



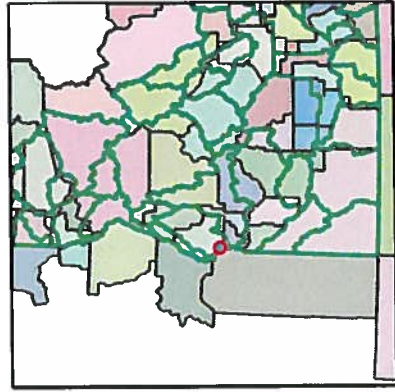
Idaho Department of Water Resources

SRBA Recommendation:

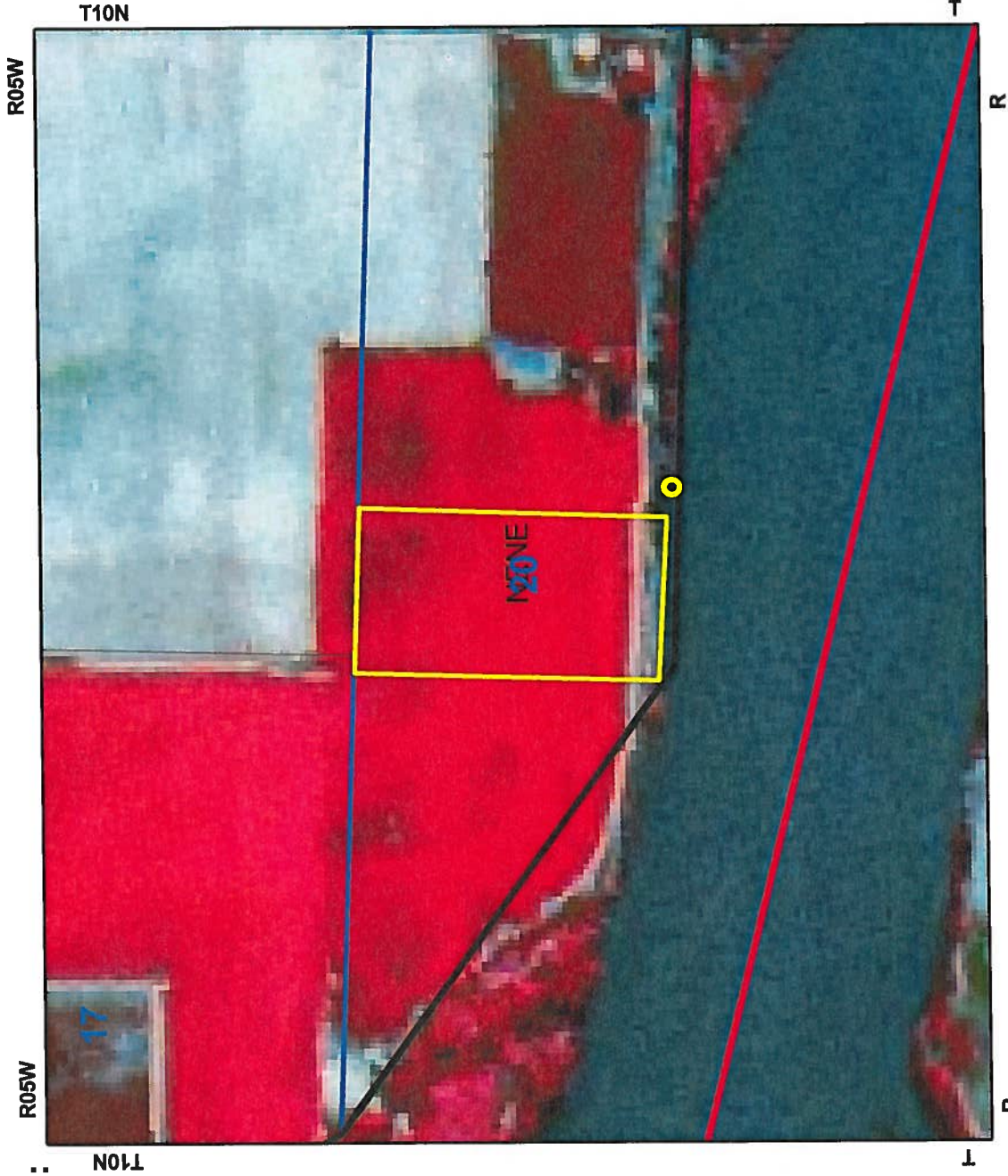
3-10222

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Washington, Malheur Or Counties
IDWR Basin 3



0 0.1 0.2 Miles

Prepared by J. Dean
On Friday, May 12, 2006
1987/88 Aerial Photography

05/12/2006

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

RIGHT NUMBER: 3-10222

NAME AND ADDRESS: KAREN NAKAMURA
1376 RIVERSIDE DR
WEISER ID 83672

STEVE NAKAMURA
1376 RIVERSIDE DR
WEISER ID 83672

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.150 CFS

PRIORITY DATE: 01/15/1907

POINT OF DIVERSION:

T10N R05W S20 NENE Lot 1 Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.150 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T10N R05W S20 Lot 1 NENE 5.00

5 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right No. 3-10221 is also diverted through point of diversion described above.

This right is a split from former right 3-10019.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 18, 2006

STEVE NAKAMURA
KAREN NAKAMURA
1376 RIVERSIDE DR
WEISER ID 83672

RESPONSE DEADLINE
APRIL 28, 2006

3-10222

Re: Amended Claim

Dear Steve & Karen:

I am sending you a copy of the amended claim that we discussed on the phone this afternoon. Please return the copy signed and notarized by the deadline above. This will assure that we will have adequate time to review your recommendation in the Snake River Basin Adjudication (SRBA). I recommend that you review the amended claim to be sure that you agree with all of the elements of the claim before you sign and return the form. If you have any questions, feel free to contact me. If you wish to call, our toll free number is 1-800-451-4129. You may reach me directly at (208) 287-4918.

Sincerely,

Jennifer Dean
Engineer in Training
Adjudication Bureau

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 6, 2006

STEVE NAKAMURA
KAREN NAKAMURA
1376 RIVERSIDE DR
WEISER ID 83672

RESPONSE DEADLINE
APRIL 20, 2006

3-10222

Re: Amended Claim

Dear Claimants:

This letter is to inform you that we have processed the change in ownership of the Notice of Claim to a Water Right referenced above for your property in Washington County and to explain to you your option to amend this claim in the Snake River Basin Adjudication (SRBA).

There is a copy of your current claim for your files. This will remain your active claim unless you choose to sign and submit the copy of the amended claim that is also enclosed. The following information describes the process of amending your claim.

SRBA Claim 3-10222 indicates your water usage is based on a "Beneficial Use." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, was claimed as March 31, 1943. Normally for "Beneficial Use" claims, claimants must supply proof supporting the claimed priority date, however because all of the Sunnyside Orchard was licensed with a priority date of January 15, 1907 we are giving you the option to amend your claim to base it upon the license.

If you choose to amend your claim to base it upon the license, you will receive the earlier priority date. Additionally, other elements of your claim will be changed to match the license developed by Sunnyside Orchard. First, the diversion rate will be changed to 0.02 cfs per acre. For your claim of 5 acres, this would be 0.1 cfs. Previously your claim was for 0.58 cfs. Second, the season of use will be changed to the standard for your area, which is 3/1 through 11/15. If these changes are acceptable to you, please respond by signing the enclosed amended claim. Have the signature notarized and submit the form to IDWR.

If you choose not to amend your claim, the following information is important for you to understand. First, the priority date cannot be recommended any earlier than the claim, March 31, 1943. Second, the season of use for "Beneficial Use" claims are always recommended according to the standard. Third, the diversion rate on your claim, 0.58 cfs, is higher than can be recommended under normal circumstances. For irrigation claims of 5 or fewer acres, typically the maximum diversion is 1.5 miners inches or 0.03 cfs per acre. For the acreage you have claimed this would equate to 0.15 cfs. The following options exist.

April 6, 2006

STEVE NAKAMURA
KAREN NAKAMURA

If you are still seeking diversion beyond 0.15 cfs, an irrigation diversion rate analysis needs to be performed on your fields. This analysis has been designed to evaluate irrigation practices in order to determine if there is need for greater diversion rates than normal. Your answers to the enclosed questionnaire will enable IDWR to perform the analysis, thereby determining if your soil type and irrigation practices merit the use of more water than would normally be recommended. Instructions for answering the questionnaire are included. Please note that the Natural Resources Conservation Service (formerly known as the Soil Conservation Service) and other professionals may be of assistance in helping you understand the technical questions contained in this form.

If you do not wish to seek diversion beyond 0.15 cfs, you are not required to submit any additional information. Your water right will be recommended with a priority date of March 31, 1943, the standard season of use and a diversion rate of 0.15 cfs.

If you choose to amend your claim or pursue the additional diversion rate, please submit the required documents by the date shown above. Send them in the enclosed envelope to assure they arrive at the correct location. If you have questions not covered by this letter, please contact this office. If you wish to call, our toll free number is 1-800-451-4129. You may reach me directly at (208) 287-4918.

Sincerely,



Jennifer Dean
Engineer in Training
Adjudication Bureau

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 3, 2006

STEVE NAKAMURA
1376 RIVERSIDE DR
WEISER ID 83672

RESPONSE DEADLINE
APRIL 17, 2006

3-10222

Re: Change of Ownership

Dear Mr. Nakamura:

In a previous letter, I mistakenly told you that the Snake River Basin Adjudication (SRBA) claim number for your property was changed from 3-10019 to 3-10221. The new number I should have given you is **3-10222**. I apologize for any confusion this may have caused.

Additionally, I would like to remind you of the importance of changing the ownership for this SRBA claim. Additional review must be made on this claim and you will not have the opportunity to make decisions related to this claim until the ownership is changed. To change the ownership, please submit the enclosed Notice of Change in Water Right Ownership. Because this claim is still in the adjudication process you may ignore item 2A.

If you have previously submitted the change of ownership paperwork, please contact me to confirm receipt.

As we discussed this summer, claim 3-10222 indicates your water usage is based on "Beneficial Use." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, was claimed as March 31, 1943. Normally for "Beneficial Use" claims, claimants must supply proof supporting the claimed priority date, however because all of the Sunnyside Orchard was licensed with a priority date of January 15, 1907, once the ownership is changed, you will be given the option to amend your claim to base it upon the license.

Because your decision is needed to complete the recommendation for this claim, it is important to have your ownership change processed right away. If you choose not to submit the change of ownership forms, we will base our recommendations on the claim that has been submitted. Please submit the required change of ownership documents by the date shown above. Send them in the enclosed envelope to assure they arrive at the correct location. If you have questions not covered by this letter, please contact this office. If you wish to call, our toll free number is 1-800-451-4129. You may reach me directly at (208) 287-4918.

Sincerely,

Jennifer Dean
Jennifer Dean, EIT
Adjudication Bureau

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 9, 2006

STEVE NAKAMURA
1376 RIVERSIDE DR
WEISER ID 83672

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #3-10221

Dear Mr. Nakamura:

During a field exam last summer we spoke with you about your property and the SRBA claim that was filed prior to your purchase of the property (3-10019). In order for you to participate in the SRBA, you must submit a change of ownership so that we can verify you are the current property owner. I apologize if there was confusion about this from our discussion this summer.

As a result of the sale of property and water rights from MZ Hanson and Seventh Day Adventist Church to yourself and Robert Elton, the claim has been split and renumbered. The identification number to the claim filed on the property you described to us this summer has been changed as follows:

From
3-10019

To
3-10221

Please use the new number in future inquiries or correspondence you may have with our Department. Enclosed is a copy of the new claim. Please note that it is in the name of MZ Hanson and the Seventh Day Adventist Church. It will stay in their name until change of ownership paperwork is submitted.

I have enclosed a copy of the Notice of Change in Water Right Ownership. Because the claim is still in the adjudication process, there is no fee associated with changing the ownership for this claim. Please submit the completed form and the required documents as soon as possible to assure a correct recommendation of this claim.

Thank you for your cooperation. Please call our office toll-free at 1/800-451-4129 if you have any questions or concerns.

Sincerely,

Jennifer Dean, EIT
Adjudication Bureau

Enclosure:

Notice of Claim to a Water Right 3-10222
Notice of Change in Water Right Ownership



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 9, 2006

MZ HANSON
SEVENTH DAY ADVENTIST CHURCH
C/O LEONA REEVE
RT 1 BOX 1744
FRUITLAND ID 83619

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #3-10222

Dear Claimant:

As a result of selling a portion of your property and water rights to Loretta Patterson and Robert W Elton, the identification number to your water right has been changed as follows:

From
3-10019

To
3-10222

Please use the new number in future inquiries or correspondence you may have with our Department. Enclosed is a copy of your water right. Please retain this copy for your file.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claim.

Thank you for your patience and cooperation. We have had several water right changes to process. Please call our office at 1/800-451-4129 if you have any questions or concerns. You may reach me directly at (208) 287-4918.

Sincerely,

A handwritten signature in cursive script that reads 'Jennifer Dean'.

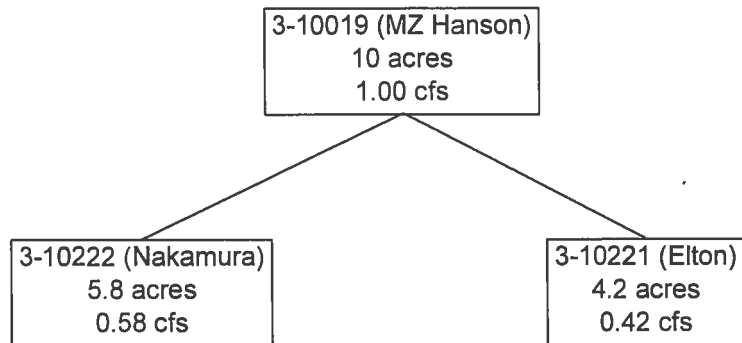
Jennifer Dean, EIT
Adjudication Bureau

Enclosure:

Notice of Claim to a Water Right Referenced Above

Split/Overlap Analysis - Water Right No.: 3-10019

Twp	Rng	Sec	Q-Q	Lot	Parent	Children	
					3-10019 (MZ Hanson)	3-10222 (Nakamura)	3-10221 (Elton)
10N	05W	20	NENE	1	10	5.8	4.2
Total					10	5.8	4.2



Right No:	Rate of Diversion	Irrigated Acres	CFS/ Acre
3-10019 (MZ Hanson)	1	10	0.100
3-10222 (Nakamura)	0.58	5.8	0.100
3-10221 (Elton)	0.42	4.2	0.100