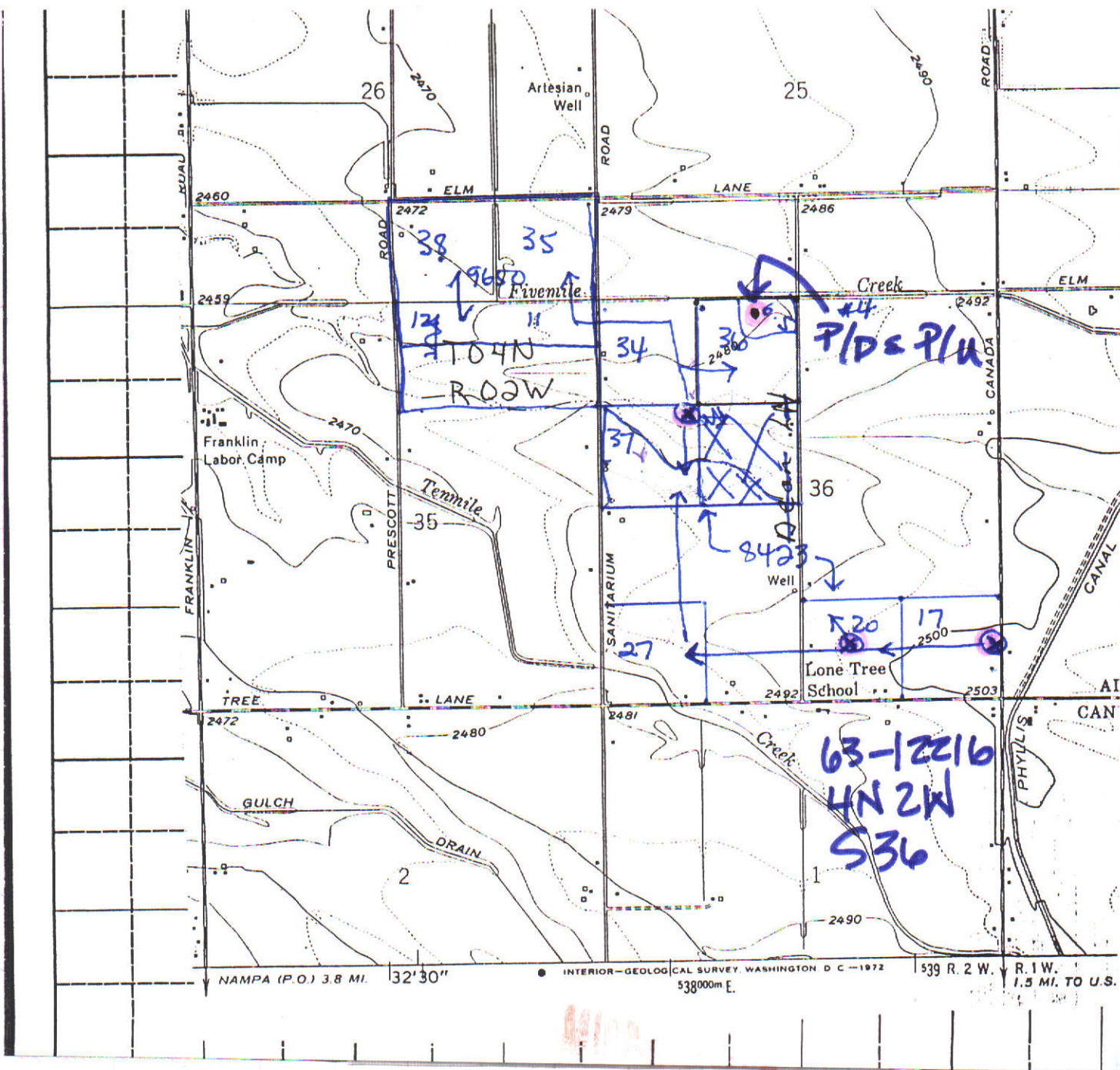


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



SEP 14 1995

less 1.50c
1.50c

P.D + use

36

P.D + Mint still

T. 4N.

P. 2W.B.M.

Lewis McKelvey
(Applicant)

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Canyon.) ss.

Verla Harker
of Nampa, Canyon County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

February 17, 24, 1977

Verla Harker

Subscribed and sworn to before me this

24th day of February, 19 77

Glenn D. Law

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Lewis McKellip, Route 2, Box 2117, Nampa, Idaho, has on February 7, 1977, submitted Application No. 63-8423 for a permit to appropriate 3.97 cubic feet per second of water from a groundwater source by means of well, pump and gravity system within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36 T4N-R2W B.M., Canyon County, to be used from Jan. 1 to Dec. 31 for stockwater purposes, and from July 1 to Oct. 31 for operation of a mint still and from March 1 to Oct. 31 for irrigation of 191.46 acres within the N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 36 T4N-R2W B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before March 3, 1977.

R. KEITH HIGGINSON
Director
February 17, 24, 1977.

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MAR 9 1977

Department of Water Resources
Western Regional Office

OK
3-11-77
CS

MICROFILMED

R.W.H.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

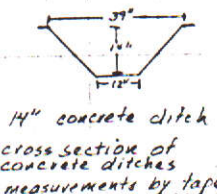
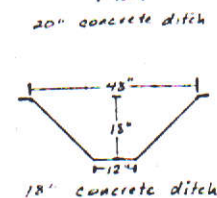
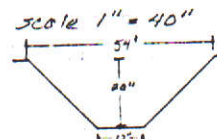
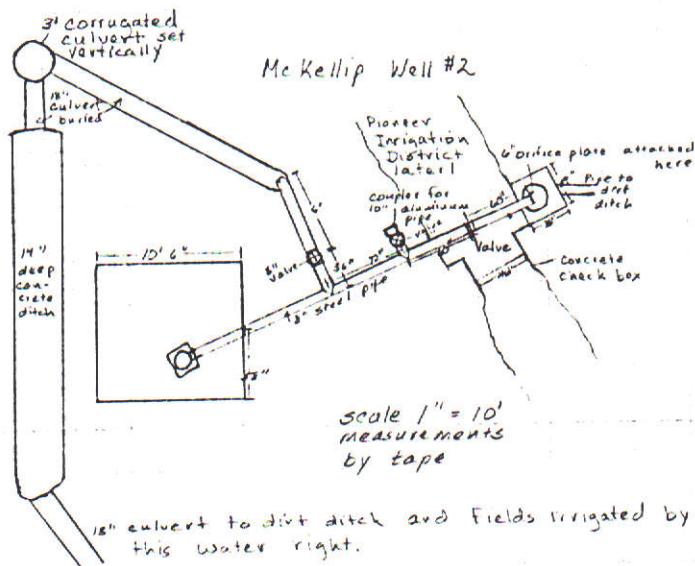
Permit No. 63-9650
Phone No. 466-6819
Owner: McKellip Farm Inc. ID 83651
Current Address: R+2, Box 2117, Nampa
Accompanied by: Lewis McKellip EXAM. DATE: 7-2-87
Address: same as above Phone No. 466-6819
Relationship to Permit Holder: owner
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: surface water Pioneer Irrigation ☐ Copies Attached
2. Other water rights with same point of diversion: 63-8423 add acres with this water right
63-4196 + 63-4894 different wells ☒ Copies Attached ☒ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

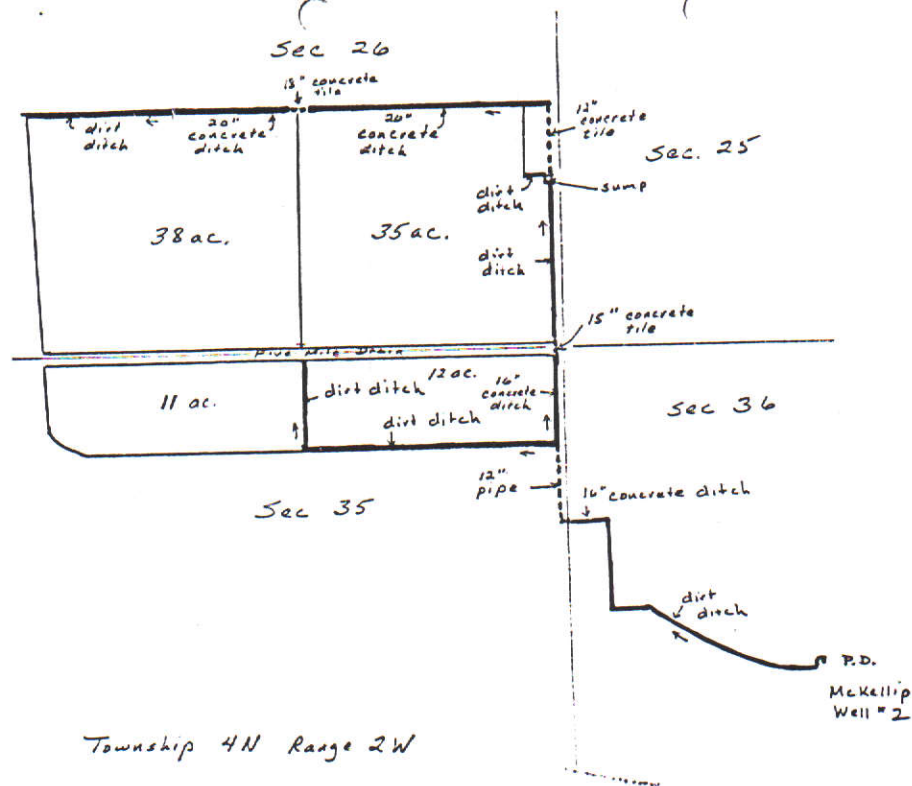


Scale: 1" = see sketches

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☒ Aerial Photo Attached (required for irrigation of 10 acres or more).

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JUL 4 1987

63-9650



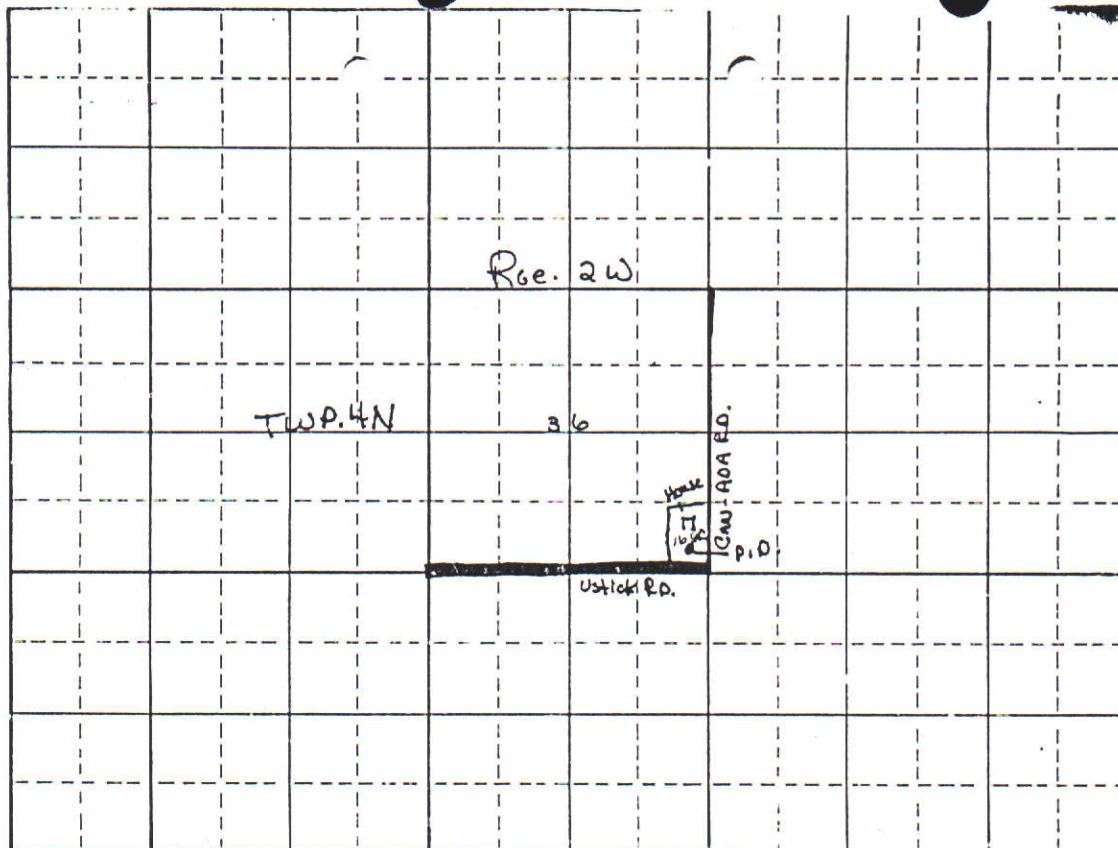
Township 4N Range 2W

Delivery system from McKellip Well #2 P.D. to
 irrigation land in sec. 26 and sec. 35 Twn 4N
 Rge 2W.

Scale 1" = 660' Drawn from aerial photo

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SCHEMATIC DIAGRAM OF SYSTEM

(include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SE 1/4 SE 1/4, Sec. 36, Twp. 4N, Rge. 2W.

Place(s) of Use

TWP.	RGE.	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	
4N	2W	36																16	16

Recommended Amendments:

☒ Change P.D. as reflected above

☒ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☐ None

☐ Other

Examiner's Signature

Checked by

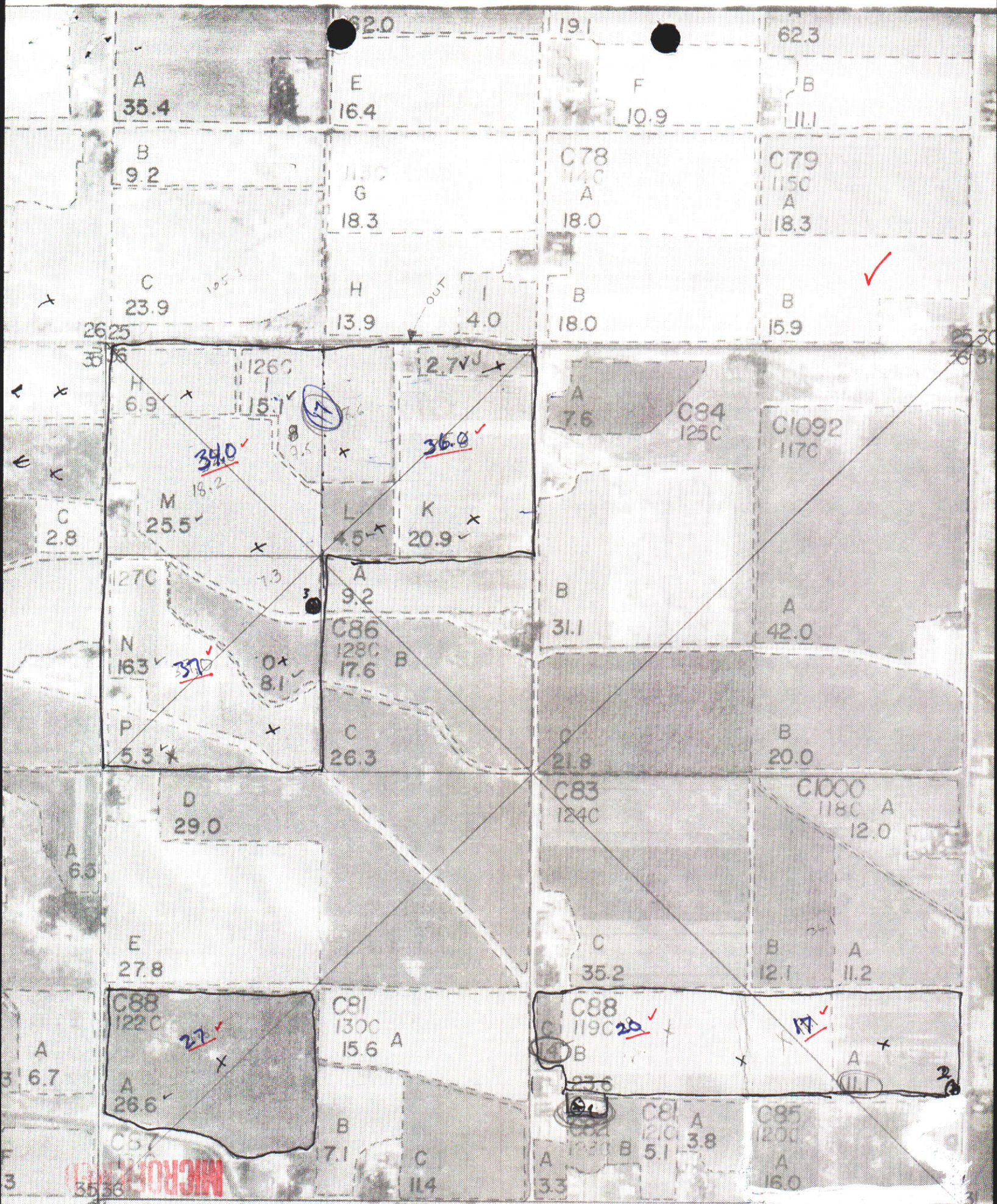
Approved by

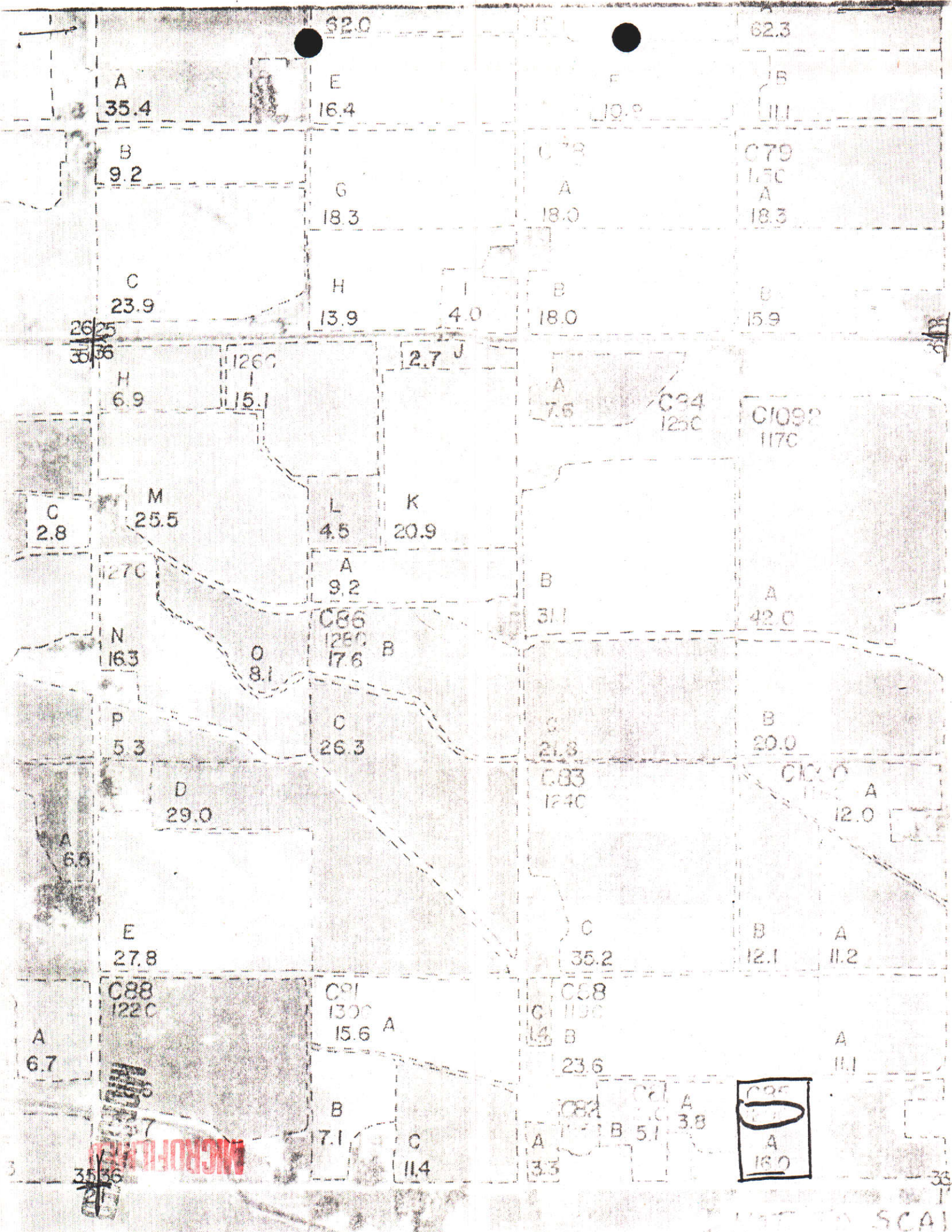
Date 9/24/80

Date 11/11/80

Date 1/14/83

SEP 14 1995





A
35.4

E
16.4

62.3
B
11.1

B
9.2

G
18.3

C78
A
18.0

C79
1.50
A
18.3

C
23.9

H
13.9

I
4.0

B
18.0

B
15.9

26/25
35/36

H
6.9

1260
15.1

2.7 J

A
7.6

C94
1250

C1092
1170

C
2.8

M
25.5

L
4.5

K
20.9

1270

A
9.2

B
31.1

A
42.0

N
16.3

O
8.1

C86
1280
17.6 B

P
5.3

C
26.3

C
21.8

B
20.0

D
29.0

C83
1240

C1090
11.0 A
12.0

A
6.5

E
27.8

C
35.2

B
12.1

A
11.2

C88
1220

C91
1300
15.6 A

C88
1190
14.0 B
23.6

A
6.7

B
7.1

C
11.4

C82
11.0 A
14.0 B
3.3

C91
11.0 A
3.8

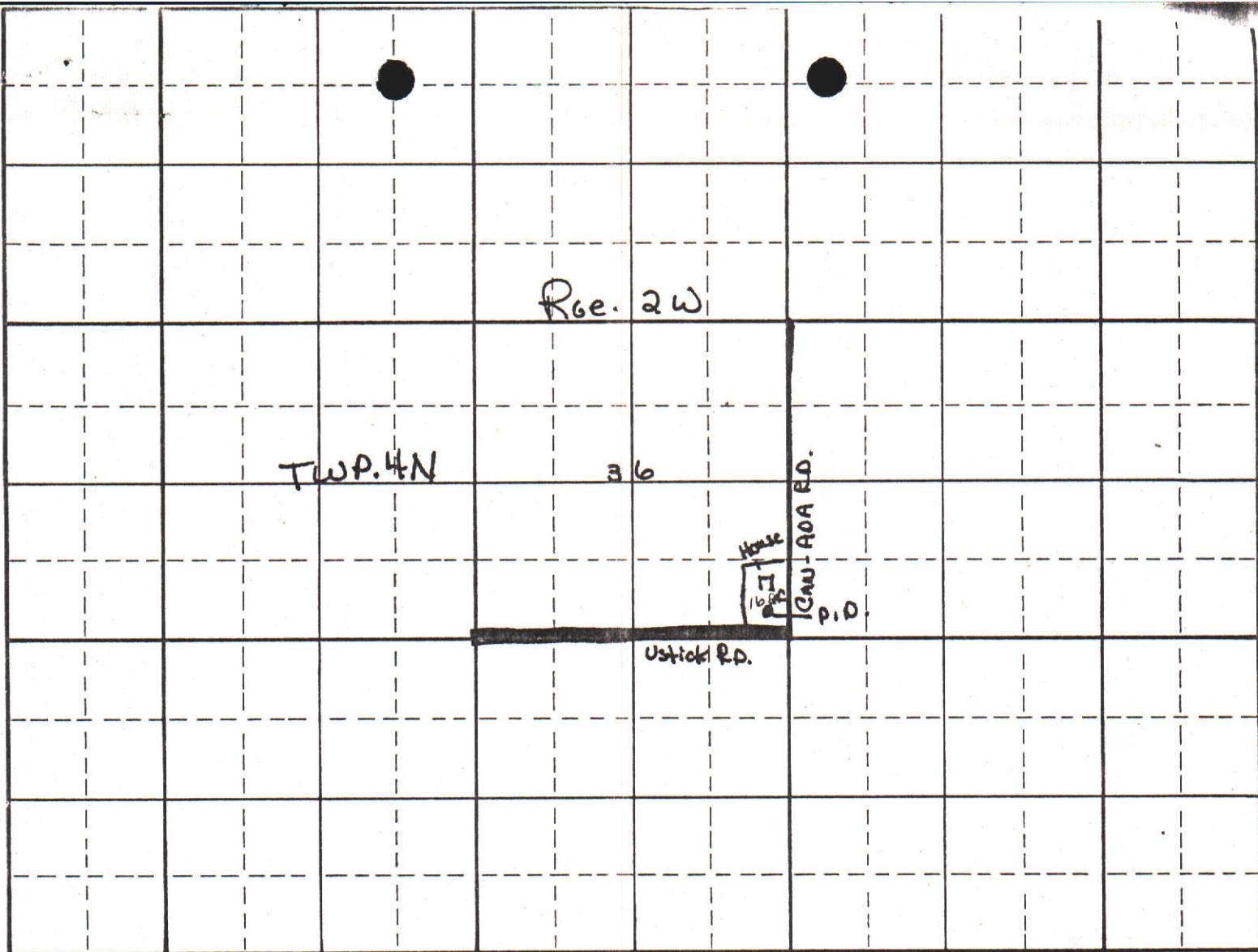
C95
A
16.0

ANCHOR FILMED

35/36

36

NOT TO SCALE



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SE 1/4 SE 1/4, Sec. 36, TWP. 4N, RGE. 2W.

Place(s) of Use

TWP.	RGE.	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	
4N	2W	36																16	16
																			16

Recommended Amendments:

- ☒ Change P.D. as reflected above 3 Rge 2W NOT 2E
☐ Add P.D. as reflected above
 ☐ None
- ☒ Change P.U. as reflected above
 ☐ Add P.U. as reflected above
 ☐ Other

Examiner's Signature

Checked by

Approved by

Jan Grover
T. Lynn

DBS

Date

Date

Date

9/26/80

11/11/80

1/14/83

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4662
WATER RIGHT NO. 63-08423

This is to certify that: **LEWIS MC KELLIP**
18120 DEAN LN
NAMPA ID 83687

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	3.42 CFS	769.5 AF
COMMERCIAL	07/01 to 10/01	0.10 CFS	18.2 AF
	Totals	3.52 CFS	787.7 AF

SOURCE

GROUNDWATER

Priority: 02/07/1977

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 36, Township 04N, Range 02W
SWNW , Sec. 36, Township 04N, Range 02W
SWSE , Sec. 36, Township 04N, Range 02W
SESE , Sec. 36, Township 04N, Range 02W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 02W 36	NENW 36	NWNW 34	SWNW 37	
	SWSW 27	SWSE 20	SESE 17	171
		Total number of acres irrigated:		171

PLACE OF USE: COMMERCIAL

<u>TWN RGE SEC</u>	
04N 02W 36	SWSE

RECORDED

SEP 14 1995

TRANSFER NO. 4662
WATER RIGHT NO. 63-08423

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
2. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. The total instantaneous diversion of water from all points of diversion under Transfer No. 4662 shall not exceed 3.52 cfs, nor total combined annual volume of 787.7 af.
10. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
11. Commercial use is for a mint still.

Dated this 28th day of August, 1995


Chief, Water Alloc. Bureau

SEP 4 1995

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4662**RECEIVED**
AUG 21 1995APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant LEWIS Mc KELLIP Phone 208-466-6819
Post Office of Water Resources
Department address 18120 DEAN LN NAMPA 83687

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes add well to existing system

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

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|-------------------|-----------------------|-------------------|----------------------------|
| <u>63-08423</u> | <u>02/07/1977</u> | <u>3.42/769.5</u> | <u>IRRIGATION</u> | <u>3/1</u> to <u>10/31</u> |
| | | <u>.10/18.2</u> | <u>COMMERCIAL</u> | <u>7/1</u> to <u>10/01</u> |
| | | | | to _____ |
| | | | | to _____ |
2. Total amount of water being transferred 3.52 cubic feet per second and/or 787.7 acre-feet per annum.
3. Source of water GROUND WATER tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	36	4N	2W	CANYON	
		SW	SE					
		SE	SE					
		NE	NW					

NEW WELL - drilled under
63-94-W-0020 - currently used for
exempted purposes.

5. Lands irrigated or place of use:

Twp.	Rge.	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	
4N	2W	36					36	34	37				27				20	17	171

SEP 14 1995

no change p12

Total acres 171

PART 1

6. General Information:

a. Description of diversion system 3 existing wells for irrigation - common mainlines. A fourth well, drilled under domestic exemption, to be added to system.

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

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

None - NENW well primarily to irrigate 6.5 acres in NENW which is now being irrigated from existing system. This well also to be used under 63-120916 when approved.

d. Remarks:

Well drilling permit (63-94-W-0020) to be upgraded to irrigation permit

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____

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PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-08423

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	<u>3/15</u> <u>11/15</u> ~~03/01~~ to ~~10/31~~	3.42 CFS	769.5 AF
COMMERCIAL	07/01 to 10/01	0.10 CFS	18.2 AF
	Totals	3.52 CFS	787.7 AF

SOURCE

GROUNDWATER

Priority: 02/07/1977

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 36, Township 04N, Range 02W
 SWSE , Sec. 36, Township 04N, Range 02W
 SESE , Sec. 36, Township 04N, Range 02W
 CANYON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 02W 36	NENW 36	NWNW 34	SWNW 37	
	SWSW 27	SWSE 20	SESE 17	171
		Total number of acres irrigated:		171

PLACE OF USE: COMMERCIAL, ~~same as IRRIGATION use~~ Not Specified on License.CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

SEP 14 1995

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

NO If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

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

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

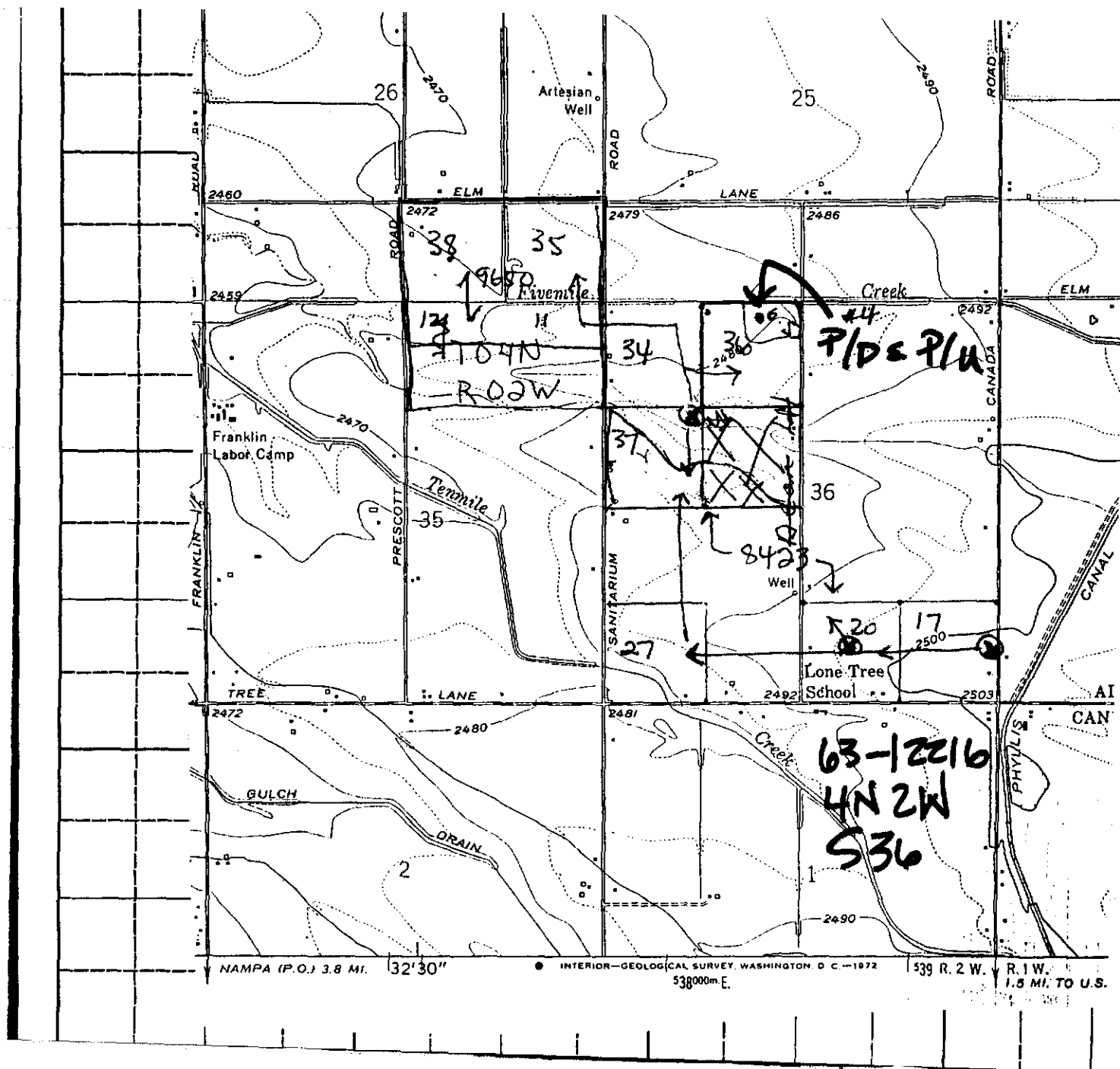
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

SEP 14 1995

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



SEP 14 1995

PART 3

B. CHANGES IN NATURE OF USE N/A

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

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

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

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

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

Subscribed and sworn to before me this 21st day of June, 19 95.

Louis McKelly
(Signature of Applicant)

My commission expires 6/18/98

Lori Gowan
(Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by CYH Date 6-21-95

Prelim. check by SL Fee \$100 W019417 W019267

Received by g Date 6/21/95

Published in Press Tribune

Pub. dates 7-19 + 26 - 1995

Watermaster recommendation requested on _____

_____ rec'd. _____

Copy of transfer sent to lien holder _____

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denial

by DRS

SEP 14 1995

T.4662

AJ0729NP
No. A63-08423

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/11/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LEWIS MC KELLIP	02/07/1977	IRRIGATION	03-01 10-31	3.42 CFS	769.50 AF/
C	ANNE MC KELLIP		COMMERCIAL	07-01 10-01	0.10 CFS	18.20 AF/
C	MC KELLIP FARMS INC 18120 DEAN LN NAMPA ID 83687 (208) 466-6819					
TOTAL DIVERSION:					3.52 CFS	787.70 AF/
CONSUMPTIVE USE:						598.50 AF/

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T04N R02W S36 NESWNW NWSWSE NESESE CANYON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		
04N	02W	36	:	36	34	37	:	27	:	20	17	:	171.0			
TOTAL ACRES															171.0	

Place of use Legal Description for: COMMERCIAL

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		
04N	02W	36	:				:				:				:	
C																

POU County: CANYON

Non-Irrigation Uses: C/MINT STILL.

Other Rights: PIONEER IRR. DIST.

Other Water Rights with Same Point(s) of Diversion and Source:

A63-02529	A63-04445	A63-04894	A63-08193	A63-09650	A63-19844	A63-20396	A63-21131	A63-21229	A63-21232
A63-23158	A63-26253	A63-23158	A63-26253						

Other Water Rights Listing Overlapping Place(s) of Use:

A63-00166A	A63-00167A	A63-00179A	A63-00224	A63-00225	A63-00294	A63-00295	A63-00371	A63-02275	A63-02276
A63-02294	A63-02529	A63-02891	A63-02891A	A63-03614A	A63-03618A	A63-05199	A63-05200	A63-05219	A63-05237
A63-05255	A63-05262A	A63-08193	A63-09109	A63-21731	A63-21739				

Conditions of Approval:

- R32 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

SEP 14 1995

Claim = license except p.2 pointed
Comm. plan to 1 Q2 in claim instead
of " " totally equal to irrig plan

Attachment A

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 63-8423 }

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8423 Priority February 7, 1977 Amount 3.52 cfs

THIS IS TO CERTIFY, that Lewis McKellip
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 63-8423 issued pursuant to Application for Permit dated February 7, 1977,
and has submitted proof to the Department of Water Resources on December 2, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 6.35 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>3.42</u> cfs and	<u>769.5</u> acre feet
Commercial	from <u>July 1</u> to <u>October 1</u>	at <u>0.10</u> cfs and	<u>18.2</u> acre feet
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 3.52 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
787.7 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 36, Twp 4N, Rge 2W in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	2W	36					36	34	37				27				20	17	171

Total number of acres irrigated 171

Commercial use is for a mint still.

This right when combined with all other rights shall provide no more than .02 cfs
per acre nor more than 4.5 afa per acre for the lands above.

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 3RD day of
AUGUST, 19 84.

Acting for the

Director

Roman C Young

STATE OF IDAHO
Licensing
APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

APPROVED

Comes now Lewis McKellip Phone _____
of (address) Route #2, Box 2117, Nampa, ID 83651, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 63-8423, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ SE ¼, Section 36, Township 4N, Range 2W, B.M.,
County of Canyon. Other points of diversion: _____
SW¼NW¼, SW¼SE¼, Section 36, Twp. 4N, Rge. 2W

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

Amount 3.42 for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre feet per annum)

Amount 0.10 for commercial* purposes from 7/1 to 10/1 (both dates inclusive)
(cfs or acre feet per annum)

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

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

*Commercial use is for a mint still.

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	2W	36					36	34	37				27				20	17	171

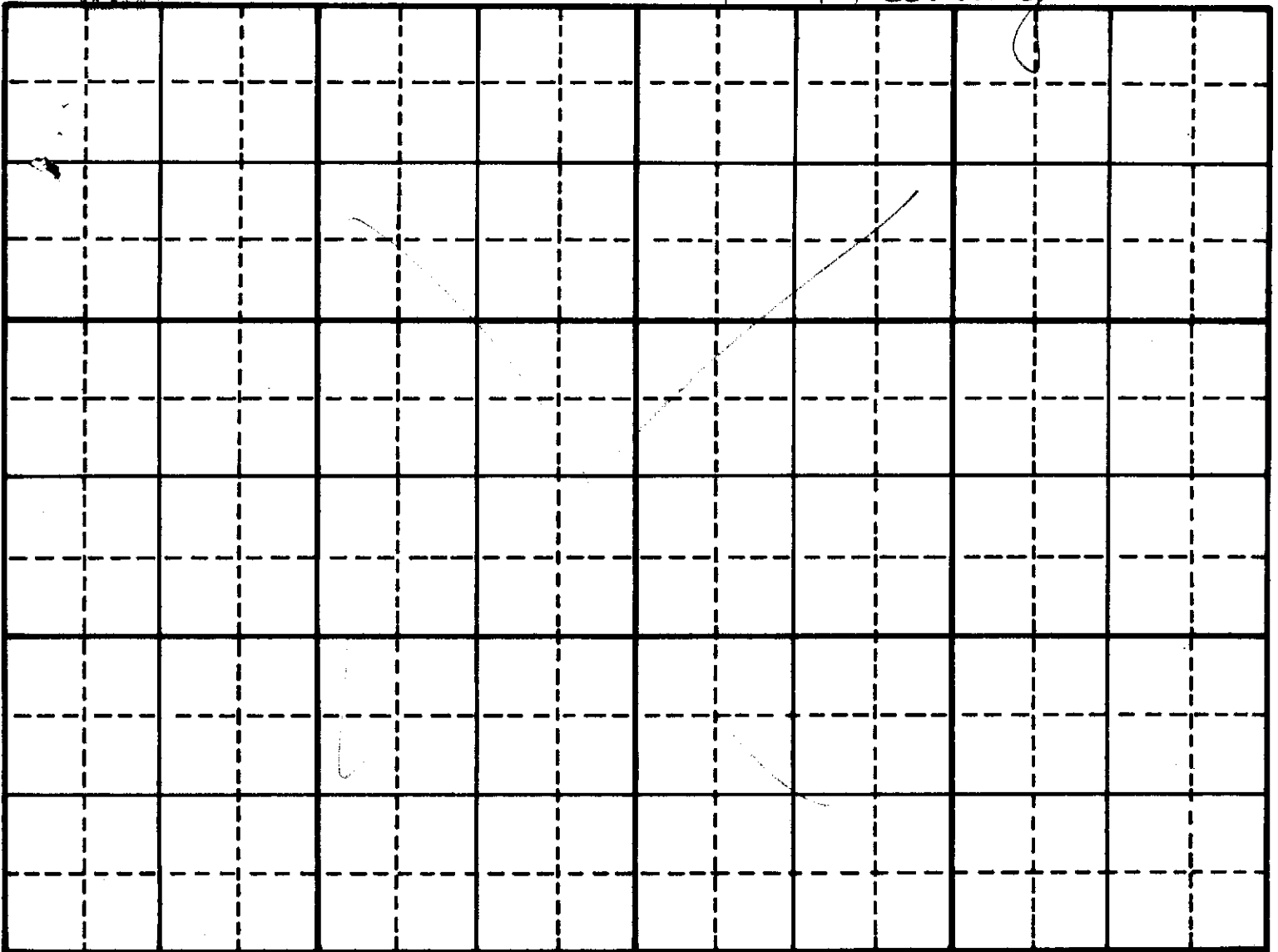
Total number of acres to be irrigated = 171

4. a. Who owns the property at the point of diversion? Lewis McKellip
b. Who owns the land to be irrigated or the place of use? Lewis + Anne McKellip
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

Not Necessary



Scale: 2 inches equal 1 mile.

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

Signed at Manzanita Farm, this 11 day of July, 19 84.

X Lewis McKelvey
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 ☒ Received by rg Date 7-13-84 # 34912

Publication prepared by N/A Date _____ Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby

Approve the above Application for Amendment for Permit No. 63-8423.

Witness my hand this 3RD day of August, 19 84.

Norman C. Young
Acting for the Director

Identification No. _____

Application No. 63-8423

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Lewis McKellip Phone: 466-6819
post office address Route 2 Box 2117 Nampa, ID
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 36 Township 4N
Range 2W B.M. Canyon County; additional points of diversion if any: _____
SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 36 T4N-R2W
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
- Amount ^{3.70}~~3.84~~ for Irrigation purpose from 3-1 to 10-31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.03 for Stockwater purpose from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.10 for Mint Still purpose from 7-1 to 10-1 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
- a. ~~3.97~~ ^{3.83} cubic feet per second and/or
- b. _____ acre feet per annum.
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. _____
well, pump & gravity system
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 16 inches; proposed depth of well is 200 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
- b. Estimated construction cost is \$ 11,000.
8. Description of proposed uses:
- a. If water is **not** for irrigation: Stockwater same as irrigated land
- (1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
- (2) Amount of power to be generated: _____ hp under _____ feet of head.
- (3) List number of each kind of livestock to be watered 100 head of beef cattle
- (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
- (5) If water is to be used for other purposes describe: _____
operation of mint still in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 36 T4N-R2W

MICROFILMED

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

[illegible]

Total number of acres to be irrigated ~~191.48~~

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

Pioneer Irrigation District water

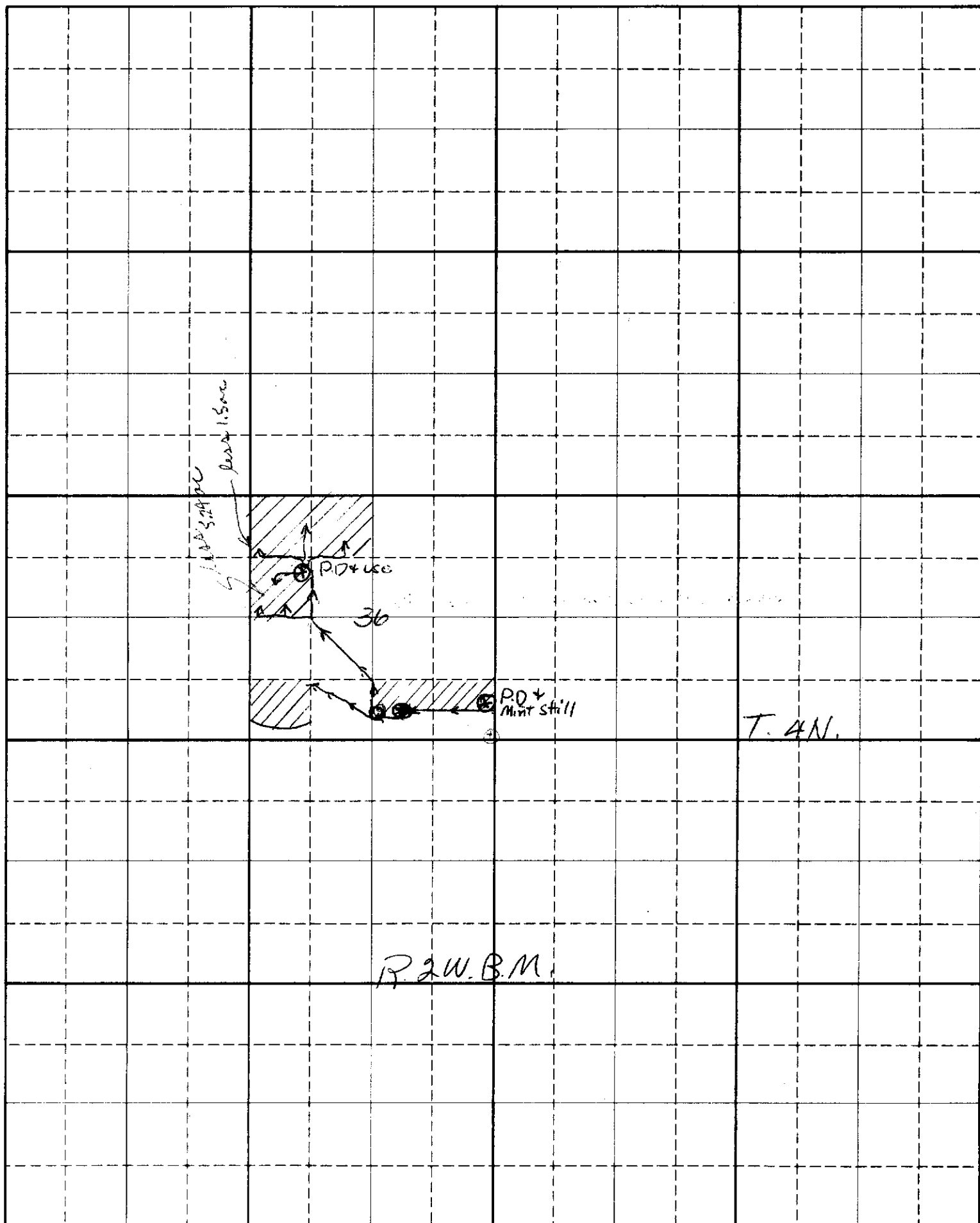
9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks This water is to be supplemental to irrigation district water

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



Scale: 2 inches equal 1 mile

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

Lewis M. Kelly
(Applicant)

Proposed Priority 2/ 7/77

Received by RWH Date 2-7-77 Time 9:30 AM

Preliminary check by RWH Fee \$ 55.00

Received by rf Date 2-7-77 # 6621

Publication prepared by rf Date 2-10-77

Published in Idaho Free Press

Publication dates February 17+24

Publication approved CS Date 3-11-77

Priority reduced to _____ Reason _____

Protests filed by: J. L. Donaldson

Copies of protests forwarded by rf 3-16-1977

Hearing held by LG548DF Date 4-12-77

Recommended for protest withdrawn approval denial by HSJ

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8423, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 82.

c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

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

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

Witness my hand this 6 day of May 19 77.

[Signature]
Deputy Director

IN THE MATTER OF APPLICATION FOR PERMIT NO. 63-8423

IN THE NAME OF LEWIS McKELLIP

I, the undersigned, hereby withdraw my protest against the Application
for Permit No. 63-8423.

J. L. Donaldson

Signed at Boise this 12th day of April, 1977.

MICROFILMED

RECEIVED

APR 12 1977

Department of Water Resources
Western Regional Office

RECEIVED
MAR 2 1977

Idaho Department of water resources
Boise, Idaho

Department of Water Resources
Western Regional Office

Re: Application NO. 63-8423 for permit to appropriate water.

Filed by Lewis McKellip, Nampa, Idaho.

The undersigned being the owner of, $\text{N}\frac{1}{4}$ of $\text{S}\frac{1}{4}$ Sec. 35, Twp 4 N, R. 2 W.B.M. which land is irrigated by a ditch of approximately 1600 feet shared by above named applicant who irrigates a portion of the $\text{S}\frac{1}{4}$ of the $\text{S}\frac{1}{4}$, Twp 4 N, R 2 W.B.M. therefrom, which land applicant proposes to irrigate under the permit being applied for.

NOW THEREFORE, the undersigned does hereby protest the inclusion of said $\text{S}\frac{1}{4}$ of the $\text{S}\frac{1}{4}$ of Sec 35 Twp 4 N, R 2 W.B.M., and requests that said land be excluded from the benefits of the Permit to appropriate water, if it is approved, at any time that such water might have to be co-mingled with irrigation district water being delivered to the undersigned.

Undersigned submits the following in support of such protest.

Applicant purchased said land in 1975 farming it in 1976 after leveling and reorganizing the irrigation system so there is now a division box at the Northeast corner of said $\text{S}\frac{1}{4}$ of the $\text{S}\frac{1}{4}$ Sec. 36 Twp 4 N, R 2 W.B.M. at which point above applicant diverts his water from the irrigation ditch commonly shared with undersigned, which point of diversion is located $\frac{1}{4}$ mile due East from the Southeast corner of the undersigned's property.

The first infringement upon undersigned's flow of water in 1976 came when applicant came to undersigned stating he had a low spot next to the divide box and could not get water on the first few corrugates, asking if he could put siphon tubes in our community ditch above the divide box until he could get it fixed, assuming he would fix it after his first irrigation undersigned agreed but neglected to make inspection until late in the irrigation season and then found applicant had thus used a portion of undersigned's water 12 corrugations throughout the season - actually applicant could have irrigated said corrugates by checking the divide box higher to raise the water high enough to irrigate said corrugates with his own water.

The next known infringement came, about the middle of the irrigation season when around the noon hour above named applicant simply checked up the divide box and took the undersigned entire flow of water. Another time applicant took undersigned's flow of stock water in A.M.; undersigned went $\frac{1}{4}$ mile to divide box and restored his flow of stock water only to have applicant close the headgate at the irrigation district later headgate sometime in the P.M. again cutting off stock water requiring undersigned to make a 2 mile trip to restore his stock water flow.

From reports of other water users in the area the above are typical examples of the applicants irrigation practices over a period of years, therefore undersigned feels compelled to protest the inclusion of water from the proposed well into the ditch system commonly shared as previously set forth herein.

Respectfully,

J. L. Donaldson
J. L. Donaldson

Route 2

Nampa, Idaho

MICROFILMED

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Canyon.) ss.

Verla Harker
of Nampa, Canyon County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

February 17, 24, 1977

Verla Harker

Subscribed and sworn to before me this

24th day of February, 19 77

Quam & Law

Notary Public, Residing at Nampa, Idaho
My Commission Expires June 23, 1979.

FOR WATER RIGHTS
Notice is hereby given that Lewis McKellip, Route 2, Box 2117, Nampa, Idaho, has on February 7, 1977, submitted Application No. 63-9423 for a permit to appropriate 3.97 cubic feet per second of water from a groundwater source by means of well, pump and gravity system within the SE 1/4 SE 1/4, SW 1/4 NW 1/4 Sec. 36 T4N R2W B.M., Canyon County, to be used from Jan. 1 to Dec. 31 for stockwater purposes, and from July 1 to Oct. 31 for operation of a mint still and from March 1 to Oct. 31 for irrigation of 191.36 acres within the NW 1/4 NW 1/4, SW 1/4 NW 1/4, SW 1/4 SW 1/4, SE 1/4 SE 1/4 Sec. 36 T4N R2W B.M.
If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho 83726, on or before March 3, 1977.

R. KEITH HIGGINSON

RECEIVED
MAR 9 1977

Department of Water Resources
Western Regional Office

OK
3-11-77
CS

NOTARY PUBLIC



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

AUGUST 29, 1995

LEWIS MC KELLIP
18120 DEAN LN
NAMPA ID 83687

RE: Transfer of Water Right No. 63-08423

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4662). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

RECEIVED

AUG 31 1995

MEMORANDUM

TO: FILE NO. 63-08423

FROM: PAM SKAGGS³⁸/STATE OFFICE

SUBJECT: TRANSFER NO. 4662

DATE: August 28, 1995

=====

Transfer No. 4662 was filed to add a fourth well to the system under Right No. 63-08423 for irrigation and commercial use. The additional well was drilled under Drilling Permit No. 63-94-W-0020 and is currently used for non-irrigation, exempted uses. However, the \$200.00 irrigation fee was paid when the permit was obtained (See Receipt No. C029376) and the no additional fee is required to upgrade the well to irrigation use.

The season of use for irrigation and the location of commercial use were incorrectly data entered. The licensed season of use is the current standard season and reflected on the approval. The location of the commercial use was never noted on the licensing amendment and by entering no location the database defaulted to the same location as irrigation use. The field exam identifies the same quarter-quarter as claimed in the SRBA Claim and the transfer approval will reflect the verified, single location of the mint still.

Recommended conditions include irrigation overlap, multiple points of diversion/measuring devices, future reporting, right-of-way, supplemental groundwater and standard transfer conditions.

SEP 14 1995

TRANSFER REVIEW SHEET
(04-95)

Transfer # 4662

Date Reviewed 08-25-95

Right(s) 63-08423

☒ Print Split Summary ☒ Run POU Comparison Report

B:Change P/D (C) Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use G:Other H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership NA P/D change only

Transfer ☒ All of Right ☐ Portion of Right
Resulting Split(s) NONE

Check Transfer Against Right

^{IRR} Season/Vol. D/4.5

- (1) ☒ Priority (2) ☒ Use (3) ☐ Season (4) ☒ Rate (5) ☒ Volume
(6) ☒ Source (7) ☐ P/D (8) ☒ P/U (9) NA Proof/Owner (10) ☒ Map
(11) NA Water District (12) Yes Pertinent Conditions (13) NO Expansion

IRR Overlap

Limit Combined diversion.

- (3) Data Entry error - Licensed season 3-15 to 11-15, same as standard
(7) Add P/D NENW. DP# 63-94-W-0020 - \$200.00 IRR fee paid/currently used for DOM.
(8) Correct data entry of Comm P/U

License states Comm. use for a mint still & doesn't specify location.

Comm use was entered the same as IRR which is incorrect.

License Field Exam Map & SRBA specify location in SWSE, S36 - Transfer will reflect correct 1/4 location of still.

Supplemental GW per overlap & original App for Permit & SRBA Claim

Transfer Remarks Comm/Mint Still WB3 WB4
Conditions 028, R32, T04, T07, T08, T09, 065 T17

Database/Processing Notes T file 8/29/95

WR Reports File

Transfer Memo Complete ☒

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

T. 4662

INITIAL REVIEW BY: SRAPPLICANT Lewis McKellip

1. Right number 63-08423
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change of point of diversion ☒ Add diversion point(s) ☐ Change of place of use
☐ Change nature of use ☐ Other _____

4. Check:

- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use ☒ SRBA claim

b. ☒ Description of original point of diversion.c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).c. ☒ Check description of point(s) of diversion.d. ☒ Check description of place of use. -no changee. ☒ Check map (shows p.d. and p.u. after transfer).f. ☒ Check for correct signature, notarization, and fee.g. ☒ Check proof of ownership of right &/or land from which water is transferred. N/Ah. ☒ Check for expansion in use of right. Comments none apparent(SEE Profit Reports in xfer file & other rights - no problems posed by these)i. ☒ Check for existing water rights from same source, on land water is being transferred to.Right number(s) N/A but note: new well same appl. as 63-12096 (M backlg); xfer replaces withdrawn appl. 63-12216j. ☒ SRBA claim. Comments 63-08423 = License Exceptclaim i.d. Comm Plu in 1 Q&Q where Lic i.d. Comm Plu = Irrig Plu; no needk. ☒ Is use within Water District? ☐ Yes ☒ No

If yes, what district? _____

Comment letter sent ☐ Yes ☐ Noto advertise claim for this detail.l. ☒ Legal notice electronically transmitted to DWR03::Vault?FINAL PROCESSING REVIEW BY: DRT

1. Watermaster recommendation requested on N/A Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

RECEIVED
AUG 21 1995

Department of Water Resources

4. By DRT Date 8/21/95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

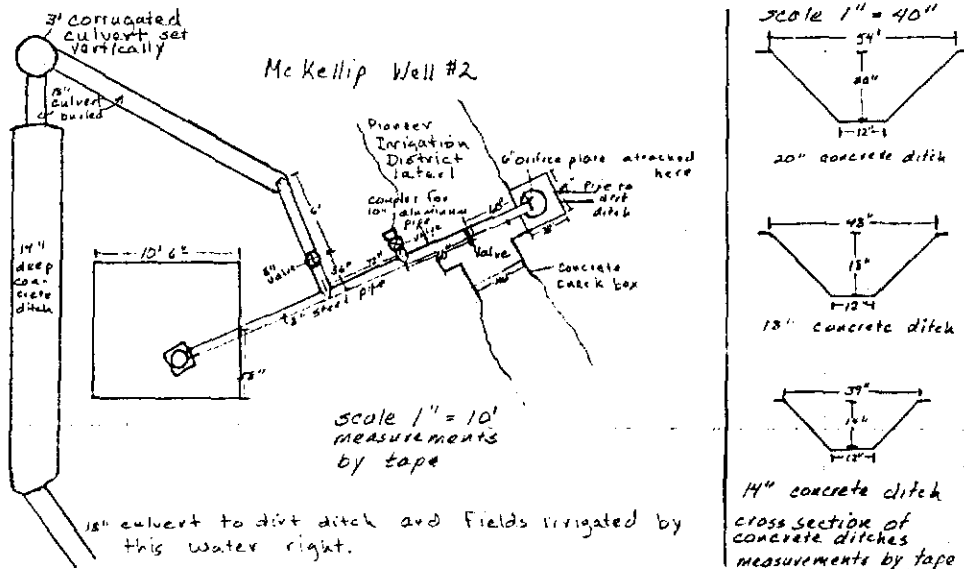
Permit No. 63-9650
1. Owner: McKellip Farm Inc Phone No. 466-6819
Current Address: Rt 2, Box 2117, Nampa, ID 83651
2. Accompanied by: Lewis McKellip EXAM. DATE: 7-2-87
Address: Same as above Phone No. 466-6819
Relationship to Permit Holder: OWNER
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: surface water Pioneer Irrigation ☐ Copies Attached
2. Other water rights with same point of diversion: 63-8423 add acres with this water right
63-4196 + 63-4894 different wells ☒ Copies Attached ☒ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipeline i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = see sketches

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☒ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

4 1995

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

The source of water for this right is McKellip well #2 (Described as well #3 in water right 63-8423). This well is 200' deep with a 22" casing and a 20 H.P. turbine pump. Static water stands at 15'. The water is dumped into a ^{3' diameter} ~~concrete~~ ^{to} corrugated pipe (placed vertically). From this point the water goes through a series of concrete ditches, dirt ditches, culverts and

☒ See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
McKellip #2	G.E.	20	TXJ621292	Well Line	15950
Sump Pump	GE	5	SK2898	Parma Water Lifter	12" d

*Code to correspond with No. on map and aerial photo

- 5. Point(s) of Diversion:**

[illegible]

- 6. Place(s) of Use:**

Indicate Method of Determination Aerial Photo

[illegible]

Do not use this space

SEP 14 1995

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
3" to 6" orifice plate		Unknown				

2. Measurements: Not the best measuring site, but should be reliable.

Water level in tube 75.5", with some water running out the end of the tube.

Total capacity of the 3 wells $2.93 + 2.90 + 0.60 = 6.43$ cfs

Limit $.02 \times 96 \text{ ac.} = 1.92$ cfs

Already licensed 3.52 cfs (63-8423) $6.43 - 3.52 = 2.91$ remaining capacity for this water right.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

8" pipe 6" orifice

$75.5" = 1317$ gpm

$\frac{1317}{428} = 2.93$ cfs

see tacked graph

2. Alternate Method for Checking Purposes:

$\frac{20(8.8)(1.8)}{40} = 3.52$

Est. 40' lift

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7); Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 96 \times 4.5 = 432$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.92 \times 245 \times 1.98 = 931.4$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 432 \text{ a/c}$

2. Volume Calculations for Other Uses:

SEP 14 1995

H. REMARKS AND OVERLAP REVIEW ANALYSIS

a sump pump to reach the acres irrigated in
in SEC. 26 ~~and 27~~ and 35 Twp 4N Rge 2W.
McKellip well #1 (labeled well #2 in 63-8423) and the
mint still well (labeled well #1 in 63-8425) were remeasured
at Mr. McKellip's request and found to produce the
following amounts of water: McKellip #1 = 2.90" (72.5"
^{head} in tube with 6" orifice plate or an 8" pipe) and
the mint still well = .60 cfs (0.19 ft of head through
a 2' crest rectangular weir). This total capacity
of the system, together with the exchange agreement
with Pioneer Irrigation allows for licensing the
additional acres included in this water right at
the 0.02 cfs per acre limit.

I. RECOMMENDATIONS

I. RECOMMENDATIONS the 0.02 cts per acre limit. ✓

1. Recommended Amounts

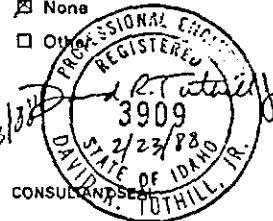
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (af)
	From	To		
<i>Irrigation</i>	<i>3-15</i>	<i>11-15</i>	<i>1.92</i>	<i>432</i>
		Totals:	<i>1.92</i>	<i>432</i>

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name Carter Fritschle
Signature Carter Fritschle
Certification Date _____
Field Report Preparation Date 7-2-87



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

This water right supplements surface water from Pioneer Irrigation District.
condition R 32

SEP 14 1995

Delivery system from McKellip Well #2 P.D. to
irrigation land in sec. 26 and sec. 35 Twn 4N
Rge 2W.

Scale 1" = 660' Drawn from aerial photo

SEP 14 1995

WR0749NP
No. 63-08193

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/19/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LE ROY AX	08/26/1975	IRRIGATION	03-15 11-15	0.320 CFS	72.00 AFA
C	SHIRLEY M. AX		DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
	RT. 2 BOX 2202					
	NAMPA ID 83651					
TOTAL DIVERSION:					0.360 CFS	73.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T04N R02W S36 SESE

CANYON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
04N 02W 36 :																				16 :	16.0
																				TOTAL ACRES	16.0

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: CANYON

Other Rights: PIONEER IRR. DIST.

Other Water Rights with Same Point(s) of Diversion and Source:
63-08423

Other Water Rights Listing Overlapping Place(s) of use:
63-08423

Conditions of Approval:

- R32 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.5 afa per acre for the
- lands above.

Remarks: THIS RT. WHEN COMBINED WITH ALL OTHER RTS. SHALL PROVIDE NO MORE
THAN 0.02 CFS/AC NOR MORE THAN 4.5 AFA/AC FOR THE LANDS ABOVE.

Dates:	App. Received:	Priority Date:	08/26/1975
	Proof Due Date:	Proof Made Date:	01/01/1900
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		04/11/1983

Misc: Water District Number: Field Exam Fee:

Audit: 06/18/85 05/01/88 CONVERT

(5 1/2 SESE)

3 which wells
used for irrig
- artesian well
in SESE separate
from irrig well
in SESE
- How many wells
Total
- what's separate

Not related

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

63-8193

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed:	4-10-80		
☐ Telephone call made: (List Telephone No. used)	9/22/80 466-6613	je	
☐ Appointment scheduled for: (Date, time, location)	9/26/80 9-30 Cannery Convention Rm & District Rm.	je	

EXAMINATION

Date 9/26/80 Accompanied by Murray C. Y. Total Q measured 200 gpm @ 7'
If source is surface water, estimate total flow of source
Methods of measurement Badger Meter Meets Permit requirements? yes

Measurement calculations:

$200 \text{ gpm} \div 4.5 \text{ ft} = 44.4 \text{ cfs}$ $0.2 \times 16 = 0.32 \text{ cfs}$
 $16 \text{ acres} \times 4.5 = 72 \text{ acre-feet}$
 $0.32 \times 1.9835 \times 745 = 155.5$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
		NO PUMP	ARTESIAN FLOW			BADGER # 3352208	GOOD	

System Description ARTESIAN FLOW TO PUMP & THEN PUMPED INTO
SPRINKLER SYSTEM & HOME USE ALSO. FLOW METER MEASURES
AMOUNT COMING DIRECTLY FROM ARTESIAN WELL

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Q (cfs)	V (afa)	FROM	TO
Irrigation	0.32	72	Mar 15	Nov 1
Domestic	0.04	1.2	Jan 1	Dec 31

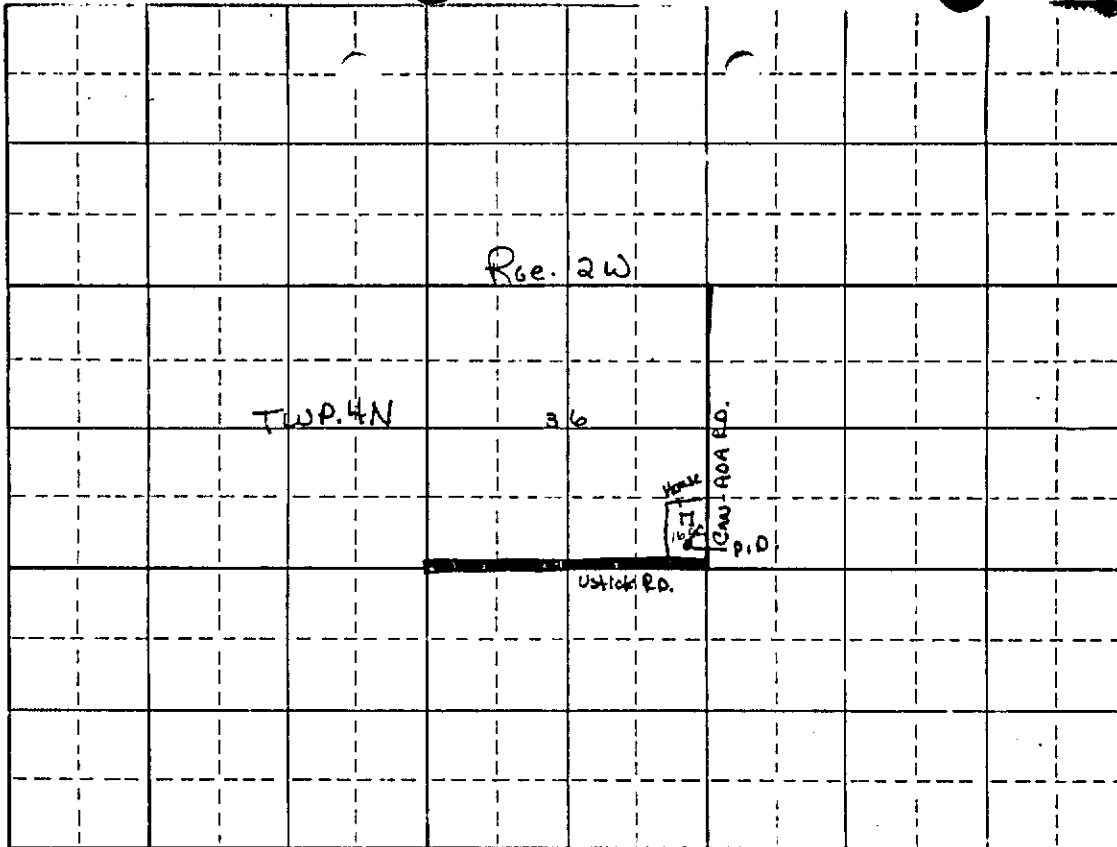
Total 0.36 73.2

Remarks ARTESIAN FLOW TO PUMP & THEN PUMPED INTO SPRINKLER
SYSTEM

No Overlapping rights - Permit identifies Irrigation District
water. Recommend condition R16

SEP 14 1980

OK
Jew
5-14-80



SCHEMATIC DIAGRAM OF SYSTEM

(include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SE 1/4 SE 1/4, Sec. 36, TWP. 4N, Rge. 2W.

Place(s) of Use

TWP.	RGE.	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
4N	2W	36																10	10

Recommended Amendments:

- ☒ Change P.D. as reflected above
☒ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above
☐ None
☐ Other

Examiner's Signature

Checked by

Approved by

Date 9/26/80

Date 11/11/80

Date 1/14/83

SEP 14 1995

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
 County of Canyon)

Carolyn Spath

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Twice

— in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:
July 19, 26, 1995

Carolyn Spath

STATE OF IDAHO)
)
 COUNTY OF CANYON)

On this 26th day of July
 in the year of 1995, before me, a Notary Public, personally appeared Carolyn Spath, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 63-08423

TRANSFER NO. 4662

Notice is hereby given that Lewis McKellip of Nampa, ID has applied to the Department of Water Resources for a Change in Point of Diversion of the following described water right to be changed pursuant to Section 42-222 of Idaho Code:

WATER RIGHT AS RECORDED:

BASIS License
 PRIORITY DATE 2-7-1977
 SOURCE Groundwater
 AMOUNT 3.52 cfs
 USE Irrigation 3-1 to 10-31 & Commercial 7-1 to 10-1
 POINT OF DIV SWNW, SESE, S36, T4N, R2W Canyon County
 PLACE OF USE NENW, NWNW, SWNW, SWSW, SESE, S36, T4N, R2W (171 acres total plus Mint Still)

TO BE CHANGED AS FOLLOWS:

POINT OF DIV Add a well (drilled in 1994 for domestic use) to above system; well located in NENW S36, T4N, R2W.

Any protest against approval of the proposed water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705, together with a protest fee of \$25.00 on or before August 7, 1995. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
 July 19, 26, 1995

2223

RECEIVED

JUL 27 1995

WATER RESOURCES
 WESTERN REGION

SEP 14 1995

Jannet Hesk
 Notary Public for Idaho
 Residing at Nampa
 MY COMMISSION EXPIRES
 JUNE 21st, 1997

*See - please file
this in T. 4662
(63-08423)*

MEMORANDUM

RECEIVED - *SL*

JUL 14 1995

WATER RESOURCES
WESTERN REGION

TO: DEBBIE ALLEN

FROM: STEVE LESTER *SL*

DATE: JULY 11, 1995

RE: **RECEIPT CHANGE**

Lewis McKellip filed Application for Permit #63-12216 on 5-31-95 and paid \$50. The application was withdrawn for this non-advertised filing on 6-21-95 and replaced with Transfer Application #4662 for License #63-08423, also on 6-21.

The transfer fee is \$100, and the applicant paid half of that on 6-21. The remaining \$50 is to be covered with the fee paid for withdrawn application #63-12216.

Please change receipt no. W019267 as shown in the attached copy (just a PCA change from 62103 to 62105).

