

COPY

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FEB 15 2006

DEPARTMENT OF
WATER RESOURCES

2006 FEB -8 PM 12: 03

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	)	Subcase No. 37-744C,
	)	37-21636, 37-21637
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☒ Yes ☐ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 2/8/06



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2/8, 2006, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Robb Peck
Kathi Peck
PO Box 26
Carey ID 83320

Robert Michael Adams
1908 Eagleson Rd
Boise ID 83705



Signature of person or attorney mailing the form

1/26/06

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-744C

SPLIT RIGHT: SEE RIGHT NOS. 37-21636 and 37-21637.

01/26/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-21636
NAME AND ADDRESS: ROBB PECK
PO BOX 26
CAREY ID 83320

KATHI L PECK
PO BOX 26
CAREY ID 83320

SOURCE: FISH CREEK TRIBUTARY: LITTLE WOOD RIVER
QUANTITY: 0.650 CFS
PRIORITY DATE: 09/15/1905

POINT OF
DIVERSION: T01N R22E S33 SENESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.650 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T01S R22E S18 SESE 40.00

40 ACRES TOTAL

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

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Highline Canal.

This right is a split from former right 37-744C.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Use of this right is combined with water from Fish Creek Reservoir Co.

01/26/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-21637

NAME AND ADDRESS: ROBERT MICHAEL ADAMS
1908 EAGLESON RD
BOISE ID 83705

SOURCE: FISH CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 0.650 CFS

PRIORITY DATE: 09/15/1905

POINT OF
DIVERSION: T01N R22E S33 SENESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.650 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T01S R22E S18 SWSE 40.00

40 ACRES TOTAL

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

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-744C.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Use of this right is combined with water from Fish Creek Reservoir Co.

Water is delivered through Highline Canal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

February 8, 2006

KARL J. DREHER
Director

Robert Michael Adams
1908 Eagleson Rd
Boise ID 83705

RE: SRBA Claim(s) 37-744C

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Robb and Kathi Peck
PO Box 26
Carey ID 83320

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

RECEIVED**JAN 20 2006**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

DEPARTMENT OF
 WATER RESOURCES

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>37-744C</u>		☒			

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**.

Name and Address of Former Owner/Claimant(s) Robb K. Peck and Kathi Peck
P. O. Box 26
Carey, ID 83320

New Owner/Claimant(s) Robert Michael Adams
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 1908 Eagleson Road

City, State and ZIP Code Boise, Idaho 83705

New Telephone Number 208, 830 4167

Date you acquired the property January 5, 2006

RECEIVED**JAN 25 2006**

Department of Water Resources
 Southern Region

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 37-744C

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	<u>.65 CFS</u>	<u>40 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>.65 CFS</u>	

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	_____	

Signature of New Owner(s) or Claimant(s) Robert Michael Adams
(include title if applicable) Robert Michael Adams

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 <u>AM</u>	Date <u>1-20-06</u>	Fee <u>\$ 100.00</u>
Received by <u>AM</u>	Date <u>1-20-06</u>	Receipt No. <u>0080131</u>
Processed by _____	AJ Date _____	WR _____ Date _____

Order No. 0522253

WARRANTY DEED

Instrument # 530726

HAILEY, BLAINE, IDAHO

2006-01-05

10:59:00 No. of Pages: 3

Recorded for : SUN VALLEY TITLE

MARSHA RIEMANN

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

FOR VALUE RECEIVED

ROBB K. PECK AND KATHI PECK, husband and wife

the Grantors do hereby grant, bargain, sell, convey and warrant unto

ROBERT MICHAEL ADAMS, an unmarried man

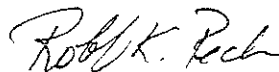
the Grantee whose current address is:  1908 Eagleson Road
Boise, ID 83705

the following described premises, in BLAINE COUNTY, IDAHO, to-wit:

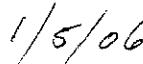
See Exhibit "A" attached hereto and made a part hereof.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

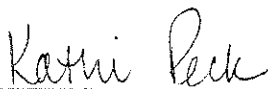
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.



Robb K. Peck



Date



Kathi Peck



Date

State of: Idaho
County of: Blaine

On this 5th day of January, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared **ROBB K. PECK AND KATHI PECK**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Carolyn Baird
Notary Public
Residing at: Hailey
Commission Expires: 1/23/2009



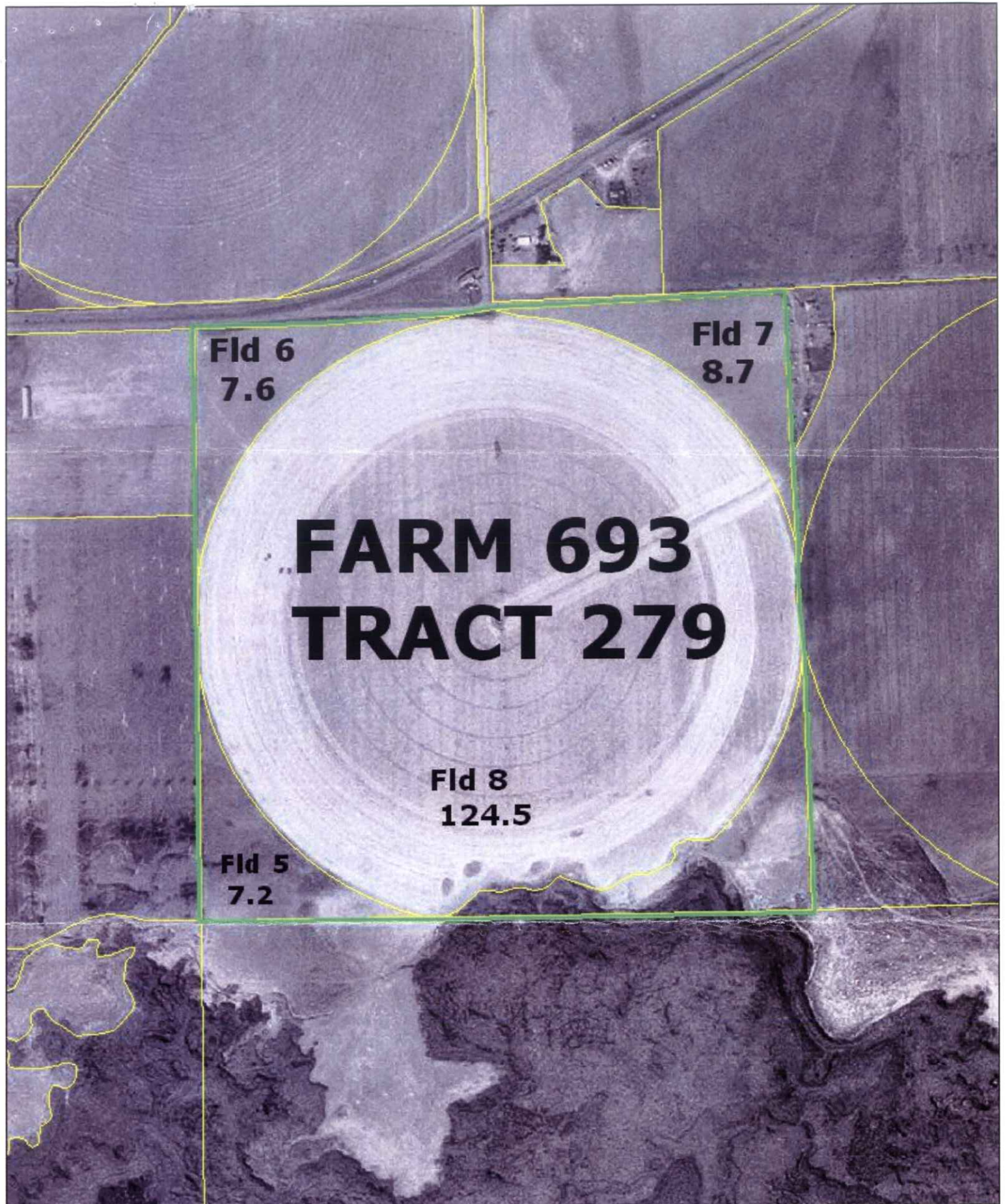
EXHIBIT "A"

TOWNSHIP 1 SOUTH, RANGE 22 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

A Parcel of land being a portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18, and all of Government Lot 2 of Section 19, being more particularly described by Metes and Bounds as follows:

Beginning at an Aluminum Cap marking the Southwest Corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, as shown on Record of Survey Instrument No. 524719 recorded in the Office of the Recorder, Blaine County, Idaho, said point being the REAL POINT OF BEGINNING; thence N 00°07'55" W 1280.61 feet to the Southerly Right of Way of U. S. Highway 20, 26, 93; thence along said Southerly Right of Way S 89°39'55" E 139.75 feet to a point of curvature in said Southerly Right of Way; thence 536.12 feet along a Curve to the left of having a Radius of 1960.00 feet, a Delta of 15°40'20" and a Chord which bears N 82°31'34" E 534.45 feet to the Northerly Boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18; thence leaving said Southerly Right of Way N 89°54'47" E 627.57 feet to a 5/8" rebar which marks the Northeast Corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18; thence S 00°00'09" E 1357.42 to a 5/8" rebar which marks the Southeast Corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18; thence S 89°41'00" E 6.36 feet to a 5/8" rebar which marks the Northeast Corner of said Government Lot 2; thence S 00°02'32" E 1426.45 feet to a 5/8" rebar which marks the Southeast Corner of said Government Lot 2; thence S 89°52'35" W 1320.82 feet to a 5/8" rebar which marks the Southwest Corner of said Government Lot 2; thence N 00°00'01" W 1436.60 to an Aluminum Cap which marks the Northwest Corner of said Government Lot 2; thence S 89°41'00" E 19.07 feet to the REAL POINT OF BEGINNING.

Also known as Tax Lot 8015



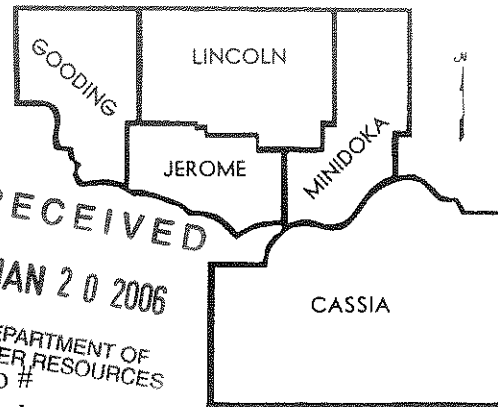
FARM 693 TRACT 279
OW - OP ROBB PECK



Map Printed: Dec 10, 2004

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



January 19, 2006

ID Dept. of Water Resources
Attention: Kari Lynn Townsend
P. O. Box 83720
Boise, ID 83720-0098

*Irish Sweet
Twin Falls*

RECEIVED
JAN 25 2006
Department of Water Resources
Southern Region

RE: Robert Michael Adams/Robb K. and Kathi Peck

Dear Kari Lynn:

Enclosed with this letter please find the following:

1. The original executed Notice of Change in Water Right Ownership.
2. A copy of the recorded Warranty Deed.
3. Aerial photo(s).
4. Robb and Kathi Peck's check in the amount of \$100.00 for the filing fee.

Please make the necessary changes in the records to indicate the new owner as Robert Michael Adams for future water assessments and notices. Please send a receipted copy to this office.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,
Land Title and Escrow, Inc.

Nancy Garrett

Nancy Garrett
Reconveyance Department

/nrg
enc.

Payment Amount \$100.00
 Date Received 1/20/2006 11:47:20 AM
 Region State
 Status ▼

Payment Type Check
 Check Number 2957

Comment	OWNERSHIP CHANGE FOR #37-7444 (SPLIT)
---------	---------------------------------------

Amount	Description	Fund	FD	PCA	SO
\$100.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	56140	1155

Refund requested -
Kari Lynn
1-23-06

Townsend, KariLynn

To: Allen, Debbie
Subject: RE: Refund request

Hi Debbie . . .

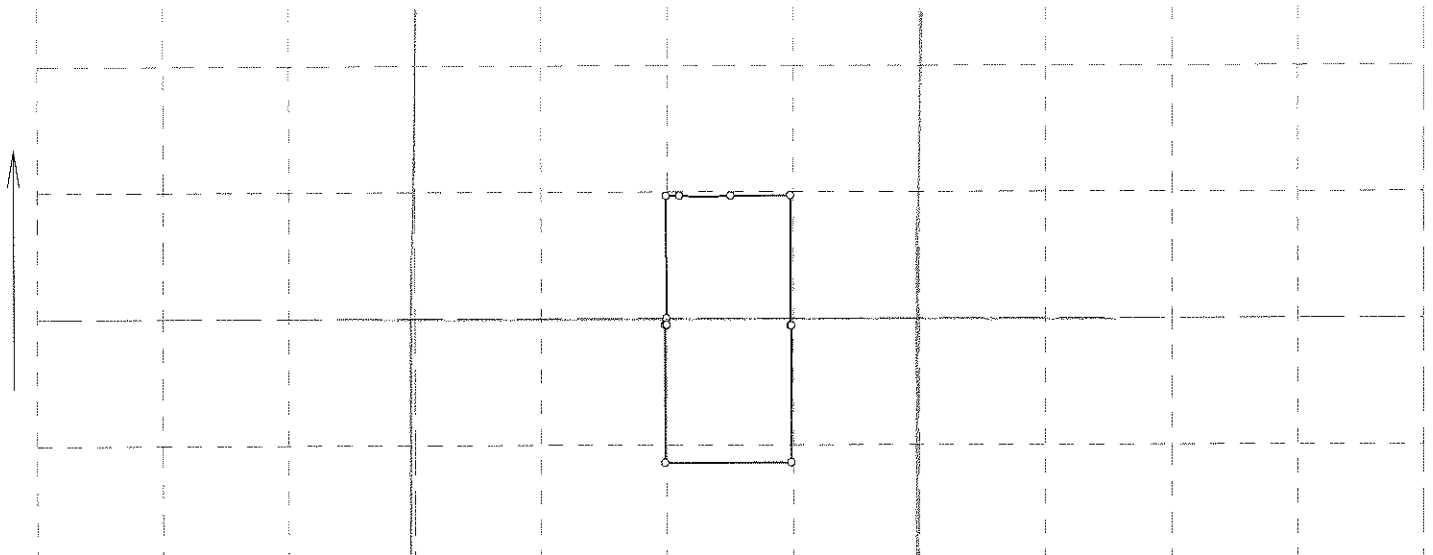
Please arrange for a **\$100.00 refund** from **receipt # C080131** to be sent to:

**ROBB PECK
KATHI PECK
PO BOX 26
CAREY ID 83320**

Water right is still active in Adjudication and filing fee is not required for ownership change.

Thank you,

Kari Lynn T.
Jan. 23, 2006



Title:		Date: 01-26-2006
Scale: 1 inch = 2000 feet	File:	
Tract T: 82.604 Acres: 3598219 Sq Feet: Closure = n03.4638w 68.86 Feet: Precision = 1/118: Perimeter = 8151 Feet		
001=/sw,sw,se,18,1s,22e	005=n89.5447e 627.57	009=s89.5235w 1320.82
002=n00.0755w 1280.61	006=s00.0009e 1357.42	010=n00.0001w 1436.60
003=s89.3955e 139.75	007=s89.4100e 6.36	011=s89.4100e 19.07
004: LT, R=1960, Arc=536.12, Delta=15.4020 Bng=n89.5447e, Chd=627.57	008=s00.0232e 1426.45	