, please review the additional information enclosed carefully.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosures

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

RETURN SERVICE REQUESTED

603-8238

L-849 64K-1
Parker Sub.

2N 7E S-13 SW SW (1Acre)

(Elmore Cty.)

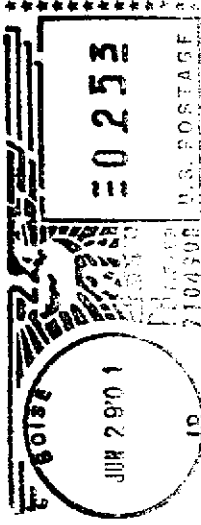
Deceased

EDWARD L KNOWLES
STAR RT A BOX 78
MOUNTAIN HOME

Barbara K - ~~is~~

Sold

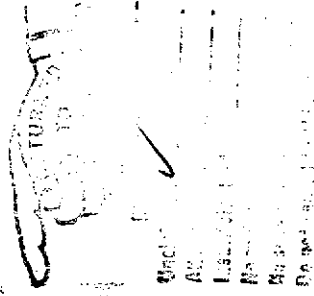
PRESORTED
FIRST CLASS



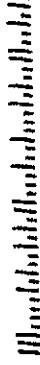
RECEIVED

JUL 05 2001

WATER RESOURCES
WESTERN REGION



5082



Elmore County Assessor ->

Sold to: William D + Judith W Collins

2414 E Table Rock Rd

Boise 83712



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

August 15, 2001

EDWARD L KNOWLES
STAR RT A BOX 78
MOUNTAIN HOME, ID 83647

Re: Claim No(s) 63-8238

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water ~~rights within the Snake River Basin as accurately as possible. Field exams to verify~~ claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8238 Priority December 4, 1975 Amount 0.04 cfs

THIS IS TO CERTIFY, that E.L. &/or Barbara Knowles
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 63-8238 issued pursuant to Application for Permit dated December 4, 1975
and has submitted proof to the Department of Water Resources on January 6, 1977
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from Smith's Creek
tributary to South Fork Boise River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>May 1</u> to <u>October 15</u>	at <u>0.04</u> cfs and	<u>2.0 acre feet</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2.0 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13,
Township 2N, Range 7E, B.M. in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2N	7E	13										X							1 $\frac{1}{2}$

Total number of acres irrigated 1 $\frac{1}{2}$

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16 day of

March

19 76

[Signature]
Director

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

1. Name of permit holder E. L. &/or Barbara Knowles
Post office address 1302 No. 10th, Boise, ID 83702 Phone 342-3030
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Smiths Cr.
(name spring, stream, etc.)
Tributary to S. Fk. Boise

3. Water will be used for the following purposes:

Amount 0.04 c.f.s. for Domestic (1)
AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount 0.04 c.f.s. for Irrigation
AF/Annum (nature of use)

Period of Use: from May 1 to Oct. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses:

4. Total amount to be appropriated:

Max Rate of Diversion 0.08 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 2N N/S, Range 7E E/W, B.M., Section 13, Subdivision SW 1/4 SW 1/4 Elmore
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County

Other Points of Diversions:

Description of diverting works: 2½ hp centrifugal pump through 1½" line to pressure tank in house, ¾" line from pressure tank to 5" lines in sink, toilet and ¾" line to silcock for sprinkling lawn and watering shrubs, 38 pound pressure in tank.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE _____ 2

DATE OF EXAM 7/2/77

ACREAGE
Found 1/2
Recommended 1/2

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 0.04 c.f.s. V = 2.0 AF/Ann. from Apr. 15 to Oct. 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of Injection:
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 0.04 cfs Method of measurement estimate

Total Q recommended 0.04 cfs Meter No _____ Type _____ Condition _____

Total V recommended 2.0 AF/yr

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

Estimate 1 1/2 hp pump will produce 18 gpm = 0.04 cfs
Estimate irrigation requirement at 4.0 AF/acre
1/2 A x 4.0 AF/acre = 2.0 AF/yr

SYSTEM DESCRIPTION:

Water pumped from Smith's Creek by means of 1 1/2 hp
3000 centrifugal pump. Water is piped to sprinklers in
1/2 inch buried plastic line.

