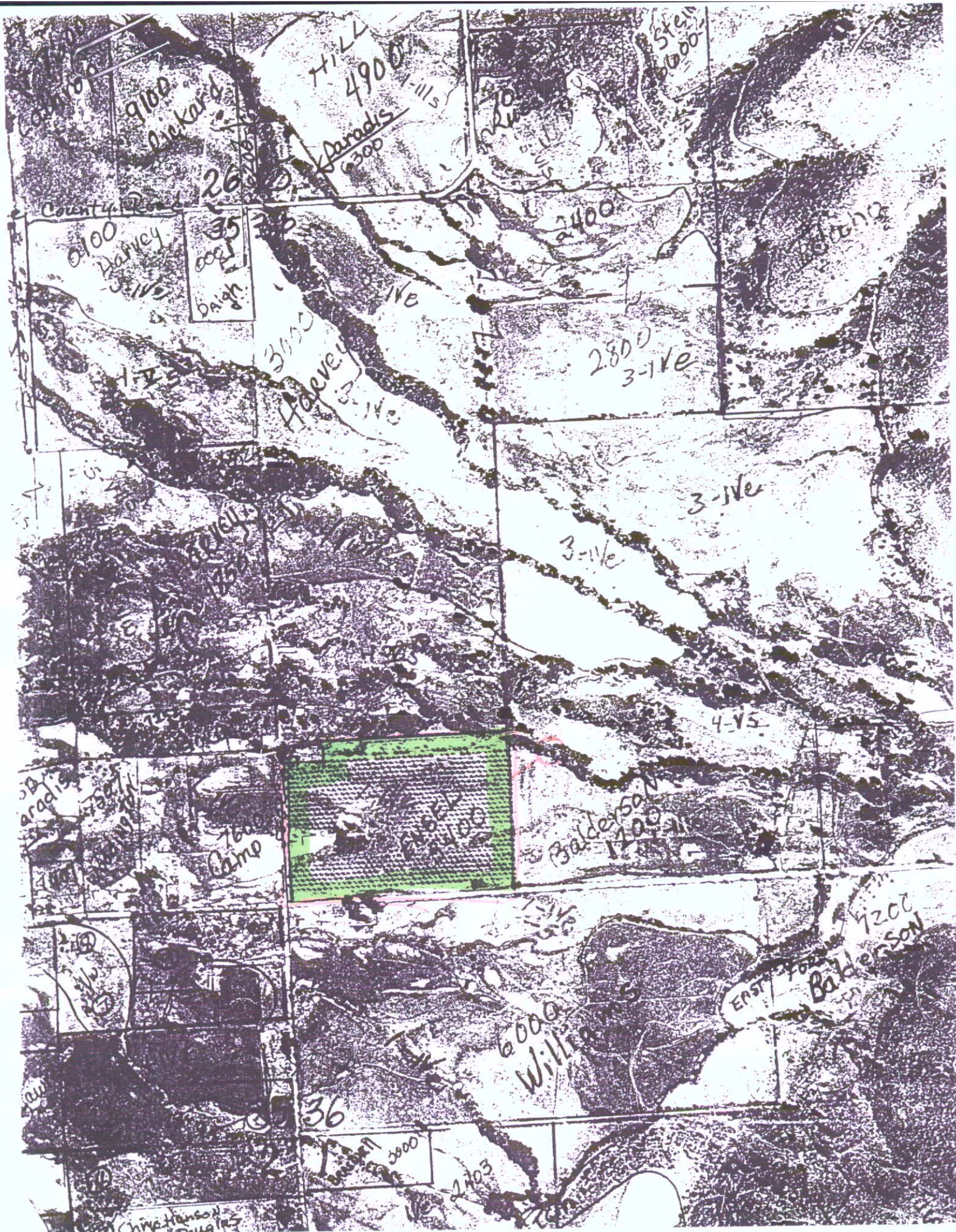




[40 chains]

Essex County
T#1504
(road)

88478
Martinez

Total .82 ac
in tax #1907

54 rods (891')

Rosabelle
Martinez
8-15-95

except com to
T#1504

R = 16.5'

W 15'

55217

54 rods

1714' 10"
51.06
5.82
125'

Harey, Donald E
87310 1/23/95

8-13
144/229

27

1 1/2 15' 4"

66' 6" 1/2 15' 4"

54/10

92' 13' 1/2
9/20/91

E 201' 22" 1320

892

1 rod = 5 1/2 yards

43560

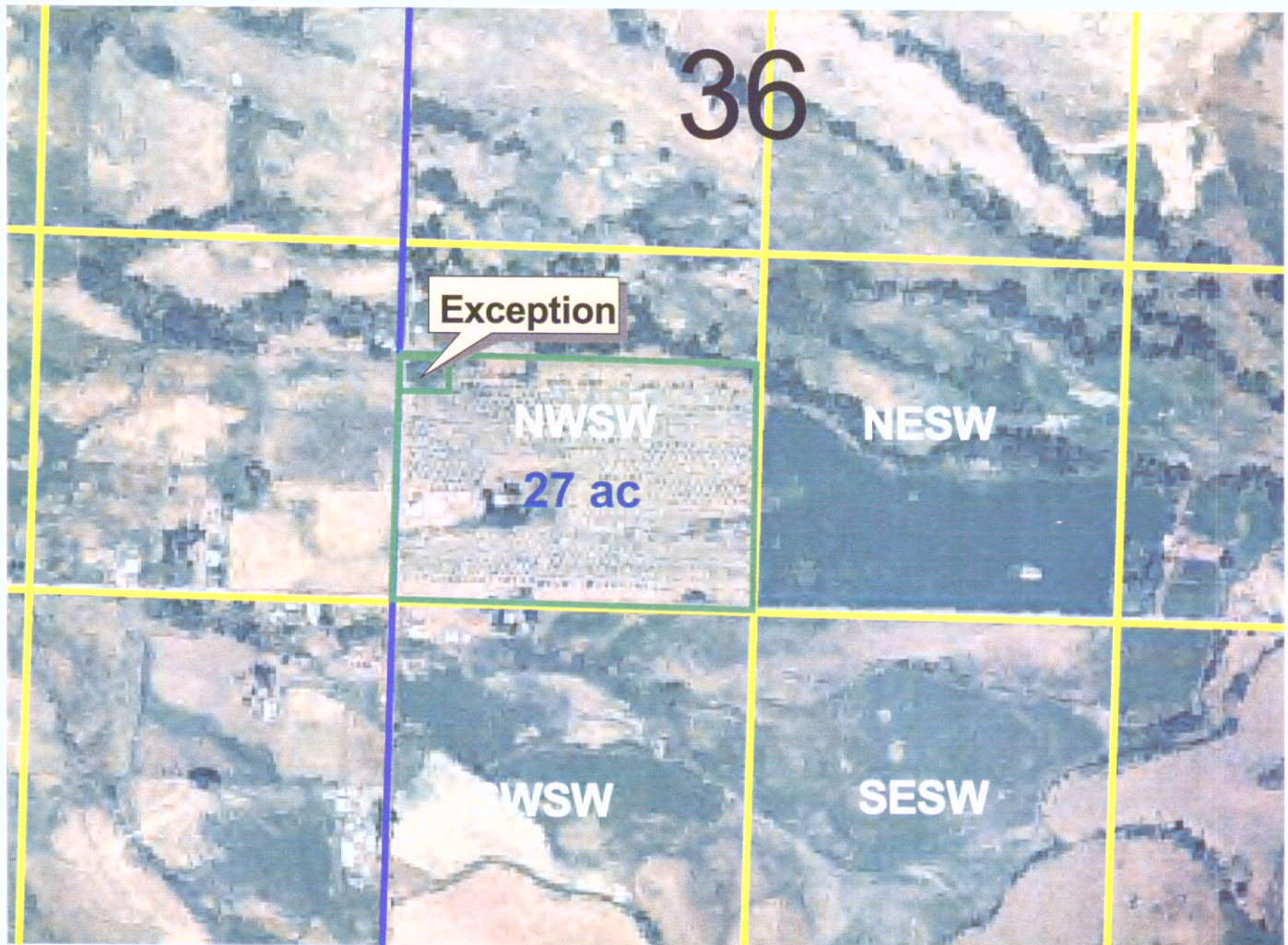
Donald E.

