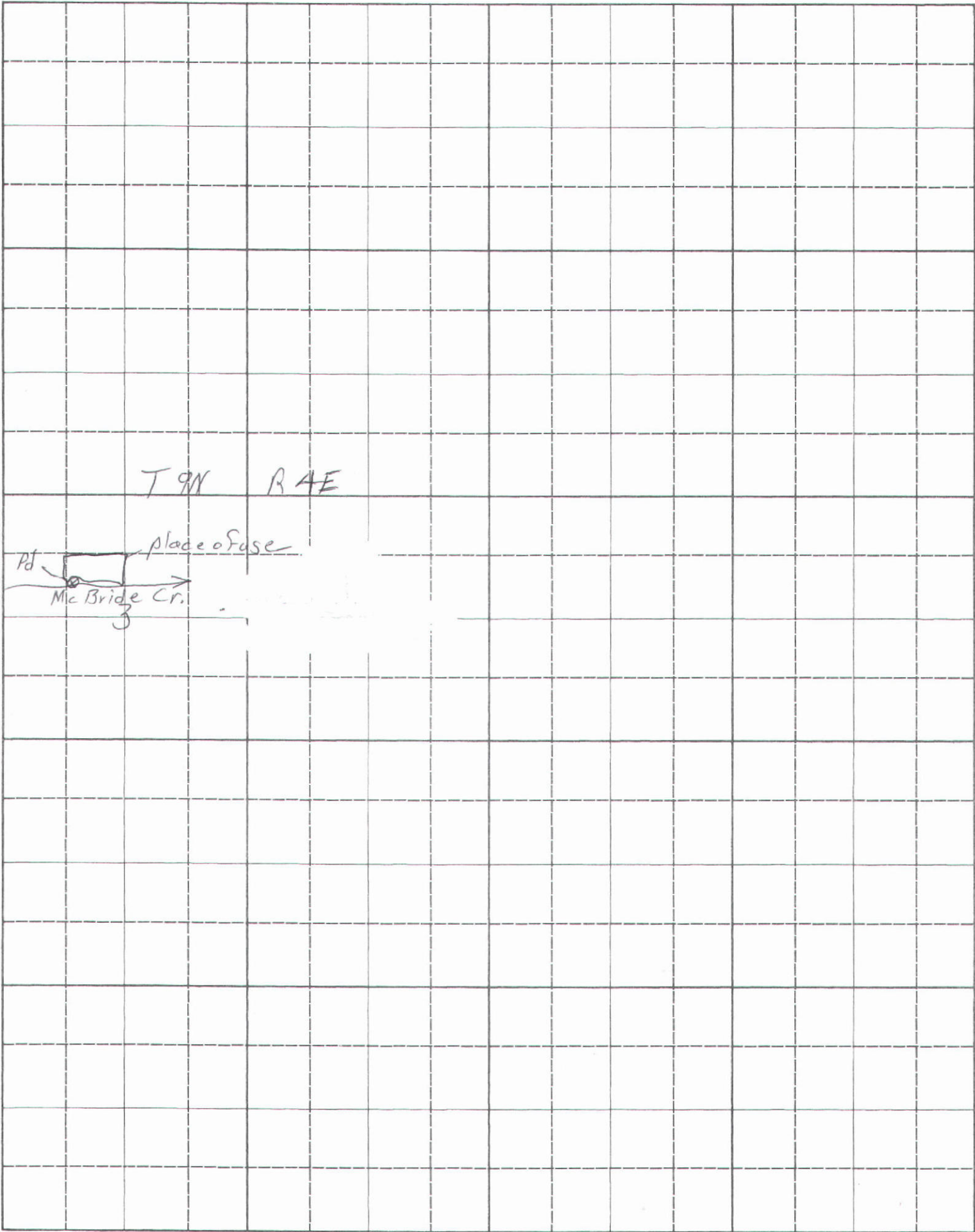


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

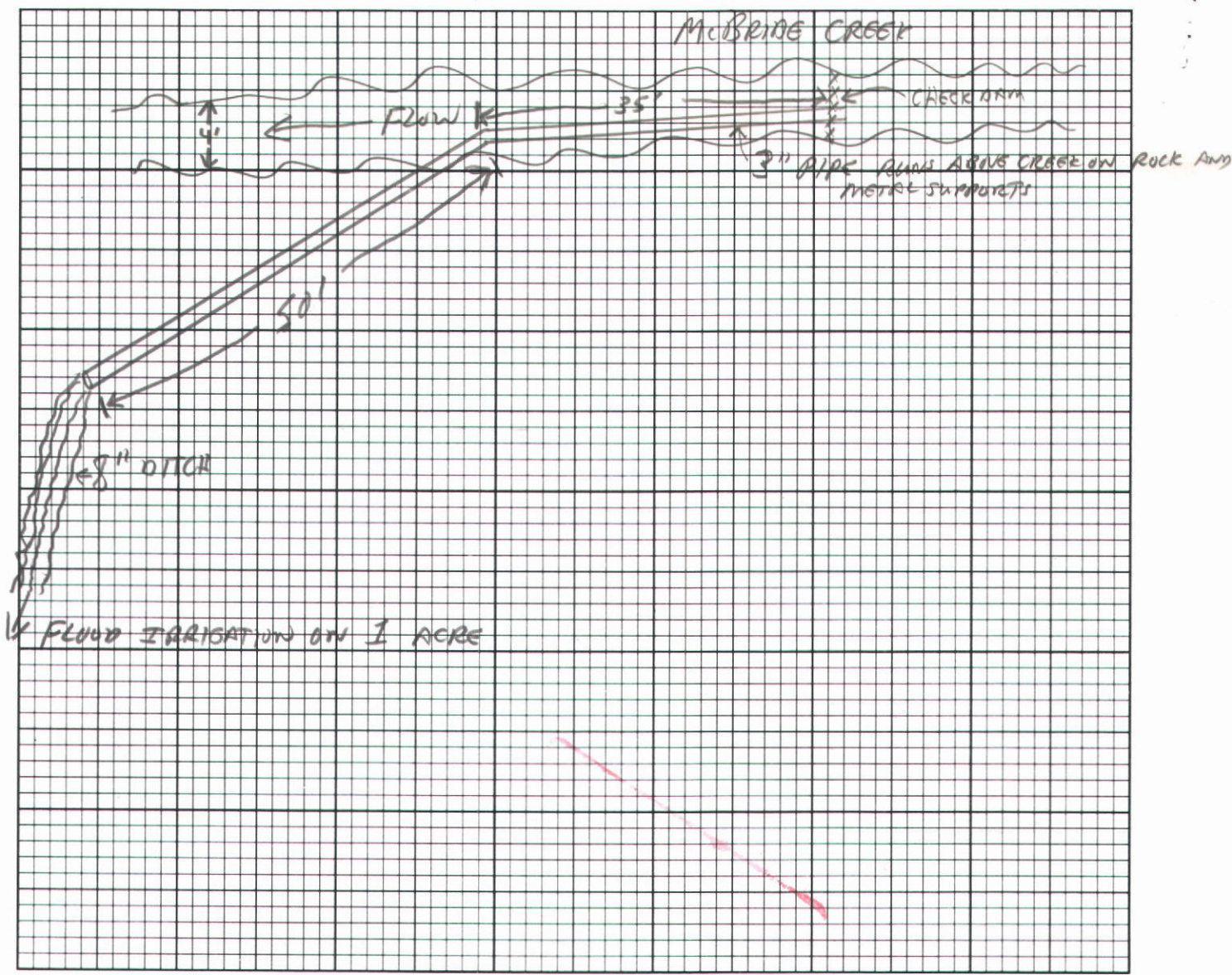
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

David L. Yount  
(Applicant)

MICROFILMED

10. Other water rights on these lands 65-3002A, 65-3002X, 65-3237A, 65-3237X, 65-7534
11. Other water right diverted from same p.d. NONE
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

NOT TO SCALE



13. ☐ Photo of Diversion & System Attached
- ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks CURRENTLY RUNS .095 CFS BUT FLOW FLUCTUATES WIDELY WITH SEASON. MR. ~~AND~~ NESTLETON PULLS CHECK ARM (ROCKS) AND PIPE OUT EACH FALL.

