

RECEIVED

Form 42-248/42-1409(6) Rev. 1/15

MAR 22 2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern 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. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
See Attached Exhibit 'A'	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Christopher Schmidt and Stacey Schmidt
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Derek A. Nichols and Chloe Nichols as to 10% Patrick J. Nichols and Irma Nichols as to 45%
*Agnela Nichols as to 45%
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
P.O. Box 606 Leslie Moore ID 83255
Mailing address City State ZIP
208-317-3316 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: _____
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. 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):
o \$25 per undivided water right.
o \$100 per split water right.
o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Derek A. Nichols Title, if applicable: Chloe Nichols Date: _____
Signature: Patrick J. Nichols Title, if applicable: _____ Date: _____
Signature: Irma Nichols Title, if applicable: Agnela Nichols Date: _____
Signature: _____ Title, if applicable: _____ Date: _____

For IDWR Office Use Only:

Received by SG Date 3/9/21 Receipt No. S038454 Receipt Amt. 350 -
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
Name on W-9 _____ Approved by JB Processed by JB Date 5/27/2021

SUPPORT DATA

FILE # 34-20C

**EXHIBIT 'A' TO NOTICE OF CHANGE IN WATER
RIGHT OWNERSHIP**

34-20C
34-2421
34-2421A
34-14472
34-14473
34-14474
34-14475
34-14476
34-14477
34-14478
34-14479
34-14480
34-14481
34-14482

RECEIVED

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MAR 16 2021

MAR 09 2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Department of Water Resources
Eastern Region
DEPT OF WATER RESOURCES
SOUTHERN REGION

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Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
See Attached Exhibit 'A'	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

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*Agnela Nichols as to 45%
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
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Mailing address City State ZIP
- Telephone _____ Email _____
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 o \$100 per *split* water right.
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☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Derek A. Nichols Chloe Nichols Patrick J. Nichols
Signature of new owner/claimant Title, if applicable Date
Signature: Irma Nichols Agnela Nichols
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by SG Date 3/9/21 Receipt No. 5038454 Receipt Amt. \$350.00
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
Name on W-9 _____ Approved by _____ Processed by _____ Date _____

EXHIBIT 'A' TO NOTICE OF CHANGE IN WATER
RIGHT OWNERSHIP

34-20C OK
34-2421 OK
34-2421A OK
34-14472 OK
34-14473 OK
34-14474 OK
34-14475 OK
34-14476 OK
34-14477 OK
34-14478 OK
34-14479 OK
34-14480 OK
34-14481 OK
34-14482 OK

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

Instrument # 259941

CHALLIS, CUSTER, IDAHO
03-05-2021 01:37:55 No. of Pages: 6
Recorded for: TITLEONE - TWIN FALLS
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: KW



TitleOne
a title & escrow co.

Order Number: 21398580
Alliance title #538097

Warranty Deed

For Value Received,

Christopher Schmidt and Stacey Schmidt, the Grantor, does hereby grant, bargain sell and convey unto, **Derek A. Nichols and Chloe Nichols, husband and wife, an undivided 10% interest and Patrick J. Nichols and Irma Nichols, husband and wife, an undivided 45% interest and Angela Nichols, an unmarried woman, an undivided 45% interest**, whose current address is **P.O. Box 606, Moore, Idaho 83255**, the Grantee, the following described premises, in **Butte & Custer County, Idaho**, To Wit:

SEE ATTACHED EXHIBIT 'A'

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOV
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

BUTTE COUNTY
Recorded for:
TitleOne - Twin Falls
01:01:11 PM 03-05-2021
0000-059132
No. Pages: 6 Fee: \$15.00
SHELLY SHAFFER
County Clerk
Deputy: KG



Order Number: 21398580

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Dated: February 20, 2021



Christopher Schmidt



Stacey Schmidt

State of ARKANSAS, County of BENTON, ss.

