

11/20/2006

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

RIGHT NUMBER: 75-10562
NAME AND ADDRESS: PHYLLIS NICHOLS
1154 N GARTH
RIDGECREST CA 93555

ROY L NICHOLS
1154 N GARTH
RIDGECREST CA 93555

JOHN C NICHOLS
RT 3 BOX 164
RUPERT ID 83350

SOURCE: PANTHER CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.340 CFS

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 02/15/1919

POINT OF DIVERSION: T19N R18E S34 SWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.300 CFS
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T19N R18E S28	SWSE	1.50	T19N R18E S28	SESE	1.60
T19N R18E S33	NENE	11.00	T19N R18E S33	NWNE	0.30
T19N R18E S33	SENE	0.60			

DOMESTIC in LEMHI County

T19N R18E S28	SESE	
---------------	------	--

15 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

10/16/2006

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PERIOD OF USE:

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IRRIGATION	3/15 11/15	0.300 CFS
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T19N R18E S28	SWSE	1.50	T19N R18E S28	SESE	1.80
T19N R18E S33	NENE	11.00	T19N R18E S33	NWNE	0.30
T19N R18E S33	SENE	0.60			

DOMESTIC Within LEMHI County

T19N R18E S28 SESE

15.2 ACRES TOTAL

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

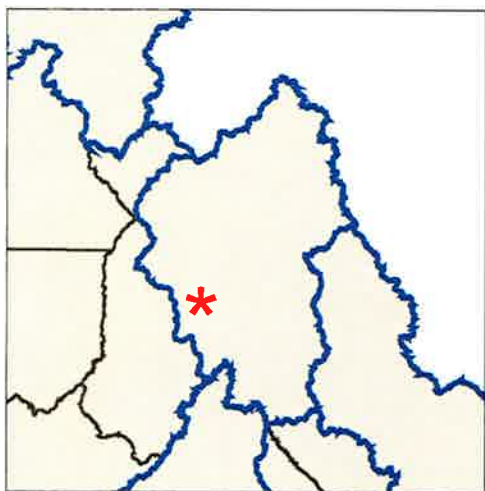
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

