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MEMORANDUM

DATE: November 17, 2004
FROM: JUSTIN ALDRIDGE
TO: FILE 65-17854, 65-2937B, and 65-3117B
RE: Telephone conversation

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Mr. Nikkel called concerning the deficiency letter I sent him on November 4. He said that 65-3117B was not one of the water rights attached to the property he purchased, and at the time he filed the notice he thought it was. As a result, that water right should be taken off of the list of water rights to change. In addition, while talking with him about 65-2937B I discovered that it had already been changed into his name in AJ and I had not noticed it before. So 2937B will not be processed either. The only water right being processed that is listed on his notice is 65-17854.

RECEIVED

NOV 18 2002

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

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
~~65-2937B~~					
~~65-3117B~~					
65-17854					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE** See instructions for fee amounts. \$ 25
- 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) Cutler Umbach and Nancy E. Umbach
P.O. Box 2329, McCall, ID 83638
4. New Owner/Claimant(s) William A. Nikkel and Cristina S. Nikkel
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 292 Potter Lane
- City, State and ZIP Code McCall, ID 83638
- New Telephone Number (208) 634-1504
5. Date you acquired the property July 1, 2002



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

November 4, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

WILLIAM A NIKKEL
CRISTINA S NIKKEL
292 POTTER LN
MCCALL ID 83638

RE. Change in Ownership for Water Right 65-2937B, 65-3117B, and 65-17854

Dear Mr. & Mrs. Nikkel:

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:

☒ **Evidence of Water Right Ownership:** copy of **Warranty Deed, Title Policy, Contract of Sale**, or other legal document indicating your ownership of the property and/or water rights in question

☒ **Legal Description of Property**

During our review of the documentation you submitted we found that two of the water rights referenced above can be processed. However, water right 65-3117B cannot be processed with the documentation that you have submitted. For us to process this water right, additional documentation needs to be provided showing that you own the land that is associated with the water right. **The place of use for 65-3117B is not covered in the legal description of the property conveyed to you in the Warranty Deed.** We will process all three water rights as soon as proper documentation is received for 65-3117B. I have enclosed a copy of the water right for your reference.

Because the Department cannot process the ownership change without proper documentation we will hold any action on your notice pending its receipt. If we do not receive the necessary information 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 208-287-4952.

Sincerely,

E. Justin Aldridge
Technical Review

Enclosure