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DEPARTMENT OF
WATER RESOURCES

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Attorneys for Keith and Karen Hood

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

Subcase Nos.: 67-15263, et al. (Hood)
See Exhibit 1

DECLARATION OF KEITH R. HOOD
IN SUPPORT OF HOOD'S RESPONSE
IN OPPOSITION TO USA'S MOTION
FOR PARTIAL SUMMARY
JUDGMENT

I, Keith R. Hood, declare as follows:

1. I am one of the owners of the Water Rights listed on Exhibit 1 in the above-titled action ("Water Rights") and submit this Declaration in support of the response in opposition to the United States' Motion for Partial Summary Judgment in this matter.

2. I give and make this declaration based upon my own personal knowledge and can testify as to the truth of the statements contained herein if called upon as a witness at the trial of this action.

3. I am over the age of 18 and have personal knowledge of the facts stated in this Declaration and am competent to testify thereto.

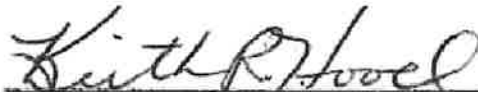
4. Attached hereto as Exhibit A is a true and correct copy of the obituary of Charles R. Edwards published in the Idaho Statesman on December 17, 1961. I retrieved this obituary on or about May 30, 2023 from the website Newspapers.com by using my account, which carries the username “hobomom” as identified in the bottom right corner of the page.

5. Attached hereto as Exhibit B is a true and correct copy of a land-purchase agreement dated November 30, 1895. The agreement was between Herbert and Marnie Jewell and Edward E. Edwards for property in Washington County, Idaho. David G. Edwards is identified as a witness to the agreement.

6. Attached hereto as Exhibit C is a true and correct copy of a warranty deed dated March 12, 1896, whereby David G. Edwards and Mary E. Edwards sold their Wisconsin property.

7. Attached hereto as Exhibit D is a true and correct copy of the Decree of Distribution for the estate of David G. Edwards, filed with the Probate Court of Washington County, Idaho, by Edward E. Edwards, executor of the estate of David G. Edwards.

I declare under penalty of perjury, pursuant to the law of the State of Idaho, that the foregoing is true and correct.



Keith Hood

EXHIBIT 1

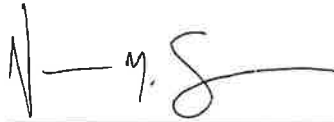
Subcase Nos.

67-15263
67-15264
67-15265
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 1st day of August, 2024, I sent the foregoing document by FedEx to the Court, and served a true and correct copy of the same to each of the following individuals by the method indicated below, addressed as follows:

United States of America U. S. Department of Justice Environmental & National Resources Div. 550 W. Fort Street, MSC 033 Boise, ID 83724	☒ U.S. Mail ☐ Facsimile: ☐ Hand Delivery ☐ Overnight Delivery ☐ Email / iCourt:
Director of IDWR P. O. Box 83720 Boise, ID 83720-0098	☒ U.S. Mail ☐ Facsimile: ☐ Hand Delivery ☐ Overnight Delivery ☐ Email / iCourt:



Norman M. Semanko

EXHIBIT “A”

C. R. Edwards Dies Saturday At Cambridge

WEISER — Charles R. Edwards, 79, a resident of Cambridge, died Saturday morning at the home of his daughter following a short illness.

Mr. Edwards was born Sept. 3, 1882 at Mineral Point, Wis., the son of David and Mary E. Jewell Edwards. He came to the Salubria Valley in 1895 where he was engaged in farming and stock raising his entire lifetime.

He was married to Harriet V. Wells on Oct. 10, 1904 at Cambridge.

Mr. Edwards was a member of the Baptist Church in Cambridge.

Survivors include his wife, Harriet, Cambridge; one son, Elmo Edwards, Cambridge; two daughters, Mrs. Ellen Ford and Mrs. Inez Dotson, both of Cambridge; and one sister, Mrs. Jessie Powers, of Rupert.

Services are pending at the Northam-Jones Chapel.



Clipped By:

hobomom

Tue, May 30, 2023

EXHIBIT “B”

15-3

This Indenture Made this Thirtieth day of November in the year of Lord one thousand eight hundred and ninety-five
Between Albert Jewell and Annie E. Jewell his wife of Sublimia Idaho the party of the first part herein and Edward O. Edwards the party of the second part

Witnesseth That the said party of the first part for and in consideration of Twelve Hundred thirty-two Dollars lawful money of the United States of America to them in hand paid by the said party of the second part the receipt whereof is hereby acknowledged have granted bargained and sold and by these presents do grant bargain sell convey and confirm unto the said party of the second part and to his heirs and assigns forever all that certain piece or parcel of land lying being in the County of Washington State of Idaho and described as follows to wit:

Fourth half of North West quarter 4th South East quarter of North West quarter of Section thirty-three (33) 4th South West quarter of South West quarter of Section twenty-eight (28) all in Township fifteen (15) North of Range three (3) West of Boise Meridian containing one hundred and sixty acres of land.

Together with all and singular the tenements hereditaments and appurtenances therunto belonging or in anywise appertaining and the profits and revenues, remainder and remainders, rents, issues and profits thereof and also all estate right title interest in and to the said property possession claim and demand whatever as well in law as in equity of the said parties of the first part of in or to the said premises and every part and parcel thereof with the appurtenances to have and to hold all and singular the above mentioned and described premises together with the appurtenances unto the party of the second part and to his heirs and assigns forever.

And the said parties of the first part and their heirs the said premises in the quiet and peaceable possession of the said party of the second part his heirs and assigns against the said parties of the first part and their heirs and against all and every person and persons whomsoever lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

In Witness Whereof The said parties of the first part have hereunto set their hands and seals the day and year first above written

Signed Sealed and Delivered in the presence of
R. D. Nelson
David Edwards

Albert Jewell
Annie Jewell



State of Idaho } ss.
County of Washington

On this 30th day of November, in the year, 1895
before me, R. E. Nelson, a Notary Public in and for said County,
personally appeared Albert Chase and Annie Jewell his wife,
known to me to be the persons whose names are subscribed to the within
instrument, and acknowledged to me that they executed the same; And
on this 30th day of November, in the year, 1895, before me, the officer
above described, personally appeared Annie Jewell, known to me to
be the person whose name is subscribed to the within instrument,
described as a married woman; and upon an examination without
the hearing of her husband, I made her acquainted with the contents
of the instrument, and thereupon she acknowledged to me that she executed
the same, and that she does not wish to retract such execution.

In Witness Whereof, I have hereunto set my hand and affixed my
notarial seal, this day and year in this certificate first
above written.

SEAL

R. E. Nelson

Notary Public.

Filed 19th Dec, 1895 at D. H. at request R. E. Nelson, Fee. \$1.75

J. Smith

Official Recorder.

EXHIBIT “C”

WARRANTY DEED.

Number

This Indenture, Made this 27th day of March in the year of our Lord one thousand eight hundred and ninety-9, between David Edwards and Mary E. Edwards of the County of Washington and State of Illinois part 1st of the first part and

of the County of Illinois and State of Illinois part 2d of the second part,

Witnesseth, That the said part 1st of the first part, for and in consideration of the sum of Three Thousand Dollars, to them in hand paid, by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, have given, granted, bargained, sold, remised, released, aliened, conveyed and confirmed, and by these presents do give, grant, bargain, sell, remise, release, alien, convey and confirm, unto the said party of the second part heirs and assigns forever, the following described Real Estate situate, lying and being in the County of Illinois and State of Illinois and particularly described as follows, to-wit:

Commencing at a point which is one hundred and forty eight (48) feet South of a point which is two hundred and twenty five (25) feet East from the Northwest corner of the North West quarter of Section 36, T. 2 N., R. 10 E., S. 1 E., in Township 2 North, Range 10 East, County of Washington, State of Illinois. Thence (S) East Running Thence South Six hundred and twenty five (25) feet, Thence West Two hundred and sixty three (63) feet, Thence North Two hundred and twenty five (25) feet, Thence East Two hundred and sixty three (63) feet to the place of beginning.

TOGETHER with all and singular, the hereditaments and appurtenances thereunto belonging, or in any wise appertaining; and all the estate, right, title, interest, claim or demand whatsoever, of the said part 1st of the first part, either in Law or Equity, either in possession or expectancy of, in and to the above bargained premises, and their hereditaments and appurtenances. TO HAVE AND TO HOLD the said premises as above described, with the hereditaments and appurtenances, unto the said party of the second part, and to heirs heirs and assigns forever.

And the said David Edwards and Mary E. Edwards for themselves heirs heirs, executors and administrators, do covenant, grant, bargain and agree, to and with the said party of the second part, heirs heirs and assigns, that at the time of the ensembling and delivery of these presents they well seized of the premises above described, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law, in fee simple, and that the same are free and clear from all incumbrances whatever.

and that the above bargained premises in the quiet and peaceable possession of the said party of the second part heirs heirs and assigns, against all and every person or persons, lawfully claiming the whole or any part thereof they will forever WARRANT and DEFEND.

In Witness Whereof, The said part 1st of the first part have hereunto set their hand and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of
R. E. Wilson } David Edwards } David Edwards } [SEAL]
E. J. Hill } Mary E. Edwards } Mary E. Edwards } [SEAL]
Edgar M. Edwards } Mary E. Edwards } Mary E. Edwards } [SEAL]

STATE OF ILLINOIS.County of WashingtonBE IT REMEMBERED, that on the 27th day of March

A. D. 1899, personally came before me the above named Notary Public in and for said County, personally appeared David Edwards to me known to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same for the purposes and consideration therein mentioned.

WITNESS my hand and Notarial Seal the day and year last above written.

REGISTER'S OFFICE,
 Iowa County, Wisconsin.

R. E. Wilson
 Notary Public for Wisconsin, residing in Iowa County.
 My commission expires February 22nd 1899.

Received for Record this 27th day of March

A. D. 1899, at 10 o'clock A M.

W. D. Edwards

Register of Deeds.

EXHIBIT “D”

INSTRUMENT NO 52051

Filed Sept. 26, 1925, No. 616-Reg No 2, Page 240, P A Markson, Clerk

IN THE PROBATE COURT OF WASHINGTON COUNTY, IDAHO

Recorded in Book of Minutes 12, Page 14, 10-23-25, Clara Board, (Asst. Clerk)

IN THE MATTER OF THE ESTATE
OF DAVID G EDWARDS, Deceased }

DECREE OF DISTRIBUTION

The petition of E E Edwards, Executor, heretofore filed herein, praying for the distribution of the estate of the said David G Edwards, deceased, among the persons entitled thereto, coming on regularly this day for hearing, and, it appearing that notice of such hearing being given as required by law, and that all claims against said estate are fully paid, including the special bequests under the said will, and that the final account of said Administrator has been duly made and has been confirmed by this Court, and that all taxes due from said estate have been paid, and that due notice has been given of this hearing, and that the said David G Edwards' only devisees are Edward E Edwards of Cambridge, Idaho, a son; Charles R Edwards, of Cambridge, Idaho, a son, May Poynor, of Cambridge, Idaho, a daughter; Jessie Powers, of Rupert, Idaho, a daughter; and that the bequests to the said May Poynor and Jessie Powers being paid,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, That the residue of said estate be distributed under the terms of the said will, as follows:

To Charles R Edwards: The Northeast Quarter of the Southeast Quarter of Section Twenty-nine, North Half of the Southwest Quarter, Southwest Quarter of the Northwest Quarter of Section Twenty-eight, Township Fifteen North, Range Three West of Boise Meridian containing 160 acres; Lot seven of Block Forty of Moses H Hopper's Division of the Village of Cambridge, Idaho. Lots Nine, Ten and Eleven of Block Thirty-two of Moses H Hopper's Division of Cambridge, Idaho; All of the livestock belonging to the said deceased at the time of his death.

To Edward E Edwards: Lots Seven and Eight of Block Thirty-two of Moses H Hopper's Division of Cambridge, Idaho. Lots Thirty-four and Thirty-five of Block Ten of Lambertson's Addition to Boise, Idaho, in Ada County. Also all of the remainder of said estate.

Seal Done in open Court this 26th day of September, 1925.

{ Probate Court
Washington Co, Idaho }

P A Markson
Probate Judge

CERTIFICATE

IN THE PROBATE COURT OF THE COUNTY OF WASHINGTON, STATE OF IDAHO

State of Idaho }
County of Washington } ss

I, P A Markson, Judge and ex-officio clerk of the Probate Court of the County of Washington, State of Idaho, do hereby certify that the attached copy of Decree of Distribution in the matter of The Estate of David G Edwards, has been by me compared with the original, and that it is a true and correct copy therefrom as the same appears on file or recorded in Book 12, Page 14, in my office and in my custody.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Probate Court this 30th day of September, 1930.

P A Markson
Probate Judge and Ex-officio Clerk

Seal
{ Probate Court, Washington Co }
Idaho

Filed for record at the request of R E Wilson & Son at 9:00 o'clock A M October 2, 1930.

Fee \$1.00

Frank E Smith, Recorder