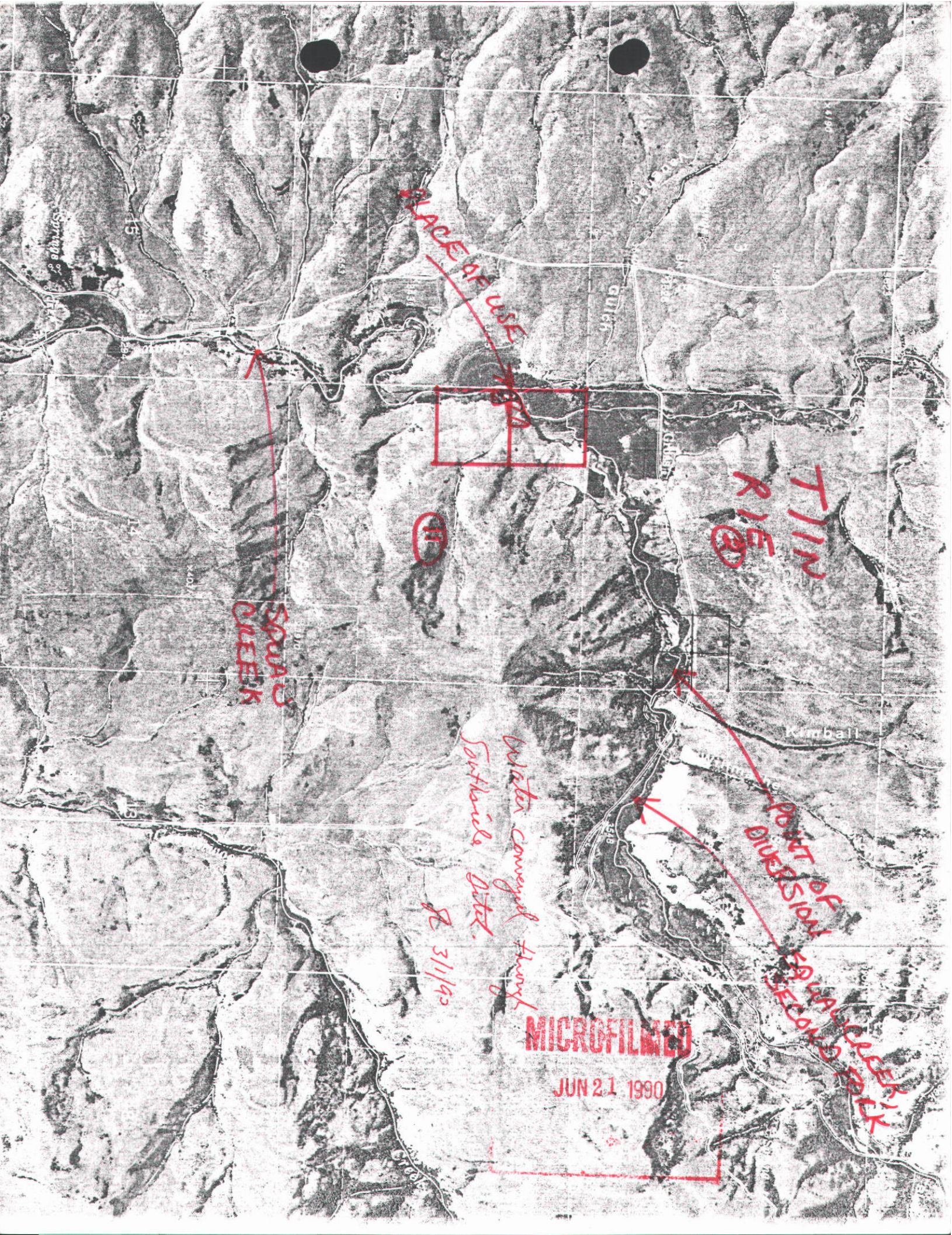




PLACE OF USE



11

SQUAD CREEK

TIN RIVER

POINT OF DIVERSION
SQUAD CREEK

Water conveyed through
Southside Ditch.
R 3/1/90

MICROFILMED

JUN 21 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-13144 IN)
THE NAME OF HOMER & LOUISE E. NESBITT) ORDER
_____)

WHEREAS, on June 11, 1990, the Department of Water Resources issued Permit No. 65-13144 with a condition of approval which states:

A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit,

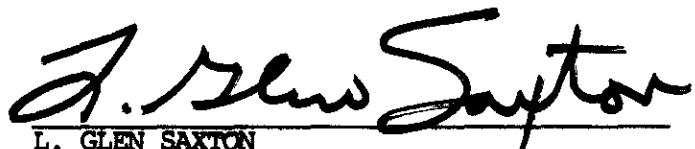
and;

WHEREAS, the Department of Water Resources has determined that the compliance with this condition of approval is not required at this time;

NOW, THEREFORE, IT IS ORDERED that this condition of approval on Permit No. 65-13144 is REMOVED.

IT IS FURTHER ORDERED that the Director retains jurisdiction to require future installation upon a finding of need.

Dated this 23rd day of July, 1991.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

AUG 06 1991

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13144

Proposed Priority: February 14, 1990 Maximum Diversion Rate: 0.16 CFS

This is to certify, that **HOMER NESBITT**
LOUISE E. NESBITT
HC 78 BOX 3761
OLA, ID 83657

has applied for a permit to appropriate water from:

SQUAW CREEK, SECOND FORK tributary of **SQUAW CREEK**

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	04/01 to 10/01	0.16 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: **SENESE** Sec. 2, Township 11N, Range 01E
GEM 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>
11N	01E	11	NWNW 6	SWNW 2		8

Total number of acres irrigated: 8

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1991.
2. Subject to all prior water rights.
3. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.
4. Use of water under this permit is subject to control by the watermaster of State Water District No. 65A.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

11th day of June, 1990

MICROFILMED

JUN 21 1990

R. Keith Higginson
R. Keith Higginson, Director

Ident. No. 65-13144

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: HOMER NESBITT 208-584-3550
Address: HC 78, BOX 3761
OLA, ID 83657

OR

Name: LOUISE E. NESBITT 208-584-3550
Address: HC 78, BOX 3761
OLA, ID 83657

2. Source: SQUAW CREEK, SECOND FORK Trib. to: SQUAW CREEK

3. Location of Point of Diversion: SENESE Sec. 2, Township 11N, Range 01E
GEM County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	04/01	10/01	0.160		

5. Total quantity appropriated is:
0.160 CFS (and/or) AF

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
DIV. DAM IN CK., THEN THRU SOUTHSIDE DITCH FOR FLOOD IRRIG.
- 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.
- Proposed well diameter is inches; proposed depth of well is
feet.
- 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 year.

8. Description of proposed uses:
IRRIGATION OF 8 ACRES.

9. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
11N	01E	11	NWNW 6	SWNW 2		8
Total number of acres irrigated:						8

MICROFILMED

JUN 21 1990

10. Describe any other water rights used for the same purposes.
CLAIM NO. A65-03089B - SAME P.D., DIFF. ACRES.

11. a. Who owns the property at the point of diversion?
APPLICANTS
b. Who owns the land to be irrigated or place of use?
APPLICANTS
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.

Homer R. Heald
Applicant

*
Received by YLS Date 2/14/90 Time 4:30pm Preliminary check by SL
Fee \$ 30 Receipted by JS # 42247 Date 11-25-86 ^{SEE ATTACHED MEMO} ^{SEE}
Publication prepared by GG Date 3/7/90 Published in Messenger-Index
Publication approved ST Date 4-25-90 ^{3/15 & 3/22/90}

* Date of Priority = date received = 2/14/90

SL
3/1/90

MICROFILMED

JUN 21 1990



1711

1711
1711
1711

Notes covered from
Forthville, etc.
R 31/1/90

1711
1711
1711

MICROFILMED

JUN 21 1990

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
 ss.
 COUNTY OF GEM,

Esma Reyes, being first
 duly sworn, on his oath deposes and
 says that she is the ^{her} printer of Mes-
 senger-Index, a legal weekly news-
 paper published at Emmett, in Gem
 County, Idaho; that said newspaper
 is in general circulation in said
 county and has been published unin-
 terruptedly and continuously for
 more than 78 weeks prior to the
 first publication of the annexed
 document; and that the document
 notice, process, or advertisement
 hereunto annexed was published in
 the regular edition of Messenger-
 Index for Two (2)

consecutive weekly issues thereof,
 beginning with the issue of
MARCH 14, 1990,
 and ending with the issue of
MARCH 21, 1990

Esma Reyes

Subscribed and sworn to before me
 this 21st day of

MARCH, 1990

Mary Ann Hanson

Notary Public,

Residing at Emmett, Idaho.

My Commission Expires 3-21-95
RECEIVED
 MAR 23 1990

Department of Water Resources
 Western Regional Office

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-11112-11
 HELZER, EUNICE M.
 HELZER, GERALD H.
 5901 S SLOPE RD.
 EMMETT, ID 83617
 Source: GROUNDWATER
 Diversion Pt: NESW Sec 17 T
 06N R 02W
 Use: COMMERCIAL (.040
 CFS)
 IRRIGATION (.020 CFS)
 Total Diversion (.040 CFS)
 Date Filed: 1/30/1990
 In: T06N R02W S17 NESW
 0.5 ACRES TOTAL

65-13132
 ODERMOTT, LOURABELLE
 M.
 ODERMOTT, WALTER L.
 HC 78 BOX 3815
 OLA, ID 83657
 Source: SPRING
 Tributary: SQUAW CREEK
 Diversion Pt: SWNESW Sec 27
 T 10N R 01E
 Use: STOCKWATER (.040 CFS)
 Total Diversion: (.040 CFS)
 Date Filed: 1/10/1990
 In: T10N R01E S27 NESW
 65-13133

ODERMOTT, WALTER L.
 ODERMOTT, LOURABELLE
 M.
 HC 78 BOX 3815
 OLA, ID 83657
 Source: SPRING
 Tributary: SQUAW CREEK
 Diversion Pt: SESWSE Sec 27
 T 10N R 01E
 Use: STOCKWATER (.040 CFS)
 Total Diversion: (.040 CFS)
 Date Filed: 1/10/1990
 In: T10N R01E S27 SESE
 65-13144

NESBITT, HOMER
 NESBITT, LOUISE E.
 HC 78 BOX 3761
 OLA, ID 83657
 Source: SQUAW CREEK, SE-
 COND FORK - Tributary:
 SQUAW CREEK
 Diversion Pt: SENESE Sec 2 T
 11N R 01E
 Use: IRRIGATION (.160 CFS)
 Total Diversion: (.160 CFS)
 Date Filed: 2/14/1990
 In: T11N R01E S11 NWNW
 SWNW
 8.0 ACRES TOTAL

65-13152
 GILLIHAN, CATHERINE
 LANHAM, HAZEL
 850 JACKSON AVE.
 EMMETT, ID 83617
 Source: PAYETTE RIVER
 Tributary: SNAKE RIVER
 Diversion Pt: SWSW Sec 6 T
 06N R 01W
 Use: IRRIGATION (.200 CFS)
 Total Diversion: (.200 CFS)
 Date Filed: 2/05/1990
 In: T06N R02W S11 NWNW
 10.0 ACRES TOTAL

65-13166
 LITTLE LAND & LIVESTOCK
 CO.
 P.O. BOX 205
 EMMETT, ID 83617
 Source: SPRINGS
 Tributary: SAND HOLLOW
 CREEK
 Diversion Pt: NESENE Sec 7
 T 06N R 01E
 NESWNW Sec 13 T 06N R 01W
 Use: STOCKWATER (.190 CFS)
 Total Diversion: (.190 CFS)
 Date Filed: 2/14/1990
 In: T06N R01E S07 SENW
 R01W S13 SWNW

65-13167
 LITTLE LAND & LIVESTOCK
 CO.
 P.O. E .05
 EMME, ID 83617
 Source: UNNAMED STREAM
 Tributary: JAKES CREEK
 Diversion Pt: LOT 1 (SWNE)
 Sec 1 T 08N R 01W
 Use: STOCKWATER STORAGE
 (700 AF)
 STOCKWATER FROM
 STORAGE (700 AF)
 STOCKWATER (200 CFS)
 Total Diversion: (.200 CFS) (700
 AF)
 Date Filed: 2/14/1990
 In: T08N R01W S01 Lot 1
 (NENE)

65-13173
 LITTLE LAND & LIVESTOCK
 CO.
 P.O. BOX 205
 EMMETT, ID 83617
 Source: SPRINGS
 Tributary: LITTLE COTTON-
 WOOD CREEK
 Source: SPRING
 Tributary: BIG COTTONWOOD
 CREEK
 Source: BOX SPRING
 Tributary: BIG COTTONWOOD
 CREEK
 Diversion Pt: NESWSE Sec 7
 T 08N R 01E
 NESWSE Sec 8 T 08N R 01E
 SWNWNW Sec 10 T 08N R 01E
 SENWNW Sec 10 T 08N R 01E
 Use: STOCKWATER (.120 CFS)
 Total Diversion: (.120 CFS)
 Date Filed: 2/14/1990
 In: T08N R01E S07 SWSE
 S08 SWSE
 S10 NWNW

65-13174
 LITTLE LAND & LIVESTOCK
 CO.
 P.O. BOX 205
 EMMETT, ID 83617
 Source: SPRING
 Tributary: BRUSH CREEK
 Source: SPRINGS
 Tributary: DYES GULCH
 Diversion Pt: NWNWNE Sec 17
 T 08N R 01E
 SWNESW Sec 18 T 08N R 01E
 LOT 2 (SESWSW) Sec 18 T
 08N R 01E
 SWSESW Sec 18 T 08N R 01E
 Use: STOCKWATER (.120 CFS)
 Total Diversion: (.120 CFS)
 Date Filed: 2/14/1990
 In: T08N R01E S17 NWNW
 S18 NESW Lot 2 (SWSW)
 SESW

65-13175
 LITTLE LAND & LIVESTOCK
 CO.
 P.O. BOX 205
 EMMETT, ID 83617
 Source: SPRING
 Tributary: JAKES CREEK
 Diversion Pt: NESESE Sec 24
 T 09N R 01W
 Use: STOCKWATER (.050 CFS)
 Total Diversion: (.050 CFS)
 Date Filed: 2/14/1990
 In: T09N R01W S24 SESE
 65-13176
 LITTLE LAND & LIVESTOCK
 CO.
 P.O. BOX 205
 EMMETT, ID 83617
 Source: GROUNDWATER
 Diversion Pt: SWSW Sec 12 T
 07N R 03W
 NWNW Sec 13 T 07N R 03W
 Use: STOCKWATER (.130 CFS)
 Total Diversion: (.130 CFS)
 Date Filed: 2/14/1990
 In: T07N R03W S14 NESE
 SESE

65-13177
 LITTLE LAND & LIVESTOCK
 CO.
 P.O. BOX 205
 EMMETT, ID 83617
 Source: GROUNDWATER
 Diversion Pt: SWSW Sec 12 T
 07N R 03W
 NWNW Sec 13 T 07N R 03W
 Use: STOCKWATER (.130 CFS)
 Total Diversion: (.130 CFS)
 Date Filed: 2/14/1990
 In: T07N R03W S14 NESE
 SESE
 S12 NWNW SWSW
 S13 NWNW

65-13192
 SMITH FINANCIAL GROUP
 INC.
 P.O. BOX 27
 BOISE, ID 83707
 Source: BISSEL CREEK
 Tributary: PAYETTE RIVER
 Diversion Pt: SWSW Sec 15 T
 07N R 02W
 Use: IRRIGATION (1,600 CFS)
 Total Diversion: (1,600 CFS)
 Date Filed: 2/14/1990
 In: T07N R02W S15 SWSW
 S22 NWNW SWNW
 80.0 ACRES TOTAL

65-13193
 SMITH FINANCIAL GROUP
 INC.
 P.O. BOX 27
 BOISE, ID 83707
 Source: UNNAMED SPRINGS
 Tributary: BISSEL CREEK
 Diversion Pt: NESWSW Sec 15
 T 07N R 02W
 SESWSW Sec 15 T 07N R 02W
 Use: STOCKWATER (.550 CFS)
 Total Diversion: (.550 CFS)
 Date Filed: 2/14/1990
 In: T07N R02W S15 SWSW

65-13194
 BURKHARD, FREDERICK
 P.O. BOX 156
 SWEET, ID 83670
 Source: SPRING
 Tributary: SQUAW CREEK
 Diversion Pt: NWSENW Sec 34
 T 08N R 01E
 Use: DOMESTIC (.020 CFS)
 Total Diversion: (.020 CFS)
 Date Filed: 2/02/1990
 In: T08N R01E S34 SENW

65-13195
 WRIGHT, ERNEST
 610 E. 3RD
 EMMETT, ID 83617
 Source: GROUNDWATER
 Diversion Pt: NENESW Sec 8
 T 06N R 02W
 Use: IRRIGATION (.090 CFS)
 Total Diversion: (.090 CFS)
 Date Filed: 1/11/1990
 In: T06N R02W S8 NESW
 3.0 ACRES TOTAL

65-13196
 BARRETT, HAROLD
 1466 W. 12TH ST.
 EMMETT, ID 83617
 Source: GROUNDWATER
 Diversion Pt: SWSE Sec 12 T
 06N R 02W
 Use: COMMERCIAL (.040
 CFS)
 Total Diversion: (.040 CFS)
 Date Filed: 1/12/1990
 In: T06N R02W S12 SWSE

65-13197
 B & W FUELS INC.
 BILLY G. OR G. KAY WEBB
 P.O. BOX 747
 EMMETT, ID 83617
 Source: GROUNDWATER
 Diversion Pt: LOT 2
 (NWNWNE) Sec 6 T 06N R
 01W
 Use: COMMERCIAL (.040
 CFS)
 Total Diversion: (.040 CFS)
 Date Filed: 1/12/1990
 In: T06N R01W S08 Lot 2
 (NWNW)

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 APRIL 2, 1990.
 R. KEITH HIGGINSON,
 Director
 Pub. 3-14,21-90
 Legal Notice No. 727
 Pub. in the Messenger Index

WHITE - State Auditor
 YELLOW - Remittance Advice
 PINK - State Auditor then Agency
 GOLDENROD - Agency Copy

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
 Office of State Auditor

AGENCY USE

8553
Date
04, 06/92
Code
183002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME

DEPT. OF WATER RESOURCES
 TAX EXEMPT # X-189030-E-920
 VALID THRU 1/94

Document No.	
Pre-Audit	Date
Warrant No.	

PAY
 TO

MR. & MRS. W.E. SELLMAN
 PO BOX 210
 BRINNON, WA 98220

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT () PARTIAL () FINAL

Encumbrance Reference No

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	05 10 199	1100	3231		REFUNDS DEF LAPEN GUSTAFSON PERMIT 65-13144 4 8/92 15.00	15.00	
TOTAL						15.00	

NOTE Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority, that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form, that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith, and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

July 25, 1991

HOMER NESBITT
LOUISE E. NESBITT
HC 78 BOX 3761
OLA, ID 83657

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13144

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,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

PROOF FILMED

AUG 06 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 65-13144

Date 7-11-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☒ Surface water source
☐ Ground water source
☒ Drill permit req'd?
☐ Copy in file? Drill permit no. _____
☐ Amt paid for drilling permit? _____ Correct?
☐ Well log in file?

LICENSE EXAMINATION FEE

- ☒ Required?
50.00 Amount submitted?
☒ Correct amount?

MEASURING DEVICE

- ☒ Measuring device or access port required?
☒ Installed?
☒ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

requests waiver of lockbox
proof acceptable

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority date

NEW PRIORITY DATE

NA

LB

Amt. of Fee \$ 50.00Date 7/2/91Receipt No. 0021040Received by 9/8**RECEIVED**

JUL 01 1991

Department of Water Resources

STATE OF IDAHO

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. 65-13144 Telephone No. 584-35502 Name(s) of Permit Holder(s): HOMER OR LOUISE NESBITT3 Post Office Address: H.C. 78 Box 3761 - OLA, ID 836574 Source of Water: SECOND FORK OF SNAW CREEKa If ground water, well driller's name: N/A Date drilled: b Pump horsepower: N/A Pressure (psi): Dynamic pumping level (ft.):

5 Extent of Use:

Domestic N/A (No. of households)Irrigation Approximately (No. of acres)Stockwater N/A (No. and type of stock)Other 6 Total rate and/or volume for which proof is submitted 8 x 0.16 = 1.28 cfs 6.4 minor inches acre/feet7 Refer to the approval conditions on your permit and respond accordingly: SEE ATTACHED LETTERMeasuring device: Required? ☒ Yes ☐ No Installed? ☐ Yes ☐ No

Lockable OR

Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No8 Fee Enclosed: \$ (See License Examination Fee Schedule)

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

HOMER NESBITT
Name584-3550
Telephone No.H.C. 78 Box 3761 OLA, ID. 83657
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.

Date

Signature (and title if on behalf of a company or organization)

AUG 06 1991

Edith.

City, Colorado
June 17, 1991

Dear Edith Fluke,

Enclosed are my ~~proof~~ of beneficial use
from the examination fee.

However I am requesting the measuring
device and Lockable headworks requirement
on ~~Water Right Permit~~ No 65-13144 be waived.

I am located in Square Creek Water
District. Because neither my or anyone
else's water has been measured ~~and~~ regulated
in the last 50 years of my knowledge.

Neither I or the watermaster see a need
for this requirement now, however if at a
future time this regulation is needed
I would install it.

This permit covers land that has
"irrigated" by extending an existing ditch
built in 1920's under prior license on
which there is no measuring device nor
has there been that need.

Sincerely yours,

James R. Hamilton

MICROFILMED

AUG 06 1991

Phil D. Hamilton
Water master, District 65A

/38488

April 30, 1991

HOMER NESBITT
LOUISE E. NESBITT
HC 78 BOX 3761
OLA, ID 83657

PROOF DUE NOTICE

RE: PERMIT NO. 65-13144

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 July 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

AUG 06

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
June 11, 1990

HOMER NESBITT
LOUISE E. NESBITT
HC 78 BOX 3761
OLA, ID 83657

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P65-13144

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.

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

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,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

JUN 21 1990

PP HN IE S.2 SENESE
PP " S.11 NNNN
SNNN

Form No. 202a.
3/89

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: SL DATE: 3/1/90 APPLICATION: 65-13144

REQUIRED INFORMATION

☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
☒ Address:
☒ Source: (See USGS Quad for names of water sources)
☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
☒ County:
☒ Quantity: (flow and/or volume)
☒ Period of use: Gov't. Lots: N P/D
☒ Nature of proposed use: (Include description of use) N P/U
☒ Description of diverting works:
☒ Time required for beneficial use of water:
☒ Place of use or acres irrigated:
☒ Map:
☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee:
☒ Yes ☐ No* In form to receipt: } See Jan's 1/24/90 memo

ADDITIONAL INFORMATION

YES NO

☒ ☐ Overlapping place of use: (Describe source & relationship to present application on the back.)
☒ ☐ Overlapping point of diversion:
☐ ☐ Field check required: Field check by: _____
☐ ☐ Field report attached:
☐ ☐ Critical groundwater area:
☐ ☐ Groundwater management area:
☐ ☐ Diversion within interim protected river area
☐ ☐ Send dam safety information:
☐ ☐ Send power requirement letter:
☐ ☐ Send fish farm requirement letter:
☐ ☐ Power residency affidavit:
☐ ☐ Power efficiency form:
☐ ☐ Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☐ ☐ Diversion greater than 5 cfs or 500 af: (If yes, attach Large Diversion supplementary analysis sheet.)
☐ ☐ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____

☒ Additional information on reverse side:

REC-111
MAY 18 1990
Department of Water Resources

PROCESSING

APPLICATION NO.

65-13144

YES NO

☒ ☐
☐ ☒
☒ ☐

In form for advertising:

Statewide advertising:

Fee amount, receipt number and date recorded on application:

See Tom's 1/24/90 memo

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. #

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:

Protests received. Final date for protest April 2, 1990

Protest dates, resolution of protest recorded on application:

Recommendations attached: approve, over

Measuring device required:

Measuring port required:

Water delivered by water master? District # 65-A, Squaw Creek

Special conditions of approval or cover letter:

OLJ, 05(65-A) Squaw Creek

See below for additional information

Recommended Date or Priority 2/14/1990Recommended by: DWDate 5/16/1990

STATE OFFICE REVIEW

POI, P1605(65A) OIH

See below for additional information. By

KWDate 6-1-90

ADDITIONAL INFORMATION

Appl. Filed 2/14/90 with possibility of applying \$30 from Exam fee payment 11/25/86 (receipt 42247) for 65-12028 towards Appl. fee.Suggested O.A.A. = 2/14/90. Sent letter with Relinquishment form for 65-12028 on 3/1/90.Overlap:P/O65-03089B same diversion.65-03090, 11248 other diversions from same source.65-07901, 11257 other sources.P/M65-03089A, 03090, 11248 same source but other lands.65-02921, 03089X, other sources for other land.65-12028 waste water permit includes same area as appl.; permit to be relinquished.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 1, 1990

Homer or Louise Nesbitt
HC 78, Box 3761
Ola, ID. 83657

Re: Permit 65-12028

Dear Homer or Louise:

I reviewed your recent application for eight acres irrigated from the Second Fork of Squaw Creek via the Southside Ditch. I understand that the ~~new~~ application (65-13144) replaces the intended waste water development described in Permit 65-12028.

This office is attempting to apply \$30 from the 1986 exam fee payment for 65-12028 towards the application fee for the new right. We will proceed to advertise the application. Meanwhile, Permit ~~65-12028~~ serves no purpose and should be properly concluded. To do this, please complete the attached **Relinquishment** form and return it to me within 30 days. The permit will be properly terminated, and a new right will take its place. Please contact me (334-2190) if additional information may be provided.

Sincerely,

Steve Lester
Sr. Water Resource Agent

SL: sl

Enclosure: Relinquishment form

MICROFILMED

JUN 21 1990

STATE OF IDAHO

Department of Water Resources

Acc # 1238-121

No 42247

Boise, Idaho,

11-25, 1986

RECEIVED
FROMHomer S. Nesbitt of Alta Id.
Fifty ⁰⁰/_{xx}50
MAY 21 1986

FOR

Free Exam	\$ 50	⁰⁰ / _{xx}
65-12028	\$	
Free Exam Sheet	\$	
65-1203	\$	
TOTAL . . .	\$ 50	⁰⁰ / _{xx}

92-336
1241

JUN 21 1986

P. J. [Signature]

Note: If this application is approved, Permit 65-12028
should be relinquished. JL 3/1/90

MEMORANDUM

TO: GARY SPACKMAN, JIM JOHNSON, KAY WALKER
THRU: DAVID TUTHILL *DT*
FROM: JAN SHURTE
DATE: JANUARY 24, 1990

WHILE ASSISTING HOMER NESBITT IN FILING HIS ADJUDICATION CLAIMS FOR GEM COUNTY, I CAME ACROSS A PERMIT FOR WHICH A FIELD EXAM FEE HAD BEEN PAID, HOWEVER, THE PROJECT AS INDICATED IN THE PERMIT HAD NEVER BEEN DEVELOPED.

MR. NESBITT DID DEVELOPE SOME NEW ACRES, BUT NOT WITH THE WASTEWATER SOURCE PROPOSED DEVELOPMENT. HE DID NOT REALIZE WHEN HE SUBMITTED THE EXAM FEE THAT HE WAS PAYING FOR NOTHING. THEREFORE, HE NOW WANTS TO FILE AN APPLICATION FOR PERMIT FOR THE 8 ACRES HE DID DEVELOPE BY EXTENDING THE SOUTHSIDE DITCH (SOURCE IS SQUAW CREEK, SECOND FORK). THIS DIVERSION IS CLAIMED FOR 19 OTHER ACRES UNDER CLAIM NO. A65-03089B.

SINCE THE EXAM FEE WAS SUBMITTED IN ERROR, I WOULD LIKE TO REQUEST THAT \$30 OF THE \$50 EXAM FEE GO TOWARDS THE APPLICATION FOR PERMIT, WITHOUT A REFUND OF THE REMAINING \$20, UNLESS THAT IS POSSIBLE ALSO.

Jan

3

65-13144

NESBITT, HOMER
NESBITT, LOUISE E.
HC 78 BOX 3761
OLA, ID 83657

Source: SQUAW CREEK, SECOND FORK Tributary: SQUAW CREEK

Diversion Pt: SENESE Sec 2 T 11N R 01E

Use: IRRIGATION (.160 CFS)
Total Diversion: (.160 CFS)

Date Filed: 2/14/1990

In: T11N R01E S11 NWNW SWNW

8.0 ACRES TOTAL

MICROFILMED

JUN 21 1990