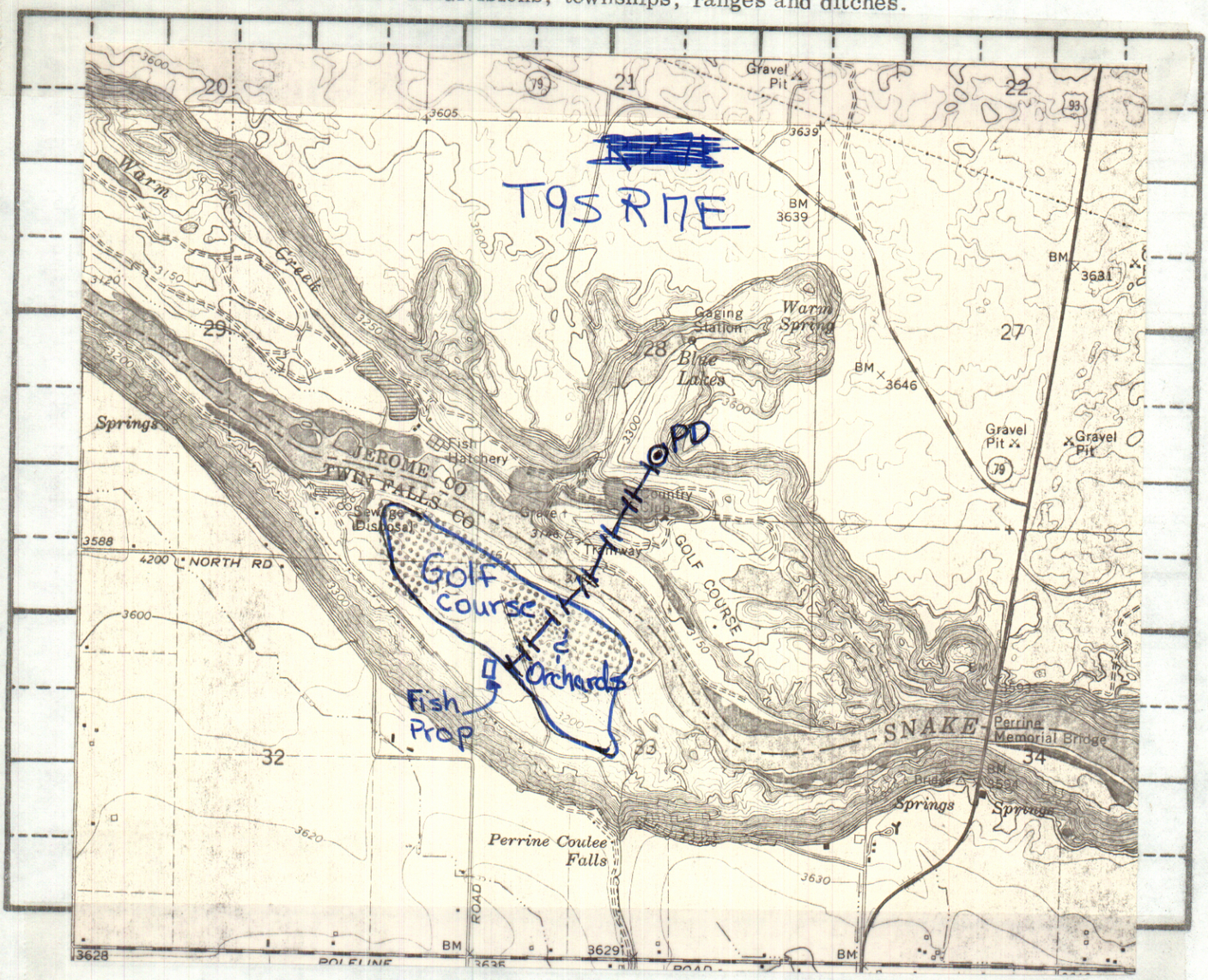
Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Twin Falls, this 10 day of July, 1975.

J. R. McCollum
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

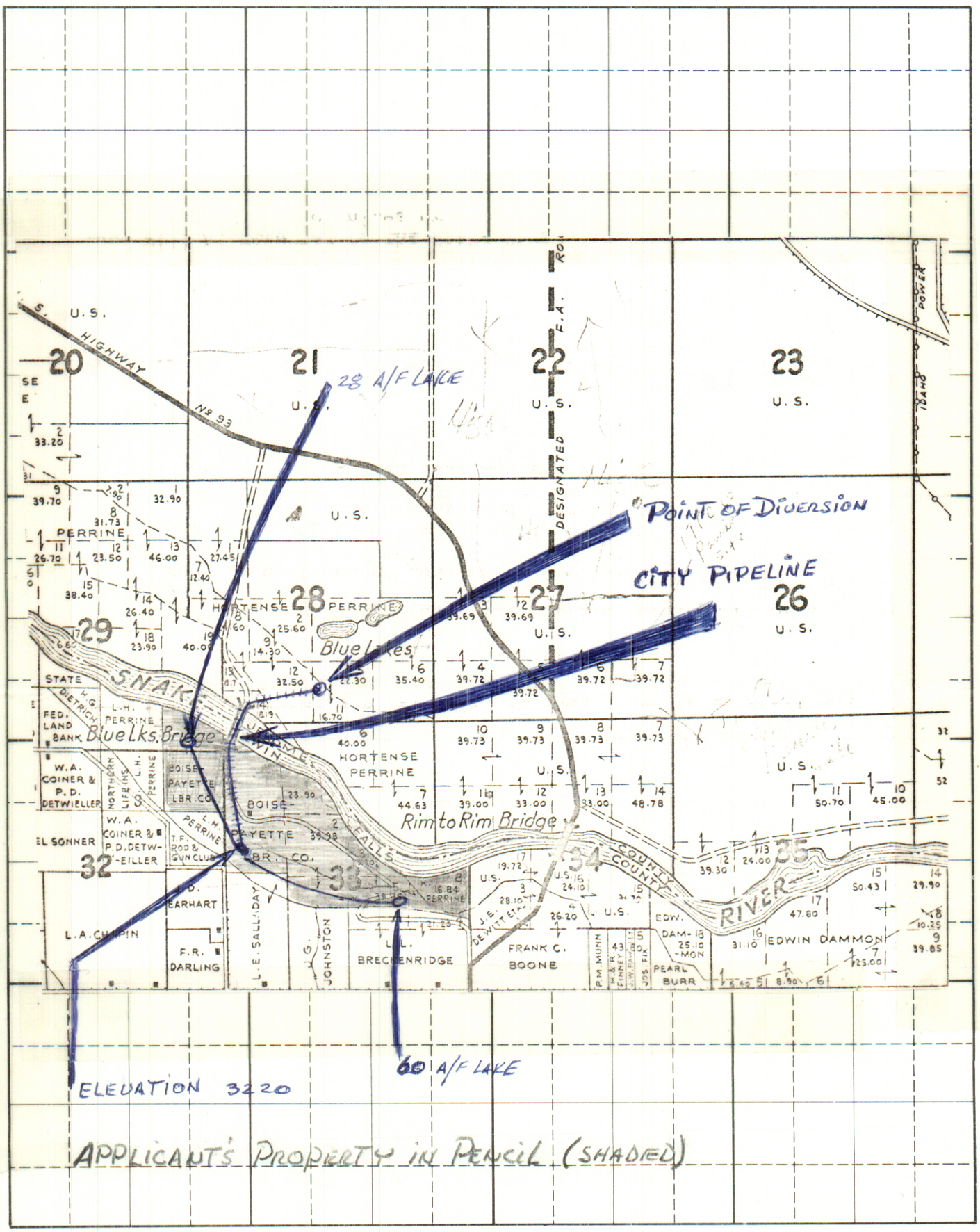
I, R. KEITH HIGGINSON, Director of the Department of Water Resources hereby approve the foregoing application for amendment for Permit No. 36-7239.

Witness my hand this 12 day of August, 19 75.

R. Keith Higginson
Director

RECEIVED

11. Map of proposed project:



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.

J. D. McCallum
(Applicant)

36 7239

AFFIDAVIT of PUBLICATION

RECEIVED
MAY 25 1972
Department of Water Administration

State of Idaho, } SS.
County of Jerome }

Alan P. Glenn, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for Two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 11 day of May, 1972, and the date of the last publication was on the 18 day of May, 1972.

