

Idaho Department of Water Resources

**T06N R02W
S04**

Claims: 65-03322

Prepared by:

RON HOWERTON

Date: 27 AUG 00

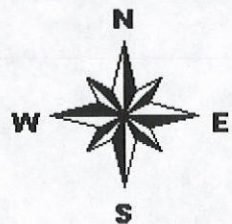
 **Place of use**

 **POD**

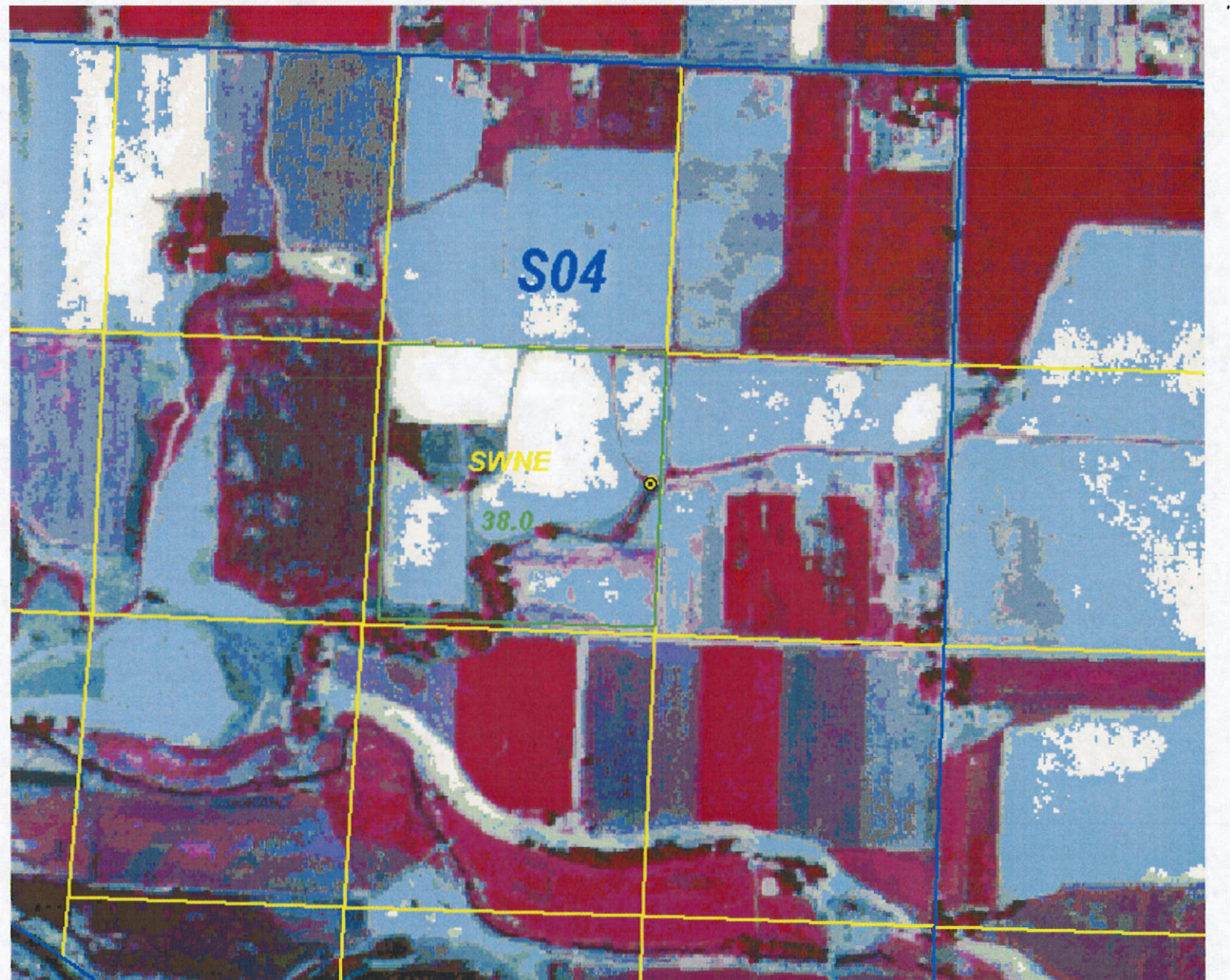
 **SECTION**

 **1/4 1/4**

38 Acres



1987 NAPP



0 0.25 0.5 0.75 1 Miles



Idaho Department of Water Resources

**T06N R02W
S04**

Claims: 65-03322

Prepared by:

