

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 13-7235

1. Owner: Dalmain C. Earley & Lewis W. Nelson
Current Address: 230 E. 4348 maple creek Rd. FRANKLIN, Idaho

Phone No. 646-2482

2. Accompanied by: Dalmain C. Earley EXAM. DATE: 8/10/87

Address: 4394 E. maple creek Rd., FRANKLIN, Id. Phone No. 646-2405

Relationship to Permit Holder: _____

3. Source: unnamed spring tributary to - SINKS

B. OVERLAP REVIEW

1. Other water rights with same place of use: N.A.

☐ Copies Attached

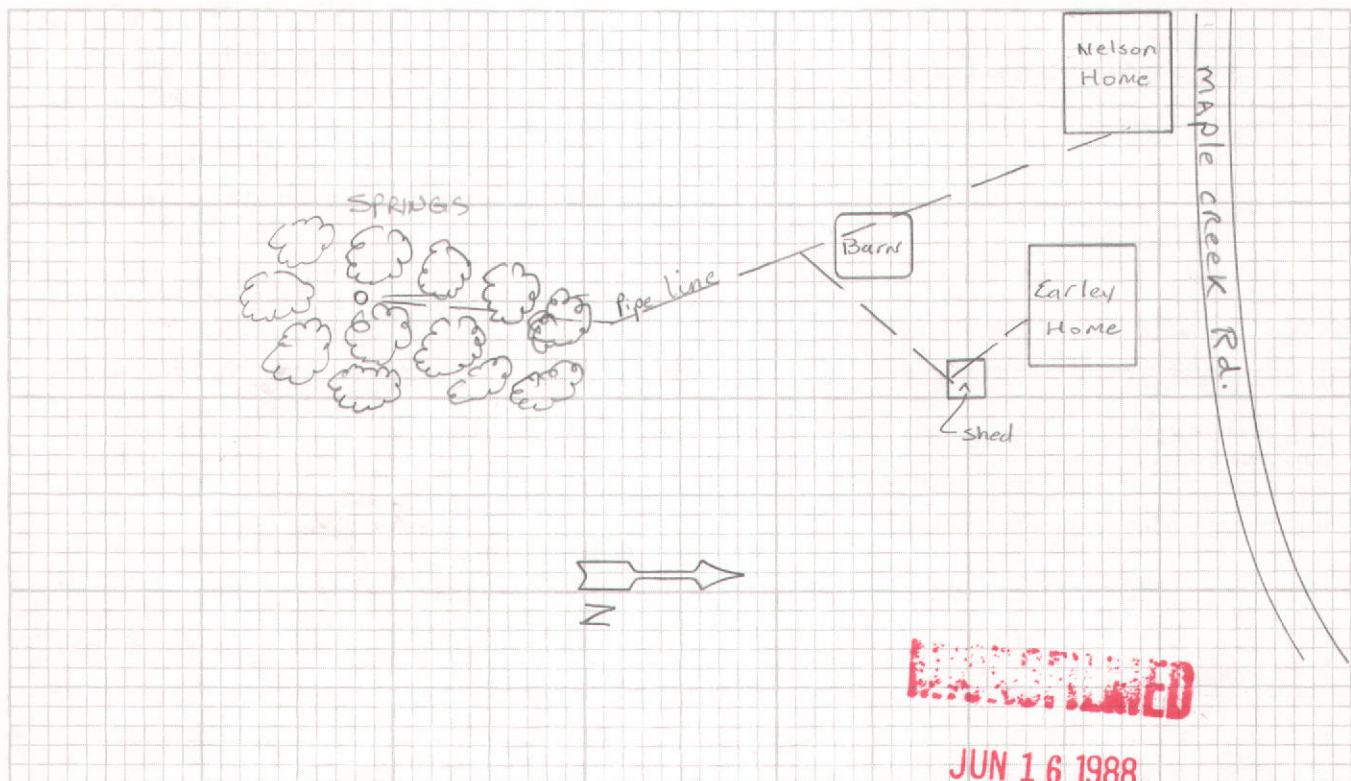
2. Other water rights with same point of diversion: N.A.

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 100'

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.)

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

13-7235

13-7235

15 14
22 23

Nelson
EARLEY
F-355
126F
Dalmain
Earley
Pipe Line
Spring
P.O.

T
16
S

F-340
234F
Wallace
Chatterton

G
3.3

H
1.3

R40E

F-321
230F
Howard
Skabelund

13-7235

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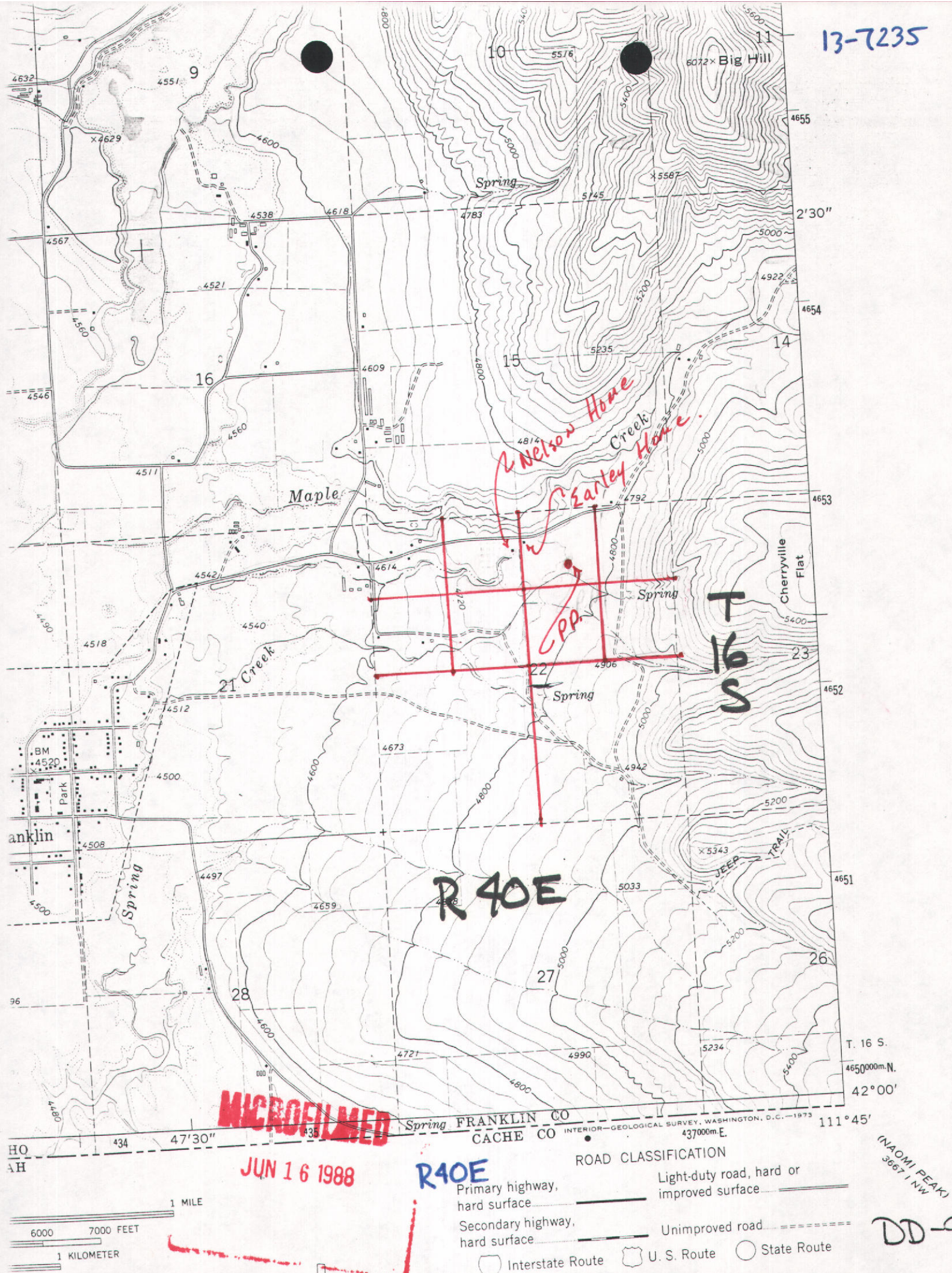
JUN 16 1988

21 22
28 27

B
12.2

22 23
27 26

13-7235



13-7235



← C.P.A.



← Earley

← Nelson

MICROFILMED

JUN 16 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 13-7235

Priority: June 26, 1978

Amount: .01 CFS

2.4 AFA

This is to certify, that DALMAIN C. EARLEY
LEWIS W. NELSON

4394 E. MAPLE CK. RD.
FRANKLIN, ID 83237

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated June 26, 1978, and has submitted proof to the Department of Water Resources on July 17, 1979, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .13 cfs of water from;

SPRING

tributary to SINKS

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.01 cfs	2.4 afa

LOCATION OF POINT OF DIVERSION(S): SENWNE , Sec. 22, Township 16S, Range 40E
Franklin County

PLACE OF USE: Domestic

TWN RGE SEC

16S 40E 22 NWNE NENW

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 2 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 12th day of May, 1988.

RECORDED

JUN 16 1988

Director

Identification No. _____
Application No. 13 7235

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

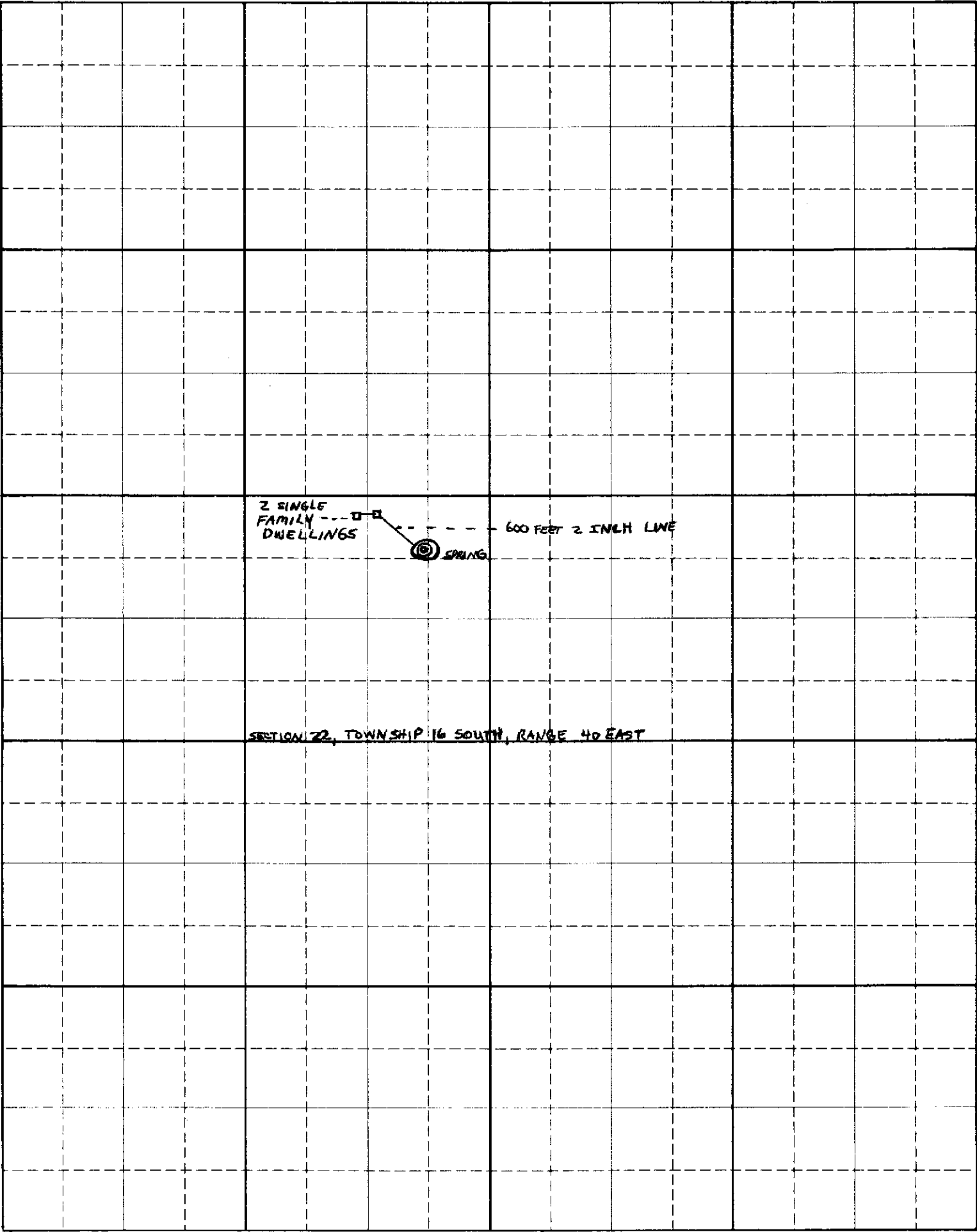
APPLICATION FOR PERMIT **APPROVED**

To appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant (1) Dalmain C. Early (1) 646-2405
(2) Lewis W. Nelson Phone: (2) 646-2330
post office address (1) Franklin, ID (2) 230 E. 1st N: Franklin, ID
2. Source of water supply Spring which is a tributary of Spring Creek
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 22 Township 16S
Range 40E B.M. Franklin County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into Spring Creek at a point in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15 Township 16S Range 40E B.M. Franklin County
4. Water will be used for the following purposes:
Amount .01 for culinary purpose from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .01 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. gravity flow system;
collection basin, then 600 feet of 2 inch line.
- b. Height of storage dam NA feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is NA inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.
b. Estimated construction cost is \$ 500.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 22 Township 16S
Range 40E B.M. and NE 1/4 of NW 1/4
(2) Amount of power to be generated: NA hp under _____ feet of head.
(3) List number of each kind of livestock to be watered NA
(4) Name of municipality to be served NA, or number of families to be supplied with domestic water 2.
(5) If water is to be used for other purposes describe: two single family dwellings,
also to water small orchards.

MICROFILMED

11. 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.

William C. Carley
(Applicant)
Lewis W. Nelson



Proposed Priority 6/26/78

Received by BP Date 6-5-78 Time 11:00 a.m.

Preliminary check by BMG Fee \$16.00

Received by BP Date 6-28-78 # 11428

Publication prepared by BP Date 6-28-78

Published in Idaho Falls

Publication dates July 6, 13, 1978

Publication approved WJ Date 8-29-78

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval/denial by enc. JG

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. 13-7235, and said application is hereby APPROVED

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 September 1, 19 79.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 30th day of August, 19 78.

Chief, Operations Bureau

D. Hunsbarger

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
 County of Franklin } ss.

J. Walter Ross

being duly sworn,

deposes and says:

That he is the Co-Publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; 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

July 6, 1978, and ending with the issue of July 13, 1978.

Fee \$ 14.06

Subscribed and sworn to before me this 31 day

of July, 1978.

Kevin D. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1982

RECEIVED

AUG 9 1978

Idaho Department of Water Resources
 Boise

W NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Dalmain C. Early and Lewis W. Nelson, Franklin, Idaho have on 6-26-78 submitted Application No. 13-7235 for a permit to appropriate 0.01 cubic feet per second of water from a spring tributary to Spring Creek by means of collection basin and pipeline within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 16S, R. 40E, B.M., Franklin County; to be used from Jan. 1 to Dec. 31 for domestic purposes for two families within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 16S, R. 40E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before July 24, 1978.

C. STEPHEN ALLRED
 Director

Published in the Preston Citizen, Preston, Idaho on July 6 and July 13, 1978.

Legal No. 675-19L - Pub. July 6 and 13, 1978.

May 12, 1988

DALMAIN C. EARLEY
4394 E. MAPLE CK. RD.
FRANKLIN, ID 83237

RE: Permit No. 13-7235

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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JUN 16 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Permit No. _____

1. **Measurement Calculations**

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

- c) Volume Calculations for Other Uses:

*Since there are 2 homes using water for
stock & lawn also (see item 3 on exam)
ALLOW $2 \times 1.2 = 2.4$ AFA*

2. **Overlap Review**

- a) Other water rights with same place of use: _____

- b) Other water rights with same point of diversion: _____

- c) Analysis:

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no fee req'd.

RECOMMENDED AMOUNTS
-correct as shown
name per sig.
on permit.
Nelson

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
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3. Permit Holder: Dalmain G. Farley &/or Lewis U. Nelson

4. Address: (Earley) 4394 E. Maple Ct. Rd. Franklin, ID 83337
(Nelson) 4348 Maple Ct. Rd. Franklin, ID

5. Source: Spring
tributary to

6. Beneficial Use
Period of Use From 1-1 To 12-31
Rate of Diversion 0.01 cfs
Annual Volume 2.4 AFA
Allowable Maximums: 0.01 cfs 2.4 AFA

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
					SE	NW	NE	Franklin
					22	165	40E	

Place(s) of Use									
Point(s) of Diversion									
8. Place(s) of Use									
9. Recommended Conditions/Remarks:									
10. Recommended Amendments									
11. Examiner's Signature									
Checked in Regional Office by									
Approved in State Office by									
Date									
Date									
Date									

10. Recommended Amendments
☐ Change P.D. as reflected above
☐ Add P.D. as reflected above
☒ None
☐ Change P.U. as reflected above
☐ Add P.U. as reflected above
☐ Other

Microfilm
JUN 16 1988

11. Examiner's Signature
Checked in Regional Office by
Approved in State Office by
Date
Date
Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 13-7235
1. Owner: Dalman C. Earley & Lewis W. Nelson Phone No. 646-2482
Current Address: 230 E. 4348 maple creek Rd. FRANKLIN, Idaho
2. Accompanied by: Dalman C. Earley EXAM. DATE: 8/10/87
Address: 4394 E. maple creek Rd., FRANKLIN, Id. Phone No. 646-2405
Relationship to Permit Holder: _____
3. Source: UNNAMED SPRING tributary to - SINKS

B. OVERLAP REVIEW

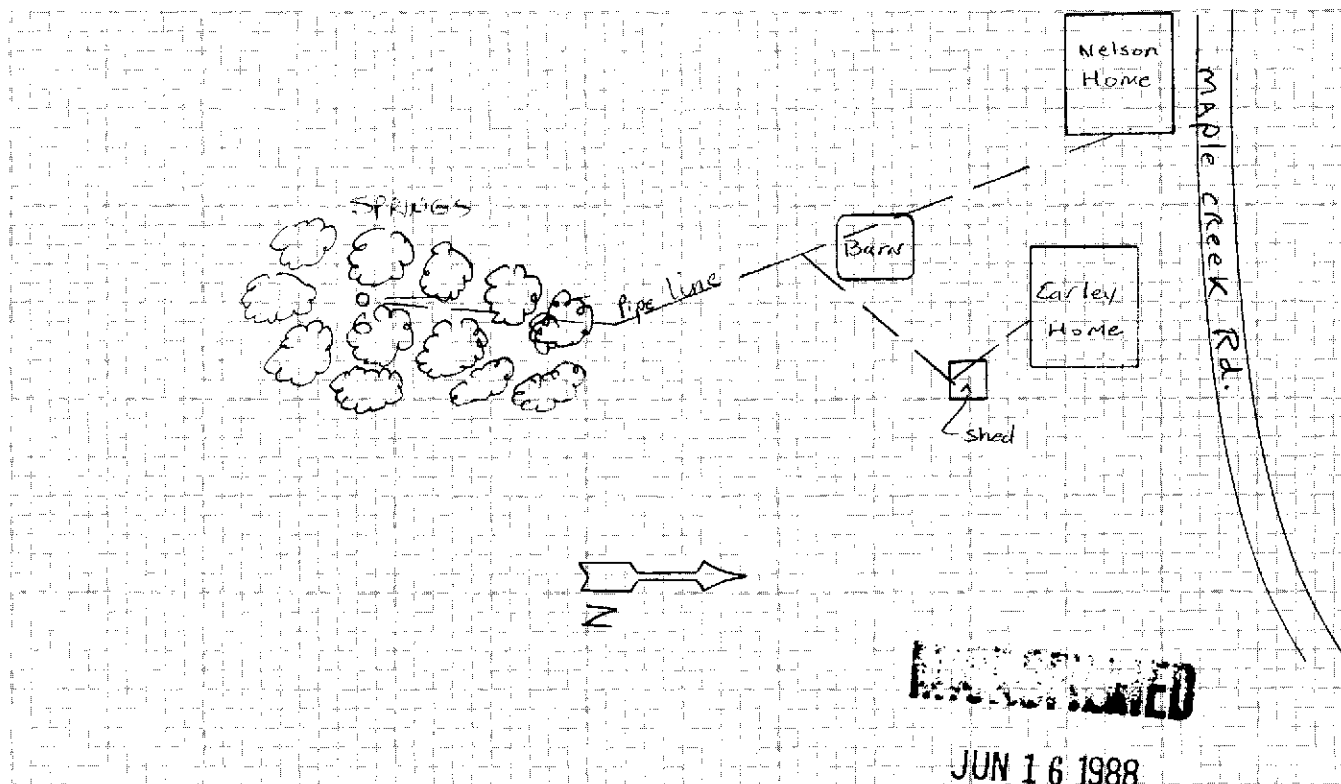
1. Other water rights with same place of use: N/A

☐ Copies Attached
2. Other water rights with same point of diversion: N/A

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 100'

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

Spring to collection box and then to 2 - homes, 1 - barn and a shed.

This water is used for drinking, irrigation of lawns and stock water.

Stockwater.

[illegible]

Well or Diversion Identification No.*	Earley's	Myers	3/4	N.A.	M/YARS	N.A.
	Nelbous	Sears	1/2	A79	SEARS	N.A.

**Code to correspond with No. on map and aerial photo*

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

[illegible]

JUN 1 1961

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Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Bucket					2.5 gal	
Stopwatch						

2. Measurements:

could not obtain a measurement of over flow because water was being used therefore there was no water overflowing.
 Allow 0.01 cfs per permit.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

$$\text{THEORETICAL } Q (\text{EARLEY}) = \frac{H_p (8.814) (.80)}{1' + (30 \text{ psi} \times 2.309)} = 0.08 \text{ C.F.S.} \quad \text{REDIVERSION}$$

2. Alternate Method for Checking Purposes:

$$\text{THEORETICAL } Q (\text{NELSON}) = \frac{(1/2) (8.814) (.80)}{1' + (30 \times 2.309)} = 0.05 \text{ C.F.S.}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

☒ Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

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JUN 16 1988

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use		Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (af)
Domestic	Cultivated	From	To		
1-1	12-81	1-1	12-81	1.01	1.2 AF

2. Recommended Amendments

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

(CHANGES FROM GOLFWAY TO DOMESTIC USE)

J. AUTHENTICATION

Field Examiner's Name

Signature

Certification Date

Field Report Preparation Date

8-24-87

9-23-87

Richard L. Jensen, Jr.

Richard L. Jensen, Jr.

CONSULTANT SEAL

St. Michaels

NOT RECORDED

JUN 16 1988

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

13-7235

Theoretical : REDIVERSION, DISTRIBUTION PUMPS.

$$(Earley) Q = \frac{(\frac{3}{4} HP) \left(\frac{550 \text{ Ft. lb/sec}}{HP} \right) \left(\overset{\text{EFF.}}{\downarrow} (.80) \right)}{\frac{30.16}{\text{in}^2} \left(\frac{144 \text{ in}^2}{\text{Ft}^2} \right)} = \underline{\underline{0.08 \text{ c.f.s.}}}$$

$$(Nelson) Q = \frac{(\frac{1}{2} HP) \left(\frac{550 \text{ Ft. lb/sec}}{HP} \right) \left(\overset{\text{EFF.}}{\downarrow} (.80) \right)}{\frac{30.16}{\text{in}^2} \left(\frac{144 \text{ in}^2}{\text{Ft}^2} \right)} = \underline{\underline{0.05 \text{ c.f.s.}}}$$

Assigned: 30 p.s.i.

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13-7235

13-7235

15 14
22 23

Nelson

Earley

F. 355
126 F
Dalmain
Earley

Pipe line

0.1
6
P.A.

T
16
S

F. 340
234 F
Wallace
Earley

6.3

2.5

M
3.0

1.0

0.4

17.0

R40E

21.4

F. 3
230
Hov
Skabelund

13-7235

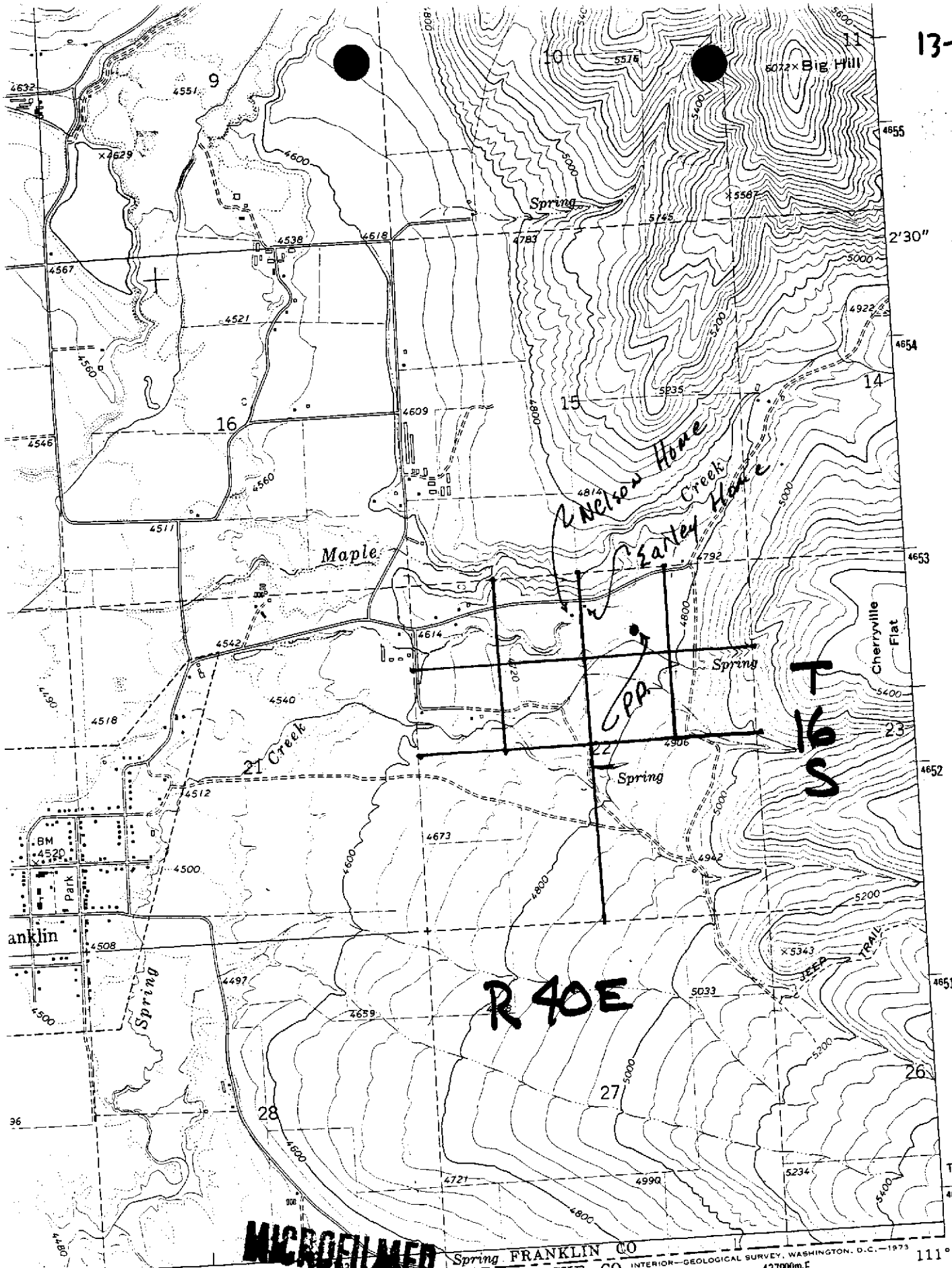
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JUN 16 1988

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13-7235



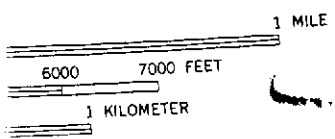
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JUN 16 1988

R40E

ROAD CLASSIFICATION

- Primary highway, hard surface
- Secondary highway, hard surface
- Unimproved road
- Interstate Route
- U. S. Route
- State Route



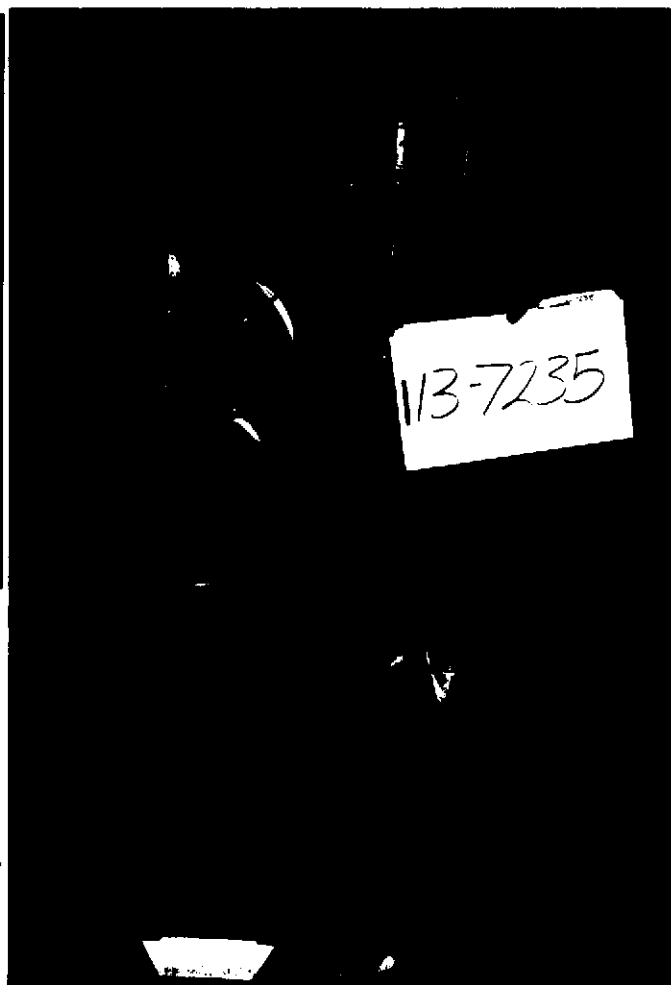
(NAOMI PEAK)
3667' NW

DD-9

13-7235



← C.P.A.



← Earley

← Nelson

JUN 16 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

13-7235
Permit No.
ESV

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NOV 09 1987

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form Partial Exam
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index HUT 3-30-87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____

Check of P/U index HUT 3-30-87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

Required? ☐ yes ☐ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully completed and signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed R.L. 8-10-87 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent SWR 8/24/87 (Initial and date)

Exam Reviewed by Manager of Regional Office SM 9-23-87 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

August 10, 1979

RE: Permit No. 13-7235

Dalmain Early
Franklin, ID 83237

Dear Sir:

We acknowledge receipt of the proof of beneficial use card submitted for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

JACKIE S. DENNING
Senior Clerk

cc: IDWR - State Office

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 13-7235.

Name(s) of Permit Holder: William C. Carley & Susan P. Nelson

Post Office Address: Franklin Idaho 83232

Source of Water: Spring

Extent of Use: ☒ Domestic _____ (number of households) 2
☐ Stockwater _____ (number and type of stock)
☐ Irrigation _____ (acres)
☐ Other _____

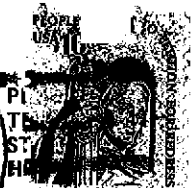
Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
 Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

July 16 - 1999
 Date

William C. Carley
 Signature of Permit Holder

D. C. Carley
Franklin Idaho.
83237



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JUL 17 1979

IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources STATEHOUSE

BOISE, IDAHO 83720



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

June 29, 1979

161047
161048

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

Dalmain C. Early
Franklin,
Idaho 83237

or

Lewis W. Nelson
230 East 1st North
Franklin, ID 83237

Gentlemen:

One of the conditions of approval of your water Permit No. 13-7235 was that evidence of the extent of development must be submitted to this office on or before September 1, 1979. (See last page of your approved permit). Enclosed is a post card which may be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use post card or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect within 60 days.

Sincerely,

RITA FLECK
Sr. Secretary

Enc: 1

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

August 31, 1978

Re: Permit No. 13-7235

Delmain C. Early
Franklin,
Idaho 83237

-and-

Lewis W. Nelson
230 E. 1st N.
Franklin, ID 83237

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 13-7235. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

MICROFILMED

B-7235

STAFF REVIEW - STATE OFFICE

- | | |
|---|--|
| 1. <u>✓</u> Name vs. Signature | 7. <u>✓</u> Place of Use for other than irrig. |
| 2. <u>Spl</u> Source | 8. <u>N/A</u> Place of Use for irrigation (add acres) |
| 3. <u>✓</u> Point of Diversion | 9. <u>APP</u> Property Owner at <u>✓</u> Pt. of Div. & <u>✓</u> Pl. of Use |
| 4. <u>✓</u> Amnt. & Period of Use | 10. <u>OK</u> Map |
| 5. <u>✓</u> Descrip. of Diverting Wrks. | 11. <u>OK</u> <u>10.00</u> Fee & Rec't. No. <u>6-26-78</u> |
| 6. <u>1</u> Time req. for Proof of B/U | 12. <u>Commit</u> <u>Ad</u> |

Copies Sent To:

<u>N</u> Idaho Health Department	<u>U.S.F.S.</u>
<u>N</u> Idaho Fish & Game Dept.	<u>N</u> Dept. of Lands
<u>N</u> Bureau of Land Management	<u>A</u> Other <u>State Planning</u>

NO response

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ no

Other rights on same land N/A

N/A Withdrawals of all protests received yes no

Conditions:

ID Power Co. Letter - Snake R. ✓
ID Power Co. Letter - G.W. & Tribs. ✓
Snake River Condition A
Payette River Letter ✓
Priority Date 6-26-78

Water Quality #16 ✓
Water Quality #10 ✓
intrastate Interstate A

Meas. Dev. or Sc. Meas. ✓
Totalizing meter ✓
Supplemental ✓
Right-of-Way ✓
Watermaster Cond. A
Wtr. Dist No. ✓
Meas. Dev. Cond. for apps within a Water Dist. ✓

Jim
Reviewer
8/18/78
Date

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Early & Nelson.

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) EMC 6/27/78

In form to receipt YES.

(2) " "

Send Copies to:

☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) " "

☒ Art Tackett

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(4) " "

In form for advertising YES.

(5) " "

Platted on Map No. DD-94

(6) " "

Located within Water Basin District No. 13

(7) " "

Critical groundwater area: yes ☐ no ☒

(8) " "

Groundwater levels: N/A

☐ Declining, ☐ Stable, ☐ Increasing

(comment) _____

(9) " "

Other rights on the same place of use None

(10) _____

Comments: _____

(11) CW 8-09-78

Affidavit of Publication received (date) Aug 9-78

(12) CW 8-09-78

Final date for protests July 24, 1978

Protests received: yes ☐ no ☒

(13) EMC 8/11/78

All requested information received from agencies or applicant: yes ☐ no ☒

(14) EMC 8/11/78

Action recommended:

☒ Approve ☐ Deny

6/24/78 Proposed Priority

Reason for Reduction _____

Measuring device required _____

See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Eastern

By Ernest Carlson Date 8/11/78

RECEIVED
AUG 17 1978

Department of Water Resources

NOT RECORDED

07/11/78



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

August 2, 1978

RE: Application No. 13-7235 EARLY & NELSON

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on July 6 and July 13, 1978.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

JACKIE FRISBY
Senior Clerk

JF

RECEIVED
AUG 14 1978
IDAHO FALLS

July 10, 1978

RE: Application for Permit No. 13-7235 EARLY & NELSON

Mr. Art Tackett
Idaho State Planning & Community Affairs Agency
Regional Director
600 East Oak, Suite B
Pocatello, ID 83201

Dear Mr. Tackett:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, submit them to our Department as soon as possible. The last date of protest is July 24, 1978, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:bp

Enclosure

RECEIVED
JUL 11 1978
IDaho State Planning & Community Affairs Agency

June 28, 1978

RE: Application for Permit No. 13-7235 EARLY/NELSON

Mr. Lowell D. Castleton
Preston, Idaho 83263

Dear Mr. Castleton:

Attached herewith is Departmental receipt No. 11428 in the amount of \$10.00 for the above referenced application.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:bp

Attachment

cc: Lewis W. Nelson
Dalmain C. Early

MICROFILMED

June 28, 1978

RE: Application for Permit No. 13-7235 EARLY/NELSON

Mr. Art Tackett
Idaho State Planning & Community Affairs Agency
Regional Director
600 W. Oak, Suite B
Pocatello, ID 83201

Dear Mr. Tackett:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, submit them to our Department as soon as possible. The last date of protest is July 24, 1978, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:bp

Enclosure

MICROFILMED

June 20, 1978

RE: Application for Permit No. 13-7235 EARLY & NELSON

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 8-09-78 by CW

RDC:CW

Enc: Legal Notice (1)

RECEIVED
JUL 1 1978

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Dalmain C. Early and Lewis W. Nelson,
Franklin, Idaho

have //// 6-26-78 13-7235
has on _____ submitted Application No. _____
for a permit to appropriate 0.01 XXXXXXXXXXXXXXXXXXXXXX
cubic feet per second acre feet per annum
of water from a spring tributary to Spring Creek
by means of collection basin and pipeline
within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 16S, R. 40E, B.M., Franklin County;

Jan. 1 to Dec. 31
to-be used from _____
domestic purposes for 2 families
for _____

NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 16S, R. 40E, B.M.
within the _____

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
July 24, 1978

C. STEPHEN ALLRED

Director

Preston Citizen, Preston, Idaho

Published in the
July 6

July 13, 1978

on _____ and _____

CW-MICROFILMED

WILLIAMS & CASTLETON

LAW OFFICES

24 NORTH STATE - P. O. BOX 191

PRESTON, IDAHO 83263

June 23, 1978

J. DENNIS "J. D." WILLIAMS
LOWELL D. CASTLETON

RECEIVED

JUN 26 1978

Department of Water Resources
Eastern District Office

TELEPHONE:
(208) 852-2680

Idaho Department of Resources
1515 Lincoln Road
Idaho Falls, ID 83401

Re: Lewis W. Nelson & Dalmaine C. Early Water Permit Application
Our File No. 1208.2

Dear Sirs:

Enclosed please find an Application for Permit which we are filing on behalf of the above named parties. Also enclosed you will find a check in the amount of \$10,00 to cover the filing fee.

If there are any questions regarding this application would you please direct them to this office.

Yours very truly,

Lowell D. Castleton

LOWELL D. CASTLETON
Attorney at Law

LDC/sr

Enclosures

cc: Lewis W. Nelson
Dalmaine C. Early