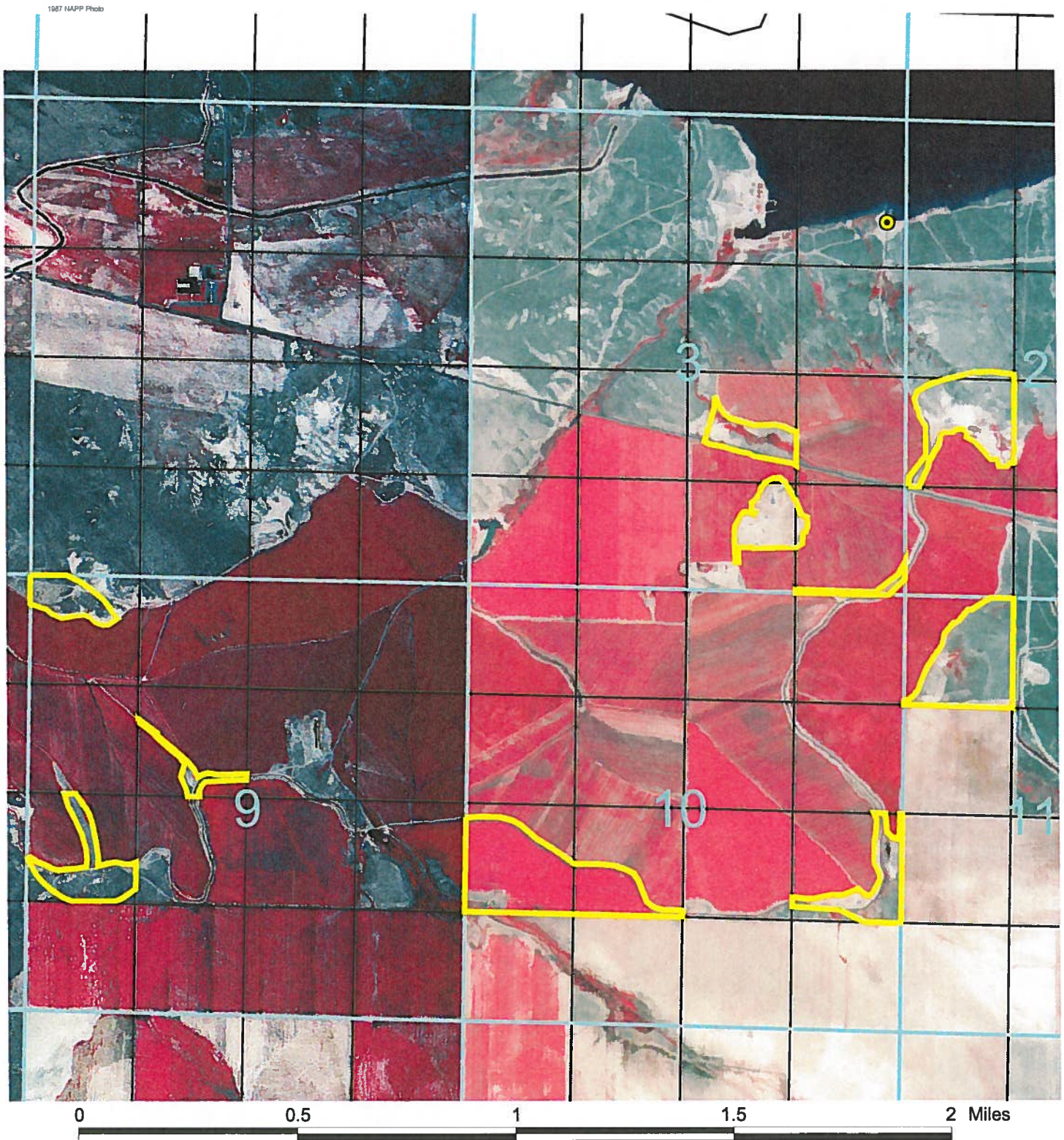
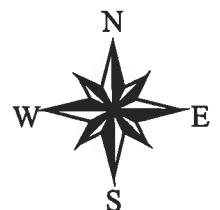


Idaho Department of Water Resources

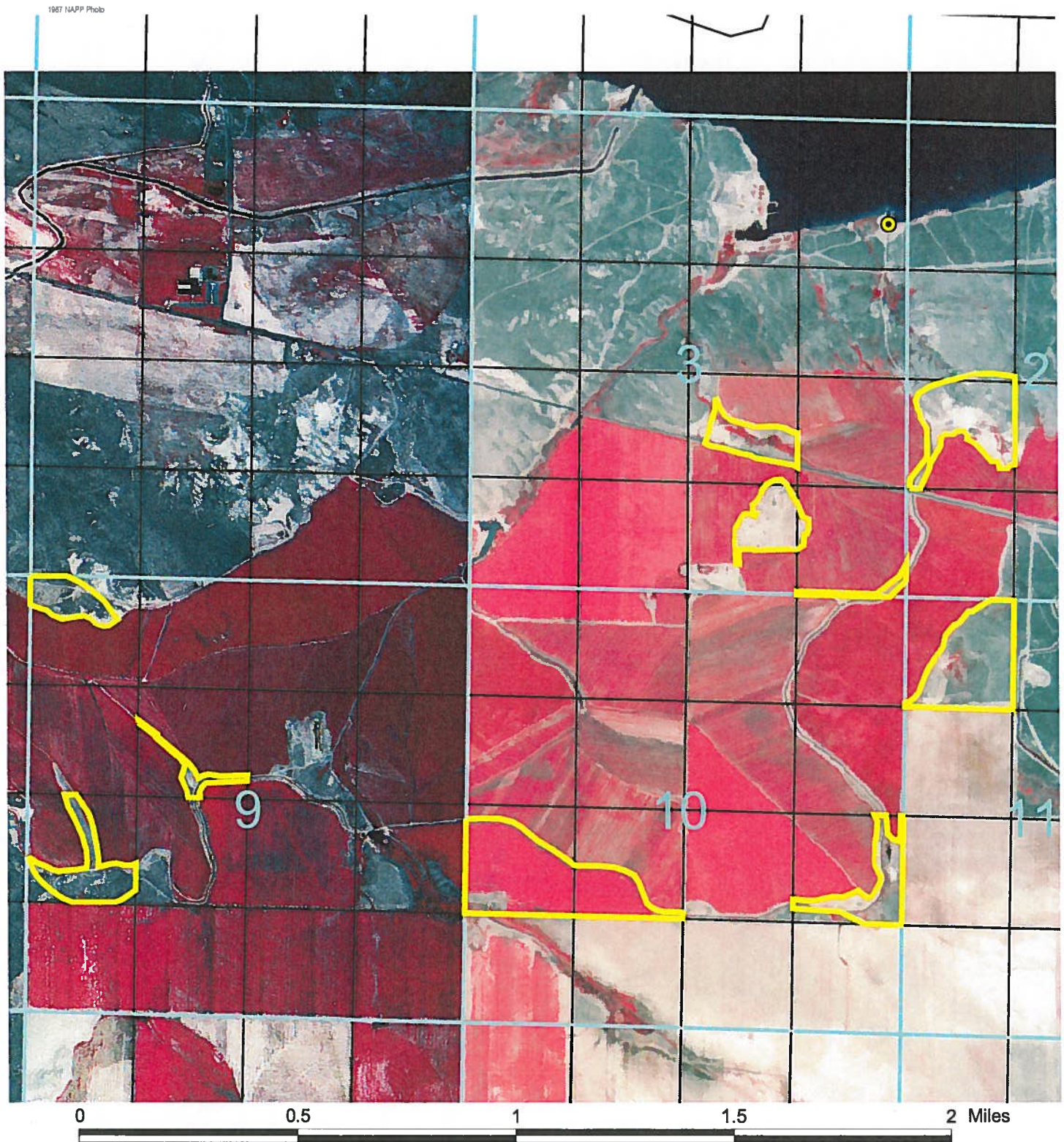


Claim Number: 02-07090B
Legal: T06S, R04E, S2, S3,
S9, S10 & S11
Reviewed By: JLD 8/1/05

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

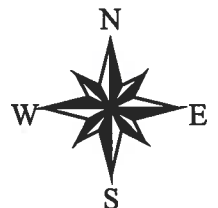


Idaho Department of Water Resources



Claim Number: 02-07090B
Legal: T06S, R04E, S2, S3,
S9, S10 & S11
Reviewed By: JLD 8/1/05

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



08/01/2005

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

RIGHT NUMBER: 2-7090B
NAME AND ADDRESS: DIANA RAE NICHOLSON
10378 FAIRVIEW AVE STE 235
BOISE ID 83704

THOMAS T NICHOLSON
10330 W STARDUST DR
BOISE ID 83709

DAVID L PUTNAM
10378 FAIRVIEW AVE STE 235
BOISE ID 83704

M L INVESTMENT CO
PO BOX 27
BOISE ID 83707-0027

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 3.040 CFS
684.000 AFY
PRIORITY DATE: 08/24/1971
POINT OF DIVERSION:

T06S R04E S3 NENE Lot 1 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.040 CFS 684.00 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within OWYHEE County

T06S R04E S02	SWNW	1.0	T06S R04E S02	NWSW	24.0
T06S R04E S03	NWSE	9.0	T06S R04E S03	SWSE	13.0
T06S R04E S03	SESE	4.0	T06S R04E S09	NWNW	9.0
T06S R04E S09	SESW	4.0	T06S R04E S09	NWSW	7.0
T06S R04E S10	NESW	11.0	T06S R04E S10	NWSW	27.0
T06S R04E S10	NESE	13.0	T06S R04E S11	NWNW	30.0

152 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

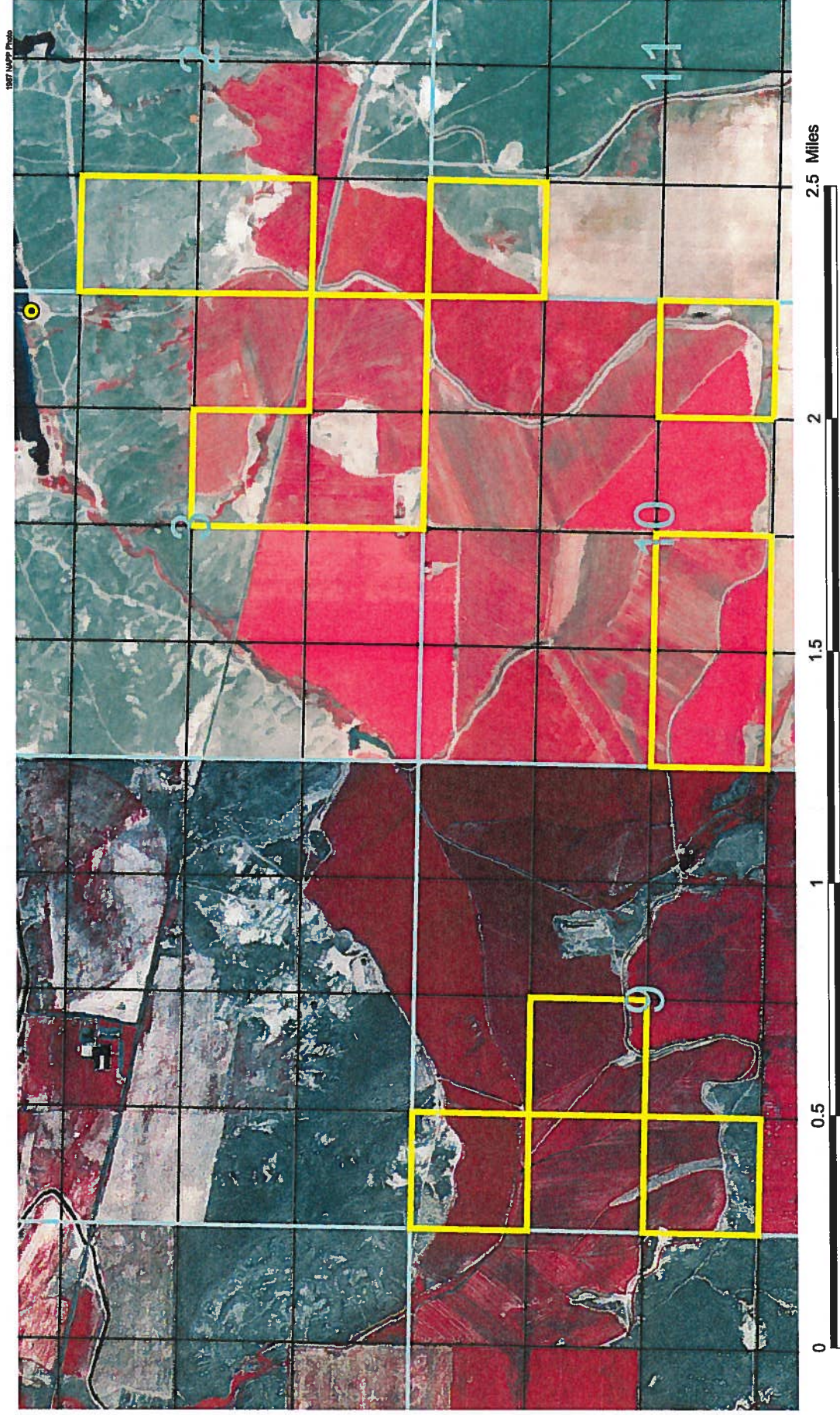
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

08/01/2005

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

The following rights are also diverted through point of diversion described above: 2-2085, 2-2096, 2-2098, 2-2102, 2-2137, 2-2138, 2-4003A, 2-4003B, 2-7090B & 2-10016.

Idaho Department of Water Resources



- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

Claim Number: 02-07090B
Legal: T06S R04E, S2, 3, 9, 10 & 11
Reviewed By: SJR 3/8/05

03/09/2005

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

RIGHT NUMBER: 2-7090B
NAME AND ADDRESS: DIANA RAE NICHOLSON
10378 FAIRVIEW AVE STE 235
BOISE ID 83704

THOMAS T NICHOLSON
10330 W STARDUST DR
BOISE ID 83709

DAVID L PUTNAM
10378 FAIRVIEW AVE STE 235
BOISE ID 83704

M L INVESTMENT CO
PO BOX 27
BOISE ID 83707-0027

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.040 CFS
684.000 AFY

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 2-2085, 2-2096, 2-2098, 2-2137, 2-4003A AND 2-4003B SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 08/24/1971

POINT OF DIVERSION:

T06S R04E S3 NENE Lot 1 Within OWYHEE County
Rights 2-5, 2-2085, 2-2096, 2-2098, 2-2102, 2-2137, 2-2138, 2-4003A, 2-4003B and 2-10016 are also diverted through the point of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.040 CFS 684.00 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within OWYHEE County

T06S R04E S02	SWNW	40.0	T06S R04E S02	NWSW	40.0
T06S R04E S03	NWSE	40.0	T06S R04E S03	SWSE	40.0
T06S R04E S03	SESE	40.0	T06S R04E S09	NWNW	40.0
T06S R04E S09	SESW	40.0	T06S R04E S09	NWSW	40.0
T06S R04E S10	NESW	40.0	T06S R04E S10	NWSW	40.0
T06S R04E S10	NESE	40.0	T06S R04E S11	NWNW	40.0

480 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 2-2085, 2-2096, 2-2098, 2-2137, 2-4003A, 2-4003B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 418 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

03/09/2005

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

IRRIGATION SEASON.

This right is limited to the irrigation of 152 acres within the place of use described above in a single irrigation season.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4969
WATER RIGHT NO(S). 02-07090A/02-07090B

This is to certify that: **DAVID L PUTNAM**
THOMAS T NICHOLSON
DIANA RAE NICHOLSON
10378 FAIRVIEW AVE STE 235
BOISE ID 83704

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. 02-07090A :			
IRRIGATION	03/15 to 11/15	2.34 CFS	526.5 AF
Priority: 08/24/1971			
Right No. 02-07090B :			
IRRIGATION	03/15 to 11/15	3.04 CFS	684.0 AF
Priority: 08/24/1971			
TOTAL:		5.38 CFS	1210.5 AF

SOURCE
SNAKE RIVER

TRIBUTARY OF
COLUMBIA RIVER

Right No. 02-07090A :

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 15, Township 05S, Range 03E
OWYHEE 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>
05S	02E	11	NWNE 10	SWNE 34	NENW 39	117
			SENE 34			117

Total number of acres irrigated: 117

Right No. 02-07090B :

LOCATION OF POINT(S) OF DIVERSION:

Lot 1(NENE), Sec. 3, Township 06S, Range 04E
OWYHEE 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>
06S	04E	2	SWNW 1	NWSW 24		25
		3	NWSE 9	SWSE 13	SESE 4	26
		9	NWNW 9	SENE 4	NWSW 7	20
		10	NESW 11	NWSW 27	NESE 13	51
		11	NWNW 30			30

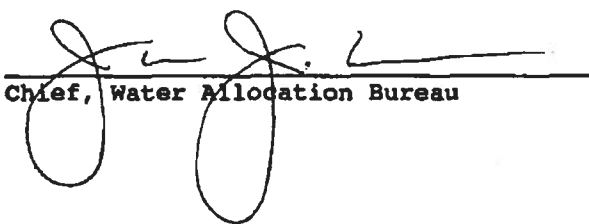
Total number of acres irrigated: 152

TRANSFER NO. 4969
WATER RIGHT NO(S). 02-07090A/02-07090B

CONDITIONS OF APPROVAL AND REMARKS

1. A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. 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.
5. 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.

Dated this 3rd day of October, 1997.

for  Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-7090 Priority August 24, 1971 Amount 6.0 cfs

THIS IS TO CERTIFY, that OLIVER M. COX
of Oreana, Idaho, has complied with the terms and conditions of Permit
No. 02-7090 issued pursuant to Application for Permit dated July 25, 1966,
and has submitted proof to the Department of Water Resources on October 29, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 16.26 cfs of water from the Snake River,
tributary to the Columbia River, 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
<u>Irrigation</u>	from <u>April 1</u> to <u>Oct. 31</u>	at <u>6.0</u> cfs and	<u>1,500 acre feet or</u> <u>5.0 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 6.0 cfs of water be diverted a any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,500 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22,
Twp. 4 S, Rge. 2 E, B. M. in the County of Owyhee

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 $\frac{1}{4}$	
5 S	1 E	12													38		22	40	100
		13	40	40															80
5 S	2 E	18					40	40			40								120

Total number of acres irrigated 300

A measuring device of a type approved by the 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 22 day of
June, 19 76.

Director

Disallow Conditions
P1, P3, P11, P13

22,99 cfs. Apr 63

Water Right #	Priority Date	Basis	Owner	POD	Diversion Amount	Remaining Diversion	Acres	cfs/acre
✓ 2-02085	11/14/1950	License	ML Investment Co.	6S 4E S3 NENE	12.3	10.69	632	0.019462025
✓ 2-02098	3/17/1952	License	ML Investment Co.	6S 4E S3 NENE	3.2	7.49	160	0.02
✓ 2-02096	3/18/1952	License	ML Investment Co.	6S 4E S3 NENE	1.66	5.83	632	0.002626582
✓ 2-02102	12/5/1952	License	ML Investment Co.	6S 4E S3 NENE	1	4.83	50	0.02
✓ 2-02137	9/4/1956	License	ML Investment Co.	6S 4E S3 NENE	0.66	4.17	33	0.02
2-04003A	4/1/1961	BU	ML Investment Co.	6S 4E S3 NENE	0.1	4.07	119	0.000840336
✓ 2-00005	6/16/1963	BU	ML Investment Co.	6S 4E S3 NENE	0.72	3.35	146	0.004931507
2-02138	6/16/1963	License	ML Investment Co.	6S 4E S3 NENE	2.2	1.15	146	0.015068493
2-04003B	4/1/1964	BU	ML Investment Co.	6S 4E S3 NENE	2.28	-1.13	119	0.019159664
2-10016	12/31/1986	BU	ML Investment Co.	6S 4E S3 NENE	1.66	-2.79	80	0.02075
2-07090B	8/24/1971	License	Thomas and Diana Nicholson	6S 4E S3 NENE	3.04	-5.83	152	0.02

3 pumps

pumps

pansion

Disallowed Sec. at 2-21-83

223-
425-

91

10172
K02, K09, C11

E37, E31

2-2096

Add to

originals in 2-2085

Overlaps

— 2-7090B Overlapping Claims

2-2085 - 11/14/50 - 12.30 - 632 - ≈ 0.0175 ML > 0.0201 Singslot
 2-2096 - 3/18/52 - 1.66 - 632 - ≈ 0.0026 ML > 0.0026 Singslot owner, Singslot att
 (see 2-10016 for expansion)

2-4003A - 4/1/61 - 0.1 - 119 - ≈ 0.0008 > 0.02 ML, Singslot
 2-4003B - 4/1/61 - 2.28 - 119 - ≈ 0.0192
 (53 NESE 39) NWSE 25 59 SWNW 38 NESW 10
 2-4003 - statutory 1 + 2.32 - 121 - ≈ 0.02 - good 8/29/68
 (53 NESE 37) NWSE 25 59 SWNW 39 NESW 15, NESW 5)

2-2137 - 9/4/56 - 0.66 - 33 - ≈ 0.02 ML, Singslot
 (license "supplemental origination")

2-2098 - 3/17/52 - 3.2 - 160 - ≈ 0.02 ML, Singslot

— 2-2137 overlapping claims

2-7090B (see above)

2-5 - 6/15/63 - 0.72 - 146 - ≈ 0.0049 > 0.02 ML, Singslot
 2-2138 - 6/16/63 - 2.20 - 146 - ≈ 0.0151 ML, Singslot

Claims

2-2137

claim POLK PK5 $\Rightarrow 2 \times 40 = 80$

claim (new) = 33

5/11/2014

65 HE

54 NENW 2-2137 (?), 2-5 (26), 2-2133 (26) ✓

NW/VW 2-2137 (24), 2-7090B (9), 2-0 DB (10) (see 770K) ✓

overall 27/100 PPOLL = 33 + 26 + 9 = 68 -

Claims

2-7090B

claim POU 725 $\Rightarrow 12 \times 40 = 480$ ac
claim acres $\Rightarrow 152$
tax lots $\Rightarrow$ all Simplot

(S11 NWNW not on map)

06504E

tax lots $\Rightarrow$ all Simplot

Same TUL (65 4E 53 LI NENE)

Overlaps

52 NWSW 2-2085 (12), 2-2096 (12), 2-7090B (24) ✓

53 NWSE 2-4003A (25), 2-4003B (25), 2-7090B (4) ✓

SWSE 2-2085 (22), 2-2096 (22), 2-7090B (13) ✓

SESE 2-2085 (35), 2-2096 (35), 2-7090B (4) ✓

59 NWNW 2-2137 (24), 2-7090B (4) ✓

SESW 2-2098 (36), 2-7090B (4) ✓

NWSW 2-2098 (36), 2-7090B (4) ✓

510 NESW 2-2085 (29), 2-2096 (29), 2-7090B (11) ✓

NWSW 2-2085 (12), 2-2096 (12), 2-7090B (27) ✓

NESE 2-2085 (25), 2-2096 (25), 2-7090B (13) ✓

511 NWNW 2-2085 (10), 2-2096 (10), 2-7090B (30) ✓

Overall within PPOU = 152 + 12 + 25 + 22 + 35 + 24 + 36 + 29 + 12 + 25 + 10 = 418

72-2-5 $\pm$ 6/16/63 - ?

12-30-2-2085 - 11/14/50 - 1 - 12.3

1.65-2-2096 - 7/15/52 - 3 - 17.0

3.20-2-2098 - 3/17/52 - 2 - 15.0

1.00-2-2102 - 12/15/52 - 4

✓ 66-2-2137 - 9/4/56 - 5

2.20-2-2138 - 6/16/63 - 7

2.20-2-4003A - 4/1/61 - 6

2.23-2-4003B - 4/1/64 - 4

✓ 3.04-2-7090B - 8/24/71 - 10

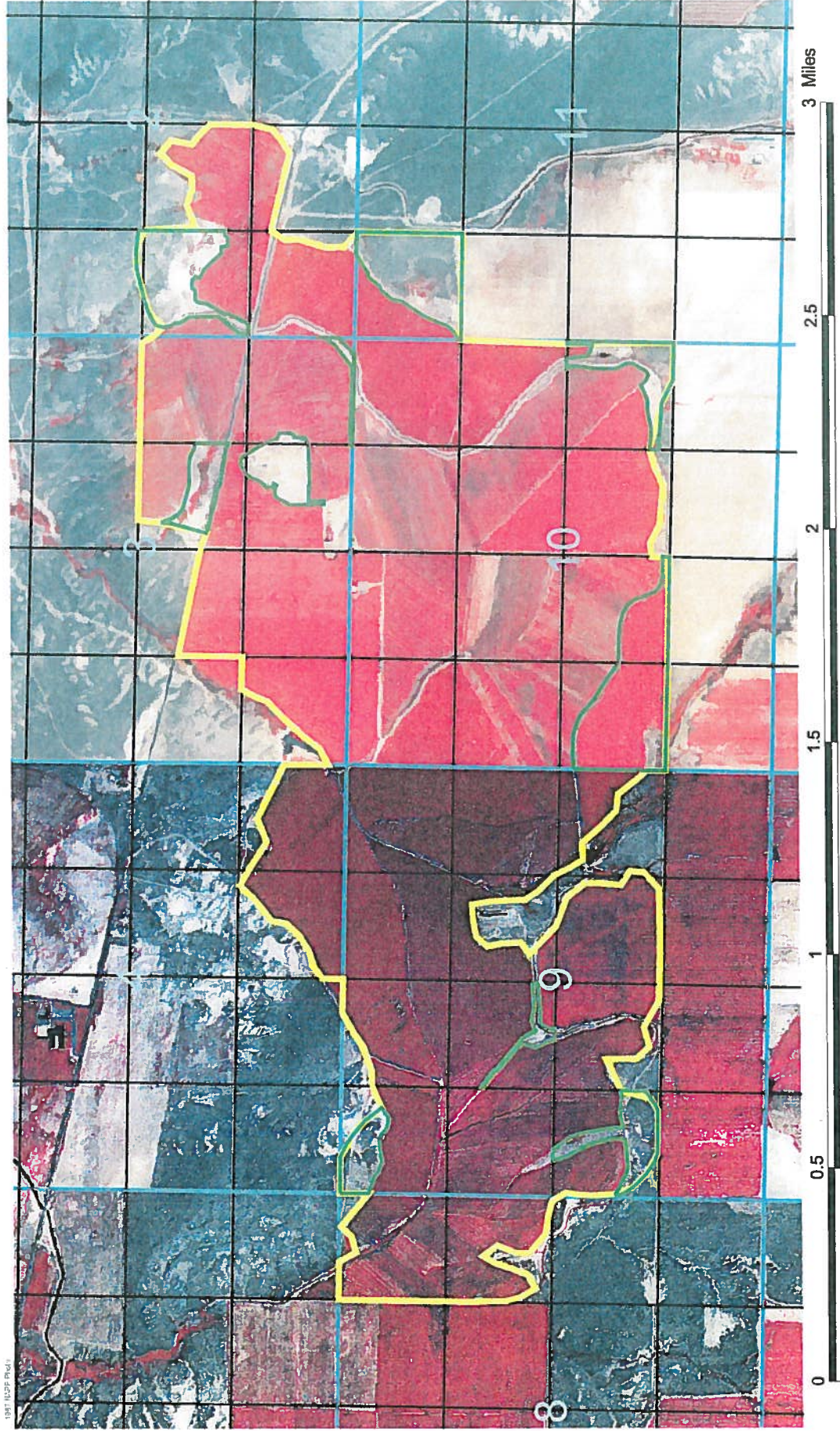
1.66-2-10016 (approximation of 2-2096) - 12/31/50 - 11

Σ 28.32

2-7090B Investment Co (overseas)

1-7090B Investment Co (772 nationals)

Idaho Department of Water Resources

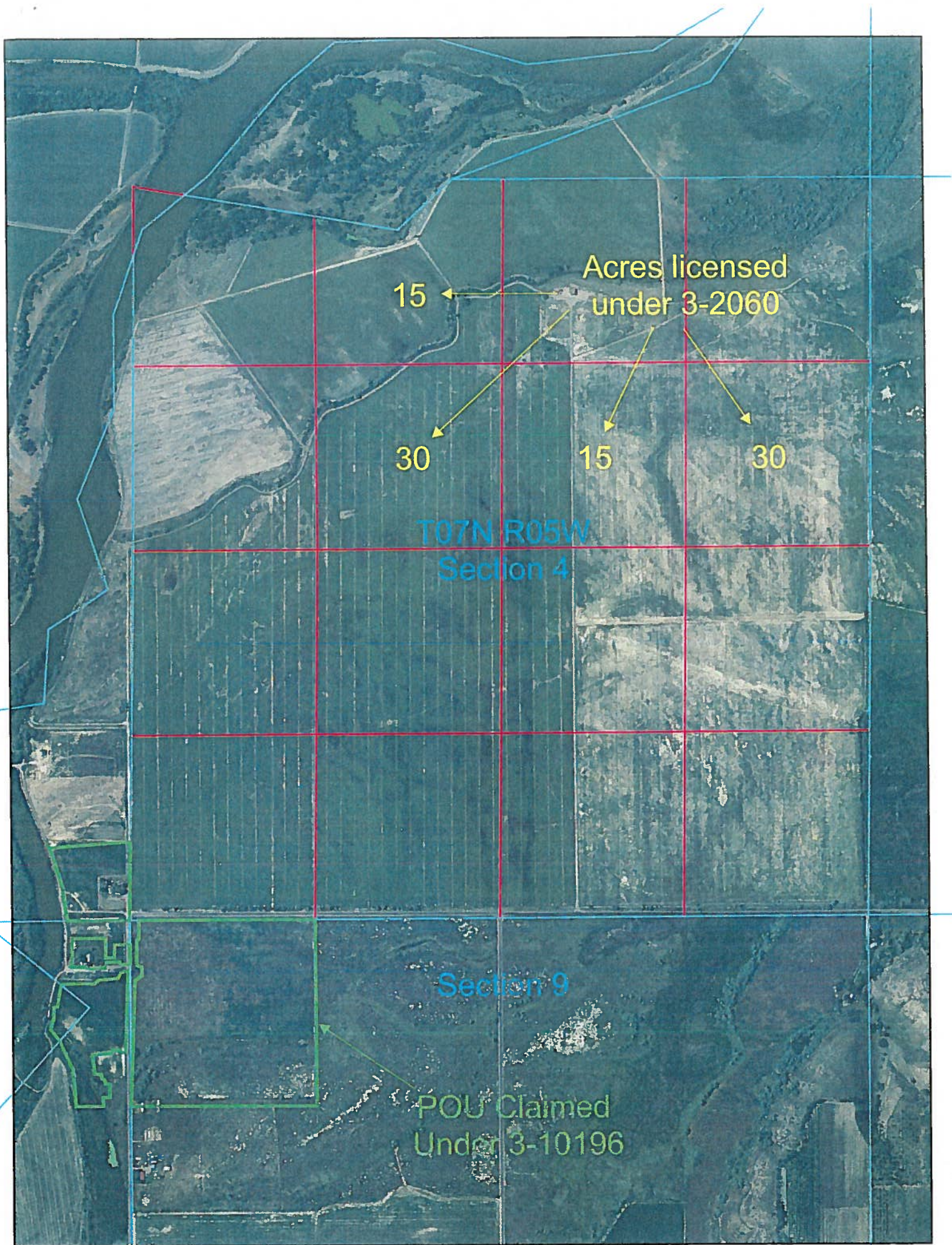


Farm 2 Approximate Place of Use
 Legal: T06S, R04E, S2-4, 8-11
 Claim Numbers: 2-2085, 2-2096, 2-2098
 2-2102, 2-2137, 2-2138, 2-4003A
 2-4003B, **2-7090B** and 2-10016

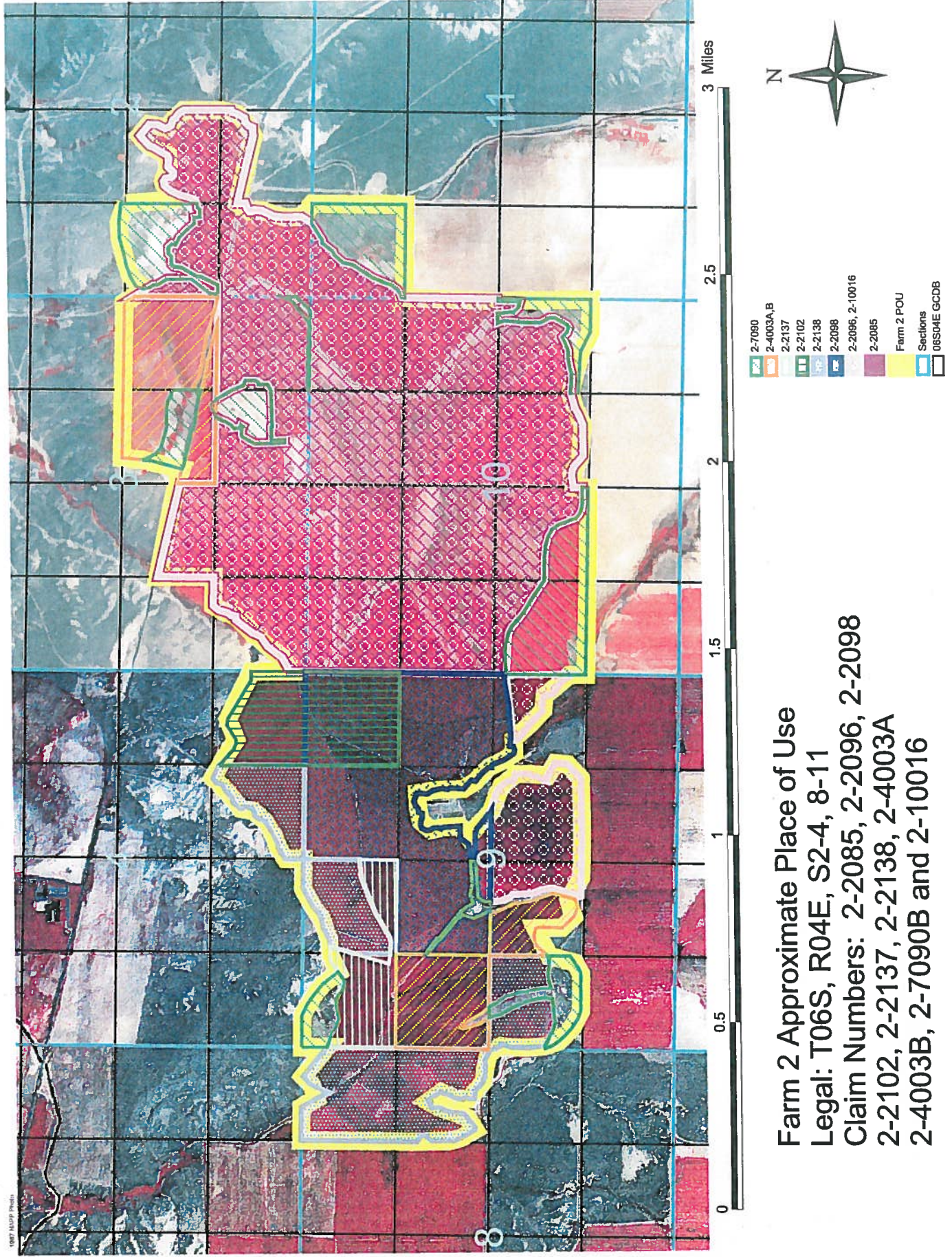
2-7090B Rec POU
 Farm 2 POU
 Sections
 06S04E GCDB

Claim Number	Recommendation Status	Acres	TextBlock
2-5	Disallowed	146	FARM 2.□□
2-2085	JD verified	632	FARM 2
2-2096	JD verified	712	FARM 2 SEE CLAIM A02-10016 FOR EXPANSION OF THIS RIGHT
2-2098	JD verified	160	FARM 2
2-2102	JD verified	50	FARM 2
2-2137	SR verified	33	FARM 2
2-2138	JD verified	146	FARM 2
2-4003A	JD verified	119	FARM 2
2-4003B	JD verified	119	FARM 2
2-10016	JD verified	712	See 2-2096 above

2-7090B	SR verified	152	Needs Change of Ownership
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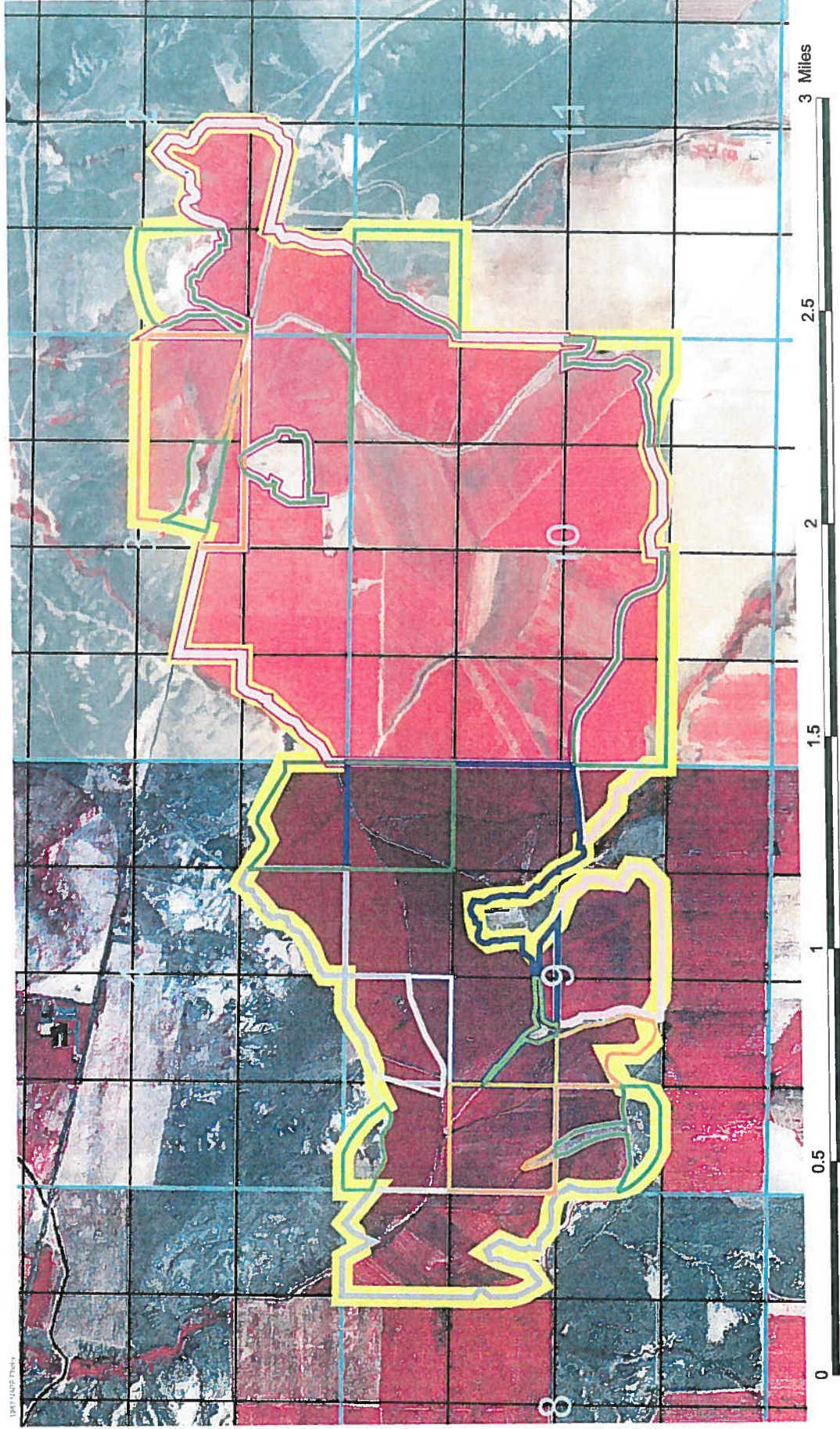


Idaho Department of Water Resources



Farm 2 Approximate Place of Use
 Legal: T06S, R04E, S2-4, 8-11
 Claim Numbers: 2-2085, 2-2096, 2-2098
 2-2102, 2-2137, 2-2138, 2-4003A
 2-4003B, 2-7090B and 2-10016

Idaho Department of Water Resources

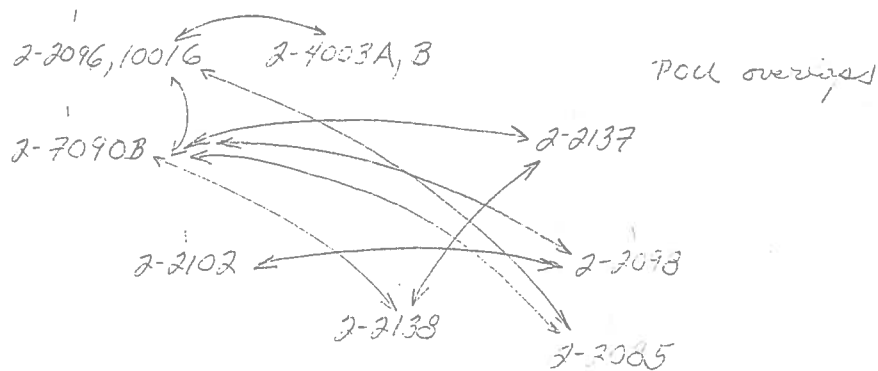


- 2-7090
- 2-4003A,B
- 2-2137
- 2-2102
- 2-2138
- 2-2098
- 2-2085, 2-10016
- 2-2085
- Farm 2 POU
- Sections
- 06S04E GCDB

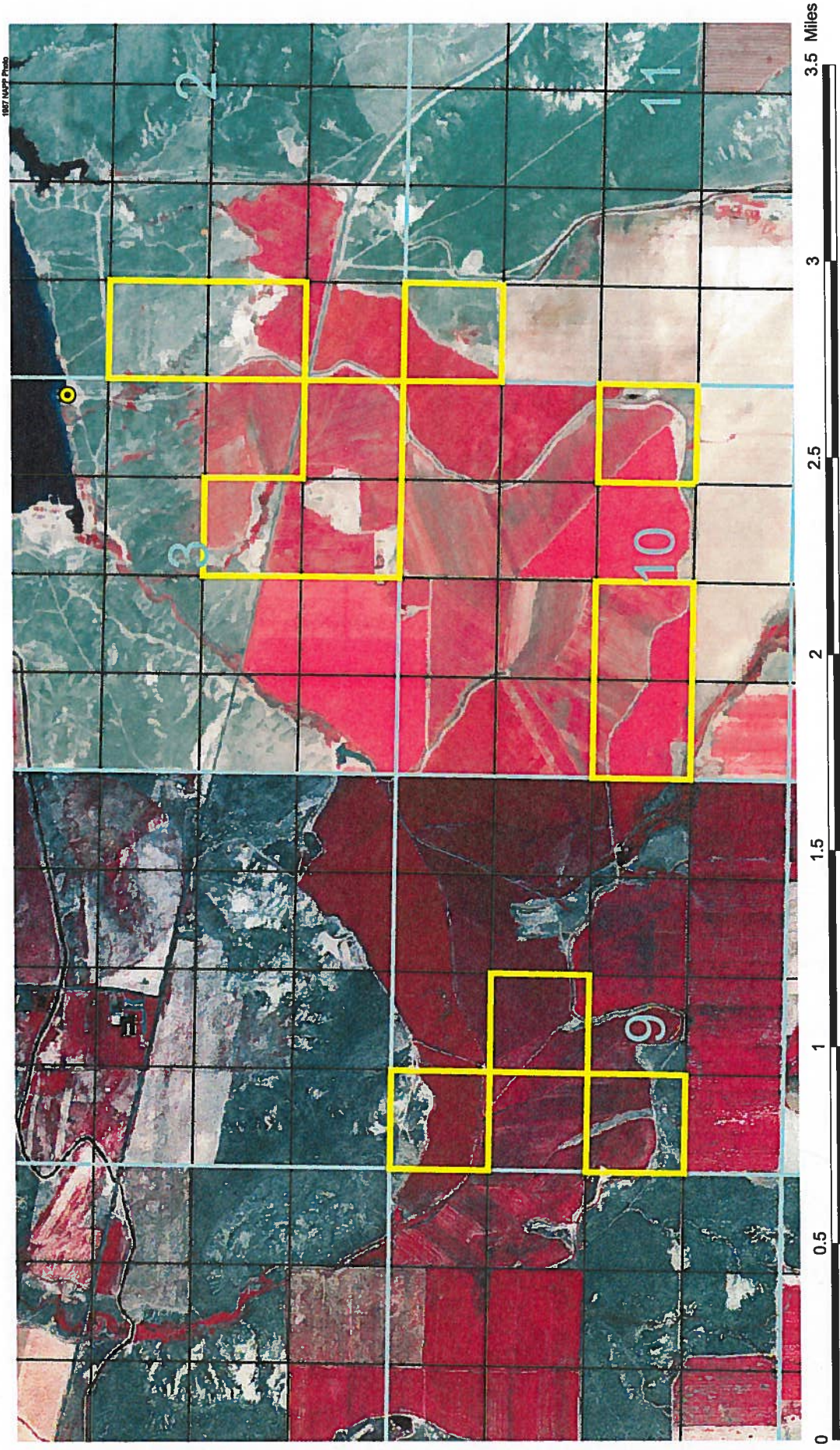
Farm 2 Approximate Place of Use
Legal: T06S, R04E, S2-4, 8-11
Claim Numbers: 2-2085, 2-2096, 2-2098
2-2102, 2-2137, 2-2138, 2-4003A
2-4003B, 2-7090B and 2-10016

Ⓟ 2-2085	632	12.3	$E5 + 76 = 632$
Ⓟ 2-2096	712 (432)	1.66	$76 + 10016 \leq 1.66$
Ⓟ 2-2098	160	3.2	
Ⓟ 2-2102	50	1.0	
Ⓟ 2-2137	33	0.66	
Ⓟ 2-2138	146	2.2	
Ⓟ 2-4003A	119 (5)	0.1	$4003A + 4003B \leq 119$
Ⓟ 2-4003B	~~119 (5)~~	2.28	$\sum n_i \leq 22.99$
Ⓟ 2-7090B	152	3.04	? overlap
Ⓟ 2-10016	~~712 (35)~~	~~1.66~~	enlargement of 2-2096

total 2 shape = 1408 acres ← E56 POU-spragitation



Idaho Department of Water Resources



Claim Number: 02-07090B
Legal: T06S R04E, S2, 3, 9, 10 & 11
Reviewed By: SJR 3/8/05

SCANNED

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-07090 B Date: 8

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	6S	4E	2							1			24							
-GIS										40			40							
Claim			3														9	13	4	0
-GIS																	40	40	40	
Claim			9						9	4			7							2
-GIS									40	40			40							
Claim			10										11	27			13			
-GIS													40	40			40			

Number of POD's 1

Total Claimed Acres: _____

Overlapping FOU Claim #'s:

Total GIS Acres: _____

02-02085, 02-02096, 02-04003A, 02-04003B, 02-02137
02-00005, 02-02138, 02-02098

COMMENTS:

County indicates this property is owned by Simplot. No County coverage for section 2. Per claim map from original file. Overlapping claims do not belong to this claimant. Unable to determine exact acreage.

POD per claim map.

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-07090 B () Date: 8

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	65	4E	11						30											
GIS									40											
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's _____

Total Claimed Acres: 1

Overlapping FOU Claim #'s:

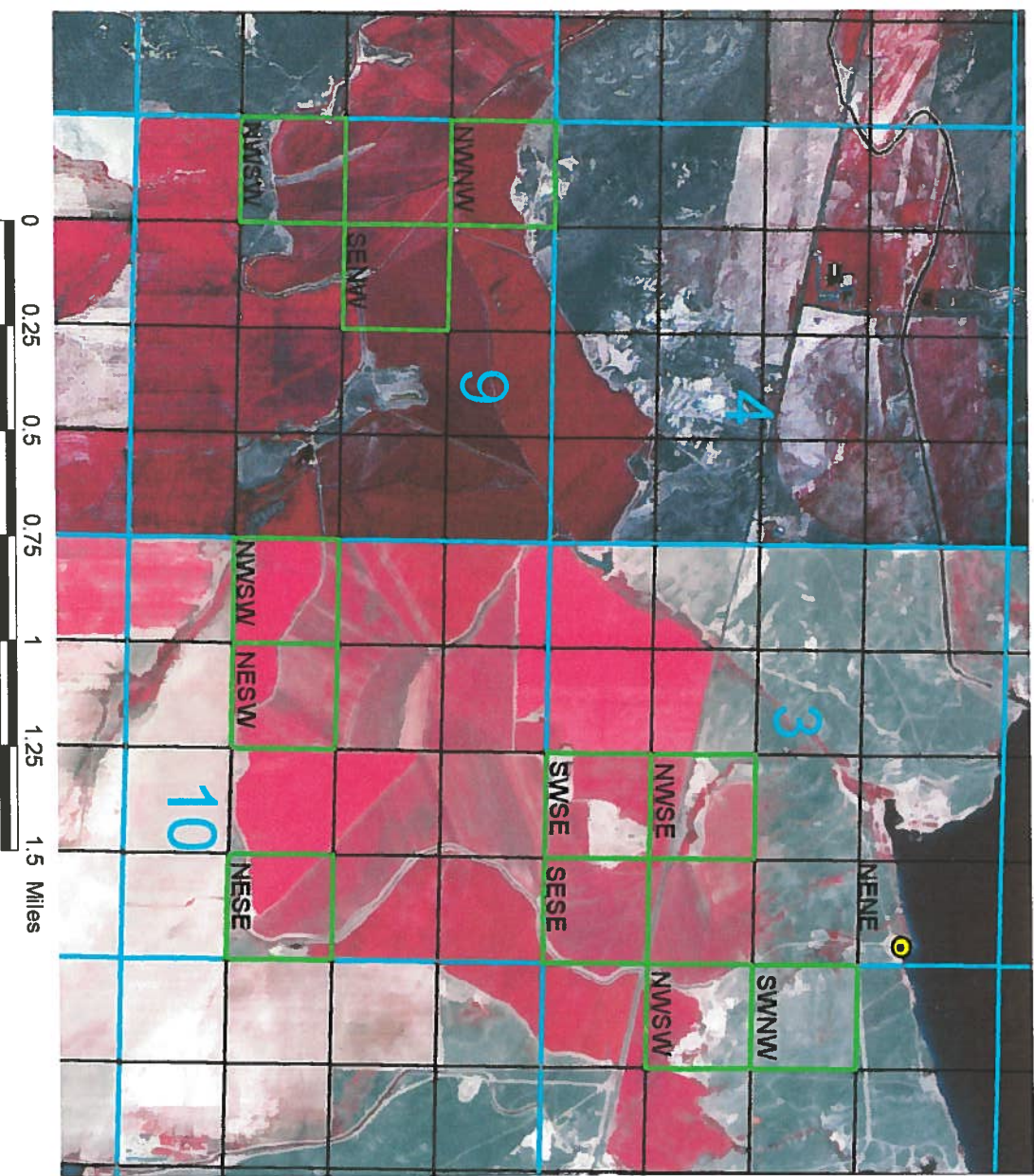
Total GIS Acres: 1

COMMENTS:

1987 Napp Photo

Legal: T06S, R04E, S02, 03,
09, 10, 11

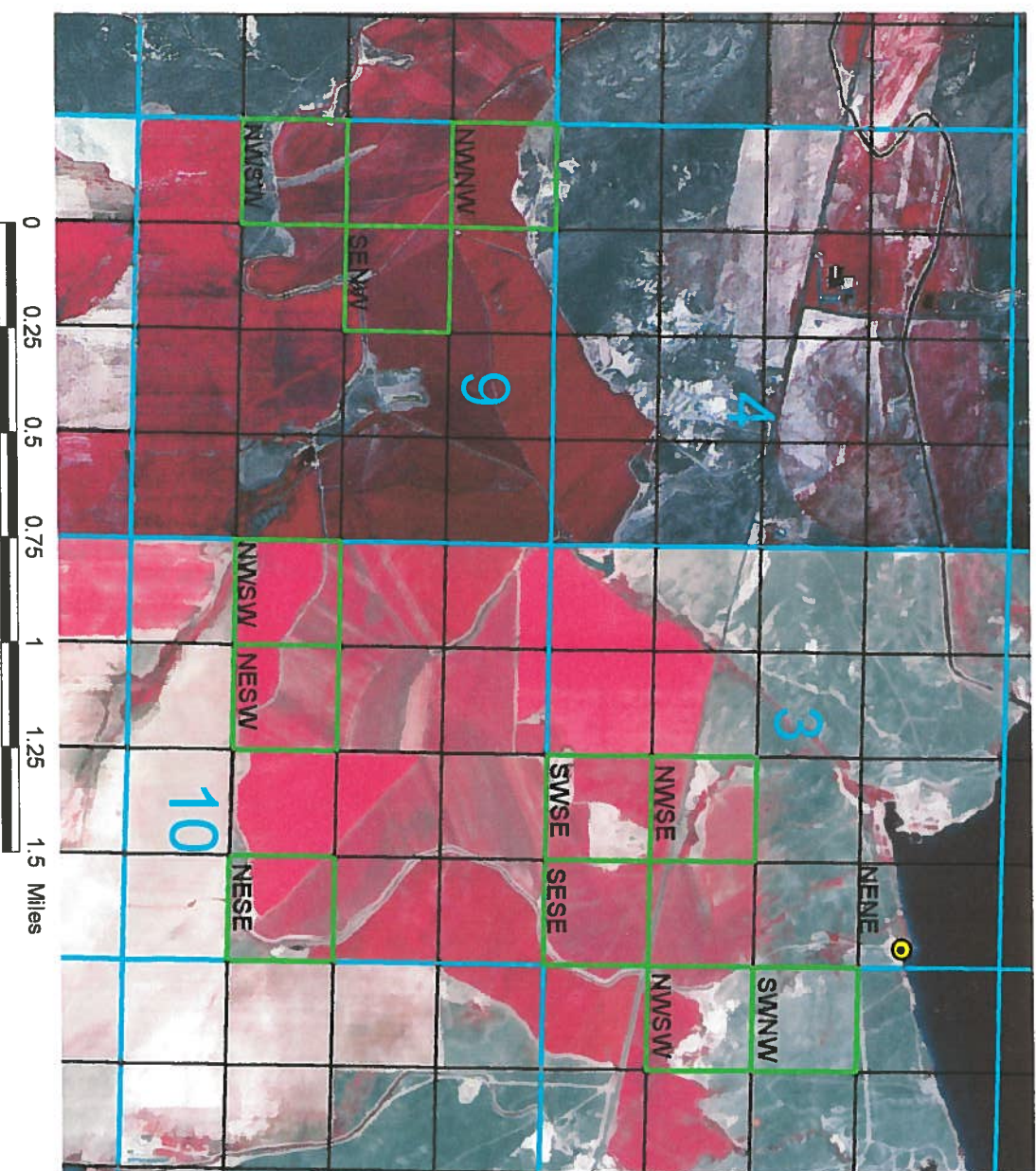
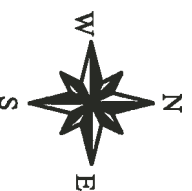
- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



Idaho Department of Water Resources

Claim Number: 02-07090B
Legal: T06S, R04E, S02, 03,
09, 10, 11
Reviewed By:

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



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: **A02-07090B**
Date Received: 1/ 9/1989
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: DAVID L PUTNAM 208-888-1593
Address: 10378 FAIRVIEW AVE STE 235
BOISE ID 83704
OR
Name: THOMAS T NICHOLSON 208-888-1593
Address: 10378 FAIRVIEW AVE STE 235
BOISE ID 83704
OR
Name: DIANA RAE NICHOLSON 208-888-1593
Address: 10378 FAIRVIEW AVE STE 235
BOISE ID 83704

2. Date of Priority: AUG 24, 1971

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	04E	3	NE	NE		1	OWYHEE

5. Description of diverting works:
PUMPS, PENSTOCK & SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.040		684.00

7. Total Quantity Appropriated is:
3.040 C.F.S. (and/or) 684.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	04E	2	SW		NW		IRR	1.0
			NW		SW		IRR	24.0
						Section Acres		25.0
		3	NW		SE		IRR	9.0
			SW		SE		IRR	13.0
			SE		SE		IRR	4.0
						Section Acres		26.0
		9	NW		NW		IRR	9.0
			SE		NW		IRR	4.0
			NW		SW		IRR	7.0
						Section Acres		20.0
		10	NE		SW		IRR	11.0
			NW		SW		IRR	27.0
			NE		SE		IRR	13.0
						Section Acres		51.0
		11	NW		NW		IRR	30.0
						Section Acres		30.0
						Total Acres		152.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
A5702211B.

14. Remarks:

CLAIM AMENDED PER TRANSFER NO. 4969 APPROVED 10/03/1997.
SEE ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF
APPROVED TRANSFER NO. 4969 IN FILE. KW 1/28/1998

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4969
WATER RIGHT NO(S). 02-07090A/02-07090B

This is to certify that: DAVID L PUTNAM
THOMAS T NICHOLSON
DIANA RAE NICHOLSON
10378 FAIRVIEW AVE STE 235
BOISE ID 83704

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. 02-07090A : IRRIGATION Priority: 08/24/1971	03/15 to 11/15	2.34 CFS	526.5 AF
Right No. 02-07090B : IRRIGATION Priority: 08/24/1971	03/15 to 11/15	3.04 CFS	684.0 AF
TOTAL:		5.38 CFS	1210.5 AF

SOURCE
SNAKE RIVER

TRIBUTARY OF
COLUMBIA RIVER

Right No. 02-07090A :
LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 15, Township 05S, Range 03E
OWYHEE 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>
05S	02E	11	NWNE 10	SWNE 34	NENW 39	117
						117

Total number of acres irrigated: 117

Right No. 02-07090B :
LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENE), Sec. 3, Township 06S, Range 04E
OWYHEE 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>
06S	04E	2	SWNW 1	NWSW 24		25
		3	NWSE 9	SWSE 13	SESE 4	26
		9	NWNW 9	SENE 4	NWSW 7	20
		10	NESW 11	NWSW 27	NESE 13	51
		11	NWNW 30			30
						152

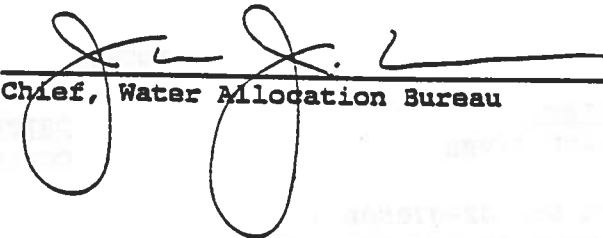
Total number of acres irrigated: 152

TRANSFER NO. 4969
WATER RIGHT NO(S). 02-07090A/02-07090B

CONDITIONS OF APPROVAL AND REMARKS

- R01 1. A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
- R32 2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
- T07 3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 4. 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.
- T09 5. 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.

Dated this 3rd day of October, 1997.

for  Chief, Water Allocation Bureau

have questions arise during
the processing of this applica-
tion please contact:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4969

APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

PART 1

NOV 27 1996

WATER RESOURCES
888-1595

Name of applicant David L. Putnam, Thomas T. Nicholson & Diane Rae Nicholson Phone _____
Post Office address 10378 Fairview Avenue, Suite 235, Boise, ID 83704

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes The land described under this right will no longer be irrigated. The water formerly appurtenant will be used at two new locations under separate ownerships.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>-07090A</u>	<u>8/24/71</u>	<u>~~6.0~~ 2.34</u>	<u>Irrigation</u>	<u>4/1</u> to <u>10/31</u>
<u>7090 B</u>	<u>8/24/71</u>	<u>3.5</u>	<u>"</u>	to _____
				to _____
				to _____

amount of water being transferred 6.0 cubic feet per second and/or 1,500 acre-feet per annum.
source of water Snake River tributary to Columbia River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	15	5S	3E	Owyhee	Wolfe
1		NE	NE	3	6S	4E	Owyhee	Simplot

5. 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	
5S	2E	11		10	34		39			34									117 / 117
6S	4E	2							24			24							48
6S	4E	3													9	13	4		26
6S	4E	9						9		4		7							20
6S	4E	10									11	27			13				51
6S	4E	11						30											30 / 175

Total acres 292

PART 1

6. General Information:

a. Description of diversion system Pumps, penstock and sprinkler system.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes XXX 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:

The land will no longer be irrigated.

d. Remarks:

The total land irrigated in 5S, 2E, Sec. 18 only totals 112 acres due to a mistake

in the field by the IDWR examiner. The total valid acreage under the right is

292 acres.

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. 02-07090

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	6.00 CFS	1500.0 AF

SOURCE

SNAKE RIVER

TRIBUTARY OF

COLUMBIA RIVER

Priority: 08/24/1971

LOCATION OF POINT(S) OF DIVERSION:SENW , Sec. 22, Township 04S, Range 02E
OWYHEE 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>
05S	01E	12	NESE 38	SWSE 22	SESE 40	100
		13	NENE 40	NWNE 40		80
02E	18		NWNW 40	SWNW 40	NWSW 40	120
Total number of acres irrigated:						300

CONDITIONS/REMARKS:

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

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. 02-07090 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 Snake River tributary to Columbia River

4. Date or priority 8/24/71

5. Water is used for the following purpose:

amount 6.0 for Irrigation purposes from 4/1 to 10/31
(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 6.0 cubic feet per second and/or 1,500 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	22	4S	2E	Owyhee	

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	
5S	1E	12													38		22	40	100
5S	1E	13	40	40															80
5S	2E	18					40	40			40								120

Total acres 300

9. Describe any other water rights used for the same purpose as described above 57-07587

PART 2

Transfer No. _____

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 N/A

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

1. amount _____ for _____ purposes from _____ to _____
(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

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	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
(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

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	

Total acres _____

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.**

See Attachments "A" and "B"

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

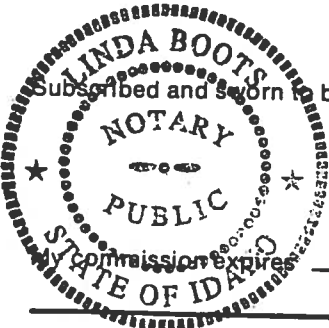
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

x Thomas T. Nielson
x Brian L. Nielson
x David J. Nielson

(Signature of Applicant)

Subscribed and sworn to before me this 7 day of November, 19 96.

*Linda Boots*

Notary Public

5/31/01**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 3 attachmentsReceived by Cyl Date 11/27/96

Protest filed by _____

Prelim. check by _____ Fee 100 -Receipted by Cyl W021761 Date 11/27/96

Published in _____

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

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: A02-07090

Date Received: ~~12/05/1988~~ 01/07/89

Receipt No: 0001899

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ACE DEVELOPMENT LTD.
Address: HC. 85 P.O. BOX 169B
BRUNEAU, ID

208-845-2487

83604

2. Date of Priority: AUG 24, 1971

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	02E	22	NW	SE	NW		OWYHEE

5. Description of diverting works:
200 HP. AND 150 HP. IN RIVER WITH 2 BOOSTER PUMPS. PIPE AND DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	6.000		

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

A.F.A.

8. Total consumptive use is 1050.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	01E	12	NE	SE		IRR	38.0
			SW	SE		IRR	22.0
			SE	SE		IRR	40.0

Section Acres 100.0

A02-07090

Page 1

Date: 12/05/88

~~MICROFILMED~~

~~AUG 07 1988~~

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres		
05S	01E	13	NE	NE		IRR	40.0		
			NW	NE		IRR	40.0		
			Section Acres						80.0
	02E	18	NW	NW		IRR	40.0		
			SW	NW		IRR	40.0		
			NW	SW		IRR	40.0		
			Section Acres						120.0
			Total Acres						300.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
A5702211B.

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

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): Robert C. Williams Date: 12-5-88
(DIRECTOR) RE DEVELOPMENT. _____ Date: _____

State of Idaho)
County of Owyhee) SS.

Subscribed and sworn (or affirmed) before me this 5 day

of Dec 19 88

John Dale Carlson
Notary Public

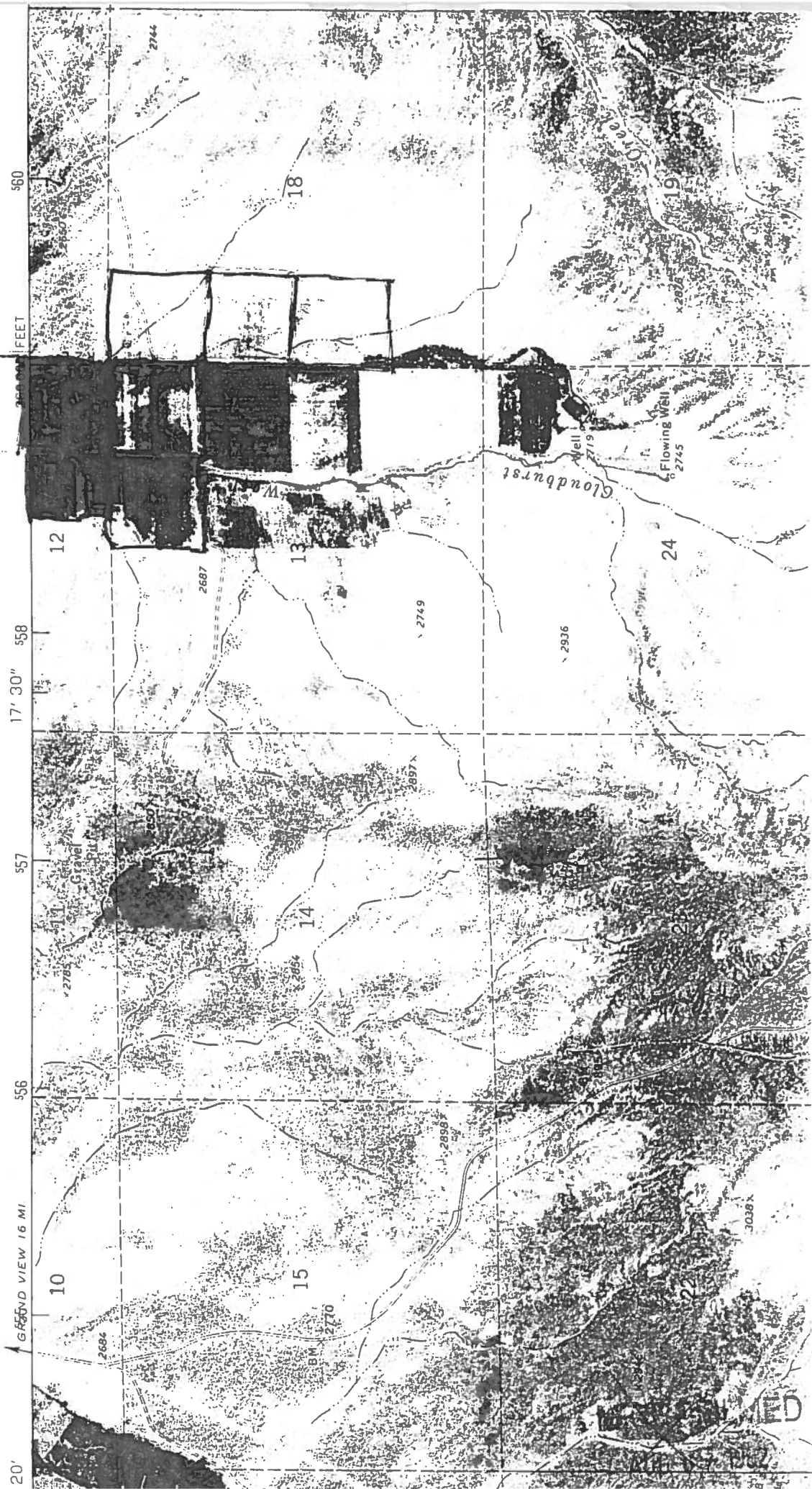
Seal

Residing at Bain Twp

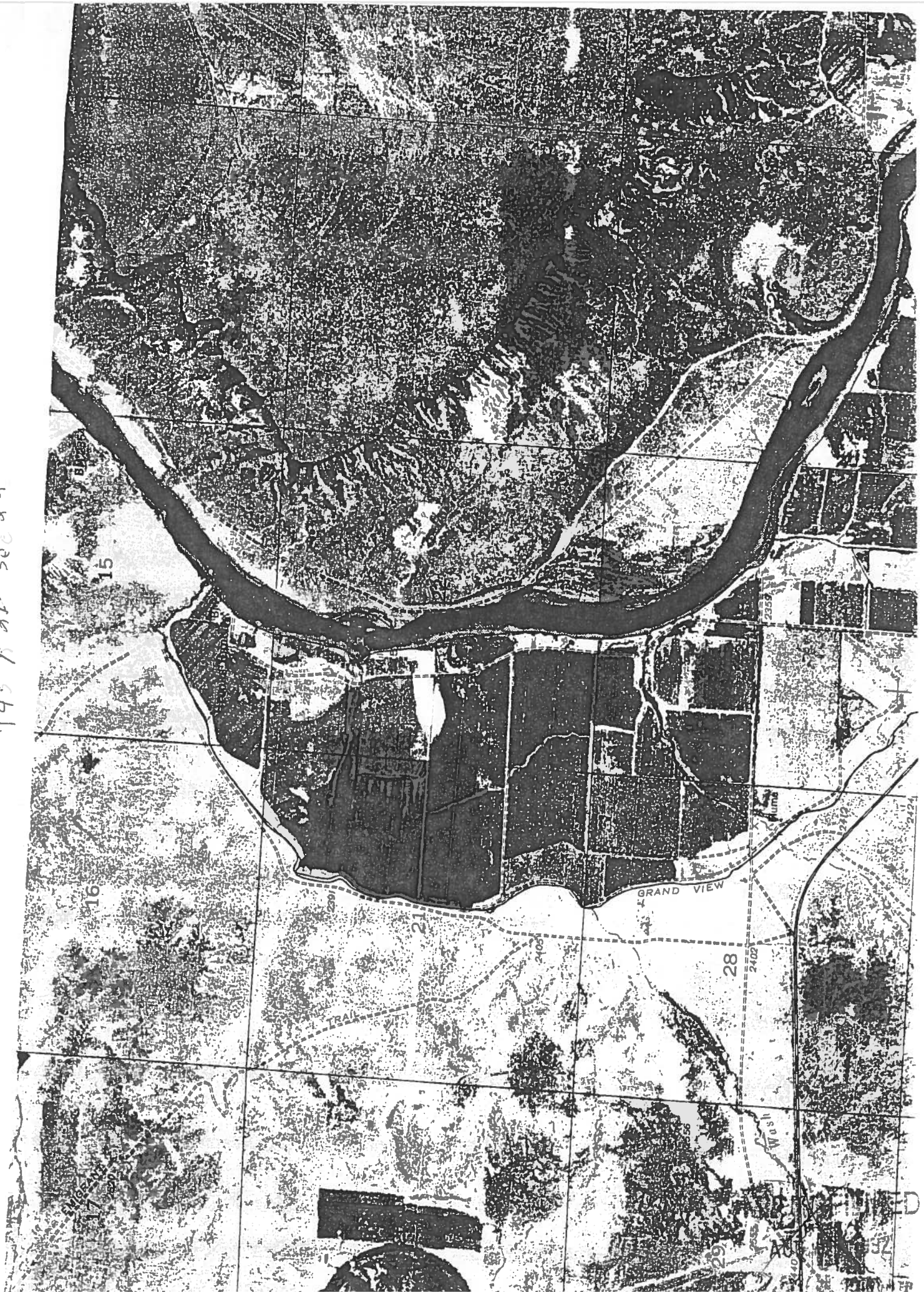
My Commission Expires 6/3/94

RIE R2E

ROUGH MTN. NE QUADRA
IDAHO
7.5 MINUTE SERIES (ORTHOPHOT)



T4S R3E Sec 33



State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 02-7090 Priority August 24, 1971 Amount 6.0 cfs

THIS IS TO CERTIFY, that **OLIVER M. COX**
of **Oreana, Idaho**, has complied with the terms and conditions of Permit
No. 02-7090 issued pursuant to Application for Permit dated **July 25, 1966**
and has submitted proof to the Department of Water Resources on **October 29, 1974**
that he has applied water to a beneficial use; an examination by the Department indicates that the works have
capacity for the diversion of **16.26 cfs** of water from **the Snake River**
tributary to **the Columbia River**, 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 April 1 to Oct. 31	6.0 cfs and	1,500 acre feet or
			6.0 af per acre

(both dates inclusive)

Subject, however, to the condition that no more than **6.0 cfs** of water be diverted at any one time, and
that the amount of water to be diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,500 acre feet per year, said waters to be diverted within the **SE 1/4 of Sec. 22,**
Twp. 4 S, Rge. 2 E, B.M. in the County of **Owyhee**

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SE 1/4				SW 1/4				Total	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
58	1 E	12																22	40	100
		13	40	40																80
58	2 E	18						40	40											120

Total number of acres irrigated **300**

A measuring device of a type approved by the 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 **22** day of
June 19 **76**

Director

Water Right Number - 02-07090

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

Last Name - + First Name - +

Address - +

*** C - CURRENT OWNER ***
COX

OLIVER M.

1 -
2 -
3 -
City- OREANA
Phone -

State- ID Zip-

Priority Date - +
08/24/1971

Stage - +
L - LICENSE

Status - +

Source - +
SNAKE RIVER

Tributary - +
COLUMBIA RIVER

Twn Rng Sec Tract Lot RFlg County Point of Diversion Stream Index (Blank if no Index Code)

04S 02E 22 SE NW (73) OWYHEE 272.0 475.3

Code Description Period From Water Use Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/01 10/31

6.000

1500.00

Total Div. Rate - + Total Div. Volume - + Total Div. Capacity - + Total Consumptive Use - + KW Usage - +
6.000 1500.00

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
05S	01E	12	NE SE		38.0		01	IRRIGATION	(73) OWYHEE
05S	01E	12	SW SE		22.0		01	IRRIGATION	(73) OWYHEE
05S	01E	12	SE SE		40.0		01	IRRIGATION	(73) OWYHEE
05S	01E	13	NE NE		40.0		01	IRRIGATION	(73) OWYHEE
05S	01E	13	NW NE		40.0		01	IRRIGATION	(73) OWYHEE
05S	02E	18	NW NW		40.0		01	IRRIGATION	(73) OWYHEE
05S	02E	18	SW NW		40.0		01	IRRIGATION	(73) OWYHEE
05S	02E	18	NW SW		40.0		01	IRRIGATION	(73) OWYHEE

Total Acres: 300.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Remarks -
No Remarks found.

