

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: **A63-00358**
Date Received: 3/21/1990
Receipt No: W011532
Received By: _____

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

1. Name: THOMAS T NICHOLSON 208-888-1593
Address: PO BOX 690
MERIDIAN ID 83680
AND
Name: CARL V NICHOLSON 208-888-1593
Address: PO BOX 690
MERIDIAN ID 83680

2. Date of Priority: APR 1, 1948

3. Source: DRAINS Trib. to: WARM SPRINGS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	03W	22	SE	SE	SE		CANYON
		25	SW	SW	SW		CANYON
		26	SW	SE	NW		CANYON
		36	NE	NE	NW		CANYON
01S	02W	9	NE	NW	NW		CANYON
			SW	NE		CANYON	
			10	NE	NW		CANYON

5. Description of diverting works:
DITCHES, CEMENT CHECKS WITH PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	07/01	03/31	9.500		
STOCKWATER	07/01	03/31	0.350		
DOMESTIC	07/01	03/31	0.020		

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

A.F.A.

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JUL 25 1994

8. Total consumptive use is 1897.0 Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC 1 HOME, STOCKWATER 1700 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	03W	22	SW	SE	8	IRR	5.0
			SE	SE	9	IRR	17.0
						Section Acres	22.0
		25	SW	SW		IRR	38.0
						Section Acres	38.0
		26	NW	NW		IRR	15.0
			SW	NW	2	IRR	25.0
			SE	NW		IRR	23.0
			NE	SW		IRR	40.0
			NW	SW	3	IRR	17.0
			SE	SW	4	IRR	34.0
			NW	SE		IRR	30.0
			SW	SE		IRR	35.0
			SE	SE		IRR	38.0
						Section Acres	257.0
		27	NE	NE	4	IRR	12.0
						Section Acres	12.0
		35	NE	NE	5	IRR	16.0
						Section Acres	16.0
		36	SW	NE	7	IRR	3.0
			NE	NW		IRR	20.0
			NW	NW	5	IRR	20.0
			SE	NW	6	IRR	14.0
						Section Acres	57.0
01S	02W	4	NE	SE		IRR	5.0
			SE	SE		IRR	25.0
						Section Acres	30.0
		9	NE	NE		IRR	19.0
			NW	NE		IRR	35.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	9	SW	NE		IRR	20.0
			NE	NW		IRR	8.0
			SE	NW		IRR	28.0
						Section Acres	110.0
		10	NW	NW		DOMEST	
			NW	NW		STOCK	
						Total Acres	542.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
63-00357, 63-02663, 63-02699, 63-03121

14. Remarks:
P/D S10, T1S, R2W.
ADDRESS CHANGED BY LH 3/18/94.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

CARL E. NICHOLSON
Decree Plaintiff

REYNOLDS IRR. DIST.
vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

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JUL 25 1994

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 _____

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JUL 25 1994



GEHL
VERSATILE

**Mountain
View
Equipment Company**

P.O. BOX 690 • MERIDIAN, IDAHO 83680 • TELEPHONE (208) 888-1593
TOLL FREE 1-800-769-1025 • FAX (208) 888-1624



WHITE



F A X T R A N S M I T T A L

TO: _____ DATE: 3/17/94
FROM: Tom Nicholson PAGES FOLLOWING: 1
FAX NUMBER SENT TO: 334-2348

MESSAGE: Just wanted to inform you that
the address you have for:
Thomas T. & Diana R. Nicholson
Carl V. & Patricia Nicholson
Carl E. & Blanche Nicholson
or the combination of the above
should be changed to:

P.O. Box 690
Meridian ID 83680

If you have any questions, please call me
at 888-1593.

Linda Brooks

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JUL 25 1994

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: A63-00358

Date Received: 3/21/1990

Receipt No: W011532

Received By: De Ann

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

1. Name: THOMAS T. NICHOLSON 208-888-1593
Address: P.O. BOX 703
MERIDIAN, ID 83642

AND

Name: CARL V. NICHOLSON 208-888-1593
Address: P.O. BOX 703
MERIDIAN, ID 83642

2. Date of Priority: APR 1, 1948

3. Source: DRAINS Trib. to: WARM SPRINGS CREEK

4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
01N	03W	22	SE		SE		SE		CANYON
		25	SW		SW		SW		CANYON
		26	SW		SE		NW		CANYON
		36	NE		NE		NW		CANYON
			NE		NW		NW		CANYON
01S	02W	9			NE		NE		CANYON
					SW		NE		CANYON
		10			NE		NW		CANYON

5. Description of diverting works:
DITCHES, CEMENT CHECKS WITH PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	07/01	03/31	9.500		
STOCKWATER	07/01	03/31	0.350		
DOMESTIC	07/01	03/31	0.020		

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

8. Total consumptive use is 1897.0 Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC 1 HOME, STOCKWATER 1700 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	03W	22	SW	SE	8	IRR	5.0
			SE	SE	9	IRR	17.0
						Section Acres	22.0
		25	SW	SW		IRR	38.0
						Section Acres	38.0
		26	NW	NW		IRR	15.0
			SW	NW	2	IRR	25.0
			SE	NW		IRR	23.0
			NE	SW		IRR	40.0
			NW	SW	3	IRR	17.0
			SE	SW	4	IRR	34.0
			NW	SE		IRR	30.0
			SW	SE		IRR	35.0
			SE	SE		IRR	38.0
						Section Acres	257.0
		27	NE	NE	4	IRR	12.0
						Section Acres	12.0
		35	NE	NE	5	IRR	16.0
						Section Acres	16.0
		36	SW	NE	7	IRR	3.0
			NE	NW		IRR	20.0
			NW	NW	5	IRR	20.0
			SE	NW	6	IRR	14.0
						Section Acres	57.0
01S	02W	4	NE	SE		IRR	5.0
			SE	SE		IRR	25.0
						Section Acres	30.0
		9	NE	NE		IRR	19.0
			NW	NE		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	9	SW	NE		IRR	20.0
			NE	NW		IRR	8.0
			SE	NW		IRR	28.0
						Section Acres	110.0
		10	NW	NW		DOMEST	
			NW	NW		STOCK	
						Total Acres	542.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
63-00357, 63-02663, 63-02699, 63-03121

14. Remarks:
P/D S10, T1S, R2W.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

CARL E. NICHOLSON
Decree Plaintiff

REYNOLDS IRR. DIST.
vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ 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 _____

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 63-00358

Date Received

Receipt Number

W011532

BS

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

Please type or print clearly

1. Name of Claimant (s) Thomas T. Nicholson, Carl V. Nicholson Phone (208) 888-1593Mailing Address P.O. Box 703 Meridian, ID Zip 836422. Date of Priority (Only one (1) per claim) 4/1/483. Source of water supply (a) Drains
which is tributary to (b) Warm Springs Creek

4. a. Location of existing point of diversion is: Township 1S Range 2W Section 10,
NE 1/4 of NW 1/4 of 1/4, Govt. Lot, B.M., County of Canyon
T1S R2W S9 NENE T1N R3W S36 NENWNW T1N R3W S25 SWSW
 Additional points of diversion if any: SWNE NENENW SW
S26 SWSNW S22 SESE SE

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Ditches
Cement checks with pumps: 25hp, 30hp, 40hp, 40hp, 25hp, 10hp, 25hp,
tractor pto pump

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go ahead & enter as claimed

claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 7/1 to 3/31 amount 9.5 or 11.75
 For stockwater purposes from 7/1 to 3/31 amount 3.35 or 11.75
 For domestic purposes from 7/1 to 3/31 amount .02 or 11.75
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 9.5 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1897 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater-1700 hd cattle domestic-1

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
1N	3W	25											38						38
		26						15	25	23	40	17		34		30	35	38	257
		35	16																16
		36			3		20	20		14									57
		22															5	17	22
		27	12																12
1S	2W	4													5			25	30
		9	19	35	20		8			28									110

10

D/S

Total number of acres irrigated 542

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes X No _____
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
63-00357, 63-02663, 63-02699, 63-03121 or None ()

14. Remarks:

Computation of Fee: Filing Fee \$ 50
 Acreage Fee 542
 Less paid with 63-00357 (542)
 Total \$ 50

Last Name Nicholson Ident No. 62-00358

Copies: White -State, Yellow -Claimant

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AUG 18 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 7/1 to 3/31 amount 9.5 or _____

For stockwater purposes from 7/1 to 3/31 amount .35 or _____

For domestic purposes from 7/1 to 3/31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 9.5 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1897 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater-1700 hd cattle domestic-1

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a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

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TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
1N	3W	25											38						38
		26						15	25	23	40	17		34		30	35	38	257
		35	16																16
		36			3		20	20		14									57
		22															5	17	22
		27	12																12
1S	2W	4													5			25	30
		9	19	35	20		8			28									110

Total number of acres irrigated 542

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes x No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
63-00357, 63-02663, 63-02699, 63-03121 or None ()

14. Remarks:

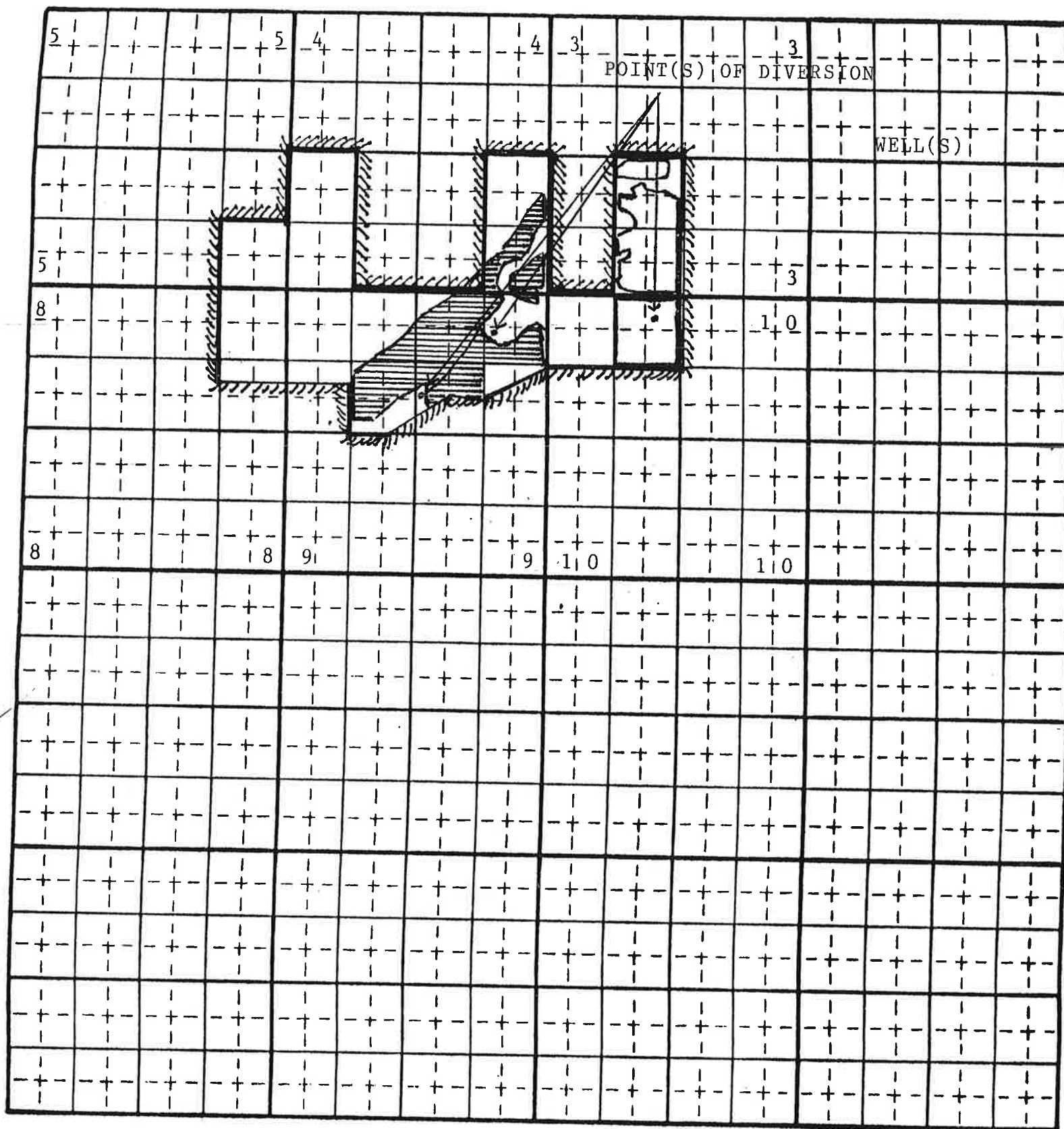
Computation of Fee: Filing Fee \$ 50
Acreage Fee 542
Less paid with 63-00357 (542)
Total \$ 50

Last Name Nicholson Ident No. 62-00358

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Copies: White -State, Yellow-Claimant
AUG 18 1992

Scale: 2 inches equals 1 mile

CANYON COUNTY
TOWNSHIP 1 SOUTH, RANGE 2 WEST



Last Name Nicholson Ident No. 63-00358

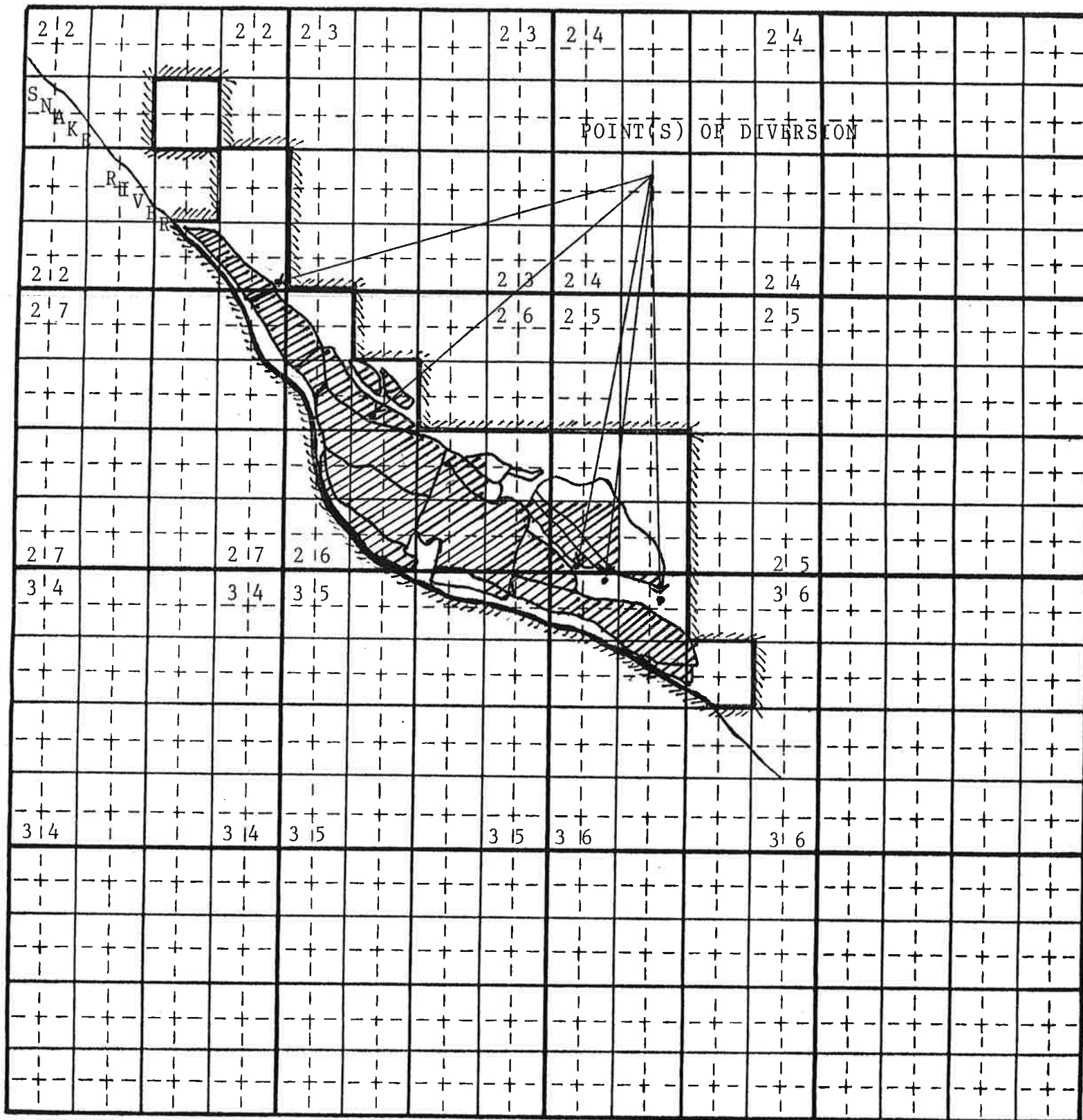
Copies: White-State, Yellow-Columbia **MICROFILMED**

AUG 18 1992

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

CANYON COUNTY
TOWNSHIP 1 NORTH, RANGE 3 WEST



Last Name Nicholson Ident No. 63-00358

Copies: White-State, Yellow-Chairman
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AUG 18 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree x

If applicable provide IDWR Water Right Number 63-00358

Court _____ Case Number _____ Decree Date 6/11/56

Plaintiff vs Defendant Carl E. Nicholson vs. Reynolds Irrigation District

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 -0-

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Thomas L. Nicholson Date 3/8/90

C.U. Carl E. Nicholson Date 3/8/90

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 8 day of March 19 90

SEAL

Notary Public Leida Bort

Residing at Boise, ID

My Commission Expires 5/31/95

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Nicholson Ident. Number 63-00358

Copies White-Sales Yellow-Claimant **MICROFILMED**

AUG 18 1992

Water Right Number - 63-00358

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

NICHOLSON

CARL E.

1 -
2 -
3 -City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/01/1948 14 WESTERN D - DECREED+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
DRAINS WARM SPRINGS CREEK+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)+ - - Code - - - Description - - - Water Use - - - Diversion Rate - - - Diversion Volume - - - +
Period From Period To
01 - IRRIGATION 07/01 03/31 9.500
04 - STOCKWATER 07/01 03/31
43 - DOMESTIC 07/01 03/31+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
9.500+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01N 03W 25 SW SW 01 IRRIGATION (27) CANYON
01N 03W 26 NW NW 01 IRRIGATION (27) CANYON
01N 03W 26 SW NW 2 01 IRRIGATION (27) CANYON
01N 03W 26 SE NW 01 IRRIGATION (27) CANYON
01N 03W 26 NE SW 01 IRRIGATION (27) CANYON
01N 03W 26 NW SW 3 01 IRRIGATION (27) CANYON
01N 03W 26 SE SW 4 01 IRRIGATION (27) CANYON
01N 03W 26 NW SE 01 IRRIGATION (27) CANYON
01N 03W 26 SW SE 01 IRRIGATION (27) CANYON
01N 03W 26 SE SE 01 IRRIGATION (27) CANYON
01N 03W 35 NE NE 5 01 IRRIGATION (27) CANYON
01N 03W 35 NE NE 6 01 IRRIGATION (27) CANYON
01N 03W 36 SW NE 7 01 IRRIGATION (27) CANYON
01N 03W 36 NE NW 01 IRRIGATION (27) CANYON
01N 03W 36 NW NW 5 01 IRRIGATION (27) CANYON
01N 03W 36 SE NW 6 01 IRRIGATION (27) CANYON
01S 02W 4 NE SE 01 IRRIGATION (27) CANYON
01S 02W 4 SE SE 01 IRRIGATION (27) CANYON
01S 02W 9 NE NE 01 IRRIGATION (27) CANYON
01S 02W 9 NW NE 01 IRRIGATION (27) CANYON
01S 02W 9 SW NE 01 IRRIGATION (27) CANYON

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AUG 18 1992

Water right number - 63-00358

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01S	02W	9	NE NW			01	IRRIGATION	(27) CANYON
01S	02W	9	SE NW			01	IRRIGATION	(27) CANYON
01S	03W	22	SW SE	8		01	IRRIGATION	(27) CANYON
01S	03W	22	SE SE	9		01	IRRIGATION	(27) CANYON
01S	03W	27	NE NE	4		01	IRRIGATION	(27) CANYON

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - -
P/D S10, T1S, R2W.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - - Decree Date - +
CARL E. NICHOLSON	REYNOLDS IRR. DIST.	06/11/1956

+ - - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - 07/29/85 05/01/88 CONVERT

+ - - - - - 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 - 07/29/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 63T
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 06/11/1956	Microfilm Roll No -	Presumption Flag -

CONVERSATION MEMORANDUM

DATE 6-13-91

FILE A63-00351, 358, 3171

NAME OF PARTY Linda ~~Boots~~ ^{Boots}, representative for Tom Nicholson

EMPLOYEE Cindy Hodges

RE: Linda has prepared all the Nicholson claims. She informed me by telephone the legal description for domestic & Stock use on the above claims was as follows:

NW1/4 Sec 10 15 2W

I have added this information to all 3 claims for data entry.

This memo will be in lieu of a standard modification letter.

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AUG 18 1992

3/26/1990

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Nicholson

CLAIM IDENT. NO.

A63-00358

DATE RECEIVED

3-21-90

CK #

1346

AMOUNT \$

50.00

Required

- | | YES | NO | Info? |
|--|-------------------------------------|-------------------------------------|--------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☒ | ☐ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☒ | See comments |
| Is a quantity claimed for each use? | ☒ | ☐ | |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☒ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? (see Item No. 17 for checking other water rights) | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the basis of claim is shown as license, permit or decree is the existing water right number listed? (If yes, compare claim with the existing water right and either attach a proof report or state in comments that existing right was compared to claim) | ☒ | ☐ | |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. on the claim? (If yes, describe these rights in "Comments") NOTE: If the claim is for domestic/stockwater this check is not as necessary unless it is indicated there is an existing right | ☒ | ☐ | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| 19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 20. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 21. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 22. Is the fee enclosed correct? | ☒ | ☐ | |

no date Stamp. Used receipt date!

MICROFILMED

AUG 18 1992

YES NO

23. Should this claim be receipted and data entered?

Claim checked by: CW

Date: 6-18-91

Claim must be returned to claimant: _____

(Yes) (No)

Claimant must be notified of modifications: _____

(Yes) (No)

Receipt Prepared by: _____

Date: _____

Claim data entered by: _____

Date: _____

Checked by: _____

Date: _____

Sent to claimant by: _____

Date: _____

Comments:

Need D & S location

Need to see Decree for date verification

D & S location obtained from telecon w/

applicant's representative & from map in

Claim A63-03121. See phone memo, attached,

in lieu of modification letter

Go ahead & enter dates as claimed for irrigation (7-1 to 3-31)

Matches decree.

Shelley M. Davis, ISB # 6788
BARKER ROSHOLT & SIMPSON LLP
1010 W. Jefferson St., Ste. 102
P.O. Box 2139
Boise, ID 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034

Attorneys for Boise-Kuna Irrigation District, Objector

RECEIVED

JUL 16 2007

DEPARTMENT OF
WATER RESOURCES

RECEIVED

JUL 18 2007

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) Subcase Nos. 63-356, 63-357, 63-358,
) 63-2663, and 63-21608
)

Case No. 39576)

**MOTION TO WITHDRAW
OBJECTIONS**

COMES NOW, the Objector, Boise-Kuna Irrigation District, by and through its counsel, Shelley M. Davis of the law firm, Barker Rosholt & Simpson, LLP, and hereby moves this Court for leave to withdraw the Objections filed by the Boise-Kuna Irrigation District in sub-case numbers 63-356, 63-357, 63-358, 63-2663, and 63-21608.

The objections were filed in an effort to protect the legal status of waste waters belonging to the Boise-Kuna Irrigation District. In recommendations to this Court from the Idaho Department of Water Resources, one source of water listed in the above-referenced recommendations was listed as "drains." This reference to drains as a source for the right appears to have been included as the result of language used in the June 11, 1956 decree in *Nicholson v. Reynolds Irrigation District and Sproat*. However, after touring the property where the points of diversion are located, it is clear that the reference to 'drains' in the decree does not reference drains or waste ways belonging to the

Boise-Kuna Irrigation District, or any drains or waste ways visible upon an inspection of the property, and therefore, as no waste water of the Objector is implicated in the recommendation, the Boise-Kuna Irrigation District hereby requests leave of the Court to Withdraw the Objections to recommendations in sub-case numbers 63-356, 63-357, 63-358, 63-2663, and 63-21608.

Dated this 12th day of July 2007.

BARKER ROSHOLT & SIMPSON LLP



Shelley M. Davis
Counsel for Boise-Kuna Irrigation District

CERTIFICATE OF MAILING

I certify that on July 12, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: TFI Limited Partnership
Address: PO Box 690
Meridian, ID 83680-0690

Name: Scott and Sherri Nicholson
Address: P.O. Box 690
Meridian, ID 83680

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Shelley M. Davis
Attorney for Boise-Kuna Irrigation District

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) A. Subcase 63-358
(Insert water right number)
)
Case No. 39576)
STANDARD FORM 1
OBJECTION

Please fill in the following information:

RECEIVED

JUN 22 2007

DEPARTMENT OF
WATER RESOURCES

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Boise-Kuna Irrigation District
Address: 129 North School Avenue
Kuna, ID 83634
Daytime Phone: 208-922-5608

Name & Address of Attorney, if any:

Shelley M. Davis
Barker Rosholt & Simpson, LLP
1010 W. Jefferson, Ste. 102, Boise ID 83702

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: TFI Limited Partnership
Address: PO Box 690
Meridian, ID 83680-0690

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☒ **Source**

Should be: The source is waste water, and waste waters belong to the Boise-Kuna Irrigation District.

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point of Diversion**

Should be: _____

6. ☐ **Instream Flow Beginning and Ending Point**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☐ **Place of Use**

Should be: _____

10 ☐ **I object because:**

☒ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): There has been no lawful appropriation of this right. The description of the source is waste water. The waste waters belong to the Boise-Kuna Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Boise-Kuna Irrigation District. Claimant is also unlawfully attempting to transfer waters belonging to the Boise-Kuna Irrigation District to lands outside of the District.

F. VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Ada)

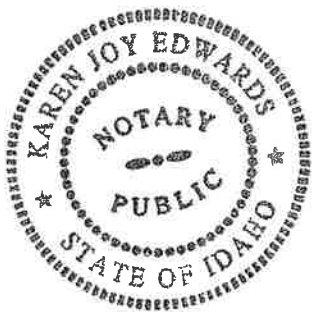
Shelley M. Davis, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/18/07



Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 8/2/2012

Karen Joy Edwards

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on August 18, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: TFI Limited Partnership
Address: PO Box 690
Meridian, ID 83680-0690

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf

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 63-358
Date Received: 3/21/1990
Receipt No: W011532
Received By:

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

1. Name of Claimant(s)

THOMAS T NICHOLSON Phone: (208)888-1593

PO BOX 690
MERIDIAN ID USA 83680-0690

CARL V NICHOLSON Phone: (208)888-1593

PO BOX 690
MERIDIAN ID USA 83680

2. Date of Priority: 04/01/1948

3. Source: DRAINS , DRAINS , DRAINS , GROUND WATER , GROUND WATER , DRAINS , DRAINS
, DRAINS , DRAINS , DRAINS Trib. to: WARM SPRINGS CREEK , WARM SPRINGS CREEK , WARM
SPRINGS CREEK , , , WARM SPRINGS CREEK , WARM SPRINGS CREEK , WARM SPRINGS CREEK ,
WARM SPRINGS CREEK , WARM SPRINGS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
01S	02W	10	NE	NW		CANYON	
01N	03W	22	SE	SE	SE	CANYON	
01N	03W	25	SW	SW	SW	CANYON	
01S	02W	3	SW	SE		CANYON	
01S	02W	10	NW	NE		CANYON	
01S	02W	9	SW	NE		CANYON	
01N	03W	36	NE	NW	NW	CANYON	
01S	02W	9	NE	NE		CANYON	

01N	03W	36	NE	NE	NW	CANYON
01N	03W	26	SW	SE	NW	CANYON

5. Description of diverting works:

DITCHES, CEMENT CHECKS WITH PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	7/01	3/31	9.5	
STOCKWATER	7/01	3/31	0.35	
DOMESTIC	7/01	3/31	0.02	

7. Total Quantity Appropriated is:
9.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres		
01N	03W	22	SE	SE	9	IRRIGATION 12		
			SW	SE	8	IRRIGATION 7		
			Section Acres				19	
01N	03W	25	SW	SW		IRRIGATION 39		
			SE	SW		IRRIGATION 15		
			NW	SW		IRRIGATION 6		
				Section Acres	60			
01N	03W	26	NW	NW		IRRIGATION 13		
			SW	NW	2	IRRIGATION 25		
			SE	NW		IRRIGATION 21		
			NE	SW		IRRIGATION 38		
			NW	SW	3	IRRIGATION 13		
			SE	SW	4	IRRIGATION 32		
			NE	SE		IRRIGATION 14		
			NW	SE		IRRIGATION 27		
			SW	SE		IRRIGATION 34		
			SE	SE		IRRIGATION 36		
							Section Acres	253
			01N	03W	27	NE	NE	4

						Section Acres	12
01N	03W	35	NE	NE	6	IRRIGATION	14
			NE	NW	5	IRRIGATION	7
						Section Acres	21
01N	03W	36	NE	NW		IRRIGATION	20
			NW	NW	5	IRRIGATION	21
			SE	NW	6	IRRIGATION	14
			SW	NE	7	IRRIGATION	2
			SW	NW	6	IRRIGATION	1
						Section Acres	58
01S	02W	4	NE	SE		IRRIGATION	5
			SE	SE		IRRIGATION	25
						Section Acres	30
01S	02W	9	NE	NE		IRRIGATION	18
			NW	NE		IRRIGATION	24
			SW	NE		IRRIGATION	18
			NE	NW		IRRIGATION	3
			SE	NW		IRRIGATION	30
			SE	NE		IRRIGATION	4
						Section Acres	97
01S	02W	10	NW	NW		DOMESTIC	
			NW	NW		STOCKWATER	
						Total Acres	550

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

P/D S10, T1S, R2W.
ADDRESS CHANGED BY LH 3/18/94.

15. Basis of Claim: Decreed

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): Thomas F. Nicholas Date: 11/1/06

Date:

State of Idaho)
County of Ada) SS.

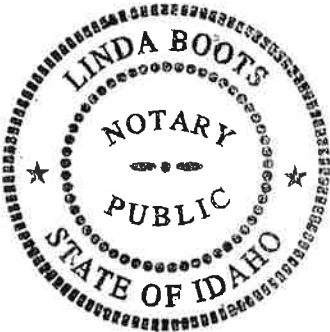
Subscribed and sworn (or affirmed) before me this /
of November 2006

Linda Boots

Notary Public

Residing at Boise ID

My commission Expires 5/31/07



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

OCT 23 2006

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

DEPARTMENT OF WATER RESOURCES

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-356			02-7442		
63-357			02-7464		
63-358			63-3121		
63-02663					
63-2699					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Thomas T. and/or Carl V. Nicholson
P.O. Box 690 Meridian ID 83680-0690
4. New Owner/Claimant(s) TFI Limited Partnership
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 690
- City, State and ZIP Code Meridian ID 83680-0690
- New Telephone Number (208) 888-1593
5. Date you acquired the property 9/21/98

DEED IN 63-356

SCANNED

OCT 30 2006

09/29/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-358

THOMAS T NICHOLSON
PO BOX 690
MERIDIAN ID 83680-0690
Telephone Number: (208)888-1593

CARL V NICHOLSON
PO BOX 690
MERIDIAN ID 83680
Telephone Number: (208)888-1593

RECEIVED
OCT 23 2006
DEPARTMENT OF WATER RESOURCES

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Source

2. Describe the changes you wish to make in the proposed recommendation:

Source - needs to add artesian wells
132w Sec 3 SWSE
10 NWSE

3. Give a brief explanation as to why you disagree with these portions:

See Decreed water right 63-T-1

I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10/26/06

SIGNATURE:

Thomas T. Nicholson

Please print your name:

Thomas, T. Nicholson

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

SCANNED
OCT 30 2006

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

RIGHT NUMBER: 63-358

NAME AND ADDRESS: THOMAS T NICHOLSON
PO BOX 690
MERIDIAN ID 83680-0690

CARL V NICHOLSON
PO BOX 690
MERIDIAN ID 83680

SOURCE: GROUCH DRAIN
GROUND WATER

TRIBUTARY: SNAKE RIVER
TRIBUTARY:

QUANTITY: 9.500 CFS

The rights listed below are limited to a total combined annual diversion volume of 2498 af. from all Ground Water sources. Combined Right Nos.: 63-356, 63-357, 63-358

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION:
T01S R02W S8 SENE Within CANYON County
T01S R02W S9 NENE Within CANYON County
T01S R02W S9 SWNE Within CANYON County
T01S R02W S10 NENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	07/01 11/15	9.500 CFS
PLACE OF USE: <u>IRRIGATION Within CANYON County</u>		
T01N R03W S22 Lot 8 SWSE 5.00	T01N R03W S22 Lot 9 SESE	17.00
T01N R03W S25 SWSW 38.00	T01N R03W S26 NWNW	15.00
T01N R03W S26 Lot 2 SWNW 25.00	T01N R03W S26 SENW	23.00
T01N R03W S26 NESW 40.00	T01N R03W S26 Lot 3 NWSW	17.00
T01N R03W S26 Lot 4 SESW 34.00	T01N R03W S26 NWSE	30.00
T01N R03W S26 SWSE 35.00	T01N R03W S26 SESE	38.00
T01N R03W S27 Lot 4 NENE 12.00	T01N R03W S35 Lot 5 NENE	16.00
T01N R03W S36 Lot 7 SWNE 3.00	T01N R03W S36 NENW	20.00
T01N R03W S36 Lot 5 NWNW 20.00	T01N R03W S36 Lot 6 SENW	14.00
T01S R02W S04 NESE 5.00	T01S R02W S04 SESE	25.00
T01S R02W S09 NENE 19.00	T01S R02W S09 NWNE	25.00
T01S R02W S09 SWNE 20.00	T01S R02W S09 NENW	8.00
T01S R02W S09 SENW 28.00		

532 ACRES TOTAL

555

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 63-356, 63-357, 63-358

SCANNED
OCT 30 2006

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 - Decreed

SCANNED
OCT 30 2006



Idaho Department of Water Resources

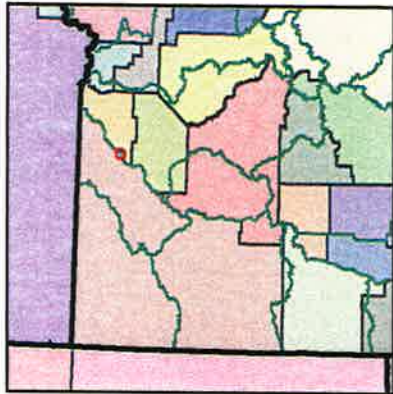
SRBA Recommendation:

63-358

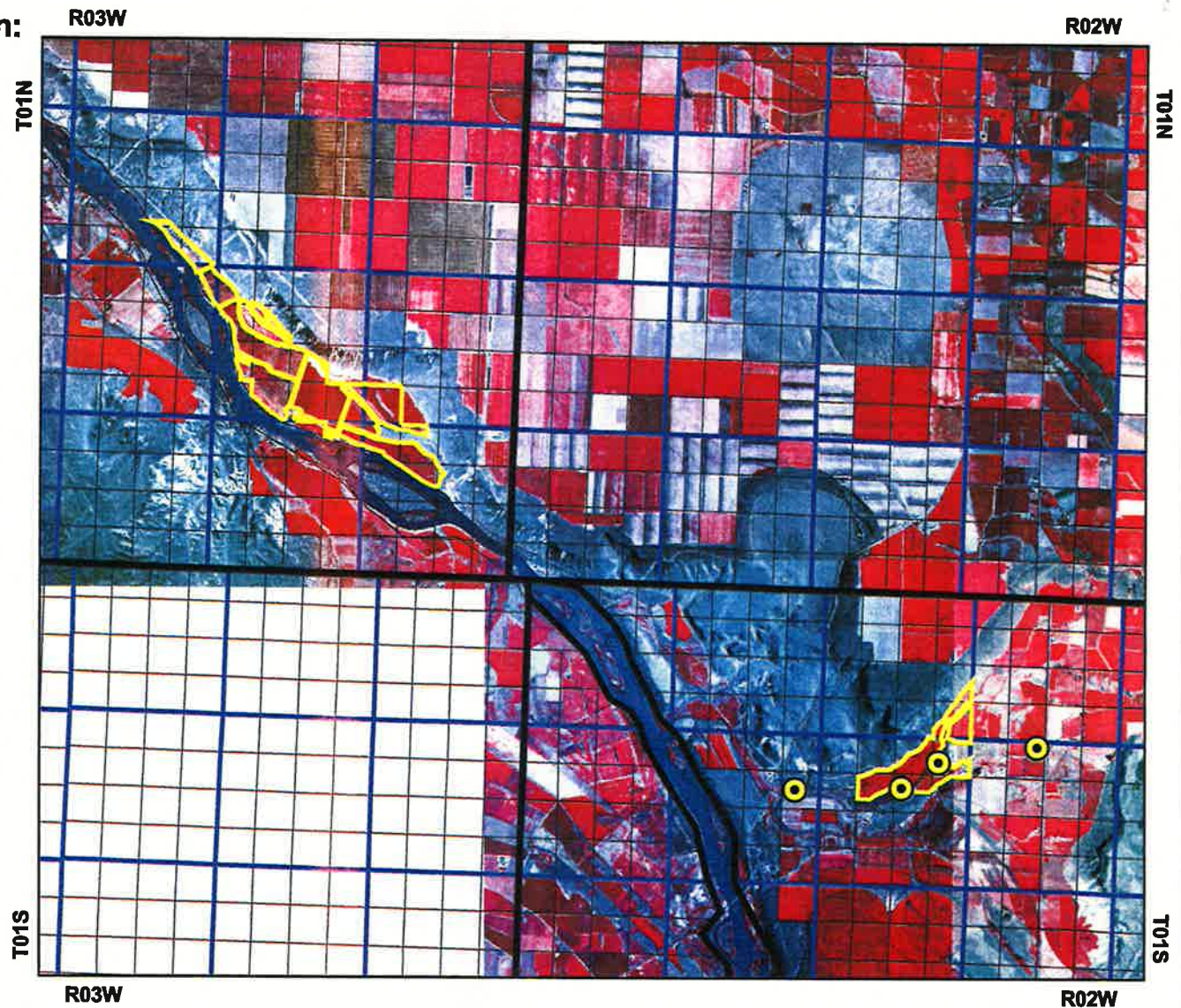
(Irrigation)

Legend

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



Canyon, Owyhee Counties
IDWR Basin 63



0 2 4 Miles



Prepared by M. Ciscell
On Friday, September 29, 2006
1987/88 Aerial Photography

OCT 30 2006

SCANNED

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 63-358
Date Received: 3/21/1990
Receipt No: W011532
Received By:

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

1. Name of Claimant(s)

THOMAS T NICHOLSON Phone: (208)888-1593

PO BOX 690
MERIDIAN ID USA 83680-0690

CARL V NICHOLSON Phone: (208)888-1593

PO BOX 690
MERIDIAN ID USA 83680

RECEIVED
OCT 23 2006
DEPARTMENT OF WATER RESOURCES

2. Date of Priority: 04/01/1948

3. Source: DRAINS , DRAINS , DRAINS , GROUND WATER , GROUND WATER , DRAINS , DRAINS
, DRAINS , DRAINS , DRAINS Trib. to: WARM SPRINGS CREEK , WARM SPRINGS CREEK , WARM
SPRINGS CREEK , , , WARM SPRINGS CREEK , WARM SPRINGS CREEK , WARM SPRINGS CREEK ,
WARM SPRINGS CREEK , WARM SPRINGS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	02W	10	NE NW	CANYON	
01N	03W	22	SE SE SE	CANYON	
01N	03W	25	SW SW SW	CANYON	
01S	02W	3	SW SE	CANYON	
01S	02W	10	NW NE	CANYON	
01S	02W	9	SW NE	CANYON	
01N	03W	36	NE NW NW	CANYON	
01S	02W	9	NE NE	CANYON	

01N	03W	36	NE	NE	NW	CANYON
01N	03W	26	SW	SE	NW	CANYON

5. Description of diverting works:

DITCHES, CEMENT CHECKS WITH PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	7/01	3/31	9.5	
STOCKWATER	7/01	3/31	0.35	
DOMESTIC	7/01	3/31	0.02	

7. Total Quantity Appropriated is:
9.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	03W	22	SW	SE	8	IRRIGATION
			SE	SE	9	IRRIGATION
			Section Acres		22	
01N	03W	25	SW	SW		IRRIGATION
			Section Acres		38	
01N	03W	26	NW	NW		IRRIGATION
			SW	NW	2	IRRIGATION
			SE	NW		IRRIGATION
			NE	SW		IRRIGATION
			NW	SW	3	IRRIGATION
			SE	SW	4	IRRIGATION
			NW	SE		IRRIGATION
			SW	SE		IRRIGATION
			SE	SE		IRRIGATION
			Section Acres		257	
01N	03W	27	NE	NE	4	IRRIGATION
			Section Acres		12	

01N	03W	35	NE	NE	5	IRRIGATION	16
						Section Acres	16
01N	03W	36	NE	NW		IRRIGATION	20
			NW	NW	5	IRRIGATION	20
			SE	NW	6	IRRIGATION	14
			SW	NE	7	IRRIGATION	3
						Section Acres	57
01S	02W	4	NE	SE		IRRIGATION	5
			SE	SE		IRRIGATION	25
						Section Acres	30
01S	02W	9	NW	NE		IRRIGATION	35
			SW	NE		IRRIGATION	20
			NE	NW		IRRIGATION	8
			SE	NW		IRRIGATION	28
			NE	NE		IRRIGATION	19
						Section Acres	110
01S	02W	10	NW	NW		DOMESTIC	
			NW	NW		STOCKWATER	
						Total Acres	542

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

P/D S10, T1S, R2W.
ADDRESS CHANGED BY LH 3/18/94.

15. Basis of Claim: Decreed

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): Thomas T. Nicholson Date: _____

10/26/06

Date:

State of Idaho)

County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 26th

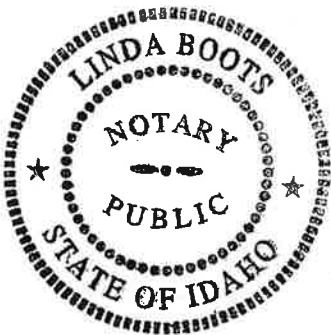
of October 2006

Linda Boots

Notary Public

Residing at Boise ID

My commission Expires 5/31/07



10/17/2006

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

RIGHT NUMBER: 63-358

NAME AND ADDRESS: THOMAS T NICHOLSON
PO BOX 690
MERIDIAN ID 83680-0690

CARL V NICHOLSON
PO BOX 690
MERIDIAN ID 83680

SOURCE: GROUCH DRAIN
GROUND WATER

TRIBUTARY: SNAKE RIVER
TRIBUTARY:

QUANTITY: 9.500 CFS
2,600.37 AFY

The rights listed below are limited to a total combined annual diversion volume of 2498 af. from all Ground Water sources. Combined Right Nos.: 63-356, 63-357, 63-358

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION:

T01S R02W S8 SENE Within CANYON County
T01S R02W S9 NENE Within CANYON County
T01S R02W S9 SWNE Within CANYON County
T01S R02W S10 NENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	07/01 11/15	9.500 CFS 2,600.37 AFY
PLACE OF USE: <u>IRRIGATION Within CANYON County</u>		
T01N R03W S22 Lot 8 SWSE	5.00	T01N R03W S22 Lot 9 SESE 17.00
T01N R03W S25 SWSW	38.00	T01N R03W S26 NWNW 15.00
T01N R03W S26 Lot 2 SWNW	25.00	T01N R03W S26 SENW 23.00
T01N R03W S26 NESW	40.00	T01N R03W S26 Lot 3 NWSW 17.00
T01N R03W S26 Lot 4 SESW	34.00	T01N R03W S26 NWSE 30.00
T01N R03W S26 SWSE	35.00	T01N R03W S26 SESE 38.00
T01N R03W S27 Lot 4 NENE	12.00	T01N R03W S35 Lot 5 NENE 16.00
T01N R03W S36 Lot 7 SWNE	3.00	T01N R03W S36 NENW 20.00
T01N R03W S36 Lot 5 NWNW	20.00	T01N R03W S36 Lot 6 SENW 14.00
T01S R02W S04 NESE	5.00	T01S R02W S04 SESE 25.00
T01S R02W S09 NENE	19.00	T01S R02W S09 NWNE 25.00
T01S R02W S09 SWNE	20.00	T01S R02W S09 NENW 8.00
T01S R02W S09 SENW	28.00	

532 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 555 acres in a single irrigation season. Combined Right Nos.: 63-356, 63-357, 63-358

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 - Decreed



Idaho Department of Water Resources

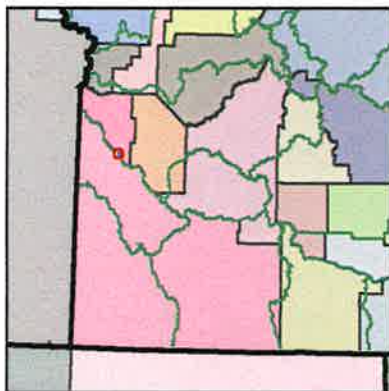
SRBA Recommendation:

63-358

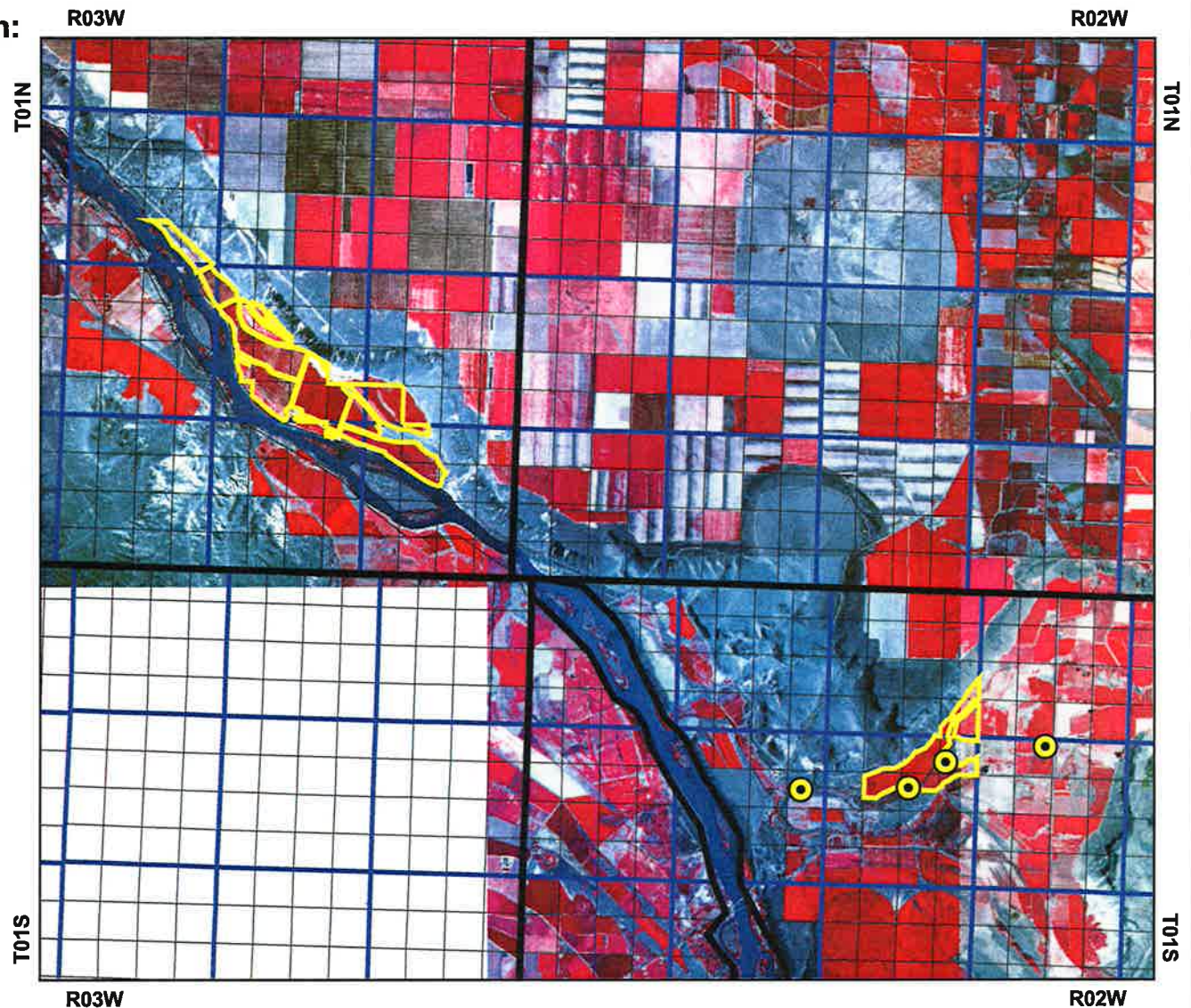
(Irrigation)

Legend

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



Canyon, Owyhee Counties
IDWR Basin 63



0 2 4 Miles

Prepared by M. Ciscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography

AJ5809NP
No. A63-00358

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/00
PAGE: 15

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMAS T NICHOLSON	04/01/1948	IRRIGATION	07-01 03-31	9.500 CFS	
C	CARL V NICHOLSON		STOCKWATER	07-01 03-31	0.350 CFS	
	PO BOX 690		DOMESTIC	07-01 03-31	0.020 CFS	
	MERIDIAN ID 83680					
	(208) 888-1593					
TOTAL DIVERSION:					9.500 CFS	
CONSUMPTIVE USE:						1897.00 AFA

Water Source: DRAINS

Tributary to: WARM SPRINGS CREEK

Stage: DECREED

Point(s) of Diversion:	T01N R03W S22	SESESE			CANYON County
	S25	SWSWSW			CANYON County
	S26	SWSSENW			CANYON County
	S36	NENENW	NENWNW		CANYON County
	T01S R02W S09	NENE	SWNE		CANYON County
	S10	NENW			CANYON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
01N	03W	22	:					:					:					:					:	22.0	
01N	03W	25	:					:					:					:					:	38.0	
01N	03W	26	:					:			15	02-25	23	:	40	03-17		04-34	:	30	35	38	:	257.0	
01N	03W	27	:	04-12				:					:					:					:	12.0	
01N	03W	35	:	05-16				:					:					:					:	16.0	
01N	03W	36	:			07-03		:	20	05-20		06-14	:					:					:	57.0	
01S	02W	4	:					:					:					:	05			25	:	30.0	
01S	02W	9	:	19	35	20		:	08			28	:					:					:	110.0	
																							TOTAL ACRES		542.0

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
01S	02W	10	:					:			S		:					:					:	

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
01S	02W	10	:					:			D		:					:					:	

POU County: CANYON

Non-Irrigation Uses: DOMESTIC 1 HOME, STOCKWATER 1700 HEAD CATTLE

Other Rights: 63-00357,63-02663,63-02699,63-03121

AJ5809NP
No. A63-00358

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/00
PAGE: 16

=====

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-00306 A63-00356 A63-00357 A63-00359 A63-02420 A63-02663 A63-03121

Other Water Rights Listing Overlapping Place(s) of Use:
A63-00356 A63-00357 A63-02663 A63-02699 A63-03121

Remarks: GEN P/D S10, T1S, R2W.
ADDRESS CHANGED BY LH 3/18/94.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 63T Field Inspection Flag:
Presumption Flag:

Audit: 06/18/91 HARRIS 03/18/94 HARRIS 03/30/95 POST-STD

Water Right Number - A63-00358

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***

NICHOLSON

THOMAS T

1 - PO BOX 690

2 -

3 -

City- MERIDIAN

State- ID Zip- 83680

Phone - 208-888-1593

NICHOLSON

CARL V

1 - PO BOX 690

2 -

3 -

City- MERIDIAN

State- ID Zip- 83680

Phone - 208-888-1593

*** O - ORIGINAL OWNER ***

NICHOLSON

CARL E

1 -

2 -

3 -

City- XXXX

State- ID Zip- 00000

Phone - 208-000-0000

+ - - Priority Date - - +
04/01/1948+ - - - Region - - - +
14 WESTERN+ - - - Stage - - - +
D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - - +
DRAINS+ - - - - Tributary - - - - - +
WARM SPRINGS CREEK

Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name
01N	03W	22	SE SE SE			(27) CANYON		
		25	SW SW SW			(27) CANYON		
		26	SW SE NW			(27) CANYON		
		36	NE NE NW			(27) CANYON		
			NE NW NW			(27) CANYON		
01S	02W	9	NE NE			(27) CANYON		
			SW NE			(27) CANYON		
		10	NE NW			(27) CANYON		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		07/01	03/31	9.500	
04 - STOCKWATER		07/01	03/31	0.350	
43 - DOMESTIC		07/01	03/31	0.020	

+ - Total Div. Rate - + 9.500 + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - + 1897.0

Tw	Rng	Sec	Tract	Lot	Acres	Code	Place of Use	Description	County
01N	03W	22	SW SE	8	5.0	01	IRRIGATION		(27) CANYON
01N	03W	22	SE SE	9	17.0	01	IRRIGATION		(27) CANYON
01N	03W	25	SW SW		38.0	01	IRRIGATION		(27) CANYON
01N	03W	26	NW NW		15.0	01	IRRIGATION		(27) CANYON

Water right number - A63-00358

Prefix Translation: ADJUDICATION CLAIM

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
01N	03W	26	SW NW	2	25.0	01	IRRIGATION	(27) CANYON
01N	03W	26	SE NW		23.0	01	IRRIGATION	(27) CANYON
01N	03W	26	NE SW		40.0	01	IRRIGATION	(27) CANYON
01N	03W	26	NW SW	3	17.0	01	IRRIGATION	(27) CANYON
01N	03W	26	SE SW	4	34.0	01	IRRIGATION	(27) CANYON
01N	03W	26	NW SE		30.0	01	IRRIGATION	(27) CANYON
01N	03W	26	SW SE		35.0	01	IRRIGATION	(27) CANYON
01N	03W	26	SE SE		38.0	01	IRRIGATION	(27) CANYON
01N	03W	27	NE NE	4	12.0	01	IRRIGATION	(27) CANYON
01N	03W	35	NE NE	5	16.0	01	IRRIGATION	(27) CANYON
01N	03W	36	SW NE	7	3.0	01	IRRIGATION	(27) CANYON
01N	03W	36	NE NW		20.0	01	IRRIGATION	(27) CANYON
01N	03W	36	NW NW	5	20.0	01	IRRIGATION	(27) CANYON
01N	03W	36	SE NW	6	14.0	01	IRRIGATION	(27) CANYON
01S	02W	4	NE SE		5.0	01	IRRIGATION	(27) CANYON
01S	02W	4	SE SE		25.0	01	IRRIGATION	(27) CANYON
01S	02W	9	NE NE		19.0	01	IRRIGATION	(27) CANYON
01S	02W	9	NW NE		35.0	01	IRRIGATION	(27) CANYON
01S	02W	9	SW NE		20.0	01	IRRIGATION	(27) CANYON
01S	02W	9	NE NW		8.0	01	IRRIGATION	(27) CANYON
01S	02W	9	SE NW		28.0	01	IRRIGATION	(27) CANYON
01S	02W	10	NW NW			04	STOCKWATER	(27) CANYON
01S	02W	10	NW NW			43	DOMESTIC	(27) CANYON

Total Acres: 542.0

- - - Diversion Means - DITCHES, CEMENT CHECKS WITH PUMPS

- - - Non-Irrigation Use - DOMESTIC 1 HOME, STOCKWATER 1700 HEAD CATTLE

- - - Other Rights for Same Use - 63-00357,63-02663,63-02699,63-03121

- - - - - Remarks - - - - -
P/D S10, T1S, R2W.
ADDRESS CHANGED BY LH 3/18/94.

- - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

- - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

- - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
CARL E. NICHOLSON REYNOLDS IRR. DIST. 00/00/0000

- - - Audit Fields - 06/18/91 HARRIS 03/18/94 HARRIS 03/30/95 POST-STD

