

CLAIM NUMBER: 603-07006

98

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

AT FIELD EXAM

(DATE OF FIELD EXAM)

OTHER (DESCRIBE IN NOTES BELOW)

NAME OF EXAMINER

9/24/94

Y() N()

Y() N()

NOTES: License notes only P.O.D. is Davis Sec. 30 T.B.M. R. 285.
Permissible Place or Use

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

TWP.	R.	SEC.	1/4	1/4	1/4	LOT	POD	COUNTY	DIVERSION NAME	DIVERSION NBR
OSN	28E	29	SW	NW	NW		FLAG	SUTTE		
OSN	28E	29	SW	SW	NW			SUTTE		
OSN	28E	30	NW	NW	NW			SUTTE		

SOURCE: GROUNDWATER

TRIP:

REVIEWED BY: *ASB* DATE: 9 Nov 99

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



Photo taken 9/22/94
ASB



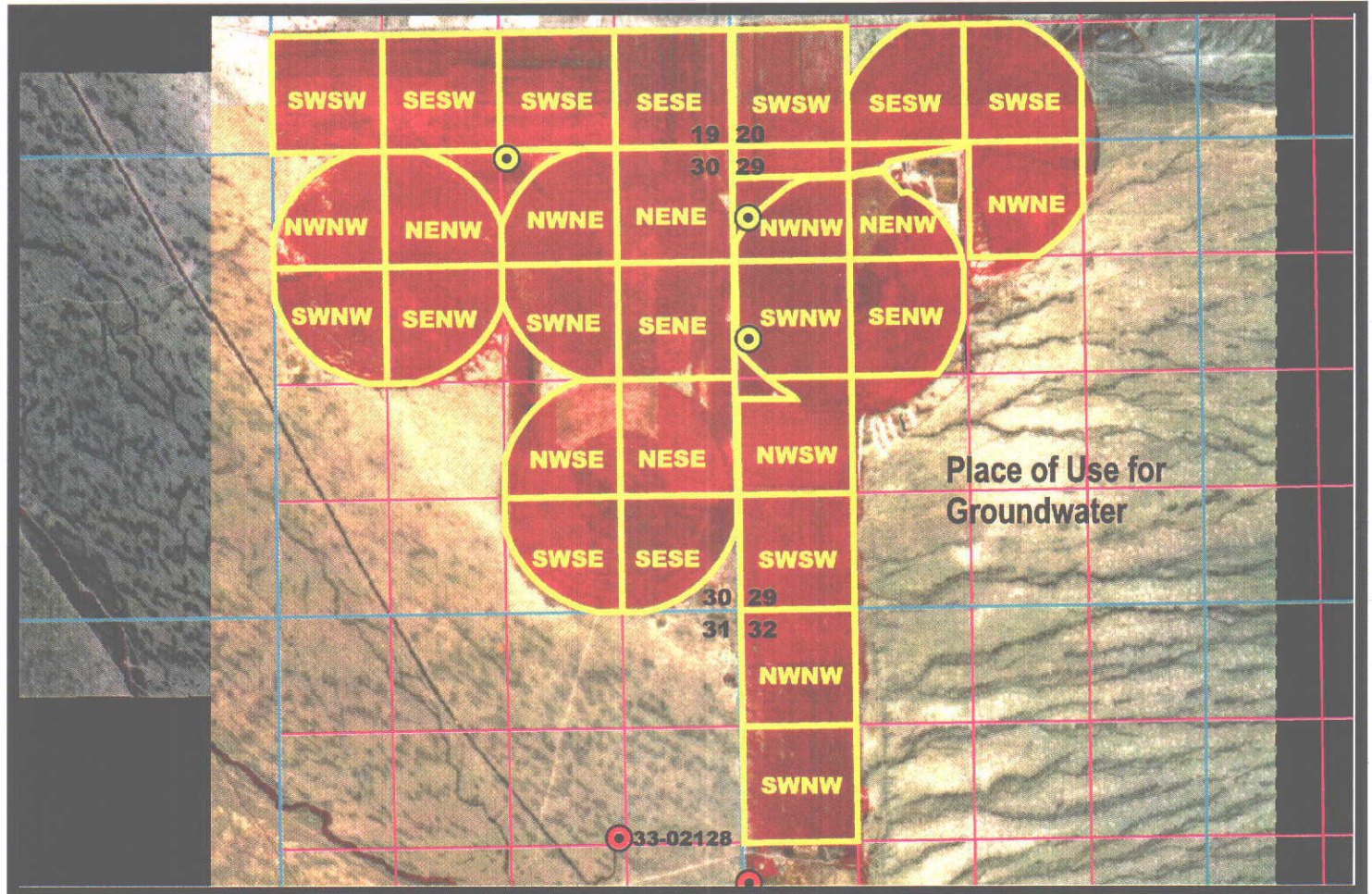
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: O. Nicholson

Water Right(s): 33-02123, 33-02085, 33-07006A, 33-07057C



1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000 11000 Feet

LEGEND



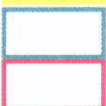
Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line

Quarter-section line

Place(s) of Use: T.8N., R.28E.
(parts of) Sections 19, 20, 29,
30, and 32

Point(s) of Diversion: T.8N., R.28E.
Section 29 SWNWNW, SWSWNW,
Section 30 NWNWNE

Note: 33-02128 is the exchange well



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

A33-07006A
ORVILLE NICHOLSON
REA NICHOLSON
HOWE

ID 63244

R

FIELD EXAM

- ☐ NEED ASCS photo
- ☐ ADDITIONAL P.O.D.s.
WHEN WEBSYSTEMS COMBINED TO OUR SYSTEM
- ☐ HOW DOES DECREED RIGHT GET USED w/ SYSTEM

SAME WELL AS 33-02123



A3307006A

Booster

GE 100HP

Model SK404YK227

CORNELL

8" x 6"

Pump

US Motor

100HP

R-9985-000-078 R2107705

Remains:

P.O.D., Fed

E12.17, 04?

JANUARY 23, 1997

ORVILLE NICHOLSON
SUNNYBAR RANCH BOX 40
HOWE ID 83244

RE: TRANSFER

Dear Mr. Nicholson:

Our office has received notice of approved transfer #4839 resulting in a split of water right #33-07057 and 33-07006.

The Snake River Basin Adjudication claim filed on this right has been amended to reflect the division based on the transfer. The Notice of Claim was divided as follows:

A33-07057A	ORVILLE NICHOLSON	5.470 CFS	445.5 ACRES
A33-07057B	ORVILLE NICHOLSON	0.260 CFS	49.0 ACRES
A33-07006A	ORVILLE NICHOLSON	4.210 CFS	286.0 ACRES
A33-07006B	ORVILLE NICHOLSON	0.240 CFS	49.0 ACRES

The enclosed Notices identify your portion of the right. Please review the notices carefully and if you have any questions about any of the items, please contact our office. If you agree with the items on the notices, please place the copy with your records.

Respectfully submitted,

Allen Ruberry
Sr. Water Resource Agent
Adjudication Bureau

AR:sc

Enclosure: Notice of Claim to a Water Right

Adj - Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 17 1987

TRANSFER OF WATER RIGHT

TRANSFER NO. 4839
WATER RIGHT NO(S). 33-07006B/33-07057B

Department of Water Resources
Eastern District Office

This is to certify that: **ORVILLE NICHOLSON**
SUNNYBAR RANCH BOX 40
HOWE ID 83244

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>	
Right No. 33-07006B : IRRIGATION Priority: 08/18/1966	04/15 to 10/15	0.24 CFS	87.1 AF	28ac
Right No. 33-07057B : IRRIGATION Priority: 07/20/1977	04/15 to 10/15	0.26 CFS	73.5 AF	21ac.
	TOTAL:	0.50 CFS	160.6 AF	

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 36, Township 06N, Range 29E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	29E	2	NESE 12	SESE 37		49
Total number of acres irrigated:						* 49

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

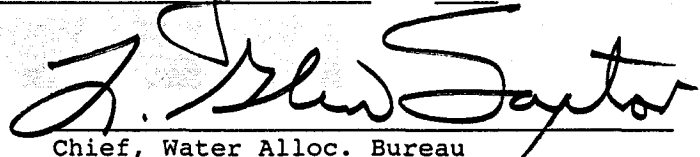
LETTERS AND CLAIM FORM OF BOTH
"B" PARTS SENT 1/24/97.
"A" PARTS ALSO SENT. 1/24/97

TRANSFER NO. 4839
WATER RIGHT NO(S). 33-07006B/33-07057B

CONDITIONS OF APPROVAL AND REMARKS

3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
8. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 10. Right No. 33-07006B is limited to the irrigation of 28.0 acres in the place of use described above in a single irrigation season.
- * 11. Right No. 33-07057B is limited to the irrigation of 21.0 acres in the place of use described above in a single irrigation season.

Dated this 14th day of January, 1997.


Chief, Water Alloc. Bureau

Total acres 49

PART 1

6. General Information:

a. Description of diversion system WELL AND PUMP TO SPRINKLERS

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

POU WILL BE DRY FARMED

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 33-07006

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	4.45 CFS	942.0 AF

SOURCE

GROUNDWATER

Priority: 08/18/1966

LOCATION OF POINT(S) OF DIVERSION:NWNE , Sec. 30, Township 08N, Range 28E
BUTTE CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N	28E	19	Lot 4 (SWSW) 38	SESW 40	SWSE 40	
			SESE 40			158
		30	NENW 40	Lot 1 (NWNW) 38	Lot 2 (SWNW) 38	
			SENE 40			156
						314

Total number of acres irrigated: 314

CONDITIONS/REMARKS:

1. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL NOT EXCEED 4.45 CFS WHEN COMBINED WITH LICENSE NO. 32610/33-2123.

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 33-07057

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	5.73 CFS	1020.9 AF

SOURCE

GROUNDWATER

Priority: 07/20/1977

LOCATION OF POINT(S) OF DIVERSION:SWNW , Sec. 29, Township 08N, Range 28E
BUTTE CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N 28E 20	SWSW 39	SESW 35	SWSE 35	
	SESE 1			110
29	NENE 1	NWNE 34	NENW 30	
	NWNW 39	SWNW 39	SENE 35	
	NWSW 39	SWSW 39		256
30	NENE 20	NWNE 10	SWNE 14	
	NWSE 26	SWSE 28	SESE 2.5	100.5
Total number of acres irrigated:				466.5

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 33-07006 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water GROUNDWATER tributary to _____

4. Date or priority AUGUST 18, 1966

5. Water is used for the following purpose:

amount 4.45 for IRRIGATION purposes from 4-15 to 10-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 4.45 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	30	8N	28E	BUTTE	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8N	28E	19											38	40			40	40	158
													L-4						
		30					40	38	38	40									156
							L-1	L-2											

Total acres 314

9. Describe any other water rights used for the same purpose as described above _____

MAXIMUM RATE OF DIVERSION SHALL NOT EXCEED 4.45 CFS WHEN COMBINED WITH RIGHT 33-02123

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
YES If yes, describe CORNERS IN W1/2 NW1/4 HAVE NOT BEEN IRRIGATED SINCE PIVOT WENT IN.

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount *0.24 for IRRIGATION purposes from 4-15 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: *SEE DIVERSION CONDITION

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	30	08N	28E	BUTTE	

3. Lands irrigated or place of use:

Twp.	Rge.	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	
08N	28E	30					7	7	7	7									28

Total acres 28**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 4.21 for IRRIGATION purposes from 4-15 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	30	8N	28E	BUTTE	

3. Lands irrigated or place of use:

Twp.	Rge.	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	
08N	28E	19											38	40			40	40	158
													L-4						
		30					33	31	31	33									128
								L-1	L-2										

Total acres 286

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 33-07057 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water GROUNDWATER tributary to _____

4. Date or priority JULY 20, 1977

5. Water is used for the following purpose:

amount 5.73 for IRRIGATION purposes from 4-01 to 11-01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 5.73 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	29	8N	28E	BUTTE	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8N	28E	20											39	35			35	1	110
		29	1	34			30	39	39	35		39	39						256
		30	20	10	14											26	28	2.5	100.5

Total acres 466.5

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.26 CFS for IRRIGATION purposes from 4-01 to 11-01
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	29	8N	28E	BUTTE	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8N	28E	30		7	7											7			21

Total acres 21

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 5.47 for IRRIGATION purposes from 4-01 to 11-01
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	29	08N	28E	BUTTE	

3. Lands irrigated or place of use:

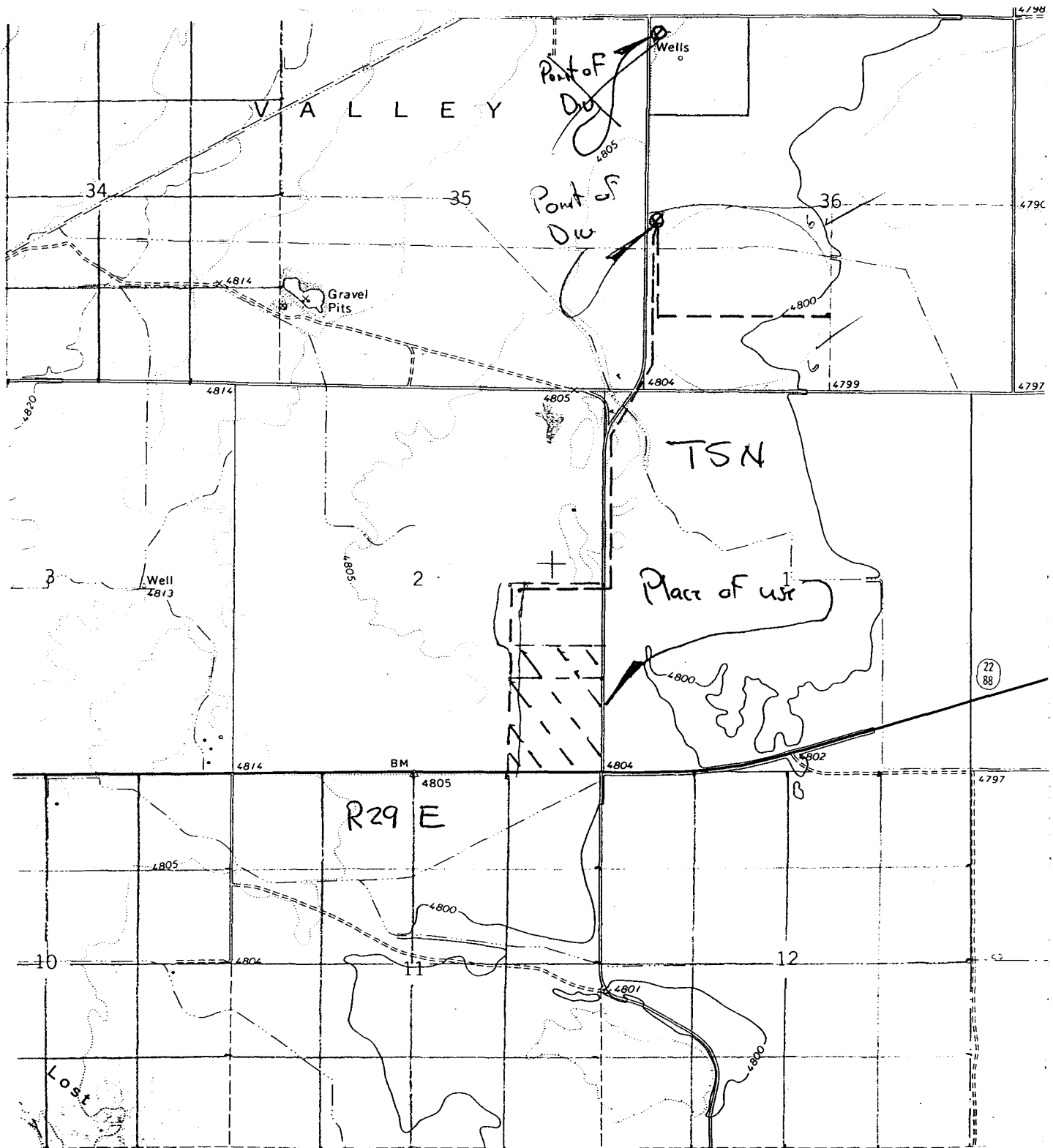
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
08N	28E	20											39	35			35	1	110
		29	1	34			30	39	39	35		39	39						256
		30	20	3	7										19	28	2.5		79.5

Total acres 445.5

APPL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

RECEIVED

TRANSFER NO. 4839
WATER RIGHT NO(S). 33-07006B/33-07057B

JAN 17 1997

Department of Water Resources
Eastern District Office

This is to certify that: ORVILLE NICHOLSON
SUNNYBAR RANCH BOX 40
HOWE ID 83244

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 33-07006B : IRRIGATION Priority: 08/18/1966	04/15 to 10/15	0.24 CFS	87.1 AF
Right No. 33-07057B : IRRIGATION Priority: 07/20/1977	04/15 to 10/15	0.26 CFS	73.5 AF
TOTAL:		0.50 CFS	160.6 AF

SOURCE

GROUNDWATER

*COMBINED w/ 33-07057D
SEE NO. 33-07057E.*

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 36, Township 06N, Range 29E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	29E	2	NESE 12	SESE 37		49
Total number of acres irrigated:						* 49
						22
						71

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

*GIS 76
5AC short*

*12
22
34*

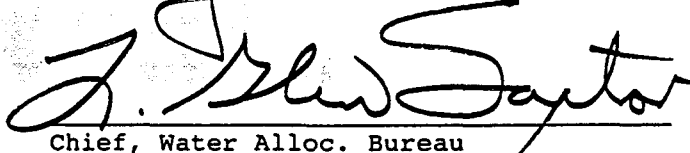
TRANSFER NO. 4839
WATER RIGHT NO(S). 33-07006B/33-07057B

CONDITIONS OF APPROVAL AND REMARKS

3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
8. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 10. Right No. 33-07006B is limited to the irrigation of 28.0 acres in the place of use described above in a single irrigation season.
- * 11. Right No. 33-07057B is limited to the irrigation of 21.0 acres in the place of use described above in a single irrigation season.

Dated this 14th day of

January, 1997.


Chief, Water Alloc. Bureau

MEMORANDUM

TO: FILE NOS. 33-07006 & 33-07057

FROM: PAM SKAGGS²³ STATE OFFICE

SUBJECT: TRANSFER NO. 4839

DATE: January 7, 1997

de F 1-14-97

=====

Transfer No. 4839 was filed to change the point of diversion and place of use under a portion of Right Nos. 33-07006 and 33-07057, splitting each right into parts A and B.

The applicant owns the original place of use and will dry up the corners of his fields as described to transfer 49 acres to the proposed place of use. These groundwater rights overlap with surface water rights at both the original and new location.

The application was filed by the owner of the original rights who mistakenly identified the wrong quarter-quarter description of the proposed new point of diversion for the use of Isham Farms. The application originally identified the point of diversion in the NWNW, Section 36 and was later corrected by region staff to reflect the NWSW, Section 36, both within T05N, R29E.

Season of use and diversion volume were adjusted to current standards. The combined limit under Right No. 33-07006A was reduced to reflect the removal of 0.24 cfs from the combined rights and avoid expansion of use.

✓ Recommended conditions include drilling permit requirements, future measuring device & annual reporting, supplemental groundwater, irrigation overlap, right-of-way, permissible place of use and standard transfer conditions.

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

RECEIVED

FEB 12 1998

Department of Water Resources
Eastern Region

TRANSFER NO. 5002
WATER RIGHT NO(S). 33-02070B/33-02139B/33-07057D

ISHAM
6/29/36

ISHAM
6/29/36

NICHOLSON
8/12/30

This is to certify that: **ORVILLE NICHOLSON**
SUNNYBAR RANCH BOX 40
HOWE ID 83244

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 33-02070B : IRRIGATION Priority: 02/14/1953	04/15 to 10/15	0.14 CFS	42.0 AF
Right No. 33-02139B : IRRIGATION Priority: 12/01/1947	04/15 to 10/15	0.10 CFS	36.3 AF
SUBTOTAL:		* 0.24 CFS	* 42.0 AF
Right No. 33-07057D : IRRIGATION Priority: 07/20/1977	04/15 to 10/15	0.12 CFS	35.0 AF

12 ac

3.0

TOTAL: ** 0.36 CFS ** 77.0 AF

Continued w/ 33-07057B

SEE No. 33-07057E

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 36, Township 06N, Range 29E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	29E	2	NESE	22		22

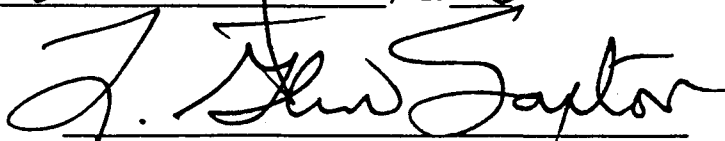
Total number of acres irrigated: *** 22

TRANSFER NO. 5002
WATER RIGHT NO(S). 33-02070B/33-02139B/33-07057D

CONDITIONS OF APPROVAL AND REMARKS

1. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- *** 8. Right 33-02070B is limited to the irrigation of 12.0 acres in the place of use described above in a single irrigation season.
- *** 9. Right 33-02139B is limited to the irrigation of 12.0 acres in the place of use described above in a single irrigation season.
- *** 10. Right 33-07057D is limited to the irrigation of 10.0 acres in the place of use described above in a single irrigation season.
- * 11. Rights 33-02070B and 33-02139B when combined shall not exceed a total annual diversion volume of 42.0 af at the field headgate and the irrigation of 12.0 acres.
- ** 12. Rights 33-02070B, 33-02139B and 33-07057D when combined shall not exceed a total annual diversion volume of 77.0 af at the field headgate and the irrigation of 22.0 acres.

Dated this 4th day of February, 1998


Chief, Water Allocation Bureau

MEMORANDUM

TO: FILES 33-02070, 33-02139 & 33-07057A

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER 5002

DATE: February 2, 1998



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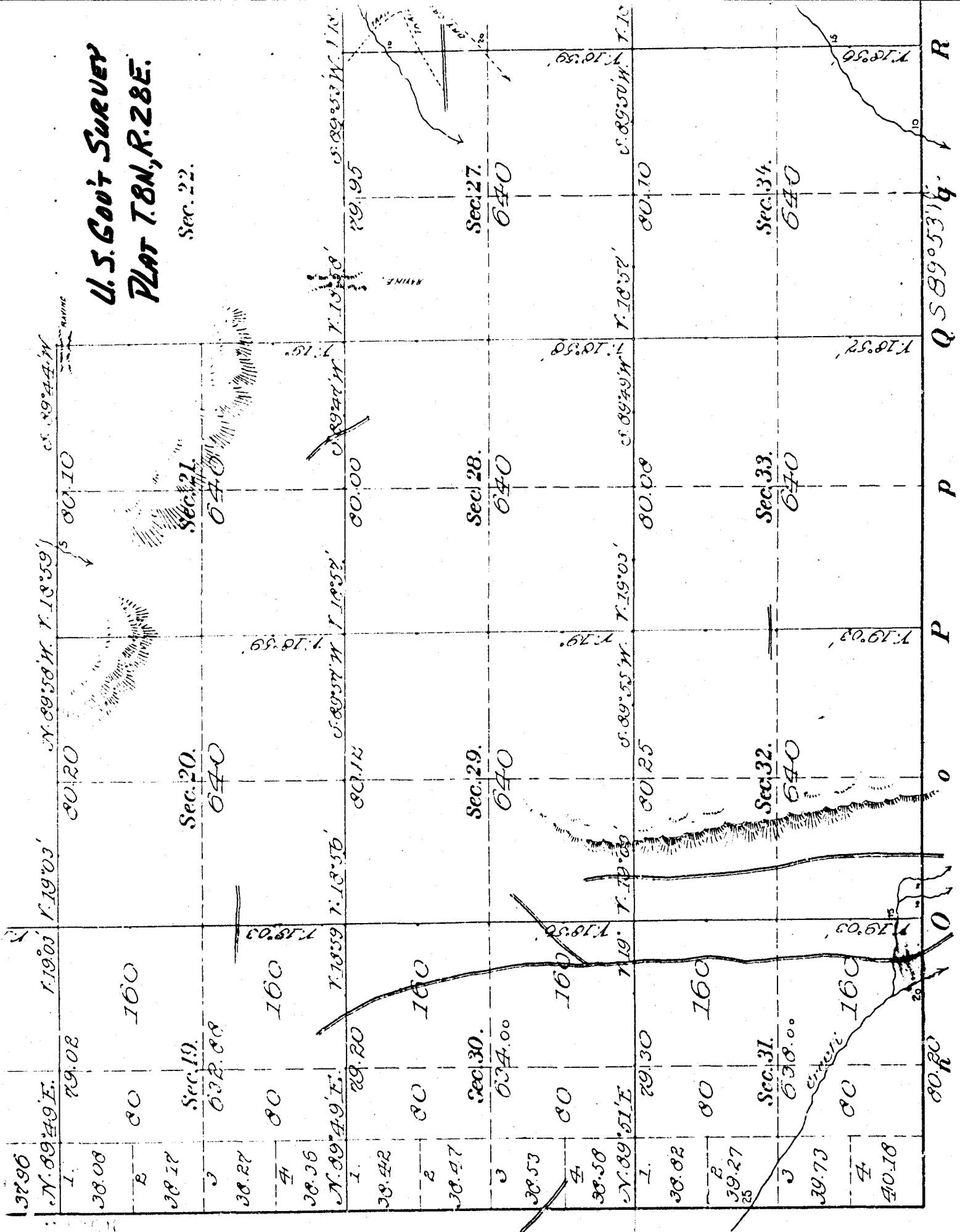
Transfer 5002 changes the point of diversion under a portion of Right 33-07057A, and the place of use under a portion of Rights 33-02070 (A & B), 33-02139 (A & B) and 33-07057A (C & D), splitting each right. ✓

The applicant is transferring a total of 22 acres adjacent to irrigated land under earlier Transfer 4839. Overlap review identifies these groundwater rights as supplemental to surface rights at both the historic and proposed place of use. ✓

Season of use and diversion volume were adjusted to current standards. Recommended conditions include future measuring devices & annual reporting, supplemental groundwater, irrigation overlap, permissible place of use, combined right limits and standard transfer conditions. ✓

U.S. GOVT SURVEY PLAT T.8N, R.28E.

Sec. 22.



Total number of acres 70842.53

State of Idaho
Department of Water Resources

RECEIVED
MAR 12 1975

WATER RIGHT LICENSE

Department of Water Resources
Eastern District Office

License of Water Right No. 33-7006 Priority August 18, 1966 Amount 4.45 cfs

THIS IS TO CERTIFY that REA RALLS NICHOLSON

of Howe, Idaho, has complied with the terms and conditions of Permit
No. 33-7006 issued pursuant to Application for Permit dated August 18, 1966
and has submitted proof to the Department of Water Resources on December 26, 1973

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 4.45 cfs of water from a ground water source
tributary to _____ and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 15</u> to <u>Oct. 15</u>	at <u>4.45</u> cfs and	<u>942 acre feet or</u> <u>3.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than * 4.45 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
forementioned and is limited to the amount which can actually be beneficially used and shall not exceed
942 acre feet per year. Said water to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 30,

Twp. 8 N, Rge. 28 E, B.M. in the County of Butte

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8 N	28 E	19											L.4 38	40			40	40	158
		30					40	L.1 38	L.2 38	40									156

Total number of acres irrigated 314

* Subject to the condition that the maximum rate of diversion shall not exceed
4.45 cfs when combined with License No. 32610/33-2123.

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

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 10 day of

March 33-D7006A 19 75

4.21 cfs 286 ac.

Tx #4839

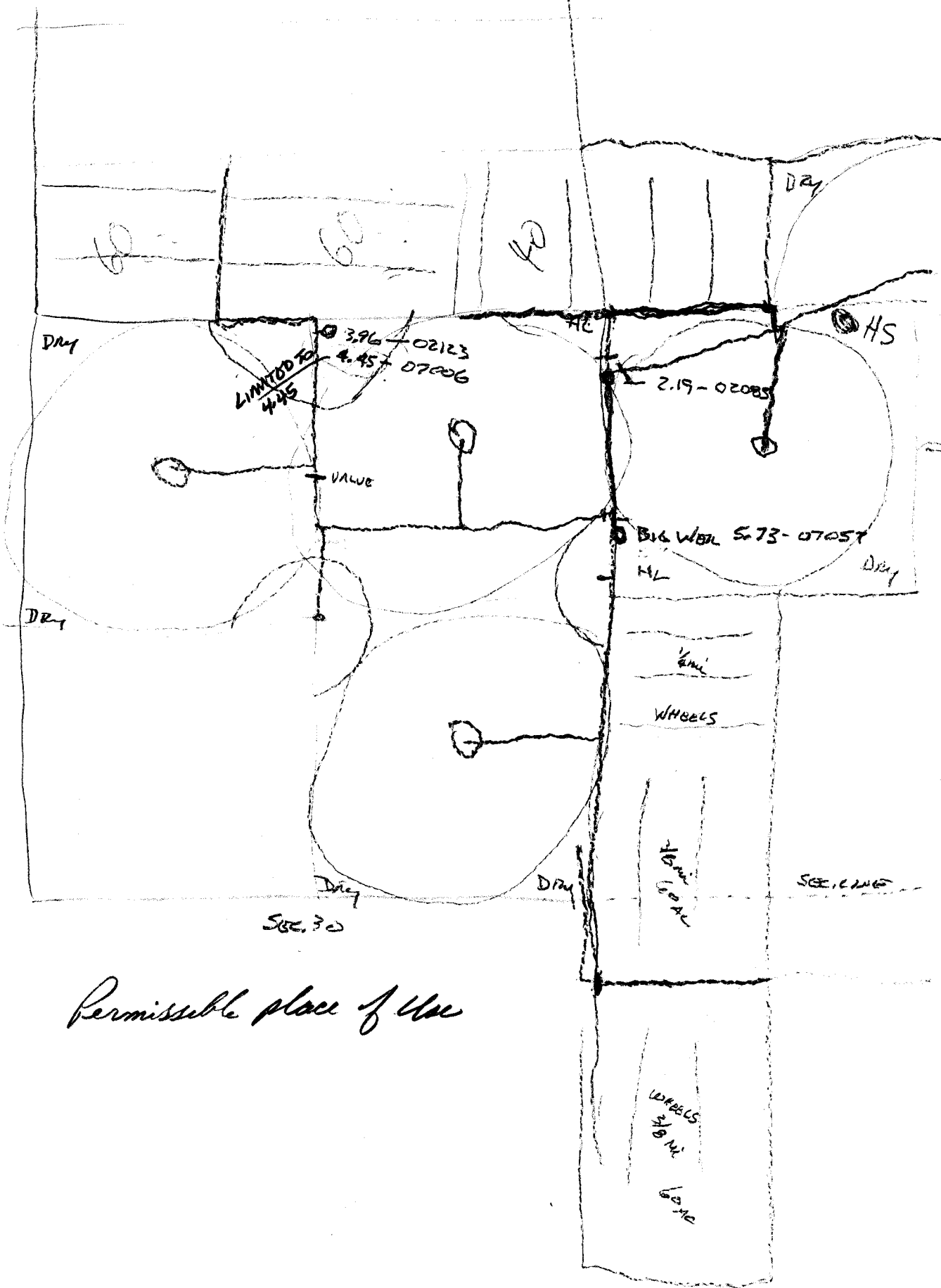
33-D7006B

0.24 cfs 28 ac

Director

33-D7006
4.45 cfs 314 ac

.02"/AC



Permissible place of use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:20:33
09/01/94

PAGE: 1
GENERAL INFORMATION

94
CLAIM NUMBER: A33-07006

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

FIRST: ORVILLE
STATE: ID ZIP: 83244

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

FIRST: REA
STATE: ID ZIP: 83244

FIELD EXAM REQUIRED?

DATABASE
Y
FIELD
EXAMINER
Y() N()

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL NOT EXCEED 4.45 CFS WHEN COMBINED WITH LICENSE NO. 32610/33-2123.

208 TR 4B39
SPLIT 7006 INTO A4B

CONTACT PERSON: _____

PHONE NUMBER: (____) _____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) _____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES: _____

A. AJ CLAIM: # A33-07006 PRIORITY DATE: 08-18-1966 STAGE: L

B. WR RECORD: # 33-07006 PRIORITY DATE: 08-18-1966 STAGE: L

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE ON LICENSE?

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW)

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

* 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?

* 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?

NOTES:

Y(✓) N()
Y() N(✓)
Y() N(✓)

N/A() Y() N()
N/A() Y() N()
N/A() Y() N()
N/A() Y() N()

N/A(✓) Y() N()

Y() N()

RECOMMENDED PRIORITY DATE: *As claimed*

08-18-1966

REVIEWED BY *AB [signature]*

DATE *1 Sept. 96*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A33-07006	08N	28E	29	SW	NW	NW	NW			BUTTE		
A33-07006	08N	28E	29	SW	SW	SW	NW			BUTTE		
A33-07006	08N	28E	30	NW	NW	NW	NE			BUTTE		

MR RECORDS IN SAME 40 ACRE TRACT

33-02085 - NW1/4 Sec. 29 8/00
33-02123 - NW1/4 Sec. 30 8/00
33-07057 - SW1/4 Sec. 29 8/00

only licensed P.O.D.

SOURCE: GROUNDWATER

B. MR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
33-07006	08N	28E	30		NW					BUTTE		

OTHER MR RECORDS WITH SAME MR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX
R PREFIX
A33-02085
A33-02123
A33-07057

SOURCE: GROUNDWATER

TRIP:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF 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? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* 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? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

Additional P.O.D.'s

1. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

AJ FIELD EXAM (DATE OF FIELD EXAM _____) NAME OF EXAMINER ADP

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: Licenses notes only P.O.D. is wrong See 30 T.B.N. R. 285.
Permissive Place on 434

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD	COUNTY	DIVERSION NAME	DIVERSION NBR
08N	28E	29	SW	NW	NW		FLAG	BUTTE		
08N	28E	29	SW	SW	NW			BUTTE		
08N	28E	30	NW	NW	NE			BUTTE		

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: ADP DATE: 9 Nov 89

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

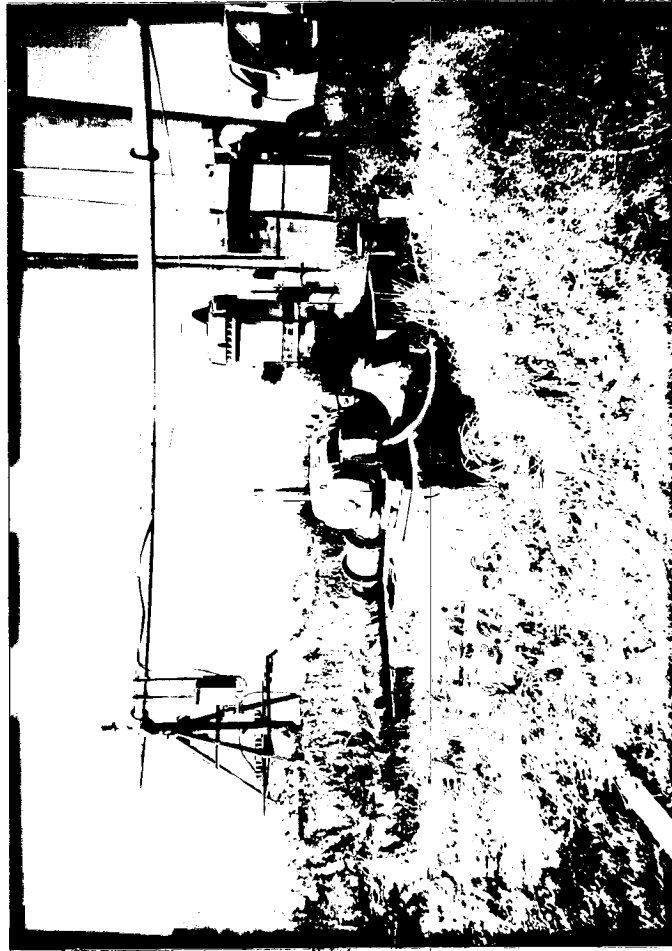


Photo taken 9/22/84
ADP

A. FOOT WATER RIGHT NUMBERS: A33-07006

B. POU LISTING

TMP RNG SEC 1/4 1/4 LOT NAME

					AJ #/ACRES	WE #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N 28E 19	SW	SW	4	NICHOLSON, ORVILLE	A33-07006	738.0	42.0		65
	SW	SW	4	NICHOLSON, ORVILLE	A33-00066	/38.0	/		38
	SW	SW	4	NICHOLSON, ORVILLE	A33-00117	/38.0	/		
08N 28E 19	SE	SW		NICHOLSON, ORVILLE	A33-07006	740.0	39.0		40
	SE	SW		NICHOLSON, ORVILLE	A33-00066	/40.0	/		
	SE	SW		NICHOLSON, ORVILLE	A33-00117	/40.0	/		
08N 28E 19	SW	SE		NICHOLSON, ORVILLE	A33-07006	740.0	40.0		40
	SW	SE		NICHOLSON, ORVILLE	A33-00066	/40.0	/		
	SW	SE		NICHOLSON, ORVILLE	A33-00117	/40.0	/		
08N 28E 19	SE	SE		NICHOLSON, ORVILLE	A33-07006	740.0	37.0		40
	SE	SE		NICHOLSON, ORVILLE	A33-00066	/40.0	/		
	SE	SE		NICHOLSON, ORVILLE	A33-00117	/40.0	/		
08N 28E 30	NE	NW		NICHOLSON, ORVILLE	A33-07006	740.0	40.0		33
	NE	NW		NICHOLSON, ORVILLE	A33-00066	/40.0	/	70% Reduced by Tx 4839	
	NE	NW		NICHOLSON, ORVILLE	A33-00117	/40.0	/		
08N 28E 30	NW	NW	1	NICHOLSON, ORVILLE	A33-07006	738.0	39.0		31
	NW	NW	1	NICHOLSON, ORVILLE	A33-00066	/38.0	/	70% Reduced by Tx 4839	
	NW	NW	1	NICHOLSON, ORVILLE	A33-00117	/38.0	/		
08N 28E 30	SW	NW	2	NICHOLSON, ORVILLE	A33-07006	738.0	36.0		31
	SW	NW	2	NICHOLSON, ORVILLE	A33-00066	/38.0	/	70% Reduced by Tx 4839	
	SW	NW	2	NICHOLSON, ORVILLE	A33-00117	/38.0	/		
08N 28E 30	SE	NW		NICHOLSON, ORVILLE	A33-07006	740.0	36.0		33
	SE	NW		NICHOLSON, ORVILLE	A33-00066	/40.0	/	70% Reduced by Tx 4839	
	SE	NW		NICHOLSON, ORVILLE	A33-00117	/40.0	/		

ADDITIONAL POU FOUND

286
K46Claimed as Licensed
TOTAL ACRES A33-07006

314.00 314.00 309.00

625 of AC
See poll.
and

POU COUNTY: BUTTE

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
A33-07006	GROUNDWATER	NICHOLSON, ORVILLE	4.450	0.014		
A33-00066	ROCKY RUN	NICHOLSON, ORVILLE	3.000	0.001		
A33-00117	UNCLE IKE CREEK	NICHOLSON, ORVILLE	4.000	0.003		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 33-2123, 7057, 2085, 2128, 2024, 0117, 0066,

Y() N()

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

* 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() EXTRA PG. 101

Y() N()

CHECK DOCUMENTS USED TO VERIFY POU: (X) ORTHOPHOTOQUAD, IDWR NO. W-33, V-83; () TOPOGRAPHIC QUAD, IDWR NO. _____;
(X) NAAPP, IDWR NO. V-83 SE; (X) ASES PHOTO; () OTHER _____

NOTES: _____

RECOMMENDATIONS:

TOTAL ACRES: _____

N/A()

REVIEWED BY: _____

DATE: _____

A. ALL CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A33-07006 IRRIGATION	FROM ~~04-01~~ TO ~~11-01~~	4.450 CFS	
TOTAL DIVERSION RATE/VOLUME		4.450 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
33-07006 IRRIGATION	FROM 04-15 TO 10-15	4.450 CFS	942.00 AF/A
TOTAL DIVERSION RATE/VOLUME		4.450 CFS	942.00 AF/A

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? *irrig.*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(☐)

Licensed as Afs to 10/15

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 4.450 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 4.450 CFS *As Lic.*

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

SEE ATTACHED CALCULATIONS.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES $\times 0.02 \text{ CFS/ACRE} =$ CFS
(Taken from flow review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 785.0 AE/A

ACRES $\times$ CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

ACRES $\times$ 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 ()

1b. CALCULATIONS

NOTES:

WR RECORD CONDITIONS/REMARKS:

R01 - A measuring device of a type approved by this Department shall

be maintained as a part of the diverting works.

016 - See remarks for additional conditions of approval.

SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL

NOT EXCEED 4.45 CFS WHEN COMBINED WITH LICENSE NO. 32610/33-2123.

~~cc comments~~ → *BDP remark*

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	DATABASE RATE CFS	REC. DIV VOL. AE/A	DATABASE EXAMINER	DATABASE EXAMINER	REC. CONS. USE
IRRIGATION	~~04-01~~ 11-01	4.450			785.0	
	~~04-01~~ 10/15					
TOTAL FOR THIS RIGHT		~~4.450~~ 4.21			785.0	

4.21 305 11.039

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY:

DATE:

FLAG: E

STANDARD CONDITIONS (CODE): *401,*

Lic. Junior

STANDARD REMARKS (CODE): *507; 33-02123, 445 cfs*

Fps 33-02123

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FOREFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()

NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-07006

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
-	A33-07006	4.450	-		33-07006	4.450
TOTAL CFS		4.450				4.450

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()?

DATABASE
Y

FIELD
EXAMINER
Y() N()

NOTES:

No splits! WR CLAIMED IN FULL

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:20:33
09/01/94

PAGE: 15
QUICKLOOK INFORMATION

108
CLAIM NUMBER: A33-07006

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 DIV	Y		<i>ABR</i>	<i>N</i>				
SOURCE								
PLACE OF USE	Y							
DIV AMOUNT CES/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
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

THIS PAGE BEARING INCORPORATING USED TO REVEAL THIS PORTION OF SCHEMATIC TO H. WARDEN KNIGHT
TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION
COPY INCLUDED IN FILE?

() ORTHOPHOTOQUAD	DATE OF PHOTO	IDWR ID NO.	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED	IDWR ID NO.	Y() N()
() NAPP	DATE OF PHOTO	IDWR ID NO.	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO		Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO		Y() N()
() ELM 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()
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LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES
1. ☐ <u>None</u>		
2. ☐ <u>None</u>		
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() LICENSING FIELD EXAM	DATE OF FIELD EXAM
() WATER RIGHT LICENSE	DATE LICENSE SIGNED
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED
() SYSTEM DESCRIPTION	DATE DRAWN
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED
() OTHER	DATE
() OTHER	DATE

CLAIM NUMBER: A33-07006

Dates:	Exam Made Date:	Verified Date:	03/12/1985
Misc:	Water District Number:	Field Inspection Flag:	E
		Presumption Flag:	



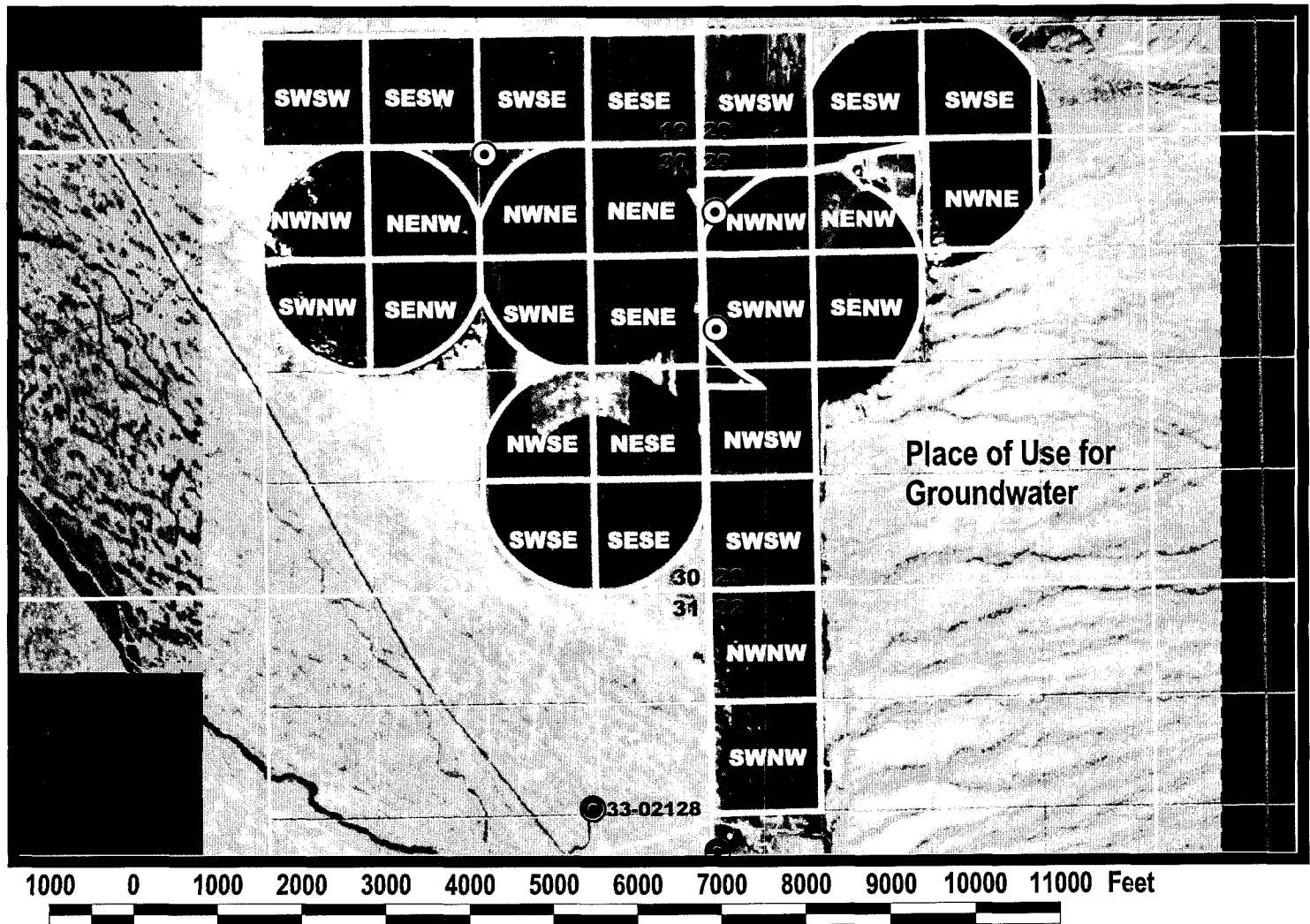
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: O. Nicholson

Water Right(s): 33-02123, 33-02085, 33-07006A, 33-07057C



LEGEND



Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use

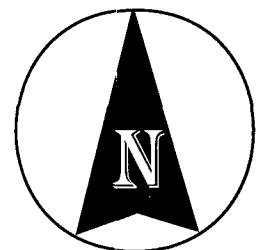
Section Line

Quarter-section line

Place(s) of Use: T.8N., R.28E.
(parts of) Sections 19, 20, 29,
30, and 32

Point(s) of Diversion: T.8N., R.28E.
Section 29 SWNWNW, SWSWNW,
Section 30 NWNWNE

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. R33-07006A

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

DATE: 11/10/99
PAGE: 1

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

PRIORITY DATE
08/18/1966 IRRIGATION

WATER USE
IRRIGATION

USE PERIOD FROM TO
04-15 10-15

DIVERSION RATE
4.210 CFS

DIVERSION VOLUME
4.210 CFS

TOTAL DIVERSION:
4.210 CFS

Water Source: GROUNDWATER

Tributary to:

Water Source: GROUNDWATER

Point(s) of Diversion:

T08N R28E S29 S30

SWSMNV

SWMNV

Stage: LICENSE

BUTTE County

BUTTE County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE					
		NENE		NUNE		NENW		NUNW		NESW		NUSW		NESE		SUNE			
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac			
T	R S																		
08N 28E 19	:											04-39		39		39			
08N 28E 20	:											39		36		37			
08N 28E 29	:			36		27		34				37							
08N 28E 30	:	40		33		34		01-32		02-31		33		40		33			
08N 28E 32	:							39		39									
																TOTAL ACRES			
																1011.0			
																78.0			
																417.0			
																248.0			
																112.0			
																156.0			
																SUM			

AJ0749NP
No. R33-07006A

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

DATE: 11/10/99
PAGE: 2

Remarks:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 286 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 33-07057C, 33-02123, 33-02085.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag: C

Comments:

Date: 11/09/1999 User-ID: ARUBERRY Subject: COPIED FROM REMARKS
SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL
NOT EXCEED 4.21 CFS WHEN COMBINED WITH LICENSE NO. 32610/33-2123.

TRANSFER #4839 SPLIT RIGHT. PLACE OF USE CONFORMED TO TRANSFER.
RECEIPT NO. M003356.

Audit:

11/10/99 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: A33-07006A

Date Received: 12/12/1989

Receipt No: X777777

Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ORVILLE NICHOLSON
Address:

208-767-3463

HOWE ID

83244

OR

Name: REA NICHOLSON
Address:

208-767-3463

HOWE ID

83244

2. Date of Priority: AUG 18, 1966

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08N	28E	29	SW	NW	NW		BUTTE
			SW	SW	NW		BUTTE
		30	NW	NW	NE		BUTTE

5. Description of diverting works:

3 WELLS DELIVERY WATER TO COMMON MAINLINE/SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.210		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A3307006A



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
		30	NE		NW		IRR	33.0
			NW		NW	1	IRR	31.0
			SW		NW	2	IRR	31.0
			SE		NW		IRR	33.0
							Section Acres	128.0
							Total Acres	286.0

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:

33-2123, 7057, 2085, 2128, 2024, 0117, 0066,

14. Remarks:

SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL NOT EXCEED 4.21 CFS WHEN COMBINED WITH LICENSE NO. 32610/33-2123.

TRANSFER #4839 SPLIT RIGHT. PLACE OF USE CONFORMED TO TRANSFER.

15. Basis of Claim: LICENSE