

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: A22-02214B  
Date Received: 8/31/1988  
Receipt No: X777777  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: ARLENE NICKELL  
Address: PO BOX 145  
TETONIA ID

208-456-2649

83452

2. Date of Priority: SEP 1, 1961

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 05N      | 45E   | 14      | NE     | SE     | NW     |     | TETON  |

5. Description of diverting works:

WELL - APPROX 100' DEEP, PUMP - 60 HP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 1.110 |      | 196.00 |

7. Total Quantity Appropriated is:

1.110 C.F.S. (and/or) 196.00 A.F.A.

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 05N      | 45E   | 14      | SW     | NW     |     | IRR | 20.0  |
|          |       |         | SE     | NW     |     | IRR | 36.0  |

Section Acres 56.0

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10. Place of Use: Continued

Total Acres            56.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:  
TETON CANAL COMPANY (POD IN WYOMING)

14. Remarks:  
THIS RIGHT IS A SPLIT OF A22-02214.  
THIS RIGHT PAID FOR UNDER RECEIPT #C002401.

15. Basis of Claim: LICENSE

Water Right Number: 30160



State of Idaho  
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

JANUARY 28, 1994

WHITNEY K LITTLE  
415 JEROME ST  
MOUNTAIN HOME ID 83647

RE: CHANGE IN OWNERSHIP FOR A22-02214

Dear Mr. Little:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) have been split as follows:

A22-02214A, W. Little, 80 acres, 1.58 cfs  
A22-02214B, A. Nickell, 56 acres, 1.11 cfs  
A22-02214C, W. Griggs, 60 acres, 1.19 cfs

Enclosed is a "copy" of the water right with your name shown as the current owner. Review the Notice and if there are other corrections or questions, feel free to contact this office (525-7161).

Respectfully submitted,

*for* *Jo Thompson*  
Gregory J. Taylor  
Sr. Water Agent, Adjudications

GT:jt

Enclosure: Notice(s) of Claim

cc: Copy of Claim to A. Nickell/W. Griggs

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APR 11 1994

12-Jan-1994

ARLENE NICKELL  
PO BOX 145  
TETONIA ID 83452

RE: CHANGE IN OWNERSHIP OF NOTICE OF CLAIM NO. A22-02214.

Dear Mrs. Nickell,

Please find enclosed a Change in Ownership from #42-1409(7). Although we did receive a Change of Ownership form from Whitney Little containing three separate names and three Quit Claim Deeds, the Department cannot change the ownership on the claim until we have received a signed change in ownership form from each present owner.

Simply complete the highlighted portions on the form, return to my attention and the changes will be made. I apologize for any inconvenience, and, if you have any questions please do not hesitate to contact us at 525-7161.

Respectfully,

Gregory J. Taylor  
Sr. Water Agent, Adjudications

GT:gt  
Enclosure

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# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

# RECEIVED

  
JAN 20 1994

DATE OF CLOSING: \_\_\_\_\_

 Department of Water Resources  
Eastern District Office

 LEGAL DESCRIPTION OF PROPERTY: Township 5N Range 43E  
 Section 14 1/4 of 1/4 of 1/4 Govt. Lot \_\_\_\_\_, BM.

 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision/Townsite \_\_\_\_\_  
 If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)  
Assigned by IDWR: A22-022148
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):  
Edith Little Farms  
256 North Hwy 33  
Duggs, Idaho 83422
- ☐ New Owner/Claimant (Purchaser):  
Arlene Nickell
- ☐ New Mailing Address:  
P.O. Box 145  
Tetonia, Idaho  
83452
- ☐ New Telephone Number: (208) 456-2649
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no  
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:  
56/194

- ☐ Attach proof of ownership, describe proof attached: \_\_\_\_\_

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) Arlene Nickell Date 1/15/94  
☐ Signature of Former Owner/Claimant(s): Edith Little Date 1/25/94

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:  
 Initial Review and Data-Entry  
 Date: \_\_\_\_\_ By: \_\_\_\_\_  
 Further Action Needed:  
 Further Action Taken  
 Date: \_\_\_\_\_ By: \_\_\_\_\_  
 Final Review and Data-Entry  
 Date: \_\_\_\_\_ By: \_\_\_\_\_  
 Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources  
 Copies to Former Owner and New Owner

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NOV 16 1993

114395

QUITCLAIM DEED

TETON Co. Id.  
Clerk Recorder

THIS INDENTURE, Made this 24<sup>th</sup> day of October, 1993,  
between EDITH LITTLE, a widow, of Rt. 1, Driggs, ID 83422;  
WINIFRED GRIGGS and RAY GRIGGS, wife and husband, of 875 Los Almos,  
Livermore, CA 94550; WHITNEY LITTLE and WANDA LITTLE, husband and  
wife, of 415 Jerome Street, Mountain Home, ID 83647; and STANTON  
D. NICKELL, a married man, of POB 145, Tetonia, ID 83452, the  
parties of the first part, and ARLENE NICKELL, a married woman, as  
her sole and separate property, of POB 145 Tetonia, ID 83452, the  
party of the second part,

WITNESSETH, That the said parties of the first part, for  
and in consideration of the sum of One and No/100 Dollars, lawful  
money of the United States of America, and other valuable  
consideration, to them in hand paid by the party of the second  
part, the receipt of which is hereby acknowledged, do by these  
presents remise, release and forever QUITCLAIM, unto the said party  
of the second part, and to her heirs and assigns, forever, all the  
following described real estate, situated in the County of Teton,  
State of Idaho, to-wit:

The Southeast Quarter Northwest Quarter and East Half  
Southwest Quarter Northwest Quarter of Section 14,  
Township 5 North, Range 45 East, Boise Meridian.

Together with a 55.75/194 interest in State of Idaho  
Department of Water Administration "Water Right License"  
No. 30160/22-2214, with a priority date of September 1,  
1961; and a 55.75/194 interest in an irrigation well,  
pump, motor, panel, and other appurtenances thereto,  
located approximately 525 feet North of the Southeast  
corner of the Southeast Quarter Northwest Quarter of  
Section 14, Township 5 North, Range 45 East, Boise  
Meridian.

Together with 79 shares of the capital stock of the Grand  
Teton Canal Company, Limited.

114395

**FILED**

AT THE REQUEST OF

Ray H. Rigby

10 05 MINUTES PAST 11 a M

DATE Nov. 16, 1993

Ava J. Drake

CLERK OF RECORDER

Ava J. Rigby  
DEPUTY

RECORDED  
INDEXED  
FILED

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APR 11 1994

Subject to easements of record or in existence for roads, ditches and utilities, and particularly a right to an easement to be used jointly by the said Arlene Nickell, and also Winifred Griggs and Whitney K. Little for an irrigation ditch to convey water from the above-described irrigation well which runs South from said well site to a headgate, and then runs West in an existing ditch 1,980 feet, to the West borderline of the above-described property conveyed to the said Arlene Nickell.

And together with all and singular the other tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

SUBJECT to the express condition that the said Arlene Nickell and her heirs cannot and shall not sell, trade, convey or encumber the property in any way during the lifetime of the said Arlene Nickell, or her heirs now living, except a conveyance or encumbrance may be made to or in favor of Winifred Griggs and Whitney Little or their heirs.

RESERVING to Edith Little, of Route 1, Driggs, ID 83422, a life estate in and to the following described property (including the main house, the well house, the "white house," the storage shed, the coal shed, the garage, the tool shed, the small wood house, the red granary, and the round tin granary located thereon) as follows:

Beginning at the SE Corner of the NW1/4 of Section 14, Twp. 5 N., Rge. 45 E.B.M., Teton County, Idaho, and running thence North 165 feet, more or less, to a point in Highway 33 directly east of and in line with the east-west fence running south of the said house, which fence shall be the south boundary line of said property, which is the true point of beginning; running thence North 108 feet, more or less, to a point in Highway 33 directly east of and in line with the east-west fence running north of the said house, which fence shall be the north boundary of said property; thence West 385 feet, more or less, along and in line with the north boundary line fence to a point far enough west to include the said round tin granary; thence South 108 feet, more or less, to a point directly west of and in line with the said south boundary fence line; thence East 385 feet, more or less, along and in line with the said east-west fence, being the south boundary of said property, to the point of beginning; together with an access easement into the west end of the described property accessing the County road known as 250 North through the Arlene Nickell property, together with all easements and rights

pertaining thereto, which have always gone with said property, and containing approximately 0.955 acres. This life estate shall be terminated automatically upon the death of the said Edith Little and the recording in Teton County, Idaho, of a certified copy of her death certificate.

ALSO RESERVING to Winifred Griggs and Ray Griggs, her husband, the "Baptismal House" cottage located just north of the above-described property in which was reserved and granted a life estate to Edith Little, as a cottage where they may dwell, or which may be used as a guest cottage for any and all Little-Nickell-Griggs family members when visiting. Use of the cottage by Newel Kimball may be given special consideration by Winifred. The cottage is not to be used as a permanent dwelling by any of Winifred's children, nor is it to be used by anyone without permission from Winifred. Water and electricity is to be supplied from the main house, and shall be used frugally. Water and electricity fees are to be paid promptly on an "as-consumed" basis by anyone using the house. Failure to promptly pay for water and electricity fees in full shall be grounds for refusal by the owners of the main house to supply water and electricity to those responsible for the cost, and will also be grounds for the refusal by Winifred for the use of the cottage. There is to be no repayment for any cost which Winifred may expend at such time the house may be restored. The cottage is not to be moved by anyone except Winifred. If not moved during the lifetime of the said Winifred Griggs, said cottage shall remain on the property upon which it sits.

Also included is an easement in the land upon which said cottage sits and a 16-foot access easement to said cottage along the road running west of the cottage and southward across the Arlene Nickell property to the Edith Little life estate property (or in the event of Edith Little's death, the Arlene Nickell property), between the red granary and the round tin granary, thence southward across the west end of the Edith Little life estate property to its south boundary, and thence southward across the Arlene Nickell property, to the county road known as 250 North, all along existing roadway. This agreement remains in effect so long as Winifred and/or Ray shall live or until such time Winifred has no further need for the house, at which time she shall so state in writing. These easements, and all rights to said cottage, if the same has not been removed from the premises, shall terminate automatically upon the death and the recording of certified copies of death

certificates in Teton County, Idaho, of both Winifred Griggs and Ray Griggs.

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

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to her heirs and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands the day and year first above written.

*Edith Little*

Edith Little

*Winifred Griggs*

Winifred Griggs

*Ray Griggs*

Ray Griggs

*Whitney Little*

Whitney Little

*Wanda C Little*

Wanda Little

*Stan Nickell*

Stan Nickell

STATE OF IDAHO, )  
County of Madison ) ss.

On this 24<sup>th</sup> day of October, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared EDITH LITTLE, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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

Ray W. Rigby  
Notary Public for Idaho  
Residing at Reynoldsburg, Idaho  
My Commission Expires: 3-12-99

Idaho  
STATE OF CALIFORNIA, )  
County of Madison ) ss.

On this 24<sup>th</sup> day of October, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared WINIFRED GRIGGS and RAY GRIGGS, known to me to be the persons whose names are 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 in this certificate first above written.

Ray W. Rigby  
Notary Public for California / IDAHO  
Residing at: Reynoldsburg, California  
My Commission Expires: 3-12-99

114395

STATE OF IDAHO, )  
 )  
 ) ss.  
County of Madison. )

On this 24<sup>th</sup> day of October, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared WHITNEY LITTLE and WANDA LITTLE, known to me to be the persons whose names are 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 in this certificate first above written.

Ray W. Rigby  
Notary Public for Idaho  
Residing at Lexburg, Idaho  
My Commission Expires: 3-12-99

STATE OF IDAHO, )  
 )  
 ) ss.  
County of Madison. )

On this 24<sup>th</sup> day of October, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared STANTON D. NICKELL, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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

Ray W. Rigby  
Notary Public for Idaho  
Residing at Lexburg, Idaho  
My Commission Expires: 3-12-99