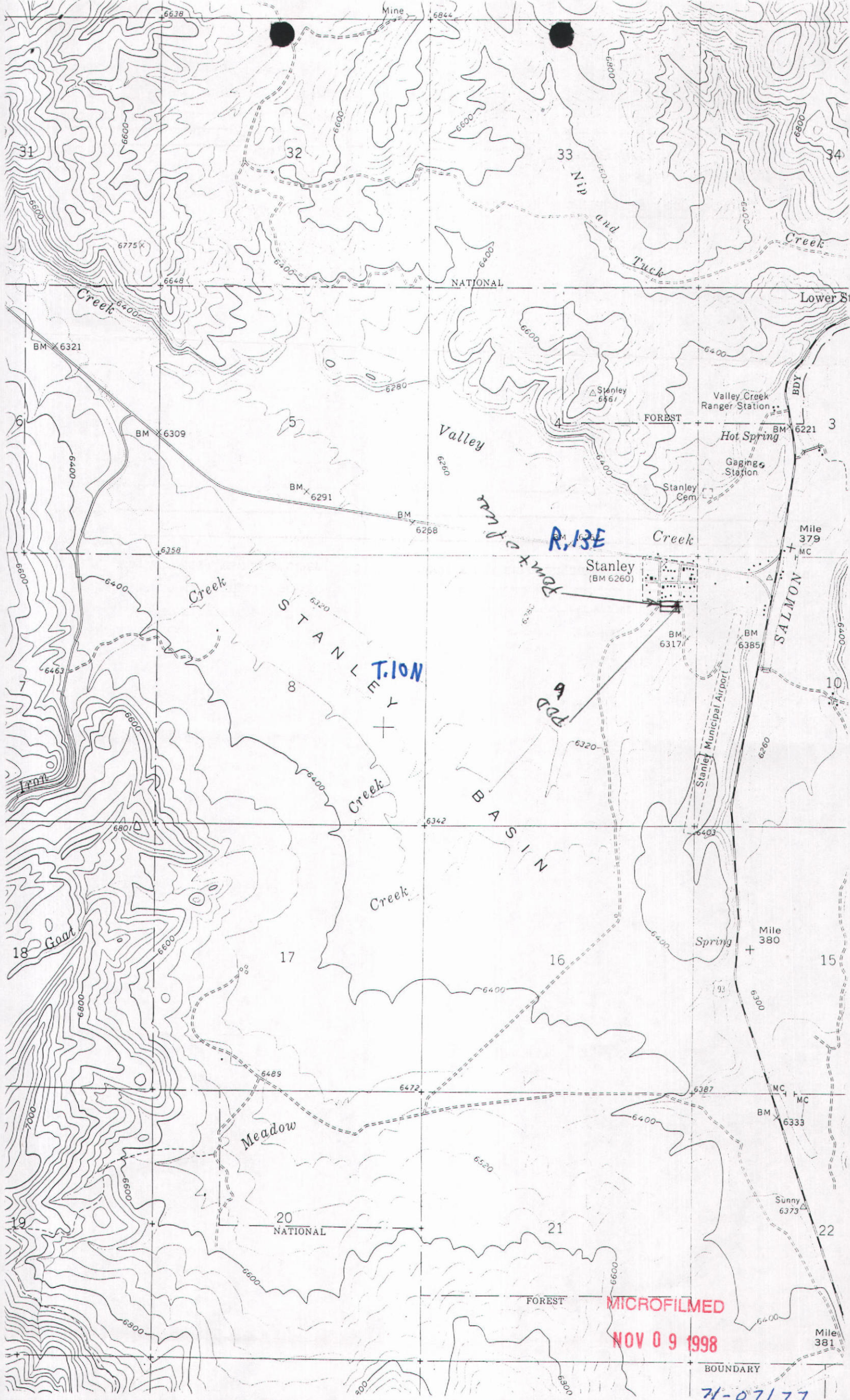
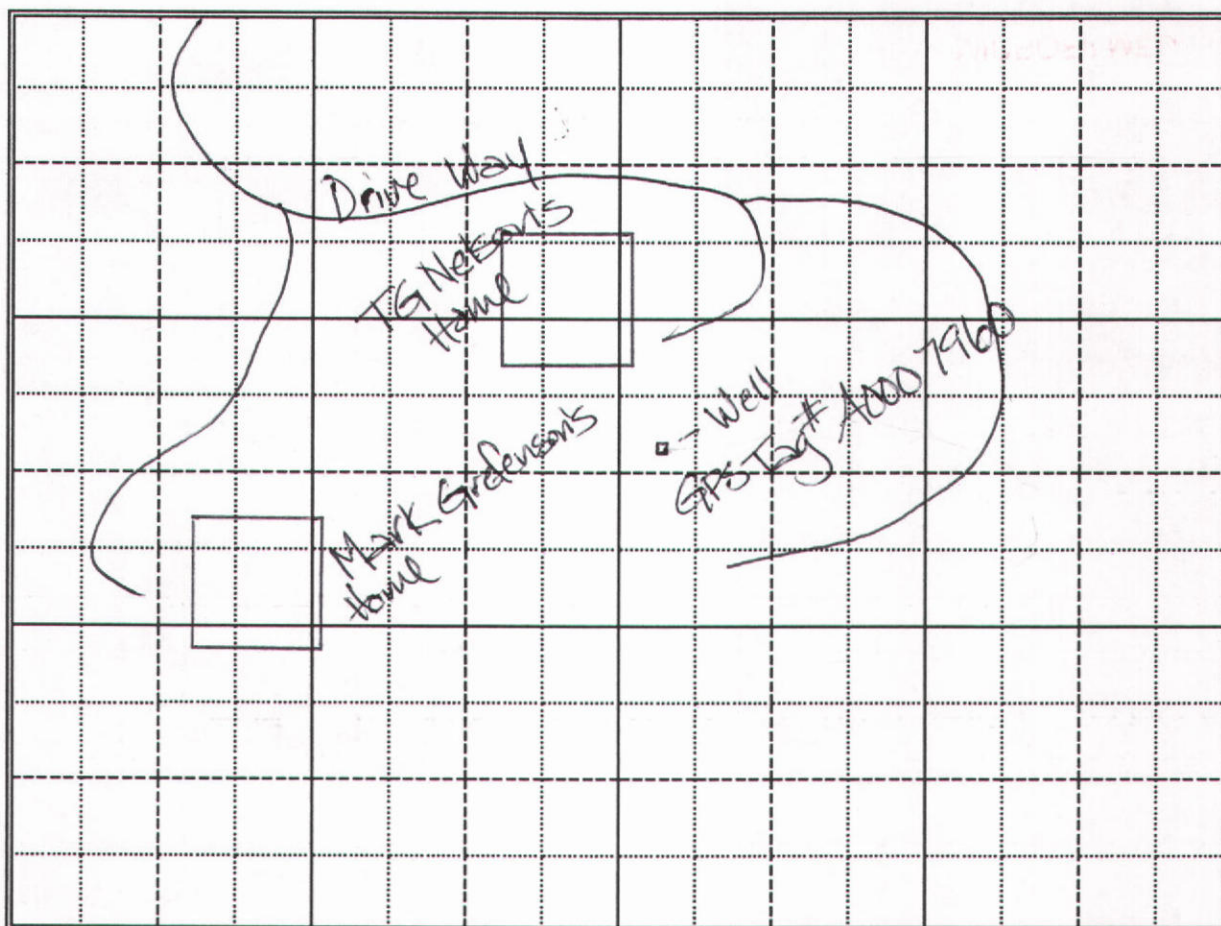




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NOV 09 1998

74-07177

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____



Copy of USGS 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)

_____ Photo of Diversion and System Attached

4.

GIS

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		1 1/2			

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

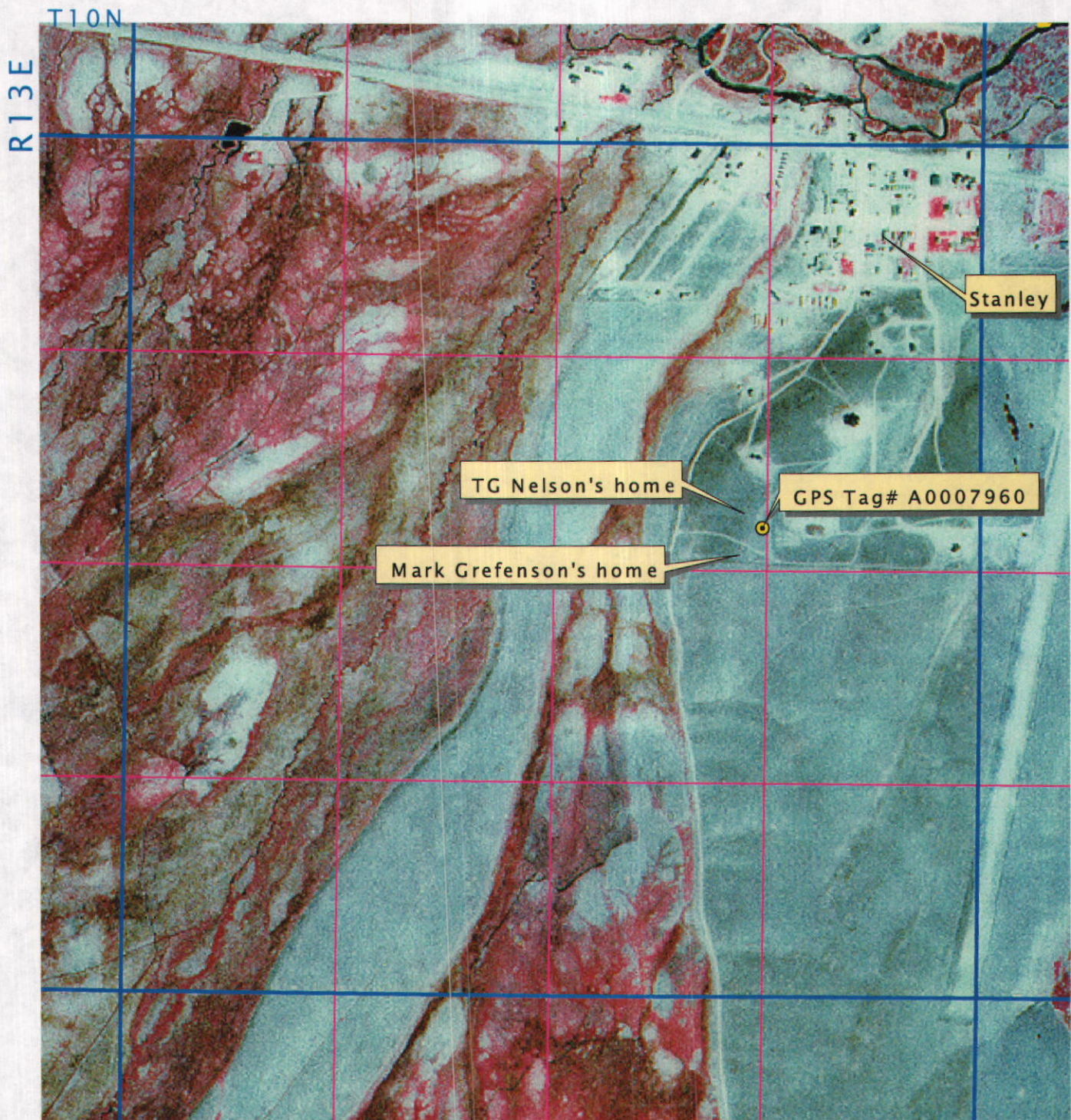
2. Measurements: I used the theoretical formula to calculate the flow rate.

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SEP 25 2001

Recommendation for 71-07177

TG Nelson & Mark Grefenson

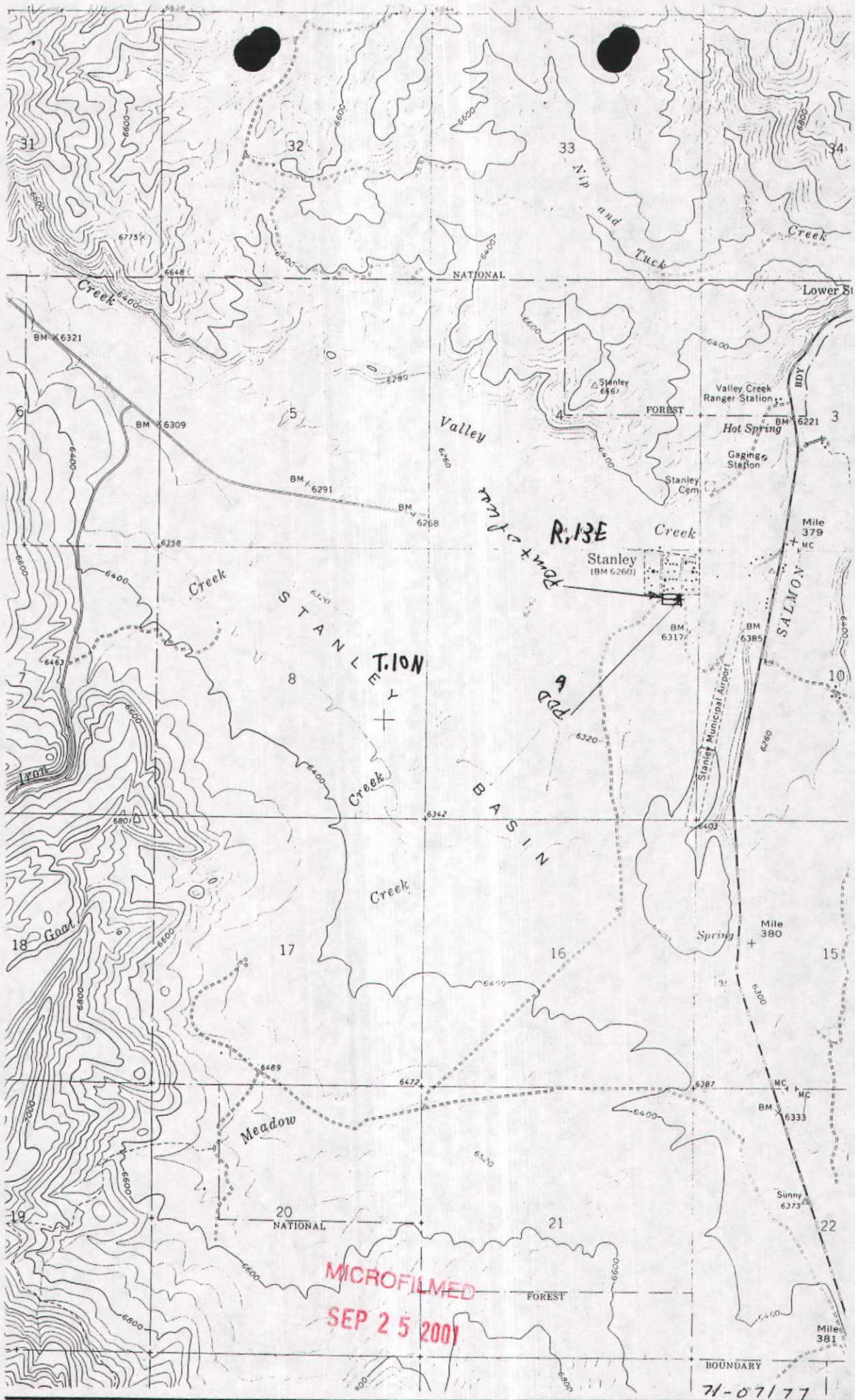


-  Points of Diversion
-  Section Lines
-  Quarter-quarter Lines



Point of Diversion
T10N, R13E, S 9
Data entry on June 15, 2000

Point of Diversion Presentation
1987/1988 NAPP Photography
Data Entry By: Amanda Folsom



AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

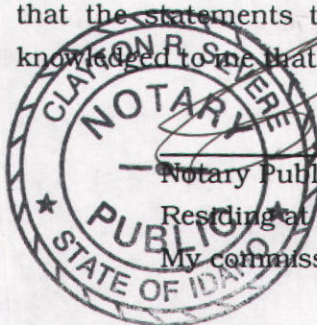
I, Ruth E. Burchill, representing the
Challis Messenger, a weekly newspaper, pub-
lished at Challis, Idaho, do solemnly swear that
the notice hereto attached and made a part here-
of, was published in the regular and entire issue
of the Challis Messenger for 2
consecutive weeks, commencing with the issue
dated Sept 3 1998 and ending with
the issue dated Sept 10 1998.

Ruth E. Burchill

STATE OF IDAHO

COUNTY OF CUSTER

On this 14th day of Sept. in the
year of 1998 before me, a Notary Public,
personally appeared Ruth E. Burchill
known or identified to me to be the person
whose name subscribed to the within instru-
ment, and being by me first duly sworn, declared
that the statements therein are true, and ac-
knowledge to me that he executed the same.



Notary Public for Idaho

Residing at

My commission expires:

Clayton R. Severn
Challis Id.

3-16-2003

RECEIVED

SEP 15 1998

Department of Water Resources
Southern Region

NOTICE OF APPLICATION FOR WATER PERMIT

The following application has been filed
to appropriate the public waters of the
State of Idaho:

T.G. NELSON &/OR
MARK GREFENSON
PO BOX 1339

BOISE ID 83701-1339

Application for Permit No. 71-07177

Source: groundwater (existing
development)

Diversion Pt(s): NE1/4NE1/4, S09,
T10N, R13E; Custer County.

Use: 1/1-12/31

Domestic-two homes (0.04 cfs)

In: NE1/4NE1/4, S09, T10N, R13E;
Custer County

Date Filed: 08/19/98

Any protest against the proposed
application must be filed with the
Department of Water Resources,
Southern Region, 1341 Fillmore St.,
Suite 200; Twin Falls, ID 83301
together with a protest fee of \$25.00 on
or before September 21, 1998 to be
considered by the Department in its
decision to grant or deny any part of
the proposed application. The
protestant must also send a copy of the
protest to the applicant.

Karl J. Dreher, Director

Pub: Sept. 3 & 10, 1998.

OK
mb
MICROFILMED
NOV 5/98

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 71-07177

Priority: August 19, 1998

Maximum Diversion Rate 0.04 CFS
Maximum Diversion Volume. 1.2 AF

It is hereby certified that T G NELSON And/Or MARK GREFENSON
PO BOX 1339
BOISE ID 83701-1339 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 19, 1998; and have
submitted Proof of Beneficial Use on August 06, 1999. An examination indicates that the works have a
diversion capacity of 0.04 cfs of water from

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9, Twp 10N, Rge 13E, B.M., CUSTER County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	13E	9			X														

CONDITIONS OF APPROVAL

1. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home
2. Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 25TH day of April, 2001

MICROFILMED

APR 11 2001

Acting for

KARL J. DREHER
Director

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APR 23 2001

Department of Water Resources

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 71-07177

Date of Priority: August 19, 1998

Maximum Diversion Rate 0.04 CFS
Maximum Diversion Volume 1.2 AF

Comes now T G NELSON And/Or MARK GREFENSON
PO BOX 1339

BOISE ID 83701-1339 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 71-07177, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

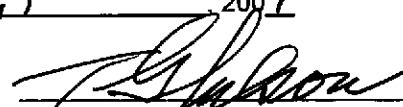
LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 9, Twp 10N, Rge 13E, B M, CUSTER County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N 13E 9			X														

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk Signed this 20th day of April 2001


(Signature)

MICROFILMED

APR 23 2001

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 71-07177

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$50.00 Received by JHAG # C053328 Date 4.23.01

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No 71-07177 with the following

CONDITIONS OF APPROVAL

- 1 The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
- 2 Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation

Witness my hand this 25TH day of APRIL, 2001.

Acting for 
KARL J DREHER
Director

MICROFILMED

SEP 25 2001

RECEIVED FOR OFFICE USE ONLY
Amt. of Fee \$: N/A
Receipt No.
Receipt By:
Date Received:

AUG 6 1999

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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 who has been appointed by the department.

1. Permit No. 71-07177 Telephone No. (208) 334-9744
2. Name(s) of Permit Holder(s): T.G. Nelson &/or Mark Grefenson
3. Mailing Address: BOX 1339 Boise, Id 83701-1339
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. Aug yr. 1996
 - a. Well Driller: Hiddleston & Son, Inc Drilling Permit Number: 71-96-S-0021-000
 - b. OPTIONAL:
Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 2 Stockwater (No. and type of stock):
Irrigation (No. of acres): Other:
6. Total rate of diversion and/or volume for which proof is submitted: 0.04 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 <u> </u>	or	No <u>X</u>
	Has the measuring device been installed?	Yes <u> </u>	or	No <u> </u>
Flow Measurement Port:	Is a flow measurement port required?	Yes <u> </u>	or	No <u>X</u>
	Has the measurement port been installed?	Yes <u> </u>	or	No <u> </u>
8. Fee Enclosed: \$ N/A (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: T.G. NELSON Telephone Number: (208) 334-9744
Address: BOX 1339 Boise, Id 83701-1339
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature]

(include your title, if on behalf of company or organization)

Date: 8/25/99

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 71-07177

Proposed Priority: August 19, 1998 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **T G NELSON**
MARK GREFFENSON
PO BOX 1339
BOISE ID 83701-1339

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>
-----------------------	----------------------	--------------------------

DOMESTIC	01/01 to 12/31	0.04 CFS
----------	----------------	----------

<u>LOCATION OF POINT(S) OF DIVERSION:</u>	NENE , Sec. 9, Township 10N, Range 13E CUSTER County
---	---

PLACE OF USE: DOMESTIC

TWN RGE SEC

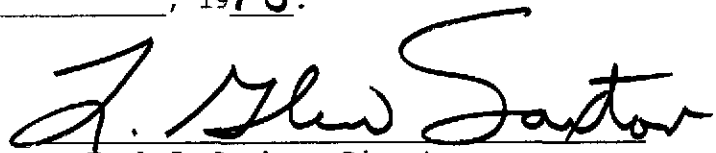
10N 13E 9	NENE	
-----------	------	--

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1999**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
6. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each lot upon which a home has been constructed.
7. Domestic use is for 2 homes.

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

14th day of October, 1998.


for Karl J. Dreher, Director

MICROFILMED

JAN 10 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 71-07177

Proposed Priority: August 19, 1998

Maximum Diversion Rate:

0.04 CFS

This is to certify, that T G NELSON

MARK GREFFENSON

PO BOX 1339

BOISE ID 83701-1339

has applied for a permit to appropriate water from: GROUNDWATER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 9, Township 10N, Range 13E
CUSTER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

10N 13E 9

NENE

SUPERSEDED

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1999.**
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
6. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each lot upon which a home has been constructed.
7. Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.

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

8

day of

October

, 1998.


Karl J. Dreher, Director
for

RECEIVED

NOV 09 1998

RECEIVED

AUG 19 1998

Department of Water Resources
Southern Region

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

OCT 01 1998

Department of Water Resources

1. Name of Applicant T. G. NELSON and/or MARK GREENSON Phone (208) 334-9744
Mailing address Box 1339, Boise, Idaho 83701-1339
2. Source of water supply GROUNDWATER which is a tributary of N/A
3. Location of point of diversion is Township 10 N Range 13 E Sec. 9 in the SNE 1/4
NE 1/4, NE 1/4, Govt. Lot _____, B.M., CLUSTER County
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | |
|---|
| Amount <u>0.04 cfs</u> for <u>domestic</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> (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) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) |
5. Total quantity to be appropriated is (a) 0.04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source 6 inch well with 1 1/2 hp pump - well depth 218', pump set at 198'
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. ~~Proposed~~ well diameter is 6 inches; ~~proposed~~ depth of well is 218 feet
- d. Is ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? 1996; Drilling firm Hiddleston & Son, Inc
Well was drilled for (well owner) T. G. NELSON; Drilling Permit No. 71-96-S-0021-000
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. two households
- e. Other; describe fully. _____

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NOV 09 1998

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	13E	9	D																

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? T.G. NELSON

b. Who owns the land to be irrigated or place of use? T.G. NELSON & MARK GREENSON

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: * By agreement of parties, well will water trees & shrubs but no lawns.
Pump capacity is 15-20 gpm.

* Added per telecon w/ Tom Nelson 8-20-98 ga

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

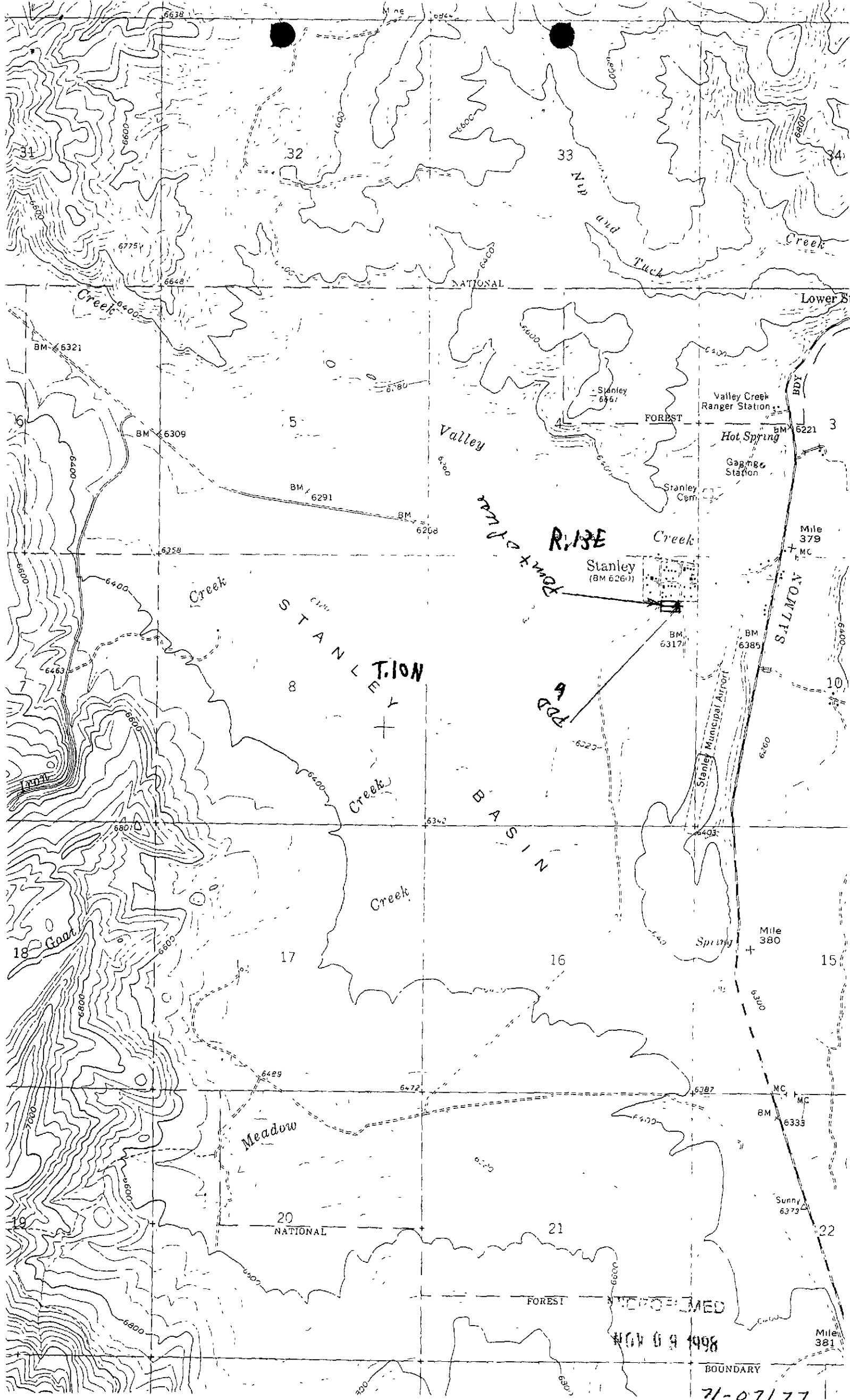
Thomas G Nelson

Signature of Applicant (and title, if applicable)

Received by MB Date 8/19/98 Time 10:45 Preliminary check by ga
 Fee \$ 50.00 Received by ga # 5021438 Date 8-20-98
 Publication prepared by MB Date 8/25/98 Published in The Challis Messenger
 Publication approved MB Date 9/15/98

MICROFILMED

204 3 11



NOV 9 1998

71-07177



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 27, 2001

T G NELSON
MARK GREFENSON
PO BOX 1339
BOISE ID 83701-1339

RE License No. 71-7177 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Also enclosed is a copy of your approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK klt
Enclosure(s)

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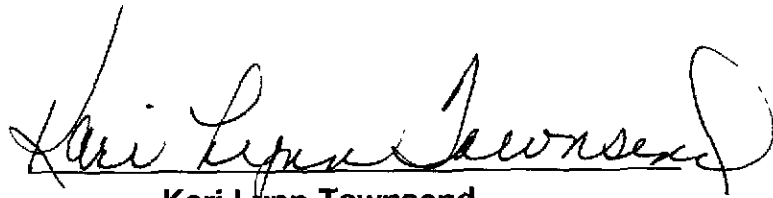
APR 27 2001

CERTIFICATE OF MAILING

I hereby certify that on April 27, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below.

RE: WATER RIGHT NO. 71-7177

T G NELSON
MARK GREFENSON
PO BOX 1339
BOISE ID 83701-1339

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

Kari Lynn Townsend
Secretary

MICROFILMED
SEP 27 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
JUN 2 1981

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



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

April 17, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

T G NELSON &/or MARK GREFENSON
PO BOX 1339
BOISE ID 83701-1339

RE Water Right Permit No. 71-07177

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

☒ Point(s) of Diversion

☒ Place(s) of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED

APR 17 2001

LICENSE REVIEW CHECKLIST

Permit No. 71-07177 Date: 1-17-01 Reviewer, Kay Walker

Change/OK

Name/Address ck

Source ck

Point of Diversion change

Does change clarify original intended source? If no, void permit

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use change

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s) _____

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion.

Permitted rate 0.04 cfs

Fee Limit _____ cfs

Measured _____ cfs

Theoretical 0.04 cfs

Recommended Total Diversion Rate 0.04

Water Uses

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af

Stockwater _____ cfs _____ af

Domestic 0.04 cfs 1.2 af

_____ cfs _____ af

_____ cfs _____ af

Total 0.04 cfs 1.2 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (WD1/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks

2 homes @ 0.6 each = 1.2 AF

Additional Conditions

Watermaster Control

GW Measurement/Measuring Device

Other

Trust R55 - remove 051)

Non-trust (048/049)

GW Dist?

Water Mgmt. Dist?

Crit. GWMA?

GWMA?

Government Lots?

Advance Priority?

yes
no

If yes, explain why below

SRBA Claim?

not req'd

Adjust memo

Amend Letters

P37 P87, S06

Second Amendment Notice

S06

A. GENERAL INFORMATION

Permit No. 71-07177

1. Owner: TG Nelson & Mark Grefenson Phone No. 208-334-9744

Current Address: PO Box 1339 Boise ID 83701-1339

2. Accompanied by: Permission given by TG Nelson EXAM DATE: June 12, 2000

Address: _____ **Phone No.** _____

Relationship to Permit Holder: Owner

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1 Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: none

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

[illegible]

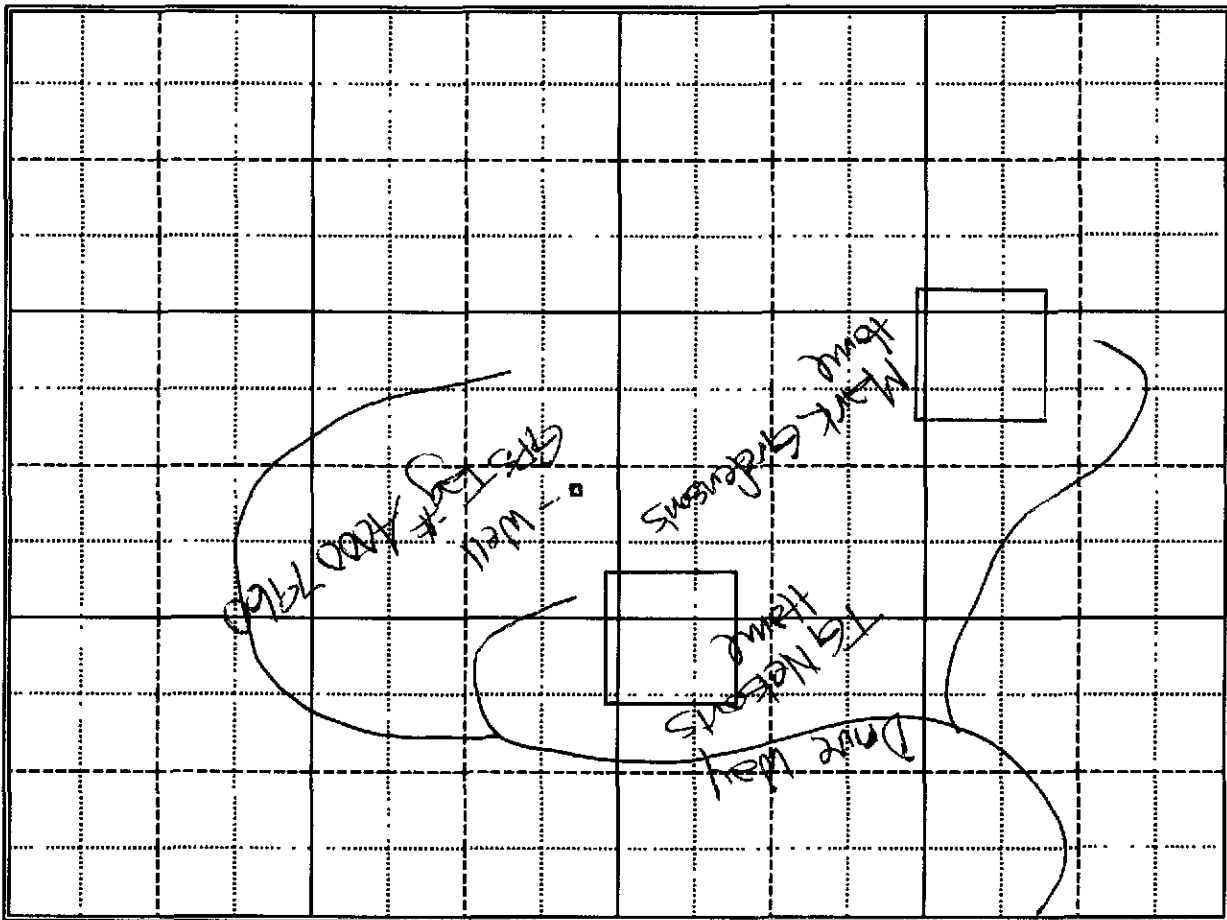
2. Place(s) of Use:

Indicate Method of Determination

[illegible]

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 84

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe l.d. as applicable.



Scale: 1" =
 Copy of USGS 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)
 Photo of Diversion and System Attached

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|-------|------------------|-----------|-----------------------------------|
| | | 1 1/2 | | | |
| | | | | | |
| | | | | | |

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

D. FLOW MEASUREMENTS

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| | | | | | | |
| | | | | | | |

2. Measurements: I used the theoretical formula to calculate the flow rate.

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E. NARRATIVE/REMARKS/COMMENTS

FILE: 71-07177

FROM: Amanda Folsom

DATE: July 3, 2000

I spoke with TG Nelson over the phone on May 22, 2000. He informed me that his home in Stanley is a get away place, and he travels there sporadically from Boise. He gave me permission to conduct the exam without him.

The well is located in the SWNE ¼ of Sec 9, Twn 10N, Rng 13E. It sits between the two homes. Mark Grefenson shares this well with TG Nelson, and is still building on his home, however, the majority is complete and he is living there. TG Nelson's home is north of the well with a green roof, and Mark's home sits southwest of the well. Mr. Nelson informed me during our phone conversation that there is no sprinkler system and no irrigation of lawn or trees.

My recommendation is based on the theoretical rate of the pump. My recommendation is as follows:

| | | |
|----------|---------|--------|
| Domestic | 0.04cfs | 1.2afa |
| Total | 0.04cfs | 1.2afa |

As a side note, I did take photos of the homes and well, but Kodak accidentally destroyed the pictures.

MICROFILMED
JUL 10 2005

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

1000

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$\frac{8.8(1.5)(.7)}{198 + [30(2.31)]} = \frac{9.24}{267.30} = \boxed{0.04 \text{ cfs}}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ _____

2. Volume Calculations for Other Uses:

2 Domestic $0.6(2) = \boxed{1.2 \text{ afa}}$

H. RECOMMENDATIONS

1. Recommended Amounts

| Beneficial Use | Period of Use | | Rate of Diversion
Q (cfs) | Annual Volume
V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
| | From | To | | |
| Domestic | 1-1 | 12-31 | 0.04 | 12.4F |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| Totals: | | | 0.04 | 4F12 1.2 |

2. 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

I. AUTHENTICATION

Field Examiner's Name Barbara Brown Date July 3, 2000

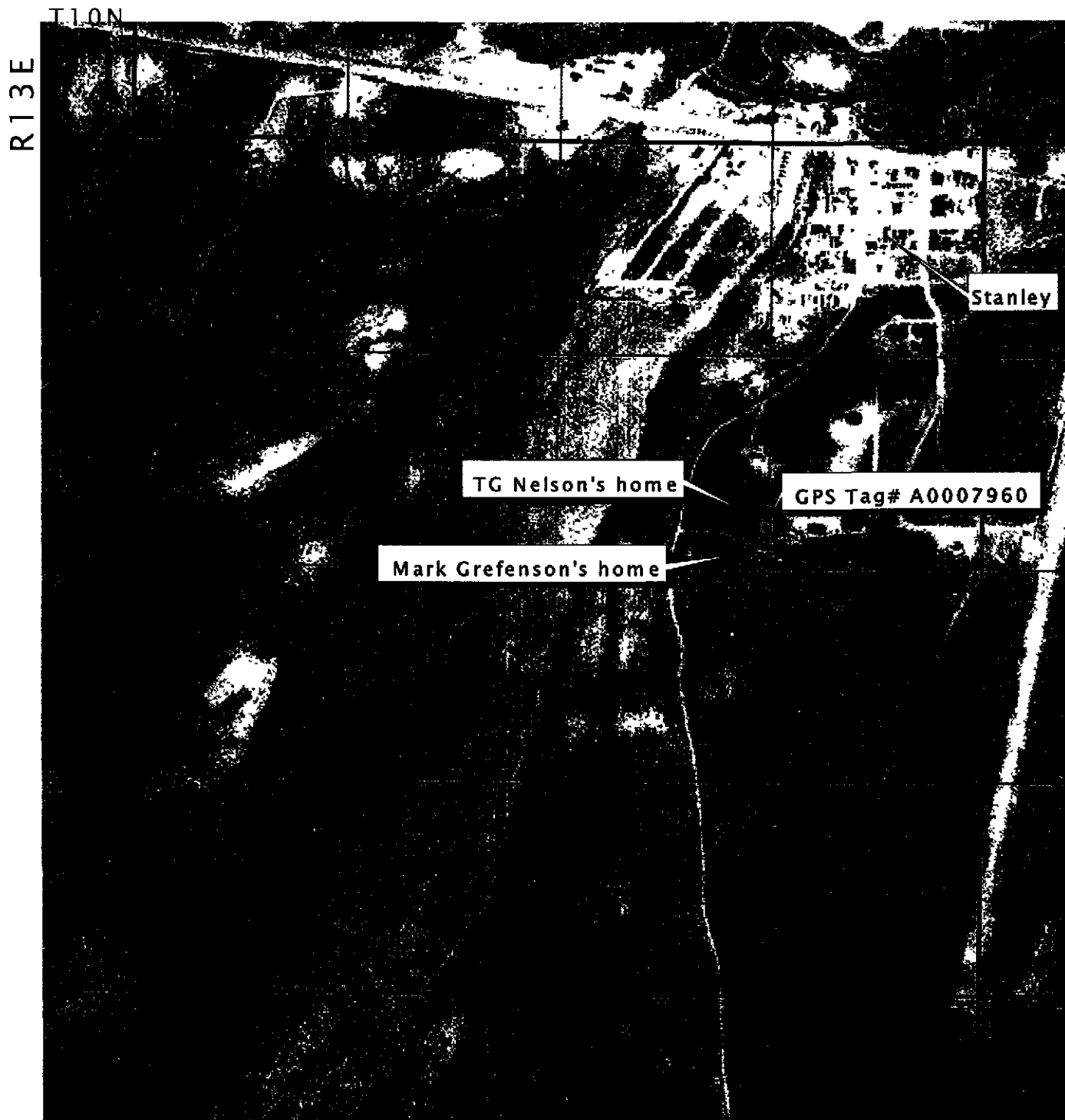
Reviewer _____ Date _____

SEAL

MICROFILMED

Recommendation for 71-07177

TG Nelson & Mark Grefenson

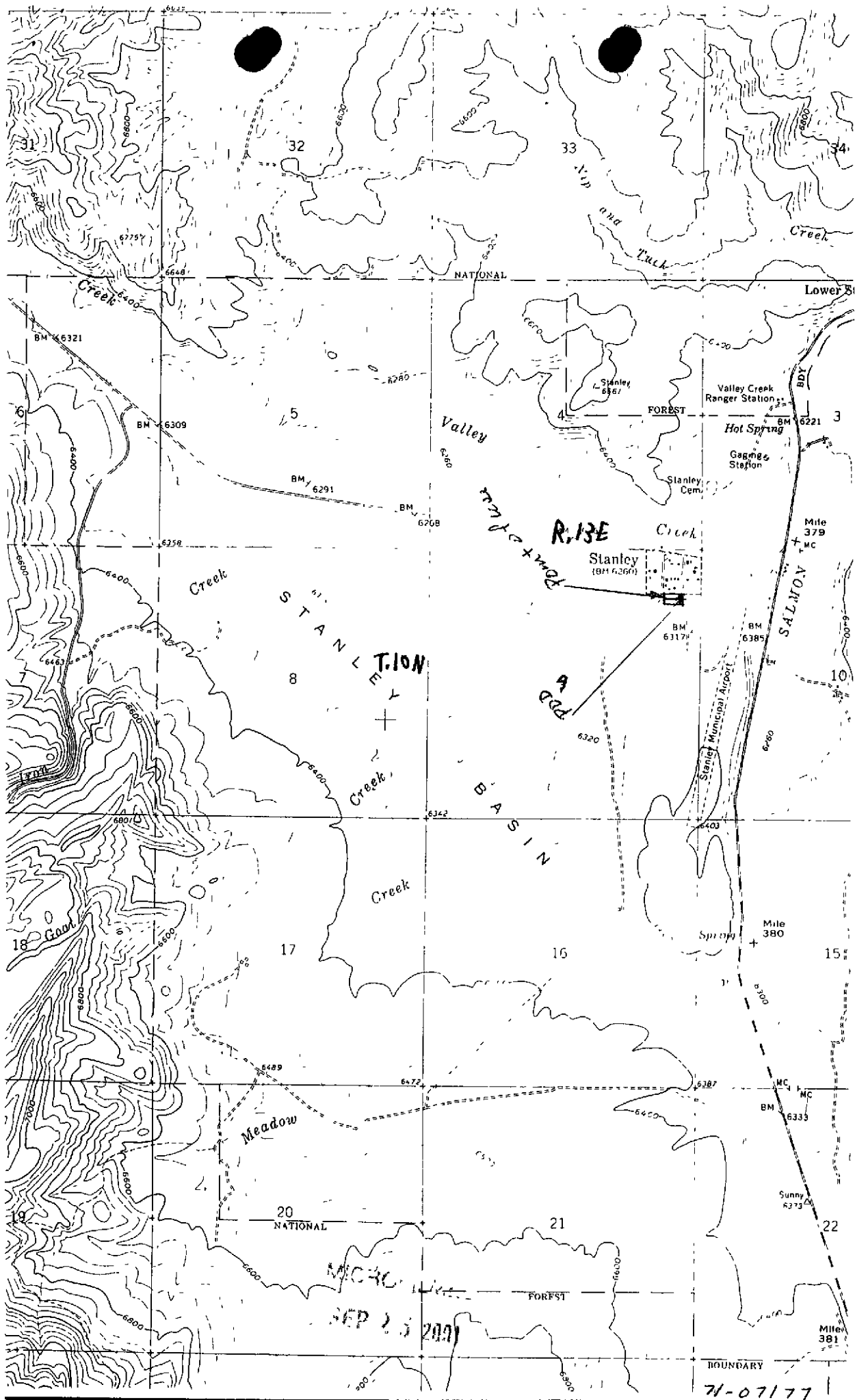


- Points of Diversion
- Section Lines
- Quarter-quarter Lines



Point of Diversion
T10N, R13E, S 9
Data entry on June 15, 2000

Point of Diversion Presentation
1987/1988 NAPP Photography
Data Entry By Amanda Folsom



Communications Documentation

FILE: 71-07177
FROM: AMANDA FOLSOM
DATE: May 22, 2000

Tom Nelson phoned me this morning regarding this permit. He lives in Boise currently and his work phone number there is 208-334-9744. He commented that this would be the easiest way to reach him.

He has no plans to travel to Stanley any time soon, so he gave me permission to complete the exam with out him there. He said his neighbor Mark Grifenson (ph# 208-774-2466) may be able to assist me with the exam.

This permit is for a simple two home domestic use, and Mr. Nelson informed me that there is no sprinkler system and no irrigation of the yard.

I plan to try to contact Mr. Grifenson before the exam.

MICROFILMED

SEP 7 1 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 18, 2000

T G Nelson
PO Box 1339
Boise ID 83701-1339

FIELD EXAM NOTICE

RE: Permit Number 71-07177

Dear Permit Holder:

We are planning to conduct water right examinations in the vicinity of the above-referenced permit beginning June 1, 2000. An examination is needed to verify your water use in order to issue a water right license.

Please be advised that you will need to operate your system under normal conditions during the examination.

In order to conduct your exam as efficiently as possible, we ask that you call this office to schedule a day and time convenient for you.

If there is a problem with scheduling or conducting the examination at this time, please call and other arrangements can be made.

Sincerely,

Amanda Folsom
Summer Field Aid

MICROFILMED
SEP 11 1999

S1
4/92

DEPARTMENT OF WATER RESOURCES

STAFF ANALYSIS SHEET FOR BENEFICIAL USE FIELD EXAMS:

PERMIT NO.

71-07177

A. Items To Be Placed In Exam File (Items A & B to be Completed by Compiler)

- () Blank Field Report & Notice of Completed Exam
- () Copy of App. for Permit, Approved Permit, Amendments, Orders, Assignments
Proof of Beneficial Use, SRBA Claim (Claim Filed? _____ Required? _____)
- () Well Inspection Form, Dairy Water-Use Worksheet (if applicable)
- () Well Log(s) & Groundwater Measurement Analysis Form (if applicable)
- () Copy of Orthophotoquad Map
- () 660-Scale Aerial Photo (Examiner Will Obtain If Applicable)
- () Government Lot Plats (If Applicable)

RECEIVED

AUG 18 2000

DEPARTMENT OF WATER RESOURCES

B.1. P/D Overlap - Yes or No? If Yes, Include Copy of Overlapping Rights & Claims

- If Yes, Type of Overlap: () Add Acres or Uses to Existing System
() Increase Rate of Flow or Volume

B.2. P/U Overlap - Yes or No? If Yes, Include Copies of Overlapping Rights & Claims

- If Yes, Type of Overlap: () Increase Rate of Flow or Volume
() Add Supplemental Water Source
() Increase Acres Within Tracts

C. Field Exam Appointment Made:

Date _____

Time _____

Place

TG Nelson's
Home

Contact Person & Phone

Permission given by TG Nelson

D. Post-Exam Review & Processing

Exam Completed June 12, 2000 Notice of Completion Turned In July 3, 2000

Field Report Completed

July 3, 2000

Amanda Tolson 7-3-00
Signature of Examiner & Date

Field Report Reviewed by Sr. Agent _____

(Initial & Date)

Field Report Reviewed by Region Mgr. AD 8/10/00

(Initial & Date)

Field Report Sent to S.O. _____

Region Card File Updated _____



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

January 6, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

T G NELSON
PO BOX 1339
BOISE, ID 83701-1339

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 71-07177

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 conduct a field examination to determine and confirm the use being made of the water.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right 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 concerning the field examination, please contact the **SOUTHERN** Regional Office of the department in Twin Falls at (208) 736-3033.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

JAN 31 2000

Permit No. 71-07177 Reviewed by [Signature] Date 01-05-00

Proof Made 8-26-99

July 31, 1999

MARK GREFENSON
T G NELSON
PO BOX 1339
BOISE ID 837011339

PROOF DUE NOTICE

RE: PERMIT NO. 71-07177

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 October 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.

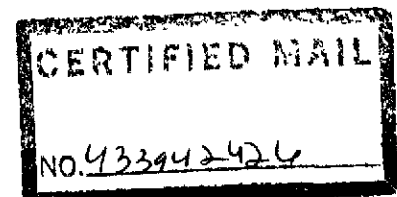
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JUL 31 2006





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

October 14, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

T G NELSON
MARK GREFENSON
PO BOX 1339
BOISE ID 83701-1339

RE: Water Right 71-07177

Dear Water Right Holders:

While reviewing water appropriation permit 71-07177, which was issued to you on October 8, 1998, a Department of Water Resources (IDWR) staff member realized that approval conditions 6 and 7 contradict each other. To remove the contradiction, we have decided to revise the permit on IDWR's own motion as allowed in Rule 730.02 c of IDWR's Rules of Procedure.

The enclosed Permit to Appropriate Water supersedes the permit issued to you on October 8, 1998. The revised permit is an amended preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

If you have questions or concerns about this permit, please contact me at (208) 327-7946

Sincerely,

Shelley W. Keen
Water Rights Supervisor

Enclosures

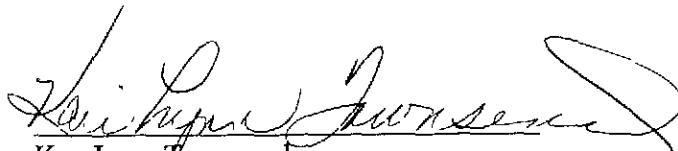
RECEIVED
OCT 19 1998

CERTIFICATE OF MAILING

I hereby certify that on the **14th** day of **October, 1998**, I mailed a true and correct copy, postage prepaid, of the foregoing **AMENDED PRELIMINARY ORDER (Approved Permit)** to the person(s) listed below:

Water Right No. 71-07177

**T G NELSON
MARK GREFENSON
PO BOX 1339
BOISE ID 83701-1339**


Kari Lynn Townsend
Secretary

MICROFILMED
NOV 09 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

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NOV 3 5 1998

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

WR0749NP
No. P71-07177

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/13/98
PAGE: 1

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|------------------|--|------------------|-----------|-----------------------|-------------------|---------------------|
| C | T G NELSON | 08/19/1998 | DOMESTIC | 01/01 12/31 | 0.040 CFS | |
| C | MARK GREFENSON
PO BOX 1339
BOISE ID 83701-1339
(208) 334-9744 | | | | | |
| TOTAL DIVERSION: | | | | | 0.040 CFS | |

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T10N R13E S09 NENE CUSTER County

Place of use Legal Description for: DOMESTIC

| NE | | | | NW | | | | SW | | | | SE | | | | | | |
|-----|-----|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|
| T | R | S | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : |
| 10N | 13E | 9 | : | D | | | | | | | | | | | | | | : |

Pou County: CUSTER

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

| | | | | | | | | | |
|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| 71-04001 | 71-04019 | 71-04041 | 71-07019 | 71-07037 | 71-07039 | 71-07108 | 71-07110 | 71-07111 | 71-07112 |
| 71-07120 | 71-07125 | 71-07131 | 71-07177 | | | | | | |

Other Water Rights Listing Overlapping Place(s) of use:

| | | | | | | | | | |
|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| 71-00003 | 71-00004 | 71-00005 | 71-00006 | 71-00007 | 71-00008 | 71-00009 | 71-00010 | 71-00011 | 71-00012 |
| 71-00013 | 71-07129 | | | | | | | | |

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 004 - The issuance of this right does not grant any right-of-way or easement across the land of another.
- 071 - The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.

Remarks: GEN The irrigation occurring under this domestic use shall not exceed 1/2 acre within each lot upon which a home has been constructed. Domestic use is for 2 homes.

Dates: App. Received: 08/19/1998 Priority Date: 08/19/1998
Proof Due Date: 10/01/1999 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 10/05/1998 User-ID: CZIMMERM Subject: DIVERSION DESCRIPTION

WR0749NP
No. P71-07177

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/13/98
PAGE: 2

=====
Comments: Date: 10/05/1998 User-ID: CZIMMERM Subject: DIVERSION DESCRIPTION
6" x 218' existing well with 1.5 hp pump set at 198'. Drilled
under 79-96-S-0021-000 by Hiddleston for Nelson in 1996.

Audit: 10/13/98 CZIMMERM

MEMORANDUM

DATE: October 13, 1998
TO: File No 71-07177
FROM: Cindy Zimmerman S.
SUBJECT: Telephone Conversation

Allen Merritt called today to point out that conditions no. 6 & 7 on the permit issued 10/8/98 were conflicting. I agreed that condition no. 7 should read.

"Domestic use is for 2 homes."

I have prepared a correct permit to supersede the permit issued 10/8/98.

MICROFILMED

NOV 09 1998



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 8, 1998

MARK GREFENSON
T G NELSON
PO BOX 1339
BOISE ID 83701-1339

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 71-07177

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you. MICROFILMED

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

NOV 9 9 1998

If you have any questions, please call me at 208-327-7946.

Sincerely,


Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

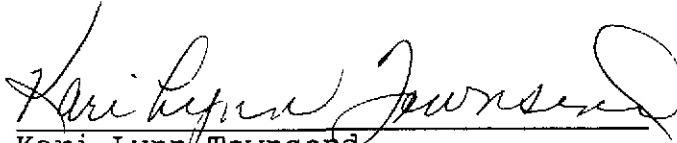
MICROFILMED
NOV 3 9 1998

CERTIFICATE OF MAILING

I hereby certify that on the 8th day of October, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 71-07177

T G NELSON
MARK GREFENSON
PO BOX 1339
BOISE ID 83701-1339


Kari Lynn Townsend
Secretary

MICRO FILMED

NOV 09 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

NOV 04 1998

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED

NOV 3 9 1998

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by Cindy Lou

No.: 71-07177 Name: Nelson / Preference Date: 10/5/98 Ad OK? ☒ / Gvmt Lts: ☒

AREA OF CONCERN: Source - No/Yes S/C Mor / GWMA / Trust / Non-trust

PROTESTED: Exempt - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

- > 1 year - 26A-P17
- ≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD
- WMD Supplemental use - 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)
- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

DRILLING PERMIT:

- All wells (✓ WDQ3) - 046-P23
- In Basin 34? - 085
- Irr within WD - P05 (new well location)

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated)

- FISH & GAME CONTACTED - YES / NO, RESPONSE _____
- IN/ABOVE MIN STR FLOW (✓ MAP) - *WB9
- WD (✓ MAP & LISTING) - R04 (WD # _____)
- > 0.10 cfs - 01J-P08 (MD & LD)
- ≤ 0.10 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

- WMD (✓ MAP)
- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water)

- Snake R (01) - *W22 -P04, NA
- (02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA
- Payette R(65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA
- Salmon R (70's) - 029 (fish screens), NA
- Weiser R (67) - 086, 087

USE:

- Domestic surface - *WB5 (Big Wood R or Boise R ↑ Star Bridge), 27A (Payette River), NA
- >1 in rest area - 041-070
- Fire Protection - 077
- Fish Propagation - 029(70's only)-007-042(req)-081 (WQ)-P10
- Heating/Cooling - R07 (injection well)
- Irr ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3 0/3 5/4 0/4 5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3 0/3 5/4 0/4 5 AF)
- Mining - 054(req)-081-P10
- Municipal - 022, 075, 004 (+memo?), NA (not in restricted area)
- Power - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use), 17G (FERC) or 17M (FERC), 18B-P09, >25 cfs-P18
- Stockwater - R37 (BLM/USFS), NA
- Storage (✓ 3 compo) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

- 42-248 area - P84 in 20/30/40/50/60/70/80 (87) basin
- Boise Front LoGeo - 058 (<85° GW temp only)
- In-stream dev - P52 (stream channel alteration)
- Mitigation - 120

SWAN FALLS FLAG (See Code Chart)

- Trust - 051-052-053-P74 (Consumptive Uses), NA
- Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU) _____

OTHER CONDITIONS:

- _____

STANDARD REMARKS:

- 0485/2

BENEFICIAL USE DUE:

- 10/1/ 1999

COMMENTS:

- _____

STATE OF IDAHO
IDWR SOUTHERN REGION
APPLICATION FOR PERMIT ANALYSIS SHEET

RECEIVED

OCT 01 1998

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY J.F. Stanton DATE 8-20-98

REQUIRED INFORMATION (Ck if OK)

- ☒ 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 &/or volume.
- ☒ County
- ☒ Quantity (flow &/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?

+++ PROPOSED PRIORITY DATE 8-19 1998

ADDITIONAL INFORMATION

- ☐ Overlapping place of use(Describe source & relationship to present application on the back.
- ☐ Overlapping point of diversion.
- ☐ Yes ☒ No Is Source Surface Water?
 - If Yes Send Copy to F&G.
 - If Yes Field check/memo required.
 - Field check/memo by _____
- ☐ Yes ☒ No Field report attached?
- ☐ Yes ☒ No Critical Ground water area?
- ☐ Yes ☒ No Groundwater management area?
- ☐ Yes ☒ No Measurement District or Groundwater District?
 - What District? _____
- ☐ Yes ☒ No Send Dam safety information?
- ☐ Yes ☒ No Send power requirement letter?
- ☐ Yes ☒ No Send fish farm requirement letter?
- ☐ Yes ☒ No Power residency affidavit attached?
- ☐ Yes ☒ No Power efficiency form?
- ☐ Yes ☒ No Within trustwater boundary?(If yes, attach trustwater supplementary analysis sheet.
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft? (If yes, attach large diversion supplementary analysis sheet.
- ☐ Yes ☒ No Is Application made to record Pre Nov 1987 Development?
 - If Yes then request clear evidence of when use started.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Date Requested _____

Date Sent Comments Received

SEND COPIES TO:

| | | |
|---|-------|-------|
| ☐ Idaho Dept of Health & Welfare | _____ | _____ |
| ☐ USDI BLM | _____ | _____ |
| ☐ Idaho Dept of Fish & Game | _____ | _____ |
| ☐ USFS | _____ | _____ |
| ☐ Idaho Dept of Lands | _____ | _____ |
| ☐ Water Dist. No. _____ | _____ | _____ |
| ☐ Adjudication Bureau Unit | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

PROCESSING ☒ Yes ☐ No In form for Advertising?
☐ Yes ☒ No Statewide Advertising?
☒ Yes ☐ No Fee amount, receipt date & No. recorded?

☒ Yes ☐ No Has all requested additional information been received?
If not, describe action taken: _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received?
☐ Yes ☐ No Application published correctly? If not, record action taken.

☒ Yes ☐ No Publication dates and paper recorded?

Final date for protest: _____

☐ Yes ☒ No Protests received?

☐ Yes ☒ No Protested?

Describe Resolution: _____

☐ Yes ☒ No Measuring device required?

☐ Yes ☒ No Access port required?

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist? _____

☐ Yes ☒ No Special conditions codes: _____

☒ Yes ☐ No Is Evaluation Memo Attached?

If yes; date of Memo 9/29/98

Date of priority recommended: 8/19/98

COMMENTS:

RECOMMEND ☒ Approval ☐ Denial

By AD Date 9/29/98

FROM: Allen Merritt 

DATE: September 29, 1998

TO: Application No. 71-07177
In the Name of: NELSON/GREFENSON

SUBJECT: Review and Recommendation

This application is for use of an existing well drilled in 1996 on the Nelson property to be used for domestic purposes for the Nelson property and for domestic purposes for the adjacent property owned by Grefenson. Two houses will be served with minimal outside watering of landscape.

The application is in the Salmon River drainage where groundwater is open for appropriation.

The application was advertised without protest.

RECOMMENDATION

- Domestic purposes is for 2 houses with outside landscape watering. Each domestic use is limited to 13,000 gpd.
- Landscape watering is only authorized on a lot where a home is constructed.
- Must meet drilling permit requirements. (Pay extra fee for drilling permit)

MICROFILMED

SEP 30 1998

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

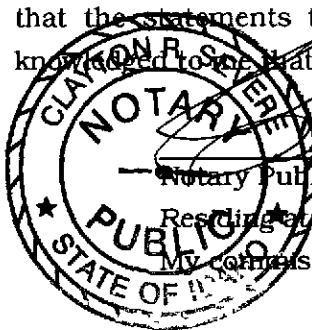
I, Ruth E. Burchell, representing the
Challis Messenger, a weekly newspaper, pub-
lished at Challis, Idaho, do solemnly swear that
the notice hereto attached and made a part here-
of, was published in the regular and entire issue
of the Challis Messenger for 2
consecutive weeks, commencing with the issue
dated Sept 3 1998 and ending with
the issue dated Sept 10 1998.

Ruth E Burchell

STATE OF IDAHO

COUNTY OF CUSTER

On this 14th day of Sept. in the
year of 1998 before me, a Notary Public,
personally appeared Ruth E. Burchell
known or identified to me to be the person
whose name subscribed to the within instru-
ment, and being by me first duly sworn, declared
that the statements therein are true, and ac-
knowledge to me that he executed the same.



Notary Public for Idaho

Residing at

My commission expires: 3-16-2003

RECEIVED

SEP 15 1993

Department of Water Resources
Southern Region

NOTICE OF APPLICATION FOR WATER PERMIT

The following application has been filed
to appropriate the public waters of the
State of Idaho:

T.G. NELSON &/OR

MARK GREFENSON

PO BOX 1339

BOISE ID 83701-1339

Application for Permit No. 71-07177

Source: groundwater (existing
development)

Diversion Pt(s): NE1/4NE1/4, S09,
T10N, R13E; Custer County.

Use: 1/1-12/31

Domestic-two homes (0.04 cfs)

In: NE1/4NE1/4, S09, T10N, R13E;
Custer County

Date Filed: 08/19/98

Any protest against the proposed
application must be filed with the
Department of Water Resources,
Southern Region, 1341 Fillmore St.,
Suite 200; Twin Falls, ID 83301
together with a protest fee of \$25.00 on
or before September 21, 1998 to be
considered by the Department in its
decision to grant or deny any part of
the proposed application. The
protestant must also send a copy of the
protest to the applicant.

Karl J. Dreher, Director

Pub. Sept. 3 & 10, 1998.

FILED
SEP 15 1998

STATEMENT

**Custer Publishing, Inc.**

Phone 879-4445

P.O. Box 405

Challis, Idaho 83226

Dept. of Water
 1341 Fillmore St., Suite 200
 Twin Falls, Id 83301-3380

| Job No. | Date | DESCRIPTION | Amount |
|---------|---------|--|---------------------|
| | 9-10-98 | Notice of Application
for Water Permit
9/3+10/98 - 32 lines

71-07177 | \$ 40.48 |
| | | <div> RECEIVED
 SEP 15 1998
 Department of Water Resources
 Southern Region </div> | OK
MB
9/15/98 |

A finance charge of 1½ percent (annual percentage rate of 18%) with a minimum charge of 50¢ will be charged to all accounts not paid within 30 days of billing.

MICROFILM

NEW 114 PAPER

**NOTICE OF APPLICATION FOR
WATER PERMIT**

The following application has been filed
to appropriate the public waters of the
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the proposed application. The
protestant must also send a copy of the
protest to the applicant.

Karl J. Dreher, Director

**Published in The Challis Messenger on
9/3 & 9/10/98.**

✓ ✓

APPROPRIATE

7-1-98



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

August 25, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CUSTER PUBLISHING CO
PO BOX 405
CHALLIS ID 83226

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

NOTICE OF APPLICATION FOR WATER PERMIT

The following application has been filed to appropriate the public waters of the State of Idaho:

T.G. NELSON &/OR
MARK GREFENSON
PO BOX 1339
BOISE ID 83701-1339

Application for Permit No. 71-07177

Source: groundwater (existing development)

Diversion Pt(s): NE1/4NE1/4, S09, T10N, R13E; Custer County.

Use: 1/1-12/31
Domestic-two homes (0.04 cfs)

In: NE1/4NE1/4, S09, T10N, R13E; Custer County

Date Filed: 08/19/98

Any protest against the proposed application must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before September 21, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in The Challis Messenger on 9/3 & 9/10/98.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

August 25, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

T.G. NELSON &/OR
MARK GREFFENSON
PO BOX 1339
BOISE ID 83701-1339

Application for Permit No. 71-07177

Dear Applicants:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office has scheduled advertising the application in The Challis Messenger for 9/3 & 9/10/98. A period of ten days following the second publication will be allowed for the submittal of protests.

If an 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 an 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 application and will notify you of the outcome of this review. If a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB