

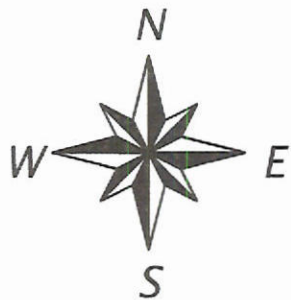
Idaho Department of Water Resources

Claim Number: 65-07321

Legal: T07N, R01W, S35

Reviewed By: S.B.

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Napp Photo

0 0.25 0.5 Miles

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-7321 Priority November 4, 1972 Amount .14 cfs

THIS IS TO CERTIFY, that HENRY H. JR. &/or DOROTHY I. &/or HENRY H. NICHOLS
of Emmett, Idaho, has complied with the terms and conditions of Permit
No. 65-7321 issued pursuant to Application for Permit dated October 20, 1972,
and has submitted proof to the Department of Water Resources on January 16, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .14 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u> at	<u>10</u> cfs and	<u>22.5</u> acre feet
Domestic (1 unit)	from <u>January 1</u> to <u>December 31</u> at	<u>.04</u> cfs and	<u>1.2</u> acre feet
	from _____ to _____ at _____	cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than .14 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
23.7 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, Twp. 7N,
Rge. 1W, B.M. in the County of Gem

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7N	1W	35											5						5

Total number of acres irrigated 5

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14th day of
April, 19 81.

Director

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 65-7321
Date Received: 2/1/90
Receipt No: X999999
Received By:

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

1. Name of Claimant(s): WILLIAM W MC CONNELL
4429 FROZEN DOG RD
EMMETT ID USA 83617

Phone: (208) 365-6398

2. Date of Priority: 11/04/1972

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	01W	35	SW SW	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	0.12	1.2
DOMESTIC	1/01	12/31	0.04	1.2

7. Total Quantity Appropriated is:
0.16 C.F.S. and/or 1.2 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
07N	01W	35	SW SW		IRRIGATION	6
						Section Acres 6
						Total Acres 6

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:

REINSTATED 1-23-1978
Ownership changed by DB 5/1/2001

15. Basis of Claim: License

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

RECEIVED
APR 09 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
~~65-07321~~					
65-07321					

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) HENRY H. & DOROTHY I. NICHOLS + HENRY H. NICHOLS JR.
4429 FROZEN DOG RD. EMMETT, IDAHO 83617
4. New Owner/Claimant(s) WILLIAM W. MCCONNELL
Name Connector (Check one). [] and, [] or, [] and/or
- New Mailing Address 4429 FROZEN DOG RD.
- City, State and ZIP Code EMMETT, IDAHO, 83617
- New Telephone Number 208) 365-6398
5. Date you acquired the property 11/24/94

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) William H. McConnell 4/15/01
(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 _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

**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: 65-7321

HENRY H NICHOLS
4429 FROZEN DOG RD
EMMETT ID 83617

DOROTHY I NICHOLS
4429 FROZEN DOG RD
EMMETT ID 83617

HENRY H NICHOLS JR
4429 FROZEN DOG RD
EMMETT ID 83617

RECEIVED

APR 09 2001

**WATER RE
WESTERN**

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

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

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

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

DATE: 4/5/01

SIGNATURE: William W. McConnell

Please print your name: William W. McConnell

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

WARRANTY DEED

RECEIVED

APR 09 2001

WATER RESERVE
WESTERN REGION

For Value Received Henry H. Nichols, Jr, a man and
Dorothy I. Nichols, a single

the grantor s, do hereby grant, bargain, sell and convey unto
Charles G. Roa and Paula E. Roa husband
and wife of 4429 Frozen Dog Road, Emmett, Id.

the grantee s, the following described premises, in Gem County Idaho, to wit:

That portion of the Southwest quarter of the Southwest quarter of
Section 35, Township 7 North, Range 1 West of the Boise Meridian,
in Gem county, Idaho, more particularly described as follows;

Beginning at the Southwest corner of said Section 35; thence
East 1135.96 feet to the TRUE POINT OF BEGINNING; thence
North 36°00' West, 572 feet; thence
North 89°54' East, 719.00 feet; thence
South 04°13' East 465.3 feet; thence
West 417 feet, more or less, to the TRUE POINT OF BEGINNING.

EXCEPT ditch and road rights-of-way.

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 s, that s he is the owner in fee simple of said premises, that they are free
from all encumbrances except current years taxes, public utility easements and U. S.
Patent Reservations.

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

Dated September 1, 1992

Dorothy I. Nichols
Dorothy I. Nichols,

Arizona
STATE OF ARIZONA COUNTY OF
On this 9th day of September, 1992,
before me a notary public in and for said State personally
appeared Dorothy I. Nichols

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

Notary Public

My Comm. Expires 3/31/95

STATE OF IDAHO COUNTY OF GEM
I hereby certify that this instrument is acknowledged
the request of First American Title Co

at 55 main street
this 10th day of September
1992 in my office and of the record of
notary public and of the record of

Thelma V. Volcanier

My Office is at

Thelma V. Volcanier

My Comm. Expires 3/31/95

PA-4797

RECEIVED

APR 09 2001

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

FOR VALUE RECEIVED Charles G. Row and Paula E. Row, husband and wife, hereinafter referred to as **GRANTORS**, do hereby grant, bargain, sell, and convey unto William W. McConnell, a single man, hereinafter referred to as **GRANTEE**, whose current address is 4429 Frozen Dog Road, Emmett, Idaho 83617, the following described premises, to-wit:

That portion of the Southwest quarter of the Southwest quarter of Section 35, Township 7 North, Range 1 West, Boise Meridian, in Gem County, Idaho, more particularly described as follows:

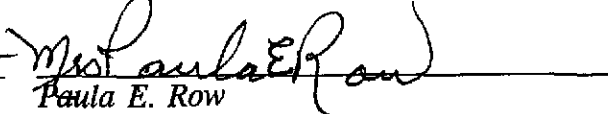
*Beginning at the Southwest corner of said Section 35; thence
East 1135.96 feet to the TRUE POINT OF BEGINNING; thence
North 36°00' West, 572 feet; thence
North 89°54' East, 719.00 feet; thence
South 04°13' East, 465.3 feet; thence
West 417 feet, more or less, to the TRUE POINT OF BEGINNING.*

Except ditch and road rights of way.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that Grantors are the owners in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantors will warrant and defend the same from all claims whatsoever.

DATED: November ____, 1994


Charles G. Row


Paula E. Row

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: A65-07321
Date Received: 2/01/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HENRY H. NICHOLS
Address:

Name: HENRY H. NICHOLS JR.
Address: 4429 FROZEN DOG RD.
EMMETT, ID

83617

Name: DOROTHY I. NICHOLS
Address:

2. Date of Priority: NOV 04, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	01W	35	SW	SW			GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20
IRRIGATION	03/15	11/15	0.120		1.20

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

1.20 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A65-07321

Page 1

Date: 05/31/90

MICROFILMED
SEP 23 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: A65-07321

Date Received: 1/11/1990 2/1/90

Receipt No: X-77777

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HENRY H. NICHOLS JR.
Address: 4429 FROZEN DOG RD.
EMMETT, ID

83617

Name: DOROTHY I. NICHOLS
Address:

Name: HENRY H. NICHOLS
Address:

RECEIVED
FEB 1 1990

Department of Water Resources

2. Date of Priority: NOV 04, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	01W	35	SW	SW	SW		GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20
IRRIGATION	03/15	11/15	0.120		1.20

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

1.20 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A65-07321

Page

1

Date: 01/22/90

MICROFILMED
SEP 23 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	01W	35	SW	SW		IRR	6.0
Section Acres							6.0
Total Acres							6.0

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:
REINSTATED 1-23-1978.

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): Danorthy D. Nichols Date: 1/29/90

Date: _____

State of Idaho)
County of Lem) SS.

Subscribed and sworn (or affirmed) before me this 29th day

of January 19 90

Lisa H. Urquidez
Notary Public

Seal



Residing at Phoenix, Arizona
My Commission Expires May 3, 91



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

SEP 16 1992

Department of Water Resources

DATE OF CLOSING: 9/9/92

LEGAL DESCRIPTION OF PROPERTY: Township 7N Range 1W
 Section 35, SW 1/4 of SW 1/4 of 1/4 Govt. Lot 1
 Lot , Block , Subdivision/Townsite
 If you have additional legal descriptions, please attach separate sheet.

RECEIVED
SEP 17 1992

Department of Water Resources
Western Regional Office

☐ 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:

65-7321

☒ Name and Address of Former
Owner/Claimant(s)(Seller):

Dorothy and Henry Nichols

4429 Frozen Dog, Emmett, Idaho 83617

☒ New Owner/Claimant
(Purchaser):

Charles and Paula Row

4429 Frozen Dog, Emmett, IDaho 83617

Department of Water Resources
Western Regional Office

☐ New Mailing Address:

same as above

☐ New Telephone Number:

() -

☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes x 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:

Warranty Deed

(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)

Charles and Paula Row

Date 11-9-92

Date 11-9-92

☐ Signature of Former
Owner/Claimant(s):

Date

Date

(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:

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

MICROFILMED

OCT 21 1996

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Nichols CLAIM IDENT. NO. A65-07321DATE RECEIVED 3/1/90 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) N/A ☐ 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? N/A ☐ YES ☐ NO ☐ Require Info? *
Is the consumptive use correct? N/A ☐ 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. N/A ☐ 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.) N/A ☐ 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.) N/A ☐ 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? Exempt ☒ YES ☐ NO ☐ Require Info? *
21. If this claim is based on an existing water right, has the identification number been entered? N/A ☒ YES ☐ NO ☐ Require Info? *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ Require Info? *

Claim checked by: AT/1/90 Date: 3/1/90Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by: _____
 Claim data entered by: max
 Sent to claimant by: qjg

Date: _____
 Date: _____
 Date: _____

Checked by: kat Date: 6/1/90

Comments: _____

MICROFILMED

SEP 23 1992

05/01/2001

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

RIGHT NUMBER: 65-7321

NAME AND ADDRESS: WILLIAM W MC CONNELL
4429 FROZEN DOG RD
EMMETT, ID 83617

SOURCE: GROUND WATER

QUANTITY: 0.14 CFS
23.7 AFY

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

PRIORITY DATE: 11/04/1972

POINT OF DIVERSION: T07N R01W S35 SWSW 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	0.10 CFS 22.50 AFY
DOMESTIC	1-01 12-31	0.04 CFS 1.20 AFY

PLACE OF USE:

IRRIGATION Within GEM County
T07N R01W S35 SWSW 5
DOMESTIC Use same as IRRIGATION

5 ACRES TOTAL

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

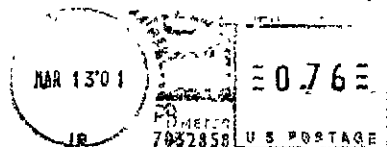
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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 - License

WATER RESOURCES
REGIONAL OFFICE
35 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED



65-07321

RECEIVED

MAR 19 2001

WATER RESOURCES
WESTERN REGION

HENRY H NICHOLS

DOROTHY I NICHOLS
4429 FROZEN DOG RD
EMMETT ID 83617

RETURNED
TO
SENDER
MOVED, LEFT NO ADDRESS
FORWARDING ORDER EXPIRED
BUT NOT REPLYED NOT KNOWN
NO SUC. STREET
NO SUC. NUMBER
INSUFFICIENT POSTAGE

Gem Cty Assessor →

Sold To: William M^c Connell
4429 Frozen Dog Rd
Emmett 83617

sent again →
3/29/01

~~NOT AT~~
~~THIS~~
~~ADDRESS~~

AJ0749NP
No. R65-07321

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

DATE: 06/11/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HENRY H NICHOLS JR	11/04/1972	IRRIGATION	03-15 11-15	0.100 CFS	22.50 AFA
C	HENRY H NICHOLS		DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
C	DOROTHY I NICHOLS					
	4429 FROZEN DOG RD			TOTAL DIVERSION:	0.140 CFS	23.70 AFA
	EMMETT ID 83617					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07N R01W S35

SWSW

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
07N	01W	35	:																	:	5.0
																				TOTAL ACRES	5.0

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

POU County: GEM

Non-Irrigation Uses: 1 HOME

Conditions of Approval:

- N10 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N12 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

Comments: Date: 06/11/2000 User-ID: SBOCK Subject: COPIED FROM REMARKS
REINSTATED 1-23-1978.

Date: 06/11/2000 User-ID: SBOCK Subject: POU
CLAIMED 6 ACRES W.R. DATA BASE SHOWS 6 ACRES, HOWEVER THIS WAS
LICENSED FOR 5.

Audit: 06/11/00 SBOCK

13:57:08
05/29/00
117

CLAIM NUMBER: A65-07321

Field Inspection Flag:
Presumption Flag:

N10
N12

WR5809NP
No. 65-07321

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/30/00
PAGE: 44

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HENRY H. NICHOLS JR. 4429 FROZEN DOG RD. EMMETT ID 83617	11/04/1972	IRRIGATION DOMESTIC	03/15 11/15 01/01 12/31	~~0.120 CFS~~ 0.040 CFS	~~1.20 AFA~~ 1.20 AFA
TOTAL DIVERSION:					~~0.160 CFS~~ 0.14	~~1.20 AFA~~ 22.7
C	DOROTHY I. NICHOLS					
C	HENRY H. NICHOLS					

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T07N R01W S35 SWSW GEM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
---	---	---	---	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	---
07N	01W	35	:					:					:				06	:							:	6.0
TOTAL ACRES																							:	6.0		

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

Pou County: GEM

Remarks: GEN REINSTATED 1-23-1978.

Dates: App. Received: Priority Date: 11/04/1972
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 04/12/1982

Misc: Water District Number: 65 Field Exam Fee:

Audit: 12/09/85 04/30/88 CONVERT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:53:57
05/29/00

PAGE: 1
GENERAL INFORMATION

101
CLAIM NUMBER: A65-07321

LAST: NICHOLS JR FIRST: HENRY H
ADDRESS: 4429 FROZEN DOG RD
CITY: EMMETT STATE: ID ZIP: 83617
PHONE NUMBER: 208-000-0000

OWNER CODE: C

LAST: NICHOLS FIRST: HENRY H
ADDRESS: 4429 FROZEN DOG RD
CITY: EMMETT STATE: ID ZIP: 83617
PHONE NUMBER: 208-000-0000

OWNER CODE: C

LAST: NICHOLS FIRST: DOROTHY I
ADDRESS: 4429 FROZEN DOG RD
CITY: EMMETT STATE: ID ZIP: 83617
PHONE NUMBER: 208-000-0000

OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE Y FIELD EXAMINER Y() N()
CLAIM REMARKS: GEN REINSTATED 1-23-1978.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: __:__ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-07321 PRIORITY DATE: 11-04-1972 STAGE: L

B. WR RECORD: # 65-07321 PRIORITY DATE: 11-04-1972 STAGE: L

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y(☒) N(☐)

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

Y(☐) N(☒)

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

Y(☐) N(☒)

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

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y(☐) N(☐)

LICENSE ISSUED

N/A(☒) Y(☐) N(☐)

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

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A(☒) Y(☐) N(☐)

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

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N(☐)

NOTES:

=====

RECOMMENDED PRIORITY DATE:

11-04-1972

REVIEWED BY

SB

DATE

6-10-00

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-07321	07N 01W	35		SW	SW			GEM		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-01017	65-01017
A65-01809	65-01809
A65-04044	65-04044
A65-12259	65-18328
A65-12330	65-18375
A65-12639	65-18697
A65-18328	65-21808
A65-18375	
A65-18697	
A65-21808	

WR RECORDS IN SAME 40 ACRE TRACT

65-01017
65-01809
65-04044
65-07104
65-12259
65-12310
65-12330
65-12639
65-12725

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-07321	07N 01W	35		SW	SW			GEM		

OTHER WR RECORDS WITH SAME WR POD

65-01017
65-01809
65-04044
65-07104
65-12259
65-12310
65-12330
65-12639
65-12725

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A65-01017	65-01017
A65-01809	65-01809
A65-04044	65-04044
A65-12259	65-18328
A65-12330	65-18375
A65-12639	65-18697
A65-18328	65-21808
A65-18375	
A65-18697	
A65-21808	

SOURCE: GROUNDWATER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM 3/27/80)

Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
07N	01W	35		SW	SW			GEM		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

SB

DATE:

6-10-01

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

A. ROOT WATER RIGHT NUMBERS: A65-07321

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	01W	35	SW	SW		NICHOLS JR, HENRY H	A65-07321 /	6.0	65-07321 /	6.0	8.0
			SW	SW		HARLAN, MILDRED J	A65-12639 /	1.0	65-12639 /	1.0	
			SW	SW		HILL, ARCHIE	A65-18328 /	-	/		
			SW	SW		HARLAN, MILDRED J	A65-18375 /	-	/		
			SW	SW		MOORE, RALPH S	A65-12259 /	1.0	65-12259 /	1.0	
			SW	SW		HARLAN, MILDRED J	65-18375 /	-	/		
			SW	SW		DUNBAR, GERALD R	A65-01809 /	-	65-01809 /		
			SW	SW		FRISBEE, DAVID R	A65-01017 /	-	65-01017 /		
			SW	SW		MOHOLIK, RAYMOND	65-18697 /	-	/		
			SW	SW		MOHOLIK, RAYMOND	A65-12330 /	1.0	65-12330 /	1.0	
			SW	SW		MOHOLIK, RAYMOND	A65-18697 /	-	/		
			SW	SW		MUNGER, RICHARD E	65-21808 /	-	/		
			SW	SW		DUTTON, CORY W	65-04044 /	-	65-04044 /		
			SW	SW		HILL, ARCHIE	65-18328 /	-	/		
			SW	SW		FRISBEE, DAVID R	65-01017 /	-	/		
			SW	SW		MUNGER, RICHARD E	A65-21808 /	-	/		
			SW	SW		DUTTON, CORY W	A65-04044 /	-	/		
			SW	SW		DUNBAR, GERALD R	65-01809 /	-	/		
			SW	SW		BUTLER, REUBEN N.		65-07104 /		3.0	
			SW	SW		RODRIGUE, RUSSELL G.		65-12310 /		1.0	
			SW	SW		ELSBERRY, JON		65-12725 /		2.3	

