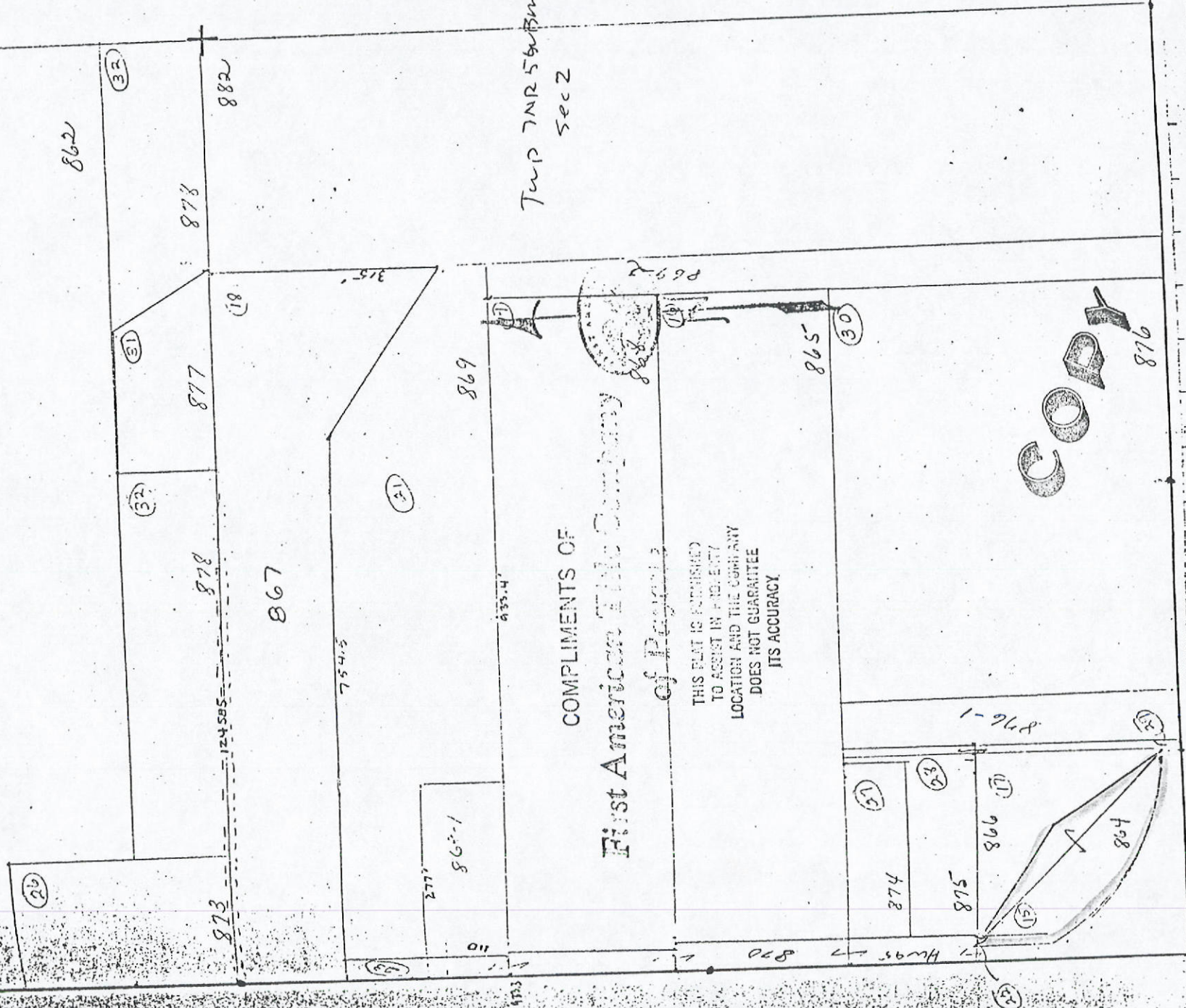


863 RECEIVED

AUG 30 1999

Department of Water Resources

863-1



Twp 7NR 56E 3m
Sec 2

COMPLIMENTS OF
First American Title Company
of Peoria

THIS PLAT IS FURNISHED
TO ASSIST IN EVIDENT
LOCATION AND THE COMPANY
DOES NOT GUARANTEE
ITS ACCURACY

COPY
876

65-5948

Claim No.

ELWOOD B. NELSON
839 North State Street
Weiser, Idaho

RECOMMENDED RIGHT

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 4/1/1947
- (2) Describe source of water: (Name of stream, lake, spring, etc., or groundwater) Groundwater
- (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 25 g.p.m. .01 Use Commercial Period of Use From 1/1 To 12/31
(CFS, GPD, AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- (4) -25 g.p.m. .04 CFS TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF.)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SW 1/4 NW 1/4,
Sec. 2, Twp. 7N, Rge. 5W, 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
- (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.

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	
7N	5W	2						X			X								

Total No. of acres _____

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Water used in operation of service station and cafe.
- (7) Effluent, sewage waste, or return water from this use is discharged into Septic tank and drain field.
- (8) If you are claiming water as a member of an organization, list name of organization: _____
- (9) Remarks: _____
- (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 the Idaho Department of Water Administration. _____

DATE OF EXAM

FIELD EXAMINER

INDICATES TOTAL

SOURCE: GROUNDWATER

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
65-5951	JOHNSON, THOMAS T. & JOHNSON, ELLEN A. ROUTE #1 BOX 237A, PAYETTE, IDAHO 83661	4/ 1/1947	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWNE S27 T 9N R 5W	NWNE S27 T 9N R 5W	BENEFICIAL USE
65-3468	KISER, ROBERT & KISER, MARY ROUTE 1, NEW PLYMOUTH, IDAHO 83655	4/ 1/1947	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SESE S27 T 7N R 4W	SESE S27 T 7N R 4W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.40 AFA .02 CFS *1.60*AFA *.04*CFS		SAME AS OTHER USE	
65-0350	LIZASO, JUANITA 5952 SOUTH SLOPE ROAD, EMMETT, IDAHO 83617	4/ 1/1947	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWNW S17 T 6N R 2W	NWNW S17 T 6N R 2W	BENEFIC USE
65-4476	MILLER, MARGARET F. 1015-7TH AVENUE NORTH, PAYETTE, IDAHO 83661 REMARKS: BLOCK 44, WESTSLOPE.	4/ 1/1947	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESW S 3 T 8N R 5W	NESW S 3 T 8N R 5W	BENEFIC USE
65-1847	MITCHELL, JAMES C. & MITCHELL, KATHLEEN M. 327 7TH AVENUE NORTH, PAYETTE, IDAHO 83661 REMARKS: LOT 61, HOPKINS TRACT.	4/ 1/1947	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWNW S 8 T 6N R 1W	SWNW S 8 T 6N R 1W	BENEFIC USE
65-6184	MOORE, HULDA I. ERNST ROUTE 1 BOX 74, PAYETTE, IDAHO 83661 REMARKS: BLOCK 1, DE WITTS 1ST SUBDIVISION.	4/ 1/1947	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NENE S 4 T 8N R 5W	NENE S 4 T 8N R 5W	BENEFICIAL USE
65-5948	NELSON, ELWOOD B. 839 NORTH STATE STREET, WEISER, IDAHO 83672	4/ 1/1947	COMMERCIAL	1/ 1 12/31	1.80 AFA .06 CFS	SWNW S 2 T 7N R 5W	SWNW S 2 T 7N R 5W	BENEFICIAL USE
65-6328	STEWART, LENA 639 7TH AVENUE NORTH, PAYETTE, IDAHO 83661 REMARKS: BLOCK 88, RIVERSIDE PLAT.	4/ 1/1947	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NENE S 4 T 8N R 5W	NENE S 4 T 8N R 5W	BENEFICIAL USE
65-4352	THOMPSON, JENNIE L. 614 NORTH 11TH STREET, PAYETTE, IDAHO 83661	4/ 1/1947	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWNW S34 T 9N R 5W	NWNW S34 T 9N R 5W	BENEFICIAL USE

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: **A65-05948**
Date Received: 2/22/1990
Receipt No: X999999
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: LESLIE V KUHLMAN
Address: 4998 SAND HOLLOW RD
NEW PLYMOUTH ID

83655

208-452-9303

AND/OR

Name: DIANNA KUHLMAN
Address: 4998 SAND HOLLOW RD
NEW PLYMOUTH ID

83655

208-452-9303

2. Date of Priority: APR 1, 1947

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	2	SW	NW			PAYETTE

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.060		1.80

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

1.80 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
07N	05W	2	SW	NW		COMMER	

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

OWNERSHIP CHANGED BY DB 10/13/99.

2ND PHONE NUMBER LISTED: 440-2428 (CELL PHONE)

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

RECEIVED

AUG 30 1999

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
 Department of Water Resources
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.

RECEIVED

SEP 03 1999

WATER RESOURCES
WESTERN REGION

1. Water Right No(s): 65-05948
 Adjudication Claim No(s): A 65-05948

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

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

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

3. Name and Address of Former Owner/Claimant Elwood B. Nelson, 839 N. State St.

Weiser, ID 83672

4. New Owner/Claimant(s) Leslie V. Kuhlman, Dianna Kuhlman
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
 New Mailing Address 4998 Sand-Hollow Rd.

City, State and ZIP Code New Plymouth, Idaho - 83655

New Telephone Number (208) 452-9303 - (work) - (cell-phone)
440-2428

5. Date you acquired the property 1-1-84

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) Leslie Kuhlman
 or Claimant(s) Dianna Kuhlman

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 portion of the water right: include the number of homes you acquired, number of acres irrigated with your portion of the right, if it is more than 1/2 acre, type and number of stock if your portion of the right includes 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., Suite 200
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

IRRIGATION DIST.
DRAINAGE DIST.
LAND
CITY
SEWER
FLOOD CONT. DIST.

DESCRIPTION

ARB

20

Phos. Sal. Mus. Sac. 2

 $\frac{2}{5}$

BOOK

[illegible]

247409

WARRANTY DEED

For Value Received ELWOOD B. NELSON and JENNIE C. NELSON, husband and wife,

the grantors do hereby grant, bargain, sell and convey unto JIM D. WHITMORE and DORENE C. WHITMORE, husband and wife, Box 6, Fruitland, Idaho 83619

the grantors the following described premises, located in Payette County, State of Idaho to-wit: In Township 7 North, Range 5 West of the Boise Meridian, in Section 2: That portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ described as follows: Beginning at the SW corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, running thence North 89° 35' East following the South side line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, a distance of 288 feet; thence North, parallel to the East side of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, a distance of 25 feet; thence North 33° 41' West 173.45 feet; thence North 50° 50' West 198.85 feet to the East line of U. S. Highway No. 30; thence West to the West side line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$; thence South following said West side line approximately 279 feet to the point of beginning; SAVE AND EXCEPT that portion thereof on the West and on the South now being used as a public highway; and FURTHER EXCEPTING that portion conveyed to the State of Idaho for highway purposes by Deed recorded August 25, 1958, Fee #101702, Deed Records of Payette County, Idaho; Subject to a right-of-way 30 feet in width along the Northeastly line of the subject property, said right-of-way being for the purpose of ingress and egress to land contiguous on the North and East of the said property. ALSO, That portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, Township 7 North, Range 5 West, B.M., described as follows: Beginning on the South side line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$; at a point 288 feet East of the SW corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$; thence East following said South side line a distance of 4.52 feet; thence North and parallel to the West side line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 466.7 feet; thence West 4.52 feet; thence South 466.7 feet to the point of beginning;

Subject to existing rights-of-way and easement appearing of record.

Together with all water, water rights, ditches and ditch rights, tenements, hereditaments and appurtenances belonging thereto or in anywise appertaining.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantors their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee S, that they the owner S in fee simple of said premises; that they are free from all incumbrances excepting easements, incumbrances, restrictions and rights of way appearing of record.

and that the y will warrant and defend the same from all lawful claims whatsoever.

Elwood B. Nelson (SEAL)

Jennie C. Nelson (SEAL)

(SEAL)

(SEAL)

Dated: April 15, 1977

STATE OF IDAHO, COUNTY OF PAYETTE

On this 15th day of April, 1977, before me, a notary public in and for said State, personally appeared

ELWOOD B. NELSON and
JENNIE C. NELSON,
husband and wife,known to me to be the person S whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Notary Public

Residing at Fruitland, Idaho
Comm. Expires 11-11-78

STATE OF IDAHO, COUNTY OF Payette

I hereby certify that this instrument was filed for
record at the request of Dore Botten Courtat 50 minutes past 10:00 o'clock
A.M., this 11 day of Jan.
1977, in my office, and duly recorded in Book
48 of Deeds at page 247409.
LAURA L. STIGLE

Ex-Officio Recorder

By Laura L. Stigle Deputy.
Fees \$3.00
Mail to:

INSTRUMENT NO.

247409

247410

WARRANTY DEED

For Value Received JIM D. WHITMORE, an unmarried man,

the grantor, do hereby grant, bargain, sell and convey unto DAVE BETTENCOURT, a married man, dealing with his sole and separate property,

Grantee's address: 1700 Fairview, Fruitland, ID 83619
the grantee, the following described premises, in Payette County Idaho, to wit:

In Township 7 North, Range 5 West of the Boise Meridian, In Section 2:
That portion of the SW4/NW4 described as follows:

BEGINNING at the SW corner of said SW4/NW4, running thence North 89° 35' East following the South side line of said SW4/NW4 a distance of 288 feet;
Thence North, parallel to the East side of said SW4/NW4, a distance of 25 feet;
Thence North 33°41' 1/2' West 173.45 feet;
Thence North 56°50' West 198.85 feet to the East line of I.S. Highway #30;
Thence West to the West side line of said SW4/NW4;
Thence South following said West side line approximately 279 feet to the POINT OF BEGINNING;
SAVE AND EXCEPT that portion thereof on the West and on the South now being used as a public highway
AND FURTHER EXCEPTING that portion conveyed to the STATE OF IDAHO for highway purposes.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that they are free from all encumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: April 16, 1982

Jim D. Whitmore

STATE OF IDAHO, COUNTY OF Payette
On this 16th day of April, 1982,
before me, a notary public in and for said State, personally
appeared Jim D. Whitmore,

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Residing at Payette
Comm. Expires 4/6/86

Notary Public
Idaho



STATE OF IDAHO, COUNTY OF Payette
I hereby certify that this instrument was filed for record at
the request of Dave Bettencourt

at 52 minutes past 11:00 o'clock A.M.,
this 11 day of Jan.
1982, in my office, and duly recorded in Book 48
of Deeds at page 247410

LAURA L. STIGLIE
Ex-Officio Recorder

By *Laura L. Stiglie* Deputy.

Fees \$ 3.00
Mail to:

INSTRUMENT No

247410

First American Title Company of Payette

19-99-4

#864

257363

Correction
WARRANTY DEED

For Value Received **JIM D. WHITMORE, a widower**

the grantor, do es hereby grant, bargain, sell and convey unto **DAVE BETTENCOURT, as his sole**
 and separate property

the grantee, whose current address is **1700 Fairview Ave Fruitland, Idaho 83619**

the following described premises, in **Payette** County, Idaho, to-wit:

See Attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
 heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said Grantee, that he is the
 owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated:

Jim D. Whitmore

STATE OF IDAHO
 COUNTY OF PAYETTE

On this 11TH day of MAY, in the
 year 1995, before me, a Notary Public, personally appeared
JIM D. WHITMORE
 known or identified to me to be the person whose name is
 subscribed to the within instrument, and acknowledged to me
 that he executed the same.

NOTARY

Notary Public

Residing at **PAYETTE**

, Idaho.

STATE OF IDAHO, COUNTY OF Payette

I hereby certify that this instrument was filed for record at the
 request of **FIRST AMERICAN TITLE CO.**

at 16 minutes past 4:00 o'clock PM.,
 this 8 day of Sept,
 1995, in my office, and duly recorded in Book 48
 of Deeds at page **257363**

LAURA L. STIGILE

Ex-Officio Recorder

By *Laura L. Stigile*

INSTRUMENT NO.

