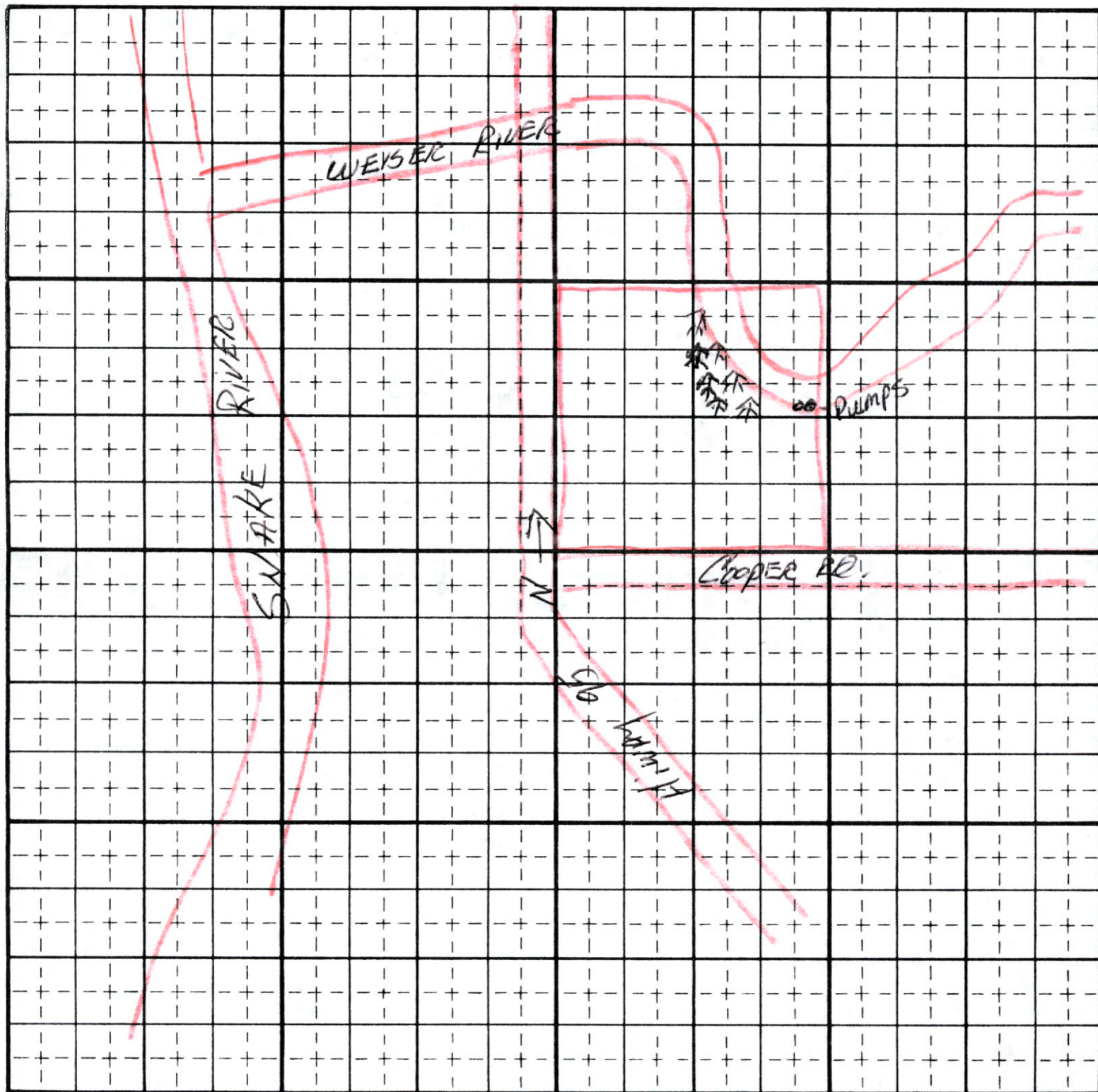


Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

SEC #5 Rng 05W
TOWD 10N



38 Acres Total 8 Acres Wetland & River

MICROFILMED
AUG 05 1994

Last Name Duval Ident No. _____

Copies: White-State, Yellow-Claimant

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: A67-04017
Date Received: 3/25/1994
Receipt No: W017295
Received By: Del

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN B DUVALL 208-549-2353
Address: 1398 COOPER RD
WEISER ID 83672

OR

Name: JEANINE A DUVALL 208-549-2353
Address: 1398 COOPER RD
WEISER ID 83672

2. Date of Priority: OCT 21, 1953

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	5	NE	NE	NE		WASHINGTON

5. Description of diverting works:

2 PUMPS IN WEISER RIVER, DITCHES CARRY WATER TO IRRIGATED GROUND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.800		

7. Total Quantity Appropriated is:

0.800 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

MICROFILMED
AUG 05 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	5	NE	NE		IRR	30.0
Section Acres							30.0
Total Acres							30.0

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:
NONE

14. Remarks:
CLAIM WAS ORIGINALLY WITHDRAWN, NEW OWNER REFILED THE CLAIM.
3-25-94 RDH.

15. Basis of Claim: STATUTORY CLAIM

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: _____

MICROFILMED
AUG 05 1994

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
AUG 05 1994

**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 A67-04017Date Received 3-25-94Receipt Number W017295

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

RECEIVED**MAR 25 1994****WATER RESOURCES
WESTERN REGION****Please type or print clearly**

1. Name of Claimant (s) John B. or Jeanine A. Duvall Phone (208) 549-2353
Mailing Address 1398 Cooper Rd., Weiser, ID Zip 83672
2. Date of Priority (Only one (1) per claim) October 21, 1953
3. Source of water supply (a) Weiser River
which is tributary to (b) Snake River
4. a. Location of existing point of diversion is: Township 10N Range 05W Section 5,
NE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Washington
Additional points of diversion if any: N/A
- b. If instream flow, beginning point of claimed instream flow is: N/A
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. Diversion consists of (2) pumps in
the Weiser River and ditches to carry water to irrigated ground.

MICROFILMED**AUG 05 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.

RECEIVED
JAN 2 1988
IDAHO DEPT. OF WATER RESOURCES
BOISE, IDAHO

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. It will contain 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 Irrigation purposes from Apr. 1 to Oct. 31 amount 0.800 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.800 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 100 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

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	
10N	05W	5	30																30

Total number of acres irrigated 30

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

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.
_____ or None (X)

14. Remarks:

MICROFILMED

AUG 05 1994

Last Name Duval 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.

