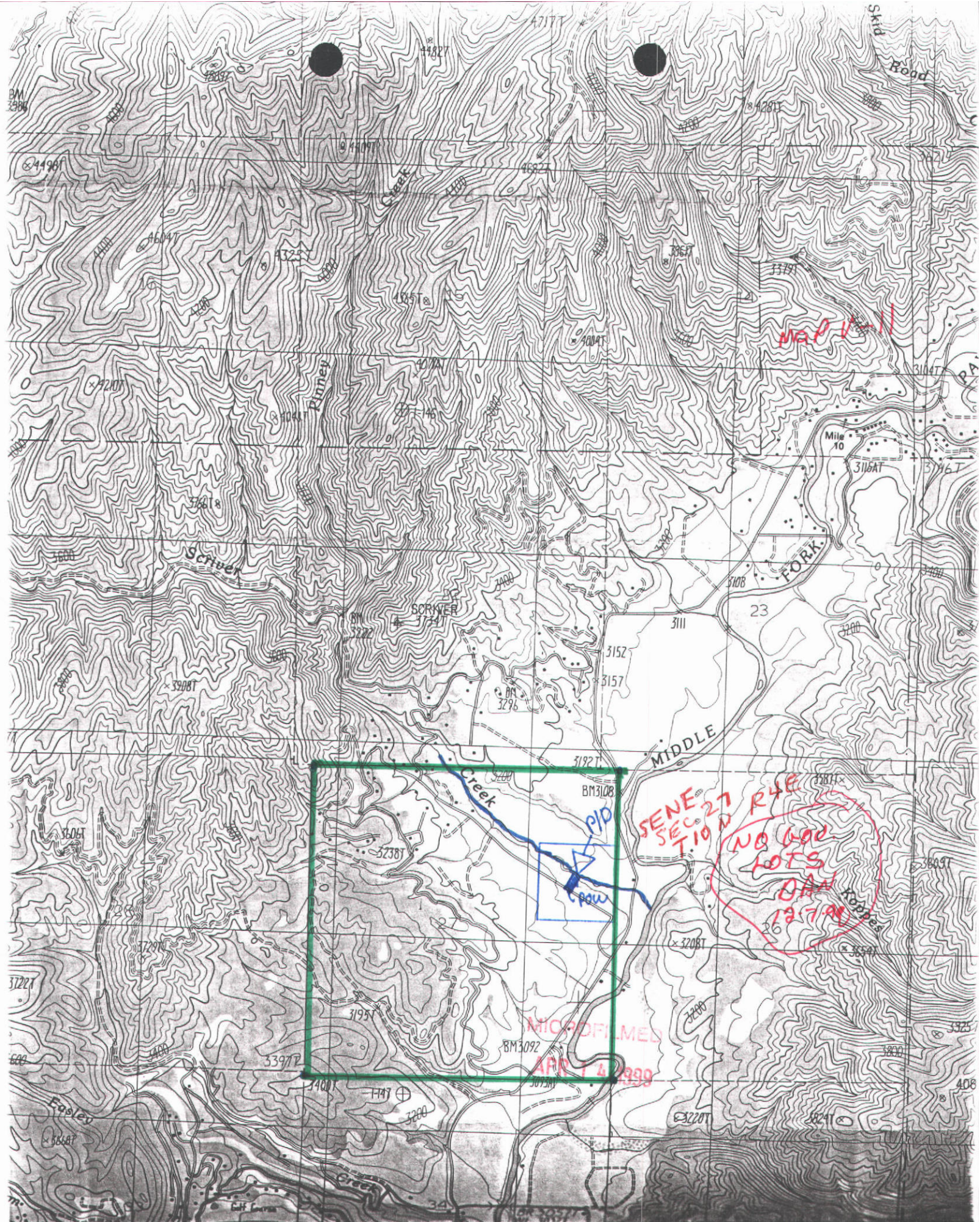




2" X 30" I.P. WITNESS

SE CORNER LOT 23 PINE TREE RANCH SUBDIVISION No. 2.
DETAIL "B"
N 32° 43' 14" W 335.43'
N 49° 26' 37" W 140.00'
N 37° 21' 44" E 290.32'
N 37° 21' 44" E 174.83'
N 37° 21' 44" E 290.32'
N 37° 21' 44" E 174.83'

DETAIL "D" Z.P.O.B.

DETAIL "B"

DETAIL "C"

DETAIL "E"

DETAIL "F"

DETAIL "G"

DETAIL "H"

DETAIL "I"

DETAIL "J"

DETAIL "K"

DETAIL "L"

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DETAIL "AI"

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DETAIL "AK"

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DETAIL "BZ"

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DETAIL "CC"

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DETAIL "CI"

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DETAIL "CQ"

DETAIL "CR"

DETAIL "CS"

DETAIL "CT"

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DETAIL "LL"

DETAIL "LM"

DETAIL "LN"

DETAIL "LO"

DETAIL "LP"

DETAIL "LQ"

DETAIL "LR"

DETAIL "LS"

DETAIL "LT"

DETAIL "LU"

DETAIL "LV"

DETAIL "LW"

DETAIL "LX"

DETAIL "LY"





Power Box
with
Lockable
Device

Point of Diversion



P/D

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MAR 29 2001

65-13802

Place of Use

P/u

MICROFILMED
MAR 29 2001

65-13802



Property Line

Place of Use

The Idaho World

P.O. Box 99
Garden Valley, ID 83622
(208) 462-3487

RECEIVED

JAN 20 1999

WATER RESOURCES
WESTERN REGION

State of Idaho)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Jan 6, 1998 and ending with the issue of Jan 13, 1998.

