

WATER RIGHT LICENSE

of Rupert, Idaho, has complied with the terms and conditions of Permit No. 45-7180 issued pursuant to Application for Permit dated July 15, 1974, and has submitted proof to the Department of Water Resources on July 3, 1979, 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 .62 cfs of water from a groundwater source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from March 15 to November 15	at .58 cfs and	152 acre feet
Domestic	from January 1 to December 31	at .24 cfs and	1.2 acre feet
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than .62 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 153.2 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, Twp. 9S,
Rge. 25E, B.M. in the County of Cassia

Description and location of place of use:

[illegible]

Total number of acres irrigated _____ **38**

REMARK: 2 points of diversion in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, Twp. 9S, Rge. 25E.

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 30 day of January, 19 81.

Director

DET

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 18 1980

Licensing
APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Milton E. Nielsen
Rt 1 Box 388
of (address) 623 4th St. S., Rupert, Idaho 83350, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 45-7180, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW ¼ SW ¼, Section 29, Township 9S, Range 25E, B.M.,
County of Cassia. Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount .58 for Irrigation purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre feet per annum)
Amount .04 for Domestic purposes from 1-1 to 12-31 (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)

3. Place of use or land to be irrigated:

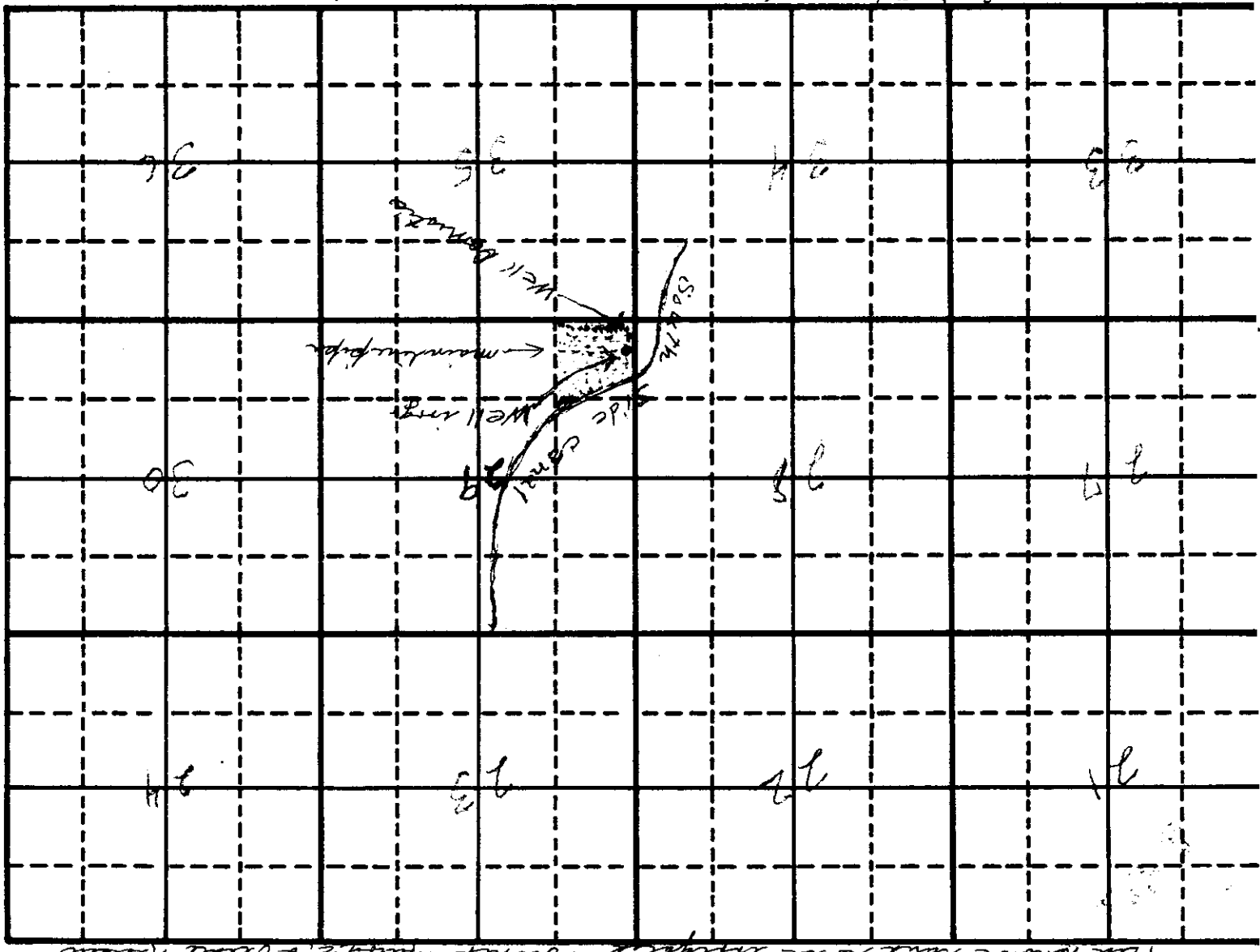
TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	25E	29									1	37							38

Total number of acres to be irrigated = 38

4. a. Who owns the property at the point of diversion?
b. Who owns the land to be irrigated or the place of use?
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing:

MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment.
 Township 9 North, Range 25 E, B.M.
 Grant County, Idaho
 See above land to be irrigated - owner Milton E. & Violet Trilene



That no one will be injured by such change, and that such change will be made at permit holder's own risk.
 Signed at Boise, Idaho, this 17 day of November, 19 80.
Milton E. Trilene
 Resident, Range #1, Rupert, Ida.
 (Signature)
Milton E. Trilene

FOR DEPARTMENT USE ONLY

Preliminary check by J.M. Fee = \$20.00
 Received by my Date 12-10-80
 Publication prepared by N/A Date _____
 Published in _____
 Publication dates N/A

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, C. STEPHEN ALLRED, Director of the Department of Water Resources hereby
 APPROVE the above referenced Amendment for Permit No. 45-7180.

Witness my hand this 30 day of January, 19 81

[Signature]
 Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING }
DEVICE REQUIREMENT FOR PERMIT NO. 45-7180 }

ORDER

WHEREAS, it has been determined by the Department of Water Resources that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from said permit.

Dated this 28th day of August, 1978.

L. Glen Saxton
L. GLEN SAXTON

Chief, Operations Bureau

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Identification No. _____

Application No. 45-7180

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Milton E. Nielsen
post office address RT 1 Box 308
623 4th St. S., Rupert, Id.
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 29 Township 9S
Range 25E B.M. Cassia County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount .80 cfs for irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .04 cfs 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. .84 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
well, pump, sprinkler system

- 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 12 inches; proposed depth of well is 120+ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 7,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 29 Township 9S
Range 25E 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 1.
(5) If water is to be used for other purposes describe: _____

MICROFILMED

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	25E	29											40						40

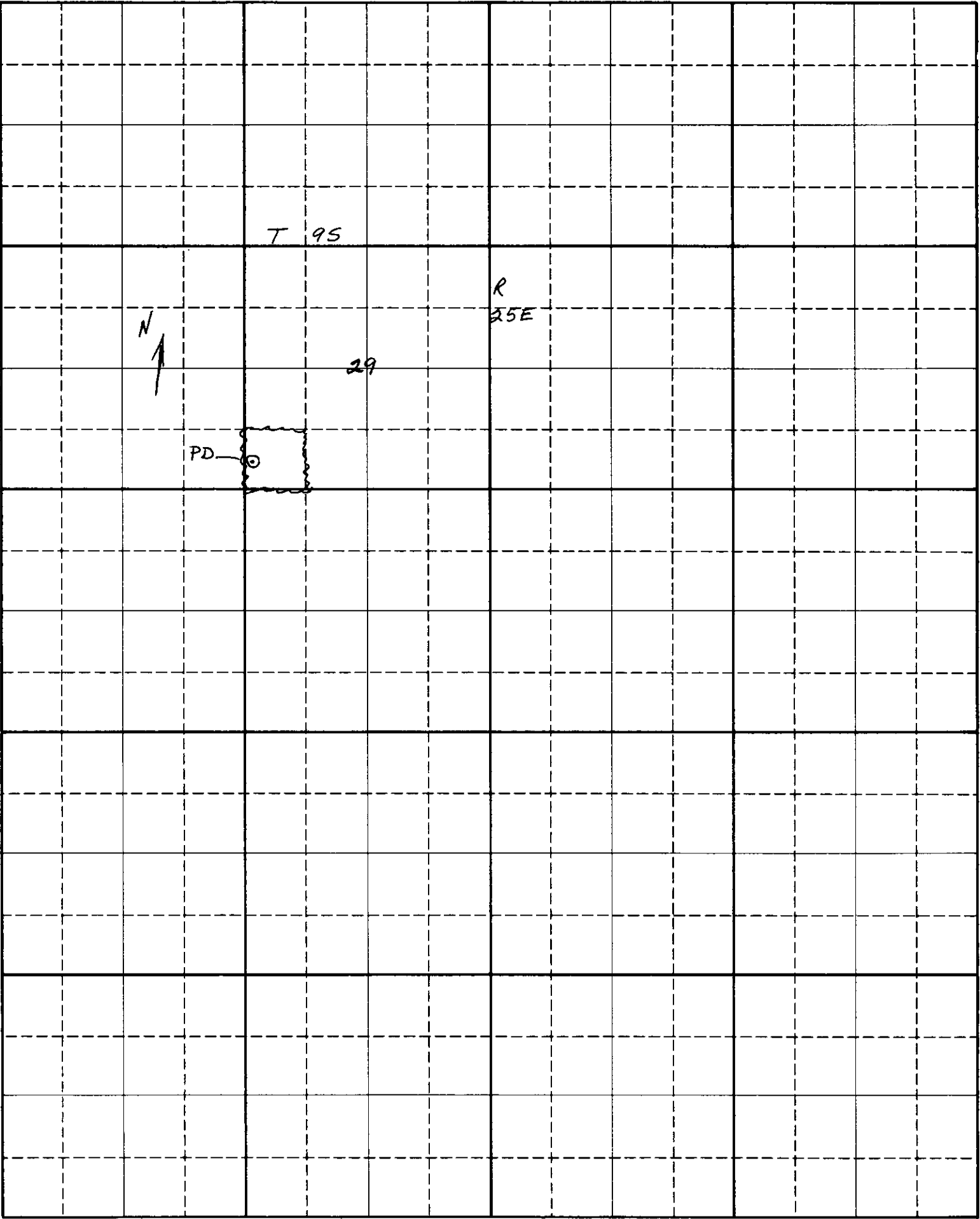
Total number of acres to be irrigated 40

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

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

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.

Milton E. Nielsen
(Applicant)

Proposed Priority 7-15-1974

Received by mb Date 7-15-74 Time 10:00

Preliminary check by KDT Fee \$25.00 (13948)

Receipted by LT Date 7-15-74

KDT Publication prepared by LT Date 7-16-74

Published in S. Idaho Press

Publication dates 7-23 & 7-30-74

Publication approved LT Date 7-31-74

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by JS

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. 45-7180, 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 August 1, 19 79.

c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 19 day of August 19 74.

L. Keith Higin
Director

Rec. 7-31-74 LT

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Ruth Chambers, being first

duly sworn, deposes and says that He is the

Bookkeeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2 consecutive weeks, commencing with the issue

dated July 23, 1974, and ending

with the issue dated July 30, 1974.

Ruth Chambers

Subscribed and sworn to before me

this 30th day of July

1974.

Edith Raustadt Notary Public

Cost of Publication 9.45

Notary Fee

Total Cost

My commission expires October 23, 1975

45-7180

Rec 7-31-74 47

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BURLEY, IDAHO

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) ss.
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this 30th day of July

1974

Edith Raustadt Notary Public

Cost of Publication 9.45

Notary Fee

Total Cost

My commission expires October 23, 1975

74-223

NOTICE OF APPLICATION FOR

WATER PERMIT

Notice is hereby given that Milton E. Nielsen, 623 4th St. S., Rupert, Id. has on 7-15-74 submitted Application No. 45-7180 for a permit to appropriate .84 cubic feet per second of water from groundwater by means of well, pump, sprinkler system within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T 9S, R 25E, B.M., Cassia Co. to be used from Jan. 1 to Dec. 31 for domestic use and Mar. 15 to Nov. 15 for irrigation of 40 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T 9S, R 25E, 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 Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho 83301 on or before Aug. 9, 1974.

R. KEITH HIGGINSON

Director

Published in the South Idaho Press on 7-23-74 and 7-30-74.

45-7180

February 4, 1981

Milton E. Nielsen
Rt. 1, Box 388
Rupert, Idaho 83350

Dear Mr. Nielsen,

RE: License No. 45-7180

Enclosed is a copy of the Water Right License issued on the above referenced Permit, along with a copy of the approved Application for Amendment.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr
Enclosure

RECEIVED
FEB 10 1981
WATER DIVISION



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

October 31, 1980

Milton E. Nielsen
623 4th St. S.
Rupert, Idaho 83350

Dear Mr. Nielsen,

A representative of this Department made an examination of the works covered by your Permit No. 45-7180 on August 12, 1980, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: .62 cfs Source: groundwater

The maximum quantity diverted shall not exceed 153.2 acre feet
per year.

Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, Twp. 9S, Rge. 25E, B.M.

Beneficial use: Irrigation of 38 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29,
Twp. 9S, Rge. 25E.

Priority date established: July 15, 1974

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JAN GROVER
JIM JOHNSON
Water Rights Supervisor

JG:j
Enclosure

WIPROFIL MEN

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

45-7180
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed:	8-23-79	JS	
☐ Telephone call made: (List Telephone No. used)			
☒ Appointment scheduled for: (Date, time, location)	8-12-80 10am	JS	

EXAMINATION

Date 8-12-1980 Accompanied by Mr. Nielsen Total Q measured 0.58 cfs ✓
If source is surface water, estimate total flow of source
Methods of measurement 6" Badger Meter M0644479 Meets Permit requirements? ✓

Measurement calculations:
Measured 1200 gal / 276.8 sec = 260.11 gpm / 448.8 gpm/cfs = 0.58 cfs ✓ Domestic - Allow .04 cfs 1.2 AFA ✓
Volume: 38 sec x 4.0 AFA/sec = 152.0 AFA ✓

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
1	25	Well Guard	30419-918-50	Berkeley waterworks	?	Badger Meter	Good	irrigation well
2	1 1/2	Franklin	-	?		none		domestic well

System Description Separate irrigation & domestic wells, handline, one line w/ back garden

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

RECOMMENDED AMOUNTS

USE	Irrigation requirement = 4.0 AFA/Acre	Q (cfs)	V (afa)	FROM	TO
irrigation		0.58 cfs ✓	152.0 AFA ✓	3-15	11-15
domestic		0.04 ✓	1.2 ✓	1-1	12-31
Total		0.62 cfs ✓	153.2 AFA ✓		

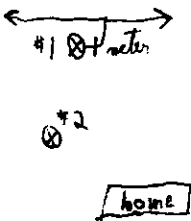
Remarks

MICROFILMED

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable,)



Point(s) of diversion: SW/5W Sec. 29 T.9S R. 25E (2 points)

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
95	25E	29										1	37x						38

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

Examiner's Signature

Checked by

Approved by

J. F. Stanton

John J. Marshall

Robyn

Date

Date

Date

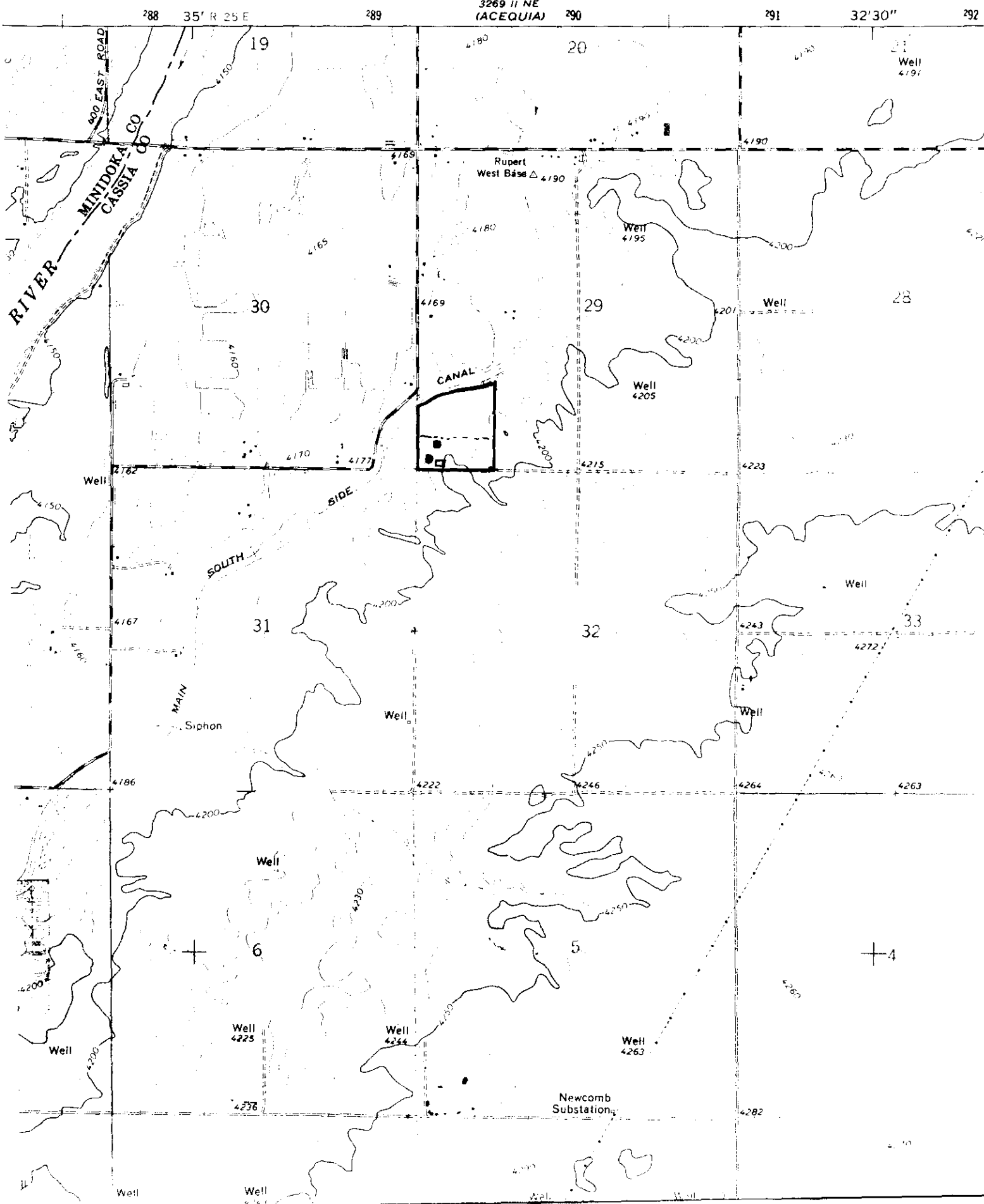
8-14-80

8-14-80

10/20/80



3269 // NE
(ACEQUIA)





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

Milton E. Nielsen
Route 1
Rupert, Idaho
83350

August 23, 1979

RE: Water Permit 45-7180

Dear Mr. Nielsen;

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.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Sincerely,

Gary Funderburg
Senior Water Resource Agent

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DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 46-7180

Name(s) of Permit Holder: Wilton E. Nielsen

Post Office Address: Route #1
Purplet Idas, 83350

Source of Water: _____

Extent of Use: ☐ Domestic one (number of households)
☐ Stockwater 25 cattle 3 horses (number and type of stock)
☐ Irrigation 40 (acres)
☐ Other _____

Measuring Device: Required? ☐ Yes ☒ No Installed? ☒ Yes ☐ No

Access Port: Required? ☐ Yes ☒ No Installed? ☒ Yes ☐ No

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

July 1, 1979
Date

Wilton E. Nielsen
Signature of Permit Holder

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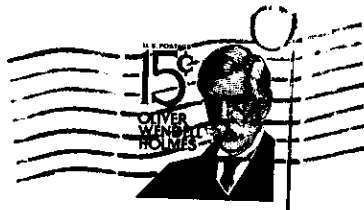
Dickson C. Nielsen
St #1
Received July 2 1979
RECEIVED

JUL 3 1979

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720





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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

May 31, 1979

106973

Milton E. Nielsen
623 4th Street South
Rupert, ID 83350

Dear Mr. Nielsen:

One of the conditions of approval of your water Permit No. 45-7180 was that evidence of the extent of development must be submitted to this office on or before August 1, 1979. (See last page of your approved permit). Enclosed is a post card which may 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 post card 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 within 60 days.

Sincerely,

RITA FLECK
Sr. Secretary

Enc: 1

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

NOV 28 1979

Dear Wateruser:

The enclosed Order removes the measuring device requirement as a condition of approval from your permit.

If you have installed the measuring device, the field examination can be more expediently conducted by the Department's field examiner as well as you will derive benefit from water management information which may be obtained from the installed meter.

If you have questions regarding this matter, please contact this office or our regional offices.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:JG:kw

Enclosure

MICROFILMED

August 20, 1974

Re: Permit No. 45-7180

Milton E. Nielsen
623 4th Street South
Rupert, Idaho 83350

Dear Mr. Nielsen:

Enclosed is a copy of your approved Application for Permit No. 45-7180. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosures

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XXXXXXXXXXXXXXXXXXXXX RESOURCES

July 16, 1974

RE: Application No. 45-7180 - Milton E. Nielsen

South Idaho Press
Box 190
Burley, Id. 83318

Gentlemen:

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

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Bob Haynes
Southern District Engineer

Bill submitted 7-31-74 CT

MICROFILMED

RECEIVED

7-15-74
7-15-74

74-223

**NOTICE OF APPLICATION FOR
WATER PERMIT**

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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 Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho 83301 on or before Aug. 9, 1974.

R. KEITH HIGGINSON
Director

Published in the South Idaho Press
on 7-23 and 7-30-74.

ok L.T.
7-18-74

NOTICE OF APPLICATION FOR WATER PERMIT

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623 4th St. S., Rupert, Id.
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for a permit to appropriate .84 cubic feet per second ~~per second~~
of water from groundwater
by means of well, pump, sprinkler system
within the SW1/4, Sec. 29, T 9S, R 25E, B.M., Cassia Co.

to be used from Jan. 1 to Dec. 31 for domestic use and Mar. 15 to Nov. 15
for irrigation of 40 acres

within the SW1/4, Sec. 29, T 9S, R 25E, 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 Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before Aug. 9, 1974.

R. KEITH HIGGINSON

Director

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MICROFILMED