

10/30/2006

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

RIGHT NUMBER: 67-2218C
NAME AND ADDRESS: TRINA F NESBITT
1127 OLDS FERRY RD
WEISER ID 83672

STUART D NESBITT
1127 OLDS FERRY RD
WEISER ID 83672

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.150 CFS
45.000 AFY
PRIORITY DATE: 04/05/1952
POINT OF DIVERSION:

T11N R06W S24 NESENW 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 45.00 AFY

PLACE OF USE: IRRIGATION Within WASHINGTON County
T11N R06W S24 SENW 10.00

10 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

This right is a split from former right 67-2218.

Use of this right is combined with water from Weiser Irrigation District.

Right No. 67-2218D is also diverted through point of diversion described above.



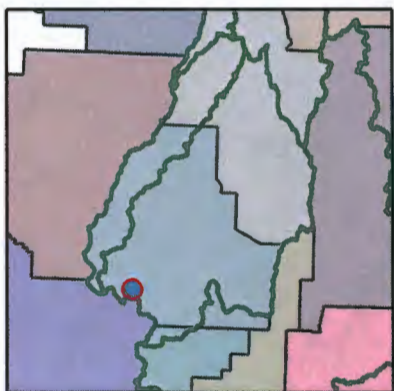
Idaho Department of Water Resources

SRBA Recommendation:

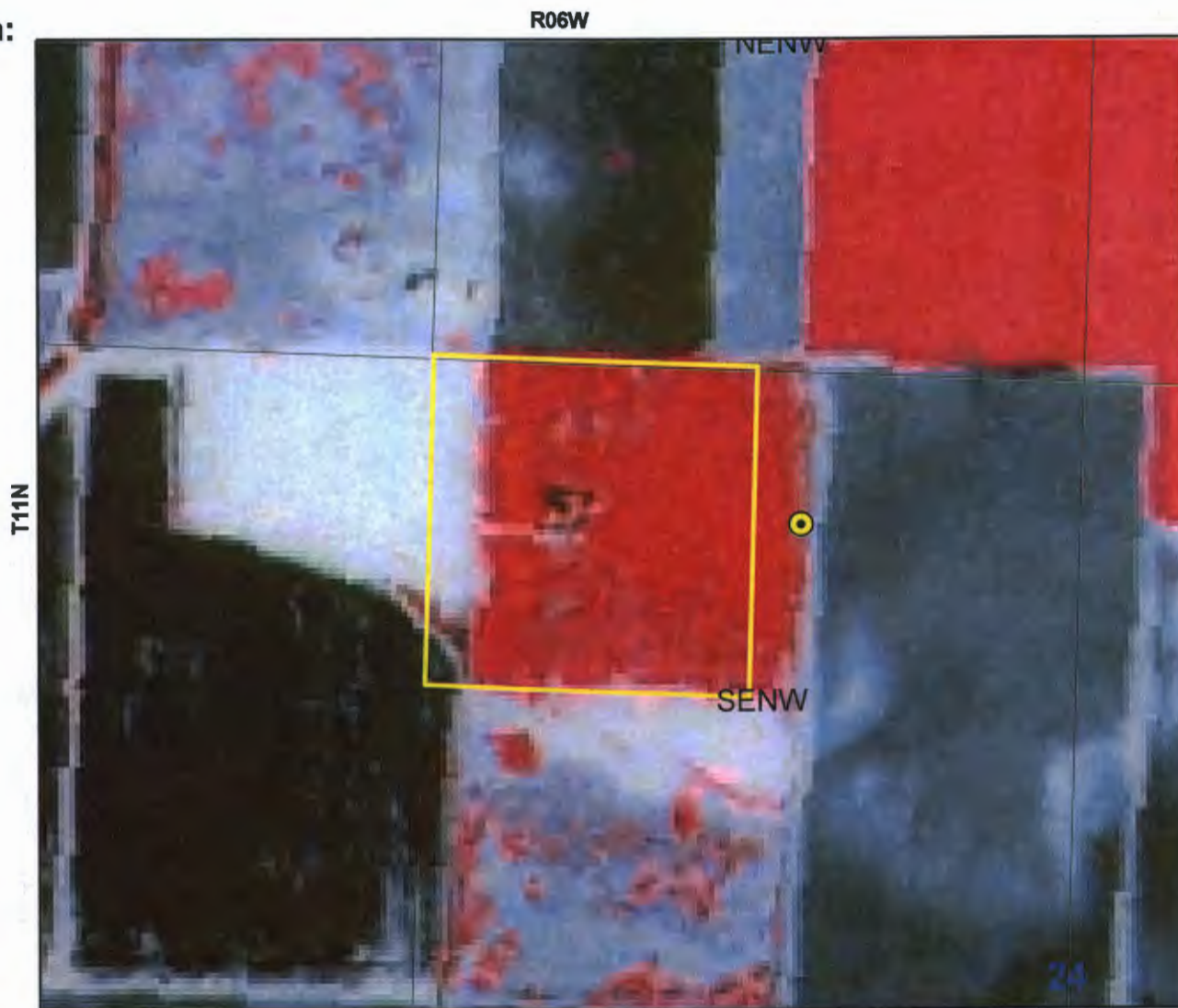
67-2218C

Legend

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



Washington County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by J. Dean
On Monday, October 30, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2218C V1

WATER RIGHT NUMBER: 67-2218C V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BRAD E ATTEBERY 1127 OLDS FERRY RD WEISER, ID 83672 (208)549-3244
Current Owner	TRINA F NESBITT 1127 OLDS FERRY RD WEISER, ID 83672 (208)549-0510
Original Owner	HOWARD H BRECHBIEL WEISER, ID
Current Owner	STUART D NESBITT 1127 OLDS FERRY RD WEISER, ID 83672 (208)549-0510

Priority Date: 04/05/1952

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.150 CFS	45.00 AF
	<u>Total Diversion:</u>	0.150 CFS	45.00 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4SE1/4NW1/4 Sec. 24, Twp 11N, Rge 06W, B.M.
WASHINGTON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11N	06W	24								10.0									10.0

Total Acres: 10

Conditions of Approval:

1. P21 This right is a split from former right 67-2218.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2218C V1

2. C18 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.
3. F14 Use of this right is combined with water from Weiser Irrigation District.
4. F05 Right No. 67-2218D is also diverted through point of diversion described above.

Remarks:Comments:

1. mcase 4/22/2004 POD
Comment: POD generated from PLS information.
2. mcase 4/22/2004 Period of Use
Comment: No licensed Period of Use. I recommended the standard Season of Use.
3. mcase 4/22/2004 Quantity
Comment: No licensed annual diversion. Could not determine recommended annual diversion.
4. jdean 10/30/2006 Transfer
Comment: The claim for part B appears to have been transfered twice. From the water right file both transfer 3402 and 5355 were to transfer the POD from the main POD in NESENNW to SWSENNW. This claim for part B should cover both water rights 67-2218B and 67-2218D. The POD for part B is recommended as per the second transfer and the remaining claims are recommended from the original POD.
5. jdean 10/30/2006 Quantity
Comment: Diversion volume added based on standard. (4.5 afy/acre * 10 acres = 45 afy)

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	4/22/2004 3:17:30 PM	mcase			Active
POD	4/22/2004 3:19:43 PM	mcase			Active
Source	4/22/2004 3:19:55 PM	mcase			Active
POU	4/22/2004 3:20:12 PM	mcase			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2218C V1

Use	4/22/2004 3:20:55 PM	mcase	Active
Season	4/22/2004 3:21:22 PM	mcase	Active
Quantity	4/22/2004 3:21:31 PM	mcase	Active
Season	6/1/2004 2:28:53 PM	mcase	Active
Contacts	10/30/2006 2:17:28 PM	jdean	Active
Summary	10/30/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	10/30/2006 2:18:16 PM	jdean	Updated PLS
Contacts	10/30/2006 2:17:28 PM	jdean	(No) 1. Do you want to schedule an appointment? Comment for 1: Desk Review
POU	10/30/2006 2:19:37 PM	jdean	Updated PLS for Active POU
POD	10/30/2006 2:17:56 PM	jdean	Updated shape
POU	10/30/2006 2:19:23 PM	jdean	Updated shape for Active POU
Summary	10/30/2006 2:23:44 PM	jdean	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	1/14/2004 1:59:31 PM	awarntje	Edited shape boundary
Season	6/1/2004 2:28:53 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use?
POD	4/22/2004 3:18:25 PM	mcase	Edited point location

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2218C V1

POD	4/22/2004 3:19:43 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/22/2004 3:19:55 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	4/22/2004 3:20:13 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	4/22/2004 3:20:56 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	4/22/2004 3:21:23 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use?
Quantity	4/22/2004 3:21:31 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit?
Priority Date	4/22/2004 3:17:31 PM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

Water Supply Bank:

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: **A67-02218C**
Date Received: 10/ 6/1989
Receipt No: M004848
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: STUART D NESBITT 208-549-0510
Address: 1127 OLDS FERRY RD
WEISER ID 83672

AND/OR

Name: TRINA F NESBITT 208-549-0510
Address: 1127 OLDS FERRY RD
WEISER ID 83672

2. Date of Priority: APR 5, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	06W	24	NW	SE	NW		WASHINGTON

5. Description of diverting works:
8" CASING 53' DEEP 2 HP. SUB. PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.150		

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

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

SCANNED
MAY 10 2004

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	06W	24	SE	NW		IRR	10.0
Section Acres							10.0
Total Acres							10.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:
THIS RIGHT IS A SPLIT OF A67-02218A.
OWNERSHIP CHANGED 3-24-97. JS

15. Basis of Claim: LICENSE

Water Right Number: 22701

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
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: AG7-02218C & AG7-10647
- Adjudication Claim No(s).: _____
2. The following REQUIRED information must be submitted with this form:
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
- AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
- OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant BRAD E. ATTEBERY
- 1127 OLDS FERRY RD, WEISER, ID
4. New Owner/Claimant(s) STUART & OR TRINA NESBITT
- Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1127 OLDS FERRY RD
- City, State and ZIP Code WEISER, ID 83672
- New Telephone Number 208 549-0510
5. Date you acquired the property 1-1992
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. N/A
- Number of acres you irrigate _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Stuart & Nesbitt 3-24-97
- (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

WARRANTY DEED

For Value Received

BRADLEY E. ATTEBERY AND BEVERLY F. ATTEBERY,
AKA BRADLEY ATTEBERY AND BEVERLY ATTEBERY, HUSBAND AND WIFE

The grantors, do hereby grant, bargain, sell and convey unto

STUART D. NESBITT AND TRINA F. NESBITT, HUSBAND AND WIFE

the grantees, whose current address is 1127 OLDS FERRY ROAD, WEISER, IDAHO 83672

the following described premises, in WASHINGTON County Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

TOGETHER WITH ALL WATER, ATER RIGHTS, DITCHES AND DITCH RIGHTS
APPURTENANT THERETO AND IN ANYWISE BELONGING.

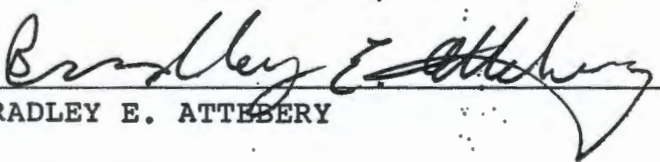
SUBJECT TO ALL VALID OUTSTANDING RESERVATIONS, EASEMENTS, RIGHTS-OF-WAY,
RESTRICTIONS, DEDICATIONS, MINERAL LEASES, MINERAL RESERVATIONS AND
MINERAL CONVEYANCES OF RECORD.

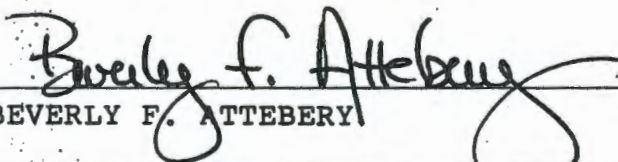
DUPLICATE

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S
THEIR heirs and assigns forever. And the said Grantor S do hereby covenant to and
with the said Grantee S, that THEY ARE the owners in fee simple of said premises; that they are free
from all incumbrances

and that The Y will warrant and defend the same from all lawful claims whatsoever.

Dated: JANUARY 8, 1992


BRADLEY E. ATTEBERY

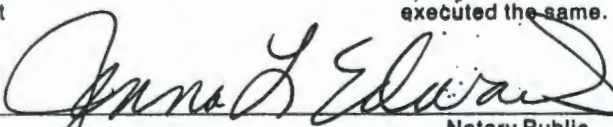

BEVERLY F. ATTEBERY

STATE OF IDAHO, COUNTY OF WASHINGTON

On this 8TH day of JANUARY, 19 92
before me, a notary public in and for the said State, personally
appeared

BRADLEY E. ATTEBERY AND
BEVERLY F. ATTEBERY

known or identified to me to be the person whose name
subscribed to the within instrument, and acknowledged to me
that executed the same.


Notary Public
Residing at _____, Idaho
Comm Expires _____

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the
request of

at _____ minutes past _____ o'clock M.,
this _____ day of _____
19 _____, In my office, and duly recorded in Book
of Deeds at Page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$ _____
Mail to: _____

INSTRUMENT NO.

EXHIBIT "A"

IN TOWNSHIP 11 NORTH, RANGE 6 WEST, BOISE MERIDIAN

SECTION 24: NW1/4SE1/4NW1/4.

TOGETHER WITH a 24.00 foot wide ingress-egress easement within the NE1/4NW1/4 of said Section 24, Township 11 North, Range 6 West, Boise Meridian, more particularly described as follows:

Beginning at the northwest corner of the NE1/4NW1/4 of Section 24, Township 11 North, Range 6 West, B.M.;

Thence East - 24.00 feet along the north line of said NE1/4NW1/4;

Thence S 0°02'24" E, parallel to the west line of said NE1/4NW1/4, a distance of 1320.04 feet (formerly 1320 feet, more or less) to a point on the south line of said NE1/4NW1/4;

Thence N 89°56'15" W - 24.00 feet along the south line of said NE1/4NW1/4 to the southwest corner of said NE1/4NW1/4;

Thence N 0°02'24" W - 1320.02 feet (formerly 1320 feet, more or less) along the west line of said NE1/4NW1/4 to the point of beginning.

SUBJECT TO a 60.00 foot wide ingress-egress easement along the West side of the NW1/4SE1/4NW1/4 of said Section 24, and a 30.00 foot wide ingress-egress easement along the South side of said NW1/4SE1/4NW1/4.

SALES CONTRACT ADDENDUM

DUPLICATE

RE: 1127 OLDS FERRY ROAD
WEISER, ID 83672

All terms and conditions of the sales contract dated OCTOBER 17, 1991 regarding the purchase of the above referenced property have been met in a satisfactory manner.

All parties agree to extend their closing date to January 10, 1992.

Theresa A. Nisbett
BORROWER

Trina F. Nisbett
BORROWER

Brendley C. Attkin
SELLER

Beverly Attkin
SELLER

Jan 8, 1992
DATE

Jan 8, 1992
DATE

DATE

DATE

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: A67-02218C
Date Received: 10/06/1989
Receipt No: MOO404P
Received By: JPC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRAD E. ATTEBERY
Address: 1127 OLDS FERRY RD.
WEISER, ID

208-549-3244

83672

2. Date of Priority: APR 05, 1952

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	06W	24	NW	SE	NW		WASHINGTON

5. Description of diverting works:
8" CASING 53' DEEP 2 HP. SUB. PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.150		

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

A.F.A.

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11N	06W	24	SE	NW		IRR	10.0

Section Acres 10.0

A67-02218C

Page 1

Date: 10/06/89

MICROFILMED

OCT 01 1992

10. Place of Use: Continued

Total Acres 10.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:
THIS RIGHT IS A SPLIT OF A67-02218A

15. Basis of Claim: LICENSE
Water Right Number: 22701

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): Brian Little Date: 10-6-89

Date: _____

State of Idaho)
County of Wad.) SS.

Subscribed and sworn (or affirmed) before me this 6 day
of Oct 19 89

John Dale Carlson
Notary Public

Seal

Residing at Bain Id
My Commission Expires 6/2/94



1/111111

1/111111

MICROFILMED
OCT 01 1992

Water Right Number - 67-02218A

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 22701

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BRECHBIEL

HOWARD H.

1 -

2 -

3 -

City- WEISER

State- ID Zip-

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/05/1952 14 L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
11N 06W 24 SE NW (87) WASHINGTON+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 0.450+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.450+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
11N 06W 24 SE NW 30.0 01 IRRIGATION (87) WASHINGTON

Total Acres: 30.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 12/16/88 CURTIS

MICROFILMED

OCT 01 1992

Water right number - 67-02218A

Adj. flag translation: Standard Water Right Number

+ - - - - Water Rights Dates and Flags Area - - - - - +

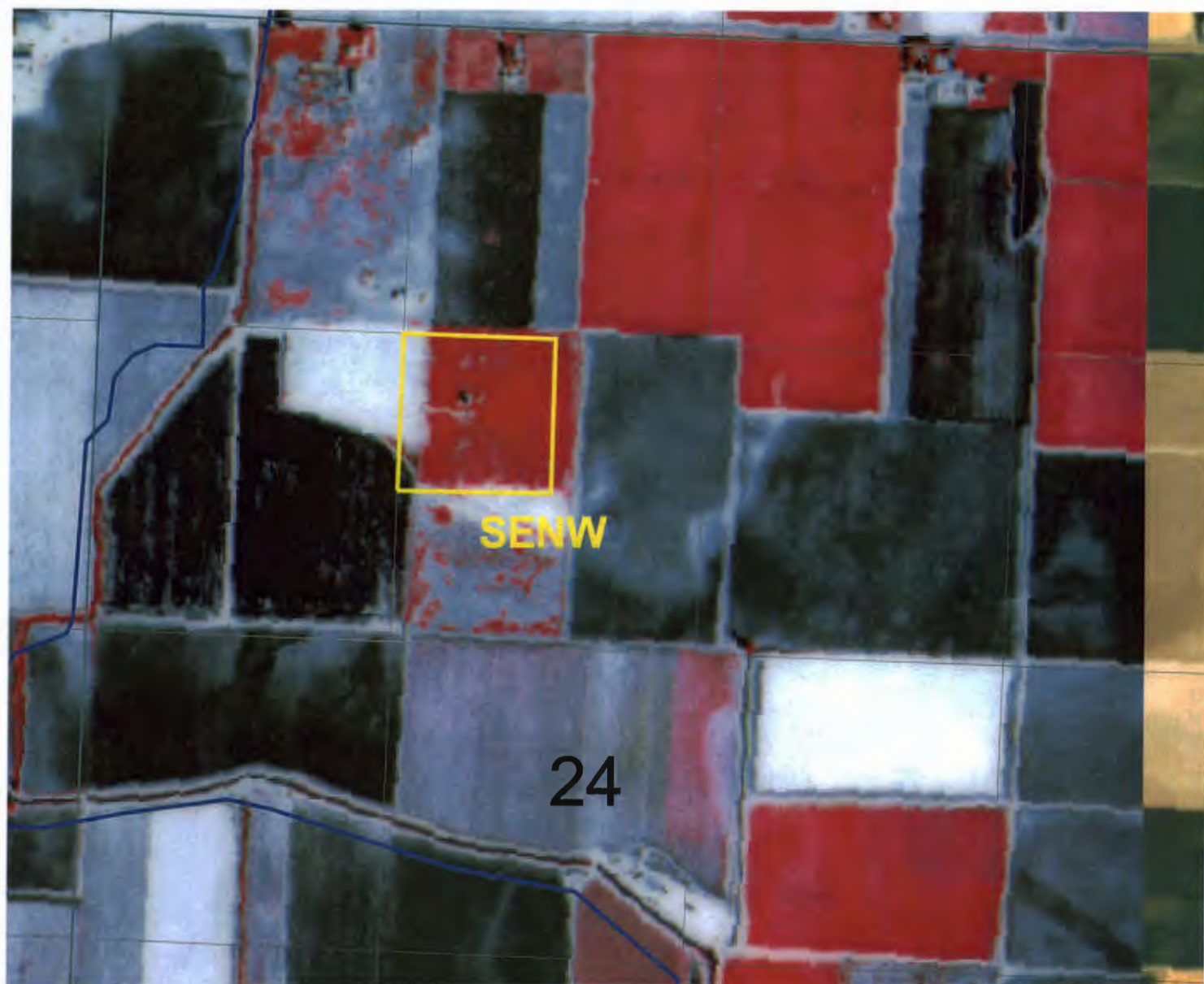
Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 02/26/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 01/30/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

MICROFILMED

OCT 01 1992

Idaho Department of Water Resources

67-2218C



1000 0 1000 2000 3000 Feet

A horizontal scale bar with alternating black and white segments, corresponding to the 1000-foot intervals marked above it.

T11N, R 06W, S24



**Prepared by Anita L. Warntjes
January 14, 2004
1993/94 True Color Photo**

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2218C V1

WATER RIGHT NUMBER: 67-2218C V1

Owner Type Name and Address
Original Owner BRAD E ATTEBERY
1127 OLDS FERRY RD
WEISER, ID 83672
(208)549-3244
Current Owner TRINA F NESBITT
1127 OLDS FERRY RD
WEISER, ID 83672
(208)549-0510
Original Owner HOWARD H BRECHBIEL
WEISER, ID
Current Owner STUART D NESBITT
1127 OLDS FERRY RD
WEISER, ID 83672
(208)549-0510

Priority Date: 04/05/1952

Basis:

Status:

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01	to 11/15	0.150 CFS	
<u>Total Diversion:</u>			0.150 CFS	

Location of Point(s) of Diversion

GROUND WATER NW1/4SE1/4NW1/4 Sec. 24, Twp 11N, Rge 06W, B.M.
WASHINGTON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
11N	06W	24	NE	NW	SW	SE	10.0

Total Acres: 10

Conditions of Approval:Remarks:

DRAFT

DO NOT
SCAN

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2218C V1

Comments:

1. mcase 4/22/2004 POD
Comment: POD generated from PLS information.
2. mcase 4/22/2004 Period of Use
Comment: No licensed Period of Use. I recommended the standard Season of Use.
3. mcase 4/22/2004 Quantity
Comment: No licensed annual diversion. Could not determine recommended annual diversion.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	4/22/2004 3:17:30 PM	mcase			
POD	4/22/2004 3:19:43 PM	mcase			
Source	4/22/2004 3:19:55 PM	mcase			
POU	4/22/2004 3:20:12 PM	mcase			
Use	4/22/2004 3:20:55 PM	mcase			
Season	4/22/2004 3:21:22 PM	mcase			
Quantity	4/22/2004 3:21:31 PM	mcase			

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	1/14/2004 1:59:31 PM	awarntje	Edited shape boundary
POD	4/22/2004 3:18:25 PM	mcase	Edited point location

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2218C V1

POD	4/22/2004 3:19:43 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/22/2004 3:19:55 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	4/22/2004 3:20:13 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	4/22/2004 3:20:56 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	4/22/2004 3:21:23 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use?
Quantity	4/22/2004 3:21:31 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit?
Priority Date	4/22/2004 3:17:31 PM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

11-14-1997

Mr. Visconti -

If you have drilled a well
for your own property you will
also be required to file an
Application for Transfer. If
you can show us that the well
was drilled before Nov, 1987,
you may not need to file
a Transfer.

Please call if you have any
questions. *Harold T. Sivicki*

SCANNED
MAY 10 2004

cc: AG7-02218



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 25, 1997

Re: Notices of Claim to a Water Right Nos. A67-02218C, A67-10647

STUART D NESBITT
TRINA F NESBITT
1127 OLDS FERRY RD
WEISER ID 83672

Dear Mr. & Mrs. Nesbitt:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1

Enclosures