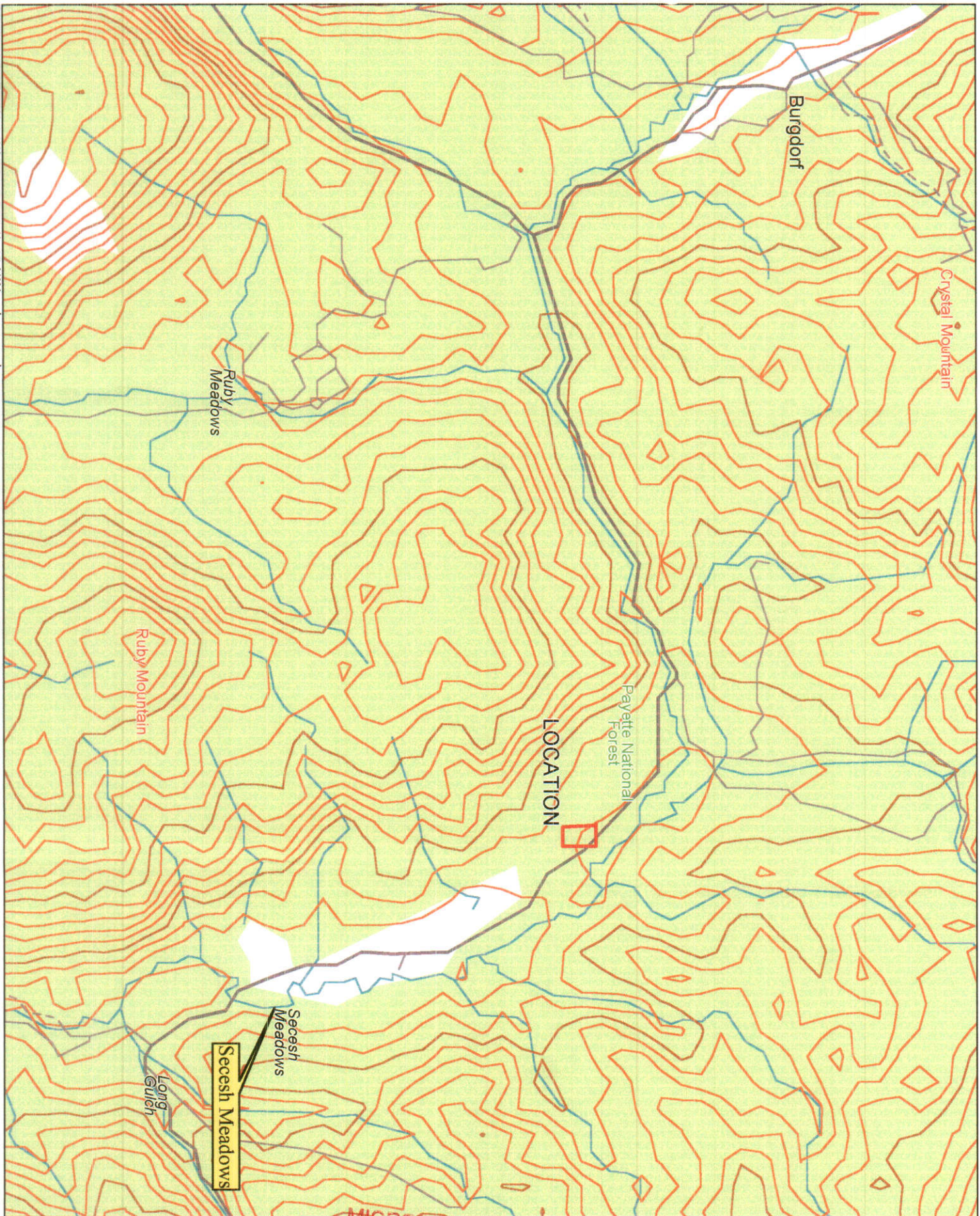
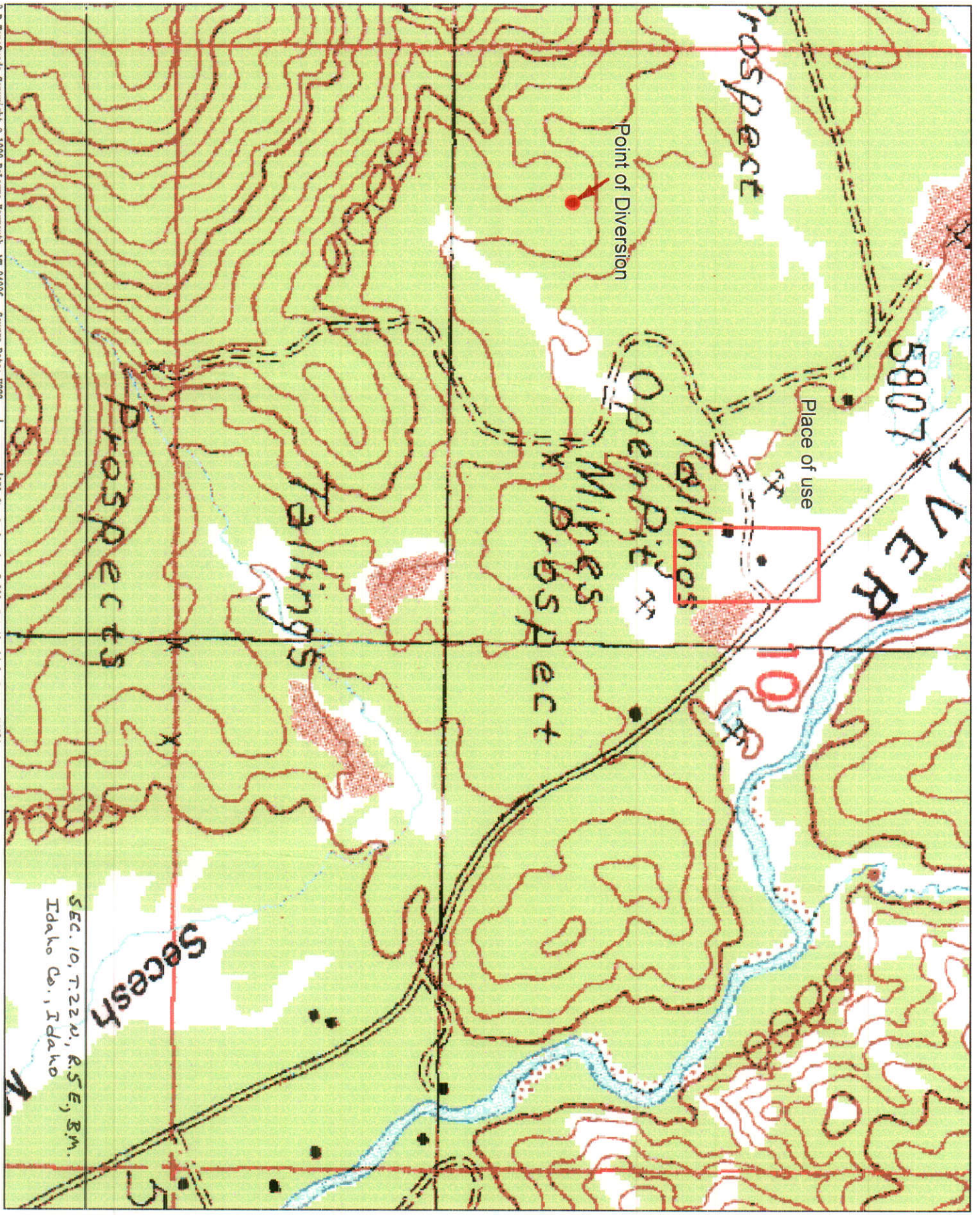




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AUG 26 2002



SEC. 10, T. 22N., R. 5E., B. 1M.
Idaho Co., Idaho

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AUG 10 2001

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

AUG 13 2001

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Department of Water Resources
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 (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
<u>77-04000</u>					

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) 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)

Donald L Clark Dorothy E Clark
P.O. Box 906 Nampa Id 83653

4. New Owner/Claimant(s)

Leiland A Smith ~~XXXXXXXXXXXX~~
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or

New Mailing Address

1978 Fenton Dr

City, State and ZIP Code

Emmett Id 83617

New Telephone Number

(208) 365-2863 CELL # 861-0681

5. Date you acquired the property

20 Oct 98

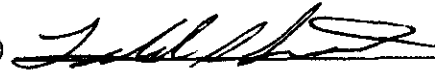
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6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you 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 (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) 
(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.

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JUN 26 2002

For Office Use Only

Received by <u></u>	Date <u>8-10-01</u>	Fee <u>\$25-</u>
Received by <u></u>	Date <u>8-10-01</u>	Receipt No. <u>W028167</u>
Processed by _____	AJ Date _____	WR _____ Date _____

COPY

CONTRACT FOR SALE OF REAL ESTATE & PERSONAL PROPERTY

THIS AGREEMENT, made and entered into this ____ day of October, 1998, by and between DONALD L. and DOROTHY E. CLARK, husband and wife, the party of the first part, hereinafter referred to as "SELLER" and LELAND SMITH, a single man of Emmet, Idaho, the party of the second part, hereinafter referred to as "BUYER".

WITNESSETH:

That the Seller, for and in consideration of the covenants, agreements and promises, on the part of the Buyer herein contained, agrees to sell, bargain and convey unto the Buyer, and the Buyer agrees to purchase all of that certain parcel and the personal property as listed, situated in the County of Idaho, State of Idaho, and is more particularly described as follows:

4.58 acres known as Millsite No. 2 located in the SE4SE4SE4NW4,
NE4NE4NE4SW4 T 22 N R 5 E Sec 10 B.M.

and:

The 1973 Academy mobile home, 60x12, SN: 0594-149H together with its "snow shed" cover, located on the above described parcel.

Together with all of the tenements, hereditaments thereto, belonging or otherwise appertaining with particular reference to the water right which was established by Fred M. Clark as State of Idaho Claim No. 77-4000 on June 1, 1970 with priority date of June 1, 1938.

Subject to the taxes and assessments for the year 1998 and subsequent years together with the right of way for canals, ditches and public roads as same now exist over and across said property.

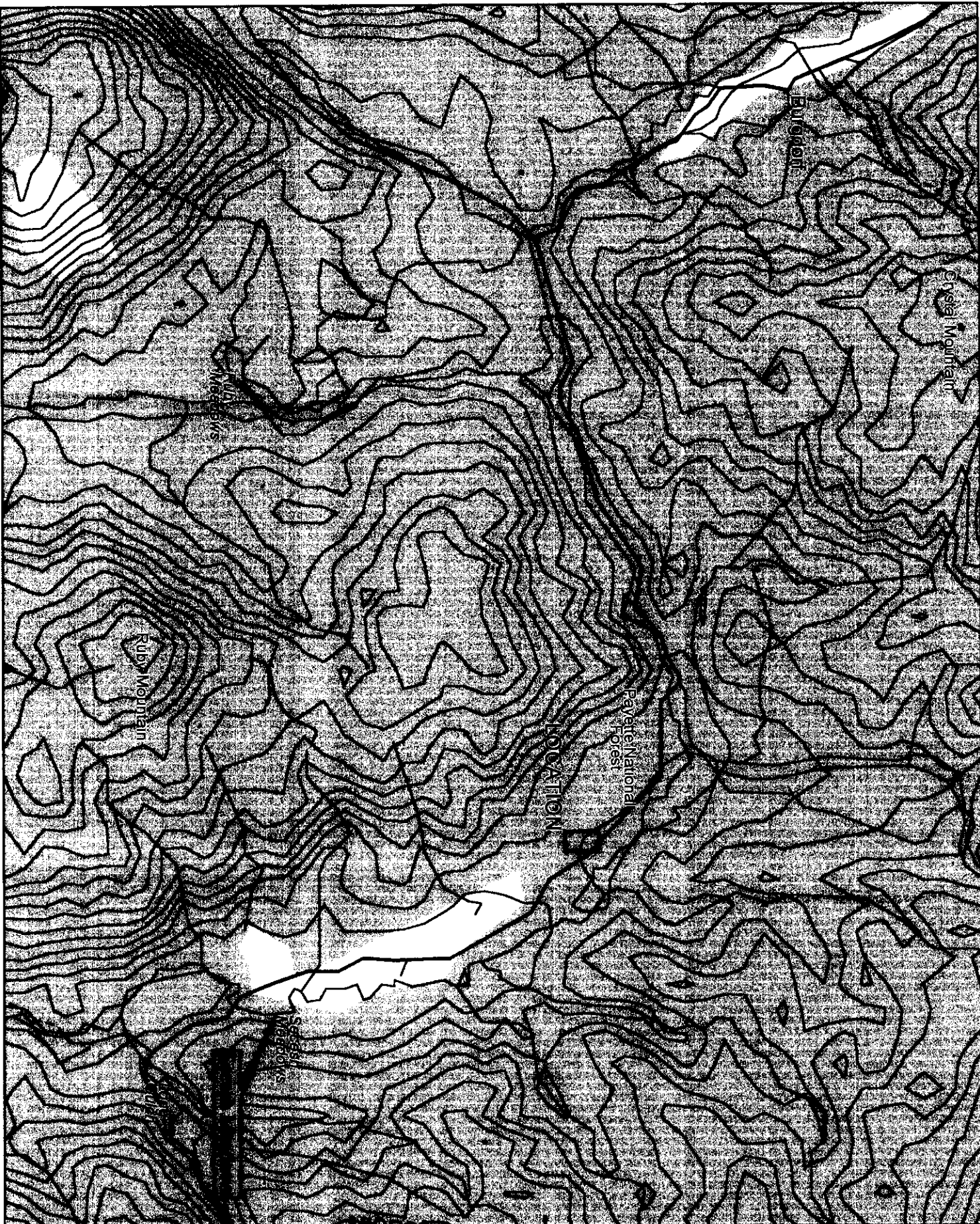
PURCHASE PRICE AND TERMS OF PAYMENT:

The Buyer agrees to purchase the said properties and to pay the Seller the sum of FORTY THOUSAND (\$40,000) DOLLARS in lawful money of the United States, to be paid as follows:

- a. Said sum shall be paid in equal monthly payments, Two Hundred (\$200.00) dollars commencing on or before the 15th day of November 1998 and a like amount each month thereafter until the 15th day of March 2000 at which time monthly payments will increase to Three Hundred (\$300.00) Dollars. Interest is at the rate of Five (5%) per cent, commencing on November 15, 1998. Interest increases to Seven (7%) on 15 March 2000 and will remain at that

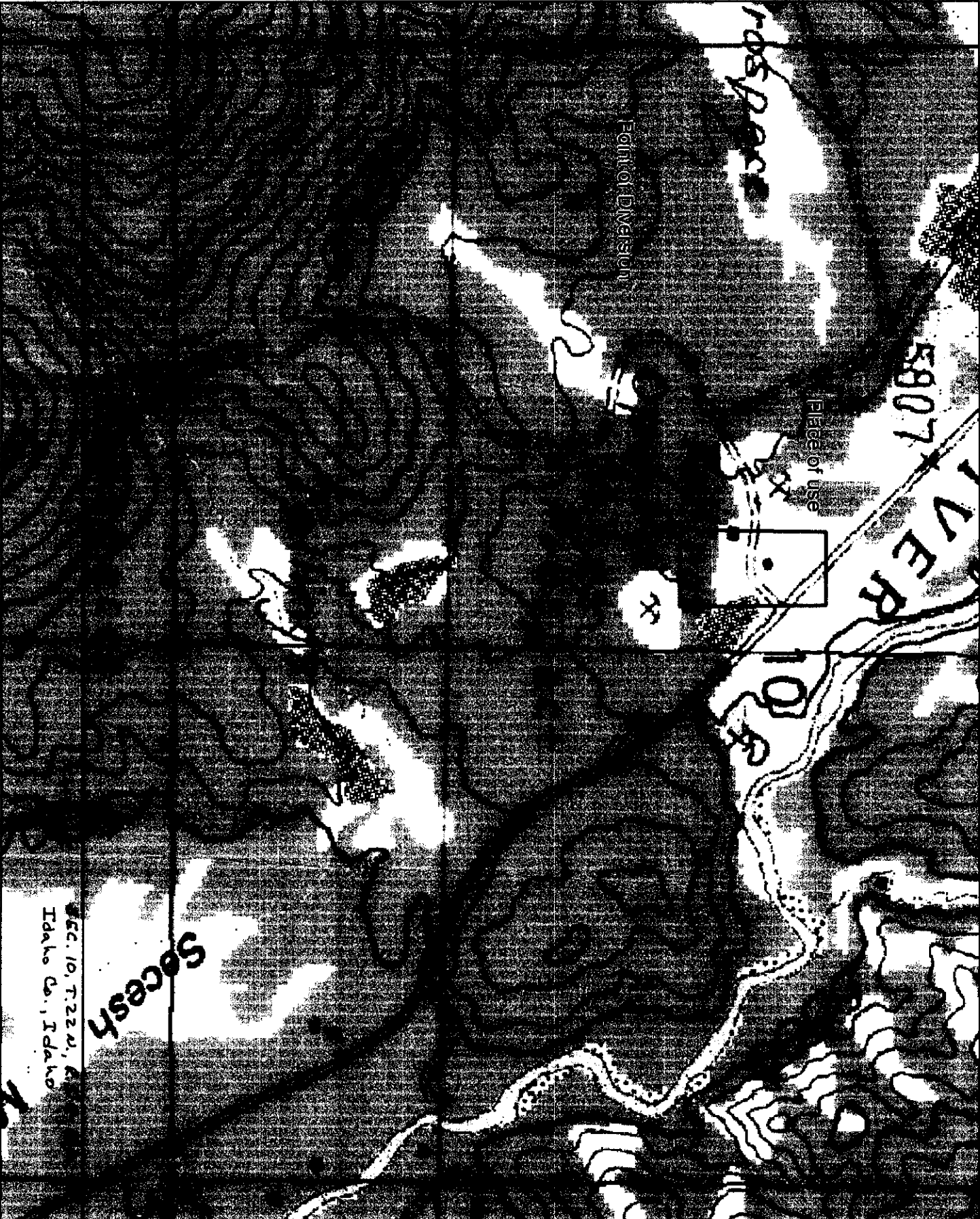
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Sec. 10, T. 22 N., R. 4 E.
Idaho Co., Idaho

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AUG 26 2002

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 77-04000

NAME AND ADDRESS: DONALD L CLARK
DOROTHY E CLARK
PO BOX 906
Nampa, ID 83653

SOURCE: UNNAMED STREAM TRIBUTARY: SECESH RIVER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 06/01/1938

POINT OF DIVERSION: T22N R05E S10 SWSW Within Idaho County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 4 HOMES	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Domestic T22N R05E S10 NESW Within Idaho County

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.

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. I.C. SECTION 42-1412(6).

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.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication


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AUG 26 2002



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

July 11, 2002

LELAND A SMITH
1978 FENTON DR
EMMETT ID 83617

RE: Change of Ownership for Water Right 77-4000

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. Also enclosed is a receipt for the \$25.00 filing fee.

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

Enclosures

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AUG 26 2002