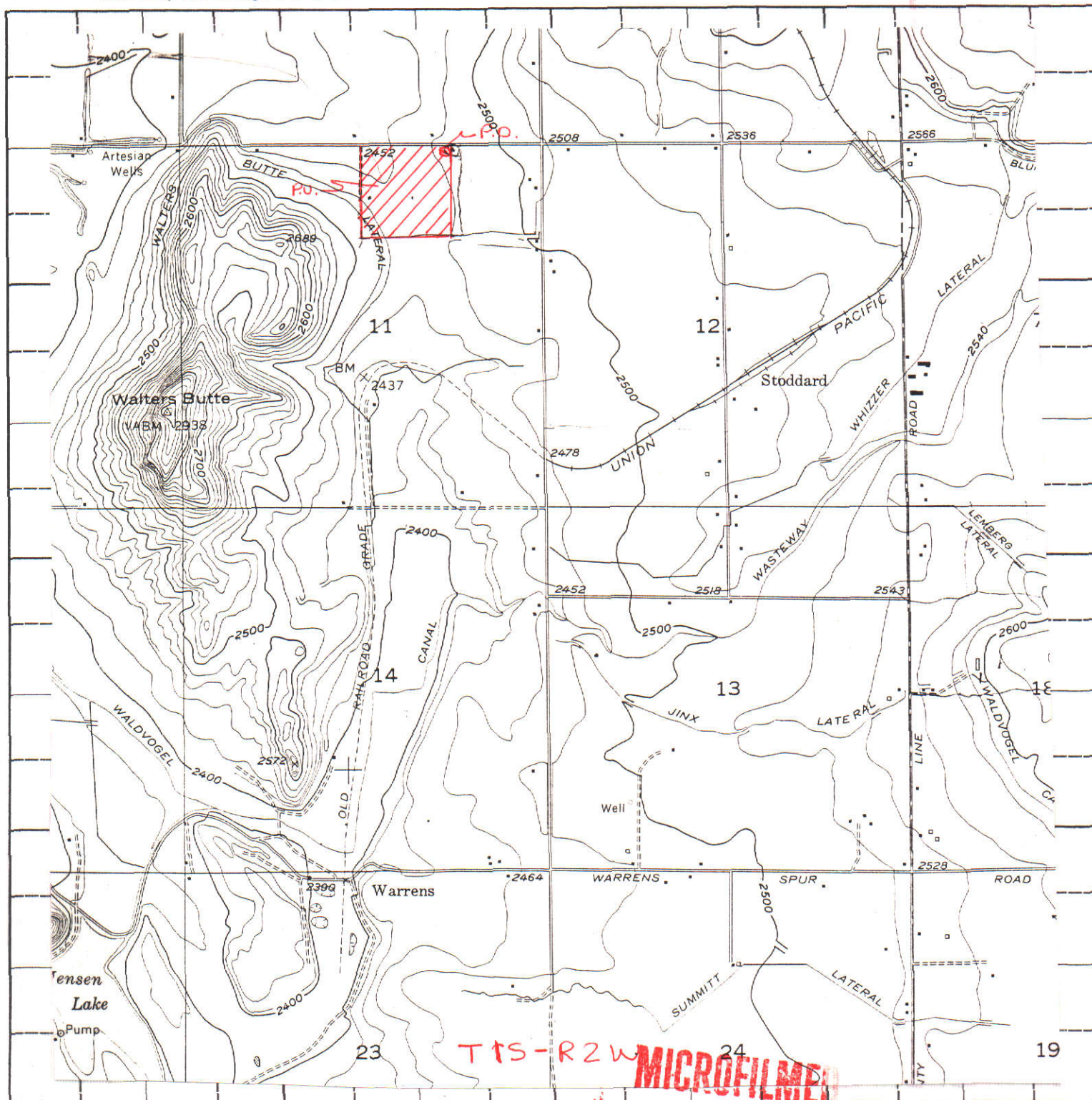


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

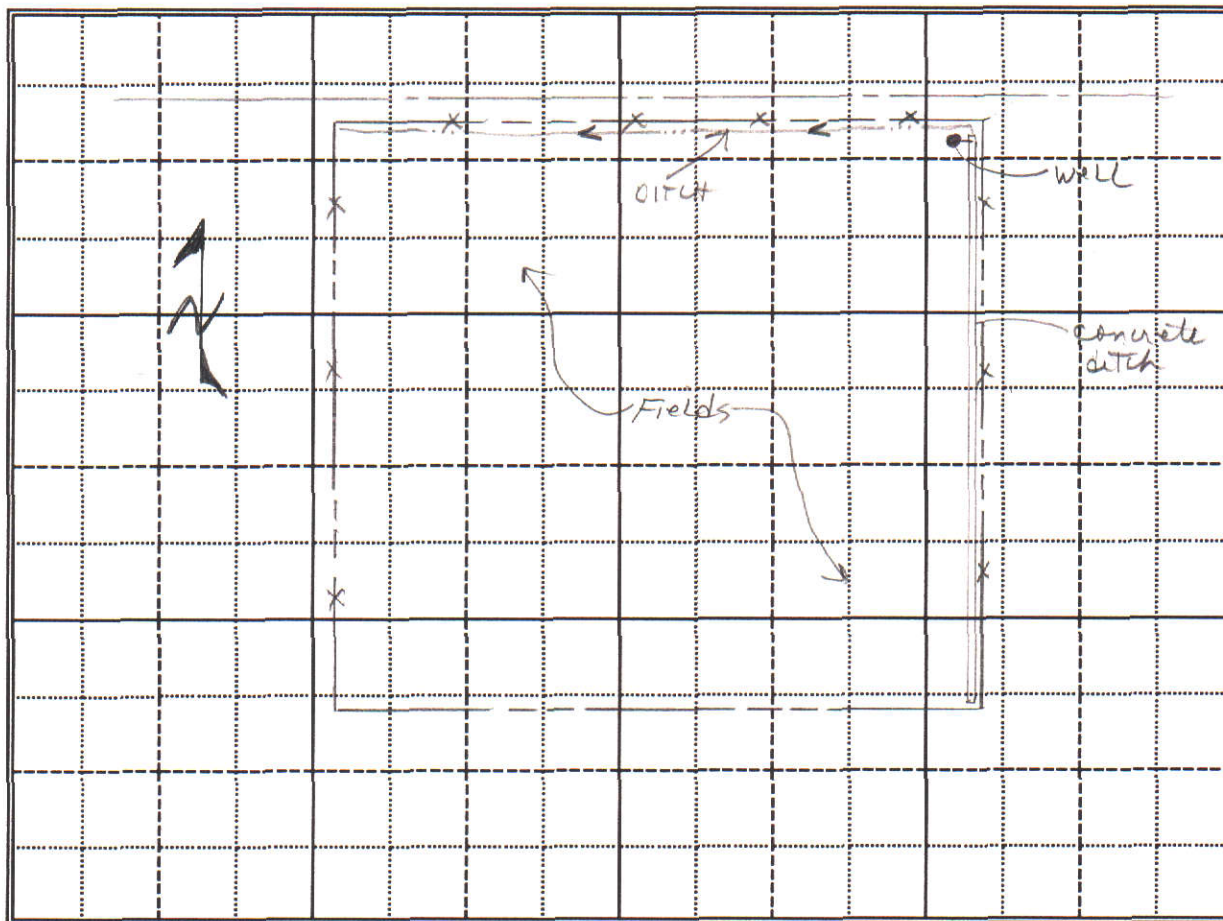


Scale: 2 inches equal 1 mile.

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.

SEP 18 1990
Daniel F. Fuhrer
 (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" = NTS.

☒ 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
	U.S. Motors	15	859478	N/A	N/A

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

D. FLOW MEASUREMENTS

N/A (Winter Exam)

1.

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

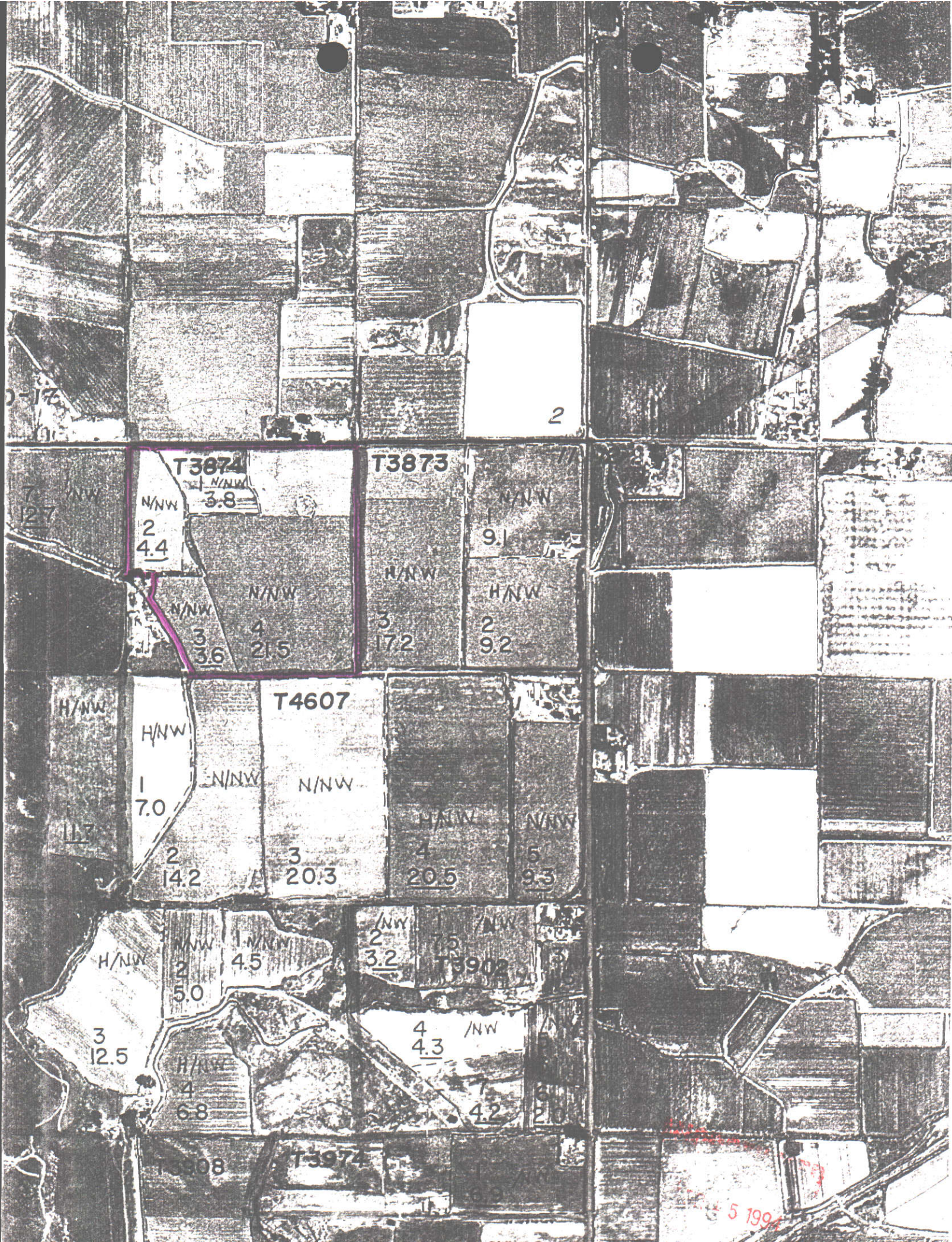
2. Measurements:

NOTED

APR 15 1994

PERMIT 63-10729 INIT PL
T. R. S. Q/Q
P/D 1S 2W 11 NWNE
SCALE
PHOTO ID. X-56 WALTERS BUTTE

APR 15 1994



T3874

T3873

T4607

T3902

T3908

T3974

5 1994

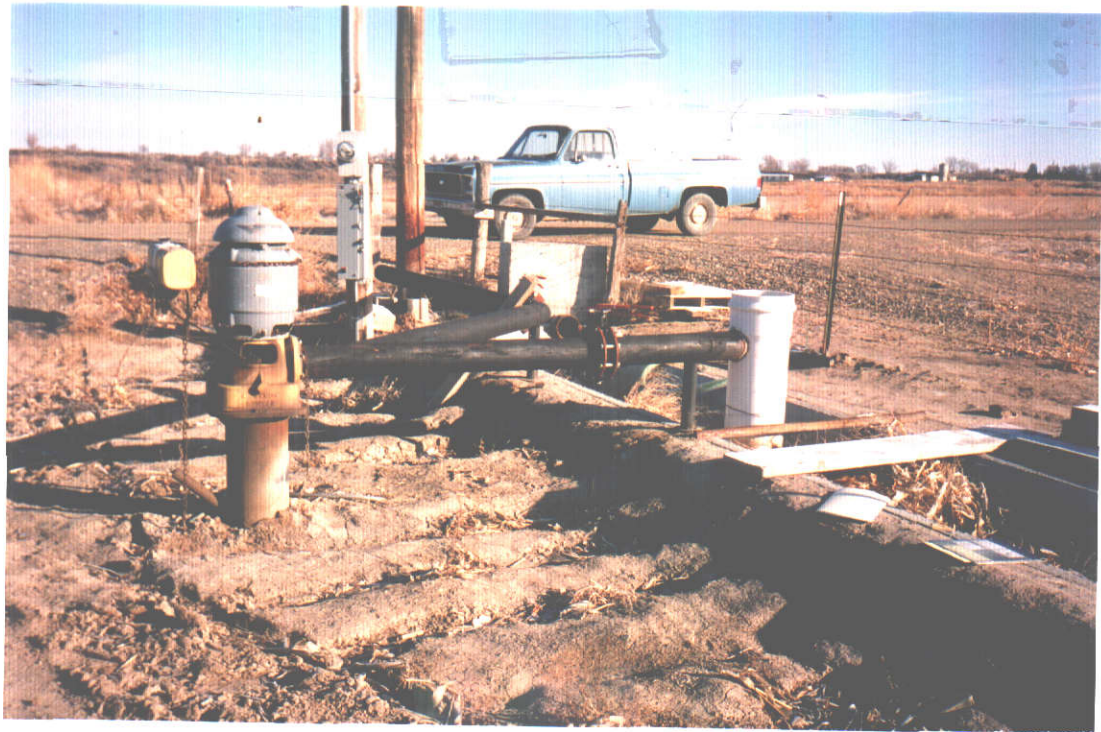


PHOTO ONE- View northerly of well and discharge lines into ditches.



APR 15 1994

PHOTO TWO-

View southerly of concrete ditch, well, and corn field which is irrigated by siphoning from concrete ditch. Dirt ditch extending westward is in foreground.



PHOTO THREE- View westward of irrigated fields and ditch. Ditch transfers water to adjacent field.



APR 15 1994

PHOTO FOUR- View southwesterly of well and irrigated fields.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10729

Priority: October 25, 1988

Maximum Diversion Rate: 0.74 CFS

Maximum Diversion Volume: 166.5 AF

This is to certify, that DANIEL F NELSON
MARTHA A NELSON

7555 BUTTE RD
MELBA ID 83641

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 25, 1988; and has submitted Proof of Beneficial Use on July 11, 1991. An examination indicates that the works have a diversion capacity of .870 cfs of water from a GROUNDWATER 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>
IRRIGATION	03/15 to 11/15	0.74 CFS	166.5 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 11, Township 01S, Range 02W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	02W	11	NWNE	37		37

Total number of acres irrigated: 37

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
6. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.

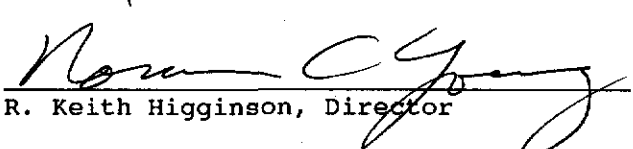
APR 15 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10729

This license is issued pursuant to the provisions of Section 42-219, Idaho Code,
Witness the seal and signature of the Director, affixed at Boise, this 28TH
day of MARCH, 1994.


R. Keith Higginson, Director



1915 1994

RECEIVED

STATE OF IDAHO

JUL 11 1991

DEPARTMENT OF WATER RESOURCES

Department of Water Resources **PROOF OF BENEFICIAL USE**

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have 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.

1. Permit No. 63-10729 Telephone No. (208) 495-2804
2. Name(s) of Permit Holder(s): Daniel F. Nelson Martha A. Nelson
3. Post Office Address: 7555 Butte Rd. Melba, Id. 83641
4. Source of Water: Ground water
- a. If ground water, well driller's name: Riverside Drilling Date drilled: 7-7-90
- b. Pump horsepower: 15 Pressure (psi): _____ Dynamic pumping level (ft.): 115'
5. Extent of Use:

Domestic _____ (No. of households)

Irrigation 37
40

(No. of acres)

Stockwater _____ (No. and type of stock)

Other per phone conversation
w/ Mrs. Nelson on 7/18/91

6. Total rate and/or volume for which proof is submitted 174 cfs 1 $\frac{4}{5}$ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

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

OR

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

8. Fee Enclosed: \$ _____ (See License Examination Fee Schedule)

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

Daniel F. and Martha A. Nelson

Name

208-495-2804

Telephone No.

7555 Butte Rd. Melba, Idaho 83641

Address

10. 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.

7-9-91

Date

Daniel F. Nelson

Signature (and title if on behalf of a company or organization)

11 1991

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 63-10729 IN THE NAME OF)
DANIEL F. &/OR MARTHA A. NELSON)

ORDER ADOPTING
PROPOSED MEMORANDUM
DECISION AND ORDER

WHEREAS, R. Keith Higginson, Director of the Department of Water Resources having issued and served a copy on the parties on July 30, 1990 a Proposed Memorandum Decision and Order in the above-captioned matter, pursuant to Section 67-5211, Idaho Code; and,

WHEREAS, more than fifteen days have passed since the service of the Proposed Memorandum Decision and Order; and,

WHEREAS, no exception to that Proposed Memorandum Decision and Order has been received;

IT IS, THEREFORE, HEREBY ORDERED that said Proposed Memorandum Decision and Order be adopted and issued as the Final Decision and Order and Application for Permit No. 63-10729 be APPROVED and the time within which to submit proof of beneficial use is extended to September 1, 1991.

Dated this 28TH day of August, 1990.


R. KEITH HIGGINSON
Director

SEP 18 1990

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT on this the 28th day of August 1990, a true and correct copy of the ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER was mailed, postage prepaid to:

Daniel F. and/or Martha A. Nelson
Route 1, Box 104
Melba, ID 83641

Jerry L. Hoagland, President
Reynolds Irrigation District
HC 79, Box 44
Melba, ID 83641

Sam C. Pitman, Director
Reynolds Irrigation District
HC 79, Box 55
Melba, ID 83641


RITA V. FLECK
Secretary/Records Manager
Idaho Department of Water Resources



BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 63-10729 IN THE NAME)
OF DANIEL F. &/OR MARTHA A. NELSON)
_____)

ORDER ISSUING
PROPOSED MEMORANDUM
DECISION

R. Keith Higginson, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by his appointee, L. GLEN SAXTON, who conducted the hearing or who has read the record in the this case, hereby approves the same as a proposed decision pursuant to Idaho Code, Sec. 67-5211.

Each party to these proceedings who appeared at the hearing is given the opportunity, pursuant to Idaho Code, Sec. 42-1701A and 67-5211, to file exceptions to the proposed decision and to present briefs and oral arguments. If no timely and proper exceptions are received, an order by the Director will be entered adopting the proposed decision as his final decision.

I.
EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision,

2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions, and

3. be sent to each of the parties who appeared or their attorneys.

II.
BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. All response briefs to the exceptions must be filed with the Director within 15 days after the exceptions were served upon the responding party.

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SEP 18 1990

III.

A. No oral arguments before the Director on the proposed decision will be held unless specifically requested by a party filing exceptions to the proposed decision and unless that request is filed with the Director concurrently with the filing of that party's exception.

B. If oral arguments have been properly requested by a party filing exceptions, any other party, upon reasonable notice to the Director, shall have the right to present oral argument in response to the exceptions filed.

C. Oral arguments before the Director on exceptions to the proposed decision shall be heard at the discretion of the Director, pursuant to Idaho Code, Sec. 42-1701A. If oral arguments are to be heard, the Director will, within a reasonable time, notify each party of the place, date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

IV.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests oral arguments and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

V.

FINAL DECISION

Following the submission of all exceptions, briefs and oral arguments, if they are heard, the Director shall issue a final decision adopting, modifying or rejecting and replacing the proposed decision. Copies of the decision and order shall be served on all parties.

Dated this 30th day of July, 1990.


R. KEITH HIGGINSON
Director

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SEP 18 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR
PERMIT NO. 63-10729

DANIEL F. &/OR MARTHA A. NELSON

Applicants,

Reynolds Irrigation District

Protestant.

SOURCE: Ground Water

COUNTY: Canyon

PROPOSED MEMORANDUM DECISION AND ORDER
APPROVING APPLICATION FOR PERMIT NO. 63-10729

BY HEARING OFFICER L. GLEN SAXTON.

Daniel F. and/or Martha A. Nelson having filed with the Department of Water Resources Application for Permit No. 63-10729 to appropriate unappropriated water; a protest having been received; and a hearing having been held, the Department finds, concludes and orders as follows:

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FINDINGS OF FACT

SEP 18 1990

The Application

1. On October 25, 1988, Daniel F. and/or Martha A. Nelson (hereinafter applicants) applied to the Department of Water Resources for a permit to appropriate .74 cubic feet per second (cfs) of water from ground water to be used for irrigation purposes during the period from March 15 through November 15 each year. The location of the proposed point of diversion is within the NW1/4 NE1/4 Sec. 11, Twp. 1 S., Rge. 2 W., B.M., Canyon County, and the location of the proposed

place of use is 37 acres within the NW1/4 NE1/4 of the same section.

2. Notice of the application was published in the Idaho Press Tribune on December 7 and 14, 1988.

Protest

3. A protest against approval of the application was received from the Reynolds Irrigation District (hereinafter protestant).

4. The protestant raised an objection to the proposed project by alleging that the proposed use would injure existing water rights.

Conference and Hearing

5. On March 10, 1989, a conference was held regarding the protested application. The applicants were present and represented themselves. The protestant was represented by Jerry L. Hoagland, Chairman of the Board of Directors of Reynolds Irrigation District and by Sam C. Pitman, Director. At the conclusion of the conference, the applicant and the protestant agreed to consider a draft "Agreement and Withdrawal of Protest."

6. On April 24, 1989, the Department requested from the parties an assessment of the adequacy of the draft agreement. The applicants responded that the proposal was not satisfactory, and requested that a hearing be held in this matter to allow the Department to reach a decision.

7. On September 26, 1989, a hearing was conducted by the Department. Applicant Daniel F. Nelson was present and represented himself. The protestant was again represented by Jerry L. Hoagland and Sam C. Pitman.

SEP 18 1990

8. The applicant explained that the water requested to be diverted under this proposal is intended to be used for supplemental purposes, in

a manner similar to that proposed in water right permit No. 63-10483 in the name of C.W. Young Jr. or Carol J. Young.

9. The information presented by both the applicant and the protestant indicated that this proposal is similar in substance and predicted impact to water right No. 63-10483.

10. On February 9, 1990, The Director signed a Final Memorandum Decision which issued a permit for water right No. 63-10483.

11. No substantive differences in the impact on the protestant are found between the water use proposed in this application and that proposed in Permit No. 63-10483.

CONCLUSIONS OF LAW

1. Idaho Code, Sec.42-203A(5) (Supp. 1987) states in part as follows:

... The director of the department of water resources shall find and determine from the evidence presented to what use or uses the water sought to be appropriated can be and are intended to be applied. In all applications whether protested or not protested, where the proposed use is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply itself is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the department that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people directly affected by the proposed use or (f) that it is contrary to conservation of water resources within the state of Idaho; the director of the department of water resources may reject such application and refuse issuance of a permit therefor, or may partially approve and grant a permit for a smaller quantity of water than applied for, or may grant a permit upon conditions.

2. Idaho Code, Sec. 42-226 (Supp. 1987) states in part as follows:

The traditional policy of the State of Idaho, requiring the water resources of this state to be devoted to beneficial use in reasonable amounts through appropriation, is affirmed with respect to the ground water resources of this state as said

term is hereinafter defined and, while the doctrine of "first in time is first in right" is recognized, a reasonable exercise of this right shall not block full economic development of the underground water resources.

3. To the extent that there are no substantive differences between this application and that for which an approval has recently been issued, the conclusions of the Department should not be different.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Application for Permit No. 63-10729 is APPROVED subject to the following conditions:

1. This water right is subject to all prior water rights.
2. Proof of construction of works and application of water to beneficial use shall be submitted on or before the date indicated on the final order.

Dated this 30th day of July, 1990.

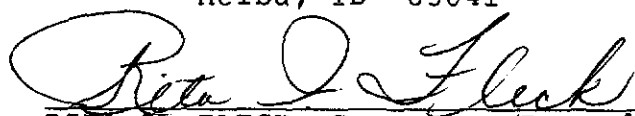

L. GLEN SAXTON, HEARING OFFICER

I HEREBY CERTIFY That on this the 30th day of July, 1990 a true and correct copy of the foregoing ORDER ISSUING PROPOSED DECISION and PROPOSED MEMORANDUM DECISION AND ORDER were mailed, postage prepaid to:

Daniel F. and/or Martha A. Nelson
Route 1, Box 104
Melba, ID 83641

Jerry L. Hoagland, President
Reynolds Irrigation District
HC 79, Box 44
Melba, ID 83641

Sam C. Pitman, Director
Reynolds Irrigation District
HC 79, Box 55
Melba, ID 83641


RITA I. FLECK, Secretary/Records Manager

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant DANIEL F AND/OR MARTHA A. NELSON Phone 495-2804

Post office address ROUTE 1 BOX 104 MELBA, ID 83641

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

3. Location of point of diversion is _____ 1/4 of NW 1/4 of NE 1/4, Govt. Lot _____

Sec. 11 Township 1S Range 2W B.M. CANYON County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .74 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)

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

5. Total quantity to be appropriated is (a) .74 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. PUMP FROM WELL INTO CEMENT DITCH.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 8 inches; proposed depth of well is 125 feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

7. Time required for the completion of the works and application of the water for proposed special use is
1 years (minimum 1 year).

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SEP 16 1990

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for *Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15	2W	11		37															37

Total number of acres to be irrigated 37

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

SURFACE WATER FROM BOISE-KUNA IRRIGATION DIST.

11. a. Who owns the property at the point of diversion? APPLICANT

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

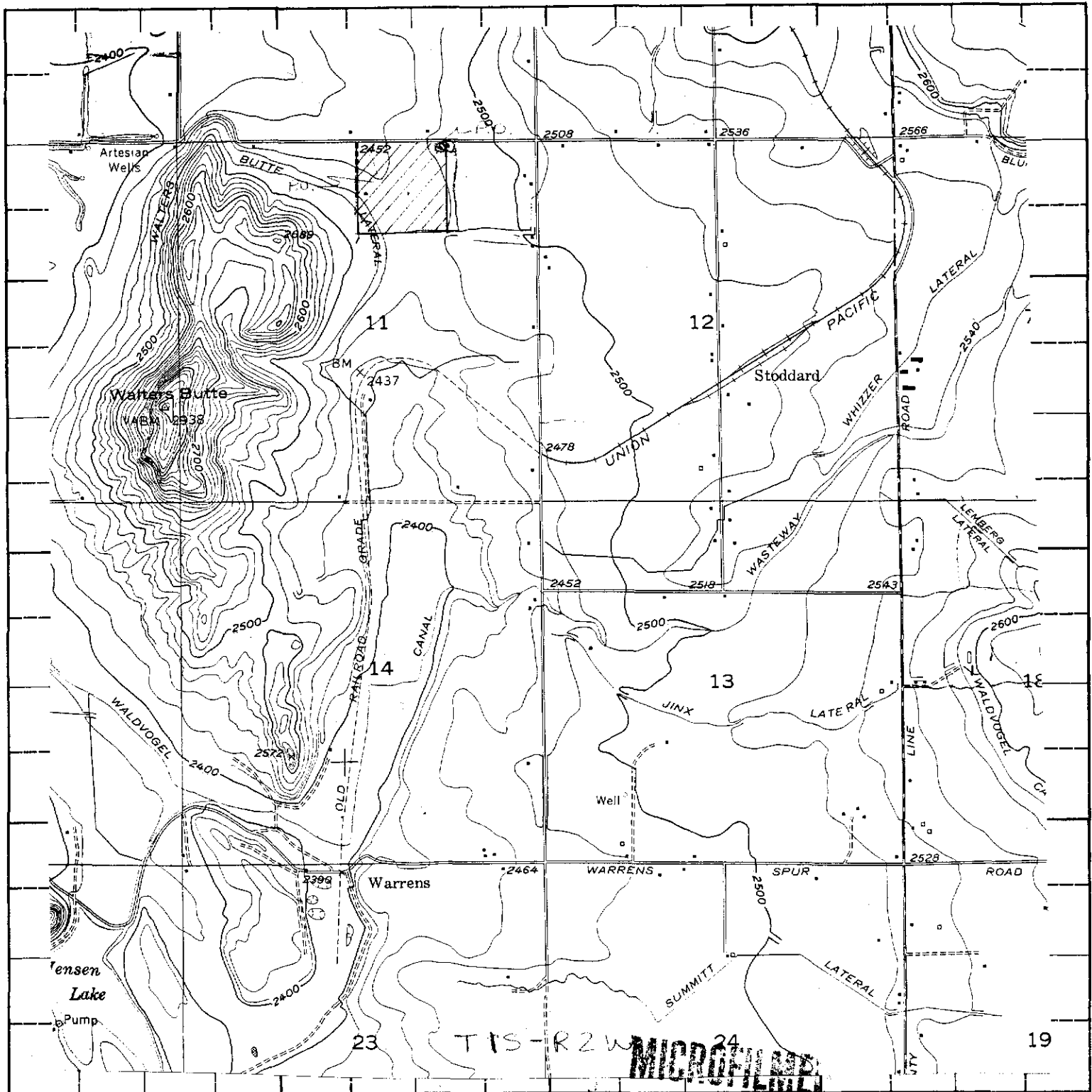
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: SUPPLEMENTAL TO SURFACE WATER

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SEP 18 1990

13. 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.

SEP 18 1990
David J. Fisher
 (Applicant)

Proposed Priority: 10/25/88

Received by AMS Date 10/25/88 Time 1:40 P.M. Preliminary check by _____

Fee \$ 45.00 Received by AMS # W001201 Date 10/25/88

Publication prepared by GG Date 11-30-88 Published in Press-Tribune

Publication approved h8 Date 12/10/88
12/7 & 12/14/88

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. 63-10729, 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 September 1, 19 91.

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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: PURSUANT TO PROPOSED MEMORANDUM DECISION AND ORDER AND ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER.

Dated this 28th day of August, 1990.

R. Keith Higgins
Director

MICROFILMED

SEP 18 1990



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 29, 1994

DANIEL F NELSON
MARTHA A NELSON
7555 BUTTE RD
MELBA ID 83641

RE: WATER RIGHT NO. 63-10729

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in black ink, appearing to read 'JJ', followed by a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

APR 15 1994

WR0749NP
No. L63-10729

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/23/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DANIEL F NELSON	10/25/1988	IRRIGATION	03-15 11-15	0.74 CFS	166.50 AFA
C	MARTHA A NELSON					
	7555 BUTTE RD					
	MELBA ID 83641					
	(208) 495-2804					
				TOTAL DIVERSION:	0.74 CFS	166.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.87 CFS

Point(s) of Diversion: T01S R02W S11 NWNE CANYON 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
01S	02W	11	:			37														:	37.0
																				TOTAL ACRES	37.0

Pou County: CANYON

Other Rights: BOISE-KUNA IRR. DIST.

