STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 85-7639
Exam Date: 4/30/2012

1. Current Owner: MIL-RAY INC
C/O PAUL H MILLER PRESIDENT
585 DOGWOOD RD
PASCO WA 99301
(509)266-4220

2. Accompanied by: In-Office Field Exam (IDAPA 37.03.02.035, and due to Previous Field Exam on 85-7095 with pump and capacity of the system).

3. **SOURCE**: CLEARWATER RIVER — **TRIBUTARY**: SNAKE RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 85-7199 Groundwater source, Domestic 3-homes internal use and irrigation of 2-acres (this water right overlaps 0.03 acres of 85-7639 POU).

2. Other water rights with the same point of diversion: 85-7095A, and 85-7095B (both originally from parent water right 85-7095). Comments were added to all water rights, to stating they share the same POD.

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**

CLEARWATER RIVER L3 NW1/4NE1/4 Sec. 5, Twp 36N, Rge 01W, B.M. NEZ PERCE County

Method of Determination: Bing Maps Aerial, ArcMap 2011, 85-7095 field exam, and map received on 5/11/2012 from Paul Miller.

2. **PLACE OF USE:** DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
36N	01W	5		X L 3															

Method of Determination: Bing Maps Aerial, ArcMap 2011, 85-7095 field exam, and map received on 5/11/2012 from Paul Miller.

3. __X__ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.

__X__ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.

__X__ Aerial Photo Attached (required for irrigation of 10+ acres).

_____ Photo of Diversion and System Attached (NO PHOTOS DUE TO BEING AN IN-OFFICE FIELD EXAM)

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size	
Centrifugal pump	Dayton	2 HP	56S		1 ¼ inch	(50 psi)

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

D. FLOW MEASUREMENTS

1. Measurements:

85-7095 Field Exam on the **Existing** System (see attached calculation sheet from actual field exam):

***Physical Measurement taken** (nozzle calculation) = 0.10 cfs capacity of the system – 85-7095 (0.07 cfs) = 0.03 cfs remaining.

Theoretical:

(8.8 X 2 Hp X 0.7 eff)/[60 ft lift + (50 psi X 2.31)] = 0.07 cfs

RECOMMEND:

Domestic external use only for 85-7639 for 0.02 cfs (IDWR standard for Domestic external), not to exceed ½ acre irrigation. *Since there is sufficient capacity remaining from this system.

E. VOLUME CALCULATIONS

1. Volume Calculations for Domestic:

IDWR Standard for Domestic 1-home, external only use = 0.6 af

RECOMMEND: 0.6 af

F. NARRATIVE/REMARKS/COMMENTS

This system is the same system as for the parent water right 85-7095 (which was split into 85-7095A and 85-7095B). During the field exam for 85-7095, a physical measurement was collected calculating the system capacity to be 0.10 cfs, but it was licensed for 0.07 cfs (as it was permitted). This is a shared POD with 85-7095A, 85-7095B and now with 85-7639. That being said, there was 0.03 cfs available from the capacity of the system. The existing system consists of a 2 Hp centrifugal pump with a 2 inch intake, a 1 1/4 inch discharge, 60 ft lift, to 1 1/4 inch buried poly pipe under the road to multiple faucets located throughout the POU. From the faucets, 3/4 inch hoses are attached and 3 - 4 misc size rainbirds can be run at one time at 50 psi. Use is for Domestic external use only for 1 home. This is an In-Office examination, since a previous field exam was conducted on 85-7095. The POU shape was submitted by Paul Miller, and then the shapefile was drawn, removing the existing buildings and roadway.

Season of Use: Recommend 1/1 – 12/31 IDWRs standard for Domestic Use.

Have conditions of permit approval been met? __X__Yes _____No

H. RECOMMENDATIONS

1. Recommended Amounts

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
DOMESTIC	01/01 to 12/31	0.020 CFS	0.60 AF
	Totals:	0.020 CFS	0.60 AF

2. Recommended Amendments

___Change P.D. as reflected above ___Add P.D. as reflected above _X_None

___Change P.U. as reflected above ___Add P.U. as reflected above ___Other

I. AUTHENTICATION

Field Examiner's Name Sandy Homerosky Date 6/6/2012

INST. NO. 769185

FILED FOR RECORD
FEE 12.00 REC. BY LAND TITLE

2009 MAY 20 AM 8 30

PATTY O. WEEKS
RECORDER, NEZ PERCE CO. ID.
BY _____ DEPUTY

CORPORATION

WARRANTY DEED

For Value Received

MIL-RAY, INC., a corporation organized and existing under the laws of the State of California, with its principal office at 585 Dogwood Road, Pasco, WA. 99301.

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grantor, hereby CONVEYS or GRANTS and WARRANTS TO

PAUL H. MILLER AND LEAH A. MILLER, CO-TRUSTEES OF THE PAUL H. MILLER AND LEAH A. MILLER LIVING TRUST DATED FEBRUARY 23, 1993, AS AMENDED

grantee whose current address is: 585 Dogwood Road,
Pasco, WA. 99301

the following described premises, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 18th **day of** May, **2009**.

ATTEST: /s/ Paul H. Miller, President

/s/ Leah A. Miller - Secretary

Secretary

LAND TITLE HAS RECORDED THIS INSTRUMENT BY REQUEST AS AN ACCOMMODATION AND HAS NOT EXAMINED IT FOR REGULARITY AND SUFFICIENCY OR AS TO ITS AFFECT UPON THE TITLE TO ANY REAL PROPERTY THAT MAY BE DESCRIBED HEREIN.

MIL-RAY, INC. INCORPORATED MAY 1, 1979 CALIFORNIA

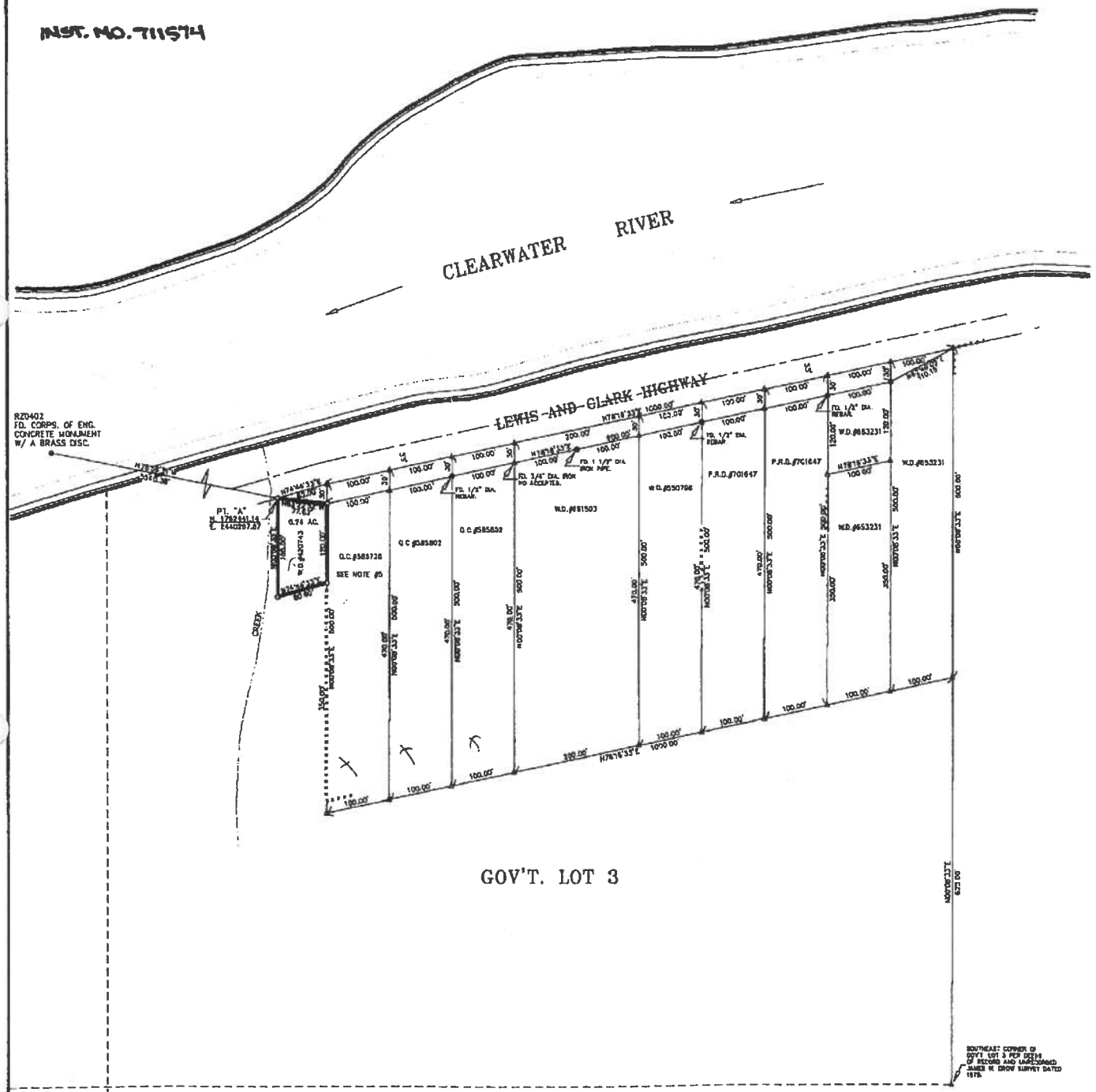
Jun 08 05 12:55p Terry Golding 208-746-5725 p.1

ATTN: MICHELLE

INST. NO. 711574

S. 5 ,T 36 N , R 1 W

RECORD OF SURVEY



PART OF
GOV'T. LOT 3
SECTION 5, T 36 N , R 1 W
BOISE MERIDIAN
COUNTY OF NEZ PERCE
STATE OF IDAHO

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY DONE BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH THE SURVEY RECORDING ACT AT THE REQUEST OF BOB ARMSTRONG IN NOVEMBER OF 2004.

PROFESSIONAL LAND SURVEYOR REGISTERED 7379 STATE OF IDAHO TERRY T. GOLDING

TERRY T. GOLDING DATE
IDAHO PROFESSIONAL LAND SURVEYOR # 7379

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE 1983 IDAHO STATE PLANE COORDINATE SYSTEM, WEST ZONE, AND WAS DEVELOPED USING N.G.S. CONTROL POINT RZ0402 AT N. 1783504.803, E. 2434830.289, EL. 938.14' (A SECOND ORDER CONTROL POINT). CURRENT NATIONAL GEODETIC SURVEY PROCEDURES WERE USED TO ESTABLISH THE COORDINATES SHOWN. A DIRECT TIE FROM PT."A" TO RZ0402 IS N78°56'31"W, 5340.38'. A DIRECT TIE FROM PT. "A" TO RZ1445 IS N69°55'26"W, 17112.86'.

SURVEYORS NOTES

1) NOT ALL OF THE EXISTING IMPROVEMENTS TO THIS PROPERTY HAVE BEEN SHOWN.

2) IT IS THE LAND OWNERS RESPONSIBILITY TO COMPLY WITH ANY STATE AND LOCAL REGULATIONS GOVERNING THE DIVISION OF LAND PRIOR TO ANY CONVEYANCE.

3) DISTANCES SHOWN HEREON ARE IN TERMS OF STATE PLANE GRID AND CAN BE CONVERTED TO GROUND BY MULTIPLYING BY 1.000071.

4) THE SIDE LOT LINES SHOWN HEREON WERE ESTABLISHED AT RECORD DEED ANGLE OFF HIGHWAY 12 RIGHT OF WAY LINE AS RETRACED BY ACTUAL CENTERLINE LOCATIONS AND FOUND MONUMENTATION SHOWN HEREON.

5) AN UNRECORDED SURVEY BY JAMES W. GROW IN 1975 DEPICTS THIS BOUNDARY AND SETS THE PROPERTY CORNERS.

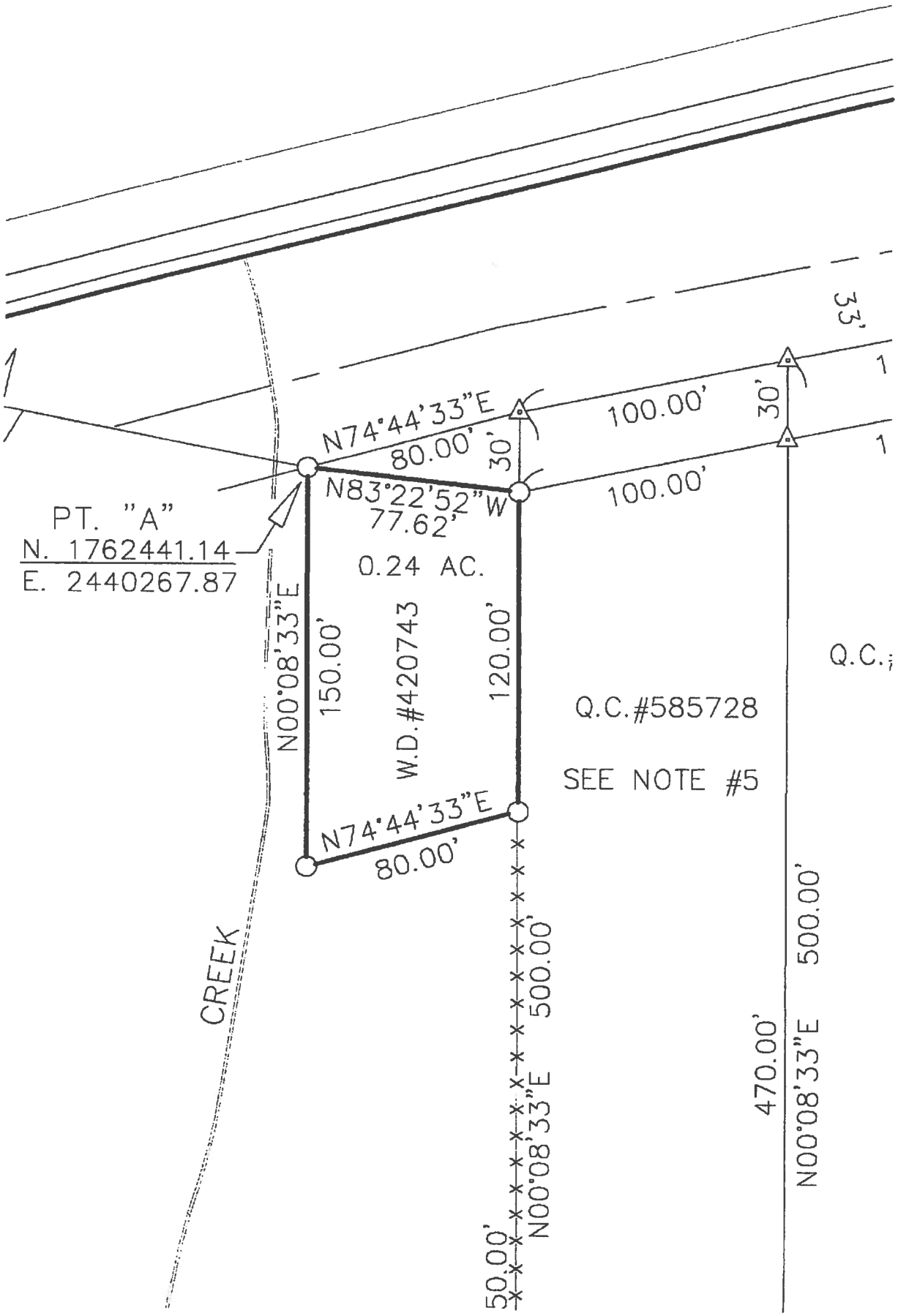
6) THIS SURVEY RETRACES THE DEEDS OF RECORD AS INDICATED BY FOUND MONUMENTS SHOWN HEREON AND DOES NOT RETRACE THE EAST LINE OF GOV'T. LOT 3.

LEGEND

- ▲ = CALCULATED POSITION ONLY, NO CORNER SET THIS SURVEY.
- ● = FOUND MONUMENT AS NOTED.
- □ = SET 5/8" DIA BY 24" LONG REBAR & CAP MK'D. "PLS 7379" UNLESS OTHERWISE STATED.
- ..... = EXISTING BARBED WIRE FENCE.

GRAPHIC SCALE
100 0 100 200
(IN FEET)
1 INCH= 100 FT

GOLDING SURVEYING & MAPPING
P.O. BOX 1818 • LEWISTON , IDAHO • 83501 • (208) 746-5725


PT. "A"
N. 1762441.14
E. 2440267.87
N74°44'33"E
80.00'
30'
100.00'
30'
N83°22'52"W
77.62'
100.00'
0.24 AC.
N00°08'33"E
150.00'
W.D.#420743
120.00'
Q.C.#585728
SEE NOTE #5
N74°44'33"E
80.00'
CREEK
N00°08'33"E 500.00'
50.00'
470.00'
N00°08'33"E 500.00'
Q.C.

Order No.: 14572
Policy No.: A60-Z027541

EXHIBIT "A"

SITUATE IN NEZ PERCE COUNTY, STATE OF IDAHO TO WIT:

A portion of Lot 3, Section 5, Township 36 North, Range 1 West of the Boise Meridian, described as:

Beginning at a point on the South right of way line of the Lewis-Clark Highway, which point is North 00°04' West, 1123.8 feet and South 78°04' West 1000 feet from the Southeast corner of said Lot 3; thence South 00°04' East, 150 feet; thence South 74°32' West, 80 feet; thence North 00°04' West, 150 feet to the South right of way line of said Lewis-Clark Highway; thence Easterly along said South right of way line 80 feet to the POINT OF BEGINNING.

EXCEPTING:

Beginning at a point on the South right of way line of the Lewis-Clark Highway, which point is North 00°04' West, 1123.8 feet and South 78°04' West, 1000 feet from the Southeast corner of said Lot 3; thence Westerly along said South right of way line 80 feet; thence Southeasterly to a point which is 30 feet South 00°04' East from the POINT OF BEGINNING; thence North 00°04' West 30 feet to the POINT OF BEGINNING.

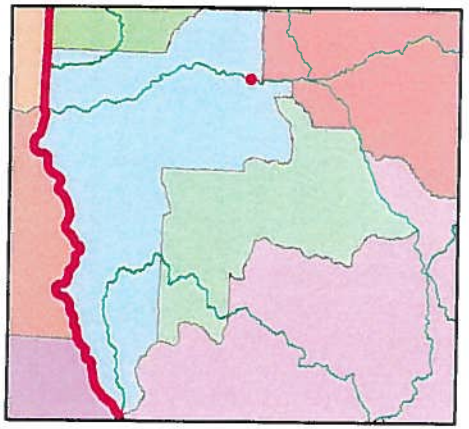
Idaho Department of Water Resources

Water Right
85-7639
(DOMESTIC)

R01W

T36N

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Nez Perce County
IDWR Basin 85

N

0 0.015 0.03 0.06 Miles

Prepared by Saxton, Craig

2009 Aerial Photography

POD & POU Overlaps

NEZ PERCE COUNTY
85-7141
85-7095B 85-7639
85-7095A
NEZ PERCE COUNTY
NEZ PERCE COUNTY
NEZ PERCE COUNTY
CARLTON STEVE
85-7199
85-10840
85-11693
MILLER PAUL H
KETTENBURG ROBERT EDWARD
KETTENBURG ROBERT EDWARD
ULERY DANIEL L
WARFORD GAYLON L
CARLTON STEVE
MILLER PAUL H
MILLER PAUL H
MILLER PAUL H
85-7095 85-7441
85-10784
MCCORMICK RICHARD JAMES

85-7129 M

DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 2 1980

Department of Water Resources

FIELD REPORT

85-7095
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	12/19/79	K	
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 6-20-80 Accompanied by Max Eberhardt Total Q measured 0.066

If source is surface water, estimate total flow of source

Methods of measurement Pressure / estimate Meets Permit requirements? Yes

Measurement calculations:
5 bunkers sprds @ 50 psi = 5(5.7) 28.5 gpm = 0.066 cfs measure
7 lawn sprinklers ± 3 gpm ea = 21 gpm = 0.04 cfs estimate
3.6 A(3) = 10.5 AF ✓
0.07(1.98)(213) = 29.6 AF
0.10 cfs capacity limited to .07 As per permit
V = 4x3 = 12.0 or .07x1.9835x213 = 29.6

35-1

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	2	DAYTON	56J	DAYTON	—	—	—	

System Description

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

RECOMMENDED AMOUNTS

Irrigation requirement = 3 AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
IRRIGATION	0.07	~~10.5~~ 12.0	4-1	10-31
Total	.07	12.0		

Remarks 5 Bunkers 860 1/64 #7 lawn sprinklers
Underground pipe

No Overlapping rights

Taken from beneficial field exam for 85-7095 (split into 85-7095A + 85-7095B)