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APR 01 1999

Department of Water Resources
Southern Region

RECEIVED

MAR 16 1999

Department of Water Resources

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

Subcase 11-10093

(Insert water right number)

Case 39576

STANDARD FORM 4

MOTION TO FILE:

☐ LATE NOTICE OF CLAIM

☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

- ☐ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is _____

My address is _____

My phone number is: Work _____ Home _____

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

- ☐ I did not file a Notice of claim to the use of water in the SRBA because:

- ☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

- ☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☒ I must amend my Notice of Claim to the use of water in the SRBA because:

Claim was originally filed with wrong legal
description of our property. Stanley township is
located in township 10 north.

- ☒ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

A copy of our deed and a map highlighted to
demonstrate difference between the way claim was
filed and what it should actually be recorded

I have attached:

- ☒ An amended Notice of Claim (available from IDWR).
☐ Payment of the following additional fees required by IDWR:

N/A

VERIFICATION (Must be completed)

State of IDAHO

County of ~~Blaine~~ CUSTER

BON H SMITH, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

JOANNE CAMBARERI-SMITH

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Joanne Cambareri-Smith

Signature of person filing motion

Joanne Cambareri-Smith

Attorney signing in representative capacity

Subscribed and sworn to before me on March 13, 1999.
(Insert Date)

James M. Little
Notary Public for Idaho

Residing at: Stanley, Idaho 83278

My Commission expires: 7-13-99

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on March 13, 1999, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert names/addresses of parties)

Joanne Cambareni-Smit
Signature of person or attorney mailing the form

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: **A71-10093**
Date Received: 12/ 4/1989
Receipt No: M005292
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ROLLAND H SMITH JR 208-774-2275
Address: PO BOX 4
STANLEY ID 83278
AND
Name: JOANNE CAMBARERI SMITH 208-774-2275
Address: PO BOX 4
STANLEY ID 83278
2. Date of Priority: DEC 31, 1971
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	13E	3		NW	NE		CUSTER
5. Description of diverting works:
50' WELL, 1.5 HP PUMP.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/1 HOUSE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	13E	3	NW	NE		DOMEST	

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE.

14. Remarks:
PARCEL NO. 00076003007B

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): Ron H Smith Date: 3/13/98
Shane Cambarelli-Smith Date: 3/13/98

State of Idaho)
County of CUSTER) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of March 19 99
Shane M. Smith
Notary Public

Seal

Residing at Stanley Idh.
My Commission Expires 9-13-99

1000

Cabin Creek Peak 3008

Red Mtn 7661



= Legal description as claimed & recommended.

= Apparent correct legal description per deed.

Amended claim required to change descriptions

T 12 N

975

T 11 N

950

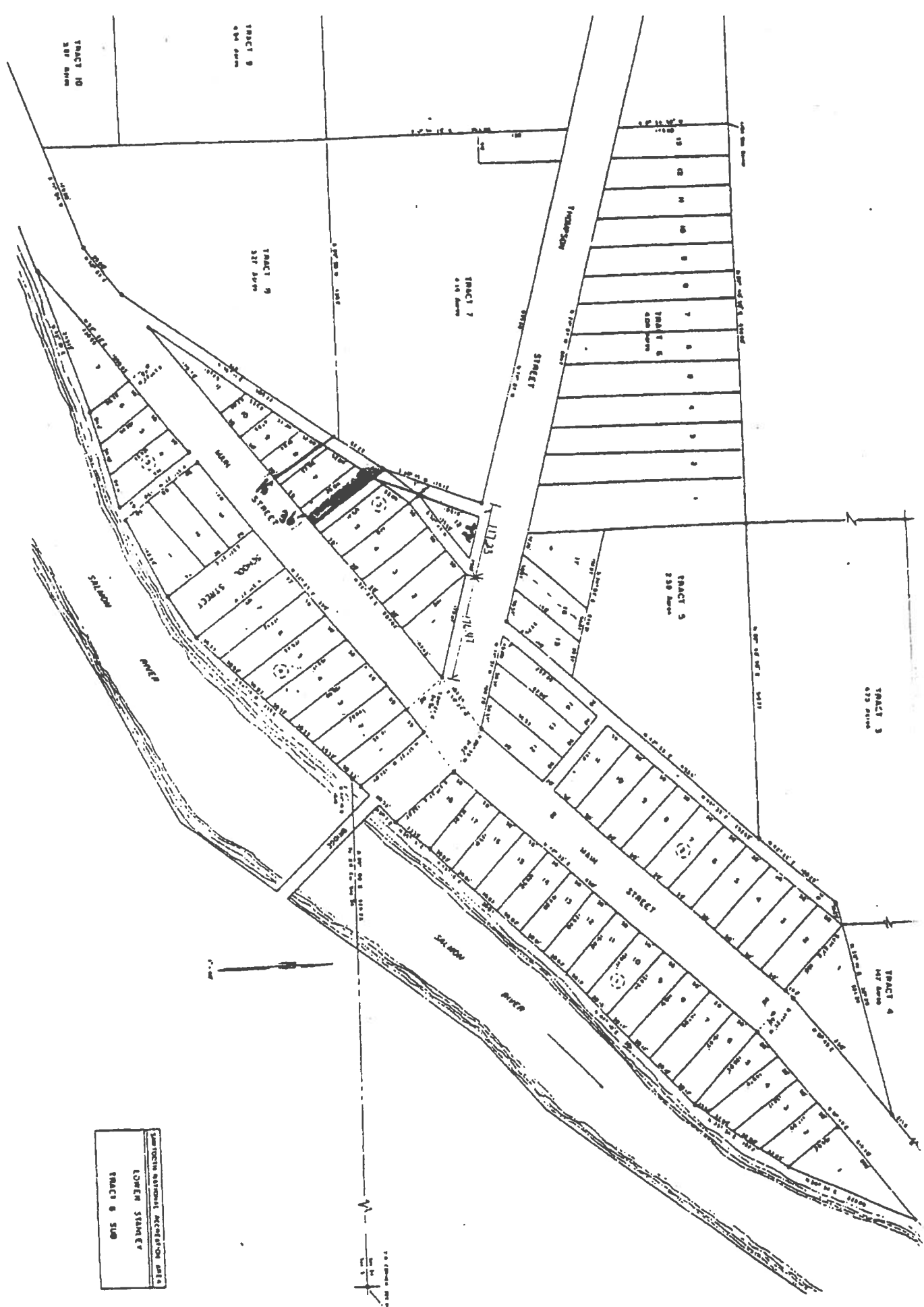
15'

490

T 10 N

925

36



WARRANTY DEED

FOR VALUE RECEIVED

~~BY DANIEL R.~~~~Daniel R. Strand and Sally L. Strand, husband and wife, as relinquished property in an I.R.C. 1031 tax deferred exchange~~

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Rolland H. Smith, Jr. and Joanne Cambareri-Smith, husband and wife, as replacement property in an I.R.C. 1031 tax deferred exchange

GRANTEE(s) whose address is: 4600 Glnzel Street, Boise, ID 83703-4264

the following described real property in Custer County, Idaho, to wit:

THE SOUTHWEST 35 FEET OF LOT 6 IN BLOCK 3, ALL OF LOT 7 IN BLOCK 3 AND THE NORTHEAST 16 FEET OF LOT 8 IN BLOCK 3 ALL IN STANLEY GOVERNMENT TOWNSITE (LOWER STANLEY), CUSTER COUNTY, IDAHO AND ALSO THAT PORTION OF A CERTAIN ALLEY OR VACATED ALLEY-WAY LYING NORTHWEST OF AND ADJACENT TO THE ABOVE DESCRIBED PROPERTY, BEING APPROXIMATELY 101 FEET BY 20 FEET IN STANLEY GOVERNMENT TOWNSITE.

Subject To: Taxes, easements, restrictions and encumbrances of record.

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

Dated: January 22, 1996

~~Daniel R. Strand~~~~DANNIE R.~~~~Sally L. Strand~~~~Sally L. Strand~~

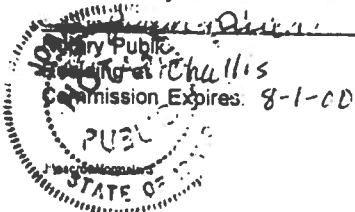
State of Idaho

County of Custer

)
)ss.
)

On this 23rd day of January, in the year 1996, before me, the undersigned, personally appeared ~~Daniel R. Strand and Sally L. Strand~~, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same

WITNESS my hand and official seal.



210369
 Custer County Rec. of
 Sawtooth Title

1:00 P.M.
 1-26-1996
 Ethel M. Peck, Clerk
 Wendy Murphy
 3rd Deputy

COPY

1999 FEB 22 PM 2:25

FILED
FEB 22 1999
TWIN FALLS

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) Subcase No(s): 71-10093
Case No. 39576)
)
) NOTICE OF ADMINISTRATIVE
) PROCEEDING
_____)

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☒ Amended Claim (waiting for documentation)

☐ Substitution of Party/Split Water Right

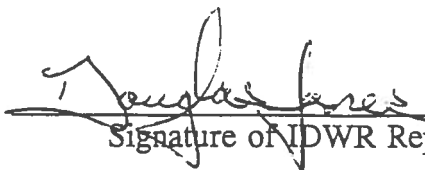
☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed no later than:
April 16, 1999.

DATED: 2/22/99

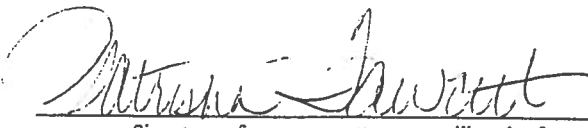


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2/22, 1999, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant or attorney of record:
Rolland J Smith Jr
Joanne Cambareri Smith
PO Box 4
Stanley ID 83278
3. One copy to:
Each party in the subcase, or attorney of record
4. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION
February 26, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ROLLAND H SMITH JR
JOANNE CAMBARERI SMITH
PO BOX 4
STANLEY ID 83278

RE: SRBA Claim(s) 71-10093

Dear Mr. and Mrs. Smith:

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.

While verifying the legal description on your warranty deed against the legal description on your claim, it appeared the property description on the claim was in the wrong township. Your deed describes your property in Lots 6, 7 and 8, Block 3 of the Lower Stanley Townsite which is, according to the Custer county assessor, in township 10 north, range 13 east, section 3 in the northwest quarter of the northeast quarter, while your claim indicates the property is in township 11 north in the northeast quarter of the northeast quarter. The enclosed highlighted map demonstrates the differences visually.

If you agree with our assessment and wish to correct your claim, you will need to do the following no later than March 12, 1999: Sign and notarize page 2 of the enclosed Amended Notice of Claim to a Water Right; complete, sign and notarize page 5 of the Standard Form 4 (SF4) Motion to File an Amended Notice of Claim; sign and mail the completed SF4 with attachments per the instructions on page 6 of the SF4.

Also enclosed you will find your copy of a Notice of Administrative Proceeding. This form notifies the SRBA Court that an action is pending and keeps them from decreeing the water right before the amendment process is complete. Should you choose not to amend your claim, do nothing and on April 19, 1999, the Department will notify the SRBA Court to decree your water right as it was originally submitted.

Please feel free to contact me should you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

cc: Dannie and Sally Strand

**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	)	Subcase <u>71-10093</u>
	)	(Insert water right number)
	)	
Case 39576	)	STANDARD FORM 4
	)	
	)	MOTION TO FILE:
	)	☐ LATE NOTICE OF CLAIM
	)	☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

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- ☐ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is _____

My address is _____

My phone number is: Work _____ Home _____

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

- ☐ I did not file a Notice of claim to the use of water in the SRBA because:

- ☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

- ☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

☒ I must amend my Notice of Claim to the use of water in the SRBA because:

Claim was originally filed with wrong legal
description of our property. Stanley township is
located in township 10 north.

☒ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

A copy of our deed and a map highlighted to
demonstrate difference between the way claim was
filed and what it should actually be recorded

I have attached:

☒ An amended Notice of Claim (available from IDWR).

☐ Payment of the following additional fees required by IDWR:

N/A

VERIFICATION (Must be completed)

State of _____

County of _____

_____, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on _____
(Insert Date)

Notary Public for _____
Residing at: _____
My Commission expires: _____

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on _____, 199____, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert names/addresses of parties)

Signature of person or attorney mailing the form

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: A71-10093
Date Received: 12/ 4/1989
Receipt No: M005292
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ROLLAND H SMITH JR 208-774-2275
Address: PO BOX 4
STANLEY ID 83278
AND
Name: JOANNE CAMBARERI SMITH 208-774-2275
Address: PO BOX 4
STANLEY ID 83278
2. Date of Priority: DEC 31, 1971
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	13E	3		NW	NE		CUSTER
5. Description of diverting works:
50' WELL, 1.5 HP PUMP.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/1 HOUSE.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	13E	3	NW NE		DOMEST	

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE.

14. Remarks:
PARCEL NO. 00076003007B

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 _____

1000

T 12 N

T 11 N

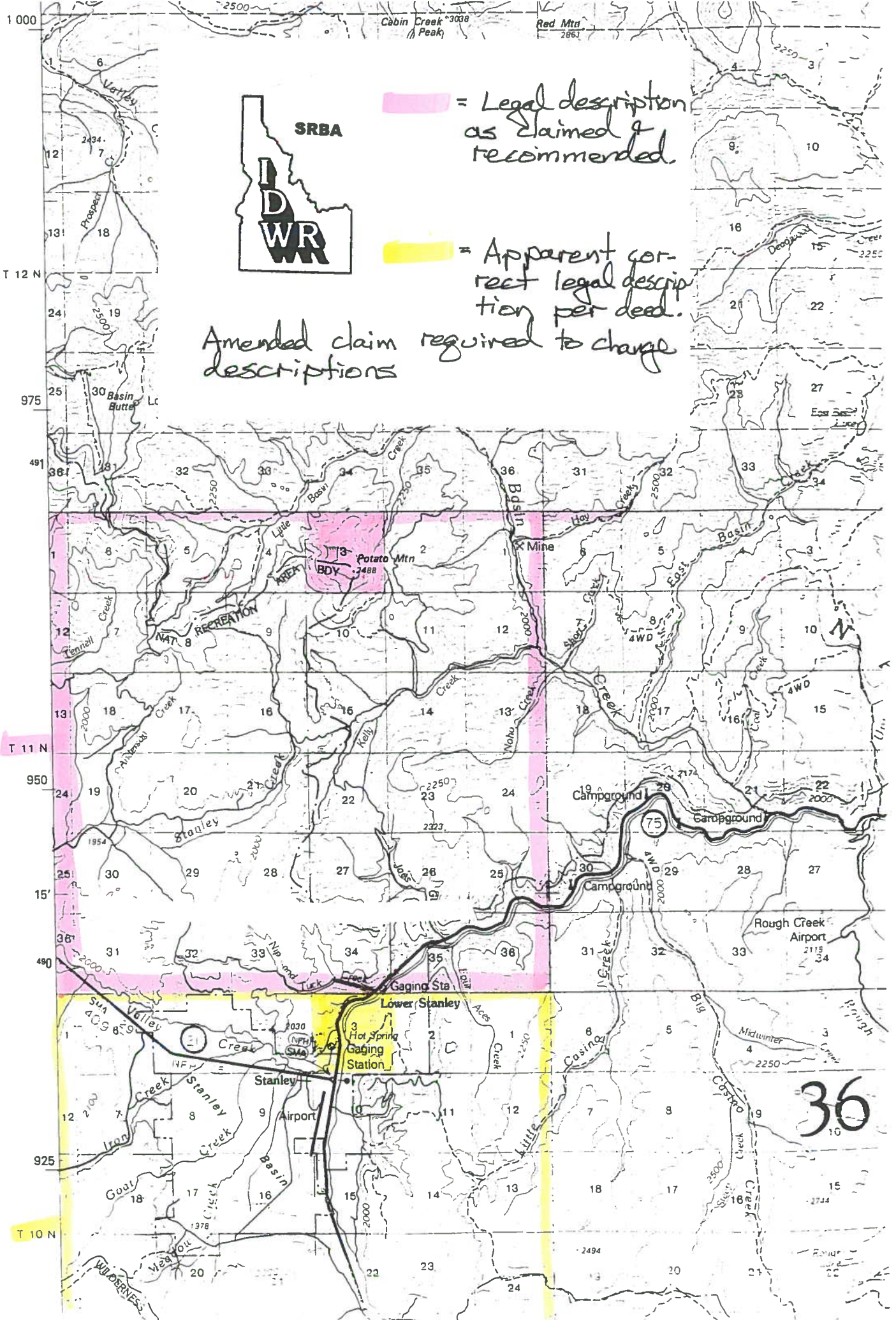
T 10 N



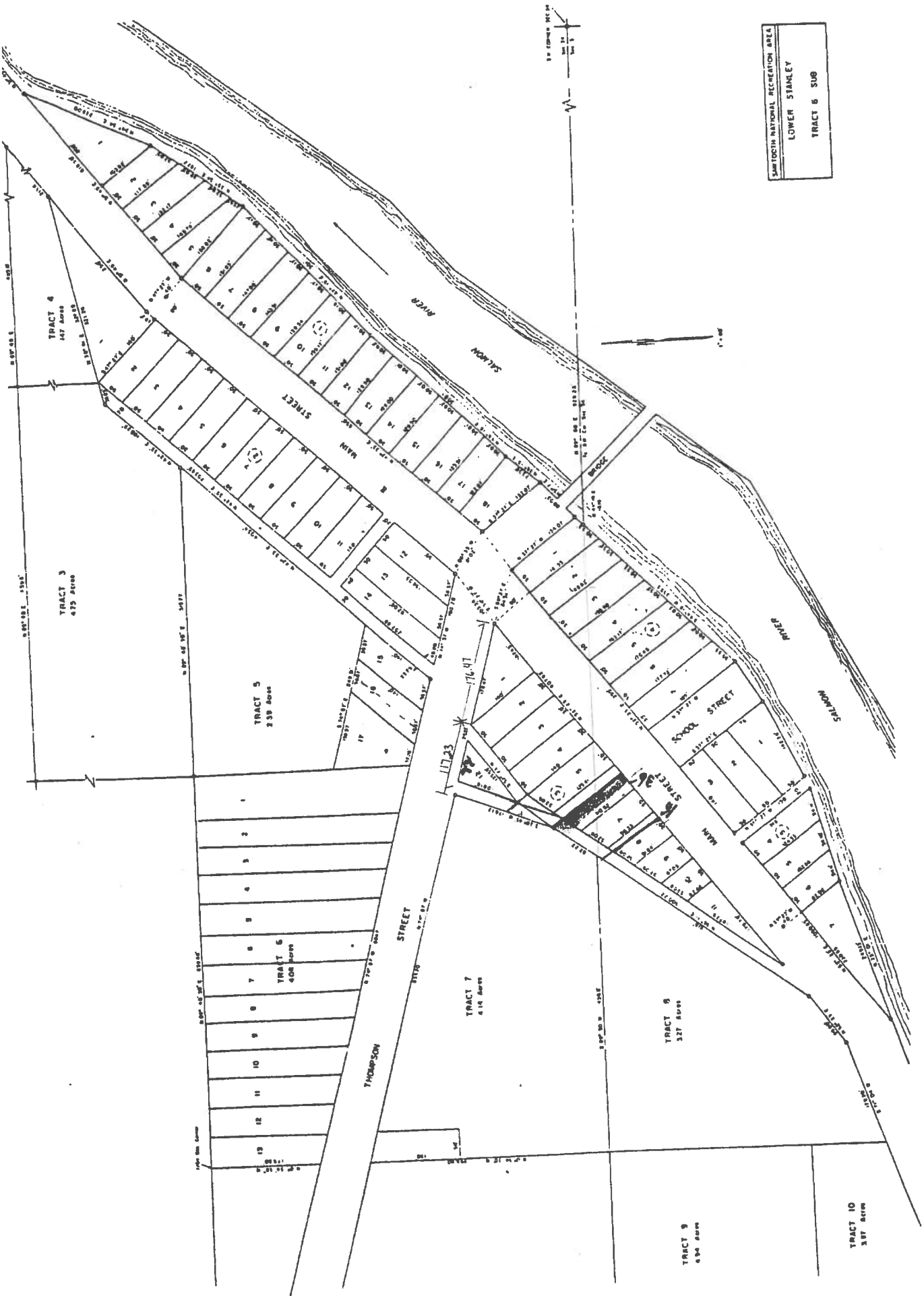
[Pink box] = Legal description as claimed & recommended.

[Yellow box] = Apparent correct legal description per deed.

Amended claim required to change descriptions



SANTOCHIN NATIONAL RECREATION AREA
LOWER STANLEY
TRACT 6 SUB



210369

Order No. 21607

WARRANTY DEED

FOR VALUE RECEIVED

PS DANNIE A.

~~Daniel R. Strand and Sally L. Strand, husband and wife, as relinquished property in an I.R.C. 1031 tax deferred exchange~~

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Rolland H. Smith, Jr. and Joanne Cambareri-Smith, husband and wife, as replacement property in an I.R.C. 1031 tax deferred exchange

GRANTEE(s) whose address is: **4600 Ginzel Street, Boise, ID 83703-4264**

the following described real property in **Custer County, Idaho**, to wit:

THE SOUTHWEST 35 FEET OF LOT 6 IN BLOCK 3, ALL OF LOT 7 IN BLOCK 3 AND THE NORTHEAST 16 FEET OF LOT 8 IN BLOCK 3 ALL IN STANLEY GOVERNMENT TOWNSITE (LOWER STANLEY), CUSTER COUNTY, IDAHO AND ALSO THAT PORTION OF A CERTAIN ALLEY OR VACATED ALLEY-WAY LYING NORTHWEST OF AND ADJACENT TO THE ABOVE DESCRIBED PROPERTY, BEING APPROXIMATELY 101 FEET BY 20 FEET IN STANLEY GOVERNMENT TOWNSITE.

Subject To: Taxes, easements, restrictions and encumbrances of record.

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

Dated: **January 22, 1996**

[Signature of Daniel R. Strand]

~~Daniel R. Strand~~

DANNIE A.

[Signature of Sally L. Strand]

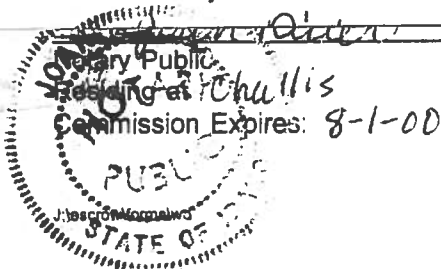
Sally L. Strand

State of Idaho

County of Custer

On this 23rd day of **January**, in the year **1996**, before me, **the undersigned**, personally appeared ~~Daniel R. Strand and Sally L. Strand~~, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.



PS DANNIE A.
210369
Custer County Rec. of
Sawtooth Title

1:00 P.M.
1-26 1996
Ethel M. Peck, Clerk
[Signature]
Deputy
3rd

1999 FEB 22 PM 2:25

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

In Re SRBA	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDINGS
Case No. 39576	)	
	)	Water Right 71-10093
_____	)	

IDWR has completed the following Administrative Proceeding:

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

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water
right claimed? ☐ Yes ☒ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 71-10093

From (Claimant/Seller):

Name of Claimant: SALLY L STRAND
DANNIE A STRAND
Address: BOX 81
CHALLIS ID 83226
Phone: (208) 879-4415

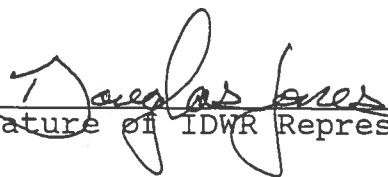
To (Claimant/Purchaser):

Name of Claimant: JOANNE CAMBARERI SMITH
ROLLAND H SMITH JR
Address: PO BOX 4
STANLEY ID 83278
Phone: (208) 774-2275

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 2/19/99



Signature of IDWR Representative

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
2/9/1999

71-10093

PAGE 2

CERTIFICATE OF MAILING

I certify that on 2/22/99 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

SALLY L STRAND
DANNIE A STRAND
BOX 81
CHALLIS ID 83226
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

JOANNE CAMBARERI SMITH
ROLLAND H SMITH JR
PO BOX 4
STANLEY ID 83278
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

AJ5856NP

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

DATE: FEB-18-1999
PAGE: A-9

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 71-10093

NAME & ADDRESS: ROLLAND H SMITH JR
JOANNE CAMBARERI SMITH
PO BOX 4
STANLEY ID 83278

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/31/1971

POINT OF DIVERSION: T11N R13E S03 NWNENE Within CUSTER County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CUSTER County
T11N R13E S03 NENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 00076003007B

NWR

RECEIVED
NOV 20 1998

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

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

RECEIVED

1. Water Right or Adjudication Claim No(s): 71-10093 NOV 24 1998
2. The following **REQUIRED** information must be submitted with this form: Department of Water Resources
Southern Region
- 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 attached to your deed or on file with the county.)
- OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant SALLY L STRAND AND DANNIE A STRAND
Box 81 HALLIS, ID 83226
4. New Owner/Claimant(s) ROLLAND H SMITH, JR AND JOANNE CAMBARERI-SMITH
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 4
- City, State and ZIP Code STANLEY, ID 83278
- New Telephone Number (208) 774-2275

5. Date you acquired the property 1/22/96
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 you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

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 or Claimant(s) [Signature]
Joanne Cambareri-Smith

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form

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

T-263

~~Mike McGowan~~
~~Donnie R. & Sally L. Strand~~
~~Spencer D. & Evelyn D. Strand~~
 Frac. lot 6, Blk 3 of
 Lower Stanley

166462
 31-286
 195231
 204389

The South West 35 ft of lot 6 block 3, Lower Stanley.

T-1273-B
 (1988)

~~Donnie R. & Sally L. Strand~~
~~Michael McGowan and~~
~~Constance McGowan~~

190403
 193231
 204389

A parcel of land being the Northeast 101 feet M/L of tract 1273 Stanley Government, which is a fraction of the alley on the Northwest side of Block 3, Stanley Government townsite.

T-89-16

~~Donnie R. & Sally L. Strand~~
~~MICHAEL AND CONSTANCE~~
~~MCGOWAN~~

190403
 193231
 204389

D

A parcel of land in Block 3, Stanley Government, being the Northeast 16 feet of Lot 8.

AND LOT 7

AJ5809NP
No. 71-10093

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/27/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SALLY L STRAND	12/31/1971	DOMESTIC	01-01 12-31	0.04 CFS	
C	DANNIE A STRAND BOX 81 CHALLIS ID 83226 (208) 879-4415					
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T11N R13E S03

NWNE

CUSTER County

Place of use Legal Description for: DOMESTIC

NE

NW

SW

SE

NENE NWNE SWNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE :

T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac :

11N 13E 3 : D

POU County: CUSTER

Non-Irrigation Uses: 1 HOME

Other Rights: NONE.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A71-10093

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP PARCEL NO. 00076003007B

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

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

Comments: Date: 01/13/1997 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.

*Township
Should be
10N*

AJ5809NP
No. 71-10093

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/27/98
PAGE: 2

=====
Comments: Date: 01/13/1997 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit: 07/07/92 SMITH 11/14/92 POST-STD 03/30/95 POST-STD 01/13/97 DS1-PROD
11/07/98 CPD SHAFF 11/10/98 ADT-DSHA

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

AJ0749NP
No. 71-10093

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROLLAND H SMITH JR	12/31/1971	DOMESTIC	01-01 12-31	0.04 CFS	
C	JOANNE CAMBARERI SMITH PO BOX 4 STANLEY ID 83278 (208) 774-2275				0.04 CFS	

D SALLY L STRAND
D DANNIE A STRAND
BOX 81
CHALLIS ID 83226
(208) 879-4415

Water Source: GROUNDWATER
Tributary to: T11N R13E S03 N4WENE
Stage: BENEFICIAL USE
CUSTER County

Point(s) of Diversion:

Place of use Legal Description for: DOMESTIC

NE		NW		SW		SE	
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
11N	13E	3	:	:	:	:	:

POU County: CUSTER

Non-Irrigation Uses: 1 HOME

Other Rights: NONE.

Conditions of Approval:
N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP PARCEL NO. 00076003007B

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

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

"DO NOT FILM"

Old (D) Number -

[illegible]

1 - BOX 81
2 -
3 -

State- ID Zip- 83226

City- CHALLIS
phone - 208-879-4415
State- ID Zip- 83226

State- ID Zip- 83226

	+	-	+
Status	-	-	-

----- Tributary -----

Point of Diversion

Diversion Name

(37) CUSTER

----- Diversion Rate ----- Diversion Volume

0.040

- + - Total Consumptive Use - + - KW Usage - +
0.0

County description

(37) CUSTER

+ - - Diversion Means - 50' WELL. 1.5 HP PUMP.

+ - - Non-Irrigation Use - 1 HOME

+ - - Other Rights for Same Use - NONE.

[illegible]

EXP PARCEL NO. 00076003007B

[illegible]

"DO NOT FILM"

Usage - + - - - - + - - - - + - - - - +

Legal a Bear in the woods

2/10/2017 (10/11) KKC

2018-07 KKC

[illegible]

OK

JUN-28-1995
0193

1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
71-10093	SALLY L STRAND DANNIE A STRAND BOX 81 CHALLIS ID 83226	12/31/1971	DOMESTIC	01-01 12-31	0.04	CFS BENEFICIAL USE
	NON-IRRIGATION USES: DOMESTIC, 1 HOME 0/1 HOUSE/					
	SOURCE: GROUNDWATER POINT OF DIVERSION: T11N R13E S03 NWNENE					
	PLACE OF USE: DOMESTIC T11N R13E S03 NENE					
	REMARKS: PARCEL NO. 000760030078					
				TOTAL QUANTITY:	0.04	CFS

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: A71-10093
Date Received: 12/04/1989
Receipt No: M005292
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DANNIE A. STRAND 208-879-4415
Address: BOX 81
CHALLIS, ID 83226

OR

Name: SALLY L. STRAND 208-879-4415
Address: BOX 81
CHALLIS, ID 83226

2. Date of Priority: DEC 31, 1971

3. Source: GROUNDWATER. Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	13E	3	NW	NE	NE		CUSTER

5. Description of diverting works:
250' WELL, 1.51HP PUMP.

6. Water is used for the following purposes:

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

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11N	13E	3	NE NE		DOMEST	

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *[Signature]* Date: 12/4/89

Date: _____

State of Idaho)
County of Custer) SS.

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

[Signature]
Notary Public

Seal

Residing at Twin Falls, Idaho
My Commission Expires January 13, 1993

WATER RIGHT NUMBER - A71-10093

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

[illegible]

*** C - CURRENT OWNER ***

STRAND

DANNIE A.

1 - BOX 81

STATE- ID ZIP- 83226

CITY- CHALLIS
PHONE - 208-879-4415

STRAND

SALLY L.

STATE- ID ZIP- 83226

CITY- CHALLIS
PHONE - 208-879-4415

[illegible][illegible]

TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	POINT OF DIVERSION	STREAM INDEX (BLANK IF NO INDEX CODE)
-----	-----	-----	-------	-----	------	--------	--------------------	---------------------------------------

11N	13E	3	NW	NE	NE	(37)	CUSTER
-----	-----	---	----	----	----	------	--------

+	CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME

43 - DOMESTIC

01/01

12/31

0.040

+	-	TOTAL DIV. RATE	+	-	TOTAL DIV. VOLUME	+	-	TOTAL DIV. CAPACITY	+	-	TOTAL CONSUMPTIVE USE	+	-	KW USAGE
		0.040									0.0			

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE	DESCRIPTION	COUNTY
-----	-----	-----	-------	-----	-------	--------------	-------------	--------

11N	13E	3	NE	NE
-----	-----	---	----	----

43 DOMESTIC

(37) CUSTER

+ - - DIVERSION MEANS - 50' WELL, 1.5 HP PUMP.

+ - - NON-IRRIGATION USE - D/1 HOUSE.

+ - - OTHER RIGHTS FOR SAME USE - NONE.

[illegible]

```
+-----+
| NO OLD WATER RIGHT NUMBERS FOUND. |
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[illegible]

MICROFILMED

MAR 17 1993

