

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

RECEIVED
SEP 12 2001
 Department of Water Resource
 Southern 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 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
	37-196				
37-578F	37-578F				
37-686D	37-686D				
37-8001D	37-8001D				

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 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) Elizabeth N. Rood and/or James L. Smith
1350 Tasso St., Palo Alto, CA 94301
4. New Owner/Claimant(s) Elizabeth N. Smith
 Name Connector (Check one): [] and, [] or [] and/or
- New Mailing Address Post Office Box 895 / 6 Fox Hollow Gulch
- City, State and Zip Code Bellevue, Idaho 83313
- New Telephone Number (208) 788-2724
5. Date you acquired the property July 30, 2001

6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change of ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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

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

7. Signature of New owner(s) or Claimant(s)
(include title if applicable)

By: Elizabeth N. Smith
Elizabeth N. 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 <u>[Signature]</u>	Date <u>9/13/01</u>	Fee <u>[Signature]</u>
Received by <u>[Signature]</u>	Date _____	Receipt No. _____
Processed by <u>[Signature]</u>	AJ Date <u>9/17/01</u>	WR _____ Date _____

COPY

HAILEY, NE, IDAHO
 2001-08-03 11:30:00 No. of Pages: 2
 Recorded for: HOLLAND & HART
 MARSHA RIEMANN Fee: 6.00
 Ex-Officio Recorder Deputy
 Index to: WTMOCICORP DEED

QUITCLAIM DEED

FOR VALUE RECEIVED, Melville W. Fisher II, Personal Representative of the ESTATE OF JAMES L. SMITH, DECEASED, "Grantor," hereby conveys, releases, remises and forever quit claims unto ELIZABETH N. SMITH, a single woman, "Grantee," whose current address is 6 Fox Hollow Gulch, P.O. Box 895, Bellevue, Idaho 83313, all right, title, and interest in and to that certain parcel of real property in the County of Blaine, State of Idaho, more particularly described as follows, to-wit:

Legal Description attached hereto as Exhibit "A" and incorporated herein by reference.

Also known by street and number as:
 06 Fox Hollow Gulch, Bellevue, Idaho.

together with its appurtenances.

IN WITNESS WHEREOF, Grantors have hereunto set their hands the 30th day of July, 2001.

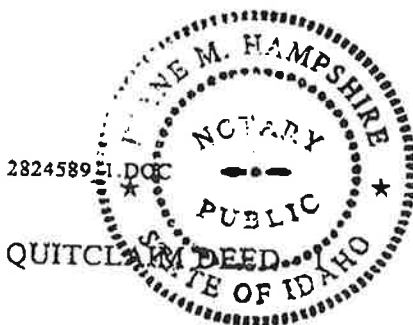
ESTATE OF JAMES L. SMITH, DECEASED

By: Melville W. Fisher II
 Melville W. Fisher II
 Personal Representative

STATE OF IDAHO)
) ss.
 County of Ada)

On this 30th day of July, 2001, before me, a notary public for said State, personally appeared Melville W. Fisher II, known or identified to me to be the Personal Representative of the ESTATE OF JAMES L. SMITH, DECEASED, who executed the instrument, and acknowledged to me that he executed the same on behalf of the Estate.

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



E. M. Hampshire
 Notary Public
 Residing at: _____
 My Commission Expires: 2002 02

Tr 20989
Legal Description

Exhibit "A"

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 35: COMMENCING at the NW corner of the S4SE of Section 35; thence

S. 89°42'30" E., 183.18 feet; thence
S. 19°56'47" E., 419.37 feet to the TRUE POINT OF BEGINNING; thence
S. 89°44'14" E., 807.46 feet; thence
S. 00°25'48" W., 194.82 feet; thence
N. 89°55'19" W., 297.59 feet; thence
S. 07°05'06" E., 566.33 feet; thence
N. 89°39'27" W., 290.97 feet; thence
N. 25°17'27" W., 623.22 feet; thence
S. 89°37'19" E., 10.10 feet; thence
N. 03°54'57" E., 92.06 feet; thence
N. 19°56'47" W., 109.70 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH an Easement for road access, twenty feet in width as disclosed on that certain Warranty Deed recorded May 20, 1980, as Instrument No. 203657, records of Blaine County, Idaho.

1 SUSAN D. FLAX, SBN: 114906
2 ESSELSTEIN, WRIGHT, JONES & GREENBERG
3 750 Menlo Avenue, Suite 250
4 Menlo Park, California 94025
5 Telephone: (650) 324-0622

6 Attorneys for Petitioner

FILED

30 JAN 20 AM 9:15

STEPHEN M. LOVE
COUNTY CLERK
SANTA CLARA COUNTY
BY 8 DEPUTY

FILMED

OMG

8 SUPERIOR COURT OF CALIFORNIA

9 COUNTY OF SANTA CLARA

10 In the Matter of the
11 Application of

No. CV769818

12 ELIZABETH N. ROOD,

DECREE CHANGING NAME

13 Petitioner,

14 for Change of Name.

15 The Petition for Change of Name for an order changing
16 Applicant's name from ELIZABETH N. ROOD to ELIZABETH N. SMITH came
17 on regularly for hearing on January 20, 1998, at 9:00 a.m. in
18 Department 1. of the above-entitled court, the Honorable *Thomas P.*
19 *Hansen*, presiding.

20 The court finds that all notices required by law have been
21 given, no objections were filed by any person and the allegations
22 of the petition are sufficient and true.

23 WHEREFORE, the court orders that this petition be granted and
24 the name of applicant be and is changed from ELIZABETH N. ROOD to
25 ELIZABETH N. SMITH.

26 DATED: 1-20-98

27 *Thomas P. Hansen*
JUDGE OF THE SUPERIOR COURT

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

RECEIVED
JAN 26 2000
 Department of Water Resources
 Boise, Idaho

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

1. Water Right Number(s) 37-12327
 Adjudication Claim Number(s) _____

2. The following REQUIRED information must be submitted with this form.
 - 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 on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Services Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Elizabeth N. Rood and/or James L. Smith
 Owner/Claimants 1350 Tasso St., Palo Alto, CA 94301

4. New Owner/Claimant(s) Elizabeth N. Smith and James L. Smith

Name connector (check one): [] AND, [] OR, [X] AND/OR

 New Mailing Address PO Box 895
 City, State and ZIP Code Bellevue, ID 83313
 New Telephone Number (208) 788-2724

5. Date you acquired the property December 14, 1990

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water rights(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 actually irrigated _____ Number and type of stock _____

Diversion rate in CFS Number of homes Other uses
cubic feet per second

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 Elizabeth N. Smith Date 1/21/00
 Owner/Claimant(s) _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), of Idaho Code. Section 42-248 requires certain property holders to notify the Department of water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right. During an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed Claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believe there are Water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than ½ acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

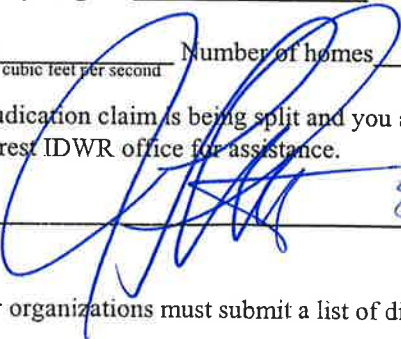
IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

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

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

RECEIVED**SEP 20 1999**Department of Water Resources
Southern Region

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

1. Water Right Number(s) 37-12327
 Adjudication Claim Number(s) _____
2. The following REQUIRED information must be submitted with this form.
 - 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 on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Services Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Elizabeth N. Rood and/or James L. Smith
 Owner/Claimants 1350 Tasso St., Palo Alto, CA 94301
ADDRESS CHANGE
4. ~~New Owner/Claimant(s)~~ Elizabeth N. Rood and James L. Smith
 Name connector (check one): [] AND, [] OR, [X] AND/OR
 New Mailing Address PO Box 895
 City, State and ZIP Code Bellevue, ID 83353
 New Telephone Number (208) 788-2724
5. Date you acquired the property December 14, 1990
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water rights(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 actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS cubic feet per second _____ 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  Elizabeth N. Rood Date 9-1-99
 Owner/Claimant(s)
 (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

date entered 10/7/99 CF

✓ 11/10/00 DJ

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

September 17, 1999

RECEIVED

SEP 20 1999

**Department of Water Resources
Southern Region**

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

RE: Water Right No. 37-12327

Dear Allen:

Enclosed you will find a Notice of Change of Water Right Ownership to change the mailing address of the claimants and owners of the above-referenced water right, a domestic water right recommended in the SRBA. I have also enclosed a copy of the Notice and ask that you have it receipt date stamped by the Department and return to me in the stamped and addressed envelope provided for that purpose. Please also send me a computer print out showing the change has been made in the Department records. Kindly call if there are any questions.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:rsd
enclosures
cc: client, w/encl.

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

September 11, 2001

RECEIVED
SEP 12 2001
Department of Water Resources
Southern Region

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

RE: Elizabeth N. Smith - Notice of Change in Water Right Ownership
Our File No. 950322

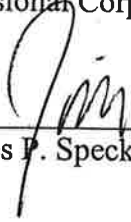
Dear Allen:

Enclosed you will find a Notice of Change of Water Right Ownership for my client, Elizabeth N. Smith. The water rights in question are presently recorded in her former name, Elizabeth N. Rood, and her now deceased husband, James L. Smith. Attached to the notice are copies of the Decree Changing Name and the Quitclaim Deed from the personal representative of the estate of James L. Smith, deceased for the property which is the place of use for these water rights. Please contact me right away if you have any questions or need any additional information to make this ownership change in your records. Kindly receipt date stamp the enclosed copy of the Notice and return it to me in the postage prepared self-addressed envelope included for that purpose. Once the Department records have been changed, please forward to me the computer printouts reflecting the new ownership of the water rights.

Thank you again for your continuing cooperation in these matters.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jal
enclosures
cc: client, w/encls.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-12327 V1

WATER RIGHT NUMBER: 37-12327 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELIZABETH N SMITH 6 FOX HOLLOW GULCH PO BOX 895 BELLEVUE, ID 83313 (208)788-2724
Original Owner	DONNA Q WEST 36 TOWNSEND GULCH BELLEVUE, ID 83313 (208)788-3611
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421

Priority Date: 05/31/1980

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SE1/4	Sec. 35, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	35																X	

Total Acres: 0

Conditions of Approval:

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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-12327 V1

Remarks:

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SubCase:

SubCase Number: 3712327
Class: 1
SF5 Filed Date: 2/2/2000
Special Master Recom Signed Date: 2/16/2000
Attorney Assigned: NICHOLAS B SPENCER
Date Filed: 9/10/1999 Objection Status: Active



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

September 17, 2001

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

**JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340**

**Re: SRBA Claim(s) 37-196, 37-578F, 37-686D, 37-8001D
Decreed Water Right 37-12327**

Dear Mr. Speck:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to Elizabeth Smith. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish'.

**Trish Fawcett
Technical Records Specialist**

Enc.



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 4, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

RE: SRBA Claim(s) 37-12327

Dear Counselor:

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 Record Specialist

AJ5856NP

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

DATE: FEB-1-2000
PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 37-12327

NAME & ADDRESS: ELIZABETH N SMITH
JAMES L SMITH
PO BOX 895
BELLEVUE ID 83313

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 05/31/1980

POINT OF DIVERSION: T02N R18E S35 SWSWSE Within BLAINE 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 BLAINE County
T02N R18E S35 SWSE

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

COPY

200 FEB -4 PM 2:09
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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. 37-12327

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS

IDWR has completed the following Administrative proceedings:

CHANGE OF ADDRESS
NAME CHANGE

Name and New Address of Claimant:

James L Smith
Elizabeth N Smith
PO Box 895
Bellevue ID 83313

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:

2/1/2000


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2-4, 2000, 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:
James P Speck
Speck & Aanestad
PO Box 987
Ketchum ID 83340
3. One Copy to:
Each party in the subcase or attorney of record:
4. One Copy 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

Christensen, Kelly

Subject: profile reports A37-12327
Entry Type: Phone call
Contact: randy from Jim Speck's office

Start: Mon 12/6/99 2:15 PM
End: Mon 12/6/99 2:15 PM
Duration: 0 hours

She indicated that there was an objection filed on this claim and that she could not find any information concerning the original claim. I generated a profile report for the A record and the blank record and faxed them to her.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

10/07/99 15:50:21
Page 1

Water Right Number - 37-12327

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** A - ATTORNEY ***
SPECK

JAMES P

1 - HOGUE SPECK & AANESTAD
2 - PO BOX 987
3 -
City- KETCHUM
Phone - 208-726-4421

State- ID Zip- 83340

*** C - CURRENT OWNER ***
SMITH

JAMES L

1 - PO BOX 895
2 -
3 -
City- BELLEVUE
Phone - 208-788-2724

State- ID Zip- 83353

ROOD

ELIZABETH N

1 - PO BOX 895
2 -
3 -
City- BELLEVUE
Phone - 208-788-2724

State- ID Zip- 83353

*** O - ORIGINAL OWNER ***
WEST

DONNA Q

1 - 36 TOWNSEND GULCH
2 -
3 -
City- BELLEVUE
Phone - 208-788-3611

State- ID Zip- 83313

+ - - Priority Date - - +
05/31/1980

+ - - Region - - +
ERROR IN REGION

+ - - Stage - - +
J - BENEFICIAL USE

+ - - Status - - - +

+ - - - - Source - - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

02N 18E 35 SW SW SE (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

02N 18E 35 SW SE 43 DOMESTIC (13) BLAINE

Total Acres:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - 37-12327

Prefix Translation: WATER RIGHT

+ - - Non-Irrigation Use - 1 HOME

+ - - Other Rights for Same Use - NONE

Remarks

No Remarks found.

+ - - - - - No Old Water Right Numbers Found - - - - - Old Water Right Numbers - - - - - +

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.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

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+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+
Date: 06/15/1990 User Id: HARRINGT Subject: FINDING OF FIELD EXAMINATION - DUNN
HOUSE BEING RENTED. ADDITIONAL ADDRESS ADDED TO ITEM 1
Date: 03/11/1993 User Id: HITCHCOC Subject: COPIED FROM REMARKS AS "P" OWNER CODE
TAX LOT 5681 AKA 36 TOWNSEND GULCH RD. OWNERSHIP CHANGE BY FH 03-11-1993.
Date: 04/03/1995 User Id: DSMITH Subject: DATA ENTRY
CONFORMED ATTORNEY ADDRESS DMS
Date: 10/07/1999 User Id: CTIMM Subject: ADDRESS CHANGE
10/07/99, CHANGED ADDRESS AS PER REQUEST REC'D 9/29/99. C.T.

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+ - - Audit Fields - - +
10/07/99 CTIMM

----- Adjudication Rights Dates and Flags Area -----

Court Report Filing	- 03/05/1999	Field Inspection Made	- 05/14/1990	Civil Case Number	- 39576
Objection Filed Date	- 09/10/1999	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 12/14/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- F000000	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-