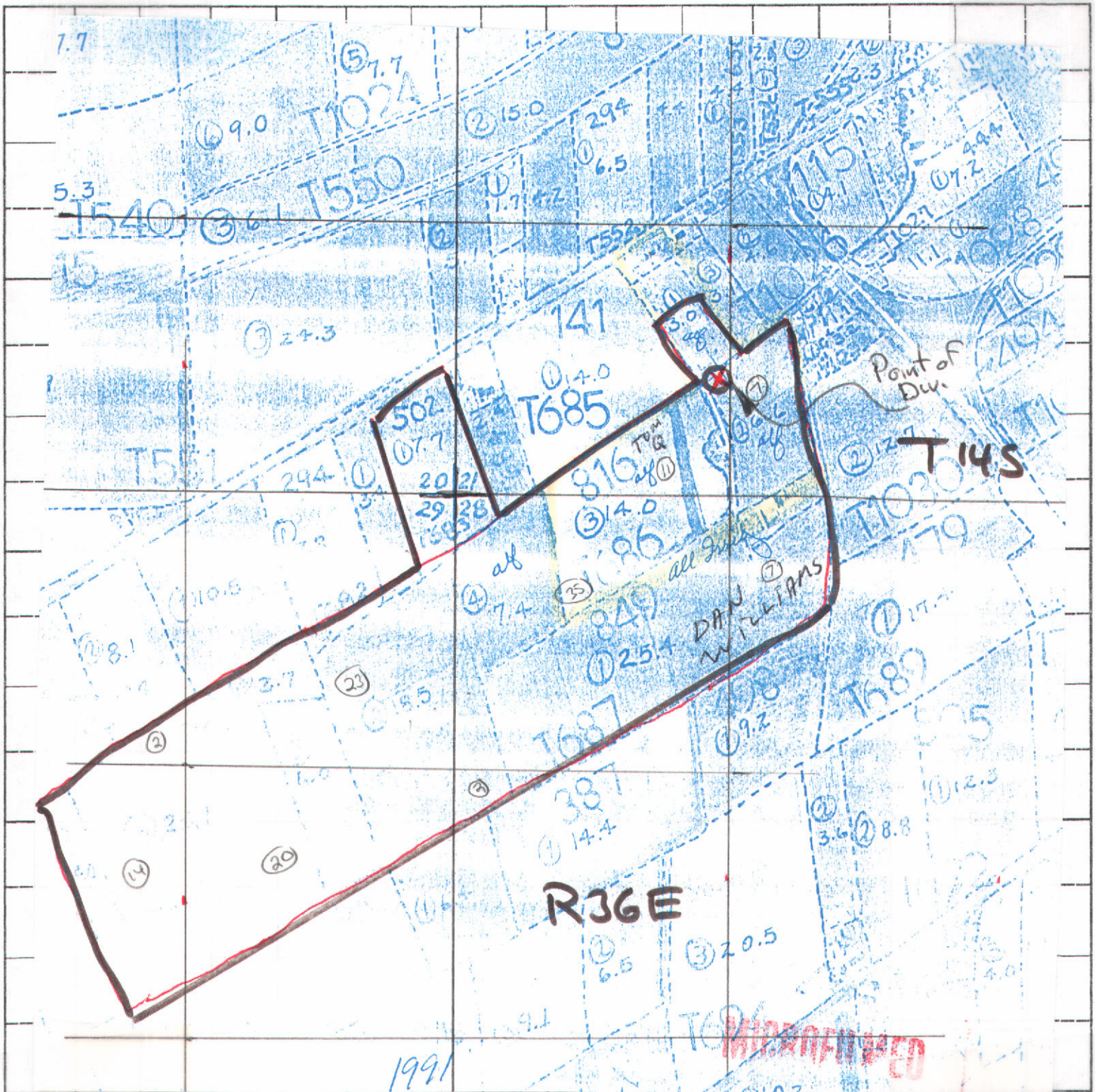


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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.

Elden D. Nielsen
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

MAY 12 2003

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 15-07153 Telephone No. 766-4090
2. Name of Permit Holder(s): ELDEN D. NIELSEN
3. Mailing Address: 930 W. SAMARIA LN.
City MALAD State Id Zip 83252
4. Source of Water: Ground Water If **GROUNDWATER** (well), Date Drilled: mo. Nov yr. 2002
Well Driller: MOUNTAIN WEST Drilling Permit Number: 00026203
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 110 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 2.58 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No _____
Has the measuring device been installed? Yes _____ or No _____
8. Fee Enclosed: \$ 150.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Elden Nielsen Telephone Number: 766-4070
Address: 930 West Samaria Lane, Malad Idaho 83252
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Elden D. Nielsen Date: 5-5-03
(include your title, if on behalf of company or organization)

MICROFILMED
JUN 15 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 05 1999

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 15-07153

Name(s) of Permit Holder: ELDEN D. NIELSEN

Mailing Address: 930 W. SAMARIA LN. MALAD, IDAHO 83252

Date Proof is Due: _____ Telephone No. 208-766-4070

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

MAIN LINE FOR SPRINKLERS HAS BEEN INSTALLED

2 TITAN MINI PIVOTS HAS BEEN INSTALLED

Costing \$ 40,000

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

RAN OUT OF MONEY

Permit holder(s) request an extension to APRIL 2004, 19____.

FEE: \$50.00

Elden D. Nielsen
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

MICROFILMED

ACTION OF THE DEPARTMENT OF WATER RESOURCES

JUN 08 1999

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to March 1, 2003.

IT IS FURTHER ORDERED that the permit be REINSTATED and the date of priority is advanced to February 3, 1996.

Signed this 26th day of May, 19 99

J. Blum Saxton
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 15-07153

Proposed Priority: December 29, 1995 Maximum Diversion Rate: 2.58 CFS

This is to certify, that **ELDEN NIELSEN**
83 W SAMARIA LN
MALAD ID 83252

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	04/15 to 10/15	2.58 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 21, Township 14S, Range 36E
ONEIDA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S	36E	20	SESE 4.0			4.0
		21	SWSW 12.0	SESW 7.0		19.0
		28	NENW 7.0	NWNW 36.0	SWNW 2.0	45.0
		29	NENE 25.0	NWNE 2.0	SWNE 14.0	
			SENE 20.0			61.0

Total number of acres irrigated: 129.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 1999.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. Construction of the well must comply with Idaho well construction standards.

RECORDED

MAR 26 1996

State of Idaho
Department of Water Resources

Permit To Appropriate Water

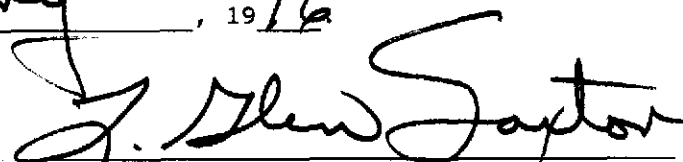
NO. 15-07153

CONDITIONS OF APPROVAL AND REMARKS

8. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this

29th day of February, 1996


Karl J. Dreher, Director
for

MAR 26 1996

RECEIVED
FEB 26 1996

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 15-7153

To appropriate the public waters of the State of Idaho

1. Name of applicant Elden Nielsen Phone (208) 766-4070
Post office address 83 W. Samaria Ln Malad, ID 83252
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____
Sec. 21 Township 14S Range 36E B.M. Onida County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount ^{2.58}~~2.30~~ for Irrigation purposes from 4-15 to 10-15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) ^{2.58}~~2.30~~ cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well & pump & sprinklers
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 16 inches; proposed depth of well is 300 feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? N
 - e. If well is already drilled, when? No; Drilling firm _____;
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
3 years (minimum 1 year).

MAR 26 1996

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
145	36E	20																4	4
		21											12	7					19
		28					7	36	2										45
		29	25	2	14	20													~~47~~ 61

Total number of acres to be irrigated 715-129

10. Describe any other water rights used for the same purposes as described above. Share of Marsh

Valley Irrig water

11. a. Who owns the property at the point of diversion? Applicant

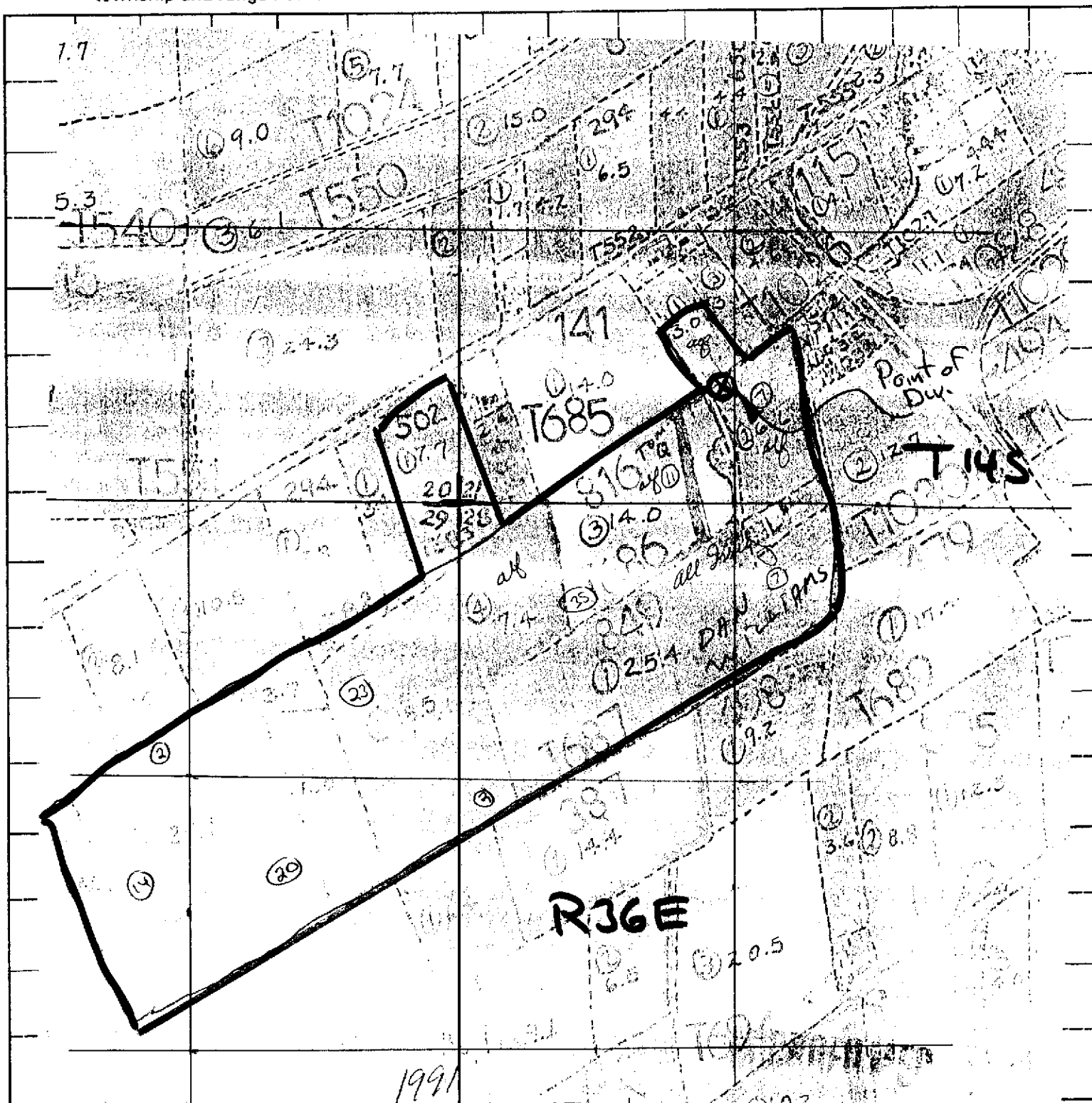
b. Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

MAR 28 1996

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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.

Elden D. Nilsen
(Applicant)

Received by HWT Date 12-29-95 Time _____ Preliminary check by _____
Fee \$ 140.00 Receipted by HWT # E021801 Date _____
Publication prepared by AB Date 1-18-96 Published in Idaho Enterprise
Publication approved AB Date 2-15-96

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MAR 26 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 9, 2003

ELDEN D NIELSEN
930 W SAMARIA LN
MALAD ID 83252

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 15-7153

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Eastern** Regional Office of the department in Idaho Falls (208)525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED

JUN 15 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 15-7153

Reviewed By: dgibson

Date: June 5, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?		X	Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:		D0026203
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		E028743	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		05/05/2003
Date proof due	-	03/01/2003
Lapse notice sent	-	03/07/2003
No. of days late	=	65
Holiday allowance	+	
Priority date	+	02/03/1996
New priority date	=	05/05/2003

Deficiencies of Actions Items

Acknowledge proof.

MEMORANDUM

To: File 15-7153
From: L. Glen Saxton 
RE: TELEPHONE CONVERSATION
Date: March 10, 2003

On this date, Elden Nielsen called me in connection with the lapse notice IDWR sent him on March 7, 2003. I explained that IDWR returned the extension request he filed in February 2003, since IDWR was only authorized to grant one extension based on due diligence.

After discussing development of his project he advised me that he could divert and apply the water to beneficial use within 60 days of the mailing of the lapse notice and would file the proof of beneficial use and license examination fee with IDWR on or before May 6, 2003, which is 60 days after the mailing of the lapse notice. I explained that the proof and fee had to be received by IDWR (not just mailed) on or before May 6, 2003.

MICROFILMED

101 1 5 2003

March 7, 2003

ELDEN NIELSEN
930 W SAMARIA LN
MALAD CITY, ID 83252

LAPSE NOTICE

RE: PERMIT NO. 15-7153

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated December 31, 2002. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

Sincerely,

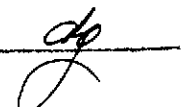
L. Glen Saxton, Chief
Water Allocation Bureau

Enclosures

MICROFILMED
JUN 15 2003

CERTIFICATION OF MAILING

I hereby certify that on 3/7/03
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 6, 2003

ELDEN NIELSEN
930 W SAMARIA LN
MALAD ID 83252

RE: Permit No. 15-7153

Dear Permit Holder:

Returned is the original Request for Extension of Time form you submitted to the department in connection with the above referenced permit. I am returning the request because the department previously granted an extension based on due diligence.

Please be advised that the permit will **lapse** on the proof due date of March 1, 2003 since the department cannot approve the extension request and you have not filed proof of beneficial use. The department will issue a lapse notice after the proof deadline, which will allow you **60 days** to divert and beneficially use water and file proof on the portion of the water right that has been developed. If additional development of this water right is necessary to complete the development, you must do it under a separate permit. A proof of beneficial use form is enclosed for your use along with its instructions and fee schedule.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7953.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR – Eastern Regional Office

MICROFILMED

JUL 15 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

RECEIVED

FEB 3 - 2003

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 15-7153Name(s) of Permit Holder: ELDEN NIELSENAddress: 930 W. SAMARIA LN. City MALAD State ID Zip 83252Telephone No. 208-766-4070 Date Proof is Due: 3-1-03

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

WELL HAS BEEN DRILLED 200', PUMPED & DEVELOPEDFOR SPRING WILL PUT IN PUMP & BOWELSCosting \$ 40,000

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

WINTER SET INPermit holder(s) request an extension to MARCH 1, 2004

Elden D. Nielsen
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

Signed this _____ day of _____, 20____

MICROFILMED

JUL 15 2003

December 31, 2002

ELDEN NIELSEN
930 W SAMARIA LN
MALAD CITY, ID 83252

PROOF DUE NOTICE

RE: PERMIT NO. 15-7153

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 01, 2003. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

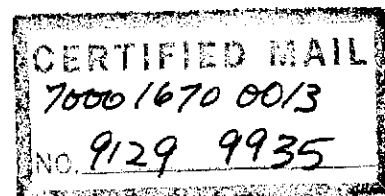
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures



MICROFILMED
JUL 15 2003

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 15-67153 Reviewed by Jay Date 5-26-99

BASIC INFORMATION

4-5-99 Date stamp received
no Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
yes Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

*Recommend ward to March 1, 2003, on basis of due diligence.
Reinstated + advance priority to Feb. 3, 1996.*

PRIORITY CALCULATION

Date extension received	<u>4-5-99</u>	=	<u>95</u>
Proof due date	<u>3-1-99</u>	=	<u>60</u>
Number of days late		=	<u>35</u>
Priority date	<u>12-29-95</u>	=	<u>363</u>
New Priority Date	<u>2-3-96</u>	=	_____

DATA ENTRY

New Address 930 W. Samaria Cir.
Change Proof Due Date 3-1-2003
Change Priority Date 2-3-96



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

May 26, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Elden D. Nielsen
930 W Samaria Ln
Malad ID 83252

RE: Permit No. 15-07153

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use to **March 1, 2003**. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of the development during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

Be advised that since the extension request was received after the proof due date, it was necessary for the department to reinstate the permit and advance the date of priority to **February 3, 1996**.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact me at (208)327-7953, if you have any questions regarding this matter

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED
JUN 8 8 1999

March 12, 1999

ELDEN NIELSEN
930 W SAMARIA LN
MALAD ID 83252

LAPSE NOTICE

RE: PERMIT NO. 15-07153

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated December 31, 1998. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

MICROFILMED
JUN 08 1999

CERTIFICATION OF MAILING
I hereby certify that on 3-12-99
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

December 31, 1998

ELDEN NIELSEN
930 W SAMARIA LN
MALAD ID 83252

PROOF DUE NOTICE

RE: PERMIT NO. 15-07153

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 1999.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JUN 08 1999

CERTIFIED MAIL

NO 2238915357



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 29, 1996

ELDEN NIELSEN
83 W SAMARIA LN
MALAD ID 83252

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 15-07153

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

Shelley W. Keen
Shelley W. Keen
Water Rights Supervisor

SK:rl
Enclosures

RECORDED

MAR 26 1996

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 15-7153 Name: Nielson Date: 2/26/96 Ad OK? ☒
Correct Fee? ☒ Receipt #: 5021301 Priority: 1229/95 ☒ Gvmt Lts: ☒

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)
SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17
GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st)
Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)
SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):
Water District(~~dem~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J(meas dev)-P08
=/- 0.2 cfs - 01H(lock dev)-P01 or No MD
~~In~~-WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M
RIVER BASINS (*Surface water):
Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-† Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA
USE:
Domestic (surface) - 021(Boise R † Star Bridge); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10;044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA
LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - Blank <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA
OWNERSHIP: Non-land owner - 004 (PD/PU) _____
OTHER CONDITIONS: _____
STANDARD REMARKS: _____
BENEFICIAL USE DUE: - 3-1-1999
COMMENTS: _____

Form No. 202a
4/87

Dist. for staffing 1-2-96
Submitted for advertising 12-95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY EDM

DATE 1-2-96

APPLICATION NO. 15-7153

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes _____ No* In form to receipt

ADDITIONAL INFORMATION

☒ Overlapping place of use (Describe source & relationship to present application on the back.)

_____ Overlapping point of diversion

_____ Yes _____ No Field check required

Field check by _____

_____ Yes _____ No Field report attached

_____ Yes _____ No Critical groundwater area

_____ Yes _____ No Groundwater management area

_____ Yes _____ No Send dam safety information

_____ Yes _____ No Send power requirement letter

_____ Yes _____ No Send fish farm requirement letter

_____ Yes _____ No Power residency affidavit

_____ Yes _____ No Power efficiency form

_____ Yes _____ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)

_____ Yes _____ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

RECEIVED
FEB 26 1996
Department of Water Resources

LOCAL PUBLIC INTEREST

Comments received from

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation District
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Division of Environment	<u> </u> Other _____

Project impacts/implications report

COMMENTS

[illegible]

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Oneida

Bonna Salvesen

—being duly sworn,

deposes and says: That she is the Secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

January 18, 19 96, and ending with the issue of January 26, 19 96

Bonna Salvesen

Subscribed and sworn to before me this 2 day

of February, 19 96

Susan Switman

Notary Public, Residing at Malad, Idaho

My Commission Expires 2-9, 19 2000

PUBLIC NOTICES

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application (s) have been filed to appropriate the public waters of the State of Idaho: 15-07153

NIELSEN, ELDEN
83 W SAMARIA LN
MALAD, ID 83252
Source: GROUNDWATER
Diversion Pt: SWSW Sec 21 T
14S R 36E in ONEIDA County.
Use: IRRIGATION (2.580 CFS)
Total Diversion: (2.580 CFS)

Date Filed: 12/29/1995
In: ONEIDA County
T14S R36E S20 SESE
S21 SWSW SESW
S28 NENW NWNW SWNW
S29 NENE NWNE SWNE
SENE

129.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before FEBRUARY 5, 1996.

KARL J. DREHER, Director
Published: 1/18/96 & 1/25/1996
L. 2157 T2

MAR 26 1996
FEB 6 1996
Department of Water Resources
Eastern District Office

15-07153

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RECEIVED
FEB 26 1996
Department of Water Resources

RECEIVED
MAR 26 1996

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KARL J. DREHER, Director

Published: 1/18/1996 & 1/25/1996

MAR 26 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JANUARY 11, 1996

THE IDAHO ENTERPRISE
P.O. BOX 205
MALAD CITY, ID 83252

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. 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 FEBRUARY 5, 1996.

Yours truly,

Rita Bodell
Secretary

Encl.

MAR 26 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 16, 1996

ELDEN NIELSEN
83 W SAMARIA LN
MALAD ID 83252

RE: Notice of Application for Permit No. 15-07153

Dear Applicant:

The Department of Water Resources acknowledges receipt of your water right application. This office is currently in the process of advertising the applications in the Idaho Enterprise on January 18 & 25, 1996. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the applications and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unopposed application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones
Harold W. Jones
Water Right Supervisor

HWJ/rb

RECEIVED

MAR 26 1996