

No Color
Documents
In File

JUL 30 2002

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

RECEIVED

JUL 25 2002

WATER RESOURCES
WESTERN REGION

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

DIVISION

WFL

1. Water Right or Adjudication Claim No(s):

65-10538 / 65-86142. 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

Nisula

4. New Owner/Claimant(s)

Pt NW4 NE4, Less St Hwy ROW; W/2 NE4 NE4;
W/2 E/2 NE4 NE4 Sec 15, T17N, R3E

New Mailing Address

KASEY AND JULIE LINDSAY

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

City, State and ZIP Code

P.O. Box 803
LAKE FORK, ID. 83635

New Telephone Number

(208) 634-1269

5. Date you acquired the property

7/1/02

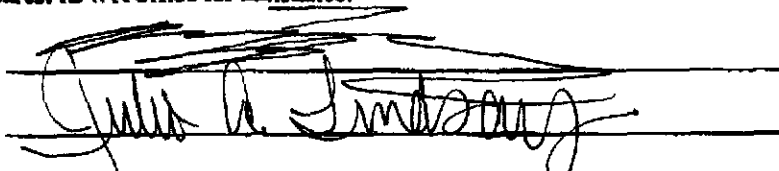
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate 30 Number and type of stock HORSES MINIMUM OF 8

Diversion rate in CFS _____ Number of homes 0 Other uses NONE

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)



Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

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 claims.

**WARRANTY DEED**

For Value Received, RICHARD BLACKWOOD, PERSONAL REPRESENTATIVE OF THE ESTATE OF ERNEST J. CHENEY

the Grantors, do hereby grant, bargain, sell and convey unto
KASEY J. LINDSAY and JULIE A. LINDSAY, HUSBAND AND WIFE

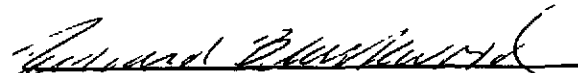
whose address is: P.O. BOX 803, LAKEFORK, ID 83635

the Grantee, the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED

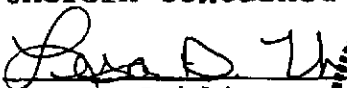
TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 2002 taxes and assessments and that they will warrant and defend the same from all lawful claims whatsoever.

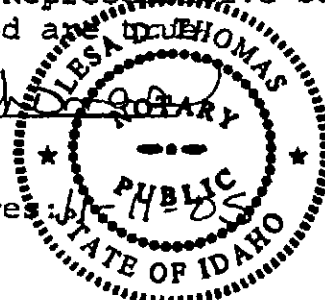
Dated: 6-28-02
ESTATE OF ERNEST J. CHENEY


RICHARD BLACKWOOD, PERS REP

State of Idaho)
) ss
County of Ada)

On the 28th day of June, 2002 before me Kesa D. Thomas
a notary public in and for said State, personally appeared
RICHARD BLACKWOOD who being by me first duly sworn, declared that
RICHARD BLACKWOOD the Personal Representative of the Estate of
ESTATE OF ERNEST J. CHENEY and that he signed the foregoing document
as the Personal Representative of the Estate, and that statements
therein contained are true.


Notary Public
Boise, ID
Commission Expires: 6-14-05



THOMAS W. KERR
PLS 998

KERR SURVEYING
PO BOX 853
McCALL, IDAHO
208-634-2686
January 6, 1997

JOEL W. DROULARD
PLS 5357

CHENEY NORTH PARCEL

N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 15, T.17N, R.3E
Valley County, Idaho

17N 2E 15 NENE
NWNE

A parcel of land being a portion of the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 15, T. 17 N., R. 3 E., B.M., Valley County, Idaho, more particularly described as follows:

Commencing at the $\frac{1}{4}$ Corner common to Sections 10 and 15, T. 17 N., R. 3 E., B.M., Valley County, Idaho; thence, S. 89° 11' 39" E., 726.03 feet along the north boundary said NE $\frac{1}{4}$ to a $\frac{1}{2}$ " rebar, the REAL POINT OF BEGINNING:

Thence, continuing S. 89° 11' 39" E., 1,603.41 feet to a $\frac{1}{2}$ " rebar marking the E-E-E 1/256 corner on the north boundary of said Section 15,
thence, S. 00° 17' 15" W., 660.22 feet to a $\frac{1}{2}$ " rebar marking the C-E-NE-NE 1/256 corner of said Section 15,
thence, N. 89° 12' 40" W., 2,298.15 feet to a $\frac{1}{2}$ " rebar on the east right-of-way of State Highway 55,
thence, continuing N. 89° 12' 40" W., 31.61 feet to the west boundary of said N $\frac{1}{2}$ NE $\frac{1}{4}$,
thence, N. 00° 18' 56" E., 360.90 feet along said west boundary,
thence, S. 89° 11' 39" E., 31.81 feet to a $\frac{1}{2}$ " rebar on the east right-of-way of State Highway 55,
thence, continuing S. 89° 11' 39" E., 694.22 feet to a $\frac{1}{2}$ " rebar,
thence, N. 00° 20' 50" E., 300.00 feet to the Point of Beginning, containing 30.326 acres, more or less.

Subject to and along with a 70.00 foot wide ingress, egress and utility easement situate in the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 15, T. 17 N., R. 3 E., B.M., Valley County, Idaho, lying 35.00 feet on each side of the following described center line:

Commencing at the $\frac{1}{4}$ Corner common to Sections 10 and 15, T. 17 N., R. 3 E., B.M., Valley County, Idaho; thence, S. 00° 18' 56" W., 660.90 feet to C-N-N 1/64 corner of said Section 15, the REAL POINT OF BEGINNING:

Thence, S. 89° 12' 40" E., 1,331.29 feet to the C-N-NE 1/64 corner of said Section 15, the Point of Ending.

Also, subject to the right-of-way of State Highway 55, situate in

NORTH PARCEL

page 2

the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 15, T. 17 N., R. 3 E., B.M., Valley County, Idaho, more particularly described as follows:

Commencing at the $\frac{1}{4}$ Corner common to Sections 10 and 15, T. 17 N., R. 3 E., B.M., Valley County, Idaho, the REAL POINT OF BEGINNING:

Thence, S. 89° 11' 39" E., 31.97 feet along the north boundary of said NE $\frac{1}{4}$ to a $\frac{1}{2}$ " rebar on the easterly right-of-way of State Highway 55,

thence, S. 00° 20' 50" E., 1,112.61 feet along said right-of-way to a $\frac{1}{2}$ " rebar,

thence, N. 89° 13' 40" W., 31.36 feet to the west boundary of said NE $\frac{1}{4}$,

thence, N. 00° 18' 56" E., 1,112.63 feet to the Point of Beginning, containing 0.809 acres, more or less.

Bearings based on State Plane Grid Azimuth.

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 65-08614

NAME AND ADDRESS: JAMES P NISULA
JOYCE E NISULA
PO BOX 639
LAKE FORK, ID 83635

SOURCE: GROUNDWATER

QUANTITY: 0.07 CFS
2.60 AFY

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

PRIORITY DATE: 06/01/1900

POINT OF DIVERSION: T17N R03E S15 NWNE Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS 1.20 AFY
	Stockwater	01-01 TO 12-31	0.03 CFS 1.40 AFY

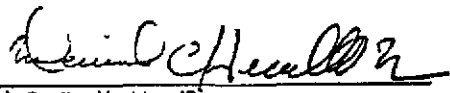
PLACE OF USE:	Stockwater		Within Valley County
	T17N R03E S15	NWNE	
	Domestic		Within Valley County
	T17N R03E S15	NWNE	

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.

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.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 27, 2004

KASEY J LINDSAY
JULIE LINDSAY
PO BOX 803
LAKE FORK ID 83635

RE: Change of Ownership for Water Right 65-8614

Dear Water Right Holders:

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:eja

Enclosures

MEMORANDUM

DATE: October 27, 2004
FROM: JUSTIN ALDRIDGE
TO: FILE 65-08614
RE: Telephone conversation

=====

The Lindsays were deficient the \$25 filing fee. However, the required fee was received on October 5, 2004 (C075384), but the receipt was misplaced during the move to the Water Center and was not discovered until after the 2nd Request had been mailed on October 22, 2004. I called and told Kasey Lindsay to disregard the 2nd Request, and that we would process his ownership change.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

~~September 20, 2004~~

October 22, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

KASEY LINDSAY
JULIE LINDSAY
PO BOX 803
LAKE FORK ID 83635

2nd Request

RE: Change in Ownership for Water Right 65-08614

Dear Mr. & Mrs. Lindsay:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

X Filing Fee of \$25 per water right

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be \$25.

Because the Department cannot process the ownership change without proper fees, we will hold any action on your notice pending their receipt. If we do not receive the necessary fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

If you have any questions regarding this matter, please call Kari Lynn Townsend at 208-327-7941.

Sincerely,

E. Justin Aldridge
Technical Review



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

September 20, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

KASEY LINDSAY
JULIE LINDSAY
PO BOX 803
LAKE FORK ID 83635

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E. Justin Aldridge
Technical Review