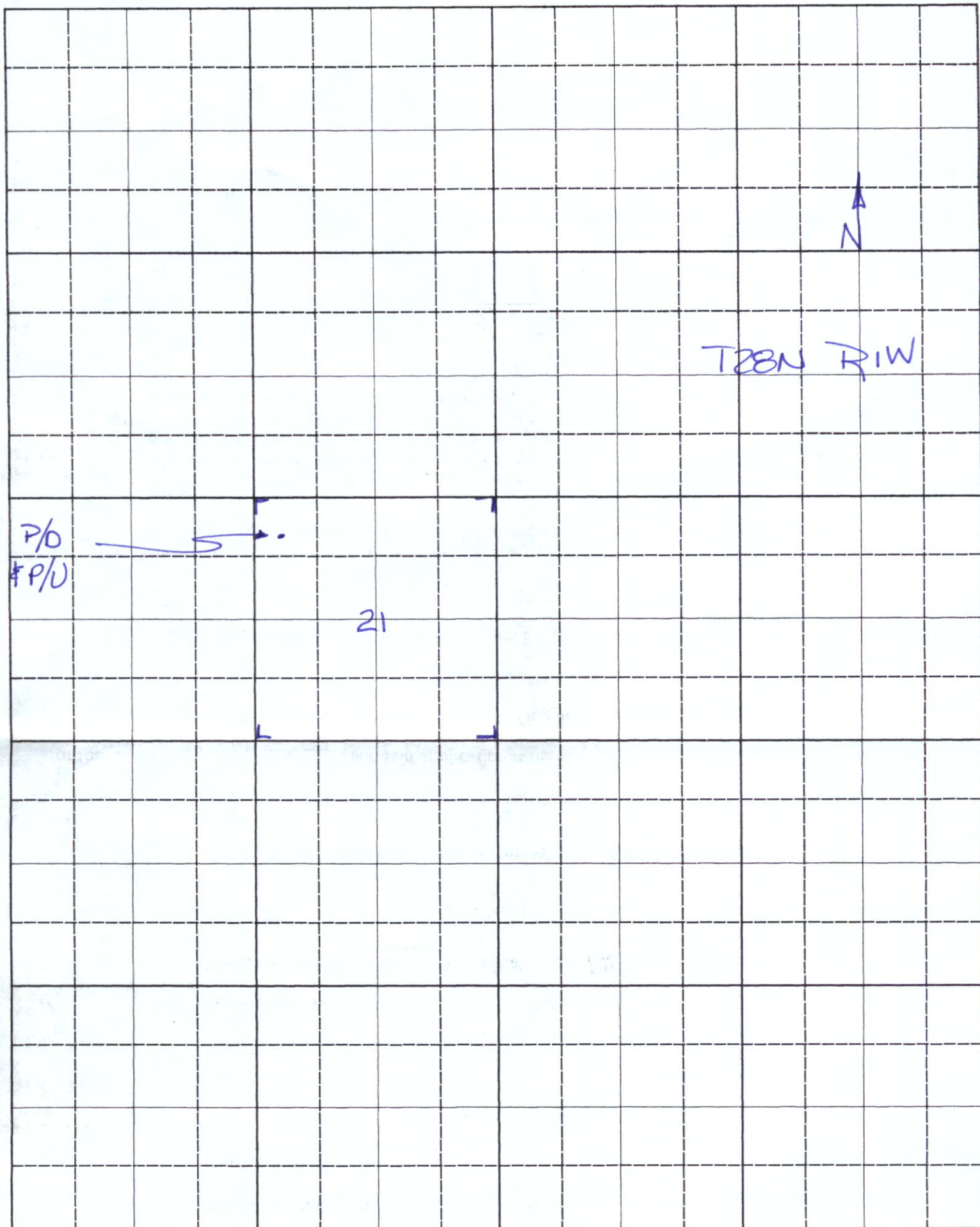
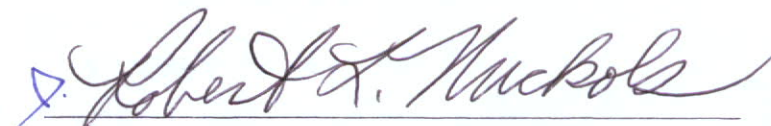


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

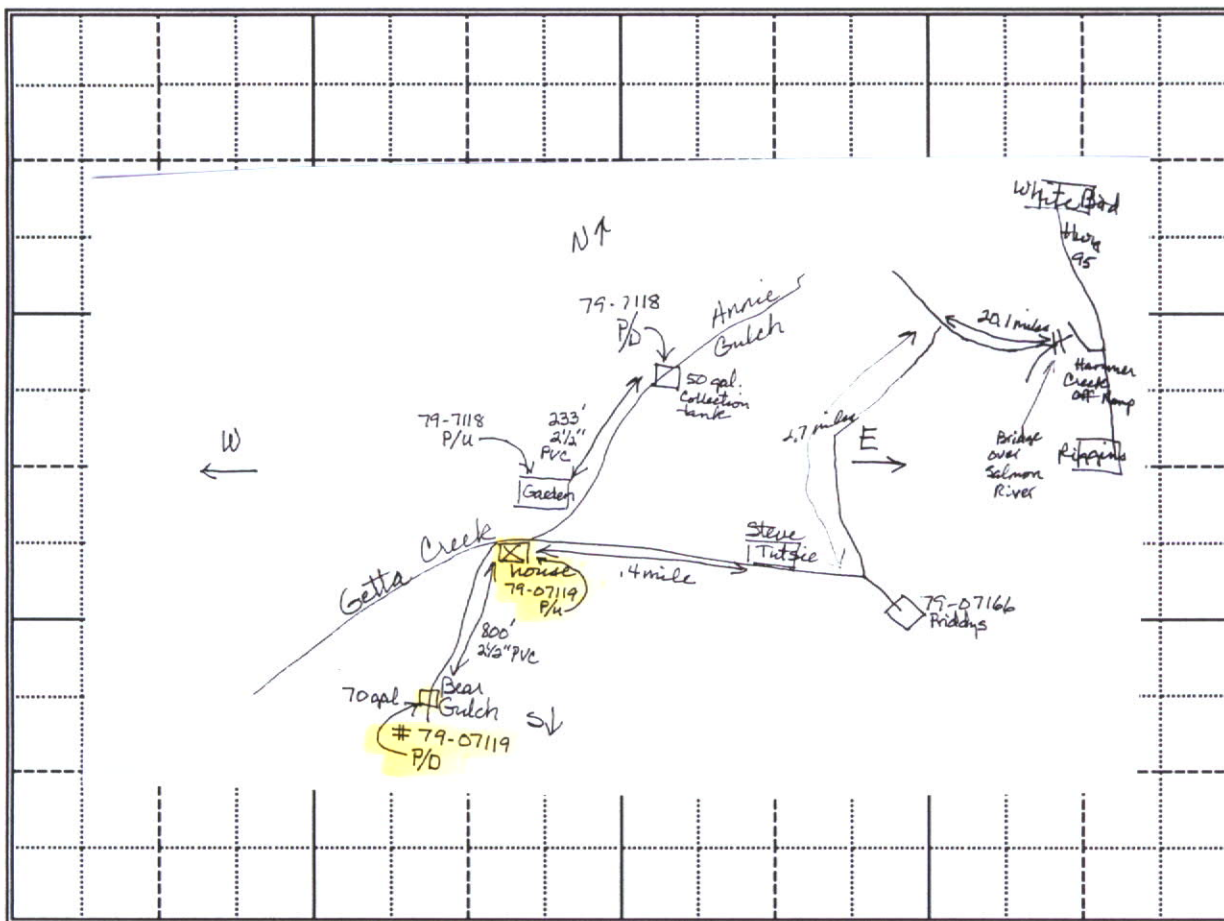


Scale: 2 inches equal 1 mile.

