23-11258

IDWR - Eastern

Memo

To: Jeff Peppersack, Allocations - Boise

From: Roger Warner

CC: Adjudication file 23-2080

Date: 2/17/2005

Re: Hansen Guest Ranch

During the adjudication review for basin 23, a well pertinent to the Hansen Guest Ranch was found to be without a water right. Review of available data in the files and microfiche indicate that there was an original permit authorizing Archie McKay to develop a water right but that Mr. McKay, for whatever reason, failed to act in proving beneficial use. This allowed the water right permit to lapse but the well and lapsed water right has been used ever since.

Enter the new owner, Mr. Tom Walsh. Mr. Walsh has assembled data germane to the matter and asks that it be reviewed for reinstatement or another viable alternative. Beyond my explanation, I will let Mr. Walsh's letter speak for itself.

Please call me if I can be of any assistance.

March 16, 2004

To: Mr. W. Roger Warner
Water Rights Supervisor – Eastern Region
Department of Water Resources
900 N. Skyline Dr.
Suite A
Idaho Falls, ID 83402-1718

RECEIVED
MAR 17 2004
Department of Water Resources
Eastern Region

From: Thomas M. Walsh
Hansen Guest Ranch
956 Rainey Creek Road
P.O. Box 112
Swan Valley, ID 83449-0112

Re: Lapsed Permit No. 23-2080

Dear Mr. Warner:

This letter and the enclosed documents and affidavits are being submitted to establish the extent of beneficial use by the original owner, Archie McKay, for the irrigation well located on this property.

In your letter, you indicate that Mr. McKay received an approved permit on February 23, 1967, and the date to prove beneficial use was set at February 23, 1972.

Further, your letter indicates that Mr. McKay did not provide your department proof of beneficial use until May 17, 1977, and then, on June 3, 1977, your department responded to Mr. McKay that the proof of beneficial use deadline had long since passed. The permit, therefore, had lapsed, and there was no means by which he could reinstate the permit.

Until your letter dated March 1, 2004, no ensuing owner of this property ever had knowledge that the permit for the irrigation well had lapsed, and all of the subsequent owners have used the irrigation well to supplement flood irrigation on this ranch.

Granted, the date on which Mr. McKay submitted proof of beneficial use was far beyond the allowable original date; however, the quality of the proof that Mr. McKay submitted never has been denied or rejected.

The enclosed affidavits and the letter and supporting papers from Lower Valley Energy provide documentation as to proof of beneficial use, and coupled with the original proof of beneficial use submitted by Mr. McKay on May 17, 1977, there should be sufficient evidence to satisfy your statutes governing this situation.

As you mentioned during an earlier phone conversation, it was not the documentation submitted by Mr. McKay that was questioned, but the date on which he submitted proof of beneficial use. Therefore, I also am asking that Mr. McKay's proof of beneficial use be added to the file as evidence.

Finally, upon showing that beneficial use occurred during the authorized period (3 affidavits), and that sufficient evidence has been provided to document proof of use (affidavits and documents from Lower Valley Energy), I am asking that the permit for this irrigation well be reinstated with the priority date of May 17, 1977 because that was the date Mr. McKay originally submitted his proof of beneficial use.

Granted, I am not the original permit holder, Mr. and Mrs. Archie (Geneva) McKay have passed; however, irrigation on this property with this well providing supplemental water has been going on for some 37 years, and it also weighs significantly as the sole means of fire suppression on this property and the surrounding acreage.

If you have any questions, please contact me at your earliest convenience at 208-483-2305.

Sincerely,

Thomas M. Walsh

Thomas M. Walsh
Owner
Hansen Guest Ranch
956 Rainey Creek Road
P.O. Box 112
Swan Valley, ID 83449-0112

Mar 8, 2004

To whom it may concern,

archie McKay pumped water from 1967 to 1972 from a irrigation pump located here in Swan Valley now owned by Tom Walsh.

Sincerely

Renell Weeks
Box 98
Swan Valley
Idaho 83449

phone no
208-483-3344

P.S. I have lived only ½ mile from this farm all my life and I am 68 years old.

RECEIVED
MAR 17 2004
Department of Water Resources
Eastern Region

I Darrel Ricks The Nephew of the Late Archie Geneva McKay.
I was raised on the ~~Archie~~ Ranch at 456 Rainey Creek Rd. And I know first hand that the Irrigation Well That Archie had dug was use for Irrigating this property between February 1967 – February 1972 –
If you have any more questions.
call at 208-483-2973.

3-10-04

Darrel Ricks

PO Box 94 Swan Valley Idaho 83449.

RECEIVED
MAR 17 2004
Department of Water Resources
Eastern Region

To whom it may concern
Directed to IDWR:

I was talking to Tom Walsh , he stated that he was looking for some one who has been around here from 1967 to 1972 and knew Archie McKay .
He also wanted to know when he installed his irrigation well, and pump. I told him I did. He put it in , in 1967 and it is still there at this time. I know he still used it up until the time he sold his Ranch.
Everyone up here gave him a bad time about putting a well in, because they told him the only reason he put a well in was so he wouldn't have to fight over water with Tom Weeks. He said he put it in because it was about the only way he could irrigate the one hay field and pasture land.
If I can be of any more help please let me know. Thank you
My phone number is(208)483-4935
I have lived here for over fifty years.

Wayne S. Christiansen

Wayne S. Christiansen
3471 Swan Valley HWY
Irwin, Idaho 83428

RECEIVED
MAR 17 2004
Department of Water Resources
Eastern Region

March 8, 2004

Mr. Chad Jensen
Vice President
Lower Valley Energy

Fax: 307-885-5787

Dear Mr. Jensen:

Thank you for returning my call earlier this morning.

As I mentioned, the Idaho Department of Water Resources has shut down my irrigation well here on the ranch located at 956 Rainey Creek Road in Swan Valley, Idaho.

They claim that back in February of 1967, Archie and Geneva McKay did not file a proof of beneficial use prior to their imposed deadline for the use of the irrigation well for which they had been issued a permit.

If I am going to be able to reinstate the permit for use of this irrigation well, IDWR now wants affidavits from people who resided here in the valley at that time and proof of utility bills from LVE that indeed Archie was using that irrigation well for supplemental water.

The period in question is from February 23, 1967 to February 23, 1972. At that time, the property probably was listed in the names of Archie and Geneva McKay, and even though it now is called Hansen Guest Ranch, it still is the same real property.

I would appreciate any assistance that you can offer in documenting proof for IDWR, and I sincerely apologize for any inconvenience that this request may cause you or your staff.

Thank you, and if I can provide you with any additional information, please contact me at your earliest convenience.

Tom Walsh

Tom Walsh
Owner
Hansen Guest Ranch
956 Rainey Creek Road
Swan Valley, ID 83449
208-483-2305
twalsh@silverstar.com

RECEIVED
MAR 17 2004
Department of Water Resources
Eastern Region

LOWER VALLEY ENERGY

236 N. Washington • P.O. Box 188 • Afton, WY 83110 • 307-885-3175 • Fax: 307-885-5787

March 3, 2004

Tom Walsh
Owner
Hansen Guest Ranch
956 Rainey Creek Road
Swan Valley, ID 83449

Dear Tom:

This letter serves as a written confirmation of our phone conversation earlier today. As a general rule, Lower Valley Energy does not keep billing records for accounts as old as those your requested which were between the dates of February 23, 1967 to February 23, 1972.

However in researching Archie and Geneva McKay's file, we did disclose three new service applications that the McKay's executed for electric service for irrigation service around the dates in question. Copies of these three applications are included for your information and records.

I apologize that we could not provide you with actual billing records but these three documents should assist you in providing proof that there were indeed irrigation pumps installed and in place during the times periods from 1967 through 1972.

If I can be of any other assistance or should you have additional questions, please do not hesitate to give me a call at 307-885-3175.

Sincerely,

Chad Jensen
Vice President

RECEIVED
MAR 17 2004
Department of Water Resources
Eastern Region

FORM 20-2

APPLICATION FOR NEW SERVICE

No. 1018

SECTION A

APPLICANT Archie McKay Date 5-26-67

Mail Address Irwin, Idaho Date service desired by 7-15 or Sooner

Location Swan Valley Tax District

MEMBERSHIP STATUS:

✓ Applicant is now a member, Certificate No. 585.

____ Applicant is now applying for membership.

DESIRES SERVICE FOR THE FOLLOWING AS CHECKED:

____ Residence, ____ Summer home, ____ Commercial, ____ Large Power, ✓ Irrigation,

____ Street Light, ____ Flood Light, ____ Space Heating, Other ____

MAJOR APPLIANCES AND EQUIPMENT TO BE SERVED AS CHECKED:

____ Range, ____ Water Heater, ____ Dryer, ____ Space Heating

Watts 25 Watts Watts Watts

Motors ~~2 HP~~ ~~2 HP~~, Other ____

Applicant's total connected load: Total Watts ____

Application prepared by Bop

SECTION B

REQUIRED TO SERVE APPLICANT:

Service drop, ____ ft. ____. Transformer, ____ ____ Kva

Primary line, ____ phase, ____ ft. R/W from ____

Other Rephasing ± 13 Structures

Recommended by ____

SECTION C

DETERMINATIOIN OF MINIMUM BILL:

Trans. cap. chg.: First 3 Kva $3.25, plus ____ Kva @ 75¢ ..... $ ____

Primary line charge: 5788 ft. @ 39 ¢ per ft. times 12 % 270.00

Other Requirements: ~~25 30 HP @ 9.00 / HP~~ ~~$ 270.00~~

Minimum Bill: $ 270.00 ~~(per month)~~ (per year) on Construction.

SECTION D

PRE-CONSTRUCTION REQUIREMENTS

Required		Checked by
	Work Order No. Assigned P-604	
✓	Agreement For Electric Service	
	Right-of-Way Easement Not req.	
✓	Stake Line 6-6-67	Bop
✓	Staking Sheets	Bop
	Transformer Change Order, No. ____	
	Meter Order, No. ____	
	Wiring Inspection, Certificate No. ____	
	New Service Connection Order, No. ____	

SECTION E

APPROVED FOR CONSTRUCTION: ____ Date By ____

7/9/67 Date For Board of Directors

By ____ Manager

CONSTRUCTION COMPLETED: 8-3-67 Date By ____ Line Superintendent

FORM 20-2 11/71

APPLICATION FOR NEW SERVICE Nº 064 A

SECTION A

APPLICANT Archie McKay Date 6/8/72

Date service desired 6/29/72

Mail Address Swan Valley, Idaho

Location Swan Valley Tax District

MEMBERSHIP STATUS:

✓ Applicant is now a member, Certificate No. 585.

____ Applicant is now applying for membership

DESIRES SERVICES FOR THE FOLLOWING AS CHECKED:

____ Residence, ____ Summer home, ____ Commercial, ____ Large Power, ✓ Irrigation,

____ Street Light, ____ Flood Light, ____ Space Heating, Other ____

DETERMINATION OF CONSUMER'S LOAD:

____ All electric home with ____ KW heat and ____

____ Other residential with ____

Motors 30 ~~25~~ Hp. 3 ø

Total connected load ____

Application prepared by WAA

SECTION B

REQUIRED TO SERVE APPLICANT:

Service drop, X 60 ft. #2 Tri.

Transformer, 3ø 3 x 10 Kva

Primary line, 3 phase, 1221 ft. R/W from Archie Mckay

Other ____

Recommended by RMT

SECTION C

DETERMINATION OF MINIMUM BILL:

Estimated cost of secondary service (overhead/underground)	$ 300
Estimated cost of primary overhead	$ 1780
Estimated cost of primary underground	$
Other .. Horsepower minimum applies (30 HP.)	$
Total cost $ 2080 X ____ % = annual minimum	$ 275.00

SECTION D

PRE-CONSTRUCTION REQUIREMENTS:

Work Order No. Assigned A-176

Required		Checked by
____	Agreement For Electric Service	RMT
____	Right-of-Way Easement	RMT
____	Stake Line	RMT
____	Staking Sheets	RMT
____	Transformer Change Order, No. ____	
____	Meter Order, No. ____	
____	Wiring Inspection, Certificate No. ____	
____	New Service Connection Order, No. ____	
____	____	

SECTION E

RECOMMENDED FOR CONSTRUCTION: ____ Date By ____ District Manager

APPROVED FOR CONSTRUCTION: ____ Date By ____ General Manager

____ Date By ____ For Board of Directors

CONSTRUCTION COMPLETED: ____ Date By ____ Line Superintendent

12863 - 2175

20-7 6/71

per this agreement has been completed and power is available to you. Billing will commence in accordance with par-

Date 2/30/73 by

AGREEMENT FOR ELECTRIC SERVICE TO IRRIGATION PUMP

AGREEMENT made June 12, , 1973, between Lower Valley Power and Light, Inc., (hereinafter called the "Seller") and Archie McKay (hereinafter called the "Consumer").

WITNESSETH:

The Seller agrees to sell and to deliver to the Consumer and the Consumer agrees to purchase and receive from the Seller all of the electric power and energy sufficient to operate a 30 horsepower irrigation pump motor located at Swan Valley, Idaho upon the following terms:

1. SERVICE CHARACTERISTICS

a. Service hereunder shall be alternating current, Three phase, sixty cycles, 240 volts.

b. The Consumer agrees not to use the electric power and energy furnished hereunder as an auxiliary or supplement to any other source of power and that electric power and energy purchased hereunder will not be resold.

2. PAYMENT

a. The Consumer shall pay the Seller for service hereunder at the rates and upon the terms and conditions set forth in Schedule 1-6 or subsequent revision thereof as approved by the State Public Service Commission. Notwithstanding any provision in the Schedule, however, and irrespective of the Consumer's requirements, the total billing to the Consumer for each calendar year shall not be less than $ $270.00 per year based upon horsepower. In no case, however, shall the minimum bill per month be less than that specified in the applicable rate schedule.

b. The initial monthly billing period shall start when Consumer begins using electric power and energy, or at the time of commencement of the irrigation season next following the date Seller first makes service available to Consumer hereunder, whichever shall occur first; provided, however, that if said initial monthly billing period starts after the commencement of the normal irrigation season the foregoing yearly minimum charge shall be prorated on the basis of the ratio that the number of months service is available or furnished hereunder during the initial normal irrigation season bears to the number of months in said irrigation season.

c. Bills for service hereunder shall be paid at the office of the Seller in Afton or Jackson, State of Wyoming, monthly within fifteen (15) days after the bill is mailed to the Consumer. If the Consumer shall fail to pay any such bill within such fifteen (15) day period, the Seller may discontinue service hereunder, by giving fifteen days' notice in writing to the Consumer.

d. It is further understood that if the Consumer fails to pay his electric bills each month as rendered by the Seller and ceases to take electric service, the total remaining balance of this agreement shall then become due and payable on the sixteenth (16th) day of the month following failure to submit payment.

March 16, 2004

Hansen Guest Ranch
C/o Mr. Tom Walsh
P.O. Box 112
Swan Valley, ID 83449

Re: Lapsed Permit No. 23-2080.

Dear Mr. Walsh,

Please find enclosed copies of various papers related to the above referenced lapsed permit. In addition, I have included a copy of the well log. I hope this helps in your efforts.

If you have any questions, please feel free to contact me at (208) 525 7161.

Sincerely,

W. Roger Warner
Water Rights Supervisor – Eastern Region

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177
EASTERN REGION

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

March 1, 2004

Hansen Guest Ranch
C/o Mr. Tom Walsh
P.O. Box 112
Swan Valley, ID 83449

Re: Lapsed Permit No. 23-2080.

Dear Mr. Walsh,

Thank-you for contacting me in regards to the above referenced permit. As of this letter, I am aware of the following:

1. Hansen Guest Ranch was recently purchased (a few years past) by Mr. Walsh. Prior to that time, the property had changed hands a couple of times.
2. The original owner who filed the application for permit was Archie McKay. Mr. McKay received an approved permit on February 23, 1967. In the approval, a date to prove beneficial use was set at February 23, 1972.
3. On May 17, 1977, the department received proof of beneficial use from Mr. McKay.
4. On June 3, 1977, the department responded to Mr. McKay that the proof of beneficial use deadline had long since passed and the permit had therefore lapsed.
5. Adjudication agent, Allen Ruberry, found the lapsed well in his review of water rights for basin 23 and photographed the well on September 29, 2003.

According to our telephone conversation, this well has been used for some time as a supplemental water right and you wish to establish and preserve this water right. In order to do so, it is required to follow the rules that have been established by the Idaho Legislature, particularly statutes 42-218a and 42-219.

Idaho Statute 42-218a (2) indicates that, "…the director shall require sufficient evidence to be submitted by the permit holder to clearly establish the extent of beneficial use made during the time authorized by the permit…" Later in the statute, it explains that "upon finding that beneficial use had occurred during the authorized period and upon a showing of reasonable cause for filing a late proof of beneficial use, the director may reinstate the permit with priority date advanced to the day that proof of beneficial use was received." For your convenience, I have included a copy of this statute and 42-219. I am also including copies of the pertinent information that has been gathered from our files.

The burden of providing sufficient information (evidence) that provides the department proof of use according to these two statutes is upon you and may take some time. In the

mean time, the Snake River Basin Adjudication (SRBA) is currently underway and it appears that this well was NOT CLAIMED in the SRBA. In order to preserve the opportunity to establish a water right for this well, you should file a claim for it in the SRBA. The claim will likely be disallowed based upon an invalid water right but it may provide you with an opportunity to claim it later if/when the water right is validated.

If you have any questions, please feel free to contact me at (208) 525 7161.

Sincerely,

W. Roger Warner
Water Rights Supervisor – Eastern Region

Cc: Jeff Peppersack, Water Right Permits Section Manager
Allen Ruberry, Senior Water Right Agent (adjudication) - Eastern Region

Enclosures:

Application for Permit (poor copy)
Notice of Existing Water Permit
McKay proof of Beneficial use.
IDWR letter responding to McKay beneficial use.
Photograph and well data report for adjudication.
Adjudication layout of the property.
Copy of Idaho Statute 42-218a.
Copy of Idaho Statute 42-219.



Visited well 9/29/2003.

Well GPS Tag# AO012435

WELL DATA:

Motor: GE 25 Hp SN: NOECJ151034_?_

Pump: BJ # 671 0327
Open discharge; 10" increased to 12"

Thomas M Walsh
PO Box 112
Swan Valley Rd
83449
483-2305

Well is from a
LAPSO Permit
Dating to 1967-
No BU possible

APPLICATION FOR PERMIT
To Appropriate the Subterranean Waters of The State of Idaho

LAPSED

Application No. G- 41711
Permit No. G- 33473
District No.

Cone Drilling and Pump Company
P.O. Box 1196, Idaho Falls, Idaho

1. Name of Applicant: Archie McKay

Postoffice address: Swan Valley County: Bonneville State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second 4.4 or Idaho Miners' inches or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: subterranean

4. Location of point of diversion or well is in the NE ¼ of the NE ¼ of Section 1

Twp. 1 N , Rge. 38 E , B.M., County of Bonneville

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the ¼ of the ¼ of Section , Twp. Rge. , B.M

(b) Waste water or sewage effluent is to be returned to at a point in the ¼ of the ¼ of Section , Twp. , Rge. , B.M.

7. Kind of works: drilled wells

8. Estimated cost of works: $ 10,000.00

9. (a) Is reservoir to be used? no

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: $ (c) Amount paid in: $

(d) Names and addresses of directors

II. The financial resources of the applicant are (a) Cash on hand: $

(b) Treasury stock (c) Bonds to be issued

(d) Other resources

12. The land to be irrigated is described in the following tabulation

13. Existing water rights and or valid permits appurtenant to the lands to be irrigated are [illegible] cubic feet per second, or [illegible] gallons per minute of the water herein applied for is to be supplemental to the existing water rights

(b) [illegible] cubic feet per second, or [illegible] gallons per minute) is for new lands.

23-10

29-2

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Archie McKay, Swan Valley, Idaho has received an approved Permit No. 0-33473/23-2080 issued by the Idaho Department of Water Administration authorizing the diversion ~~storage~~ of 6.4 cubic feet per second ~~acre/feet per/annum~~/of water from a ground water source.

The priority to be established under this permit is February 20, 1967 and the permit was approved February 23, 1967.

Water is to be diverted by wells from a point within the SW¼SW¼, Sec. 31 NE¼NW¼, Sec. 8, T. 1 N, R. 44 E. B. M., Bonneville County to be used for irrigation in the ~~SW¼SW¼, Sec. 31 SE¼SE¼, Sec. 01 NE¼NE¼, Sec. 2~~ NW¼, Sec. 8, T. 1 N, R. 44 E. B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before February 23, 1972. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration
STATEHOUSE, Boise, Idaho

Published in the Idaho Falls Post Register, Idaho Falls, Idaho

on

June 3, 1977

Re: Permit No. 23-2080

Archie McKay
Box 34
Swan Valley, Idaho 83449

Dear Mr. McKay:

We acknowledge receipt of the proof of beneficial use affidavit submitted in connection with the above referenced permit. However, we cannot accept this proof as the permit lapsed on March 3, 1972, and is of no further force or effect.

Therefore, if you wish to continue with the development of this project, it will be necessary for you to file a new application for permit. A form for this purpose is enclosed.

If you have any questions regarding this matter, please contact us or you may wish to contact our Regional office in Idaho Falls.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF:JFR

Encl.

RECEIVED

MAY 17 1977

Department of Water Resources
Eastern District Office

Identification No. _____

Permit No. 23-2080

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Archie McKay

   b) Post Office Address Box 34, Swan Valley, ID 83449

2. Permit Number 23-2080

3. Date of Priority that you are prepared to establish Feb. 20, 1967

4. a) Source from which water was appropriated ground water

   b) Location of the point of diversion: SW ¼ SW ¼, Section 5

   Township 1N, Range 44E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

   Amount 6.40 (cfs and/or acre-feet per annum) for irrigation purposes from Apr. 1 (Month-Day) to Nov. 1 (Month-Day) incl.

   Amount _____ (cfs and/or acre-feet per annum) for _____ purposes from _____ (Month-Day) to _____ (Month-Day) incl.

   Amount _____ (cfs and/or acre-feet per annum) for _____ purposes from _____ (Month-Day) to _____ (Month-Day) incl.

   b) Total amount appropriated 6.40 cfs and/or acre-feet per annum

   c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

   a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____

   b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 25 HP electric pump, 16 inch well, 116 ft. deep

   b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

   c) Give well driller's name and address and the date the well was completed: Cope Drilling & Pump Co., well was completed 6-16-67

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼ NE¼ NW¼ SW¼ SE¼	NW¼ NE¼ NW¼ SW¼ SE¼	SW¼ NE¼ NW¼ SW¼ SE¼	SE¼ NE¼ NW¼ SW¼ SE¼	TOTAL
1N	44E	5			40 40		80
		6				40	40
		7	40				40
		8		40 40 40 40			160

Total number of acres irrigated 320

10. Remarks: only one well of the two applied for was drilled. The permit lapsed 3-3-72.

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

May 17, 1977
(Date)

Archie M. Kay
(Signature)

State of Idaho)
) ss.
County of Bonneville)

On this 17th day of May, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Lorna O Nelson
Notary Public residing at
Idaho Falls, Id

My commission expires March 31, 1979

June 3, 1977

Re: Permit No. 23-2080

Archie McKay
Box 34
Swan Valley, Idaho 83449

Dear Mr. McKay:

We acknowledge receipt of the proof of beneficial use affidavit submitted in connection with the above referenced permit. However, we cannot accept this proof as the permit lapsed on March 3, 1972, and is of no further force or effect.

Therefore, if you wish to continue with the development of this project, it will be necessary for you to file a new application for permit. A form for this purpose is enclosed.

If you have any questions regarding this matter, please contact us or you may wish to contact our Regional office in Idaho Falls.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF:JFR

Encl.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 23-2080

WATER RIGHT NUMBER: 23-2080

Owner Type	Name and Address
Current Owner	ARCHIE MC KAY 1715 PARLEY IDAHO FALLS, ID 83201 (208)523-7148

Priority Date:

Basis:

Status: Lapsed

Source Tributary

Beneficial Use	From	To	Diversion Rate	Annual Volume

Total Diversion:

Location of Point(s) of Diversion

GPS TAG # AO 12435

Place of Use

Conditions of Approval:

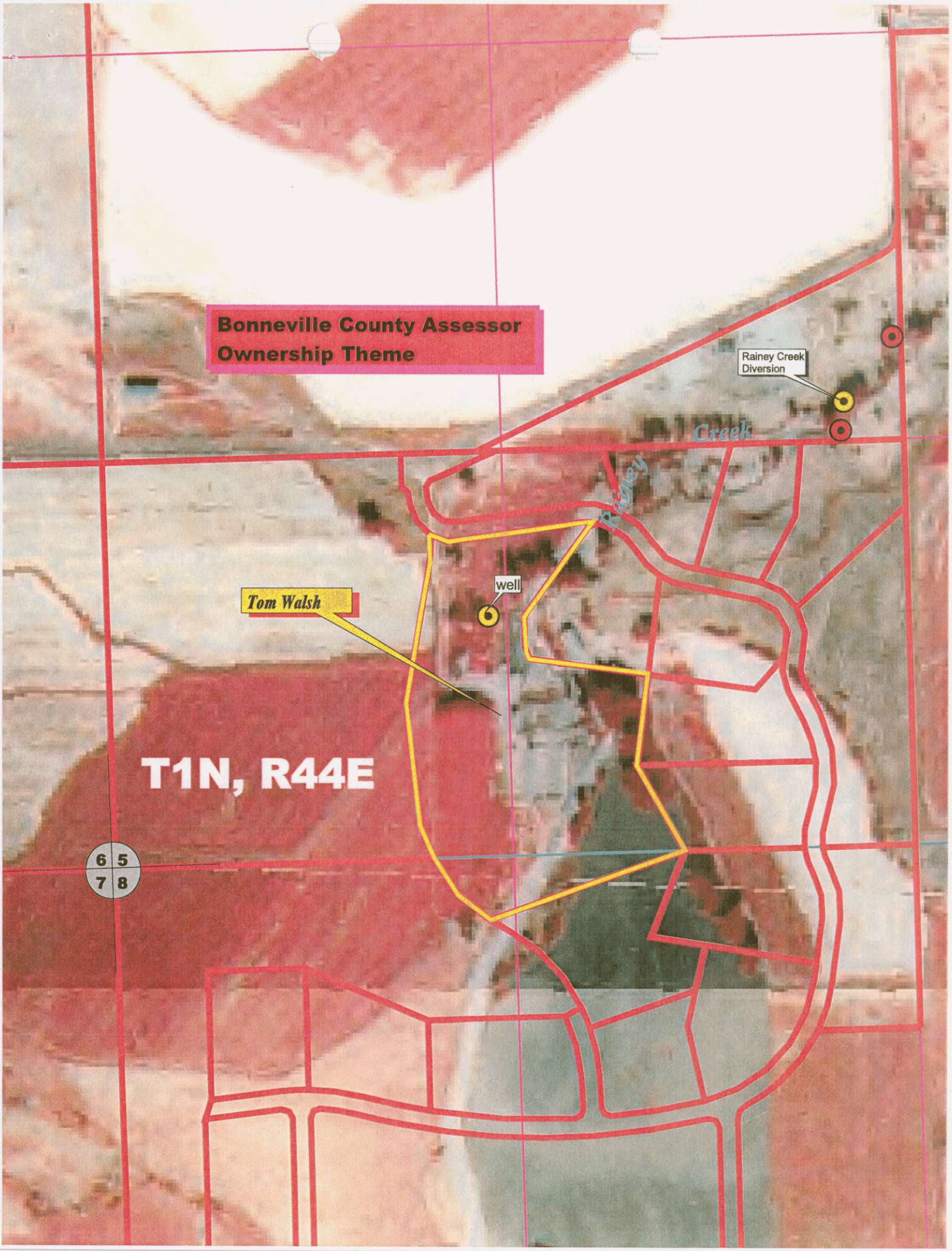
Motor:
25 HP
SN: NOECJ 151034 ?

Remarks:

Comments:

Pump: BJ
671 0327
10" TO 12" OPEN DISCH.

Dates and Other Information:


Bonneville County Assessor
Ownership Theme
Rainey Creek
Diversion
Rainey Creek
well
Tom Walsh
T1N, R44E
6 5
7 8

OCT 2 1967

File

WELL LOG FOR: ARCHIE McKAY....SWAN VALLEY, IDAHO (½ Miles East LDS Church)

FURNISHED BY: COPE DRILLING AND PUMP CO....IDAHO FALLS, IDAHO

DRILLER: SPOLARICH

16"

6-5-67	7:00 AM		Finished building up bit
	9:30		Arrived at drill
	2:30		Set up drill
	5:30	0-8	Extra coarse gravel
6-6-67	8:10		
	11:50	8-13	Coarse gravel
	2:30	13-20	Gravel and some clay
	7:15	20-25	Coarse gravel — Hit water at 24 feet
6-7-67	8:20		
	12:15	25-28	Coarse gravel-turning to pea gravel at 27 feet
	2:20	28-33	Pea gravel turned to boulders at 31 ft.
6-8-67	8:15		Water stands at 27 feet
	12:35	33=35	Boulders
		35-39	Gravel
		39=58	Gravel
	7:20	58-60	Blue clay
6-9-67	8:30		Water stands at 35 ft.
	1:00	60-68	Blue clay
	6:00	68-74	Brown clay
	7:30	74-75	Brown clay
		75-76	Coarse gravel
6-12-67	8:00		Water stands at 28 ft.
	11:00	76-78	Gravel and clay
	3:00	78-84	Coarse gravel and clay
	8:00	84-89	Sand and pea gravel
6-13-67	9:20		Water stands at 25 ft.
	12:30	89-94	Coarse gravel
	3:10	94-96	Gravel some clay..Pipe is driving hard
	5:00	96-98	Gravel and sand
	7:00		Out of casing-cannot drill without
	8:00	98	
6-14-67	8:20		Water at 19-8
	10:15	99	Boulders and sand
	2:45	100	Boulders and sand
	3:50	101	Boulders and sanyd clay
	7:30	104	Sandstone at 103 — Casing is driving hard
6-15-67	8:30		Water at 19-8
	12:30	109	Hard sandstone and fine gravel
	3:00	112	Sandstone and fine gravel
	6:30	114	Sandstone and fine gravel
	7:30	116	Brown clay
6-16-67	8:30		
	9:00		Loaded perforator and pipe for AEC
	1:00		Left for Swan Valley-broke down
	3:50		tools
	5:30		Perforated 16" casing from 109 ft. to 76 ft. and from 58 ft. to 25 ft.

Water level before perforating was 19'=8" and after perforating it stood at 18'-6"

Installed 111 ft. of 16" casing and drive shoe

IS Gs

IN - 44E — 5 SWSW

23-20

APPLICATION FOR PERMIT
To Appropriate the Subterranean Waters of The State of Idaho

LAPSED

Application No. G- 41713
Permit No. G- 33473
District No.

Cope Drilling and Pump Company
P.O. Box 1196, Idaho Falls, Idaho

1. Name of Applicant: Archie McKay

   Postoffice address: Swan Valley County: Bonneville State: Idaho

2. Quantity of water claimed:

   (a) Rate of withdrawal in cubic feet per second 6.4 or Idaho Miners' inches or gallons per minute

   (b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the #1, SW¼SW¼ of Section 5, T 1 N., R 44 E.,B.M. NE ¼ of the NW ¼ of Section 8

   Twp. 1 N , Rge. 44 E , B.M., County of Bonneville

5. Water is to be used for: irrigation

6. If for municipal, industrial or recreational purposes, give:

   (a) Point of use of water is in the ¼ of the ¼ of Section , Twp. Rge. , B.M.

   (b) Waste water or sewage effluent is to be returned to at a point in the ¼ of the ¼ of Section , Twp. , Rge. , B.M.

7. Kind of works: drilled wells

8. Estimated cost of works: $ 50,000.00

9. (a) Is reservoir to be used? no

   (b) Capacity of reservoir:

10. The time required for the completion of such wo... water to the proposed use is years. 5

11. If applicant is a corporation, give:

   I. (a) Date and place of incorporation:

   (b) Amount of capital stock: $

   (d) Names and addresses of directors:

   II. The financial resources of the applican...

   (b) Treasury stock:

   (d) Other resources:

12. The land to be irrigated is described in t...

13. Existing water rights and/or valid per... in Two water rights fr... Rainey Creek--the last wa... for irrigation.

   (a) 6.4 (cubic feet per second, inches or gallo... for is to be supplemental to the existing water rights.

   (b) (cubic feet per second, inches or gallons per minute) is for new lands.

There will be some duplicates as I tried to get the best image. We had no paper files here. Just micro.
Christine/Vault
IDWR
327-7945

23-20

Remarks: I am the last user on Rainey Creek--it is dry beyond my headgates--so I am applying for the full amount for prote for my ground.

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.

/s/ ARCHIE McKAY *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation: February 29, 1967 4:10 P.M.

Returned to applicant for correction:

Correction application received:

Approval of State Reclamation Engineer

The number of this permit is G— 33473

Recorded in Book 117 Page 33473 Approved February 23, 1967

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of $ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before August 23, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before February 23, 1972

Witness my hand this 23rd day of February, 1967.

/s/ R. KEITH HIGGINSON
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, [illegible] and [illegible], Governor of the State of Idaho, and [illegible], Secretary of State of the State of Idaho, have caused this instrument to be executed in the named of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 23rd day of February, 1967

Countersigned:

(SEAL)

By /s/ [illegible] SEAL
Secretary of State

STATE OF IDAHO

By /s/ DON SAMUELSON
Governor

12.

Twp.	Range	Sec.	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Totals
[illegible]	[illegible]	6																	
		6																	
		7																	
		8	40											40	40				80
							40	40	40	40								40	40
																			40
																			160

Total number of acres to be irrigated: 320 ACRES

2-27

Remarks: I am the last user on Rainey Creek--it is dry beyond my boundaries--so I am applying for [illegible] for my [illegible] pound.

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.

/s/ ARCHIE McKAY *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation: February 20, 1967 4:10 P.M.

Returned to applicant for correction:

Correction application received:

Approval of State Reclamation Engineer

File number of this permit is G— 33473

Recorded in Book 117 Page 33473 Approved February 23, 1967

Let it be certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitation and conditions:

Fixed in the sum of $ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless

completion be caused by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before August 23, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before February 23, 1972

Witness my hand this 23rd day of February, 1967. /s/ R. KEITH HIGGINSON
STATE RECLAMATION ENGINEER

IN TESTIMONY WHEREOF, We, [illegible], Governor of the State of Idaho, and [illegible], Secretary of State of the State of Idaho, have caused this instrument to be executed in the named of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this [illegible] day of February, 1967

Countersigned:

STATE OF IDAHO

(SEAL)

By [illegible] By /s/ [illegible]
Secretary of State *Governor*

12.

Twp.	Range	Sec.	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Tota
[illegible]		5											40	40					
		6																	
		7		40													40		4
		8																	4
							40	40	40	40									1

Total number of acres to be irrigated: 3

Remarks: I am the last user on Rainey Creek--it is dry beyond my headgates--so I am applying for this for my ground.

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

/s/ ARCHIE McKAY *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation: February 20, 1967 4:10 P.M.

Returned to applicant for correction:

Correction application received:

Approval of State Reclamation Engineer

The number of this permit is G— 33473

Recorded in Book 117 Page 33473 Approved February 23, 1967

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of $ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before August 23, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before February 23, 1972

Witness my hand this 23rd day of February, 1967. /s/ R. KEITH HIGGINSON
STATE RECLAMATION ENGINEER

IN TESTIMONY WHEREOF, We, DON SAMUELSON, Governor of the State of Idaho, and EDSON H. BEAL, Secretary of State of the State of Idaho, have caused this instrument to be executed in the named of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 23rd day of February, 1967.

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ EDSON H. BEAL *Secretary of State*

By /s/ DON SAMUELSON *Governor*

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
44		5											40	40					80
		6															40		40
		7	40																40
		8					40	40	40	40									160

Total number of acres to be irrigated: 320

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-33473/23-2080)
in the name of Archie McKay)
)
)
)

ORDER MODIFYING REQUIREMENTS FOR COMPLETION OF PERMIT TO APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-33473 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.

2. The conditions of the above numbered permit are modified as follows:

   a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 23rd day of October, 1970.

R. KEITH HIGGINSON
Director

PWH/pc

23-2080
33473

Form No. 3
Reprint 5M-6-60

Address all communications to:
COPE DRILLING AND PUMP CO.
P. O. 1196 IDAHO FALLS, IDAHO

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G 41213
Permit No. G 33473
Water District No.

RECEIVED
FEB 20 1967
Department of Reclamation

1. Name of applicant: ARCHIE MOYAT
   Post office address SWAN VALLEY County BONNEVILLE State IDAHO
2. Quantity of water claimed: 6.4 Cu. Ft. per Second
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NE¼ SW¼ SW¼ of Sec. 5; Twp. 1 No. Range 44 EBM
   Twp. 1 No., Rge. 44 E., B.M., County of Bonneville
5. Water is to be used for: Irrigation
6. If for domestic, municipal, industrial or recreational purposes give:
   (a) Point of use of water is in the ¼ of the ¼ of Section
   Twp. Rge. B.M.
   (b) Waste water or sewage effluent is to be returned to
   at point in the ¼ of the ¼ of Section Twp. Rge. B.M.
7. Kind of Works: drilled wells
8. Estimated cost of works: $2,000.00
9. (a) Is reservoir to be used? No
   (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is
    five years.
11. If applicant is a corporation, give:
    1. (a) Date and place of incorporation:
    (b) Amount of capital stock $ (c) Amount paid in: $
    (d) Names and addresses of directors:

Continued)

11. The financial resources of the applicant are: (a) Cash on hand: $_____

(b) Treasury stock:_____ (c) Bonds to be issued:_____

(d) Other resources:_____

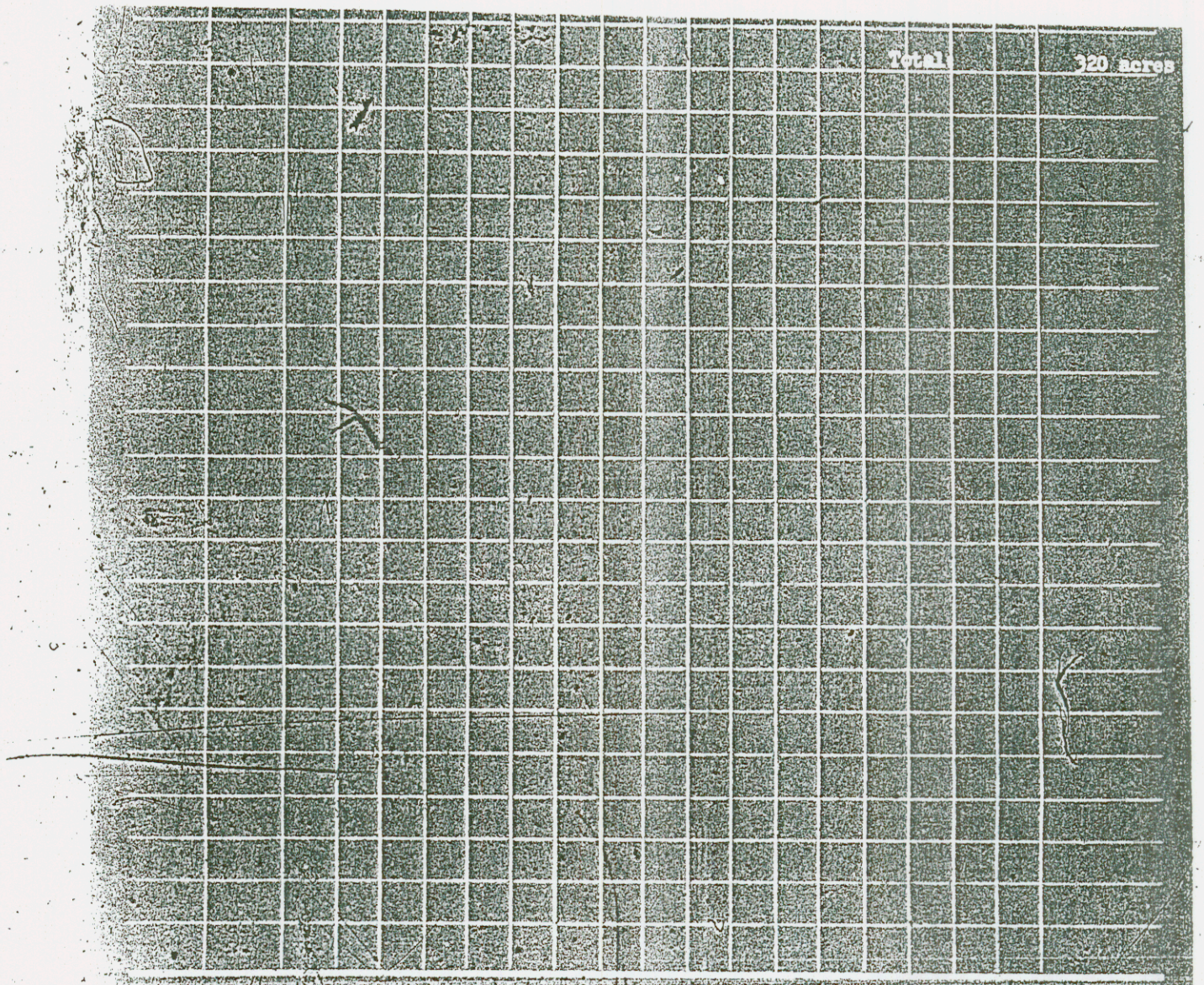
12. The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision)

p.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
	44 E	5											40	40					80
		6																40	40
		7	40																40
		8					40	40	40	40									160
																Total:			320 acres

14. Existing water rights and/or wells pertain appurtenant to the lands to be irrigated are: 120 - 2 in.

No water rights from Public Domain have been initiated for lands described on application.


Total
320 acres

Remarks: I am the last user on Rainey Creek--it is dry beyond my headgates--
so I am applying for the full amount for protection for my ground.

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.

Archie D. McKay
Applicant

By _____, Agent

Approval of State Reclamation Engineer

The number of this permit is G 33473.

Recorded in Book _____ Page 33473 Approved FEB 23 1967

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of $_____ to be filed before _____

One-fifth of the work above specified to be completed on or before August 23, 1969
The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before February 23, 1972

Witness my hand this 23rd day of February, 19 67.

K. Keith Higginson
State Reclamation Engineer

IN TESTIMONY WHEREOF, We DON SAMUELSON, Governor of the State of Idaho, and EDSON H. DEAL, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 23rd day of February, 19 67.

Countersigned:

By Edson H. Deal
Secretary of State

STATE OF IDAHO

By Don Samuelson
Governor.

No. G 33473

PERMIT

Date of first receipt at office of State Reclamation Engineer: February 20, 1967 4:10 P.M.

Returned to applicant for correction: _____

Corrected application received: _____

Fees, $ 6.50

FILING FEES FOR USE PERMIT:

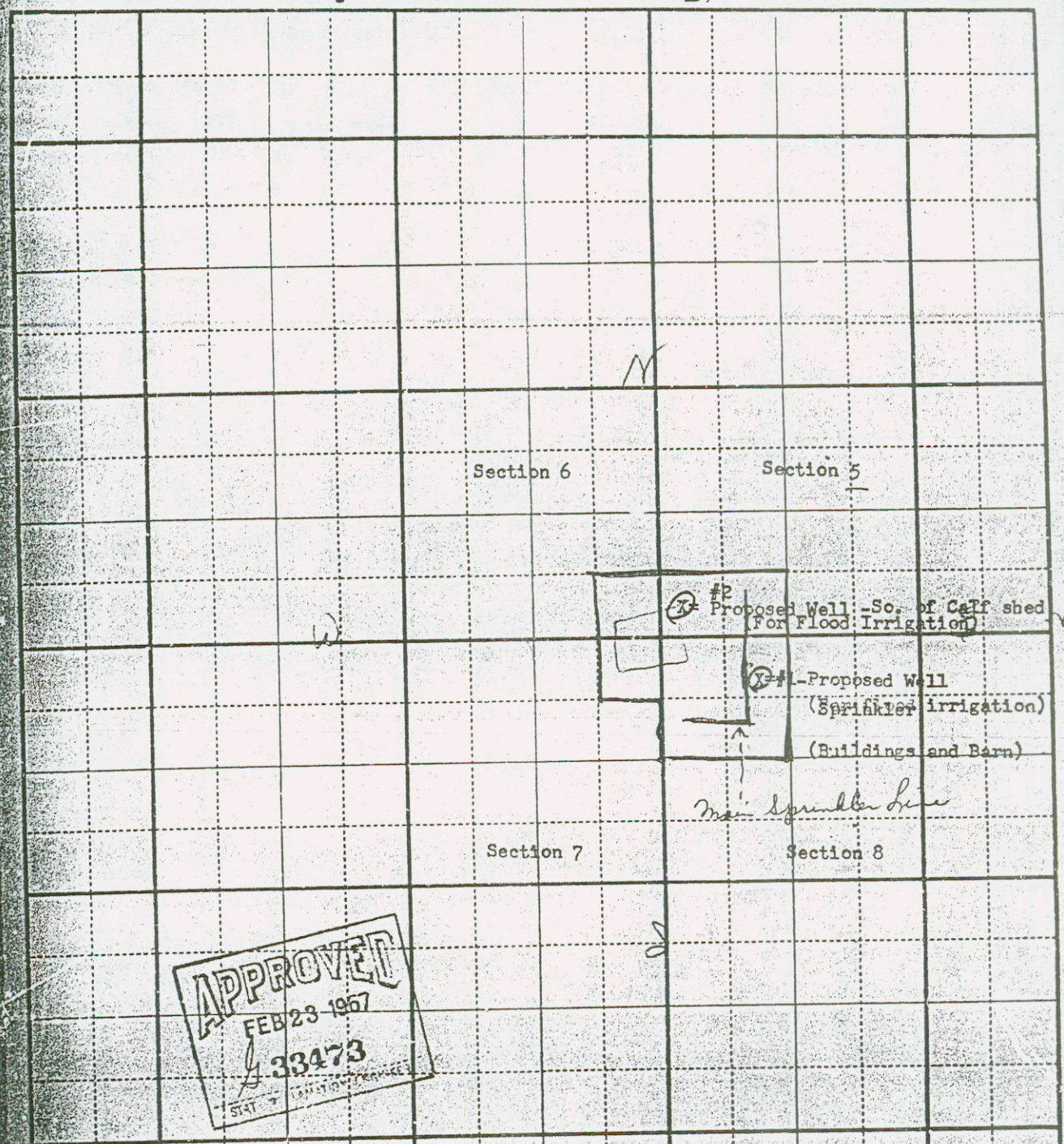
For the first Sec. Ft. $5.00

For each additional Sec. Ft. or Fraction Thereof ..... .25

Twp. 1N Range 44 EBM

NAME OF APPLICANT Archie McKay--Swan Valley, Idaho

Form No. 0



APPROVED
FEB 23 1957
33473
STATE OF IDAHO DEPARTMENT OF RECLAMATION

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse – Annex 2
Boise, Idaho 83707
(208) 384-2215

R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

March 3, 1972

Re: Permit No. 33473/23-2080

Archie McKay
Swan Valley,
Idaho 83449

Dear Mr. McKay:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit 33473/23-2080 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within sixty days from the date of this notice of lapsing.

R. KEITH HIGGINSON
Director

RKH:DR

23-20

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Archie McKay, Swan Valley, Idaho has received an approved Permit No. G-33473/23-2080 issued by the Idaho Department of Water Administration authorizing the diversion ~~storage~~ of 6.4 cubic feet per second ~~acre/feet~~ ~~feet/annum~~ of water from a ground water source.

The priority to be established under this permit is February 20, 1967 and the permit was approved February 23, 1967.

Water is to be diverted by wells from a point within the SW¼SW¼, Sec. 5; NE¼NW¼, Sec. 8, T. 1 N, R. 44 E, B. M., Bonneville County to be used for irrigation in the S½SW¼, Sec. 5; SE¼SE¼, Sec. 6; NE¼NE¼, Sec. 7; NW¼, Sec. 8, T. 1 N, R. 44 E. B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before February 23, 1972. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration
STATEHOUSE, Boise, Idaho

Published in the Idaho Falls Post Register, Idaho Falls, Idaho on _____.

23-2080
33473

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S). REQUIRED FEE(S) PAID.

☒ Show to whom, date and address where delivered

☐ Deliver ONLY to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

CERTIFIED NO. 23197

INSURED NO.

DATE DELIVERED

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

Anchie McKay

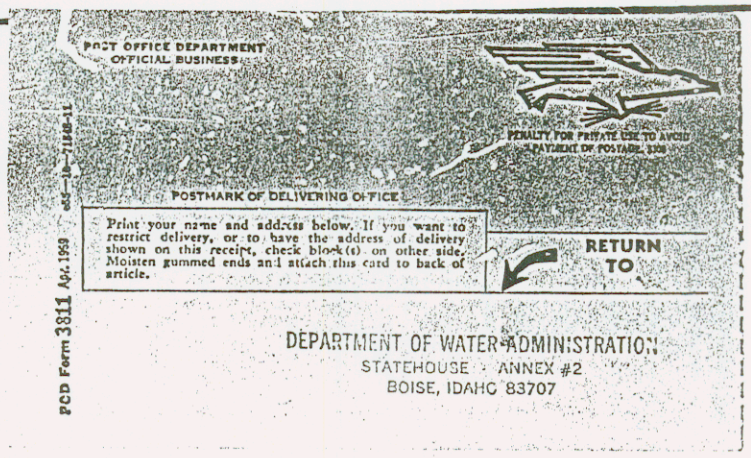
SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Lyonesa McKay

SHOW WHERE DELIVERED (only if required)

23-2080

GPO 16-71068-1 ER-178


POST OFFICE DEPARTMENT
OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
POSTMARK OF DELIVERING OFFICE
Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.
RETURN TO
DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707
PCD Form 3811 Apr. 1959

December 1, 1971 CERTIFIED MAIL # 3197

Re: Permit No. G-33473/23-2080

Archie McKay
Swan Valley,
Idaho 83449

Dear Mr. McKay:

One of the conditions of approval of your water Permit No. G-33473/23-2080 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before February 23, 1972. Enclosed is an affidavit form which must 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 affidavit 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.

R. KEITH HIGGINSON
Director

Enc: Proof affidavit
dr
cc: Cope Drilling & Pump Co.
P.O. Box 1196, Idaho Falls

23-2080

October 30, 1970

Re: Permit No. G-33473 (new no. 23-2080)

Mr. Archie McKay
Swan Valley,
Idaho 83449

Dear Mr. McKay:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: order
advertising package
cc: Cope Drilling and Pump Co.

23-2080
33473

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Archie McKay, Swan Valley, Idaho has received an approved Permit No. G-33473/23-2080 issued by the Idaho Department of Water Administration authorizing the diversion ~~storage~~ of 6.4 cubic feet per second ~~acre/feet per/annum~~/of water from a ground water source.

The priority to be established under this permit is February 20, 1967 and the permit was approved February 23, 1967.

Water is to be diverted by wells from a point within the SW¼SW¼, Sec. 5; NE¼NW¼, Sec. 8, T. 1 N, R. 44 E, B. M., Bonneville County to be used for irrigation in the S½SW¼, Sec. 5; SE¼SE¼, Sec. 6; NE¼NE¼, Sec. 7; NW¼, Sec. 8, T. 1 N, R. 44 E. B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before February 23, 1972. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration
STATEHOUSE, Boise, Idaho

Published in the Idaho Falls Post Register, Idaho Falls, Idaho on _____.

23-2080
33473

February 28, 1967

Re: Permit No. G-33473

Archie McKay
Swan Valley, Idaho

Cope Drilling and Pump Co.
P.O. Box 1196
Idaho Falls, Idaho

Gentlemen:

We enclose Permit No. G-33473 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-11347 which was issued covering payment in the amount of $ 6.50 for the filing fee of the above mentioned permit. was given to you at the time you were in our department.

Very truly yours,

Enc. permit

MRBiejw

M. RUSSELL BOSCH
Office Manager

33473


Ed Biddulph
POND
POND
32 33
5 4
T2N, R44E
T1N, R44E
Rainey Creek