

02/01/2006

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

RIGHT NUMBER: 35-13543

NAME AND ADDRESS: TED T EDWARDS
PO BOX 104
SPENCER ID 83446

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.320 CFS
84.00 AFY

Right Nos. 35-13543 and 35-13545 are limited to a total combined diversion rate of .82 cfs and to a total combined annual diversion volume of 220 AF.

PRIORITY DATE: 03/20/1973

POINT OF
DIVERSION:

T04S R33E S19 SWNE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/15	0.320 CFS 84.00 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T04S R33E S19	SWNE	16.00	T04S R33E S19	NWSE	39.00
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55 ACRES TOTAL

Right Nos. 35-13543 and 35-13545 are limited to the irrigation of a combined total of 55 acres in a single irrigation season.

This right is limited to the irrigation of 21 acres within the place of use described above in a single irrigation season.

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 - License

This right is a split from former right 35-7286 .

Use of this right is combined with water from Aberdeen Springfield Canal Co.

Right No. 35-13545 is also diverted through point of diversion described above.

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



Farm 5504
T26479

Date: July 22, 2005

0 180 360 720 Meters



705-5047



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 3, 2006

TED T EDWARDS
PO BOX 104
SPENCER ID 83446

RE: Notice of Change of Water Right Ownership (NCO) for
35-7286 and 35-7721 and Notice of Completed Administrative
Proceeding (NCAP)

Dear Mr. Edwards:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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) Water Rights: 35-7286 split into 35-13543, 35-13544
Case No. 39576) 35-7721 split into 35-13545, 35-13546
)
)
) **NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party EDWARDS – EDWARDS & CARTER
- ☐ I.C. § 42-222 transfer
- ☐ point of diversion ☐ place of use
- ☐ period of use ☐ nature of use
- ☐ split of water right ☐ change in ownership

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: Feb 1, 2006

Ernest M. Culsen
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Feb 3, 2006, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

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

2. One copy to:

Claimant/**Seller** for Substitution of Party or attorney of record:
TED T EDWARDS
PO BOX 104
SPENCER ID 83446

3. One copy to:

Claimant/**Purchaser** for Substitution of Party, or attorney of record:
TED T EDWARDS
PO BOX 104
SPENCER ID 83446

A LADD CARTER
PO BOX 40
PINGREE ID 83262

4. One copy to:

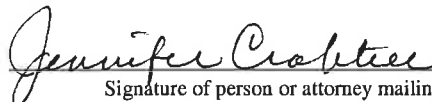
Each party in the subcase, or attorney of record
ABERDEEN SPRINGFIELD CANAL CO
C/O ROGER LING
LING NIELSEN & ROBINSON
PO BOX 396
RUPERT ID 83350

5. One copy each to:

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

6. One Copy to:

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



Signature of person or attorney mailing the form

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
35-7286		☒			
35-7721		☒			

*NAP
required*

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) Ted Edwards
4. New Owner/Claimant(s) A. Ladd Carter
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address PO Box 40
- City, State and ZIP Code Pingree, ID 83262
- New Telephone Number 208) 328-2297
5. Date you acquired the property MAY 20 2004

RECEIVED
JAN 23 2006
Department of Water Resources
Eastern Region

RP 0161202

WARRANTY DEED

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

FEE 6 DEP C

Order No.:3020405692-Z

FOR VALUE RECEIVED

541061

2004 MAY 20 PM 4: 10

RECORDED AT THE REQUEST OF

Theron T. Edwards and Mary B. Edwards, Husband and Wife

Alliance Title & Escrow Corp.

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

A. Ladd Carter and Jane M. Carter, Husband and Wife

whose current address is

438 South 900 West Blackfoot, ID 83221

the grantee(s), the following described premises, in Bingham County, Idaho, TO WIT:

See Attached Exhibit "A"

PARCEL III:

Township 4 South, Range 33 East, Boise Meridian, Bingham County, Idaho
Section 19: NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$

ALSO INCLUDING W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying North of Edwards Road.

ALSO INCLUDING the North 20 feet of W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying North of Edwards Road

ALSO INCLUDING the East 20 feet of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying South of Edwards Road.

ALSO INCLUDING the East 20 feet of the NW $\frac{1}{4}$ SE $\frac{1}{4}$.

EXCEPTING THEREFROM: Township 4 South, Range 33 East, Boise Meridian, Bingham
County, Idaho, Section 19: SE $\frac{1}{4}$ NW $\frac{1}{4}$.

ALSO EXCEPTING THEREFROM: That portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying South of Edwards Road.

ALSO EXCEPTING THEREFROM: NW $\frac{1}{4}$ SE $\frac{1}{4}$.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 5/18/2004


Theron T. Edwards

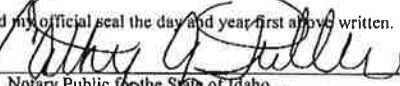

Mary B. Edwards

State of Idaho }
County of Bingham } ss.

On this 18th day of May, in the year 2004 before me, a Notary Public in and for said state, personally appeared Theron T. Edwards and Mary B. Edwards known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.




Notary Public for the State of Idaho
Residing at: Blackfoot
Commission Expires: 03-19-2007

Order No.: 3020405692-Z

**LEGAL DESCRIPTION
EXHIBIT 'A'**

PARCEL III:

Township 4 South, Range 33 East, Boise Meridian, Bingham County, Idaho
Section 19: NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$

EXCEPTING THEREFROM: Township 4 South, Range 33 East, Boise Meridian, Bingham County, Idaho, Section 19: SE $\frac{1}{4}$ NW $\frac{1}{4}$.

ALSO EXCEPTING THEREFROM: That portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying South of Edwards Road.

ALSO EXCEPTING THEREFROM: NW $\frac{1}{4}$ SE $\frac{1}{4}$.

ALSO INCLUDING W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying North of Edwards Road.

ALSO INCLUDING the North 20 feet of SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying North of Edwards Road

ALSO INCLUDING the East 20 feet of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying South of Edwards Road.

ALSO INCLUDING the East 20 feet of the NW $\frac{1}{4}$ SE $\frac{1}{4}$.

541061

CERTIFICATE OF MAILING

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1. Original to:

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

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Claimant/**Seller** for Substitution of Party or attorney of record:
TED T EDWARDS
PO BOX 104
SPENCER ID 83446

3. One copy to:

Claimant/**Purchaser** for Substitution of Party, or attorney of record:
TED T EDWARDS
PO BOX 104
SPENCER ID 83446

A LADD CARTER
PO BOX 40
PINGREE ID 83262

4. One copy to:

Each party in the subcase, or attorney of record
ABERDEEN SPRINGFIELD CANAL CO
C/O ROGER LING
LING NIELSEN & ROBINSON
PO BOX 396
RUPERT ID 83350

5. One copy each to:

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

6. One Copy to:

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



Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
DIRECTOR'S REPORT OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 35-7721

Split Right: See Nos. 35-13545, 35-13546

SCANNED
MAR 15 2006