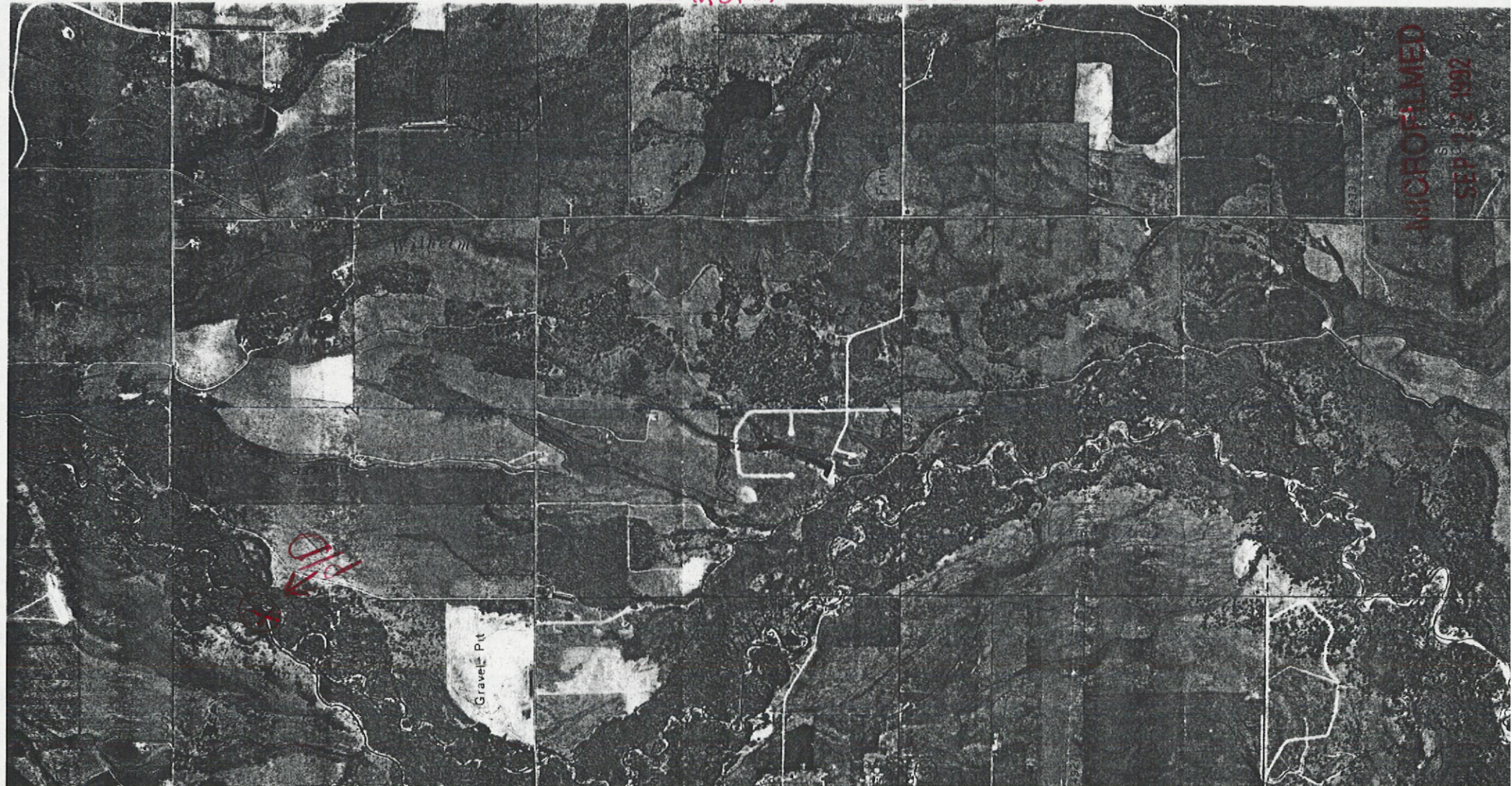




Gravel Pit

Wilhelm

171

171
3E
24

A65-3199

MICROFILMED

SEP 12 1992

4982

ork

5 N O

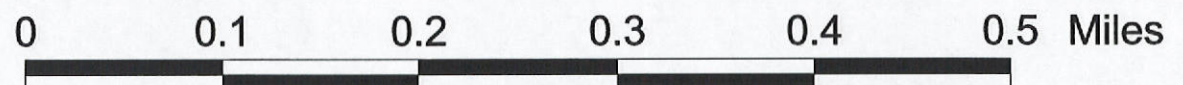
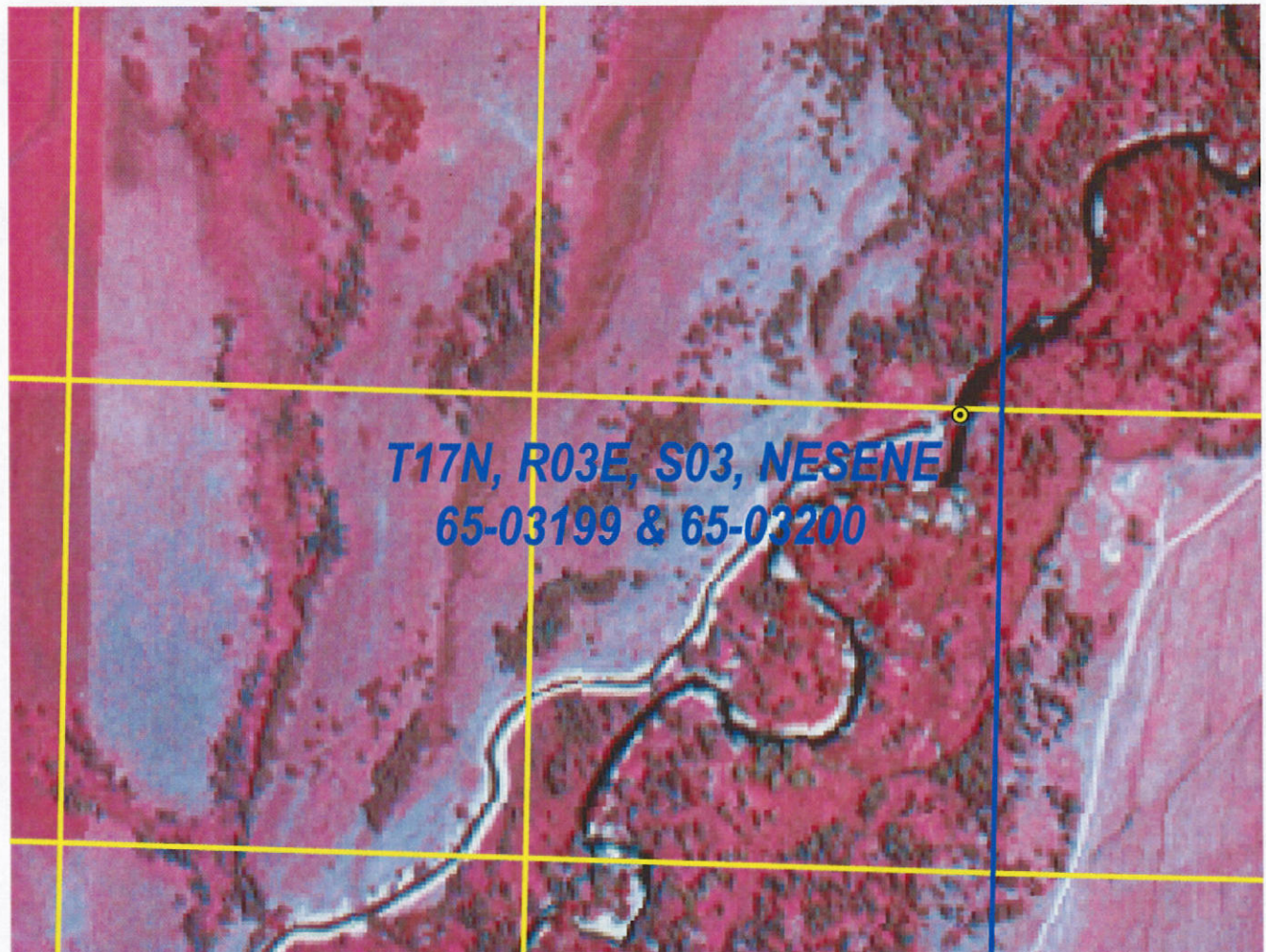
170 3E Sec 16

65-03199 & 65-03200

- Point of Diversion



1987 NAPP



Idaho Department of Water Resources

T17N, R03E
S16

Claims: 65-03199 &
65-03200

Owner : IKOLA

Prepared by:

Ron Howerton

Date: 08 July 99

 Place of use

 POD

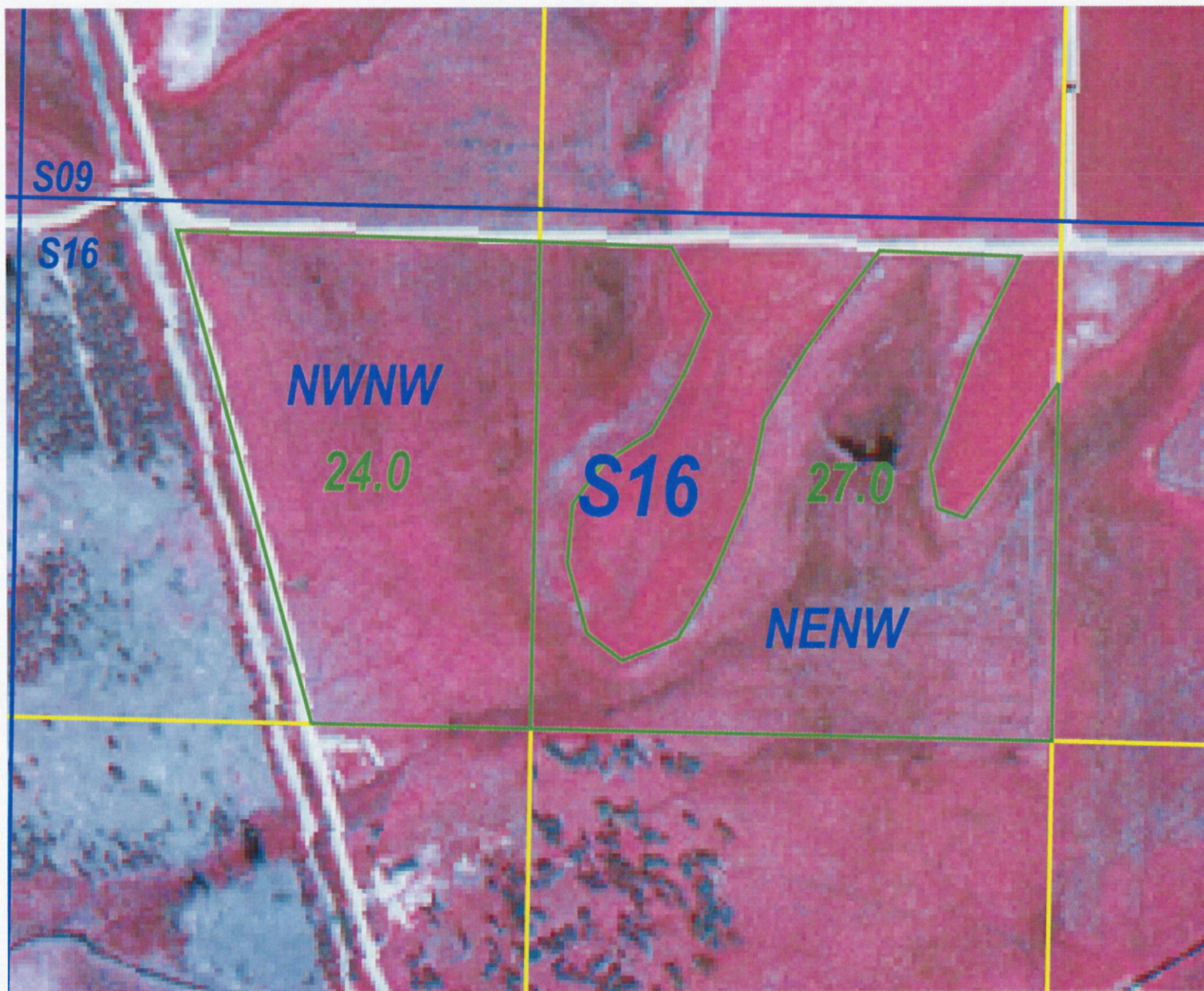
 SECTION LINES

 1/4 1/4 Lines

Acres



1987 NAPP



0 0.25 0.5 Miles

1961 PRA map DT2-25B-112



MAP C 17N 3E



IN THE DISTRICT COURT OF THE Third JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Gerr

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Payette River

DRAINAGE BASIN

**NOTICE OF CLAIM
TO A
WATER RIGHT**

65-3199

I.D. No.

Map No.

\$

Fee Paid

Receipt No.

Notice is hereby given that Gerry Ikola

(Name of Claimant)

Box 25, Rt. 1, McCall, ID 83638

Telephone No.

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 6-30-03(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Lake Fork Creek tributary to _____(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: 9/15
Quantity .10 Use Irrigation 365 Period of Use From 4/15 To 10/15
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)(4) .10 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)(5) A) Point of Diversion: Give location of point where water is diverted from its source SE % NE %
Sec. 3 Twp. 17N Rge. 3E B.M. Valley County _____

Additional Points: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. _____

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
17N	3E	16					27	24	35										76 51

Total no. of acres 76 51

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.

JKN

☒ B) Right decreed by court, cite title of case.Michelson vs Williams☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Aug 8 1978
(Date)

Individual

(Signature of Claimant)

8/29/78

Organization

(Signature of Spouse)

(Signature of Authorized Agent)

State of IdahoCounty of Gerr

Organization

Seal

On this 8 day of Aug
a notary public, personally appearedGERRY IKOLA

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that he, she, they, corporation, partnership or _____ executed the same.

My commission expires Sept 10, 1980Notary Public residing at Boise9KN 8/14/78

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: A65-03199
Date Received: 11/14/1988
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GERRY IKOLA
Address: ROUTE 1, BOX 25A
MC CALL, ID

83638

2. Date of Priority: JUN 30, 1903

3. Source: LAKE FORK CREEK

Trib. to: PAYETTE RIVER, NORTH FC

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	03E	3		SE	NE		VALLEY

5. Description of diverting works:
WEST SIDE DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	09/15	0.100		

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

A.F.A.

8. Total consumptive use is 102.0 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	16	NE	NW		IRR	27.0
			NW	NW		IRR	24.0

Section Acres 51.0

10. Place of Use: Continued

Total Acres 51.0

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:
A65-03200

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 4/07/1986

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 a small annual fee for monthly copies of the docket sheet.

Number of attachments: 5

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):

Larry L. Kola

Date:

11/14/88

Date:

State of Idaho

)

County of

Valley

)

SS.

Subscribed and sworn (or affirmed) before me this 14th day

of Nov 19 88

M. Gene Gibson
Notary Public

Seal

Residing at

Boise, Id

My Commission Expires

9-2-1994

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

01/11/2002

WATER RIGHT NUMBER: 65-3199

NAME AND ADDRESS: WILLIAM A MAKI
PO BOX 686
LAKE FORK ID 83635

SOURCE: LAKE FORK TRIBUTARY: NORTH FORK PAYETTE RIVER

QUANTITY: 0.10 CFS

PRIORITY DATE: 06/30/1903

POINT OF DIVERSION:

T17N R03E S3 NESENE Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	5/01 9/15	0.100 CFS

PLACE OF USE: IRRIGATION Within VALLEY County

T17N R03E S16 NENW 27.0 T17N R03E S16 NWNW 24.0

51 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 65-03200 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 51 ACRES IN A SINGLE IRRIGATION SEASON.

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: Decreed

RIGHT NO. 65-03200 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

**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

Case No. 39576

Water Rights: 65-3199 & 65-3200

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

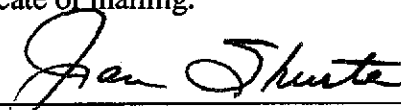
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ IC § 42-222 transfer
 - ☐ Point of diversion ☐ Place of use
 - ☐ Period of use ☐ Nature of use
 - ☐ Split of water right ☐ Change in ownership
 - ☐ Other
- ☐ IC § 42-219 license

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 Report(s)* for said water right(s). 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: January 11, 2002



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on January 11, 2002, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

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

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Gerry Ikola (Former Owners)
14179 Hwy 55
Mc Call ID 83638

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

William A Maki (Current Owners)
PO Box 686
Lake Fork ID 83635

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile


Signature of person making this document

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

RECEIVED
1-2-02
DEC 31 2001

WATER RESOURCES
WESTERN REGION

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
65-3199					
65-3200					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. ☒
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Gerry L. Ikola
14179 Hwy 55 McCall Id.
4. New Owner/Claimant(s) William A. Maki
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address Box 686
- City, State and ZIP Code Lake Fork Id. 83635
- New Telephone Number (208) 634-8512
5. Date you acquired the property 8-17-2001

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

William A. Maki

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

For Value Received, GERRY L. IKOLA and CAPELLA L. IKOLA, HUSBAND AND WIFE AND ELLEN I. IKOLA

the Grantors, do hereby grant, bargain, sell and convey unto
WILLIAM A. MAKI, AN UNMARRIED MAN

whose address is: P.O. BOX 686, LAKEFORK, ID 83635

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

That portion of the NE1/4 NW1/4 and of the NW1/4 NW1/4 lying East of the Union Pacific Railroad right of way, all in Section 16, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho.

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 2001 taxes and assessments and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 8-6-01

Gerry L. Ikola
GERRY L. IKOLA

Capella L. Ikola
CAPELLA L. IKOLA

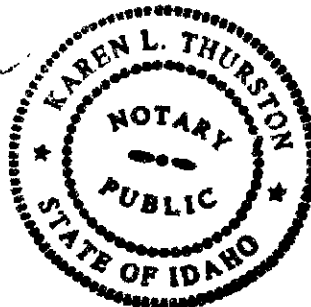
Ellen I. Ikola
ELLEN I. IKOLA

State of Idaho,
County of Valley, ss

On the 6 day of Aug, 2001 before me, Karen L. Thurston, a notary public in and for said State, personally appeared GERRY L. IKOLA and CAPELLA L. IKOLA AND ELLEN I. IKOLA known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Karen L. Thurston
Notary Public

Residing at: Cascade
Commission Expires: 7-10-03



Instrument # 267647

VALLEY COUNTY, CASCADE, IDAHO

2001-10-04 09:43:07 No. of Pages: 2

Recorded for: AMERITITLE

LELAND G. HEINRICH

Fee: \$ 6.00

Ex-Officio Recorder Deputy
Index to: 000000

WHEN RECORDED MAIL TO:

U.S. Bank National Association
Commercial Loan Service West
P.O. Box 5308
Portland, OR 97228-5308

Instrument # 257548

VALLEY COUNTY, CASCADE, IDAHO

2001-10-04

09:45:16 No. of Pages: 5

Recorded for: AMERITITLE

LELAND G. HEINRICH

Fee: 15.00

Ex-Officio Recorder Deputy *J. H. Hays*

Index to: MORTGAGE

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY



MORTGAGE

THIS MORTGAGE IS DATED JULY 23, 2001, between WILLIAM A. MAKI, A SINGLE MAN, whose address is 100 MAKI LANE, LAKE FORK, ID 83635 (referred to below as "Grantor"); and U.S. Bank National Association, whose address is 241 Shoshone Street, North, P.O. Box 509, Twin Falls, ID 83303 (referred to below as "Lender").

GRANT OF MORTGAGE. For valuable consideration, Grantor mortgages, grants, bargains, sells and conveys to Lender all of Grantor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights, watercourses and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties, and profits relating to the real property, including without limitation all minerals, oil, gas, geothermal and similar matters, located in VALLEY County, State of Idaho (the "Real Property"):

THAT PORTION OF THE NE1/4 NW1/4 AND OF THE NW1/4 NW1/4 LYING EAST OF THE UNION PACIFIC RAILROAD RIGHT OF WAY, ALL IN SECTION 16, TOWNSHIP 17 NORTH, RANGE 3 EAST, BOISE MERIDIAN, VALLEY COUNTY, IDAHO.

TOGETHER WITH 36 INCHES WEST SIDE LAKE FORK DITCH CO. WATER AS ADJUDICATED THROUGH THE IDAHO DEPARTMENT OF WATER RESOURCES.

The Real Property or its address is commonly known as NNA, LAKE FORK, ID 83635. The Real Property tax identification number is 17N 03E 162 405.

Grantor presently assigns to Lender all of Grantor's right, title, and interest in and to all leases of the Property and all Rents from the Property. In addition, Grantor grants to Lender a Uniform Commercial Code security interest in the Personal Property and Rents.

