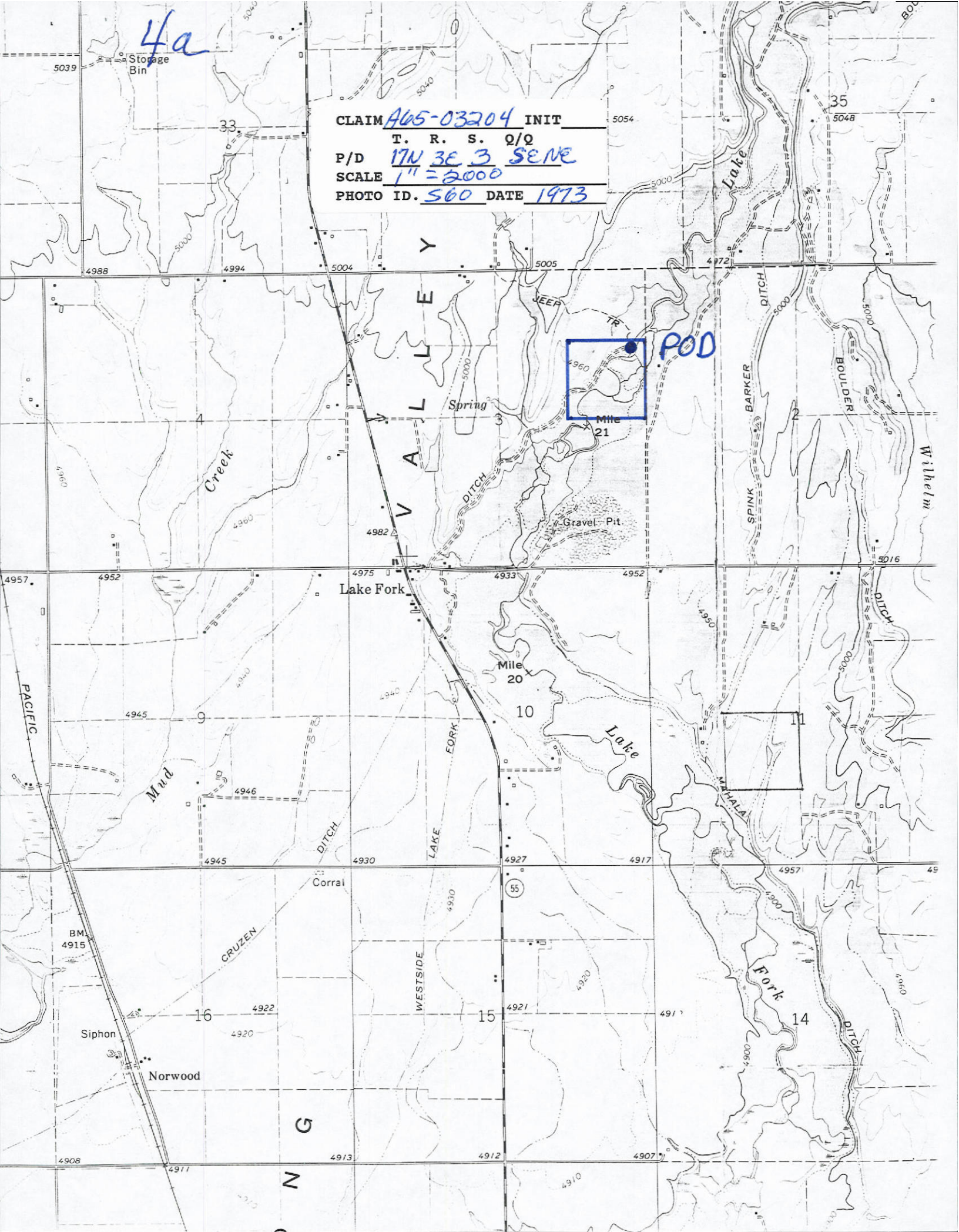


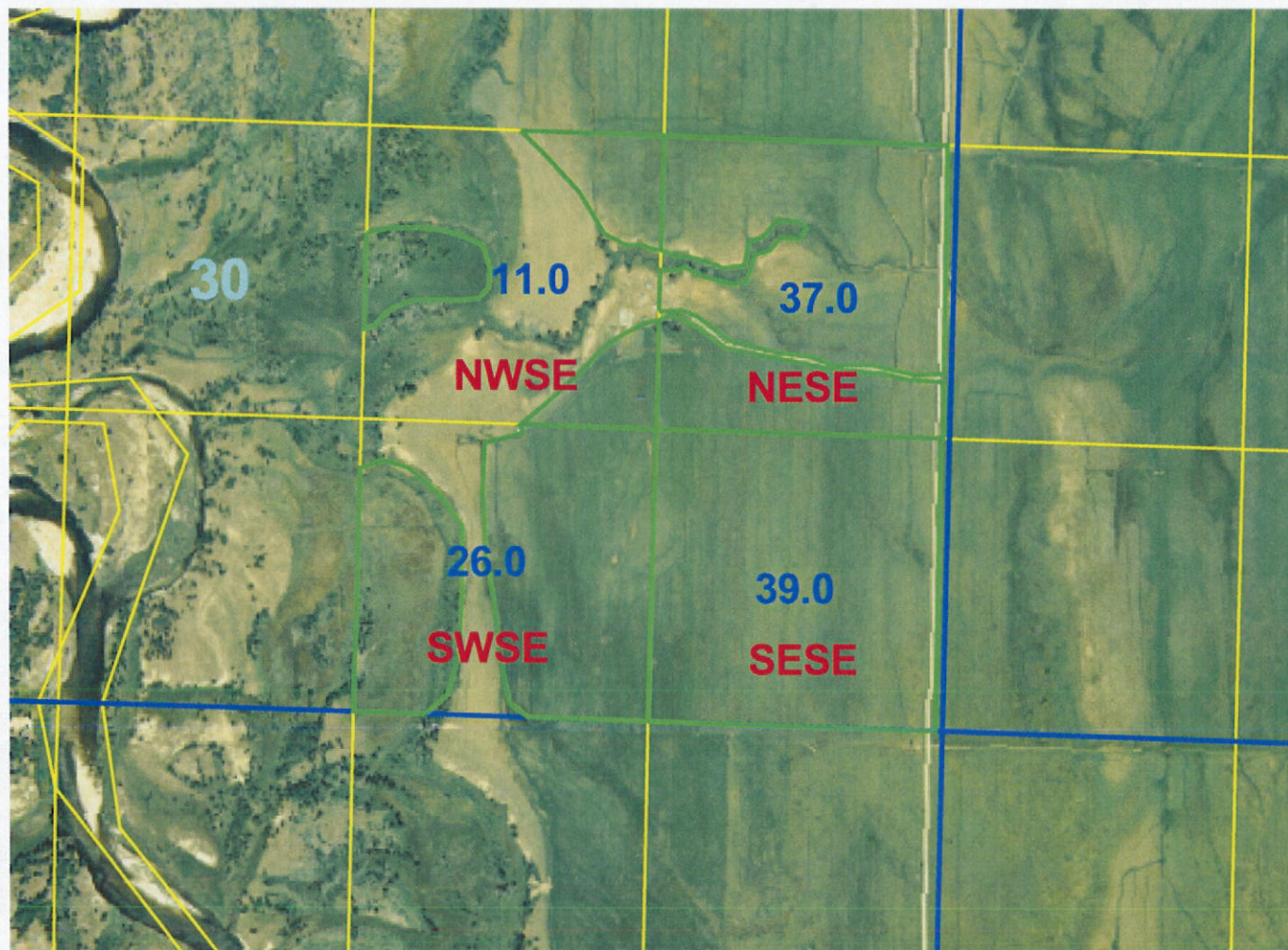
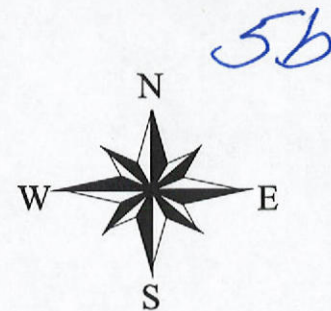
4a

CLAIM AG-03204 INIT
T. R. S. Q/Q
P/D 17N 3E 3 SENE
SCALE 1" = 2000
PHOTO ID. 560 DATE 1973



IDAHO DEPARTMENT OF WATER RESOURCES

17N, 03E, S30



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03204

OWNER(S): NISULA BROTHERS

Prepared by Mel Schulte

DATE: MAY 14, 1999

T17N, R03E

GREEN OUTLINE = PLACE OF USE
RED OUTLINE = 1994 VALLEY COUNTY TAX
LOT BOUNDARY

Mud Creek
A65-02489
-02487
-02198

02489 11ac
02489 10ac
02198 27ac
02489 26ac
02487 12ac
02489 32ac
02489 37ac
02489 38ac
02489 39ac
02489 40ac
02489 41ac
02489 42ac
02489 43ac
02489 44ac
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02489 91ac
02489 92ac
02489 93ac
02489 94ac
02489 95ac
02489 96ac
02489 97ac
02489 98ac
02489 99ac
02489 100ac

Lt 13

Lt 7

US BOR

Lt 6

31

Lt 1

US BOR

Lt 10

30

Lt 7

#

T17N, R03E

Lake Fork
6S-03204
05-03212

GREEN OUTLINE = PLACE OF USE
RED OUTLINE = 1994 VALLEY COUNTY TAX
LOT BOUNDARY

Lt 13

Lt 7

US BOR

Lt 6

31

03212
35 acres

03212 9 acres

03212 31.32
39 ac.

03212 12 ac.

Lt 1

US BOR

03204 26 ac.

03204 34 ac.

Lt 10

30

Lt 7

03204 11 ac.

03204 31 ac.

#



Lt 13

Lt 7

US BOR

Lt 6

31

Lt 11

US BOR

Lt 10

Lt 7

30

RED OUTLINE = 1994 VALLEY COUNTY TAX LOT BOUNDARY

GREEN OUTLINE = PLACE OF USE

T17N, R03E

65-03704
Wastewater

#

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: A65-03204
Date Received: 11/01/1988
Receipt No: X999999
Received By: DE AD

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 29, 1918

3. Source: LAKE FORK 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	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	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

A65-03204

Page

1

Date: 12/29/88

MICROFILMED
SEP 22 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 65-2489 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.

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 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 _____



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

AJ0749NP
No. R65-03204

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

DATE: 08/03/99
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NISULA BROS PO BOX 444 EMMETT ID 83617	11/29/1918	IRRIGATION	05-01 09-15	2.000 CFS	
TOTAL DIVERSION:					2.000 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 Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : SUM						
17N 03E 30 : : : : : 37 11 26 39 : 113.0						
TOTAL ACRES 113.0						

POU County: VALLEY

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
DIVERSION RATE OF .02 CFS. AT THE FIELD HEADGATE. COMBINED RIGHT
NOS: 65-02489 & 65-02198.

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

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

Comments: Date: 03/25/1999 User-ID: MSCHULTE Subject: POINT OF DIVERSION OVERLAP
THERE ARE NUMEROUS OTHER RIGHTS DIVERTED AT THE SAME POINT OF
DIVERSION AS THIS RIGHT, TOO MANY TO LIST IN EXPLANATORY
REMARK F06.

