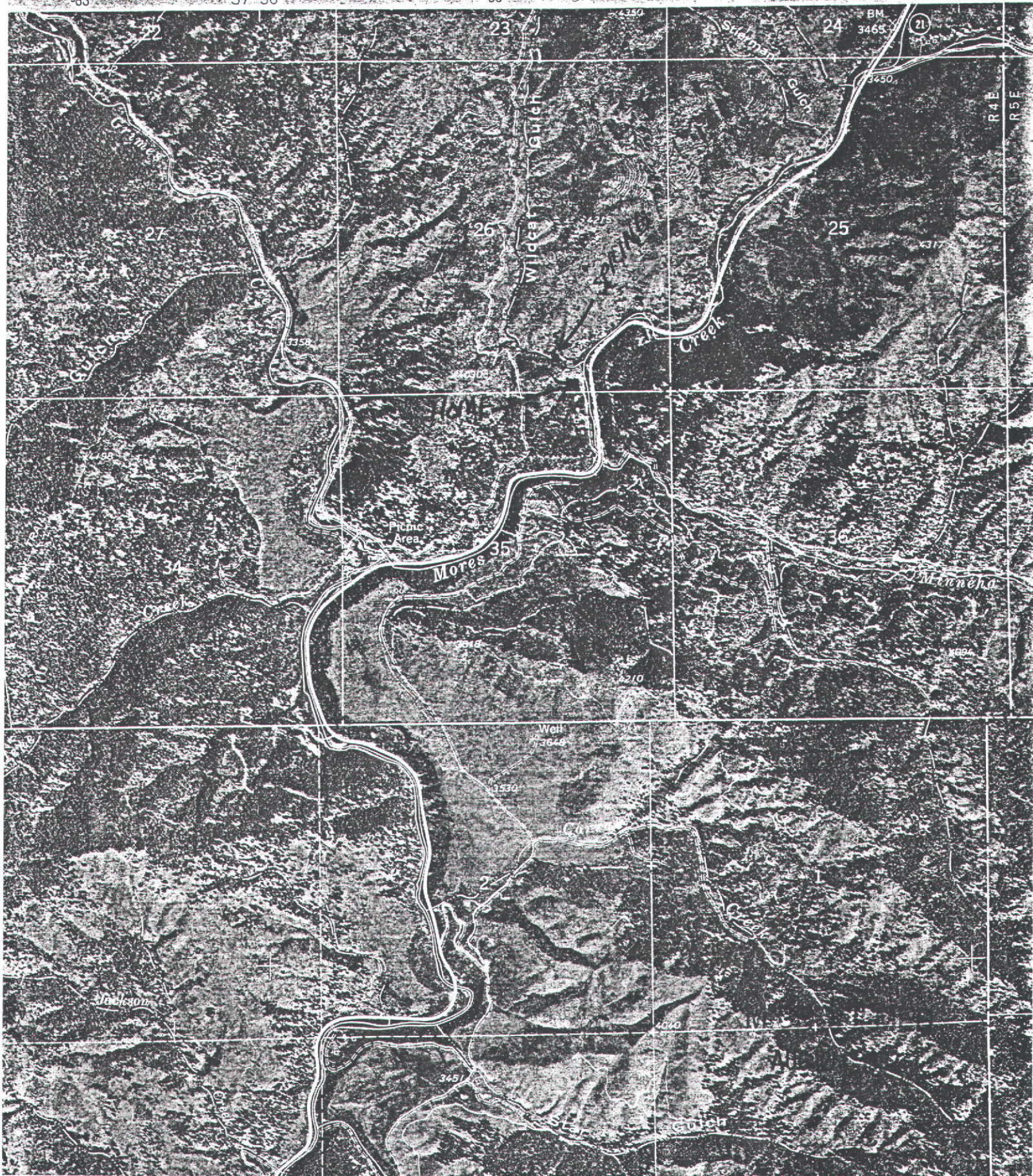


R4E

F

583 57°30' 585 586 587 55'



