

No Color
Documents
In File

2

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 65-22472
Date Received: 5/22/01
Receipt No: X999999
Received By:

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

1. Name of Claimant(s)

SCOTT R NICHOLSON Phone: (208)888-1593

PO BOX 690
MERIDIAN ID USA 836800690

KELI A NICHOLSON Phone: (208)888-1593

PO BOX 690
MERIDIAN ID USA 83680-0690

JENNIFER J NICHOLSON Phone: (208)888-1593

PO BOX 690
MERIDIAN ID USA 83680-0690

2. Date of Priority: 04/01/1903

3. Source: SLOANS CREEK Trib. to: GOLD FORK RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot		County	Type
16N	04E	27	SW	NE	VALLEY	Beginning Point
16N	04E	34	NW	NW	VALLEY	Ending Point

5. Description of diverting works:

Instream stockwater.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.07	

7. Total Quantity Appropriated is:
0.07 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 300 Range Cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	04E	27	SW	NE	STOCKWATER	
			NW	SE	STOCKWATER	
			NE	SW	STOCKWATER	
			SE	SW	STOCKWATER	
16N	04E	34	NW	NW	STOCKWATER	

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:

14. Remarks:

This claim is based on right no. 65-5427.

15. Basis of Claim: Decreed

RIGHT NUMBER: 65-22472
NAME AND ADDRESS: SCOTT R NICHOLSON
PO BOX 690
MERIDIAN ID 836800690

KELI A NICHOLSON
PO BOX 690
MERIDIAN ID 83680-0690

JENNIFER J NICHOLSON
PO BOX 690
MERIDIAN ID 83680-0690

SOURCE: SLOANS CREEK TRIBUTARY: GOLD FORK RIVER
QUANTITY: 0.02 CFS

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

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR
STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY
DITCH ENTERS THE PLACE OF USE DESCRIBED.

PRIORITY DATE: 04/01/1903

POINT OF DIVERSION:

T16N R04E S27 SWNE Begin of Stream Flow Within VALLEY County
T16N R04E S34 NWNW End of Stream Flow Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE:

STOCKWATER Within VALLEY County

T16N R04E S27	SWNE	T16N R04E S27	NESW
T16N R04E S27	SESW	T16N R04E S27	NWSE
T16N R04E S34	NWNW		

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

EXPLANATORY MATERIAL: Decreed

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

Identification No. AG 5-22472
Date Received 5-22-01
Receipt Number _____

**NOTICE OF CLAIM
TO A
WATER RIGHT**

RECEIVED

MAY 22 2001

WATER RESOURCES
WESTERN REGION

ACQUIRED 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) SCOTT R. NICHOLSON OR KELI (NICHOLSON) ELLEDGE OR JENIFER (NICHOLSON) DELIGARD Phone (208) 888-1593

Mailing Address P.O. BOX 690, MERIDIAN, ID Zip 83680-0690

2. Date of Priority (Only one per claim) 04/01/1903 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other (X) (a) SLOANS CREEK
Name or kind of source

which is tributary to (b) GOLD FORK RIVER

4. Location of point of diversion is: Township BEGINNING 16N Range 4E

Section 27 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____, BM.,

County of VALLEY

Additional points of diversion if any: SEC 34 NWNW ENDING PT.

5. 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. INSTREAM STOCKWATER

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

For STOCKWATER purposes from 01/01 to 12/31 amount .07 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .07 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 300 HD. BEEF CATTLE

10. Place of use is: Township: 16N Range 4E
Section 27 { SW NE NW SE } 1/4 of SE 1/4, Govt. Lot _____ B.M.,
County of VALLEY for (Circle One) Domestic /Stock/ Domestic and Stock
Additional places of use, if any SEC 34 NWNW

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.

14. Remarks: STOCKWATER FOR NON-IRRIGATION SEASON

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 65-5427 IRRIGATION DECREE

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 X 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) Scott R. Nicholson Date 05/21/01
SCOTT R. NICHOLSON Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____ that I have signed the foregoing
document in the space below as _____ Organization _____ of _____
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 IDAHO)
County of ADA) SS.

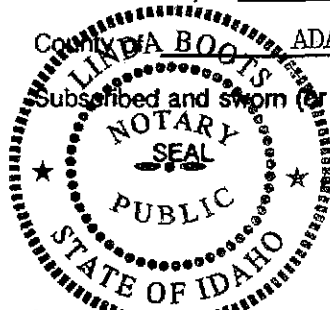
Subscribed and sworn (or affirmed) before me this 21 day of MAY 19 2001

Notary Public Linda Boots

Residing at MERIDIAN, IDAHO

My Commission Expires 05/31/07

Last Name _____ Ident No. _____



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 65-5427

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JENNIFER J NICHOLSON
Current Owner	KELI A NICHOLSON
Current Owner	SCOTT R NICHOLSON
	700 W OVERLAND RD
	MERIDIAN, ID 83642
	(208)888-1593
Original Owner	YANKE-NICHOLSON CHILDREN TRUST
	WM E MORRIS CUSTODIAN
	PO BOX 5405
	BOISE, ID 83705
	(208)342-8901
Original Owner	J W HENDERSON
	ROUTE 3
	EAGLE, ID 83616

Priority Date: 04/01/1903
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary to</u>
SLOANS CREEK	GOLD FORK RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15	10/15	1.72 CFS		
Total Diversion			1.72 CFS		

Location of Point(s) of Diversion:

SLOANS CREEK	NWNE	Sec. 27	Township 16N	Range 04E	VALLEY County
--------------	------	---------	--------------	-----------	---------------

IRRIGATION Use:
Acre Limit: 86

Place(s) of use:

Place of Use Legal Description: IRRIGATION	VALLEY County
--	---------------

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
16N	04E	27		SENE	9									
				NWSW	5		SWSW	25						
		34		NENW	22		NWNW	25						

Total Acres: 86

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
SBOCK	6/2/1999	COPIED FROM REMARKS	TRUST MEMBERS - DANIAL R. YANKE, SUSAN YANKE NORBY, JILL MARIE YANKE, JENNIFER J. NICHOLSON, KELIA A. NICHOLSON, SCOTT R. NICHOLSON OWNERSHIP CHANGED BY DB 5/24/99. NAME CORRECTION FROM "KELIA" TO "KELI", PER SIGNATURE AND OFFICE VISIT 6/1/99 FROM TOM NICHOLSON. TRANSFER TOM NICHOLSON CAME INTO THE OFFICE YESTERDAY TO GO OVER POU AND POD'S. HE BUILT A POND IN SEC 34 THE NENW IN THE EARLY 80'S AND HE TRANSFERED THE USE OF THE WATER TO SEC 27 SENE FOR 9 ACRES THIS SERVED AS AN ACCOMPLISHED TRANSFER
AJU10-JS	9/25/1999	AJU10 CONDITION 9 UPDATE	CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates:

Licensed Date:
Claim Received Date: 11/07/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date: 01/21/1986
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Other Information:

Receipt Number(s): X999999
State or Federal: S
Owner Name Connector:
Water District Number: 65
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False