

COPY

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

RECEIVED

SEP 10 2007

2007 AUG 28 PM 2 28

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

Case No. 39576

SUBCASE NO. 02-7064, 02-7237A,
02-10181, 02-10189

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

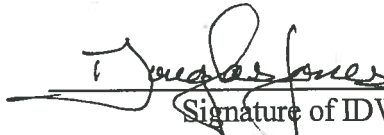
IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

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 Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated:

8/28/07


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 8/28, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Robert Smith
Connie Smith
94 Walkley Rd
Burbank WA 99323



Signature of person or attorney mailing the form

07/16/2007

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

RIGHT NUMBER: 2-7064

NAME AND ADDRESS: CONNIE SMITH
94 WALKLEY RD
BURBANK WA 99323

ROBERT SMITH
94 WALKLEY RD
BURBANK WA 99323

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 6.360 CFS
1,590.00 AFY

PRIORITY DATE: 04/23/1970

POINT OF
DIVERSION: T05S R04E S34 SESW Lot 9 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

6.360 CFS
1,590.00 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County

T06S R02E S12	NESW	40.00	T06S R02E S12	SESW	40.00
T06S R02E S12	NWSE	40.00	T06S R02E S12	SWSE	40.00
T06S R02E S13	NENE	39.00	T06S R02E S13	NWNE	40.00
T06S R02E S13	NENW	40.00	T06S R03E S18 Lot 1 NWNW		39.00

318 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The following rights are diverted through point of diversion described above:
02-7059, 02-7060B, 02-7061, 02-7062, 02-7064, 02-7168A, 02-7168B,
02-7168C, 02-7237A, 02-7275, 02-7279A, 02-10180, & 02-10181.

07/16/2007

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

RIGHT NUMBER: 2-7237A

NAME AND ADDRESS: ROBERT SMITH
94 WALKLEY RD
BURBANK WA 99323

CONNIE SMITH
94 WALKLEY RD
BURBANK WA 99323

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 5.900 CFS
1,475.00 AFY

PRIORITY DATE: 12/23/1976

POINT OF

DIVERSION: T05S R04E S34 SESW Lot 9 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	5.900 CFS 1,475.00 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County

T06S R03E S06 Lot 7 SWSW	40.00	T06S R03E S06	SESW	40.00
T06S R03E S07	NENW 40.00	T06S R03E S07 Lot 1	NWNW	19.00
T06S R03E S07 Lot 2	SWNW 38.00	T06S R03E S07	SESW	40.00
T06S R03E S07	NESW 40.00	T06S R03E S07 Lot 3	NWSW	38.00

295 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 02-7237.

The following rights are diverted through point of diversion described above:
02-7059, 02-7060B, 02-7061, 02-7062, 02-7064, 02-7168A, 02-7168B,
02-7168C, 02-7237A, 02-7275, 02-7279A, 02-10180, & 02-10181.

07/16/2007

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

RIGHT NUMBER: 2-10181

NAME AND ADDRESS: ROBERT SMITH
94 WALKLEY RD
BURBANK WA 99323

CONNIE SMITH
94 WALKLEY RD
BURBANK WA 99323

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.200 CFS
640.00 AFY

PRIORITY DATE: 04/09/1970

POINT OF

DIVERSION: T05S R04E S34 SWSESW Lot 9 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.200 CFS 640.00 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County

T06S R02E S12	NENE	40.00	T06S R02E S12	NWNE	40.00
T06S R02E S12	SENE	40.00	T06S R02E S12	NESE	40.00

160 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The following rights are diverted through point of diversion described above:
02-7059, 02-7060B, 02-7061, 02-7062, 02-7064, 02-7168A, 02-7168B,
02-7168C, 02-7237A, 02-7275, 02-7279A, 02-10180, & 02-10181.

This right is a split from former right 02-7060A.

07/16/2007

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

RIGHT NUMBER: 2-10189

NAME AND ADDRESS: ROBERT SMITH
94 WALKLEY RD
BURBANK WA 99323

CONNIE SMITH
94 WALKLEY RD
BURBANK WA 99323

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.830 CFS
473.60 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 90.24 CFS. COMBINED RIGHT NOS.: 2-103, 2-4021,
AND ALL PARTS OF BASE RIGHT 2-2209 INCLUDING 2-2209B, 2-2209C,
2-2209E, 2-10187, 2-10189, 2-10191, 2-10196, 2-10208, & 2-10209.

PRIORITY DATE: 02/25/1963

POINT OF

DIVERSION: T06S R11E S9 NWSW Lot 6 Within ELMORE County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.830 CFS 473.60 AFY

The period of use for the irrigation described in this approval may be
extended to a beginning date of 3/15 and an ending date of 11/15 provided
that beneficial use of the water can be shown and other elements of the
right are not exceeded. The use of water before 4/1 and after 10/31 is
subordinate to all water rights having no subordinated early or late

irrigation

use and a priority date earlier than the date of this approval.

PLACE OF USE: IRRIGATION in ELMORE County

T06S R10E S12	NENE	40.00	T06S R10E S12	NWNE	40.00
T06S R10E S12	SWNE	40.00	T06S R10E S12	SENE	21.50

141.5 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 2-10186.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

August 28, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

ROBERT SMITH
CONNIE SMITH
94 WALKLEY RD
BURBANK WA 99323

RE: SRBA Claim(s) 02-7064, 02-7237A, 02-10181, 02-10189

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 12 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

Date 2/12/07
after

[] Water Right Number(s): ^{AS} 02-10181, ^{License 7237A AS} 02-~~7327A~~, 02-10189 and
02-7064
^{AS}

[] Name(s): Robert and Connie Smith

[] Old Mailing Address: 64 Merry Lane
Burbank, Washington 99323

[] New Mailing Address: 94 Walkley Road
Burbank, Washington 99323

Telephone Number: (509) 545 - 8364

[] Signature(s) of Owner(s) *Robert L Smith*
Connie Smith
(Include your title if on behalf of company or organization)

Date: 7-2-07

Send to:

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

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

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

12/15/2003

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

RIGHT NUMBER: 2-10189

NAME AND ADDRESS: ROBERT SMITH
64 MERRY LN
BURBANK WA 99323

CONNIE SMITH
64 MERRY LN
BURBANK WA 99323

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.830 CFS
473.600 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 90.24 CFS. COMBINED RIGHT NOS.: 2-103, 2-4021, AND
ALL PARTS OF BASE RIGHT 2-2209 INCLUDING 2-2209B, 2-2209C, 2-2209E,
2-10187, 2-10189, 2-10191, 2-10196, 2-10208, & 2-10209.

PRIORITY DATE: 02/25/1963

POINT OF DIVERSION:

T06S R11E S9 NWSW Lot 6 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.830 CFS 473.60 AFY

The period of use for the irrigation described in this approval may be
extended to a beginning date of 3/15 and an ending date of 11/15
provided that beneficial use of the water can be shown and other
elements of the right are not exceeded. The use of water before 4/1 and
after 10/31 is subordinate to all water rights having no subordinated early
or late irrigation use and a priority date earlier than the date of this
approval.

PLACE OF USE: IRRIGATION Within ELMORE County

T06S R10E S12	NENE	40.0	T06S R10E S12	NWNE	40.0
T06S R10E S12	SWNE	40.0	T06S R10E S12	SENE	21.5

141.5 ACRES TOTAL

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

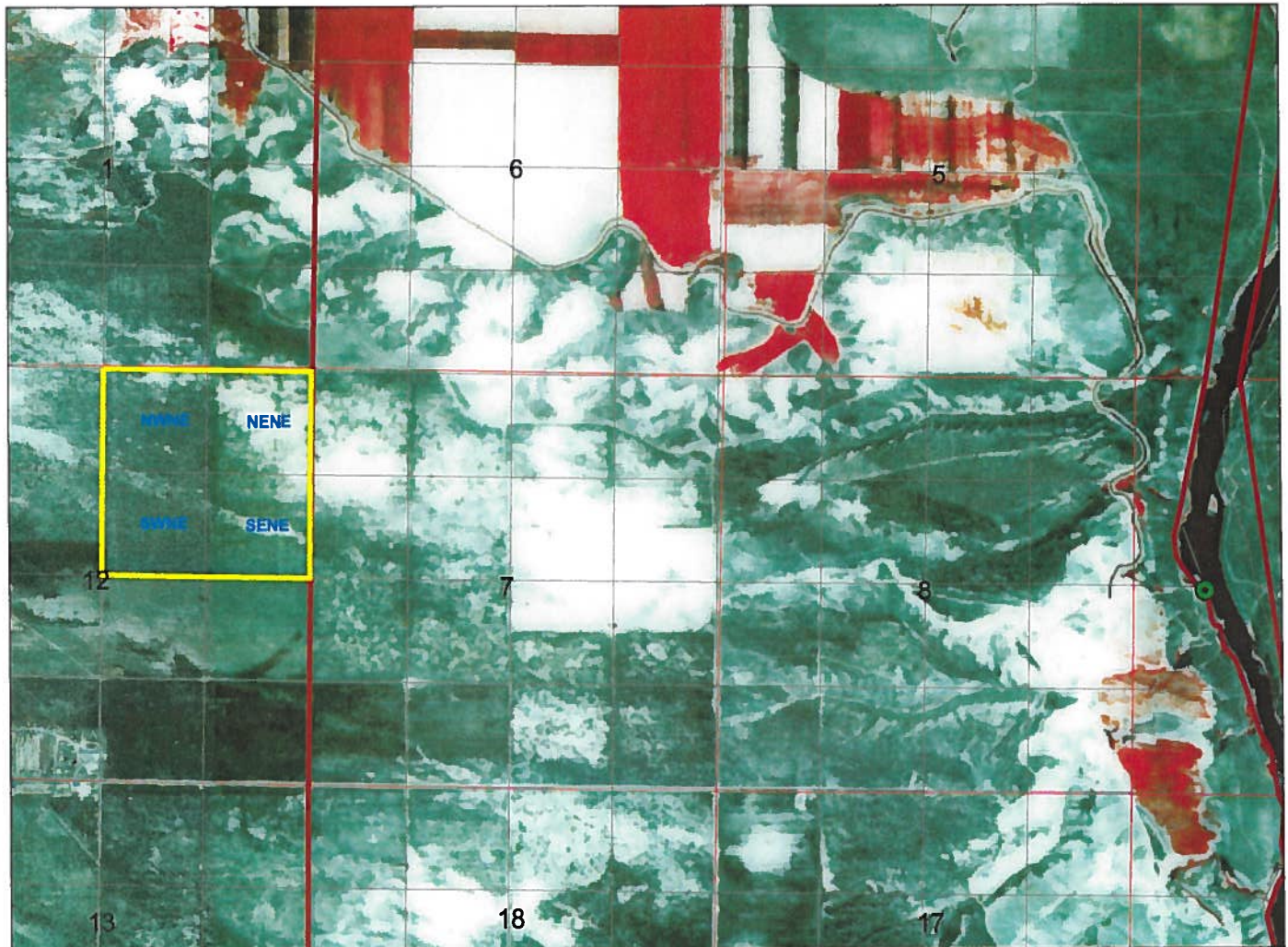
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: License

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 2-10186.

Idaho Department of Water Resources

Place of Use Layout 2-10189



1 0 1 Miles

Township 6S Range 10E, and
Township 6S Range 11E



GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: Scott King
Date prepared: November 4, 2003

- | | |
|--|----------------------------|
| | Point of Diversion |
| | Place of Use |
| | PLSS Township |
| | PLSS Section Lines |
| | PLSS quarter-quarter lines |

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 2-10189 - a portion of 2-2209

1. ☒ No Change NAME IS SAME
NEW OWNER: Smith
No Change ADDRESS
NEW ADDRESS: _____

2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION
Point of diversion is different than the claim and/or new P/D's:

shared w/ R00 @ CMCC, Black Mt. Trail (#2-4021)

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete description, list below:

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-10189

Date: 2

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	65	16E	12	40	40	40	21.5													141.5
-GIS				40	40	40	40													160
Claim																				
-GIS																				
Claim																				
-GIS																				
Claim																				
-GIS																				
Claim																				
-GIS																				

Number of POD's 1

Total Claimed Acres: 141.5

Overlapping FOU Claim #'s:

Total GIS Acres: 160

02-02209B

COMMENTS:

This property is owned by Black Mesa Farms. No claim
map. Per claim legal & image interpretation

Idaho Department of Water Resources

Claim Number: 02-10189
Legal: T06S, R10E, S12
Reviewed By:



Point of Diversion
(located outside view)



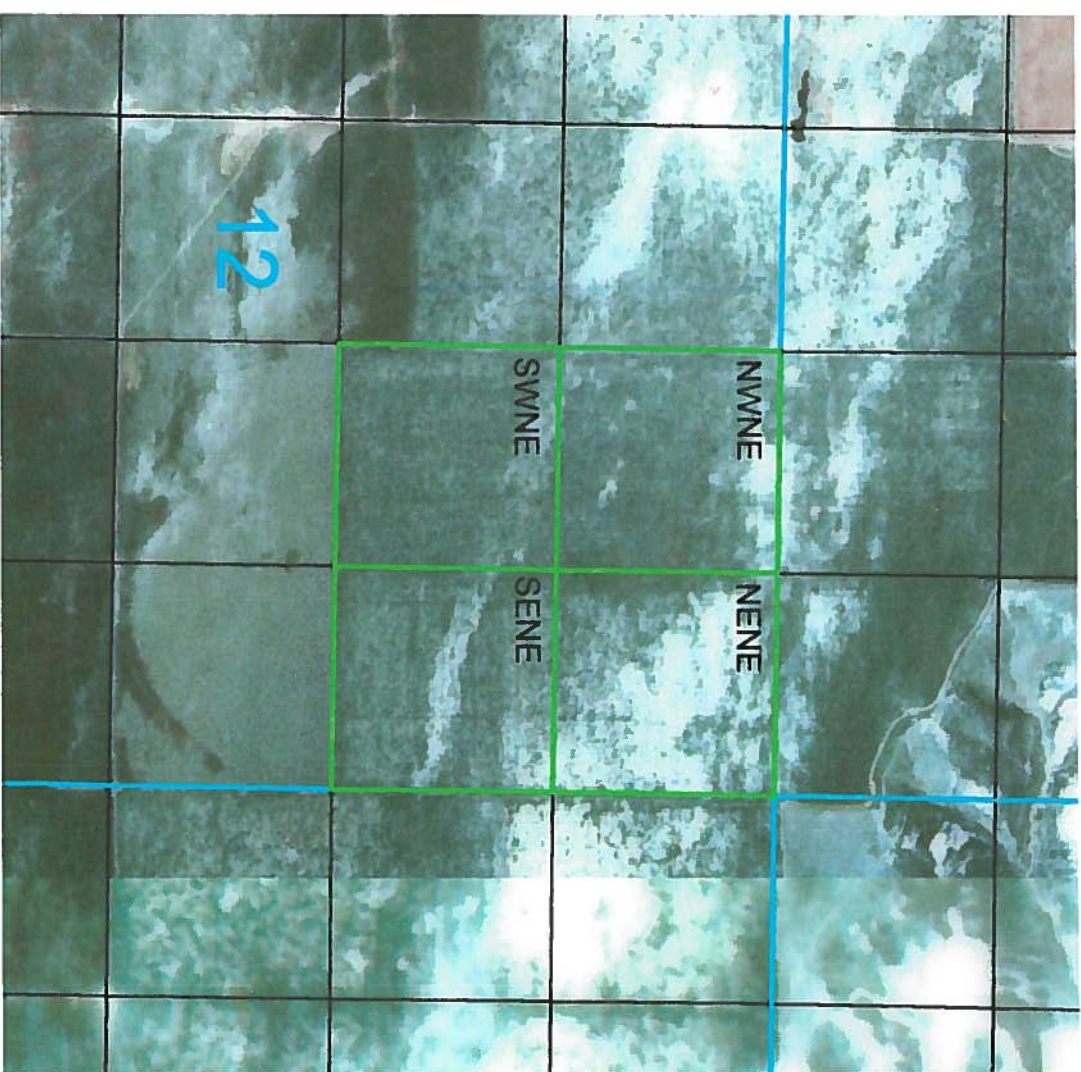
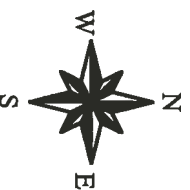
Place of Use



Section Lines



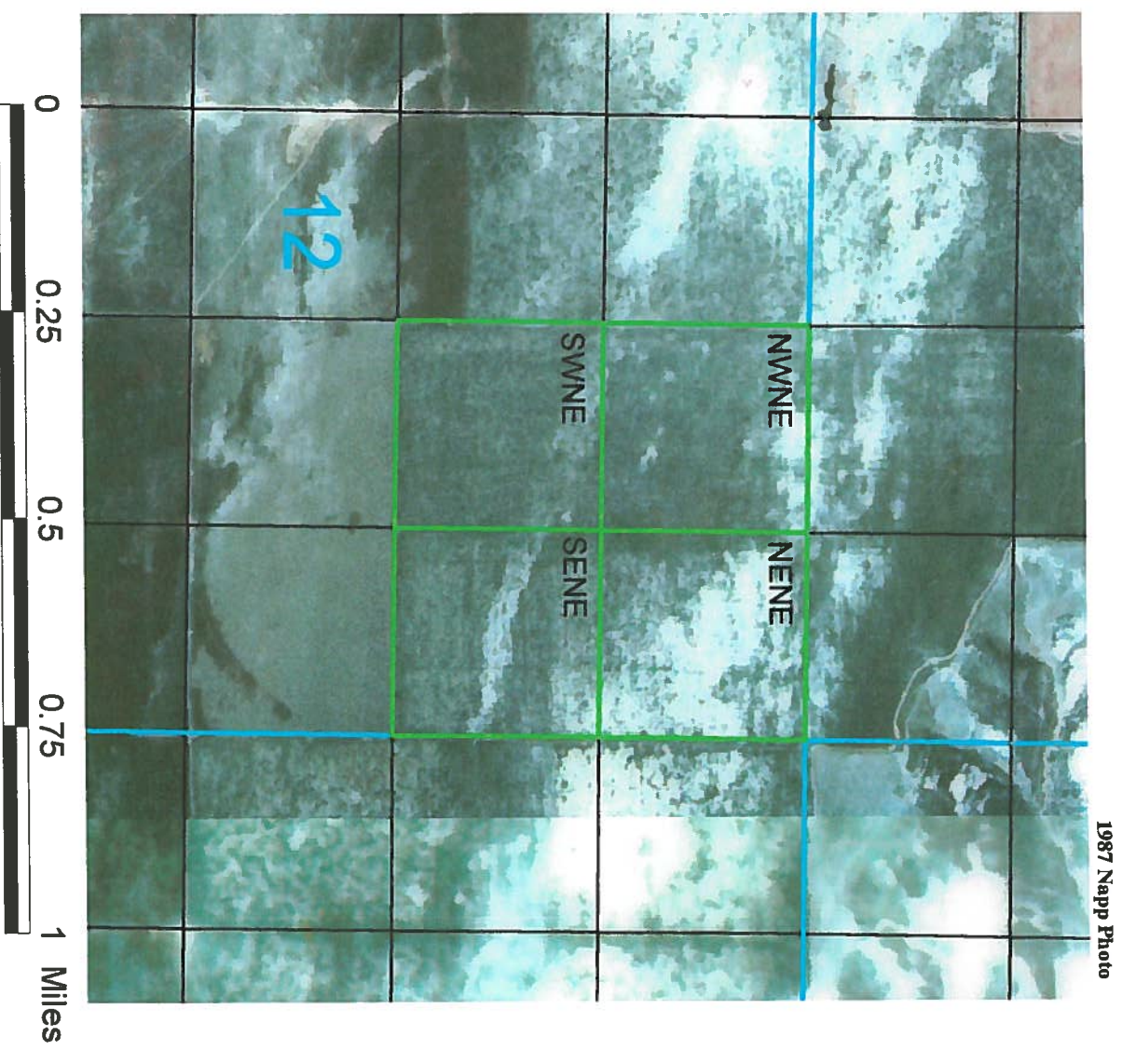
Quarter Quarter Lines



Idaho Department of Water Resources

Claim Number: 02-10189
Legal: T06S, R10E, S12
Reviewed By:

-  Point of Diversion
(located outside view)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines





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 27, 2001

ROBERT SMITH
CONNIE SMITH
64 MERRY LN
BURBANK WA 99323

Re: Original Notice of Claim to a Water Right No. 02-10186

Renumbered Notice of Claim to a Water Right No. 02-10189

Dear Claimants:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim. Also enclosed is a copy of the original claim for your reference.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosure

cc: Dale Van Schoiack, SCM Consultants Inc



March 9, 2001

Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

MAR 12 2001

WATER RESOURCES
WESTERN REGION

Laura E. Burri
Jeffrey R. Christenson
D. Blair Clark
Michael J. Doolittle
S. Bryce Farris
Patrick D. Furey
David Hammerquist
Charles L. Honsinger
Joseph B. Jones
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
William F. Ringert
Daniel V. Steenson
Alynn L. Sweeney

Samuel Kaufman (1921-1986)

Re: Notice of Change of Ownership for Water Right Nos. 02-02209, 02-07060A, 02-07064 and 02-07237A.

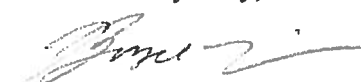
Dear Sir or Madam:

This law firm represents Robert and Connie Smith who recently purchased the above-mentioned water rights. Enclosed please find a Notice of Change in Water Right Ownership for the above-referenced water rights, along with copies of the recorded Deeds to the water rights.

All of these water rights are currently in the Water Supply Bank. Thus, please update your ownership records accordingly, and notify the Water Supply Bank to update their records. Also, all of these water rights have been claimed in the SRBA, thus, no filing fee is necessary. However, I would request that any documents pertaining to these water rights filed in the SRBA, including recommendations, be sent to the new owners of record, their engineer Mr. Dale Van Schoiack, SCM Consultants, Inc., 7601 W. Clearwater Ave, Ste. 301, Kennewick, WA 99336, and myself as their attorney of record.

If you have any questions please feel free to call me. Thank you for your cooperation.

Yours very truly,



S. Bryce Farris

Enclosures

cc: Glen Saxton
Robert Smith w/o enclosures
Dale Van Schoiack w/o enclosures

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 02-10189
Date Received: 3/7/90
Receipt No:
Received By:

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

1. Name of Claimant(s): ROBERT SMITH
64 MERRY LN
BURBANK WA USA 99323

Phone: (509) 545-8364

CONNIE SMITH
64 MERRY LN
BURBANK WA USA 99323

Phone: (509) 545-8364

2. Date of Priority: 02/25/1963

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	11E	9	NW SW 6	ELMORE	

5. Description of diverting works:

SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	2.83	473.6

7. Total Quantity Appropriated is:
2.83 C.F.S. and/or 473.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	10E	12	SE	NE	IRRIGATION	21.5
			NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
Section Acres						141.5
Total Acres						141.5

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split for a portion of 02-10186. DB 7/27/2001

15. Basis of Claim: License

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

RECEIVED

MAR 12 2001

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
02-02209	A02-02209D	X			

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)

Cottonwood Mutual Canal Company
P.O. Box 2773, Boise, ID 83701

4. New Owner/Claimant(s)

Robert and Connie Smith

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

64 Merry Lane

City, State and ZIP Code

Burbank, WA 99323

New Telephone Number

(509) 545-8364

5. Date you acquired the property

February 14, 2001

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 <u>02-02209/A02-02209D</u>		
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	<u>2.83cfs</u>	<u>141.5 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	<u>2.83cfs</u>	

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) Robert L Smith
(include title if applicable) Connie J 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 _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

02-10186

02-10188

Cottonwood

62.31 cfs

10428.8 AFA

Copy to
all 3 parties

02-10189

Smith

2.83 cfs

473.6 AFA

6S 10E 12 NENE 40

NWNE 40

NWNE 40

SENE 21.5

POU same less-

6S, 10E, 12 NENE 40

NWNE 40

SWNE 40

*Change SENE to → 18.5

POU

6S, 10E, 12 NENE 40

NWNE 40

SWNE 40

SENE 21.5

141.5

Total acres 3115.5

326844

ELMORE COUNTY, IDAHO ss

Request of

Linger Clark Chartered

Time 10:45 A.M.

Date February 15, 2001

GAIL L. BEST, Recorder

By *Debra M. Lyle*

Fee \$16.00 Deputy

DEED TO A WATER RIGHT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency whereof are hereby acknowledged, Cottonwood Mutual Canal Company, an Idaho corporation, also known as Cottonwood Canal Company, does hereby grant and convey unto Robert Smith and Connie Smith, husband and wife, a water right for 2.83 cfs of the waters of the Snake River, with priority date of February 25, 1963, being that part of the water right evidenced by Water License No. 30990/02-2209 that originally was appurtenant to the following 141.5 acres of land in Township 6 South, Range 10 East, B.M., Elmore County, Idaho described in the place of use of said license:

Section 12, NE1/4NE1/4, 40 acres,
NW1/4NE1/4, 40 acres,
SW1/4NE1/4, 40 acres,
SE1/4NE1/4, 21.5 acres.

TO HAVE AND TO HOLD, all and singular the above mentioned and described property together with the appurtenances unto Robert Smith and Connie Smith, and to their successors and assigns forever.

IN WITNESS WHEREOF, the name of Cottonwood Canal Company has been hereunto subscribed by Daniel V. Steenson and Charles L. Honsinger, the President and a Director, respectively, of Cottonwood Mutual Canal Company, having been thereunto duly authorized by

resolution of the Board of Director of that corporation, this 14th day of February, 2001.

COTTONWOOD MUTUAL CANAL COMPANY
(Also known as Cottonwood Canal Company)

By *Daniel Steenson*
President

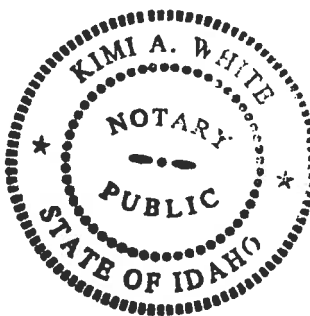
ATTEST:

Charles L. Honsinger
Director

STATE OF IDAHO)
) ss.
County of Ada)

On this 14th day of February, 2001, before me, *Kimi A. White*, the undersigned, a notary public in and for said state, personally appeared Daniel V. Steenson and Charles L. Honsinger, known or identified to me to be the President and a Director, respectively, of Cottonwood Mutual Canal Company, the Idaho corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Kimi A. White
Notary Public for Idaho
Residing at *Boise*, Idaho
My Commission Expires *24/01/04*

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 2-10186
Date Received: 3/7/1990
Receipt No:
Received By:

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

1. Name of Claimant(s)

COTTONWOOD MUTUAL CANAL CO Phone: (208)342-4591

C/O RINGERT CLARK CHARTERED
PO BOX 2773
BOISE ID USA 83701

2. Date of Priority: 02/25/1963

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	11E	9	NW SW 6	ELMORE	

5. Description of diverting works:

SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	65.14	10902.4

7. Total Quantity Appropriated is:
65.14 C.F.S. and/or 10902.4 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
06S	10E	1	SW SW	IRRIGATION	40
			SE SW	IRRIGATION	32

			NE	SW	IRRIGATION	35
					Section Acres	107
06S	10E	2	SE	SE	IRRIGATION	40
					Section Acres	40
06S	10E	11	NW	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
					Section Acres	120
06S	10E	12	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NW	SW	IRRIGATION	20
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	580
06S	10E	13	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	560
06S	10E	24	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
					Section Acres	240
06S	11E	6	SW	SW	IRRIGATION	10
					Section Acres	10
06S	11E	7	NE	NE	IRRIGATION	25
			NW	NE	IRRIGATION	25

			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	30
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	600
06S	11E	17	NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			NW	SW	IRRIGATION	40
					Section Acres	120
06S	11E	18	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
					Section Acres	480
06S	11E	19	SW	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	320
06S	11E	20	NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
					Section Acres	80
					Total Acres	3257

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS THE RESULT OF APPROVED TRANSFER 5714 APPROVED 8-4-2000. THIS CLAIM IS A SPLIT FROM PARENT RIGHT 02-2209D. SB 7/26/01.

15. Basis of Claim: License

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 Organizations:

I do solemnly swear or affirm that I am _____ of
Title

_____, that I have signed the foregoing
Organization

document in the space below as _____ of
Title

_____, and that the statements contained in the
Organization

foregoing document are true and correct. _____
Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____