

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

RECEIVED
OCT 27 2004
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
85-2139					

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)

4. New Owner/Claimant(s)

Richard F Nimphius

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

New Mailing Address

5718 Smith Rd

City, State and ZIP Code

Oakdale, Ca 95361

New Telephone Number

(209) 847-8443

5. Date you acquired the property

2-7-04

SCANNED

JAN 20 2005

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 _____		
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	_____	_____

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)

Richard F. Nings

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 <u>REGION</u>	Date <u>10.27.04</u>	Fee <u>N/A</u>
Received by <u>N/A</u>	Date <u>N/A</u>	Receipt No. <u>N/A</u>
Processed by _____	AJ Date _____	WR _____ Date _____

0481072
0431072DEED OF GIFT RESERVING LIFE ESTATE

THIS INDENTURE, made on this 22nd day of August, 2003, by and between FRANZ NIMPHIUS and LORRAINE E. NIMPHIUS, husband and wife, of Rt. 2 Box 676, Kamiah, ID 83536, hereinafter referred to as the Grantors, and RICHARD F. NIMPHIUS, a married man but as his sole and separate property, of 5718 Smith Road, Oakdale, CA 95361, and GEORGIAN PETERS, a married woman but as her sole and separate property, of 1324 West San Jose Avenue, Fresno, CA 93711, as co-tenants, hereinafter referred to as the Grantees.

WITNESSETH:

That the said Grantors, for and in consideration of the love and affection which the Grantors have and bear for the Grantees, their son and daughter, do by these presents grant, alien, transfer, and convey unto the Grantees an undivided one-half interest each in and to the following described real property, to be held by each Grantee as their sole and separate property, with the property being situated in the County of Idaho, State of Idaho, and being described as follows, to wit:

The SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township 33 North, Range 3 East, Boise Meridian, Idaho County, Idaho.

HOWEVER, the Grantors, Franz Nimphius, for the balance of his natural lifetime, and Lorraine E. Nimphius, for the balance of her natural lifetime, reserve life estates in the above-described property, which property would only become possessory in the Grantees at the time of the last to die, being either Franz Nimphius or Lorraine E. Nimphius.

Between Franz Nimphius and Lorraine E. Nimphius, they acknowledge that the above-mentioned is community property between them and that each has a life estate in the property. Both Franz Nimphius and Lorraine E. Nimphius express their clear intention to reserve for themselves life estates to use all of the property for their lives as they may choose to do so, understanding they would have the duty to pay all real property taxes which accrue against the property and maintain the property as life tenants on the same during their respective lifetimes.

Furthermore, in the event there would be any timber on the property that the life tenants desire to harvest and sell they shall be free to do so without any accounting to the remaindermen.

Only at the time of the second to die of the two Grantors will the life estates be considered extinguished and the remainder interests thus granted to Richard F. Nimphius and Georgian Peters become possessory.

STATE OF IDAHO	
County of Idaho	
Recorded at request of <u>Mennis Albers</u>	
at <u>3:05 p.m.</u>	on <u>8-27-03</u>
ROSE E. GEHRING	
By <u>Sandy Jones</u>	Deputy
Fees \$ <u>600</u>	

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

FRANZ NIMPHIUS

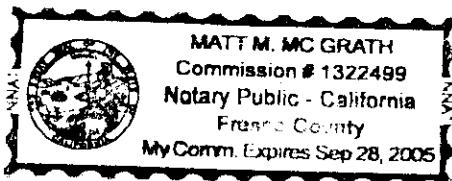
Lorraine E. Nimphius
LORRAINE E. NIMPHIUS

STATE OF California)
County of Fresno)

On this 22nd day of August, 2003, before me, a Notary Public in and for said County and State, personally appeared FRANZ NIMPHIUS and LORRAINE E. NIMPHIUS, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and they acknowledged to me that they freely executed the same.

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

(NOTARY SEAL)



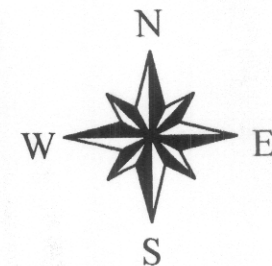
Notary Public for the State of California,
Residing at Fresno, therein.
My commission expires Sept 29, 2005.

85-2139



T33N R03E
Section 11

⊙ Point of Diversion
□ Place of Use



Map prepared by: Greg Taylor
Date Prepared: April 2, 2004
Photography: 1992 DOQQ
Idaho Department of Water Resources

