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:** 35-2500B, 35-13295, 35-13296 & OVERLAPPING RIGHTS: 35-2090A, 35-2661A, 35-2902, 35-4198, 35-7607
Case No. 39576	)	**NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING**

IDWR has completed the following Administrative proceeding:

[] Address change

[X] Substitution of Party (SPLIT) **MICKELSEN – MICKELSEN & DEMOTT**

[] 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: 2-28-01

T. Williams
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 2, 2001, I mailed the original and copies of this form to the following persons, postage prepaid 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:
   MICKELSEN FARMS PARTNERSHIP
   1050 W RIVERVIEW DR
   IDAHO FALLS ID 83401

3. One copy to:
   Claimant/Purchaser for Substitution of Party, or attorney of record:
   MICKELSEN FARMS PARTNERSHIP
   1050 W RIVERVIEW DR
   IDAHO FALLS ID 83401

   MARY LOU DEMOTT
   WILLIAM J DEMOTT
   3021 WESTMORELAND CIR
   IDAHO FALLS ID 83402

4. One copy to:
   Each party in the subcase, or attorney of record
   RAY RIGBY
   PO BOX 250
   REXBURG ID 83440

   JEFFREY C FEREDAY
   GIVENS PURSLEY LAW OFFICE
   PO BOX 2720
   BOISE ID 83701-2720

   JOHN ROSHOLT
   ROSHOLT ROBERTSON & TUCKER
   PO BOX 1906
   TWIN FALLS ID 83303-1906

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

Jennifer Crabtree
Signature of person or attorney mailing the form

Form 42-248/42-1409(6) July, 2000

RECEIVED

DEC 2 0 2000

Department of Water Resources
Eastern Region

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
	35-2500	B			

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): Nickelsen Farms Partnership

4. New Owner/Claimant(s): William J DeMott and/or Mary Lou DeMott
   Name Connector (Check one): [ ] and, [X] or, [ ] and/or

   New Mailing Address: 3021 Westmoreland Circle

   City, State and ZIP Code: Idaho Fall ID 83402

   New Telephone Number: (208) 522-1176

5. Date you acquired the property: March 1999.

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 35-2500

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	0.91 cfs	80 ac.
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) [signature] _____
(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 _____

BCT T-14754

BONNEVILLE COUNTY RECORDER

992666 MAR29'99 PM 3 38

WARRANTY DEED

MICKELSEN FARMS, a partnership comprised of Lynn A. Mickelsen, Dale L. Mickelsen and Mark Mickelsen, as GRANTOR, of Idaho Falls, State of Idaho, for good and valuable considerations, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell, and convey unto WILLIAM J. DeMOTT and MARY LOU DeMOTT, husband and wife, as GRANTEES, whose address is 3021 Westmoreland Circle, Idaho Falls, Idaho 83402, and Grantee's successors and assigns forever, all of the following described real estate situated in the State of Idaho, to-wit:

Township 3 North, Range 36 East of the Boise Meridian, Bonneville County, Idaho.

Section 32: N1/2 NE1/4.

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTY:

a. That certain property conveyed to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded as Instrument No. 388746 on August 20, 1968, at 1:21 p.m., records of Bonneville County, Idaho.

b. That certain property conveyed to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded as Instrument No. 370564 on March 28, 1967, at 8:48 a.m., records of Bonneville County, Idaho.

SUBJECT TO the 1999 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water, water rights, ditches, ditch rights, easements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

Grantor, for itself, its successors and assigns, does hereby warrant and agree to forever defend the Grantees, their successors and assigns in the quiet and peaceable possession of said premises forever against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

IN WITNESS WHEREOF, the Grantor hereunto has set it's hand and seal the 23rd day of March, 1999.

MICKELSEN FARMS, a partnership

Dale L. Mickelsen, partner

Lynn A. Mickelsen by Mark A. Mickelsen Attorney in Fact
Lynn A. Mickelsen, partner

Mark Mickelsen, partner

INSTRUMENT NO. 992666
DATE 3-29-99
INST. CODE
IMAGED PGS 2
FEE 6.—

STATE OF IDAHO)
COUNTY OF BONNEVILLE) ss
I hereby certify that the within instrument was recorded.

David Longmore,
County Recorder
By Deputy
Request of

STATE OF IDAHO)
) SS.
COUNTY OF BONNEVILLE)

On this 23rd day of March, 1999, before me, the undersigned, a Notary Public in and for the State, personally appeared **MARK MICKELSEN**, the person whose name is subscribed to the within instrument as the Attorney-in-Fact of **LYNN A. MICKELSEN**, who is one of the partners of **MICKELSEN FARMS, a Partnership** and acknowledged to me that he subscribed the name of **LYNN A. MICKELSEN** thereto as principal and his own name as Attorney-in-Fact for **LYNN A. MICKELSEN** and that he executed the within instrument for **LYNN A. MICKELSEN** as a partner of said partnership and that said partnership 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.

NOTARY PUBLIC
LENORE J. KATRI
STATE OF IDAHO
Residing at Idaho Falls, Idaho
My Commission Expires Jan. 28, 2003

NOTARY FOR THE STATE OF IDAHO
Commission Expires: 1/28/2003

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

RIGHT NUMBER: 35-13296

NAME AND ADDRESS:
MARY LOU DEMOTT
WILLIAM J DEMOTT
3021 WESTMORELAND CIR
IDAHO FALLS, ID 83402

SOURCE: GROUND WATER

QUANTITY:
0.91 CFS
320 AFY

PRIORITY DATE: 04/12/1957

POINT OF DIVERSION:

T03N R36E S29	SENESW	Within BONNEVILLE County
T03N R36E S30	SESWSE	Within BONNEVILLE County
T03N R36E S31	SENWNE	Within BONNEVILLE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-31	0.91 CFS 320.00 AFY

PLACE OF USE:

IRRIGATION Within BONNEVILLE County

T03N R36E S32	NENE	40	T03N R36E S32	NWNE	40

80 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 - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 35-02090A, 35-02661A, 35-02902, 35-07607, 35-04198, 35-13295, 35-13296.

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 27, 2001

MARY LOU DEMOTT
WILLIAM J DEMOTT
3021 WESTMORELAND CIR
IDAHO FALLS ID 83402

RE: Notice of Change of Water Right Ownership (NCO) for 35-2500B, and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. & Mrs. Demott:

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

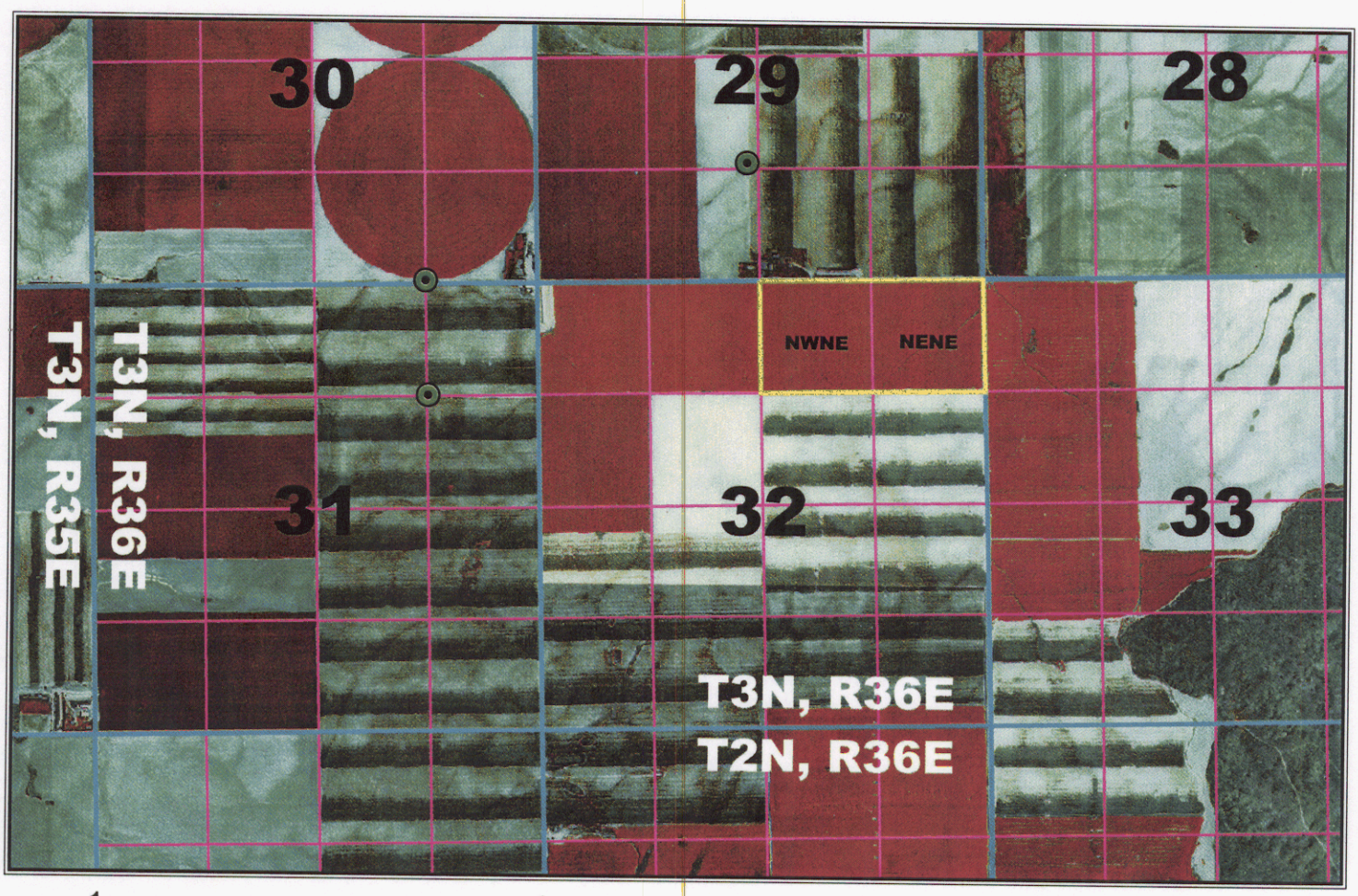
Jennifer Crabtree
Technical Records Specialist