No refund is needed for Mr. McKellip.

c: Transfer Application #4662
Application for Permit 63-12216

*done
da*

RECEIVED

SEP 14 1995

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: W019267

Date: 5/31/1995
Time: 16:11:13

Received
From: MC KELLIP, LEWIS

Type of Payment

APPLICATION FOR PERMIT
BILL PERMIT 63-95-W-0393-000

*change to 62105 for
Transfer Appl. replacing
withdrawn Appl. 63-12216
-JR 7/11/95*

Program Acct

Amount

62103
62115

229 21 1155
229 21 1205

50.00
35.00

CHECK

1650

Total \$ 85.00

withdrawn
63-12216

Water Right Numbers

Region: WESTERN

Signature: *G. Hodges*

SEP 14 1995

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: W019267

Date: 07/13/95
Time: 11:03:51

Received
From:

MC KELLIP, LEWIS
Type of Payment

Program A cct

Amount

TRANSFER FEE #4662	0229	210062105	1155
DRILL PERMIT 63-95-W-0393-000	0229	210062115	1205

\$ 50.00
\$ 35.00

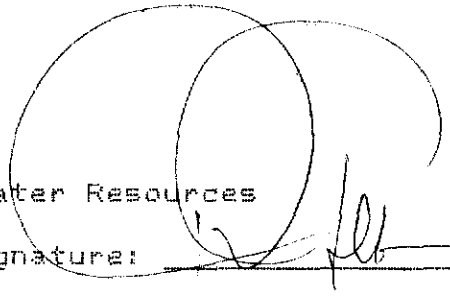
Total

\$ 85.00

CHECK 1650

Idaho Department of Water Resources

Region: WESTERN

Signature: 

RECEIVED
JUL 14 1995

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: 4019267
BACKOUT

Date: 07/13/95
Time: 11:03:51

Received
From:

MC KELLIP, LEWIS
Type of Payment

Program A cct

Amount

APPLICATION FOR PERMIT	0229	210062103	1155
DRILL PERMIT 63-95-W-0393-000	0229	210062115	1205

\$ -50.00

\$ -35.00

Total

\$ -85.00

CHECK 1650

WR/NO: 63-12216

Idaho Department of Water Resources

Region: WESTERN

Signature: _____

MAINTAINED

SEP 14 1995

MEMORANDUM

TO: DEBBIE ALLEN

FROM: STEVE LESTER *SL*

DATE: JULY 11, 1995

RE: RECEIPT CHANGE

Lewis McKellip filed Application for Permit #63-12216 on 5-31-95 and paid \$50. The application was withdrawn for this non-advertised filing on 6-21-95 and replaced with Transfer Application #4662 for License #63-08423, also on 6-21.

The transfer fee is \$100, and the applicant paid half of that on 6-21. The remaining \$50 is to be covered with the fee paid for withdrawn application #63-12216.

Please change receipt no. W019267 as shown in the attached copy (just a PCA change from 62103 to 62105).

No refund is needed for Mr. McKellip.

c: Transfer Application #4662
Application for Permit 63-12216

SEP 14 1995

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

Use Typewriter
or
Ball Point Pen

1. DRILLING PERMIT NO. 63 93 W - 20 - 0
Other IDWR No. _____

2. OWNER:

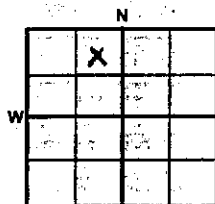
Name MCKELLIP FARMS, INC.

Address 18128 DEAN LANE

City NANPA State ID Zip 83687

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.



T. 4N North ☐ or South ☐
R. 2W East ☐ or West ☐
Sec. 36 NE 1/4 NW 1/4 SE 1/4 SW 1/4
Gov't Lot _____ County CANYON

Address of Well Site DEAN LANE

(Give at least Direction + Distance to Road or Landmark)

Lot No. _____ Block No. _____ Subd. Name _____

4. PROPOSED USE: DOMESTIC

☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK NEW WELL

☐ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD MUD ROTARY

☐ Mud Rotary ☐ Air Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK		AMOUNT		METHOD
Material	From	To	Sacks or Pounds	
CEMENT GROUT	100	5	400 BAG NEAT CEMENT	
CEMENT WAS PUMPED AT 500 PSI PRESSURED FROM				
100 FEET TO SURFACE, METHOD WAS PRESSURE GROUT				
BENTONITE	0	0	7000 DOLDED	

Was drive shoe seal tested? ☒ YES ☐ NO HIGH PRESSURE TESTED

8. CASING/LINER:

Diameter	From	To	Gauge	Casing	Liner	Steel	Plastic	Welded	Threaded
6"	42	600	.250			☒	☐	☒	☐
10"	41	23	.250			☒	☐	☒	☐
						☒	☐	☒	☐

Final location of shoes 23

Top Packer or Headpipe _____ Bottom Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____
☒ Screens Type _____ Material STAINLESS STEEL

From	To	Slot Size	Number	Diameter	Tele/Pipe Size
660	670	20	304 STA	6"	PIPE

Casing ☐ Liner ☐
☐ ☐
☐ ☐
☐ ☐

10. WELL TESTS: FLOWING ARTESIAN

☐ Pump ☐ Bailor ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Depth	Time
200	N/A	N/A	N/A

Temperature of water 60 Was a water analysis done? Yes ☐ No ☒

By whom? _____

Water Quality (odor, etc.) GOOD

Bottom Hole Temperature 60

11. STATIC WATER LEVEL:

STATIC PLUS 40 ft. below surface Depth artesian flow found 660

Artesian pressure 15 lb. Describe access port 6" FLANGE

Describe Controlling Devices: 6" VALVE & 3" VALVE

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	GPM	SWL
	0	19	GRAVEL		
	19	23	CLAY		
	23	84	SAND		
	84	98	CLAY		
	98	117	SAND		
	117	119	CLAY		
	119	130	SAND		
	130	140	CLAY		
	140	142	SAND		
	142	147	CLAY		
	147	200	SAND		
	200	205	CLAY		
	205	300	SAND		
	300	350	SAND AND CLAY MIX		
	350	355	BLUE CLAY		
	355	370	SAND		
	370	373	CLAY		
	373	381	SAND AND CLAY MIX		
	381	415	SAND		
	415	425	CLAY		
	425	460	SAND		
	460	465	CLAY		
	465	475	SAND		
	475	490	SAND		
	490	620	BLUE DRY CLAY		
	620	641	SAND, CLAY MIX		
	641	645	CLAY		

Date: Started 4/1/94

Completed 4/18/94

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name PETE COPE DRILLING

Firm No. 213

Firm Official _____

Date 4/19/94

and

Supervisor or Operator _____

Date 4/19/94

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

Use Typewriter
or
Ball Point Pen

Other IDWR No. _____

Name **MCKELLIP FARMS, INC**

Address 18120 DEAN LANE

City **Nampa** State **ID** Zip **83687**

Sketch map location must agree with written location.

A 4x4 grid map of the study area. The grid is labeled 'N' at the top and 'W' on the left. The grid cells contain various symbols representing different land use types: open squares, circles, and shaded areas.

T. _____ North ☐ or South ☐
E. R. _____ East ☐ or West ☐
Sec. _____ 1/4 1/4 1/4
Gov't Lot _____ 10 acres 40 acres 160 acres
County _____

Address of Well Site

(Give at least Direction + Distance to Road or Landmark)

Lot No. _____ Block No. _____ Subd. Name _____

☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

☐ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment☐ Mud Rotary ☐ Air Rotary ☐ Cable ☐ Other _____

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	

Was drive shoe seal tested? Y ☐ N ☐ How?

Diameter	From	To	Gauge	Casting	Liner	Steel	Plastic	Welded	Threaded
						☐	☐	☐	☐
						☐	☐	☐	☐
						☐	☐	☐	☐
						☐	☐	☐	☐

Final location of shoes

Top Packer or Headpipe _____ **Bottom Tailpipe** _____

☐ Perforations Method _____

☐ Screens Type _____ Material _____

From	To	Slot Size	Number	Diameter	Tel./Pipe Size

Casting	Linear
☐	☐
☐	☐
☐	☐
☐	☐

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Depth	Time

Temperature of water _____ Was a water analysis done? Yes ☐ No ☐

By whom? John Doe

Water Quality (odor, etc.) _____

Bottom Hole Temperature _____

ft. below surface Depth artesian flow found

Artesian pressure _____ lb. Describe access port _____

Describe Controlling Devices:_____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

Date: Started _____ Completed _____

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name _____ Firm No. _____

Firm Official _____ Date _____

and

Supervisor or Operator _____ Date _____

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT NO. 63-08423
TRANSFER NO. 4662**

Notice is hereby given that Lewis McKellip of Nampa, ID has applied to the Department of Water Resources for a Change in Point of Diversion of the following described water right to be changed pursuant to Section 42-222 of Idaho Code:

WATER RIGHT AS RECORDED:

BASIS	License
PRIORITY DATE	2-7-1977
SOURCE	Groundwater
AMOUNT	3.52 cfs
USE	Irrigation 3-1 to 10-31 & Commercial 7-1 to 10-1
POINT OF DIV	SWNW, SWSE, SESE S36, T4N, R2W Canyon County
PLACE OF USE	NENW, NWNW, SWNW, SWSW, SWSE, SESE S36, T4N, R2W (171 acres total plus Mint Still)

TO BE CHANGED AS FOLLOWS:

POINT OF DIV	Add a well (drilled in 1994 for domestic use) to above system; well located in NENW S36, T4N, R2W.
--------------	--

Any protest against approval of the proposed water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705, together with a protest fee of \$25.00 on or before August 7, 1995. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Press Tribune on July 19 and 26, 1995.

RECORDED

SEP 14 1995

August 7, 1984

RE: Permit No. 63-8423

Lewis McKellip
Rt. 2, Box 2117
Nampa, ID 83651

Dear Mr. McKellip

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment. Also enclosed is Departmental Receipt No. 34912 in the amount of \$20.00.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

July 10, 1984

RE: Permit No. 63-8423

Lewis McKellip
Route #2, Box 2117
Nampa, ID 83651

Dear Mr. McKellip:

Since our telephone conversation this afternoon, I have partially completed another Application for (licensing) Amendment of the above referenced permit. Please note that I have completed the form to show exactly how we are proposing to license this right.

The only changes we are actually making, from your original permit, is an addition of a point of diversion and the deletion of the stockwater use. As I explained when you were in our office on April 19, 1984, we cannot license the stockwater use because our examiner found that you were not using any water for stock at the time of the exam.

Please sign this form and return it to our office with the \$20.00 filing fee as soon as possible. If we don't receive the amendment and fee back by August 1, 1984, we will issue the license for a lesser amount than can be licensed. If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:k
Enclosure

CONVERSATION MEMORANDUM

DATE

7-10-84

FILE

103-8423

NAME OF PARTY

Lewis McKellip

EMPLOYEE

Ray Walker

RE:

licensing amendment -

Mr. McKellip called in regard to our letter of July 3 and stated he has lost & pr. never received the amendment form we sent to him on May 3.

I told him I'd send out another amendment. He stated he would return it to us promptly.

kw

MICROFILMED

July 3, 1984

RE: Permit No. 63-8423

Lewis McKellip
Rt. 2, Box 2117
Nampa, ID 83651

Dear Mr. McKellip:

On May 3, 1984, we forwarded to you an Amendment for Water Permit so that you could amend your permit to correspond with the findings of the Department's field examiner.

As of this date, we have not received this amendment.

If we do not receive the amendment within fifteen (15) days, we will issue a Water Right License which reduces the amount that could have been allowable to you.

Since the license will be a permanent water right your prompt attention to this matter will be appreciated.

If you have any questions please contact us as soon as possible.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

May 3, 1984

RE: Permit No. 63-8423

Lewis McKellip
Rt. 2, Box 2117
Nampa, ID 83651

Dear Mr. McKellip:

Since your visit to our office on April 19, 1984, we have done further review of your permit and are ready to issue a license as follows:

Amount of water that can be recognized as beneficially used
under Idaho law: 3.52 cfs Source: groundwater

The maximum quantity diverted shall not exceed 787.7 acre feet
per year.

Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, Twp 4N, Rge 2W.

Beneficial Use: Commercial use for a mint still and irrigation of
171 acres within NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, ~~SW $\frac{1}{4}$ SE $\frac{1}{4}$~~ , Sec. 36, Twp 4N,
Rge 2W ~~SW $\frac{1}{4}$ SE $\frac{1}{4}$~~ SE $\frac{1}{4}$ SE $\frac{1}{4}$

Priority date established: February 7, 1977

Condition[s): This right when combined with all other rights shall
provide no more than .02 cfs per acre nor more than 4.5 afa per
acre for the lands above.

In order for the Department to issue the above license, it will be necessary
for you to amend the permit to correspond with the findings of the field examiner.
We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with
a \$20.00 filing fee within 30 days in order that we might issue your license as
set forth above. If you do not concur with these findings or have any questions,
please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosure

MEMORANDUM

TO: File 63-8423

FROM: Jim Johnson 

DATE: May 2, 1984

RE: Adjustment of Irrigated Acres on Field Exam

A review of the field exam listing the number of acres irrigated by 40-acre tracts showed that the acres were determined by using the calculations listed on the ASCS aerial photo.

The acres shown on the aerial photo have taken larger areas out for field separation than what is actually being used.

A review of the 1980 U-2 flight shows more land irrigated than the ASCS photo contained in the file.

The field exam has been adjusted to reflect 171 acres irrigated.

DATE 4-19-1984

FILE 63-8423

NAME OF PARTY Lewis McKellip & wife

EMPLOYEE Kay Walker

RE: Our letter & amendment form
of March 30, 1984.

Mr. McKellip disagreed with the number of acres we recommended for his license. He stated that the field in the N $\frac{1}{2}$ NW $\frac{1}{4}$ (field 126C on aerial photo) was leveled since the aerial photo was taken and this field was actually 17 acres instead of the 15.1 acres shown on the photo. He also stated there was one acre of irrigated land around the well in the SW $\frac{1}{4}$ SE $\frac{1}{4}$. With these lands added he will concur with our findings - bringing the total up to 171 acres. He also wanted us to include the ditches as part of his irrigated lands and I told him we could not do it.

He also wanted us to be aware that he sprays his mint fields off and on throughout the year.

I told Mr. McKellip I would try to recommend the 3 additional acres to our findings and we'd send him a new licensing letter & amendment form.

Kay 4-19/84



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

March 30, 1984

RE: Permit No. 63-8423

Lewis McKellip
Rt. 2, Box 2117
Nampa, ID 83651

Dear Mr. McKellip:

A representative of this Department made an examination of the works covered by your Permit No. 63-8423 and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 3.46 cfs Source: groundwater

The maximum quantity diverted shall not exceed 774.2 acre feet per year.

Point(s) of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, Twp 4N, Rge 2W

Beneficial Use: Commercial use and irrigation of 168 acres within NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, Twp 4N, Rge 2W (Commercial use is for mint still)

Priority date established: February 7, 1977

Conditions (if any): This right when combined with all other rights shall provide no more than .02 cfs per acre no more than 4.5 afa per acre for the lands above.

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosure

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORTmckellip, Lewis
TID: SESE, SWNW,
S. 36, T4N, R2Wirrigation, stockwater, still
185 acres

62-8423

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed:	12/12/80	RLH	no apptmt made
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 15 June 1981 Accompanied by Lewis McKellip Total Q measured 6.35 cfs ✓
If source is surface water, estimate total flow of source _____
Methods of measurement OFFICE PLATE Meets Permit requirements? _____

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
1	7	submersible						
2	20	U.S. Motor		well line	45946	OFFICE PLATE	good	
3	20	SE	TXJ62692	well line	15956	"	good	

System Description #1 MINT STILL AND SPRAY WATER
#2 & #3 IRRIGATION WATER INTO LITCH & CANAL SYSTEM

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Q (cfs)	768 (afa)	FROM	TO
IRRIGATION ✓	3.36	3.42	3/25 ✓	11/15 ✓
COMMERCIAL ✓ (MINT STILL)	0.1	756.0	7/1 ✓	10/1 ✓
		18.2		
		787.7		
		774.2		
Total	3.46	3.52	756.0	774.3

Remarks #1 80' pump level for still → 0.60 cfs
#2 8" pipe 6" office 200' deep 80' ? 1880 gpm
#3 200' deep 80' ?

$$171 \times 0.02 = 3.42 \text{ cfs}$$

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: ^{#2} SE SE ^{#3} SW NW ^{#1} SW SE P36 9N 2W

Place(s) of Use ☒

TWP.	RGE.	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
4N	2W	36					35.6	34.6	35.2				26.6				19X	17.1	168
							V												168
							35.6	32.6	37				26.6				19	17.1	167.9 ✓
							36	34					27				20	17	171

Recommended Amendments: Acres changed per aerial photo & Carl's notes.

- ☐ Change P.D. as reflected above
 ☒ Add P.D. as reflected above
 ☐ None
☐ Change P.U. as reflected above
 ☐ Add P.U. as reflected above
 ☐ Other

Examiner's Signature Carl E. M...

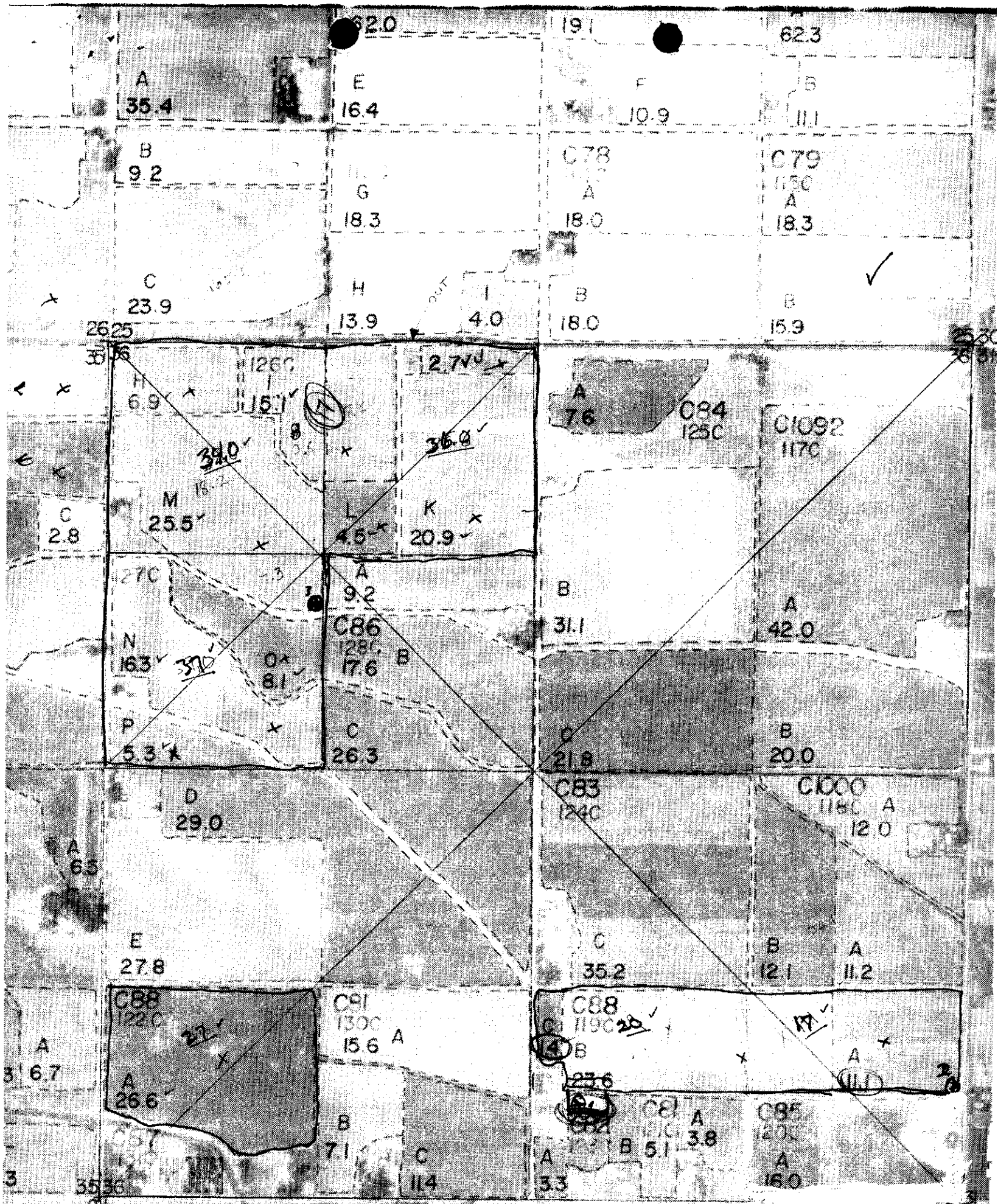
Checked by CLS

Approved by CLS

Date 16 June 1982

Date 4/23/82

Date 9/23/82



Volume Calculations for Mint Still

Permit requests:

0.1 cfs for 7-1 to 10-1 92 days

Assume wtr used 24 hrs/day

$$0.1 \times 1.9835 \times 92 = \underline{\underline{18.2}} \text{ AF/ANN}$$

This represents MAXIMUM AMOUNT that permit holder requested.

Per use described on field exam.:

Am't measured = 0.6 cfs

Period used: 6 wks = 42 days @ 24 hrs/day

$0.6 \times 1.9835 \times 42 = 50.0 \text{ AF/ANN}$ - exceeds
amount requested on permit
allowed 18.2 AF/ANN.
allowed 0.1 cfs rate of diversion

JIM
3-26-84

Overlap Review for 63-8423
as per micro-fische 2/22/84.

p/u ~~63-8193~~ - (SESE) 63-8193^v gw (NENW) none
(SWNW) none (NWNW) none
(SWSE) none (SWSW) none

p/d - (SWNW) 63-4196 gw - ^{domestic} No overlap (claim)
63-4894 gw - ^{domestic} No overlap (claim)
63-9650^v gw

(SESE) 63-8193^v gw
(SWSE) 63-4445 gw - ^{domestic} No overlap (claim)

63-8193 - Lic - same 40 acre tract for p/d -
exam shows that no pump is used
on this well - maybe different
p/d - see copy of exam for 63-8193
attached - see copy of Lic.

different p/u; I believe it is a
different well also. ^{OK} No overlap.

63-9650 - permit, no exam yet. Also
for McKellip for irrig. of different
lands than 63-8423. Shows p/d
within SWNW of 36 - same p/d.

Recommend R16(4.5) because of
claims.

tw

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8193 Priority August 26, 1975 Amount 0.36 cfs

THIS IS TO CERTIFY, that LeRoy Ax &/or Shirley M. Ax
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 63-8193 issued pursuant to Application for Permit dated August 26, 1975,
and has submitted proof to the Department of Water Resources on March 19, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.44 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>0.32</u> cfs and	<u>72.0</u> acre feet
<u>Domestic</u> <u>(1 unit)</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet
	from _____ to _____	at _____ cfs and	
	(both dates inclusive)		

Subject, however, to the condition that no more than 0.36 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
73.2 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Twp.
4N, Rge. 2W in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	2W	36																	16

Total number of acres irrigated 16

This right when combined with all other rights shall provide no more than 0.02
cfs per acre nor more than 4.5 afa per acre for the lands above.

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 7th day of
March, 19 83.

Director

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

63-8193

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed:	4-15-80	---	No app. made
☐ Telephone call made: (List Telephone No. used)	9/27/80 466-6013	je	
☐ Appointment scheduled for: (Date, time, location)	9/26/80 9:30	je	Corner of CAW-ARRA RD. & USTICK RD.

EXAMINATION

Date 9/26/80 Accompanied by Shirley Ay Total Q measured 200 gpm 0.4 cfs
If source is surface water, estimate total flow of source
Methods of measurement Badger Meter Meets Permit requirements? yes

Measurement calculations:

$$200 \text{ gpm} \times 4.5 = \text{CAPACITY } 0.44 \text{ cfs}$$

$$16 \text{ acres} \times 4.5 = 72 \text{ acre-feet}$$

$$.32 \times 1.9835 \times 245 = 155.5$$

$$.02 \times 16 = 0.32 \text{ cfs}$$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
		NO PUMP	ARTESIAN FLOW			BADGER #3552208	GOOD	

System Description ARTESIAN FLOW TO SLUMP - THRU 8" PIPELINE.
SPRINKLER SYSTEM & HOME USE ALSO. FLOW METER MEASURES
AMOUNT COMING DIRECTLY FROM ARTESIAN WELL.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Irrigation requirement =	AFA/Acre	FROM	TO
<u>Irrigation</u>	Q (cfs) <u>0.32</u> ✓	V (afa) <u>72</u> ✓	<u>Mar. 15</u>	<u>Nov. 1</u>
<u>Domestic</u>	<u>0.04</u> ✓	<u>1.2</u> ✓	<u>Jan. 1</u>	<u>Dec. 1</u>
Total	<u>0.36</u> ✓	<u>73.2</u> ✓		

Remarks ARTESIAN FLOW TO SLUMP & THEN PUMPED INTO SPRINKLER SYSTEM.

No Overlapping rights - Permit identifies Irrigation District water, Recommend Condition R16

OK
Jaw
5-14-83

32.0

023

A
35.4

E
16.4

F
10.2

G
11.1

B
9.2

G
18.3

A
18.0

C79
17.0
A
18.3

C
23.9

H
13.9

I
4.0

B
18.0

L
15.9

26.25
35.36

H
6.9

126.7
15.1

2.7 J

A
7.6

C94
12.0

C103
11.0

C
2.8

M
25.5

L
4.5

K
20.9

127C

A
9.2

B

3.1

A
22.0

N
16.3

O
8.1

C86
12.0
17.6

B

P
5.3

C
26.3

S
21.6

B
20.0

D
29.0

C83
12.0

C87

A
12.0

A
6.5

E
27.8

C88
12.0

C91
13.0
15.6

A

A
6.7

C

35.2

B
12.1

A
11.2

C88

C88

C88

23.6

A
11.1

B

7.1

C
11.4

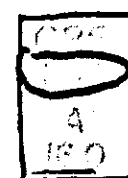
A

3.3

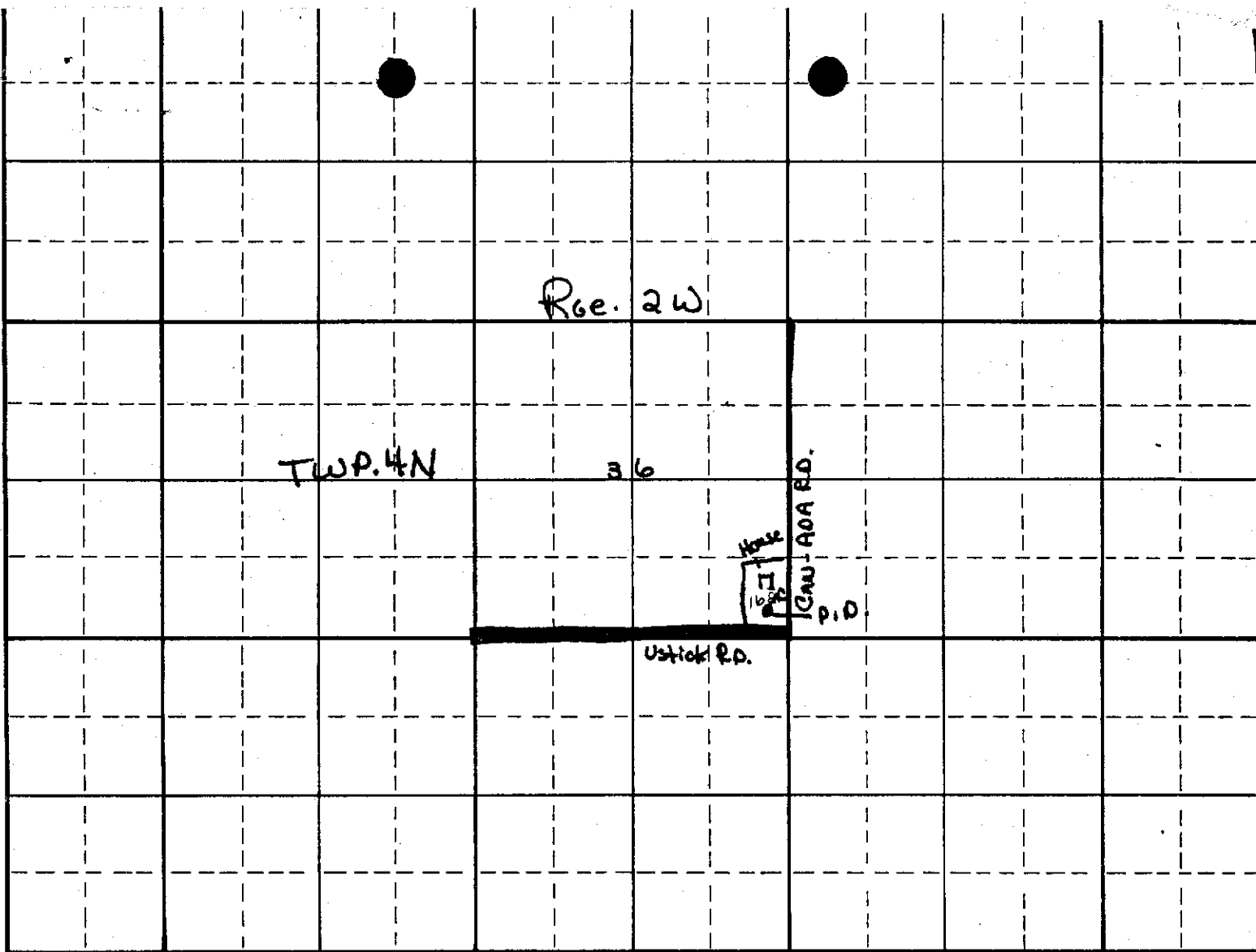
B

5.1

A
3.9



SCA1



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SE 1/4 SE 1/4, Sec. 36, TWP. 4N, Rge. 2W.

Place(s) of Use

TWP.	RGE.	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
4N	2W	36																16	16
																			16✓

Recommended Amendments:

☒ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☒ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

Examiner's Signature

Checked by

Approved by

Jan Grover

DBS

Date

Date

Date

9/26/80

11/11/80

1/14/83



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

February 25, 1982

Dear Water user:

The enclosed Order removes the measuring device requirement as a condition of approval from your permit.

If you have already installed the measuring device, the field examination can be more quickly conducted by the Department's field examiner. You will also derive benefit from water management information which may be obtained from the installed meter.

If you have questions regarding this matter, please contact this office or one of our regional offices.

Sincerely,

DAVID R. TUTHILL JR., P. E.
Supervisor, Water Allocations Section

DRT:jg

Enclosure

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

U.S. MAIL

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 63-8423

Name(s) of Permit Holder: Lewis McKellip

Post Office Address: RT 2 Box 2117

Nampa, Idaho 83651 Tel. No. 466-6819

Source of Water: Groundwater

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater 100 beef (number and type of stock)
☒ Irrigation 185 (acres)
☒ Other Mint Still

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

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

Dec 2, 1980
Date

Lewis McKellip
Signature of Permit Holder

RECEIVED

DEC 3 1980

Department of Water Resources



Department of Water Resources
Regional Office

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED
DEC 2 1980

PLACE
TEN CENT
STAMP
HERE

PERMISSION

COMES NOW, Forrest Sorrenson, a single man, who is the owner of certain land located in Section 36, Township 4 North, Range 2 West of the Boise Meridian in Canyon County, Idaho, and does hereby grant permission to Lewis McKellip and McKellip Farms, Inc., an Idaho corporation, to lay and maintain surface pipe across the property of the undersigned for the purposes of transporting irrigation water to property owned or used by the parties herein receiving permission. This permission is granted only for the irrigation season of 1977, and any subsequent extensions of said permission are at the option of the undersigned. The parties receiving permission have the right to remove the said pipe after the said permission no longer exists.

IN WITNESS WHEREOF, the undersigned has set his hand this

_____ day of May, 1977.

Forrest Sorrenson
Forrest Sorrenson

PROPOSED RESOLUTION

PIONEER IRRIGATION DISTRICT, hereby gives Lewis McKellip and McKellip Farms, Inc., an Idaho corporation, permission to transport water, which water originates from a well located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 36, Township 4 North, Range 2 West, Boise Meridian in Canyon County, Idaho, through a lateral belonging to the Irrigation District known as "7.0" lateral. The water is to be inserted in said lateral and to be taken out of the said lateral at points satisfactory to the Board of Trustees of the Irrigation District. The water so transported is to be used solely for irrigation purposes with the following provisions:

1. The ditch rider will be notified before the water is turned into the lateral.
2. Of the water turned in, ten percent thereof will become the water of the Irrigation District at the point of insertion of the water into the lateral belonging to the Irrigation District in order to compensate for the water loss in transportation. This provision is only applicable when the water so inserted is co-mingled with other water belonging to the Irrigation District.
3. The measuring of the water and the manner of measuring of the water so inserted will be left to the discretion of the ditch rider.

4. The right so granted shall be for the 1977 Irrigation season, and may be extended from year to year at the option of the Irrigation District.

Harold Whittig
Harold Whittig President

Fred Houston
Fred Houston Director

Wayne Naugle
Wayne Naugle Director

Protest was
withdrawn

MICROFILMED

RECEIVED
MAR 2 1971Idaho Department of water resources
Boise, IdahoDepartment of Water Resources.
Western Regional Office

Re: Application NO. 63-8423 for permit to appropriate water.

Filed by Lewis McKellip, Nampa, Idaho.

BDF

The undersigned being the owner of, Ne $\frac{1}{4}$ of Sec $\frac{1}{4}$ Sec.35, Twp 4N, R. 2 W.B.M which land is irrigated by a ditch of approximately 1600 feet shared by above named applicant who irrigates a portion of the Sw $\frac{1}{4}$ of the Sw $\frac{1}{4}$, Twp 4 N, R 2 W.B.M. therefrom, which land applicant proposes to irrigate under the permit being applied for.

NOW THEREFORE, the undersigned does hereby protest the inclusion of said Sw $\frac{1}{4}$ of the Sw $\frac{1}{4}$ of Sec 35 Twp 4 N, R 2 W.B.M. , and requests that said land be excluded from the benefits of the Permit to appropriate water, if it is approved, at any time that such water might have to be co-mingled with irrigation district water being delivered to the undersigned.

Undersigned submits the following in support of such protest.

Applicant purchased said land in 1975 farming it in 1976 after leveling and reorganizing the irrigation system so there is now a divide box at the Northeast corner of said Sw $\frac{1}{4}$ of the Sw $\frac{1}{4}$ Sec.36 Twp 4 N, R 2 W.B.M. at which point above applicant diverts his water from the irrigation ditch commonly shared with undersigned, which point of diversion is located 1/4 mile due East from the Southeast corner of the undersigned's property.

The first infringement upon undersigned's flow of water in 1976 came when applicant came to undersigned stating he had a low spot next to the divide box and could not get water on the first few corrugates, asking if he could put siphon tubes in our community ditch above the divide box until he could get it fixed, assuming he would fix it after his first irrigation undersigned agreed but neglected to make inspection until late in the irrigation season and then found applicant had thus used a portion of undersigned's water 12 corrugations throughout the season - actually applicant could have irrigated said corrugates by checking the divide box higher to raise the water high enough to irrigate said corrugates with his own water.

The next known infringement came, about the middle of the irrigation season when around the noon hour above named applicant simply checked up the divide box and took the undersigned entire flow of water. Another time applicant took undersigned's flow of stock water in A.M.; undersigned went 1/4 mile to divide box and restored his flow of stock water only to have applicant close the headgate at the irrigation district later headgate sometime in the P.M. again cutting off stock water requiring undersigned to make a 2 mile trip to restore his stock water flow.

From reports of other water users in the area the above are typical examples of the applicants irrigation practices over a period of years, therefore undersigned feels compelled to protest the inclusion of water from the proposed well into the ditch system commonly shared as previously set forth herein.

Respectfully,

J L Donaldson
J L Donaldson

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

March 8, 1977

Re: Application for Permit No. 63-8423
Lewis McKellip

Mr. J. L. Donaldson
Route 2
Nampa, Idaho 83651

Dear Mr. Donaldson:

This office acknowledges receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

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

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Sincerely,

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

LGS:lp

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

March 8, 1977

Re: Application for Permit No. 63-8423

Mr. Lewis McKellip
Route 2, Box 2117
Nampa, Idaho 83651

Dear Mr. McKellip:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 63-8423. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

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

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required. (Section 42-202, Idaho Code)

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. If we may be of assistance, please contact us.

Sincerely,

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

LGS:lp
Enclosure

MICROFILMED

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTEST AGAINST APPROVAL
OF THE APPLICATION FOR PERMIT NO. 63-8423
IN THE NAME OF LEWIS MCKELLIP

NOTICE OF CONFERENCE
AND/OR HEARING

On February 7, 1977, Lewis McKellip filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On March 2, 1977, the Department received a protest against approval of said application from J. L. Donaldson.

The Department has set the matter of protest for conference and/or hearing for Tuesday, April 12, 1977, at 10:00 a.m., in the conference room of the State Office of the Department of Water Resources, 373 West Franklin, Boise, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 16th day of March, 1977.

L. Glen Saxton
L. GLEN SAXTON, P.E.

Western Regional Supervisor

MICROFILMED

May 10, 1977

Re: Permit No. 63-8423

Lewis McKellip
Route #2, Box 2117
Nampa, ID 83651

Dear Mr. McKellip:

Enclosed is a copy of your approved Application for Permit No. 63-8423. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 63-

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

☐ Pre-permit exam
☐ Adjudication Claim
☐ Dam Construction
Papers Sent

(1) WKM 2-7-77

In form to receipt

(2) _____

Send Copies to:

☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) _____

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(4) WKM 2-7-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no ☒

(8) _____

Groundwater levels:

_____ Declining, ☒ Stable, _____ Increasing

(comment) Depth to water in 4N-1W-Sec 31
= artesian + 25 feet

(9) _____

Other rights on the same place of use none platted

(10) _____

Comments: _____

(11) CS 3-11-77

Affidavit of Publication received(date) 3-9-77

(12) _____

Final date for protests 3-3-77

Protests received: yes ☒ no ☐
protest withdrawn

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction _____

☒ Measuring device S required

See attached sheet for other conditions of approval
☒ R/w clause

_____ No special conditions for approval

(15) District W

By FLH Date 4-12-77

MICROFILMED

April 13, 1977

Re: Application for Permit No. 63-8423

C
O
P
Y
Mr. Lewis McKellip
Route 2, Box 2117
Nampa, ID 83651

Dear Mr. McKellip:

Please be advised that this office has received a withdrawal of protest on the above referenced application. The Department will now continue to process your application.

If you have any questions, please contact this office.

Sincerely,

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

LGS:rf

MICROFILMED

April 13, 1977

Re: Application for Permit No. 63-8423
(Lewis McKellip)

C
Mr. J. L. Donaldson
Route 2
Nampa, ID 83651

Dear Mr. Donaldson:

O
This office acknowledges receipt of your withdrawal of protest on the above referenced application. Please be advised that the Department will now continue processing the application.

If you have any questions concerning this matter, please contact this office.

P
Sincerely,

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

Y
LGS:rf

MICROFILMED

63-8423 - Lewis McKellip

Conference Room, Department of Water Resources

Boise, Idaho

Tuesday, April 12, 1977 - 10:00 a.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
J. L. Donaldson	P. 2 Nampa	Protestant
James McKellip		attendant - applicant's spouse
James E. Schiller	P.O. Box 21, Nampa	Attorney for applicant.
Lewis McKellip		applicant

MICROFILMED

PS Form 3877 - Feb. 1975
 ACCEPTANCE OF REGISTERED, INSURED, C.O.D. AND CERTIFIED MAIL

NAME AND ADDRESS OF SENDER

Dept. of Water Resources-
 Western Region

Indicate type of mail

☐ REGISTERED ☐ COD
☐ INSURED ☒ CERTIFIED

Attach stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C. O. D.	R. R. FEE	S. D. FEE	S. H. FEE	REST. DEL. FEE	REMARKS
1	139216 Lewis McKellip-Rt 2, Box 2117 Nampa	13	60				25				638423
2	139217 J. R. Donaldson-Rt. 2, Nampa, Id 83651	13	60				25				638423
3	139218 Randall C. Fredericks-Clemmons, Cocho, Humphrey	13	60				25				63.8476
4	Samuelson - 1110 Bank of Id. Bldg Boise										
5	139219 Warren L. Reynolds-Rt. #2 Luma	13	60				25				" "
6	139220 Art Norland, Superintendent - Pioneer	13	60				25				" "
7	Irrigation Dist - P.O. Box 426 Caldwell										
8											
9											
10	Sent By R7 3/16/77										
11											
12	Stamped 3/16/77 S.G.										
13											
14											
15											

TOTAL NUMBER OF PIECES LISTED BY SENDER

5 pieces

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

POSTMASTER, PER (Name of receiving employee)

Declaration of value is required on international registered mail.

Special-handling charges apply only to third- and fourth-class parcels. Special-delivery service also includes special-handling service.

MICROFILMED

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTEST AGAINST APPROVAL
OF THE APPLICATION FOR PERMIT NO. 63-8423
IN THE NAME OF LEWIS MCKELLIP

NOTICE OF CONFERENCE
AND/OR HEARING

On February 7, 1977, Lewis McKellip filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On March 2, 1977, the Department received a protest against approval of said application from J. L. Donaldson.

The Department has set the matter of protest for conference and/or hearing for Tuesday, April 12, 1977, at 10:00 a.m., in the conference room of the State Office of the Department of Water Resources, 373 West Franklin, Boise, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 16th day of March, 1977.

L. Glen Saxton
L. GLEN SAXTON, P.E.

Western Regional Supervisor

MICROFILMED

March 8, 1977

Re: Application for Permit No. 63-8423
Lewis McKellip

Mr. J. L. Donaldson
Route 2
Nampa, Idaho 83651

Dear Mr. Donaldson:

This office acknowledges receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

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

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Sincerely,

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

LGS:lp

bcc: State Office

March 8, 1977

Re: Application for Permit No. 63-8423

Mr. Lewis McKellip
Route 2, Box 2117
Nampa, Idaho 83651

Dear Mr. McKellip:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 63-8423. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

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

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required. (Section 42-202, Idaho Code)

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. If we may be of assistance, please contact us.

Sincerely,

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

LGS:lp
Enclosure

bcc: State Office



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES WESTERN REGION

Cecil D. Anderson
Governor

R. Keith Higginson
Director

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

February 11, 1977

Re: Notice of Application for Water Permit No. 63-8420 - Miyake Brothers, Inc.
63-8422 - Frank W. Duspiva
63-8423 - Lewis McKellip
63-8424 - Miyake Brothers, Inc.
63-8429 - Roy A. Holaday

Idaho Free Press
P. O. Box 88
Nampa, ID 83651

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

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

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before March 3, 1977.

Sincerely,

Bill Submitter

2-11-77

CS

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Lewis McKellip,
Route 2, Box 2117 Nampa, ID
has on February 7, 1977 submitted Application No. 63-8423
for a permit to appropriate 3.97 cubic feet per second ~~XXXXXX~~
~~XXXXXXXXXX~~ of water from a groundwater source
by means of well, pump and gravity system
within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 36 T4N-R2W B.M., Canyon County
to be used from Jan 1 to Dec 31 for stockwater purposes, ~~XXX~~ from July 1
~~XXX~~ to Oct 31 for operation of a mint still and from Mar 1 to Oct 31
for irrigation of 191.46 acres
within the N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 36 T4N-R2W B.M.

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Idaho Depart-
ment of Water Resources, Statehouse, Boise, Idaho, 83720, on or before
March 3, 1977.

R. KEITH HIGGINSON

Director

Published in the Idaho Free Press, Nampa, ID
on February 17, 1977 and February 24, 1977.

MICROFILMED

na

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Lewis McKellip, Route 2, Box 2117, Nampa, Idaho, has on February 7, 1977, submitted Application No. 63-8423 for a permit to appropriate 3.97 cubic feet per second of water from a groundwater source by means of well, pump and gravity system within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36 T4N-R2W B.M., Canyon County, to be used from Jan. 1 to Dec. 31 for stockwater purposes, and from July 1 to Oct. 31 for operation of a mint still and from March 1 to Oct. 31 for irrigation of 191.46 acres within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 35 T4N-R2W B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before March 3, 1977.

R. KEITH HIGGINSON
Director
February 17, 24, 1977.

na

TUFFY NO. 2 MP VIKING OFFICE PRODUCTS