

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 PALOUSE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 59576

Claim ID: 87-10500

Date Received: 5-15-2019

Receipt No: N034411-50.00

Claim Fee: 25.00 By: LW

RECEIVED

MAY 15 2019

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

IDWR/NORTHERN Where Daily Use is less than 13,000 gallons per day

Please type or print clearly

- Name of claimant(s) Jack Leland Smith and/or Teresa Arlette Smith Phone (208) 875-9931
Mailing address 1025 Deep Creek Road Postlatch Idaho Zip 83855
Street or Box City State
Email address (optional) spadebit63@gmail.com
- Date of priority: (Only one per claim) 5-20-1972 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water (✓) or Other () (a) _____
which is tributary to (b) _____
- Location of point of diversion is: Township 42N, Range 5W, Section 22,
NE 1/4 of SE 1/4, or Govt. Lot _____ BM, County of Latah
Parcel no. RP42N05W227342A
Additional points of diversion, if any: _____
If available, GPS coordinates: N 46° 57.873 W 116° 56.399
- Description of diverting works (wells, pumps, spring boxes, pipelines, etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.
Well - piped to stock tank SW of home @
edge of field
- Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)
For Stockwater purposes from 1-1 Month/Day to 12-31 Month/Day amount 0.02 cfs () or AFY ()
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed 0.02 cfs () or AFY ()
- Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
5 head horses + cattle

9. Location of place of use is: Township 42N, Range 5W, Section 22,
NE 1/4 of SE 1/4, Govt. Lot _____ BM, Parcel no. _____

for (check one) Domestic () Stock (X) Domestic and Stock ()
If different than shown in Item 4

Additional places of use, if any _____

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

11. Do you own the property listed above as place of use? Yes (X) No ()

If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

Well for Dom/Stock also used. or None ()

13. Remarks (include an explanation of the priority date selected):

14. Basis of claim (check one) Beneficial Use (X) Posted Notice () License () Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Palouse River Basin Water System Adjudication."

(b.) I/We do () do not (X) 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) Josh Island Smith Date: MAY 15, 2019
Jeresa Arlette Smith Date: MAY 15, 2019

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

_____ of _____
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Printed Name of Authorized Agent _____

16. Notice of Appearance:

Notice is hereby given that I, (please print) _____, will be acting as attorney at law of behalf on the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) _____ Claim ID _____

Exterior-Only Inspection Residential Appraisal Report

USB-130415-AMNPB-1
File # 0425131

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.

Property Address: 1025 Deep Creek Rd City: Polatch State: ID Zip Code: 83855
 Borrower: Smith, Jack L and Teresa A Owner of Public Record: Smith, Jack L and Teresa A County: Latah
 Legal Description: 3.46 Acres NESE Tax #5180, Section 22, Township 42 North, Range 5 West
 Assessor's Parcel #: RP#42N05W227342A Tax Year: 2012 R.E. Taxes \$: 2,120
 Neighborhood Name: Polatch Map Reference: Latah County Census Tract: 0055 00
 Occupant: ☒ Owner ☐ Tenant ☐ Vacant Special Assessments \$: 0 PUD: ☐ HOA \$: 0 per year ☐ per month
 Property Rights Appraised: ☒ Fee Simple ☐ Leasehold ☐ Other (describe):
 Assignment Type: ☐ Purchase Transaction ☒ Refinance Transaction ☐ Other (describe):
 Lender/Client: USB Lending Support Services, LLC Address: 200 S. 6th Street, Minneapolis, MN 55402
 Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal? ☐ Yes ☒ No
 Report data source(s) used, offering price(s), and date(s):
 Latah County MLS and County Records

I ☐ did ☐ not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed

Contract Price \$: _____ Date of Contract: _____ Is the property seller the owner of public record? ☐ Yes ☐ No Data Source(s): _____
 Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower? ☐ Yes ☐ No
 If Yes, report the total dollar amount and describe the items to be paid.

Note: Race and the racial composition of the neighborhood are not appraisal factors.

Neighborhood Characteristics		One-Unit Housing Trends		One-Unit Housing		Present Land Use %	
Location	☐ Urban ☐ Suburban ☒ Rural	Property Values	☐ Increasing ☒ Stable ☐ Declining	PRICE	AGE	One-Unit	45 %
Built-Up	☐ Over 75% ☒ 25-75% ☐ Under 25%	Demand/Supply	☐ Shortage ☒ In Balance ☐ Over Supply	\$(000)	(yrs)	2-4 Unit	0 %
Growth	☐ Rapid ☒ Stable ☐ Slow	Marketing Time	☐ Under 3 mths ☒ 3-6 mths ☐ Over 6 mths	65	Low 0	Multi-Family	0 %
Neighborhood Boundaries				830	High 125	Commercial	0 %
Highway 6 - North, Washington/Idaho State Line - W, Highway 3 and 9 - East, and Genesee-Juliaetta Road - South.				225	Pred 35	Other	55 %
OTHER: Large tracts of forest and agri lands.							

Neighborhood Description
 The subject is located 3 miles northeast of Polatch and 3/4 mile off US Hwy 95 and 13 miles from Moscow the largest economic center in Latah County, home of the University of Idaho and the county seat. All levels of the public school system are within the city limits of Polatch, and students in the subject area are bused to these schools. The economy is based on the agricultural and lumber industry, government offices, numerous services, and the university.
 Market Conditions (including support for the above conclusions)
 Conventional, VA, FHA, and private financing are available with no concessions or buydowns being typical at this time.

Dimensions: See Plat Map and Legal Description Area: 3.46 ac Shape: Rectangular View: N/Patrl;
 Specific Zoning Classification: A/R Zoning Description: Agr/Residential
 Zoning Compliance: ☒ Legal ☐ Legal Nonconforming (Grandfathered Use) ☐ No Zoning ☐ Illegal (describe):
 Is the highest and best use of subject property as improved (or as proposed per plans and specifications) the present use? ☒ Yes ☐ No If No, describe:
 Utilities: Public ☒ Other (describe): _____ Water: Public ☐ Other (describe): _____ Off-site Improvements Type: Public ☐ Private ☐
 Electricity: ☒ Gas: ☐ None Sanitary Sewer: ☐ Private Well: ☒ Septic System: _____ Street: Gravel ☒ Alley: None ☐
 FEMA Special Flood Hazard Area: ☐ Yes ☒ No FEMA Flood Zone: C FEMA Map #: 1600860045B FEMA Map Date: 08/15/1980
 Are the utilities and off-site improvements typical for the market area? ☒ Yes ☐ No If No, describe:
 Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)? ☐ Yes ☒ No If Yes, describe:
 FEMA shows A to be a 100-year flood; base flood elevations and flood hazard factors not determined. No adverse easements or encroachments, and subject conforms to the local zoning. No apparent adverse or unfavorable easements or encroachments noted. Both wells and septic are typical in areas outside a municipalities. The subject's site is not sufficient acreage to be an income producing property.

Source(s) Used for Physical Characteristics of Property: ☐ Appraisal Files ☐ MLS ☒ Assessment and Tax Records ☐ Prior Inspection ☐ Property Owner
☒ Other (describe): Exterior Inspection Data Source for Gross Living Area: County Records

General Description	General Description	Heating / Cooling	Amenities	Car Storage
Units: ☒ One ☐ One with Accessory Unit	☐ Concrete Slab ☐ Crawl Space	☒ FWA ☐ HWBB	☐ Fireplace(s) # 0	☐ None
# of Stories: 1	☒ Full Basement ☒ Finished	☐ Radiant	☐ Woodstove(s) # 0	☒ Driveway # of Cars 3
Type: ☒ Det. ☐ Alt. ☐ S-Dot /End Unit	☐ Partial Basement ☐ Finished	☐ Other	☒ Patio/Deck Open	☐ Driveway Surface Gravel
☒ Existing ☐ Proposed ☐ Under Const.	Exterior Walls: Wood Lap	Fuel: Electric	☒ Porch Covered	☒ Garage # of Cars 2
Roof Surface: Comp Shingles	Roof Surface: Comp Shingles	☐ Central Air Conditioning	☐ Pool None	☐ Carport # of Cars 0
Gutters & Downspouts: Metal	Gutters & Downspouts: Metal	☐ Individual	☒ Fence Wire	☐ Attached ☒ Detached
Window Type: Double Panes	Window Type: Double Panes	☒ Other None	☒ Other Outbuild	☐ Built-In
Appliances: ☐ Refrigerator ☒ Range/Oven ☒ Dishwasher ☒ Disposal ☐ Microwave ☐ Washer/Dryer ☒ Other (describe): Fan/Hood				

Finished area above grade contains: 6 Rooms 2 Bedrooms 1.1 Bath(s) 1,560 Square Feet of Gross Living Area Above Grade
 Additional features (special energy efficient items, etc.):
 Double paned windows, and open deck and patio.

Describe the condition of the property and data source(s) (including apparent needed repairs, deterioration, renovations, remodeling, etc.).
 C4:County records made no mention of any recent updating or remodeling.

Are there any apparent physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property? ☐ Yes ☒ No
 If Yes, describe:

This appraiser is not an expert in structural engineering and no questionable or readily apparent structural defects were observed based on an exterior inspection of the subject property.

Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)? ☒ Yes ☐ No If No, describe:
 This age and style home is common in this market.