

IDAHO DEPARTMENT OF WATER RESOURCES

T17N, R03E, S31



1987 NAPP PHOTO

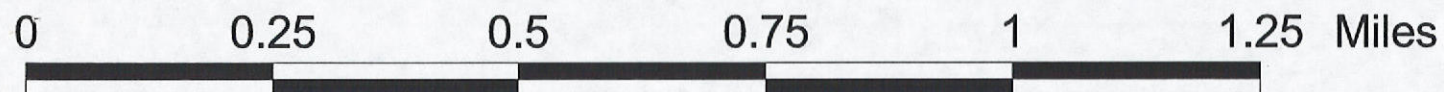
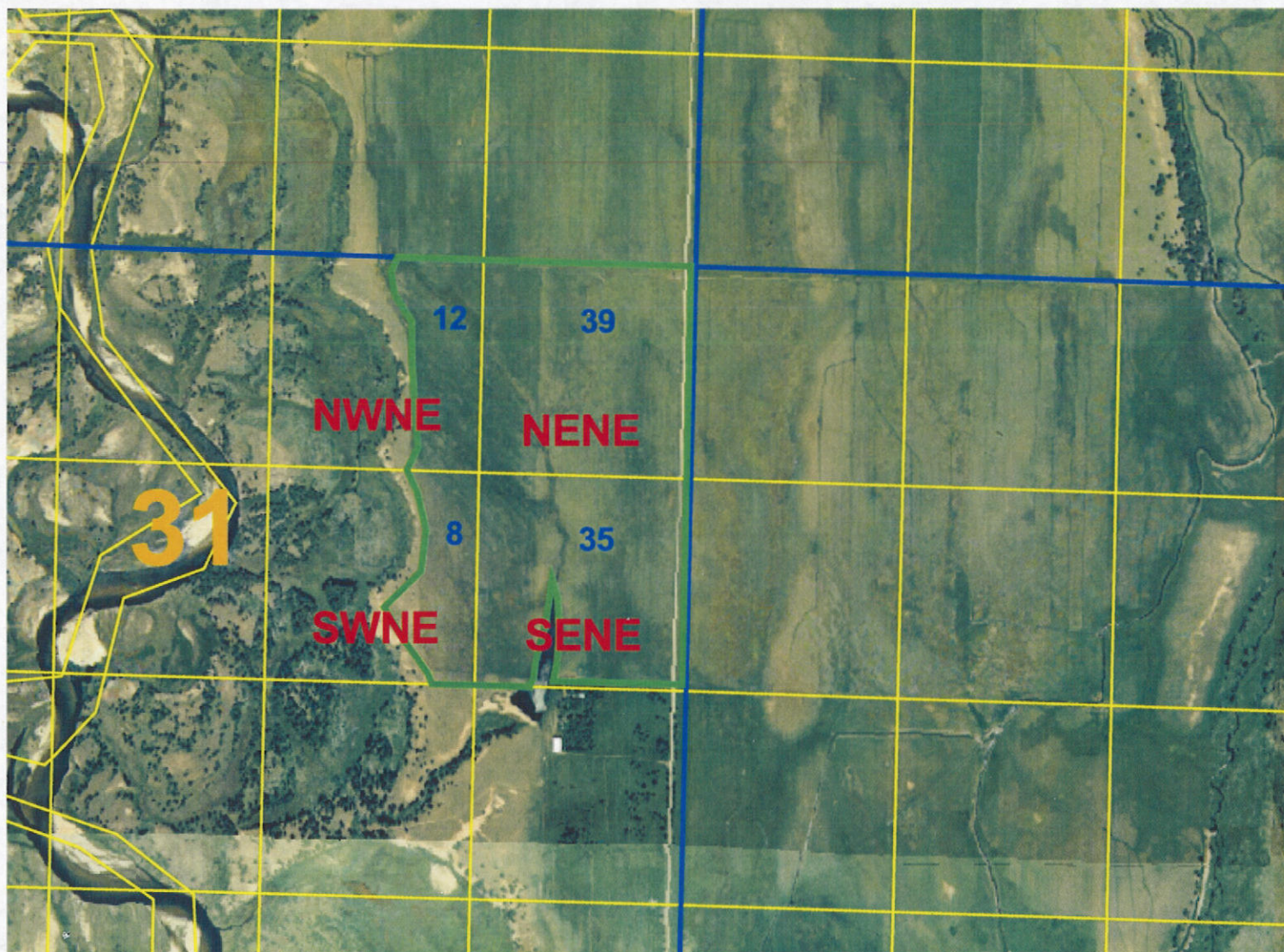
-  POINT OF DIVERSION
-  PLACE OF USE
-  1/4 1/4 LINES
-  SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS

CLAIM(S): 65-03212

OWNER(S): NAHAS

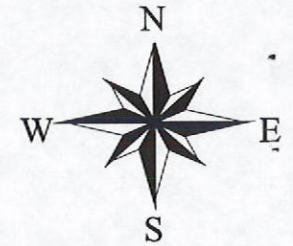
Prepared by Mel Schulte

DATE: DECEMBER 14, 2000

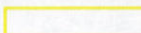


IDAHO DEPARTMENT OF WATER RESOURCES

T17N, R03E, S31



1987 NAPP PHOTO

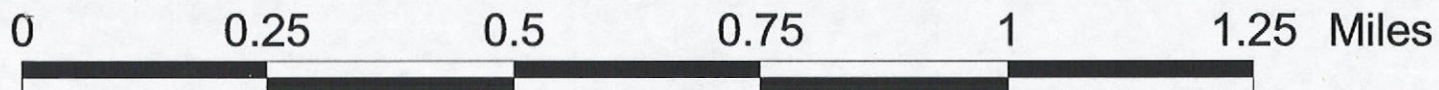
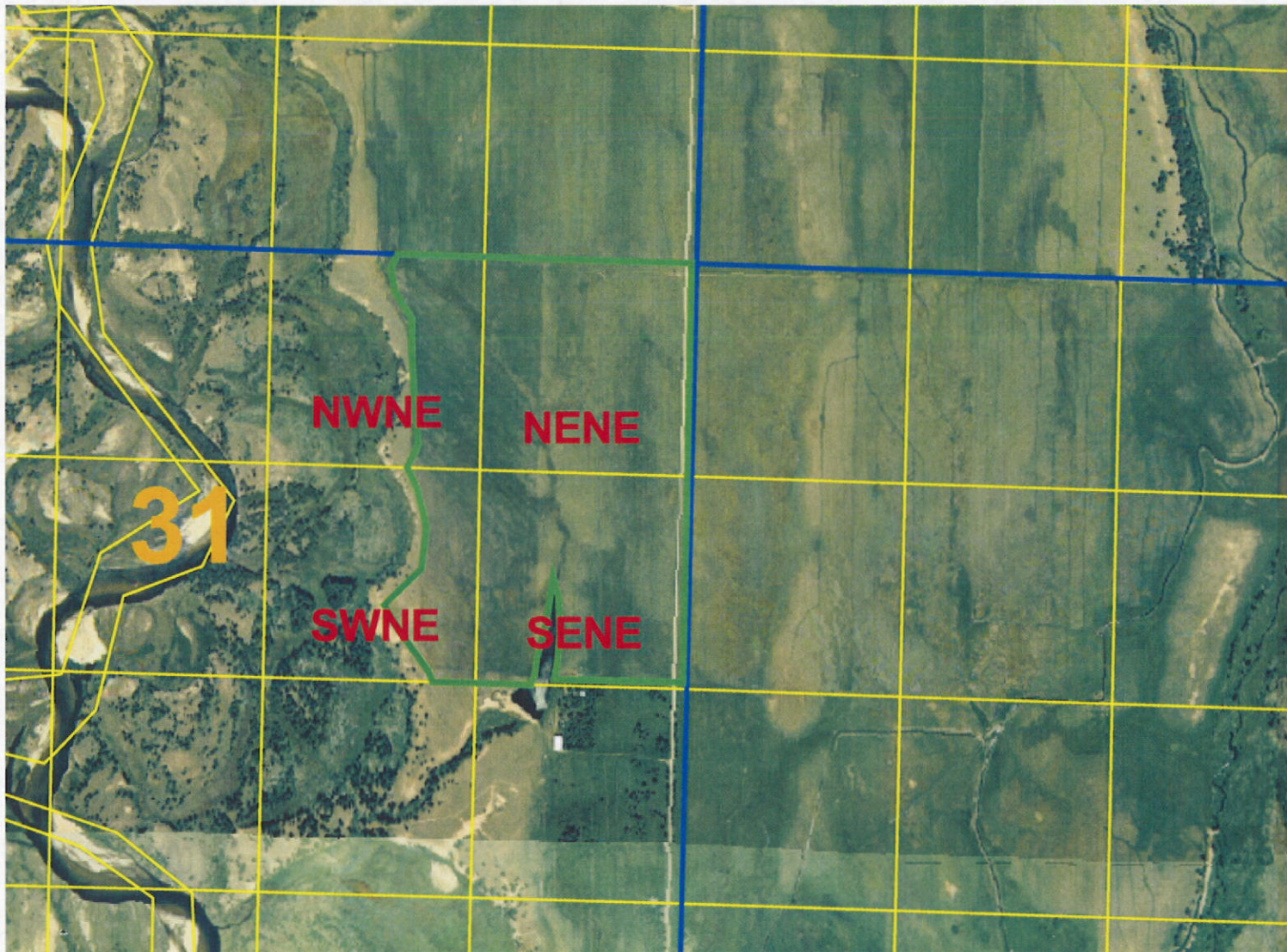
-  POINT OF DIVERSION
-  PLACE OF USE
-  1/4 1/4 LINES
-  SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS

CLAIM(S): 65-03212

OWNER(S): NAHAS

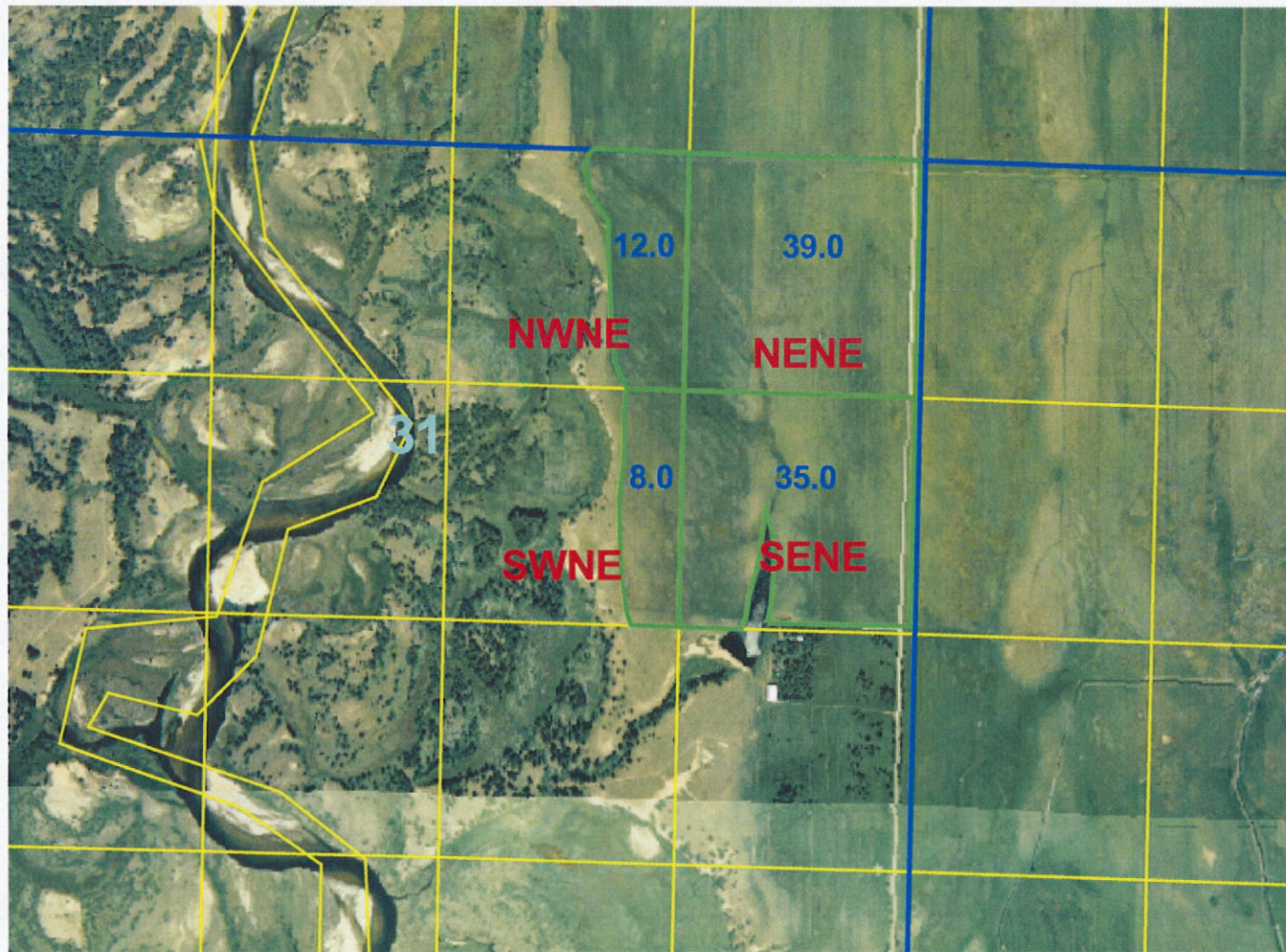
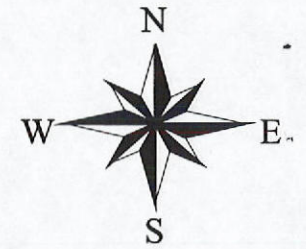
Prepared by Mel Schulte

DATE: DECEMBER 14, 2000



IDAHO DEPARTMENT OF WATER RESOURCES

17N, 03E, S31



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03212

OWNER(S): ELMER NISULA

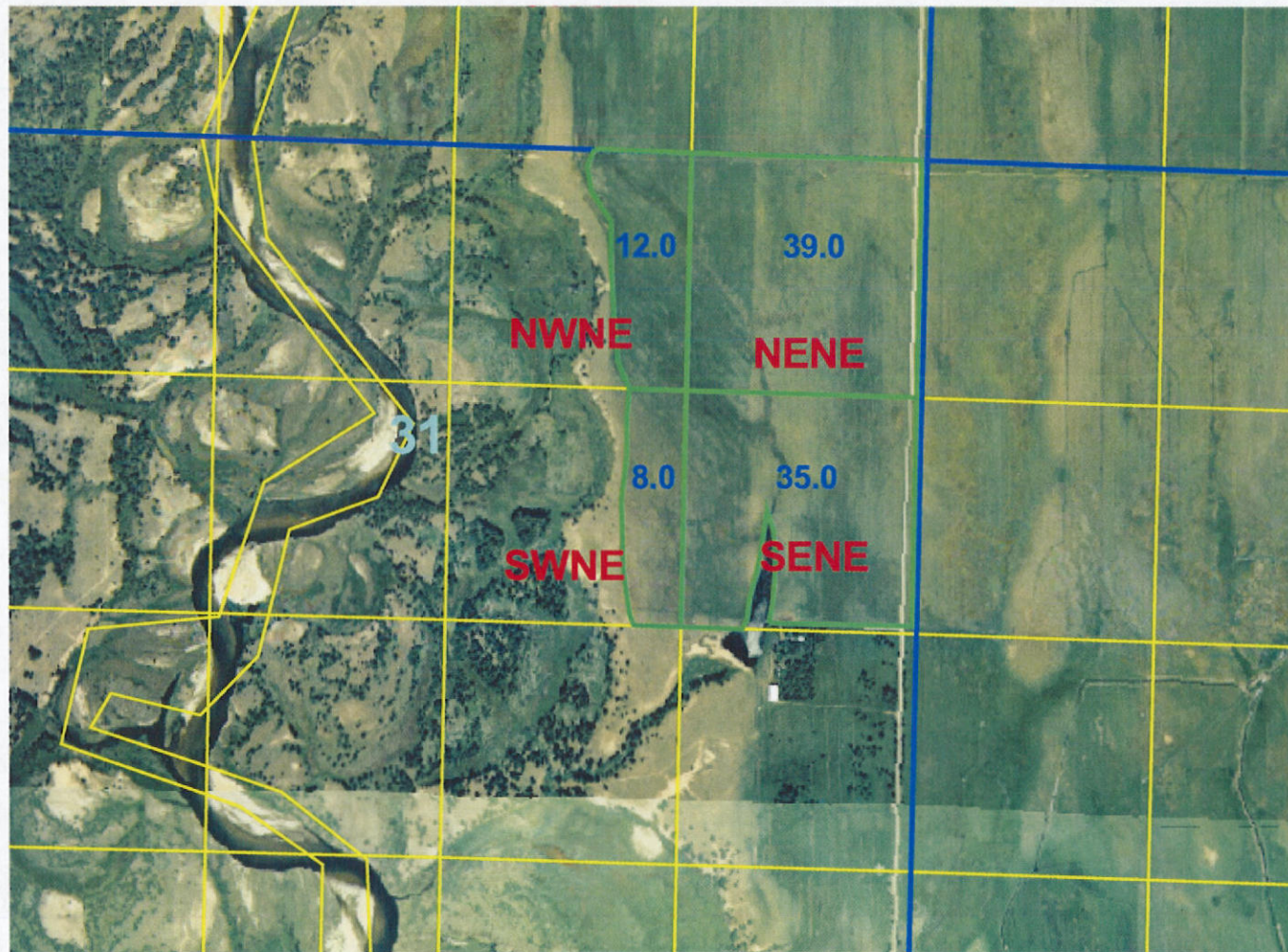
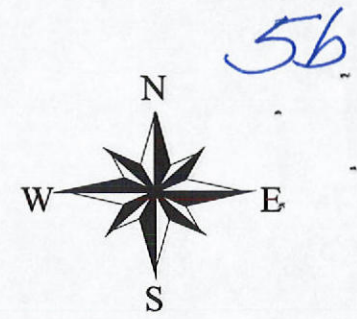
Prepared by Mel Schulte

DATE: MAY 14, 1999



IDAHO DEPARTMENT OF WATER RESOURCES

17N, 03E, S31



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03212

OWNER(S): ELMER NISULA

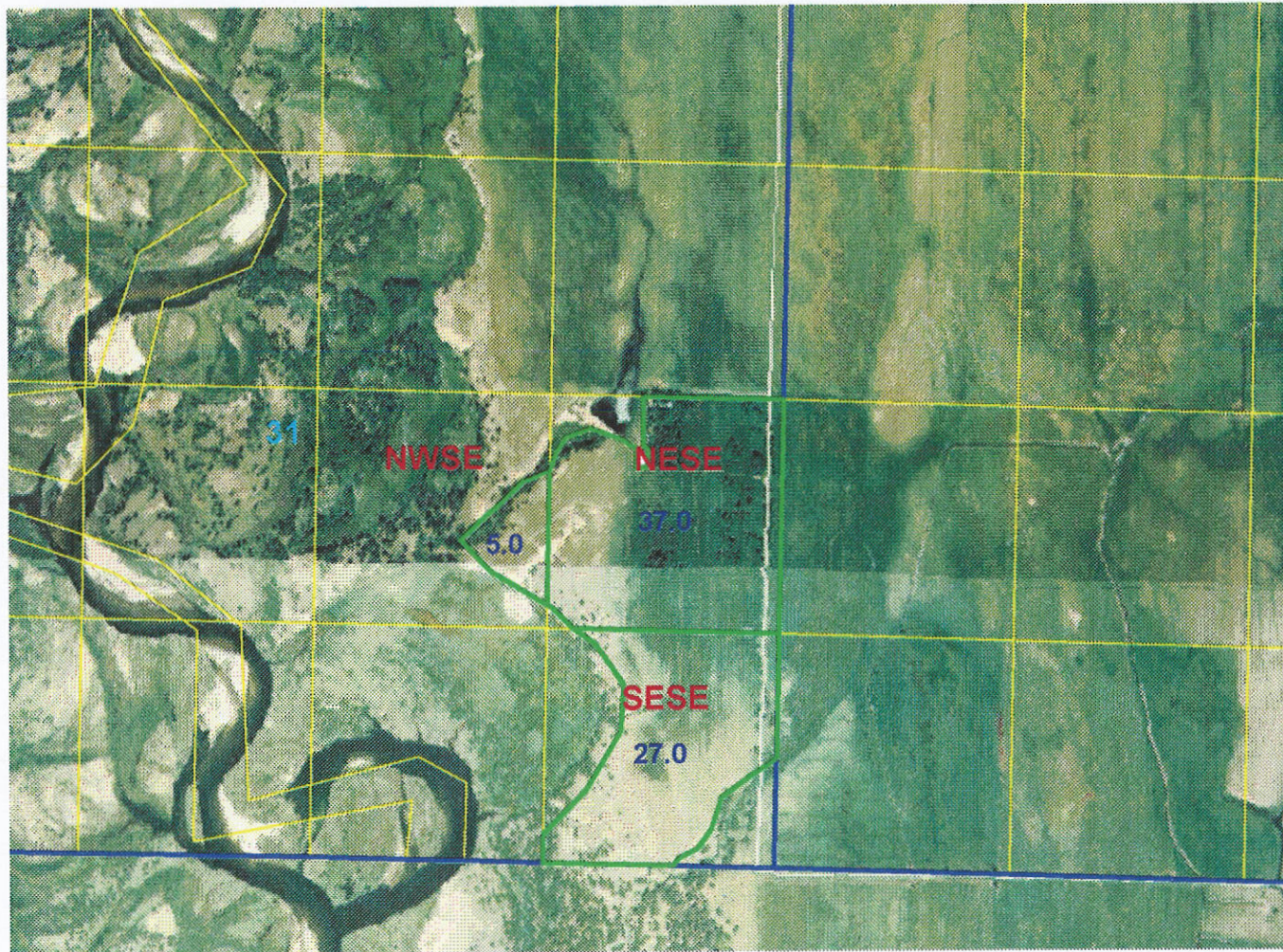
Prepared by Mel Schulte

DATE: MAY 14, 1999



IDAHO DEPARTMENT OF WATER RESOURCES

17N, 03E, S31



1987 NAPP PHOTO

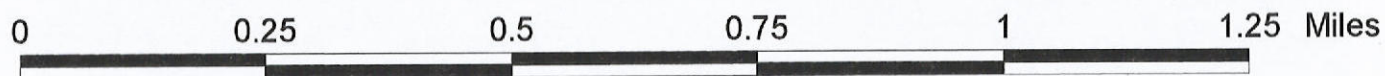
- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS

CLAIM(S): 65-03702

OWNER(S): ELMER NISULA

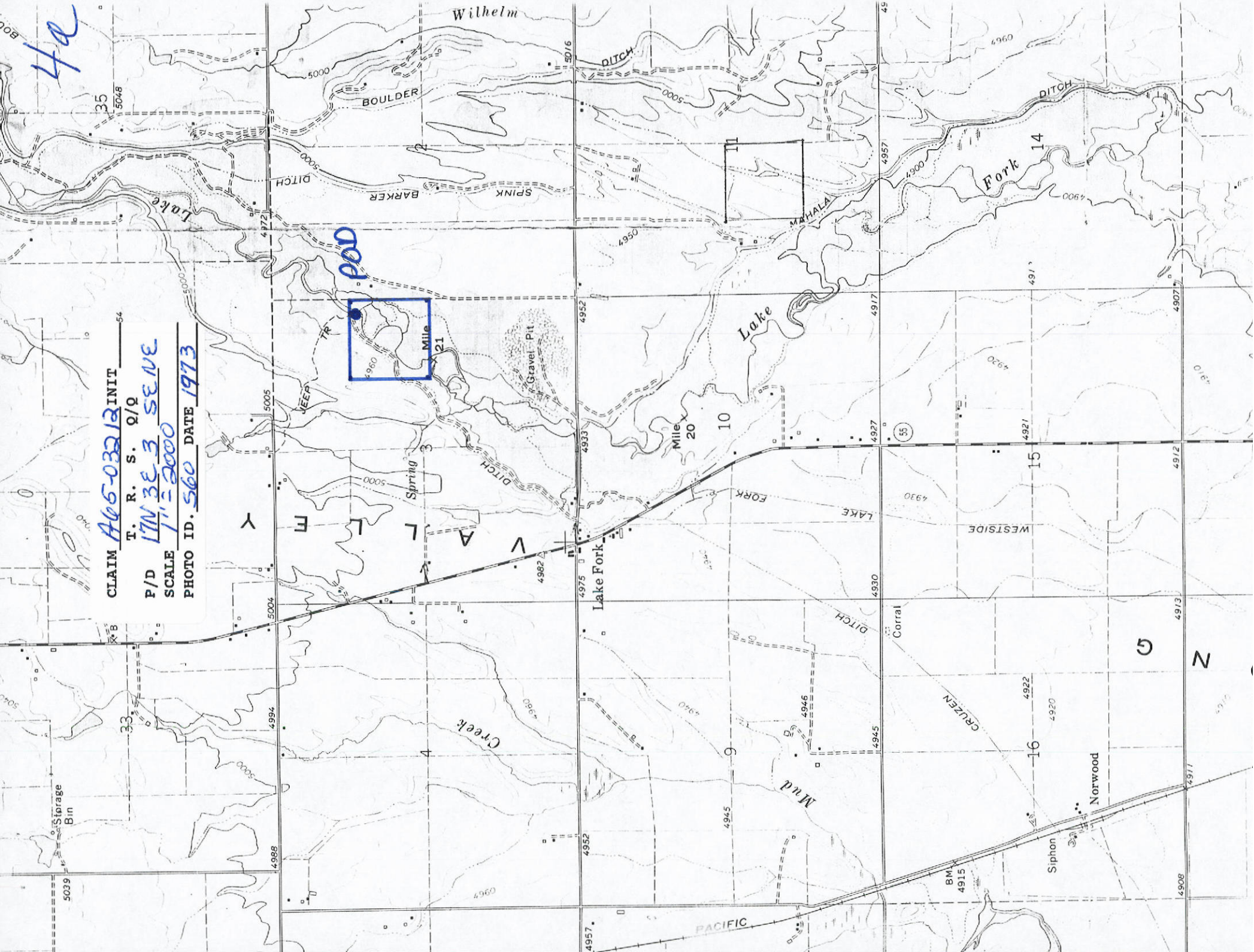
Prepared by Mel Schulte

DATE: MARCH 23, 1999



4a

CLAIM A65-03212 INIT 54
T. R. S. Q/Q
P/D 17N 3E 3 SENE
SCALE 1"=2000
PHOTO ID. 560 DATE 1973



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: A65-03212
Date Received: 11/11/1988
Receipt No: X999999
Received By: DE JAL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELMER J. NISULA
Address: BOX 1145
MCCALL, ID

83638

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	31	NE	NE		IRR	39.0
			NW	NE		IRR	12.0
			SW	NE		IRR	8.0
			SE	NE		IRR	35.0

Section Acres 94.0

A65-03212

Page 1

Date: 12/29/88

MICROFILMED
SEP 22 1992

10. Place of Use: Continued

Total Acres 94.0

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:

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 _____

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 65-03212

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: 2.00 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
DIVERSION RATE OF .02 CFS AT THE FIELD HEADGATE. COMBINED NOS.:
65-02487 & 65-02489.

PRIORITY DATE: 11/29/1918

POINT OF DIVERSION: T17N R03E S03 SENE Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 09-15	2.00 CFS

PLACE OF USE:	Irrigation	Within Valley County
	T17N R03E S31	NENE 39.0 NWNE 12.0 SWNE 8.0 SENE 35.0
	94.0 Acres Total	

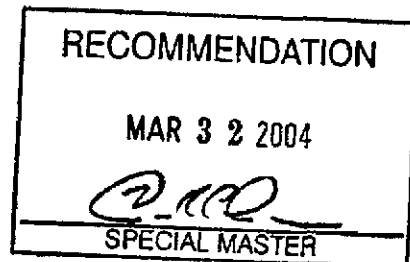
THE IRRIGATION IN THE SWNE, SECTION 31 IS LIMITED TO
IRRIGATION IN THE E1/2 SWNE, SECTION 31.

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

Basin 65 General Provisions No. 3, the Separate Streams
General Provision, does not apply to appropriations of water
after October 18, 1977.

This water right shall be administered as being from a
separate source pursuant to Basin 65 General Provision No. 3.
If the holder of this right seeks to change the right pursuant
to Idaho Code Section 42-222 or successor statute, nothing in
this general provision shall preclude any other person or entity
from demonstrating that such change in use would cause injury to
its water right or from receiving any relief provided by law in
the event of injury.

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. I.C. SECTION 42-1412(6).



2003 DEC 5 PM 4 06

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: 65-03212
	)	
Case No. 39576	)	ORDER RESCINDING PARTIAL DECREE;
	)	I.R.C.P. 60(a) and ORDER OF REFERENCE
	)	TO SPECIAL MASTER CUSHMAN

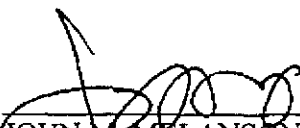
On March 13, 2001, Special Master Cushman entered a *Special Master's Report and Recommendation* for the above water right, and on May 1, 2001, a *Partial Decree* was entered.

This Court has determined that the *Special Master's Report and Recommendation* and the *Partial Decree* were entered in error.

On January 19, 2001, the parties to subcase 65-03212 filed a *Stipulation to Resolve Objection*. The *Stipulation*, however, did not resolve all of the objections to the subcase. As the *Stipulation* stated, the "separate streams general provision in Basin 65 is still outstanding." By the terms of a pending settlement, the general provision is to appear on the face of the *Partial Decree*. Therefore, neither the *Special Master's Report and Recommendation* nor the *Partial Decree* should have been issued until the separate streams general provision issue is settled.

NOW, THEREFORE, IT IS ORDERED that the *Partial Decree* issued for water right 65-03212 be rescinded. The subcase is remanded back to Special Master Cushman for further action on the separate streams general provision.

DATED December 3rd, 2003.


JOHN M. MELANSON
Residing Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING
ASIDE PARTIAL DECREE AND ORDER FO REFERENCE TO SPECIAL MASTER
CUSHMA was mailed on December , 2003, with sufficient first-class
postage to the following:

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR

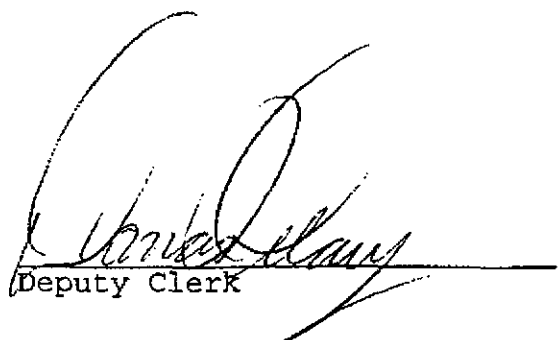
PO BOX 83720
BOISE, ID 83720-0098

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

ORDER

Page 2 11/24/03

FILE COPY FOR 00465


Deputy Clerk

12/19/2000

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

RIGHT NUMBER: 65-3212

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

SOURCE: LAKE FORK CREEK 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
NOS.: 65-02487 & 65-02489

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 S31	NENE	39	T17N R03E S31 NWNE 12
T17N R03E S31	SWNE	8	T17N R03E S31 SENE 35

94 ACRES TOTAL

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

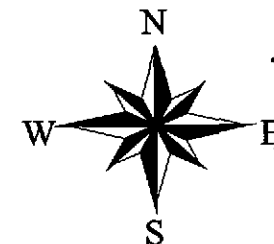
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

T17N, R03E, S31



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03212

OWNER(S): NAHAS

Prepared by Mel Schulte

DATE: DECEMBER 14, 2000



IDAHO DEPARTMENT OF WATER RESOURCES

T17N, R03E, S31



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03212

OWNER(S): NAHAS

Prepared by Mel Schulte

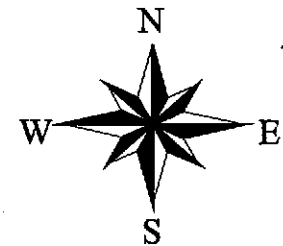
DATE: DECEMBER 14, 2000



0 0.25 0.5 0.75 1 1.25 Miles

A horizontal scale bar with alternating black and white segments. The segments are labeled with the values 0, 0.25, 0.5, 0.75, 1, and 1.25 Miles.

IDAHO DEPARTMENT OF WATER RESOURCES
17N, 03E, S31



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS



CLAIM(S): 65-03212

OWNER(S): ELMER NISULA

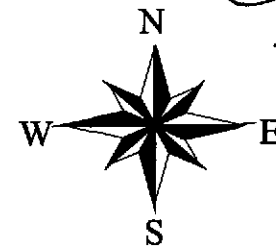
Prepared by Mel Schulte

DATE: MAY 14, 1999



IDAHO DEPARTMENT OF WATER RESOURCES

17N, 03E, S31



1987 NAPP PHOTO

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

CLAIM(S): 65-03212

OWNER(S): ELMER NISULA

Prepared by Mel Schulte

DATE: MAY 14, 1999



ALAN G. LANCE
Attorney General
State of Idaho

NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098
Telephone: (208)327-7930
Fax: (208)327-5400
Idaho State Bar # 2911

Attorneys for IDWR

**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: 65-03212
	)	
Case No. 39576	)	STIPULATION TO RESOLVE
	)	OBJECTION
	)	
_____	)	

This form is used to report the stipulated elements of one water right acquired under state law. The claimant, objector, and IDWR agree and stipulate that the elements of this water right should be described per the attached. The claimant, objector, and IDWR have further indicated their concurrence by initialing each of the attached pages. The objection filed by the USDI – Bureau of Reclamation to the separate streams general provision in Basin 65 is still outstanding.

CLAIMANT:
Ronald Nahas Family Trust
Mary Nahas Family Trust

OBJECTOR:
USDI – Bureau of Reclamation

Trustee Date

Attorney, U.S. Dept. of Justice Date

Subcase 65-03212 - Stipulation to Resolve Objection

IDWR Concurrence:

Attorney for IDWR (as to form):

Agent

Date

Nicholas B. Spencer

Date

CERTIFICATE OF MAILING

I certify that on _____, 2000, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

Idaho Department of Water Resources
Adjudication Bureau
PO Box 83720
Boise, ID 83720

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

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

Signature of person mailing the form

12/22/2000

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

RIGHT NUMBER: 65-3212

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 NOS.: 65-
02487 & 65-02489.

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 S31	NENE	39	T17N R03E S31	NWNE	12
T17N R03E S31	SWNE	8	T17N R03E S31	SENE	35

94 ACRES TOTAL

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

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY

DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RECEIVED

DEC 05 2000

Department of Water Resources

200 DEC -4 PM 12: 53

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

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

In Re SRBA	)	Subcases: 65 - 02487, 65-02489, 65-03212
	)	and 65-03702
	)	
	)	ORDER SETTING STATUS
Case No. 39576	)	CONFERENCE, ORDER SETTING
	)	DEADLINE and ORDER REQUIRING
	)	CONTACT

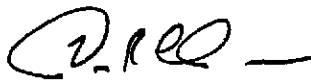
An Initial Hearing was held on the 30th day of November, 2000, at the Gem County Courthouse in Emmett, Idaho. Ronald Nahas appeared pro se, David Gehlert appeared for the Department of Reclamation and Candace McHugh appeared for IDWR. The District Court was informed that the new owner in subcase 65-03702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

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

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

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

DATED December 4, 2000.



THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

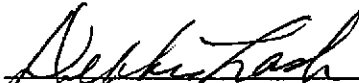
I certify that a true and correct copy of **ORDER SETTING STATUS CONFERENCE, ORDER SETTING DEADLINE and ORDER REQUIRING CONTACT** was mailed on December 4, 2000, with sufficient first-class postage prepaid to the following:

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

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

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

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


Deputy Clerk



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 13, 2000

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

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

Dear Property Owners:

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

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

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

Sincerely,

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

**Denise Buffington
Office Specialist I
Adjudication Section
Western Region**

DB:db

Enclosures

cc: Nisula Bros., Elmer J Nisula

RECEIVED

APR 14 2000

Department of Water Resources

RECEIVED

APR 25 2000

WATER RESOURCES
WESTERN REGION

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

In Re SRBA)

Case No. 39576)

A. Subcase: 65-03212
(insert water right number)

STANDARD FORM 1
OBJECTION

*Add remark P
Dir. is only in E 1/2 SE 1/4,
S31.*

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting thru the Department of Interior
Bureau of Reclamation

Address: 1150 N. Curtis Rd
Boise, ID 83706-1234

Daytime Phone: (208) 334-1464 (Irene Collins)

Name & Address of Attorney, if any:

Paul F. Holleman

United States Department of Justice

Environment and Natural Resource Division

General Litigation Section

550 West Fort Street, MSC 033

Boise, ID 83724

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

Name: Elmer J Nisula

Address: PQ Box 1145
McCall ID 83638

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

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: T17N R03E S31 E½SWNE

I object because:

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

E. **REASONS SUPPORTING OBJECTION(S):**

The U.S. of A. purchased the W½SWNE, T 17N R03E S31. See attached Warranty Deed No. 66 (4r-533), dated 6 Dec 1941.

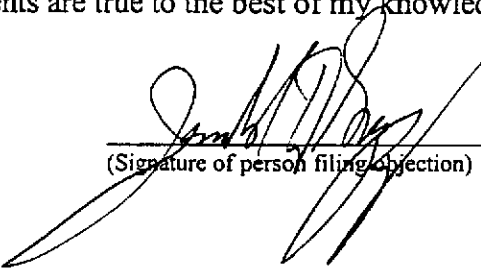
F. VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

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

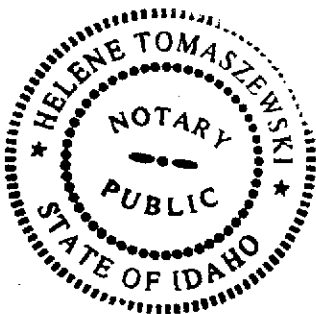
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and

(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 13, 2000



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

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

I, 13,
I certify that on April, 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

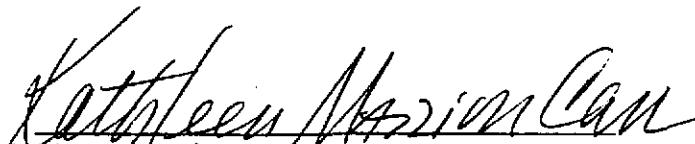
Name: Nisula Bros
Address: PO Box 444
Emmett ID 83617

3. Copies to:

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

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

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


Signature of Objector or attorney
mailing on Objector's behalf

STATE OF WASHINGTON

County of Spokane

On this 6th day of December, 1941, before me

a Notary Public for the State of Washington, personally appeared
S.C. Fish & Jos. J. Davey

I, the President and the Vice

corporation that executed the within and foregoing instrument
and acknowledged the said instrument to be the free and voluntary
act and deed of said corporation, for the uses and purposes therein
mentioned, and on oath stated that they were authorized to execute
the said instrument, and that the seal affixed is the corporate
seal of said corporation.

In Witness Whereof, I have hereunto set my hand and affixed my
official seal the day and year in this certificate first above written.

Notary Public in and for the State of Washington

(Seal) Washington

My commission expires the 12th day of August, 1942.

County of Ada

On this 6th day of December, 1941, before me
a Notary Public for the State of Washington, personally appeared
Mildred Campbell, known to me to be the person whose name is subscribed to
the within instrument, and acknowledged to me that he executed the same.
My commission expires the 12th day of August, 1942.

Notary Public in and for the State of Washington

My commission expires the 12th day of August, 1942.

