

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: **A63-02663**
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

2. Date of Priority: MAY 12, 1966

3. Source: WASTE WATER Trib. to: SNAKE RIVER
UNNAMED STREAM SNAKE RIVER

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	8			SE		NE		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	03/15	11/15	3.000		945.00

7. Total Quantity Appropriated is:
3.000 C.F.S. (and/or) 945.00 A.F.A.

8. Total consumptive use is 735.0 Acre Feet Per Annum.

9. Non-irrigation uses:

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JUL 25 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	03W	25	SW	SW		IRR	23.0
			SE	SW		IRR	7.0
			Section Acres				30.0
		26	NW	NW		IRR	11.0
			SW	NW		IRR	12.0
			SE	NW		IRR	9.0
			NE	SW		IRR	24.0
			NW	SW		IRR	9.0
			SE	SW		IRR	10.0
			NW	SE		IRR	15.0
			SW	SE		IRR	23.0
			SE	SE		IRR	21.0
			Section Acres				134.0
		27	NE	NE		IRR	3.0
			Section Acres				3.0
		35	NE	NE		IRR	12.0
			NW	NE		IRR	9.0
			Section Acres				21.0
		36	NE	NW		IRR	10.0
			NW	NW		IRR	12.0
			Section Acres				22.0
			Total Acres				210.0

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, 63-00358, 63-02699

14. Remarks:
SOURCES ARE UNNAMED STREAM TRIB TO SNAKE RIVER; WASTE WATER TRIB.
TO SNAKE RIVER.
AC. IRR. = 210.
ADDRESS CHANGED BY LH 3/18/94.

15. Basis of Claim: LICENSE

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JUL 25 1994

Water Right Number: 20072

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 _____

MICROFILMED
JUL 25 1994



GEHL
VERSATILE

Mountain View
Equipment Company



WHITE



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

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

TO: _____ DATE: 3/17/94
FROM: Tom Nicholson PAGES FOLLOWING: 2
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 Bott

MICROFILMED
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: A63-02663
Date Received: 3/21/1990
Receipt No: W011532
Received By: DE JOL

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

2. Date of Priority: MAY 12, 1966

3. Source: WASTE WATER Trib. to: SNAKE RIVER
UNNAMED STREAM SNAKE RIVER

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
			NE	NW	NW		CANYON
01S	02W	8		SE	NE		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	03/15	11/15	3.000		945.00

7. Total Quantity Appropriated is:
3.000 C.F.S. (and/or) 945.00 A.F.A.

8. Total consumptive use is 735.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	03W	25	SW	SW		IRR	23.0
			SE	SW		IRR	7.0
			Section Acres				30.0
		26	NW	NW		IRR	11.0
			SW	NW		IRR	12.0
			SE	NW		IRR	9.0
			NE	SW		IRR	24.0
			NW	SW		IRR	9.0
			SE	SW		IRR	10.0
			NW	SE		IRR	15.0
			SW	SE		IRR	23.0
			SE	SE		IRR	21.0
			Section Acres				134.0
		27	NE	NE		IRR	3.0
			Section Acres				3.0
		35	NE	NE		IRR	12.0
			NW	NE		IRR	9.0
			Section Acres				21.0
		36	NE	NW		IRR	10.0
			NW	NW		IRR	12.0
			Section Acres				22.0
			Total Acres				210.0

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, 63-00358, 63-02699

14. Remarks:
SOURCES ARE UNNAMED STREAM TRIB TO SNAKE RIVER; WASTE WATER TRIB.
TO SNAKE RIVER.
AC. IRR. = 210.

15. Basis of Claim: LICENSE

Water Right Number: 20072

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 A63-02663

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 Phone (208) 888-1593
Mailing Address P.O. Box 703 Meridian, ID Zip 83642

2. Date of Priority (Only one (1) per claim) 5/12/66

3. Source of water supply (a) Wastewater-Unnamed Stream
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 1S Range 2W Section 8,
SE 1/4 of NE 1/4 of 1/4, Govt. Lot T1N R3W S36 B.M., County of Canyon
NENWNW T1N R3W S25 SWSWSW
Additional points of diversion if any: NENENW S26 SWSENW
S22 SESESE

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: 40hp, 25hp, 10hp, 25hp, tractor pto pump

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 3 or 945

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3 (cfs) and/or (b) 945 (acre feet)

8. Total consumptive use claimed is 735 acre feet per annum.

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

10. Description of place of use:

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

b. 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											23	7					30
		26						11	12	9	24	9		10		15	23	21	134
		27	3																3
		35	12	9															21
		36					10	12											22

Total number of acres irrigated 210

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, 63-00358, 63-02699

or None ()

14. Remarks:

Computation of Fee: Filing fee \$ 50

Acreage fee 210

Paid with 63-02699 (7)

Paid with 63-00357 (203)

Total \$ 50

Sources are unnamed stream tributary to Snake River; waste water tributary to Snake River.