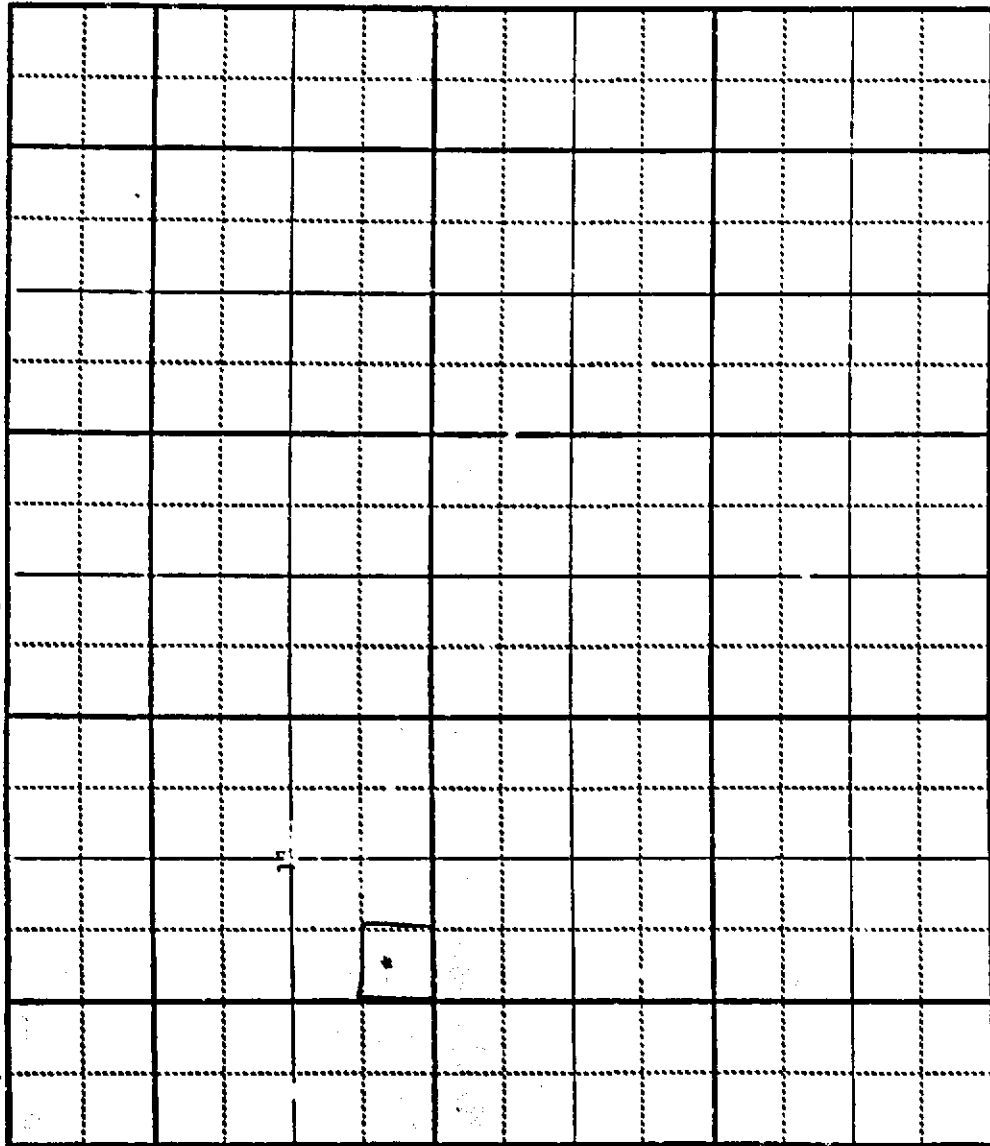
REMARKS:

Examiner's Signature William H. Mac Allister III Date 7/5/77

Checked by FJL Date 7-5-77

Approved by _____ Date _____

Fig. 7E



T 2 N

Diagram of System

July 2 11-1:00

1 house north of school house left
across bridge 1st house

7/2/77 6" well 100 ft deep $\frac{3}{4}$ hp sub. pump
serves house only

$\frac{1}{2}$ hp pump in Smith Creek 3 inch
line in creek, 2 inch & $\frac{3}{4}$ inch buried
line to sprinkler irrigation of $\approx \frac{1}{2}$ acre

February 21, 1978

Re: Permit No. 63-8238

E. L. and Barbara Knowles
1302 North Tenth
Boise, ID 83702

Dear Mr. and Mrs. Knowles:

A representative of this Department made an examination of the works covered by your Permit No. 63-8238 on July 2, 1977, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.04 cfs Source: Smiths' Creek

The maximum quantity diverted shall not exceed 2.0 acre feet per year.

Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, Twp. 2N, Rge. 7E, B. M.

Beneficial use: Irrigation of $\frac{1}{2}$ acre.

Priority date established: December 4, 1975

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah