

Identification No. 13 7050

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant D. W. Clegg & Sons Inc
post office address Grace Idaho
2. Source of water supply Well which is a tributary of _____
3. a. Location of point of diversion is NE 1/4 of NE 1/4 of Section 6 Township 11S
Range 41E B.M. Carleton County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into None at a point in C 1/4
of 4 1/4 of Section C Township C Range C B.M. C

4. Water will be used for the following purposes: ALLOW June 1 -to- October 15
Amount 3 for Irrigation purpose from May 1 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

- a. 3 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. Natural Gas
Engine Sprinkler System

- b. Height of storage dam 0 feet, active reservoir capacity 0 acre feet; total reservoir capacity 0 acre feet, materials used in storage dam: 0
Period of year during which storage will occur 0 to 0 inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 18 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 1 years.

- b. Estimated construction cost is \$ 30,000.00

8. Description of proposed uses:

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

- (1) Give the place of use of water: _____ 1/4 of _____ 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 _____

- (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: _____

13 7050

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

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	
11S	41E	6	34	38	40	40		32											152
11S	41E	5						32	32										64

Total number of acres to be irrigated 216

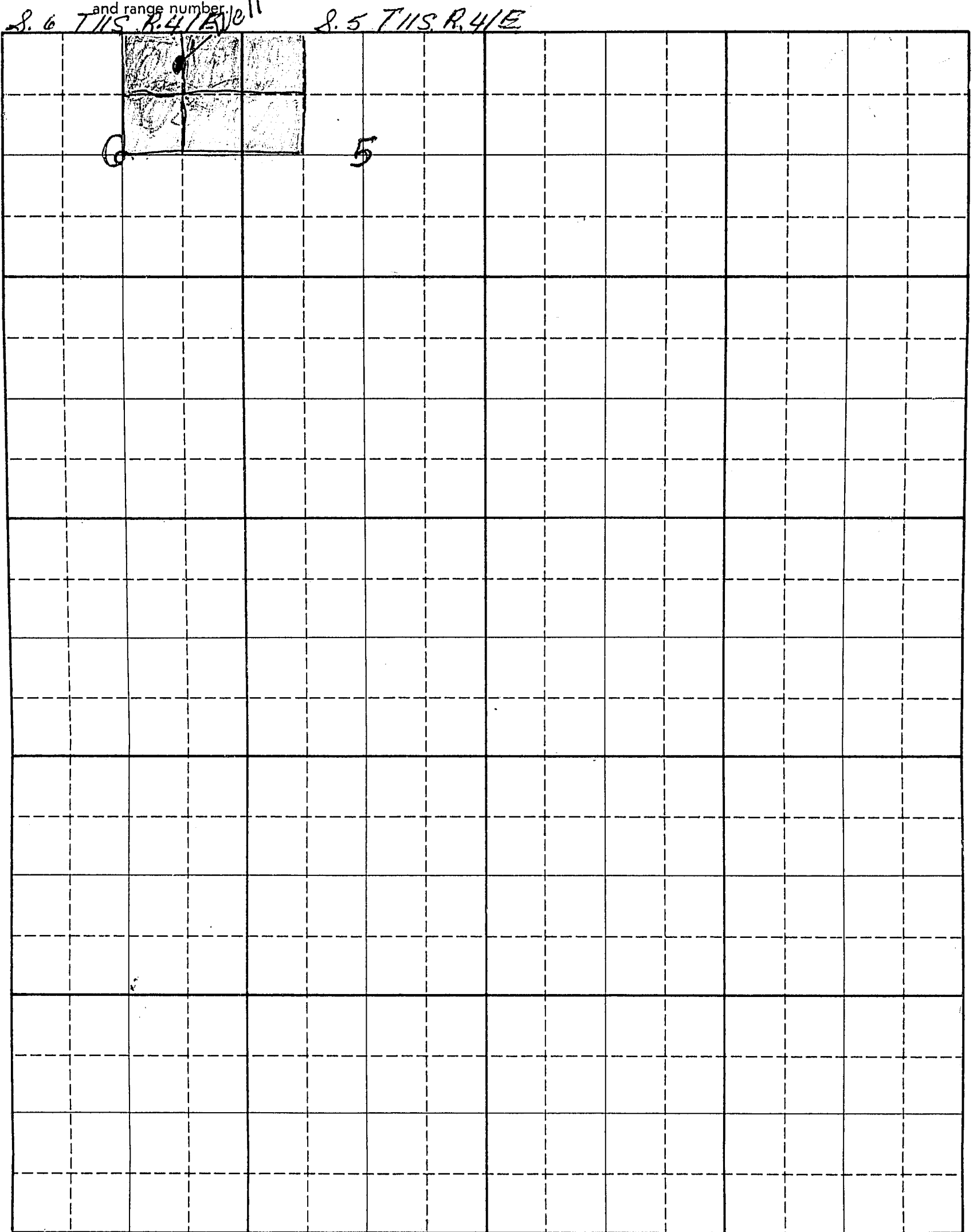
c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion D. W. Clegg & Sons Inc.
 b. Who owns the land to be irrigated or place of use D. W. Clegg & Sons Inc.
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing None

10. Remarks We are replying for a permit in place of the well permit we had issued before by the number 29720. The reason this well was not proved up on was because my brother Philip was doing the work on this well. A change in his plans came about and he moved to Calif. and still list this. I was unaware of this up to sight. I hope we can get this straighten out because I bought into the Corporation last Dec. buying controlling stock on the basis that the well was proved up on. If there is anything I can do to help this along I would appreciate being notified as soon as possible.

D. W. Clegg
Pres. of D. W. Clegg & Sons Inc.

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.

D. W. Clegg & Sons Inc.
Dwight Clegg Pres.
(Applicant)

Proposed priority: 7/6/1973

13 7050

Received by ef Date 7-6-73 Time 9:30
Preliminary check by JH Fee \$ 45.00
Receipted by ef Date 7-6-73 Receipt # 11280
Publication prepared by mb Date 7-10-73
Published in Caribou County Sun
Publication dates 7-19-26-1973
Publication approved NCY Date 8/3/73
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by NCY

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 13-7050, 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 April 1, 19 75.
- c. Other: (1) That a measuring device of a type approved by this Department be permanently installed and maintained as part of the diverting works.
(2) That the well be pumped for not more than 70 days during any one year and that the period during which the well may be pumped be reduced to June 1 to October 15.

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

Witness my hand this 14 day of March 19 74.

R. Karl Higin
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item Initial Date

(1) JAY 7/10/73 Application No. 13-7050 Clegg + Gonal, Inc.

- (2) ☒ 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

(3) JAY 7/10/73 In form to receipt

Send Copies to:
☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(4)
☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(5) JAY 7/10/73 In form for advertising yes

(6) JAY 7/10/73 Located within Water District No. 13

(7) JAY 7/10/73 Critical groundwater area: yes no ☒

(8) JAY 7/10/73 Groundwater levels:

 Decline (comment)
☒ Stable (comment) No obs well Record this area.
 Increasing (comment)

(9) NCY 7/10/73 Comments: Whiskey CK Study Area

(10) md 8-1-73 Affidavit of Publication received (date) August 1, 1973

(11) NCY 2/28/74 Final date for protests August 6, 1973
Protests received: yes no

(12) " " Date and Place of hearing N.A.

Decision reached at hearing

(13) " " All requested information received from agencies or applicant
yes ☒ no

(14) " " Action recommended:

☒ Approve

Priority 7/16/73

 Deny

Reason for Reduction

☒ Measuring device required

☒ See attached sheet for additional conditions of approval

 No additional conditions for approval

(15) District E By NCY Date 2/28/74

13 7050

copy to 5

RECEIVED

JUL 30 1973

Department of Water Administration
Eastern District Office

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

V. E. Lansberry

being first duly sworn on his
oath, states:

That he is publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County, that said
newspaper has been pub-
lished in said County uninterr-
ruptedly and continuously for
over seventy-eight consecutive
weeks, prior to the first publi-
cation of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for two successive weekly
issues thereof, the date of the
first publication being the

19th day of
July, 1973

The date of the last publication
being the 26th day of

July, 1973

Subscribed and sworn to be-
fore me this 27th day

of July, 1973

Elaine S. Johnson
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the
1st day of November
1974.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
D. W. Clegg & Sons, Inc., Grace,
Idaho, has on July 6, 1973, sub-
mitted Application No. 13-7050
for a permit to appropriate 3.0
cubic feet per second of water
from a ground-water source by
means of well and pump within
the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, T. 11S,
R. 41E, B.M., Caribou County:
to be used from May 1 to Oct.
15 for the irrigation of 216
acres within the NE $\frac{1}{4}$, Sec. 6;
W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 5, T. 11S, R.
41E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with
the Idaho Department of Water
Administration, 240 South
Holmes, Idaho Falls, Idaho,
83401 on or before August 6,
1973.

R. KEITH HIGGINSON
Director

Published in the Caribou Coun-
ty Sun, Soda Springs, Idaho, on
July 19 and July 26, 1973.

13 7050

RECOMMENDED
CONDITIONS OF APPROVAL

RE: Application for Permit No. 13-7050

OK
PKH

- (1) Subject to all prior water rights.
- (2) Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 1975.
- (3) A measuring device of a type approved by the Department shall be installed and permanently maintained as a part of the diverting works.
- (4) That the well be pumped for not more than 70 days during any one year and that the period during which the well may be pumped be reduced to June 1 to Oct. 15.

NCY

NORMAN C. YOUNG
District Engineer

*Redwood irrigation
permit needs to
be noted on appx!*

OK
JW

13 7050

July 10, 1973

C D. W. Clegg & Sons, Inc.
Grace,
Idaho 83241

Gentlemen:

O Attached herewith is departmental receipt No. 11280 in the amount of \$45.00 for your application for permit which was received in this office under the above date.

Very truly yours,

P NORMAN C. YOUNG
District Engineer

Y NCY:mb

Attachment

13 7050

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that D. W. Clegg & Sons, Inc.,

Grace, Idaho

has on 7/6/73 submitted Application No. 13-7050

for a permit to appropriate 3.0 cubic feet per second ~~XXXXXX~~

of water from a ground-water source

by means of well and pump

within the NW $\frac{1}{4}$, Sec. 6, T. 11S, R. 41E, B.M., Caribou County;

to be used from May 1 to Oct. 15

for the irrigation of 216 acres

within the NE $\frac{1}{4}$, Sec. 6; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 5, T. 11S, R. 41E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before August 6, 1973.

R. KEITH HIGGINSON

Director

Published in the Caribou County Sun, Soda Springs, Idaho

on July 19 and July 26, 1973.

13 7050

NCY

dw.

July 13, 1973

Re: Application for Permit No. 13-7050 - Clegg

Caribou County Sun
P. O. Box 815
Soda Springs, ID 83276

Gentlemen:

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

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

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

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

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb
Enc: Legal notice

Bill submitted 8-1-73 by ML

13 7050

PUBLIC NOTICE

**FIRST TIME
PUBLISHED**

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that D. W. Clegg & Sons, Inc., Grace, Idaho, has on July 6, 1973, submitted Application No. 13-7050 for a permit to appropriate 3.0 cubic feet per second of water from a ground-water source by means of well and pump within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, T. 11S, R. 41E, B.M., Caribou County: to be used from May 1 to Oct. 15 for the irrigation of 216 acres within the NE $\frac{1}{4}$, Sec. 6; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 5, T. 11S, R. 41E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before August 6, 1973.

R. KEITH HIGGINSON
Director

Published in the Caribou County Sun, Soda Springs, Idaho, on July 19 and July 26, 1973.

13 7050

RECEIVED

JUL 4 1973

Department of Water Administration
Eastern District Office

June 29, 1973

Mr. Don Clegg
Grace, Idaho 83241

Dear Mr. Clegg:

It is my understanding that you are currently pumping water from a well located in Section 6; Twp. 11S, Rge. 41E, B.M., which was originally drilled under Permit No. G-29720. That permit apparently lapsed for failure to submit Proof of Beneficial Use. Since the well was apparently drilled after the date when the legislature changed the law by requiring a permit for an appropriation of groundwater, you probably have no water right on the well in question, even though you have used it for some time. Every day that you delay in filing for a permit causes you to lose valuable water right priority.

I'm therefore enclosing an application for permit form which you may choose to use to file for a water right on the well.

Very truly yours,

R. KEITH HIGGINSON
Director

RKH:mjl

cc: Idaho Department of Water Administration
Eastern District

Enclosure

13 7050

August 13, 1973

RE: Application for Permit No. 13-7050

Mr. David H. Clegg
President
D. W. Clegg and Son, Inc.
Grace, Idaho 83241

Dear Mr. Clegg:

The above referenced application for permit has been advertised and held for the mandatory ten day protest period. No protests have been received. However, because of the proximity of this well to the well protested under Application for Permit No. 13-7036, action will be delayed by the Department until the results of the on-going study are available. This study is expected to be completed within a few months and results will be available this fall. Action will be taken upon this application shortly thereafter.

If you have any questions concerning this matter, do not hesitate to contact this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:cw

13 7050

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse — Annex 2
Boise, Idaho 83720
(208) 384-2215

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

March 18, 1974

Re: Permit Nos. 13-7036 & 13-7050

D. W. Clegg & Sons, Inc.
Grace,
Idaho 83241

Gentlemen:

Enclosed are copies of your approved Application for Permit Nos. 13-7026 and 13-7050 along with a copy of the Memorandum Decision and Order for #13-7036. We direct your attention to the conditions of approval of these permits as listed on the fourth page of approved permit #13-7050 and in the Memorandum Decision for approved permit #13-7036.

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 both permits. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