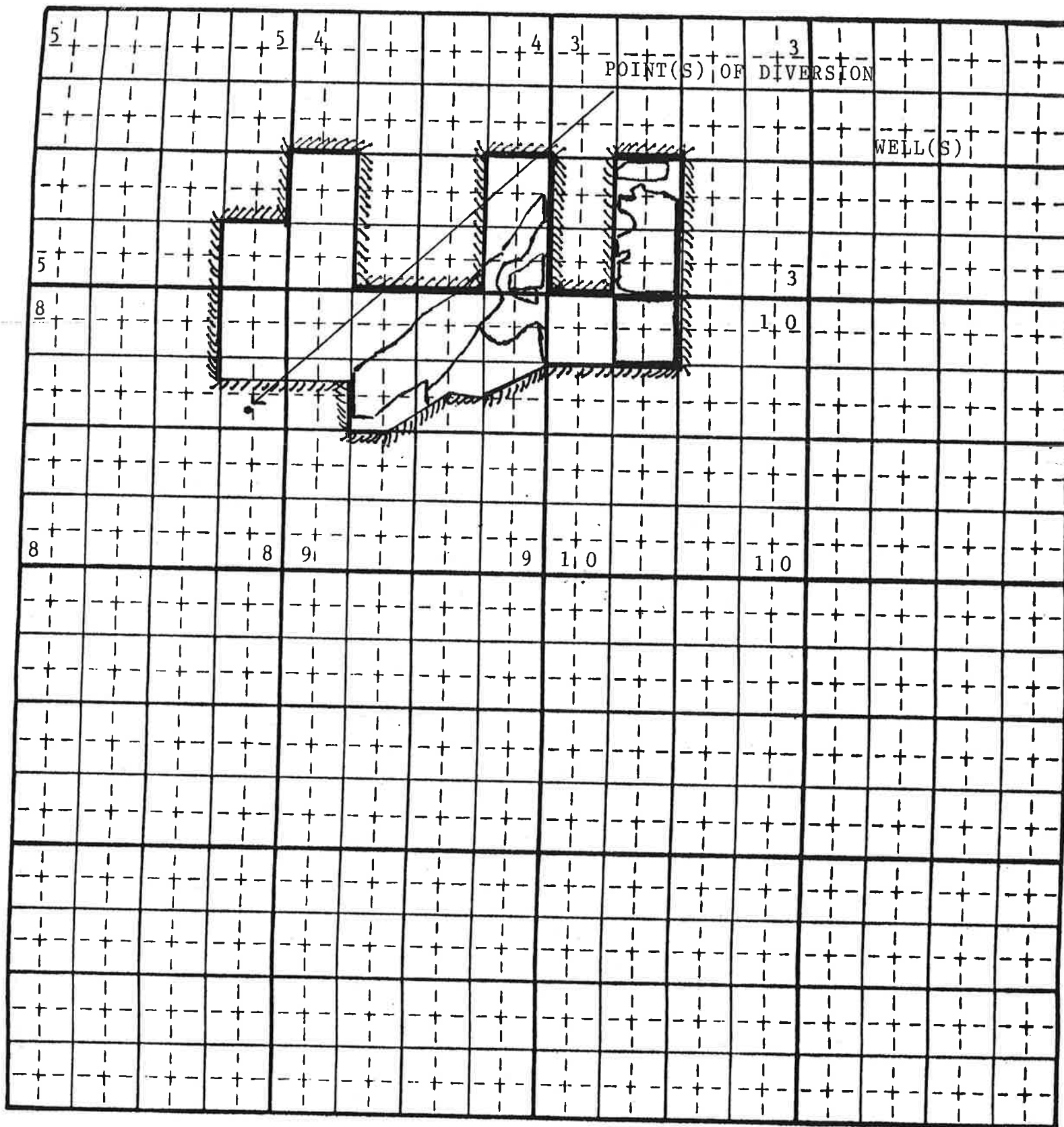
Last Name Nicholson Ident No. 63-02663

Copies: **MICROFILMED**

AUG 18 1992

Scale: 2 inches equals 1 mile

CANYON COUNTY
TOWNSHIP 1 SOUTH, RANGE 2 WEST



Last Name Nicholson

Ident No. 63-02663

Copies: White-Side Yellow-Cotton

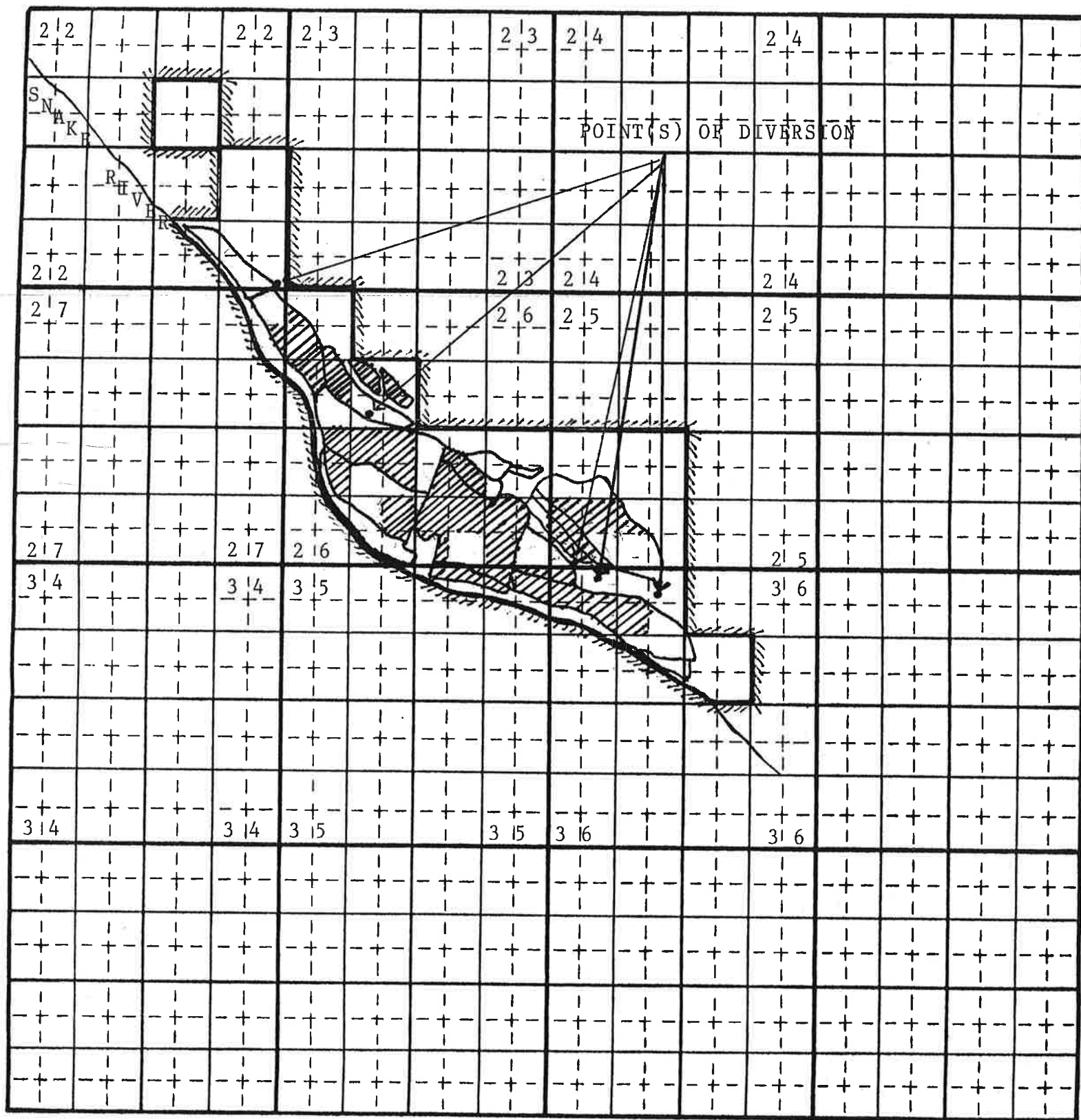
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Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

CANYON COUNTY
TOWNSHIP 1 NORTH, RANGE 3 WEST



Last Name Nicholson

Ident No. 63-02663

Copies: White-State, Yellow-Caldwell
MICROFILMED

AUG 18 1992

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

Decree _____

If applicable provide IDWR Water Right Number 63-02663

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 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 F. Nicholson Date 3/8/90

Date _____

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 Linda Bools

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 63-02663

Copies White State, Yellow-Claimant

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AUG 18 1992

Water Right Number - 63-02663

Prefix Translation: WATER RIGHT

Old (D) Number - 20072

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

*** C - CURRENT OWNER ***

NICHOLSON

CARL E.

1 - 101 WARM SPRINGS

2 -

3 -

City- BOISE

State- ID Zip- 83702

Phone -

*** O - ORIGINAL OWNER ***

NICHOLSON & ISAACS

1 -

2 -

3 -

City-

State- Zip-

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
05/12/1966 14 WESTERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
WASTE WATER SNAKE RIVER
UNNAMED STREAM SNAKE RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
01S 02W 8 SE NE (27) CANYON 272.0 348.0 1.3+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 3.000 945.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
3.000 945.00+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01N 03W 25 SW SW 23.0 01 IRRIGATION (27) CANYON
01N 03W 25 SE SW 7.0 01 IRRIGATION (27) CANYON
01N 03W 26 NW NW 11.0 01 IRRIGATION (27) CANYON
01N 03W 26 SW NW 12.0 01 IRRIGATION (27) CANYON
01N 03W 26 SE NW 9.0 01 IRRIGATION (27) CANYON
01N 03W 26 NE SW 24.0 01 IRRIGATION (27) CANYON
01N 03W 26 NW SW 9.0 01 IRRIGATION (27) CANYON
01N 03W 26 SE SW 10.0 01 IRRIGATION (27) CANYON
01N 03W 26 NW SE 15.0 01 IRRIGATION (27) CANYON
01N 03W 26 SW SE 23.0 01 IRRIGATION (27) CANYON
01N 03W 26 SE SE 21.0 01 IRRIGATION (27) CANYON
01N 03W 27 NE NE 3.0 01 IRRIGATION (27) CANYON
01N 03W 35 NE NE 12.0 01 IRRIGATION (27) CANYON
01N 03W 35 NW NE 9.0 01 IRRIGATION (27) CANYON
01N 03W 36 NE NW 10.0 01 IRRIGATION (27) CANYONMICROFILMED
AUG 18 1992

Water right number - 63-02663

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01N	03W	36	NW NW		12.0	01	IRRIGATION	(27) CANYON

Total Acres: 210.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Remarks
SOURCES ARE UNNAMED STREAM TRIB TO SNAKE RIVER; WASTE WATER TRIB. TO SNAKE RIVER. AC. IRR. = 210.

Old Water Right Numbers
No Old Water Right Numbers found.

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments
No Comments Found

+ - - Audit Fields - 06/18/85 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 - 06/18/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 08/28/1979	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000	Microfilm Roll No -	Presumption Flag -

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AUG 18 1992

3/26/1990

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Nicholson

CLAIM IDENT. NO.

A63-02663

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) N/A | ☒ | ☐ | * |
| 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? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? N/A | ☒ | ☐ | |
| Is the consumptive use correct? N/A | ☒ | ☐ | |
| 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. N/A | ☒ | ☐ | * |
| 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.) N/A | ☒ | ☐ | |
| 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) N/A | ☒ | ☐ | |
| 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 N/A | ☒ | ☐ | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A | ☒ | ☐ | |
| 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? Exempt | ☒ | ☐ | |

no date Stamp.
used receipt date

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AUG 18 1992

NO

____(Yes)____(No)

Date: _____

Date: _____

Date: _____

Date: _____

Comments: _____

RECEIVED

JUN 22 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

A. Subcase 63-2663

(Insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

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 should be described as waste waters, 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: Land Subject to Boise-Kuna Irrigation Water Right

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 should have been 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. The place of use is covered by an existing Boise-Kuna Irrigation District water right, which is the primary water right for the place of use. Proposed wastewater remark does not sufficiently protect original appropriator. 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)
County of Boise)ss.

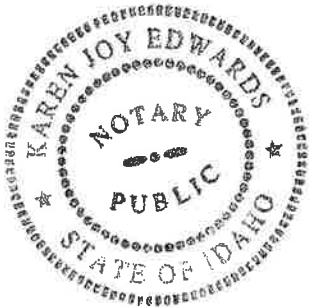
Shelley M. Davis, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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 June 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:

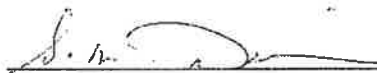
Name: TFI Limited Partnership
Address: PO Box 690
Meridian, ID 83680-0690

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

12/10/2006

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

DEC 12 2006

DEPARTMENT OF
WATER RESOURCES

RIGHT NUMBER: 63-2663

NAME AND ADDRESS: TFI LIMITED PARTNERSHIP
PO BOX 690
MERIDIAN ID 83680--0690

SOURCE: GROUCH DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 3.000 CFS
945.00 AFY

Right Nos. 63-356, 63-357, 63-358, 63-2663, 63-2699, 63-3121
are limited to a total combined diversion rate of 11.48 cfs and to a total
combined annual diversion volume from ground water sources of 2583 AF.

PRIORITY DATE: 05/12/1966

POINT OF

DIVERSION: T01S R02W S8 SENE Within CANYON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

3/15 11/15

3.000 CFS

945.00 AFY

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

PLACE OF USE: IRRIGATION in CANYON County

T01N R03W S25	SWSW	23.00	T01N R03W S25	SESW	7.00
T01N R03W S26	NWNW	11.00	T01N R03W S26	SWNW	12.00
T01N R03W S26	SENW	9.00	T01N R03W S26	NESW	24.00
T01N R03W S26	NWSW	9.00	T01N R03W S26	SESW	10.00
T01N R03W S26	NWSE	15.00	T01N R03W S26	SWSE	23.00
T01N R03W S26	SESE	21.00	T01N R03W S27	NENE	3.00
T01N R03W S35	NENE	12.00	T01N R03W S35	NWNE	9.00
T01N R03W S36	NENW	10.00	T01N R03W S36	NWNW	12.00

210 ACRES TOTAL

Right Nos. 63-356, 63-357, 63-358, 63-2663, 63-2699, 63-3121
are limited to the irrigation of a combined total of 574 acres in a single
irrigation season.

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

This right remains subject to the right of the original appropriator, in good
faith and in compliance with state laws governing changes in use and/or
expansion of water rights, to cease wasting water, to change the place
or manner of wasting it, or to recapture it.

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

Right includes accomplished change in place of use pursuant to Section
42-1425, Idaho Code.

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: 63-2663

THOMAS T NICHOLSON
PO BOX 690
MERIDIAN ID 83680-0690
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):

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

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

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

DATE: 10/24/06

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**

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

RECEIVED
OCT 23 2006
DEPARTMENT OF WATER RESOURCES

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

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

DEPARTMENT OF
WATER RESOURCES

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

01/21/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-2663

NAME AND ADDRESS: TFI LIMITED PARTNERSHIP
PO BOX 690
MERIDIAN ID 83680--0690

SOURCE: GROUCH DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 3.000 CFS
945.00 AFY

Right Nos. 63-356, 63-357, 63-358, 63-2663, 63-2699, 63-3121
are limited to a total combined diversion rate of 11.48 cfs and to a total
combined annual diversion volume from ground water sources of 2583 AF.

PRIORITY DATE: 05/12/1966

POINT OF
DIVERSION:

T01S R02W S8 SENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	3.000 CFS 945.00 AFY

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

PLACE OF USE: IRRIGATION in CANYON County

T01N R03W S25	SWSW	23.00	T01N R03W S25	SESW	7.00
T01N R03W S26	NWNW	11.00	T01N R03W S26	SWNW	12.00
T01N R03W S26	SENW	9.00	T01N R03W S26	NESW	24.00
T01N R03W S26	NWSW	9.00	T01N R03W S26	SESW	10.00
T01N R03W S26	NWSE	15.00	T01N R03W S26	SWSE	23.00
T01N R03W S26	SESE	21.00	T01N R03W S27	NENE	3.00
T01N R03W S35	NENE	12.00	T01N R03W S35	NWNE	9.00
T01N R03W S36	NENW	10.00	T01N R03W S36	NWNW	12.00

210 ACRES TOTAL

Right Nos. 63-356, 63-357, 63-358, 63-2663, 63-2699, 63-3121
are limited to the irrigation of a combined total of 574 acres in a single
irrigation season.

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

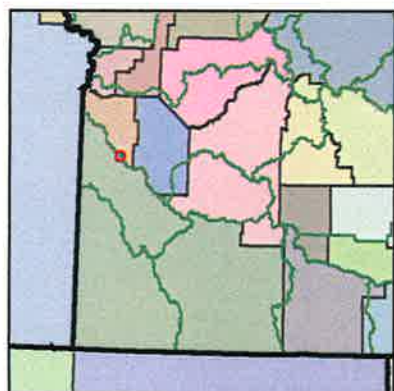
SRBA Recommendation:

63-2663

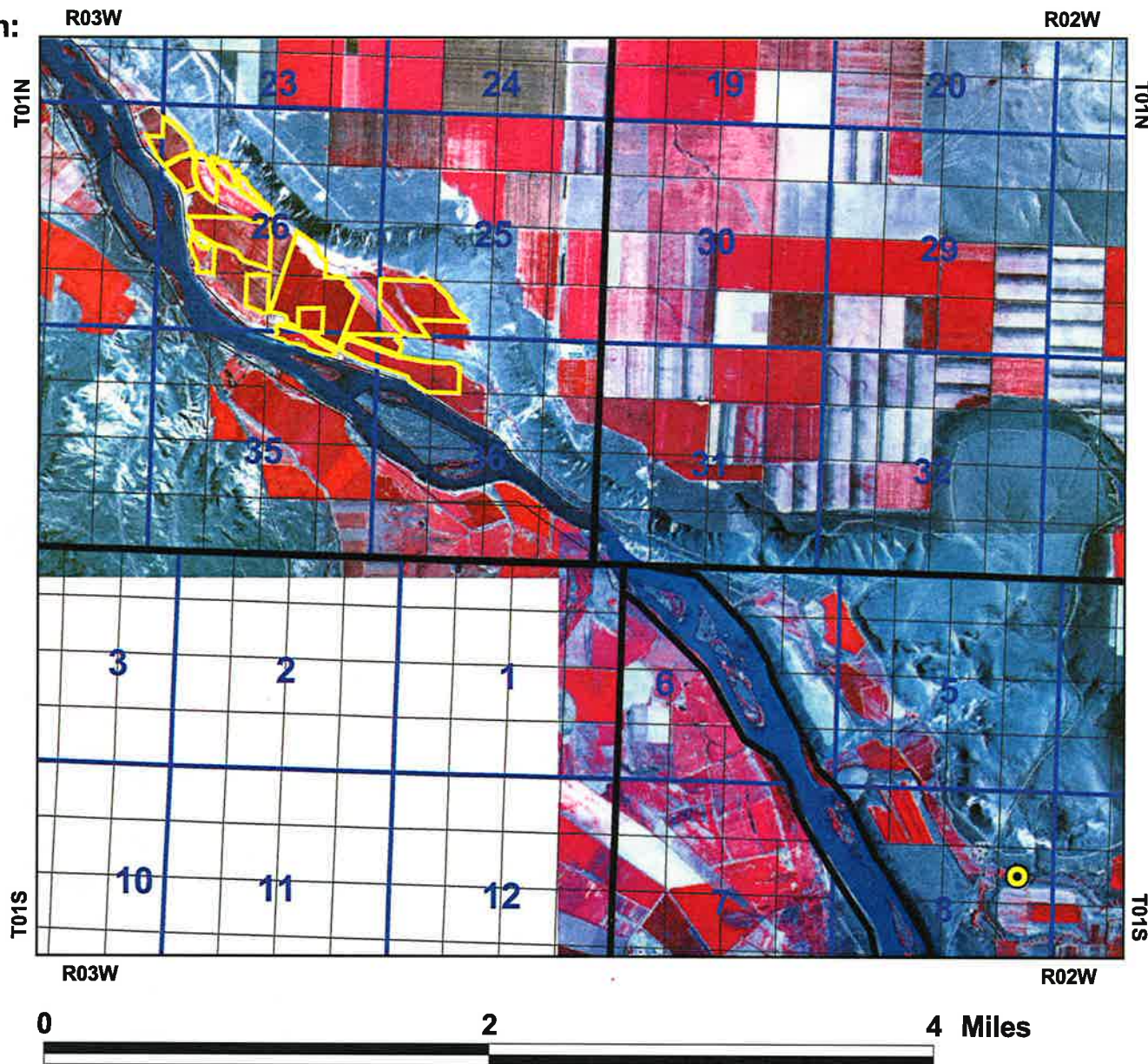
(Irrigation)

