

RECEIVED

AUG 30 1968

Department of Reclamation

AFFIDAVIT OF PUBLICATION

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

Jeanne Bruner
of Caldwell, 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 News-Tribune, a daily, (except Sunday) newspaper published in the City of 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 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

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:

August 22, 29, 1968

Jeanne Bruner
Subscribed and sworn to before me this

29th day of August, 19 68.

Adam & Lane
Notary Public, Residing at Caldwell, Idaho

MY COMMISSION EXPIRE JUNE 23, 1971

NOTICE OF CLAIM TO A
WATER RIGHT
No. 63-4022

Notice is hereby given that Munn Land Co., Inc., % Glen Munn, Route #2, Caldwell, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 48 cubic feet per second of water from West End drain tributary to Boise River with point of diversion in SW1/4 NW1/4 and NW1/4SW1/4 Sec. 23, Twp. 4 N., Rge. 4 W., B.M. in Canyon County; the water is claimed to be used from April 1 to October 28 for irrigation and from January 1 to December 31 for stock water with a priority of May 1, 1936; the place of use is SW1/4SW1/4, sec. 14; SE1/4SE1/4, sec. 15; E1/2NE1/4, sec. 22; W1/2 NW1/4, sec. 23, T. 4 N., R. 4 W., B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.
R. KEITH HIGGINSON
State Reclamation Engineer

August 22, 29, 1968

63 4022

Identification No. 63-4022
Claim No. _____
Map No. 42639

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Munn Land Co., Inc.
post office address c/o Glen Munn, Route #2, Caldwell, Idaho
2. The point of diversion is in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 23 Township 4N
Range 4 W B.M. located on West End Drain
(name of source)
- tributary to Boise River in Canyon County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

- a. Date of priority claimed:

May 1, 1936 amount: 48 (240 inches) c.f.s./or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Irrigation period of use from April 1 October 25 May 1, 1936 to date (both dates inclusive)
use stock water period of use from Jan. 1 Dec. 31 May 1, 1936 to date (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of cement
4' at mouth; length is 30 feet; height is 6 $\frac{1}{2}$ feet;
width at bottom is 8' at wings; with at top is same feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known no increase
in diversion facilities since May 1, 1936

b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

- c. Conveying works: length of ditch to place of use is 2640 feet; width of ditch at top is 6 feet; width of bottom of ditch is 6 feet; depth of water is 6 feet; grade of ditch per 1000 feet is 5 feet; material through which ditch passes is dirt; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____.
- Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible no increase in size since May 1, 1936

- d. If water is stored: name of reservoir None; total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet; year construction commenced _____; year completed _____; date first used _____; period of storage is from _____ to _____; is reservoir drained each year _____; is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4 N	42	15																X	40
4	4	22	X			X													80
4	4	14											X						40
4	4	23					X	X											80

Total number of acres to be irrigated 240

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) Water is live waste water taken from West End Drain Ditch - conveyance of water is through private ditch.

6. Where water is used for stock watering, give number of each kind of stock watered 40 horses
100 cattle

7. Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
Second point of diversion - NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 23, T. 4,
R. 4 W. B. M. (1/8 mile S. of S. E. corner)

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with all attached information and certifies that all statements are true and accurate to the best of his knowledge.

(Date)
State of Idaho
County of Canyon } ss.

Glen B. Munn
(Signature of Claimant)

On this 14th day of June 1968, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Caldwell, Idaho

My commission expires _____

For Department Use Only

Received by <u>ef</u>	Date <u>6-17-68</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>Dum</u>	Date <u>7-5-68</u>	_____	_____	_____
Fee received by <u>ef</u>	Date <u>7-8-68</u>	Fee \$ <u>10.00</u>	_____	_____
Approved for publication by <u>JPS</u>	Date <u>8-13-68</u>	_____	_____	_____
Published in <u>Demo Trib</u>	Dates <u>8-22/29</u>	_____	_____	_____

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s.</u> or <u> </u> acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s.</u> or <u> </u> acre feet
	Total claimed: <u>1.2 c.f.s.</u> or <u> </u> acre feet		

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

RECEIVED

AUG 30 1968

Department of Reclamation

AFFIDAVIT OF PUBLICATION

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

Jeanne Bruner
of Caldwell, 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 News-Tribune, a daily, (except Sunday) newspaper published in the City of 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 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

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:

August 22, 29, 1968

Jeanne Bruner

Subscribed and sworn to before me this

29th day of August, 19 68.

Adam & Lauer

Notary Public, Residing at Caldwell, Idaho

MY COMMISSION EXPIRES JUNE 23, 1971

The News-Tribune

P. O. Box 1179

CALDWELL, IDAHO 83605

Date August 29, 1968

Department of Reclamation

RECEIVED

107 State House

AUG 30 1968

Boise, Idaho

Department of Reclamation

NOTICE OF CLAIM TO A WATER RIGHT No. 63-4022 Munn Land Co., Inc.

33 lines 2 days August 22, 29, 1968

1 day @ .14 per col. line	4.62
1 day @ .10 per col. line	<u>3.30</u>
	7.92

The Director of the Bureau of Reclamation
cannot be just and correct, that
a court is to be held, after all
all just credits, and that no part of
same has been paid.

James C. Munn

63 4022



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

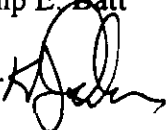
PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MEMORANDUM

To: Governor Philip E. Batt

Date: March 1, 1997

From: Karl J. Dreher 

Subject: Response to Munn Land Company - Constituent Affairs Tracking Memo No. 17572

Enclosed for your review is a copy of a letter I sent to Mr. Monte Munn of the Munn Land Company. This letter was written in response to a letter Mr. Munn sent to me several months ago in which he expressed his frustration with the Snake River Basin Adjudication and the Department of Water Resources.

I believe my response adequately addresses all of the issues raised by Mr. Munn. If you should find that additional action is warranted, the Department of Water Resources will certainly assist in whatever way you determine is necessary.



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

March 1, 1997

KARL J. DREHER
DIRECTOR

Mr. Monte Munn
CEO, Munn Land Company, Inc.
1510 Dearborn St.
Caldwell, ID 83605

Re: Snake River Basin Adjudication ("SRBA")

Dear Mr. Munn:

I apologize for the delay in responding to your letter of last August regarding your frustration with the Snake River Basin Adjudication and the Department of Water Resources. I have investigated the matters which you described and have not found the actions of the Department of Water Resources to be inappropriate. The following explanations are offered for your consideration.

Regarding the Department contacting your attorney to obtain a current address for the Munn Land Company, I have reviewed the files for water right claims numbered A63-04022, A63-21145, A63-21146, A63-21488, and A63-21489, all of which were filed in the SRBA by yourself on behalf of the Munn Land Company. The first claim and the last two claims were for irrigation use based on claimed water right number 63-4022 which was filed by Glen B. Munn and approved by the Department in September of 1968. The remaining two claims filed in the SRBA were for domestic and stockwater uses. All five notices of claim in the SRBA were signed by yourself on either February 21 or 22, 1990, and all five claims listed the mailing address for the Munn Land Company as being "20082 Simplot Blvd, Caldwell, ID 83602." I have enclosed a copy of the first page of claim A63-04022 for your reference.

Pursuant to state laws and court rules, there are a variety of legal notices that must be sent to the claimants in the SRBA by the Department, other claimants, and the SRBA Court. To ensure that the required legal notices are sent to the correct claimants at the correct addresses, all claimants are required by state law to notify the Department of any change in ownership or address. Unfortunately, a significant number of claimants do not comply with this requirement, and as a result, they do not receive notices that may be important regarding issues that may affect their water rights. Consequently, when the Department has good reason to believe that a change in address or ownership has occurred but has not been provided such information, the Department will use reasonable means to attempt to determine current information.

