

05/29/2007

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

RIGHT NUMBER: 22-13719
NAME AND ADDRESS: MARINA G NELL
PO BOX 1311
DRIGGS ID 83422

THOMAS R NELL
PO BOX 1311
DRIGGS ID 83422

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.260 CFS
54.00 AFY

PRIORITY DATE: 05/09/1978

POINT OF
DIVERSION: T05N R44E S2 NWSESW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.260 CFS 54.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 15 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION in TETON County

T05N R44E S11 SWNW 18.00
18 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

This right is a split from original right 22-7279

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 22-7279A, 22-7279B, 22-13188, 22-13262, 22-13263, 22-13256, 22-13273, 22-13275, 22-13276, 22-13718.

This right is a split from former right 22-13275.

This right is a split from former right 22-13272.

SCANNED

JUN 04 2007



Idaho Department of Water Resources

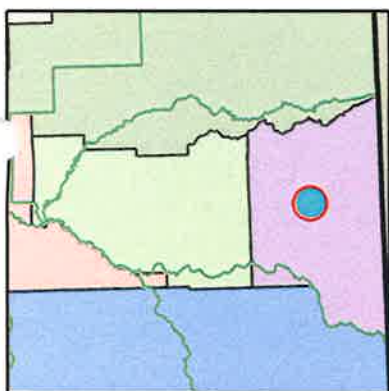
SRBA Recommendation:

22-13719

(Irrigation)

Legend

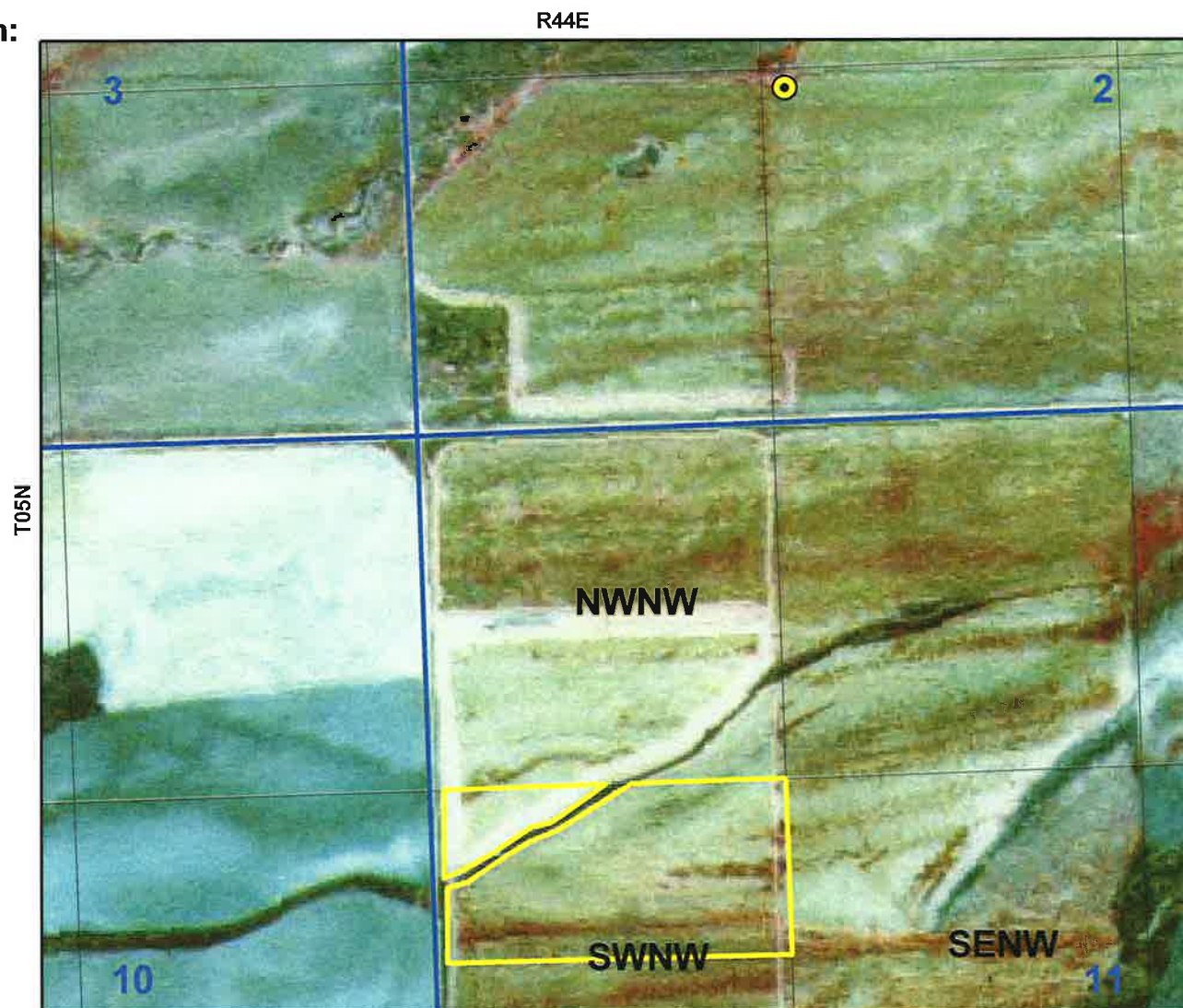
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Teton County
IDWR Basin 22



Prepared by J. Crabtre
On Monday, June 11, 2007
1987/88 Aerial Photography



0 0.3 0.6 Miles



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

May 29, 2007

THOMAS & MARINA NELL
PO BOX 1311
DRIGGS ID 83422

RE: Notice of Change of Water Right Ownership (NCO) for
22-13275 and Notice of Completed Administrative Proceeding
(NCAP)

Dear Mr. and Mrs. Nell:

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
Technical Records Specialist

Enclosure

SCANNED
JUN 04 2007

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: 22-13275 split into
22-13718 & 22-13719

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party FERRO & MEAD – FERRO & MEAD/ NELL
- ☐ 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: May 30, 2007

Emit Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 4, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail 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:
MUFFY E FERRO
LESLIE J MEAD
PETER BRADFORD MEAD
PO BOX 239
TETONIA ID 83452

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
MUFFY E FERRO
LESLIE J MEAD
PETER BRADFORD MEAD
PO BOX 239
TETONIA ID 83452
THOMAS R NELL
MARINA G NELL
PO BOX 1311
DRIGGS ID 83422

4. One copy to:

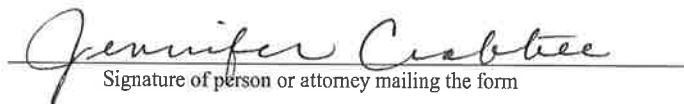
Each party in the subcase, or attorney of record
N/A

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


Signature of person or attorney mailing the form

RECEIVED

MAR 07 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
 Eastern Region

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 IDWR will produce new water right number(s) for the split(s).

*needs
NATP*

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
	22-13275				

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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)

Muffy FERRO - LESLIE MEAD - PETER MEAD
P.O. Box 239 Teton, ID 83452

4. New Owner/Claimant(s)

THOMAS R NELL MARINA G. NELL

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

P.O. Box 1311

City, State and ZIP Code

Driggs Idaho 83422

New Telephone Number

(208) 787-1481

SCANNED

5. Date you acquired the property _____

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s) _____

Thomas R. Nall
Thomas R. Nall

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____ Date _____
 Receipted by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

SCANNED

JUN 04 2007

RECEIVED

164854

3050413125 T

Alliance Title & Escrow Corp.

P.O. Box 644

Driggs, Idaho 83422

NOV 29 2004

WARRANTY DEED

CLERK RECORDER

Order No.:3050413125-T

RECEIVED

MAR 07 2005

FOR VALUE RECEIVED

Peter Bradford Mead and Leslie Mead, Husband and Wife (an undivided 1/2 interest) and Muffy E. Ferro, formerly known as Muffy E. Mead, (an undivided 1/2 interest) as tenants in common

Department of Water Resources
Eastern Region

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Thomas R. Nell and Marina G. Nell, Husband and Wife

whose current address is

500 Miller Creek Rd. San Rafael, CA 94903

the grantee(s), the following described premises, in Teton County, Idaho, TO WIT:

Township 5 North, Range 44 East, Boise Meridian, Teton County, Idaho.
Section 11: N 1/2 SW 1/4 NW 1/4.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 11/24/2004

Peter Bradford Mead Leslie Mead
Peter Bradford Mead Leslie Mead
Muffy E. Ferro by
Muffy E. Ferro Leslie Mead POA

Instrument # 164854

DRIGGS, TETON, IDAHO

2004-11-29 02:15:14 No. of Pages: 1

Recorded for : ALLIANCE TITLE & ESCROW

NOLAN G. BOYLE

Fee: 3.00

Ex-Officio Recorder Deputy PS

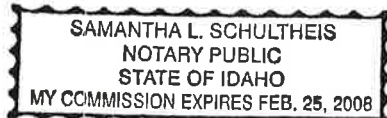
Index to: DEED, WARRANTY

State of Idaho

County of Teton

On this 26 day of November, in the year 2004 before me, a Notary Public in and for said state, personally appeared Leslie Mead known or identified 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 first above written.



Samantha L. Schultheis
Notary Public for the State of Idaho
Residing at: VICTOR
Commission Expires: 2/25/08

State of Idaho

County of Teton

On this 26 day of November, 2004, before me, a Notary Public in and for said state, personally appeared Leslie Mead known or identified to me to be the person(s) whose name(s) subscribed to the within instrument as Attorney-in-fact of Peter Bradford Mead and Muffy E. Ferro, and acknowledged to me that she subscribed the name of Peter Bradford Mead and Muffy E. Ferro as principal and his/her own name as Attorney-in-fact.

SCANNED

NOV 04 2004