Enclosure

STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right (s): 35-13296

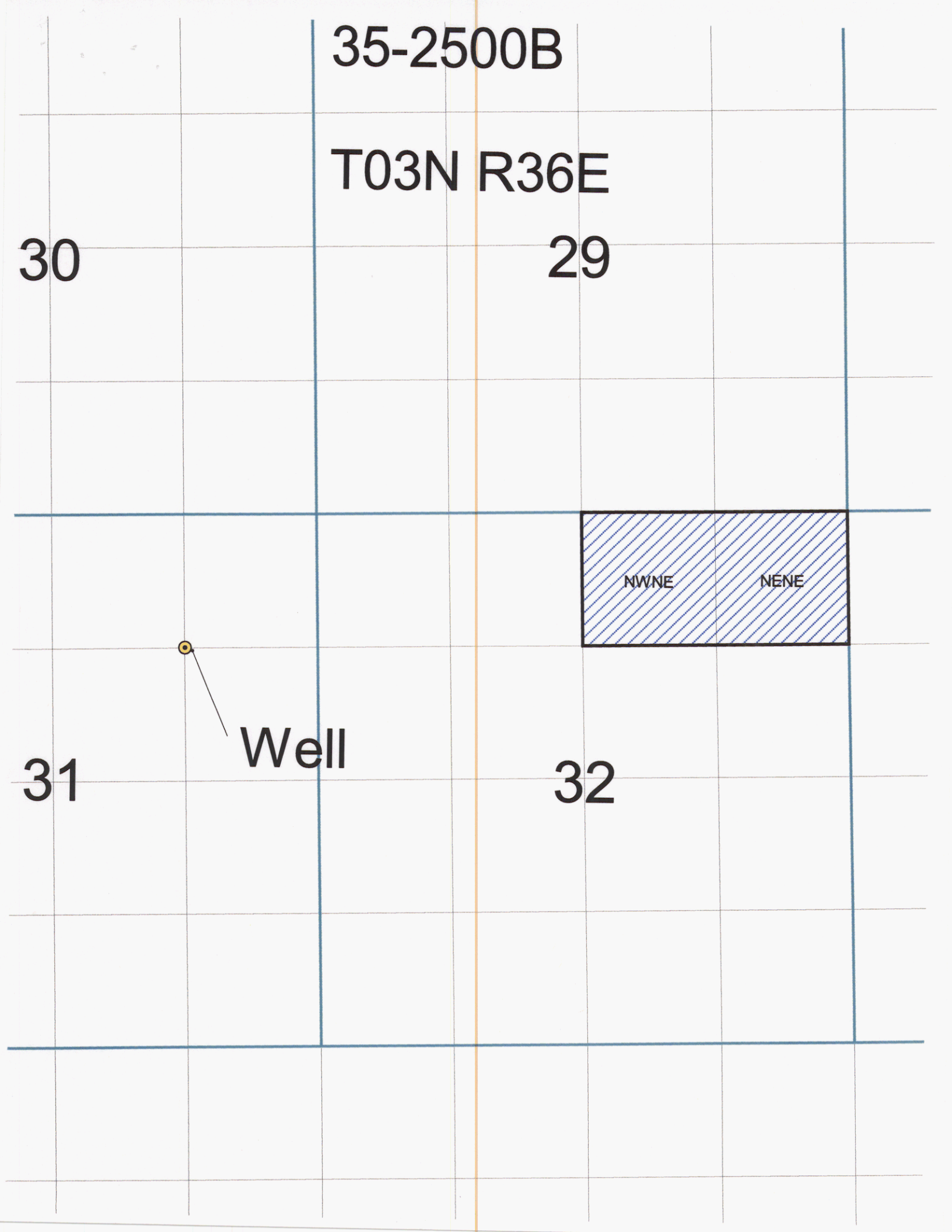


Total Irrigated Acres: 80

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

N
W E
S

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: January 2001


35-2500B
T03N R36E
30
29
NWNE
NENE
Well
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32