

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**RECEIVED**  
**MAR 01 2013**  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

## Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

| Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       |
|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| 37-7944               | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
| 37-11131              | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
| 37-11136              | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
| 37-11137              | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
| 37-22173              | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Mollie R. Dalton
- Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Howard L. Morris and Rhonda K. Morris
- Name of each new owner as listed on the conveyance document
- Jeremy H. Morris and Audrey J. Morris
- New owner continued ☐ Name connector ☐ and ☐ or ☐ and/or
- 1101 East 2900 South
- Mailing address
- Hagerman ID 83332
- City State ZIP
- Telephone \_\_\_\_\_ Email \_\_\_\_\_

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: February 28 2013
6. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
  - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
  - Filing fee (see instructions for further explanation):
    - \$25 per *undivided* water right.
    - \$100 per *split* water right.
    - No fee is required for pending adjudication claims.

7. Signature: [Signature] Rhonda K. Morris 2/28/13
- Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] Audrey J. Morris 2/28/13
- Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 3-1-2013 Receipt No. 5033092 Receipt Amt. \$125-

Approved by \_\_\_\_\_ Processed by \_\_\_\_\_ Date \_\_\_\_\_

**SUPPORT DATA** **IN FILE #** 37-7944

# WARRANTY DEED

#GG-11938

For Value Received

Susan L. Madarieta, Personal Representative of the Estate of Mollie R. Dalton, deceased, pursuant to Letters Testamentary filed under Case No. CV-2012-0000342, Gooding County Magistrate Division, and recorded as Instrument No. 243973 in the records of the Gooding County Recorders office.

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

Howard L. Morris and Rhonda K. Morris, husband and wife, as community property with rights of survivorship  
AND Jeremy H. Morris and Audrey J. Morris, husband and wife, as community property with rights of survivorship  
Address: 1101 E. 2900 S., Hagerman, ID 83332

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

TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 26: NE $\frac{1}{4}$ ; E $\frac{1}{2}$ NW $\frac{1}{4}$ ; And a Tract of land described as follows:

Beginning at the Northeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 26;  
Thence West 2640 feet, more or less on the East-West center line of said Section 26 to the Northwest corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section;  
Thence South 615 feet on the West line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Thence North 87°22' East 1183 feet;  
Thence North 5°15' East 125 feet;  
Thence North 85°40' East 1200 feet;  
Thence South 25 feet;  
Thence East 251 feet;  
Thence North 370 feet along the East line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$  to the place of beginning.

EXCEPT from the NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;

- a. Railroad right of way as set forth in Book F of Deeds Page 153,
- b. State Highway right of way as set forth in Book 35 of Deeds Page 311,
- c. State Highway right of way as set forth in Second Judgment and Decree of Condemnation, recorded March 9, 1976 as Instrument Number 58501; And
- d. That part lying North of railroad right of way as set forth in Warranty Deed recorded July 10, 1980 as Instrument Number 84137, records of Gooding County, Idaho

Section 25: All that part of the S $\frac{1}{2}$ NW $\frac{1}{4}$  and of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , North and East of the North Side Branch of the Union Pacific Railroad right of way, And

That part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , South and West of State Highway No. 25;

**EXCEPTING THEREFROM:**

- a. **Beginning at the Southeast corner of said NW¼SE¼;  
Thence West along the South boundary line of said NW¼SE¼ a distance of 200 feet;  
Thence due North to the point of intersection with Idaho Highway No. 25;  
Thence Southeasterly along said Idaho Highway No. 25 to its point of intersection with the East  
boundary line of said NW¼SE¼;  
Thence South to the POINT OF BEGINNING.**
- b. **State Highway right of way as set forth in Second Judgment and Decree of Condemnation, recorded  
March 9, 1976 as Instrument Number 58501, records of Gooding, Idaho 83330.**

**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto  
including but not limited to Water Right Numbers 37-7944, 37-11131, 37-11136, 37-11137 and 37-22173 from  
the Idaho Department of Water Resources and 171.5 Shares of American Falls Reservoir District #2.**

**SUBJECT TO:**

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

**Taxes for 2013 and subsequent years.**

**Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law  
provided.**

**Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.**

**Right of way for canals, laterals and waste ditches of Big Wood Canal Company.**

**Assessments levied by the Shoshone Water Master for District 37 and 37M.**

**Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.**

**Power Line Easement given by James Farmer and Ruby S. Farmer, his wife to Idaho Power Company, a  
corporation, dated November 2, 1928, recorded November 24, 1928 as Instrument Number 47110, Book 3 Misc.,  
Page 246, Gooding County records, affecting the center corner of Section 26, T 6 S., R13 EBM.**

**Right of Way Deed, including the terms and provisions thereof, given by Cleament Price and Venice Price, his  
wife to the State of Idaho, for right of way for a public highway, dated March 2, 1942, recorded April 3, 1942 in  
Book 33 of Deeds at Page 318, as Instrument Number 83600, records of Gooding County, Idaho, affecting the  
NW¼SE¼, Section 25, Twp. 6 S, Rge. 13 E.B.M.**

**Right of Way, including the terms and provisions thereof, given by Mark H. Shenk and J.M. Thompson, executors  
of the Estate of J.W. Graff, deceased to the State of Idaho, for a right-of-way for a proposed public highway, dated  
February 2, 1943, and recorded March 3, 1944, in Book 35 of Deeds at page 311 as Instrument Number 89658,  
records of Gooding County, Idaho, affecting the NE¼NE¼, Section 26, Twp. 6S., Rge. 13 E.B.M. and the S½NW¼;  
and the NE¼SW¼ Section 25, Twp. 6. S., Rge. 13 E.B.M.**

**Power Line Easement given by R. E. Dingman, a single man to Idaho Power Company, a corporation, dated April  
2, 1951, recorded October 17, 1953 as Instrument Number 119427, Book 7 Misc., Page 156, Gooding County  
records, affecting the SW¼NE¼, Sec. 26, T.6S., R.13 E.B.M.**

Power Line Easement given by Fred K. Carter and Pearl I. Carter to Idaho Power Company, a corporation, dated October 3, 1961, recorded August 17, 1962 as Instrument Number 5366, Gooding County records, affecting the SW¼NW¼, Section 25, T6S, R13E. BM.

Power Line Easement given by Fred Zeller and Marjorie Zeller to Idaho Power Company, a corporation, dated April 23, 1964, recorded June 17, 1964 as Instrument Number 11678, Gooding County records, affecting SW¼NW¼ Section 25, T6S, R13E, BM.

Power Line Easement given by R.H. Dalton and Mollie R. Dalton to Idaho Power Company, a corporation, dated February 25, 1972, recorded October 10, 1972 as Instrument Number 42243, Gooding County records, affecting NE¼SW¼ Section 25, Township 6 South, Range 13 East, BM.

Power Line Easement given by Richard Dalton and Mollie B. Dalton to Idaho Power Company, a corporation, dated April 21, 1977, recorded October 11, 1977 as Instrument Number 66911, Gooding County records, affecting W½SW¼SE¼NE¼ of Section 26, Township 6 South, Range 13 East, Boise Meridian.

Right-of-Way Easement, including the terms and provisions thereof, given by Richard H. Dalton and Mollie B. Dalton to the Mountain States Telephone and Telegraph Company, a Colorado corporation; granting the right to construct, operate, maintain and remove communication and other facilities, dated November 24, 1984 and recorded December 11, 1984 as Instrument Number 111912, records of Gooding County, Idaho, affecting S½NW¼ Section 25, Twp. 6 S., Rge. 13 E.B.M.

Power Line Easement given by Richard H. Dalton and Mollie B. Dalton to Idaho Power Company, a corporation, dated April 4, 1996, recorded April 4, 1996 as Instrument Number 164997, Gooding County records, affecting parcels of land located in the SW¼NW¼, SE¼NW¼ of Section 25, T6S, R13E, B.M., Gooding County, Idaho.

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.

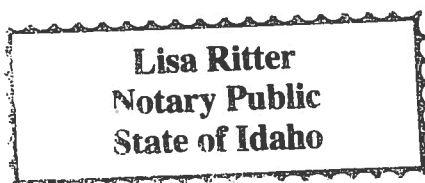
Dated: February 27, 2013

Estate of Mollie R. Dalton, deceased

By Susan L. Madarieta, PR  
Susan L. Madarieta, Personal Representative

STATE OF IDAHO )  
 ) ss.  
COUNTY OF Gooding )

On this 27 day of February, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Susan L. Madarieta, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Mollie R. Dalton, deceased, and acknowledged to me that she executed the same as such Personal Representative.



[Signature]  
Notary Public  
Residing at: Gooding, ID  
My Commission expires: 10/8/16  
Page 3 of 3

# WARRANTY DEED

#EC-282 {G32559}

For Value Received

**Zeller Investments, LP, an Idaho Limited Partnership**

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

**Howard L. Morris and Rhonda K. Morris, husband and wife**  
**Address: 1101 East 2900 South, Hagerman, ID 83332**

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

**Parcel No. 1:**

**TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO**

Section 26: All of the W $\frac{1}{2}$ SE $\frac{1}{4}$ , and E $\frac{1}{2}$ SW $\frac{1}{4}$

EXCEPTING therefrom the following described land:

Beginning at the Northeast Corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 26;  
Thence West, 2640 feet (plus or minus) on the East West center line of Section 26 to the Northwest  
Corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of said section;  
Thence South 615 feet, on the West line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Thence N87°22' East, 1183 feet;  
Thence N5°15' East, 125 feet;  
Thence N85°40' East, 1200 feet;  
Thence S 25 feet;  
Thence E 251 feet;  
Thence N 370 feet;  
Thence along the East line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , to the place of beginning.

Section 25: All of that part of W $\frac{1}{2}$  NW $\frac{1}{4}$  lying South and West of Highway and Railroad; N $\frac{1}{2}$ SW $\frac{1}{4}$  lying West of  
Highway and Railroad and SE $\frac{1}{4}$ NW $\frac{1}{4}$  lying West of Highway and Railroad.

**Parcel No. 2:**

**TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO**

Section 26: East half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$ )

EXCEPTING therefrom all portions of above lands South of the top of the North rim wall of the Canyon of Malad  
River.

**SUBJECT TO:**

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

**Accruing taxes, levies and assessments; easements and rights of way of record  
if any.**

**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto  
including but not limited to 37.30 shares of American Falls No. 2, 173.2 shares of American Falls  
Supplemental River Water and 40.00 shares of American Falls Supplemental River Water and also including  
any licensed domestic or irrigation water rights and licenses with the State of Idaho, including but not limited  
to 200.00 inches under Water Right number 37-447C and Water Right No. 37-11133.**

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: September 9, 2003

**Instrument # 202650**

GOODING, GOODING, IDAHO

2003-09-12

02:19:26 No. of Pages: 3

Recorded for : LAND TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

Fee: 9.00

*Penny Watson*

RECEIVED  
SEP 23 2003  
Department of Water Resources  
Southern Region

Zeller Investments, LP

*Louise Zeller*

Louise Zeller, Authorized Signature on behalf of  
Zeller Investments, LP pursuant to Court Order of August  
4, 2003, case SP 02 00082 of District Court Magistrate  
Division, Gooding County, ID

Arlene Zeller Stumm, Authorized Signature on behalf of  
Zeller Investments, LP pursuant to Court Order of August  
4, 2003, case SP 02 00082 of District Court Magistrate  
Division, Gooding County, ID

STATE OF IDAHO                    )  
                                          ) ss.  
COUNTY OF Gooding            )

On this 10<sup>th</sup> day of September, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared Louise Zeller, known or identified to me to be the Authorized Signature on behalf of Zeller Investments, LP, pursuant to Court Order of August 4, 2003, case SP 02 00082 of District Court Magistrate Division, Gooding County, Idaho who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said Partnership name.

*Becky Shubert*  
Notary Public  
Residing at: Wendell ID  
My Commission expires: 02-23-05

|                                                  |
|--------------------------------------------------|
| Becky Shubert<br>Notary Public<br>State of Idaho |
|--------------------------------------------------|

STATE OF UTAH                    )  
                                          ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of September, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared Arlene Zeller Stumm, known or identified to me to be the Authorized Signature on behalf of Zeller Investments, LP, pursuant to Court Order of August 4, 2003, case SP 02 00082 of District Court Magistrate Division, Gooding County, Idaho who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said Partnership name.

\_\_\_\_\_  
Notary Public  
Residing at:  
My Commission expires:

Zeller Investments, LP

Louise Zeller, Authorized Signature on behalf of  
Zeller Investments, LP pursuant to Court Order of August  
4, 2003, case SP 02 00082 of District Court Magistrate  
Division, Gooding County, ID

Arlene Zeller Stumm  
Arlene Zeller Stumm, Authorized Signature on behalf of  
Zeller Investments, LP pursuant to Court Order of August  
4, 2003, case SP 02 00082 of District Court Magistrate  
Division, Gooding County, ID

RECEIVED  
SEP 23 2003  
Department of Water Resources  
Southern Region

STATE OF IDAHO                    )  
                                          ) ss.  
COUNTY OF Gooding            )

On this \_\_\_\_\_ day of September, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared Louise Zeller, known or identified to me to be the Authorized Signature on behalf of Zeller Investments, LP, pursuant to Court Order of August 4, 2003, case SP 02 00082 of District Court Magistrate Division, Gooding County, Idaho who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said Partnership name.

\_\_\_\_\_  
Notary Public  
Residing at:  
My Commission expires:

STATE OF UTAH                    )  
                                          ) ss.  
COUNTY OF weber            )

On this 10 day of September, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared Arlene Zeller Stumm, known or identified to me to be the Authorized Signature on behalf of Zeller Investments, LP, pursuant to Court Order of August 4, 2003, case SP 02 00082 of District Court Magistrate Division, Gooding County, Idaho who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said Partnership name.

Jennifer L. Barnett  
\_\_\_\_\_  
Notary Public  
Residing at: Ogden, ut  
My Commission expires: 3-5-7

