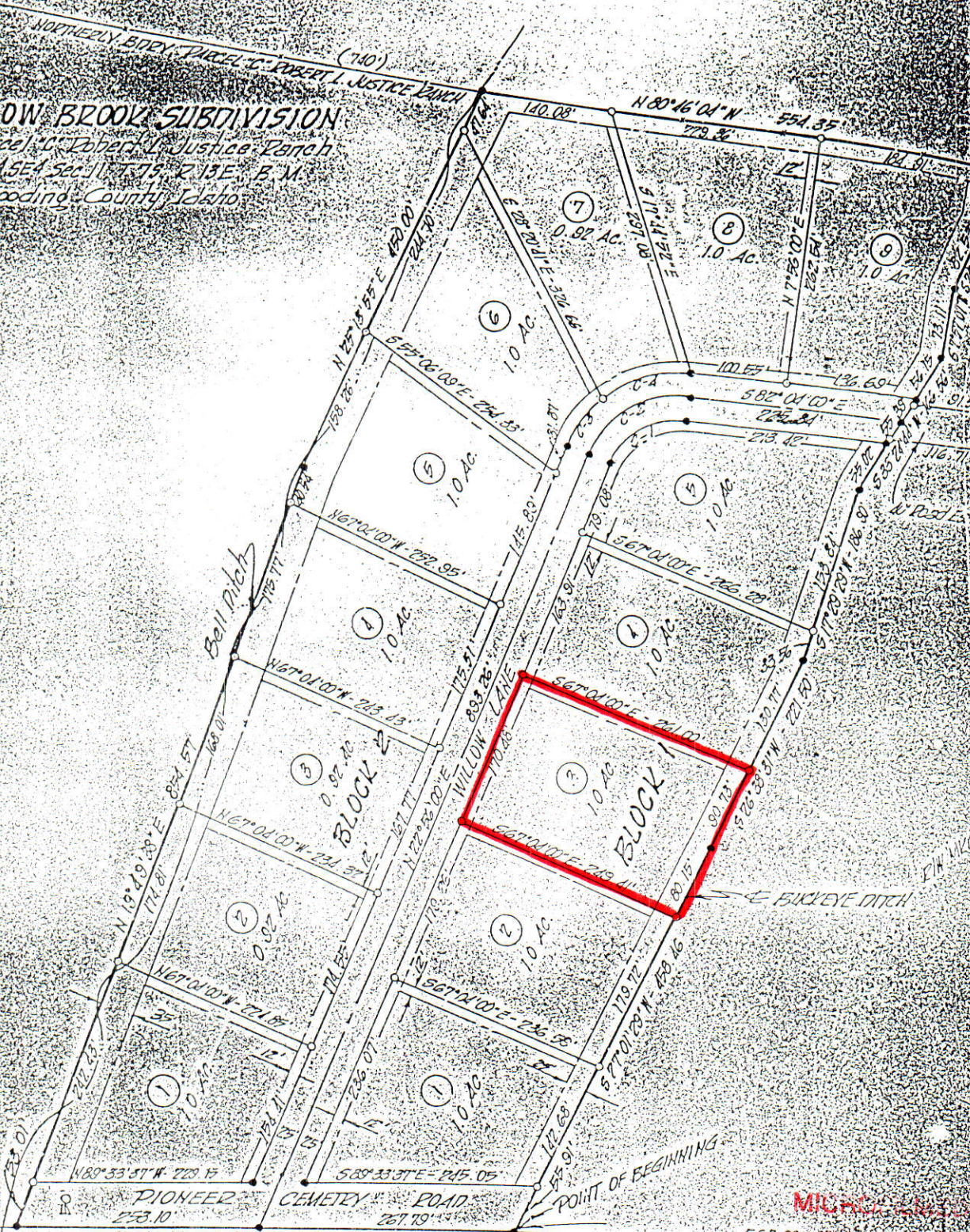


58° 33' 27" E - 1372.92' (1370')

WILLOW BROOK SUBDIVISION
Part Parcel C, Robert L. Justice Ranch
Part NW 1/4 Sec. 11 T. 7 S. R. 13 E. B. M.
Gooding County, Idaho



MILWAUKEE
MAY 10 1908

Reber Pl.

RECEIVED

JUL 23 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES - Department of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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 No(s).: 36-00039H
Adjudication Claim No(s).: A36-00039H

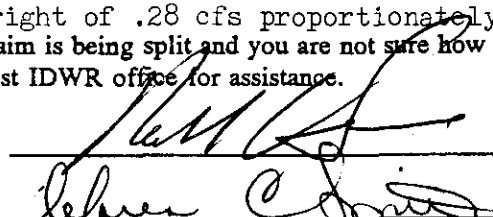
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Jed B. Roeser and Janine Leydet Roeser
242 Willow Lane, Hagerman, Idaho 83332

4. New Owner/Claimant(s) Richard V. Smith and Delores C. Smith
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address 242 Willow Lane
City, State and ZIP Code Hagerman, Idaho 83332
New Telephone Number (208) 837-6353

5. Date you acquired the property June 12, 1998

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 you irrigate 1 Number and type of stock _____
Diversion rate in CFS .14 Number of homes 1 Other uses _____
NOTE: Split the total right of .28 cfs proportionately with each lot.
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 or Claimant(s) 
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

MICROFILMED

MAR 10 2004

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. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

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 believes there are water rights for the property but the numbers are unknown, you may wish to contact 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. 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
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(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

601

For Value Received

Jed B. Roeser And Janine Leydet Roeser, HUSBAND AND WIFE.

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

Richard V. Smith And Delores C. Smith, HUSBAND AND WIFE.

the grantee(s), whose current address is

242 WILLOW LANE, HAGERMAN, ID 83332

the following described premises, to-wit:

Lot 3 in Block 1 of WILLOW BROOK SUBDIVISION, Gooding County, Idaho, being a part of Parcel "C" of Robert L. Justice Ranch, located in part of the Northwest Quarter of the Southeast Quarter of Section 11, Township 7 South, Range 13, East of the Boise Meridian, Gooding County, Idaho, according to the plat thereof, recorded August 13, 1979 as Instrument No. 78287, in the Office of the County Recorder of said County.

175935

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of GOODING TITLE & ESCROW

04 min. past 4 o'clock P.m. this 12th
of June 1998 300
by Penny Archibald Deputy

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: June 12, 1998

JED B. ROESER

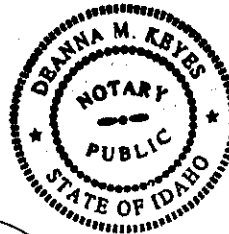
JANINE LEYDET ROESER

STATE OF IDAHO
: ss
COUNTY OF GOODING

On This 12th of JUNE in the year 1998, before me, a Notary Public in and for said State, personally appeared Jed B. Roeser And Janine Leydet Roeser, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Deanna M. Keyes
Notary Public of Idaho
Residing at WENDELL, Idaho
Commission Expires: 03/22/02

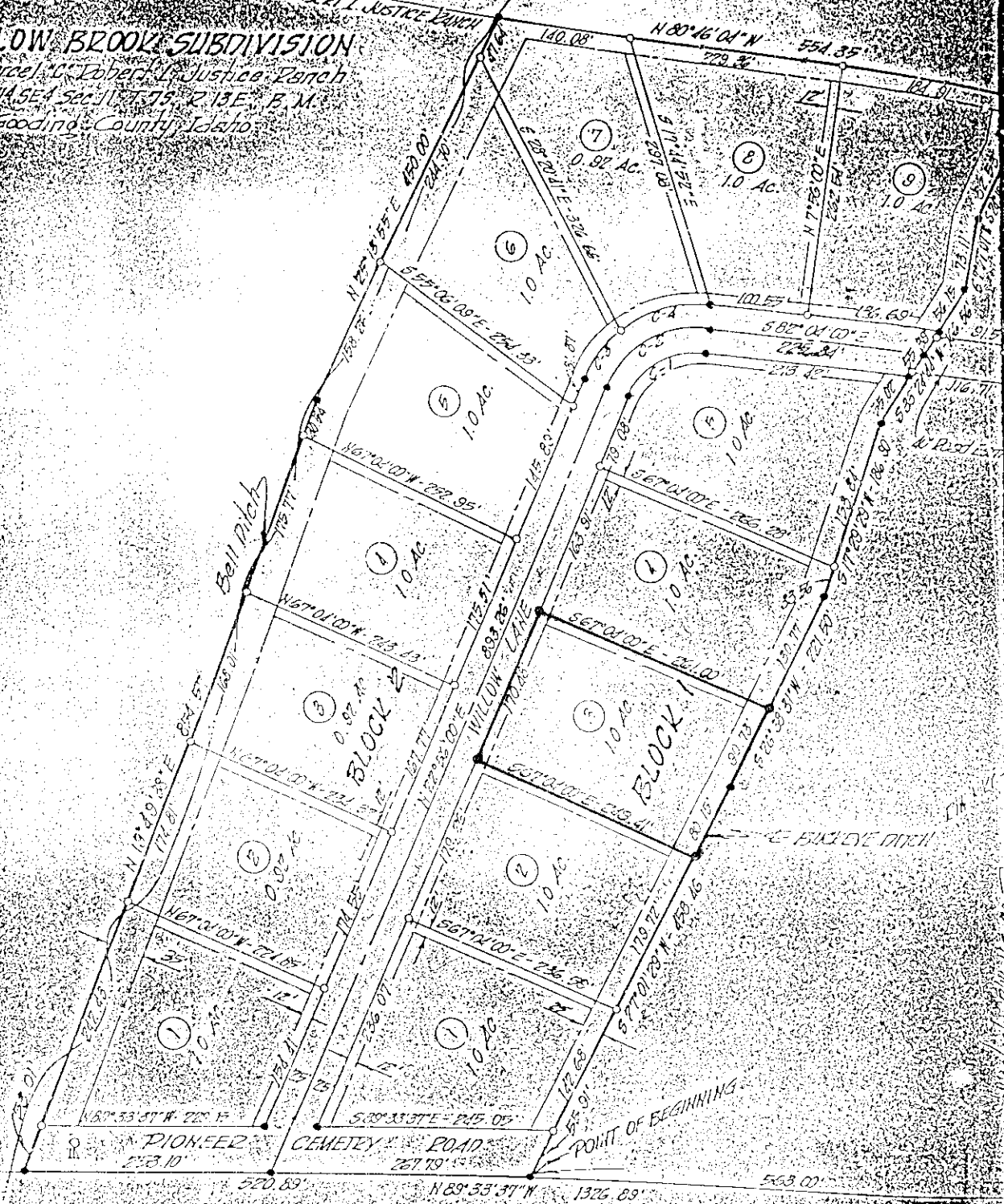


TITLE & ESCROW
COMPANIES

58° 33' 27" E - 1372.92' (1300')

NORTHELY EDEY PARCEL C. ROBERT L. JUSTICE RANCH (740')

WILLOW BROOK SUBDIVISION
Part Parcel C. Robert L. Justice Ranch
Part 31W 5E4 Sec 11 T5S R 13E B.M.
Gooding County Idaho



Rehab. Ed.

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 36-00039H

1997 NOV 24 AM 8:18
DISTRICT COURT
TWIN FALLS, IDAHO

NAME & ADDRESS: JED B ROESER
JANINE LEYDET ROESER
242 WILLOW LN
HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.04 CFS

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

THE APPROPRIATOR IS ENTITLED TO THE AMOUNT OF WATER DESCRIBED
ABOVE FOR DOMESTIC PURPOSES AT A POINT OF MEASUREMENT WHERE THE
DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED ABOVE SO LONG AS
THE AMOUNT OF WATER DIVERTED DOES NOT CONSTITUTE UNREASONABLE
WASTE.

PRIORITY DATE: 01/02/1891

POINT OF DIVERSION: T07S R13E S11 SESENE Within GOODING 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 GOODING County
T07S R13E S11 NWSE

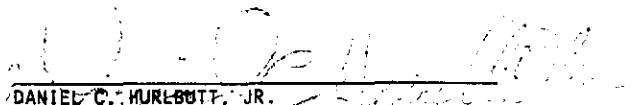
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-00039H

MICROFILMED

NOV 24 1997

PAGE 1
NOV-20-1997

1997 NOV 25 PM 02:00
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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 36-00039H

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 36-00039H was mailed
on November 25, 1997, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

JED B. ROESER
JANINE LEYDET ROESER
794 QUINCY STREET
TWIN FALLS, CA 83301

DIANA DELANEY
Chief Deputy Clerk



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 5, 2004

RICHARD V SMITH
DELORES C SMITH
242 WILLOW LN
HAGERMAN ID 83332

RE: Change of Ownership for Water Right 36-39H

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced 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 this office if you have any questions regarding this matter.

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MAIL ROOM

MAR 11 2004