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.



(Applicant)

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



Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

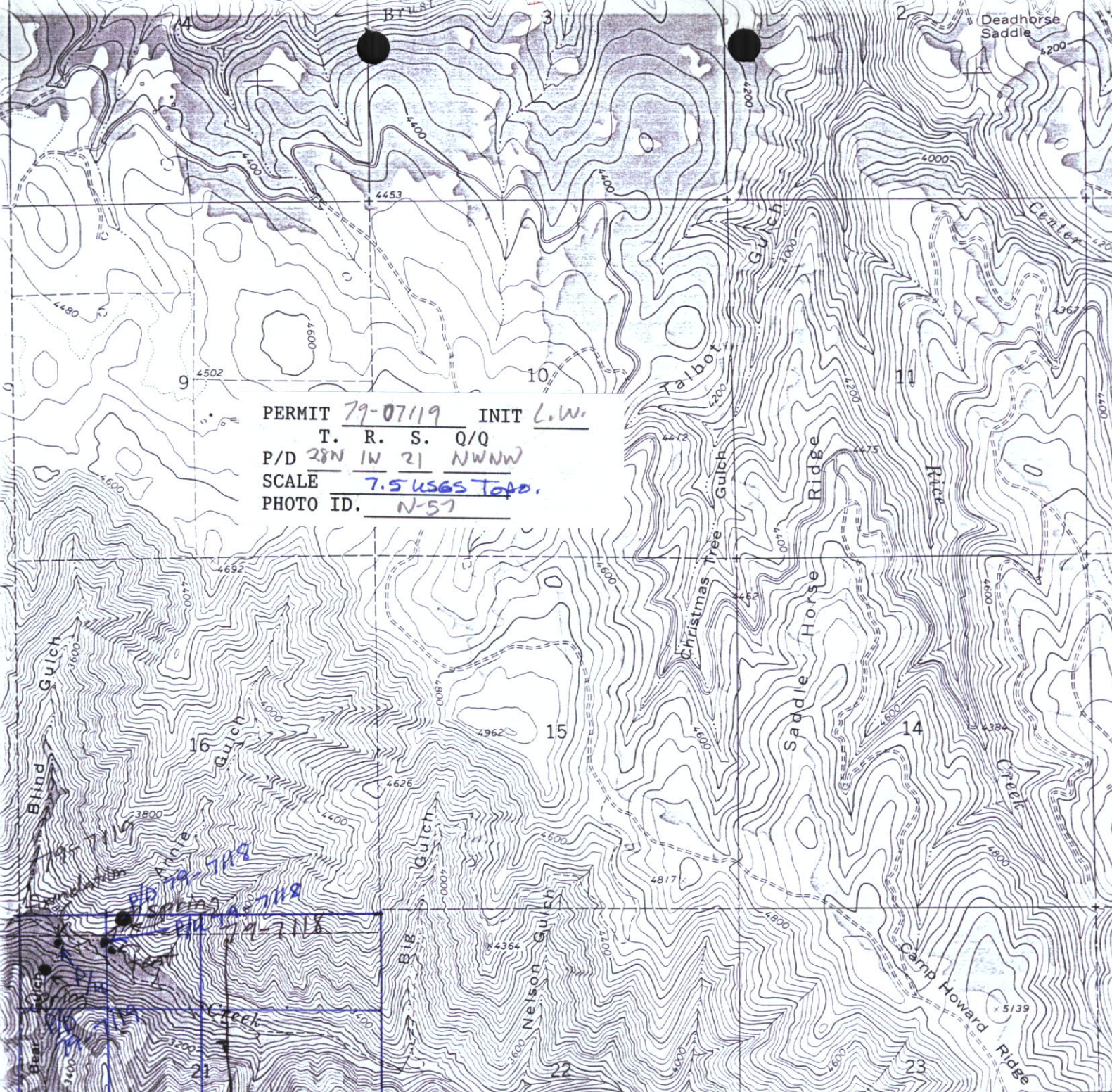
1.

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

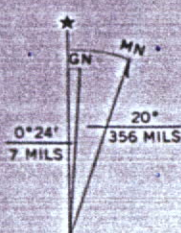
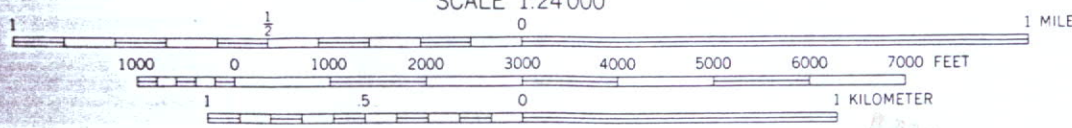
2. Measurements:

RECORDED
INDEXED
OCT 11 1996
FBI

PERMIT 79-07119 INIT L.W.
 T. R. S. Q/Q
 P/D 28N 1W 21 NWNW
 SCALE 7.5 USGS Topo.
 PHOTO ID. N-57



541 542 27'30" 543 (GRAVE POINT) 2775 III NW 545 251
 SCALE 1:24000



CONTOUR INTERVAL 40 FEET
 DOTTED LINES REPRESENT 20-FOOT CONTOURS
 DATUM IS MEAN SEA LEVEL

MICROFILMED
 OCT 11 1996

UTM GRID AND 1963 MAGNETIC NORTH
 DECLINATION AT CENTER OF SHEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER 25, COLORADO OR WASHINGTON 25, D. C.
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

QUAD

79-07119



P/D:

70 gal.
collection tank
2 1/2" PVC (800')
to house



P/u:

Domestic D/I
internal/external
(yard, garden)
other use:
fire protection,

REPROFILMED
OCT 11 1996

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 79-07119

Priority: December 13, 1982 Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

This is to certify, that TERESA MARIE ADAIR
MARY ANN NUCKOLS
GETTA CREEK LAND CO

RT 4

COTTONWOOD ID 83522 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated December 13, 1982; and
has submitted Proof of Beneficial Use on December 23, 1987. An examination indicates
that the works have a diversion capacity of 0.040 cfs of water from:

BEAR GULCH CREEK tributary to GETTA CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 21, Township 28N, Range 01W
IDAHO County

PLACE OF USE: DOMESTIC

TWN RGE SEC

28N 01W 21 NWNW

CONDITIONS OF APPROVAL AND REMARKS

1. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
The water right confirmed by this license is subject to all prior water rights
and shall be administered in accordance with Idaho law and applicable rules of
the Department of Water Resources. Signed and sealed this 28th day of

JUNE, 2000.

Acting for

KARL J. DREHER, Director

MICROFILMED
NOV 09 2003

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
~~Original Application~~	~~79-07119~~	~~Nuckols, Robert L~~	~~0.12~~
		~~Mary Ann~~	
		~~Adair, Teresa Marie~~	
~~Full Assignment~~	~~79-07119~~	~~Nuckols, Mary Ann~~	~~0.12~~
		~~Adair, Teresa Marie~~	
		~~McFarland, Dennis L~~	
		~~Diane L~~	
~~Full Assignment~~	~~79-07119~~	~~Nuckols, Robert L~~	~~0.12~~
		~~Mary Ann~~	
		~~Adair, Teresa Marie~~	
~~Full Assignment~~	~~79-07119~~	~~Nuckols, Mary Ann~~	~~0.12~~
		~~Adair, Teresa Marie~~	
		~~Markovitz, Neil~~	
		~~Mary~~	
Full Assignment	79-07119	Nuckols, Mary Ann	0.12
		Adair, Teresa Marie	
		Getta Creek Land Co	

RECEIVED

OCT 11 1996

C035758

6/7/96

RECEIVED

JUN 07 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT

Department of Water Resources

I, Mary Markovitz, hereby assign to Getta Ck. Land Co.
of, P.O. Box 90 Whitebl. Id 83554
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 74-07118 to
appropriate the public waters of the State of Idaho: 74-07119

QF (for partial assignments)

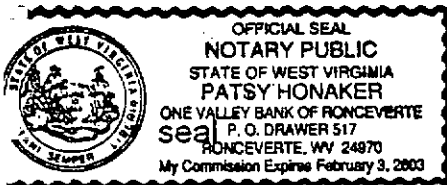
The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State of
Idaho. (Describe portion of the permit assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.)

Made this 3 day of June, 1996

Mary Markovitz
Permit Holder

State of Idaho WVCounty of Greenbrier SS

On this 3 day of June, 1996 personally appeared before me the signer(s) of the
above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Patsy Honaker
Notary Public residing at
Ronceverte, WV

My commission expires: 2-3-2003

OCT 11 1996

RECEIVED

MAY 13 1996

WATER RESOURCES
WESTERN REGIONState of Idaho
DEPARTMENT OF WATER RESOURCES# 25.00
transfer fee
RECEIVED

ASSIGNMENT OF APPLICATION FOR PERMIT MAY 15 1996

To change the ownership of an application for permit

Department of Water Resources

I, Neil Markovitz, hereby assign to Getta Creek Land Co.
 of Getta Creek Landing, River Route Lewiston Id. 83501
(Applicant)
(Full Address)

All my right, title, and interest in and to Application for Permit
 No. 79-07119 to appropriate the public waters of the State of Idaho.

79-07118

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
 Application for Permit No. _____ to appropriate the public waters of the
 State of Idaho.

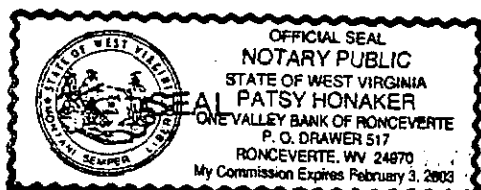
Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
 point of diversion location, and the amount of water in cubic feet per second.

Made this 7th day of May, 1996.

Neil Markovitz
 Applicant(s)

West Virginia
 State of Idaho
 County of Greenup ^{SS}

On this 7 day of May, 19996, personally appeared before me the
 signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



Patsy Honaker
 Notary Public

Patsy Honaker
 Signature

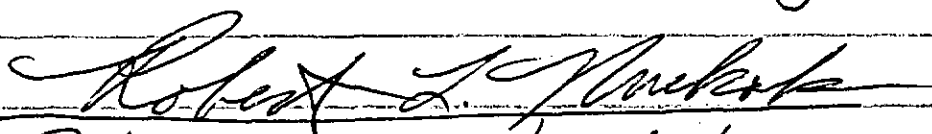
My commission expires: 2-03-2003

pd \$ 25-
 # W020847
 5-13-96
 By: VR

I, Robert L. Nuckols, of
Cottonwood, Idaho hereby assign
and convey the following water
right permits: (Cetta Creek
79-7122), (Bear Gulch # 79-7119),
and, (Annie Gulch # 79-7118) to
Neil and Mary Markovitz
of Slatyfork, West Virginia.

This assignment of water right
permits is full and complete
and is to be transferred with
the property being conveyed to the
Markovitz in the NW 1/4 of Section
21, Township 28, N. R. 1. W of Boise
Meridian, Idaho County, Idaho

Signed this first day of May 1990.



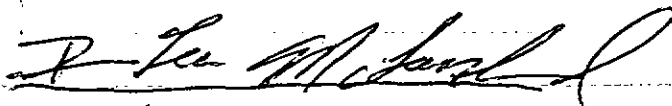
Robert L. Nuckols

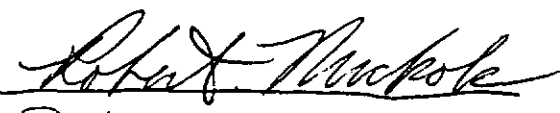
RECORDED

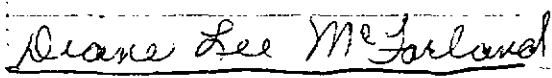
NOV 15 1995

WE, DENNIS LEE McFARLAND AND DIANE LEE
McFARLAND, 3203 HUMMINGBIRD WAY, FORT PIERCE
FLORIDA, 34951, do hereby assign and convey
ALL OUR WATER RITES ON Gotta Creek (Permit
79-7122), Bear Gulch (79-7119) AND ANNIE GURCH
(79-7119) to Robert L NUCKOLS of P.O. Box 304,
Cottonwood Idaho on this 19th day of March
1990.

THIS ASSIGNMENT OF WATER RIGHTS IS FULL
and complete AS AGREED TO BY ALL PARTIES
here signed.


DENNIS LEE MCFARLAND


Robert L NUCKOLS


DIANE LEE MCFARLAND

RECEIVED

DEC 23 1987

STATE OF IDAHO

no \$ encl 92
Department of Water Resources

DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by [Signature]
Sent to region 1-15-19

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 79-7119
Name(s) of Permit Holder: Robert Nuckols/Mary Nuckols and/or Teresa Adams
Post Office Address: Rt. 4 Cottonwood Idaho 83522
~~Bear Gulch~~ Telephone No. 983-0619
Source of Water: Bear Gulch ✓

Extent of Use:

Domestic 1 (number of households) Stockwater 2 equine (number and type of stock)
Irrigation 2 (acres) Other/Remark one household ✓
& some fruit trees

Total rate and/or volume for which proof is submitted .04 ✓ cfs 4 acre-feet

Show the date water was first diverted and beneficially used under this permit: 6/1/83

Measuring Device: Required? Yes / No
Installed? Yes / No

Fee enclosed \$ Free
(See License Examination Fee Schedule)

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

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

Robert Nuckols 983-0619
(Name) (Telephone Number)

Rt. 4 Cottonwood Idaho 83522
(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

12/16/87
Date

Robert Nuckols
Signature of Permit Holder (and title, if appropriate)

MAR 03 1988

I, Robert L. Nuckols, of
P.O. Box 504, Cottonwood, Idaho 83522
hereby assign & convey all my water
rights on Gotta Creek, (Permit #79-712,
Bear Gulch, (79-7119), and Annie Gulch,
(79-7118), to Mr. & Mrs. Dennis
McFarland on this 11th day of July 1989.

This assignment of water rights is
contingent on the McFarlands paying
of the property where on this water is
used no later than July 30, 1992.

It is agreed by the parties hereto
that; if for any reason the property
being conveyed is not paid for by
July 30, 1992 that the McFarlands
will reassign said water rights
back to Robert Nuckols.

Signed on this 11th day of
July 1989.

Robert Nuckols

D. McFarland

Diane McFarland

RECEIVED
OCT 30 1989

Department of Water Resources

RECEIVED

NOV 15 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho
Robert L. Nuckols, and/or Mary Ann Nuckols,
and/or Teresa Marie Adair

1. Name of applicant _____ Phone _____
Post office address Rt. 4, Cottonwood, Idaho 83522
2. Source of water supply Bear Gulch which is a tributary of Betta Creek
3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 21 Township 28N
Range 1W B.M. Idaho County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .04 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .08 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

- a. .12 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. small dam, pipe line,
gravity flow
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: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 21 Township 28N
Range 1W 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 1
(5) If water is to be used for other purposes describe: yard & garden

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
28N	1W	21					4												4

Total number of acres to be irrigated 4

c. Describe any other water rights used for the same purposes as described above. None

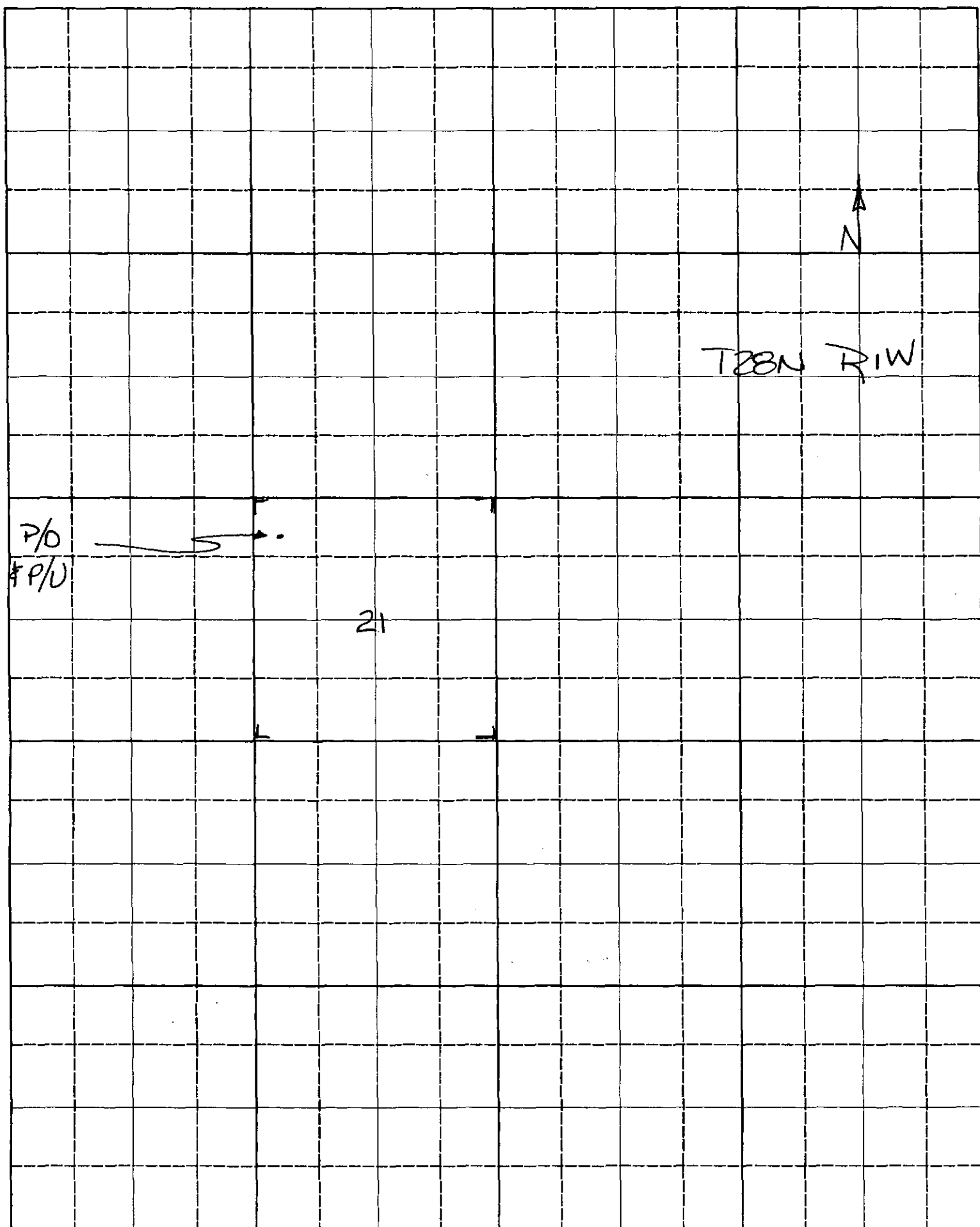
9. a. Who owns the property at the point of diversion Teresa Marie Adair

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing I, Robert Nuckols, live on the property with my wife, and we have a written agreement with Teresa Adair.

10. Remarks

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.

Robert A. Nichols
(Applicant)

Proposed Priority 12/13/1982

Received by RC Date 12-13-82 Time 1:30pm
Preliminary check by GLS Fee \$ 30⁰⁰ 23065
Receipted by AP Date 12/13/82
Publication prepared by AP Date 12/16/82
Published in Cottonwood Community
Publication dates 12/23 & 12/30/82
Publication approved AP Date 1/11/83
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DAS

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. 79-7119, 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, 19 88.
- 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: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 20th day of January, 1983.

J. Glen Sayton
Chief, Operations Bureau

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF IDAHO, } ss.

I, ROBERT E. WHERRY, being first duly sworn, depose and say that I am the Publisher of the COTTONWOOD CHRONICLE, a weekly newspaper, published and issued weekly at Cottonwood, Idaho County, State of Idaho, which is of general circulation in said county and state, that the said notice, of which the one hereto is attached is a true copy, was published in said newspaper for 2 weeks being published 2 times, the first publication being on the 23rd day of December, 1982, and the last publication on the 30th day of December, 1982; and that the said notice was published in the newspaper proper and not in a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight (78) consecutive weeks prior to the first publication of said notice or advertisement.

Robert E. Wherry

Subscribed and sworn to before me this 30th day of December, 1982

Sandra E. Libbey, Notary Public,

for the State of Idaho, residing at Cottonwood, Idaho.

NOTICE OF APPLICATION FOR WATER RIGHT

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

79-7118

NUCKOLS, ROBERT L. and-or
MARY ANN
ADAIR, TERESA MARIE
Rt. 4, COTTONWOOD, ID 83522
Source: ANNIE GULCH trib. to
GETTA CREEK
Date Filed: 12-13-82
Diversion Pt: NWNW Sec 21 T 28N R
01W
Use: DOMESTIC (0.04 CFS)
In: NWNW Sec 21 T 28N R 01W

79-7119

NUCKOLS, ROBERT L. and-or
MARY ANN
ADAIR, TERESA MARIE
Rt. 4, COTTONWOOD, ID 83522
Source: BEAR GULCH trib. to
GETTA CREEK
Dated Filed: 12-13-82
Diversion Pt: NWNW Sec 21 T 28N R
01W
Use: IRRIGATION (0.08 CFS)
DOMESTIC (0.04 CFS)
In: NWNW Sec 21 T 28N R 01W FOR 4
ACRES

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before JANUARY 10, 1983.

KEN DUNN, Dir
Published in the Cottonwood
Chronicle Dec. 23 and 30, 1982.

RECEIVED

JAN 10 1983

Department of Water Resources
Western Regional Office

7.6.00 Got new address
 from Idaho County Assessor.
 { Getta Creek Land Co.
 Snake River Gate
 Lewiston ID 83501 }

Mail resent to new
 address - Kari Lynn

RECEIVED
 JUL - 5 2PM
 Department of Water Resources

TO

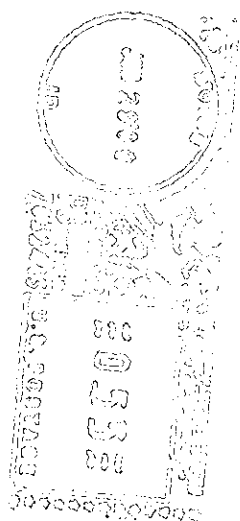
IDAHO DEPARTMENT OF WATER RESOURCES
 1301 North Orchard St.
 P.O. Box 83720
 Boise, ID 83720-0098
 (208) 327-7900

L7907119
 TERESA MARIE ADAIR
 RT 4
 COTTONWOOD

ID 83522

Not @ this address
 undeliverable as addressed

☐ Unclaimed
☐ Addressed - Not Known
☐ No Such Street
☐ No Such Office in State
☐ No Such Number
☐ Do Not Remove This Envelope





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

June 29, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TERESA MARIE ADAIR
MARY ANN NUCKOLS
GETTA CREEK LAND CO
RT 4
COTTONWOOD ID 83522

RE: WATER RIGHT NO. 79-07119

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads 'Shelley Keen'.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

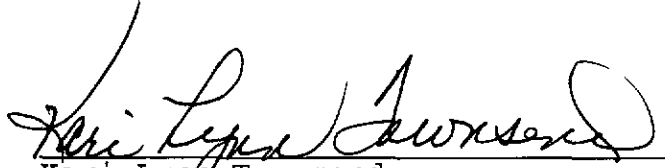
NOV 09 2000

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of June, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 79-07119

TERESA MARIE ADAIR
MARY ANN NUCKOLS
GETTA CREEK LAND CO
RT 4
COTTONWOOD ID 83522


Kari Lynn Townsend
Secretary

MICROFILMED
NOV 09 2000

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED

NOV 09 2000

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

SD-0420-2
ADD COMMENT

Idaho Department of Water Resources
Modify Comment

Date: 06/28/00
Time: 10:38:40

Water Right Number: L79-07119

Comment Date: 6/28/2000 User ID: SKEEN

Subject: Licensing Review_____

Licensing review and data entry by S. Keen on 6/28/2000. _____

(Enter=Add) (Gold4=Prev) (Gold5=Next) (Gold7=Return to Comment Selection)

MICROFILMED
NOV 09 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JUNE 14, 1996

GETTA CREEK LAND CO
PO BOX 90
WHITEBIRD ID 83554

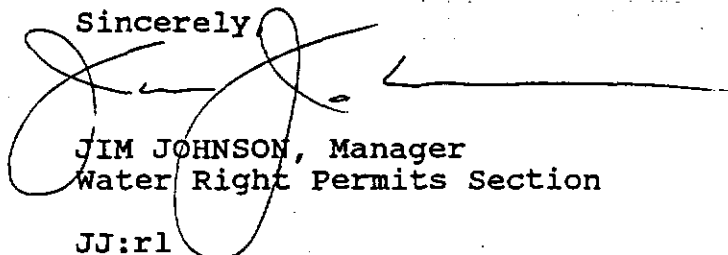
RE: Permit Nos. 79-07118 and 79-07119

Dear Permit Holder(s):

We acknowledge receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

RECEIVED

OCT 11 1996

WR0749NP

No. 79-07119

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/14/96

PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TERESA MARIE ADAIR RT 4 COTTONWOOD ID 83522	12/13/1982	IRRIGATION DOMESTIC	03/15 11/15 01/01 12/31	0.080 CFS 0.040 CFS	
					TOTAL DIVERSION:	0.120 CFS
C	MARY ANN NUCKOLS COTTONWOOD ID 83522					

C GETTA CREEK LAND CO
PO BOX 90
WHITEBIRD ID 83554

Water Source: BEAR GULCH

Tributary to: GETTA CREEK

Stage: PERMIT

Point(s) of Diversion:

T28N R01W S21

NWNW

IDAHO County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE					
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM	
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
28N	01W	21	:														4.0
																TOTAL ACRES	4.0

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

Pou County: IDAHO

Conditions of Approval:

- 004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.

Dates: App. Received: 12/13/1982 Priority Date: 12/13/1982
Proof Due Date: 01/01/1988 Proof Made Date: 12/23/1987
Exam Made Date: 04/29/1996 Exam Sent to S.O.: 06/11/1996
Licensed Date:

Misc: Water District Number: Field Exam Fee: N (Not Required)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 12 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 79-7119

1. Owner: Neil Markovitz Phone No. (304) 497-3875

Current Address: PO Box 1732 Lewisburg West Virginia 24901

2. Accompanied by: Chris EXAM DATE: 4/29/96

Address: PO Box 223 Whitebird Id 83554 Phone No. none

Relationship to Permit Holder: renter w/option to buy

3. Source: Bear Gulch tributary to Getta Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 79-07118

2. Other water rights with the same point of diversion: 79-07118

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NW	21	28N	1W	Idaho	USGS Topo. & exam

2. Place(s) of Use:

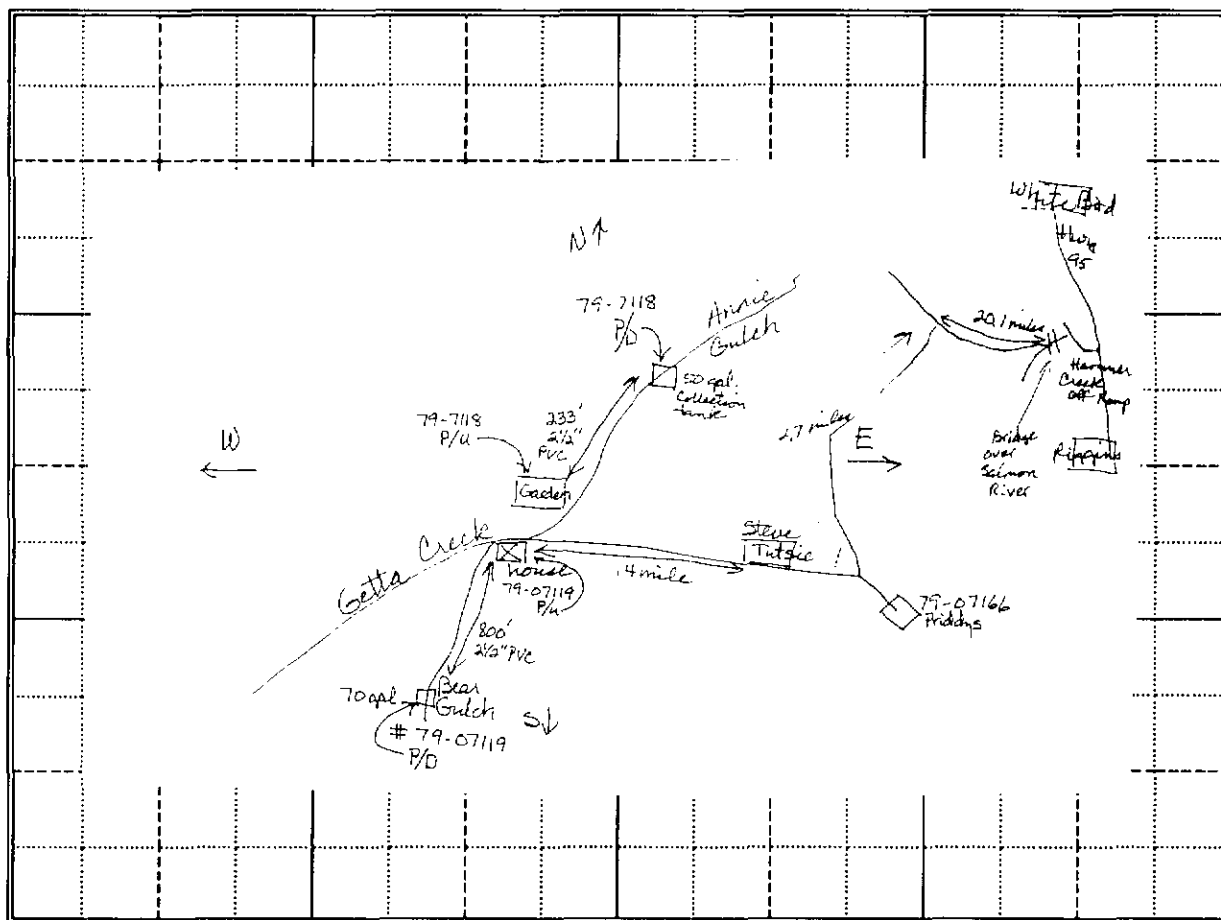
Indicate Method of Determination

USGS Topo. & exam

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
28N	1W	21						D/1											

OCT 11 1996

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



Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

E. NARRATIVE/REMARKS/COMMENTS

- Other WR 79-07118 (Annie Creek) another P/D + P/U.
- No split. Lots were found.
- Use is Domestic D/I internal + external (yard, fruit trees, + garden). Other use: fire protection.
- Other water sources near by: Gotta Creek.
- The system consists of a closed system with a 70 gallon collection tank in Bear Gulch, with 800' of 2 1/2" PVC to the house, with a riser with hoses + misc. sprinklers to the yard + garden (No other irrigation was used).
- Recommend allowing .04 cfs Domestic D/I internal/external, 1.2 Afa, since the system was closed, + a physical measurement would not be a true measurement, but that from the collection tank.

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

OCT 11 1996

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

Recommend allowing .04 cfs Domestic internal + external (yard/garden). System was closed + a physical measurement would not be a true measurement, but that from the

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

Allow Domestic D/I internal/external
1.2 Afa.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1/1	12/31	.04	1.2
Totals:			.04	1.2

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

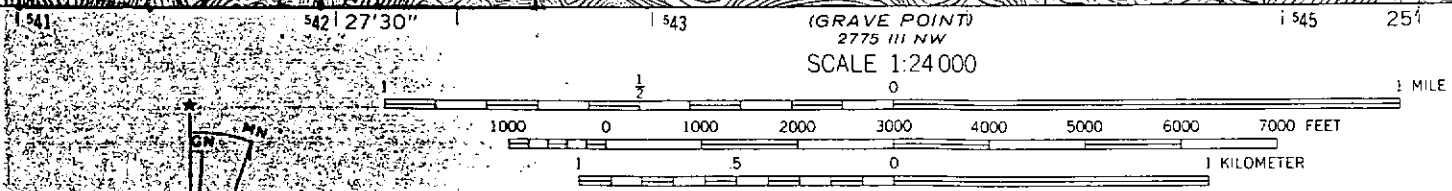
I. AUTHENTICATION

Field Examiner's Name Ernie Hemminger Date 5/30/96

Reviewer _____ Date _____

SEAL

PERMIT 79-07119 INIT L.W.
 T. R. S. Q/Q
 P/D 28N 1W 21 NWNW
 SCALE 7.5 USGS Topo.
 PHOTO ID. N-57



CONTOUR INTERVAL 40 FEET
 DOTTED LINES REPRESENT 20-FOOT CONTOURS
 DATUM IS MEAN SEA LEVEL

UTM GRID AND 1963 MAGNETIC NORTH
 DECLINATION AT CENTER OF SHEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER 25, COLORADO OR WASHINGTON 25, D. C.
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

OCT 11 1996

QUAD

① Permit:

Irrigation 3/15 - 11/15 .08 cfs

Domestic 1/1 - 12/31 .04 cfs

.12 cfs* no irrigation found to be done
Domestic internal/external only② B/U fee: ~~0~~ 12/23/87 0 - 0.04 cfs③ Max. Allowable:Domestic internal/external
.04 cfs 1.2 Afa

MICROFILMED

OCT 11 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 02 1995

WATER RESOURCES
WESTERN REGION

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

I, _____, hereby assign to Neil Markovitz
of PO Box 1732 Lewisburg, West Virginia 24901
(Applicant) (Full Address)

All my right, title, and interest in and to Application for Permit
No. 79-07119 to appropriate the public waters of the State of Idaho.
79-07118

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Permit No. _____ to appropriate the public waters of the
State of Idaho.

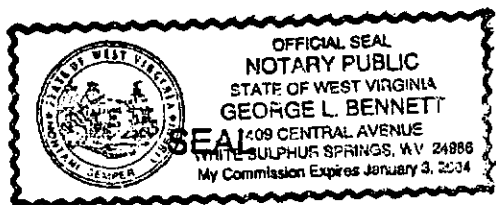
Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

Made this 28th day of Sept, 1995.

Neil Markovitz
Applicant(s)

State of Idaho)
County of GREENBRIER ss

On this 28th day of Sept, 1995, personally appeared before me the
signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



George L. Bennett
Notary Public
OCT 11 1995
Signature

My commission expires: 1/3/2004

WE, DENNIS LEE McFARLAND AND DIANE LEE
McFARLAND, 5203 HUMMINGBIRD WAY, FORT PIERCE
FLORIDA, 34951, do hereby assign and convey
ALL OUR WATER RITES ON GETTA CREEK (Permit
79-7122), Bear Gulch (79-7119) AND ANNIE GULCH
(79-7119) to Robert L Nuckols of P.O. Box 304,
Cottonwood Idaho on this 19th day of March
1990.

THIS ASSIGNMENT OF WATER RIGHTS IS FULL
and COMPLETE AS AGREED TO BY ALL PARTIES
here signed.

Dennis Lee McFarland
DENNIS LEE MCFARLAND

Robert L Nuckols
Robert L NUCKOLS

Diane Lee McFarland
DIANE LEE MCFARLAND

RECEIVED

NOV 01 1995

WATER RESOURCES
WESTERN REGION

RECEIVED
NOV 1 1995

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

79-7119

Receipt No: W019938

Date: 10/ 2/1995
Time: 12:41:11

Received
From: MARKOVITZ, NEIL OR MARY

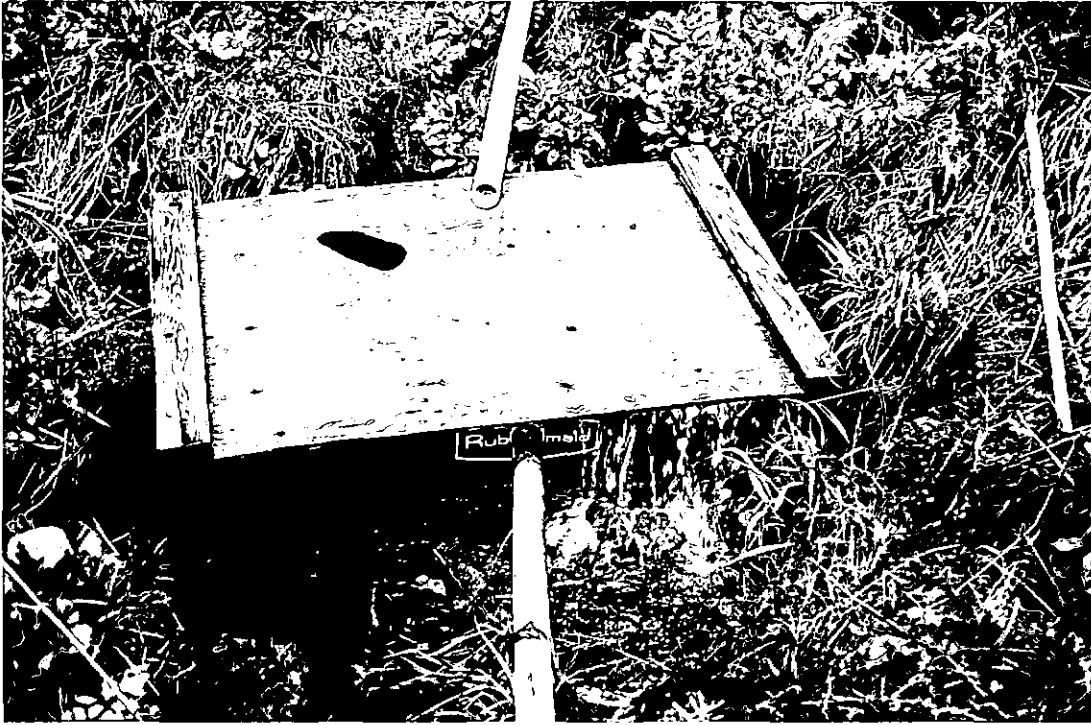
Type of Payment	Program Acct	Amount
ASSIGNMENT OF APP FOR PERMIT	62103 229 21 1155	25.00
CHECK 359		
	Total	\$ 25.00

Region: WESTERN

Signature: IBuffington

RECEIVED
OCT 11 1996

79-07119



P/D:

70 gal.
collection tank
2 1/2" PVC (800')
to house



P/u:

Domestic D/I
internal/external
(yard, garden)

other use:
fire protection,

RECEIVED

OCT 11 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

October 30, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

NEIL MARKOVITZ
MARY MARKOVITZ
PO BOX 1732
LEWISBURG WV 24901-1732

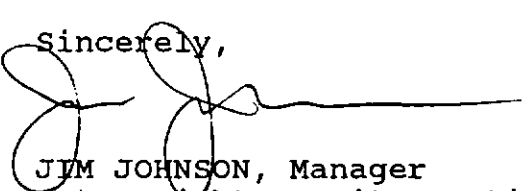
RE: Assignments of Permit Nos. 79-07118 & 79-07119

Dear Mr. & Mrs. Markovitz:

We acknowledge receipt of correspondence transferring Robert L. Nuckols' ownership of the above referenced permits to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:cz

RECORDED

NOV 15 1995

WR0749NP
No. 79-07119

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/30/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TERESA MARIE ADAIR	12/13/1982	IRRIGATION	03-15 11-15	0.080 CFS	
C	MARY ANN NUCKOLS RT 4 COTTONWOOD ID 83522		DOMESTIC	01-01 12-31	0.040 CFS	
				TOTAL DIVERSION:	0.120 CFS	
C	NEIL MARKOVITZ					
C	MARY MARKOVITZ PO BOX 1732 LEWISBURG WV 24901 (304) 497-3875					

Water Source: BEAR GULCH

Tributary to: GETTA CREEK

Stage: PERMIT

Point(s) of Diversion: T28N R01W S21 NWNW IDAHO 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	:	SUM
28N	01W	21	:								04									:	4.0
																				TOTAL ACRES	4.0

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

Pou County: IDAHO

Conditions of Approval:

004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.

Dates: App. Received: 12/13/1982 Priority Date: 12/13/1982
Proof Due Date: 01/01/1988 Proof Made Date: 12/23/1987
Exam Made Date: 07/20/1990 Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee: N (Not Required)

Audit: 01/26/88 05/01/88 CONVERT 11/03/89 CURTIS 08/08/90 GARRETT
10/30/95 CZIMMERM

10/17/95

Dear Ms. Zimmerman,

Enclosed is the information you requested as per our conversation

Mon., 10/16, 9:00 AM. As you can see the water rights were transferred to us almost five years ago. Unfortunately we can not track down those parties, to have the signatures notarized and the McFarlands never owned the property they had the water rights too. Please verify the signatures with those on record and transfer the water rights to us. We also have a letter from Larry Waters from 1990 that said he would come down and inspect the water systems on our property by 1991, but either we won't have or no one came out. Thank you for your help in finally getting this issue resolved.

Sincerely,
Muel McFarland

Muel & Mary McFarland

P.O. Box 1732

Lewistown, W.V. 24901

304-497-3875

NOV 15 1995
RECEIVED

RECEIVED

State of Idaho

OCT 23 1995

DEPARTMENT OF WATER RESOURCES

10-24-95 gw 25.00

RECEIVED

OCT 02 1995

RECEIVED

OCT 06 1995

ASSIGNMENT OF ~~APPLICATION FOR~~ PERMIT

To change the ownership of an application for permit

WATER RESOURCES
WESTERN REGION

Department of Water Resources

I, _____, hereby assign to Neil Markovitz
(Applicant)
of PO Box 1732 Lewisburg, West Virginia 24901
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 79-07119 to appropriate the public waters of the State of Idaho.
79-07118

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Permit No. _____ to appropriate the public waters of the
State of Idaho.

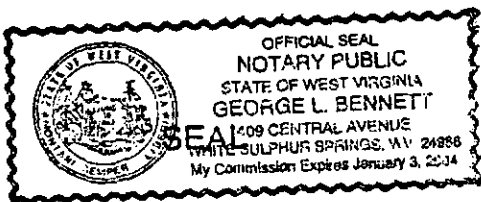
Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

Made this 28th day of Sept, 19 95.

Neil Markovitz
Applicant(s)

State of Idaho)
County of GREENBRIER ss

On this 28th day of Sept, 1995, personally appeared before me the
signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



George L. Bennett
Notary Public

NOV 15 1995

My commission expires: 1/3/2004

W019938 \$25.00 03 10-2-95



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

October 6, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

NEIL MARKOVITZ
PO BOX 1732
LEWISBURG WV 24901-1732

RE: Assignments of Permit Nos. 79-07118 & 79-07119

Dear Mr. Markovitz:

I recently received an 'Assignment of Permit' form on the above referenced permits assigning the permits to you.

In Idaho, permits are considered personal property and can only be assigned by the owner of record. Our records identify Dennis &/or Diane McFarland as owners of the permit. The assignment submitted was not signed by Dennis &/or Diane McFarland and, therefore, is not acceptable.

As of July 1, 1994, the assignment of a permit must be accompanied by a \$25.00 filing fee. The assignment form you submitted identified two permits, therefore, \$50.00 in filing fees are required to process the assignments of both permits. Your assignment form was accompanied by \$25.00 in filing fees (see attached receipt #W019938), leaving a balance due of \$25.00. Assignments of permits are not acceptable without the full filing fees.

I am returning your assignment form to you. I have enclosed two partially completed assignment of permit forms which Dennis &/or Diane McFarland may sign. Please resubmit the assignment forms with the remaining filing fee to my attention at the above address.

If you have any questions, please contact me directly at (208) 327-7944.

Sincerely,

Cindy Zimmerman
Water Resource Agent

Enclosures

RECEIVED

NOV 15 1995

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

7953
Date
02/01/90
Code
193002

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

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

CHECK ONE:

PAY

TO

DENNIS OR DIANE MCFARLAND
5203 HUMMINGBIRD WAY
FT. PIERCE, FL 34951

(1) MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	06 10 199	1238	8831		EXT. 79-7122/79-7118 79-7119 PER RITA FLECK 1/29/90 45.00	45.00	
TOTAL						45.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

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

AUDITOR'S CERTIFICATE

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

Date

Head of Agency or Institution

State Auditor

January 29, 1990

Dennis L. and Diane L. McFarland
5203 Hummingbird Way
Ft. Pierce, FL 34951

Dear Mr. and Mrs. McFarland:

Re: Permit Nos. 79-7118, 79-7119 and 79-7122

This office acknowledges receipt of the assignment conveying these permits to you. The assignment has been entered into the department's records. Enclosed is a copy of each permit for your records.

I am returning the three requests for extension of time and I have notified the Fiscal Section to prepare a refund. For Permit Nos. 79-7118 and 79-7119, the proof of beneficial use forms have been submitted. This means that the previous permit holders notified us that these projects were complete and water was being diverted and put to a beneficial use. Specifically, for Permit No. 79-7118 there existed a diversion for garden, orchard and vinyard, and barn use from Annie Gulch and for Permit No. 79-7119, there existed a diversion from Bear Gulch for a domestic and yard and garden up to four acres.

Permit No. 79-7122 was issued for the diversion of water from Getta Creek for power and irrigation uses. It shows that a proof of beneficial use or request for extension of time is not due until March 1, 1991. Note, however, that one request has been granted and unless the reason for requesting an extension is a delay caused by either litigation or a governmental agency, another request cannot be granted.

If you have any questions concerning these filings, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

c: Fiscal Section

NOV 15 1995

MEMORANDUM

DATE: January 29, 1990

TO: FISCAL SECTION

FROM: Nina Shields or Rita Fleck

RE: REFUND - Permit No. 79-7118, 79-7119 and 79-7122

Please prepare a refund of \$45.00 (receipt No. C012595). Attached is a copy of a letter which explains why the refund is necessary along with the receipt.

Also, please reference the water right identification number on any papers returned to me for the files. Thanks.

Attachments: Letter
Receipt

RECEIVED
FISCAL SECTION

NOV 15 1995



State Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 7, 1988

RECEIVED
OCT 07 1988

Robert L. Nuckols
Route 4
Cottonwood Idaho 83522

RE: NO. 79-7118
NO. 79-7119

Department of Water Resources

Dear Mr. Nuckols:

The above mentioned water permits with sources of Annie Gulch and Bear Gulch, are due to have the field exam conducted. I was planning on completing the field exams on September 28, 1988. However, due to the remoteness of the area and the fact that our schedules were such that we could not meet, the field exams were not done.

Before a license can be issued, the field exams must be completed. In order to keep these permits in a valid status, please contact the department and make arrangements to have the field exam conducted.

Sincerely,

Darren Knuteson
Sr. Water Resource Agent

RECEIVED
OCT 15 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COMMENCEMENT OF WORKS

Permit No.

79-7119

Name(s) of Permit Holder(s):

Rob & Mary Nuckols

Post Office Address:

Rt. 4, Cottonwood, Id. 83522

Tel. No. _____

☐ I hereby certify that construction of diversion works for the above referenced permit began on 6-1-82 (date). I understand that I must 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.

Date

12-1-83

Signature of Permit Holder

Rob Nuckols

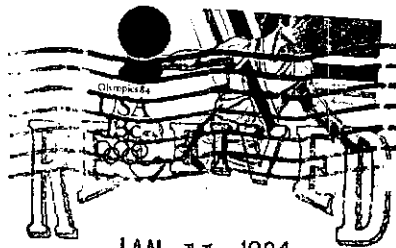
Robert Muckals

Rt. 4

Cottonwood,



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



Department of Water Resources

NOV 15 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 23, 1988

- 79-7118 & 79-7119 ✓
- Robert C. &/or Mary Ann Nuckols
- Rt. 4
- Cottonwood, ID 83522

Dear Applicant(s):

We acknowledge receipt of your statement submitted as proof as 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.

Sincerely,

A handwritten signature in dark ink, appearing to read "Judy Pense", with a checkmark at the end.

Judy Pense
Secretary

/jdp

NOV 15 1988

138060
CERTIFIED MAIL
October 31, 1987

NUCKOLS, ROBERT L. & MARY ANN
RT. 4
COTTONWOOD, ID 83522

PROOF DUE NOTICE

RE: Permit No. 79-7119

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1988. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this Department on or before the above described proof due date, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

MicroFILMED

MAR 03 1988

S T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

NUCKOLS, ROBERT L. & MARY ANN
RT. 4
COTTONWOOD, ID 83522

FEBRUARY 01, 1983

RE: PERMIT NO. 79-7119

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.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED INSTRUCTIONS 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

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: C035758

Date: 6/ 7/1996
Time: 11:46:36

Received From: MARKOVITZ, NEIL

Type of Payment	Program A cct	Amount
ASSIGNMENT OF PERMIT #79-07119	56103 229 21 1155	25.00

CHECK 0526

Total \$ 25.00

Region: STATE

Signature: _____

R. Busby

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: 625

APPLICATION NUMBER: 19-7119

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: This is different house than the one listed from Annie Gulch

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☐ No
☒ Yes ☒ No
☒ Yes ☐ No*
☐ Yes ☐ No

Platted by: _____ Map No. _____

Other rights on same place of use. New app filed

for same Acres from Getta Creek

In form for advertising.

Final date for protests: 1/10/83

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 1/10/83
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 30/23065
☒ Publication dates and paper, recorded on application. 12/23/82 12/30/82 cottonwood chronicle
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.

- ☐ Yes ☒ No
☐ Yes ☒ No
☐ Yes ☒ No

Measuring device required.

Access port required.

Will water be delivered by watermaster? If yes, what district? _____

Date of priority recommended. 12/13/82

Special conditions of approval or cover letter. Right-of-way clause

By: DBS

Date: 1/17/83

STATE OFFICE REVIEW:

SLW/L17

26 04

- ☐ See attached sheet for more information.

By: [Signature]

Date: 1/18/83

RECEIVED

JAN 18 1983

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

29-7119

NUCKOLS, ROBERT L. &/or MARY ANN
ADAIR, TERESA MARIE

RT. 4, COTTONWOOD, ID 83522

Source: BEAR GULCH trib. to GETTA CREEK

Date Filed: 12/13/1982

Diversion Pt: NNW Sec 21 T 28N R 01W

Use: IRRIGATION (0.08 CFS)
DOMESTIC (0.04 CFS)

In: NNW Sec 21 T 28N R 01W FOR 4 ACRES

MICROFILMED
SERIALS
1983