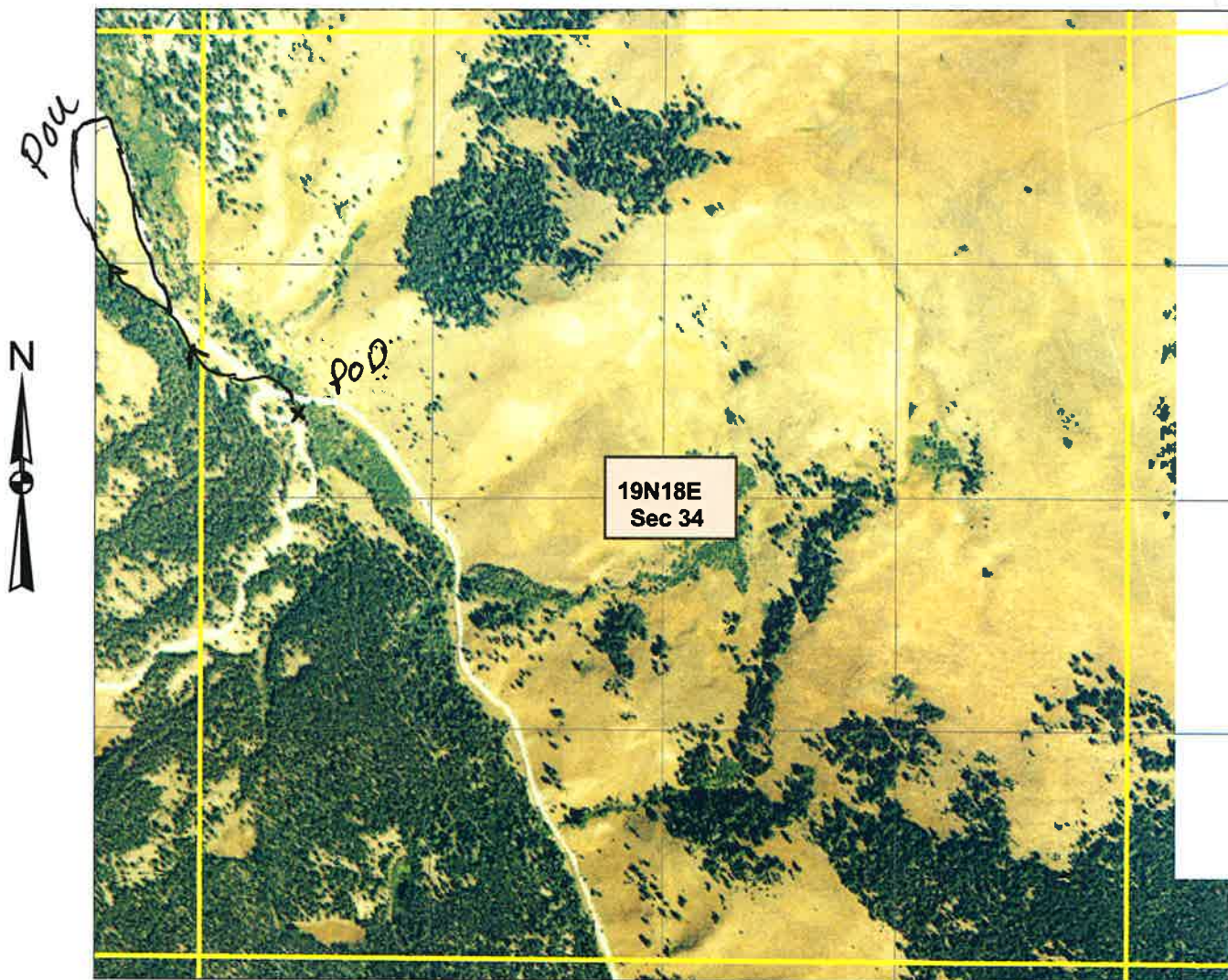


Adjudication Claim Number: **75-10562**



Legend

- Section Lines
- GCDB19N18E GCDB
- GCDB18N18E GCDB



0 0.4 0.8 Miles

A horizontal scale bar with markings at 0, 0.4, and 0.8 miles.

Prepared by M. Van Bussum
On Monday, May 16, 2005
1991 Aerial Photography



Idaho Department of Water Resources

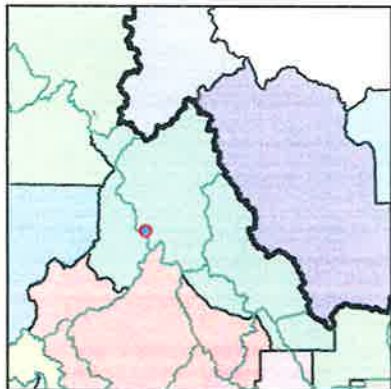
SRBA Recommendation:

75-10562

(Irrigation)

Legend

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



Lemhi County
IDWR Basin 75



0 0.2 0.4 Miles

Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 16, 2006

Steven & Rachel Nafus
100 Courthouse Dr. Suite A
Salmon, ID 83467

RE: 75-10562

Dear Mr. & Mrs. Nafus:

On May 7, 1990, John Nichols submitted a Notice of Claim in the Snake River Adjudication. Information we received from our field agent is that you may now own the property. If you do own the property, and the water is still being used, and you want your name in the final recommendation, then you need to file a change in water right ownership form and mail it to this office. Be sure to include a copy of the warranty deed or other document as described in item 2. B.

Sincerely,

A handwritten signature in black ink, appearing to read 'Knoblock', is written over a horizontal line.

Kenneth Knoblock
Water Resources Agent

11/20/2006

**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: 12/13/2006

Water right number: 75-10562

PHYLLIS NICHOLS
1154 N GARTH
RIDGECREST CA 93555

ROY L NICHOLS
1154 N GARTH
RIDGECREST CA 93555

JOHN C NICHOLS
RT 3 BOX 164
RUPERT ID 83350
Telephone Number: (208)532-4541

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:

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

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A7510562 208-940-0278

1. ☐ No Change NAME IS SAME
☒ NEW OWNER: Steven and Rachel Nafus
☐ No Change ADDRESS
☐ NEW ADDRESS: 100 Courthouse Dr. Suite A Salmon, ID
83467
2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0017088 GPS 088

Township 19N Range 18E Section 34 1/4 SW 1/4 SW 1/4 NW
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

- ☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☐ No Change — PLACE OF USE: (If changed, list below.)

Use: <u>19N</u> Township <u>18E</u> Range <u>33</u> Section <u>NE</u> 1/4 <u>NE</u> 1/4
Use: _____ Township _____ Range <u>33</u> Section <u>SE</u> 1/4 <u>NE</u> 1/4
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

Nafuss's have just purchased this
property, so there will be a C/O
coming.

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name
Jack F. Ellis
Signature

Accession/Serial #: 931775 **BLM Serial #:** IDH 0024625**Names****Patentee:** FRANK B ROOKER**Survey****State:** IDAHO**Acres:** 91.7**Metes/Bounds:** Yes**Title Transfer****Issue Date:** 2/15/1924**Land Office:** Hailey**Cancelled:** No**U.S. Reservations:** Yes**Mineral Reservations:** No**Authority:** May 20, 1862: Homestead EntryOriginal (12 Stat. 392)**Document Numbers****Document Nr.:** 024625**Misc. Doc. Nr.:** 0**Accession/Serial Nr.:** 931775**BLM Serial Nr.:** IDH 0024625

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
27/	19-N		18-E	No	Boise	ID	Lemhi	629
Remarks: HOMESTEAD ENTRY SURVEY #629								
28/	19-N		18-E	No	Boise	ID	Lemhi	629
Remarks: HOMESTEAD ENTRY SURVEY #629								
33/	19-N		18-E	No	Boise	ID	Lemhi	629
Remarks: HOMESTEAD ENTRY SURVEY #629								
34/	19-N		18-E	No	Boise	ID	Lemhi	629
Remarks: HOMESTEAD ENTRY SURVEY #629								

1924-5 = 1919

Land Patent Image

[Quick Help](#) [Bookmark \(Ctrl+D\)](#)[Home](#) > [Land Patent Search](#) > [Results List](#) > [Land Patent Details](#) > [Land Patent Image](#)

Acc./Ser. Nr.: 931775 Patentee: FRANK B ROOKER

Issue Date: 2/15/1924

Image Formats: Small GIF | [Large GIF](#) | [TIFF](#) | [PDF](#)[Add To Shopping Cart](#)Go to Page: [1](#) 2

Hailey 024625

4-1044-R.

GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the United States unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, **Calvin Coolidge,**

President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

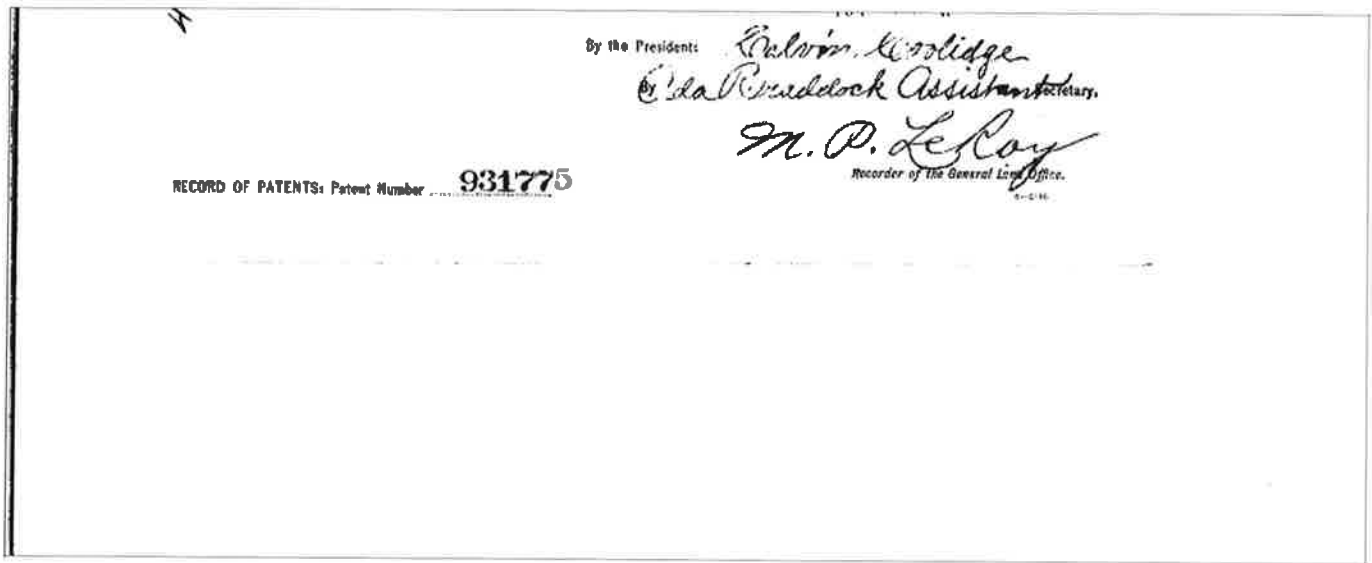
GIVEN under my hand, in the District of Columbia, this **FIFTEENTH**

day of **FEBRUARY** In the year of our Lord one thousand nine hundred and **TWENTY-FOUR** and of the Independence of the

United States the one hundred and **SEVENTH**

(SEAL)

15753-2

**Why can't I get a good print from this page?**

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15-10562
RECEIVED

AUG 22 2005

Department of Water Resources

16 August 2005

Roy Nichols
1154 No. Garth St.
Ridgecrest, CA 93555
760-371-5909

Roxanne Brown
State of Idaho
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83707-9815

Ref: Letter Dated 6/29/2005, Roxanne Brown on Evidence of Priority to Water Rights on Property Described as HES 629.

Encl: Copy of Patent #931775 recorded on HES 629 on 25 October 1948.

Dear Roxanne;

The reference letter from you gave an unreasonable short time to search recorded databases for a document giving evidence of Priority of Water Rights. For something this important, a 45 day notice is unrealistic and unsupportable in property law.

I am enclosing a document that I just was able to obtain of the subject property which shows that the Priority of Water Rights was assigned to HES 629 on 25 October 1948. Please find copy of this Patent #931775 on HES 629.

If this satisfies your request, Please notify me!


Roy L. Nichols

SCANNED

AUG 23 2005

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
WASHINGTON
OCT 20 1948

I hereby certify that the annexed copy of patent is a true and literal exemplification from the record which is in my custody in this office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the seal of this office to be affixed, at the city of Washington, on the day and year above written.

((SEAL)))

4-207c (July 1940)

Nellie B. Jeffery
Acting Chief, Patents Section

Hailey 024625

4-1043-R.

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Frank B. Rooker has been established and duly consummated, in conformity to law, for the H.E. Survey No. 629, embracing a portion of, approximately, Sections twenty-seven, twenty-eight, thirty-three and thirty-four in Township nineteen north of Range eighteen east of the Boise Meridian, Idaho, more particularly bounded and described as follows: Beginning at corner No. 1, from which U.S. Location Monument No. 427 bears south twenty-four degrees fifty-two minutes east ninety-six and forty-five hundredths chains distant; thence, north thirty-eight degrees ten minutes west forty-two and seventy-five hundredths chains to corner No. 2; thence, north one degree twenty-seven minutes west twenty-one and twelve hundredths chains to corner No. 3; thence, south eighty-nine degrees forty-three minutes east three and thirty-nine hundredths chains to corner No. 4; thence, south twenty-two degrees thirty-five minutes east fourteen and thirty-two hundredths chains to corner No. 5; thence, south thirty-six degrees seven minutes east thirty-seven and seventy hundredths chains to corner No. 6; thence, north thirty-four degrees east forty-one and thirty-four hundredths chains to corner No. 7; thence, south forty degrees twenty-three minutes east six and seventy-eight hundredths chains to corner No. 8; thence, south twenty-two degrees fifty-seven minutes west twenty-one and eighty hundredths chains to corner No. 9; thence, south forty-nine degrees one minutes west thirty and seventy hundredths chains to corner No. 1 the place of beginning, containing ninety-one acres and seventy hundredths of an acre, according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the United States unto the said claimant the tract of Land above described;

TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Calvin Coolidge, President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN Under my hand, in the District of Columbia, the FIFTEENTH day of FEBRUARY in the year of our Lord one thousand nine hundred and TWENTY-FOUR and of the Independence of the United States the one hundred and FORTY-EIGHTH

(SEAL)

By the President:
Calvin Coolidge
By Ada Braddock, Assistant Secretary,
M. P. LeRoy
Recorder of the General Land
Office.

RECORD OF PATENTS:
Patent Number 931775

STATE OF IDAHO,)
: ss.

6-2186

County of Lemhi)

Recorded at the request of Preston Thatcher, October 25th, 1948 at 59 minutes past 1 o'clock P.M., in Book 41 of Deeds Page 353, Records of Lemhi County, Idaho.

Fees, \$1.00 Paid

W. W. Simmonds, County Recorder.

By *Betty Sue Smith*, Deputy

Enclosure (1)

SCANNED
AUG 23 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-10562

WATER RIGHT NUMBER: 75-10562

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PHYLLIS NICHOLS 1154 N GARTH RIDGECREST, CA 93555
Current Owner	ROY L NICHOLS 1154 N GARTH RIDGECREST, CA 93555
Current Owner	JOHN C NICHOLS RT 3 BOX 164 RUPERT, ID 83350 (208)532-4541

Priority Date: ~~01/01/1870~~ 10/25/05

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
PANTHER CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.300 CFS	
DOMESTIC	1/01 to 12/31	0.040 CFS	
<u>Total Diversion:</u>		0.340 CFS	

Location of Point(s) of DiversionPANTHER CREEK
LEMHI County

Sec. 34, Twp 19N, Rge 18E, B.M.

Place of UseIRRIGATION Within LEMHI County

T19N R18E S34 15.0

Total Acres: 15

DOMESTIC Within LEMHI County

T19N R18E S34

Conditions of Approval:

1. SEE ATTACHMENTS FOR ADDITIONAL DESCRIPTION OF LOCATION. THIS PROPERTY IS DESCRIBED AS H.E.S. 629.

Remarks:

SCANNED

AUG 23 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 29, 2005

75-10562
ROY L NICHOLS
PHYLLIS NICHOLS
1154 N GARTH
RIDGECREST CA 93555

RESPONSE DEADLINE
JULY 29, 2005

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed. Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

If you no longer own the property to which the claim is appurtenant, please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Sincerely,

Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

SCANNED

AUG 23 2005



SPECIAL USE PERMIT

Act of June 4, 1897, or February 15, 1901
This permit is revocable and nontransferable

NAME OF PERMITTEE

J. C. Nichols

KIND OF USE

Water
Transmission

DATE OF PERMIT

March 20, 1968

FILE CODE

2720

REGION

4

STATE

Idaho

FOREST

Salmon

RANGER DISTRICT

Cobalt

Permission is hereby granted to J. C. Nichols

of Route # 3, Rupert, Idaho 83350

hereinafter called the permittee, to use subject to the conditions set out below, the following described lands or improvements:

Irrigation ditch beginning at a point on Panther Creek just south of permittee's patented homestead and extending in a northwesterly direction approximately 760 feet to connect with the west boundary of permittee's property. Section 34, T. 19 N., R 18 E., B. M. as shown on the attached map which is part of this permit.

This permit covers _____ acres and/or .1 miles and is issued for the purpose of:

Irrigation of Private Land.

(Transferred from Vincent Hunt and M. W. Ammon)

The exercise of any of the privileges granted hereby constitutes acceptance of all the conditions of this permit.

1. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of Agriculture, the sum of _____ Dollars (\$ _____) for the period from _____ 19 FREE, to _____, 19 _____, and thereafter annually on Regulation U-11

_____ Dollars (\$ _____):

Provided, however, Charges for this use may be made or readjusted whenever necessary to place the charges on a basis commensurate with the value of use authorized by this permit.

MICROFILMED
DEC 15 1992

2. Construction or occupancy and use under this permit shall begin within in place months, and construction, if any, shall be completed within 30 months, from the date of the permit. This use shall be actually exercised at least 30 days each year, unless otherwise authorized in writing.

3. Development plans; layout plans; construction, reconstruction, or alteration of improvements; or revision of layout or construction plans for this area must be approved in advance and in writing by the forest supervisor. Trees or shrubbery on the permitted area may be removed or destroyed only after the forest officer in charge has approved, and has marked or otherwise designated that which may be removed or destroyed. Timber cut or destroyed will be paid for by the permittee as follows: Merchantable timber at appraised value; young-growth timber below merchantable size at current damage appraisal value; provided that the Forest Service reserves the right to dispose of the merchantable timber to others than the permittee at no stumpage cost to the permittee. Trees, shrubs, and other plants may be planted in such manner and in such places about the premises as may be approved by the forest officer in charge.

4. The permittee shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the forest officer in charge.

5. This permit is subject to all valid claims.

6. The permittee, in exercising the privileges granted by this permit, shall comply with the regulations of the Department of Agriculture and all Federal, State, county, and municipal laws, ordinances, or regulations which are applicable to the area or operations covered by this permit.

7. The permittee shall take all reasonable precautions to prevent and suppress forest fires. No material shall be disposed of by burning in open fires during the closed season established by law or regulation without a written permit from the forest officer in charge or his authorized agent.

8. The permittee shall exercise diligence in protecting from damage the land and property of the United States covered by and used in connection with this permit, and shall pay the United States for any damage resulting from negligence or from the violation of the terms of this permit or of any law or regulation applicable to the national forests by the permittee, or by any agents or employees of the permittee acting within the scope of their agency or employment.

9. The permittee shall fully repair all damage, other than ordinary wear and tear, to national forest roads and trails caused by the permittee in the exercise of the privilege granted by this permit.

10. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

11. Upon abandonment, termination, revocation, or cancellation of this permit, the permittee shall remove within a reasonable time all structures and improvements except those owned by the United States, and shall restore the site, unless otherwise agreed upon in writing or in this permit. If the permittee fails to remove all such structures or improvements within a reasonable period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and restoration of the site.

12. This permit is not transferable. If the permittee through voluntary sale or transfer, or through enforcement of contract, foreclosure, tax sale, or other valid legal proceeding shall cease to be the owner of the physical improvements other than those owned by the United States situated on the land described in this permit and is unable to furnish adequate proof of ability to redeem or otherwise reestablish title to said improvements, this permit shall be subject to cancellation. But if the person to whom title to said improvements shall have been transferred in either manner above provided is qualified as a permittee and is willing that his future occupancy of the premises shall be subject to such new conditions and stipulations as existing or prospective circumstances may warrant, his continued occupancy of the premises may be authorized by permit to him if, in the opinion of the issuing officer or his successor, issuance of a permit is desirable and in the public interest.

13. In case of change of address, the permittee shall immediately notify the forest supervisor.

14. The temporary use and occupancy of the premises and improvements herein described may be sublet by the permittee to third parties only with the prior written approval of the forest supervisor but the permittee shall continue to be responsible for compliance with all conditions of this permit by persons to whom such premises may be sublet.

15. This permit may be terminated upon breach of any of the conditions herein or at the discretion of the regional forester or the Chief, Forest Service.

16. In the event of any conflict between any of the preceding printed clauses or any provision thereof and any of the following clauses or any provisions thereof, the preceding printed clauses will control.

17. This permit is accepted subject to the conditions set forth above and to conditions _____ to _____ attached hereto and made a part of this permit.

MICROFILMED

DEC 15 1992

02802

SUBSAPRINTEDITIONSTANDARDSTANDARD

THESE

18. This permit confers no right upon the permittee to the use of the water involved. Such rights must be obtained and retained under applicable State law.
19. This permit shall have no force and effect until the permittee has signified acceptance of its provisions and conditions by signing below and returning the duplicate copy to the Forest Supervisor.

3/20/68
(Date)

Louis E. Skowronski
(by)

Acting Forest Supervisor

(I) (We) have read the foregoing permit and agree to accept and abide by its terms and conditions.

3/25/68
(Date)

J. P. Nichols
(Permittee)

(By)

(Title)

MICROFILMED
DEC 15 1992

H. E. Survey No. 629 embracing a portion of approximately Sections 27, 28, 33 and 34 in Township 19 North of Range 18 East of the Boise Meridian, Idaho, more particularly described and bounded as follows:

Tract 1;

Beginning at Corner No. 1, from which U. S. Location Monument No. 427 bears South $24^{\circ}52'$ East 96.45 chains distant; thence North $38^{\circ}10'$ West 42.75 chains to corner No. 2; thence North $1^{\circ}27'$ West 21.12 chains to corner No. 3; thence South $89^{\circ}43'$ East 3.39 chains to Corner No. 4; thence South $22^{\circ}35'$ East 14.32 chains to Corner No. 5; thence South $36^{\circ}7'$ East 37.70 chains to Corner No. 6; thence North $34^{\circ}0'$ East 41.34 chains to Corner No. 7; thence South $40^{\circ}23'$ East 6.78 chains to Corner No. 8; thence South $22^{\circ}57'$ West 21.80 chains to Corner No. 9; thence South $49^{\circ}1'$ West 30.70 chains to Corner No. 1; the place of beginning, containing 91.70 acres, together with all water and water rights, ditches and ditch rights, range and range rights appertaining thereto and used in connection therewith, together with Sawmill and equipment therewith,

EXCEPTING THEREFROM the following described property, to-wit:

Beginning at corner No. 1 from which U. S. Location Monument No. 427 bears South $24^{\circ}52'$ East 96.45 chains (6365.70) feet distant; thence North $38^{\circ}10'$ West 10.61 chains (690 feet) to a point on the North West boundary; thence North $14^{\circ}49'$ East 864.05 feet to a point on the South East Boundary; thence South $36^{\circ}07'$ East 12.12 chains (790 feet) to the boundary corner; thence North $34^{\circ}00'$ East 41.34 chains (2728.44 feet) to the boundary corner; thence South $40^{\circ}23'$ East 6.78 chains (447.48 feet) to the boundary corner a point; thence South $22^{\circ}57'$ West 21.80 chains (1438.80 feet) to the boundary corner; thence South $49^{\circ}01'$ West 30.70 chains (2026.20 feet) to the point of beginning.

MICROFILMED
DEC 15 1992

SCANNED
6/11/92

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: A75-10562
Date Received: 5/07/1990
Receipt No: C016706
Received By: RAH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN C. NICHOLS 208-532-4541
Address: RT. 3, BOX 164
RUPERT, ID 83350
OR
Name: PHYLLIS NICHOLS
Address: 1154 NORTHGARTH
RIDGECREST, CA 93555
OR
Name: ROY L. NICHOLS
Address: 1154 NORTHGARTH
RIDGECREST, CA 93555

A7510562



2. Date of Priority: JAN 01, 1870

3. Source: PANTHER CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
19N	18E	34			LEMHI

5. Description of diverting works:
CANVAS DAM, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
IRRIGATION	03/15	11/15	0.300		

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

8. Total consumptive use is 37.5 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, ONE HOUSE

A75-10562

Page 1

Date: 05/07/90

MICROFILMED
DEC 15 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
19N	18E	34			DOMEST IRR	15.0
Section Acres						15.0
Total Acres						15.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:
SEE ATTACHMENTS FOR ADDITIONAL DESCRIPTION OF LOCATION. THIS
PROPERTY IS DESCRIBED AS H.E.S. 629.

15. Basis of Claim: BENEFICIAL USE

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: 5

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): X John C. Nichols Date: X 5-7-90

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 7th day

of May 19 90

Seal

Helen Harrington
Notary Public

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho

My Commission Expires December 1, 1994
My Commission Expires

builds

Harney Δ
7406

Cambridge

LA

NON

✓POD
Rooker
Basin

80D

panther

Prosper

CHONGCHONG

DEC 15 1973