12

Smith

17N 1W

67-348D, 67-355D,
67-363F, 67-4158
and 67-11430



-  Property Lines w/ Exception
-  Section Line
-  QQ Lines



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 67-363F
Date Received: 7/26/1991
Receipt No: C021319
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KURT SMITH
11877 GOLDENROD AVE
BOISE ID USA 83713

Phone: (208) 377-9319

DIANE SMITH
11877 GOLDENROD AVE
BOISE ID USA 83713

Phone: (208) 377-9319

2. Date of Priority: 05/01/1889

3. Source: MILL CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	01W	36	NW NE SW	ADAMS	

5. Description of diverting works:

GRAVITY DIVERSION FROM MILL CK. FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	7/01	11/15	0.1	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	01W	36	NW	SW	IRRIGATION	27
					Section Acres	27
					Total Acres	27

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 7/31/2003

15. Basis of Claim: Decreed

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

RECEIVED**JUL 25 2003****WATER RESOURCES
WESTERN REGION**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
67-363 F	67-363 F				
67-00348 D					
A67-04158					
A67-00355 D					
A67-11430					

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) 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(s) ED & SHIRLEY ENGEL
4. New Owner/Claimant(s) HC 62 BOX 1310, COUNCIL, ID, 83612
~~COUNCIL ID 83612~~ KURT & DIANE SMITH
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 11877 GOLDENROD AVENUE
- City, State and ZIP Code BOISE ID 83713
- New Telephone Number (208) 377-9319
5. Date you acquired the property 5/19/03

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Kurt B. Smith
(include title if applicable) Diane E. Smith

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only
 Received by DAW Date 7-25-03 Fee - 0 -
 Receipted by - 0 - Date - 0 - Receipt No. - 0 -
 Processed by _____ AJ Date _____ WR _____ Date _____

INSTRUMENT NO. **103767**
PAGE 1 OF 2

Instrument # **103767**

COUNCIL, ADAMS, IDAHO

2003-05-19

03:09:18 No. of Pages: 2

Recorded for: **TIMBERLINE TITLE & ESCROW**

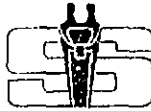
MICHAEL FISK

Fees \$00

Ex-Officio Recorder Deputy

Index to: DEED

Sarah J. Wilken



WARRANTY DEED

For Value Received ED ENGEL, AN UNMARRIED MAN AND SHIRLEY ENGEL, AN UNMARRIED WOMAN, WHO ACQUIRED TITLE AS ED ENGEL AND SHIRLEY ENGEL, HUSBAND AND WIFE

the Grantor hereby grants, bargains, sells, conveys and warrants unto KURT B. SMITH & DIANE E. SMITH, husband and wife

the Grantee whose current address is: 11877 Goldenrod Ave., Boise, ID 83713

the following described premises, to-wit:

AS PER LEGAL DESCRIPTION ATTACHED HERETO

Parcel Number: RP17N01W36S400A

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: May 14, 2003

ED ENGEL

SHIRLEY ENGEL

Shirley Engel

State of California

County of Tulare ss.

On this 15th day of May, 2003, before me, the undersigned, a Notary Public, in and for said State, personally appeared

Shirley Engel

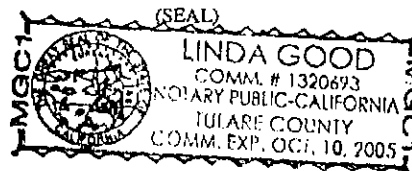
known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that she executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public

Residing at: Visalia, CA

Commission Expires: 10/10/05



Cathy Springer

From: Angie Bumgarner [abumgarner@timberlinetitle.com]
Sent: Wednesday, April 16, 2003 9:11 AM
To: Cathy Springer
Subject: 03-282

Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 36: A parcel of land situated in the NW1/4SW1/4 of said
section, Township and Range, more particularly described as follows:
Commencing at the Southwest corner of said NW1/4SW1/4 of said
Section, Township and Range;

Thence East on and along the South line of said NW1/4SW1/4 80^{1320'} rods to
the Southeast corner of said NW1/4SW1/4;

Thence North on and along the East line of said NW1/4SW1/4 a distance
of 54 rods; 891'

Thence West parallel to the South line of said NW1/4SW1/4 80^{1320'} rods to
a point on the West line of said NW1/4SW1/4;

891' Thence South on and along the West line of said NW1/4SW1/4 a distance
of 54 rods to the Real Point of Beginning;

EXCEPTING THEREFROM two tracts of land more particularly described as
follows:

Parcel 1: A strip of land 15 fee wide off of and along the entire
West end of the tract hereinbefore first described.

Parcel 2: Commencing at a point that is 54^{891'} rods North and 15 feet
East of the Southwest corner of said NW1/4SW1/4; said Section,
Township and Range; Thence East 177.44 feet; Thence South 125 feet;
Thence West 177.44 feet; Thence North 125 feet to the point of
beginning of this excepted tract.

SUBJECT TO the MILL CREEK COUNTY ROAD right of way as now
established.

1 rod =
16.5 ft.

4/16/2003

INSTRUMENT NO. 103766
PAGE 1 OF 2

instrument # 103766

COUNCIL, ADAMS, IDAHO

2003-05-19

03:09:18 No. of Pages: 2

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK

Fee: \$ 00

Ex-Officio Recorder Deputy

Index to: DEED



WARRANTY DEED

For Value Received ED ENGEL, AN UNMARRIED MAN AND SHIRLEY ENGEL, AN UNMARRIED WOMAN, WHO ACQUIRED TITLE AS ED ENGEL AND SHIRLEY ENGEL, HUSBAND AND WIFE

1. Grantor hereby grants, bargains, sells, conveys and warrants unto KURT B. SMITH & DIANE E. SMITH, husband and wife

the Grantee whose current address is: 11877 Goldenrod Ave., Boise, ID 83713

the following described premises, to-wit:

AS PER LEGAL DESCRIPTION ATTACHED HERETO

Parcel Number: RP17ND1W365400A

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: May 14, 2003

ED ENGEL

SHIRLEY ENGEL

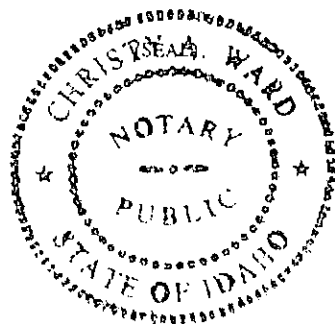
State of Idaho
County of Adams ss.

On this 16th day of May, 2003, before me, the undersigned, a Notary Public, in and for said State, personally appeared Ed Engel

known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that yes he executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Christy C. Ward
Notary Public
Residing at: Indian Valley, ID
Commission Expires: 9-17-04



Cathy Springer

From: Angle Bumgarner [abumgarner@linberlinetitle.com]
Sent: Wednesday, April 16, 2003 9:11 AM
To: Cathy Springer
Subject: 03-282

Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 36: A parcel of land situated in the NW1/4SW1/4 of said
section, Township and Range, more particularly described as follows:
Commencing at the Southwest corner of said NW1/4SW1/4 of said
Section, Township and Range;

Thence East on and along the South line of said NW1/4SW1/4 80 rods to
the Southeast corner of said NW1/4SW1/4;

Thence North on and along the East line of said NW1/4SW1/4 a distance
of 54 rods;

Thence West parallel to the South line of said NW1/4SW1/4 80 rods to
a point on the West line of said NW1/4SW1/4;

Thence South on and along the West line of said NW1/4SW1/4 a distance
of 54 rods to the Real Point of Beginning;

EXCEPTING THEREFROM two tracts of land more particularly described as
follows:

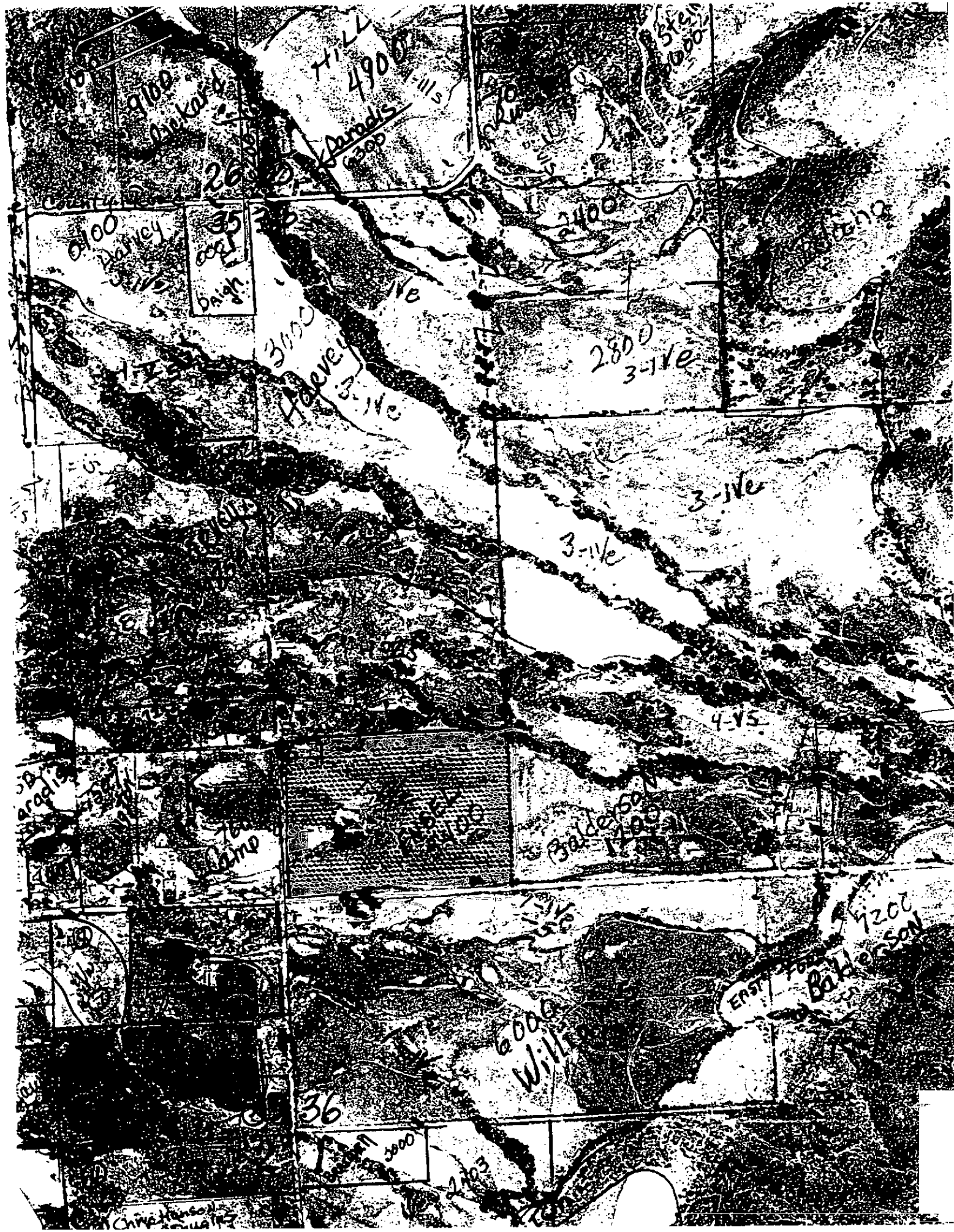
Parcel 1: A strip of land 15 feet wide off of and along the entire
West end of the tract hereinbefore first described.

Parcel 2: Commencing at a point that is 54 rods North and 15 feet
East of the Southwest corner of said NW1/4SW1/4, said Section,
Township and Range; Thence East 177.44 feet; Thence South 125 feet;
Thence West 177.44 feet; Thence North 125 feet to the point of
beginning of this excepted tract.

SUBJECT TO the MILL CREEK COUNTY ROAD right of way as now
established.

INITIAL


4/16/2003



[40 chains]

Exempt to
T#1504
(und)

88478
Martinez

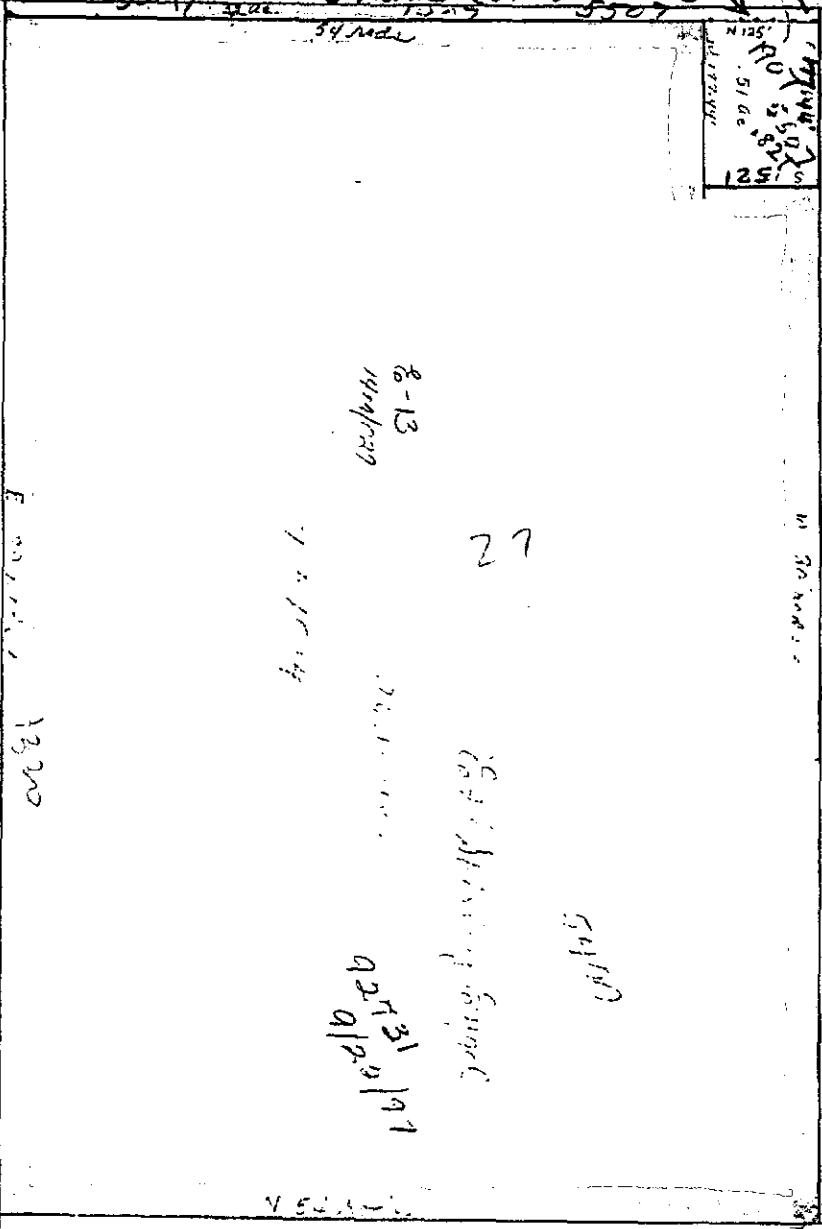
Total .82 ac
in Tax # 1907

A = 16.5'

Rosabelle
Martinez
88478
8-15-95

Exempt to
T#1504

W



Harvey, Donald E
87310 1/23/95

1

N

43560

Donald E.

12

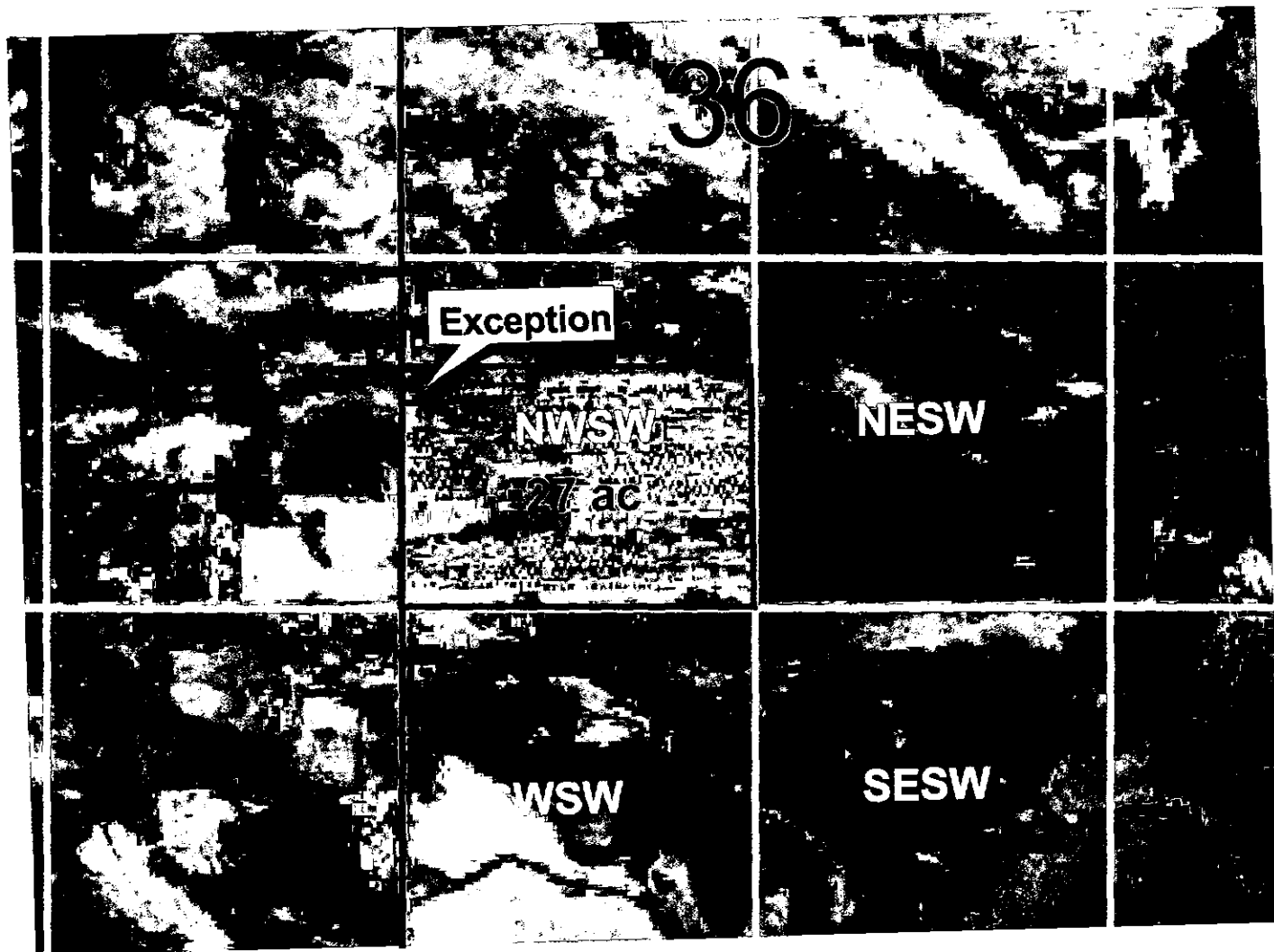
1 rod = 5 1/2 rods

892

Smith

67-348D, 67-355D,
67-363F, 67-4158
and 67-11430

17N 1W



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: A67-00363F
Date Received: 12/11/1989
Receipt No: CO21319
Received By: BHS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ED E. ENGEL 208-253-4830
Address: HC 62, BOX 1310
COUNCIL, ID 83612

OR
Name: SHIRLEY A. ENGEL 208-253-4830
Address: HC 62, BOX 1310
COUNCIL, ID 83612

2. Date of Priority: MAY 1, 1889

3. Source: MILL CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	01W	36	NW	NE	SW		ADAMS

5. Description of diverting works:
GRAVITY DIVERSION FROM MILL CK. FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	07/01	11/15	0.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	36	NW	SW		IRR	27.0

A67-00363F

Page 1

Date: 07/26/91

MICROFILMED
OCT 01 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	27.0
					Total Acres	27.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
A67-00348D, A67-00355D, A67-04158,

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN T. MUIR

Decree Plaintiff

VILLIAM ALLISON.

vs Decree Defendant

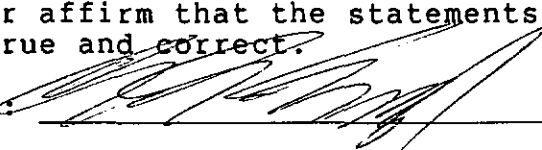
16. Signature(s)

(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: _____

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: 7-26-91

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 26 day

of July 19 91

Seal

John Dal Carson
Notary Public

Residing at Baino Id

My Commission Expires 6/2/94

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Ed E. Engel (208) 253-4830
Name of Claimant Phone Number
HC 62 Box 1310 Council Idaho 83612
Mailing Address City State Zip
Adams Jan 5+1 1990
County(s) where place of use is located Date claim originally due
A67-00363F
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

Filled my other water rights on time just
found out I was entitled to claim
the above # water right

Claimant requests an extension to July 26+1, 19 91
[Signature] July 26+1, 19 91
Signature Date of request
Owner
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to July 26, 19 91
Signed this 3 day of August, 19 91

[Signature]
Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED
OCT 01 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 31, 2003

KURT SMITH
DIANE SMITH
11877 GOLDENROD AVE
BOISE ID 83713

Re: Notice of Claim to a Water Right No. 67-348D, 67-363F, 67-355D, 67-4158 & 67-11430

Dear Claimant(s):

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

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

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

Sincerely,

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

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure