

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

5N

26

Point of diversion

place of use

4E

Scale: 2 inches equal 1 mile

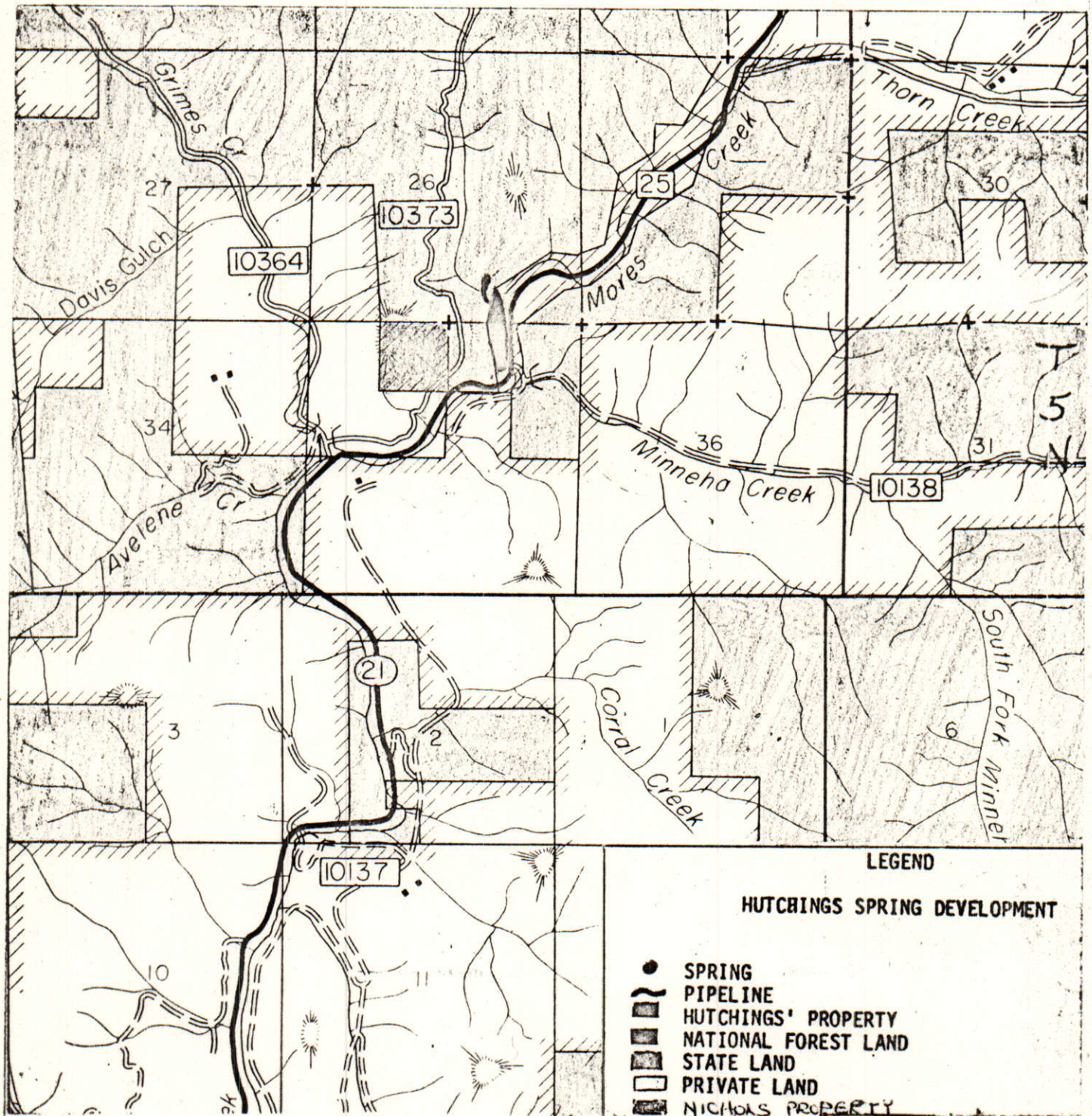
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Walter M. Nichols
(Applicant)

U. S. DEPARTMENT OF AGRICULTURE

BOISE NATIONAL FOREST

55'
R 4 E R 5 E



AFFIDAVIT
OF
PUBLICATION

STATE OF IDAHO, } S.S.
COUNTY OF BOISE

T. R. Adams, being
duly sworn, deposes and says:
That he is the manager and prin-
cipal clerk of THE IDAHO
WORLD a weekly news paper
published at Idaho City, in the
County of Boise and state of
Idaho; that said paper has been
and is in general circulation
in the county aforesaid, and in
the vicinity of Idaho City; that
the advertisement, a copy of
which is hereto attached, was
published in said newspaper

once a week for two con-
secutive weeks in the entire and
regular issue of every number
of said paper during the period
and time of publication, and was
published in the newspaper pro-
per and not in a supplement;
that said paper has been estab-
lished and regularly and contin-
uously published for more than
seventy-eight weeks past pre-
vious to the first publication of
this notice. Such notice was pub-
lished in the issue beginning
with December 16, 1971
and ending with the issue of

December 23, 1971
Fees \$..... T. R. Adams

Subscribed and sworn to before
me this 3rd day of February

197 2
Robert J. Tuffield
Clerk District Court

Deputy

RECEIVED
FEB 4 1972

Department of Water Administration

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that
Walter M &/or Thelma E. Nich-
ols, Care of Idaho City Stage,
Boise, Idaho, have on December
3, 1971, submitted application
No. 63-7529 for a permit to ap-
propriate 0.06 cubic feet per sec-
ond of water from an unnamed
spring, tributary of Wild Cat
Gulch and Mores Creek, by
means of settling box and pipe
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26,
T. 5N., R. 4E., B. M., Boise
County to be used from Jan. 1
to Dec. 31 for domestic purposes
and from April 1 to Nov. 1, for
the irrigation of 1.5 acres, with-
in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T.
5N., R. 4E., 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, Bo-
ise, Idaho, 83707, on or before
R. KEITH HIGGINSON
Director

Published in the Idaho World
January 3, 1972.
Idaho City, Idaho on December
16 and December 23, 1971.

63 7529

T
5
N

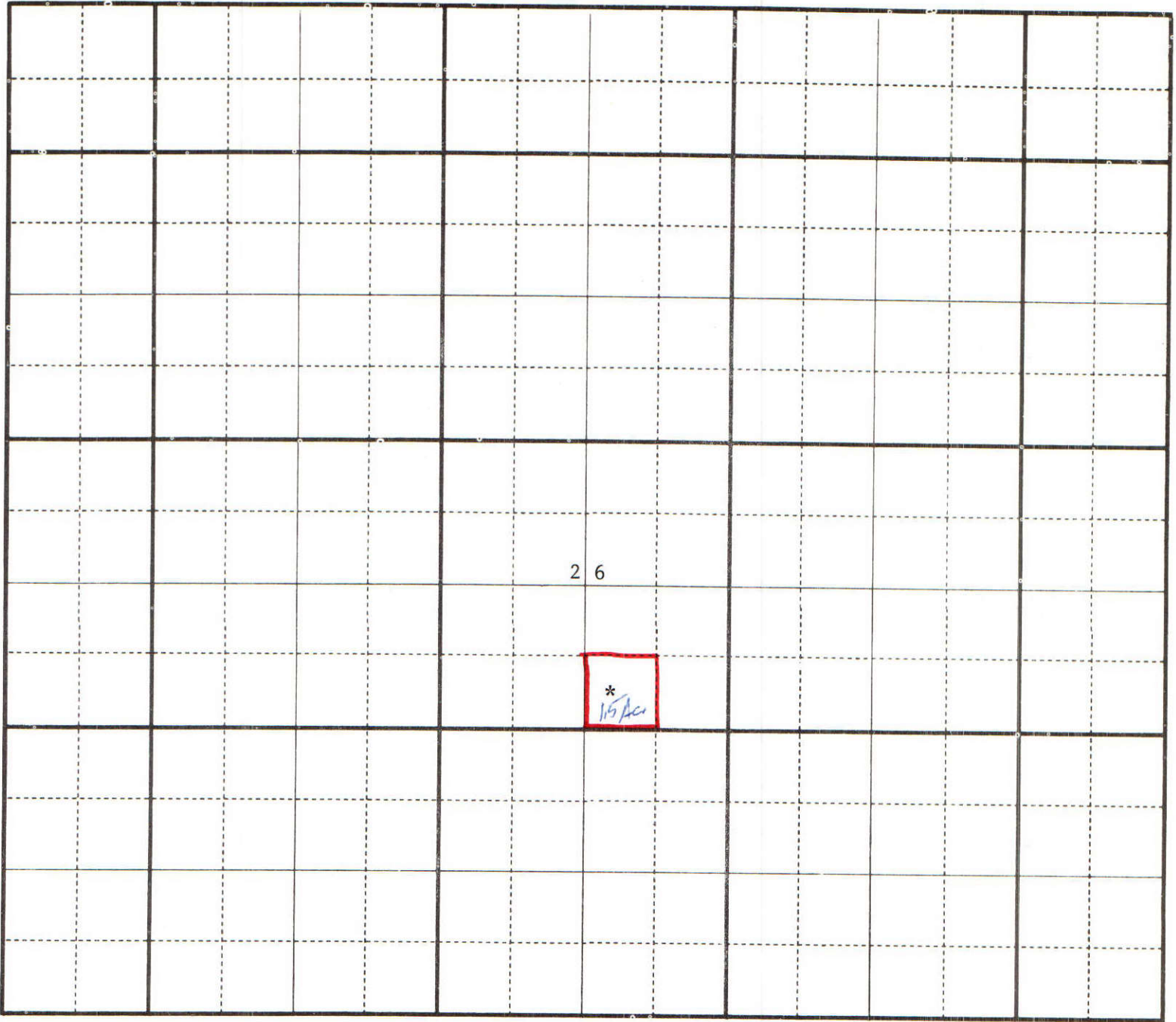
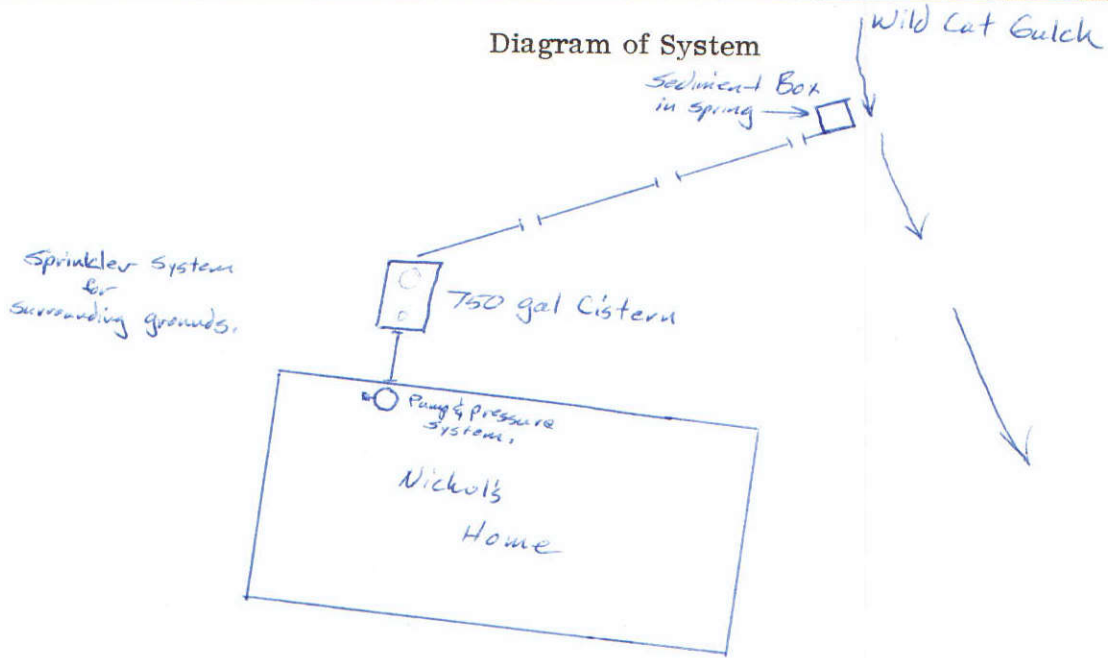


