

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 37-21417
Date Received: 2/4/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JON H GOLDBERG Phone: (212)595-0719
20 W 64TH ST APT 35L
NEW YORK NY 10023

LARA V WILLIAMS Phone: (212)595-0719
20 W 64TH ST APT 35L
NEW YORK NY 10023

2. Date of Priority: 04/01/1900

3. Source: SOLDIER CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	14E	9	NW NW	CAMAS	

5. Description of diverting works:

HEADGATE, PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:
37-21417

02/04/2005

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	14E	9	SE	SW	IRRIGATION	3.2
			SW	SE	IRRIGATION	2.2
					Section Acres	5.4
					Total Acres	5.4

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

14. Remarks:

PROPERTY IS ALSO KNOWN AS LOT 5, GIESLER HIDDEN SMILE SUBDIVISION.

This right is a split from former right 37-21189.

15. Basis of Claim: Decreed



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 7, 2005

JON H GOLDBERG
LARA V WILLIAMS
20 W 64TH ST APT 35L
NEW YORK NY 10023

Re: SRBA Claim(s) 37-678D, 37-21189 (Part)

Dear Mr. Goldberg and Ms. Williams:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please note that only a portion of claim 37-21189 was appurtenant to the property you purchased. Your portion of this claim has been renumbered 37-21417.

Enclosed you will find copies of the computer records of the claims. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

RECEIVED

DEC 28 2004

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

Department of Water Resources
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 not corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-678D					
37-21189					
(formerly 37-680D)					

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 diversion 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 claims(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Steven Mark Kaiser Revocable 1977 Trust as successor
by warranty deed from Gregory C. Smith and Katherine
T. Smith (see attached deeds).
4. New Owner/Claimant(s) Jon Harris Goldberg and Lara V. Williams
Name Connector (Check one): [X] and, [] or, [] and/or
New Mailing Address 20 West 64th Street, Apartment 35L
City, State and ZIP Code New York, NY 10023
New Telephone Number (212) 595-0719 (home) or (212) 647-8600 x3 (office)
5. Date you acquired the property July 30, 2004

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) amount 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 the 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) Jon H. Goldberg
(include title if applicable) Lara V. Williams

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

For Office Use Only

Received by _____ Date _____ Fee _____
Receipted by _____ Date _____ Receipt No. _____
Processed by _____ AJ Date _____ WR _____ Date _____

Order No. C040118

WARRANTY DEED

For Value Received

**STEVEN MARK KAISER, TRUSTEE OF THE STEVEN MARK KAISER REVOCABLE
1977 TRUST dated April 6, 1992**

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

**JON HARRIS GOLDBERG and LARA V. WILLIAMS, Joint Tenants with right of
survivorship and not as tenants in common.**

the grantee(s), whose current address is

20 W 64TH ST APT 35L , NEW YORK, NY 10023

the following described premises, to-wit:

**Lot 5 of GIESLER HIDDEN SMILE SUBDIVISION, Camas County, Idaho as the same is
platted in the office of the Recorder of Camas County, Idaho.**

**TOGETHER WITH appurtenant water right Nos: 37-678D and 37-21189 (formerly
37-680D).**

077502

Recorded at the Request of
Camas County Title
at 1:35 P.M.
August 4th, 2004
in Book 34 Page 554
of Deeds
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Korrie Blodgett
Fees \$ 3.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: July 9, 2004

STEVEN MARK KAISER REVOCABLE 1977 TRUST


STEVEN MARK KAISER, Trustee

he following described premises, to-wit:

**Lot 5 of GIESLER HIDDEN SMILE SUBDIVISION, Camas County, Idaho as the same is
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**TOGETHER WITH appurtenant water right Nos: 37-678D and 37-21189 (formerly
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Dated: July 9, 2004

STEVEN MARK KAISER REVOCABLE 1977 TRUST

Steven Mark Kaiser
 STEVEN MARK KAISER, Trustee

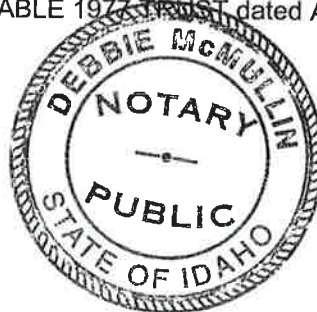
STATE OF IDAHO

COUNTY OF ~~CAMAS~~ ^{Blaine}

On This 30th day of July, in the year 2004, before me, a Notary Public in and for said State, personally appeared **STEVEN MARK KAISER**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument as trustee of the STEVEN MARK KAISER REVOCABLE 1977 TRUST dated April 6, 1992, and acknowledged to me that he executed the same as such trustee.

WITNESS my hand and official seal.

Debbie McMullen
 Notary Public of Idaho
 Residing at Buhl, Idaho
 Commission Expires: March 27, 2006 10/27/04



GIVENS PURSLEY ^{LLP}

LAW OFFICES

601 W. Bannock Street
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
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Michael V. Woodhouse

James A. McClure
OF COUNSEL

Raymond D. Givens
RETIRED

December 27, 2004

IDWR Southern Region
1341 Fillmore St. Suite 200
Twin Falls, Idaho 83301-3380

Re: Notice of Change in Water Right Ownership

Sirs;

Enclosed is our firm check in the amount of \$50.00 and a Notice of Change in Water Right Ownership for your records. Also enclosed is a copy of the Warranty Deed conveying the property to the new owners.

If you have any questions, please feel free to contact Mike Creamer, Esq. of this office at 208-388-1200.

Sincerely,



Donald R. Alloway,
Legal Assistant

cc Mike Creamer

RECEIVED
DEC 28 2004
Department of Water Resources
Southern Region

06/29/2006

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

RIGHT NUMBER: 37-21417

NAME AND ADDRESS: JON H GOLDBERG
20 W 64TH ST APT 35L
NEW YORK NY 10023

LARA V WILLIAMS
20 W 64TH ST APT 35L
NEW YORK NY 10023

SOURCE: SOLDIER CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 0.160 CFS

PRIORITY DATE: 04/01/1900

POINT OF DIVERSION:

T01N R14E S9 NWNWNW Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.160 CFS

PLACE OF USE:

IRRIGATION Within CAMAS County

T01N R14E S09

SESW 3.20

T01N R14E S09

SWSE 2.20

5.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 5.4 acres in a single irrigation season. Combined Right Nos.: 37-678D and 37-21417.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of water under this water right will be regulated by the watermaster of State Water District No. 37C.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

This right when combined with all other rights shall provide no more than 3.0 afa per acre for irrigation of the lands above.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.



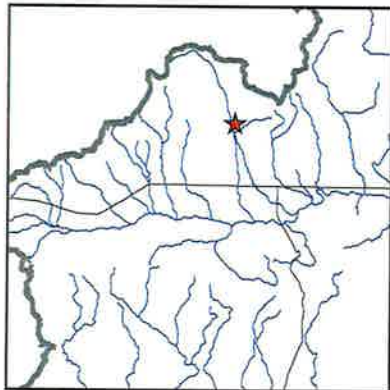
Idaho Department of Water Resources

SRBA Recommendation:

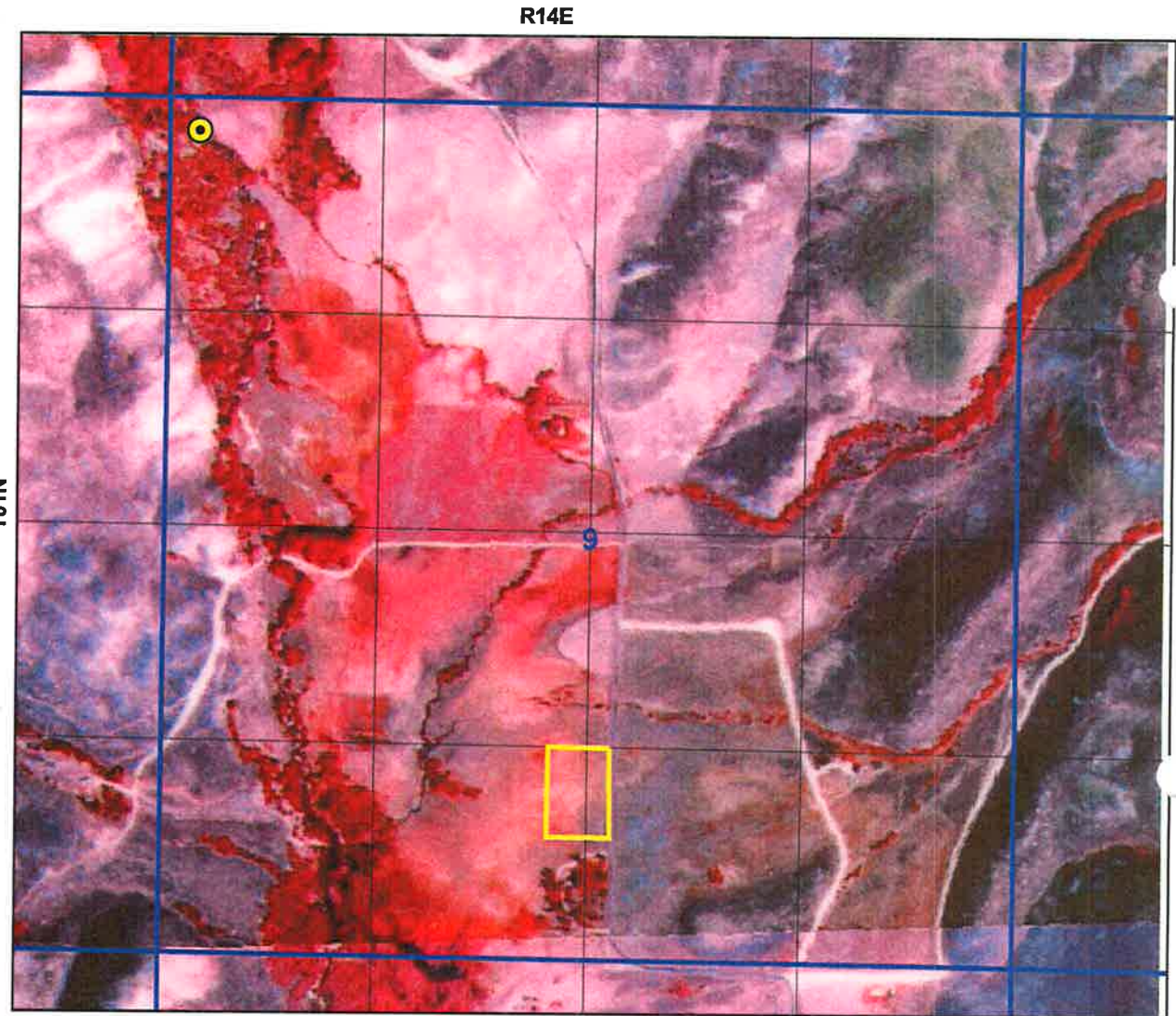
37-678D
37-21417

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Camas County
IDWR Basin 37



0 0.25 0.5 Miles



Prepared by M. Anders
On Thursday, June 29, 2006
1987/88 Aerial Photography