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Documents
In File

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-00372
Date Received: ~~11/13/1989~~ 1-17-90
Receipt No: 2889999
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOMER NESBITT
Address: OLA, ID 83657

2. Date of Priority: APR 01, 1956

3. Source: SPRINGS Trib. to: SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	01E	25	SW	SW	SW		GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.140		8.10

7. Total Quantity Appropriated is:
0.140 C.F.S. (and/or) 8.10 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	01E	25	SW	SW		STOCK	
		26	SE	SE		STOCK	

11. Place of use in counties: GEM

A65-00372

Page 1

Date: 11/13/89

MICROFILMED
SEP 15 1992

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHTS 65-0291, 65-0292, 65-0293,
65-0294, 65-0295, 65-0373, 65-0280, 65-0286, 65-0295, 65-0365,
65-0501 SHALL PROVIDE NO MORE THAN .14 CFS NOR 8.1 AFA.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Harmon R. Nesbitt* Date: 1-17-90

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this

of Jan. 19 90

Seal

Jan Shurte
Notary Public

JAN SHURTE
Residing at RESIDING AT MERIDIAN, IDAHO
MY COMMISSION EXPIRES SEPT. 14, 1994
My Commission Expires _____

04/08/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-372

NAME AND ADDRESS: NESBITT RANCH & CATTLE CO LLC
10500 NESBITT LN
OLA ID 83657

SOURCE: SPRINGS

TRIBUTARY: SQUAW CREEK

QUANTITY: 0.14 CFS
8.1 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .14 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 8.1 AF. COMBINED RIGHT NOS.: 65-286, 65-285, 65-284,
65-282, 65-283, 65-280, 65-365, 65-292, 65-3078X, 65-294, 65-291, 65-293, 65-
295, 65-373 & 65-501.

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

PRIORITY DATE: 04/01/1956

POINT OF DIVERSION:

T12N R01E S25 SWSWSW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.140 CFS 8.10 AFY

PLACE OF USE: STOCKWATER Within GEM County

T12N R01E S25	SWSW	T12N R01E S26	SESE
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OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. SECTION 42-1412(6), IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Decreed

PARCEL NOS. 5563.00 7 AND 5564.00 7

STOCKWATER, 600 RANGE CATTLE

THE USE OF WATER ON T12N, R1E, SECTION 25, SWSW AND T12N, R1E,
SECTION 26 SESE IS ON STATE PUBLIC SCHOOL ENDOWMENT LAND
PURSUANT TO STATE GRAZING LEASE NO. G-5613. THE USE OF WATER
ON THE STATE LANDS IS FOR STOCK WATERING PURPOSES ONLY.

04/05/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-372

NAME AND ADDRESS: NESBITT RANCH & CATTLE CO LLC
10500 NESBITT LN
OLA, ID 83657

SOURCE: SPRINGS TRIBUTARY: SQUAW CREEK

QUANTITY: 0.14 CFS
8.1 AFY

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

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED
TO A TOTAL COMBINED DIVERSION RATE OF .14 CFS AND TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 8.1 AF.
COMBINED RIGHT NOS.: 65-286, 65-285, 65-284, 65-282, 65-283, 65-
280, 65-365, 65-292, 65-3078X, 65-294, 65-291, 65-293, 65-295, 65-373 &
65-501.

PRIORITY DATE: 04/01/1956

POINT OF DIVERSION: T12N R01E S25 SWSWSW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1-01 12-31	0.14 CFS 8.10 AFY

PLACE OF USE:

<u>STOCKWATER Within GEM County</u>			
T12N R01E S25	SWSW	T12N R01E S26	SESE

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

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. SECTION 42-1412(6), IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

PARCEL NOS. 5563.00 7 AND 5564.00 7

STOCKWATER, 600 RANGE CATTLE

09/08/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-372

NAME AND ADDRESS: HOMER NESBITT
10500 NESBITT LANE
OLA, ID 83657

SOURCE: SPRINGS TRIBUTARY: Squaw Creek

QUANTITY: 0.14 CFS
8.1 AFY

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

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .14
CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 8.1 AF. COMBINED RIGHT NOS.: 65-286, 65-285,
65-284, 65-282, 65-283, 65-280, 65-365, 65-292, 65-3078X, 65-294,
65-291, 65-293, 65-295, 65-373 & 65-501.

PRIORITY DATE: 04/01/1956

POINT OF DIVERSION: T12N R01E S25 SWSWSW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1-01 12-31	0.14 CFS 8.1 AFY

PLACE OF USE:

<u>STOCKWATER Within GEM County</u>			
T12N R01E S25	SWSW	T12N R01E S26	SESE

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. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

PARCEL NOS. 5563.00 7 AND 5564.00 7

STOCKWATER, 600 RANGE CATTLE

A65-372

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 506

INDICATES TOTAL

SOURCE: SPRINGS

TRIBUTARY TO: SQUAW CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-10651	KERSSTEIN, JO ANN F. & KERSSTEIN, CHESTER C. SWEET, IDAHO 83670 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-10652 SHALL PROVIDE NO MORE THAN .05 CFS NOR 2.7 AFA FOR STOCKWATER.	4/ 1/1947	STOCKWATER	1/ 1 12/31	2.70 AFA .05 CFS	NWNW S 4 T 7N R 1E NENW S 4 T 7N R 1E SWNW S 4 T 7N R 1E	NENW NWNW SWNW S 4 T 7N R 1E	BENEFICIAL USE
65-0399	HEROLD, JAMES OLA, IDAHO 83657	5/27/1950	DOMESTIC	1/ 1 12/31	.00 AFA .02 CFS	NWNE S34 T10N R 1E	NWNW S35 T10N R 1E	BENEFICIAL USE
65-0203	HANCOCK, ROY OLA, IDAHO 83657	4/ 1/1956	IRRIGATION	4/ 1 11/ 1	--- AFA .06 CFS	SWSW S27 T11N R 1E	NWSE(10) SWSE(10) S27 T11N R 1E *20*	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	2.70 AFA .05 CFS +---*AFA +.06+CFS		SAME AS OTHER USE	
65-0372	NESBITT, HOMER OLA, IDAHO 83657 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-0291, 65-0292, 65-0293, 65-0294, 65-0295, 65-0373, 65-0280, 65-0286, 65-0295, 65-0365, 65-0501 SHALL PROVIDE NO MORE THAN .14 CFS NOR 8.1 AFA.	4/ 1/1956	STOCKWATER	1/ 1 12/31	8.10 AFA .14 CFS	SWSW S25 T12N R 1E	SWSW S25 T12N R 1E SESE S26 T12N R 1E	BENEFICIAL USE
65-0280	NESBITT, HOMER OLA, IDAHO 83657 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-0291, 65-0295, 65-0289, 65-0286, 65-0365, 65-0372, 65-0373 & 65-0501 SHALL PROVIDE NO MORE THAN .14 CFS NOR 8.1 AFA FOR STOCKWATER.	10/ 1/1965	STOCKWATER	1/ 1 12/31	8.10 AFA .14 CFS	SWNE S11 T11N R 1E NWSE S11 T11N R 1E	SWNE NWSE S11 T11N R 1E	BENEFICIAL USE
65-0281	NESBITT, HOMER OLA, IDAHO 83657 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-0280, 65-0287, 65-0291, 65-0295, 65-0372, 65-0373, 65-0501 & 65-0365 SHALL PROVIDE NO MORE THAN .14 CFS NOR 8.1 AFA FOR STOCKWATER.	10/ 1/1965	STOCKWATER	1/ 1 12/31	8.10 AFA .14 CFS	SWSE S11 T11N R 1E	SWSE S11 T11N R 1E	BENEFICIAL USE

AJ0749NP
No. R65-00372

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 01/08/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HOMER NESBITT HC 78 BOX 3761 OLA ID 83657	04/01/1956	STOCKWATER	01-01 12-31	0.14 CFS	8.10 AFA
TOTAL DIVERSION:					0.14 CFS	8.10 AFA

Water Source: SPRINGS

Tributary to: SQUAM CREEK

Stage: DECREED

Point(s) of Diversion:

T12N R01E S25

SWSWSW

GEM County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
T R S	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac
12N 01E 25	:		:		:		:		:		:		:		:	
12N 01E 26	:		:		:		:		:		:		:		:	

POU County: GEM

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP

PARCEL NOS. 5563.00 7 (SEC 25), 5564.00 7 (SEC 26)
STOCKWATER, 600 RANGE CATTLE

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF .14 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 8.1 AF. COMBINED RIGHT
NOS.: 65-00286, 65-00290, 65-00291, 65-00292, 65-00293, 65-00294,
65-00295, 65-00280, 65-00372, 65-00373, 65-00365, & 65-00501.

285, 284, 283, 282

Dates: Exam Made Date: Verified Date: 01/08/1998 Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Comments: Date: 10/03/1997 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 01/08/98 SBOCK

AJ5809NP
No. R65-00372

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/07/97
PAGE: 1

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME

C HOMER NESBITT
OLA ID 83657

04/01/1956 STOCKWATER

01-01 12-31

0.14 CFS 8.10 AFA

TOTAL DIVERSION: 0.14 CFS 8.10 AFA

Water Source: SPRINGS

Tributary to: SQUAW CREEK

Stage: BENEFICIAL USE

Decreed

Point(s) of Diversion:

T12N R01E S25 SWSWSW

GEM County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE															
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
12N	01E	25	:																												
12N	01E	26	:																												

POU County: GEM

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A65-00372

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- N13 - DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NOS. 5563.00 7, 5564.00 7

STOCKWATER, UNSPECIFIED

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Comments: Date: 12/04/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
THIS RIGHT WHEN COMBINED WITH RIGHTS 65-0291, 65-0292, 65-0293,
65-0294, 65-0295, 65-0373, 65-0280, 65-0286, 65-0295, 65-0365,
65-0501, SHALL PROVIDE NO MORE THAN .14 CFS NOR 8.1 AFA.

Date: 10/03/1997 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE

HC78
Box 37461

Send to
comments

delete, not specific

fix numbers i.e., 65-00291,
etc.

move
to
remarks
QNT #E27

AJ5809NP
No. R65-00372

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/07/97
PAGE: 2

Comments: Date: 10/03/1997 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 12/03/93 DUNN1 12/04/93 DUNN1 03/30/95 POST-STD 10/03/97 AJU5-JSH

WR5809NP
No. 65-00372

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/06/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HOMER NESBITT OLA ID 83657	04/01/1956	STOCKWATER	01/01 12/31	0.140 CFS	8.10 AFA
TOTAL DIVERSION:					0.140 CFS	8.10 AFA

Water Source: SPRINGS

Tributary to: SQUAW CREEK

Stage: DECREED

Point(s) of Diversion:

T12N R01E S25

SWSW

GEM County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
12N	01E	25	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
12N	01E	26	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

Pou County: GEM

Remarks: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-0291, 65-0292, 65-0293,
65-0294, 65-0295, 65-0373, 65-0280, 65-0286, 65-0295, 65-0365,
65-0501 SHALL PROVIDE NO MORE THAN .14 CFS NOR 8.1 AFA.

Dates:	App. Received:	Priority Date:	04/01/1956
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

OLD (D) NUMBER -

+ - - - - - - - - LAST NAME - - - - - +	+ - FIRST NAME - - +	+ - - - - - - - - - - - - - ADDRESS - - - - - - - - - - - - - +
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213	214	213

*** C - CURRENT OWNER ***
NESBITT

HOMER

1 -
2 -
3 -
CITY- OLA
PHONE -

STATE- ID ZIP- 83657

+ - - PRIORITY DATE - - +	+ - - - REGION - - - +	+ - - - STAGE - - - +	+ - - - STATUS - - - - +
04/01/1956	14 WESTERN	D - DECREED	

+ - - - - - SOURCE - - - - - + SPRINGS	+ - + - SQUAW CREEK
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1	

[illegible]

12N 01E 25 ✓ ~~SW~~ SW SW (45) GEM

+	CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME	+
---	------	-------------	-------------	-----------	-----------	----------------	------------------	---

04 - STOCKWATER	01/01	12/31	0.140	8.10
-----------------	-------	-------	-------	------

+ - TOTAL DIV. RATE - +	+ - TOTAL DIV. VOLUME - +	+ - TOTAL DIV. CAPACITY - +	+ - TOTAL CONSUMPTIVE USE - +	+ - KW USAGE - +
0.140	8.10		0.0	

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE CODE	DESCRIPTION	COUNTY
-----	-----	-----	-------	-----	-------	----------------------	-------------	--------

12N	01E	25	SW	SW	04	STOCKWATER	(45)	GEM
12N	01E	26	SE	SE	04	STOCKWATER	(45)	GEM

+ - - DIVERSION MEANS - *Head work*

+ - - NON-IRRIGATION USE - *Stockwater*+ - - OTHER RIGHTS FOR SAME USE - *none*[illegible]

THIS RIGHT WHEN COMBINED WITH RIGHTS 65-0291, 65-0292, 65-0293, 65-0294, 65-0295, 65-0373, 65-0280, 65-0286, 65-0295, 65-0365, 65-0501 SHALL PROVIDE NO MORE THAN .14 CFS NOR 8.1 AFA.

+ - - - - OLD WATER RIGHT NUMBERS - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - +
STATE OF IDAHO

+ - - - - DECREE DEFENDANT - - - +
A & C CORP., ET AL.

+ - DECREE DATE - +
00/00/0000

MICROFILMED
OCT 18 1996

WATER RIGHT NUMBER - A65-00372

PREFIX TRANSLATION: ADJUDICATION CLAIM.

+ - - AUDIT FIELDS - 02/20/90 HARRIS

+ - - - - COMMENTS - - - -
NO COMMENTS FOUND

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING	-	00/00/0000	FIELD INSPECTION MADE	-	00/00/0000	CIVIL CASE NUMBER	-	39576
OBJECTION FILED DATE	-	00/00/0000	FIELD INSPECTION FLAG	-		OLD CASE NUMBER	-	
RESPONSE FILED DATE	-	00/00/0000	VERIFIED DATE	-	00/00/0000	OLD JUDICIAL DISTRICT	-	
CLAIM RECEIVED DATE	-	01/17/1990	LAST AMENDED DATE	-	00/00/0000	TEMPORARY RIGHT	-	P
PROOF DUE DATE	-	00/00/0000	PROOF MADE DATE	-	00/00/0000	WATER DISTRICT	-	65
LICENSED DATE	-	00/00/0000	RECEIPT NUMBER	-	X999999	FEDERAL/STATE INDICATOR	-	S
CLAIMS TAPE ERROR FLG	-		PDU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
FEE EXEMPT FLAG	-		NAME CONNECTOR	-		NOTICE OF ERROR FLAG	-	

5-563.007 Dec 25
5-564.007 " 26

DATA ENTRY

ENTERED 12-4-93 RS

CHECKED 6-25-94

"Verified By"
 Tony MacOrdo-PQ
 ADOS Map
 Westernmost Records
 NAPT Photos
 Field Exam
 Other (See Remarks)
 County Records
 Witness Statement
 Project Records
 IPWR Records

VERIFIED
APR 17 1992

CERTIFIED
NOV 14 1992
WATER EXAMINER

MICROFILMED
OCT 18 1996

JAN 16 2002

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Nesbitt Ranch & Cattle Company LLC
Address: 10500 Nesbitt Lane
Ola, Idaho 83657

I object to the following elements as recommended in the Director's Report.

1. ☒ **Name and Address**
Should be: Idaho Department of Lands
954 West Jefferson Street
PO Box 83720
Boise, Idaho 83720-0050
2. ☐ **Source**
Should be: As claimed
3. ☐ **Quantity**
Should be: As claimed
4. ☐ **Priority Date**
Should be: As claimed
5. ☐ **Point(s) of Diversion**
Should be: As claimed
6. ☐ **Instream Flow Description**
Should be: As claimed
7. ☐ **Purpose(s) of Use**
Should be: As claimed
8. ☐ **Period of Year**
Should be: As claimed
9. ☐ **Place of Use**
Should be: As claimed
10. **I object because:**
 - ☐ This water right should not exist.
 - ☒ This water right was not recommended, but should be recommended with the elements described above.

REASONS SUPPORTING OBJECTION(S):

The State of Idaho, through the Idaho Department of Lands, is the owner of a portion of the land upon which use is claimed. This land is State Public School endowment land. This land is more particularly described as the SW¼SW¼ of Section 25, Township 12 North, Range 1 East, Boise Meridian and the SE¼SE¼ of Section 26, Township 12 North, Range 1 East, Boise Meridian. The claimant does not have a valid water right for use on the endowment land because a private claim cannot be made on such lands.

VERIFICATION

State of Idaho)
) ss.
County of Ada)

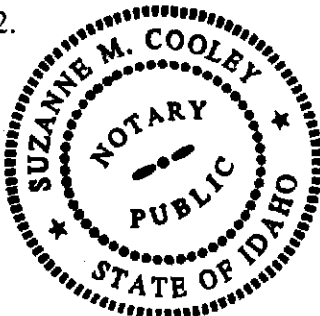
Steven J. Schuster, duly sworn, upon oath, deposes and says:

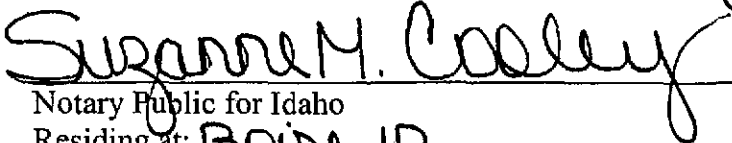
That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Lands which is a party/claimant in this proceeding as defined by I.C. § 42-1401A (1) and (6), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands


STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands

Subscribed and sworn to before me on this 15th day of January,
2002.




Notary Public for Idaho
Residing at: Boise, ID
My Commission expires: 7-22-2002

CERTIFICATE OF MAILING

I certify that on this 15th day of January, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Nesbitt Ranch & Cattle Company LLC
Address: 10500 Nesbitt Lane
Ola, Idaho 83657

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, Idaho 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724


STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands

RECEIVED

JAN 24 2002

WATER RESOURCES
WESTERN REGION

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)

A. Subcase 65-372

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:

David W. Gehlert (303 312-7352)

Trial Attorney, General Litigation Section

Environment and Natural Resource Division

U.S. Department of Justice

999 18th Street, Suite N 945

Denver, CO 80202

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT .

Name: Nesbitt Ranch & Cattle Co. LLC

Address: 10500 Nesbitt Ln.
Ola, ID 83657

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
1. ☐ **Name and Address**
Should be:
 2. ☐ **Source**
Should be:
 3. ☐ **Quantity**
Should be:
 4. ☐ **Priority Date**
Should be:
 5. ☐ **Point(s) of Diversion**
Should be:
 6. ☐ **Instream Flow Description**
Should be:
 7. ☐ **Purpose(s) of Use**
Should be:
 8. ☐ **Period of Year**
Should be:
 9. ☐ **Place of Use**
Should be:
 11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

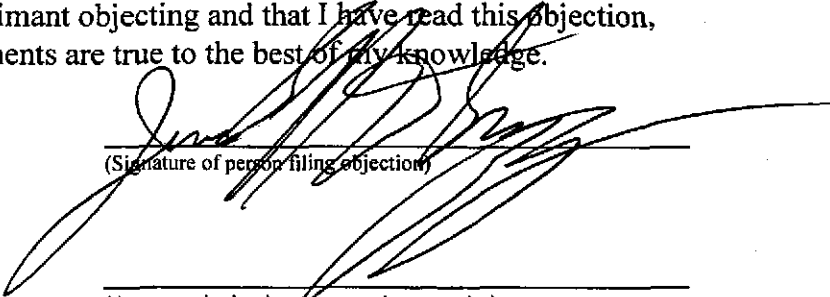
F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

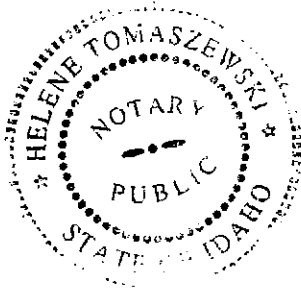
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

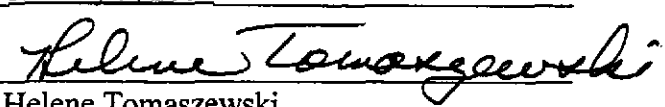

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 9, 2002




Helene Tomaszewski
Notary Public for: Idaho
Residing at: Meridian
My Commission Expires: 01-16-2002

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 17, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Nesbitt Ranch & Cattle Co. LLC

Address: 10500 Nesbitt Ln.
Ola, ID 83657

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

RECEIVED

FEB 14 2002

Department of Water Resources

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)

A. Subcase No. 65-00372

RECEIVED

Case No. 39576)

STANDARD FORM 2

FEB 19 2002

RESPONSE TO OBJECTION

WATER RESOURCES
WESTERN REGION

B. NAME AND ADDRESS OF PERSON RESPONDING:

Name: United States of America, acting through the USDA Forest Service
Address: 550 W. Fort St. MSC 033
Boise, ID 83724

Name and Address of Attorney:

Attorney Name: David L. Negri
Attorney Address: United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 W. Fort St. MSC 033
Boise, ID 83724
Attorney Phone: (208) 331-5943

C. NAME AND ADDRESS OF PERSON WHO FILED OBJECTION TO WHICH YOU
ARE RESPONDING:

Name: Idaho Department of Lands
Address: 954 West Jefferson Street
P.O. Box 83720
Boise, ID 83720-0050

D. I am responding to the objection(s) to the following elements:

1. ☒ Name and Address
2. ☐ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☐ Place of Use

11. Recommendation:

- ☐ This water right should not exist
- ☐ This water right was not recommended, but should be recommended with the elements described above.

VERIFICATION

State of Idaho)
) ss.
County of Ada)

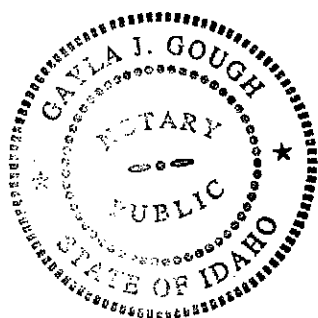
MICHAEL COLLETTE, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this response, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding, and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.


Michael Collette


David L. Negri
United States Department of Justice

Subscribed and sworn to before me on: February 12, 2001



(seal)


Gayla J. Gough
Notary Public for: Idaho
Residing at: Kuna, Idaho
My Commission Expires: 11-17-2004

CERTIFICATE OF MAILING

I certify that on February 12, 2002, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original by U.S. Mail to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy by U.S. Mail to the claimant of the water right at the following address:

Nesbitt Ranch & Cattle Company LLC
10500 Nesbitt Lane
Ola, Idaho 83657

3. One copy by U.S. Mail to the party who filed the objection at the following address:

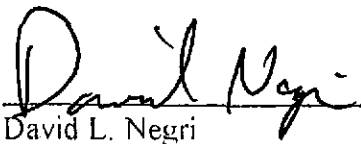
Steven J. Shuster
Deputy Attorney General
Idaho Department of Lands
954 West Jefferson Street
P.O. Box 83720
Boise, Idaho 83720-0050

4. Copies by U.S. Mail to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724


David L. Negri

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 65-372
Date Received: 1/17/90
Receipt No: X999999
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s): NESBITT RANCH & CATTLE CO LLC
10500 NESBITT LN
OLA ID USA 83657

Phone: (208) 584-3550

2. Date of Priority: 04/01/1956

3. Source: SPRINGS Trib. to: SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12N	01E	25	SW SW SW	GEM	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.14	8.1

7. Total Quantity Appropriated is:
0.14 C.F.S. and/or 8.1 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12N	01E	25	SW SW		STOCKWATER	
12N	01E	26	SE SE		STOCKWATER	

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHTS 65-0291, 65-0292, 65-0293, 65-0294, 65-0295, 65-0373, 65-0280, 65-0286, 65-0295, 65-0365, 65-0501 SHALL PROVIDE NO MORE THAN .14 CFS NOR 8.1 AFA
Name change by DB 4/4/2001

15. Basis of Claim: Decreed

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

RECEIVED

MAR 22 2001

WATER RESOURCES
WESTERN REGION

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, 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
-----------------------	------------------------------	-------	-----------------------	------------------------------	-------

See attached list

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A
- 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)

Homer Nesbitt
10500 Nesbitt Lane, Ola, ID

4. New Owner/Claimant(s)

Nesbitt Ranch & Cattle Co. LLC.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

10500 Nesbitt Lane

City, State and ZIP Code

Ola, ID 83657

New Telephone Number

208-584-3550

5. Date you acquired the property

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) X *James J. Cook* President
(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 _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Attachment to Notice of Ownership dated 3-22-01