Audit: 08/03/99 MSCHULTE

08:19:32
05/14/99
33

CLAIM NUMBER: A65-03204

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

QNT
Comment - P.D

DATE: 03/23/99
PAGE: 4

Audit: 04/24/87 04/30/88 CONVERT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:48:32
03/23/99

PAGE: 15
QUICKLOOK INFORMATION

32
CLAIM NUMBER: A65-03204

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			<i>MS</i> <i>In office</i> <i>3-25-99</i> <i>5-14-99</i>	<i>N</i>		<i>MS</i> <i>3-25-99</i> <i>5-14-99</i>	<i>MS</i> <i>3-25-99</i> <i>5-14-99</i>	
POINT OF DIV				<i>N</i>				
SOURCE				<i>N</i>				
PLACE OF USE	<i>Y</i>			<i>Y</i>				
DIV. AMOUNT CFS/VOLUME				<i>N</i>				
CONSUMPTIVE USE	<i>-</i>			<i>NA</i>				
PURPOSES OF USE				<i>N</i>				
PERIOD OF USE				<i>N</i>				
BASIS OF CLAIM				<i>N</i>				
REMARKS	<i>Y</i>			<i>Y</i>				

BARCODE UPDATED
WHOM/DATE

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
(✓) TOPOGRAPHIC	DATE FIELD CHECKED <u>1973 map</u> IDWR ID NO. <u>560</u>	Y(✓) N() <u>4a</u>
(✓) ~~WAPP~~ GIS map	DATE OF PHOTO <u>5-14-88</u> (1987) IDWR ID NO. _____	Y(✓) N() <u>5b</u>
(✓) ASCS AERIAL PHOTO	DATE OF PHOTO <u>PRBA map - See A65-02198 =</u>	Y() N(✓)
() ASCS COLOR SLIDE	DATE OF PHOTO <u>overlap map.</u>	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP <u>5-14-89</u>	Y() N()
(✓) OTHER <u>GIS table</u>	DATE <u>3-23-99</u>	Y(✓) N() <u>5a</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>POU review report</u>	DATE <u>3-23-99</u>	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:48:32
03/23/99

PAGE: 1
GENERAL INFORMATION

18
CLAIM NUMBER: A65-03204

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 THIS RIGHT WHEN COMBINED WITH RIGHT 65-2489 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.

FIELD EXAMINATION INFORMATION

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: # A65-03204 PRIORITY DATE: 11-29-1918 STAGE: D
- B. WR RECORD: # 65-03204 PRIORITY DATE: 11-29-1918 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 and
claimed in the SRBA.*

RECOMMENDED PRIORITY DATE:

11-29-1918
REVIEWED BY *Mel Schulte*

5-14-99
DATE *3-25-99*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-03204	17N 03E	3		SE	NE			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
* **

WR RECORDS IN SAME 40 ACRE TRACT

* 42 A PREFIX CLAIMS WITH THIS POD
** 15 R 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
65-03204	17N 03E	3		SE	NE			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

**** 42 WR RECORDS WITH SAME WR POD
***** 42 A PREFIX CLAIMS IN SAME 40 ACRE TRA
***** 15 R PREFIX CLAIMS WITH THIS POD

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)

NOTES: Recommended as decreed in the PRBA and verified
on topo map 560

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY VALLEY	DIVERSION NAME	DIVERSION NBR
17N	03E	3		SE	NE					
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—

SOURCE: LAKE FORK CREEK

TRIB: PAYETTE RIVER, NORTH FORK

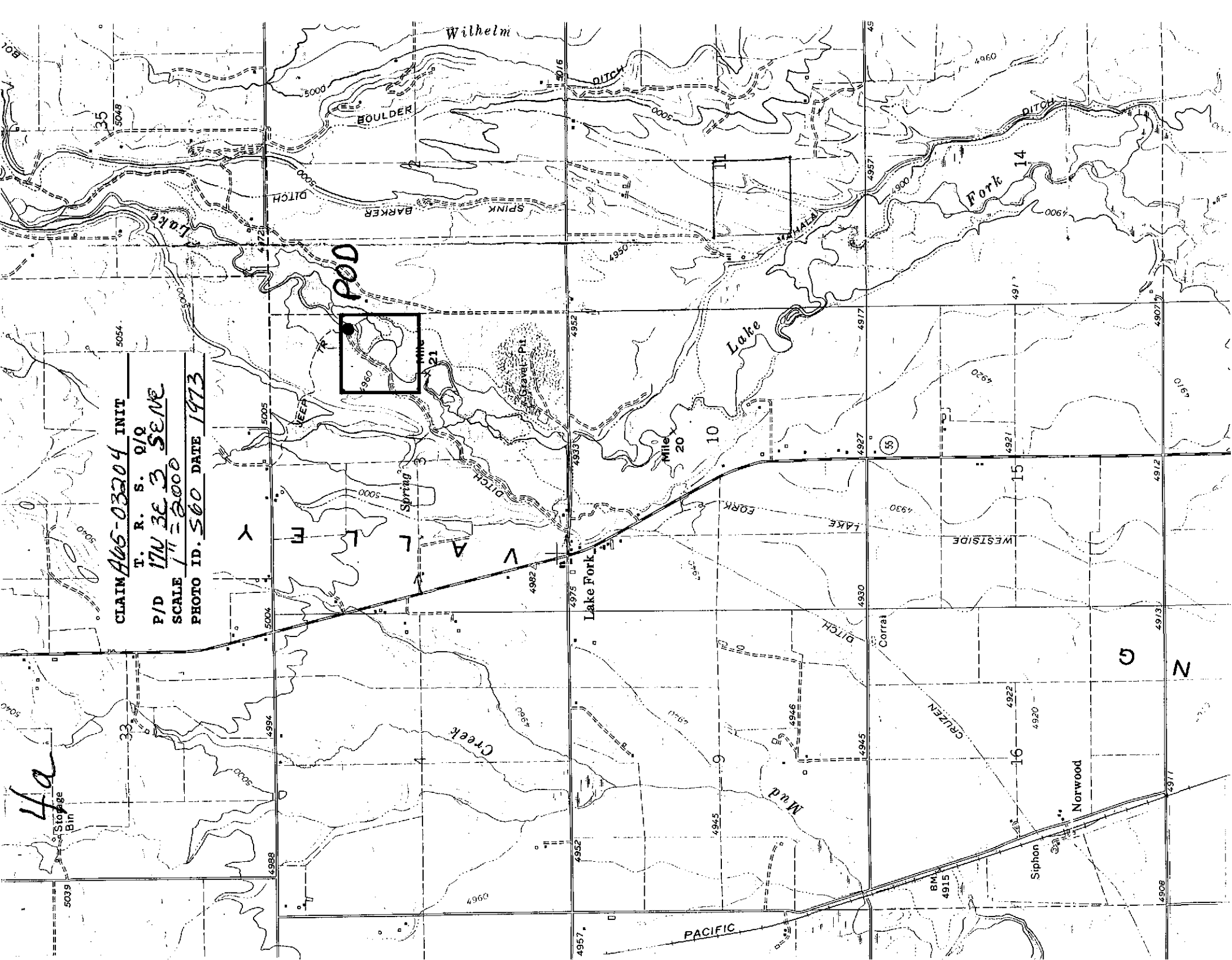
REVIEWED BY:

McSchulte

DATE:

5-14-99

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



CLAIM 445-03204 INIT

T. R. S. 910

P/D 17N 3E 3 SENE

SCALE 1" = 2000

PHOTO ID. 560 DATE 1973

4a

Storage Bin

POD

Spring

Creek

Lake Fork

PACIFIC

Mud

DITCH

Corral

GREEN

Siphon

Norwood

WESTSIDE

LAKE

FORK

Mile 20

Mile 10

Lake

Fork 14

G

N

A. ROOT WATER RIGHT NUMBERS: A65-03204
R65-03204

B. POU LISTING

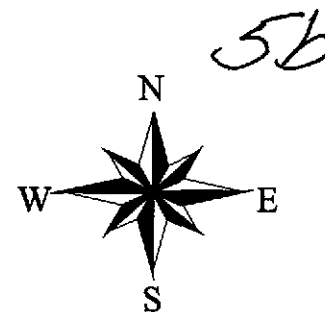
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
17N	03E	30	NE	SE		NISULA BROS	A65-03204 / 37.0	65-03204 / 37.0	41.0		
			NE	SE		NISULA BROTHERS	A65-03706 /	65-03706 /			
			NE	SE		NISULA BROS	A65-02489 / 10.0	65-02489 / 10.0			
			NE	SE		NISULA BROS	A65-02198 / 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	- /			37
			NE	SE		NISULA, ELMER J	R65-03212 / 37.0	- /			
17N	03E	30	NW	SE		NISULA BROS	A65-03204 / 11.0	65-03204 / 11.0	39.0		
			NW	SE		NISULA BROS	A65-02489 / 11.0	65-02489 / 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	- /			11
			NW	SE		NISULA BROS	R65-02489 / 11.0	- /			
17N	03E	30	SW	SE		NISULA BROS	A65-03204 / 26.0	65-03204 / 26.0	31.0		
			SW	SE		NISULA BROS	A65-02489 / 26.0	65-02489 / 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	- /			
			SW	SE		NISULA BROS	R65-03204 / 33.0	- /			26
			SW	SE		NISULA, ELMER J	R65-03212 / 33.0	- /			
17N	03E	30	SE	SE		NISULA BROS	A65-03204 / 39.0	65-03204 / 39.0	42.0		
			SE	SE		NISULA BROS	A65-02198 / 39.0	65-02198 / 39.0			
			SE	SE		NISULA BROS	R65-02198 / 39.0	- /			
			SE	SE		NISULA BROS	R65-02487 / 39.0	- /			
			SE	SE		NISULA BROS	R65-02489 / 39.0	- /			
			SE	SE		NISULA BROS	R65-03204 / 39.0	- /			39
			SE	SE		NISULA, ELMER J	R65-03212 / 39.0	- /			

ADDITIONAL POU FOUND

TOTAL ACRES A65-03204 113.00 113.00 153.00

113

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



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03204

OWNER(S): NISULA BROTHERS

Prepared by Mel Schulte

DATE: MAY 14, 1999



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
A65-03204	LAKE FORK 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		
A65-02489	MUD CREEK	NISULA BROS	2.000	0.017		
R65-02489	MUD CREEK	NISULA BROS	2.000	0.007		
R65-03204	LAKE FORK CREEK	NISULA BROS	2.000	0.007		
R65-03212	LAKE FORK CREEK	NISULA, ELMER J	2.000	0.007		

— partial overlap
— partial overlap.

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

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

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

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

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

N/A() Y() N()

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

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

N/A() Y() N()

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

Y() N()

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

Y() N()

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

(~~1~~) ^{GIS map} NAPP, IDWR NO. _____; (~~1~~) APCS PHOTO; () OTHER _____

NOTES: Recommended as decided in the PRBA.

RECOMMENDATIONS:

TOTAL ACRES: 113 N/A()

REVIEWED BY: Mel Schulte

DATE: 5-14-99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03204 IRRIGATION	FROM 05-01 TO 09-15	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
65-03204 IRRIGATION	FROM 05-01 TO 09-15	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*

The period of use does not meet the current standards

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 = 226 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

NA

CLAIMED DIVERSION VOLUME = AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

NA

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:

NOTES: Recommended as decreed in the PRBA.

WR RECORD CONDITIONS/REMARKS:

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	05-01	09-15	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: McSchultz DATE: 5-14-99

FLAG: _____
STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):
QNT-E04

Comment - POD

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-03204

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.000

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-03204	2.000	-		65-03204	2.000
TOTAL CFS		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
Y

FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE:

Meel Schulte

DATE:

5-14-99
3-25-99

NAME OF FIELD EXAMINER:

TITLE:

