

No Color
Documents
In File

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: A63-26311
Date Received: 2/ 8/1990
Receipt No: C014496
Received By: DE ADL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES E MILLER 208-459-3359
Address: 20365 RED TOP RD
CALDWELL ID 83605

2. Date of Priority: JUL 20, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	15	NW	NE			CANYON

5. Description of diverting works:
77' WELL, 6" CASING

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		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 30 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	15	NW	NE		DOMEST	
			NW	NE		STOCK	

MICROFILMED
SEP 14 1992

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

SEP 14 1992

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

Department of Water Resources

CIVIL CASE NUMBER: 39576

Identification No. 1123-26311

Date Received 2/8/90

Receipt Number CD14496

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

Filing Fee \$25

Please type or print clearly

- Name of Claimant (s) James E. Miller Phone (208) 459 3359
Mailing Address 20365 Red Top Rd., Caldwell, Id. Zip 83605
- Date of Priority (Only one per claim) 7-20-1982 Month/Day/Year
- Source of water supply (Check one) (x) Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source
- Location of point of diversion is: Township 4 North Range 4 West of the Boise Meridian
Section 15, NW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot _____, BM.,
County of Canyon
Additional points of diversion if any: _____
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. 6 inch well, 77 feet deep,
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For domestic purposes from 1/1 Month/Day to 12/31 Month/Day amount 400 gal./day (cfs) .02
For livestock purposes from 1/1 Month/Day to 12/31 Month/Day amount 210 gal./day (cfs) .02
(Both dates are inclusive)
- Total quantity claimed 610 gal./day (cfs) JEM.
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) One household; Livestock: 30 head of cattle

SEP 14 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.

10. Place of use is: Township: 4 North Range 4 West of the Boise Meridian

Section 15, NW 1/4 of NE 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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

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

(X) None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

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

Number of Attachments _____

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

Signature of Claimant (s)

Date

James E. Miller 2-7-90

Date

Alveta L. Miller 2-7-90

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

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 _____

Date _____

Title and Organization _____

State of Idaho/or _____)

County of Ada)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this _____

day of February 1990.

SEAL

Notary Public Bruce A. Schuld

Residing at _____

BRUCE A. SCHULD, NOTARY PUBLIC

My Commission Expires _____

RESIDING AT BOISE, IDAHO

MY COMMISSION EXPIRES APRIL 11, 1991

Last Name _____

Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED
SEP 14 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.

MY COMMISSION EXPIRES APRIL 11, 1991
RESIDING AT 8012E, IDAHO
CLARENCE A. SCHULZ, NOTARY PUBLIC

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 63-26311

NAME & ADDRESS: FRED SMART
NANCY SMART
20365 RED TOP RD
CALDWELL ID 83605

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 07/20/1982

POINT OF DIVERSION: T04N R04W S15 NWNE Within CANYON County

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

PLACE OF USE: STOCKWATER Within CANYON County
T04N R04W S15 NWNEDOMESTIC Within CANYON County
T04N R04W S15 NWNE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 1R36089-000-0
STOCKWATER, 30 RANGE CATTLE

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 63-26311

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): 63-26311

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
7/23/1999

63-26311

PAGE 1

From (Claimant/Seller):

Name of Claimant: JAMES E MILLER
Address: 20365 RED TOP RD
CALDWELL ID 83605
Phone: (208) 459-3359

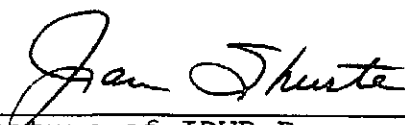
To (Claimant/Purchaser):

Name of Claimant: FRED SMART
NANCY SMART
Address: 20365 RED TOP RD
CALDWELL ID 83605
Phone: (208) 459-7814

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 23, 1999



Signature of IDWR Representative

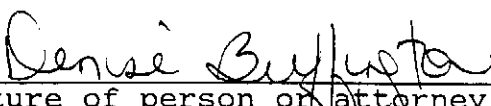
CERTIFICATE OF MAILING

I certify that on July 23, 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:

JAMES E MILLER
20365 RED TOP RD
CALDWELL ID 83605
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

FRED SMART
NANCY SMART
20365 RED TOP RD
CALDWELL ID 83605
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



Signature of person or attorney mailing the form

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

RECEIVED

MAY - 4 1999

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

RECEIVED

MAY 12 1999

WATER RESOURCES
WESTERN REGION

1. Water Right or Adjudication Claim No(s): #63-26311
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

Richard Harris, Trustee
Alberta Miller Family Trust
P.O. Box 1438 Caldwell Id 83605
20365 Red Top Rd Caldwell Id 83605

4. New Owner/Claimant(s)

Fred and Nancy Smart

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

20365 Red Top Rd.

City, State and ZIP Code

Caldwell Id 83605

New Telephone Number

(208) 459-7814

5. Date you acquired the property

Dec 23 1998

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)

Fred M. Smart Nancy J. Smart

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

April 19, 1999

KARL J. DREHER
DIRECTOR

FRED W SMART
20365 RED TOP RD
CALDWELL ID 83605

RE: Snake River Basin Adjudication (SRBA)
Water Rights #63-26311 & 63-28197

Dear Mr. Smart:

Thank you for advising us you are the current owner of the property and water rights shown above. Before we can modify our records to reflect your ownership of the property and water right #63-26311, we need Form 42-248/42-1409(6) completed and returned. I have enclosed this form for your use.

Please send the completed form with warranty deed copy and map to our Boise Region office by May 7, 1999.

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

I noticed your other water right, #63-28197, has your former address. We cannot change our records without your signature. Please drop me a note, signed, with your water right number on it, so we can change the record.

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

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Form 42-248/42-1409(6)

Re: #63-28197 Water Right
Please change our address to
20365 Red Top Rd Caldwell Id 83605
Fred W Smart

PN 52377
9847868

J.M.S.
nq.s.

TRUSTEE'S DEED

FOR VALUE RECEIVED: Richard L. Harris, Trustee of the ALBERTA MILLER FAMILY TRUST, the Grantor, whose current address is P.O. Box 1438, Caldwell, Idaho 83605, does hereby grant, bargain, sell and convey unto FRED W. SMART and NANCY J. SMART, Husband and Wife, the Grantee, whose address is 2810 So Eagle Rd Kuna, Id. 83634 the following described real property located at 20365 Red Top Road, Caldwell, Canyon County, Idaho and more particularly described as follows, to wit:

A part of the Northwest 1/4 of the Northeast 1/4 of Section 15, Township 4 North, Range 4 West of the Boise Meridian in Canyon County, Idaho and more particularly described to wit:

Commencing at the NE corner of the NW 1/4 of the NE 1/4 of Section 15, T. 4 N., R. 4 WBM; thence S 0°09'55" West 25.00 feet along the E. boundary of the said NW 1/4 of the NE 1/4 to a point in the South right of way of the existing County Road number 22.00 North, to the INITIAL POINT; thence continuing along the said East boundary, South, 0°09'55" West 456.65 feet; thence leaving the said East boundary, North 89°50'05" West 628.17 feet; thence North 0°23'00" West 450.61 feet to a point in the said South right of way; thence North 89°37'00" East 632.52 feet along the said South right of way, to the INITIAL POINT.

This tract of land contains 6.56 acres more or less, and is subject to an irrigation easement along the West 10.00 feet, and an irrigation easement along the East 17.00 feet, and irrigation easement along the North 8.00 feet; also subject to all other existing easements and rights of way.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including all water and ditch rights and rights of way for water and ditches.

TO HAVE AND TO HOLD the premises, with their appurtenances unto said Grantee, and their heirs and assigns forever.

DATED this 23 day of December, 1998.



Richard L. Harris
Trustee, Alberta Miller Family Trust

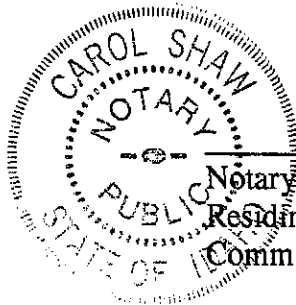
STATE OF IDAHO)

: ss.

County of Canyon

On this 23 day of December, 1998, before me, a Notary Public, in and for said State, personally appeared Richard L. Harris, known to me to be the person and Trustee of the Alberta Miller Family Trust, whose name is subscribed to the within instrument and acknowledged to me that he executed the same for and on behalf of said Alberta Miller Family Trust.

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



Carol Shaw

Notary Public for Idaho

Residing at: Nampa

Commission Expires: 82404

9847868

RECORDED

98 DEC 24 PM 2 21

RED J KERR

CANYON CNTY RECORDER

BY

[Signature]

PIONEER - NAMPA

REQUEST

TYPE

Deed FEE 16.00

28'

25'

632.52'

0600

T3

450.61'

456.65'

628.17'

0650

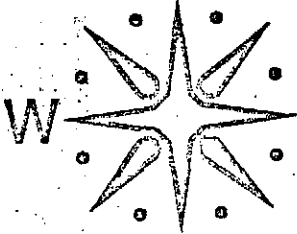
T5

W

E

N

S



This map is attached solely for the purpose of assisting in locating the land and the company assumes no liability for variations, if any.

325.00'

741.90'

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

RECEIVED

FEB 04 1999

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.

63-26311

1. Water Right or Adjudication Claim No(s): 63-26311
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

James E Miller
20365 Red Top

4. New Owner/Claimant(s)

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

City, State and ZIP Code

Linda M. Smart 2800 So Eagle Dr. Nampa, Idaho

New Telephone Number

(208) 922-4904

5. Date you acquired the property

Dec-23/98

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

Linda M. + Mary Smart

No deed from James Miller to Alberta

it of directors and/or officers demonstrating authority to sign this form.

- 8.

Miller. She signed original claim also.

attach a Notice of Appearance completed by your attorney, if you wish related to your claims.

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

RECEIVED

FEB 04 1999

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.

63-26311

1. Water Right or Adjudication Claim No(s): 63-263112. 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

James E Miller
20765 Red Top

4. New Owner/Claimant(s)

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

City, State and ZIP Code

Fred M. Smart 2800 So Eagle Bl. Kama, Idaho

New Telephone Number

(208) 922-4904

5. Date you acquired the property

Dec-27/98

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)

Fred M. + Mary Smart

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

[Space Above This Line For Recording Data]

DEED OF TRUST

THIS DEED OF TRUST ("Security Instrument") is made on DECEMBER 23, 1998
FRED W. SMART AND NANCY J. SMART, HUSBAND AND WIFE

. The grantor is

("Borrower"). The trustee is PIONEER TITLE COMPANY,,,

("Trustee"). The beneficiary is NORWEST MORTGAGE, INC.

which is organized and existing under the laws of THE STATE OF CALIFORNIA
address is P.O. BOX 5137, DES MOINES, IA 503065137

, and whose

SIXTY SEVEN THOUSAND FIVE HUNDRED AND 00/100

("Lender"). Borrower owes Lender the principal sum of

Dollars (U.S. \$*****67,500.00).

This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for
monthly payments, with the full debt, if not paid earlier, due and payable on JANUARY 01, 2029

This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals,
extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to
protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this
Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of
sale, the following described property located in CANYON County, Idaho:

SEE ATTACHED LEGAL DESCRIPTION

THIS IS A PURCHASE MONEY SECURITY INSTRUMENT.

TAX STATEMENTS SHOULD BE SENT TO: NORWEST MORTGAGE INC., P.O. BOX 5137, DES MOINES, IA
503065137

which has the address of 20365 RED TOP ROAD, CALDWELL
Idaho 83605

[Zip Code] ("Property Address");

[Street, City].



Exhibit "A"

A part of the Northwest Quarter of the Northeast Quarter of Section 15, Township 4 North, Range 4 west of the Boise Meridian to Canyon County, Idaho, more particularly described to-wit:

COMMENCING at the Northeast corner of the Northwest Quarter of the Northeast Quarter of Section 15, Township 4 North, Range 4 West of the Boise Meridian; thence

South $0^{\circ} 09'55''$ West 25.00 feet along the East boundary of the said Northwest Quarter of the Northeast Quarter, to a point in the South right of way of existing County Road Number 22.00 North, the INITIAL POINT; thence continuing along the said East boundary,

South $0^{\circ} 09'55''$ West 456.65 feet; thence leaving the said East boundary,

North $89^{\circ} 50'05''$ West 628.17 feet; thence

North $0^{\circ} 23'00''$ West 450.61 feet to a point in the said South right of way; thence

North $89^{\circ} 37'00''$ East 632.52 feet along the said South right of way, to the INITIAL POINT.

A part of the Northwest quarter of the Northeast quarter of Section 15, Township 4 North, Range 4 West of the Boise Meridian in Canyon County, Idaho, more particularly described to-wit:

Commencing at the Northeast corner of the Northwest quarter of the North east quarter of Section 15, Township 4 North, Range 4 West of the Boise Meridian; thence South $0^{\circ}09'55''$ West 25.00 feet along the East boundary of the said Northwest quarter of the Northeast quarter, to a point in the South right of way of existing County Road Number 22.00 North, the INITIAL POINT; thence continuing along the said East boundary, South $0^{\circ}09'55''$ West 456.65 feet; thence leaving the said East boundary, North $89^{\circ}50'05''$ West 628.17 feet; thence North $0^{\circ}23'00''$ West 450.61 feet to a point in the said South right of way; thence North $89^{\circ}37'00''$ East 632.52 feet along the said South right of way, to the INITIAL POINT.

MICROFILMED

SEP 14 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Miller

CLAIM IDENT. NO.

A63-

DATE RECEIVED

2/8/90

CR #

C014496

AMOUNT \$

YES

NO

Require
Info?

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

Claim checked by:

RM RTM

Date:

7/11/90 3/25/91

Claim must be returned to claimant:

☒ (Yes) ☒ (No)

Claimant must be notified of modifications:

☒ (Yes) ☒ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

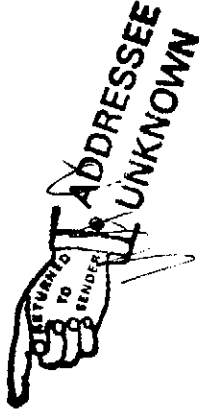
MICROFILMED

SEP 14 1992

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

RETURN SERVICE REQUESTED

★ ★ ★
194
9492 \$ 00.330 JUL 23 99
0215 MAILED FROM BOISE ID 83705



RECEIVED

JUL 28 1999

WATER RESOURCES
WESTERN REGION

RECEIVED

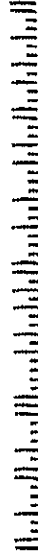
JUL 28 1999

WATER RESOURCES
WESTERN REGION

JAMES E MILLER
20365 RED TOP RD
CALDWELL ID 83605

603-26311

43607-9143 02
03705/5082



DATE: 07/21/99
PAGE: 1

Remarks: EXP PARCEL NO. 1R36089-000-0

AJ0749NP
No. 63-26311

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

DATE: 07/21/99
PAGE: 2

Remarks: STOCKWATER, 30 RANGE CATTLE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 07/21/1999 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 07/21/99 DBUFFING



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

July 23, 1999

DIRK KEMPTHORNE
GOVERNOR

RE: Water Right No. 63-26311

KARL J. DREHER
DIRECTOR

FRED SMART
NANCY SMART
20365 RED TOP RD
CALDWELL ID 83605

Dear Property Owners:

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.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures

cc: James E Miller

State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

April 19, 1999

KARL J. DREHER
DIRECTOR

FRED W SMART
20365 RED TOP RD
CALDWELL ID 83605

RECEIVED

APR 23 1999

RE: Snake River Basin Adjudication (SRBA)
Water Rights #63-26311 & 63-28197

WATER RESOURCES
WESTERN REGION

Dear Mr. Smart:

Thank you for advising us you are the current owner of the property and water rights shown above. Before we can modify our records to reflect your ownership of the property and water right#63-26311, we need Form 42-248/42-1409(6) completed and returned. I have enclosed this form for your use.

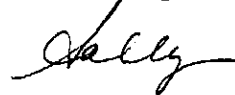
Please send the completed form with warranty deed copy and map to our Boise Region office by May 7, 1999.

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

I noticed your other water right, #63-28197, has your former address. We cannot change our records without your signature. Please drop me a note, signed, with your water right number on it, so we can change the record.

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

Sincerely,



Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Form 42-248/42-1409(6)

RECEIVED

APR 15 1999

State of Idaho

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

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

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

DIRK KEMPTHORNE
GOVERNOR

April 5, 1999

KARL J. DREHER
DIRECTOR

JAMES E. MILLER
C/O J. TURNER
PO BOX 55
GREENLEAF ID 83626-0055

Re: Snake River Basin Adjudication (SRBA)

Water Right #63-26311

Change of Address

*record changed, NEAR prepared,
NOT - 4-19-99*

Dear Claimant:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by April 19, 1999. Thank you for your help. *Other Water rights # 63-28197*

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

If there has been a change in ownership of the property connected with the water right(s) referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

*Fred W. Smart
20365 Red Top Rd
Caldwell Id 83605*

Sincerely,

Sally
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

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

Fred W. Smart
Claimant Signature

459-7814
Telephone No.

CHANGE OF OWNERSHIP
LETTER SENT *4-19-99*



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

MAY 03 1999

WATER RESOURCES
WESTERN REGION

DIRK KEMPTHORNE
GOVERNOR

April 5, 1999

KARL J. DREHER
DIRECTOR

JAMES E MILLER
C/O J TURNER
PO BOX 55
GREENLEAF ID 83626-0055

Response, 4-29-99

Re: Snake River Basin Adjudication (SRBA)
Water Right #63-26311
Change of Address

Dear Claimant:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by April 19, 1999. Thank you for your help.

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

If there has been a change in ownership of the property connected with the water right(s) referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

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

Claimant Signature

Telephone No.

return
to sender

fee due 50¢

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

ADDRESS SERVICE
REQUESTED

PRESORTED
FIRST CLASS



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



0295

PB METER
7078757

U.S. POSTAGE

IMPORTANT WATER RIGHT INFORMATION

only w/r

63-26311
JAMES E MILLER
20365 RED TOP RD
CALDWELL ID 83605

MILLER 836052007 1C97 06 11/09/98
PO BOX 501 TURNER FORM 3547
GREENLEAF ID 83626-0055

U.S. POSTAL SERVICE
PS FORM 3547

836052007 1C97 02



AJ0749NP
No. R63-26311

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

DATE: 08/07/98
PAGE: 1

OWNER
CODE NAME & ADDRESS
C JAMES E MILLER
20365 RED TOP RD
CALDWELL ID 83605
(208) 459-3359

PRIORITY
DATE 07/20/1982

WATER USE
STOCKWATER
DOMESTIC

USE PERIOD
FROM TO 01-01 12-31
01-01 12-31

DIVERSION
RATE 0.02 CFS
0.02 CFS

DIVERSION
VOLUME 0.04 CFS

TOTAL DIVERSION:

Water Source: GROUNDWATER Tributary to: Stage: BENEFICIAL USE
Point(s) of Diversion: T04N R04W S15 N4NE CANYON County

Place of use Legal Description for: STOCKWATER

NE		NW		SW		SE	
NENE	N4NE	SWNE	SENE	NENW	N4NW	SWNW	SESW
T	R	S	Lt	Ac	Lt	Ac	Lt
04N	04W	15	:	:	:	:	:

Place of use Legal Description for: DOMESTIC

NE		NW		SW		SE	
NENE	N4NE	SWNE	SENE	NENW	N4NW	SWNW	SESW
T	R	S	Lt	Ac	Lt	Ac	Lt
04N	04W	15	:	:	:	:	:

POU County: CANYON

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

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

Remarks: EXP PARCEL NO. 1R36089-000-0
STOCKWATER, 30 RANGE CATTLE

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

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

Audit: 08/07/98 CWALKER

DATE: 07/24/98
PAGE: 21

Audit:	09/02/93 DUNN1	09/02/93 DUNN1	03/30/95 POST-STD	08/15/97 AUJ3-DSH
	09/15/97 CORR2			

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

AJ5808NP
(00-24)

WATER RIGHT NUMBER - A63-26311 PREFIX TRANSLATION: ADJUDICATION CLAIM OLD (O) NUMBER -
+ - - - - LAST NAME - - - - + + - - - - FIRST NAME - - - - + + - - - - ADDRESS - - - - - - - - - - -

*** C - CURRENT OWNER ***
MILLER

JAMES E
1 - 20365 RED TOP RD
2 -
3 -
CITY- CALDWELL
PHONE - 208-459-3359
STATE- ID ZIP- 83605

+ - - - - PRIORITY DATE - - - + + - - - - REGION - - - + + - - - - STAGE - - - + + - - - - STATUS - - - - +
07/20/1982 14 WESTERN J - BENEFICIAL USE
+ - - - - SOURCE - - - - + + - - - - TRIBUTARY - - - - - - - - - - -
GROUNDWATER

+ - - - - POINT OF DIVERSION -
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)
04N 04W 15 NW NE (27) CANYON

+ - - - - CODE DESCRIPTION PERIOD FROM PERIOD TO WATER USE DIVERSION RATE DIVERSION VOLUME
43 - DOMESTIC 01/01 12/31 0.020
04 - STOCKWATER 01/01 12/31 0.020

+ - - - - TOTAL DIV. RATE - + + - - - - TOTAL DIV. VOLUME - + + - - - - TOTAL DIV. CAPACITY - + + - - - - TOTAL CONSUMPTIVE USE - + + - - - - KW USAGE - +
0.040 0.040 0.020 0.020 0.0

+ - - - - TWN RNG SEC TRACT LOT ACRES PLACE OF USE CODE DESCRIPTION COUNTY
04N 04W 15 NW NE 04 STOCKWATER (27) CANYON
04N 04W 15 NW NE 43 DOMESTIC (27) CANYON

+ - - - - DIVERSION MEANS - 77' WELL, 6" CASING

+ - - - - NON-IRRIGATION USE - DOMESTIC, 1 HOME; STOCKWATER, 30 HEAD CATTLE

+ - - - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - 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 - - - - + + - - - - DECREE DATE - - - +
00/00/0000

MICROFILMED

AUG 01 1994

PREFIX TRANSLATION: ADJUDICATION CLAIM

WATER RIGHT NUMBER - A63-26311

AUDIT FIELDS - 03/02/92 HARRIS

NO COMMENTS FOUND

ADJUDICATION RIGHTS DATES AND FLAGS AREA

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 02/08/1990	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	- C014496	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

1R36089-000-0

DATA ENTRY

ENTERED 02/23/92

CHECKED 10/25/92

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

VERIFIED

DEC 13 1992

PROOF

AUG 20 1992

CERTIFIED

JUN 28 1993

WATER EXAMINER

MICROFILMED

AUG 01 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 21, 1990

James E. Miller
20365 Red Top Rd.
Caldwell, ID 83605

459-3359

Mr. Miller called Amy
wanting to be sure his
claim was ok now. I called e 4p &
spoke to Mrs. M; & said it looks good.

Re: Snake River Basin Adjudication (SRBA)
Canyon County - Receipt #C014496

Dear Mr. Miller:

Thank you for your prompt response to our letter dated June 12, 1990. There is still one problem with your claim which you will need to correct before it can be processed.

At Item #6 you have listed the amount of water you use in gallons per day. We need to know your actual diversion rate in cubic feet per second (cfs). Please refer to the instruction booklet for the Department's recommendations for cfs of use. (I have enclosed a copy for your use.) Item #7 is the total diversion capacity or total of the lines for cfs from Item #6, whichever is less. Please initial all changes or additions.

Please return the documents to this office to the attention of Roxanne McCarthy. If you will make these corrections before October 22, 1990, you will not be assessed a late filing fee. Do not hesitate to contact this office if you have any questions or desire an appointment to obtain assistance in completing the form.

Yours truly,

John D. Carlson

John D. Carlson
Adjudication Supervisor

JDC:RM:sf:state:tf

Enclosures:

Notice of Claim

Instruction Booklet

MICROFILMED

SEP 14 1992