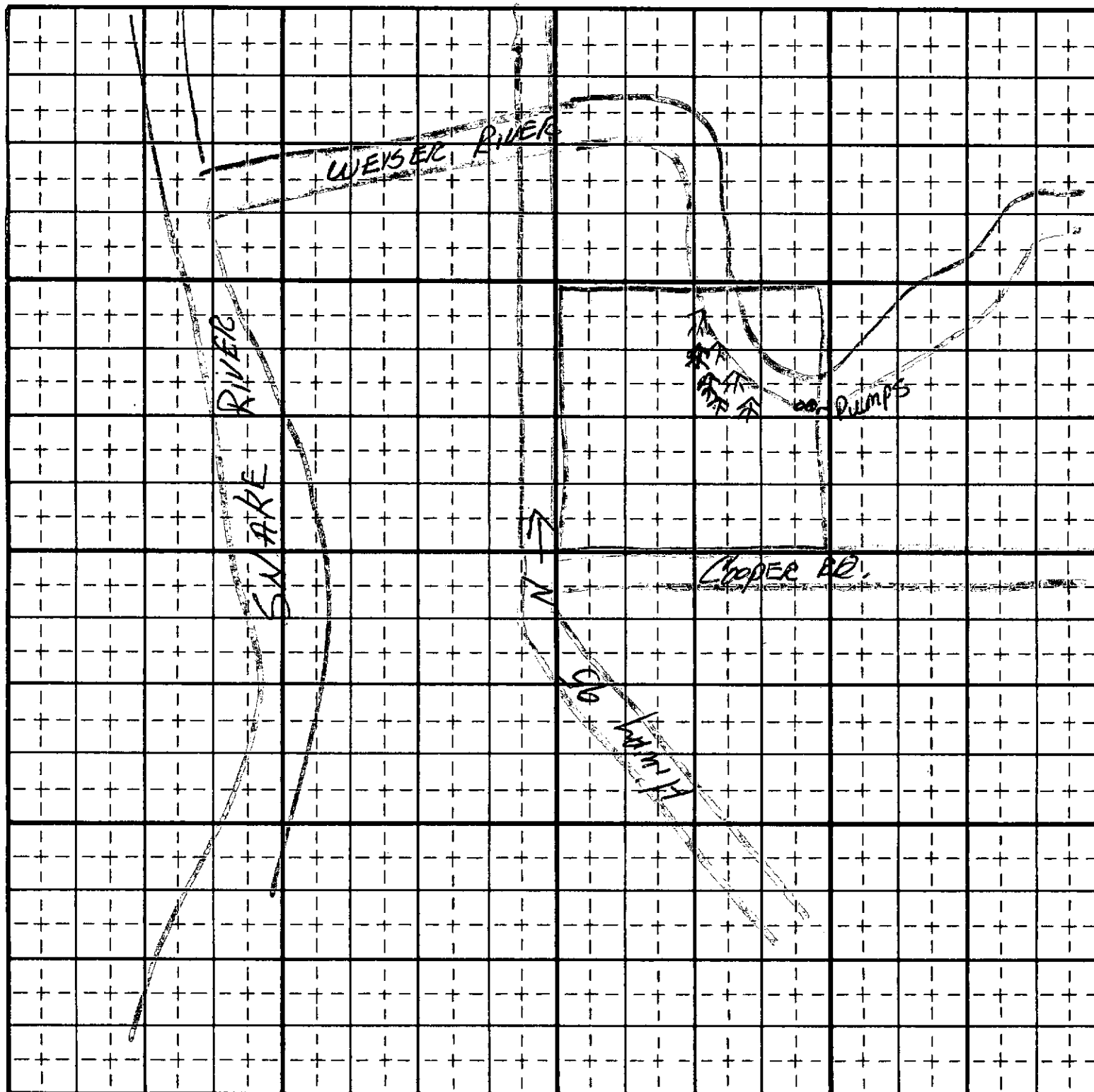
The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

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.

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

SEC #5 Rng 05W
TOWD 10N



38 Acres Total 8 Acres Wetland & River

MICROFILMED

AUG 05 1994

Last Name Duval 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 A67-04017

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 _____

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

Signature of Claimant (s) John B. Wall Date 3-24-94

Date _____

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

Title

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 _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 24th day of March 19 94

SEAL

Notary Public Ward Sutton

Residing at Weiser, ID

My Commission Expires 2-04-98

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

AUG 05 1994

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 4/22/92

RECEIVED
SEP 1 1992
Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) SEP - 2 1992
Department of Water Resources
Western Regional Office
- [] Water Right Number(s)
Assigned by IDWR: _____
- [] Name and Address of Former Owner/Claimant(s)(Seller): REX FORD SMITH RECEIVED
MAR 25 1994
WATER RESOURCES
WESTERN REGION
- [] New Owner/Claimant (Purchaser): JOHN B. & JEANINE A. DUVALL
- [] New Mailing Address: 1398 COOPER LANE
WEISER, ID 83672
- [] New Telephone Number: (208) 549 - 2353
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: RECORDED WARRANTY DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New Owner/Claimant(s) *John B. Duvall* Date 4-17-92
Jeanine A. Duvall Date 4-17-92
- [] Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

AUG 05 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

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 office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

WARRANTY DEED

For Value Received

REX FORD SMITH aka FORD SMITH, a married man dealing with his sole and separate property

The grantor, do es hereby grant, bargain, sell and convey unto

JOHN B. DUVALL AND JEANINE A. DUVALL, husband and wife

the grantee s, whose current address is

1398 COOPER LANE, WEISER, ID 83672

the following described premises, in

WASHINGTON

County Idaho, to-wit:

A parcel of land situated within Government Lot 1 of Section 5, Township 10 North, Range 5 West, Boise Meridian, more particularly described as follows:

Beginning at the southeast corner of Government Lot 1 of Section 5, T.10N., R.5W., B.M.;

Thence West - 295.00 feet along the south line of said Government Lot 1;

Thence N 0°44'58"W, parallel to the east line of said Government Lot 1, a distance of 150.09 feet;

Thence East, parallel to the south line of said Government Lot 1, a distance of 295.00 feet to a point on the east line of said Government Lot 1;

Thence S 0°44'58"E - 150.09 feet along the east line of said Government Lot 1 to the point of beginning.

SUBJECT TO AND TOGETHER WITH a 16.00 foot wide ingress-egress easement along the east side of the above described parcel of land.

EXCEPTING the right-of-way as now established of an existing County Road known as Cooper Road along the south side of the above described parcel of land.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, THEIR heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said Grantee s, that he the owner in fee simple of said premises; that they are free from all incumbrances

RECEIVED

SEP 1 1992

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: 4/24/92

Department of Water Resources

REX FORD SMITH

STATE OF IDAHO, COUNTY OF Washington
On this 24th day of APRIL, 1992,
before me, Notary Public in and for the said State, personally
appeared:

REX FORD SMITH

known or identified to me to be the person whose name
subscribed in the within instrument, and acknowledged to me
that HE executed the same.

Residing at Weiser, Idaho
Comm. Expires 11/4/97

Notary Public

STATE OF IDAHO, COUNTY OF WASHINGTON

I hereby certify that this instrument was filed for record at the
request of WEISER VALLEY TITLE

at 08 minutes past 16:00 o'clock p M.,
this 24TH day of APRIL
19 92, in my office, and duly recorded in Book
of Deeds at BOX # 154225

MARY KAUTZ

Ex-Officio Recorder

By [Signature] Deputy.

Fees \$ 3.00

Mail to: W.V.T.

Emp. Inc.
Comp. Rel.
Film
Card Rel.
Bk. Rel.
Update
Return

INCIDU ENI 1.1

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: A67-04017
Date Received: 8/15/1989
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: REX FORD SMITH
Address: RT. 3
WEISER, ID

WITHDRAWN
88672

2. Date of Priority: OCT 21, 1953

3. Source: WEISER RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	5	NE	NE			WASHINGTON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.800		

7. Total Quantity Appropriated is:
0.800 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
10N	05W	5	NE	NE		IRR	30.0

Section Acres 30.0

Total Acres 30.0

A67-04017

Page 1

Date: 08/15/89

MICROFILMED

AUG 05 1994

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:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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): x *Robert Smith* Date: 8/15/89
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of August 19 89

Eldon L. Roush
Notary Public

Seal

Residing at _____

My Commission Expires _____

Eldon L. Roush
Residing at Boise, Idaho
My Commission Expires September 8, 1994

[illegible]

MICROFILMED
AUG 05 1994

Water right number - 67-04017 Adj. flag translation: Standard Water Right Number

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 01/28/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

MICROFILMED

AUG 05 1994

09/17/2002

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

RIGHT NUMBER: 67-4017

NAME AND ADDRESS: JEANINE A DUVALL
1398 COOPER RD
WEISER ID 83672

JOHN B DUVALL
1398 COOPER RD
WEISER ID 83672

SOURCE: WEISER RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.80 CFS

PRIORITY DATE: 10/21/1953

POINT OF DIVERSION:

T10N R05W S5 NENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	0.800 CFS

PLACE OF USE: T10N R05W S05 NENE 30.0

30 ACRES TOTAL

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

CLAIM WAS ORIGINALLY WITHDRAWN, NEW OWNER REFILED THE CLAIM.
3-25-94 RDH.

CLAIM WITHDRAWN 08/15/89. ELR

EXPLANATORY MATERIAL: Statutory Claim



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

March 25, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

John B. Duvall or
Jeanine A. Duvall
1398 Cooper Rd.
Weiser ID 83672

NOTICE OF CLAIM NO.(S)
A67-04017

Dear John & Jeanine,

Enclosed is a copy(s) of the above referenced claim(s) which reflects the **CHANGE IN OWNERSHIP** of the lands and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Ron Howerton
ADJUDICATION STAFF
Department of Water Resources
Western Region Office
(208) 334-2190

Attachment

MICROFILMED
AUG 05 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

March 1, 1994

FAX (208) 334-2348

JOHN B. DUVALL OR
JEANINE A. DUVALL
1398 COOPER LANE
WEISER ID 83672

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Dear Wateruser(s):

This office has reviewed the **Notice of Change of Water Right Ownership** form submitted to our office. However, due to the items checked below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to **COMPLETE OR RESEARCH ONLY THE FOLLOWING ITEM(S) SHOWING A CHECKMARK IN THE BLANK FOR THAT ITEM(S).** **SEE NEXT PAGE**

_____ **There is no existing water right in our records either under the former owner's name or for the legal description given. If, after contacting the former owner, you find more information concerning a water right, please contact us.**

_____ **Legal description of property.** Please complete showing the legal description by 1/41/4 (40-acre tract), section, township and range for the property changing ownership. If you only have a subdivision lot & block legal description, please send us a copy of your subdivision plat map.

_____ **It appears you receive your water from an irrigation district, ditch company, municipality or community water company. If this is the case, then the water right remains in the name of this entity and you should contact them concerning the ownership change.**

_____ **Name and address of former owner (seller).** This will clarify the original owner of the water right.

_____ **Name, address and phone number of new owner (purchaser).**

_____ **This change in ownership appears to result in a splitting of the water right.** A split of the water right occurs when the ownership change affects only a portion of the original right. In order to accurately split this right we must know what portion of the right was sold. The amount of water in CFS, the place of use by 1/4 1/4 with the number of acres in each 1/41/4 (if applicable) and the point of diversion by 1/41/4, Section, Township and Range is needed. If this right is not being split, please submit proof of ownership for the remaining portion.
Enclosed is a computer copy of this right for your review.

_____ **Proof of ownership is needed.** This proof can be a copy of the warranty deed, sales contract or tax assessment in your name which includes a description of this property by 1/41/4, Section, Township and Range.

MICROFILMED

AUG 05 1994

_____ Signature of new owner (purchaser) is needed on this form.

XX Other: THE ORIGINAL CLAIMANT WITHDREW HIS CLAIM. IN ORDER TO PROCESS THIS CLAIM IT WILL NEED TO BE REFILED. ENCLOSED IS A COPY OF THE WITHDRAWN CLAIM. YOU MAY USE IT TO HELP FILL IN THE ENCLOSED BLANK COPY OF A NOTICE OF CLAIM TO A WATER RIGHT. NORMAL FEE'S APPLY, IF YOU RETURN THIS INFORMATION WITHIN 30 DAYS OF THIS LETTER. NORMAL FEE'S ARE \$80.00. IF THIS CLAIM IS FILED LATER THAN THE 30 DAYS, YOU MAY BE CHARGED AN ADDITIONAL \$50.00 LATE FEE.

Please complete the above item(s), if required, on the Notice of Change of Water Right Ownership form and return it with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed (if one exists), will remain in the original owner's name.

Feel free to contact this office if you have any questions concerning this letter.

Sincerely,

Rh
Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

RH:r
Enclosures

MICROFILMED
AUG 05 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 4/22/92

RECEIVED
SEP 1 1992
Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: _____
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): REX FORD SMITH
- ☐ New Owner/Claimant (Purchaser): JOHN B. & JEANINE A. DUVALL
- ☐ New Mailing Address: 1398 COOPER LANE
WEISER, ID 83672
- ☐ New Telephone Number: (208) 549 - 2353
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

SEP - 2 1992
Department of Water Resources
Western Regional Office

- ☐ Attach proof of ownership, describe proof attached: RECORDED WARRANTY DEED
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) John B. Duvall Date 4-17-92
Jeanine A. Duvall Date 4-17-92
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:

Further Action Taken
Date: _____ By: _____

Final Review and Data-Entry
Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

AUG 05 1994

WARRANTY DEED

For Value Received

REX FORD SMITH aka FORD SMITH, a married man dealing with his sole and separate property

The grantor, does hereby grant, bargain, sell and convey unto

JOHN B. DUVALL AND JEANINE A. DUVALL, husband and wife

the grantee s, whose current address is

1398 COOPER LANE, WEISER, ID 83672

the following described premises, in

WASHINGTON

County Idaho, to-wit:

A parcel of land situated within Government Lot 1 of Section 5, Township 10 North, Range 5 West, Boise Meridian, more particularly described as follows:

Beginning at the southeast corner of Government Lot 1 of Section 5, T.10N., R.5W., B.M.;

Thence West - 295.00 feet along the south line of said Government Lot 1;

Thence N 0°44'58"W, parallel to the east line of said Government Lot 1, a distance of 150.09 feet;

Thence East, parallel to the south line of said Government Lot 1, a distance of 295.00 feet to a point on the east line of said Government Lot 1;

Thence S 0°44'58"E - 150.09 feet along the east line of said Government Lot 1 to the point of beginning.

SUBJECT TO AND TOGETHER WITH a 16.00 foot wide ingress-egress easement along the east side of the above described parcel of land.

EXCEPTING the right-of-way as now established of an existing County Road known as Cooper Road along the south side of the above described parcel of land.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, THEIR heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said Grantee s, that he the owner in fee simple of said premises; that they are free from all incumbrances

RECEIVED

SEP 1 1992

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: 4/24/92

Department of Water Resources

REX FORD SMITH

STATE OF IDAHO, COUNTY OF Washington
On this 24th day of APRIL, 1992,
before me, Notary Public in and for the said State, personally
appeared

REX FORD SMITH

known or identified to me to be the person whose name
subscribed in the within instrument, and acknowledged to me
that HE executed the same.

Notary Public

Residing at Weiser
Comm. Expires 11/4/97

STATE OF IDAHO, COUNTY OF WASHINGTON

I hereby certify that this instrument was filed for record at the
request of WEISER VALLEY TITLE

at 08 minutes past 16:00 o'clock p.m.,

this 24TH day of APRIL

19 92, in my office, and duly recorded in Book

of Deeds at 154225

MARY KAUTZ

Ex-Officio Recorder

By

Deputy.

Fees \$ 3.00

Mail to: W.V.T.

Comp. In.
Comp. Re.
Firm
Compare
Card Rel.
Bk. Rel.
Update
Return

Water Right Number - A67-04017 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SMITH REX FORD 1 - RT. 3
2 -
3 -
City- WEISER State- ID Zip- 83672
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
10/21/1953 14 WESTERN W - WITHDRAWN

+ - - Source - - - - + + - - Tributary - - - - +
WEISER RIVER SNAKE RIVER
WITHDRAWN

+ - - Point of Diversion - - - - - +

Twn	Rng	Sec	Tract	Lot	Rflg	County	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
10N	05W	5	NE NE			(87) WASHINGTON		04/01	10/31		0.800	
+ - - Total Div. Rate - - + + - - Total Div. Volume - - + + - - Total Consumptive Use - - + + - - KW Usage - - + 0.800 0.800 0.0												
+ - - Place of Use - - - - - +												
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County				
10N	05W	5	NE NE	30.0	01	IRRIGATION		(87) WASHINGTON				
Total Acres: 30.0												
+ - - Diversion Means -												
+ - - Non-Irrigation Use -												
+ - - Other Rights for Same Use -												
+ - - Remarks - - - - - +												
****CLAIM WITHDRAWN 08/15/89. ELR ****												
+ - - No Old Water Right Numbers Found - - - - - Old Water Right Numbers - - - - - +												
+ - - Conditions of Approval - - - - - +												
No Conditions of Approval found.												

MICROFILMED
AUG 05 1994

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	-	39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-	
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-	
Claim Received Date	- 08/15/1989	Last Amended Date	- 00/00/0000	Temporary Right	-	P
		Receipt Number	- X777777	Water District	-	
		POU Ownership Flag	- Y	Federal/State Indicator	-	S
		Name Connector	-	Presumption Flag	-	
				Notice of Error Flag	-	

INDEXED
AUG 05 1994

WITHDRAWAL OF CLAIM IN SRBA

TO WHOM IT MAY CONCERN:

I/We hereby withdraw the Notice of Claim to
Water Right number A67-04017.

Signed at IDWR - Western Region

this 15 day of August, 19 89.

R. Ford Smith
Claimant

WITHDRAWN

MICROFILMED

AUG 05 1994

No Conditions of Approval found.

MICROFILMED
AUG 05 1994

Prefix Translation: RESEARCH

+ . . . +
-Comments-
No Comments Found

No Comments Found

* *	- - - -	- - Adjudication Rights Dates and Flags Area	- - - - -	*	
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 08/15/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-

UNCLASSIFIED
AUG 05 1994