Deanna Stevenson

State of Idaho)
County of Boise)

On this 18 day of Jan in the year 1998, before me, a notary public, personally appeared Deanna Stevenson 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.

Diane E. Caughlin

Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires 6/26/2001

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13802

NILSSON, JERRY
36 SCRIVER BLUFF ROAD
GARDEN VALLEY, ID 83622

Source: SCRIVER CREEK Tributary: PAYETTE RIVER, MIDDLE FORK

Diversion Pt: SENE Sec 27 T 10N R 04E in BOISE County.

Use: DOMESTIC (0.020 CFS)
Total Diversion: (0.020 CFS)

Date Filed: 8/27/1998

In: BOISE County
T10N R04E S27 SENE

65-13814

DAVIES, JAMES E
159 ANDERSON CREEK RD
GARDEN VALLEY, ID 83622

Source: ANDERSON CREEK Tributary: PAYETTE RIVER, MIDDLE FORK

Diversion Pt: LOT 5 (SESW) Sec 14 T 09N R 04E in BOISE County.

Use: IRRIGATION (0.120 CFS)
Total Diversion: (0.120 CFS)

Date Filed: 6/8/1998

In: BOISE County
T09N R04E S14 Lot 5 (SESW)

6.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in 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 on or before JANUARY 25, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in The Idaho World January 6 and 13, 1999

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APR 14 1999

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13802

Priority: August 27, 1998

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 0.6 AF

It is hereby certified that JERRY NILSSON
36 SCRIVER BLUFF RD
GARDEN VALLEY ID 83622 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 27, 1998; and has
submitted Proof of Beneficial Use on September 09, 1999. An examination indicates that the works
have a diversion capacity of 0.13 cfs of water from:

SOURCE

SCRIVER CREEK

Tributary: MIDDLE FORK PAYETTE RIVER

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	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SCRIVER CREEK SE¼NE¼ Sec. 27, Twp 10N, Rge 04E, B.M., BOISE County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N 04E 27				X													

CONDITIONS OF APPROVAL

1. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 65M.
3. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

MICROFILMED

MAR 29 2001

State of Idaho
Department of Water Resources
Water Right License

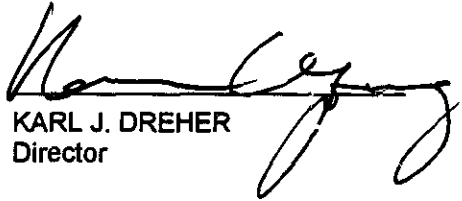
WATER RIGHT NO. 65-13802

4. Domestic use is for exterior use for 1 home.
- 5 Place of use is located within Lot 19, Pine Tree Ranch Subdivision No. 4.
6. Water shall not be diverted under this right when flows in the Payette River are below established minimum flows.

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 9TH day of March, 2001.

Acting for


KARL J. DREHER
Director

MICROFILMED
MAR 29 2001

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SEP 09 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. 65-13802 Telephone No. (208) 462-3197

2. Name(s) of Permit Holder(s): JERRY NILSSON

3. Mailing Address: 36 SCRIVER BLUFF RD, GARDEN VALLEY, ID 83622

4. Source of Water: SCRIVER CREEK If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____

a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____

b. OPTIONAL:
Pump Horsepower: 2 HP Pressure (psi): _____ Dynamic pumping level (ft): _____

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

Domestic (No. of households): 1 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 00.5 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.02 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes ____ or No ☒

Has the measuring device been installed? Yes ____ or No ☒

Flow Measurement Port: Is a flow measurement port required? Yes ____ or No ☒

Has the measurement port been installed? Yes ____ or No ☒

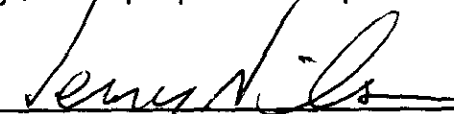
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Jerry Nilsson Telephone Number: (208) 462-3197

Address: 36 Scriver Bluff Rd, Garden Valley, ID 83622

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:  Date: 9/6/99
(include your title, if on behalf of company or organization)

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JAN 31 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13802

Proposed Priority: August 27, 1998

Maximum Diversion Rate:

0.02 CFS

This is to certify, that JERRY NILSSON

36 SCRIVER BLUFF RD

GARDEN VALLEY ID 83622

has applied for a permit to appropriate water from:

SCRIVER CREEK

tributary of PAYETTE RIVER, MIDDLE FORK

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

0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 27, Township 10N, Range 04E

BOISE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

10N 04E 27

SENE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 2000.
2. Subject to all prior water rights.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 65M.
4. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
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 needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary 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. Water shall not be diverted under this right when flows in the Payette River are below established minimum stream flows.
7. Place of use is located within Lot 19, Pine Tree Ranch Subdivision No. 4.
8. Domestic use is for exterior use for 1 home.

MICROFILMED

APR 1 - 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13802

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 April, 1999.

Karl J. Dreher
for Karl J. Dreher, Director

APR 14 1999

8/27/98

Ident. No. 65-13802

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MAR 30 1969

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JERRY NILSSON 208-462-3197
Address: 36 SCRIVER BLUFF ROAD
GARDEN VALLEY ID 83622
2. Source: SCRIVER CREEK Trib. to: PAYETTE RIVER, MIDDLE FORK
3. Location of Point of Diversion: SENE Sec. 27, Township 10N, Range 04E
BOISE County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
~~IRRIGATION~~ Domestic *	04/15	10/15	0.020		
	01/01	12/31			
5. Total quantity to be appropriated is:
0.020 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
2 HP PUMP, SPRINKLER SYSTEM
 - 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 inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when?
Drilling Firm
Well was drilled for
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).
8. Place of Use: ~~IRRIGATION~~ Domestic *

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
10N 04E 27	SENE 00.5			0.5

Total number of acres irrigated: 0.5

* Changed Per Domestic Standards For Irrigation. DAN
12/16/98

MICRO LME

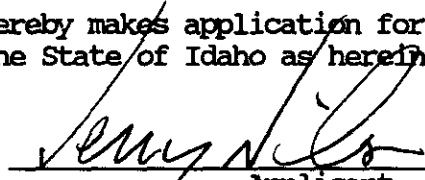
APR 14 1969

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:

11. Map of proposed point of diversion and place of use attached? ☒

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


Applicant

Should be 8/27/98
Rch

Received by Rch Date 27 Time 15.50 Preliminary check by DAN

Fee \$ 50.00 Receipted by Rch #W024318 Date 8/27/1998

Publication prepared by ST Date 12-30 Published in Idaho World.

Publication approved ST Date 1-6-99 & 1-13-99
1-27-99

MICRO - J.M.L.

APR 14 1999

Ident. No. 65-13802

Comments: Date: 8/27/1998 User-ID: RHOWERTO

Subject: Location of place of use.

Lot 19, Pine Tree Ranch Subd. No. 4

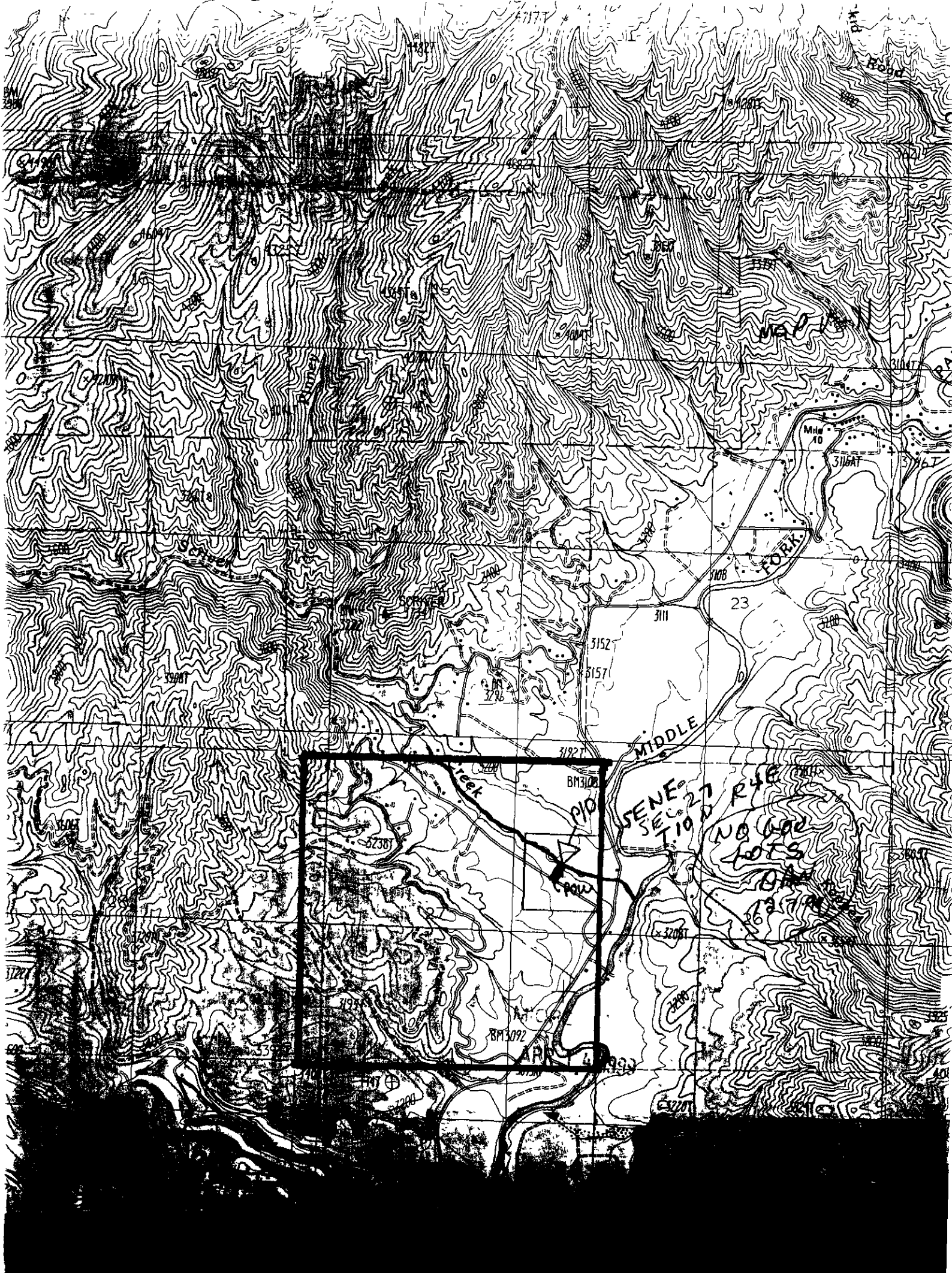
Comments: Date: 12/16/1998 User-ID: DNELSON

Subject: ADDITIONAL INFORMATION

Domestic use is for irrigation of .5 acre yard.

MIC 11

APR 14 1999





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

September 15, 2003

KATHERINE F BENTON
36 SCRIVER BLUFF RD
GARDEN VALLEY ID 83622

RE: Water Right 65-13802

Dear Ms. Benton.

The Idaho Department of Water Resources (IDWR) received word today that you may be the new owner of Water Right 65-13802, which is for the use of water from Scriver Creek for domestic purposes on Lot 19, Pine Tree Ranch Subdivision No. 4. Please note that new water right owners are required to notify (IDWR) within 120 days of the change. I have enclosed an ownership change form.

If you have any questions, please call me at 208-327-7946, or email me at skeen@idwr.state.id.us.

Sincerely,

Shelley W. Keen
Water Rights Supervisor



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

March 12, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JERRY NILSSON
36 SCRIVER BLUFF RD
GARDEN VALLEY ID 83622

RE License No 65-13802 - 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.

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 kit

Enclosure(s)

MICROFILMED

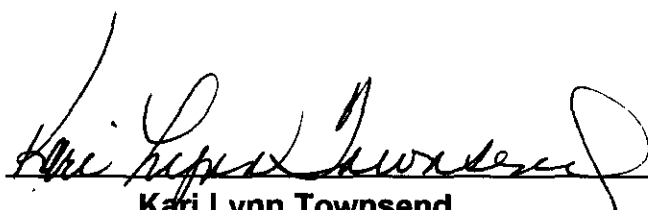
MAR 29 2001

CERTIFICATE OF MAILING

I hereby certify that on March 12, 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. 65-13802

**JERRY NILSSON
36 SCRIVER BLUFF RD
GARDEN VALLEY ID 83622**



**Kari Lynn Townsend
Secretary**

MICROFILMED

MAR 25 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).

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.

MICROFILMED

MAR 24 2000

LICENSE REVIEW CHECKLIST

Permit No 65-13802 Date 3-7-2001 Reviewer Kay Walker

Change/OK

Name/Address OK

Source OK
Point of Diversion OK

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 OK

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 0.02 cfs
Fee Limit _____ cfs
Measured _____ cfs
Theoretical 0.13 cfs

Recommended Total Diversion Rate 0.02

Water Uses OK

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic 0.02 cfs 0.12 af
_____ cfs _____ af
_____ cfs _____ af
Total 0.02 cfs 0.12 af

~~Irrigation - overlap (R58-R61, R62-R65, R66-R69)~~
~~supp Gw (W87/065/104)~~
~~overlap spec combined rts (W35)~~
~~41 acre (W31)~~
Domestic (W01/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 R04, R02, WB9(modified) W60, 103,

Additional Conditions YES Watermaster Control 65M

YES GW Measurement/Measuring Device R02

Other _____

Trust 052/R55 - remove 051)

Non-trust (048/049)

GW Dist? _____

Water Msmt Dist? _____

Crit GWMA? _____

GWMA? _____

Government Lots? _____

Advance Priority? yes If yes, explain why below
no

SRBA Claim? Not req'd

Adjust memo _____

Amend Letters _____ P87, S06 Second Amendment Notice _____ S06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
AUG - 3 2000
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13802

1. Owner: Jerry Nilsson Phone No. (208) 465-3197

Current Address: 36 Scriver Bluff Road, Garden Valley, ID 83622

2. Accompanied by: Jerry Nilsson Exam Date: 6/20/2000

Address: 36 Scriver Bluff Road, Garden Valley, ID 83622 Phone No. (208) 465-3197

Relationship to Permit Holder: Owner

3. Source: Scriver Creek tributary to Payette River, Middle Fork

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 65-03221, 65-03223, 65-12103 and 65-12347

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	1/4	1/4	1/4	SEC	TWP	RNG	County	Method of Determination/Remarks
			SE	NE	27	10N	04E	BOISE	USGS Quad Angle Map

2. Place(s) of Use: Indicate Method of Determination: USGS Quad Angle Map

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	04E	27				D													

MICROFILMED
MAR 2 3 2001

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

SEE ATTACHED SHEET.

X Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

 Aerial Photo Attached (required for irrigation of 10+ acres).

X Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	General Electric	2 hp	SMJ210046	Unknown	Unknown

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calibration Date
N/A						

2. Measurements: The pressure at the nozzle of the sprinkler heads was measured at approximately 20 psi with some leakage.

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JUN 1 2007

E. NARRATIVE/REMARKS/COMMENTS

The place of use and point of diversion are located in the SENE of Section 27, Township 10N, Range 04E. The place of use is also known as Lot 19 of the Pine Tree Ranch Subdivision No. 4. Water from Scriver Creek is used to irrigate the lawn between Scriver Bluff Road and Mr. Nilsson's home. The area watered is less than ½ acre. The diversion system is located behind the house and down an embankment, which is about 35 feet high. The pump and motor are set on the bank of the creek. A 1½-inch line, with a foot valve on the end, runs from the creek to the pump. From the pump the water is conveyed up the embankment through a 2-inch mainline to the sprinkler system. The system is capable of providing enough water to run 10 large Nelson sprinklers (red nozzles). The pressure at each sprinkler head is about 20 psi with some leakage, so the actual pressure is probably about 25 psi at each head.

Water for in-house domestic use is supplied by a system for the neighborhood under rights 65-12103 and 65-12347. The property owners are encouraged not to use water from the Scriver Woods Homeowner's system, because the system does not have the capacity to provide water for in-house domestic use and irrigation. The homeowner's association is planning to install a pressurized irrigation system in the future. This future development would probably be covered under rights 65-03221 and 65-03223. These two right combined are allow 32 acres to be irrigated in the SENE of Sec. 27, T10N, R04E. At present the land owned by the permit holder is only being irrigate with water authorized by permit 65-13802.

The power box for the pump can be locked in a manner that will provide the watermaster will control over the point of diversion.

Have the conditions of permit been met? X YES NO

MICROFILMED

MAY 14 1981

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measurement Method: *Nelson Sprinkler data from the Nelson Web Page.*
www.lrnelson.com

The system provides enough water and pressure to run 10 Nelson sprinkler heads with red nozzles. Again using the Nelson web page, I found that the discharge for these nozzles is 2.9 to 4.0 GPM.



29 GPM = 0.06 cfs

40 GPM = 0.09 cfs

Theoretical

$$Q = [(8.8) \times (2 \text{ hp}) \times (0.70)] / [35 \text{ ft} + (25 \text{ psi}) \times (2.31)] = 0.13 \text{ cfs}$$

using 25 psi

$$Q = [(8.8) \times (2 \text{ hp}) \times (0.70)] / [35 \text{ ft} + (60 \text{ psi}) \times (2.31)] = 0.07 \text{ cfs}$$

using 60 psi

In either case the permit limits the rate of diversion to **0.02 cfs**.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation: N/A

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

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

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

2. Volume Calculations for Other Uses:

Use the recommend volume for domestic exterior use only.

0.6 AFA

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (AFA)
	From	To		
Domestic	01/01	12/31	0.02 cfs	0.6 AFA
		Totals:	0.02 cfs	0.6 AFA

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

Richard D. Hansen – Field Examiner

Field Examiner's Name _____ Date: _____

Reviewer _____

MICROFILMED
Date

seal

65-13802

2 ~~2~~ hp

GE Motor & Industrial Systems

~35 rise from pump to P/U

2 hp

V 230

RPM 3450

A 8.8

~~Cond~~

Drainline (w/ valve)

Serial No. SM5210046

2" mainline to sprinklers

1/2" line to pump. from water

Foot valve in the water

NELSON GP-7

10 sprinklers

MICROFILMED

MAR 29 2001

Pressure Gauge read 20 psi with
some leakage, so probably 25 psi

Grover Electric is where parts
were bought

65-13802

Power control box has ~~is~~
lockable device

Area irrigated is $\frac{1}{2}$ acre or
less

MICROFILMED

1971

65-13802

6703 Red

Nozzle

Model Number: 6700

Standard Units

Pressure (PSI)	Maximum Radius(FT)	Minimum Radius(FT)	Discharge (GPM)	Precipitation Rate (IN/HR) Square Spacing	Precipitation Rate (IN/HR) Triangular Spacing
30	38	N/A	2.9	.4	.3
40	40		3.3	.4	.3
50	41		3.7	.4	.3
60	41		4.0	.5	.4

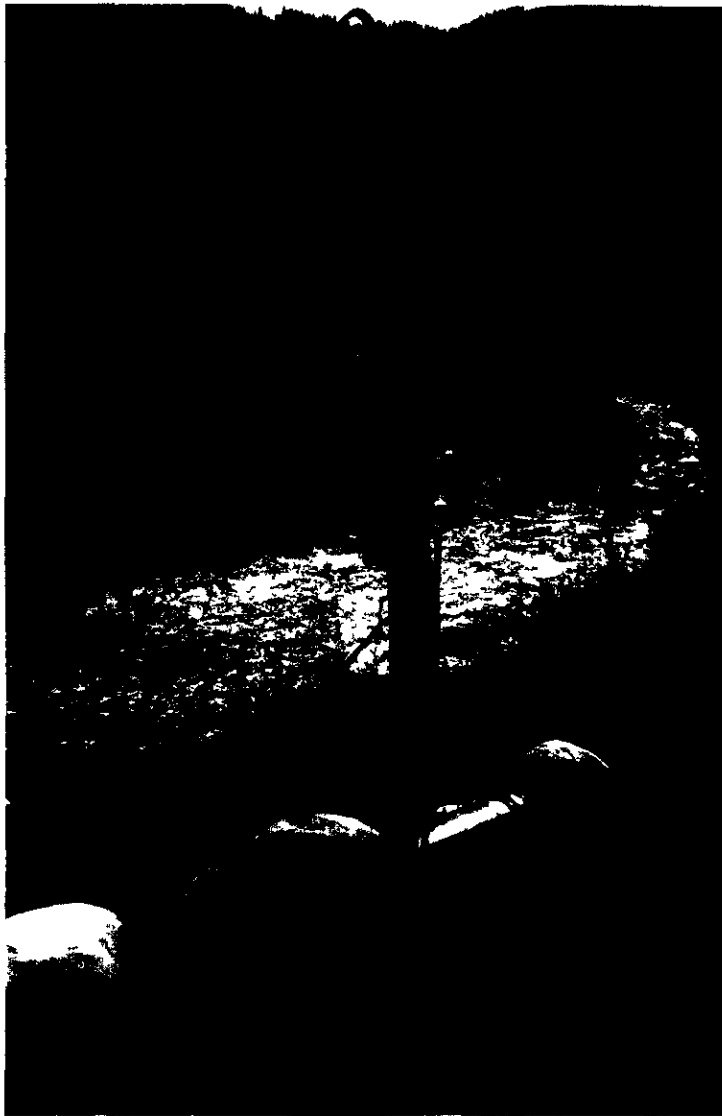
Metric Units

Pressure (BAR)	Pressure (k/Pa)	Maximum Radius (m)	Minimum Radius (m)	Discharge (L/min)	Discharge (m/3hr)	Precipitation Rate (mm/hr) Square Spacing	Precipitation Rate (mm/hr) Triangular Spacing
2.1	207	11.6	N/A	11.0	.66	10.2	7.6
2.8	276	12.2		12.5	.75	10.2	7.6
3.5	345	12.5		14.0	.84	10.2	7.6
4.2	414	12.5		15.1	.91	12.7	10.2

65-13802

MICROFILMED

4/21/2000



Power Box
with
Lockable
Device

Point of Diversion

P/D



MICROFILMED
JUL 2 2001

65-13802

Place of Use

Place of Use

P/u

MICROFILMED
APR 22 1967

65-13802



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 5, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JERRY NILSSON
36 SCRIVER BLUFF RD
GARDEN VALLEY, ID 83622

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13802

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and license examination fee submitted for the above referenced permit.

Condition No. 4 of your water right permit requires that you install a lockable device on your diversion works to provide the watermaster suitable control of the diversion. Your proof submittal shows that you have not installed this device. Please be aware that your failure to have the device installed and operable at the time the department conducts the field examination may jeopardize the validity of the permit. You may request, in writing, a waiver of the condition by the department describing the reasons for the request.

Please 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.

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. If you have questions concerning the field examination or the measurement device condition, please contact the **WESTERN** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c. IDWR - Region

MICROFILMED
JAN 31 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 65-13802 Reviewed by MS Date 01-05-00

GENERAL CONSIDERATIONS

yes Name same as permit?

yes Address same as permit?

yes Proof timely received?

If not, complete calculation below.

TYPES OF USE

Dom - 1

Correct Uses? yes

SOURCE OF WATER

✓ Surface water source

 Ground water source

 Drilling permit required?

 Copy in the file? Drilling Permit No.

 Amount paid for permit

 Well log in the file?

 Correct?

LICENSE EXAMINATION FEE

yes Required?

50 Amount Submitted

yes Correct?

MEASURING DEVICE

yes Required?

No Installed?

 Waiver requested?

Lockable device.

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	<u> </u>
No. of days late	<u> </u>	<u> </u>
Priority Date	<u> </u>	<u> </u>
New Priority Date	<u> </u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

- Lockable device must be installed
- can ask proof re

DATA ENTRY

New Address

Proof Made 9-09-99



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 14, 1999

JERRY NILSSON
36 SCRIVER BLUFF RD
GARDEN VALLEY ID 83622

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13802

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.

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

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.

APR 14 1999

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

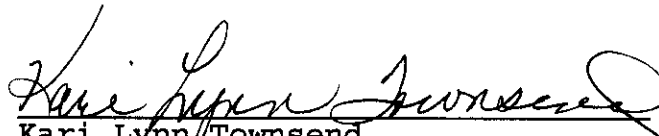
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 14th day of April, 1999, 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. 65-13802

JERRY NILSSON
36 SCRIVER BLUFF RD
GARDEN VALLEY ID 83622


Kari Lynn Townsend
Secretary

MICROFILMED
APR 14 1999

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

APR 14 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.

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy J. Olson*No.: 65-13802 Name: Nuisson Date: 4/9/99 Ad OK? ☒ ☒ Gvmt Lts: ☒

AREA OF CONCERN: - No/Yes. _____ Mor / _____ GWMA / Trust / Non-trust

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

SYSTEM COMPLETED:

> 1 year - 26A-P17

≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

All wells (✓ WDQ3) - 046-P23

In Basin 34? - 085

Irr within WD - P05 (new well location)

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

Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)

Supp irr + uses - 100-101

> 0.24 cfs/5 acres - 01M (report when notified)

≤ 0.24 cfs/5 acres - No MD

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

FISH & GAME CONTACTED: - YES / NO WHEN: 1/6/99 RESPONSE OKABOVE MSF (✓ MAP) - WB9 Payette RIN-STREAM DEVELOPMENT - P02 (stream channel alteration)WD (✓ MAP & LISTING) - R04 (WD # 65M)

> 0.20 cfs - 01J-P08 (MD & LD)

≤ 0.20 cfs - 01J-P08 (LD) or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres - 01M (P01) per flow chart

≤ 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:

STORAGE (✓3 compo) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

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)

STOCKWATER - R37 (BLM/USFS), NA

MINING - 054(req)-081-P10

FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10

HEATING/COOLING - R07 (injection well)

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

MUNICIPAL

In restricted area? - 022, 075, 004 (+memo?)

Irr., GW supp to SW? - 102

DOMESTIC

Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge), 07A (Payette River), NA

>1 in rest area - 071-070

FIRE PROTECTION

- 077

LOCATION:

BOISE FRONT LOGEO - 058 (<85° GW temp only)

MITIGATION - 120

42-248 AREA - P04 (in 20/30/40/50/60/70/80 (87) basin)

SWAN FALLS FLAG (✓ Code) -

Trust - 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

- 01WB9/Payette R woi/et/1

BENEFICIAL USE DUE:

- 4/1/2008

COMMENTS:

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

MAR 30 1999

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: Dan Nelson DATE: 12-7-1998 APPLICATION: 65-13602

REQUIRED INFORMATION

RECEIVED

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the directors, 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:
NO P/D
NO P/U

ADDITIONAL INFORMATION

NO ADVERTISE REMARK(S)
(Reviewer identify which remarks)

yes T FLAG CHANGED TO P FLAG

YES NO

- N/A Overlapping place of use: (Describe source & relationship to present application on next page.)
- N/A Overlapping point of diversion.
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium:
- ☒ Surface water source, IDFG letter needed.
- ☒ Bull trout impact area, IDFG letter needed
- ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☒ E-mail to Dam Safety staff: (for any storage)
- N/A 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

Date Requested _____ Date Response Received _____

YES NO

X In form for advertising:
 X Statewide advertising: (> 10 cfs &/or 1000 af)
X Fee amount, receipt number and date recorded on application:

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

YES NO

 X I.D. Health & Welfare
 X I.D. District Health
X I.D. Fish & Game
 X I.D. Lands

YES NO

 X U.S. BLM
 X U.S. Forest Service
X Water Dist. # 65
 X 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 1-25-1999
 ✓ Protests received.
 ✓ Recommendations attached:
 ✓ Measuring device required:
✓ Water delivered by water master? District # 65
 Special conditions of approval or cover letter: 120, Diversion controlled
by watermaster.

 See below for additional informationRecommended Date of Priority 8/27/98Recommended by: Dug S Date: 3/22/99**ADDITIONAL INFORMATION:**

01-99

State of Idaho
Department of Water Resources

RECEIVED

FEB 11 1999

WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

Application No: 65-13802

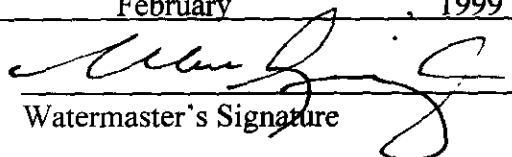
Applicant's Name: Jerry Nilsson

Watermaster's Recommendation.

- a) ☐ I do not oppose approval of this application.
- b) ☒ I do not oppose approval of this application if it is conditioned as follows: Under control of Watermaster for Water District
No. 65
- c) ☐ I oppose approval of this application for the following reasons:
- d) Additional Comment:

Dated this 9th day of February, 1999

Water District No. 65


Watermaster's Signature

Use reverse side of page if you need more space

REC'D MED

APR 14 1999

The Idaho World

P.O. Box 99
Garden Valley, ID 83622
(208) 462-3487

RECEIVED

JAN 20 1999

WATER RESOURCES
WESTERN REGION

State of Idaho)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Jan 6, 1998 and ending with the issue of Jan 13, 1998.

Deanna Stevenson

State of Idaho)
County of Boise)

On this 13 day of Jan in the year 1999, before me, a notary public, personally appeared Deanna Stevenson 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.

Deanna E. Caughlin
Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires 6/24/2001

NOTICE OF APPLICANT'S WATER RIGHT

The Following application for water right is appropriate the public waters of the State of Idaho:

NILSSON, JERRY
36 SCRIVER BLUFF ROAD
GARDEN VALLEY, ID 83622

Source: SCRIVER CREEK Tributary: PAYETTE RIVER, MIDDLE FORK

Diversion Pt: SENE Sec 27 T 10N R 04E in BOISE County.

Use: DOMESTIC (0.020 CFS)
Total Diversion: (0.020 CFS)

Date Filed: 8/27/1998

In: BOISE County
T10N R04E S27 SENE

65-13814

DAVIES, JAMES E
159 ANDERSON CREEK RD
GARDEN VALLEY, ID 83622

Source: ANDERSON CREEK Tributary: PAYETTE RIVER, MIDDLE FORK

Diversion Pt: LOT 5 (SESW) Sec 14 T 09N R 04E in BOISE County

Use: IRRIGATION (0.120 CFS)
Total Diversion: (0.120 CFS)

Date Filed: 6/8/1998

In: BOISE County
T09N R04E S14 Lot 5 (SESW)

6.6 ACRES TOTAL

Applicant agrees to mitigate consumptive use in 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 on or before JANUARY 25, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in The Idaho World January 13, 1999

Microfilm

65-13814



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

January 6, 1999

KARL J. DREHER
DIRECTORSCOTT GRUNDER
STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Application for Permit Nos. 65-13816 in the Name of PTR Inc., 65-13802 in the Name of Jerry Nilsson, 65-13814 in the Name of James E. Davies, 61-07749 in the Name of Stephen &/or Helen Percy and 57-07670 in the Name of Jay &/or Carol Cox

Dear Sir: *Scott*

Enclosed are copies of the above-referenced applications for permit which may be of interest to your agency. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by January 25, 1999

If you have any questions regarding the applications, please contact this office.

Sincerely,

Gary Spackman 1-12-98
Gary Spackman

GS:st

Encl.

Gary - None of the water right applications included should adversely affect fish or wildlife habitat. Thank you for the opportunity to comment.

APR 14 1999

Scott Grunder
IDFG



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

January 6, 1999

KARL J. DREHER
DIRECTOR

SCOTT GRUNDER
STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Application for Permit Nos. 65-13816 in the Name of PTR Inc., 65-13802 in the Name of Jerry Nilsson, 65-13814 in the Name of James E. Davies, 61-07749 in the Name of Stephen &/or Helen Percy and 57-07670 in the Name of Jay &/or Carol Cox

Dear Sir. *Scott*

Enclosed are copies of the above-referenced applications for permit which may be of interest to your agency. Please review the applications and submit any comments you may have

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by January 25, 1999

If you have any questions regarding the applications, please contact this office

Sincerely,

Gary Spackman
Gary Spackman

GS:st

Encl.

107071 MED

JAN 14 1999



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

January 7, 1999

KARL J. DREHER
DIRECTOR

MARK LIMBAUGH
WATER DISTRICT 65
102 N MAIN
PAYETTE ID 83661

Re: Application for Permit Nos. 65-13816 in the Name of PTR Inc , 65-13802 in the Name of
Jerry Nilsson and 65-13814 in the Name of James E. Davies

Dear Sir: *Mark*

Enclosed are copies of the above-referenced applications for permit within your district.
Also, enclosed is a form for your recommendation concerning these applications for permit.

Please review the applications and submit any comments you may have within two weeks.
If you have any questions or need information, feel free to contact this office

Sincerely,

Gary Spackman
Gary Spackman

GS:st

Encl.

JAN 14 1999

REQUEST TO PROCESS

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

Name of Applicant

Jerry Nilsson

Mailing Address

36 Scriver Bluff Road
Garden Valley, ID 83622

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.

X 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

Jerry Nilsson

Date

8/27/98

Please return this form to:

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

SEP 14 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DECEMBER 30, 1998

Legal Notices Department
The Idaho World
PO Box 99
Garden Valley, ID 83622

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 JANUARY 25, 1999.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13802

NILSSON, JERRY
36 SCRIVER BLUFF ROAD
GARDEN VALLEY, ID 83622

Source: SCRIVER CREEK

Tributary: PAYETTE RIVER, MIDDLE FORK

Diversion Pt: SENE Sec 27 T 10N R 04E in BOISE County.

Use: DOMESTIC (0.020 CFS)
Total Diversion: (0.020 CFS)

Date Filed: 8/27/1998

In: BOISE County
T10N R04E S27 SENE

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 on or before JANUARY 25, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 1/ 6/1999 & 1/13/1999