Other Water Rights with Same Point(s) of Diversion and Source:
63-10729

Other Water Rights Listing Overlapping Place(s) of use:
63-10729

Conditions of Approval:

- R32 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.5 afa per acre for the
- lands above.

Remarks: The right holder shall fully use all surface water rights
appurtenant to the lands identified above prior to using water
under this right.

Dates: App. Received: 10/25/1988 Priority Date: 10/25/1988
Proof Due Date: 09/01/1991 Proof Made Date: 07/11/1991
Exam Made Date: 01/31/1994 Exam Sent to S.O.: 02/16/1994
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 11/22/1991 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
L6310729	T01S R02W S11 GROUNDWATER																	37
	:																	:
6302388	BOISE RIVE :																	:
A6302388	BOISE RIVE :																	:
6305078	WASTE WATE :																	:
A6305078	WASTE WATE :																	:
6310406	GROUNDWATE :																	:
6310729	GROUNDWATE :																	:
6311797	GROUNDWATE :																	:
M6311797	GROUNDWATE :																	:

No Overlaps

LICENSE REVIEW CHECKLIST

Permit # 63-10729 Date 3-23-94 Brenda Chapman

NAME Yes No ☒ Or Address Change?

PRIORITY DATE ☒ Advance? ☒ Advanced to: ☒
☒ Order to Reinstate Needed?
☒ Incorrect Fee for rate recommended?

SOURCE ☒ Changes? Clarification of Originally
Intended source
☒ Notice of Intent to Void - Source change.

P/D ☒ Amendment Needed?
☒ Overlap(s)

P/U ☒ Amendment Needed?
☒ Overlap(s)

TOTAL CFS ☒ Measurement NO Theoretical only ☒
37 acres x .02 = .74 OPEN DISCHARGE 8.8 X 15 X .7
WITH 10 PSI 105 + (2.31 x 10 psi) = .87

Allowable Amount: Permit limit @ .74

Capacity of System: .87

TOTAL VOLUME Season of Use: D/4.5 3-15 to 11-15

☒ Calculations:
37 x 4.5 = 166.5

Flow limit: .74 x 246 x 1.9835 = 361

USES ☒ Change(s) in Nature of Use?
☒ Amendment Needed?

REMARKS ☒ Multiple P/Ds in 1/4 1/4?
WB3 ☒ Special Overlap BOISE KUNA IRR DIST

CONDITIONS ☒ Measuring/Locking Devices
☒ W/Master Control - District
R32 ☒ Irrigation Overlap
☒ Water Quality
☒ Other

COMMENTS: Examiner did not calculate capacity for an open discharge system.

RECOMMENDED	CFS	DIV VOL	LICENSE
<u>Irrigation</u>	<u>.74</u>	<u>166.5</u>	☒
_____	_____	_____	1ST AMEND LETTER
_____	_____	_____	2ND AMEND LETTER

RECEIVED
FEB 18 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-10729

1. Owner: Daniel F. & Martha Nelson Phone No. 495-2804

Current Address: 7555 Butte Road, Melba, ID 83641

2. Accompanied by: Dan Nelson EXAM DATE: 1/31/94

Address: SAME Phone No. SAME

Relationship to Permit Holder: Applicant

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-02388 ← Irrig. Dist. water that well supplements per permit R 2-16-94

2. Other water rights with the same point of diversion: None

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	NE	11	1S	2W	Canyon	Aerial Map

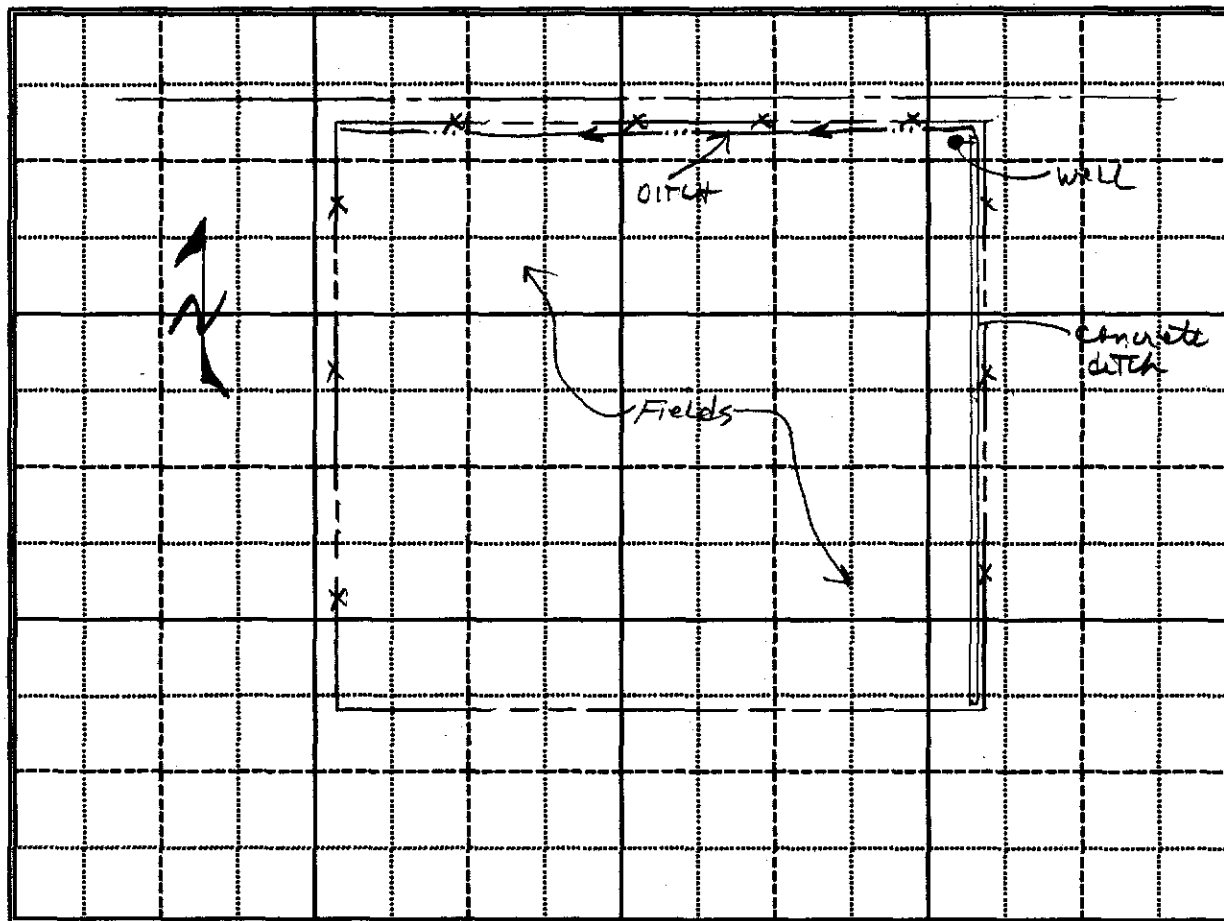
2. Place(s) of Use:

Indicate Method of Determination Same as P/D

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1S	2W	11		37														37	

APR 15 1994

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



Scale: 1" = NTS

☒ Copy of USGS Quadrange 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
	U.S. Motors	15	859478	N/A	N/A

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

D. FLOW MEASUREMENTS

N/A (Winter Exam)

1.

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

2. Measurements:

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E. NARRATIVE/REMARKS/COMMENTS

OVERLAPS - P/U - Same QQ, different area of use.

Well is supplemental source only to Boise-Kuna Irrigation District water.

Water is discharged through 2 6" lines. One line discharges into concrete ditch on east property line, and one line into dirt ditch which parallels northern property line. Water is siphoned from these ditches for corrugate irrigation of fields.

Total acreage is 37 acres, but due to the size of pump, the theoretical maximum flow is only ~~0.50~~ ^{0.47} CFS, not This is considerably lower than the requested 0.74 CFS as indicated on permit.

Therefore, recommend licensing of ~~0.50~~ ^{0.50} CFS, not 0.74 CFS, for 37 acres of crops and pasture.

$$\text{Theoretical} - Q = \frac{8.8 \times 15 \times 0.7}{105 + (2.31 \times 40)} = \frac{92.4}{197.4} = 0.47 \text{ CFS}$$

Note: Assumed 40 psi as operating pressure as per pump size. Dynamic pumping level determined of 105' determined from office developed well diagram.

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

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F. FLOW CALCULATIONS

Measured Method:

AFA
Theoretical

Additional Computation Sheets Attached _____

$$Q = \frac{(8.8)(15)(0.7)}{105 + (2.31 \times 40)} \approx 0.47 \text{ cfs} \quad \text{Use } 0.50 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 37 \times 4.5 = 166.5 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \frac{0.47}{0.50} \times 240 \times 1.9835 = \frac{229.3}{244.0} \text{ AFA}$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{D.R.} = 166.5 \text{ AFA}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>IRRIGATION</u>	<u>3/15</u>	<u>11/15</u>	<u>0.50</u> <u>0.47</u>	<u>166.5</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.50</u> <u>0.47</u>	<u>166.5</u>

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

Rick Collingwood

Date

2/2/94

Reviewer _____

Date _____

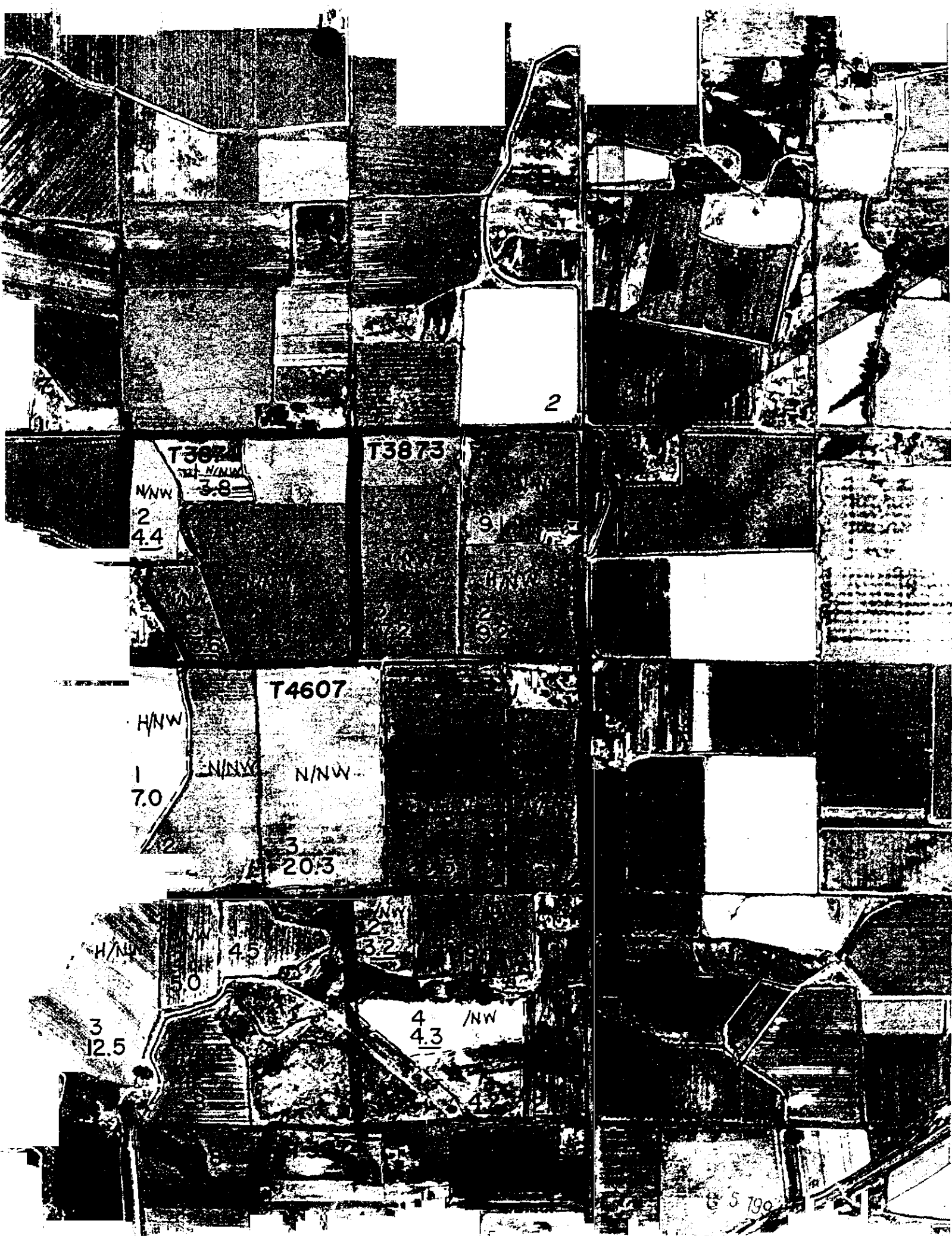
SEAL

APR 15 1994

PERMIT 63-10729 INIT PL
T. R. S. Q/Q
P/D 1S 2W 11 NWNE
SCALE
PHOTO ID. Y-56 WALTERS BUTTE

-P/O

-P/U



2

T3872

NNW

2
4.4

3.8

T3873

3

T4607

H/NW

1
7.0

N/NW

N/NW

3
20.3

3
12.5

5.0

4.5

3.2

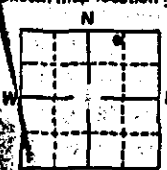
4
4.3

/NW

5 190

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Daniel or Martha Nelson</u> <u>7555 Butte Rd</u> Address <u>Melba, ID 83641</u> Owner's Permit No. <u>63-90-W-082</u>		7. WATER LEVEL Static water level <u>92</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>61</u> °F. Quality <u>Excellent</u> Describe artesian or temperature zones below.																																																											
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)		8. WELL TEST DATA ☒ Pump ☐ Bailer ☒ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td>750 (pumping)</td><td>105'</td><td>1</td></tr><tr><td>150 (air)</td><td></td><td>6</td></tr></tbody></table>		Discharge G.P.M.	Pumping Level	Hours Pumped	750 (pumping)	105'	1	150 (air)		6																																																	
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6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name <u>MICROFILMED</u> <u>JUN 21 1991</u> Lot No. _____ Block No. _____ County <u>Canyon</u> <u>NW 1/4 NE 1/4 Sec. 11 T. 2W R. 2</u>		10. Work started <u>6-16-90</u> finished <u>7-7-90</u>																																																											
11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Riverside Drilling</u> Firm No. <u>333</u> PO Box <u>720</u> Address <u>Parma, ID 83660</u> Date <u>7-9-90</u> Signed by (Firm Official) <u>[Signature]</u> and <u>[Signature]</u> (Operator) <u>5-1994</u>																																																													

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: 63-90-W-082 OTHER APPLICABLE NO: _____
2. OWNER: Daniel & Martha Nelson Phone: 495-2804
Address: 7555 Butte Rd., Melba, ID 83641
3. WELL LOCATION: Twp 1S, Rge. 2W, Sec. 11, NW 1/4 NE 1/4
County Canyon (Provide sketch map and photo on reverse.)
4. DRILLER: Riverside Drilling Lic. No. 333
When Drilled? 6-16 to 7-7-90
5. WELL CONSTRUCTION
Casing Diameter 10 inches Water tight cap? ☐ Yes ☒ No Access Port: ☐ Yes ☒ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing 126 ft. Method Drilled Rotary
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☐ Yes ☒ No
Condition of Piping and Valving Good
Auger to a depth of 126 ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION
Depth to Static Water 92 ft. Water Temperature 61 °F
Flowing Artesian ☐ Yes ☐ No Pressure: _____ (psi)
Water Sample Taken? ☐ Yes ☐ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☐ Domestic ☒ Irrigation ☐ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: _____

APR 15 1994

Rick Collier, Water Rights Examiner
Signature of Dept. Representative & Title

1/31/94
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

RECEIVED

APR 15 1994



PHOTO ONE- View northerly of well and discharge lines into ditches.



APR 15 1994

PHOTO TWO-

View southerly of concrete ditch, well, and corn field which is irrigated by siphoning from concrete ditch. Dirt ditch extending westward is in foreground.

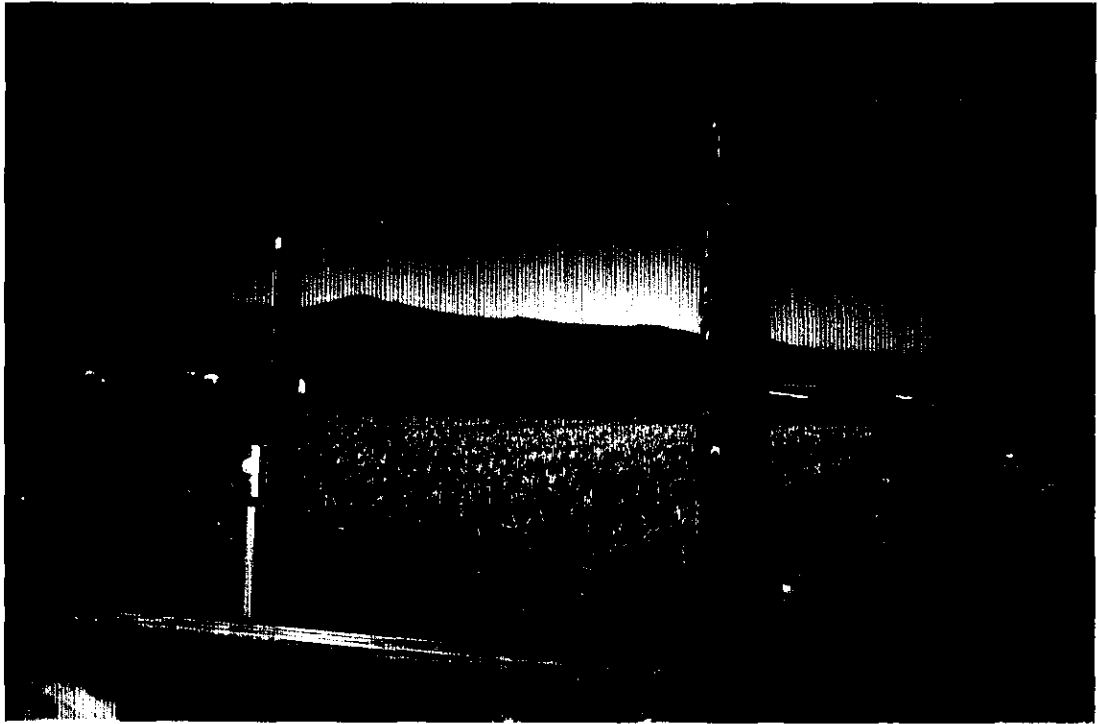


PHOTO THREE- View westerly of irrigated fields and ditch. Ditch transfers water to adjacent field.



View southwesterly of well and irrigated fields.

November 22, 1991

MARTHA A. NELSON
DANIEL F. NELSON
7555 BUTTE RD.
MELBA ID 83641

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-10729

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED
DEC 11 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 63-10729

Date 8.5.91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☐ Surface water source
☐ Ground water source
☒ Drill permit req'd?
☒ Copy in file? Drill permit no. 63-90-W-082
100.00 Amt paid for drilling permit? ☒ Correct?
☐ Well log in file?

LICENSE EXAMINATION FEE

- YES Required?
\$100 Amount submitted?
YES Correct amount?

MEASURING DEVICE

- NO Measuring device or access port required?
☐ Installed?
☐ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

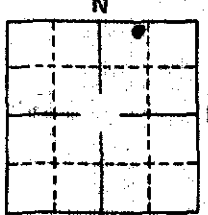
address change *8.5.91*
proof approved

PRIORITY CALCULATION

Date proof received	<u>NA</u>	
Date proof due		-
No. of days late		=
Priority date		+
NEW PRIORITY DATE		=

11/22/91

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Daniel or Martha Nelson</u> <u>7555 Route Rd.</u> Address <u>Nelba, Ia 52641</u> Owner's Permit No. <u>65-90-a-082</u>	7. WATER LEVEL Static water level <u>92</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>61 °F.</u> Quality <u>excellent</u> Describe artesian or temperature zones below.																																																		
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"	<u>121</u>	<u>126</u>	<u>fractured basalt-lava</u>	☐																																															
4. METHOD DRILLED ☐ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____																																																			
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>.250 inches</u></td> <td><u>10"</u></td> <td><u>inches + 15' feet</u></td> <td><u>18 feet</u></td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun Size of perforation _____ inches by _____ inches <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>18'-6"</u> Material used in seal: ☒ Cement grout ☐ Bentonite ☐ Puddling clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port <u>sanitary bell seal</u>	Thickness	Diameter	From	To	<u>.250 inches</u>	<u>10"</u>	<u>inches + 15' feet</u>	<u>18 feet</u>	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet																			
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_____ perforations	_____ feet	_____ feet																																																	
_____ perforations	_____ feet	_____ feet																																																	
6. LOCATION OF WELL Sketch map location must agree with written location  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Lyon</u> Township <u>NW ¼ NE ¼ Sec. 11 T. 15 S. R. 2 W. 4</u>	10. Work started <u>6-15-90</u> finished <u>7-7-90</u>																																																		
11. DRILLERS CERTIFICATION I/we certify that all minimum well construction standards were applied with at the time the rig was removed. Firm Name <u>Riverside Drilling</u> Firm No. <u>333</u> <u>Box 720</u> Address <u>Jama, Ia 52660</u> Date <u>7-9-90</u> Signed by (Firm Official) _____ and (Operator) <u>[Signature]</u>																																																			

3/89

Drilling Permit No. 63-90-W-082Water Permit No. App No. 63-10729 (Presently protested)

Injection Permit No. _____

RECEIVED

SEP 15 1989

RECEIVED

APR 18 1990

Department of Water Resources
Western Regional OfficeState of Idaho
Department of Water Resources

DRILLING PERMIT

Department of Water Resources

1. Applicant Daniel J. and/or Martha A. Nelson
2. Address 7555 Butte Rd.
Merba, Ida. 83641 Telephone 208-495-2804
(☒) Well Owner (☐) Well Operator (☐) Other, specify _____
3. Proposed well location NW 1/4 NE 1/4, or Gov't lot No. _____,
Sec. 11, Twp. 150, Rge. 2 W, County Canyon,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
(☐) Domestic (☐) Stockwater (☐) Monitoring
No. of households _____ No. of livestock _____
(☒) Irrigation (☐) Industrial (☐) Municipal
(☐) Injection (☐) Other, Specify _____
5. Well construction information:
(☒) New well (☐) Deepen (☐) Replace
Proposed surface diameter 8" Maximum depth 125
Anticipated bottom hole temperature:
(☒) 85°F or less (Cold water well)
(☐) 85°F to 212°F (Low temp. geothermal well)
(☐) 212°F or more (Geothermal well)
6. Anticipated construction start date Soon as Possible
7. Well Driller (if known) Johnson Drilling
Address 3797C Southside Blvd. Merba, Ida.
8. Applicant's signature Daniel J. Nelson
Title Farmer/Landowner
Date 9/15/89

DEC 11 1989

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is Approved.

If approved, this permit authorizes the construction of a well subject to the following conditions:

GENERAL CONDITIONS

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS

9. This permit specifically does not allow pumping from the well until Permit No. 63-10729 is approved.

Dated this 17th day of April, 19 90.

Signed David R. Tuttle

Title Manager, Western Regional Office

Received by VA Fee 100.00 Date 9-15-89

Receipt No. W005954 Construction start extension to _____

Extension approved by _____

DEC 11 1991

P-581 149 688

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

U.S.G.P.O. 153-506

Sent to

David Daniel, Sec. Treas/.

Street and No

Reynolds Irrigation Dist.

P.O., State and ZIP Code

Merba

Postage

\$

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt showing
to whom and Date Delivered

Return Receipt showing to who
Date, and Address of Delivery

TOTAL Postage and Fees

\$

2.00

Postmark or Date

SEP 18 1985

UNRECORDED

PS Form 3800, June 1985

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

P-581 149 687

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED

NOT FOR INTERNATIONAL MAIL

(See Reverse)

U.S.G.P.O. 153-506

Sent to

Daniel & Marth Nelson

Street and No.

RT 1 Box 104

P.O. State and ZIP Code

Melba, ID 83641

Postage

\$

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt showing to whom and Date Delivered

Return Receipt showing to whom
Date and Address of Delivery

TOTAL Postage and Fees

\$

2.00

Postmark or Date

PS Form 3800 June 1985

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
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5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 12, 1991

Daniel and Martha Nelson
7555 Butte Road
Melba, ID 83641

Re: Permit No. 63-10729

Dear Permit Holder:

In the department's review of the proof of beneficial use submitted in connection with the above referenced permit, the department was not able to locate a drilling permit which should have been applied for before construction of your well began. We have also been unable to locate a well log which should have been submitted by your well driller 30 days after completion of the construction of your well.

If you have a drilling permit or a copy of the well log, please provide this office with a copy of each. If you do not have a copy of the well log, please contact your driller and ask that he submit a copy. In your return letter, please be sure to show the above referenced permit number on any documents. Also, please address any correspondence directly to me. Your response, with both forms attached, should be received within 20 days of the date of this mailing.

This information is needed before the department can proceed further with the examination of your system and the eventual issuance of a license of water right.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

DEC 11 1991

138801

June 30, 1991

DANIEL F. NELSON
MARTHA A. NELSON
RT. 1 BOX 104
MELBA, ID 83641

PROOF DUE NOTICE

RE: PERMIT NO. 63-10729

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 September 1, 1991. (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 complete 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. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

RECORDED
DEC 11 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 28, 1990

Daniel F. &/or Martha A. Nelson
Route 1, Box 104
Melba, Id 83641

Dear Mr. and Mrs. Nelson:

Re: Application for Permit No. 63-10729

Enclosed is a copy of the approved Application for Permit No. 63-10729 along with a copy of the Proposed Memorandum Decision and Order and Order Adopting Proposed Memorandum Decision and Order.

Any person who does not agree with the decision of the department may request a rehearing before the Director within 20 days, or may appeal directly to the district court within 30 days of the date the decision is mailed.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosures

c: Sam C. Pitman, Director and
Jerry L. Hoagland, President of
Reynolds Irrigation District

MICROFILMED

SEP 18 1990

3/89

Drilling Permit 63-90-W-082Water Permit No. App No. 63-10729 (Presently Protected)

Injection Permit No. _____

RECEIVED

SEP 15 1989

Department of Water Resources
Western Regional OfficeState of Idaho
Department of Water Resources

DRILLING PERMIT

Issued per request of
applicant 9/17/90 *DMR*

1. Applicant Daniel F. and/or Martha A. Nelson
2. Address 7555 Butte Rd.
Melba, Ida. 83641 Telephone 208-495-2804
- (☒) Well Owner (☐) Well Operator (☐) Other, specify _____
3. Proposed well location NW 1/4 NE 1/4, or Gov't lot No. _____,
Sec. 11, Twp. 15, Rge. 2W, County Canyon,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
 (☐) Domestic (☐) Stockwater (☐) Monitoring
 No. of households _____ No. of livestock _____
 (☒) Irrigation (☐) Industrial (☐) Municipal
 (☐) Injection (☐) Other, Specify _____
5. Well construction information:
 (☒) New well (☐) Deepen (☐) Replace
 Proposed surface diameter 8" Maximum depth 125
 Anticipated bottom hole temperature:
 (☒) 85°F or less (Cold water well)
 (☐) 85°F to 212°F (Low temp. geothermal well)
 (☐) 212°F or more (Geothermal well)
6. Anticipated construction start date Soon as Possible
7. Well Driller (if known) Johnson Drilling
Address 3797C Southside Blvd. Melba, Ida.
8. Applicant's signature Daniel F. Nelson
Title Farmer/Landowner
Date 9/15/89

SEP 18 1990

ACT OF DEPARTMENT OF WATER RESOURCES

This Permit is Approved.

If approved, this permit authorizes the construction of a well subject to the following conditions:

GENERAL CONDITIONS

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS

9. This permit specifically does not allow pumping from the well until Permit No. 63-10729 is approved.

MICROFILMED

Dated this 17th day of April, 19 90.

SEP 18 1990

Signed David R. Tuttle
Title Manager, Western Regional Office

Received by VA Fee 100.00 Date 9-15-89

Receipt No. W005954 Construction start extension to _____

Extension approved by _____

1/2

Hearing Re: App for Permit No. 63-10729

Daniel & Martha Nelson

9/26/1989

Dept Hearing officer: Glen Sarton
Notes by: Dave Tutwill

Issues: 1. New appropriation will injure prior water rights.
~~2. Supply is sufficient~~

Applicants: Present & represented themselves

Protestant: Represented by Jerry Hoagland, Pres of Reynolds Irr Dist
Sam Pitman, Director " " "

Applicant:

Desires water as supplemental to Boise - Kuna Irr dist
water at 80" in well

Mark Hoagland has a well in the vicinity, but it has not
been pumped.

MICROFILMED

SEP 18 1990

Protestant Hoagland:

Concerned that the total accumulation of new wells will
affect the artesian supply of Reynolds Irr Dist. Demand of
new well would be at time of reduced supplies for Reynolds
Irr Dist right. Basis of protest is report by Earl Chapman,
showing that all of the available water is pretty much from
one aquifer.

Hogland App Cont:

Requests investigation for designation of GUMA in basin.

Hearing officer: Makes/takes official notice of Chapman studies from Young protested app.

Nelson:

Drain water refers to Reynolds Irr Dist.

Holds that other wells to the north have just as much impact on the RID artesian supply as does his proposed well.

Drain water drains across the road to the north, and eventually drains south to intercept the RID system.

Hearing Officer:

Dept will take official notice of:

App

Water District Records

Studies by Chapman

Water Right Records

Preparation of decision must await final determination on

app in the name of C. W. Young.

MICROFILMED

SEP 18 1990

_DIA0:[WATERA.WRUSERS.WRSTATE.WRSAXTON]HEARING.NOTES;1

draft

09-22-89

lgs

NOTES

Hearing - September 26, 1989 - 10:00 a.m. - Southside
Grange Community Center, South of Nampa

Protested application for permit 63-10729

Applicant: Daniel and Marth A. Nelson

Protestant: Reynolds Irrigation District
c/o Jerry Hoagland, President

Issue: New appropriation will interfere with prior rights

63-2420
63-0306
63-0359
63-9368

Notes:

(A similar matter is 63-10483 for which the decision is
presently pending - filing in the name of Young).

63-2420 - Warm Sprs Creek - 23.56 cfs - 3-8-29
63-0306 - Warm Sprs Creek - 8.0 cfs - 9-17-34
63-0359 - Wells and drain ditches - 26 cfs - 4-1-50

Note: The combined rate of div for these rights is
limited to 31.28 cfs as the result of a transfer,
measurement and order of the department.

63-9368 - Permit 50 cfs for power purposes - utilizes
water from the rights above.

MICROFILMED

SEP 18 1990

To

Dave

Date

9-11-89

Time

10:15 am

WHILE YOU WERE OUT

of

Phone

✓ OK

Dnt

paid by Dnt

9/26/89

Telephoned		Please call	
Called to see you		Will call again	
Wants to see you		Returned your call	

Message

There was no room
 available at Canyon City Ct.
 from 9-26. I reserved
 the Caldwell Trance, & she
 would like \$25⁰⁰ when
 you go out there.

Operator



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

September 15, 1989

Daniel F. &/or Martha A. Nelson
7555 Butte Rd.
Melba, ID 83641

Re: Drilling Permit

Dear Mr. & Mrs. Nelson:

Enclosed is a copy of the receipt for \$100.00 for your drilling permit. The drilling permit will be included with you application for water right file #63-10729 until the protest on that file is resolved.

Please call this office if you have any questions on this matter.

Sincerely,

A handwritten signature in cursive script that reads "David R. Tuthill, Jr.".

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

Encl: Receipt

MICROFILMED

SEP 18 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION	)	
	)	NOTICE OF HEARING
FOR PERMIT NO. 63-10729 IN THE	)	
	)	
NAME OF DANIEL &/OR MARTH A.	)	
	)	
<u>NELSON</u>	)	

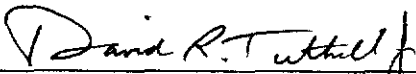
On October 25, 1989, Daniel F. &/or Marth A. Nelson filed with the Department of Water Resources an application for permit to appropriate the public waters of the State of Idaho. The application was protested by David Daniel, Secretary-Treasurer Reynolds Irrigation District and a conference was held by the Department on March 10, 1989.

The Department has now set the matter of protest for a hearing on September 26, at 10:00 a.m. at the Southside Grange Community Center, Corner of Lake Shore Drive and Highway 45 South of Nampa. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

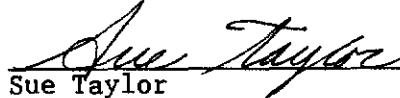
Dated this 13th day of September, 1989.

MICROFILMED

SEP 18 1990


DAVID R. TUTHILL, JR., P.O.E.
Manager, Western Regional Office

I hereby certify that on the 13th day of September, 1989, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:


Sue Taylor
Secretary

Certified Mail

Daniel F. &/or Marth A. Nelson
Route 1 Box 104
Melba, ID 83641

David Daniel, Secretary-Treasurer
Reynolds Irrigation District
HC 79 Box 127
Melba, ID 83641

MICROFILMED

SEP 18 1990



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

July 31, 1989

Daniel F. &/or Marth A. Nelson
Route 1 Box 104
Melba, ID 83641

Re: Application for Permit #63-10729

Dear Mr. & Mrs. Nelson:

We are in receipt of your letter dated July 6, 1989, in which you indicated that you are not able to come to terms with the protestants to resolve the protest on the above-referenced application for permit. Accordingly, this office will set the matter for a hearing to be held in September, unless you can see another viable alternative.

We are returning your check #7582 in the amount of \$100.00, which was submitted for a drilling permit. I do not see in our records where you have submitted the application for a drilling permit, so a blank form is enclosed with this letter. You may wish to complete the drilling application form, and we can receipt your check if it is received with the completed form.

A tentative date for the hearing in this matter is September 26, 1989. If you would prefer a different date, or if you envision another alternative for solution of this matter, please advise.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

Encl: Check #7582
Application for Drilling Permit

NOT RECORDED

SEP 1 8 1990

RECEIVED

JUL 10 1989

Department of Water Resources
Western Regional Office

July 6, 1989

Dear Mr. Tuttle:

At this point, we can't come to terms with the agreement the protestors have put forth. It is totally to their advantage. By signing it we are, in effect, subsidizing their water.

There is no conclusive evidence that drilling a well here, would be taking water from the Reynolds Irrigation Dist. now or in the future.

We can't see where the Idaho Department of Water Resources can deny our application on the grounds of the existing evidence.

We are sending the drilling permit fee of \$100.00.

MICROFILMED

SEP 18 1990

Sincerely,
Daniel F. Nelson



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

June 27, 1989

Daniel &/or Marth Nelson
Route 1 Box 104
Melba, ID 83641

Re: Protested Application for Permit #63-10729

Dear Mr. & Mrs. Nelson:

During our conversation of May 8, 1989, Mrs. Nelson requested an extension of the time for review of the resolution of the above-referenced protested water right application. The time was extended until June 9, 1989.

At this point, it is necessary that we continue to process this application in a timely manner. Please advise this office no later than July 7, 1989, regarding the action that you would propose to take in order to maintain the application in a valid status.

Sincerely,

A handwritten signature in cursive script that reads "David R. Tuthill, Jr.".

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

RECORDED

SEP 18 1990

CONVERSATION MEMORANDUM

DATE 5/8/1989

FILE 63-10729

NAME OF PARTY Mrs. Daniel Nelson

EMPLOYEE Dave Tushill

RE: Protest Resolution

Mrs. Nelson called to say they are very busy now

and would like to wait to resolve this matter.

I stated that we would place the file on callup for

June 9, 1989. She said fine.

RECORDED

SEP 18 1990



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

April 24, 1989

Daniel F. Nelson
Route 1 Box 104
Melba, ID 83641

RE: Application for Permit #63-10729

Dear Mr. Nelson:

We note from the file that more than 30 days have past since the conference was held with Reynolds Irrigation District regarding the above-referenced water right application. In this time period we have received a signed agreement from the Hoaglands, and have acknowledged the withdrawal of protest by Reynolds Irrigation District and have forwarded their application for final processing.

At this point we need to review the options of either finalizing a withdrawal of protest agreement, or scheduling this matter for hearing. Please advise this office no later than May 9, 1989, if you wish to pursue the signing of a withdrawal agreement. If we have not heard from you by that date, we will assume that you would like us to schedule a hearing in this matter.

Please feel free to contact me if you have questions regarding the further processing of your application.

Sincerely,

A handwritten signature in cursive script that reads "David R. Tuthill, Jr.".

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

CC: Reynolds Irrigation District

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SEP 18 1990

Conference for 63-10729 &
63-10738

Notes by D. Tutill 3/10/89

Applicants Dan Nelson & Mark Hoagland attended.
Protestants represented by Sam Pitman & Jerry Hoagland.

Discussion evolved into preparation of draft withdrawals
of protest.

Allow 30 days for applicants to review & take action on
draft withdrawals.

DT

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SEP 18 1990

Before the Director of the Idaho Department of Water Resources

In the matter of)
Application for Permit No. 63-10729)
In the Name of Daniel F. and/or)
Martha A. Nelson)

Withdrawal of Protest,
and Agreement

We, the undersigned, agree that the Reynolds Irrigation District protest to the above-referenced water right application is withdrawn subject to the following condition:

Any water diverted under this right during the period when less than 30.0 cfs is flowing past the Reynolds Irrigation District hydropower intake weir will be compensated by the water user by payment to the Reynolds Irrigation District of

This payment is to allow the Reynolds Irrigation District to pump replacement flows from the Snake River at the existing pumping plant.

Signed

Applicant

Date

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SEP 18 1990

Protestant

Date

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse "Return Receipt Requested" adjacent to number.

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SEP 18 1990



PENALTY FOR PRIVATE
USE, \$300

Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

RECEIVED

FEB 23 1989

Department of Water Resources
Western Regional Office

P 397 135 266

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to	
David Daniel	
Street and No.	
HC 79 Box 127	
P.O., State and ZIP Code	
Melba, ID 83644	
Postage	.25
Certified Fee	.85
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	
Return Receipt Showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 1.10
Postmark or Date	

S Form 3800, Feb. 1982

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE.
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article leaving the receipt attached and present the article at a post office service window or send it to your rural carrier (no extra charge).

If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.

If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach to the front of the article by means of the gummed ends (space permits). Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

If you want delivery restricted to an addressee or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.

d. Save this receipt and present it if you make inquiry.

63-10121

Put your address in "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you with the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address.
↑(Extra charge)↑

3. Article Addressed to:

Daniel F. &/or Marth Nelson
Route 1 Box 104
Melba, ID 83641

MICROFILMED

~~SEP 18 1990~~

5. Signature — Addressee

x Martha A. Nelson

6. Signature – Agent

x *RH*

7. Date of Delivery

2-22-89

4. Article Number

P 397 135 265

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee
or agent and **DATE DELIVERED**.

8. Addressee's Address (*ONLY if requested and fee paid*)

UNITED STATES POSTAL SERVICE

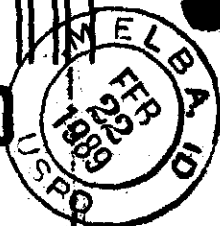
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

MICROFILMED



PENALTY FOR PRIVATE
USE, \$300

SEP 18 1990

Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

2735 AIRPORT WAY
BOISE, IDAHO 83705

RETURN

Department of Water Resources
Western Regional Office

FEB 23 1989

RECEIVED

P 397 135 265

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to

Daniel/Marth Nelson

Street and No.

Route 1 Box 104

P.O., State and ZIP Code

Melba, ID 83641

Postage

.25

Certified Fee

.85

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing

to whom and Date Delivered

Return Receipt Showing to whom

Date, and Address of Delivery

TOTAL Postage and Fees

\$ 1.10

Postmark or Date

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)

If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.

If you want a return receipt, write the certification number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to this number.

If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.

b. Save this receipt and present it if you make inquiry

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-10729 IN THE)
NAME OF DANIEL F. &/or MARTH A.)
NELSON)

NOTICE OF CONFERENCE

On October 25, 1988, Daniel F. &/or Marth A. Nelson filed with the Department of Water Resources an application for permit to appropriate the public waters of the State of Idaho. The application was protested by David Daniel, Secretary-Treasurer, on behalf of the Reynolds Irrigation District.

The Department has set the matter of protest for a conference on March 10, 1989, at 10:00 a.m., in the Canyon County Courthouse, in the Main Meeting Room on the first floor, 1115 Albany, Caldwell, ID 83605. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 21st day of February, 1989.

MICROFILMED

SEP 18 1990

David R. Tuthill Jr.

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

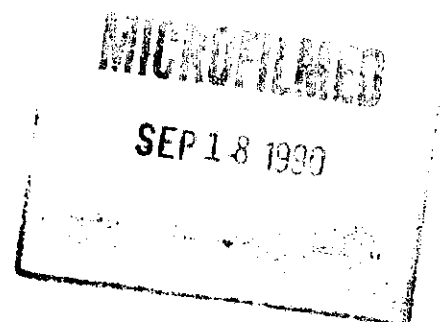
I hereby certify that on the 21st day of February, 1989, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Sue Taylor
Secretary

Certified Mail

Daniel F. &/or Marth A. Nelson
Route 1 Box 104
Melba, ID 83641

David Daniel, Secretary-Treasurer
Reynolds Irrigation District
HC 79 Box 127
Melba, ID 83641



CONFERENCE INFORMATION

IN THE MATTER OF APPROVAL OF AN APPLICATION FOR PERMIT

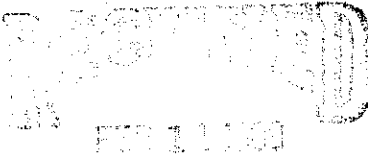
In accordance with Idaho Code, Section 42-203(A), the following issues are involved in the consideration of the application and protest(s):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

The intent of the conference is to resolve any conflicts regarding the proposed water appropriation in light of these five factors. The conference will not be recorded in an effort to promote full discussion of the issues. Possible resolutions are: (1) clarification of the issues resulting in a determination by all parties that the application is acceptable, (2) modification of the application to make it acceptable to the protestant(s), or (3) addition of acceptable restrictions or conditions of approval. If a resolution is not attainable, then a hearing will be set by the Department.

MICROFILMED

SEP 18 1990



Department of Water Resources
Western Regional Office

Feb. 13, 1989

David R. Suthill, Jr.

Manager, Western Regional Office

Dear Sir:

We are wondering if the board has reviewed our application for a well, No. 63-10729? Is it still under review?

We find no conclusive evidence that our application would reduce the quantity of water under existing water rights.

It seems reasonable to assume that any waste water from irrigation wells within this area would flow toward the Snake River as a natural drainage. Wouldn't any well drilled in a 5 to 10 mile radius affect the water table? Are they protesting wells drilled north of Melba that ditch-pump their waste water out of natural drainage. It could have an affect on the water table too, could it not?

MICROFILMED

SEP 18 1990

We have sufficient finances to complete this project and we have no reason to believe our application would, in anyway, conflict with local public interest.

A well could mean the difference between a crop failure, like we had in 1988 and a profitable one.

Shel Chaparis study isn't conclusive.

We are submitting another check for a drilling permit.

We would like this to be resolved as soon as possible.

Thank you,
Daniel J. Nelson and
Martha O. Nelson

2/13/89

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SEP 16 1990

SPECIAL NOTE: _____

Application No. 63-10729

PROTEST INFORMATION SHEET

Protestant - Name(s)

David Daniel, Sec.-Trea., Reynolds Irrigation District

Address HC 79 Box 127, Melba, ID 83641

Attorney - Name & Address _____

Date Filed 12/5/88 Protest Date 12/27/88 12/5/88 & comment letters in error

Issues _____

Applicant - Attorney - Name & Address _____

Dates: _____

Acknowledgement letters: _____

Hearing Notice: _____

Hearing Date: _____

Other: _____

MICROFILMED

SEP 18 1990

Protest Information submitted in Computer (following hearing): _____

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Debra Martin del Campo

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two times

—in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

December 7, 14, 1988

Debra Martin del Campo

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 14th day of December in the year of 1988, before me, a Notary Public, personally appeared Debra Martin del Campo, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

Janet Lusk
Notary Public for Idaho

Residing at Nampa, Idaho
MY COMMISSION EXPIRES
JULY 12th, 1991

**NOTICE OF APPLICATION
FOR WATER RIGHT**
The following applications have been filed to appropriate the public waters of the State of Idaho:
63-10726
COVERT WATER USERS INC.
228 PLEASANTON DR.
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: NESE Sec 4 T 02N R 02W
Use: IRRIGATION (.150 CFS)
DOMESTIC (.100 CFS)
Date Filed: 10/28/1988
In: T02N R02W S04 NESE
5.0 ACRES TOTAL
63-10729
NELSON, DANIEL F.
NELSON, MARTHA.
RT. 1 BOX 104
MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: NWNE Sec 11 T 01S R 02W
Use: IRRIGATION (.740 CFS)
Date Filed: 10/25/1988
In: T01S R02W S11 NWNE
37.0 ACRES TOTAL
The permits will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before DECEMBER 27, 1988.
R. KEITH HIGGINSON
Director
December 7, 14, 1988

MICROFILMED

SEP 18 1990

Department of Water Resources
Western Regional Office



CECIL D. ANDRUS
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

R. KEITH HIGGINSON
Director

December 13, 1988

David Daniel, Secretary-Treasurer
Reynolds Irrigation District
HC 79 Box 127
Melba, ID 83641

Re: Application for Permit No. 63-10729, in the Name of Daniel F. &/or
Marth A. Nelson

Dear Mr. Daniel:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the amended application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application or permit (Section 42-1203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

MICROFILMED

SEP 14 1989

DRT:jp



CECIL D. ANDRUS
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

R. KEITH HIGGINSON
Director

December 13, 1988

Daniel F. &/or Marth A. Nelson
Rt. 1 Box 104
Melba, ID 83641

Re: Application for Permit No. 63-10729

Dear Applicant(s):

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your application No. 63-10729. The Department suggests you contact the protest(s) and to attempt to resolve the protest(s) and to attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:jp

Enclosure:

MICROFILMED

SEP 18 1989

RECEIVED
DEC 11 1988

December 3, 1988

Department of Water Resources
Western Regional Office

Department of Water Resources
Mr David R Tuthill
Manager, Western Regional Office
2735 Airport Way
Boise ID 83705

Dear Mr. Tuthill:

This letter is to protest the proposed granting of a water right, application number 63-10729 for Daniel F. or Martha A. Nelson published on November 23, 1988.

We feel that if this application is granted the water available under our water rights, numbered 63-2420, 63-0306, 63-0359, and 63-9368 would be reduced. Studies that our irrigation district has had done by Sherl Chapman have indicated that well drilling in the proposed area would probably reduce our water flow.

As we have indicated in prior communications, we feel it will be necessary for us to protest the granting of any new ground water rights in Sections 11 or 12 of Township 1 South, Range 2 West to protect our existing rights.

Sincerely,

Jerry L. Hoagland
Jerry Hoagland, President
Reynolds Irrigation District

David Daniel
David Daniel, Secretary-Treasurer
Reynolds Irrigation District
HC 79 Box 127
Melba, ID 83641

MICROFILMED

SEP 18 1990



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

December 5, 1988

State of Idaho
Department of Parks & Recreation
Jack Howard
Land & Water Conservationist
Statehouse Mail
Boise, ID 83720

Re: Application for Permit No. 63-10729, in the Name of Daniel F. &/or
Marth A. Nelson

Dear Mr. Howard:

Enclosed is a copy(s) of the above-referenced application(s) for permit which may be of interest to your agency. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by December 27, 1988.

If you have any questions regarding the application, please contact this office.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

Enclosure(s):

MICROFILMED

SEP 18 1990



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

2735 Airport Way
Boise, Idaho 83705
(208) 334-2266

November 14, 1988

State of Idaho
Department of Parks & Recreation
Jack Howard
Land & Water Conservationist
Statehouse Mail
Boise, ID 83720

Re: Application for Permit No. 63-10729, in the Name of Daniel F. &/or
Marth A. Nelson

Dear Mr. Howard:

Enclosed is a copy(s) of the above-referenced application(s) for permit which may be of interest to your agency. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by December 5, 1988.

If you have any questions regarding the application, please contact this office.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

Enclosure(s):

MICROFILMED

SEP 16 1989

RECEIVED
NOV 25 1988

Department of Water Resources
Western Regional Office

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following applications have
been filed to appropriate the public
waters of the State of Idaho:

63-10726
COVERT WATER USERS INC.
228 PLEASANTON DR.
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: NESE Sec 4 T 02N R
02W

Use: IRRIGATION (.150 CFS)
DOMESTIC (.100 CFS)
Date Filed: 10/24/1988
In: T02N R02W S04 NESE
3.0 ACRES TOTAL

63-10727
SSI FOOD SERVICES, INC.
P.O. BOX 700
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: NESE Sec 10 T 04N
R 05W

Use: INDUSTRIAL (2.000 CFS)
Date Filed: 11/4/1988
In: T04N R05W S10 NESE

63-10729
NELSON, DANIEL F.
NELSON, MARTHA A.
RT. 1 BOX 104
MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: NWNE Sec 11 T 01S
R 02W

Use: IRRIGATION (.740 CFS)
Date Filed: 10/25/1988
In: T01S R02W S11 NWNE
37.0 ACRES TOTAL

63-10730
HOLADAY, DONALD W.
RT. 2 BOX 576A
CALDWELL, ID 83605
Source: DIXIE SLOUGH
SPRING

Tributary: BOISE RIVER
DIXIE SLOUGH
Diversion Pt: NWNWNE Sec 7 T
04N R 04W

SWNWNE Sec 7 T 04N R 04W
Use: IRRIGATION (.150 CFS)
IRRIGATION STORAGE
(1.00 AF)

IRRIGATION FROM STORAGE
(1.00 AF)
WILDLIFE STORAGE (20.00 AF)
DIVERSION TO STORAGE
(.150 CFS)

Date Filed: 9/21/1988
In: T04N R04W S07 NWNE SWNE
5.0 ACRES TOTAL

The permits will be subject to all
prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Western Region,
2735 Airport Way, Boise, Idaho
83705 on or before DECEMBER 5,
1988.

R. KEITH HIGGINSON
Director
November 16, 23, 1988

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Debra Martin del Campo

of Nampa, Canyon County, Idaho, being first duly sworn, deposes
and says:

1. That I am a citizen of the United States of America, and at all
times hereinafter mentioned was over the age of eighteen years,
and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a
daily, (except Saturday) newspaper published in the City of
Nampa and Caldwell, in the County of Canyon, State of Idaho;
that the said newspaper is in general circulation in the said
County of Canyon, and in the vicinity of Nampa and Caldwell, and
has been uninterruptedly published in said County during a period
of seventy-eight consecutive weeks prior to the first publication of
the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper

Two times

—in the regular and entire issue of said paper, and was printed in
the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

November 16, 23, 1988

Debra Martin del Campo

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 23rd day of November in the
year of 1988, before me, a Notary Public, personally
appeared Debra Martin del Campo, known
or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared
that the statements therein are true, and acknowledged to me that
he/she executed the same.

MICROFILMED

SEP 18 1990

Janet Lusk
Notary Public for Idaho

Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1991

63-10729

NELSON, DANIEL F.
NELSON, MARTH A.
RT. 1 BOX 104
MELBA, ID 83641

Source: GROUNDWATER

Diversion Pt: NWNE Sec 11 T 01S R 02W

Use: IRRIGATION (.740 CFS)

Date Filed: 10/25/1988

In: T01S R02W S11 NWNE

37.0 ACRES TOTAL

MICROFILMED

SEP 13 1990