POU COUNTY: VALLEY
A. ROOT WATER RIGHT NUMBERS: A65-03204

3-23-99

B. POU LISTING

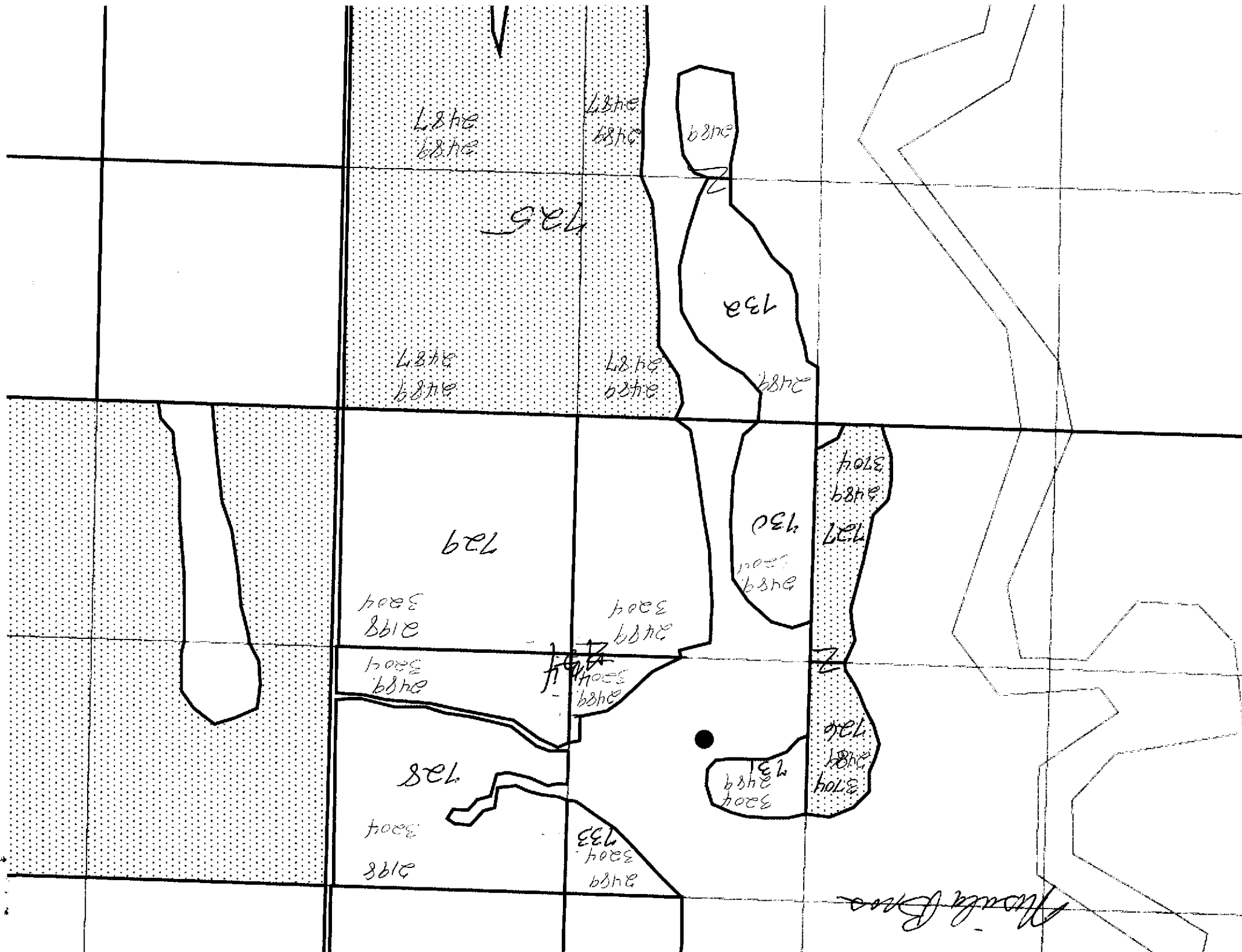
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
17N	03E	30	NE	SE		NISULA BROS	A65-03204 /01/37.0	65-03204 /01/37.0	41.0 - <i>Letz Dark Creek</i>
			NE	SE		NISULA BROS	A65-02489 /01/10.0	65-02489 /01/10.0	- <i>Mud Creek</i>
			NE	SE		NISULA BROS	A65-02198 /01/27.0	65-02198 /01/27.0	" "
TOTAL ACRES							A65-03204	113.00	113.00 153.00

POU COUNTY: VALLEY
A. ROOT WATER RIGHT NUMBERS: A65-03704

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
17N	03E	30	NE	SW		NISULA BROS	A65-03704 /01/ 6.0	65-03704 /01/ 6.0	42.0
			NE	SW	7	NISULA BROS	A65-02489 /01/12.0	65-02489 /01/12.0	
17N	03E	30	SE	SW		NISULA BROS	A65-03704 /01/ 9.0	65-03704 /01/ 9.0	42.0
			SE	SW	18	NISULA BROS	A65-02489 /01/ 9.0	65-02489 /01/ 9.0	
TOTAL ACRES							A65-03704	15.00	15.00 84.00

POU COUNTY: VALLEY



North Pole

11/13/2000

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

RIGHT NUMBER: 65-3204

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

SOURCE: LAKE FORK TRIBUTARY: NORTH FORK PAYETTE RIVER

QUANTITY: 2 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED
TO A DIVERSION RATE OF .02 CFS. AT THE FIELD HEADGATE.
COMBINED RIGHT NOS: 65-02489 & 65-02198

PRIORITY DATE: 11/29/1918

POINT OF DIVERSION: T17N R03E S3 SENE 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	2.00 CFS

PLACE OF USE:

<u>IRRIGATION Within VALLEY County</u>					
T17N R03E S30	NESE	37	T17N R03E S30	NWSE	11
T17N R03E S30	SWSE	26	T17N R03E S30	SESE	39

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

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

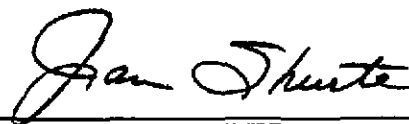
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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) *Ronald Nahas* 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

All that certain lot, piece or parcel of land, ^{(2488-all) (3204 all)} situate in Valley County, Idaho, and shown as the Southeast quarter, Section 30, Township 17 North, Range 3 East, Boise Meridian. ²⁴⁸⁹

Parcel B

All that certain lot, piece or parcel of land, ^{3212 5497} situate in Valley County, Idaho, and shown as the North half ²⁴⁸⁹ 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 ³⁷⁰⁴ 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.

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:

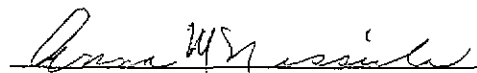
SEE ATTACHED AS EXHIBIT "A"

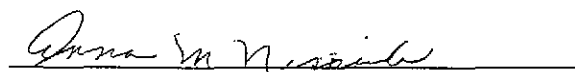
TOGETHER WITH ANY AND ALL WATER AND MINERAL RIGHTS APPERTAINING THERETO.

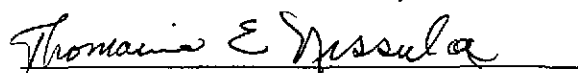
TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the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

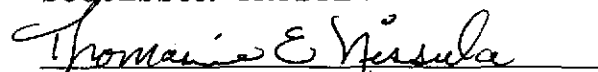
Dated: 5/17/2000

ARTHUR AND ANNA NISSULA TRUST DATED NOVEMBER 27, 1990


ANNAMNISSULA, CO-TRUSTEE


ANNA M. NISSULA, INDIVIDUALLY

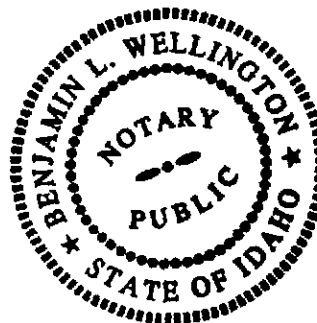

THOMASINE E. NISSULA,
SUCCESSOR TRUSTEE


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.

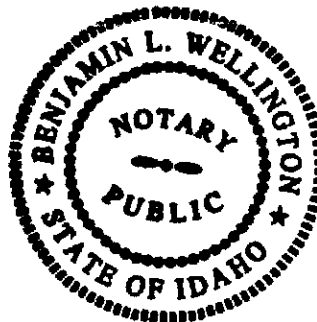
Benjamin L. Wellington
Notary Public
Cascade, Idaho
Commission Expires:
7-20-2004



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



For Value Received, EFFIE E. FARRELL, A WIDOW

SEE ATTACHED AS EXHIBIT "A"

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.

Effie E. Farrell
EFFIE E. FARRELL

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:

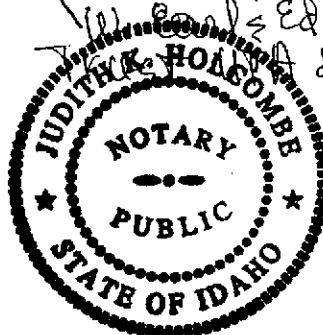
W. EARL & EDNA IRENE SIVEY TRUST UNDER TRUST AGREEMENT DATED
FEBRUARY 6, 1997

Edna Irene Sivey
EDNA IRENE SIVEY, TRUSTEE

State of Idaho)
County of Ada) ss

On the 24th day of May, 2000, before me, Judith K. 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 K. Holcombe
Notary Public
Bonneville, Idaho
Commission Expires: 8-18-2005



WARRANTY DEED

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

SEE ATTACHED AS EXHIBIT "A"

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

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

Dated: 5/17/2000

Rayno G. Nissula
RAYNO G. NISSULA

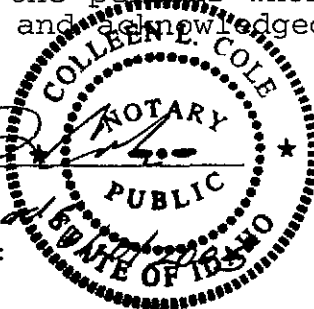
Phyllis M. Nissula
PHYLLIS NISSULA

State of IDaho)
County of VALLEY) ss

On the 17th day of May, 2000, before me,
Colleen C. Cole
a notary public in and for said State, personally appeared

Rayno G. Nissula & Phyllis 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: Cascade
Commission Expires:



WARRANTY DEED

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

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

SEE ATTACHED AS EXHIBIT "A"

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

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

Dated: 5/26/2000

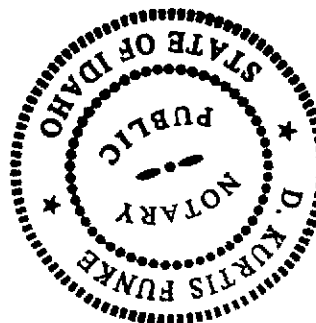
BEVERLY A. CHRISTENSEN

State of IDaho)
) ss
County of PAYETTE)

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: DANIEL, 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
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: 5/18/2000

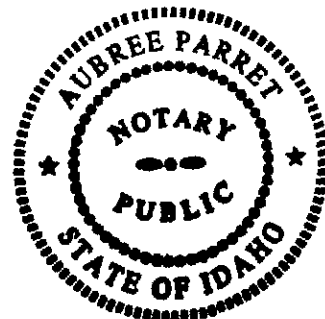
Rodger A. Carico
Rodger A. Carico


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



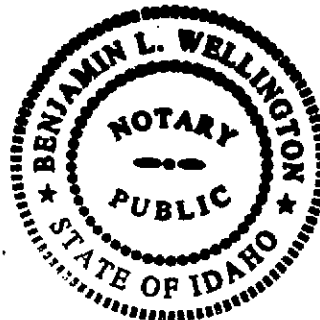
RONALD E. CARICO

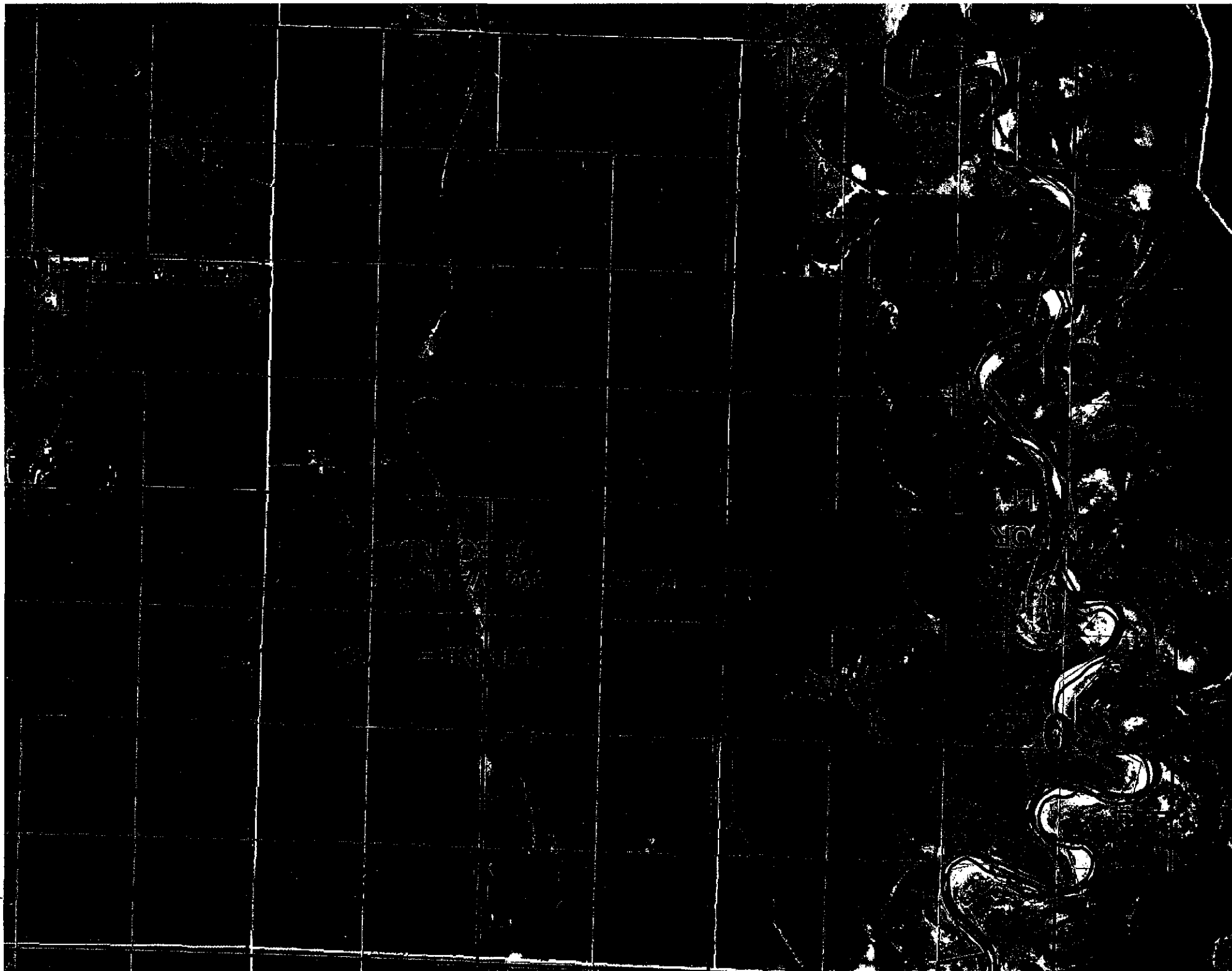
State of IDAHO)
) ss
County of VALLEY)

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.

