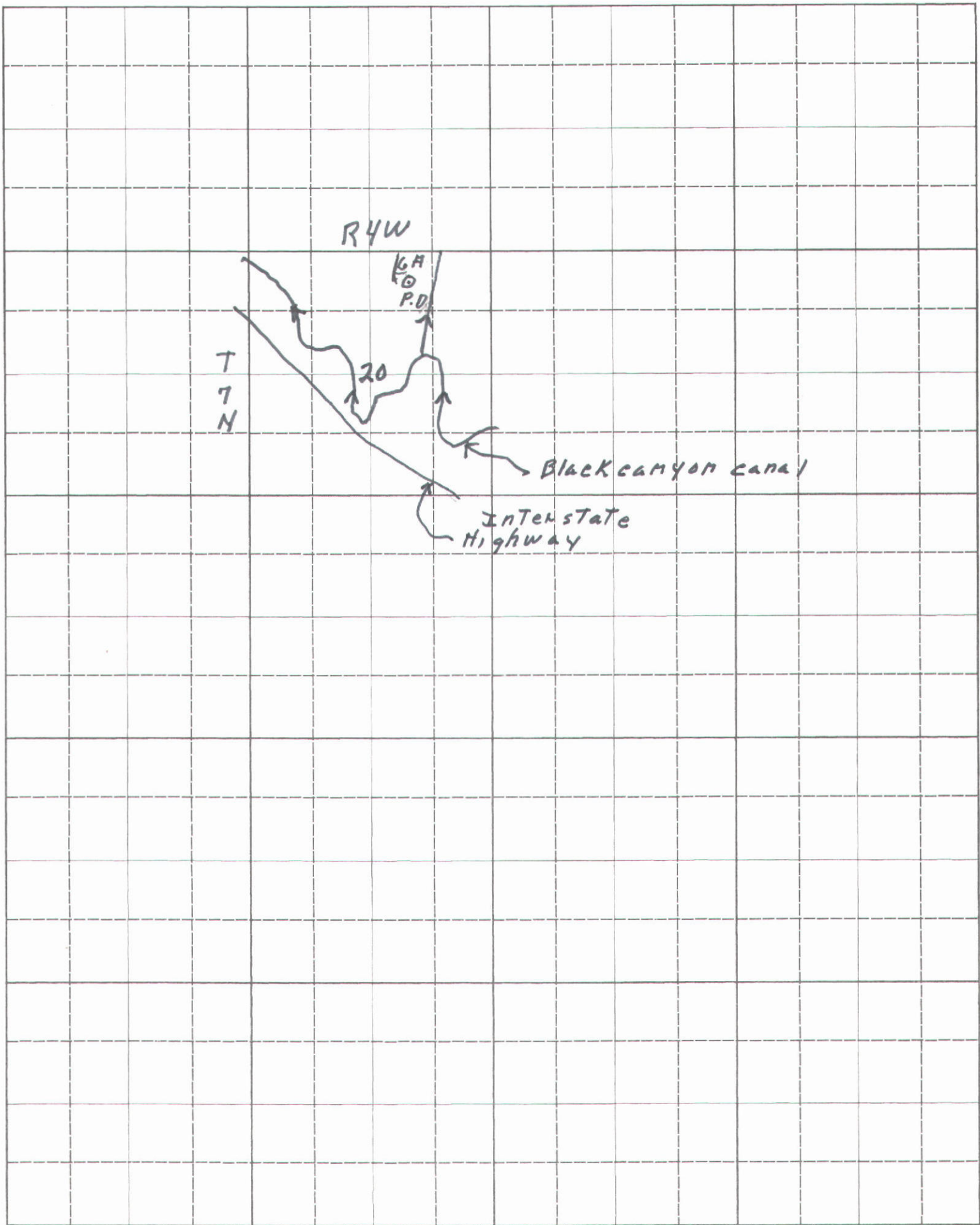


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

A. Doyle Nelson
(Applicant)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12234

Priority: May 11, 1979 Amount: 0.09 CFS 10.4 AFA

This is to certify, that J. DOYLE NELSON
WILMA M. NELSON

RT. 1 BOX 1053B

NEW PLYMOUTH, ID 83655

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated May 11, 1979, and has submitted proof to the Department of Water Resources on June 1, 1984, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .150 cfs of water from a **GROUNDWATER** 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	03/15 to 11/15	0.04 CFS	9.0 AFA
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AFA
DOMESTIC	01/01 to 12/31	0.03 CFS	1.2 AFA
	Totals	0.09 CFS	10.4 AFA

LOCATION OF POINT OF DIVERSION(S):

NWNE , Sec. 20, 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	20	NWNE	2		2

Total number of acres irrigated: 2

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

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.

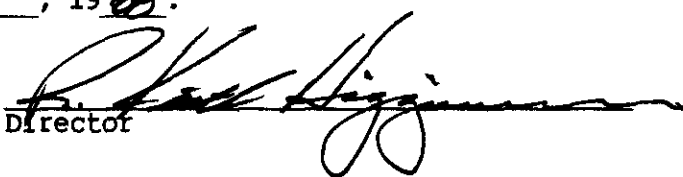
RECORDED
OCT 03 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12234

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 10th
day of August, 1988.


Director

MICROFILMED

OCT 03 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 J. Doyle &/or Wilma M. Nelson Phone 278-3042

Post office address Route 1, New Plymouth, ID 83655

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20 Township 7N

Range 4W B.M. Payette County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .03 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .05 for Livestock purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .12 for Irrigation purposes from 3/15 to 11/15 (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. .20 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

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 8 inches; proposed depth of well is 180 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). Estimated cost \$2,000.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20 Township 7N

Range 4W 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 130 hd. Dairy stock.

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1.

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

MICROFILMED

[illegible]

9. a. Who owns the property at the point of diversion
Applicant

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filling

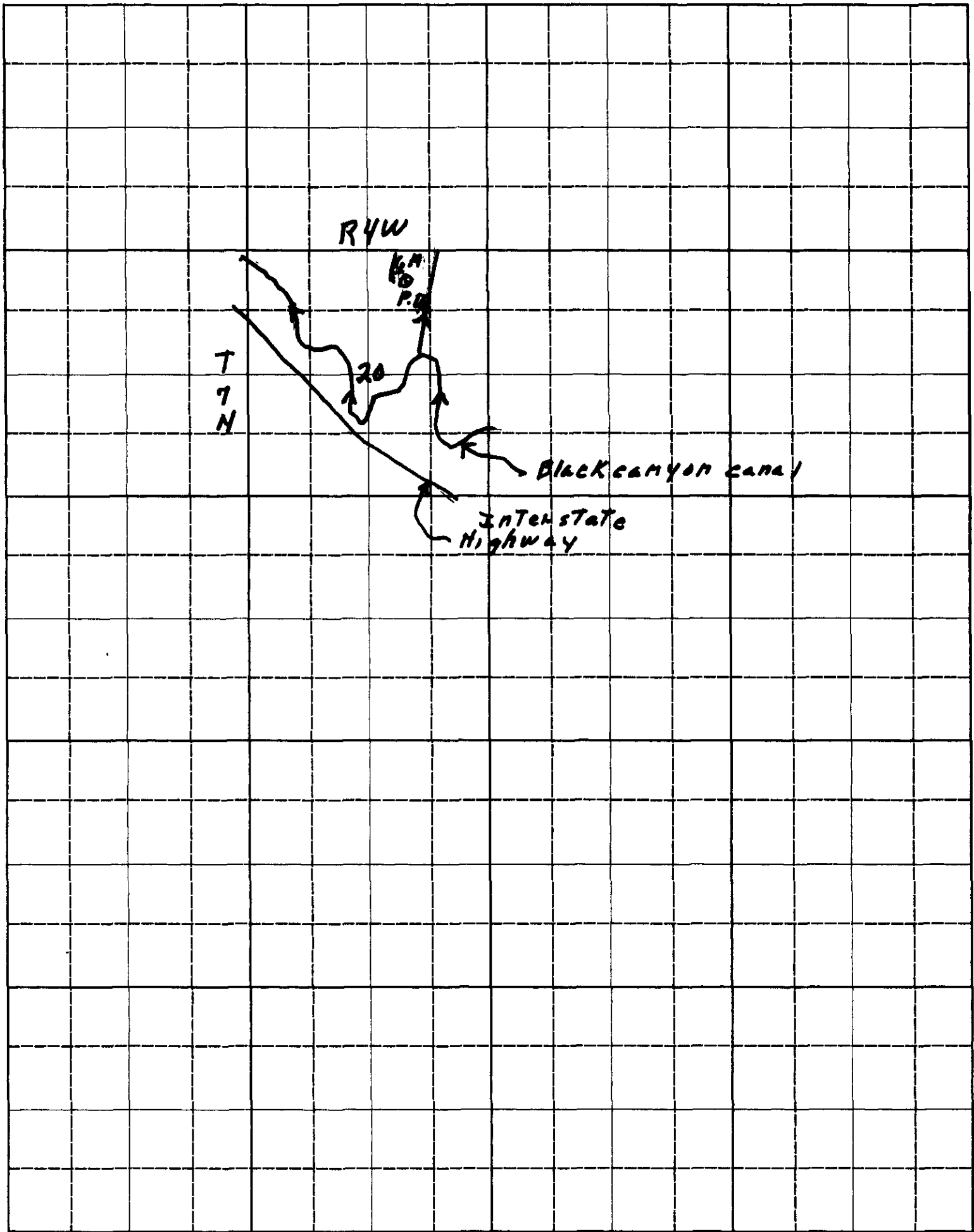
Applicant

Applicant

10. Remarks	130 head livestock
-------------	--------------------

1

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.

J. Doyle Nelson
(Applicant)

Proposed Priority 5-11-79

Received by 9KH Date 5/11/79 Time 11:30 AM.

Preliminary check by _____ Fee \$ 20 # 13087

Receipted by A.E. Date 5/11/79

Publication prepared by kk Date 5/17/79

Published in Independent Enterprise

Publication dates 5/24 & 5/31/79

Publication approved KK Date 6/12/79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by VG 5.51
13 June 79

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. 65-12234, 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 June 1, 1984.
- 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: _____

Witness my hand this 25th day of June, 1979.

J. Glen Saxton
Chief, Operations Bureau

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Copy of Notice
(First Copy)

Appl' water right
TITLE OF PUBLICATION

65-12234 Nelson

SPONSOR OR PLAINTIFF

Dept of Water Resources
PLAINTIFF OR LEGAL AGENT

I, Ann F. Curtis, being

duly sworn, deposes and says:

That she is the principle 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 adver-
tisement.

Such notice was published in the issue beginning with

May 24, 1979, and ending with the issue
of May 31, 1979.

Subscribed and sworn to before me this 7 day
of June, 1979.

Mary Jane Lee
Notary Public, Residing at Payette, Idaho.

My Commission Expires April 28, 1980.

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines 24 dau li

Number of Insertions One

24 Lines @ 42 1/2 ... \$ 10.20

24 Lines @ 30 1/2 ... \$ 7.32

TOTAL COST 17.52
WILL BE \$ 10.20

RECEIVED

JUN 8 1979

Department of Water Resources
Western Regional Office

NO MICROFILMED

OK
6/12/79

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.

65 -12234

NELSON, J DOYLE &-or WILMA M.

ROUTE 1 NEW PLYMOUTH, ID. 83655

Source GROUNDWATER

Date Filed: 05-11-1979

Amount: 0.20 CFS

Diversion Point NWNE Sec 20 T 07N R 04W, PAYETTE Co

Use DOMESTIC (0 03CFS) from 01-01 to 12-31

STOCKWATER (0 05 CFS) from 01-01 to 12-31

IRRIGATION (0 12 CFS) from 3-15 to 11-15

Place of Use: NWNE Sec. 20 T 07N R 04W FOR 6 ACRES

Diversion Means WELL, PUMP & PIPELINE

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 83705 on or before JUNE 11, 1979

C STEPHEN ALLRED

Director

5-24-2tc

No 1139

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 605-12234
Name(s) of Permit Holder(s): J. DOYLE & FOR WILMA M. NELSON
Post Office Address: ROUTE 1, NEW PLYMOUTH, ID
83455 Tel. No. 236-3056

☒ I hereby certify that construction of diversion works for the above referenced permit began on 9/5/79 I understand that I must
(date)
continue to develop the water system with due diligence 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

Feb 16, 1983
Date

Wilma M. Nelson
Signature of Permit Holder

PLACE
STAMP
HERE

RECEIVED

FEB 16 1983

Department of Water Resources

MAILED

DEC 06 1988



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

August 11, 1988

J. DOYLE NELSON
WILMA M. NELSON
RT. 1 BOX 1053B
NEW PLYMOUTH, ID 83655

RE: PERMIT NO. 65-12234

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

FILED
OCT 03 1988

June 2, 1988

J. DOYLE NELSON
WILMA M. NELSON
RT. 1 BOX 1053B
NEW PLYMOUTH, ID 83655

RE: PERMIT NO. 65-12234

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MAILED

OCT 03 1988

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE

Permit No. _____

CONTACT WITH PERMIT HOLDER

Appointment letter mailed:

DATE _____

INITIALS

REMARKS

☒ Telephone call made

NO APT MADE

(List Telephone No. used)

Appointment scheduled for:

9/24/85

Q

RECEIVED

~~APR 02 1987~~

Department of Water Resources

EXAMINATION

Date 9/24/85 Accompanied by Mrs. Nelson Total Q measured CALC. - 15 CFS
Source G. W. Tributary to _____ Supp. annubar measurement sheet used? _____

f source is surface water, estimate total flow of source

Methods of measurement CALCULATED Meets permit requirements? OK

Measurement calculations:

$$\frac{274 \text{ HP} \times .8 \times \text{P.P.}}{70' + (30 \text{ PSI} \times 2.31)} = \frac{21.12}{139.3} = .15 \text{ CFS}$$

ALLOW .03 DOMESTIC W/LAWN + 1.2 AFA
 .02 STOCK WATER - 15 HD + .0134 X 15 = .2 AFA .02 X 1.98 X 365 = 14.5 AF
 .06 IRRIGATION (2 AC X .03 CFS) + 9.0 AF (2.0 X 4.5 = 9) .06 X 1.98 X 245 = 29.1

[illegible]

System Description 6" well w/ submerged pump & motor.
Pump set at 96', SWL 70'. Pipeline from well to home
& stock tank. Irrigation via movable handlines

Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = 4.5 AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
Domestic - 1 HOME W/RAWN	.03	1.2	1-1	12-31
Irrigation - 2 AC (ONLY)	.06	.2	3-15	11-15
Stockwater - 1.5 AD STOCK.	.02	9.0	1-1	12-3

Total 11 CFS

Remarks NO GOUT LOT

10. 4 AFA
MICROFILMED

OCT 03 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JULY 27, 1984

J. DOYLE NELSON
RT. 1 BOX 1053B
NEW PLYMOUTH ID 83655

RE: Permit No. 65-12234

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

MICROFILMED

OCT 03 1988

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No 65-12234.

Name(s) of Permit Holder J. DOYLE & WILMA M. NELSON

Post Office Address. RT 1, Box 1053B New Plymouth
83655 Tel No 278-3056

Source of Water GROUNDWATER

Extent of Use: ☒ Domestic 1 (number of households)
☒ Stockwater 20 HO BEEF (number and type of stock)
☒ Irrigation 3 (acres)
☐ Other

Measure of Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No
Access: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

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

6/1/1984
Date

Wilma M. Nelson
Signature of Permit Holder

RECEIVED

JUN 1 1984

Department of Water Resources



Department of Water Resources
Western Regional Office

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



PLACE
13 CENT
STAMP

RECEIVED

JUN 1 1984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138600

NELSON, J. DOYLE & WILMA M.
ROUTE 1
NEW PLYMOUTH, ID 83655

PROOF DUE NOTICE

MARCH 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-12234 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD 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 POSTCARD 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

ENCLOSURE



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

June 26, 1979

Re: Permit No. 65-12234

J. Doyle &/or Wilma M. Nelson
Route 1
New Plymouth, Idaho 83655

Dear Mr. or Mrs. Nelson:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

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., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the 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 a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

David R Tuthill Jr.

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosure

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

65-12234
~~65-9238~~

INITIAL REVIEW BY: CW Ryan
CHECK:

APPLICATION NUMBER: J. DOYLE ; W.M. Nelson

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____
Date: _____
Comments: _____

- ☐ 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.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- N/A ☐ 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. None platted
☒ Yes ☐ No* In form for advertising.
Final date for protests: 6/11/79
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 6/18
☒ 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? _____
☒ 11 May 79 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: W. Grant Date: 13 June 79

STATE OFFICE REVIEW:

- J.P. Latta
has send receipt w/ approved app
☐ See attached sheet for more information.
By: Juni Date: 6/22/79

RECEIVED
JUN 18 1979
UNFILMED
Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

MAY 17, 1979

Independent Enterprise
Box 520
Payette, ID 83661

Gentlemen:

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 billings to this office before JUNE 11, 1979.

Yours truly,

Karla Knecht
Secretary

Encl.

MICROFILMED

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:

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 83705 on or before JUNE 11, 1979.

C. STEPHEN ALLRED

Director

Published 5/24 & 5/31.

MICROFILMED

65-12234

NELSON, J. DOYLE &/or WILMA M.

ROUTE 1, NEW PLYMOUTH, ID 83655

Source: GROUNDWATER

Date Filed: 05/11/1979

Amount: 0.20 CFS

Diversion Point: NWNE Sec 20 T 07N R 04W, PAYETTE Co.

Use: DOMESTIC	(0.03 CFS)	from 01/01 to 12/31
STOCKWATER	(0.05 CFS)	from 01/01 to 12/31
IRRIGATION	(0.12 CFS)	from 03/15 to 11/15

Place of Use: NWNE Sec 20 T 07N R 04W FOR 6 ACRES

Diversion Means: WELL, PUMP & PIPELINE

MICROFILMED