Alan P. Glenn

Subscribed and sworn to before me this 19th day of May, 1972.
(SEAL)

Alice T. Hendrickson
NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice	39	
Number of Insertions	2	
39 lines @ 21¢		8.19
39 Lines at 15c		5.85
Lines at 10c		
TOTAL COST		14.04

COPY OF NOTICE
(Paste Here)

Notice of Application for Water Permit
TITLE OF NOTICE McCollum

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Administration
BILL TO

O.K. 5.24.72 S.F.

NOTICE OF APPLICATION FOR WATER PERMIT

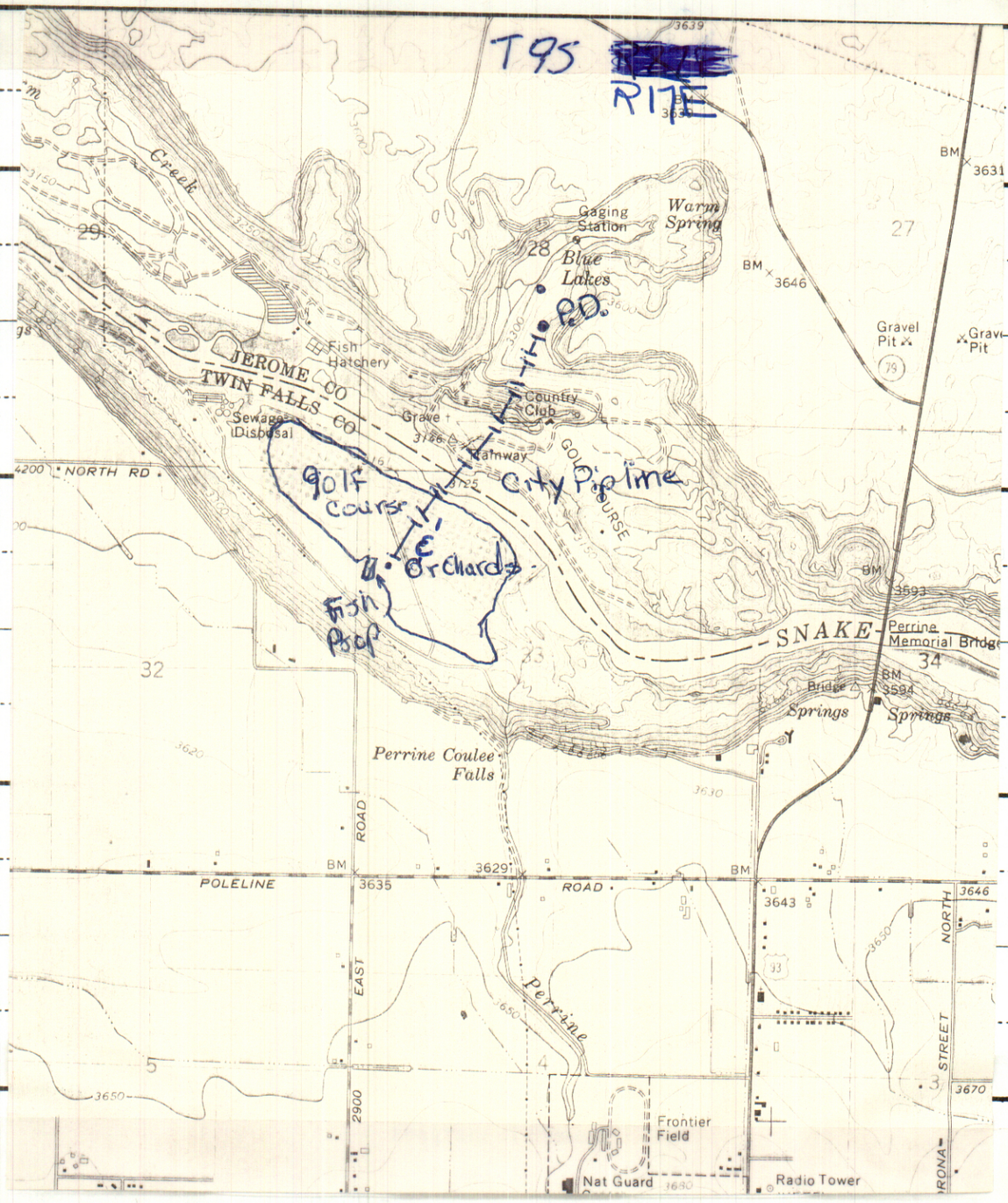
Notice is hereby given that J. D. McCollum P.O. Box 112, Twin Falls, Idaho has on April 24, 1972 submitted Application No. 36-7239 for a permit to appropriate 6.0 cubic feet per second/&/or 4380 acre feet per annum of water from Alpheus Creek, tributary of Snake River by means of existing pipeline owned by City of Twin Falls, thence to two small storage reservoirs being 60 and 28 acre feet in capacity within the SW¼SE¼ (Lot 11) Sec. 28, T. 9S, R. 17E, B.M., Jerome County to be used from Jan. 1 to Dec. 31 for recreation and aesthetic purposes within the NW¼SE¼, Sec. 33; SE¼SE¼, Sec. 29, T. 9S, R. 17E, B.M., and from March 1 to Nov. 1 for the irrigation of 314.77 acres within the SE¼SE¼, Sec. 29; NE¼NE¼, Sec. 32; SW¼NE¼, NW¼, NE¼SW¼, N½SE¼, Sec. 33, T. 9S, R. 17E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on on or before May 29, 1972.

R. KEITH HIGGINSON
Director

5-11-2tc

No 3387
36 7239


T9S
R17E
Creek
Gaging Station
Warm Spring
Blue Lakes
BM 3631
BM 3646
Gravel Pit
Fish Hatchery
JEROME CO
TWIN FALLS CO
Sewage Disposal
Country Club
Grave
Tramway
GOLF COURSE
City Pipeline
golf course
Orchards
Fish Pond
NORTH RD
SNAKE
Perrine Memorial Bridge
BM 3593
BM 3594
Springs
Perrine Coulee Falls
POLELINE
ROAD
BM 3629
BM 3635
BM 3643
EAST
NORTH
STREET
Perrine
Frontier Field
Nat Guard
Radio Tower
27
28
29
32
34
5
4
3
33
79

State of Idaho

Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7239 Priority April 24, 1972 Amount 6.0 cfs

THIS IS TO CERTIFY, that J. D. McCOLLUM

of Twin Falls, Idaho, has complied with the terms and conditions of Permit No. 36-7239 issued pursuant to Application for Permit dated April 24, 1972, and has submitted proof to the Department of Water Resources on July 10, 1975, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 6.0 cfs of water from Alpheus Creek, tributary to the Snake River, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use		Rate of Diversion		Annual Volume
Irrigation	from March 1	to Nov. 1	at 1.6	cfs and	320 acre feet or 4.0 af per acre
Recreation	from Jan. 1	to Dec. 31	at 6.0	cfs and	n/a
Aesthetic	from Jan. 1	to Dec. 31	at 6.0	cfs and	n/a
Fish Propagation	Jan. 1	Dec. 31	6.0		n/a

(both dates inclusive)

Subject, however, to the condition that no more than 6.0 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 320 acre feet per year for irrigation purposes, said waters to be diverted within the SW¼SE¼ (Lot 11) of Sec. 28, Twp. 9 S, Rge. 17 E, B.M. in the County of Jerome

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
Irrigation, recreation & aesthetic:																			
9 S	17 E	33					15	25	10	10									60
		32	10																10
		29																10	10
Fish propagation:																			
9 S	17 E	33						X											

Total number of acres irrigated 80

A measuring device of a type approved by this Department shall be permanently maintained as part of the diverting works.

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 12 day of August, 19 75.

Director

Filing Fee: $10.00
Receipt # 1648
7-10-75 cc

RECEIVED
JUL 10 1975
Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT

Permit No. 36-7239

Comes now J. D. McCollum of (address) P. O. Box 112, Twin Falls, Idaho, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 36-7239, and requests that the permit and permit map be changed as follows:

1. Point of diversion: (Lot 11) SW ¼ SE ¼, Sec. 28 Twp. 9S Rge. 17E, B.M., County of Jerome. Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 1.6cfs for Irrigation purposes from March 1 to Nov. 1 (both dates inclusive)
Amount 6.0cfs for Fish Prop. purposes from Jan. 1 to Dec. 31 (both dates inclusive)
Amount 6.0cfs for Recreation purposes from Jan. 1 to Dec. 31 (both dates inclusive)
Amount 6.0cfs for Aesthetic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre feet per annum)

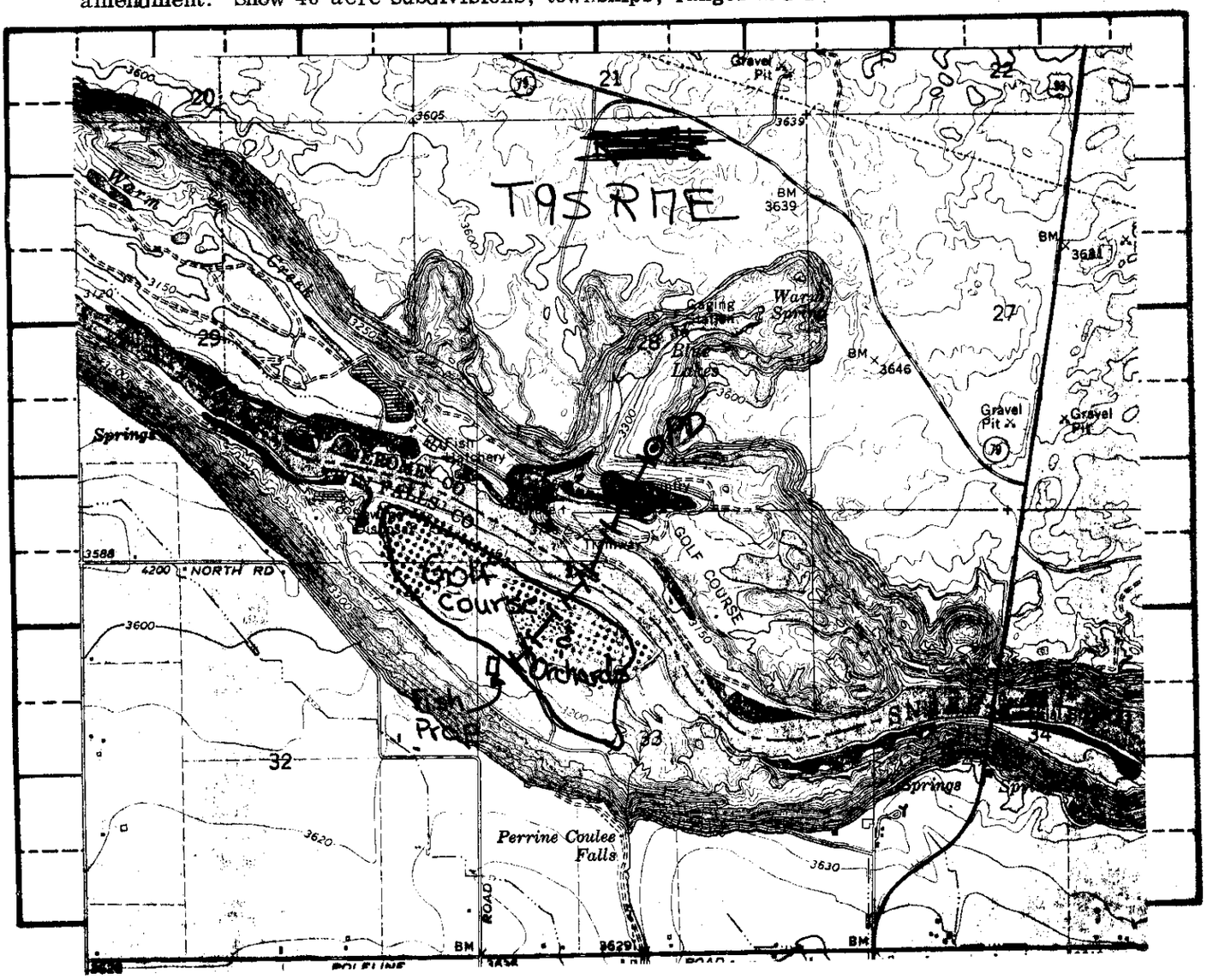
3. Place of use or land to be irrigated:

TWP	RANGE	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	
			The forty acre tracts listed below are also where water is used																
			for Recreation & Aesthetic purposes.																
9S	17E	33					15	25	10	10									60
		32	10																10
		29																10	10
Fish Propagation																			
9S	17E	33						X											

Total number of acres to be irrigated 80

MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Twin Falls, this 10 day of July, 1975.

J D McCallum
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, R. KEITH HIGGINSON, Director of the Department of Water Resources hereby approve the foregoing application for amendment for Permit No. 36-7239.

Witness my hand this 12 day of August, 19 75.

R. Keith Higginson
Director

Identification No. 36-2239

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

LICENSE ISSUED FOR 6.0 SEC. FT,
LICENSE PAGE NO. _____

APPROVED

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant J. D. McCollum
   post office address P. O. Box 112, Twin Falls, Idaho 83301
2. Source of water supply Alpheus Creek which is a tributary of Snake River (Lot 11)
3. a. Location of point of diversion is SW ¼ of SE ¼ of Section 28 Township 9S Range 17E. B.M. Jerome County; additional points of diversion if any: _____

   b. If water is not consumed, it will be discharged into Snake River at a point in SE 1/4 NE ¼ of SE 1/4 SW ¼ of Section 29 33 Township 9S Range 17 E. B.M. Twin Falls County
4. Water will be used for the following purposes:

   Amount 6 cfs (cfs or acre-feet per annum) for irrigation purpose from Mar. 1 to Nov. 1 (both dates inclusive)

   Amount ~~6 cfs~~ (cfs or acre-feet per annum) for ~~sport fish~~ing purpose from ~~Jan. 1~~ to ~~Dec. 31~~ (both dates inclusive)

   Amount 6 cfs (cfs or acre-feet per annum) for recreation purpose from Jan. 1 to Dec. 31 (both dates inclusive)

   6 cfs aesthetic Jan. 1 Dec. 31
5. Total quantity to be appropriated:

   a. Six (6) cubic feet per second and/or

   b. ~~4380~~ 88 * acre feet per annum. * per John Rosholt

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Applicant will convey in pipeline presently used by City of Twin Falls so long as there is capacity over & above City's needs. Water will siphon under gravity force from point of diversion to elevation 3220 on South side of the river.

   b. Height of storage dam ~~10 feet~~ 20 feet feet, active reservoir capacity ~~28~~ 60 acre feet; total reservoir capacity ~~28~~ 60 acre feet, materials used in storage dam: Earth fill
   Period of year during which storage will occur Jan. 1 (Mo. Day) to Dec. 31 (Mo. Day) inclusive.

   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 5 years.

   b. Estimated construction cost is $100,000.00.
8. Description of proposed uses:

   a. If water is **not** for irrigation:

   (1) Give the place of use of water: NW 1/4 SE ¼ of SE 1/4 SE ¼ of Section 33 29 Township ~~9S~~ Range 17E. 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 ~~Water will be used to keep two small lakes full and fresh for recreation and sport fishing purposes. Consumptive use for irrigation will occur after non-~~ consumptive uses.

36 2239

36 7239

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	
9S	17EBM	33			20.3		23.9	40	39.98 40		20				35.95 38.04				258.17
		32	40																40
		29															16.6		16.6

Total number of acres to be irrigated 314.77

c. Describe any other water rights used for the same purposes ~~Application for Permit #47-7084~~ as amended for irrigation and recreational purposes. Spring flows maximum ~~of 2 cfs & will be used for recreation & irrigation.. It is anticipated~~ that because of fluctuations, both rights will be beneficially applied.