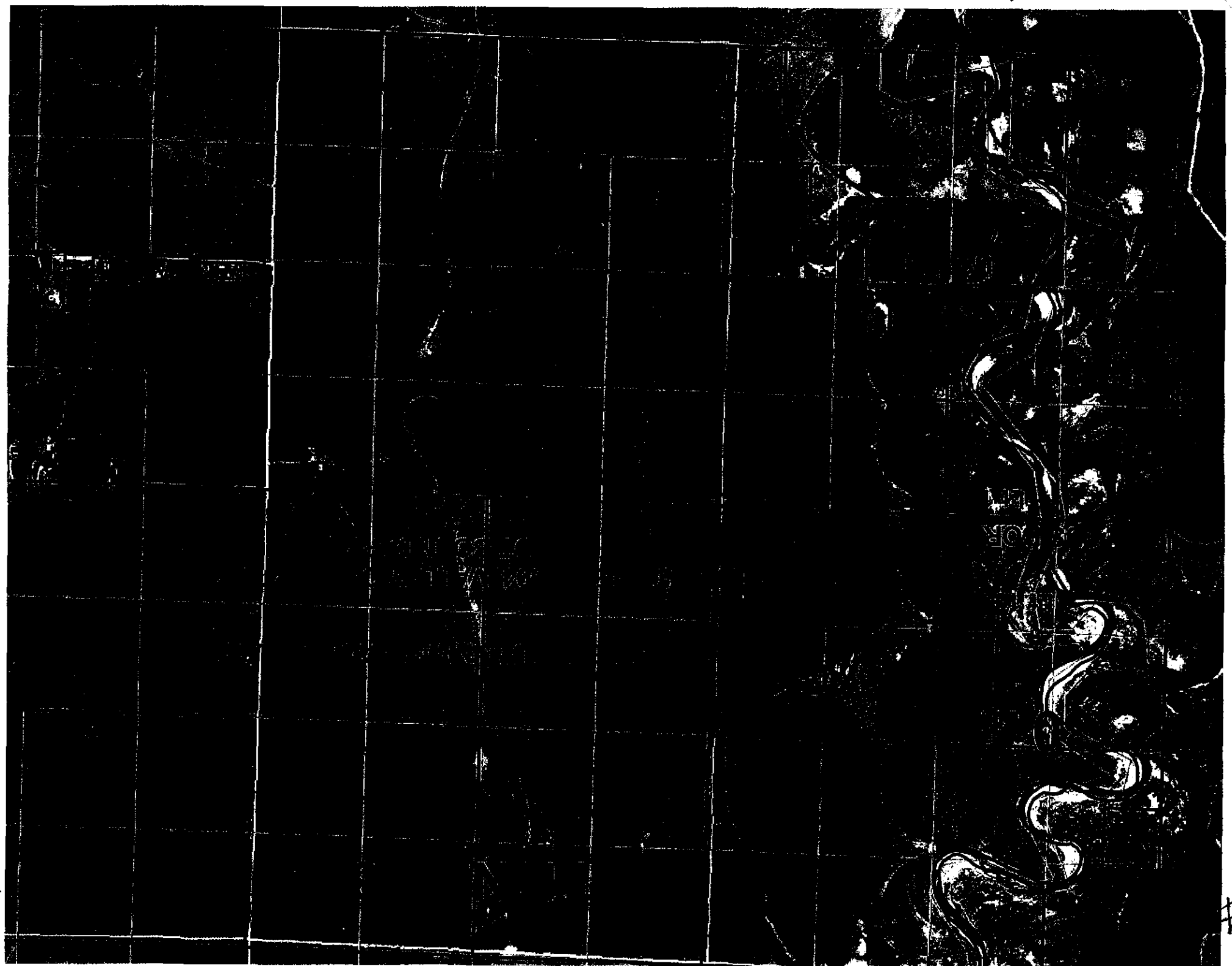


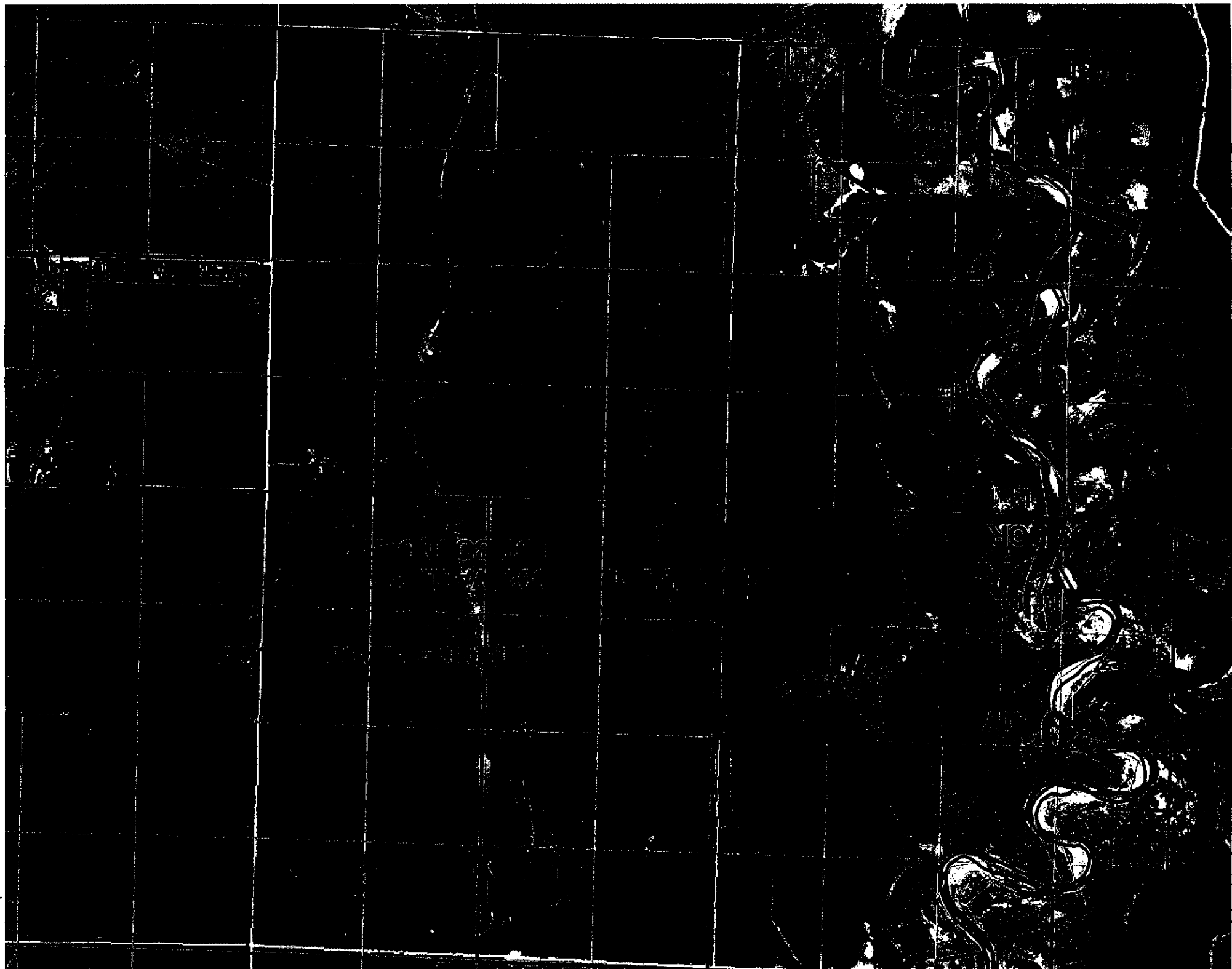
Notary Public
Residing at: CASCADE, IDAHO
Commission Expires:
7-20-2004





#





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: 65-03204
DATE RECEIVED: 11-1-1988
RECEIPT NO: X99997
RECEIVED BY: GL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: ~~ANNA NISULA~~ Bros.
ADDRESS: ~~P.O. BOX 404~~ 444
~~DONNELLY, ID~~
Emmett

83617
83615

2. DATE OF PRIORITY: NOV 29, 1918

3. SOURCE: LAKE FORK 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	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	03/01	09/15	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 65-2489 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE: 4/07/1986

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. Niska

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

_____, 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

12

DAY

OF

Nov

19

88

Wm. Gene Ruben

NOTARY PUBLIC

SEAL

RESIDING AT

Baie, ID

MY COMMISSION EXPIRES

9-2-1994

65-03204

PAGE

3

DATE: 09/30/88

103

MICROFILMED

SEP 22 1992