RON HOWERTON

Date: 27 AUG 00

 **Place of use**

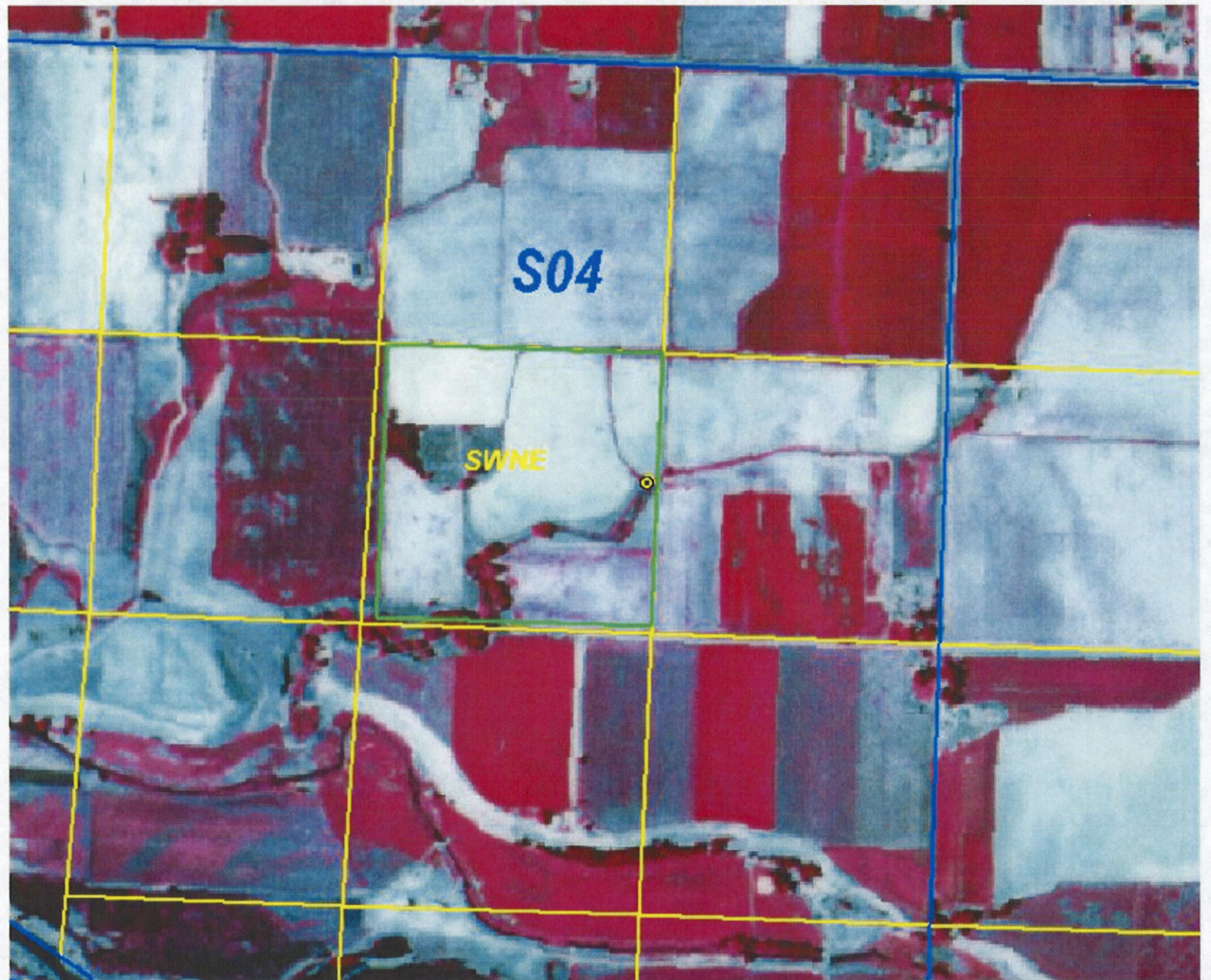
 **POD**

 **SECTION**

 **1/4 1/4**

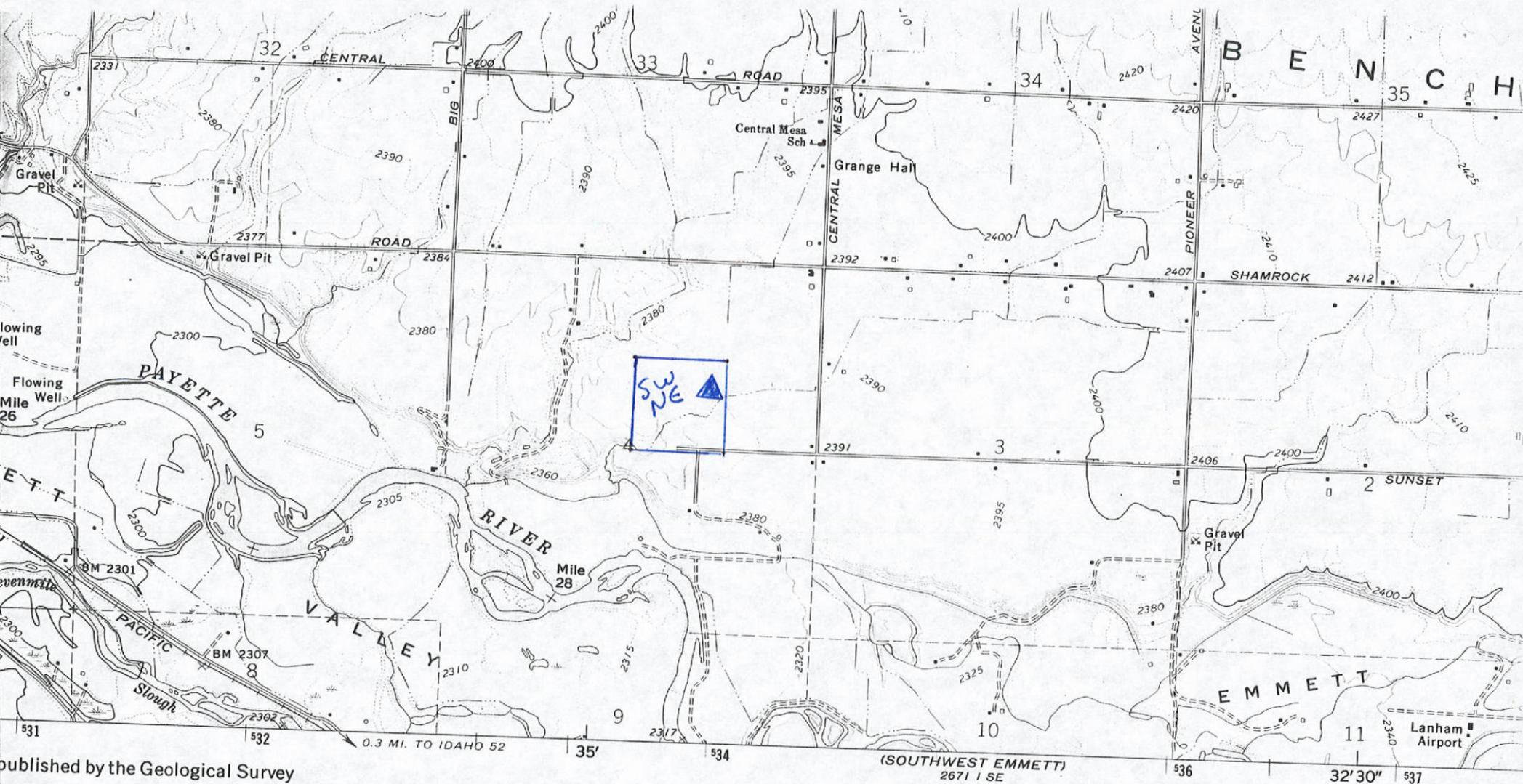


1987 NAPP



0 0.25 0.5 0.75 1 Miles



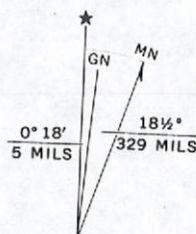


Published by the Geological Survey
C&GS

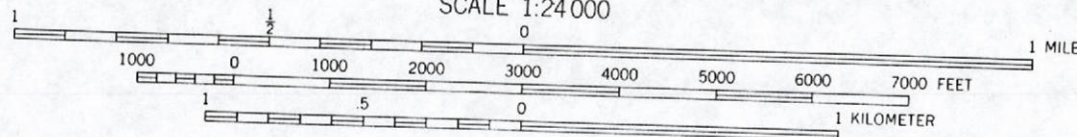
metric methods from aerial
Field checked 1971

ot grid ticks: Idaho coordinate
rse Mercator)
nsverse Mercator grid ticks,
1927 North American datum

which only landmark buildings are shown
ate selected fence lines



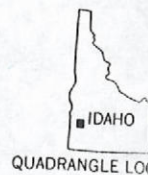
UTM GRID AND 1971 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



CONTOUR INTERVAL 20 FEET
DOTTED LINES REPRESENT 5-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

W6
1971 TOPO
T6N R2W
504, SWNE



QUADRANGLE LOC

IDENT. NO. *B-7*
OF GEN. *Sin*
MAP NO.

NOTICE OF CLAIM

WATER RIGHT

WATER RIGHT

Department of Water Administration

83617

THE

no a beneficial use, or date that permit was issued) April 1, 1945

spring, etc., or subterranean) YHA waste water TRIB To

used and the time during the year when you have used the right claimed:
3/15 (Both Dates Inclusive) 11/5

Period of Use From April 1 To Oct. 31
(Mo., Day) (Mo., Day)

Period of Use From Jan. 1 To Dec. 31
(Mo., Day) (Mo., Day)
(Both Dates Inclusive)

Period of Use From _____ To _____
(Mo., Day) (Mo., Day)

Cubfe Feet Per Second, or 786.7 Acre Feet Per Annum.

~~171.7~~ ✓
✓ 171.7
~~171.7~~

water is diverted from its source SW % NE %
2 W B.M.; additional points:

and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
pump into gravity flow ditch

ted acres within each 40-acre tract in appropriate box. If use is not for location.

[illegible]

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: stock water for 40 head

Effluent, sewage waste, or return water from this use is discharged into _____ back into same waste ditch then into Pavette River

If you are claiming water as a member of an organization, list name of organization

Remarks Map B, Lot 1 (This at when combined with lots of Emmett brigation
SEE REMARKS District shall provide no more than 0.2 cfs/acre and
4.5 gpm/acre.)

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, license, or claim filed with State Reclamation Engineer, Office 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

March 12, 1971 (Date)

Walter C. H. McNeely
(Signature of Claimant)

74-9-1 103

RECEIVED

16-283

(Signature of Spouse)

16-283

Organization

State of Idaho 1-27-78 guc
County of Ada Ada Ada
Organization Ada Ada Ada
Signature of Authorized Agent Ada

On this 12th day of March, in the year 1971, before me,
a notary public, personally appeared Elizabeth A. Nichols and Hazel H. Nichols
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 they) executed the same.

MAY 26 1974

James H. Hart
Notary Public residing at _____
Boise, Idaho

My commission expires 10/25/11 SKN ✓ DRT 3-6-78
Rev 3/2/77

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 65-3322
Date Received: 1/17/90
Receipt No: X999999
Received By:

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

1. Name of Claimant(s): JOHN D IRVIN
7705 MAXWELL DR
BOISE ID USA 83704

Phone: (208) 322-5309

TERRIL IRVIN
7705 MAXWELL DR
BOISE ID USA 83704

Phone: (208) 322-5309

2. Date of Priority: 04/01/1945

3. Source: WASTEWATER Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	02W	4	SW NE	GEM	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A.
IRRIGATION	3/15	11/15	0.76	
STOCKWATER	1/01	12/31	0.02	0.7

7. Total Quantity Appropriated is:
0.78 C.F.S. and/or 0.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	02W	4	SW NE		IRRIGATION	38
					Section Acres	38
					Total Acres	38

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION DISTRICT SHALL
PROVIDE NO MORE THAN .02 CFS/ACRE
Ownership changed by DB 4/27/2001

15. Basis of Claim: Decreed

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

APR 13 2001

WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
65-3322					

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

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

OR

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

3. Name and Address of Former
Owner/Claimant(s)

RALPH A +/OR HAZEL H. NICHOLS
4001 W. IDAHO BLVD EMMETT ID 83617

4. New Owner/Claimant(s)

JOHN D. +/OR TERRI L. FRVIN
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

7705 MAXWELL DR

City, State and ZIP Code

BOISE, ID 83704

New Telephone Number

Home

(208) 322-5309 WK # FOR TERRI
208 323-2233

5. Date you acquired the property

12-17-1999

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

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

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

7. Signature of New Owner(s) or Claimant(s) Terry L. Irvin TERRELL L. IRVIN
(include title if applicable)

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

For Office Use Only

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Item 8, below, to determine if fees are required for your filing.

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 the number(s) at **Item 1**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

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 adjudication 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/claimant(s) of the water right(s) at **Item 3**.
4. The name, mailing address, and telephone numbers of the new owner/claimant(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 have purchased only a portion of the water right(s) held by the seller. If this change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at Item 6. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at Item 7. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original form to the IDWR office nearest you:

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

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

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

WARRANTY DEED

FOR VALUE RECEIVED, Ralph Nichols and Hazel Nichols, husband and wife, grantors, do hereby grant, bargain, sell and convey unto John D. Irvin and Terri Irvin, husband and wife, the grantees, the following premises, in Gem County, Idaho, described by Ex. A, attached hereto and incorporated herein by reference. Including all water and ditch rights appurtenant to or used in connection with the properties being sold or conveyed.

Including all water and ditch rights appurtenant thereto and used in connection therewith, and including any easements or rights of ways appurtenant to or used for the benefit of described premises. Subject to easements, rights of ways, reservations and exceptions, if any.

TO HAVE AND HOLD the said premises, with their appurtenances unto the said Grantees their heirs, and assigns forever. And the said Grantors hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that it is free from encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS 17th day of December, 1999.

Ralph Nichols
Ralph Nichols

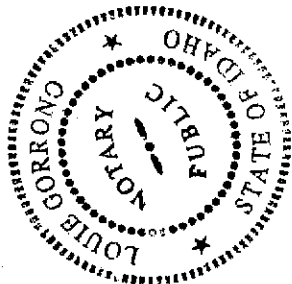
Hazel Nichols
Hazel Nichols

STATE OF IDAHO)
) ss.
County of Gem)

On this 17th day of December, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Ralph Nichols and Hazel Nichols, husband and wife, known to me to be the persons whose names are subscribed to the within 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.

[Signature]
Notary Public for State of Idaho
Residing at Emmett, Idaho



2 BAR K Land Surveying

Formerly
Fischer Land Surveying
204 West Main Street
Emmett, Idaho 83617
Phone 208-365-4146
Fax 208-365-4183

September 13, 1999
Job No. 98031

Legal Description

All of the southwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 4, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho, being more particularly described as follows:

Beginning at the southwest corner of said southwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ (C $\frac{1}{4}$ corner); thence, along the west line of said $\frac{1}{4}$, N.00°01'00"E., 1322.64 feet, to the northwest corner of said $\frac{1}{4}$ (CN 1/16 corner); thence, along the north line of said $\frac{1}{4}$, S.89°06'11"E., 1321.85 feet, to the northeast corner of said $\frac{1}{4}$ (NE 1/16 corner); thence, along the east line of said $\frac{1}{4}$, S.00°12'02"W., 1325.75 feet, to the southeast corner of said $\frac{1}{4}$ (CE 1/16 corner); thence, along the south line of said $\frac{1}{4}$, N.88°57'56"W., 1317.65 feet, to the **Point of Beginning**.

Containing therein a calculated area of 40.11 acres, more or less, and

Including all water and ditch rights appurtenant to or used in connection with the property herein described,

Subject to all rights-of-way and/or easements of record or of use.

Corners of said parcel of land are marked as shown on the 1999 Record of Survey to be filed in the Records of said County by Idaho Professional Land Surveyor #6373.



JOHN D. IRVIN

RECEIVED

APR 13 2001

WATER RESOURCES
WESTERN REGION

April 12, 2001

IDWR Western Regional Office
2735 Airport Way
Boise, Id 83705

Attn: Denise

Attached to the notice of change in water right ownership is copies from our escrow contract which refers to warranty deed and the property description. I called the title company and there will not be a warranty deed formally issued until the contract is paid off.

The contract is held at Alliance Title & Escrow, the escrow number 405-990224.

If you need anything further please do not hesitate to call me at my work number 208 323-2233.

I have also spoken to Hazel Nichols, whom I am purchasing the property and you may call her at
208 365-4923.

Sincerely,



Terri L. Irvin

03/08/2001

RECEIVED

MAR 22 2001

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: April 13, 2001

Water right number: 65-3322

RALPH A NICHOLS
4001 W IDAHO BLVD
EMMETT ID 83617
Telephone Number: (208)365-4923

HAZEL H NICHOLS
4001 W IDAHO BLVD
EMMETT ID 83617
Telephone Number: (208)365-4923

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

*This property has been sold to John & Terri Irvin,
7705 Maxwell Dr., Boise, ID 83704 - 322-5309*

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: 3/17/2001

SIGNATURE: *Hazel Nichols*

Please print your name: Hazel Nichols

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

RE-SENDING

Juli

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: A65-03322
Date Received: 1/17/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RALPH A. NICHOLS 208-365-4923
Address: 4001 W. IDAHO BLVD.
EMMETT, ID 83617

AND/OR

Name: HAZEL H. NICHOLS 208-365-4923
Address: 4001 W. IDAHO BLVD.
EMMETT, ID 83617

2. Date of Priority: APR 01, 1945

3. Source: WASTE WATER Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	4	SW	NE			GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.760		
STOCKWATER	01/01	12/31	0.020		0.70

7. Total Quantity Appropriated is:
0.780 C.F.S. (and/or) 0.70 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

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. No. A65-03322

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

Please type or print clearly:

Name of Claimant(s) Ralph A. Nichols
Hazel H. Nichols

Mailing Address 4001 West Idaho Blvd.
(include Zip Code) Emmett, Idaho 83617

Phone Number (208) 365 - 4923

MICROFILMED
SEP 22 1992

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 65-03322
DATE RECEIVED: 1-17-90
RECEIPT NO: X999999
RECEIVED BY: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: RALPH A. NICHOLS
ADDRESS: 4001 W. IDAHO BLVD.
EMMETT, ID

83617

NAME: HAZEL H. NICHOLS
ADDRESS: 4001 W. IDAHO BLVD.
EMMETT, ID

83617

RECORDED
JAN 17 1990
Department of Water Resources

2. DATE OF PRIORITY: APR 01, 1945

3. SOURCE: WASTE WATER

TRIB. TO: PAYETTE RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
06N	02W	4	SW	NE			GEM

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	03/15	11/15	0.760		
STOCKWATER	01/01	12/31	0.020		0.70

7. TOTAL QUANTITY APPROPRIATED IS:

0.780 C.F.S. (AND/OR)

0.70 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
06N	02W	4	SW	NE		IRR	38.0
SECTION ACRES							38.0
TOTAL ACRES							38.0

11. PLACE OF USE IN COUNTIES: GEM, GEM

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS
DECREE DEFENDANT

16. SIGNATURE(S)

(A.) BY SIGNING BELOW, I/WE ACKNOWLEDGE THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND THE FORM ENTITLED "HOW YOU WILL RECEIVE NOTICE IN THE SNAKE RIVER BASIN ADJUDICATION." (B.) I/WE DO _____ DO NOT ☒ WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: 1

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):

Ralph Nichols
Hazel H. Nichols

DATE: 1-13-90

DATE: 1-13-90

FOR ORGANIZATIONS:

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

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

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

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF San) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 13th DAY

OF January 19 90

Arthur J. Shultz
NOTARY PUBLIC

SEAL

RESIDING AT Emmett

MY COMMISSION EXPIRES June 4, 1991

65-03322

PAGE 3

DATE: 10/26/89

5288

MICROFILMED

SEP 22 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME NicholsCLAIM IDENT. NO. AC05-03322DATE RECEIVED 1-17-90

CK # _____

AMOUNT \$ exempt

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☐ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ YES ☐ NO *
3. (a) Is a source entered? ☐ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☐ NO N/A ☐ YES ☐ NO *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO *
5. Is there a description of the diverting works? ☐ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited
to domestic and stockwater uses with direct diversion. All claims that
include storage or instream stockwater must use long form. ☐ YES ☐ NO *
- Is the period of use included? ☐ YES ☐ NO *
- Is a quantity claimed for each use? ☐ YES ☐ NO *
7. Is a total quantity claimed entered? ☐ YES ☐ NO *
8. If required is a consumptive use entered? ☐ YES ☐ NO N/A ☐ YES ☐ NO *
- Is the consumptive use correct? ☐ YES ☐ NO N/A ☐ YES ☐ NO *
9. Are the non-irrigation uses listed properly? If this claim is on the
short form, and more than one domestic use is listed, single owner-
ship must be stated. If not under single ownership, see
Adjudication Memo # 4. ☐ YES ☐ NO N/A ☐ YES ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own
the place of use, authority for filing the claim must be
explained in the remarks.) ☐ YES ☐ NO N/A ☐ YES ☐ NO *
15. Is the basis of the claim indicated? ☐ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed?
(If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO N/A ☐ YES ☐ NO *
17. Is the claim signed by the claimant, and is the signature appropriate?
Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☐ YES ☐ NO Exempt ☒ YES ☐ NO *
21. If this claim is based on an existing water right, has the
identification number been entered? ☐ YES ☐ NO N/A ☐ YES ☐ NO *
22. Should this claim be data entered? ☐ YES ☐ NO *

Claim checked by: KeyDate: 4/2/90Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by: _____
 Claim data entered by: _____
 Sent to claimant by: JA

Date: _____

Date: 4/14/90

Checked by: _____

Date: _____

Comments: _____

MICROFILMED

SEP 22 1992

04/30/2001

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

RIGHT NUMBER: 65-3322

NAME AND ADDRESS: JOHN D IRVIN
TERRI L IRVIN
7705 MAXWELL DR
BOISE, ID 83704

SOURCE: WASTEWATER TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.78 CFS
0.7 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR
STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER
DAY.

THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT
IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS
PER ACRE.

PRIORITY DATE: 04/01/1945

POINT OF DIVERSION: T06N R02W S4 SWNE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	0.76 CFS
STOCKWATER	1-01 12-31	0.02 CFS
		0.70 AFY

PLACE OF USE:

IRRIGATION Within GEM County
T06N R02W S4 SWNE 38
STOCKWATER Use same as IRRIGATION

38 ACRES TOTAL

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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

**USE OF THIS RIGHT IS COMBINED WITH WATER FROM EMMETT IRRIGATION DISTRICT.
STOCKWATER, 40 RANGE CATTLE.**

12/28/2000

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

RIGHT NUMBER: 65-3322

NAME AND ADDRESS: HAZEL H NICHOLS
RALPH A NICHOLS
4001 W IDAHO BLVD
EMMETT, ID 83617

SOURCE: WASTEWATER TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.78 CFS
0.7 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION
DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 04/01/1945

POINT OF DIVERSION: T06N R02W S4 SWNE Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3-15 11-15	0.76 CFS
STOCKWATER	1-01 12-31	0.02 CFS
		0.70 AFY

PLACE OF USE:

IRRIGATION Within GEM County
T06N R02W S4 SWNE 38
STOCKWATER Use same as IRRIGATION

38 ACRES TOTAL

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

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

USE OF THIS RIGHT IS COMBINED WITH WATER FROM EMMETT
IRRIGATION DISTRICT.
STOCKWATER, 40 RANGE CATTLE.

DATE: 08/25/00
PAGE: 4

205
208

WR5809NP
No. 65-03322

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/25/00
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RALPH A. NICHOLS	04/01/1945	IRRIGATION	03/15 11/15	0.760 CFS	
C	HAZEL H. NICHOLS		STOCKWATER	01/01 12/31	0.020 CFS	0.70 AFA
	4001 W. IDAHO BLVD.					
	EMMETT ID 83617					
				TOTAL DIVERSION:	0.780 CFS	0.70 AFA

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T06N R02W S04 SWNE

GEM 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
06N	02W	4	:					38												:	38.0
																				TOTAL ACRES	38.0

Place of use Location for STOCKWATER is the same location as described for: IRRIGATION

Pou County: GEM

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION
DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

Dates: App. Received: Priority Date: 04/01/1945
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam fee:

Audit: 04/02/86 04/30/88 CONVERT

Idaho Department of Water Resources

**T06N R02W
S04**

Claims: 65-03322

Prepared by:

RON HOWERTON

Date: 27 AUG 00

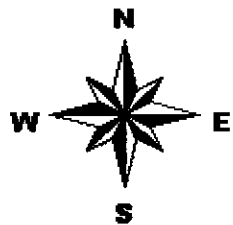
 **Place of use**

● **POD**

 **SECTION**

 **1/4 1/4**

38 Acres



1987 NAPP



0 0.25 0.5 0.75 1 Miles



Idaho Department of Water Resources

**T06N R02W
S04**

Claims: 65-03322

Prepared by:

RON HOWERTON

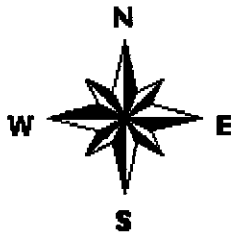
Date: 27 AUG 00

 **Place of use**

 **POD**

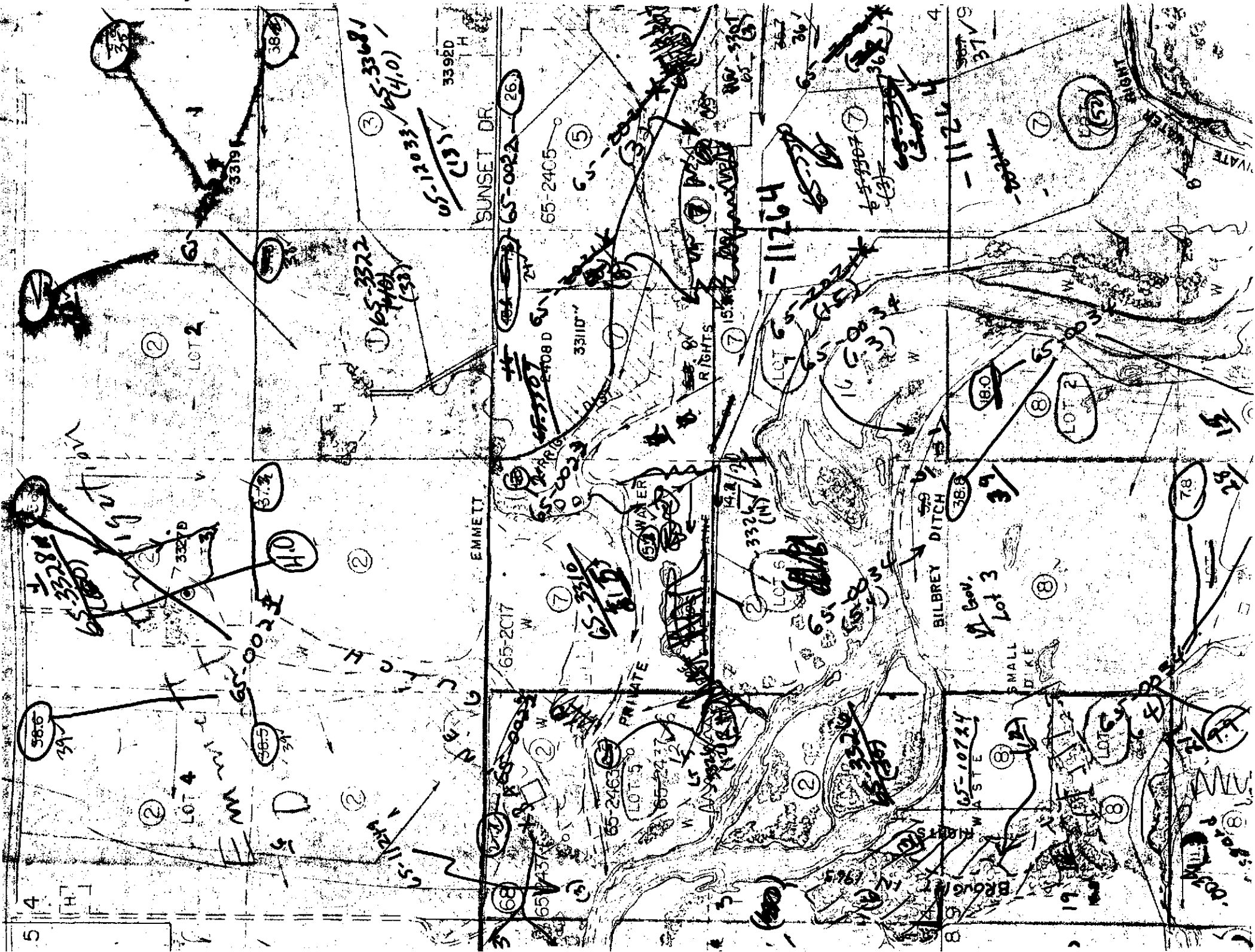
 **SECTION**

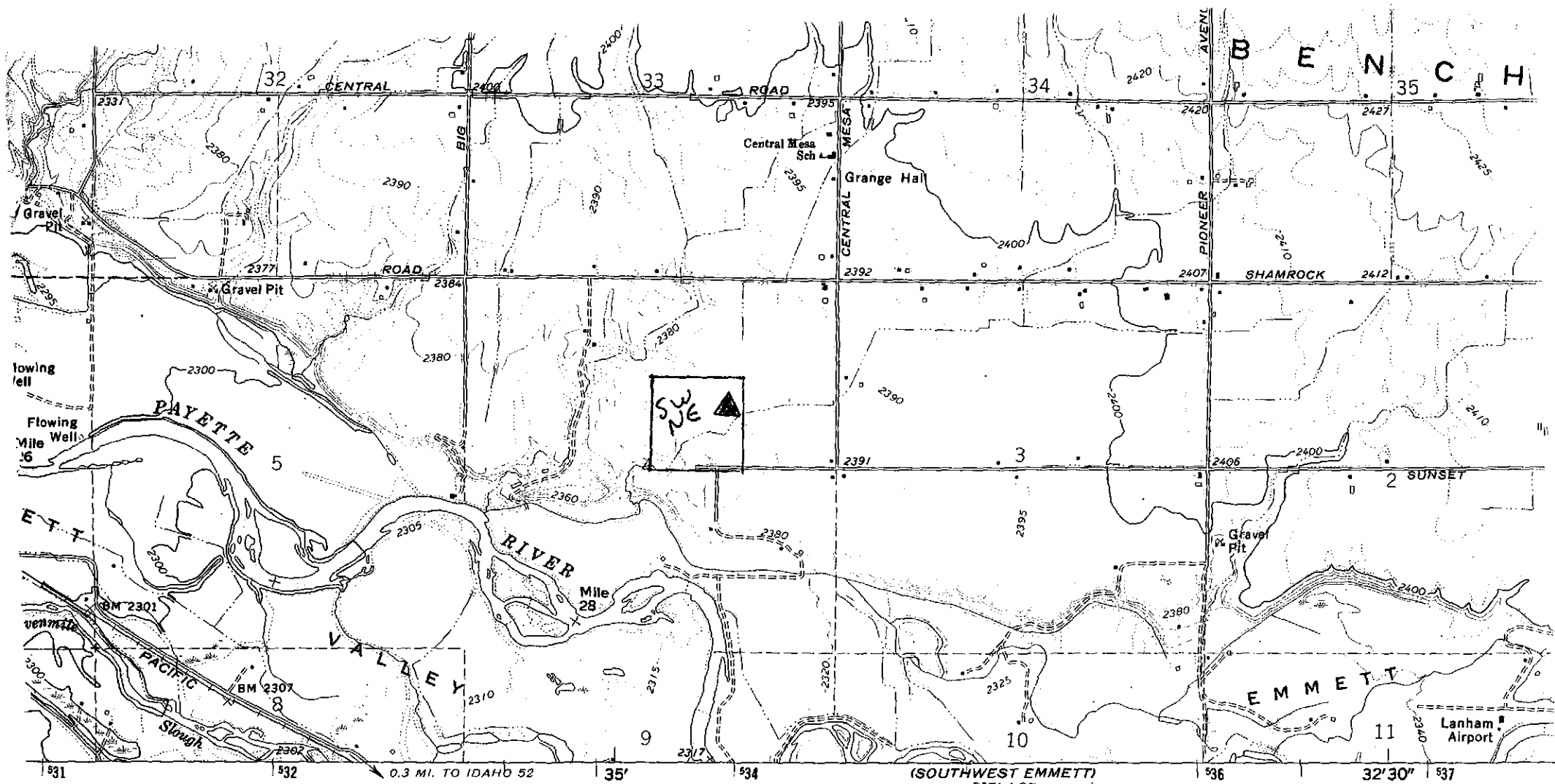
 **1/4 1/4**



1987 NAPP







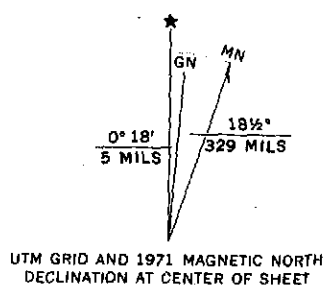
Published by the Geological Survey

USGS

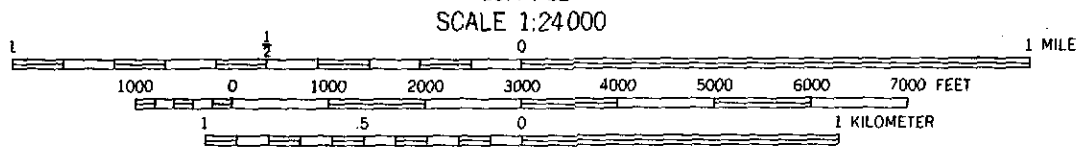
metric methods from aerial
Field checked 1971

Grid ticks: Idaho coordinate
Inverse Mercator)
Inverse Mercator grid ticks,
1927 North American datum

which only landmark buildings are shown
ate selected fence lines



UTM GRID AND 1971 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



SCALE 1:24000
CONTOUR INTERVAL 20 FEET
DOTTED LINES REPRESENT 5-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL

W6
1971 TOPO
T6N R2W
S04, SW NE



QUADRANGLE LOC

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

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

IDENT. NO

TO A

WATER RIGHT

15 3322

Department of Water Administration

Notice is hereby given that RALPH A. and/or HAZEL H. NICHOLS

~~Route 12, Box 65, Emmett, Idaho~~

and beneficial use of the surface or groundwater, of or tributary to the Payette River:

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 date that permit was issued) April 1, 1945
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Page River Waste water TRIB 70
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- Use Irrigation 171 3/15 (Both Dates Inclusive) 11/5
(Domestic, Irrigation, stock, etc.) Period of Use From April 1 To Oct. 31
(Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- Use Stock Water 7 Jan 1 To Dec 31
(Domestic, Irrigation, stock, etc.) Period of Use From Jan 1 To Dec 31
(Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- Use Stock Water 7 Jan 1 To Dec 31
(Domestic, Irrigation, stock, etc.) Period of Use From Jan 1 To Dec 31
(Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- (4) Quantity of water claimed: 171.7 Cubic Feet Per Second, or 171.7 Acre Feet Per Annum, and 480 Gals. Per Minute. Day
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SW 1/4 NE 1/4, Sec. 4, Twp. 6 N, Rge. 2 W, B.M.; 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 pump into gravity flow ditch
- (6) 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.

[illegible]Total No. of acres 60.0

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: 38
stock water for 40 head
- (7) Effluent, sewage waste, or return water from this use is discharged into: back into same waste ditch then into Payette River
- (8) If you are claiming water as a member of an organization, list name of organization: _____
- (9) Remarks Map B, Lot 1 (This at when combined with rts of Emmett Irrigation
SEE REMARKS District shall provide no more than 22 cfs/acre
4.5 AFA/acre)
- (10) 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, license, or claim filed with State Reclamation Engineer, Office 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

March 12, 1971

481

Organization

State of Idaho

County of Ada

On this 12th day of March

In the year 1971

a notary public, personally appeared Ralph A. Nichols and Hazel M. Nichols
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.

Notary Public Residing at Bonise Islah

My commission expires

SKN ✓ DRT 3-6-78