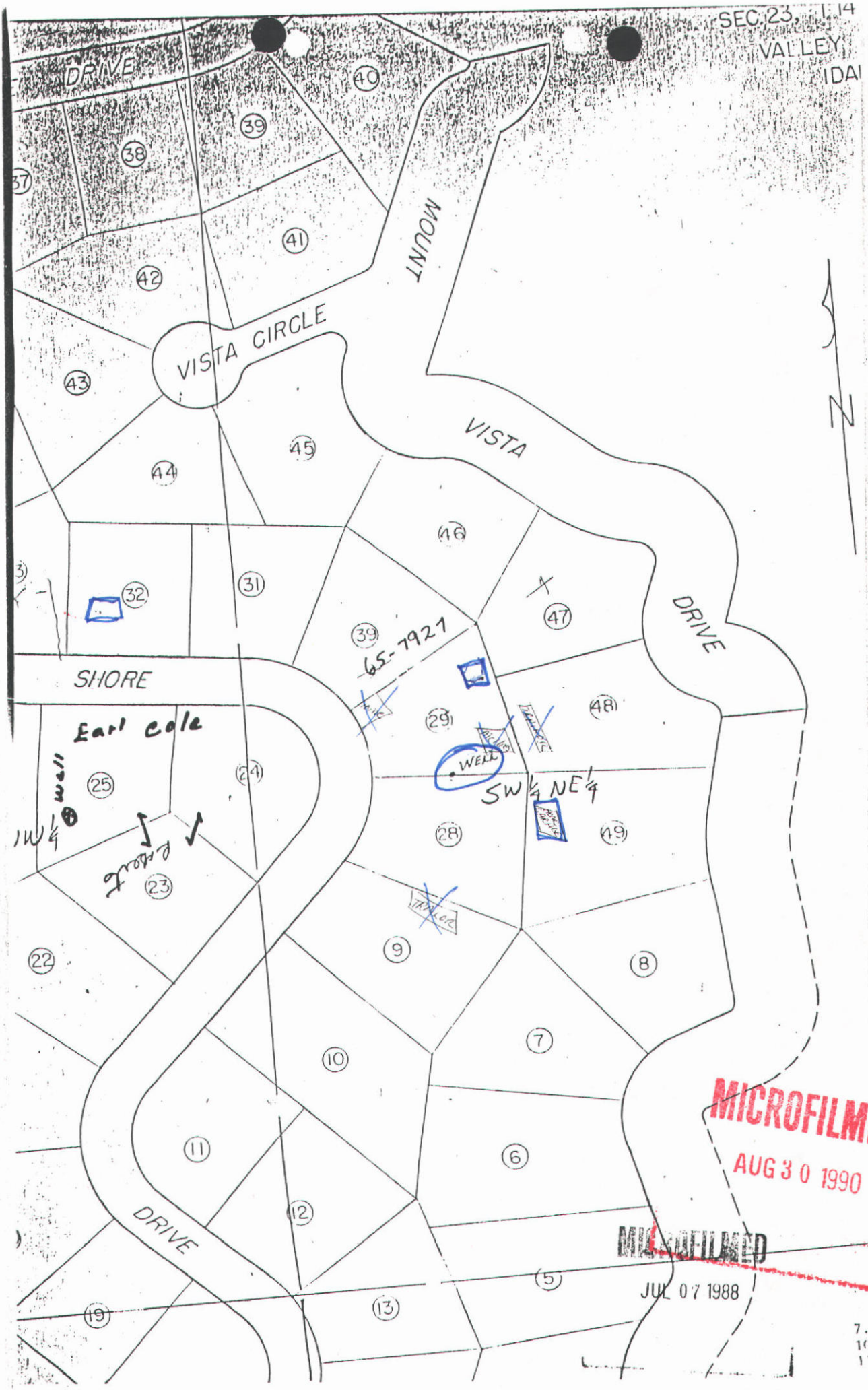
SEC. 23,
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65-7921
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Earl Cole
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# Affidavit of publication

STATE OF IDAHO

COUNTY OF VALLEY

I, Fred K. O'Brien, being duly sworn deposes and says, I am the Publisher of *The Advocate*, a weekly newspaper published at Cascade, in Valley County, Idaho; and having a general circulation therein and of legal status in said county.

The Notice of Proposed Change of Water Right, a copy of which is attached hereto; was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began:

3-21, 19 90

and ended 3-28, 19 90

F K O'Brien

Subscribed and sworn before me, this the

4th day of April, 19 90

On this 4th day of April, 19 90

I, a Notary Public in and for the State of Idaho, state that said person, Fred O'Brien, did in fact present me with this document and I did witness his signature on the document.

Colleen I Cole

~~Idaho~~, Notary Public residing at Cascade, Idaho

Com. Expires: 6/6/93

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APR 09 1990
Department of Water Resources
Western Regional Office

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AUG 30 1990

## PUBLIC NOTICES

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

33

**NO. 65-07927** V.S.T

Notice is hereby given that Richard D. Nelson, Carter B. Stewart, and LeRoy Mellies of Boise, Idaho has applied to the Department of Water Resources for a change of Lot Number in Subdivision of the water of Groundwater. The right sought to be changed is evidenced by License and is recorded as follows:

Amount: .11 CFS Priority: 10/15/1977

Point(s) of Diversion: T14N R03E S23 SWNE

The water is used for Domestic purposes in Lots 9, 29, 48, and 49, Crown Point Subdivision No. 4.

TO BE CHANGED AS FOLLOWS
Amount: .11 CFS

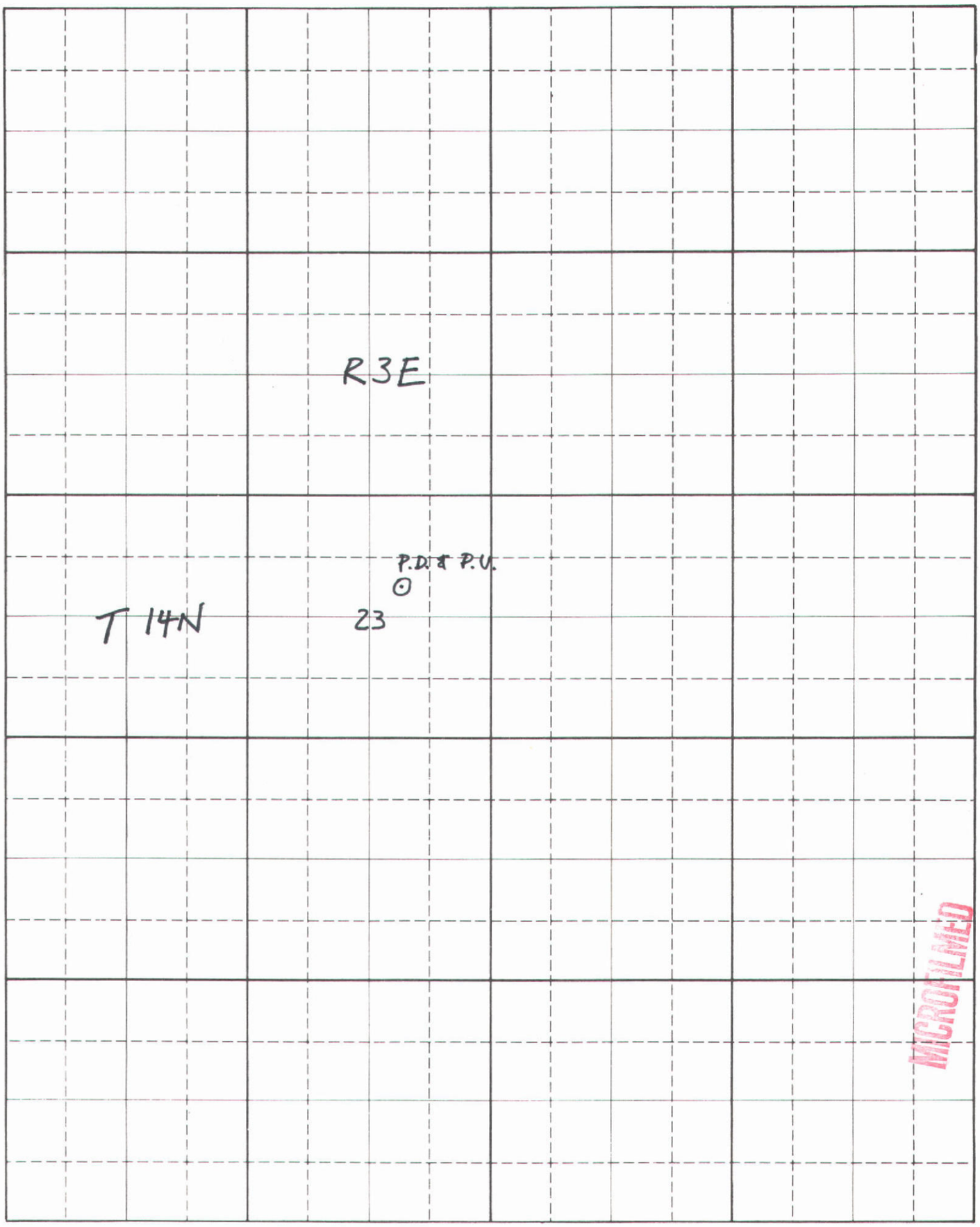
Point(s) of Diversion: T14N R03E S23 SWNE

The water will be used for Domestic purposes in Lots 29, 32, and 49, Crown Point Subdivision No. 4.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before April 9, 1990.

R. Keith Higginson
Director
Pub. 3/21 and 3/28/90

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

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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.

Lee Roy Miller
(Applicant)

MICROFILMED

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO ]
]ss.
County of Valley ]

Michael Parfit, being first duly sworn, deposes and says: That he is the publisher of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for ..Two.....consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began ..Aug. 25...., 19..77.... and ended ..Sept. 1...., 19..77....

.....

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this..1.....day of ..Sept...., 19..77...

.....Notary Public.

My commission expires ..August 1...., 19..81.....

**NOTICE OF APPLICATION FOR WATER PERMIT**

Notice is hereby given that JERRY L. CLAPP &/or LEE ROY MELLIES &/or CARTER B. STEWART Route 1 Eagle, ID has on August 16, 1977 submitted Application No. 65-7927 for a permit to appropriate 0.20 cubic feet per second of water from a groundwater source by means of well and pump within the SW¼NE¼ Sec 23 T14N-R3E B.M., Valley County to be used from Jan 1 to Dec 31 for domestic purposes within the SW¼NE¼ Sec 23 T14N-R3E.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before September 12, 1977.

C. STEPHEN ALLRED
Director

Published in the Star News, McCall, ID on August 25, 1977 and September 1, 1977.

OK RR
9-6-77

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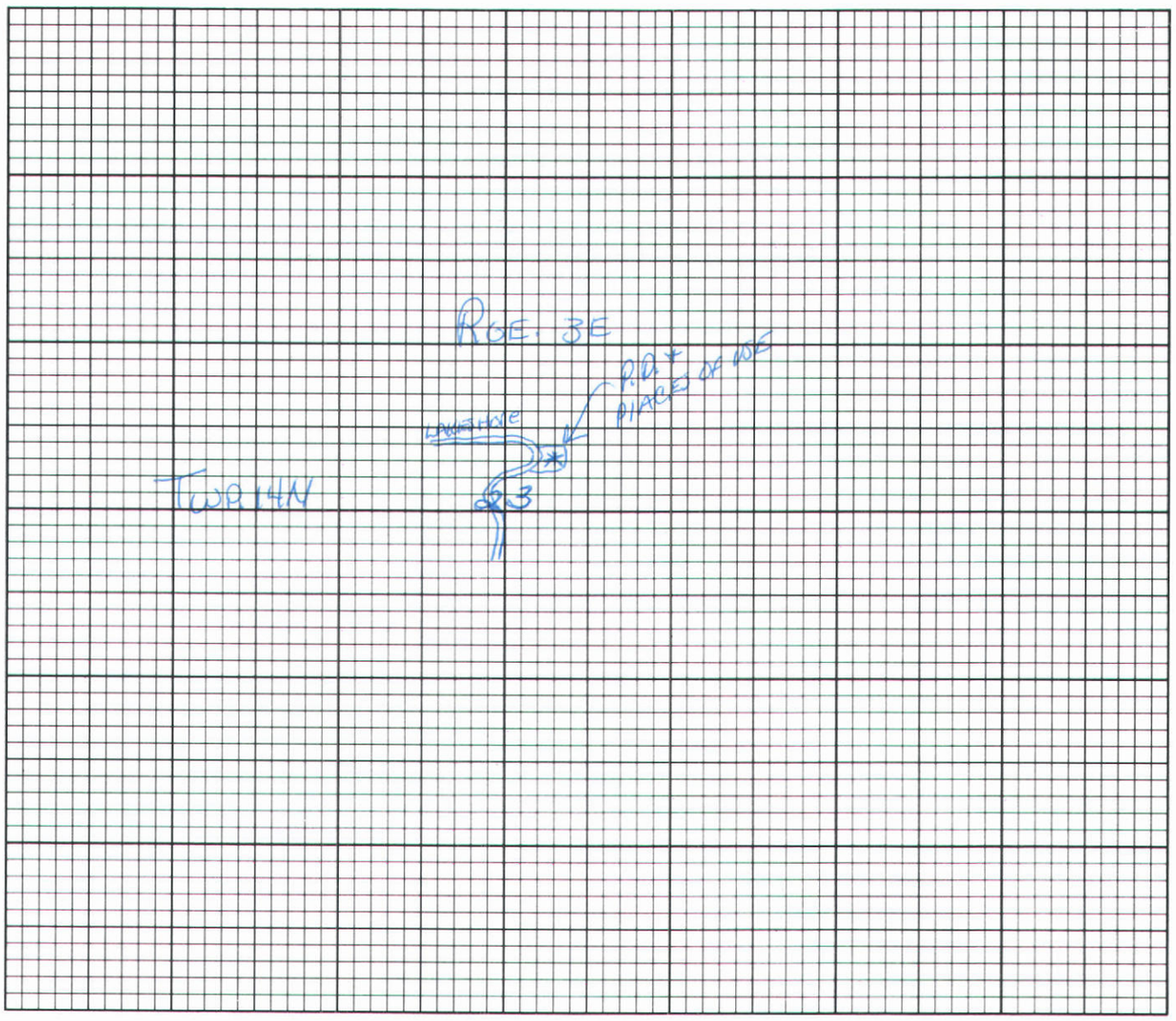
SEP
Department of Water Resources
Western Regional Office

10. Other water rights on these lands NONE

11. Other water right diverted from same p.d. NONE

12. **Diversion and Delivery System Diagram**: Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.




13. ☐ **Photo of Diversion & System Attached** ☒ **Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached**

14. Remarks

15. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

16. Examiner's/Consultant's Signature Jan Glover Date 1/31/85

Consultant's License Number

IDWR Director's Authorization to Conduct Beneficial Use Examination 6/28/84 Date

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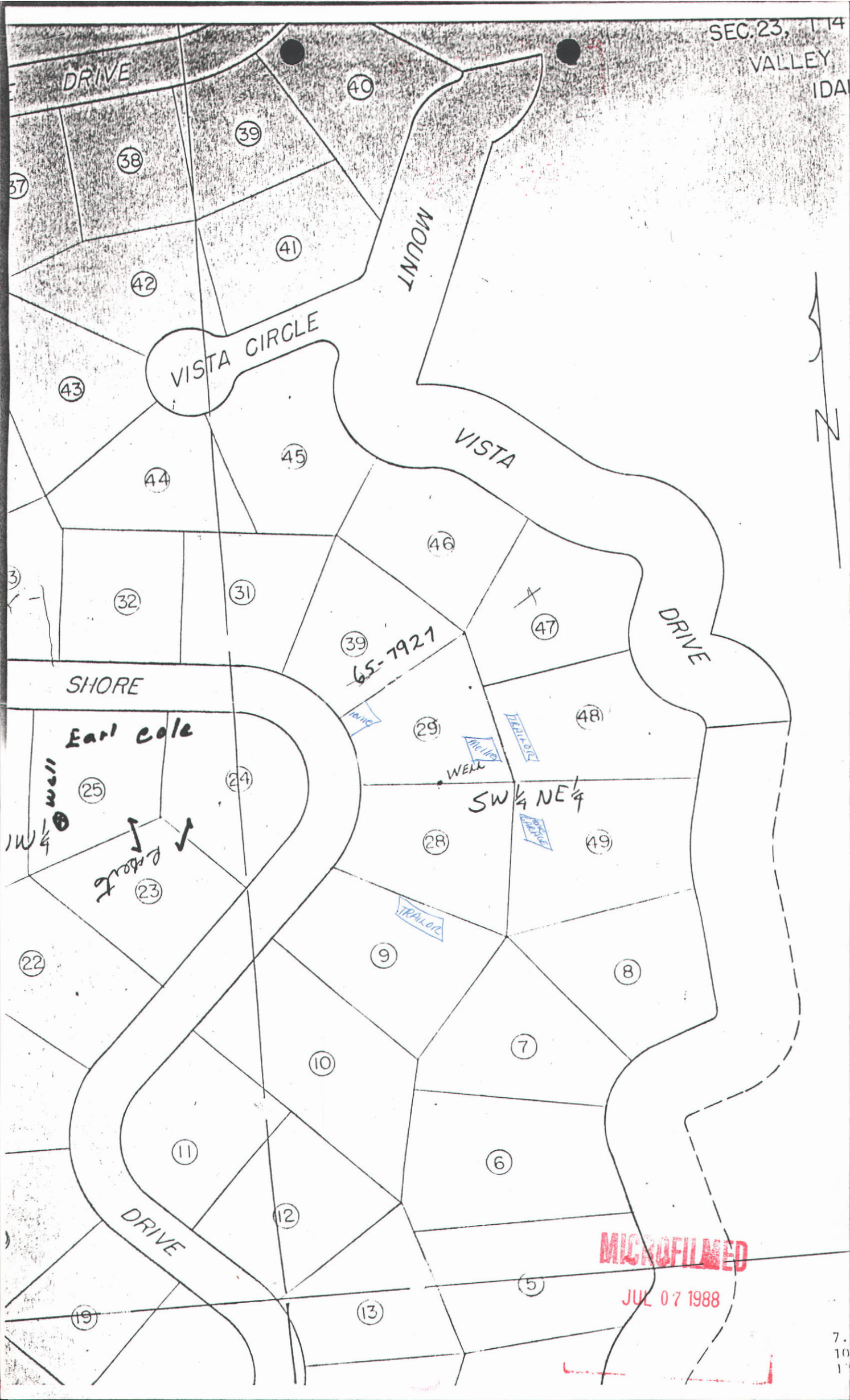
CONSULTANT SEAL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JUL 07 1988

Form 422
Rev 1-87

Page 1 of 2

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Department of Water Resources
Western Regional Office

# STATE OF IDAHO
# DEPARTMENT OF WATER RESOURCES

Transfer No. 65-07927
#3735

# APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED

## PART 1

Name of applicant LEE ROY MELLIES 6860 W. STATE, EAGLE, ID 83616
+/OR CARTER B. STEWART 6621 HUMMEL DR., BOISE, ID 83709
+/OR RICHARD D. NELSON 8202 S. GLOVERDALE RD., BOISE, ID 83709 Phone

Post Office address

### A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☑ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other

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FEB 12 1990
Department of Water Resources

2. Describe the reason for the proposed changes CORRECTION

### B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

| Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|---|---|---|---|---|
| 65-07927 | 10/15/77 | .11 CFS / 4.20 AFA | DOMESTIC | 1/1 to 12/31 |
| | | | | to |
| | | | | to |
| | | | | to |

2. Total amount of water being transferred .11 cubic feet per second and/or 4.20 acre-feet per annum.
3. Source of water GROUNDWATER tributary to
4. Point(s) of Diversion: NO CHANGE

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | | SW | NE | 23 | 14N | 3E | VALLEY | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

5. Lands irrigated or place of use: NO CHANGE

| Twp. | Rge. | Sec. | NE ¼ | | | | NW ¼ | | | | SW ¼ | | | | SE ¼ | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | |
| 14N | 3E | 23 | | | D | | | | | | | | | | | | | | |
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AUG 30 1990

Total acres

Transfer No _____

## PART 1

6 General Information

a. Description of diversion system 8" WELL, 100 GAL. PRESS. TANK, TO 3 HOMES

b Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes SEE ATTACHMENT

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

LOTS 9 AND 48 WERE NEVER HOOKED UP TO THIS WELL

d. Remarks

DOMESTIC USE FOR LOTS 29 (1 HOME) ~~32~~33* (1 HOME) AND 49 (1 HOME) ALL WITH LAWNS. Water lines & Fire hydrants to lots 28 and 47.

* change made 7-19-90 per visit of Jerry Millies & Cooker Stewart TJ Lake 7-19-90

## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 65-7927

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. Domestic use is for 3 homes within subdivision lots 29, 32 & 49. 2. The maximum annual volume of water under this right shall not exceed 3.6 afa.

Witness my hand this 2nd day of August, 19 90

L. Glen Saxton

Chief, Water Alloc. Bureau

MICROFILMED
AUG 30 1990

 Transfer No _____

**STATE OF IDAHO**
**DEPARTMENT OF WATER RESOURCES**

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 2

*(Attach one copy for each right)*

### A. DESCRIPTION OF RIGHT AS RECORDED

1 Right evidenced by

a Decree No _____ Decreed to _____

In case of _____ vs _____

dated _____ in _____ county of _____

b License No 65-07927 issued by the Idaho Department of Water Resources

c Claim No _____ on file with the Idaho Department of Water Resources

d Transfer No _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A Check appropriate box below. SEE ATTACHMENT

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water GROUNDWATER tributary to _____

4 Date or priority 10/15/77

5 Water is used for the following purpose

amount .11/4.20 (cfs/ac-ft) CFS/AFA for DOMESTIC purposes from 1/1 to 12/31

amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6 Total amount of water under right .11 cubic feet per second and/or 4.20 acre-feet per annum

7 Point(s) of Diversion.

| Lot | ¼ | ¼ | ¼ | Sec. | Twp | Rge. | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | | SW | NE | 23 | 14N | 3E | VALLEY | |
| | | | | | | | | |
| | | | | | | | | |

8. Lands irrigated or place of use

| Twp. | Rge. | Sec | NE ¼ | | | | NW ¼ | | | | SW ¼ | | | | SE ¼ | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | |
| 14N | 3E | 23 | | | D | | | | | | | | | | | | | | |
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Total acres _____

9 Describe any other water rights used for the same purpose as described above NONE

## PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ If yes, describe _____

### B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

*(If the entire right is to be changed by the applicant, omit part B and C.)*

1 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion

| Lot | ¼ | ¼ | ¼ | Sec | Twp. | Rge. | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | |
| | | | | | | | | |
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3. Lands irrigated or place of use

| Twp | Rge. | Sec | NE ¼ | | | | NW ¼ | | | | SW ¼ | | | | SE ¼ | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | |
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Total acres _____

### C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2 Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | |
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3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ | | | | NW ¼ | | | | SW ¼ | | | | SE ¼ | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | |
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Total acres _____

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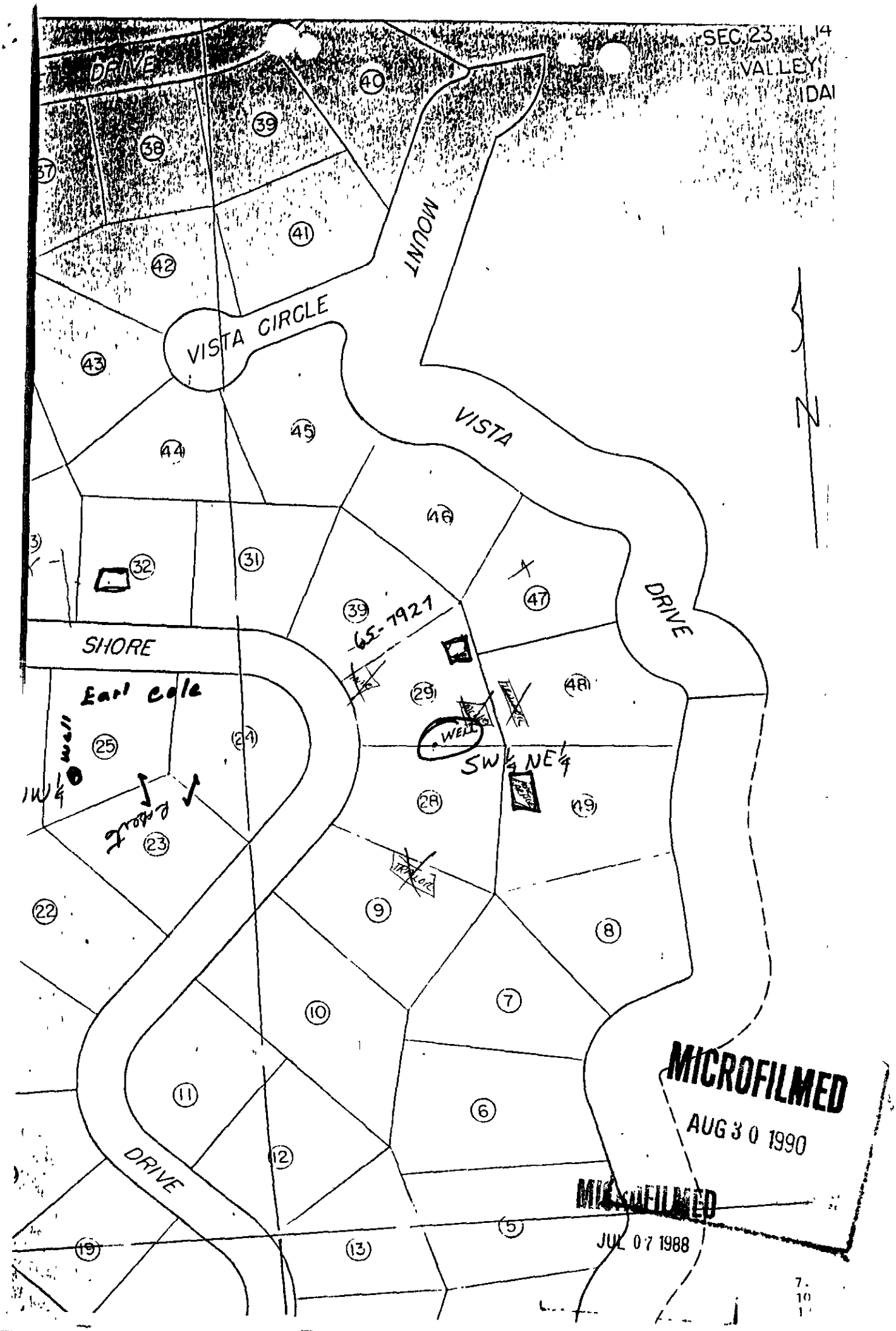
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ATTACHMENT

At the time of the field exam there was nobody available to accompany the examiner. The draft license was sent to the wrong address and was not received by the owners.

The place of use as licensed shows lots 9, 29, 48, and 49 for 5 homes. The correct place of use has always been 1 home on lot 29, 1 home on lot 32, and 1 home on lot 49.

Since this is just a correction, proof of ownership to appurtenant lands and notarized signatures from incorrectly licensed owners should not be required.

MICROFILMED
AUG 30 1990

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 3

**A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

SEE MAP ATTACHED

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AUG 3 0 1990

SCALE. 2 inches equal 1 mile. Draw plan in ink.

Transfer No. _____

## PART 3

### B. CHANGES IN NATURE OF USE

| 1 | New Nature of Use | Amount (cfs/ac-ft) | Hours/days/year | Period of Use |
|---|---|---|---|---|
| | | | | _____ to _____ |
| | | | | _____ to _____ |

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

x LeeRoy Mellin 2-12-90
(Signature of Applicant)

Subscribed and sworn to before me this 12 day of FEBRUARY, 19 90.

Jeff Peppersack, Notary Public
Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994

Jeff Peppersack (Notary Public)

My commission expires _____

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AUG 30 1990

### FOR DEPARTMENT USE ONLY

Transfer contains 6 NS pages and 2 2/14/90 attachments

Received by JP Date 2/12/90 Protest filed by -

Prelim. check by JP Fee 30.00

Receipted by JP Date 2/12/90

Published in The Advocate Copies of protest forwarded by _____

Pub dates 3/21 & 3/28/90 Hearing held by - Date _____

Watermaster recommendation requested on NA Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by DRT 7/3/90

Copy of transfer sent to lien holder _____

# Affidavit of publication

STATE OF IDAHO

COUNTY OF VALLEY

I, Fred K. O'Brien, being duly sworn deposes and says, I am the Publisher of *The Advocate*, a weekly newspaper published at Cascade, in Valley County, Idaho; and having a general circulation therein and of legal status in said county.

The Notice of Change of Water Right, a copy of which is attached hereto; was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began:

3-21, 19 90

and ended 3-28, 19 90

Fred K O'Brien

Subscribed and sworn before me, this the

4th day of April, 19 90

On this 4th day of April, 19 90

I, a Notary Public in and for the State of Idaho, state that said person, Fred O'Brien, did in fact present me with this document and I did witness his signature on the document

Colleen Clark

[redacted], Notary Public residing at Cascade, Idaho

Com Expires 6/6/92

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AUG 30 1990

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Department of Water Resources
Western Regional Office

State of Idaho
Department of Water Resources

# WATER RIGHT LICENSE

**WATER RIGHT NO. 65-7927**

**Priority:** October 15, 1977 Amount: .11 CFS 4.2 AFA

This is to certify, that JERRY L. CLAPP
LEE ROY MELLIES
CARTER B. STEWART

RT. 1
EAGLE, ID 83616 has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated August 16, 1977, and has submitted proof to the Department of Water Resources on November 30, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .11 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

| BENEFICIAL USE | PERIOD OF USE | RATE OF DIVERSION | VOLUME |
|---|---|---|---|
| Domestic | 01/01 to 12/31 | .11 cfs | 4.2 afa |

**LOCATION OF POINT OF DIVERSION(S):** SWNE , Sec. 23, Township 14N, Range 3E
Valley County

**PLACE OF USE:** Domestic

| TWN | RGE | SEC | |
|---|---|---|---|
| 14N | 3E | 23 | SWNE |

**CONDITIONS/REMARKS:**

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 5 homes within Lots 9, 29, 48 & 49, Crown Point Subdivision #4.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 31st day of May, 1988.

Director

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JUL 07 1988

880427

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

| | |
|---|---|
| IN THE MATTER OF PERMIT NO. 65-7927 IN THE NAME OF JERRY L. CLAPP &/OR LEE ROY MELLIES &/OR CARTER B. STEWART | ORDER OF REINSTATEMENT |

WHEREAS, the Department of Water Resources issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before October 1, 1982; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders as to the steps to be taken to make said proof; and,

WHEREAS, the Department has notified the permit holders that the permit has lapsed for failure of the permit holders to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on November 30, 1982;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-7927 be REINSTATED and the priority advanced to October 15, 1977.

Dated this 7th day of Feburary, 1983.

L. Glen Saxton

L. GLEN SAXTON

Chief, Operations Bureau

Identification No. _____

Application No 65-7927

APPROVED

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

## To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

LeeRoy

1 Name of applicant Jerry L. Clapp &/or ~~Murray~~ Mellies &/or Phone 286-7257
Carter B. Stewart

post office address Route 1 Eagle, ID 83616

2 Source of water supply groundwater which is a tributary of _____

3 a Location of point of diversion is SW ¼ of NE ¼ of Section 23 Township 14N
Range 3E B M Valley County; additional points of diversion if any: _____
Also known as Crown Point Sub. #4 - Lots 28 & 29 (on line)

b If water is not consumed, it will be discharged into _____ at a point in _____ ¼
of _____ ¼ of Section _____ Township _____ Range _____ B M _____

4 Water will be used for the following purposes.

Amount .20 (cfs or acre-feet per annum) for domestic purpose from Jan 1 to Dec 31 (both dates inclusive)

Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)

Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated

a .20 cubic feet per second and/or

b _____ acre feet per annum

6 Proposed diverting works

a Description of ditches, flumes, pumps, headgates, etc. well and pump

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

c Proposed well diameter is 8 inches, proposed depth of well is 192 feet

7 a Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years

b Estimated construction cost is $ 5000

8 Description of proposed uses

a If water is **not** for irrigation

(1) Give the place of use of water SW ¼ of NE ¼ of Section 23 Township 14N
Range 3E 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.

(5) If water is to be used for other purposes describe _____

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

| TWP | RANGE | SEC | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTALS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| | | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | |

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. None

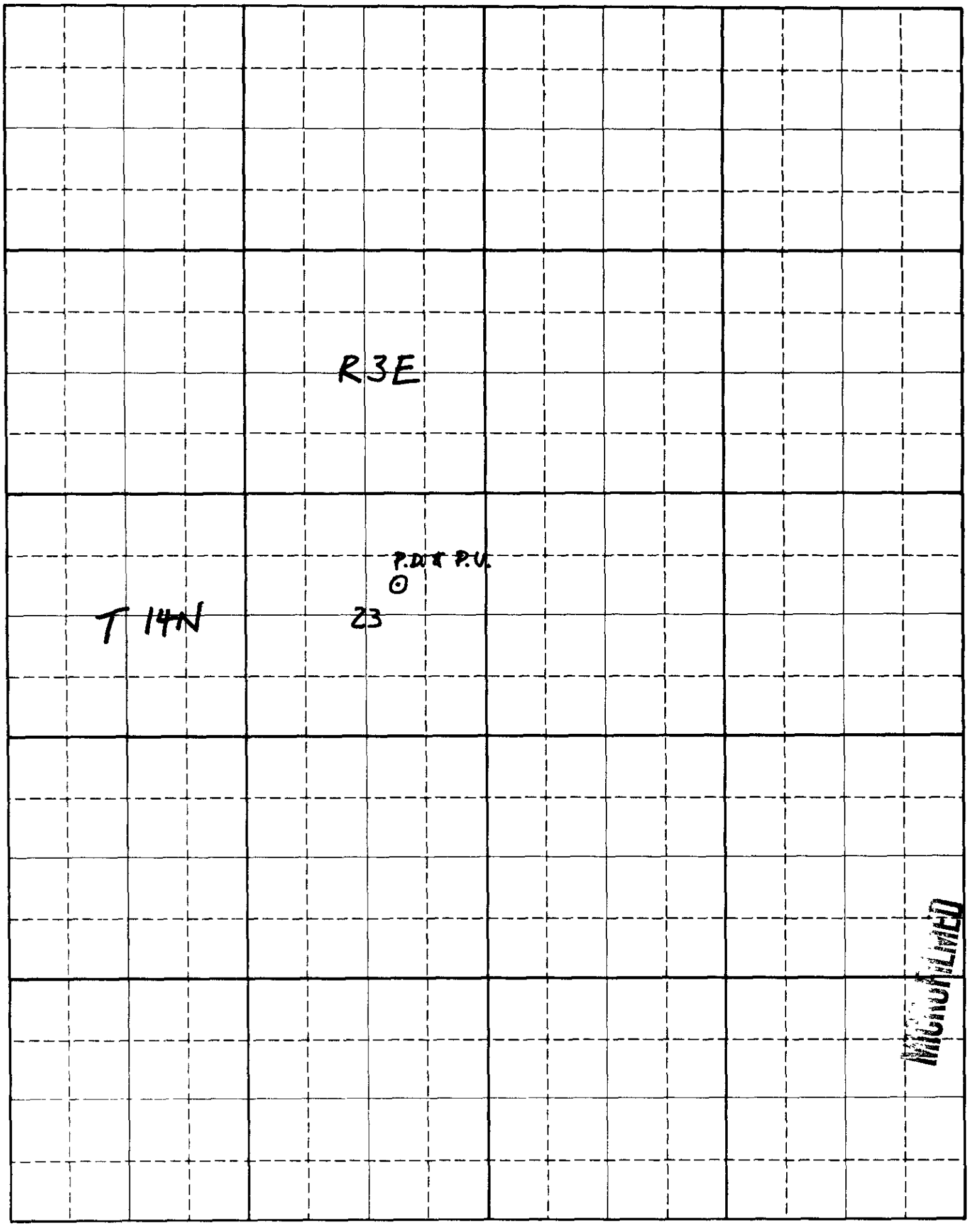
9 a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks

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




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.

Lee Roy Miller
(Applicant)

Proposed Priority 8/16/77

Received by DRT Date 16 Aug 77 Time 2:50 PM

Preliminary check by RWN Fee $ 10.00 # 8823

Receipted by LP Date 16 Aug 77

Publication prepared by [illegible] Date 8-19-77

Published in Star News

Publication dates Aug 25th Sept 1

Publication approved [illegible] Date 9-6-77

Priority reduced to _____ Reason _____

Protests filed by. _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by [illegible]

## 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 65-7927, 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 October 1, 1982.

c Other _____

2 Denial of said application is for the following reasons _____

Witness my hand this 13 day of October 1977.

A. Kenneth Dunn

Deputy Director

**PUBLISHER'S AFFIDAVIT**

STATE OF IDAHO ]
}ss.
County of Valley ]

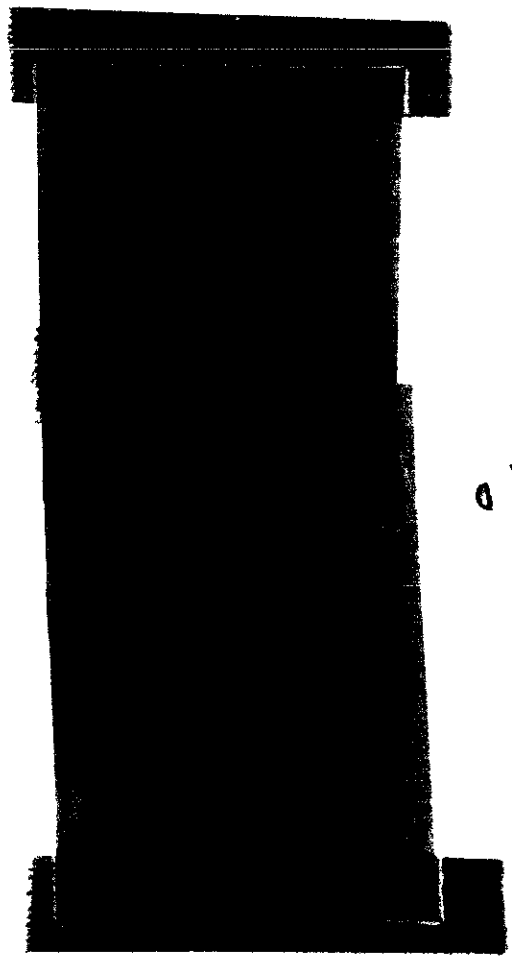
Michael Parfit, being first duly sworn, deposes and says: That he is the publisher of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for ...two.....consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began ...Aug. 25...., 19...77..., and ended ...Sept. 1...., 19...77....

.....

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this...1.....day of ...Sept....., 19...77...

.....Notary Public.

My commission expires ...August.....1..., 19.81.....



OK 9/8
9-6-77

August 13,1990

RE: Transfer of Water Rights Nos. 65-7927

Lee Roy Mellies &/or
Carter B. Stewart &/or
Richard D. Nelson
6860 West State
Eagle, ID 83616

Dear Mr. Mellies:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3735). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MICROFILMED
AUG 30 1990

**MEMORANDUM**

**TO:** FILE/JIM JOHNSON

**FROM:** TIM LUKE

**DATE:** July 19, 1990

**RE:** TRANSFER NO. 3735

Mr. Stewart and Mr. Mellies visited the office today in response to my last correspondence. Both men were upset about our request that consent be obtained from owners of lots which were described in the licensed right. They felt that the Department made the initial mistake of identifying lot numbers in the license and that a transfer should not have been required.

Review of the file shows that the draft license correspondence was returned to the Department by the postal service because of some problem with the address. Mellies' address has never changed and he does not know why the mail was returned to the Department by the postal service. I explained that the mail problem was not the fault of the Department and that the permit holders as a result lost their opportunity to make changes to the proposed license. Therefore, the only way they could make changes to the licensed right was by filing a transfer.

Mellies and Stewart accepted the fate of having to file a transfer. The transfer was made when they filed their adjudication claim earlier this year. They pointed out though that the only change being made is with the lot number descriptions. The lot numbers should include numbers 28, 29, 33, 47 and 49.

Review of the license examination shows that the examiner conducted the exam without any of the permit holders or representatives present. It appears that the lot numbers shown on the license were based on a map prepared by the examiner (they were probably the only lots in the immediate vicinity with homes on them). It seems that the lots may have been somewhat arbitrarily chosen. Whatever the case, the lots chosen were incorrect according to Mellies and Stewart and need to be changed. Since the 40 acre tract place of use description is being changed, I recommend that we waive the ownership consent requested by our previous correspondence.

MICROFILMED
AUG 30 1990

The only other inconsistency I find with the license and transfer is that the transfer indicates that only three homes presently exist on the five lots. According to Mellies and Stewart, the remaining two lots have water hook-ups and fire hydrants, but no homes. Water lines were stubbed to the lots at the time of the

exam, thus these lots would have been eligible for inclusion on the license. The transfer therefore should reflect use to five lots.

**Other recommendations:**

This memo supercedes my previous memo and recommendations dated July 3, 1990. No changes need be made concerning volume or rate of diversion. The following remark should be added to the database:

'Domestic use is for 5 homes within lots 28, 29, 33, 47 & 49.'

MICROFILMED
AUG 3 0 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

July 10, 1990

Lee Roy Mellies
6860 W. State St.
Eagle, ID 83616

RE: Transfer Application No. 3735/License No. 65-7927

Dear Mr. Mellies:

The transfer application which you filed along with Carter Stewart and Richard Nelson for the above referenced license has recently been forwarded from our regional office to the state office for final review.

The transfer application which you submitted includes an attached statement claiming that proof of ownership and notarized signatures from incorrectly licensed owners should not be required.

When reviewing transfer applications, it is standard procedure for the Department to request proof of ownership any time a change in place of use is proposed. Although this transfer pertains to a small water use and seeks only to make certain corrections, it nevertheless is removing water from two lots. The Department must ascertain that all individuals owning land to which a water right is appurtenant are notified of any transfer application which may result in removing water rights from their lands. The Department therefore does not agree with your attached statement that proof of ownership and consent of the other owners be waived and hereby requests that proof of ownership and consent be provided before further action is taken in processing of this transfer.

The Department will hold your application and all pertinent information for 60 days in order to allow you time in which to gather the additional documentation.

I apologize for any inconveniences caused in asking for this additional information at this time. The Department should have required this information upon initial review of the transfer application. Please feel free to contact me directly at 327-7864 if you have questions concerning this matter.

Sincerely,

Tim Luke
Sr. Water Resource Agent

MICROFILMED
AUG 30 1990

cc: Carter Stewart
Richard Nelson

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

July 10, 1990

Carter B. Stewart
6621 Hummel Dr.
Boise, ID 83709

RE: Transfer Application No. 3735/License No. 65-7927

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MICROFILMED
AUG 30 1990

Sincerely,

Tim Luke
Sr. Water Resource Agent

CC: Lee Roy Mellies
Richard Nelson

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

July 10, 1990

Richard D. Nelson
8202 S. Cloverdale Rd.
Boise, ID 83709

RE: Transfer Application No. 3735/License No. 65-7927

Dear Mr. Mellies:

The transfer application which you filed along with Lee Roy Mellies and Carter Stewart for the above referenced license has recently been forwarded from our regional office to the state office for final review.

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The Department will hold your application and all pertinent information for 60 days in order to allow you time in which to gather the additional documentation.

I apologize for any inconveniences caused in asking for this additional information at this time. The Department should have required this information upon initial review of the transfer application. Please feel free to contact me directly at 327-7864 if you have questions concerning this matter.

Sincerely,

Timothy J. Luke

Tim Luke
Sr. Water Resource Agent

MICROFILMED
AUG 30 1990

cc: Carter Stewart
Lee Roy Mellies

**MEMORANDUM**

**TO:** TIM

**FROM:** JIM JOHNSON

**RE:** TRANSFER APPLICATION

**DATE:** July 9, 1990

==========

Even though this transfer application deals with minor water use it nevertheless is removing water from two lots. I don't see any evidence in the file confirming that the owners of lots 9 and 48 have been notified of this action. I don't concur with the comment made on the attachment submitted with the transfer application stating that since the transfer was a correction notarized signatures from the lot owners are not required.

MICROFILMED
AUG 3 0 1990

**MEMORANDUM**

**TO:** FILE

**FROM:** TIM LUKE

**DATE:** July 3, 1990

**RE:** TRANSFER APP. 3735/ LICENSE 65-7927

==========

This transfer has been filed to clarify information in the file concerning the specific place of use and number of domestic uses serviced by the system under the above license.

The field exam was conducted without the presence of one of the permit holders. Based on the field examiners recommendations, a license was issued for five domestic uses (including 2 lawns). As per this transfer, the system actually services three domestic uses, all with lawns. The correction should not alter the licensed flow rate, but would lower the annual volume to 3.6 acre-feet as per the guidelines of the Department.

The specific subdivision lot place of use descriptions given by the transfer does not change the legal place of use description already licensed. **However, I recommend that we add to the remarks section of the database that the place of use is limited to subdivision lot no.s 29, 32, & 49. Also, change annual volume to 3.6 afa.**

Conditions:

Domestic use is for 3 homes within subdivision lots 29, 32 & 49.

The maximum annual volume of water under this right shall not exceed 3.6 afa.

MICROFILMED

AUG 3 0 1990

Form 222a
6/78

# STATE OF IDAHO
# DEPARTMENT OF WATER RESOURCES
# TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: _____ Richard D. Nelson

1. Right number 65-07927 Applicant LEE Roy MELLIES, CARTER B. STEWART,
2. Type of right: ☐ Decree ☑ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
   ☑ Other change LOT Numbers in Subd
4. Check
   a. ☑ Source ☑ Priority ☑ Amount ☑ Purpose ☑ Period of use
   b. ☑ Description of original point of diversion. N/A
   c. ☑ Description of original place of use N/A
5. Amount of land &/or water transferred:
   a. ☑ All of right.
   b. ☐ Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).*
   c. ☑ Check description of point(s) of diversion. N/A
   d. ☑ Check description of place of use.
   e ☑ Check map (shows p d. and p.u. after transfer).
   f. ☑ Check for correct signature, notarization, and fee.
   g. ☑ Check proof of ownership of right &/or land from which water is transferred. N/A
   h. ☑ Check for expansion in use of right. Comments N/A
   i. ☑ Check for existing water rights from same source, on land water is being transferred to.
      Right number(s) N/A
   j. ☑ Is use within a Watermaster District? ☑ Yes ☐ No
      If yes, what district? 65

FINAL PROCESSING REVIEW BY: DRR

1. Watermaster recommendation requested on NR Received on _____
2. Is transfer published correctly? ☑ Yes ☐ No
3. Protest received? ☐ Yes ☑ No

RECOMMENDED ACTION

1. ☑ Approve
2. ☐ Deny
3. Conditions* _____
4. By DRR Date 6/28/90

RJZ 7-3

MICROFILMED
AUG 30 1990

RECEIVED
JUL 02 1990
Department of Water Resources

** All uses within Watermaster Districts require special conditions*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 65-07927

Notice is hereby given that Richard D. Nelson, Carter B. Stewart, and LeeRoy Mellies of Boise, Idaho has applied to the Department of Water Resources for a change of Lot Number in Subdivision of the water of Groundwater. The right sought to be changed is evidenced by License and is recorded as follows:

Amount: .11 CFS Priority: 10/15/1977

Point(s) of Diversion: T14N R03E S23 SWNE

The water is used for Domestic purposes in Lots 9, 29, 48, and 49, Crown Point Subdivision No. 4.

TO BE CHANGED AS FOLLOWS

Amount: .11 CFS

Point(s) of Diversion: T14N R03E S23 SWNE

The water will be used for Domestic purposes in Lots 29, 32, and 49, Crown Point Subdivision No. 4.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before April 9, 1990.

R. Keith Higginson
Director

Published in the Advocate on 3/21 and 3/28/1990

MICROFILMED
AUG 30 1990

May 31, 1988

JERRY L. CLAPP
LEE ROY MELLIES
CARTER B. STEWART
RT. 1
EAGLE, ID 83616

RE: PERMIT NO. 65-07927

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
JUL 07 1988

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED
MAR 31 1988
Department of Water Resources

BOISE
MAR28'88
IDAHO

U S POSTAGE
$0.22

PRESORTED FIRST CLASS

Please provide
Water Right
Permit No. 63-12203
for Bellevue
Cattle Co.
BB
4/1/88

MICROFILMED
JUL 07 1988

March 24, 1988

JERRY L. CLAPP
RT. 1
EAGLE, ID 83616

RE: Permit No. 65-7927

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
JUL 07 1988

Form 2T9A
2/84

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# BENEFICIAL USE FIELD REPORT

RECEIVED
MAR 25 1988
Department of Water Resources

1. Owner: Jerry L. Clapp +/or LeRoy Mellin +/or Carter B. Stewart Permit No. 65-7927
Current Address: Route 4, Eagle, ID 83616 Phone No. 286-7357

2. Accompanied by: NOBODY HOME EXAM. DATE: 6/28/84
Address: _____ Phone No. _____
Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

4.

| Well/Diversion* No. | Motor Make | HP | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---|---|---|---|---|---|
| | | 1½ | | GOULD | 10SJ |
| MOTOR DATA NOT AVAILABLE - SUBMERSED | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
8" well w/4" lines to homes. 100 gallon pressure tank in pumphouse. Lines branch off to various homes (5) as outlined in remarks.

6.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|---|---|---|---|---|---|---|
| | N/A | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

7. Measurements N/A ☐ Additional data/computation sheets attached

8. Point(s) of Diversion: Indicate Method of Determination

| Ident # | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | Survey Information from Known Corner | County | Remarks |
|---|---|---|---|---|---|---|---|---|---|
| | | SW | NE | 23 | 4N | 3E | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

9. Place(s) of Use: Irrigation - give acres served by system at time of exam.
Indicate Method of Determination _____

| Twp. | Rge. | Sec. | NE I/4 | | | | NW I/4 | | | | SW I/4 | | | | SE I/4 | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE I/4 | NW I/4 | SW I/4 | SE I/4 | NE I/4 | NW I/4 | SW I/4 | SE I/4 | NE I/4 | NW I/4 | SW I/4 | SE I/4 | NE I/4 | NW I/4 | SW I/4 | SE I/4 | |
| 4N | 3E | 23 | | | X | | | | | | | | | | | | | | |
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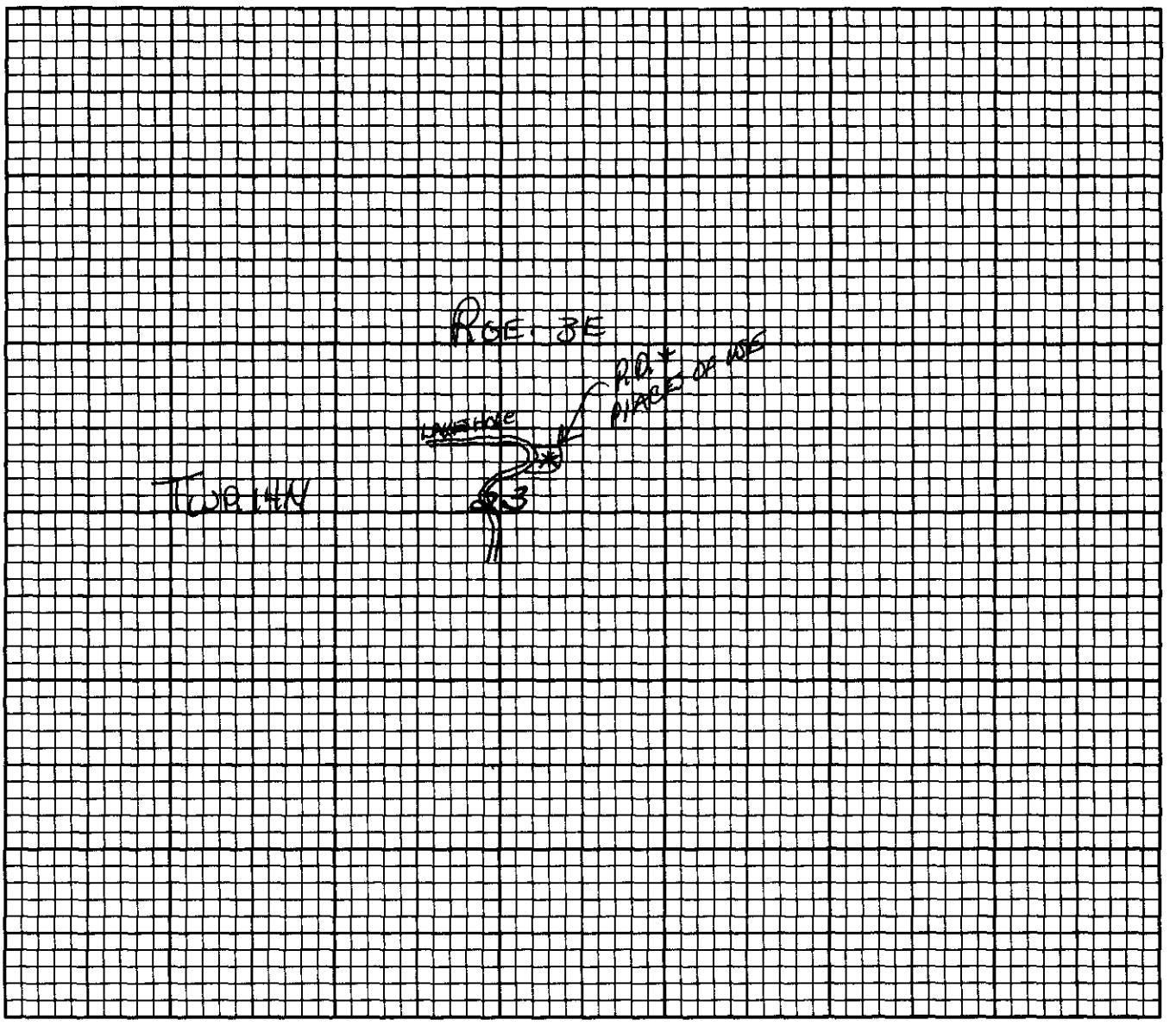
RECEIVED
JUL 07 1988
Water Resources

Total Acres _____

10. Other water rights on these lands NONE

11. Other water right diverted from same p.d. NONE

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.




13. ☐ **Photo of Diversion & System Attached** ☒ **Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached**

14. Remarks

15. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

16. Examiner's/Consultant's Signature Jan Glover Date 1/31/85

Consultant's License Number

IDWR Director's Authorization to Conduct Beneficial Use Examination 6/28/84 Date

MICROFILMED JUL 07 1988

CONSULTANT SEAL

SEC. 23, T. 14
VALLEY,
IDAI

DRIVE

VISTA CIRCLE

MOUNT VISTA DRIVE

SHORE

Earl Cole

SW¼ NE¼

WELL

TRAILORS

MICROFILMED

JUL 07 1988

Subdivision Map
for Crown Point Sub. # 4

Form 2198
5/84

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**LICENSING REPORT**

RECEIVED
MAR 25 1986
Department of Water Resources

45-7927
Permit No

1. **Measurement Calculations**
   a) Field Measurement Calculations (Include theoretical capacities and system capacity)

N/A

   b) Volume Calculations for Irrigation:

$V_{IR}$ = (Acres Irrigated) x (Irrigation Requirement) = N/A
$V_{DR}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = _____
V = Smaller of $V_{IR}$ and $V_{DR}$ = _____

   c) Volume Calculations for Other Uses:

DOMESTIC - 5 DWELLINGS - APPROX. 2 LAWNS
5 x .6 = 3.0 af/ann + 2 x .6 = 1.2 = 4.2 af/ann.
OR
.11 CFS (5 HOMES) x 1.9835 x 365 days = 79.6 af/ann.

2. **Overlap Review**
   a) Other water rights with same place of use: NONE

   b) Other water rights with same point of diversion: NONE

   c) Analysis:

MICROFILMED
JUL 07 1988

## RECOMMENDED AMOUNTS

3.

| Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
|---|---|---|---|---|---|
| | | | | | |

4. Permit Holder: _____

   Address: _____

5. Source: GROUNDWATER tributary to _____

6.

| Beneficial Use | Period of Use From | Period of Use To | Rate of Diversion Q (cfs) | Annual Volume V (afa) |
|---|---|---|---|---|
| DOMESTIC - 5 UNITS | 1-1 | 12-31 | 0.11 cfs | 4.2 afa |
| | | | | |
| | | | | |
| | | | | |

Allowable Maximums: 0.11 cfs 4.2 afa
(from chart for domestic use)

7. Point(s) of Diversion:

| No. | Govt. Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | |
| | | | | | | | | |
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8. Place(s) of Use

| Twp. | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | 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 | |
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| Total Acres _____ | | | | | | | | | | | | | | | | | | | |

9. Recommended Conditions/Remarks: _____

FILMED
JUL 07 1988

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other _____

11. Examiner's Signature Dan Glover Date 1/31/85

Checked in Regional Office by GLS Date 3/20/86

Approved in State Office by _____ Date _____

S A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES
Western Region

---

Statehouse
Boise, Idaho 83720
(208) 334-2190

MARCH 1, 1983

LEE ROY B. MELLIES
RT. 1
EAGLE ID 83616

RE: Permit No. 65-7927

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Enclosed please find a copy of an order involving your permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,
s/Judy Pense
Secretary

Enclosure

MICROFILMED
JUL 07 1988

CALCULATION OF NEW PRIORITY DATE

FROM: Rita Fleck

TO: File # 65-7927

DATE: 2-2-1983

| | | |
|---|---|---|
| Date Proof Received | 334 | Nov. 30 |
| Proof Due | 274 | ~~Oct.~~ 1, 1982 |
| Number of Days Proof Late | 60 | |

| | | |
|---|---|---|
| Priority Date | 228 | Aug. 16, 1977 |
| Number of Days Proof Late | 60 | |
| New Priority Date | 288 | = Oct. 15, 1977 |

Remarks

LeeRoy & Mellissa
RT 1
Eagle, Idaho 83616

RECEIVED
NOV 30 1982
Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

## DEPARTMENT OF WATER RESOURCES

The Idaho Depart[illegible]t of Water Resources will consider this card as a st[illegible]ment that the permit holder(s) has com[illegible]ed development to the extent shown below of Per[illegible] No. 65-7927

Name(s) of Permit Holder: Lee Roy B. Mellies

Post Office Address: RT 1

Eagle, Id 440 83616 Tel No. 286 7257

Source of Water: Well

Extent of Use:
- ☒ Domestic 3 (number of households)
- ☐ Stockwater _____ (number and type of stock)
- ☐ Irrigation _____ (acres)
- ☐ Other _____

Measuring Devices: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

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

11-26-82
Date

Lee Roy B Mellies
Signature of Permit Holder

# WARNING

## CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

November 16, 1982

Jerry L. Clapp and/or
Lee Roy Mellies and/or Carter B. Stewart
Rt. 1
Eagle, ID 83616

Dear Sirs:

Re: Permit No. 65-7927

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 65-7927 has lapsed. This office did not receive either a notice that you have completed the project by the date required on your permit, or a request for an extension of time. You were provided the proper forms in our notice to you dated July 31, 1982.

Your permit cannot be reinstated unless you submit the statement of beneficial use postcard or submit a extension of time request showing reasonable cause for delay. Either the completed postcard or the extension request must be received by this office within sixty days of the date of this lapse notice or the permit will no longer be of any force or effect.

A statement of beneficial use postcard and a requests for extension of time form are enclosed for your use. Please note that a fee of $15.00 must accompany an extension of time request.

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

GS:rf

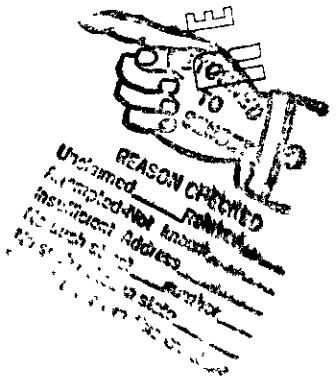
CERTIFICATE OF MAILING
I hereby certify that on 11-22-1982 a copy of the foregoing instrument was deposited in the United States mail postage prepaid addressed to the parties set forth above.
Rita Fleck

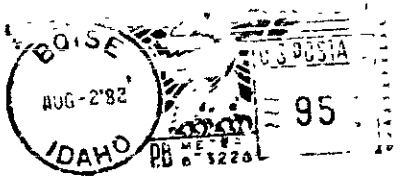
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
house
Boise, Idaho 83720

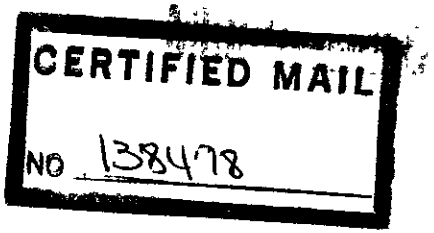
RECEIVED
AUG 4 1982
Department of Water Resources

Unknown

3



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

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

MELLIES, Lee Roy &/or STEWART, Carter B.
CLAPP, JERRY L.
ROUTE 1
EAGLE, ID 83616

JULY 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-7927 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE OCTOBER 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECIEVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

Rita Fleck

RITA FLECK
SR. SECRETARY

ENC: 1

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

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STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
138478

MELLIES, Lee Roy &/or STEWART, Carter B.
CLAPP, JERRY L.
ROUTE 1
EAGLE, ID 83616

JULY 31, 1982

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SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

October 20, 1977

Re: Permit No. 65-7927

Jerry L. Clapp
LeeRoy Mellies
Carter B. Stewart
Route 1
Eagle, ID 83616

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 65-7927 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

| Item | Initial | Date | |
|---|---|---|---|
| | | | Application No. 65-7927 |
| | | | ✓ 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 |
| (1) | RWH | 8-16-77 | In form to receipt ____ Pre-permit exam ____ Adjudication Claim ____ Dam Construction Papers Sent |
| (2) | ____ | ____ | Send Copies to: |
| | | | ✓ Idaho State Health Department |
| | | | ____ Idaho Fish and Game Department |
| | | | ____ Bureau of Land Management |
| | | | ____ |
| (3) | ____ | ____ | ____ Request Special Use Permit from U.S.F.S. |
| | | | ____ Request Easement from B.L.M. |
| | | | ____ Request Information from Applicant |
| | | | ____ Request Dam Safety Information |
| (4) | RWH | 8-16-77 | In form for advertising |
| (5) | ____ | ____ | Platted on Map No. ____ |
| (6) | ____ | ____ | Located within Water District No. ____ |
| (7) | ____ | ____ | Critical groundwater area: yes ____ no ✓ |
| (8) | ____ | ____ | Groundwater levels: |
| | | | ____ Declining, ____ Stable, ____ Increasing |
| | | | (comment) ____ |
| (9) | ____ | ____ | Other rights on the same place of use |
| (10) | ____ | ____ | Comments: none |
| (11) | rf | OK | Affidavit of Publication received (date) 9-6-77 |
| (12) | ____ | ____ | Final date for protests 9-12-77 |
| | | | Protests received: yes ____ no ✓ |
| (13) | ____ | ____ | All requested information received from agencies or applicant: yes ____ no ____ |
| (14) | ____ | ____ | Action recommended: |
| | | | ✓ Approve ____ Deny |
| | | | 8-16-77 Proposed Priority |
| | | | ____ Reason for Reduction ____ |
| | | | NO Measuring device required |
| | | | ____ See attached sheet for other conditions of approval |
| | | | ____ No special conditions for approval |
| (15) | District W | | By ____ Date 9-8-77 |

September 1, 1977

Re: Application for Permit NO. 65-7927

Jim Jenkins
Central District Health
1455 North Orchard
Boise, ID 83704

Dear Mr. Jenkins:

Enclosed is a copy of the above referenced application for permit which may be of interest to your agency. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

Enc.

# DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
*Governor*

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190


August 19, 1977

Re: Application for Permit No. 65-7905 -- Vernard &/or Donna Cochran
65-7925 -- W. E. &/or Lorraine Sellman
65-7926 -- " " " "
65-7927 -- J. L. Clapp &/or L. R. Mellies &/or C. B. Stewart
65-7932 -- E. Y. Pruitt
65-7933 -- John Cosho
77-7064 -- Paul &/or Virginia Woods

The Star News
Box 985
McCall, ID 83638

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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)

Please send the affidavit of publication and publication billing to this office before September 12, 1977.

Sincerely,

RITA FLECK
Secretary

Bill submitted
9-6-77

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that JERRY L. CLAPP &/or LEE ROY MELLIES &/or CARTER B. STEWART Route 1 Eagle, ID has on August 16, 1977 submitted Application No. 65-7927 for a permit to appropriate 0.20 cubic feet per second acxxfeetxx per annum of water from a groundwater source by means of well and pump within the SW¼NE¼ Sec 23 T14N-R3E B.M., Valley County

to be used from Jan 1 to Dec 31 for domestic purposes

within the SW¼NE¼ Sec 23 T14N-R3E.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before September 12, 1977.

C. STEPHEN ALLRED

Director

Published in the Star News, McCall, ID on August 25, 1977 and September 1, 1977.

MICROFILMED