

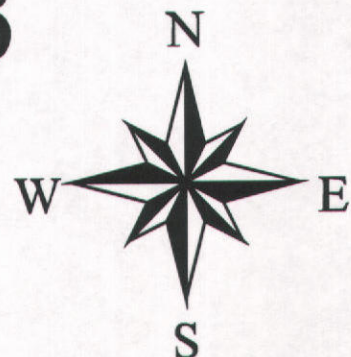
Claim 63-31255



400 0 400 800 1200 Feet

T04N R01E S08

Map prepared by: Carter Fritschle
Date Prepared: 06/20/01
Treasure Valley 2000 Aerial Photo
Idaho Department of Water Resources





1042 Steep View Dr
T04N, R01E, S08, SEW4

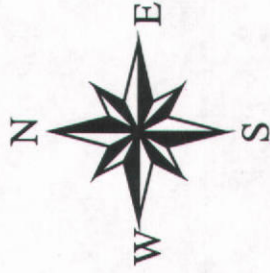
IDAHO DEPARTMENT OF WATER RESOURCES

Claims: 63-31255

Date Prepared: 8-09-02

Prepared By: Ron Howerton

T04N, R01E
S08



● Point of Diversion



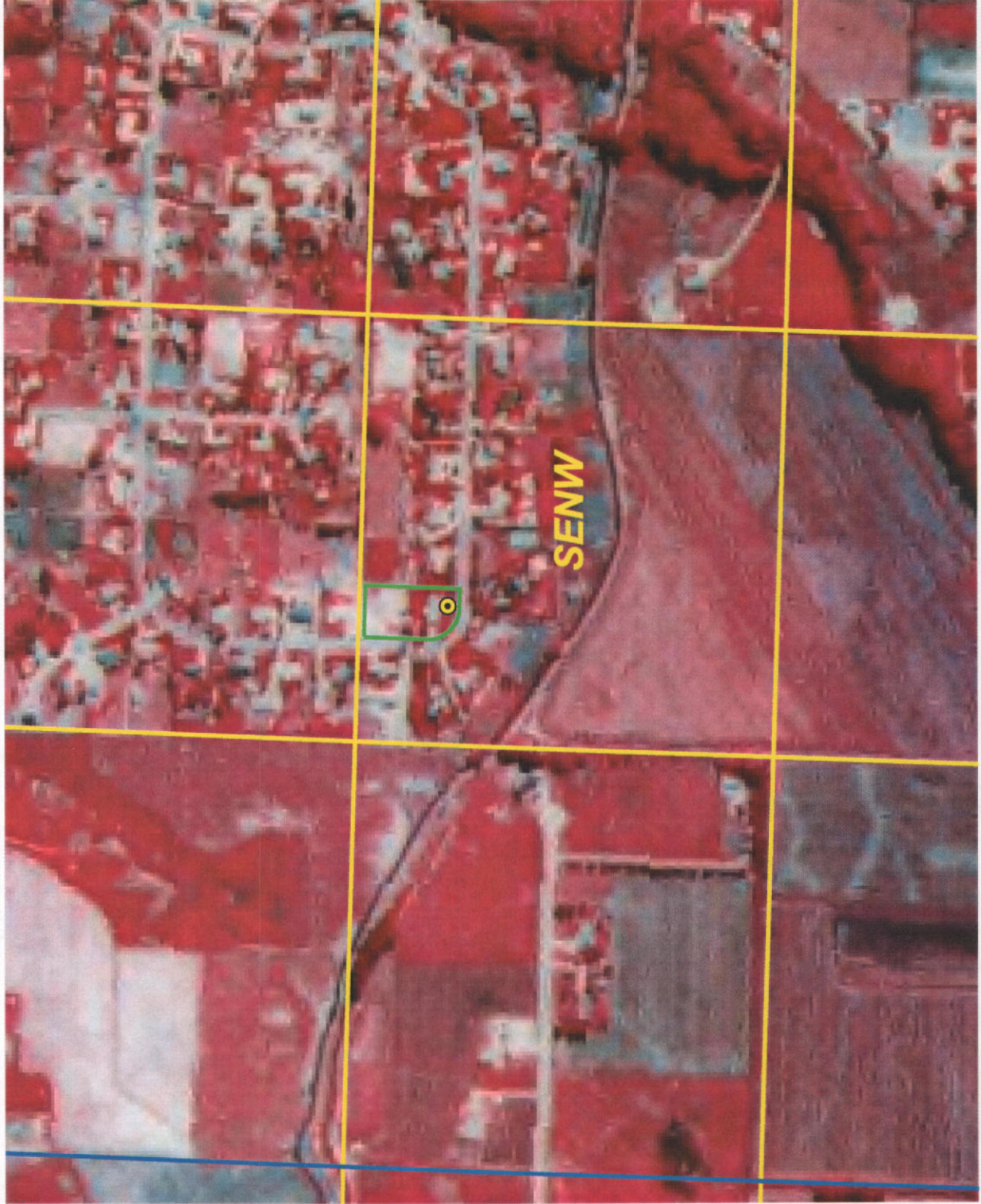
Place of use



Section



Quarter/Quarter



0 0.1 0.2 0.3 0.4 0.5 0.6 Miles

1987 NAPP

RECEIVED

JUN 27 2001

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

WATER RESOURCES
WESTERN REGION

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 63-31255
Date Received: 6/19/01
Receipt No: 0054345
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CALIOPE NICHOLAS Phone: (208)939-7580

1042 STEEPLE VIEW DR
EAGLE ID USA 83616

2. Date of Priority: 12/31/1973

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01E	8	NW SE NW	ADA	

5. Description of diverting works:

WELL AND PUMP, UNKNOWN DEPTH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	8	SE	NW	DOMESTIC	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

Parcel No. R1918020125
Lot 6 of Block 2, Downing Downs Sub #3

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

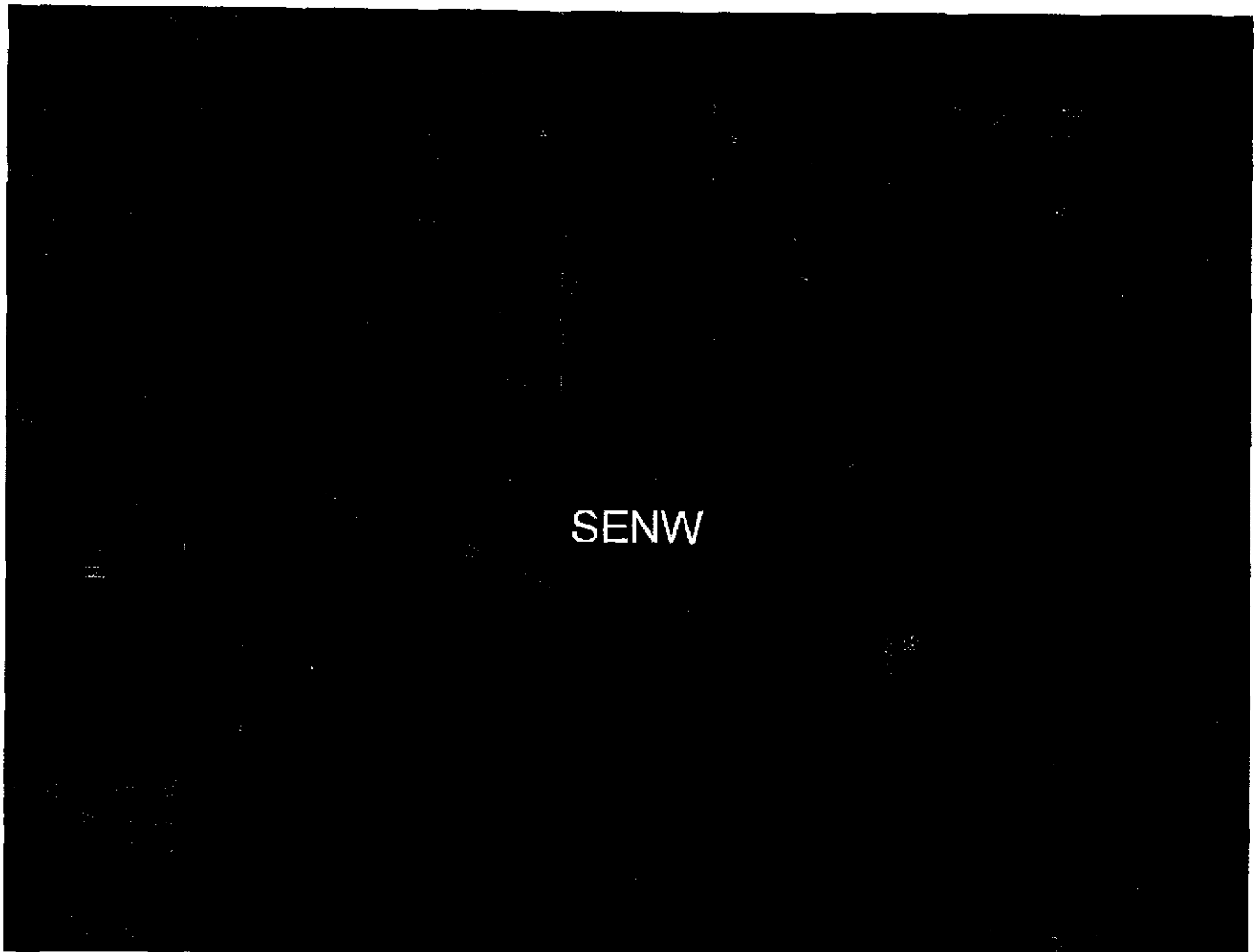
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

Claim 63-31255

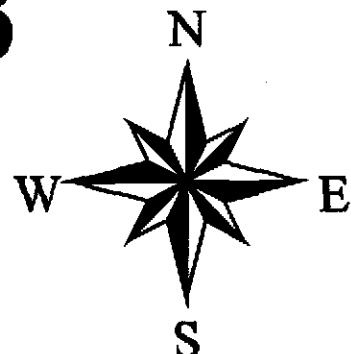


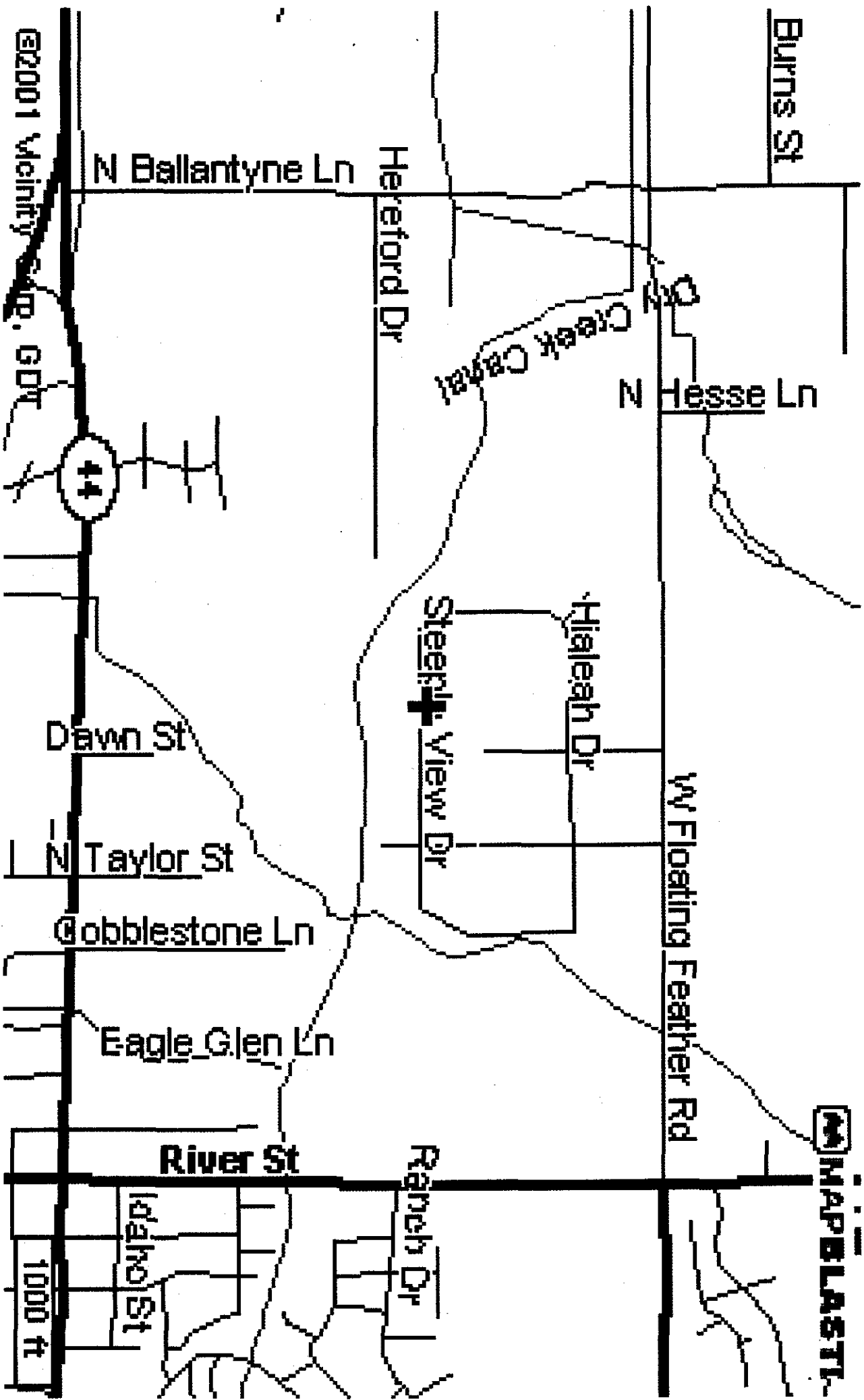
400 0 400 800 1200 Feet

A scale bar with alternating black and white segments. The segments are labeled with the numbers 400, 0, 400, 800, and 1200, followed by the word 'Feet'.

T04N R01E S08

Map prepared by: Carter Fritschle
Date Prepared: 06/20/01
Treasure Valley 2000 Aerial Photo
Idaho Department of Water Resources





@2001 Vicinity Map, GDT

1042 Steep View Dr
TOWN, R01E, S08, SEW4

RECEIVED

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

JUN 27 2001

WATER RESOURCES
WESTERN REGIONIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. 63-31255Date Received 6-18-01Receipt Number 0054343

NOTICE OF CLAIM TO A WATER RIGHT

Department of Water Resources

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) CALIOPE NICHOLAS Phone 208 939-7580
Mailing Address 1042 STEEPLE VIEW DR. Zip 83616

2. Date of Priority (Only one per claim) 1973 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source

4. Location of point of diversion is: Township 4N Range 1E
Section 8 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ BM.,
County of ADA

Additional points of diversion if any: LOT 6, BLK 2 DOWNING DOWNS SUB#3

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. WELL, PUMP UNKNOWN DEPTH

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 04 cfs
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 04 (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) 1 HOUSEHOLD

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: 4 N Range 1 E
Section 8, LOT 6 OF BLOCK 2 DOWNING DOWNS SUB #3
1/4 of 1/4 Govt. Lot _____ B.M.,

for (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? ADA

12. Do you own the property listed above as place of use? Yes ✓ 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 _____

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) Calique Nicholas Date 6-14-2001

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 _____ of _____

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

Signature of Authorized Agent _____ Date _____

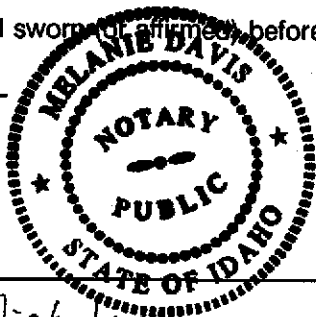
Title and Organization _____

State of Idaho/or _____)

County of Ada) SS. **NOTARIZATION REQUIRED FOR EACH CLAIM**

Subscribed and sworn to before me this 15 day of June 2001

SEAL



Notary Public Melanie Davis

Residing at Boise, ID

My Commission Expires 7-26-05

Last Name Nicholas Ident No. 63-31255

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.



4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Caliope NicholasCLAIM IDENT. NO. 63-DATE RECEIVED 6-18-01CK # C054345AMOUNT \$ 25.-

- | | YES | NO | Required Info? |
|--|-------------------------------------|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered?
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☐ | ☒ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☐ | ☒ | |
| 4. Is the legal description of the p.d. sufficient? | ☐ | ☒ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 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. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☐ | ☒ | |
| Is the consumptive use correct? | ☐ | ☒ | |
| 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. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☐ | ☒ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☐ | ☒ | |
| 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.) | ☐ | ☒ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☐ | ☒ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | |
| 22. Should this claim be data entered? | ☒ | ☒ | |

Claim checked by: A. ShormanDate: 6-

Claim must be returned to claimant:

☐ (Yes) ☐ (No)

Claimant must be notified of modifications:

☐ (Yes) ☐ (No)Receipt Prepared by: J. MasiDate: 6-18-01

Claim data entered by: _____

Date: _____

Checked by: _____

Date: _____

Sent to claimant by: _____

Date: _____

Comments: Per Carter - mod ltr only

RECEIVED
05/31/2005
JUN 15 2005
WATER RESOURCES
WESTERN REGION

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: July 15, 2005

Water right number: 63-31255

CALIOPE NICHOLAS
1042 STEEPLE VIEW DR
EAGLE ID 83616
Telephone Number: (208)939-7580

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: 6-13-2005 SIGNATURE: Caliope Nicholas
Please print your name: Caliope Nicholas

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

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

1

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-31255

Owner: _____ Phone No. _____

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☐ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Source: _____ Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

- ☒ No change
☐ Different Uses

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
☐ Changes found, the new total is, Amount _____ CFS _____ AFA
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☒ No change
☐ Changes Exam found: Domestic # of homes _____ Stock # _____
Types _____ Additional comments: _____

PLACE OF USE:

- ☒ No Change
☐ Changes shown below:

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 8-9-02 IN OFFICE

FIELD EXAMINER: Ron Howerton

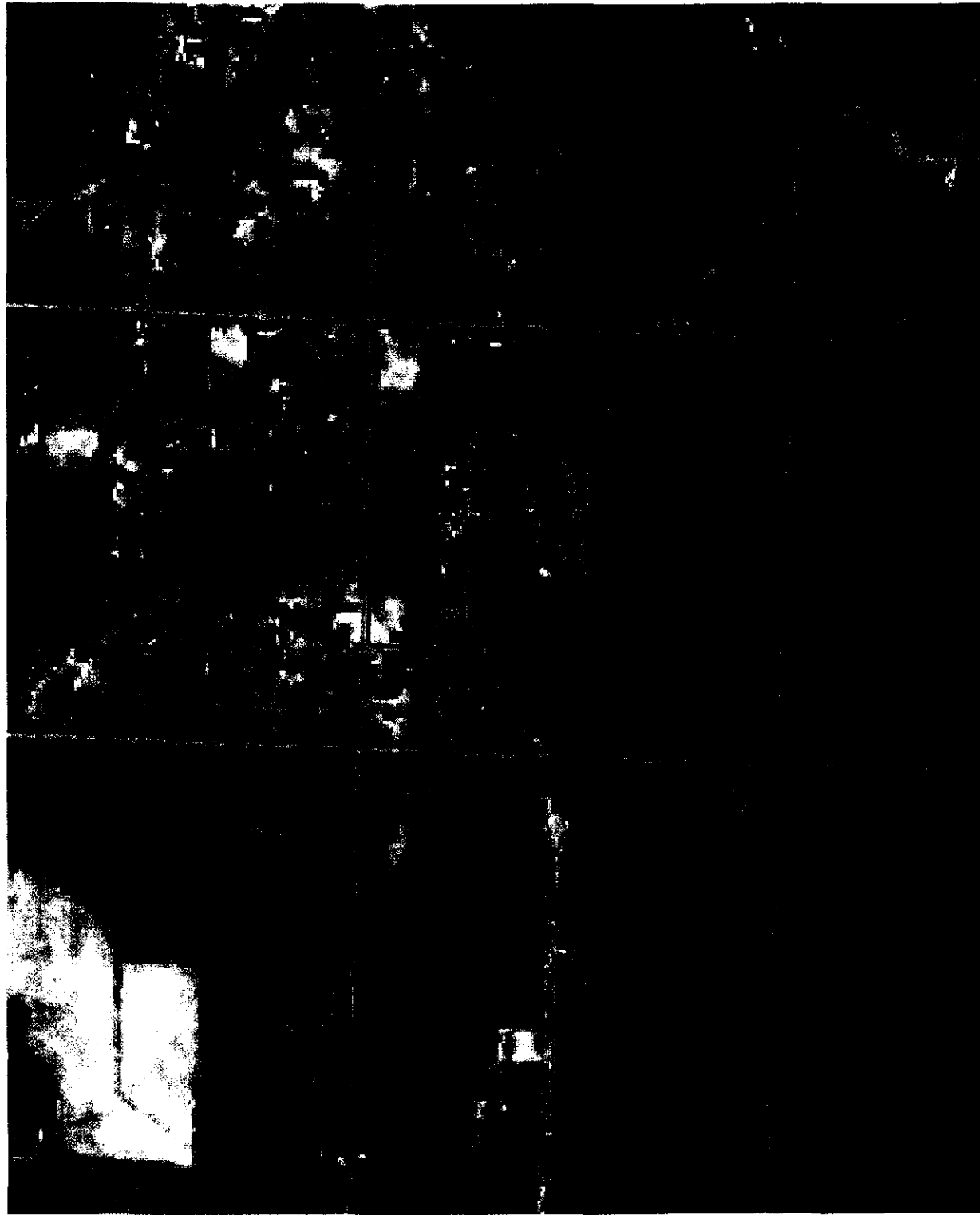
Ron Howerton
Sr Water Agent

IDAHO DEPARTMENT OF WATER RESOURCES

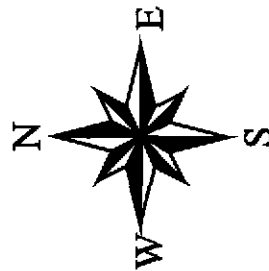
Claims: 63-31255

Date Prepared: 8-09-02

Prepared By: Ron Howerton



T04N, R01E
S08



● Point of Diversion



Place of use



Section



Quarter/Quarter

0 0.1 0.2 0.3 0.4 0.5 0.6 Miles

1987 NAPP

1. WELL IDENTIFICATION

Name FRANK MONT Const.

Address Engle Idaho

Owner's Permit No. —

2. WATER LEVEL

Static water level 30 feet below land surface

Flowing? ☐ Yes ☐ No G.P.M. flow —

Temperature — F. Quality —

Artesian closed-in pressure — p.s.i.

Controlled by ☐ Valve ☐ Cap ☐ Plug

3. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement

☐ Abandoned (describe method of abandoning) —

8 WELL TEST DATA

☐ Pump ☐ Sailer ☒ Other

Discharge G.P.M.	Draw Down	Hours Pumped
<u>35</u>	<u>10</u>	<u>7.0</u>

3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type) —

☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
<u>5"</u>	<u>0</u>	<u>10</u>	<u>Top Soil</u>		
	<u>10</u>	<u>30</u>	<u>Gravel</u>		
	<u>30</u>	<u>60</u>	<u>Gravel</u>		
	<u>60</u>	<u>75</u>	<u>Gravel</u>		
	<u>75</u>	<u>110</u>	<u>Gravel</u>		
	<u>110</u>		<u>Gravel</u>		

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other —

5. WELL CONSTRUCTION

Diameter of hole 6 inches Total depth 110 feet

Casing material: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>250</u> inches	<u>6</u> inches	<u>2</u> feet	<u>33</u> feet
<u>118</u> inches	<u>6</u> inches	<u>33</u> feet	<u>78</u> feet

Was a packer or seal used? ☐ Yes ☐ No

Perforated? ☐ Yes ☐ No

How perforated? ☐ Rotary ☐ Knife ☐ Torch

Size of perforation inches by inches

Number	From	To

Well screen installed? ☐ Yes ☒ No

Manufacturer's name

Type Model No.

Diameter Slot size Set from feet to feet

Diameter Slot size Set from feet to feet

Gravel packed? ☐ Yes ☐ No Size of gravel

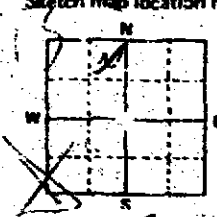
Placed from feet to feet

Surface seal depth 20 Material used ☐ Cement grout ☐ Puddle ☒ Well cuttings

Sealing procedure used ☒ Slurry pit ☐ Temporary surface casing ☐ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name Dunning Downs

Lot No. 6 Block No. 2

County AI

NE 1/4 Sec. 8 T. 4 S. R. 1 E/W

10. Work started 5-31-74 finished 6-15-74

11. DRILLER'S CERTIFICATION

Firm Name HARDY & SONS Firm No. 1851

Address 2213 So. Hillman Date 6-25-74

Signed by (Firm Official) Frank Hardin

and SASH Operator

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE COPY TO THE DEPARTMENT



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

DIRK KEMPTHORNE
GOVERNOR

June 25, 2001

KARL J. DREHER
DIRECTOR

CALIOPE NICHOLAS
1042 STEEPLE VIEW DR
EAGLE ID 83616

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #63-31255

Dear Claimant:

I am forwarding to you a data-entered copy of the claim you filed for your property in Ada County with a GIS layout attached showing your property location. I have also enclosed your receipt #C054345. Please keep the receipt for your records.

We have interpreted the data from this claim in the process of data entry in a manner which we feel more accurately reflects the true status of this water right claim. The items that were modified are highlighted. Please review the enclosed claim to assure these modifications are in agreement with the claimed water right.

If you believe our data is **incorrect**, and you wish to make any changes to this Notice of Claim, please initial the changes before signing the form in front of a Notary Public and return the form to me within 30 days. You may wish to make a copy for your files before returning the claim to me.

Please contact me at 327-7862 if you have any questions or if your address or the ownership of the property changes in any way.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Technical Section

SS:region
Enclosures:

Notice of Claim to a Water Right #63-31255 and Receipt #C054345
GIS Layout