



MICROFILMED
JUL 21 1995

POOR ORIGINAL

Date	Remarks

used for salinization - 2000

Point of Intersection

10

15

10-15

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

2

) ss.

County of Alameda

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

William D. Ogden
(Claimant)

Sworn to before me this 28th day of March

Notary Public *Edwin A. Foster*

Residing at _____ Council, Idaho 83612

My commission expires Life

For Department Use Only

Received by	Date
Prelim. check by	Date
\$10.00 fee received by	Date
Approved for publication by	Date
Published in	
Dates	

Exception filed by:

Forwarded to
claimant by:

Date _____

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: **A67-04115A**
Date Received: 12/14/1989
Receipt No: X777777
Received By: _____

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

1. Name: PAUL E NICHOLS 208-253-4730
Address: BOX 6
FRUITVALE ID 83620

AND

Name: MAXINE J NICHOLS 208-253-4730
Address: BOX 6
FRUITVALE ID 83620

2. Date of Priority: APR 15, 1900

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	01W	10	NW	SW			ADAMS

5. Description of diverting works:
HEADGATE, DITCH-1320' LONG, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	07/15	0.960		

7. Total Quantity Appropriated is:
0.460 C.F.S. (and/or) 48.00 A.F.A.

8. Total consumptive use is 36.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	10	SW	SW		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	10	SE	SW		IRR	6.0

Section Acres 12.0

Total Acres 12.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:

CHANGED PLACE OF USE AND ADDED ONE ACRE. THE PLACE OF USE PREVIOUSLY INDICATED IN NE1/4 OF SECTION 15 HAS NEVER BEEN OWNED BY MR. RYALS.

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM NO. A67-04115, FEE PAID UNDER RECEIPT NO. W007121 (12/22/1993, MM).

AFTER REVIEW, IT APPEARS THAT A SIGNED CLAIM IS NOT NECESSARY FOR THE SPLIT. THE AMENDMENT MENTIONED ABOVE OCCURRED PREVIOUS TO THE CHANGE IN OWNERSHIP. 09/30/1994 MM.
OWNERSHIP CHANGED BY LH 9/20/96.

15. Basis of Claim: STATUTORY CLAIM

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 8/23/95

RECEIVED

SEP 03 1996

WATER RESOURCES
WESTERN REGION

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 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) A67-00082D; A67-04115A
Assigned by IDWR: A67-11331; A67-00058A

☐ Name and Address of Former Owner/Claimant(s)(Seller): MELVIN D. RYALS
2243 SAWMILL ROAD
COUNCIL, ID 83612

☐ New Owner/Claimant (Purchaser): PAUL E. & MAXINE J. NICHOLS

☐ New Mailing Address: BOX 6
FRUITVALE, ID 83620

☐ New Telephone Number: (208) 253- - 4730

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes XX no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: RECORDED WARRANTY DEED (copy)

(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) Paul E. Nichols Date 8-24-96
Maxine J. Nichols Date 8-30-96

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 9-20-96 By: [Signature]

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 9-20-96 By: [Signature]

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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OCT 22 1996

ORIGINAL

203--WARRANTY DEED

INSTRUMENT NO. 88605

Printed and for sale by Syma-York Company, Boise, Idaho

(Optional)

Recorded ☐

Microfilmed ☐

Indexed ☐

Platted ☐

Deed Card ☐

Compared ☐

Key Punched ☐

Master File ☐

Abstracted ☐

To Treasurer ☐

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

MELVIN D. RYALS and JUNE RYALS, husband and wife,

of Council County of Adams

GRANTOR(S)

State of Idaho

hereby CONVEYS, GRANTS and WARRANTS TO

PAUL EUGENE NICHOLS and MAXINE J. NICHOLS, husband and wife,

GRANTEE(S)

whose current address is Box 6, Fruitvale, Idaho 83620

for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION Dollars (\$10.00)

the following described tract(s) of land in Adams

County, State of Idaho:

More particularly described on attached Exhibit "A"

RECEIVED

SEP 03 1996

WATER RESOURCES
WESTERN REGION

Location of above described property _____

House No. _____

Street _____

MICROFILMED

OCT 22 1996

POOR ORIGINAL

INSTRUMENT NO. 88605

RECEIVE

SEP 03

WATER RESOUR
WESTERN REGI

EXHIBIT "A"

IN ADAMS COUNTY, IDAHO:

(1)

IN SECTION 10, TOWNSHIP 17 NORTH, RANGE 1 WEST, B.M.:
A tract of land in the SW1/4SW1/4 and in the SE1/4SW1/4
described as follows:

Commencing at a point on the South line of said SE1/4SW1/4 that is 729 feet East of the SW corner of the said SE1/4SW1/4, which point is also on the West boundary line of the McMahan-Glenn Irrigation Ditch through said land; thence northerly along the West boundary of said Ditch to a point on the same 879 feet North and 812 feet West of the SE corner of said SE1/4SW1/4; thence West 50 feet to a point on fence; thence in a southerly direction 170 feet to a point on the East bank of the Gould Ditch, as now established, which point is 675 feet North and 493 feet East of the SW corner of said SE1/4SW1/4; thence West 493 feet to the East line of the SW1/4SW1/4 of said Section, Township and Range; thence North along said East line to the NE corner of said SW1/4SW1/4; thence West, along the North line of said SW1/4SW1/4, 150 feet; thence southwesterly approximately 400 feet to a point that is 380 feet West and 1000 feet North of the SE corner of said SW1/4SW1/4; thence South, parallel to the East line of said SW1/4SW1/4, 1000 feet to a point on the South line of said SW1/4SW1/4; thence East, on and along said South line, 380 feet to the SE corner of said SW1/4SW1/4; thence continuing East, on and along the South line of the said SE1/4SW1/4, 729 feet to the point and place of beginning.

INCLUDING all water and storage rights.

- (1) 20 shares in Lost Valley Reservoir
- (2) 10 shares Robertson-Sevey Ditch
- (3) 5.20 inches adjudicated water right

AND (2)

A tract of land situate in the Southwest Quarter of Section Ten (10) in Township Seventeen (17) North, Range One (1) West, Boise Meridian, particularly described as follows, to-wit:

Beginning at a point on the North and South center line of said Section Ten (10) which is 657.6 feet South of the center of said Section Ten (10) and running thence South on such North and South center line 1111 feet to a point; thence West, parallel to

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OCT 22 1996

EXHIBIT "A"
Page 1 of 2

POOR ORIGINAL

INSTRUMENT NO. 88605

the South line of said Section, to the East line of the right of way of the Union Pacific Railroad Company, as now established; thence Northwesterly along the Easterly line of such railroad right of way to a point that is South 657.6 feet from the East and West center line of said Section Ten (10); thence East, parallel to the South line of said Section Ten (10), to the point and place of beginning, But Excepting therefrom the right of way of the State Highway as the same is located over, upon and across the tract herein described.

EXCEPTING the following described parcel:

A parcel of land situate in the East Half of the Southwest Quarter (E1/2SW1/4) of Section 10, in Township 17 North, Range 1 West, Boise Meridian, particularly described as follows:

Commencing therefor at a point on the North and South center line of said Section 10 that is 1786.6 feet South from the center of Section 10, and running thence West, parallel to the South line of said Section 10, to the easterly line of the former North and South Highway (U.S. 95), now County Road, as the same is located upon and across the E1/2SW1/4 of said Section 10; thence in a northwesterly direction, on and along the easterly line of said road right of way, 650 feet to a point; thence northeasterly to a point on the North and South center line of said Section 10 that is North 663 feet from the point of beginning; thence South, on and along said center line 663 feet to the point and place of beginning.

MICROFILMED

OCT 22 1996

EXHIBIT "A"
Page 2 of 2

POOR ORIGINAL

INSTRUMENT NO. 88605

WITNESS the hand of said Grantors this

day of ^{August} ~~July~~ A.D. 1995

Melvin D. Ryals

June Ryals

State of Idaho
County of Adams

ss. On the ^{7th} ~~7th~~ day of ^{August} ~~July~~ A.D. 19 95

personally appeared before me MELVIN D. RYALS and JUNE RYALS,
husband and wife,

the signer(s) of the within instrument, who duly acknowledged to me that they
executed the same.

Charles Kroll
(NOTARY PUBLIC)

Residing at: Council, Idaho

My Commission expires: ^{Sept 27, 1998}

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name Mr. & Mrs. Paul Nichols

Address Box 6

City & State Fruitvale, ID Zip 83620

No. 88605

WARRANTY DEED

TO

Dated _____, 19____

STATE OF IDAHO

County of Adams ss.

I hereby certify that this instrument was
filed for record at request of Weiser
Valley Title

at 31 minutes past 1
o'clock P. M., this 30th day
of August, A.D. 1995

in my office, and duly recorded in Book
_____ at page _____

MICHAEL FISK
Ex-Officio Recorder.