County of Ada

On this 6th day of December, 1941, before me

AJ0749NP
No. R65-03212

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

DATE: 09/03/99
PAGE: 1

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=====
OWNER      PRIORITY      USE PERIOD      DIVERSION      DIVERSION
CODE       NAME & ADDRESS  DATE            WATER USE      FROM   TO      RATE      VOLUME
-----
C  ELMER J NISULA      11/29/1918  IRRIGATION      05-01  09-15      2.000 CFS
   PO BOX 1145
   MCCALL ID 83638
                                     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
      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 31 :      39      12      08      35 :      :      :      :      :      :      :      :      :      :
                                     TOTAL ACRES      94.0
=====
```

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 NOS.:
65-02487 & 65-02489.

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 FROM THE SAME POINT OF
DIVERSION AS THIS RIGHT, TOO MANY TO LIST IN EXPLANATORY
REMARK F06.

Date: 05/17/1999 User-ID: MSCHULTE Subject: DELIVERY LOSS
A PORTION OF THE DIVERSION RATE FOR THIS RIGHT IS FOR DELIVERY
LOSS AS DECREED IN THE PAYETTE RIVER ADJUDICATION.

Audit: 09/03/99 MSCHULTE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED



RECEIVED
OCT 22 1999
WATER RESOURCES
WESTERN REGION

NISU145 836382006 1N 04 10/12/99
RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

65-03702
03212

ELMER J NISULA
~~PO BOX 1145~~
MC CALL

ID 83638

WRONG
P.O. Box

①



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 29, 1999

Dear Water Right Claimant(s):

The Idaho Department of Water Resources (IDWR) has completed its initial investigation of your water right claim(s) in the Snake River Basin Adjudication (SRBA). We have enclosed a print-out showing our preliminary recommendation regarding how your water right should be reported to the SRBA District Court.

Please review the preliminary recommendation carefully. If there is any information on the print-out you believe is inaccurate, please fill out the enclosed reply indicating what changes you believe should be made. Further instructions to assist you with the review are enclosed. For water rights with an irrigation water use, a Geographic Information System (GIS) computerized image of the place of use for your water right is also enclosed.

You may return this reply in person to us at a public meeting IDWR will be conducting in your area. **The meeting will be held on Wednesday, October 13, 1999, at 7:00 p.m. in the Senior Citizen Center, 409 School Road, Cascade.** Please come to the public meeting, where you will have an opportunity to find out more about the SRBA process and speak with a department staff member should you have questions regarding your water right. Please bring any and all information you have which will help the Department understand your water rights and describe them accurately.

This process is intended to ensure IDWR recommends your water right accurately to the SRBA District Court. This is the easiest and least costly means for you to identify corrections you believe should be made to our recommendation. Completion of this process is an important step toward the overall success of the adjudication in Idaho. Your participation is necessary so that accurate information is provided to the SRBA District Court.

We look forward to hearing from you.

Sincerely,

Karl J. Dreher
Director

Enclosures

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

Dear Water Right Claimant:

To help you with your water right claim(s) in the Snake River Basin Adjudication, this letter of explanation is being sent to you along with information sent by the Idaho Department of Water Resources (IDWR). Included are the following important documents which I ask you to please read carefully because they give you the opportunity to save a great deal of time and money:

1. **Preliminary Recommendation.** This is IDWR's *initial* finding and conclusion about your water right and how it should be reported to the SRBA Court. This preliminary recommendation is not filed with the court, but is provided to you to help correct errors or resolve any disagreement you may have over its content. This document has been prepared following IDWR's investigation and may be different than the claim(s) you actually filed.

Therefore, please review this preliminary recommendation carefully to find any errors or disagreements you have with IDWR's findings.

2. **Error Correction/Settlement Process.** This preliminary recommendation is a special service provided to you by IDWR to help you correct errors and resolve any other disagreement you have before the actual recommendations are ultimately filed with the court.

A description of how to work with IDWR is included. Our experience in the SRBA shows that by working in cooperation with IDWR most errors and differences can be addressed before coming into court. It's well worth your time to take full advantage of IDWR's helpful service. If your disagreement cannot be resolved, you will be able to file an objection to IDWR's actual recommendation when it is filed in court and have the final decision made by the Presiding Judge.

This error correction service is an important opportunity for you to work together with IDWR to make sure your water right claim(s) are decreed accurately. There is no cost to you other than your time reviewing the preliminary recommendation and talking to IDWR about any problem you see. Of course, you may always employ the services of an attorney if you wish.

The goal of the SRBA is to see that your water right(s) are decreed by the court as accurately and fairly as possible. It is important to me that this is done efficiently in order to reduce your costs and present you with your decree.

I strongly encourage you to take full advantage of this opportunity to use the fine and courteous service provided by IDWR.

Sincerely yours,

Barry Wood

Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

September 29, 1999

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 29, 1999

Water right number: 65-03702

ELMER J NISULA
PO BOX 1145
MC CALL ID 83638

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

____ I AGREE with this proposed recommendation; no changes need to be made.

DATE: _____ SIGNATURE: _____
Please print your name: _____

IDWR Western Regional Office, 2735 Airport Way, Boise, ID 83705-5082, (208) 334-2190

AJ5853NP
1391

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

DATE: September 29, 1999
PAGE: 1

RIGHT NUMBER: 65-03702

NAME AND ADDRESS: ELMER J NISULA
PO BOX 1145
MC CALL ID 83638

SOURCE: MUD CREEK TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 1.38 CFS

PRIORITY-DATE: 11/17/1947

POINT OF DIVERSION T17N R03E S17 NESE Within VALLEY County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-15 10-15	1.38 CFS

PLACE OF USE: IRRIGATION Within VALLEY County
 T17N R03E S31 NESE 37 NWSE 5 SESE 27
 69 ACRES TOTAL

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

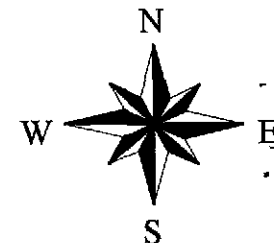
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-02488, 65-02483, 65-02542, 65-02198
65-02489 & 65-02487.

IDAHO DEPARTMENT OF WATER RESOURCES

17N, 03E, S31



1987 NAPP PHOTO

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



CLAIM(S): 65-03702

OWNER(S): ELMER NISULA

Prepared by Mel Schulte

DATE: MARCH 23, 1999



AJ0749NP
No. R65-03212

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

DATE: 05/17/99
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELMER J NISULA BOX 1145 MCCALL ID 83638	11/29/1918	IRRIGATION	05-01 09-15	2.00 CFS	
					TOTAL DIVERSION:	2.00 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
17N	03E	31	: 39 12 08 35	:	:	: 94.0
TOTAL ACRES						94.0

POU County: VALLEY

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.88CFS. COMBINED RIGHT NOS.
65-02487 & 65-02489.

Dates: Exam Made Date: Verified Date: 05/17/1999 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 FROM THE SAME POINT OF
DIVERSION AS THIS RIGHT, TOO MANY TO LIST IN EXPLANATORY
REMARK F06.

Date: 05/17/1999 User-ID: MSCHULTE Subject: CONVEYANCE LOSS
A PORTION OF THE DIVERSION RATE FOR THIS RIGHT IS FOR CONVEYANCE
LOSS AS DECREED IN THE PAYETTE RIVER ADJUDICATION.

Audit: 05/17/99 MSCHULTE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:51:02
05/14/99
33

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A65-03212

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																																																																																								
C	ELMER J NISULA	11/29/1918	IRRIGATION	05-01 09-15	2.00 CFS																																																																																																																																																									
					TOTAL DIVERSION:	2.00 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																																																																																																																																																														
<table border="0"> <tr> <td colspan="4"></td> <td>NE</td> <td colspan="4"></td> <td>NW</td> <td colspan="4"></td> <td>SW</td> <td colspan="4"></td> <td>SE</td> <td colspan="4"></td> </tr> <tr> <td colspan="2"></td> <td>NENE</td> <td>NWNE</td> <td>SWNE</td> <td>SENE</td> <td>:</td> <td>NENW</td> <td>NWNW</td> <td>SWNW</td> <td>SENW</td> <td>:</td> <td>NESW</td> <td>NWSW</td> <td>SWSW</td> <td>SESW</td> <td>:</td> <td>NESE</td> <td>NWSE</td> <td>SWSE</td> <td>SESE</td> <td>:</td> <td colspan="2"></td> </tr> <tr> <td>T</td> <td>R S</td> <td>: Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>:</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>:</td> <td>SUM</td> </tr> <tr> <td colspan="25">-----</td> </tr> <tr> <td>17N</td> <td>03E 31</td> <td>:</td> <td>39</td> <td></td> <td>12</td> <td></td> <td>08</td> <td></td> <td>35</td> <td>:</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>:</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>:</td> <td>94.0</td> </tr> <tr> <td colspan="23"></td> <td>TOTAL ACRES</td> <td>94.0</td> </tr> </table>											NE					NW					SW					SE							NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:			T	R S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	-----																									17N	03E 31	:	39		12		08		35	:						:									:	94.0																								TOTAL ACRES	94.0
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POU County: VALLEY

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

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

Presumption Flag:

WR5809NP
No. 65-03212

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/23/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRANK NISULA P.O. BOX 642 DONNELLY ID 83615	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		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
---	---	---	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	---
17N	03E	31	:	39		12		08		35		:		:					:						:	94.0
																							TOTAL ACRES		94.0	

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	65-03199	65-03200	65-03201	65-03202A	65-03202X	65-03203	65-03204
65-03205	65-03206	65-03207	65-03209	65-03210	65-03211	65-03213	65-03214	65-03215	65-03216
65-03219A	65-03219X								

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

65-02487 65-02489

Dates:	App. Received:	Priority Date:	11/29/1918
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

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

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

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>
~~orthophoto~~ ☒ GIS map	DATE OF PHOTO <u>~~3-24-99~~ (1987)</u> IDWR ID NO. _____	Y(☒) N() <u>5b</u>
() ASCS AERIAL PHOTO	DATE OF PHOTO <u>5-14-89</u> _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER <u>GIS Table</u>	DATE <u>~~3-24-99~~</u> _____	Y(☒) N() <u>5a</u>
() OTHER _____	DATE <u>5-14-99</u> _____	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> _____	<u>1</u>	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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03/10/99

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QUICKLOOK INFORMATION

189
CLAIM NUMBER: A65-03212

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			MS In office			MS	MS	
POINT OF DIV			3-25-99	N		3-25-99	3-25-99	
SOURCE			5-17-99	N		5-17-99	5-17-99	
PLACE OF USE				N				
DIV. AMOUNT CFS/VOLUME	Y			Y				
CONSUMPTIVE USE				N				
PURPOSES OF USE				NA				
PERIOD OF USE				N				
BASIS OF CLAIM				N				
REMARKS				N				
				Y				

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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GENERAL INFORMATION

175
CLAIM NUMBER: A65-03212

LAST: NISULA
ADDRESS: PO BOX 642
CITY: DONNELLY
PHONE NUMBER: 208-000-0000

FIRST: FRANK
STATE: ID ZIP: 83615

OWNER CODE: O

LAST: NISULA
ADDRESS: BOX 1145
CITY: MCCALL
PHONE NUMBER: 208-000-0000

FIRST: ELMER J
STATE: ID ZIP: 83638

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

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: # A65-03212 PRIORITY DATE: 11-29-1918 STAGE: D
- B. WR RECORD: # 65-03212 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.

=====

RECOMMENDED PRIORITY DATE:

11-29-1918
REVIEWED BY *Mel Schulte*

5-17-99
DATE *3-25-99*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-03212	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
65-03212	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)

NOTES: Recommended as decreed in The PRBA.

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

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

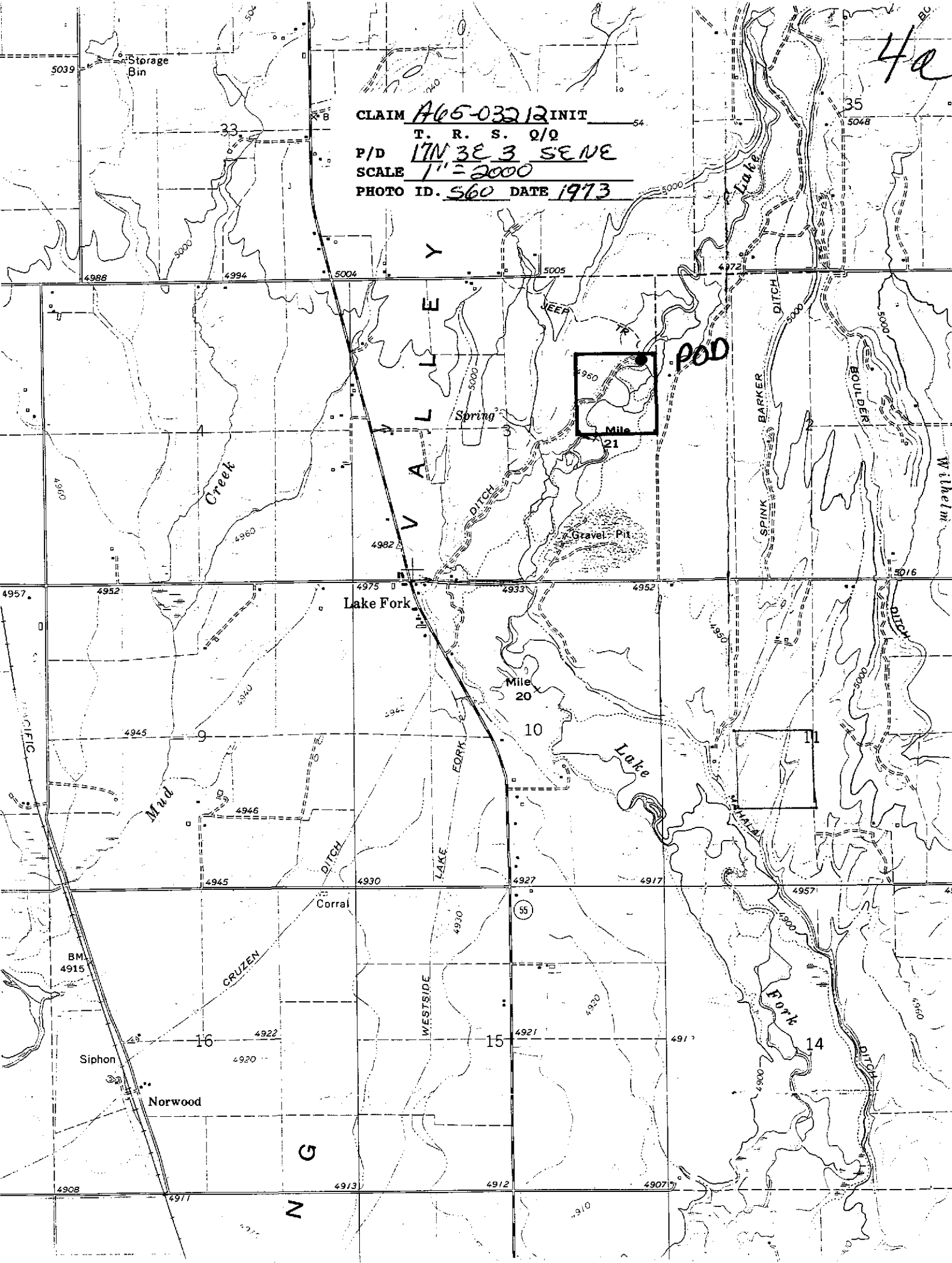
SOURCE: LAKE FORK CREEK

TRIB: PAYETTE RIVER, NORTH FORK

REVIEWED BY: Mike Schulte DATE: 5-17-99

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

PHOTO ID. 560 DATE 1973



A. ROOT WATER RIGHT NUMBERS: A65-03212
R65-03212

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
17N	03E	31	NE	NE		NISULA, ELMER J	A65-03212 / 39.0	65-03212 / 39.0	37.0		
			NE	NE		NISULA BROS	A65-02487 / 32.0	65-02487 / 32.0			
			NE	NE		NISULA BROS	A65-02489 / 8.0	65-02489 / 8.0			
			NE	NE		NISULA BROS	R65-02198 / 39.0	- /			
			NE	NE		NISULA BROS	R65-02487 / 39.0	- /			
			NE	NE		NISULA BROS	R65-02489 / 39.0	- /			
			NE	NE		NISULA BROS	R65-03204 / 39.0	- /			
			NE	NE		NISULA, ELMER J	R65-03212 / 39.0	- /			39
17N	03E	31	NW	NE		NISULA, ELMER J	A65-03212 / 12.0	65-03212 / 12.0	40.0		
			NW	NE		NISULA, ELMER J	A65-03701 /	65-03701 /			
			NW	NE		NISULA BROS	A65-02487 / 12.0	65-02487 / 12.0			
			NW	NE		NISULA BROS	A65-02489 / 28.0	65-02489 / 28.0			
			NW	NE		NISULA, ELMER J	65-03701 /	- /			12
17N	03E	31	SW	NE		NISULA, ELMER J	A65-03212 / 8.0	65-03212 / 8.0	25.0		
			SW	NE		NISULA BROS	A65-02487 / 14.0	65-02487 / 14.0			
			SW	NE		NISULA BROS	A65-02489 / 6.0	65-02489 / 6.0			
			SW	NE		NISULA BROS	R65-02198 / 14.0	- /			
			SW	NE		NISULA BROS	R65-02487 / 14.0	- /			
			SW	NE		NISULA BROS	R65-02489 / 14.0	- /			
			SW	NE		NISULA BROS	R65-03204 / 14.0	- /			
			SW	NE		NISULA, ELMER J	R65-03212 / 14.0	- /			8
17N	03E	31	SE	NE		NISULA, ELMER J	A65-03212 / 35.0	65-03212 / 35.0	33.0		
			SE	NE		NISULA, FRANK S	A65-03705 /	65-03705 /			
			SE	NE		NISULA BROS	A65-02487 / 37.0	65-02487 / 37.0			
			SE	NE		NISULA BROS	A65-02489 / 3.0	65-02489 / 3.0			
			SE	NE		NISULA BROS	R65-02198 / 37.0	- /			
			SE	NE		NISULA BROS	R65-02487 / 37.0	- /			
			SE	NE		NISULA BROS	R65-02489 / 37.0	- /			
			SE	NE		NISULA, ELMER J	R65-03212 / 37.0	- /			
			SE	NE		NISULA, FRANK S	65-03705 /	- /			
			SE	NE		NISULA BROS	R65-03204 / 37.0	- /			35

ADDITIONAL POU FOUND

TOTAL ACRES A65-03212 94.00 94.00 135.00

94

WESTERN REGION

OWNER (S):

Elmer Nisula

CLAIM NUMBERS:

AGS-03212.

AGENT: MEL SCHULTE

DATE 5-17-99.

[illegible]

POLYGON CREATED ON 330

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

ATTRIBUTES OF B65-POU.SHP (725) () () () ()

ATTRIBUTES OF B65-POD.SHP (611) () () () ()

8-3-99 B65-DBPOU.DBF UPDATED BY MTS

8-3-99 B65-DBPOD.DBF UPDATED BY MTS

NOTES :

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
A65-03212	LAKE FORK CREEK	NISULA, ELMER J	2.000	0.021		
A65-02487	MUD CREEK	NISULA BROS	2.800	0.029		
A65-02489	MUD CREEK	NISULA BROS	2.000	0.017		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-03701	DOMESTIC	NISULA, ELMER J	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
65-03701	DOMESTIC	NISULA, ELMER J	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
A65-03705	STOCKWATER	NISULA, FRANK S	FROM 01-01 TO 12-31	0.070 CFS	4.10 AF/A
65-03705	STOCKWATER	NISULA, FRANK S	FROM 01-01 TO 12-31	0.070 CFS	4.10 AF/A

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

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

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. _____;
^{GIS}
() MAP, IDWR NO. _____; () Aerial PHOTO; () OTHER _____

NOTES: Recommended as decreed in the PRBA.

RECOMMENDATIONS:

TOTAL ACRES: 94 N/A ()

REVIEWED BY: Meel Schulte

DATE: 5-17-99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03212 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
65-03212 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:

Period of use of 5-1 to 9-15 does not comply to current standards but is recommended until the standards are reviewed for this area of the state.

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 94 x 0.02 CFS/ACRE = 1.88 CFS
(Taken from pou review)

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

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

NOTES: As decreed in the PRBA but limited when combined with other rights. (See remarks)

* The Payette River Adjudication decreed 1"/acre but also allowed additional water in some rights for conveyance loss. The additional .12 cfs of Sweetwater rate for this right is for conveyance loss.

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	EXAMINER	VOL.	AF/A	USE	EXAMINER
IRRIGATION	05-01	09-15	DATABASE 2.000	_____	DATABASE	_____	DATABASE 0.0	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT			2.000	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: Mel Schulte DATE: 5-17-99
3-25-99

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

~~POU1 - K06, E14~~
QNT - E04, E04

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

Comment - PDD + conveyance loss

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

NA

ROOT WATER RIGHT NUMBER: 65-03212

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
-	A65-03212	2.000	-		65-03212	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:

Mel Schultz

DATE:

5-17-99

3-25-99

NAME OF FIELD EXAMINER:

TITLE:

OPTION: IRRIGATION USES ONLY

ADJUDICATION CLAIM NUMBER: A65-03212

PAGE: 1

A. ROOT WATER RIGHT NUMBERS: A65-03212

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
17N	03E	31	NE	NE		NISULA, ELMER J	A65-03212 /01/39.0	65-03212 /01/39.0	37.0
			NE	NE		NISULA BROS	A65-02487 /01/32.0	65-02487 /01/32.0	
			NE	NE		NISULA BROS	A65-02489 /01/ 8.0	65-02489 /01/ 8.0	
17N	03E	31	NW	NE		NISULA, ELMER J	A65-03212 /01/12.0	65-03212 /01/12.0	40.0
			NW	NE		NISULA BROS	A65-02487 /01/12.0	65-02487 /01/12.0	
			NW	NE		NISULA BROS	A65-02489 /01/28.0	65-02489 /01/28.0	
17N	03E	31	SW	NE		NISULA, ELMER J	A65-03212 /01/ 8.0	65-03212 /01/ 8.0	25.0
			SW	NE		NISULA BROS	A65-02487 /01/14.0	65-02487 /01/14.0	
			SW	NE		NISULA BROS	A65-02489 /01/ 6.0	65-02489 /01/ 6.0	
17N	03E	31	SE	NE		NISULA, ELMER J	A65-03212 /01/35.0	65-03212 /01/35.0	33.0
			SE	NE		NISULA BROS	A65-02487 /01/37.0	65-02487 /01/37.0	
			SE	NE		NISULA BROS	A65-02489 /01/ 3.0	65-02489 /01/ 3.0	
TOTAL ACRES						A65-03212	94.00	94.00	135.00

POU COUNTY: VALLEY

11/13/2000

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

RIGHT NUMBER: 65-3212

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

*See maps
in #
65-03204*

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 NOS.: 65-02487 & 65-02489

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 S31	NENE	39	T17N R03E S31	NWNE	12
T17N R03E S31	SWNE	8	T17N R03E S31	SENE	35

94 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

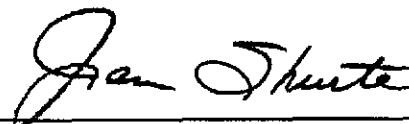
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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)  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

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

Parcel B

3212 2487 2489
All that certain lot, piece or parcel of land, situate in Valley County, Idaho, and shown as the North half of the Northeast quarter; the East half of the Southwest quarter of the Northeast quarter; and the Southeast quarter of the Northeast quarter; all in Section 31, Township 17 North, Range 3 East, Boise Meridian.

Parcel C

All that certain lot, piece or parcel of land, situate in Valley County, Idaho, and shown as the East 20 acres of Lot 7 and the Northeast 10 acres of Lot 10 in Section 30, Township 17 North, Range 3 East, Boise Meridian: TOGETHER WITH a permanent easement to use any non-flooded portion of the following described premises for farming and grazing purposes and as a means of access to water for stock watering purposes over and across the West 21.30 acres of Lot 7 (also described as Lot 7 less the East 20 acres thereof) and Lot 10 less the Northeast 10 acres thereof, all in Section 30, Township 17 North, Range 3 East, Boise Meridian; and Lots 1 and 6 in Section 31, Township 17 North, Range 3 East, Boise Meridian. 3204

RECEIVED

OCT 23 2000

WATER RESOURCES
WESTERN REGION

Instrument # 248735

CASCADE VALLEY, IDAHO

2000-07-31

03:17:06 No. of Pages: 9

Recorded for : AMERITITLE

LELAND G. HEINRICH

Fee: 27.00

Ex-Officio Recorder Deputy

Index to: DEEDS

WARRANTY DEED

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

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

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

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

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

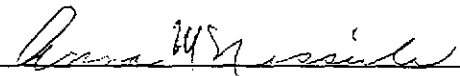
SEE ATTACHED AS EXHIBIT "A"

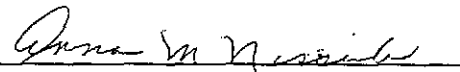
TOGETHER WITH ANY AND ALL WATER AND MINERAL RIGHTS APPERTAINING THERETO.

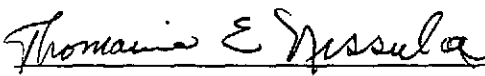
TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the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

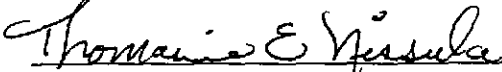
Dated: 5/17/2000

ARTHUR AND ANNA NISSULA TRUST DATED NOVEMBER 27, 1990


ANNAMNISSULA, CO-TRUSTEE


ANNA M. NISSULA, INDIVIDUALLY


THOMASINE E. NISSULA,
SUCCESSOR TRUSTEE


THOMASINE E. NISSULA,
INDIVIDUALLY

State of Idaho)
)ss
County of Valley)

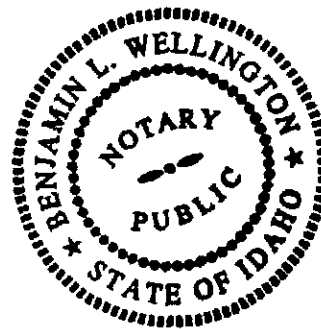
On the 17th day of May, 2000 before me,

Benjamin L. Wellington

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

Benjamin L. Wellington
Notary Public

Cascade, Idaho
Commission Expires:
7-20-2004



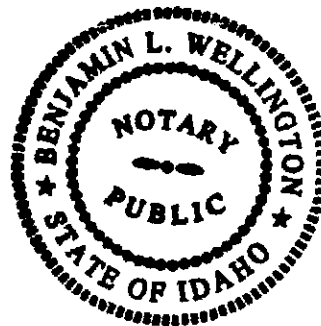
State of Idaho)
)ss
County of Valley)

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

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

Benjamin L. Wellington
Notary Public

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



WARRANTY DEED

For Value Received, EFFIE E. FARRELL, A WIDOW

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

SEE ATTACHED AS EXHIBIT "A"

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

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

Dated: 5/24/2000

Effie E. Farrell
EFFIE E. FARRELL

State of IDAHO)
) ss
County of GEM)

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

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

WARRANTY DEED

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

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

SEE ATTACHED AS EXHIBIT "A"

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

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

Dated:

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

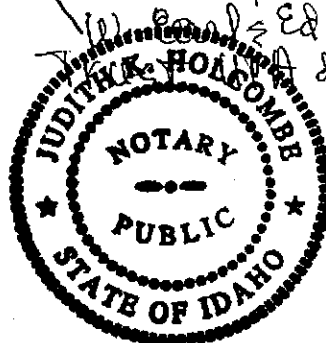
Edna Irene Sivey
EDNA IRENE SIVEY, TRUSTEE

State of Idaho)
County of Ada) ss

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

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

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



WARRANTY DEED

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

SEE ATTACHED AS EXHIBIT "A"

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

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

Dated: 5/17/2000

Rayno G. Nissula
RAYNO G. NISSULA

Phyllis M. Nissula
PHYLLIS NISSULA

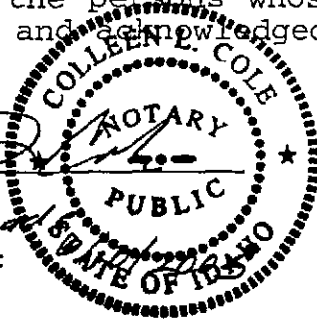
State of IDaho)
County of VALLEY) ss

On the 17th day of May, 2000, before me,
Colleen C. Cole

a notary public in and for said State, personally appeared

Rayno G. Nissula & Phyllis 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
THERETO.

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

Dated: 5/26/2000

BEVERLY A. CHRISTENSEN

5/26/20

State of IDAHO)
) ss
County of PAYETTE)

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

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.

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



WARRANTY DEED

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

SEE ATTACHED AS EXHIBIT "A"

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

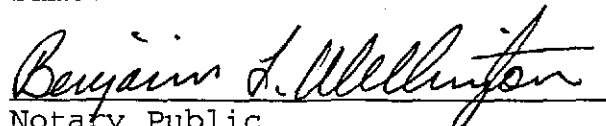
TO HAVE AND TO HOLD the premises with their appurtenances unto
the said Grantees, their heirs and assigns forever. And the said
Grantors do hereby covenant to and with the said Grantees, that
they are the owners in fee simple of said premises that said
premises are free from all encumbrances except the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

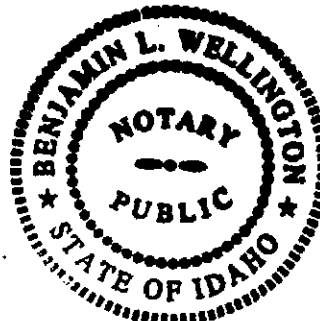
Dated: 5/17/00


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 THE SPATIAL ALLOCATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 6F-03212

DATE RECEIVED: 11-11-88

RECEIPT NO: X 99999

RECEIVED BY: SE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

ELMER J

1. NAME: FRANK NISOLA
ADDRESS: 4.2 BOX 1145
SEANVILLE, ID
MCCALL

SEE 38

2. DATE OF PRIORITY: NOV 29, 1918

3. SOURCE: LAKE FORK CREEK TRIG. 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	S.	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	05/51	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	31	NE	NE		IRR	39.0
			NW	NE		IRR	12.0
			SW	NE		IRR	9.0
			SE	NE		IRR	35.0
SECTION ACRES							94.0

10. PLACE OF USE: CONTIGUOUS

TOTAL ACRES 94.0

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:

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

68-0821

AGE

2

DATE: 09/01/83

107

MICROFILMED

SEP 22 1992

18. SIGNATURE(S)

I/WE, BY SIGNING BELOW, I/AS ACKNOWLEDGE THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND THE FORM ENTITLED "FOR YOU WILL RECEIVE NOTICE IN THE SNAKE RIVER BASIN SUBDIVISION." (S.) I/WE DO NOT WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE SOCKET 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 G. Niska DATE: Nov 1 1988

DATE: -----

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM ----- OF

-----, 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 1st DAY
OF Nov 19 88
Mark Lane Gibson NOTARY PUBLIC

RESIDUAL AT Boise, Id

MY COMMISSION EXPIRES 9-2-1994
DATE: 09/30/88