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Documents
In File

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

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DEC 22 1998

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right or Adjudication Claim No(s): A35-13160
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND**
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Michael & Debbie Lambert
4. New Owner/Claimant(s) Kenneth Greg & Kaye Nickell
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
 New Mailing Address 658 N 150 W
 City, State and ZIP Code Blackfoot, ID 83221
 New Telephone Number (208) 785-5729
5. Date you acquired the property April 18, 1994
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Kaye Nickell
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claim.

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INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.
7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

FOR VALUE RECEIVED MICHAEL LAWRENCE LAMBERT and DEBBIE ANN LAMBERT, husband and wife, the Grantors, do hereby grant, bargain, sell, and convey unto KENNETH GREGORY NICKELL AND MARTHA KAYE C. NICKELL the Grantees, whose current address is 658 N. 150 W., Blackfoot, Idaho, 83221, the following described premises, to-wit:

Township 1 North, Range 35 E.B.M., Bingham County, Idaho
Section 17: S½NE¼; W½SE¼; SW¼, EXCEPTING AND RESERVING
to the United States all the oil and gas.

TOGETHER WITH one 250 HP U.S. electric motor and Fairbanks-Morse turbine pump; one 75 HP U.S. electric motor and Carver centrifugal booster pump; Approximately 4,800 feet of sizes 10 inch through 6 inch PVC mainline; 300 feet of steel mainline; two 1,300 foot Valley low-pressure pivots; three size 4 inch 1/4 mile handlines; twenty size 3 inch solid set 1/4 mile handlines; and any replacements thereof, all of which are hereby declared to be appurtenant thereto.

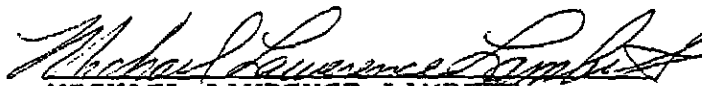
Together with tenements, hereditaments, appurtenances, ditches and ditch rights and water and water rights thereunto belonging or in anywise appertaining.

Subject to reservations in United States patents and State deeds or other restrictions imposed by law, easements and right-of-way, zoning and building ordinances, use restrictions of record, and taxes and assessments for the year 1994 and thereafter.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and

that they will warrant and defend the same from all lawful claims whatsoever.

DATED and signed this 18 day of April, 1994.


MICHAEL LAWRENCE LAMBERT


DEBBIE ANN LAMBERT

STATE OF IDAHO)
County of Bingham) ss.

On this 18 day of April, 1994, before me, the undersigned, a notary public in and for said state, personally appeared MICHAEL LAWRENCE LAMBERT and DEBBIE ANN LAMBERT, husband and wife, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they 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

My cmn exprs: 6-9-97


Notary Public for State of Idaho
Residing at Blackfoot

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DEC 22 1998
Department of Water Resources

WARRANTY DEED - 2

424797

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OCT 06 2000

FIRST AMERICAN TITLE COMPANY

RECORDED AT THE REQUEST OF

'94 APR 18 PM 4 38

FEE \$ 00 DEP \$ 2.00

BLAINE COUNTY RECORDER
BLACKFOOT, IDAHO

426439

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DEC 22 1998

RELEASE OF MORTGAGE

Department of Water Resources

FEE 3.00 DEP 95

COMES NOW Key Bank of Idaho, good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and hereby releases from the lien of that certain mortgage, executed by Michael L. Lambert and Debbie Lambert, husband and wife, to Key Bank of Idaho, dated April 10, 1992, and recorded on the 10th day of April 1992, as Instrument No. 405973, records of Bingham County, state of Idaho.

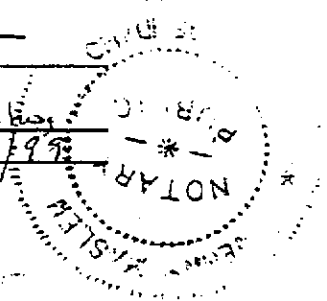
IN WITNESS WHEREOF, this instrument has been executed this 13 day of April 1994.

KEY BANK OF IDAHO

Richard C. Swager, Jr.
By: Richard C. Swager, Jr.
Its:

IN WITNESS WHEREOF, I have set my hand and seal this 13th day of April 1994.

Jay Mas
Notary Public for Idaho
Residing at Meridian, Idaho
Commission expires: 9/28/99



STATE OF IDAHO)
: ss.
COUNTY OF ADA)

On this 13th day of April, 1994, before me, the undersigned notary public in and for said State, personally appeared Richard C. Swager, Jr., known or identified to me to be the Credit Recovery Officer of Key Bank of Idaho, the corporation that executed the within instrument or the person who executed the same on behalf of said corporation, and acknowledged to me that said corporation executed the same.

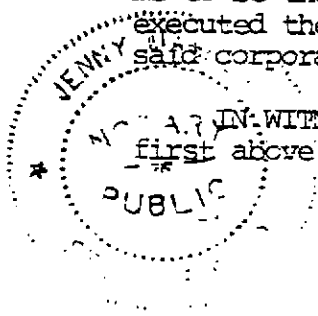
IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

426439

MICROFILMED

OCT 06 2000

Jay Mas
Notary Public for Idaho
Residing at Meridian, Idaho
Commission expires: 9/28/99



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426438

DEC 22 1998

RELEASE OF MORTGAGE

Department of Water Resources

APR 13 PM 2 38

COMES NOW Key Bank of Idaho, good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and hereby releases the lien of that certain mortgage, executed by Michael L. Lambert and Debbie Lambert, husband and wife, to Key Bank of Idaho, dated October 19, 1988, and recorded on the 19th day of October 1988, as Instrument No. 375441, records of Bingham County, state of Idaho.

IN WITNESS WHEREOF, this instrument has been executed this

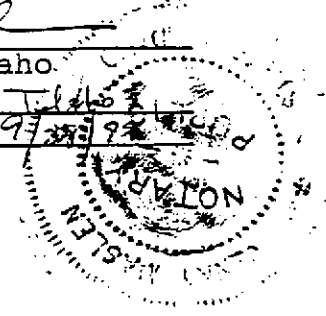
13 day of April 1994.

KEY BANK OF IDAHO

Richard C. Swager, Jr.
By: Richard C. Swager, Jr.
Its:

IN WITNESS WHEREOF, I have set my hand and seal this 13th day of April 1994.

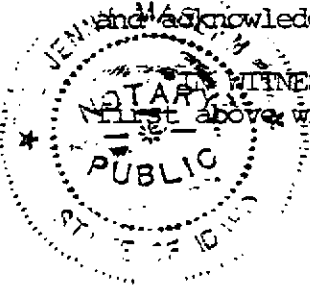
Jim M. Mc
Notary Public for Idaho
Residing at Meridian, Idaho
Commission expires: 9/28/99



STATE OF IDAHO)
 : SS.
County of Ada)

On the 13th day of April, 1994 before me, the undersigned notary public in and for said State, personally appeared Richard C. Swager, Jr., known or identified to me to be the Credit Recovery Officer of Key Bank of Idaho, the corporation that executed the within instrument or the person who executed the same on behalf of said corporation, and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



426438
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OCT 06 2000

Jim M. Mc
Notary Public for Idaho
Residing at Meridian, Idaho
Commission expires: 9/28/99

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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO 1987 NOV 28 PM 3:34
I.R.C.P. 54(b) FOR

Water Right 35-13160

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: DEBBIE A LAMBERT
MICHAEL L LAMBERT
25 W 450 N
BLACKFOOT ID 83221

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 10/12/1979

POINT OF DIVERSION: T02S R35E S12 SESWNE Within BINGHAM County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within BINGHAM County
T02S R35E S12 SWNE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

DATED:

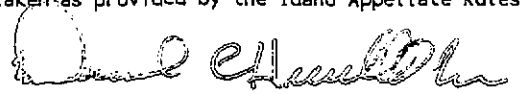


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED:



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 35-13160

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OCT 06 2000

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State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

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Department of Water Resources

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 17, 1998

KENNETH & KAYE NICKELL
658 N 150 W
BLACKFOOT ID 83221

RE: CHANGE OF OWNERSHIP FOR PARTIAL DECREE 35-13160

Dear Mr. & Mrs. Nickell:

The above-referenced partial decree has been updated in our office to reflect you as the current owners. Enclosed is a copy for your records.

Sincerely,

Jennifer Hoagland
Jennifer Hoagland
Technical Records Specialist

Enclosure

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Department of Water Resources

AJ0749NP
No. 35-13160IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)DATE: 12/17/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KENNETH GREG NICKELL	10/12/1979	DOMESTIC	01-01 12-31	0.04 CFS	
C	KAYE NICKELL 658 N 150 W BLACKFOOT ID 83221 (208) 785-5729					
				TOTAL DIVERSION:	0.04 CFS	
D	DEBBIE A LAMBERT					
D	MICHAEL L LAMBERT 25 W 450 N BLACKFOOT ID 83221 (208) 785-2472					

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T02S R35E S12

SESWNE

BINGHAM County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE														
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
02S	35E	12	:																											
			:																											

POU County: BINGHAM

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP RP 0290102

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

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