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OCT 12 2000

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Sec. 4.
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OCT 12 2000

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APR 18 2000

Publisher's Affidavit of Publication

STATE OF IDAHO

County of Valley

} .ss

I, Carol J. Wright, being duly sworn and say, I am the receptionist of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of afore said and is a legal newspaper; that the PUBLIC NOTICE, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for a period of two weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began April 6, 2000 and ended April 13, 2000.

Carol J. Wright

Subscribed and sworn before me this the 14th day of April, 2000.
STATE OF IDAHO

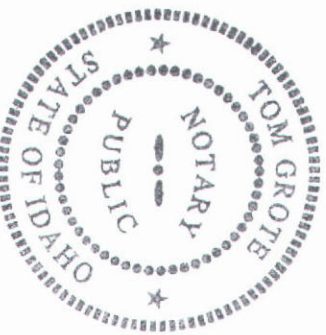
COUNTY OF VALLEY

}

On this 14th day of April, in the year of 2000, before me, a Notary Public, personally appeared Carol J. Wright, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Tom Grote

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires 2/8/06



NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13937 Nichol, Ralph K., 1520 W. Victory Rd., Meridian, ID 83642.

Source: Groundwater.

Diversion Pt: Lot 1 (NWNE) Sec 3 T 18N

R 03E in Valley County.

Use: Domestic (0.080 CFS).

Total Diversion: (0.080 CFS).

Date Filed: 2/23/2000. In: Valley County.

T18N R03E S03 Lot 1 (NWNE).

Applicant agrees to mitigate consumptive

use in the future as needed.

Permits will be subject to all prior water

rights. Protests may be submitted based on the

criteria of Sec. 42-203A, Idaho Code. Any

protest against the approval of this application

must be filed with the Director, Dept. of Water

Resources, Western Region, 2735 Airport Way,

Boise, Idaho 83705 together with a protest fee

of \$25.00 for each application on or before

April 24, 2000. The protestant must also send a

copy of the protest to the applicant.

Karl J. Dreher, Director 2tc/4/13

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OCT 12 2000

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APR 19 2000
WATER RESOURCES
WESTERN REGION

RECEIVED

MAY - 2001

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 1253070
Receipt By: [Signature]
Date Received: 5-1-01

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

1. Permit No. 65-13937 Telephone No. 208 988-1788

2. Name of Permit Holder(s): R. K. NICHOL*, PETERSON & BUNN

3. Mailing Address: *1520 W VICTORY RD
City MERIDIAN State ID Zip 83642

4. Source of Water: GW If GROUNDWATER (well), Date Drilled: mo 08 - yr 1999

Well Driller: MARASCO Drilling Permit Number: 65-13937

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 3 Stockwater (No. and type of stock): None

Irrigation (No. of acres): None Other: None

6. Total rate of diversion and/or volume for which proof is submitted: SEDIMENT-22 GPM @ 15' 8-2-90 some feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes or No
Has the measuring device been installed? Yes or No

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: RALPH NICHOL Telephone Number: 208 988 1788 (634 8284)

Address: 1520 W VICTORY RD, MERIDIAN, ID
OR 3098 JOHN ARDEN RD, MCALL, ID

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: R. K. Nichol April 02, 2001
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13937

Priority: February 23, 2000

Maximum Diversion Rate:

0.08 CFS

This is to certify, that RALPH K NICHOL
1520 W VICTORY RD
MERIDIAN ID 83642

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	0.08 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NWNE), Sec. 3, Township 18N, Range 03E
VALLEY County

PLACE OF USE: DOMESTIC

TWN RGE SEC

18N 03E 3 Lot 1(NWNE)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before June 1, 2001.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
6. Domestic use is for 3 cabins and does not include lawn, garden, landscape, or other types of irrigation.
7. Point of diversion is located within Lot 11, Blk. 5, Pilgrim Cove Subdivision.
8. Place of use is located within Lots 9-11, Blk. 5, Pilgrim Cove Subdivision.

RECORDED

17-500

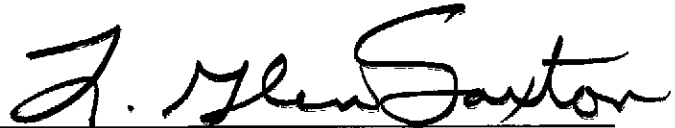
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13937

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

8th day of June, 2000.



Karl J. Dreher, Director

for

MICROFILMED

SEP 11 2000

Ident. No. 65-13937STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

RECEIVED APPLICATION FOR PERMIT

JUN 5 2000

To appropriate the public waters of the State of Idaho

DEPARTMENT OF WATER RESOURCES

JUN - 5 2000

1. Name of Applicant RALPH K NICHOL Phone 208/888-1788
Post Office address 1520 W VICTORY RD. MERIDIAN ID 83642
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is SW 1/4 of NW 1/4 of NE 1/4, Govt. Lot 1
Sec. 3 Township 18N Range 3E B.M. VALLEY County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .08 for Domestic purposes from Now to 12/31 (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) .08 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. WELL, PUMP
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
c. Proposed well diameter is 8 inches; proposed depth of well is 16.5 feet.
d. Is ground water with a temperature of greater than 85°F being sought? N
e. If well is already drilled, when? SEPT 99; Drilling firm MENASCO
Well was drilled for (well owner) RALPH K NICHOL
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 if KW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. (3) cabins
e. Other; describe fully. _____

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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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	3E	3		D															

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

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

b. Who owns the land to be irrigated or place of use? " Lt 11, Peterson, Bunn Lt 9

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

12. Remarks: P/U AKA LTS 9, 10, + 11, BLK 5, Pilgram Cove
Subdivision. P/D located on Lt 11.

13. MAP OF PROPOSED PROJECT ATTACHED _____ Show clearly the proposed point of diversion, place of use, section number, township and range number.

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.

Ralph K. Nickel
 (Applicant)

Received by ly Date 2/23/00 Time 4 PM Preliminary check by _____
 Fee \$ 50 Receipted by ly # W026163 Date 2/23/00
 Publication prepared by _____ Date 4-6-13-00 Published in _____
 Publication approved [Signature] Date 4-28-00 **STAR NEWS**

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T18N
R3E
Sec 3
SWNWNE
Gov Lt 1

P/P + P/L

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OCT 12 2000

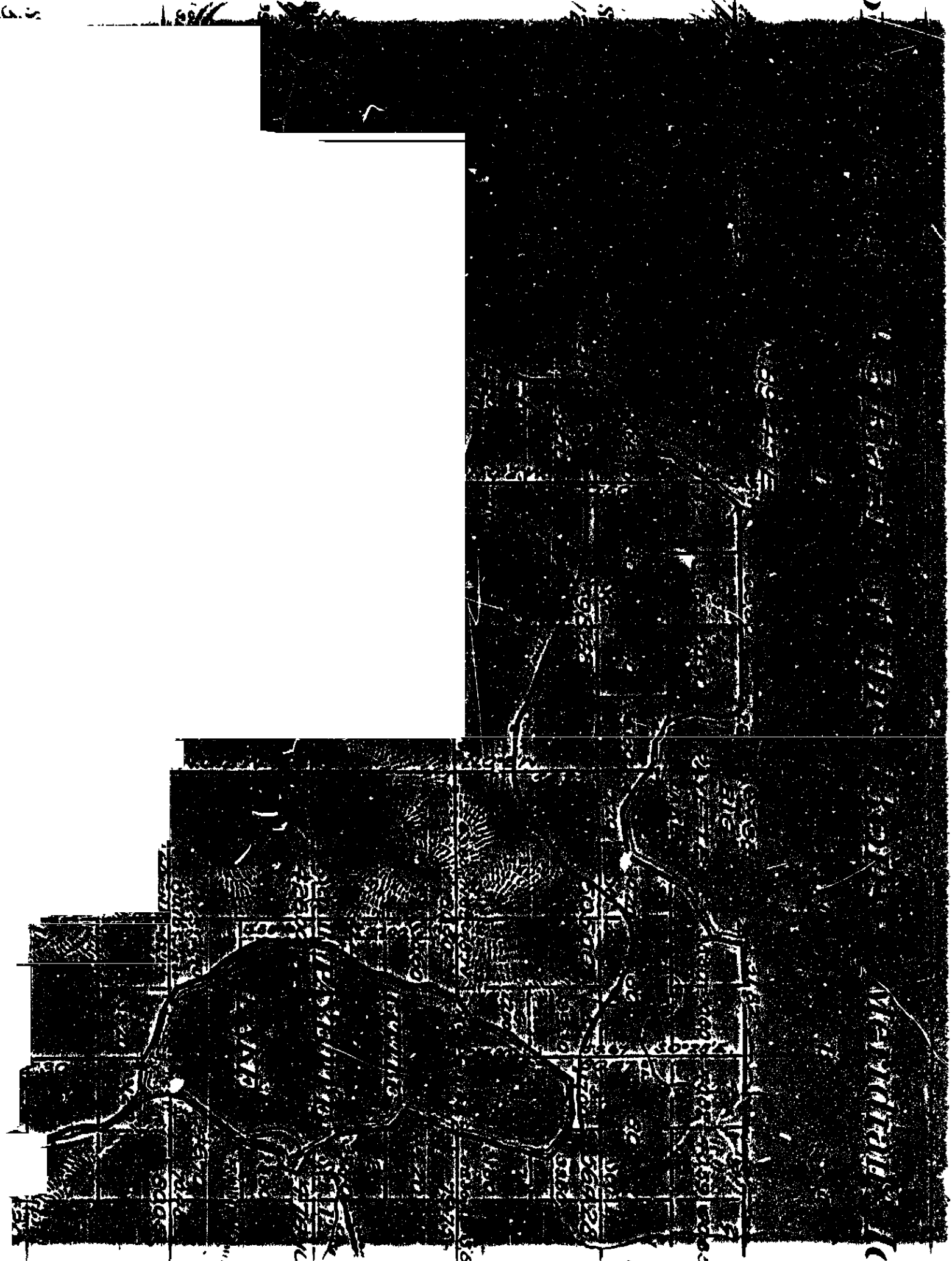
T18N
R3E
Sec 3
SWNWNE
Gov Lt 1

PACIFIC

IDAHO

P/P + P/L

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OCT 12 2000



March 23, 2000
Meridian, Idaho

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APR 24 2000

WATER RESOURCES
WESTERN REGION

R.E. Application for Permit with the State of Idaho Dept of Water resources
To appropriate the public waters of the State of Idaho.

Well Pump 8 inches 165ft. depth Domestic use for three(3) households
TWP 18N RGE 3E SEC 3 NE / NW

This application is being made by Ralph Nichol of Pilgrim Cove (subdivision) McCall Idaho for a permit as described above (cost of \$50.00 paid on 02-23-00) to protect the users.

The well is located on Lot 11 of Block #5 and is used by two other Lots, Numbers 10 and 9 also of Block #5 and will be used for domestic purposes only, no lawns or livestock.

This well will be maintained by the owners of the three Lots which it supplies, at an equal cost.

These Lots are at present occupied by #9 Bunn, #10 Peterson, and #11 Nichol, With The Nichol Lot supplying the power to the well. This cost will be shared among the three owners as is determined by the first year's cost of usage.

Lot #9 Mark Bunn
Signature
Lot #10 James M. Bunn
Signature
Lot #11 Ralph K. Nichol
Signature

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OCT 12 2000



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

May 14, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RALPH K NICHOL
1520 W VICTORY RD
MERIDIAN ID 83642

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13937

Dear Permit Holder:

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

Be advised that Section 42-248, Idaho Code requires you or the owner of 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 **Western** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

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MAY 03 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 65-13937

Reviewed By dgibson

Date: May 14, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		C053470	Well driller's report filed?		X
Additional Amount Due			Measuring device required?	X	
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	05/01/2001
Date proof due	- 06/01/2001
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 02/23/2000
New priority date	= 02/23/2000

Deficiencies of Actions Items

Acknowledge proof.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 24, 2001

Ralph K. Nichol
1520 W. Victory Rd
Meridian, ID 83642

RE: PERMIT NO. 65-13937

Dear Mr. Nichol:

This letter follows up my April 10, 2001 letter to you in connection with the above referenced permit and your letter received on April 24, 2001 with questions related to fees you have paid.

First of all, I think it would be worthwhile to explain that the fees you have submitted to the department in connection with domestic well use are for two (2) different permit programs administered by the department. One program is the water right permit program and the other is the drilling permit program. Hopefully this letter will explain the differences and the basis for applicable fees.

With respect to the drilling permit requirements, on August 5, 1999, Menasco Drilling purchased a drilling permit from the department's Western Regional office and paid a \$75 fee which is the correct drilling permit fee for a single family domestic well. The drilling permit fee for more than one domestic use is \$200. Receipt No. W026494 written on May 24, 2000, in the amount of \$125, is for the difference between the \$75 drilling permit fee paid for a single family domestic drilling permit and the required drilling permit fee of \$200 for the three (3) domestic uses you propose.

The water right permit program requires the submittal of an application fee based on the amount of water you plan to develop a right to use. In your case, on February 23, 2000, you submitted an application for permit seeking to appropriate 0.08 cfs (about 36 gallons per minute) of ground water for domestic use in 3 cabins. The water right filing fee for 0.08 cfs is \$50 and is used to pay for the cost of the legal advertisement of the application. Receipt No. W026163 issued on February 23, 2000, is for this \$50 application fee. On June 8, 2000, the department issued a water right permit with a requirement that proof of construction of works and application of water to beneficial use ("proof") was required on or before June 1, 2001. The license examination fee that

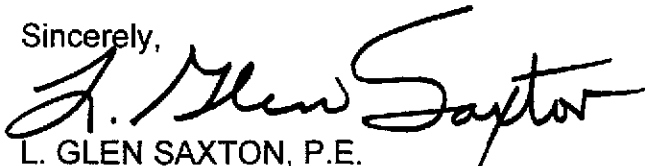
MICROFILMED

MAY 09 2001

must accompany the proof is also \$50 which is the minimum license examination fee amount. This fee is used to offset costs associated with the future on-site examination of the domestic use water system and the issuance of a water right license. For your reference, both the application for permit fee and license examination fee are authorized in Section 42-221, Idaho Code.

You have not submitted the license examination fee in the amount of \$50 that must accompany the proof you submitted on April 4, 2001. As I described in my April 10, 2001 letter to you, the department will hold the proof until the proof due date to determine if you have sent in the required license examination fee. If not, the department will return the proof form to you and will send you a lapse notice. Within 60 days after the lapse notice is mailed, the permit and any water right that would have been developed from the permit, will become of no further force nor effect.

Sincerely,



L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR - W. Region

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MAY 09 2001

Receipt Details for ID W025551

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
8/5/99 12:24:52 PM	8/5/99	Western	\$375.00	Check
Payer		MENASCO DRILLING		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
4908			
Card Expiration Date	Credit Card Transaction #		

Comment 5 WELL TAGS: D0012054 THRU D0012058

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$375.00	5 WELL TAGS: D0012054 THRU D0012058	62134	229	21	0	1205

Refund(s):

Amount	Payee	Date	Document Number
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MAY 09 2001

WD5803NP
(00-5803)

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT NUMBER INDEX

DATE: 04/24/01
PAGE: 1

PERMIT NUMBER 65-99-W-0235-000 OWNER CODE 0 NAME & ADDRESS RALPH NICHOL
1520 W VICTORY RD
MERIDIAN, ID 83642 TWP 18N RGE 03E SEC 03 TRACT NW NE LOT ACC FLG COUNTY L VALLEY

Subdivision Well Site Location and Description:

Subdivision Name: PILGRIM COVE SUB
Well Site Address: 2048 JOHN ALDEN RD
City, State: MCCALL, ID

Lot(s): 011
Block(s): 004

Geographic Location:

GPS Site ID:
Lat: : N
Long: : W
Accuracy Code:

Injection Permit No.
Water Right No.

Well Construction Information:

Anticipated Bottom Temp: 85F or less

Proposed Use of Well: Domestic

Proposed Casing Diameter: In.

Proposed Depth: Ft.

Well Use Comments:

Driller License No: 0391

Firm Name: MENASCO DRILLING
Official: ALBERT S MENASCO III

Permit Status: Start Card

Verbal Issued Date:

Verbal Issued Time: 08/12/1999
Received Date: 08/12/1999
Approved Date: 08/12/1999
Proposed Start Date: 08/13/1999
Extension Date:
Extension Expiration:

Receipt No. Receipt Date

Fee \$ 375.00

Specific Conditions:

Permit Remarks: faxed from menasco 8-12-99

Conditions of Approval: This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.

This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.

The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.

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MAY 03 2001

WELL DRILLING PERMIT NUMBER INDEX: Permit No. 65-99-W-0235-000 (cont'd)

Conditions of Approval: Approval of this drilling permit does not authorize trespass on the land of another party.

This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

This drilling permit does not represent a right to divert and use the water of the State of Idaho.

If a bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

Idaho Code, § 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (Digline is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig Line " Number for your area is 1-800-342-1585.

The well tag for the drilling permit/start card shall be securely and permanently attached to the well casing through welding or by the use of four closed end domed stainless steel pop rivets. The tag attachment will be done at the time of completion of the well, and prior to removing the drill rig from the drill site.

The use of water from this well is for Domestic purposes only which includes irrigation of up to 1/2 acre of land with all combined uses not to exceed 13,000 gallons per day (42-111[A]), or for Domestic uses other than for homes, organization camps, public campgrounds or livestock where the diversion rate and volume does not exceed .04 cfs and 2500 gpd (42-111[B]).

Comments: No Comments Found

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MAY 03 2001

6len

Proof Report

Permit No 738468
Metal Tag No. D0012056,
Well ID # 289194

Relationship: Owner/Operator
Name: RALPH NICHOL-
Address: 1520 W VICTORY RD
MERIDIAN ID 83642

Well Location: Township 18N, Range 03E, Section 3, NW, NE, Government Lot
Number 011
COUNTY VALLEY Lot 011 Block 004

Address of Well Site: 2048 JOHN ALDEN RD
MCCALL ID

Use of Well: Domestic-Single Residence

Activity: New Well

Region: Western

Construction Method:

Const Start Date: Aug 16 1999 Const End Date Aug 17 1999

Well Drilling Company:

Card Hold Name: ALBERT S MENASCO III- (No 3641)

Certifying Official:

Date Received: Aug 30 1999

Date Approved: Aug 12 1999

Date Inspected:

Completed Depth: 164 FT Drilled Depth: Surface Diameter: 6 inches

Primary Flow Depth: Overall Temp: Static Water Level: 55

Head Pipe Length: Tail Pipe Length Production Rate: 21 GPM

Closed in Pressure: 0 Psi Bottom Hole Temp: 50 F. Low Temp Geothermal: NO

Control Device Desc:

Access Port Desc:

Casing

From	To	Diam	Type	Gauge	Join Type	Material
	82					

Seal

From	To	Material	Amount	Method
------	----	----------	--------	--------

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MAY 03 2001

Screen

From	To	Dia	Type	Slot Size	# of Slots	Material	Perforation Meth	Screen Type
------	----	-----	------	--------------	---------------	----------	---------------------	-------------

Lithologic Layer

From	To	Diam	Water	Color	Material	Texture
------	----	------	-------	-------	----------	---------

Drive Shoe

Depth	Test Description
-------	------------------

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MAY 09 2001

RECEIVED

APR 24 2001

Department of Water Resources

April 11, 2001
Meridian, Idaho

Mr. Saxton
Water Allocation Bureau:

Re: permit 65-13937

In September of 1999 a permit was taken out to drill a domestic well for three (3) summer cabins in Valley County, including myself and two other parties (a shared well both in cost and it's use). On May 24, 2000 I furnished your department with another \$125.00 even though we are in a subdivision your Dept. decided we ourselves were a subdivision. Also on February 23, 2000 we paid another \$50.00 for a permit (form 202) which I was to believe covered the same well for registration protection and the information you are now requesting.

My letter that you are referring too, did suggest that if in fact there were more filing fees etc. I would have thought your people would have been current enough to have covered them with me at the time I was in the building doing business.

I am now asking you one more time to please examine the information I have attached and let me know if the fee you are now asking for has not been covered. Also I have been promised a copy of the original drilling permit. For some reason I never did receive the original or a copy.

Sincerely.

Ralph Nichol

208-888-1788



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MAY 09 2001

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APR 24 2001

Department of Water Resources

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: 0026163

Date: 2/23/2000
Time: 15:53:43

Register Well

Received
From: NICHOL

Type of Payment	Program Acct	Amount
APPLICATION FOR PERMIT	62103	229 21 1155
CHECK.	8143	
Total		\$ 50.00

Region: WESTERN

Signature: Ly

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APR 24 2001

Department of Water Resources

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: W026494

Date: 5/24/2000
Time: 14:09:29

Received
From: RK OR JOYCE D NICHOL

Type of Payment	Program Acct	Amount
EE UPGRADE FOR 12056 65-99-W-0235	62134 229 21 1205	125.00
CHECK 8211		
	Total	\$ 125.00

Region: WESTERN

Signature: Lisa Mottson

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APR 21 2001

Department of Water Resources

March 23, 2000
Meridian, Idaho

R.E. Application for Permit with the State of Idaho Dept of Water resources
To appropriate the public waters of the State of Idaho.

Well Pump 8 inches 165ft. depth Domestic use for three(3) households

TWP 18N RGE 3E SEC 3 NE / NW

This application is being made by Ralph Nichol of Pilgrim Cove (subdivision) McCall Idaho for a permit as described above (cost of \$50.00 paid on 02-23-00) to protect the users.

The well is located on Lot 11 of Block #5 and is used by two other Lots, Numbers 10 and 9 also of Block #5 and will be used for domestic purposes only, no lawns or livestock.

This well will be maintained by the owners of the three Lots which it supplies, at an equal cost.

These Lots are at present occupied by #9 Bunn, #10 Peterson, and #11 Nichol, With The Nichol Lot supplying the power to the well. This cost will be shared among the three owners as is determined by the first year's cost of usage.

Lot #9

Mark Bunn
Signature

Lot #10

Charles M. Peterson
Signature

Lot #11

Ralph K Nichol
Signature

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APR 13 2001

Orig to

Dept. Water Resource
2735 AIRPORT WY.
BSE. FD. 83705
% DAN NELSON

FAX 334-2348

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Ident. No. 65-

APR 21 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

COPY

1. Name of Applicant RALPH K NICHOL Phone 208/888-1788
Post Office address 1520 W VICTORY RD MERIDIAN ID 83642
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is SW 1/4 of NW 1/4 of NE 1/4, Govt. Lot 1
Sec. 3 Township 18N Range 3E B.M. VALLEY County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | | |
|---|--|
| Amount <u>0.8</u> for <u>Domestic</u> purposes from <u>Now</u> to <u>12/31</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) | |
5. Total quantity to be appropriated is (a) 0.8 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. WELL, PUMP
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
- c. Proposed well diameter is 8 inches; proposed depth of well is 165 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? SEPT 99; Drilling firm MEANASSA
Well was drilled for (well owner) RALPH K NICHOL
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 if KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. (3) cabins
- e. Other; describe fully. _____

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APR 23 2001

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	R&E	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	3E	3		D															

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

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

b. Who owns the land to be irrigated or place of use? " Lt 11, Peterson, Burn

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

12. Remarks: P/W AKA Lts 9, 10, + 11, BLK 5, Pilgram Cove
Subdivision. P/D located on Lt 11.

13. MAP OF PROPOSED PROJECT ATTACHED _____ Show clearly the proposed point of diversion, place of use, section number, township and range number.

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.

Lore K. Nickel
(Applicant)

Received by Ly Date 2/23/00 Time 4 PM Preliminary check by _____
Fee \$ 50 Receipted by Ly # W026143 Date 2/23/00
Publication prepared by _____ Date _____ Published in _____
Publication approved MICROFILMED Date _____

1633 10 11 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 10, 2001

Ralph K. Nichol
1520 W. Victory Rd
Meridian, ID 83642

RE: PERMIT NO. 65-13937

Dear Mr. Nichol:

I have reviewed your letter to the department dated April 2, 2001, in which you question the requirement of submitting a license examination fee as a part of the filing of proof of beneficial use of water ("proof") for the above referenced permit and ask the department to waive the fee. Your letter seems to indicate that you do not think you should have to submit the fee with the proof, since IDWR staff did not tell you about the fee.

Enclosed for your information is a copy of Section 42-217, Idaho Code, which provides in part as follows:

Such written proof as may be required to be submitted by such user shall be upon forms furnished by the department of water resources and shall include fees as provided in subsection K of section 42-221, Idaho Code, ...(Emphasis added).

Also enclosed is a copy of Section 42-221, Idaho Code, which provides that license examination fee for a permit with a rate of diversion of 0.2 cfs or less is \$50. Since the authorized rate of diversion on your permit is 0.08 cfs, the applicable fee is \$50.

I have highlighted in yellow for you, the applicable parts of the code sections. As you can see from the highlighted parts of the code sections, the department does not have the discretion to waive a license examination fee. If the required fee is not submitted with the proof, the proof is not acceptable.

The file shows that proof is due on or before June 1, 2001. Even though the proof you submitted is not acceptable, the department will hold the proof until the proof

RECEIVED
MAY 09 2001

due date to determine if you have sent in the required fee. If not, the department will return the proof form to you and will send you a lapse notice. Within 60 days after the lapse notice is mailed, the permit and any water right which would have been developed from the permit, will become of no further force nor effect.

If you have questions, please feel free to contact me or the department.

Sincerely,

A handwritten signature in black ink, reading "L. Glen Saxton". The signature is fluid and cursive, with the first name "L." and last name "Saxton" clearly legible.

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

Encl: 2

c: IDWR - Region

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MAY 09 2001

no 18
April 02, 2001
Meridian, Id.

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APR 04 2001

Dept. Of Water Rescouces

Department of Water Resources

Please find attached the Proof of Beneficial Use you requested on the well permit # 65-13937.

I am asking for a wavier of the fee of \$50.00 due to the fact that I was not informed of the need to fill out this form when I was in you office on Feb.23, 2000 to register the well, or when I was made to upgrade the permit cost from \$75.00 to \$200.00 on Aug.24, 2000.

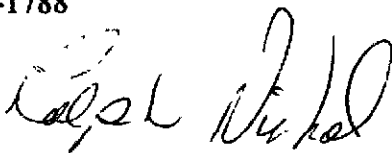
When we started to drill the well in 1999, the Drilling Co. took care of the permit. They were aware that the well would be for the use of three cabins for domestic use only i.e. in house use only. These cabins are very rarely used by the owners at the same time and only used in the summer months. So actually little water is used. No irrigation, no livestock, nothing outside of the cabins.

Now nearly two years have passed and to my surprise I received an order to pay up another \$50.00 and fill out a Proof of Beneficial Use form.

I have no quarrel to the need of the form, however, I feel that when I was actually setting in your building, in contact with your office personal, this matter should have taken place at that time. Since I was not aware of this need surly your people were and should have brought it up at the time.

Thank you.

Ralph Nichol
1520 West Victory Rd.
Meridian, Id. 83642
208-888-1788



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MAY 30 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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APR 04 2001

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.

1. Permit No. 65-13937 Telephone No. 208 888-1788

2. Name of Permit Holder(s) R. K. NICHOL*, PETERSON & BUNN

3. Mailing Address: * 1520 W VICTORY RD

City MERIDIAN State ID Zip 83642

4. Source of Water: GW If **GROUNDWATER** (well), Date Drilled: mo 08-20 / yr. 1999

Well Driller MANASCO Drilling Permit Number: 65-13937

5. Use(s) (as authorized by the water right permit).

Domestic (No. of households). 3 ~~Stockwater (No. and type of stock)~~

Irrigation (No. of acres): NONE Other: NONE

6. Total rate of diversion and/or volume for which proof is submitted ESTIMATE 15-22 GPM @ 165' 8-0.20 cfs OR 165' 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?
Has the measuring device been installed?

Yes _____ or No /
Yes _____ or No /

8. Fee Enclosed \$ _____ (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 RALPH NICHOL Telephone Number 208 888 1788 (634 8284) M. COLL

Address 1520 W VICTORY RD. MERIDIAN, ID.
OR 2048 JOHN ALDEN RD. MCCOLL, ID.

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder. R K Nichol
(include your title, if on behalf of company or organization)

Date April 02, 2001

RECEIVED
MAY 09 2001

March 31, 2001

RALPH K NICHOL
1520 W VICTORY RD
MERIDIAN, ID 83642

PROOF DUE NOTICE

RE: PERMIT NO. 65-13937

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 June 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

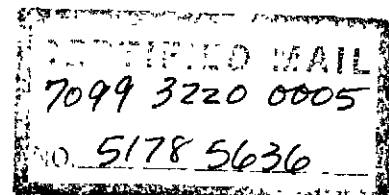
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures

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MAY 09 2001





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

June 8, 2000

RALPH K NICHOL
1520 W VICTORY RD
MERIDIAN ID 83642

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13937

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.

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.

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NOT 122

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

Sincerely,


Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

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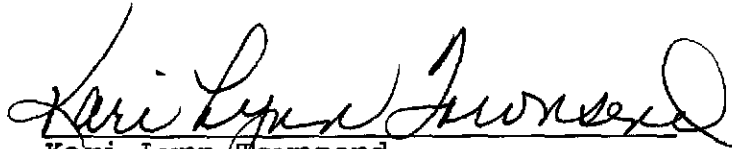
OCT 12 2000

CERTIFICATE OF MAILING

I hereby certify that on the 8th day of **June, 2000**, 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. 65-13937

RALPH K NICHOL
1520 W VICTORY RD
MERIDIAN ID 83642


Kari Lynn Townsend
Secretary

MICROFILMED

OCT 12 2000

**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)

OCT 12 2000

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.

Reviewed by Sharla Curtis on 6/6/00

AREA OF CONCERN: No/Yes ~~Monetarium~~ ~~GWMA~~ ~~TRUST/NON TRUST~~

DRILLING PERMIT

LOCATION:

USES:

RIVER BASINS: (SW special considerations)

USES:

BENEFICIAL USE DUE: 6 / 01 / 2001

MISC CONDITIONS/REMARKS:

Development Period	- 020-W19
≤ 1 yr	- P16
> 1 yr	- 26A(P17)
Ownership	- 004
Non-consumptive	- 027
Water Quality	- 081-R07

Multiple pd's per 1/4 - W32
 Subd lot desc (pd) - W59 *Lot 11*
 Subd lot desc (pu) - W60 *lots 9-11, Blk 5, Pilgrim Cove*
 Use definitions - W02 example - S/50 range *Subd*
 Pre-1987 development - 068-074 (allow 120 days for proof due)
 Single p/d intended - 076

IRRIGATION SEASON _____ - _____ (Per updated map)

OTHER CONDITIONS/REMARKS

COMMENTS _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: DAN DATE: 3-21-00 APPLICATION: 65-13937

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid

Gov't. Lots:
yes P/D
yes P/U

Department of Water Resources

JUN - 5 2000

RECEIVED

yes

~~ADVERTISE~~ ADVERTISE REMARK(S)
(Reviewer identify which remarks)

☒

T FLAG CHANGED TO P FLAG

ADDITIONAL INFORMATION

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.) PILGRIM CREEK ASSOCIATION HAS 3 RIGHTS FOR THE APPLICANT'S SUBDIVISION.
- ☒ Overlapping point of diversion. 65-02594 - 65-00545 - 65-02683
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium:
- ☒ Surface water source, IDFG letter needed.
- ☒ Protected river or minimum flow reach, notify water planning bureau.
- ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☒ E-mail to Dam Safety staff: (for any storage)
- ☒ Mitigation plan: Check any that apply.
☐ immediate = acceptable plan required and submitted.
☒ future = open areas, acceptance of condition of approval is in file.
- ☒ Send power requirement letter &/or fish farm requirement letter.
- ☒ Power residency affidavit:
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Need signed Home owners agreement.

Date Requested 3-21-00 Date Response Received 4-24-00

PROCESSING

APP. NO.

YES NO

☒

In form for advertising:

☒

Statewide advertising: (> 10 cfs &/or 1000 af)

☒

Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐☒

I.D. Health & Welfare

☐☒

I.D. District Health

☐☒

I.D. Fish & Game

☐☒

I.D. Lands

YES NO

☐☒

U.S. BLM

☐☒

U.S. Forest Service

☐☒Water Dist. # ☐☒

Water Planning Bureau

☐☒Other **FINAL REGIONAL PROCESSING REVIEW:**

YES NO

☒

Affidavit of publication received:

☒

Application published correctly: If not, record action taken.

☒

Publication dates and paper recorded on application:

☐☒Final date for protest 4-24-00☐☒

Protests received.

☐☒

Recommendations attached:

☐☒

Measuring device required:

☒☒Water delivered by water master? District # ☒☐Special conditions of approval or cover letter: Standard conditions

See below for additional information

Recommended Date or Priority

2-23-2000

Recommended by:

Daniel A. Nelson

Date:

6-2-00**ADDITIONAL INFORMATION:**USE IS FOR INHOUSE USE ONLY.WATER RIGHTS 65-02594-65-00545-65-02683Overlap Place of use. Applicant's areleaving homeowners association and areDrilling their own well. An agreementwill be signed to give MR. NicholThe Right To be The ~~only~~ name on Water Right.

Meridian, Idaho
May 22, 2000

RECEIVED

MAY 24 2000

WATER RESOURCES
WESTERN REGION

Dept. of Water Resources:
Daniel A. Nelson

Re: Your letter of 5-1-2000 informing me of an increase in drilling charges for the well we had drilled in McCall, Idaho I must tell you that I have hard feeling about the extra charge since we will not be using the amount of water that your code rules indicate we would use, considering that these are summer cabin sites and are only used on occasional weekends, for the bulk of the time they sit idle.

Your code 42-235 and 42-111 states that wells not used for domestic purposes require a \$200.00 well permit, however, this well is used only for domestic purposes and is not a full time well as far as use goes as I have stated in the preceding paragraph, and since we are not a subdivision per-say, we are actually cabin sites within in an area which in it's self might be called a subdivision. (State owned land)

If as you say our application calls for .08 cfs for three cabins perhaps we should alter that to .04 cfs as there is no way we will be using 2500 gallons of water a day for only household use, no livestock, no lawns etc. I am, however attaching a check for \$125.00 under what we will call a PROTEST to the situation since our only reason to apply for this registration is to protect the three (3) parties involved.

I understand that you are only doing your job but we cannot feel that we are being treated fairly when we do not meet the qualifications to the above Idaho codes.

Ralph Nichol

MICROFILMED

OCT 12 2000

Box 349
McCall, Idaho 83638

AL MENASCO
Rotary Air
WELL DRILLING

208-634-7526

Idaho Department of Water Resources
1301 North Orchard Boise ID 83706-2237

Start Card/Permit for a Domestic Well
(Cold Water 83 degrees or less) Press Here

165-99-W-0235-000
Write Tag Number Here
00012056
(Not Valid Without Tag Number)

1. Well Owner (please print): Ralph Nichol

2. Owner's Address: 1520 W. Victory Rd.
City Meridian State Id Zip 83612 Phone (208) 888-1788

3. Well Location: Twp: 18N Rge: 3E Sec. 3 1/4 NE 1/4 NE
Gov't Lot No. County Valley Lat. Long.
Street Address of Well Site 8 2048 John Allen
City McCall Lot 11 Block 4 Subdivision Pilgrim Cove Sub

4. Well Construction Information:
☒ New Construction, ☐ Deepen, ☐ Modify, ☐ Replace Existing Well (Previous #)

5. Construction Start Date: 8-13-99 6. Well Driller MENASCO License # 391

7. Signature of Driller or Owner: [Signature] Date 8/12/99

Submit White Copy to Department of Water Resources
Applicant agrees to comply with the Underground Facilities Damage Prevention Act (C 55-220) in all and contact the locator service telephone number Dialing 1-800-342-1583 prior to commencing excavation

FAX # 334-2348

additional fees of \$125.00 receipt # W026494

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Select-A-Set

Idaho Department of Water Resources

Listing of Driller Reports

12056

Owner/Operator	Use	TWP	RNG	SEC	Tract	Gov. Lot	Gallons Per Minute	Static Water Level	Total Depth	Casing Depth	CSG. DIA.
NICHOL, RALPH	Domestic-Single Residence	18N	03E	3	NWNE	0	21	55	164	82	6

- Well Seal

DGT P

8-17-99

Permit #

From Depth	To Depth	Material	Amount	Method
------------	----------	----------	--------	--------

- Well Screen

738468

Type	From Depth	To Depth	Slot Size	# of Slots	Diameter	Perforation Method	Screen Type	Material
------	------------	----------	-----------	------------	----------	--------------------	-------------	----------

- Well Casing

From Depth	To Depth	Diameter	Type	Gauge	Join Type	Material
	82					

- Well Lithologic Layer

Bore Diameter	From Depth	To Depth	Water	Color	Material	Texture
---------------	------------	----------	-------	-------	----------	---------

- Construction Details

Drilling Company	License Number	Metal Tag Number
------------------	----------------	------------------

- Related Documents

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OCT 12 2000

B65
8/99



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 5-1-2000

TO: Ralph Nichol

FROM:

Don Nelson

DOCUMENT DESCRIPTION:

Enclosed is the letter

that I am sending you including the
Idaho Code Information.

Please return the fee within
30 days. Thank you.

TOTAL PAGES SENT:

3

+ COVER SHEET

CONTACT:

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OCT 12 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

5/1/2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RALPH K NICHOL
1520 W VICTORY RD
MERIDIAN ID 83642

RE: WELL UPGRADE FEE

Dear Mr. Nichol:

In our telephone conversation on 5/1/2000, I informed you that you would need to upgrade your domestic well to accomadate the other 2 homes on the well. You paid a \$ 75.00 well drilling fee for domestic use for a single domestic household. Your well is not for a single domestic household, but is for 3 domestic households. Three domestic homes on a single well requires a \$ 200.00 well drilling fee. In order to continue processing your application for permit, you will need to send in \$ 125.00 to upgrade your well drilling permit.

You also requested the statutes in Idaho Code that require the difference in the two fees. I have included with this letter Idaho Code § 42-235 and § 42-111 that deal with this issue. Idaho Code § 42-235 states that wells not for domestic purposes require a \$ 200.00 well drilling fee. Idaho Code § 42-111 section 2 states that domestic uses shall not include water for multiple ownership subdivisions, mobile home parks, or commercial or business establishments, unless the use is limited to .04 cfs and 2,500 gallons per day. Your application requests a diversion rate of .08 cfs for 3 cabins. If all three cabins were occupied at the same time, they would probably go over the 2,500 gallon per day limitation.

Please send the \$ 125.00 with in 30 days of this letter. If you have any further questions or wish to withdraw the application please contact me at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

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OCT 12 2000

RECEIVED
APR 18 2000

Publisher's Affidavit of Publication

STATE OF IDAHO

County of Valley

.ss

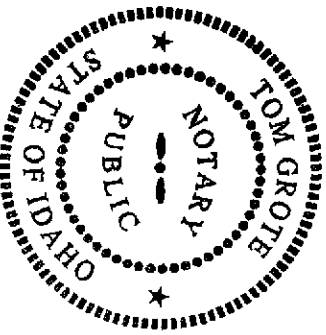
I, Carol J. Wright, being duly sworn and say, I am the receptionist of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of afore said and is a legal newspaper; that the PUBLIC NOTICE, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for a period of two weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began April 6, 2000 and ended April 13, 2000.

Carol J. Wright

Subscribed and sworn before me this the 14th day of April, 2000.
STATE OF IDAHO

COUNTY OF VALLEY

On this 14th day of April, in the year of 2000, before me, a Notary Public, personally appeared Carol J. Wright, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same



Tom Grote

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires 2/8/06

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

65-13937 Nichol, Ralph K., 1520 W. Victory Rd., Meridian, ID 83642.

Source: Groundwater.

Diversion Pt.: Lot 1 (NW/NE) Sec 3 T 18N R 03E in Valley County.

Use: Domestic (0.080 CFS).

Total Diversion: (0.080 CFS).

Date Filed: 2/23/2000. In: Valley County.

T18N R03E S03 Lot 1 (NW/NE).

Applicant agrees to mitigate consumptive use in the future as needed.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before April 24, 2000. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director 261/4713

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OCT 12 2000

RECEIVED
APR 19 2000
WATER RESOURCES
WESTERN REGION

Comments: Date: 3/28/2000 User-ID: DNELSON

Subject: ADDITIONAL INFORMATION

APPLICANT: Place of use also known as lots 9, 10, and 11 Pilgrim Cove Subdivision. P/D is located on lot 11 of same subdivision. Domestic use will be for in-house use only for 3 cabins, one on each of the above lots. An Agreement was made between all three lot owners for Ralph Nichol to be the only owner named on the water right. The applicant's were originally apart of the Pilgrim Cove Association and used water from their water rights. However the Association was purchased by a new water association and the applicant's were told they needed to fix their current water lines or drill their own wells. The applicant's chose to drill their own well. IDWR REVIEW: The review confirms that 65-02594, 65-00545, and 65-02683 for Pilgrim Cove overlap Place of use.

MOORE

OCT 12 2000

MEMORANDUM

TO: FILE

FROM: DANIEL A. NELSON

DATE: 3/21/2000

SUBJECT: APPLICATION FOR PERMIT FOR RALPH K NICHOL

I spoke with Ralph K Nichol concerning his application for permit. I had some questions concerning the application for permit.

- 1.) I asked Mr. Nichol if he has a possessory interest in the other 2 lots described on the application. Mr. Nichol told me that all three of the lots were leased from the State of Idaho and they were in a buy out option at the present time. Mr. Nichol told me that he was in the buy out process at the present time, but he was not sure if the other owners have started the buy out process yet. According to Mr. Nichol, the leaseholders own the buildings on the property and that the State Of Idaho only owns the land.
- 2.) I then asked if the 3 lots were associated with the Pilgrim Cove Association's water rights. Mr. Nichol stated that they were associated with this association, but it is currently being sold to another entity. The buyer of these rights is requiring them to fix their current lines or drill their own well. Mr. Nichol and his three neighbors agreed it would be more economical to drill and maintain their own well then to fix up the old lines.
- 3.) Finally, I asked if they planned to irrigate their lawns. Mr. Nichols stated that they would not be irrigating any of the property. He said they may wash their cars, but did not plan to have any irrigated lawns or pastures.

Mr. Nichol states that he would send me a letter from the other water users to allow him to be the sole name on the water right.

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OCT 12 2000

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant RALPH NICHOL
Mailing Address 1520 W VICTORY RD
MERIDIAN ID 83642
Application No. _____
(if known)

 IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

 PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

 / WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Ralph H. Nichol

Date

2/23/00

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

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OCT 17 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR
MARCH 29, 2000

Legal Notices Department
THE STAR NEWS
1000 FIRST ST
MCCALL, ID 83638

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 24, 2000.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICRO CALL

OCT 12 2000

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECORDED

SEP 12 2000

65-13937

NICHOL, RALPH K
1520 W VICTORY RD
MERIDIAN, ID 83642

Source: GROUNDWATER

Diversion Pt: LOT 1 (NWNE) Sec 3 T 18N R 03E in VALLEY County.

Use: DOMESTIC	(	0.080 CFS)
Total Diversion:	(	0.080 CFS)

Date Filed: 2/23/2000

In: VALLEY County
T18N R03E S03 Lot 1(NWNE)

Applicant agrees to mitigate consumptive use in the future as needed.

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OCT 12 2000

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before APRIL 24, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 4/ 6/2000 & 4/13/2000

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OCT 12 2000