

AUG 23 2006

Department of Water Resources
Adjudication BureauIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IOWA
IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-779
Date Received: 10/12/1988
Receipt No: S002896
Received By:NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RICHARD F BLANCHARD Phone: (973)376-9100
PO BOX 298
SPRINGFIELD NJ 07081

2. Date of Priority: 04/21/1905

3. Source: FISH CREEK WEST FORK Trib. to: FISH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	22E	3	SW NW	BLAINE	

5. Description of diverting works:

HEADGATE & DITCH, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A.
IRRIGATION	4/15	5/31	1.06	

7. Total Quantity Appropriated is:
1.06 C.F.S. and/or 11 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

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AUG 17 2006

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	22E	3	SE	SW	IRRIGATION	13
					Section Acres	13
01N	22E	10	NE	NW	IRRIGATION	13
			SE	NW	IRRIGATION	2
					Section Acres	15
					Total Acres	28

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

SEE CLAIM A37-00766.

15. Basis of Claim: Decreed

SCANNED
AUG 18 2006

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 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>37-766</u>	<u> </u>	<u>NO</u>	<u> </u>	<u> </u>	<u> </u>
<u>37-779</u>	<u> </u>	<u>NO</u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Together with all other water rights appurtenant to the
property described within the attached deed.

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) A J DONELSON MORROW
PO BOX 357, CAREY ID 83220
4. New Owner/Claimant(s) RICHARD F. BLANCHARD
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO BOX 298
- City, State and ZIP Code SPRINGFIELD NJ 07081
- New Telephone Number (973) 376-9100
5. Date you acquired the property August 15, 2006

SCANNED
 AUG 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) Richard F. Blanchard
(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 _____

SCANNED
Aug 9 2000



THIS AGREEMENT MAY BE EXECUTED IN COUNTERPART,
AND AS EXECUTED SHALL CONSTITUTE ONE AGREEMENT,
BONDING ON ALL PARTIES, EVEN THOUGH ALL THE
PARTIES DO NOT SIGN THE ORIGINAL OR THE SAME
COUNTERPART.

QUITCLAIM DEED

THIS INDENTURE, made this 7th day of August, 2006, between

A.J. Donelson Morrow, Trustee of the A.J. Donelson Morrow 1993 Revocable Trust dated February 9, 1993, an undivided $\frac{1}{4}$ interest and W.L. Nichol IV, a married man as his sole and separate property, an undivided $\frac{1}{4}$ interest, as **GRANTOR** and

Richard F. Blanchard, a married man as his sole and separate property, as **GRANTEE(S)**

whose current address is PO Box 298, Springfield, NJ 07081.

WITNESSETH that said Grantor(s), for an in consideration in lawful money of the United States of America, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these premises remise, release and forever QUITCLAIM, unto the said Grantee(s) and to its heirs and assigns all that certain lot, piece or parcel of land, bounded and particularly described as follows, to wit:

Water Right No. 37-766 and Water Right No. 37-779 appurtenant to the property described in Exhibit "A" attached hereto.

Parcel Number: 01N220031840A

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the Grantee and to its heirs and assigns forever.

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

A.J. Donelson Morrow, Trustee
A.J. Donelson Morrow, Trustee

W.L. Nichol IV
W.L. Nichol IV

STATE OF NEW MEXICO)
COUNTY OF SANTA FE) ss.

Instrument # 538602

HAILEY, BLAINE, IDAHO
2006-08-15 02:45:00 No. of Pages: 4
Recorded for: BLAINE COUNTY TITLE
MARSHA RIEMANN Fee: 12.00
Ex-Officio Recorder Deputy md
Index to: WTTQICORP DEED

On this 11TH day of August, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared A.J. Donelson Morrow known to me, and or identified to me on the basis of satisfactory evidence, to be the Trustee of the A.J. Donelson Morrow 1993 Revocable Trust dated February 9, 1993, the Trust that executed the within instrument and acknowledged to me that he/she/they executed the same on behalf of the Trust.

WITNESS MY HAND AND OFFICIAL SEAL.

Marcel Legendre
Notary Public
Notary Resides: Santa Fe, NM
My commission expires: JUNE 24, 2007



STATE OF *Tennessee*)
) ss.
COUNTY OF *Shelby*)

On this 8th day of August, 2006, before me the undersigned, a Notary Public, in and for said State, personally appeared W.L. Nichol IV, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name 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

Resides at: *4883 MARIANNE LN, Memphis, TN 38117*

My Commission Expires: *3-25-08*



EXHIBIT "A"

Township 1 North Range 22 East, Boise Meridian, Blaine County, Idaho

Section 3: N $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; Excepting therefrom the following parcel of land described as follows:

All that portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ described as: Beginning at a point on the South line of Section 3 located 498 feet East of the SW $\frac{1}{4}$ corner of said Section 3, and running thence North 10°48' West 199 feet; thence North 2°27' East 343 feet; thence North 20°31' West 281 feet; thence North 0°11' East 506 feet, more or less, to an intersection with the North line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 3 at a point 387 feet East of the NW corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 3; thence East along the North line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 3 a distance of 44 feet; thence South 14°07' East 172 feet; thence South 14°02' East 258 feet; thence South 29°31' East 127 feet; thence South 67°04' East 196 feet; thence South 88°58' East 184 feet; thence North 29°26' East 476 feet; thence South 13°58' East 346 feet, more or less to an intersection with the East line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 3 at a point 530 feet South of the NE corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 3; thence South on said East line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 3 to the SE corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 3; thence West along the South line of said Section 3 to the place of beginning.

Section 4: N $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 10: NW $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Excepting therefrom all that portion of land commonly known as the Fish Creek Reservoir

BCT
BLAINE COUNTY TITLE

August 17, 2006

Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301

Re: Order 6014776

RECEIVED
AUG 18 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Morrow/Blanchard

Dear Ladies & Gentlemen:

In connection with the above referenced order, please find attached the following documents:

- Notice of Change of Water Right Ownership.
- Recorded Quitclaim Deed.

If you should have any questions, please do not hesitate to contact the undersigned.

Sincerely,

BLAINE COUNTY TITLE



Kristen Kludt
Escrow Officer

kk

Attachment(s)

RECEIVED
AUG 18 2006



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 18, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

RICHARD F BLANCHARD
PO BOX 298
SPRINGFIELD NJ 07081

Re: SRBA Claim #37-766, #37-779

Dear Mr. Blanchard,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownership to you. Please find the enclosed copies of the computer records of the claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Carrie Hahn'.

Carrie Hahn
Office Specialist

Enc.

800
Aug 18 2006

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00779
Date Received: 9/08/1988
Receipt No: 5002896
Received By: gj

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: A. J. DONELSON MORROW
Address: P. O. BOX 357
CAREY, ID 83320
208-788-3142

2. Date of Priority: APR 21, 1905

3. Source: FISH CREEK, WEST FORK Trib. to: FISH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	22E	3	SW	SW	NW		BLAINE

5. Description of diverting works:
HEADGATE & DITCH, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	05/31	1.060		

7. Total Quantity Appropriated is:
1.060 C.F.S. (and/or) 11.00 A.F.A.

8. Total consumptive use is 11.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	22E	3	SE	SW		IRR	13.0

Section Acres 13.0

10 NE NW IRR 13.0

A37-00779

Page 1

Date: 09/08/88

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	22E	10	SE NW		IRR	2.0
Section Acres						15.0
Total Acres						28.0

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
37-0766

14. Remarks:
SEE CLAIM A37-00766.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1914

POTTER, ET. AL.
Decree Plaintiff

vs

PATTERSON, ET. AL.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Al. Anderson Morris Date: 10/5/88

Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of October 19 88 Chickie L. Dick
Notary Public

Seal

Residing at Bellvue
My Commission Expires 2/21/92

33 34
4 3

34 35
3 2

T 404

PB



26.0

26.6

21.2

4

3.2

4 3
9 10

3 2
10 11

PH

RECORDED
FEB 23 1953

09/23/2005

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

RIGHT NUMBER: 37-779

NAME AND ADDRESS: A J DONELSON MORROW
PO BOX 357
CAREY ID 83320

VERIFIED BY *KKC-Matt*

SOURCE: WEST FORK FISH CREEK

TRIBUTARY: FISH CREEK

QUANTITY: 1.060 CFS

PRIORITY DATE: 04/21/1905

POINT OF DIVERSION:

T01N R22E S3 SWNNW Lot 4 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.060 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T01N R22E S03	NESW	4.7	T01N R22E S03	SESW	15.0
T01N R22E S10	NENW	8.0	T01N R22E S10	SENW	0.2

27.9 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 27.9 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 37-766 and 37-779

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

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

Draft

08/02/2005

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

RIGHT NUMBER: 37-779

NAME AND ADDRESS: A J DONELSON MORROW
PO BOX 357
CAREY ID 83320

SOURCE: WEST FORK FISH CREEK

TRIBUTARY: FISH CREEK

QUANTITY: 1.060 CFS

PRIORITY DATE: 04/21/1905

POINT OF DIVERSION:

T01N R22E S3 SWNNW Lot 4 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
1.060 CFS

PLACE OF USE:

IRRIGATION Within BLAINE County

T01N R22E S03	NESW	4.7	T01N R22E S03	SESW	15.0
T01N R22E S10	NENW	8.0	T01N R22E S10	SENW	0.2

27.9 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

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

Matt's notes:

- 1) POU and POD confirmed by field exam
- 2) Claimed season of use was 4/15-5/31. I assumed this is a data entry error and recommended 4/15-10/31
- 3) They claimed a volume, but I did not recommend a volume.
- 4) The combined rate for this right and 37-766 is more than 0.02 cfs, but I didn't put a combined limit on it.
- 5) Completed ECVR and final layout.

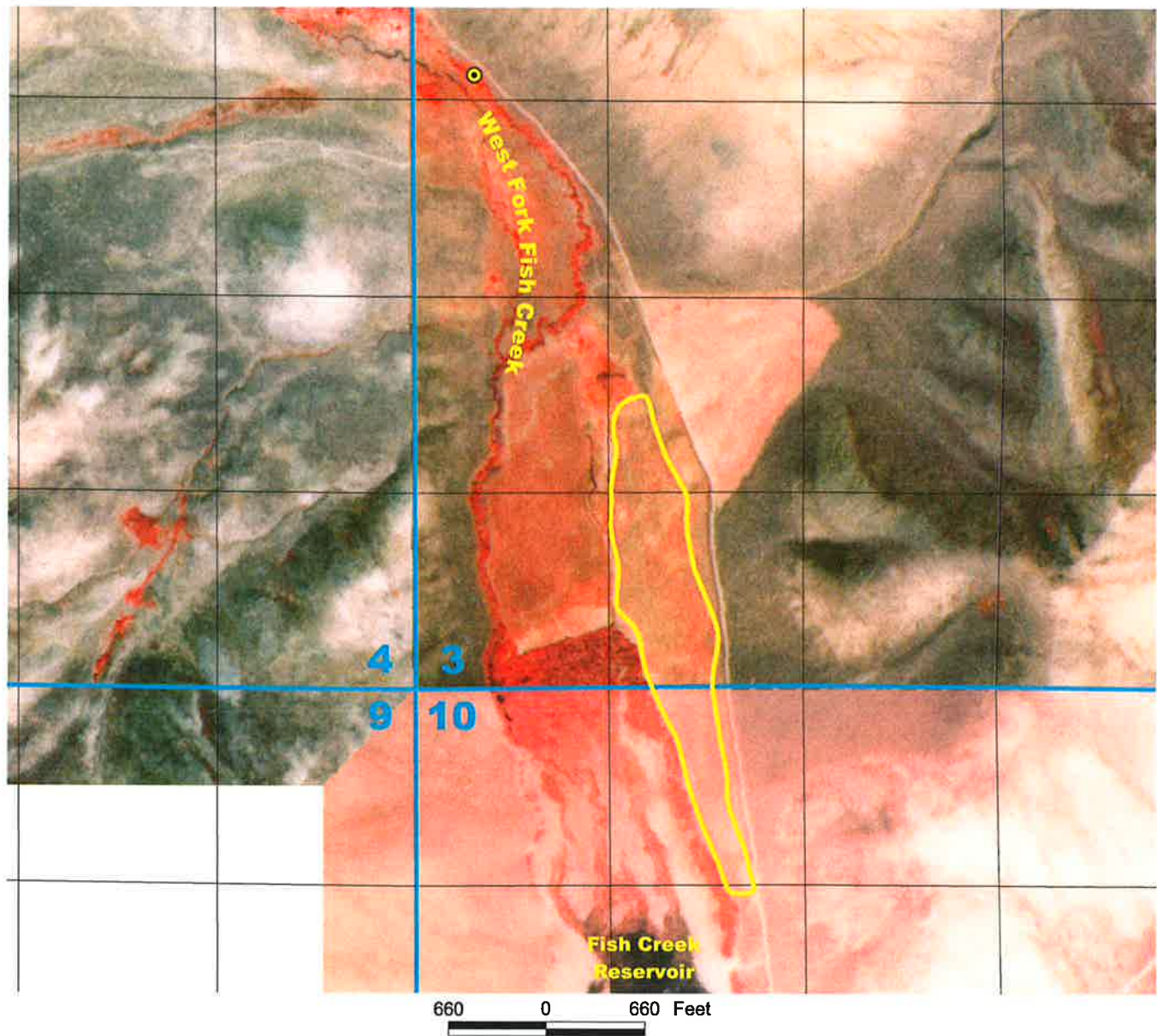
add comb right POU rmtk
limit to 27.9ac

Water Right 37-779

1

Idaho Department of Water Resources

**RECOMMENDED PLACE OF USE FOR
37-0779**



PLACE OF USE
TWP 1N, RNG 22E, SEC 3 & 10
Data entry on August 2, 2005

-  **RECOMMENDED POINT OF DIVERSION**
-  **RECOMMENDED PLACE OF USE**
-  **TOWNSHIP LINES**
-  **SECTION LINES**
-  **QUARTER/QUARTER LINES**

 **LOCATION IN BASIN 37**

GIS PLACE OF USE PRESENTATION
1987 ORTHO AERIAL PHOTOGRAPHY
DATA ENTRY BY MATT ANDERS



File No.

A37-00779= 00766

Owner

A. J. Donelson Morrow
P.O.Box 357
Carey

Date

7-18-05

I went out to West Fork Fish Creek to Mr. Morrow's location and reviewed his property . He said he thought the area looks good and the ditch travels North along the road to the POD . The area marked in yellow is flood irrigated when water is available at this date there is very little, the main source of water is West Fork Creek and the area in black lower photo is Fish creek Res. All the area on West side of West Fork creek looks to be seepage irrigated and flood during high water season.

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Area just above Res.	Marow 1	2513625	1361201	A0016266	1060653

Lee R. Peterson

- see file 37-766 for field exam notes