Mr. Monte Munn
March 1, 1997
Page 2 of 3

For the specific situation involving the water rights claimed by the Munn Land Company, the Department mailed legal notices to the Munn Land Company, as well all other claimants in the SRBA, to inform them that the Department had filed a report with the SRBA Court that included abstracts of all nonconsumptive (or instream) claims of the United States and the Indian tribes. These claims have the potential to substantially affect the rights of other claimants in the SRBA, and the notice was important. The notice to the Munn Land Company was mailed to "20082 Simplot Blvd, Caldwell, ID 83602" which was the address you provided on the notice of claim forms for all water rights claimed by the Munn Land Company. Apparently, someone acting on behalf of the "Munn Family Partnership" had filed a forwarding address with the post office because the legal notice was returned to the Department marked "Forwarding Time Expired". For your reference, I have enclosed a copy of the page from the notice showing the mailing address and response from the post office. Given these circumstances, the Department had good reason to believe that the mailing address for the Munn Land Company had changed.

At this point, the Department could have attempted to use the phone book for Caldwell to determine the published address for the Munn Land Company. Although the phone book contains a listing for you personally, there is no such listing for the Munn Land Company. Therefore, the Department instead contacted the Office of the Secretary of State to obtain the name of the registered agent for the Munn Land Company. This was reasonable and appropriate since all corporations are required to have a registered agent on file with the Secretary of State. The Department was informed that the registered agent for the Munn Land Company was William Gigray III. As you know, Mr. Gigray was subsequently contacted by the Department to obtain the current address for the Munn Land Company. Mr. Gigray informed the Department that the address for the Munn Land Company was in fact different than the address you had provided on the notices of claim for the water rights. Consequently, I can not find that the Department was in error at any time during this process.

In your letter this past August, you also referred to the Department having lost your water rights records. I have checked with Department staff to determine why you might have this perception. I have not found any indication that the Department ever lost any of its records pertaining to water rights claimed or filed by the Munn Land Company. When I recently examined the Department's files for water rights claimed by the Munn Land Company in preparation of this letter, I found the files for all five of the water right claims filed in the SRBA, as well as for the previously approved water right claim number 63-4022, to be complete and in order. Similarly, I have not found any basis for your concern that the Department did not know how to handle your filing since the Munn Land Company was not part of an irrigation district. More than 175,000 water right claims have been filed in the SRBA, and many of the claims are for irrigation uses outside of areas covered by irrigation districts. The Department has routinely processed such claims. In this regard, I believe it may be worth noting that when Glen Munn first applied to claim the water right numbered 63-4022 in 1968, it was Department staff that provided

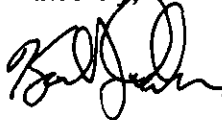
Mr. Monte Munn
March 1, 1997
Page 3 of 3

assistance to the Munn Land Company and its attorney at the time, Gerlad L. Weston, in preserving the priority date for the right of May 1, 1936, rather than a priority date in 1968 that would have resulted had the Department processed the first application as signed by Glen Munn.

Unquestionably, the SRBA has been a difficult and lengthy process for all involved. I believe that the SRBA is a worthwhile effort, not because I seek to maintain a bureaucracy, but because I believe that efficient water management cannot occur absent accurate documentation that confirms the nature and extent of all water rights in the Snake River Basin, many of which are now based solely on actual use of water without any documentation. Unfortunately, such a complex process will undoubtedly include inconvenience and expense, both to the claimants in the SRBA and to the Department of Water Resources. However, no taxes or tax increases have been levied solely because of the SRBA.

Regarding your concern that your artesian well has gone dry after 40 years of use because the Department issued too many water rights for irrigation, your letter did not provide sufficient detail for me to investigate this matter. I am willing to address this issue if you can provide me with more detailed information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karl J. Dreher', written over a horizontal line.

Karl J. Dreher
Director

Enclosures (2)

copy w/enclosures to: Governor Philip E. Batt
copy w/o enclosures: Water Right File No. 63-4022

September 24, 1968

Re: Claim No. 63-4022

Munn Land Co., Inc.
c/o Glen Munn
Route 2
Caldwell, Idaho 83605

Dear Mr. Munn:

Enclosed you will find a copy of your approved claim to
a water right No. 63-4022.

Also enclosed is departmental receipt No. 1073 in the
amount of \$10.00 covering the fees.

Very truly yours,

Donald W. McEldowney
Appropriations Examiner

DWM:kh

Enclosures

63-4022

August 13, 1968

Re: Application No. 63-4022
Munn Land Co.

News Tribune
Caldwell,
Idaho

Gentlemen:

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

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

An affidavit of publication must be submitted to the Department of Reclamation, 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 same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Legal notice

63 4022

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4022

Notice is hereby given that Munn Land Co., Inc., c/o Glen Munn,
Route #2, Caldwell, Idaho has filed a claim to a water right
established by diversion and application to beneficial use of 48
cubic feet per second ~~one foot~~ of water from west end drain tributary to
" "
Boise River with point of diversion in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and
NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 23, Twp. 4 N., Rge. 4 W., B.M. in Canyon; ~~the~~ water is
claimed to be used from April 1 to October 25 for irrigation and from
January 1 to December 31 for stock/ ^{water} with a priority of May 1, 1936
; the place of use is SW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 14; SE $\frac{1}{4}$ SE $\frac{1}{4}$,
sec. 15; E $\frac{1}{2}$ NE $\frac{1}{4}$, sec. 22; W $\frac{1}{2}$ NW $\frac{1}{4}$, sec. 23, T. 4 N, R. 4 W, B.M.

Any exception to this claim of water right may be filed with the Department
of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the News Tribune, Caldwell, Idaho
on August 22 and August 29.

LAURENCE N. SMITH
DEAN E. MILLER
GERALD L. WESTON

SMITH, MILLER & WESTON
ATTORNEYS AT LAW
PROFESSIONAL BUILDING
1801 ELLIS ST.
CALDWELL, IDAHO 83605
April 10, 1968

P. O. BOX 1116
TELEPHONE 459-3646
AREA CODE 208

RECEIVED

APR 11 1968

Department of Reclamation

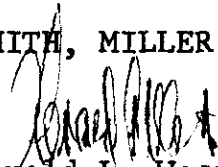
State of Idaho
Department of Reclamation
State House
Boise, Idaho

Gentlemen:

I enclose herewith an original and one copy of an Application for Permit for Water for the Munn Land Company, Inc. I also enclose our check in the amount of \$40.00 payable to your order. Would you please stamp the copy with the filing marks and return to this office. Thank you.

Yours very truly,

SMITH, MILLER & WESTON


Gerald L. Weston

GLW:cf

Enclosures

April 10, 1968

Re: Munn Land Company, Inc.

Gerald L. Weston
Smith, Miller & Weston, Attorneys
Professional Building
1801 Ellis Street, Box 1116
Caldwell, Idaho 83605

Dear Mr. Weston:

We are in receipt of the Munn Land Company Inc. application for permit and your firms check in the amount of \$40.00. Before we accept and process the application, you should be advised that the only date of priority that can be established under an application for permit is the date of first receipt of the application by the Department of Reclamation. Therefore, the Munn Land Company would obtain on the 240 acres in question, a probable 1968 priority; whereas, you have indicated under 7a of the application that the works have already been completed and use began in 1936. If this is true then I am sure the Munn Land Company is entitled to some of the priority from 1936 to present.

There is another probable course of action which you could take in this matter. If the Munn Land Company wishes to establish a 1936 priority, they should consider filing a claim to a water right as indicated under Section 42-225 of the Idaho Code. We are enclosing a copy of claim forms and instructions for filing if you so desire.

You are requested to advise the department within 15 days of the date of this letter as to whether you wish to proceed with the application. It will be most appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Claim forms
Instructions

63 4032

May 21, 1968

Re: Application for Permit
Kunn Land Company, Inc.

Gerald L. Weston
Smith, Miller & Weston, Attorneys
Professional Building
1801 Ellis Street, Box 116
Caldwell, Idaho 83605

Dear Mr. Weston:

As of this date we have not received a reply to our April 10, 1968 correspondence, a copy of which is enclosed. Your assistance in clarifying this issue will be greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Copy of 4-10-68 letter

LAURENCE N. SMITH
DEAN E. MILLER
GERALD L. WESTON

SMITH, MILLER & WESTON

ATTORNEYS AT LAW
PROFESSIONAL BUILDING
1801 ELLIS ST.

CALDWELL, IDAHO 83605

June 14, 1968

P. O. BOX 1116
TELEPHONE 459-3646
AREA CODE 208

RECEIVED
JUN 17 1968

Department of Reclamation

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Attention: Mr. Donald W. McEldowney

Re: Munn Land Company, Inc.

Dear Mr. McEldowney:

I enclose herewith an original and one copy of a Claim to a Water Right in the above corporation. On April 10, 1968, we sent you our check in the amount of \$40.00 to cover the filing costs. Please deduct the costs of the filing of this Application from the check previously sent to you and if there is any access amount, would you please send it to us. Thank you.

Yours very truly,

SMITH, MILLER & WESTON

Gerald L. Weston

Gerald L. Weston

GLW:cf

Enclosures

July 2, 1968

Re: Munn Land Company

Gerald L. Weston
c/o Smith, Miller & Weston
Attorneys At Law
P. O. Box 1116
Caldwell, Idaho 83605

Dear Mr. Weston:

We are in receipt of your letter of June 14, 1968, and the Munn Land Company, Inc. claim to a water right. Please be advised we must return the original \$40.00 check as the State Auditor will not accept checks that are more than 60 days old. Therefore, if you would return to the Department a \$10.00 check we will be glad to process the claim.

Also enclosed we are returning the original application for permit. Thank you for your assistance in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: \$40.00 check

Original app. for permit

August 7, 1968

Re: Claim No. 63-4022

Munn Land Co., Inc.
c/o Glen Munn
Route #2
Caldwell, Idaho

Gentlemen:

Before the department can continue processing your claim to a water right we will require additional information under Item 3b of the claim. This item requires the claimant to list a specific use of the water and the period of use during each year in which the use will be effective.

You have listed irrigation for this use, however, we will need a month and a day in the spring to a month and a day in the fall for which the irrigation use will be effective. As for stock water we need the same information. Your stock water could possibly be a year around use and you would use the dates of January 1 to December 31 of each year.

Please supply the information as soon as possible so that we may process the claim at once.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

63 4022

82, 108

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

August 7, 1968

RECEIVED

AUG 13 1968

Department of Reclamation

Re: Claim No. 63-4022

Munn Land Co., Inc.
c/o Glen Munn
Route #2
Caldwell, Idaho

Gentlemen:

Before the department can continue processing your claim to a water right we will require additional information under Item 3b of the claim. This item requires the claimant to list a specific use of the water and the period of use during each year in which the use will be effective.

You have listed irrigation for this use, however, we will need a month and a day in the spring to a month and a day in the fall for which the irrigation use will be effective. As for stock water we need the same information. Your stock water could possibly be a year around use and you would use the dates of January 1 to December 31 of each year.

Please supply the information as soon as possible so that we may process the claim at once.

Very truly yours,

Donald W. McEldowney

Donald W. McEldowney
Appropriation Examiner

DWM:ks

R.R.

*Irrigation season April 1 thru October 25
Stock water year around 63 4022
Sincerely
Glen B Munn*