

Form 202
6/85

RECEIVED

DEC 30 1988

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

Ident. No.

RECEIVED

DEC 14 1988

Department of Water Resources
Eastern District Office

To appropriate the public waters of the State of Idaho

1. Name of applicant Ray M. McEllan Phone 208 766 2548
Post office address P.O. Box 241 Malad Idaho 83252
2. Source of water supply underground which is a tributary of N/A
3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of — $\frac{1}{4}$, Govt. Lot —
Sec. 33 Township 14S Range 36E B.M. Oneida County; additional
points of diversion if any: —
4. Water will be used for the following purposes:
Amount 3.20 for Irrigation purposes from Apr 15 to Oct 15 (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)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 3.20 cubic feet per second and/or (b) — acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 40 HP 3 phase Submersible
Pump
b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total
reservoir capacity N/A acre-feet; period of year when water will be diverted to storage:
N/A to N/A inclusive.
c. Proposed well diameter is 10 inches; proposed depth of well is approx 100 feet.
d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
5 years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in KW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; show name of municipality. _____
 - Domestic; show number of households. _____
 - Other; describe fully. _____

9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14S	36E	33	40				40					40					40		160

Total number of acres to be irrigated 160

10. Describe any other water rights used for the same purposes as described above. Deep Creek Sprinkler System
11. a. Who owns the property at the point of diversion? Ray McClellan
- b. Who owns the land to be irrigated or place of use? Ray McClellan
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____
12. Remarks: Severe Drought Year - Deep Creek will be out of water 1 July 88. Therefore we will have no water for irrigation. Water from well will be diverted into Main Line of Sprinkler System already existing.

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

T		R	36E									10ac	10ac	10ac	10ac
14												N	W		NE
		point of										10ac	10ac	10ac	10ac
		well													
S			S 33									10ac	10ac	10ac	10ac
												S	W		E
												10ac	10ac	10ac	10ac

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.

Ray McCallum
(Applicant)

Received by LB Date 12-31-88 Time 2:20 p.m. Preliminary check by E005403
Fee \$ 105 Received by HWT # E05406 Date 12-30-88
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

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. _____, and said application is hereby _____.

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 _____, 19____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant Ray McClellan Phone 766-2548
Post office address P.O. Box 241, Malad Id 83252
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is _____ $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 33 Township 14 S Range 36 E B.M. Oneida County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 3.20 for Irrigation purposes from 4/1 to 11/1 (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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 3.20 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. well pump mainline to
laterals with sprinklers
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 10 inches; proposed depth of well is 100 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 yrs
~~Indefinite~~ years (minimum 1 year).

* We are on Deep Creek Irr. System - when it was installed the contractor used reject pipe & the pipeline is about gone. There is no funding to replace pipeline. The new well would be to irrigate 160 acres which the irrigation system is already in place.

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14S	36E	33													40	40	40	40	160 ^{DMD}
																			kw

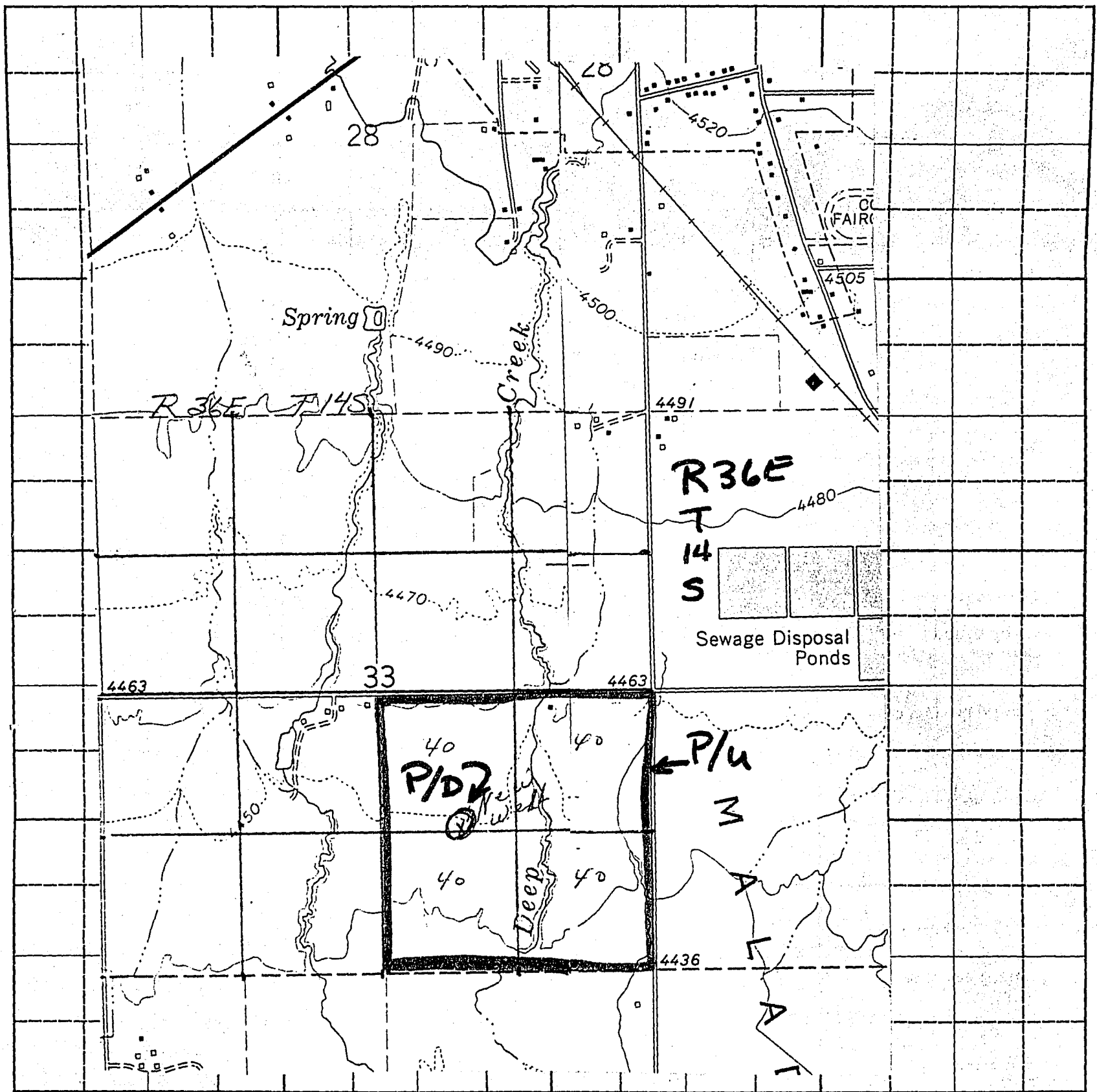
Total number of acres to be irrigated 160 ^{DMD}

10. Describe any other water rights used for the same purposes as described above. Deep Creek Sprinkler System

11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? "
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Severe drought year Deep Creek will be out of water 1 July 88; therefore we will have no water for irrigation. Water from well will be diverted into mainline of Sprinkler system already existing.

13. 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.

Ray McCellan
(Applicant)

Received by RCW Date 1-31-89 Time 2:15P Preliminary check by KCW
RB 12-30-88 2:20 pm
Fee \$ 105 Received by HWT # E005403 Date 12-30-88
Publication prepared by CB Date 2-24-89 Published in Idaho Enterprise
Publication approved RCW Date 4-07-89

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. _____, and said application is hereby _____.

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 _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

Nº 1119

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Oneida

ss.

Sandra Struhs

being duly sworn,
deposes and says: That she is the secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

March 2, 1989, and ending

with the issue of March 9, 1989

Sandra Struhs

Fee \$ 88.92

Subscribed and sworn to before me this 5th day

of April, 1989

Joyce N. Freidenberg
Notary Public, Residing at Malad, Idaho

My Commission Expires 2/17, 1993

NOTICE OF APPLICATION FOR WATER RIGHT

The Following applications(s) have been filed to appropriate the public waters of the State of Idaho:

15-07110

McClellan, Ray
P.O. Box 241
Malad, Id 83252
Source: GROUNDWATER
Diversión P: NWSE

Sec 33 T 14S R 36E

Use: IRRIGATION (3,200 CFS)

Date Filed: 12/30/1988

In: T14S R36E S33 NESE NWSE
SWSE SESE

160.0 Acres Total

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before MARCH 20, 1989.

R. Keith Higginson, Director
No. 1119
3-2-8 T2

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APR 6 1989

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 15-07110

Proposed Priority: December 30, 1988 Maximum Diversion Rate: 3.20 CFS

This is to certify, that **RAY MC CLELLAN**
P.O. BOX 241
MALAD, ID 83252

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	3.20 CFS

LOCATION OF POINT(S) OF DIVERSION: NWSE Sec. 33, Township 14S, Range 36E
ONEIDA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S	36E	33	NESE 40	NWSE 40	SWSE 40	160
			SESE 40			

Total number of acres irrigated: 160

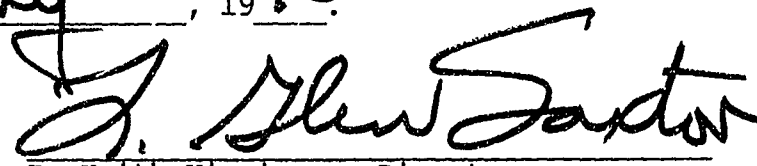
CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1992**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

23 day of

January, 1990

for 
R. Keith Higginson, Director

Form 235-1
4/88

Drilling Permit No. 15-90-2-001
Water Permit No. 15-7110
Injection Permit No. _____

RECEIVED

DEC 30 1988

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

RECEIVED

DEC 14 1988

Department of Water Resources
Eastern District Office

1. Applicant Ray McCellan
2. Address Box 241 Malad Idaho
Telephone 208 766 2548

(X) Well Owner () Well Operator () Other, specify _____

3. Proposed well location NW 1/4 ^{SE} 1/4, or Gov't lot No. _____
Sec. 33, Twp. 14 S, Rge. 36, County Oneida
Lot, block and subdivision _____

4. Proposed use of well: (Check all that apply)

() Domestic () Stockwater () Monitoring
(X) Irrigation () Industrial () Municipal
() Injection () Other, Specify _____

5. Well construction information:

(X) New well () Deepen () Replace

Proposed surface diameter 10" Maximum depth 100'
Anticipated bottom hole temperature: _____

(X) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)

6. Anticipated construction start date as soon as possible

7. Well Driller (if known) Cole Gardner #454

Address Downey Route Malad Idaho 83252

8. Applicant's signature Ray McCellan

Title Farmer

Date 12-12-88

* After other pre-requisite approvals have been obtained.

* Fee is \$10 for single family domestic. Other uses may be \$100, \$50 or \$10.

ACTION OF IDWR

(☒) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.

SPECIFIC CONDITIONS:

Dated this 23rd day of January, 1990.

Signed

Title

J. Glen Saylor
Chief, Water Alloc Bur.

Received by HWS Fee 100⁰⁰ ✓ Date 12-30-88

Receipt No. E005402 Construction start extension to _____

Extension approved by _____

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before MARCH 20, 1989.

R. KEITH HIGGINSON, Director

Published 3/02/1989 & 3/09/1989

15-07110

MCCLELLAN, RAY
P.O. BOX 241
MALAD, ID 83252

Source: GROUNDWATER

Diversion Pt: NWSE Sec 33 T 14S R 36E

Use: IRRIGATION (3.200 CFS)

Date Filed: 12/30/1988

In: T14S R36E S33 NESE NWSE SWSE SESE

160.0 ACRES TOTAL

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed appropriate the public waters of the State of Idaho:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 24, 1989

THE IDAHO ENTERPRISE
P.O. BOX 205
MALAD CITY, ID 83252

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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 20, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

February 27, 1989

Ray McClellan
P.O. Box 241
Malad, ID 83252

Application for Permit No. 15-07110

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 15-07110. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Idaho Enterprise. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

RECEIVED

March 17, 1989

MAR 20 1989

Department of Water Resources
Eastern District Office

Director
Department of Water Resources
Eastern Region
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

Dear Sir,

We would like to file a protest for the application of a water right filed by Ray McClellan on Dec. 30, 1988. The application # is 15-07110

We presently have 3 flowing wells located $\frac{1}{2}$ mile south of the south border of Mr. McClellan's 160 acres. Our wells have been in use for many years for flood irrigation during the normal irrigating season.

We also own $\frac{2}{3}$ of the water rights for the waste water that runs down a creek located through the middle of his property.

We are concerned that if he is allowed to drill the proposed well, it will cut down the amount of water coming from our established wells or perhaps cut down the flow of the creek water.

If he is issued this permit we would ask that a condition of

his permit be a requirement to measure
the flow on our wells before and
after drilling to make sure our existing
wells are not affected.

If you require any additional
information from us regarding this
matter please contact us. We appreciate
your consideration of our protest.

Sincerely,

James E. Alder

Jeff Alder

Lynn Alder Ranch

Route #1, Box 103

Malad, Idaho 83252

766-2573

April 6, 1989

Ray McClellan
P.O. Box 241
Malad, Idaho 83252

Dear Applicant:

Enclosed is a copy of the protest filed against the issuance of a permit pursuant to your application No. 15-7110. The Department suggests you contact the protestants directly in an effort to determine the nature of the protests and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances requiring additional time, our objective is to schedule a conference and/or hearing to consider the protests within 60 days. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 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 purpose 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?
5. Will the proposed use under this permit conflict with the local public interest?

The applicant must be prepared to present evidence and/or testimony addressing each of the five items. Although representation by legal

Ray McClellan
April 7, 1989
Page 2

counsel is not mandatory at a proceeding before the Department, you may retain an attorney in your behalf.

If this office can be of further assistance, please contact us.

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ: CW

Enclosure

cc: IDWR - State Office

April 7, 1989

RE: Application for Permit No. 15-7110 McCLELLAN

Jennie E. Alder
Jeff Alder
Lynn Alder Ranch
Rt. 1, Box 103
Malad, ID 83252

Dear Protestant:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances requiring additional time, our objective is to schedule a conference and/or hearing to consider the protests within 60 days. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 42-203, Idaho Code): the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 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 purpose 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?
5. Will the proposed use under this permit conflict with the local public interest?

Lynn Alder Ranch
April 7, 1989
Page 2

The protestant must be prepared to present proof of allegations involving one or more of the five items. Although representation by legal counsel is not mandatory at a proceeding before the Department, you may retain an attorney in your behalf.

If this office can be of further assistance, please contact us.

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

Enclosure

cc: IDWR - State Office

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 15-7110 IN THE NAME OF)
RAY McCLELLAN) NOTICE OF CONFERENCE
_____)

On December 30, 1988, Ray McClellan, filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On March 20, 1989, the Department received a protest against approval of said application from Jennie E. Alder and Jeff Alder, Lynn Alder Ranch.

The Department has set the matter of protest for an administrative conference to be conducted at 1:00 p.m., Friday, December 1, 1989, in the Ag Extension Conference Room 103, Franklin County Courthouse, Preston, Idaho.

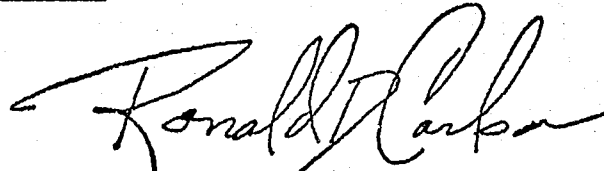
Agenda items for this conference will include:

1. Identify spokesman and/or counsel representing the protestant.
2. Review of the application.
3. Identify issues of protest.
4. Designate date for identifying witnesses.
5. Designate target date for conducting administrative hearing if resolution is not possible during the conference.

The conference will be held in accordance with

provisions of the adopted Rules of Practice and Procedure of the
Department of Water Resources.

Dated this 13th day of November, 1989.

A handwritten signature in cursive script, appearing to read "Ronald D. Carlson".

RONALD D. CARLSON
Eastern Regional Manager

NAME AND ADDRESS OF SENDER		DEPARTMENT OF WATER RESOURCES EASTERN DISTRICT OFFICE 150 SHOUP AVE. #15		Indicate type of mail ☐ Registered ☐ Insured ☐ COD ☒ Certified ☐ Express Mail		Check appropriate block for Registered Mail: ☐ With Postal Insurance ☐ Without Postal Insurance		Affix stamp here if issued as certificate of mailing or for additional copies of this bill. POSTMARK AND DATE OF RECEIPT				
Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee Remarks
1	0333	Joseph M. Marty, H.R. Box 2450, Jerome, ID.	.25	.85					.90			31-0340
2	0334	Donald H. Harris, P.O. Box 57130, Id.										"
3	0335	Barbara Koto-Brown, 501 E. Mulberry St., Eastport, ID.										"
4	0336	Environmental Eng. Corp, P.O. Box 150, Pocatello, ID.										21-7375
5	0337	Herbert F. Leland, 1515 Lincoln St., Id.										"
6	0338	Maryville, P.O. Box 128, Ashton, ID.										"
7	0339	Tremont-Mad., P.O. Box 15, St. Art.										"
8	0340	Mary Smith, 30 So. 2nd St., Id.										21-7375
9	0341	R. Lloyd Dyer, Starlt. Box 404, Grace, ID.										13-7463
	0342	Randall Dudge, P.O. Box 1391, Pocatello, ID.										13-7463
11	0343	Keech Lloyd, Box 2040, Pocatello, ID.										"
12	0344	W. M. Lippert, P.O. Box 1107, Pocatello, ID.										"
13	0345	Kay McCallister, P.O. Box 24, Malad, ID.										15-7110
14	0346	Ann x Alder, P.O. Box 103, Malad, ID.										"
15	0347	Raymont L. Leland, P.O. Box 441, N. Side, Id.										13-4110
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$400 for COD and \$400 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.						
15		15										

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

U.S. G.P.O. 1985-478-804

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:
Ray Mc Clellan
P.O. Box 241
Malad, Id. 83252

4. Article Number
0345

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee
X *Ray Mc Clellan*

6. Signature — Agent
X

7. Date of Delivery
11-15-89 RW.

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Feb. 1986 15-7110 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:
Lynn Alder Ranch
Jennie & Jeff Alder
Rt 1 Box 103
Malad, Id. 83252

4. Article Number
0346

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee
X *Jennie Alder*

6. Signature — Agent
X

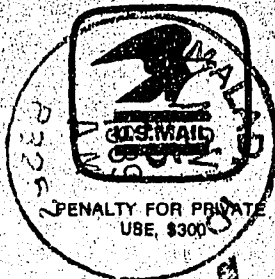
7. Date of Delivery
11-15-89

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Feb. 1986 15-7110 DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
• Complete items 1, 2, 3, and 4 on the reverse.
• Attach to front of article if space permits, otherwise affix to back of article.
• Endorse article "Return Receipt Requested" adjacent to number.



RETURN

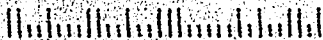
Print Sender's name, address, and ZIP Code in the space below.

RECEIVED

NOV 16 1989

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE. #15
IDAHO FALLS, IDAHO 83402

Department of Water Resources
Eastern District Office



UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
• Complete items 1, 2, 3, and 4 on the reverse.
• Attach to front of article if space permits, otherwise affix to back of article.
• Endorse article "Return Receipt Requested" adjacent to number.



RETURN

Print Sender's name, address, and ZIP Code in the space below.

RECEIVED

NOV 16 1989

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE. #15
IDAHO FALLS, IDAHO 83402

Department of Water Resources
Eastern District Office

15-7110 - Ray McClellan

Ag Conference Room 103, Franklin County Courthouse
Preston, Idaho

Friday, December 1, 1989 - 1:00 p.m.

Hearing Officer: _____

<u>Name</u>	<u>Representing</u>	<u>Address</u>
-------------	---------------------	----------------

Ray McClellan

Jeff Alder

IN THE MATTER OF)
PROTESTS AGAINST)
APPLICATION FOR) WITHDRAWAL
PERMIT 15-7110) OF
FILED IN THE NAME) PROTEST
OF RAY McCLELLAN)

Based upon the information presented
at the ~~hear~~ Conference held in Preston, Id.
on Dec 1, 1989 we wish that our
Protest be withdrawn from
consideration by the Department.

Dated this 1st day of December 1989

Jeff Allen

December 18, 1989

RE: Application for Permit No. 15-7110

Jimmie E. Alder
Jeff Alder
Lynn Alder Ranch
Rt. 1, Box 103
Malad, ID 83252

Gentlemen:

This letter is to acknowledge receipt of the withdrawal of protest against the above referenced application. The Department has now resumed processing of the above referenced application.

If you have any questions, please feel free to contact this office.

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

Enclosure

December 18, 1989

RE: Application for Permit No. 15-7110

Ray McClellan
P.O. Box 241
Malad, ID 83252

Dear Mr. McClellan:

This letter is to advise you that the protestant, Lynn Alder Ranch, Jimmie E. and Jeff Alder, have withdrawn their protest against the above referenced application. The Department has resumed the processing of your application.

If you have any questions, please feel free to contact this office.

Very truly yours,

HAROLD W. JONES
Water Right Supervisor

HWJ:CW

State of Idaho License and Certificate of Water Right

Water License No. 19132
Water District No.

Amount 3 second feet
Priority April 16, 1941

THIS IS TO CERTIFY that SOUTH SIDE WATER COMPANY of Malad, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 16, 1941; that Permit No. 19132 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3 second feet, was issued thereunder on February 6, 1941, showing that said works were completed on the 3rd day of November, 1941; and that on the 27th day of April, 1942,

SOUTH SIDE WATER COMPANY

of Malad, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of wells (subterranean), a tributary of, for the purpose of irrigation and domestic use, under Use Permit No. 19132 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer, Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 4197, on the 18th day of February, 1944;

The right hereby confirmed dates from April 16, 1941;

The Point of Diversion is located in the SE 1/4 NE 1/4 Sec. 28, Tp. 14 S., R. 36 E., B. M. Oneida County;

That the amount of water to which such right is entitled and hereby confirmed, for the purpose aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed three (3) cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 S.	36 E.	27	NE 1/4 SW 1/4	10	10
			SE 1/4 SW 1/4	40	40
			SW 1/4 NE 1/4	20	20
			SE 1/4 NE 1/4	10	10
		28	NE 1/4 SW 1/4	30	30
			SE 1/4 SW 1/4	20	20
			SW 1/4 NE 1/4	40	30
			SE 1/4 NE 1/4	40	20
	34	23	NE 1/4 SW 1/4	40	30
			SE 1/4 SW 1/4	40	20
			SW 1/4 NE 1/4	40	20
			SE 1/4 NE 1/4	40	20
		34	NE 1/4 SW 1/4	30	20
			SE 1/4 SW 1/4	40	40
			SW 1/4 NE 1/4	30	20
			SE 1/4 NE 1/4	40	40
Total Number of Acres Actually Irrigated				260	

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

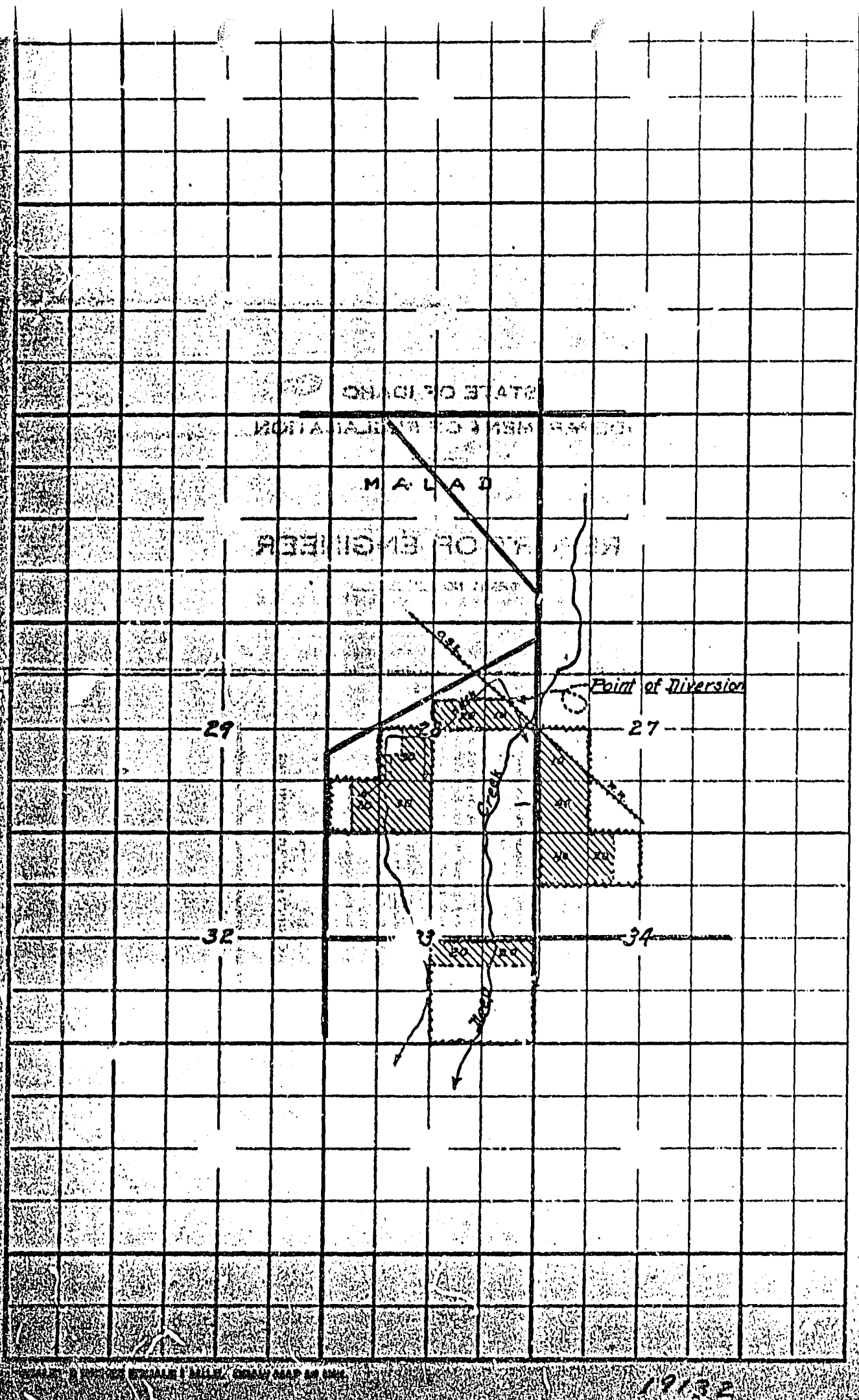
WITNESS the seal and signature of the State Reclamation Engineer, Commissioner of Reclamation, affixed at Boise, Idaho, this 18th day of February, 1944

JAMES SPORFORD

Commissioner of Reclamation
State Reclamation Engineer

(Seal)

15 2926



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

Statehouse
Boise, Idaho 83720
(208) 327-7900
January 24, 1990

RAY MC CLELLAN
P.O. BOX 241
MALAD, ID 83252

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P15-07110

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

Also enclosed is a copy of the approved drilling permit submitted in connection with this water right.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of

Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RAY MC CLELLAN
P.O. BOX 241
MALAD ID 83252

138252
~~138252~~
November 30, 1991

PROOF DUE NOTICE
RE: PERMIT NO. 15-07110

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 30, 1992

Ray McClellan
P.O. Box 241
Malad, ID 83252

Re: Permit No. 15-07110

Dear Permit Holder:

In the department's review of the proof of beneficial use submitted in connection with the above referenced permit, the department was not able to locate a well log which should have been submitted by your well driller 30 days after completion of the construction of your well. Since you employed two drillers, they both should have submitted logs on the portion of the well that they drilled.

If you have a copy of the well log, please provide this office with a copy. If you do not, please contact your driller and ask that he submit a copy. In your return letter, please be sure to show the above referenced permit number on any documents. Also, please address any correspondence directly to me. Your response should be received within 20 days of the date of this mailing.

This information is needed before the department can proceed further with the examination of your system and the eventual issuance of a license of water right.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Re: permit No 15-07110

37'	Sand & Gravel
37'-67'	clay
67'-75'	Gravel coarse
75'-80'	Blue clay

Cole Gardner drilled from beginning
to 80' then pulled off &
Arnold Lundstrom finished
well.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 20, 1992

Cole James Gardner
Gardner Drilling
151 South Main Street
Malad, ID 83252

Re: Permit No. 15-07110 - Ray McClellan
Drilling Permit No. 15-90-Z-001
Drilling Date: February 1990, started
Proposed Location: 14S, 36E, Section 33, NW1/4,
SE1/4.

In the department's review of the proof of beneficial use submitted in connection with the above referenced permit, the department was not able to locate a well log which should have been submitted 30 days after completion of the construction of this well.

While it is possible that you have submitted the log, we have been unable to locate it. Please supply me with another copy. Please address any correspondence directly to me. Your response should be received within 20 days of the date of this mailing.

This information is needed before the department can proceed further with the examination of the permit holders system and the eventual issuance of a license of water right.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

C: Permit Holder

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY -- FORWARD THE WHITE COPY TO THE DEPARTMENT

9/82
Re: Permit No. 15-07110
State law requires

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Ray McClellan

Address MAIAD Taku

Owner's Permit No. _____

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness

Diameter

From

To

2.50 inches 12 inches + 1 feet 200 feet

_____ inches _____ inches _____ feet _____ feet

_____ inches _____ inches _____ feet _____ feet

_____ inches _____ inches _____ feet _____ feet

Was casing drive shoe used? ☐ Yes ☐ No

Was a packer or seal used? ☐ Yes ☐ No

Perforated? ☐ Yes ☐ No

How perforated? ☐ Factory ☒ Knife ☐ Torch

Size of perforation 1/2 inches by 2 inches

Number

From

To

140 perforations 79.5 feet 200 feet

126 perforations 152 feet 158 feet

220 perforations 180 feet 129 feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth _____ Material used in seal: ☐ Cement grout
☐ Bentonite ☐ Puddling clay ☐ _____

Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☐ Overbore to seal depth

Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld
☐ Cemented between strata

Describe access port _____

7. WATER LEVEL

Static water level 9 feet below land surface.
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.

Pumping Level

Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.

Depth

Material

Water

Yes

No

12 80 90 GRAY CLAY with pebbles

11 90 110 " " " " ✓

11 110 120 GRAVEL coarse ✓

11 120 129 SAND + GRAVEL ✓

11 129 143 GREEN + BLUE CLAY with ✓
pebbles small

11 143 152 " " "

11 152 158 GRAVEL AND coarse SAND ✓

11 158 175 GRAY CLAY ✓

11 185 185 " " " ✓

11 185 289 Brown clay ✓

11 189 195 " " " ✓

11 195 200 SAND GRAVEL ✓

10.

Work started _____ finished _____

6. LOCATION OF WELL

Sketch map location must agree with written location.

N

W

E

S

Subdivision Name

Lot No. _____ Block No. _____

County _____

_____ 1/4 _____ 1/4 Sec. _____, T. _____ N/S, R. _____ E/W.

11. DRILLERS CERTIFICATION

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

Firm Name Lundstrom Well Firm No. 118

Address 15105 Fre mont Date _____

Signed by (Firm Official) Arnold Lundstrom
and
(Operator) DAME

RECEIVED
2-27-92
MAR 4 1992

Dear Karen

Department of Water Resources

I turned a log in
on ray well last
summer to Dennis Deum
in Idaho falls, I did not
have permit #

Cole Gardner

I could not control the
flow around casing,
never did seal it up.
Lundstrom - never sealed it
either. ~~and~~ still flowing

RECEIVED
JAN 29 1992

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Amt. of Fee \$ 175.00
Date 1-29-92
Receipt No. 0025074
Received by WB

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 15-07110 Telephone No. 766-2548
2. Name(s) of Permit Holder(s): Ray McCallum
3. Post Office Address: P.O. Box 241 Malad Id 83252
4. Source of Water: Underground
a. If ground water, well driller's name: Cole Gardner Started Date drilled: Started Feb 1990
Arnold Lundstrom Finished Finished June 1990
b. Pump horsepower: 50 HP Pressure (psi): approx 57 lbs Dynamic pumping level (ft.): 32 ft.
5. Extent of Use:
Domestic _____ (No. of households) Irrigation 146 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____
6. Total rate and/or volume for which proof is submitted 2.20 cfs _____ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:
Measuring device: Required? Yes No Installed? Yes No
OR
Flow Measurement Port: Required? X Yes No Installed? X Yes No
8. Fee Enclosed: \$ 175.00 (See License Examination Fee Schedule)
9. Person to contact to accompany the Department representative during the field examination: Ray McCallum 766-2285 Sharon
Name Telephone No. 766-2548 work #
15 W 2nd Rd Malad Id 83252
Address
10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

1-20-92
Date

Ray McCallum
Signature (and title if on behalf of a company or organization)

March 6, 1992

RAY MC CLELLAN
P.O. BOX 241
MALAD ID 83252

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 15-07110

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region