PU OVERLAP :

65-3002A, 65-3002X, 65-3237A, 65-3237X IRRIGATION FROM WARM SPRINGS CK. } ON ACRES OTHER

65-7534 IRRIGATION FROM MID. FT. PAYETTE } THAN THE 1 AC. PU

FOR 65-12368

15. 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

16. Examiner's/Consultant's Signature Steven Lester Date 7/21/86

Consultant's License Number \_\_\_\_\_

IDWR Director's Authorization to Conduct Beneficial Use Examination \_\_\_\_\_

BD  
1/6/87

Date DEC 06 1988

CONSULTANT SEAL

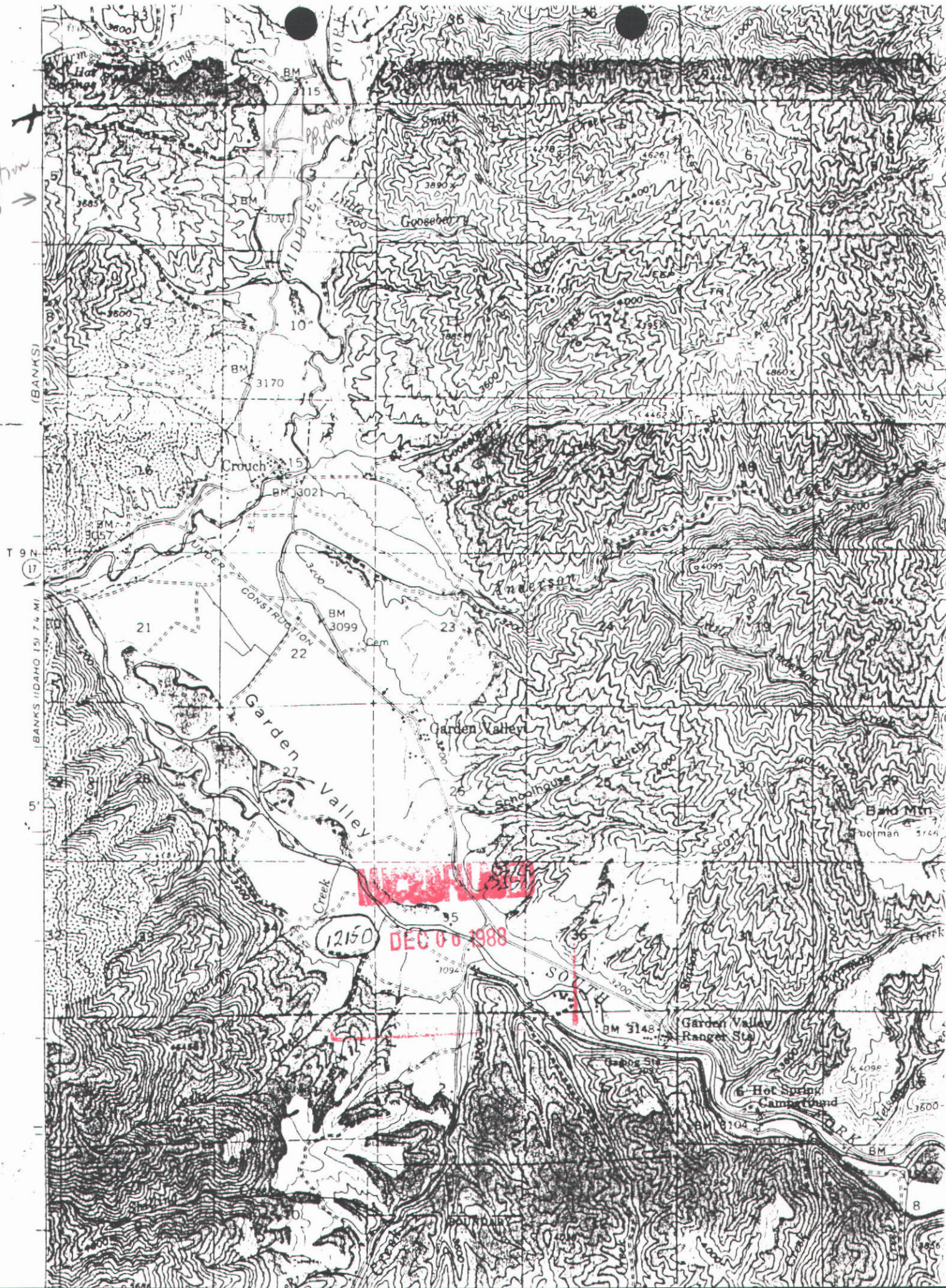


**MICROFILMED**

DEC 06 1988

65-12368-03

Section  
3 →



State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 65-12368

Priority: October 28, 1980 Amount: 0.03 CFS 3.5 AFA

This is to certify, that DAVID L. NETTLETON  
1125 S. EAGLE RD.  
MERIDIAN, ID 83642

has complied with the terms and conditions  
of the permit issued pursuant to Application for Permit dated October 28, 1980, and  
has submitted proof to the Department of Water Resources on October 17, 1985, that  
water has been applied to a beneficial use; an examination by the Department indicates  
that the works have a diversion capacity of .090 cfs of water from:

MC BRIDE CREEK tributary to PAYETTE RIVER, MIDDLE FORK

source and that a water right has been established as follow:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>VOLUME</u> |
|-----------------------|----------------------|--------------------------|---------------|
| IRRIGATION            | 04/01 to 11/01       | 0.03 CFS                 | 3.5 AFA       |

LOCATION OF POINT OF DIVERSION(S): SENW , Sec. 3, Township 09N, Range 04E  
BOISE 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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 09N        | 04E        | 3          | SENW 1       |              |              | 1            |

Total number of acres irrigated: 1

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this water right is subject to control by the watermaster of State Water District No. 65

FILED

DEC 06 1988

Jim

PAGE 2

State of Idaho  
Department of Water Resources

**WATER RIGHT LICENSE**

WATER RIGHT NO. 65-12368

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 20<sup>TH</sup>  
day of OCTOBER, 1988.

  
Director

**MAILED**

DEC 06 1988

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant DAVID L. NETTLETON Phone 888-1765

Post office address 1125 S. Eagle Rd., Meridian, ID 83642

2. Source of water supply McBride Cr. which is a tributary of Middle Fork Payette

3. Location of point of diversion is SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 3 Township 9N

Range 4E B.M. Boise County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount .03 for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .03 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. \_\_\_\_\_  
Pump and/or gravity ditch

b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M.

(2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered \_\_\_\_\_

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water \_\_\_\_\_.

(5) If water is to be used for other purposes describe: \_\_\_\_\_

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**Total number of acres to be irrigated**

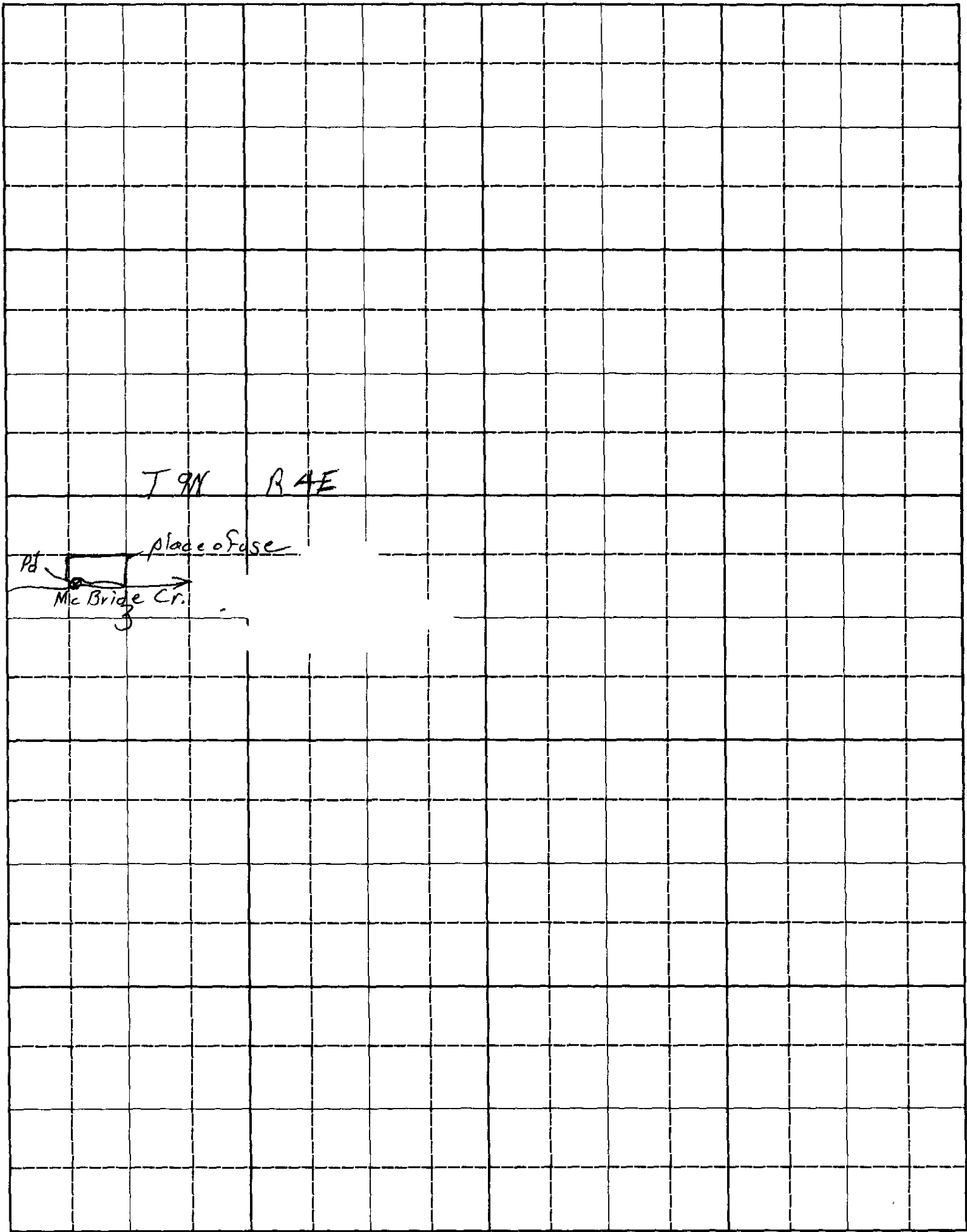
None

b. Who owns the land to be irrigated or place of use

applicant to make this filing

65-3002X or 65-3237X.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale 2 inches equal 1 mile.

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.

David L. Yettleton  
(Applicant)

**MICROFILMED**

MICROFILM

Proposed Priority 10/28/80

Received by 675 Date 10/28/80 Time 12:30

Preliminary check by F.E.L. Fee \$ 30.00

Received by h/n Date 10/28/80 # 15759

Publication prepared by h/n Date

Published in Idaho word

Publication dates 11/12 - 11/19/80

Publication approved h/n Date 12/1/80

Protests filed by: m

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by DBS

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 65-12368, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1985.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other:

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

Use of water under this permit is subject to control by the watermaster of State Water District # 65, Payette River.

Witness my hand this 17th day of December, 1980.

A. Allen Gayton  
Chief, Operations Bureau

RECEIVED  
NOV 25 1980

Department of Water Resources  
Western Regional Office

NOTICE OF APPLICATION  
FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

63-9639

THOMPSON, JOHN  
1890 ANCESTOR AVE., BOISE, ID 83704

Source: JOHNSON CREEK tributary to CLEAR CREEK

Date Filed: 11/03/1980

Amount: 0.04 CFS

Diversion Point: SWNE Sec 20 T 05N R 04E BOISE Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: SWNE Sec 20 T 05N R 04E

Diversion Means: SUMP & PUMP

65-12368

NETTLETON, DAVID L.  
1125 S. EAGLE RD., MERIDIAN, ID 83642

Source: MC BRIDE CREEK tributary to PAYETTE RIVER, MIDDLE FORK

Date Filed: 10/28/1980

Amount: 0.03 CFS

Diversion Point: SENW Sec 03 T 09N R 04E BOISE Co.

Use: IRRIGATION (0.03 CFS) from 04/01 to 11/01

Place of Use: SENW Sec 03 T 09N R 04E FOR 1 ACRES

Diversion Means: PUMPS &/OR GRAVITY DITCH.

65-12371

PETERSON, WILBURN J. &/or HELEN A.  
6915 BRENTWOOD DR., BOISE, ID 83709

Source: PAYETTE RIVER, MIDDLE FORK tributary to PAYETTE RIVER

Date Filed: 11/04/1980

Amount: 0.04 CFS

Diversion Point: SWSW Sec 13 T 10N R 04E BOISE Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: SWSW Sec 13 T 10N R 04E

Diversion Means: PUMP

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before DECEMBER 1, 1980.

C. STEPHEN ALLRED  
Director

Published in the Idaho World, Idaho City, Idaho on November 12 and 19, 1980.

STATE OF IDAHO,  
County of Boise

Mr. Robert Gifford, being duly sworn, deposes and says: that he is the manager and principal clerk of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and State of Idaho; that 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

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 in the issue beginning with

November 12, 1980 and ending with the issue of November 19,

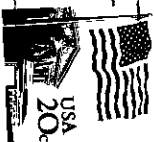
1980.

Robert Gifford

Subscribed and sworn to before me this 21 day of Nov. 1980..

Michelle McFarley  
Idaho City, Idaho  
Comm. Exp 2/84

MICROFILM



David L. (Washburn)  
1125 So. 1st St.  
Boise, Idaho 83642

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DEC 20 1988



JAN 27 1983

DEPARTMENT OF WATER RESOURCES

IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
COMMENCEMENT OF WORKS

Permit No 65-12368

Name(s) of Permit Holder(s) Dave L. Nettleton  
Post Office Address: Meridian, Idaho 1135 So. Eagle Rd.

Tel. No. 888-1765

☒ I hereby certify that construction of diversion works **UNAPPROVED** <sup>1988</sup> at above referenced permit began on July 1, 1982 (date) and understand that I must continue to develop the water system with intelligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

\*Note: A financing difficulty is  
not an acceptable reason

12/14/82  
Date

Dave L. Nettleton  
Signature of Permit Holder

**INTER-DEPARTMENT MEMO — 1**

**FROM** Sharla

**DATE** 11/14/88

**TO** File 65-12368

**SUBJECT** Address Change

On this date, the permit holder visited our office to inform us of his new address. The computer has been changed accordingly.

HC 76, Box 2570  
Garden Valley, ID 83622

**INDEXED**  
**DEC 20 1988**

\_\_\_\_\_  
**SIGNATURE**

October 25, 1988

DAVID L. NETTLETON  
1125 S. EAGLE RD.  
MERIDIAN, ID 83642

RE: PERMIT NO. 65-12368

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

**RECORDED**

DEC 06 1988

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**LICENSING REPORT**

*h*  
65-12368  
Permit No

1. **Measurement Calculations**

a) **Field Measurement Calculations** (Include theoretical capacities and system capacity)

a)  $5 \text{ gal/bucket} / 7 \text{ sec} = 0.095 \text{ cfs}$

b) **Volume Calculations for Irrigation:**

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3.5 \text{ AFA}$   
 $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.3 \times 1.98 \times 72/4 = 12.71 \text{ AFA}$   
 $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 3.50 \text{ AFA}$

c) **Volume Calculations for Other Uses:**

2. **Overlap Review**

a) Other water rights with same place of use: none w/ same acreage (see exam)

b) Other water rights with same point of diversion: none

c) **Analysis:**

**RECEIVED**

DEC 06 1988

|                      |          |          |         |          |         |
|----------------------|----------|----------|---------|----------|---------|
| Permit No.           | 65-12368 | 10/28/80 | 0.03cfs | 10/28/80 | 0.09cfs |
| Priority             |          |          |         |          |         |
| Amount               |          |          |         |          |         |
| App. Date            |          |          |         |          |         |
| Date Proof Submitted |          |          |         |          |         |
| System Capacity      |          |          |         |          |         |

- | Allowable Maximums: | 0.03 cfs | 3.50 cfs |
|---------------------|----------|----------|
|                     |          |          |
|                     |          |          |
|                     |          |          |
|                     |          |          |

- [illegible]

- CONFIDENTIAL

11. Examiner's Signature \_\_\_\_\_  
 Checked in Regional Office by \_\_\_\_\_  
 Approved in State Office by Tim Luke  
 Date 10/11/88

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet  
for  
Beneficial Use Field Report

65-12368  
Permit No.



Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index S.L. 7/17/86 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system  
☐ Increase rate of flow or volume  
☐ Other: \_\_\_\_\_

Check of P/U index S.L. 7/17/86 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume  
☐ Add P/D's  
☐ Increase number of acres within tracts  
☒ Other: 65-3002A, 65-3002X, 65-3237A, 65-3237X, 65-7534

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? S.L. 6/28/86 (Initial and date)

- ☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed John Lester 7/21/86 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent ED 8-14-86 (Initial and date)

Exam Reviewed by Manager of Regional Office DRS 1/14/87 (Initial and date)

Exam Date Entered in Computer 70/1-9-87 (Initial and date)

Exam sent to State Office PH 2/4/87 (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original  
Refiled in White File PH 2/5/87 (Initial and date)

[illegible]

DEC 06 1988

CONSULTANT SEAL



Beneficial Use Examination

IDWR Director's Authorization to Conduct

Consultant's License Number

16. Examiner's/Consultant's Signature

☐ Change P.U. as reflected above

☐ Change P.D. as reflected above

15. Recommended Amendments

65-3002A, 65-3002X, 65-3237A, 65-3237X

65-7534 IRRIGATION FROM MID FT PAYETTE

PL OVERLAP :

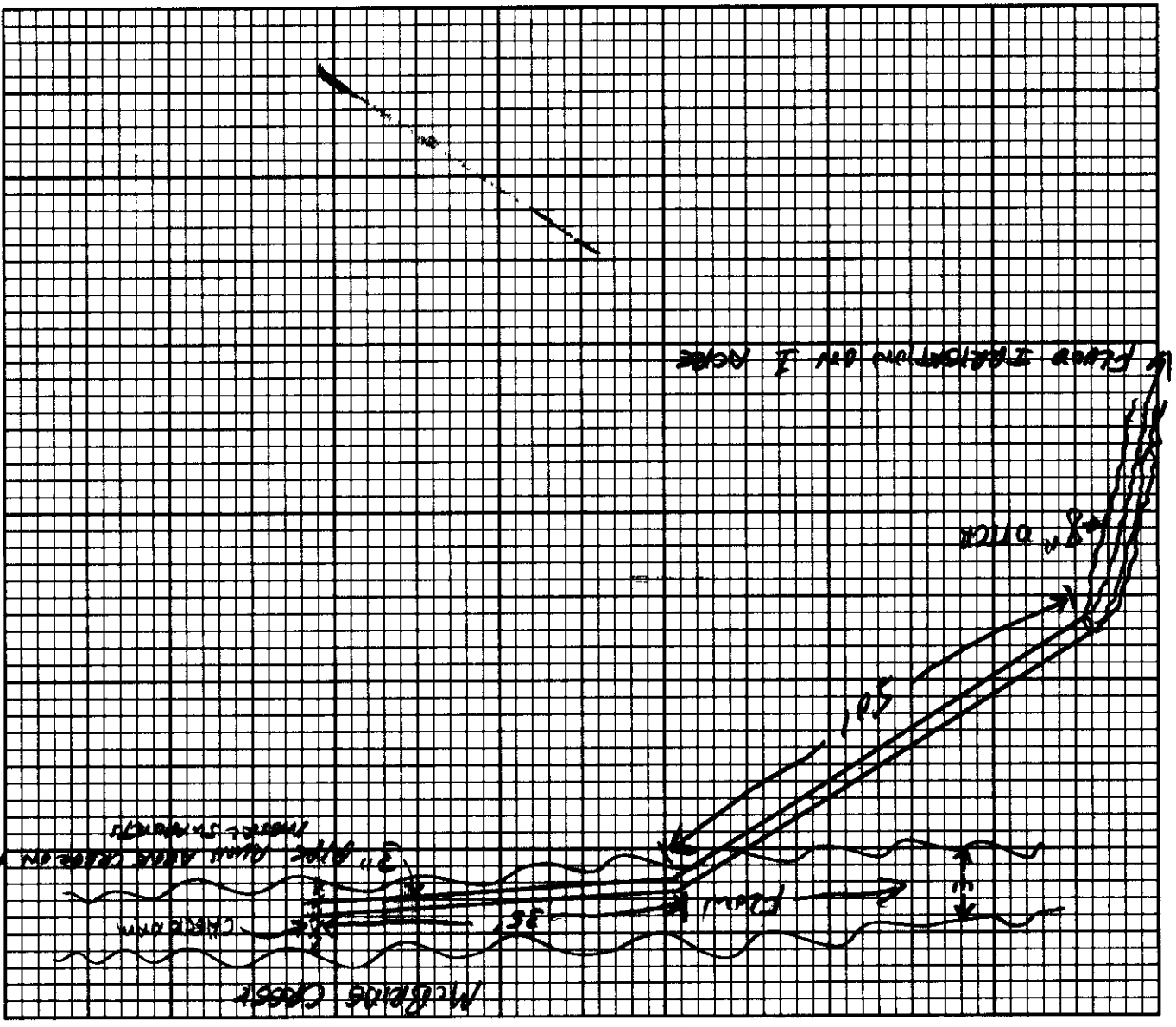
PULLS CHECK DAM (ROCKS) AND POPS OUT EACH FALL.

Currently runs .045 cfs but flow fluctuates widely with season. Mr. McMillen

14. Remarks

13. ☐ Photo of Diversion & System Attached

☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached



NOT TO SCALE

12. Diversion and Delivery System Diagram: Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

11. Other water right diverted from same p.d. NONE

10. Other water rights on these lands 65-3002A, 65-3002X, 65-3237A, 65-3237X, 65-7534

THAN THE 1 AC IN FOR 65-12368

☒ None

☐ Other

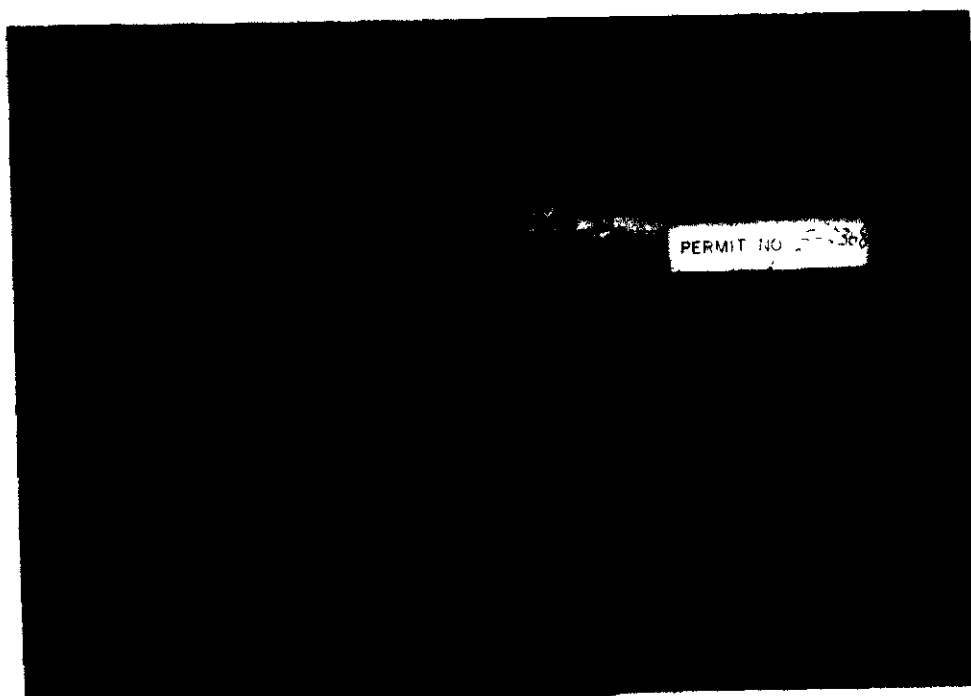
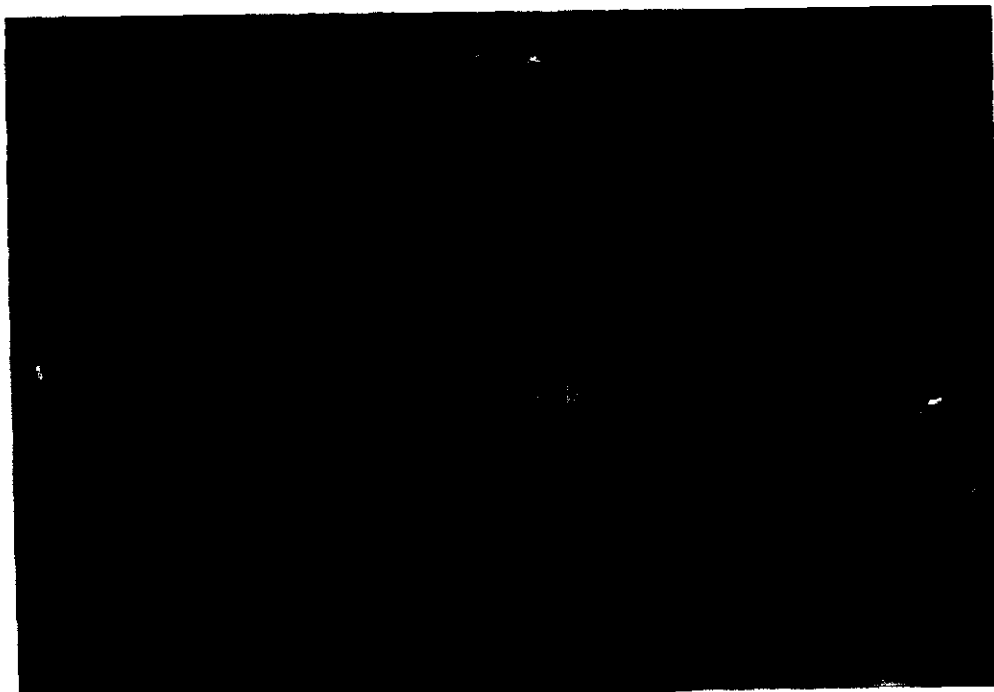
Add P.U. as reflected above

Add P.D. as reflected above

Date 7/2/86

BD

1/6/87



PERMIT NO. 5-368

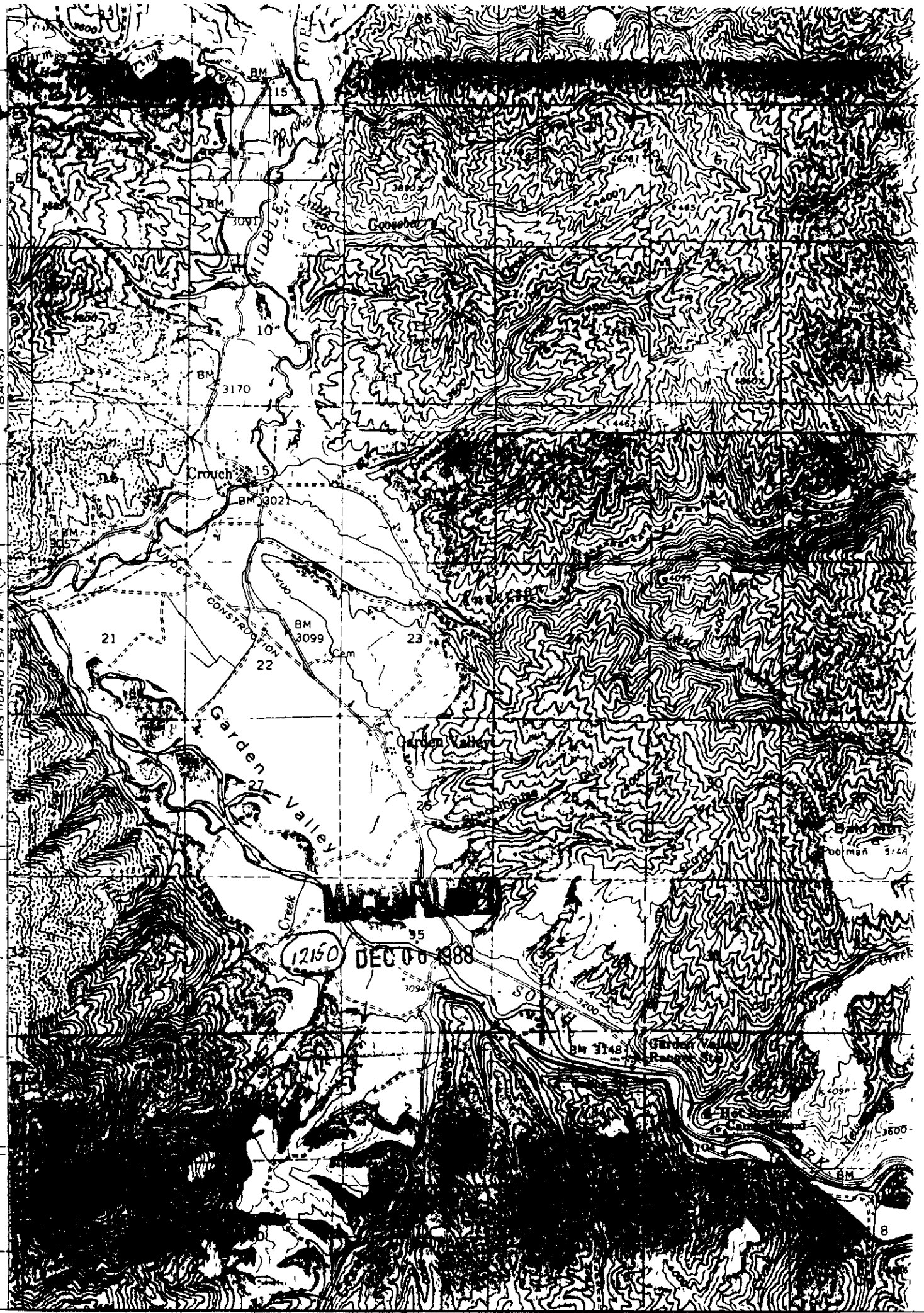
**MACROFILMED**

DEC 06 1988

65-12269-202

Section  
3 →

(BANKS)  
T 9 N  
17  
BANKS (IDAHO) (S) 7.4 MI



|       |      |    |          |          |                    |   |   |            |         |
|-------|------|----|----------|----------|--------------------|---|---|------------|---------|
| WATER | SENE | 05 | 01       | 65-3900  | DOVEL              | C | D | 02-24-1908 | UNNAMED |
| WATER | SENE | 10 | 01,43    | 65-7300  | DOVEL              | C | L | 08-21-1972 | SPRING  |
| WATER | SENE |    | 43       | 65-10956 | SMITH              | C | D | 08-01-1962 | UNNAMED |
| RIVER | SENE |    | 04       | 65-9976  | KENNEDY            | C | D | 04-01-1971 | GROUND  |
| WATER | SENE | 02 | 05       | 65-10615 | U. S. DEPT. OF AGR | C | D | 04-01-1936 | STAN    |
| WATER | SENE | 02 | 01       | 65-3795  | HALL               | C | D | 06-01-1959 | UNNAMED |
| WATER | SENE |    | 43       | 65-3794  | HOOPES             | C | D | 04-01-1930 | SPRING  |
| RIVER | SENE |    | 04       | 65-10009 | HALL               | C | D | 06-01-1957 | JIM     |
| WATER | SENE |    | 04       | 65-10004 | U. S. DEPT. OF AGR | C | D | 06-01-1960 | UNNAMED |
| WATER | SENE |    | 04       | 65-10001 | U. S. DEPT. OF AGR | C | D | 06-01-1960 | UNNAMED |
| WATER | SENE |    | 04       | 65-10008 | U. S. DEPT. OF AGR | C | D | 06-01-1962 | PETERS  |
|       |      |    | 04       | 65-9911  | U. S. DEPT. OF AGR | C | D | 06-01-1957 | CLYDE   |
|       |      | 01 | 43       | 65-2212  | HALL               | C | D | 09-22-1917 | SPRING  |
|       |      | 01 | 43       | 65-3554  | HALL               | C | D | 06-01-1910 | SPRING  |
|       |      | 02 | 43       | 65-10585 | JAMES              | C | D | 11-24-1950 | SPRING  |
|       |      | 02 | 43       | 65-3812  | JAMES              | C | D | 01-01-1956 | SPRING  |
|       | SENE |    | 13       | 65-12628 | OREGON SHORT LINE  | C | P | 06-09-1983 | GROUND  |
|       | SENE | 05 | 01,43,13 | 65-7496  | UNION PACIFIC RAIL | C | P | 07-10-1974 | SUMMIT  |
| RIVER | SENE |    | 04       | 65-3811  | CHURCH             | C | D | 01-01-1921 | SPRING  |

14

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01/04/1986

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IDaho DEPARTMENT OF WATER RESOURCES  
WATER RIGHTS BY PLACE OF USE

| SOURCE OF WATER | TOWNSHIP | RANGE | SECTION | TRACT | LOT | ACRES | USES  | WATER RIGHT NUMBER | LAST NAME             | OWNER CODE | STAGE | PRIORITY DATE      |
|-----------------|----------|-------|---------|-------|-----|-------|-------|--------------------|-----------------------|------------|-------|--------------------|
| WATER           | 09N      | 03E   | 32      | SENE  |     | 04    |       | 65-3815            | CHURCH                | C          | D     | 01-01-1921 SPRING  |
| WATER           |          |       | 33      | SENE  |     | 43    |       | 65-10005           | U. S. DEPT. OF AGR    | C          | D     | 06-01-1930 UNNAMED |
| WATER           |          |       | 34      | SENE  |     | 04,16 |       | 65-7331            | U. S. DEPT. OF INTE   | C          | L     | 11-08-1972 FRY SE  |
| WATER           |          |       |         | SENE  |     | 04,16 |       | 65-7332            | U. S. DEPT. OF INTE   | C          | L     | 11-08-1972 EAST    |
| WATER           | 09N      | 04E   | 35      | SENE  |     | 04,16 |       | 65-7330            | U. S. DEPT. OF INTE   | C          | L     | 11-08-1972 GALDIA  |
| WATER           |          |       | 03      |       | 02  | 43    |       | 65-10815           | BODINE                | C          | D     | 08-28-1977 GROUND  |
| WATER           |          |       |         |       | 02  | 43    |       | 65-10816           | HELDICK               | C          | D     | 06-01-1975 GROUND  |
| WATER           |          |       |         |       | 04  | 43    |       | 65-7140            | TERRACE LAKES RECR    | C          | D     | 05-26-1970 MC BR   |
| WATER           |          |       |         | SENE  |     | 43    |       | 65-10676           | WRIGHTS               | C          | D     | 04-01-1975 GROUND  |
| WATER           |          |       |         | SENE  | 01  | 06    | 01    | 65-7952            | WRIGHTS               | C          | L     | 09-01-1977 WASTE   |
| WATER           |          |       |         | SENE  |     | 40    | 01    | 65-7534            | WRIGHTS               | C          | C     |                    |
| WATER           |          |       |         | SENE  | 02  | 18    | 01    | 65-3002A           | HEDRICK & BODINE F    | C          | P     | 02-26-1975 PAYET   |
| WATER           |          |       |         | SENE  | 02  | 02    | 01    | 65-3231A           | HEDRICK & BODINE F    | C          | D     | 06-01-1866 WARM    |
| WATER           |          |       |         | SENE  | 02  | 18    | 01    | 65-3237A           | SMITH                 | C          | D     | 06-01-1865 WARM    |
| WATER           |          |       |         | SENE  | 02  | 43    |       | 65-7947            | HEDRICK & BODINE F    | C          | D     | 07-01-1873 WARM    |
| WATER           |          |       |         | SENE  |     | 09    | 01    | 65-3002A           | SMITH                 | C          | L     | 08-25-1977 SPRING  |
| WATER           |          |       |         | SENE  |     | 09    | 01    | 65-3237A           | HEDRICK & BODINE F    | C          | D     | 06-01-1866 WARM    |
| WATER           |          |       |         | SENE  |     | 40    | 01    | 65-7404            | HEDRICK & BODINE F    | C          | D     | 07-01-1873 WARM    |
| WATER           |          |       |         | SENE  |     | 20    | 01    | 65-7404            | HEDRICK & BODINE F    | C          | P     | 02-26-1975 PAYET   |
| WATER           |          |       |         | SENE  | 03  | 12    | 01    | 65-3002A           | HEDRICK & BODINE F    | C          | D     | 06-01-1866 WARM    |
| WATER           |          |       |         | SENE  | 03  | 12    | 01    | 65-3002X           | TERRACE LAKES REC     | C          | D     | 06-01-1866 WARM    |
| WATER           |          |       |         | SENE  | 03  | 12    | 01    | 65-3237A           | HEDRICK & BODINE F    | C          | D     | 07-01-1873 WARM    |
| WATER           |          |       |         | SENE  | 03  | 12    | 01    | 65-3237X           | TERRACE LAKES REC     | C          | D     | 07-01-1873 WARM    |
| WATER           |          |       |         | SENE  | 04  | 01    | 01    | 65-3002X           | TERRACE LAKES REC     | C          | D     | 06-01-1866 WARM    |
| WATER           |          |       |         | SENE  | 04  | 01    | 01    | 65-3237X           | TERRACE LAKES REC     | C          | D     | 07-01-1873 WARM    |
| WATER           |          |       |         | SENE  |     | 01    | 01    | 65-12368           | TERRACE LAKES REC     | C          | P     | 10-28-1980 MC BR   |
| WATER           |          |       |         | SENE  |     | 17    | 01    | 65-3002A           | NEVLETON              | C          | D     | 06-01-1866 WARM    |
| WATER           |          |       |         | SENE  |     | 07    | 01    | 65-3002X           | HEDRICK & BODINE F    | C          | D     | 06-01-1866 WARM    |
| WATER           |          |       |         | SENE  |     | 17    | 01    | 65-3237A           | TERRACE LAKES REC     | C          | D     | 06-01-1866 WARM    |
| WATER           |          |       |         | SENE  |     | 07    | 01    | 65-3237X           | HEDRICK & BODINE F    | C          | D     | 07-01-1873 WARM    |
| WATER           |          |       |         | SENE  |     | 20    | 01    | 65-7534            | TERRACE LAKES REC     | C          | P     | 02-26-1975 PAYET   |
| WATER           |          |       |         | SENE  |     | 01    | 01,43 | 65-12651           | HEDRICK & BODINE F    | C          | P     | 07-07-1983 SPRING  |
| WATER           |          |       |         | SENE  |     | 10    | 01    | 65-2713            | VALLEY HI COMMUNITY C | C          | D     | 05-18-1962 PAYET   |
| WATER           |          |       |         | SENE  |     | 17    | 01    | 65-3002B           | SANDERS               | C          | D     | 06-01-1866 WARM    |
| WATER           |          |       |         | SENE  |     | 17    | 01    | 65-3237B           | SANDERS               | C          | D     | 07-01-1873 WARM    |
| WATER           |          |       |         | SENE  |     | 43    |       | 65-7955            | SANDERS               | C          | D     | 07-01-1873 WARM    |
| WATER           |          |       |         | SENE  |     | 43    |       | 65-7955            | VALLEY HI ESTATES     | C          | P     | 08-31-1977 GROUND  |
| WATER           |          |       |         | SENE  |     | 43    |       | 65-7955            | VALLEY HI ESTATES     | C          | P     | 08-31-1977 GROUND  |
| WATER           |          |       |         | SENE  |     | 20    | 01    | 65-10418           | SANDERS               | C          | D     | 06-01-1961 GROUND  |
| WATER           |          |       |         | SENE  |     |       |       | 65-12620           | HARROLD               | C          | P     | 05-26-1983 PAYET   |
| WATER           |          |       |         | SENE  |     |       |       |                    | HARROLD               | C          | D     |                    |
| WATER           |          |       |         | SENE  |     | 25    | 01    | 65-2713            | HARROLD               | C          | D     | 05-18-1962 PAYET   |
| WATER           |          |       |         | SENE  |     | 18    | 01    | 65-3002B           | SANDERS               | C          | D     | 06-01-1866 WARM    |
| WATER           |          |       |         | SENE  |     | 18    | 01    | 65-3237B           | SANDERS               | C          | D     | 07-01-1873 WARM    |
| WATER           |          |       |         | SENE  |     | 12    | 01    | 65-2713            | SANDERS               | C          | D     | 05-18-1962 PAYET   |
| WATER           |          |       |         | SENE  | 01  | 43    |       | 65-7140            | TERRACE LAKES RECR    | C          | D     | 05-26-1970 MC BR   |
| WATER           |          |       |         | SENE  | 02  | 43    |       | 65-7140            | TERRACE LAKES RECR    | C          | D     | 05-26-1970 MC BR   |
| WATER           |          |       |         | SENE  | 03  | 43    |       | 65-7140            | TERRACE LAKES RECR    | C          | D     | 05-26-1970 MC BR   |
| WATER           |          |       |         | SENE  |     | 43    |       | 65-10788           | LIVINGSTON            | C          | D     | 11-01-1976 GROUND  |

MAILED

DEC 01 1988

113

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Western Region

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Statehouse  
Boise, Idaho 83720  
(208) 334-2190

JANUARY 25, 1986

DAVE L. NETTLETON  
1125 S. EAGLE RD.  
MERIDIAN ID 83642

RE: Permit No. 65-12368

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,  
s/Judy Pense  
Secretary

RECEIVED

DEC 06 1988

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED  
OCT 17 1985

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 65-12368

Name(s) of Permit Holder: Dave L. Newton

Post Office Address 1125 S. Eagle Rd Meridian, Idaho 83642

Telephone No. 888-1765

Source of Water: McBride Creek

Extent of Use

Domestic \_\_\_\_\_ (number of households)

Stockwater \_\_\_\_\_ (number and type of stock)

Irrigation 1 \_\_\_\_\_ (acres)

Other/Remarks \_\_\_\_\_

Indicate the date water was first diverted and beneficially used under this permit: 5/15/81

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

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

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

MICROFILMED

Dave L. Newton  
(Name)

1125 S. Eagle Rd. Meridian, Idaho 83642 - 888-1765  
(Address) (Telephone Number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

10/15/85  
Date

Dave L. Newton  
Signature of Permit Holder (and Title, if appropriate)

1-2686

Dave L. Nettleton  
1125 S. Eagle Rd.  
Meridian, Idaho 83642



Idaho Department of Water Resources  
Statehouse Mail  
Boise, ID 83720

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

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STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440  
CERTIFIED MAIL

138383

NETTLETON, DAVID L.  
1125 S. EAGLE RD.  
MERIDIAN, ID 83642

P R O O F   D U E   N O T I C E

S E P T E M B E R   3 0 ,   1 9 8 5

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-12368 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A FORM WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE FORM OR A 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

**MICROFILMED**

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

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STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

NETTLETON, DAVID L.  
1125 S. EAGLE RD.  
MERIDIAN, ID 83642

DECEMBER 31, 1980

RE: PERMIT NO. 65-12368

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL AND MAINTAIN A MEASURING DEVICE AT YOUR POINT OF DIVERSION. WE HAVE ENCLOSED A DESCRIPTION OF THE DIFFERENT TYPES OF MEASURING DEVICES ACCEPTED BY THIS OFFICE.

PLEASE BE ADVISED THAT THERE IS INSUFFICIENT NATURAL FLOW AVAILABLE IN THE MC BRIDE CREEK AND TRIBUTARIES TO PROVIDE WATER FOR A NEW APPROPRIATION THROUGHOUT THE ENTIRE SEASON OF USE. DURING THE SPRING RUN-OFF EACH YEAR, THERE MAY BE A PERIOD OF TIME IN WHICH THE PRIOR RIGHTS TO THE USE OF THE NATURAL FLOW AND STORAGE ARE FILLED LEAVING WATER AVAILABLE FOR YOUR PERMIT. AS THE NATURAL FLOW DIMINISHES, HOWEVER, THERE MAY BE NO WATER AVAILABLE FOR YOUR RIGHT UNLESS YOU ARRANGE FOR AN ADDITIONAL SOURCE OF WATER AS A SUPPLEMENTAL SUPPLY.

THE EXERCISE OF THIS PERMIT MAY ALSO BE AFFECTED BY THE COURT'S DETERMINATION OF WATER RIGHTS IN THE CASE OF IDAHO POWER COMPANY V. STATE OF IDAHO, ET AL., CIVIC NO. 62237, CURRENTLY PENDING BEFORE THE DISTRICT COURT OF ADA COUNTY. SINCE THE USE OF WATER UNDER YOUR PERMIT MAY AFFECT THE FLOWS IN THE SNAKE RIVER BETWEEN MILNER DAM AND HELLS CANYON, THE FINAL DECISION IN THIS CASE MAY DETERMINE TO WHAT EXTENT THE EXERCISE OF YOUR PERMIT IS SUBJECT TO WATER RIGHTS OF IDAHO POWER. WHILE THE ADA COUNTY COURT IS EXAMINING THIS QUESTION, IDAHO POWER COMPANY HAS NOT FILED A SPECIFIC PROTEST TO YOUR PERMIT. HOWEVER, THE DEPARTMENT OF WATER RESOURCES HAS BEEN ADVISED THAT THE POWER COMPANY IS NOT WAIVING ANY OF ITS RIGHTS TO CONTEST OR LIMIT THE EXERCISE OF YOUR PERMIT OR SUBSEQUENT LICENSE.

**MICROFILMED**

RE: PERMIT 65-12368

PAGE 01  
DECEMBER 31, 1980

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.  
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

**MICROFILMED**

State of Idaho  
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: SE

APPLICATION NUMBER: 65-12368

CHECK:

- ☒ Source.  
☒ Point of diversion.  
☒ County.  
☒ Quantity of water and period of use.  
☒ Description of diverting works.  
☒ Time required for beneficial use of water.  
☒ Place of use or acres irrigated.  
☒ Map.  
☒ Signature.  
☒ Fee.  
☒ Yes ☒ No Field check required.  
☐ Yes ☒ No Critical groundwater area.  
☐ Yes ☒ No Request dam safety information. Sent by: \_\_\_\_\_ Date: \_\_\_\_\_  
☒ Yes ☒ No\* In form to receipt.

Field check by: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: \_\_\_\_\_

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: \_\_\_\_\_ Date: \_\_\_\_\_  
☐ Idaho Fish and Game Department. \_\_\_\_\_  
☐ Idaho Department of Lands. \_\_\_\_\_  
☐ U.S. Bureau of Land Management. \_\_\_\_\_  
☐ U.S. Forest Service. \_\_\_\_\_  
☐ Other \_\_\_\_\_

PROCESSING:

- ☐ Yes ☐ No Platted by: \_\_\_\_\_ Map No. \_\_\_\_\_  
☐ Yes ☐ No Other rights on same place of use. NOTE ON APP. AS NOT BEING  
☒ Yes ☐ No\* DOUBLE COVERAGE Payette R. Adjo. No Overlap  
☐ Yes ☐ No In form for advertising. \_\_\_\_\_  
☐ Yes ☒ No Final date for protests: 12-1-80  
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 11/25/80 ✓  
☒ Application published correctly. If not, record action taken: \_\_\_\_\_  
☒ Fee amount, receipt date & number, recorded on application.  
☒ Publication dates and paper, recorded on application.  
☒ Protests, dates, withdrawal, etc., recorded on application.  
☒ Recommendation & initial, recorded on application.  
☐ Yes ☐ No Measuring device required.  
☐ Yes ☒ No Access port required.  
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 65  
☒ 10/28/80 Date of priority recommended.  
✓ Special conditions of approval or cover letter. I.P. Letter  
Payette River Letter  
Basin 65 Wm condition

**MICROFILMED**

By: DBS Date: 12/1/80

STATE OFFICE REVIEW:

- SLW/102, 104 (Payette R.), 105 01, 05 (65 Payette R.)  
☐ See attached sheet for more information.  
By: Robyn Date: 12/12/80

65-12368

NETTLETON, DAVID L.

1125 S. EAGLE RD., MERIDIAN, ID 83642

Source: MC BRIDE CREEK tributary to PAYETTE RIVER, MIDDLE FORK

Date Filed: 10/28/1980

Amount: 0.03 CFS

Diversion Point: SENW Sec 03 T 09N R 04E, BOISE Co.

Use: IRRIGATION (0.03 CFS) from 04/01 to 11/01

Place of Use: SENW Sec 03 T 09N R 04E FOR 1 ACRES

Diversion Means: PUMP &/OR GRAVITY DITCH.

MICROFILMED