On this 01 day of ~~February~~ ^{MARCH} in the year of 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Christopher Schmidt and Stacey Schmidt, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

DEBB WEBB

Notary Public
Residing In: BENTON
My Commission Expires: 03-28-2026
(seal)

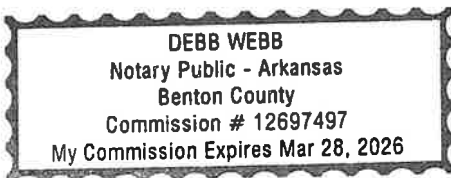


Exhibit A

PARCEL NO. 1:
TOWNSHIP 6 NORTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
BUTTE COUNTY AND CUSTER COUNTY, IDAHO

Section 12: SW $\frac{1}{4}$ NW $\frac{1}{4}$ and a Portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ being a triangular shaped parcel of land described as follows:

Beginning at the Southwest corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, which shall be the Point of Beginning;
Thence North along the West boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, a distance of 250 feet, more or less to an existing fence corner;
Thence in a Southeasterly direction, along said fence line, a distance of 1345 feet, more or less, to the Southeast corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence West, along the South line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, a distance of 1320 feet, more or less, to the Point of Beginning.

EASEMENT NO. 1:
TOGETHER WITH an existing well site, irrigation pump and Easement for access to wellsite described as follows:

Beginning at a point 486 feet South and 25 feet East of the Northwest corner of said Section 12;
Thence East 1 rod;
Thence South 1 rod;
Thence West 1 rod;
Thence North 1 rod to the Point of Beginning.

SAVE AND EXCEPT a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ more particularly described as follows:

Beginning at a point that is North 0.05 feet and East 5.56 feet from the Southwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12, Township 6 North, Range 25 EBM; said point lies on the South line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12;
Thence North 1°35'02" West, 414.92 feet along a fence to a point;
Thence North 89°26'52" East, 420.0 feet to a point;
Thence South 1°35'02" East, 414.92 feet to a point lying on the South line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12;
Thence South 89°26'52" West, 420.0 feet along said line to the Point of Beginning.

ALSO EXCEPTING all property lying South and West of Pass Creek and being in Custer County.

PARCEL NO. 2:
TOWNSHIP 6 NORTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
BUTTE COUNTY AND CUSTER COUNTY, IDAHO

Section 12: SE $\frac{1}{4}$ NW $\frac{1}{4}$ and a triangular shaped parcel of land in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ described as follows:

Beginning at the Southeast corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, which shall be the Point of Beginning;
Thence North 250 feet, more or less, to an existing fence line;
Thence Southwesterly, along said fence line, 1345 feet, more or less, to the Southwest corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence East along the South boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, 1320 feet, more or less, to the Point of Beginning.

EXCEPTING all property lying South and West of Pass Creek and being in Custer County.

File No. 538097

Exhibit 'A'

Tract 2 and Tract 4 (COMBINED DESCRIPTION):

Township 6 North, Range 25 East Boise Meridian, Custer County, Idaho

Section 12: The West Half of the Northwest Quarter

LESS a parcel described as follows:

Beginning at a point that is North 0.05 feet and East 5.56 feet from the Southwest corner of the Southwest Quarter of the Northwest Quarter, Section 12, Township 6 North, Range 25 East, Boise Meridian, said point lies on the South line of the Southwest Quarter of the Northwest Quarter, Section 12; thence

North 01°35'02" West 207.46 feet along a fence to a point; thence

North 89°26'52" East 210.00 feet to a point; thence

South 01°35'02" East 207.46 feet to a point lying on the South line of the Southwest Quarter of the Northwest Quarter, Section 12; thence

South 89°26'52" West 210.00 feet along said line to the Point of Beginning.

ALSO EXCEPTING THEREFROM any of the above described property lying within the boundaries of Butte County, Idaho

FURTHER EXCEPTING THEREFROM

Part of the Southwest Quarter Northwest Quarter of Section 12 in Township 6 North, Range 25 East of the Boise Meridian, Custer County, State of Idaho. Beginning at the West Quarter Corner of Section 12 in Township 6 North, Range 25 East, Boise Meridian said corner marked by a 5/8" rebar with a 2" aluminum cap on top which shall be the Point of Beginning; thence

North 00°05'52" East along the West line of Section 12 for a distance of 228.34 feet; thence

North 89°28'15" East for a distance of 21.71 feet to a 5/8" rebar; thence

South 01°34'33" East (South 01°35'02" East, Rec.) for a distance of 207.36 feet (207.46', Rec.) to a 5/8" rebar; thence

North 89°31'06" East (North 89°26'52" East, Rec.) for a distance of 210.09 feet (210.00', Rec.) to a 5/8" rebar; thence

South 01°34'18" East for a distance of 19.90 feet to the South line of the Southwest Quarter Northwest Quarter; thence

South 89°14'53" West along said line for a distance of 238.45 feet to the Point of Beginning.

FURTHER EXCEPTING THEREFROM

Part of the Southwest Quarter Northwest Quarter of Section 12 in Township 6 North, Range 25 East of the Boise Meridian, Custer County, State of Idaho.

Beginning at the West Quarter Corner of Section 12 in Township 6 North, Range 25 East, Boise Meridian said corner marked by a 5/8" rebar with a 2" aluminum cap on top; thence

North 00°05'52" East along the West line of Section 12 for a distance of 228.34 feet to the Point of Beginning; thence

North 00°05'52" East along said section line for a distance of 567.25 feet to a 1/2" rebar; thence along a non-tangent curve to the left for a distance of 707.52 feet to a 1/2" rebar, said curve having a radius of 1444.61 feet, a delta angle of 28°03'42", and a long chord bearing of

South 36°44'18" East for a distance of 700.47 feet; thence

South 00°05'52" West for a distance of 203.74 feet to a 1/2" rebar; thence

South 00°05'52" West for a distance of 25.00 feet to the South line of the Southwest Quarter Northwest Quarter; thence

South 89°14'53" West along said line for a distance of 181.55 feet; thence

North 01°34'18" West for a distance of 19.90 feet to a 5/8" rebar; thence

North 01°34'18" West (North 01°35'02" West, Rec.) for a distance of 207.54 feet (207.46', Rec.) to a 5/8" rebar; thence

South 89°28'15" West (South 89°26'52" West, Rec.) for a distance of 210.10 feet (210.00', Rec.) to a 5/8" rebar; thence

South 89°28'15" West for a distance of 21.71 feet to the Point of Beginning.

Tract 3:

Township 6 North, Range 25 East of the Boise Meridian, Custer County, State of Idaho.

Section 12: Southeast Quarter of the Northwest Quarter

EXCEPTING THEREFROM any of the above described property lying within the boundaries of Butte County, Idaho.

Tract 7:

Township 6 North, Range 25 East, Boise Meridian, Custer County, State of Idaho Section 12: North Half of the Southwest Quarter



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

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

Brad Little
Governor

Gary Spackman
Director

May 27, 2021

DEREK A NICHOLS
CHLOE NICHOLS
PO BOX 606
MOORE ID 83255-0606

PATRICK J NICHOLS
IRMA NICHOLS
PO BOX 606
MOORE ID 83255-0606

ANGELA NICHOLS
PO BOX 606
MOORE ID 83255-0606

Re: Change in Ownership for Water Right No(s): 34-20C, 34-2421, 34-2421A, 34-14472, 34-14473, 34-14474, 34-14475, 34-14476, 34-14477, 34-14478, 34-14479, 34-14480, 34-14481 & 34-14482

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 34
BIG LOST RIVER GROUND WATER DISTRICT



TitleOne

a title & escrow co.

Date: March 5, 2021

211 West 13th Street
Burley, ID 83318
Ph. (208) 881-0087
Fx. (866) 582-7546
www.titleonecorp.com

Idaho Department of Water Resources
650 Addison Avenue West
Suite 500
Twin Falls, ID 83301

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Department of Water Resources
Eastern Region

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

Escrow No. 21398580

Greetings,

Enclosed please find the following:

- TitleOne Check No. 33565 in the amount of \$350.00 for Notice of Change
- Original executed Notice of Change in Water Right Ownership form
- Copy of original Warranty Deed recorded on 3/05/21 as Instrument No. 259941 and 0000-059132, records of Custer and Butte Co., ID

Please make the necessary changes to your records to reflect new owner. Please send a receipted copy to TitleOne, PO Box 177, Burley, ID 83318 Attn: Ashley Martinkus.

If you have any questions, please feel free to call the number above.

Best regards,

TITLEONE

Ashley Martinkus
Ag Escrow Assistant

AR/am

Enc.

FedEx