

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A43-10069
Date Received: 3/28/1989
Receipt No: S006701
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: THAYNE MICKELSON
Address: 5200 HOLLOW RD
MIBLEY UT

435-245-6144

84321

Name: LAURA MICKELSON
Address: 5200 HOLLOW RD
NIBLEY UT

435-245-6144

84321

2. Date of Priority: MAY 20, 1977

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	26E	26	NW	NE	SW		CASSIA
		27	NW	NW	SE		CASSIA
			SW	SW	SE		CASSIA
		33	NE	NE	NE		CASSIA

5. Description of diverting works:

4 WELLS AND PUMPS, MAINLINE TO SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	7.940		

7. Total Quantity Appropriated is:

7.940 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 2385.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15S	26E	26	NE		NW		IRR	22.0
			NW		NW		IRR	40.0
			SW		NW		IRR	30.0
			SE		NW		IRR	35.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
							Section Acres	367.0
		27	NE		NE		IRR	40.0
			NW		NE		IRR	24.0
			SW		NE		IRR	18.0
			SE		NE		IRR	25.0
			NE		SW		IRR	22.0
			SW		SW		IRR	20.0
			SE		SW		IRR	35.0
			NE		SE		IRR	40.0
			NW		SE		IRR	34.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	338.0
		28	SE		SE		IRR	25.0
							Section Acres	25.0
		33	NE		NE		IRR	35.0
							Section Acres	35.0
		34	NW		NW		IRR	30.0
							Section Acres	30.0
							Total Acres	795.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A43-02534, A43-02381, A43-00120, A43-02167

14. Remarks:

ALL THE WR'S ARE USED IN ONE IRRIGATION SYSTEM ON THE P/U LISTED.
4-6-2000: OWNERSHIP CHANGE MILLER TO MICKELSON PER DEED SUBMITTED

15. Basis of Claim: BENEFICIAL USE

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right No(s): A43-10069 A43-10070
A43-00120, A43-02167B, A43-02381, A43-02534B

Adjudication Claim No(s): _____

2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claims(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant

Richard L Miller
6500 S 1600 W Hyrum UT 84319

4. New Owner/Claimant(s)

Thayne, Laura Mickelson

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

5200 Hollow Rd.

City, State and ZIP Code

Nibley UT 84321

New Telephone Number

435 245-6144

5. Date you acquired the property

11-17-99

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____
Other uses _____	

7. Signature of New Owner(s)
or Claimant(s)

Thayne R Mickelson
Laura Mickelson

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Cache Valley Bank
101 North Main
Logan, UT 84319
ATTN: Brad Peterson

COMMONWEALTH LAND TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

SCHEDULE A

ORDER NUMBER: 32319

1. Effective Date: November 4, 1999 at 8:00 A. M.

2. Policy or Policies to be issued:

A. ☒ ALTA Owners Policy - Standard Coverage Amount \$537,000.00
(10/17/92) Premium \$1,688.25

Proposed Insured:

THAYNE MICHELSEN and LAURA MICHELSEN

B. ☒ ALTA Loan Policy ☒ Standard ☐ Extended Amount \$537,000.00
(10/17/92) Premium \$40.00
☐ With Endorsements Premium \$

Proposed Insured:

CACHE VALLEY BANK

C. ☐ Amount \$
Premium \$

Proposed Insured:

3. The Estate or Interest in the land described or referred to in this Commitment and covered herein is **FEE SIMPLE** and is at the effective date vested in:

**RICHARD L. MILLER and SONJA W. MILLER,
husband and wife**

4. The land referred to in this Commitment is situated in the County of **CASSIA**, State of Idaho, and described as follows:

SEE SCHEDULE A, PAGE 2

COPY

Countersigned: _____

Authorized Officer or Agent

This Commitment is valid only if Schedule B is attached.

CONTINUATION

SCHEDULE A

Order Number: 32319

TOWNSHIP 15 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 26:	NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$
Section 27:	E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 28:	SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 33:	NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 34:	NW $\frac{1}{4}$ NW $\frac{1}{4}$

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B - SECTION I

Order Number: 32319

The following are the requirements to be complied with:

1. Instrument creating the estate or interest to be insured must be executed and filed for record, to-wit:
 - a. **Deed from Richard L. Miller and Sonja W. Miller, husband and wife to Thayne Michelsen and Laura Michelsen, husband and wife.**
 - b. **Mortgage from Thayne Michelsen and Laura Michelsen , husband and wife, securing the loan.**
2. Pay the full consideration to, or for the account of, the grantors or mortgagors.
3. Pay all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
4. Satisfactory evidence should be had that improvements and/or repairs or alterations thereto are completed; that contractor, sub-contractors, labor and materialmen are all paid; and have released of record all liens or notice of intent to perfect a lien for labor or material. (Applicable to Extended Coverage only)
5. **Release of the property shown as Item No. 4 of Schedule A, hereof, from the lien of Real Estate Mortgage to secure payment of a note for \$250,000.00, and any other amounts as therein provided, together with interest and any other obligations thereby:**

Recorded: February 28, 1994 as Instrument No. 229403 on Film No. 253, records of Cassia County, Idaho.

Dated: February 22, 1994

Mortgagor: Richard L. Miller and Sonja W. Miller, husband and wife

Mortgagee: First Security Bank of Utah, N.A.

MODIFICATION OF MORTGAGE, dated February 22, 1999 and recorded April 9, 1999 as Instrument No. 262031, records of Cassia County, Idaho.

6. **Release of the property shown as Item No. 4 of Schedule A, hereof, from the lien of Mortgage to secure payment of a note for \$75,000.00, and any other amounts as therein provided, together with interest and any other obligations secured thereby:**

Recorded: September 7, 1995 as Instrument No. 238506 on Film No. 269, records of Cassia County, Idaho.

Dated: August 25, 1995

Mortgagor: Richard L. Miller and Sonja W. Miller, husband and wife

Mortgagee: First Security Bank of Utah, N.A.

-Continued-

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B - SECTION I

Order Number: 32319

NOTE: In the event this commitment is cancelled prior to the issuance of the policy committed for herein, a fee will be charged in compliance with the State of Idaho Department of Insurance Regulations.

NOTE: Many companies as well as governmental agencies over which the Company has no control are often needed to provide critical information or services to consummate real estate transactions. These companies or agencies may not be prepared for "Year 2000" and related data processing errors (commonly known as "Y2K") in their computer systems. The purpose of this note is to advise you as our customer that if the companies or governmental agencies involved in this transaction are not Y2K compliant, there may be delays in consummating your transaction. Please consider this potential issue as part of your planning for closing this transaction. This Note is for information purposes only and it will not be carried over into any title policy and will not be construed in any way to modify or limit any policy which is issued pursuant to this Commitment/Report.

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B - SECTION II

Order Number: 32319

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession, or claiming to be in possession, thereof.
2. Easements, liens, encumbrances, or claims thereof, which are not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey of the land would disclose, and which are not shown by the public records.
4. Any lien, or right to a lien, imposed by law for services, labor, or material heretofore or hereafter furnished, which lien, or right to a lien, is not shown by the public records.
5. Taxes or assessments which are not now payable or which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
6. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.
7. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereof covered by this Commitment.
8. Liens in favor of the State of Idaho that might be disclosed by any Notice of Lien filed in the Office of the Secretary of State of Idaho against the vested owner or prior owner or against the purchaser of the land described herein.
9. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the public records.

-Continued-

CONTINUATION

SCHEDULE B - SECTION II

Order Number: 32319

10. Taxes for 1999 and subsequent years, a lien, but not yet due or payable.
11. Reservations contained in Warranty Deed from W. Lester Hawkins and Vivian B. Hawkins, his wife, to Ervin T. Hawkins, dated October 15, 1945 and recorded November 29, 1946 as Instrument No. 157170, records of Cassia County, Idaho, which reads as follows: "Reserving a right of way for irrigation ditch as now constructed along the North side of said property, and a right of way for ingress and egress along the South bank of said ditch." (Affects Section 26, Township 15 South, Range 26 E.B.M.)
12. Reservations contained in Warranty Deed from Ervin T. Hawkin and his wife, Brenda S. Hawkins, to Richard H. Smith, dated January 26, 1948, and recorded September 24, 1948, as Instrument No. 163702 in Book 53 of Deeds on Page 599, records of Cassia County, Idaho, which reads as follows: "The parties of the first part except and reserve unto themselves, their successors, or assigns, forever, an undivided one fourth interest in and to all oil, gas, petroleum, naptha, or other hydrocarbon substances and minerals of whatsoever nature, in, upon, or beneath the property herein above described, including right of entry and all other rights which may be necessary for the development, production, and removal of such products." (Covers the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ in Section 26; the S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27; SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28; NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33; NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, all in Township 15 South, Range 26, East of the Boise Meridian.)
13. Reservations contained in Quitclaim Deed from Ervin T. Hawkins and his wife, Brenda S. Hawkins, parties of the first part, to Richard H. Smith, party of the second part, dated January 26, 1948, and recorded September 24, 1948, as Instrument No. 164703 in Book 51 of Deeds on Page 399, records of Cassia County, Idaho, which reads as follows: "Excepting and reserving unto themselves, their successors, or assigns, forever, an undivided one fourth interest in and to all oil, gas petroleum, naptha, or other hydrocarbon substances and minerals of whatsoever nature, in, upon, or beneath the property herein above described, including right of entry and all other rights which may be necessary for the development, production, and removal of such products." (Covers the N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 26, and the N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, all in Township 15 South, Range 26, East of the Boise Meridian.)
14. Reservations contained in Warranty Deed from Heleman Steward and his wife, Sybil S. Stewart, and T. Lynn Stewart, a single man, parties of the first part, to Richard H. Smith, party of the second part, dated October 12, 1951, and recorded November 14, 1951, as Instrument No. 173927 in Book 56 of Deeds, on Page 314, records of Cassia County, Idaho, which reads as follows: "The parties of the first part except and reserve unto themselves, their successors, or assigns, forever, an undivided one fourth interest in and to all oil, gas, petroleum, naptha, or other hydrocarbon substances and minerals of whatsoever nature, in, upon, or beneath the property herein above described, including right of entry to develop and remove such products." (Covering the SE $\frac{1}{4}$ of Section 27; W $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26; all in Township 15 South, Range 26 East of the Boise Meridian.)

CONTINUATION

SCHEDULE B - SECTION II

Order Number: 32319

15. Reservations contained in Warranty Deed from M. R. Stewart, party of the first part, to Richard H. Smith, party of the second part, dated October 12, 1951, and recorded November 14, 1951, as Instrument No. 173928 in Book 56 of Deeds on Page 315, records of Cassia County, Idaho, which reads as follows: "The part of the first part excepts and reserves unto themselves, their successors, or assigns, forever, an undivided one fourth interest in and to all oil, gas petroleum, naptha, or other hydrocarbon substances and minerals of whatsoever nature, in, upon, or beneath the property herein above described, including right of entry to develop and remove such products." (Covers NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 15 South, Range 26 East of the Boise Meridian.)
16. Reservation contained in Warranty Deed from Richard H. Smith, a widower, as party of the first part, to Heleman Stewart, T. Lynn Stewart, and M. R. Stewart, as joint tenants and not as tenants in common but to the survivor of them, as parties of the second part, dated October 4, 1951, and recorded May 5, 1953, as Instrument No. 178810 in Book 58 of Deeds, Page 13 records of Cassia County, Idaho, which reads as follows: "The party of the first part excepts and reserves unto themselves, their successors, or assigns, forever, an undivided one fourth interest in and to all oil, gas petroleum, naptha, or other hydrocarbon substances and minerals of whatsoever nature, in, upon, or beneath the property herein above described, including right of entry to develop, produce and remove such products." (Covers E $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 15 South, Range 26, East of the Boise Meridian.)
17. Reservation contained in Warranty Deed from M. R. Stewart, also known as Mabel R. Stewart; Boyd H. Stewart, also known as Heleman Stewart, and Sybil S. Stewart, husband and wife, and Lynn Stewart, to Richard H. Smith, dated April 5, 1958, and recorded April 15, 1958, as Instrument No. 196831, records of Cassia County, Idaho, which reads as follows: "Reserving unto Grantors herein an undivided one fourth interest in and to any and all oil and mineral rights and to the right to prospect for, develop and remove them from the premises herein granted, should the same be found to exist therein." (Covers the NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 27; SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28; NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33; NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34; all in Township 15 South, Range 26 East of the Boise Meridian.)
18. Reservation contained in Warranty Deed from Richard H. Smith, a widower, to Vincent P. Tobin and Norma J. Tobin, husband and wife, dated March 15, 1962, and recorded March 19, 1962, as Instrument No. 5806 on Film No. 12, records of Cassia County, Idaho, which reads as follows: "Excepting and reserving to Grantor 85 per cent of all oil and mineral rights." (Covers the NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 26; SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, all in Township 15 South, Range 26 East of the Boise Meridian.)
ASSIGNED BY: Quitclaim Deed from Richard H. Smith, a widower, to Cache Valley Seed and Produce Company, A Utah Corporation, dated August 29, 1973 and recorded September 10, 1973 as Instrument No. 72315 on Film No. 84, records of Cassia County, Idaho. "An undivided one-half interest and all mineral rights Reserved by Grantor."
CORRECTED BY: Quitclaim Deed dated February 6, 1974 and recorded February 22, 1974 as Instrument No. 75008 on Film No. 87, records of Cassia County, Idaho. "This deed is to correct a deed dated August 29, 1973 which was intended to convey only an undivided one-half interest in all mineral rights."

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CONTINUATION

SCHEDULE B - SECTION II

Order Number: 32319

19. Agreement for Purchase of Power between Raft River Rural Electric Cooperative, Inc., as Seller, and The Condor Company, as Consumer, dated March 27, 1963, and recorded March 25, 1964, as Instrument No. 17602 on Film No. 26, records of Cassia County, Idaho, covering Section 26, Township 15 South, Range 26 East of the Boise Meridian.
20. Geothermal Lease and Agreement between Harlan B. Jensen, also known as Harlan Jensen and Bette J. Jensen, husband and wife, as Lessors, and Cordero Mining Company, as Lessee, dated August 7, 1972, and recorded September 22, 1972, as Instrument No. 65303 on Film No. 78, records of Cassia County, Idaho, covering the SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 26; E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27; SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28; NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33; and NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, all in Township 15 South, Range 26 East of the Boise Meridian.
ASSIGNED TO: Sun Oil Company, a Delaware corporation, by an Assignment dated March 23, 1973, and recorded April 2, 1976, as Instrument No. 69080, records of Cassia County, Idaho.
ASSIGNED TO: Sunoco Energy Development Co., a Delaware corporation by an Assignment dated September 19, 1975, and recorded October 30, 1975, as Instrument No. 86469, records of Cassia County, Idaho.
21. Geothermal Lease and Agreement between Richard H. Smith, as Lessor, and Raft River Rural Electric Cooperative, Inc., a corporation, as Lessee, dated August 29, 1973 and recorded September 28, 1973 as Instrument No. 72641 on Film No. 84, records of Cassia County, Idaho. (Affects all of Section 26, Township 15 South, Range 26 East of the Boise Meridian and additional property.)
22. Geothermal Lease and Agreement between Cache Valley Seed and Produce Company, as Lessors, and Raft River Rural Electric Cooperative, Inc., as Lessee, dated August 29, 1973 and recorded September 28, 1973 as Instrument No. 72642 on Film No. 84, records of Cassia County, Idaho. (Affects all of Section 26, Township 15 South, Range 26 East of the Boise Meridian and additional property.)
23. Oil, Gas and Mineral Lease between Jensen Enterprises, an Idaho corporation, as Lessor, and Standard American Co., as Lessee, dated July 1, 1973, and recorded March 15, 1974, as Instrument No. 75343 on Film No. 87, records of Cassia County, Idaho. (Affects herein and additional property)
24. Oil, Gas and Mineral Lease between Ervin T. Hawkins and Brenda S. Hawkins, husband and wife; T. Lynn Stewart and Laura Gai Stewart, husband and wife; Gail S. Knight, a married woman dealing in her sole and separate property; June S. Spackman, a married woman dealing in her sole and separate property; and Boyd H. Stewart and Sybil Stewart, husband and wife, as Lessors, and Standard American Co., as Lessee, dated March 30, 1974 and recorded April 4, 1974 as Instrument No. 75841 on Film No. 88, records of Cassia County, Idaho. (Affects herein and additional property)

CONTINUATION

SCHEDULE B - SECTION II

Order Number: 32319

25. Reservation contained in Warranty Deed from Richard H. Smith, a widower, to Ida E. Tobin, a widow, dated June 7, 1972, and recorded December 31, 1974, as Instrument No. 80384 on Film No. 93, records of Cassia County, Idaho, which reads as follows: "Reserves three fourths of oil, gas and mineral rights on said property." (Covers the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 26; NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 27; SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28; NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33; NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34; All in Township 15 South, Range 26 East of the Boise Meridian.)
26. Reservation contained in Warranty Deed from Harlan B. Jensen and Betty J. Jensen, husband and wife, to Reid S. Stewart and Ruth O. Stewart, husband and wife, dated December 29, 1977, and recorded January 9, 1978, as Instrument No. 104032 on Film No. 114, records of Cassia County, Idaho, which reads as follows: "Excepting and reserving unto Grantors and specifically retaining in Grantors any and all mineral, oil, gas, geothermal steam and all other under the surface rights in and to said premises, together with any and all rights and benefits, including, but not limited to, rental payments arising from or growing out of any existing leases, with options to renew, in which said Grantors have any interest." (Affects herein and additional property)
27. Agreement for Purchase of Power between Raft River Rural Electric Cooperative, Inc., as Seller, and Miller & Coggins, Richard L. Miller, as Consumer, dated March 18, 1978, and recorded May 22, 1978, as Instrument No. 107788 on Film No. 117, records of Cassia County, Idaho, covering the E $\frac{1}{2}$ of Section 27, Township 15 South, Range 26 East of the Boise Meridian.
28. Agreement for Purchase of Power between Raft River Rural Electric Cooperative, Inc., as Seller and Richard L. Miller, as Consumer, dated March 4, 1977, and recorded June 25, 1979, as Instrument No. 117971 on Film No. 127, records of Cassia County, Idaho, over and across the SE $\frac{1}{4}$ of Section 27, Township 15 South, Range 26 East of the Boise Meridian.
29. Tax Deed to Cassia County, Idaho, dated March 18, 1982, and recorded March 19, 1982, as Instrument No. 141960 on Film No. 147, records of Cassia County, Idaho, conveying an undivided one-half interest in all mineral rights on said property. (SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23; N $\frac{1}{2}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 26; S $\frac{1}{2}$, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 27; SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34; NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35, all in Township 15 South, Range 26 East of the Boise Meridian.)
30. Agreement for Electric Service, between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric cooperative, and Richard L. Miller, dated May 24, 1988 and recorded June 2, 1988 as Instrument No. 195790 on Film No. 199, records of Cassia County, Idaho. NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 27, Twp. 15 S., Rge. 26, E.B.M.

-Continued-

CONTINUATION

SCHEDULE B - SECTION II

Order Number: 32319

31. Agreement for Electric Service, between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric cooperative, and Richard L. Miller, dated May 24, 1988 and recorded June 2, 1988 as Instrument No. 195792 on Film No. 199, records of Cassia County, Idaho. SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 27, Twp. 15 S., Rge. 26, E.B.M.
32. Agreement for Electric Service, between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, and Richard L. Miller, dated May 9, 1994 and recorded June 9, 1994 as Instrument No. 231310 on Film No. 256, records of Cassia County, Idaho, over and across the E $\frac{1}{2}$ of Section 27 Township 15 South, Range 26 East of the Boise Meridian.
33. Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Richard Miller, Consumer, dated April 21, 1998 and recorded July 30, 1998 as Instrument No. 257017 on Film No. 301, records of Cassia County, Idaho covering the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, Township 15 South, Range 26 East of the Boise Meridian.
34. Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Richard Miller, Consumer, dated May 22, 1997 and recorded July 30, 1998 as Instrument No. 257018 on Film No. 301, records of Cassia County, Idaho covering the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, Township 15 South, Range 26 East of the Boise Meridian.

END OF SCHEDULE B



Commonwealth

Commonwealth Land Title Insurance Company, a Pennsylvania corporation, herein called the company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate 120 days after the effective date hereof or when the policy or policies committed for shall be issued, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the company.

IN WITNESS WHEREOF, COMMONWEALTH LAND TITLE INSURANCE COMPANY has caused its Corporate Name and Seal to be hereunto affixed; this instrument, including Commitment, Conditions and Stipulations attached, to become valid when countersigned by an Authorized Officer or Agent of the Company.

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Attest:

David E. H. H. H.

Secretary



By:

[Signature]

Chairman and Chief Executive Officer

Conditions and Stipulations

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions, the Conditions and Stipulations, and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

[illegible][illegible][illegible]

REAL ESTATE MORTGAGE

For Value Received, THAYNE R. MICKELSON AND LAURA MICKELSON

the mortgagor WE, do hereby grant, bargain, sell and convey unto

the mortgagee , the following described premises, in CASSIA County, Idaho, to-wit:
TOWNSHIP 15 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

SECTION 26: NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$

SECTION 27: E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$

SECTION 28: SE $\frac{1}{4}$ SE $\frac{1}{4}$

SECTION 33: NE $\frac{1}{4}$ NE $\frac{1}{4}$

SECTION 34: NW $\frac{1}{4}$ NW $\frac{1}{4}$

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said mortgagee , CAC VALLEY BANK heirs and assigns forever.

This conveyance is intended as a mortgage to secure the payment of the sum of TWO HUNDRED THIRTY SIX THOUSAND TWO HUNDRED AND NO/100*****DOLL with interest, in accordance with the terms of a promissory note of even date herewith, payable to the order o mortgagee, with final payment due DECEMBER 17, 2019 and providing for acceleration of the due date of the principal for default in the payment of interest or any install of principal, and providing for a reasonable attorney's fee in case of suit or action.

The mortgagorS covenant and agree with, the mortgagee as follows: That they the ownerS in fee simple of the above described premises and th are free from all encumbrances

That they will pay the indebtedness hereby secured promptly, according to the terms of said promissory note. That they will pay all taxes, liens and assessments of any nature hereafter levied or imposed, or becoming payable, upon said premises not later than the twentieth day before delinquency. That they will keep the h on said premises insured against loss or damage by fire, by some insurance company acceptable to the mortgagee with loss, if any, payable to the mortgagee as interest may appear, in the sum of at least \$236,200.00 and deliver such policy or policies of insurance to the mortgagee , until the same secured by this mortg fully paid with interest. The mortgagee may from time to time and whenever it so desires, cause an abstract of title to be continued to the then date or procure a titl from a reputable title company and the mortgagor agree S to pay the cost thereof upon demand.

