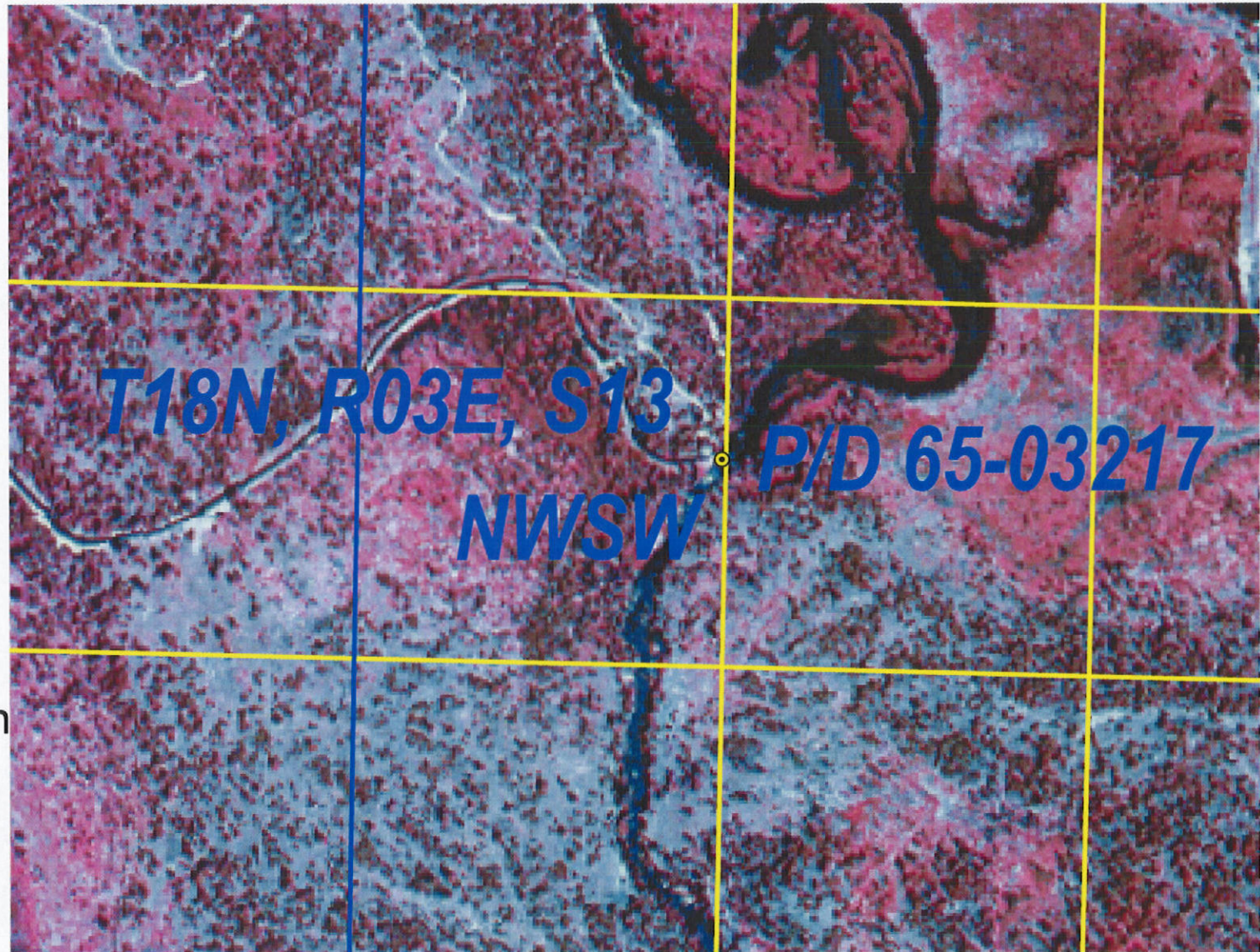


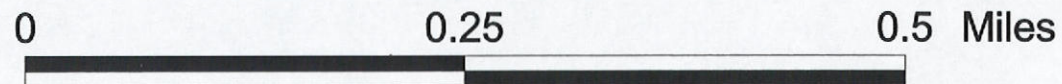
65-03217



Point of Diversion



1987 NAPP



Idaho Department of Water Resources

T18N, R03E
S32

Claims: 65-03217
Owner : NICHOLSON
Prepared by:
Ron Howerton
Date: 26 July 99

 Place of use

 POD

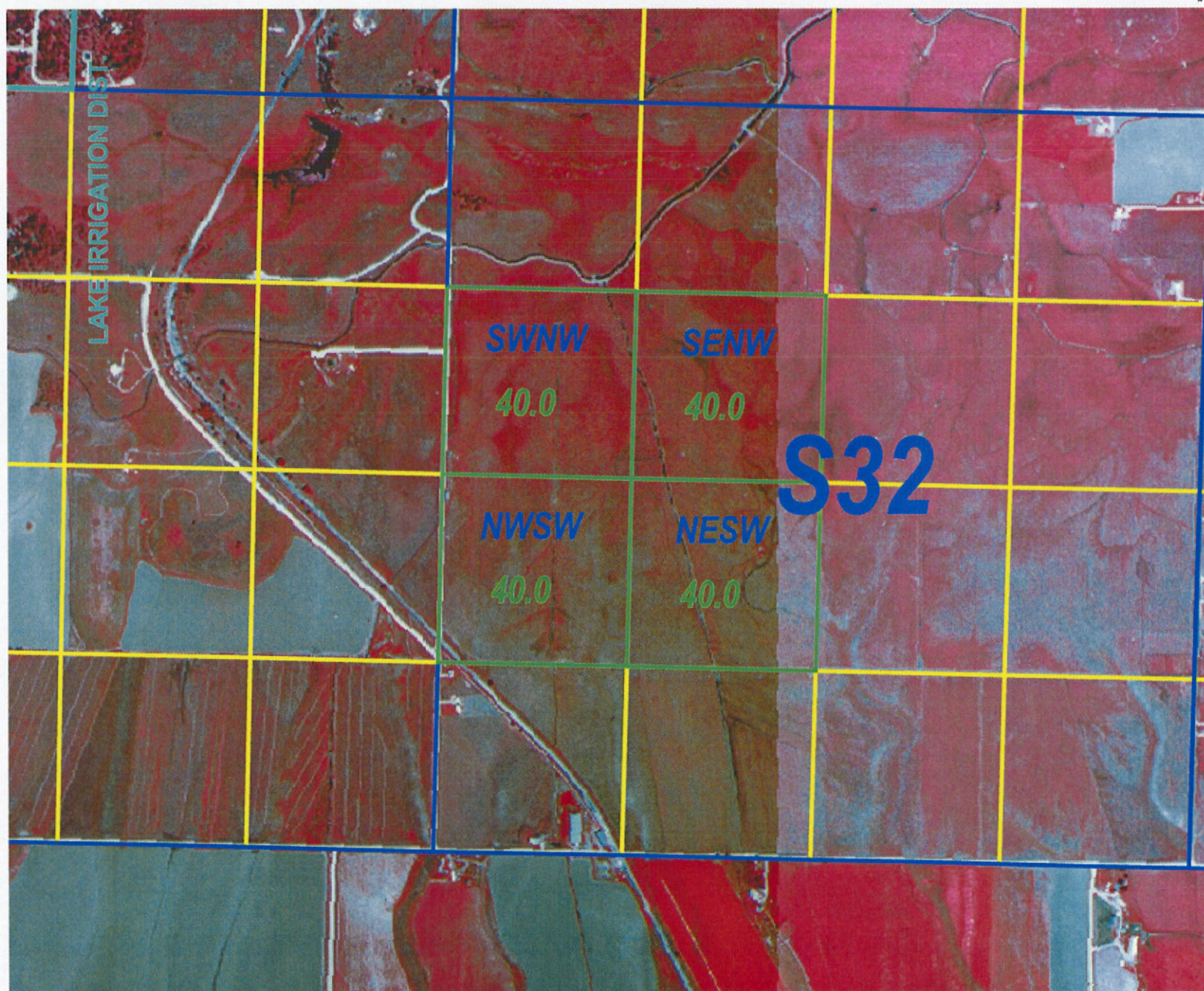
 SECTION LINES

 1/4 1/4 Lines

Acres



1987 NAPP



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: A65-03217
Date Received: 12/22/1988
Receipt No: C004584
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: J R SIMPLOT COMPANY 208-336-2110
Address: PO BOX 27
BOISE ID 83707
2. Date of Priority: MAY 5, 1900
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 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 18N | 03E | 13 | NW | SW | | | VALLEY |
5. Description of diverting works:
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 05/01 | 09/15 | 2.880 | | |
7. Total Quantity Appropriated is:
2.880 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
18N	03E	32	SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	160.0
					Total Acres	160.0

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:

ADDRESS CHANGED BY LH 3/18/94.
OWNERSHIP CHANGED BY DB 11/1/99

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 4/ 7/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

WESTERN REGION

OWNER (S):

NICHOLSON JR SIMPLOT CO

CLAIM NUMBERS:

3217

AGENT: RON HOWERTON

DATE 8/30/99

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE

POLYGON CREATED ON 803

POLYGON # () () () () UPDATED BY rdh

