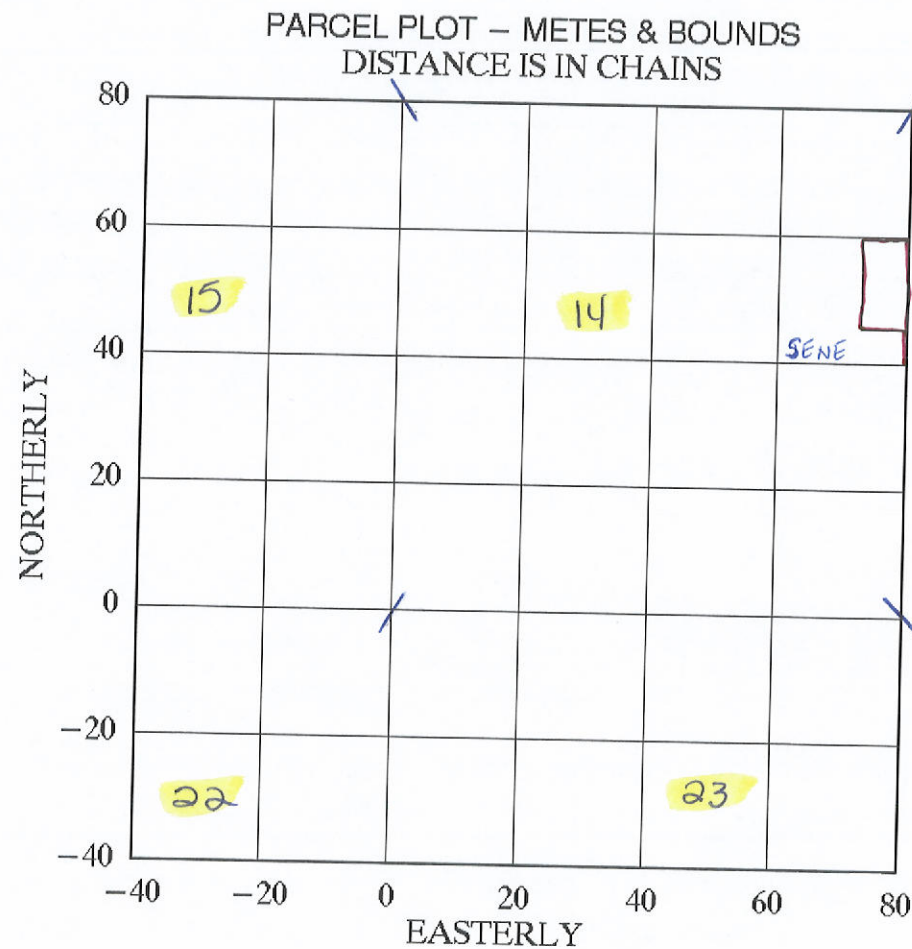
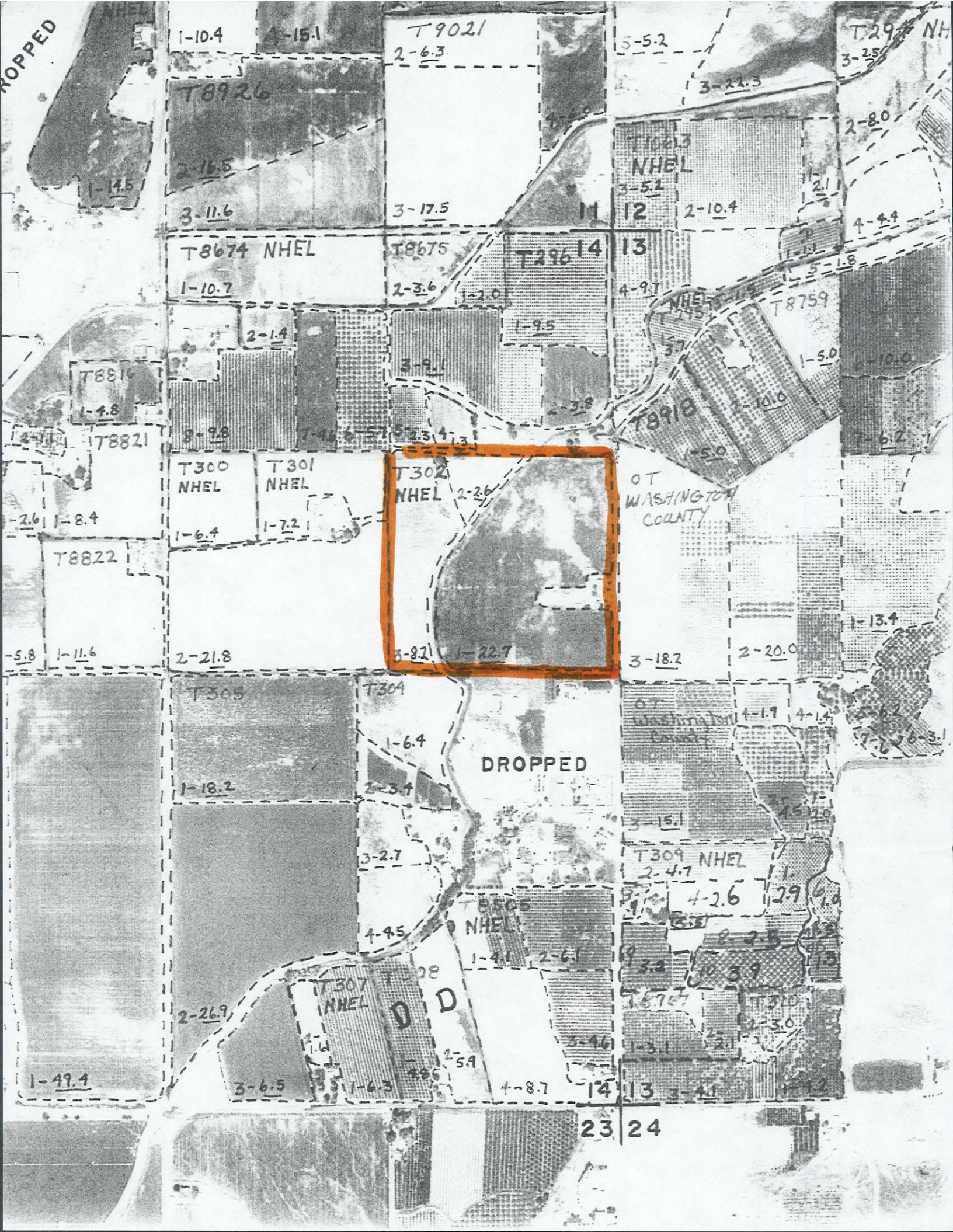


67-13967



9N 5W



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: **A67-13967**
Date Received: 10/10/1989
Receipt No: C012075
Received By: _____

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

1. Name: ROBERT L SMITH 208-642-9810
Address: 141 SO 20TH ST
PAYETTE ID 83661
OR
Name: WILMA L SMITH 208-642-9810
Address: 141 SO 20TH ST
PAYETTE ID 83661

2. Date of Priority: SEP 30, 1895

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	05W	14	SE	NE			PAYETTE

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.060 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, 10 LIVESTOCK

MICROFILMED
OCT 22 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	05W	14	SE	NE		DOMEST	
			SE	NE		STOCK	

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

CANAL WATER (LOWER PAYETTE DITCH)

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 _____

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OCT 22 1996

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMIdentification No. Alt-13967
Date Received 10-10-89
Receipt Number CD12075NOTICE 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.

RECEIVED

OCT 06 1989

Department of Water Resources

Filing Fee \$25

Please type or print clearly WILMA L. SMITH (OR)1. Name of Claimant (s) ROBERT L. SMITH Phone (208) 642-9810Mailing Address 141 SO. 20TH ST PAYETTE ID Zip 836612. Date of Priority (Only one per claim) SEPT 31 1895 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source4. Location of point of diversion is: Township 9 N Range 5 W
Section 14, 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____, BM.,
County of PAYETTE

Additional points of diversion if any: _____

5. 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. WELL & PUMP

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For DOMESTIC purposes from JAN 1 ^{Month/Day} to DEC 31 ^{Month/Day} amount 104 (cfs)
For STOCK purposes from JAN 1 ^(Both dates are inclusive) to DEC 31 amount 027. Total quantity claimed 06 (cfs)8. Total consumptive use claimed is de minimus

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OCT 22 1996

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) ONE HOUSEHOLD 10 LIVESTOCK

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: _____ Range _____

Section _____ 1/4 of _____ 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? PAYETTE

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

() None or CANAL WATER (LOWER PAYETTE DITCH)

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) [Signature] Date Oct 4, 1989

Date _____

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 Washington) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 4 day of Oct 19 89

SEAL

Notary Public [Signature]

Residing at BRUCE A. SCHULZ, NOTARY PUBLIC

My Commission Expires RESIDING AT HOUSE, IDAHO

MY COMMISSION EXPIRES APRIL 11, 1995

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

OCT 22 1989

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.

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 67-13967

NAME & ADDRESS: CHRISTENE K SHUEY
DAVID M SHUEY
20334 MARKET RD
CALDWELL ID 83605-8663

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 09/30/1895

POINT OF DIVERSION: T09N R05W S14 SENE Within PAYETTE 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	0.04 CFS

PLACE OF USE: STOCKWATER Within PAYETTE County
T09N R05W S14 SENEDOMESTIC Within PAYETTE County
T09N R05W S14 SENE

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
STOCKWATER, 10 RANGE CATTLE
PARCEL NO. RP P1960006001A

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 67-13967
)

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): 67-13967

From (Claimant/Seller):

Name of Claimant: ROBERT L SMITH
WILMA L SMITH
Address: 1604 W ORCHARD AVE APT 719
NAMPA ID 83651-7597
Phone: (208) 442-9370

To (Claimant/Purchaser):

Name of Claimant: CHRISTENE K SHUEY
DAVID M SHUEY
Address: 20334 MARKET RD
CALDWELL ID 83605-8663
Phone: (208) 455-9533

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: November 4, 1999



Signature of IDWR Representative

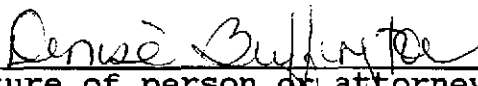
CERTIFICATE OF MAILING

I certify that on November 4, 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:

ROBERT L SMITH
WILMA L SMITH
1604 W ORCHARD AVE APT 719
NAMPA ID 83651-7597
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

CHRISTENE K SHUEY
DAVID M SHUEY
20334 MARKET RD
CALDWELL ID 83605-8663
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

RECEIVED

JUN 04 1999

WATER RESOURCES
WESTERN REGION

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

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

1. Water Right No(s): 67-13967
 Adjudication Claim No(s): _____

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** showing the location of the place of use of the water right(s) or claim(s).
 (These are usually attached to your deed or on file with the county.)
OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant Robert AND Wilma Smith

4. New Owner/Claimant(s) David M. Shuey and Christene K. Shuey
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
 New Mailing Address 20334 Market Rd.
 City, State and ZIP Code Caldwell, IDAHO 83605-8663
 New Telephone Number (208) 455-9533

5. Date you acquired the property 10-07-97

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right <u>0</u>	Number and type of stock <u>None at present</u>
Diversion rate in CFS <u>.06</u>	Number of homes you acquired <u>1</u> Other uses <u>house + yard</u>

7. Signature of New Owner(s) or Claimant(s) David M. Shuey
Christene K. Shuey

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign 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 portion of the water right: include the number of homes you acquired, number of acres irrigated with your portion of the right, if it is more than 1/2 acre, type and number of stock if your portion of the right includes 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

270412

FA9001

WARRANTY DEED

For Value Received

ROBERT L. SMITH AND WILMA L. SMITH, AS TRUSTEES OF THE SMITH
REVOCABLE TRUST U/T/A DATED JULY 11, 1995

do hereby GRANT, BARGAIN, SELL AND CONVEY unto

DAVID MARTIN SHUEY AND CHRISTENE KAY SHUEY, HUSBAND AND WIFE

whose current address is 11465 PAYETTE HEIGHTS ROAD
PAYETTE, IDAHO 83661

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD the said premises, with their appurtenances unto
the said grantees, heirs and assigns forever. And the said grantors do
hereby covenant to and with the said grantees that they are the owners
in fee simple of said premises; that they are free from all
encumbrances,
excepting reservations, easements, encumbrances, restrictions and
rights of way appearing of record and/or existing and that they will
warrant and defend the same from all lawful claims whatsoever.

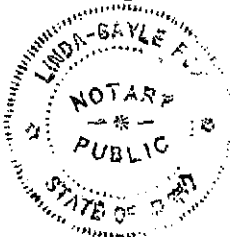
Dated: OCTOBER 8, 1997

Robert L. Smith TTE *Wilma L. Smith* TTE
ROBERT L. SMITH, TRUSTEE WILMA L. SMITH, TRUSTEE

STATE OF IDAHO, COUNTY OF PAYETTE

On this 8TH day of OCTOBER, 1997, before me, a
notary public in and for the said State, personally appeared
ROBERT L. SMITH AND WILMA S. SMITH, TRUSTEES OF THE SMITH REVOCABLE
TRUST U/T/A DATED JULY 11, 1995, known to me to be the persons whose
names are subscribed to the within instrument as TRUSTEES, and
acknowledged to me that they executed the same as TRUSTEES.

Linda Gayle Fox
LINDA-GAYLE FOX Notary Public
Residing at PARMA, Idaho
Comm. Expires 02/15/2002



270412

EXHIBIT "A"

The Southeast quarter of the Northeast quarter in Section 14, Township 9 North, Range 5 West, Boise Meridian, Payette County, Idaho; otherwise described as Blocks 23 and 24 of ASSESSOR'S WOODSPUR TRACT as per Plat in Book 1, Page 44, Plat Records, Payette County, Idaho.

EXCEPTING THEREFROM a portion of Blocks 23 and 24 of ASSESSOR'S WOODSPUR TRACT as per Plat in Book 1, Page 44, Plat Records, Payette County, Idaho and being a portion of the Southeast quarter of the Northeast quarter of Section 14, Township 9 North, Range 5 West of the Boise Meridian, Payette County, Idaho being more particularly described as follows:

Beginning at the Southeast corner of Block 24 of Assessor's Woodspur Tract which is the Southeast corner of the Southeast quarter of the Northeast quarter of Section 14, Township 9 North, Range 5 West, Boise Meridian;

thence North along the East line of said Block 24 a distance of 358 feet to the True Point of Beginning;

thence West parallel to the South line of said Block 24 a distance of 466.75 feet;

thence North parallel to the East line of said Blocks 24 and 23, a distance of 933.30 feet, more or less, to the North line of said Block 23;

thence East along the North line of said Block 23 a distance of 466.75 feet to the Northeast corner of said Block 23;

thence South along the East line of said Blocks 23 and 24 a distance of 933.30 feet, more or less, to the True Point of Beginning.

Subject to County Road right-of-way along the East boundary.

270412

STATE OF IDAHO } ss
County of Payette }

I hereby certify that this instrument
was filed for record at the request of
FIRST AMERICAN TITLE CO.

Time 4:49 pm
Date Oct 15, 1997
Instrument # 270412 - Deeds
LAURAL L. STIGLE
By [Signature] Deputy Recorder
Fee \$6.00

WHEN RECORDED MAIL TO:
 NORTH AMERICAN MORTGAGE COMPANY
 P.O. BOX 808031
 PETALUMA, CA 94975-8031
 DOC MANAGEMENT AU 054

[Space Above This Line For Recording Data]

H01

DEED OF TRUST

0673294-816

THIS DEED OF TRUST ("Security Instrument") is made on **OCTOBER 07, 1997**. The grantor is
 DAVID MARTIN SHUEY AND, ~~CHRISTINE KAY SHUEY~~ HUSBAND AND WIFE
 CHRISTENE KAY SHUEY *CKS*

("Borrower"). The trustee is **FIRST AMERICAN TITLE COMPANY**

("Trustee"). The beneficiary is **NORTH AMERICAN MORTGAGE COMPANY**

which is organized and existing under the laws of **DELAWARE**, and whose

address is **3883 AIRWAY DRIVE, SANTA ROSA, CA 95403**

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

ONE HUNDRED EIGHTEEN THOUSAND AND 00/100

Dollars (U.S. \$ **118,000.00**). 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 **NOVEMBER 01, 2027**.

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 **PAYETTE** County, Idaho:

~~THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER IN SECTION 14,
 TOWNSHIP 9 NORTH, RANGE 5 WEST, BOISE MERIDIAN, PAYETTE COUNTY,
 IDAHO, OTHERWISE DESCRIBED AS BLOCKS 23 AND 24 OF ASSESSOR'S
 WOODSPUR TRACT AS PER PLAT IN BOOK 1, PAGE 44, PLAT RECORDS,
 PAYETTE COUNTY, IDAHO.~~

CKS

which has the address of **11465 PAYETTE HEIGHTS ROAD, PAYETTE**
Idaho 83661-5012 (Zip Code) ("Property Address");

(Street, City).



9N 5W 14
SENE

Per. Assessor office 10/26/99

A portion of Blocks 23 and 24 of Assessor's Woodspur Tract as per Plat in Book 1, Page 44, Plat Records, Payette County, Idaho and being a portion of the SE1/4NE1/4 of Section 14, Township 9 North, Range 5 West of the Boise Meridian, Payette County, Idaho being more particularly described as follows:

Beginning at the Southeast of Block 24 of Assessor's Woodspur Tract which is the Southeast corner of the SE1/4NE1/4 of Sec. 14, Twp. 9 N., R. 5 W. B.M.;

thence North along the East line of said Block 24 a distance of 358 feet to the True Point of Beginning;

thence West parallel to the South line of said Block 24 a distance of 466.75 feet;

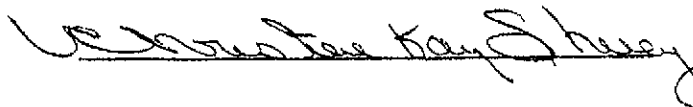
thence North parallel to the East line of said Blocks 24 and 23 a distance of 933.30 feet, more or less to the North line of said Block 23;

thence East along the North line of said Block 23 a distance of 466.75 feet to the Northeast corner of said Block 23;

thence South along the East line of said Blocks 23 and 24 a distance of 933.30 feet, more or less to the True Point of Beginning.

Subject to County Road right-of-way along the East boundary.

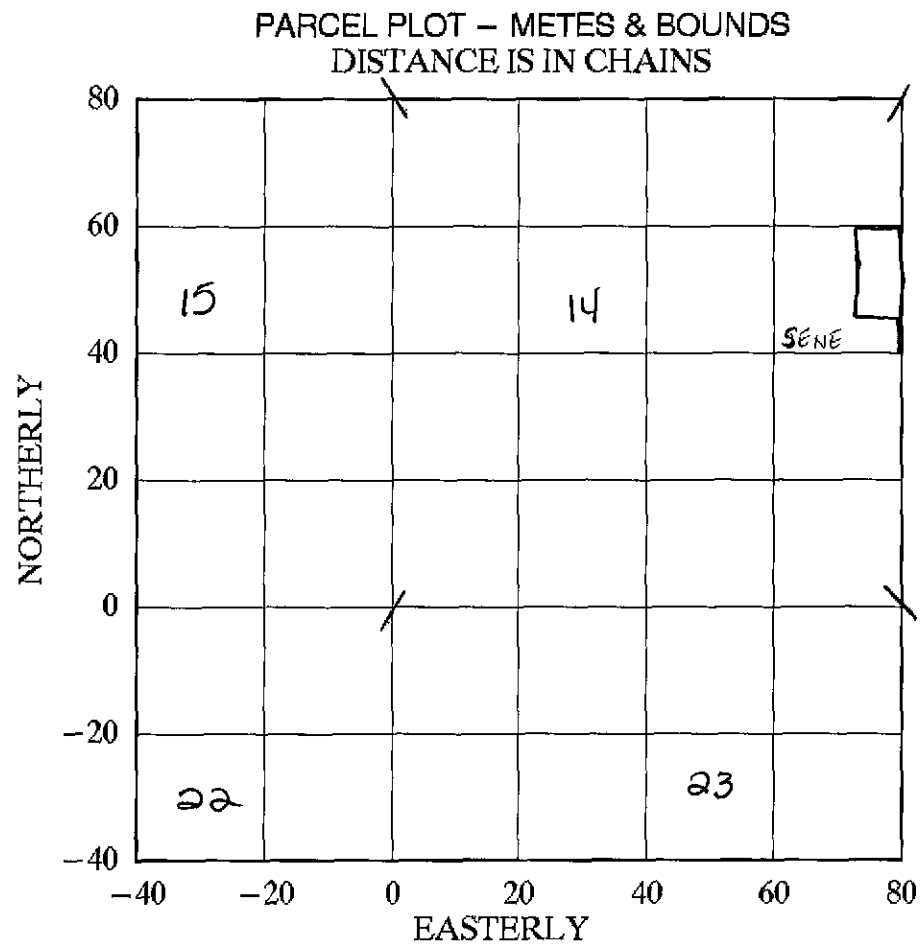
 10/9/97

 10/9/97

X=80

Y=40

67-13967



9N 5W

METES AND BOUNDS TABLE ***PRESS ALT P TO PRINT GRAPH***

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR.	80.00	40.00					
(SEE SHEET)	80.00	45.42	0.00	0.00	0.00	NE	358.00
	72.93	45.42	90.00	0.00	0.00	NW	466.75
	72.93	59.57	0.00	0.00	0.00	NE	933.30
	80.00	59.57	90.00	0.00	0.00	NE	466.75
-QUAD COEF-	80.00	45.42	0.00	0.00	0.00	SE	933.30
IF NE, X=1, Y=1	80.00	45.42					

OPPED

1-10.4

T9021
2-6.3

5-5.2

T29 NH
3-25

3-11.6

3-17.5

T123 NH
3-5.2
12

2-10.4

2-8.0

4-4.4

T8674 NH

T8675

T29614

13

1-10.7

2-3.6

1-2.0

4-9.1

T235 NH

T8759

2-1.4

1-9.5

T88

1-4.8

T8821

T300 NH

T301 NH

T302 NH

2-2.6

OT
WASHINGTON
COUNTY

1-6.4

1-7.2

T8822

-2.6 1-8.4

-5.8 1-11.6

2-21.8

3-8.2

3-18.2

2-20.0

1-13.4

DROPPED

T304

1-6.4

1-16.2

3-2.7

4-4.5

NH

OT
Washington
County

4-1.1

4-1.4

T309 NH
2-4.7

4-2.6

29

2-26.9

T307 NH

T308

2-5.9

4-8.7

14

13

23

24

1-49.4

AJ5856NP

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

DATE: MAY-6-1999
PAGE: A-30

RIGHT NUMBER: 67-13967

NAME & ADDRESS: ROBERT L SMITH
WILMA L SMITH
1604 W ORCHARD AVE APT 719
Nampa ID 83651-7597

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 09/30/1895

POINT OF DIVERSION: T09N R05W S14 SENE Within PAYETTE 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	0.04 CFS

PLACE OF USE:	STOCKWATER	Within PAYETTE County
	T09N R05W S14	SENE
	DOMESTIC	Within PAYETTE County
	T09N R05W S14	SENE

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
STOCKWATER, 10 RANGE CATTLE
PARCEL NO. RP P1960006001A

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 67-13967
_____	)	

IDWR has completed the following Administrative Proceeding:

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

CHANGE OF ADDRESS

Name of Claimant: ROBERT L SMITH
New Address: 1604 W ORCHARD AVE APT 719
 NAMPA ID 83651-7597
Phone: (208) 442-9370

Claimant's Water Rights: 67-13967

The Claimant has filed Objections or Responses to the following water
rights:

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
5/6/1999

67-13967

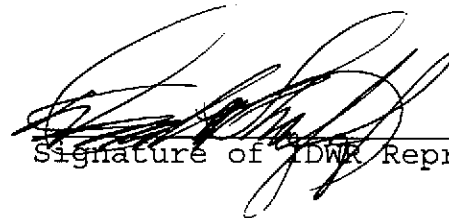
PAGE 1

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:

5/14/99

A handwritten signature in black ink, appearing to be "D. J. [unclear]", is written over a horizontal line.

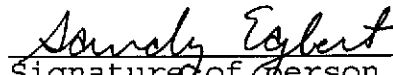
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5-24-99 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:
Each party in the subcase, or attorney of record:

ROBERT L SMITH
WILMA L SMITH
1604 W ORCHARD AVE APT 719
NAMPA ID 83651-7597
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. 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

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 - 5 1999

Department of Water Resources

DIRK KEMPTHORNE
GOVERNOR

April 29, 1999

KARL J. DREHER
DIRECTOR

ROBERT L AND WILMA L SMITH
1604 W ORCHARD AVE APT 719
NAMPA ID 83651-7597

Re: Snake River Basin Adjudication (SRBA)

Water Right #67-13967

Change of Address

*Record changed NCAP prepared
as 5-5-99*

Dear Water Right Holders:

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 can be sent only to the address on your water right 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 May 17, 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 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

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

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

Robert L Smith

Claimant Signature

208 ~~642~~ 442-9370

Telephone No.

SHUEY, DAVID M
20334 MARKET RD
CALDWELL ID 83605
PHONE 208-455 9533

CHANGE OF OWNERSHIP
LETTER SENT 5-6-99

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME Smith, Wilma or Robert

CLAIM IDENT. NO. _____

DATE RECEIVED 10-10-89 RECEIPT # C012075 FEE PAID \$ 25⁰⁰ FEE REQ'D \$ 25⁰⁰

	YES	NO	Require Info?
1. Is the name and address complete with zip code?	<u>X</u>	___	*
2. Is a priority date entered?	<u>X</u>	___	*
Is the priority date acceptable in view of mandatory filing dates?	<u>X</u>	___	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	<u>X</u>	___	*
(b) Is a tributary to entered? (if required) N/A <u>X</u>	___	___	
4. Is the legal description of the p.d. sufficient?	<u>X</u>	___	*
5. Is there a description of the diverting works?	<u>X</u>	___	
6. Are the water uses appropriate for the form?	<u>X</u>	___	*
The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.			
Is the period of use included?	<u>X</u>	___	
Is a quantity claimed for each use?	<u>X</u>	___	*
7. Is a total quantity claimed entered?	<u>X</u>	___	
8. If required is a consumptive use entered? N/A <u>X</u>	___	___	
Is the consumptive use correct? N/A <u>X</u>	___	___	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock? <u>X</u>	<u>X</u>	___	*
If multiple domestic, is single ownership indicated?	___	___	
10. Is (are) the place(s) of use and purpose(s) indicated? See POD	___	___	*
11. Is (are) the county(ies) entered?	<u>X</u>	___	
12. Is the ownership of p.u. checked?	<u>X</u>	___	
13. Are other water rights listed or "none" indicated?	<u>X</u>	___	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A <u>X</u>	___	___	
15. Is the basis of the claim indicated?	<u>X</u>	___	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? N/A <u>X</u>	___	___	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.			
If no, was water right no. found?	___	___	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? N/A <u>X</u>	___	___	
(If yes, attach a proof report & complete number change)			
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, was the fee paid? N/A <u>X</u>	___	___	
19. Is the claim signed by the claimant, and is the signature appropriate?	<u>X</u>	___	*
20. Has the claim been signed, sealed, and dated by a notary?	<u>X</u>	___	*
21. Was this claim filed on time?	<u>X</u>	___	*
(Check ML3 for date mailed-not all were mailed on the planned date)			
If no, was an extension of time filed & approved?	___	___	*
22. Is the fee enclosed correct? Exempt	<u>X</u>	___	*

MICROFILMED

OCT 22 1996

23. Is this claim being rejected and returned to claimant?
24. Can this claim be data entered?
25. Was claim modified?
If yes, do modifications require notification to claimant? . . .
Note: Modifications made must be explained in comments stating
where the information for any changes was found.

YES

NO

☒ ☒
☒ ☒
☒ ☒
☒ ☒

Claim reviewed by: JH Date 11.30-94
Claim data entered by: JH Date 11.30-94

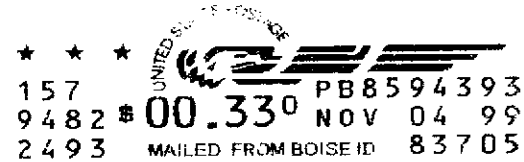
IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER
THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE
RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: Modify POW

RETURN SERVICE REQUESTED

NOV 12 1999

WATER RESOURCES
WESTERN REGION

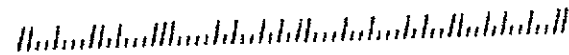


67-13967

SMIT604 T836512003 1899 05 11/09/99
RETURN TO SENDER
SMITH
TEMPORARILY AWAY
RETURN TO SENDER

15631 - 753703/21

242



AJ0749NP
No. 67-13967

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

DATE: 10/29/99
PAGE: 1

```
=====
OWNER      PRIORITY  USE PERIOD  DIVERSION  DIVERSION
CODE       NAME & ADDRESS  DATE        WATER USE  FROM TO    RATE      VOLUME
-----
C  DAVID M SHUEY      09/30/1895  STOCKWATER  01-01 12-31  0.020 CFS
C  CHRISTENE K SHUEY  DOMESTIC    01-01 12-31  0.040 CFS
    20334 MARKET RD
    CALDWELL ID 836058663
    (208) 455-9533
                                     TOTAL DIVERSION:  0.060 CFS

D  ROBERT L SMITH
D  WILMA L SMITH
    1604 W ORCHARD AVE APT 719
    NAMPA ID 836517597
    (208) 442-9370
=====
```

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T09N R05W S14

SENE

PAYETTE County

Place of use Legal Description for: STOCKWATER

```

      NE              NW              SW              SE
      NENE  NENE  SWNE  SENE  :  NENW  NWNW  SWNW  SENW  :  NESW  NWSW  SWSW  SESW  :  NESE  NWSE  SWSE  SESE  :
T   R   S   :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :
--- --- --- :  -----  -----  -----  -----  :  -----  -----  -----  -----  :  -----  -----  -----  -----  :  -----  -----  -----  -----  :
09N 05W 14 :              S   :              :              :              :              :              :              :              :

```

Place of use Legal Description for: DOMESTIC

```

      NE              NW              SW              SE
      NENE  NENE  SWNE  SENE  :  NENW  NWNW  SWNW  SENW  :  NESW  NWSW  SWSW  SESW  :  NESE  NWSE  SWSE  SESE  :
T   R   S   :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :
--- --- --- :  -----  -----  -----  -----  :  -----  -----  -----  -----  :  -----  -----  -----  -----  :  -----  -----  -----  -----  :
09N 05W 14 :              D   :              :              :              :              :              :

```

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

Other Rights: CANAL WATER (LOWER PAYETTE DITCH)

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A67-13967

Other Water Rights Listing Overlapping Place(s) of Use:
A65-00165A A65-00165B A65-00165C A65-00165X A65-07882 A65-11413

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.

AJ0749NP
No. 67-13967

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

DATE: 10/29/99
PAGE: 2

=====

Remarks: EXP STOCKWATER, 10 RANGE CATTLE
PARCEL NO. RP P1960006001A

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

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

Comments: Date: 05/05/1999 User-ID: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE BY CLAIMANT LETTER.

Date: 10/27/1999 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: 10/29/99 DBUFFING



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

November 4, 1999

RE: Water Right No. 67-13967

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVID M SHUEY
CHRISTENE K SHUEY
20334 MARKET RD
CALDWELL ID 83605-8663

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: Robert L and Wilma L Smith

AJ0749NP
No. 67-13967

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

DATE: 05/05/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT L SMITH	09/30/1895	STOCKWATER	01-01 12-31	0.020 CFS	
C	WILMA L SMITH		DOMESTIC	01-01 12-31	0.040 CFS	
	1604 W ORCHARD AVE APT 719					
	NAMPA ID 836517597					
	(208) 442-9370			TOTAL DIVERSION:	0.060 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T09N R05W S14

SENE

PAYETTE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
09N	05W	14	:																	:
			:																	:

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
09N	05W	14	:																	:
			:																	:

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

Other Rights: CANAL WATER (LOWER PAYETTE DITCH)

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 STOCKWATER, 10 RANGE CATTLE
PARCEL NO. RP P1960006001A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. 67-13967

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

DATE: 05/05/99
PAGE: 2

=====

Comments: Date: 05/05/1999 User-ID: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE BY CLAIMANT LETTER.

Audit: 05/05/99 SSHERMAN



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

May 6, 1999

KARL J. DREHER
DIRECTOR

DAVID M SHUEY
20334 MARKET RD
CALDWELL ID 83605

RE: Snake River Basin Adjudication (SRBA)
Water Right #67-13967

Dear Water Right Holder:

We have been advised you may be the current owners of the property and water right shown above. Before we can modify our records to reflect your ownership of the property and water right, 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 17, 1999.

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

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)
cc: Former Owner

return
to sender

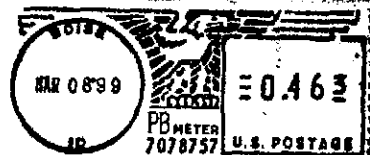
fee due 50¢

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

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



IMPORTANT WATER RIGHT INFORMATION

only W/R
67-13967
WILMA L SMITH
ROBERT L SMITH
141 S 20TH ST
PAYETTE ID 83661

SMIT141* 836612007 1898 05 03/10/99
FORM 3547
SMITH
1604 W ORCHARD AVE APT 719
NAMPA ID 83651-7507

AUTO 83661



U.S. POSTAL SERVICE
PS FORM 3547



AJ0749NP
No. R67-13967

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

DATE: 11/25/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILMA L SMITH	09/30/1895	STOCKWATER	01-01 12-31	0.02 CFS	
C	ROBERT L SMITH 141 S 20TH ST PAYETTE ID 83661 (208) 642-9810		DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.06 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T09N R05W S14

SENE

PAYETTE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
09N	05W	14	:					S	:											:

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
09N	05W	14	:					D	:											:

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

Other Rights: CANAL WATER (LOWER PAYETTE DITCH)

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 STOCKWATER, 10 RANGE CATTLE
PARCEL NO. RP P1960006001A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 11/25/98 CWALKER

AJ0749NP
No. R67-13967

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

DATE: 02/25/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT L SMITH	09/30/1895	STOCKWATER	01-01 12-31	0.02 CFS	
C	WILMA L SMITH		DOMESTIC	01-01 12-31	0.04 CFS	
	141 20TH ST					
	PAYETTE ID 83661					
	(208) 642-9810			TOTAL DIVERSION:	0.06 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T09N R05W S14

SENE

PAYETTE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
09N	05W	14	:					S	:											:

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
09N	05W	14	:					D	:											:

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

Other Rights: CANAL WATER (LOWER PAYETTE DITCH)

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 STOCKWATER, 10 ~~LIVESTOCK~~
PARCEL NO. RP P1960006001A

Dates: Exam Made Date: Verified Date: 02/25/1998 Objection Filed Date:

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

Audit: 02/25/98 SEGBERT

AJ5856NP

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

DATE: AUG-26-1997

PAGE: A-640

RIGHT NUMBER: 67-13967

NAME & ADDRESS: ROBERT L SMITH
WILMA L SMITH
141 SO 20TH ST
PAYETTE ID 83661

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

PRIORITY DATE: 09/30/1895

POINT OF DIVERSION: T09N R05W S14 SENE Within PAYETTE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC DOMESTIC, 1 HOME; STOCKWA	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within PAYETTE County
T09N R05W S14 SENE

DOMESTIC Within PAYETTE County
T09N R05W S14 SENE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP P1960006001A

Verified by Duff Date: 12/23/97
Verification Source: City Alpha



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DECEMBER 1, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

[]

ROBERT L SMITH
WILMA L SMITH
141 SO 20TH ST
PAYETTE ID 83661

[]

Dear Claimant(s):

We have processed your Notice(s) of Claim to a Water Right filed in the Snake River Basin Adjudication.

In the initial review of this claim(s) we found it necessary to either complete or change an item or items on your claim form(s). A copy of the computer generated copy with these changes and the receipt for the filing fee previously submitted are enclosed. **ONLY THE ITEM(S) SHOWN BELOW WITH A CHECKMARK HAVE BEEN EITHER CHANGED OR ADDED TO YOUR CLAIM(S). IF AN ITEM IS NOT CHECKMARKED, IT IS NOT PERTINENT TO THIS CLAIM(S).** *See Page 2*

_____ Item #2 - Only a portion of your priority date was listed. This item requires a month, day and year. We have added in the required information based on the Department's rules for dates of priority.

_____ Item #4 - The point of diversion appears to be incorrectly described or not described at all. Based on other information provided which included your legal description, we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, enclosed is a copy of the subdivision map from which we computed the quarter-quarter legal description.

_____ Item #5 - No description of diverting works was listed. Because the source was described as a groundwater source, we have completed this item with well, pump and pipeline. If your groundwater source is not a well, please notify us.

_____ Item #6 - The period of use is not listed for the use(s) claimed. The Department has recommended periods of use for certain uses. The recommended period of use has been added to your claim.

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_____ Item #7 - The total quantity claimed was not completed.
The use(s) claimed have been added together and
this amount added to your claim.

_____ Item #9 - The number of homes was not listed on your claim.
It appears to be filed for one domestic home and
this information has been added to your claim.

X Item #10- The place of use appears to be incorrectly
described, or not described at all. Based on
other information submitted we have added in the
quarter-quarter, section, township and range.
If you had listed the Lot, Block and Subdivision
name, we have enclosed a copy of the subdivision
map from which we computed the quarter-quarter
legal description. Or, if you have listed a
quarter-quarter legal description under Item No.
4, we have listed this same quarter-quarter,
section township and range on this item.

_____ Item #12- The ownership of the place of use has not been
marked. We have assumed you own the place of use
and this information has been added to your
claim.

_____ Item #15- Basis of Claim was not completed. No previously
recorded water rights were found, therefore, we
have marked beneficial use of the water as the
basis for filing this claim.

_____ Other _____

If you have any problems or questions concerning these additions
and/or changes, please contact this office within 30 days from the
date of this letter. If we do not hear from you within this time, we
will assume you agree with these changes, and your claim will remain
on file as shown on the enclosed data entered copy.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office

Enclosures

**SPECIAL NOTE: IF YOU NO LONGER OWN THE PROPERTY UPON WHICH THIS
CLAIM WAS FILED, PLEASE CONTACT THIS OFFICE IMMEDIATELY. IDAHO STATE
LAW REQUIRES THE DEPARTMENT BE NOTIFIED OF A CHANGE OF OWNER OR
ADDRESS ON A WATER RIGHT.**

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