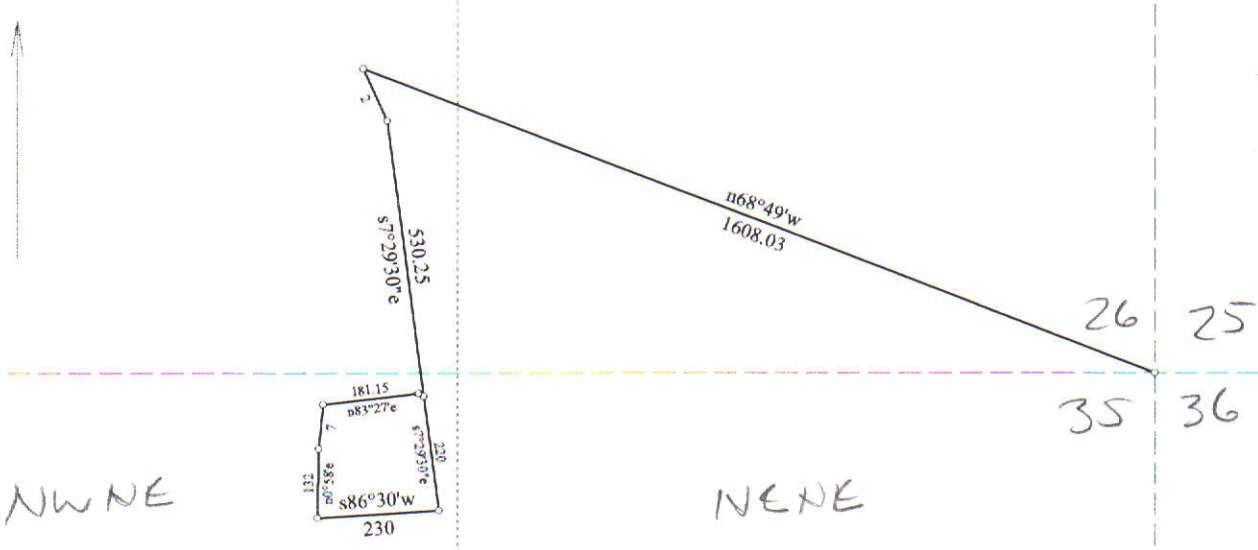
5N 4E



Title:		Date: 09-05-2001
Scale: 1 inch = 364 feet	File:	

Tract 1: 2.489 Acres: 108417 Sq Feet: Closure = n88.2446e 1395.53 Feet: Precision =1/ 2: Perimeter = 3095 Feet

001=/se,se,se,26,5n,4e	005=s7.2930e 220	009=n83.27e 181.15
002=n68.49w 1608.03	006=s86.30w 230	
003=s24.36e 108.93	007=n0.58e 132	
004=s7.2930e 530.25	008=n5.48e 85	

344246.32 ↔
294278.26 ↕

5N 4E 35 NWNE

9/5/01

MICROFILMED

SEP 07 2001

Form 42-248/42-1409(6) July, 2000

RECEIVED
JUL 16 2001
Department of Water Resources

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

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
	463-4810				
	A63-4792	P.D.			

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): MELDA NEWTON
HC 33 BOX 1530, BOISE

4. New Owner/Claimant(s): WALTER S NICHOLS AND/OR SARA A. NICHOLS
Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

New Mailing Address: 12 COUGAR LN

City, State and ZIP Code: BOISE, ID 83716

New Telephone Number: (208) 392-2219

5. Date you acquired the property: 1/20/1996

MICROFILMED
07 2001

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) Walter D. Nichol
(include title if applicable)

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 DB Date 1-13-01 Fee $25 -
Receipted by DB Date 1-13-01 Receipt No. W028033
Processed by _____ AJ Date _____ WR _____ Date _____

MICROFILMED
SEP 0 7 2001

A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY
8151 W. Rifleman Ave / Boise, Idaho 83704 / (208) 377-2700&f

P143959 DS/SW

WARRANTY DEED
(INDIVIDUAL)

FOR VALUE RECEIVED MELDA B. NEWTON, AN UNMARRIED PERSON

Grantor , does hereby grant, bargain, sell and convey unto WALTER STEPHEN NICHOLS AND SARA ALICIA M. NICHOLS, HUSBAND AND WIFE

the Grantee s , whose current address is: 1920 CLARK BLVD., LAREDO, TX 78043
the following described real property in BOISE County, State of Idaho, more particulary described as follows, to-wit:
SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

BOISE ... SS
REQUEST OF
Ntn. View Title
DATE TIME

159002

96 JAN 18 PM 3:29

BY Sue Moore
FEE $6.00/ck

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s and Grantee heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee s, the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee s and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (includes irrigation and utility assessments, (if any) for the current year, which are not yet due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: January 20, 1996 M.N.

Melda B. Newton
MELDA B. NEWTON

MICROFILMED
SEP 8 2000

STATE OF IDAHO, County of Bonner, ss.

On this 3 day of January, in the year of 1996, before me Janis Maher, a notary public, personally appeared MELDA B. NEWTON, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Notary Public: Janis Maher
Residing at: Sandpoint
My Commission Expires: 4-1-97

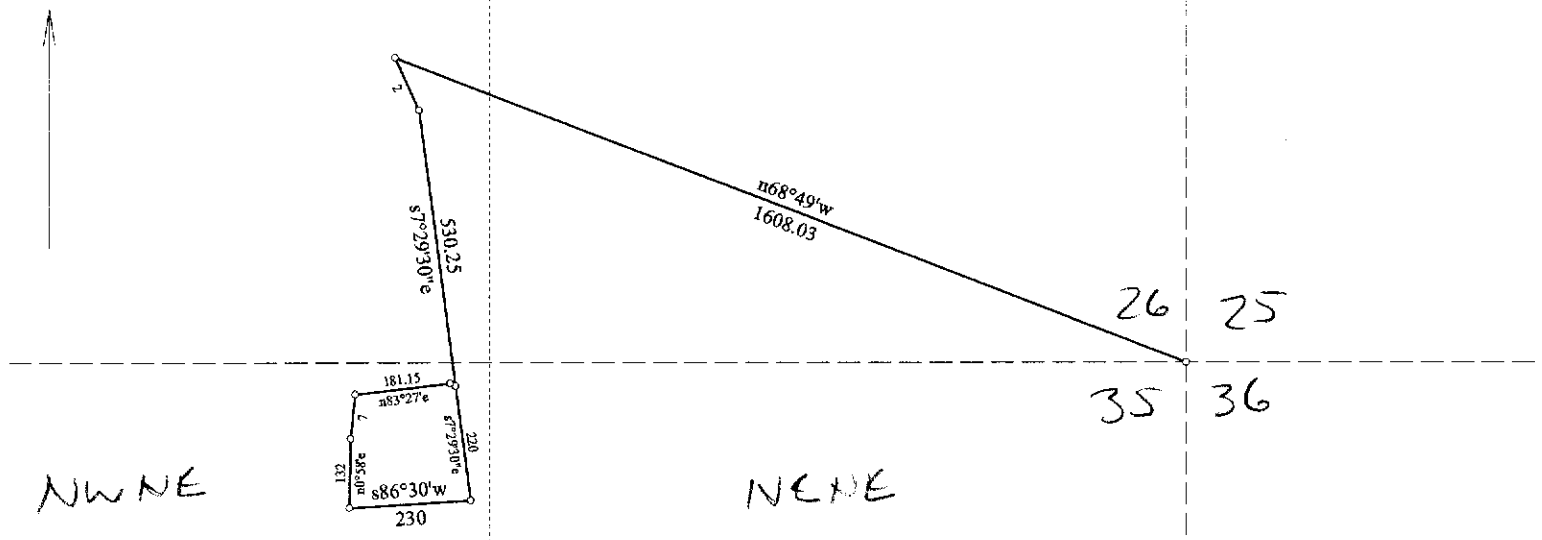
EXHIBIT "A"

COMMENCING AT CORNER NO. 1-1629 OF THE PATENTED MARY PLACER CLAIM, U.S. MINERAL SURVEY 1629, FROM WHICH THE CORNER COMMON TO SECTIONS 25, 26, 35, AND 36, OF TOWNSHIP 5 NORTH, RANGE 4 EAST, BOISE MERIDIAN, BOISE COUNTY, IDAHO, BEARS SOUTH 68 DEGREES 49' EAST 1608.03 FEET; THENCE ALONG THE EASTERLY BOUNDARY OF SAID CLAIM
SOUTH 24 DEGREES 36' EAST 108.93 FEET TO THE RIGHT BANK OF MORES CREEK;
THENCE ALONG THE RIGHT BANK OF MORES CREEK
SOUTH 7 DEGREES 29'30" EAST 530.25 FEET TO A STEEL PIN ON THE RIGHT BANK OF MORES CREEK WHICH POINT IS THE REAL POINT OF BEGINNING; THENCE CONTINUING ALONG THE RIGHT BANK OF MORES CREEK
SOUTH 7 DEGREES 29'30" EAST 220.0 FEET TO A POINT; THENCE LEAVING THE RIGHT BANK OF MORES CREEK
SOUTH 86 DEGREES 30' WEST 230.0 FEET TO A POINT ON THE WEST SIDE LINE OF SAID CLAIM;
THENCE ALONG A WEST SIDE LINE OF SAID CLAIM
NORTH 0 DEGREE 58' EAST 132.0 FEET TO CORNER 2-1629 OF SAID CLAIM;
THENCE CONTINUING ALONG A WEST SIDE OF SAID CLAIM
NORTH 5 DEGREES 48' EAST 85.0 FEET TO A STEEL PIN; THENCE
NORTH 83 DEGREES 27' EAST, 181.15 FEET TO THE REAL POINT OF BEGINNING.

END OF LEGAL DESCRIPTION

MICROFILMED
SEP 3 2 2004

5N 4E



Title:		Date: 09-05-2001
Scale: 1 inch = 364 feet	File:	

Tract 1: 2.489 Acres: 108417 Sq Feet: Closure = n88.2446e 1395.53 Feet: Precision =1/ 2: Perimeter = 3095 Feet

001=/se,se,se,26,5n,4e	005=s7.2930e 220	009=n83.27e 181.15
002=n68.49w 1608.03	006=s86.30w 230	
003=s24.36e 108.93	007=n0.58e 132	
004=s7.2930e 530.25	008=n5.48e 85	

344246.32 ↔
294278.26 ↕

5N 4E 35 NWNE 9/5/01

MICROFILMED
SEP 07 2001

1999 DEC 30 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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 63-04792

NAME AND ADDRESS: MELDA NEWTON
HC 33 BOX 1530
BOISE, ID 83706

SOURCE: SPRING TRIBUTARY: MORES CREEK

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/26/1898

POINT OF DIVERSION: T05N R04E S35 NWNE Within Boise County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Domestic Within Boise County
T05N R04E S35 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.

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

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.

B Wood

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED
SEP 0 7 2001

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 10, 2001

WALTER S NICHOLS
SARA A NICHOLS
12 COUGAR LN
BOISE ID 83716

RE: Change of Ownership for Water Right 63-4792

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. Also enclosed is a receipt for the $25.00 filing fee and a copy of a promissory note which we do not require for our 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,

Karl Lynn Jewsen
for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED
SEP 2 7 2001