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SEP 16 2006

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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. 37-21650

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

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

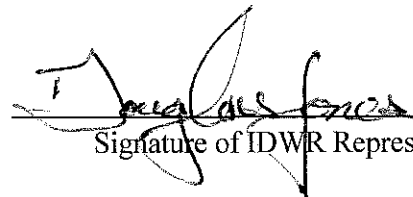
Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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

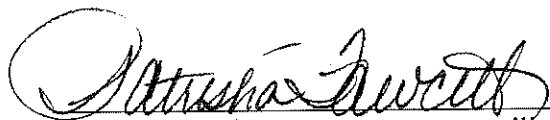
2. Copies to:

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

Warren R Nelson
Carol Nelson
1796 E 1800 S
Gooding ID 83330

Aaron Phelps
Jennifer Phelps
22521 Caminito Esteban
Laguna Hills CA 95653-1609



Signature of person or attorney mailing the form

DISTRICT COURT - 3RD
TWIN FALLS CO., IDAHO
FILED

07/18/2006

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

RIGHT NUMBER: 37-21650
NAME AND ADDRESS: WARREN R NELSON
1796 E 1800 S
GOODING ID 83330

CAROL NELSON
1796 E 1800 S
GOODING ID 83330

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 04/01/1883

POINT OF
DIVERSION: T06S R15E S3 SWNW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.040 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T05S R14E S36 SESE 1.40

1.4 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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-21172.

Water is delivered through the Slough Ditch.

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



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

WARREN NELSON
CAROL NELSON
1796 E 1800 S
GOODING ID 83330

RE: SRBA Claim(s) 37-21650

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: Aaron and Jennifer Phelps

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.

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JUL 18 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
<u>37-21650</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) Aaron and Jennifer Phelps
22521 Caminito Esteban, Laguna Hills, CA 95653-1609
4. New Owner/Claimant(s) Warren R Nelson and Carol Nelson
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1796 East 1800 South
- City, State and ZIP Code Gooding, ID 83330
- New Telephone Number (208) 934-1130 (Carol's Work)
5. Date you acquired the property July 14, 2006

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)

Wm R Nelson
Carol Nelson

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

AARON PHELPS and JENNIFER PHELPS, Husband and Wife

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

WARREN R. NELSON and CAROL NELSON, Husband and Wife

the grantee(s), whose current address is

1796 EAST 1800 SOUTH, GOODING, ID 83330

the following described premises, to-wit:

See Attached Exhibit "A"**Together with 2 shares of BIG WOOD Canal Company water**

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: July 13, 2006



AARON PHELPS



JENNIFER PHELPS

STATE OF CALIFORNIA

COUNTY OF ORANGE

On This 12TH day of July, in the year 2006, before me, a Notary Public in and for said State, personally appeared AARON PHELPS and JENNIFER PHELPS, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Notary Public of CALIFORNIA
Residing at _____ CA
Commission Expires: JANUARY 30, 2010

**Instrument # 217217**

GOODING, GOODING, IDAHO

2006-07-14 03:54:12 No. of Pages: 2

Recorded for : GOODING TITLE

DENISE M. GILL Fee: 6.00

Ex-Officio Recorder Deputy

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SOUTHERN REGION



EXHIBIT A
G060203

Township 5 South, Range 14 East, Boise Meridian, Gooding County, Idaho

Section 36: A parcel of land located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 89°54'06" West a distance of 300.00 feet along the Southerly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 00°13'53" East a distance of 661.40 feet parallel with the Easterly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 89°54'06" East a distance of 300.00 feet parallel with the Southerly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the Easterly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 00°13'53" West a distance of 661.40 feet along the Easterly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the POINT OF BEGINNING.

SUBJECT TO the rights of public roads which affect the Southerly 25.00 feet and the Easterly 25.00 feet thereof.



GOODING
TITLE & ESCROW
COMPANY

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JUL 18 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

7/17/2006

VIA: REGULAR MAIL

IDAHO DEPT. OF WATER RESOURCES
1341 FILLMORE STE. #200
TWIN FALLS, ID 83301

Re: Order No. G060203
NELSON/PHELPS

Dear Sir/Madame:

In connection with the above mentioned order, attached please find copies/originals of the following document(s):

- ☒ Notice of Change in Water Right Ownership.
- ☒ Warranty Deed..

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

Sincerely,

Kelly J. Kretschman

Escrow Assistant

Gooding Title & Escrow Company

/KJK

Encl.