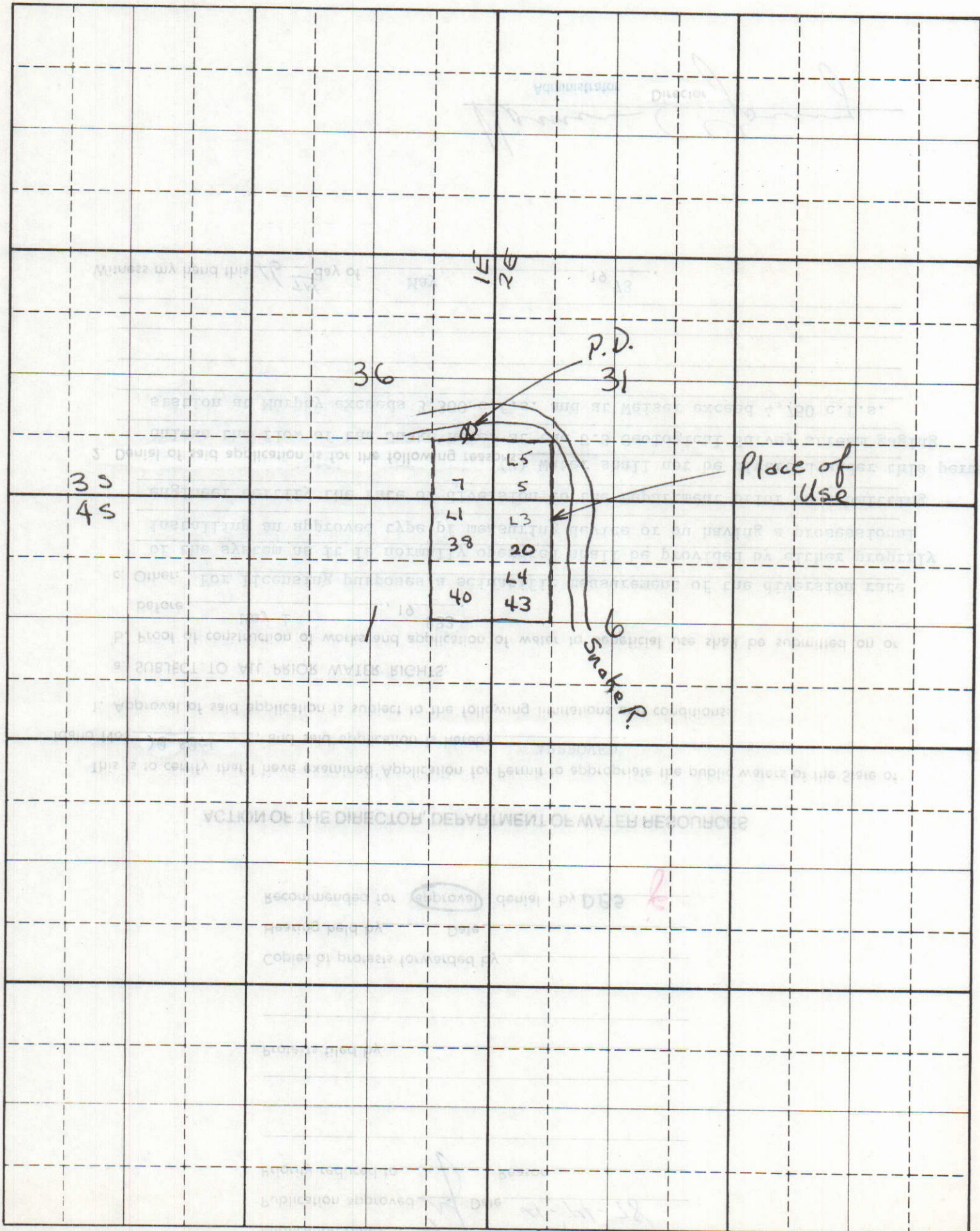


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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

(Applicant)

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

} s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 6 day of April, 1978, and the last publication being on the 13 day of April, 1978;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 13 day of April, 1978.

Lena S. Hawes
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

RECEIVED
APR 14 1978

Department of Water Resources
Western Regional Office

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that NICK NETTLETON, Oreana, ID has on March 24, 1978 submitted Application No. 02 - 7621 for a permit to appropriate 3.0 cubic feet per second of water from the Snake River (trib. Columbia River by means of pumping system within the NE $\frac{1}{4}$ -SE $\frac{1}{4}$ Sec. 36 T3S - R1E B. M. Owyhee County to be used from Mar. 15 to Nov. 15 for irrigation of 153 acres within the SE $\frac{1}{4}$ -SE $\frac{1}{4}$ Sec. 36 T3S - R1E; Government Lot 5 Sec. 31 T3S - R2E; Government Lot 1, SE $\frac{1}{4}$ -NE $\frac{1}{4}$ Sec. 1 T4S - R1E; Government Lots 3 & 4 Sec. 6 T4S - R2E 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 Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before April 24, 1978.

C. STEPHEN ALLRED,
Director

Published in the Owyhee Nugget, Marsing ID on April 6, 1978 and April 13, 1978.

OK
4-14-78
JF

MICROFILMED

R1E R2E

SCHEMATIC DIAGRAM OF SYSTEM

Point(s) of diversion: NESE (48) Sec 36 T35 R1E

Place(s) of Use

Recommended Amendments:

- ☒
- None
-
- ☐
- Other

Date 10/8/81

Date 10/28/81

Date 11/24/81

R1
R2

NE 54

P.D

L8

625

2

5

L4

23

L5

40

T3S

T4S

02-21008

63

16

36

+

L3

P.D

24

02-7261

4

29

16

L4

7

B149

152B

A / B
3.6 / 24.8

RECEIVED

MICROFILMED

B DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1 Amount of water a. 2.62 cubic feet per second
&/or
b. acre feet per annum

2. Point of diversion SW 1/4 NE 1/4, Section 36 Township 3 S
Range 1 E B.M., Oayhee County
Additional points

3. Place of use.

TWP	RANGE	SEC	NE 1/4				NW 1/4				SE 1/4				SW 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3 S	2 E	31											L. 4 24	L. 5 48					72
4 S	2 E	6						L. 3 28											28
4 S	1 E	1	L. 1 2																2
3 S	1 E	36													L. 6 16			13	29
THIS IS A PORTION OF THE LAND ORIGINALLY IRRIGATED ON THE LICENSED RIGHT																			131

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

a. Amount of water to be diverted 2.62 c.f.s. &/or acre feet

b. Point(s) of diversion NE 1/4 SE 1/4, Section 36 Township 2 S
Range 1 E B.M., Oayhee County
Additional points

c. Description of diverting works Pump and pipeline into existing ditches

d. Describe the reasons for applying for a change in the point(s) of diversion
to have pump on own property

Identification No. _____

Application No. 02-7261

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT APPROVED

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

1. Name of applicant NICK NETTLETON Phone: 834-2718
post office address Oreana, Idaho 83659
2. Source of water supply Snake River which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 36 Township 3S
Range 1E B.M. Owyhee 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 3.0 for irrigation purpose from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (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. 3.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
increase capacity of existing pumping 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 _____ (Mo. Day) to _____ (Mo. Day) inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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 _____
(5) If water is to be used for other purposes describe: _____

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3S	1E	36																7	7
3S	2E	31											L 5 5						5
4S	1E	1	L 1 38			40													78
4S	2E	6						L 3 20	L 4 43										63

Total number of acres to be irrigated 153

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

License No. 02-2100, ALSO SEE PERMIT 02-7086

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 _____

Proposed Priority 03/24/78

Received by WTH Date 3-24-78 Time 1:00
Preliminary check by 668 Fee \$ 45.00
Receipted by WTH Date 3-24-78 # 11012
Publication prepared by 4 Date 3-30-78
Published in Owyhee Digest
Publication dates Apr 6 + 13, 1978
Publication approved 4 Date 4-14-78
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS g

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. 02-7261, and said application is hereby APPROVED.

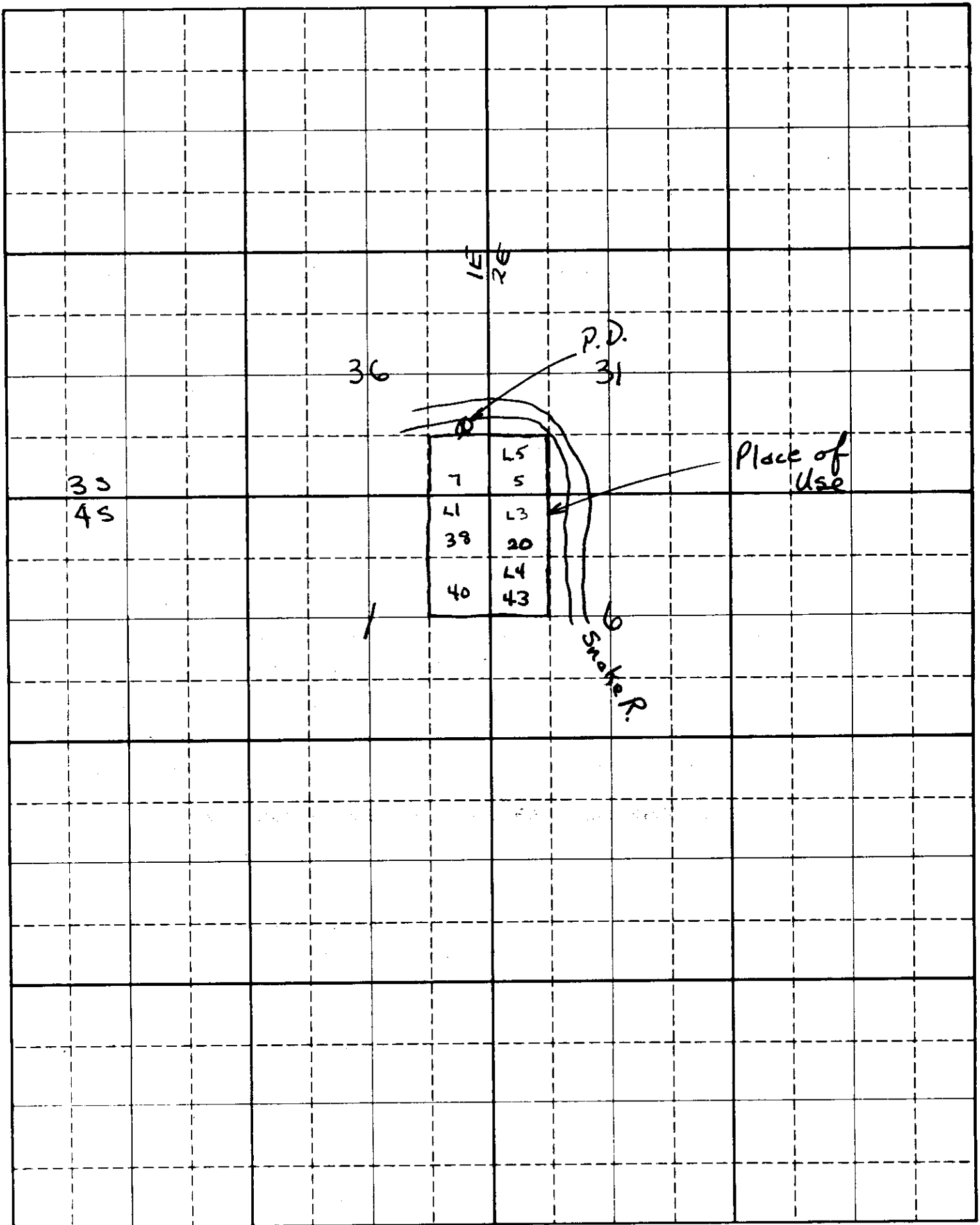
1. Approval of said application is subject to the following limitations and conditions:

- 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 May 1, 19 83.
- c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water. (2) Water shall not be diverted under this permit unless the flow of the Snake River at the U.S Geological Survey stream gaging station at Murphy exceeds 3,300 c.f.s. and at Weiser exceed 4,750 c.f.s.

Witness my hand this 16TH day of May, 19 78.

Roman C Young
Administrator

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.

[Signature]
(Applicant)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-7261 Priority March 24, 1978 Amount 1.6 cfs

THIS IS TO CERTIFY, that Nick Nettleton
of Oreana, Idaho, has complied with the terms and conditions of Permit
No. 02-7261 issued pursuant to Application for Permit dated March 24, 1978,
and has submitted proof to the Department of Water Resources on July 23, 1981,
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 4.23 cfs of water from Snake River,
tributary to Columbia River, 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 <u>March 15</u> to <u>November 15</u>	at <u>1.6</u> cfs and	<u>400.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.6 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
400.0 acre feet per year, said waters to be diverted within the GL8 (NE $\frac{1}{4}$ SE $\frac{1}{4}$), Section
36, Twp. 3S, Rge. 1E in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4S	1E	1	GL1 24			29													53
4S	2E	6					GL3 4	GL4 23											27

Total number of acres irrigated 80

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
described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of
December, 19 81.

Director

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

S.S.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for consecutive weeks, the first publication being on the day of 197....., and the last publication being on the day of 197.....;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

PUBLISHER

Subscribed and sworn to before me this day of 197.....

197.....

NOTARY PUBLIC

My commission expires 9-16-70

(SEAL)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that NICK MERTLAND, Greenleaf, ID has on March 24, 1970 submitted Application No. 00-7821 for a permit to appropriate 3.0 cubic feet per second of water from the Snake River trib. Columbia River by means of pumping system within the R214-S24 Sec. 24 T4S - R1E B. M. Owyhee County, ID to be used from Mar. 18 to Nov. 15 for irrigation of 153 acres within the R214-S24 Sec. 24 T4S - R1E; Government Lands Sec. 21 T4S - R1E; Government Land A. S. 24; NE 1/4 Sec. 1 T4S - R1E; Government Lot 3 & 4 Sec. 6 T4S - R1E B. M. Owyhee County, ID.

If issued this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 22 South Cole Road, Boise, Idaho 83725 on or before April 24, 1970.

C. STEPHEN ALLARD, Director

Published in the Owyhee Nugget, Marsing ID on April 6, 1970 and April 13, 1970.

4-14-78

June 8, 1992

NICK NETTLETON
STAR RT.
OREANA ID 83650

RE: Water Right No. A02-07261

Dear Water Right Holder(s):

On May 19, 1992, the department sent you a letter advising that you might be required to temporarily cease diverting water from the Snake River or its tributaries if the established minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second measured near Weiser is not satisfied or likely will not be satisfied.

The flow of the Snake River at Weiser is now less than 4,750 cfs. You are, therefore, directed to immediately cease diverting water under the above referenced water right and to not resume use until authorized by the department.

Past flow records show that the duration of seasonal low flow periods typically last several days to a week. Since your use of water is extremely important to you and since mail notification includes a delay associated with mail delivery time, feel free to call the toll-free telephone number 1-800-451-4129 to determine when you are again authorized to divert and use water under your water right. Please use this phone number only in connection with resumption of use.

You need to be aware that Section 42-351, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

June 12, 1992

NICK NETTLETON
STAR RT.
OREANA ID 83650

RE: Water Right No. A02-07261

Dear Water Right Holder(s):

On June 8, 1992, the department sent you a letter which directed you to immediately cease diverting water under the above referenced water right, since the minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second (cfs) measured near Weiser was not being satisfied.

The flow of the Snake River at Weiser is now above 4,750 cfs. You are, therefore, authorized to again divert water under your water right. If the minimum stream flow is not met later this year, however, the department will again notify you to temporarily cease diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

May 19, 1992

NICK NETTLETON
STAR RT.
OREANA ID 83650

RE: Water Right No. A02-07261

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement purposes. This type of coordination could minimize the impact on

existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the
Student Union Building, Albertson College of Idaho,
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

January 28, 1982

RE: Permit No. 02-7261

Nick Nettleton
Star Route
Oreana, ID 83650

Dear Mr. Nettleton:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

RECEIVED



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

December 7, 1981

RE: Permit No. 02-7261

Nick Nettleton
Star Route
Oreana, ID 83650

Dear Mr. Nettleton:

A representative of this Department has made an examination of the works covered by your Permit No. 02-7261, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.6 cfs Source: Snake River trib. to Columbia River

The maximum quantity diverted shall not exceed 400.0 acre feet per year.

Point(s) of diversion: GL8 (NE $\frac{1}{4}$ SE $\frac{1}{4}$), Sec. 36, Twp. 3S, Rge. 1E, Blaine County

Beneficial use: Irrigation of 80 acres within the GL1(NE $\frac{1}{4}$ NE $\frac{1}{4}$), SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, Twp. 4S, Rge. 1E; GL3(NW $\frac{1}{4}$ NW $\frac{1}{4}$), GL4(SW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 6, Twp. 4S, Rge. 2E

Priority date established: March 24, 1978

Conditions (if any):

you do not concur with these findings please contact us within 10 days, otherwise
water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

Decree	57-0090	Decree	57-0164	} No Overlap different source
"	"	57-0139	57-0234	
"	"	57-0142	all Castle	
"	"	57-0154	Creek	
"	"	57-0150		
"	"	57-0156		

R1E MAP (A) R2E

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

Date 11/24/81

NICK Nettleton

02-7261

✓ 02-2100B

Total ess 4.23

[illegible]

R1
R2

NE S
P.D.
L8



B149
152B

A/B
36/24.8

12-11-19

B DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1 Amount of water a. 2.62 cubic feet per second &/or acre feet per annum
b.
2. Point of diversion SW 1/4 NE 1/4, Section 36 Township 3 S
Range 1 E, B.M., Oryhee County
Additional points

3. Place of use.

TWP	RANGE	SEC	NE 1/4				NW 1/4				SE 1/4				SW 1/4				TOTAL
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	
3 S	2 E	31										L. 4 24	L. 5 48						72
4 S	2 E	6						L. 3 24											24
4 S	1 E	1	L. 1 2																2
3 S	1 E	36												L. 8 24			12		24
THIS IS A PORTION OF THE AND ORIGINALLY INDICATED ON THE LICENSE RIGHT																			120

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
a. Amount of water to be diverted 2.62 c.f.s. &/or acre feet
b. Point(s) of diversion NE 1/4 SE 1/4, Section 36 Township 3 S
Range 1 E, B.M., Oryhee County
Additional points
c. Description of diverting works Pipe and siphon into existing ditches
d. Describe the reasons for applying for a change in the point(s) of diversion
to have pipe on own property

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. 02-7261

Name(s) of Permit Holder: Nick Nettleton

Post Office Address: Star Rt Oreana, IDA 83650

Tel. No. _____

Source of Water: _____

Extent of Use: _____

☐ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☒ Irrigation

81

(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.

Date _____

Nick Nettleton
Signature of Permit Holder

RECEIVED

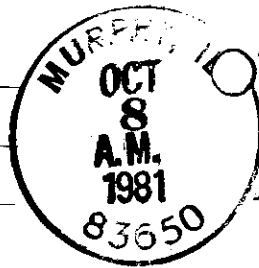
OCT 9 1981

Department of Water Resources

MURPHY



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720





State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

September 15, 1981

(Office at the corner of
Franklin and Cole Roads)

(208) 384-2190

Nick Nettleton
Oreana
IDAHO 83659

RE: 02-7261

Dear Mr. Nettleton:

We acknowledge receipt of your statement 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.

☐ A field examination of your system has been scheduled for

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

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

Sincerely,

A handwritten signature in cursive script, reading "Kay Walker", is written over the typed name.

Kay Walker
Secretary

MICROFILMED

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. 02-7261

Name(s) of Permit Holder: NICK NETTLETON

Post Office Address: STAR RT. OREANA ID, 83650

Tel. No. 834-2718

Source of Water: SNAKE RIVER

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 153 (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.

MAY 5, 1981
 Date

[Signature]
 Signature of Permit Holder

Department of Water Resources
Western Regional Office

JUL 22 1981

RECEIVED



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

JUL 23 1981

PLACE
TEN CENT
STAMP
HERE

RECEIVED

May 17, 1978

Re: Permit No. 02-7261

Nick Nettleton
Oreana,
Idaho 83659

Dear Mr. Nettleton:

Your approved copy of Application for Permit No. 02-7261 is enclosed and we direct your attention to the conditions of approval on the fourth page.

Please 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. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

You must also be aware that there are many applications for permit for ~~the~~ use of Snake River water that are prior to your permit. These applications have been filed for the irrigation of land that the applicants are attempting to obtain under the Federal Land Laws such as Desert Entry and Carey Act. If these lands are developed and if a base flow is maintained in the Snake River as is the presently recommended policy approved by the state legislature then no water would be available for this permit. Therefore, you should consider carefully these facts before you make any expenditures for the construction of your system.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

L. GLEN SXTON
Chief, Operations Bureau

LGS:kw
Encl.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

March 30, 1978

Re: Notice of Application for Water Permit No. 02-7261 -- Nick Nettleton

Owyhee Nugget
Marsing,
Idaho 83639

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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before _____.

April 24, 1978

Sincerely,

RITA FLECK
Secretary

Bill submitted
4-14-78
J

MAILED
APR 14 1978

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that NICK NETTLETON
Oreana, ID
has on March 24, 1978 submitted Application No. 02-7261
for a permit to appropriate 3.0 cubic feet per second ~~XXXXXXXXXX~~
~~XXXXXXXXXX~~ of water from the Snake River trib. Columbia River
by means of pumping system
within the NE~~1~~SE~~1~~ Sec 36 T3S-R1E B.M. Owyhee County

to be used from Mar 15 to Nov 15
for irrigation of 153 acres

within the SE~~1~~SE~~1~~ Sec 36 T3S-R1E; Government Lot 5 Sec 31 T3S-R2E; Government
Lot 1, ^{SE~~1~~NE~~1~~} Sec 1 T4S-R1E; Government Lots 3 & 4 Sec 6 T4S-R2E 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 Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before April 24, 1978.

C. STEPHEN ALLRED

Director

Published in the Owyhee Nugget, Marsing, ID
on April 6, 1978 and April 13, 1978.

MICROFILMED