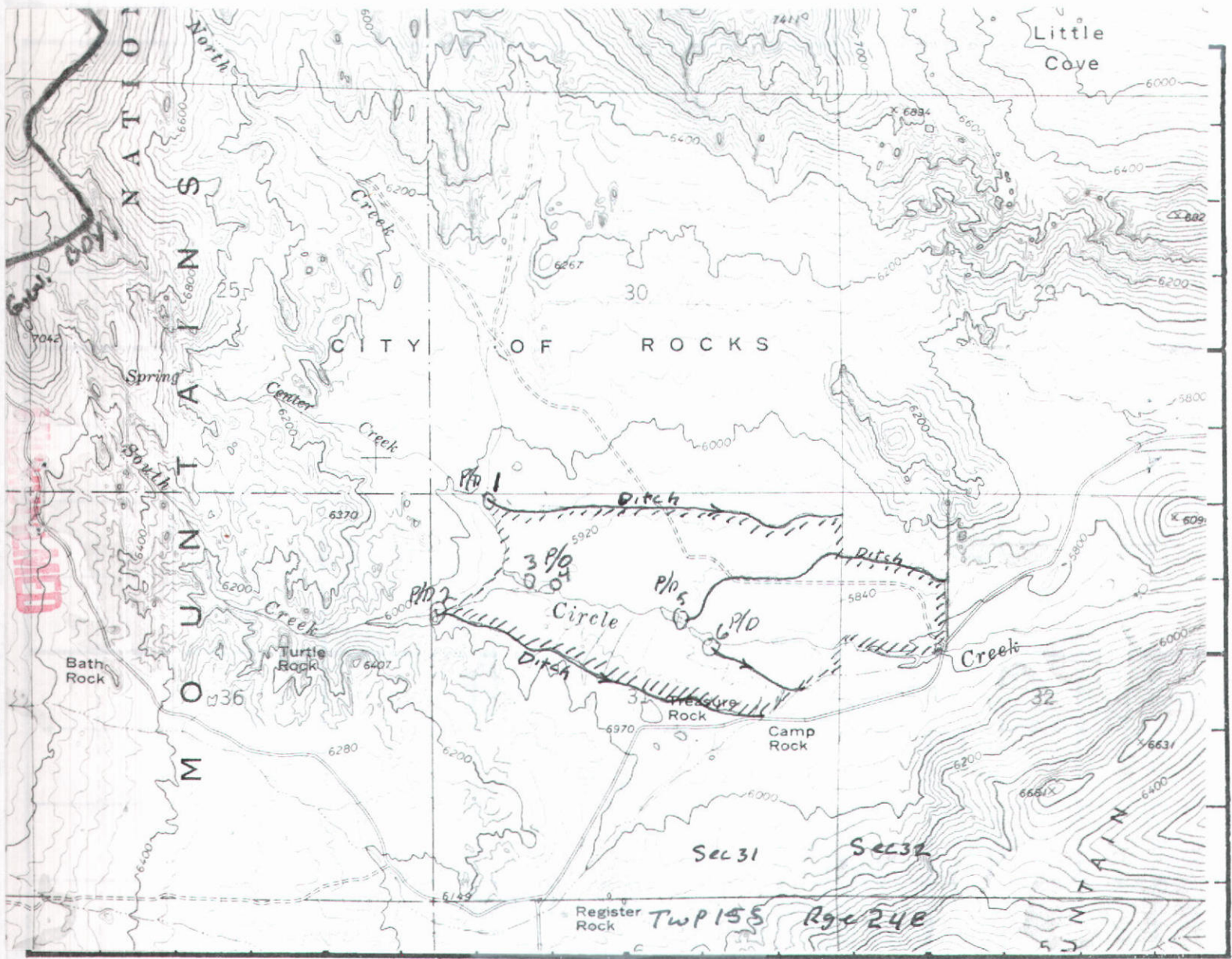


(8) Remarks Sources: (1) North Creek trib to Circle Creek
(2) South Creek trib to Circle Creek
(3,4,5,6) Circle Creek trib to Raft River



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

P. E. Nicholas
(Claimant)

Sworn to before me this 17 day of June, 19 83.

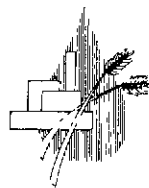
Loren O. Holmes
Notary Public
Residing at Twin Falls

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by LH Date 6/17/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by TGB Date 6-23-83 claimant by: _____
\$30.00 fee received by Marya Date 6-17-83 # 30330
Published in South id press
Dates 9/8 + 9/15/83

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that A. E. Nicholson (Name of Claimant)
805 3rd Street, Rupert, Idaho 83350 (Mailing Address) Telephone No 436-3862 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority. (When was the water first applied to a beneficial use) April 30, 1879

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water (Name of stream, lake, spring, etc., or ground water)
* See remarks tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>5.46</u>	Use <u>irrigation</u>	Period of Use From <u>Apr 1</u>	To <u>Nov 1</u>
Quantity	<u>.04</u>	Use <u>stockwater</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity		Use _____	Period of Use From _____	To _____
Quantity		Use _____	Period of Use From _____	To _____
Quantity	<u>5.46</u>	Use _____	Period of Use From _____	To _____

(4) 5.46 TOTAL QUANTITY USED (cfs, af)

(5) A) Point of diversion. (Location of point where water is diverted from its source)
(1) NW ¼ NW ¼, Sec 31 Twp 15S Rge. 24E B M, County of Cassia
Additional points of diversion. (2) SWNW, (3&4) NENW (5&6) SWNE, Sec. 31, T15S, R24E

B) Describe means of diversion of water (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities be as specific as possible. Describe any changes in the system and give the date of the change. Diversion dams & ditches

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15S	24E	31	25	30	40	38	35	20	20	25					3				236
		32						15	22										37