ADDITIONAL POU FOUND

TOTAL ACRES A65-07321 6.00 6.00 8.00

POU COUNTY: GEM

5

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(☒)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-07321	GROUNDWATER	NICHOLS JR, HENRY H	0.160	0.026	1.20	0.20
A65-12259	GROUNDWATER	MOORE, RALPH S	0.030	0.030	4.50	4.50
A65-12330	GROUNDWATER	HOHOLIK, RAYMOND	0.040	0.040		
A65-12639	GROUNDWATER	HARLAN, MILDRED J	0.030	0.030		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-07321	DOMESTIC	NICHOLS JR, HENRY H	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-07321	IRRIGATION	NICHOLS JR, HENRY H	FROM 03-15 TO 11-15	0.120 CFS	1.20 AF/A
A65-18328	DOMESTIC	HILL, ARCHIE	FROM 01-01 TO 12-31	0.040 CFS	
A65-18375	DOMESTIC	HARLAN, MILDRED J	FROM 01-01 TO 12-31	0.040 CFS	
65-18375	DOMESTIC	HARLAN, MILDRED J	FROM 01-01 TO 12-31	0.040 CFS	
A65-01809	DOMESTIC	DUNBAR, GERALD R	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-01017	DOMESTIC	FRISBEE, DAVID R	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-18697	DOMESTIC	HOHOLIK, RAYMOND	FROM 01-01 TO 12-31	0.040 CFS	
A65-18697	DOMESTIC	HOHOLIK, RAYMOND	FROM 01-01 TO 12-31	0.040 CFS	
65-21808	DOMESTIC	MUNGER, RICHARD E	FROM 01-01 TO 12-31	0.060 CFS	
65-04044	DOMESTIC	DUTTON, CORY W	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-18328	DOMESTIC	HILL, ARCHIE	FROM 01-01 TO 12-31	0.040 CFS	
65-01017	DOMESTIC	FRISBEE, DAVID R	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-21808	DOMESTIC	MUNGER, RICHARD E	FROM 01-01 TO 12-31	0.060 CFS	
A65-04044	DOMESTIC	DUTTON, CORY W	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-01809	DOMESTIC	DUNBAR, GERALD R	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A

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

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N(☒)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;
() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES: Checked as to acres, we data base also reflects
this however, licensed at 5 acres with diff. dis rate
+ volume. Will contact alterations to fix their data
base.

RECOMMENDATIONS:

TOTAL ACRES: 5 N/A()

REVIEWED BY: SB

DATE: 6-10-00

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-07321 DOMESTIC	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-07321 IRRIGATION	FROM 03-15 TO 11-15	0.120 CFS	1.20 AF/A
TOTAL DIVERSION RATE/VOLUME		0.160 CFS	1.20 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-07321 DOMESTIC	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-07321 IRRIGATION	FROM 03-15 TO 11-15	0.120 CFS	1.20 AF/A
TOTAL DIVERSION RATE/VOLUME		0.160 CFS	1.20 AF/A

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(☐) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☐) N(☒)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☐) N(☒)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☐) N(☒)

} as discussed

NOTES:

WR data base reflects inaccurate #'s. Recommending
as licensed.

AJ CLAIM TOTAL DIVERSION RATE: 0.160 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.160 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N(☒)

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

N/A() Y(☒) N()

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

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

Y() N(☒)

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

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 5 x 0.02 CFS/ACRE = 10 CFS
(Taken from pou review)

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 1.20 AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

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

all licensed

recommended all licensed

NOTES:

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
DOMESTIC IRRIGATION	01-01	12-31	DATABASE 0.040	EXAMINER	DATABASE 1.20	EXAMINER	DATABASE 0.0	EXAMINER
	03-15	11-15	0.120		1.20		0.0	
TOTAL FOR THIS RIGHT			0.160		1.20		0.0	

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

N10
N12

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-07321

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.160

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-07321	0.160	-		65-07321	0.160
TOTAL CFS		0.160				0.160

DIVERSION RATE REVIEW

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

DATABASE
Y

FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: Jim Beck DATE: 6-10-00

NAME OF FIELD EXAMINER: _____ TITLE: _____

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER <u>GIS map</u>	DATE <u>6-10-00</u>	Y(☒) N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☒ LICENSING FIELD EXAM	DATE OF FIELD EXAM <u>3/27/00</u>	<u>2</u>	
☒ WATER RIGHT LICENSE	DATE LICENSE SIGNED <u>4/14/81</u>	<u>1</u>	
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____		
() SYSTEM DESCRIPTION	DATE DRAWN _____		
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____		
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____		
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____		
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____		
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____		
() OTHER _____	DATE _____		
() OTHER _____	DATE _____		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:53:57
05/29/00

PAGE: 16
QUICKLOOK INFORMATION

116
CLAIM NUMBER: A65-07321

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE					<i>Heise</i>	<i>S.B.</i>		
POINT OF DIV				2		6-10-00		
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

Idaho Department of Water Resources

Claim Number: 65-07321

Legal: T07N, R01W, S35

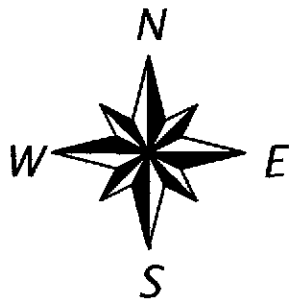
Reviewed By: S.B.

⊙ Point of Diversion

□ Place of Use

□ Section Lines

□ Quarter Quarter Lines



1987 Napp Photo

0 0.25 0.5 Miles

WATER RIGHT LICENSE

License of Water Right No. 65-7321 Priority November 4, 1972 Amount .14 cfs

THIS IS TO CERTIFY, that HENRY H. JR. &/or DOROTHY I. &/or HENRY H. NICHOLS
of Emmett, Idaho, has complied with the terms and conditions of Permit
No. 65-7321 issued pursuant to Application for Permit dated October 20, 1972,
and has submitted proof to the Department of Water Resources on January 16, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .14 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from March 15 to November 15 at	10 cfs and	22.5 acre feet
Domestic (1 unit)	from January 1 to December 1 at	14 cfs and	1.2 acre feet
	from to at	cfs and	

Subject, however, to the condition that no more than .14 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 23.7 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ Sec. 35 Twp. 7N.
Rge. 1W, Bl. M. in the County of Gem

Description and location of place of use:

[illegible]

Total number of acres irrigated 5

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14th day of April, 1981.

Director

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

1 Name of permit holder Henry H. Jr. For Dorothy F For Henry H. Nichols
Post office address Rt 3, Box 907, Emmett, ID Phone 365-2724
Person to contact FROZEN DOG ROAD Phone _____

2 Source of water supply: Groundwater ☒ Surface water ☐

Tributary to _____

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JAN 23 1978

3 Water will be used for the following purposes

Amount 0.04 c.f.s. for Dom. (1)
AF/Annum (nature of use)

Period of Use from 1/01 to 12/31
(mo.-day) inclusive (mo.-day)

Amount 0.12 c.f.s. for Irrig
AF/Annum (nature of use)

Period of Use from 3/15 to 11/15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses _____

Department of Water Resources
Western Regional Office

Permit No. 65-7321
Examination for 6/14

4 Total amount to be appropriated.

Max Rate of Diversion 0.16 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion

Township TN N/S, Range 1W E/W, B.M., Section 35, Subdivision Sec 1/4 Sec 1/4 Sec 1/4
County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4
County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4
County _____

Other Points of Diversions: _____

Description of diverting works 287' deep, 8", Subm. Pump 1 1/2 HP Motor

Measuring device required: yes ☐ no ☐

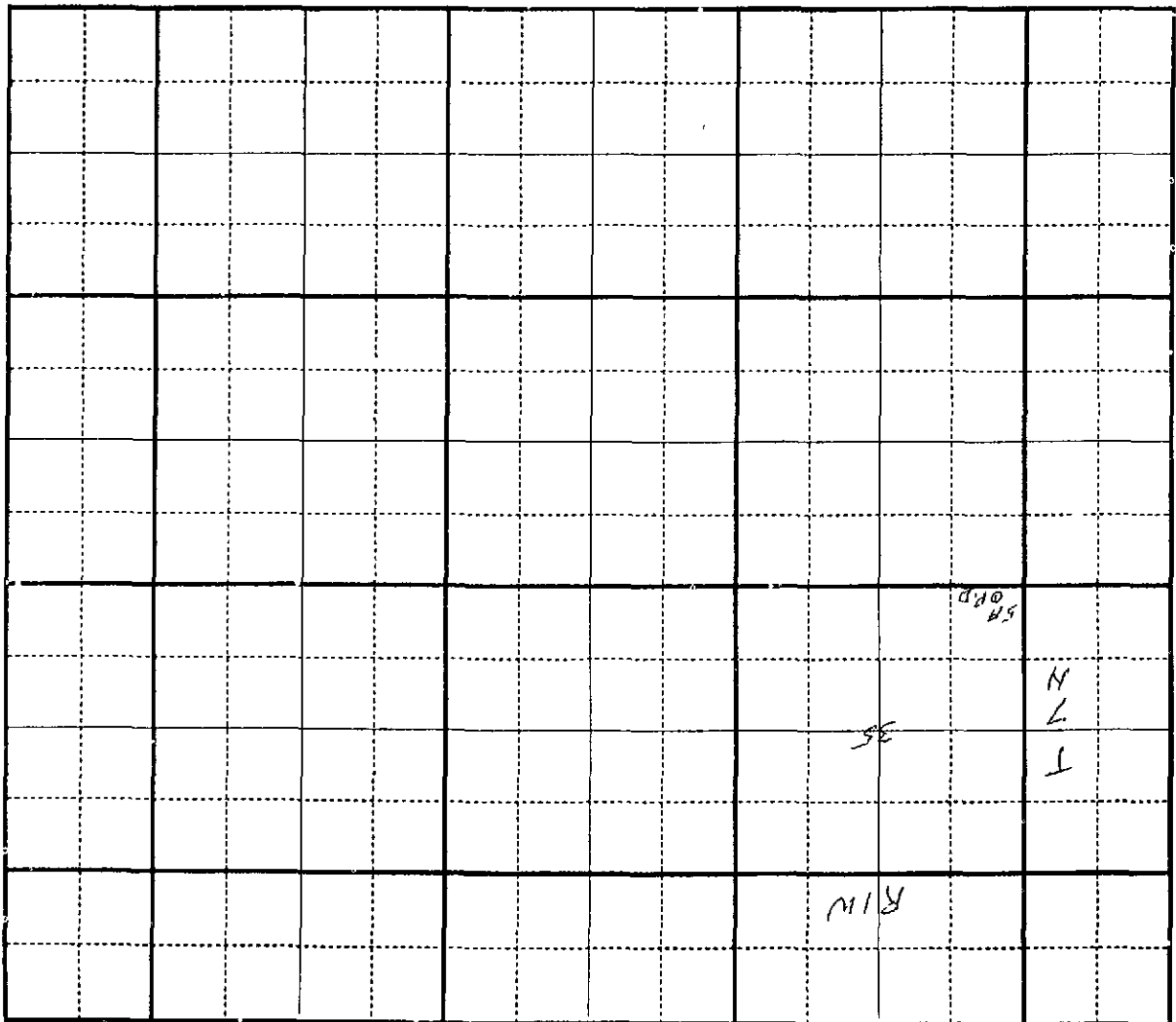
6 Lands to be irrigated or place of use

TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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>TN</u>	<u>1W</u>	<u>35</u>																	<u>6</u>

TOTAL ACREAGE

6

Diagram of System



DATE OF EXAM 3/27/80

ACREAGE

Found 5
Recommended 5

Irrigation Requirement 4.5 Ac Ft/Ac

USE

Irrigation Q = .10 cfs. V = 22.5 AF/Ann. from 3/15 to 11/15
Domestic Q = .04 cfs. V = 1.2 AF/Ann. from 1/1 to 12/31
Livestock Q = _____ cfs V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source _____

twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ✓

Name source exchanged with: _____

twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection:

twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange

twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 40 .14 Method of measurement calc Est

Total Q recommended 10 .14 Meter No _____ Type _____ Condition _____

Total V recommended 23.7

Recommended Amendments:

P.D. _____

Place of Use _____

Other _____

None ✓

MEASUREMENT CALCULATION:

1.5 HP motor x 80% eff x 8.5 = 10.56 20 ft lift + 43" 140 PSI = .093 cfs
Recommended .10 cfs @ 4.5 x .5 = 22.5 gpm 1.2 AF Dom. = 23.7 AF
gringlet average arrived from several photos.

V = 5ACX4.5 = 22.5 or 10X1.9835X245 = 48.6

SYSTEM DESCRIPTION:

Simple 60' system for irrigation. V-pipe no from
well to surface. 1.5 H.P. pump - 8 inch casing -
287 ft depth.

REMARKS:

Examiner's Signature John H. McLean Date 3/27/80

Checked by DBS Date 5/12/80

Approved by Robin Date 3/12/81

1. of the
... .. is

3/27 9KH

Met with applicant & he stated that he has irrigated
at least 5 acres, & has gradually increasing his orchard &
improvements.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

65-07321

March 30 1993
[Charles & Paula Row]
4429 Frozen Dog
Emmett, ID 83617
[]

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Dear Wateruser(s):

This office has reviewed the **Notice of Change of Water Right Ownership** form submitted to our office. However, due to the items checked below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to **COMPLETE OR RESEARCH ONLY THE FOLLOWING ITEM(S) SHOWING A CHECKMARK IN THE BLANK FOR THAT ITEM(S).**

_____ There is no existing water right in our records either under the former owner's name or for the legal description given. If, after contacting the former owner, you find more information concerning a water right, please contact us.

_____ Legal description of property. Please complete showing the legal description by 1/41/4 (40-acre tract), section, township and range for the property changing ownership. If you only have a subdivision lot & block legal description, please send us a copy of your subdivision plat map.

_____ It appears you receive your water from an irrigation district, ditch company, municipality or community water company. If this is the case, then the water right remains in the name of this entity and you should contact them concerning the ownership change.

_____ Name and address of former owner (seller). This will clarify the original owner of the water right.

_____ Name, address and phone number of new owner (purchaser).

_____ This change in ownership appears to result in a splitting of the water right. A split of the water right occurs when the ownership change affects only a portion of the original right. In order to accurately split this right we must know what portion of the right was sold. The amount of water in CFS, the place of use by 1/4 1/4 with the number of acres in each 1/41/4 (if applicable) and the point of diversion by 1/41/4, Section, Township and Range is needed. If this right is not being split, please submit proof of ownership for the remaining portion. Enclosed is a computer copy of this right for your review.

✓ _____ Proof of ownership is needed. This proof can be a copy of the warranty deed, sales contract or tax assessment in your name which includes a description of this property by 1/41/4, Section, Township and Range. Warranty deed was not attached as noted on the Change of Water Right Ownership Form.

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OCT 21 1995

_____ signature of new owner (purchaser) is needed on this form.

_____ other: _____

Please complete the above item(s), if required, on the Notice of Change of Water Right Ownership form and return it with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed(if one exists), will remain in the original owner's name.

Feel free to contact this office if you have any questions concerning this letter.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

KW:k
Enclosures

MICROFILMED
OCT 21 1996



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

November 6, 1992

CHARLES OR PAULA ROW
4429 FROZEN DOG
EMMETT ID 83617

Dear Mr. or Mrs. Row:

Our office has received the Notice of Change of Ownership on the property previously owned by the Nichols. However, the document needs your signature under new owner.

I am returning this document and ask that you sign it and return it to my attention as soon as possible. Upon receipt I will process the name change on the Notice of Claim to a Water Right, number A65-07321, and send you a copy.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure

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AUG 6 3 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

SEP 16 1992

Department of Water Resources

DATE OF CLOSING: 9/9/92

LEGAL DESCRIPTION OF PROPERTY: Township 7N Range 1W
Section 35, SW 1/4 of SW 1/4 of 1/4, Govt. Lot
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

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SEP 17 1992

Department of Water Resources
Western Regional Office

- ☐ 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: 65-7321
- ☒ Name and Address of Former Owner/Claimant(s) (Seller):
Dorothy and Henry Nichols
4429 Frozen Dog, Emmett, Idaho 83617
- ☒ New Owner/Claimant (Purchaser):
Charles and Paula Row
4429 Frozen Dog, Emmett, IDaho 83617
- ☐ New Mailing Address: same as above
- ☐ New Telephone Number: () -
- ☒ 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: Warranty Deed
(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 _____
_____ Date _____
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(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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AUG 13 1994

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

WARRANTY DEED

For Value Received Henry H. Nichols, Jr. a married man and
 Dorothy I. Nichols, a single woman

the grantor s, do hereby grant, bargain, sell and convey unto
 Charles G. Row and Paula E. Row, husband and wife
 4429 Frozen Dog Road, Emmett, Idaho 83617

the grantee s, the following described premises, in Gem County Idaho, to wit:

That portion of the Southwest quarter of the Southwest quarter of Section 35, Township 7 North, Range 1 West of the Boise Meridian, in Gem county, Idaho, more particularly described as follows;

Beginning at the Southwest corner of said Section 35; thence East 1135.96 feet to the TRUE POINT OF BEGINNING; thence North 36°00' West, 572 feet; thence North 89°54' East, 719.00 feet; thence South 04°13' East 465.3 feet; thence West 417 feet, more or less, to the TRUE POINT OF BEGINNING.

EXCEPT ditch and road rights-of-way.

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 Grantees, that t he y are the owner s in fee simple of said premises; that they are free from all encumbrances except current years taxes, public utility easements and U. S. Patent Reservations.

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

Dated: September 1, 1992

Henry H. Nichols, Jr. D.D. A

MICROFILMED

AUG 03 1994

WARRANTY DEED

For Value Received Henry H. Nichols, Jr, a married man and
Dorothy I. Nichols, a single woman

the grantor s , do hereby grant, bargain, sell and convey unto
Charles G. Row and Paula E. Row, husband
and wife of 4429 Frozen Dog Road, Emmett, Id.

the grantee s , the following described premises, in Gem County Idaho, to wit:

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

Dated: September 1, 1992

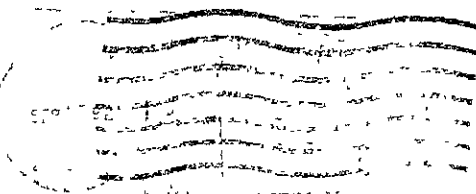
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AUG 03 1994



First American Title Company of Idaho

108 EAST 6TH STREET • EMMETT, IDAHO 83617



Department of Water Resources
State of Idaho
State Office
450 W. State Street
Boise, Idaho 83720-9000
Attn: Adjudication Bureau

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AUG 03 1994