



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: **A65-22217**  
Date Received: 5/ 1/1998  
Receipt No: C042198  
Received By: \_\_\_\_\_

**COPY FOR  
YOUR FILES**

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

**COPY FOR  
YOUR FILES**

1. Name: ALDEN R NICOLLS 208-375-6523  
Address: 708 LAWRENCE  
BOISE ID 83709

OR

Name: CLAUDENA NICOLLS 208-375-6523  
Address: 708 LAWRENCE  
BOISE ID 83709

2. Date of Priority: AUG 26, 1991

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 12N      | 04E   | 6       | NW     | NE     |     | 2   | VALLEY |

5. Description of diverting works:  
87' WELL

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  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
DOMESTIC, 1 HOME

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 12N      | 04E   | 6       | NW     | NE  | 2   | DOMEST |       |

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:  
65-12481

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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

CIVIL CASE NUMBER: 39576

Identification No. AG 5-22217Date Received 5/1/98Receipt Number CD42198IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEMNOTICE OF CLAIM  
TO A  
WATER RIGHTACQUIRED UNDER STATE LAW  
For Domestic and/or Stockwater Purposes  
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) AR or Claudene Nicolls Phone (208) 375-6523Mailing Address 708 LAWRENCE - Boise Zip 837092. Date of Priority (Only one per claim) August 26, 1991 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other ( ) (a) \_\_\_\_\_  
which is tributary to (b) \_\_\_\_\_ Name or kind of source4. Location of point of diversion is: Township 12 N Range 04 ESection 6 1/4 of NW 1/4 of NE 1/4, Govt. Lot 2, BM.,County of VALLEYAdditional points of diversion if any: WELL5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. WELL - 87 feet deep

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount 0.04 (cfs)For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_  
(Both dates are inclusive)7. Total quantity claimed 0.04 (cfs)Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 house

## **HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION**

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 12 N Range 04 E  
Section 6 NW 1/4 of NE 1/4, Govt. Lot 2 B.M.,  
or (Circle One) Domestic Stock Domestic and Stock  
Additional places of use, if any \_\_\_\_\_

11. In which county (ies) are lands listed above as place of use located? VALLEY

12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_  
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.  
( ) None or 65-12481

14. Remarks: \_\_\_\_\_

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree  
Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff vs Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Alden R. Nicolls Date 5-1-98  
Blairdene Nicolls Date 5-1-98

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 Organization  
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_ Date \_\_\_\_\_

Title and Organization \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )  
County of Ada ) SS. **NOTARIZATION REQUIRED FOR EACH CLAIM**

Subscribed and sworn (or affirmed) before me this 1<sup>st</sup> day of May 1998

SEAL

Notary Public L. Sherman

Residing at Boise, ID

My Commission Expires 11-14-1998

Last Name Nicolls Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

September 29, 1999

**NOTICE OF ERROR  
REPLY**

RECEIVED  
OCT 05 1999  
Department of Water Resources

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:** October 29, 1999

Water right number: 65-22217

ALDEN R NICOLLS  
CLAUDENA NICOLLS  
708 LAWRENCE  
BOISE ID 83709

RECEIVED  
OCT 08 1999  
WATER RESOURCES  
WESTERN REGION

Daytime Telephone Number: 375-6523  
Evening Telephone Number:

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: 10/1/99 SIGNATURE:   
Please print your name: ALDEN NICOLLS

AJ0749NP  
No. R65-22217

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

DATE: 05/28/99  
PAGE: 1

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=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM    TO    RATE    VOLUME
-----
C ALDEN R NICOLLS    08/26/1991    DOMESTIC      01-01    12-31    0.04 CFS
C CLAUDENA NICOLLS
  708 LAWRENCE
  BOISE ID 83709
  (208) 375-6523
                                TOTAL DIVERSION:    0.04 CFS
=====
```

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T12N R04E S06 Lot02( NWNE)

VALLEY County

Place of use Legal Description for: DOMESTIC

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      NE
    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 Lt Ac Lt Ac :
-----
12N 04E 6 :      02-D      :      :      :      :      :      :      :

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POU County: VALLEY

Non-Irrigation Uses: 1 HOME

Other Rights: 65-12481

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
65-08658 65-12481 65-17129 A65-08658 A65-12481 A65-17129 A65-22217

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
- GALLONS PER DAY.

Remarks: EXP PARCEL NO. 12N04E060651

Dates: Exam Made Date: Verified Date: 05/28/1999 Objection Filed Date:

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

Audit: 05/28/99 KWALKER

AJ5809NP  
No. A65-22217

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/99  
PAGE: 6

| OWNER<br>CODE    | NAME & ADDRESS                                                       | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------------------------------------------------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C                | ALDEN R NICOLLS                                                      | 08/26/1991       | DOMESTIC  | 01-01 12-31           | 0.04 CFS          |                     |
| C                | CLAUDENA NICOLLS<br>708 LAWRENCE<br>BOISE ID 83709<br>(208) 375-6523 |                  |           |                       |                   |                     |
| TOTAL DIVERSION: |                                                                      |                  |           |                       | 0.04 CFS          |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T12N R04E S06 Lot02( NWNE)

VALLEY County

Place of use Legal Description for: DOMESTIC

|     |     |   |   | 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 |
| 12N | 04E | 6 | : |                     |    | 02-D |    |                     |    |    |    |                     |    |    |    |                     |    |    |    |    |    |

POU County: VALLEY

Non-Irrigation Uses: ~~DOMESTIC~~, 1 HOME

Other Rights: 65-12481

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

65-08658 65-12481 65-17129 A65-08658 A65-12481 A65-17129

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

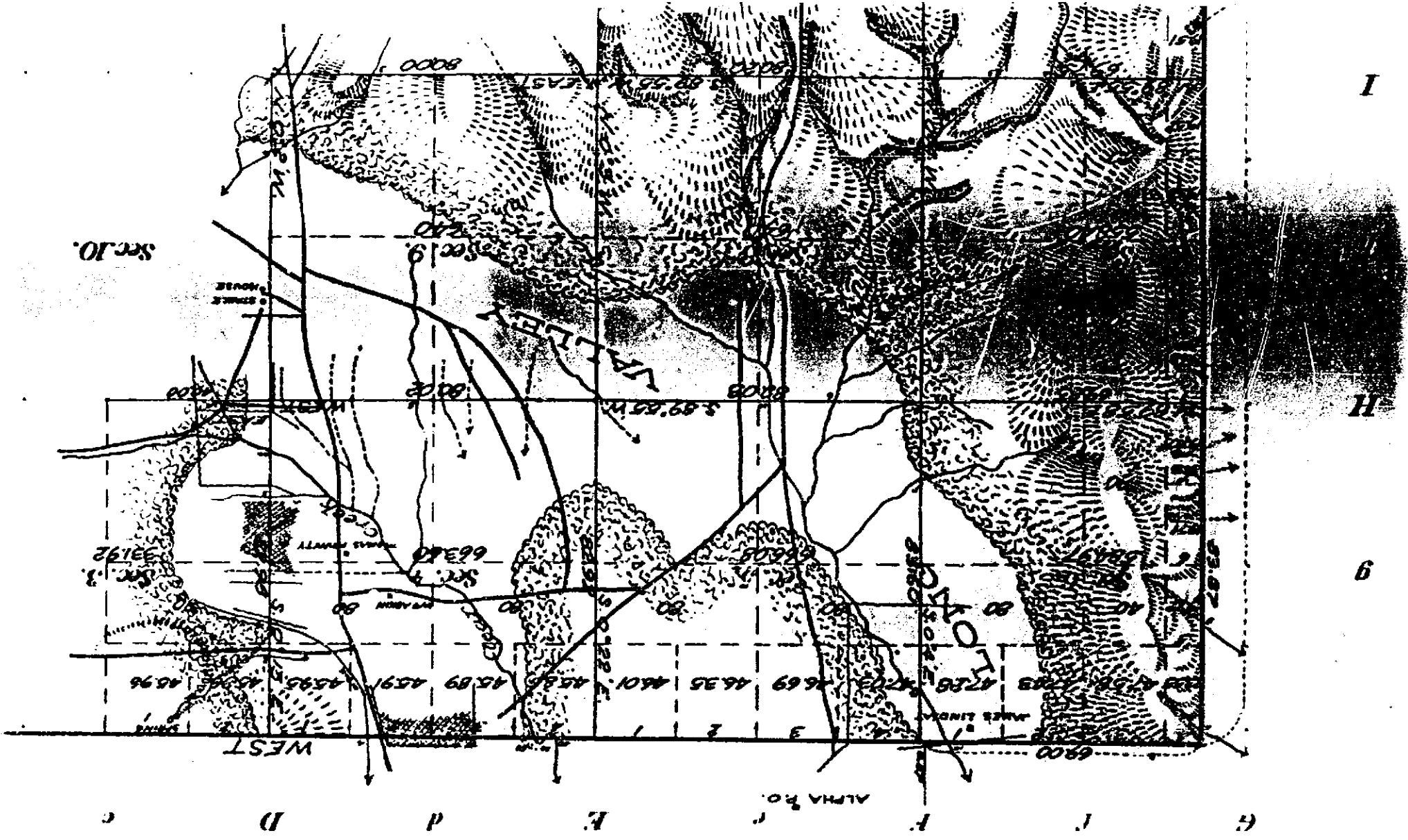
Audit: 05/04/98 SSHERMAN

N11, N13

Parcel No. 12N04E060651  
(per 65-12481)  
pw  
5/28/99

1897

# Township No 12 North, Range No 4 East of T1





**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

PHILIP E. BATT  
GOVERNOR

May 4, 1998

KARL J. DREHER  
DIRECTOR

ALDEN R & CLAUDENA NICOLLS  
708 LAWRENCE  
BOISE ID 83709

RE: Snake River Basin Adjudication (SRBA)  
Notice of Claim #A65-22217

Dear Mr. & Mrs. Nicolls:

Enclosed is a computer-generated copy of Notice of Claim #A65-22217 which you filed for your property in Valley County. You may retain this copy for your records.

I have also enclosed the Individual Listing from Director's Report for water right #65-12481. You inadvertently left it on my desk Friday, and I know you'll want to keep it with the rest of your water papers.

I enjoyed meeting both of you. Please contact me at 1/800-327-7862 if you have any questions.

Sincerely,

Sally Sherman  
Technical Records Specialist  
Adjudication Bureau

SS:region  
Enclosure:

Notice of Claim #A65-22217  
Individual Listing from Director's Report, 65-12481