

COPY

RECEIVED

SEP 06 2006

DISTRICT COURT - 220A
TWIN FALLS COUNTY
FILED

2006 AUG 25 PM 1 55

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. 37-287A

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:

8/22/06

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 8/25, 2006, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required 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

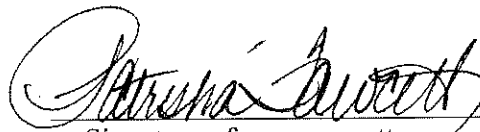
2. Copies to:

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

Carol Dietrich
Loren Dietrich
800 S Everett St
Lakewood CO 80226

David Morrow
Marie Helene Morrow
PO Box 2899
Sun Valley ID 83353



Signature of person or attorney mailing the form

DISTRICT COURT - JRDA
TWIN FALLS CO., IDAHO
FILED

08/15/2006

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

RIGHT NUMBER: 37-287A
NAME AND ADDRESS: DAVID W MORROW
PO BOX 2899
SUN VALLEY ID 83353

MARIE HELENE MORROW
PO BOX 2899
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 2.510 CFS
PRIORITY DATE: 06/01/1884
POINT OF
DIVERSION: T05S R14E S36 SENE Within GOODING County
PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	3/15 11/15	2.510 CFS
PLACE OF USE:	<u>IRRIGATION Within GOODING County</u>		
	T05S R14E S36 NENE 40.00	T05S R14E S36 SENE	31.00
	T05S R15E S31 NENW 36.00	T05S R15E S31 Lot 1 NWNW	39.00
	T05S R15E S31 Lot 2 SWNW 10.00	T05S R15E S31 SENW	6.40

162.4 ACRES TOTAL

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

Delivery of this right is subject to the water exchange provisions contained in Bureau of Reclamation contract no. 14-06-W-73, executed October 14, 1954, between the United States of America and American Falls Reservoir District No. 2, as supplemented by Bureau of Reclamation contract no. 14-06-100-6031, executed June 1, 1962, between and among the United States of America, American Falls Reservoir District No. 2, and the Big Wood Canal Company.

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

USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS RESERVOIR DIST. NO. 2.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL CO.

WATER IS DELIVERED THROUGH THE DIETRICH PUMP, DIVERSION NUMBER 33-P.



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

August 25, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

DAVID MORROW
MARIE HELENE MORROW
PO BOX 2899
SUN VALLEY ID 83353

RE: SRBA Claim(s) 37-287A

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

Enclosure

cc: Carol and Loren Dietrich

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

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

RECEIVED
 AUG 15 2006
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

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
37-287A					

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)

Carol G. Dietrich and Loren J. Dietrich, 800 S. Everett St. Lakewood, CO

4. New Owner/Claimant(s)

David W. Morrow and Marie Helene Morrow 80226

Name Connector (Check one): ☒ and, [] or, [] and/or

New Mailing Address

P.O. Box 2899

City, State and ZIP Code

Sun Valley, ID 83353

New Telephone Number

208) 726-3469

5. Date you acquired the property

Aug. 6, 1993

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)

David W Morrow
Marie Helene Morrow

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 _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____



WARRANTY DEED

For Value Received

LOREN J. DIETRICH AND CAROL G. DIETRICH, husband and wife,
the grantors, do hereby grant, bargain, sell, and convey unto

DAVID W. MORROW AND MARIE HELENE MORROW, husband and wife,
the grantees, whose current address is

GPO Box 363288, San Juan, Puerto Rico, 00936-3288,

the following described premises, to-wit:

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

153661

DECREE BOOK ✓
PRIORITY BOOK ✓
DATABASE ✓
ANNUAL REPORT ✓
LOTUS COST REPORT ✓
CMS ADDRESS 077 ✓
DBASE ADDRESS ✓
ROLEDEX ✓

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

22 min. past 4 o'clock P m. this 6
of Aug, 1993 9.00

JOHN A. MYERS Recorder

By Christina S. S. S. Deputy

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners 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 they will warrant and defend the same from all claims whatsoever.

Dated: August 3, 1993

Loren J. Dietrich
Loren J. Dietrich

Carol G. Dietrich
Carol G. Dietrich

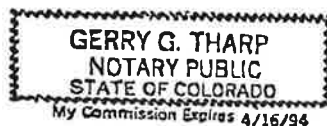
STATE OF COLORADO

COUNTY OF

Arapahoe

) ss

On this 3rd day of August, in the year 1993, before me, a Notary Public in and for said State, personally appeared Loren J. Dietrich and Carol G. Dietrich, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.



Berry S. Tharp
Notary Public of Colorado
Residing at: ✓
Commission Expires: -

EXHIBIT A

The East One-half of the Northeast Quarter of Section 36, Township 5 South, Range 14 East of the Boise Meridian, Gooding County, Idaho.

AND

Part of the Southeast Quarter of the Southwest Quarter of Section 30, Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho, described as follows:

BEGINNING at the Southeast corner of Lot 4, Section 30;
Thence East 20 chains along the Section line between Sections 30 and 31 to the South Quarter corner of said Section 30;
Thence Due North 92.00 feet;
Thence Southwesterly to a point 88.5 feet due North of the Southeast corner of Lot 4, Section 30;
Thence South 88.5 feet to the POINT OF BEGINNING.

AND

The Northeast Quarter of the Northwest Quarter, and Lots 1 and 2, and the Southwest Quarter of the Northeast Quarter, and the Southeast Quarter of the Northwest Quarter lying North and West of the South Bank of the Big Wood River as now located. And that part of the Northwest Quarter of the Northeast Quarter which lies North of the Southern bank of the Big Wood River of Section 31, Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho, EXCEPT for that part of the Northwest Quarter of the Northeast Quarter, described as follows:

BEGINNING at the Northwest corner of said Northwest Quarter of the Northeast Quarter;
Thence North 0° 04' 30" West, 92.00 feet along the westerly boundary of said Southwest Quarter of the Southeast Quarter to the center of a County Road;
Thence South 88° 54' 30" East, 1222.87 feet along the center of said County Road to the projection of a line fence;
Thence South 2° 55' 25" West, 648.58 feet along said line fence and its projection to the outer southerly bank of the Big Wood River;
Thence North 47° 18' 50" West, 454.31 feet along said outer southerly bank;
Thence South 70° 24' 21" West, 907.37 feet along said outer southerly bank to the westerly boundary of said Northwest Quarter of the Northeast Quarter;
Thence North 0° 02' 47" West, 575.40 feet to the POINT OF BEGINNING.

ALSO EXCEPTING from Lot 2 the following:

- (a) The South 50 feet for a public road as conveyed by Deed, dated May 21, 1951, to Gooding Highway District, recorded May 21, 1951, in Book 44 of Deeds, Page 320, records of Gooding County, Idaho.
- (b) Tract as conveyed by Deed, dated February 14, 1912, to the Twin Falls North Side Land and Water Company, recorded March 14, 1913, in Book K of Deeds, Page 198, records of Gooding County, Idaho.

TOGETHER WITH all water, water rights, ditches and rights of way for ditches appurtenant thereto or used in connection therewith, including 33 shares of stock in Big Wood Canal Company and 125.50 inches of decreed water in Big Wood River with a priority date of June 1, 1884, 20 inches of Carey Act water and 62 inches of American Falls supplemental water, diversion 0033P.

AND SUBJECT TO THE FOLLOWING:

Taxes for 1993 are an accruing lien and not yet due or payable.

Taxes for 1993 are an accruing lien and not yet due or payable.

Taxes for 1993 are an accruing lien and not yet due or payable.

Levies and assessments due Gooding County for Solid Waste.

These premises are within the boundaries of American Falls Reservoir District No. 2 and are subject to the levies and assessments thereof and restrictions and limitations thereof as specifically set forth in contract dated October 14, 1954, by the United States of America with American Falls Reservoir District No. 2, recorded November 13, 1954 in Book 6 Agreements Page 66, records of Gooding County, Idaho.

Liens, levies and assessments of the Big Wood Canal Company and rights, powers and easements of said Company, as by laws provided.

Canals and laterals of Big Wood Canal Company and subject to the rights and ingress and egress.

The existence of channel of Big Wood River and its tributaries and any rights that the public may have in same, and the right of ingress and egress of the public in and to the same.

Exceptions and reservations contained in the Deed from the State of Idaho to W. D. Fales, recorded August 6, 1934 in Book 2 State Conveyances, Page 256, wherein mineral rights are reserved to the State. (47-701 Idaho Code, 1947.) As to E1/2NE1/4, Sec. 36, Twp. 5 S., R. 14 E.B.M.

Rights of Way for Ditches, Tunnels and Telephone and Transmission lines constructed by authority of the United States as granted to the United States under provisions of Section 58-604, Idaho Code 1947.

Agreement, Dated May 4, 1921, wherein the owners of the E1/2SW1/4, Sec. 30, Twp. 5 S., R. 15 E.B.M. and a certain ditch and headgate thereon at end of Lateral 145 A 2 granted unto the owners of the E1/2NE1/4, Sec. 36, Twp. 5 S., R. 14 E.B.M. and the N1/2NW1/4, Sec. 31, Twp. 5 S., R. 15 E.B.M. a perpetual right to carry water through said ditch and headgate to said las described lands, recorded May 18, 1921 in Book 2 of Agreements, Page 312, records of Gooding County, Idaho.

Usage by the City of Gooding of that part of the SE1/4NE1/4 said Sec. 36, Twp. 5 S., R. 14 E.B.M., South of the River, for dump grounds.