

WJA

RECEIVED

NOV 02 2010

DEPARTMENT OF
WATER RESOURCES

Craig L. Saxton
Water Rights Supervisor
Idaho Dept. of Water Resources

October 29, 2010

Dear Sir,

In reference to your letter of October 21, 2010, which a copy is enclosed, please find an Arial photograph through the efforts of Bear Lake County Assessor Lynn Lewis. This photo was taken prior to 1979 showing the land in question. Mr. Lewis was unable to find the tax assessment back that far, but this photo clearly shows the property to be irrigated.

Mr. Martineau, the previous owner, restricted the water flow via a valve at the pump prior to my purchasing of the property. When I purchased the property and additional sprinklers, I left the valve full open and had problems with the main line. Therefore, I replaced the main line with a larger size and heavier, higher pressure, pipe. You have already received all the documentation I can find for these improvements. I hope this is sufficient to get the additional needed water rights.

I would still appreciate a list or advice on an approved water measurement devise. Thank you for your time and help.

Sincerely,

C. Lee Nelson

C. Lee Nelson



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

October 21, 2010

CHARLES LEE NELSON
1950 BENCH RD
MONTPELIER ID 83254

RE: Request to Reinstate Lapse Permit 11-7051

Dear Mr. Nelson,

The Idaho Department of Water Resources (IDWR) received the Statement of Completion for Submitting Proof of Beneficial Use ("proof") for permit 11-7051 along with supplemental information required to support that water was put to beneficial use in accordance with permit 11-7051.

There is evidence to support that some development did take place within the authorized development period for 11-7051 (March 26, 1974 thru March 1, 1979). However, to ensure that 11-7051 can be reinstated to authorize use as close to that which was originally permitted, any additional information you could supply could be beneficial.

Specifically, the cover letter submitted with the proof statement indicates that you had contacted the Farm Service Office to try to get a crop report for 1977 or 1978 without success. I would suggest contacting your county assessor's office to find property tax documents showing that property was taxed as irrigated agriculture from 1974 to 1979.

In addition, if the pump was changed or increased in order to divert more water between when the field exam was conducted for license 11-7025 (August 6, 1974), the end of the authorized development period for 11-7051 (March 1, 1979), please provide the pump information and when that change took place. Include make, model #, serial # and horsepower of the pump. Or, is the original system that was there when you purchased the property in 1976 still being used? If not, when did that change?

Please submit any additional information you may have within the next 30 days.

Sincerely,

Craig L. Saxton
Water Rights Supervisor
Water Rights Section

11 12
14 13

This area
is prior to 1979
dynamic flow
BLC Area

LEE NELSON

LEE NELSON

LARRY D.
Bonita

11
5-0

R.K. NELSON
ASSOC.

PERRINS

VII
9-0

T-5800

WESTON

C. MARTINEAU

T-645

11
5-0

ARMED

HIGHWAY 77-2843

RUSSELL BRIDGE

T-5819

T-5820

E. PAUL LORETSCH

T-5820

T-5050