DEFINITIONS. The following words shall have the following meanings when used in this Mortgage. Terms not otherwise defined in this Mortgage shall have the meanings attributed to such terms in the Uniform Commercial Code. All references to dollar amounts shall mean amounts in lawful money of the United States of America.

Grantor. The word "Grantor" means WILLIAM A. MAKI. The Grantor is the mortgagor under this Mortgage.

Guarantor. The word "Guarantor" means and includes without limitation each and all of the guarantors, sureties, and accommodation parties in connection with the Indebtedness.

Improvements. The word "Improvements" means and includes without limitation all existing and future improvements, buildings, structures, mobile homes affixed on the Real Property, facilities, additions, replacements and other construction on the Real Property.

Indebtedness. The word "Indebtedness" means all principal and interest payable under the Note and any amounts expended or advanced by Lender to discharge obligations of Grantor or expenses incurred by Lender to enforce obligations of Grantor under this Mortgage, together with interest on such amounts as provided in this Mortgage.

Lender. The word "Lender" means U.S. Bank National Association, its successors and assigns. The Lender is the mortgagee under this Mortgage.

Mortgage. The word "Mortgage" means this Mortgage between Grantor and Lender, and includes without limitation all assignments and security interest provisions relating to the Personal Property and Rents.

Note. The word "Note" means the promissory note or credit agreement dated July 23, 2001, in the original principal amount of ~~100,000~~ from Grantor to Lender, together with all renewals of, extensions of, modifications of, refinancings of, consolidations of, and substitutions for the promissory note or agreement. **NOTICE TO GRANTOR: THE NOTE CONTAINS A VARIABLE INTEREST RATE.**

Personal Property. The words "Personal Property" mean all equipment, fixtures, and other articles of personal property now or hereafter owned by Grantor, and now or hereafter attached or affixed to the Real Property; together with all accessions, parts, and additions to, all replacements of, and all substitutions for, any of such property; and together with all proceeds (including without limitation all insurance proceeds and refunds of premiums) from any sale or other disposition of the Property.

Property. The word "Property" means collectively the Real Property and the Personal Property.

Real Property. The words "Real Property" mean the property, interests and rights described above in the "Grant of Mortgage" section.

Related Documents. The words "Related Documents" mean and include without limitation all promissory notes, credit agreements, loan agreements, environmental agreements, guaranties, security agreements, mortgages, deeds of trust, and all other instruments, agreements and documents, whether now or hereafter existing, executed in connection with the Indebtedness.

Rents. The word "Rents" means all present and future rents, revenues, income, issues, royalties, profits, and other benefits derived from the

<http://www.srba.state.id.us/STS146.HTM>

65-03184A	TYCZE, GEORGE	AT ISSUE
65-03184L	LECK, JAN A	AT ISSUE
65-03184M	NISULA, JOYCE E	AT ISSUE
65-03185	ELD, LARRY A	AT ISSUE
65-03186	BETTIS, HARRY L	AT ISSUE
65-03187	BETTIS, HARRY L	AT ISSUE
65-03188	BETTIS, HARRY L	AT ISSUE
65-03189	BETTIS, HARRY L	AT ISSUE
65-03190	BETTIS, HARRY L	AT ISSUE
65-03191	BETTIS, HARRY L	AT ISSUE
65-03192	BETTIS, HARRY L	AT ISSUE
65-03193	BETTIS, HARRY L	AT ISSUE
65-03194B	PAULSON, RICHARD A	AT ISSUE
65-03194C	ASH, TERENCE W	AT ISSUE
65-03197	FRASIER, CLEONE	AT ISSUE
65-03198	FRASIER, JOHN	AT ISSUE
65-03199	IKOLA, GERRY	AT ISSUE
65-03200	IKOLA, GERRY	AT ISSUE
65-03201A	LEWIS, DIXIE	AT ISSUE
65-03201B	PAULSON, RICHARD A	AT ISSUE
65-03202A	MAKI, JACOB A	AT ISSUE
65-03202X	MAKI, WILLIAM A	UNOBJECTED TO W/R
65-03203	MAKI, WILLIAM A	UNOBJECTED TO W/R
65-03204	MARY NAHAS FAMILY TRUST	AT ISSUE
65-03205	MAYBACH, DOROTHY TRABERT	AT ISSUE
65-03206	MAKI, WILLIAM	AT ISSUE
65-03207	MAYBACH, DOROTHY TRABERT	AT ISSUE
65-03209	BETTIS, HARRY L	AT ISSUE
65-03210	UHRIG, GLENN	AT ISSUE
65-03211A	STARR, JANET RAE	AT ISSUE
65-03211B	EDWARDS, BEVERLY A	AT ISSUE
65-03211C	SPENCE, CHARLES E	AT ISSUE
65-03212	5-01-2001 MARY NAHAS FAMILY TRUST	PD ISSUED
65-03213A	PHELPS, WILMINA M	AT ISSUE
65-03213C	KIRK, W DAVID	AT ISSUE
65-03213D	CHARLES, KATIE	AT ISSUE
65-03214	PURDOM II, KENNETH R	AT ISSUE
65-03215	BETTIS, HARRY L	AT ISSUE
65-03216	BETTIS, HARRY L	AT ISSUE
65-03217	J R SIMPLOT COMPANY	AT ISSUE
65-03218	LAKE IRRIGATION DISTRICT	AT ISSUE

TK
3E
5

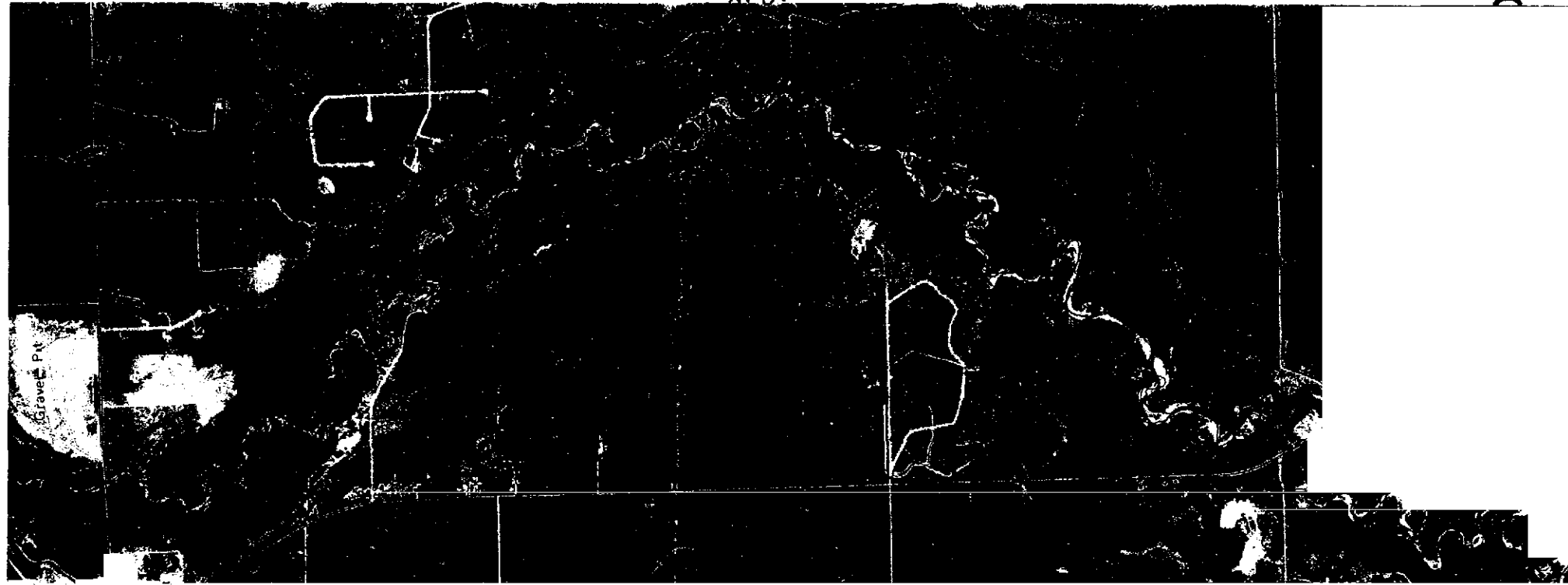
6618-594



Graves Pt

1711
BE
Sec
16

Gravel Pit





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

January 11, 2002

WILLIAM A MAKI
PO BOX 686
LAKE FORK ID 83635

RE: Water Right No. 65-3199 & 65-3200

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.

Thank you for your patience and cooperation, as we have had several water right 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 1
Adjudication Section
Western Region

DB: db

Enclosures

cc: Gerry Ikola

AJ0749NP
No. R65-03199

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

DATE: 11/01/99
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERRY IKOLA 14179 HWY 55 MC CALL ID 83638 (208) 634-5529	06/30/1903	IRRIGATION	05-01 09-15	0.100 CFS	
TOTAL DIVERSION:					0.100 CFS	

Water Source: LAKE FORK CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T17N R03E S03 NESENE

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
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17N	03E	16	:							27	24										51.0
TOTAL ACRES																				51.0	

POU County: VALLEY

Other Rights: 65-03200

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

A65-02708	A65-03120	A65-03183	A65-03184B	A65-03184C	A65-03184D	A65-03184E	A65-03184F	A65-03184H	A65-03184J
A65-03184K	A65-03184L	A65-03184M	A65-03186	A65-03187	A65-03188	A65-03189	A65-03190	A65-03191	A65-03192
A65-03193	A65-03194B	A65-03194C	A65-03197	A65-03198	A65-03199	A65-03200	A65-03201A	A65-03201B	A65-03202A
A65-03202X	A65-03203	A65-03204	A65-03205	A65-03206	A65-03207	A65-03209	A65-03210	A65-03211A	A65-03211B
A65-03211C	A65-03212	A65-03213A	A65-03213C	A65-03213D	A65-03214	A65-03215	A65-03216	A65-03219A	A65-03219X
A65-17131	R65-02700	R65-02707	R65-02708	R65-02932	R65-02952	R65-03120	R65-03183	R65-03184B	R65-03184C
R65-03184D	R65-03184E	R65-03184F	R65-03184J	R65-03184K	R65-03184L	R65-03184M	R65-03185	R65-03186	R65-03187
R65-03188	R65-03189	R65-03190	R65-03191	R65-03192	R65-03193	R65-03194B	R65-03194C	R65-03197	R65-03198
R65-03200	R65-03201A	R65-03201B	R65-03202A	R65-03202X	R65-03203	R65-03204	R65-03205	R65-03206	R65-03207
R65-03209	R65-03210	R65-03211A	R65-03211B	R65-03211C	R65-03212	R65-03213A	R65-03213C	R65-03213D	R65-03214
R65-03215	R65-03216	R65-03219A	R65-03219X	R65-07523	R65-10538	R65-17131			

Conditions of Approval:

- C18 - 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.

Remarks: POU1 USE OF THIS RIGHT WITH RIGHT NO. 65-03200 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 51 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP RIGHT NO. 65-03200 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

DATE: 11/01/99
PAGE: 2



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.

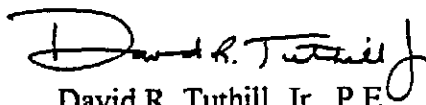
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

RECEIVED

OCT 29 1999

WATER RESOURCES
WESTERN REGION

October 12, 1999

DIRK KEMPTHORNE
GOVERNOR

GERRY IKOLA
14179 HWY 55
MC CALL ID 83638

KARL J. DREHER
DIRECTOR

Re: Snake River Basin Adjudication (SRBA)
Water Right No. 65-03199 and 65-03200
Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office to obtain a form to make this required change to the water right records.

Sincerely,

Denise Buffington

Denise Buffington
Records Clerk
Adjudication Section
Western Region

The address is correct as shown above or as otherwise changed.

Gerry L. Ikola

Signature of water right claimant

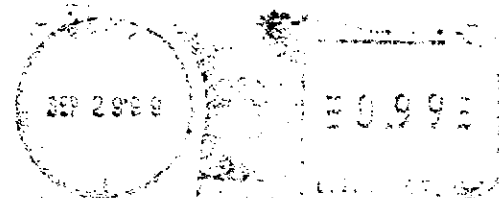
208 634-5529 Home

Telephone number

208 634-2640 Work

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2775 AIRPORT WAY
BOISE, IDAHO 83705

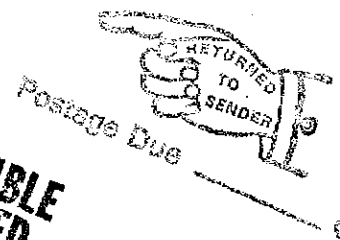
ADDRESS SERVICE
REQUESTED



Forwarded per P.O.

14179 Hwy 55

 **UNDELIVERABLE
AS ADDRESSED,
POSTAGE DUE**



GERRY IKOLA
RT 1 BOX 25A
MC CALL

ID 83638

65-03199
-03200

RECEIVED

OCT 04 1999

WATER RESOURCES
WESTERN REGION

DATE: 07/08/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERRY IKOLA RT 1 BOX 25A MC CALL ID 83638	06/30/1903	IRRIGATION	05-01 09-15	0.10 CFS	
				TOTAL DIVERSION:	0.10 CFS	

Stage: DECREED

Place of use Legal Description for: IRRIGATION

Other Rights: 65-03200

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

A65-02708	A65-03120	A65-03183	A65-03184B	A65-03184C	A65-03184D	A65-03184E	A65-03184F	A65-03184H	A65-03184J
A65-03186	A65-03187	A65-03188	A65-03189	A65-03190	A65-03191	A65-03192	A65-03193	A65-03194A	A65-03197
A65-03198	A65-03199	A65-03200	A65-03201A	A65-03201B	A65-03202A	A65-03204	A65-03205	A65-03206	A65-03207
A65-03209	A65-03210	A65-03211A	A65-03211B	A65-03211C	A65-03212	A65-03213	A65-03214	A65-03215	A65-03216
A65-03219A	A65-03219X	A65-17131	R65-02700	R65-02707	R65-03120	R65-03183	R65-03184B	R65-03184C	R65-03184D
R65-03184E	R65-03184F	R65-03184H	R65-03184J	R65-03185	R65-03197	R65-03198	R65-03201A	R65-03201B	R65-03202A
R65-03204	R65-03209	R65-03211A	R65-03211B	R65-03211C	R65-03212	R65-03214	R65-03215	R65-03216	R65-07523

Remarks: POU1 USE OF THIS RIGHT WITH RIGHT NO. 65-03200 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 51 ACRES IN A SINGLE IRRIGATION SEASON.

EXP RIGHT NO. 65-03200 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date: 07/08/1999 Objection Filed Date:

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

Audit: 07/08/99 RHOWERTO

WR5809NP
No. 65-03199

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/08/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERRY IKOLA ROUTE 1, BOX 25 MC CALL ID 83638	06/30/1903	IRRIGATION	05/01 09/15	0.100 CFS	
TOTAL DIVERSION:					0.100 CFS	

Water Source: LAKE FORK CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T17N R03E S03 SENE

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	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM	
17N	03E 16							27	24								51.0	
TOTAL ACRES																51.0		

Pou County: VALLEY

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

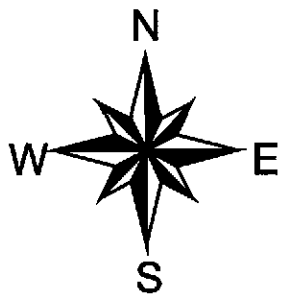
65-02708	65-03120	65-03183	65-03184A	65-03184B	65-03184C	65-03184D	65-03184E	65-03184F	65-03184X
65-03186	65-03187	65-03188	65-03189	65-03190	65-03191	65-03192	65-03193	65-03194	65-03195
65-03196	65-03197	65-03198	65-03200	65-03201	65-03202A	65-03202X	65-03203	65-03204	65-03205
65-03206	65-03207	65-03209	65-03210	65-03211	65-03212	65-03213	65-03214	65-03215	65-03216
65-03219A	65-03219X								

Dates:	App. Received:	Priority Date:	06/30/1903
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

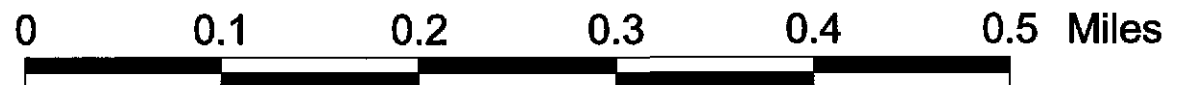
Misc: Water District Number: 65K Field Exam Fee:

65-03199 & 65-03200

- Point of Diversion



1987 NAPP



Idaho Department of Water Resources

**T17N, R03E
S16**

Claims: 65-03199 &
65-03200

Owner : IKOLA

Prepared by:

Ron Howerton

Date: 08 July 99

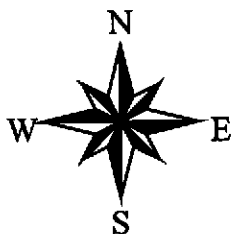
 Place of use

● POD

 SECTION LINES

 1/4 1/4 Lines

Acres



1987 NAPP



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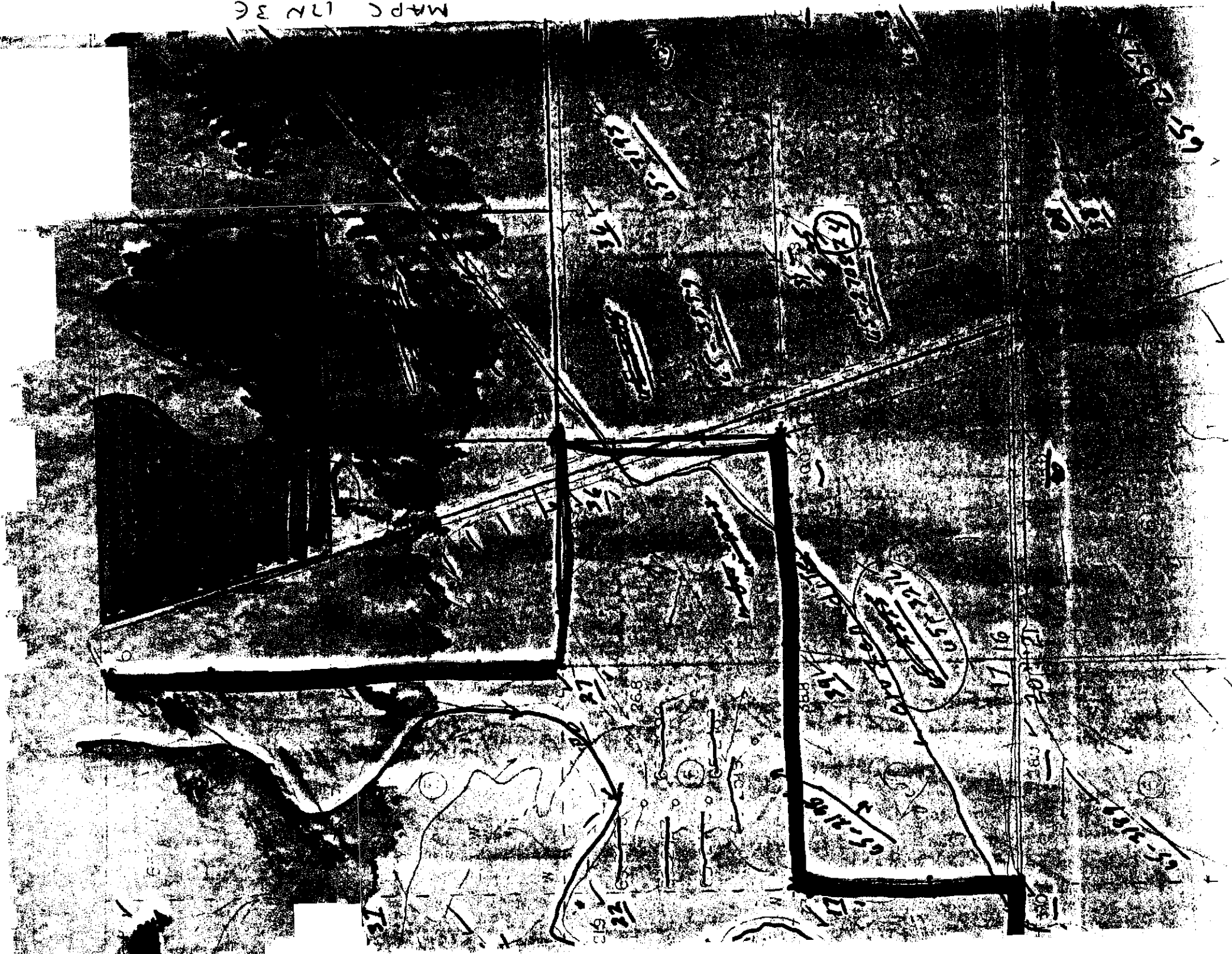
0.5 Miles





1961 PRISA MAP DT2-25B-112

MAPC 17N 36



DRAINAGE BASIN

15-00000

Lake Fork Creek

10 TOTAL QUANTITY CLAIMED

(B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities, be as specific as possible. Describe any changes in the system and give the date of the change.

1

1597

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:
if you are claiming water as a member of an organization, list name of organization:

[illegible]

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☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-10

1. The first part of the document is a title page. It contains the title of the document, the author's name, and the date of the document.

He is it known that the undersigned, after being duly sworn on oath, deposit(s) and say(s) that all statements included herein are true and accurate to the best of his/her knowledge and belief.

Signature of the undersigned: James F. [illegible] Individual

Date: 10/15/81

498 1978

(Signature of Chairman)

499 1978

Organization **KEYWORD**

Organization

Signature of Authorized Agent

On this _____ day of _____, 1978, I, WILLIAM
a public, personally appeared GERRY IKOLA
In the year _____ before me

to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that he, she, it, they, corporation, or partnership, executed the same.

[illegible][illegible]

OVERLAP REVIEW SHEET FOR THE FOLLOWING WR #'s: A65 - 03199 A65 - 03200

AGENT Rdh DATE 7/8/99

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
LKFK CR	3199	17N	3E	16					27	24											51	
LKFK CR	3200	17N	3E	16					27	24											51	
																						51

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

NO OTHER OVERLAPS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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03/10/99

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QUICKLOOK INFORMATION

303
CLAIM NUMBER: A65-03199

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								
POINT OF DIV			BCH					BCH
SOURCE			IN OFFICE					IN OFFICE
PLACE OF USE	X		7/8/99					7/8/99
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:41:44
03/10/99

PAGE: 1
GENERAL INFORMATION

289
CLAIM NUMBER: A65-03199

LAST: IKOLA FIRST: GERRY
ADDRESS: ROUTE 1 BOX 25A
CITY: MC CALL STATE: ID ZIP: 83638
PHONE NUMBER: 208-000-0000

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

FIELD EXAMINATION INFORMATION

CONTACT PERSON: IN-OFFICE PHONE NUMBER: () -
DATE OF FIELD EXAM: 7/8/99 APPOINTMENT MADE: Y() N(/) TIME: : A() P()
ACCOMPANIED BY: PHONE NUMBER: () -
RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / NOTES:

SEE MAPS IN FILE

- A. AJ CLAIM: # A65-03199 PRIORITY DATE: 06-30-1903 STAGE: D
- B. WR RECORD: # 65-03199 PRIORITY DATE: 06-30-1903 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 PRIORITY DATE:

06-30-1903 *Rch*

REVIEWED BY _____

DATE 7/8/99

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
A65-03199	17N	03E	3		SE	NE			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

*

NONE

WR RECORDS IN SAME 40 ACRE TRACT

* 41 A PREFIX CLAIMS WITH THIS POD

*** 42 WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: LAKE FORK 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
65-03199	17N	03E	3		SE	NE			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

NONE

**** 42 WR RECORDS WITH SAME WR POD

***** 41 A PREFIX CLAIMS IN SAME 40 ACRE TRA

SOURCE: LAKE FORK 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) X

NOTES: 1987 NAPP PHOTO

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	3	NE	SE	NE			VALLEY		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: LAKE FORK CREEK

TRIB: PAYETTE RIVER, NORTH FORK

REVIEWED BY: Rch DATE: 7/8/99

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

GRAVITY DITCH

A. ROOT WATER RIGHT NUMBERS: A65-03199

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
17N	03E	16	NE	NW		IKOLA, GERRY	A65-03199 / 27.0	65-03199 / 27.0	39.0		
			NE	NW		IKOLA, GERRY	A65-03200 / 27.0	65-03200 / 27.0			27
17N	03E	16	NW	NW		IKOLA, GERRY	A65-03199 / 24.0	65-03199 / 24.0	39.0		
			NW	NW		IKOLA, GERRY	A65-03200 / 24.0	65-03200 / 24.0			24

ADDITIONAL POU FOUND

TOTAL ACRES A65-03199 51.00 51.00 78.00

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
A65-03199	LAKE FORK CREEK	IKOLA, GERRY	0.100	0.001		
A65-03200	LAKE FORK CREEK	IKOLA, GERRY	0.620	0.012		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A65-03200

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 POB: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

(☒) NAPP, IDWR NO. 1987; () ASCS PHOTO; (☒) OTHER _____

NOTES: PRBA MAPS; MAP "C" T17N R35

1961 MAP DH2-2BB-112

RECOMMENDATIONS:

TOTAL ACRES: 51 N/A()

REVIEWED BY: Rch

DATE: 7/8/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03199 IRRIGATION	FROM 05-01 TO 09-15	0.100 CFS	
TOTAL DIVERSION RATE/VOLUME		0.100 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-03199 IRRIGATION	FROM 05-01 TO 09-15	0.100 CFS	
TOTAL DIVERSION RATE/VOLUME		0.100 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(☐)

PAGE: 9

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

297

CLAIM NUMBER: A65-03199

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.100 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.100 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 NA, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 51 x 0.02 CFS/ACRE = 1.02 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 51 x DIVERSION VOL. AF/A FOR AREA 51 =

TOTAL DIVERSION VOLUME 51 AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 102.0 AF/A

ACRES 51 x CONSUMPTIVE VOL. AF/A FOR AREA 51 =

TOTAL CONSUMPTIVE USE 51 AF/A

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

3199 - .1 CFS
3200 - .62 CFS
.72

.72 CFS < 1.02 CFS
thus no-QNT
limiter.

PAGE: 11
DIVERSION AMOUNT REVIEW SHEET CONTINUED

299
CLAIM NUMBER: A65-03199

NOTES:

WR RECORD CONDITIONS/REMARKS:

NONE

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (✓)

REC. PURPOSE OF USE	REC. PERIOD FROM TO		REC. DIV RATE CFS		REC. DIV VOL. AF/A		REC. CONS. USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	05-01	09-15	0.100	_____		_____	~~102.0~~	_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			0.100	_____		_____	~~102.0~~	_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: TRH

DATE: 7/8/99

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

Pou1 E11

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

EXP FOS

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: 65-03199

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 0.100 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-03199	0.100	-		65-03199	0.100
TOTAL CFS		0.100				0.100

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 Y FIELD EXAMINER Y() N() NA
NO-SPLITS

NOTES:

AUTHENTICATION:

SIGNATURE: Ron Howerton DATE: 7/8/99

NAME OF FIELD EXAMINER: Ron Howerton TITLE: _____

Sr Water Agent

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 _____ IDWR ID NO. _____	Y() N()
(X) NAPP	DATE OF PHOTO <u>1987</u> IDWR ID NO. _____	Y(/) N()
() 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 _____	Y() N()
(X) OTHER <u>PRBA MAP</u>	DATE <u>1961</u> <u>MAP D42-2BB-112</u>	Y(/) N()
(X) OTHER <u>PRBA MAP</u>	DATE <u>MAP "C" 17N 3E</u>	Y(/) N()
(X) OTHER <u>PROFILE</u>	DATE <u>WR RECORD</u>	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 _____	_____	_____
(X) OTHER <u>OVERLAP</u>	DATE <u>7/8/99</u>	<u>1</u>	<u>REVIEW SHIT.</u>
(X) OTHER <u>CLAIM</u>	DATE _____	<u>1</u>	<u>ORIGINAL PRBA CLAIM</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:47:09
03/10/99
304

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A65-03199

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERRY IKOLA	06/30/1903	IRRIGATION	05-01 09-15	0.100 CFS	
					TOTAL DIVERSION:	0.100 CFS
					CONSUMPTIVE USE:	102.00 AFA

Water Source: LAKE FORK CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T17N R03E S03 SENE

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	16	:									27	24							:	51.0
																			TOTAL ACRES	51.0	

POU County: VALLEY

Other Rights: A65-03200

Dates: Exam Made Date: Verified Date: 04/24/1987 Objection Filed Date:

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
SOURCE: LAKE FORK CREEK								
<i>Bo</i> 65-3174	TAYLOR, DELBERT TAYLOR, INEZ 717 NORTH POND BOISE ID 83704	06-01-1903	IRRIGATION	05-01 09-15	.60 CFS	NWSW S13 T18N R03E	SESW(36) S26 T18N R03E * 36 ACRES*	DECREE
REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-8469 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.								
<i>Mo</i> 65-3120	WILLIAMS, GLADYS CAMBRIDGE ID 83610	06-30-1903	IRRIGATION	05-01 09-15	2.16 CFS	SENE S03 T17N R03E	NENW(38) MWNW(39) SWNW(40) SENW(39) S15 T17N R03E * 156 ACRES*	DECREE
<i>No claim</i> 65-3195	SCHUMACKER, HERMAN W. 802 MAIN AVENUE SAINT MARIES ID 83861	06-30-1903	IRRIGATION	05-01 09-15	1.70 CFS	SENE S03 T17N R03E	NENW(30) MWNW(40) SWNW(40) SENW(19) S22 T17N R03E * 129 ACRES*	DECREE
<i>Bo</i> 65-3197	FRASIER, JOHN, JR. FRASIER, CLEONE COUNCIL ID 83612	06-30-1903	IRRIGATION	05-01 09-15	1.70 CFS	SENE S03 T17N R03E	NESW(39) MWSW(40) SWSW(39) SESW(37) S15 T17N R03E * 155 ACRES*	DECREE
<i>Mo</i> 65-3199	IKOLA, GERRY ROUTE 1, BOX 25 MC CALL ID 83638	06-30-1903	IRRIGATION	05-01 09-15	.10 CFS	SENE S03 T17N R03E	NENW(27) MWNW(24) S16 T17N R03E * 51 ACRES*	DECREE

INDICATES TOTAL

RECEIVED

FILE

FEB 12 1987

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO

APR 07 1986

STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

Department of Water Resources

IN THE MATTER OF THE GENERAL)
DETERMINATION OF THE RIGHT TO)
THE USE OF SURFACE AND GROUND-)
WATERS OF THE PAYETTE RIVER)
DRAINAGE BASIN.)

Civil No. 3667 *Helm R. Kolzig*
ORDER AND PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b)

The foregoing Stipulation, of Lake Irrigation District, Edward A. Cruzen and the Department of Water Resources, having come duly and regularly before the Court and good cause appearing therefore,

IT IS ORDERED AND DECREED that the water rights, priority dates, uses, periods of use, quantification of rights, diversion points, places of use and basis of claim identified in Exhibit A attached hereto and incorporated herein by reference are adopted by this Court, and the Proposed Finding of Water Rights in the Payette River Drainage Basin (hereinafter "Proposed Finding") shall be amended accordingly. Some of the rights listed in Exhibit A were previously decreed by the court in its judgment of January 21, 1986. They are included here to provide a complete listing of all rights on Lake Fork Creek. Claim No. 65-10095, a reserved right claimed by the Forest Service, is not included because the State of Idaho and the United States are currently planning to become engaged in negotiations concerning federal reserved water right claims.

IT IS FURTHER ORDERED that all protests and objections

ORDER AND PARTIAL DECREE Page 1

RECEIVED

FEB 24 1987

COMPARED _____ ☒
INDEXED - DIRECT _____ ☒
INDEXED - INDIRECT _____ ☒

filed by Lake Irrigation District and Edward A. Cruzen against the water rights adopted by this Court in the preceeding paragraph are dismissed with prejudice.

IT IS FURTHER ORDERED AND DECREED that the Proposed Finding of Fact No. 10 and Conclusion of Law No. 6 as set out in the foregoing Stipulation and Finding of Fact No. 4 and Conclusion of Law No. 3 as set out in Exhibit B of the foregoing Stipulation are amended by said Stipulation.

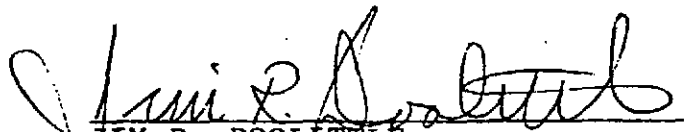
IT IS FURTHER ORDERED AND DECREED that for purposes of operating Water District 65K the gauging station located in the SW1/4SE1/4NW1/4 section 8 township 18N range 4E B.M., above Jumbo Creek and above Tyee Creek shall have 10 per cent added to said gauge readings to account for the added flows of Jumbo and Tyee Creeks and other less distinctive sources between the old site of the gauging station and the present site, unless modified by order of this Court due to changes in the measured flows.

IT IS FURTHER ORDERED AND DECREED that for purposes of operating Water District 65K, reference may be made to the decree of Paul Michelson et al v. M. H. Williams et al (7th Judicial District, Valley County, 1928) for a period of five years following the date of this order, to answer questions arising as to the distribution of water rights listed in Exhibit A. The director of the Department of Water Resources, pursuant to his authority under Chapter 6, Title 42, Idaho Code, will initially

determine any distribution questions. The elements of the Michelson decree that are used in any orders or instructions to the watermaster during this five year term shall be made a permanent part of the water district file for Lake Fork Creek and shall be considered by the director in any future orders or instructions to the watermaster.

IT IS FURTHER ORDERED AND DECREED that jurisdiction is reserved by the Court, upon 10 days notice to the parties hereunto, to make corrections of clerical errors, inadvertences or omissions in the listing of water rights of Exhibit A to the foregoing Stipulation, and the reservation of jurisdiction for this purpose will date one year from the date of this Order.

DATED this 28th day of March, 1986.


JIM R. DOOLITTLE
DISTRICT JUDGE

54(b) Certificate

With respect to the issues determined by the above judgment, it is hereby CERTIFIED, in accordance with the Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final decree and that the court has and does direct that the above partial decree shall be a final judgment upon which execution may issue and appeal may be taken as provided by the Idaho Appellate Rules.

STATE OF IDAHO)
County of Gem) ss.

DATED this 28th day of March, 1986.

I certify that the foregoing
is a true and correct copy
of the original on file in
this office.

DATED 3-28-86
Thelma Rokolodziej, Clerk


JIM R. DOOLITTLE
District Judge