A63-7529

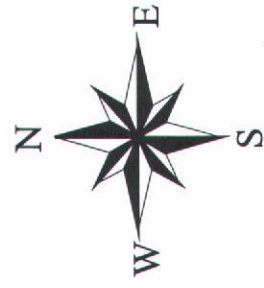
PHOTOS TAKEN 08/29/2001



PHOTO #1
PART OF POU AND
DOMESTIC USE

IDAHO DEPARTMENT OF WATER RESOURCES

T05N, R04E, S26



1987 NAPP PHOTO

POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

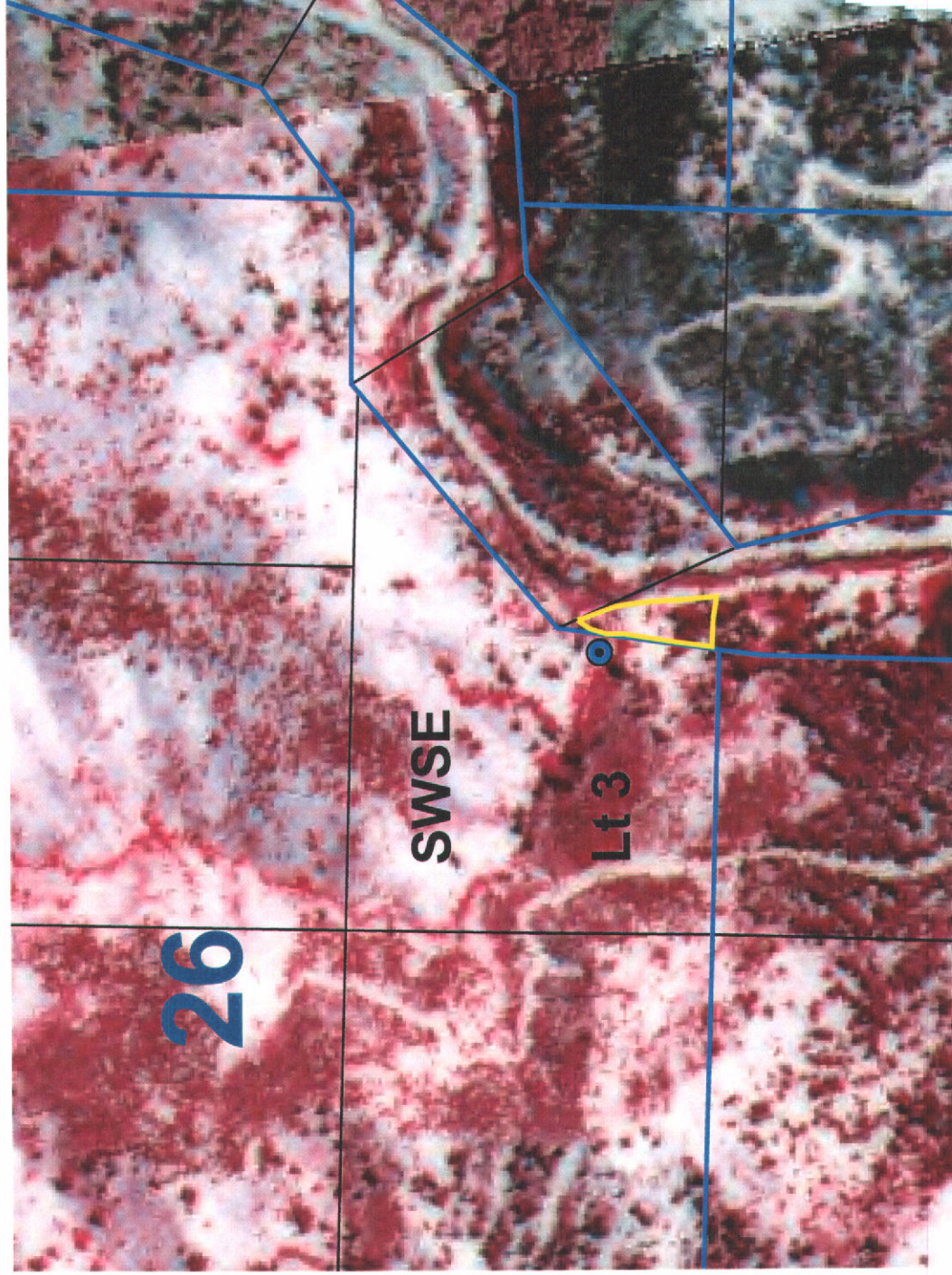
6 SECTION NUMBERS

CLAIM(S): 63-7529

OWNER(S): NICHOLS, WALTER &
THELMA

DATE: OCTOBER 25, 2001

by: Mel Schulte



0.75 Miles

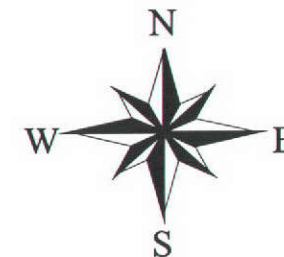
0.5

0.25

0

IDAHO DEPARTMENT OF WATER RESOURCES

T05N, R04E, S26



26

SWSE

Lt 3

1.5

1987 NAPP PHOTO

● POINT OF DIVERSION

□ PLACE OF USE

□ 1/4 1/4 LINES

□ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-7529

OWNER(S): NICHOLS, WALTER &
THELMA

DATE: OCTOBER 25, 2001

by: Mel Schulte

0 0.25 0.5 0.75 Miles

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: A63-07529
Date Received: 3/10/1989
Receipt No: W002723
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WALTER M. NICHOLS 208-392-4451
Address: HC 33, BOX 1520
BOISE, ID 83706
OR
Name: THELMA E. NICHOLS 208-392-4451
Address: HC 33, BOX 1520
BOISE, ID 83706

2. Date of Priority: DEC 03, 1971

3. Source: SPRING Trib. to: WILD CAT GULCH

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	04E	26	SE	SW	SE		BOISE

5. Description of diverting works:
SPRINGBOX W/400' PIPELINE TO CISTERN & GRAVITY FEED/HOME & LAWN.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.030		6.70
DOMESTIC	01/01	12/31	0.030		0.60

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) 7.30 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	04E	26	SW SE		IRR	1.5
Section Acres						1.5
Total Acres						1.5

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
NONE.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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 Nichols Date: 3-10-89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of March 19 89

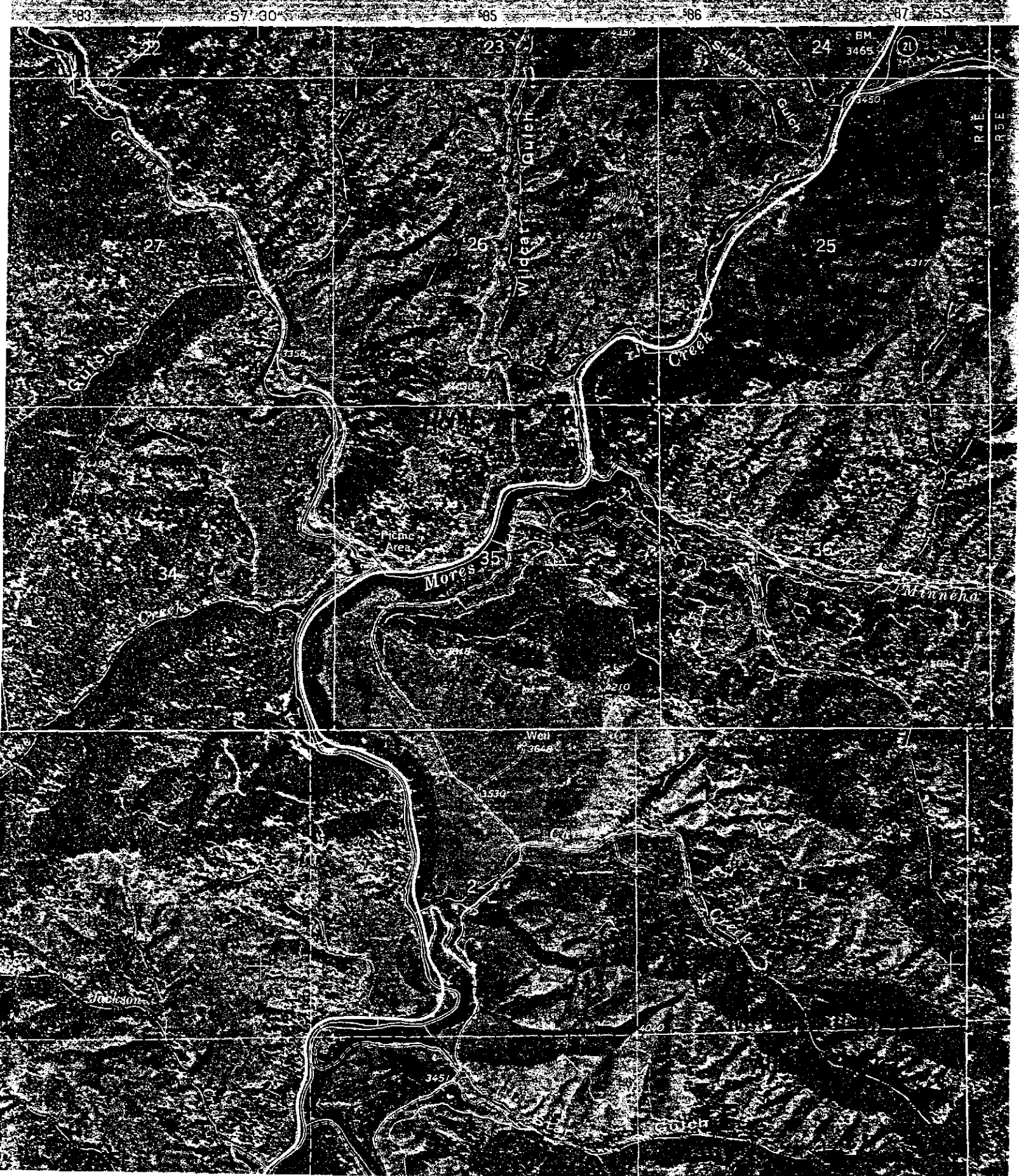
Jan Shuttle
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94

R4E

F



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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 63-07529

2004 NOV 5 AM 10 57

NAME AND ADDRESS: THELMA E NICHOLS
WALTER M NICHOLS
14 COUGAR LANE
BOISE, ID 83716

SOURCE: SPRING TRIBUTARY: WILD CAT GULCH

QUANTITY: 0.06 CFS
7.30 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.
THIS RIGHT WHEN COMBINED WITH RIGHT NO.63-31289 SHALL PROVIDE NO
MORE THAN .03 CFS PER ACRE.

PRIORITY DATE: 12/03/1971

POINT OF DIVERSION: T05N R04E S26 LOT 3 (SESWSB) Within Boise County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.03 CFS 6.70 AFY
	Domestic	01-01 TO 12-31	0.03 CFS 0.60 AFY

DIVERSION FOR IRRIGATION UNDER THIS WATER RIGHT PRIOR TO APRIL 1
AND AFTER OCTOBER 31 SHALL OCCUR ONLY AS AUTHORIZED BY THE WATER
DISTRICT 63 WATERMASTER AND ONLY WHEN WATER IS BEING RELEASED
FOR FLOOD CONTROL BY THE UNITED STATES FROM THE LUCKY PEAK DAM
OUTLET UNDER PROCEDURES AND REQUIREMENTS FOR THE MEMORANDUM OF
AGREEMENT BETWEEN THE U.S. DEPARTMENT OF THE ARMY AND THE U.S.
DEPARTMENT OF THE INTERIOR FOR FLOOD CONTROL OPERATIONS OF THE
BOISE RIVER RESERVOIRS, DATED NOVEMBER 20, 1953, THE WATER
CONTROL MANUAL FOR BOISE RIVER RESERVOIR DATED APRIL 1985 AND
ANY FUTURE AMENDMENTS OR REVISIONS MADE THERETO PURSUANT TO
STATE OR FEDERAL PROCEDURES OR LAW; PROVIDED THAT ANY SUCH USE
OF THIS WATER RIGHT PRIOR TO APRIL 1 AND AFTER OCTOBER 31 SHALL
BE SUBORDINATED TO WATER RIGHTS FOR STORAGE IN LUCKY PEAK
RESERVOIR AND/OR LAKE LOWELL AS DECREED IN SRBA CASE NO. 39576
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation	Within Boise County
	T05N R04E S26 LOT 3 (SWSE) 1.5	
	1.5 Acres Total	
	Domestic	Within Boise County
	Same as Irrigation	

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC

RECEIVED

FEB 4 - 2003

Department of Water Resources

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

In Re SRBA)

A. Subcase 63-7529
(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

Daytime Phone: (208) 378-5306 E.Gail McGarry

Name & Address of Attorney, if any:

David W. Gehlert (303 312-7352)

Trial Attorney, General Litigation Section

Environment and Natural Resource Division

U.S. Department of Justice

999 18th Street, Suite N 945

Denver, CO 80202

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Walter M Nichols Thelma E Nichols

Address: 14 Cougar Lane
Boise, ID 83716

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☒ **Period of Year**
Should be: April 1 to November 1
9. ☐ **Place of Use**
Should be:
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

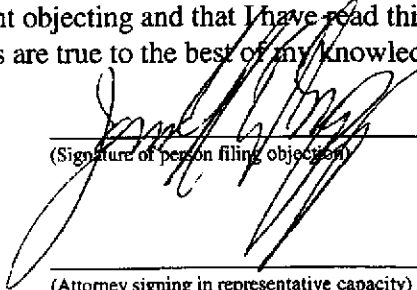
The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow (a) injury to the United States' water rights, (b) impairment of historic river conditions conducive to regular United States Bureau of Reclamation diversions to storage reservoirs and the New York Canal, and (c) diminution of contract water reliability.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

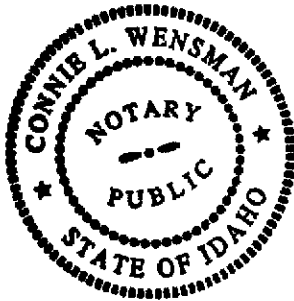
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 29, 2003



Connie L. Wensman
Connie L. Wensman
Notary Public for: Idaho
Residing at: Meridian
My Commission Expires: 10-06-2004

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 31, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Walter M Nichols Thelma E Nichols

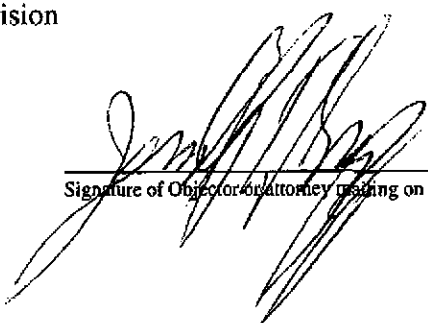
Address: 14 Cougar Lane
Boise, ID 83716

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney acting on Objector's behalf

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

In Re SRBA

Case No. 39576

A. Subcase Number: See Attachment A
(Insert water right number)

**STANDARD FORM 1
OBJECTION RECEIVED**

JAN 31 2003

Department of Water Resources

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Boise Project Board of Control acting on its own behalf and on behalf of
and for the following individual entities:
New York Irrigation District, Nampa & Meridian Irrigation District, Wilder
Irrigation District, Boise-Kuna Irrigation District, Big Bend Irrigation
District
Address: 2465 Overland Road
Boise, Idaho 83705
Phone: (208) 344-1141

Name & Address of Attorney, if any:
Albert P. Barker, ISB # 2867
Amy D. Chestnut, ISB # 5904
Barker Rosholt & Simpson, LLP
205 North 10th Street, Suite 520
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: 208-336-0700
Facsimile: 208-344-6034

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: See Attachment B
Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☒ **Period of Year**
Should be: April 1 to November 1
9. ☐ **Place of Use**
Should be:
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S): The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow injury to the objector's water rights and diminution of contract water reliability.

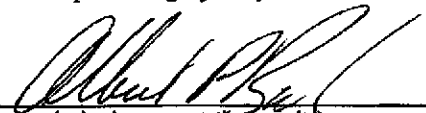
F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

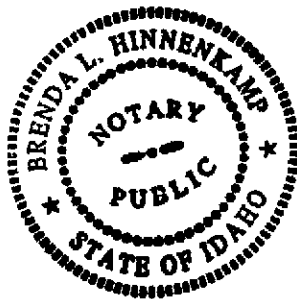
Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 30, 2003



Brenda L. Hinnenkamp
Brenda L. Hinnenkamp
Notary Public for: Idaho
Residing at: Boise
My Commission Expires: 9/11/2004

INSTRUCTIONS FOR MAILING

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Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: See Attachment B
Address:

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724


Signature of Objector or attorney mailing on Objector's behalf

Attachment A

63-3540	63-7984A	63-7984B
63-8624	63-10279	63-31335
63-31336	63-7119	63-7115
63-148B	63-15395	63-2472
63-7529	63-7037	63-2026
63-7207	63-31077	63-5102
63-5192	63-318A	63-318C
63-4629A	63-4797	63-4810
63-5101	63-31074	63-31289
63-31328	63-19A	63-19B
63-378	63-4636	63-5057
63-31124	63-31173	63-31174
63-31319	63-31320	63-31397
63-4548	63-3125	63-15093
63-15677	63-31317	63-5332
63-5334	63-4071	63-31380
63-5235	63-4629C	63-31454
63-5408	63-2171	63-5167
63-317B	63-320A	63-7613D
63-30310	63-97	63-15409
63-3447D	63-3447B	63-3447C
63-5161B	63-15101	63-4731
63-3422B	63-5161C	63-3422A
63-5251	63-5250	63-15684
63-5108	63-15427	63-15094
63-15206	63-15373	63-2252

ATTACHMENT B

63-3540

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-8624

Randall A Ambuehl
HC 33 Box 1610
Boise ID 83706

63-31336

Wilderness Ranch Owners Assn Inc
46 Wilderness Ranch Rd
Boise ID 83716

63-148B

South Boise Water Co
PO Box 6005
Boise ID 83707

63-7529

Walter M Nichols
Thelma E Nichols
14 Cougar Lane
Boise ID 83716

63-2026

James E Bryant
1915 N 11th
Boise ID 83712

63-5102

Laura LA May Holmes
2391 Sheri Dr
Emmett ID 83617

63-318C

Paula E Lewis
Stephen E Lewis
PO Box 4002
Boise ID 83711-4002

63-4810

Walter S Nichols
Sara A Nichols
12 Cougar Ln
Boise ID 83716

63-31289

Walter M Nichols
Thelma E Nichols
14 Cougar Lane
Boise ID 83716

63-7984A

Teresa L Raschke
Steven L Raschke
2095 Panama St
Boise ID 83705

63-10279

Cumer L Green
PO Box 2597
Boise ID 83701

63-7119

Michael Robich
Lynette Robich
87 Beaver Creek Rd
Boise ID 83716

63-15395

Marilyn Priest
Jay R Priest
PO Box 122
Idaho City ID 83631

63-7037

Blue Jay Creek Water & Road Users Inc
C/O Robert O Walker
129 Blue Jay Creek Rd
Boise ID 83706

63-7207

Barbara W Little
1980 Myers Rd
Boise ID 83706

63-5192

David Steadman
Lynae Steadman
8873 Ottawa Ct
Boise ID 83709

63-4629A

Wilderness Ranch Owners Assn Inc
46 Wilderness Ranch Rd
Boise ID 83716

63-5101

Marilyn Priest
Jay R Priest
PO Box 122
Idaho City ID 83631

63-31328

Michael C Perry
Tami J Perry
10 Cougar Ln
Boise ID 83716

63-7984B

Lawrence Poisson
Sheila Poisson
3193 Highway 21
Idaho City ID 83716

63-31335

Val Dean Schroeder
13 Blacksmith Road
Boise ID 83716

63-7115

Michael Robich
Lynette Robich
87 Beaver Creek Rd
Boise ID 83716

63-2472

Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-2026

Hilda Larson
3015 Silver St
Boise ID 83703

63-31077

State of Idaho
Dept of Parks & Recreation
PO Box 83720
Boise ID 83720-0065

63-318A

Ranch Subdivision Property Owners
Assn
26 Burnett Dr
Boise ID 83716

63-4797

Connie Jo Cooper
Douglas S Cooper
2268 Highway 21
Boise ID 83716

63-31074

Barry Marcus
737 N 7th St
Boise ID 83702

63-19A

Larry R Smith
Alda L Smith
8442 W Beachside Ct
Boise ID 83703

63-19B

Rosemary Swanstrum
Philip Swanstrum
2708 Columbus
Boise ID 83705

63-5057

Francis Mangum
Shirley Mangum
17 Old Mill Rd
Boise ID 83716

63-31174

Michal Sweeney
28 N Fork Clear Creek Rd
Boise ID 83716

63-31397

Michael E Claus
Connie M Claus
105 Johnson Creek Rd
Boise ID 83716

63-15093

Gail G Allen
Robert P Allen
14 Allen Ln
Boise ID 83716

63-5332

Osprey Land Co
737 N 7th St
Boise ID 83702

63-5235

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-5408

Scott R Nicholson, Thomas Emil Nicholson,
Christine Nicholson et al
C & T Ranches Inc
PO Box 690
Meridian ID 83680-0690

63-317B

Richard A Stull
K Gail Richardson
13 Robie Creek Ln
Boise ID 83716

63-97

L G Davison & Sons Inc
1969 Prairie Rd
Prairie ID 83647-9803

63-378

Dirk L Marcum
14364 E Highway 21
Boise ID 83716

63-31124

Allen Cupit
Diana Cupit
25 Old Mill Rd
Boise ID 83716

63-31319

Sandra Miner
1512 Apache Dr Unit D
Chula Vista CA 91910-8160

63-4548

James R Stringfellow
787 David Way
North Salt Lake UT 84054

63-15677

Barry Marcus
737 N 7th St
Boise ID 83702

63-4071

Robert P. Perez
Laurie A. Perez
20 Colleen Lane
Boise, ID 83716

63-4629C

Sherry Smith
James C Smith
7 Mores Creek Cir
Boise ID 83716

63-2171

Rex B Lanham
2630 Highway 21
Boise ID 83716

63-320A

Wade C Woolery
1902 Thompson Street
Richland WA 99352

63-15409

Wilda Bradley
33 Wild Rose Ln
Boise ID 83716

63-4636

Connie M Claus
105 Johnson Creek Rd
Boise ID 83716

63-31173

Hide Associates Partnership
Boise Holcomb Inc
737 N 7th St
Boise ID 83702

63-31320

David Peterson
Toni Peterson
14 Homestead Ct
Boise ID 83716

63-3125

State of Idaho
Dept of Fish & Game
PO Box 25
Boise ID 83707

63-31317

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-31380

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-31454

Jay D Hollinger
Carol L Hollinger
51 Daggett Creek Rd
Boise ID 83716

63-5167

Rex B Lanham
2630 Highway 21
Boise ID 83716

63-7613D

Marvenna S Hodgins
Marilyn E Dawson
PO Box 6466
Boise ID 83707

63-30310

Steven D Cummings
545 Robie Creek
Boise ID 83716

63-3447B
Biff Eshelman
31 Sonshine Lane
Boise ID 83716

63-15101
Steven D Cummings
545 Robie Creek
Boise ID 83716

63-5161C
Sterling Turner
Debbie Turner
328 Robie Creek Rd.
Boise ID 83716

63-5250
Jan Blum
27 Idaho City Stage Rd
Boise ID 83716

63-15684
Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-15094
Gail G Allen
Robert P Allen
14 Allen Ln
Boise ID 83716

63-2252
Twin Springs Resort LLC
PO Box 3994
Ketchum ID 83340

63-3447C
Alan K Johnson
3929 Overland Rd #840
Boise ID 83715

63-4731
Wilda Bradley
33 Wild Rose Ln
Boise ID 83716

63-3422A
Mary Lou Pote
William W H Pote
27 Idaho City Stage Rd
Boise ID 83716

63-5251
Mary Lou Pote
William W H Pote Jr
27 Idaho City Stage Rd
Boise ID 83716

63-5108
Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-15206
Val Dean Schroeder
13 Blacksmith Rd
Boise ID 83716

63-3447D
Joan Stephens
James R Stephens
3939 S Transport
Boise ID 83705

63-5161B
Dwaine Wright
Lizabeth Wright
4 Larkspur Lane
Boise, ID 83716

63-3422B
Virginia M Cafferty
Allan E Cafferty
2121 S Eagleson
Boise ID 83705

63-15427
Maurice Brown
11 Hoover Dr
Boise ID 83716

63-5334
Osprey Land Co
737 N 7th Street
Boise, ID 83702

63-15373
Rex E. Lanham
2630 Highway 21
Boise ID 83716

02/26/2002

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

RIGHT NUMBER: 63-7529

NAME AND ADDRESS: WALTER M NICHOLS
14 COUGAR LANE
BOISE ID 83716

THELMA E NICHOLS
14 COUGAR LANE
BOISE ID 83716

SOURCE: SPRING

TRIBUTARY: WILD CAT GULCH

QUANTITY: 0.06 CFS
7.3 AFY

THIS RIGHT WHEN COMBINED WITH RIGHT NO.63-31289 SHALL PROVIDE NO MORE
THAN .03 CFS PER ACRE.

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

PRIORITY DATE: 12/03/1971

POINT OF DIVERSION:

T05N R04E S26 SESWSE Lot 3 Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.030 CFS
		0.60 AFY
IRRIGATION	4/01 11/01	0.030 CFS
		6.70 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY
AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED
OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER
BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE
TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION
USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS
ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within BOISE County

T05N R04E S26 Lot 3 SWSE 1.5

DOMESTIC same as IRRIGATION

1.5 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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: License

DOMESTIC IS INTERNAL USE FOR 1 HOME

02/28/2002

NOTICE OF ERROR
REPLY

RECEIVED

MAR 21 2002

WATER RESOURCES
WESTERN REGION

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 5, 2002

Water right number: 63-7529

WALTER M NICHOLS

14 COUGAR LANE

BOISE ID 83716

Telephone Number: (208)392-4451

THELMA E NICHOLS

14 COUGAR LANE

BOISE ID 83716

Telephone Number: (208)392-4451

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: 3-21-02

SIGNATURE: Walter M. Nichols - Thelma E. Nichols

Please print your name: Walter M. Nichols & Thelma E. Nichols

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A63-07529.

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____

2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: 12-3-1971
(If the priority date, based on your exam, seems questionable, explain below.)

as licensed

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 SW 1/4 SE = 2+3
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES

□ Different uses, (list uses found):

Use	From	To	Amount	CFS	AFA
Use	From	To	Amount	CFS	AFA
Use	From	To	Amount	CFS	AFA

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____

☐ Changes found, the new total is, Amount CFS AFA

8. ~~X~~ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: 1 Stock # List types:

Additional comments: _____

9. ☐ No Change — PLACE OF USE: (If changed, list below.)

Use: _____ Township _____ Range _____ Section _____ 1/4 SW 1/4 SE = L + 3
 Use: _____ Township _____ Range _____ Section _____ 1/4 1/4
 Use: _____ Township _____ Range _____ Section _____ 1/4 1/4
 Use: _____ Township _____ Range _____ Section _____ 1/4 1/4

Remarks: (Comments pertinent to field examination) See additional attachment

Overlaps with 63-31289 for irrigation components

C18, N10, N12, E28, shoulder

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 8-29-2001

FIELD EXAMINER:

Print Name _____

Signature Mei Schulto

A63-7529

PHOTOS TAKEN 08/29/2001



PHOTO #1
PART OF POU AND
DOMESTIC USE

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-7529

WATER RIGHT NUMBER: 63-7529

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WALTER M NICHOLS HC 33 BOX 1520 BOISE, ID 83706
Current Owner	THELMA E NICHOLS HC 33 BOX 1520 BOISE, ID 83706

Priority Date: 12/03/1971

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	WILD CAT GULCH

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.030 CFS	0.60 AF
IRRIGATION	4/01 to 11/01	0.030 CFS	6.70 AF
<u>Total Diversion:</u>		0.060 CFS	7.30 AF

Location of Point(s) of Diversion

SPRING	SE1/4SW1/4SE1/4	Sec. 26, Twp 05N, Rge 04E, B.M.
BOISE County		

Place of Use

IRRIGATION Within BOISE County

T05N R04E S26 SWSE 1.5

Total Acres: 1.5

DOMESTIC same as IRRIGATION

Conditions of Approval:

Remarks:

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Dates and Other Information:

Claim Received Date: 5/8/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 63-7529 Priority Dec. 3, 1971 Amount 0.06 cfs

THIS IS TO CERTIFY, that Walter M. &/or Thelma E. Nichols
of Boise, Idaho has complied with the terms and conditions of Permit
No. 63-7529 issued pursuant to Application for Permit dated December 3, 1971
and has submitted proof to the Department of Water Administration on February 27, 1974
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 0.06 cfs of water from an unnamed spring
tributary to Wild Cat Gulch & Mores Creek and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>Nov. 1</u>	at <u>0.03</u> cfs and	<u>6.7</u> acre feet
Domestic	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.03</u> cfs and	<u>0.6</u> acre feet
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.06 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
7.3 acre feet per year, said waters to be diverted within the SW[SE] of Sec. 26,
Twp. 5 N, Rge. 4 E, B.M. in the County of Boise

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SE 1/4				SW 1/4				Total
			NE 1/4	SE 1/4	SW 1/4	NE 1/4	SE 1/4	SW 1/4	NE 1/4	SE 1/4	SW 1/4	NE 1/4	SE 1/4	SW 1/4	NE 1/4	SE 1/4	SW 1/4	NE 1/4	
5 N	4 E	26															X		1.5

Total number of acres irrigated 1.5

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 8 day of
May, 19 74.

Director

63-7529

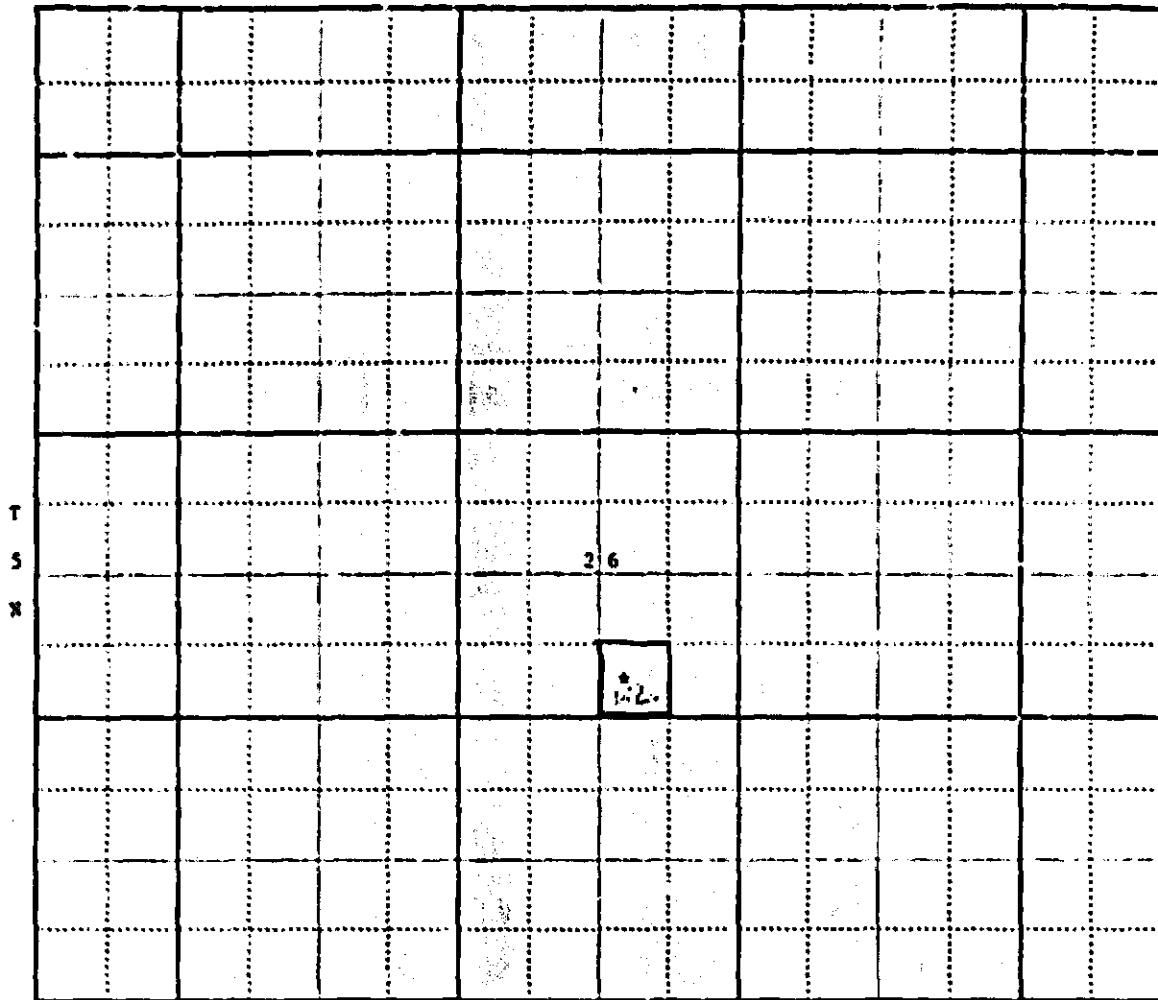
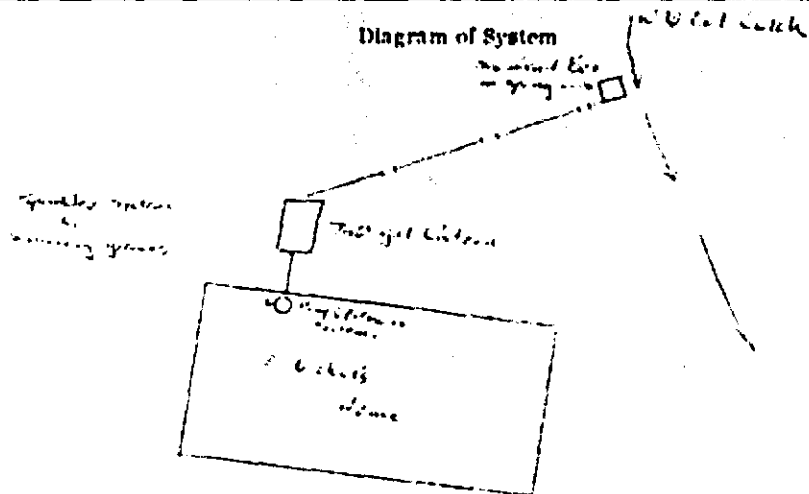


Diagram of System



More Creek

DEPARTMENT OF WATER ADMINISTRATION FIELD REPORT

- Name of permit holder Walter M. &/or Thelma E. Nichols
Post office address c/o Idaho City Stage, Boise, ID 83706 Phone _____
Person to contact _____ Phone _____
- Source of water supply: Groundwater ☐ Surface water ☒ Unnamed spring
Tributary to Wild Cat Gulch & Mores Ck. (name spring, stream, etc.)

- Water will be used for the following purposes:

Amount 0.03 c.f.s. for irrigation
AF/Annum (nature of use)

Period of Use: from Apr. 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

Amount 0.03 c.f.s. for domestic
AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(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: _____

- Total amount to be appropriated:

Max Rate of Diversion 0.06 cubic feet per second and annual volume _____ AF/Annum.

- Location of Point(s) of Diversion:

Township 5N N/S, Range 4E E/W, B.M., Section 26, Subdivision SW 1/4 SE 1/4, Boise
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: 1 1/2" pipe installed to bedrock of spring running to sediment box. 1 1/2" pipe from sediment box to cistern for storage. Excess water flowing into Wildcat Creek.

Measuring device required: yes _____ no ☒

- 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	
5N	4E	26																	1.5

To Bridge

HOV 21

to Idaho City

DATE OF EXAM Apr / 25 / 1979

ACREAGE

Found

Recommended

1.5

1.5

Irrigation Requirement 4.5 Ac Ft/Ac

USE

Irrigation Q = 0.03 c.f.s. V = 6.75 AF/Ann. from 4/1 to 11/1
Domestic Q = 0.03 c.f.s. V = 1.6 AF/Ann. from 1/1 to 12/31
Livestock Q = _____ c.f.s. 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 0.06 Method of measurement _____

Total Q recommended 0.06 Meter No. _____ Type _____ Condition _____

Total V recommended 7.35 4.5

Recommended Amendments:

P.D.

Place of Use

Other

None ☒

MEASUREMENT CALCULATION:

Design V = 1.5 4.5 = 6.75

SYSTEM DESCRIPTION:

1/2" pvc in bedrock at spring, running to sediment tank & then
to 750' gal cement. distance. pressure pump & pressure
system for domestic supply & sprinkler system for
the irrigation

REMARKS:

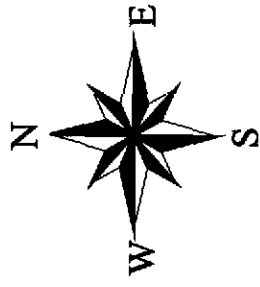
Examiner's Signature John Clayton Brown Date Apr 25, 1979

Checked by _____ Date _____

Approved by _____ Date _____

IDAHO DEPARTMENT OF WATER RESOURCES

T05N, R04E, S26



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

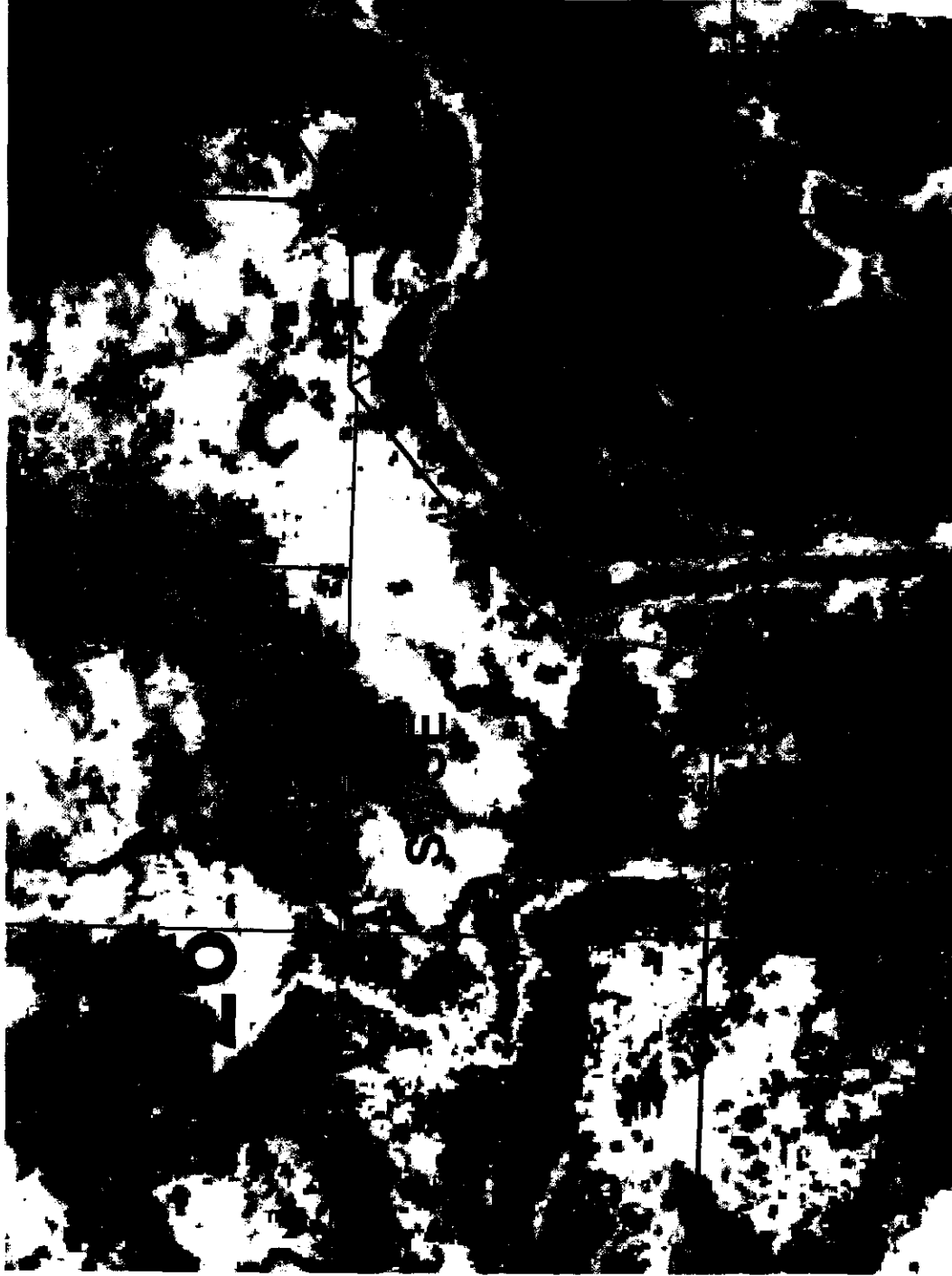
6 SECTION NUMBERS

CLAIM(S): 63-7529

OWNER(S): NICHOLS, WALTER &
THELMA

DATE: OCTOBER 25, 2001

by: Mel Schulte



0.75 Miles

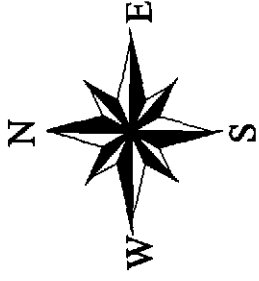
0.5

0.25

0

IDAHO DEPARTMENT OF WATER RESOURCES

T05N, R04E, S26



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

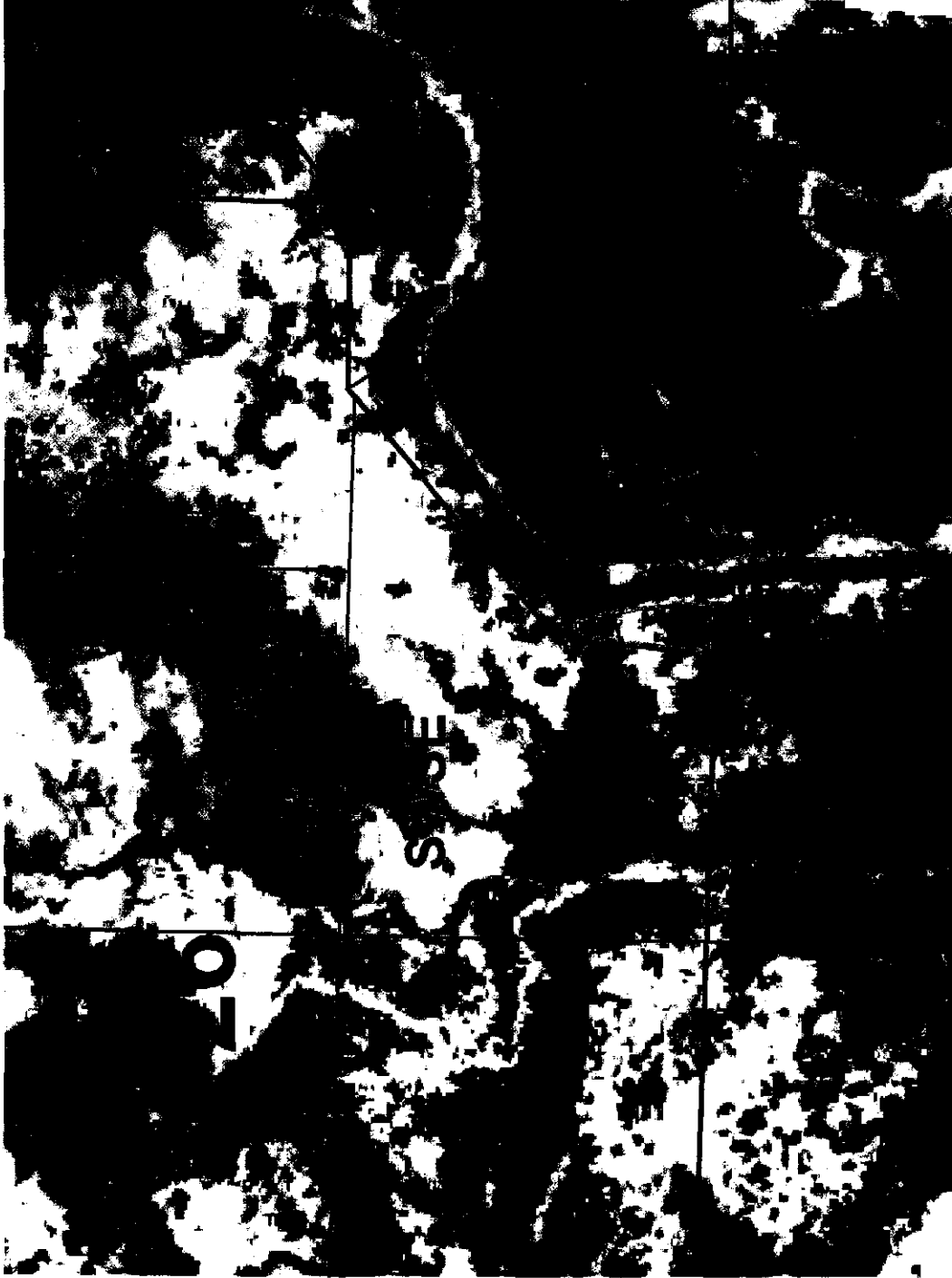
6 SECTION NUMBERS

CLAIM(S): 63-7529

OWNER(S): NICHOLS, WALTER &
THELMA

DATE: OCTOBER 25, 2001

by: Mel Schulte



0.75 Miles

0.5

0.25

0

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): A63-07529.

[] Old Mailing Address: _____

[] New Mailing Address: 14 Cougar Lane

Bosse, ID 83716.

New Telephone Number: () _____

[] Signature of Claimant: Walter Nichols

Date: 8-29-01

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: _____