<u>Basin Num</u>	<u>Sequence</u>	<u>Split Basis</u>	<u>Status</u>	<u>Priority D</u>	<u>Diversion Source List</u>	<u>Owner List</u>	<u>Source To Application</u>
65	280	Decreed	Active	10/1/65	0.14 SPRINGS	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	282	Decreed	Active	4/1/42	0.14 SPRING	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	283	Decreed	Active	9/1/17	0.14 SPRING	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	284	Decreed	Active	4/1/46	0.14 SPRINGS	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	285	Decreed	Active	4/1/36	0.14 SPRING	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	286	Decreed	Active	10/1/65	0.14 SPRING , UNNA	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	291	Decreed	Active	9/15/65	0.14 UNNAMED STR	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	292	Decreed	Active	4/1/40	0.14 SPRING	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	293	Decreed	Active	9/15/65	0.14 SPRING	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	294	Decreed	Active	9/1/51	0.14 SPRING	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	295	Decreed	Active	4/1/52	0.14 SPRINGS	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	365	Decreed	Active	3/1/03	0.14 SPRING	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	372	Decreed	Active	4/1/56	0.14 SPRINGS	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	373	Decreed	Active	6/1/46	0.14 SPRINGS	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	501	Decreed	Active	6/1/28	0.14 TREE SPRING	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	3077	Decreed	Active	1880-05-0'	0.16 UNNAMED STR	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	3078 A	Decreed	Active	1880-05-0'	0.01 SPRINGS	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	3078 X	Decreed	Active	1880-05-0'	0.07 UNNAMED STR	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	3089 A	Decreed	Active	1892-05-0'	0.94 SECOND FORK	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	3089 X	Decreed	Active	1892-05-0'	0.7 SQUAW CREEK	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	3090	Decreed	Active	5/1/18	0.24 SECOND FORK	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	11248	Decreed	Active	5/29/27	0.14 SECOND FORK	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	11256	Decreed	Active	5/29/27	0.26 SQUAW CREEK	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	22265	Beneficial	Active	1882-01-01	UNNAMED STR	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	22266	Beneficial	Active	1/1/15	0.02 UNNAMED STR	HOMER NESBITT	(Current OwrAdjudicationRecommendation
65	22267	Beneficial	Active	1/1/03	0.02 UNNAMED STR	HOMER NESBITT	(Current OwrAdjudicationRecommendation

WARRANTY DEED

* * * * *

Warranty deed made this 12th day of October, 1999, between HOMER NESBITT and LOUISE NESBITT, husband and wife, of 10500 Nesbitt Lane, Community of Ola, County of Gem, State of Idaho, herein referred to as Grantor, and the NESBITT RANCH AND CATTLE CO., L.L.C., 10500 Nesbitt Lane, Community of Ola, County of Gem, State of Idaho, herein referred to as Grantee, witnesseth;

That Grantor, for and in consideration of the sum of one Dollar (\$1.00), the receipt whereof is hereby acknowledged and other valuable considerations including but not limited to mutual covenants, has granted, bargained, and sold, and does, by these presents, grant, bargain, sell, convey, and confirm unto Grantee and their heirs and assigns forever, all the following described real estate situated in the County of Gem, State of Idaho:

See attached Exhibit A

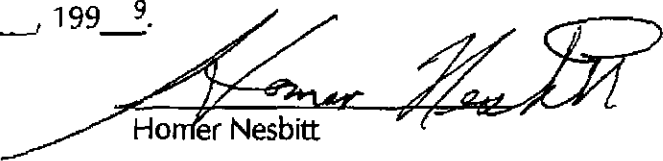
Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in and to the property, as well in law as in equity.

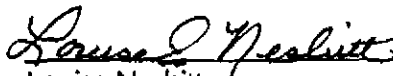
To have and to hold, all and singular the above-described premises together with the appurtenances unto grantee and its heirs and assigns forever.

And Grantor and their heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee, its heirs, and assigns against Grantor and their heirs and against all and every person and persons whomsoever, lawfully claiming the same.

In witness whereof, Grantor has hereunto set their hands on the day and year first above written.

DATED this 12th day of October, 1999.


Homer Nesbitt


Louise Nesbitt

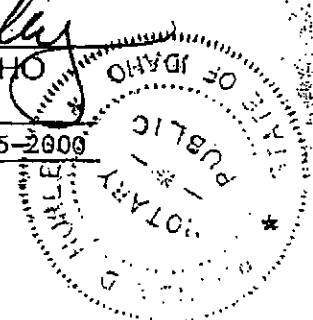
STATE OF IDAHO)
) ss.
Count of Gem)

On this 12th day of October, 1999, before me, a Notary Public in and for said State, personally appeared Homer Nesbitt and Louise Nesbitt known to me to be the persons who executed the within document and acknowledged to me that they executed the same for the purposes therein stated.

Shonda D. Mearns
NOTARY PUBLIC FOR IDAHO

Residence: Emmett

Commission Expires: 11-15-2000



The Southwest Quarter of the Northeast Quarter; the South Half of the Northwest Quarter; Lots 1, 2, 3 and 4, in Section 1, Township 11 North; Range 1, East of the Boise Meridian;

The South Half of the Northeast Quarter; the Southeast Quarter of the Northwest Quarter; the Northeast Quarter of the Southwest Quarter; the South Half of the Southwest Quarter; the Southeast Quarter; the Northwest Quarter of the Southwest Quarter; Lots 1, 2 and 3 of Section 2, Township 11 North, Range 1, East of the Boise Meridian;

The Southeast Quarter of the Northeast Quarter of Section 10, Township 11 North, Range 1, East of the Boise Meridian;

The North Half of the Northwest Quarter; of the Northeast Quarter; the South Half of the Northwest Quarter; the North Half of the Southeast Quarter; the Southwest Quarter of the Southeast Quarter; the East Half of the Southwest Quarter; of Section 11, Township 11 North, Range 1, East of the Boise Meridian;

The Northwest Quarter of the Northeast Quarter; the Northeast Quarter of the Northwest Quarter of Section 14, Township 11 North, Range 1, East of the Boise Meridian;

The North Half of the Northwest Quarter; the North Half of the Northeast Quarter; the Southeast Quarter of the Northeast Quarter; the Southeast Quarter; the North half of the Southwest Quarter; the Southeast Quarter of the Southwest Quarter; of Section 25, Township 12 North, Range 1, East of the Boise Meridian;

The Southeast Quarter of the Northeast Quarter; the Southeast Quarter; the Southeast Quarter of the Northwest Quarter; the East Half of the Southwest Quarter; of Section 35, Township 12, North, Range 1, East of the Boise Meridian;

The Southeast Quarter of Section 23, Township 12 North, Range 1, East of the Boise Meridian;

The Southwest Quarter of the Southwest Quarter; the South half of the Southeast Quarter of the Southwest Quarter of Section 23, and the North half of the Northwest Quarter; and the North Half of the Southwest Quarter of Section 26, all in Township 12, Range 1, East of Boise Meridian, consisting of a total of 2604 acres, more or less.

Together with any and all water rights appurtenant thereto, including what is known as the Bathtub Reservoir.

The South One Half of the Northwest One Quarter of the Southwest One Quarter and the South One Half of the Southwest One Quarter of Section 14, Township 12 North, Range 1, East of Boise Meridian;

North One Half of the North One Half of the Northwest One Quarter and the North One Half of the South One Half of the North One Half of the Northwest One Quarter of Section 23, Township 11 North, Range 1, East of Boise Meridian, consisting of a total of 160 acres, more or less.

Lots 3, 4, and 5 of Block One and Lots 10, 11, 12, 13, 15, 16, 17, 18, 20, 23, 25, 27, 28 and 29 of Block Two, Nesbitt's Emerald Glen Subdivision, Ola, Idaho, according to the official plat thereof, filed and recorded in Book Two of Subdivision plats, page 23, in the official land records of Gem County, Idaho.

208603

Gem County, Idaho) ss
Recorded at request of
Homer R. Nesbitt

Time 3:57 PM

Date October 21, 1999

Instru. No. 208603

Recorded as a Deed

Susan K. Howard, Clerk
Ex-officio Recorder

By: Judy Brigham
Deputy

Fees \$ 12.00

STATE OF IDAHO)
County of Gem) ss.

I certify that the foregoing is a true
and correct copy of the instrument of
record as Instrument No. 208603.

DATED March 22, 2001

Susan K. Howard
Ex-officio Recorder

By: [Signature] Deputy

ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)



1. The name of the limited liability company is: NESBITT RANCH AND CATTLE CO., L.L.C.

2. The address of the initial registered office is: 10500 Nesbitt Lane, Oia, ID 83657
(not a PO Box)

and the name of the initial registered agent at that address is: HOMER R. NESBITT

Signature of registered agent:

Homer R. Nesbitt

3. Is management of the limited liability company vested in a manager or managers?

☐ Yes

☒ No

(check appropriate box)

4. If management is vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is vested in the members, list the name(s) and address(es) of at least one initial member.

Name:

Address:

Homer R. Nesbitt

10500 Nesbitt Lane, Oia, ID 83657

Kevin L. Nesbitt

1308 Little Rock Rd., Emmett, ID 83617

Stuart D. Nesbitt

1127 Olds Ferry Rd. Weiser, ID 83672

Eric H. Nesbitt

22306 N.E. 14th Dr., Redmond, WA 98053

Quentin E. Nesbitt

7435 Moon Valley Rd., Eagle, ID 83616

5. Signature of at least one person listed in #2 above:

Homer R. Nesbitt

IDAH0 SECRETARY OF STATE

09/02/1999 State of ID
CK: 1923 CT: 86648 BH: 35199

1 @ 100.00 = 100.00 ORGAN LLC

W 4604