

Transfer No. 76290

Receipt No. E035601

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information KAYE C NICKELL
 685 N 150 W
 BLACKFOOT ID 83221
 (208)785-5729
 And
 KENNETH G NICKELL
 650 N 150 W
 BLACKFOOT ID 83221
 (208)681-8029

RECEIVED**FEB 16 2010**Department of Water Resources
Eastern RegionWill this transfer result in an ownership change? _____ Yes X No**2. Current Water Right****Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
35-11654	WR/License	10.80	3,212.0		803.0	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
35-11654	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

Applicant would like to adjust his POU to reflect actual irrigation practices and resolve a "Potential NOV" he received.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
35-11654	10.80 cfs		803.0	3,212.0 af
TOTAL	10.80 cfs		803.0	3,212.0 af

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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Kay Thichell

(Signature of Applicant)

owner

(Title or Office)

Kenneth Bell

(Signature of Applicant)

owner

(Title or Office)

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 35-11654

Priority Date: January 06, 1953

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	10.80 CFS	3,212.0 AFA	
	Total Diversion		10.80 CFS	3,212.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWNENW Sec. 29 Twp 01N Rge 35E BINGHAM County

GROUND WATER SWNESW Sec. 29 Twp 01N Rge 35E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	35E	29	38.0	39.0	39.0	39.0	37.0	38.0	40.0	38.0	40.0	39.0	39.0	38.0	36.0	40.0	39.0	32.0	611.0
01N	35E	30	38.0	13.0	7.0	38.0								38.0	10.0	9.0	39.0	192.0	

Total Acres: 803

Conditions/Remarks:

1. 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.
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 35-02257, 35-02258 AND 35-02259.
4. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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Documentation of Ownership of the Current Place of Use

Tax Lot Data

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

It will be dry.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 35-11654

Priority Date: January 06, 1953

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	10.80 CFS	3,212.0 AFA	
	Total Diversion	10.80 CFS	3,212.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWNENW Sec. 29 Twp 01N Rge 35E BINGHAM County

GROUND WATER SWNESW Sec. 29 Twp 01N Rge 35E BINGHAM County

Describe the proposed diversion system

Point of Diversion # 1 2 WELLS 21 inches CASINGS, 380 ft DEEP, 6 PIVOTS, 350+75 & 300+50 PUMPS.

Point of Diversion # 2 2 WELLS 21 inches CASINGS, 380 ft DEEP, 6 PIVOTS, 350+75 & 300+50 PUMPS.

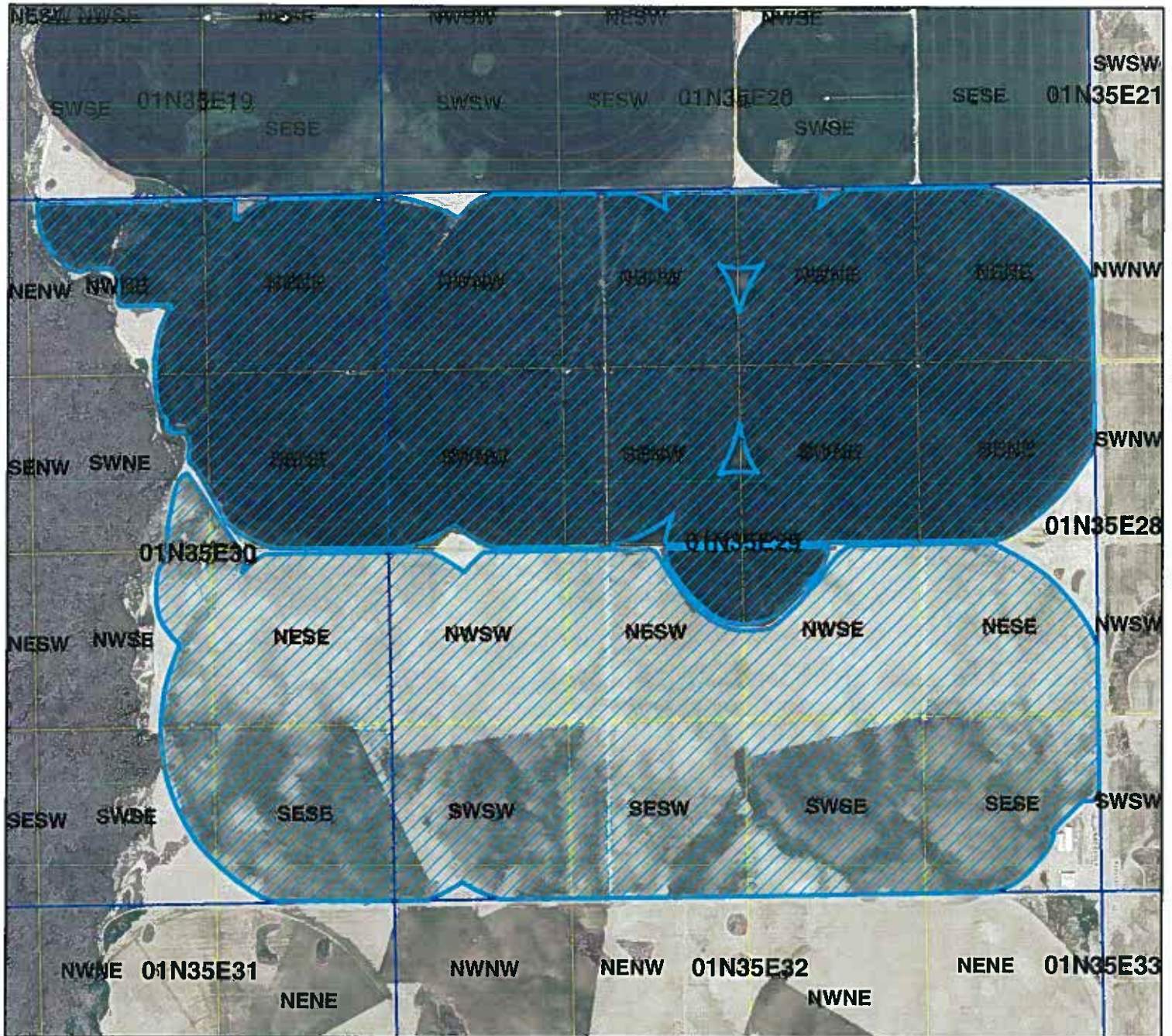
PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	35E	29	34.4	38.3	39.5	35.5	38.4	38.0	38.9	38.6	38.0	38.0	39.0	39.7	33.7	38.0	40.0	33.0	601.0
01N	35E	30	38.7	21.7	8.0	39.1									38.9	10.7	6.5	38.4	202.0

Total Acres: 803

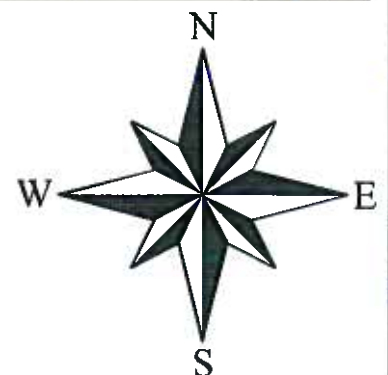
101N R35E Section 29

Proposed Water Use



Legend

-  Proposed Water Use
-  Township/Range
-  Sections
- QQ



0 0.125 0.25 0.5 Miles

76290

Imagery: NAIP 2009
Idaho Department of Water Resources
Map Prepared by Heather Bohac, February 5, 2009

No. L 5879 Return to: SECRETARY OF STATE 450 NORTH FOURTH STREET PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	Due no later than June 30, 2008 Annual Report Form 1. Mailing Address - Correct in this box if applicable NICKELL FAMILY LLP 858 N 150 W BLACKFOOT, ID 83221	2. Registered Agent and Office NO PO BOX GREGORY C CALDER 2105 CORONADO ST IDAHO FALLS, ID 83404 3. New Registered Agent Signature																		
4. Limited Partnerships: Enter Names and Business Addresses of General Partners. <table border="1"> <thead> <tr> <th>Office held</th> <th>Name</th> <th>Street or P.O. Address</th> <th>City</th> <th>State</th> <th>Zip</th> </tr> </thead> <tbody> <tr> <td>president</td> <td>Kenneth G. Nickell</td> <td>658 N. 150 W.</td> <td>Blackfoot</td> <td>ID</td> <td>83221</td> </tr> <tr> <td>vice-president</td> <td>Kaye C. Nickell</td> <td>658 N. 150 W.</td> <td>Blackfoot</td> <td>ID</td> <td>83221</td> </tr> </tbody> </table>			Office held	Name	Street or P.O. Address	City	State	Zip	president	Kenneth G. Nickell	658 N. 150 W.	Blackfoot	ID	83221	vice-president	Kaye C. Nickell	658 N. 150 W.	Blackfoot	ID	83221
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vice-president	Kaye C. Nickell	658 N. 150 W.	Blackfoot	ID	83221															
5. Organized Under the Laws of: IDAHO L 5879	6. Signature <u>Kenneth G. Nickell by</u> <u>Emilie A. Hansen POA</u> Date <u>5/16/08</u> Name (Typed or Printed) <u>Kenneth G. Nickell by</u> <u>Emilie A. Hansen POA</u> Title <u>president</u>																			

Issued 04/01/2008

Do Not Tape or Staple

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