Legend

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



Canyon, Owyhee Counties
IDWR Basin 63

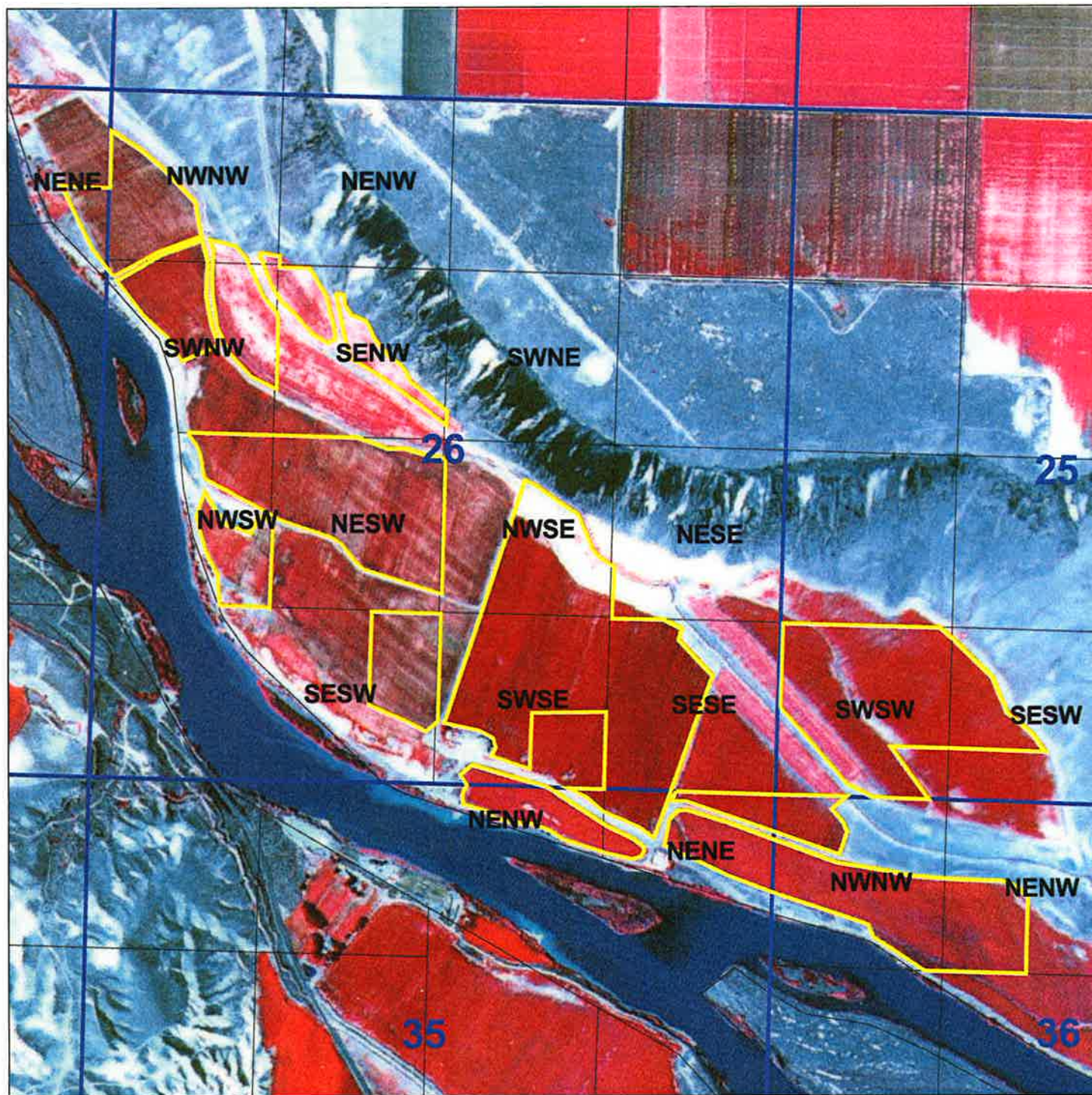


Prepared by M. Ciscell
On Tuesday, October 31, 2006
1987/88 Aerial Photography

Owner: Tfi Limited Partnership

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

63-2663



AJ5809NP
No. A63-02663

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/00
PAGE: 25

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMAS T NICHOLSON PO BOX 690 MERIDIAN ID 83680 (208) 888-1593	05/12/1966	IRRIGATION	03-15 11-15	3.000 CFS	945.00 AFA
					TOTAL DIVERSION:	3.000 CFS
					CONSUMPTIVE USE:	945.00 AFA 735.00 AFA

Water Source: WASTE WATER
UNNAMED STREAM

Tributary to: SNAKE RIVER
SNAKE RIVER

Stage: LICENSE

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 S08	SENE		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	25	:					:					:			23	07	:					:	30.0	
01N	03W	26	:					:		11	12	09	:	24	09		10	:		15	23	21	:	134.0	
01N	03W	27	:	03				:					:					:					:	3.0	
01N	03W	35	:	12	09			:					:					:					:	21.0	
01N	03W	36	:					:	10	12			:					:					:	22.0	
																							TOTAL ACRES		210.0

POU County: CANYON

Other Rights: 63-00357, 63-00358, 63-02699

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-00356 A63-00357 A63-00358

Other Water Rights Listing Overlapping Place(s) of Use:
A63-00356 A63-00357 A63-00358 A63-02699

Remarks: GEN SOURCES ARE UNNAMED STREAM TRIB TO SNAKE RIVER; WASTE WATER TRIB.
TO SNAKE RIVER.
AC. IRR. = 210.
ADDRESS CHANGED BY LH 3/18/94.

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

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

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

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 20072/63-2663 Priority May 12, 1966 Amount 3.0 cfs
(late proof)

THIS IS TO CERTIFY, that CARL E. NICHOLSON
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 20072/63-2663 issued pursuant to Application for Permit dated February 27, 1947,
and has submitted proof to the Department of Water Administration on August 6, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 17.31 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from seepage & waste water
tributary of _____, is hereby confirmed in the following amounts:
Amount 3.0 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 3.0 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 8, Twp. 1 S, Rge. 2 W, B.M.

in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 945 acre feet per year or _____
4.5 acre feet per acre.

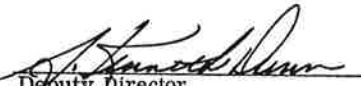
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1 N	3 W	25											22.6	6.7					29.3
		26					11	12.5	9	24.5	8.6		10.4		15.3	22.6	21		134.9
		27	3																3.0
		35	12	9															21.0
		36					9.8	12											21.8
Total number of acres irrigated																			210

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 17th day of

December, 19 73.


Deputy Director

63 2663

No 20072
63-2663
Carl E. Nicholson
Boise

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

Application No. 27608
Permit No. 20072
District No.

1. Name of Applicant: NICHOLSON & ISAACS, a co-partnership

Postoffice address: Boise

County: Ada

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
(b) Treasury stock:
(c) Bonds to be issued:
(d) Other resources:

2. Quantity of water claimed: Three (3) cubic feet per second.

3. Source of water supply: Seepage and waste water collecting/ in Melba wasteway which is a tributary of Snake River

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B.M., and is in the SE¹ NE¹
of Section 8 , T. 1 S. , R. 2 W. , B.M., County of Canyon

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

- (b) Amount of power generated: H.P., under feet head.

- (c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 100 (See Remarks)

8. Kind of works: Dam and ditch

9. Height of dam 4 feet; length of dam at top 15 feet; length of dam at bottom 10

feet; material used in dam: Earth and plank

10. Size of headgate: Width 3 feet; height 2 feet;

11. Ditch: Width at bottom 2 feet; width at water line 4 feet; depth of water 1½ feet;

dimensions of flume:

Diameter of pipe inches; length of conduit 6 miles.

Average grade per mile 3 feet.

12. The time required for the completion of such work is 3 years.

13. The time required for the complete application of the water to the proposed use is 2 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

- 14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

15. (a) Is reservoir to be used? ☐ No If so, fill in (b) and (c) below.
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

NICHOLSON & ISAACS,
a co-partnership

Applicant.

By

Edwin Snow

Agent.

Date of first receipt at Department of Reclamation: 3:00 P. M. February 27, 1947

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20072

Recorded in Book 72

Page 20072

Approved May 24, 1947

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before July 24, 1947

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before November 24, 1948

The whole of said work to be completed on or before May 24, 1950

Beneficial use of water appropriated in accordance herewith, to be made on or before May 24, 1952

Witness my hand this 24th day of July, 1947

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho,

and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 24th

day of May, 1947.

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE

By C. A. ROBINS

Governor.

Secretary of State.

Remarks: By building a small ditch about 565 ft. in length from the point of diversion the water appropriated hereby from the Melba Wasteway can be conducted to a ditch already constructed now belonging to applicants, formerly known as the "Bachman" ditch; through this ditch the water will flow approximately 6 miles to the land to be irrigated. The land to be irrigated will be reached by pumping from the Bachman ditch; it lies in Secs. 22, 23, 24, 25 & 26

14. Twp. 1 N., R. 3 W., S. 1 E.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1 N.	3 W.	22													10	15	20		45
		23																	5
		25									10	30	20						60
		26			20		10	10		10					10	20			80
		36					20												20

Total Number of Acres to be Irrigated - - 210

PERMIT NO. 20072

Certificate of Completion of Works

To All Whom it May Concern:

This is to certify that NICHOLSON & ISAACS, a Co-partnership, of Boise, County of Ada, and State of Idaho, the holders of Permit No. 20072, issued upon Application No. 27608, bearing date of priority of February 27, 1947, authorizing the diversion of Three (3) second feet of the waters of seepage and waste water collecting in Melba Wasteway, a tributary of Snake River, County of Canyon, State of Idaho, for irrigation purposes, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use Three (3) second feet of the waters of said seepage and waste water; that the point of diversion of said waters is in the NE 1/4 Section 8, Township 1 South, Range 2 West, D.M.; and that the lands proposed to be irrigated by the use of said waters are described as follows, to-wit: NE 1/4 SE 1/4 Section 22; SW 1/4 SW 1/4 Section 23; NE 1/4 SW 1/4 Section 25; SW 1/4 NE 1/4, SE 1/4 NW 1/4, NW 1/4 SE 1/4 Section 26; NE 1/4 NW 1/4 Section 35; All in Township 1 North, Range 3 West, D.M.

Witness my hand this 15th day of September, A. D. 1947.

MARK R. KULP

State Reclamation Engineer

Proof of completion of works made August 14, 1947

Certificate of completion of works issued September 15, 1947

A S S I G N M E N T

For value received, I hereby assign all my right, title, and interest in and to Permit to Appropriate the Public waters of the State of Idaho, No. 20072 to Carl E. Nicholson of Boise, Idaho.

K. D. ISAACS
Permit holder

MINNIE A. ISAACS
Wife of Permit Holder.

State of Idaho)
) ss
County of Ada)

On this 24th day of January, 1950, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho, personally appeared K. D. Isaacs and Minnie A. Isaacs, his wife, known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.

LELA D. PAINTER
Notary Public, residing at Boise, Idaho

(SEAL)
My commission expires 9/25/53

Received and filed for record in the Department
of Reclamation at Boise, Idaho, at
2:00 P. M. January 24, 1950.

Merk R. Kulp
State Reclamation Engineer.

RECEIVED
DEC 14 1973
Rect. # 13437
Department of Water Administration

Permit No. 63-2663

101 Warm Spring, Boise, Idaho, and represents to the State Reclamation
Department of Water Administration

1. Point of diversion: _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Sec. _____ T. _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day

(cfs or acre-feet per annum)

(cfs or acre-feet per annum)

(cfs or acre-feet per annum)

(cfs or acre-feet per annum)

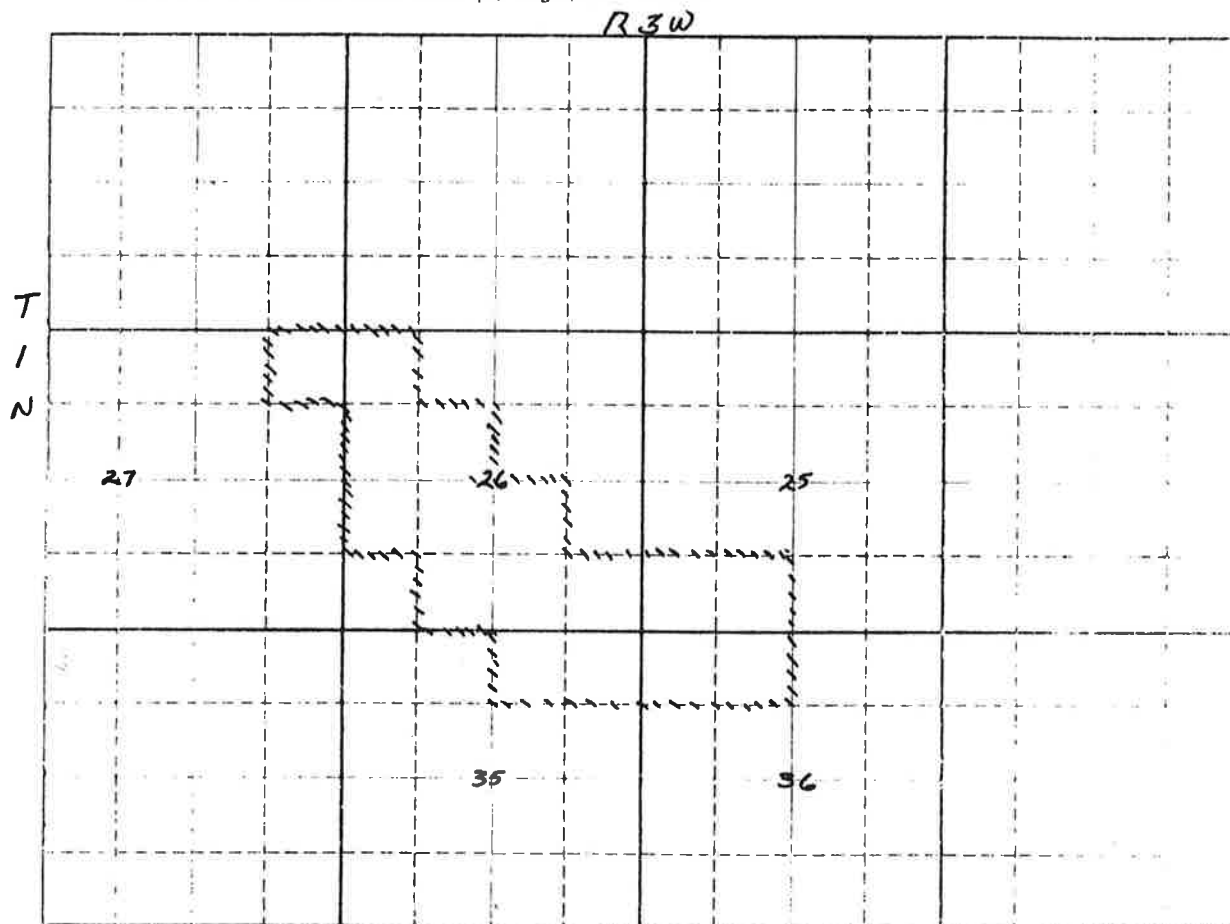
(cfs or acre-feet per annum)

[illegible]

210.0

63 2663

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk

Signed at Boise, this 14th day of Dec. 1973

- Carl Michaelson
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, _____, Director of the Department of Water Administration
hereby approve the above application for amendment for Permit No. 63-2663.

Witness my hand this 17th day of December, 19 73

 Director -by-
A. KENNETH DUNN,
Deputy Director

RECEIVED

Department of Water Administration

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Identification No. _____

Permit No. 63-2663

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

AUG 6 1971

Department of Water Administration

1. a) Name of Permit Holder Carl E. Nicholson
b) Post Office Address 101 Warm Springs Ave., Boise, Idaho
63-2663
2. Permit Number _____
3. Date of Priority that you are prepared to establish 2-27-47
4. a) Source from which water was appropriated seepage and waste water
b) Location of the point of diversion: SE 1/4 NE 1/4, Section 8
Township 1 S, Range 2 W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 3.0 for irrigation purposes from April 1 to Oct. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 3.0 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: self
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) ditch and pump
b) Describe the type and size of measuring device which you have installed at your point of diversion: N/A
c) Give well drillers name and address and date the well was completed _____

Exam Typed
Jan. 14, 72
C.S.

62

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				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	22													10	15		20	45
		23											5						5
		25									10	30	20						60
		26			20		10	10	10						10	20			80
		36					20												20

10. Remarks: Please have Examiner contact me because of current project
343-1297
 Total number of acres irrigated 210

The above information is a true statement of the extent to which the above numbered permit has been developed.

8/6/71
 (Date)

Carl E. Nicholson
 (Signature)

State of Idaho ss.
 County of Ada

On this 6 day of August, 19 71, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Donald H. Elder
 Notary Public residing at Birds Ferry

My commission expires 2-18-1974

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

1. Name of permit holder CARL E. NICHOLSON
- Post office address Boise, Idaho 343-1297 Phone _____
- Person to contact 101 Warm Springs Phone _____
2. Source of water supply: Groundwater ☐ Surface water ☒ seepage & waste water collecting in Wasteway Melba
(name spring, stream, etc.)
Tributary to Snake River

3. ^A Water will be used for the following purposes:

Amount 3.0 c.f.s. for irrigation
_____ AF/Annum (nature of use)

Period of Use: from April 1 to October 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 63-2663
Examination for Beneficial Use

4. Total amount to be appropriated:

Max Rate of Diversion 3.0 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 1S N/S, Range 2W E/W, B.M., Section 8, Subdivision SE 1/4 NE 1/4, Canyon

County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____

County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____

County _____

Other Points of Diversions: _____

Description of diverting works: ditch and pump

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	3W	22													10	15	20		45
		23										5							5
		25									10	30	20						60
		26			20		10	10		10					10	20			80
		36					20												20

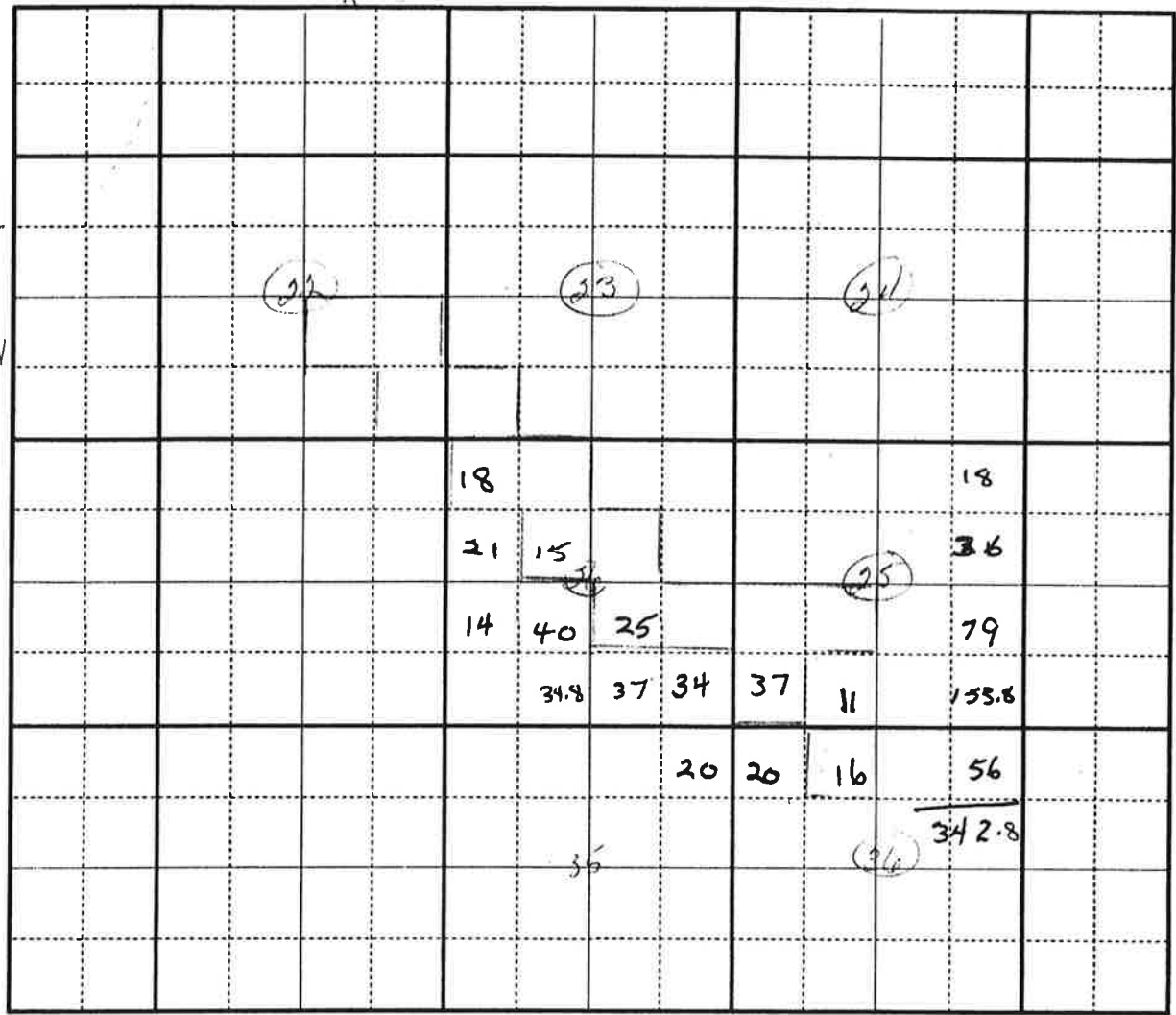
TOTAL ACREAGE

210

R 2 W

63 33

T
I
N



R 2 W

Diagram of System

T
I
S

8

0

DATE _____ EXAMINATION RECORDS

_____ by: _____

_____ by: _____

_____ by: _____

_____ by: _____

DATE OF EXAM 11 July 72

ACREAGE
Found 250 298.6 342.8
Recommended 210 ACRES

Irrigation Requirement 500 Ac Ft/Ac

USE
Irrigation Q = 3.0 c.f.s. V = 1050 AF/Ann. from Mar 15 to Nov 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: Me/BA Wasteway
twp. 1 N/S Rge. 2 E/W B.M., Sec. 8, Sub. SE $\frac{1}{4}$ NE $\frac{1}{4}$ CANYON County

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____ County

Point of injection:
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____ County

Point of exchange:
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____ County

Total Q measured 17.31 cfs Method of measurement Pygmy Meter

Total Q recommended 3.0 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 1050 AC FT/ANN

Recommended Amendments:

P.D. _____
(Place of Use) Add Acreage (subdivisions as shown in map above)
Other _____
None _____

MEASUREMENT CALCULATION:

See Pygmy Notes

Q = 17.31 cfs Q_{allow} = 3.0 cfs

V = (5)(210 acres) = 1050 AC FT/ANN

A = 298.6 A_{allow} = 210 acres

SYSTEM DESCRIPTION:

Concrete diversion structure into Earth ditch 3' deep x 8' wide
Ditch runs approx 2 1/2 miles to the place of use. Concrete
headboxes and two electric pumps divert water from ditch onto
irrigated Acreage. Excess water flows into the Snake River

REMARKS:

Examiner's Signature James Barber Date 31 July 72

Checked by _____ Date _____

Approved by _____ Date _____

.0 .10 .20 .30 .40 .50 .60 .70 .75 .80

LJ-200
1-63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Date 11 July, 1972 DISCHARGE MEASUREMENT NOTES

Malboro Waterway River Carl E. Nicholson

Angle coef- ficient	Dist. from initial point	Width	Depth	Observa- tion depth	Revo- lutions	Time in sec- onds	VELOCITY		Adjust- ed for hor. angle or	Area	Discharge
							At point	Mean in ver- tical			
	1.0	EW									
	1.5	.50	2.3		30	45	.683	.587		1.15	.68
			2.3		20	43	.491				
	2.0	.50	2.3		50	49	1.02	.85		1.15	.95
			2.3		30	45	.683				
	2.5	.50	2.3		50	42	1.18	1.21		1.15	1.39
			2.3		50	40	1.24				
	3.0	.50	2.2		60	44	1.35	1.40		1.10	1.54
			2.2		60	41	1.45				
	3.5	.50	2.2		50	54	1.46	1.54		1.10	1.69
			2.2		80	49	1.61				
	4.0	.50	2.2		60	43	1.38	1.53		1.10	1.68
			2.2		80	47	1.67				
	4.5	.50	2.3		60	41	1.45	1.60		1.15	1.84
			2.3		80	45	1.75				
	5.0	.50	2.3		60	42	1.41	1.45		1.15	1.67
			2.3		60	40	1.48				
	5.5	.50	2.3		80	51	1.55	1.61		1.15	1.85
			2.3		80	47	1.67				
	6.0	.50	2.3		80	44	1.77	1.77		1.15	2.04
			2.3		80	44	1.77				
	6.5	.55	2.3		80	51	1.55	1.56		1.27	1.98
			2.3		20	50	1.58				
	7.0	EW									
											17.31

No. _____ of _____ Sheets. Comp. by _____ Chk. by _____

10 20 30 40 50 60 70

These were transparent

6.7 14.6

45.4

10.1

6.3

63 2653

2

1

P

Transparent

20.6

8.0

18.4

53.2

5.5

34.8

65.5

63 2663

0992 89

97

22 23
27 26



1735

+00 -00

Water Right Number - A63-02663

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 20072

+ - - - - 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

*** O - ORIGINAL OWNER ***

NICHOLSON & ISAACS

1 -

2 -

3 -

City- XXXX

State- ID Zip- 00000

Phone - 208-000-0000

NICHOLSON

CARL E

1 - 101 WARM SPRINGS

2 -

3 -

City- BOISE

State- ID Zip- 83702

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/12/1966 14 WESTERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
WASTE WATER SNAKE RIVER
UNNAMED STREAM SNAKE RIVER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County 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	8	SE NE			(27) CANYON	

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	3.000	945.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
3.000 945.00 735.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01N	03W	25	SW SW		23.0	01	IRRIGATION	(27) CANYON
01N	03W	25	SE SW		7.0	01	IRRIGATION	(27) CANYON
01N	03W	26	NW NW		11.0	01	IRRIGATION	(27) CANYON
01N	03W	26	SW NW		12.0	01	IRRIGATION	(27) CANYON
01N	03W	26	SE NW		9.0	01	IRRIGATION	(27) CANYON
01N	03W	26	NE SW		24.0	01	IRRIGATION	(27) CANYON
01N	03W	26	NW SW		9.0	01	IRRIGATION	(27) CANYON

Water right number - A63-02663

Prefix Translation: ADJUDICATION CLAIM

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01N	03W	26	SE SW		10.0	01	IRRIGATION	(27) CANYON
01N	03W	26	NW SE		15.0	01	IRRIGATION	(27) CANYON
01N	03W	26	SW SE		23.0	01	IRRIGATION	(27) CANYON
01N	03W	26	SE SE		21.0	01	IRRIGATION	(27) CANYON
01N	03W	27	NE NE		3.0	01	IRRIGATION	(27) CANYON
01N	03W	35	NE NE		12.0	01	IRRIGATION	(27) CANYON
01N	03W	35	NW NE		9.0	01	IRRIGATION	(27) CANYON
01N	03W	36	NE NW		10.0	01	IRRIGATION	(27) CANYON
01N	03W	36	NW NW		12.0	01	IRRIGATION	(27) CANYON

Total Acres: 210.0

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

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - 63-00357, 63-00358, 63-02699

- - - - - Remarks - - - - -
SOURCES ARE UNNAMED STREAM TRIB TO SNAKE RIVER; WASTE WATER TRIB.
TO SNAKE RIVER.
AC. IRR. = 210.
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 - +
00/00/0000

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

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

- - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing - 00/00/0000	Field Inspection Made - 00/00/0000	Civil Case Number - 39576
Objection Filed Date - 00/00/0000	Field Inspection Flag -	Old Case Number -
Response Filed Date - 00/00/0000	Verified Date - 00/00/0000	Old Judicial District -
Claim Received Date - 03/21/1990	Last Amended Date - 00/00/0000	Temporary Right - P
Proof Due Date - 00/00/0000	Proof Made Date - 00/00/0000	Water District -
Licensed Date - 00/00/0000	Receipt Number - W011532	Federal/State Indicator - S
Claims Tape Error Flg -	POU Ownership Flag - Y	Presumption Flag -
Fee Exempt Flag -	Name Connector -	Notice of Error Flag -