

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

RECEIVED
FEB 18 2005
DEPARTMENT OF
WATER RESOURCES

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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
13-707A					
13-708	13-7676 13-7677	✓			

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 usually attached to your deed or on file with the county).

OR

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 **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)

THOMAS BENNETT

4. New Owner/Claimant(s)

MAX AND TERI NICHOLS

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 342

City, State and ZIP Code

GRACE, Idaho 83241

New Telephone Number

(208) 427-0045

5. Date you acquired the property

MAY 21st 1997

13-707A - 100% OR .38 CFS TO MAX & Teri Nichols

13-708 - 45% OR .4 CFS TO MAX & Teri NICHOLS

SUPPORT DATA

ON FILE # 13-707

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>13-708</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>.9 cfs</u>	<u>45% OR .4 CFS</u>
Stock		<u>GOES TO MAX & TER; Nickd</u>
Domestic		
Other		
Total		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

[Signature]
[Signature]

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.

For Office Use Only

Received by AM

Date

2-18-05

Fee

\$150.00/xx

Receipted by AM

Date

2-18-05

Receipt No.

0076822

Processed by _____

AJ

Date

WR

Date

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 13-7677

WATER RIGHT NUMBER: 13-7677

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	THOMAS BENNETT
	, ZZ
Current Owner	MAX T NICHOLS PO BOX 342 GRACE, ID 83241 (208) 427-0041
Current Owner	TERI NICHOLS PO BOX 342 GRACE, ID 83241 (208) 427-0041

Priority Date: 05/01/1905

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WHISKEY CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/20 to 09/30	0.420 CFS	
	<u>Total Diversion:</u>	0.420 CFS	

Location of Point(s) of Diversion

WHISKEY CREEK	NE1/4SE1/4	Sec. 24, Twp 11S, Rge 40E, B.M.
CARIBOU 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	
11S	41E	30											25.0	20.0					45.0
													L 4						

Total Acres: 45

Conditions of Approval:

1. P/D MENDENHALL DITCH

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 13-7677

Comments:

1. kwalker 3/7/2006 Split of Rt. 13-708

Comment: Rt. 13-708 was split due to ownership change. Deed specifically allows 40 inches of water to be under Nichols ownership. Rt. 13-707 was completely transferred to Nichols for 0.38 cfs. Rt. 13-708 is being split to bring Nichols up to 40 inches, that is: 0.48 to remain under original and 0.42 cfs for Nichols bringing them up to 40 inches of water.

2. kwalker 3/7/2006 POD

Comment: Updated shape

3. kwalker 3/7/2006 POU

Comment: Updated Shape

4. kwalker 3/7/2006 POU

Comment: Updated PLS

Dates and Other Information:

Licensed Date:

Decreed Date: 7/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector: And

Water District Number: 13S

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant: Last Chance Canal Co

Decree Plaintiff: Utah Power & Light Co

Civil Case Number:

Judicial District: District Court Eastern Division

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Water Supply Bank: