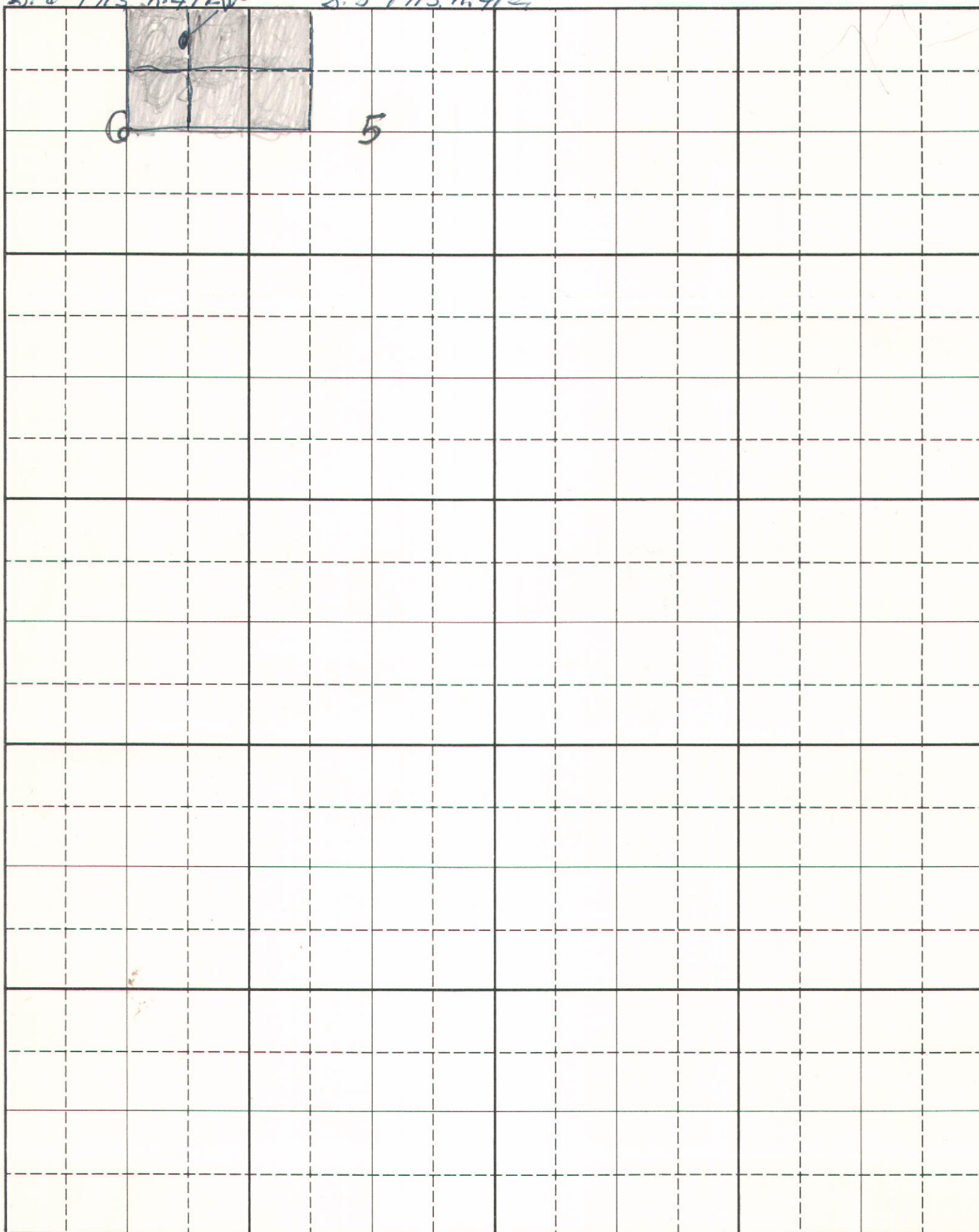


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

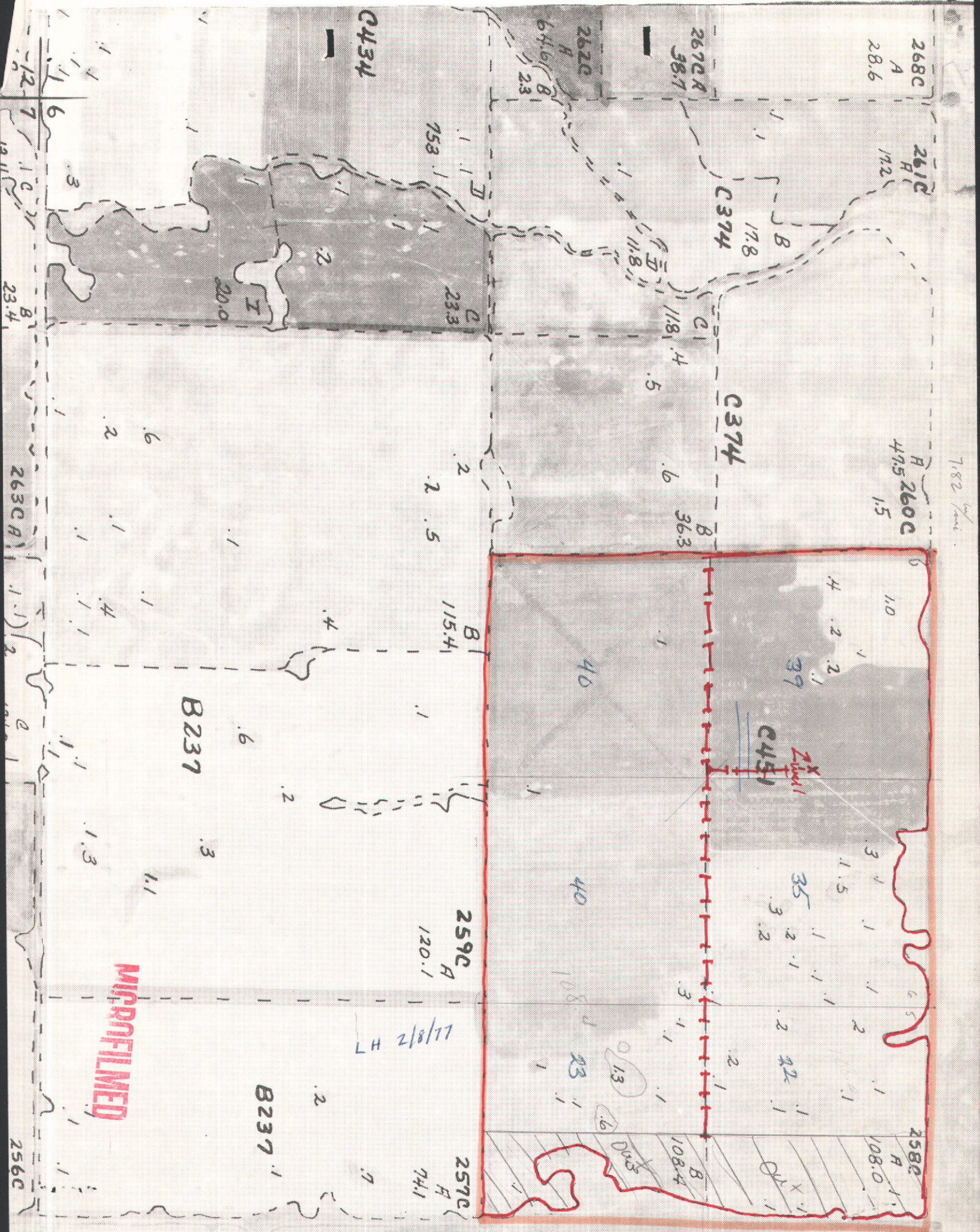
S. 6 T. 11 S. R. 41 E. Well S. 5 T. 11 S. R. 41 E.



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.

D. M. Clegg & Sons Inc.
Dwight H. Clegg Pres.
(Applicant)



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 13-7050 Priority July 6, 1973 Amount 2.56 cfs

THIS IS TO CERTIFY, that CONNECTICUT MUTUAL LIFE INSURANCE CO.

of Hartford, Connecticut, has complied with the terms and conditions of Permit No. 13-7050 issued pursuant to Application for Permit dated July 6, 1973, and has submitted proof to the Department of Water Resources on March 6, 1975, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 2.56 cfs of water from a groundwater source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	* Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>June 1</u> to <u>Oct. 15</u>	at <u>2.56</u> cfs and	<u>355.40</u> ac ft
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 2.56 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 355.4 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, Twp. 11S,
Rge. 41E, B.M. in the County of Caribou

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11S	41E	5					22	23											45
		6	35	39	40	40													154

Total number of acres irrigated 199

1. A measuring device of a type approved by the Department shall be permanently maintained as part of the diverting works.
2. The well under this permit shall not be pumped more than 70 days during the above period of use in any one year.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of FEBRUARY, 19 78.

Director

ASSIGNMENT OF PERMIT

David H. Clegg, its President, hereunto duly authorized
I, D. W. CLEGG AND SONS, CO., acting herein by/ hereby assigns and transfer to
Company
Connecticut Mutual Life Insurance / of 140 Garden Street, Hartford

Connecticut
(address)

☒ All my right, title, and interest, in and to Permit No. 13-7050
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in
and to Permit No. _____ to appropriate the public waters of the
State of Idaho. (Give that portion of the permit being assigned by
describing the land list and the point of diversion--describe by
acreage within each 40-acre subdivision.)

This is given as collateral security for a loan of \$110,000
made by Connecticut Mutual Life Insurance Company to permit holder(s)
evidenced by a Promissory Note dated September 19, 1975 and secured
by a mortgage of even date, microfilmed as Instrument No. _____,
records of Caribou County, Idaho.

Made this 19th day of September, 1975.

D. W. CLEGG AND SONS, CO.

By David H. Clegg
Permit Holder
David H. Clegg, Its President
Hereunto duly authorized
~~Wife of Permit Holder~~

STATE OF IDAHO :
COUNTY OF CARIBOU : ss.

On this 8th day of October, 1975, personally
appeared before me the signer(x) of the above instrument, who duly
acknowledged to me that he ~~(xxx)~~ ~~(xxx)~~ executed the same., and that he was
authorized to execute said instrument and that the seal affixed is the corporate
seal of said corporation

Leonard O. Hingsford
Notary Public residing at

My commission expires:

August 14, 1977.

Soda Springs, Idaho.

STATE OF IDAHO }
County of Caribou } SS 84303

I hereby certify that this instrument was filed

at the request of Caribou Title Co.

at 4:00 o'clock P M this 8th day of

Oct., 19 75 in my office and duly

recorded in Microfilm Records

ELAINE S. JOHNSON

Ex-Officio Recorder

Dec: 2 1975

Wanda Peterson
Deputy

RECORDED

POWER OF ATTORNEY

Dated this 3rd day of October, 1975, 1974.

Rare Movie Beauties

By [Signature]
Assistant Investment Officer

On this 3rd day of October, 1975, personally

Notary Public
Residing at Tolland Ct.

My Commission expires:
My Commission Expires Mar. 31, 1979

ASSIGNED TO: CONNECTICUT MUTUAL LIFE INSUR. CO.
11-24-1975 Box 53
Nampa, ID 83651

Identification No. 13 7050
Application No.

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

POWER OF ATTORNEY

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant D.W. Clegg & Sons Inc
post office address Grace Idaho
2. Source of water supply Well which is a tributary of
3. a. Location of point of diversion is NW 1/4 of NE 1/4 of Section 6 Township 11S
Range 41E B.M. Caribou County; additional points of diversion if any:

b. If water is not consumed, it will be discharged into None at a point in C 1/4
of 1 1/4 of Section 1 Township 1 Range 1 B.M. 1

4. Water will be used for the following purposes: ALLOW June 1 -to- October 15
Amount 3 for Irrigation purpose from May 1 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purpose from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purpose from to (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:
a. 3 cubic feet per second and/or
b. acre feet per annum.

6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well pump. Natural Gas
Engine Sprinkler System

b. Height of storage dam 0 feet, active reservoir capacity 0 acre feet; total reservoir
capacity 0 acre feet, materials used in storage dam: 0
Period of year during which storage will occur 0 to 0 inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 18 inches; proposed depth of well is 200 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ 30,000.00

8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: 1/4 of 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:

916 Total number of acres to be irrigated

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

9. a. Who owns the property at the point of diversion
 (d) M. Elgar & Sons Inc.

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing.

3222

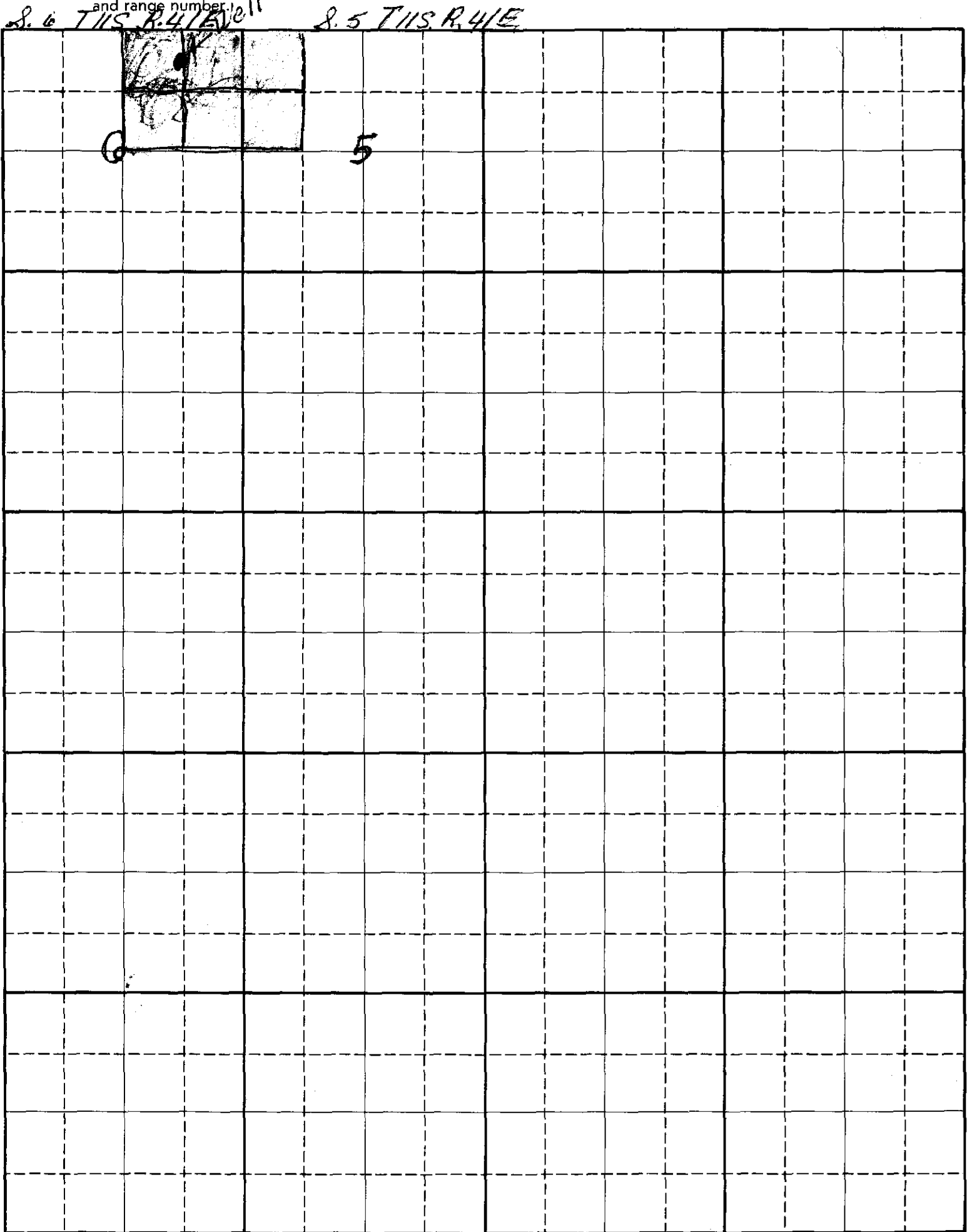
Remarks We are supplying for a permit in place of the well permit we had issued before by the number G-29720. The reason this well was not put up on was because my brother Philip was doing the work on this well. A change in his plans came about and he moved to California and left.

As I said, I was unaware of this very early. I hope we can get this straightened out because I brought into the Corporation last May, trying controlling checks on the basis that the well was proved up on. It then is anything? Can it be kept that along & simply approved during multiple as even as possible

10. Remarks

(A) *Antennaria dioica* L.
 Fr. of 1st year & 2nd year

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



Scale: 2 inches equal 1 mile

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

D. W. Clegg & Sons Inc.
Daniel H. Clegg Pres.
(Applicant)

13 7050

Proposed priority: 7/6/1973

Received by Date 7-6-73 Time 9:30
Preliminary check by Fee \$ 45.00
Received by Date 7-6-73
Publication prepared by Date 7-10-73
Published in
Publication dates 7-19-73 - 1-14-73
Publication approved NCY Date 8/3/73
Priority reduced to Reason
Protests filed by:
Copies of protests forwarded by
Hearing held by Date
Recommended for approval denial by NCY

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 13-7050, 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, 19 75.

c. Other: (1) That a measuring device of a type approved by this Department be permanently installed and maintained as part of the diverting works.

(2) That the well be pumped for not more than 70 days during any one year and that the period during which the well may be pumped be reduced to June 1 to October 15.

2. Denial of said application is for the following reasons:

Witness my hand this 14 day of March, 19 74.

Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>Jay</u>	<u>7/10/73</u>	Application No. <u>13-7050 Clegg + Gonal, Inc.</u>
(2)			☒ Source ☒ 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
(3)	<u>Jay</u>	<u>7/10/73</u>	In form to receipt
			Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)			☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M. ☐ Request Information from Applicant
(5)	<u>Jay</u>	<u>7/10/73</u>	In form for advertising <u>yes</u>
(6)	<u>Jay</u>	<u>7/10/73</u>	Located within Water District No. <u>13</u>
(7)	<u>Jay</u>	<u>7/10/73</u>	Critical groundwater area: yes ☐ no ☒
(8)	<u>Jay</u>	<u>7/10/73</u>	Groundwater levels:
			☐ Decline (comment) _____
			☒ Stable (comment) <u>No obs well Record. This area.</u>
			☐ Increasing (comment) _____
(9)	<u>NCY</u>	<u>7/10/73</u>	Comments: <u>Whiskey CK Study Area</u>
(10)	<u>mt</u>	<u>8-1-73</u>	Affidavit of Publication received (date) <u>August 1, 1973</u>
(11)	<u>NCY</u>	<u>2/28/74</u>	Final date for protests <u>August 6, 1973</u>
			Protests received: yes ☐ no ☒
(12)	<u>"</u>	<u>"</u>	Date and Place of hearing <u>N.A.</u>
			Decision reached at hearing _____
(13)	<u>"</u>	<u>"</u>	All requested information received from agencies or applicant yes ☒ no ☐
(14)	<u>"</u>	<u>"</u>	Action recommended:
			☒ Approve
			☐ Deny
			Reason for Reduction _____
			☒ Measuring device required
			☒ See attached sheet for additional conditions of approval
			☐ No additional conditions for approval
(15)	District <u>E</u>	By <u>NCY</u>	Date <u>2/28/74</u>

13 7050

copy to 5

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

V. E. Lansberry

being first duly sworn on his
oath, states:

That he is publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County, that said
newspaper has been pub-
lished in said County uninterr-
ruptedly and continuously for
over seventy-eight consecutive
weeks, prior to the first publi-
cation of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for two successive weekly
issues thereof, the date of the
first publication being the

19th day of
July, 19 73

The date of the last publication
being the 26th day of
July, 19 73

V. E. Lansberry

Subscribed and sworn to be-
fore me this 27th day

of July, 19 73

Elaine S. Johnson
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the
1st day of November

19 74

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
D. W. Clegg & Sons, Inc., Grace,
Idaho, has on July 6, 1973, sub-
mitted Application No. 13-7050
for a permit to appropriate 3.0
cubic feet per second of water
from a ground-water source by
means of well and pump within
the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, T. 11S,
R. 41E, B.M., Caribou County;
to be used from May 1 to Oct.
15 for the irrigation of 216
acres within the NE $\frac{1}{4}$, Sec. 6;
W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 5, T. 11S, R.
41E, 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
Administration, 240 South
Holmes, Idaho Falls, Idaho,
83401 on or before August 6,
1973.

R. KEITH HIGGINSON
Director

Published in the Caribou Coun-
ty Sun, Soda Springs, Idaho, on
July 19 and July 26, 1973.

13 7050

RECOMMENDED
CONDITIONS OF APPROVAL

OK
RKA

RE: Application for Permit No. 13-7050

- (1) Subject to all prior water rights.
- (2) Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 1975.
- (3) A measuring device of a type approved by the Department shall be installed and permanently maintained as a part of the diverting works.
- (4) That the well be pumped for not more than 70 days during any one year and that the period during which the well may be pumped be reduced to June 1 to Oct. 15.

NCF

NORMAN C. YOUNG

District Engineer

*Reduced irrigation
period needs to
be noted on appn!*

*ok
RKA*

13 7050

February 28, 1978

Re: Permit No. 13-7050

Connecticut Mutual Life Insurance Co.
140 Garden St.
Hartford, CT 06109

Gentlemen:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

MICROFILMED

February 6, 1978

Re: Permit No. 18-7080

Connecticut Mutual Life Insurance Co.
140 Garden St.
Hartford, Connecticut

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 18-7080 and has found the following:

Amount of water that can be recognized as beneficially used under
Maine law: 2.58 cfs Source: groundwater

The maximum quantity diverted shall not exceed 355.4 acre feet per
year.

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, Twp. 11S, Rge. 41E, B.M.

Beneficial Use: Irrigation of 199 acres within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
(45 acres), Sec. 5; all of the NE $\frac{1}{4}$ (154 acres), Sec. 6;
Twp. 11S, Rge. 41E, B.M., Caribou County.

Priority date established: July 6, 1973

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights Bureau

FJG

D. W. Clegg & Sons, Inc.
Grace, ID 83241

November 24, 1975

Re: Permit No. 13-7030

Connecticut Mutual Life Insurance Co.
140 Garden Street
Hartford, Connecticut

Gentlemen:

We acknowledge receipt of the assignment and the power of attorney forms. They have been recorded and the Department's records have been changed.

On March 6, 1975, proof of beneficial use of water was submitted to the Department. Licensing of the permit will take place pending a field examination on this permit.

Sincerely,

JANICE ROHM
Secretary

JFR

cc: Caribou Title Company
D. W. Clegg & Sons Co.
Connecticut Mutual Life (Nampa)
Connecticut Mutual Life (Idaho Falls)

RECORDED

FIELD REPORT

Person to contact_

RECEIVED
phone _____

Phone MAR 12 1975

Department of Water Resources
Eastern District Office
(name spring, stream, etc.)

Tributary to

Amount 3 c.f.s. for irrigation

_____ AF/Annum (nature of use)

Well cannot be pumped for more than 70 days per year during

these mths--June 1 to Oct. 15

(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for

_____ AF/Annum

(nature of use)

Period of Use: from

to

(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____

AF/Annum

(nature of use)

Period of Use: from _____ to _____

tc

(mo.-day) inclusive (mo.-day)

Other uses:

Max Rate of Diversion 3 cubic feet per second and annual volume _____ AF/Annum.

Township 11S N/S, Range 41E E/W, B.M., Section 6, Subdivision NW 1/4 NE 1/4 Caribou

County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

County

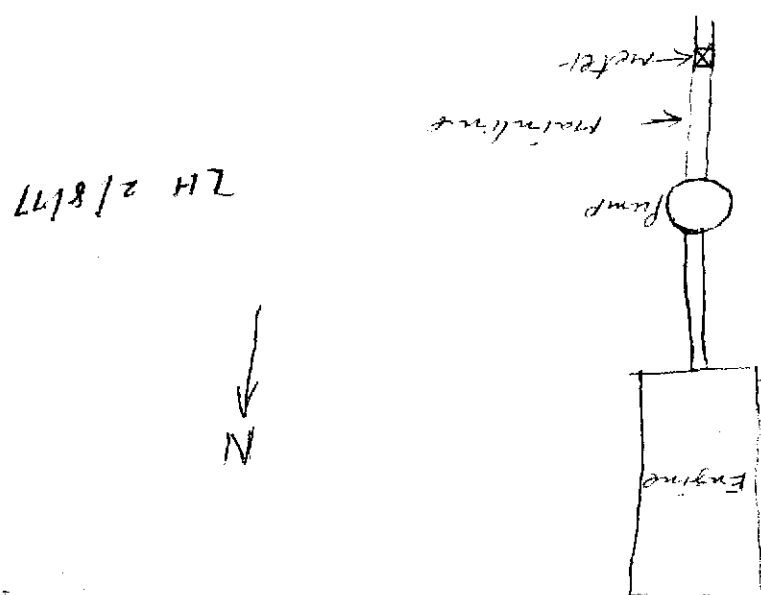
Other Points of Diversions:

Description of diverting works: 1200 gpm, 200 hp natural gas 18" by 200'.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use. Attached map also

TOTAL ACREAGE

[illegible]

218/2 H7

N

DATE OF EXAM Sept 4, 1975

ACREAGE
Found 199
Recommended 199

Irrigation Requirement 3.0 Ac Ft/Ac

Pump may be run no more than 70 days during this period.

USE
Irrigation Q = 2.56 c.f.s. V = 355.40 AF/Ann. from June 1 to Oct 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ✓

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 2.56 cfs Method of measurement McGrometer Meter

Total Q recommended 2.56 cfs Meter No. 75-10-107 Type in-line Condition New

Total V recommended 355.44

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION:

$$\frac{001 \text{ AF}}{2 \text{ min } 50 \text{ sec}} = \frac{435.6 \text{ AF}^3}{170 \text{ sec}} = 2.56 \text{ cfs} \quad \text{LH } 2/8/77$$

$$V = (2.56)(1.9835)(70 \text{ days}) = 355.40 < (3)(199) = 597.$$

SYSTEM DESCRIPTION:

Engine - Continental 200 HP Natural Gas # S 920 A00088
Pump - Vertiline Mod 12 R HMM SN- D03479 Pump Depth 335 ft.
Pump driven by US Motors Gear Head

REMARKS:

Examiner's Signature Laura O. Halmer Date 2-8-77

Checked by Anthony R. Kozlowski Date 2/14/77

Approved by _____ Date _____

RECEIVED

NOV 20 1975

CARIBOU TITLE COMPANY
TITLE INSURANCE ABSTRACTS OF TITLE ESCROWS
160 South Main Street P. O. Box 915
SODA SPRINGS, IDAHO 83276

Phone: 547-4321

Department of Water Resources

Leonard O. Kingsford
Helen B. Kingsford

November 20, 1975

State of Idaho
Department of Water Resources
Boise, Idaho 83700

Re: Permit No. 13-7050

Gentlemen:

Enclosed herewith are the following:

1. Assignment of Permit
2. Power of Attorney

We request you send to us an acknowledgment of Connecticut Mutual Life Insurance Company's interest together with your confirmation that this permit is in good standing.

Very truly yours,

CARIBOU TITLE COMPANY

By: *Helen B. Kingsford*

HBK:fav
enclosures

March 10, 1975

Re: Permit No. 13-7050

D. W. Clegg & Sons, Inc.
Grace,
Idaho 83241

Gentlemen:

We acknowledge receipt of the affidavit 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. We cannot tell during which part of the irrigation season this examination will be made, however, our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our District Office in Idaho Falls.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

MICROFILMED

Identification No. 13-7050

Permit No. _____

WATER DIVISION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 6-1975 *ok*
JP
Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder D. W. Clegg & Sons Inc.
b) Post Office Address Shreve Idaho
2. Permit Number 13-7050
3. Date of Priority that you are prepared to establish 7/6/73
4. a) Source from which water was appropriated Well
b) Location of the point of diversion: NW 1/4 NE 1/4, Section 6
Township 11S, Range 41E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
Amount 2.35 for Dom purposes from June 1 to Oct-15 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated _____ 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: By 40# PSI 3/4" nipples 6.41 A.P.M.

- 33 Heads = 212 G.P.M. X 5 1/6 = 1658 G.P.M. = 2.35 Sec. Per Min
Mr. Tom Hatch is qualified by experience in Irrigation measuring.
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) 1200 G.P.M. 200 HP. Natural Gas 18" by 200'

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

McCrometer Water Meter 10" by #1 MCO 1400
Meters from 165 G.P.M. to 1800 G.P.M.

c) Give well driller's name and address and the date the well was completed:

Andrews Drilling Idaho Falls Idaho -
Date Summer of 1963

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

RECEIVED

Exam typed 7/11/75 by JP

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

11S : 41E Sec 6 NE 1/4 34 ac, NW 1/4 38 ac, SW 1/4 40 SE 1/4 40 ac.
11S : 41E Sec 5 NW 1/4 32 ac, SW 1/4 32 ac.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
11S	41E	6	34	38	40	40													152
11S	41E	5					32	32											64

Total number of acres irrigated 216

10. Remarks: As you may see the permit is for 3 ac. ft
this is all the water we have in this well is 2.35 ac
really need the additional water to cover the ground
property, so I would hope if it ever develops I can apply
for the balance.

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

3/4/75
(Date)

Daniel A. Clegg
(Signature)

State of IDAHO)
) ss.
County of Caribou)

On this 4th day of March, 1975, personally appeared before me
the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Helen B. Kingsford
Notary Public residing at Soda Spring, Idaho
My commission expires: 8-14-77

My commission expires _____

No. _____

19 West 1st South - GRACE, IDAHO 83241

PHONE 425-3472

DATE 3-4-75

JOB NAME & LOCATION OF WELL

Inside Dia. Well _____ In. Drawn Down _____ Ft. G.P.M. _____

Depth of Well _____ Ft. Lift Above _____ Ft. B.H.P. _____

Standing Water Level _____ Ft. Total Head _____ Ft. R.P.M. _____

Terms:

Cash Down \$ _____ Balance \$ _____

TOTAL

The balance payable under this contract is due on the dates set forth above. In the event the balance is not paid when due, the Purchaser agrees to pay Seller a DELINQUENCY CHARGE of 1 1/2% per month on the unpaid balance from the due date, which is an 18% ANNUAL PERCENTAGE RATE. Should the Purchaser default in making payment or in performing any of the terms and conditions of this agreement, Purchaser agrees to pay all costs, including, but not limited to, collection fees, reasonable attorney's fees, and reasonable expenses of digging up, retaking, holding, transporting and preparing for sale of the collateral and the like interest by Seller in enforcing the terms of this agreement, obtaining damages for breach, or in pursuing any other remedies available to Seller.

NOTE: All of the terms, conditions and provisions on the reverse side form a part of this sale agreement.

Accepted by:

Seller

Purchaser

By

- SENDER: Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 65¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

Bill. W. W. W. & Son Co.

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

26448

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE

4. DATE OF DELIVERY

2-1-75

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

POSTMARK
FEB 11 1975

CLERK'S
5/11/75

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

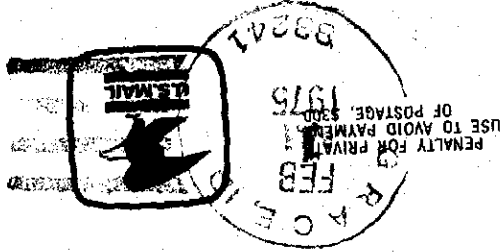
SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1 and 2 on reverse side.
- Moistened gummed ends and attach to back of article.

RETURN
TO

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



January 31, 1975

CERTIFIED MAIL

#26448

Re: Permit No. 13-7050

D. W. Clegg & Sons, Inc.
Grace,
Idaho 83241

Gentlemen:

One of the conditions of approval of your water Permit No. 13-7050 (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 April 1, 1975. 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

RKH:jg
Enc: Proof affidavit

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

March 18, 1974

Re: Permit Nos. 13-7036 & 13-7050

D. W. Clegg & Sons, Inc.
Grace,
Idaho 83241

Gentlemen:

Enclosed are copies of your approved Application for Permit Nos. 13-7026 and 13-7050 along with a copy of the Memorandum Decision and Order for #13-7036. We direct your attention to the conditions of approval of these permits as listed on the fourth page of approved permit #13-7050 and in the Memorandum Decision for approved permit #13-7036.

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 both permits. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosures

cc: Protestants

Enclosure

13 7050

August 13, 1973

RE: Application for Permit No. 13-7050

Mr. David H. Clegg
President
D. W. Clegg and Son, Inc.
Grace, Idaho 83241

Dear Mr. Clegg:

The above referenced application for permit has been advertised and held for the mandatory ten day protest period. No protests have been received. However, because of the proximity of this well to the well protested under Application for Permit No. 13-7036, action will be delayed by the Department until the results of the on-going study are available. This study is expected to be completed within a few months and results will be available this fall. Action will be taken upon this application shortly thereafter.

If you have any questions concerning this matter, do not hesitate to contact this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:cw

13 7050

RECEIVED
JUN 4 1973

Department of Water Administration
1200 N. 2nd Street

June 29, 1973

Mr. Don Clegg
Grace, Idaho 83241

Dear Mr. Clegg:

It is my understanding that you are currently pumping water from a well located in Section 6; Twp. 11S, Rge. 41E, B.M., which was originally drilled under Permit No. G-29720. That permit apparently lapsed for failure to submit Proof of Beneficial Use. Since the well was apparently drilled after the date when the legislature changed the law by requiring a permit for an appropriation of groundwater, you probably have no water right on the well in question, even though you have used it for some time. Every day that you delay in filing for a permit causes you to lose valuable water right priority.

I'm therefore enclosing an application for permit form which you may choose to use to file for a water right on the well.

Very truly yours,

R. KEITH HIGGINSON
Director

RKH:mjl

cc: Idaho Department of Water Administration
Eastern District

Enclosure

13 7050

July 13, 1973

Re: Application for Permit No. 13-7050 - Clegg

Caribou County Sun
P. O. Box 815
Soda Springs, ID 83276

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

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

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb
Enc: Legal notice

Bill submitted 8-1-73 by ML

13 7050

PUBLIC NOTICE

FIRST TIME

PUBLISHED

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that

D. W. Clegg & Sons, Inc., Grace, Idaho, has on July 6, 1973, submitted Application No. 13-7050

for a permit to appropriate 3.0 cubic feet per second of water

from a ground-water source by means of well and pump within

the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, T. 11S, R. 41E, B.M., Caribou County;

to be used from May 1 to Oct. 15 for the irrigation of 216

acres within the NE $\frac{1}{4}$, Sec. 6; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 5, T. 11S, R. 41E, 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

Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before August 6, 1973.

R. KEITH HIGGINSON
Director

Published in the Caribou County Sun, Soda Springs, Idaho, on July 19 and July 26, 1973.

13 7050

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that D. W. Clegg & Sons, Inc.,

Grace, Idaho

has on 7/6/73 submitted Application No. 13-7050

for a permit to appropriate 3.0 cubic feet per second ~~XXXXXX~~
of water from a ground-water source

by means of well and pump

within the NW¹/₄NE¹/₄, Sec. 6, T. 11S, R. 41E, B.M., Caribou County;

to be used from May 1 to Oct. 15

for the irrigation of 216 acres

within the NE¹/₄, Sec. 6; W²/₂NW¹/₄, Sec. 5, T. 11S, R. 41E, 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 Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before August 6, 1973.

R. KEITH HIGGINSON

Director

Published in the Caribou County Sun, Soda Springs, Idaho

on July 19 and July 26, 1973.

13 7050

aw

NCY

July 10, 1973

D. W. Clegg & Sons, Inc.
Grace,
Idaho 83241

Gentlemen:

Attached herewith is departmental receipt No. 11280 in the amount of \$45.00 for your application for permit which was received in this office under the above date.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

Attachment

13 7050