

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 29-08222

Priority: August 19, 1997

Maximum Diversion Rate: 0.01 CFS
Maximum Diversion Volume: 1.4 AF

It is hereby certified that GREG NICKERSON
PO BOX 276
INKOM ID 83245-0276 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 19, 1997; and has
submitted Proof of Beneficial Use on August 12, 1999. An examination indicates that the works have a
diversion capacity of 0.01 cfs of water from:

SOURCE

SPRING

Tributary: SINKS

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
STOCKWATER	01/01 to 12/31	0.01 CFS	0.2 AF
DOMESTIC	01/01 to 12/31	0.01 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING L2 SW¼SW¼NW¼ Sec. 30, Twp 07S, Rge 37E, B.M., BANNOCK County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S 37E 30							X										
							L 2										

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S 37E 30							X										
							L 2										

CONDITIONS OF APPROVAL

- Domestic use is for 1 home.
- Point of diversion and place of use are located within Lot 6, Blk. 2, Pebble Creek Estates.

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JUN 01 2001

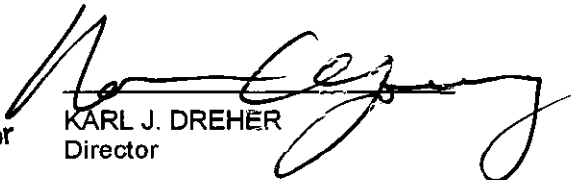
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 29-08222

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

Signed and sealed this 14TH day of MAY, 2001.

Acting for


KARL J. DREHER
Director

MICROFILMED
JUN 01 2001

7/94

RECEIVED

AUG 12 1999

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.00Receipt No. 004,793Receipt By: HWDate Received: 8/13/99

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 29-08222 Telephone No. 208-775-32022. Name(s) of Permit Holder(s): Greg Nickerson3. Mailing Address: P.O. Box 276 INkom, Id 832454. Source of Water: Spring If **GROUNDWATER** (well), Date Drilled: mo. ____ / yr. ____

a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____

b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): 3 SheepIrrigation (No. of acres): 1 Other: _____6. Total rate of diversion and/or volume for which proof is submitted: .2 cfs cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes ____ or No ☒Has the measuring device been installed? Yes ____ or No ☒**Flow Measurement Port:** Is a flow measurement port required? Yes ____ or No ☒Has the measurement port been installed? Yes ____ or No ☒8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Greg Nickerson Telephone Number: 208-775-3202Address: P.O. Box 276 2047 E Pebble Rd Inkom, Id 83245

10. The information given on this form is my true statement of the extent to which the above mentioned permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

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JAN 27 2000

Signature of permit holder: Greg Nickerson

(include your title, if on behalf of company or organization)

Date: 8-9-99

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-08222

Proposed Priority: August 19, 1997

Maximum Diversion Rate:

0.02 CFS

This is to certify, that **GREG NICKERSON**

PO BOX 1348

BLACKFOOT ID 83221-1348

has applied for a permit to appropriate water from:

SPRING

tributary of **SINKS**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.02 CFS
	Totals	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 2(SWSWNW), Sec. 30, Township 07S, Range 37E
BANNOCK County

PLACE OF USE: STOCKWATER

TWN RGE SEC

07S 37E 30 Lot 2(SWNW)

PLACE OF USE: DOMESTIC, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1999.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Point of diversion and place of use are located within Lot 6, Blk. 2; Pebble Creek Estates.
5. Stockwater use is for 20 head of sheep, cattle, & horses.
6. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

9th day of October, 1997.

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OCT 22 1997

Karl J. Dreher
Karl J. Dreher, Director

Ident. No. 29-8222

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

To appropriate the public waters of the State of Idaho

OCT 01 1997

Department of Water Resources

1. Name of Applicant Greg Nickerson Phone 782-1910
Mailing address PO Box 1348 Blackfoot ID 83221
2. Source of water supply Spring which is a tributary of Sinks
3. Location of point of diversion is Township 7S Range 37E Sec. 30 in the SW 1/4, SW 1/4, NW 1/4, Govt. Lot 2, B.M., Bannock County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 0.02 cfs for Stockwater purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.02 cfs for Domestic purposes from 01/01 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)
- 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) 0.02 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source spring box, pipeline.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 20 head of sheep, cattle, horses.
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. one
- e. Other; describe fully. _____

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9. Description of place of use:

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

b. 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	RGE	SEC	N E				N W Lot 2				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	37E	30							0/5										

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. NONE.

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: _____

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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


Signature of Applicant (and title, if applicable)

Received by SAC Date 13 AUG 97 Time 1130 Preliminary check by _____
Fee \$ 50.00 Received by SC # E023506 Date 8/13/97
Publication prepared by RB Date 9-4-97 Published in Idaho State Journal
Publication approved RB Date 9-29-97

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OCT 22 1997

PEBBLE CREEK ESTATES

A SUBDIVISION IN THE

N 1/2 SE 1/4 & SW 1/4 NE 1/4, SEC 25, T 7 S, R 36 E,
& GOVERNMENT LOTS 2 AND 3, SEC. 30, T 7 S, R 37 E, B.M.

NOTES

1. REFERENCE DOCUMENTS

- Deed instrument numbers recorded in the Bannock County Recorder's Office, 575318, 89014797
- Unrecorded contract for sale of land between Federal Land Bank of Spokane & McNabb Farms Partnership
- Record of Survey Plat by Bithell Engineering, Instrument No. 794405 (R-EE)
- Record of Survey Plat by Charles Hall & John Elle, Instrument No. 711878 (R-CH)
- Bonnevile Park Subdivision & a map entitled "A Survey for Bill Calk" done by Bailey & Bielby, Engineers-Surveyors, Job #s 77-32 & 78-14
- Map of Secs. 24 & 25, T 7 S, R 35 E, B.M. dated February 25 & March 1, 1939 by County Surveyor W. P. Hawener (R-BC)
- County Plan/Profile maps for Green Canyon Road in Sec. 25, T 7 S, R 35 E & Sec. 30, T 7 S, R 37 E (R-CC)
- U.S.G.L.O. plats and notes for T7S, R36E, 1892 and T7S, R37E, 1901 (R-GLC)
- U.S.G.L.O. plat and notes for Retracement Survey of the east boundary T7S, R36E, by Emery Oliver dated October 18, 1901 (R-RTM)

2. The owner hereby dedicates 8 feet of right-of-way adjoining the Southern side of Green Canyon Road and adjoining the Eastern side of Bonneville Road. This dedication is made to Bannock County and the public, enlarging the half width of these roads from 25 feet to 33 feet.

3. Bailey and Bielby Engineers - Surveyors performed a breakdown of Section 30, T 7 S, R 37 E in 1977 and 1978. The evidence remaining today is not sufficient to either prove or disprove the positions of the Northeast section corner or the North 1/4 corner, as set during these surveys. There is, however, ample evidence to prove that Bailey and Bielby's corners on the line between R 36 E and R 37 E were not reset in the original positions. Accordingly, I have re-set these corners as shown on this plat, and have disregarded the Bailey and Bielby monuments on this line in my calculations.

4. BUILDING AND OCCUPANCY RESTRICTIONS ARE ON FILE AS INST. # 6002417 AT THE BANNOCK COUNTY CLERKS OFFICE.

LEGEND

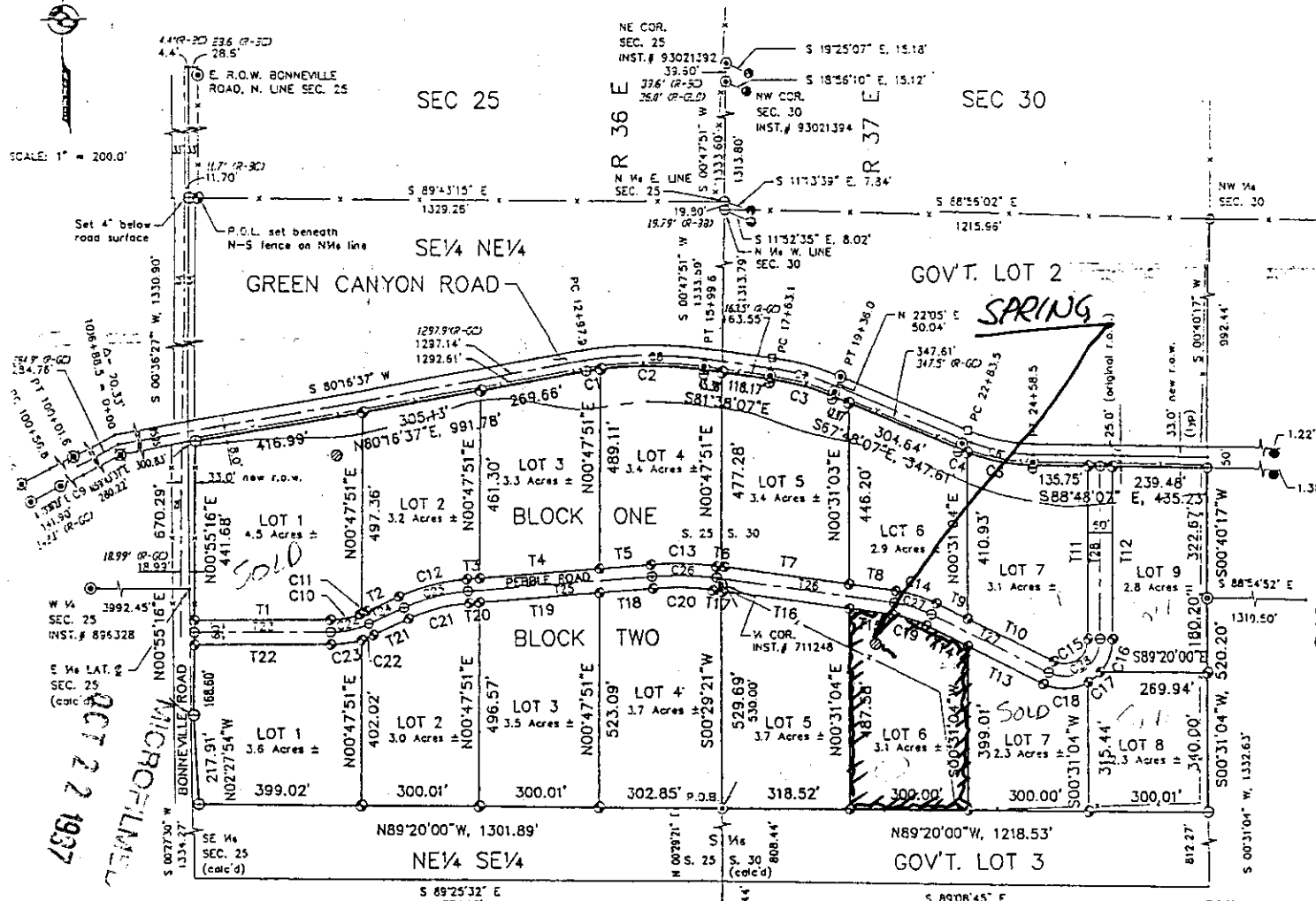
- Found Bannock County Brass Cap Monument
- Found Aluminum Cap Monument, LS 4104, 1983
- Found Brass Cap Monument, Bureau of Land Management, Cadastral Survey 1968
- Found 1/2" dia. rebar with aluminum cap stamped LS 1812
- Found 1/2" dia. rebar, no markings, origin unknown, presumably set by Gerald L. Egan in 1983. Affixed 2" aluminum cap stamped "PE/LS 4440"
- Set 1/2" dia. rebar with aluminum cap stamped PE/LS 4440
- Set 1/2" dia. rebar with yellow plastic cap stamped PE/LS 4440
- Set 1/2" dia. rebar with yellow plastic cap stamped PE/LS 4440
- Found broken shard of galvanized iron pipe
- Found Bannock County Brass Cap Monument, disturbed in approximate location
- Existing spring
- Property lines
- Section and 1/2 Section lines
- Existing fences
- (R-...) Record Brg./Dist. from reference documents listed in note 1.

PEBBLE CREEK ESTATES, PREPARED FOR "MCNABB FARMS PARTNERSHIP", IN THE N 1/2 SE 1/4 & SW 1/4 NE 1/4, SEC. 25, T7S, R36E AND IN GOVERNMENT LOTS 2 AND 3, SEC. 30, T7S, R37E, B.M.

JOB NO.	92-057	PRINT DATE	DWG. No.
DRAWN BY	DZ	DATE 1-25-94	SHEET 2 OF 2 SHEETS
CHECKED BY	JTE	DATE 1-23-95	SCALE: 1"=200'
NOT SCALE	1"=200'	NOT DATE 1-23-95	BY ME

BITHELL ENGINEERING, INC.

P.O. BOX 2226
POCATELLO, IDAHO 83206
PHONE: (208) 233-3998



CURVE TABLE

CHORD	DELTA	RADIUS	ARC	TANGENT	CHORD BEARING	CHORD
100.00	1.0472	100.00	1.0472	1.0472	1.0472	100.00
200.00	4.1881	200.00	4.1881	4.1881	4.1881	200.00
300.00	9.2704	300.00	9.2704	9.2704	9.2704	300.00
400.00	16.2181	400.00	16.2181	16.2181	16.2181	400.00
500.00	24.8603	500.00	24.8603	24.8603	24.8603	500.00
600.00	34.9222	600.00	34.9222	34.9222	34.9222	600.00
700.00	46.1997	700.00	46.1997	46.1997	46.1997	700.00
800.00	58.4978	800.00	58.4978	58.4978	58.4978	800.00
900.00	71.5325	900.00	71.5325	71.5325	71.5325	900.00
1000.00	85.1198	1000.00	85.1198	85.1198	85.1198	1000.00

TANGENT TABLE

TANGENT	DIRECTION	DISTANCE
100.00	N 00° 00' 00" E	100.00
200.00	N 00° 00' 00" E	200.00
300.00	N 00° 00' 00" E	300.00
400.00	N 00° 00' 00" E	400.00
500.00	N 00° 00' 00" E	500.00
600.00	N 00° 00' 00" E	600.00
700.00	N 00° 00' 00" E	700.00
800.00	N 00° 00' 00" E	800.00
900.00	N 00° 00' 00" E	900.00
1000.00	N 00° 00' 00" E	1000.00

*BASIS OF BEARINGS

S 89° 25' 32" E, along the North line of Section 25, T 7 S, R 35 E, B.M. between the found North 1/4 corner and the found Eastern Right-of-Way of Bonneville Road as shown on Record of Survey Plat instrument No. 794405 on file at the Bannock County Recorder's Office.

RECORD CURVE TABLE

CHORD	DELTA	RADIUS	ARC	TANGENT	CHORD BEARING	CHORD
100.00	1.0472	100.00	1.0472	1.0472	1.0472	100.00
200.00	4.1881	200.00	4.1881	4.1881	4.1881	200.00
300.00	9.2704	300.00	9.2704	9.2704	9.2704	300.00
400.00	16.2181	400.00	16.2181	16.2181	16.2181	400.00
500.00	24.8603	500.00	24.8603	24.8603	24.8603	500.00
600.00	34.9222	600.00	34.9222	34.9222	34.9222	600.00
700.00	46.1997	700.00	46.1997	46.1997	46.1997	700.00
800.00	58.4978	800.00	58.4978	58.4978	58.4978	800.00
900.00	71.5325	900.00	71.5325	71.5325	71.5325	900.00
1000.00	85.1198	1000.00	85.1198	85.1198	85.1198	1000.00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: GREG NICKERSON 208-782-1910
Address: PO BOX 134B
BLACKFOOT ID 83221
2. Source: SPRING Trib. to:
3. Location of Point of Diversion: SWSWNW Sec. 30, Township 07S, Range 37E
BANNOCK County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.020		
5. Total quantity to be appropriated is:
0.020 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
SPRINGBOX, PIPELINE
 - 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 inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when?
Drilling Firm
Well was drilled for
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).
8. Place of Use: STOCKWATER

TWN RGE SEC
07S 37E 30 Lot 2 (SWNW)

Place of Use: DOMESTIC, same as STOCKWATER use

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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:

Stockwater use is for 20 head of sheep, cattle, & horses.

11. Map of proposed point of diversion and place of use attached? []

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

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Receipted by _____ # _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

INORCFILM

OCT 22 1937



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 16, 2001

GREG NICKERSON
PO BOX 276
INKOM ID 83245-0276

RE: License No. 29-8222 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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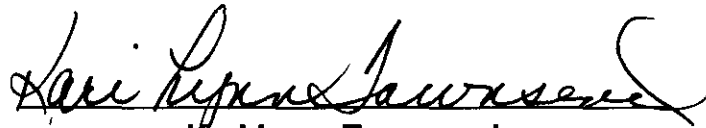
JUN 01 2001

CERTIFICATE OF MAILING

I hereby certify that on May 16, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 29-8222

**GREG NICKERSON
PO BOX 276
INKOM ID 83245-0276**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
JUN 01 2001**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

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JUN 01 2001

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV - 8 2000
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 29-08222
680-7000 mobile
Phone No. 775-3202

1. Owner: GREG NICKERSON
Current Address: P.O. Box 276, 2047 E Pebble Rd Idkon Id 83245

2. Accompanied by: GREG NICKERSON EXAM DATE: 4/25/2000

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: SPRING tributary to SINKS

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

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
	2	SW	SW	NW	30	7S	37E	Bannock	On site / subdivision plat

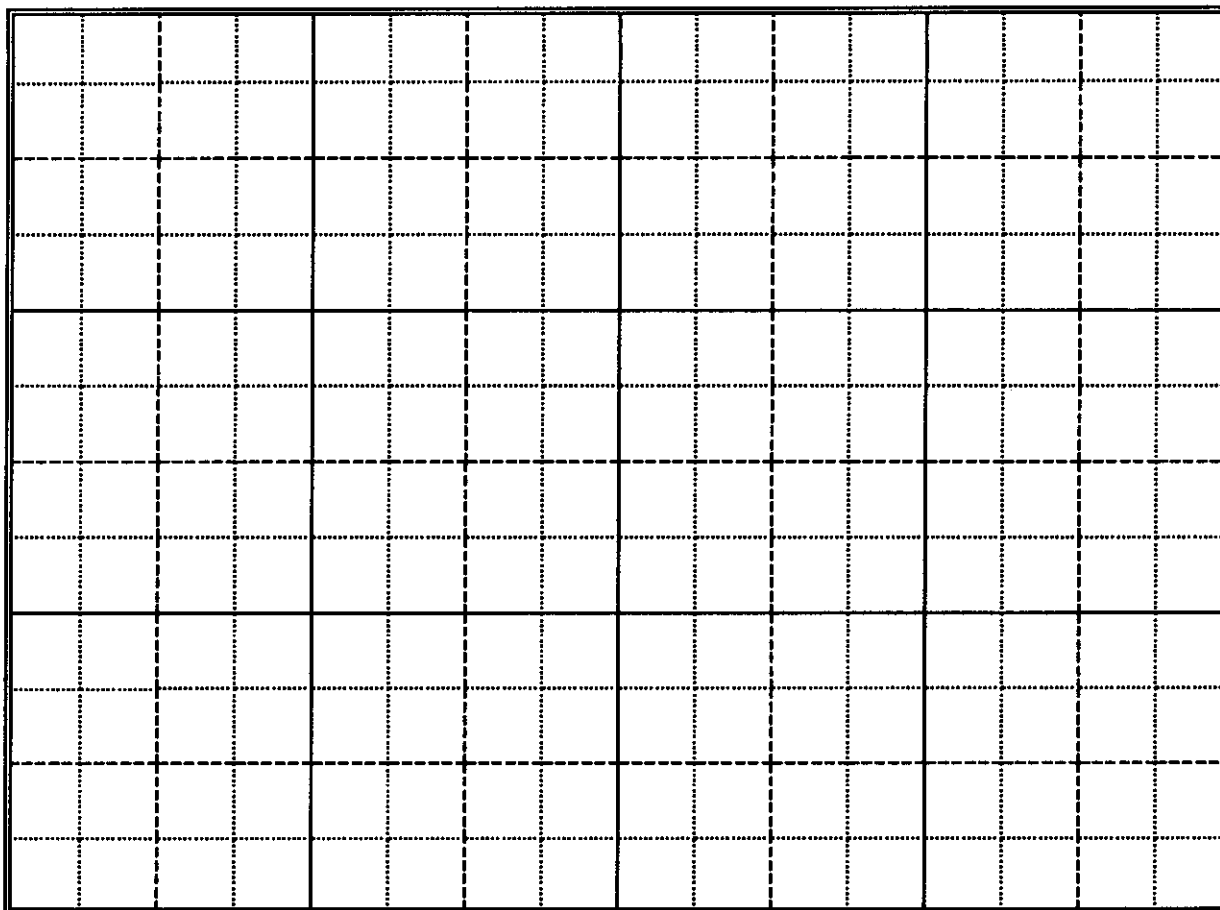
2. Place(s) of Use:

Indicate Method of Determination ON SITE / PLAT

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	37E	30							P/S										

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JUN 8 1 2001

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



Scale: 1" = _____

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

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

_____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Pressure Pump	Grandfos	1	1	—	—

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: 53.56 sec / 5 gal
54.38 sec / 5 gal

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E. NARRATIVE/REMARKS/COMMENTS

Spring box mainline to two 1500 gal storage tank with pump to pressure system for single domestic home. Overflow from tanks feeds stock trough for lambs (20 max) overflow continues down unnamed stream bed.

P/O & P/u aka, Lot 6, Block 2, Pebble, Creek Estates,

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

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F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$Q = 5 \text{ gal} / 53.56 \text{ sec} \left(\frac{60 \text{ sec}}{\text{min}} \right) = 5.6 \text{ gpm} = 0.01 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

$$V_{DOM} = \underline{0.6 \text{ afa}} \quad 1.2 \text{ afa}$$

$$V_{STOCK} = \begin{aligned} &\text{assume } 1/3 \text{ sheep } 2/3 \text{ cattle \& horses} \\ &= 7 \text{ sheep } = 14 \text{ cattle/horse} \\ &7 (29 \text{ gal/h}) 365 \text{ days} / 365 \text{ days} = 14 (0.0154) = 0.1875 \\ &\approx 5110 \text{ gal} / 325150 \text{ gal/afa} = 0.01568 \end{aligned}$$

$$V_{STOCK} = \frac{0.1875}{0.2 \text{ afa}} = 0.01568$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic (lunt)	1/1	12/31	0.01 cfs	1.2 afa
Stockwater (various)	1/1	12/31	0.01 cfs	0.2 afa
Totals:			0.01 cfs	1.4 afa

2. Recommended Amendments

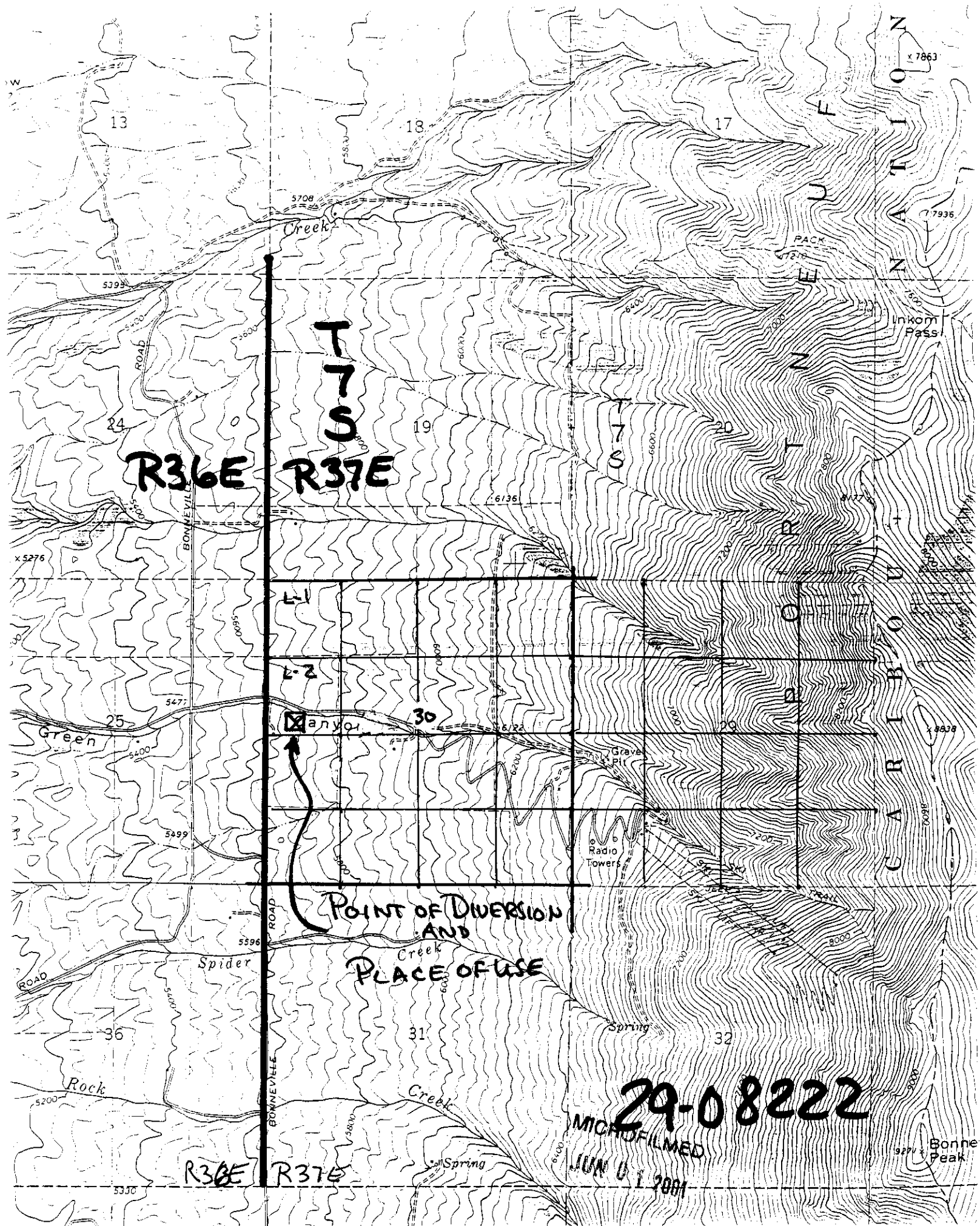
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Keith C. Wilson Date 4/25/2000

Reviewer _____ Date _____

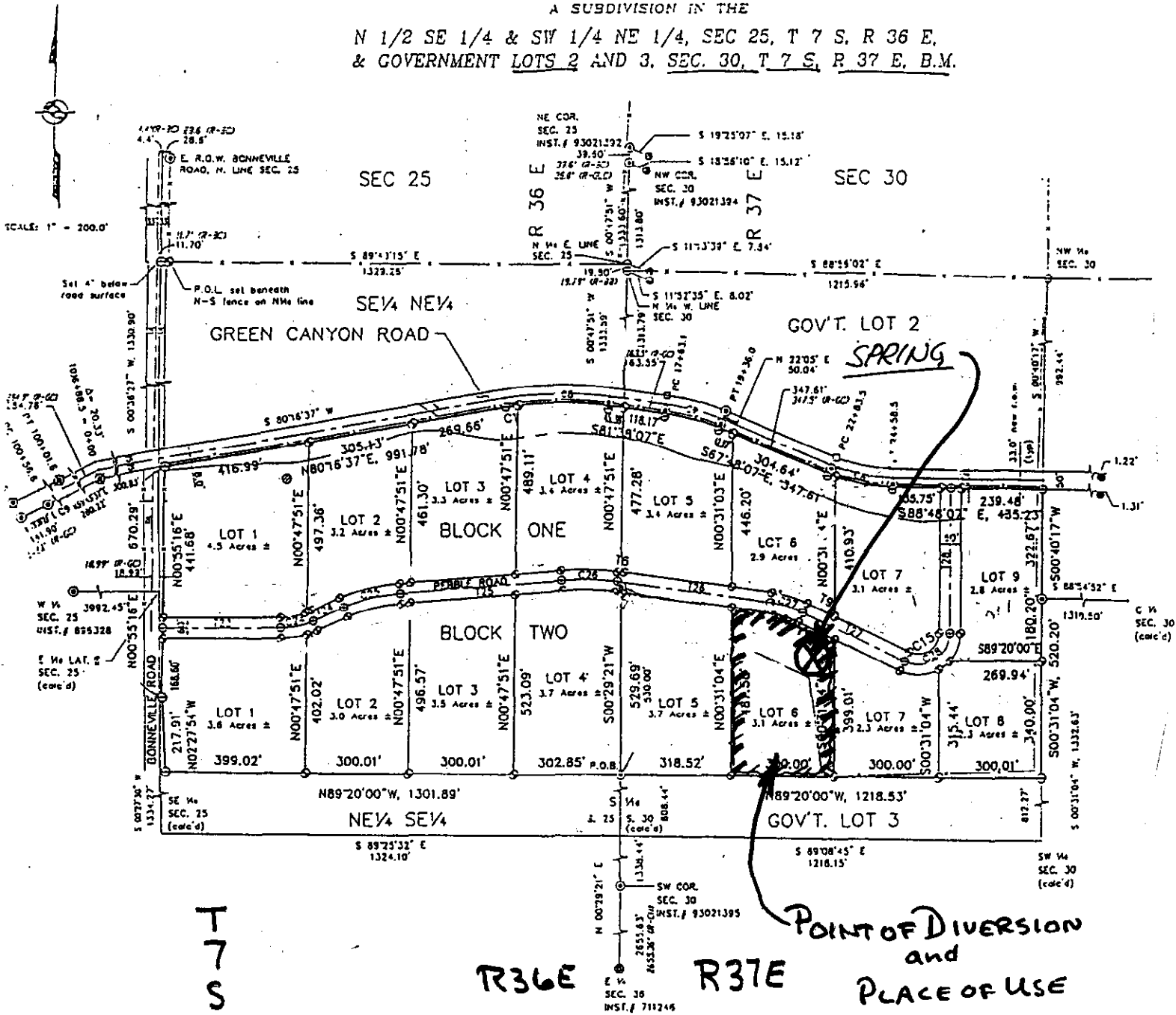
MICROFILMED SEAL
JUN 01 2001



PEBBLE CREEK ESTATES

A SUBDIVISION IN THE

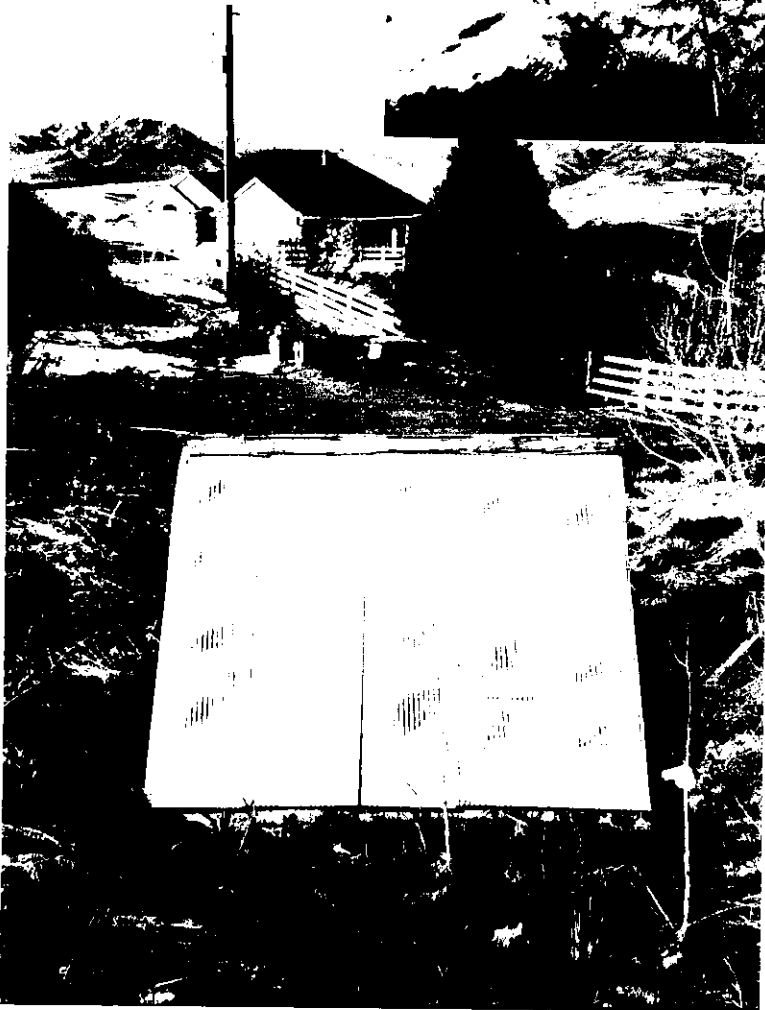
N 1/2 SE 1/4 & SW 1/4 NE 1/4, SEC 25, T 7 S, R 36 E,
& GOVERNMENT LOTS 2 AND 3, SEC. 30, T 7 S, R 37 E, B.M.



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JUN 01 2001

29-08222



POINT OF DIVERSION

29-08222

July 31, 1999

GREG NICKERSON
PO BOX 1348
BLACKFOOT ID 832211348

PROOF DUE NOTICE

RE: PERMIT NO. 29-08222

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 October 1, 1999.

(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.

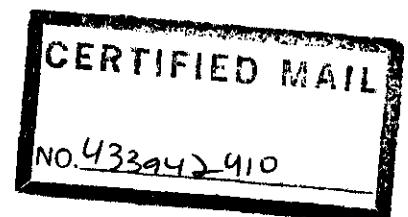
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JAN 27 2000





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 9, 1997

GREG NICKERSON
PO BOX 1348
BLACKFOOT ID 83221-1348

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 29-08222

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

MICROFILMED
OCT 22 1997

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

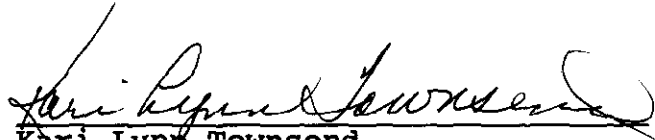
UNRECORDED
OCT 22 1937

CERTIFICATE OF MAILING

I hereby certify that on the 9th day of October, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 29-08222

GREG NICKERSON
PO BOX 1348
BLACKFOOT ID 83221-1348


Kari Lynn Townsend
Secretary

MICROFILMED

OCT 22 1997

PROOF OF PUBLICATION

RECEIVED

SEP 15 1997

Department of Water Resources
Eastern Region

STATE OF IDAHO }
County of Bannock } ss.

CINDIA A COLE

NOTICE OF APPLICATION FOR DIVERSION

RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho: 29-08222

NICKERSON, GREG

PO BOX 1348

BLACKFOOT, ID 83221

Source: SPRING

Diversion Pt: LOT 2

(SWSWNW) Sec 30 T

07S R 37E in BAN-

NOCK County.

Use: STOCKWATER

DOMESTIC

Total Diversion:

(0.020 CFS)

(0.020 CFS)

(0.020 CFS)

Date Filed: 8/19/1997

In: BANNOCK County

T07S R37E S30

Lot 2 (SWNW)

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before SEPTEMBER 22, 1997.

Karl J. Dreher

Director

September 4, 11, 1997

1997

being first duly sworn on oath deposes and says: That SHE was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

SEPTEMBER 4, 19 97

SEPTEMBER 11, 19 97

_____, 19____
_____, 19____
_____, 19____
_____, 19____
_____, 19____

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Cindia A Cole

STATE OF IDAHO

COUNTY OF

BANNOCK

On this 11TH day of SEPTEMBER in the year of 1997

before me, a Notary Public, personally appeared _____

_____, 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 executed the same.

Lori A. Sekot
Notary Public for Idaho

Residing at POCATELLO

My commission expires: FEBRUARY 2003

MICROFILMED

OCT 22 1997

* lack of
tributary
not fatal
CJ. 10/2/97

PROOF OF PUBLICATION

RECEIVED
SEP 15 1997

STATE OF IDAHO }
County of Bannock } ss.

Department of Water Resources
Eastern Region

CINDIA A COLE

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho: 29-08222

NICKERSON, GREG
PO BOX 1348
BLACKFOOT, ID 83221

Source: SPRING
Diversion Pt: LOT 2
(SWSWNW) Sec 30 T
07S R 37E in BANNOCK County,

Use: STOCKWATER
DOMESTIC

Total Diversion:

(0.020 CFS)

(0.020 CFS)

(0.020 CFS)

Date Filed: 8/19/1997

In: BANNOCK County

T07S R37E S30

Lot 2 (SWNW)

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before SEPTEMBER 22, 1997.

Karl J. Dreher

Director

September 4, 11, 1997

LN2836

* lack of
tributary
not fatal
03-10/3/97

being first duly sworn on oath deposes and says: That SHE was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

SEPTEMBER 4	19 97	19
SEPTEMBER 11	19 97	19
	19	19
	19	19
	19	19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Cindia A Cole

STATE OF IDAHO

COUNTY OF

BANNOCK

On this 11TH day of SEPTEMBER in the year of 1997, before me, a Notary Public, personally appeared _____,

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 executed the same.

John A. Sisk

Notary Public for Idaho

Residing at POCATELLO

My commission expires: FEBRUARY 2003

RECORDED

SEP 22 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

AUGUST 26, 1997

Legal Notices Department
IDAHO STATE JOURNAL
P.O. BOX 431
POCATELLO, ID 83204

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 22, 1997.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

OCT 22 1997

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED
OCT 22 1937

29-08222

NICKERSON, GREG
PO BOX 1348
BLACKFOOT, ID 83221

Source: SPRING

Diversion Pt: LOT 2 (SWSWNW) Sec 30 T 07S R 37E in BANNOCK County.

Use: STOCKWATER	(	0.020 CFS)
DOMESTIC	(	0.020 CFS)
Total Diversion:	(	0.020 CFS)

Date Filed: 8/19/1997

In: BANNOCK County
T07S R37E S30 Lot 2 (SWNW)

MICROFILMED

OCT 22 1997

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before SEPTEMBER 22, 1997.

Published: 9/ 4/1997 & 9/11/1997

KARL J. DREHER, Director

MICROFILMED

OCT 22 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 25, 1997

GREG NICKERSON
PO BOX 1348
BLACKFOOT ID 83221

RE: Notice of Application for Permit No. 29-08222

Dear Applicant:

This office is currently in the process of advertising the application in the ID State Journal on Sept. 4 & 11, 1997. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones rb
Harold W. Jones
Water Right Supervisor

HWJ/rb

RECORDED

OCT 22 1997