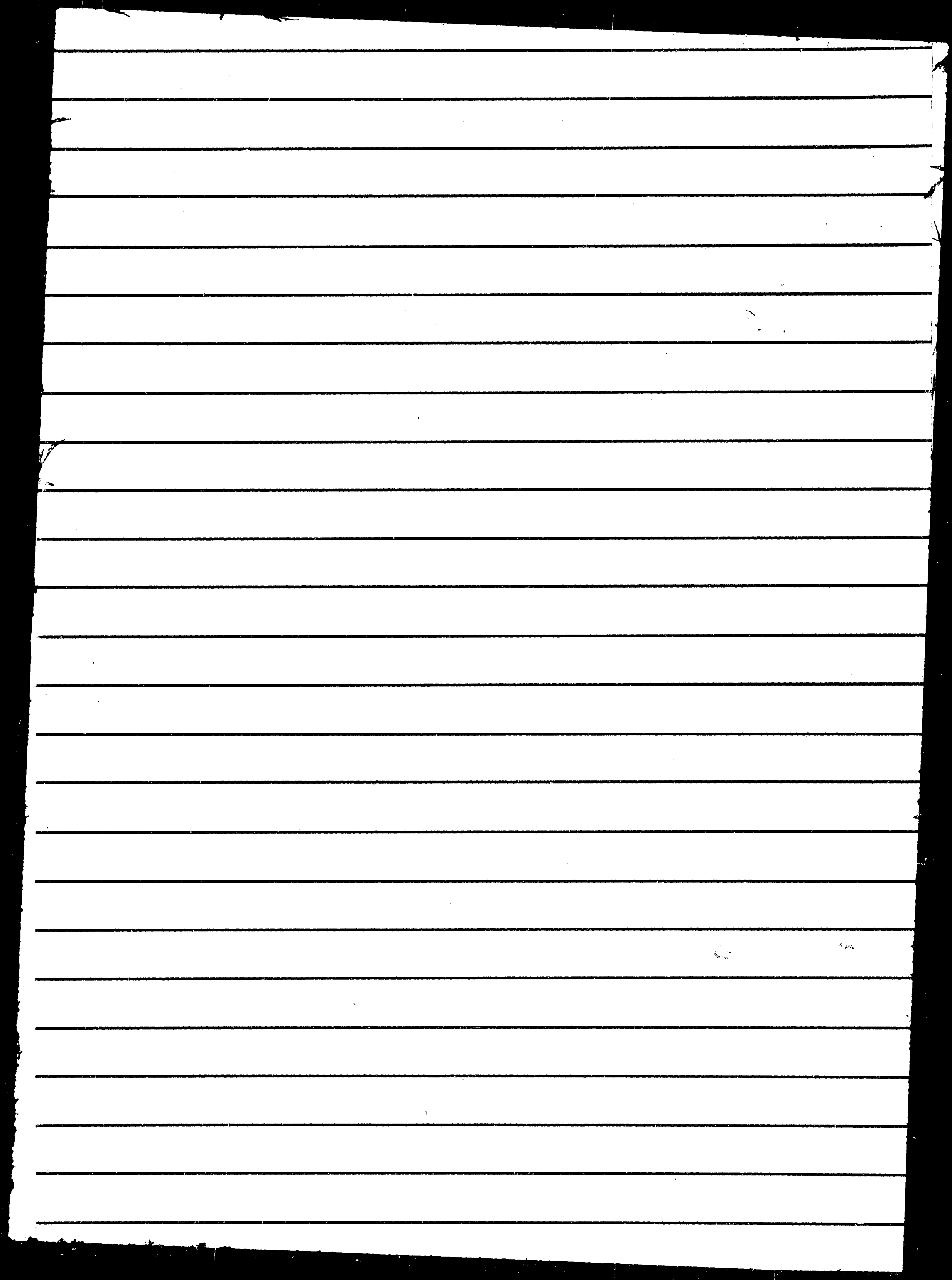
BDF/bjg

Enclosures

cc: Protestants

Enclosure

13 7050



January 31, 1975

CERTIFIED MAIL

#26448

Re: Permit No. 13-7050

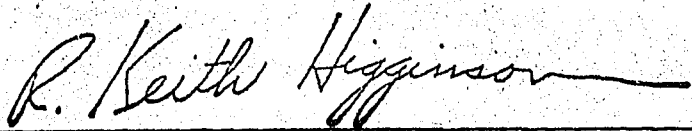
D. W. Clegg & Sons, Inc.
Grace,
Idaho 83241

Gentlemen:

One of the conditions of approval of your water Permit No. 13-7050 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before April 1, 1975. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

PS Form 3811, Nov. 1973

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- ☐ Show to whom and date delivered..... 15¢
- ☐ Show to whom, date, & address of delivery.. 35¢
- ☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 65¢
- ☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

D. W. Clegg & Sons Inc.

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

26448

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE

4. DATE OF DELIVERY

2-1-75

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

POSTMARK
FEB
1975

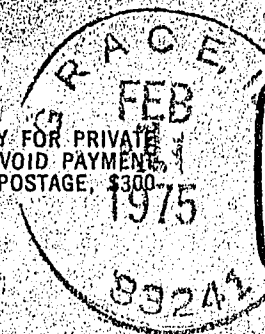
CLERK'S
INITIALS
SD

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address, and ZIP Code in the space below.
- Complete items 1 and 2 on reverse side.
 - Moisten gummed ends and attach to back of article.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



RETURN
TO

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

No.

Phone 425-3788 - P. O. Box 220

19 West 1st South - GRACE, IDAHO 83241

CUSTOMER

ADDRESS

JOB NAME & LOCATION OF WELL

Inside Dia. Well _____ In.

Drawn Down

Ft.

G.P.M.

Depth of Well _____ Ft.

Lift Above

Ft.

B.H.P.

Standing Water Level _____ Ft.

Total Head

Ft.

R.P.M

Terms:

Cash Down \$_____ Balance \$_____

TOTAL

The balance payable under this contract is due on the dates set forth above. In the event the balance is not paid when due, the Purchaser agrees to pay Seller a DELINQUENCY CHARGE of 1½% per month on the unpaid balance from the due date, which is an 18% ANNUAL PERCENTAGE RATE. Should the Purchaser default in making payment or in performing any of the terms and conditions of this agreement, Purchaser agrees to pay all costs, including, but not limited to, collection fees, reasonable attorney's fees, and reasonable expenses of digging up, retaking, holding, transporting and preparing for sale of the collateral and the like interest by Seller in enforcing the terms of this agreement, obtaining damages for breach, or in pursuing any other remedies available to Seller.

NOTE: All of the terms, conditions and provisions on the reverse side form a part of this sale agreement.

Accepted by:

Seller

By

Purchaser

BA

Identification No. 13-7050

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 6-1975 *ok*

Department of Water Resources *ja*

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder D. W. Clegg & Sons Inc.
b) Post Office Address Grace Idaho
2. Permit Number 13-7050
3. Date of Priority that you are prepared to establish 7/6/73
4. a) Source from which water was appropriated Well
b) Location of the point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6
Township 11S, Range 41E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
Amount 2.35 for Dom. purposes from June-1 to Oct-15 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: By 40# PST 3/ Nozzle 6.41 G.P.M.

- 33 Heads = 217 G.P.M. x 5' = 1058 G.P.M. = 2.35 Sec Per min
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder: _____

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 1200 G.P.M. 200 H.P. Natural Gas 18" by 300'

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

Macrometer Water Meter 10" by #1 MCO 1400
Meters from 165 G.P.M. to 1800 G.P.M.

c) Give well driller's name and address and the date the well was completed: _____

Andrews Drilling Idaho Falls Idaho -
Date Summer of 1963

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Exam typed 3/11/75 by *ja*

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

11S : 41E Sec. 6 NE 1/4 34 ac. NW 1/4 38 ac. SW 1/4 40 SE 1/4 40 ac.
11S : 41E Sec. 5 NW 1/4 32 ac. SW 1/4 32 ac.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
11S	41E	6	34	38	40	40													150
11S	41E	5					32	32											64

Total number of acres irrigated 216

10. Remarks: As you may see the permit is for 3 ac. ft
this is all the water we have in this well in 2.35 we
really need the additional water to cover the ground
properly, so I would hope if it ever develops I can apply
for the balance.

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

3/4/75
 (Date)

Daniel A. Vegg
 (Signature)

State of IDAHO)
) ss.
 County of Caribou)

On this 4th day of March, 1975, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Heleen B. Kingsford
 Notary Public residing at Soda Spring, Idaho
My commission expires: 8-14-77

My commission expires _____

March 10, 1975

Re: Permit No. 13-7050

D. W. Clegg & Sons, Inc.
Grace,
Idaho 83241

Gentlemen:

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

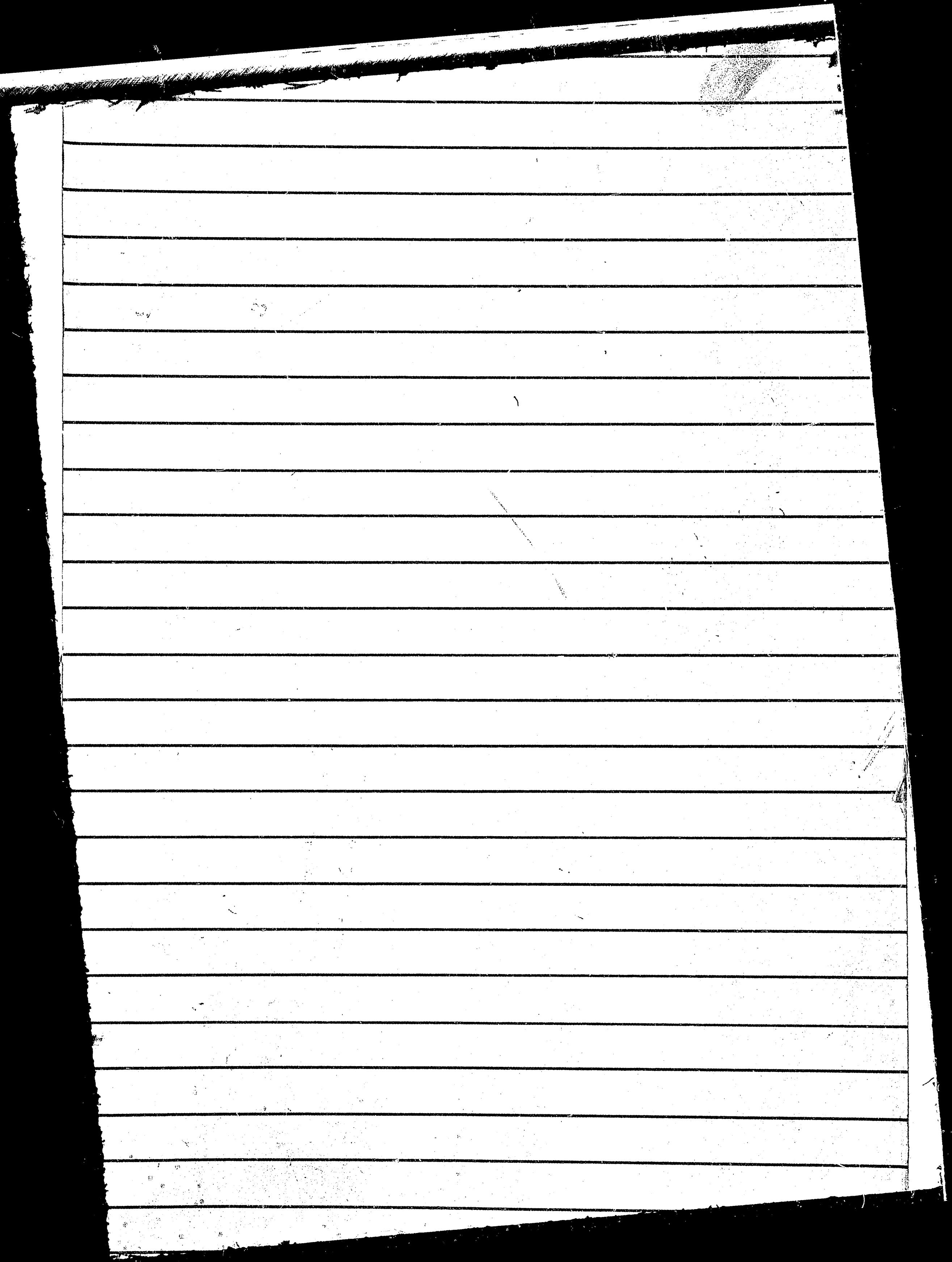
Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, however, our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our District Office in Idaho Falls.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

POWER OF ATTORNEY

The undersigned holder(s) of Permit/Application No. 13-7050
of the Department of Water Resources of the State of Idaho hereby
nominates D. W. Clegg and Sons, Co., whose address is
Grace, Idaho 83241, as attorney-in-fact, with
full authority to act for and on behalf of the undersigned in
matters pertaining to the above numbered permit or application.
Such acts shall be limited to the submission of proofs of comple-
tion of works and beneficial use of water.

Dated this 3rd day of October, 1975, ~~1974~~

CONNECTICUT MUTUAL LIFE
INSURANCE COMPANY

Ross Marie Beaulieu

By [Signature]
Assistant Investment Officer

STATE OF CONNECTICUT)
COUNTY OF HARTFORD) ss. Hartford

On this 3rd day of October, 1975, personally

appeared before me the signer(s) of the above instrument, who duly
acknowledged to me that he (~~she~~) executed the same, and that
he was authorized to execute said instrument and that the seal
affixed is the corporate seal of said corporation.
s e a l

[Signature]
Notary Public

Residing at Folland, Ct.

