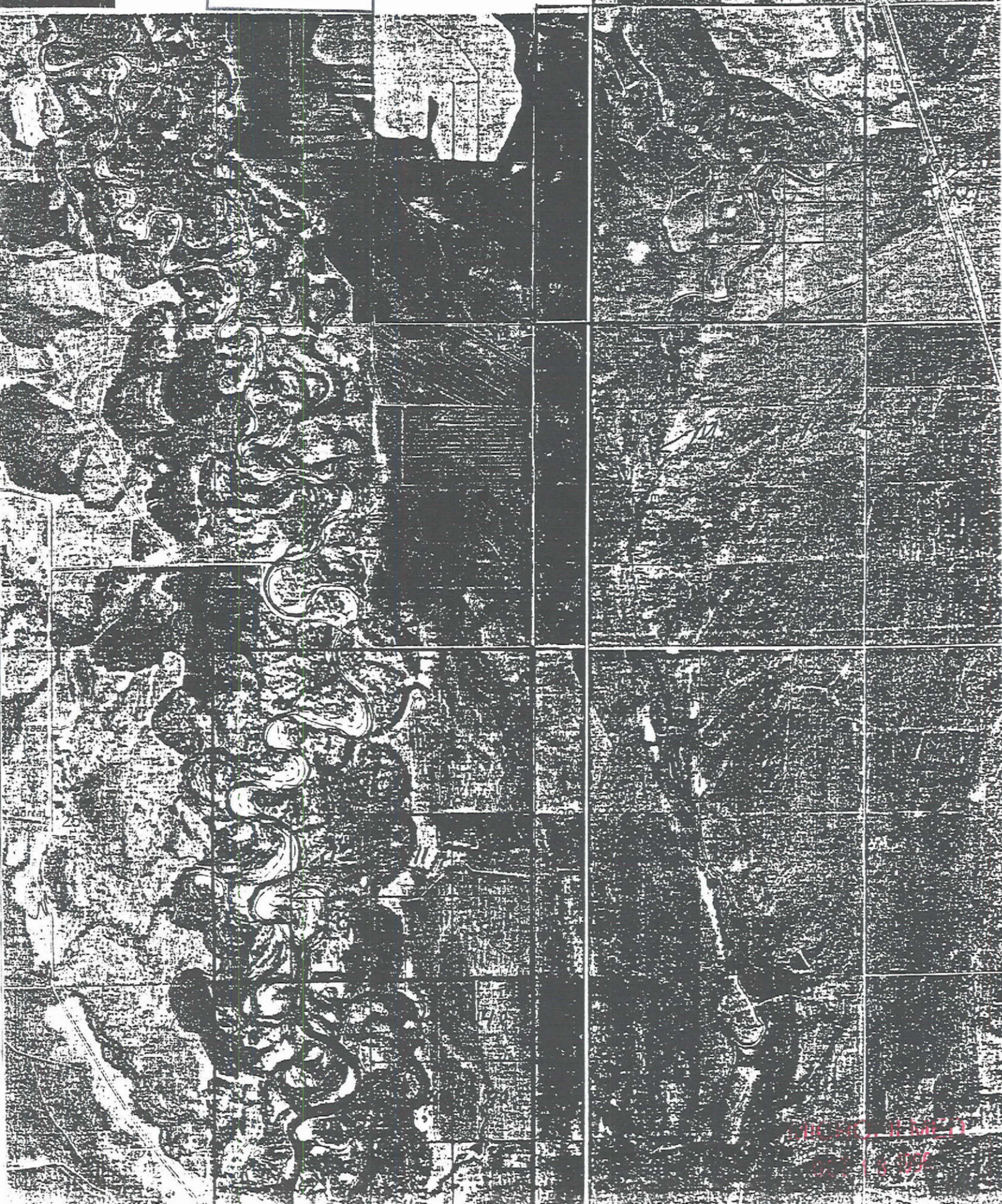
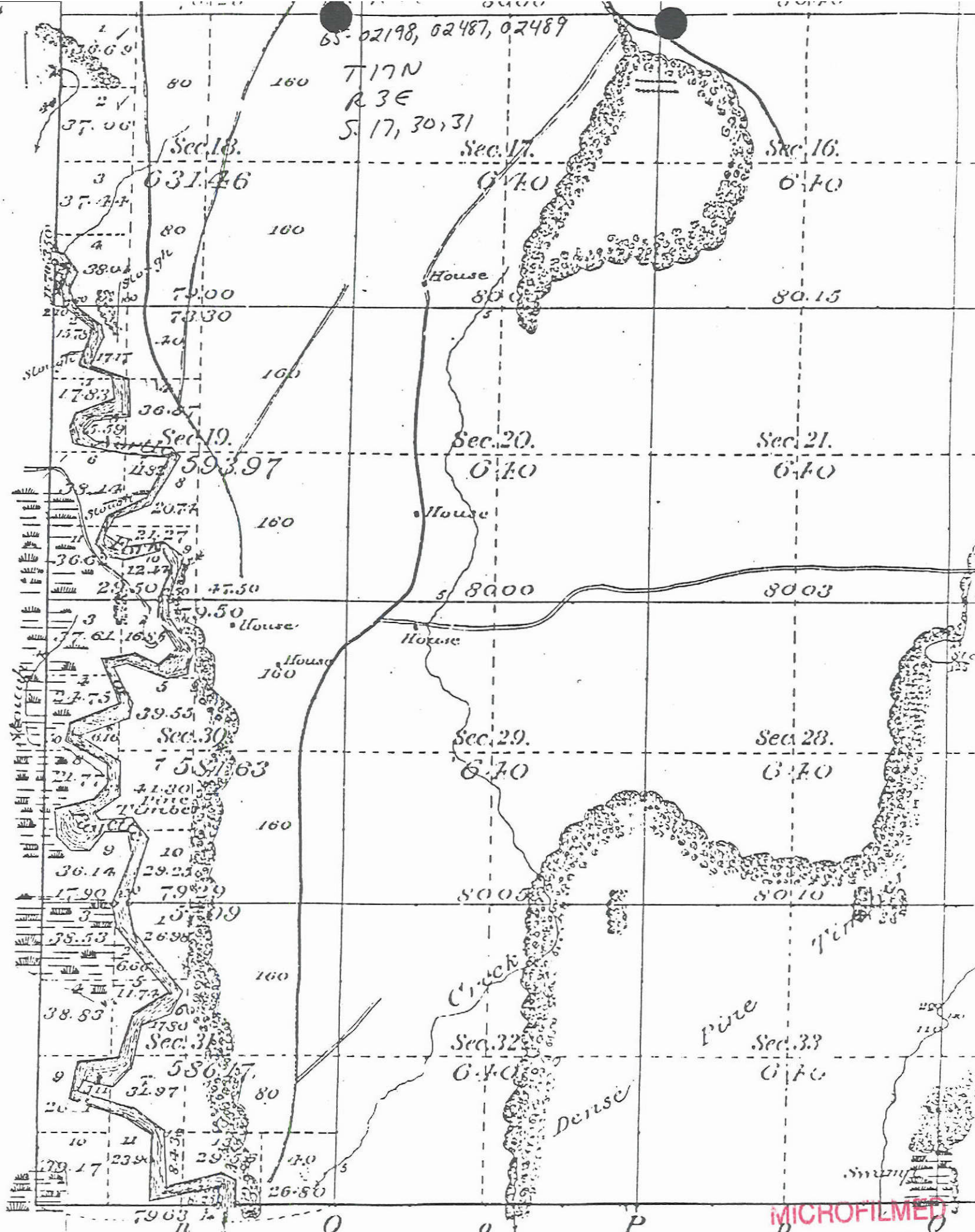


