

No Color
Documents
In File

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

RECEIVED

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

FEB 03 1998

Department of Water Resources
Southern Region

1. Water Right Number(s) R- 0
Adjudication Claim Number(s) A36-10145

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 Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Craig M. Werley

4. New Owner/Claimant(s) Thomas B. Smith and Sharla A. Smith

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

New Mailing Address 2722 Ritchie Road

City, State and ZIP Code Hagerman, Id 83332

New Telephone Number () - -

5. Date you acquired the property 1-30-98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(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 Owner/Claimant(s) Thomas B. Smith Sharla A. Smith Date 1-30-98

Date

(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.

MICROFILMED

MAY 22 2000

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), 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 1/2 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

WARRANTY DEED

#G-26044

For Value Received

CRAIG M. WERLEY, AN UNMARRIED MAN

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

THOMAS B. SMITH AND SHARLA A. SMITH, HUSBAND AND WIFE
Address: 2722 RITCHIE ROAD, HAGERMAN, ID 83332

Hereinafter called the Grantee, the following described premises situated in GOODING County, Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED

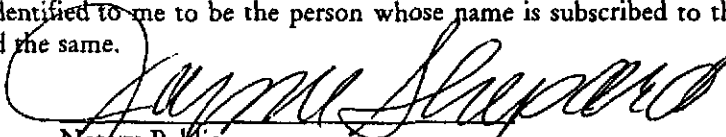
TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

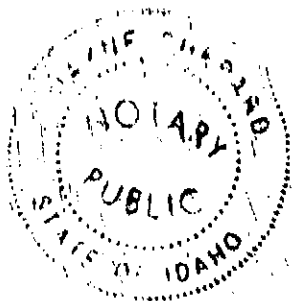
Dated: JANUARY 30, 1998


CRAIG M. WERLEY

STATE OF IDAHO)
COUNTY OF GOODING) ss.)

On this 30th day of JANUARY, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared CRAIG M. WERLEY, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.


Notary Public
Residing at: Buhl, Idaho
My Commission expires: 8-21-99



174040

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of Land Title & Escrow Inc.

16 min. past 3 o'clock P m. this 30th

of January, 19 98 6.00

By Lenny Ekstrom Deputy

MAY 22 2000

TOWNSHIP 7 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 20: A parcel of land located in the NW¼NW¼ described as follows:

Beginning at the Southwest corner of said NW¼NW¼;
Thence North along the West boundary line of said NW¼NW¼ a distance of 460.5 feet;
Thence running East, parallel with the South boundary of said NW¼NW¼ a distance of 747 feet;
Thence running South, parallel with the West boundary of said NW¼NW¼ a distance of 460.5 feet to the South boundary of said NW¼NW¼;
Thence running West along the South boundary of said NW¼NW¼ a distance of 747 feet to the TRUE POINT OF BEGINNING.

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MAY 22 2003

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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-10145

NOV 15 11:10:12
DISTRICT COURT - SRBA
TWIN FALLS CO, IDAHO

NAME & ADDRESS: CRAIG M WERLEY
2722 RITCHIE RD
HAGERMAN ID 83332

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 01/01/1974

POINT OF DIVERSION: T07S R14E S20 SWNNW Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.04 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within GOODING County
T07S R14E S20 NWNW

DOMESTIC Within GOODING County
T07S R14E S20 NWNW

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.

DATED: NOV 15 1996



DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-10145

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MAY 22 1997

PAGE 1
OCT-28-1996

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED: NOV 15 1996

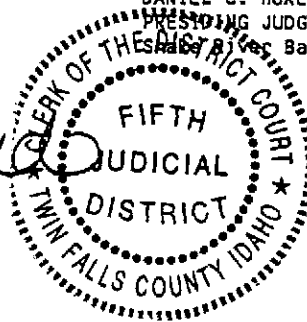
State of Idaho
County of Twin Falls ss.

I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By [Signature]
DEPUTY CLERK

[Signature]
DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication



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MAY 22 1997

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MAY 22 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

July 6, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

THOMAS B SMITH
SHARLA A SMITH
2722 RITCHIE RD
HAGERMAN ID 83332

RE: Decreed Water Right 36-10145

Dear Mr. & Mrs. Smith:

The department acknowledges receipt of correspondence changing ownership of the above referenced decreed water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

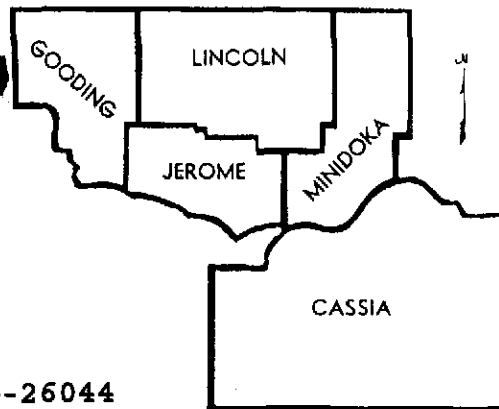
Enclosure

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MAY 22 2000

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO:

OFFICE:

G-26044
Gooding

February 2, 1998

Department of Water Resources
Southern Region
1341 Fillmore Suite 200
Twin Falls, Idaho 83301

RE: Notice of Change of Water Right Ownership
SMITH/WERLEY
Cert Mail #P 440 695 489

Dear Sirs:

At the request of the buyer, we are forwarding to your office the following in connection with the above referenced:

- Notice of Change of Water Right Ownership on
Craig M. Werley
for Water Right Number A36-10145
- Copy of Deed #174040

Thank you,

LAND TITLE AND ESCROW, INC.

Rachelle Novinger
Rachelle Novinger
(208) 934-8477
P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

cc: Werley

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199

RECEIVED
FEB 03 1998
Department of Water Resources
Southern Region

MAY 22 2000

AJ5809NP
No. 36-10145

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/05/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CRAIG M WERLEY 2722 RITCHIE RD HAGERMAN ID 83332 (208) 837-4749	01/01/1974	STOCKWATER DOMESTIC	01-01 12-31 01-01 12-31	0.04 CFS 0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07S R14E S20 SWNNW GOODING County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07S	14E	20	:					S							

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07S	14E	20	:					D							

POU County: GOODING

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A36-10145

Conditions of Approval:

- 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.

Remarks: EXP PARRCEL NO. RP07S14E203374
STOCKWATER/100 CATTLE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

MAY 22 2000

=====

Comments: Date: 09/01/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/1/92. CHANGED NOE FLAG FROM BLANK TO A.

Date: 09/22/1992 User-ID: THORNTON Subject: NOTICE OF ERROR RECONCILIATION
NOE FLAG CHANGED FROM A TO B - NO CHANGE.
SENT CHANGE OF OWNERSHIP FORM WITH COVER LETTER TO HESS.
CC OF LETTER W/COPY OF REC. TO CRAIG WERLEY, 2722 RITCHIE ROAD,
HAGERMAN, 83332 FOR INFORMATION (IDENTIFIED AS NEW OWNER ON NOE).
NO CHANGES NOTED ON NOE EXCEPT CHANGE OF OWNERSHIP.

Date: 10/05/1992 User-ID: GIVENS Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP RECEIVED 9/30/92 ORIGINAL OWNER SHIRLEY E.
HESS. COPY OF WARRANTY DEED SUBMITTED WITH FORM.

Date: 10/02/1996 User-ID: D&S-DSHA Subject: D&S CONDITION CODE UPDATE
CONDITION CODE N11 ADDED
CONDITION CODE N13 ADDED

Audit: 09/30/96 DSHAFF 10/02/96 D&S-DSHA 10/03/96 JROBERTS 11/27/96 PD-DSHAF

MAY 22 2005