If the mortgagor shall fail to pay any such tax or lien, abstract or title report charge, or fail to maintain such fire insurance, the mortgagee may pay the : procure said insurance, abstract continuation or title report and pay the cost thereof, and all payments by the mortgagee for any such purpose shall be added to the in ness hereby secured, and shall be repayable on demand, with interest at the rate of eight (8) per cent per annum until paid.

For the purpose of further securing said indebtedness and performance of the covenants herein contained, the mortgagor hereby sells and assigns to the mortga any and all rentals accruing, or to accrue on said premises, during the life of this mortgage.

Now, if the said mortgagor shall pay or cause to be paid all moneys which may become due upon said promissory note and shall otherwise comply with th and conditions hereof, this conveyance shall be void; but in case default shall be made in the payment of the indebtedness hereby secured, or any part thereof, principal or i or in any of the covenants or agreements herein contained, then the mortgagee Cache Valley Bank or assigns, at his option, may declare the entire edness hereby secured immediately due and payable, and foreclose this mortgage and cause said mortgaged premises to be sold in the manner provided by law, and on moneys arising from such sale retain principal and interest together with any sums advanced as provided herein, with interest as aforesaid, together with the costs and chs such foreclosure suit and as is, including such sum as the court may adjudge reasonable as an attorney's fee to be allowed the plaintiff, and the surplus, if any there be, p. to the mortgagor Thayne R. Mickelson heirs and assigns.

Dated: Laura Mickelson

Thayne R. Mickelson
THAYNE R. MICKELSON

Laura Mickelson
LAURA MICKELSON

UTAH
STATE OF ~~IDAHO~~, COUNTY OF CACHE

On this 17TH day of NOVEMBER , 19 99 ,
before me, a Notary Public in and for said State, personally
appeared

known to me to be the person whose name
subscribed to the within instrument, and acknowledged to
me that executed the same.

Notary Public,

Residing at
Comm. Expires

Idaho.

THAYNE R. MICKELSON LAURA MICKELSON 51 HOLLOW ROAD NIBLEY, UT 84321	CACHE VALLEY BANK 101 NORTH MAIN ST. - BOX 3227 LOGAN, UT 84301-3227	Loan File Number <u>51-00660-9</u> Date <u>NOVEMBER 17, 1999</u> Loan Amount \$ <u>537,000.00</u> Maturity Date <u>DECEMBER 17, 2000</u> Renewal Of _____
BORROWER'S NAME AND ADDRESS Includes each borrower above, jointly and severally.	LENDER'S NAME AND ADDRESS Includes the lender, its successors and assigns.	

**DISCLAIMER OF ORAL
AGREEMENTS**

The Borrower and Lender (hereinafter the "Parties") have entered into a credit transaction on the date set forth above. In conjunction with this transaction the Parties have executed one or more promissory notes, assignments, security agreements, guaranty agreements, deeds of trust or other documents. It is the intention of the Parties that this Disclaimer be incorporated by reference into each of the documents so executed for this transaction.

The Parties warrant and represent that the entire agreement made between the Parties is contained within the executed documents, as supplemented hereby, and that no agreements or promises exist between the Parties that are not reflected in the language of the documents executed in conjunction with this transaction.

**THE WRITTEN CREDIT AGREEMENT REPRESENTS THE FINAL EXPRESSION OF THE AGREEMENT
BETWEEN THE PARTIES AND MAY NOT BE CONTRADICTED BY
EVIDENCE OF ANY ALLEGED PRIOR, CONTEMPORANEOUS, OR SUBSEQUENT ORAL
AGREEMENTS BETWEEN THE PARTIES.**

ORIGINAL

x Thayne R. Mickelson
Borrower Signature
THAYNE R. MICKELSON

x Laura Mickelson
Borrower Signature
LAURA MICKELSON

Borrower Signature

CACHE VALLEY BANK

By: [Signature] [Signature]
Lender

Title: VICE-PRESIDENT

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A43-10069
Date Received: 3/28/1989
Receipt No: S006701
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD L. MILLER 801-245-3815
Address: 6500 S. 1600 W.
HYRUM, UT 84319

2. Date of Priority: MAY 20, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	26E	26	NW	NE	SW		CASSIA
		27	NW	NW	SE		CASSIA
			SW	SW	SE		CASSIA
		33	NE	NE	NE		CASSIA

5. Description of diverting works:
4 WELLS AND PUMPS, MAINLINE TO SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	7.940		

7. Total Quantity Appropriated is:
7.940 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 2385.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	26E	26	NE	NW		IRR	22.0

A43-10069

Page 1

Date: 03/28/89

MICROFILMED

MAR 04 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15S	26E	26	NW		NW		IRR	40.0
			SW		NW		IRR	30.0
			SE		NW		IRR	35.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
							Section Acres	367.0
		27	NE		NE		IRR	40.0
			NW		NE		IRR	24.0
			SW		NE		IRR	18.0
			SE		NE		IRR	25.0
			NE		SW		IRR	22.0
			SW		SW		IRR	20.0
			SE		SW		IRR	35.0
			NE		SE		IRR	40.0
			NW		SE		IRR	34.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	338.0
		28	SE		SE		IRR	25.0
							Section Acres	25.0
		33	NE		NE		IRR	35.0
							Section Acres	35.0
		34	NW		NW		IRR	30.0
							Section Acres	30.0
							Total Acres	795.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A43-02534, A43-02381, A43-00120, A43-02167

A43-10069

Page

2

Date: 03/28/89

MICROFILMED

MAR 04 1993

14. Remarks:

ALL THE WR'S ARE USED IN ONE IRRIGATION SYSTEM ON THE P/U LISTED.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

Richard Miller

Date:

3/29/89

Date:

State of Idaho)

County of

Twin Falls

) SS.

Subscribed and sworn (or affirmed) before me this 28th day

of

March

19

89

Steve Chell

Notary Public

Seal

Residing at

Twin Falls

My Commission Expires

Dec 7, 1994

MICROFILMED

MAR 04 1993

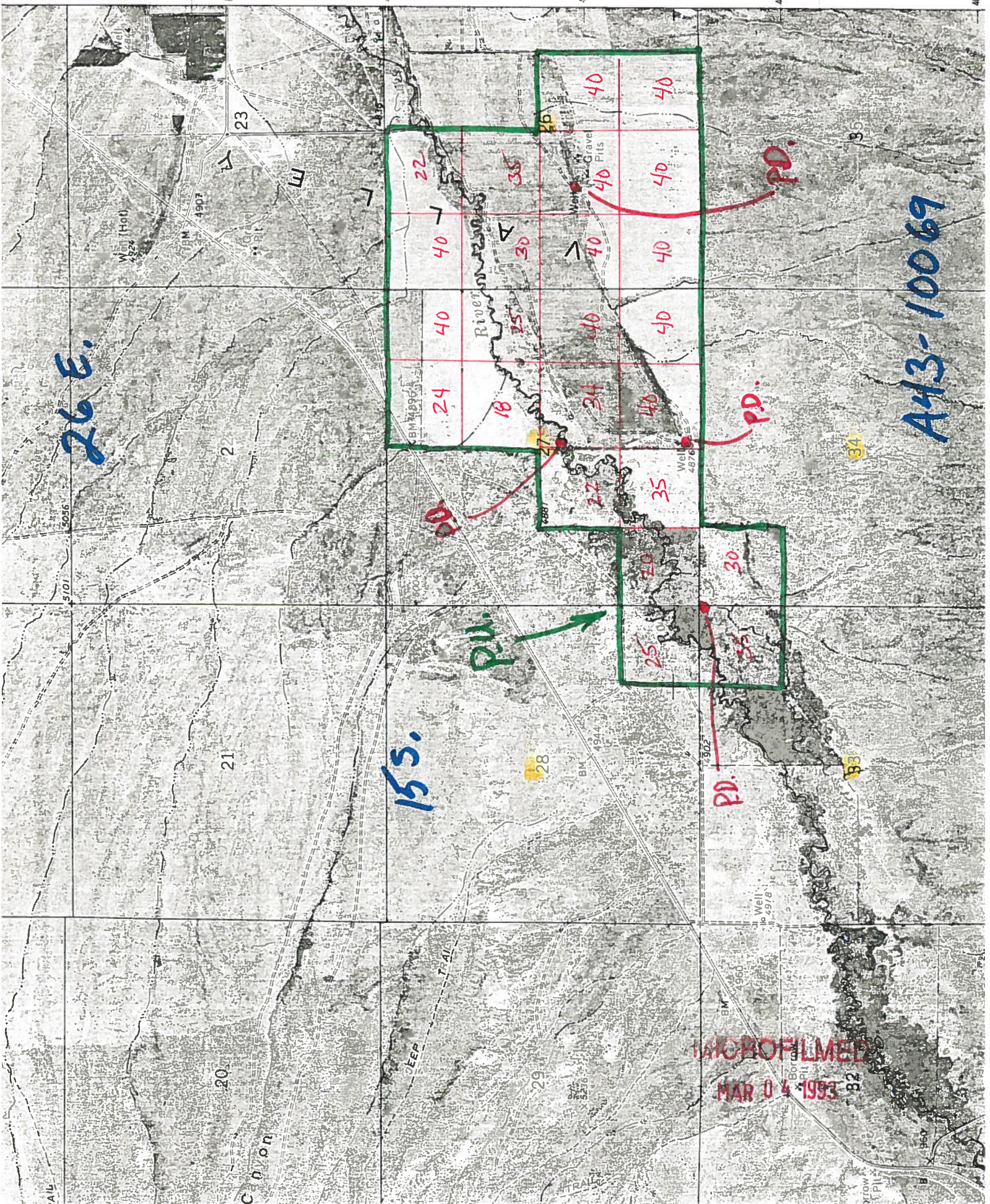
26 E.

15 S.

pu.

A43-10069

MICROFILMED
MAR 04 1993





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

A43-10069
RICHARD L. MILLER
6500 S. 1600 W.

HYRUM

UT 84319

RE: Evidence of Priority

RESPONSE DEADLINE
FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 04 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

RECEIVED

FEB 03 1992

Department of Water Resources
Southern Region Office

A43-04151 *A43-10069*
RICHARD L. MILLER
6500 S. 1600 W.

HYRUM

UT 84319

RE: Evidence of Priority

RESPONSE DEADLINE

FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.**

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Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 04 1993

443-10069

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A43-10069
Date Received: 3/28/1989
Receipt No: S006701
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
801-245-3815

1. Name: RICHARD L. MILLER
Address: 6500 S. 1600 W.
HYRUM, UT

84319

FEB 03 1992

2. Date of Priority: MAY 20, 1977

Department of Water Resources
Southern Region Office

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	26E	26	NW	NE	SW		CASSIA
		27	NW	NW	SE		CASSIA
			SW	SW	SE		CASSIA
		33	NE	NE	NE		CASSIA

100
50
150
100

5. Description of diverting works:
4 WELLS AND PUMPS, MAINLINE TO SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	7.940		

7. Total Quantity Appropriated is:
7.940 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 2385.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	26E	26	NE	NW		IRR	22.0

A43-10069

Page 1

Date: 03/28/89

MICROFILMED
MAR 04 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15S	26E	26	NW		NW		IRR	40.0
			SW		NW		IRR	30.0
			SE		NW		IRR	35.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
							Section Acres	367.0
		27	NE		NE		IRR	40.0
			NW		NE		IRR	24.0
			SW		NE		IRR	18.0
			SE		NE		IRR	25.0
			NE		SW		IRR	22.0
			SW		SW		IRR	20.0
			SE		SW		IRR	35.0
			NE		SE		IRR	40.0
			NW		SE		IRR	34.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	338.0
		28	SE		SE		IRR	25.0
							Section Acres	25.0
		33	NE		NE		IRR	35.0
							Section Acres	35.0
		34	NW		NW		IRR	30.0
							Section Acres	30.0
							Total Acres	795.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A43-02534, A43-02381, A43-00120, A43-02167

A43-10069

Page 2

Date: 03/28/89

MICROFILMED

MAR 04 1993

14. Remarks:

ALL THE WR'S ARE USED IN ONE IRRIGATION SYSTEM ON THE P/U LISTED.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE MATTER OF: _____

AFFIDAVIT

RECEIVED

FEB 03 1992

Department of Water Resources
Southern Region Office

State of Idaho

County of _____

being first duly sworn,

I, Richard Lance Udy

deposes and says: I resided in Bridge, Idaho close to the land Richard Miller purchased from Reid Stewart in 1976. I also did some work on the farm. In 1977 the irrigated land increased from approximately 480 acres to 850 acres. This additional land was put under sprinkler irrigation.

(signature)

Subscribed and sworn to before me this 29th day of January 19 92.

(notary public)

Residing at

My commission expires

MAR 04 1993

A43-10069

State of Idaho

County of

being first duly sworn,

deposes and says: I, Richard Lance Udy, resided in Bridge, Idaho close to the land Richard Miller purchased from Reid Stewart. I also did some work on the farm. Water right #43-2381 & 43-2534 with the points of diversion locations on the above mentioned farm were exclusively utilized on that farm. The water was pumped into a main line and then run into sprinkler pipe for use on that property. The water was utilized this way prior to the sale to Richard Miller during the sale and after his purchase in May 1976.

(signature)

Subscribed and sworn to before me this 29 day of January 19 97.

(notary public)

Residing at

My commission expires

MAR 04 1993

Service # 280/1

Point of American Sec 26 NW NE SW

MICROFILMED

MAR 04 1993

A43-10069



**Raft River Rural
Electric Cooperative, Inc.**

250 North Main
P.O. Box 617
Malta, ID 83342
Telephone: 208-645-2211
FAX: 208-645-2300

RECEIVED

FEB 03 1992

Department of Water Resources
Southern Region Office

TO WHOM IT MAY CONCERN:

I hereby certify that the annexed instrument is a true and correct copy of the original held in microfilm at Raft River Rural Electric Cooperative, Inc. in Malta, Idaho.

Service Number 28011

January 24, 1992
Date

Rosella Nade
Notary Public

MICROFILMED

MAR 04 1993

IRRIGATION PUMP SCHEDULE 1977

MICROFILMED

Page 21

MAR 4 1993

NAME	A.C. No.	CONTRACT		H.P.	AV KM	DEMAND	AMT. PAID	DATE PAID	REMARKS
		DATE	TERM						
MILLER & COGGINS	28011	3/26/63	8	440	75 1/2	115	805	5/31	690
MILLER & COGGINS New	28018	3/4/77	8	1200	100 1/2	8 1/2	125	5/31	340

File

1

1

MICROFILMED
MAR 04 1993

[illegible][illegible]

28011

ROBIN, Vincent B.
Bridge
Idaho

(C. Booth pump)

MINIMUM

40 HP (10,000)

X 10

RECORD

Meter No. 25-954-991

Meter No.

Date In May 12, 1958

Date Out

Meter
Reading 2671Meter
Reading

Date In

Date Out

Meter
ReadingMeter
Reading

METER READING	USED	NET CHARGE	METER CARD	PENALTY ARREARS	AMOUNT PAID	DATE	BALANCE DUE
BROUGHT FORWARD							
JAN.							
FEB.							
MARCH							
APRIL							
MAY	281	410*	41.00	2.05	43.05	MAY 31 58	44.88
JUNE	947	668*	66.60	3.33	69.93	JUN 30 58	66.60
JULY	513	1555*	155.90		155.90	JUL 31 58	155.90
AUG.	765	1254*	125.24		125.24	AUG 31 58	125.24
SEPT.	2931	765	76.50	3.83	80.33	SEP 30 58	76.50
OCT.	5086	755*	75.50	3.83	79.33	OCT 31 58	75.50
NOV.		54,150	508.74		508.74	NOV 30 58	508.74
DEC.			320.00		320.00		320.00
			828.74				828.74

Meter disconnected November 4, 1958 Reading 8285

28011

TOBIN, Vincent B.
Bridge
Idaho

(C. Booth pump)

METER RECORD

Meter No. 25-167-961

Meter No.

Date In March 31, 1959

Date Out

Meter Reading 0002

Meter Reading

Date In

Date Out

Meter Reading

Meter Reading

MINIMUM 40 HP (10,000)

X 10

METER READING	USED	NET CHARGE	METER CARD	PENALTY ARREARS	AMOUNT PAID	DATE	BALANCE DUE
Brought Forward							
JAN.							
PED.							
MARCH							
2249	2247*	17482		8.74		APR 30 59	17482H
						MAY 20 59	18356H
APRIL							
4481	2232*	17392	18356			MAY 29 59	35748H
MAY					35748	JUN 17 59	00H
6174	1693*	14153		7.03		JUN 30 59	14158H
JUNE						JUL 17 59	14864H
8851	2677*	20068	14866	10.03		JUL 31 59	34928H
JULY						AUG 18 59	35971H
					35971	AUG 27 59	00H
3153	2302*	17812		8.90		AUG 31 59	17812H
						SEP 18 59	18708H
SEPT.							
430	2285*	17715	18708			SEP 30 59	36410H
				8.86		OCT 19 59	57304H
4316	8.77*	87.70	57304	4.39		OCT 30 59	46074H
						NOV 18 59	46513H
	143,140	113392				Interest 1/60	310
		320 -					468.22
NOV.							310
							471.33
							310
							474.43
DEC.							310
							477.53
							477.53
							477.53

Meter disconnected November 5, 1959 Reading 4316

28011

TOBIN, Vincent B.
Bridge, Idaho

METER RECORD

Meter No. 25-767-961

Meter No.

Date In May 17, 1960

Date Out

Meter Reading 4316

Meter Reading

Date In

Date Out

Meter Reading

Meter Reading

MINIMUM 40 HP (10,000) X 10

METER READING	USED	NET CHARGE	METER CARD	PENALTY ARREARS	AMOUNT PAID	DATE	BALANCE DUE
Brought Forward							
JAN							
FEB							
MARCH							
APRIL							
MAY	1055*	1055				MAY 31 60	1055.00
JUNE	1100*	1100				JUN 30 60	1100.00
JULY	1242*	1242				JUL 31 60	1242.00
AUG	11452	11452	13739	5.73		AUG 31 60	25191.73
SEP	1695*	1695	25764	7.09	100.00	SEP 30 60	39940.82
OCT	194*	1940	30649	97		OCT 30 60	32520.82
NOV						NOV 30 60	32520.82
DEC							

Meter disconnected October 30, 1960 Reading 1138

305.22

1/61 154

306.76

1/61 54

307.30

arrangement
tax before
1/61

1/61

3/61

3/61

3/61

3/61

TOLEIN, Vincent B
Bridge
Idaho

(C. Booth)

NIMMUM 40 HP (10,000)

x 10

Meter No. 25-767-961

Meter No.

Date In March 9, 1961 Date Out

Meter Reading 1138

**Meter
Reading**

Date In _____

Dating Out

Meter Reading

Meter Reading

[illegible]

The Condor Co.
TOBIS, Vincent B.
Bridge, Idaho

Meter No. 30-463

Meter No. _____

Date In Aug/ 27, 1962 Date Out

Meter Reading 0000

Meter Reading

Date In _____

Date Out

Meter Reading

Meter Reading

MINDGEM

40 ER

X 10 All

	METER READING	USED	NET CHARGE	METER CARD	PENALTY APPEARS	AMOUNT PAID	DATE	BALANCE DUE
Brought Forward								
JAN.								
FEB.								
MARCH								
APRIL								
MAY								
JUNE								
JULY								
AUG.								
SEPT.	549	1540	112.10					
		31.5	50.45					
						77.30		162.55
								162.55
								- 00 -
OCT.								
NOV.								
DEC.								

Meter disconnected November 1, 1962 Reading 1549 D. 0

Service # 28018

point of diversion sec 33 NE NE NE

MICROFILMED

MAR -U 4 1993



**Raft River Rural
Electric Cooperative, Inc.**

250 North Main
P.O. Box 617
Malta, ID 83342
Telephone: 208-645-2211
FAX: 208-645-2300

RECEIVED

MAR 03 1992

Department of Water Resources
Southern Region Office

TO WHOM IT MAY CONCERN:

I hereby certify that the annexed instrument is a true and correct copy of the original held in microfilm at Raft River Rural Electric Cooperative, Inc. in Malta, Idaho.

Service Number 28018

January 24, 1992
Date

Rosetta Webb
Notary Public

MICROFILMED

MAR 04 1993

28018

IRRIGATION PUMP SCHEDULE 1977

Page 21

NAME	A N	CONTRACT		H. P.	AV KM	DEMAND	AMT. PAID	DATE PAID	REMARKS
		DATE	TERM						
✓ MILLER & COGGINS	28011	3/26/63	8	440	75	115	805	3/31	690
✓ MILLER & COGGINS New	28018	3/4/77	8	1200	100	85	125	5/31	340

MICROFILMED
MAR 04 1993

STATEMENT

RAFT RIVER RURAL ELECTRIC COOP., INC.

P. O. BOX 617 PHONE 645-2211
MALTA, IDAHO 83342

R L MILLER + COGGINS
6500 SOUTH 1600 WEST
HYRUM UT 84319

DATE	ACCOUNT NO.
6 30 77	130403

BILLING CODES

- | | | |
|---------------------|---------------------|----------------------|
| 1. RESIDENTIAL | 2. IRRIGATION POWER | 6. OTHER RECEIVABLES |
| 3. SMALL COMMERCIAL | 3. LARGE POWER | 7. PAYMENTS |
| 4. STOCK PUMPS | 4. INTEREST | 8. ADJUSTMENTS |
| 5. PUBLIC BLDGS. | 5. NOTES RECEIVABLE | 9. SALES TAX |

INDICATES ESTIMATED
METER READING

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX							METER READING
SERVICE OR REFERENCE NO.	METER READING		KWH USED	DEMAND	BILLING CODE	↓	AMOUNT
	PREVIOUS	PRESENT					
5 31 77			BALANCE FORWARD				1,944.03
063077					67		1,268.03CR
062977					17		547.95CR
028044	144	189	45		1 1		6.20
028018		638	25,520	90	2		217.60
028016	95961	98687	27,260	85	2		221.30
028011	9918	11523	64,200	120	2		441.00
DELINQUENCY CHARGE							1.92
A 1.5%/MO., -18%/YR.- CHARGE WILL BE ADDED TO PAST DUE AMOUNTS.							
PAST DUE AMOUNTS							
TOTAL AMOUNT DUE							
90 DAYS AND OVER		60 DAYS		30 DAYS		1,016.07	
.00		.00		128.00			

117971 AGREEMENT FOR PURCHASE OF POWER

THIS agreement, made this 4th day of March, 19 77 between the
Raft River Rural Electric Cooperative, Inc., hereinafter called the Seller, and
Richard L. Miller
hereinafter called the Consumer.

WITNESSETH, WHEREAS the Consumer is the owner of the following described real
estate in the County of Cassia State of Idaho, particularly
described as follows, to-wit:

SE 1/4
SE 1/4

Section 27, Township 15 South, Range 26 East
of the Boise Meridian. And has a well on the NE 1/4

of Section 33 of the said real estate and desires to irrigate the irrigable
portion of said real estate by pumping water from such well or wells.

NOW, THEREFORE, THE SELLER agrees to sell and deliver to the Consumer on the
above described real estate, electrical energy up to 100 HP KVA, and the Consumer
agrees to purchase from the Seller all electrical energy used for pumping water from
the well or wells upon said premises for irrigation purposes during the irrigation
season of each year for a period of not less than eight (8) years from the date of
this contract.

1. Service Characteristics

The electrical energy to be furnished under this contract shall be alternating
current, three (3) phase, sixty cycle, 480 volts.

AGREEMENT FOR PURCHASE OF POWER

THIS AGREEMENT, Made this 4th day of March, 19 77, between:

the Raft River Rural Electric Cooperative, Inc., hereinafter called the Seller, and
Richard L. Miller hereinafter called the Consumer.

WITNESSETH, WHEREAS the Consumer is the owner of the following described real estate in the County of Cassia, State of Idaho particularly described as follows, to-wit:

Section ²¹¹~~33~~, Township 15, Range 26,
East, of the Boise Meridian. And has a well on the NE 1/4 SW 1/4 ^{N 1/4 E 1/4 SW 1/4}
 of Section 33 of the said real estate and desires to irrigate the irrigable portion of said real estate by pumping water from such well or wells.

NOW, THEREFORE, THE SELLER agrees to sell and deliver to the Consumer on the above described real estate, electrical energy up to 100 HP KVA, and the Consumer agrees to purchase from the Seller all electrical energy used for pumping water from the well or wells upon said premises for irrigation purposes during the irrigation season of each year for a period of not less than eight years from the date of this contract.

1. Service Characteristics

The electrical energy to be furnished under this contract shall be alternating current, three phase, sixty cycle, 480 volts.

2. Payment

Service # 28028

point of diversion Section 27 NW NW SE

MICROFILMED

MAR 6 4 1993

this information
applies to A43-10069
the power information
from RRElectra takes
us back to 1977 and
~~to~~ earlier with the
points of diversion
as called out on
the above number.

MICROFILMED
RECEIVED
MAR 6 4 1993

FEB 6 3 1992

Department of Water Resources
Southern Region Office



**Raft River Rural
Electric Cooperative, Inc.**

250 North Main
P.O. Box 617
Malta, ID 83342
Telephone: 208-645-2211
FAX: 208-645-2300

RECEIVED

FEB 05 1992

Department of Water Resources
Southern Region Office

TO WHOM IT MAY CONCERN:

I hereby certify that the annexed instrument is a true and correct copy of the original held in microfilm at Raft River Rural Electric Cooperative, Inc. in Malta, Idaho.

Service Number 28028

January 24, 1992
Date

Rosee M. Mella
Notary Public

MICROFILMED
MAR 04 1993

28028

IRRIGATION PUMP SCHEDULE

1823 KW und

4293

28028

NAME	CONTRACT	AVG. K.H.	SEASONAL DEMAND	AFT. PAID	DATE PAID	AMOUNT REFUND	NET AMOUNT PAID	REMARKS			
MILLER & COGGINS (Tootin)	13024180	28016	440	50	40	340	240	6/18	30	160	*
MILLER & COGGINS	130403	28011	440	100	85	595	595	4/1/78	85	510	
MILLER & COGGINS	✓	28018	440	75/75	118	826	826	4/1/78	118	708	
MILLER & COGGINS	✓	28018	1200	100	88	616	616	4/1/78	176	440	2077

MICROFILMED

MAR 04 1993

MICROFILMED
MAR 04 1993

RAFT RIVER RURAL ELECTRIC COOP., INC.

P. O. BOX 617

PHONE 945-2211
MALTA, IDAHO 83342

R L MILLER + COGGINS
6500 SOUTH 1600 WEST
MYRUM UT 84319

STATEMENT

DATE: 7 31 78
METER CODE: 13

- 1. RESIDENTIAL
- 2. IRRIGATION POWER
- 3. LARGE POWER
- 4. INTEREST
- 5. NOTES RECEIVABLE
- 6. OTHER
- 7. PAYMENT
- 8. ADJUST
- 9. SALES

SERVICE OR REFERENCE NO.	METER READING		KWH USED	DEMAND	BL. LINE CODE	INDICATES ESTIMATED METER READING	AMOUNT
	PREVIOUS	PARENT					
6 30 78							
071078							
073178							
028044	941	941					
028028	82583	84451			17		3,196.00
028018	5907	7009	18,680		67		974.91
028016	9040	9583	44,080	44	1		944.34
028011	1176	2736	43,440	84	2		5.75
008711			62,400	83	2		137.40
				109	2		304.40
					6		300.20
DELINQUENCY CHARGE							421.00
A 1.5%/MO. - 182/YR. - CHARGE WILL BE ADDED TO PAST DUE AMOUNTS.							19.00
							19.15
90 DAYS AND OVER	PAST DUE	AMOUNTS					
.00	60 DAYS	.00					
	30 DAYS	1,276.82					
	CURRENT	1,206.90					
	TOTAL AMOUNT DUE						2,483.72

STATEMENT

RAFT RIVER RURAL ELECTRIC COOP., INC.
P. O. BOX 617
MALTA, IDAHO 83342

R L MILLER + COGGINS
6300 SOUTH 1600 WEST
HYRUM UT 84319

6 30 78 130403

PERCENTAGE
SMALL CHARGES
STOCK PLANS
PUBLIC BILLS
1. IRRIGATION POWER
2. LARGE POWER
3. INTEREST
4. NOTES RECEIVABLE
5. OTHER RECEIVABLE
6. PAYMENTS
7. ADJUSTMENTS
8. SALES TAX

SERVICE OR REFERENCE NO.	METER READING		B. B. USED	DEMAND	DEBIT CASH	INDICATES ESTIMATED METER READING	AMOUNT
	PREVIOUS	PRESENT					
5 31 78							
028044							
028011	941	941					
028018	9262	11176					
028028	4680	5907					
028016	80149	82583		114	2		1,347.00
005107	9350	15240		82	2		5.75
005107							496.80
005105				82	2		333.40
005106							121.70
005107							377.20
005105							7.82
005106							90.00
DELINQUENCY CHARGE							54.68
							329.75
							.23
							1.64
							9.89
							25.21

90 DAYS AND OVER	60 DAYS	30 DAYS

107788

AGREEMENT FOR PURCHASE OF POWER

THIS agreement, made this 18th day of March, 1978 between the Raft River Rural Electric Cooperative, Inc., hereinafter called the Seller, and Richard L. Miller hereinafter called the Consumer.

WITNESSETH, WHEREAS the Consumer is the owner of the following described real estate in the County of Cassia State of Idaho, particularly described as follows, to-wit: E $\frac{1}{2}$

Section 27, Township 15 South, Range 26 East,
of the Boise Meridian. And has a well on the NW $\frac{1}{4}$ SE $\frac{1}{4}$
of Section 27 of the said real estate and desires to irrigate the irrigable portion of said real estate by pumping water from such well or wells.

NOW, THEREFORE, THE SELLER agrees to sell and deliver to the Consumer on the above described real estate, electrical energy up to 50 HP---KVA, and the Consumer agrees to purchase from the Seller all electrical energy used for pumping water from the well or wells upon said premises for irrigation purposes during the irrigation season of each year for a period of not less than eight (8) years from the date of this contract.

1. Service Characteristics

The electrical energy to be furnished under this contract shall be alternating
three (3) 480



**Raft River Rural
Electric Cooperative, Inc.**

250 North Main
P.O. Box 617
Malta, ID 83342
Telephone: 208-645-2211
FAX: 208-645-2300

RECEIVED

FEB 03 1992

Department of Water Resources
Southern Region Office

TO WHOM IT MAY CONCERN:

I hereby certify that the annexed instrument is a true and correct copy of the original held in microfilm at Raft River Rural Electric Cooperative, Inc. in Malta, Idaho.

Service Number 28016

January 24, 1992

Date

Rosella Nedd
Notary Public

Service # 28016

Point of diversion Section 27 SW SW SE

MICROFILMED
MAR 04

IRRIGATION PUMP SCHEDULE 1977

2362

PAGE 20

NAME	A. N.	CONTRACT	DATE	TERM	WTR.	H.P.	AV. KM.	DEMAND	AMT. PAID	DATE PAID	REMARKS
B COGGINS (Tobin)	20016	1/1/76	8	440	25	75	85	602	2	3/31	20 active

2362.50

20 active

20 active

1000 2801 1157

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MAR 04 1993

Condor 2001	2001	3-27-63	8	440	40	122	222	211	111
Condor 2002	2002	8-16-64	6	537	40	122	222	211	111
Condor 2003	2003	1-15-67	6	450	100	122	222	211	111

17602

INDEXED

25/15

28016

Form C-153-1

Page 1

AGREEMENT FOR PURCHASE OF POWER

THIS AGREEMENT, Made this 27th day of March, 1963, between
the Raft River Rural Electric Cooperative, Inc., hereinafter called the Seller, and

The Condor Company hereinafter called the Consumer.

WITNESSETH, WHEREAS the Consumer is the owner of the following described
real estate in the County of Cassia, State of Idaho
particularly described as follows, to-wit:

###

~~Section 26~~

Section 26, Township 15 South, Range 26,
East, of the Boise Meridan. And has a well on the ~~###~~ NW $\frac{1}{4}$ of SW $\frac{1}{4}$
of Section 26 of the said real estate and desires to irrigate the irrigable
portion of said real estate by pumping water from such well or wells.

NOW, THEREFORE, THE SELLER agrees to sell and deliver to the Consumer on
the above described real estate, electrical energy up to 40 HP KVA, and the
Consumer agrees to purchase from the Seller all electrical energy used for pumping
water from the well or wells upon said premises for irrigation purposes during the
irrigation season of each year for a period of not less than eight years from
the date of this contract.

1. Service Characteristics

The electrical energy to be furnished under this contract shall be alter-
nating current, three phase, sixty cycle, 480 volts.

AGREEMENT FOR ASSUMPTION OF OBLIGATION UNDER AGREEMENT FOR PURCHASE OF

POWER

WHEREAS, on the 1st day of March, 1976,

Richard L. Miller

, did enter into a contract in writing as consumers with the Raft River Rural Electric Cooperative, Inc., as Seller, wherein and whereby the Seller did agree to sell and deliver to the Consumers upon the following described real estate in the County of Cassia, State of Idaho, to-wit:

Section 26, Township 15 South, Range 26 East
of the Boise Meridian. And has a well on the
NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26.

electrical energy up to 25/75 HP k.v.a. and the Consumers did agree to purchase from the Seller all electrical energy used for pumping water from the well or wells upon the said premises for irrigation purposes during the irrigation season of each year for a period of not less than eight (8) years from the date of the said contract; and

WHEREAS, under and by virtue of the said contract the Consumers did covenant and agree to pay to the Seller for the electrical energy furnished at the rates and upon the terms and conditions set forth in schedule C which was thereto attached and by reference made a part thereof, and did therein agree that in the event that the Consumers use no electrical energy upon the said premises or the amount of electrical energy used by the Consumers during any irrigation season at the purchase price or prices shown on schedule C shall not equal \$ 440.00 to be paid during any irrigation season, then for the irrigation season of any year during the life of said contract, the said minimum charge to be paid on or before the 1st day of November of the year in which no electrical energy is used for pumping water for irrigation purposes or the amount used does not equal said minimum charge; and

was in from the
ASCS office in
Burling dated
April 1977 reflect
irrigated Cropland
of 875 acres
with 4 wells
called out on page
& applies to A 43-1006

MICROFILMED

RECEIVED
MAR 04 1993

FEB 03 1992

Department of Water Resources
Southern Region Office

RECORD OF COOPERATOR'S DECISIONS
AND PROGRESS IN APPLICATION

COOPERATOR R & R Ranch
LISTED BY D. Steube & B. Baum
DATE April 77

-1-

FIELD NO.	PLANNED		APPLIED		LAND USE AND TREATMENT
	AMOUNT	YEAR	AMOUNT	MONTH AND YEAR	
					This Ranch is located approximately 3 miles South & 3 miles East of Bridge, Idaho. Township 15, Range 26, Sec. 26, 27. Headquarters is a Hyrum, Utah <u>Conservation Treatment Unit #1</u> Irrigated Cropland. Fields 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 = 875 acres. <u>Conservation Cropping System:</u> The cropping system will consist of a rotation system of Barley & Hay due to ground and water salts. (See complete cropping plan - Page 5) <u>Crop Residue Management:</u> I. Crop Residue Use: All crop residues will be returned to the soil to protect cultivated fields from water and wind erosion during the non-cropping season. II. Stubble Mulching: Plant Residues will be managed on a year-round basis in which harvesting, tilling, planting and cultivating operations leave a protective amount of vegetation on the soil surface. (See Soil Rating Index - Page)
1,2,3 4,5,6 7	579 ac	1980			
8,9, 10,11 12,13 14	296 ac	1984			
1,2,3 4,5,6 7	579 ac	1978			
8,9, 10,11 12,13 14	296 ac	1980			
1,2,3 4,5,6 7	579 ac	1978			
8,9, 10,11 12,13 14	296 ac	1980			

RECEIVED

FEB 03 1992

Department of Water Resources
Southern Region Office

MICROFILMED

MAR 04 1993

A43-10069

RECORD OF COOPERATOR'S DECISIONS
AND PROGRESS IN APPLICATION

COOPERATOR R & R Ranch
ASSISTED BY D. Steube & B.
DATE April 77

-2-

FIELD NO.	PLANNED		APPLIED		LAND USE AND TREATMENT
	AMOUNT	YEAR	AMOUNT	MONTH AND YEAR	
1,4b 6,7,8 9,10 11,12 13,14	541 ac	1978			<u>Minimum Tillage:</u> The number of machine operations through the fields will be limited to those that are properly timed and essential to crop production and weed control; thus preventing compaction and loss of soil and water from erosion.
2	44 ac	1979			
3,4b 5	330 ac	1981			
1,2,3 4,5	473 ac	1977			<u>Irrigation Water Management:</u> I. Irrigation frequencies will be gauged accordingly to individual crop needs during that particular cropping cycle to ensure maximum efficiency of irrigation waters. II. Irrigation rates will be applied for maximum infiltration efficiency so as to prevent erosion by excessive run-off or puddling. (See ID-40 worksheet for management practices needed)
9,10 11,12 13,14	204 ac	1978			
6,7,8	198 ac	1979			
1,2,3 4,5,6 9	563 ac	Cont.	<u>Installed</u>		<u>Irrigation System:</u> System #1 - well #1 = 2.5 cfs well #2 = <u>3.8 cfs</u> Total Q = 6.3 cfs Overhead Sprinkler System System #2 - well #3 = 3.0 cfs Overhead Sprinkler System System #3 - well #4 = 2.2 cfs Overhead Sprinkler System
10,11 12,13 14	170 ac	1977			
7,8	142 ac	1978			

MICROFILMED
MAR 04 1993

This information is part of a study by Raff River Electric with information on the four points of diversion called out in A43-10069. The pumping equipment installed in these wells were in prior to 1977 as reflected in the Raff River Electric information. In 1986 a evaluation of that system was performed with the flow information as provided by Jerry Udy of Raff River Electric. In 1987 the system was modernized & made more energy efficient with the equipment called out for Rayne pump quotation and order.

RLM

MICROFILMED

MAR 04 1993

Donat & Associates, Inc.

Energy Consultants

143-10009
RALPH DONAT
President
(208) 773-4260

N. 3850 McGuire Rd., Post Falls, ID. 83854

RON STRAW
Vice President
(208) 773-2702

RRE-023-86

September 6, 1986

Dear Mr. Miller:

On June 28, 1986, an evaluation was made of your irrigation system to determine if any recommendations could be implemented that would reduce your electrical energy use.

Your pump is a Wellline, Model 12KL. From the pump test data, your pump was pumping 725.9 gpm at 180.8 feet of head and was 34% efficient.

Based upon the evaluation of your irrigation system, the following efficiency measure is eligible for an incentive payment:

1) Pumping plant modification

This incentive consists of a payment of 50 percent of the actual cost of the installed measures, not to exceed 22 cents per annual kilowatthours (kWh) saved based on tested horsepower reduction. Horsepower will be measured after installation of eligible measures.

The estimated energy savings, if all measures are installed, are 59127 kWh per year. The actual savings may be higher or lower and will depend upon final system design. Based upon this utility's current rate structure, the estimated energy savings should result in an annual reduction of \$1182.54 in pumping costs, providing irrigation practices and acreage served do not change substantially.

If you desire to apply for an incentive payment, you must contact Raft River Rural Electric Co-op., Inc., 645-2211, prior to proceeding with the installation of the measures.

If you have any questions, please contact either Jerry Udy or me.

Sincerely,



Ron Straw

MICROFILMED

MAR 04 1993

Richard.

Her is a brief report on your irrigation systems we inspected this past year. if you have any more questions please feel free to contact me.

Pump test # 28016

This pump will need to improve the pressure and also the flow as they are both to low to do what you need to do. We can also improve pump plant efficiency

Existing	Proposed
877.3 GPM	945 GPM ≈ 1000 GPM
243.76ft	282.9ft
50.78%	70%
79.34kw	71.95kw

1.79

Pump test # 28011

This pump also has to low of a pressure and the first 1150ft of 10" main line is to small for the flow we have. we will need to replace it with 12" PVC. By doing this we could reduce 8.62 ft of head. The efficiency could also be improved

Existing	Proposed
1694.8 GPM	1694.8 GPM
247.34 ft	279.72 ft
64.67%	69.77%
122.12 kw	128 kw

3.44

Pump # 28016 and 28011 are one system.

Pump Test # 28018

This pump needs more pressure and the offence can be improved

Existing	Proposed
725.9 GPM	725.9 GPM
187.7 ft	214.02 ft
34.02%	70%
72.67 kw	41.8 kw

1.49

Pump # 28028

This pump has to have more pressure and increased flow. The efficiency can be improved as well. To increase flow and pressure requires more kw put by combining it with pump # 28018 we can help defer the cost of the improvements.

Existing	Proposed
381.7 GPM	700 GPM - now
216.93 ft	252.17 ft
39.27%	69%
30.72 kw	48.19 kw

1.78

Call me are stop in if you have any questions.

MICROFILMED

Jerry Day

MAR 04 1993

152
45

A43-10069



LAYNE PUMPS

P.O. Box 640

Twin Falls, ID 83301

W-Customer
B-Office
P-File
Y-Memphis

QUOTATION AND ORDER

TO Richard Miller
P.O. Box 272
Hyrum, Utah 84319

Date February 6, 1987

Reference R & R Ranches

Gentlemen:

WE ARE PLEASED TO SUBMIT THE FOLLOWING QUOTATION

Quantity	Specifications	Shipping Weight	Unit Price	Total Price
1	<u>#28016 - Johnston 100 HP</u> 12" KH 4 STG Bowl Assy (adapted to Johnston Pump) Designed for 945 GPM @ 284' w/8" Cone Strainer Pull and Reset Pump			5,440.00
1	<u>#28018 - Layne 100 HP</u> 11BMH 4 STG Bowl Assy - Designed for 800 GPM @ 225' w/8" Cone Strainer Pull & Reset Pump			4,487.00
1	<u>#28088 - Layne 50 HP</u> 9BEH 6 STG Bowl Assy w/6" Cone Strainer - Designed for 450 GPM @ 252' Pull & Reset Pump			4,765.00
* I (we) certify to have the authority to make this purchase for the buyer and acknowledge and agree to the maximum legal rate of interest to be accessed on any unpaid amounts after (30) thirty days from date of invoice, and that said charges on payment of interest does not provide for automatic deferred payments, or after any terms outlined on the reverse side of this quotation and order.				

Subject to conditions stated on reverse side.

TERMS:

DELIVERY:

* We hereby accept your proposal

on _____ 19____

Signed _____

D..

STATE SALES TAX

TOTAL PRICE

LAYNE PUMPS

By

QUOTATION NO.

MICROFILMED

MAR 04 1993



LAYNE PUMPS

P.O. Box 640

Twin Falls, ID 83301

A43-10069

W-Customer
B-Office
P-File
Y-Memphis

QUOTATION AND ORDER

TO Richard Miller
P.O. Box 272
Hyrum, Utah 84319

Date February 6, 1987

Reference R & R Ranches

Gentlemen:

WE ARE PLEASED TO SUBMIT THE FOLLOWING QUOTATION

Quantity	Specifications	Shipping Weight	Unit Price	Total Price
	<u>#28011 - Layne & Bowler 75HP w/75 HP Booster</u>			
1	12THC 5 Stg Bowl w/10" Cone Strainer - Designed for 1695 GPM @ 280' Pull & Reset Pump			5,530.00
1	150 HP VHS Motor, 3/60/460/1800 w/SRC Trade-In 75 HP U.S. Motor			4,063.00 (650.00
1	150 HP Pumping Plant Panel, 460V No Wiring Included			2,336.00 \$ 11,279.00
* I (we) certify to have the authority to make this purchase for the buyer and acknowledge and agree to the maximum legal rate of interest to be accessed on any unpaid amounts after (30) thirty days from date of invoice, and that said charges on payment of interest does not provide for automatic deferred payments, or after any terms outlined on the reverse side of this quotation and order.				

Subject to conditions stated on reverse side.

TERMS:

DELIVERY:

* We hereby accept your proposal

on _____ 19____

Signed _____

By _____

STATE SALES TAX _____

TOTAL PRICE _____

LAYNE PUMPS

MICROFILMED

By

MAR 04 1993

QUOTATION NO.

12/27/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-10069

NAME AND ADDRESS: THAYNE MICKELSON
LAURA MICKELSON
5200 HOLLOW RD
MIBLEY, UT 84321

SOURCE: GROUND WATER

QUANTITY: 5.63 CFS
1544 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.63 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1544 AF. COMBINED RIGHT
NOS.: 43-2534B, 43-2381.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION:	T15S R26E S26	NWNESW	Within CASSIA County
	T15S R26E S27	NWNWSE	Within CASSIA County
	T15S R26E S27	SWSWSE	Within CASSIA County
	T15S R26E S33	NENENE	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	5.63 CFS 1,544.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T15S R26E S26	NENW	40	T15S R26E S26	NWNW	40
T15S R26E S26	SWNW	40	T15S R26E S26	SENW	40
T15S R26E S26	NESW	40	T15S R26E S26	NWSW	40
T15S R26E S26	SWSW	38	T15S R26E S26	SESW	39
T15S R26E S26	NWSE	40	T15S R26E S26	SWSE	39
T15S R26E S27	NENE	40	T15S R26E S27	NWNE	34
T15S R26E S27	SWNE	40	T15S R26E S27	SENE	40
T15S R26E S27	NESW	40	T15S R26E S27	SWSW	40
T15S R26E S27	SESW	40	T15S R26E S27	NESE	40
T15S R26E S27	NWSE	40	T15S R26E S27	SWSE	39
T15S R26E S27	SESE	39	T15S R26E S28	SESE	40
T15S R26E S33	NENE	35	T15S R26E S34	NWNW	25

928 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 542 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 928 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-120, 43-2167B, 43-
2381, 43-2534B. .

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43B.

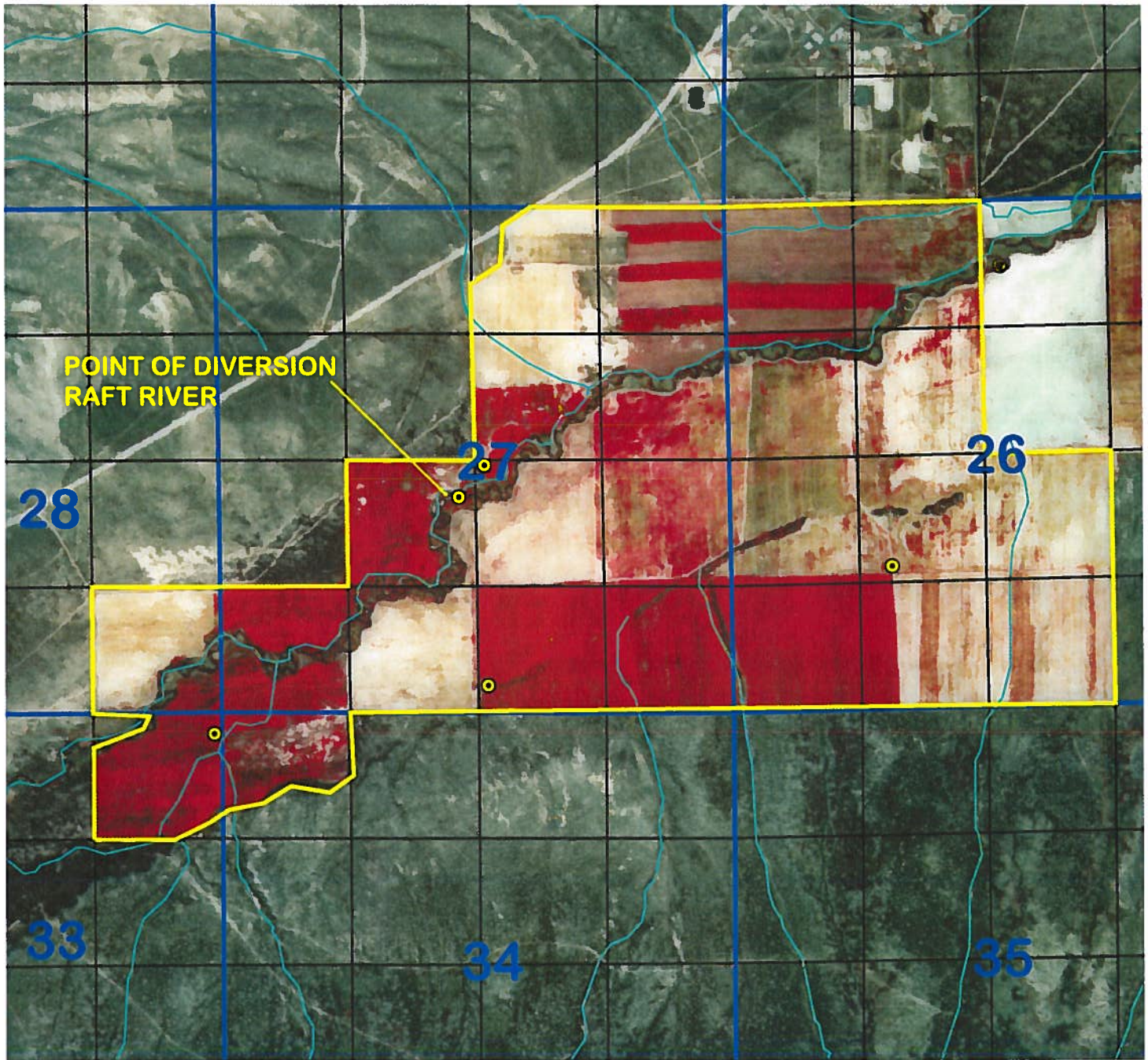
THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-2534B AND 43-2381 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

**RIGHTS: 43-120, 43-2167B,
43-2381, 43-2534B, 43-10069**

**RECOMMENDED PLACE OF USE
TWP 15S, RNG 26E,
Data entry on December 27, 2000**



● RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES



**GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK**

CLAIM NUMBER: A43-10069

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD L MILLER	05/20/1977	IRRIGATION	04-01 11-01	7.94 CFS	7.94 CFS

TOTAL DIVERSION:
CONSUMPTIVE USE: 7.94 CFS
~~2385.00 AFA~~

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T15S R26E S26
S27
S33

MMNESH
MMNWE
NENENE

SWSWE

CASSIA County
CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

Place of use Legal Description for: IRRIGATION											
NE			NW			SW			SE		
T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	SUM
15S	26E	26	40	24	18	25	22	40	30	35	367.0
15S	26E	27	40	24	18	25	22	40	30	35	338.0
15S	26E	28	40	24	18	25	22	40	30	35	25.0
15S	26E	33	40	24	18	25	22	40	30	35	35.0
15S	26E	34	40	24	18	25	22	40	30	35	30.0
TOTAL ACRES											795.0

POU County: CASSIA

Other Rights: A43-02534, A43-02381, A43-00120, A43-02167

Remarks: ALL THE WR'S ARE USED IN ONE IRRIGATION SYSTEM ON THE P/U LISTED.

Dates:

Exam Made Date:

Verified Date:

Misc:

Water District Number:

Field Inspection Flag: E
Presumption Flag: E

Comb Limits

A18
B29
K24
{A534B
A381B

E25 5.63 ac
E14 1.544 ac
E14 928 ac

{
2534B
2381B
120
2162B
10069

K24
B29
5.63

5.63
15.44

RECOMMENDATION NOTES

From: Vikie Hancock

12/27/00

Regarding: 43-10069

This is a claim for irrigation from ground water with a claimed priority date of 1977, in the Raft River Critical Ground Water Area. A diversion rate of 7.94 cfs is asserted on 795 acres.

Thayne and Laura Mickelson purchased this property from Richard Miller in 1999. According to deed submitted, Richard Miller purchased the property in 1976 from Reid Stewart. 1962 and 1968 aerial photography seems to verify an affidavit from Lance Udy dated 1-29-1992, which indicates that prior to 1977, Miller's irrigated land totaled approximately 480 acres. This also corresponds with the 466 acres included in the combined licensed and decreed rights appurtenant to the Miller place of use - groundwater licenses 43-2381(part) for 165 acres and 43-2534B for 221 acres, and surface water license 43-2167B for 40 acres and decreed surface water right 43-120 for 80 acres. The 1992 Udy affidavit states that in 1977 the irrigated acreage increased from 480 to an estimated 850 acres on the Miller property. The additional land was put under sprinkler irrigation.

I would appear that claim 43-10069 could be valid only for an expansion in acreage that occurred prior to 1987 with no increase in diversion rate or volume over purchaser Mickelson's portion of licensed rights 43-2381 and 43-2534. As documented by the evidence submitted by original claimant, Richard Miller, this expansion in acres occurred in 1977, however, pursuant to Idaho Code 42-1416B, this claim will be recommended with a priority date of June 30, 1985.

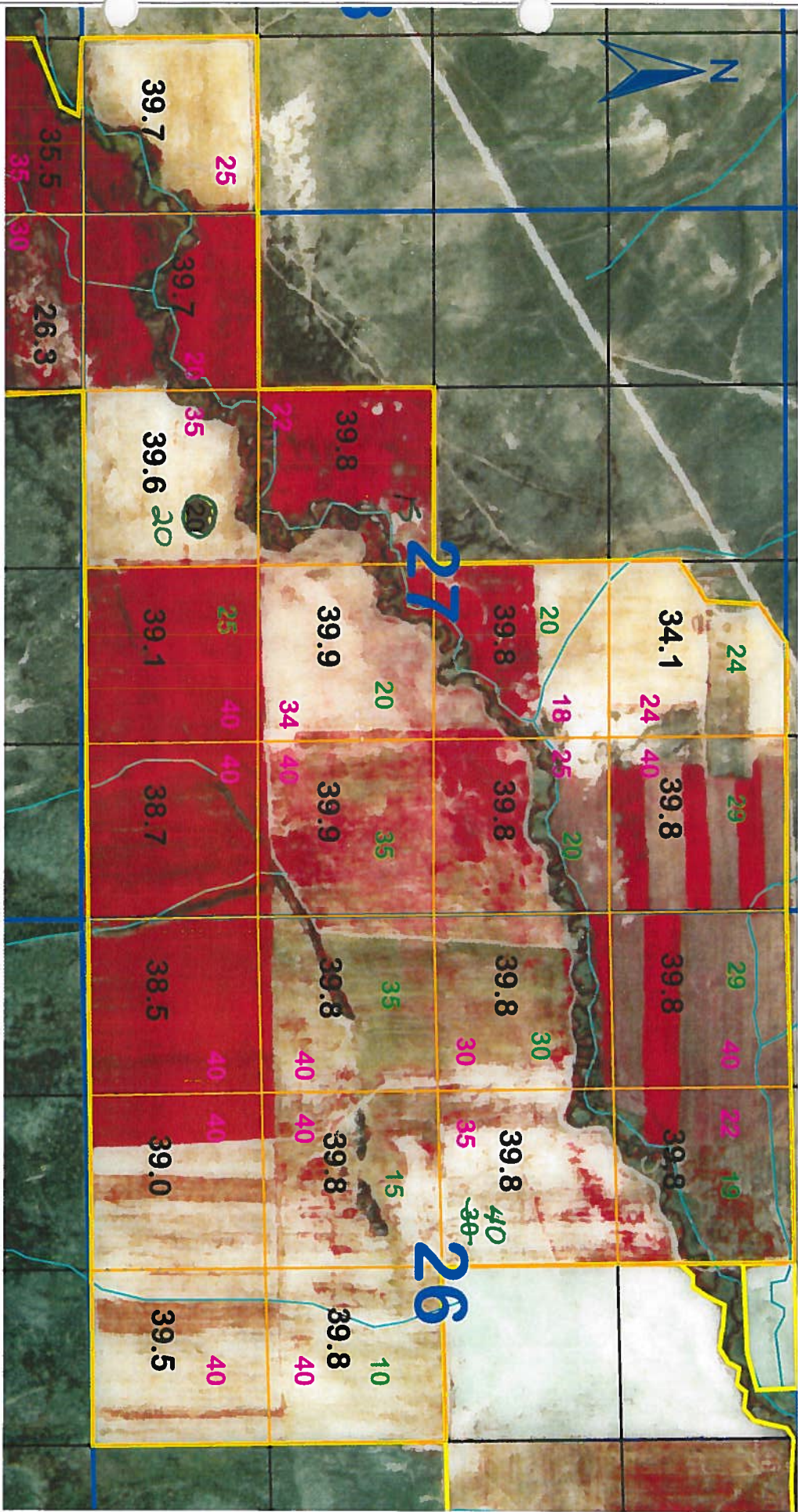
The combined limits of diversion rate for this expansion claim and the two groundwater licenses may be contested. Mr. Miller claimed the entire diversion rate for both groundwater licenses 43-2381 and 43-2534, even though the place of use of the two licenses was split in the transaction in which he purchased the land from Reid Stewart. (See letter from Rosholt dated 4-3-92). Mr. Miller claims that no water represented by the licenses was diverted to the Stewart portion of the property immediately before, or for years after, the 1976 split in ownership, therefore he had right to the entire licensed diversion rate through an accomplished transfer of place of use under IC 42-1425. Mr. Stewart, however, states in an affidavit that he continued to irrigate his portion of the land under those licenses using different wells, through an accomplished transfer of point of diversion, until 1988 when he placed the lands in the CRP.

Since the licenses were not split disproportionately according to the Miller/Stewart deed submitted in the file, I am prepared to recommend this expansion claim limited to Mr. Mickelson's portion of the licensed groundwater

diversion rate of 5.63 and volume of 1544 afa. Any issues of accomplished transfer of place of use prior to 1987 or forfeiture of the Stewart portion of the water rights will need to be addressed if and when they are presented by the parties involved.

GIS found and calculated a total of 928 acres using 1987 aerial photography, which included the bed of Raft River that winds through the property. This would be an expansion of 542 acres ($928 - 386 = 542$).

Remarks on the claim, and field work done by Frank Hitchcock, indicate a permissible place of use of all the rights. Groundwater from all four wells and surface water from Raft River is co-mingled into one sprinkler system on 928 acres. Diversion rate from groundwater is limited to 5.63 cfs and 1544 AFA. Diversion rate from Raft River is limited to 2.4 cfs.



IRRIGATED ACRES SHOWN WITHIN CLAIMED TRACTS

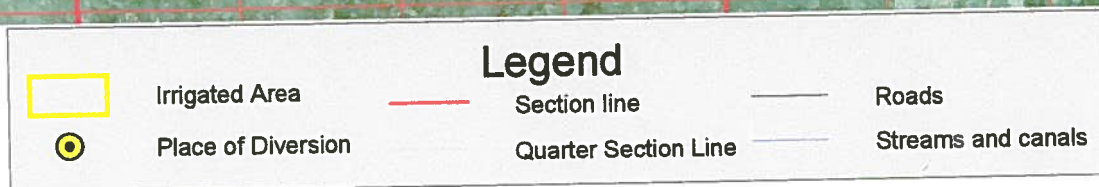
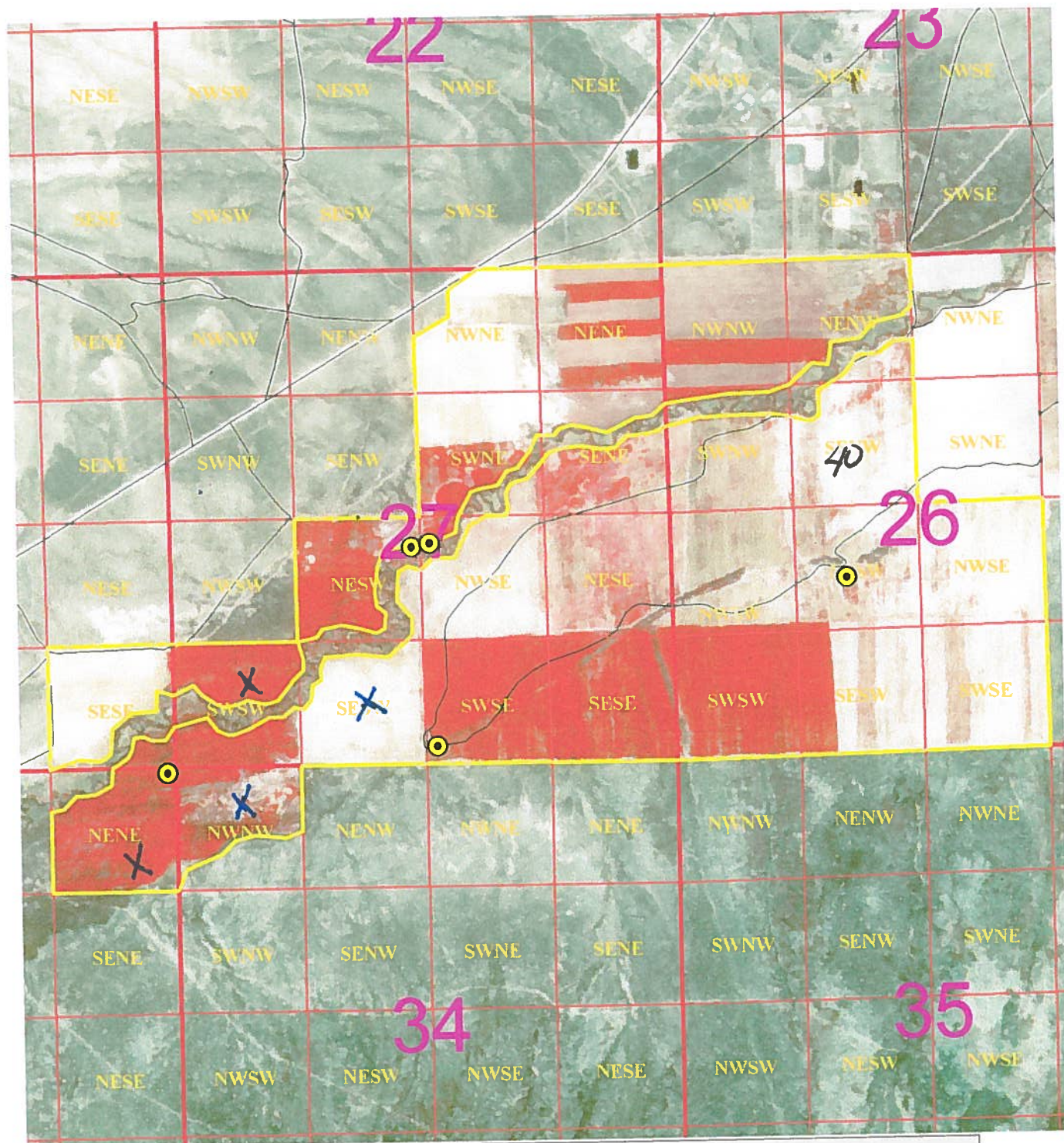
1987 NAPP AERIAL PHOTOGRAPHY

LICENSED ACRES
CLAIMED ACRES

Found acres minus licensed acres = ~~564~~ 542

Water Right Claim. Number A43-00120 AND 43-2167B

Township, 15S26E



900 0 900 1800 Feet

1914 RR 40 ac Lic
1913 RR 80 ac per diversion rate
decreed, Jobe Adams
T69P.

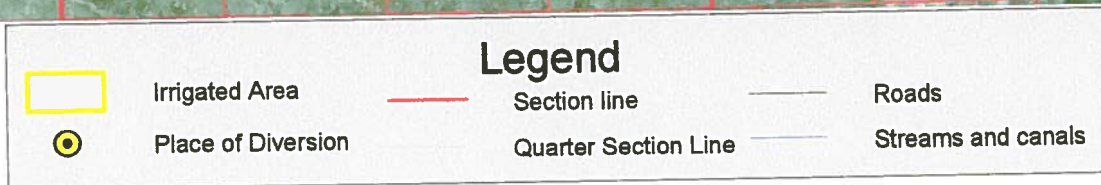
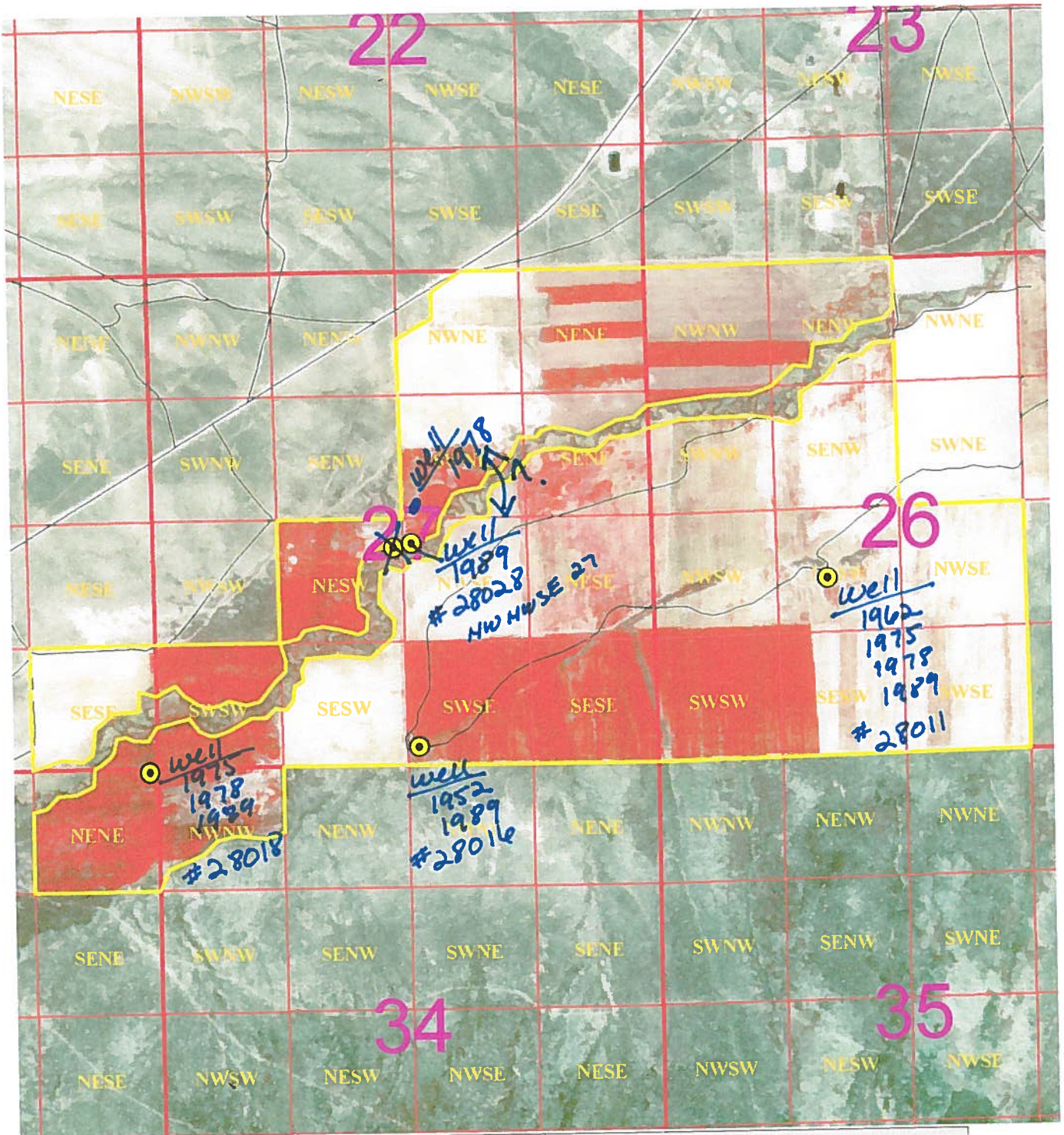


Water Right Claim. Number A43-~~021675~~

VARIOUS

Richard Miller

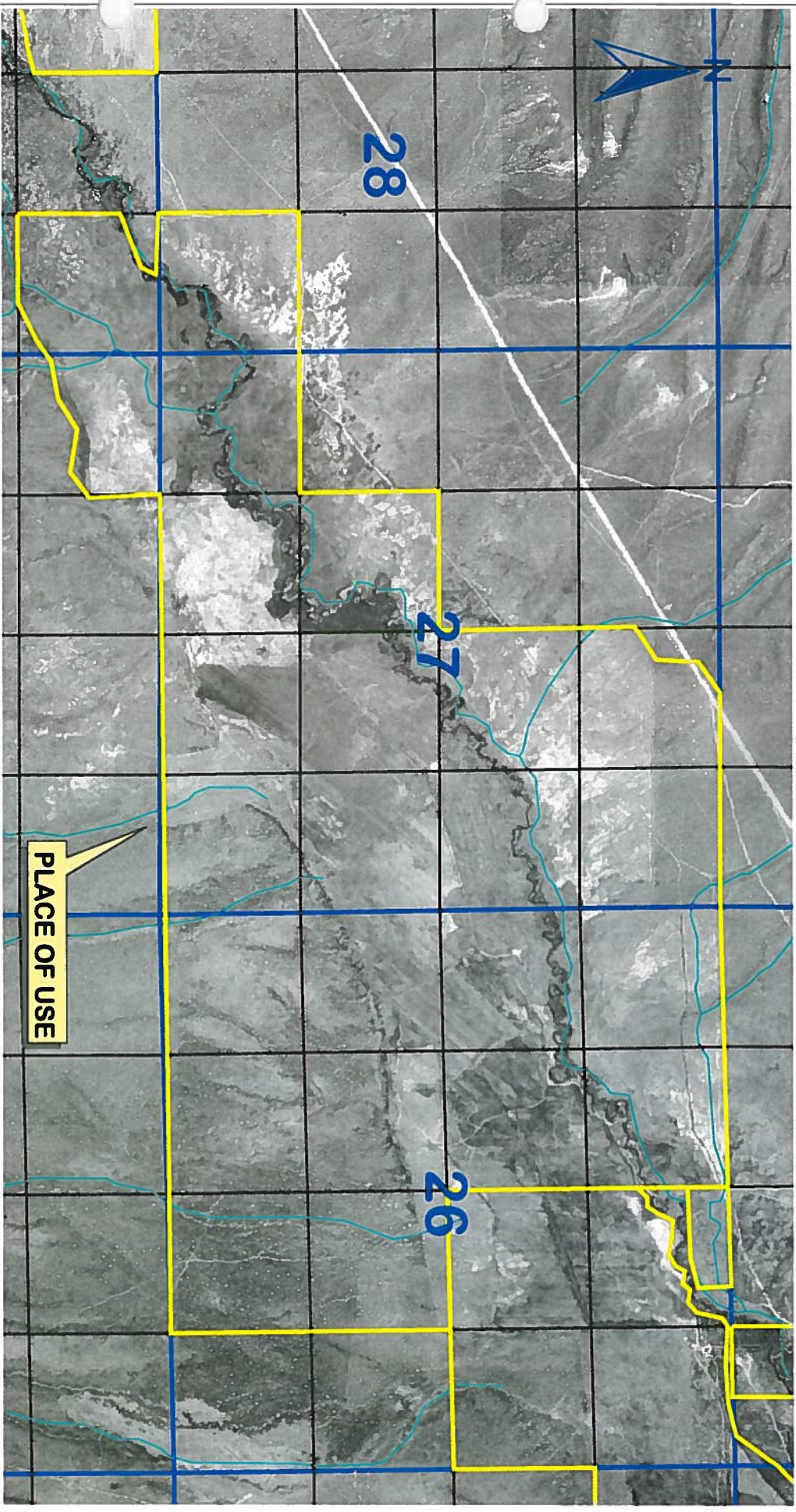
Township, 15S26E

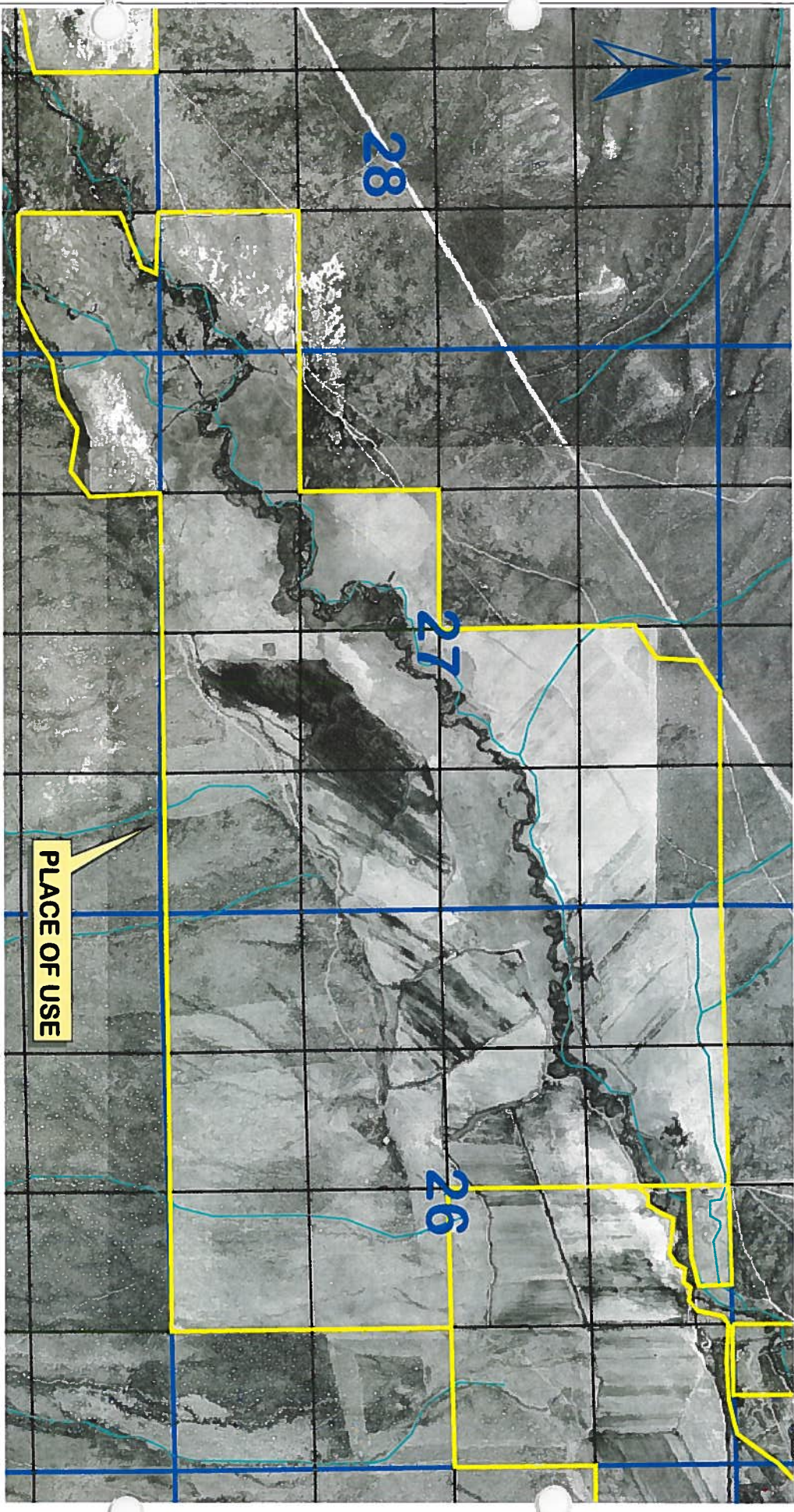


800 0 800 1600 Feet

GW points of diversion & years claimed in files.







Idaho Department of Water Resources
 Estimated Pumping Rate Documentation Form
 Flow Analysis Performed by: **Scott King**

ed 1/6/2000

Date: **01/13/2000**

Page 1 of 1

Record ID	201	Measured Flow:	
Water Right No.	A43-10069	Designed Flow:	1.00 cfs
Name	Miller, Richard L	HP/Eff Flow:	1.33 cfs <<--Max
pod	15S26E27NWNWSE	Sprinkler Flow:	
year:	1987	Pivot/System Flow:	
Flow Measurement:	gpm	=	
Curve/Pump Design:	450 gpm	=	1.00 cfs at 255 feet of head per Layne's quote
Horsepower / Efficiency Method			
Horsepower	50 hp		
PWL	100 ft		estimated pwl--snk
Disch Psi	70 psi		estimated psi--snk
PUMP Eff Estimate	0.79 %		
TDH	262 ft		
OHP	39.5 hp		
Flow	598 gpm	=	1.33 cfs
System Method:			
No Lines	gpm	Nozzle Equation: $Q=C*A*\sqrt{2*g*h} / \sqrt{1-r^4}$	
Birds per line	0	C=	1.00 Nozzle coefficient; typical 0.97 to 1.00
Ttl no nozzles	0	r=	0.0000 ft Nozzle radius
Nozzle size	in	A=	0.00000 ft^2 Nozzle area
Nozzle pressure	psi	h=	0 ft Head
Flow per nozzle	0.00 gpm	g=	32.2 ft/sec^2 Gravitational constant
Sprinkler Flow	0 gpm	Q=	0.000 cfs Flow per nozzle
Percent Leaks	%	=	0.000 gpm Flow per nozzle
Total Flow	0 gpm	=	
Pivot / System rating	gpm	=	

Comments / Data Supplied:

1/13/2000 snk

Mr. Miller faxed information including quotation and order from Layne pump, Twin Falls, dated 3/5/1987

For this well, quote indicated a 50-hp well pump rated at 450 gpm at 255 feet of head.

Date: 01/13/2000

Page 1 of 1

Record ID: 202	Measured Flow:
Water Right No. A43-10069	Designed Flow: 3.78 cfs
Name Miller, Richard L	HP/Eff Flow: 4.15 cfs <<--Max
pod 15S26E27SWSWSE	Sprinkler Flow:
year: 1987	Pivot/System Flow:
Flow Measurement: gpm =	
Curve/Pump Design: 1695 gpm = 3.78 cfs	at 260' head per Layne quote & order
Horsepower / Efficiency Method	
Horsepower 150 hp	
PWL 100 ft	estimated pwl-sk
Disch Psi 70 psi	estimated psi-sk
PUMP Eff Estimate 0.82 %	
TDH 262 ft	
OHP 123 hp	
Flow 1861 gpm = 4.15 cfs	
System Method:	
No Lines	Nozzle Equation: $Q = C \cdot A \cdot \sqrt{2 \cdot g \cdot h} / \sqrt{1 - r^4}$
Birds per line	C= 1.00 Nozzle coefficient; typical 0.97 to 1.00
Ttl no nozzles 0	r= 0.0000 ft Nozzle radius
Nozzle size in	A= 0.00000 ft^2 Nozzle area
Nozzle pressure psi	h= 0 ft Head
Flow per nozzle 0.00 gpm	g= 32.2 ft/sec^2 Gravitational constant
Sprinkler Flow 0 gpm	Q= 0.000 cfs Flow per nozzle
Percent Leaks %	= 0.000 gpm Flow per nozzle
Total Flow 0 gpm =	
Pivot / System rating gpm =	

Comments / Data Supplied:

1/13/2000 snk

Mr. Miller faxed information including quotation and order from Layne pump, Twin Falls, dated 3/5/1987
For this well, quote indicated a 75-hp well and 75-hp booster were being replaced with one 150-hp
well pump system. Theoretical for two 75-hp pumps would be equal to one 150-hp pump using
this worksheet given the same pwl and psi.

Estimated Pumping Rate Documentation Form

Flow Analysis Performed by: Scott King

Date: 01/13/2000

Page 1 of 1

Record ID	203	Measured Flow:	
Water Right No.	A43-10069	Designed Flow:	1.78 cfs
Name	Miller, Richard L	HP/Eff Flow:	2.76 cfs <<--Max
pod	15S26E33NENENE	Sprinkler Flow:	
year:	1987	Pivot/System Flow:	
Flow Measurement:		gpm	=
Curve/Pump Design:	800 gpm	=	1.78 cfs at 255 ft head per quote
Horsepower / Efficiency Method			
Horsepower	100 hp		
PWL	100 ft		estimated pwl--snk
Disch Psi	70 psi		estimated psi--snk
PUMP Eff Estimate	0.82 %		
TDH	262 ft		
OHP	82 hp		
Flow	1241 gpm	=	2.76 cfs
System Method:			
No Lines		Nozzle Equation: $Q=C*A*\sqrt{2*g*h} / \sqrt{1-r^4}$	
Birds per line		C=	1.00 Nozzle coefficient; typical 0.97 to 1.00
Ttl no nozzles	0	r=	0.0000 ft Nozzle radius
Nozzle size		A=	0.00000 ft^2 Nozzle area
Nozzle pressure		h=	0 ft Head
Flow per nozzle	0.00 gpm	g=	32.2 ft/sec^2 Gravitational constant
Sprinkler Flow	0 gpm	Q=	0.000 cfs Flow per nozzle
Percent Leaks	%	=	0.000 gpm Flow per nozzle
Total Flow	0 gpm	=	
Pivot / System rating		gpm	=

Comments / Data Supplied:

1/13/2000 snk

Mr. Miller faxed information including quotation and order from Layne pump, Twin Falls, dated 3/5/1987

For this well, quote indicated a 100-hp well pump designed for 800 gpm at 255 feet of head.

Estimated Pumping Rate Documentation Form

Flow Analysis Performed by: Scott King

Date: 01/13/2000

Page 1 of 1

Record ID	204	Measured Flow:	
Water Right No.	A43-10069	Designed Flow:	2.11 cfs
Name	Miller, Richard L	HP/Eff Flow:	2.76 cfs <--Max
pod	15S26E26NWNESW	Sprinkler Flow:	
year:	1987	Pivot/System Flow:	
Flow Measurement:		gpm	=
Curve/Pump Design:	945	gpm	= 2.11 cfs at 260' per Layne 1987 quote & order
Horsepower / Efficiency Method			
Horsepower	100	hp	
PWL	100	ft	estimated pwl--snk
Disch Psi	70	psi	estimated psi--snk
PUMP Eff Estimate	0.82	%	
TDH	262	ft	
OHP	82	hp	
Flow	1241	gpm	= 2.76 cfs
System Method:			
No Lines		Nozzle Equation: $Q=C*A*\sqrt{2*g*h} / \sqrt{1-r^4}$	
Birds per line		C=	1.00 Nozzle coefficient; typical 0.97 to 1.00
Ttl no nozzles	0	r=	0.0000 ft Nozzle radius
Nozzle size		A=	0.00000 ft^2 Nozzle area
Nozzle pressure		h=	0 ft Head
Flow per nozzle	0.00	g=	32.2 ft/sec^2 Gravitational constant
Sprinkler Flow	0	Q=	0.000 cfs Flow per nozzle
Percent Leaks		=	0.000 gpm Flow per nozzle
Total Flow	0	gpm	=
Pivot / System rating		gpm	=

Comments / Data Supplied:

1/13/2000 snk

Mr. Miller faxed information including quotation and order from Layne pump, Twin Falls, dated 3/5/1987

For this well, quote indicated a 100-hp well pump rated at 945 gpm at 260' head.

A43-10069
Miller, Richard L
Summary for 4 PODs

POD ID	Rated Flow	Theoretical Flow	Difference %
201	1.00	1.33	0.33
202	3.78	4.15	0.10
203	1.78	2.76	0.55
204	2.11	2.76	0.31
sum	8.67	11.00	0.27

2410 WEST MAIN STREET
TREMONTON, UT 84337
Phone: 435-257-7249
Fax: 435-257-2931

**GOLDEN SPIKE
TRAVEL PLAZA**

Fax

To: Cindy Bird From: Richard
Fax: 208-327-7866 Date: 12-26-99
Phone: 435-257-7249 Pages: 15
Re: _____ CC: _____

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

•Comments:

**State of Idaho****DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

December 9, 1999

DIRK KEMPTHORNE
GOVERNORKARL J. DREHER
DIRECTOR

RE: Request for information on historic pumping rates

The Idaho Department of Water Resources (IDWR) is preparing to recommend claims to water rights to the Snake River Basin Adjudication (SRBA) court for irrigation uses in the Raft River Basin. To facilitate this process, we are requesting data from you in order to estimate historic irrigation well pumping capacities. Specifically, we are requesting information regarding pumping flow rate for wells that have not been previously measured for water right licensing.

This request is made so that IDWR may estimate historic flow rate based on available information including: past flow measurements, pump curves or specifications, system characteristics such as motor horsepower, depth to water, discharge pressure, and irrigation system characteristics. The department understands that water levels throughout much of the Raft River Basin have been declining for many years, most often reducing the water users' ability to divert at the same rate as previously able. The department is attempting to quantify the maximum rate of flow diverted and put to beneficial use in the years prior to November 1987.

IDWR will use the information you submit to make recommendations to the SRBA court for your water right claims. Specifically, recommendations will be made for diversion rate (cfs). The enclosed form will help us reach conclusions pertaining to water quantity recommendations for adjudication claims based on historic beneficial use rather than a decree or license.

The goal of this project is to determine historic maximum diversion rates. It is expected that many irrigation systems change over time. Please detail the system configuration that produced the highest flow put to beneficial use. Since this is a general form, some parts may not apply to your system. Include any additional detail that may help in determining historic flow rates. If you have any questions regarding this data request, or if you prefer to discuss these questions with us instead of completing the form, your call is welcomed. Contact either Scott King at (208) 327-7897 or Cindy Bird at (208) 327-5450. You may also dial the adjudication hotline (1-800-451-4129) and ask for Scott or Cindy. We can also be contacted by e-mail at sking@idwr.state.id.us and cbird@idwr.state.id.us

Please take a moment to complete the form or to give Cindy or I a telephone call. It would be most helpful if we could have this information by December 22, 1999.

Sincerely,

Scott King

Enclosure

*Scott King Cindy here is the info I talked
to you about on the phone I hope this
is what you need. if additional info
is required please let me know.
+thank
Richard*



LAYNE PUMPS

P.O. Box 640

Twin Falls, ID 83301

W-Customer
B-Office
P-File
Y-Memphis

QUOTATION AND ORDER

TO Richard Miller
P.O. Box 272
Hyrum, Utah 84319

Date March 5, 1987

Reference R & R Ranches

Gentlemen:

WE ARE PLEASED TO SUBMIT THE FOLLOWING QUOTATION

Quantity	Specifications	Shipping Weight	Unit Price	Total Price
1	#28011 - Layne & Bowler 75 HP w/75 HP Booster also had 75 HP Booster pump. 13CM 4 Stg. Bowl w/10" Cone Strainer - Designed for 1695 GPM @ 260' Pull & Reset Pump replaced with item above			5,530.00
1	150 HP VHS Motor, 3/60/460/1800 w/SRC (Used/Reconditioned) Trade-In 75 HP U.S. Motor			2,800.00 (650.00)
1	150 HP Pumping Plant Panel, 460V No Wiring Included			2,336.00
				\$ 10,016.00
at PD - Section 27 S 46 SW SE # 202				
This work was approved for cost sharing by Bonneville Power & now completed by 1987-Spring				
* I (we) certify to have the authority to make this purchase for the buyer and acknowledge and agree to the maximum legal rate of interest to be assessed on any unpaid amounts after (30) thirty days from date of invoice, and that said charges on payment of interest does not provide for automatic deferred payments, or after any terms outlined on the reverse side of this quotation and order.				

Subject to conditions stated on reverse side.

TERMS:

DELIVERY:

* We hereby accept your proposal

on _____ 19____

Signed _____

By _____

STATE SALES TAX _____

TOTAL PRICE _____

LAYNE PUMPS

By R. W. Wil

QUOTATION NO.



LAYNE PUMPS

P.O. Box 640

Twin Falls, ID 83301

208-327-7866

Cindy Bird

 W-Customer
 B-Office
 P-File
 Y-Memphis

QUOTATION AND ORDER

 TO Richard Miller
 P.O. Box 272
 Hyrum, Utah 84319

Date March 5, 1987

Reference R & R Ranches

Gentlemen:

WE ARE PLEASED TO SUBMIT THE FOLLOWING QUOTATION

Quantity	Specifications	Shipping Weight	Unit Price	Total Price
1	#28016 - Johnston 100 HP 12" KH 4 STG Bowl Assy (adapted to Johnston Pump) Designed for 945 GPM @ 260' w/8" Cone Strainer Pull and Reset Pump			
1	#28018 - Layne 100 HP 11BMH 4 STG Bowl Assy - Designed for 800 GPM @ 255' w/8" Cone Strainer Pull & Reset Pump			
1	#28088 - Layne 50 HP 9BEH 6 STG Bowl Assy w/6" Cone Strainer - Designed for 450 GPM @ 255' Pull & Reset Pump			

Handwritten notes:
 Sect 24 NW NE 34
 Section 33 NE
 NENE 263
 Sect 27 NW NE SE 201

5,440.00
 4,487.00
 4,765.00

* I (we) certify to have the authority to make this purchase for the buyer and acknowledge and agree to the maximum legal rate of interest to be assessed on any unpaid amounts after (30) thirty days from date of invoice, and that said charges on payment of interest does not provide for automatic deferred payments, or after any terms outlined on the reverse side of this quotation and order.

Subject to conditions stated on reverse side.

TERMS:

DELIVERY:

* We hereby accept your proposal

on _____ 19____

Signed _____

By _____

STATE SALES TAX _____

TOTAL PRICE _____

LAYNE PUMPS

By *R. W. [Signature]*

QUOTATION NO. _____

PT12394-rdw
ver 6/30/94

POST PUMP TEST FORM

Bonneville Power Administration
Raft River Electric, Coop.

Page PT1B

-Irrigator Name: Richard Miller

-Analysis Date.: 09/19/94

-Irrig Acres.: ? State > ID

A. # of Pumps in System 2

Inspection #.: RRE306pt

Inspection Date: 07/07/94

Old Inspection #: unknown

Pump # 2

MAIN Creek

BOOSTER

SERIES

PARALLEL

>---(See Page PT2a and other pumps as indicated.)---<

B. NAMEPLATE MOTOR DATA

C. PUMP AND WATER SUPPLY DATA

1. Make.: Century

2. Frame #: fr?

3. Rated HP.: 50

4. Rated Volts: 440

5. Rated Amps.: 60

6. RPM.: 3450

7. Meter #: 28028

8. U/T Frame?: U Cast Iron Frame

1. Make.: Berkley

a Centrifugal:

b Turbine-Sub: BM#5779

2. Model #: B4EPB

3. Hd./Serial#: ?

4. Rated Head.: ? ft.

5. Rated Flow.: ? gpm

6. Implr Dia.: 8.125

7. Intake Dia.: 8 in.

8. Column Len.: ft.

9. # of Stages: 1

10. Col.Tub.Sft:

11. Well Depth.: ft.

12. Casing Dia.: open in.

13. Disch.Dia.: 6 in.

14. Records.: Unknown

D. ELECTRICAL POWER INPUT DATA

(one motor)

1. Disc Revolutions.: 5 rev

2. Meter Constant Kh.: 4.8 w.sec/r

3. CTR.: 40 X

4. PTR/Multiplier.: 1 X

5. Time.: 47.37 sec

kW Metered= 73.0 kWe (Utility Meter)

<FORCE?: No

1-2

1-3

2-3

Average

6. Line Voltage.: 472.0 470.0 472.0 LV AVE.= 471.3 Volts

7. Amperage.: 56.2 55.3 56.7 LA AVE.= 56.1 Amps

8. Power Factor.. (%): 95.0 93.0 95.0 PF AVE.= 94.3 % Lag

kW Measured= 43.2 kWe (Pump Panel)

COMMENTS

E. MEASURED FLOW AND PRESSURE DATA

1. Measurement Device.: Sonic, V 2 pt

2. Pipe Inside Diam.: 9.80 in.

3. Average Velocity.: 2.76 fps

4. Flow Reading.: 649 gpm

5. Discharge Pressure.: 68.0 psi

Average Supply Voltage .. OK

Motor Current Within Rating

Voltage Balance In Tolerance

Current Balance In Tolerance

Power Factor Balance is . OK

Power Factor Level is ... OK

Est. Full Load Motor Eff 89.9%

Est. Pump (w/o motor) Eff 52.1%

Est. of Full BHP Load is 104.1%

F. WATER LEVEL AND FRICTION LOSSES

1. Pumping Lift.: 6.0

2. Suction Head.: ft.

3. Static Water.: ft.

4. Water Level Fluct.: ft.

5. Misc Frict Losses.: 2.0 ft.

NOTES

> 50 MI = One CFS, in ID

> (Motor Shaft OUTPUT is SHP) <

> (Pump Shaft INPUT is BHP) <

> (Pump Water OUTPUT is WHP) <

> (Pump Eff. is Est. Curve Eff) <

> (MTR LOAD is < SYSTEM LOAD) <

> Little or No Air in Discharge.

This pump was plugged w/trash.

Potential Q= ~104 MI = 934 gpm.

..assumes 165' TDH, wear, & BHP.

G. TESTED PUMPING PLANT CONDITIONS

1. Total Dynamic Head.: 165.1 ft.

2. Flow... MI= 72 649 gpm

3. Water Horsepower.: 27.1 WHP

4. Input Horsepower.: 57.9 EHP

5. Est. Motor Shaft HP.: 52.0 SHP

6. Pumping Plant Eff.: 46.8 %

Does Mtr kW = Tot. Load? Yes

Total Sys. EHP Demand = 57.9

SHP - (Sft. Loss) = BHP = 51.9

Est. Total Sft HP Loss = 0.10

Not A WELL
PUMP

*the represent in test for the Raft river
at the time the other equipment was updated
we did not work on the river*

Claim #

A 43-0012

4A43-6216



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
DirectorA43-04151 A43-10069
RICHARD L. MILLER
6500 S. 1600 W.

HYRUM

UT 84319

*info included
in part of the
response*

RE: Evidence of Priority

RESPONSE DEADLINE

FEBRUARY 3, 1992

Dear Claimant:

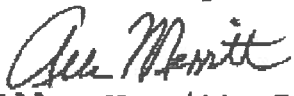
The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by February 3, 1992, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,


Allen Merritt, P.E.
Water Rights Supervisor*(Dry Print)*

Enclosures

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A43-10069
Date Received: 3/28/1989
Receipt No: S006701
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD L. MILLER
Address: 6500 S. 1600 W.
HYRUM, UT

801-245-3815

84319

2. Date of Priority: MAY 20, 1977

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15S	26E	26	NW	NE	SW	#204	CASSIA
		27	NW	NW	SE	201	CASSIA
			SW	SW	SE	202	CASSIA
		33	NE	NE	NE	203	CASSIA

100
50
150
160

5. Description of diverting works:
4 WELLS AND PUMPS, MAINLINE TO SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	7.940		

7. Total Quantity Appropriated is:
7.940 C.F.S. (and/or) A.F.A.

8. Total consu. 've use is 2385.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
15S	26E	26	NE	NW		IRR	22.0

A43-10069

Page 1

Date: 03/28/89

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
158	26E	26	NW	NW		IRR	40.0
			SW	NW		IRR	30.0
			SE	NW		IRR	35.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
						Section Acres	367.0
		27	NE	NE		IRR	40.0
			NW	NE		IRR	24.0
			SW	NE		IRR	18.0
			SE	NE		IRR	25.0
			NE	SW		IRR	22.0
			SW	SW		IRR	20.0
			SE	SW		IRR	35.0
			NE	SE		IRR	40.0
			NW	SE		IRR	34.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	338.0
		28	SE	SE		IRR	25.0
						Section Acres	25.0
		33	NE	NE		IRR	35.0
						Section Acres	35.0
		34	NW	NW		IRR	30.0
						Section Acres	30.0
						Total Acres	795.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A43-02534, A43-02381, A43-00120, A43-02167

A43-10069

Page 2

Date: 03/28/89

A43-10069

This information is part of a study by Raff River Electric with information on the four points of diversion called out in A43-10069. The pumping equipment installed on those wells was in place prior to 1977 as reflected in the Raff River Electric information. In 1986 a evaluation of that system was performed with the flow information as provided by Jerry Udy of Raff River Electric. In 1987 the system was modernized & made more energy efficient with the equipment called out for Rayco pumpers quotation and order.

RLM

A43-10069

Which well?

Donat & Associates, Inc.

Energy Consultants

RALPH DONAT
President
(208) 773-4260

N. 3850 McGuire Rd., Post Falls, ID. 83854

RON STRAW
Vice President
(208) 773-2702

RRE-023-86

September 6, 1986

Dear Mr. Miller:

On June 28, 1986, an evaluation was made of your irrigation system to determine if any recommendations could be implemented that would reduce your electrical energy use.

Your pump is a Wellline, Model 12KL. From the pump test data, your pump was pumping 725.9 gpm at 180.8 feet of head and was 34% efficient.

Based upon the evaluation of your irrigation system, the following efficiency measure is eligible for an incentive payment:

1) Pumping plant modification

This incentive consists of a payment of 50 percent of the actual cost of the installed measures, not to exceed 22 cents per annual kilowatthours (kWh) saved based on tested horsepower reduction. Horsepower will be measured after installation of eligible measures.

The estimated energy savings, if all measures are installed, are 59127 kWh per year. The actual savings may be higher or lower and will depend upon final system design. Based upon this utility's current rate structure, the estimated energy savings should result in an annual reduction of \$1182.54 in pumping costs, providing irrigation practices and acreage served do not change substantially.

If you desire to apply for an incentive payment, you must contact Raft River Rural Electric Co-op., Inc., 645-2211, prior to proceeding with the installation of the measures.

If you have any questions, please contact either Jerry Udy or me.

Sincerely,



Ron Straw

A43-10069

**Raft River Rural
Electric Cooperative, Inc.**

250 North Main
P.O. Box 617
Malta, ID 83342
Telephone: 208-645-2211
FAX: 208-645-2300

TO WHOM IT MAY CONCERN:

I hereby certify that the annexed instrument is a true and correct copy of the original held in microfilm at Raft River Rural Electric Cooperative, Inc. in Malta, Idaho.

Service Number 28011

January 24, 1992

Date

Rosella Niddo
Notary Public

Service # 28011

point of division Sec 26 NW NE SW

#204



A43-10069



**Raft River Rural
Electric Cooperative, Inc.**

250 North Main
P.O. Box 617
Malta, ID 83342
Telephone: 208-645-2311
FAX: 208-645-2300

TO WHOM IT MAY CONCERN:

I hereby certify that the annexed instrument is a true and correct copy of the original held in microfilm at Raft River Rural Electric Cooperative, Inc. in Malta, Idaho.

Service Number 28018

January 24, 1992
Date

Rosella Neshe
Notary Public

Service # 28018
point of diversion sec 33 NE NE NE
6203

A 43-10069



**Raft River Rural
Electric Cooperative, Inc.**

250 North Main
P.O. Box 617
Malta, ID 83342
Telephone: 208-645-2211
FAX: 208-645-2300

TO WHOM IT MAY CONCERN:

I hereby certify that the annexed instrument is a true and correct copy of the original held in microfilm at Raft River Rural Electric Cooperative, Inc. in Malta, Idaho.

Service Number 28016

January 24, 1992

Date

Rosella Nedd
Notary Public

Service # 28016
point of diversion Section 17 SW SW SE

#202





Raft River Rural Electric Cooperative, Inc.

250 North Main
P.O. Box 617
Malta, ID 83342
Telephone: 208-645-2211
FAX: 208-645-2300

TO WHOM IT MAY CONCERN:

I hereby certify that the annexed instrument is a true and correct copy of the original instrument as recorded in the records of the County of Blaine, Idaho, in Malta, Idaho.

Service Number 28028

January 24, 1992
Date

Ricardo Medina
Notary Public

Service # 28028

part of division Section 27 NW NW SE

#29

this information
applies to 443-10069
the power information
from R.R. Electric then
us back to 1977 and
to earlier with the
records of division
as called out on
the above number.

ROSHOLT, ROBERTSON & TUCKER

**Chartered
ATTORNEYS AT LAW**

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
GARY L. QUIGLEY
JUSTIN R. SEAMONS
JOHN O. FITZGERALD
D. BERNARD ZALEHA

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
BOISE, IDAHO 83702
TELEPHONE (208) 336-0700
FAX (208) 334-6034

RECEIVED
APR 6 1992

Department of Water Resources

April 3, 1992

Mr. Tim Luke
Water Resources Specialist
Department of Water Resources
1301 North Orchard, Statehouse Mail
Boise, Idaho 83720

Re: Water Rights Nos. 43-2381, 43-2534 Transfer for Application
No. 43-10069

Dear Mr. Luke:

As you know, this office represents Richard L. Miller, of Hyrum, Utah, in regard to the above mentioned rights. This letter is an attempt to answer the questions you pose in your December 27, 1991 letter to Mr. Miller on the subject.

*Trans & Answer
to Mr. Miller
dated 1/15/92*

Mr. Miller purchased 960 acres from Mr. Reid S. Stewart in May of 1976 (Exhibit A). Paragraph 3 gave possession to Mr. Miller in 1976. While the above referenced water rights were then being used only on the portion of the ranch purchased by Mr. Miller, the two wells were only yielding about 5.0 c/f/s for use, rather than the licensed total of 7.94 c/f/s. Mr. Miller says that at the time of the sale, Mr. Stewart advised him that only 5.0 c/f/s was available from the wells, although the full 7.95 c/f/s had been pumped during the previous five years. Mr. Miller says that the contract identified one solution in Paragraph 12 of the Agreement. There was also an approved transfer for Right No. 43-2534 for Mr. Harlan Jensen, who was a predecessor owner of Mr. Stewart. (Exhibit X). After taking possession, Mr. Miller drilled Well No. 3, as authorized by the transfer, in the NENE of Section 33. Well No. 4 was apparently drilled NWSE of Section 27, although the transfer put it in the NESW of Section 26, (the same location as the original license). However, a Driller's Report was filed with the Idaho Department of Water Resources showing the location of Well No. 4. (Exhibit Y).

Exhibit B shows where the water was to be appurtenant for the 7.94 c/f/s. Exhibit C is a soils map of the acres Mr. Miller purchased. Exhibit D is an Affidavit of

MICROFILMED

MAR 04 1993

Mr. Tim Luke
April 3, 1992
Page 2

Richard Vance Udy indicating that the water from wells No. 1 and No. 2 was not used on the land retained by Mr. Stewart after the sale in 1976.

License No. 43-2381 for 2.74 c/f/s showed the water appurtenant to 105 acres in the NE $\frac{1}{4}$ of Section 26 on the property retained by Mr. Stewart. The point of diversion was in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27. It's identified on Exhibit B as Well No. 1.

License No. 43-2534 for 5.2 c/f/s showed 49 acres in the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 25 and 20 acres in the NWNE of Section 26, appurtenant to the property retained by Mr. Stewart. The point of diversion is in the NESW of Section 26. It's sometimes referred to as Well No. 2.

Together the rights show water appurtenant to 174 acres on the 240 acres of the original farm retained by Mr. Stewart. However, water from neither right has been used on the property retained by Mr. Stewart since he sold to Mr. Miller in 1976. The Idaho Department of Water Resources' computer printouts show Mr. Stewart has claimed the use of License No. 43-2381 on 105 acres in the NE $\frac{1}{4}$ of Section 26. Mr. Miller will contend Mr. Stewart has not used water from 43-2381 since prior to 1976. The printouts also show Mr. Stewart's claimed use of water for 69 acres under right 43-2534. Mr. Miller will contend that Mr. Stewart has not used water from 43-2534 since prior to 1976. Mr. Miller will contend that he has used all of the water from both rights on the lands that he purchased since 1976, and that Mr. Stewart has forfeited his right to use any of either right on the property he retained in Sections 25 and 26.

Mr. Miller will also claim that he complied with the Sales Contract provisions by drilling wells No. 3 and 4 in 1977. As shown on Exhibit B, Well No. 3 is in the NENE of Section 33. Well No. 4 is in the NWSE of Section 27.

At present, from the four wells, Mr. Miller irrigates a total of 795 acres with a diversion of 7.94 c/f/s, the same total diversion rate authorized under Water Right Numbers 43-2534 and 43-2381. A recent report on Mr. Miller's wells is attached as Exhibit E.

Mr. Miller's SRBA claims seek adjudication of the 7.95 c/f/s to 795 acres, all of which have been irrigated since 1977. It's 235 acres more than the total acres licensed under 43-2381 and 43-2534. Mr. Miller has claimed the use on land he purchased from Mr. Stewart.

Mr. Stewart's claim to 5.2 c/f/s and 290 acres of Right No. 43-02534 appears most interesting to the extent it claims water rights on Mr. Miller's property. (See

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MAR 04 1993

Mr. Tim Luke
April 3, 1992
Page 3

Exhibit A). All of Mr. Stewart's claims to waters licensed under 43-2381 and 43-2534 are especially interesting if it can be shown that he has not been delivered water from either right since 1976.

As I understand, Mr. Miller was advised at the Idaho Department of Water Resources that in addition to filing claims 43-2381, 43-2534, 43-00120 and 43-02167, he should file a Transfer Application to reflect what has been occurring since 1977. Mr. Miller listed all points of diversions and all acres under the above referenced transfer and his adjudication claims. As an apparent security move, Mr. Miller was also encouraged to file SRBA Claim A43-10069 to cover all water diverted and all acres irrigated, a total of 795.

It is unlikely that Mr. Stewart will execute a transfer so as to save the Transfer Application. We ask that you retain the Transfer Application, together with this letter and information in the files pertaining to Mr. Miller's adjudication claims. You may also consider this letter as a protest of Mr. Stewart's adjudication claims to any water represented by 43-2381 and 43-2534.

In summary, Mr. Miller will contend that his expanded use is permissible. A similar situation has recently been validated by the Adjudication Court in the case of Idaho v. Dickon, Timjon, dba Hillcreek Properties, and Tuthill, dba P.U. Ranch, Ltd., Case No. 39576 decided July 30, 1991 in which the Court held such an expansion valid because the water diverted was not increased over the amount authorized by the licenses. (Exhibit G).

Even though Mr. Miller will contend that all 795 acres are entitled to water under the original licenses 43-2381 and 43-2534, in any event any acres will be validated by 42-1416B(1). In addition, Idaho Department of Water Resources Adjudication Memo No. 16B dated May 9, 1991 would seem to validate the Miller expansion, even though in a critical groundwater area. (Exhibit H).

Call me with questions.

Respectfully submitted,


JOHN A. ROSHOLT

JAR:le
03319201.JAR
Enclosures

MICROFILMED
MAR 04 1993

ROSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
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Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83702-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

April 29, 1992

RECEIVED
APR 30 1992

Department of Water Resources

Mr. Tim Luke
Water Resources Specialist
Department of Water Resources
1301 North Orchard, Statehouse Mail
Boise, Idaho 83720

Re: Water Rights Nos. 43-2381, 43-2534 Transfer for Application
No. 43-10069

Dear Mr. Luke:

Thanks for your call of April 20, 1992 concerning the above Transfer.

We request that the Transfer be withdrawn and not processed further. You may return the original to Mr. Miller or myself.

Please continue to consider my April 3, 1992 letter on this subject as a protest of Mr. Stewart's claim to the water rights he sold to Mr. Miller in 1976.

Thank you.

Respectfully submitted,


JOHN A. ROSHOLT

JAR:le
04219207.JAR

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MAR 04 1993

Richard Miller Transfer

WR/SRBA 43-2381/A43-2381

Recommendations:

Approve in part for 165 acres, ~~1.67~~ 1.67 cfs
& diversion volume of 578 acre feet
(@3.5 AFA/ac) which is appurtenant ~~to~~
according to ownership proof.

43-2534/A43-2534

Recs:

Approve in part for 221 acres, 3.96 cfs,
& div. vol. of 884 AFA (@ ~~3.5~~ ^{4.0} AFA/ac as license

1 /A4310069

Recs:

Withhold approval of this apart
from recognizing added pt of diversion

See attached SRBA verification
reports for 43-2381 & -2534, as
well as ASCS photo

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MAR 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:18:13
12/17/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A43-10069

LAST: MILLER
ADDRESS: 6500 S. 1600 W.
CITY: HYRUM
PHONE NUMBER: 801-245-3815
OWNER CODE: C
FIRST: RICHARD L.
STATE: UT ZIP: 84319

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: ALL THE WR'S ARE USED IN ONE IRRIGATION SYSTEM ON THE P/U LISTED.

DATABASE
FIELD EXAMINER

FIELD EXAMINATION INFORMATION

CONTACT PERSON: 3/15/91
DATE OF FIELD EXAM: 3/15/91
ACCOMPANIED BY: APPOINTMENT MADE: Y () N ()
RELATIONSHIP TO CLAIMANT: TIME: : A () P ()
DIRECTIONS TO PROPERTY / REMARKS: PHONE NUMBER: () -

MICROFILMED
MAR 04 1993

A. AJ CLAIM: # A43-10069

PRIORITY DATE: 05-20-1977

STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
F

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y(✓) N()
IF YES EXPLAIN.

REMARKS:

In critical gas area priority = June 30, 1985

RECOMMENDED PRIORITY DATE:

6-30-1985

REVIEWED BY

DR Jones

DATE

12/12/90

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MAR 04 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A43-10069	15S	26E	26	NW	NE	SW		CASSIA
A43-10069	15S	26E	33	NE	NE	NE		CASSIA
A43-10069	15S	26E	27	SW	SW	SE		CASSIA
A43-10069	15S	26E	27	NW	NW	SE		CASSIA

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX	WR RECORDS IN SAME 40 ACRE TRACT
A43-02534	NONE	43-02534
A43-02381		43-02381

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	Y	<i>[Signature]</i>

REMARKS:

Points of Div. same as claimed in 43-2534 & -2381

MICROFILMED

MAR 04 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
TWP. RGE. SEC.

1/4 1/4

1/4

LOT

COUNTY

14/E

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SOURCE:

TRIB:

REVIEWED BY:

DATE:

AK Jones

12/12/90

MICROFILMED
MAR 04 1993

A. ROOT WATER RIGHT NUMBERS: A43-10069

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOM ACRES
15S	26E	26	NE	NW		MILLER, RICHARD L. MILLER, RICHARD L. STEWART, REID S. MILLER, RICHARD L. MILLER, RICHARD L.	A43-10069 /22.0 A43-00120 /22.0 A43-02534A /20.0 A43-02167 /22.0 A43-02534 /19.0	- - - - 43-02534	/ / / / /19.0	34 15	
15S	26E	26	NW	NW		MILLER, RICHARD L. MILLER, RICHARD L. MILLER, RICHARD L.	A43-10069 /40.0 A43-00120 /40.0 A43-02167 /40.0 A43-02534 /29.0	- - - 43-02534	/ / / /29.0	39 10	
15S	26E	26	SW	NW		MILLER, RICHARD L. MILLER, RICHARD L. MILLER, RICHARD L. MILLER, RICHARD L.	A43-10069 /30.0 A43-00120 /30.0 A43-02167 /30.0 A43-02381 /10.0 A43-02534 /20.0	- - - 43-02381 43-02534	/ / / /10.0 /20.0	33 3	
15S	26E	26	SE	NW		MILLER, RICHARD L. MILLER, RICHARD L. MILLER, RICHARD L. MILLER, RICHARD L.	A43-10069 /35.0 A43-00120 /35.0 A43-02167 /35.0 A43-02381 /25.0 A43-02534 /15.0	- - 43-02167 43-02381 43-02534	/ / /40.0 /25.0 /15.0	39 1	
15S	26E	26	NE	SW		MILLER, RICHARD L. MILLER, RICHARD L. MILLER, RICHARD L. MILLER, RICHARD L.	A43-10069 /40.0 A43-00120 /40.0 A43-02167 /40.0 A43-02381 /15.0	- - - 43-02381	/ / / /15.0	37 22	
15S	26E	26	NW	SW		MILLER, RICHARD L. MILLER, RICHARD L. MILLER, RICHARD L. MILLER, RICHARD L.	A43-10069 /40.0 A43-00120 /40.0 A43-02167 /40.0 A43-02381 /35.0	- - - 43-02381	/ / / /35.0	37 2	
15S	26E	26	SW	SW		MILLER, RICHARD L. MILLER, RICHARD L. MILLER, RICHARD L. MILLER, RICHARD L.	A43-10069 /40.0 A43-00120 /40.0 A43-02167 /40.0 A43-02381 /19.0	- - - -	/ / / /19.0	38 38	
15S	26E	26	SE	SW		MILLER, RICHARD L. MILLER, RICHARD L. MILLER, RICHARD L. MILLER, RICHARD L.	A43-10069 /40.0 A43-00120 /40.0 A43-02167 /40.0 A43-02381 /35.0	- - - -	/ / / /35.0	40 40	
15S	26E	26	NW	SE		MILLER, RICHARD L. MILLER, RICHARD L. MILLER, RICHARD L. MILLER, RICHARD L.	A43-10069 /40.0 A43-00120 /40.0 A43-02167 /40.0 A43-02381 /35.0	- - - -	/ / / /35.0	40 30	

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155	26E	26	SW	SE	MILLER , RICHARD L.	A43-10069	/40.0	-	/	35.0	40	40
					MILLER , RICHARD L.	A43-00120	/40.0	-	/			
					MILLER , RICHARD L.	A43-02167	/40.0	-	/			
					MILLER , RICHARD L.	A43-02381	/25.0	-	/			

155	26E	27	NE	NE	MILLER , RICHARD L.	A43-10069	/40.0	-	/	41.0	38	9
					MILLER , RICHARD L.	A43-00120	/40.0	-	/			
					MILLER , RICHARD L.	A43-02167	/40.0	-	/			
					MILLER , RICHARD L.	A43-02534	/29.0	43-02534	/29.0			

155	26E	27	NW	NE	MILLER , RICHARD L.	A43-10069	/24.0	-	/	35.0	35	1
					MILLER , RICHARD L.	A43-00120	/24.0	-	/			
					MILLER , RICHARD L.	A43-10070	/	-	/			
					MILLER , RICHARD L.	A43-02167	/24.0	-	/			
					MILLER , RICHARD L.	A43-02534	/24.0	43-02534	/24.0			

155	26E	27	SW	NE	MILLER , RICHARD L.	A43-10069	/18.0	-	/	39.0	33	13
					MILLER , RICHARD L.	A43-00120	/18.0	-	/			
					MILLER , RICHARD L.	A43-02167	/18.0	-	/			
					MILLER , RICHARD L.	A43-02534	/20.0	43-02534	/20.0			

155	26E	27	SE	NE	MILLER , RICHARD L.	A43-10069	/25.0	-	/	41.0	33	13
					MILLER , RICHARD L.	A43-00120	/25.0	-	/			
					MILLER , RICHARD L.	A43-02167	/25.0	-	/			
					MILLER , RICHARD L.	A43-02534	/20.0	43-02534	/20.0			

155	26E	27	NE	SW	MILLER , RICHARD L.	A43-10069	/22.0	-	/	39.0	30	15
					MILLER , RICHARD L.	A43-00120	/22.0	-	/			
					MILLER , RICHARD L.	A43-02167	/22.0	-	/			
					MILLER , RICHARD L.	A43-02534	/15.0	43-02534	/15.0			

155	26E	27	SW	SW	MILLER , RICHARD L.	A43-10069	/20.0	-	/	37.0	34	34
					MILLER , RICHARD L.	A43-00120	/20.0	43-00120	/			
					MILLER , RICHARD L.	A43-02167	/20.0	-	/			
					MILLER , RICHARD L.	A43-02534	/20.0	-	/			

155	26E	27	SE	SW	MILLER , RICHARD L.	A43-10069	/35.0	-	/	39.0	33	13
					MILLER , RICHARD L.	A43-00120	/35.0	43-00120	/			
					MILLER , RICHARD L.	A43-02167	/35.0	-	/			
					MILLER , RICHARD L.	A43-02534	/20.0	43-02534	/20.0			

155	26E	27	NE	SE	MILLER , RICHARD L.	A43-10069	/40.0	-	/	42.0	39	4
					MILLER , RICHARD L.	A43-00120	/40.0	-	/			
					MILLER , RICHARD L.	A43-02167	/40.0	-	/			
					MILLER , RICHARD L.	A43-02381	/35.0	43-02381	/35.0			

155	26E	27	NW	SE	MILLER , RICHARD L.	A43-10069	/34.0	-	/	39.0	35	15
					MILLER , RICHARD L.	A43-00120	/34.0	-	/			
					MILLER , RICHARD L.	A43-02167	/34.0	-	/			
					MILLER , RICHARD L.	A43-02381	/20.0	43-02381	/20.0			

155	26E	27	SW	SE	MILLER , RICHARD L.	A43-10069	/40.0	-	/	40.0	39	14
					MILLER , RICHARD L.	A43-00120	/40.0	-	/			
					MILLER , RICHARD L.	A43-02167	/40.0	-	/			
					MILLER , RICHARD L.	A43-02381	/16.0	43-02381	/25.0			

155	26E	27	SE	SE	MILLER , RICHARD L.	A43-10069	/40.0	-	/	40.0	40	40
					MILLER , RICHARD L.	A43-00120	/40.0	-	/			
					MILLER , RICHARD L.	A43-02167	/40.0	-	/			

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155 26E 28 SE SE	MILLER, RICHARD L.	A43-10069	/25.0	-	/	42.0	32	32
	MILLER, RICHARD L.	A43-00120	/25.0	-	/			
	MILLER, RICHARD L.	A43-02167	/25.0	-	/			
	MILLER, RICHARD L.	A43-02534	/9.0	-	/			
155 26E 33 NE NE	MILLER, RICHARD L.	A43-10069	/35.0	-	/	39.0	35	35
	MILLER, RICHARD L.	A43-00120	/35.0	43-00120	/			
	MILLER, RICHARD L.	A43-02167	/35.0	-	/			
	MILLER, RICHARD L.	A43-02534	/20.0	-	/			
155 26E 34 NW NW	MILLER, RICHARD L.	A43-10069	/30.0	-	/	17.0	24	24
	MILLER, RICHARD L.	A43-00120	/30.0	43-00120	/			
	MILLER, RICHARD L.	A43-02167	/30.0	-	/			
	MILLER, RICHARD L.	A43-02534	/20.0	-	/			
TOTAL ACRES		A43-10069	795.00			909.00	857	472

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N ()

IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

PRESUMPTION FLAG: E

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

472

REVIEWED BY:

J Jones

DATE:

3/25/91

A. AJ CLAIMED USES:

PURPOSES
A43-10069 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
7.940 CFS
7.940 CFS

B. WR RECORDED USES:

PURPOSES

MONTH/DAY

DIVERSION QUANTITY

PRESUMPTION FLAG: E

C. FIELD EXAM REQUIRED?

	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY?	(Y/N)	Y	<u>/</u>
DUE TO DIVERSION RATE DISCREPANCY?	(Y/N)	Y	<u>/</u>
DUE TO PERIOD FROM/TO DISCREPANCY?	(Y/N)	Y	<u>/</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

REMARKS:

Y(/) N()
Y() N()

Explain in remarks, below.

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 7.940 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

Y
FIELD
DATABASE EXAMINER

B.

MEASUREMENT METHOD

12/4

FLOW MEASUREMENT

, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? (Y) (N) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A43-02534, A43-02381, A43-00120, A43-02167

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A43-10069	GROUNDWATER	MILLER, RICHARD L.	7.940	0.009		
A43-00120	RAFT RIVER	MILLER, RICHARD L.	1.600	0.002		
A43-02167	RAFT RIVER	MILLER, RICHARD L.	1.600	0.002		
A43-02534	GROUNDWATER	MILLER, RICHARD L.	5.200	0.017	1160.00	4.00
A43-02381	GROUNDWATER	MILLER, RICHARD L.	2.740	0.010		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A43-10070	DOMESTIC	MILLER, RICHARD L.	FROM 01-01 TO 12-31	.040 CFS	
A43-10070	STOCKWATER	MILLER, RICHARD L.	FROM 01-01 TO 12-31	.040 CFS	

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D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 472 x 0.02 CFS/ACRE = 9.44 CFS
(Taken from P/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 2385.0 AF/A
ACRES 472 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 = 1180 AF/A
TOTAL CONSUMPTIVE USE 1180 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
ACRES 472 x DIVERSION VOL. AF/A FOR AREA 3.5 =
TOTAL DIVERSION VOLUME 1652 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

Investigation

4/1 11/1

DATABASE EXAMINER
5.63

DATABASE EXAMINER
4 1652

DATABASE EXAMINER
1180

TOTAL FOR THIS RIGHT

5.63

1652

1180

REVIEWED BY:

[Signature]

DATE:

3/25/91

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	OWNERSHIP FORFEIT/ABANDON ADDITIONAL DIV. AMOUNT	ACCEPTED AS CLAIMED	NEEDS REVIEW
		()	()
		()	()
		()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 43-10069		DATABASE		EXAMINER		CFS	
TOTAL DIVERSION RATE OF WR SPLITS							
SPLITS:							
OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE	
-	A43-10069	7.940	-		-		
TOTAL CFS		7.940					

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

REMARKS:

*Expansion claim based on div. rate of licensed
gas rfs.*

AUTHENTICATION:

SIGNATURE: *Douglas Jones* DATE: *3/25/91*
NAME OF FIELD EXAMINER: *Douglas Jones* TITLE: *Egr Spec*

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y		1/3/24/1	Y	6	1/3/24/1		
POINT OF DIV	Y		3/5/91		5			
SOURCE	Y				5			
PLACE OF USE	Y		3/5/91	Y	5			
DIV. AMOUNT CFS/VOLUME	Y			Y	6			
CONSUMPTIVE USE	-			Y	6			
PURPOSES	Y				6			
PERIOD OF USE	Y				6			
BASIS OF CLAIM	Y				6			
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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Page 1 of 14STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3832APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Richard L. Miller Phone 800 645-2416
Post Office address 6500 S. 1600 W., Hyrum, UT 84319

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Record P/U as presently irrigated
2. Describe the reason for the proposed changes One well went dry this year - a replacement well is needed.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>43-02381/</u> <u>A43-02381</u>	<u>6-2-1952</u>	<u>2.74 cfs</u>	<u>Irrig.</u>	<u>4-1</u> to <u>11-1</u>
<u>43-02534/</u> <u>A43-02534</u>	<u>7-2-1962</u>	<u>5.20 cfs</u>	<u>"</u>	<u>4-1</u> to <u>11-1</u>
<u>A43-10069</u>	<u>5-20-1977</u>	<u>1.94 cfs</u>	<u>"</u>	<u>4-1</u> to <u>11-1</u>

2. Total amount of water being transferred 7.94 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW SE	NE NW	SW SE	26	15S	26E	Cassia	
	NW SW	NW SW	SE SE	27	"	"	"	
	NE	NE	NE	33	"	"	"	

5. Lands irrigated or place of use: SABA Claims - No Change

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
43- 2381	15S	26E	26						10	25	15	35	19	35		35	25		199
			27												35	20	16		71
																			270
43- 2534	15S	26E	26					19	29	20	15								93
			27	29	24	20	20				15		20	20					148
			28														9		9
			33	20															20

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PART 1**6. General Information:**

- a. Description of diversion system 4 or 5 connected wells, pumps, sprinkler
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ? Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Unknown - ~~land~~ wells were sold with the portion of the farm I bought in 1975. These wells have only been used on my land since that time. The old land has been in government programs (not farmed) for several years.
- d. Remarks:
After transfer, licensed land will be the same as land under related SRBA claims.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____.

MICROFILMED**MAR 04 1993**

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 43-02381 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 6/2/1952

5. Water is used for the following purpose:

amount 2.74 cfs for Irrig. purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.74 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	27	15S	26E	Cassia	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	26E	26	35	10	25	25			10	25	15	35			35	20	25		190
		27													35	20	25		80

Total acres 270

9. Describe any other water rights used for the same purpose as described above

43-02534

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
Yes If yes, describe Some of the ground in Sec. 26 has not been irrigated since before 1995.

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

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Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A43-02381 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 6-2-1952

5. Water is used for the following purpose:

amount 2.74 cfs for Irrig. purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.74 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NE	SW	26	155	26E	Cassia	
	NW	NW	SE	27	"	"	"	
	SW	SW	SE					
	NE	NE	NE	33	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
155	26E	26							10	25	15	35	19	35		35	25		199
		27													35	20	16		871

MICROFILMED

MAR 6 1983 Total acres 270

9. Describe any other water rights used for the same purpose as described above

A43-02534, A43-10069

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

MICROFILMED

MAR 04 1993

Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 43-02534 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 192102220 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 7-2-1962

5. Water is used for the following purpose:

amount 5.2 cfs for Irrig. purposes from 3-15 to 11-15
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 5.2 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	26	15S	26E	Cassia	
		SW	NE	27	"	"	"	
		NE	NE	33	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	26E	25					(20)	(29)											49
		26		(20)			19	29	20	15						10			113
		27	39	24	20	20					15			20					128

Total acres 290

9. Describe any other water rights used for the same purpose as described above

43-02381

MICROFILMED

MAR 04 1993

PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
Yes If yes, describe Some land in Sec. 25 & 26 has not been irrigated with this right since before 1975.

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

MICROFILMED

MAR 04 1993

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A43-02534 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 7-2-1962

5. Water is used for the following purpose:

amount 5.2 cfs for Irrig. purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 5.2 cubic feet per second and/or 1160 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NE	SW	26	155	26E	Cassia	
	NW	NW	SE	27	"	"	"	
	SW	SW	SE					
	NE	NE	NE	32	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
155	26E	26					19	27	20	15						10			93
		27	29	24	20	20					15		20	20					148
		28																9	9
		33	20																20
		34						20											

MICROFILMED

MAR 04 1993

Total acres 290

9. Describe any other water rights used for the same purpose as described above

A43-02381, A43-10069

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

MICROFILMED
MAR 04 1993

Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A43-10069 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Groundwater tributary to _____4. Date or priority 5-20-1997

5. Water is used for the following purpose:

amount 7.94 cfs for Irrig. purposes from 4-1 to 11-1
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

6. Total amount of water under right 7.94 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NE	SW	26	15S	26E	Cassia	
	NW	NW	SE	27	"	"	"	
	SW	SW	SE					
	NE	NE	NE	33	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	26E	26					22	40	30	35	40	40	40	40		40	40		
		27	40	24	18	25					22		20	35	40	34	40	40	
		28																25	
		33	35																
		34						30											

9. Describe any other water rights used for the same purpose as described above

A43-02534, A43-02381Total acres 795

MICROFILMED

MAR 04 1993

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

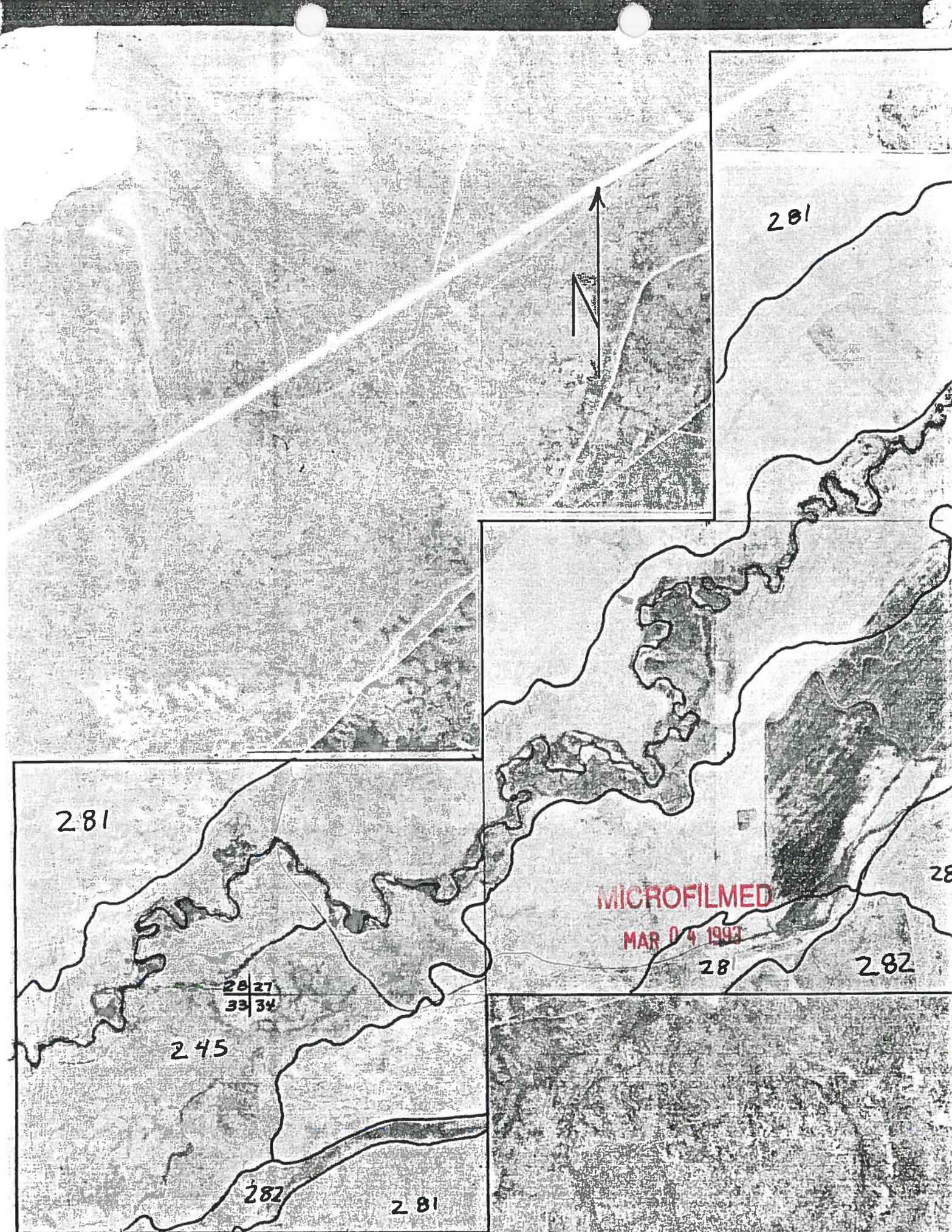
3. Lands irrigated or place of use:

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

MICROFILMED

MAR 04 1993

Total acres _____



281



281

28	27
33	34

245

282

281

MICROFILMED
MAR 04 1993

28

282

28

22 23
27 26

121

245

121

282

281

281

27 26

27 26

SCS-CONS-15
OCTOBER 1974

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SOIL MAP

MICROFILMED
MAR U 4 1993

Owner R & R Ranch Operator Richard Miller
County Cassia State Idaho

Soil survey sheet (s) or code nos. _____ Approximate scale 8" = 1 mile



Prepared by U. S. Department of Agriculture, Soil Conservation Service cooperating
with East Cassia Soil Conservation District

139039

WARRANTY DEED

REID S. STEWART and RUTH O. STEWART, husband and wife,
 grantorS of Logan, County of Cache, State of Utah, hereby
 CONVEY ~~and WARRANT~~ or GRANT and WARRANT to

RICHARD L. MILLER and SONJA W. MILLER, husband and wife,
 as to an undivided seventy percent (70%) interest, and
 RAYMOND G. COGGINS and DIXIE LEE COGGINS, husband and wife,
 as to an undivided thirty percent (30%) interest,

grantee S of
 for the sum of Ten Dollars and other good and valuable consideration,
 the following described tract S of land in Cassia County, State of ~~Utah~~ Idaho:

Township 15 South, Range 26 East, Boise Meridian:

Section 26: The Northwest Quarter, the Southwest Quarter, and the West Half of the Southeast Quarter.

Section 27: The East Half, the South Half of the Southwest Quarter, and the Northeast Quarter of the Southwest Quarter.

Section 28: The Southeast Quarter of the Southeast Quarter.

Section 33: The Northeast Quarter of the Northeast Quarter.

Section 34: The Northwest Quarter of the Northwest Quarter.

TOGETHER with all wells, well rights, and permits and all water rights appurtenant thereto and used in connection therewith, including any water allocated to said land from Raft River.

WITNESS, the hands of said grantorS, this 5th day of May, A. D. 1976.

Signed in the presence of

STATE OF UTAH
 County of Cache ss.
 On the 5th day of May,
 A. D. 1976, personally appeared before me

REID S. STEWART and RUTH O.
 STEWART, husband and wife,

the signers of the within instrument, who duly
 acknowledged to me that they executed the same.

L. Brent Logan
 Notary Public

Commission expires:
 Residing in

RECORDING DATA

Entry No.

Fee \$

RECORDED ☐ INDEXED ☐
 PLATTED ☐ ABSTRACTED ☐
 COMPARED ☐ DELIVERED ☐

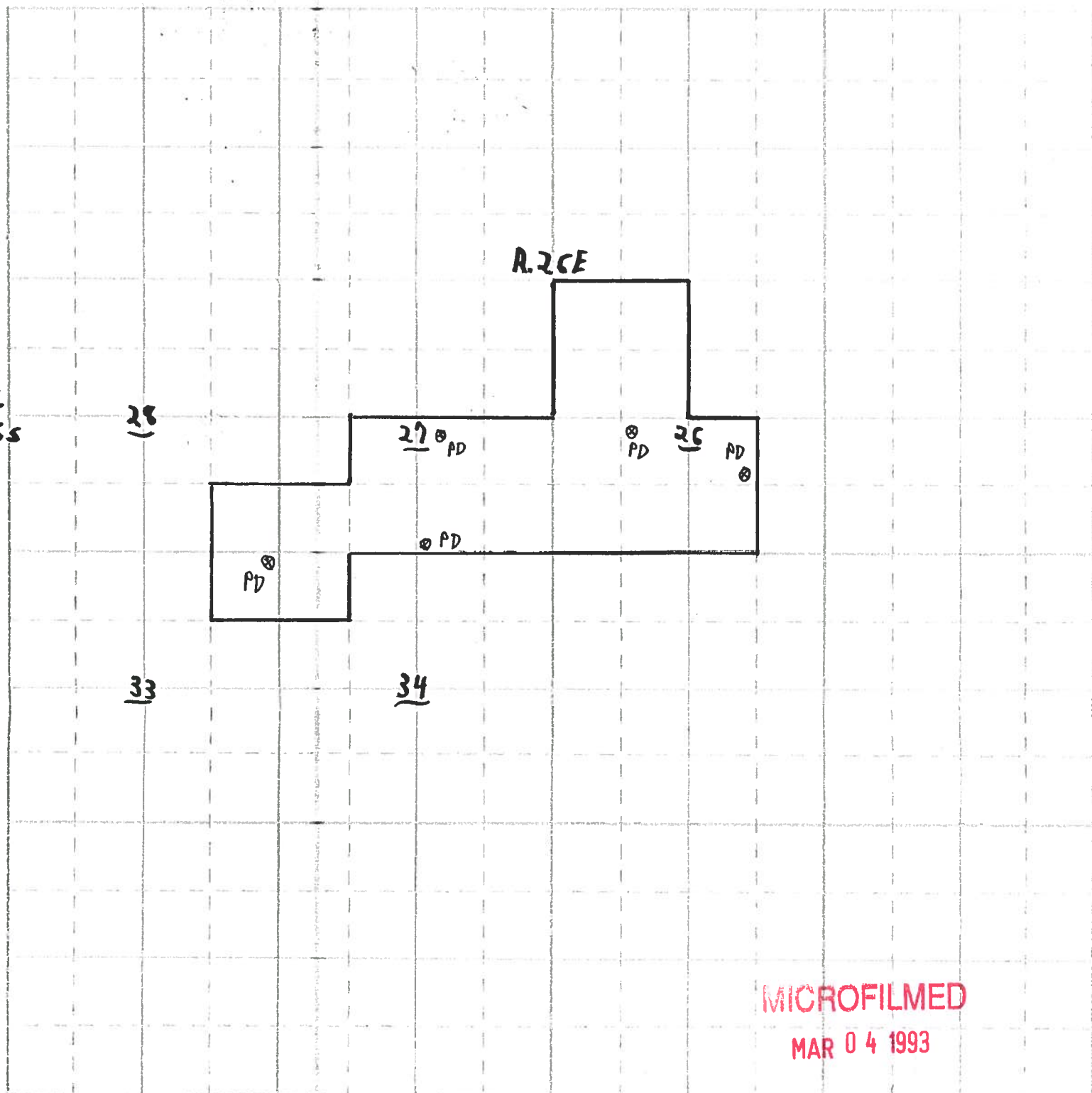
MAR 04 1993

199039
 Richard Miller
 Nov 23 10 46 AM '79
 CASSIA COUNTY, IDAHO
 FRANK L. ARMS
 FEE 300
 RE: 65005 1600
 64319

LAND TITLE COMPANY

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



PART 3**B. CHANGES IN NATURE OF USE**

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

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

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

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

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

Richard C. Miller
(Signature of Applicant)

Subscribed and sworn to before me this 4th day of December, 19 90.

Mary A. Baldwin
(Notary Public)

My commission expires 10/10/1992

FOR DEPARTMENT USE ONLY

Transfer contains 14 pages and 2 attachments

Received by JF Stanton Date 12-4-90 Protest filed by _____

Prelim. check by DJ Fee \$50.00 50/2868

Receipted by JA Date 12-4-90

Published in So. ID. Press Copies of protest forwarded by _____

Pub. dates 5/10 + 5/17/91 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by LA

Copy of transfer sent to lien holder _____

MICROFILMED
MAR 04 1993

07:28:43
12/13/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A43-02534

PAGE: 1
GENERAL INFORMATION

FIRST: RICHARD L.

LAST: MILLER
ADDRESS: 6500 S. 1600 W.
CITY: HYRUM
PHONE NUMBER: 801-245-3815

STATE: UT ZIP: 84319

OWNER CODE: C

FIELD EXAMINER
DATABASE Y

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: TRANS. NO. 1921 & 2220.
ALL WR'S LISTED ARE USED IN ONE SYSTEM UNDER SPRINKLERS OVER THE
LISTED P/U. EXPANSION CLAIMED UNDER A43-10069.

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

DATE OF FIELD EXAM: 3/15/91

ACCOMPANIED BY:

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

PHONE NUMBER: () - -
TIME: : A() P()
APPOINTMENT MADE: Y() N()
PHONE NUMBER: () - -

MICROFILMED
MAR 04 1993

A. AJ CLAIM: # A43-02534 PRIORITY DATE: 07-02-1962 STAGE: L

B. WR RECORD: # 43-02534 PRIORITY DATE: 07-02-1962 STAGE: L

C. FIELD EXAM REQUIRED? FIELD EXAMINER

N

DATABASE N

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(✓)

IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:

07-02-1962

REVIEWED BY

ABJ

DATE

12/13/90

MICROFILMED
MAR 04 1993

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	LOT	CNTY
A43-02534	15S	26E	26	NW	NE	SW ? Drilled in 1978	CASSIA
A43-02534	15S	26E	27	NW	NW	SE ?	CASSIA
A43-02534	15S	26E	33	NE	NE	NE.	CASSIA
A43-02534	15S	26E	27	SW	SW	SE 2381, part of linked system	CASSIA

WR RECORDS IN SAME 40 ACRE TRACT

43-02381

TRIB:

SOURCE: GROUNDWATER

B. WR POINT OF DIVERSION AND SOURCE:					CNTY
RIGHT	TWP.	RGE.	SEC.	1/4	LOT
43-02534	15S	26E	33	NE	CASSIA
43-02534	15S	26E	26	NE	CASSIA
43-02534	15S	26E	27	SW	CASSIA
OTHER WR RECORDS WITH SAME WR POD					
AJ CLAIMS IN SAME 40 ACRE TRACT					
A PREFIX					
R PREFIX					
NONE					
A43-10069					
A43-02381					

TRIB:

SOURCE: GROUNDWATER

FIELD
EXAMINER

C. FIELD EXAM REQUIRED?	DATABASE	
	Y	(Y/N)
	N	(Y/N)

REMARKS:

S: Well in NW SE 527 was drilled in '78 and was probably part of system since then.

MICROFILMED
MAR 04 1993

POINT OF DIVERSION REVIEW SHEET CONTINUED

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
TWP. RGE. SEC. 1/4 1/4

COUNTY

LOT

1/4

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: *DR. J. J. J.*

DATE: 12/13/90

MICROFILMED
MAR 04 1993

A. ROOT WATER RIGHT NUMBERS: A43-02534
A43-02534A

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
15S	26E	26	NE	NW		MILLER, RICHARD L.	A43-02534 /19.0	43-02534 /19.0	39.0	34	19
						MILLER, RICHARD L.	A43-00120 /22.0	-			
						MILLER, RICHARD L.	A43-10069 /22.0	-			
						STEWART, REID S.	A43-02534A /20.0	-			
						MILLER, RICHARD L.	A43-02167 /22.0	-			
15S	26E	26	NW	NW		MILLER, RICHARD L.	A43-02534 /29.0	43-02534 /29.0	38.0	39	29
						MILLER, RICHARD L.	A43-00120 /40.0	-			
						MILLER, RICHARD L.	A43-10069 /40.0	-			
						MILLER, RICHARD L.	A43-02167 /40.0	-			
15S	26E	26	SW	NW		MILLER, RICHARD L.	A43-02534 /20.0	43-02534 /20.0	39.0	33	20
						MILLER, RICHARD L.	A43-00120 /30.0	-			
						MILLER, RICHARD L.	A43-10069 /30.0	-			
						MILLER, RICHARD L.	A43-02167 /30.0	-			
						MILLER, RICHARD L.	A43-02381 /10.0	43-02381 /10.0			
15S	26E	26	SE	NW		MILLER, RICHARD L.	A43-02534 /15.0	43-02534 /15.0	38.0	39	15
						MILLER, RICHARD L.	A43-00120 /35.0	-			
						MILLER, RICHARD L.	A43-10069 /35.0	-			
						MILLER, RICHARD L.	A43-02167 /35.0	43-02167 /40.0			
						MILLER, RICHARD L.	A43-02381 /25.0	43-02381 /25.0			
15S	26E	26	NW	SE		MILLER, RICHARD L.	A43-02534 /10.0	43-02534 /10.0	38.0	40	10
						MILLER, RICHARD L.	A43-00120 /40.0	-			
						MILLER, RICHARD L.	A43-10069 /40.0	-			
						MILLER, RICHARD L.	A43-02167 /40.0	-			
						MILLER, RICHARD L.	A43-02381 /35.0	-			
15S	26E	27	NE	NE		MILLER, RICHARD L.	A43-02534 /29.0	43-02534 /29.0	41.0	35	29
						MILLER, RICHARD L.	A43-00120 /40.0	-			
						MILLER, RICHARD L.	A43-10069 /40.0	-			
						MILLER, RICHARD L.	A43-02167 /40.0	-			
15S	26E	27	NW	NE		MILLER, RICHARD L.	A43-02534 /24.0	43-02534 /24.0	35.0	35	24
						MILLER, RICHARD L.	A43-00120 /24.0	-			
						MILLER, RICHARD L.	A43-10069 /24.0	-			
						MILLER, RICHARD L.	A43-10070 /	-			
						MILLER, RICHARD L.	A43-02167 /24.0	-			
15S	26E	27	SW	NE		MILLER, RICHARD L.	A43-02534 /20.0	43-02534 /20.0	39.0	33	20
						MILLER, RICHARD L.	A43-00120 /18.0	-			
						MILLER, RICHARD L.	A43-10069 /18.0	-			
						MILLER, RICHARD L.	A43-02167 /18.0	-			
15S	26E	27	SE	NE		MILLER, RICHARD L.	A43-02534 /20.0	43-02534 /20.0	41.0	33	20
						MILLER, RICHARD L.	A43-00120 /25.0	-			

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PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 221
REVIEWED BY: DR Jones

DATE: 12/14/90

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A43-02534 IRRIGATION	FROM 03-15 TO 11-15	5.200 CFS 1160.00 AF/A
	TOTAL DIVERSION RATE/VOLUME CLAIMED	5.200 CFS 1160.00 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
43-02534 IRRIGATION	FROM 03-15 TO 11-15	5.200 CFS 1160.00 AF/A
	TOTAL DIVERSION RATE/VOLUME CLAIMED	5.200 CFS 1160.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	RN
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

REMARKS:

Y(✓) N()

Y() N()

Explain in remarks, below.

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 5.200 CFS
 WR ROOT RIGHT TOTAL DIVERSION RATE: 5.200 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***

** If an amount smaller than the original diversion rate is **

** claimed and an exam is NOT required, explain in remarks. **

Y(☒) N(☐)

FLOW MEASUREMENT REQUIRED?

FIELD
 DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) N

FLOW MEASUREMENT

MEASUREMENT METHOD

N/A, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A43-00120, A43-02167, A43-02381, A43-10069

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A43-02534	GROUNDWATER	MILLER, RICHARD L.	5.200	0.017	484	3.96
A43-00120	RAFT RIVER	MILLER, RICHARD L.	1.600	0.002	1180.00	4.08
A43-02534A	GROUNDWATER	STEWART, REID S.	5.200	0.075	NO	
A43-02167	RAFT RIVER	MILLER, RICHARD L.	1.600	0.002		
A43-02381	GROUNDWATER	MILLER, RICHARD L.	2.740	0.010		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A43-10070	DOMESTIC	MILLER, RICHARD L.	FROM 01-01 TO 12-31	.040 CFS	
A43-10070	STOCKWATER	MILLER, RICHARD L.	FROM 01-01 TO 12-31	.040 CFS	

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D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 22 x 0.02 CFS/ACRE = 4.42 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y () N (☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y () N () ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 870.0 AF/A 3
ACRES 22 x CONSUMPTIVE VOL. AF/A FOR AREA 3 = 663
TOTAL CONSUMPTIVE USE 663 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 1160.00 AF/A 4
ACRES 22 x DIVERSION VOL. AF/A FOR AREA 4 = 884
TOTAL DIVERSION VOLUME 884 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y () N (☒)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

Parts of all water rights (groundwater and surface water) are combined and applied by sprinkler. Combination volume to be limited to 3 AFA/ac. in combination with all rights.

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RECOMMENDATIONS:

REC.
PURPOSESREC. PERIOD
FROM TOREC. DIV
RATE CFSREC. DIV
VOL. AF/AREC. CONS.
USE

IRRIGATION

03-15 11-15

DATABASE EXAMINER
5.200 3.96DATABASE EXAMINER
1160.00 ~~884~~ 884DATABASE EXAMINER
870.0 663

TOTAL FOR THIS RIGHT

5.200 1160.00 870.0

REVIEWED BY:

D. Jones

DATE:

12/14/90

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
 FORFEIT/ABANDON _____
 ADDITIONAL DIV. AMOUNT _____

ACCEPTED
 AS CLAIMED
 ()
 ()
 ()
 ()

NEEDS
 REVIEW
 ()
 ()
 ()
 ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 43-02534

TOTAL DIVERSION RATE OF WR SPLITS
 DATABASE 5.200

SPLITS:

OLD RIGHT
 NUMBERS
 -
 -
 A43-02534
 A43-02534A

DIVERSION
 RATE
 5.200
 5.200

CURRENT "R"
CLAIM NUM.

-

"R" DIV.
RATE

5.2

WR RIGHT
NUMBERS

43-02534

DIVERSION
RATE

5.200

TOTAL CFS

10.400

5.200

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
 If NO, is the written review sheet attached? (Y/N)

DATABASE
NFIELD
EXAMINERR
Y

REMARKS:

Claimant of A43-02534A is entitled to claim against 69 acres
 w/ 1.24 cfs instead of 69 acres w/ 5.2 cfs.

This claimant has filed on 290 acres w/ 5.2 cfs when
 deed shows ownership (w/ appurtenant w.R.) of 221 ac & pro-
 portional share = 3.96 cfs

AUTHENTICATION:

SIGNATURE:

Douglas R Jones

DATE:

12/14/90

NAME OF FIELD EXAMINER:

Douglas Jones

TITLE:

Eng Spec

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:28:43
12/13/90

CLAIM NUMBER: A43-02534

PAGE: 13
QUICKLOOK INFORMATION

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y		DRJ 3/15/91 12/14/90		6 well records			
SOURCE								
PLACE OF USE	Y		DRJ 3/15/91 12/13/90		25			
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE								
BASIS OF CLAIM	Y		DRJ		6 water right data			
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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MAR 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:28:43
12/13/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A43-02381

LAST: MILLER
ADDRESS: 6500 S. 1600 W.
CITY: HYRUM
PHONE NUMBER: 801-245-3815

FIRST: RICHARD L.

STATE: UT ZIP: 84319

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: ALL WR'S LISTED ARE UNDER ONE SYSTEM AND USED ON EXPANDED P/U AS
CLAIMED UNDER WR A43-10069.
AMENDED CLAIM 12/03/1990: ACTUAL ACRES LICENSED = 270.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 12/12/90

APPOINTMENT MADE: Y () N ()

TIME: : A () P ()

ACCOMPANIED BY: _____

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

Other side of Post River Stream Experimental geo-
thermal plant.

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P. AJ CLAIM: # A43-02381 PRIORITY DATE: 06-02-1952 STAGE: L
B. WR RECORD: # 43-02381 PRIORITY DATE: 06-02-1952 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N FIELD EXAMINER JS

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:
06-02-1952

REVIEWED BY DR Jones DATE 12/13/90

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A43-02381	15S	26E	27	SW	SW	SE	234	CASSIA
A43-02381	15S	26E	27	NW	NW	SE	Drilled in '78	CASSIA
A43-02381	15S	26E	26	NW	NE	SW		CASSIA
A43-02381	15S	26E	33	NE	NE	NE		CASSIA

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
A43-10069 NONE
A43-02534

WR RECORDS IN SAME 40 ACRE TRACT

43-02534

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
43-02381	15S	26E	27		SW	SE		CASSIA

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

NONE
A43-10069
A43-02534

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N) DATABASE FIELD EXAMINER
DUE TO SOURCE DISCREPANCY? (Y/N) Y N

REMARKS:

P/D WUSSE 522 drilled in '78 log on files & was probably part of system since then.

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
TWP. RGE. SEC. 1/4 1/4 LOT COUNTY

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: DR Jones DATE: 12/17/90

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MAR 04 1993

A. ROOT WATER RIGHT NUMBERS: A43-02381
A43-02381A

B. POU LISTING						AJ	WR	LANDSAT	FIELD	RECOMM.	
TWP	RNG	SEC	1/4	1/4	LOT	NAME	#/ACRES	#/ACRES	DATA	EXAM.	ACRES
15S	26E	26	SW	NW		MILLER, RICHARD L.	A43-02381 /10.0	43-02381 /10.0	39.0	33	35
						MILLER, RICHARD L.	A43-00120 /30.0	-			
						MILLER, RICHARD L.	A43-10069 /30.0	-			
						MILLER, RICHARD L.	A43-02167 /30.0	-			
						MILLER, RICHARD L.	A43-02534 /20.0	43-02534 /20.0			
15S	26E	26	SE	NW		MILLER, RICHARD L.	A43-02381 /25.0	43-02381 /25.0	38.0	39	35
						MILLER, RICHARD L.	A43-00120 /35.0	-			
						MILLER, RICHARD L.	A43-10069 /35.0	-			
						MILLER, RICHARD L.	A43-02167 /35.0	43-02167 /40.0			
						MILLER, RICHARD L.	A43-02534 /15.0	43-02534 /15.0			
15S	26E	26	NE	SW		MILLER, RICHARD L.	A43-02381 /15.0	43-02381 /15.0	38.0	37	15
						MILLER, RICHARD L.	A43-00120 /40.0	-			
						MILLER, RICHARD L.	A43-10069 /40.0	-			
						MILLER, RICHARD L.	A43-02167 /40.0	-			
15S	26E	26	NW	SW		MILLER, RICHARD L.	A43-02381 /35.0	43-02381 /35.0	40.0	37	35
						MILLER, RICHARD L.	A43-00120 /40.0	-			
						MILLER, RICHARD L.	A43-10069 /40.0	-			
						MILLER, RICHARD L.	A43-02167 /40.0	-			
15S	26E	26	SW	SW		MILLER, RICHARD L.	A43-02381 /19.0	-	38.0	38	0
						MILLER, RICHARD L.	A43-00120 /40.0	-			
						MILLER, RICHARD L.	A43-10069 /40.0	-			
						MILLER, RICHARD L.	A43-02167 /40.0	-			
15S	26E	26	SE	SW		MILLER, RICHARD L.	A43-02381 /35.0	-	36.0	39	0
						MILLER, RICHARD L.	A43-00120 /40.0	-			
						MILLER, RICHARD L.	A43-10069 /40.0	-			
						MILLER, RICHARD L.	A43-02167 /40.0	-			
15S	26E	26	NW	SE		MILLER, RICHARD L.	A43-02381 /35.0	-	38.0	40	0
						MILLER, RICHARD L.	A43-00120 /40.0	-			
						MILLER, RICHARD L.	A43-10069 /40.0	-			
						MILLER, RICHARD L.	A43-02167 /40.0	-			
15S	26E	26	SW	SE		MILLER, RICHARD L.	A43-02381 /25.0	-	35.0	40	0
						MILLER, RICHARD L.	A43-00120 /40.0	-			
						MILLER, RICHARD L.	A43-10069 /40.0	-			
						MILLER, RICHARD L.	A43-02167 /40.0	-			
15S	26E	27	NE	SE		MILLER, RICHARD L.	A43-02381 /35.0	43-02381 /35.0	42.0	39	35
						MILLER, RICHARD L.	A43-00120 /40.0	-			
						MILLER, RICHARD L.	A43-10069 /40.0	-			
						MILLER, RICHARD L.	A43-02167 /40.0	-			

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155 26E 27 NW SE	MILLER, RICHARD L.	A43-02381	/20.0	43-02381	/20.0	39.0	35	20
	MILLER, RICHARD L.	A43-00120	/34.0	-	/			
	MILLER, RICHARD L.	A43-10069	/34.0	-	/			
	MILLER, RICHARD L.	A43-02167	/34.0	-	/			
155 26E 27 SW SE	MILLER, RICHARD L.	A43-02381	/16.0	43-02381	/25.0	40.0	39	25
	MILLER, RICHARD L.	A43-00120	/40.0	-	/			
	MILLER, RICHARD L.	A43-10069	/40.0	-	/			
	MILLER, RICHARD L.	A43-02167	/40.0	-	/			

TOTAL ACRES A43-02381 270.00 165.00 423.00 416 165

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N ()

IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? DUE TO POU DISCREPANCY? (Y/N) DATABASE Y FIELD EXAMINER

PRESUMPTION FLAG:

REMARKS:

Ownership proof provided with transfer conveys only proportional acreage & water div rate/vol. (support to 61%)

RECOMMENDATIONS:

TOTAL ACRES: 165
REVIEWED BY: JRB/jrc

DATE: 12/17/90

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A. AJ CLAIMED USES:

PURPOSES
A43-02381 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY
2.740 CFS
2.740 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

B. WR RECORDED USES:

PURPOSES
43-02381 IRRIGATION

MONTH/DAY
FROM TO

DIVERSION QUANTITY
2.740 CFS
2.740 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY?	N		
DUE TO DIVERSION RATE DISCREPANCY?	N		
DUE TO PERIOD FROM/TO DISCREPANCY?	Y		

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y () N ()
Y () N ()

Explain in remarks, below.

REMARKS:

Recommended Period 3/15-11/15

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MAR 04 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 2.740 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.740 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE THEN flow measurement required. ***
** If an amount smaller than the original diversion rate is claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD DATABASE EXAMINER
N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD

AY4

, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? (Y) (X) () IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A43-00120, A43-02167, A43-02534, A43-10069

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A43-02381	GROUNDWATER	MILLER, RICHARD L.	2.740	0.010		
A43-00120	RAFT RIVER	MILLER, RICHARD L.	1.600	0.002		
A43-02167	RAFT RIVER	MILLER, RICHARD L.	1.600	0.002		
A43-02534	GROUNDWATER	MILLER, RICHARD L.	5.200	0.017	1160.00	4.00

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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MAR 04 1993

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 165 x 0.02 CFS/ACRE = 3.3 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 810.0 AF/A

ACRES 165 x CONSUMPTIVE VOL. AF/A FOR AREA 8.5 =

TOTAL CONSUMPTIVE USE 1405 AF/A

413

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 165 x DIVERSION VOL. AF/A FOR AREA 8.5 =

TOTAL DIVERSION VOLUME 1405 AF/A

578

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

Parts of surface water rights and other groundwater rights used in this system and applied by sprinkler. Condition volume consumptive volume to 3 AF/Ac limitation in combo w/ all rts.

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
	FROM	TO			
IRRIGATION	04-01	11-01	DATABASE 2.740	EXAMINER ~~2.740~~ <u>1.67</u>	DATABASE 810.0
TOTAL FOR THIS RIGHT			2.740	~~578~~ <u>578</u>	810.0

REVIEWED BY: 1 B. Jones DATE: 12/17/90

MICROFILMED
 MAR 04 1993

C. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()
NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 43-02381

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.740

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A43-02381	2.740	-	-	43-02381	2.740
-	A43-02381A	2.740	-	-	-	-

TOTAL CFS

5.480

2.740

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

Claimant owns only part of land under license and transferred by deed w/ "appurtenant water rights"; the entire, entitled to proportional share of land and water (6192)

AUTHENTICATION:

SIGNATURE:

Douglas Jones

DATE:

12/17/90

NAME OF FIELD EXAMINER:

Douglas Jones

TITLE:

Eng. Spec.

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y		DRS (3/4/91) 12/17/90		6 well (5) log record			
SOURCE								
PLACE OF USE	Y		DRS (3/4/91) 12/17/90		2 (5)			
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE	Y		DRS 12/17/90		6, 12, 15 standard 6, 12, 15 record			
BASIS OF CLAIM	Y		DRS					
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MICROFILMED
MAR 14 1993

139039

WARRANTY DEED

REID S. STEWART and RUTH O. STEWART, husband and wife,
 grantor S of Logan, County of Cache, State of Utah, hereby
 CONVEY ~~AND WARRANT~~ or GRANT and WARRANT to

RICHARD L. MILLER and SONJA W. MILLER, husband and wife,
 as to an undivided seventy percent (70%) interest, and
 RAYMOND G. COGGINS and DIXIE LEE COGGINS, husband and wife,
 as to an undivided thirty percent (30%) interest,

grantee S of
 for the sum of Ten Dollars and other good and valuable consideration,
 the following described tract S of land in Cassia County, State of ~~Idaho~~ Idaho:

Township 15 South, Range 26 East, Boise Meridian:

Section 26: The Northwest Quarter, the Southwest Quarter, and the West Half of the Southeast Quarter.

Section 27: The East Half, the South Half of the Southwest Quarter, and the Northeast Quarter of the Southwest Quarter.

Section 28: The Southeast Quarter of the Southeast Quarter.

Section 33: The Northeast Quarter of the Northeast Quarter.

Section 34: The Northwest Quarter of the Northwest Quarter.

TOGETHER with all wells, well rights, and permits and all water rights appurtenant thereto and used in connection therewith, including any water allocated to said land from Raft River.

WITNESS, the hands of said grantorS, this 5th day of May, A.D. 1976.

Signed in the presence of

STATE OF UTAH
 County of Cache ss.
 On the 5th day of May,
 A.D. 1976, personally appeared before me

REID S. STEWART and RUTH O.
 STEWART, husband and wife,

the signerS of the within instrument, who duly
 acknowledged to me that they executed the same.

Commission expires:
 Residing in

Notary Public

RECORDING DATA

Entry No.

Fee \$

RECORDED ☐ INDEXED ☐
 PLATTED ☐ ABSTRACTED ☐
 COMPARED ☐ DELIVERED ☐

199039
 Richard Miller
 203
 Nov 29 10 45 AM '76
 CASSIA COUNTY, IDAHO
 FRANK COGGINS
 FEE 300
 RE: 65005 10000
 64319

LAND TITLE COMPANY