Diagram of System



← Mores Creek

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 63-7529 Priority Dec. 3, 1971 Amount 0.06 cfs

THIS IS TO CERTIFY, that Walter M. &/or Thelma E. Nichols
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 63-7529 issued pursuant to Application for Permit dated December 3, 1971,
and has submitted proof to the Department of Water Administration on February 27, 1974,
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 0.06 cfs of water from an unnamed spring,
tributary to Wild Cat Gulch & Mores Creek, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u>	at <u>0.03</u> cfs and	<u>6.7 acre feet</u>
<u>Domestic</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.03</u> cfs and	<u>0.6 acre feet</u>
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.06 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 is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
7.3 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 26,
Twp. 5 N, Rge. 4 E, B.M. in the County of Boise

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 N	4 E	26															X		1.5

Total number of acres irrigated 1.5

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 8 day of
May, 19 74.

Director

63 7529

Identification No. 63-7529
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

LICENSE ISSUED FOR 0.06 SEC. 7 1/2 Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

RELIEF P.C. NO. _____

342-270-1240 ext 442
342-5945 Home

1. Name of applicant Walter M. and/or Thelma E. Nichols
post office address c/o Idaho City Stage, Boise, Idaho 83706
2. Source of water supply Unnamed Spring which is a tributary of Wild Cat Gulch & Mores Ck.
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 26 Township 5N
Range 4E B.M. Boise County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Wild Cat Gulch at a point in SW $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 26 Township 5N Range 4E B.M. _____
4. Water will be used for the following purposes:
Amount 0.03 for irrigation purpose from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.03 for domestic purpose from Jan. 1 to Dec. 31 (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. 0.06 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Settling box and 2 inch plastic pipe
to place of use.

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 _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 2 years.
b. Estimated construction cost is \$ 200.00.
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 SE $\frac{1}{4}$ of Section 26 Township 5N
Range 4E 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: _____

63 7529

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5N	4E	26															1.5		1.5

Total number of acres to be irrigated 1.5

c. Describe any other water rights used for the same purposes as described above.

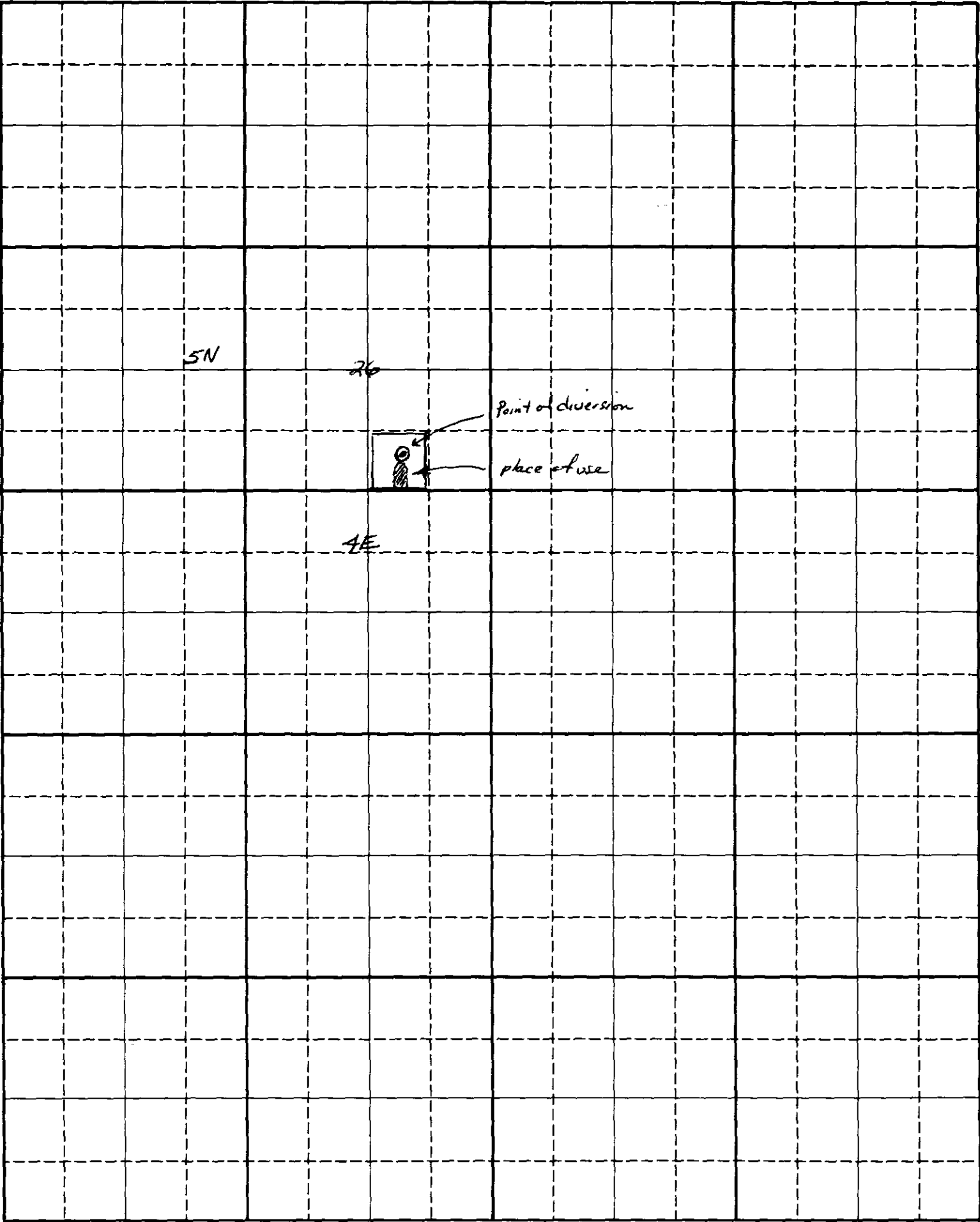
9. a. Who owns the property at the point of diversion Forest Service

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

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

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.

Walter M. Nichols
(Applicant)

Received by FE Date 12/3/71 Time 2:30 PM.Preliminary check by FE Fee \$ 10.00Receipted by ij Date 12-3-71rec # 553Publication prepared by cr Date 12-9-71Published in The Idaho WorldPublication dates 12-16 & 12-23-71Publication approved CR Date 2-8-72Priority reduced to 12-3-71 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by oh ADF

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. 63-7529, 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 March 1, 19 74.

c. Other: _____

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

Witness my hand this 18 day of February, 19 72.

D. Kirk Higin
Director

ORIGINAL

United States Department of Agriculture
Forest Service

Department of Water Administration

SPECIAL USE PERMIT

Act of June 4, 1897

This permit is revocable and nontransferable
(Ref. FSM 2710)

a. Record no. (1-2)	b. Region (3-4)	c. Forest (5-6)
70	04	Boise 02
d. District (7-8)	e. Use number (9-12)	f. Kind of use (13-15)
03	2720	914
g. State (16-17)	h. County (18-20)	i. Card no. (21)
16	015	1

Permission is hereby granted to Walter M. Nichols

of c/o Idaho City Stage, Boise, Idaho 83706,
hereinafter called the permittee, to use subject to the conditions set out below, the following described lands
or improvements:

Section 35, T. 5 N., R. 4 E., near confluence of Wildcat
Gulch and Mores Creek.

This permit covers .006 acres and/or .05 miles and is issued for the purpose of:

Developing a spring and installing pipeline for domestic
water system.

1. Construction or occupancy and use under this permit shall begin within 6 months, and
construction, if any, shall be completed within 18 months, from the date of the permit. This
use shall be actually exercised at least 365 days each year, unless otherwise authorized
in writing.

2. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of
Agriculture, the sum of twenty and no/100 - - - Dollars (\$ 20.00) for the period
from January 1 19 72, to December 31, 19 72, and thereafter
annually on January 1

twenty and no/100 - - - - - Dollars (\$ 20.00) :
Provided, however, Charges for this use may be made or readjusted whenever necessary to place the
charges on a basis commensurate with the value of use authorized by this permit.

3. This permit is accepted subject to the conditions set forth herein, and to conditions 18 to
25 attached hereto and made a part of this permit.

PERMITTEE	NAME OF PERMITTEE	SIGNATURE OF AUTHORIZED OFFICER	DATE
	<u>Walter M. Nichols</u>		<u>1-5-72</u>
ISSUING OFFICER	NAME AND SIGNATURE	TITLE	DATE
	<u>[Signature]</u>	<u>Acting F.S.</u>	<u>1/6/72</u>

(CONTINUED ON REVERSE)

63 752

2700-4 (10/66)

4. Development plans; layout plans; construction, reconstruction, or alteration of improvements; or revision of layout or construction plans for this area must be approved in advance and in writing by the forest supervisor. Trees or shrubbery on the permitted area may be removed or destroyed only after the forest officer in charge has approved, and has marked or otherwise designated that which may be removed or destroyed. Timber cut or destroyed will be paid for by the permittee as follows: Merchantable timber at appraised value; young-growth timber below merchantable size at current damage appraisal value; *provided* that the Forest Service reserves the right to dispose of the merchantable timber to others than the permittee at no stumpage cost to the permittee. Trees, shrubs, and other plants may be planted in such manner and in such places about the premises as may be approved by the forest officer in charge.

5. The permittee shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the forest officer in charge.

6. This permit is subject to all valid claims.

7. The permittee, in exercising the privileges granted by this permit, shall comply with the regulations of the Department of Agriculture and all Federal, State, county, and municipal laws, ordinances, or regulations which are applicable to the area or operations covered by this permit.

8. The permittee shall take all reasonable precautions to prevent and suppress forest fires. No material shall be disposed of by burning in open fires during the closed season established by law or regulation without a written permit from the forest officer in charge or his authorized agent.

9. The permittee shall exercise diligence in protecting from damage the land and property of the United States covered by and used in connection with this permit, and shall pay the United States for any damage resulting from negligence or from the violation of the terms of this permit or of any law or regulation applicable to the national forests by the permittee, or by any agents or employees of the permittee acting within the scope of their agency or employment.

10. The permittee shall fully repair all damage, other than ordinary wear and tear, to national forest roads and trails caused by the permittee in the exercise of the privilege granted by this permit.

11. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

12. Upon abandonment, termination, revocation, or cancellation of this permit, the permittee shall remove within a reasonable time all structures and improvements except those owned by the United States, and shall restore the site, unless otherwise agreed upon in writing or in this permit. If the permittee fails to remove all such structures or improvements within a reasonable period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and restoration of the site.

13. This permit is not transferable. If the permittee through voluntary sale or transfer, or through enforcement of contract, foreclosure, tax sale, or other valid legal proceeding shall cease to be the owner of the physical improvements other than those owned by the United States situated on the land described in this permit and is unable to furnish adequate proof of ability to redeem or otherwise reestablish title to said improvements, this permit shall be subject to cancellation. But if the person to whom title to said improvements shall have been transferred in either manner provided is qualified as a permittee and is willing that his future occupancy of the premises shall be subject to such new conditions and stipulations as existing or prospective circumstances may warrant, his continued occupancy of the premises may be authorized by permit to him if, in the opinion of the issuing officer or his successor, issuance of a permit is desirable and in the public interest.

14. In case of change of address, the permittee shall immediately notify the forest supervisor.

15. The temporary use and occupancy of the premises and improvements herein described may be sublet by the permittee to third parties only with the prior written approval of the forest supervisor but the permittee shall continue to be responsible for compliance with all conditions of this permit by persons to whom such premises may be sublet.

16. This permit may be terminated upon breach of any of the conditions herein or at the discretion of the regional forester or the Chief, Forest Service.

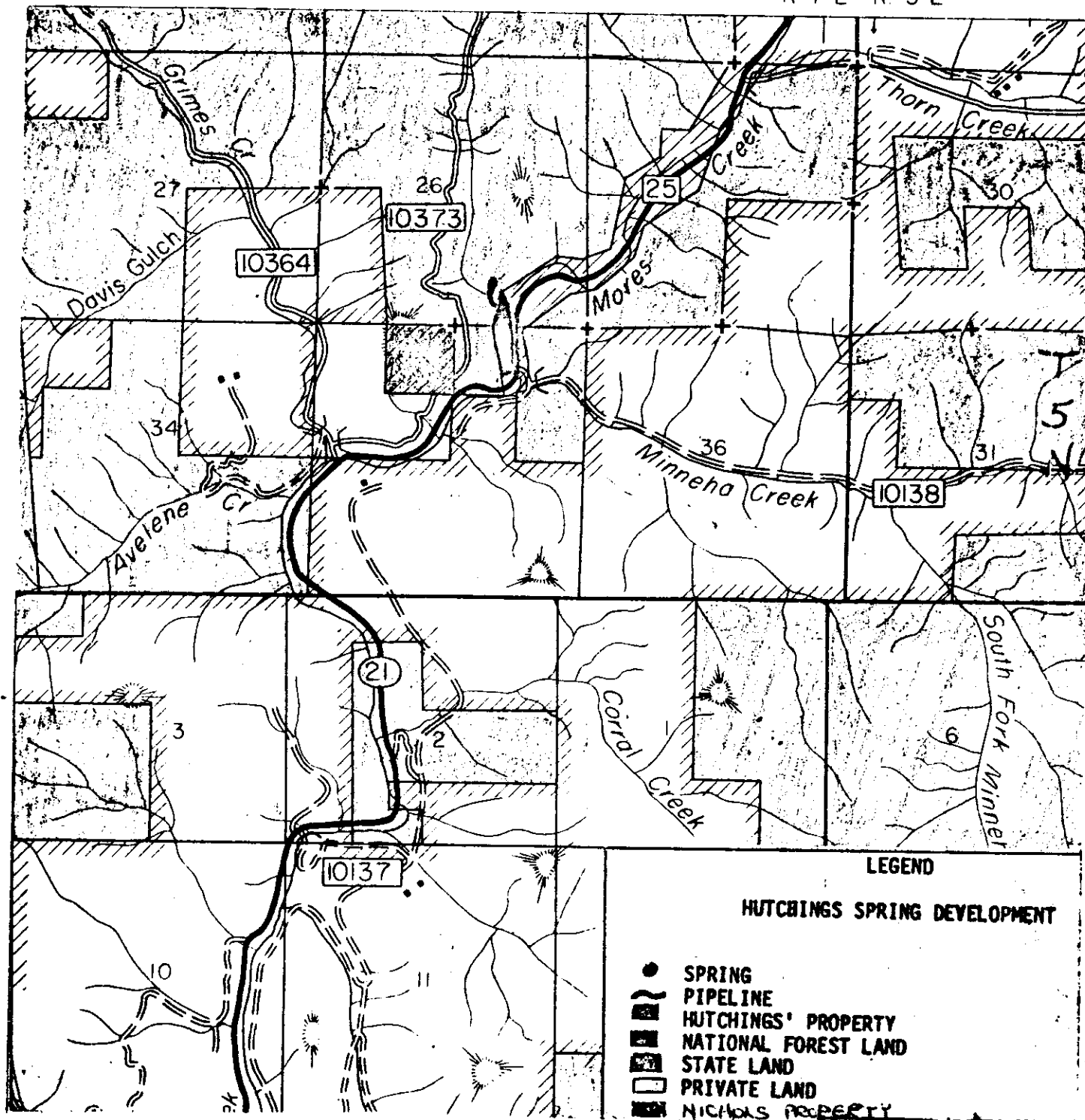
17. In the event of any conflict between any of the preceding printed clauses or any provisions thereof and any of the following clauses or any provisions thereof, the following clauses will control.

18. (A-13) A service charge in addition to the regular fees shall be made for failure to meet the fee payment due date or any of the dates specified for submission of statements required for fee calculation. The service charge shall be one (1.0) percent per month of the fee from the date statement and fees were due or \$15, whichever is greater. If a due date falls on a nonworkday, the service charge will not apply until the end of the next workday.
19. (B-8) The permittee shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of National Forest lands under this permit.
20. (D-3) The permittee shall protect the scenic esthetic values of the area under this permit, and the adjacent land, as far as possible with the authorized use, during construction, operation, and maintenance of the improvements.
21. (D-7) The permittee shall be responsible for the prevention and control of soil erosion and gullyng on the area covered by this permit and lands adjacent thereto, and shall provide preventive measures as required.
22. (E-4) Unless sooner terminated or revoked by the Regional Forester in accordance with the provisions of the permit, this permit shall expire and become void on December 31, 1981, but a new permit to occupy and use the same National Forest land may be granted provided the permittee will comply with the then-existing laws and regulations governing the occupancy and use of National Forest lands and shall have notified the Regional Forester not less than six (6) months prior to said date that such new permit is desired.
23. (X-4) This permit is issued on the condition that the permittee has secured, or will secure, the consent of any person having valid claim to the land.
24. (X-19) The permittee agrees to permit the free and unrestricted access to and upon the premises at all times for all lawful and proper purposes not inconsistent with the intent of the permit or with the reasonable exercise and enjoyment by the permittee of the privileges thereof.
25. (X-81) This permit confers no right to the use of water by the permittee.

U. S. DEPARTMENT OF AGRICULTURE

BOISE NATIONAL FOREST

55'
R 4 E R 5 E



**AFFIDAVIT
OF
PUBLICATION**

STATE OF IDAHO, }
COUNTY OF BOISE } S.S.

T. R. Adams, being
duly sworn, deposes and says:
That he is the manager and principal clerk of THE IDAHO WORLD a weekly news paper published at Idaho City, in the County of Boise and state of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper

once a week for two consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication, and was published in the newspaper proper and not in a supplement; that said paper has been established and regularly and continuously published for more than seventy-eight weeks past previous to the first publication of this notice. Such notice was published in the issue beginning

with December 16, 1971
and ending with the issue of

December 23, 1971

Fees \$..... T. R. Adams

Subscribed and sworn to before
me this 3rd day of February

197 2
Robert J. Tuffield
Clerk District Court

Deputy

Department of Water Administration

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Walter M. and Thomas E. Nichols, Care of Idaho City Stage, Boise, Idaho, have on December 3, 1971, submitted application No. 83707 for a permit to appropriate 0.25 cubic feet per second of water from an unnamed spring, tributary of Wild Cat Gulch and Mower Creek, by means of settling box and pipe within the SW 1/4 Sec. 26, T. 5N., R. 4E., S. 1M., Boise County to be used from Jan. 1 to Dec. 31 for domestic purposes and from April 1 to Nov. 1, for the irrigation of 1.5 acres within the SW 1/4 Sec. 26, T. 5N., R. 4E., S. 1M.

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

E. KEITH HIGGINS
Director

Published in the Idaho World
January 3, 1972.
Idaho City, Idaho on December
16 and December 23, 1971.

WATER RIGHT NUMBER 63-7529 ✓

OWNER LAST NAME - NICHOLS

FIRST NAME - WALTER M.

ORIG OWNER -

OWNER LAST NAME - NICHOLS

FIRST NAME - THELMA E.

ORIG OWNER -

ADDRESS LINE 1 - C/O IDAHO CITY STAGE ✓

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - BOISE

STATE - ID ZIP CODE - 83706 ✓

SOURCE - SPRING

TRIBUTARY OF - WILD CAT GULCH

STAGE - LICENSE

STATUS -

PRIORITY - 12-03-1971 COUNTY - BOISE

TOTAL DIV. RATE - .0600 -CFS

TOTAL DIV. VOLUME - 7.30 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWSE 26 05N 04E LOT REDIV -

272.0 312.0 84.0 19.0 0.0 0.0 0.0 0.0 0.0 0.0 0.2

FROM - 04-01 TO - 11-01 USE - IRRIGATION

USE DIV. RATE -

.0300 CFS

USE DIV. VOLUME -

6.70 AFA

FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE -

.0300 CFS

USE DIV. VOLUME -

.60 AFA

USE - IRRIGATION

PLACE OF USE - TWN 05N RNG 04E SEC 26 TRACT SWSE LOT AC 02

DECREE NAME -

DATE -

TOTAL ACRES

2

REMARKS - AC. IRR.=1.5.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

IDENT. NO. 63-7529

WATER RIGHT
DATA ENTRY LOG

[illegible]

May 9, 1974

Re: Permit No. 63-7529

Walter M. &/or Thelma E. Nichols
c/o Idaho City Stage
Boise, Idaho 83706

Dear Mr. & Mrs. Nichols:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:JFR

Enclosure

63 7529

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Walter M. &/or Thelma E. Nichols
Post office address c/o Idaho City Stage, Boise, ID 83706 Phone _____
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Unnamed spring
(name spring, stream, etc.)
Tributary to Wild Cat Gulch & Mores Ck.

3. Water will be used for the following purposes:

Amount 0.03 c.f.s. for irrigation
_____ AF/Annum (nature of use)

Period of Use: from Apr. 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

Amount 0.03 c.f.s. for domestic
_____ AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 63-7529
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 0.06 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 5N N/S, Range 4E E/W, B.M., Section 26, Subdivision SW $\frac{1}{4}$ SE $\frac{1}{4}$, Boise
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

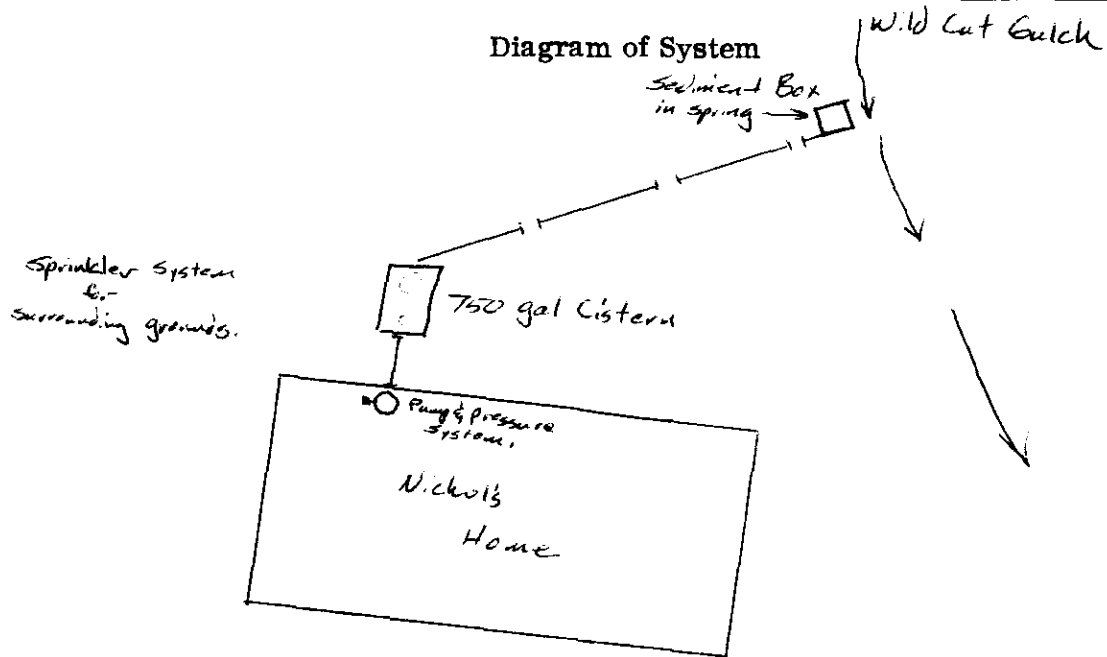
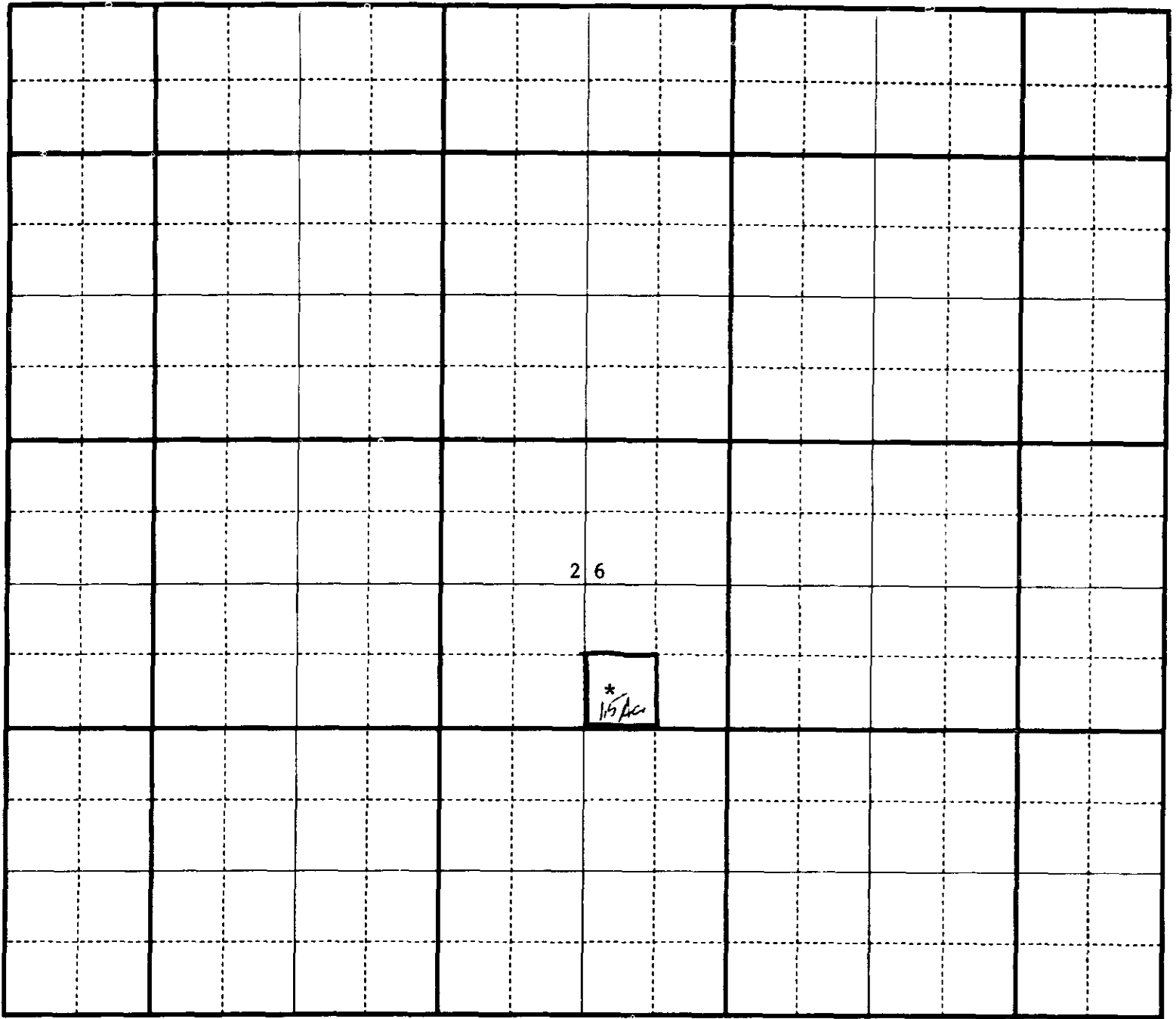
Description of diverting works: 1½" pipe installed to bedrock of spring running to sediment box. 1½" pipe from sediment box to cistern for storage. Excess water flowing into Wildcat Creek.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	4E	26															X(domestic) 1.5		1.5

63 7529 TOTAL ACREAGE 1.5



Mores Creek

To Base

HW 21

To Idaho City

DATE OF EXAM Apr 25 / 1974

ACREAGE
Found 1.5
Recommended 1.5

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = 0.03 c.f.s. V = 6.75 AF/Ann. from 4/1 to 11/1
Domestic Q = 0.03 c.f.s. V = 1.6 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 0.06 Method of measurement _____

Total Q recommended 0.06 Meter No. _____ Type _____ Condition _____

Total V recommended 7.35 A.F.

Recommended Amendments:

P.D. _____
Place of Use _____
Other ☒ _____
None _____

MEASUREMENT CALCULATION:

Irrig $V = 1.5 \times 4.5 = 6.75$

SYSTEM DESCRIPTION:

1 1/2" ppc in bedrock at spring running to sediment box & then
to 750 gal cement distender, pressureless pump & pressure
system for domestic supply, sprinkler system for
irrigation.

REMARKS:

Examiner's Signature M. Clayton Brown Date Apr 25, 1974

Checked by _____ Date _____

Approved by _____ Date _____

March 6, 1974

Re: Permit No. 63-7529

Walter M. &/or Thelma E. Nichols
c/o Idaho City Stage
Boise, Idaho 83706

Dear Mr. & Mrs. Nichols:

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.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC

63 7529

Identification No. 63-7529

Permit No. 63-7529

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

FEB 27 1974 of jo
Department of Water Administration

1. a) Name of Permit Holder WALTER M. and/or Thelma E. Nichols
- b) Post Office Address C/o Idaho City State Boise, Idaho 83706
2. Permit Number 63-7529
3. Date of Priority that you are prepared to establish 12-3-71
4. a) Source from which water was appropriated UNNAMED SPRING ON WILD CAT GULCH
- b) Location of the point of diversion: SW 1/4 SE 1/4, Section 26
Township SN, Range 4E Boise Meridian, Other points of diversion: NONE

5. a) The amount of water and use to which the water has been applied:
amount 0.03 for IRRIGATION purposes from APRIL 1 to NOV 1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount 0.03 for DOMESTIC purposes from JAN 1 to DEC 31 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 0.06 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: RATE OF FLOW 10 GALLONS PER MINUTE CONVERTED TO CFS BY APPLICANT.

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: NA
 - 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) 1 1/2" pipe installed to bedrock of SPRING RUNNING to sediment Box. 1 1/2" pipe from sediment Box to cistern for storage. Excess water flowing into creek with cat
- b) Describe the type and size of measuring device which you have installed at your point of diversion: NONE
- c) Give well drillers name and address and date the well was completed NONE

Exam type 3/6/74 by jo

CS 7529

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Domestic use for Residence

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	4E	26															1.5		1.5

Total number of acres irrigated 1.5

10. Remarks:

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

2-25-74

(Date)

Walter H. Nichols

(Signature)

State of Idaho)
County of Ada) ss.

On this 27th day of February, 19 74, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Richard R. Fuller

Notary Public residing at Boise, Idaho

My commission expires March 5, 1974

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

25079

①

②

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

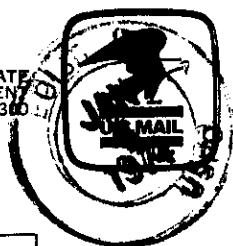
JAN 4 - 1976

SHOW WHERE DELIVERED *(Only if requested and include ZIP Code)*

63 7529

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**

DEPARTMENT OF AGRICULTURE
STATE OF IDAHO
BOISE, IDAHO

63 7529

December 31, 1973

CERTIFIED MAIL

#25079

Re: Permit No. 63-7529

Walter M. &/or Thelma E. Nichols
c/o Idaho City Stage
Boise, Idaho 83706

Dear Mr. & Mrs. Nichols:

One of the conditions of approval of your water Permit No. 63-7529 (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 March 1, 1974. 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.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

63 7529

February 23, 1972

Re: Permit No. 63-7529 - Walter M. &/or Thelma E. Nichols

Walter M. Nichols
c/o Idaho City Stage
Boise, Idaho 83706

Dear Mr. Nichols:

Enclosed is a copy of your approved Application for Permit No. 63-7529. We direct your attention to the conditions of approval as listed on the fourth page.

You should also be aware that since your source of water supply is a tributary of the Boise River which is a fully appropriated stream, that your diversion will be subject to the control of the watermaster. This could result in your water not being available for your use in years of short supply.

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

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

EDF:cr

Enclosures

63 7529

January 28, 1972

Re: Application No. 63-7529 - Walter M. and/or Thelma E. Nichols

C
The Idaho World
Box 144
Idaho City, Idaho 83631

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 December 16 and December 23, 1971.

P
Your cooperation in this matter is greatly appreciated.

Very truly yours,

Y
Fred Eisenbarth
Appropriation Examiner

FE:CR

63 7529

January 6, 1972

Re: Application No. 63-7529 - Walter M. and/or Thelma E. Nichols

The Idaho World
Box 144
Idaho City, Idaho 83631

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 December 16th and December 23rd, 1971.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB

63 7529

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

December 9, 1971

Re: Application No. 63-7529 - Walter M. &/or Thelma E. Nichols

The Idaho World
Box 144
Idaho City, Idaho 83631

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 our 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 date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. 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)

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:cr

Enc: Legal Notice

Bill submitted 2-8-72 cr

63 7529

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Walter M. &/or Thelma E. Nichols,
c/o Idaho City Stage, Boise, Idaho
have ~~been~~ on December 3, 1971 submitted Application No. 63-7529
for a permit to appropriate 0.06 cubic feet per second ~~amount of water to be appropriated~~
of water from an Unnamed Spring, tributary of Wald Cat Gulch & Mores Creek
by means of settling box and pipe
within the SW 1/4 Sec. 26, T. 5N, R. 4E, B.M., Boise County

to be used from Jan. 1 to Dec. 31 for domestic purposes; and from April 1 to Nov. 1
for the irrigation of 1.5 acres

within the SW 1/4 Sec. 26, T. 5N, R. 4E, 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 January 3, 1972.

R. KEITH HIGGINSON

Director

Published in the Idaho World, Idaho City, Idaho
on Dec. 16 and Dec. 23, 1971.