ATTRIBUTES OF B65-POU.SHP (862) () () () (934)

ATTRIBUTES OF B65-POD.SHP (803) () () () ()

 B65-DBPOU.DBF UPDATED BY rdh

 B65-DBPOD.DBF UPDATED BY rdh

NOTES:

AJ0749NP
No. R65-03217

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

DATE: 11/01/99
PAGE: 1

```
=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM    TO    RATE    VOLUME
-----
C  J R SIMPLOT COMPANY    05/05/1900    IRRIGATION    05-01    09-15    2.880 CFS
    PO BOX 27
    BOISE ID 83707
    (208) 336-2110
                                TOTAL DIVERSION:    2.880 CFS
=====
```

Water Source: LAKE FORK CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T18N R03E S13

NWSW

VALLEY County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: SUM
18N	03E 32	:				:		40	40	:	40	40	:					: 160.0
																	: TOTAL ACRES	: 160.0

POU County: VALLEY

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

65-09747	65-09748	A65-02729	A65-03172	A65-03174	A65-03185	A65-03217	A65-03218	A65-03219A	A65-03219X
A65-04049	A65-09747	A65-09748	A65-11282	R65-02729	R65-02932	R65-02952	R65-03172	R65-03174	R65-03218
R65-03219A	R65-03219X	R65-04049	R65-11282						

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

A65-03217

Conditions of Approval:

- W13 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- LAKE IRRIGATION DISTRICT.
- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65K

Field Inspection Flag:
Presumption Flag:

Comments: Date: 09/25/1999 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 11/01/1999 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE

AJ0749NP
No. R65-03217

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

DATE: 11/01/99
PAGE: 2

=====

Comments: Date: 11/01/1999 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 11/01/99 DBUFFING



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

November 1, 1999

DIRK KEMPTHORNE
GOVERNOR

Re: Notice of Claim to a Water Right No. A65-03217

KARL J. DREHER
DIRECTOR

J R SIMPLOT COMPANY
PO BOX 27
BOISE ID 83707

Dear Claimants:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water right(s) covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

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

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:db

Enclosure

AJ0749NP
No. R65-03217

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

DATE: 07/26/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TOM T NICHOLSON	05/05/1900	IRRIGATION	05-01 09-15	2.880 CFS	
C	DIANA NICHOLSON					
	PO BOX 690					
	MERIDIAN ID 83680					
				TOTAL DIVERSION:	2.880 CFS	

Water Source: LAKE FORK CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T18N R03E S13 NWSW

VALLEY County

Place of use Legal Description for: IRRIGATION

												NE				NW				SW				SE																			
			NENE		NWNE		SWNE		SENE		:	NENW		NWNW		SWNW		SENW		:	NESW		NWSW		SWSW		SESW		:	NESE		NWSE		SWSE		SESE		:	SUM				
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	:							
18N	03E	32	:								:					40		40		:							:										160.0						
																																										TOTAL ACRES	160.0

POU County: VALLEY

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

65-09747	65-09748	A65-02729	A65-03172	A65-03174	A65-03185	A65-03217	A65-03218	A65-03219A	A65-03219X
A65-04049	A65-09747	A65-09748	A65-11282	R65-03174	R65-04049	R65-11282			

Conditions of Approval:

W13 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- LAKE IRRIGATION DISTRICT.

Dates: Exam Made Date: Verified Date: 07/26/1999 Objection Filed Date:

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

Audit: 07/26/99 RHOWERTO

WR5809NP
No. 65-03217

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/26/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	C. JOHN STRINGER ROUTE 1, BOX 30 NYSSA OR 97913	05/05/1900	IRRIGATION	05/01 09/15	2.880 CFS	
TOTAL DIVERSION:					2.880 CFS	

Water Source: LAKE FORK CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T18N R03E S13 NWSW

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	:	
18N	03E	32	:					:			40	40	:	40	40			:					:	160.0
TOTAL ACRES																							160.0	

Pou County: VALLEY

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

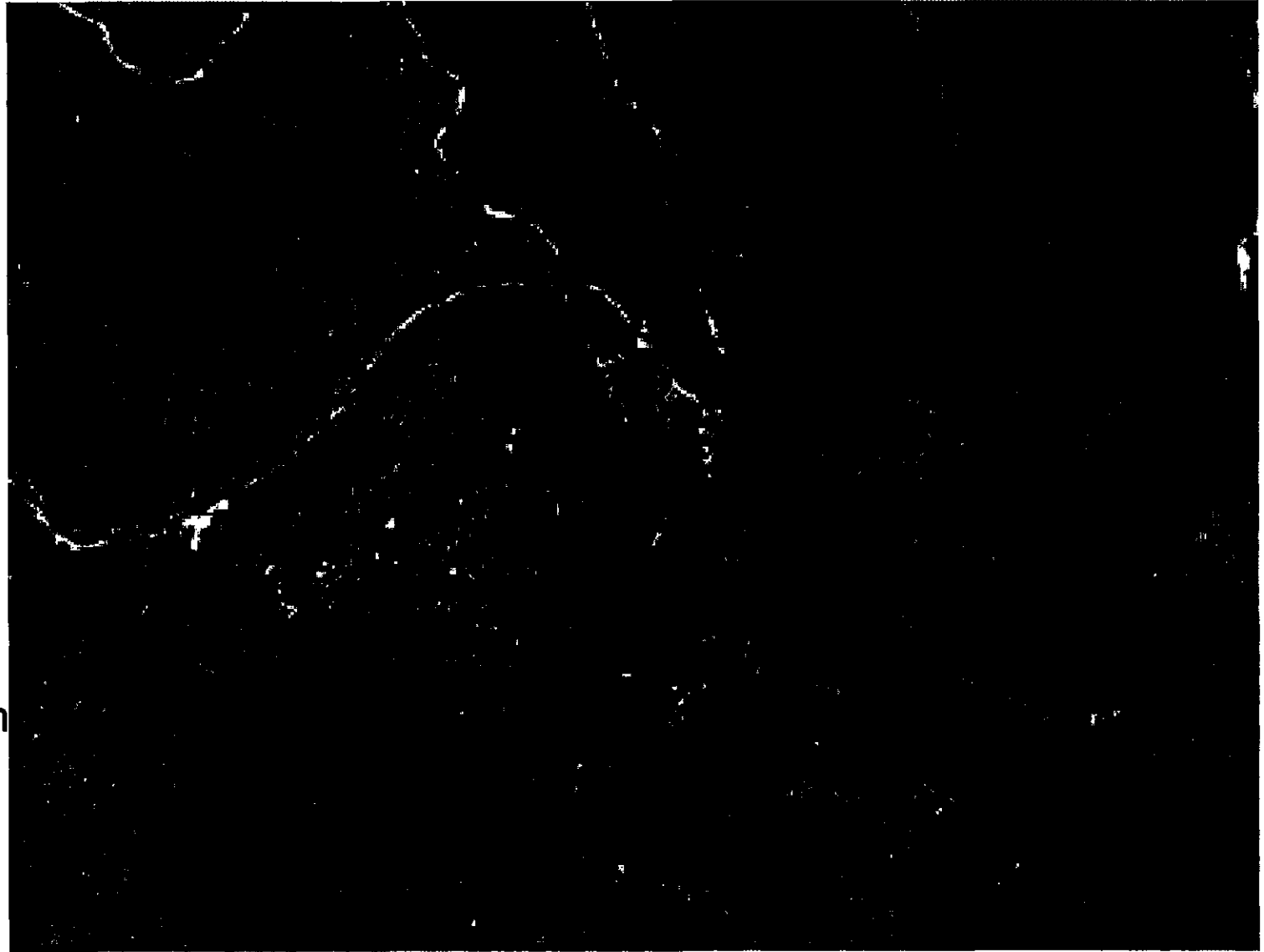
65-02729 65-03172 65-03173 65-03174 65-03218 65-03219A 65-03219X 65-04049 65-09747 65-09748
65-11282

Dates: App. Received: Priority Date: 05/05/1900
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

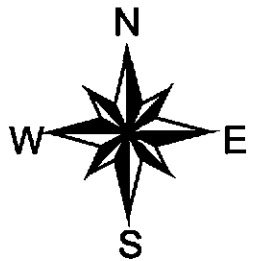
Misc: Water District Number: 65K Field Exam Fee:

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

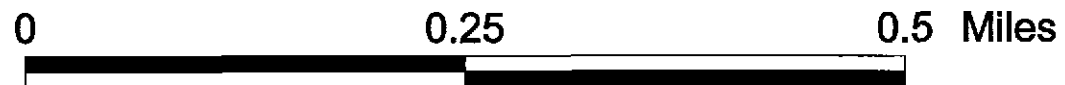
65-03217



Point of Diversion



1987 NAPP

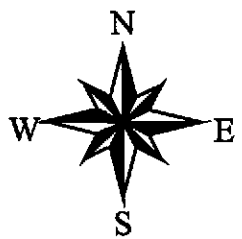


**T18N, R03E
S32**

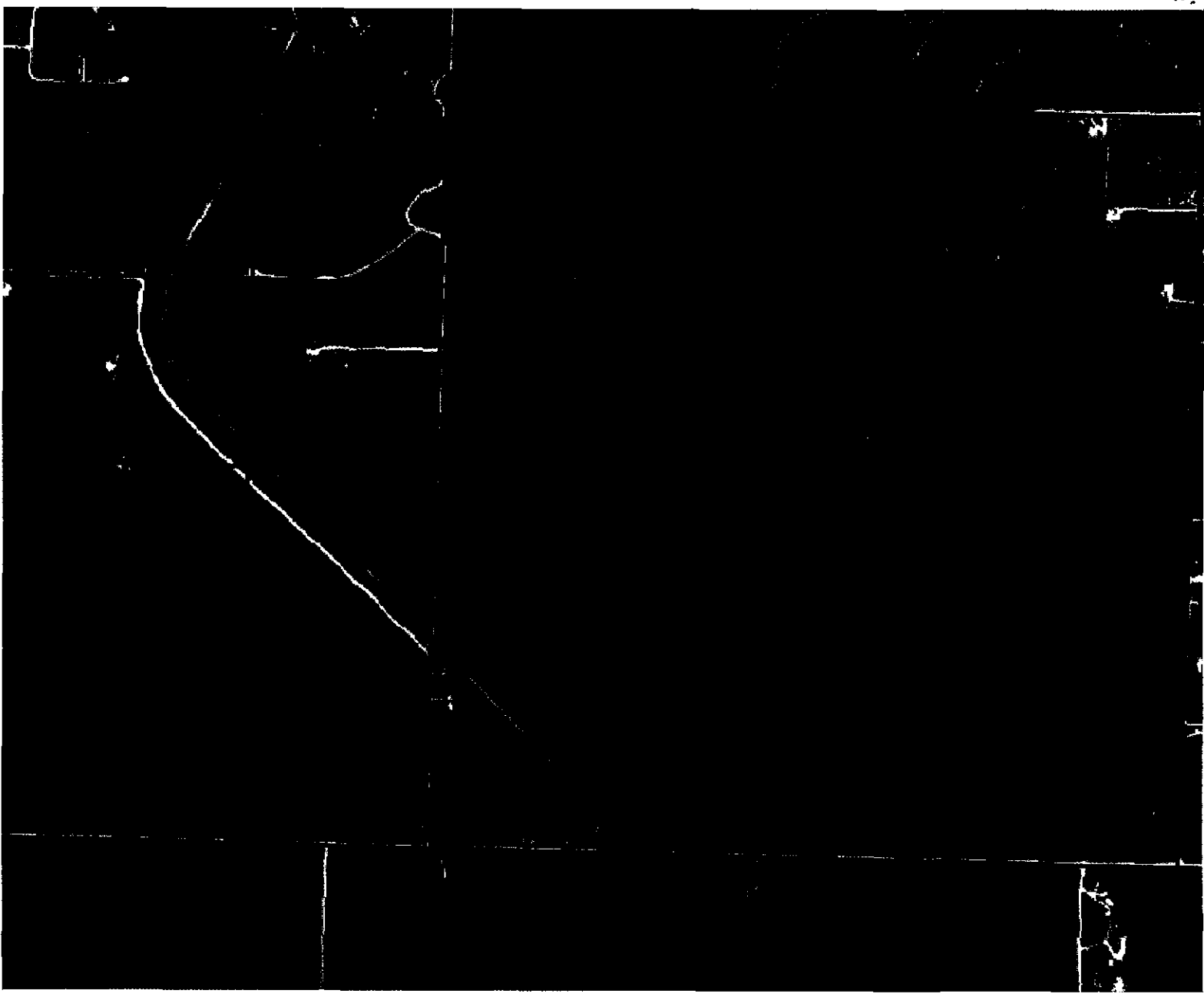
Idaho Department of Water Resources

Claims: 65-03217
Owner : NICHOLSON
Prepared by:
Ron Howerton
Date: 26 July 99

-  Place of use
-  POD
-  SECTION LINES
-  1/4 1/4 Lines
- # Acres**



1987 NAPP



MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 171

INDICATES TOTAL

SOURCE: LAKE FORK CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-3179	CRUICKSHANK, JAMES L. & CRUICKSHANK, HELEN E. ROUTE 1 BOX 70, MC CALL, IDAHO 83638	5/ 5/1899	IRRIGATION	5/ 1 9/15	--- AFA 2.88 CFS	SEW S35 T18N R 3E	NENE(35) NWNE(39) SWNE(40) SESE(33) S35 T17N R 3E *147*	DECREE
65-3178	MILLER, JACK M. & MILLER, LUCILLE F. 2370 NORTH MAPLE GROVE ROAD, BOISE, IDAHO 83704	5/15/1899	IRRIGATION	5/ 1 9/15	--- AFA 2.68 CFS	SEW S35 T18N R 3E	SWNE(19) NWSE(19) SWSE(30) SESE(17) S23 T17N R 3E NENE(40) SESE(40) S26 T17N R 3E *165*	DECREE
65-3217	STRINGER, C. JOHN ROUTE 1, BOX 30, NYSSA, OREGON 97913 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF LAKE IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	5/ 5/1900	IRRIGATION	5/ 1 9/15	--- AFA 2.88 CFS	NWSW S13 T18N R 3E	SWNW(40) SENW(40) NESH(40) NWSW(40) S32 T18N R 3E *160*	DECREE
65-3172	STOKES, WILLIAM S. & STOKES, BETTY C. BOX 961, MC CALL, IDAHO 83638 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-3218 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	5/ 3/1902	IRRIGATION	5/ 1 9/15	--- AFA 1.60 CFS	NENW S23 T18N R 3E	SESW(24) SWSE(39) S23 T18N R 3E NWNE(40) NENW(29) S26 T18N R 3E *132*	DECREE
65-3173	WELSH, JEAN ROUTE 1, BOX 112, MC CALL, IDAHO 83638 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF LAKE IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	5/ 3/1902	IRRIGATION	5/ 1 9/15	--- AFA .60 CFS	NWSW S13 T18N R 3E	SWNW(40) SENW(36) NESH(40) NWSW(34) S26 T18N R 3E *150*	DECREE
65-3174	TAYLOR, DEBERT & TAYLOR, INEZ 1719 NORTH POND, BOISE, IDAHO 83704 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF LAKE IRRIGATION DISTRICT AND RIGHT 65-8469 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	6/ 1/1903	IRRIGATION	5/ 1 9/15	--- AFA .60 CFS	NWSW S13 T18N R 3E	SESW(36) S26 T18N R 3E *36*	DECREE

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

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

DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

65-3217	RECEIVED
I.D. No.	
Map No.	
\$	Fee Paid
	Receipt No. 197

Department of Water Resources
Western Regional Office

Notice is hereby given that C. John Stringer (Name of Claimant)
Route 3, Box 720, Ontario, Oregon 97913 (Mailing Address)
Route 1, Box 20, Wyand, Oregon 97913 (Zip Code) Telephone No. _____

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

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 3-5-1900

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Lake Fork Creek tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 2.88 Use Irrigation Period of Use From 5/1 To 9/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Both dates inclusive)

(4) 2.88 TOTAL QUANTITY CLAIMED.

(5) A) Point of Diversion: Give location of point where water is diverted from its source NW 1/4 SW 1/4
Sec. 13, Twp. 18N, Rge. 3E, B.M., Valley County _____

Additional Points: _____

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

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

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
18N	3E	32							40	40	40	40							160

Total no. of acres 160

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

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

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

(8) Remarks This right is combined with rights of Lake Irrigation District shall not provide, even then 82 CFS here

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

☒ B) Right decreed by court, cite title of case. _____

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

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

Individual

C. John Stringer
(Signature of Claimant)

Organization

(Signature of Spouse)

State of Oregon

Organization

County of Malheur

Seal

(Signature of Authorized Agent)

On this 3-5-79 day of March, in the year 1979 before me
a notary public, personally appeared C. John Stringer
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation,
partnership or _____) executed the same.

My commission expires 9-9-80

Notary Public residing at 8KN 3/9/79

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:24:32
03/10/99

PAGE: 15
QUICKLOOK INFORMATION

270
CLAIM NUMBER: A65-03217

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV								
SOURCE								
PLACE OF USE	Y		Rch IN OFFICE 7/26/99					Rch 7/26/99
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:24:32
03/10/99

PAGE: 1
GENERAL INFORMATION

256
CLAIM NUMBER: A65-03217

LAST: STRINGER
ADDRESS: ROUTE 1 BOX 30
CITY: NYSSA
PHONE NUMBER: 208-000-0000

FIRST: C JOHN
STATE: OR ZIP: 97913

OWNER CODE: O

LAST: NICHOLSON
ADDRESS: PO BOX 690
CITY: MERIDIAN
PHONE NUMBER: 208-000-0000

FIRST: TOM T
STATE: ID ZIP: 83680

OWNER CODE: C

LAST: NICHOLSON
ADDRESS: PO BOX 690
CITY: MERIDIAN
PHONE NUMBER: 208-000-0000

FIRST: DIANA
STATE: ID ZIP: 83680

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N(/)

CLAIM REMARKS: GEN ADDRESS CHANGED BY LH 3/18/94.

CONTACT PERSON: IN-OFFICE

PHONE NUMBER: () -

DATE OF FIELD EXAM: 7/2/99

APPOINTMENT MADE: Y() N(☒)

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

SEE MAPS IN FILE

A. AJ CLAIM: # A65-03217 PRIORITY DATE: 05-05-1900 STAGE: D

B. WR RECORD: # 65-03217 PRIORITY DATE: 05-05-1900 STAGE: D

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

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

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

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

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

FIELD EXAM COMPLETED N/A(☒) Y(☐) N(☐)

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

LICENSE ISSUED N/A(☒) Y(☐) N(☐)

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

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

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

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

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

05-05-1900

REVIEWED BY Ren

DATE 7/26/99

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
A65-03217	18N 03E	13		NW	SW			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-02729	65-09747
A65-03172	65-09748
A65-03174	
A65-03185	
A65-03218	
A65-03219A	
A65-03219X	
A65-04049	
A65-09747	
A65-09748	
A65-11282	

WR RECORDS IN SAME 40 ACRE TRACT

65-02729
65-03172
65-03173
65-03174
65-03218
65-03219A
65-03219X
65-04049
65-09747
65-09748
65-11282

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
65-03217	18N 03E	13		NW	SW			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

65-02729
65-03172
65-03173
65-03174
65-03218
65-03219A
65-03219X
65-04049
65-09747
65-09748
65-11282

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A65-02729	65-09747
A65-03172	65-09748
A65-03174	
A65-03185	
A65-03218	
A65-03219A	
A65-03219X	
A65-04049	
A65-09747	
A65-09748	
A65-11282	

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: 1987 GIS MAP NAPP PHOTO

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY VALLEY	DIVERSION NAME	DIVERSION NBR
18N	03E	13		NW	SW					
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—

SOURCE: LAKE FORK CREEK

TRIB: PAYETTE RIVER, NORTH FORK

REVIEWED BY:

Rch

DATE:

7/26/99

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

DAM, Gravity Flow

A. ROOT WATER RIGHT NUMBERS: A65-03217

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
18N	03E	32	SW	NW		NICHOLSON, TOM T	A65-03217 / 40.0	65-03217 / 40.0	38.0		40
18N	03E	32	SE	NW		NICHOLSON, TOM T	A65-03217 / 40.0	65-03217 / 40.0	40.0		40.0 40
18N	03E	32	NE	SW		NICHOLSON, TOM T	A65-03217 / 40.0	65-03217 / 40.0	38.0		40
18N	03E	32	NW	SW		NICHOLSON, TOM T	A65-03217 / 40.0	65-03217 / 40.0	38.0		40
ADDITIONAL POU FOUND											

TOTAL ACRES	A65-03217	160.00	160.00	154.00	160
-------------	-----------	--------	--------	--------	-----

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

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

W 13 LAKE FK IRR DIST

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()

Y() N(☒)

Y() N(☒)

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

NOTES:

TOTAL ACRES: 160 N/A()

REVIEWED BY: Rch

DATE: 7/26/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03217 IRRIGATION	FROM 05-01 TO 09-15	2.880 CFS	
TOTAL DIVERSION RATE/VOLUME		2.880 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-03217 IRRIGATION	FROM 05-01 TO 09-15	2.880 CFS	
TOTAL DIVERSION RATE/VOLUME		2.880 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:

AJ CLAIM TOTAL DIVERSION RATE: 2.880 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.880 CFS

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

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

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

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

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD NA, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = 2.88 CFS *← Recommended Same AS DECREED*
(Taken from pou review)

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 ()

PAGE: 11

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NOTES:

WR RECORD CONDITIONS/REMARKS:

NONE

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 2.880	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			2.880	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: Rob

DATE: 7/26/99

FLAG: _____

STANDARD CONDITIONS (CODE):

W13 LAKE FORK IRRIG DIST

STANDARD REMARKS (CODE):

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: 65-03217

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE	EXAMINER	CFS
	2.880		

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-03217	2.880	-		65-03217	2.880
TOTAL CFS		2.880				2.880

DIVERSION RATE REVIEW

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

DATABASE	FIELD EXAMINER
Y	Y() N()

NO SPLITS

NOTES:

AUTHENTICATION:

SIGNATURE: Ron Howerton DATE: 7/26/99

NAME OF FIELD EXAMINER: Ron Howerton TITLE: _____

Sr Water Agent

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
☒ NAPP	DATE OF PHOTO <u>1987</u> IDWR ID NO. _____	Y(☒) N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER <u>CLAIM</u>	DATE <u>ORIGINAL PRBA CLAIM</u>	Y(☒) N()
☒ OTHER <u>PROFILE</u>	DATE <u>WTR RECORD</u>	Y(☒) N()
☒ OTHER <u>PRBA</u>	DATE <u>PROPOSED FINDINGS PAGE 171</u>	Y(☒) N()

2-MAPS
PID & POW

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 _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:28:26
03/10/99
271

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PROFILE REPORT

CLAIM NUMBER: A65-03217

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TOM T NICHOLSON	05/05/1900	IRRIGATION	05-01 09-15	2.880 CFS	
C	DIANA NICHOLSON					
TOTAL DIVERSION:					2.880 CFS	

Water Source: LAKE FORK CREEK Tributary to: PAYETTE RIVER, NORTH FORK Stage: DECREED
Point(s) of Diversion: T18N R03E S13 NWSW VALLEY County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
18N	03E	32	:									40	40			40	40			:	160.0
TOTAL ACRES																				160.0	

POU County: VALLEY

Remarks: GEN ADDRESS CHANGED BY LH 3/18/94.

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

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

FEB 24 1986

PAGE 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

EXHIBIT A

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
SOURCE: LAKE FORK CREEK								
65-3179	CRUICKSHANK, JAMES L. CRUICKSHANK, HELEN E. ROUTE 1 BOX 70 MC CALL, ID 83638	05-05-1899	IRRIGATION	05-01 09-15	2.88 CFS	SENW S35 T18N R03E	NENE(35) NWNE(39) DECREE SWNE(40) SENE(33)- S35 T17N R03E * 147 ACRES*	
65-3178	MILLER, JACK M. MILLER, LUCILLE F. 2370 NORTH MAPLE GROVE ROAD BOISE ID 83704	05-15-1899	IRRIGATION	05-01 09-15	2.68 CFS	SENW S35 T18N R03E	SWNE(19) NWSE(19) DECREE SWSE(30) SESE(17) S23 T17N R03E NENE(40) SENE(40) S26 T17N R03E * 165 ACRES*	
65-3217	STRINGER, C. JOHN ROUTE 1, BOX 30 NYSSA OR 97913	05-05-1900	IRRIGATION	05-01 09-15	2.88 CFS	NWSW S13 T18N R03E	SWNW(40) SENW(40) DECREE NESW(40) NWSW(40) S32 T18N R03E * 160 ACRES*	
65-3172	STOKES, WILLIAM S. STOKES, BETTY C. BOX 961 MC CALL ID 83638	05-03-1902	IRRIGATION	05-01 09-15	1.60 CFS	NWSW S13 T18N R03E	SESW(24) SWSE(39) DECREE S23 T18N R03E NWNE(40) NENW(29) S26 T18N R03E * 132 ACRES*	
65-3173	WELSH, JEAN ROUTE 1, BOX 112 MC CALL ID 83638	05-03-1902	IRRIGATION	05-01 09-15	.60 CFS	NWSW S13 T18N R03E	SWNW(40) SENW(36) DECREE NESW(40) NWSW(34) S26 T18N R03E * 150 ACRES*	

INDICATES TOTAL

RECEIVED

FILE

FEB 12 1987

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

APR 07 1986

STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

Department of Water Resources

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

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

Helma R. Kolitz

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

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

IT IS FURTHER ORDERED that all protests and objections

ORDER AND PARTIAL DECREE Page 1

RECEIVED

FEB 24 1987

Department of Water Resources

COMPARED _____
INDEXED - DIRECT _____
INDEXED - INDIRECT _____

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

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

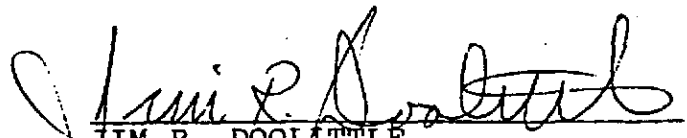
IT IS FURTHER ORDERED AND DECREED that for purposes of operating Water District 65K the gauging station located in the SW1/4SE1/4NW1/4 section 8 township 18N range 4E B.M., above Jumbo Creek and above Tyee Creek shall have 10 per cent added to said gauge readings to account for the added flows of Jumbo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

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

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

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

DATED this 28th day of March, 1986.


JIM R. DOOLITTLE
DISTRICT JUDGE

54(b) Certificate

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

STATE OF IDAHO)
County of Gem) ss.

DATED this 28th day of March, 1986.

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

DATED 5-5-87
Thelma R. Kolodziej, Clerk


JIM R. DOOLITTLE
District Judge

By: LOC James R. Doolittle PARTIAL DECREE, Page 3

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 28 1999

WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 65-03217
Adjudication Claim No(s).: A65-03217

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 See attached Warranty Deed
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Tom T. and Diana Nicholson
P. O. Box 690, Meridian, ID 83680

4. New Owner/Claimant(s) J. R. Simplot Company
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address P. O. Box 27
City, State and ZIP Code Boise, ID 83707
New Telephone Number (208) 336-2110

5. Date you acquired the property March 21, 1989

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 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.
 J. R. Simplot Company

7. Signature of New Owner or Claimant(s) By: 
Ronald N. Graves, Secretary
(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..

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

September 29, 1999

RECEIVED

OCT 28 1999

WATER RESOURCES
WESTERN REGION

**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: **65-03217**

Tom T. Nicholson
Diana Nicholson
P. O. Box 690
Meridian, ID 83680

Daytime Telephone Number: 208-336-2110

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

Name and Address

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

The name and address should be corrected as follows:

**J. R. Simplot Company
P. O. Box 27
Boise, ID 83707**

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

See the attached Notice of Change of Water Right Ownership. Attached to the Notice is the Warranty Deed conveying the land to which this water right is appurtenant to the J. R. Simplot Company.

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

J. R. Simplot Company

DATE: October 22, 1999 SIGNATURE:

By:

Ronald N. Graves

Please print your name: Ronald N. Graves, Secretary

WARRANTY DEED

FOR VALUE RECEIVED, Grantors, THOMAS T. NICHOLSON, and DIANA R. NICHOLSON, husband and wife, effective March 1, 1989, do hereby grant, bargain, sell and convey to J. R. SIMPLOT COMPANY, a Nevada corporation, 999 Main Street, P.O. Box 27, Boise, Idaho 83707, herein called the Grantee, the following described real property in Valley County, Idaho:

See Exhibit A attached hereto.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said Grantor.

TO HAVE AND TO HOLD said premises unto the Grantee and its successors and assigns forever. Grantor covenants that the Grantee shall enjoy the quiet and peaceful possession of said premises; that the Grantor is lawfully seized of said premises in fee simple; and that Grantor warrants that the title to said premises is merchantable and free from all liens and encumbrances, except the Real Estate Mortgage in favor of Key Bank of Idaho, recorded as Instrument No. 164518 in Valley County on December 5, 1988.

IN WITNESS WHEREOF, the Grantors have executed this Warranty Deed this 15 day of March, 1989.

Thomas T. Nicholson
THOMAS T. NICHOLSON
Diana R. Nicholson
DIANA R. NICHOLSON

STATE OF IDAHO)
) ss.
COUNTY OF Ada)

On this 15th day of March, 1989, before me, a Notary Public in and for said State, personally appeared THOMAS T. NICHOLSON and DIANA R. NICHOLSON, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Randy Stent
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: Non-Exp

4. The land referred to in this Commitment is described as follows:

THE SE 1/4; S1/2NE1/4; S1/2NW1/4; E1/2SW1/4; AND THAT PORTION
LYING EAST OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY IN THE W1/2SW1/4,
ALL IN SECTION 32, TOWNSHIP 18 NORTH, RANGE 3 EAST, BOISE MERIDIAN,
VALLEY COUNTY, IDAHO.

Mountain Title & Escrow Company, Inc.

Countersigned at _____

Commitment No. BF021850

Schedule A—Page 1

CC

Authorized Officer or Agent

Form No. 91-88 (SCH. A)
035-1-088-0001/6

ORIGINAL

This commitment is invalid unless the Insuring
Provisions and Schedules A and B are attached.

165979

STATE OF IDAHO, }
County of Valley, } ss.

I hereby certify that this instrument
was filed for record at the request of
MOUNTAIN TITLE & ESCROW

at 30 minutes past 2

o'clock P. M. This 21

day of March 1989

in my office and duly recorded in

Dr. # 6 of Book

Lester J. Smith

Ex Officio Recorder

By Jesse M. Montoya Deputy

Fee \$ 6.00

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: **A65-03217**
Date Received: 12/22/1988
Receipt No: C004584
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: TOM T NICHOLSON
Address: PO BOX 690
MERIDIAN ID 83680
AND/OR
Name: DIANA NICHOLSON
Address: PO BOX 690
MERIDIAN ID 83680
2. Date of Priority: MAY 5, 1900
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
18N	03E	13	NW	SW			VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	09/15	2.880		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED

AUG 03 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	03E	32	SW	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	03E	32	SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
						Section Acres	160.0
						Total Acres	160.0

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:

ADDRESS CHANGED BY LH 3/18/94.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 4/ 7/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

Date:

MICROFILMED

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 _____

MICROFILMED

AUG 03 1994



GEHL

VERSATILE



WHITE



Mountain View Equipment Company

P.O. BOX 690 • MERIDIAN, IDAHO 83680 • TELEPHONE (208) 888-1593
TOLL FREE 1-800-769-1026 • FAX (208) 888-1624

F A X T R A N S M I T T A L

TO: _____ DATE: 3/17/94
FROM: Tom Nicholson PAGES FOLLOWING: 8
FAX NUMBER SENT TO: 334-2348

MESSAGE: Just wanted to inform you that
the address you have for:
Thomas T. & Diana R. Nicholson
Carl V. & Patricia Nicholson
Carl & Blanche Nicholson
or the combination of the above
should be changed to:

P.O. BOX 690
Meridian ID 83680

If you have any questions, please call me
at 888-1593.

David Sorensen MICROFILMED

AUG 03 1994

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: A65-03217

Date Received: 12-22-88

Receipt No: 0004584

Received By: RAJ.

RECEIVED

DEC 22 1988

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: TOM T. NICHOLSON
Address: 10322 ESTATE DR.
BOISE, ID

83709

AND/OR

Name: DIANA NICHOLSON
Address: 10322 ESTATE DR.
BOISE, ID

83709

2. Date of Priority: MAY 05, 1900

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
18N	03E	13	NW	SW			VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	09/15	2.880		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A65-03217

Page

1

Date: 12/14/88

MICROFILMED

SEP 22 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
18N	03E	32	SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
							Section Acres	160.0
							Total Acres	160.0

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): Tom Nicholson Date: 12-20-88

Date: _____

State of Idaho)
County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 20TH day
of DECEMBER 19 88

Steven Johnson
Notary Public

Seal

Residing at BOISE, ID
My Commission Expires 9-21-94