Deputy.

Fees \$ 12.00

Return to: Weiser Valley Title
P.O. Box 591
Weiser, ID 83672

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OCT 22 1996

OWNERSHIP CHANGE CHECKLIST

 AJQ1 ADJUDICATION CLAIMS FOUND ✓ Y N
AL67-11331, AL67-04113A, AL67-00058A

 AJQ4 ADJUDICATION CLAIMS FOUND ✓ Y N
Same

 WRQ1 WATER RIGHTS FOUND ✓ Y N
67-04115

 WRQ4 WATER RIGHTS FOUND ✓ Y N
Same

CLAIM(S) FILED ✓ Y
 N

IF NO, CLAIM(S) REQUIRED Y N

IF YES, DATE LETTER REQUESTING CLAIM SENT

IF NO, DATE SENT TO S.O.

NEW CLAIM RECEIVED Y N

IF NO, DATE SENT TO S.O.

COMMENTS

MICROFILMED
OCT 22 1996

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: A67-04115A
Date Received: 12/14/1989
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: MEVLIN D. RYALS
Address: HC 67, BOX 2220
COUNCIL ID

208-253-4753

83612

2. Date of Priority: APR 15, 1900

3. Source: WEISER RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	01W	10		NW	SW		ADAMS

5. Description of diverting works:
HEADGATE, DITCH-1320' LONG, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	07/15	0.960		

7. Total Quantity Appropriated is:
0.460 C.F.S. (and/or) 48.00 A.F.A.

8. Total consumptive use is 36.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	10	SW	SW		IRR	6.0
			SE	SW		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	12.0
					Total Acres	12.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:

CHANGED PLACE OF USE AND ADDED ONE ACRE. THE PLACE OF USE PREVIOUSLY INDICATED IN NE1/4 OF SECTION 15 HAS NEVER BEEN OWNED BY MR. RYALS.

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM NO. A67-04115, FEE PAID UNDER RECEIPT NO. W007121 (12/22/1993, MM).

AFTER REVIEW, IT APPEARS THAT A SIGNED CLAIM IS NOT NECESSARY FOR THE SPLIT. THE AMENDMENT MENTIONED ABOVE OCCURRED PREVIOUS TO THE CHANGE IN OWNERSHIP. 09/30/1994 MM.

15. Basis of Claim: STATUTORY CLAIM

POOR ORIGINAL

Form 42-1409(7)



NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DEC 13 1993

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: 7-9-90

LEGAL DESCRIPTION OF PROPERTY: Township 17 Range 1 West
Section 15, NW 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: A67-00083AA; A67-04122A; A67-11330; A67-11332
- [] Name and Address of Former Owner/Claimant(s)(Seller): MELVIN RYALS
HC 67 Box 2230
COUNCIL ID 83612
- [] New Owner/Claimant (Purchaser): JOHN E. ELSBERG
- [] New Mailing Address: Box 97 Fruitvale Idaho 83620
- [] New Telephone Number: (208) 353-1102
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: Copy of Deed
(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) John E. Elberg Date 12-9-93
- [] Signature of Former Owner/Claimant(s): _____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12-15-93 By: JH

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 12-15-93 By: JH

Claim Numbers of Split, if any:

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OCT 22 1996

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

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: A67-04115
Date Received: 12/14/1989
Receipt No: W007121
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MEVLIN D. RYALS 208-253-4753
Address: HC 67, BOX 2220
COUNCIL, ID 83612

2. Date of Priority: APR 15, 1900

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	01W	10	NW	SW			ADAMS

5. Description of diverting works:
HEADGATE, DITCH-1320' LONG, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	07/15	0.960		

7. Total Quantity Appropriated is:
0.960 C.F.S. (and/or) 48.00 A.F.A.

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	10	SW	SW		IRR	6.0
			SE	SW		IRR	6.0

Section Acres 12.0

A67-04115

Page 1

Date: 12/14/89

MICROFILMED
OCT 22 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	15	NE	NW		IRR	6.0
			NW	NW		IRR	7.0
Section Acres							13.0
Total Acres							25.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:
CHANGED PLACE OF USE AND ADDED ONE ACRE. THE PLACE OF USE
PREVIOUSLY INDICATED IN NE1/4 OF SECTION 15 HAS NEVER BEEN OWNED
BY MR. RYALS.

15. Basis of Claim: STATUTORY CLAIM

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: 3

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): *Michael S. Dyala* Date: 12/14/89
Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 14 day
of Dec. 19 89 *Linda Werner*
Notary Public

Seal

Residing at Linda A. Werner
Residing at Boise, Idaho
My Commission My Commission Expires December 8, 1994



If you are claiming water as a member of an organization, list name of organization:

POOR ORIGINAL

(1) Remarks used for subirrigation

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Blaine) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 28th day of March

William D. Dyman
(Claimant)

Erwin A. Kester
Notary Public
Residing at Council, Idaho 83612

My commission expires Life

For Department Use Only

Received by <u>6</u>	Date <u>4/1/75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JES</u>	Date <u>4/1/75</u>		claimant by:	
\$10.00 fee received by <u>Ca</u>	Date <u>4/1/75</u>			
Approved for publication by <u>Ok. Ca 4-21-75</u>				
Published in <u>Blaine</u>				
Dates <u>4-21-75</u>				

With this we have of us



State of Idaho
County of Adams

Melvin D. Ryals
June Ryals
} ss. On the 9th day of July 1990

personally appeared before me **MELVIN D. RYALS and JUNE RYALS**,
husband and wife,

the signer(s) of the within instrument, who duly acknowledged to me that they
executed the same.

Sandra Michael
(NOTARY PUBLIC)

Residing at: Council, Idaho

My Commission expires: 10/7/94

MAIL DEED TO:

Burton & Kroll
P. O. Box 367
Weiser, Idaho 83672

MAIL TAX NOTICE TO:

Name Mr. & Mrs. John E. Elsberry
Address BC64, Box 352J
City & State Council, Id. 83612

MICROFILMED

Aug 10 1994

No. 78831

WARRANTY DEED

Melvin D. & June Ryals

-20-

John Eugene & Sandra Lynn

Elsberry

Dated July 9, 1990

STATE OF IDAHO

County of Adams } ss.

I hereby certify that this instrument was

filed for record at request of

Timberline Title & Escrow

at 49 minutes past 1

o'clock P.M., this 10 day

of July, A.D. 1990

In my office, and duly recorded in Book 42M

of Deeds at page 537-458

Michael Fisk

Notary Public

Sandra Wilson
Deputy

Fees \$ 12.00

WARRANTY DEED

POOR ORIGINAL

Printed and for sale by State-Book Company, Boise, Idaho

(Optional)

Recorded

Microfilmed

Indexed

☐

☐

☐

Platted

Deed Card

Compared

☐

☐

☐

Key Punched

Master File

Abstracted

☐

☐

☐

To Treasurer

☐

☐

SEE DEED NUMBER ABOVE THIS LINE

WARRANTY DEED

MELVIN D. RYALS and JUNE RYALS, husband and wife,

of Council

County of

Adams

GRANTOR(S)

State of Idaho

hereby CONVEYS, GRANTS and WARRANTS TO

JOHN EUGENE ELSBERRY and SANDRA LYNN ELSBERRY, husband and wife,

GRANTEE(S)

whose current address is EC64, Box 3520, Council, Id. 83612

for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION Dollars (\$10.00)

the following described tract(s) of land in

Adams

County, State of Idaho:

More particularly described on attached Exhibit "A"

Location of above described property

House No.

Street

POOR ORIGINAL

EXHIBIT A

Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho.
Section 15: NW $\frac{1}{4}$ But excepting therefrom 7 certain tracts of land severally described as follows:

A tract of land in said Section, Township and Range more particularly described as follows: BEGINNING at a point 10 feet South of the Northeast corner of the NW $\frac{1}{4}$ of said Section 15 and running thence South along the East line of said NW $\frac{1}{4}$ 417.4 feet; thence West 208.7 feet; thence North 204.5 feet; thence Westerly 214.4 feet to a point 218.7 feet South of the North line of said NW $\frac{1}{4}$ of Section 15; thence North 208.7 feet; thence East, parallel to and 10 feet South of the North line of said NW $\frac{1}{4}$ 417.4 feet to the POINT OF BEGINNING:

A tract of land in said Section, Township and Range, more particularly described as follows: COMMENCING at the Southwest corner of tract "S" of the Townsite of Fruitvale, Idaho, as shown by the plat of such Townsite on file in the office of the County Recorder of Adams County, Idaho and running thence West 50 feet; thence 64 feet in a Southeasterly direction to a point 40 feet South of the point of beginning; thence North 40 feet to the POINT OF BEGINNING:

A tract of land in said Section, Township and Range more particularly described as follows: BEGINNING 16 feet South and 16 feet West of the Northwest corner of tract "S" in said Fruitvale Townsite and running thence West 174 feet to the East bank of the Glenn-McMahan irrigation ditch; thence in a Southeasterly direction along the East bank of said ditch 128 feet; thence South across said ditch 12 feet to the West bank thereof; thence in a Southeasterly direction 56 feet; thence in a Northeasterly direction 49 feet; thence North 115 feet to the POINT OF BEGINNING:

A tract of land in said Section, Township and Range more particularly described as follows: COMMENCING at a point 818.6 feet South of the Northwest corner of the NE $\frac{1}{4}$ of said Section 15 and thence West 16 feet; thence North to a point 16 feet West of the Northwest corner of tract "S" of the said Fruitvale Townsite; thence 16 feet East to said Northwest corner of said tract "S", thence South to the PLACE OF BEGINNING:

A tract of land in said Section, Township and Range more particularly described as follows: BEGINNING at the Southeast corner of the NE $\frac{1}{4}$ of said Section 15 thence North along the East line thereof 435 feet; thence in a Southwesterly direction 88 feet to a point 16 feet West of the North

RECORDED
AUG 19 1934

POOR ORIGINAL

EXHIBIT A CONTINUED

and South center line of said Section 15; thence South, 16 feet West of and parallel to North and South center line; 369 feet; thence in a Northeasterly direction 24 feet to the POINT OF BEGINNING;

A parcel of land in the NW1/4 of said Section, Township and Range more particularly described as follows: BEGINNING at a point 427.4 feet South of the Quarter corner common to Sections 10 and 15; thence West 208.7 feet to the TRUE POINT AND PLACE OF BEGINNING; thence continuing West and parallel to the North line of Section 15, 208.7 feet, thence North 208.7 feet, thence East 208.7 feet, thence South 208.7 feet to the TRUE POINT AND PLACE OF BEGINNING;

A tract or parcel of land in the NW1/4 of said Section, Township and Range described as follows: COMMENCING therefore at the Section corner common to Sections 9, 10, 15 and 16, Township 17 North, Range 1 West, Boise Meridian; thence East on and along the North line of said Section 15, a distance of approximately 310 feet to a Point where said Section line is intersected by the westerly line of the road connecting the Fruitvale-West Fork County Road and the Fruitvale-Ridge County Road; thence on a curve right, on and along the northerly and westerly boundary of said connecting road to its intersection with the northerly line of said Fruitvale-Ridge County Road, as now established; thence Westerly, on and along the Northerly side of said Fruitvale-Ridge County Road to its intersection with the West line of said Section 15; thence North, on the West line of Section 15 to the Northwest corner of Section 15, to the POINT AND PLACE OF BEGINNING.

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AUG 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 24, 2003

PAUL E NICHOLLS
MAXINE J NICHOLLS
2624 FRUITVALE RD
FRUITVALE ID 83620

RE: Water Right No. 67-4115

Dear Claimant(s):

Enclosed is the Notice of Change in Water Right Ownership form you recently asked to be mailed to you. In reviewing the above referenced claim number, it was discovered that this particular claim has previously been split. One portion is located in the SW $\frac{1}{4}$ of Section 10, Township 17N, Range 1W, and is for 12 acres. In addition, this claim is already in your name. The claim number for this portion is **67-4115A**. The other portion is located in the NW $\frac{1}{4}$ of Section 15, Township 17N, 1W, and is for 13 acres. This portion is in the name of John Elsberry and is numbered as 67-4115B. I have enclosed a profile report for each portion for your review.

If you purchased the 13 acres currently in the name of Elsberry, then you will need to complete the change of ownership form and submit it with the necessary information. If you only own the 12 acres currently in your name, no further action is required at this time.

Thank you for your patience and cooperation. If you have any questions regarding this letter, feel free to contact this office at (208) 334-2190.

Sincerely,

A handwritten signature in cursive script that reads "Denise Hatfield".

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

DH: dh

Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 20, 1996

Re: Notice of Claim to a Water Right No. A67-00058A, A67-00082D,
A67-04115A, A67-11331

PAUL E NICHOLS
MAXINE J NICHOLS
BOX 6
FRUITVALE ID 83620

Mr. & Mrs. Nichols:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1

Enclosures

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OCT 22 1996

WEISER VALLEY TITLE, INC.

P.O. Box 591
128 East Main
Weiser, Idaho 83672
(208) 549-1792
Fax 208-549-1794

8/14/96

PAUL E. & MAXINE J. NICHOLS
BOX 6
FRUITVALE, ID 83620

RE: WATER RIGHTS TRANSFER

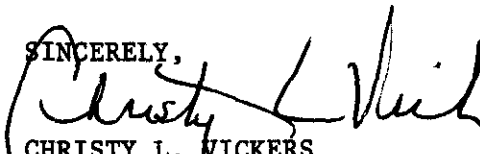
DEAR PAUL & MAXINE:

PLEASE FIND ENCLOSED THE DOCUMENT FOR YOU TO SIGN WHERE INDICATED TO TRANSFER THE WATER RIGHTS INTO YOUR NAME. PLEASE ATTACH A COPY OF THE **WARRANTY DEED** TO THE TRANSFER NOTICE ALONG THE OTHER ATTACHMENTS AND SEND TO:

DEPT. OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE, ID 83705

PLEASE CALL IF YOU HAVE ANY QUESTIONS.

SINCERELY,


CHRISTY L. VICKERS
ESCROW OFFICER

encl.

RECEIVED

SEP 03 1996

WATER RESOURCES
WESTERN REGION

67-04115

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OCT 22 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Date: September 30, 1994

Re: Original Notice of Claim to a Water Right No. A67-04115

Renumbered to Notice of Claim to a Water Right No. A67-04115A

[MELVIN D RYALS]
HC 67 BOX 2220
COUNCIL ID 83612

[]

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by adding alpha suffixes to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

ADJUDICATION STAFF
Department of Water Resources
Western Region Office
(208) 334-2190

Enclosure

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OCT 22 1996

AJ0749NP
No. R51-10281

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 09/29/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J R SIMPLOT SELF DECLARATION REVOC TRUST J R SIMPLOT AS TRUSTEE ATTN RONALD N GRAVES PO BOX 27 BOSIE ID 83707 (208) 336-2110	12/31/1860	STOCKWATER STORAGE STOCKWATER FROM STORAGE	01-01 12-31 01-01 12-31	0.23 CFS	166.00 AFA
TOTAL DIVERSION:					0.23 CFS	

Water Source: SPRINGS

Tributary to: JACKS CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T11S R02E S11
S13

NWNE
SENE

NESE

OWYHEE County
OWYHEE County

POU County:

Non-Irrigation Uses: STOCKWATER 1000 HEAD RANGE CATTLE

Other Rights: NONE

Remarks: PARCEL NO. RP 0190502
PARCEL NO. RP 0190504

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 09/29/94 MMILLER



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 23, 1993

MEVLIN D RYALS
HC 67 BOX 2220
COUNCIL ID 83612

RE: Notice of Claim No. A67-04115A

Dear Mr. Ryals:

Enclosed is the claim referenced above. This is a split claim which reflects the change of ownership of the lands in Twp. 17N, Rge. 01W, section 15, with you retaining ownership of the lands and appurtenant water rights in Twp. 17N, Rge. 01W, section 10.

I calculated the cubic feet per second (cfs) for the split by dividing the originally claimed cfs by the original amount of acres ($.960 \text{ cfs} \div 25 \text{ acres}$) to get $.0384 \text{ cfs/acre}$. Since you now own 12 acres, your share of the claimed water is $.46 \text{ cfs}$ ($.0384 \times 12 = .46$).

I have also attached a map to the claim; please indicate the point of diversion and the place of use for the acres for which you have retained ownership.

Please review the entire claim, and if you agree with the information stated in the claim, please return it to this office after adding your notarized signature.

If you have any questions or need additional information, please contact our office.

Sincerely,

Maria Minicucci
Water Agent, Adjudication Bureau

MM/m
Enc.

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OCT 22 1996

COUNTY: Adams

EMPLOYEE: M. M. MINICUCCI

Mr. Ryals came into Western yesterday to discuss a change of ownership letter he had received. After discussing the matter, we discovered that he had one claim which had not had the ownership change done.

Mr. Ryals stated that he had sold all of his land in Section 15 to Mr. Elsberry, and that it was their agreement that the water claimed in A67-04115 would be split in proportion to the acres in each section. Mr. Elsberry will continue to use the same POD - the water runs from Mr. Ryals' property onto Mr. Elsberry property.

I told ~~Mr.~~ Ryals and will write to Mr. ~~Elli~~ Elsberry, explaining that an additional or different point of diversion will require a transfer application.

I told Mr. Ryals I would send a split claim form to him ~~to~~ to be ^{signed} notarized. I will send the other half of the split (claim form) to Mr. Elsberry with an explanation to be signed & notarized.

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OCT 22 1996