

COPY

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SEP 06 2006

DEPARTMENT
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2006 SEP 1 PM 1 43

**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. 37-792A (Split Right)
	)	37-21613, 37-21617 and 37-21618
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: 8/25/06



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 9/1, 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

Jacque Green
Daniel Green
400 River Rd
Bliss ID 83314

Alicia Lamb
Earl Lamb
406 River Rd
Bliss ID 83314

Cam Purchase
Winfield Purchase
406 River Rd
Bliss ID 83314



Signature of person or attorney mailing the form

8/25/06

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

RIGHT NUMBER: 37-792A

SPLIT RIGHT: SEE RIGHT NOS. 37-21613, 37-21617 and 37-21618.

08/25/2006

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

RIGHT NUMBER: 37-21613

NAME AND ADDRESS: JACQUE L GREEN
400 RIVER RD
BLISS ID 83314

DANIEL A GREEN
400 RIVER RD
BLISS ID 83314

SOURCE: SPRING

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.020 CFS

PRIORITY DATE: 04/01/1888

POINT OF

DIVERSION: T06S R13E S17 NESESE Within GOODING County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.020 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S17 NWSE 1.10

1.1 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 37-792a.

Source is also known as Montana Mining Company Spring No. 9.

08/25/2006

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

RIGHT NUMBER: 37-21617

NAME AND ADDRESS: ALICIA L LAMB
406 RIVER RD
BLISS ID 83314

EARL R LAMB
406 RIVER RD
BLISS ID 83314

SOURCE: MONTANA MINING DITCH

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.020 CFS

PRIORITY DATE: 04/01/1888

POINT OF
DIVERSION: T06S R13E S17 NENWSE Within GOODING County
T06S R13E S17 SENWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/30	0.020 CFS
RECREATION		

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S17 Lot 3 SESW	0.10	T06S R13E S17	NWSE	1.40
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RECREATION same as IRRIGATION

1.5 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 -

This right is a split from former right 37-792a.

Source is also known as Montana Mining Company Spring No. 9.

This right is a split from former right 37-21612.

08/25/2006

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

RIGHT NUMBER: 37-21618

NAME AND ADDRESS: CAM L PURCHASE
406 RIVER RD
BLISS ID 83314

WINFIELD D PURCHASE
406 RIVER RD
BLISS ID 83314

SOURCE: MONTANA MINING DITCH TRIBUTARY: SNAKE RIVER

QUANTITY: 0.050 CFS

PRIORITY DATE: 04/01/1888

POINT OF
DIVERSION: T06S R13E S17 NENWSE Within GOODING County
T06S R13E S17 SENWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/30	0.050 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S17 NWSE 1.90

1.9 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

Source is also known as Montana Mining Company Spring No. 9.

This right is a split from former right 37-792a.

This right is a split from former right 37-21612.



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

September 5, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

CHARLES AND DIANE DEAKINS
151 BUCKSKIN LANE
NORCO CA 92860

RE: OWNERSHIP CHANGE FOR WATER RIGHT 37-21617

Dear Mr. and Mrs. Deakins:

The Department has been notified that you are the owners of the property to which the above water right claim is appurtenant. In order for you to be listed as current owners of the water right, it is necessary for you to complete the enclosed Notice of Change of Water Right Ownership form. Please complete the highlighted items, attach a copy of your warranty deed and return to me by **September 20, 2006**. Once I receive this packet, the changes will be made to our records, and you will be sent confirmation that the change has been completed.

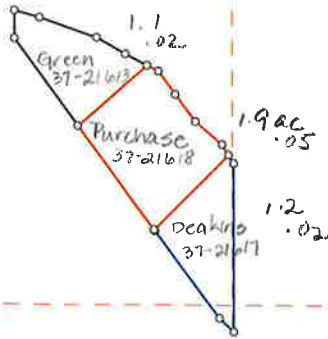
Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, reading 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enclosures



Title:

Date: 11-29-2005

Scale: 1 inch = 500 feet

File:

+Tract 1: 1.142 Acres: 49738 Sq Feet: Closure = n54.2022e 0.00 Feet: Precision = 1/209311: Perimeter = 972 Feet
 Tract 2: 3.056 Acres: 133128 Sq Feet: Closure = n87.2504w 0.01 Feet: Precision = 1/234886: Perimeter = 1689 Feet
 -Tract 3: 1.916 Acres: 83472 Sq Feet: Closure = s81.0011w 0.01 Feet: Precision = 1/109171: Perimeter = 1165 Feet
 Net Area= -0.774 Acres: -33734 Sq Feet

001=/ne,se,17,6s,13e
 002=/s89.5208w 1316.76
 003=/s00.0256e 948.46
 004=/n31.4407w 57.34
 005=/n49.0454w 90.05
 006=/n36.0200w 87.50
 007=/n36.0200w 74.06
 008=/n62.0627w 32.06
 009=s48.5800w 240.24
 010=n36.1238w 280.57
 011=n00.00e 74.05
 012=s73.5158e 68.51
 013=s70.5628e 157.66
 014=s60.4824e 87.77
 015=s62.0627e 62.81

016=@0
 017=/ne,se,17,6s,13e
 018=/s89.5208w 1316.76
 019=/s00.0256e 948.46
 020=s00.0256e 438.25
 021=n46.3410w 51.22
 022=n36.2342w 279.52
 023=n36.1238w 339.07
 024=n48.5800e 240.24
 025=s62.0627e 32.06
 026=s36.1253e 74.06
 027=s36.0200e 87.50
 028=s49.0454e 90.05
 029=s31.4407e 57.34
 030=@0 -

031=/ne,se,17,6s,13e
 032=/s89.5208w 1316.76
 033=/s00.0256e 948.46
 034=/n31.4407w 25.43
 035=s44.1939w 274.42
 036=n36.1238w 334.91
 037=n48.5800e 240.24
 038=s62.0627e 32.06
 039=s36.1253e 74.06
 040=s36.0200e 87.50
 041=s49.0454e 90.05
 042=s31.4407e 31.91

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.

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>.07 CFS</u>	<u># 37-792A</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)

Wm + Virginia Lamb
406 River Rd Bliss, Id 83314

4. New Owner/Claimant(s)

Earl R. Lamb Alicia L. Lamb

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

New Mailing Address

406 River Rd

City, State and ZIP Code

Bliss, Id 83314

New Telephone Number

208 852 4626

5. Date you acquired the property

04-06-04

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 JUN 28 2004
 Department of Water Resources
 Southern Region

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)

Signature on front of form.

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 _____

Order No. G040311

WARRANTY DEED

For Value Received

WILLIAM G. LAMB AND VIRGINIA L. LAMB, TRUSTEES OF THE WILLIAM G. AND VIRGINIA L. LAMB FAMILY TRUST RECORDED FEBRUARY 28, 1995

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

EARL R. LAMB AND ALICIA L. LAMB, HUSBAND AND WIFE

the grantee(s), whose current address is

406 RIVER ROAD, BLISS, ID 83314

9572 Alhacore Dr. Huntington Beach, Ca 92646
the following described premises, to-wit:

See Attached Exhibit "A"

RESERVING UNTO THE GRANTOR A LIFE ESTATE.

Instrument # 205761

GOODING, GOODING, IDAHO
2004-04-16 04:04:37 No. of Pages: 2
Recorded for: GOODING TITLE
HELEN EDWARDS Fee: 6.00
Ex-Officio Recorder Deputy *[Signature]*

TOGETHER WITH .07CFS IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION # 37-792V

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: April 5 2004

THE WILLIAM G. AND VIRGINIA L. LAMB, TRUSTEES OF THE WILLIAM G. AND VIRGINIA L. LAMB FAMILY TRUST RECORDED FEBRUARY 28, 1995

[Signature]
WILLIAM G. LAMB, TRUSTEE

[Signature]
VIRGINIA L. LAMB, TRUSTEE

STATE OF *Idaho*
COUNTY OF *Gooding*

On This *5th* day of April, in the year 2004, before me, a Notary Public in and for said State, personally appeared WILLIAM G. LAMB AND VIRGINIA L. LAMB, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument as trustee of THE WILLIAM G AND VIRGINIA L. LAMB FAMILY TRUST recorded February 28, 1995, and acknowledged to me that he/she/they executed the same as such trustee.

WITNESS my hand and official seal.

[Signature]
Notary Public of *State of Idaho*
Residing at *1055 N. W. 10th St. Idaho*
Commission Expires: *2-20-2009*



EXHIBIT A
G040311

A parcel of land located in the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 17, Township 5 South, Range 13 East, Boise Meridian, Gooding County, Idaho and being more particularly described as follows:

Commencing at the East One Quarter (E $\frac{1}{4}$) corner of said Section 17, Thence S89°52'08" W along the North boundary of the SE $\frac{1}{4}$ of said Section 17 for a distance of 1316.76 feet to the Northeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 17, Thence S00°02'56" E along the East boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 17 for a distance of 948.46 feet to a point on the Southwesterly bank of the Montana Ditch and being the TRUE POINT OF BEGINNING:

Thence continuing S00°02'56" E along the East Boundary of the W $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 17 for a distance of 438.25 feet to a point on the Northeastly right-of-way boundary of old highway U.S. 30;

51.22 Thence N46°34'10" W along the Northeastly right-of-way boundary of old highway U.S. 30 for a distance of 51.22 feet;

W 36.1238 Thence N36°23'42" W along the Northeastly right-of-way boundary of old highway U.S. 30 for a distance of 279.52 feet;

Thence N36°12'38" W along the Northeastly right-of-way boundary of old highway U.S. 30 for a distance of 339.07 feet;

S 62.0827 Thence leaving the Northeastly right-of-way boundary of old highway U.S. 30 on a bearing of N46°58'00" E for a distance of 240.24 feet to a point on the Southwesterly bank of the Montana Ditch;

Thence S82°06'27" E along the Southwesterly bank of the Montana Ditch for a distance of 32.06 feet;

Thence S36°12'53" E along the Southwesterly bank of the Montana Ditch for a distance of 74.06 feet;

S 49.0451 Thence S36°02'00" E along the Southwesterly bank of the Montana Ditch for a distance of 87.50 feet;

Thence S49°04'54" E along the Southwesterly bank of the Montana Ditch for a distance of 90.05 feet;

Thence S31°44'07" E along the Southwesterly bank of the Montana Ditch for a distance of 57.34 feet to the TRUE POINT OF BEGINNING.

EXCEPT:

Any part of the before described parcel which may have been conveyed by deed dated March 3, 1910 to the Twin Falls North Side Land and Water Company, a corporation recorded March 14, 1910 in Book D deeds, Page 437, records of Gooding County, Idaho, for ditch waste water.

AND

SUBJECT TO:

1-An Easement to the Canal Company for the use and maintenance of the Montana Ditch.



GOODING
TITLE & ESCROW
COMPANY

June 7, 2004

IDWR SOUTHERN REGION
1341 FILLMORE ST., SUITE 200
TWIN FALLS IDAHO 83301

RECEIVED
JUN 09 2004

Department of Water Resources
Southern Region

Re: Order No. G040311
LAMB/LAMB

Dear Sir or Madam:

Please transfer the water rights from William & Virginia Lamb to Earl & Alicia Lamb. Enclosed please find signed Notice of Change of Water Right Ownership and copy of Warranty Deed.

Thank you for using Gooding Title & Escrow Company. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Debbie Zatica
Escrow Assistant
Gooding Title & Escrow Company