9. a. Who owns the property at the point of diversion ~~Blue Lakes Country Club~~

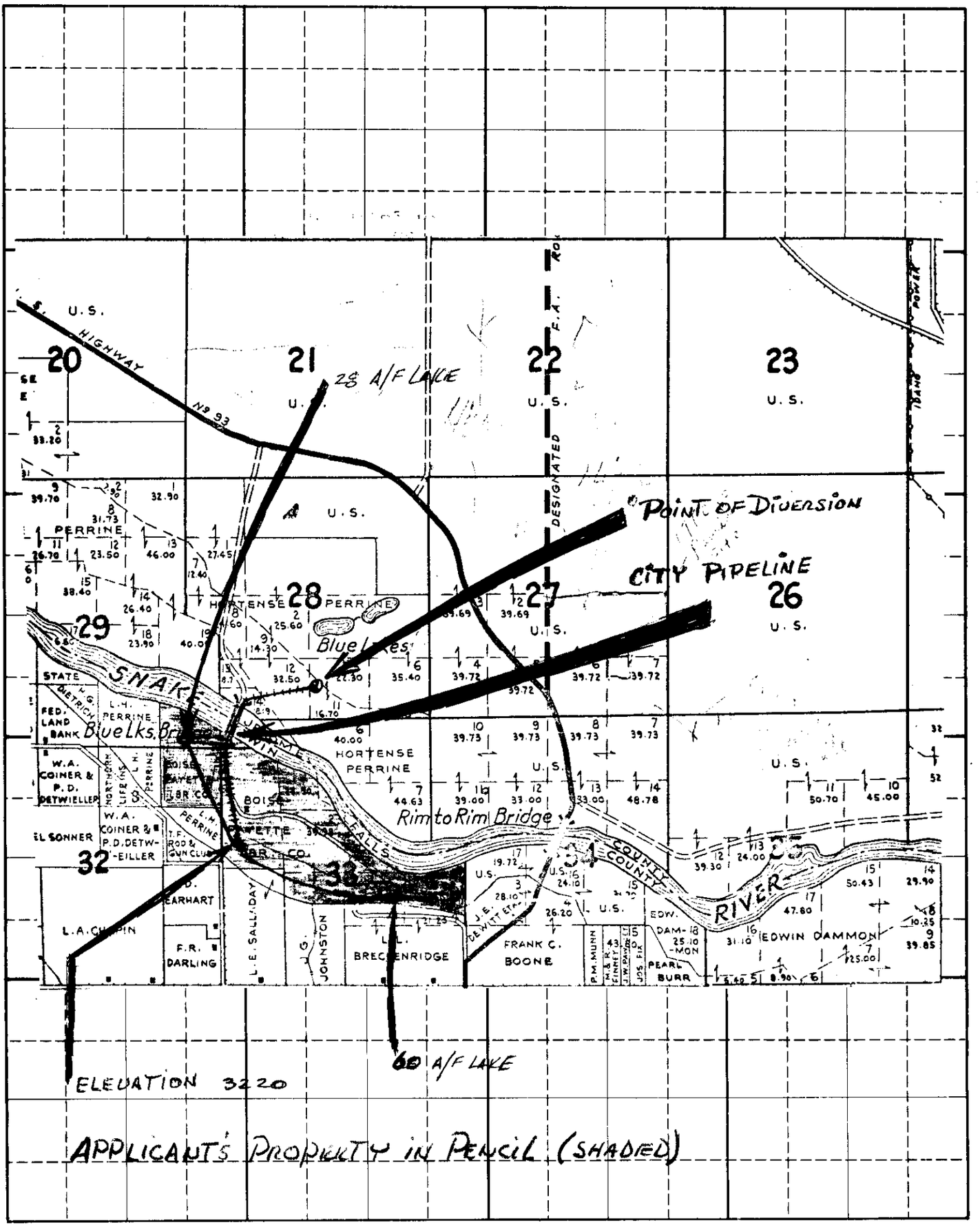
b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Applicant is negotiating with Blue Lakes Country Club for an easement and with City of Twin Falls on an agreement to ~~transport said water through the city system.~~

10. Remarks Applicant contemplates a diversified development of his property. Although his original plan is to develop a subdivision with open spaces, ~~green areas, a golf course, nature trails, and picnic and boating areas,~~ applicant will first complete the water system and irrigate as much of the property as is possible while the golf course is being constructed. ~~After the golf course is constructed,~~ and the two ~~lakes~~ mentioned in the application are complete, applicant will begin selling lots and will develop town houses, garden apartments and condominium dwellings. If ~~arrangements can be reached with the Blue Lakes Country Club and the City,~~ water will gravity to the highest point of irrigable ground by the use of the City's pipelines. From there it can be dispersed into irrigation ~~systems and the recreational or regulating lakes. The acreage of these~~ lakes is eliminated in the computation of acres in paragraph 8b above. ~~Existing agricultural uses include a large orchard, pasture, and some truck crops. Applicant plans intensive irrigation use for the water~~ pending final development. ~~After development, irrigation water will con~~tinue to be necessary to take care of the golf course, picnic areas, ~~nature trails, and other recreational areas.~~ The water not consumptively used will be returned to the Snake River.

Applicant recognizes prior and existing rights in Alpheus Creek ~~and assumes this application will be issued subject to existing rights.~~

11. Map of proposed project:



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.

(Applicant)

36 7239

Received by [illegible] Date 4-24-72 Time [illegible]

Preliminary check by D Fee $25.00

Receipted by [illegible] Date 4-26-72

Publication prepared by [illegible] Date 5-5-72

Published in North Side News at Jerome

Publication dates 5-11+18-72

Publication approved [illegible] Date 5-25-72

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by D BDF

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-7239, 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, 1977.

   c. Other: Measuring devices of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 18 day of July 1972.

Director
Department of Water Administration

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 36-7239 Name J. D. McCollum

Source Alpheus Creek, tributary of Snake River

Point of Diversion SW¼SE¼ (Lot 11) Sec. 28, T. 9S, R. 17E, B.M., Jerome County

Quantity 6.0 Use Irrigation Period March 1 to Nov. 1

Quantity 6.0 Use Recreation Period Jan. 1 to Dec. 31

Quantity 6.0 Use Aesthetic Period Jan. 1 to Dec. 31

Well Size _____ Diameter _____ Proposed Depth _____ Feet

Use 314.77 acres for irrigation; for recreation and aesthetic purposes, there will be two small lakes for recreation and sport fish; also, a golf course, town house, etc.

Date Forwarded 5-8-72 Date Returned _____ Received by _____

COMMENTS: Land irrigated under 47-7084 is is completely included under this permit

RECOMMENDED:

Applied: Qty. 6 cfs Use Irr Period 3-1 to 11-1 AF/A 4 AF 1260

Qty. 6 cfs Use sport fish Period 1-1 to 12-31 AF/A _____ AF 4344

Qty. 6 cfs / 6 cfs Use rec / aesthetic Period 1-1 to 12-31 / 1-1 to 12-31 AF/A _____ AF 4344 / 4344

Maximum: Qty. 6.3 cfs Use Irr Period 3-1 to 11-1 AF/A 4 AF 1260

Qty. _____ Use _____ Period _____ AF/A _____ AF _____

Qty. _____ Use _____ Period _____ AF/A _____ AF _____

ACTION: Approved ✓ Denied _____

Conditions of approval or reason for denial: Total quanity diverted for irrigation under 47-7084 and 36-7239 not exceed 6.3 cfs; subject to prior rights and installation of adequate measuring devices

SOUTHERN DIVISION By Bob Harper Title Asst Engr

Date 6-1-72

36 7239

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Jerome }

Alan P. McCracken being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for Two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 11 day of May, 19 72, and the date of the last publication was on the 18 day of May, 19 72

Alan P. McCracken

Subscribed and sworn to before me this 19th day of May, 19 72
(SEAL)

Alice T. Hendrickson
NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice	39	
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Lines at 10c		
TOTAL COST		14.04

COPY OF NOTICE
(Paste Here)

Notice of Application for Water Permit
TITLE OF NOTICE McCollum

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Administration
BILL TO

O.K. 5-24-72 BL

FOR WATER PERMIT

Notice is hereby given that J. D. McCollum P.O. Box 112, Twin Falls, Idaho has on April 24, 1972 submitted Application No. 36-7239 for a permit to appropriate 6.9 cubic feet per second/&/or 4980 acre feet per annum of water from Alpheus Creek, tributary of Snake River by means of existing pipeline owned by City of Twin Falls, thence to two small storage reservoirs being 60 and 28 acre feet in capacity within the SW¼SE¼ (Lot 11) Sec. 28, T. 9S, R. 17E, B.M., Jerome County to be used from Jan. 1 to Dec. 31 for recreation and aesthetic purposes within the NW¼NE¼, Sec. 33, SE¼SE¼, Sec. 29, T. 9S, R. 17E, B.M., and from March 1 to Nov. 1 for the irrigation of 316.77 acres within the SE¼SE¼, Sec. 29; NE¼NE¼, Sec. 32; SW¼NE¼, NW¼, NE¼SW¼, N½SE¼, Sec. 33, T. 9S, R. 17E, B.M.

If issued, this permit will be subject to all prior waterrights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before May 29, 1972.

R. KEITH HIGGINSON
[redacted]

Nº 3387
36 7239

From: DWR60::AMERRITT 16-JUN-1998 13:58:57.16
To: DWR03::RBROWN
CC: AMERRITT
Subj: "R" RECORDS FOR CITY OF TWIN FALLS BASIN 36 RIGHTS

I AM PREPARING A RESPONSE TO A LETTER WRITTEN TO THE DIRECTOR. IN DOING SO I HAVE REVIEWED THE RECENT "R" RECORDS FOR THE CITY OF TWIN FALLS:
R36-02603A 45.00 CFS
R36-02646 7.47 CFS

THESE TWO RIGHTS ORIGINALLY WERE RECOMMENDED OUT OF SPRINGS TRIBUTARY TO ALPHEUS CREEK. AT THIS SAME POINT OF DIVERSION RIGHT MC COLLUM UNDER RIGHT 36-07239 (6.00 CFS) DIVERTED WATER FOR HIS USE ACROSS THE RIVER. ALL THREE OF THESE RIGHTS USED THE SAME PIPELINE AND WERE LIMITED TO 52.47 CFS (CAPACITY OF THE PIPELINE). WHAT THE DEAL WAS, MC COLLUM USED THE CITIES EXCESS CAPACITY UNTIL THE CITY CALLED FOR THE NEED.

A FEW YEARS AGO DUE TO DRINKING WATER STANDARDS OF EPA THE CITY TRANSFERRED THEIR RIGHTS OUT OF THE SPRING UP TO SOME WELLS DEVELOPED AT THE HEAD OF BLUE LAKES. THIS WAS DONE UNDER TRANSFER 4066. AT THIS SAME TIME I UNDERSTAND THE CITY DISCONNECTED THE ORIGINAL SPRINGS FROM THEIR SYSTEM. TO MY KNOWLEDGE THIS LEFT MC COLLUM OUT OF THE CITIES SYSTEM. I CALLED THE CITY TODAY AND CONFIRMED THIS WITH MIKE SCHROEDER WITH THE WATER DEPT. MIKE INDICATED THAT MC COLLUM HAS SINCE PUT IN HIS OWN PIPELINE CROSSING THE RIVER AND CONTINUES TO DIVERT AT THE OLD SPRING SITE.

I GUESS I'M TELLING YOU ALL THIS BECAUSE I THINK YOU NEED TO MODIFY THE EXP IN THE CITIES "R" RECORDS TO REFLECT THAT 36-07239 IS NOT DIVERTED AT THE CITIES PRESENT POINT OF DIVERSION.

From: DWR03::RBROWN 17-JUN-1998 07:36:49.69
To: DWR60::AMERRITT
CC:
Subj: RE: "R" RECORDS FOR CITY OF TWIN FALLS BASIN 36 RIGHTS

Thanks for the "heads up", Allen...I'll look into it. Some of the R-records hav and may be signed by now...If that has happened, I will at least memo our files

Also, I didn't get a chance to talk with you about Banbury pipeline. You did a now amended their claims to include every use imaginable (wildlife, aesthetics, but would appreciate talking to you about what you saw back when...

36-07239

State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 24, 1994

Thomas M. Robertson, Esq.
P.O. Box 525
Twin Falls, ID 83303-0525

Dear Mr. Robertson:

This letter is in response to your request regarding water right no. 36-07239 in the name of J.D. McCollum. This water right is represented in the department's files by a license issued on August 12, 1975. A claim was filed for this water right in the Snake River Basin Adjudication and the Director has made a recommendation for this water right in his report to the court.

The Director's recommendation for this right to the court has not been decreed nor has an order for interim administration been sought or granted involving this water right. Under these circumstances, the record of water right the department uses for water distribution is the license since this record has not been superseded by either administrative or judicial action.

Yours truly,

David B. Shaw
Adjudication Bureau Chief

cc: Allen Merritt

August 13, 1975

Re: Permit No. 36-7239

Mr. J. D. McCollum
P. O. Box 112
Twin Falls, ID 83301

Dear Mr. McCollum:

Enclpsed herewith is a copy of the water license issued on the above referenced permit.along with your approved Application for Amendment.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:rb

Enc.

July 28, 1975

Mr. J.D. McCollum
P.O. Box 112
Twin Falls, Idaho 83301

Re: Permit No. 36-7239

Dear Mr. McCollum:

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

A representative of this Department has made an examination of the works covered by this permit and has found the following:

Quantity of water diverted: 6.0 cfs Source: Alpheus Creek

Amount of water that can be recognized as beneficially used under Idaho law: 6.0 cfs

Point of diversion: SW¼SE¼ (Lot 11), Sec. 28, Twp. 9S, Rge. 17 E, B.M., Jerome County

Beneficial use: Recreation, aesthetic and irrigation of 80 acres within the NW¼, Sec. 33; NE¼NE¼, Sec. 32; SE¼SE¼, Sec. 29; Twp. 9 S, Rge. 17 E, B.M. and fish propagation purposes within the NW¼NW¼ of Sec. 33, Twp. 9 S, Rge. 17 E, B.M.

The maximum quantity diverted shall not exceed 320 acre feet per year for irrigation purposes.

Priority date established: April 24, 1972

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR

bc: Southern District Office

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

RECEIVED
JUL 10 1975
Department of Water Resources
Southern District Office

1. Name of permit holder J. D. McCollum

Post office address P. O. Box 112, Twin Falls, Idaho 83301 Phone

Person to contact Same as above Phone

2. Source of water supply: Groundwater ☐ Surface water ☒ Alpheus Creek
(name spring, stream, etc.)

Tributary to Snake River

3. Water will be used for the following purposes:

Amount 1.6 c.f.s. for Irrigation
AF/Annum (nature of use)

Period of Use: from March 1 to November 1
(mo.-day) inclusive (mo.-day)

Amount 6.0 c.f.s. for Fish Propagation
AF/Annum (nature of use)

Period of Use: from January 1 to December 31
(mo.-day) inclusive (mo.-day)

Amount 6.0 6.0 c.f.s. for Recreation & Aesthetic purposes
AF/Annum (nature of use)

Period of Use: from January 1 to December 31
(mo.-day) inclusive (mo.-day)

Other uses:

Examination for

Permit No. 26-7232

4. Total amount to be appropriated:

Max Rate of Diversion 6.0 cubic feet per second ~~and xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~

5. Location of Point(s) of Diversion:

Township 9S N/S, Range 17E E/W, B.M., Section 28, Subdivision (Lot 11) SW ¼ SE ¼, County

Township N/S, Range E/W, B.M., Section, Subdivision ¼ ¼, County

Township N/S, Range E/W, B.M., Section, Subdivision ¼ ¼, County

Other Points of Diversions:

Description of diverting works: Diversion dam and pipeline across the Snake River to place of use.

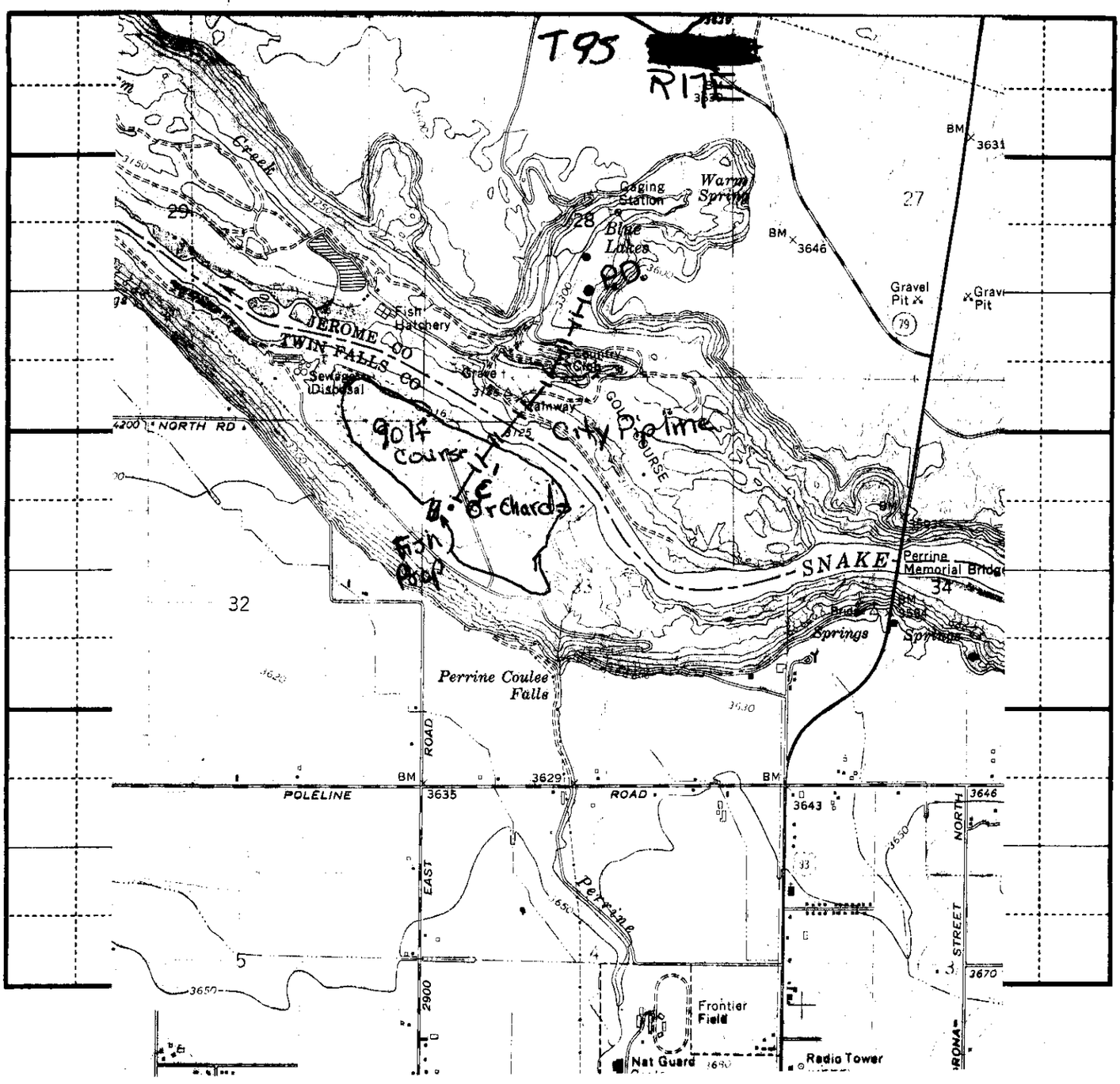
Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			The forty acre tracts listed below are also where water is used																
			for Recreation & Aesthetic purposes.																
9S	17E	33					15	25	10	10									60
		32	10																10
		29																10	10
Fish Propagation																			
9S	17E	33						X											

MICROFILMED

TOTAL ACREAGE 80


T95
R17E
Creek
29
Caging Station
Warm Springs
28
Blue Lakes
27
BM 3631
BM 3646
Gravel Pit
Gravel Pit
79
JEROME CO
TWIN FALLS CO
Fish Hatchery
Sewage Disposal
Grave
Cemetery
Railway
City Pipeline
GOLF COURSE
4200 NORTH RD
90ft
Fish Pond
SNAKE
Perrine Memorial Bridge
34
32
Springs
Springs
Perrine Coulee Falls
ROAD
BM 3629
BM
POLELINE
3635
ROAD
3643
3646
EAST
NORTH
STREET
Perrine
33
5
3650
2900
3670
Frontier Field
Nat Guard
Radio Tower

DATE OF EXAM July 10 1975

ACREAGE
Found 80
Recommended 80

Irrigation Requirement 4 AF/acre Ac Ft/Ac

USE
Irrigation Q= 1.6 c.f.s. V= 320 AF/Ann. from Mar 1 to Nov 1
Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Rec Q = 60 cfs Jan 1 to Dec 31
Fish Prop Q = 60 cfs Jan 1 to Dec 31
Aesthetic 6.0 Jan 1 to Dec 31

Is water co-mingled? yes____ no ✓

Name source: _____
twp.____N/S, Rge____E/W, B.M., Sec.____, Sub.____¼____¼____
County

Exchange? yes____ no____

Name source exchanged with: _____
twp.____N/S, Rge____E/W, B.M., Sec.____, Sub.____¼____¼____
County

Point of injection:
twp.____N/S, Rge____E/W, B.M., Sec.____, Sub.____¼____¼____
County

Point of exchange:
twp.____N/S, Rge____E/W, B.M., Sec.____, Sub.____¼____¼____
County

Total Q measured 6.0 cfs Method of measurement In-line flow meter

Total Q recommended 6.0 Meter No. 9188 Type Rockwell Condition New

Total V recommended 320 AF

Recommended Amendments:

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

MEASUREMENT CALCULATION:
Measurement taken from direct reading meter

SYSTEM DESCRIPTION:
Water is diverted into pipeline owned by City of Twin Falls and taken by a line coming off of the Cutrest line. Water not used for irrigation is run through a series of fish runs. Effluent from fish runs is used on the golf course for water hazards and to add to the beauty of the golf course.

REMARKS:
J.D. McCollum accompanied examiner at time of exam.

Examiner's Signature Bob Haynes Date July 10 1975

Checked by Michael Stute Date 7-11-75

Approved by _____ Date _____

Identification No. _____

Permit No. 36-7239

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 10 1975

Department of Water Resources
Southern District Office

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder J. D. McCollum

   b) Post Office Address P. O. Box 112, Twin Falls, Idaho

2. Permit Number 36-7239

3. Date of Priority that you are prepared to establish 4-24-72

4. a) Source from which water was appropriated Alpheus Creek tributary of Snake River

   b) Location of the point of diversion: SW ¼ SE (Lot 11) ¼, Section 28

   Township 9S, Range 17E Boise Meridian, Other points of diversion: _____

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

   Amount 1.6 cfs for Irrigation purposes from March 1 to Nov. 1 incl.
   (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

   Amount 6.0 cfs for Fish Propagation purposes from Jan. 1 to Dec. 31 incl.
   (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

   Amount 6.0 cfs for Recreation purposes from Jan. 1 to Dec. 31 incl.
   (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

   Amount 6.0 cfs for Aesthetic purposes from Jan. 1 to Dec. 31 incl.
   (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

   b) Total amount appropriated 6.0 cfs and/or acre-feet per annum

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

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

   a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Water is taken from source in a pipeline constructed by the City of Twin Falls for municipal purposes.

   b) Describe the agreement or understanding by which you take water from the works: Contract between J. D. McCollum and the City of Twin Falls.

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) Diversion dam and pipeline across the Snake River to place of use.

   b) Describe the type and size of measuring device which you have installed at your point of diversion: In-line Rockwell flow meter.

   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: Fish propagation, recreation and aesthetic beauty.

RECORDED

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

T	R	SEC.	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	TOTAL
			The forty acre tracts listed below are also where water is used																
			for Recreation & Aesthetic purposes.																
9S	17E	33					15	25	10	10									60
		32	10																10
		29																10	10
Fish Propagation																			
9S	17E	33						X											

Total number of acres irrigated 80

10. Remarks: _____

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

July 10 1975
(Date)

(Signature)

State of Idaho)
) ss.
County of Twin Falls)

On this 10 day of July, 19 75, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Robert D Haynes
Notary Public residing at Twin Falls

My commission expires 11-20-78

Final Agreement

J. D. McCollum Permit No. 36-7239

AGREEMENT

THIS AGREEMENT, made and entered into this 3rd day of July ~~June~~, 1972, by and between the CITY OF TWIN FALLS, IDAHO, a municipal corporation, party of the first part, hereinafter called "City," and J. D. McCOLLUM, of Twin Falls, Idaho, party of the second part, hereinafter called "McCollum,"

WHEREAS, McCollum contemplates the development of certain lands in Twin Falls County adjacent to the Snake River in the canyon in Sections 29, 32, 33, and 34 of Township 9 South, Range 17 East, Boise Meridian; and

WHEREAS, the City has easements and right-of-ways through the property of McCollum for pipelines, pumping stations, and other facilities which are necessary to maintain their city water system; and

WHEREAS, McCollum contemplates the development of his property (located as above described) in a comprehensive manner including a golf course, residential dwellings of various types and open space uses; and

WHEREAS, McCollum has filed application for permit No. 36-7239 with the Department of Water Administration of the State of Idaho for the purpose of appropriating six cubic feet per second of the waters of Alpheus Creek at a point of diversion located in the Southwest Quarter of the Southeast Quarter of Section 28, Township 9 South, Range 17 East, Boise Meridian, Jerome County, Idaho; and

WHEREAS, the City has a right-of-way to divert water in their existing pipeline from the same point of diversion; and

WHEREAS, it will be necessary for McCollum to construct a water and sewage system for the development of his property on the South side of the River; and

WHEREAS, the City's pipeline does not now run at full capacity and it is not anticipated that it will run at full capacity

Lawyers Twin Falls, Idaho

36 7239

for many years; and

WHEREAS, the water of McCollum could be conveyed in said city pipeline by gravity to a point where the same could be beneficially used by McCollum; and

WHEREAS, McCollum requests that the City take over the operation of the water and sewer facilities for said development after the construction of said system by McCollum; and

WHEREAS, McCollum would provide easements to the City to convey city water or return waters of McCollum to the sewage treatment plant for use at that point; and

WHEREAS, the development, water system, and sewage system can be operated in a manner which is mutually beneficial to both the City and to McCollum;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, and of other good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. Water Rights and Usages. It is understood and agreed that the parties hereto acknowledge that the City has the right to use 45 cubic feet per second of the waters of Alpheus Creek under Application No. 40981 and Permit No. 32812 with a priority date of March 29, 1966, and that if the City needs the capacity in said pipeline for the purposes of supplying water to its residents and/or to honor other commitments made by said City, any right herein granted to McCollum under this agreement shall be thereupon reduced or terminated as hereinafter agreed.

The parties agree that so long as the City does not have requirements to the full capacity of their conveyancing system, they will allow McCollum, or his successors, to convey as much of the water as McCollum is entitled to divert under Application for Permit No. 36-7239 to a maximum of six cubic feet per second.

The City agrees to operate and maintain that certain water

LAWYERS
TWIN FALLS, IDAHO

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system to be constructed by McCollum to City's specifications and to subsequently supply the residences and other facilities constructed by McCollum requiring domestic water with domestic and culinary water at the charges as set forth by the City Council for water delivered outside of the City limits; provided that if said subdivision or development is subsequently annexed into the City said water shall be delivered by the City at the same price as it is delivered to other city residents.

2. Sewer. McCollum shall be allowed to construct sewer laterals to connect to the City's sewer plant within specifications as set forth by said City and the City agrees to operate and maintain said sewage system henceforth and the residents of said development shall be charged for sewer services by said City in accordance with the going rate for said services provided to other subdivisions not located within the City limits, provided that if said subdivision be subsequently annexed, the residents shall be entitled to sewer service at the same rate as other city residents.

3. Pumping. It is understood and agreed that the water to be conveyed in the City pipeline for McCollum is not water to which the City has a right but is water to which McCollum has a right and the purposes of this agreement are to set forth the parameters for the conveyance of said water. The City shall not at any time henceforth be required to pump water of McCollum but will deliver it at the point on the South side of the river to which said water can be conveyed by gravity which is understood to be to elevation 3220.

4. Dedication of Rights-of-way and Easements. McCollum will dedicate to the City all necessary rights-of-way and easements for the City to subsequently service water and sewage lines which connect residences and other developments constructed by McCollum in accordance with city specifications.

5. The City's Use of McCollum's System. It is understood by

36 7239

Parry, Robertson, Daly & Larson
Lawyers
Twin Falls Idaho

parties that the City has a present need to obtain water at the location of the sewage treatment plant in the canyon west of the property owned by McCollum. It is also contemplated that at some time in the future the City will be required to construct secondary and tertiary sewage treatment plants at that site.

It is understood by the parties hereto that the City shall be allowed to convey water through the pipeline system of McCollum at such times as the capacity is available in said system over and above the needs of McCollum. It is contemplated, however, that McCollum's use of the water will include storage in a lake to be hereafter constructed by McCollum, and that the natural outflow from said lake would be constantly available for the City's use. Said lake will be constructed in Section 29, 32, or in parts of both sections.

McCollum will grant easements and rights-of-way as needed by the City to connect to the system of McCollum at the point closest to the City property, which is also feasible for construction of a pipeline. In addition, McCollum will grant easements and rights-of-way so the City can divert the outflow from the lake. In the event that it would be necessary at some future date for the City to convey additional water, which would be in excess of those amounts available to the City through the system of McCollum, and in excess of the outflow from the lake, McCollum will grant additional appropriate easements and rights-of-way to the City to connect with their existing pipeline traversing the property of McCollum; provided that all easements and rights-of way to be granted to the City under the provisions of this paragraph shall be along routes which least interfere with the improvements already constructed or to be constructed according to the development plan of McCollum.

6. Payment. It is understood and agreed that as further consideration for the execution of this agreement, McCollum will pay to the City the amount of $12 per cubic foot per second of water

LAWYERS
TWIN FALLS, IDAHO

per month, with $72 per month guaranteed, (a guarantee of $864 per year). This fee shall be paid each month whether or not McCollum conveys the full six cubic feet per second through said pipeline. Said charges shall not begin until McCollum has completed the necessary work and his said system is in condition to receive water from the City pipeline. However, in the event that the City utilizes the system of McCollum to carry the City's water to their sewage treatment plant, or utilizes the water and system of McCollum under paragraph 5 hereof, the payments to be made by McCollum under the provisions of this paragraph shall be reduced proportionately; i.e., $12 per cubic foot per second per month for water received by the City through the system constructed by McCollum

7. Hold Harmless. McCollum hereby agrees to indemnify and hold harmless City from and against all claims, suits, damages, costs, losses and expenses, including legal expenses, in any manner resulting from and arising out of any claim or demandof others, including residents of the City of Twin Falls, which may in any manner result from or arise out of this proposed agreement or operations conducted pursuant thereto.

8. Termination. This agreement may be terminated at any time McCollum fails to pay the consideration herein provided upon thirty days' written notice by City. However, if within thirty days following receipt of such notice to terminate for failure to pay, McCollum shall make said payment, this agreement shall remain in full force and effect. In event that the City is using and requires the total capacity of the pipeline to convey water to which the City has a right for the purposes of supplying City requirements this agreement shall terminate. However, all rights-of-way granted to the City, and obligations to supply water and sewer services of the City to the residents of any development constructed by McCollum shall remain in full force and effect and the City shall henceforth

PARRY, ROBERTSON, HALY & LARSON
LAWYERS
TWIN FALLS, IDAHO

treat the development as a requirement of the City for the purposes of continued water and sewer services.

It is hereby agreed that if the conveyance of the water of McCollum under application for permit No. 36-7239 by the City of Twin Falls in the City's pipeline pursuant to this agreement will now or in the future jeopardize the right of the City of Twin Falls to the issuance of a license for the eventual and full utilization of 45 cubic feet per second of water, under permit No. 32812 presently held by the City of Twin Falls, as determined by a ruling of the Idaho Department of Water Administration or any valid and binding court determination, then the provisions of this agreement which pertain to the conveyance of McCollum's water will not be binding upon the City of Twin Falls and McCollum shall not be required to construct any improvements West of the city's pipeline as hereinabove provided; or if said improvements have previously been constructed, McCollum and the City will renegotiate the conditions for the City's continued use of said system of McCollum; provided further, that nothing in this paragraph shall in any way affect the provisions of this agreement and the responsibilities of the parties regarding domestic water and sewer service.

This agreement shall be binding upon the parties hereto, their heirs, legal representatives, successors and assigns forever.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

CITY OF TWIN FALLS, IDAHO

By: _____
Mayor

ATTEST:

_____
City Clerk

_____
J. D. McCollum

36 7239

PARRY, ROBERTSON, DALY & LARSON
LAWYERS
TWIN FALLS, IDAHO

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 3rd day of ~~June~~ July, 1972, before me, the undersigned, a notary public in and for said state, personally appeared John F. Christoffersen and Edythe D. Koontz Mayor and City Clerk of the City of Twin Falls, Idaho, a municipal corporation, and acknowledged to me that the said corporation executed the same.

WITNESS my hand and official seal.

Notary Public for Idaho
Residing at Twin Falls, Idaho

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 7th day of ~~June~~ August, 1972, before me, the undersigned, a notary public in and for said state, personally appeared J. D. McCollum, known to me to be the person whose names is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

WITNESS my hand and official seal.

Notary Public for Idaho
Residing at Twin Falls, Idaho

LAWYERS
TWIN FALLS, IDAHO

July 20, 1972

Re: Permit No. 36-7239

Mr. J. D. McCollum
P.O. Box 112
Twin Falls, Idaho 83301

Dear Mr. McCollum:

Enclosed is a copy of your approved Application for Permit No. 36-7239. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain measuring devices as part of the diverting works has been placed upon this permit. We are enclosing a letter describing different types of measuring devices accepted by this Department.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of permit
Information letter

bc: Southern District Office

36 7239

July 18, 1972

Re: Application for Permit No. 36-7239
J. D. McCollum

Mr. James L. Kennedy, Jr.
Walker, Depew & Kennedy
P.O. Box 23
Twin Falls, Idaho 83301

Dear Mr. Kennedy:

We received your letter of June 28, 1972, protesting the approval of Application for Permit No. 36-7239. However, as you mention in your letter, the statutory protest period is past and we are, therefore, unable to accept a protest.

The conditions of approval of this application will include the installation of an acceptable measuring device and that this diversion of water is subject to all prior water rights.

Your letter will be made a part of the record to indicate the concern Mr. Greene and Blue Lakes Trout Farm, Inc. have about the possible conflict with their existing water rights.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:dr

cc: John A. Rosholt

36-7239

LAW OFFICES
WALKER, DEPEW & KENNEDY
BANK OF IDAHO BUILDING
P. O. BOX 23
TWIN FALLS, IDAHO 83301
TELEPHONE (208) 733-3083

LLOYD J. WALKER
JAY L. DEPEW
JAMES L. KENNEDY JR.

SUN VALLEY, IDAHO 83353
(208) 726-5861

June 28, 1972

Mr. R. Keith Higginson, Director
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Notice of Protest
Application for Permit
No. 36-7239

Dear Keith:

As attorneys for Mr. Percy Greene and Blue Lakes Trout Farm, Inc., Post Office Box 1237, Twin Falls, Idaho, 83301, we wish to note our vigorous protest of the approval of the above-referenced application for permit regarding 6 cfs. of water from Alpheus Creek in Jerome County. Although the statutory protest period has run in this matter, we request that our protest be noted and filed in connection with the permit.

Our concern in this matter is to protect existing water rights arising from License #27502, issued January 5, 1960; Permit #36-7212, approved January 31, 1972; and historic diversion and application to beneficial use. As a practical matter, the proposed use under the application, which involves a diversion point upstream from senior appropriators, will inevitably have a serious adverse effect upon these rights.

Our protest is grounded upon two factors which, under Section 42-203, Idaho Code, justify the denial of the application: first, that the proposed use will reduce the quantity of water under existing water rights; second, that the water supply itself is insufficient for the purpose for which it is sought to be appropriated.

Thanking you for your consideration of this protest and with every good wish, I am

Sincerely yours,

WALKER, DEPEW & KENNEDY

James L. Kennedy Jr.

JLK:jm

cc: Mr. John A. Rosholt
Attorney for Applicant

36 7239



CECIL D. ANDRUS, Governor

COMMISSION
ROBERT G. KALB, Sandpoint
PAUL C. KEETON, Lewiston
JOHN EATON, Cascade
JACK HEMINGWAY, Sun Valley
H. JACK ALVORD, Pocatello

IDAHO FISH AND GAME DEPARTMENT

JOSEPH C. GREENLEY
Director

POST OFFICE BOX 25
600 SOUTH WALNUT STREET
BOISE, IDAHO 83707

May 19, 1972

Mr. R. Keith Higginson, Director
Idaho Department of Water Administration
Statehouse - Annex 2
Boise, Idaho

Dear Mr. Higginson:

Reference: Application No. 36-7239 and No. 36-7233

Fish and Game personnel have reviewed the above referenced application and have no objections to the project.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT

Joseph C. Greenley
Director

cc: Bob Bell
Dale Turnipseed
Game Division

36-7239

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse – Annex 2
Boise, Idaho 83707
(208) 384-2215

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

May 8, 1972

Re: Application for Permit No. 36-7239

Mr. J. D. McCollum
P. O. Box 112
Twin Falls, Idaho 83301

Dear Mr. McCollum:

In reviewing your application for permit, we find that we will need evidence of your authority from the City of Twin Falls to enable you to use their conveyance system. Please submit this information as soon as possible so that we may take further action on this application.

If you should have any questions, please feel free to contact our Department.

Sincerely,

Bob Haynes
Water Resource Inv. Adm.
Southern Division

BH/BL

36 7239

May 8, 1972

Re: Application No. 36-7239 - J. D. McCollum

Mr. Ted Biladeau
Engineering Division
Dept. of Fish & Game
Boise, Idaho

Dear Mr. Biladeau:

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. We normally complete the processing of an application within a 6-week period and we are required to take final action shortly thereafter.

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

Sincerely,

Bob Haynes
Water Resource Inv. Adm.
Southern Division

BH/BL

Enclosure

36 7239

May 5, 1972

Re: Application No. 36-7239 - J. D. McCollum

North Side News
Box 89
Jerome, Idaho 83338

Gentlemen:

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

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

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

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

_____
(signature of claimant)

Very truly yours,

Bob Haynes
Water Resource Inv. Adm.
Southern Division

Bill sent in 5-25-72
BL

BH/BL
Enc: legal notice

36 7239

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse – Annex 2
Boise, Idaho 83707
(208) 384-2215

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

April 26, 1972

Parry, Robertson and Daly
Attorneys at Law
P. O. Box 525
Twin Falls, Idaho 83301

Gentlemen:

Attached herewith is your Receipt No. 8357 in the amount of $ 75.00 for your application for permit submitted in the name of J.D. McCollum which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

38 72239

38 72239

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that J. D. McCollum

P. O. Box 112, Twin Falls, Idaho

has on April 24, 1972 submitted Application No. 36-7239

for a permit to appropriate 6.0 cubic feet per second / &/or 4380 acre feet per annum

of water from Alpheus Creek, tributary of Snake River

by means of existing pipeline owned by City of Twin Falls, thence to two small storage reservoirs being 60 and 28 acre feet in capacity
within the SW¼SE¼ (Lot 11) Sec. 28, T. 9S, R. 17E, B.M., Jerome County

to be used from Jan. 1 to Dec. 31 for reareation and aesthetic purposes within the fxxx NW¼SE¼, Sec. 33; SE¼SE¼, Sec. 29, T. 9S, R. 17E, B.M., and from March 1 to Nov. 1 for the irrigation of 314.77 acres

within the SE¼SE¼, Sec. 29; NE¼NE¼, Sec. 32; SW¼NE¼, NW¼, NE¼SW¼, N½SE¼, Sec. 33, T. 9S, R. 17E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before May 29, 1972.

R. KEITH HIGGINSON

Director

Published in the North Side News, Jerome, Idaho

on May 11 and May 18, 1972

36 7239

PARRY, ROBERTSON, DALY & LARSON

LAWYERS

THE IDAHO FIRST NATIONAL BANK BUILDING

P. O. BOX 525

TWIN FALLS, IDAHO 83301

TELEPHONE
(208) 733-3722

R. P. PARRY
T. M. ROBERTSON
JOHN H. DALY (1913-1968)
BERT LARSON
C. G. McINTYRE
JOHN R. COLEMAN
THOMAS G. NELSON
JOHN A. ROSHOLT
FRED D. DECKER
ROBERT C. PAINE

Department of Water Administration

April 21, 1972

Mr. R. Keith Higginson, Director
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Attention: Water Rights Division

Dear Keith:

Enclosed is the application for permit of J. D. McCollum. Also enclosed is our check in the amount of $75.00 for the filing fee. Please officially file the application.

In the event there are questions on my computation of the fee, or additional information is desired, please don't hesitate to call me collect.

Thanks again for your cooperation.

Sincerely,

John A. Rosholt

JOHN A. ROSHOLT

JAR:php

Enclosures (2)

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