

Affidavit of Publication

I, Elizabeth L. Brammer, of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for two(2) consecutive weeks, commencing with the issue dated March 12, 1970

and ending with the issue dated March 19, 1970

Elizabeth L. Brammer

Subscribed and sworn to before me this

20 day of Mar., 1970

Betty J. Mayo
Notary Public.

Residence: Arco, Idaho.

My commission expires 2-4, 1972

PUBLIC NOTICE

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Orville Nicholson, Howe, Idaho, has received an approved permit No. G-32610/33-2123 issued by the Idaho State Reclamation Department

authorizing the diversion of 5.0 cubic feet per second of water from a ground-water source, subject to all prior rights. The priority to be established under this permit is November 16, 1965 and the permit was approved November 26, 1965. Water is to be diverted by a well from a point within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 8 N., R. 28 E., B.M., Butte County, to be used for irrigation in the E $\frac{1}{2}$, Sec. 30, T. 8 N., R. 28 E., B.M. Proof of the application of the water to beneficial use is to be submitted to the department on or before November 26, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
State Reclamation Engineer.
Published in the Arco Advertiser, Arco, Idaho, on March 12 and March 19, 1970.

32610

33-2123

ORVILLE NICHOLSON

RECEIVED
APR 24 1970
Department of Reclamation
4-24-70
OVP

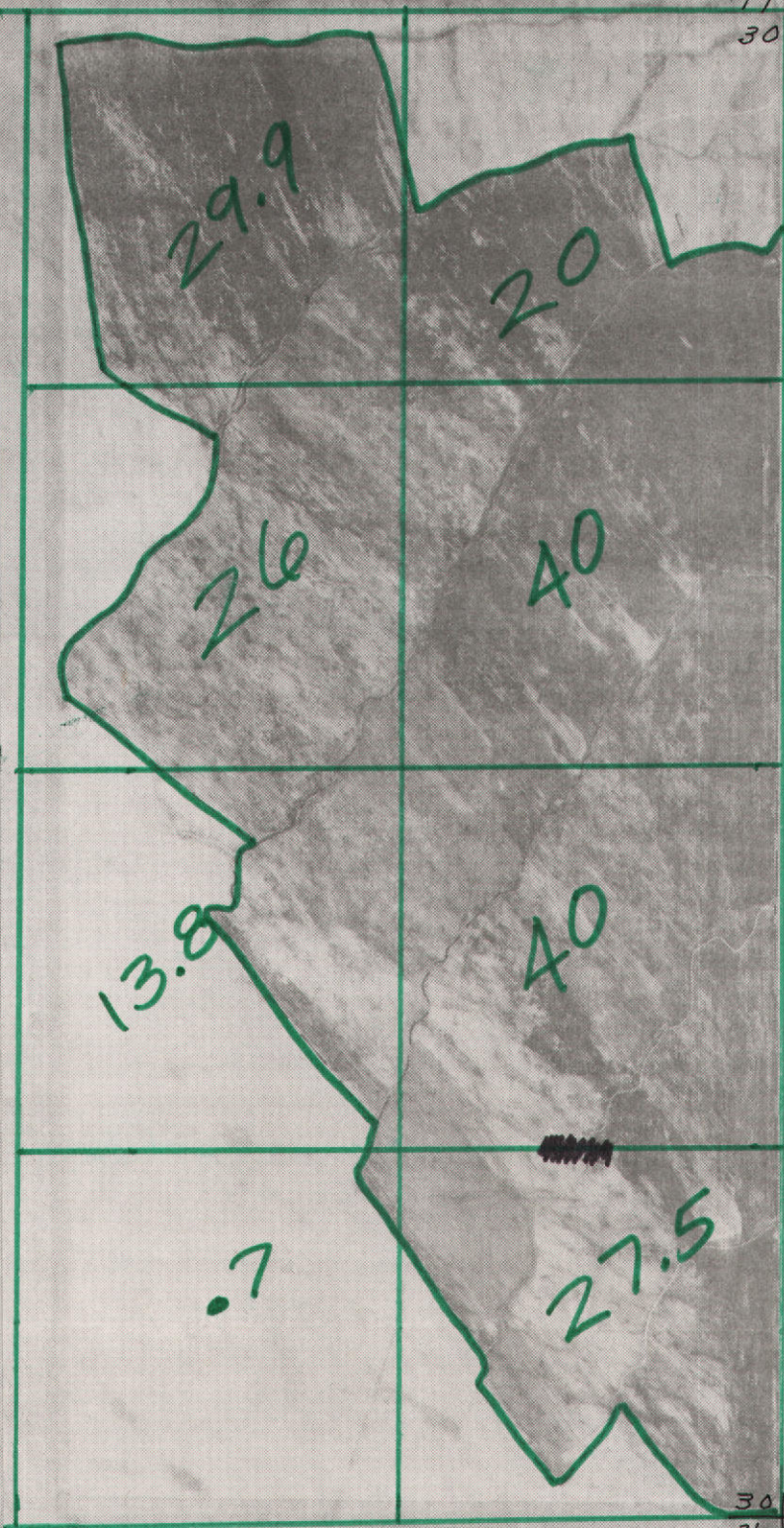
Permit No 33-2123

Photo # 5JJ-156

Orville Nicholson

19 20
30 29

B-28
O. Nicholson



30 29
31 32

33-2123

1796

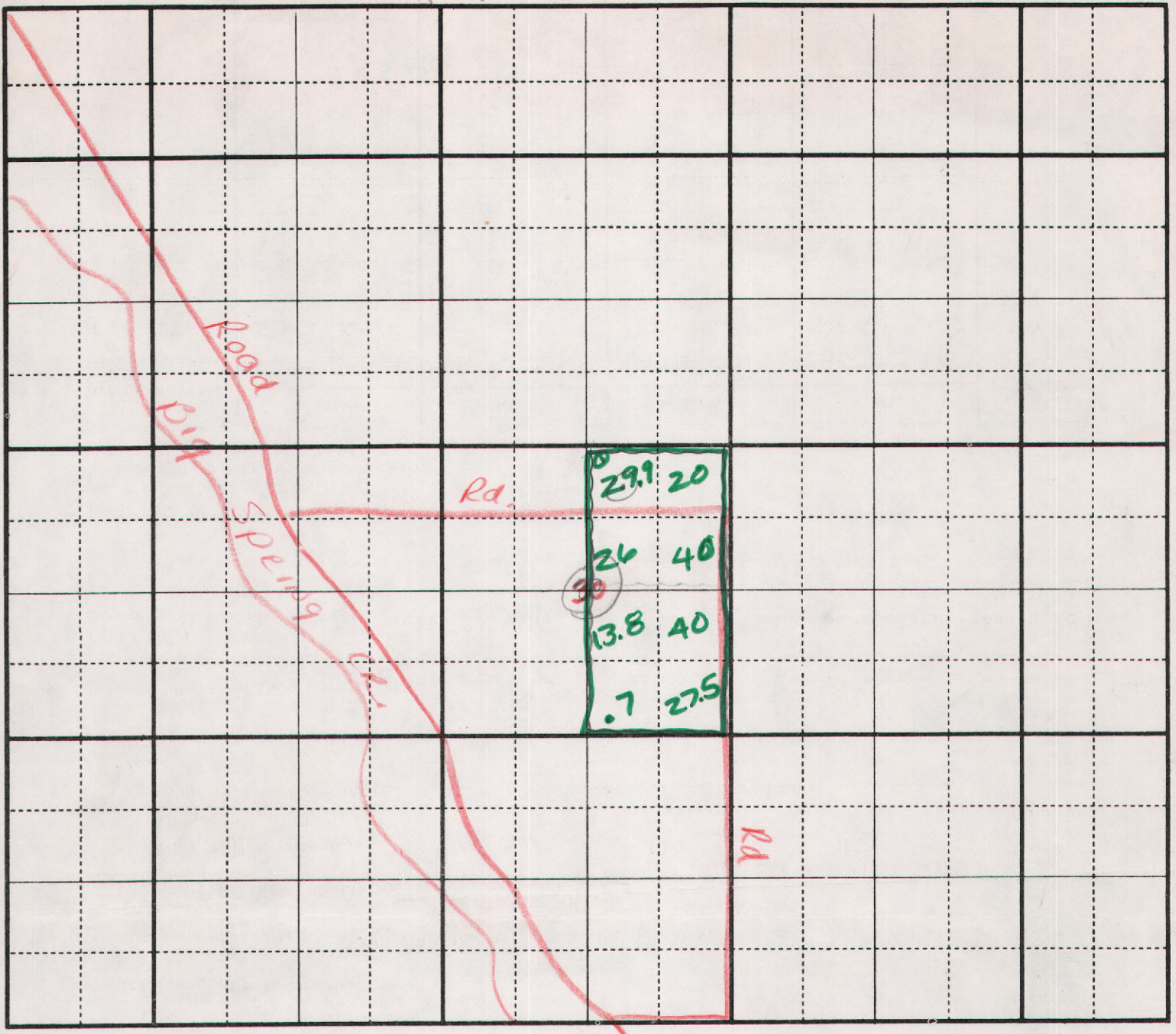
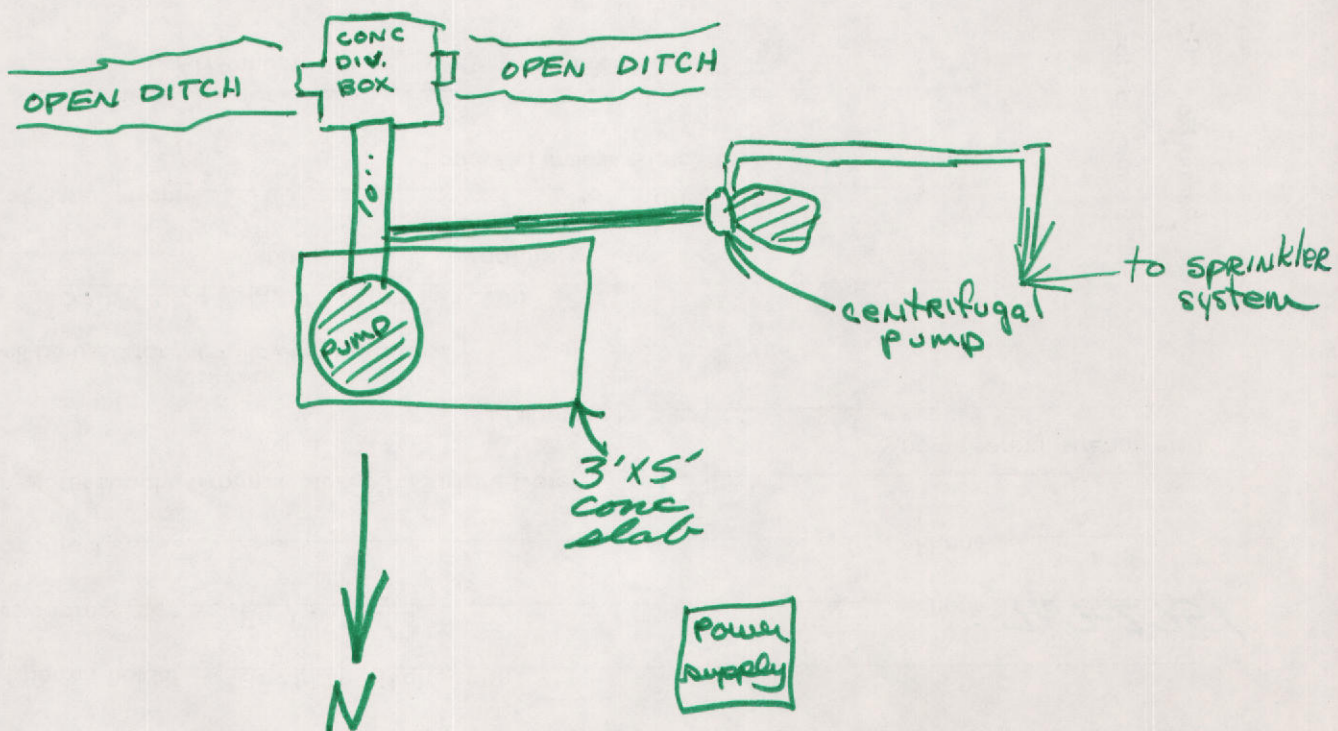


Diagram of System



Well.

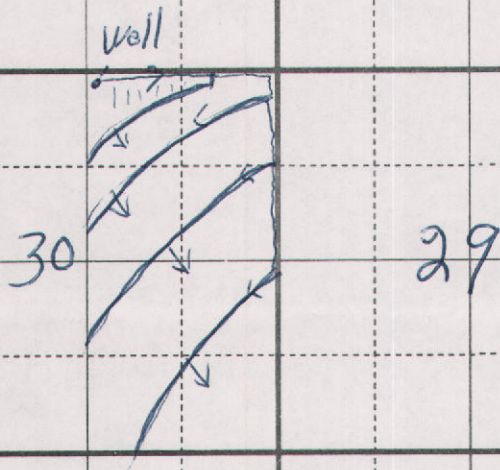
72.3

Sec. 30

E. $\frac{1}{2}$

33-2123

32610



T 8 N R 28 E

Permit Map No. 932610
As Approved NOV 26 1965
CARL E. TAPPAN
State Reclamation Engineer

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32610/33-2123 Priority Nov. 16, 1965 Amount 3.96 cfs

THIS IS TO CERTIFY, that ORVILLE NICHOLSON
of Howe, Idaho, has complied with the terms and conditions of Permit
No. 32610/33-2123 issued pursuant to Application for Permit dated November 16, 1965,
and has submitted proof to the Department of Water Administration on September 30, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 4.45 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 3.96 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 3.96 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 30, Twp. 8 N, Rge. 28 E, B.M.

in the county of Butte; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 593.7 acre feet per year or _____
3.0 acre feet per acre.

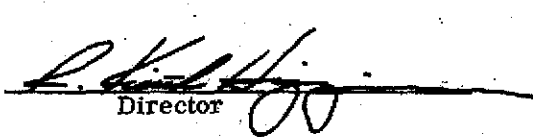
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8 N	28 E	30	20	29.9	26	40									40	13.8	0.7	27.5	197.9

Total number of acres irrigated 197.9

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10 day of
October, 19 72.


Director

MICROFILMED

35 2120

33-3193
MTB: JENNY HARRISON 2-1.

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40768
Permit No. G- 32610
District No.

1. Name of Applicant: **Orville Nicholson**
Postoffice address: **Howe** County: **Butte** State: **Idaho**
2. Quantity of water claimed: **250 inches or 5.0 cfs**
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Subterranean**
4. Location of point of diversion or well is in the **NW 1/4** of the **NE 1/4** of Section **30**
Twp. 8 N, Rge. **28 E**, B.M., County of **Butte**
5. Water is to be used for: **Irrigation**
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: **Deep Well**
8. Estimated cost of works: **\$9,000.00**
9. (a) Is reservoir to be used? **No**
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is **5** years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) **5.0** (cubic feet per second, inches or gallons per minute) is for new lands.

LICENSE ISSUED FOR 3.96 SEC. FT.
 LICENSE PAGE NO. _____

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
SEP 20 1970

Department of Water Administration
10-1-70

1. a) Name of Permit Holder Orville Nicholson
b) Post Office Address Howe, Idaho 83244
2. Permit Number G-32610 / 33-2123
3. Date of Priority that you are prepared to establish November 16 1965
4. a) Source from which water was appropriated Subterranean
b) Location of the point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30
Township 8 N, Range 28 E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 810 af for Irrigation purposes from May 5 to July 15 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 810 ~~cfs and/or~~ acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Johnson Pump Co. of Idaho Falls tested the well and installed a pump to deliver 220 miner inches of water.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 75 hp motor, 20 in well casing, Well is 220 ft deep Water stands at 105 ft.
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed Irving Kendall,
301 East Anderson Idaho Falls, Idaho
Dec 30 1965 well was completed

exam typed
2-10-71
dg

33-2123
32610

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8	28	30	30	37	35	40									40	15		23	220

Total number of acres irrigated 220

10. Remarks: _____

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

Sept. 29. 70
(Date)

Orville Nicholson
(Signature)

State of Idaho)
County of Butte) ss.

On this 29th day of Sept, 1970, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Fred J. Boyer
Notary Public residing at Harco, Id.

My commission expires 6/17/73

Affidavit of Publication

I, Elizabeth L. Brammer, of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,
for two(2) consecutive weeks, commencing
with the issue dated March 12, 1970

and ending with the issue dated March 19, 1970

Elizabeth Brammer

Subscribed and sworn to before me this

20 day of Mar, 1970

Betty J. Mayo
Notary Public.

Residence: Arco, Idaho.

My commission expires 2-4, 1972

PUBLIC NOTICE

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authorizing the diversion of 5.0 cubic feet per second of water from a ground-water source, subject to all prior rights. The priority to be established under this permit is November 16, 1965 and the permit was approved November 26, 1965. Water is to be diverted by a well from a point within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 8 N., R. 28 E., B.M., Butte County, to be used for irrigation in the E $\frac{1}{2}$, Sec. 30, T. 8 N., R. 28 E., B.M. Proof of the application of the water to beneficial use is to be submitted to the department on or before November 26, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
State Reclamation Engineer.
Published in the Arco Advertiser, Arco, Idaho, on March 12 and March 19, 1970.

32610

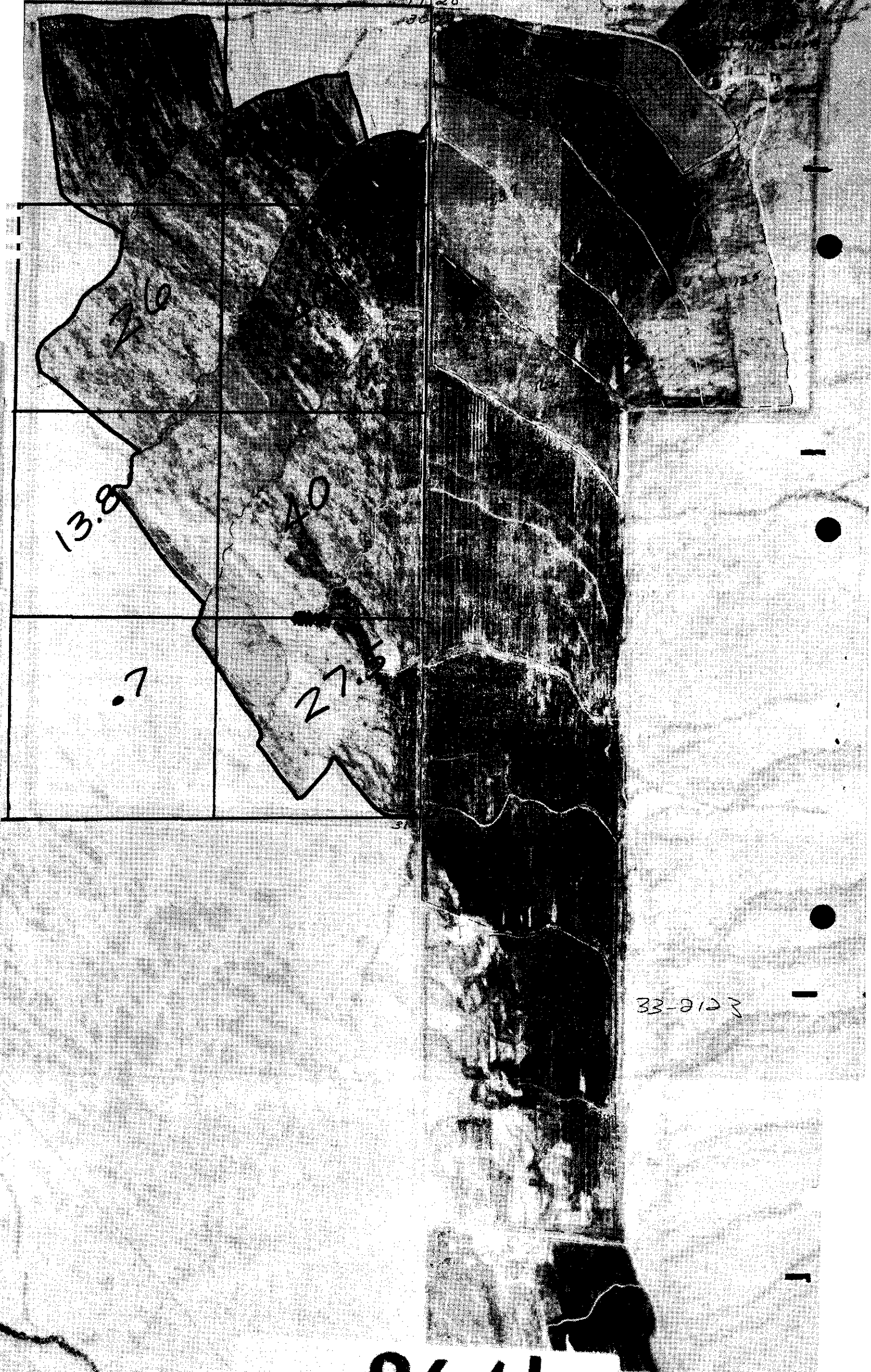
33-2123

ORVILLE NICHOLSON

Orville Nicholson

19 20

30



33-2123

1796

October 11, 1972

Re: Permit No. 32610/33-2123

Mr. Orville Nicholson
Howe,
Idaho 83244

Dear Mr. Nicholson:

Enclosed herewith is your Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: License

bc: Eastern District Office

33-2123

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

September 22, 1972

Mr. Orville Nicholson
Howe,
Idaho 83244

Dear Mr. Nicholson:

A representative of this Department has made an examination of the works covered by your Permit No. 32610/33-2123 and has found the following:

Quantity of water diverted: 4.45 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 3.96 cfs

The maximum quantity diverted shall not exceed 593.7 acre feet per season.

Beneficial use: Irrigation of 197.9 acres within the NE $\frac{1}{4}$ (115.9), SE $\frac{1}{4}$ (82), Sec. 30, Twp. 8N, Rge. 28E, B.M.

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, Twp. 8N, Rge. 28E, B.M.

The priority date established is: Nov. 16, 1965

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

33-2123

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Orville Nicholson

Post office address Howe, Idaho Phone 767-2751

Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 5.0 c.f.s. for irrigation
_____ AF/Annum (nature of use)

Period of Use: from May 5 to July 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. G-32610/33-2123
Examination for bu

4. Total amount to be appropriated:

Max Rate of Diversion 5.0 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 8N N/S, Range 28E E/W, B.M., Section 30, Subdivision NW $\frac{1}{4}$ NE $\frac{1}{4}$, Butte
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works: well, 220' deep, 20" casing, 75 HP motor, water stands at
105'

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8N	28E	30	X	X	X	X									X	X	X	X	320

33-2123 TOTAL ACREAGE 320

R 28 E

33-2123

7
8
N

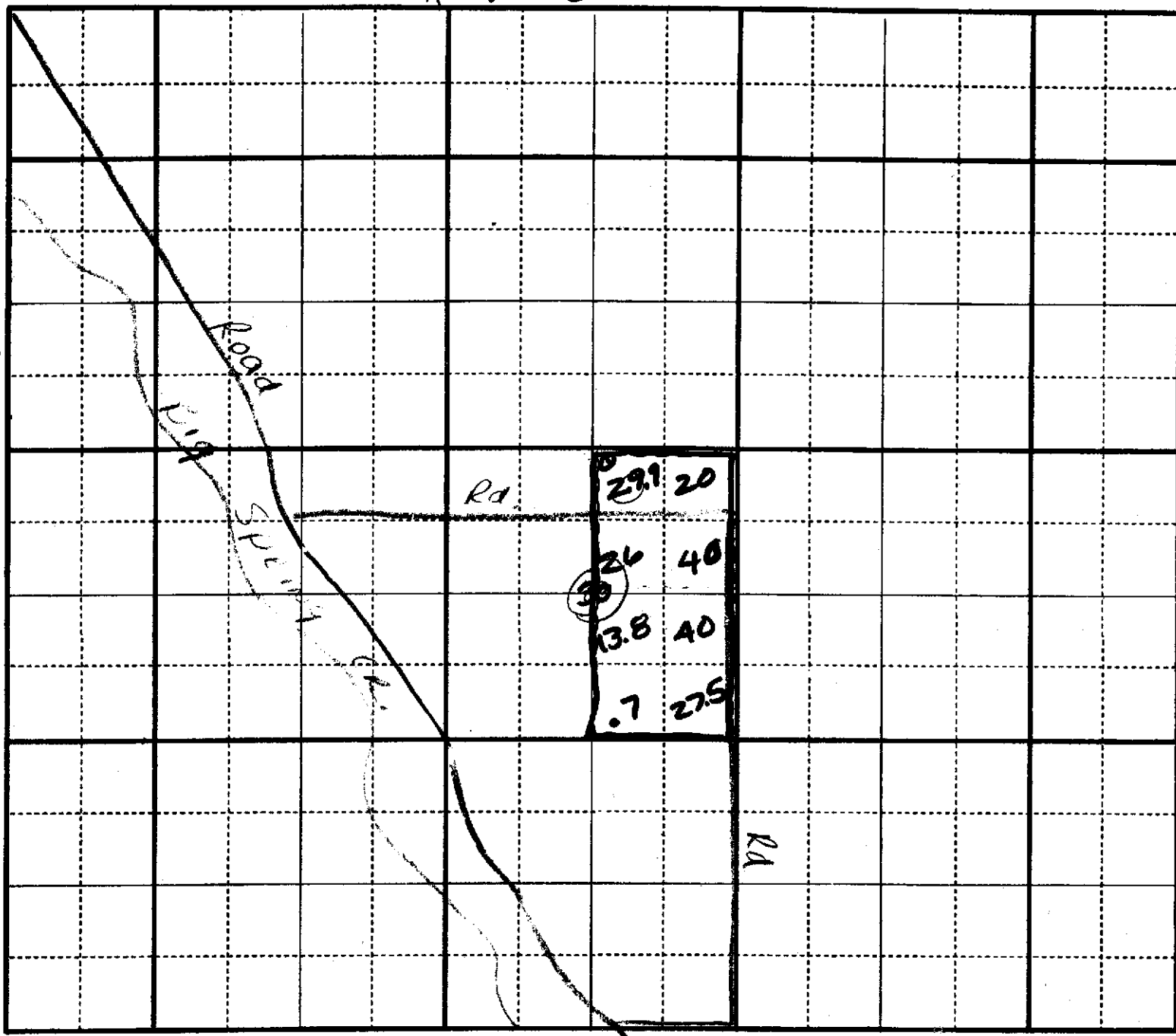
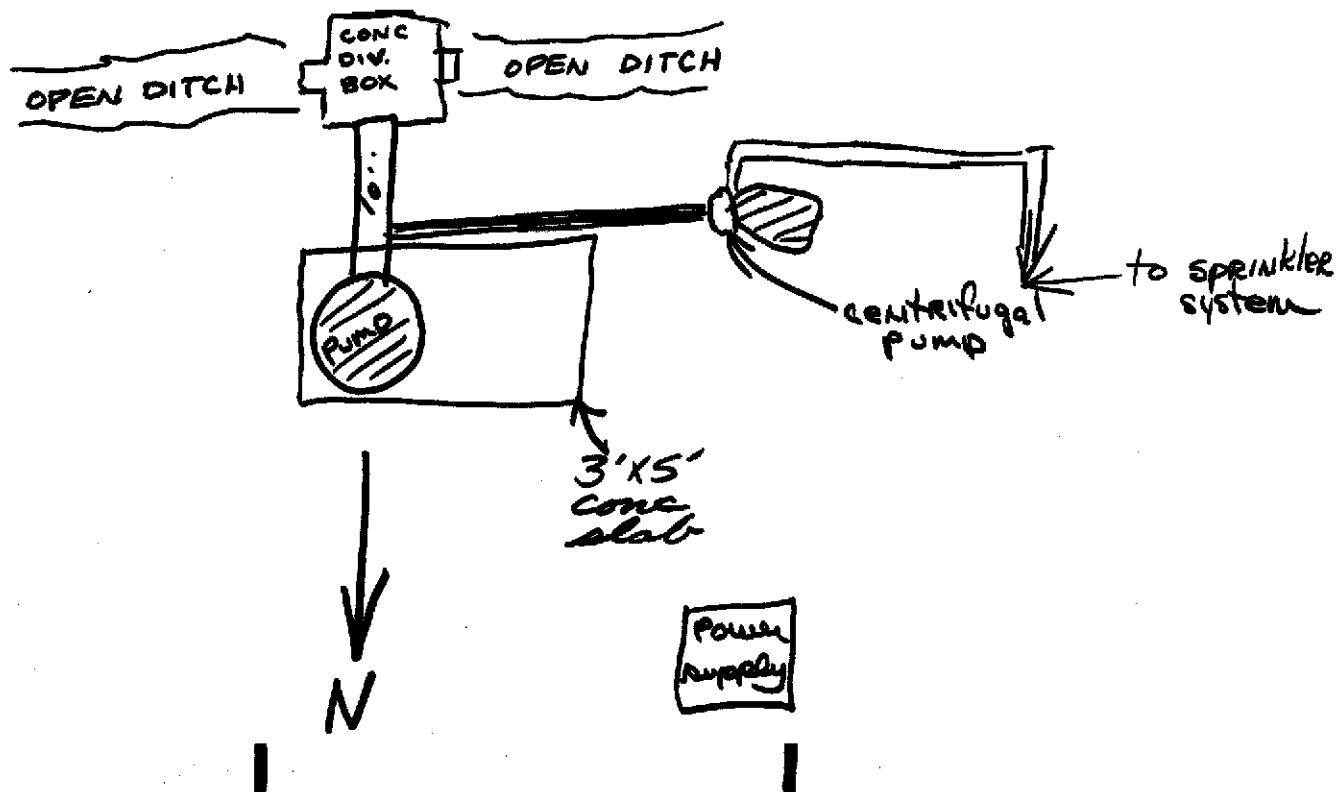


Diagram of System



DATE OF EXAM 9-2-71

ACREAGE
Found 197.9
Recommended 197.9

Irrigation Requirement 3.0 Ac Ft/Ac

USE 3.96
Irrigation Q = 3.96 c.f.s. V = 593.7 AF/Ann. from Apr. 1 to Nov. 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ✓

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 4.45 Method of measurement McCrometer

Total Q recommended 3.96 Meter No. _____ Type _____ Condition _____

Total V recommended 593.7 AF/ANN
3X 197.9

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None

MEASUREMENT CALCULATION:

McCrometer 4.5 CORRECTION .99
.99 X 4.5 = 4.45 cfs

SYSTEM DESCRIPTION:

#1 - MAIN PUMP - Westinghouse - 7.5 hp - 60 cy - 3 ph - 1770 RPM
220/440 Volts - # 629 B531G35 - Johnston pump - 15713 - Y
#2 booster to sprinklers - GE pump motor - 30 hp - 60 cy - 3 ph - 3550 RPM
220/440 Volts - SER# SYJ501275 - Raw-O-Flow Centrifugal
pump - Model 4WB-30-2 - SER# 9201010" discharge from #1
south for 5' into conc. div. box. A 4" line takes off west
from #1 discharge 1 1/2' from pump and runs west for
14' to #2 booster pump. 4" discharge from booster
west for 6' then to 6" steel pipe and on to
sprinkler system.

Examiner's Signature Rex L. Chapman Date 9-2-71

Checked by mjl Date 9-8-71

Approved by _____ Date _____

33-2123

October 2, 1970

Re: Permit No. G-32610/33-2123

Mr. Orville Nicholson
Howe,
Idaho 83244

Dear Mr. Nicholson:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit no. G-32610/33-2123.

Before a license can be issued, a field examination must be made by a representative from 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 someone other than yourself should be contacted, please advise.

Pursuant to your request, we are enclosing another beneficial use form and instructions.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: beneficial use form

33-2123

32610

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐

Show to whom, date, and
address where delivered

☐

Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

INSURED NO.

DATE DELIVERED

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED *(only if requested)*

33-2123
c55-18-71648-10 GPO

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300



**RETURN
TO** →

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moistened gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

33-2123

NAME OF SENDER

Dept. of Water Administration

STREET AND NO. OR P.O. BOX

Statehouse - Annex 2

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

September 1, 1970

Re: Permit No. G-32610/33-2123

Mr. Orville Nicholson
Howe
Idaho 83244

Dear Mr. Nicholson:

One of the conditions of the approval of your Permit No. G-32610/33-2123 was that proof of application of the water to beneficial use be submitted to this office on or before November 26, 1970.

Enclosed is an affidavit form which must be used to submit proof of beneficial use. You may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended.

Either the proof affidavit or a request for 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.



Director

Enc: Proof affidavit
dr

CERTIFIED MAIL

#22116

33-2123
32610

RECEIVED
JUN 10 1950

Dear Sir;

Would you please send me the papers to make final
proof on permit No G 33129

Thank You

Orville Nicholson

33-2123

32610

Wells



Sac 30

E 1/2

33-2123

32610

April 24, 1970

Re: Permit No. G-32610/33-2123

Mr. Orville Nicholson
Howe, Idaho

Dear Mr. Nicholson:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit. Since proof of beneficial use of the water is not required until November 26, 1970, the Department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under the permit you may submit proof anytime prior to the above date.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

32610
33-2123

April 20, 1970

Re: Permit No. G-32610/33-2123

Mr. Orville Nicholson
Howe,
Idaho

Dear Mr. Nicholson:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until November 26, 1970; however, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Arco Advertiser, Arco, Idaho and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

32610
33-2123

March 3, 1970

Re: G-32610/33-2123

Arco Advertiser
P.O. Drawer C
Arco, Idaho 83213

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our 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 date. If you cannot publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by Orville

Nicholson, Howe, Idaho 83244,
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM/DG
Enc: Legal notice

32610
33-2123

March 3, 1970

Re: Permit No. G-32610/33-2123

Orville Nicholson
Howe, Idaho 83244

Dear Mr. Nicholson:

The legal notice for the above referenced permit is being published in the Arco Advertiser, P.O. Drawer C, Arco on ~~March 12,~~ and ~~March 19, 1970.~~

You will be required to submit an affidavit of publication to this department. The affidavit may be obtained from the above mentioned newspaper upon payment of the bill of publication.

Thanking you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM/DG

32610

33-2123

NOTICE OF EXISTING WATER PERMIT

Department of Reclamation

Notice is hereby given that Orville Nicholson, Howe, Idaho.

has received an approved permit No.

G-32610/33-2123 issued by the Idaho State Reclamation Department authorizing the diversion ~~/storage/~~ of 5.0 cubic feet per second ~~/acre/feet/yr/annul/~~ of water from a ground-water source.

subject to all prior rights. The priority to be established under this permit is November 16, 1965 and the permit was approved November 26, 1965.

Water is to be diverted by well
from a point within the NW 1/4, Sec. 30, T. 8 N., R. 28 E., B. M., Butte County,

to be used for irrigation
in the E $\frac{1}{2}$, Sec. 30, T. 8 N, R. 28 E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before November 26, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Arco Advertiser, Arco, Idaho, on
March 12, and March 19, 1970.

32610
33-2123

State Reclamation Engineer:

Permit No. G-32619/33-2123

You are hereby authorized to have the attached notice published at my expense in the Arco Advertiser of Arco, Idaho; published in the county in which the works are situated.

Orville Nicholson
(Signature)

Home Idaho
(Address)
Feb 27, 1970
(Date)

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-32610/33-2123)

in the name of Orville Nicholson, Howe,)

Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law;
and,

WHEREAS, these changes raised questions as to the procedures to be followed by
holders of permits issued prior to the effective date of the amendments, May 31, 1967;
and,

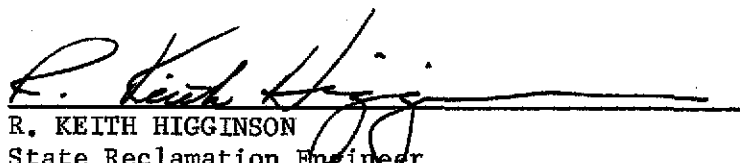
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 33-2123 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are
hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42,
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit
holders expense for two weekly issues in the official newspaper of
the county in which the point of diversion lies.

Dated this 23rd day of January, 19 70.


R. KEITH HIGGINSON
State Reclamation Engineer

32610

33-2123

January 23, 1970

Re: Permits No. G-33129/33-2128
G-32610/33-2123

Orville Nicholson
Howe, Idaho 83244

Dear Mr. Nicholson:

Pursuant to your request, we have modified the above referenced permits. Please find enclosed modification orders and advertising authorizations which must be signed and returned to the department. Also enclosed please find forms with which to submit proof of beneficial use.

In checking through the file of Permit No. G-33129/33-2128, we fail to find a transmittal letter indicating that the department returned to you the decree pursuant to your request of August 1966. Therefore, we are returning this decree to you. We hope that we did not cause you any inconvenience.

If we may be of any further assistance, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Decree
Orders (2)
Advertising packages (2)
Transmittal letters (2)

32610

33-2123

January 23, 1970

Re: Permit No. G-32610 (New No. 33-2123)

Orville Nicholson
Howa, Idaho 83244

Dear Mr. Nicholson:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Order
Advertising package

32610
33-2123

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-32610/33-2123)

in the name of Orville Nicholson, Howe,)

Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law;
and,

WHEREAS, these changes raised questions as to the procedures to be followed by
holders of permits issued prior to the effective date of the amendments, May 31, 1967;
and,

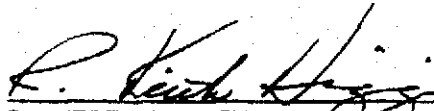
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 33-2123 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are
hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42,
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit
holders expense for two weekly issues in the official newspaper of
the county in which the point of diversion lies.

Dated this 23rd day of January, 1970.


R. KEITH HIGGINSON
State Reclamation Engineer

32610

33-2123

May 19, 1966

RE: Permit No. G-32610

Orville Nicholson
Howe, Idaho

Dear Mr. Nicholson:

Enclosed herewith is a copy of the above numbered permit which you requested in your letter of May 18, 1966.

Also enclosed is departmental receipt No. G-10355 in the amount of \$1.50 which covers this fee.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw
Encl: Copy of permit
receipt

G 32610

6-27456 ~~6-27456~~ \$17.00 due

Application 5.0 cfs fee 6.00
returned for signature

Dec.

See S-9979 6.00 -

Fee for Certificates
also included

(Orville Nicholson)

S, 32610

Department of Reclamation
Boise, Idaho

Dear Sir;

Last winter early I went to you for a water permit for the NW $\frac{1}{4}$ of the E $\frac{1}{2}$ of Sec 30 T 8 R 28 EBM. I received this permit. I sent it to the Department of the Interior in Boise. I wrote them to see if they would send it back to me and they informed me they couldn't but another permit could be issued by the Department of Reclamation for \$1.50. So find enclosed a check of the \$1.50.

Sincerely Yours

Orville Nicholson
Orville Nicholson

2-32610
RECEIVED

MAY 19 1966

Department of Reclamation

*Look this up
& make a copy
of*

2-32610

Office Copy

December 2, 1965

Re: Permit No. G-32610

Orville Nicholson,
Hove, Idaho.

Dear Mr. Nicholson:

We enclose Permit No. G-32610 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

~~WE ALSO ENCLOSE~~ Departmental Receipt No. G-9979 which was issued covering payment in the amount of \$ 23.00 for the filing fee of the above mentioned permit, and also for the Certificate of Completion of Works and Beneficial Use, was mailed to you with our letter of November 24, 1965.

Very truly yours,

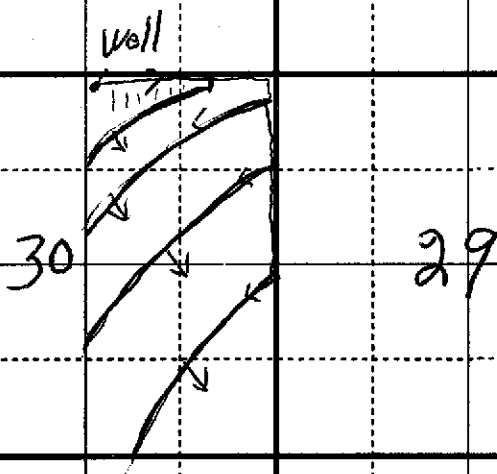
CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

p.s. You will note, under Question 10, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

G 32610



T 8 N R 28 E

Permit Map No. 932610
As Approved NOV 26 1965
CARL E. TAPPAN
State Reclamation Engineer

932610