

Arco Canal from Big Lost R.

\*

26

35 40 40 40

35 40 40 40

5

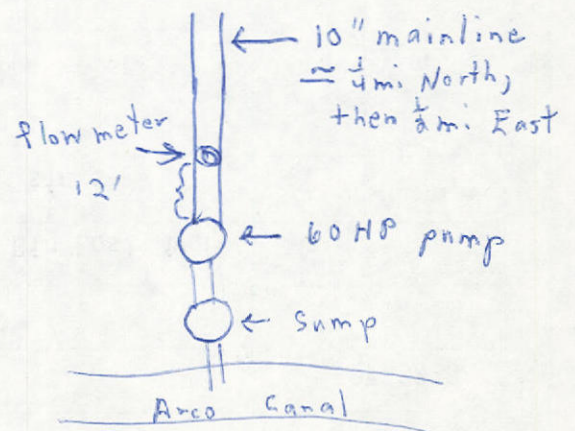
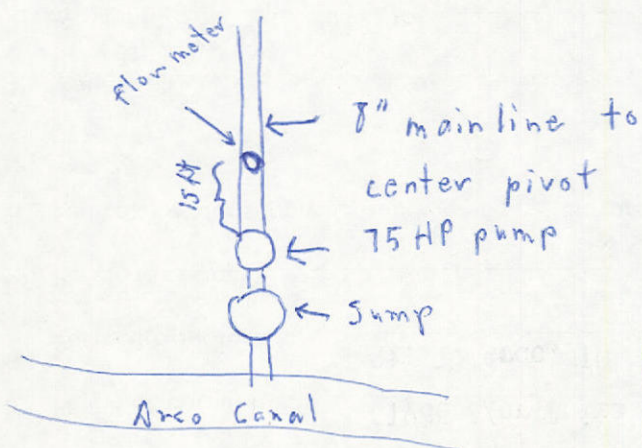
Diagram of System

#1

N

#2

N



6 wheel lines



MICROFILMED

"NOT TO SCALE"

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 34-7112 Priority May 15, 1975 Amount 4.68 cfs

THIS IS TO CERTIFY, that CLYDE &/or ANITA McAFFEE  
of Arco, Idaho, has complied with the terms and conditions of Permit  
No. 34-7112 issued pursuant to Application for Permit dated May 15, 1975,  
and has submitted proof to the Department of Water Resources on June 23, 1976,  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of 4.68 cfs of water from Big Lost River,  
tributary to sinks, 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        |
|-------------------|------------------------------------------|------------------------|----------------------|
| <u>Irrigation</u> | from <u>April 1</u> to <u>November 1</u> | at <u>4.68</u> cfs and | <u>930</u> acre feet |
|                   | from _____                               | _____ cfs and          | _____                |
|                   | from _____                               | _____ cfs and          | _____                |

(both dates inclusive)

Subject, however, to the condition that no more than 4.68 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  
930 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 26, Twp. 4N,  
Rge. 26E, B.M. in the County of Butte

Description and location of place of use:

| Twp. | Range | Sec. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | Totals |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SE $\frac{1}{4}$ | SW $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SE $\frac{1}{4}$ | SW $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SE $\frac{1}{4}$ | SW $\frac{1}{4}$ |        |
| 3N   | 27E   | 4    |                  |                  |                  |                  | 40               | 40               | 40               | 40               |                  |                  |                  |                  | 160    |
|      |       | 5    | 40               | 35               | 35               | 40               |                  |                  |                  |                  |                  |                  |                  |                  | 150    |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 310

SEE CONDITIONS ON FOLLOWING PAGE.

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 27 day of  
November, 19 79.

Director

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CONDITIONS:

1. Use of water under this license is subject to control by the watermaster of State Water District 34, Big Lost River.
2. The maximum volume of water under this license when combined with Transfer No. 1724 shall not exceed 930 acre feet per annum.

Identification No. 34 7112

Application No. \_\_\_\_\_

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

**APPROVED**

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

1. Name of applicant Clyde McAfee &/or Anita McAfee Phone: 527-3223  
post office address Rt. #1, Arco, Idaho
2. Source of water supply Big Lost River which is a tributary of sinks
3. a. Location of point of diversion is NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 26 Township 4N  
Range 26E B.M. Butte County; additional points of diversion if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. If water is not consumed, it will be discharged into \_\_\_\_\_ at a point in \_\_\_\_\_  $\frac{1}{4}$   
of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M. \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 4.8 for Irrig. purpose from Apr. 1 to Nov. 1 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:  
a. 4.8 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. Existing diversion from Big  
Lost River through the Arco Canal, relifted to sprinkler system  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre feet; total reservoir  
capacity \_\_\_\_\_ acre feet, materials used in storage dam: \_\_\_\_\_  
Period of year during which storage will occur \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use  
is 1 years.  
b. Estimated construction cost is \$ \_\_\_\_\_.
8. Description of proposed uses:  
a. If water is **not** for irrigation:  
(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M. \_\_\_\_\_  
(2) Amount of power to be generated: \_\_\_\_\_ hp under \_\_\_\_\_ feet of head.  
(3) List number of each kind of livestock to be watered \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be  
supplied with domestic water \_\_\_\_\_.  
(5) If water is to be used for other purposes describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

| TWP. | RANGE | SEC. | NE1/4 |       |       |       | NW1/4 |       |       |       | SW1/4 |       |       |       | SE1/4 |       |       |       | TOTALS |
|------|-------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|
|      |       |      | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 |        |
| 3N   | 27E   | 4    |       |       |       |       | 40    | 40    | 40    | 40    |       |       |       |       |       |       |       |       | 160    |
|      |       | 5    | 40    | 40    | 40    | 40    |       |       |       |       |       |       |       |       |       |       |       |       | 160    |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |

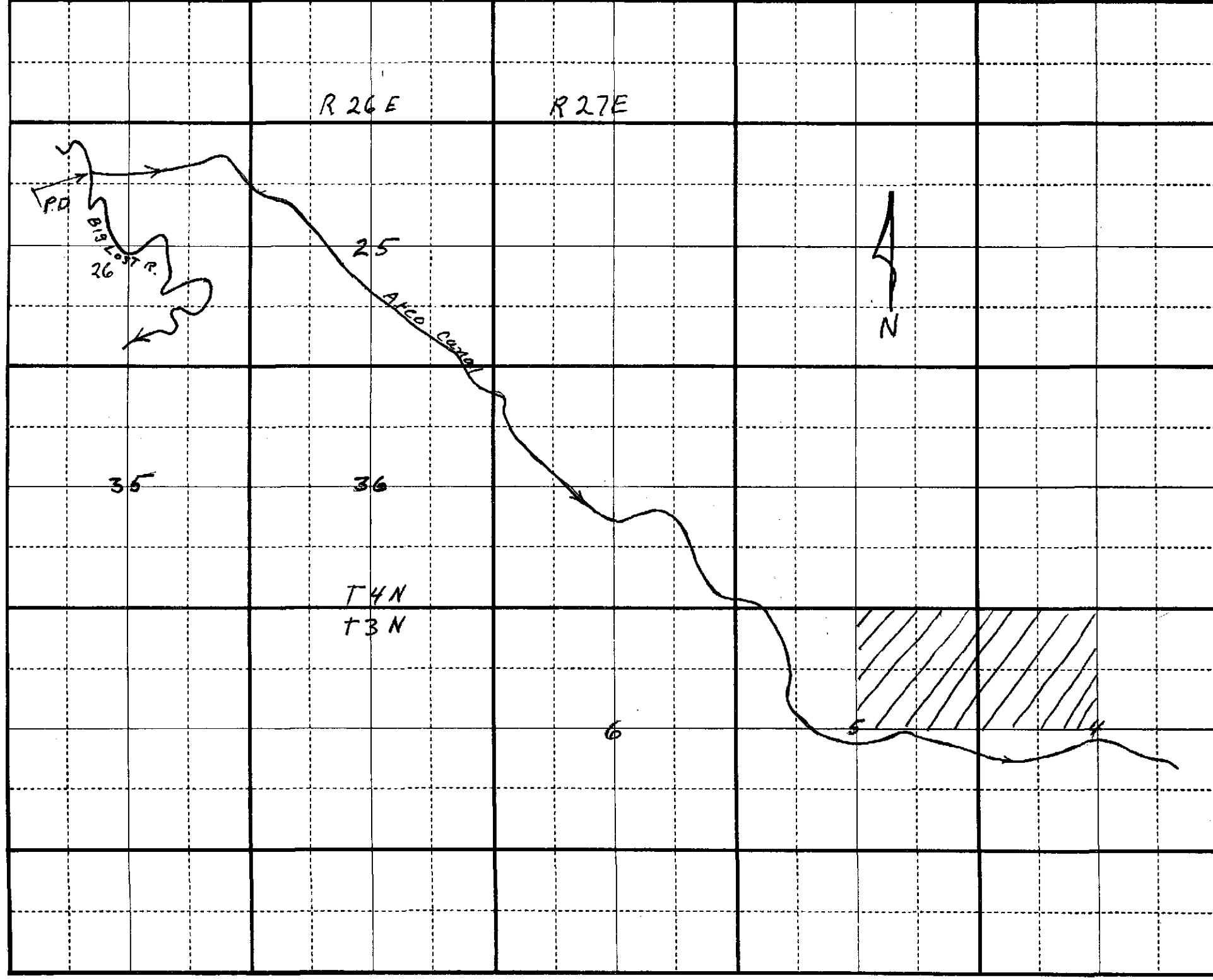
Total number of acres to be irrigated 320

c. Describe any other water rights used for the same purposes as described above.  
34-0043 1.6 c.f.s.; G. Water Right 34-2509 4.68 c.f.s.

9. a. Who owns the property at the point of diversion Big Lost River Irrigation District  
b. Who owns the land to be irrigated or place of use Applicant  
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks Have an agreement with Big Lost River Irrigation District to use the canal system. Canals will be enlarged to carry the water.

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.

*Clyde McArthur*  
(Applicant)

Proposed Priority 5-15-1975

Received by AW Date 5-15-75 Time 3:20 p.  
Preliminary check by WR Fee \$ 65.00  
Receipted by AW Date 5-15-75 # 4243  
Publication prepared by MB Date 5-15-75  
Published in Area Advertiser  
Publication dates May 22 + 29, 1975  
Publication approved AW Date 6-03-75  
Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by WR

#### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 34-7112, and said application is hereby APPROVED.

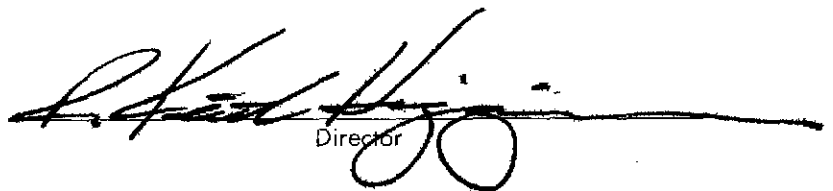
1. Approval of said application is subject to the following limitations and conditions:

- 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 July 1, 19 76.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

Use of water under this permit is subject to control by the water-master of State Water District No. 34, Big Lost River.

The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

Witness my hand this 24 day of June 19 75.

  
Director

# Affidavit of Publication

RECEIVED

JUN 8 1975

Deputy

Ed

I L. Ella Cammack of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with

the issue dated May 22, 1975

and ending with the issue dated May 29, 1975

L. Ella Cammack

Subscribed and sworn to before me this

31 day of May, 1975

Charles Jones  
Notary Public

Residence: Arco, Idaho.

My commission expires 5/14, 1978

## NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Clyde &/or Anita McAfee, Arco, Idaho, has on 5-15-75 submitted Application No. 34-7112 for a permit to appropriate 4.8 cubic feet per second of water to be diverted from the Big Lost River into the Arco Canal within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 26, T. 4N, R. 26E, B.M., Butte County; and thence rediverted from the Arco Canal by means of a pump to be used from Apr. 1 to Nov. 1 for the irrigation of 320 acres within the NW $\frac{1}{4}$ , Sec. 4, NE $\frac{1}{4}$ , Sec. 5, T. 3N, R. 27E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before June 9, 1975.

R. KEITH HIGGINSON  
Director

Published in the Arco Advertiser, Arco, Idaho on May 22 and May 29, 1975.

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State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 384-2215

November 29, 1979

Clyde & Anita McAfee  
Route # 1  
Arco, Idaho 83213

Dear Mr. & Mrs. McAfee,

RE: Permit No. 34-7112

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

Sincerely,

*Jan Grover*  
JAN GROVER  
Water Rights Supervisor

JG:lr

Enclosure

**MICROFILMED**



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

John V. Evans  
Governor

C. Stephen Allred  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2215

August 21, 1979

Re: Permit NO. 34-7112

Clyde &/or Anita McAfee  
Route #1  
Arco, ID 83213

Dear Mr. & Mrs. McAfee:

A representative of this Department made an examination of the works covered by your Permit No. 34-7112 on September 15, 1976, and has found the following:

Amount of water that can be recognized as beneficially used under  
Idaho law: 4.68 cfs Source: Big Lost River

The maximum quantity diverted shall not exceed 930 acre feet per  
year.

Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 26, Twp. 4N, Rge. 26E, B.M.

Beneficial use: Irrigation of 310 acres within the NW $\frac{1}{4}$ , Sec. 4; NE $\frac{1}{4}$ ,  
Sec. 5, Twp. 3N, Rge. 27E, B.M.

Priority date established: May 15, 1975

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,

JAN GROVER  
Water Rights Supervisor

JG/kw

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System on  
next week  
start  
-3223  
Call back  
end of week

RECEIVED

~~JUL 2 1976~~

Department of Water Resources  
Eastern District Office

Permit No. 34-7112

Examination for b/u

1. Name of permit holder Clyde &/or Anita McAfee  
Post office address Rt. 1, Arco, ID 83213 Phone 527-3223 *call back end of week*

Person to contact \_\_\_\_\_ Phone \_\_\_\_\_

2. Source of water supply: Groundwater ☐ Surface water ☒ Big Lost River (name spring, stream, etc.)

Tributary to sinks III 2 19

3. Water will be used for the following purposes:

Amount 4.80 c.f.s. for Irrigation  
           AF/Annum (nature of use)

Period of Use: from April 1 to Nov. 1  
(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 \_\_\_\_\_  
(mo.-day) inclusive (mo.-day)

Other uses: \_\_\_\_\_

4. Total amount to be appropriated:

Max Rate of Diversion 4.80 cubic feet per second and annual volume \_\_\_\_\_ AF/Annum.

5. Location of Point(s) of Diversion:

Township 4N N/S, Range 26E E/W, B.M., Section 26, Subdivision NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Butte  
County

Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$ ,  
County \_\_\_\_\_

Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4, \_\_\_\_\_  
County \_\_\_\_\_

Other Points of Diversions: \_\_\_\_\_

Description of diverting works: 2 relift pumps, 60 hp & 65 hp, 1 center pivot, 6 wheel lines.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

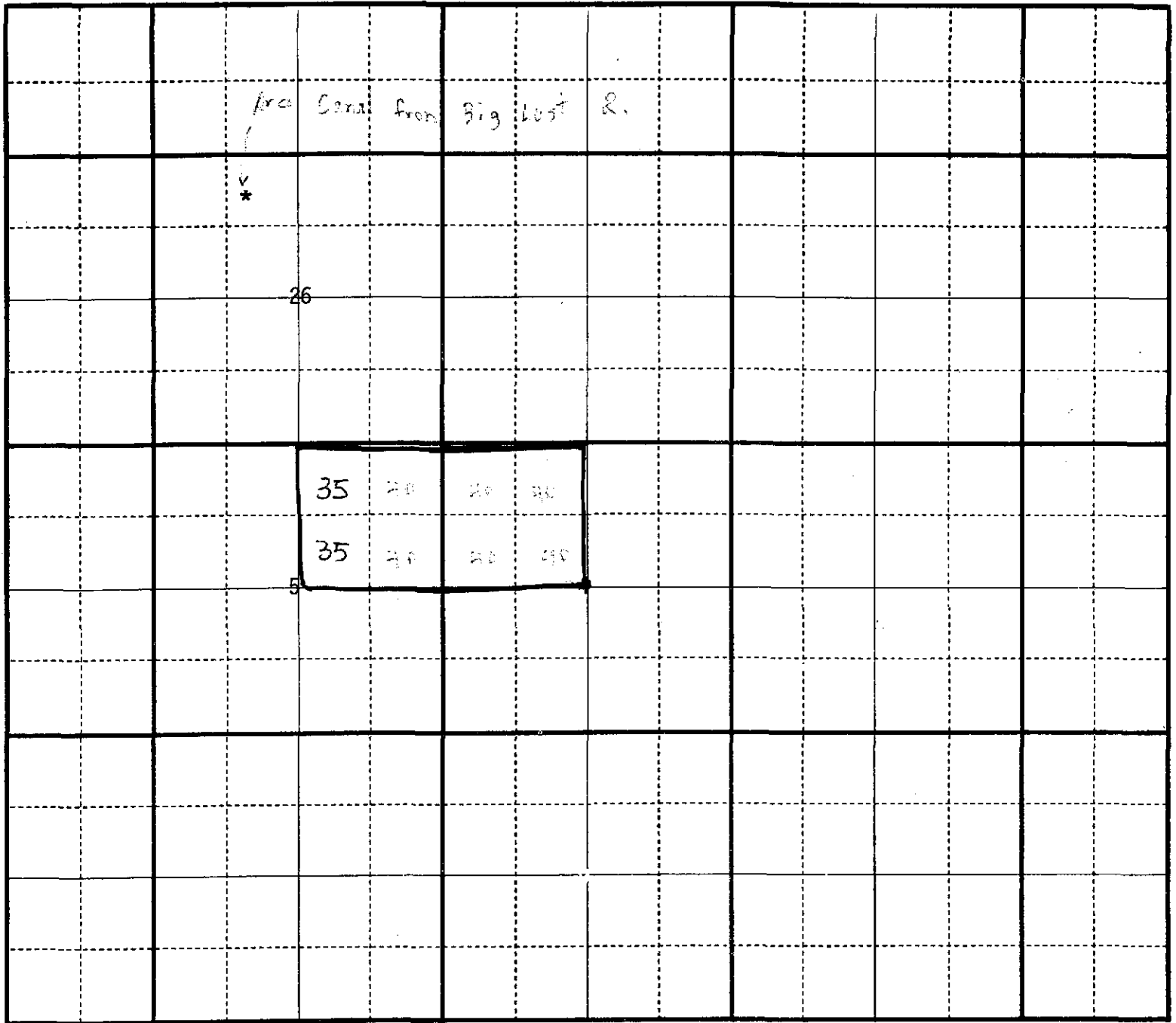
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**UNCLASSIFIED**

**TOTAL ACREAGE** \_\_\_\_\_ **320**

Rge. 26E

Rge. 27E



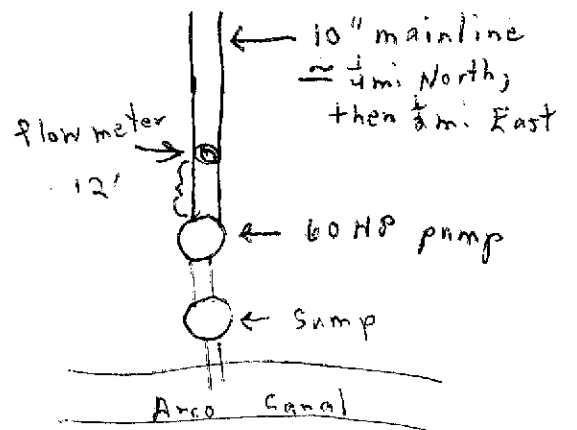
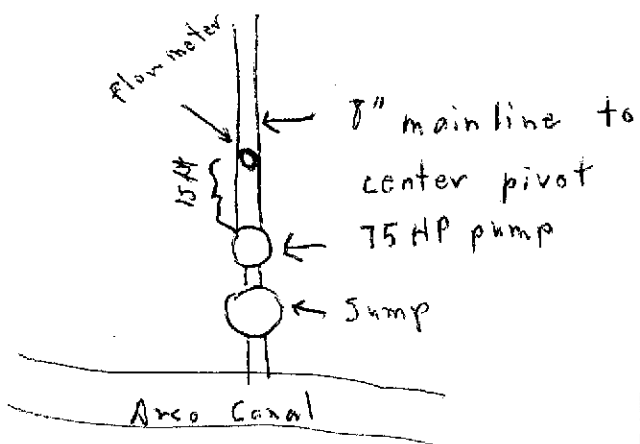
#1

Diagram of System

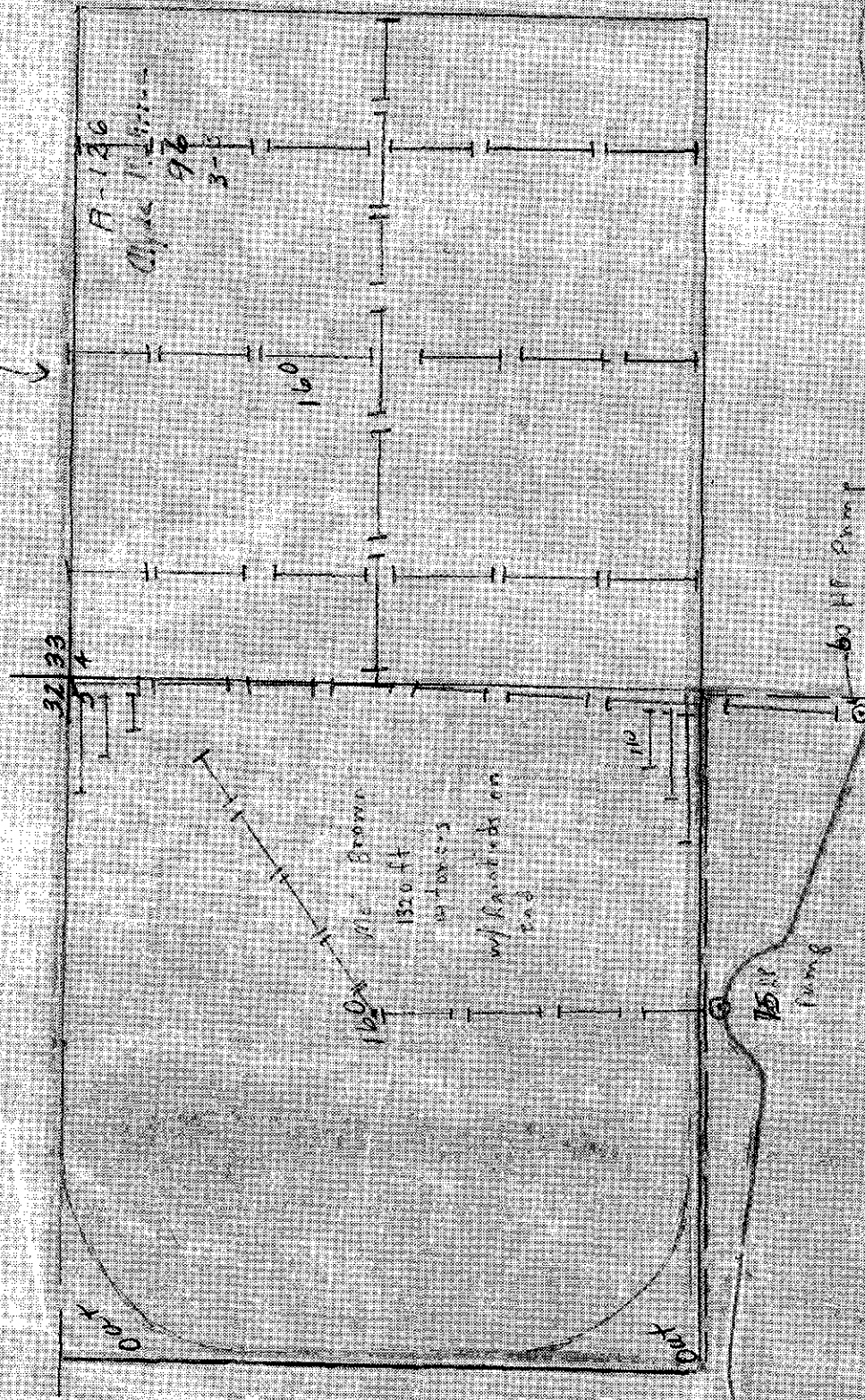
#2

N

N



6 wheel lines



Alco Canal

DATE OF EXAM Sept 15, 1976

ACREAGE  
Found 310  
Recommended 310

Irrigation Requirement 3.0 Ac Ft/Ac

USE  
Irrigation Q = 4.68 c.f.s. V = 930 AF/Ann. from Apr to Nov  
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: N.A.  
twp.        N/S, Rge        E/W, B.M., Sec.       , Sub.        1/4        1/4        County       

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

Total Q measured 4.68 cfs Method of measurement In Line Meter

Total Q recommended 4.68 <sup>10" 76651</sup> <sub>8" 755910</sub> Meter No.        Type Rot-A-Flare Condition New

Total V recommended 930 AF/Ann

Recommended Amendments:

P.D.         
Place of Use         
Other         
None ✓

MEASUREMENT CALCULATION:

2,100 gal/min / 448.8 = 4.68 cfs 10" = 1,000 gal/min 8" = 1,100 gal/min

$V = 310 \times 3.0 = 930 \text{ AF/yr} < 215 \times 4.67 \times 1.9835 = 1991.53$

SYSTEM DESCRIPTION:

Pump to C.P. 1: GE 75 HP SN: MJT 1212519; Motor Pump - Layne & Bowler  
SN 73-07589, to 8" main north  $\approx \frac{1}{4}$  mi to Mel Brown C.P. (1320+60)  
SN 311; Model 14090. Pump to wheel lines - motor: GE 60 HP, SN: KJJ 1031484.  
Pump: Layne & Bowler SN: 73-07590 to 10" main  $\approx \frac{1}{4}$  mi north, then  
2 mi East then 160' 5" portable main to NE corner of C.P. 160.  
main to 6 wheel lines  $\approx \frac{1}{4}$  mi, all w 5/8" nozzles & 6 short set lines in  
REMARKS: NE & SE corners of C.P. 160.

System and land shown by Clyde McAttee No.         
34-0043 covers same land w/ same p.d. - 1.6 cfs) - Transfer  
34-2509 - same land - except groundwater source. 1724

Examiner's Signature Bill Rhoads Date Sept 12, 1976

Checked by Anthony R. Kozlowski Date Jan. 16, 1978

Approved by        Date

July 1, 1976

Re: Permit No. 34-7111 & 34-7112

Clyde &/or Anita McAfee  
Route 1  
Arco, Idaho 83213

Dear Mr. & Mrs. McAfee:

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

RECEIVED  
JUL 1 1976  
IDAHO FALLS

RECEIVED  
JUN 28 1976

OK

Identification No. \_\_\_\_\_

Permit No. 34-7112

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Clyde &/or Anita McAfee  
b) Post Office Address Rt. #1, Arco, Idaho 83213
2. Permit Number 34-7112
3. Date of Priority that you are prepared to establish 5-15-75
4. a) Source from which water was appropriated Big Lost River  
b) Location of the point of diversion: NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Section 26  
Township 4N, Range 26E Boise Meridian, Other points of diversion: \_\_\_\_\_
5. a) The amount of water and use to which the water has been applied:  
Amount 4.80 for irrigation purposes from Apr. 1 to Nov. 1 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 4.80 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: Eugene Gabert, Watermaster, Water District 34
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:  
Arco Canal  
b) Describe the agreement or understanding by which you take water from the works: priority system
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) 2 relift pumps, 60 HP & 65 HP, 1 center pivot, 6 wheel lines.  
b) Describe the type and size of measuring device which you have installed at your point of diversion: 2 10" In-Line Meters  
c) Give well driller's name and address and the date the well was completed: N/A
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: N/A

RECEIVED

7-1-76



April 30, 1976

CERTIFIED MAIL

#138538

*see 34-7111  
for cert. and*

Re: Permit No. **34-7111**  
**34-7112**

**Clyde McAfee &/or Anita McAfee**  
Route # 1  
Arco, Idaho 83213

**Dear Mr. & Mrs. McAfee:**

**34-7111 &  
34-7112**

One of the conditions of approval of your water Permit No. \_\_\_\_\_ (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 **JULY 1, 1976**. 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*

**R. KEITH HIGGINSON**  
Director

RKH:jg  
Enc: Proof affidavit (2)

June 25, 1975

Re: Permits No. 34-7111 & 34-7112

C  
Clyde &/or Anita McAfee  
Route # 1  
Arco, Idaho 83213

O  
Dear Mr. & Mrs. McAfee:

Enclosed are copies of your approved Applications for Permit No. 34-7111 & 34-7112. We direct your attention to the conditions of approval as listed on the fourth page of each permit.

P  
Be sure to note that a special condition requiring you to install and maintain a measuring device at the point of diversion has been placed upon these permits. We have enclosed a letter describing different types of measuring devices accepted by the Department.

Sincerely,

Y  
BOBBY D. FLEENOR  
Chief, Water Rights

BDF:DR  
Enc: Copy of permit (2)  
Information ltr

cc: Eugene H. Gabert, Watermaster  
Big Lost River Irrigation District

bc: Eastern District Office - IDWR

MICROFILMED

June 9, 1975

RE: Application for Permit No. 34-7110, 34-7111, and 34-7112

M. Scott &/or Helen A. Walker  
P.O. Box 274  
Arco, Idaho 83213

Dear Mr. & Ms. Walker:

Please find enclosed the protest you submitted against the above referenced applications for permit. The Idaho Code specifies the following four items as reasons that can be considered by the Department at a protest hearing:

1. Will the proposed use reduce the quantity of water under existing rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The reasons that you have stated in your protest do not appear to fall in one of these categories, but can be pursued by a civil action through the courts.

If you feel you have a water right that will be damaged by these appropriations and wish to protest pursuant to the items listed above you may do so.

Since today is the last date of the official protest period, we will accept the protest received this date as an intent to protest and extend the period an additional 10 days to allow you time to specify your objections based on one of the issues that we can consider.

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

Very truly yours,

RONALD D. CARLSON  
District Engineer

RDC:CW

Enclosure

cc: IDWR - State Office

ENCLOSURE

1975

Department of Water Resources

Arco, Idaho  
June 7, 1975

Idaho Department of Water Resources  
R. Keith Higginson, Director  
1515 Lincoln Road  
Idaho Falls, Idaho 83401

RE: Application No. 34-7111 Dated 5-15-75  
Application No. 34-7112 Dated 5-15-75  
Application No. 34-7110 Dated 5-15-75

Dear Sir:

We protest the transfer of water in the above named Applications No. 34-7111 and No. 34-7112 by Clyde &/or Anita McAfee, Arco, Idaho and Application No. 34-7110 by Roundy & Godfrey, Arco, Idaho.

The easement right-of-way for the Arco Canal is 25 ft but at present 50 ft have been confiscated. The above named people have not attempted to purchase more water right-of-way through our property, they are plainly attempting to confiscate it. This action is in violation of our 5th Amendment to the Constitution of the United States of America, and we protest.

Yours sincerely,



M. Scott &/or Helen A. Walker

**MICROFILMED**

June 9, 1975

RE: Application No. 34-7110, 34-7111, and 34-7112

Mr. Mounty L. Dick  
316 S. Front  
Arco, Idaho 83213

Dear Mr. Dick:

Please find enclosed the protest you submitted against the above referenced applications for permit. The Idaho Code specifies the following four items as reasons that can be considered by the Department at a protest hearing:

1. Will the proposed use reduce the quantity of water under existing rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The reasons that you have stated in your protest do not appear to fall in one of these categories but can be pursued by a civil action through the courts.

If you feel you have a water right that will be damaged by these appropriations and wish to protest pursuant to the items listed above you may do so.

Since today is the last date of the official protest period, we will accept the protest received this date as an intent to protest and extend the period an additional 10 days to allow you time to specify your objections based on one of the issues that we can consider.

If you have any questions, please do not hesitate to contact our office.

Very truly yours,

RONALD D. CARLSON  
District Engineer

RDC: CW

Enclosure

cc: IDWR - State Office

MICROFILMED

Arco, Idaho  
June 7, 1975

Idaho Department of Water Resources  
R. Keith Higginson, Director  
1515 Lincoln Road  
Idaho Falls, Idaho 83401

RE: Application No. 34-7111 Dated 5-15-75  
Application No. 34-7112 Dated 5-15-75  
Application No. 34-7110 Dated 5-15-75

Dear Sir:

We protest the transfer of water in the above named Applications No. 34-7111 and No. 34-7112 by Clyde &/or Anita McAfee, Arco, Idaho and Application No. 34-7110 by Roundy & Godfrey, Arco, Idaho.

The easement right-of-way for the Arco Canal is 25 ft but at present 50 ft have been confiscated. The above named people have not attempted to purchase more water right-of-way through our property, they are plainly attempting to confiscate it. This action is in violation of our 5th Amendment to the Constitution of the United States of America, and we protest.

Yours sincerely,

*Mounty L. Dick*  
Mounty L. Dick

**MICROFILMED**

May 16, 1975

RE: Application for Permit No. 34-7110 Roundy & Godfrey  
" " " No. 34-7111 McAfee  
" " " No. 34-7112 McAfee

Arco Advertiser  
Box "C"  
Arco, ID 83213

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

RONALD D. CARLSON  
District Engineer

Bill submitted 6-3-75 by MB

RDC:MB

Enc: Legal Notice (3)

**MICROFILMED**

MS  
NOTICE OF APPLICATION  
FOR WATER PERMIT

Notice is hereby given that Clyde &/or Anita McAfee, Arco, Idaho, has on 5-15-75 submitted Application No. 34-7112 for a permit to appropriate 4.8 cubic feet per second of water to be diverted from the Big Lost River into the Arco Canal within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 26, T. 4N, R. 26E, B.M., Butte County; and thence rediverted from the Arco Canal by means of a pump to be used from Apr. 1 to Nov. 1 for the irrigation of 320 acres within the NW $\frac{1}{4}$ , Sec. 4, NE $\frac{1}{4}$ , Sec. 5, T. 3N, R. 27E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before June 9, 1975.

R. KEITH HIGGINSON  
Director

Published in the Arco Advertiser, Arco, Idaho on May 22 and May 29, 1975.

RECORDED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Clyde &/or Anita McAfee,

Arco, Idaho

has on 5-15-75 submitted Application No. 34-7112

for a permit to appropriate 4.8 cubic feet per second ~~acre feet per annum~~  
~~of water from~~ of water to be diverted from the Big Lost River into the Arco  
~~by means of~~ Canal within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 26, T. 4N, R. 26E, B.M., Butte  
~~within the~~ County; and thence rediverted from the Arco Canal by means of  
a pump

to be used from Apr. 1 to Nov. 1

for the irrigation of 320 acres

within the NW $\frac{1}{4}$ , Sec. 4, NE $\frac{1}{4}$ , Sec. 5, T. 3N, R. 27E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before June 9, 1975.

R. KEITH HIGGINSON

Director

Published in the Arco Advertiser, Arco, Idaho

on May 22 and May 29, 1975

MICROFILMED

*Arco Advertiser  
May 22, 1975*

1515 Lincoln Road

May 16, 1975

RE: Application for Permit No. 34-7110, 34-7111, 34-7112

C  
O  
P  
Y  
Big Lost River Irrigation District  
Box 205  
Mackay, Idaho 83251

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our Department as soon as possible. The last date of protest is June 9, 1975, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Very truly yours,

RONALD D. CARLSON  
District Engineer

RDC:MB

Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

Application No.

34 7112

LH 5-16-75

- ☒ Source  
☒ Point of Diversion *Not Mapped*  
☒ 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 *PD Not shown*  
☒ Signature  
☒ Fee

(1) " "

In form to receipt *yes*

(2) " "

Send Copies to:

- Idaho State Health Department  
Idaho Fish and Game Department  
Bureau of Land Management  
☒ *Big Lost R. Irr. Dist., Watermaster*  
Request Special Use Permit from U.S.F.S.  
Request Easement from B.L.M.  
Request Information from Applicant

(3) " "

(4) " "

In form for advertising *yes*

(5) " "

Platted on Map No. \_\_\_\_\_

(6) " "

Located within Water District No. *34*

(7) " "

*NA* Critical groundwater area: yes \_\_\_\_\_ no ☒

(8) " "

*NA* Groundwater levels:

\_\_\_\_\_ Declining, \_\_\_\_\_ Stable, \_\_\_\_\_ Increasing

(comment) \_\_\_\_\_

(9) " "

Other rights on the same place of use *yes*

(10) " "

*Surface Right 34-0043-1.6 cfs*  
Comments: *GLW Lic 34-2509-4.68 cfs. GLW right*  
*is subject to control of Big Lost R. watermaster.*

(11) MB 6/3/75

Affidavit of Publication received (date) *JUNE 3*

(12) CW 6/9/75

Final date for protests *JUNE 9, 1975*

Protests received: yes \_\_\_\_\_ no ☒

(13) RDC 6/9/75

All requested information received from agencies or applicant: yes *OK* no \_\_\_\_\_

(14) " "

Action recommended:

☒ Approve

\_\_\_\_\_ Deny

*5/15/75* Proposed Priority

Reason for Reduction \_\_\_\_\_

☒ Measuring device required

*see* attached sheet for other conditions of approval

*CONTROL WM #34*

No special conditions for approval

(15) District *E*

By *RDC*

Date *6/9/75*

RECEIVED

JUN 24 1975

Department of Water Resources

MICROFILMED