

✓
June 24, 1953

RE: Permit No. G-22619

Mr. Scott McClellan
Rupert
Idaho

Dear Mr. McClellan:

We enclose Certificate of Completion of Works, also License and Certificate of Water Right, confirming your right to the use of 6.4 second feet of water from a well in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, Township 8 South, Range 21 East, B.M., with priority of February 19, 1952, for irrigation and domestic use on the S $\frac{1}{2}$ of said Section 36.

We also enclose departmental receipt No. 26008 for the \$21.00 fees paid in connection with proof of completion of works and license.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

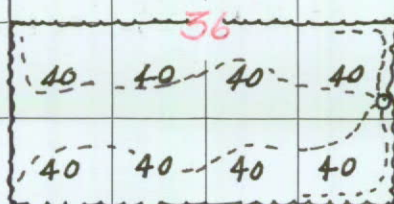
Well tag in Well Log File

G-22619

Temp = 49°
Acres = 320

D 21 E

T.
8
S.



P.D.
118' W. & 224' N of E 1/4 cor of SE 1/4

To Hazelton
secondary dirt road

To secondary
dirt road
St. Hwy road

$Q = 6.4$ cfs.
Area = 320 acres.

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Jerome } SS.

W. F. MacKnight, 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 four consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 15th day of Jan, 1953, and the date of the last publication was on the 5th day of February, 1953.

W. F. MacKnight

Subscribed and sworn to before me this 11

day of February, 1953.

(SEAL)

[Signature]

NOTARY PUBLIC

JEROME NORTH SIDE NEWS COST OF PUBLICATION

Number of Lines in Notice	<u>48</u>	
Number of Insertions	<u>four</u>	
<u>48</u> Lines at 12c		<u>5.76</u>
<u>144</u> Lines at 6c		<u>8.64</u>
TOTAL COST		<u>14.40</u>

(COST COMPUTED AT RATE OF 12c PER LINE FOR FIRST INSERTION,
6c PER LINE FOR ALL SUCCESSIVE INSERTIONS)

NOTICE OF PROOF OF COMPLETION OF WORKS

and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 a.m., on the 9th day of February, 1953, at Burley, County of Cassia, State of Idaho, before Carroll Dayley, Notary Public proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of the waters of a well in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Twp. 8 South, Range 21 East, B.M., and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 22619 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Scott McClellan, Rupert, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The place where said water is used is South Half Section 36, Twp. 8 South, Range 21 East, B.M.

5. The date of priority which said user is prepared to establish is February 19, 1952.

MARK R. KULP,
State Reclamation Engineer
1-15-53-4tc

RECEIVED
FEB 20 1953
Department of Reclamation

Nº 1005

[Signature] 22619

NAME OF APPLICANT

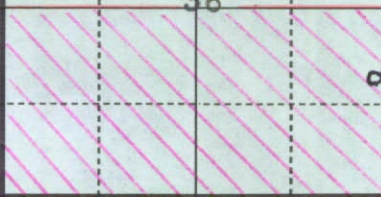
Scott McClellan,

Form No. 0

Twp. 8.S. R. 21.E.

Point of Diversion, Well,

36



Permit Map No. G-22619

As Approved

FEB 25 1952

MARK R. KULP

State Reclamation Engineer

AFFIDAVIT of PUBLICATION

State of Idaho,
County of Jerome

SS.

RECEIVED
APR 2 11959

Department of Reclamation

COPY OF NOTICE

(Paste Here)

Notice of proposed
trans. of water right
Scott McClellan

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Reclamation
St House Boise

W. F. MacKnight, 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 consecu-
tive 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 2 consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication

of said advertisement was on the 21 day of Aug,

1958 and the date of the last publication was on the 28

day of Aug, 1959

W. F. MacKnight

Subscribed and sworn to before me this 15

day of April, 1959.

(SEAL)

Bert F. Stanton

NOTARY PUBLIC

JEROME NORTH SIDE NEWS

COST OF PUBLICATION

Number of Lines in Notice 33

Number of Insertions 2

33 Lines at 15c 495

33 Lines at 10c 330

TOTAL COST 8.25

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Scott Mc
Clellan of Rupert, Idaho has applied to the
State Reclamation Engineer of the State
of Idaho for a certificate authorizing him
to change the place of use of the waters
of Subterranean (by well) as follows:
Amount: 6.4 cubic feet per second. Prior-
ity: February 19, 1952. Point of diversion:
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 8 S.,
Range 21 E, B. M. Place of Use: S $\frac{1}{2}$
Section 36, Township 8 South, Range 21
East, B.M.

TO BE TRANSFERRED TO
Place of Use: S $\frac{1}{2}$ Section 36, Township 8
South, Range 21 East and Lots 3 and 4 and
the E $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 8
South, Range 22 East, B. M.

And that on the 3rd day of September,
1958, at 10:00 o'clock a.m., at Room 107,
State House, Boise, Idaho before the State
Reclamation Engineer, or his authorized
agent, the opportunity will be given to any

and all persons to appear and present, for
his consideration any reason or reasons
why a certificate should not be issued au-
thorizing such transfer.

GEO N. CARTER,
State Reclamation Engineer.
8-21-2tc

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1955)
7 pt. per line, straight 14c
7 pt. per line, tabular 20
7 pt. per line, successive
insertions 10c
6 pt. per line, straight 15c
6 pt. per line, tabular 20c
6 pt. per line, successive
insertions 10c

Duplicate of
1573

N^o 1090

T-911A
36-2165

Name of Applicant

SEC.

SEC.

SEC.

SEC.

SEC.

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SEC.

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SEC.

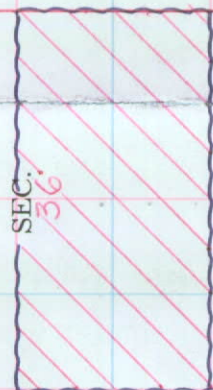
SEC.

TRANSFERRED FROM:

TRANSFERRED TO:

T. 8 S.

T. 8 S.



RECEIVED
AUG 1 1958
Department of Reclamation

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

Alon E. Smith

, being duly sworn,

deposes and says:

That he is the *Publisher* of

THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, 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 said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

June 19

19 *58*, and ending

with the issue of

June 26

19 *58*

Alon E. Smith

Fees, \$ *9.20*

Subscribed and sworn to before me this *9* day

of *Aug*, 19 *58*.

James E. Gneaves

Notary Public, Residing at Preston, Idaho

My Commission Expires *April 25*, 19 *62*.

NOTICE OF PROPOSED
TRANSFER OF WATER
RIGHT

Notice is hereby given that Scott McClellan of Rupert, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the place of use of the waters of Subterranean - (by well) as follows: Amount: 6.4 cubic feet per second. Priority: February 19, 1952. Point of diversion: NE¼ SE¼, Section 36, Township 8 S., Range 21 E, B. M. Place of Use: S½ Section 36, Township 8 South, Range 21 East, B. M.

To Be Transferred to

Place of Use: S½ Section 36, Township 8 South, Range 21 East and Lots 3 and 4 and the E¼-SW¼ of Section 31, Township 8 South, Range 22 East, B. M.

And that on the 7th day of July, 1958, at 10:00 o'clock A. M., at Room 107, Statehouse, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

E. N. Humphrey

Deputy State Reclamation Engineer

First Pub. June 19, 1958

Last Pub. June 26, 1958

*T-911A
36-2163*

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

Certificate of Water Right
Transferred Right No. 911-A

THIS IS TO CERTIFY, That Scott McClellen, of Rupert, Idaho, is the owner of and using a certain water right for 6.4 cubic feet per second of subterranean flow from a well located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 8 South, Range 21 East, B. M.

That said water being evidenced by virtue of License and Certificate of Water Right No. G-22619, issued by the State Reclamation Engineer, State of Idaho, dated June 23, 1953, for 6.4 cubic feet per second, with priority of February 19, 1952, with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 8 South, Range 21 East, B. M., and being appurtenant to the following described lands, to-wit:

S $\frac{1}{2}$ of Section 36, Township 8 South
Range 21 East, B. M.

That said license has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume No. 8 of Licenses at Page 5093.

And that now upon the application of Scott McClellen of Rupert, Idaho, for a transfer of 6.4 cubic feet per second of said subterranean water, made before the State Reclamation Engineer of the State of Idaho and said application having been granted the right to the use of said water upon the lands described above is Hereby Abandoned and the lands to which said water shall, by this Certificate, become appurtenant for irrigation and domestic purposes are described as follows, to-wit:

S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East, B. M.
and Lots 3 and 4 and the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 31, Township
8 South, Range 22 East, B. M.

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

6.4 cubic feet per second, with priority of
February 19, 1952.

That the water right hereby transferred has heretofore been conducted to the first above described lands through private ditches with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 8 South, Range 21 East, B. M.

That the water right hereby transferred will hereafter be conducted to the last above described land through private ditches with no change in point of diversion.

That the right to the use of the aforesaid hereby confirmed is restricted to the land or place of use last above described as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho, to be hereunto affixed, at Boise, Idaho, this 15th day of September, 1958.



GEO. N. CARTER

GEO. N. CARTER
State Reclamation Engineer

T-911A
36-2165

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

In the Matter of the Application)
of)

Scott McClellen, of
Rupert, Idaho)

ORDER GRANTING TRANSFER

NO. 911-A

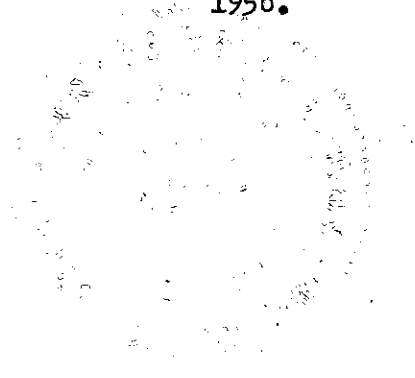
For a Transfer of Water Right for)
Subterranean Water in the County of)
Jerome, Idaho)

WHEREAS, On the 7th day of July, 1958, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of Scott McClellen, of Rupert, Idaho, for a transfer of water right, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application and the evidence filed by the applicant, with the application, shows that the water will be consolidated on lands of the applicant for more efficient beneficial use and that no one will be injured thereby.

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 15th day of September, 1958.


GEO. N. CARTER
GEO. N. CARTER
State Reclamation Engineer

T-911A
36-21105

State of Idaho

License and Certificate of Water Right

Water License No. G-22619.....

Amount 6.4 second feet

Water District No.

Priority February 19, 1952

THIS IS TO CERTIFY that SCOTT McCLELLAN
 of Rupert, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated February 19, 1952; that Permit No. G-22619
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 6.4 second feet, was issued thereunder on June 23, 1953, showing that said works
 were completed on the 9th day of February, 1953; and that on the 9th
 day of February, 1953,
 SCOTT McCLELLAN

of Rupert, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of a well
~~XXXXXXXXXX~~ (subterranean flow), for the purpose of irrigation and
 domestic use, under Use Permit No. G-22619 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
 8 of Licenses at page 5093, on the 23rd day of June, 1953;

The right hereby confirmed dates from February 19, 1952;

The Point of Diversion is located

in the NE 1/4 SE 1/4, Sec. 36, Tp. 8 S., R. 21 E., B.M. ~~Minidoka~~ Jerome

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed 6.4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S.	21 E.	36	NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
			NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40
			Number of Acres Actually Irrigated -	- - -	320

Trans #911A

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
 23rd day of June, 1953.

MARK R. KULP

State Reclamation Engineer

(SEAL)

36 2165

State of Idaho
License and Certificate of Water Right

Water License No. G-22583 Amount 2.32 second feet
Water District No. Priority February 4, 1952

THIS IS TO CERTIFY that JOHN RAST
of American Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 4, 1952; that Permit No. G-22583
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.32 second feet, was issued thereunder on June 23, 1953, showing that said works
were completed on the 6th day of April, 1953; and that on the 6th
day of April, 1953,

JOHN RAST
of American Falls, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
under Use Permit No. G-22583 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 5094, on the 23rd day of June, 1953;
The right hereby confirmed dates from February 4, 1952;
The Point of Diversion is located

in the NE 1/4 SW 1/4, Sec. 21, Tp. 7 S., R. 30 E., B. M. Power
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 2.32 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 S.	30 E.	21	NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
			NE 1/4 SE 1/4	40	--
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	--
Number of Acres Actually Irrigated				--	240

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
23rd day of June, 1953.

(SEAL) MARK R. KULP
State Reclamation Engineer

APPLICATION FOR PERMIT 36 - 2165

To appropriate the Subterranean Waters of The State of Idaho

Application No. G- 30364
Permit No. G- 22619
District No.

1. Name of Applicant: **SCOTT McCLELLAN**
Postoffice address: **Rupert** County: **Minidoka** State: **Idaho**
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. **6.4** or Idaho
Miners' inches **320** or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Subterranean flow from a well.**
4. Location of point of diversion or well is in the **NE** $\frac{1}{4}$ of the **SE** $\frac{1}{4}$ of Section **36**
Twp. 8 S., Rge. **21 E.**, B. M., County of **Jerome**
5. Water is to be used for: **Irrigation and domestic purposes.**
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B. M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B. M.
7. Kind of works: **Well, pump and ditches**
8. Estimated cost of works: **\$ 22,000.00**
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is **Five (5)** years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **None**
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

Agent.

Corrected application received:

State Reclamation Engineer.

STATE OF IDAHO

By

Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	Totals
			NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	
8 S.	21 E.	36			40 40 40 40	40 40 40 40	320
CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that SCOTT McCLELLAN of Rupert, County of Minidoka, and State of Idaho, the holder of Permit No. G-30364 bearing date of priority of February 19, 1952, authorizing the diversion of 6.4 cfs of the waters of a well (subterranean flow) County of Jerome, State of Idaho, for irrigation and domestic purposes, has completed the works of diversion in accordance with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 6.4 cfs of the waters of said well; that the point of diversion of said waters is in the NE¹/₄ SE¹/₄ Section 36, Township 8 South, Range 21 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: South Half Section 36, Township 8 South, Range 21 East, B.M. Witness my hand this 23rd day of June, A.D. 1953. MARK R. KULP State Reclamation Engineer Proof of completion of works made February 9, 1953. Certificate of completion of works made June 23, 1953. LICENSE ISSUED FOR 6.4 SEC. FT. <i>pg. 5093</i>							

IDENT. NO. 36-2165

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

February 12, 1962

Re: License No. G-22619

William T. Goodman
Attorney at Law
708 G Street
Rapert, Idaho

Dear Mr. Goodman:

Returned herewith are the assignment and quit claim deed with your check for \$0.50.

After the license has been issued, this office does not keep further record of the owners of the water right. Such records are kept in the County Court House with real estate matters.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

HT:GW

Enc. assignment
quit claim deed & check

G-22619

BELLWOOD & GOODMAN

ATTORNEYS AT LAW

708 G STREET

RUPERT, IDAHO

HEMLOCK 6-4248

SHERMAN J. BELLWOOD

WILLIAM T. GOODMAN

RECEIVED
FEB 12 1962

Department of Reclamation

February 9, 1962

Department of Reclamation
State House
Boise, Idaho

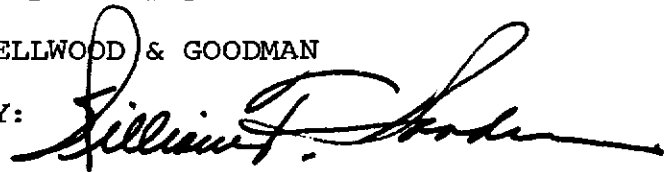
Gentlemen:

Enclosed herewith is an Assignment and Quitclaim Deed relating to Desert Entry 09454 and Water permit G22619. Would you kindly execute the necessary certification and forward the same to the Land Office at P. O. Box 2237, Boise, Idaho. Our check in the sum of 50¢ is enclosed herewith in connection with this matter.

Very truly yours,

BELLWOOD & GOODMAN

BY:



WTG/mrs
Enc.

Signed.

G-22619

January 10, 1962

Re: License No. 22619

Bellwood & Goodman,
Attorneys at Law,
708 G. Street,
Rupert, Idaho.

Attention: William T. Goodman

Gentlemen:

Enclosed is Form 20 in answer to your letter of January 9th in regard to transfer of water right issued to Scott McClellan.

The water license has been issued and further transfers of place of use must be made pursuant to Idaho Code 42-222.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

RALPH W. THOMAS
Deputy State Reclamation Engineer

Encl.
RWT:pmk

9-22619

RECEIVED

JAN 10 1962

BELLWOOD & GOODMAN
ATTORNEYS AT LAW
708 G STREET
RUPERT, IDAHO
HEMLOCK 6-4246

Department of Reclamation

WILLIAM T. GOODMAN

SHERMAN J. BELLWOOD

January 9, 1962

State Reclamation Engineer
State House
Boise, Idaho

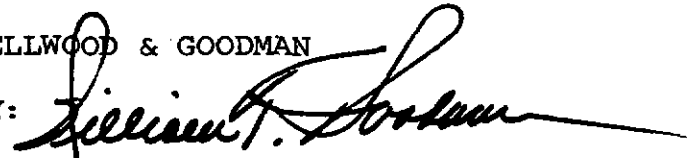
Dear Sir:

Would you kindly advise us of what will be required to transfer water permit in connection with lands in Minidoka County. The permit is in the name of Scott McClellan and involves permit G22619. The portion to be transferred by Mr. McClellan is that portion for the Desert Entry Land. Kindly advise us.

Very truly yours,

BELLWOOD & GOODMAN

BY:



WTG/mrs

5093- 64c/s

Trans. #911A

G-22619

June 24, 1953

RE: Permit No. G-22619

Mr. Scott McClellan
Rupert
Idaho

Dear Mr. McClellan:

We enclose Certificate of Completion of Works, also License and Certificate of Water Right, confirming your right to the use of 6.4 second feet of water from a well in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, Township 8 South, Range 21 East, B.M., with priority of February 19, 1952, for irrigation and domestic use on the S $\frac{1}{2}$ of said Section 36.

We also enclose departmental receipt No. 26008 for the \$21.00 fees paid in connection with proof of completion of works and license.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

Mark R. Kulp
G-22619
R



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

June 18, 1953

RECEIVED
JUN 22 1953

Department of Reclamation

RE: Permit No. G-22619

Mr. Scott McClellan
Rupert
Idaho

Dear Mr. McClellan:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on your Permit No. G-22619.

A Certificate of Completion of Works and License can be issued for 6.4 second feet of water from your well in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, Township 8 South, Range 21 East, B.M., upon payment of the statutory fees. These fees amount to \$5.00 for Certificate of Completion of Works and \$16.00 License fee, the latter being at the rate of \$2.00 for each 40 acre subdivision in which the land is located.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By *Jeannette L. Anderson*
Chief Clerk

A:fg

G-22619

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G- 22619

REPORT ON PROOF OF ~~Completion of works and Beneficial use~~

Scott McClellan , Rupert, Idaho

app. 6.4 cfs

6.4 cfs
max

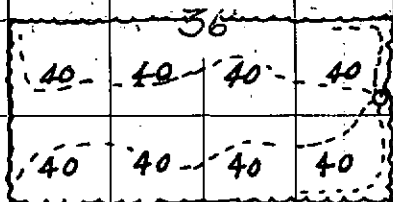
320 acres

8-11-05

Temp = 49° ?
Acres = 320

R21E

T.
8
S.



To Hazelton
secondary dirt road

To Sec. 10
Dirt road
St. Hwy
205

Q = 6.4 cfs.
Area = 320 acres.

G-22619

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G - 2261a

This proof is for Completion of works and Beneficial use In Water District No. _____

1. Name of applicant Scott McGiellan, Rupert, Idaho
2. Source of water supply: Flow from Subterranean well
3. Location of point of diversion: Is in the NE ^{SE} _{SW} of Section 36
T. 8S R. 21 E County of Jerome
4. Describe works as they exist, giving dimensions and capacities of same:
(1) U.S. Motor #891990, 250 h.p., 3 ph., 60 cy., 440 volts, 300 amp, 1200 R.P.M.
(2) G.E. Panel # L6418825-28RJ (3) Conc. found. 6' x 6' x 4' (4) Delivery
N. 12' of 12" to sump. (5) Meter test: 100 cf every 15.5 sec. 6.45 cfs (332.5")
Wintroath Pump: well; 390' deep, casing 20" x 5' to rock, column 12" x 310',
S 287', D.D. none; Lift 287', Stage ?, Bowls ? Temp. (49°) ?

No protection

5. Water is used for: Irrigation only
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

South half of section 36, twp. 8 south Range 21 East

320 ~~160~~ acres irrigated see map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

Log in dept files on this well.

Static H = 288' drawdown = 3'

This examination was made on the 11 th day of June, 19 53

(Signed) _____

H. W. Wesley Jr.
Examiner.

G-2261a

Scott McClellan
Rupert, Idaho

Permit No. G-22619

Examination for Completion of works
and Beneficial use

County Jerome

5-36-85-21 E

Q = 6.4

S = Well

P.D. = NE⁴ SE⁴ Sec 36

Use Irrigation

RECEIVED
JUN 17 1953

Department of Reclamation

Priority: Feb. 19, 1952
Date: Feb. 25, 1952

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

February 20, 1953

RE: Permit No. G-22619

Mr. Scott McClellan
Rupert
Idaho

Dear Mr. McClellan:

This morning's mail brings us affidavit of publication in the Jerome North Side News which completes your proof of completion of works and beneficial use under Permit No. G-22619.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

G-22619

February 13, 1953

RE: Permit No. G-22619

Mr. Scott McClellan
Rupert
Idaho

Dear Mr. McClellan:

We acknowledge receipt of the depositions of yourself and two witnesses, also wells logs, furnished in proof of completion of works and beneficial use under Permit No. G-22619.

However, the affidavit of publication is a necessary part of this proof. The Jerome North Side News was instructed to send you this affidavit and if you have not received it we suggest you take the matter up with them at once.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

G-22619

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Jerome } SS.

W. F. MacKnight, 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 four consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 15th day of Jan, 19 53, and the date of the last publication was on the 5th day of February, 19 53.

W. F. MacKnight

Subscribed and sworn to before me this 11

day of FEBRUARY, 19 53.

(SEAL)

Sam F. Hunter
NOTARY PUBLIC

JEROME NORTH SIDE NEWS COST OF PUBLICATION

Number of Lines in Notice	<u>48</u>	
Number of Insertions	<u>four</u>	
<u>48</u> Lines at 12c		<u>5.76</u>
<u>144</u> Lines at 6c		<u>8.64</u>
TOTAL COST		<u>14.40</u>

(COST COMPUTED AT RATE OF 12c PER LINE FOR FIRST INSERTION,
6c PER LINE FOR ALL SUCCESSIVE INSERTIONS)

NOTICE OF PROOF OF COMPLETION OF WORKS

and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 a.m., on the 9th day of February, 1953, at Burley, County of Cassia, State of Idaho, before Carroll Dayley, Notary Public proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of the waters of a well in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Twp. 8 South, Range 21 East, B.M., and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 22619 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are (Scott McClellan, Rupert, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The place where said water is used is South Half Section 36, Twp. 8 South, Range 21 East, B.M.

5. The date of priority which said user is prepared to establish is February 19, 1952.

MARK R. KULP,
State Reclamation Engineer
1-15-53-4tc

RECEIVED
FEB 20 1953
Department of Reclamation

No 1005

22619

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
FEB 13 1953
Department of Reclamation
Boise, Idaho

Permit No. ~~G-226199~~ G22619

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Scott Mc Clellan Rupert Minnidoka Co Idaho Farmer

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. G22619 Feb. 25th 1952 Feb. 9th 1953 ¹⁹⁻⁵⁻²

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Deep Well Pump Sec. 36 NE $\frac{1}{4}$ Of SE $\frac{1}{4}$ Twp 8 Range 21E

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. Depth 389 ft. 12 in casing 12 in. discharge, 2700 GPM. Pump tested by Wintroath Pump Co.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water has been used on 310 acres this is on our own acreage and has not been sub divided

G22619

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. none

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. none

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. x

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. One season for farming

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. none

(Sign) Scott MacCallan

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Rupert, County of Minidoka, State of Idaho, on this 9th day of February, A. D. 1953,

Garrett Dayley

My commission expires June 16 - 1955



G-226194

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G 22619

Proof of Application of Water to Beneficial Use
Deposition of Witness and Completion of Works

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Melvin Rasmussen age Minidoka Co. Rupert, Idaho. age 26

Ques. 2. Are you acquainted with Yes, the holder of Permit No. G 22619? How long have you known him and where does he reside?

Ans. 3 years Rupert, Idaho

Ques. 3. Have you read or heard read said Permit No. G 22619, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Deep well Pump Sec. 36 NE $\frac{1}{4}$ Of SE $\frac{1}{4}$ Twp. 8 range 21 E.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 2700 GPM.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 2700 GPM. did not see it measured but believe pump will del.
about 320 in. water ~~xx~~

G-22619

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. 310 acres cultivated not divided into sub divisions
and used for farming.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. none

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. none

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. none

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. saw 250 acres of potatoes and 60 acres of peas 1952 crop

(Signed) Melvin Rasmussen

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Reper,
County of Minidoka, State of Idaho, on this 9 day of February,
A. D. 1953.

Garrett Hagley
Notary Public.

My commission expires June 16 - 1955



9-22619

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G 22619

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Earl W. Bell Minidoka Co. Rupert, Idaho. age 47

Ques. 2. Are you acquainted with _____, the holder of Permit No. G 22619 ? How long have you known him and where does he reside?

Ans. Yes Rupert, Idaho

Ques. 3. Have you read or heard read said Permit No. G 22619, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Deep well pump Sec 36 NE $\frac{1}{4}$ Of SE $\frac{1}{4}$ Twp. 8 range 21E

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 2700 GPM.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 2700 GPM. Installed pump ~~and~~

G-22619

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. 310 acres cultivated not divided into sub divisions
and used for farming

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what etxent.

Ans. none

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. 310 acres with aproximately 320 in . water

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. none

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. saw 250 acres potatoes grown and 60 acres peas 1952 crop.

(Signed)

Earl W. Bell

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Rupert ,
County of Minido Ka , State of Idaho, on this 9 day of February ,
A. D. 19 53 ...

Samuel Taylor
Notary Public.

My commission expires

June 16 - 1955



D-22619

22619

✓
January 12, 1956

Mr. Scott McClellan
Rupert, Idaho

Dear Mr. McClellan:

We have completed the notice for proof of completion of works and beneficial use to be made on your Permit No. 22619 at Burley, Idaho, February 9, 1956 before Carroll Dayley, Notary Public, and have sent a copy of the notice to the Jerome Northside News with instructions to publish it once a week for four consecutive weeks prior to that date and to send to you the affidavit of publication together with statement of costs.

At the time set you should appear before Mr. Dayley together with two disinterested witnesses who are familiar with the terms of your permit and the work done thereunder for the purpose of executing the depositions forms which were handed you when in the office a few days ago.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

JA/veg

22619

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 22619

Date: January 10, 1953

North Side News

Jerome, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **February 9, 1953** the date set for proof, the expense of the publication to be paid by the applicant, **Scott McClellan** of **Rupert, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By
Chief Clerk

9-22619

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 A. M., on the 9th day of February, 1953, at Burley, County of Cassia State of Idaho, before ~~Carroll Dayley, Notary Public~~ proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of the waters of Twp. 8 South, Range 21 East, B.M. ~~a well in the NE 1/4 Section 36,~~ and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 22619 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Scott McClellan, Rupert, Idaho
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 6.4 cubic feet per second.
3. The use to which said water has been applied is ~~irrigation and~~ domestic purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.
4. The place where said water is used is ~~South Half Section 36,~~ Twp. 8 South, Range 21 East, B. M.
5. The date of priority which said user is prepared to establish is February 19, 1952.

MARK R. KULP

State Reclamation Engineer

22619



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

January 6, 1953

RECEIVED
JAN 9 1953
Department of Reclamation

RE: Permit No. 22619

Mr. Scott McClellan
Rupert
Idaho

Dear Mr. McClellan:

When you were in the office yesterday in connection with proofs to be made on Permit No. 22619, you named Mr. Carroll Dayley as the Notary Public before whom proof is to be taken.

Our information is that Mr. Dayley resides at Burley, Idaho, so we are not sure whether you wish to make this proof at Burley or at Rupert.

Please advise as to this.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Jeannie L. Anderson
Chief Clerk

A:fg

It will be alright to make above mentioned proof at Burley.

Scott McClellan

James Gordon McClellan

P. 22619

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Jan. 2 - 1953
(P. O.) Boise, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
North Side News of Jerome, Idaho published in
the county in which the works are situated.

Scott M. McEllan
by Holli S. McEllan

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

9-22-14

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

G-22619

Permit No. G-22619

Date February 29, 1952

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

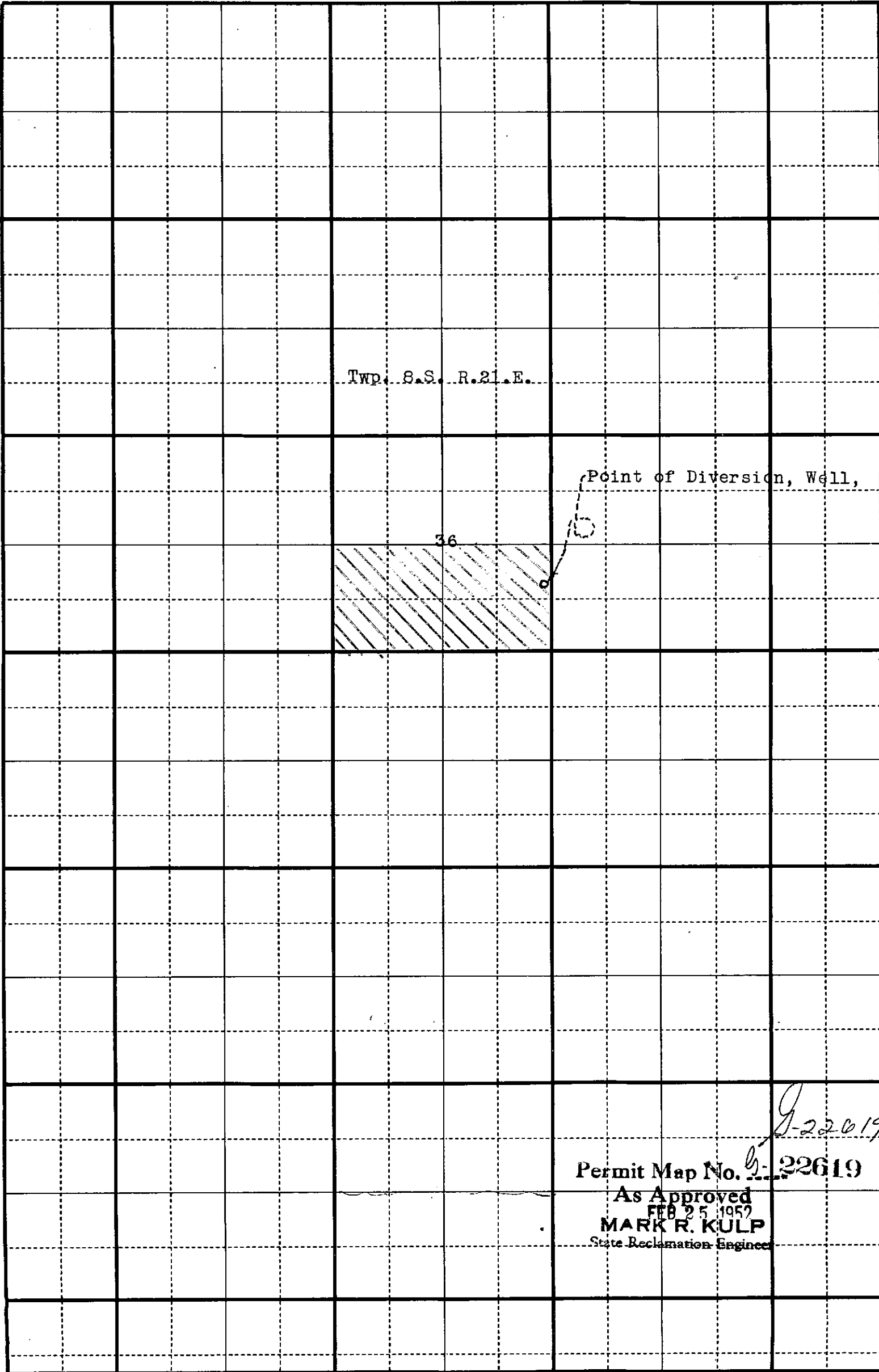
Mr. Scott McClellan
Rupert
Idaho

MARK R. KULP
State Reclamation Engineer

Enc. Departmental receipt No. 24203 for \$6.50 filing fee.

NAME OF APPLICANT Scott McClellan,

Form No. 0



Permit Map No. 22619
As Approved
FEB 25 1957
MARK R. KULP
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

NOTICE OF PROOF OF COM-
PLETION OF WORK

and
APPLICATION OF WATER TO
BENEFICIAL USE

Notice is hereby given that at 11:00 a.m., on the 9th day of February, 1953, at Burley, County of Cassia, State of Idaho, before Carroll Dayley, Notary Public proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of the waters of a well in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Twp. 8 South, Range 21 East, B.M., and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 22619 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Scott McClellan, Rupert, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The place where said water is used is South Half Section 36, Twp. 8 South, Range 21 East, B.M.

5. The date of priority which said user is prepared to establish is February 19, 1952.

MARK R. KULP,
State Reclamation Engineer

1-15-53-4tc

**NOTICE OF PROPOSED
TRANSFER OF WATER
RIGHT**

Notice is hereby given that Scott McClellan of Rupert, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the place of use of the waters of Subterranean - (by well) as follows: Amount: 6.4 cubic feet per second. Priority: February 19, 1952. Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 8 S., Range 21 E, B. M. Place of Use: S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East, B. M.

To Be Transferred to

Place of Use: S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East and Lots 3 and 4 and the E $\frac{1}{2}$ -SW $\frac{1}{4}$ of Section 31, Township 8 South, Range 22 East, B. M.

And that on the 7th day of July, 1958, at 10:00 o'clock A. M., at Room 107, Statehouse, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

E. N. Humphrey

Deputy State Reclamation
Engineer

First Pub. June 19, 1958

Last Pub. June 26, 1958

STATE OF IDAHO
Miscellaneous Expenditure Voucher

No.

FOR USE OF DIVISION
OF ACCOUNTS ONLY

138572

FROM
DEPARTMENT Reclamation

No.

FOR USE OF DEPARTMENT

442

SUB-DIVISION Reclamation Administration

APPROPRIATION Reclamation Administration
ACCOUNT TITLE

PAY TO:

CODE NO.

The North Side News

Jerome, Idaho

ACCOUNT CODES					
FUND	FUNCTION	SUB. DIV.	APPR.	OBJECT	COST CODES
1	6	11	1411	210	\$0.25
COMPUTATION CHECKED BY:				PRE-AUDITED BY:	
INCLUDED IN DAILY SUMMARY NO.				POSTED TO BUDGET CONTROL LEDGER	

DATE	EXPLANATION	AMOUNT	LEAVE BLANK
9/3/58	Legal advertising - Notice of proposed transfer of water right - Scott McClellan, Rupert - under Affidavit of Publication No. 1513, as listed thereon, and attached Invoice No. 10038	\$0.25	

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 same has been paid.

North Side News
By /s/ W. F. MacKnight

SIGNATURE OF CLAIMANT

INSTRUCTIONS TO ISSUING DEPARTMENT

If this claim is to apply against an approved miscellaneous encumbrance requisition, reference to the number thereof must be made in the lower right-hand corner of this form.

To the State Auditor:

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described hereinabove. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service; that the items have been received and accounted for, and that the account stated is correct and just.

Date 9/21/58
W. F. MacKnight
Head of Department or Institution

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

State Auditor

ENCUMBRANCE

LIQUIDATION
\$ 0.25

WARRANT NUMBER

DATE PAID 4/24/59

MISCELLANEOUS
ENCUMBRANCE
REQUISITION
338

NO.

T-911A 36-2165

CLAIM #442

RECLAMATION ADMINISTRATION

Voucher #13542

Date Paid - 4/24/59

Amount - \$8.25

NORTH SIDE NEWS

September 11, 1958

The North Side News
Jerome, Idaho

Gentlemen:

Attention: Janet Peterson, Bookkeeper

I am sending herewith a partially-completed miscellaneous expenditure voucher covering legal advertising on a transfer of water right in your paper. Please have all copies signed in the space indicated for "Signature of Claimant" and then return to this Office so we can put forward for payment through the State Auditor's Office. We will also need two copies of the affidavit of publication for the bookkeeping records - one for the Auditor's Office and one for our permanent claim file. The one you sent earlier will be filed with the transfer records. A self-addressed envelop is inclosed for your use in returning the forms to us. .

Very truly yours,

Geo. N. Carter
State Reclamation Engineer

By

Secretary & Bookkeeper.

lt
Encl. 1 set DA-8

Paid under Voucher No. 138542 4/24/59.
Reclamation Administration

T-911A
36-2165

AFFIDAVIT of PUBLICATION

State of Idaho,
County of Jerome

SS.

RECEIVED
APR 2 11959

Department of Reclamation

COPY OF NOTICE

(Place Here)

Notice of proposed
transfer of water right
Scott McClellan

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Reclamation
St House Boise

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Scott McClellan of Rupert, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the place of use of the waters of Subterranean (by well) as follows: Amount: 6.4 cubic feet per second. Priority: February 19, 1952. Point of diversion: NE 1/4 SE 1/4, Section 36, Township 8 S., Range 21 E., B. M. Place of Use: S 1/2 Section 36, Township 8 South, Range 21 East, B.M.

TO BE TRANSFERRED TO
Place of Use: S 1/2 Section 36, Township 8 South, Range 21 East and Lots 3 and 4 and the E 1/2 SW 1/4 of Section 31, Township 8 South, Range 22 East, B. M.

And that on the 3rd day of September, 1958, at 10:00 o'clock a.m., at Room 107, State House, Boise, Idaho before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any

and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

GEO N. CARTER,
State Reclamation Engineer.

8-21-2tc

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1955)

7 pt. per line, straight	14c
7 pt. per line, tabular	20
7 pt. per line, successive insertions	10c
6 pt. per line, straight	15c
6 pt. per line, tabular	20c
6 pt. per line, successive insertions	10c

W. F. MacKnight, 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 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 21 day of Aug, 1958, and the date of the last publication was on the 28 day of Aug, 1959.

W. F. MacKnight

Subscribed and sworn to before me this

day of April, 1959.
(SEAL)

Burr Stanton

NOTARY PUBLIC

JEROME NORTH SIDE NEWS

COST OF PUBLICATION

Number of Lines in Notice 33

Number of Insertions 2

<u>33</u> Lines at 15c	<u>495</u>
<u>33</u> Lines at 10c	<u>330</u>

TOTAL COST 8,25

Duplicate of
1573

Nº 1090

T-911A
36-2165

September 18, 1958

Re: Transfer of Water Right No. 911-A

Mr. Scott McClellen
Rupert, Idaho

Dear Mr. McClellen:

We wish to report that we have delivered to the Bureau of Land Management two copies of Transfer No. 911. The Land Office stated that this is all that is required.

The cost of furnishing these copies to the Bureau of Land Management is \$2.00, which you may remit to this department.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:lw

T-911A
36-2165



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
GEO. N. CARTER
STATE RECLAMATION ENGINEER

BOISE

August 13, 1958

RECEIVED
SEP 18 1958
Department of Reclamation

Re: Permit No. G-22619

Mr. Scott McClellan
Rupert
Idaho

Dear Mr. McClellan:

Through an error of this office, the notice of your application of transfer of lands to be irrigated under Permit No. G-22619, was published in the Preston Citizen, Preston, Idaho.

State Statute provides that the said notice must be published in the county in which such lands are situated from which it is proposed to transfer the water. We have, this day, sent the notice, copy of which is attached, to North Side News, Jerome, Idaho, for publication at the expense of the Department of Reclamation.

Very truly yours,

Geo. N. Carter
GEO. N. CARTER
State Reclamation Engineer

GNC:RT

Dear Sir:-
Will you please inform me of the results of the above mentioned application.

*T-911A
36-2163*

*yours truly
Scott McClellan*

September 15, 1958

Re: Transfer of Water Right No. 911

Mr. Scott McClellen
Rupert, Idaho

Dear Mr. McClellen:

We enclose Certificate of Transfer No. 911, for the transfer of 6.4 cubic feet per second of water from a well in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 8 South, Range 21 East, B. M., for irrigation and domestic use on the S $\frac{1}{2}$ of Section 36, Township 8 South, Range 21 East, B. M., and Lots 3 and 4 and the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 31, Township 8 South, Range 22 East, B. M.

We also enclose departmental receipt No. 29274, which was issued covering your payment of \$1.00.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:lw
Encls. (2)

T-911A
36-2165

OK Enc #100



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

June 5, 1958

RECEIVED
JUN 10 1958

Department of Reclamation

Re: Transfer of Water Right
License No. G-22619

Mr. Scott McClellen
Rupert, Idaho

Dear Mr. McClellen:

At your request, we are enclosing an Application for Transfer of Water Right, transferring 6.4 cubic feet per second or 320 miners inches, from the S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East, to the following described lands - S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East, B. M., and Lots 3 and 4 and the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 31, Township 8 South, Range 22 East, B. M.

We have partially filled out this application for transfer of water right, however we wish that you would answer the second question on page three of the application and if found correct, please sign the application on page two, subscribed and sworn to before a notary and also sign where marked 'Applicant' on the third page.

We have had an inquiry from the Bureau of Land Management in regard to this evidence of water right upon lots 3 and 4 and the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 31, Township 8 South, Range 22 East, therefore if you will sign this application and return to this department as soon as possible, we will have the same published in a newspaper in Jerome, as the majority of the land is situated in Jerome county. This publication notice requires publication in a county newspaper for two weekly issues, therefore it will take nearly thirty days in which to prepare and furnish you a Certificate of Application of Transfer.

We understand that the Bureau of Land Management will give you a period of sixty days in which to show evidence of a water right.

There is a fee of one dollar for recording, which you may return with the signed application. Also it will be necessary for you, at the end of the two weekly publications in the newspaper, to furnish this department with an affidavit of publication from the newspaper.

Very truly yours,
MARK R. KULP
State Reclamation Engineer
By *Roy W. Thompson*
Roy W. Thompson
Supervisor of Water Distribution

RWT:lw

Enclosure - Application for Transfer of Water Right

P. S. - We are also enclosing your check to the amount of
\$5.50

1-911A
36-2165

Application For Transfer of Water Right

STATE OF IDAHO

County of Minidoka

} ss.

Scott McClellan

, being first duly sworn, deposes and says:

That his name is Scott McClellan; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

Rupert, Idaho

That he is the owner and using a certain water right, bearing date of priority of Feb. 19, 1952, for 6.4 cubic feet per second of the waters of Subterranean flow

County of Jerome, State of Idaho, decreed to

by decree of Judge _____ of the _____ Judicial District of the State of

Idaho, in and for the county of _____, in the case of _____

vs. _____, said decree bearing date of _____

(or obtained by virtue of License No. G-22619, issued by the State Department of Reclamation of

the State of Idaho, dated June 23, 1953, bearing date of February 19, 1952)

for the purpose of irrigating the following described lands situate, lying and being in Water District

No. _____ in the County of Jerome and State of Idaho, to-wit: _____

S $\frac{1}{2}$ of Section 36, Township 8 South, Range 21 East, B. M.

_____ and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e. State License No. G-22619

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said ^{well}~~stream~~ in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 8 S., Range 21 E., B. M., and conducted to the above described lands through Private Ditches

as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 6.4 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Jerome & Minidoka and State of Idaho, to-wit:

S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East, B. M. and Lots 3 & 4 and E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 31, Township 8 South,

That reasons for desiring to make such transfer are as follows: Range 22 East, B.M.

To consolidate my water rights by including additional lands.

T-911A
36-2165

That he intends to divert and convey said 6.4 second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:

Through private ditches with no change in point of diversion.

Note—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in 1/4 of 1/4 of Section , Township , Range , and thereafter conduct same to the above described land through the ditch, as per map appended.

That his reasons for desiring to make such change are as follows:

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in ~~point of diversion and/or~~ place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

Scott McCallan
Applicant.

Subscribed and sworn to before me this

9th

day of

June

1958

Clayton J. Smith
Notary Public.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Subterranean, by well

Where is the diversion point located? NE 1/4 SE 1/4 Section 36, Township 8 South, Range 21 East B.M.

Through what ditch is it now conducted? Through private ditches

How much land is now irrigated by the water sought to be transferred? 320 acres

Give the description:

S 1/2 Section 36, Township 8 South, Range 21 East, B. M.

What is the total amount of water in inches, or second feet, dedicated to said land? 6.4 c.f.s.

What kind of crops are being raised?

How much water per acre is now required to irrigate said land? 1.19 inches

What will be the effect on the land now irrigated, if the use of water on it is discontinued?

Use of water is not discontinued.

Give location of new point of diversion, if change is to be made... No change in point of diversion

Through what ditch will it be conducted after transfer? Private ditches

How much water will be required per acre to irrigate the land to which this water is transferred?

1.19 inch per acre

Do you claim any other water right for the land from which you seek to abandon the use of this water?

If so, give amount, date and source. None

Is there any other water right for the land to which you seek to make this transfer? If so, give amount,

date and source. No

Signed Scott McCallan
Applicant.

STATE OF IDAHO, }
County of _____ } ss.

I, _____, Watermaster of _____

Water District No. _____, County of _____, State of Idaho, whose postoffice address is _____, have read or heard read the foregoing affidavit and petition

of _____, and, of my own knowledge, believe the same to be true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized; and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of transfer prayed for) for the following reasons:

Watermaster, District No. _____

Dated at _____, Idaho, this _____ day of _____, 19 _____

T-911A
36-21125

Name of Applicant

SEC.

SEC.

SEC.

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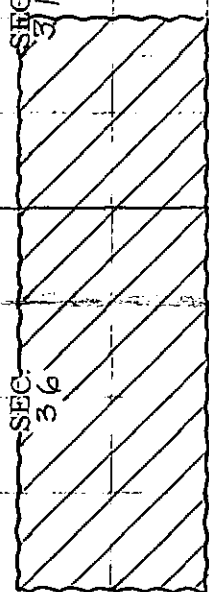
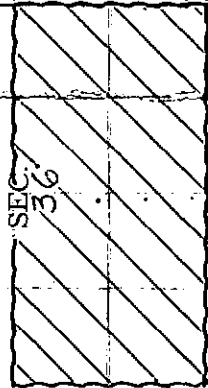
SEC.

TRANSFERRED FROM:

TRANSFERRED TO:

T. 8 S.

T. 8 S.



R-21E
R-22E

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application
of

Scott McClellen, of
Rupert, Idaho

For a Transfer of Water Right for
Subterranean Water in the County of
Jerome, Idaho

ORDER GRANTING TRANSFER

NO. 911-A.

WHEREAS, On the 7th day of July, 1958, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of Scott McClellen, of Rupert, Idaho, for a transfer of water right, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application and the evidence filed by the applicant, with the application, shows that the water will be consolidated on lands of the applicant for more efficient beneficial use and that no one will be injured thereby.

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 15th day of September, 1958.

GEO. N. CARTER
State Reclamation Engineer

T-911A
36-2165

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 911-A

THIS IS TO CERTIFY, That Scott McClellen, of Rupert, Idaho, is the owner of and using a certain water right for 6.4 cubic feet per second of subterranean flow from a well located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 8 South, Range 21 East, B. M.

That said water being evidenced by virtue of License and Certificate of Water Right No. G-22619, issued by the State Reclamation Engineer, State of Idaho, dated June 23, 1953, for 6.4 cubic feet per second, with priority of February 19, 1952, with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 8 South, Range 21 East, B. M., and being appurtenant to the following described lands, to-wit:

S $\frac{1}{2}$ of Section 36, Township 8 South
Range 21 East, B. M.

That said license has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume No. 8 of Licenses at Page 5093.

And that now upon the application of Scott McClellen of Rupert, Idaho, for a transfer of 6.4 cubic feet per second of said subterranean water, made before the State Reclamation Engineer of the State of Idaho and said application having been granted the right to the use of said water upon the lands described above is Hereby Abandoned and the lands to which said water shall, by this Certificate, become appurtenant for irrigation and domestic purposes are described as follows, to-wit:

S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East, B. M. }
and Lots 3 and 4 and the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 31, Township }
8 South, Range 22 East, B. M. }

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

6.4 cubic feet per second, with priority of
February 19, 1952.

That the water right hereby transferred has heretofore been conducted to the first above described lands through private ditches with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 8 South, Range 21 East, B. M.

That the water right hereby transferred will hereafter be conducted to the last above described land through private ditches with no change in point of diversion.

That the right to the use of the aforesaid hereby confirmed is restricted to the land or place of use last above described as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho, to be hereunto affixed, at Boise, Idaho, this 15th day of September, 1958.

GEO. N. CARTER
State Reclamation Engineer

**NOTICE OF PROPOSED TRANSFER
OF WATER RIGHT**

Notice is hereby given that Scott Mc Clellan of Rupert, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the place of use of the waters of Subterranean (by well) as follows: Amount: 6.4 cubic feet per second. Priority: February 19, 1952. Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 8 S., Range 21 E. B. M. Place of Use: S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East, B.M.

TO BE TRANSFERRED TO

Place of Use: S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East and Lots 3 and 4 and the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 31, Township 8 South, Range 22 East, B. M.

And that on the 3rd day of September, 1958, at 10:00 o'clock a.m., at Room 107, State House, Boise, Idaho before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

GEO N. CARTER,
State Reclamation Engineer.

8-21-2tc

Posto Gram from the **NORTH SIDE NEWS**

JEROME,
IDAHO

Aug. 15, 1958

Gentlemen:

I acknowledge receipt of the Notice of
Proposed Transfer of Water Right Scott
McClellan.

Janet Peterson
Bookkeeper

T-911A
36-2143



THIS SIDE OF CARD IS FOR ADDRESS

RECEIVED
AUG 18 1958

Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

GEO. N. CARTER
~~XXXXXXXXXX~~

August 13, 1958

Re: Permit No. G-22619

Mr. Scott McClellan
Rupert
Idaho

Dear Mr. McClellan:

Through an error of this office, the notice of your application of transfer of lands to be irrigated under Permit No. G-22619, was published in the Preston Citizen, Preston, Idaho.

State Statute provides that the said notice must be published in the county in which such lands are situated from which it is proposed to transfer the water. We have, this day, sent the notice, copy of which is attached, to North Side News, Jerome, Idaho, for publication at the expense of the Department of Reclamation.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC:RT

T-911A
36-2165

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Notice of Proposed Transfer of Water Right Date: Aug. 13, 1958
 Scott McClellan

North Side News
Jerome, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for two consecutive weeks prior to September 3, 1958 the date set for hearing, the expense of the publication to be paid by the ~~#####~~ Department of Reclamation of State House, Boise, Idaho, to whom you should furnish proof of publication on or prior to the date set for hearing.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

State Reclamation Engineer
By

T-911A
36-2165

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Scott McClellan of
Rupert, Idaho has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing him to change the ~~place of use of the waters of~~
~~Subterranean-(by well)~~ place of use of the waters of Subterranean-(by well) as follows:
Amount: 6.4 cubic feet per second. Priority: February 19, 1952
Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 8 S., Range 21 E., B. M.
Place of Use: S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East, B.M.

To Be Transferred To

~~Subterranean-(by well)~~
Place of Use: S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East and Lots 3 and 4
and the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 31, Township 8 South, Range 22 East, B.M.

And that on the 3rd day of September, 19 58, at 10:00 o'clock A.M.,
at Room 107, State House, Boise, Idaho before the State Reclamation Engineer, or
his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

Geo. N. Carter
State Reclamation Engineer

T-911A
36-2165

XXXXXXXXXX

August 5, 1958

Re: Notice of Proposed Transfer
of Water Right
Scott McClellan

Preston Citizen
Preston, Idaho

Dear Sir:

Under date of June 10, 1958, this department mailed to you a Notice of Proposed Transfer of Water Right, in the name of Scott McClellan, requesting that it be published for two consecutive weeks prior to July 7, 1958.

We further requested that the Affidavit of Publication be sent to Mr. Scott McClellan, of Rupert, Idaho, and to furnish this office with a copy of the first publication for checking purposes.

Under date of July 27, 1958, we wrote to Mr. McClellan requesting the Affidavit of Publication, however to date it has not been received.

Since the Affidavit of Publication is necessary, will you please furnish us with same.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Mrs. Edna P. Rutledge
Chief Clerk

EPR:lw
cc: Scott McClellan
Rupert, Idaho

T-911A
36-2165



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

June 27, 1958

RECEIVED
AUG 5 1958
Department of Reclamation

Re: Transfer of Water Right

Mr. Scott McClellan
Rupert, Idaho

Dear Mr. McClellan:

Upon the receipt of the Affidavit of Publication from the Preston Citizen, of Preston, Idaho, a Certificate of Transfer can be issued on your recent application for a Transfer of Water Right from a subterranean well located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, Township 8 South, Range 21 East, transferring water from the S $\frac{1}{2}$ of Section 36, Township 8 South, Range 21 East, to the S $\frac{1}{2}$ of Section 36, Township 8 North, Range 21 East and Lots 3 and 4 and the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 31, Township 8 South, Range 22 East, B. M.

Very truly yours,

E. N. HUMPHREY
Deputy State Reclamation Engineer
By

Roy W. Thompson
Roy W. Thompson
Supervisor of Water Distribution

RWT:lw

Gentlemen: I have never heard what has happened to the above application for transfer of water. Will you please inform as to what to expect.

T-911A
36-2165

yours truly,

Scott McClellan

Nº 137

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO.

ss.

County of Franklin

Olson E. Smith

, being duly sworn,

deposes and says:

That he is the *Publisher* of

THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, 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 said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

June 19 1958, and ending with the issue of *June 26* 1958

Fees, \$ *9.20*

Subscribed and sworn to before me this *9* day of *Aug* 1958

James L. Smead

Notary Public, Residing at Preston, Idaho

My Commission Expires *April 25* 1962

RECEIVED
AUG 1 1958
Department of Reclamation

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Scott McClellan of Rupert, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the place of use of the waters of Subterranean (dry well) as follows: Amount: 6.4 cubic feet per second. Priority: February 19, 1952. Point of diversion: NE 1/4, Section 36, Township 8 S, Range 21 E, B. M. Place of Use: SW 1/4, Section 36, Township 8 South, Range 21 East, B. M.

To Be Transferred to: Place of Use: SW 1/4, Section 36, Township 8 South, Range 21 East and Lots 3 and 4 and the E 1/4 SW 1/4 of Section 31, Township 8 South, Range 22 East, B. M.

And that on the 7th day of July, 1958, at 10:00 o'clock A. M. at Room 107, Statehouse, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

By *W. E. Humphrey*
Deputy State Reclamation Engineer
First Pub. June 19, 1958
Last Pub. June 26, 1958

*T-911A
36-2163*

June 5, 1958

Re: Transfer of Water Right
License No. G-22619

Mr. Scott McClellen
Rupert, Idaho

Dear Mr. McClellen:

At your request, we are enclosing an Application for Transfer of Water Right, transferring 6.4 cubic feet per second or 320 miners inches, from the S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East, to the following described lands - S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East, B. M., and Lots 3 and 4 and the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 31, Township 8 South, Range 22 East, B. M.

We have partially filled out this application for transfer of water right, however we wish that you would answer the second question on page three of the application and if found correct, please sign the application on page two, subscribed and sworn to before a notary and also sign where marked 'Applicant' on the third page.

We have had an inquiry from the Bureau of Land Management in regard to this evidence of water right upon lots 3 and 4 and the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 31, Township 8 South, Range 22 East, therefore if you will sign this application and return to this department as soon as possible, we will have the same published in a newspaper in Jerome, as the majority of the land is situated in Jerome county. This publication notice requires publication in a county newspaper for two weekly issues, therefore it will take nearly thirty days in which to prepare and furnish you a Certificate of Application of Transfer.

We understand that the Bureau of Land Management will give you a period of sixty days in which to show evidence of a water right.

There is a fee of one dollar for recording, which you may return with the signed application. Also it will be necessary for you, at the end of the two weekly publications in the newspaper, to furnish this department with an affidavit of publication from the newspaper.

Very truly yours,
MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:lw

Enclosure - Application for Transfer of Water Right

P. S. - We are also enclosing your check to the amount of \$5.50.

T-911A
36-2165



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

May 22, 1958

RECEIVED
JUN 5 1958
Department of Reclamation

Re: Permit No. G-22619

Mr. Scott McClellan
Rupert, Idaho

Dear Mr. McClellan:

In reply to your letter of May 18, 1958, enclosing a check for \$5.50.

You state that you wish to file Application for Permit to the amount of 120 inches of water from the waters of a well that you filed on under Permit No. G-22619, for Lots 3 and 4 and the $E\frac{1}{2}SW\frac{1}{4}$ of Section 31, Township 8 South, Range 22 East.

According to the records in this department, we have issued a license for 320 inches of water or 6.4 cubic feet per second, on the $S\frac{1}{2}$ of Section 36, Township 8 South, Range 21 East. Unless this well is producing 120 inches in excess of the 320 inches as licensed on Permit No. G-22619, we could not approve another application for 120 inches out of the same well.

We assume from our engineer's report that the well pumped 320 miner's inches of water. In case you wish to have this 320 miner's inches of water distributed over the land to which it is now appurtenant, and include the $SW\frac{1}{4}$ of Section 31, Township 8 South, Range 22 East, we could do this by transferring of water right, which would be the proper procedure to follow.

By transferring the 320 inches away from the 320 acres now licensed, then transfer the same water back to the same land and include the $SW\frac{1}{4}$ of Section 31, this would pro-rate the water to around 107 miner's inches to each 160 acres. Providing you wish to handle by transfer, please let us know and we will prepare the transfer in this office, and send it to you for your signature.

T-911A
36-2165

Mr. Scott McClellan

-2-

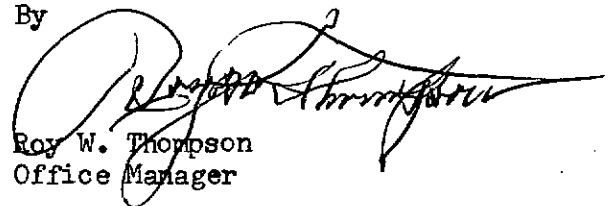
May 22, 1958

However, on the other hand, if your well is producing the equivalent of 440 inches of water, it would be best for you to file a new application, showing point of diversion from the same well and applying same on the SW $\frac{1}{4}$ of Section 31.

We will hold your check in the office until we find out what method you wish to proceed.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By


Roy W. Thompson
Office Manager

RECEIVED
JUN 5 1958

Department of Reclamation

RWT:lw

Gentlemen:
I wish to handle this deal by transferring part of the water from permit A 22619 which is pumping 320 inches:

Yours truly,
Scott McClellan

T-911A
36-2165

May 22, 1958

Re: Permit No. G-22619

Mr. Scott McClellan
Rupert, Idaho

Dear Mr. McClellan:

In reply to your letter of May 18, 1958, enclosing a check for \$5.50.

You state that you wish to file Application for Permit to the amount of 120 inches of water from the waters of a well that you filed on under Permit No. G-22619, for Lots 3 and 4 and the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 31, Township 8 South, Range 22 East.

According to the records in this department, we have issued a license for 320 inches of water or 6.4 cubic feet per second, on the S $\frac{1}{2}$ of Section 36, Township 8 South, Range 21 East. Unless this well is producing 120 inches in excess of the 320 inches as licensed on Permit No. G-22619, we could not approve another application for 120 inches out of the same well.

We assume from our engineer's report that the well pumped 320 miner's inches of water. In case you wish to have this 320 miner's inches of water distributed over the land to which it is now appurtenant, and include the SW $\frac{1}{4}$ of Section 31, Township 8 South, Range 22 East, we could do this by transferring of water right, which would be the proper procedure to follow.

By transferring the 320 inches away from the 320 acres now licensed, then transfer the same water back to the same land and include the SW $\frac{1}{4}$ of Section 31, this would pro-rate the water to around 107 miner's inches to each 160 acres. Providing you wish to handle by transfer, please let us know and we will prepare the transfer in this office, and send it to you for your signature.

T-911A
36-2165

Mr. Scott McClellan

-2-

May 22, 1958

However, on the other hand, if your well is producing the equivalent of 440 inches of water, it would be best for you to file a new application, showing point of diversion from the same well and applying same on the SW $\frac{1}{4}$ of Section 31.

We will hold your check in the office until we find out what method you wish to proceed.

Very truly yours,

MARK R. KOLP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw

T-911A
36-2165

RECEIVED
MAY 2 1958
Department of Reclamation

Rupert Idaho
May 18, 1958

State of Idaho
Department of Reclamation
Boise Idaho

Dear Sirs:-

I wish to
get a permit to pump 120 inches of water
from my well which is permit No. G-22619.
I wish to pump water to irrigate
Lots 3 & 4, E $\frac{1}{2}$ S.W. $\frac{1}{4}$ Sec. 31 T. 8.S. R. 22. E.B.M
containing 160 acres. I am enclosing
signed check for fees.

yours truly

Scott Mc Clellan
Rt 2 Rupert Idaho

T-911A
36-2165

June 27, 1958

Re: Transfer of Water Right

Mr. Scott McClellan
Rupert, Idaho

Dear Mr. McClellan:

Upon the receipt of the Affidavit of Publication from the Preston Citizen, of Preston, Idaho, a Certificate of Transfer can be issued on your recent application for a Transfer of Water Right from a subterranean well located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, Township 8 South, Range 21 East, transferring water from the S $\frac{1}{2}$ of Section 36, Township 8 South, Range 21 East, to the S $\frac{1}{2}$ of Section 36, Township 8 North, Range 21 East and Lots 3 and 4 and the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 31, Township 8 South, Range 22 East, B. M.

Very truly yours,

E. N. HUMPHREY
Deputy State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:lw

T-911A
36-2165

Extra

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Notice of Proposed Transfer of Water Right Date: June 10, 1958
Scott McClellan

Preston Citizen
Preston, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for two consecutive weeks prior to July 7, 1958 the date set for hearing, the expense of the publication to be paid by the applicant, Scott McClellan of Rupert, Idaho, to whom you should furnish proof of publication on or prior to the date set for hearing.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

E. N. Humphrey, Deputy
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:lw
Encls. (1)

T-911A
36-2165

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Scott McClellan of
Rupert, Idaho has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing him to change the ~~point of diversion~~
~~and/or~~ place of use of the waters of Subterranean - (by well) as follows:
Amount: 6.4 cubic feet per second. Priority: February 19, 1952
Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 8 S., Range 21 E, B. M.
Place of Use: S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East, B. M.

To Be Transferred To

~~Point of diversion: _____, Section _____, Township _____, Range _____, B. M.~~
Place of Use: S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East and Lots 3 and 4 and the E $\frac{1}{2}$ SW $\frac{1}{4}$
of Section 31, Township 8 South, Range 22 East, B. M.

And that on the 7th day of July, 1958, at 10:00 o'clock A M.,
at Room 107, Statehouse, Boise, Idaho before the State Reclamation Engineer, or
his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

E. N. Humphrey
Deputy State Reclamation Engineer

T-911A
36-2165

File

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Notice of Proposed Transfer of Water Right Date: June 10, 1958
Scott McClellan

Preston Citizen
Preston, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for two consecutive weeks prior to July 7, 1958 the date set for hearing, the expense of the publication to be paid by the applicant, Scott McClellan of Rupert, Idaho, to whom you should furnish proof of publication on or prior to the date set for hearing.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

E. N. Humphrey, Deputy
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:lw
Encls. (1)

T-911A
36-2163

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Scott McClellan of
Rupert, Idaho has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing him to change the ~~point of diversion~~
~~and/or~~ place of use of the waters of Subterranean - (by well) as follows:
Amount: 6.4 cubic feet per second. Priority: February 19, 1952
Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 8 S., Range 21 E, B. M.
Place of Use: S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East, B. M.

To Be Transferred To

~~Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 8 S., Range 21 E, B. M.~~
Place of Use: S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East and Lots 3 and 4 and the E $\frac{1}{2}$ SW $\frac{1}{4}$
of Section 31, Township 8 South, Range 22 East, B. M.

And that on the 7th day of July, 19 58, at 10:00 o'clock A M.,
at Room 107, Statehouse, Boise, Idaho before the State Reclamation Engineer, or
his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

E. N. Humphrey
Deputy State Reclamation Engineer

T-911A
36-2165

**NOTICE OF PROPOSED TRANSFER
OF WATER RIGHT**

Notice is hereby given that Scott Mc Clellan of Rupert, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the place of use of the waters of Subterranean (by well) as follows:
Amount: 6.4 cubic feet per second. Priority: February 19, 1952. Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 8 S., Range 21 E, B. M. Place of Use: S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East, B.M.

TO BE TRANSFERRED TO
Place of Use: S $\frac{1}{2}$ Section 36, Township 8 South, Range 21 East and Lots 3 and 4 and the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 31, Township 8 South, Range 22 East, B. M.

And that on the 3rd day of September, 1956, at 10:00 o'clock a.m., at Room 107, State House, Boise, Idaho before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any

and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

GEO N. CARTER,
State Reclamation Engineer.

8-21-2tc