

IDAHO DEPARTMENT OF WATER RESOURCES

T17N, R03E, S30 & S31



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

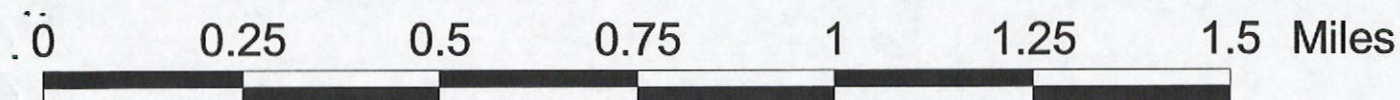
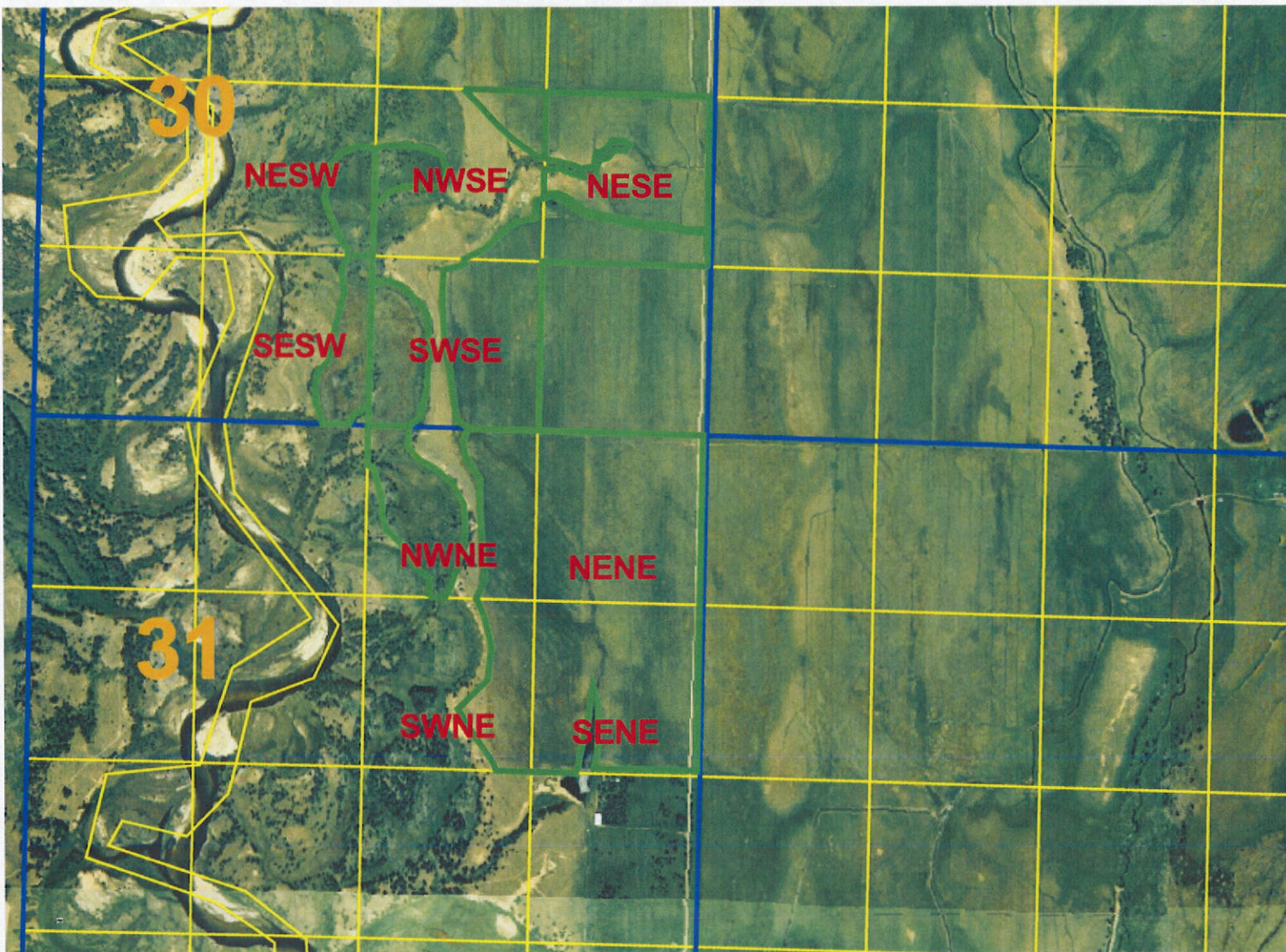
6 SECTION NUMBERS

CLAIM(S): 65-02489

OWNER(S): NAHAS

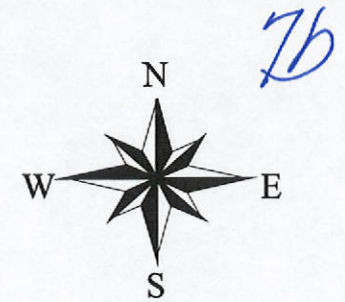
Prepared by Mel Schulte

DATE: DECEMBER 14, 2000

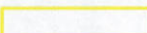


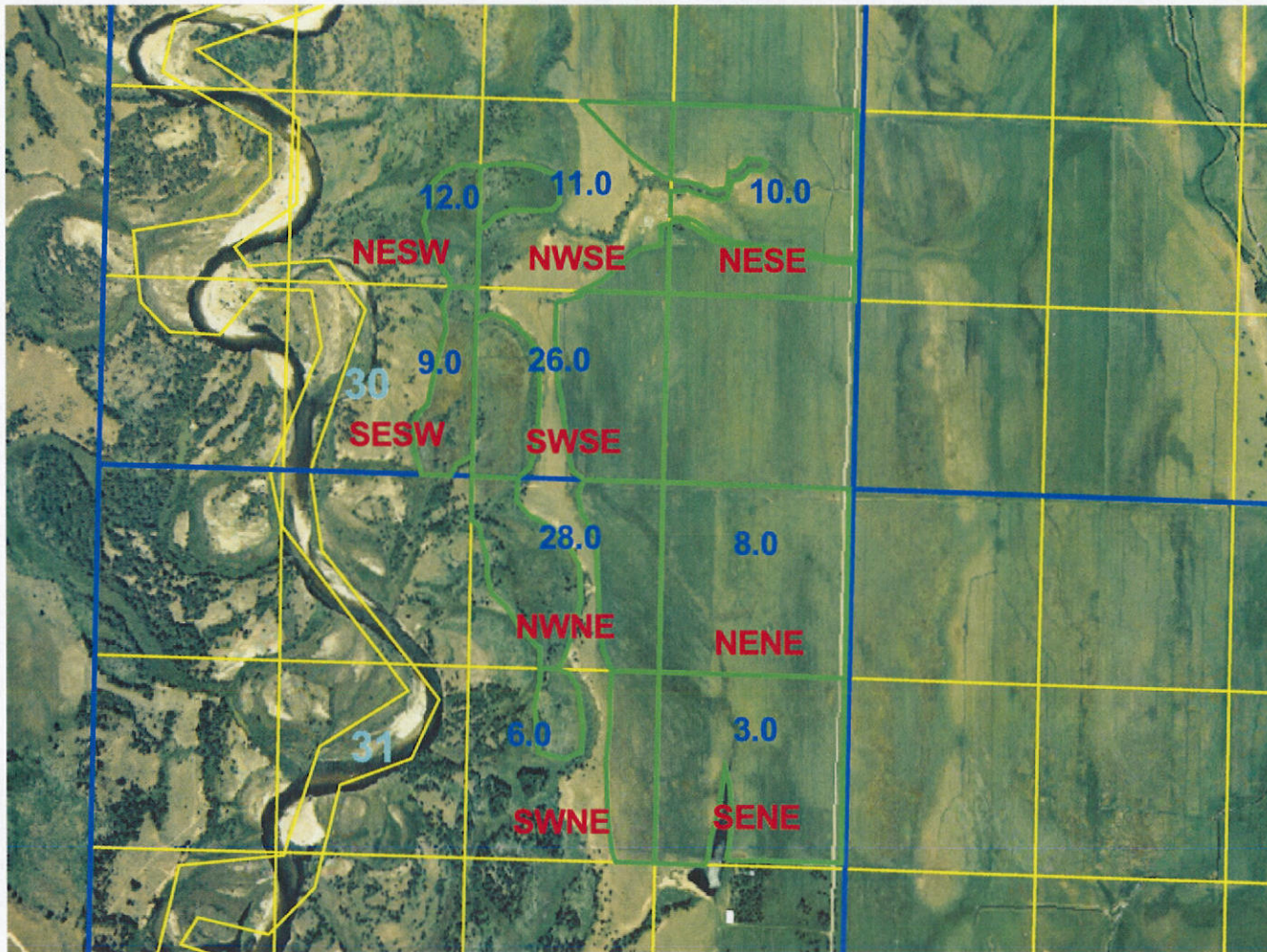
IDAHO DEPARTMENT OF WATER RESOURCES

17N, 03E, S30 & S31



1987 NAPP PHOTO

-  POINT OF DIVERSION
-  PLACE OF USE
-  1/4 1/4 LINES
-  SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS

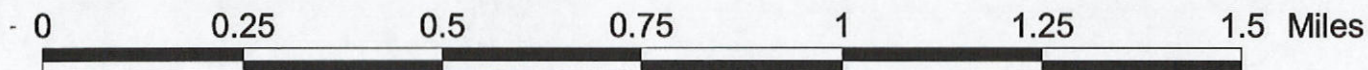


CLAIM(S): 65-02489

OWNER(S): NISULA BROTHERS

Prepared by Mel Schulte

DATE: MAY 14, 1999



T17N, R03E

30

Lt 7

Lt 10

US BOR

Lt 1

31

Lt 6

US BOR

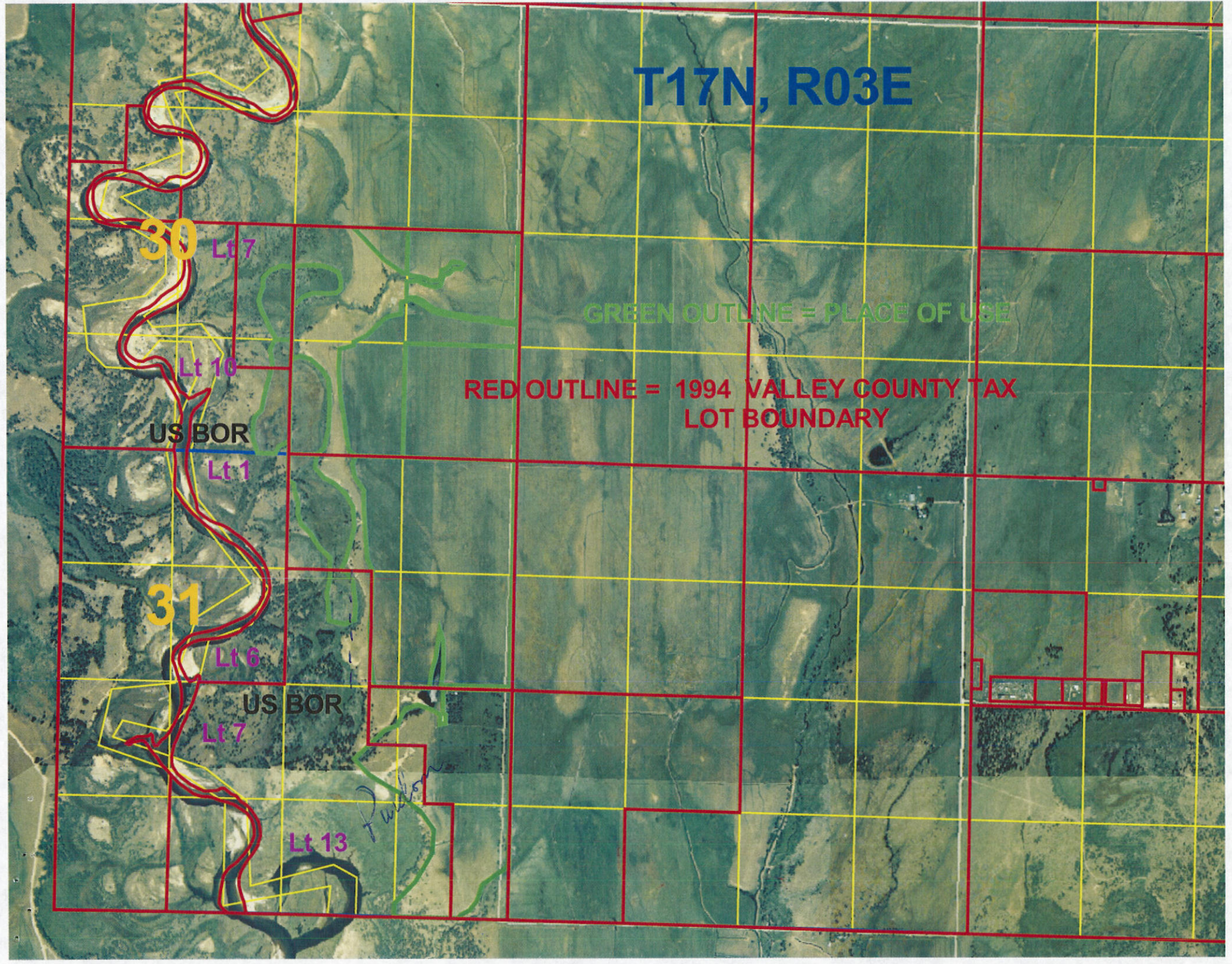
Lt 7

Lt 13

P. Wilson

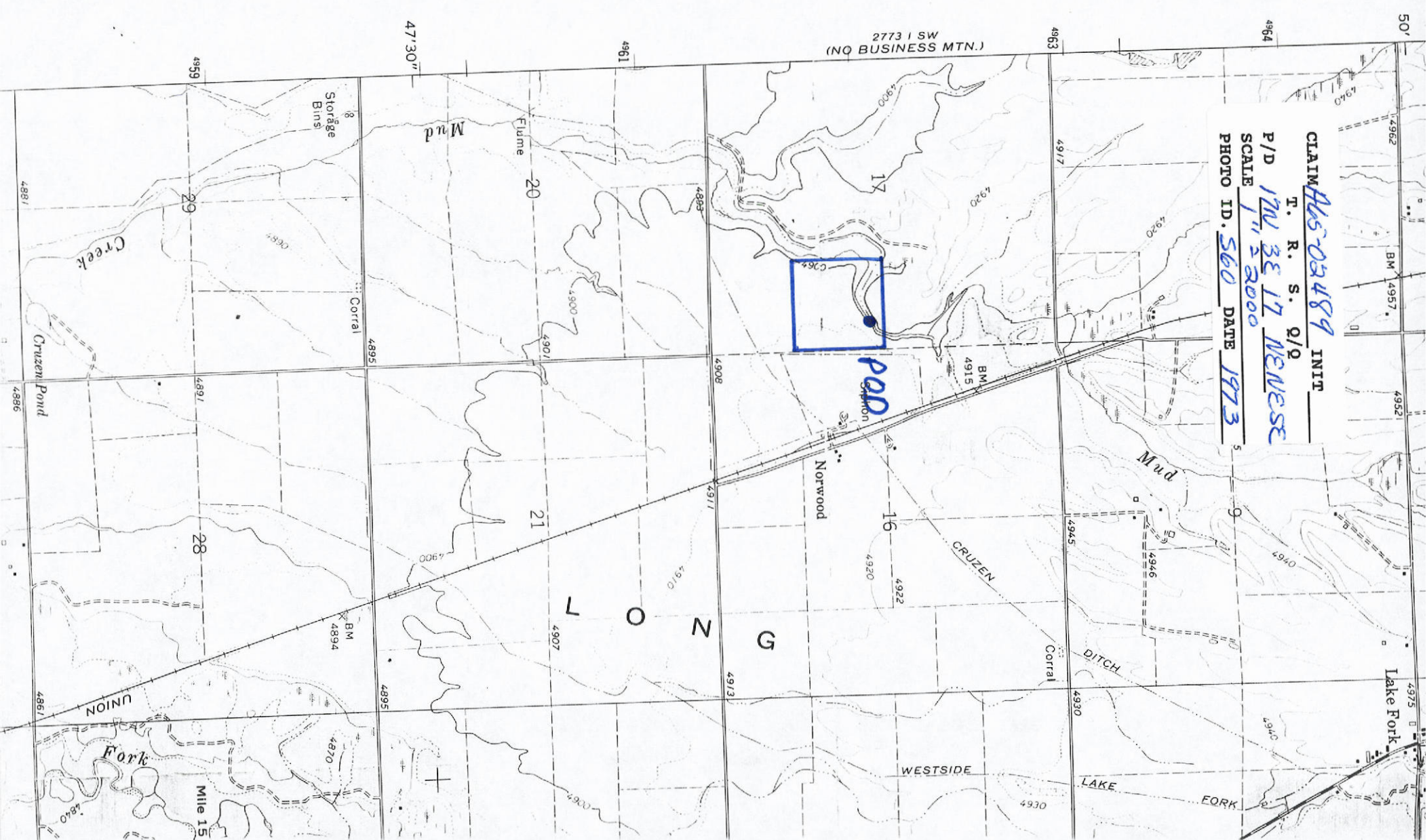
GREEN OUTLINE = PLACE OF USE

RED OUTLINE = 1994 VALLEY COUNTY TAX LOT BOUNDARY



S.A.

CLAIM 465-02489 INIT
T. R. S. Q/9
P/D 174 32 17 NEWESE
SCALE 1" = 2000'
PHOTO ID. 560 DATE 1973

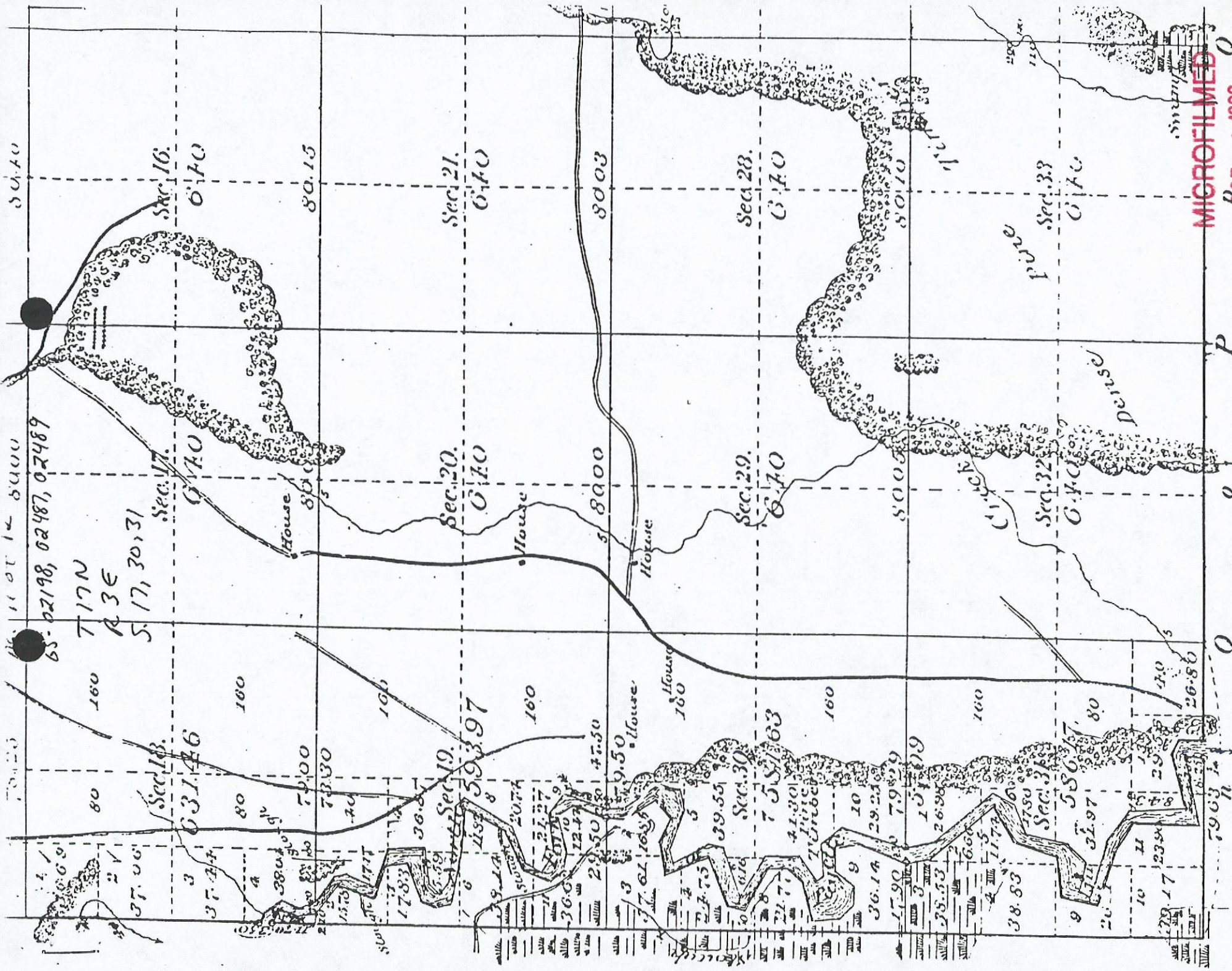


pg. 10 of 12
65-02198, 02487, 02490
T 11'11" V
R 3 E
S. 17, 30, 31



4963

11'11" V
R 3 E
S. 17, 30, 31



63-02198, 02487, 02489
T17N
R3E
S. 17, 30, 31

Sec. 16.
0.70

Sec. 17.
0.70

Sec. 18.
0.31, 46

Sec. 21.
0.70

Sec. 20.
0.70

Sec. 19.
0.39, 97

Sec. 28.
0.70

Sec. 29.
0.70

Sec. 30.
7.5, 163

Sec. 32.
0.70

Sec. 31.
5.5, 67, 80

MICROFILMED

OCT 18 1996
Total number of Acres 22,

- GOVERNMENT LOTS -

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: A65-02489
Date Received: 11/01/1988
Receipt No: X999999
Received By: DE JH

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: NOV 03, 1947

3. Source: MUD CREEK Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.000		

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

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 of	Lot	Use	Acres
17N	03E	30	NE	SE		IRR	37.0
			NW	SE		IRR	11.0
			SW	SE		IRR	26.0
			SE	SE		IRR	39.0

Section Acres 113.0

A65-02489

Page 1

Date: 12/29/88

MICROFILMED
SEP 18 1992

10. Place of Use: Continued

Total Acres 113.0

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:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHT 65-3204 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.

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: _____

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: 65-02489
DATE RECEIVED: 11-1-1988
RECEIPT NO: X99977
RECEIVED BY: AS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: ANNA NISULA Bros.
ADDRESS: P.O. BOX 804 444
BONNELLY, ID 83617
EMMETT 83615

2. DATE OF PRIORITY: NOV 03, 1947

3. SOURCE: MUD CREEK TRIE. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
17N	03E	17	NE	SE			VALLEY

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	04/15	10/15	2.000		

7. TOTAL QUANTITY APPROPRIATED IS:
2.000 C.F.S. (AND/OR)

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
17N	03E	30	NE	SE		IRR	37.0
			NW	SE		IRR	11.0
			SW	SE		IRR	26.0
			SE	SE		IRR	39.0

SECTION ACRES 113.0

10. PLACE OF USE: CONTINUED

TOTAL ACRES 113.0

11. PLACE OF USE IN COUNTIES: VALLEY, VALLEY

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 RIGHT 65-3204 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.

15. BASIS OF CLAIM: DECREE

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):

Elmer J. Nisula

DATE:

Nov 1 1988

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF _____ TITLE

_____, THAT I HAVE SIGNED THE FOREGOING ORGANIZATION DOCUMENT IN THE SPACE BELOW AS _____ OF

_____, TITLE AND THAT THE STATEMENTS CONTAINED IN THE ORGANIZATION FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)

COUNTY OF Valley) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS

57

DAY

OF

Nov

19

88

Wm. E. Gibson
NOTARY PUBLIC

SEAL

RESIDING AT

Boise, Id

MY COMMISSION EXPIRES

9-2-1994

65-02489

PAGE

3

DATE: 09/30/88

39

MICROFILMED

SEP 18 1992

Ron Nakas

3:30 - Wed - 5th

Nisula

FAX 925-254-8860
- 254-8800
- 283-5357

#1 Bates Blvd
Orinda, CA 94563

736-3011



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. To have a timely filing you must file this claim with IDWR by May 25, 2001. IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

**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	)	Subcase No. 65-02489
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS:

Mary Nahas Family Trust
Ronald Nahas Family Trust

OBJECTOR:

USDI-Bureau of Reclamation

Trustee

Date

Attorney, U.S. Dept.
of Justice

Date

Agent _____ Date _____

Nicholas B. Spencer **Date**
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on _____, 2000, I mailed the original and copies of this form, 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, Idaho 83303-2707

2. Copies to:

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

USDI Bureau of Reclamation
US Dept. of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

Mary Nahas Family Trust
Ron Nahas Family Trust
3840 Happy Valley Road
Lafayette, CA 94549

Signature of person or attorney mailing the form

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

RIGHT NUMBER: 65-2489

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

SOURCE: MUD CREEK TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 2 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
DIVERSION RATE OF .02 CFS PER ACRE AT THE FIELD HEADGATE
COMBINED RIGHT NOS. 65-03704, 65-03204, 65-02198, 65-03212 AND 65-
02487.

PRIORITY DATE: 11/03/1947

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	2.00 CFS

PLACE OF USE:

<u>IRRIGATION Within VALLEY County</u>							
T17N R03E S30	LOT 7	NESW	12	T17N R03E S30	LOT 10	SESW	9
T17N R03E S30		NESE	10	T17N R03E S30		NWSE	11
T17N R03E S30		SWSE	26	T17N R03E S31		NENE	8
T17N R03E S31		NWNE	28	T17N R03E S31		SWNE	6
T17N R03E S31		SENE	3				

113 ACRES TOTAL

THE IRRIGATION IN THE SWNE, SECTION 31 IS LIMITED TO IRRIGATION IN
THE E1/2 SWNE, SECTION 31.

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-
02198 & 65-02487.

12/19/2000

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

RIGHT NUMBER: 65-2489

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

SOURCE: MUD CREEK TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 2 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
DIVERSION RATE OF .02 CFS PER ACRE AT THE FIELD HEADGATE
COMBINED RIGHT NOS. 65-03704, 65-03204, 65-02198, 65-03212
AND 65-02487

PRIORITY DATE: 11/03/1947

POINT OF DIVERSION: T17N R03E S17 NENESE Within VALLEY County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-15 10-15	2.00 CFS

PLACE OF USE:

<u>IRRIGATION within VALLEY County</u>							
T17N R03E S30	LOT 7	NESW	12	T17N R03E S30	LOT 10	SESW	9
T17N R03E S30		NESE	10	T17N R03E S30		NWSE	11
T17N R03E S30		SWSE	26	T17N R03E S31		NENE	8
T17N R03E S31		NWNE	28	T17N R03E S31		SWNE	6
T17N R03E S31		SENE	3				

113 ACRES TOTAL

THE IRRIGATION IN THE SWNE, SECTION 31 IS LIMITED TO
IRRIGATION IN THE E2SWNE, SECTION 31.

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

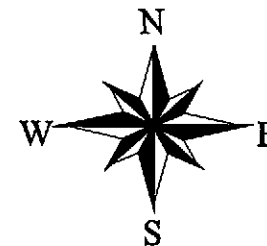
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

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 65-02198 & 65-02487

IDAHO DEPARTMENT OF WATER RESOURCES

T17N, R03E, S30 & S31



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

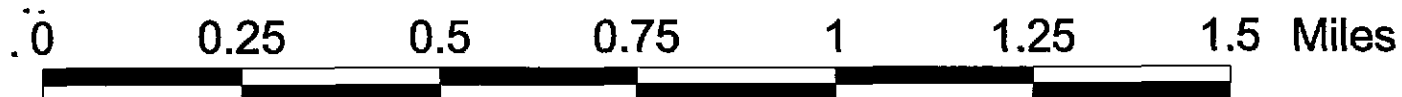
6 SECTION NUMBERS

CLAIM(S): 65-02489

OWNER(S): NAHAS

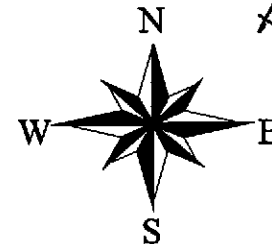
Prepared by Mel Schulte

DATE: DECEMBER 14, 2000



IDAHO DEPARTMENT OF WATER RESOURCES

17N, 03E, S30 & S31



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS



CLAIM(S): 65-02489

OWNER(S): NISULA BROTHERS

Prepared by Mel Schulte

DATE: MAY 14, 1999







State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 13, 2000

RONALD NAHAS FAMILY TRUST
MARY NAHAS FAMILY TRUST
3840 HAPPY VALLEY RD
LAFAYETTE CA 94549

RE: Water Right No. 65-02487, 65-02489, 65-03204 & 65-03212

Dear Property Owners:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

After further review, we are unable to change water right number 65-03702 at this time, as it is located in a place of use which is not covered on the deed submitted. If you have additional information concerning that water right transfer, please contact this office and we can make the necessary changes.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist I
Adjudication Section
Western Region

DB:db

Enclosures

cc: Nisula Bros., Elmer J Nisula

RECEIVED

DEC 05 2000

Department of Water Resources

2000 DEC -4 PM 12:53

DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHO
FILED

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

In Re SRBA

) Subcases: 65 - 02487, 65-02489, 65-03212
) and 65-03702
)

Case No. 39576

) ORDER SETTING STATUS
) CONFERENCE, ORDER SETTING
) DEADLINE and ORDER REQUIRING
) CONTACT

An Initial Hearing was held on the 30th day of November, 2000, at the Gem County Courthouse in Emmett, Idaho. Ronald Nahas appeared pro se, David Gehlert appeared for the Department of Reclamation and Candace McHugh appeared for IDWR. The District Court was informed that the new owner in subcase 65-03702 is Kenneth Purdom. The parties present at the hearing agreed to a status conference and a deadline to file a Standard Form 5.

IT IS HEREBY ORDERED, that Kenneth Purdom is to contact the Department of Water Resources to file the appropriate forms for a change in ownership by January 12, 2001.

IT IS FURTHER ORDERED that a Status Conference is set for the 26th day of January, 2001, at 10:00 am. A single telephone conference call is to be made to Special Master Thomas R. Cushman at 208-736-4715.

IT IS FURTHER ORDERED that the deadline for Standard Forms 5 in subcases 65-02487 and 65-03212 is January 23, 2001.

DATED December 4, 2000.



THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

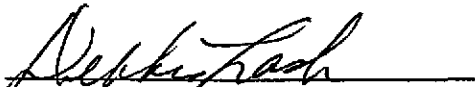
I certify that a true and correct copy of **ORDER SETTING STATUS CONFERENCE, ORDER SETTING DEADLINE and ORDER REQUIRING CONTACT** was mailed on December 4, 2000, with sufficient first-class postage prepaid to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

U.S. Dept of Justice
Bureau of Reclamation
550 W Fort St., MSC 033
Boise, ID 83724

Ronald Nahas Family Trust
Mary Nahas Family Trust
3840 Happy Valley Rd
Lafayette, CA 94549

Kenneth R. Purdom II
6354 Painter Ave.
Whittier, CA 90601


Deputy Clerk

AJO749NP
No. R65-02489

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

DATE: 08/03/99
PAGE: 1

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=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM    TO    RATE    VOLUME
-----
C  NISULA BROS    11/03/1947    IRRIGATION    04-15    10-15    2.000 CFS
  PO BOX 444
  EMMETT ID 83617
                                     TOTAL DIVERSION:    2.000 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
      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 Lt Ac Lt Ac : SUM
-----
T  R  S  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :
17N 03E 30 :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :
17N 03E 31 :  08  28  06  03 :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :
                                     TOTAL ACRES    113.0
=====
```

POU County: VALLEY

Other Rights: 65-02198, 65-02487, 65-03204, 65-03212.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
DIVERSION RATE OF .02 CFS PER ACRE AT THE FIELD HEADGATE.
COMBINED RIGHT NOS. 65-03704, 65-03204, 65-02198, 65-03212 AND
65-02487.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-02488, 65-03702, 65-02483, 65-02542
65-02198 & 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

AJ0749NP
No. R65-02489

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

DATE: 08/03/99
PAGE: 2

=====

Comments: Date: 03/25/1999 User-ID: MSCHULTE Subject: COPIED FROM REMARKS
CLAIM AMENDED PER TRANSFER NO. 3636 APPROVED 12-29-89. CONDITIONS
FROM THE APPROVED TRANSFER ARE AS FOLLOWS:

1. A MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPARTMENT
SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
2. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE
NO MORE THAN 3.0 AFA PER ACRE FOR THE LANDS ABOVE.
3. 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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:18:48
03/23/99
17

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-02489

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NISULA BROS	11/03/1947	IRRIGATION	04-15 10-15	2.00 CFS	
TOTAL DIVERSION:					2.00 CFS	

Water Source: MUD CREEK

Tributary to: ~~PAYETTE RIVER, NORTH FORK~~

Stage: DECREED

Point(s) of Diversion:

T17N R03E S17

NENESE

Cas. Res

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	:											07-12		18-09		10	11	26	:	68.0
17N	03E	31	:	08		28		06		03											:	45.0
																			TOTAL ACRES	:	113.0	

POU County: VALLEY

Other Rights: CLAIM NOS. A65-02198 & A65-02487.

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

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

EXP- F06
QNT - ~~E04, E04~~ E27, with 3704, 3204, 2198
POUT - ~~F06, E14~~ 3212, 2487

WR5809NP
No. 65-02489

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/23/99
PAGE: 3

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	11/03/1947	IRRIGATION	04/15 10/15	2.000 CFS	
TOTAL DIVERSION:					2.000 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	:											07-12		10-09		10	11	26	:	68.0
17N	03E	31	:	08		28		06		03											:	45.0
TOTAL ACRES																				:	113.0	

Pou County: VALLEY

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

65-02098 65-02198 65-02483 65-02487 65-02488 65-02542 65-03702

Other Water Rights Listing Overlapping Place(s) of use:

65-02198 65-02487 65-03204 65-03212

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:	11/03/1947
	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

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>1973 map</u> IDWR ID NO. <u>560</u>	Y(☒) N() <u>5a</u>
(☒) <u>NAPP GIS map</u>	DATE OF PHOTO <u>3-24-99</u> <u>(1987)</u> IDWR ID NO. _____	Y(☒) N() <u>7b</u>
() ASCS AERIAL PHOTO	DATE OF PHOTO <u>5-17-99</u>	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 _____	Y() N()
(☒) OTHER <u>GIS Table</u>	DATE <u>3-25-99</u> <u>5-17-99</u>	Y(☒) N() <u>7c</u>
() OTHER _____	DATE _____	Y() N()
() 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>Pollution report</u>	DATE <u>3-23-99</u>	<u>1</u>	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:12:22
03/23/99

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A65-02489

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 In Office 3-25-99	N		MS 3-25-99	MS 3-25-99	
POINT OF DIV			5-17-99	N		5-17-99	5-17-99	
SOURCE				N				
PLACE OF USE	Y			~~N~~				
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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:12:22
03/23/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-02489

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

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: # A65-02489 PRIORITY DATE: 11-03-1947 STAGE: D

B. WR RECORD: # 65-02489 PRIORITY DATE: 11-03-1947 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 in the PRBA, per T.3636
and claimed in the SRBA.

RECOMMENDED PRIORITY DATE:

11-03-1947
REVIEWED BY McSchulte

5-17-99
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
A65-02489	17N 03E	17	NE	NE	SE			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-02098	R65-02098
A65-02198	
A65-02483	
A65-02487	
A65-02488	
A65-02542	
A65-03702	

WR RECORDS IN SAME 40 ACRE TRACT

65-02098
65-02198
65-02483
65-02487
65-02488
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
65-02489	17N 03E	17	NE	NE	SE			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

65-02098
65-02198
65-02483
65-02487
65-02488
65-02542
65-03702

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A65-02098	R65-02098
A65-02198	
A65-02483	
A65-02487	
A65-02488	
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, per T3636 and
as claimed in the SRBA.

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	DIVERSION NAME	DIVERSION NBR
17N	03E	17	NE	NE	SE			VALLEY		
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—

SOURCE: MUD CREEK

TRIB: PAYETTE RIVER, NORTH FORK

REVIEWED BY:

McSchulte

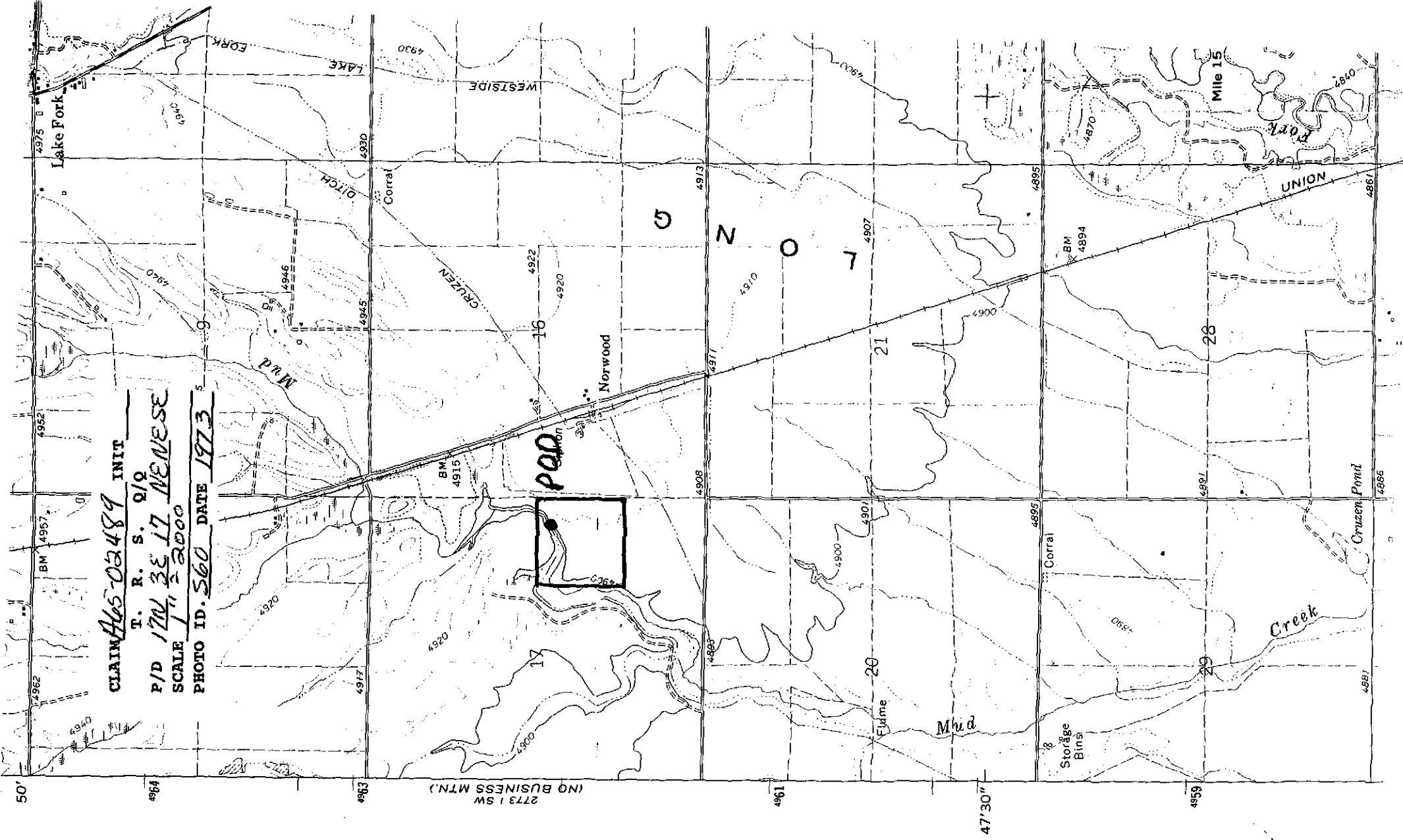
DATE:

5-17-99

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

5.a.

CLAIM # 65-02489 INIT
T. R. S. Q/Q
P/D 17N 3E 17 NENESE
SCALE 1" = 2000
PHOTO ID. 560 DATE 1973



A. ROOT WATER RIGHT NUMBERS: A65-02489
R65-02489

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	SW	7	NISULA BROS	A65-02489 / 12.0	65-02489 / 12.0	27.0		
			NE	SW		NISULA BROS	A65-03704 / 6.0	65-03704 / 6.0			
			NE	SW	7	NISULA BROS	R65-02198 / 6.0	- /			
			NE	SW	7	NISULA BROS	R65-02487 / 6.0	- /			
			NE	SW	7	NISULA BROS	R65-03204 / 6.0	- /			
			NE	SW	7	NISULA, ELMER J	R65-03212 / 6.0	- /			
			NE	SW	7	NISULA BROS	R65-03704 / 6.0	- /			
			NE	SW	7	NISULA BROS	R65-02489 / 6.0	- /			12.
17N	03E	30	SE	SW	18	NISULA BROS	A65-02489 / 9.0	- /			
			SE	SW		NISULA BROS	A65-03704 / 9.0	65-03704 / 9.0			
			SE	SW	10	NISULA BROS	R65-02198 / 9.0	- /			
			SE	SW	10	NISULA BROS	R65-02487 / 9.0	- /			
			SE	SW	10	NISULA BROS	R65-02489 / 9.0	65-02489 / 9.0			
			SE	SW	10	NISULA BROS	R65-03204 / 9.0	- /			
			SE	SW	10	NISULA, ELMER J	R65-03212 / 9.0	- /			9
			SE	SW	10	NISULA BROS	R65-03704 / 9.0	- /			
17N	03E	30	NE	SE		NISULA BROS	A65-02489 / 10.0	65-02489 / 10.0	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	A65-02198 / 27.0	65-02198 / 27.0			
			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	- /			10
17N	03E	30	NW	SE		NISULA BROS	A65-02489 / 11.0	65-02489 / 11.0	39.0		
			NW	SE		NISULA BROS	A65-03204 / 11.0	65-03204 / 11.0			
			NW	SE		NISULA BROS	R65-02198 / 11.0	- /			
			NW	SE		NISULA BROS	R65-02487 / 11.0	- /			
			NW	SE		NISULA BROS	R65-03204 / 11.0	- /			
			NW	SE		NISULA, ELMER J	R65-03212 / 11.0	- /			
			NW	SE		NISULA BROS	R65-02489 / 11.0	- /			11
17N	03E	30	SW	SE		NISULA BROS	A65-02489 / 26.0	65-02489 / 26.0	31.0		
			SW	SE		NISULA BROS	A65-03204 / 26.0	65-03204 / 26.0			
			SW	SE		NISULA BROS	R65-02198 / 33.0	- /			
			SW	SE		NISULA BROS	R65-02487 / 33.0	- /			
			SW	SE		NISULA BROS	R65-02489 / 33.0	- /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SW	SE		NISULA BROS	R65-03204 / 33.0	- /			
			SW	SE		NISULA, ELMER J	R65-03212 / 33.0	- /			26
17N	03E	31	NE	NE		NISULA BROS	A65-02489 / 8.0	65-02489 / 8.0	37.0		
			NE	NE		NISULA, ELMER J	A65-03212 / 39.0	65-03212 / 39.0			
			NE	NE		NISULA BROS	A65-02487 / 32.0	65-02487 / 32.0			
			NE	NE		NISULA BROS	R65-02198 / 39.0	- /			
			NE	NE		NISULA BROS	R65-02487 / 39.0	- /			
			NE	NE		NISULA BROS	R65-02489 / 39.0	- /			
			NE	NE		NISULA BROS	R65-03204 / 39.0	- /			8
			NE	NE		NISULA, ELMER J	R65-03212 / 39.0	- /			
17N	03E	31	NW	NE		NISULA BROS	A65-02489 / 28.0	65-02489 / 28.0	40.0		
			NW	NE		NISULA, ELMER J	A65-03212 / 12.0	65-03212 / 12.0			
			NW	NE		NISULA, ELMER J	A65-03701 /	65-03701 /			
			NW	NE		NISULA BROS	A65-02487 / 12.0	65-02487 / 12.0			
			NW	NE		NISULA, ELMER J	65-03701 /	- /			28
17N	03E	31	SW	NE		NISULA BROS	A65-02489 / 6.0	65-02489 / 6.0	25.0		
			SW	NE		NISULA, ELMER J	A65-03212 / 8.0	65-03212 / 8.0			
			SW	NE		NISULA BROS	A65-02487 / 14.0	65-02487 / 14.0			
			SW	NE		NISULA BROS	R65-02198 / 14.0	- /			
			SW	NE		NISULA BROS	R65-02487 / 14.0	- /			
			SW	NE		NISULA BROS	R65-02489 / 14.0	- /			
			SW	NE		NISULA BROS	R65-03204 / 14.0	- /			
			SW	NE		NISULA, ELMER J	R65-03212 / 14.0	- /			6
17N	03E	31	SE	NE		NISULA BROS	A65-02489 / 3.0	65-02489 / 3.0	33.0		
			SE	NE		NISULA, ELMER J	A65-03212 / 35.0	65-03212 / 35.0			
			SE	NE		NISULA, FRANK S	A65-03705 /	65-03705 /			
			SE	NE		NISULA BROS	A65-02487 / 37.0	65-02487 / 37.0			
			SE	NE		NISULA BROS	R65-02198 / 37.0	- /			
			SE	NE		NISULA BROS	R65-02487 / 37.0	- /			
			SE	NE		NISULA BROS	R65-02489 / 37.0	- /			
			SE	NE		NISULA, ELMER J	R65-03212 / 37.0	- /			
			SE	NE		NISULA, FRANK S	65-03705 /	- /			
			SE	NE		NISULA BROS	R65-03204 / 37.0	- /			3

ADDITIONAL POU FOUND

TOTAL ACRES	A65-02489	113.00	104.00	273.00	113
-------------	-----------	--------	--------	--------	-----

7a

WESTERN REGION

OWNER (S): Nisula Bros.

CLAIM NUMBERS: A65-02489

AGENT: MEL SCHULTE

DATE 5-17-99

RIGHT NO	RNG	SEC	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	17N	3E	30								12			9	10	11	26		68
			31	8	28	6	3												45
																			113

POLYGON CREATED ON 330

POLYGON # () () () () UPDATED BY MTS

ATTRIBUTES OF B65-POU.SHP (725) (726) (727) (730) (731) 732, 733, 734

ATTRIBUTES OF B65-POD.SHP (610) () () () ()

8-5-99 B65-DBPOU.DBF UPDATED BY MTS

8-5-99 B65-DBPOD.DBF UPDATED BY MTS

NOTES:

POU COUNTY: VALLEY

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
A65-02489	MUD CREEK	NISULA BROS	2.000	0.017		
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		
A65-02487	MUD CREEK	NISULA BROS	2.800	0.029		
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		
A65-03212	LAKE FORK CREEK	NISULA, ELMER J	2.000	0.021		
R65-03212	LAKE FORK CREEK	NISULA, ELMER J	2.000	0.007		
R65-03704	WASTE WATER	NISULA BROS	0.300	0.020		
A65-03704	WASTE WATER	NISULA BROS	0.300	0.020		

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
A65-03701	DOMESTIC	NISULA, ELMER J	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
65-03701	DOMESTIC	NISULA, ELMER J	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
A65-03705	STOCKWATER	NISULA, FRANK S	FROM 01-01 TO 12-31	0.070 CFS	4.10 AF/A
65-03705	STOCKWATER	NISULA, FRANK S	FROM 01-01 TO 12-31	0.070 CFS	4.10 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. A65-02198 & A65-02487.

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(LS)

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(LS)

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;
(GTS) MAP, IDWR NO. _____; () Aerial Photo; () OTHER _____

NOTES:

Recommended as decreed in the PRBA.

RECOMMENDATIONS:

TOTAL ACRES:

113

N/A()

REVIEWED BY:

Mel Schulte

DATE:

5-17-99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-02489 IRRIGATION	FROM 04-15 TO 10-15	2.000 CFS	
TOTAL DIVERSION RATE/VOLUME		2.000 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-02489 IRRIGATION	FROM 04-15 TO 10-15	2.000 CFS	
TOTAL DIVERSION RATE/VOLUME		2.000 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 in the PRBA.

AJ CLAIM TOTAL DIVERSION RATE: 2.000 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.000 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 113 x 0.02 CFS/ACRE = 2.26 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 = 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:

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 cfs 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 2.000	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			2.000	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: Del Schulte DATE: 5-17-99.

FLAG: _____
STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

EXP- F06.
QNT- E04.

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(<u>✓</u>)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

NA

ROOT WATER RIGHT NUMBER: 65-02489

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	2.000	_____	

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
65-02489	A65-02489	2.000	R65-02489	2.000	65-02489	2.000
TOTAL CFS		2.000		2.000		2.000

DIVERSION RATE REVIEW

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

DATABASE	FIELD EXAMINER
Y	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: Meel Schulte DATE: 5-17-99

NAME OF FIELD EXAMINER: _____ TITLE: _____

OPTION: IRRIGATION USES ONLY

ADJUDICATION CLAIM NUMBER: A65-02489

PAGE: 2

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
17N	03E	30	NE	SW	7	NISULA BROS	A65-02489 /01/12.0	65-02489 /01/12.0	27.0
			NE	SW		NISULA BROS	A65-03704 /01/ 6.0	65-03704 /01/ 6.0	- waste water
17N	03E	30	SE	SW	18	NISULA BROS	A65-02489 /01/ 9.0	- / /	27.0
			SE	SW		NISULA BROS	A65-03704 /01/ 9.0	65-03704 /01/ 9.0	
			SE	SW	10	NISULA BROTHERS		65-02489 /01/ 9.0	
17N	03E	30	NE	SE		NISULA BROS	A65-02489 /01/10.0	65-02489 /01/10.0	41.0
			NE	SE		NISULA BROS	A65-03204 /01/37.0	65-03204 /01/37.0	- Lake Fork Creek
			NE	SE		NISULA BROS	A65-02198 /01/27.0	65-02198 /01/27.0	
17N	03E	30	NW	SE		NISULA BROS	A65-02489 /01/11.0	65-02489 /01/11.0	39.0
			NW	SE		NISULA BROS	A65-03204 /01/11.0	65-03204 /01/11.0	
17N	03E	30	SW	SE		NISULA BROS	A65-02489 /01/26.0	65-02489 /01/26.0	31.0
			SW	SE		NISULA BROS	A65-03204 /01/26.0	65-03204 /01/26.0	
17N	03E	31	NE	NE		NISULA BROS	A65-02489 /01/ 8.0	65-02489 /01/ 8.0	37.0
			NE	NE		NISULA, ELMER J	A65-03212 /01/39.0	65-03212 /01/39.0	- Lake Fork Creek
			NE	NE		NISULA BROS	A65-02487 /01/32.0	65-02487 /01/32.0	
17N	03E	31	NW	NE		NISULA BROS	A65-02489 /01/28.0	65-02489 /01/28.0	40.0
			NW	NE		NISULA, ELMER J	A65-03212 /01/12.0	65-03212 /01/12.0	
			NW	NE		NISULA BROS	A65-02487 /01/12.0	65-02487 /01/12.0	
17N	03E	31	SW	NE		NISULA BROS	A65-02489 /01/ 6.0	65-02489 /01/ 6.0	25.0
			SW	NE		NISULA, ELMER J	A65-03212 /01/ 8.0	65-03212 /01/ 8.0	
			SW	NE		NISULA BROS	A65-02487 /01/14.0	65-02487 /01/14.0	
17N	03E	31	SE	NE		NISULA BROS	A65-02489 /01/ 3.0	65-02489 /01/ 3.0	33.0
			SE	NE		NISULA, ELMER J	A65-03212 /01/35.0	65-03212 /01/35.0	
			SE	NE		NISULA BROS	A65-02487 /01/37.0	65-02487 /01/37.0	
TOTAL ACRES						A65-02489	113.00	104.00	300.00

POU COUNTY: VALLEY

A. ROOT WATER RIGHT NUMBERS: A65-03204

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	A65-03204 /01/37.0	65-03204 /01/37.0	41.0
			NE	SE		NISULA BROS	A65-02489 /01/10.0	65-02489 /01/10.0	
			NE	SE		NISULA BROS	A65-02198 /01/27.0	65-02198 /01/27.0	

Attachment C

Form No. O

[illegible]

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

11/13/2000

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

RIGHT NUMBER: 65-2489

*See maps
in #
65-03204*

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

SOURCE: MUD CREEK TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 2 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED
TO A DIVERSION RATE OF .02 CFS PER ACRE AT THE FIELD
HEADGATE

COMBINED RIGHT NOS. 65-03704, 65-03204, 65-02198, 65-03212
AND 65-02487

PRIORITY DATE: 11/03/1947

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	2.00 CFS

PLACE OF USE:

IRRIGATION Within VALLEY County

T17N R03E S30	LOT 7	NESW	12	T17N R03E S30	LOT 10	SESW	9
T17N R03E S30		NESE	10	T17N R03E S30		NWSE	11
T17N R03E S30		SWSE	26	T17N R03E S31		NENE	8
T17N R03E S31		NWNE	28	T17N R03E S31		SWNE	6
T17N R03E S31		SENE	3				
113 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 65-02198 & 65-02487

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	)	SUBCASE NO. 65-02487, 65-02489
	)	65-03204 and 65-03212
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

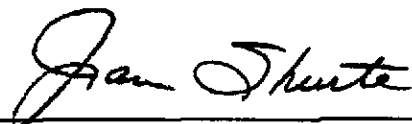
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: November 13, 2000



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on November 13, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

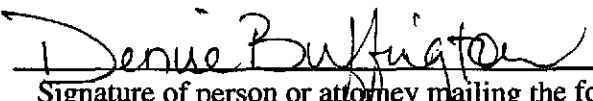
1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Nisula Bros
PO Box 444
Emmett ID 83617

Elmer J Nisula
PO Box 1145
Emmett ID 83617
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

Ronald Nahas Family Trust
Mary Nahas Family Trust
3840 Happy Valley Rd
Lafayette CA 94549
4. One Copy to:
Each party in the subcase or attorney of record:
N / A
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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)  Trustee
 or Claimant(s)

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

(248-all) (3204 all)
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. 2489

Parcel B

3212 2487 2489
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.

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. 3204

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:

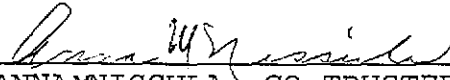
SEE ATTACHED AS EXHIBIT "A"

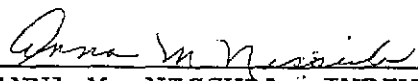
TOGETHER WITH ANY AND ALL WATER AND MINERAL RIGHTS APPERTAINING THERETO.

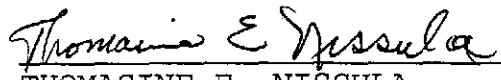
TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 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.

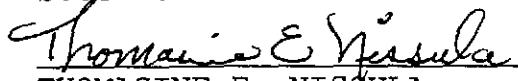
Dated: 5/17/2000

ARTHUR AND ANNA NISSULA TRUST DATED NOVEMBER 27, 1990


ANNAMNISSULA, CO-TRUSTEE


ANNA M. NISSULA, INDIVIDUALLY


THOMASINE E. NISSULA,
SUCCESSOR TRUSTEE

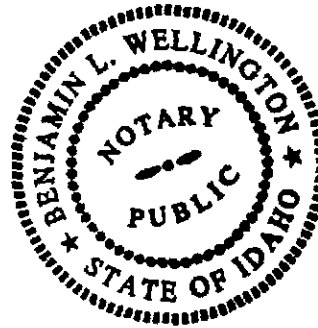

THOMASINE E. NISSULA,
INDIVIDUALLY

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

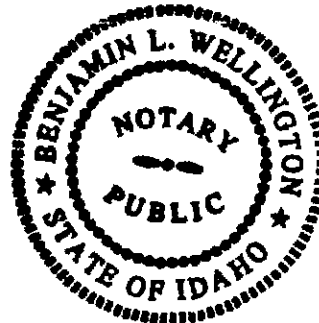


State of Idaho)
)ss
County of Valley)

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
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: 5/24/2000

Effie E. Farrell
EFFIE E. FARRELL

State of IDAHO)
) ss
County of GEM)

On the 24 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.

NOTARY
Lyle M Jerome
Notary Public
Residing at: Emmett
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

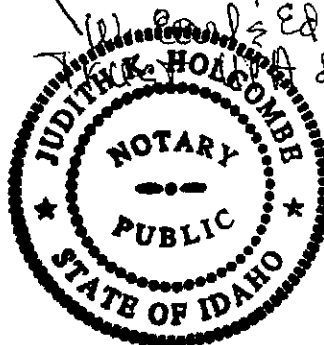
Edna Irene Sivey
EDNA IRENE SIVEY, TRUSTEE

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
Bose, 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

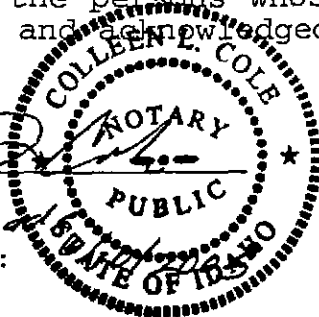
State of INDIANA)
County of VALLEY) ss

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 M. 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: Casco
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

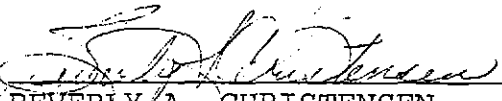
whose address is: 1 BATES BOULEVARD, SUITE 200;
ORINDA, CA. 94563
the Grantee, the following described premises, to-wit:

SEE ATTACHED AS EXHIBIT "A"

TOGETHER WITH ANY AND ALL WATER AND MINERAL RIGHTS APPERTAINING
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.

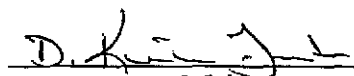
Dated: 5/26/2000

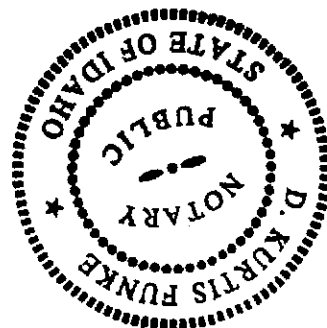

BEVERLY A. CHRISTENSEN

5/26/00

State of IDAHO)
County of PAYETTE) ss

On the 26th day of MAY, 2000, before me, D. KURTIS FUNKE
a notary public in and for said State, personally appeared
BEVERLY 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.


Notary Public
Residing at: PAYETTE, IDAHO
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

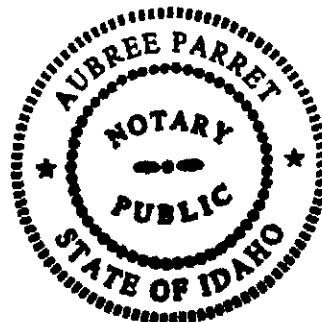

Imogene M. Carico

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.

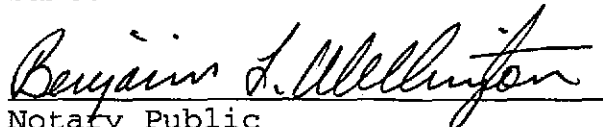
TO HAVE AND TO HOLD the premises with their appurtenances unto
the said Grantees, their heirs and assigns forever. And the said
Grantors do hereby covenant to and with the said Grantees, that
they are the owners in fee simple of said premises that said
premises are free from all encumbrances except the 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.

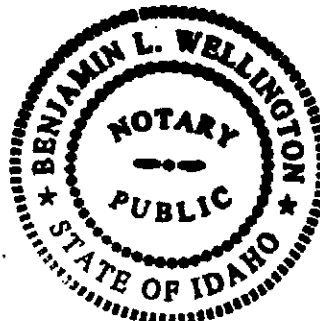
Dated: 5/17/00


RONALD E. CARICO

State of IDAHO)
) ss
County of VALLEY)

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.

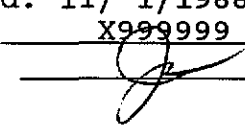

Notary Public
Residing at: CASCADE, IDAHO
Commission Expires:
7-20-2004



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: A65-02489
Date Received: 11/ 1/1988
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: NOV 3, 1947

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:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.000		

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

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
17N	03E	30	NE	SW	7	IRR	12.0
			SE	SW	18	IRR	9.0
			NE	SE		IRR	10.0
			NW	SE		IRR	11.0
			SW	SE		IRR	26.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	68.0
		31	NE	NE	IRR	8.0
			NW	NE	IRR	28.0
			SW	NE	IRR	6.0
			SE	NE	IRR	3.0
					Section Acres	45.0
					Total Acres	113.0

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. A65-02198 & A65-02487.

14. Remarks:

CLAIM AMENDED PER TRANSFER NO. 3636 APPROVED 12-29-89. CONDITIONS FROM THE APPROVED TRANSFER ARE AS FOLLOWS:

1. A MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

2. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN 3.0 AFA PER ACRE FOR THE LANDS ABOVE.

3. 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: DECREED

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)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

Page 12 of 12
 RECEIVED
 JAN 03 1990

 STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
Transfer No. 3636

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources

Western Regional Office

Name of applicant Nisula Bros. (Frank & Elmer) Phone _____Post Office address Box 444 Emmett, ID. 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 (cfs/ac-ft)	Nature of Use	Period of Use
<u>65-02198</u>	<u>MAY 22, 1919</u>	<u>1.20 cfs</u>	<u>IRRIGATION</u>	<u>4/15</u> to <u>10/15</u>
<u>65-02487</u>	<u>Dec. 3, 1947</u>	<u>2.80 cfs</u>	<u>IRRIGATION</u>	<u>4/15</u> to <u>10/15</u>
<u>65-02489</u>	<u>Nov. 3, 1947</u>	<u>2.00 cfs</u>	<u>IRRIGATION</u>	<u>4/15</u> to <u>10/15</u>
				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:

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

5. 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	
<u>17N</u>	<u>3E</u>	<u>31</u>	<u>32</u>	<u>12</u>	<u>14</u>	<u>37</u>													<u>95</u>
<u>17N</u>	<u>3E</u>	<u>30</u>													<u>27</u>			<u>39</u>	<u>66</u>
<u>17N</u>	<u>3E</u>	<u>30</u>													<u>10</u>	<u>11</u>	<u>26</u>	<u>45</u>	
		<u>31</u>	<u>8</u>	<u>28</u>	<u>6</u>	<u>3</u>													

 MICROFILMED
 OCT 18 1996

PART 1

6. General Information:

a. Description of diversion system metal headgate in creek to open ditches.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

change is correction of decreed rights from section 17. It's
designed to place earliest priority water on E $\frac{1}{2}$ SE $\frac{1}{4}$ S.30.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 65-2198/2487/2489

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works. 2. These rights when combined with all other rights shall provide no more than 3.0 afa per acre for the lands above. 3. Use of water under these rights is subject to control by the watermaster of State Water District No. 65K, Lake Fork Creek.

Witness my hand this

29th

day of

December

, 19

89

A. Glen Saylor
Chief, Water Alloc. Bureau

MICROFILMED
OCT 18 1996

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 Nisula
 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 A

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

4. 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
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____

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 65-02216 for SESE (Lake Fork Creek is source for) **MICROFILMED**

OCT 18 1996

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.

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**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. 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 _____

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

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Total acres 113

9. Describe any other water rights used for the same purpose as described above Lake Irrigation District
and 65-03204 (Lake Fork creek is source for 03204).

pg. 10 of 12
65-02198, 02487, 02491
T 11/11V
R 36
5:17, 30, 31

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 Ginn Gary

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