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NOV 07 2006

RECEIVED

NOV 07 2006

DEPARTMENT OF  
WATER RESOURCES

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

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<br>Right No(s) | Adjudication<br>Claim No(s) | Split  | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split |
|----------------------|-----------------------------|--------|----------------------|-----------------------------|-------|
| AS 47-7273 ✓ done    | 447-07273                   | (None) |                      |                             |       |
| PD 47-10033          | n/a                         | (None) |                      |                             |       |
|                      |                             |        |                      |                             |       |
|                      |                             |        |                      |                             |       |
|                      |                             |        |                      |                             |       |

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) RALPH L. SMITH AND VAUGHN SMITH  
PT 1, FILER ID 5833200
4. New Owner/Claimant(s) ~~FILER ID 5833200~~ KIM CILDEW  
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or UNITED CAPITAL MGMT.  
CORP.
- New Mailing Address 410 S. ORENTAL #170
- City, State and ZIP Code BOISE ID 83705
- New Telephone Number 208 344 1096
5. Date you acquired the property JUN 29, 2001 AND SEPT. 5, 2003

\$25.00 for 47-10033

See 47-7273 for copies of deeds

**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 _____ |                                                                            |                                                              |
|----------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                          | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                         | _____                                                                      | _____                                                        |
| Stock                                              | _____                                                                      | _____                                                        |
| Domestic                                           | _____                                                                      | _____                                                        |
| Other _____                                        | _____                                                                      | _____                                                        |
| <b>Total</b>                                       | _____                                                                      | _____                                                        |

**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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                         | _____                                                                      | _____                                                        |
| Stock                                              | _____                                                                      | _____                                                        |
| Domestic                                           | _____                                                                      | _____                                                        |
| Other _____                                        | _____                                                                      | _____                                                        |
| <b>Total</b>                                       |                                                                            |                                                              |

7.

Signature of New Owner(s) or Claimant(s)  
(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 AMB Date 11-07-06 Fee 25.00  
 Received by AMB Date 11-07-06 Receipt No. C082573  
 Processed by AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

# Idaho Department of Water Resources Receipt

Receipt ID C082573

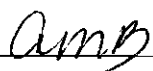
Payment Amount \$25.00 Date Received 11/7/2006 1:24:01 PM Region State Status  
Payment Type Check Check Number 2280

Payer KILDEW KIM

Comment 47-7273 47-10033

## Fee Detail

| Amount  | Description                          | Fund | FD | PCA   | SO   |
|---------|--------------------------------------|------|----|-------|------|
| \$25.00 | OWNERSHIP CHANGES/SECURITY INTERESTS | 0229 | 21 | 56140 | 1155 |

  
\_\_\_\_\_  
Signature Line (Dept. Representative)

235948/DM



A Pioneer Company  
**PIONEER TITLE COMPANY**  
OF ADA COUNTY  
8151 W. Rifleman Ave. / Boise, Idaho 83704  
(208) 377-2700

TWIN Falls County  
Recorded for:  
**FIRST AMERICAN TITLE CO.**  
03:30pm Sep. 08, 2003  
**2003 - 023470**  
No. of Pages: 2 Fee: \$8.00  
KRISTINA GLASCOCK  
County Clerk  
Deputy: CD

736045

## WARRANTY DEED

For Value Received

Dave Colby Hawk, LLC, a single member Idaho Limited Liability

Company

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

United Capital Mortgage Company, Inc., an Idaho Corporation

hereinafter referred to as Grantee, whose current address is 842 Midway Street West, P.O. Box 83328

the following described premises, to-wit:

410 S. Orchard, Suite 176  
Boise ID 83706 146

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner 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 Grantor will warrant and defend the same from all claims whatsoever.

Dated: September 3, 2003

Dave Colby Hawk LLC, a single member Idaho Limited Liability Company

By:

Dave Colby Hawk  
Dave Colby Hawk, Single Member

STATE OF IDAHO, County of ADA, ss.

On this 5 day of September, in the year of 2003, before me the undersigned, a notary public personally appeared Dave Colby Hawk, known or identified to me to be the person whose name is subscribed to the within instrument as Single Member and acknowledged to me that he executed the same as such Single Member of the Limited Liability Company.



Brock G. Condie

Desiree A. Mayden Brock G. Condie  
Notary Public of IDAHO  
Residing at Nampa, Idaho BOISE, IDAHO  
Commission expires: March 9, 2006

02.02.2008

## EXHIBIT A

An Undivided 48.20% interest in the following described 2 parcels:

Parcel 1:

That part of the SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 7, Township 10 South, Range 16, East of the Boise Meridian, Twin Falls County, Idaho, lying West of the Twin Falls Canal Company Lateral and South of the Railroad Right of Way.

Parcel 2:

Lot 1 of RIPLEY-RIECHERS SUBDIVISION, Twin Falls County, Idaho, according to the plat thereof, recorded in Book 3 of Plats, page 23.



A Pioneer Company

**PIONEER TITLE COMPANY**  
OF ADA COUNTY

8151 W. Rifleman Ave / Boise, Idaho 83704 / (208) 377-2700

Twin Falls County, Idaho

ALLIANCE TITLE

04:10pm Jan. 29, 2001

**2001-001387**

No. of Pages: 1 Fee: \$3.00  
ROBERT S. FORT  
Ex-Officio Recorder  
Deputy: SL

**WARRANTY DEED**

4072001052

For Value Received

CABIN CREEK MHC-LLC, an Idaho Limited Liability Company

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

KIM R. KILDEW, a single person

hereinafter referred to as Grantee, whose current address is

942 E. BERGESON, BOISE, ID 83704

1C1C

the following described premises, to-wit:

AS TO AN UNDIVIDED 45.53% INTEREST

**PARCEL I:**

That part of the SE1/4 NE1/4 of Section 7, Township 10 South, Range 16, East of the Boise Meridian, lying West of the Twin Falls Canal Company Lateral and South of the Railroad Right away.

**PARCEL II:**

Lot 1 of Ripley-Riechers Subdivision, according to the official plat thereof, filed in Book 3 of Plats at Page 23 Official Records of Twin Falls County, Idaho.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner 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 Grantor will warrant and defend the same from all claims whatsoever.

Dated: January 26, 2001.

CABIN CREEK MHC-LLC, an Idaho Limited Liability Company

BY: *Dave Colby Hawk*  
DAVE COLBY HAWK, MANAGING MEMBER

**ACKNOWLEDGEMENT - Limited Liability Company**

STATE OF IDAHO, County of Ada, ss.

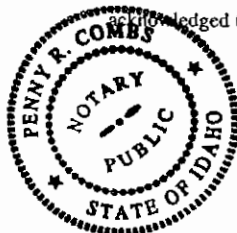
On this 26th day of JANUARY, in the year of 2001, before me \_\_\_\_\_, a notary public, personally appeared DAVE COLBY HAWK, known or identified to be one of the member(s)/manager(s) in a limited liability company, of CABIN CREEK MHC-LLC

and the member(s)/manager(s) who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that \_\_\_\_\_ he \_\_\_\_\_ executed the same in said limited liability company name.

Notary Public: *Penny R. Combs*

Residing at: Meridian

My commission expires: 05/01/06



235948/DM  
TF 36045A



A Pioneer Company  
**PIONEER TITLE COMPANY**  
OF ADA COUNTY

8151 W. Rifleman Ave. / Boise, Idaho 83704  
(208) 377-2700

FIRST AMERICAN TITLE CO.

3:31pm Sep. 29, 2003  
**2003-025400**

No. of Pages: 2 Fee: \$6.00  
KRISTINA GLASCOCK  
County Clerk  
Deputy: CD

**\*\*Re-record to correct legal description on W.D. dated 4-16-02 recorded 4-29-02 as instrument No. 2002-008050\*\***

## WARRANTY DEED

For Value Received Cabin Creek MHC LLC, an Idaho Limited Liability Company,

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Kim R. Kildew, a single man

hereinafter referred to as Grantee, whose current address is 410 South Orchard Street Suite 176 Boise, ID 83704

the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner 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 Grantor will warrant and defend the same from all claims whatsoever.

Dated: September 12, 2003

Cabin Creek MHC LLC, an Idaho Limited Liability Company

By: Dave Colby Hawk

Dave Colby Hawk, Single Member

STATE OF IDAHO, County of ADA, ss.

On this 22nd day of September, in the year of 2003, before me the undersigned, a notary public personally appeared Dave Colby Hawk, known or identified to me to be the person whose name is subscribed to the within instrument as Single Member and acknowledged to me that he executed the same as such Single Member of the Limited Liability Company.



Desiree A. Mayden

Notary Public of IDAHO

Residing at Nampa

Commission 3-9-2006

expires:

**EXHIBIT A**

As to an undivided 6.25% interest

**PARCEL I:**

That part of the SE ¼ NE ¼ of Section 7, Township 10 South, Range 16, East of the Boise Meridian, lying West of the Twin Falls Canal Company Lateral and South of the Railroad Right away.

**PARCEL II:**

Lot 1 of Ripley-Ricchers Subdivision, according to the official plat thereof, filed in Book 3 of Plats at Page 23 Official Records of Twin Falls County, Idaho.