pg. 10
65-02198, 02487, 02488
R 3E
S. 17, 30, 31

POOR ORIGINAL

#63





65-02198, 02487, 02489
T17N
R3E
S. 17, 30, 31

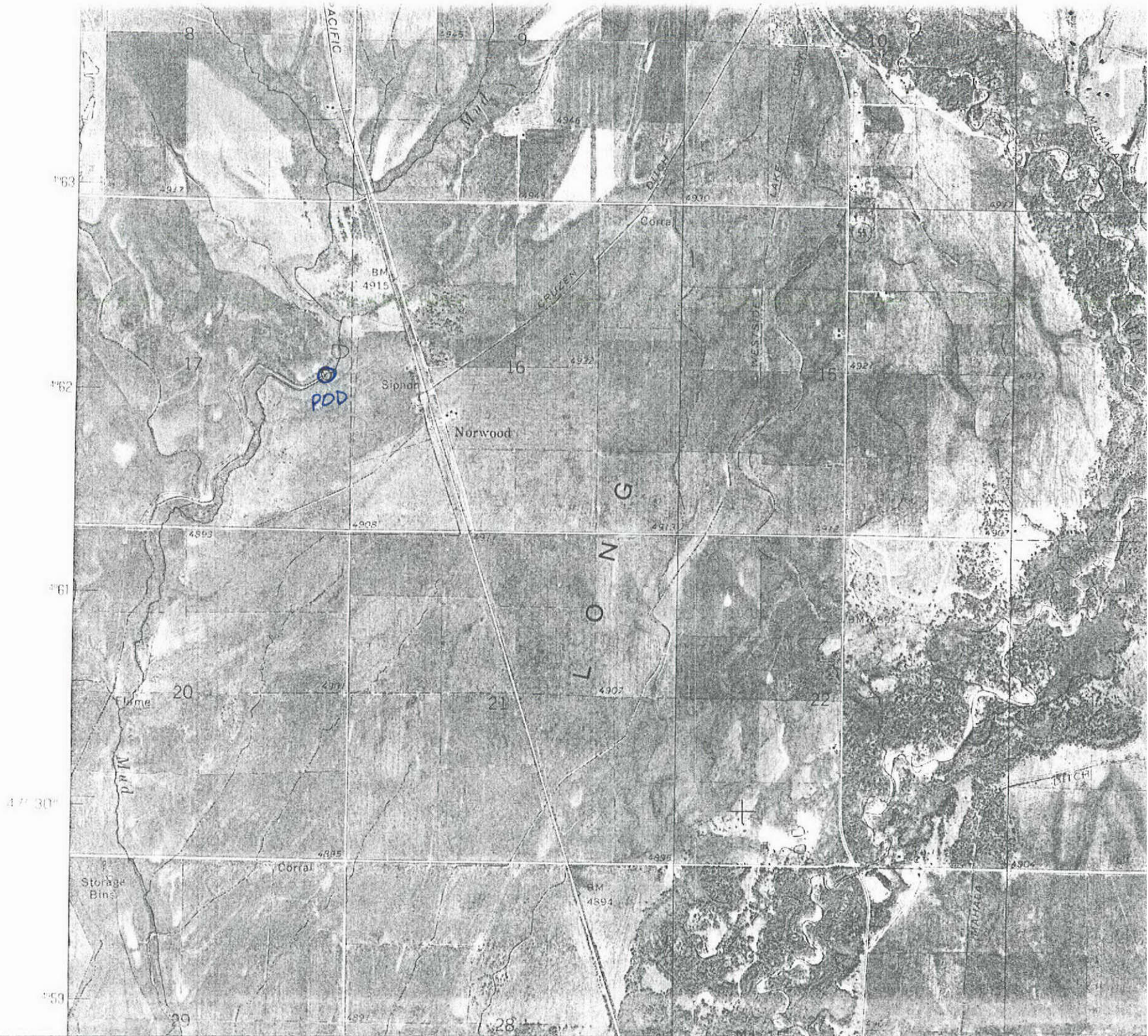
MICROFILMED

OCT 18 1996

- GOVERNMENT LOTS -

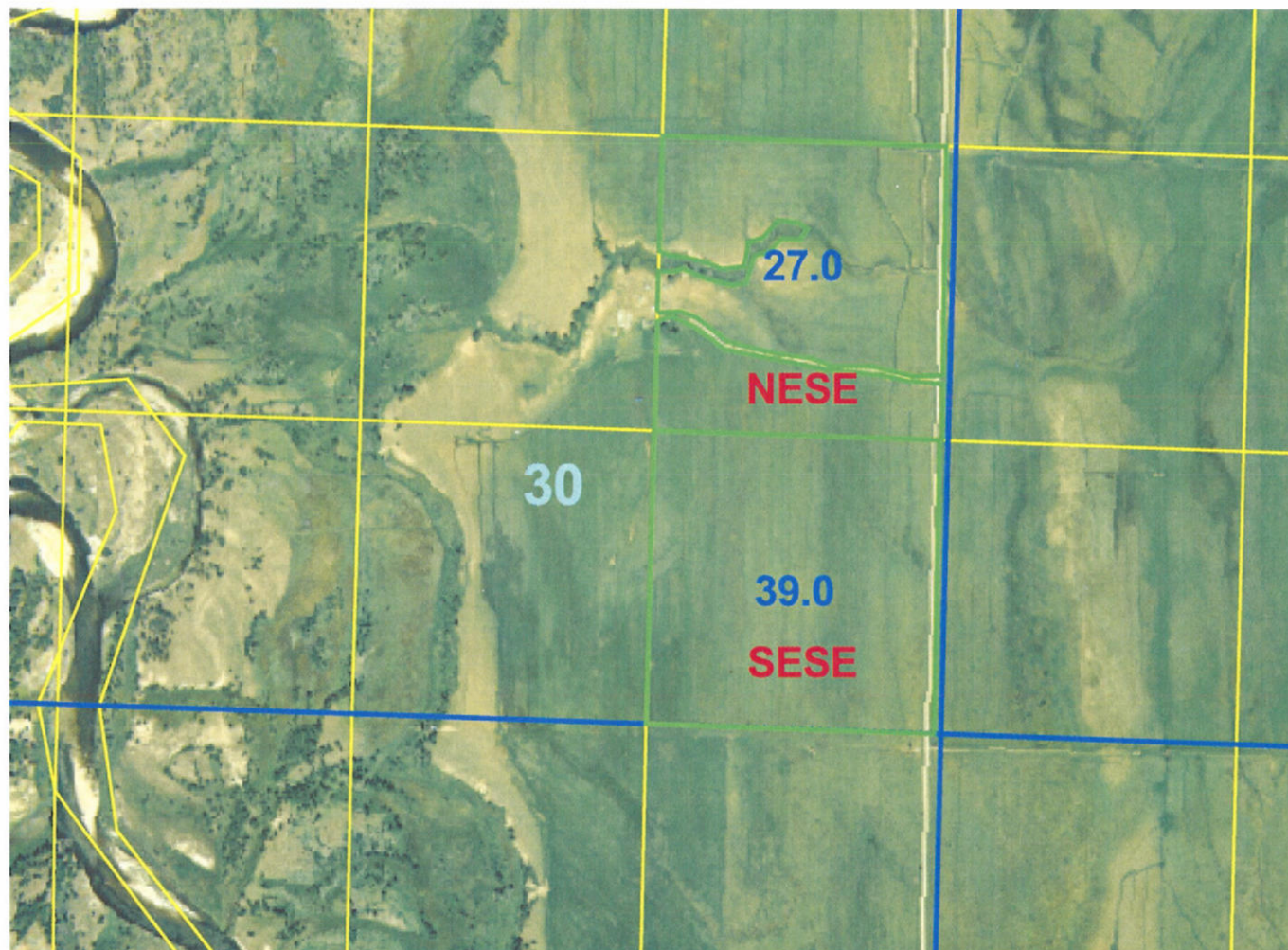
Total number of Acres 22

SEP 18 1992



IDAHO DEPARTMENT OF WATER RESOURCES

17N, 03E, S30



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-02198

OWNER(S): NISULA BROTHERS

Prepared by Mel Schulte

DATE: MAY 14, 1999



Overlap Map

AG5-02198, -02487, -02489
-03204, -03212, -03704

T17N, R03E, S30
and S31.

6C

3204

-Lake FH. CR.

2487

Mud Cr.

2489

Mud Cr.

2198

Mud Cr.

3212

Lake FH. CR.

3704

WW

3204-11

2489-11

3204-37

2489-10

2198-27

2489-0

3704-9

3204-26

2489-26

3204-39

2198-39

2487-12

2489-28

3212-12

2487-32

2489-8

3212-39

2487-4

2489-6

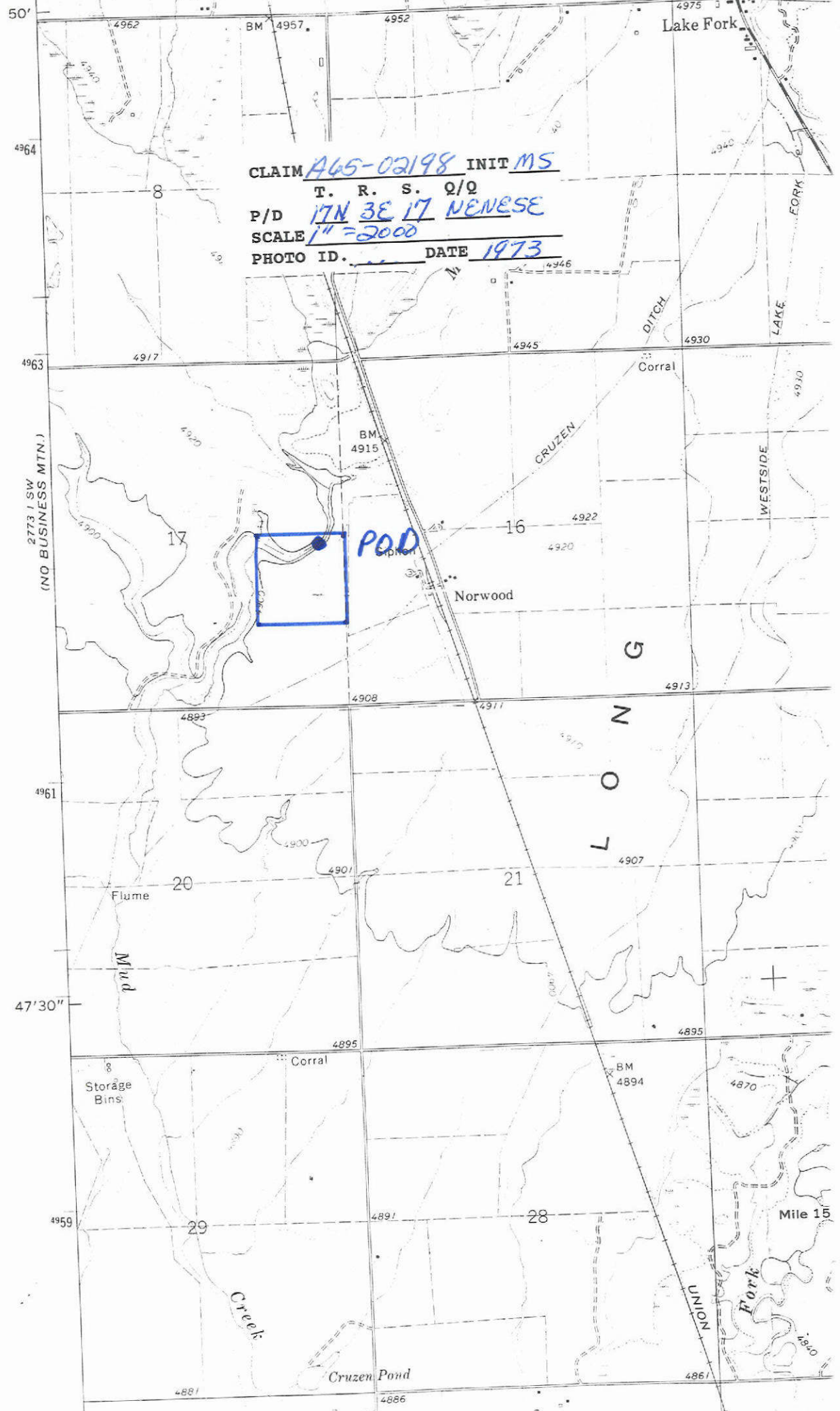
3212-8

2487-37

2489-3

3212-35

6d



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: A65-02198
Date Received: 11/17/1988
Receipt No: X999999
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: NISULA BROS
Address: BOX 444
EMMETT ID 83617
2. Date of Priority: MAY 22, 1919
3. Source: MUD CREEK Trib. to: PAYETTE RIVER, NORTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	03E	17	NE	NE	SE		VALLEY
5. Description of diverting works:
METAL HEADGATE IN CREEK, TO OPEN DITCHES
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.200		
7. Total Quantity Appropriated is:
1.200 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 132.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	03E	30	NE	SE		IRR	27.0
			SE	SE		IRR	39.0

Section Acres 66.0

10. Place of Use: Continued

Total Acres 66.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
CLAIM NOS. A65-02487 & A65-02489.

14. Remarks:
PLACE OF USE AMENDED PER TRANSFER NO. 3636 APPROVED 12-29-89. JS
A MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPARTMENT SHALL
BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
THESE RIGHTS WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE
NO MORE THAN 3.0 AFA PER ACRE FOR THE LANDS IN THE PLACE OF USE.
USE OF WATER UNDER THESE RIGHTS IS SUBJECT TO CONTROL BY THE
WATERMASTER OF STATE WATER DISTRICT NO. 65K, LAKE FORK CREEK.

15. Basis of Claim: DECREEED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO
Decree Plaintiff

A & C CORP., ET AL.
vs 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): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

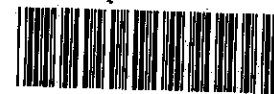
Seal

Residing at _____

My Commission Expires _____

o
mc C258,530

CA



A6502198

11/13/2000

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

RIGHT NUMBER: 65-2198

NAME AND ADDRESS: MARY NAHAS FAMILY TRUST
RONALD NAHAS FAMILY TRUST
3840 HAPPY VALLEY RD
LAFAYETTE, CA 94549

*Recently
decreed.
No Ncap.*

SOURCE: MUD CREEK TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 1.2 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED
TO A DIVERSION RATE OF .02 CFS AT THE FIELD HEADGATE.
COMBINED RIGHT NOS: 65-02489 & 65-03204

PRIORITY DATE: 05/22/1919

POINT OF DIVERSION: T17N R03E S17 NENESE Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-15 10-15	1.20 CFS

PLACE OF USE:

<u>IRRIGATION Within VALLEY County</u>				
T17N R03E S30	NENESE	27	T17N R03E S30	SESE 39
66 ACRES TOTAL				

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-02488, 65-03702, 65-02483, 65-02542 65-02489 & 65-02487

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

RECEIVED
OCT 23 2000
 WATER RESOURCES
 WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned. *No!*

1. Water Right No(s): 65-03204, 03212, 03701, 03702, 03703, 03704, 03705, 03706,
A65-02198, 02487, 02489
 Adjudication Claim No(s): 65-03212, 03702, 03204 - A65-02198, 02487, 02489

2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water right or adjudication claim 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 Frank Nisula, Elmer Nisula, Anna Nisula, Nisula Bros

4. New Owner/Claimant(s) Ronald and Mary Nahas Family trust, UDT 9/5/90
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 3840 Happy Valley Road
 City, State and ZIP Code Lafayette, CA 94549
 New Telephone Number (925) 254-8800 or 925-283-5357

5. Date you acquired the property July 31, 2000

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) *[Signature]* Trustee
 or Claimant(s)

See maps in # 65-03204

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Ronald C. Nahas

RECEIVED

OCT 23 2000

WATER RESOURCES
WESTERN REGION

October 18, 2000

Mr. Gary Spackman
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Dear Gary:

Enclosed is a Notice of Change of Water Right Ownership for water rights pertaining to 415 acres in Valley County, northwest of Donnelly. I have enclosed the provided notice, copies of the Warranty Deeds which are numerous because it was a large family, abstracts of the water rights, and aerial photos of the property upon which I have noted the source, water right number and acreage in each quarter quarter section. I have not noted those water rights relating to domestic or livestock usage. Please let me know if anything further is required.

Cordially,



Ronald C. Nahas

RCN:sb
Enclosures

EXHIBIT A - Legal Description

Parcel A

(2478-2487) (3204-2487)
All that certain lot, piece or parcel of land, situate in Valley County, Idaho, and shown as the Southeast quarter, Section 30, Township 17 North, Range 3 East, Boise Meridian. 2487

Parcel B

3212 2487
All that certain lot, piece or parcel of land, situate in Valley County, Idaho, and shown as the North half of the Northeast quarter; the East half of the Southwest quarter of the Northeast quarter; and the Southeast quarter of the Northeast quarter; all in Section 31, Township 17 North, Range 3 East, Boise Meridian. 2487

Parcel C

All that certain lot, piece or parcel of land, situate in Valley County, Idaho, and shown as the East 20 acres of Lot 7 and the Northeast 10 acres of Lot 10 in Section 30, Township 17 North, Range 3 East, Boise Meridian: TOGETHER WITH a permanent easement to use any non-flooded portion of the following described premises for farming and grazing purposes and as a means of access to water for stock watering purposes over and across the West 21.30 acres of Lot 7 (also described as Lot 7 less the East 20 acres thereof) and Lot 10 less the Northeast 10 acres thereof, all in Section 30, Township 17 North, Range 3 East, Boise Meridian; and Lots 1 and 6 in Section 31, Township 17 North, Range 3 East, Boise Meridian. 3704

RECEIVED

OCT 23 2000

WATER RESOURCES
WESTERN REGION

Instrument # 248735

CASCADE VALLEY, IDAHO

2000-07-31

03:17:06 No. of Pages: 9

Recorded for : AMERITITLE

LELAND G. HEINRICH

Fee: 27.00

Ex-Officio Recorder Deputy

Index to: DEEDS

WARRANTY DEED

For Value Received, ANNA M. NISSULA AS CO-TRUSTEE AND THOMASINE E. NISSULA AS SUCCESSOR TRUSTEE OF THE ARTHUR AND ANNA NISSULA TRUST DATED NOVEMBER 27, 1990; ANNA M. NISSULA, INDIVIDUALLY; THOMASINE E. NISSULA, INDIVIDUALLY

GRANTORS IN CHAIN OF TITLE MAY HAVE TAKEN TITLE AS NISSULA OR NISULA

the Grantors, do hereby grant, bargain, sell and convey unto
RONALD AND MARY NAHAS FAMILY TRUST, DATED SEPTEMBER 5, 1990,
RONALD C. NAHAS, SOLE TRUSTEE

whose address is: 1 BATES BOULEVARD, SUITE 200,
ORINDA, CA. 94563

the Grantee, the following described premises, to-wit:

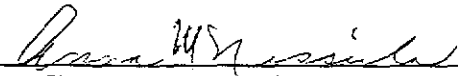
SEE ATTACHED AS EXHIBIT "A"

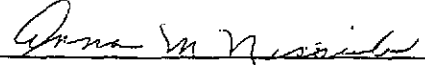
TOGETHER WITH ANY AND ALL WATER AND MINERAL RIGHTS APPERTAINING THERETO.

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 2000 taxes and assessments, subject to easements of records or visible upon the ground, and that they will warrant and defend the same from all lawful claims whatsoever.

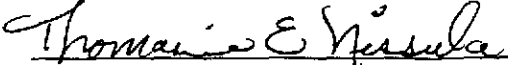
Dated: 5/17/2000

ARTHUR AND ANNA NISSULA TRUST DATED NOVEMBER 27, 1990


ANNAMNISSULA, CO-TRUSTEE


ANNA M. NISSULA, INDIVIDUALLY


THOMASINE E. NISSULA,
SUCCESSOR TRUSTEE


THOMASINE E. NISSULA,
INDIVIDUALLY

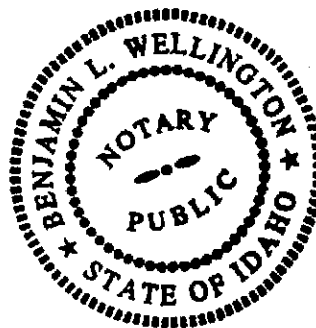
State of Idaho)
)ss
County of Valley)

On the 17th day of May, 2000 before me,
Benjamin L. Wellington

a notary public in and for said State, personally appeared
Anna Nissula and Thomasine E. Nissula being by me first duly sworn,
declared that they are Trustees of the Arthur and Anna Nissula Trust
dated November 27, 1990 that they signed the foregoing document as the
Trustees and that statements therein contained are true.

Benjamin L. Wellington
Notary Public

Cascade, Idaho
Commission Expires:
7-20-2004



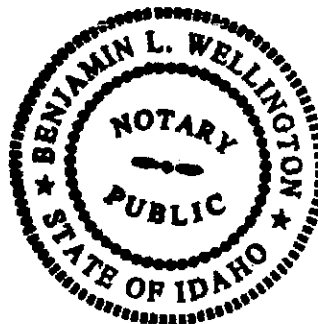
State of Idaho)
)ss
County of Valley)

On the 17th day of May, 2000, before me,
Benjamin L. Wellington

a notary public in and for said State, personally appeared
Anna M. Nissula and Thomasine E. Nissula
known to me to be the persons whose names are subscribed to the
within instrument, and acknowledged to me that they executed the
same.

Benjamin L. Wellington
Notary Public

Residing at: Cascade, ID
Commission Expires:
7-20-2004



WARRANTY DEED

For Value Received, EFFIE E. FARRELL, A WIDOW

the Grantors, do hereby grant, bargain, sell and convey unto
RONALD AND MARY NAHAS FAMILY TRUST, DATED SEPTEMBER 5, 1990,
RONALD C. NAHAS, SOLE TRUSTEE
whose address is: 1 BATES BOULEVARD, SUITE 200,
ORINDA, CA. 94563
the Grantee, the following described premises, to-wit:

SEE ATTACHED AS EXHIBIT "A"

TOGETHER WITH ANY AND ALL WATER AND MINERAL RIGHTS APPERTAINING
THERETO.

TO HAVE AND TO HOLD the premises with their appurtenances unto
the said Grantees, their heirs and assigns forever. And the said
Grantors do hereby covenant to and with the said Grantees, that
they are the owners in fee simple of said premises that said
premises are free from all encumbrances except the 2000 taxes and
assessments, subject to easements of record and visible upon the
ground, and that they will warrant and defend the same from all
lawful claims whatsoever.

Dated: 5/24/2000

Effie E. Farrell
EFFIE E. FARRELL

State of IDAHO)
) ss
County of GEM)

On the 24th day of MAY, 2000 before me, LYLEEN JEROME
a notary public in and for said State,
personally appeared EFFIE E. FARRELL and known to me to be the
persons whose names are subscribed to the within instrument, and
acknowledged to me that they executed the same.

Lyleen M. Jerome
Notary Public
Residing at: Emmet
Commission Expires: 12-29-03

WARRANTY DEED

For Value Received, W. EARL & EDNA IRENE SIVEY TRUST UNDER TRUST AGREEMENT DATED FEBRUARY 6, 1997

the Grantors, do hereby grant, bargain, sell and convey unto
RONALD AND MARY NAHAS FAMILY TRUST, DATED SEPTEMBER 5, 1990,
RONALD C. NAHAS, SOLE TRUSTEE
whose address is: 1 BATES BOULEVARD, SUITE 200,
ORINDA, CA. 94563
the Grantee, the following described premises, to-wit:

SEE ATTACHED AS EXHIBIT "A"

TOGETHER WITH ANY AND ALL WATER AND MINERAL RIGHTS APPERTAINING THERETO.

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 2000 taxes and assessments, subject to easements of record and visible upon the ground, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated:

W. EARL & EDNA IRENE SIVEY TRUST UNDER TRUST AGREEMENT DATED FEBRUARY 6, 1997

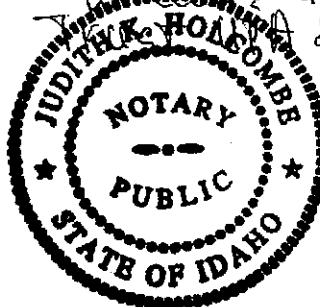
Edna Irene Sivey
EDNA IRENE SIVEY, TRUSTEE

State of Idaho)
County of Ada) ss

On the 24th day of May, 2000, before me, Judith Holcombe

a notary public in and for said State, personally appeared Edna Irene Sivey Trustee being by me first duly sworn, declared that they are Trustees of the that they signed the foregoing document as the Trustees and that statements therein contained are true.

Judith Holcombe
Notary Public
Boise, Idaho
Commission Expires: 8-18-2005



WARRANTY DEED

For Value Received, RAYNO G. NISSULA, AKA R.G. NISSULA AND
PHYLLIS NISSULA, HUSBAND AND WIFE
TITLE OF PUBLIC RECORD MAY SHOW NISSULA OR NISULA
the Grantors, do hereby grant, bargain, sell and convey unto
RONALD AND MARY NAHAS FAMILY TRUST, DATED SEPTEMBER 5, 1990,
RONALD C. NAHAS, SOLE TRUSTEE
whose address is: 1 BATES BOULEVARD, SUITE 200,
ORINDA, CA. 94563
the Grantee, the following described premises, to-wit:

SEE ATTACHED AS EXHIBIT "A"

TOGETHER WITH ANY AND ALL WATER AND MINERAL RIGHTS APPERTAINING
THERETO.

TO HAVE AND TO HOLD the premises with their appurtenances unto
the said Grantees, their heirs and assigns forever. And the said
Grantors do hereby covenant to and with the said Grantees, that
they are the owners in fee simple of said premises that said
premises are free from all encumbrances except the 2000 taxes and
assessments, subject to easements of record and visible upon the
ground, and that they will warrant and defend the same from all
lawful claims whatsoever.

Dated: 5/17/2000

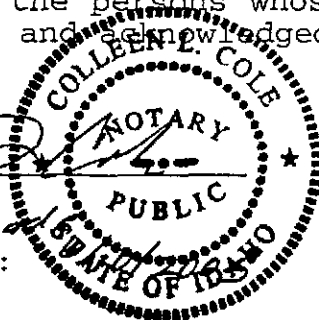
Rayno G. Nissula
RAYNO G. NISSULA

Phyllis M. Nissula
PHYLLIS NISSULA

State of IDAHO)
County of VALLEY) ss

On the 17th day of May, 2000, before me,
Colleen C. Cole
a notary public in and for said State, personally appeared
Rayno G. Nissula & Phyllis Nissula
known to me to be the persons whose names are subscribed to the
within instrument, and acknowledged to me that they executed the
same.

Colleen C. Cole
Notary Public
Residing at: Cascade
Commission Expires:



WARRANTY DEED

For Value Received, BEVERLY A. CHRISTENSEN, AN UNMARRIED WOMAN
the Grantors, do hereby grant, bargain, sell and convey unto
RONALD AND MARY NAHAS FAMILY TRUST DATED SEPTEMBER 5, 1990,
RONALD C. NAHAS, SOLE TRUSTEE

whose address is: 1 BATES BOULEVARD, SUITE 200;
ORINDA, CA. 94563
the Grantee, the following described premises, to-wit:

SEE ATTACHED AS EXHIBIT "A"

TOGETHER WITH ANY AND ALL WATER AND MINERAL RIGHTS APPERTAINING
THERE TO.

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 2000 taxes and assessments, subject to easements of record and visible upon the ground, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 5/26/2000

BEVERLY A. CHRISTENSEN

5/36/20

State of IOWA)
) ss
County of PLYMOUTH)

On the 26th day of MAY, 2000, before me, D. KURTIS FUNK

a notary public in and for said State, personally appeared

BENJAMIN ANN CHRISTENSEN
known to me to be the persons whose names are subscribed to the
within instrument, and acknowledged to me that they executed the
same.

D. K. J.
Notary Public
Residing at: DAYTON, OHIO
Commission Expires: 01/21/05



WARRANTY DEED

For Value Received, RODGER A. CARICO aka ROGER A. CARICO AND
IMOGENE M. CARICO,
Husband and Wife
the Grantors, do hereby grant, bargain, sell and convey unto
RONALD AND MARY NAHAS FAMILY TRUST, DATED SEPTEMBER 5, 1990,
RONALD C. NAHAS, SOLE TRUSTEE
whose address is: 1 BATES BOULEVARD, SUITE 200,
ORINDA, CA. 94563
the Grantee, the following described premises, to-wit:

SEE ATTACHED AS EXHIBIT "A"

TOGETHER WITH ANY AND ALL WATER AND MINERAL RIGHTS APPERTAINING
THERE TO.

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 2000 taxes and assessments, subject to easements of record and visible upon the ground, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 5/18/2000

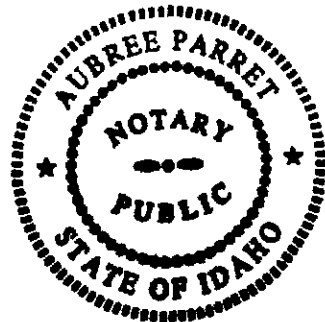
Rodger A. Carico
Rodger A. Carico


Imogene M. Carico

State of *Idaho*)
) ss
County of *Ada*)

On the 18 day of May, 2000, before me,
Aubree Parret
a notary public in and for said State, personally appeared
Rodger A. Carico & Imogene M. Carico
known to me to be the persons whose names are subscribed to the
within instrument, and acknowledged to me that they executed the
same.

Aubree Parret
Notary Public
Residing at: Idaho United Credit Union
Commission Expires: 2-7-06



WARRANTY DEED

For Value Received, RONALD E. CARICO
the Grantors, do hereby grant, bargain, sell and convey unto
RONALD AND MARY NAHAS FAMILY TRUST DATED SEPTEMBER 5, 1990,
RONALD C. NAHAS, SOLE TRUSTEE
whose address is: 1 BATES BOULEVARD, SUITE 200,
ORINDA, CA. 94563
the Grantee, the following described premises, to-wit:

SEE ATTACHED AS EXHIBIT "A"

TOGETHER WITH ANY AND ALL WATER AND MINERAL RIGHTS APPERTAINING
THERETO.

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 2000 taxes and assessments, subject to easements of record and visible upon the ground, and that they will warrant and defend the same from all lawful claims whatsoever.

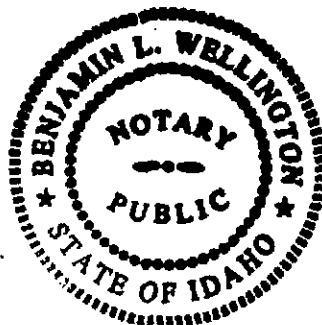
Dated: 5/17/00

Ronald E. Carico
RONALD E. CARICO

State of IDAHO)
County of VALLEY) ss

On the 17 day of May, 2000, before me,
Benjamin L. Wellington
a notary public in and for said State, personally appeared
Ronald E. Carico
known to me to be the persons whose names are subscribed to the
within instrument, and acknowledged to me that they executed the
same.

Benjamin L. Wellington
Notary Public
Residing at: CASCADE, IDAHO
Commission Expires:
7-20-2004



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3636

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resource
Western

Western Regional Office

Nisula Bros. (Frank & Elmer)

Phone

Post Office address

Box 444

Emmett Io.

83617

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use

- ☐
- Change nature of use
- ☐
- Change period of use
- ☐
- Other

2. Describe the reason for the proposed changes to correct the Payette River Basin decree
and fully utilize earliest priority rights.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount | Nature | Period of Use |
|-----------------|----------|--------|--------|---------------|
|-----------------|----------|--------|--------|---------------|

65-02198	MAY 22, 1919	1.20 cfs	Irrigation	4/15	to	10/15
65-02487	Dec. 3, 1947	2.80 cfs	Irrigation	4/15	to	10/15
65-02489	Nov. 3, 1947	2.00 cfs	Irrigation	4/15	to	10/15
					to	

2. Total amount of water being transferred 6.00 cfs cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Mud Creek tributary to Payette River, North Fork

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 65-02198 Decreed to ANNA Niska
 in case of State of Idaho vs. A & C Corp, et al
 dated 1-21-1986 in Third Jud. Dist. county of Gem
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☒ Other see Attachment A3. Source of water Mud Creek tributary to Poyette River, North Fork4. Date or priority May 22, 1919

5. Water is used for the following purpose:

amount 1.20 cfs for IRrigation purposes from 4-15 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.20 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	17	17N	3E	Valley	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
17N	3E	17													27			39	66

Total acres 66

9. Describe any other water rights used for the same purpose as described above Lake Irrig. District
and 65-03216 for SESE (Lake Fork Creek is source for 03216)

NOT RECORDED
 36 MAY 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 65-02487 Decreed to Frank S. Nisula
 in case of State of Idaho vs. A & C Corp, et al
 dated 1-21-1986 in Third Jud. District county of Gem
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other see attachment A

3. Source of water Mud Creek tributary to Payette River, North Fork
4. Date or priority Dec. 3, 1947

5. Water is used for the following purpose:

amount 2.80 cfs for Irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 2.80 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	17	17N	3E	Valley	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
17N	3E	17	12	32	37	14													95

Total acres 95

9. Describe any other water rights used for the same purpose as described above Lake Irrigation Dist.

MICROFILMED

OCT 16 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 65-02489 Decreed to ANNA NISULA
 in case of State of Idaho vs. AFC Corp, et al
 dated 1-21-1986 in Third Jnd. District county of Gem
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Mud Creek tributary to Payette River, North Fork

4. Date or priority Nov. 3, 1947

5. Water is used for the following purpose:

amount 2.00 cfs for Irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 2.00 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	17	17N	3E	Valley	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
17N	3E	30													37	11	26	39	113

Total acres 113

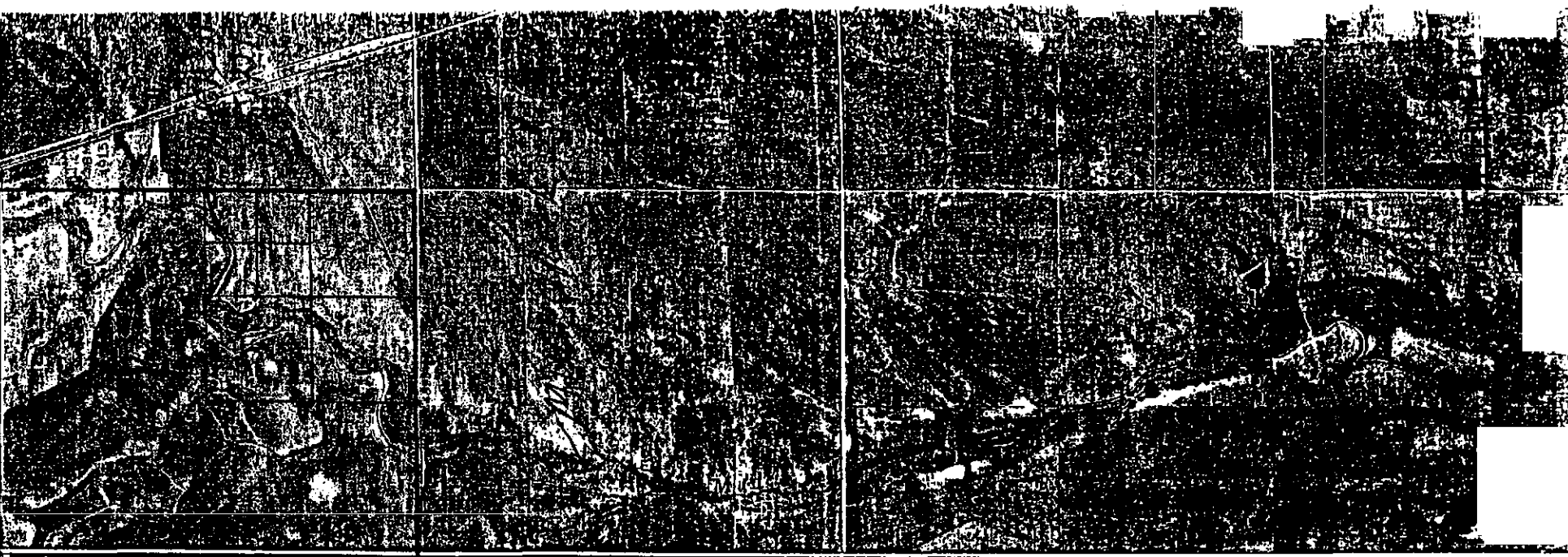
9. Describe any other water rights used for the same purpose as described above

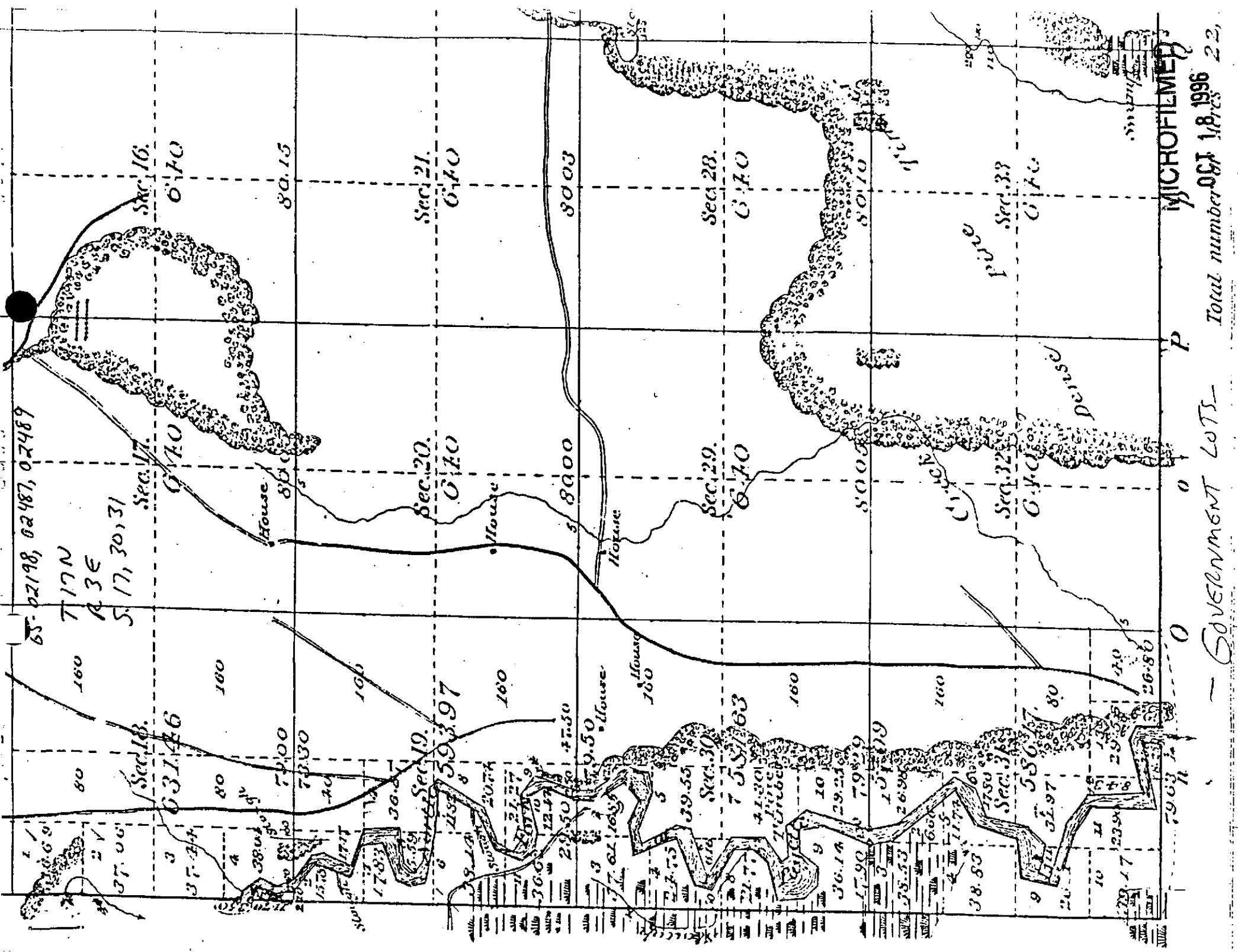
Lake Irrigation District
65-03204 (Lake Fork Creek is source for 03204)

PJ
65-02198, 02487, 02488
Q 36
5-17, 30, 31

POOR ORIGINAL

4963





PART 3**B. CHANGES IN NATURE OF USE**

1.	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Elmer Nisula (Partner)
(Signature of Applicant)

Subscribed and sworn to before me this 5 day of December, 19 88

Eldon J. Poush
(Notary Public)

My commission expires 09/08/1999

FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 3 attachments

Received by SL for OS & NL Date 11-17-88, 11-22-88

Prelim. check by SL Fee \$50.00

Receipted by SL for OS #C003432 Date 11/17/88

Published in Star News

Pub. dates 11/15 & 11/22/89

Watermaster recommendation requested on _____

_____ rec'd. _____

Copy of transfer sent to lien holder _____

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denial

by DET. S. Gary

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OCT 18 1996

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: A65-02198

Date Received: 11-17-88

Receipt No: X999999

Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NISULA BROS.
Address: BOX 444
EMMETT, ID

83617

2. Date of Priority: MAY 22, 1919

3. Source: MUD CREEK Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	03E	17	NE	NE	SE		VALLEY

5. Description of diverting works:
METAL HEADGATE IN CREEK, TO OPEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.200		

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

8. Total consumptive use is 132.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	03E	17	NE	SE		IRR	27.0
			SE	SE		IRR	39.0
Section Acres							66.0

A65-02198

Page 1

Date: 11/17/88

MICROFILMED

SEP 18 1992

10. Place of Use: Continued

Total Acres 66.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
 RIGHTS FROM LAKE FORK CREEK

14. Remarks:

15. Basis of Claim: DECREED
 Case Number:
 Court :
 Decree date: 1/21/1986

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: 1

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): Louise Niemi Date: Nov. 12-88
Partner Date: _____

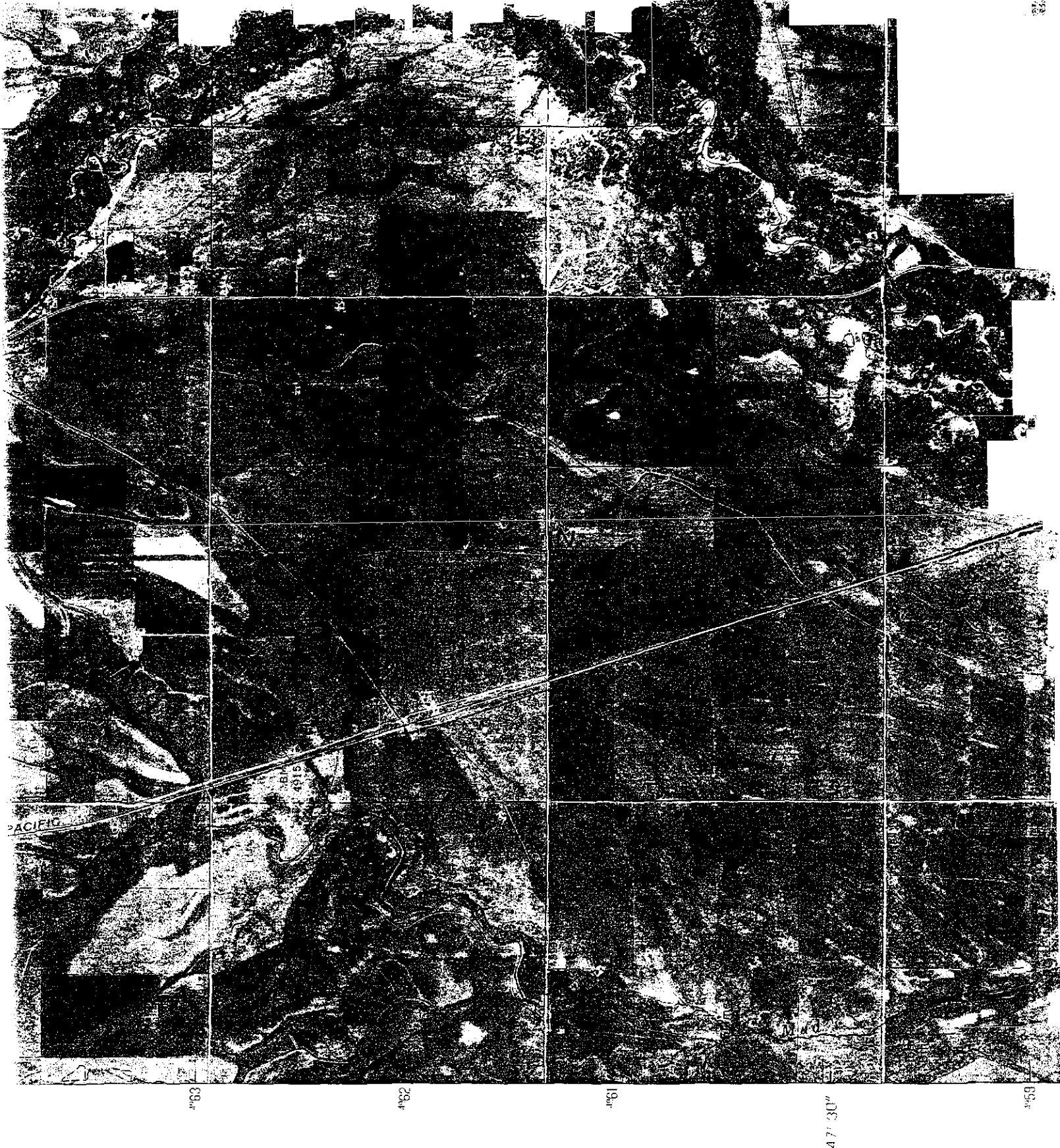
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 17 day
of November 19 88

[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 10, 1994



MICROFILMED

SEP 18 1992

AJ0749NP
No. R65-02198

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

DATE: 08/03/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NISULA BROS PO BOX 444 EMMETT ID 83617	05/22/1919	IRRIGATION	04-15 10-15	1.200 CFS	
TOTAL DIVERSION:					1.200 CFS	

Water Source: MUD CREEK

Tributary to: CASCADE RESERVOIR

Stage: DECREED

Point(s) of Diversion:

T17N R03E S17

NENESE

VALLEY County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM				
17N	03E	30	:															:					
																			27		39	:	66.0
																			TOTAL ACRES			66.0	

POU County: VALLEY

Other Rights: 65-02489, 65-03204.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
DIVERSION RATE OF .02 CFS AT THE FIELD HEADGATE. COMBINED RIGHT
NOS: 65-02489 & 65-03204.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-02488, 65-03702, 65-02483, 65-02542
65-02489 & 65-02487.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Comments: Date: 03/25/1999 User-ID: MSCHULTE Subject: COPIED FROM REMARKS
USE OF WATER UNDER THESE RIGHTS IS SUBJECT TO CONTROL BY THE
WATERMASTER OF STATE WATER DISTRICT NO. 65K, LAKE FORK CREEK.

Audit: 08/03/99 MSCHULTE

08:17:56
05/14/99
17

CLAIM NUMBER: A65-02198

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 65	Field Inspection Flag:	
		Presumption Flag:	

WR5809NP
No. 65-02198

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/23/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NISULA BROTHERS P.O. BOX 444 EMMETT ID 83617	05/22/1919	IRRIGATION	04/15 10/15	1.200 CFS	
TOTAL DIVERSION:					1.200 CFS	

Water Source: MUD CREEK Tributary to: PAYETTE RIVER, NORTH FORK Stage: DECREED
Point(s) of Diversion: T17N R03E S17 NENESE VALLEY County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE									
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	----
17N	03E	30	:																		66.0
TOTAL ACRES																			66.0		

Pou County: VALLEY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-02098 65-02483 65-02487 65-02488 65-02489 65-02542 65-03702

Other Water Rights Listing Overlapping Place(s) of use:
65-02489 65-03204

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.
- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 65K.
- R24 - This right when combined with all other rights shall provide no
- more than 3.0 afa per acre for irrigation of the lands above.

Remarks: GEN TRANS. 3636.

Dates: App. Received: Priority Date: 05/22/1919
 Proof Due Date: Proof Made Date:
 Exam Made Date: Exam Sent to S.O.:
 Licensed Date:

Misc: Water District Number: 65K Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT 01/08/90 CURTIS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:48:32
03/23/99

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A65-02198

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			MS 3-25-99	N		MS 3-25-99	MS 3-25-99	
POINT OF DIV			broffice 5-14-99	N		5-14-99	5-14-99	
SOURCE				N				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME				N				
CONSUMPTIVE USE	-			NA				
PURPOSES OF USE				N				
PERIOD OF USE				N				
BASIS OF CLAIM				N				
REMARKS	Y			Y				

BARCODE UPDATED
WHOM/DATE

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☐ ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
☒ TOPOGRAPHIC	DATE FIELD CHECKED <u>5-14-99</u> IDWR ID NO. <u>560</u>	Y() N() <u>6d</u>
☒ ~~MAP~~ GIS map	DATE OF PHOTO <u>3-24-99</u> <u>U987</u> IDWR ID NO. _____	Y() N() <u>6b</u>
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP <u>5-14-99</u>	Y() N()
☒ OTHER <u>GIS Table</u>	DATE <u>3-25-99</u>	Y() N() <u>6a</u>
☒ OTHER <u>Overlap map</u>	DATE _____	Y() N() <u>6c</u>
☐ OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
☐ SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
☒ OTHER <u>POU Review report</u>	DATE <u>3-23-99</u>	<u>1</u>	_____
☐ OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:48:32
03/23/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-02198

LAST: NISULA
ADDRESS: PO BOX 604
CITY: DONNELLY
PHONE NUMBER: 208-000-0000

FIRST: ANNA
STATE: ID ZIP: 83615

OWNER CODE: O

LAST: NISULA BROS
ADDRESS: BOX 444
CITY: EMMETT
PHONE NUMBER: 208-000-0000

FIRST:
STATE: ID ZIP: 83617

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN PLACE OF USE AMENDED PER TRANSFER NO. 3636 APPROVED 12-29-89. JS
A MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPARTMENT SHALL
BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
THESE RIGHTS WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE
NO MORE THAN 3.0 AFA PER ACRE FOR THE LANDS IN THE PLACE OF USE.
USE OF WATER UNDER THESE RIGHTS IS SUBJECT TO CONTROL BY THE
WATERMASTER OF STATE WATER DISTRICT NO. 65K, LAKE FORK CREEK.

PAGE: 2
FIELD EXAMINATION INFORMATION

CLAIM NUMBER: A65-02198

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

In Office review

A. AJ CLAIM: # A65-02198 PRIORITY DATE: 05-22-1919 STAGE: D

B. WR RECORD: # 65-02198 PRIORITY DATE: 05-22-1919 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE N/A(☒) Y(☐) N(☐)

LICENSE ISSUED N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES: Recommended as decreed, per T3636, and
claimed in the SRBA.

=====

RECOMMENDED PRIORITY DATE:

05-22-1919

REVIEWED BY Mel Schutte

5-14-99
DATE 3-25-99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-02198	17N 03E	17	NE	NE	SE			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-02098	R65-02098
A65-02483	
A65-02487	
A65-02488	
A65-02489	
A65-02542	
A65-03702	

WR RECORDS IN SAME 40 ACRE TRACT

65-02098
65-02483
65-02487
65-02488
65-02489
65-02542
65-03702

SOURCE: MUD CREEK

TRIB: PAYETTE RIVER, NORTH FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-02198	17N 03E	17	NE	NE	SE			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

65-02098
65-02483
65-02487
65-02488
65-02489
65-02542
65-03702

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A65-02098	R65-02098
A65-02483	
A65-02487	
A65-02488	
A65-02489	
A65-02542	
A65-03702	

SOURCE: MUD CREEK

TRIB: PAYETTE RIVER, NORTH FORK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

Y() N(☒)

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N(☒)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: Recommended as decreed in the PRBA.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY VALLEY	DIVERSION NAME	DIVERSION NBR
17N	03E	17	NE	NE	SE					
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—

SOURCE: MUD CREEK

TRIB: PAYETTE RIVER, NORTH FORK

REVIEWED BY:

M. Schulte

DATE:

5-14-99.

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A65-02198
R65-02198

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
17N	03E	30	NE	SE		NISULA BROS	A65-02198 / 27.0	65-02198 / 27.0	41.0		
			NE	SE		NISULA BROS	A65-03204 / 37.0	65-03204 / 37.0			
			NE	SE		NISULA BROTHERS	A65-03706 /	65-03706 /			
			NE	SE		NISULA BROS	A65-02489 / 10.0	65-02489 / 10.0			
			NE	SE		NISULA BROTHERS	65-03706 /	- /			
			NE	SE		NISULA BROS	R65-02198 / 37.0	- /			
			NE	SE		NISULA BROS	R65-02487 / 37.0	- /			
			NE	SE		NISULA BROS	R65-02489 / 37.0	- /			
			NE	SE		NISULA BROS	R65-03204 / 37.0	- /			
			NE	SE		NISULA, ELMER J	R65-03212 / 37.0	- /			27
17N	03E	30	SE	SE		NISULA BROS	A65-02198 / 39.0	65-02198 / 39.0	42.0		
			SE	SE		NISULA BROS	A65-03204 / 39.0	65-03204 / 39.0			
			SE	SE		NISULA BROS	R65-02198 / 39.0	- /			
			SE	SE		NISULA BROS	R65-02487 / 39.0	- /			
			SE	SE		NISULA BROS	R65-02489 / 39.0	- /			
			SE	SE		NISULA BROS	R65-03204 / 39.0	- /			
			SE	SE		NISULA, ELMER J	R65-03212 / 39.0	- /			39

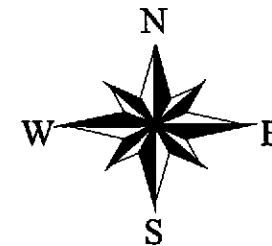
ADDITIONAL POU FOUND

TOTAL ACRES A65-02198 66.00 66.00 83.00

POU COUNTY: VALLEY

66

IDAHO DEPARTMENT OF WATER RESOURCES
17N, 03E, S30



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-02198

OWNER(S): NISULA BROTHERS

Prepared by Mel Schulte

DATE: MAY 14, 1999



Overlap Map

A65-02198, -02487, -02489
-03204, -03212, -03704

T17N, R03E, S30
and S31.

OC

3204

-Lake FH. CR.

2487

Mud Cr.

2489

Mud Cr.

2198

Mud Cr.

3212

Lake FH. CR.

2204

WW

04-1

29-X

126 3204-39

2198-39

2489

3704

126 3204-39

2198-39

126 3204-39

2198-39

60

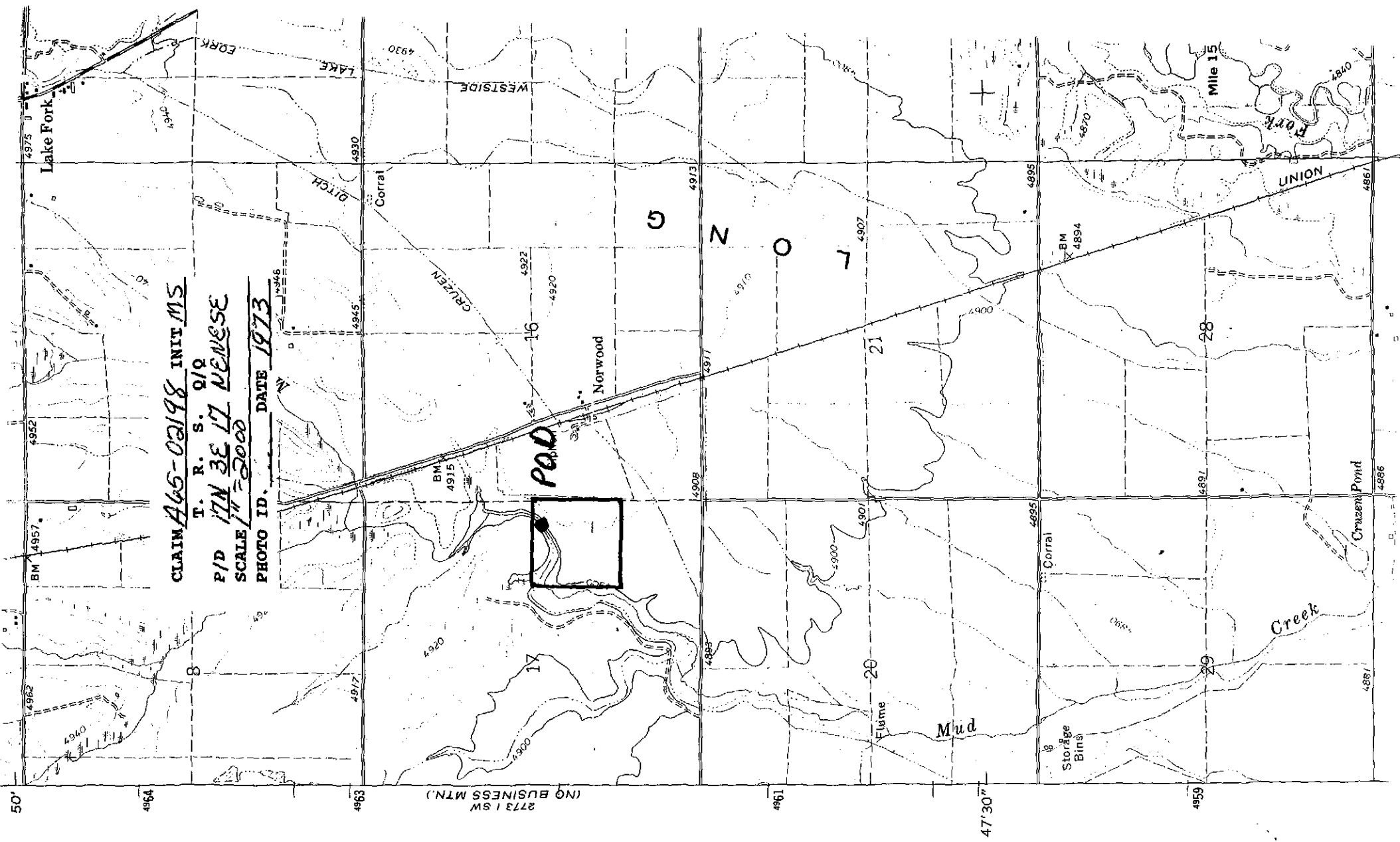
CLAIM A65-02198 INIT MS

T. R. S. Q10

P/D 17N 3E 17 NENESE

SCALE 1" = 2000

PHOTO ID. DATE 1973



C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(☒)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-02198	MUD CREEK	NISULA BROS	1.200	0.018		
R65-02198	MUD CREEK	NISULA BROS	1.200	0.004		
R65-02487	MUD CREEK	NISULA BROS	2.800	0.011		
A65-02489	MUD CREEK	NISULA BROS	2.000	0.017		
R65-02489	MUD CREEK	NISULA BROS	2.000	0.007		
A65-03204	LAKE FORK CREEK	NISULA BROS	2.000	0.017		
R65-03204	LAKE FORK CREEK	NISULA BROS	2.000	0.007		
R65-03212	LAKE FORK CREEK	NISULA, ELMER J	2.000	0.007		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-03706	DOMESTIC	NISULA BROTHERS	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-03706	DOMESTIC	NISULA BROTHERS	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: CLAIM NOS. A65-02487 & A65-02489.

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

⁶¹³
() MAP, IDWR NO. _____

(☒) ASCS PHOTO; () OTHER _____

NOTES:

Recommended as decreed in the PRBA.

RECOMMENDATIONS:

TOTAL ACRES: 66 N/A()

REVIEWED BY:

Mel Schulte

DATE:

5-14-99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-02198 IRRIGATION	FROM 04-15 TO 10-15	1.200 CFS	
TOTAL DIVERSION RATE/VOLUME		1.200 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-02198 IRRIGATION	FROM 04-15 TO 10-15	1.200 CFS	
TOTAL DIVERSION RATE/VOLUME		1.200 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

NOTES:

Recommended as decreed, per T 3636, and claimed.

AJ CLAIM TOTAL DIVERSION RATE: 1.200 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.200 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD None, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 06 ^{PPT} x 0.02 CFS/ACRE = 1.32 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 132.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES: *Recommended as decreed in the PRBA*

WR RECORD CONDITIONS/REMARKS:

- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.
- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 65K.
- R24 - This right when combined with all other rights shall provide no
- more than 3.0 afa per acre for irrigation of the lands above.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	04-15	10-15	DATABASE 1.200	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 132.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			1.200	_____		_____	132.0	_____

NON-IRRIGATION USES CLAIMED: NONE

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: Mel Schulte

DATE: 5-14-99.

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

Qwt - E04
~~Pwt - F06 - E14.~~
EXP - F06

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(☒)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-02198

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 1.200 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-02198	1.200	-		65-02198	1.200
TOTAL CFS		1.200				1.200

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N) *NA*
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE Y
FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

5-14-99
3-25-99
Mel Schulte

OPTION: IRRIGATION USES ONLY

ADJUDICATION CLAIM NUMBER: A65-02198

PAGE: 1

A. ROOT WATER RIGHT NUMBERS: A65-02198

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
17N	03E	30	NE	SE		NISULA BROS	A65-02198 /01/27.0	65-02198 /01/27.0	41.0
			NE	SE		NISULA BROS	A65-03204 /01/37.0	65-03204 /01/37.0	
			NE	SE		NISULA BROS	A65-02489 /01/10.0	65-02489 /01/10.0	
17N	03E	30	SE	SE		NISULA BROS	A65-02198 /01/39.0	65-02198 /01/39.0	42.0
			SE	SE		NISULA BROS	A65-03204 /01/39.0	65-03204 /01/39.0	
TOTAL ACRES							A65-02198	66.00	66.00 83.00

POU COUNTY: VALLEY

A. ROOT WATER RIGHT NUMBERS: A65-02487

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
17N	03E	31	NE	NE		NISULA BROS	A65-02487 /01/32.0	65-02487 /01/32.0	37.0
			NE	NE		NISULA, ELMER J	A65-03212 /01/39.0	65-03212 /01/39.0	
			NE	NE		NISULA BROS	A65-02489 /01/ 8.0	65-02489 /01/ 8.0	
17N	03E	31	NW	NE		NISULA BROS	A65-02487 /01/12.0	65-02487 /01/12.0	40.0
			NW	NE		NISULA, ELMER J	A65-03212 /01/12.0	65-03212 /01/12.0	
			NW	NE		NISULA BROS	A65-02489 /01/28.0	65-02489 /01/28.0	
17N	03E	31	SW	NE		NISULA BROS	A65-02487 /01/14.0	65-02487 /01/14.0	25.0
			SW	NE		NISULA, ELMER J	A65-03212 /01/ 8.0	65-03212 /01/ 8.0	
			SW	NE		NISULA BROS	A65-02489 /01/ 6.0	65-02489 /01/ 6.0	
17N	03E	31	SE	NE		NISULA BROS	A65-02487 /01/37.0	65-02487 /01/37.0	33.0
			SE	NE		NISULA, ELMER J	A65-03212 /01/35.0	65-03212 /01/35.0	
			SE	NE		NISULA BROS	A65-02489 /01/ 3.0	65-02489 /01/ 3.0	
TOTAL ACRES							A65-02487	95.00	95.00 135.00

POU COUNTY: VALLEY

A. ROOT WATER RIGHT NUMBERS: A65-02489

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
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