

17 7089

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES **APPROVED**
APPLICATION FOR PERMIT

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

1. Name of applicant George L. Nelson Phone: 752-7700
post office address 154 South 3rd West, Logan, Utah
2. Source of water supply ground water which is a tributary of _____
(2 pts.)
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 32 Township 14S
Range 30E B.M. Oneida County; additional points of diversion if any: _____
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T. 14S, R. 30E
- 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 6.70 for Irrigation purpose from Apr. 1 to Nov. 1 (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. 6.70 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. wells, pumps, handlines

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) 350 ^(Mo. Day) inclusive.
c. Proposed well diameter is 20 inches; proposed depth of well is 190 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 \$ 15,000.00.
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	
14S	30E	32	40	40	40	40	40			40	40			40	40	40	40	40	480
		29															40	40	80
		28									40	40	40	40					160

Total number of acres to be irrigated 720

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

Permit No. 17-7008 (Part) for 4.50 c.f.s. for 560 acres - *All included in the above land list.*

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

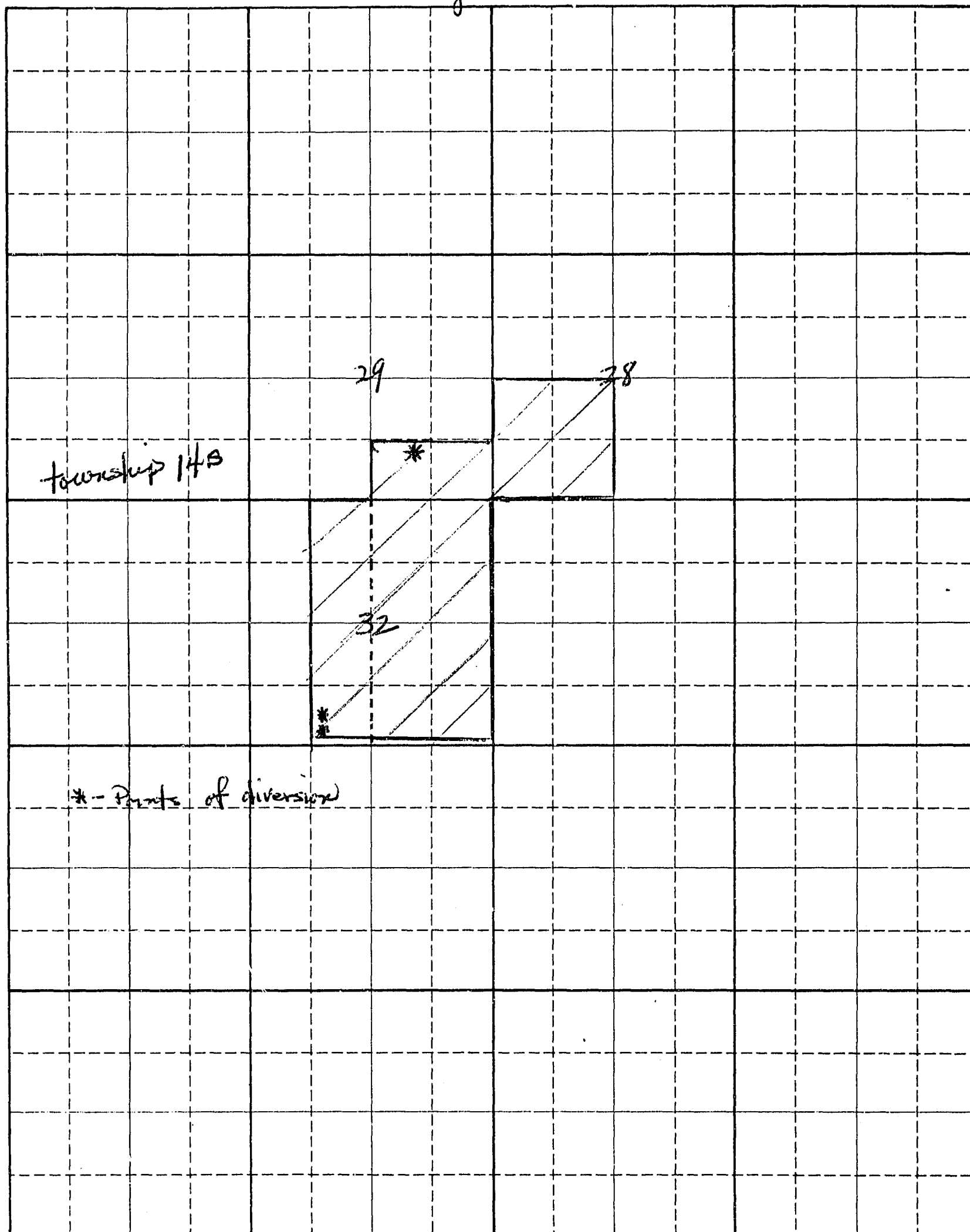
b. Who owns the land to be irrigated or place of use Applicant

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.

Range 30 E



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.

George L. Nelson
(Applicant)

Proposed Priority 3/ 3/77

Received by AW Date 3-13-77 Time 12:45p.

Preliminary check by ARK Fee \$ 85.00

Receipted by AW Date 3-13-77 # 459

Publication prepared by AW Date 3-04-77

Published in Idaho Enterprise

Publication dates Mar 10 & 17, 1977

Publication approved me Date 3-21-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by jc

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

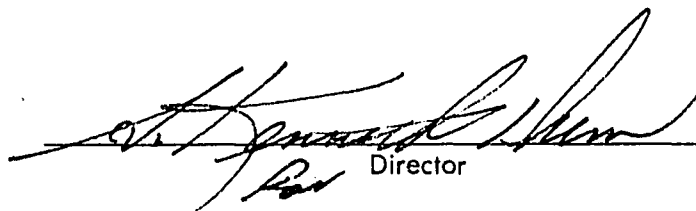
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 17-7089, and said application is hereby APPROVED.

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 April 1, 1982.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 26 day of April 1977.


Director

AFFID IT OF PUBLICATION

State of Idaho
County of Oneida, ss.

Suzanne Jones being first duly sworn on her oath, states: That she is Secretary of the Idaho Enterprise, a newspaper of general circulation in Oneida County, Idaho published weekly at Malad, in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That said Idaho Enterprise was at all of the times of publication of said notice a newspaper of general circulation made up of at least four pages of at least five columns each, printed from type matter or stereotyped forms of at least seventeen and three fourths inches depth, and said newspaper during all of the times of publication aforesaid had more than 200 bonafide subscribers thereto living within the county of Oneida in which said newspaper was published at regular intervals not less frequently than once a week.

That the annexed notice was published per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof the date of the first publication being the 10th day of March, 1977 the date of the last publication being the 12th day of March, 1977.

Subscribed and sworn to before me this 18 day of March, 1977.

J. A. Taylor
Notary Public, residing at Malad, Idaho

My Commission expires the 10 day of Oct, 1977.

Costs:

37 lines at 23c per line first insertion \$ 8.51

..... lines tabulated at 34½c per line \$

15c per line each subsequent insertion \$ 5.55

TOTAL \$ 14.06

(Rates for legal notices are fixed by Idaho law)

NOTICE OF APPLICATION FOR WATER PERMIT

NOTICE IS HEREBY GIVEN that George L. Nelson, Logan, Utah has on 3-03-77 submitted Application No. 17-7089 for a permit to appropriate 6.70 cubic feet per second of water from ground-water sources by means of wells and pumps within the SE¼SW¼ (2 points), Sec. 32, SW¼SE¼, Sec. 29, T. 14S, R. 30E, B.M., Oneida County; to be used from Apr. 1 to Nov. 1 for the irrigation of 720 acres within the E½, E½W½, Sec. 32, S½SE¼, Sec. 29, SW¼, Sec. 28, T. 14S, R. 30 E, 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, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before March 28, 1977.

R. Keith Higginson
Director

Published in The Idaho Enterprise, Malad City, Idaho on March 10 and March 17, 1977.

RECEIVED
MAR 21 1977

Department of
Eastern District Office

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Nelson

- ☒ Source GROUND WATER
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) EMC 3/3/77

In form to receipt YES

(2) EMC 3/3/77

Send Copies to:

- ☒ Idaho State Health Department
☒ Idaho Fish and Game Department
☒ Bureau of Land Management

(3) EMC 3/3/77

- ☒ Request Special Use Permit from U.S.F.S.
☒ Request Easement from B.L.M.
☒ Request Information from Applicant

(4) EMC 3/3/77

In form for advertising YES

(5) EMC 3/3/77

Platted on Map No. 145 30E 13R5W17

(6) EMC 3/3/77

Located within Water District No. 17

(7) EMC 3/3/77

Critical groundwater area: yes no X

(8) EMC 3/3/77

Groundwater levels:

Declining, X Stable, Increasing

(comment) OB WELL 165 30E 9466.

(9) EMC 3/3/77

Other rights on the same place of use

G.W. PERMIT #17-7008

(10) EMC 3/3/77

Comments:

(11) Qu 3-21-77

Affidavit of Publication received (date) Mar. 21, 1977

(12) Qu 3-28-77

Final date for protests March 28, 1977

Protests received: yes no X

(13) RDC 3/28/77

All requested information received from agencies or applicant: yes no

(14) 11 11

Action recommended:

X Approve Deny

3/3/77 Proposed Priority

Reason for Reduction

X Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District E

By RDC

Date 3/28/77

Copy Sent

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that George L. Nelson,
Logan, Utah

has on 3-03-77 submitted Application No. 17-7089
for a permit to appropriate 6.70 cubic feet per second ~~above the natural flow~~
of water from ground-water sources
by means of wells and pumps
within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points), Sec. 32, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T. 14S, R. 30E, B.M.,
Oneida County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 720 acres

within the E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, Sec. 32, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, SW $\frac{1}{4}$, Sec. 28, T. 14S, R.
30E, 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, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
March 28, 1977.

R. KEITH HIGGINSON

Director

Published in the Idaho Enterprise, Malad City, Idaho
on March 10 and March 17, 1977

*Me-J.
me-A*

**NOTICE OF APPLICATION
FOR WATER PERMIT**

NOTICE IS HEREBY GIVEN that George L. Nelson, Logan, Utah has, on 3-03-77 submitted Application No. 17-7089 for a permit to appropriate 6.70 cubic feet per second of water from groundwater sources by means of wells and pumps withing the SE $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points), Sec. 32, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T. 14S, R. 30E, B.M., Oneida County; to be used from Apr. 1 to Nov. 1 for the irrigation of 720 acres within the E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, Sec. 32, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, SW $\frac{1}{4}$, Sec. 28, T. 14S, R. 30 E, 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, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before March 28, 1977.

R. Keith Higginson
Director

Published in The Idaho Enterprise, Malad City, Idaho on March 10 and March 17, 1977.

March 4, 1977

RE: Application for Permit No. 17-7087 CAMPBELL
17-7089 NELSON

Idaho Enterprise
P.O. Box 205
Malad City, Idaho 83252

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 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.

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

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 3-21-77 by CW

RDC:CW

Enc: Legal Notice (2)

April 28, 1977

Re: Permit No. 17-7089

George L. Nelson
154 South 3rd West
Logan, UT 84321

Dear Mr. Nelson:

Enclosed is a copy of your approved Application for Permit No. 17-7089. 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
Chief, Water Rights

Enclosure: Copy of permit

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 17-7089

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

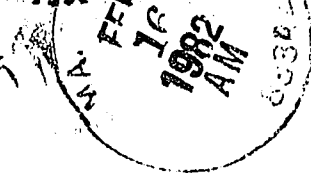
Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

George L. Nelson
Sublett Route
Malta, Idaho 83342

State of Idaho
Department of Water Resources
State house
Boise, Idaho 83720





State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

October 28, 1981

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

DAVID R. TUTHILL JR., P. E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

NELSON, GEORGE L.
154 S. 3RD. W.
LOGAN, UT 84321

#138129

JANUARY 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 17-7089 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 01, 1982. (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

C
O
P
Y

March 4, 1982

George L. Nelson
Sublett Route
Malta, ID 83342

Dear Sir

Re: Permit No. 17-7089

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to April 1, 1987.

Also enclosed is receipt No. 22601 in the amount of \$15.00.

Sincerely

Rita I. Fleck
Sr. Secretary

ccp

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

For Office Use Only
Fee Received 15.00
Date 3-2-82
Receipt # 22601

RECEIVED

FEB 18 1982

Department of Water Resources

George L. Nelson of Sublett Route Malta, Id. 83342
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 17 7089.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before Apr. 1, 19 82.

That he has heretofore performed the following work described under said permit: The point of diversion
(This must be filled out! If no work has been completed put none.)
is already licensed to pump 4.50 cfs on 338 acres (License of Water Right No. 17-7008 (part)). The well has been deepened and a larger pump and motor has been installed. We have bought larger main line and more hand lines. We have also bought equipment to clear trees on the ground near Costing \$ 35,000
diversion works.

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

We have not been able to complete all of the project due to lack of time and tight economic conditions.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to Apr. 1, 1987, 19 87.
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME.

George L. Nelson
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to April 1, 1987.

Signed this 4th day of March, 19 82.

J. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
JANUARY 31, 1987

138 672

NELSON, GEORGE L.
SUBLETT RT.
MALTA, ID 83342

PROOF DUE NOTICE

RE: PERMIT NO. 17-7089

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 APRIL 1, 1987. (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 COMPLETED FIELD EXAMINATION REPORT PREPARED BY A CERTIFIED WATER RIGHT EXAMINER MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

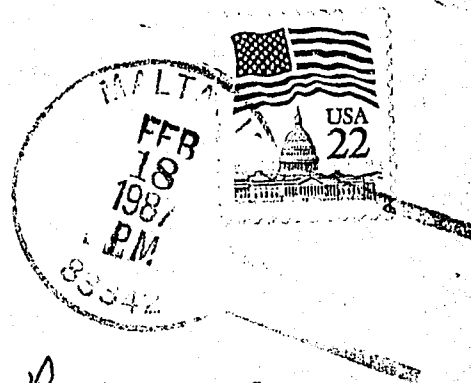
EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

George L. Nelson
HC-61 Box 1056
Malta, Id. 83342



State of Idaho Depart. of Water Resources
State house
Boise, Idaho 83720

Form 217
03/86

RECEIVED

FEB 20 1987

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

For Office Use Only

Fee Received

Date 2-20-87

Receipt # 4474

Receipt by CCW

Reviewed by AD

Sent to region 22 87

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 17-7089

Name(s) of Permit Holder: George L. Nelson or Zeldon A. Nelson

Post Office Address: HC-61 Box 1056

Malta, Id. 83342

Telephone No. 208-645-2430

Source of Water: NE 1/4, SE 1/4, E 1/2 NW 1/4, E 1/2 SW 1/4, Sec 32, Twp. 14S, Rge. 30E.

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation 338 ✓ (acres) ~~Other~~ Remark We deepened existing

well and put in a bigger pump

Total rate and/or volume for which proof is submitted 2 cfs cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 1977

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

Fee enclosed \$ 125 ✓
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☒ Yes ☐ No
Installed? ☐ Yes ☐ No

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

George L. Nelson
(Name)

645-2430
(Telephone Number)

(Juniper) HC-61 Box 1056 Malta, Id. 83342
(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

Feb. 18, 1987
Date

George L. Nelson or Zeldon A. Nelson
Signature of Permit Holder (and title, if appropriate)

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

IN THE MATTER OF PERMIT	)	
	)	
NO. 17-07089 IN THE NAME	)	PRELIMINARY ORDER
	)	VOIDING PERMIT
OF GEORGE L. NELSON	)	
	)	

This matter having come before the Department of Water Resources (Department) as a result of an examination by Department staff to determine the extent of beneficial use of water, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On March 3, 1977, George L. Nelson applied to the Department of Water Resources for a permit to appropriate 6.70 cubic feet of water per second for the irrigation of 720 acres using groundwater diverted from wells within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, Township 14S, Range 30E, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29, Township 14S, Range 30E, B.M., Oneida County.
2. On April 26, 1977, the Department approved the Application for Permit.

3. On February 20, 1987, the Department received Proof of Beneficial Use of water for the permit.

4. On May 21, 1987 and again on July 11, 1989, the Department conducted field examinations and each examination showed that the water use developed was already fully covered by previous water right No. 17-07008B, and that no additional beneficial use of water had been made under this permit.

CONCLUSIONS OF LAW

1. Section 42-219, Idaho Code, states:

In the event that the Department shall find that the applicant has not fully complied with the law and the conditions of the permit, it may issue a license for that portion of use which is in accordance with the permit, or may refuse issuance of a license and void the permit.

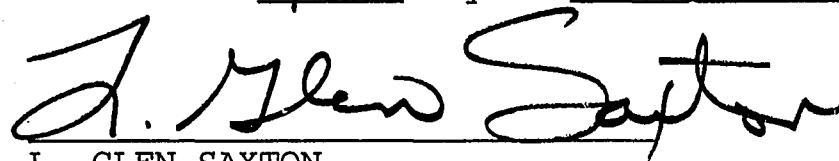
2. The examination by the Department showed that the permit holder has not complied with the conditions of the permit by not beneficially placing water to the proposed use(s) in excess of that already allowed under previous water rights.

3. The Department should void Permit No. 17-07089 as provided in Section 42-219, Idaho Code.

ORDER

IT IS HEREBY ORDERED that Permit No. 17-07089 is VOIDED in accordance with the provisions of Section 42-219, Idaho Code.

Dated this 10th day of March, 1994.



L. GLEN SAXTON
Chief, Water Allocation Bureau

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 16th day of March, 1994, I mailed a true and correct copy, postage prepaid, of the foregoing Preliminary Order to the following:

George L. Nelson
HC 61 Box 1056
Malta, ID 83342



Donna L. Corless
Clerical Specialist

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
17-07089 IN THE NAME OF)
GEORGE L. NELSON)
_____)

ORDER RESCINDING
PRELIMINARY ORDER

This matter having come before the Idaho Department of Water Resources (department), as a result of an examination by department staff to determine the extent of beneficial use of water, the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On March 10, 1994, the department issued a Preliminary Order Voiding Permit No. 17-07089.
2. On March 23, 1994, the permit holder filed a Petition for Reconsideration of the Preliminary Order.
3. The department has reviewed the petition of the permit holder and has determined there is good cause to rescind the Preliminary Order dated March 10, 1994.

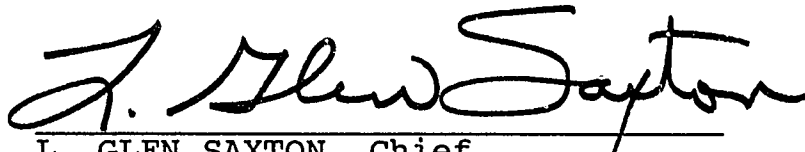
CONCLUSIONS OF LAW

1. The department should rescind the Preliminary Order dated March 10, 1994.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the Preliminary Order of the department dated March 10, 1994 is RESCINDED and the permit is REINSTATED.

Dated this 23rd day of March, 1994.


L. GLEN SAXTON, Chief
Water Allocation Bureau

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 17-07089

Priority: March 3, 1977

Maximum Diversion Rate:

0.79 CFS

This is to certify, that GEORGE L NELSON

HC 61 BOX 1056

MALTA ID 83342

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 3, 1977; and has submitted Proof of Beneficial Use on February 20, 1987. An examination indicates that the works have a diversion capacity of 5.290 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.79 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SESW, Sec. 32, Township 14S, Range 30E
ONEIDA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S	30E	32	NENE 11	SWNE 40	SENE 40	
			SENE 8	NESW 8	SESW 35	
			NESE 40	NWSE 40	SWSE 39	
			SESE 39			300

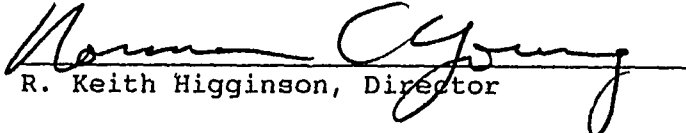
Total number of acres irrigated: 300

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right uses the same well as Right 17-07008B and when combined with this right and all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
5. Use of this right with Right 17-07008B is limited to a total combined annual irrigation diversion volume of 1183.0 af.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 23RD day of MARCH, 1995.

Acting for


R. Keith Higginson, Director

Form 204-p
8/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COMMENCEMENT OF WORKS

Permit No. 17-7089

Name(s) of Permit Holder(s): George L. Nelson & Zeldon Nelson

Post Office Address: Sublett Route
Malta, Id. 83342

Tel. No. 645-3572

☒ I hereby certify that construction of diversion works for the above referenced permit began on even (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

July 13, 1982 George L. Nelson
Date Signature of Permit Holder

Zeldon Nelson
Sublett Rt.
Malta, Id. 83342

Department of Water Resources

JUL 14 1982

RECEIVED

State of Idaho
Department of Water Resources
State Office, 450 W. State Street
Boise, Idaho 83720

TWIN FALLS, ID
PM
13 JUL
1982

TWIN FALLS, ID
PM
13 JUL
1982

USA
20c

The point of diversion is already licensed to pump 4.50 cfs on 338 acres (License No. 17-7008 (part)). The well has been deepened and a larger pump and motor has been installed. We are now pumping about 6.00 cfs. We have also bought equipment to clear more ground near the diversion works. We have been working on this project for several years and are working on it now.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup, Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

MARCH 24, 1987

GEORGE L. NELSON
HC 61, BOX 1056
MALTA

ID 83342

RE: Permit No. 17-7089

Dear Permit Holder:

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 condition of approval of your original permit required the installation of a measuring device which, according to the proof card submitted by you, has not been installed. A measuring device must be installed and operating at the time the field examination is made. If a measuring device is not installed your permit may be subject to cancellation.

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 by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

amt. of water found 1987:

4.32 cfs

same well as 17-7008B-
Lic. for 4.50 cfs

No New Water

amt. of land found 1987:

300 acres.

amt. of land licensed 17-7008B
(same ~~lands~~ ^{land}) 338 ac.
per aerial photos

No New Irrig. Acres

Void Permit

kw

10/1/87



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

October 8, 1987

George L. Nelson
HC 61, Box 1056
Malta, ID 83342

RE: Permit to Appropriate Water No. 17-7089

Dear Permit Holders:

NOTICE OF PENDING ORDER VOIDING PERMIT

On April 26, 1977, the Department of Water Resources approved an application to appropriate water, numbered 17-7078, from a groundwater source, for irrigation purposes located in the SESW, Sec. 32; SWSE, sec. 29; T14S, R30E, Oneida County, B.M.

Based on a field inspection conducted by a representative of our Department it has come to our attention that the system developed is already covered by a licensed water right No. 17-7008B.

The purpose of this letter is to request that you relinquish your permit or explain why the Department should not void the permit. Enclosed is a relinquishment form that should be signed and returned to this office, unless you have some explanation that would prevent the Department from voiding your permit.

If you fail to respond to this notice within thirty (30) days of the date of mailing of this letter, the Department will act to void your permit. The permit will be voided on the grounds that no additional beneficial use was developed under this permit.

If you have any questions in regard to this matter, please feel free to contact our office.

Respectfully,

GARY SPACKMAN
Supervisor, Water Allocation Section

I hereby certify that on this 8th day of October, 1987, I sent the original copy of this letter, postage prepaid, to the person and address listed above.



