

COPY

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SEP 06 2006

DEPARTMENT OF
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. 37-21286
)
)
)
)

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

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

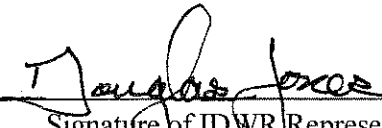
Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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: _____

8/31/06



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

Darrell Olson
Cindy Olson
358 Aspen Dr
Bliss ID 83314

Garry Pedrow
358 Aspen Dr
Bliss ID 83314



Signature of person or attorney mailing the form

08/29/2006

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

RIGHT NUMBER: 37-21286

NAME AND ADDRESS: CINDY M OLSON
358 ASPEN DR
BLISS ID 83314

DARRELL E OLSON
358 ASPEN DR
BLISS ID 83314

SOURCE: UPPER WADDINGTON SPRING

TRIBUTARY: STODDARD CREEK

QUANTITY: 0.030 CFS

PRIORITY DATE: 11/07/1887

POINT OF

DIVERSION: T06S R13E S27 SENWNW Within GOODING County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.030 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S27 SWSE 0.90

0.9 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 - Beneficial Use

RECEIVED

AUG 29 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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, 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
	37-21286				

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) are 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)

GARRY PEDROW

358 ASPEN DR.

4. New Owner/Claimant(s)

BLISS, IDAHO 83314

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

New Mailing Address

DARRELL & CINDY OLSON 358 ASPEN DR.

City, State and ZIP Code

BLISS, IDAHO 83314

New Telephone Number

(208) 837-9036

5. Date you acquired the property

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.

For Office Use Only

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

WARRANTY DEED

#GG-06622

For Value Received

Garry Pedrow and Margaret Pedrow, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Darrell E. Olson and Cindy M. Olson, husband and wife

Address: 581 N. Rock Garden Ln., Dammeron Valley, UT 84783

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to-wit:

Lot 1 in Block 3 of Malad Estates Subdivision, Gooding County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2005 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments levied or to be levied by any local irrigation district.

Easement for erecting and maintaining poles and transmission lines over the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 6 South, Range 13, East Boise Meridian, contained in Judgement in the case of The Beaver River Power Company, a corporation, Plaintiff, vs. Ida Bell Waddington Frost, John Doe Frost, her husband, John William Waddington, a minor, and Andrew Jackson Waddington, a minor, Defendants, dated July 18, 1912, recorded July 18, 1912 in Book 2 Page 34, Gooding County records.

Conditions and restrictions contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, first parties, to the State of Idaho, second party, dated August 24, 1955, recorded November 26, 1955 in Book 46 Page 329 as Instrument Number 128569, Gooding County records, affecting the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 6 South, Range 13, East Boise Meridian.

Conditions and restrictions contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, first parties, to the State of Idaho, second party, dated August 6, 1957, recorded October 16, 1957 in Book 49 Page 124 as Instrument Number 133379, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{2}$ of Section 27, Township 6 South, Range 13, East Boise Meridian.

Conditions and restrictions contained in Quitclaim Deed by and between the Idaho Department of Highway, acting by and through the Idaho Board of Highway Directors, party of the first part, and Fred Leach and Nettie M. Leach, husband and wife, parties of the second part, dated June 26, 1957, recorded March 26, 1958 in Book 49 Page 226 as Instrument Number 134666, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 6 South, Range 13, East Boise Meridian.

Page 2 of Warranty Deed

Reservation for easement to convey domestic water through pipeline contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, parties of the first part, to Wilbert B. Cline and Ruth C. Cline, husband and wife, parties of the second part, dated December 17, 1958, recorded February 3, 1959 in Book 49 Page 443 as Instrument Number 136711, Gooding County, records, pertaining to the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and a Tract of land in Lot 1 of Section 27, Township 6 South, Range 13, East Boise Meridian.

Reservation for a domestic spring located over the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 2 of Section 27, Township 6 South, Range 13, East Boise Meridian, as contained in Quitclaim Deed dated August 15, 1975, recorded September 8, 1975 as Instrument Number 56218, Gooding County records, and Warranty Deed dated December 11, 1972, recorded October 20, 1978 as Instrument Number 72869, Gooding County records.

Power Line Easement given by W. B Cline and Ruth C. Cline, husband and wife to Idaho Power Company, a corporation, dated February 17, 1976, recorded November 15, 1976 as Instrument Number 61948, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and a tract of land in Lot 1 of Section 27, Township 6 South, Range 13, East Boise Meridian.

Declaration of Protective Covenants recorded July 27, 1979 as Instrument No. 77995, Gooding County records but omitting any covenant, condition, or restriction based on race, color, religion, sex, handicap, familial status, or national origin to the extent that such covenants, conditions or restrictions violate 42 USC 3604(c). Amendment to said Covenants recorded September 18, 1979 as Instrument No. 78881, Gooding County records. Amendment to said Covenants recorded June 6, 1984 as Instrument No. 108608, Gooding County records. Amendment to said Covenants recorded May 23, 1988 as Instrument No. 132268, Gooding County records.

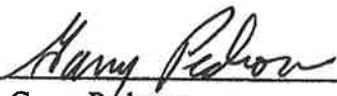
Power Line Easement given by John Wilkins, a single person to Idaho Power Company, a corporation, dated November 25, 1992, recorded March 19, 1993 as Instrument Number 152017, Gooding County records, affecting the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 7 South, Range 13, E.B.M.

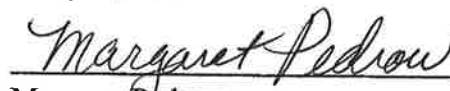
Easements as set forth on the recorded plat of said subdivision.

Sanitary Restrictions as shown on the recorded plat.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: August 25, 2005


Garry Pedrow


Margaret Pedrow

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 26 day of **August, 2005**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Garry Pedrow and Margaret Pedrow**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Stephan K. Jussa
Notary Public
Residing at: *Hagerman Idaho*
My Commission expires: *08/24/2010*

Instrument # 212839

GOODING, GOODING, IDAHO

2005-09-06

01:07:27

No. of Pages: 3

Recorded for : LAND TITLE

HELEN EDWARDS

Fee: 9.00

Ex-Officio Recorder Deputy

Helen John