

LISTING OF WATER RIGHTS

PAGE 7

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	BASIS OF RIGHT
SOURCE: PAYETTE RIVER		TRIBUTARY: SNAKE RIVER				
65-7062	Nebeker, Walter Nebeker, Josephine 809 Sunset Emmett, Idaho 83617 Point of Diversion: T6N R1W Sec. 6 Place of Use: T6N R1W Sec. 6 81 Acres Total Other rights: 65-1387B Remarks: This right when combined with right 65-1387B shall provide no more than .02 cfs/acre.	2-4-1969	Irrigation	3-15 11-15	1.62 CFS	License
65-2895	Kienitz, John H. Kienitz, Karon S. 3512 Sunset Dr. Emmett, Idaho 83617 Point of Diversion: T6N R2W Sec. 1 Place of Use: T6N R1W Sec. 6 T6N R2W Sec. 1 100 Acres Total Other rights: 65-1387A, 65-1393, 65-2360 Remarks: Sources for this right are Gill Slough tributary to Payette River and Payette River tributary to Snake River. This right when combined with rights 65-1387A, 65-1393, and 65-2360 shall provide no more than .02 cfs/acre.	6-2-1965	Irrigation	3-15 11-15	.55 CFS	License

Idaho Dept. of Water Resources

Claim No(s): 65-07062
T06N, R01W, Sec 6
T06N, R02W, Sec 1
Created by: Sue Bock
Date: 1/22/2001

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



1987 NAPP Photo

0 1000 2000 3000 Feet



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: A65-07062
Date Received: 1/26/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOLBROOK MASLEN 208-853-0536
Address: 1047 ARROWHEAD DR
CARSON CITY NV 89706

2. Date of Priority: FEB 4, 1969

3. Source: PAYETTE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	01W	6		NW	SE	9	GEM

5. Description of diverting works:
PUMP & PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.620		

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

8. Total consumptive use is 283.5 Acre Feet Per Annum.

9. Non-irrigation uses:

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10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	01W	6	NE	SW		IRR	36.0
			NW	SW	6	IRR	33.0
			NW	SE	9	IRR	12.0

Section Acres 81.0

10. Place of Use: Continued

Total Acres 81.0

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:
65-1387B

14. Remarks:

CHANGE IN ADDRESS COMPLETED ON 5/28/91 BY L.R.W. THIS IS NOT A
CHANGE IN OWNERSHIP. ALTERNATE PHONE NO.=343-4223.
CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 11/12/92.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 7/13/92

LEGAL DESCRIPTION OF PROPERTY: Township 6N Range 11W
Section 5 & 6 1/4 of 1/4 of 1/4 Govt. Lot BM.
Lot Block Subdivision/Townsite
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s)
Assigned by IDWR: A-65-18372, A 65-07062 and ~~A 65-01387A~~ A 65-01387B

☒ Name and Address of Former Owner/Claimant(s)(Seller): Walter D. Nebeker and Josephine L. Nebeker
809 Sunset Drive, Emmett, Idaho 83617

☒ New Owner/Claimant (Purchaser): Holbrook Maslen

☒ New Mailing Address: 1047 Arrowhead Drive, Carson City, Nevada 89706

☒ New Telephone Number: (208) 853-0536

☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes ~~no~~
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: Deed transferring property.

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) _____ Date _____

☐ Signature of Former Owner/Claimant(s): Walter Nebeker Date 7/19/92

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

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: A65-07062
Date Received: 1/26/1990
Receipt No: X9999999
Received By: SRW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WALTER NEBEKER
Address: 809 SUNSET AVE.
EMMETT, ID 83617
OR
Name: JOSEPHINE NEBEKER
Address: 809 SUNSET AVE.
EMMETT, ID 83617
OR
Name: SALSKOV TRANSFER, INC. 208-365-4371
Address: 214 E. PARK
EMMETT, ID 83617

2. Date of Priority: FEB 4, 1969

3. Source: PAYETTE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	01W	6	NW	SE		9	GEM

5. Description of diverting works:
PUMP & PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.620		

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

8. Total consumptive use is 283.5 Acre Feet Per Annum.

9. Non-irrigation uses:

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	01W	6	NE	SW		IRR	36.0
			NW	SW	6	IRR	33.0
			NW	SE	9	IRR	12.0
						Section Acres	81.0
						Total Acres	81.0

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:
65-1387B

14. Remarks:

CHANGE IN ADDRESS COMPLETED ON 5/28/91 BY L.R.W. THIS IS NOT A
CHANGE IN OWNERSHIP. ALTERNATE PHONE NO.=343-4223.

15. Basis of Claim: LICENSE

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: _____

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AUG 03 1994

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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AUG 03 1994

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): A65-05309

A65-05307

A65-05308

A-65-07062

[] Old Mailing Address: Stokely Van Camp Inc.

P.O. Box 98

Emmett, Idaho 83617

[] New Mailing Address: Salskov Transfer Inc.

214 East Park

Emmett, Idaho 83617

New Telephone Number: (208) 365-4371 or 343-4223

[] Signature of Claimant: Sandra L. Salskov - Sec. Treas

Date: 2-6-90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

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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: A65-07062
Date Received: 12/22/1989
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STOKELY VAN CAMP INC.
Address: P.O. BOX 98
EMMETT, ID

83617

2. Date of Priority: FEB 04, 1969

3. Source: PAYETTE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
06N	01W	6		9	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	1.620		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	01W	6	NE SW		IRR	36.0
			NW SW	6	IRR	33.0
			NW SE	9	IRR	12.0

Section Acres 81.0

A65-07062

Page 1

Date: 12/22/89

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AUG 03 1994

10. Place of Use: Continued

Total Acres 81.0

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:

15. Basis of Claim: BENEFICIAL USE

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):

Janara Lee Saltskov Date: 2-6-90
Secretary-Treasurer
Karl Saltskov Pres Date: 2/6/90

State of Idaho)

) SS.

County of Gem)

Subscribed and sworn (or affirmed) before me this 6th day

of February 19 90

Dawn Putzier
Notary Public

Seal

Residing at Emmett, Idaho

My Commission Expires 11/20/92

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: A65-07062
Date Received: 1/26/1990
Receipt No: X999999
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WALTER NEBEKER
Address: 809 SUNSET AVE.
EMMETT, ID 83617

AND/OR
Name: JOSEPHINE NEBEKER
Address: 809 SUNSET AVE.
EMMETT, ID 83617

2. Date of Priority: FEB 04, 1969

3. Source: PAYETTE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	01W	6	NW	SE		9	GEM

5. Description of diverting works:
PUMP & PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.620		

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

8. Total consumptive use is 283.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	01W	6	NE		SW		IRR	36.0
			NW		SW	6	IRR	33.0
			NW		SE	9	IRR	12.0
							Section Acres	81.0
							Total Acres	81.0

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:
65-1387B

14. Remarks:

15. Basis of Claim: LICENSE

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: _____

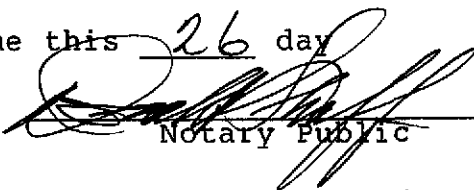
For Individuals:

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

Signature of Claimant(s): Walter Nebeker Date: Jan 26, 1990

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of January 19 90
Seal  Notary Public

Residing at Boise, ID
My Commission Expires June 19, 1994

01/22/2001

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

RIGHT NUMBER: 65-7062

NAME AND ADDRESS: HOLBROOK MASLEN
1047 ARROWHEAD DR
CARSON CITY, NV 89706

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.62 CFS

USE OF THIS RIGHT WITH RIGHT NO. 65-01387B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.02 CFS PER ACRE AT FIELD
HEADGATE.

PRIORITY DATE: 02/04/1969

POINT OF DIVERSION: T06N R01W S6 LOT 9 NWSE 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	1.62 CFS

PLACE OF USE:

<u>IRRIGATION Within GEM County</u>			
T06N R01W S6	NESW	36	T06N R01W S6 LOT 6 NWSW 33
T06N R01W S6	LOT 9 NWSE	12	

81 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

AJ5809NP
No. A65-07062

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/28/00
PAGE: 121

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HOLBROOK MASLEN 1047 ARROWHEAD DR CARSON CITY NV 89706 (208) 853-0536	02/04/1969	IRRIGATION	03-15 11-15	1.620 CFS	1.620 CFS
				TOTAL DIVERSION: CONSUMPTIVE USE:	1.620 CFS	285.50 AFA

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T06N R01W S06 Lot09(NWSE)

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	:	SUM	
06N	01W	6	:											:	81.0	
															TOTAL ACRES	81.0

POU County: GEM

Other Rights: 65-1387B

Remarks: GEN CHANGE IN ADDRESS COMPLETED ON 5/28/91 BY L.R.W. THIS IS NOT A
CHANGE IN OWNERSHIP. ALTERNATE PHONE NO.=343-4223.
CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 11/12/92.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

(2047)
QNT w/ 65-01387B
to .02 cfs per acre.
C18

JIM JONES
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720
Telephone: (208) 334-2400

PHILLIP J. RASSIER
JOSEPHINE P. BEEMAN
Deputy Attorneys General
Department of Water Resources
Statehouse
Boise, Idaho 83720
Telephone: (208) 334-7920

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

IN THE MATTER OF THE GENERAL	)	Civil Case No. 3667
DETERMINATION OF THE RIGHTS TO	)	
THE USE OF SURFACE AND GROUND	)	STIPULATION ADDING, AMENDING,
WATER OF THE PAYETTE RIVER	)	AND DELETING RECOMMENDATIONS
DRAINAGE.	)	FOR GOSLIN, KIENITZ,
	)	NEBEKER AND REKOW
	)	

R. Keith Higginson, Director of the Idaho Department of Water Resources, Walter and Josephine Nebeker, John H. and Karon S. Kienitz, T. Edwin and Ida Goslin, and Charles L. and Delma C. Rekow, enter into a stipulation resolving an oversight from the record before this court in the Payette Adjudication. This omission or oversight was initially addressed by a motion pursuant to Rule 60(a) filed with the court March 28, 1988.

As explained in the motion on file with the court, the land for which a claim was omitted by the oversight of the Idaho Department of Water Resources is presently farmed by Nebeker and Kienitz. Kienitz owns his land under a contract of sale from the Rekow.

Additional facts not contained in the original motion nor the affidavits which accompanied the motion are agreed to by the parties in this stipulation. Those facts include the following: the waste water rights which are affected by this stipulation are all for waste water from the Emmett Irrigation District. From a review of documents on file with the Idaho Department of Water Resources, the parties agree that the lands now owned or being purchased by Goslin, Nebeker, Rekow and Kienitz began irrigation with waste water (originating from the east side of Washington Street) in the 1920's. Specifically, it appears that the records of the Idaho Department of Water Resources support a priority date of April 1, 1926 for 65-1387A, 65-1387B, and 65-11415, and a priority date of 11-10-1929 for 65-2360. No other individuals are presently using this particular source of waste water. Goslin has two additional water rights (65-2838 and 65-2497) for waste water from this same area which have junior priority dates.

In the process of the negotiations leading to this stipulation, it became apparent that there were other clerical errors in rights for the same lands. Specifically, right 65-3842 originally decreed in the name of Beckman, is appurtenant to lands now owned by Rekow. Further, because part of the land under right 65-3842 is under contract of purchase with Kienitz, the right was split to 65-3842A and 65-3842B.

The changes to the water right claim numbers are reflected in the attached exhibit. Also, where these new claim numbers need to be listed as "Other Rights" where the land to which the

right is appurtenant is also covered by an additional water right, those changes are reflected in the exhibit.

There is a decreed licensed right, 65-2458, which is no longer in the listing of water rights accompanying this stipulation. Right 65-2458 was originally recommended for land that is now covered by 65-11415. The records in the license files at the Department of Water Resources provided evidence that the water use under 65-2458 arose earlier than the priority date indicated on the license. Thus, instead of licensed right 65-2458, beneficial use right 65-11415 is listed in the schedule accompanying this stipulation with a priority date of April 1, 1926. The rate of diversion for 65-11415 is 1.56 cfs, reflecting a clerical correction that only 78 acres can be irrigated from this diversion. Originally, 65-2458 listed a diversion rate of 1.74 cfs for 87 irrigated acres. The points of diversion and places of use are unchanged except for clerical corrections which are indicated.

An additional decreed licensed right 65-2360 is listed with reduced acreage in the attached schedule of rights. The records in the license files at the Department of Water Resources provided evidence that water use on some acres under 65-2360 began earlier than the date on the license. Therefore, 63 acres previously listed with 65-2360 are now listed with 65-1387A in the schedule of rights accompanying this stipulation.

DATED this 17th day of April, 198⁹⁰_.

Josephine P. Beeman
JOSEPHINE P. BEEMAN
Deputy Attorney General
Department of Water Resources

Water Nebeker

Josephine Nebeker

John H. Kienitz

Karon S. Kienitz

Edwin Goslin
Edwin Goslin

Ida M. Goslin
Ida Goslin

Charles L. Rekow

Delma C. Rekow

NO. _____

FILED AT A.M. _____

P.M. _____

DATE: _____

5-15-90

THELMA R. KOLODZIEJ, CLERK

BY Lori Rambour, DEPUTY

32
JIM JONES
Attorney General

JOSEPHINE P. BEEMAN
Deputy Attorney General
Department of Water Resources
Boise, Idaho 83720
Telephone: (208) 327-7920

RECEIVED
MAY 17 1990

Department of Water Resources

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

IN THE MATTER OF THE GENERAL	)	Civil Case No. 3667
DETERMINATION OF THE RIGHTS TO	)	
THE USE OF SURFACE AND GROUND	)	ORDER AMENDING DECREE OF
WATER OF THE PAYETTE RIVER	)	WATER RIGHTS PURSUANT TO
DRAINAGE.	)	STIPULATION OF GOSLIN,
	)	KIENITZ, NEBEKER, REKOW AND
	)	THE IDAHO DEPARTMENT OF
	)	WATER RESOURCES

The stipulation of R. Keith Higginson, Director of the Idaho Department of Water Resources, Walter Nebeker and Josephine Nebeker, John H. Kienitz and Karon A. Kienitz, T. Edwin Goslin and Ida Goslin, and Charles L. Rekow and Delma C. Rekow has been filed with the court. Attached to that stipulation is a listing of water rights. Exhibit A attached to this order is the stipulation with the listing of water rights. Since identical stipulations were separately signed by the parties, the stipulation attached as Exhibit A shows only the signature of one of the parties, the Goslins.

The stipulation lists amendments to the decree of water

ORDER AMENDING DECREE OF WATER
RIGHTS PURSUANT TO STIPULATION - 1

rights for the Payette River Drainage Basin. The need for amendments was initially addressed by a motion pursuant to Rule 60(a) of the Idaho Rules of Civil Procedure to correct an omission made by the Idaho Department of Water Resources. That motion was filed March 28, 1988 with the court. Additional corrections have been identified by the parties since that time. Now, by stipulation of the affected parties, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the decree of water rights for the Payette River Drainage Basin be amended as follows:

1. Water right 65-3842 is replaced by two new water rights known as 65-3842A and 65-3842B, as listed in Exhibit A.
2. Water right 65-2360 is replaced in part by a new water right, 65-1387A, listed in Exhibit A; the remaining portion of 65-2360 is shown as amended in Exhibit A.
3. Water right 65-1387B is a new water right listed in Exhibit A; 65-1387B was not previously listed in the water rights for the Payette River drainage basin.
4. Water right 65-2458 is replaced by a new water right, 65-11415, as listed in Exhibit A. Also, of nine acres originally listed with 65-2458, six acres are now shown with 65-2497 and three acres are shown with 65-2838, as listed in Exhibit A.
5. Water right 65-2497 is unchanged except for minor amendments listed in Exhibit A.
6. Water right 65-1390 is unchanged except for minor amendments listed in Exhibit A.
7. Water right 65-2838 as listed in Exhibit A is unchanged except for minor amendments.
8. Water right 65-1393 as listed in Exhibit A is unchanged except for minor amendments.
9. Water right 65-2895 is listed in Exhibit A as licensed subsequent to the filing of the proposed finding of water rights for the Payette River drainage basin.

10. Water right 65-7062 as listed in Exhibit A is unchanged except for minor amendments.

The specific changes accomplished by this Order are more fully set forth in the listing of the water rights accompanying the stipulation, all attached as Exhibit A and that exhibit is incorporated as if fully set forth herein. The exhibit comprises eleven pages.

DATED this 9th day of May, 1990.

JIM R. DOOLITTLE

JIM R. DOOLITTLE
District Judge

LISTING OF WATER RIGHTS

PAGE 7

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	BASIS OF RIGHT
	SOURCE: PAYETTE RIVER		TRIBUTARY: SNAKE RIVER			

65-7062 Nebeker, Walter 2-4-1969 Irrigation 3-15 11-15 1.62 CFS License
 Nebeker, Josephine
 809 Sunset
 Emmett, Idaho 83617
 Point of Diversion:
 T6N R1W Sec. 6 Lot 9(NWSE)
 Place of Use:
 T6N R1W Sec. 6 NESW(36) Lot 6(NWSW)(33)
 Lot 9(NWSE)(12)
 81 Acres Total
 Other rights: 65-1387B
 Remarks: This right when combined with right 65-1387B shall provide
 no more than .02 cfs/acre.

65-2895 Kienitz, John H. 6-2-1965 Irrigation 3-15 11-15 .55 CFS License
 Kienitz, Karon S.
 3512 Sunset Dr.
 Emmett, Idaho 83617
 Point of Diversion:
 T6N R2W Sec. 1 SWSE
 Place of Use:
 T6N R1W Sec. 6 Lot 6(NWSW)(5) Lot 7(SWSW)(6)
 T6N R2W Sec. 1 SESW(38) NWSE(10) SWSE(24) SESE(17)
 100 Acres Total
 Other rights: 65-1387A, 65-1393, 65-2360
 Remarks: Sources for this right are Gill Slough tributary to Payette
 River and Payette River tributary to Snake River. This right
 when combined with rights 65-1387A, 65-1393, and 65-2360
 shall provide no more than .02 cfs/acre.

EXHIBIT A, Page 11 of 11

DATE: 11/23/92
PAGE: 1

Stage: LICENSE

GEM County

Audit: 11/23/92 WERNER

MICROFILMED
AUG 03 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Date November 12, 1992

[
Holbrook Maslen
1047 Arrowhead Dr.
Carson City, NV 89706
]

Notice of Claim No.(s) A65-01387B, A65-07062, A65-18372

Dear Claimant:

Enclosed is a copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

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

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

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure(s)

Warranty deed info. in A65-01387B.

MICROFILMED

AUG 03 1994

CONVERSATION MEMORANDUM

DATE 5-28-91

FILE AG 5-5307
AG 5-5308

NAME OF PARTY

Sandra Sablosky

EMPLOYEE

Linda A. Turner

RE:

C. brings in address

Address changes from indicated 2 different
names of owners. Stokely Van Campers
owned by Sablosky Transfers, Inc.

Letter sent w/ copies on 5-28-91 - See

AG 55307

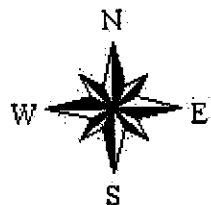
MICROFILMED

AUG 03 1994

Idaho Dept. of Water Resources

Claim No(s): 65-07062
T06N, R01W, Sec 6
T06N, R02W, Sec 1
Created by: Sue Bock
Date: 1/22/2001

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



0 1000 2000 3000 Feet



1987 NAPP Photo



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief