

MAR 23 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern Region

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, [see #7](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
34-139026K	Yes ☐	Yes ☐	34-139890K	Yes ☐	Yes ☐
34-139040K	Yes ☐	Yes ☐	34-139910K	Yes ☐	Yes ☐
34-139060K	Yes ☐	Yes ☐	34-139930K	Yes ☐	Yes ☐
34-139850K	Yes ☐	Yes ☐	34-139950K	Yes ☐	Yes ☐
34-139870K	Yes ☐	Yes ☐	34-139970K	Yes ☐	Yes ☐

2. Previous Owner's Name: Constantine Kitsos
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Derek A Nichols
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

P.O. Box 606 Moore ID 83255
Mailing address City State Zip
208-317-3316 donichols1983@gmail.com
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: _____

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
- ☐ If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:

- ☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- ☐ Filing fee (see instructions for further explanation):
- ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA
IN FILE # 34-13902

8. Signature: [Signature] Owner 3-23-23
Signature of new owner/claimant Title, if applicable Date

Print name

Signature: _____
Signature of new owner/claimant Title, if applicable Date

Print name

For IDWR Office Use Only:

Received by M. Petter Date 3-23-23 Receipt No. E049006 Receipt Amt. \$25.00
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
Name on W-9 _____ Approved by JB Processed by JB Date 3/30/2023

MAR 30 2023

RECEIVED

MAR 23 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern Region

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
34-139990 ⁰⁰	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-140010 ⁰⁰	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-140030 ⁰⁰	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Constantine Kitsos
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Derek A. Nichols
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- P.O. Box 606 Moore ID 83255
Mailing address City State Zip
- 208-317-3316 danichols1983@gmail.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: _____
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
☐ If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☐ Filing fee (see instructions for further explanation):
☐ \$25 per *undivided* water right.
☐ \$100 per *split* water right.
☐ No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: [Signature] Owner 3-23-23
Signature of new owner/claimant Title, if applicable Date
- Print name _____
- Signature: _____
Signature of new owner/claimant Title, if applicable Date
- Print name _____

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by _____ Date _____

MAR 30 2023

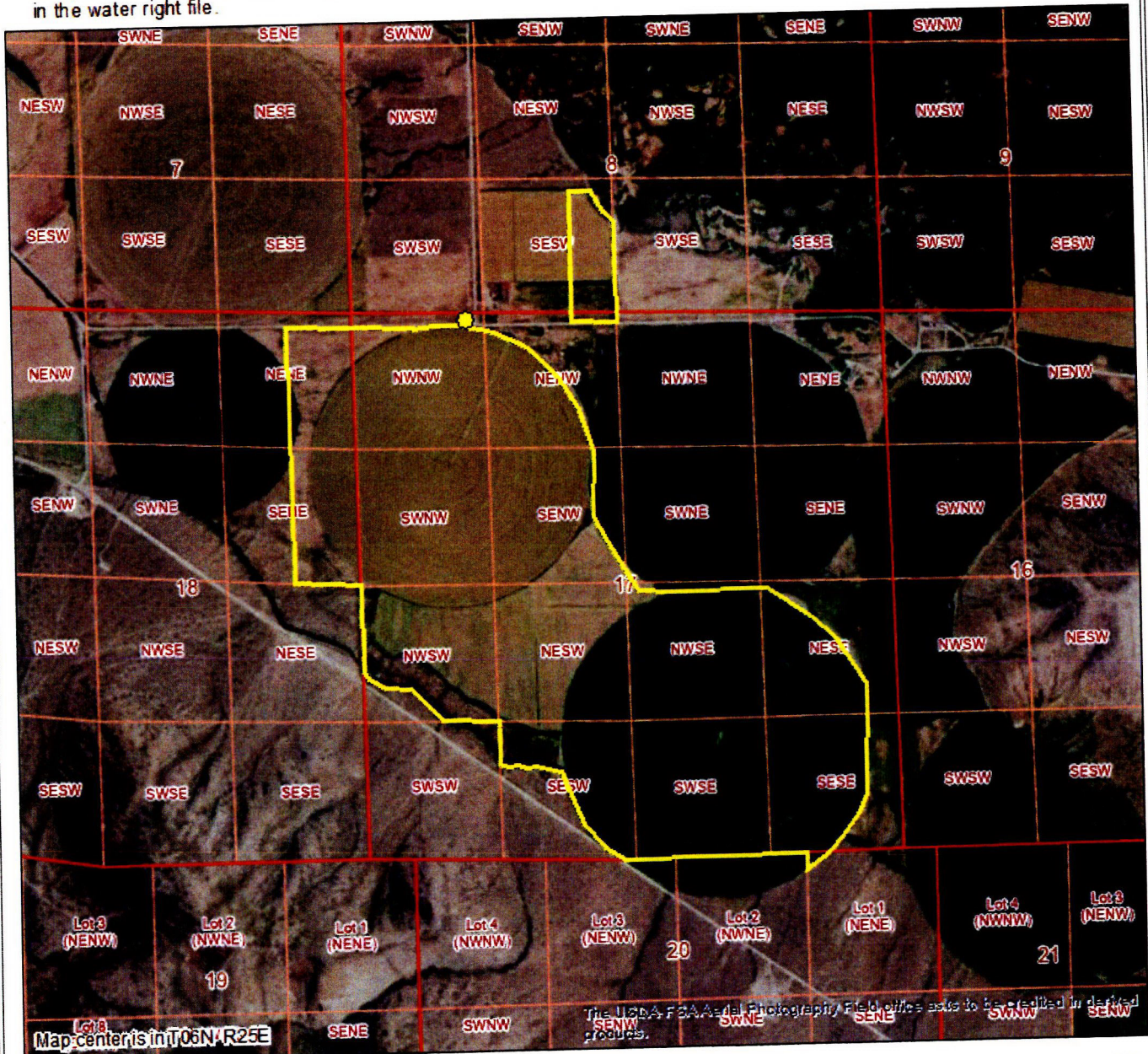
State of Idaho
Department of Water Resources

Water Right

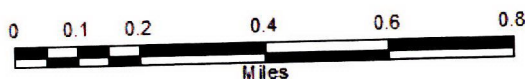
34-13902

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 3/10/2023



Legend

- Point of Diversion
- Place of Use Boundary
- ▬ Townships
- ▬ PLS Sections
- ▬ Quarter Quarters



SCANNED

MAR 30 2023



TitleOne
a title & escrow co.

Order Number: 22466007

Warranty Deed

For value received,

Constantine N Kitsos Trustee of Constantine N Kitsos Living Trust B, and Constantine N Kitsos Trustee of Constantine N Kitsos Living Trust C and Constantine N Kitsos Trustee of Constantine N Kitsos Living Trust D

the grantor, does hereby grant, bargain, sell, and convey unto

Derek A Nichols, a married man as to 10% interest and Nichols Land, LLC, a Kansas limited liability company as to 80% interest and Angela Nichols, an unmarried woman as to 5% interest and Patrick Nichols, a married man as to 5% interest.

whose current address is PO Box 606 Moore, ID 83255

the grantee, the following described premises, in Custer County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Order Number: 22466007

Warranty Deed - Page 1 of 5

SCANNED

MAR 30 2023

All pertinent water rights to property to be transferred with sale.

Dated: March 9, 2023

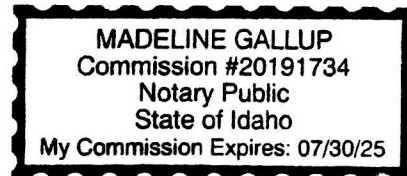
Constantine N Kitsos Trustee of Constantine N Kitsos Living Trust B

By: [Signature]
Constantine N Kitsos, trustee

State of Idaho, County of Bonneville, ss.

On this 10 day of March in the year of 2023, before me, the undersigned, a notary public in and for said state personally appeared Constantine N Kitsos, known or identified to me to be the person whose name is subscribed to the within instrument, as trustee of Constantine N Kitsos Living Trust B and acknowledged to me that he/she executed the same as trustee.

Madeline Gallup
Notary Public
Residing In: Pine, ID
My Commission Expires: 7/30/2025
(seal)



Constantine N Kitsos Trustee of Constantine N Kitsos Living Trust C

By: [Signature]
Constantine N Kitsos, trustee

State of Idaho, County of Bonneville, ss.

On this 10 day of March in the year of 2023, before me, the undersigned, a notary public in and for said state personally appeared Constantine N Kitsos, known or identified to me to be the person whose name is subscribed to the within instrument, as trustee of Constantine N Kitsos Living Trust C and acknowledged to me that he/she executed the same as trustee.

Madeline Gallup
Notary Public
Residing In: Pine, ID
My Commission Expires: 7/30/2025
(seal)



Constantine N Kitsos Trustee of Constantine N Kitsos Living Trust D

By: [Signature]

Constantine N Kitsos, trustee

State of Idaho, County of Bonneville, ss.

On this 10 day of March in the year of 2023, before me, the undersigned, a notary public in and for said state personally appeared Constantine N Kitsos known or identified to me to be the person whose name is subscribed to the within instrument, as trustee of Constantine N Kitsos Living Trust D and acknowledged to me that he/she executed the same as trustee.

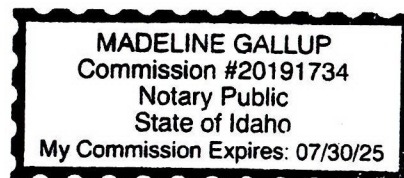
Madeline Gallup
Notary PublicResiding In: Pine, IDMy Commission Expires: 7/30/2025
(seal)

EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

Parcel 1:

Township 6 North, Range 25 East, Boise Meridian, Custer County, Idaho.

Section 8: The Southeast Quarter of the Southwest Quarter and that portion of the Southwest Quarter of the Southwest Quarter, Section 8, described as follows:

Commencing at the Southeast corner of the Southwest Quarter of the Southwest Quarter;

thence North 100 feet to a point;

thence West 100 feet to a point;

thence South 100 feet to a point on the South line of said Southwest Quarter of the Southwest Quarter of Section 8;

thence East 100 feet to the True Point of Beginning.

Parcel 2:

Township 6 North, Range 25 East, Boise Meridian, Custer County, Idaho.

Section 17: The North Half of the Northeast Quarter, the North Half of the Northwest Quarter, the Southwest Quarter of the Northwest Quarter, the West Half of the Southeast Quarter of the Northwest Quarter, the East Half of the Southeast Quarter of the Northwest Quarter, the North Half of the Southwest Quarter, the Southeast Quarter of the Southwest Quarter, the Southeast Quarter, and the South Half of the Northeast Quarter.

Excepting Therefrom the following described parcel:

A fraction of the Southeast Quarter of the Northeast Quarter and of the East Half of the Southeast Quarter Section 17 and Lot 1, said Section 20, described as:

Beginning at the Southeast corner of said Section 17;

thence North along the Easterly boundary line of said Section 17 a distance of 3,960 feet, more or less, to the Northeast corner of the Southeast Quarter of the Northeast Quarter, Section 17;

thence West along the Northerly boundary of said Southeast Quarter of the Northeast Quarter a distance of 280.19 feet;

thence South 01°30'58" East 5,406.07 feet to the Southerly boundary of Lot 1, Section 20;

thence along said boundary North 89°59'15" East, 465.6 feet to the Southeast corner of said Lot 1;

thence North 00°01'00" West 1,444.08 feet to the Northeast corner of said Lot 1;

thence West along the North boundary of said Lot 1, 328.02 feet to the Point of Beginning.

Also Excepting Therefrom:

Part of the North Half and the Southeast Quarter of Section 17, Township 6 North, Range 25 East, Boise Meridian, Custer County, Idaho, described as:

Commencing at the Northeast corner of Section 17;

thence South 00°32'38" East 1344.44 feet along the East line of said Section 17 to the North 1/16 line of said Section;

thence North 89°58'17" West 280.19 feet along the North 1/16 line;

thence South 01°51'29" East 1405.74 feet;

thence South 89°29'17" West 1947.22 feet;

thence North 45°04'05" West 1094.70 feet;

thence North 00°22'30" East 1983.28 feet to the North line of the Northwest Quarter of said Section 17;

thence South 88°49'51" East 235.34 feet along said North line of the Northwest Quarter to the North Quarter corner of said Section 17;

thence North 89°40'48" East 2695.76 feet along the North line of the Northeast Quarter to the Northeast corner of said Section 17 and the Point of Beginning.

Parcel 3:

Township 6 North, Range 25 East, Boise Meridian, Custer County, Idaho.

Section 20: Lot 1

Excepting Therefrom the following described parcel:

A fraction of the Southeast Quarter of the Northeast Quarter and of the East Half of the Southeast Quarter

Section 17 and Lot 1, said Section 20, described as:

Beginning at the Southeast corner of said Section 17;

thence North along the Easterly boundary line of said Section 17 a distance of 3,960 feet, more or less, to the Northeast corner of the Southeast Quarter of the Northeast Quarter, Section 17;

thence West along the Northerly boundary of said Southeast Quarter of the Northeast Quarter a distance of 280.19 feet;

thence South $01^{\circ}30'58''$ East 5,406.07 feet to the Southerly boundary of Lot 1, Section 20;

thence along said boundary North $89^{\circ}59'15''$ East., 465.6 feet to the Southeast corner of said Lot 1;

thence North $00^{\circ}01'00''$ West 1,444.08 feet to the Northeast corner of said Lot 1;

thence West along the North boundary of said Lot 1, 328.02 feet to the Point of Beginning.

Also excepting Therefrom:

Part of Government Lot 1 of Section 20, Township 6 North, Range 25 East B.M. Custer County, Idaho described as:

Beginning at the N1/4 corner of said Section 20; Thence N $89^{\circ}06'33''$ E 1316.31 feet to the west line of said Government Lot 1; Thence along said West line S $00^{\circ}06'47''$ W 659.58 feet to the Point of Beginning; Thence N $89^{\circ}45'11''$ E 823.70 feet; Thence S $01^{\circ}51'32''$ E 780.50 feet to the south line said Lot 1; Thence along said south line S $89^{\circ}44'00''$ W 850.66 feet to the SW corner of said Lot 1; Thence along the west line of said Lot 1, N $00^{\circ}06'47''$ E 780.50 feet to the Point of Beginning.

Parcel 4:

Township 6 North, Range 25 East, Boise Meridian, Custer County, Idaho.

Section 18: The Northeast Quarter of the Northeast Quarter.

Also, the East Half of the Southeast Quarter of the Northeast Quarter of Section 18, Township 6 North, Range 25 East Boise Meridian, Custer County, Idaho, more particularly described as:

Commencing at the Northeast corner of Section 18;

thence South $00^{\circ}30'40''$ East 1346.73 feet along the Section line to the Northeast corner of the East Half of the Southeast Quarter of the Northeast Quarter, and the Point of Beginning;

thence South $00^{\circ}30'40''$ East 1346.73 feet to the Southeast corner of said East Half of the Southeast Quarter of the Northeast Quarter;

thence North $89^{\circ}41'04''$ West 673.13 feet to the Southwest corner of said East Half of the Southeast Quarter of the Northeast Quarter;

thence North $00^{\circ}38'52''$ West 1350.86 feet to the Northwest corner of said East Half of the Southeast Quarter of the Northeast Quarter;

thence South $89^{\circ}20'20''$ East 676.42 feet to the Point of Beginning.

Excepting Therefrom:

The West Half of the Northeast Quarter of the Northeast Quarter of Section 18, Township 6 North, Range 25 East, Boise Meridian, Custer County, Idaho, more particularly described as:

Commencing at the Northeast corner of Section 18;

thence North $88^{\circ}59'48''$ West 679.75 feet along the North line of Section 18 to the Northeast corner of the West Half of the Northeast Quarter of the Northeast Quarter, and the Point of Beginning;

thence South $00^{\circ}38'53''$ East 1350.86 feet to the Southeast corner of said West Half of the Northeast Quarter of the Northeast Quarter;

thence North $89^{\circ}20'20''$ West 676.43 feet to the Southwest corner of said West Half of the Northeast Quarter of the Northeast Quarter;

thence North $00^{\circ}47'02''$ West 1355.00 feet to the Northwest corner of said West Half of the Northeast Quarter of the Northeast Quarter; thence South $88^{\circ}59'48''$ East 679.75 feet to the Point of Beginning.



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

March 30, 2023

DEREK A NICHOLS
PO BOX 606
MOORE ID 83255-0606

ANGELA NICHOLS
PO BOX 606
MOORE ID 83255-0606

PATRICK J NICHOLS
PO BOX 606
MOORE ID 83255-0606

NICHOLS LAND LLC
PO BOX 606
MOORE ID 83255-0606

Re: Change in Ownership for Water Right No(s): 34-13902, 34-13904, 34-13985, 34-13987, 34-13989, 34-13991, 34-13993, 34*-13995, 34-13997, 34-13999, 34-14001, 34-14003

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Bailly
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 34
BIG LOST RIVER GROUND WATER DISTRICT

SCANNED

MAR 30 2023