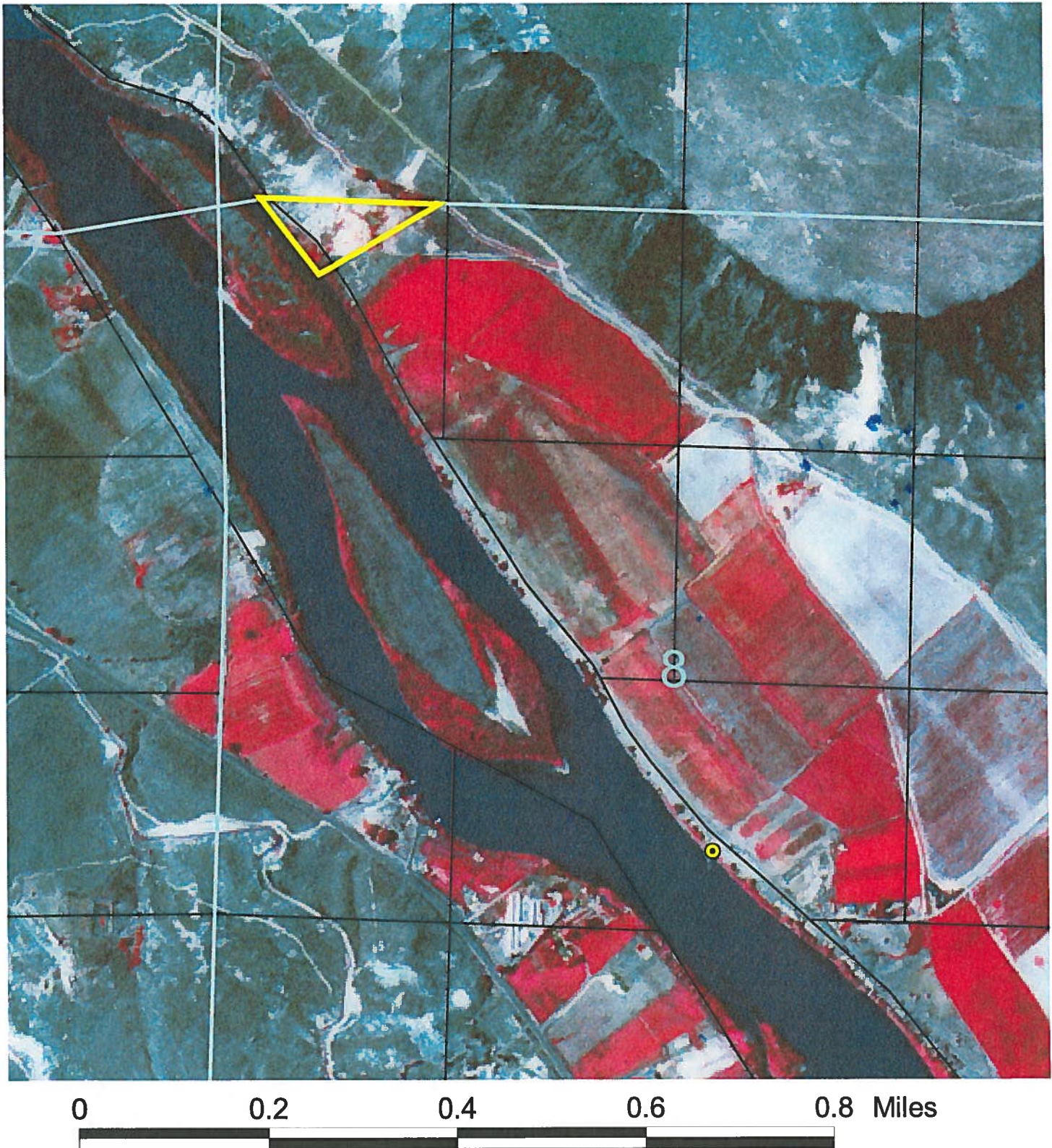


Idaho Department of Water Resources

1967 NAPP Photo



Claim Number: 02-10233
Legal: T01N, R03W, S8
Reviewed By: BTD 6/22/05

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 02-10233
Date Received: 2/27/1990
Receipt No: W009614
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KEITH WOODWORTH
PO BOX 25175
ESTER AK USA 99725

Phone: (907)479-3835

MARTHA WOODWORTH
PO BOX 25175
ESTER AK USA 99725

Phone: (907)479-3835

2. Date of Priority: 07/01/1953

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
01N	03W	8	NW SE 6	CANYON	

5. Description of diverting works:

PUMP, PIPE AND DITCH, GRAVITY FLOW AND SPRINKLER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.051	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
01N	03W	8	NW	NW	4	IRRIGATION	4.8
						Section Acres	4.8
						Total Acres	4.8

11. Place of use in counties: CANYON

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 due to change in ownership for a portion of 02-10210. DB 12/16/2003

PORTIONS OF LAND ABOVE ARE OVERLAPPING CLAIMS TO CLAIM NO. 02-07074.
OWNERSHIP CHANGED PER CHANGE OF OWNERSHIP FORM - JS-8-4-92.

15. Basis of Claim: License

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

RECEIVED

APR 17 2002

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, 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
02-02429		✓			
Should be					
02-10210					

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) are 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)

David L. Smartt
 16057 Map Rock Rd. Caldwell, Id., 83607

4. New Owner/Claimant(s)

Keith & Martha Woodworth

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

New Mailing Address

P.O. Box 25175

City, State and ZIP Code

Ester, Alaska 99725

New Telephone Number

(907) 479-3835

5. Date you acquired the property

4/15/02

02-10210

02-10232

02-10233

"Smartt" - remainder portion

"Woodworth" - new owner

1N 3W S-8

1N 3W S-8

SWNE 39 acres

NWNW 4.8 acres

SENE 12 acres

NENW 31 acres

NWNW 6.2 acres Lot 4

SENE 25 acres Lot 5

NESE 31 acres

NWSE 35 acres Lot 6

SESE 13.7 acres Lot 7

192.9 total acres

4.8 total acres

2.031 cfs

.051 cfs

2/27/90

Title File No.: TN02-13669

WARRANTY DEED

FOR VALUE RECEIVED

David L. Smartt & Rita J. Smartt, husband & wife

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto: Keith H. Woodworth & Martha A. Woodworth, husband & wife

GRANTEES(s), whose current address is: P O Box 25175, Ester, AK 99725
the following described real property in Canyon County, State of Idaho,
more particularly described as follows, to wit:

see attached Exhibit "A"

SUBJECT TO THE FOLLOWING:

No Mobile Home or Manufactured Home to be placed on property.
No Non-running vehicles to be parked for more than three (3) days.
No livestock to be watered in the Snake River.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: April 10, 2002

David L. Smartt

David L. Smartt

Rita J. Smartt

Rita J. Smartt

STATE OF ID, County of Canyon, ss.

On this 15th day of April in the year of 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared David L. Smartt & Rita J. Smartt

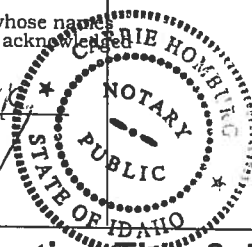
known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Signature: *Carrie Homburg*

Name: Carrie Homburg

Residing at: Melba

My commission expires: 01/28/03



Transnation Title & Escrow, Inc.

File No.: TN02-13669

EXHIBIT "A"

This parcel is a portion of Government Lot 4 of Section 8, Township 1 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

Beginning at the Northeast corner of said Government Lot 4; thence
South $57^{\circ}58'10''$ West a distance of 784.48 feet to a point on the mean high water line of the Snake River; thence
North $39^{\circ}31'13''$ West meandering along said high water line a distance of 539.19 feet to the Northwest corner of said Government Lot 4; thence
North $89^{\circ}59'31''$ East along the North boundary of said Government Lot 4 a distance of 1008.17 feet to the POINT OF BEGINNING.

Ripals

Woodworth

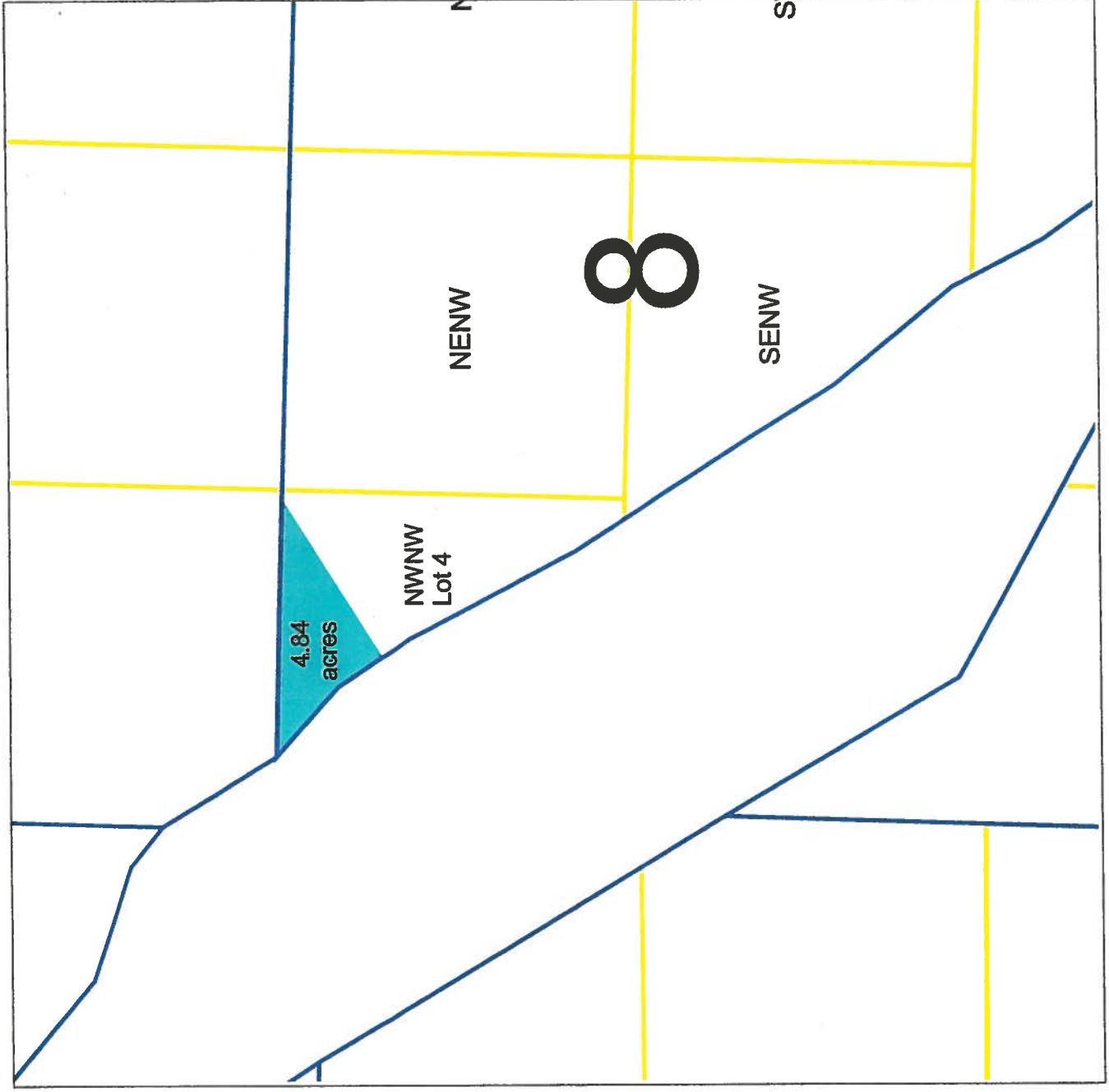
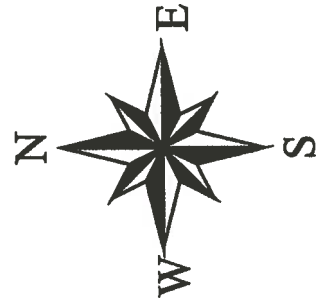
1N 3W

Woodworth
Property

Section Line

QQ Line

~~Tax Lot data~~



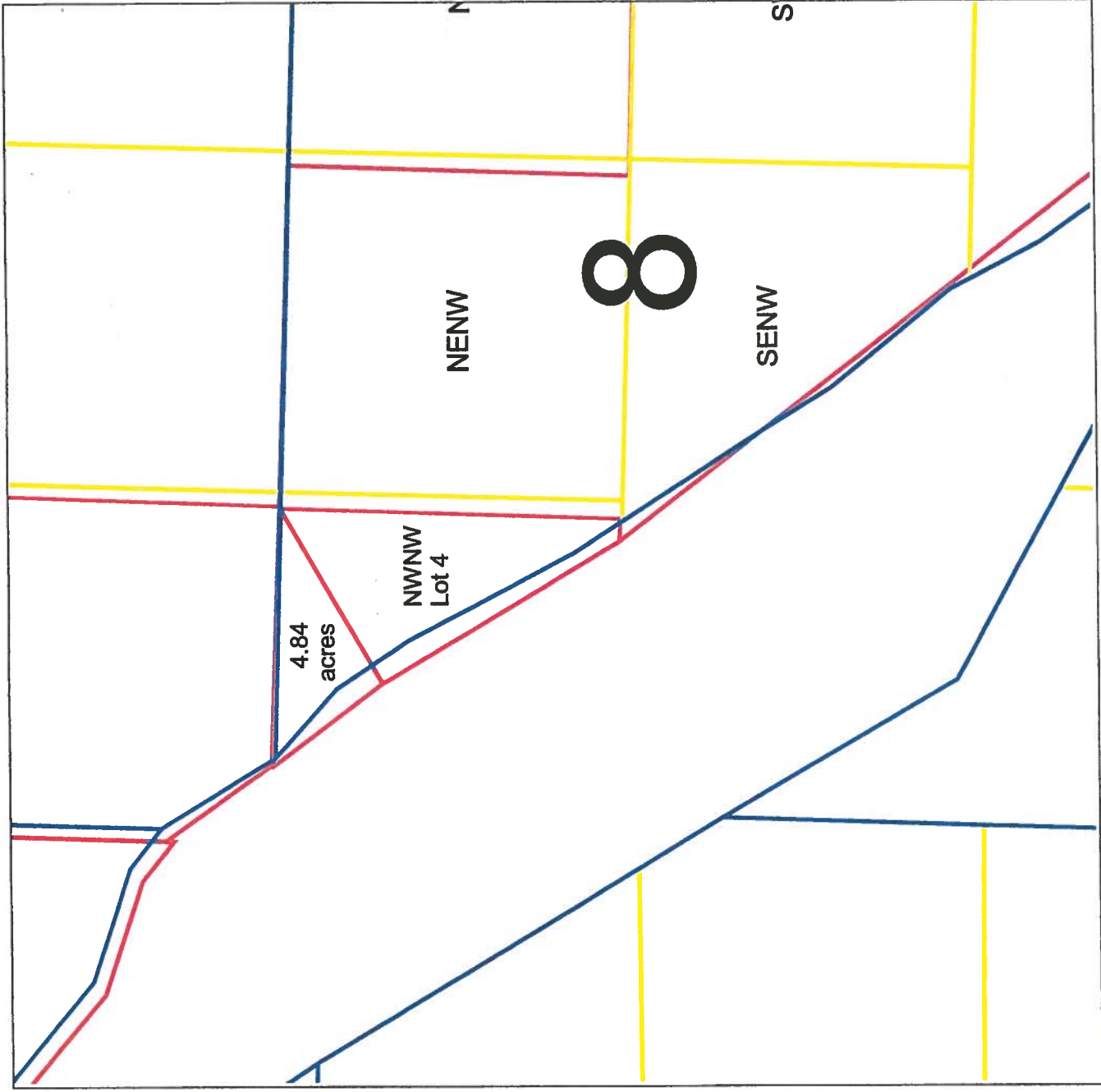
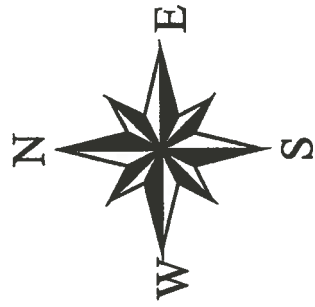
0.6 Miles

0.3

0

Woodworth

1N 3W

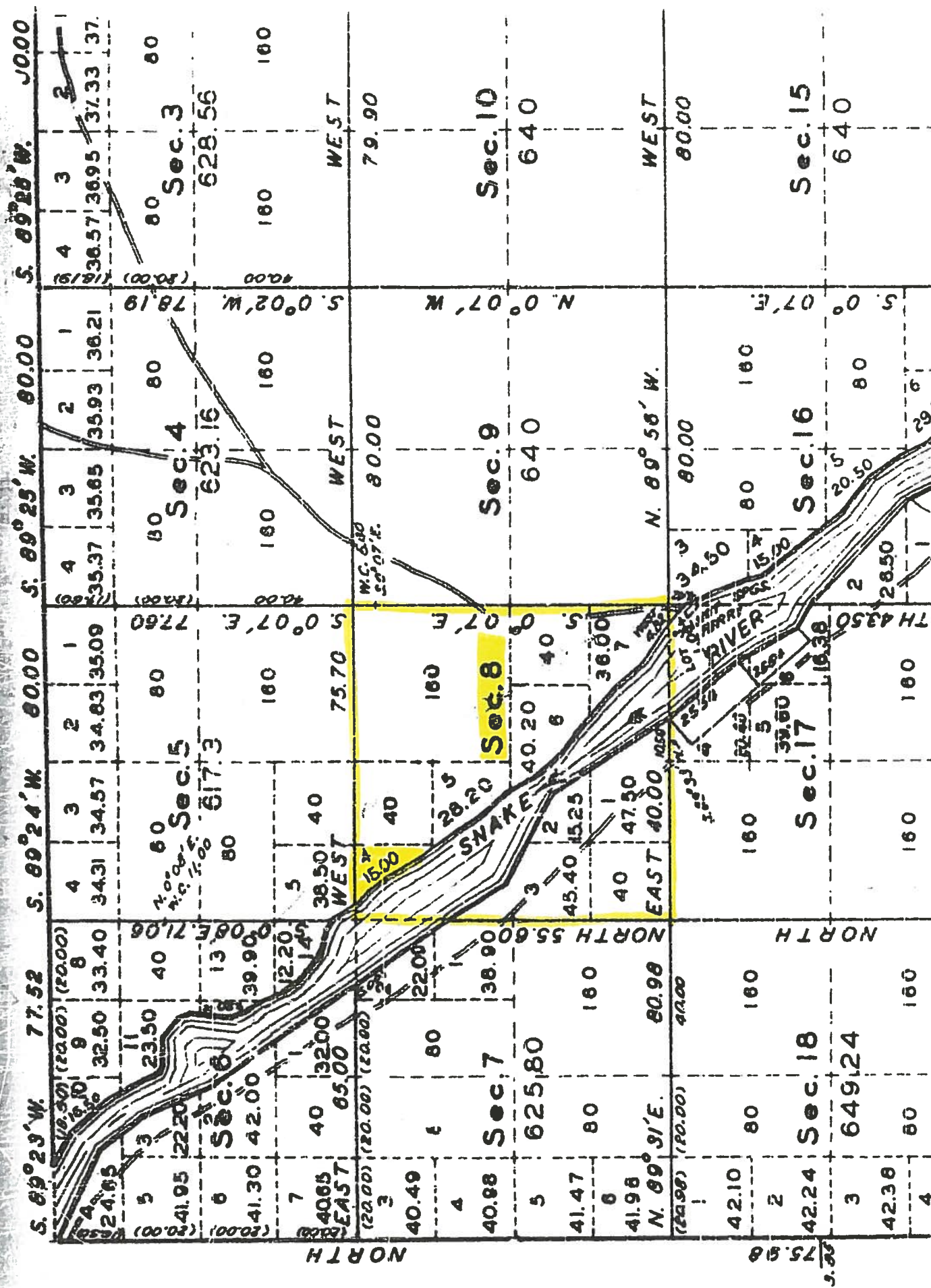


0.6 Miles

0.3

0

33



2500

ONE INCH = ONE MILE



CONSERVATION PLAN

Prepared by UNITED STATES DEPARTMENT OF AGRICULTURE - SOIL CONSERVATION SERVICE
cooperating with

South Canyon Soil & Water Conservation District

OWNER *Dr. J. Saltzer*

OPERATOR *R. Ben Warren*

C. Y. B.

FARM NO. *1230* DATE *J. 11*

SCALE *1" = 64'* CRES. *270*

PHOTO NO.



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

RECEIVED

DEC 05 2003

WATER RESOURCES
WESTERN REGION

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, 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
	02-10210				
This is for easement					

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

- A. The appropriate ~~FILING FEE~~. See instructions for fee amounts. **NO FEE**
- 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) are 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)

David L. Smart
16057 Map Rock Rd., Caldwell Idaho 83607

4. New Owner/Claimant(s)

Keith & Martha Woodward

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

New Mailing Address

P.O. Box 25175

City, State and ZIP Code

Ester, Alaska 99725

New Telephone Number

907) 479-3935

5. Date you acquired the property

4/16/02 (within 15 days)

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>02-16210</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>0.0x28 cfs</u> ~~(2.8)~~	<u>2 AC - approx</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	<u>0.0x28 cfs</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) Levi H. & Monica A. Goodworth
(include title if applicable) _____

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 CS Date 12.5.03 Fee 0
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED

David L. Smartt & Rita J. Smartt, husband & wife

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto: Keith H. Woodworth & Martha A. Woodworth, husband & wife

GRANTEES(s), whose current address is: P O Box 25175, Ester, AK 99725
the following described real property in Canyon County, State of Idaho,
more particularly described as follows, to wit:

see attached Exhibit "A"

SUBJECT TO THE FOLLOWING:

No Mobile Home or Manufactured Home to be placed on property.
No Non-running vehicles to be parked for more than three (3) days.
No livestock to be watered in the Snake River.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: April 10, 2002

David L. Smartt
David L. Smartt

Rita J. Smartt
Rita J. Smartt

STATE OF ID, County of Canyon, ss.

On this 15th day of April in the year of 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared David L. Smartt & Rita J. Smartt

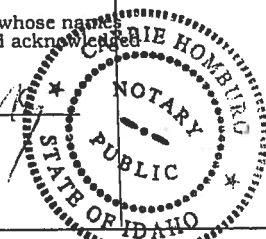
known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Signature: Carrie Homburg

Name: Carrie Homburg

Residing at: Melba

My commission expires: 01/28/03



Transnation Title & Escrow, Inc.

4. Unless specifically provided elsewhere in these instructions, the cancellation, transfer or purchase of fire or other casualty insurance shall be handled by the parties outside of this escrow.
5. You are authorized to deduct from seller's proceeds any additional interest due on loan payoffs to lender after closing if a loan payoff is being made as a part of the transaction. The parties understand that there may be adjustments on unusual recording fees after the signing of these instructions. You are further authorized to deduct same from seller's proceeds and/or deduct from buyer's funds any payments made by you for said recording fees.
6. All money received by you in this escrow is to be deposited in your trust account pending closing. Seller and/or Buyer hereby acknowledge and consent to the deposit of the escrow money in financial institutions with which Transnation has or may have other banking relationships and further consent to the retention by Transnation and/or its affiliates of any and all benefits Transnation Title and/or its affiliates may receive from such financial institutions by reason of their maintenance of said trust accounts.
7. These instructions are effective for 25 days from date hereof; and, thereafter, without written instructions to continue, you are authorized and instructed to cancel this escrow. I/We, jointly and severally, agree to pay your cancellation fee and all charges in connection therewith. In the event of cancellation of this escrow, all funds, except loan funds, shall be held subject to written cancellation instructions executed by all principals involved.
8. These escrow closing instructions may be executed in counterparts with like effect as if all signatures appeared on a single copy.
9. You are bound solely by the provisions set forth in these escrow instructions and the parties hereto understand that you are not a party to Earnest Money Receipt and Agreement dated March 2, 2002 (and Amendments thereto, if any) previously executed by the parties herein, and that said Earnest Money Receipt and Agreement (and Amendments thereto, if any) is (are) not a part of these escrow closing instructions. You are to be concerned only in the performance of your duties in compliance with these escrow closing instructions.
10. You are instructed to furnish to any broker or lender identified with this transaction or anyone acting on behalf of such lender, any information concerning this escrow upon request of said broker or lender.
11. Should any disputes arise between parties interested in property or funds covered by these instructions, you shall have the option to hold all matters pending in their then existing status or to join in or commence a court action, or to bring an action in interpleader, at your option. Upon your determination to hold this escrow open for determination of the rights of the parties, you will be relieved of all responsibility to proceed until the rights of the parties are settled in your satisfaction. Further, you as escrow holder, shall be entitled to continue to so refrain to act until (a) the parties hereto have reached an agreement in their differences and shall have notified the escrow holder in writing of such agreement or (b) the rights of the parties have been duly adjudicated by a Court of competent jurisdiction. It is further agreed that in the event of any suit or claim made against you be either or both parties to this escrow or in the event any suit is instituted by you to resolve your responsibility regarding conflicting claims of both parties to this escrow, that said parties, jointly and severally, shall be required to pay you all expenses, costs and reasonable attorney's fees incurred by you in connection therewith, whether suit is instituted by you or any of the parties hereto, or not.
12. In the event of any disagreement between the parties hereto, or demands of claims made upon you by the parties hereto or interested herein or by any other party you, as escrow holder, shall have the right to employ legal counsel to advise you and/or represent you in any suit or action brought affecting this escrow or the papers held in connection herewith or to bring an action in interpleader, at your option. The parties hereto shall be jointly and severally liable to you for any and all attorney's fees, costs, and disbursements incurred by you in connection with the employment of counsel in such conflict and, upon demand, the parties shall forthwith pay the same to you, as escrow holder. If you are required to institute suit to collect such sums as are owed to you pursuant to this or any other provision of this instruction, you shall further be entitled to payment by the parties found liable for such unpaid charges of any costs and attorney's fees incurred in the prosecution of such action.

DECLARATION OF ESCROW SERVICES:

Both Buyer and Seller acknowledge the following by their signatures below:

We have been specifically informed that Transnation Title. (hereinafter referred to as TRANS) is not licensed to practice law and no legal advice has been offered by TRANS or any of its employees. We have been further informed that TRANS is acting only as escrow holder and that it is forbidden by law from offering any advice to any party respecting the merits of this escrow transaction or the nature content of the documents executed herein, and that it has not done so.

We have been requested by escrow holder to seek legal counsel of our own choosing at our own expense, if we have any doubt concerning any aspect of this transaction.

We further declare all instruments to which we are a party, if prepared by TRANS have been prepared under the direction of our attorneys or ourselves and particularly that copying legal descriptions from title reports into forms of deeds, etc., or reforming of legal descriptions or agreements is, or will be, solely at our direction or request.

We have been afforded adequate time and opportunity to read and understand these escrow instructions and all other documents referred to therein.

These escrow closing instructions constitute the entire agreement between the escrow holder and the undersigned parties. Any amendment and/or supplement to these instructions must be in writing.

We further understand that TRANS assumes no liability as to law, ordinance or governmental regulations including, but not limited to, building, zoning and division of land ordinances and assumes no responsibility for determining that the parties to the escrow have complied with the requirements of the Truth in Lending, Consumer Protection Act (Public Law 90-321), or similar laws.

THE UNDERSIGNED HAVE READ AND FULLY UNDERSTAND THE FOREGOING ESCROW CLOSING INSTRUCTIONS AND ALSO THE DECLARATION SET FORTH ABOVE AND AGREE TO THE SAME.

David L. Smartt Seller

David L. Smartt

Rita J. Smartt

Rita J. Smartt

Keith H. Woodworth Buyer

Keith H. Woodworth

Martha A. Woodworth

Martha A. Woodworth

The foregoing instructions have been acknowledged and received by TRANSNATION TITLE & ESCROW, INC.

By: Carrie Homburg-Redovian

Dated: 4/15/02

GRANT OF PERPETUAL JOINT AND SOLE USE ACCESS EASEMENT

The grantors, David L. Smartt and Rita J. Smartt, husband and wife, for and in consideration of the sum of \$1.00 and other good and valuable consideration, receipt of which is hereby acknowledged, do hereby forever grant and convey unto the Grantees, Keith H. Woodworth and Martha A. Woodworth, their heirs, successors, assigns and representatives, the perpetual right and privilege to utilize for all ingress, egress and co-location of utilities an easement over and across the below described property, shown on page 2, and more particularly unsurveyed easement described as follows:

From the point of beginning of parcels 1 and 2 U.S. Government Lot 4, sec. 8, T. 1 N., R. 3 W., Boise Meridian proceed in easterly direction along the section line common to secs. 5 and 8, approximately 200 feet to a point on the shoulder of Map Rock Road. This point is the northwest side of a 30 foot wide access and utility easement. From this point which will be the point of beginning (POB) of the easement proceed in a southwesterly direction approximately 170 feet to the southwest side of the Wilder District Irrigation Ditch. From this point turn a 28 foot radius curve (38 foot center line) in a west northwest direction and then proceed approximately 194 feet to the southeastern boundary of parcel 1. This approximate description may be adjusted to meet the requirements of Nampa Highway District #1, Melba Fire Department and Wilder Irrigation District.

Canyon County Recording District

The grant of easement conveys all rights of ingress, egress and co-location of utilities necessary for the full use and enjoyment of the easement unto said grantees, their successors, and assigns forever.

Executed this 15 day of April 2002.


David L. Smartt


Rita J. Smartt

GRANT OF PERPETUAL JOINT AND SOLE USE ACCESS EASEMENT

Page 1 of 3


maw

Attachment 1

RECORD OF SURVEY GOVERNMENT LOTS 4 AND 7 OF SECTION 8 TOWNSHIP 1 NORTH, RANGE 3 WEST, BOWSE MERIDIAN CANYON COUNTY, IDAHO

SCALE: 1" = 400'

BASIS OF BEARING:
R.O.S. Inst. No. 8920137

LEGEND

- ▲ STONE MONUMENT - FOUND
- WELL - EXISTING
- ⊙ BRASS CAP MONUMENT - FOUND
- ⊙ 5/8" x 30" REBAR - SET
- ⊙ 3/4" REBAR - FOUND
- ⊙ 1/2" x 24" REBAR - SET
- ⊙ 1/2" REBAR - FOUND
- P.K. NAIL & BRASS WASHER
- CALCULATED POINT
- PROPERTY BOUNDARY LINE
- W.C. WITNESS CORNER
- () DATA OF RECORD

CERTIFICATION

I, Doug L. Skinner, do hereby certify that I am a Professional Land Surveyor, Licensed by the State of Idaho, and that this map has been made from an actual survey made on the ground and by a direct measurement, that this map is an accurate representation of the survey and that it is in conformity with the Corner or Perpetuation Act, Idaho Code 55-1901 through 55-1612



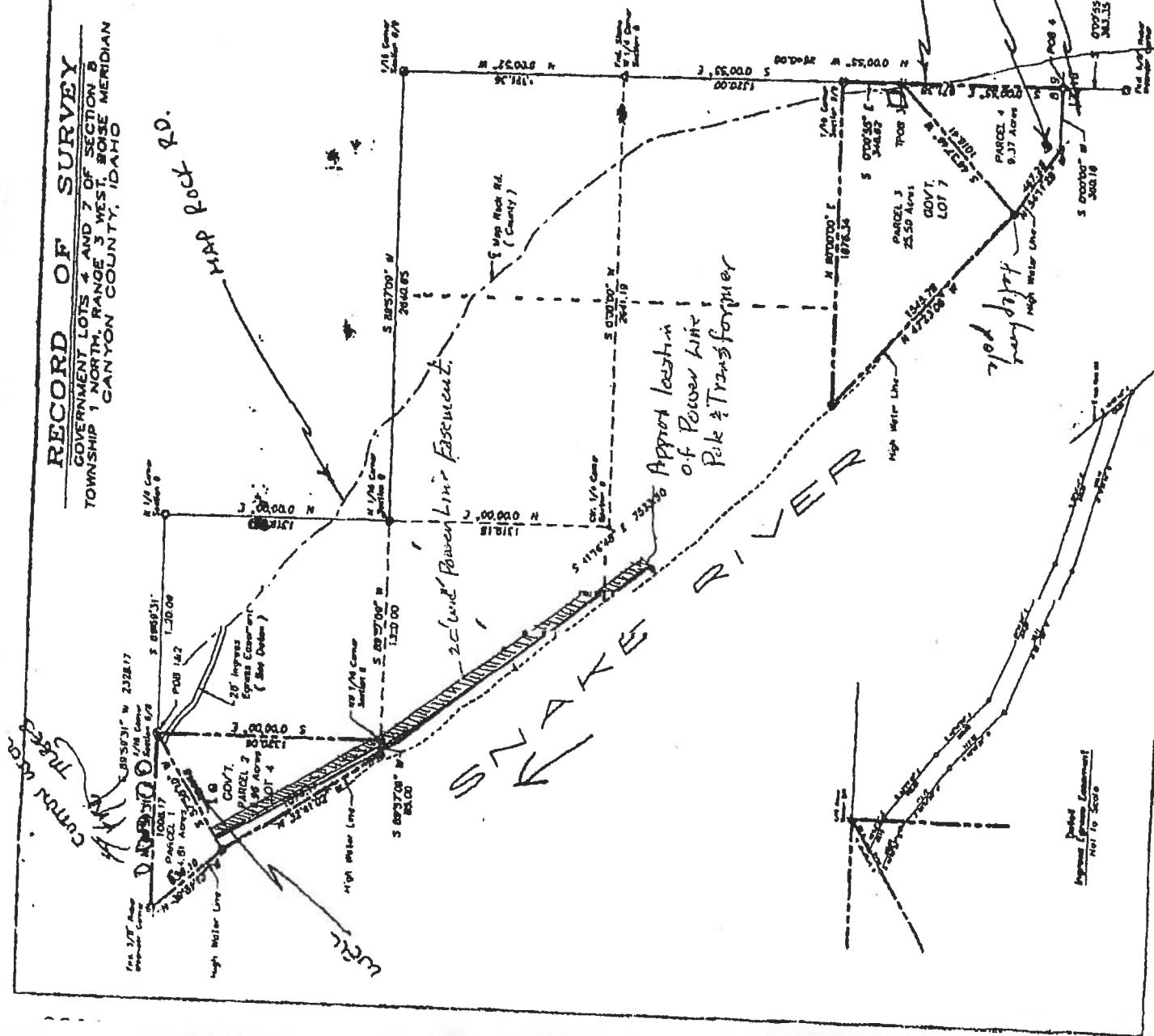
INDEX NO. 134-08-2-2-0-00-00
SUMMARY FOR

DAVE SMART

Drawn by W.F.J.

Date: MARCH 25, 1996

Skinner, Earl &
Associates, Inc.



Printed From: Lessor's
Not to Scale

SUPPLEMENTAL ESCROW INSTRUCTIONS

To: TRANSNATION TITLE & ESCROW, INC.

Re: Escrow No.: TN02-13669-CH

The instructions to Transnation Title & Escrow, Inc. as contained in the above numbered escrow are hereby supplemented as follows:

1. In the event of a conflict between these supplemental Escrow Instructions and the instructions contained in the original Escrow named hereinabove the instructions contained herein shall prevail.
2. The Buyer herein acknowledges and understand that it shall be their full & complete responsibility to file any and all documents for water rights. The Buyer's herein also acknowledge & understand that the 2002 taxes may increase once the Canyon County Treasurer/Assessor splits the tax parcel.

Transnation Title & Escrow is hereby held harmless from any loss or liability that may arise.

The undersigned having hereby set their respective hand this 15th day of April, 2002.

David L. Smartt

Keith H. Woodworth
Keith H. Woodworth

Rita J. Smartt

Martha A. Woodworth
Martha A. Woodworth

The foregoing Supplemental Escrow Instructions have been acknowledged and received by Transnation Title & Escrow, Inc.

TRANSNATION TITLE & ESCROW, INC.

Carrie Homburg-Redovian

Dated: April 8, 2002

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 2-10210
Date Received: 2/27/1990
Receipt No: 0009614
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DAVID L SMARTT
16057 MAP ROCK RD
CALDWELL ID USA 83605

Phone: (208) 896-4585

2. Date of Priority: 07/01/1953

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
01N	03W	8	NW SE 6	CANYON	

5. Description of diverting works:

PUMP, PIPE AND DITCH, GRAVITY FLOW AND SPRINKLER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	2.082	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	03W	8	SW	NE		IRRIGATION	39
			SE	NE		IRRIGATION	12
			NE	NW		IRRIGATION	31
			NW	NW	4	IRRIGATION	11
			SE	NW	5	IRRIGATION	25
			NE	SE		IRRIGATION	31
			NW	SE	6	IRRIGATION	35
			SE	SE	7	IRRIGATION	13.7
Section Acres							197.7
Total Acres							197.7

11. Place of use in counties: CANYON

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 due to change in ownership for a portion of 02-2429. DH 6/27/2002

15. Basis of Claim: License

*See additional remarks on 02-2429 + 02-10232 +
02-10233*

dg

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

RECEIVED

MAY 24 2002

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, 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
02-02429		☒			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A
- 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) are 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)

David L. Smartt16057 Map Rock Rd Caldwell, ID 83605

4. New Owner/Claimant(s)

Walter & Linda TempletonName Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

12100 Peconic DR

City, State and ZIP Code

Boise, ID 83709

New Telephone Number

(208) 362-7470

5. Date you acquired the property

5 April 2002

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 large 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>02-02429</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>.097 CFS</u>	<u>9.3 ACRES</u>
Stock		
Domestic		
Other	<u>.097 CFS</u>	<u>9.3 ACRES</u>
Total	<u>N/A to 18 acres / a proportionate split.</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) Walter R. Templeton
(include title if applicable)

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 <u>AB</u>	Date <u>5/24/02</u>	Fee <u>0</u>
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

Remainder Split

Page 1

05/24/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 2-2429

WATER RIGHT NUMBER: 2-2429

02-10210

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JOS SALTZER 215 E HAWAII NAMP, ID 83651
Original Owner	ELAINE L ALLEN HC 79 BOX 104-1/2 MELBA, ID 83641 (208)896-4538
Current Owner	DAVID L SMARTT → 16057 MAP ROCK RD CALDWELL, ID 83605 (208)896-4585
Original Owner	BILL G WHISMAN HC 79 BOX 104 1/2 MELBA, ID 83641 (208)896-4538
Original Owner	WALTER W VOLKNER

OK

, ZZ

Priority Date: 07/01/1953

Basis: License

Status: Active

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From To
4/01 to 10/31

Diversion Rate
~~2.480 CFS~~

Annual Volume

Total Diversion: ~~2.480 CFS~~

2.082

Location of Point(s) of Diversion

SNAKE RIVER

L6 NW1/4SE1/4

Sec. 8, Twp 01N, Rge 03W, B.M.

CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	03W	8			39.0	12.0	31.0	11.0	25.0					31.0	35.0		23.0		197.7
					OK	OK	OK	L4	L5					OK	L6		L7		

Total Acres: 207 ~~197.7~~ AC

13.7

Conditions of Approval:

2/27/90

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 2-2429

Remarks:

1. General PORTIONS OF LAND ABOVE ARE OVERLAPPING CLAIMS TO CLAIM NO.
02-07074.
OWNERSHIP CHANGED PER CHANGE OF OWNERSHIP FORM - JS-8-4-92.

Comments:

Dates and Other Information:

Claim Received Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector: 0
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust: False
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan:

200216235

RECORDED

2002 APR 8 PM 4 47

G NOEL HALE

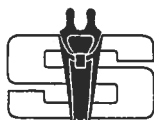
CANYON CNTY RECORDER

BY

[Signature]

REQUEST STEWART TITLE-NAMPA

TYPE *Deed* FEE *10.00*



SW02002267RC

WARRANTY DEED

For Value Received DAVID L. SMARTT AND RITA J. SMARTT, HUSBAND AND WIFE

the Grantor hereby grants, bargains, sells, conveys and warrants unto WALTER W TEMPLETON AND LINDA TEMPLETON, HUSBAND AND WIFE

the Grantee whose current address is: Map Rock Road, Caldwell, Idaho 83605

the following described premises, to-wit:

AS PER LEGAL DESCRIPTION ATTACHED HERETO

Parcel Number: R28771

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

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

Dated: March 29, 2002

[Signature]
DAVID L. SMARTT

[Signature]
RITA J. SMARTT

State of ID

ss.

County of CANYON

On this 5th day of April, 2002, before me, the undersigned, a Notary Public, in and for said State, personally appeared DAVID L. SMARTT AND RITA J. SMARTT

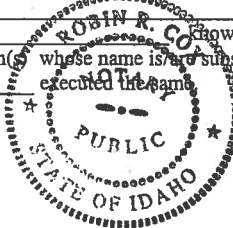
on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

[Signature]
ROBIN R. COX

Notary Public ROBIN R. COX
Residing at: NAMPA, IDAHO

Commission Expires: March 26, 2004



(SEAL)

Order Number: 02002267

THIS PARCEL IS A PORTION OF GOVERNMENT LOT 7 OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 7; THENCE

SOUTH 0°00'55" EAST ALONG THE EAST BOUNDARY OF SAID GOVERNMENT LOT 7 A DISTANCE OF 348.62 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING

SOUTH 0°00'55" EAST ALONG SAID EAST BOUNDARY A DISTANCE OF 971.38 FEET TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 7; THENCE

SOUTH 90°00'00" WEST ALONG THE SOUTH BOUNDARY OF SAID GOVERNMENT LOT 7 A DISTANCE OF 360.16 FEET TO A POINT ON THE MEAN HIGH WATER LINE OF THE SNAKE RIVER; THENCE

MEANDERING SAID MEAN HIGH WATER LINE NORTH 54°11'28" WEST A DISTANCE OF 467.29 FEET; THENCE

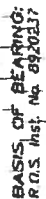
NORTH 46°37'46" EAST A DISTANCE OF 1016.41 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT TO A RIGHT OF WAY FOR MAP ROCK ROAD.

FURTHER SUBJECT TO THE FOLLOWING DEED RESTRICTIONS:

1. THERE SHALL BE NO MANUFACTURED HOME PLACED ON THE PROPERTY.
2. THERE SHALL BE NO NON-RUNNING VEHICLES PARKED ON THE PROPERTY FOR MORE THAN 3 DAYS.
3. THERE SHALL BE NO LIVESTOCK WATERED IN THE SNAKE RIVER.

GOVERNMENT LOTS 4 AND 7 OF SECTION 8
TOWNSHIP 1 NORTH, RANGE 3 WEST, BOISE MERIDIAN
CANYON COUNTY, IDAHO



0210

- [illegible]

CERTIFICATION

1. Gail L. Surratt, did hereby certify that, as a Professional Land Surveyor, licensed by the State of Iowa, and that this map was drawn from an actual survey made on the ground under my direct supervision, that this map is in accurate representation of said survey, and that it is in conformity with the Correl. of Production Act, Iodine Code 55-1801 through 55-1812



13-08-20-00-00
13-08-20-00-00

DAVE SMART



Stinner, Earl S.
Associates, Inc.
100 Madison St., Suite 100
Chicago, Ill. 60602

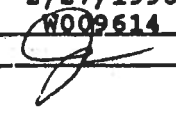
RECEIVED BY WFLA
DATE MARCH 21 1966
BUREAU
NO. 40-1001-106

(1) All Templeton

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: A02-02429
Date Received: 2/27/1990
Receipt No: W009614
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID L SMARTT 208-896-4585
Address: 16057 MAP ROCK RD
CALDWELL ID 83605

2. Date of Priority: JUL 1, 1953

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
01N	03W	8	NW	SE		6	CANYON

5. Description of diverting works:
PUMP, PIPE AND DITCH, GRAVITY FLOW AND SPRINKLER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.180		

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

8. Total consumptive use is 724.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	03W	8	SW	NE		IRR	39.0
			SE	NE		IRR	12.0
			NE	NW		IRR	31.0
			NW	NW	4	IRR	11.0
			SE	NW	5	IRR	25.0

A02-02429

Page 1

Date: 08/04/92

Enlarged microfilm
copy

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	03W	8	NE	SE		IRR	31.0
			NW	SE	6	IRR	35.0
			SE	SE	7	IRR	23.0
Section Acres							207.0
Total Acres							207.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
02-07074

14. Remarks:
PORTIONS OF LAND ABOVE ARE OVERLAPPING CLAIMS TO CLAIM NO.
02-07074.
OWNERSHIP CHANGED PER CHANGE OF OWNERSHIP FORM - JS-8-4-92.

15. Basis of Claim: LICENSE

Water Right Number: 24263

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

December 17, 2003

KEITH WOODWORTH
MARTHA WOODWORTH
PO BOX 25175
ESTER AK 99725

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Re: Original Notice of Claim to a Water Right No. 02-10210

Renumbered Notice of Claim to a Water Right No. 02-10233

Dear Claimant(s):

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.

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

Thank you for your patience, as we have had several water right changes to process. Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

DB: db

Enclosure

*Return
Service
Requested*

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082



UNDELIVERABLE AS
ADDRESSED
FORWARDING ORDER
EXPIRED

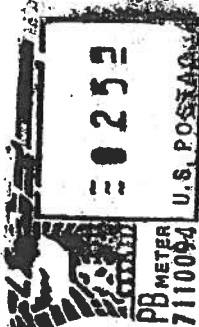
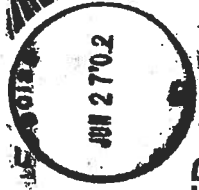
02-10210

DAVID L SMARTT
16057 MAP ROCK RD
CALDWELL ID 83605

Re: Original Notice of Claim to a Water

83607+57550252

POSTED
CLASS



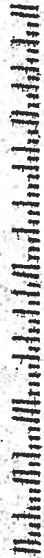
RECEIVED

JUL 01 2002

WATER RESOURCES
WESTERN REGION

*WAT
CY*

*Caldwell
No address listed
shown*





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

June 27, 2002

DAVID L SMARTT
16057 MAP ROCK RD
CALDWELL ID 83605

Re: Original Notice of Claim to a Water Right No. 02-2429

Renumbered to Notice of Claim to a Water Right No. 02-10210

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Hatfield". The signature is written in dark ink and is positioned above the typed name and title.

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure