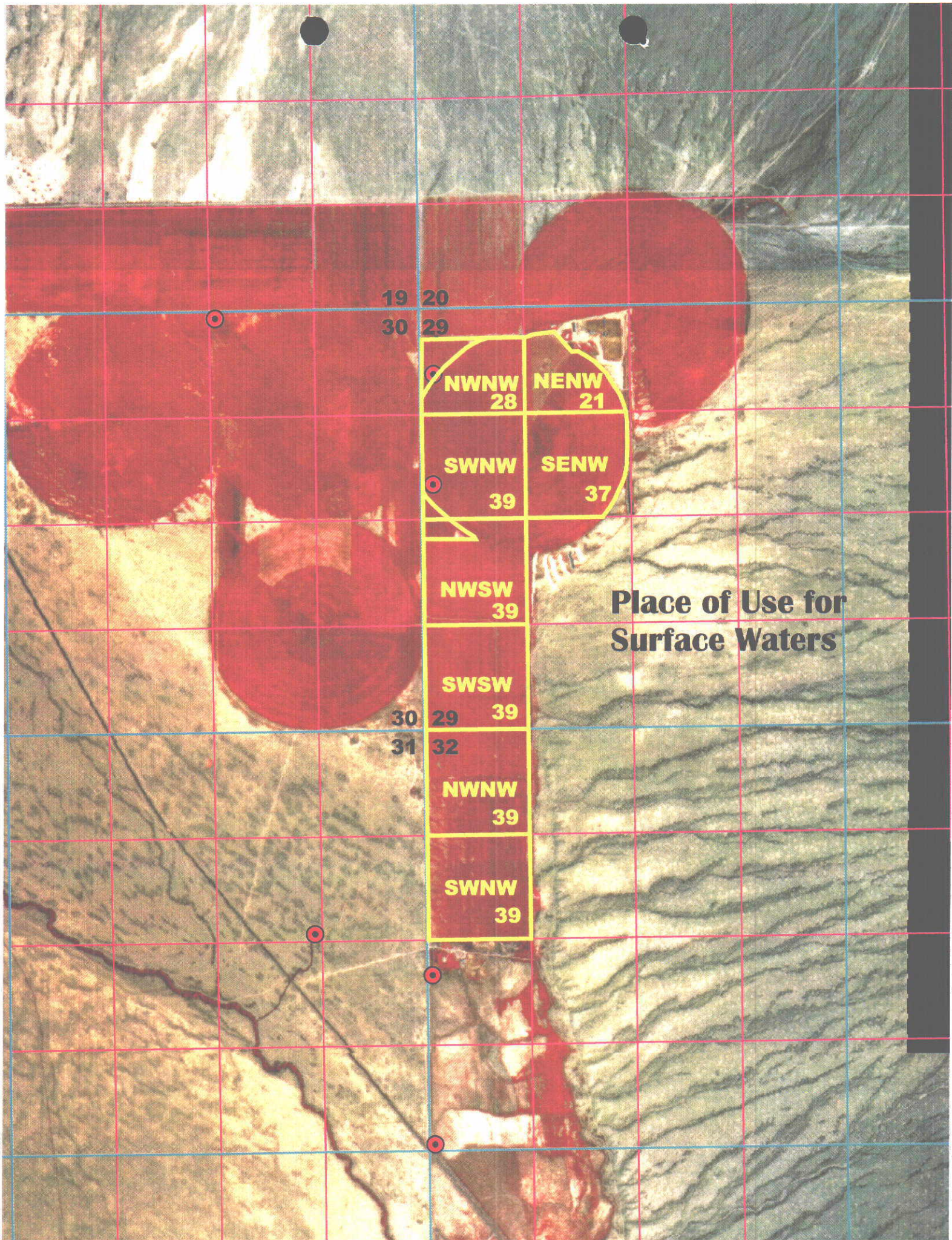




B01:

NOTES: Uncle Pete Creek is also known as Pass Creek and is so referenced in the
20 January 1954 Inducement
P.O.R. DECEASED AS NENE SEC. 26, T8N, R. 28E.
POINT OF REDIVERSION IS THE BOOSTER PUMPS, AT THE HYDROPOWER BASIN, WHICH PUT THE WATERS INTO
THE IRRIGATION SYSTEM.

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POB	COUNTY
34N	20E	24	SW	NW	SW		FLAG	QUITE
BN	20E	24	SW	NW	SW			Butte
BN	20E	29	NE	NE	NW		R	Butte

DIVERSION NAME
NOTES ONLY

DIVERSION NER

UNCLE PETE CREEK (AKA: PASS CR)

BOOSTER PUMPS TO IRRIG. - NOTES ONLY

SOURCE: UNCLE PETE CR

TRIP: * SINKS

REVIEWED BY: AB Leary DATE: 22 SEPT 94

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





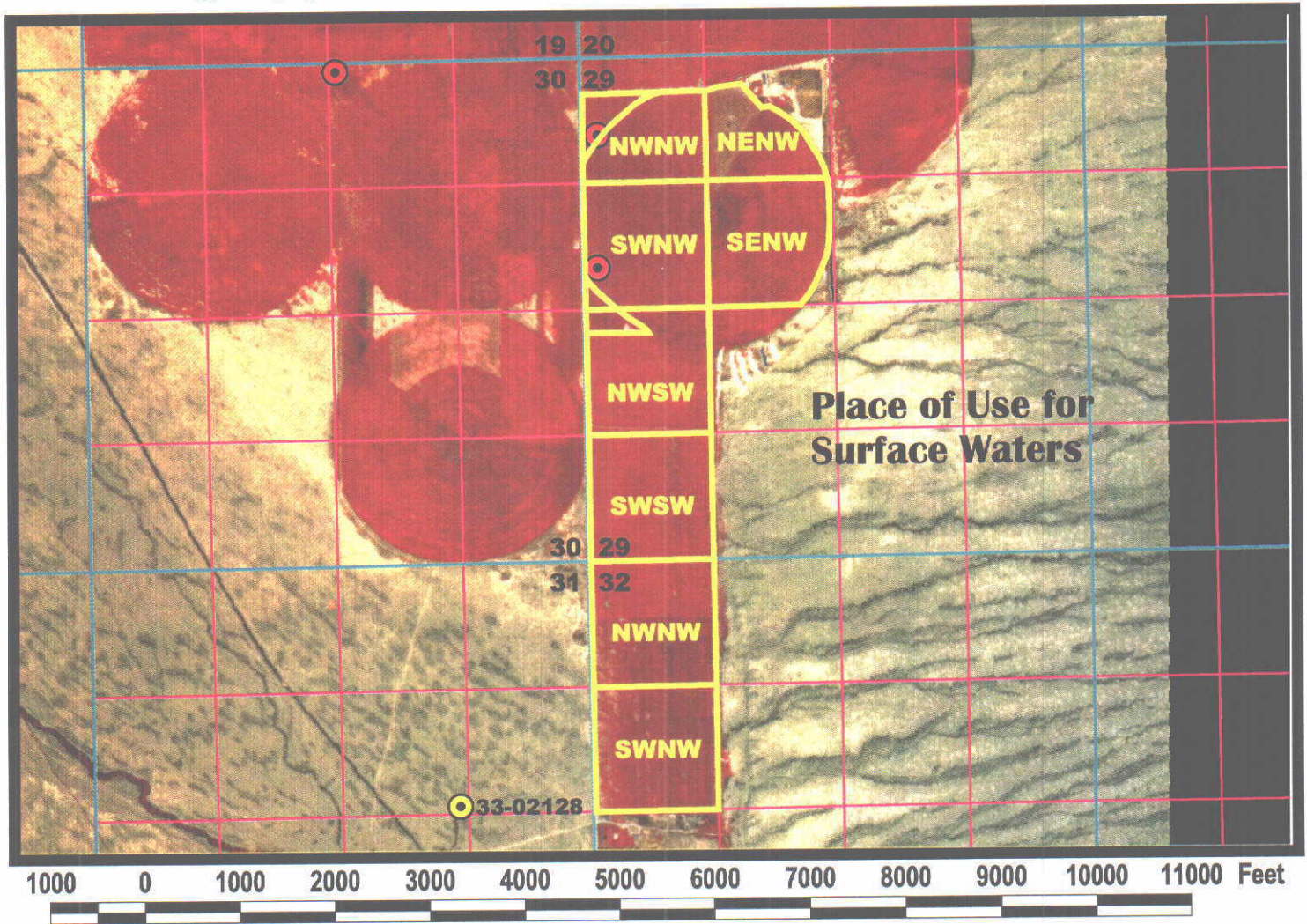
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: O. Nicholson

Water Right(s): 33-02128, 33-02024, 33-00066, 33-00117



LEGEND



Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line

Quarter-section line

Place(s) of Use: T.8N., R.28E.
Sec. 29 (parts of) NW, W2SW,
Sec. 32 W2NW

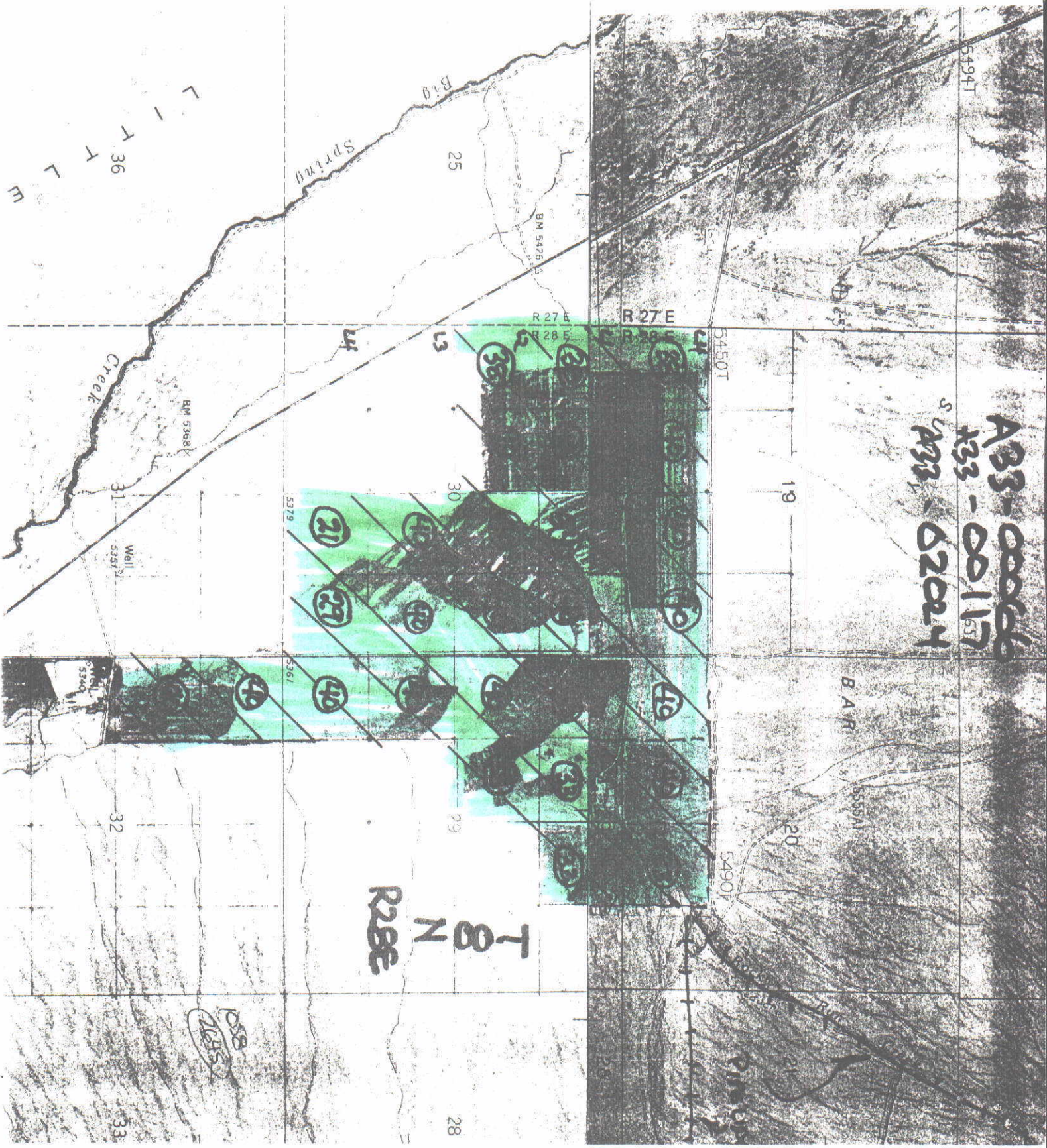
Point(s) of Diversion: T.8N., R.28E.
Sec. 16 SWSWNE (Rocky Run Ck)
Sec. 23 SWNWSW (Fallert Spgs)
Sec. 24 SWNWSW (Uncle Ike Ck)
Sec. 31 SESWNE (exchange well)

Note: 33-02128 is the exchange well



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: November 1999

MICROFILMED
NOV 18 1992



A33-00117
ORVILLE NICHOLSON
REA NICHOLSON
HOWE

R

ID 83244



Unsub Des ca

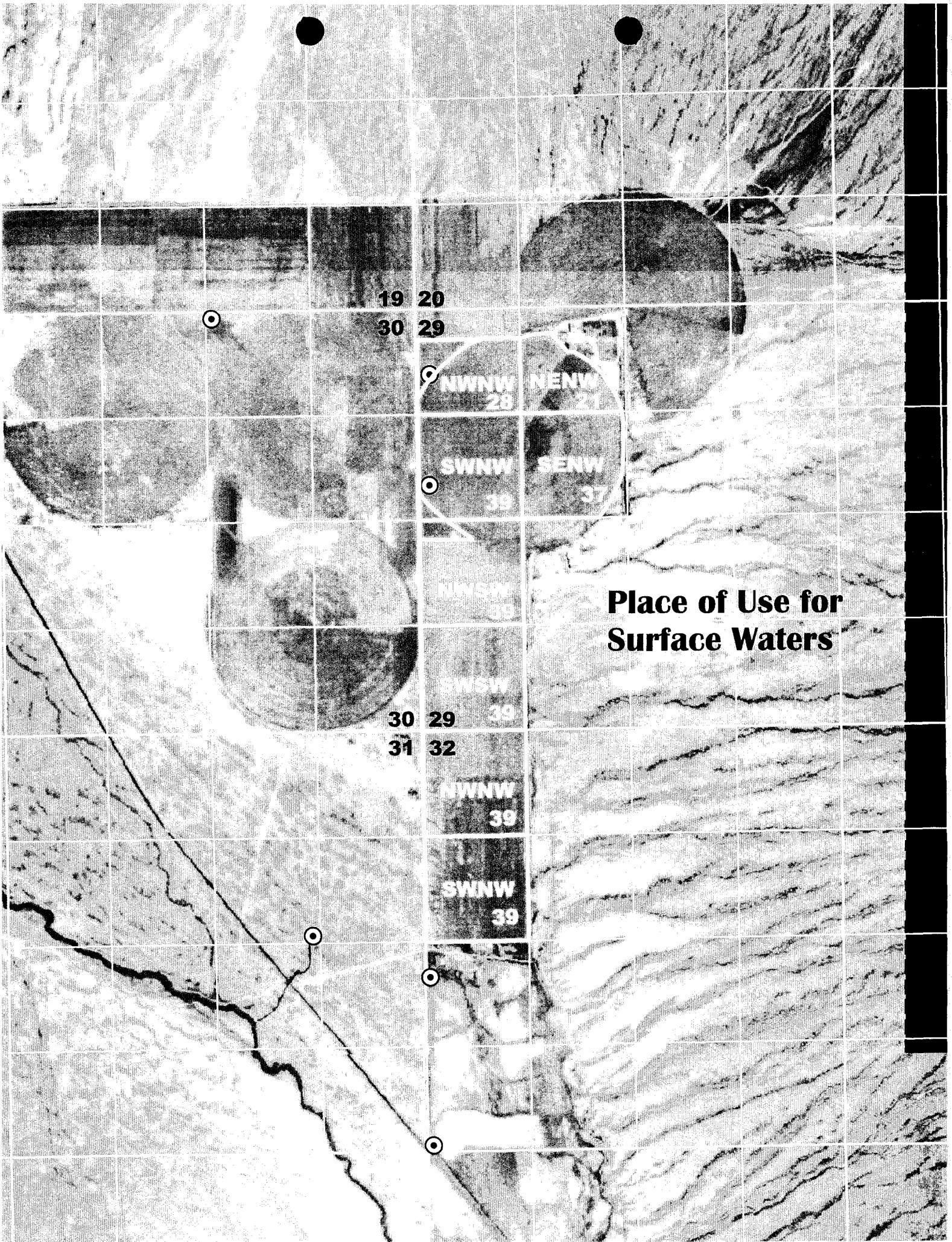
(Boy)

☐ *ASCS Photo*

☐ *P.O.D. Don't MATCH - WHEN WAS IT MADE?*

☐ *P.O.U. MORE THAN DECEED*

☐



19 20

30 29

NWNW
28

NENW
21

SWNW
38

SENW
37

NWSW
38

SWSW
39

30 29

31 32

NWNW
39

SWNW
39

**Place of Use for
Surface Waters**

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 19119

This proof is for Beneficial use

In Water District No.

1. Name of applicant Roy Hawley, Howe, Idaho
2. Source of water supply: Pass Creek (otherwise known as "Uncle Ike Creek")
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26
T. 8 N. R. 28 E. County of Butte
4. Describe works as they exist, giving dimensions and capacities of same: Diversion Ditch is dug into the channel of the creek. Ditch bank $\frac{1}{2}$ ft. high and 2 to 4 feet thick, of earth and rock forms dam. Cross section of ditch is 4 ft. wide and 1 ft. deep. Ditch runs on a contour approx. 700' to a natural channel. Water flows in natural channel nine tenths of a mile to where it is diverted into a contour ditch approx. 3 miles long. Water then flows into a drop ditch that follows a straight line for approx. 1 mile to corner of ranch. There is concrete tile pipe distributed along the upper end of the drop ditch and is ready to be installed. When installation of the tile is complete there will be 100' of 16", 100' of 14", and 3500' of 12" pipe to carry water from the contour ditch to more gently sloping ground. Drop is 300-400'
5. Water is used for: Irrigation and domestic purposes.
6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 29;

W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 32;

All in Twp. 8 North, Range 28 East, B. M.

See Map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Little Lost River

Remarks: Crops alfalfa, barley, wheat, and garden. There is a large loss of water in the ditches since all of the ditches are situated on a "bar" and the soil is largely gravel. Irrigated lands appear to have good soil. All of the distributing ditches are completed.

This examination was made on the 19th day of September, 1952

(Signed)

Alfred H. Lamm
Examiner

FROM 33-02035

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BUTTE

ORVILLE W. NICHOLSON, REA E.
NICHOLSON, his wife, and
DUANE FAMILY,

PLAINTIFFS

-vs-

N. W. FAUSEY, as Water Master of
Water District No. 9 of the State
of Idaho,

DEFENDANTS

and

ROBERT D. MAYS, CHARLES C. MALEY,
CHARLES WEBB, CHARLES KYLE, WENDELL
HAGSEN, JOHN MAYS, ANDREW LITTLE
and FRANK REED,

DEFENDANTS in
Intervention

DO NOT FILE
A
CONCLUSIONS OF LAW

This cause came on regularly to be heard and tried in open Court on the 20th day of January, 1964, before the Court without a jury at Arco, Butte County, Idaho; Ralph L. Albaugh appearing as attorney for the above named plaintiffs and J. Blaine Anderson as attorney for the above named defendant and defendants in intervention, (hereinafter called defendants).

The said cause was heard and tried upon the plaintiffs' verified Complaint on file herein and the defendants' answer on file herein.

Witnesses were duly sworn, examined and testified for and in behalf of the above named plaintiff and also witnesses were duly sworn, examined and testified for and in behalf of the above named defendants. The Court having heard the testimony and having examined the proofs offered by the respective parties, and having duly considered the briefs, filed by respective counsel and being fully advised in the premises, finds the facts as follows:

FINDINGS OF FACT

1. That plaintiffs, Orville W. Nicholson and Rea E. Nicholson, are, and for many years last past have been, husband and wife.

2. That plaintiffs are the owners, in possession, and entitled to the possession of the following described land, situate in Butte County, Idaho, to-wit:

The Northwest Quarter (NW $\frac{1}{4}$) and the West Half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Twenty-nine (29), The West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section Thirty-two (32), Township Eight (8) North, Range Twenty-eight (28), East Boise Meridian,

which land and premises, the points of diversion, and the creek and the river hereinafter mentioned are situate within the boundaries of Water District No. 9 of the State of Idaho.

3. That the defendant is the duly elected, qualified and acting Water Master of said Water District No. 9.

4. That all of the above described lands are arid in character and require the artificial application of water for the purpose of producing profitable agricultural crops thereon, and that the waters and water rights hereinafter described are necessary for the development, reclamation and use of said lands.

5. That the waters of Little Lost River and its tributaries were heretofore decreed in that certain action entitled Blaine County Investment Company, a corporation, Plaintiff, vs Robert G. Mays, et al, Defendants, judgment therein being made and entered under date of March 4, 1927, and recorded in Book 1 of Orders and Decrees at Page 425 of the Records of Butte County, Idaho; that plaintiffs herein were not parties to said action and did not appear therein, and the water rights hereinafter described were not adjudicated or decreed in said action.

6. That plaintiffs, and each of them, accept as binding upon them the said decree and the findings of fact, and conclusions of law upon which it is based.

7. That Pass Creek ¹⁹⁴⁴ *Somewhere, also referred to as Uncle Ike Creek, and named as such.* is a small stream of water flowing in a general Southerly direction through Section Twenty-six (26) (and other sections), in Township Eight (8) North, Range Twenty-eight (28), East Boise Meridian; that during the months of April, May, June and the first fifteen (15) days of July of each year, said Pass Creek is a tributary of Little Lost River and during the remainder of the irrigation season, it is not a tributary to any stream.

8. That said Pass Creek from plaintiffs' point of diversion

hereinafter described, to its juncture with Little Lost River, flows through a porous bed and channel and during said months of April, May, June and the first fifteen (15) days of July of each year, all of the water in said creek except .8 cubic feet per second is lost by percolation into its bed before its juncture with Little Lost River, and during the remainder of the irrigation season all of said water is so lost between plaintiffs said point of diversion and Little Lost River. That the average flow of said Pass Creek at plaintiffs' said point of diversion is approximately 4 cubic feet per second.

9. That the water table in the vicinity of Pass Creek is such that no water lost by percolation ever finds its way into the bed of Pass Creek or into Little Lost River, nor is there any subterranean flow supporting the surface flow, and during the months of April, May, June and the first fifteen (15) days of July Pass Creek contributes only .8 cubic feet per second of water to Little Lost River, and during the remainder of the irrigation season, contributes no water whatever to Little Lost River or its tributaries.

10. That on or about April 8, 1941, one Roy Hawley made application to the Commissioner of Reclamation of the State of Idaho for a permit to appropriate and divert 4 cubic feet per second of the waters of said Pass Creek for irrigation of the lands described in paragraph 2 herein; that said application was on June 9, 1941, duly approved by said Commissioner of Reclamation and Water Permit No. 19119 for said amount of water was granted to said applicant by said Commissioner of Reclamation. That, thereafter and heretofore, plaintiffs acquired the rights of said applicant, under said permit and are now, and for a long time have been, the owners thereof with all diversion works constructed thereunder, and all water appropriated thereby; that plaintiffs and their said predecessor in interest, in apt time and manner, duly complied with all of the terms, conditions and limitations specified in said Water Permit No. 19119, and the land described in paragraph 2 herein has been, during each irrigation season since the year 1941 and until the year 1953, irrigated through the diversion and application of the waters of Pass Creek, appropriated and diverted under said Permit; that on or about the 14th day of March, 1953, plaintiffs duly submitted to the Idaho

State Reclamation Engineer proof of the application to beneficial use in the irrigation of the said land of said 4 cubic feet per second of the waters of Pass Creek appropriated under said Permit No. 19119 and on or about the 31st day of July, 1953, said State Reclamation Engineer, issued his license confirming plaintiffs' right to the use of said 4 cubic feet per second of the waters of Pass Creek with priority dating from April 3, 1941, for the irrigation of said land.

11. That the point of diversion of plaintiffs' said waters from Pass Creek is situated in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Section Twenty-six (26), Township Eight (8) North, Range Twenty-eight (28), East Boise Meridian, from whence it is carried through a ditch running in a general Northwesterly direction ~~through said ditch crossing~~ ~~xxxxxxgxxxxxx Northwesterly direction~~ through Sections Twenty-six (26), Twenty-two (22) and Sixteen (16) to the East line of Section Seventeen (17), and said water is from there carried in a tile pipe line in a general Southwesterly direction to the North line of plaintiffs' said land. That plaintiffs have heretofore constructed a ditch from the south boundary line of plaintiffs' said land to Spring Creek for the purpose of carrying to Little Lost River via Spring Creek any Pass Creek water to which the water users taking water from Little Lost River may be entitled; that said ditch is not sufficient or adequate for carrying .8 cubic feet per second of water as herein provided; that it is the duty of plaintiffs to promptly construct a permanent ditch from their said land to Spring Creek sufficient in construction and size to carry .8 cubic feet per second of water from plaintiffs' said land to Spring Creek and to install therein a headgate or other measuring device whereby the flow of water in said ditch may be readily measured with reasonable accuracy. That the measuring and distribution of said water should be under the control of the Water Master of Water District No. 9.

12. That it is the duty of plaintiffs to construct and install, prior to the beginning of the irrigation season for the year 1955, a headgate, or other regulating and measuring device, in their said ditch at its point of diversion on Pass Creek whereby the flow of water in said ditch may be readily regulated and measured with reasonable accuracy.

13. Plaintiffs, by the construction of their diversion works as aforesaid, have prevented a substantial loss of water through seepage and percolation into the bed of Pass Creek, and have substantially augmented the amount of water available from said stream for beneficial use; and excepting only said .8 cubic feet per second which would reach Spring Creek and Little Lost River each year during the months of April, May, June and the first fifteen (15) days of July, the plaintiffs have the right to use all of the waters of Pass Creek, but not to exceed 4 cubic feet per second.

14. That during each and every irrigation season since 1941, and until the year 1953, plaintiffs and their predecessors in interest have conveyed said 4 cubic feet per second of water through the diversion works described in paragraph 11, herein, and have irrigated the land described in paragraph 2. That all of said 4 cubic feet per second of said water is required for the proper and effective irrigation of said land.

15. That in April, 1953, while plaintiffs were diverting said water from Pass Creek and irrigating said land therewith, defendants, their agents, servants and employees obstructed and closed plaintiffs' said diversion works and thereby prevented and for a substantial period of time thereafter did prevent plaintiffs from using said waters of Pass Creek; that at or about said time, the defendants preferred a criminal charge against the plaintiffs under Section 18-4304, Idaho Code, alleging the unlawful diversion of said water, and said criminal action is still pending in the Justice Court of Arco Precinct, Butte County, Idaho; that defendants threatened to, and will henceforth, continue to deprive plaintiffs of said irrigating water and the whole thereof, thereby causing plaintiffs great and irreparable injury unless defendants are restrained therefrom by the order and decree of this Court.

16. That said Pass Creek is sometimes known as Uncle Ike's Creek and sometimes known as Fallert Creek, and that Uncle Ike's Creek, Pass Creek and Fallert Creek is one and the same natural stream of water.

17. That said water so appropriated and used, as aforesaid, by plaintiffs is independent of Little Lost River or any of its tributaries and the right of plaintiffs thereto is prior and paramount to any claim

thereon by any user or claimant of rights in the natural flow of Little Lost River or its tributaries, subject only to the prior rights of the water users of Little Lost River to .8 cubic feet per second of the waters of Pass Creek during the months of April, May, June and the first fifteen (15) days of July of each year.

18. That the right of defendants and other water users of decreed water from Little Lost River to said .8 cubic feet per second of the waters of Pass Creek during the months of April, May, June and the first fifteen (15) days of July of each year is prior in time, and superior in right, to the rights of plaintiffs, and it is the duty of plaintiffs to deliver from their said ranch to Spring Creek through the ditch described in paragraph 11 herein a continuous flow of said .8 cubic feet per second of water for said period of time.

19. That at the close of the irrigation season in each year, plaintiffs' headgate at plaintiffs' point of diversion on Pass Creek should be closed and all the water of Pass Creek permitted to flow past said headgate and down the natural channel of Pass Creek until the beginning of the following irrigation season when said waters of Pass Creek may again be diverted by plaintiffs into and through plaintiffs' diversion works, as herein provided.

From the foregoing Findings of Fact, the Court makes the following:

CONCLUSIONS OF LAW

1. That the plaintiffs are the owners of the land described in paragraph 2 of the foregoing Findings of Fact; that said land is arid and requires said 4 cubic feet per second of the waters of Pass Creek for the purpose of producing profitable crops thereon.

2. That plaintiffs are entitled to judgment herein adjudging and decreeing that plaintiffs are the owners of, and have the right to use for the irrigation of said land, 4 cubic feet per second of the waters of Pass Creek under their said Water License No. 19119, with a priority of April 8, 1941, subject only to the prior rights of the defendants and other water users of Little Lost River to .8 cubic feet per second of the waters of Pass Creek during the months of April, May, June and the first

fifteen (15) days of July of each year; that subject to said prior right of .8 cubic feet per second for the period of time aforesaid, the said waters of Pass Creek are wholly independent of Little Lost River and its tributaries and plaintiffs' right thereto is prior and paramount to any claim thereto by any user or claimant of rights in the flow of Little Lost River or its tributaries.

3. That in order to use said waters of Pass Creek, so saved and salvaged by plaintiffs, and to provide the water users of Little Lost River with said .8 cubic feet per second as aforesaid, the plaintiffs shall provide and maintain an adequate ditch from their said land to Spring Creek for carrying said .8 cubic feet per second of water, and install therein a headgate or other measuring device for measuring said water, which shall be under the control of the Water Master of Water District No. 9.

4. That this action is brought under the provisions of Section 42-1405, Idaho Code, and should be made a part of the decree in Blaine County Investment Co. vs. Mays, et al, entered March 4, 1927, in Book 1 of Orders and Decrees at Page 425, Records of Butte County, Idaho, and plaintiffs shall be entitled to vote their said water rights as herein decreed at all annual meetings of the water users of said Water District No. 9.

5. That plaintiffs are entitled to have a permanent injunction issue herein, restraining and enjoining the defendants, their agents, servants and employees from interference with the plaintiffs in the use of their said water rights and diversion works, and from obstructing and closing plaintiffs said diversion works.

6. That plaintiffs should pay their own costs incurred herein and that defendants are entitled to a judgment for their costs and disbursements herein expended.

Let judgment and decree be entered in accordance with the foregoing Findings and Conclusions.

Dated this _____ day of July, 1954.

PRESTON A. THATCHER
DISTRICT JUDGE

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF
BUTTE

GRVILLE W. NICHOLSON, REA E.
NICHOLSON, his wife, and
DUANE HAWLEY,

Plaintiffs

-vs--

N. W. HANSEN, as Water Master of
Water District No. 9 of the State
of Idaho,

Defendant

and

ROBERT R. MAYS, CHARLES O'WALEY,
CHARLES WEBB, CHARLES KYLE, WENDELL
HANSEN, EMIL MAYS, ANDREW LITTLE
and FRANK REED,

Defendants in
Intervention

J U D G M E N T

This cause came on regularly to be heard and tried in open Court on the 20th day of January, 1954, before the Court without a jury at Arco, Butte County, Idaho; Ralph L. Albaugh, of the firm of Albaugh, Bloem, Barnard & Smith, appearing as attorney for the above named plaintiffs, and J. Blaine Anderson as attorney for the defendant and the defendants in intervention (hereinafter called defendants). The said cause was heard and tried upon the plaintiffs' verified complaint on file herein and the defendants' answer on file herein; and it appearing to the Court that notice of pendency of action was published once a week for a period of three weeks in the Arco Advertiser as ordered by the Court, and the matter having been submitted and by the Court duly considered, and the Court having heretofore made and filed herein its findings of facts and conclusions of law,

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

I.

33 0117 That the plaintiffs are the owners of, and have the right to use 4 cubic feet per second of the waters of Pass Creek with a priority date of April 8, 1941, as evidenced and confirmed by Idaho State Water License No. 19119, and to divert and conduct said water from their present point of diversion on Pass Creek, in the Northeast Quarter

33-02035

of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Section Twenty-six (26), Township Eight (8) North, Range Twenty-eight (28), East Boise Meridian, and to use said water for irrigation and domestic purposes on the following described lands situate in the County of Butte, State of Idaho, to-wit:

The Northwest Quarter (NW $\frac{1}{4}$) and the West Half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Twenty-nine (29), The West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section Thirty-two (32), Township Eight (8) North, Range Twenty-eight (28), East of the Boise Meridian.

II.

33 0118 It is further ordered, adjudged and decreed that the defendants and other water users of Little Lost River have the first, prior and paramount right to .8 cubic feet per second of the waters of Pass Creek during only the months of April, May, June and the first fifteen (15) days of July of each year.

III.

It is further ordered, adjudged and decreed that, except as provided and adjudged in Paragraph II herein, the said waters of Pass Creek are wholly independent of Little Lost River or any of its tributaries, and the right of plaintiffs thereto is prior and paramount to any claim thereon by any user or any claimant of rights in the flow of Little Lost River or its tributaries, and that the defendants and all interested parties be, and they are hereby enjoined and barred from asserting any right or claim to the use of said water except as allowed and decreed in Paragraph II herein.

IV.

It is further ordered, adjudged and decreed that plaintiffs shall provide and maintain an adequate ditch from their land, described in Paragraph I herein, to Spring Creek for carrying the .8 cubic feet per second of water decreed in Paragraph II herein to defendants and other water users of Little Lost River, and shall deliver to Spring Creek through said ditch said .8 cubic feet per second of the water of Pass Creek, but only during the months of April, May, June and the first fifteen (15) days of July of each year; that plaintiffs shall install and maintain in said ditch a headgate or other measuring device for measuring said .8 cubic feet per second of water, and the measuring, control and distribution of said water is hereby committed to the Water Master of Water District No. 9.

V.

It is further ordered, adjudged and decreed that plaintiffs shall construct and install, prior to the beginning of the irrigation season for the year 1955, a headgate or other regulating and measuring device in their said ditch at its point of diversion on Pass Creek whereby the flow of water in said ditch may be readily regulated and measured with reasonable accuracy.

VI.

It is further ordered, adjudged and decreed that plaintiffs, at the end of the irrigation season in each year, shall close plaintiffs' headgate at plaintiffs said point of diversion on Pass Creek, and all the waters of Pass Creek shall be permitted to flow past said headgate and down the natural channel of Pass Creek until the beginning of the following irrigation season when said waters of Pass Creek may again be diverted into and through plaintiffs' diversion works to and upon the land described in Paragraph I herein, and said .8 cubic feet per second to Spring Creek as provided in Paragraph IV herein.

VII.

It is further ordered, adjudged and decreed that defendants, their agents, servants and employees, and all persons acting by, through, for or under either of them, be and they hereby are enjoined and restrained from doing any act or thing which in any way obstructs, prevents or interferes with the flow of plaintiffs' said water from Pass Creek to plaintiffs' said lands.

VIII.

It is further ordered, adjudged and decreed that this judgment shall be made a part of the decree in the case, Blaine County Investment Co. vs. Hays, et al, entered March 4, 1927, in Book 1 of Orders and Decrees at Page 425, Records of Butte County, Idaho, and that plaintiffs shall be entitled to vote their said water rights as herein decreed at all annual meetings of the water users of Water District No. 9.

IX.

It is further ordered, adjudged and decreed that this summary adjudication of water rights is made under the authority, and in accordance with, Section 42-1405, Idaho Code, and that plaintiffs pay

their own costs incurred herein and that defendants have judgment against the plaintiffs for their costs, incurred in this suit, amounting to the total sum of, and which are taxed at the sum of \$_____.

Dated this _____ day of July, 1954.

PRESTON A. THATCHER

09:20:33
09/01/94

STATE OF ILLINOIS
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A33-00117
21

LAST: NICHOLSON
ADDRESS:
CITY: HOWE
PHONE NUMBER: 208-767-3463
OWNER CODE: C

FIRST: ORVILLE
STATE: ID ZIP: 83244

LAST: NICHOLSON
ADDRESS:
CITY: HOWE
PHONE NUMBER: 208-767-3463
OWNER CODE: C

FIRST: REA
STATE: ID ZIP: 83244

FIELD EXAM REQUIRED?

FIELD
EXAMINER
Y() N()

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

CLAIM REMARKS:

POINT OF DIVERSION AND DELIVERY WORKS ARE PART OF A HYDRO
ELECTRIC PROJECT PERMITTED UNDER 33-07151. AFTER WATER
PASSES THROUGH THE POWER PLANT IT IS PICKED UP BY BOOSTER
PUMPS AND PUT INTO A PRESSURIZED MAINLINE/SPRINKLER SYSTEM.
THERE ARE THREE WELLS WHICH DELIVER WATER TO THIS SAME
MAINLINE SYSTEM (SEE 33-07006, 02123, 02128, 07057 AND 02085).

CONTACT PERSON: Ar Rubery

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 9/22/94APPOINTMENT MADE: Y(☒) N()TIME: 10:00 A(☒) P()ACCOMPANIED BY: Dennis NicholsonPHONE NUMBER: (208) 767-3463RELATIONSHIP TO CLAIMANT: Owner

DIRECTIONS TO PROPERTY / NOTES:

Met w/ Mr. Nicholson at APPROX 10:00 TIME. Reviewed Points of Inspection, E45 form(s), and Places of use for all claims

A. CLAIM: # A33-00117 PRIORITY DATE: 04-08-1941 STAGE: D

B. WR RECORD: # 33-00117 PRIORITY DATE: 04-08-1941 STAGE: D

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

FIELD EXAM COMPLETED

FIELD EXAM SENT TO STATE OFFICE

LICENSE ISSUED

DECEASED

N/A() Y() N()

N/A() Y() N()

N/A() Y() N()

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(X) 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: DECREE BY JUDGEMENT, 20 JANUARY 1954, QUINN NICHOLSON VS N.W. HANSEN ET AL.
Added to Little Lost River Decree - See Decree 33-B P IV.

RECOMMENDED PRIORITY DATE:

04-08-1941

REVIEWED BY

As claimed

ABR

DATE

15 Sept. 94

K: AT CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A33-00117	08N 28E	24	SE	NW	SW			BUTTE		

OTHER AI CLAIMS WITH SAME AI FOR
MR RECORDS IN SAME 40 ACRES TRACT

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10-10-01

SOURCE: UNCLE IKE CREEK (DECLINED AS PASS (K))

Böhl: Passck

TRIP: ~~SIX~~ LITTLE LOST RANGER

B. UR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	REE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
23-00117	08N	29E	26	NE	NE	NE			RUTTE		

76-00117
087
EE 94

OTHERS
RECORDS
WITH
SAME
WP
POI

AI CLAIMS IN SAME 40 ACRE TRACT
A PREFIX
R PREFIX

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X
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L
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G
A

33-02035

A33-10645

END

SOURCE: FASS CREEK EX

[illegible]

C. IS THE CLAIMED POOL WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE?

* ITEM 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?

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM?

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

* 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?

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

1. HOW WAS THE POD AND SOURCE VERIFIED?

Licensing Field Exam (Date of Field Exam)

AT FIELD EXAM DATE OF FIELD EXAM

22 SEP 94 NAME OF EXAMINER

OTHER SECTION 41 NOTED BY SECTION 41

8411: Unaka But Creek is also known as Bass Creek and is so referenced in this

P.O.D. DECEASED AS NENE SOC: 26 TBN R. 23 E.

POINT OF REGISTRATION IS THE BOOSTER PUMPS, AT THE HYDRO-PNEUMATIC TANK, WHEN PUT THE WATER INTO THE REGULATION SYSTEM.

DIVERSION NAME: TAMM NOT STRAIT
DIVERSION REF: 658 B01

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	ROUTE
20N	20E	20E	1/4	1/4	1/4	1/4			

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ALL EN ALL

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5/25/2015

REVIEWED BY: *AB Blum* DATE: 22 SEPT 94
SYSTEM DESCRIPTION: DESCRIBED BELOW () SEE LICENSE FILE () OR SEE



A. ROOT WATER RIGHT NUMBERS: A33-00117

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	28E	19	SW	SW	4	NICHOLSON, ORVILLE	A33-00117 /38.0	- /	42.0		
			SW	SW	4	NICHOLSON, ORVILLE	A33-00066 /38.0	- /			
			SW	SW	4	NICHOLSON, ORVILLE	A33-07006 /38.0	33-07006 /38.0			
08N	28E	19	SE	SW		NICHOLSON, ORVILLE	A33-00117 /40.0	- /	39.0		
			SE	SW		NICHOLSON, ORVILLE	A33-00066 /40.0	- /			
			SE	SW		NICHOLSON, ORVILLE	A33-07006 /40.0	33-07006 /40.0			
08N	28E	19	SW	SE		NICHOLSON, ORVILLE	A33-00117 /40.0	- /	40.0		
			SW	SE		NICHOLSON, ORVILLE	A33-00066 /40.0	- /			
			SW	SE		NICHOLSON, ORVILLE	A33-07006 /40.0	33-07006 /40.0			
08N	28E	19	SE	SE		NICHOLSON, ORVILLE	A33-00117 /40.0	- /	37.0		
			SE	SE		NICHOLSON, ORVILLE	A33-00066 /40.0	- /			
			SE	SE		NICHOLSON, ORVILLE	A33-07006 /40.0	33-07006 /40.0			
08N	28E	20	SW	SW		NICHOLSON, ORVILLE	A33-00117 /40.0	- /	40.0		
			SW	SW		NICHOLSON, ORVILLE	A33-00066 /40.0	- /			
			SW	SW		NICHOLSON, ORVILLE	A33-07057 /40.0	33-07057 /39.0			
			SW	SW		NICHOLSON, ORVILLE	R33-07057 /40.0	- /			
08N	28E	20	SE	SW		NICHOLSON, ORVILLE	A33-00117 /40.0	- /	40.0		
			SE	SW		NICHOLSON, ORVILLE	A33-00066 /40.0	- /			
			SE	SW		NICHOLSON, ORVILLE	A33-07057 /40.0	33-07057 /35.0			
			SE	SW		NICHOLSON, ORVILLE	R33-07057 /40.0	- /			
08N	28E	20	SW	SE		NICHOLSON, ORVILLE	A33-00117 /33.0	- /	40.0		
			SW	SE		NICHOLSON, ORVILLE	A33-00066 /33.0	- /			
			SW	SE		NICHOLSON, ORVILLE	A33-07057 /33.0	33-07057 /35.0			
			SW	SE		NICHOLSON, ORVILLE	R33-07057 /33.0	- /			
08N	28E	29	NW	NE		NICHOLSON, ORVILLE	A33-00117 /33.0	- /	36.0		
			NW	NE		NICHOLSON, ORVILLE	A33-00066 /33.0	- /			
			NW	NE		NICHOLSON, ORVILLE	A33-07057 /33.0	33-07057 /34.0			
			NW	NE		NICHOLSON, ORVILLE	R33-07057 /33.0	- /			
08N	28E	29	NE	NW		NICHOLSON, ORVILLE	A33-00117 /33.0	33-00117 /	40.0		
			NE	NW		NICHOLSON, ORVILLE	A33-00066 /33.0	33-00066 /			
			NE	NW		NICHOLSON, REA	A33-02024 /33.0	33-02024 /			
			NE	NW		NICHOLSON, ORVILLE	A33-07057 /33.0	33-07057 /30.0			
			NE	NW		NICHOLSON, ORVILLE	A33-07151 /	33-07151 /			
			NE	NW		NICHOLSON, ORVILLE	A33-10034 /	- /			
			NE	NW		NICHOLSON, ORVILLE	R33-07057 /33.0	- /			
			NE	NW		NICHOLSON, ORVILLE	R33-10034 /	- /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	28E	29	NE	NW		MERCHANTS TRUST & SAVINGS BANK HAWLEY, ROY		33-00067 / 33-02035 /25.0			
			NE	NW							
			NW	NW		NICHOLSON, ORVILLE	A33-00117 /40.0	33-00117 /	40.0		
			NW	NW		NICHOLSON, ORVILLE	A33-00066 /40.0	33-00066 /			
			NW	NW		NICHOLSON, REA	A33-02024 /40.0	33-02024 /			
			NW	NW		NICHOLSON, ORVILLE	A33-02085 /10.0	33-02085 /10.0			
			NW	NW		NICHOLSON, ORVILLE	A33-07057 /40.0	33-07057 /39.0			
			NW	NW		NICHOLSON, ORVILLE	R33-07057 /40.0				
			NW	NW		MERCHANTS TRUST & SAVINGS BANK HAWLEY, ROY		33-00067 / 33-02035 /40.0			
			NW	NW							
08N	28E	29	SW	NW		NICHOLSON, ORVILLE	A33-00117 /35.0	33-00117 /	40.0		
			SW	NW		NICHOLSON, ORVILLE	A33-00066 /40.0	33-00066 /			
			SW	NW		NICHOLSON, REA	A33-02024 /40.0	33-02024 /			
			SW	NW		NICHOLSON, ORVILLE	A33-02085 /35.0	33-02085 /35.0			
			SW	NW		NICHOLSON, ORVILLE	A33-07057 /40.0	33-07057 /39.0			
			SW	NW		NICHOLSON, ORVILLE	R33-07057 /40.0				
			SW	NW		MERCHANTS TRUST & SAVINGS BANK HAWLEY, ROY		33-00067 / 33-02035 /40.0			
			SW	NW							
			SW	NW							
			SW	NW							
08N	28E	29	SE	NW		NICHOLSON, ORVILLE	A33-00117 /40.0	33-00117 /	39.0		
			SE	NW		NICHOLSON, ORVILLE	A33-00066 /35.0	33-00066 /			
			SE	NW		NICHOLSON, REA	A33-02024 /35.0	33-02024 /			
			SE	NW		NICHOLSON, ORVILLE	A33-07057 /35.0	33-07057 /35.0			
			SE	NW		NICHOLSON, ORVILLE	R33-07057 /35.0				
			SE	NW		MERCHANTS TRUST & SAVINGS BANK HAWLEY, ROY		33-00067 / 33-02035 /20.0			
			SE	NW							
			SE	NW							
			SE	NW							
			SE	NW							
08N	28E	29	NW	SW		NICHOLSON, ORVILLE	A33-00117 /40.0	33-00117 /	40.0		
			NW	SW		NICHOLSON, ORVILLE	A33-00066 /40.0	33-00066 /			
			NW	SW		NICHOLSON, REA	A33-02024 /40.0	33-02024 /			
			NW	SW		NICHOLSON, ORVILLE	A33-02085 /40.0	33-02085 /40.0			
			NW	SW		NICHOLSON, ORVILLE	A33-07057 /40.0	33-07057 /39.0			
			NW	SW		NICHOLSON, ORVILLE	R33-07057 /40.0				
			NW	SW		MERCHANTS TRUST & SAVINGS BANK HAWLEY, ROY		33-00067 / 33-02035 /40.0			
			NW	SW							
			NW	SW							
			NW	SW							
08N	28E	29	SW	SW		NICHOLSON, ORVILLE	A33-00117 /40.0	33-00117 /	38.0		
			SW	SW		NICHOLSON, ORVILLE	A33-00066 /40.0	33-00066 /			
			SW	SW		NICHOLSON, REA	A33-02024 /40.0	33-02024 /			
			SW	SW		NICHOLSON, ORVILLE	A33-02085 /40.0	33-02085 /40.0			
			SW	SW		NICHOLSON, ORVILLE	A33-07057 /40.0	33-07057 /39.0			
			SW	SW		NICHOLSON, ORVILLE	R33-07057 /40.0				
			SW	SW		MERCHANTS TRUST & SAVINGS BANK HAWLEY, ROY		33-00067 / 33-02035 /40.0			
			SW	SW							
			SW	SW							
			SW	SW							
08N	28E	30	NE	NE		NICHOLSON, ORVILLE	A33-00117 /40.0		38.0		
			NE	NE		NICHOLSON, ORVILLE	A33-00066 /40.0				
			NE	NE							
			NE	NE							

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	OR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECORD ACRES
08N	28E	30	NE	NE	NE	NICHOLSON, ORVILLE	A33-02123 /20.0	33-02123 /20.0			
			NE	NE	NE	NICHOLSON, ORVILLE	A33-07057 /20.0	33-07057 /20.0			
			NE	NE	NE	NICHOLSON, ORVILLE	R33-07057 /20.0				
08N	28E	30	NW	NE	NE	NICHOLSON, ORVILLE	A33-00117 /40.0	-	40.0		
			NW	NE	NE	NICHOLSON, ORVILLE	A33-00066 /40.0	-			
			NW	NE	NE	NICHOLSON, ORVILLE	A33-02123 /29.9	33-02123 /30.0			
			NW	NE	NE	NICHOLSON, ORVILLE	A33-07057 /10.0	33-07057 /10.0			
			NW	NE	NE	NICHOLSON, ORVILLE	R33-07057 /10.0	-			
			NW	NE	NE	NICHOLSON, ORVILLE		-			
08N	28E	30	SW	NE	NE	NICHOLSON, ORVILLE	A33-00117 /40.0	-	41.0		
			SW	NE	NE	NICHOLSON, ORVILLE	A33-00066 /40.0	-			
			SW	NE	NE	NICHOLSON, ORVILLE	A33-02123 /26.0	33-02123 /26.0			
			SW	NE	NE	NICHOLSON, ORVILLE	A33-07057 /14.0	33-07057 /14.0			
			SW	NE	NE	NICHOLSON, ORVILLE	R33-07057 /14.0	-			
			SW	NE	NE	NICHOLSON, ORVILLE		-			
08N	28E	30	SE	NE	NE	NICHOLSON, ORVILLE	A33-00117 /40.0	-	38.0		
			SE	NE	NE	NICHOLSON, ORVILLE	A33-00066 /40.0	-			
			SE	NE	NE	NICHOLSON, ORVILLE	A33-02123 /40.0	33-02123 /40.0			
08N	28E	30	NE	NW	NW	NICHOLSON, ORVILLE	A33-00117 /40.0	-	40.0		
			NE	NW	NW	NICHOLSON, ORVILLE	A33-00066 /40.0	-			
			NE	NW	NW	NICHOLSON, ORVILLE	A33-07006 /40.0	33-07006 /40.0			
08N	28E	30	NW	NW	NW	NICHOLSON, ORVILLE	A33-00117 /38.0	-	39.0		
			NW	NW	NW	NICHOLSON, ORVILLE	A33-00066 /38.0	-			
			NW	NW	NW	NICHOLSON, ORVILLE	A33-07006 /38.0	33-07006 /38.0			
08N	28E	30	SW	NW	NW	NICHOLSON, ORVILLE	A33-00117 /38.0	-	36.0		
			SW	NW	NW	NICHOLSON, ORVILLE	A33-00066 /38.0	-			
			SW	NW	NW	NICHOLSON, ORVILLE	A33-07006 /38.0	33-07006 /38.0			
08N	28E	30	SE	NW	NW	NICHOLSON, ORVILLE	A33-00117 /40.0	-	36.0		
			SE	NW	NW	NICHOLSON, ORVILLE	A33-00066 /40.0	-			
			SE	NW	NW	NICHOLSON, ORVILLE	A33-07006 /40.0	33-07006 /40.0			
08N	28E	30	NE	SE	SE	NICHOLSON, ORVILLE	A33-00117 /40.0	-	40.0		
			NE	SE	SE	NICHOLSON, ORVILLE	A33-00066 /40.0	-			
			NE	SE	SE	NICHOLSON, ORVILLE	A33-02123 /40.0	33-02123 /40.0			
08N	28E	30	NW	SE	SE	NICHOLSON, ORVILLE	A33-00117 /40.0	-	39.0		
			NW	SE	SE	NICHOLSON, ORVILLE	A33-00066 /40.0	-			
			NW	SE	SE	NICHOLSON, ORVILLE	A33-02123 /13.8	33-02123 /14.0			
			NW	SE	SE	NICHOLSON, ORVILLE	A33-07057 /26.0	33-07057 /26.0			
			NW	SE	SE	NICHOLSON, ORVILLE	R33-07057 /26.0	-			
			NW	SE	SE	NICHOLSON, ORVILLE		-			
08N	28E	30	SW	SE	SE	NICHOLSON, ORVILLE	A33-00117 /21.0	-	35.0		
			SW	SE	SE	NICHOLSON, ORVILLE	A33-00066 /21.0	-			
			SW	SE	SE	NICHOLSON, ORVILLE	A33-02123 /0.7	33-02123 /1.0			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	OR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECORD- ACRES
08N	28E	30	SE	SE		NICHOLSON, ORVILLE	A33-07057 /20.0	33-07057 /28.0			
			SW	SE		NICHOLSON, ORVILLE	R33-07057 /20.0				
08N	28E	30	SE	SE		NICHOLSON, ORVILLE	A33-00117 /29.0		37.0		
			SE	SE		NICHOLSON, ORVILLE	A33-00066 /29.0				
			SE	SE		NICHOLSON, ORVILLE	A33-02123 /28.0	33-02123 /28.0			
			SE	SE		NICHOLSON, ORVILLE	A33-07057 /2.0	33-07057 /2.5			
			SE	SE		NICHOLSON, ORVILLE	R33-07057 /2.0				
08N	28E	32	NW	NW		NICHOLSON, ORVILLE	A33-00117 /40.0	33-00117 /	37.0		
			NW	NW		NICHOLSON, ORVILLE	A33-00066 /40.0	33-00066 /			
			NW	NW		NICHOLSON, REA	A33-02024 /40.0	33-02024 /			
			NW	NW		NICHOLSON, ORVILLE	A33-02085 /40.0	33-02085 /40.0			
			NW	NW		MERCHANTS TRUST & SAVINGS BANK	33-00067 /	33-00067 /			
			NW	NW		HAWLEY, ROY	33-02035 /40.0	33-02035 /40.0			
08N	28E	32	SW	SW		NICHOLSON, ORVILLE	A33-00117 /40.0	33-00117 /	39.0		
			SW	SW		NICHOLSON, ORVILLE	A33-00066 /40.0	33-00066 /			
			SW	SW		NICHOLSON, REA	A33-02024 /40.0	33-02024 /			
			SW	SW		NICHOLSON, ORVILLE	A33-02085 /40.0	33-02085 /40.0			
			SW	SW		NICHOLSON, ORVILLE	A33-02128 /38.0	33-02128 /38.0			
			SW	SW		MERCHANTS TRUST & SAVINGS BANK	33-00067 /	33-00067 /			
			SW	SW		HAWLEY, ROY	33-02035 /33.0	33-02035 /33.0			

ADDITIONAL POU FOUND

TOTAL ACRES A33-00117

1058.00

1086.00

POU COUNTY: BUTTE

for
685 AC
33-00117
303 POU

KP6: 278 ac

Based on 42.02055

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

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

Y(____) N(____)

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
A33-00117	UNCLE IKE CREEK	NICHOLSON, ORVILLE	4.000	0.003		
A33-00066	ROCKY RUN	NICHOLSON, ORVILLE	2.000	0.001		
A33-02024	FALLERT SPRINGS	NICHOLSON, REA	0.800	0.002		
A33-02085	GROUNDWATER	NICHOLSON, ORVILLE	2.190	0.010		
A33-02123	GROUNDWATER	NICHOLSON, ORVILLE	3.960	0.019		
A33-02128	GROUNDWATER	NICHOLSON, ORVILLE	0.980	0.025		
A33-07006	GROUNDWATER	NICHOLSON, ORVILLE	4.450	0.014		
A33-07057	GROUNDWATER	NICHOLSON, ORVILLE	5.730	0.012		
R33-07057	GROUNDWATER	NICHOLSON, ORVILLE	5.730	0.012		

LIST OF ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION:

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A33-07151	POWER	NICHOLSON, ORVILLE	FROM 01-01 TO 12-31	6.000 CFS	
A33-10034	DOMESTIC	NICHOLSON, ORVILLE	FROM 01-01 TO 12-31	.040 CFS	
A33-10034	STOCKWATER	NICHOLSON, ORVILLE	FROM 01-01 TO 12-31	.100 CFS	
R33-10034	DOMESTIC	NICHOLSON, ORVILLE	FROM 01-01 TO 12-31	.040 CFS	
R33-10034	STOCKWATER	NICHOLSON, ORVILLE	FROM 01-01 TO 12-31	.100 CFS	

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

A IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: SEVERAL SURFACE AND GROUNDWATER RIGHTS OVERLAP

Y(✓____) N(____)

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

A 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.

N/A(____) Y(____) N(✓____)

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

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

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?

N/A(____) Y(____) N(✓____)

Y(✓____) N(____)

Y(____) N(✓____)

CHECK DOCUMENTS USED TO VERIFY FOU: (X) ORTHOPHOTOGRAPH, TOWR NO. V-84 W33; () TOPOGRAPHIC QUAD, TOWR NO. ; (X) NAFF, TOWR NO. ; (X) AGCS PHOTO; (X) OTHER CLAIMANT & A JAMES EVAN.

NOTES:

Ac. and POU are based on 33-02235 (no H.S. claim) and Decree for 33-00117.

RECOMMENDATIONS:

TOTAL ACRES:

228/281

N/A()

REVIEWED BY:

SMC

DATE:

11/9/99

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET

CLAIM NUMBER: A33-00117

A. ALL CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A33-00117 IRRIGATION	FROM 04-01 TO 11-01	4,000 CFS	
TOTAL DIVERSION RATE/VOLUME		4,000 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
33-00117 IRRIGATION	FROM TO	4,000 CFS	
33-00117 DOMESTIC	FROM TO	4,000 CFS	
TOTAL DIVERSION RATE/VOLUME		4,000 CFS	

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()

NOTES: *G. Period of use by local custom is April 1 to November 1. As Decided and no more cases*
As Licenses

- AJ CLAIM TOTAL DIVERSION RATE: 4.000 CFS
- WR ROOT RIGHT TOTAL DIVERSION RATE: 4.000 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(✓)

FLOW MEASUREMENT

MEASUREMENT METHOD NO, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

- 1a. IRRIGATION RATE
ACRES x 0.02 CFS/ACRE = CFS
(Taken from pou review)
- IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
- IF YES, IS AN ADDITIONAL WATER USE FORM FILLED AND ATTACHED? Y() N()
2. IRRIGATION CONSUMPTIVE USE
CLAIMED CONSUMPTIVE USE = 2543.0 AE/A
ACRES x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =
TOTAL CONSUMPTIVE USE AE/A
3. IRRIGATION DIVERSION VOLUME
CLAIMED DIVERSION VOLUME = AE/A
ACRES x DIVERSION VOL. AF/A FOR AREA 3.5 =
TOTAL DIVERSION VOLUME AE/A

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

NOTES:

NR RECORD CONDITIONS/REMARKS:
P/U INCOMPLETE.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CES	REC. DIV VOL. AE/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 4.000	DATABASE EXAMINER	DATABASE EXAMINER 2545.0
TOTAL FOR THIS RIGHT				

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: *[Signature]* DATE: 11/19/89

FLAG: *[Initials]*
STANDARD CONDITIONS (CODE):

Recd- 1314, K26
Ent- 1504

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: 33-00117

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A33-00117	4.000	-	-	33-00117	4.000
TOTAL CFS		4.000				4.000

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 ()?

NOTES:

No Split of Right. Claimed in Full.

AUTHENTICATION:

SIGNATURE: [Signature] DATE: 22 Sept 94

NAME OF FIELD EXAMINER: Adam B. Ruscary TITLE: Sr. Agr.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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09/01/94

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QUICKLOOK INFORMATION

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CLAIM NUMBER: A33-00117

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	ELEMENT DOCUMENTED WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIO	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIO AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

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?
() ORTHOPHOTOGRAPH	DATE OF PHOTO	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED	Y() N()
() NAAPP	DATE OF PHOTO	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO	Y() N()
() BLM OR USES 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	DATE	Y() N()
() OTHER	DATE	Y() N()
() OTHER	DATE	Y() N()

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM		
() WATER RIGHT LICENSE		
() IDWR APPROVED TRANSFER		
() SYSTEM DESCRIPTION		
() PHOTOGRAPHS		
() SPLIT RIGHT REVIEW		
() HUBBLE ANALYSIS		
() CONVEYANCE LOSS ANALYSIS		
() FLOW MEASUREMENT CALCULATIONS		
() OTHER		
() OTHER		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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09/01/94
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PROFILE REPORT

CLAIM NUMBER: A33-00117

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ORVILLE NICHOLSON	04/08/1941	IRRIGATION	04-01 11-01	4.00 CFS	
C	KEA NICHOLSON HOME ID 83244 (208) 767-3463				4.00 CFS ok	2545.00 AFA

Water Source: UNCLE IKE CREEK (PASS CL) Tributary to: SINKS BUTTE County
Point(s) of Diversion: TORN R28E S24 D ~~SESW~~ SWNW SW
Place of use Legal Description for: IRRIGATION ~~SW~~ NENSW-Booster Pumps

T	R	S	NE				NW				SW				SE				SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
08N	28E	19																	158.0
08N	28E	20																	113.0
08N	28E	29	33	40	35	40													261.0
08N	28E	30	40	40	40	40													446.0
08N	28E	32																	80.0
TOTAL ACRES																			1058.0

POU County: BUTTE
Non-Irrigation Uses: NONE

Other Rights: SEVERAL SURFACE AND GROUNDWATER RIGHTS OVERLAP

Remarks: POINT OF DIVERSION AND DELIVERY WORKS ARE PART OF A HYDRO ELECTRIC PROJECT PERMITTED UNDER 33-07151. AFTER WATER PASSES THROUGH THE POWER PLANT IT IS PICKED UP BY A BOOSTER PUMP AND PUT INTO A PRESSURIZED MAINLINE/SINKIER SYSTEM. THERE ARE THREE WELLS WHICH DELIVER WATER TO THIS SAME MAINLINE SYSTEM (SEE 33-07006, 02123, 02128, 07057 AND 02085).
Added to LLR 1927 DEC 28 BY "Judgment, 20 January 1954."
Also, See Exchange well A33-02128.

Dates: Exam Made Date: 06/24/1985
Misc: Water District Number: D
Field Inspection Flag: D
Presumption Flag:

Point at Diversion described in "Judgment dated 20 January 1954" describes P.O.D. AS N28E SEC. 26 8/28. Approximate to;

NW4
W2SW4 Sec. 29
W2NW4 Sec. 32 8/28



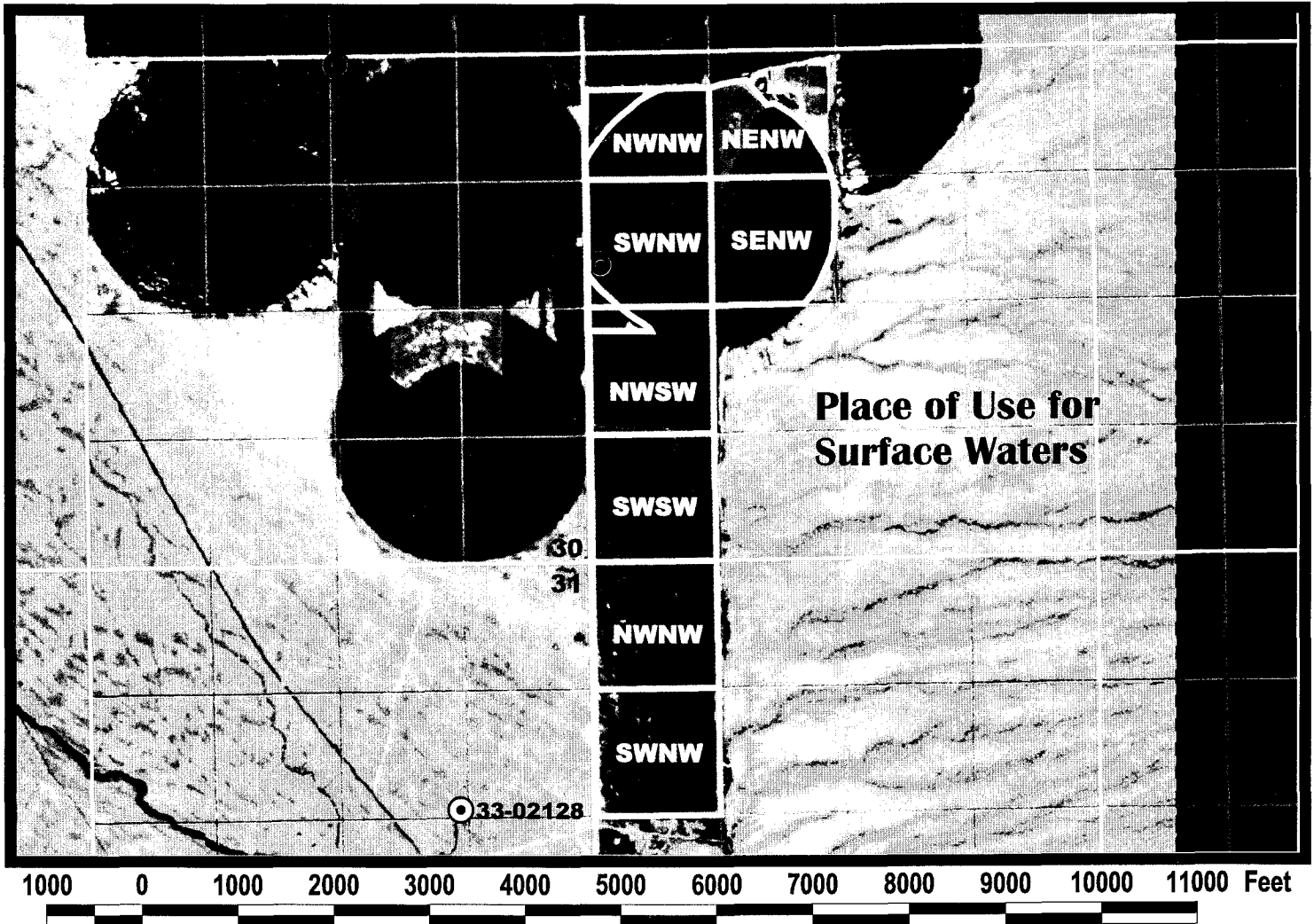
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: O. Nicholson

Water Right(s): 33-02128, 33-02024, 33-00066, 33-00117



LEGEND



Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use

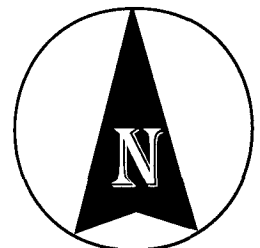
Section Line

Quarter-section line

Place(s) of Use: T.8N., R.28E.
Sec. 29 (parts of) NW, W2SW,
Sec. 32 W2NW

Point(s) of Diversion: T.8N., R.28E.
Sec. 16 SWSWNE (Rocky Run Ck)
Sec. 23 SWNWSE (Fallert Spgs)
Sec. 24 SWNWSE (Uncle Ike Ck)
Sec. 31 SEWNE (exchange well)

Note: 33-02128 is the exchange well



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: November 1999

AJ0749NP
No. R33-00117

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

DATE: 11/09/99
PAGE: 1

OWNER
CODE NAME & ADDRESS
C ORVILLE NICHOLSON
C REA NICHOLSON
PO BOX 40
HOME ID 83244
(208) 767-3463

PRIORITY DATE WATER USE
04/08/1941 IRRIGATION
USE PERIOD FROM TO
04-01 11-01
DIVERSION RATE
4.000 CFS
DIVERSION VOLUME
4.000 CFS
TOTAL DIVERSION:
4.000 CFS

Water Source: UNCLE IKE CREEK Tributary to: SINKS Stage: DECREED
T08N R28E S24 SWNWSW BUTTE County

Point(s) of Diversion:

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE								
MENE MNWE SENE		MNNW MNWSW SENW		MNSW MNSW SESW		MNESE MNSE SESE								
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
08N	28E	29	:	:	21	28	39	37	:	:	39	39	:	203.0
08N	28E	32	:	:	:	39	39	:	:	:	:	:	:	78.0
													281.0	

POU County: BUTTE

Other Rights: 33-02128, 33-02024, 33-00066

Conditions of Approval:
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.62 CFS. COMBINED RIGHT NOS.:
33-02128, 33-02024, 33-00066

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 281 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-02128, 33-02024, AND
33-00066.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 278 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: Field Inspection Flag: C
Presumption Flag:

POU R0# 32,33,34
POU R0# 46

AJ0749NP
No. R33-00117

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

DATE: 11/09/99
PAGE: 2

Comments: Date: 11/09/1999 User-ID: ARUBERRY Subject: COPIED FROM REMARKS
POINT OF DIVERSION AND DELIVERY WORKS ARE PART OF A HYDRO
ELECTRIC PROJECT PERMITTED UNDER 33-07151. AFTER WATER
PASSES THROUGH THE POWER PLANT IT IS PICKED UP BY A BOOSTER
PUMP AND PUT INTO A PRESSURIZED MAINLINE/SPRINKLER SYSTEM.
THERE ARE THREE WELLS WHICH DELIVER WATER TO THIS SAME
MAINLINE SYSTEM (SEE 33-07006, 02123, 07057 AND 02085).

Audit: 11/09/99 ARUBERRY

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: **A33-00117**
Date Received: 12/12/1989
Receipt No: M005356
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ORVILLE NICHOLSON 208-767-3463
Address:

HOWE ID 83244

OR

Name: REA NICHOLSON 208-767-3463

Address: HOWE ID 83244

2. Date of Priority: APR 8, 1941

3. Source: UNCLE IKE CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	28E	24	SE	NW	SW		BUTTE

5. Description of diverting works:

CONCRETE PIPELINE HEADING. THROUGH POWER PLANT TO MAINLINE/SPRINK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.000		

7. Total Quantity Appropriated is:

4.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 2545.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08N	28E	19	SW		SW	4	IRR	38.0
			SE		SW		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres 158.0					
		20	SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			SW		SE		IRR	33.0
			Section Acres 113.0					
		29	NW		NE		IRR	33.0
			NE		NW		IRR	33.0
			NW		NW		IRR	34.0
			SW		NW		IRR	34.0
			SE		NW		IRR	40.0
			NW		SW		IRR	37.0
			SW		SW		IRR	40.0
			Section Acres 251.0					
		30	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW	1	IRR	38.0
			SW		NW	2	IRR	38.0
			SE		NW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	21.0
			SE		SE		IRR	29.0
			Section Acres 446.0					
		32	NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			Section Acres 80.0					
			Total Acres 1048.0					

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:

SEVERAL SURFACE AND GROUNDWATER RIGHTS OVERLAP

14. Remarks:

POINT OF DIVERSION AND DELIVERY WORKS ARE PART OF A HYDRO
ELECTRIC PROJECT PERMITTED UNDER 33-07151. AFTER WATER
PASSES THROUGH THE POWER PLANT IT IS PICKED UP BY A BOOSTER
PUMP AND PUT INTO A PRESSURIZED MAINLINE/SPRINKLER SYSTEM.
THERE ARE THREE WELLS WHICH DELIVERY WATER TO THIS SAME
MAINLINE SYSTEM (SEE 33-07006, 02123, 02128, 07057 AND 02085).

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 7/ 1/1954

Decree Plaintiff

vs

Decree Defendant

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): Orville Nicholson Date: 1-8-97

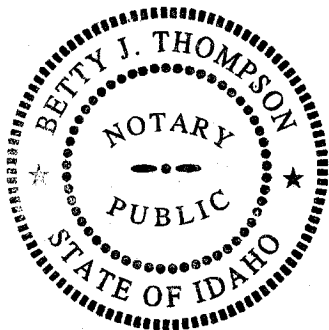
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of January 19 97

Betty J. Thompson
Notary Public

Seal



Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires 7-05-2000

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: A33-00117

Date Received: 12/12/1989

Receipt No: MC05356

Received By: Se

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ORVILLE NICHOLSON 208-767-3463
Address: HOWE, ID 83244
OR
Name: REA NICHOLSON 208-767-3463
Address: HOWE, ID 83244

A330017

2. Date of Priority: APR 08, 1941

3. Source: UNCLE IKE CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	28E	24	SE	NW	SW		BUTTE

5. Description of diverting works:

CONCRETE PIPELINE HEADING. THROUGH POWER PLANT TO MAINLINE/SPRINK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.000		

7. Total Quantity Appropriated is:

4.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 2545.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08N	28E	19	SW		SW	4	IRR	38.0
			SE		SW		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					158.0
		20	SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			SW		SE		IRR	33.0
			Section Acres					113.0
		29	NW		NE		IRR	33.0
			NE		NW		IRR	33.0
			NW		NW		IRR	40.0
			SW		NW		IRR	35.0
			SE		NW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			Section Acres					261.0
		30	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW	1	IRR	38.0
			SW		NW	2	IRR	38.0
			SE		NW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	21.0
			SE		SE		IRR	29.0
			Section Acres					446.0
		32	NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			Section Acres					80.0
			Total Acres					1058.0

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:

SEVERAL SURFACE AND GROUNDWATER RIGHTS OVERLAP

14. Remarks:

POINT OF DIVERSION AND DELIVERY WORKS ARE PART OF A HYDRO
ELECTRIC PROJECT PERMITTED UNDER 33-07151. AFTER WATER
PASSES THROUGH THE POWER PLANT IT IS PICKED UP BY A BOOSTER
PUMP AND PUT INTO A PRESSURIZED MAINLINE/SPRINKLER SYSTEM.
THERE ARE THREE WELLS WHICH DELIVERY WATER TO THIS SAME
MAINLINE SYSTEM (SEE 33-07006, 02123, 02128, 07057 AND 02085).

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 7/01/1954

Decree Plaintiff

vs

Decree Defendant

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: 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): Orville Nicholson Date: 12-12-89
Date:

State of Idaho)
County of Battle) SS.

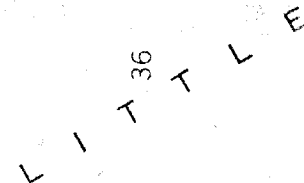
Subscribed and sworn (or affirmed) before me this 12 day
of December 19 89

[Signature]
Notary Public

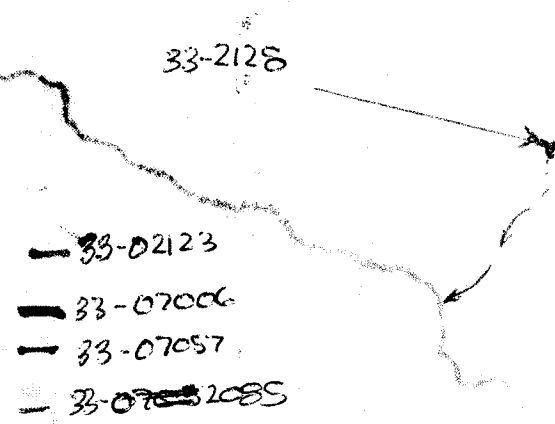
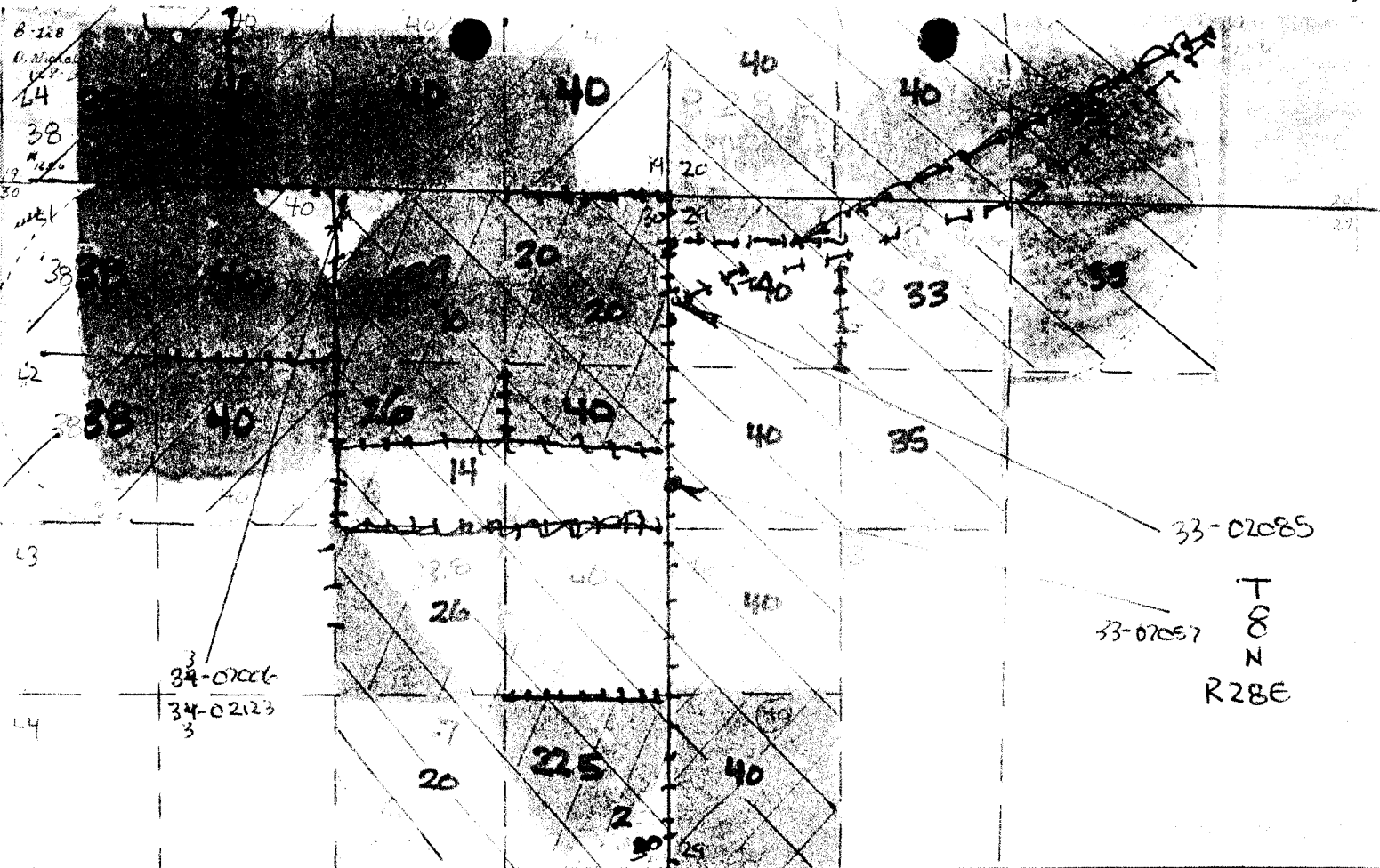
Seal

Residing at Idaho Falls, Id.
My Commission Expires 2 Aug 1994

5-APR-62024



NOV 16 1992



33-02085
T
C
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R28E

- 33-02123
- 33-07006
- 33-07057
- 33-07057 2085

MICROFILMED
NOV 18 1992

NOT TO SCALE