My Commission expires:
My Commission Expires Mar. 31, 1979

ASSIGNMENT OF PERMIT

authorized

I, D. W. CLEGG AND SONS, CO., acting herein by/hereby assigns and transfer to
Company

Connecticut Mutual Life Insurance / of 140 Garden Street, Hartford

Connecticut
(address)

☒ All my right, title, and interest, in and to Permit No. 13-7050
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in
and to Permit No. _____ to appropriate the public waters of the
State of Idaho. (Give that portion of the permit being assigned by
describing the land list and the point of diversion--describe by
acreage within each 40-acre subdivision.)

This is given as collateral security for a loan of \$110,000
made by Connecticut Mutual Life Insurance Company to permit holder(s)
evidenced by a Promissory Note dated September 19, 1975 and secured
by a mortgage of even date, microfilmed as Instrument No. _____,
records of Caribou County, Idaho.

Made this 19th day of September, 1975.

D. W. CLEGG AND SONS, CO.

By David H. Clegg
Permit Holder
David H. Clegg, Its President
Hereunto duly authorized

~~Wife of Permit holder~~

STATE OF IDAHO :
COUNTY OF CARIBOU : ss.

On this 8th day of October, 1975, personally
appeared before me the signer(x) of the above instrument, who duly
acknowledged to me that he ~~(xxx)~~ ~~(xxx)~~ executed the same, and that he was
authorized to execute said instrument and that the seal affixed is the corporate
seal of said corporation

My commission expires:

August 14, 1977.

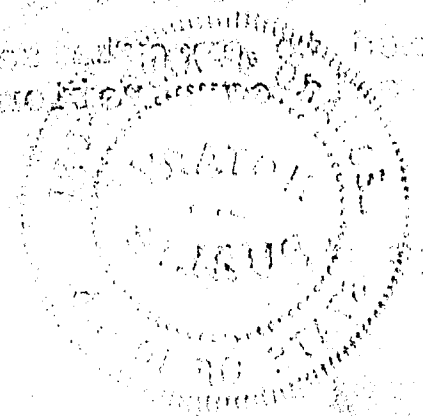
Leonard O. Dingsford
Notary Public residing at

Soda Springs, Idaho.

STATE OF IDAHO } SS 84303
County of Caribou }

I hereby certify that this instrument was filed
at the request of Caribou Title Co.
at 4:00 o'clock P M this 9th day of
Oct., 19 75 in my office and duly

recorded in Microfilm Records
ELAINE S. JOHNSON Wanda Peterson
Ex-Officio Recorder Deputy
Fee: \$2.00



C November 24, 1975

Re: Permit No. 13-7050

O Connecticut Mutual Life Insurance Co.
140 Garden Street
Hartford, Connecticut

P Gentlemen:

We acknowledge receipt of the assignment and the power of attorney forms. They have been recorded and the Department's records have been changed.

On March 6, 1975, proof of beneficial use of water was submitted to the Department. Licensing of the permit will take place pending a field examination on this permit.

Y Sincerely,

JANICE ROHM
Secretary

JFR

cc: Caribou Title Company
D. W. Clegg & Sons Co.
Connecticut Mutual Life (Nampa)
Connecticut Mutual Life (Idaho Falls)

CARIBOU TITLE COMPANY

TITLE INSURANCE ABSTRACTS OF TITLE ESCROWS

160 South Main Street P. O. Box 915

SODA SPRINGS, IDAHO 83276

Phone: 547-4321

RECEIVED

NOV 20 '75

Department of Water Resources

Leonard O. Kingsford
Helen B. Kingsford

November 20, 1975

State of Idaho
Department of Water Resources
Boise, Idaho 83700

Re: Permit No. 13-7050

Gentlemen:

Enclosed herewith are the following:

1. Assignment of Permit
2. Power of Attorney

We request you send to us an acknowledgment of Connecticut Mutual Life Insurance Company's interest together with your confirmation that this permit is in good standing.

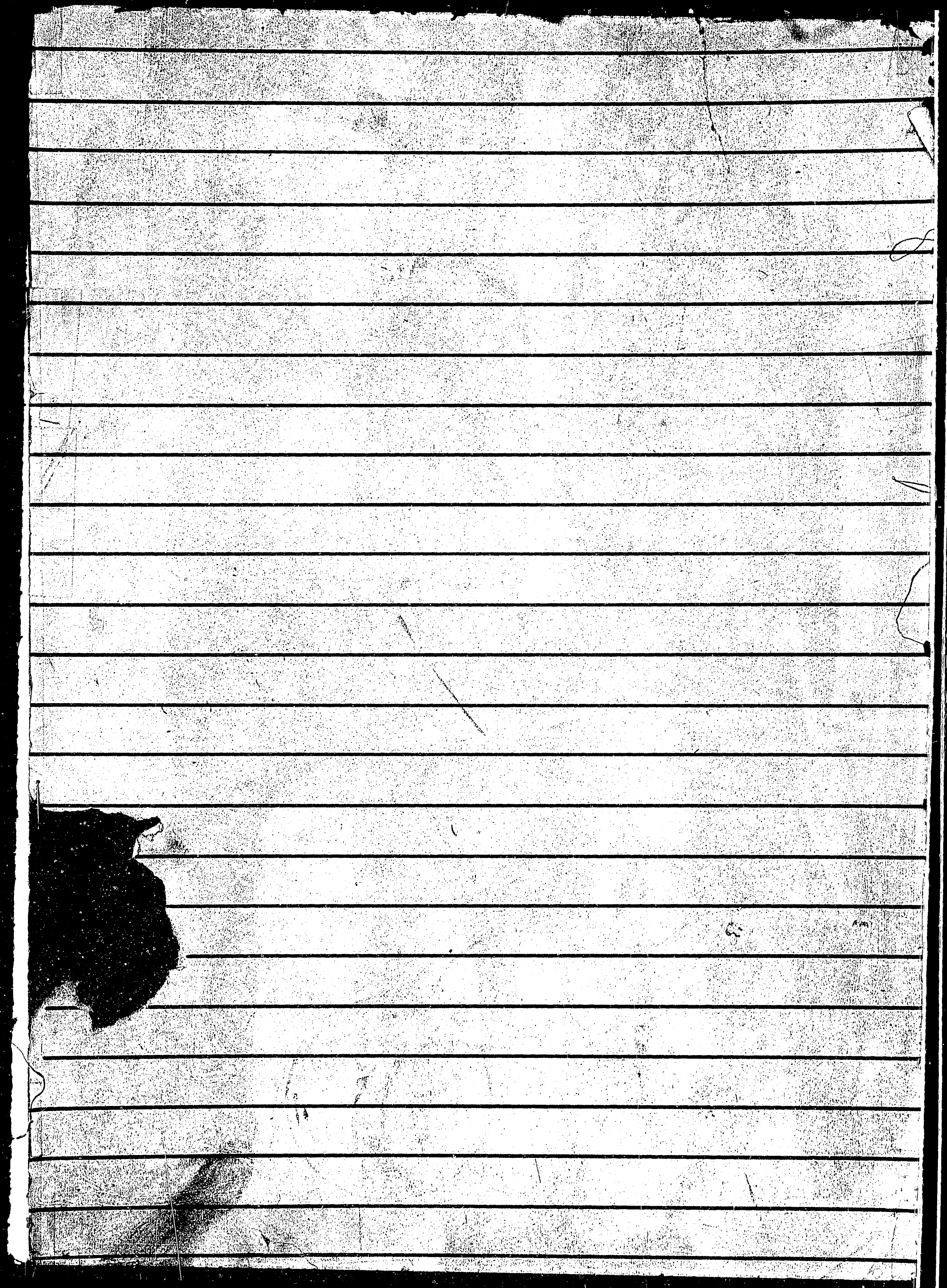
Very truly yours,

CARIBOU TITLE COMPANY

By:

Helen B. Kingsford

HBK:fav
enclosures



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 13-7050 Priority July 6, 1973 Amount 2.56 cfs

THIS IS TO CERTIFY, that CONNECTICUT MUTUAL LIFE INSURANCE CO.
of Hartford, Connecticut, has complied with the terms and conditions of Permit
No. 13-7050 issued pursuant to Application for Permit dated July 6, 1973,
and has submitted proof to the Department of Water Resources on March 6, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.56 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>June 1</u> to <u>Oct. 15</u>	at <u>2.56</u> cfs and	<u>355.40</u> ac ft
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 2.56 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
355.4 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, Twp. 11S,
Rge. 41E, B.M. in the County of Caribou

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 $\frac{1}{4}$	
11S	41E	5					22	23											45
		6	35	39	40	40													154

Total number of acres irrigated 199

1. A measuring device of a type approved by the Department shall be permanently maintained as part of the diverting works.
2. The well under this permit shall not be pumped more than 70 days during the above period of use in any one year.

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of

FEBRUARY, 19 78.

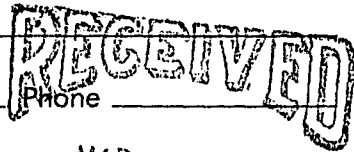
Director

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder D. W. Clegg & sons, Inc.

Post office address Grace, Idaho

Person to contact _____



Phone MAR 15 1975

2. Source of water supply: Groundwater ☒ Surface water ☐

Department of Water Resources
Eastern District Office
(name spring, stream, etc.)

Tributary to _____

3. Water will be used for the following purposes:

Amount 3 c.f.s. for irrigation

_____ AF/Annum (nature of use)

Period of Use: from these mths-- June 1 to Oct. 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____

_____ AF/Annum (nature of use)

Period of Use: from _____ to _____

(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____

_____ AF/Annum (nature of use)

Period of Use: from _____ to _____

(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 3 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 11S N/S, Range 41E E/W, B.M., Section 6, Subdivision NW 1/4 NE 1/4, Caribou
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County

Other Points of Diversions: _____

Description of diverting works: 1200 gpm, 200 hp natural gas 18" by 200'.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use. Attached map also

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	
11S	41E	6	34	38	40	40													152
		5						32	32										64

TOTAL ACREAGE _____

216

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11
S

Diagram of System



214 2/8/77

DATE OF EXAM Sept 4, 1975

ACREAGE
Found 199
Recommended 199

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 2.56 c.f.s. V = 355.40 AF/Ann. from June 1 to Oct 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Pump may be run no more than 70 days during this period.

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 2.56 cfs Method of measurement Mcrometer meter

Total Q recommended 2.56 cfs Meter No. 75-10-107 Type in-line Condition New

Total V recommended 355.44

Recommended Amendments:

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

MEASUREMENT CALCULATION:

$$\frac{0.01 \text{ AF}}{2 \text{ min } 50 \text{ sec}} = \frac{435.6 \text{ AF}^3}{170 \text{ sec}} = 2.56 \text{ CFS} \quad \text{LH } 2/8/77$$

$$V = (2.56)(1.9535)(70 \text{ days}) = 355.40 < (3)(199) = 597$$

SYSTEM DESCRIPTION:

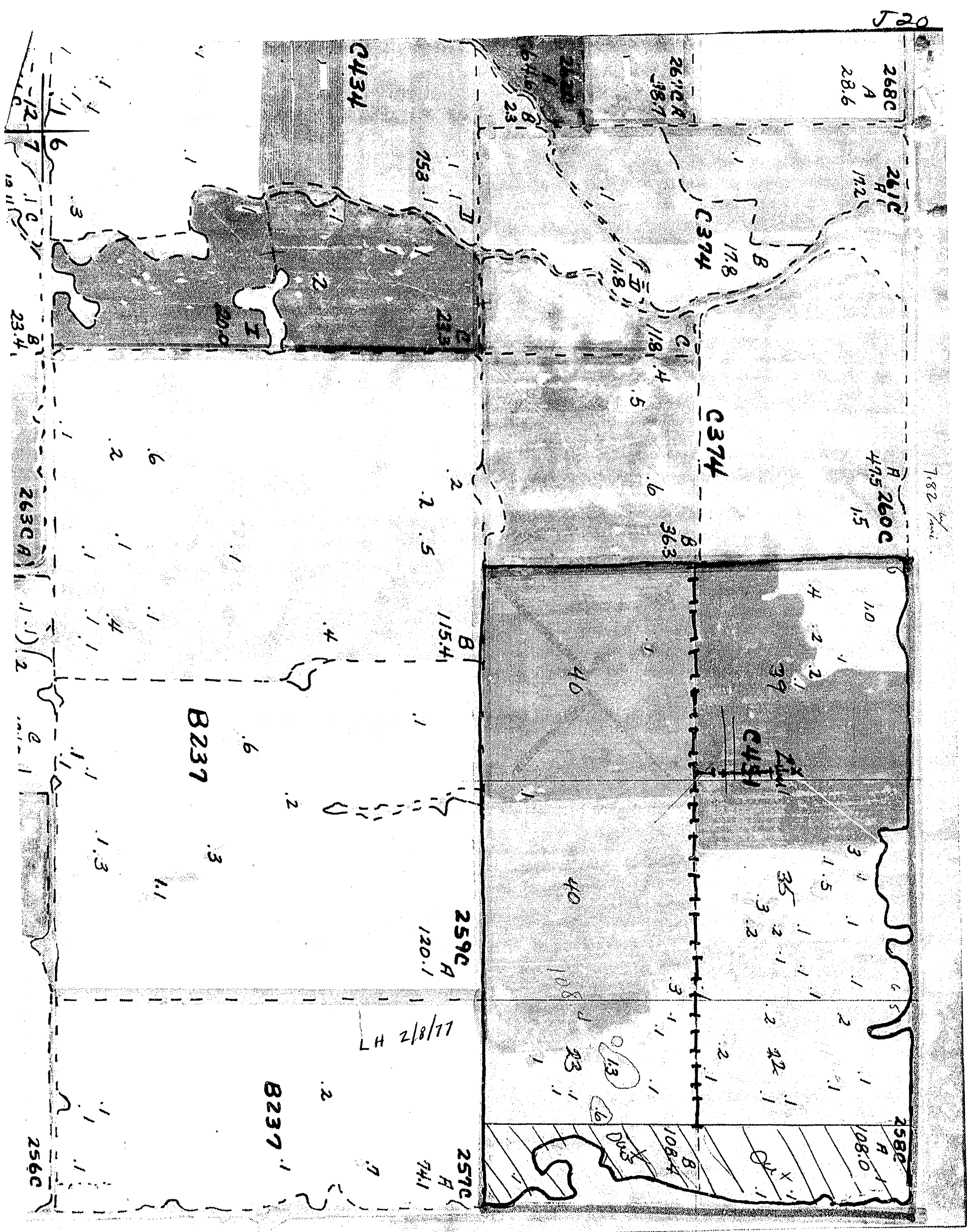
Engine - Continental 200 HP Natural Gas #5820 A00088
Pump - Vertiline Mod 12 K HMM SN. D03479 Pump Depth 335 ft.
Pump driven by US Motors Gearhead.

REMARKS:

Examiner's Signature Loren O. Halmer Date 2-8-77

Checked by Anthony R. Kozlowski Date 2/14/77

Approved by _____ Date _____



February 6, 1978

Re: Permit No. 13-7050

Connecticut Mutual Life Insurance Co.
140 Garden St.
Hartford, Connecticut

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 13-7050 and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 2.56 cfs Source: groundwater

The maximum quantity diverted shall not exceed 355.4 acre feet per year.

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, Twp. 11S, Rge. 41E, B.M.

Beneficial Use: Irrigation of 199 acres within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
(45 acres), Sec. 5; all of the NE $\frac{1}{4}$ (154 acres), Sec. 6;
Twp. 11S, Rge. 41E, B.M., Caribou County.

Priority date established: July 6, 1973

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights Bureau

BDF:JG

cc: D. W. Clegg & Sons, Co.,
Grace, ID 83241

February 28, 1978

Re: Permit No. 13-7050

Connecticut Mutual Life Insurance Co.
140 Garden St.
Hartford, CT 06109

Gentlemen:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure