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Documents  
In File

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

825  
 2026549  
 RECEIVED

MAR 22 2001

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.  
 Incomplete forms will be returned.

Department of Water Resources

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, 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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|

~~31-2399~~

31-10657 Part. Decree

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) are 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)

Nick & Kathleen Mickelson

4. New Owner/Claimant(s)

BAN Land LC

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

New Mailing Address

P.O. Box 69

City, State and ZIP Code

Lewisville ID 83431

New Telephone Number

(208) 754-4651

5. Date you acquired the property

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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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(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)

Carol M. Dale  
Managing Member

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 DC

Date 3/15/2001

Fee \$25

Received by DE

Date 3/15/2001

Receipt No. EO 26549

Processed by \_\_\_\_\_ AJ

Date \_\_\_\_\_

WR \_\_\_\_\_

Date \_\_\_\_\_

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Microfilm No. 284099  
28 Dns January 97  
At 1056 (Clock 2 M)  
CONNIE M. KELER  
Jefferson Co. Recorder  
File # 6-02 51  
Received of [Signature] [illegible]

## WARRANTY DEED

FOR VALUE RECEIVED, Scott R. Mickelsen and Mitzi E. Mickelsen, husband and wife, of 242 East 2200 North, Hamer, Idaho, 83425, hereinafter called "Grantors", do hereby grant, bargain, exchange, warrant and convey unto Ball Land, LC, an Idaho Limited Liability Company, c/o Carl Ball, Managing Member, of 2612 East 2300 North, Hamer, Idaho 83425, hereinafter called "Grantee", the following described real property in Jefferson County, Idaho, to-wit:

Tract 2 (this is the only Tract in this Deed):

Township 7 North, Range 36 East, Boise Meridian:

Section 15: Part of NW¼, more particularly described as follows:

Beginning on the East right-of-way line of the Railroad where it intersects the North Section line of said Section 15 and running thence East 820 feet, more or less, to the West side of an existing driveway, said point being the true point of beginning; thence South 1000 feet; thence East 350 feet; thence north 1000 feet; thence West 350 feet to the true point of beginning. EXCEPTING THEREFROM: County road right-of-way as it exists along the North boundary of said described land.

Together with improvements and appurtenances, including domestic well under Water License # A21-10657, for 0.05 CFS for stockwater and 0.04 CFS for domestic, with priority date May 1, 1960, with point of diversion in SE¼NW¼NW¼ of Sec. 15.

Subject to any other easements of record or in existence for roads and utilities.

Grantors covenant and warrant that fee simple title to the above described property is conveyed to Grantee by this Deed, free from all encumbrances, except Real Estate Mortgage from Ball Land, LC, as Mortgagor, to Nick R. Mickelsen and Kathleen M. Mickelsen as Mortgagees, securing a Promissory Note in the principal amount of \$156,500.00, payable in installments, which Note is also secured by a Real Estate Mortgage on Tract 1.

The consideration for this deed is an exchange of like-kind property.

DATED This 26th day of November, 1996.

*Scott R. Mickelsen*  
Scott R. Mickelsen

*Mitzi E. Mickelsen*  
Mitzi E. Mickelsen  
1-28-97 [Signature]  
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AUG 08 2001

**Acknowledgment**

STATE OF IDAHO )  
                  SS.  
County of Jefferson. )

On this 26th day of November, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared **Scott R. Mickelsen** and **Mitzi E. Mickelsen**, husband and wife, known to me to be the persons whose names are subscribed to the within Warranty Deed 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.



*Amy K Stowell*  
Notary Public for Idaho  
Residing at *Rigby*  
My commission expires: *11 24 2001*

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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  
I.R.C.P. 54(b) FOR

Water Right 31-10657

6-19

NAME AND ADDRESS: KATHY MICKLESON  
NICK MICKLESON  
HAMER, ID 83425

RECEIVED

JUN 23 1998

Department of Water Resources  
Adjudication Bureau

SOURCE: GROUNDWATER  
QUANTITY: 0.05 CFS

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

PRIORITY DATE: 05/01/1960

POINT OF DIVERSION: T07N R36E S15 SENWNW Within Jefferson County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE  | QUANTITY |
|-------------------------------|-----------------|----------------|----------|
|                               | Domestic 1 HOME | 01-01 TO 12-31 | 0.04 CFS |
|                               | Stockwater      | 01-01 TO 12-31 | 0.05 CFS |

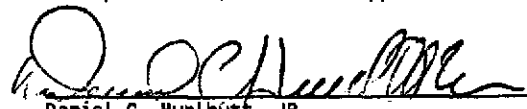
|               |               |      |                         |
|---------------|---------------|------|-------------------------|
| PLACE OF USE: | Stockwater    |      | Within Jefferson County |
|               | T07N R36E S15 | NWNW |                         |
|               | Domestic      |      | Within Jefferson County |
|               | T07N R36E S15 | NWNW |                         |

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

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OCT 19 2001

# SRBA

## PARTIAL DECREE 31-10657

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Issued on 06-19-1998.

*This is not an official copy.*

Contact IDWR or the Court for a Certified Copy.

Choose Landscape Orientation when printing.

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| NAME AND ADDRESS:             | KATHY MICKLESON<br>NICK MICKLESON<br>HAMER, ID 83425                                                                                                                                                                                                           |                |                         |                |               |                |                 |                |        |            |                |                |               |      |  |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------------------|----------------|---------------|----------------|-----------------|----------------|--------|------------|----------------|----------------|---------------|------|--|
| SOURCE:                       | GROUNDWATER                                                                                                                                                                                                                                                    |                |                         |                |               |                |                 |                |        |            |                |                |               |      |  |
| QUANTITY:                     | 0.05 CFS<br>THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED<br>GALLONS PER DAY.                                                                                                                                                                        |                |                         |                |               |                |                 |                |        |            |                |                |               |      |  |
| PRIORITY DATE:                | 05/01/1960                                                                                                                                                                                                                                                     |                |                         |                |               |                |                 |                |        |            |                |                |               |      |  |
| POINT OF DIVERSION:           | T07N R36E S15                                                                                                                                                                                                                                                  | SENWNW         | Within Jefferson County |                |               |                |                 |                |        |            |                |                |               |      |  |
| PURPOSE AND<br>PERIOD OF USE: | <table><thead><tr><th>PURPOSE OF USE</th><th>PERIOD OF USE</th><th>QUANTIT</th></tr></thead><tbody><tr><td>Domestic 1 HOME</td><td>01-01 TO 12-31</td><td>0.04 C</td></tr><tr><td>Stockwater</td><td>01-01 TO 12-31</td><td>0.05 C</td></tr></tbody></table>   |                |                         | PURPOSE OF USE | PERIOD OF USE | QUANTIT        | Domestic 1 HOME | 01-01 TO 12-31 | 0.04 C | Stockwater | 01-01 TO 12-31 | 0.05 C         |               |      |  |
| PURPOSE OF USE                | PERIOD OF USE                                                                                                                                                                                                                                                  | QUANTIT        |                         |                |               |                |                 |                |        |            |                |                |               |      |  |
| Domestic 1 HOME               | 01-01 TO 12-31                                                                                                                                                                                                                                                 | 0.04 C         |                         |                |               |                |                 |                |        |            |                |                |               |      |  |
| Stockwater                    | 01-01 TO 12-31                                                                                                                                                                                                                                                 | 0.05 C         |                         |                |               |                |                 |                |        |            |                |                |               |      |  |
| PLACE OF USE:                 | <table><tbody><tr><td>Stockwater</td><td></td><td>Within Jeffers</td></tr><tr><td>T07N R36E S15</td><td>NWNW</td><td></td></tr><tr><td>Domestic</td><td></td><td>Within Jeffers</td></tr><tr><td>T07N R36E S15</td><td>NWNW</td><td></td></tr></tbody></table> |                |                         | Stockwater     |               | Within Jeffers | T07N R36E S15   | NWNW           |        | Domestic   |                | Within Jeffers | T07N R36E S15 | NWNW |  |
| Stockwater                    |                                                                                                                                                                                                                                                                | Within Jeffers |                         |                |               |                |                 |                |        |            |                |                |               |      |  |
| T07N R36E S15                 | NWNW                                                                                                                                                                                                                                                           |                |                         |                |               |                |                 |                |        |            |                |                |               |      |  |
| Domestic                      |                                                                                                                                                                                                                                                                | Within Jeffers |                         |                |               |                |                 |                |        |            |                |                |               |      |  |
| T07N R36E S15                 | NWNW                                                                                                                                                                                                                                                           |                |                         |                |               |                |                 |                |        |            |                |                |               |      |  |

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NO DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISION NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFIC ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN TH ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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[Return to SRBA Home Page](#)

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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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

July 25, 2001

BALL LAND LC  
PO BOX 69  
LEWISVILLE ID 83431-0069

RE: Change of Ownership for Water Right 31-10657

Dear Water Right Holder(s):

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:klt

Enclosure

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