EXHIBIT "A"

257363

In Township 7 North, Range 5 West of the Boise Meridian, Payette County, Idaho in Section 2;

That portion of the SW1/4NW1/4 described as follows: Beginning at the SW corner of said SW1/4NW1/4, running thence North 89 degrees 35' East following the South side line of said SW1/4NW1/4 a distance of 288 feet;

thence North, parallel to the East side of said SW1/4NW1/4, a distance of 25 feet;

thence North 33 degrees 41 1/2' West 173.45 feet;

thence North 56 degrees 50' West 198.85 feet to the East line of U.S. Highway No. 30;

thence West to the West side line of said SW1/4NW1/4;

thence South following said West side line approximately 279 feet to the point of beginning; SAVE AND EXCEPT that portion thereof on the West and on the South now being used as a public highway; and FURTHER EXCEPTING that portion conveyed to the State of Idaho for highway purposes by Deed recorded August 25, 1958, Fee #101702, Deed Records of Payette County, Idaho;

Subject to a right-of-way 30 feet in width along the Northeasterly line of the subject property, said right-of-way being for the purpose of ingress and egress to land contiguous on the North and East of the said property.

ALSO, that portion of the SW1/4NW1/4 of Section 2, Township 7 North, Range 5 West, B.M., described as follows;

Beginning on the South side line of said SW1/4NW1/4; at a point 288 feet East of the SW corner of said SW1/4NW1/4;

thence East following said South side line a distance of 4.52 feet;

thence North and parallel to the West side line of said SW1/4NW1/4 a distance of 466.7 feet;

thence West 4.52 feet;

thence South 466.7 feet to the point of beginning.

This is being executed to correct legal description to include previous omitted property.

RECEIVED

WARRANTY DEED

AUG 30 1999

Department of Water Resources

For Value Received

DAVE BETTENCOURT, a single man

the grantor, do es hereby grant, bargain, sell and convey unto **LESLIE V. KUHLMAN AND DIANNA L. KUHLMAN, husband and wife**

the grantee s, whose current address is **4998 Sand Hollow Road New Plymouth, Idaho 83655**

the following described premises, in **Payette** County, Idaho, to-wit:

see attached exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, **their** heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: 9-19-95

Dave Bettencourt
Dave Bettencourt

STATE OF IDAHO

COUNTY OF Payette } ss

On this 29th day of September, in the year 19 95, before me, a Notary Public, personally appeared

Dave Bettencourt
known or identified to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he executed the same.

[Signature]
Notary Public

Residing at Payette, Idaho.

Comm. Ex. 3-77-97

STATE OF IDAHO, COUNTY OF Payette

I hereby certify that this instrument was filed for record at the request of **FIRST AMERICAN TITLE CO.**

at 10 minutes past 4:00 o'clock P.M.,
this 5th day of August,
19 98, in my office, and duly recorded in Book
of Deeds at page **275829**

LAURA L. STIGILE

Ex-Officio Recorder

By Judy B. Lammle

Deputy.

Fees \$ \$6.00
Mail to:

INSTRUMENT NO.

275829

RECEIVED

AUG 30 1999

EXHIBIT "A"

Department of Water Resources

In Township 7 North, Range 5 West of the Boise Meridian, Payette County, Idaho:

In Section 2: That portion of the SW1/4NW1/4 described as follows:

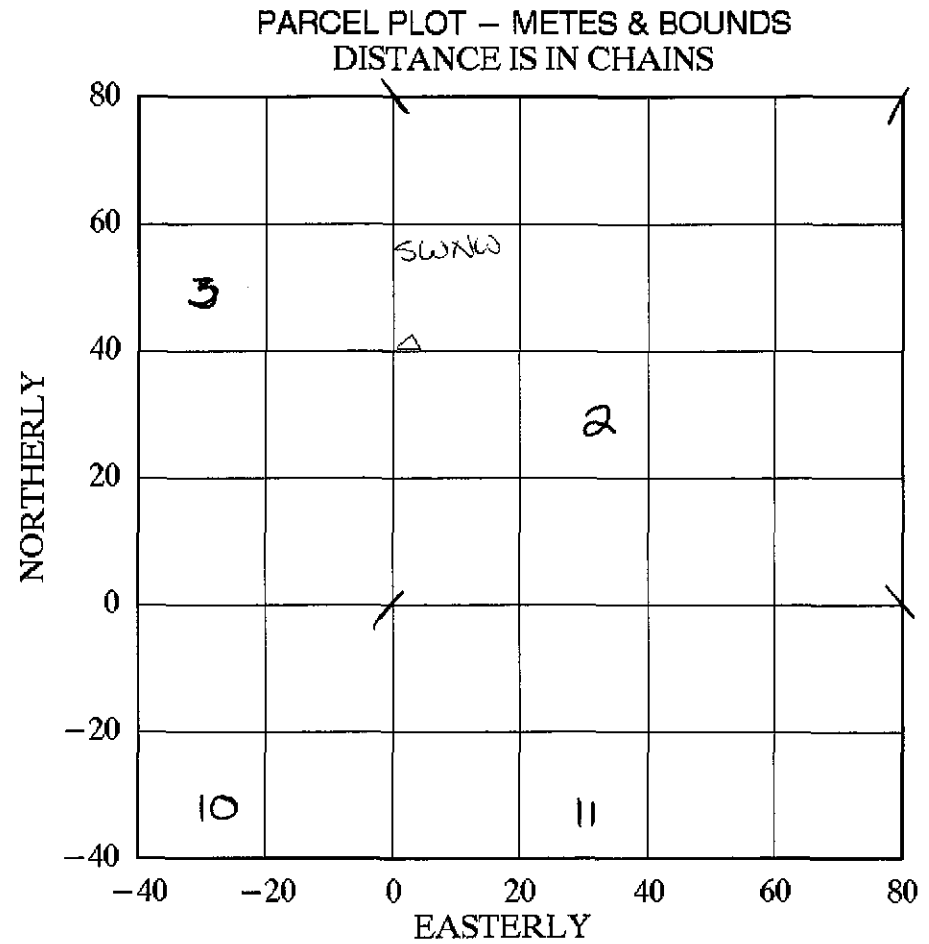
Beginning at the SW corner of said SW1/4NW1/4;
thence North 89°35'00" East along the South line of said SW1/4NW1/4 a distance of 288.00 feet;
thence North 00°17'30" West parallel to the West side of said SW1/4NW1/4 a distance of 25.00 feet to the True Point of Beginning;
thence North 33°41'30" West a distance of 173.45 feet;
thence North 57°19'54" West a distance of 1.75 feet;
thence South 50°06'09" West a distance of 190.84 feet, more or less to a point on the Easterly right of way of U.S. Highway 95;
thence South 00°17'30" East along East right of way a distance of 24.65 feet;
thence North 89°35'00" East parallel with the said South line of said SW1/4NW1/4 a distance of 244.00 feet, more or less, to the True Point of Beginning.

SAVE AND EXCEPT that portion thereof on the South now being used as public highway.

TOGETHER WITH AND SUBJECT TO a mutual ingress-egress easement for access as established between adjacent Highways on the West and South boundaries.

X = Ø
Y = 40

A65-05948



7N
5W

METES AND BOUNDS TABLE

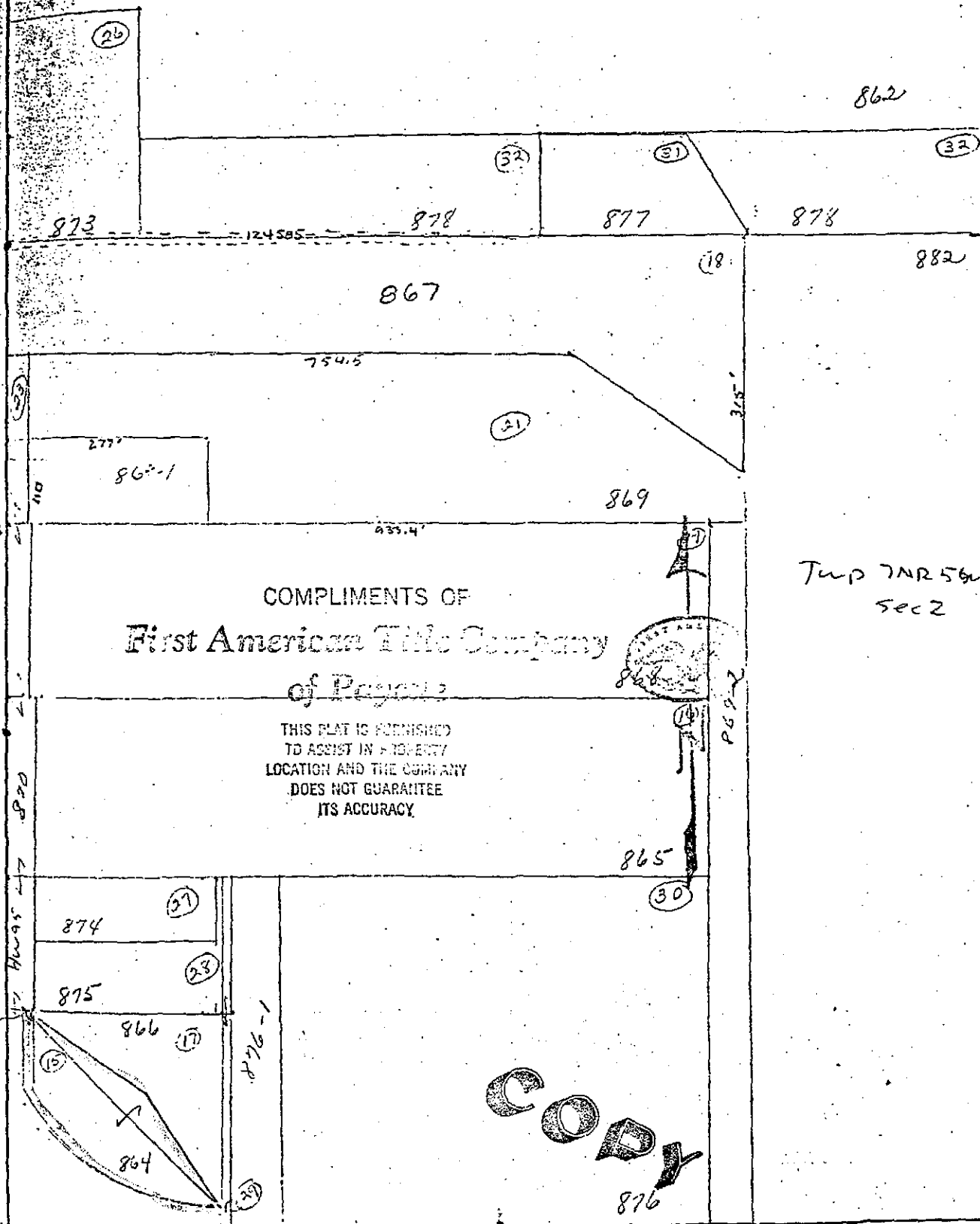
PRESS ALT P TO PRINT GRAPH

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	0.00	40.00					
	4.36	40.03	89.00	35.00	0.00	NE	288.00
	4.36	40.41	0.00	17.00	30.00	NW	25.00
	2.90	42.60	33.00	41.00	30.00	NW	173.45
	2.88	42.61	57.00	19.00	54.00	NW	1.75
-QUAD COEF-	0.66	40.76	50.00	6.00	9.00	SW	190.84
IF NE, X=1,Y=1	0.66	40.38	0.00	17.00	30.00	SE	24.65
IF SE, X=1,Y=-1	4.36	40.41	89.00	35.00	0.00	NE	244.00
IF SW, X=-1,Y=-1	4.36	40.41					

865 RECEIVED

AUG 30 1999

Department of Water Resources



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: A65-05948
Date Received: 2/22/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELWOOD B. NELSON
Address: 839 NORTH STATE STREET
WEISER, ID 83672

2. Date of Priority: APR 01, 1947

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	2	SW	NW			PAYETTE

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.060		1.80

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) 1.80 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
07N	05W	2	SW	NW		COMMER	

11. Place of use in counties: PAYETTE

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

A65-05948

Page 1

Date: 05/31/90

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: 65-05948

DATE RECEIVED: 2/22/90

RECEIPT NO: 19949

RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: ELWOOD B. NELSON
ADDRESS: 839 NORTH STATE STREET
WEISER, ID

83672

RECEIVED
FEB 22 1990

2. DATE OF PRIORITY: APR 01, 1947 ✓

3. SOURCE: GROUNDWATER ✓

TRIB. TO:

Department of Water Resources

4. POINT OF DIVERSION: ✓

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
07N	05W	2	SW	NW			PAYETTE

5. DESCRIPTION OF DIVERTING WORKS: Well and pump -

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
COMMERCIAL ✓	01/01	12/31	0.060		1.80

7. TOTAL QUANTITY APPROPRIATED IS:
0.060 C.F.S. (AND/OR) ✓ 1.80 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
07N	05W	2	SW	NW		COMMER	

11. PLACE OF USE IN COUNTIES: PAYETTE, PAYETTE ✓

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

65-05948

PAGE 1

DATE: 01/23/90

4095

MICROFILMED

SEP 22 1992

13. OTHER WATER RIGHTS USES:

14. REMARKS:

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: _____

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): Edward B. Nelson DATE: Feb 20 1990

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF

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

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

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

65-05948

PAGE

2

DATE: 01/23/90

4096

MICROFILMED

SEP 22 1992

STATE OF IDAHO)
COUNTY OF Washington) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 20 DAY
OF Feb 19 90

[Signature]
NOTARY PUBLIC

SEAL

RESIDING AT Weiser
MY COMMISSION EXPIRES 10-10-92

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Nelson CLAIM IDENT. NO. A65-05948DATE RECEIVED 2/22/90 CK # _____ AMOUNT \$ 0 - YES ☒ NO ☐ Require Info? ☐

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Require Info? *
2. Is a priority date entered? ☐ YES ☐ NO ☐ Require Info? *
Is the priority date acceptable in view of mandatory filing dates? ☐ YES ☐ NO ☐ Require Info? *
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ YES ☐ NO ☐ Require Info? *
3. (a) Is a source entered? ☐ YES ☐ NO ☐ Require Info? *
(b) Is a tributary to entered? (if required) ☐ YES ☐ NO ☐ Require Info? *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO ☐ Require Info? *
5. Is there a description of the diverting works? ☐ YES ☐ NO ☐ Require Info? *
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 ☐ Require Info? *
Is the period of use included? ☐ YES ☐ NO ☐ Require Info? *
Is a quantity claimed for each use? ☐ YES ☐ NO ☐ Require Info? *
7. Is a total quantity claimed entered? ☐ YES ☐ NO ☐ Require Info? *
8. If required is a consumptive use entered? ☐ YES ☐ NO ☐ Require Info? *
Is the consumptive use correct? ☐ YES ☐ NO ☐ Require Info? *
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 ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☐ NO ☐ Require Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO ☐ Require Info? *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO ☐ Require Info? *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO ☐ Require Info? *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO ☐ Require Info? *
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 ☐ Require Info? *
15. Is the basis of the claim indicated? ☐ YES ☐ NO ☐ Require Info? *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO ☐ Require Info? *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Require Info? *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Require Info? *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Require Info? *
20. Is the fee enclosed correct? ☐ YES ☐ NO ☐ Require Info? *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☐ NO ☐ Require Info? *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ Require Info? *

Claim checked by: RMF Date: 5/15/90Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by: _____ Date: _____
 Claim data entered by: RMF Date: _____
 Sent to claimant by: RMF Date: _____

Checked by: RMF Date: 5/15/90

Comments: _____

MICROFILMED

SEP 22 1992

04/23/2001

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

RIGHT NUMBER: 65-5948

NAME AND ADDRESS: DIANNA KUHLMAN
LESLIE V KUHLMAN
4998 SAND HOLLOW RD
NEW PLYMOUTH, ID 83655

SOURCE: GROUND WATER

QUANTITY: 0.06 CFS
1.8 AFY

PRIORITY DATE: 04/01/1947

POINT OF DIVERSION: T07N R05W S2 SWNW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	1-01 12-31	0.06 CFS
		1.80 AFY

COMMERCIAL USE IS FOR OPERATION OF BAR AND GRILL.

PLACE OF USE:

COMMERCIAL Within PAYETTE County
T07N R05W S2 SWNW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

CLAIM NO. 65-5948

**IDWR SUPPLEMENTAL CLAIM VERIFICATION REPORT
FOR DOCUMENTING CHANGES TO CVR**

1. ☒ NAME - No change
☐ NEW OWNER: _____
 (SUPPORTING DOCUMENTATION REQUIRED - ATTACH COPY)
☒ ADDRESS - No change
☐ NEW ADDRESS: _____

2. ☒ SOURCE - No change
☐ CHANGE - New source and/or tributary is: _____

3. ☒ QUANTITY - No change
☐ CHANGE - New amounts: _____ CFS and/or _____ AFY

4. ☒ PRIORITY DATE - No change
☐ CHANGE - Priority date to: _____
 (EVIDENCE OF PRIORITY REQUIRED - ATTACH COPY)

5. ☒ POINT OF DIVERSION - No Change
☐ CHANGE - New point of diversion is: T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
 T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
 (LOCATION OF POD(S) SHOULD BE SHOWN ON MAP)

6. ☐ PURPOSE AND PERIOD OF USE - No change
☐ CHANGE New purpose of use _____ New period of use _____ New amount(s) _____
 _____ from _____ to _____ cfs _____ af
 _____ from _____ to _____ cfs _____ af
 _____ from _____ to _____ cfs _____ af

7. ☒ PLACE OF USE - No change
☐ CHANGE New place(s) of use: (LOCATION(S) AND ACRES SHOULD ALSO BE SHOWN ON MAP)

T	R	S	N E				N W				S W				S E				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

REMARKS ORIGINAL RIGHT SAYS CAFE & SERVICE STATION
OK FOR BAR & GRILL CHANGE IN EXP REMARKS - SAME AS CAFE.

CONDITIONS NA

Reviewer Don Howland Date 4-23-01

03/19/98 SW Water Agents

**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: 65-5948

DIANNA KUHLMAN
4998 SAND HOLLOW RD
NEW PLYMOUTH ID 83655
Telephone Number: (208)452-9303

LESLIE V KUHLMAN
4998 SAND HOLLOW RD
NEW PLYMOUTH ID 83655
Telephone Number: (208)452-9303

RECEIVED

APR 09 2001

**WATER RESOURCES
WESTERN REGION**

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

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

*commercial use = should read: Bar and Grill -
not - Service Station.*

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

*There is no Service Station. It's been gone
for 18 plus years, with no water hook-ups,*

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4-6-01

SIGNATURE: Dianna Kuhlman

Please print your name: Dianna Kuhlman

03/08/2001

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

RIGHT NUMBER: 65-5948
NAME AND ADDRESS: DIANNA KUHLMAN
4998 SAND HOLLOW RD
NEW PLYMOUTH ID 83655

LESLIE V KUHLMAN
4998 SAND HOLLOW RD
NEW PLYMOUTH ID 83655

RECEIVED

APR 09 2001

WATER RESOURCES
WESTERN REGION

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.060 CFS
1.80 AFY

PRIORITY DATE: 04/01/1947

POINT OF DIVERSION:
T07N R05W S2 SWNW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	1/01 12/31	0.060 CFS 1.80 AFY

PLACE OF USE:

COMMERCIAL Within PAYETTE County
T07N R05W S02 SWNW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

AJ0749NP
No. R65-05948

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

DATE: 04/21/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LESLIE V KUHLMAN	04/01/1947	COMMERCIAL	01-01 12-31	0.060 CFS	1.80 AFA
C	DIANNA KUHLMAN					
	4998 SAND HOLLOW RD					
	NEW PLYMOUTH ID 83655					
	(208) 452-9303					
				TOTAL DIVERSION:	0.060 CFS	1.80 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R05W S02

SWNW

PAYETTE County

Place of use Legal Description for: COMMERCIAL

	NE				NW				SW				SE			
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07N 05W 2	:		:		:		:		:		:		:		:	

POU County: PAYETTE

Conditions of Approval:

- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
 - ADMINISTRATION OF THE WATER RIGHTS 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.
- ~~NB6 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 2,500~~
- ~~NB1 - GALLONS PER DAY.~~
- ~~NB1 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A~~
- ~~- DETERMINATION OF HISTORICAL BENEFICIAL USE.~~

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

USE RWRK - OPERATION OF SERVICE STATION AND CAFE

65-5948

RECOMMENDED RIGHT

Claim No.

ELWOOD B. NELSON
839 North State Street
Weiser, Idaho

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 4/1/1947
- (2) Describe source of water: (Name of stream, lake, spring, etc., or groundwater) Groundwater
- (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 25 g.p.m. Use Commercial Period of Use From 1/1 To 12/31
(CFS, GPD, AFD) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AFD) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AFD) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- (4) 25 g.p.m. 4 CFS TOTAL QUANTITY CLAIMED.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SW 1/4 NW 1/4,
Sec. 2 Twp. 7N Rge. 5W 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
- (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.

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	
<u>7N</u>	<u>5W</u>	<u>2</u>							<u>X</u>			<u>X</u>							

Total No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Water used in operation of service station and cafe.

(7) Effluent, sewage waste, or return water from this use is discharged into Septic tank and drain field.

(8) If you are claiming water as a member of an organization, list name of organization.

(9) Remarks

(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 the Idaho Department of Water Administration.

DATE OF EXAM

FIELD EXAMINER

INDICATES TOTAL

SOURCE: GROUNDWATER

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
65-5951	JOHNSON, THOMAS T. & JOHNSON, ELLEN A. ROUTE #1 BOX 237A, PAYETTE, IDAHO 83661	4/ 1/1947	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWNE S27 T 9N R 5W	NWNE S27 T 9N R 5W	BENEFICIAL USE
65-3468	KISER, ROBERT & KISER, MARY ROUTE 1, NEW PLYMOUTH, IDAHO 83655	4/ 1/1947	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SESE S27 T 7N R 4W	SESE S27 T 7N R 4W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.40 AFA .02 CFS *1.60*AFA *.04*CFS		SAME AS OTHER USE	
65-0350	LIZASO, JUANITA 5952 SOUTH SLOPE ROAD, EMMETT, IDAHO 83617	4/ 1/1947	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWNW S17 T 6N R 2W	NWNW S17 T 6N R 2W	BENEFIC. USE
65-4476	MILLER, MARGARET F. 1015-7TH AVENUE NORTH, PAYETTE, IDAHO 83661 REMARKS: BLOCK 44, WESTSLOPE.	4/ 1/1947	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESW S 3 T 8N R 5W	NESW S 3 T 8N R 5W	BENEFIC USE
65-1847	MITCHELL, JAMES C. & MITCHELL, KATHLEEN M. 327 7TH AVENUE NORTH, PAYETTE, IDAHO 83661 REMARKS: LOT 61, HOPKINS TRACT.	4/ 1/1947	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWNW S 8 T 6N R 1W	SWNW S 8 T 6N R 1W	BENEFIC USE
65-6184	MOORE, HULDA I. ERNST ROUTE 1 BOX 74, PAYETTE, IDAHO 83661 REMARKS: BLOCK 1, DE MITTS 1ST SUBDIVISION.	4/ 1/1947	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NENE S 4 T 8N R 5W	NENE S 4 T 8N R 5W	BENEFICIAL USE
	~~REDACTED~~ 859 NORTH STATE STREET, WEISER, IDAHO 83672	4/ 1/1947	COMMERCIAL	1/ 1 12/31	1.00 AFA .06 CFS	SWNW S 2 T 7N R 5W	SWNW S 2 T 7N R 5W	BENEFICIAL USE
65-6328	STEWART, LENA 639 7TH AVENUE NORTH, PAYETTE, IDAHO 83661 REMARKS: BLOCK 88, RIVERSIDE PLAT.	4/ 1/1947	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NENE S 4 T 8N R 5W	NENE S 4 T 8N R 5W	BENEFICIAL USE
65-4352	THOMPSON, JENNIE L. 614 NORTH 11TH STREET, PAYETTE, IDAHO 83661	4/ 1/1947	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWNW S34 T 9N R 5W	NWNW S34 T 9N R 5W	BENEFICIAL USE

WR0749NP
No. 65-05948

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/19/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELWOOD B. NELSON 839 NORTH STATE STREET WEISER ID 83672	04/01/1947	COMMERCIAL	01/01 12/31	0.060 CFS	1.80 AFA
TOTAL DIVERSION:					0.060 CFS	1.80 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R05W S02 SWNW PAYETTE County

Place of use Legal Description for: COMMERCIAL

NE				NW				SW				SE																			
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
07N	05W	2	:		:																										

Pou County: PAYETTE

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

65-04152 65-04153 65-04154 65-04379 65-04626 65-07759 65-09133 65-09134

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

65-00066

Dates: App. Received: Priority Date: 04/01/1947
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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

October 13, 1999

DIRK KEMPTHORNE
GOVERNOR

Re: Notice of Claim to a Water Right No. A65-05948

KARL J. DREHER
DIRECTOR

LESLIE V KUHLMAN
DIANNA KUHLMAN
4998 SAND HOLLOW RD
NEW PLYMOUTH ID 83655

Dear Mr. & Mrs. Kuhlman:

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". The signature is written in dark ink and is positioned above the typed name and title.

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:db

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

RECEIVED

SEP 03 1999

WATER RESOURCES
WESTERN REGION

August 27, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Chuck Kuhlman
4998 Sandhollow Rd
New Plymouth, ID 83655

**RE: WATER RIGHT CLAIM NO. A65-05948 IN THE NAME OF ELWOOD B.
NELSON**

Dear Mr. Kuhlman:

This letter follows up the visit yesterday of Diana Kuhlman to this office and my telephone conversation with you today in connection with the above referenced matter.

I researched water right records of the department and determined that the Notice of Claim to a Water Right filed by Elwood B. Nelson in 1973 shows that the water he claimed was "used in operation of service station and a cafe." The legal description fits for the Palisades Bar and Grill which you apparently own near Palisades Corner.

In order to change Claim No. A65-05948 into your name, you need to complete and return the partially completed "Notice of Change of Water Right Ownership" form to the department. Note that you need to provide proof of ownership of the property as described in item 2 on the form.

For your information, I have also enclosed a copy of the original adjudication form filed by Nelson and an Adjudication Claim Profile Report of the same water right.

Please feel free to contact the department if you have questions.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

Encl: 3

c: IDWR - W. Region