

Keen, Shelley

To WR File 63-33141

From: Conrad, Vic <Vic.Conrad@simplot.com>
Sent: Monday, June 27, 2022 2:10 PM
To: Miller, Nick
Cc: Keen, Shelley; Judd, Debbi; Hummer, Phill; Hansen, Angela
Subject: RE: [EXTERNAL] RE: 2022-Jun-21 Letter re 63-33141.

Thank you Nick. I am interested in seeing the same standard for permit extensions to be applied to all permit holders – and specifically in reference to the treatment of permit 63-34222

From: Miller, Nick <Nick.Miller@idwr.idaho.gov>
Sent: Friday, June 24, 2022 10:15 AM
To: Conrad, Vic <Vic.Conrad@simplot.com>
Cc: Keen, Shelley <Shelley.Keen@idwr.idaho.gov>; Judd, Debbi <Debbi.Judd@idwr.idaho.gov>; Hummer, Phill <Phill.Hummer@idwr.idaho.gov>; Hansen, Angela <Angela.Hansen@idwr.idaho.gov>
Subject: [EXTERNAL] RE: 2022-Jun-21 Letter re 63-33141.

[Warning: External Email]

Hi Vic,

I received your email and the letter arrived in the mail yesterday. The folks at the State Office have been working with Mr. Mellin regarding this permit, so I will forward the letter along to them and I expect they will be providing you a response as they are familiar with whether another extension has been filed and whether the permit has lapsed.

If you have further questions, you can contact Angie, Phill, or Debbi (all copied on this message).

Nick.

From: Conrad, Vic <Vic.Conrad@simplot.com>
Sent: Tuesday, June 21, 2022 10:47 AM
To: Miller, Nick <Nick.Miller@idwr.idaho.gov>
Cc: Keen, Shelley <Shelley.Keen@idwr.idaho.gov>; Judd, Debbi <Debbi.Judd@idwr.idaho.gov>
Subject: 2022-Jun-21 Letter re 63-33141.

Nick:
Please see the attached letter requesting IDWR allow permit no. 63-33141 lapse due to a failure to divert and apply water to a beneficial use during the permitted development period and the subsequent extensions granted by IDWR to extend the development period until June 17, 2022.



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P.O. Box 27, Boise, Idaho
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1099 West Front Street
Boise, Idaho 83702

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208 780 7359 Business
208 780 7333 Fax

June 21, 2022

Transmitted by emailed pdf with original placed in regular U. S. Mail

Nick Miller
State of Idaho
Department of Water Resources
2735 W. Airport Way
Boise, ID 83705-5082

Re: IDWR Water Right Permit 63-33141 (Mellin Properties Ltd Partnership).

Dear Nick:

I was included on the distribution of a letter from Ralph Mellin to Denise Lauerman dated October 22, 2021 (copy attached). Mr. Mellin submitted this letter in response to a notice Ms. Laureman sent to him seeking comment on the Application by CS Property Development LLC for Water Right Permit No. 63-35094.

Mellin Properties Ltd Partnership is the holder of IDWR permit no. 63-33141. According to the records available from IDWR's website, permit 63-33141 was issued on March 10, 2010 for the irrigation of 80 acres from a groundwater source with a diversion rate of up to 1.6 c.f.s. The original date for submitting Proof was March 1, 2015.

Since that time, more than 13 Requests for Extension of Time to submit proof of beneficial use have been submitted with IDWR by Mr. Mellin. The most recent extension request submitted by Mr. Mellin on was granted by IDWR until June 17, 2022.

A well rig was parked on the proposed point of diversion several months ago. Since that time, there is no evidence of progress toward completing a well. There is no electrical service available to the site to operate a motor for a pump, and there is no system installed to deliver water from the proposed point of diversion to the permitted place of use. A center pivot was placed on the place of use, however, the pivot is not connected to a water supply. Consequently, water was not beneficially used under permit no. 63-33141 within the permitted development period or any extensions thereof.

In the absence of completing a development to beneficially use water under this permit within the most recent extension granted until June 17, 2022, IDWR, Permit No. 63-33141 should lapse. In the alternative the priority date should be advanced to date later than the next request by Mr. Mellin to extend the proof due date again.

Sincerely,

Vic Conrad
Land, Water & Asset Recovery

c: S. Keen
R. Mellin

RECEIVED

JUN 23 2022

WATER RESOURCES
WESTERN REGION

RECEIVED

JUN 27 2022

DEPARTMENT OF
WATER RESOURCES



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JUN 23 2022

WATER RESOURCES
WESTERN REGION

Mellin Properties Ltd Partnership
10100 W Franklin Rd
Boise, ID 83709-0333
October 22, 2021

Denise Lauerman, Administrative Assistant
Idaho Department of Water Resources
2735 W Airport Way
Boise, ID 83705-5082

Dear Ms. Lauerman:

RE: Application for Permit No. 63-35094 from CS Beef

I am responding to your letter of September 30, 2021, received on October 4, 2021, in which the Department was seeking written comment and/or recommendations.

I represent the bordering southern neighbor to the southeast of this application as represented by my Permit No. 63-34046 and its adjacent more southern bordering permit no. 63-33141 each for 80 acres.

My point of diversion started with a completed eight inch guide well, to be enlarged to 20 inches starting next week, which is along the east boundary of the land of permit 63-33141 in its NENESE Sec 24, T 1 N, R 1 E as shown on the accompanying drawing.

CS Beef has requested six points of diversion with five shown on my accompanying sketch and the sixth off the sketch to the northeast. I am concerned that its most southern proposed diversion point located in the SENE of Section 24 may not be equal distance from existing wells so as to minimize potential to them including mine and the Ray Montierth well no.0069072 as well.

I therefore suggest that unless a groundwater geologist can show that the diversion point in the SENE Sec 24 is a better diversion point with consideration for the three property owners than CS Beef should alternatively use the near-by and slightly more northern requested diversion point in the NENE Sec 24, and that the diversion point in the SENE Sec 24 not be used. (Mainline pipe distances thus costs to the needed pivot points appear to be somewhat equal by using either diversion point. And this request may also be to CS Beef's advantage of less potential mutual well interference including if someday they acquire my tract.) My request is particularly valid if such SENE Sec 24 diversion point could get located in the 10 acre tract of the SESENE Sec 24 or within 700 feet of my well.

Sincerely,



Ralph Mellin
General Partner

Attachment

Personally delivered to recipient's office on this date

✓ cc: Vic Conrad