



G8

MICROFILMED

OCT 22 1990

1993



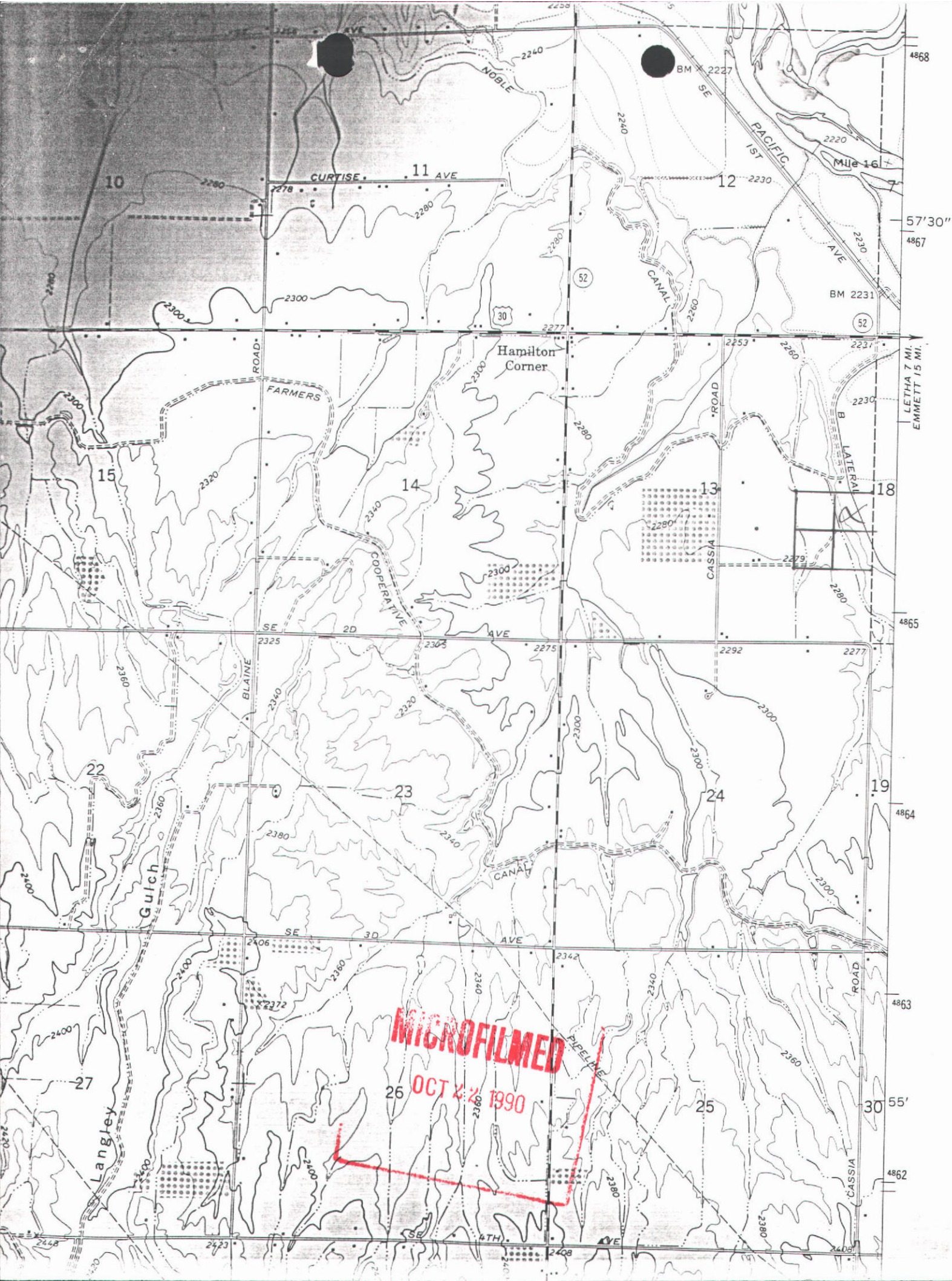
OLD'S
NESE

NESE

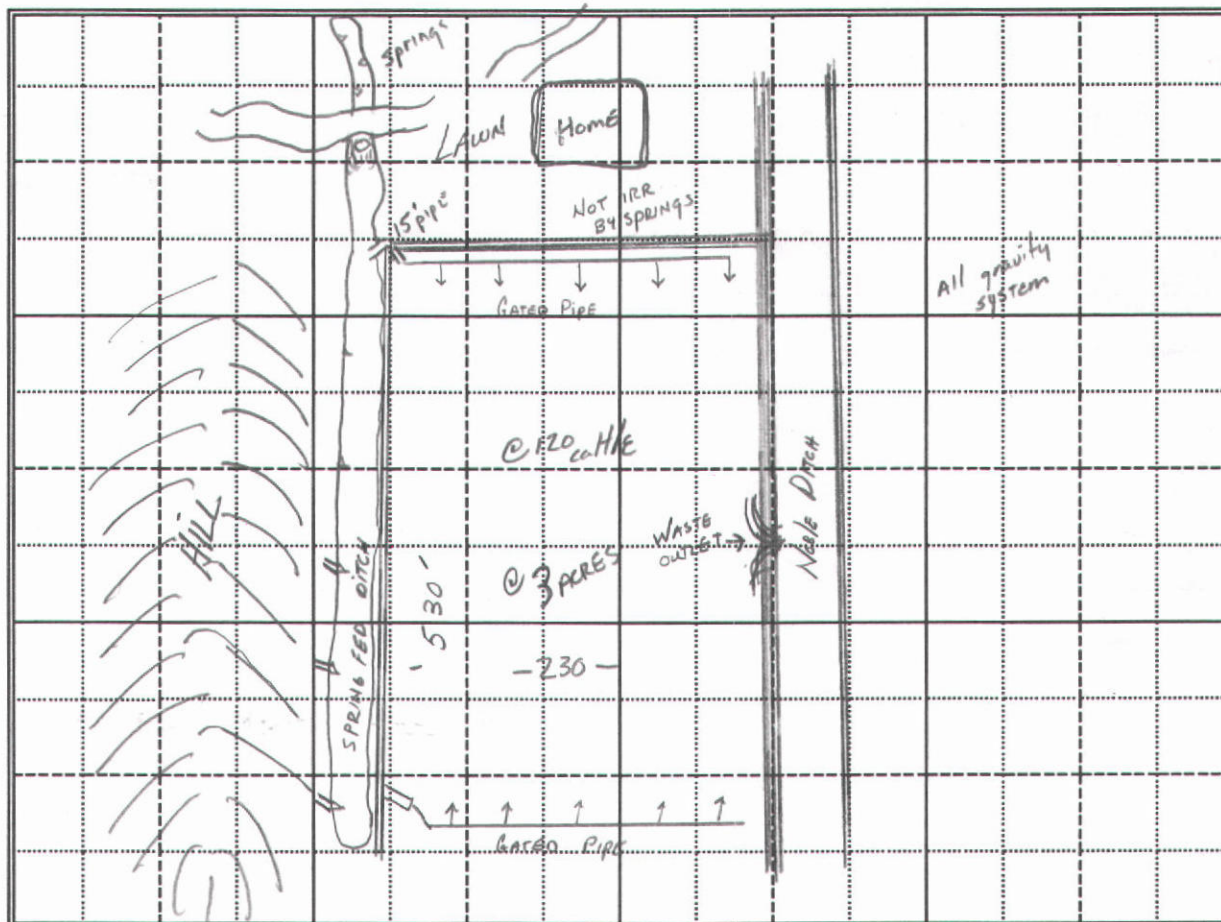
SPRINGS

MICROFILMED
OCT 22 1980

7N 4W EC 13



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



Scale: 1" =

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
<i>SPRINGS</i>	—	—	—	—	—

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

D. FLOW MEASUREMENTS

1.

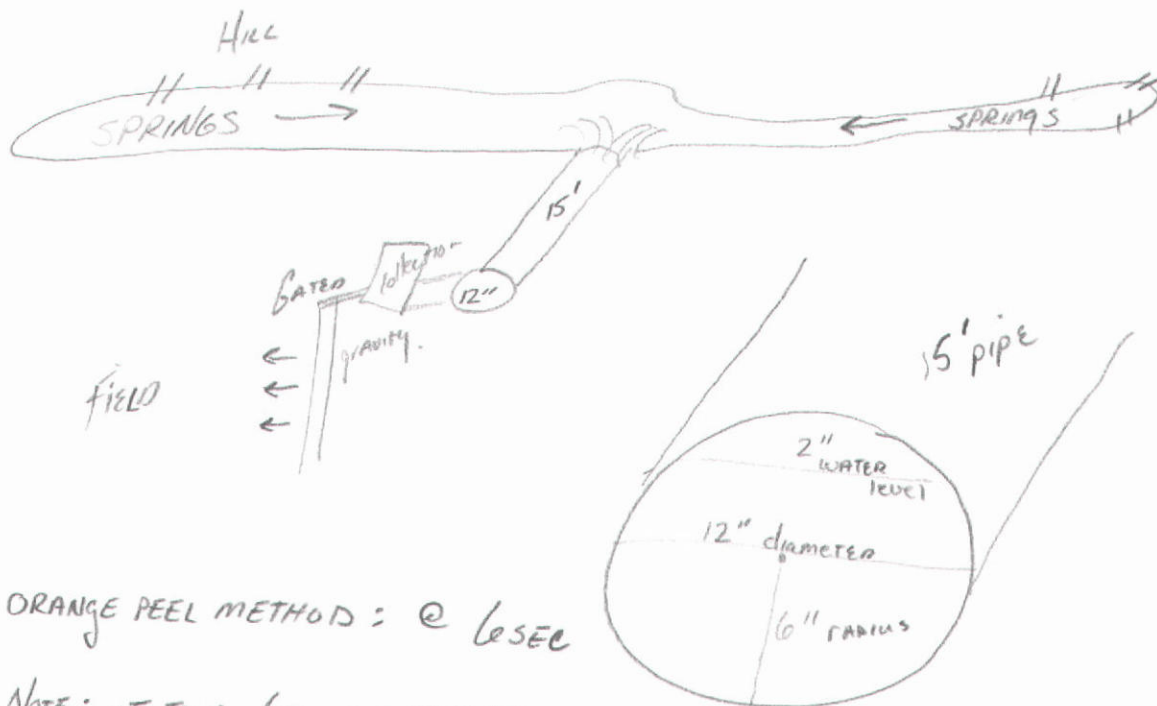
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Orange Peel method 15' pipe 12" diameter in 10 sec.

APR 14 1995

CALCULATIONS FOR: 65-13189



ORANGE PEEL METHOD: @ 6 SEC

NOTE: IT TOOK 6 SEC FOR THE PEEL TO FLOAT THROUGH THE PIPE SECTION; OTHERWISE, TO FILL PIPE.

CALCULATIONS:

$$\text{VOLUME OF PIPE: } \pi R^2 \cdot H = \begin{matrix} \pi = 3.14 \\ R = \text{RADIUS (IN FEET)} \\ H = \text{HEIGHT (IN FEET)} \end{matrix} \quad 3.14 \times .5^2 \times 15 = 11.78 \text{ CF}$$

$$\text{ACTUAL VOLUME OF WATER: } 2" \div 12" = .16 - 100 = .84\% \times 11.78 \text{ CF} = 9.9 \text{ CF}$$

$$\text{CFS: } 9.9 \text{ CF} \div 6 \text{ SEC} = \underline{\underline{1.7 \text{ CFS}}}$$

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VIEW OF 1ST SPRING INTO
ditch. PIPES ARE
BURIED AND COLLECT THE
SPRING WATER, BRINGING IT
TO THIS DITCH. WATER FLOWS
NORTH.

PHOTO ONE-



THE DITCH COLLECTS OTHER
SPRINGS AND FLOWS AS IT HEADS
NORTH.

PHOTO TWO-

MICHAEL J. BROWN
APR 14 1995



VIEW OF PIPING SYSTEM.

WATER FROM THE DITCH IS
DIVERTED TO THIS 15' PIPE.
WATER THEN RUNS INTO GATED
PIPE

PHOTO THREE-

>



THIS DITCH RUNS
NORTH TO SOUTH. IS
SPRING FED. IT MEETS
THE OTHER DITCH AT
THE 15' PIPE.

PHOTO FOUR-

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View of the
Plu looking
NORTH.

PHOTO FIVE-

>

PHOTO SIX-

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Affidavit of Publication

RECEIVED

JUL 26 1990

Copy of Notice

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Department of Water Resources
Western Regional Office

Application for Water Rights
TITLE OF PUBLICATION

Dept. of Water Resources
SPONSOR OF PLAINTIFF
PLAINTIFF OR LEGAL AGENT

I, Dorothy Mason, being
duly sworn, deposes and says:

That she is the principal clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published
at Payette, in the County of Payette and State of Idaho; that said
paper has been and is in general circulation in the county
aforesaid, and in the vicinity of Payette; that the advertisement,
a copy of which is attached hereto, was published in said
newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not a supplement; that said paper has been established and
regularly published for more than seventy-eight consecutive
weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with
July 3, 1990, and ending with the issue
of July 11, 1990.

STATE OF IDAHO
COUNTY OF

On this 12th day of July in the year of 1990 before me,
a Notary Public, personally appeared Dorothy Mason
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 he executed the same.

Maureen J. Rhinehart
Notary Public for Idaho

Residing at Frutland

My commission expires: 11-28-92

STATEMENT

MICROFILMED

Independent-Enterprise

PAYETTE, IDAHO

OCT 22 1990

Number of Lines 83
Number of Insertions two
83 Lines @ 90 ... \$ 74.70
83 Lines @ 72 ... \$ 59.76
TOTAL COST
WILL BE \$ 134.46

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13189 ✓
Nelson, Russell W.
Nelson, Barbara A.
5905 HWY. 52
New Plymouth, ID 83655
Source: SPRINGS Tributary: PAYETTE RIVER
Diversión Pt: NENESE Sec 13 T 07N R 04W
Use: IRRIGATION (.100 CFS)
STOCKWATER (.030 CFS)
Total Diversión: (.130 CFS)
Date Filed: 2/23/1990
In: T07N R04W S13
3.4 ACRES TOTAL NESE

65-13254
PAYETTE CHRISTIAN ACADEMY
J. NEISINGER
800 17TH AVE. N.
PAYETTE, ID 83661
Source: GROUNDWATER
Diversión Pt: NENESE Sec 28 T 09N R 05W
Use: IRRIGATION (.200 CFS)
DOMESTIC (.040 CFS)
Total Diversión: (.240 CFS)
Date Filed: 4/18/1990
In: T09N R05W S28
10.0 ACRES TOTAL SENE

65-13256
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706
Source: SPRING Tributary: FOURMILE CREEK
Diversión Pt: NENSW Sec 9 T 09N R 01W
Use: WILDLIFE (.020 CFS)
WILDLIFE STORAGE (.40 AF)
WILDLIFE FROM STORAGE (.40 AF)
Total Diversión: (.020 CFS)
Date Filed: 6/22/1990
In: T09N R01W S09
NWSW

65-13258
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706
Source: UNNAMED STREAM
Tributary: FOURMILE CREEK
Diversión Pt: SWNESW Sec 9 T 09N R 01W
Use: STOCKWATER (.070 CFS)
STOCKWATER STORAGE (.400 AF)
WILDLIFE (.070 CFS)
WILDLIFE STORAGE (.400 AF)
Total Diversión: (.070 CFS) (.400 AF)
Date Filed: 6/22/1990
In: T09N R01W S09
NESW

65-13260
PAYETTE COUNTY RECREATION DISTRICT
P.O. BOX 352
PAYETTE, ID 83661
Source: GROUNDWATER
Diversión Pt: NWSW Sec 1 T 08N R 05W
SWSW Sec 1 T 08N R 05W
Use: IRRIGATION (.030 CFS)
DOMESTIC (.040 CFS)
Total Diversión: (.040 CFS)
Date Filed: 5/16/1990
In: T08N R05W S01 NWSW SWSW
0.4 ACRES TOTAL

The permit(s) will be subject to all prior water
rights. Protests must be filed with the Director,
Dept. of Water Resources, Western Region, 2735
Airport Way, Boise, Idaho 83705 on or before JULY
23, 1990.

R. KEITH HIGGINSON, Director
No. 131 July 3, 11

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13189

Priority: February 23, 1990

Maximum Diversion Rate:

0.11 CFS

Maximum Diversion Volume:

14.8 AF

This is to certify, that RUSSELL W NELSON
BARBARA A NELSON

5905 HWY 52

NEW PLYMOUTH ID 83655

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 23, 1990; and has submitted Proof of Beneficial Use on August 13, 1991. An examination indicates that the works have a diversion capacity of 1.700 cfs of water from:

SPRINGS

tributary to PAYETTE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.09 CFS	13.5 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	1.3 AF
	Totals	0.11 CFS	14.8 AF

LOCATION OF POINT(S) OF DIVERSION:

NENESE , Sec. 13, Township 07N, Range 04W
PAYETTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	04W	13	NESE	3		3

Total number of acres irrigated: 3

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use. APR 14 1995
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

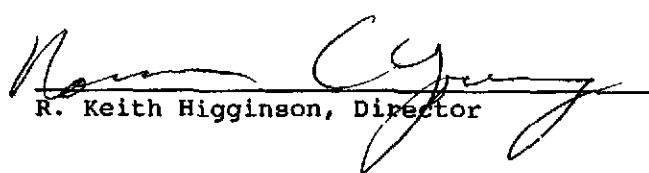
WATER RIGHT NO. 65-13189

CONDITIONS/REMARKS:

6. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for the lands above.
7. Stockwater use is for 100 range cattle.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 13TH day of APRIL, 1995.

Acting for


R. Keith Higginson, Director

RECEIVED
AUG 13 1991

STATE OF IDAHO

For Office Use Only
Amt of Fee \$ 50.00
Date 8-13-91
Receipt No CD21485
Received by mjh

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1 Permit No 65-13189 Telephone No. 208-278-3196

2 Name(s) of Permit Holder(s) Russell W & Barbara A Nelson

3 Post Office Address: 5905 Hwy 52 New Plymouth, In 93655

4 Source of Water: Springs

a If ground water, well driller's name: _____ Date drilled: _____

b Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5 Extent of Use:

Domestic _____ (No. of households)

Irrigation 3.4 (No. of acres)

Stockwater Beef (No and type of stock)

Other _____

6 Total rate and/or volume for which proof is submitted 0.130 cfs _____ acre/feet

7 Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

OR

Flow Measurement Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

8 Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

9 Person to contact to accompany the Department representative during the field examination:

Russell W Nelson
Name

278-3196
Telephone No

5905 Hwy 52 New Plymouth ID
Address

10 The above information 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.

NOV 20 1991

8-4-91
Date

Russell W Nelson Barbara Ann Nelson
Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13189

Proposed Priority: February 23, 1990 Maximum Diversion Rate: 0.13 CFS

This is to certify, that **RUSSELL W. NELSON**
BARBARA A. NELSON
5905 HWY. 52
NEW PLYMOUTH, ID 83655

has applied for a permit to appropriate water from:

SPRINGS

tributary of **PAYETTE RIVER**

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>
IRRIGATION	03/15 to 11/15	0.10 CFS
STOCKWATER	01/01 to 12/31	0.03 CFS
	Totals	0.13 CFS

LOCATION OF POINT(S) OF DIVERSION: NENESE Sec. 13, Township 07N, Range 04W
PAYETTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	04W	13	NESE	3.4		3.4

Total number of acres irrigated: 3.4

PLACE OF USE: STOCKWATER, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1991.
2. Subject to all prior water rights.
3. Use of water under this permit is subject to control by the watermaster of State Water District No. 65.
4. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
5. Stockwater use is for 100 cattle.

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

27th day of September, 1990

MICROFILMED

OCT 22 1990

[Signature]
for R. Keith Higginson, Director

Ident. No. 65-13189

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: RUSSELL W. NELSON 208-278-3196
Address: 5905 HWY 52
NEW PLYMOUTH, ID 83655
OR
Name: BARBARA A. NELSON 208-278-3196
Address: 5905 HWY 52
NEW PLYMOUTH, ID 83655
2. Source: SPRINGS Trib. to: PAYETTE RIVER
3. Location of Point of Diversion: NENESE Sec. 13, Township 07N, Range 04W
PAYETTE County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.100		
STOCKWATER	01/01	12/31	0.030		
5. Total quantity to be appropriated is:
0.130 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
7 TILE LINES, DITCHES, GRAVITY FLOWS.
 - 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 90F being sought? NO
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 years.
8. Description of proposed uses:
IRRIGATION AND STOCKWATER

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OCT 22 1990

Ident. No. 65-13189
Page 2

9. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
07N	04W	13	NESE	3.4		3.4

Place of Use: STOCKWATER

TWN	RGE	SEC	ACRES
07N	04W	13	NESE

Total number of acres irrigated: 3.4

10. Describe any other water rights used for the same purposes.
NOBLE DITCH CO.

11. 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.

12. Remarks:

13. 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.

Russell W. Nelson
Applicant

Received by Rdh Date 2/23/90 Time 15:20 Preliminary check by RW

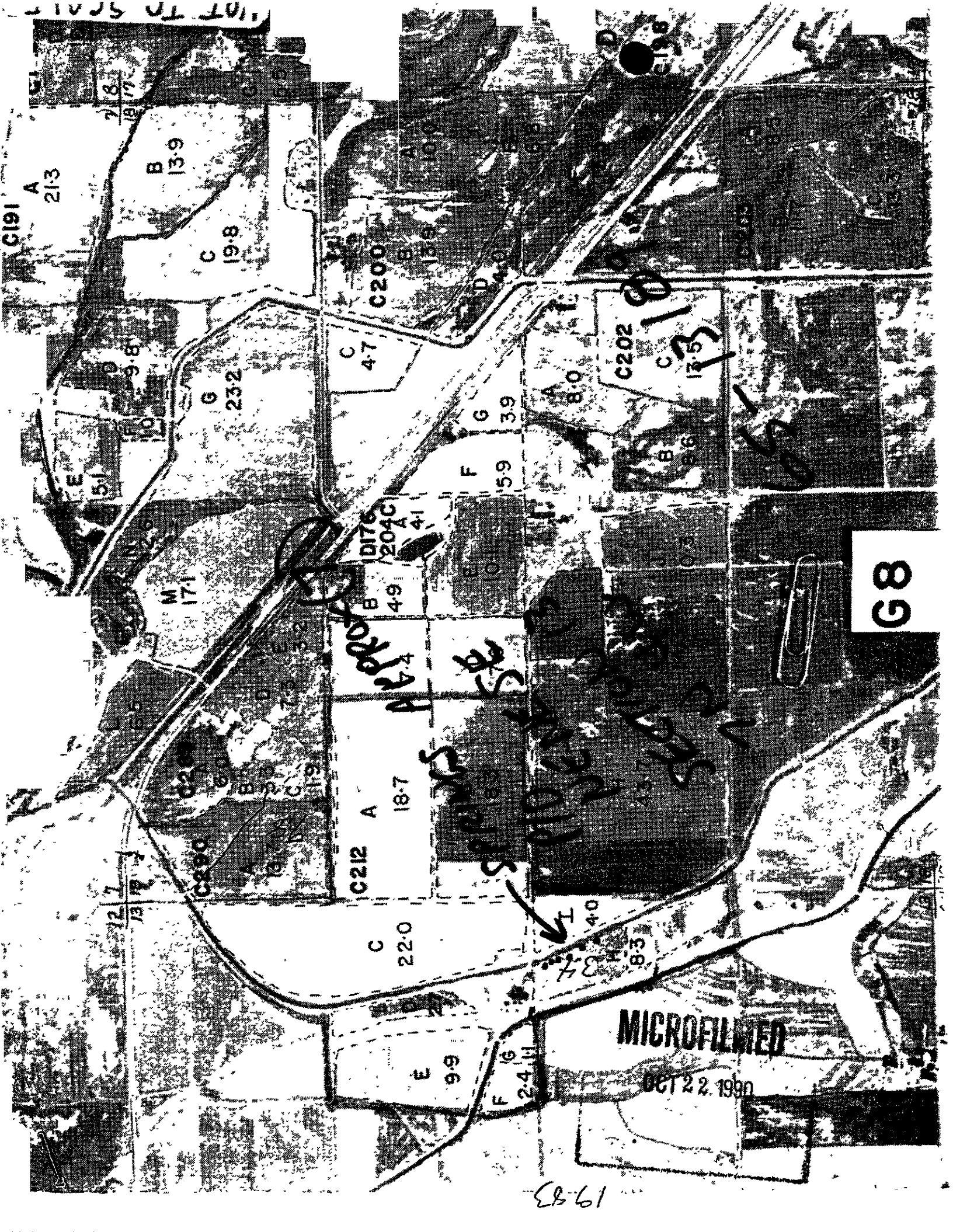
Fee \$ 30.00 Receipted by Rdh # W009457 Date 2/23/90

Publication prepared by GG Date 6-27-90 Published in Independent Enterprise

Public not approved 01 Date 7-30-90
7/5 & 7/12/90

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C191

A 21.3

B 13.9

C 19.8

C200

C202

C 13.5

G 23.2

C 4.7

G 3.9

A 8.0

F 5.9

B 8.8

D176
204C

B 4.9

C212

A 18.7

C 22.0

E 9.9

F 2.4

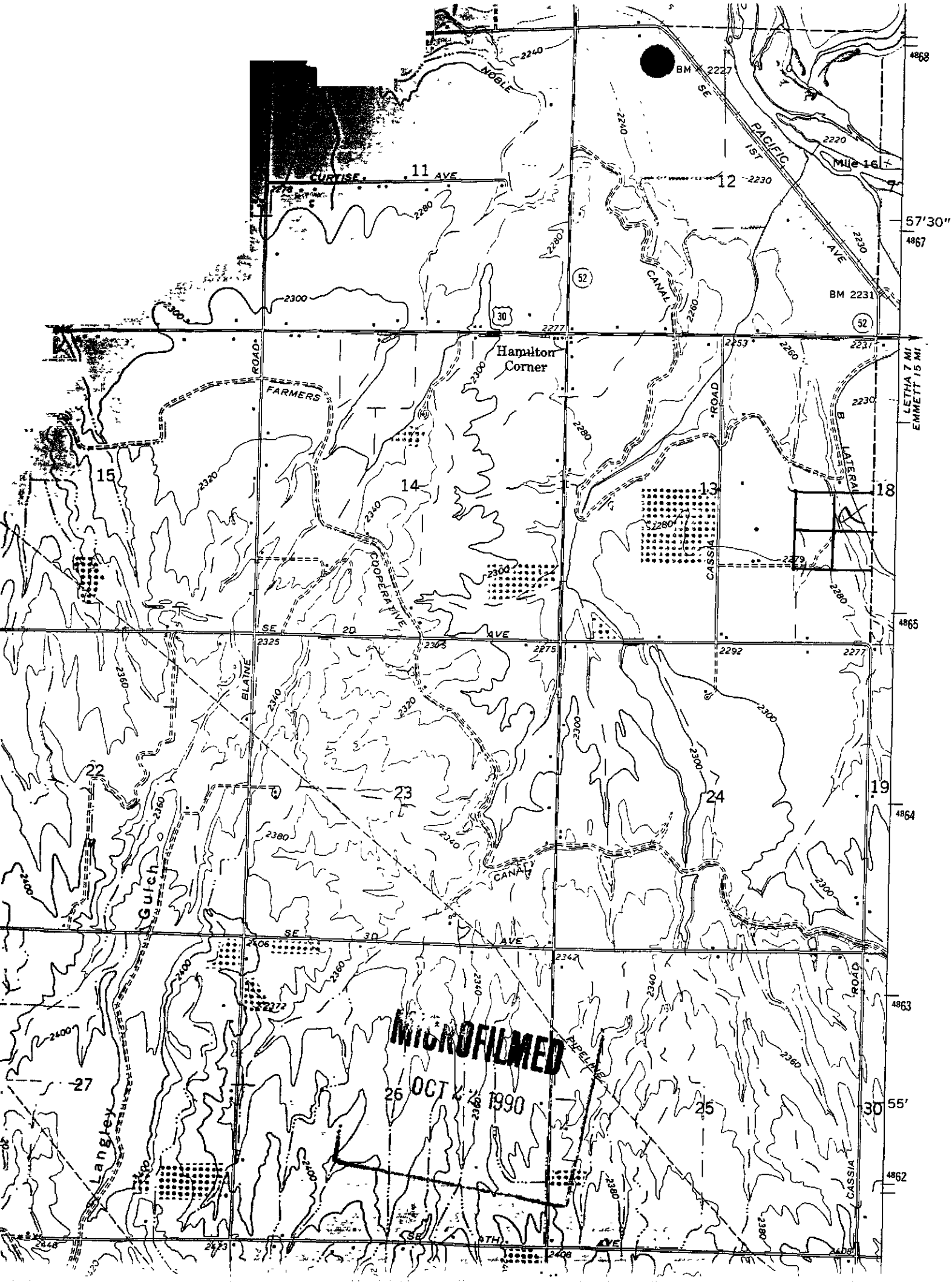
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OCT 22 1990

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19-61







State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 14, 1995

RUSSELL W NELSON
BARBARA A NELSON
5905 HWY 52
NEW PLYMOUTH ID 83655

RE: WATER RIGHT NO. 65-13189

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

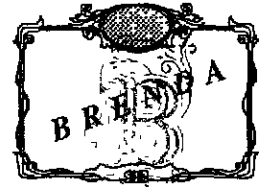
Enclosure

EX-100-111111

APR 14 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 65-13189 DATE 4-4-95



NAME Change OK ☒ Or Address Change? ☐

PRIORITY DATE Advance? ☒ Advanced to: Order to reinstate needed? Incorrect fee for rate recommended? NO

SOURCE Changes or just clarification of originally intended source? ☒ Notice of Intent to Void necessary? ☐

POINT OF DIV Amendment needed? ☒ Overlaps? ☒

PLACE OF USE Amendment needed? ☒ Overlaps? ☒

DIV RATE Permit/fee limits: .13 CFS
Meas Q = 1.7 CFS Theo Q = Recommend: .11 CFS
3 acres x .03 = .09
100 stock = .02 is plenty for a 24 hr flow
Combined rates exceed capacity

ANNUAL VOLUME Volume Limit: Season: 0/4.5 (3-15 to 11-15)
Calculations: 3 x 4.5 = 13.5
100 cattle = 1.3
Flow limit: cfs x x 1.9835 =
Combined volumes exceed capacity/allowable

USES Change in Nature of Use or additional uses? ☒ Amendment necessary? ☐

NEW REMARKS Multiple p/d(s) in 1/4 1/4? ☒ Other ☒

NEW CONDITIONS R04 Watermaster control - District 65
R52 Measuring/Locking Devices
R52 Irrigation Overlap
Other
Water Quality Heat/Cool/Fish verified

COMMENTS: Reduce Acres

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	NO
<u>Irrigation</u>	<u>.09</u>	<u>13.5</u>	<u>Adjustment Memo Needed</u>	<u>YES</u>
<u>Stockwater</u>	<u>.02</u>	<u>1.3</u>	<u>LICENSE</u>	<u>✓</u>
<u>TOTAL</u>	<u>.11</u>	<u>14.8</u>	<u>1ST AMEND LETTER</u>	
			<u>2ND AMEND LETTER</u>	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 09 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13189

1. Owner: RUSSELL W NELSON AND BARBARA A NELSON Phone No. 278-3196

Current Address: 5905 HWY 52 NEW PLYMOUTH ID 83655

2. Accompanied by: RUSSELL W NELSON EXAM DATE: 6/27/94

Address: SAME Phone No. SAME

Relationship to Permit Holder: SAME

3. Source: SPRINGS tributary to NA -

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 65-00066, 65-00403X, 65-13373

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NE	SE	13	7N	4W	PAVETTE	Dunes - Owen Id

2 Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	4W	13													3.0				3.0

APR 1 1995

Spring

Home

NOT IRR BY SPRINGS

Pipe

Gaseous Pipe

All gravity system

Hill

Spring Fed Ditch

530'

-230-

Waste Outlet

Noble Ditch

Gaseous Pipe

✓ 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
<i>Springs</i>	—	—	—	—	—

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Orange Peel method 15' pipe 12" diameter in
16 sec.

APR 14 1995

E. NARRATIVE/REMARKS/COMMENTS

THIS SYSTEM USES SPRINGS TO FILL A DITCH AND DIVERTS THIS DITCH FOR IRRIGATION PURPOSES. THE DITCH IS FILLED AT TWO ENDS BY SPRINGS THAT HAVE BEEN TAPPED USING CONCRETE PIPING. THE SPRING FILLS THE PIPE THAT IS BURIED IN THE HILL, RUNS THE LENGTH OF THE PIPE, AND THEN FLOWS INTO THE DITCH. THERE ARE SEVERAL OF THESE SPRINGS ALONG THE LENGTH OF THE DITCH. SPRINGS TO THE EXTREME NORTH FILL THE DITCH AND FLOW SOUTH. SPRINGS TO THE SOUTH FLOW NORTH. AT A POINT THE TWO FLOWS MEET AND ARE DIVERTED INTO A 15' 12" PIPE AND FROM THE PIPE TO GATED PIPE. THIS MAY ALSO BE ACCOMPLISHED IN THE EXTREME SOUTH BY BACKING UP THE DITCH. AGAIN GATED PIPE IS USED. THE SYSTEM FLOOD IRRIGATES C. 3.0 ACRES AND WATERS 120 CATTLE.

* OTHER NR'S ARE NEIGHBORS IN SAME 1/4 1/4 - A.H. SOURCE

Have conditions of permit approval been met? ☒ yes ☐ no

APR 3 4 1995

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

RATE OF FLOW through a Pipe:

SYSTEM

$$NEED - IRR = 3A \times .03 = \underline{.09 \text{ cfs}}$$

* SEE ATTACHMENT

CAPACITY: 1.7 cfs

$$STOCK = 100 \text{ HEAD} = \underline{.03 \text{ cfs}} \\ (6 \times 15A)$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3.0 \times 4.5 = 13.5 \text{ AFA}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .09 \times 246 \times 1.9835 = 4.4 \text{ AFA}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = \underline{13.5 \text{ AFA}}$$

2. Volume Calculations for Other Uses:

$$\text{Stock Volume: } 100 \text{ HEAD (EXHIBIT 15A)} = 12 \text{ gal/day} \times 100 \text{ HEAD} \times 365 \text{ days} \\ = 325850 \text{ AFA} = \underline{1.3 \text{ AFA}}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3-15	11-15	.09 cfs	13.5 AFA
STOCK WATER	1-1	12-31	.03 cfs	1.30 AFA
Totals:			.12 cfs	14.8 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

Field Examiner's Name T. Davis Date 7-19-94

Reviewer [Signature] Date _____

SEAL

* See attached adjustment explanation memo. BC

APR 14 1995

MEMORANDUM

TO: File 65-13189 / Russell Nelson
FROM: Brenda Chapman
DATE: April 5, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

H. RECOMMENDATIONS

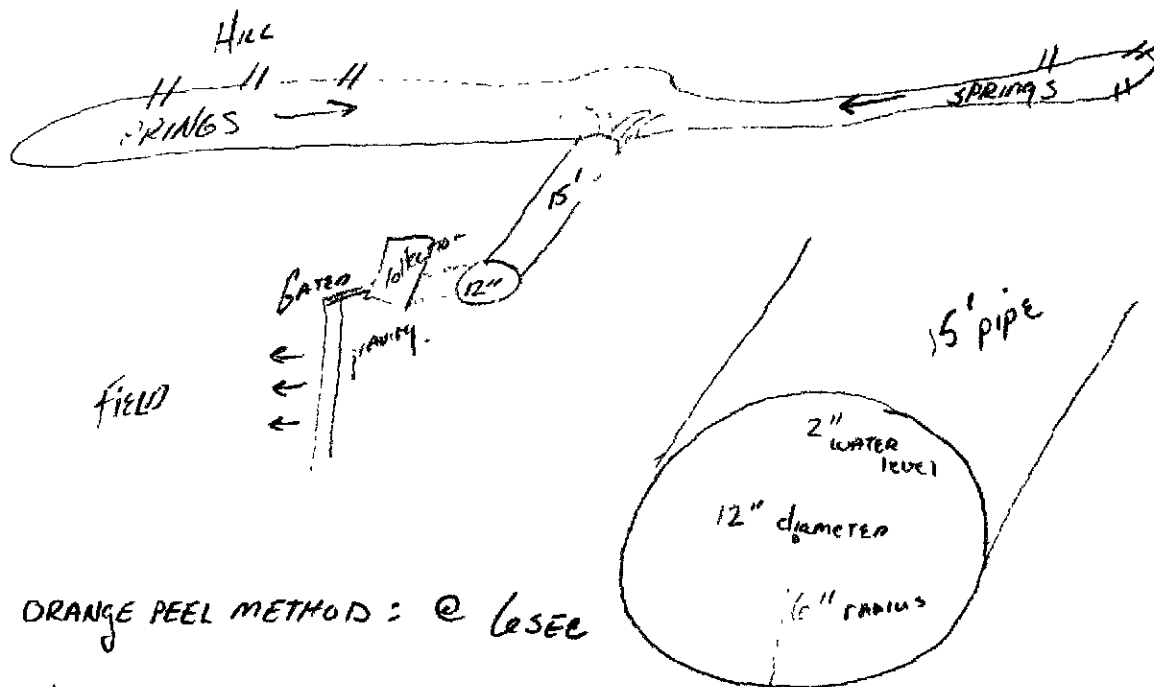
1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	3-15 to 11-15	.09	13.5
Stockwater	1-01 to 12-31	.02	1.3

The stockwater rate has been reduced. The rate for 100 range cattle from a "2 hour diversion per day" ground-water source is .02 cfs (Exhibit 15, Field Examiner's Handbook). With springs being a "24 hour diversion" source, .02 cfs is more than an adequate rate for 100 cattle.

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CALCULATIONS FOR: 65-13189



ORANGE PEEL METHOD: @ 6 SEC

NOTE: IT TOOK 6 SEC FOR THE PEEL TO FLOAT THROUGH THE PIPE SECTION; OTHERWISE, TO FILL PIPE.

CALCULATIONS:

$$\text{VOLUME OF PIPE: } \pi R^2 \cdot H = \begin{matrix} \pi = 3.14 \\ R = \text{RADIUS (IN FEET)} \\ H = \text{HEIGHT (IN FEET)} \end{matrix} \quad 3.14 \times .5^2 \times 15 = 11.78 \text{ CF}$$

$$\text{ACTUAL VOLUME OF WATER: } 2" / 12" = .16 - 100 = .84\% \times 11.78 \text{ CF} = 9.9 \text{ CF}$$

$$\text{CFS: } 9.9 \text{ CF} \div 6 \text{ SEC} = \underline{\underline{1.7 \text{ CFS}}}$$

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Pln
p/d
(spring)

PERMIT 65-13189 INIT DAF
T. R. S. Q/Q
P/D IN 4W 13 NENESE
SCALE _____
PHOTO ID. _____

APR 14 1965



View of 1st Spring into
ditch. Pipes are
buried and collect the
spring water, bringing it
to this ditch. Water flows
North.

PHOTO ONE-



The ditch collects other
springs and fills as it heads
North.

PHOTO TWO-

APR 14 1995



PHOTO THREE-

VIEW OF PIPE SYSTEM.
WATER FROM THE DITCH IS
DIVERTED TO THIS 15' PIPE.
WATER THEN RUNS INTO GATED
PIPE

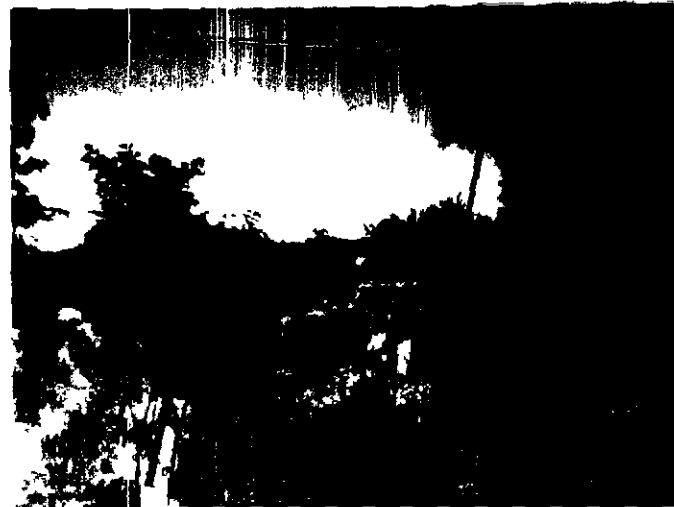


PHOTO FOUR-

THIS DITCH RUNS
NORTH TO SOUTH & IS
SPRING FED. IT MEETS
THE OTHER DITCH AT
THE 15' PIPE

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View of the
Pia looking
NORTH.

PHOTO FIVE-

>

PHOTO SIX-

APR 14 1995

June 8, 1992

RUSSELL W. NELSON
BARBARA A. NELSON
5905 HWY. 52
NEW PLYMOUTH ID 83655

RE: Water Right No. 65-13189

Dear Water Right Holder(s):

On May 19, 1992, the department sent you a letter advising that you might be required to temporarily cease diverting water from the Snake River or its tributaries if the established minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second measured near Weiser is not satisfied or likely will not be satisfied.

The flow of the Snake River at Weiser is now less than 4,750 cfs. You are, therefore, directed to immediately cease diverting water under the above referenced water right and to not resume use until authorized by the department.

Past flow records show that the duration of seasonal low flow periods typically last several days to a week. Since your use of water is extremely important to you and since mail notification includes a delay associated with mail delivery time, feel free to call the toll-free telephone number 1-800-451-4129 to determine when you are again authorized to divert and use water under your water right. Please use this phone number only in connection with resumption of use.

You need to be aware that Section 42-351, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

APR 14 1995

June 12, 1992

RUSSELL W. NELSON
BARBARA A. NELSON
5905 HWY. 52
NEW PLYMOUTH ID 83655

RE: Water Right No. 65-13189

Dear Water Right Holder(s):

On June 8, 1992, the department sent you a letter which directed you to immediately cease diverting water under the above referenced water right, since the minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second (cfs) measured near Weiser was not being satisfied.

The flow of the Snake River at Weiser is now above 4,750 cfs. You are, therefore, authorized to again divert water under your water right. If the minimum stream flow is not met later this year, however, the department will again notify you to temporarily cease diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

RECEIVED
JUN 14 1992

May 19, 1992

RUSSELL W. NELSON
BARBARA A. NELSON
5905 HWY. 52
NEW PLYMOUTH ID 83655

RE: Water Right No. 65-13189

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement

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purposes. This type of coordination could minimize the impact on existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the
Student Union Building, Albertson College of Idaho,
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

APR 14 1993

October 9, 1991

RUSSELL W. NELSON
BARBARA A. NELSON
5905 HWY. 52
NEW PLYMOUTH ID 83655

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13189

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Nina Shields
Secretary/Records Manager

c: IDWR - Region

MAILED

NOV 20 1991

138932

July 31, 1991

RUSSELL W. NELSON
BARBARA A. NELSON
5905 HWY. 52
NEW PLYMOUTH, ID 83655

PROOF DUE NOTICE

RE: PERMIT NO. 65-13189

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

NOV 20 1991

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
October 1, 1990

RUSSELL W. NELSON
BARBARA A. NELSON
5905 HWY. 52
NEW PLYMOUTH, ID 83655

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13189

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ: SC
Enclosures

MICROFILMED
OCT 22 1990

Affidavit of Publication

RECEIVED

JUL 26 1990

Copy of Notice

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Department of Water Resources
Western Regional Office

(First Copy)

Application for Water Rights
TITLE OF PUBLICATION

Dept. of Water Resources
SPONSOR OF PLAINTIFF
PLAINTIFF OR LEGAL AGENT

I, Dorthy Mason, being
duly sworn, deposes and says:

That he is the principal clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published
at Payette, in the County of Payette and State of Idaho; that said
paper has been and is in general circulation in the county
aforesaid, and in the vicinity of Payette; that the advertisement,
a copy of which is attached hereto, was published in said
newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not a supplement; that said paper has been established and
regularly published for more than seventy-eight consecutive
weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with
July 3, 1990, and ending with the issue
of July 11, 1990.
STATE OF IDAHO
COUNTY OF

On this 12th day of July in the year of 1990 before me,
a Notary Public, personally appeared Dorthy Mason
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 he executed the same.

Marilyn J. Rhinabert
Notary Public for Idaho

Residing at Frutland

My commission expires: 11-28-92

STATEMENT **MICROFILMED**
Independent-Enterprise
PAYETTE, IDAHO OCT 22 1990

Number of Lines 83

Number of Insertions two

83 Lines @ 90 74.70

83 Lines @ 72 59.76

TOTAL COST
WILL BE 134.46

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

JUNE 27, 1990

Independent Enterprise
P.O. Box 520
Payette, ID 83661

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 JULY 23, 1990.

Yours truly,

GAIL GARRETT
Secretary

Encl.

MICROFILMED

OCT 22 1990

65-13189

NELSON, RUSSELL W.
NELSON, BARBARA A.
5905 HWY. 52
NEW PLYMOUTH, ID 83655

Source: SPRINGS

Tributary: PAYETTE RIVER

Diversion Pt: NENESE Sec 13 T 07N R 04W

Use: IRRIGATION (.100 CFS)
STOCKWATER (.030 CFS)
Total Diversion: (.130 CFS)

Date Filed: 2/23/ 1990

In: T07N R04W S13 NESE

3.4 ACRES TOTAL

MICROFILMED

OCT 22 1990