



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: A67-10205
Date Received: 9/14/1989
Receipt No: W005949
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: W EMMETT SMITH
Address: 2674 DIXIE CREEK ROAD
CAMBRIDGE ID 83610

OR

Name: ZONA K SMITH
Address: 2674 DIXIE CREEK ROAD
CAMBRIDGE ID 83610

OR

Name: STEVEN ROYER
Address: 2674 DIXIE CREEK ROAD
CAMBRIDGE ID 83610

OR

Name: KIMBERLY ROYER
Address: 2674 DIXIE CREEK ROAD
CAMBRIDGE ID 83610

2. Date of Priority: MAY 12, 1947

3. Source: LITTLE WEISER RIVER Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	03W	14	SE	NW	SE		WASHINGTON

5. Description of diverting works:
DIV. DAM INTO DITCH W/PUMP & PIPELINE FOR SPRINKLER IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.110		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, INSTREAM STOCKWATER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	03W	14	NE	SE		IRR	15.0
			NW	SE		IRR	15.0
			SW	SE		IRR	25.0
			SE	SE		IRR	35.0
						Section Acres	90.0
		23	NE	NE		IRR	10.0
						Section Acres	10.0
						Total Acres	100.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
LOST VALLEY RESERVOIR RIGHTS.

14. Remarks:
THIS CLAIM REPLACES LICENSE NO. 67-02295 SHOWING AN EARLIER DATE OF PRIORITY THAN THAT REFLECTED ON THE LICENSE. AN EARLIER APP. FOR PERMIT WAS FILED (OLD #20075) ON MAY 12, 1947, BUT WAS NEVER PROVEN UP ON. THE PRIORITY FOR THIS CLAIM IS BASED ON THIS OLD FILING.
OWNERSHIP CHANGED BY LH 6/6/97.

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 _____

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

RECEIVED**APR 08 1997**WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) A67-10206 AND A67-10205
 Adjudication Claim Number(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 for parcel of ten acres or less. (These are usually on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) RICHARD R. HIGGINS OR LUCILE M. HIGGINS
2674 DIXIE CREEK ROAD, CAMBRIDGE, ID 83610
4. New Owner/Claimant(s) W. EMMETT SMITH OR ZONA K. SMITH
STEVEN ROYER OR KIMBERLY ROYER
 Name connector (Check one): ☐ AND, ☒ OR, ☐ AND/OR
 New Mailing Address 2674 DIXIE CREEK ROAD
 City, State and ZIP Code CAMBRIDGE, ID 83610
 New Telephone Number () -
5. Date you acquired the property 3/31/97
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) W. Emmett Smith Zona K. Smith Date 4/5/97
STEVEN ROYER KIMBERLY ROYER Date 4/6/97
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

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, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

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 believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of 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. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (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

(Optional)

Recorded ☐
 Microfilmed ☐
 Indexed ☐

Platted ☐
 Deed Card ☐
 Compared ☐

Key Punched ☐
 Master File ☐
 Abstracted ☐

INSTRUMENT NO. 169044

PAGE 1 OF 2
 To Treasurer ☐

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

RICHARD R. HIGGINS and LUCILE M. HIGGINS, husband and wife, and MICHAEL H. HIGGINS and LAURA HIGGINS, husband and wife,
 of Cambridge County of Washington GRANTOR(S)
 hereby CONVEYS, GRANTS and WARRANTS TO State of Idaho

W. EMMETT SMITH and ZONA K. SMITH, husband and wife, and
 STEVEN ROYER and KIMBERLY ROYER, husband and wife, GRANTEE(S)
 whose current address is 2674 DIXIE CREEK RD, CAMBRIDGE, ID 83610
 for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION Dollars (\$ 10.00)

the following described tract(s) of land in Washington County, State of Idaho:

PARCEL 1

[REDACTED] of the Boise Meridian
 [REDACTED]
 [REDACTED] N1/2NW1/4, [REDACTED], NW1/4SW1/4

PARCEL 2

[REDACTED] of the Boise Meridian
 [REDACTED]
 [REDACTED] SE1/4NE1/4, and NE1/4SE1/4.

SUBJECT TO rights of way for existing county roads.

SUBJECT TO:

A Mortgage to secure an indebtedness in the original principal sum of \$134,000.00, and any other amounts and/or obligations secured thereby, recorded August 17, 1984, as Instrument No. 134076, records of said County.
 Dated: August 3, 1984

Mortgage : Richard R. Higgins and Lucile M. Higgins, husband and wife;
 Michael H. Higgins and Laura Higgins, husband and wife.

Mortgagee : THE FEDERAL LAND BANK OF SPOKANE

*Save and Except that portion conveyed to Washington County by deed recorded May 1, 1988 as Instrument No. 145024, official records.

**Save and Except that portion conveyed to Washington County by deed recorded May 1, 1988 as Instrument No. 145025, official records.

RECEIVED

APR 08 1997

WATER RESOURCES
WESTERN REGION

Location of above described property

House No.

Street

No. 169044

WARRANTY DEED

-TO-

Dated _____, 19__

STATE OF IDAHO

County of WASHINGTON } ss.

I hereby certify that this instrument was
filed for record at request of

WEISER VALLEY TITLE

at 29 minutes past FIFTEEN

o'clock P. M., this 31ST day

of MARCH, A.D. 19 97

in my office, and duly recorded in ~~BOOK~~

~~XX~~ DEEDS #169044 ~~XX~~ ~~XXXX~~

SHARON WIDNER

Ex-Officio Recorder.

By *[Signature]* Deputy.

Fees \$ 6.00

WEISER VALLEY TITLE

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name Mr. & Mrs. W. Emmett Smith

Address Mr. & Mrs. Steven Royer

City & State _____

Zip _____

Residing at: *Idaho*

executed the same.

Laura Higgins, hus. & wife,

personally appeared before me RICHARD R. HIGGINS and LUCILE M. HIGGINS, hus. & wife, and MICHAEL H. HIGGINS and

the signer(s) of the within instrument, who duly acknowledged to me that they

(NOTARY PUBLIC)

My Commission expires: 3/27/97

State of Idaho

County of Washington } ss.

On the

day of

March A.D. 19 97

Laura Higgins

Michael H. Higgins

day of

A.D. 1997

INSTRUMENT NO. 169044
PAGE 2 OF 2



WITNESS the hand of said Grantors this

[Signatures of Richard R. Higgins and Lucile M. Higgins]

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: A67-10205
Date Received: 9/14/1989
Receipt No: W065949
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD R. HIGGINS 208-257-3535
Address: 2674 DIXIE CREEK RD.
CAMBRIDGE, ID 83610

OR

Name: LUCILE M. HIGGINS 208-257-3535
Address: 2674 DIXIE CREEK RD.
CAMBRIDGE, ID 83610

2. Date of Priority: MAY 12, 1947

3. Source: LITTLE WEISER RIVER Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
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5. Description of diverting works:
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6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.110		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATERING.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
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			NW	SE		IRR	15.0
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						Total Acres	100.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
LOST VALLEY RESERVOIR RIGHTS.

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

Number of attachments: 1

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): Richard R. Higgins Date: 9/14/89
Lucile R. Higgins Date: 9/14/89

State of Idaho)
County of AOA) SS.

Subscribed and sworn (or affirmed) before me this 14th day

of September 19 89

Jan Shute
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94





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 23, 1997

Re: Notices of Claim to a Water Right Nos. A67-10205, A67-10206

W EMMETT SMITH
ZONA K SMITH
STEVEN ROYER
KIMBERLY ROYER
2674 DIXIE CREEK ROAD
CAMBRIDGE ID 83610

Dear Claimant(s):

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

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

Also during our review of this ownership change and appurtenant land we found another water right for which no claim has been filed. A computer report of this water right 67-02300 is enclosed for your review. Please review this right carefully to decide whether or not it is a water source you are beneficially using at this time. If so, complete the enclosed claim to a water right form and return it to this office with the appropriate fees.

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Lori Harris'.

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1

Enclosures