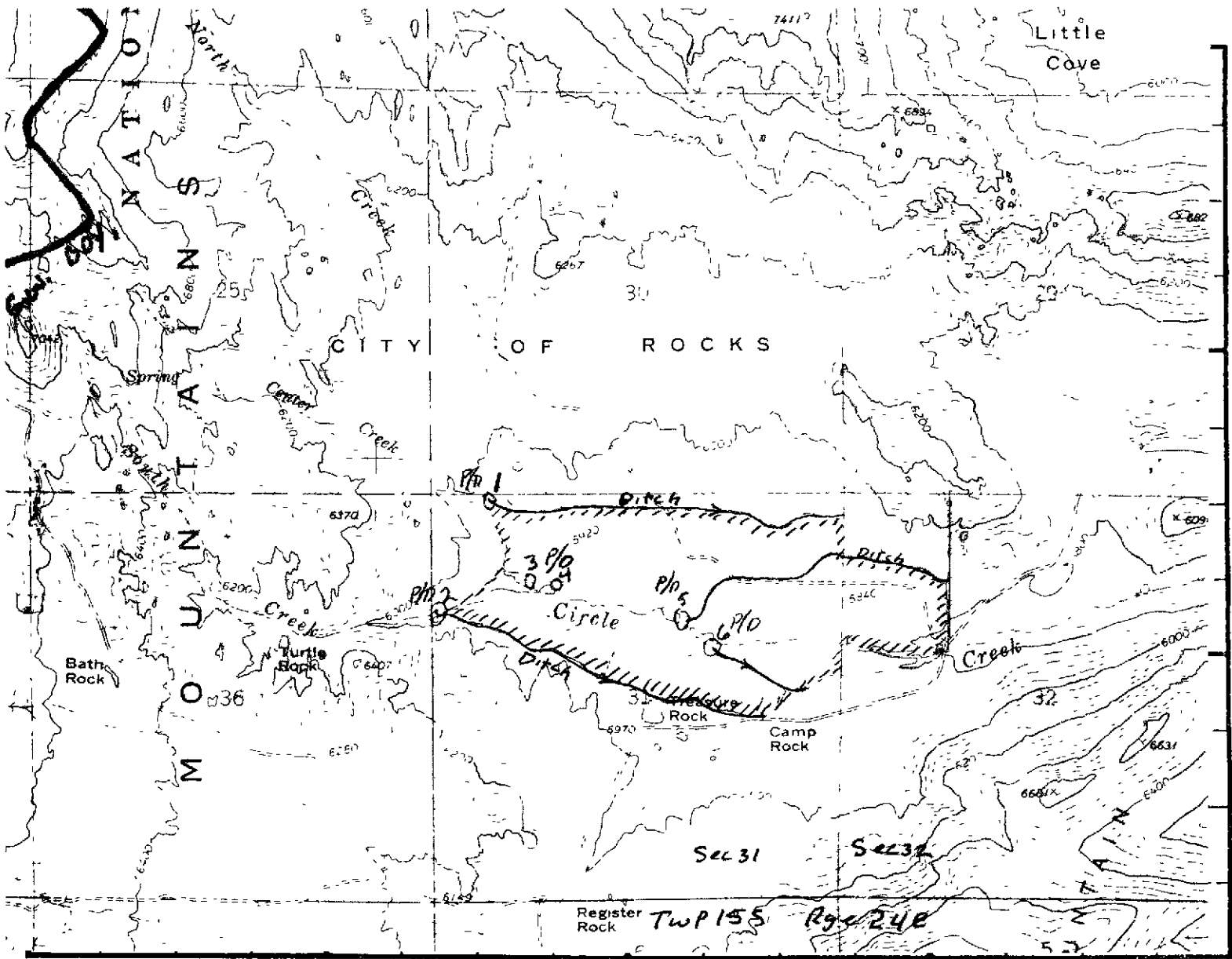
No. of acres 273

B) If water is used for other than irrigation, fully describe that use, being as specific as possible
Stockwater for 150 head of beef cattle

NOTE Include here the type and number of stock watered 150 beef

(7) If you are claiming water as a member of an organization, list name of organization _____

(8) Remarks Sources: (1) North Creek trib to Circle Creek
(2) South Creek trib to Circle Creek
(3,4,5,6) Circle Creek trib to Raft River



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

P. E. Nicholas
(Claimant)

Sworn to before me this 17 day of June, 19 83.

Loren O. Holmes
Notary Public
Residing at Twin Falls

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by LH Date 6/17/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim check by TGB Date 6-23-83 claimant by _____
\$30.00 fee received by Marya Date 6-17-83 # 36330
Published in roughed map
Dates 9/8 & 9/15/83

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.
being first
duly sworn, deposes and says that he is the
of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of
The South Idaho Press for
consecutive weeks, commencing with the issue
dated September 2, 1953, and ending
with the issue dated September 19, 1953.

Subscribed and sworn to before me
this 26 day of Sept
1953.

Notary Public

Cost of Publication \$1.50

Notary Fee

Total Cost \$1.50

43-4172
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
550 W. FORT ST., BOISE, ID 83724
Source: SMOKEY MOUNTAIN SPRING trib. to SINKS
Priority Date: 06/01/1948
Diversions Pt: SESW Sec 33 T 15S R 24E
Use: STOCKWATER (0.01 CFS)
WILDLIFE (0.01 CFS)
In: SESW Sec 33 T 15S R 24E

43-4173
NICHOLSON, A. E.
805 3RD ST., RUPERT, ID 83350
Source: NORTH CREEK trib. to CIRCLE CREEK
SOUTH CREEK trib. to CIRCLE CREEK
CIRCLE CREEK trib. to RAFT RIVER
Priority Date: 04/30/1879
Diversions Pt: NWNW SWNW NENW SWNE Sec 31
15S R 24E
Use: IRRIGATION (5.46 CFS)
STOCKWATER (0.04 CFS)
In: NENE NWNE SWNE SENE NENW NWNW SWNW
SENE NESE Sec 31 T 15S R 24E NWNW SWNW Sec
32 T 15S R 24E FOR 273 ACRES

43-4174
GOODMAN, CLYDE L. &/or DAWNIE
BOX 62, ALBION, ID 83311
Source: UNNAMED STREAM trib. to MARSH CREEK
Priority Date: 04/01/1935
Diversions Pt: LOT 01 Sec 06 T 12S R 25E
Use: IRRIGATION (0.20 CFS)
In: LOT 01 (NENE) Sec 06 T 12S R 25E FOR 7 ACRES

43-4175
HOSKINS (ISOM), BOYD
NAF, ID 83345
Source: GROUNDWATER
Priority Date: 01/01/1896
Diversions Pt: NENW Sec 27 T 16S R 27E
Use: IRRIGATION (0.22 CFS)
COMMERCIAL (0.22 CFS)
DOMESTIC (0.04 CFS)
In: NENW Sec 27 T 16S R 27E FOR 10 ACRES

43-4176
ANDERSON, HAL T.
STAR ROUTE, MALTA, ID 83342
Source: MEADOW CREEK trib. to SINKS
Priority Date: 03/01/1960
Diversions Pt: SENE Sec 23 T 13S R 27E
Use: IRRIGATION (10.00 CFS)
In: NWNE SWNE NENW NWNW SWNW SENW NESW
NWSW SWSW SESW SENE Sec 23 T 13S R 27E
NWNE SWNE NENW NWNW SWNW SENW Sec 23 T
13S R 27E FOR 720 ACRES

83-254

NOTICE OF CLAIMS TO WATER RIGHTS
Notice is hereby given that the following
claim(s) to water right(s) have been established by
diversion and application to beneficial use

43-4161
L. O. S. CHURCH, (MALTA WARD)
C/O LEO W. HURST, DECLO, ID 83323
Source: GROUNDWATER
Priority Date: 07/01/1953
Diversions Pt: SWNW Sec 12 T 13S R 26E
Use: IRRIGATION (0.09 CFS)
In: SWNW Sec 12 T 13S R 26E FOR 3 ACRES

43-4162
L. O. S. CHURCH (MALTA WARD)
C/O LEO W. HURST, DECLO, ID 83323
Source: GROUNDWATER
Priority Date: 03/01/1957
Diversions Pt: SENW Sec 12 T 13S R 26E
Use: IRRIGATION (0.44 CFS)
In: SENW Sec 12 T 13S R 26E FOR 22 ACRES

43-4163
L. O. S. CHURCH (MALTA WARD)
C/O LEO W. HURST, DECLO, ID 83323
Source: GROUNDWATER
Priority Date: 03/01/1963
Diversions Pt: SWNW Sec 12 T 13S R 26E
Use: DOMESTIC (0.04 CFS)
In: SWNW Sec 12 T 13S R 26E

43-4164
L. O. S. CHURCH (MALTA WARD)
C/O LEO W. HURST, DECLO, ID 83323
Source: GROUNDWATER
Priority Date: 05/01/1938
Diversions Pt: NWNW Sec 12 T 13S R 26E
Use: IRRIGATION (0.02 CFS)
DOMESTIC (0.20 CFS)
In: NWNW Sec 12 T 13S R 26E FOR 1 ACRES

43-4165
L. O. S. CHURCH (DECLO STAKE)
C/O LEO W. HURST, DECLO, ID 83323
Source: GROUNDWATER
Priority Date: 01/01/1970
Diversions Pt: SWNW Sec 08 T 14S R 27E
Use: DOMESTIC (0.04 CFS)
In: SWNW Sec 08 T 14S R 27E

43-4166
HARPER, D. JAY
MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 03/15/1959
Diversions Pt: NESE Sec 31 T 13S R 27E
Use: IRRIGATION (0.50 CFS)
In: NENE NWNE Sec 31 T 13S R 27E FOR 25 ACRES

43-4167
BARKER, RUEL
1621 W. 950 N., PROVO, UT 84604
Source: GROUNDWATER
Priority Date: 04/01/1954
Diversions Pt: SESW Sec 32 T 13S R 25E
Use: IRRIGATION (1.50 CFS)
In: NESE SESE Sec 31 T 13S R 25E NESW NWSW
SWSW SESW Sec 32 T 13S R 25E FOR 229 ACRES

43-4168
WARD, HAROLD OLEN &/or LORRAYNE B.
7209 KINGSTON DR., BOISE, ID 83704
Source: SPRING trib. to UNNAMED STREAM
Priority Date: 04/01/1943
Diversions Pt: SESW Sec 12 T 16S R 23E
Use: STOCKWATER (0.10 CFS)
In: SESW Sec 12 T 16S R 23E SWSW Sec 07 T 16S R
24E NENE Sec 13 T 16S R 23E

43-4169
NEDDO, ROGER
MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 03/01/1960
Diversions Pt: NWNE Sec 29 T 13S R 27E
Use: IRRIGATION (1.60 CFS)
In: NWNE SWNE NENW SENW Sec 29 T 13S R 27E
FOR 160 ACRES

43-4170
WARD, HAROLD OLEN &/or LORRAYNE B.
7209 KINGSTON DR., BOISE, ID 83704
Source: SPRING trib. to UNNAMED STREAM
Priority Date: 04/01/1953
Diversions Pt: SWNW Sec 12 T 16S R 23E
Use: STOCKWATER (0.04 CFS)
In: SWNW Sec 12 T 16S R 23E

43-4171
OSTRUP, WILFORD B.
154 N. 4700 W., OGDEN, UT 84401
Source: GROUNDWATER
Priority Date: 05/20/1960
Diversions Pt: NWNW Sec 33 T 15S R 26E
Use: IRRIGATION (1.79 CFS)
In: NENW NWNW SWNW SENW Sec 33 T 15S R 26E
FOR 130 ACRES

43-4178
BUTLER, R. RICHARD &/or DONNA W
278 S. 300 W., KAYSVILLE, UT 84037
Source: GROUNDWATER
Priority Date: 07/01/1959
Diversions Pt: NWNE Sec 12 T 13S R 26E
Use: IRRIGATION (0.70 CFS)
STOCKWATER (0.01 CFS)
In: NENE NWNE Sec 12 T 13S R 26E FOR 35 ACRES

43-4179
PIERCE, JESSE M.
MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 09/01/1928
Diversions Pt: SWSE Sec 19 T 13S R 27E
Use: IRRIGATION (0.80 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: SWSE Sec 19 T 13S R 27E FOR 40 ACRES

43-4180
WARD, ROSCOE
EY RANCH, ALMO, ID 83312
Source: GROUNDWATER
Priority Date: 01/01/1940
Diversions Pt: SENW Sec 12 T 16S R 25E
Use: IRRIGATION (0.03 CFS)
DOMESTIC (0.04 CFS)
In: SENW Sec 12 T 16S R 25E FOR 1 ACRES

43-4181
WARD, ROSCOE B.
EY RANCH, ALMO, ID 83312
Source: GROUNDWATER
Priority Date: 03/15/1956
Diversions Pt: SENW Sec 11 T 16S R 25E
Use: IRRIGATION (1.32 CFS)
In: SWNE SENE SENW Sec 11 T 16S R 25E NENE
NWNE SWNE NENW SENW Sec 12 T 16S R 25E NENE
NWNE SWNE NENW NWNW SWNW SENW Sec 06 T
16S R 26E FOR 360 ACRES

43-4182
MOSS INVESTMENT
RT. 1 BOX 105, DECLO, ID 83323
Source: GROUNDWATER
Priority Date: 04/01/1954
Diversions Pt: SWSW Sec 12 T 12S R 26E SWSW Sec
01 T 12S R 26E
Use: IRRIGATION (2.40 CFS)
In: SENW NESW SESW Sec 12 T 12S R 26E FOR 120
ACRES

43-4183
MOSS INVESTMENT
RT. 1 BOX 105, DECLO, ID 83323
Source: GROUNDWATER
Priority Date: 03/15/1954
Diversions Pt: NESW SESW SENE Sec 34 T 11S R 27E
SENE Sec 02 T 12S R 27E
Use: IRRIGATION (3.20 CFS)
In: NESW NWSW SWSW SESW NESE NWSE SESE
Sec 34 T 11S R 27E FOR 320 ACRES

43-4184
MOSS INVESTMENT
RT. 1 BOX 105, DECLO, ID 83323
Source: GROUNDWATER
Priority Date: 07/01/1959
Diversions Pt: NESW SESW SENE Sec 34 T 11S R 27E
SENE Sec 02 T 12S R 27E
Use: IRRIGATION (9.60 CFS)
In: NENW NWNW SWNW SENW Sec 02 T 12S R 27E
NENE NWNE SWNE SENE NENW NWNW SWNW SENW
Sec 03 T 12S R 27E FOR 480 ACRES

43-4185
WARD, J. RICHARD
RT. 1 BOX 8, FIRTH, ID 83236
Source: SPRING trib. to RAFT RIVER
Priority Date: 01/01/1983
Diversions Pt: NESE Sec 15 T 16S R 26E
Use: STOCKWATER (0.02 CFS)
In: NESE Sec 15 T 16S R 26E

43-4186
PRESTON, ALLEN
STAR RT. BOX 63, DECLO, ID 83323
Source: GROUNDWATER
Priority Date: 01/01/1960
Diversions Pt: NWNE Sec 10 T 11S R 27E
Use: DOMESTIC (0.08 CFS)
In: NWNE Sec 10 T 11S R 27E

43-4187
ALLEN, PRESTON
STAR RT. BOX 63, DECLO, ID 83323
Source: GROUNDWATER
Priority Date: 09/02/1948
Diversions Pt: SESE Sec 03 T 11S R 27E NWNW Sec
15 T 11S R 27E
Use: STOCKWATER (0.33 CFS)
In: SESE Sec 03 T 11S R 27E NWNW Sec 15 T 11S R
27E

43-4188
ALLEN, PRESTON
STAR RT. BOX 63, DECLO, ID 83323
Source: GROUNDWATER
Priority Date: 01/01/1960
Diversions Pt: SESE Sec 15 T 11S R 27E SESE Sec 16 T
11S R 27E
Use: STOCKWATER (0.22 CFS)
DOMESTIC (0.08 CFS)
In: SESE Sec 15 T 11S R 27E SESE Sec 16 T 11S R
27E

43-4177

HOSKINS (ISOM), BOYD

NAF, ID 83345

Source: GROUNDWATER

Priority Date: 01/01/1926

Diversion Pt: NENW Sec 27 T 16S R 27E SESW Sec 22 T 16S R 27E

Use: COMMERCIAL (0.28 CFS)

DOMESTIC (0.04 CFS)

In: NENW Sec 27 T 16S R 27E SESW Sec 22 T 16S R 27E

43-4189

ALLEN, PRESTON

STAR RT BOX 63, DECLO, ID 83323

Source: GROUNDWATER

Priority Date: 01/01/1920

Diversion Pt: NESW Sec 35 T 10S R 27E

Use: DOMESTIC (0.08 CFS)

In: NESW Sec 35 T 10S R 27E

43-4190

WRIGHT, BLAINE

MALTA, ID 83342

Source: SPRING trib. to SINKS

Priority Date: 11/01/1930

Diversion Pt: NWNW Sec 13 T 13S R 26E

Use: STOCKWATER (0.25 CFS)

In: NENE NWNE NENW Sec 13 T 13S R 26E

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd North, Twin Falls, Idaho 83301.

A KENNETH DUNN, Director

Published in the South Idaho Press on September 8 and 15, 1983.

7-2
MED

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

42-4173-

NICHOLSON, A. E.

805 3RD ST., RUPERT, ID 83350

Source: NORTH CREEK trib. to CIRCLE CREEK
SOUTH CREEK trib. to CIRCLE CREEK
CIRCLE CREEK trib. to PAFT RIVER

Priority Date: 04/30/1879

Diversion Pt: NNW SW NW NENW SW NE Sec 31 T 15S R 24E

Use: IRRIGATION 15.46 CFS
STOCKWATER 10.04 CFS

In: NENE NW NE SW NE SENE NENW NNW SW NW SENW NESE Sec 11 T 15S R 24E NNW SW NW
Sec 32 T 15S R 24E FOR 271 ACRES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 9/8 & 9/15/83.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-1578

SEPTEMBER 1, 1983

South Idaho Press
P.O. Box 190
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 26, 1983.

Yours truly,

Mary A. Newby
Secretary

Encl.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-7579

Oct. 5
~~SEPTEMBER 23~~ 1987

A. E. NICHOLSON
885 3RD ST.
RUPERT

ID 83350

RE: Claim No. 43-4173

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,


ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

IDENT. NO. 43-4173

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: T. G. Blau

Right Number 43-4173 Applicant NICHOLSON, A. E.

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received
- ☒ Claim published correctly.
- ☒ Exceptions processed. None

By ADM Date 10/4/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 11/1/83