

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

R/W

T
27

35

6

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.

x Sorathy J. Nichols
(Applicant)

65 7321

RECEIVED

DEC 1 1972

Department of Water Administration

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Henry H. Nichols, Jr. and/or Dorothy I. Nichols and/or Henry H. Nichols, Box 461, Emmett, Idaho, has on October 20, 1972 submitted Application No. 65-7321 for a permit to appropriate 0.16 cubic feet per second of water from a groundwater source by means of drilled well and electric pump within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 7N., R. 1 W., B.M., Gem County to be used from Jan. 1 to Dec. 31 for domestic purposes and from March 15 to Nov. 15 for the irrigation of six (6) acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 7 N., R. 1 W., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho 83707, on or before Nov. 20, 1972.

R. Keith Higginson, Director
Published in the Emmett
Messenger-Index, Emmett, Idaho on
Nov. 2, 1972 and Nov. 9, 1972.

Enor H.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
COUNTY OF GEM,

Archie Deles, being first duly sworn, on his oath deposes and says that he is the printer of Messenger-Index, a legal weekly newspaper published at Emmett, in Gem County, Idaho; that said newspaper is in general circulation in said county and has been published uninterruptedly 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 2
consecutive weekly issues thereof, be-

ginning with the issue of 11/2,

1972, and ending with the issue of

11/9, 1972
Archie Deles

Subscribed and sworn to before me this
28th day of

November, 1972
Orville Lewis Harts

Notary Public,
Residing at Emmett, Idaho.

65 7321

RECEIVED

JAN 17 1973

NOTICE OF
CORRECTION

Department of Water Administration

Notice is hereby given that notice of Application for Permit No. 65-7321 in the name of Henry H. Nichols, Jr and/or Dorothy I. Nichols and/or Henry H. Nichols was published in error on Nov. 2, and Nov. 9, 1972.

The point of diversion was advertised as being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 7N., R. 1 W., B.M., Gem County, WHEREAS the actual point of diversion is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 7N., R. 1 W., B.M., Gem County.

Any protest against approval of this application must be filed with the Idaho Department of Water Administration, Statehouse, Annex, 2, Boise, Idaho 83707 on or before Dec. 26, 1972.

R. Keith Higginson, director
Published in the Emmett
Messenger-Index, Emmett, Idaho,
on Dec. 7 and Dec. 14, 1972.

OK. df.
1-17-73

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
COUNTY OF GEM

Ante Soler, being first
duly sworn, on his oath deposes and
says that he is the printer of Messenger-
Index, a legal weekly newspaper pub-
lished at Emmett, in Gem County, Idaho;
that said newspaper is in general circu-
lation in said county and has been pub-
lished uninterruptedly 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 ✓
consecutive weekly issues thereof, be-

ginning with the issue of Dec 7,

19 72, and ending with the issue of

Dec 14, 19 72

Ante Soler
Subscribed and sworn to before me this

13th day of

January, 19 73

Carol B. White

Notary Public,

Residing at Emmett, Idaho.

65 7321

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-7321 Priority November 4, 1972 Amount .14 cfs

THIS IS TO CERTIFY, that HENRY H. JR. &/or DOROTHY I. &/or HENRY H. NICHOLS
of Emmett, Idaho, has complied with the terms and conditions of Permit
No. 65-7321 issued pursuant to Application for Permit dated October 20, 1972,
and has submitted proof to the Department of Water Resources on January 16, 1978,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of .14 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows.

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u> at	<u>10</u> cfs and	<u>22.5</u> acre feet
<u>Domestic</u>	from <u>January 1</u> to <u>December 1</u> at	<u>04</u> cfs and	<u>1.2</u> acre feet
<u>(1 unit)</u>	from _____ to _____ at _____ cfs and _____		
	(both dates inclusive)		

Subject, however, to the condition that no more than .14 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
23.7 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, Twp. 7N,
Rge. 1W, B.M. in the County of Gem

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	
7N	1W	35													5

Total number of acres irrigated 5

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14th day of
April, 19 81.

MICROFILMED

Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-7321	}	ORDER OF REINSTATEMENT
IN THE NAME OF HENRY H. NICHOLS, JR. &/OR		
DOROTHY I. NICHOLS &/OR HENRY H. NICHOLS		

WHEREAS, on October 20, 1972, Henry H. Nichols, Jr. &/or Dorothy I. Nichols &/or Henry H. Nichols filed with the Department of Water Resources an application for permit to appropriate 0.16 cubic feet per second of groundwater to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, Twp. 7N, Rge. 1W, B.M., Gem County, to be used for domestic and irrigation purposes; and,

WHEREAS, on January 19, 1973, the Department approved said application and issued Permit No. 65-7321 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before January 1, 1978; and,

WHEREAS, on October 31, 1977, the Department notified the permit holder by certified mail that proof of beneficial use of water was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on January 11, 1978, the Department notified the permit holder that Permit No. 65-7321 had lapsed for failure to submit the required proof of beneficial use of water; and,

WHEREAS, on January 16, 1978, the Department received the required proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has show a reasonable cause as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-7321 be REINSTATED and the priority advanced to November 4, 1972.

Dated this 23 day of January, 1978.


BOBBY D. FLEENOR
Chief, Operations Bureau

Identification No. _____

Application No. 65-7321

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Henry H. Nichols, Jr. &/or Dorothy I. Nichols &/or Henry H. Nichols
post office address Box 461 Emmett, Idaho 83617

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

3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35 Township 7N
Range 1W B.M. Gem County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.12 for Irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.16 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

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

Drilled well with electric pump

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

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 8 inches; proposed depth of well is 185 feet.

7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years

b. Estimated construction cost is \$ 2,000.00.

8. Description of proposed uses.

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

(1) Give the place of use of water. SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35 Township 7N
Range 1W B M

(2) Amount of power to be generated. _____ hp 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 one.

(5) If water is to be used for other purposes describe: 65-7321

Total number of acres to be irrigated 6

ENON

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

applicant to make this filing.

10. Remarks

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

R/W

T
7
S

35



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.

Dorothy J. Nichols
(Applicant)

65 7321

Proposed Priority 10-20-1972

Received by ef Date 10-20-72 Time 2:20 pm

Preliminary check by EB Fee \$ 10.00

Permit # 8964

Receipted by ef Date 10-20-72

Publication prepared by IMP Date 10-26-72

Published in Emmett Messenger-Index

Publication dates 11-29-72, 1972

Publication approved by ef Date 1-17-73

Priority ~~reduced~~ to 10-20-72 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by KRP BDF jo

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 65-7321, 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 January 1, 1978.
- c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 19th day of January, 1973.

R. Keith Higin
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
1)	ESB	25 Oct	Application No. <u>65-7321</u> Name <u>Henry Nichols et al</u>
2)	ESB	25 Oct	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
3)	ESB	25 Oct	Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
4)	ESB	25 Oct	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
5)	ESB	25 Oct	In form for advertising <u>O.K.</u>
6)	df	1-17-73	Affidavit of Publication received <u>Yes</u>
7)	AIP	1/18-73	Final date for protests <u>Dec 26, 1972</u> Protests received: yes ☐ no ☒
8)		NA	Date and Place of hearing _____ Decision reached at hearing _____
9)	AIP	1/18/73	Located within Water District No. <u>Basin 65</u>
10)	AIP	1/18/73	Critical groundwater area: yes ☐ no ☒
11)	AIP	1/18/73	Groundwater levels: ☐ Decline (comment) _____ ☒ Stable (comment) _____ ☐ Increasing (comment) _____
12)			Comments: _____
13)	AIP	1/18/73	Action recommended: ☒ Approve Priority <u>10/20/72</u> ☐ Deny Reason for Reduction <u>65 7321</u> See attached sheet for conditions of approval
14)	KMP	1/18	No conditions for approval District <u>Western</u> By <u>Ken [Signature]</u> Date <u>1/18/73</u> Title <u>WDE</u>

FILED

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
COUNTY OF GEM,

James D. Jones, being first duly sworn, on his oath deposes and says that he is the printer of Messenger-Index, a legal weekly newspaper published at Emmett, in Gem County, Idaho; that said newspaper is in general circulation in said county and has been published uninterruptedly 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 2 consecutive weekly issues thereof, be-

ginning with the issue of 11/2,

1972, and ending with the issue of

11/9, 1972
James D. Jones

Subscribed and sworn to before me this 28th day of

November, 1972
Charles C. Jones, Notary

Notary Public,
Residing at Emmett, Idaho.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Henry H. Nichols, Jr. and/or Dorothy I. Nichols and/or Henry H. Nichols, Box 461, Emmett, Idaho, has on October 20, 1972 submitted Application No. 65-7321 for a permit to appropriate 0.16 cubic feet per second of water from a groundwater source by means of drilled well and electric pump within the SW1/4SE1/4 Sec. 35, T 7N., R. 1 W., B.M., Gem County to be used from Jan. 1 to Dec. 31 for domestic purposes and from March 15 to Nov. 15 for the irrigation of six (6) acres within the SW1/4SW1/4, Sec. 35, T 7N., R. 1 W., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho 83707, on or before Nov. 20, 1972.

R. Keith Higginson, Director
Published in the Emmett
Messenger-Index, Emmett, Idaho on
Nov. 2, 1972 and Nov. 9, 1972

65 7321

NOTICE OF
CORRECTION

Notice is hereby given that notice of Application for Permit No. 65-7321 in the name of Henry H. Nichols Jr. and/or Dorothy I. Nichols and/or Henry H. Nichols was published in error on Nov 2, and Nov 9, 1972.

The point of diversion was advertised as being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 7N, R. 1 W., B.M., Gem County, WHEREAS the actual point of diversion is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 7N, R. 1 W., B.M., Gem County.

Any protest against approval of this application must be filed with the Idaho Department of Water Administration, Statehouse, Annex, 2, Boise, Idaho 83707 on or before Dec 26, 1972.

R. Keith Higginson, director
Published in the Emmett
Messenger-Index, Emmett, Idaho,
on Dec 7 and Dec. 14, 1972.

OK. df.
1-17-73

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
COUNTY OF GEM, ss.

Arto Soler, being first
duly sworn, on his oath deposes and
says that he is the printer of Messenger-
Index, a legal weekly newspaper pub-
lished at Emmett, in Gem County, Idaho;
that said newspaper is in general circu-
lation in said county and has been pub-
lished uninterruptedly 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 ✓
consecutive weekly issues thereof, be-

ginning with the issue of Dec 7,

1972, and ending with the issue of

Sept 4, 1972

Arto Soler
Subscribed and sworn to before me this

5th day of

January, 1973.

Emmett B. White

Notary Public,
Residing at Emmett, Idaho.

65 7321

WR0749NP
No. 65-07321

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/12/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HENRY H. NICHOLS JR. 4429 FROZEN DOG RD. EMMETT ID 83617	11/04/1972 ✓	IRRIGATION ✓ DOMESTIC ✓	03/15 11/15 ✓ 01/01 12/31 ✓	0.100 CFS ✓ 0.040 CFS ✓	22.50 AFA ✓ 1.20 AFA ✓
TOTAL DIVERSION:					0.140 CFS ✓	23.70 AFA ✓
C	DOROTHY I. NICHOLS					
C	HENRY H. NICHOLS					

Water Source: GROUNDWATER ✓

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.140 CFS ✓

Point(s) of Diversion: T07N R01W S35 ✓ SWSW ✓ GEM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
07N	01W	35	✓	:	:	:	:	05	✓	:	:	:	:	5.0 ✓		
TOTAL ACRES													5.0 ✓			

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: GEM

Dates: App. Received: 10/20/1972 ✓ Priority Date: 11/04/1972 ✓ (Priority Date Advanced.)
Proof Due Date: 01/01/1978 ✓ Proof Made Date: 01/16/1978 ✓ (Proof Received Late.)
Exam Made Date: 03/27/1980 Exam Sent to S.O.:
Licensed Date: 04/14/1981 ✓

Misc: Water District Number: 65 Field Exam Fee:

Comments: Date: 06/12/2000 User-ID: KWALKER Subject: Changes to record
Today I updated this record to match the license issued in 1981.

Audit: 12/09/85 04/30/88 CONVERT 06/12/00 KWALKER

MICROFILMED

JUN 26 2000

WR5809NP
No. 65-07321

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/12/00
PAGE: 1

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE DIVERSION RATE DIVERSION VOLUME

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
C	HENRY H. NICHOLS JR. 4429 FROZEN DOG RD. EMMETT ID 83617	11/04/1972	IRRIGATION	0.120 CFS	1.20 AFA
C	DOROTHY I. NICHOLS			0.040 CFS	1.20 AFA
C	HENRY H. NICHOLS			0.160 CFS	1.20 AFA

TOTAL DIVERSION:
0.14
23.7

Water Source: GROUNDWATER

Tributary to: SWSW

Stage: LICENSE

GEM County

Point(s) of Diversion: T07N R01W S35

Place of Use Legal Description for: IRRIGATION

NE		NW		SW		SE	
NAME	NAME	NAME	NAME	NAME	NAME	NAME	NAME
SENE	SENE	SENE	SENE	SENE	SENE	SENE	SENE
Lt	Lt	Lt	Lt	Lt	Lt	Lt	Lt
Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac
T	R	S	S	S	S	S	S
07N	01W	35					
				TOTAL ACRES			
				5.5			

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: GEM

Remarks:

GEN REINSTATED 1-23-1978.

Dates:

App. Received: 10-20-78

Proof Due Date: 1-1-78

Exam Made Date: 04/12/1982

Licensed Date: 04/14/1981

Misc:

Water District Number: 65

Audit:

12/09/85 04/30/88 CONVERT

MICROFILMED
JUN 26 2000

Walker, Kay

From: Sue Bock [suebock@uswest.net]
Sent: Sunday, June 11, 2000 11:17 AM
To: Walker, Kay
Subject: W.R. Data base error

Hi Kay.,

Thank you so much for Saturday. I really feel like I dumped on you, I'll have to take you out to lunch soon.

Still having problems connecting, so using home e-mail.

Can you correct this or forward it on to someone else?

I notice the w.r. data base does not match the license for 65-07321.

Thanks, Sue

MICROFILMED
JUN 26 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

April 15, 1981

Henry & Dorothy Nichols &
Henry H. Nichols Sr.
Forzen Dog Road
Emmett, Idaho 83617

Dear Sirs,

RE: License No. 65-7321

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Johnson".

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

MICROFILMED
JUN 26 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

March 25, 1981

Henry & Dorothy Nichols &
Henry H. Nichols Sr.
Frozen Dog Road
Emmett, Idaho 83617

Dear Sirs,

A representative of this Department has made an examination of the works covered by your Permit No. 65-7321, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: .14 cfs Source: groundwater

The maximum quantity diverted shall not exceed 23.7 acre feet per year.

Point(s) of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, Twp. 7N, Rge. 1W, B.M.

Beneficial use: Irrigation of 5 acres and domestic use for 1 unit within the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 35, Twp. 7N, Rge. 1W.

Priority date established: November 4, 1972

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

MICROFILMED
JUN 26 2000

174

 $3! \cdot 2! \cdot 1!$

(name William Tracy)

Tributary to

RECEIVED
JAN 22 1970

**Department of Water Resources
Western Regional Office**

Permit No. 62 1001
Examination for 5/11

Other uses:

Other Points of Diversions:

6. Lands to be irrigated or place of use.

MICROFILMED
JUN 26 2000

TOTAL ACREAGE _____ 6

11/11/1944

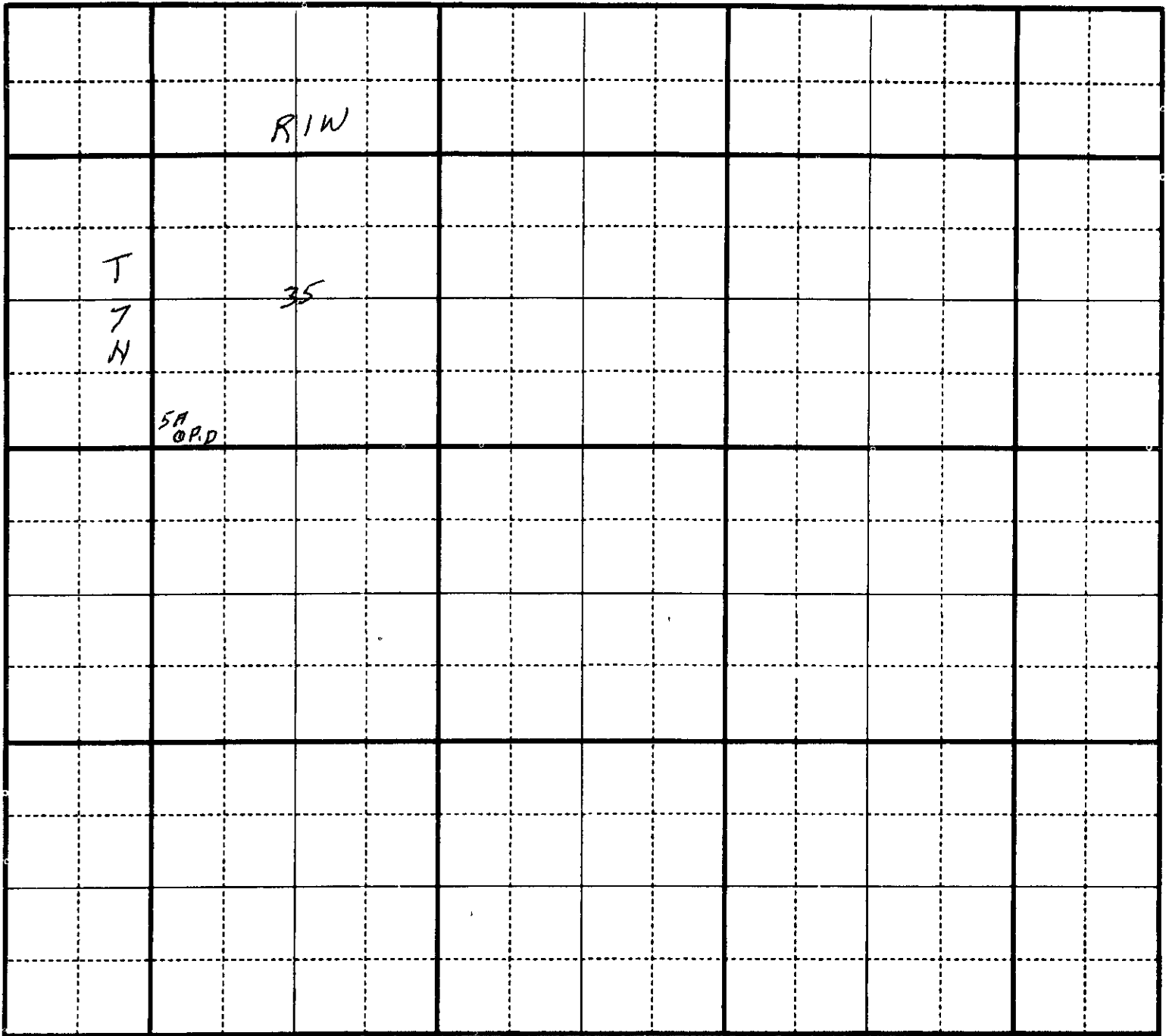


Diagram of System

MICROFILMED
JUN 26 2000

DATE OF EXAM 3/27/80

ACREAGE

Found 5

Recommended 5

Irrigation Requirement 4.5 Ac Ft/Ac

USE

Irrigation Q = .10 ✓ c.f.s. V = 22.5 ✓ AF/Ann. from 3/15 to 11/15

Domestic Q = .04 ✓ c.f.s. V = 1.2 ✓ AF/Ann. from 1/1 to 12/31

Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County

Exchange? yes _____ no ✓

Name source exchanged with: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County

Point of injection:

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County

Point of exchange:

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County

Total Q measured 110 .14 Method of measurement calc Est.

Total Q recommended 10.14 Meter No. _____ Type _____ Condition _____

Total V recommended 22.7

Recommended Amendments:

P.D. _____

Place of Use _____

Other _____

None ✓

MEASUREMENT CALCULATION:

1.5 H.P. motor x 8070 eff. x 8.8 = 10.56 20 ft lift + 43' 40 PSI = .093 CFS

Recommended .10 CFS @ 4.5 x 5 = 22.5 gpm 1.2 AF Dom. = 23.7 AF

Irrigated acreage arrived from aerial photo.

V = 5ACX4.5 = 22.5 or .10 x 1.9835 x 245 = 48.6

SYSTEM DESCRIPTION:

8 sprinkler system for irrigation. Pipeline from well to house. 1.5 H.P. pump - 8 inch casing - 287 ft deep.

REMARKS:

Examiner's Signature John K. Meyer Date 3/27/80

Checked by DBS Date 5/12/80

Approved by Robin Date 3/12/81

NOT RECORDED

JUN 25 2000

1979 - ATTEMPTED IRAM NO ONE HOME. 4 3/16" NOZZLE R.B.
SPRINKLERS - NOT SURE WHAT IS IRRIGATED. CLJB

3/27 9KH

Met with applicant & he stated that he has irrigated
at least 5 acres. He is gradually increasing his orchard
improvements.

MICROFILMED

JUN 26 2000

January 23, 1978

Re: Permit No. 65-7321

Henry H. Nichols &/or
Henry H. &/or Dorothy I. Nichols
Rt. 3, Box 90N, Emmett, Idaho 83617

Dear Mrs. Nichols and Gentlemen:

Enclosed is an Order of Reinstatement; please note that the priority has been advanced to November 4, 1972.

We acknowledge receipt of the affidavit 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. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Boise.

Sincerely,

JANICE RENK
Water Rights

Identification No. _____

Permit No. 65-7321
RECEIVED

JAN 16 1978

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE Department of Water Resources

1. a) Name of Permit Holder Henry H. ¹/₂ or Henry H. Jr. ¹/₂ or Dorothy I. Nichols
 b) Post Office Address Route 3 Box 90 N, Emmett, Id. 83617
2. Permit Number 65-7321
3. Date of Priority that you are prepared to establish 10-20-72
4. a) Source from which water was appropriated groundwater
 b) Location of the point of diversion: SW ¹/₄ SW ¹/₄ Section 35
 Township 7N, Range 1W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
 Amount 0.04 cfs for Domestic purposes from Jan. 1 to Dec. 31 incl.
 (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
 Amount 0.12 cfs for Irrigation purposes from Mar. 15 to Nov. 15 incl.
 (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
 Amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
 b) Total amount appropriated 0.16 cfs cfs and/or acre-feet per annum
 c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: estimate by permit holder
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
 a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

 b) Describe the agreement or understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 8 inch cased well 287 feet deep pumped with Sears submersible pump.
 b) Describe the type and size of measuring device which you have installed at your point of diversion: N/A
 c) Give well driller's name and address and the date the well was completed: July 1972
Unknown.
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
Single Family Domestic

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	1W	35											6						6

Total number of acres irrigated 6

10. Remarks: _____

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

January 16, 1978
(Date)

Forrest D. Nichols
(Signature)

State of Idaho)
County of Ada) ss.

On this 16th day of January, 19 78, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Katherine T. Weaver
Notary Public residing at Boise

My commission expires 6-15-81



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

January 10, 1978
//

Henry H. Nichols, Jr. &/or
Dorothy I. Nichols &/or Henry H. Nichols
Box 461
Emmett, Idaho 83617

Dear Mrs. Nichols and Gentlemen:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 65-7321 has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided forms for that purpose in our notice to you dated October 31, 1977.

Your permit cannot be reinstated unless you submit the proof of beneficial use affidavit, enclosed, or show other reasonable cause why the permit should be reinstated within 60 days from the date of this lapse notice.



C. STEPHEN ALLRED
Director

CSA:jfr

Encl.

October 31, 1977

CERTIFIED MAIL

138109

Re: Permit No. 65-7321

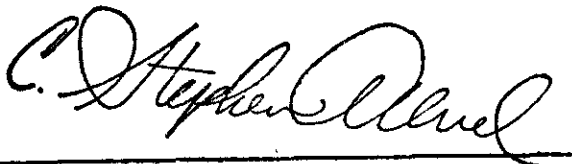
Henry H. Nichols &/or Dorothy I. Nichols, Jr.
&/or Henry H. Nichols
Box 461
Emmett, Idaho 83617

Dear Mr. & Mrs. Nichols and Mr. Nichols:

One of the conditions of approval of your water Permit No. 65-7321 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before January 1, 1978. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

January 22, 1973

Re. Permit No.: 65-7321

Henry H. Nichols, Jr.
Box 461
Emmett, Idaho 83617

Dear Mr. Nichols:

Enclosed is a copy of your approved Application for Permit No. 65-7321 . We
direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF: cd

Enclosures

65 7321

January 18, 1973

Re: Notice of Correction, Permit No. 65-7321 Henry H. Nichols, Jr. &/or Dorothy I.
Nichols &/or Henry H. Nichols

The Emmett Messenger-Index
120 N. Washington Avenue
Emmett, Idaho 83617

Gentlemen:

Enclosed is the bill for notice of correction, Permit No. 65-7321 which we are returning to you as the error in the original legal notice was your error.

We have forwarded the bill for the first publication to our accounting department and you should receive payment very shortly.

Sincerely,

DEANNA E. FELDT
Secretary

DEF:d

Enclosure

65 7321

January 2, 1973

Re: Notice of Correction, Permit No. 65-7321 Henry H. Nichols, Jr. &/or Dorothy I.
Nichols &/or Henry H. Nichols

The Emmett Messenger-Index
120 N. Washington Avenue
Emmett, Idaho 83617

Gentlemen:

Would you please submit an affidavit of publication in connection with the above referenced item. The notice of correction was sent to you December 1, 1972, to be published shortly thereafter.

Upon receipt of the affidavit of publication for the correction notice, we will forward the bill for the first publication to our accounting department.

Your cooperation in this matter is greatly appreciated.

Sincerely,

DEANNA E. FELDT
Secretary

DEF:d

65 7321

Western District Office

December 1, 1972

RE: APPLICATION FOR PERMIT NO. 65-7321 HENRY H. NICHOLS, JR &/or DOROTHY I. NICHOLS
&/or HENRY H. NICHOLS

The Emmett Messenger-Index
120 N. Washington Avenue
Emmett, Idaho 83617

Gentlemen:

We have enclosed a copy of the original notice for the above reference application and the affidavit of publication received by our office. You will note that there is a discrepancy in the two notices.

We are requesting that you publish the enclosed correction notice at your expense, since the Department failed to receive a tear sheet prior to publication.

Upon receipt of the affidavit of publication for the correction notice, we will forward the bill for the first publications to our accounting department.

Your cooperation in this matter is greatly appreciated.

Sincerely,

JAMES E. BOOKER
Water Resource Examiner

JEB:df

Enclosures

65 7321

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for Permit No. 65-7321 in the name of HENRY H. NICHOLS, JR. &/or DOROTHY I. NICHOLS &/or HENRY H. NICHOLS was published in error on Nov. 2, 1972 and Nov. 9, 1972.

The point of diversion was advertised as being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 7 N., R. 1 W., B.M., Gem County, WHEREAS the actual point of diversion is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 7 N., R. 1 W., B.M., Gem County.

Any protest against approval of this application must be filed with the Idaho Department of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707 on or before Dec. 26, 1972.

R. KEITH HIGGINSON
Director

Published in the Emmett Messenger-Index, Emmett, Idaho on Dec. 7, 1972 and Dec. 14, 1972.

65 7321

Western District Office

C November 22, 1972

Re: Application for Permit No. 65-7321 Henry H. Nichols &/or Dorothy L. Nichols
&/or Henry H. Nichols, jr.

The Emmett Messenger-Index
120 N. Washington Avenue
Emmett, Idaho 83617

O Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced item. The legal notice was to have been published in your paper on November 2 and November 9, 1972.

P Your cooperation in this matter is greatly appreciated.

Sincerely,

GARY L. PAGE
W. R. Supervisor

Y GLP:def

65 7321

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

October 26, 1972

**RE: APPLICATION FOR PERMIT NO. 65-7321 Henry H. Nichols &/or Dorothy I. Nichols &/or
Henry H. Nichols, Jr.**

**Emmett Messenger-Index
120 N. Washington Ave.
Emmett, Idaho 83617**

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Sincerely,

65 7321

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that HENRY H. NICHOLS, JR. &/or DOROTHY I. NICHOLS
&/or HENRY H. NICHOLS, Box 461, Emmett, Idaho ~~XXXX~~
has on Oct. 20, 1972 submitted Application No. 65-7321
for a permit to appropriate 0.16 cubic feet per second ~~XXXXXX~~
~~XXXXXX~~ of water from a groundwater source
by means of drilled well and electric pump
within the SW¹/₄SW¹/₄, Sec. 35, T. 7 N., R. 1 W., B.M., Gem County

to be used from Jan. 1 to Dec. 31 for domestic purposes and from Mar. 15 to Nov. 15
for the irrigation of six (6) acres

within the SW¹/₄SW¹/₄, Sec. 35, T. 7 N., R. 1 W., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before Nov. 20, 1972.

R. KEITH HIGGINSON

Director

65 7321

Published in the Emmett Messenger-Index, Emmett, Idaho
on Nov. 2, 1972 and Nov. 9, 1972.