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

October 22, 1987

Zeldon Nelson
HC 61, Box 1056
Malta, ID 83442

Re: Permit to Appropriate Water No. 17-7089

Dear Mr. Nelson:

Following our telephone conversation on October 13, 1987, I discussed the examination of Permit No. 17-7089 with Harold Jones, a senior water resource agent from our Idaho Falls office who examined the permit in May, 1987. We both agreed that the measurement was probably not accurate because the velocity head of the system exceeded the capacity of the manometer.

We concluded that the flow of the system must be remeasured. Your permit will be scheduled for another field examination during the 1988 irrigation season. You may be required to install an access port or facilities to accommodate the measurement. If you have further questions, please contact Harold Jones, 150 Shoup Avenue, Suite 15, Idaho Falls, ID 83401, 525-7161.

Please also ignore the notice of pending order voiding permit which was mailed to you on October 8, 1987.

Sincerely,

A handwritten signature in cursive script, reading "Gary Spackman".

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

CC: Eastern Region

INTER-DEPARTMENT MEMO — 1

FROM Kay Walker
TO File 17-7089
SUBJECT Exam -

DATE 10/29/87

Per request of Skip Jones, the exam for this permit has been returned to him for re-measurement of system ooo

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE
LICENSING REPORT

17-7089
Permit No.

Measurement Calculations

Field Measurement Calculations (Include theoretical capacities and system capacity)

Halls Meter: $Q = (A)(V_h)$ $A = \text{Area} = \frac{\pi d^2}{4}$ $V_h = \text{Halls Manometer Reading}$

$$Q_{\text{gpm}} = (A)(V_h) = \left[\frac{\pi d^2}{4} \right] (V_h) = \text{GPM} \div 448.8 \text{ gpm/cfs} = \text{CFS}$$

$$Q_{\text{cfs}} = \left[\frac{(3.1416)(8")^2}{4} \right] \times (38.6) \div 448.8 = 4.32 \text{ cfs}$$

TABLE 1

CHART TO CONVERT LINEAR INCHES DIFFERENTIAL
IN THE MANOMETER TO MANOMETER READING

$V_h = \text{HALLS}$ Manometer Reading	Diff. Inches of Water	$V_h = \text{HALLS}$ Manometer Reading	Diff. Inches of Water	$V_h = \text{HALLS}$ Manometer Reading	Diff. Inches of Water
1	.140	17	12.435	33	43.950
1.5	.240	17.5	13.132	33.5	45.200
2	.350	18	13.848	34	46.500
2.5	.470	18.5	14.582	34.5	47.850
3	.600	19	15.336	35	49.200
3.5	.750	19.5	16.108	35.5	50.550
4	.903	20	16.898	36	51.900
4.5	1.080	20.5	17.707	36.5	53.250
5	1.283	21	18.534	37	54.600
5.5	1.540	21.5	19.380	37.5	56.000
6	1.803	22	20.246	38	57.35
6.5	2.094	22.5	21.129	38.5	58.7
7	2.397	23	22.031	39	60.05
7.5	2.722	23.5	22.951	39.5	61.4
8	3.066	24	23.891	40	62.75
8.5	3.428	24.5	24.849	40.5	64.1
9	3.810	25	25.825	41	65.45
9.5	4.210	25.5	26.820	41.5	66.8
10	4.627	26	27.834	42	68.15
10.5	5.063	26.5	28.866	42.5	69.5
11	5.520	27	29.917	43	70.85
11.5	5.994	27.5	30.987	43.5	72.2
12	6.486	28	32.075	44	73.55
12.5	6.997	28.5	33.181	44.5	74.9
13	7.526	29	34.307	45	76.25
13.5	8.074	29.5	35.451	45.5	77.6
14	8.642	30	36.610	46	78.95
14.5	9.228	30.5	37.750	46.5	80.3
15	9.832	31	38.960	47	81.65
15.5	10.454	31.5	40.200	47.5	83.00
16	11.096	32	41.450	48	84.35
16.5	11.756	32.5	42.800		

59" Diff = 38.6 V_h

Annubar:

B = Difference in inches of water

C = Annubar Factor: Model 75 = 3.85
Model 73 = 4.14

K = Flow Correction Factor
= 1 for Manometer
= # From Calibration Chart

$$Q_{\text{cfs}} = \left[\frac{(C)(id)^2 \sqrt{B}}{448.8} \right] K = \text{CFS}$$

$$Q_{\text{cfs}} = \left[\frac{(\quad)(\quad)^2 \sqrt{\quad}}{448.8} \right] (\quad) =$$

$$Q_{\text{cfs}} = \quad \text{cfs}$$

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Original
Exam

A. GENERAL INFORMATION

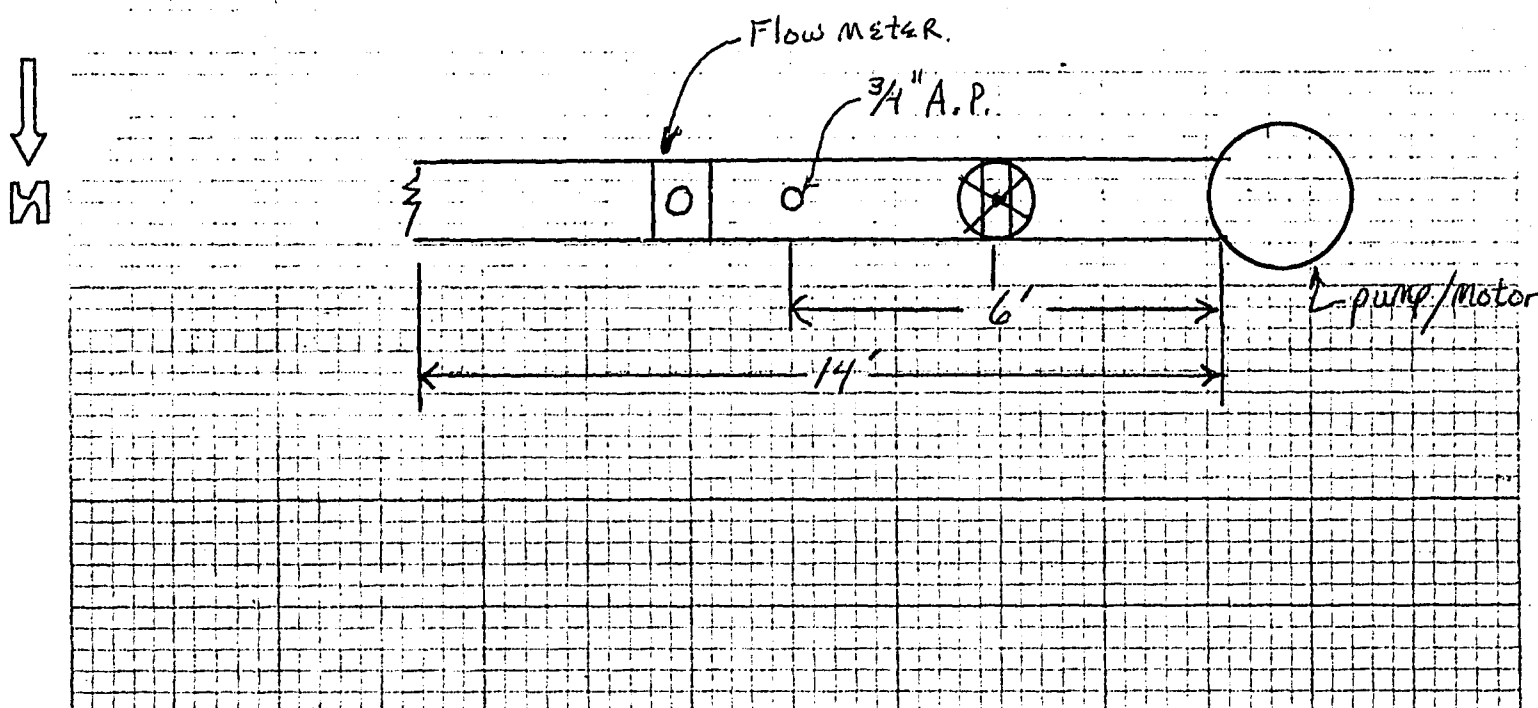
1. Owner: George L. Nelson Permit No. 17-7089
Current Address: HC-61 Box 1056, Malta Idaho 83342 Phone No. 645-2430
2. Accompanied by: Feldon Nelson EXAM. DATE: 5-21-87
Address: _____ Phone No. 645-2572
Relationship to Permit Holder: Son
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: N.A. 17-7008B
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: N.A. 17-7008B
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = N.A.

2. ☒ Copy of U.S.G.S. 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 or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

13 - 1/4 mile hand lines with Rainbird sprinklers (5/16" nozzles) to pump/well.

Well depth $\Rightarrow$ 350 Ft Static water level $\Rightarrow$ 80'

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N.A.	G.E.	200	JMJ901103	AURORA Verti-Line	37671841

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SW	32	14S	30E	Oneida	ASCS Aerial Photo

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	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	
14S	30E	32	11		40	40				8	8			35	40	40	39	39	300

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Manometer	NA	NA	NA		57"	—
Cox/Hall meter	NA	NA	NA	120385	8"	—

2. Measurements:

Main Line I.d. = 8"

Manometer reading = 59" (allow greater reading because one tube was completely down on the manometer)

Main line pressure = 75 psi. via Dept meter on Cox-Hall

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method: Cox/Hall with manometer

2. Alternate Method for Checking Purposes: $Q = \frac{200hp (8.814) (80\% \text{ eff})}{83' \text{ lift} + (2.31 \times 75 \text{ psi})} = 5.50 \text{ cfs}$
Theoretical

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 300 \text{ acres} \times 3.5 \text{ gpa} = 1050 \text{ afg}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 4.32 \text{ cfs} \times 214 \text{ days} \times 1.9835 = 1833.7 \text{ afg}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1050 \text{ afg}$

2. Volume Calculations for Other Uses:

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Totals:				

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

J. AUTHENTICATION

Field Examiner's Name Richard Lenon Jr.
Signature Richard Lenon Jr.
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.



FIELD EXAM - 17-7089
MAY 21, 1987

***FOR CLARITY
OF ANY
PHOTOGRAPHS
MICROFILMED,
SEE FILE.***

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 31 1994

Department of Water Resources

Follow up exam

A. GENERAL INFORMATION

Permit No. 17-7089

1. Owner: George L. Nelson Phone No. 645-2430

Current Address: HC-61 Box 1056, Malta Idaho 83342

2. Accompanied by: Zeldon Nelson EXAM. DATE: 7/11/89

Address: Same Phone No. 645-2572

Relationship to Permit Holder: Son

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 17-7008-B

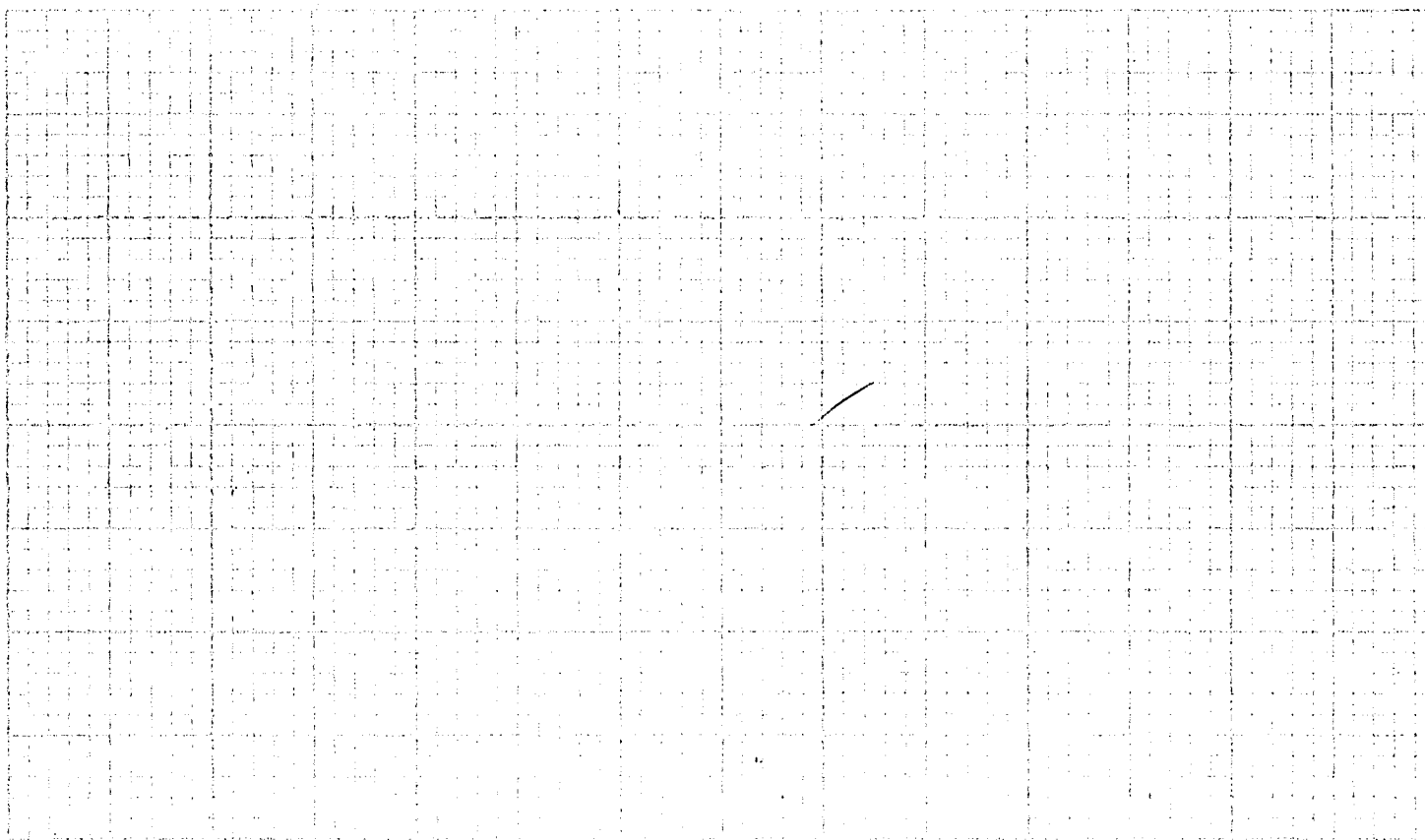
☒ Copies Attached

2. Other water rights with same point of diversion: 17-7008-B

☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. 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 or more).

☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well + pump to 13-14 mile land lines with Rainbird sprinklers (5 1/4" nozzles)

Well Depth = 350 ft Static Water Level = 80'

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
-	G.E.	200	JmJ 901103	Aurora Verta-Lux	37671841

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

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination

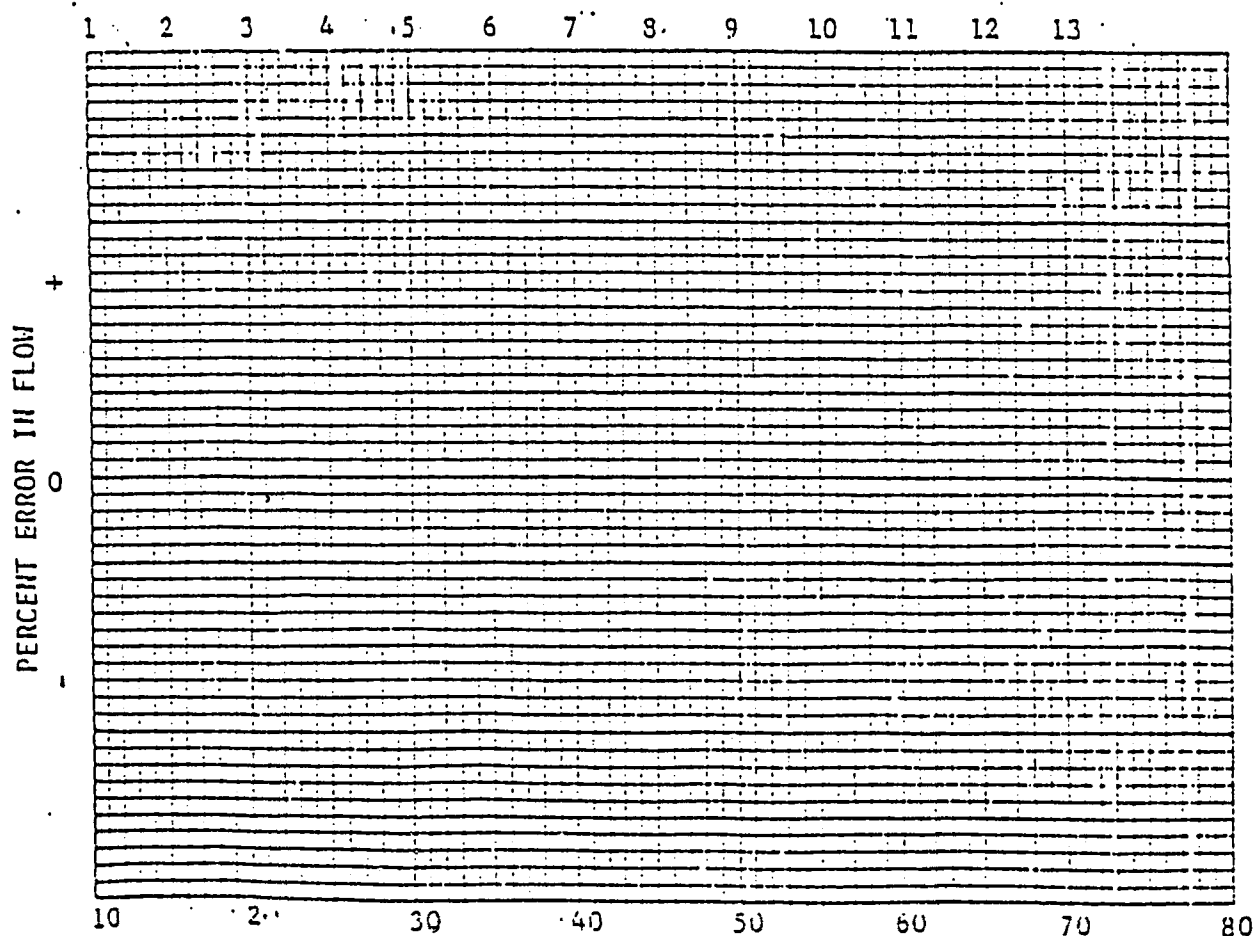
Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14S	30E	32	11		40	40				8	8			35	40	40	39	39	300
																	Total	=	300

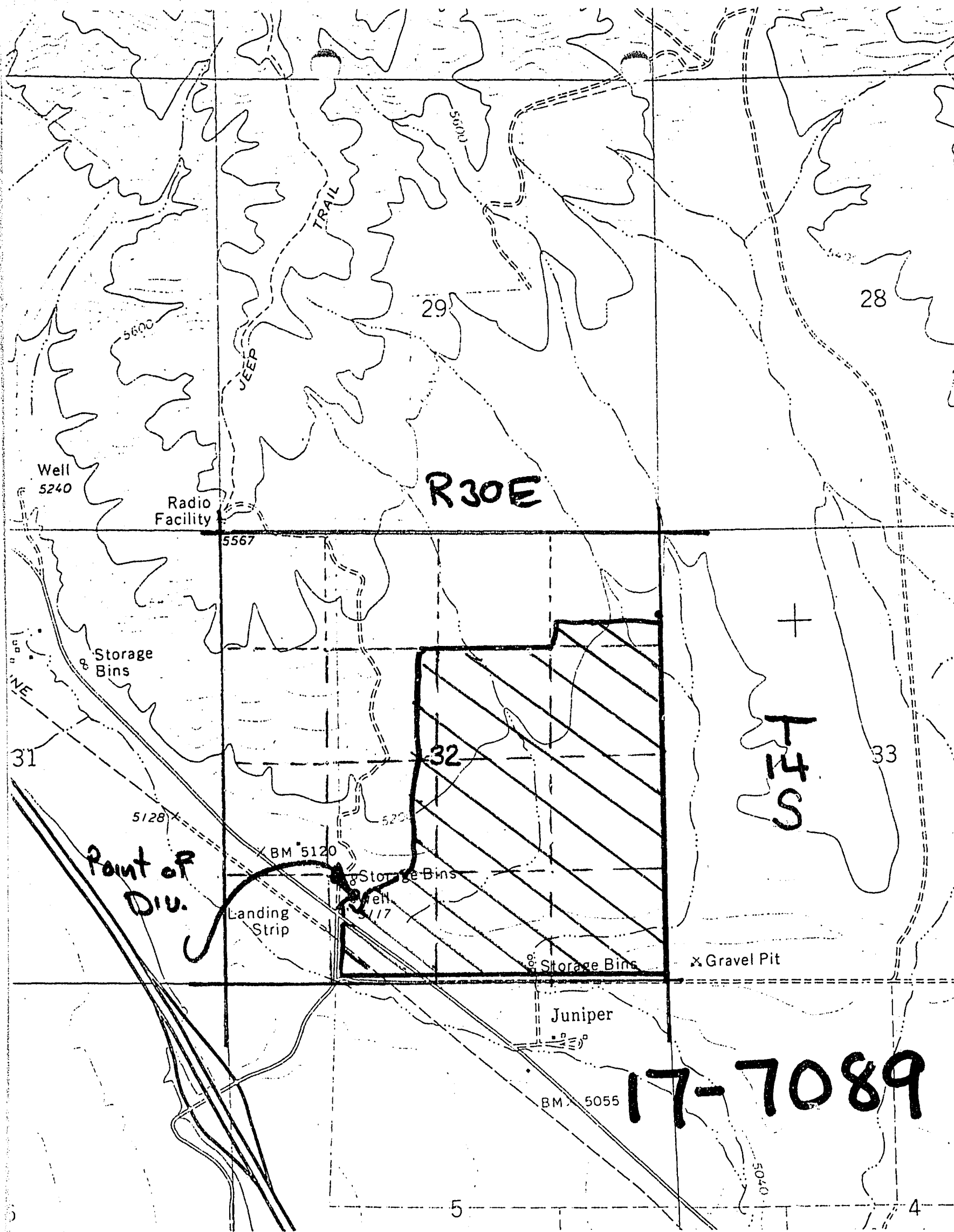
Do not use this space

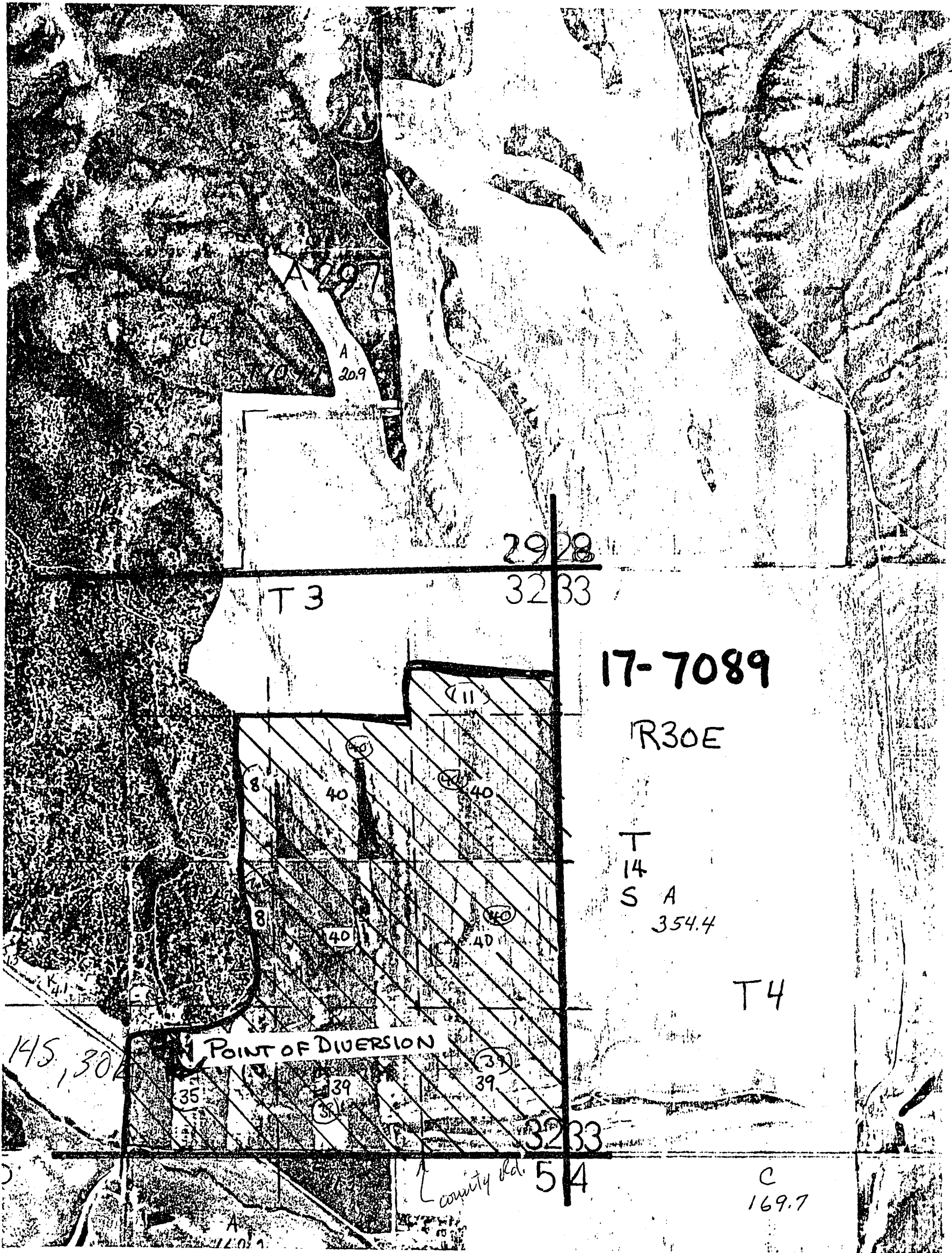
METER NO. 091480 RANGE 10-80

DATE TESTED Aug 15, 1989 Kcw

APPLIED PRESSURE			METER READING	FLOW ERROR (%)	FLOW CORRECTION FACTOR
UPSCALE	DOWNSCALE	AVERAGE			
10	10	10	10		—
20	20	20	18		1.0541
30	30	30	28		1.0351
40	40	40	37.5		1.0328
42	42	42	39.5		1.0312







Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow indicator	Eagle eye	Dieterich	67C	091480	10-80"	8/15/89
	See	attached	Sheet for	Correction Factor		

2. Measurements:

PSI = 46
Eagle Eye = 57" Bouncing between 54 + 60
I.d. = 8"
Vh = 37.87 (see item E on attached sheet)

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$Q = \left[\frac{\pi (id)^2}{4} \right] \frac{V_h}{448.8} \times K \quad Q = \left[\frac{\pi (8)^2}{4} \right] \frac{(37.87)}{448.8} \times 1.0312 \quad Q = 4.38 \text{ f/s}$$

2. Alternate Method for Checking Purposes:

$$Q = \frac{hp(8.814)(eff)}{lift + (2.308 \times psi)} \quad Q = \frac{(200)(8.814)(.8)}{80 + (2.308 \times 46)} = 7.57 \text{ f/s (Theoretical)} \quad Q = 5.50 \text{ f/s @ 75psi}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 300 (2.5) = 750 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 4.38$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$$

2. Volume Calculations for Other Uses:

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Richard Larson measured the mainline pressure at 75 psi. - I measured it at 46 psi. - Before, the lines were up on a hill. - They said the same amount of lines were out as when Richard died this morn.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Totals:				

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

J. AUTHENTICATION

Field Examiner's Name KELLY D. SCHILD
Signature _____
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.**

12-17-93

ACTION REQUIRED

FROM: H.W. JONES - Eastern

TO: File 17-7089

The original exam in 1987 and the follow up exam in 1989 both show that no additional water beyond license 17-70088 was produced. Therefore I would recommend that permit 17-07089 be voided.

Hef



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

March 15, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

GEORGE L NELSON
HC 61 BOX 1056
MALTA ID 83342

RE: Permit No. 17-07089

Dear Permit Holder:

The accompanying order 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 unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of this order. The hearing officer 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

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 Rules of Procedure 302 and 303.

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.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

MEMORANDUM

To: File 17-07089
From: L. Glen Saxton *LS*
RE: INQUIRY FROM ZELDON NELSON
Date: March 22, 1994

On March 18, 1994, Zeldon Nelson, the son of the permit holder called me concerning the Preliminary Order Voiding Permit which is dated March 10, 1994.

Nelson believes the well produces water at a rate in excess of that found during the two (2) field examinations conducted by the department. Hence, I contacted our Eastern Regional Office who has been in touch with Jim Johnson of this office and with Nelson.

The following likely are the next steps in connection with the file:

1. Nelson will file a request for reconsideration of the order. The department then should rescind the order rather than hold a hearing in the matter.
2. The regional office needs to revise its recommendation relative to licensing so that the state office can issue a license for increased capacity of the well under permit no. 17-07089 rather than voiding the permit.

RECEIVED

MAR 23 1994

Department of Water Resources

March 22, 1994

L. Glen Saxton
Chief, Water Allocation Bureau
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720-9000
Phone: (208) 327-7900

RE: Permit No. 17-07089

Dear Mr. Saxton:

This is a petition for reconsideration of water permit No. 17-07089.

I want the above permit reconsidered for the following reasons:

1. I feel I have been using more than the licensed 4.5 cfs of water in the 13 quarter mile lines of irrigation pipe I have been using since 1977.
2. The last time our well was tested (the spring of 1992) by fieldmen from the Idaho Falls office, they said that their equipment was not giving them a correct reading so they would come back at a later date and remeasure.
3. In a conversation I had with Harold Jones on March 22, 1994, he said that he would be forwarding to your office evidence to show greater water usage than is presently granted by license.
4. Harold Jones wants you to hold action on permit No. 17-07089 until you receive his evidence regarding this permit.

Sincere thanks,

Zeldon Nelson

Zeldon Nelson

Copies sent to Jim Johnson-Water-Rights Supervisor, and to Harold Jones-Department of Water Resources, Idaho Falls, and to Donna L. Corless-Clerical Specialist.

This petition for reconsideration in the matter of Permit 17-07089 is being filed by Zeldon Nelson in behalf of and by request of George L. Nelson.

George L. Nelson
George L. Nelson

Zeldon Nelson
HC 61 Box 1056
Malta Idaho 83342
645-2572

George L Nelson
HC 61 Box 1056
Malta Idaho 83342
645-2430

Enclosure: Copy of Preliminary Order regarding Permit No. 17-07089.

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

IN THE MATTER OF PERMIT	)	
	)	
NO. 17-07089 IN THE NAME	)	PRELIMINARY ORDER
	)	VOIDING PERMIT
OF GEORGE L. NELSON	)	

This matter having come before the Department of Water Resources (Department) as a result of an examination by Department staff to determine the extent of beneficial use of water, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On March 3, 1977, George L. Nelson applied to the Department of Water Resources for a permit to appropriate 6.70 cubic feet of water per second for the irrigation of 720 acres using groundwater diverted from wells within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, Township 14S, Range 30E, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29, Township 14S, Range 30E, B.M., Oneida County.
2. On April 26, 1977, the Department approved the Application for Permit.

3. On February 20, 1987, the Department received Proof of Beneficial Use of water for the permit.

4. On May 21, 1987 and again on July 11, 1989, the Department conducted field examinations and each examination showed that the water use developed was already fully covered by previous water right No. 17-07008B, and that no additional beneficial use of water had been made under this permit.

CONCLUSIONS OF LAW

1. Section 42-219, Idaho Code, states:

In the event that the Department shall find that the applicant has not fully complied with the law and the conditions of the permit, it may issue a license for that portion of use which is in accordance with the permit, or may refuse issuance of a license and void the permit.

2. The examination by the Department showed that the permit holder has not complied with the conditions of the permit by not beneficially placing water to the proposed use(s) in excess of that already allowed under previous water rights.

3. The Department should void Permit No. 17-07089 as provided in Section 42-219, Idaho Code.

ORDER

IT IS HEREBY ORDERED that Permit No. 17-07089 is VOIDED in accordance with the provisions of Section 42-219, Idaho Code.

Dated this 10th day of March, 1994.

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocation Bureau



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

March 15, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

GEORGE L. NELSON
HC 61 BOX 1056
MALTA ID 83342

RE: Permit No. 17-07089

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 23, 1994

George L. Nelson
HC 61 Box 1056
Malta, ID 83342

RE: Water Right No. 17-07089

Dear Permit Holder:

Enclosed is a copy of the Order rescinding the preliminary order voiding Permit No. 92-07202. Please be advised that Permit No. 17-07089 is reinstated.

If you have any questions or we can be of any further assistance, please feel free to contact the Department.

Sincerely,

A handwritten signature in cursive script, reading 'Julie L. Yarbrough', is written over the typed name.

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Eastern Region

RECEIVED

MAR 28 1994

March 22, 1994

Department of Water Resources

L. Glen Saxton
Chief, Water Allocation Bureau
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720-9000
Phone: (208) 327-7900

RECEIVED

MAR 24 1994

Department of Water Resources
Eastern District Office

RE: Permit No. 17-07089

Dear Mr. Saxton:

This is a petition for reconsideration of water permit No. 17-07089.

I want the above permit reconsidered for the following reasons:

1. I feel I have been using more than the licensed 4.5 cfs of water in the 13 quarter mile lines of irrigation pipe I have been using since 1977.
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Zeldon Nelson

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George L. Nelson

George L. Nelson

Zeldon Nelson
HC 61 Box 1056
Malta Idaho 83342
645-2572

George L. Nelson
HC 61 Box 1056
Malta Idaho 83342
645-2430

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

RECEIVED
MAR 24 1994

IN THE MATTER OF PERMIT)
NO. 17-07089 IN THE NAME) PRELIMINARY ORDER
OF GEORGE L. NELSON) VOIDING PERMIT

Department of Water Resources
Eastern District Office

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2. The examination by the Department showed that the permit holder has not complied with the conditions of the permit by not beneficially placing water to the proposed use(s) in excess of that already allowed under previous water rights.

3. The Department should void Permit No. 17-07089 as provided in Section 42-219, Idaho Code.

ORDER

IT IS HEREBY ORDERED that Permit No. 17-07089 is VOIDED in accordance with the provisions of Section 42-219, Idaho Code.

Dated this 10th day of March, 1994.

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocation Bureau



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

March 15, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

GEORGE L NELSON
HC 61 BOX 1056
MALTA ID 83342

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MEMORANDUM

TO: File 17-07089 / George L. Nelson
FROM: Brenda Chapman
DATE: March 14, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

G. VOLUME CALCULATIONS

Rather than recommend the volume limit according to the rate of flow recommended, it will be addressed in remarks based on overlapping rights processing procedures.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	4-15 to 10-15	.79	Not listed
See item G.			

Permit No. 17-07089

Current Address: HC-61 Box 1056 Malta ID 83342

Address: Same Phone No. 645-2572

Relationship to Permit Holder: Son

3. Source: Groundwater tributary to _____

1. Other water rights with the same place of use: 17-7008B

2. Other water rights with the same point of diversion: 17-7008 B

1. Point(s) of Diversion:

[illegible]

2. Place(s) of Use:

Indicate Method of Determination

[illegible]

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
	G.E.	200	JMJ 901103	Aurora Verti-Line	37671841

*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: Theoretical $Q = \frac{200 \text{ hp} \times 8.814 \times 70 \text{ ft}}{8.1 \text{ ft} + (2.31 \times 65 \text{ psi})} = 5.29 \text{ cfs}$

E. NARRATIVE/REMARKS/COMMENTS

Previous License 17-070088 was for 338 acres + 4.50 cfs
out of the same P.D.

The 330 acres found is 38 acres short of the early license
for 17-070088 but does overlap.

New theoretical flow rate of 5.29 cfs - 4.50 cfs (17-070088)
leaves 0.79 cfs for licensing

Allow 0.79 cfs for licensing under Permit 17-070089
+ disregard previous recommendations.

HCJ
3-23-1994

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

FROM: H.W. JONES
TO: FIELD EXAM FILE FOR 17-07089

I HAVE TALKED TO THE APPLICANT ABOUT THE RECOMMENDATION I HAD MADE TO CANCEL PERMIT 17-07089. THIS WAS A RESULT OF TWO ON-SITE MEASUREMENTS WHICH DID NOT SHOW AN INCREASE IN CFS OVER RIGHT 17-07008B ON THE SAME GROUND. AT THE TIME OF THE TWO EXAMS (1987, 1989) WE DID NOT RELY ON THEORETICAL DATA VERY HEAVILY TO MAKE A CASE FOR APPROVAL. THAT HAS CHANGED AND WE NOW USE THEORETICAL DATA EXCLUSIVELY AT TIMES.

THIS SYSTEM ALWAYS WAS SHORT ON LINES (13) FOR THE ACRES INVOLVED (300), AS THERE IS USUALLY TWO LINES PER 40 ACRE UNIT. THIS WOULD MAKE 15 LINES AS A NORMAL SET. THE THERETICAL BELOW IS WHAT I NOW THINK SHOULD BE USED ON THIS PERMIT FOR APPROVAL OF ADDITIONAL WATER ON THE 300 ACRES.

$$Q = \frac{200hp \times 8.814 \times 70\% \text{ eff}}{83' \text{ lift} + (2.31 \times 65 \text{ psi})} = 5.29 \text{ cfs}$$

⚡
modified from 75 psi
to acknowledge potential
extra lines

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 300 \text{ acres} \times 3.5 \text{ af} = 1050$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days In Irrigation Season}) \times 1.9835 = 0.79 \text{ cfs} \times 183 \text{ d} \times 1.9835 = 286.7$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 286.7$$

2. Volume Calculations for Other Uses:

* Limited to no more than 1183 afc when used in combination
with License 17-07008B

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
* Irrigation	4-15	10-15	0.79 cfs	286.7 *
Totals:			0.79 cfs	286.7 *

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. AUTHENTICATIONField Examiner's Name J. G. Jones Date 3-23-1994

Reviewer _____ Date _____

SEAL

* See attached adjustment memo, BC

3-23-1994

ACTION REQUIRED

FROM: H. W. Jones - Eastern

TO: Jim Johnson - Boise

Attach is a revised recommendation for permit 17-07089.
This is as per our telephone discussion of last week.
Glen has order cancelling permit but is holding same
until applicant & I both respond. Thanks!

RECEIVED
MAR 28 1994
Department of Water Resources

fwf



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

R. KEITH HIGGINSON
DIRECTOR

March 24, 1995

GEORGE L NELSON
HC 61 BOX 1056
MALTA ID 83342

RE: WATER RIGHT NO. 17-07089

Dear Water Right Holder(s):

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure