

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/4/2024

Water Right 43-4173
WR Report AFTER Ownership Change Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MICHAEL V NICHOLSON 805 3RD ST RUPERT, ID 83350 (208) 436-3862
Attorney	WILLIAM T GOODMAN GOODMAN & BOLLAR PO BOX D RUPERT, ID 83350 (208) 436-4774
Original Owner	A E NICHOLSON 805 3RD ST RUPERT, ID 83350 (208) 436-3862

Priority Date: 10/15/1882

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
DRY CREEK	CIRCLE CREEK
NORTH CREEK	CIRCLE CREEK
CIRCLE CREEK	RAFT RIVER
SOUTH CREEK	CIRCLE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	4.340 CFS	
STOCKWATER	01/01	12/31	0.040 CFS	
	<u>Total Diversion</u>		4.340 CFS	

Source and Point(s) of Diversion:

DRY CREEK	NWNESE	Sec. 31, Twp 15S, Rge 24E, CASSIA County
NORTH CREEK	L3(NWNWSW)	Sec. 30, Twp 15S, Rge 24E, CASSIA County
CIRCLE CREEK	NWSWNE	Sec. 31, Twp 15S, Rge 24E, CASSIA County
CIRCLE CREEK	L1(SENWNW)	Sec. 31, Twp 15S, Rge 24E, CASSIA County
SOUTH CREEK	L2(NWSWNW)	Sec. 31, Twp 15S, Rge 24E, CASSIA County

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/4/2024

Place Of Use:

STOCKWATER within CASSIA County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	24E	30										X L3	X L4	X					
15S	24E	31	X	X	X	X	X	X L1	X L2	X					X				
15S	24E	32						X	X			X							

IRRIGATION within CASSIA County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	24E	31	18.0	30.0	25.0	34.0	37.0	21.0 L1	7.6 L2	15.0					0.3				187.9
15S	24E	32						1.1	28.0										29.1

POU Total Acres: 217.0

Conditions of Approval:

1. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43B.
4. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Comments:

1 vhancock 4/25/2003 SF5 & VERSION 2
PRIORITY DATE CHANGED FROM DECEMBER 31, 1885 TO OCTOBER 15, 1882 PER HOMESTEAD INFORMATION RECEIVED 3/28/2003. SEE FILE.

2 cskinner 6/12/2024 POU
Updated Shape

3 dmaline 9/3/2024 Split Right
Split into 43-4173 (Nicholson) & 43-13934 (North Creek Ranch LLC).

4 dmaline 9/4/2024 POU
Updated Shape

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/4/2024

Dates and Other Information:

Decreed Date: 11/10/2003
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 43B
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

SubCaseNumber: 43-4173
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Beneficial Use
Date Filed: 2/1/2002
Objection Status: Active

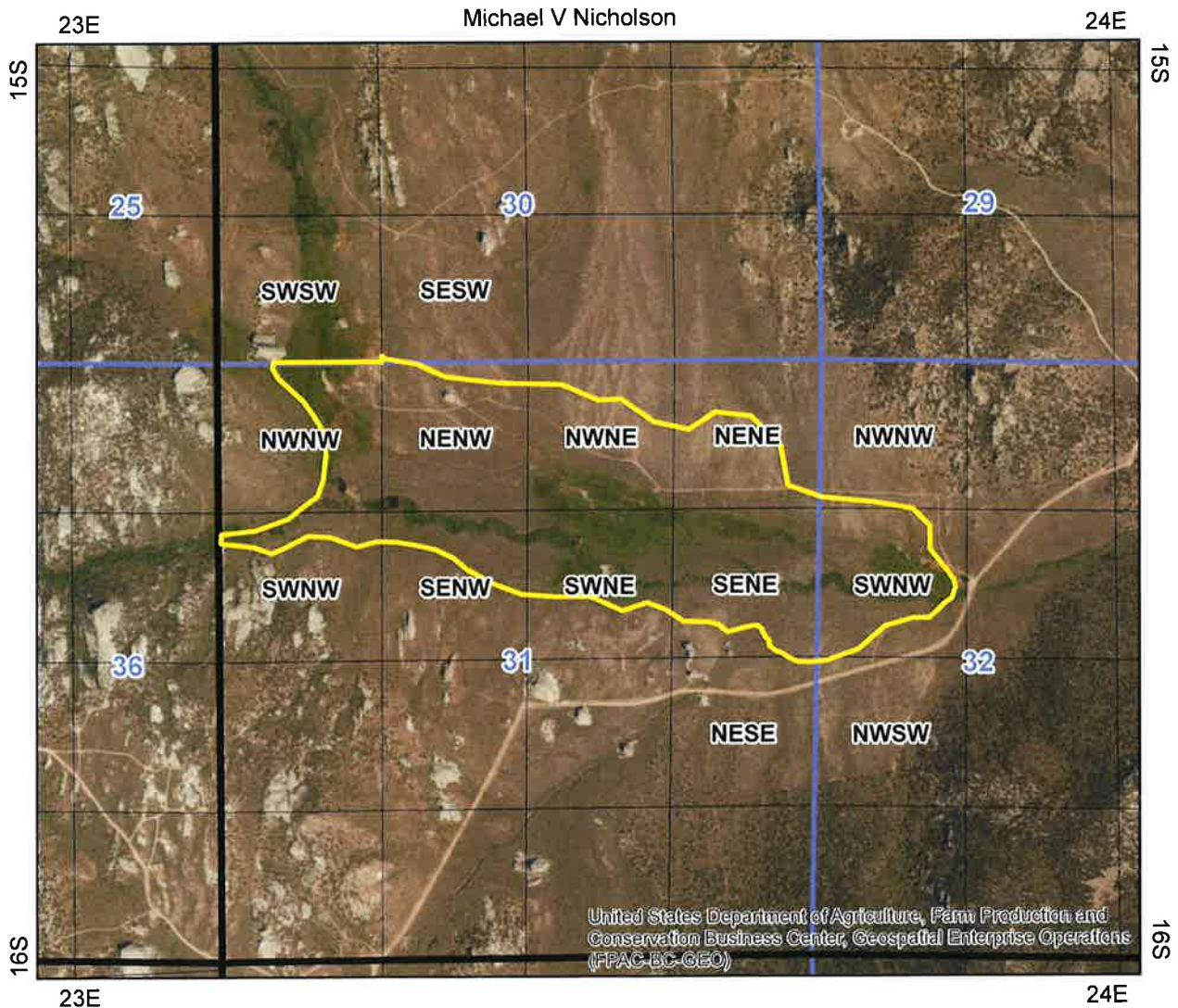
Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

Water Right 43-4173
Irrigation

Map AFTER Ownership Change Split



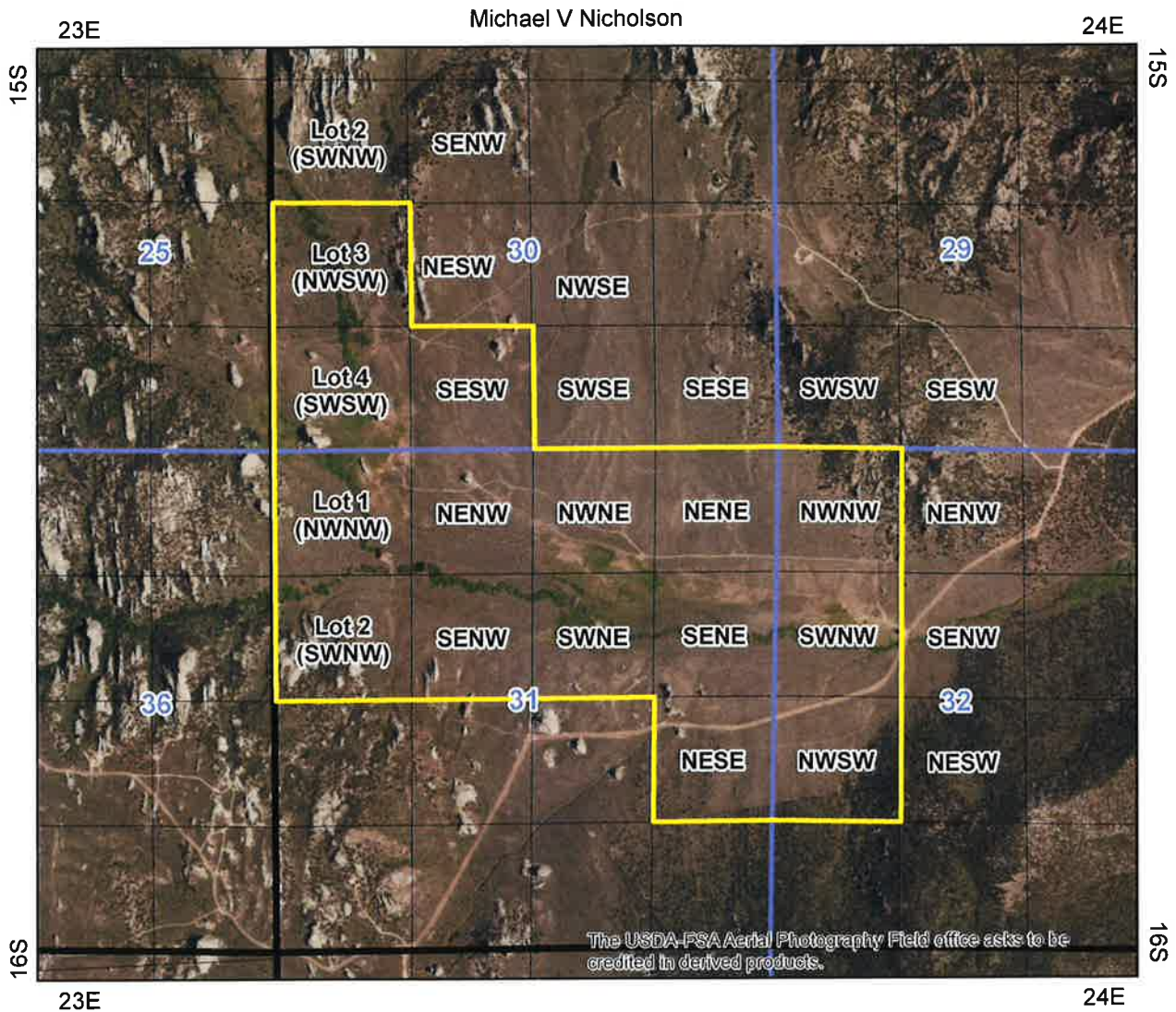
0 0.175 0.35 0.7 Miles

-  Place Of Use Boundary
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



State of Idaho
Department of Water Resources
Water Right 43-4173
Stockwater

Map AFTER Ownership Change Split



- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- State Outline

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/6/2024

Water Right 43-4173
WR Report *BEFORE* Ownership Change Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MICHAEL V NICHOLSON 805 3RD ST RUPERT, ID 83350 (208) 436-3862
Attorney	GOODMAN & BOLLAR WILLIAM T GOODMAN PO BOX D RUPERT, ID 83350 (208) 436-4774
Original Owner	A E NICHOLSON 805 3RD ST RUPERT, ID 83350 (208) 436-3862

Priority Date: 10/15/1882

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
DRY CREEK	CIRCLE CREEK
NORTH CREEK	CIRCLE CREEK
CIRCLE CREEK	RAFT RIVER
SOUTH CREEK	CIRCLE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	4.640 CFS	
STOCKWATER	01/01	12/31	0.040 CFS	
	<u>Total Diversion</u>		4.640 CFS	

Source and Point(s) of Diversion:

DRY CREEK	NWNESE	Sec. 31, Twp 15S, Rge 24E, CASSIA County
NORTH CREEK	L3(NWNWSW)	Sec. 30, Twp 15S, Rge 24E, CASSIA County
CIRCLE CREEK	NWSWNE	Sec. 31, Twp 15S, Rge 24E, CASSIA County
CIRCLE CREEK	L1(SENWNW)	Sec. 31, Twp 15S, Rge 24E, CASSIA County
SOUTH CREEK	L2(NWSWNW)	Sec. 31, Twp 15S, Rge 24E, CASSIA County

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/6/2024

Place Of Use:

STOCKWATER within CASSIA County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	24E	30										X L3	X L4	X					
15S	24E	31	X	X	X	X	X	X L1	X L2	X					X				
15S	24E	32						X	X			X							

IRRIGATION within CASSIA County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	24E	30											15.0 L4						15.0
15S	24E	31	18.0	30.0	25.0	34.0	37.0	21.0 L1	7.6 L2	15.0					0.3				187.9
15S	24E	32						1.1	28.0										29.1

POU Total Acres: 232.0

Conditions of Approval:

1. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43B.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Comments:

1 vhancock 4/25/2003 SF5 & VERSION 2
PRIORITY DATE CHANGED FROM DECEMBER 31, 1885 TO OCTOBER 15, 1882 PER HOMESTEAD INFORMATION RECEIVED 3/28/2003. SEE FILE.

2 cskinner 6/12/2024 POU
Updated Shape

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/6/2024

Dates and Other Information:

Decreed Date: 11/10/2003
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 43B
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

SubCaseNumber: 43-4173
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Beneficial Use
Date Filed: 2/1/2002
Objection Status: Active

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right 43-4173
Irrigation

Map BEFORE Ownership Change Split



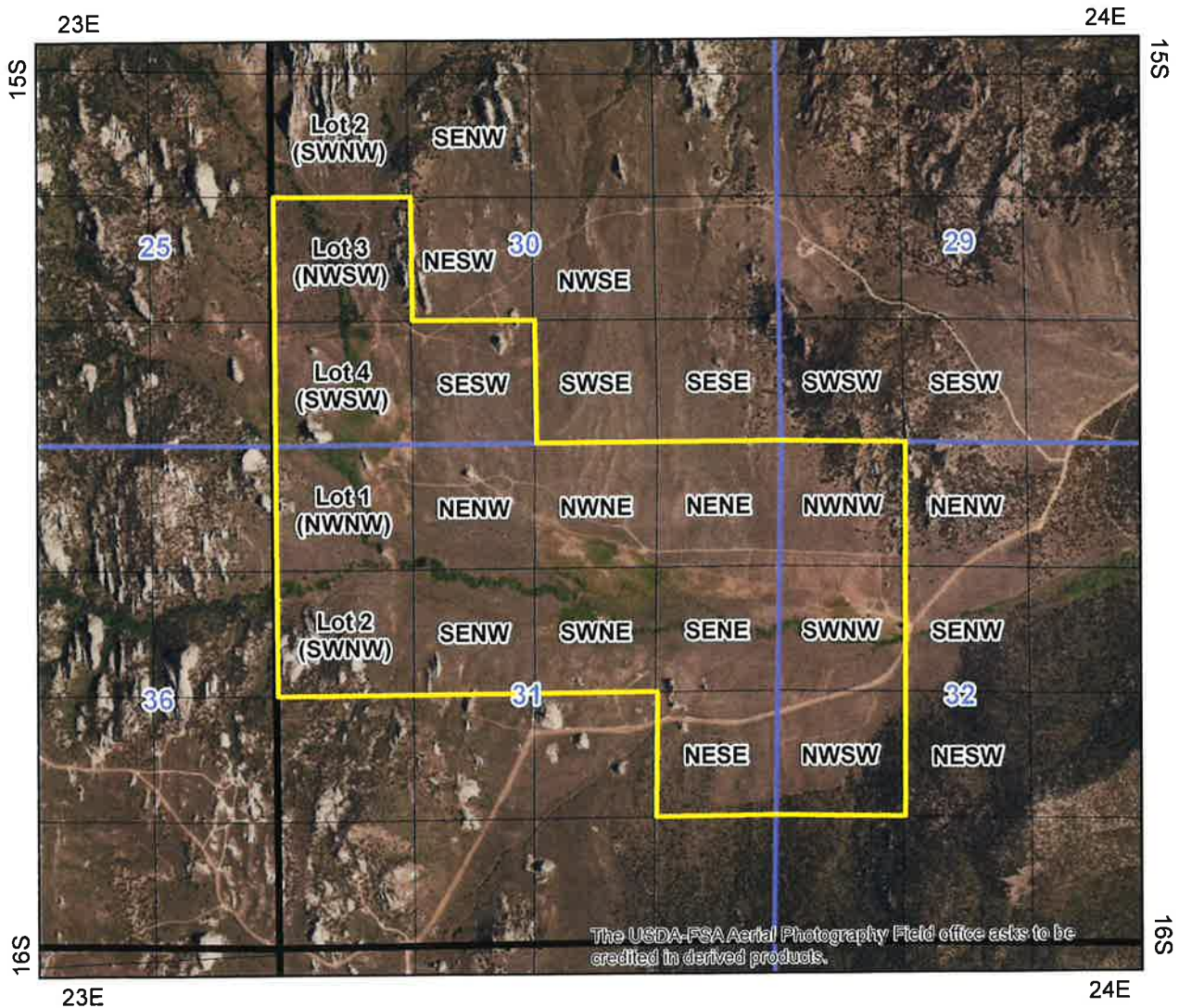
0 0.175 0.35 0.7 Miles

- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- State Outline



State of Idaho
Department of Water Resources
Water Right 43-4173
Stockwater

Map BEFORE Ownership Change Split



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  State Outline

