RECEIVED
DEC 2 1 2011
Department of Water Resources
Eastern Region

Ident. No. 13-7811

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

AMENDED

To appropriate the public water of the State of Idaho

1. Name: RYAN AND JOLENE NELSON
   2289 W 2800 S
   WESTON ID 83286
   (208) 747-3577

2. Source: SPRING Tributary to: BEAR RIVER

3. Location of Point of Diversion:
   #1 SPRING NW1/4NW1/4SW1/4 Sec. 8, Twp 16S, Rge 39E, B.M.
   FRANKLIN County

4. Water will be used for the following purposes:

Purpose	From To	RATE OF DIVERSION	ANNUAL VOLUME
DOMESTIC	01/01 to 12/31	0.04 CFS	

5. Total quantity to be appropriated is: 0.04 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1
a. Type and size of devices used to divert water from the source: PIPELINE IN SPRING TO COLLECTION BOX. HOLDING TANK PIPED TO HOUSE.
b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;.
c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85F being sought?
e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year(s).

STATE OF IDAHO
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8.
PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	39E	8										X							

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

Point of Diversion #1: JOHN R CLARK FAMILY TRUST - Easement agreement.

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

Spring was established in approximately 1998, located on neighbors property. We have an easement to spring for maintenance purposes. Bill of sale states we have ownership of tank and pump. Tank has two pumps; one to our house and the other is to the neighbors house who owns the property.

Domestic use is for in house use only.

11. Map of proposed point of diversion and place of use attached? [X]

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.

Ryan K. Nelson
Applicant (Ryan Nelson)

Jolene Nelson
Applicant (Jolene Nelson)

Received by _____ Date _____ Time _____ Preliminary check by _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

Receipt No. E037150
Date: 11/23/2011
Receipted by: SC

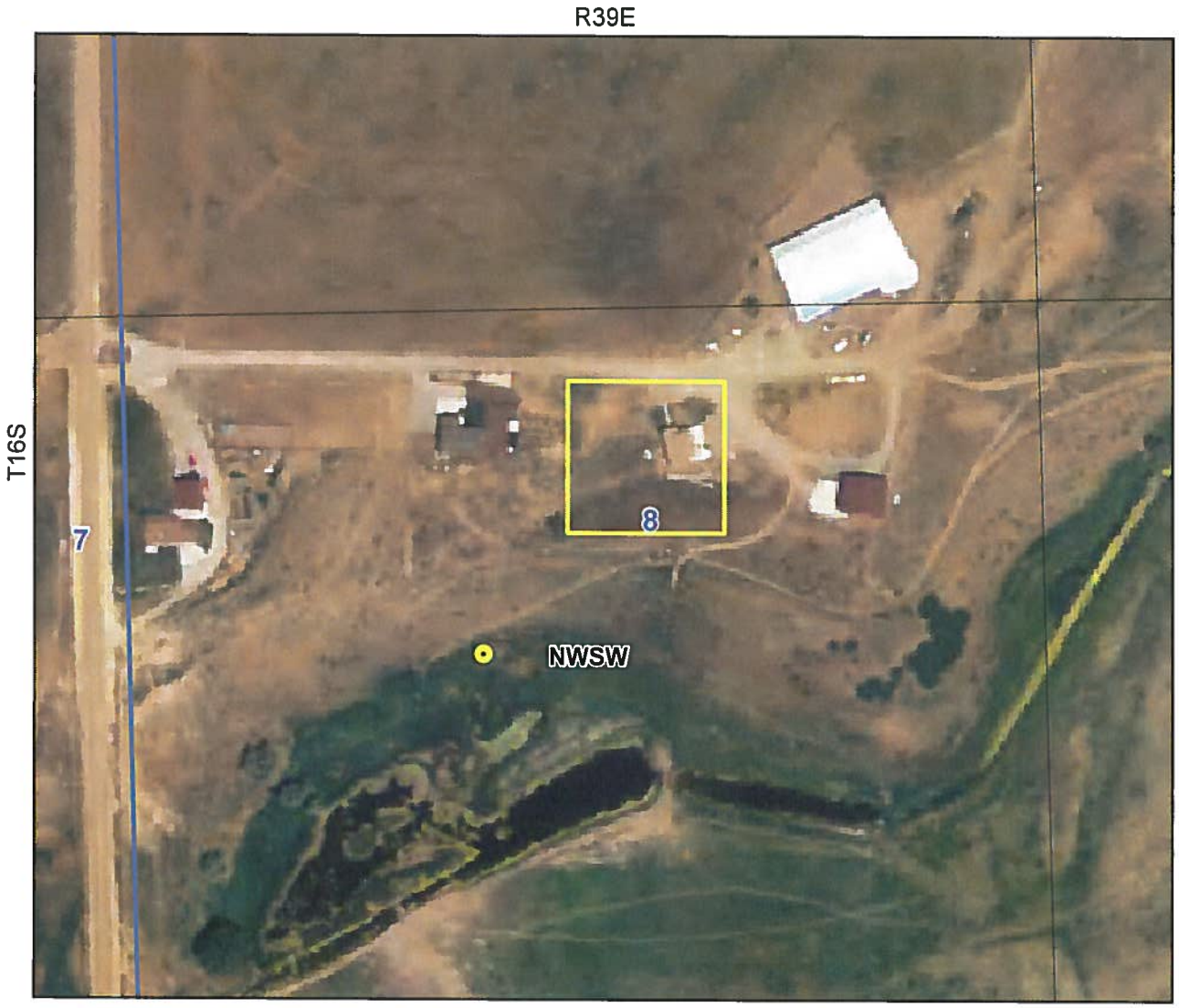
13- 7811

State of Idaho
Department of Water Resources

Water Right License

13-7811

Water Service Area Boundary for Jolene Nelson



0 0.03 0.06 0.12 Miles

Legend

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

N

13- 7811

FORM 202 03/10 Print form as a 2 page, single-sided document

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NOV 23 2011
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Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 13-7811

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Ryan Nelson and K. Jolene Nelson Phone 208-747-3577
   Name connector (check one): ☒ and ☐ or ☐ and/or
   Mailing address: 2289 W. 2800 S. City Weston
   State ID Zip 83286 Email: chickaloohead@yahoo.com
2. Source of water supply spring which is a tributary of Bear River
3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
16S	39E	8			NW	SW	Franklin	Spring	

4. Water will be used for the following purposes:
   Amount 1 acre (cfs or acre-feet per year) for household-domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   SUPERSEDED
5. Total quantity to be appropriated is (a) _____ cubic feet per second (cfs) and/or (b) 1 acre-feet per year (af).
6. Proposed diverting works:
   a. Describe type and size of devices used to divert water from the source. holding tank and pump
   b. Height of storage dam _____ feet; active reservoir capacity 1000 gallons acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.
   For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
   c. ~~Proposed well~~ SPRING diameter is 8'x4' ~~inches; proposed~~ depth of well is 4-5 feet.
   d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
   e. If well is already drilled, when? _____; drilling firm _____;
   Well was drilled for (well owner) _____; Drilling Permit No. _____.
7. Description of proposed uses (if irrigation only, go to item 8):
   a. Hydropower; show total feet of head and proposed capacity in kW. _____
   b. Stockwatering; list number and kind of livestock. _____
   c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____
   d. Domestic; show number of households 2
   e. Other; describe fully. _____

8. 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 the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	39E	8																	1
			D				D				D				D				

Total number of acres to be irrigated: 0

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? yes

10. a. Who owns the property at the point of diversion? The John R. Clark Family Trust

    b. Who owns the land to be irrigated or place of use? Ryan & Jolene Nelson

    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: The spring is located on neighbor property. We have an easement.

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Spring was established (approx) in 1998. Located on neighbor's property. We have an easement to spring for maintenance purposes. Bill of sale states we have ownership of tank and pump. Tank has 2 pumps; one to our house and the other is to my neighbors house who owns the property.

12. Time required for completion of works and application of water to proposed beneficial use is ____ years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

K. Jolene Nelson
Signature of Applicant

K. Jolene Nelson
Print Name (and title, if applicable)

Ryan Nelson
Signature of Applicant

Ryan Nelson
Print Name (and title, if applicable)

For Department Use:

Received by SC Date 11/23/11 Time _____ Preliminary check by _____

Fee $ 100 Receipted by SC Receipt No. E037150 Date 11/23/11

13- 7811

EASEMENT TO PROPERTY LOCATED AT 2289 WEST 2800 SOUTH WESTON, IDAHO 83286

TOWNSHIP 16 SOUTH, RANGE 39 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO.

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 8, AND RUNNING THENCE SOUTH 88° 25' 17" EAST, 490.95 FEET; THENCE SOUTH 0° 06' 57" EAST, 48.13 FEET; THENCE SOUTH 88° 25' 17" EAST, 209.00 FEET TO THE TRUE POINT OF BEGINNING; RUNNING THENCE SOUTH 88° 25' 17" EAST 209.00 FEET; THENCE SOUTH 0° 06' 57" EAST, 209.00 FEET; THENCE NORTH 88° 25' 17" WEST, 209.00 FEET; THENCE NORTH 0° 06' 57" WEST 209.00 FEET TO THE TRUE POINT OF BEGINNING. (2662.06)

TOGETHER WITH A 60 FOOT RIGHT OF WAY WHOSE CENTERLINE IS DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 8, AND RUNNING THENCE SOUTH 0° 06' 57" EAST, 18.13 FEET; THENCE SOUTH 88° 25' 17" EAST 30.19 FEET TO THE EAST LINE OF 2400 WEST STREET (COUNTY ROAD) AND THE TRUE POINT OF BEGINNING; RUNNING THENCE SOUTH 88° 25' 17" EAST 878.84 FEET.

TOGETHER WITH THE UNDERSIGNED GRANTORS INTEREST IN AND TO THE CULINARY WATER SPRING LOCATED SOUTH OF THE ABOVE DESCRIBED PROPERTY, ALONG WITH A RIGHT-OF-WAY FOR INSTALLATION AND MAINTENANCE OF AN UNDERGROUND WATER PIPE LINE FROM ITS SOURCE EXTENDING IN A NORTHERLY DIRECTION TO THE INTERSECTION WITH THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED PROPERTY.

Signed this 30 day of April, 2007.

Ryan Kurtis Nelson
RYAN KURTIS NELSON

Karla Jolene Nelson
KARLA JOLENE NELSON

State of Idaho
County of Franklin

On this 30 day of April, 2007, before me, a Notary Public in and for said county and state, personally appeared RYAN KURTIS NELSON and KARLA JOLENE NELSON known or proved to me to be the person(s) who executed the foregoing instrument, and acknowledged to me that they executed the same.

Janice Shumway
Notary Public

Resides: Preston ID
Expires: 3-12-2011

JANICE SHUMWAY NOTARY PUBLIC STATE OF IDAHO

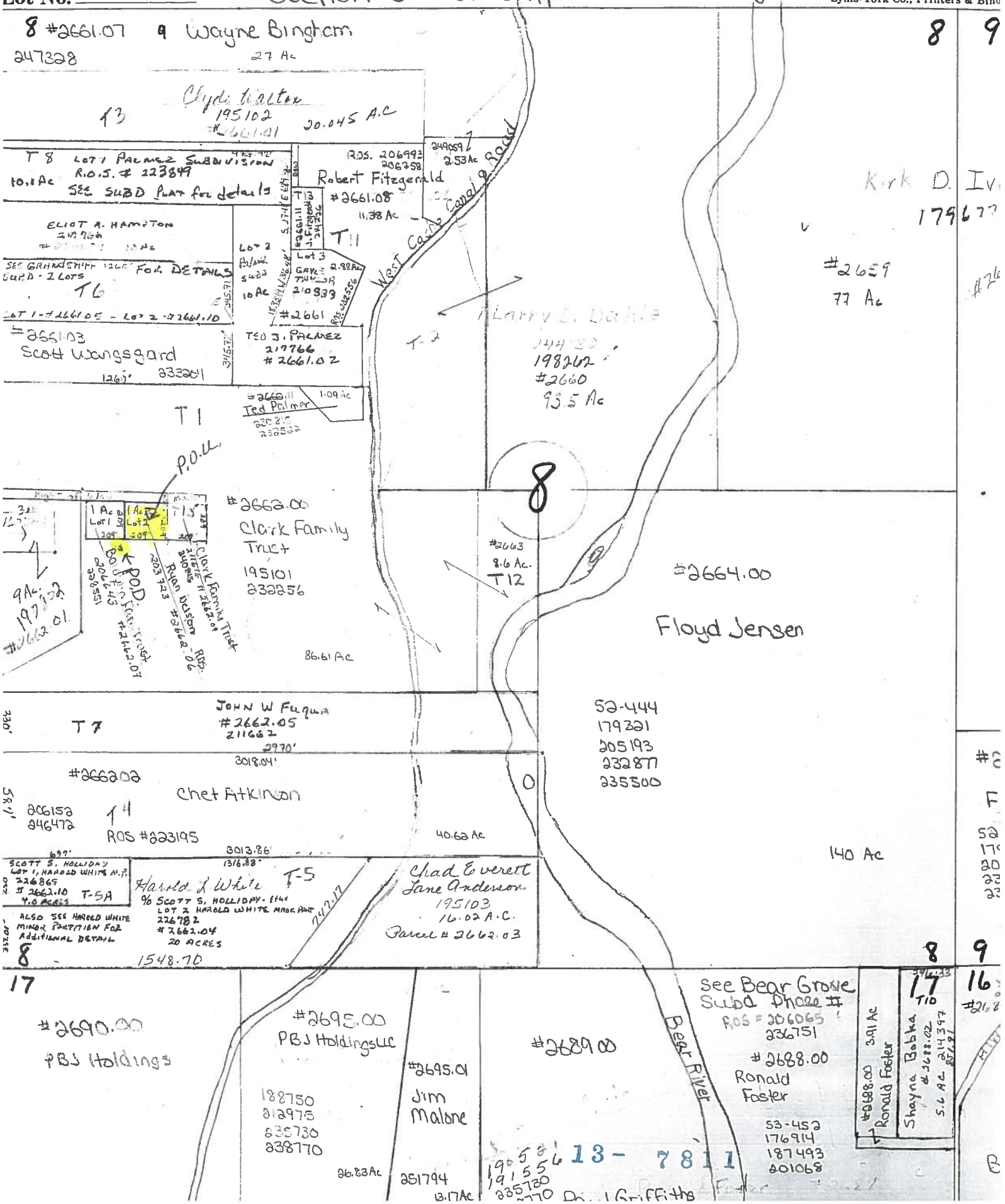
13- 7811

Quarter Section No. _____ Township No. _____

Block No. _____

Lot No. _____ section 8 township 16 south range 39 east

Syms-York Co., Printers & Bind



RECEIVED
DEC 07 2011
Department of Water Resources
Eastern Region

State of Idaho
DEPARTMENT OF WATER RESOURCES
Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718
Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

December 28, 2011

JOLENE NELSON
RYAN NELSON
2289 W 2800 S
WESTON, ID 83286

Application For Permit No. 13-7811

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the PRESTON CITIZEN on January 5 and 12, 2012. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Sharla Cox
Administrative Assistant

State of Idaho
DEPARTMENT OF WATER RESOURCES
Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718
Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

December 28, 2011

ROCK HOLBROOK
Water District 11
55 HOLIDAY CIRCLE
FISH HAVEN, ID 83287

RE: Application for Permit No 13-7811

Dear Watermaster:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered during regional review. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

Sincerely,

Sharla Cox
Administrative Assistant

Enclosure(s)

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, December 28, 2011 11:51 AM
To: 'addesignne@dcdi.net'
Subject: Legal Ad for your paper
Attachments: News Examiner.RTF

Contacts: News Examiner

Sharla

Sharla Cox
Administrative Assistant
Idaho Department of Water Resources
900 N. Skyline Dr. Ste. A
Idaho Falls ID 83402
208-525-7161 - telephone
208-525-7177 - fax
sharla.cox@idwr.idaho.gov

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

13-7811
JOLENE NELSON
RYAN NELSON
2289 W 2800 S
WESTON, ID 83286
Point of Diversion
NWNWSW S8 T16S R39E
FRANKLIN County
Source SPRING Tributary BEAR RIVER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 11/23/2011
Place Of Use: DOMESTIC
T16S R39E S8 NWSW

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of $25.00 for each application on or before January 23, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on January 5 and 12, 2012