

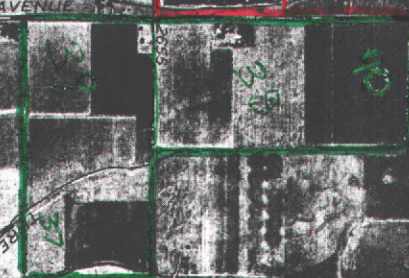
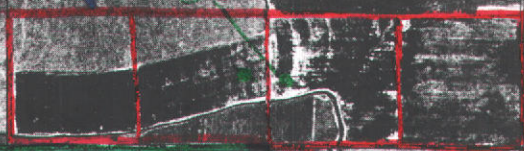
63-11772

T 110
R 22W

- = new
- = 01.0 = 63-63584

63-358
614
5-21

Well
No gulf lots



NEW
5-22
63-11772

AUG 0 8 1934
OLD + NEW
from same P/O

R. 2 W. 62 35 Canyon County

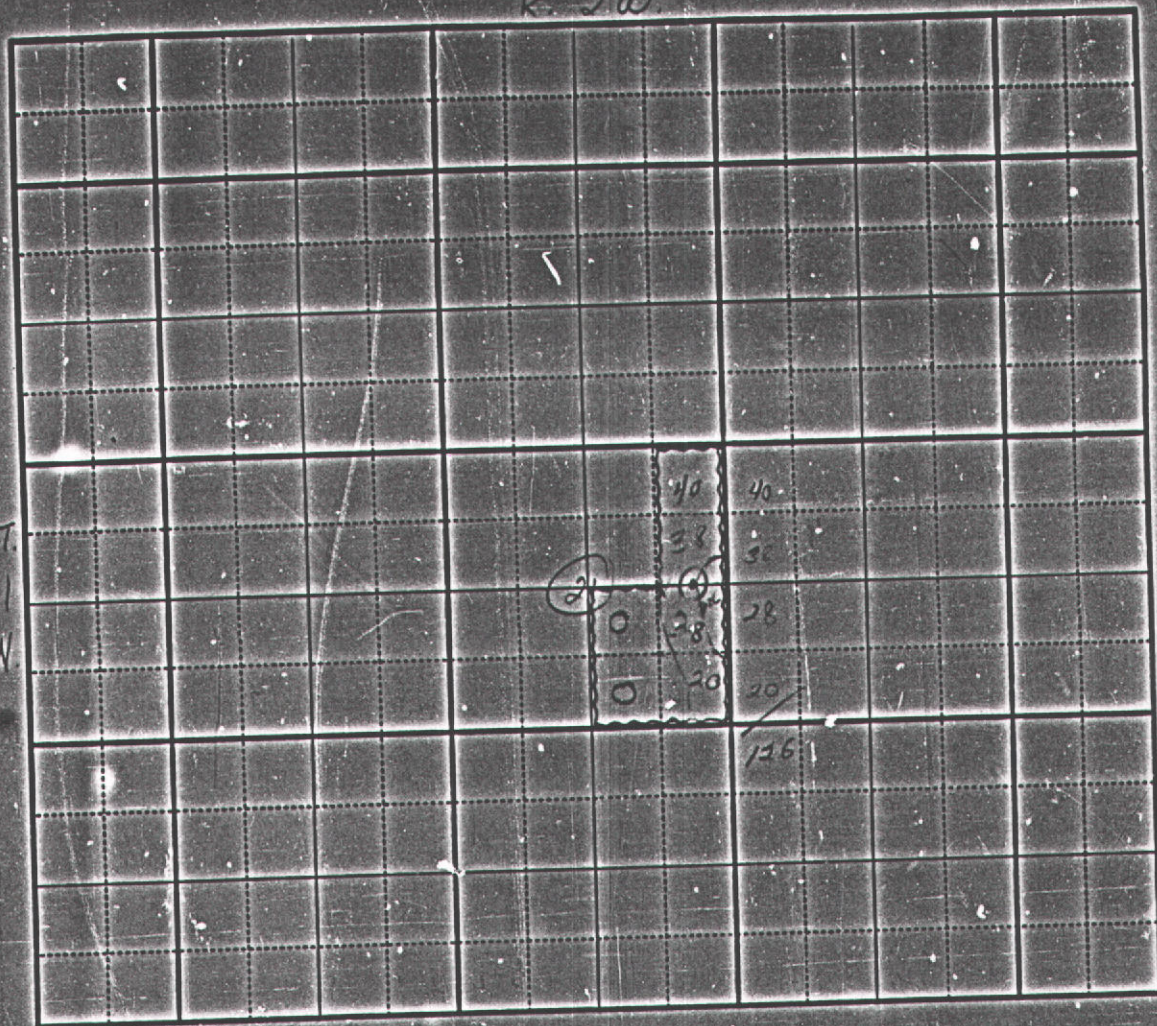


Diagram of System

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63-3584

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MAY 11 2001

Department of Water Resources

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

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MAY 23 2001

Department of Water Resources

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-11772 IN)
THE NAME OF MILLER LAND CO)
_____)

REINSTATEMENT ORDER

This matter having come before the Idaho Department of Water Resources (department), as a result of drought conditions being experienced during the 1994 irrigation season, the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. In May 1992, the department issued the above captioned temporary permit (permit) to use ground water during the 1992 irrigation season to offset the effects of the drought and the associated reduced surface water supply. The permit expired on November 15, 1992.

2. The permit was conditioned that the Director of the department retained jurisdiction to reinstate the permit if drought conditions justify resumption of ground water use.

3. Water supply conditions during 1994 justify reinstatement of the permit by the Director.

CONCLUSIONS OF LAW

1. The Director is authorized under Chapter 2, Title 42, Idaho Code, to issue water right permits authorizing the diversion and use of the state's water resources.

2. The Director should reinstate the above captioned permit with certain conditions and limitations.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the above captioned permit is **REINSTATED** with the following conditions and limitations:

1. The permit expires on November 15, 1994.

2. The right to divert water under the above captioned permit is void if the surface water appurtenant to the place of use has been sold, transferred, leased or used on any other place of use without the approval of the department.

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3. The permit holder shall use the full allotment of surface water to the extent it is available before diversion is authorized under this reinstated permit.

4. The permit holder shall employ reasonably efficient methods of water application to conserve the water of the state of Idaho.

5. The rate of diversion of water for irrigation under this right and all other rights shall not exceed 0.02 cfs for each acre of land.

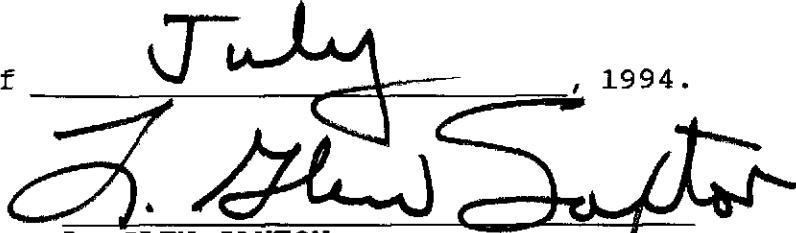
6. This use is subject to all prior water rights.

7. The place of use authorized is only that shown on the permit. Permit holder shall prevent use of this water on land for which it is not authorized.

8. This reinstatement does not authorize the construction of new wells or the deepening of existing wells.

9. Failure to comply with the above conditions and limitations of permit use voids this reinstatement.

Dated this 25th day of July, 1994.


L. GLEN SAXTON
Chief, Water Allocation Bureau

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State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11772

Proposed Priority: April 15, 1992 Maximum Diversion Rate: 2.19 CFS
This is to certify, that **MILLER LAND CO INC**
C/O JOHN MILLER
BOX 2124C HWY 45
MELBA ID 83647

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	2.19 CFS

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 21, Township 01N, Range 02W
CANYON County

<u>PLACE OF USE:</u> IRRIGATION						
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	02W	22	NWSW 40	SWSW 38		78
		27	NENW 37	NWNW 39		76

Total number of acres irrigated: 154

CONDITIONS/REMARKS:

1. This permit to appropriate water expires at the end of the 1992 irrigation season. The Director retains jurisdiction to reinstate the permit if drought conditions justify resumption of groundwater use.
2. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
3. This right to divert groundwater is void if the surface water right appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
4. The permit holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this permit.
5. The permit holder must employ reasonably efficient methods of water application to conserve the water of the State of Idaho.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. Construction of the well must comply with Idaho well construction standards.
8. This right is subject to all prior rights.

MIDDAUGH MEN

AUG 09 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11772

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

10th day of June, 1992

for J. Glen Saylor
R. Keith Higginson, Director

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AUG 09 1994

Ident. No. 63-11772

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: MILLER LAND CO INC 208-495-2444
Address: C/O JOHN MILLER
BOX 2124C HWY 45
MELBA ID 83647
2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: SENE Sec. 21, Township 01N, Range 02W
CANYON County
4. Water will be used for the following purposes:
- | Purpose | From | To | CFS | (or) | AF |
|------------|-------|-------|-------|------|----|
| IRRIGATION | 03/15 | 11/15 | 2.190 | | |
5. Total quantity to be appropriated is:
2.190 CFS (and/or) AF
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc.
365' DEEP, 16" CS, 100 HP PUMP
b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
c. Proposed well diameter is 16 inches; proposed depth of well is 385
feet.
d. Is groundwater with a temperature greater than 90F being sought? NO
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 years.
8. Description of proposed uses:
9. Place of Use: IRRIGATION
- | TWN | RGE | SEC | ACRES | ACRES | ACRES | TOTAL |
|----------------------------------|-----|-----|---------|---------|-------|-------|
| 01N | 02W | 22 | NWSW 40 | SWSW 38 | | 78 |
| | | 27 | NENW 37 | NWNW 39 | | 76 |
| Total number of acres irrigated: | | | | | | 154 |
10. Describe any other water rights used for the same purposes.

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

12. Remarks:

13. Map of proposed point of diversion and place of use attached? [x]

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

X John W Miller
Applicant

Received by L. Werner Date 4-15-92 Time 1400 Preliminary check by gl

Fee \$ 85.00 Receipted by L. Werner # W14508* Date 4-15-92

Publication prepared by EG dt Date 4-29-92 Published in Press-Tribune
5/6 & 5/13/92

Publication approved dt dt Date 5-14-92 6-25-01

* Date entry 4/23/92 - gl

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AUG 09 1994

Miller Sand Co., Inc.

President - John Miller
Vice - Pres. - Robert D. Miller
Secretary - Virginia R. Miller

RECORDED

AUG 09 1994

100-1034
NEW
FAME PLO

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been made to appropriate the public waters of the State of Idaho:

63-11746

TAKASUGI, MICHIO
2431 JACK RD
PARMA, ID 83660
Source: GROUNDWATER
Diversion Pt:
Use: IRRIGATION

SWNE Sec 13 T 04N R 05W in CANYON County.
(1.600 CFS)
Total Diversion: (1.600 CFS)

Date Filed: 4/2/1992
In: CANYON County
T04N R05W S13
80.0 ACRES TOTAL

NWNE SWNE

63-11754

FARNER, VIRGIL E
FARNER, MABEL
11153 FARNER RD
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt:
Use: IRRIGATION

SENE Sec 5 T 02N R 03W in CANYON County.
(1.480 CFS)
Total Diversion: (1.480 CFS)

Date Filed: 4/6/1992
In: CANYON County
T02N R03W S05
74.0 ACRES TOTAL

Lot 1 (NENE) SENE

63-11764

BRYAN C RAMBO CRUSHING CO INC
8301 CHERRY LN
NAMPA, ID 83687
Source: GROUNDWATER
Diversion Pt: LOT 4 (NWNW)
Use: IRRIGATION
INDUSTRIAL
DOMESTIC

Sec 5 T 02N R 02W in CANYON County.
(.030 CFS)
(.020 CFS)
(.020 CFS)
Total Diversion: (.070 CFS)

Date Filed: 4/8/1992
In: CANYON County
T02N R02W S05
1.0 ACRES TOTAL

Lot 4 (NWNW)

63-11765

YAMAMOTO FARMS INC
20294 MIDLAND BLVD
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: NENWSW
Use: IRRIGATION

Sec 22 T 04N R 02W in CANYON County.
(1.440 CFS)
Total Diversion: (1.440 CFS)

Date Filed: 4/10/1992
In: CANYON County
T04N R02W S21
S22
72.0 ACRES TOTAL

NESE NWSE SESE NWSW

53-11766

YAMAMOTO FARMS INC
20294 MIDLAND BLVD
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: SENESE
Use: IRRIGATION

SENESE Sec 20 T 04N R 02W in CANYON County.
(1.600 CFS)
Total Diversion: (1.600 CFS)

Date Filed: 4/10/1992
In: CANYON County
T04N R02W S20
80.0 ACRES TOTAL

SWNE SENE NESE NWSE SWSE

63-11768

MORROW, KENNETH L
1616 LAKE LOWELL AVE
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt:

SESW Sec 29 T 03N R 02W in CANYON County.
SWSE Sec 29 T 03N R 02W in CANYON County.

Use: IRRIGATION

(1.080 CFS)
Total Diversion: (1.080 CFS)

Date Filed: 4/14/1992
In: CANYON County
T03N R02W S29
54.0 ACRES TOTAL

SESW SWSE

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Mary B. Scott

Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

I. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

I. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of said notice, a copy of which is hereto attached.

I. That the notice, of which the annexed is a printed copy, was published in said newspaper
Two Times
in the regular and entire issue of said paper, and was printed in newspaper proper, and not in a supplement.

I. That said notice was published the following dates:

May 6, 13, 1992

STATE OF IDAHO)
)
COUNTY OF CANYON)

this 13th day of May in the year of 1992, before me, a Notary Public, personally appeared Mary B. Scott, known and identified to me to be the person whose name subscribed to the instrument, and being by me first duly sworn, declared the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho
Residing at Nampa

AUG 09 1994

63-11772 VST
MILLER LAND CO INC
C/O JOHN MILLER
BOX 2124C HWY 45
MELBA, ID 83647
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

Date Filed: 4/15/1992
In: CANYON County
T01N R02W S22.

SENE Sec 21 T 01N R 02W in CANYON County.
(2.190 CFS)
Total Diversión: (2.190 CFS)

NWSW SWSW

S27
154.0 ACRES TOTAL

NENW NWNW

63-11773
TRACY, MARK S
TRACY, SUSAN
6627 BENNETT RD
NAMPA, ID 83686
Source: GROUNDWATER
Diversión Pt:

SENW Sec 10 T 02N R 03W in CANYON County.
(1.140 CFS)
(.040 CFS)
Total Diversión: (1.180 CFS)

Use: IRRIGATION
DOMESTIC

Date Filed: 4/16/1992
In: CANYON County
T02N R03W S10
97.0 ACRES TOTAL

SWNW SENW NESW NWSW

63-11776
BIRT, AL
4609 SOUTHSIDE BLVD
NAMPA, ID 83686
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION
STOCKWATER

NWSE Sec 11 T 02N R 02W in CANYON County.
(1.260 CFS)
(.020 CFS)
Total Diversión: (1.280 CFS)

Date Filed: 4/8/1992
In: CANYON County
T02N R02W S11
63.0 ACRES TOTAL

NESW SESW NWSE

63-11778
REINEKE, RICHARD L
REINEKE, JANICE
539 HILL RD
MELBA, ID 83641
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

SWNW Sec 34 T 01N R 02W in CANYON County.
(2.000 CFS)
Total Diversión: (2.000 CFS)

Date Filed: 4/17/1992
In: CANYON County
T01N R02W S34
102.0 ACRES TOTAL

SWNW SENW NESW NWSW

63-11782
STEPHENSON, GLEN K
1920 KARCHER RD
NAMPA, ID 83687
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

SWSE Sec 1 T 03N R 03W in CANYON County.
(1.080 CFS)
Total Diversión: (1.080 CFS)

Date Filed: 4/16/1992
In: CANYON County
T03N R03W S01
54.0 ACRES TOTAL

SESW SWSE

63-11785
MONTGOMERY CAVES, INEZ E
7140 HOVE RD
MELBA, ID 83641
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

SENE Sec 2 T 01S R 02W in CANYON County.
(.420 CFS)
Total Diversión: (.420 CFS)

Date Filed: 4/23/1992
In: CANYON County
T01S R02W S02
21.0 ACRES TOTAL

SENE

63-11789
MC NEIL, FLORENCE
2375 CENTER AVE
PAYETTE, ID 83661
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

NWNE Sec 27 T 05N R 04W in CANYON County.
(1.200 CFS)
Total Diversión: (1.200 CFS)

Date Filed: 4/20/1992
In: CANYON County
T05N R04W S27
80.0 ACRES TOTAL

NWNE SWNE NWSE

63-11792
NICHOLS, REX
31858 HOB LN
PARMA, ID 83660
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

NENE Sec 30 T 06N R 05W in CANYON County.
(1.200 CFS)
Total Diversión: (1.200 CFS)

Date Filed: 4/24/1992
In: CANYON County
T06N R05W S30
64.8 ACRES TOTAL

NENE NWNE SWNE SENE

63-11793
ECHEVARRIA, RICK
ISAGUIRRE, MARGIE
ISAGUIRRE, RUFO
PO BOX 83
HOMEDALE, ID 83628
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

SENW Sec 34 T 04N R 05W in CANYON County.
(.800 CFS)
Total Diversión: (.800 CFS)

Date Filed: 4/2/1992
In: CANYON County
T04N R05W S34
40.0 ACRES TOTAL

SENW

63-11794
SWENSON, LEON
18822 DEAN LN
NAMPA, ID 83687
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

SWNE Sec 36 T 04N R 02W in CANYON County.
(1.460 CFS)
Total Diversión: (1.460 CFS)

Date Filed: 4/27/1992
In: CANYON County
T04N R02W S36
73.0 ACRES TOTAL

NWNE SWNE

63-11796
BROWN, HUGH D
7226 E CHERRY LN
NAMPA, ID 83687
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

SESE Sec 15 T 03N R 02W in CANYON County.
(.200 CFS)
Total Diversión: (.200 CFS)

Date Filed: 4/8/1992
In: CANYON County
T03N R02W S15
10.0 ACRES TOTAL

SESE

63-11797
PROESCH, ROBERT M
2283 CANYON RD
MELBA, ID 83641
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

NESWNE Sec 14 T 01S R 02W in CANYON County.
(1.800 CFS)
Total Diversión: (1.800 CFS)

Date Filed: 4/16/1992
In: CANYON County
T01S R02W S11
S14
90.0 ACRES TOTAL

SWNE SENE

63-11799
SHIRLEY, JAMES R
SHIRLEY, ELAINE J
6900 BROWN LN
NAMPA, ID 83686
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION
DOMESTIC

NESW Sec 8 T 02N R 01W in CANYON County.
(.020 CFS)
(.040 CFS)
Total Diversión: (.060 CFS)

Date Filed: 4/20/1992
In: CANYON County
T02N R01W S08
1.0 ACRES TOTAL

NESW

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before MAY 26, 1992.

R. KEITH HIGGINSON
Director
DEPARTMENT OF WATER
RESOURCES
May 6, 13, 1992

AUG 09 1994

To Steve Lester

IDWR Western Region

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MAY 14 2001

WATER RESOURCES
WESTERN REGION

63-11772 Summary

1967 Well.

1992 + 1994 'M Well' Temp. Approval.

1995 not reprocessed due to lack
of response.

May 2001 asked for approval & S.O. ...

file to Region to reprocess.

June 2001 advertised w/o protest.

July 2001 should have gone to
S.O. but overlooked in summer
rush. Probably OK since did
not hear from applicant.

Looks OK to approve w/ all the B.
63 conditions etc.

-SL 11/20/01

WISCONSIN DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: R DATE: 5/18/2001 APPLICATION: 63.11772

REQUIRED INFORMATION

see original appl. info

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County:
Quantity: (flow and/or volume)
Period of use:
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map: (show T, R, S, QQ &/or QQQ)
Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Correct fee paid - *NO additional fee needed to re-process*

Gov't. Lots:

N P/D

P/U

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NOV 25 2001

ADDITIONAL INFORMATION

you ADVERTISE REMARK(S)
(Reviewer identify which remarks)

YES NO

- ☒ ☐ Overlapping place of use: (Describe source & relationship to present application on next page.)
☒ ☐ Overlapping point of diversion.
☐ ☒ Critical groundwater area:
☐ ☒ Groundwater management area:
☐ ☒ 1992 moratorium: *← OK for M well used 1992 + 1994*
☐ ☒ Surface water source, IDFG letter needed.
☐ ☒ Protected river or minimum flow reach, notify water planning bureau.
☐ ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
☐ ☒ E-mail to Dam Safety staff: (for any storage)
☒ ☐ Mitigation plan: Check any that apply.
☐ ☒ *N/A* immediate = acceptable plan required and submitted.
☐ ☒ future = open areas, acceptance of condition of approval is in file. *= 5/25/2001*
☐ ☒ Send power requirement letter &/or fish farm requirement letter.
☐ ☒ Power residency affidavit:
☐ ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☒ ☐ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Continue Address, water bearing zone & "future mitigation"

no change

Date Requested

5/18/01

Date Response Received

5/23/01 (telephone call)

2001 RE-PROCESSING "M well"

PROCESSING

APP. NO.

63-11772

YES NO

☒ ☐ In form for advertising:
☒ ☐ Statewide advertising: (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐ ☒ I.D. Health & Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ Water Dist. # _____
☐ ☒ Water Planning Bureau
☐ ☒ Other _____

FINAL REGIONAL PROCESSING REVIEW:

YES NO

☒ ☐ Affidavit of publication received:
☒ ☐ Application published correctly: If not, record action taken.

☒ ☐ Publication dates and paper recorded on application:

☐ ☒ Final date for protest 6-25-01

☐ ☒ Protests received.

☐ ☐ Recommendations attached:

☒ ☐ Measuring device required:

☐ ☒ Water delivered by water master? District # _____

☐ ☒ Special conditions of approval or cover letter:

Existing well drilled < 1987. Standard "M well" condition of approval. Allow
 1 year for protest filing. No zone 230'-365". No additional well drilling.
 Future mitigation conditions.

See below for additional information

Recommended Date or Priority

Recommended by: Appuer

NO change in priority

Date:

11/28/01

ADDITIONAL INFORMATION:

~~well # 1971 per 63-3584~~

* 1967 well used for 63-3584 (separate acres). Approved 1992 + 1994
 as "M well use." Owner did not respond to 1995 mailing about
 continued processing so not re-processed then. Now seeks permit
 approval due to desyht condition - see 5/9/01 letter.

* attached well log

05/30/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Application Report

WATER RIGHT NO. 63-11772

Owner Type Name and Address
Current Owner MILLER LAND CO INC
 C/O JOHN MILLER
 2124C HWY 45
 MELBA, ID 83647
 (208)495-2444

Use this original
address per 5-30-01
confirmation

Priority Date: 04/15/1992
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	2.19 CFS		
Total Diversion			2.19 CFS		

Location of Point(s) of Diversion:

GROUND WATER SENE Sec. 21 Township 01N Range 02W CANYON County

IRRIGATION Use:
Acre Limit: 154

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
01N	02W	22		NWSW	40		SWSW	38						
		27		NENW	37		NWNW	39						

Total Acres: 154

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
slester	5/18/01 9:10:34 AM	Special Administration Area Notes	Special Administration Areas : Basin 63 Moratorium Exempt: Y Reason: Mitigation Plan Doc Attached: N Explanation: Temporary 1992 & 1994 approvals for M well, now seeks regular permit approval
slester	5/18/01	Overlap	Same well used for other acres in 63-3584. Applicant has surface water from Boise-Kuna Irrigation District.
slester	5/18/01	Re-processing	Application was not re-processed in 1995 due to non-response to IDWR mailing. Therefore, temporary 1992 and 1994 approvals did not become regular permit approval in mid 1990s. Now seeking permit approval due to 2001 drought.
slester	5/18/01 9:35:13	Legal Notice Remarks	Applicant agrees to mitigate consumptive use in the future as needed for supplemental irrigation from an existing well with a 230 to 365 feet water bearing zone. Applicant seeks re-authorization of a permit

AM

given temporary approval in 1992 and 1994 droughts but does not propose use when a normal supply of surface water is available.

Dates:

Date Application Received: 04/15/1992
Date Application Denied:
Last Date of Beneficial Use:
Extension End Date:
Protest Deadline Date:
Number of Protests: 0
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): W014508
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Application Type: New Appropriation
Applicant Remarks:
Other Water Rights:
Time to Complete Works: 1
Transfer Affected Description:
Transfer Affected Contracts:
Old Transfer Number:
Transfer Reason:
Transfer Return Flows:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

63-3584

older well
from same well
as 63-11772 -
check for separate
area

Well Log Form 1
12-3/63

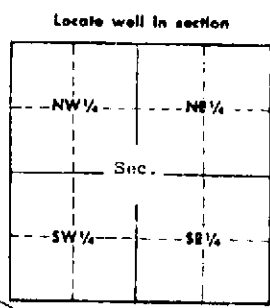
RECEIVED
JUN 7 1967

Department of Reclamation

WELL LOG AND REPORT TO THE
STATE RECLAMATION ENGINEER OF IDAHO

SUBMIT WITHIN 30 DAYS AFTER COMPLETION OF WELL: SEE IDAHO STATUTES 42-238

Permit No. 33481 Well No. _____ County Canyon
Owner John Miller
Address Melba, Idaho
Driller Elmer D. Johnston
Address Creech, Idaho
Well location E 1/4 E 1/4 Sec. 21, T. 1 N/S, R. 2 E/W
Size of drilled hole 16 in.



Total depth of well 365 ft
Give depth to standing water from the ground 151 Water temp. 65 Fahr.
Test delivery was 156.6 g.p.m. or _____ c.f.s. Drawdown was 44 feet. Pump? X Unit? _____
Size of pump and motor used to make test 200 hp. Beiral 10" column H.P. motor
Length of time of test 3 hours _____ minutes.
If flowing well, give flow _____ c.f.s. or _____ g.p.m. and of shut off pressure.
If flowing well, described control works _____ (TYPE AND SIZE OF VALVE, ETC.)
Water will be used for Irrigation Weight of casing per lineal foot _____
Thickness of casing 1/4" Casing material steel (STEEL, CONCRETE, WOOD, ETC.)
Diameter, length and location of casing _____ (CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER; CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER.)

CASING RECORD

Diam. Casing	From Feet	To Feet	Length	Remarks—seals, grouting, etc.
16"	0	44	44	Cemented at top

Number and size of perforations 1 1/2 in. located _____ feet to _____ feet from ground

Date of commencement of well April 6, 1967 Date of completion of well May 24, 1967

USGS

SAME WELL AS 63-11772

WELL LOG

[illegible]

W. b. 300e
Appears to be
e 230 '365'

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is complete, true and correct to the best of my knowledge and belief.

Signed, George A. Johnson

By _____, Clerk of the Court, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the Court.

Dated June 4, 1967.

License No. 273

Well Driller's helper, Bill Detweiler.

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33481/63-3584 Priority Feb. 21, 1967 Amount 2.19 cfs

THIS IS TO CERTIFY, that JOHN W. MILLER
of Melba, Idaho, has complied with the terms and conditions of Permit
No. 33481/63-3584 issued pursuant to Application for Permit dated February 21, 1967
and has submitted proof to the Department of Water Administration on March 1, 1971
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.19 cfs and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 2.19 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 2.19 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE 1/4 Sec. 21, Twp. 1 N, Rge. 2 W, B.M.

In the county of Canyon, and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 557 acre feet per year or
4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SE 1/4				SW 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	
1 N	2 W	21	40			38									28			20	126

Total number of acres irrigated 126

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6th day of
February, 19 73.

Director

63 3584

*Same well
as
63-11772
but other
acres*

FIELD REPORT

1992

The image is a high-contrast, black and white scan of a grid, likely a film strip or a document page. The grid is composed of many small squares. The left edge is irregular, with some squares missing or cut off. The image is heavily degraded with noise and artifacts, including a prominent vertical streak on the left side and a large, bright, irregular shape in the lower-left quadrant.

Diagram of System

10-37-11

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[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 30, 2001

Legal Notice Department
Press-Tribune
PO Box 9399
Nampa ID 83652

RE: Application for Permit Nos. 63-11772, 63-31235 and Application for Transfer Nos. 69150, 69110 and 69112.

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 06/25/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

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

63-11772

MILLER LAND CO INC
C/O JOHN MILLER
2124C HWY 45
MELBA ID 83647

Point(s) of Diversion SENE S21 T01N R02W CANYON County Source GROUND WATER

Use: IRRIGATION 3/15 To 11/15 2.19 CFS 0 AFA

Total Diversion: 2.19 CFS

Date Filed: 04/15/1992

Place Of Use: IRRIGATION

T01N R02W S22 NWSW SWSW

T01N R02W S27 NENW NWNW

Number of Acres 154

Remark: Applicant agrees to mitigate consumptive use in the future as needed for supplemental irrigation from an existing well with a 230 to 365 feet water bearing zone. Applicant seeks re-authorization of a permit given temporary approval in 1992 and 1994 droughts but does not propose use when a normal supply of surface water is available.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 06/25/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on in the Press Tribune on June 7 and 14, 2001.

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant

Miller Land Co. Inc.

Mailing Address

P.O. Box 59

Merlin, ID 83641

Application No.
(if known)

63-11772

RECEIVED

MAY 25 2001

WATER RESOURCES
WESTERN REGION

 IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

 PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

X WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Robert D. Miller - President, Miller Land Co. Inc.

Date

5/23/01

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

* OK to use original database address info, clarified on
notes added to my 5/18/01 letter. -82

MILLER FARMS

7625 Hove Road

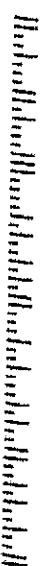
Melba, Idaho 83641-5203

Alta Lorrimer

*State of Idaho
Alta Resources Western Region
2735 Airport Way
Boise, Id. 83705-5082*



83705+5082





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 18, 2001

MILLER LAND CO INC
PO BOX 59
MELBA ID 83641

Re: Application for Permit No. 63-11772

per 5/23/01 telecon

Dear Mr. Miller:

The above referenced application can be processed as soon as possible once a few items have been clarified. The application covers the use of an older well for land authorized for temporary supplemental irrigation in 1992 and 1994. The older well also serves separate acres under an older water right, License No. 63-3584.

Processing must include publication of a legal notice in the local newspaper. This office can send the legal notice to the paper based on your response to this letter. In order for processing of 63-11772 to continue, please confirm the following items.

1. *Address and telephone number* – original application shows a Melba address as Box 2124C Hwy 45 and telephone number 495-2444. Should PO Box 59 and 495-2876 be used instead? I called the latter telephone number but could not reach anyone, and I was reluctant to pay a fee to leave a message. *OK as listed**
2. *Water bearing zone* – the older well indicates a water bearing zone from 230 to 365 feet according to the well log. No reply to this point is necessary unless the well has been modified to draw water from a different zone in the aquifer. If so, please identify the different zone and the approximate year when the well was modified. *Not been modified*
3. *Request to Process form* – the enclosed form and its letter of explanation should be reviewed. The form should be completed and returned. Most applicants select the third option for possible future mitigation. *ending*

The next legal notice deadline is May 29. Your written reply by then will expedite application processing. Normal processing takes about six to eight weeks assuming no protests against your application are received.

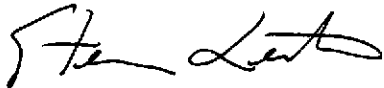
** OK to use original address/tel. in database, clarified w/ discussion with LG (see pencil notes shown here) 5/30/01. -82*

Application No. 63-11772
May 18, 2001
Page 2

I will be out of the office May 21 through May 25. Please contact Lori Graves at 334-2190 if you have any questions during that time. I will return to work on May 29.

Thank you for your prompt attention to the application details.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lester". The signature is fluid and cursive, with the first name "Steve" and last name "Lester" clearly distinguishable.

Steve Lester
Water Rights Supervisor

Enclosure

TO STEVE ^{John} LESTER

MEMORANDUM

DATE: May 11, 2001

TO: Glen Saxton

FROM: Shelley W. Keen ^{SWK}

RE: Application 63-11772

Two days ago I received a written request to process Application 63-11772, which was given temporary approval in 1992 and 1994. Unlike the similar applications that we recently approved, however, this application was not re-advertised in 1995. I think it was not re-advertised only because it we stopped reprocessing before we got to this one. Can we issue this permit? Do we need to advertise it first?

It utilizes an existing well.

Steve,

Glen doesn't think the ad needs any special language, but he doesn't mind if you and Gary insert something. Perhaps something like, "This is re-authorization of a permit given temporary approval during drought conditions in 1992 and 1994 and it does not propose diversions when the normal SW supply is available."

Shelley 5/14/01

*Shelley -
It seems to
me that we
need to
advertise
this one
if others like it.
SW
5-11-01*

May 9, 2001

Miller Land Company
PO Box 59
Melba, ID 83641

Dear Shelley Keen:

Please process and approve water right application no. 63-11772. I need it to provide a full supply of water on the proposed place of use because my surface water is insufficient to supply the needs of the crop this year.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert D. Miller".

Robert D. Miller
Vice President, Miller Land Company

495-2876



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 19, 1995

**Distribution: Applicants Whose Water Right Applications Were Held
Without Action Under the Boise River Basin
Moratorium**

Dear Applicant:

As you might be aware, on May 3, 1995 the Director of the Department of Water Resources, Mr. R. Keith Higginson, signed an Amended Moratorium Order which provides for the processing of previously held applications within the Boise River Basin, with certain restrictions. Enclosed for your information is a copy of the Order.

As provided in the Order, this office will resume the processing of these applications in order of priority at a rate of 30 applications per month. Depending on how many applicants wish to proceed with development of their projects, the processing of the 338 presently-held applications could require as much as a year. To enable you to make an estimate as to when your application(s) will be processed, please be advised that 244 of the applications have priority (receipt) dates of 1992; 32 are dated 1993; 37 are dated 1994; and 25 are dated 1995.

As new applications are received, they are sorted into two groups. Those that would not have been held back under the moratorium are processed immediately. To assure fairness in processing, those that would have been held back under the moratorium, such as irrigation applications, are placed at the end of the moratorium processing line.

Note that the Order requires that all applications held under the moratorium will be advertised (or re-advertised if previously advertised), in order to enable neighboring water users to examine the proposed uses in view of water availability information gained during recent drought years. There will be no additional charge to the applicants for this process. For applications that propose use of ground water, the advertisement must include an indication of the depth interval from which the applicant proposes to withdraw water.

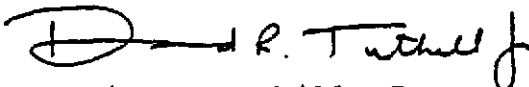
Please find enclosed a Profile Report which provides information from our water rights data base describing each of your moratorium-held applications. In addition we have included one response form for each application, which enables you to indicate whether you wish to proceed with processing of your water right application(s).

May 19, 1995

In case you no longer intend to develop a water use as described on an application, please complete and return the enclosed Withdrawal Form. Because of the time and effort already devoted to researching water availability in the Boise River basin, the Department will not be able to provide refunds of fees for applications that are withdrawn.

If you have questions about this process, or if you need assistance in completing the response form, please feel free to contact this office at (208) 334-2190. Response forms received no later than May 31, 1995, will be used in compiling the applications that will be advertised during June.

Sincerely,



David R. Tuthill, Jr., P. E.
Manager, Western Region Office

Enclosures

Amended Moratorium Order
Profile Report(s)
Response Form(s)
Application Withdrawal Form(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 26, 1994

MILLER LAND CO INC
C/O JOHN MILLER
BOX 2124C HWY 45
MELBA ID 83647

RE: PERMIT NO. M63-11772

REINSTATEMENT OF PERMIT APPROVAL

Dear Reinstated Permit Holder(s):

Enclosed is an reinstatement order **authorizing diversion of water** under the above referenced permit.

The Department has reinstated your permit for the remainder of the 1994 irrigation season and the reinstatement will expire on November 15, 1994. When your permit expires, you must make the pump and motor inoperable, and you cannot operate the pump without approval from the Department of Water Resources. The Director may reinstate the permit again next year if drought conditions persist.

Please remember water diverted under your reinstated permit is only to be used on the lands identified on your permit. You must obtain the approval of the Department before using your water anywhere else.

If diversion from your well causes interference with other wells with an earlier priority, you may be required to cease pumping or compensate the affected party. Idaho law specifically protects groundwater levels for domestic wells which were in use prior to 1978.

If you have any questions please let me know.

Sincerely,

A handwritten signature in dark ink, appearing to be 'J. Johnson', followed by a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

AUG 09 1994

RECEIVED

JUL 22 1994

DROUGHT RELIEF QUESTIONNAIRE

If you are not interested in having a 1994 temporary permit reinstatement, or if you did not drill a well in 1992, disregard this questionnaire. No response is necessary.

Please answer the questions below. Your answers will help the department assess the need for use of the wells to complete the 1994 irrigation season and the extent of water use that will occur if the department again authorizes use of the wells.

1. Temporary permit identification number. M63-11772
(See cover letter)

2. a) Person responding to this questionnaire

John W Miller

b) Relationship to applicant? Same

3. Do you expect to use all of your surface water supplies for the land identified on the attached application prior to the end of the 1994 irrigation season? Yes X No

4. What is the source of supply? (Name of Canal)

Irrigation Well

5. What date do you expect this to occur? August 1, 1994

6. List the type of crop, acreage and volume of water in acre feet (AF) needed under the temporary permit to complete the 1994 irrigation season. List only for the lands included in the land list of the attached application for permit.

CROP	ACRES	ACRE FEET
<u>Alfalfa Hay</u>	<u>40</u>	<u>100 AF</u>
<u>Beans</u>	<u>57</u>	
<u>Potatoes</u>	<u>20</u>	

This questionnaire needs to be completed and returned to the department by August 1, 1994 in order to be considered as a request to reinstate a temporary permit.

Miller Land Co. Inc.
John W Miller
AUG 09 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 20, 1994

MILLER LAND CO INC
C/O JOHN MILLER
BOX 2124C HWY 45
MELBA ID 83647

RE: Water Right No. M63-11772

Dear Water Right Holder(s):

In 1992, the Department issued you a temporary permit to use groundwater from your well, if you drilled one, to replace depleted storage water supplies. This temporary permit expired on November 15, 1992.

During 1994, since available surface water supplies are again substantially below normal, the department has received a number of requests to re-authorize use of the "1992 drought relief" wells.

The department is willing to consider reinstating the temporary permits for the remainder of 1994 provided you can show that you used water under the 1992 temporary approval and that water will be used only on the lands identified on the temporary permit. Enclosed is a questionnaire which you must complete and return to the department if you want to be considered for reinstatement in 1994.

Also enclosed, for your reference, is a record of your application for permit.

Please be advised that unless the department specifically reinstates the expired permit, you are not authorized to divert and use the water from the well identified on the temporary permit.

If you have any questions, please feel free to contact me at Ph. 327-7947.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson'.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

AUG 01 1994

March 31, 1994

MILLER LAND CO INC
C/O JOHN MILLER
BOX 2124C HWY 45
MELBA ID 83647

RE: Water Right No. M63-11772

Dear Water Right Holder(s):

In 1992, the Department of Water Resources issued the above referenced permit allowing the diversion of water for the 1992 irrigation season only. The permit included a condition:

This permit to appropriate water expires at the end of the 1992 irrigation season. The Director retains jurisdiction to reinstate the permit if drought conditions justify resumption of groundwater use.

It now appears that 1994 early season water supply and precipitation conditions are such that short-term use of the wells that were drilled under this authority could be beneficial prior to the start of water delivery through the canal systems in the Boise Valley. We have been advised that most of the canals will not be able to deliver water for another 10 to 14 days.

Therefore, you are hereby notified that the permit is reinstated for temporary use during the period April 1 through April 15, 1994 only. All other conditions of the permit continue to apply. One requirement was that the well be disconnected from the power system at the end of the approved period of use, which under this reinstatement is April 15, 1994.

The existing moratorium in the Boise Valley area is not changed by this temporary reinstatement of the 1992 drought well permit. This temporary reinstatement does not authorize the construction of a new well or alteration of an existing well.

If you have any questions, please contact this office.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

AUG 09 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 10, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MILLER LAND CO INC
C/O JOHN MILLER
BOX 212C HWY 45
MELBA ID 83647

RE: PERMIT NO. 63-11772

LETTER OF TEMPORARY PERMIT APPROVAL

Dear Permit Holder(s):

Enclosed is a copy of your approved permit. Your proposed use of water qualifies for a narrow exception to the Snake River Basin Moratorium established by the Director on May 15, 1992. The exception allows the use of groundwater during the drought to protect agricultural uses which normally have an adequate supply of water. Please carefully review the conditions of approval.

The Department has approved your permit for the 1992 irrigation season. Diversion of groundwater is not authorized after the 1992 season, and the permit expires. The Director may reinstate the permit in a subsequent year if drought conditions persist. You will be responsible for requesting reinstatement during future irrigation seasons.

When your permit expires, you must make the pump and motor inoperable, and cannot operate the pump without approval from the Department of Water Resources.

Your permit is for supplemental use only to augment your surface water supply. If the surface water you own is sold, transferred, leased or used on any other land without the approval of the Department of Water Resources, you automatically lose your right to divert groundwater. You must obtain the approval of the Department before using your water anywhere other than where it has traditionally been used.

In addition, you must fully utilize your available surface water to the extent possible. The surface water need not be fully consumed or diverted prior to use of groundwater. You cannot, however, simply divert token quantities of surface water and rely primarily on your groundwater diversion. Surface water must be your primary source of water.

AUG 6 9 1994

If you want to locate your well closer than 500 feet from an existing well, you must obtain the approval of the Department of Water Resources. We realize that under certain circumstances, it may be impossible to locate the well 500 feet away from another well. You must, however, be cognizant of possible interference resulting from pumping of your well.

If diversion from your well causes interference with other wells with an earlier priority, you may be required to cease pumping or compensate the affected party. Idaho law specifically protects groundwater levels for domestic wells which were in use prior to 1978.

If general water levels in the geographical area of your well decline below reasonable levels, the Department may require you to cease diverting from your well.

You must efficiently apply the water to the land and conserve water to the extent possible. Excessive irrigation, delivery systems with substantial losses, and application methods which cause substantial percolation or evaporation are not acceptable.

Sincerely,

JIM JOHNSON
Water Right Supervisor

JJ:cz

Enclosure

63-11772
Miller Land Co.

RECEIVED
MAY 23 1992
Department of Agriculture
Water Resources Division

MORATORIUM EXEMPTION QUESTIONNAIRE

IF YOUR APPLICATION PROPOSES AN IRRIGATION USE, PLEASE
COMPLETE AND RETURN THE FOLLOWING:

- Has ALL the land you propose to irrigate been irrigated with surface water in the past?

Yes

- Do you summer fallow any of your irrigated land? If so, how many acres?

No

- List the water right(s) you have used to irrigate the land listed on the application. If you have received water from a canal company or water district, please identify the name of canal or water district.

Boise-Kuna Irrigation District

- During the last ten years, how many years has your surface irrigation water been available for the entire irrigation season?

Seven years last three years have been short

- What crops have you grown in the past ten years?

Hay - Grain - Corn - Beans

I understand if my proposed diversion of groundwater is approved as a supplemental use, that I can only use my well during periods of drought, when a full supply of water is not available. I also agree that my surface water will be fully used to the extent available, will not be sold or used on other lands, and that a change in use of my surface water may result in revocation of any groundwater right granted pursuant to my application for supplemental water.

Dated this 28 day of May, 1992.

(Please sign) John W Miller

7-1-1994

Form No. 202a.
10/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: SC DATE: 4/23/92 APPLICATION: 63-11772

REQUIRED INFORMATION

attached in application

☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
☒ Address:
☒ Source: (See USGS Quad for names of water sources)
☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
☒ County:
☒ Quantity: (flow and/or volume) Gov't. Lots:
☒ Period of use: N P/D
☒ Nature of proposed use: (Include description of use) N P/U
☒ Description of diverting works:
☒ Time required for beneficial use of water:
☒ Place of use or acres irrigated:
☒ Map:
☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee:
☒ Yes ☐ No* In form to receipt:

ADDITIONAL INFORMATION

YES NO

☒ ☐ Overlapping place of use: (Describe source & relationship to present application on the back.)
☒ ☐ Overlapping point of diversion:
☐ ☐ Field check required: Field check by: _____
☐ ☐ Field report attached:
☐ ☐ Critical groundwater area:
☐ ☐ Groundwater management area:
☐ ☐ Diversion within interim protected river area
☐ ☐ Send dam safety information:
☐ ☐ Send power requirement letter:
☐ ☐ Send fish farm requirement letter:
☐ ☐ Power residency affidavit:
☐ ☐ Power efficiency form:
☐ ☐ Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☐ ☐ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☐ ☐ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

☒ ☐ DATE REQUESTED: _____
☒ ☐ Additional information on reverse side:

1992 PROCESSING

RECEIVED
JUN 5 1992

Department of Water Resources

63-11772

MILLER LAND CO INC
C/O JOHN MILLER
BOX 2124C HWY 45
MELBA, ID 83647

Source: GROUNDWATER

Diversion Pt: SENE Sec 21 T 01N R 02W in CANYON County.

Use: IRRIGATION (2.190 CFS)
Total Diversion: (2.190 CFS)

Date Filed: 4/15/1992

In: CANYON County		
T01N R02W S22	NWSW	SWSW
S27	NENW	NWNW

154.0 ACRES TOTAL

RECORDED

AUG 09 1993