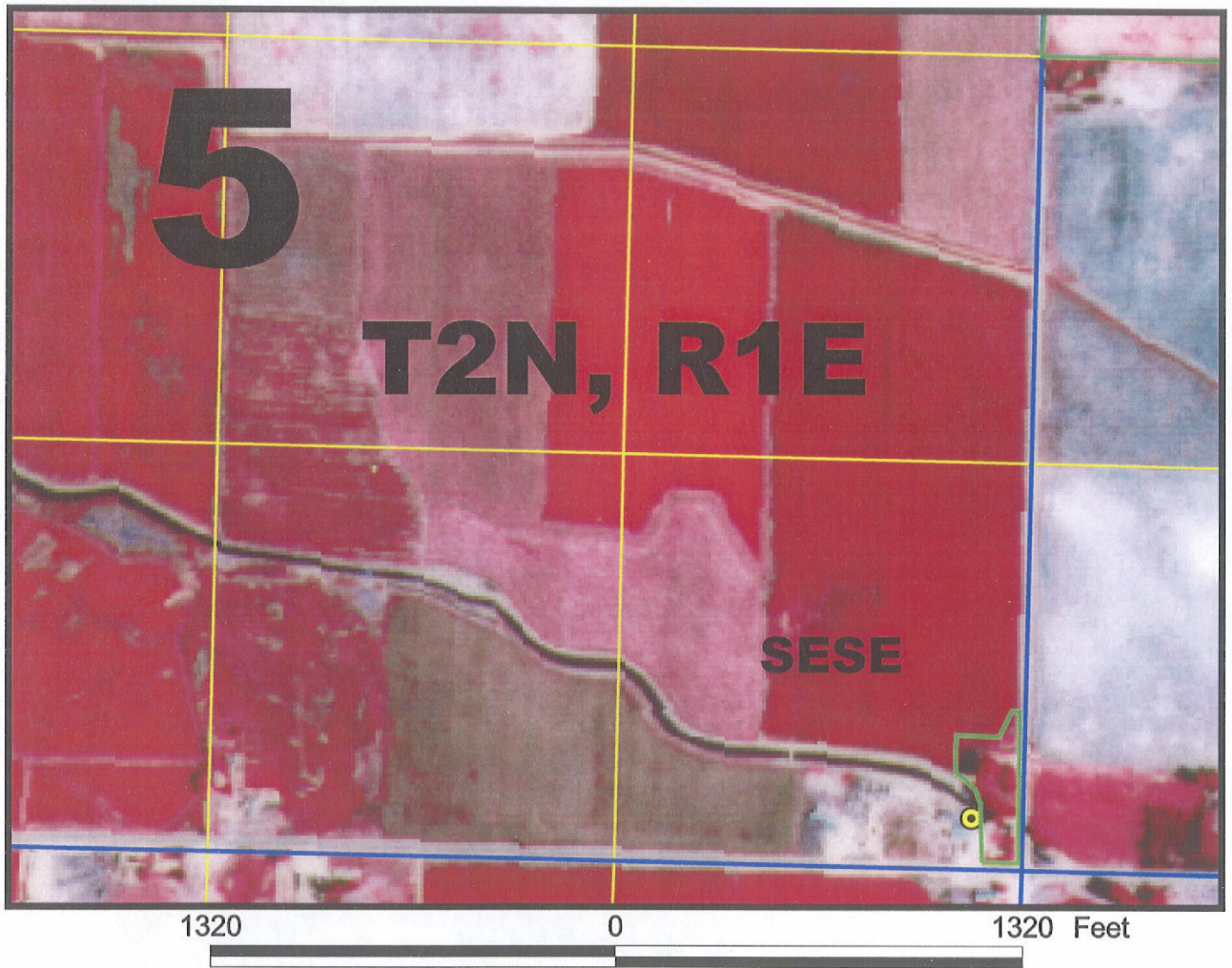




STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-19168



Total Irrigated Acres: 1.5

-  Point of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: November 2003

Claim: 63-19168



POD from driveway of little house facing W.



POU little house yard from Eagle/ Columbia Rd. facing NW.

Claim: 63-19168



Stockwater Tank from Columbia Rd. facing N.



POU stockyard from Columbia Rd. facing W.

Claim: 63-19168



POU big house yard from Eagle Rd. facing NW.



POU big house yard and garden from Eagle Rd. facing W.

IDWR

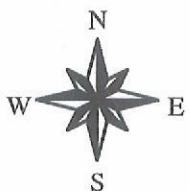
Place of Use Location Map



0 500 1000 1500 2000 Feet

Claim Number: 63-19168
Total Claimed Acres: 1.5
Agent:

-  Point of Diversion (GPS)
-  Place of Use (Verified)
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



hst

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: A63-19168
Date Received: 9/08/1989
Receipt No: C011310
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TERRELL F. SMITH 208-888-7444
Address: 3000 EAST COLUMBIA ROAD
MERIDIAN, ID 83642

AND/OR

Name: MARSHA H. SMITH 208-888-7444
Address: 3000 EAST COLUMBIA ROAD
MERIDIAN, ID 83642

2. Date of Priority: JUN 01, 1918

3. Source: GROUNDWATER Trib. to: _____

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	01E	5	SE	SE	SE		ADA

5. Description of diverting works:
WELL, 6" CASING, 300' DEEP, 1 HP SUBM. PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		
STOCKWATER	01/01	12/31	0.090		
IRRIGATION	04/01	11/01	0.080		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 2 HOMES, STOCKWATER 301 HEAD RANGE CATTLE

A63-19168

Page 1

Date: 10/13/89

MICROFILMED
JUL 27 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01E	5	SE	SE		IRR	1.5
			SE	SE		DOMEST	-

Section Acres 1.5

Total Acres 1.5

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NEW YORK IRRIGATION DISTRICT

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 _____

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 A03-19168Date Received 9-8-89Receipt Number C 011310

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

SEP 08 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Terrell F and/or Marsha H. Smith Phone (28) 888-7444Mailing Address 3000 East Columbia Rd Meridian ID Zip 836422. Date of Priority (Only one (1) per claim) June 1, 19183. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 2N Range 1E Section 5,
SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Ada

Additional points of diversion if any: _____

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. Well: 6" casing 300ft deepPump: 1 horse submersible

MICROFILMED

JUL 27 1994

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 Domestic purposes from 1-1 to 12-31 amount .08 or _____

For stockwatering purposes from 1-1 to 12-31 amount .09 or _____

For irrigation purposes from 4-1 to 11-1 amount .08 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .25 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic: 2 homes Stockwater: 301 head range cattle

Irrigation: 1 1/2 acres lawn + garden

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	
2N	1E	5																	1 1/2 A 28

Total number of acres irrigated 1 1/2

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

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.
New York Irrigation District or None ()

14. Remarks:

MICROFILMED

JUL 27 1994

Last Name SMITH Ident No. _____

Copies: White -State, Yellow-Claimant

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.

REPRODUCTION

Scale: 2 inches equals 1 mile

TZN RIE Sec. 5

A 16x16 grid of squares, each containing a crosshair pattern of dashed lines. A small arrow in the top right corner points to the square at row 1, column 10.

JUL 27 1994

Last Name SMITH Ident No. _____

Copies: White-State, Yellow-Claimant

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

Decree _____

If applicable provide IDWR Water Right Number _____

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) Marsha H Smith Date Sept. 8, 1989

Marsha H Smith Date Sept 8, 1989

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

of _____, Title _____, that I have signed the foregoing

document in the space below as _____ of _____

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 _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 8 day of September 19 89

SEAL

Notary Public Mary Celia Clemens

Residing at Mary Celia Clemens, Notary Public

Residing at Boise, Idaho

My Commission Expires April 11, 1995

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 _____

MICROFILMED

JUL 27 1994

Last Name SMITH Ident. Number _____

Copies White-State, Yellow-Claimant

EXHIBIT A

THE SE 1/4 OF SECTION 5, TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE MERIDIAN, EXCEPT THE FOLLOWING:

THE WEST 566 FEET OF THAT PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION 5, TOWNSHIP 2 NORTH RANGE 1 EAST, B.M., LYING SOUTH OF THE RAWSON CANAL AS SAID CANAL IS LOCATED ACROSS SAID LAND, AND ALSO EXCEPTING THE FOLLOWING:

BEGINNING AT THE 1/4 CORNER COMMON TO SECTIONS 4 AND 5, TOWNSHIP 2 NORTH RANGE 1 EAST B.M., AND RUNNING THENCE SOUTH 0°04' EAST ALONG THE SECTION LINE 708.15 FEET; THENCE NORTH 74°25' WEST 800 FEET; THENCE NORTH 73°46' WEST 560 FEET; THENCE NORTH 89°35' WEST 500 FEET; THENCE SOUTH 89°32' WEST 840.75 FEET TO THE NORTH AND SOUTH MIDSECTION LINE OF SECTION 5; THENCE NORTH 0°12' WEST ALONG THE SAID MIDSECTION LINE 340 FEET TO THE CENTER 1/4 CORNER OF SAID SECTION 5; THENCE EAST ALONG THE EAST AND WEST MIDSECTION LINE 2,649.15 FEET TO THE POINT OF BEGINNING.

AND FURTHER EXCEPTING:

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE-MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER BETWEEN SECTIONS 4, 5, 8 AND 9, TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE-MERIDIAN; THENCE SOUTH 89°41'00" WEST 552.29 FEET; THENCE NORTH 0°19'00" WEST 27.80 FEET TO THE REAL POINT OF BEGINNING; THENCE NORTH 0°19'00" WEST 286.26 FEET; THENCE NORTH 88°15'32" WEST 150.07 FEET; THENCE SOUTH 0°19'00" EAST 290.09 FEET; THENCE SOUTH 89°43'12" EAST 150.00 FEET TO THE REAL POINT OF BEGINNING.

AND

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE-MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER BETWEEN SECTIONS 4, 5, 8 AND 9, TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE-MERIDIAN; THENCE SOUTH 89°41'00" WEST 702.29 FEET; THENCE NORTH 0°19'00" WEST 32.31 FEET TO THE REAL POINT OF BEGINNING; THENCE NORTH 0°19'00" WEST 290.09 FEET; THENCE NORTH 88°14'02" WEST 278.64 FEET; THENCE ALONG THE BASE OF THE SOUTH BANK OF THE RAWSON CANAL, ALONG A CURVE TO THE RIGHT, WITH A CHORD BEARING NORTH 57°48'53" WEST 292.80 FEET WITH A MIDDLE DISTANCE OF 7.00 FEET; THENCE ALONG A CURVE TO THE RIGHT, WITH A CHORD BEARING NORTH 56°29'17" WEST 176.57 FEET WITH A MIDDLE DISTANCE OF 5.20 FEET; THENCE NORTH 66°35'41" WEST 79.41 FEET; THENCE SOUTH 34°22'10" EAST 705.05 FEET; THENCE SOUTH 89°43'12" EAST 350.00 FEET TO THE REAL POINT OF BEGINNING.

EXCEPT DITCH AND ROAD RIGHTS-OF-WAY.

4/5/1989

SRBA CLAIMS RECEIVING CHECK ST #2

CO 11310

CLAIMANT'S NAME

Smith

CLAIM IDENT. NO.

A63-19168

DATE RECEIVED 9-8-89

CK #

AMOUNT \$

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☒ NO N/A
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
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 *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☐ YES ☒ NO N/A
- Is the consumptive use correct? ☐ YES ☒ NO 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. ☒ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
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 N/A
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO 52 Exempt ☒ YES ☐ NO *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by: Rat

Date: 9-26-89

Claim must be returned to claimant:

(Yes) ☐ (No) ☒

Claimant must be notified of modifications:

(Yes) ☐ (No) ☒

Receipt Prepared by:

Claim data entered by: Rat

Sent to claimant by:

Date:

Date: 10-13-89

Date:

Checked by: Rat

Date: 10-16-89

Comments:

MICROFILMED

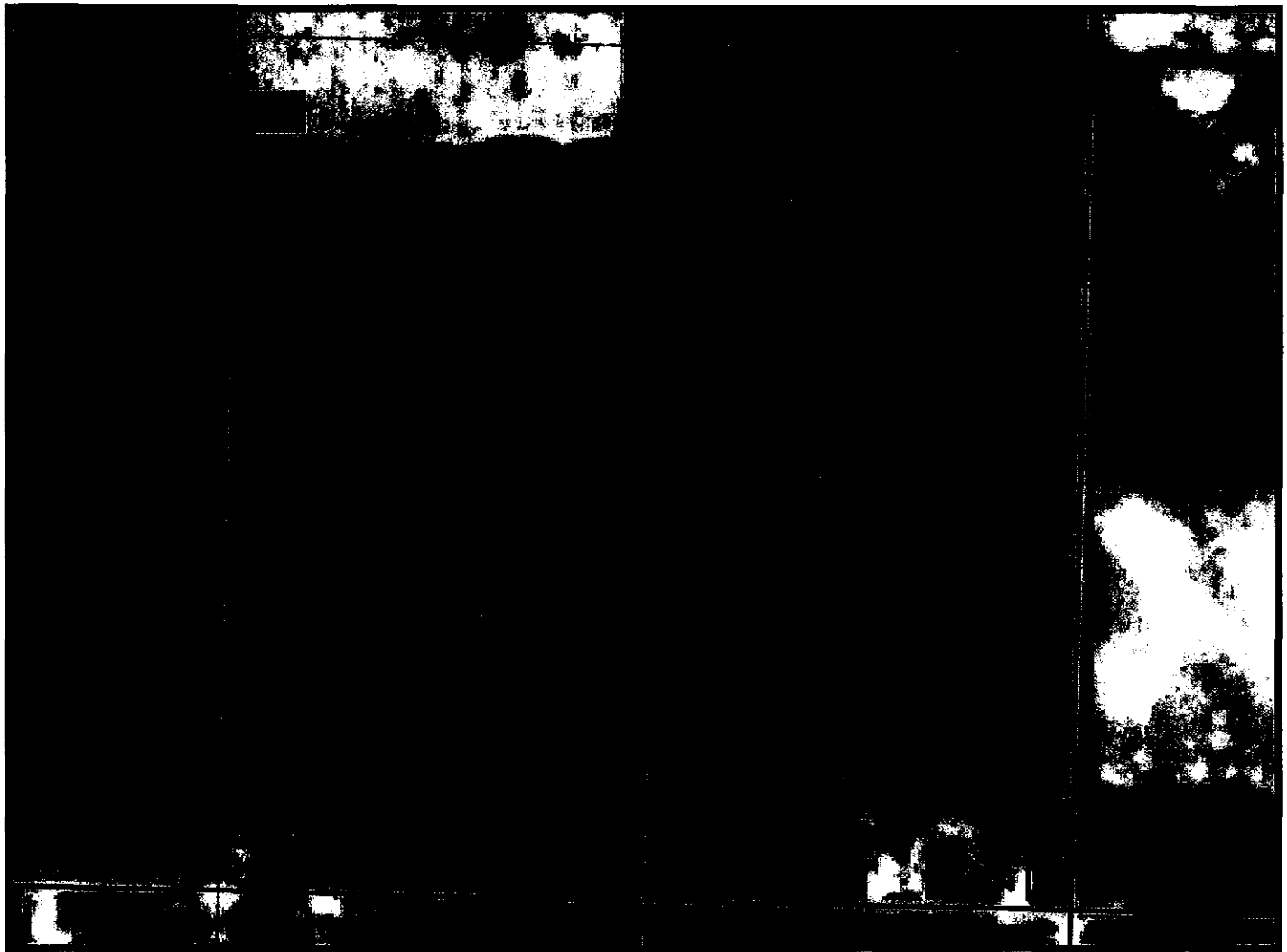
JUL 27 1994



STATE OF IDAHO

Department of Water Resources
Western Region

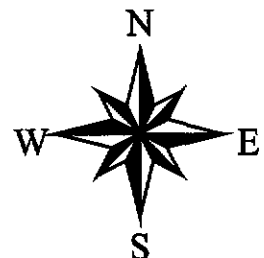
Water Right(s): 63-19168



1320 0 1320 Feet

Total Irrigated Acres: 1.5

- Point of Diversion
- Place of Use
- Quarter Quarter Lines
- Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: November 2003

11/05/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-19168

NAME AND ADDRESS: TERRELL F SMITH
3000 E COLUMBIA RD
MERIDIAN ID 83642

MARSHA H SMITH
3000 E COLUMBIA RD
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.190 CFS
6.800 AFY

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/01/1926

POINT OF DIVERSION:

T02N R01E S5 SESESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	03/01 11/15	0.080 CFS 6.80 AFY
STOCKWATER	01/01 12/31	0.070 CFS

Domestic use is for 2 homes.

PLACE OF USE: IRRIGATION Within ADA County

T02N R01E S05 SESE 1.5

DOMESTIC same as IRRIGATION
STOCKWATER same as IRRIGATION

1.5 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.

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

Parcel No(s): S1405449965 and S1405449910

Stockwater use is for 300 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-19168 V1

WATER RIGHT NUMBER: 63-19168 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TERRELL F SMITH 3000 E COLUMBIA RD MERIDIAN, ID 83642 (208)888-7444
Current Owner	MARSHA H SMITH 3000 E COLUMBIA RD MERIDIAN, ID 83642 (208)888-7444

Priority Date: 03/01/1926

Basis: Beneficial Use

Status: Active

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
IRRIGATION	03/01 to 11/15	0.080 CFS	6.80 AF
STOCKWATER	01/01 to 12/31	0.070 CFS	
	<u>Total Diversion:</u>	0.190 CFS	6.80 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4SE1/4	Sec. 5,	Twp 02N,	Rge 01E, B.M.
ADA County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	01E	5																1.5	1.5

Total Acres: 1.5

DOMESTIC same as IRRIGATIONSTOCKWATER same as IRRIGATIONConditions of Approval:

1. C18 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.
2. N09 The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.
3. N14 The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-19168 V1

4. X01 Domestic use is for 2 homes.
5. X02 Stockwater use is for 300 range cattle.

Remarks:

1. Explanatory Parcel No(s): S1405449965 and S1405449910

Comments:

1. csaxton 11/3/2003 Field Exam

Comment: Field Exam done by contractor Karan Waters

2. csaxton 11/3/2003 Quantity

Comment: Stock recommended for IDWR standard for 300 cattle and 1.5 inches per acre for irrigation. Diversion Rate for domestic was recommended at 0.02 cfs per home as lawn irrigation is covered under the irrigation portion of the water right.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	11/3/2003 2:59:12 PM	csaxton			Active
Priority Date	11/3/2003 3:06:34 PM	csaxton			Active
POD	11/5/2003 1:25:19 PM	csaxton			Active
Source	11/5/2003 1:41:00 PM	csaxton			Active
POU	11/5/2003 1:47:07 PM	csaxton			Active
Use	11/5/2003 1:51:43 PM	csaxton			Active
Season	11/5/2003 1:53:00 PM	csaxton			Active
Quantity	11/5/2003 1:58:44 PM	csaxton			Active
Summary			11/05/2003	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	11/5/2003 1:36:17 PM	csaxton	Edited point location
POD	11/5/2003 1:38:14 PM	csaxton	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-19168 V1

POU	11/5/2003 1:48:24 PM	csaxton	Edited shape boundary
Use	11/5/2003 1:51:43 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field Exam on 10/13/03 conducted by contractor Karan Waters.
POD	11/5/2003 1:25:19 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	11/5/2003 1:41:00 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - FE 10/13/03 conducted by Karan Waters
POU	11/5/2003 1:48:54 PM	csaxton	Edited PLS
Season	11/5/2003 1:53:00 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-19168 V1

Quantity	11/5/2003 1:58:44 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Claims recommended for 0.20 or less does not require measurement per David Tuthill. Description for Question 10 - IDWR standard.
POU	11/5/2003 1:47:07 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - FE10/13/03
Summary	11/5/2003 2:59:14 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Priority Date	11/3/2003 3:06:34 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavit provided by neighbor.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-19168 V1

Contacts	11/3/2003 2:59:12 PM	csaxton	(No) 1. Do you want to schedule an appointment?
----------	----------------------	---------	---

Comment for 1: FE on 10/13/03

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-19168Owner: _____ Phone No. Marsha's work 334-3912

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☐ No change Address _____
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☐ No change – Complete evidence submitted or not necessary
- ☒ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

March 1 1926 CSPriority date, per claimant, is: June 1, 1926 (see new affidavit)

(If priority date, based on your exam, seems questionable, explain below.)

Smith's didn't know how irrigation occurred in 1918, so
did more investigation and changed date to 1926.

Source: _____ Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion: Same

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

Same

OVERLAP REVIEW

Other water rights with the same point of diversion: N/A

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

Change Season of use

☐ No change

☒ Different Uses

Use irrigation From 3/1 To 11/15 Amount .03 CFS _____ AFA _____
 Use domestic From 12/1 To 12/31 Amount .04 CFS _____ AFA _____
 Use stock From 12/1 To 12/31 Amount _____ CFS _____ AFA _____

TOTAL VOLUME – Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____
☒ Changes found, the new total is, Amount _____ CFS _____ AFA _____
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes 2 Stock # 150 now but 301 in 1987
 Types _____ Additional comments: _____

PLACE OF USE:

☒ No Change

☐ Changes shown below:

how much
water per head
of stock
Adj. Memo 36

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: No

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: well with submersible pump.
Piped to Stock tanks and 2 homes with yards

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
A0002040 Tag #		1		submersible	

Lat 43.5324800
Long 116.353970

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Smiths have sold one of the homes but both
homes still receive water from the same well on
Smith's property. (same system)

* change in priority date was based on testimony from
Adam Wheeler, (neighbor whose parents used to own this property)
who says he saw water being pumped with fuel powered
motors and delivered for stock watering troughs and flood
irrigation.

[illegible]

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 10-13-03

FIELD EXAMINER: Karon Waters

Claim: 63-19168



POD from driveway of little house facing W.



POU little house yard from Eagle/ Columbia Rd. facing NW.

Claim: 63-19168



Stockwater Tank from Columbia Rd. facing N.



POU stockyard from Columbia Rd. facing W.

Claim: 63-19168



POU big house yard from Eagle Rd. facing NW.



POU big house yard and garden from Eagle Rd. facing W.

IDWR Place of Use Location Map



Claim Number: 63-19168
Total Claimed Acres: 1.5
Agent:

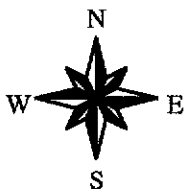
⊙ Point of Diversion (GPS)

▭ Place of Use (Verified)

▭ Section Lines

▭ Quarter Quarter Lines

▭ Township/Range Lines



Statement of Aden Wheeler

I have lived next to The property now owned by Terrell and Marsha Smith for over 76 years. For some time during my youth, my father owned that land. I have personal knowledge that the well has been there since before 1927. Before we had electricity, water was drawn from the well using a one cylinder water cooled 1 or 2 hp motor powered by gasoline. The water was used for domestic purposes and for watering livestock. Irrigation use was limited to the area around the houses and garden.

Dated This 26th day of October, 2003.

Aden R Wheeler

8160 S. EAGLE Rd
Meridian ID

888-2423



**EDISON ELECTRIC
INSTITUTE**

701 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2696
202-508-5000

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IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

63-19168

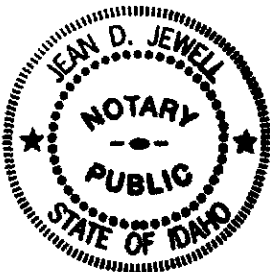
AFFIDAVIT

State of Idaho)
County of ADA)

MARSHA H. SMITH

being first duly sworn,

deposes and says: That based on the best information available
from the abstract of title for the properties in question and the
information obtained from long time owners and residents of adjacent
property, the priority date for the well in this claim is 1926. The
domestic, stock watering and irrigation uses were all occurring in 1926.



SEAL

Marsha H Smith
(Signature)

Subscribed and sworn to before me this
day 16th of October, 10 2003.

Jean D. Jewell
(Notary Public)

Residing at Ada County, Boise, ID.

My Commission Expires 10/29/2007.

7-16-03 : 63-22882 PD'd GW D+5.

- : What is actually irrigated from the well? ^{houses} yards around
- : Are both domestic homes on a common system? yes
- : How was 1.5 acres irrigated from a hand dug well in 1918? Did irrigation start when 300 ft well was dug? Not until 1926 - fuel powered motors driving the pump, flood irrigation of yards
 - ↳ With the Priority date claimed, I am leaning to this being just domestic.

How were 301 head watered from this well in 1918.

9-22-03 investigation of county data shows an additional owner on claimed lands

9-23-03 contacted marsha Smith & set appt for 10-13-03
Marsha's work # 334-3912

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-22882

WATER RIGHT NUMBER: 63-22882

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARSHA H SMITH 3000 E COLUMBIA RD MERIDIAN, ID 83642 (208)888-7444
Current Owner	TERRELL F SMITH 3000 E COLUMBIA RD MERIDIAN, ID 83642 (208)888-7444

Priority Date: 03/01/1982

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.090 CFS	
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.130 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4SE1/4	Sec. 5, Twp 02N, Rge 01E, B.M.
ADA County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	01E	5																	X

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	01E	5																	X

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-22882

1. C18 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.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. S1405449800 STOCKWATER, 301 RANGE CATTLE

Comments:

1. DUNN1 8/10/1993 COPIED FROM REMARKS

Comment: WE WILL BE FILING AN APPLICATION FOR A PERMIT TO ADD 1/2 ACRE OF LAWN IRRIGATION.

Dates and Other Information:

Licensed Date:
Decreed Date: 3/31/2000
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

RECEIVED

AUG 24 1995

WATER RESOURCES
WESTERN REGION

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
A63-19168)
_____)
_____)
_____)
State of Idaho)
County of ADA)

AFFIDAVIT

of

MARSHA H. SMITH

Marsha H. Smith

being first duly sworn,

deposes and says: according to previous owners of our property on which we claim this water right, it was originally part of a larger parcel owned by two brothers. When one married, the other moved to a location on the parcel we now own and built a house and dug a well. We believe this occurred at about the same time that the homestead patent was issued on August 19, 1907. We are certain that it had occurred by 1918 when the New York Irrigation District was granted an easement on the property. Because of the uncertainty with the earlier date, we have claimed a June 1, 1918 priority date.

Marsha H. Smith
(Signature)

Subscribed and sworn to before me this
day 22nd of August, 1995.

SEAL

Carol L. Hubbard
(Notary Public)

Residing at Kuna, Idaho.

My Commission Expires 5-10-2000.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 7, 1995

63-19168
ERRELL F SMITH
MARSHA H SMITH
3000 EAST COLUMBIA ROAD
MERIDIAN ID 83642

Re: Claim No(s). A163-19168

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 under a legal requirement 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 September 1 1995, 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

lh
Enclosures

From: DWR03::SHAFF 12-JUL-1990 08:44:58-11
To: DWR80::TUTHI
CC: SHAFF
Subj: MS. PUC SMITH

Hi Dave,

I talked to Debbie A. about this "missing" check. She said the check has not been returned to us and, therefore, we have had that amount credited to our account. (What a terrific world: both us have the \$77.) The Smiths' check #2071 was receipted (C011310 on 9/08/89. Debbie agreed the place to look is probably her bank. The missing check is apparently in processing between First Security on Orchard and a debit against her account. The former is where the deposits of this agency are normally made and thus probably were given credit for the check when it was deposited to our account. Ms. Smith may find the situation frustrating, but I believe she is barking up the wrong tree. I presume you survived this blind-sided shot as well as you have others.

See you tonight at Eagle Island?



3000 E. Columbia Rd.
Meridian Id 83642
**IDAHO PUBLIC UTILITIES
Commission**

MARSHA H. SMITH, ESQ.

DIRECTOR - POLICY AND EXTERNAL RELATIONS

OFFICE ADDRESS:
472 W. WASHINGTON
BOISE, IDAHO

Terrell

MAILING ADDRESS:
STATEHOUSE
BOISE, ID 83720

(208) 334-0316

MICROFILMED

SEP 01 1992

From: DWR03::FRAZEE
To: DWR80::HARRI
CC: FRAZEE
Subj: TERRELL/MARSHA SMITH

13-JUL-1990 08:00:19.48

0011310

GOOD MORNIN'. TYPED A MEMO RE THE SMITH'S MISSING CHECK TO DON THIS A.M. THEIR WATER RIGHT NUMBERS ARE A63-19168 AND A63-22882. SINCE HE'S LEAVING ON VACATION TONIGHT, HE'LL PROB CONTACT YOU OR DAVE T. TO LET YOU KNOW THE STATUS OF THE SEARCH.

MICROFILMED

SEP 01 1992

Audit:	10/13/89	HARRINGT	03/30/95	POST-STD

A63-19168
SMITH

1.
United States
to
Tillie A. Farr.

P A T E N T .

Dated August 19, 1907.
Recorded September 23, 1907 at 4:22 P.M.
Book 4 of Patents at page 29.

For South half of Section five in Township two North of Range one east of the Boise Meridian, Idaho, containing three hundred twenty acres.

2.

On the margin of the record of the Mortgage recorded in Book 32 of Mortgages at page 19, records of Ada County, Idaho, appears the following endorsement:

"I hereby acknowledge full and entire satisfaction of the debt secured by this Mortgage.

Grace M. Joy.

Signed and acknowledged before me this 15th day of January, 1909.

W. L. Cuddy,
Ex-Officio Recorder, Ada Co., Idaho."

3.

Tillie A. Farr and George
C. Farr, husband,

to

Sherman G. King and
George W. Fletcher

M O R T G A G E .

Dated November 20, 1903.
Ack'd. November 20, 1903, before
Walter S. Walker, N.P., Ada Co., Idaho. Seal.
Recorded November 20, 1903 at 3:39 P.M.
Consideration \$100.00. 1 witness.
Separate examination.
Book 32 of Mortgages at page 20.

Covers:

SE $\frac{1}{4}$ Sec. 5 in Twp. 2 N., R. 1 E. B.M., containing 160 acres.
With all water rights and privileges appertaining or belonging thereto and consisting principally of 100 shares of stock in the New York Canal Co. as evidenced by certificate No. 593. Also 100 shares of stock in the Idaho Iowa Lateral and Reservoir Co., certificate No. 74. All of which stock is assigned to parties of the 2nd part and made a part of this indenture.

Also including all interest of parties of first part in and to what is known as the Rawson Lateral Ditch for the purpose of conveying water to and upon the above described land.

(Signed) Tillie A. Farr.
George C. Farr.



4.

On the margin of the record of the Mortgage recorded in Book 32 of Mortgages at page 20, records of Ada County, Idaho, abstracted at entry #3 above, appears the following endorsement:

"I hereby acknowledge full and entire satisfaction of the debt secured by this Mortgage.

Sherman G. King.
Sherman G. King, assignee of
George W. Fletcher.

Signed and acknowledged before me this 23 day of Dec. 1908.

W. L. Cuddy,
Ex-Officio Recorder, Ada Co., Idaho."

5.

Tillie A. Farr and George
C. Farr, wife and husband,

to

W. C. Annett.

WARRANTY DEED.

Dated January 19, 1909.

Ack'd. January 19, 1909, before
Edward Smith, N.P., Ada Co., Idaho. Seal.
Recorded January 19, 1909 at 1:52 P.M.
Consideration \$1.00 &c. 1 witness.
Book 75 of Deeds at page 232.

Grant, bargain, sell, convey and confirm:

The South one half ($S\frac{1}{2}$) of Section Five (5) Township Two (2)
North of Range One (1) East of Boise Meridian, Idaho.

Together with any and all water rights and rights in laterals and
ditches thereunto belonging or used in connection therewith. Subject
to that certain mortgage in favor of W. J. McIntosh recorded in Book
41 of Mortgages at page 164, Ada County, Idaho records.

(Signed) Tillie A. Farr.
George C. Farr.

(Note: The mortgage referred to in deed abstracted above recorded in
Book 75 of Deeds at page 232, covers the $SW\frac{1}{4}$ only of Section 5,
Township 2 North of Range 1 East of B.M., Ada County, Idaho.)

BOISE TRUST COMPANY

By *[Signature]*

MANAGER ABSTRACT DEPT.

10-5-23



05/31/2005

NOTICE OF ERROR
REPLY

RECEIVED
JUN 13 2005
WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 63-19168

TERRELL F SMITH
3000 E COLUMBIA RD
MERIDIAN ID 83642
Telephone Number: (208)888-7444

MARSHA H SMITH
3000 E COLUMBIA RD
MERIDIAN ID 83642
Telephone Number: (208)888-7444

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: June 8, 2005 SIGNATURE: Marsha H. Smith

Please print your name: Marsha H. Smith

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190