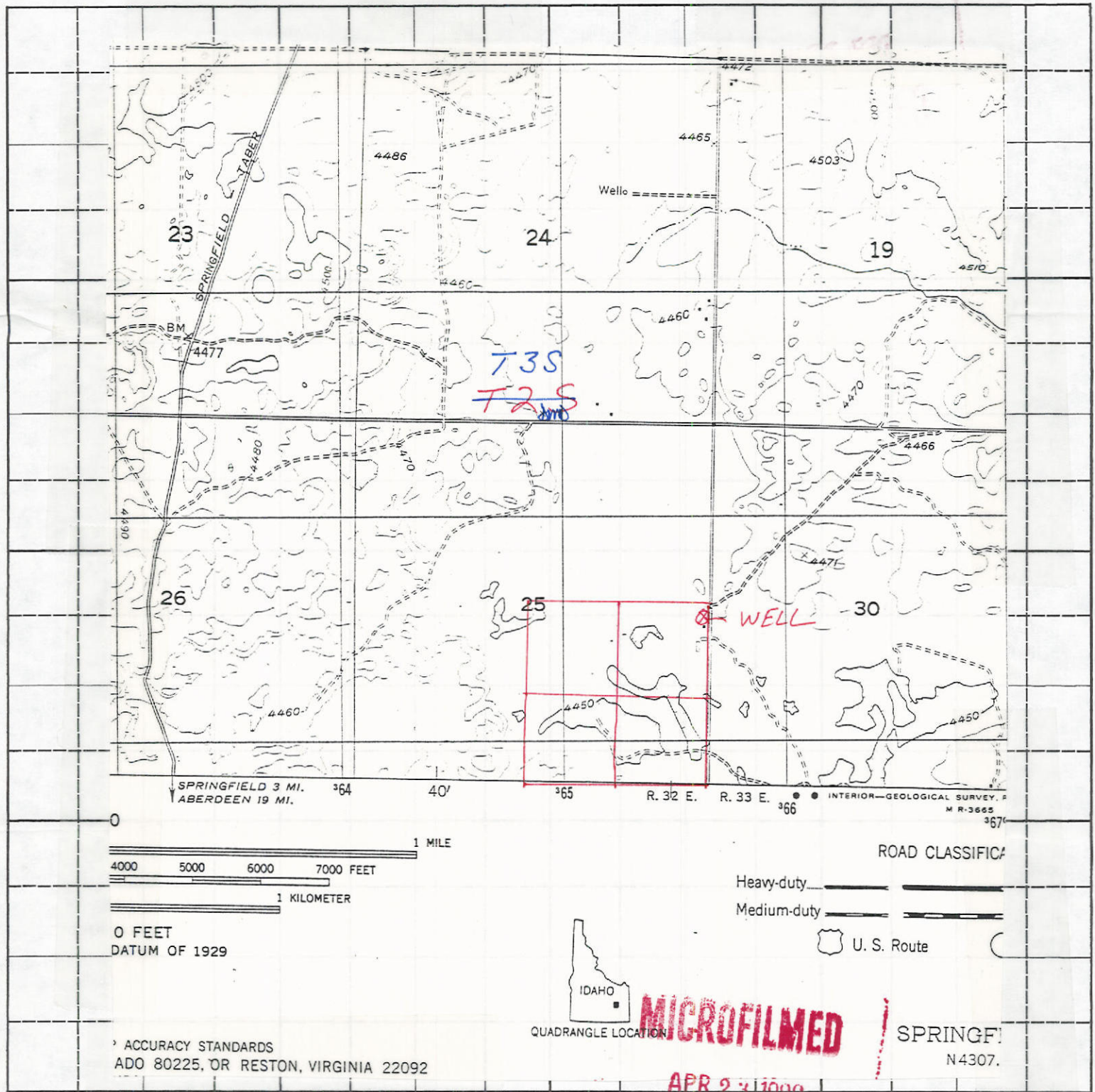


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

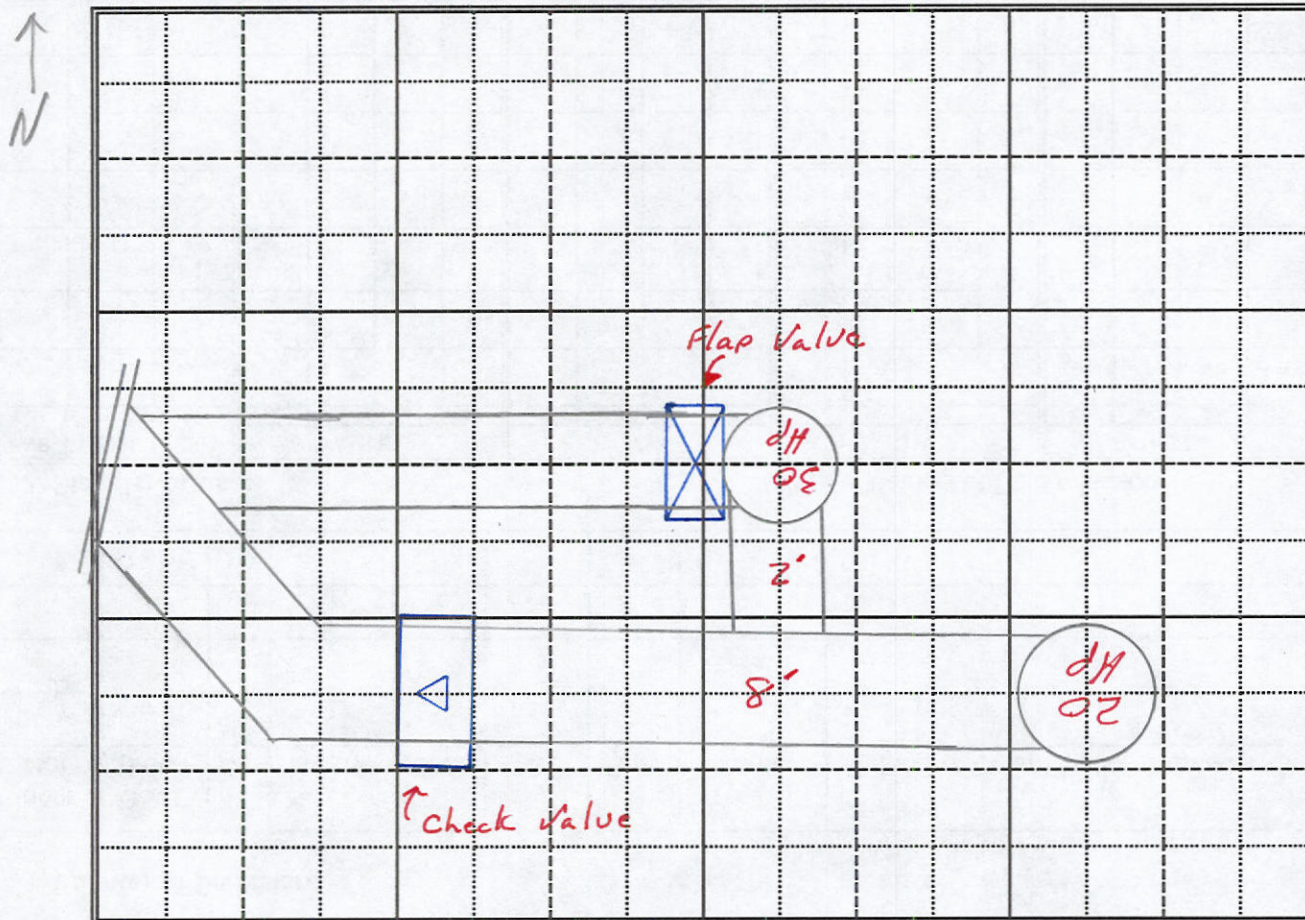


Scale: 2 inches equal 1 mile.

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

[Signature]
(Applicant)

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	20	NPI103029	Peerless	8" discharge
booster	US Motor	50	504R3370100R	Berkeley	4" discharge

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

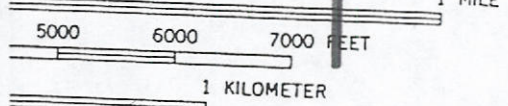
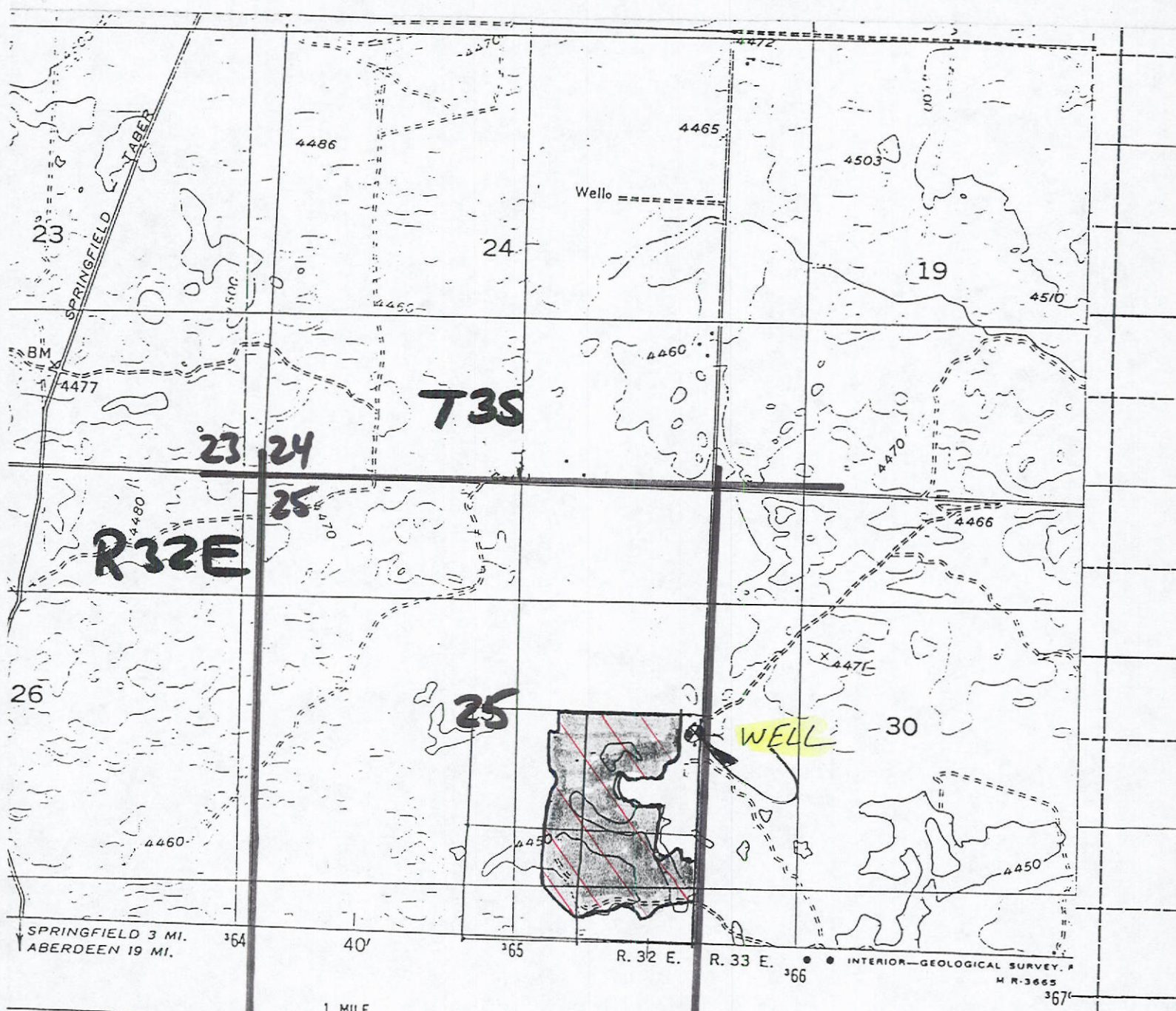
D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
pressure gage	Fluid	ashcroft			100 psi	

2. Measurements: operating pressure 70 psi
dynamic pumping depth 50' (according to Beneficial use)

MICROFILMED
MAY 20 1997

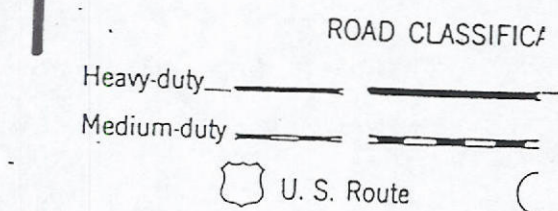


OF 1929

ACY STANDARDS
1225, OR RESTON, VIRGINIA 22092



QUADRANGLE LOCATION



35-08705

SPRINGFIELD
N4307.

MICROFILMED
MAY 20 1997

Web

T

24

25

24

25

T2106
3204

49.3

T25179
3204

T3S
R
32
E

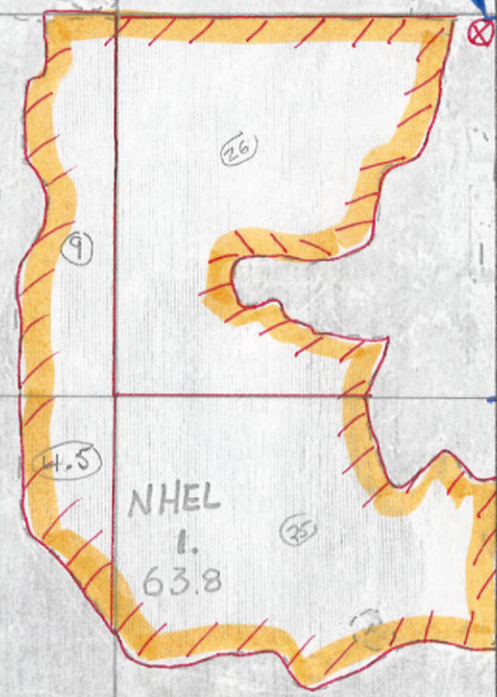
BLM

25

HEL
44.5

Point of
Div.

T25200
3013



25

36

25

36

35-08705

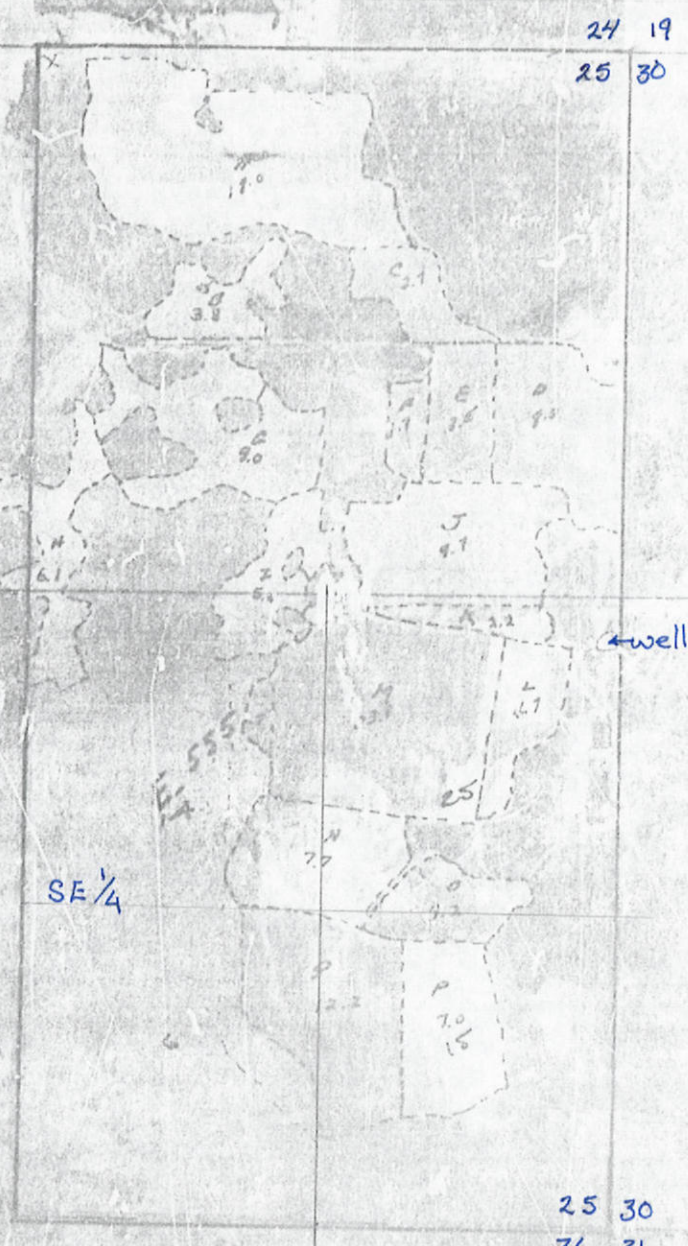
MAY 20 1937

35-8705



35-8705

MICROFILMED
MAY 20 1997



T35 R32E Sec 25

A 35-02718 covers 60 acres in the SE 1/4
 Copy from microfiche - photo from field Exam for license 35-02718

MICROFILMED

APR 23 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08705

Priority: February 11, 1989

Maximum Diversion Rate:

0.09 CFS

Maximum Diversion Volume:

18.0 AF

This is to certify, that RANDY L MILES

466 S 1800 W

PINGREE ID 83262

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 16, 1989; and has submitted Proof of Beneficial Use on May 27, 1992. An examination indicates that the works have a diversion capacity of 2.150 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.09 CFS	18.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 25, Township 03S, Range 32E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03S 32E 25	NESE 26	NWSE 9	SWSE 4.5	
	SESE 25			64.5

Total number of acres irrigated: 64.5

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

MICROFILMED
MAY 20 1997

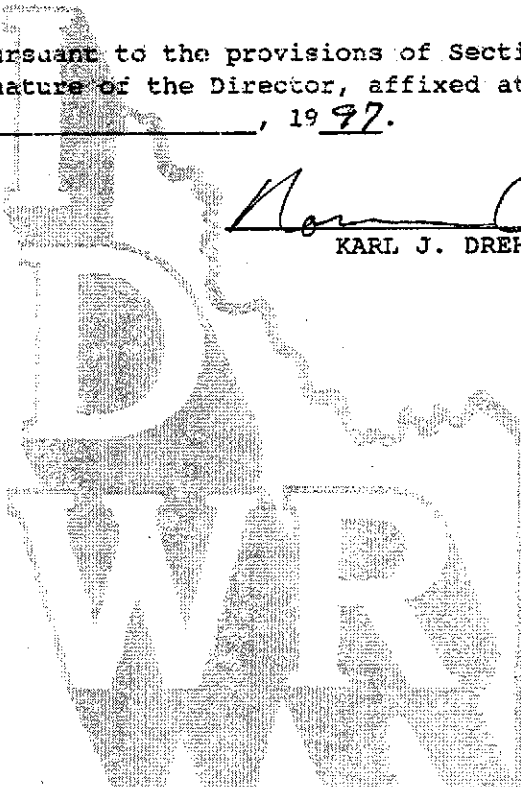
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 35-08705

CONDITIONS OF APPROVAL AND REMARKS

7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
8. Rights 35-02718 and 35-08705 when combined shall not exceed the irrigation of 64.5 acres.
9. Right 35-02718 is also diverted through the point(s) of diversion described above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 30th
day of APRIL, 1997.


KARL J. DREHER, DirectorMICROFILMED
MAY 20 1997

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-08705)
IN THE NAME OF RANDY L. MILES) ORDER OF
REINSTATEMENT)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before May 1, 1992; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

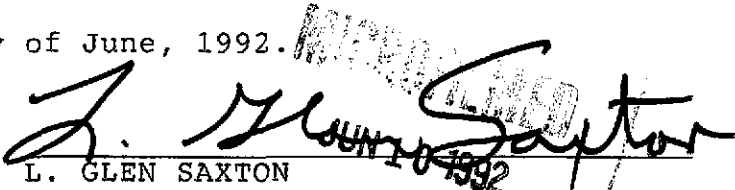
WHEREAS, the Department notified the permit holder that the permit had lapsed for failure to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on May 27, 1992;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 35-08705 be REINSTATED with an advance in priority to February 11, 1989.

Dated this 1st day of June, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE)
FLOW MEASUREMENT PORT OR)
MEASURING DEVICE CONDITION)
OF APPROVAL FOR PERMIT NO.)
35-08705 IN THE NAME OF)
RANDY L. MILES)

ORDER

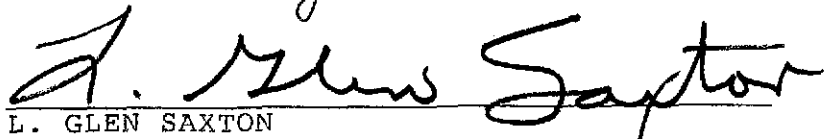
WHEREAS, the Department of Water Resources (department) has issued the above captioned water right permit with a condition of approval requiring the permit holder to install a flow measurement port or other device to facilitate the measurement and determination of the rate of diversion by the department; and

WHEREAS, the department has determined that the rate of diversion for certain ground water uses can be estimated by the department without the use of an installed flow measurement port; and,

WHEREAS, the department has determined that the rate of flow for the above captioned permit can be estimated without the use of a flow measurement port;

IT IS THEREFORE, hereby ordered that the condition of approval requiring the installation of a flow measurement port or other device for the above captioned permit is REMOVED.

Dated this 27th day of May, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED
JUN 10 1992

RECEIVED
MAY 27 1992OFFICE USE ONLY
Amt. of Fee \$ 125.00
Date 5-27-92
Receipt No. 024291
Receipt by Jy

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**PROOF OF BENEFICIAL USE**

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

1. Permit No. 35-08765 Telephone No. 684-5493
2. Name(s) of Permit Holder(s): RANDY L. MILES
3. Mailing Address: 466 S. 1800 W. PINGREE, IDAHO 83262
4. Source of Water: WE11

If **GROUNDWATER**, Well Driller's Name: DOUG CUSHMAN Date Drilled: 1956

OPTIONAL:

Pump horsepower: 70 Pressure (psi): 75 Dynamic pumping level (ft.): 50

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 100 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted
- 2.0
- cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ____ Yes X No Installed? ____ Yes ____ No

OR

Flow Measurement Port: Required? ____ Yes X No Installed? ____ Yes ____ No

8. Fee Enclosed: \$
- 125.00
- (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name RANDY L. MILES Telephone No. 684-5493Address 466 S. 1800 W. PINGREE, IDAHO 83262

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

Date 14 MAY 92Signature (and title, if on behalf of a company or organization)
Randy L. MilesJUN 10 1992
FILED

For 201
4/10/91
RECEIVED

APR 08 1991
No \$ received
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by 8/10
Date 4-10-91
Receipt # 0020171e

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 35-8705

Name(s) of Permit Holder: RANDY L. MILES

Post Office Address: 466 S. 1800 W. PINGREE, IDAHO 83262

Telephone No. 684-5493

Date Proof is Due: 1 MAY 1991

Describe what work has been completed toward the development of this water right: _____
(This must be filled out! If no work has been completed, show "none".)

HANDLINE AND MAINLINE PURCHASED AND INSTALLED

Costing \$ 3822.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

I HAVE LEASED my 11/14 R/16 ACRES FOR 3 YEARS
THIS BEING THE LAST YEAR. (POTATOES-GRAIN-POTATOES)
ROTATION, ON POTATOES YEARS BECAUSE OF THE LACK OF (OVER)

Permit holder(s) request an extension to 1 MAY 1992. Randy L. Miles
(1 yr. minimum) (Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

MICROFILMED

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to May 1, 1992. APR 19 1991

Signed this 17th day of April, 1991.

J. New Saylor
Chief, Water Allocation Bureau

PRECIPITATION. THE EXISTING LINES PROVIDED WILL NOT MEET THE WATER REQUIRED, THE LINE FOR MY DEVELOPMENT IS BEING USED TO MEET THOSE NEEDS.

THE EXISTING LINES WILL MEET MY NEEDS FOR HAY + PASTURE + THE DEVELOPMENT.

FILED

APR 19 1991

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08705

Proposed Priority: January 16, 1989 Maximum Diversion Rate: 2.00 CFS

This is to certify, that **RANDY L. MILES**
466 S. 1800 W.
PINGREE, ID 83262

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	04/01 to 11/01	2.00 CFS
------------	----------------	----------

<u>LOCATION OF POINT(S) OF DIVERSION:</u>	NESE	Sec. 25, Township 03S, Range 32E BINGHAM County
---	------	--

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03S	32E	25	NESE 15	NWSE 26	SWSE 34	100
			SESE 25			

Total number of acres irrigated: 100

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **May 1, 1991**.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

MICROFILMED

APR 23 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08705

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

19th day of April, 1990.

R. Keith Higginson
R. Keith Higginson, Director

for

MICROFILMED

APR 23 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant RANDY L. MILES Phone 684-5493
Post office address 2166 S. 1800. W. PINGREE, IDAHO 83262
2. Source of water supply GROUND WATER which is a tributary of N/A
3. Location of point of diversion is N.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 25 Township 3 S. Range 32 E. B.M. BINGHAM County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 2.0 for IRRIGATION purposes from APRIL 1 to NOV 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 2.0 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. well / pump & sprinkler
 - 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 12 inches; proposed depth of well is 50 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to _____ use is
1 years (minimum 1 year).

MICROFILMED

APR 23 1990

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

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

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
38	32E	25													15	26	34	25	100

Total number of acres to be irrigated 100

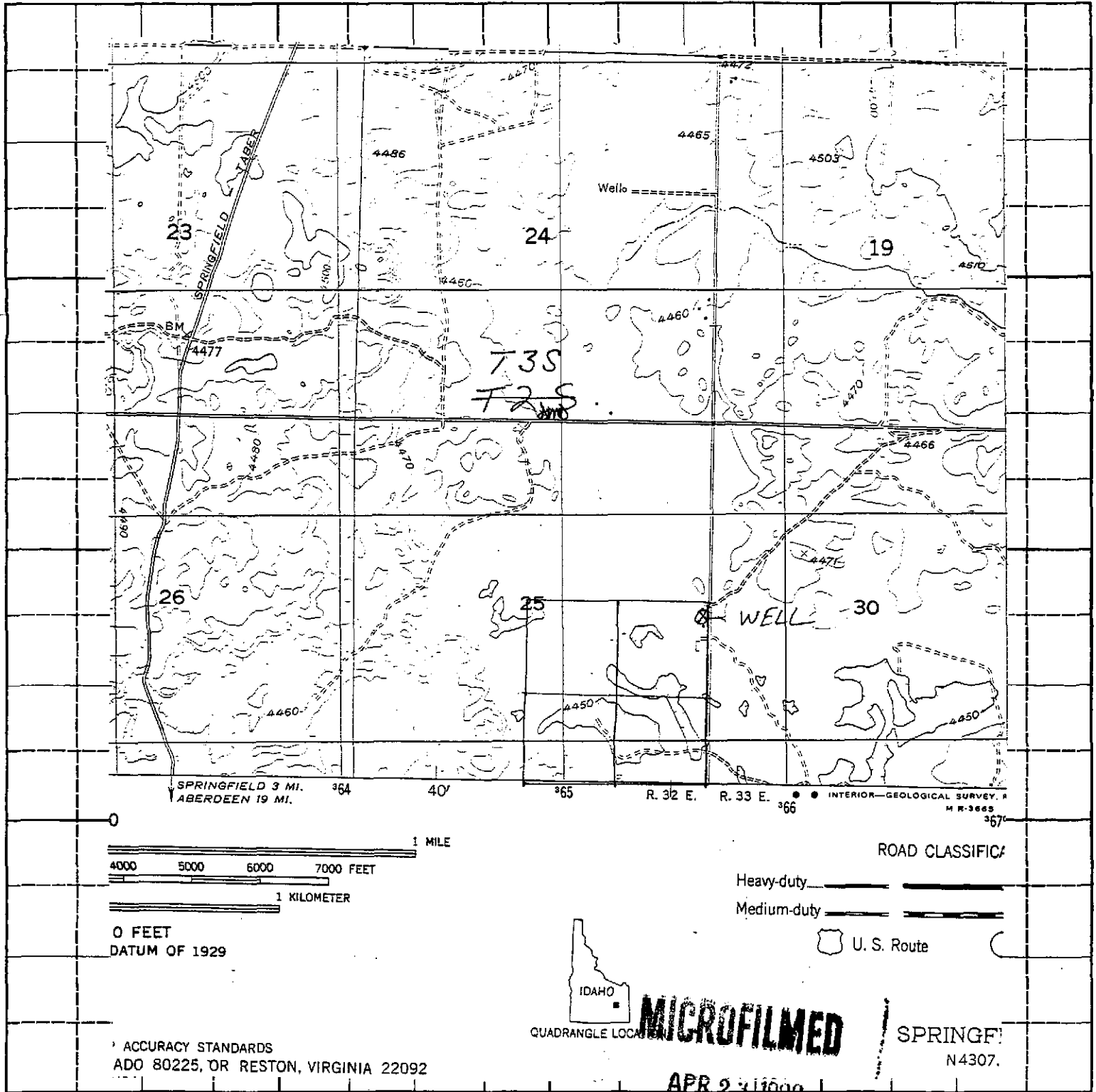
10. Describe any other water rights used for the same purposes as described above. 35-2718

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

12. Remarks: THIS APPLICATION IS TO COVER THE ACRES NOT COVERED BY A35-02715.

RECORDED
APR 23 1990

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



Scale: 2 inches equal 1 mile.

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

[Signature]
(Applicant)

Received by TO Date 1/16/89 Time 1:53 PM Preliminary check by TO
Fee \$ 65.00 Receipted by TO # E005519 Date 1/16/89
Publication prepared by RB Date 2-15-90 Published in Morning News
Publication approved aw Date 3-19-90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED

APR 23 1990

153.8 ACRES TOTAL.

35-086

FUNK, ALVIN L.
FUNK, DORIS E.
P.O. BOX 430
ABERDEEN, ID 83210
Source: SNAKE RIVER.
Tributary: COLUMBIA RIVER.
Use: IRRIGATION (.460 CFS).
Total Diversion: (.460 CFS).
Date Filed: 1/13/1989.
In: T02S R36E S04 Lot 13 (SENE).
22.9 ACRES TOTAL.

35-08691

STOLWORTHY, DAVID
STOLWORTHY, BRENDA
1320 N. 375 E.
SHELLEY, ID 83274
Source: GROUNDWATER.
Diversion Pt: SWNWSE Sec 21 T 01N R 36E.
Use: IRRIGATION (1.600 CFS).
Total Diversion: (1.600 CFS).
Date Filed: 2/02/1989.
In: T01N R36E S21 SWSE SESE S28 NENE
NWNE SENE NESE SESE.
80.0 ACRES TOTAL.

35-08700

GOODWIN, STEVE B.
GOODWIN, VIRGINIA A.
183 S. 100 W.
BLACKFOOT, ID 83221
Source: GROUNDWATER.
Diversion Pt: SENW Sec 16 T 03S R 34E.
Use: IRRIGATION (.360 CFS).
Total Diversion: (.360 CFS).
Date Filed: 2/13/1989.
In: T03S R34E S16 SWNW SENW.
18.0 ACRES TOTAL.

35-08704

DRISCOLL, WALLACE W.
DRISCOLL, MAURINE D.
2459 W. 1100 S.
ABERDEEN, ID. 83210
Source: GROUNDWATER.
Diversion Pt: LOT 4 (SWSW) Sec 31 T 04S R
32E.
Use: IRRIGATION (.800 CFS).
Total Diversion: (.800 CFS).
Date Filed: 1/10/1989.
In: T04S R32E S31 SESW.
40.0 ACRES TOTAL.

35-08705

MILES, RANDY L.
466 S. 1800 W.
PINGREE, ID 83262
Source: GROUNDWATER.
Diversion Pt: NESE Sec 25 T 03S R 32E.
Use: IRRIGATION (2.000 CFS).
Total Diversion: (2.000 CFS).
Date Filed: 1/16/1989.
In: T03S R32E S25 NESE NWSE SWSE SESE.
100.0 ACRES TOTAL.

35-08714

PAHL, JAMES M.
2174 S. 3200 W.
AMERICAN FALLS, ID 83211
Source: GROUNDWATER
Diversion Pt: NESWNW Sec 26 T 06S R 30E.
Use: IRRIGATION (.360 CFS).
Total Diversion: (.360 CFS).
Date Filed: 3/20/1989.
In: T06S R30E S26 NENW NWNW SWNW.
SENW.
158.0 ACRES TOTAL.

35-08715

PAHL, JAMES M.
2174 S. 3200 W.
AMERICAN FALLS, ID 83211
Source: GROUNDWATER
Diversion Pt: SWNENE Sec 22 T 06S R 30E.

RECEIVED

MAR 6 1990

Department of Water Resources
Eastern District Of

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, Ted Townsend do
solemnly

swear that I am the Publisher of
The Morning News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
154 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court of
competent jurisdiction within the State of
Idaho shall be published to-wit: of each week; that the
notice attached hereto and which is a part of this af-
fidavit and part of the proof of publication was
published in said issue or said

newspaper two consecutive weeks

the first publication having been made on the

15th day of February, 1990;
and the last publication having been made on the
22nd day of February, 1990;

that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

On this 28th day of February, in
the year 1990 before me a Notary Public of said State,
personally appeared

Ted Townsend
known or identified to me to be the person whose
name is subscribed to the within instrument, and being
by the first duly sworn, declared that the statements
therein are true, and acknowledged to me that he ex-
ecuted the same.

Kaye Dayton
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10 1994

MICROFILMED

APR 23 1990



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

May 2, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RANDY L MILES
466 S 1800 W
PINGREE ID 83262

RE: WATER RIGHT NO. 35-08705

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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MAY 20 1997

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

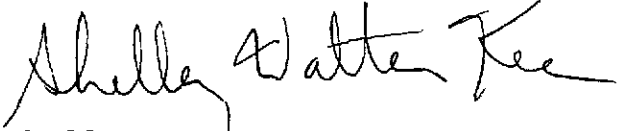
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

RECEIVED
MAY 20 1957

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

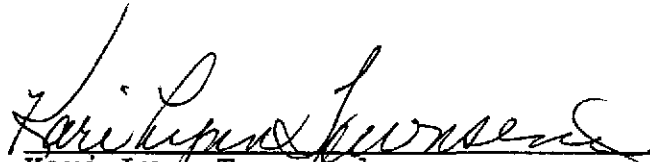
RECEIVED
3
MAY 20 1957

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of May, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 35-08705

RANDY L MILES
466 S 1800 W
PINGREE ID 83262


Kari Lynn Townsend
Secretary

APPROVED
MAY 20 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08705

DATE 3/31/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>No</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>No</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>2.0</u> cfs
Fee limit	<u>2.0</u> cfs \$ <u>12500</u>
Measured	<u>—</u> cfs
Theoretical	<u>2.04</u> cfs

2.15 (165 pair birds)

Recommended Total Div Rate .09 cfs

ANNUAL VOLUME/
NATURE OF USES —

Use ✓

Volume Calculation

<u>Use</u>	<u>64.5 X 4.0 =</u> af
<u>—</u>	<u>258.0</u> af
<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u> af
<u>SUBTOTAL</u>	<u>258.0</u> af

Flow rate .09 cfs X 24 days X 1.98 ~~af~~ = 38.1 af

Total volume recommended — af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

W35 (35.02718, 258.0 af, 64.5 ac.)
W36 (")

CONDITIONS — Watermaster Control WD# —

R31 GW Measurement/Measuring Device
Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A
Adjustment Memo —

1st Amend Letter N/A
2nd Amend Letter —

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 22 1996

Department of Water Resources

Permit No. 35-8705

A. GENERAL INFORMATION

1. Owner: Randy L Miles Phone No. 684-5493

Current Address: 466 S. 1800 W. Pingree, Idaho 83262

2. Accompanied by: Randy Miles EXAM DATE: 7-6-93

Address: Same Phone No. Same

Relationship to Permit Holder: owner

3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 35-02718

2. Other water rights with the same point of diversion: 35-02718

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	SE	25	3S	32E	Bingham	USGS Quad Map

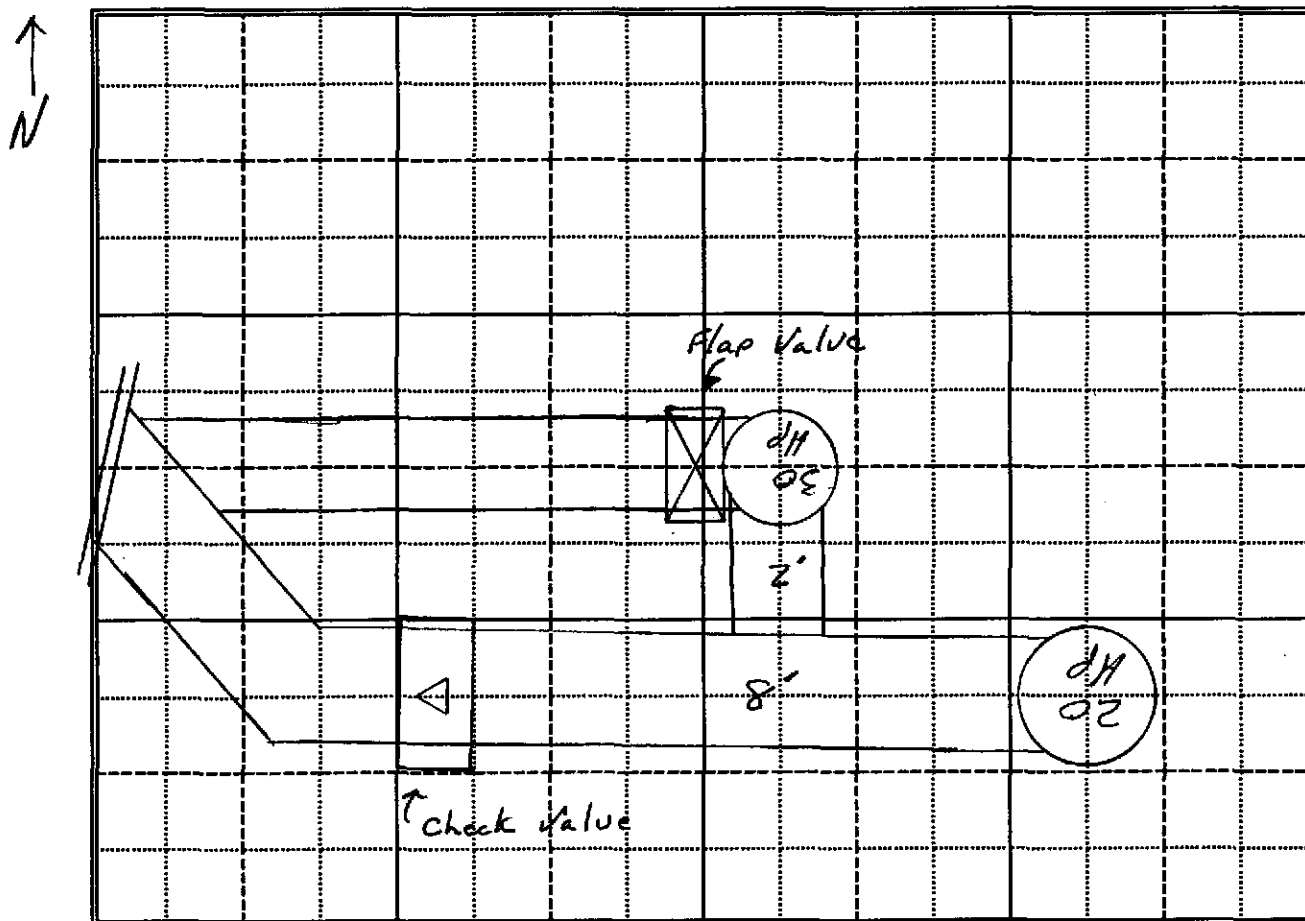
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3S	32E	25													26	9	4.5	25	64.5

RECORDED
MAY 20 1997

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	20	NPI103029	Peerless	8" discharge
booster	US Motor	50	504R3370100R	Berkeley	4" discharge

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
pressure gage	Fluid	ashcroft			100 psi	

2. Measurements: operating pressure 70 psi
dynamic pumping depth 50' (according to Beneficial use)

NOT RECORDED

MAY 20 1957

E. NARRATIVE/REMARKS/COMMENTS

20 Hp pump to 6" pipe to 50 Hp booster
pump to 4" pipe to 8" underground
main line supplying water to three
handlines totalling 165 birds ($\frac{5}{32}$ ").
4.5 additional acres found over license 35-02718 (60 acres)

Conditions

* The total acreage under Rts 35-08705 + 35-02718 does
not exceed 64.5 acres.

Have conditions of permit approval been met? ☒ yes ☐ no

NOT FILMED
MAY 20 1967

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$Q = \frac{(70)(8.814)(.7)}{(50) + (70)(2.308)} = 2.04 \text{ cfs (916 gpm)}$$

$$Q = (165 \text{ birds})(5.85 \text{ gpm}) = 965 \text{ gpm}$$

G. VOLUME CALCULATIONS

$$4.5 \text{ additional acres} \times 0.02 \text{ cfs} = \underline{0.09 \text{ cfs}}$$

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 64.5 \text{ acres} \times 4 \text{ af} = 258 \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.09 \text{ cfs} \times 214 \text{ d.} \times 1.9835 = 38.2$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{38.2 \text{ af}}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-31	0.09 cfs	38.2
Totals:			0.09 cfs	38.2 af

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Gary Buss Date 7-6-93

Reviewer J. C. Jones Date 8-25-95

SEAL

MICROFILMED
MAY 20 1997

T3S
R 32
BLM
E

25

3204

3204

HEL
44.5

49.3

Point of
Div.

3013

NHEL
1.
63.8

35-08705

MAY 20 1937

35-8705



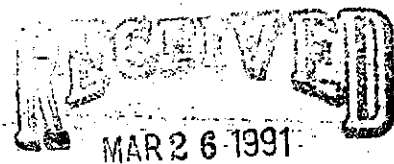
35-8705

NEGATIVE FILMED
MAY 20 1967

37-08705 App.

Drilling Permit No. 91-91-5-025
Water Right Permit No. 26-7513, pending transfer
Injection Permit No. BK
Break
coal

State of Idaho
Department of Water Resources



APPLICATION FOR DRILLING PERMIT

Department of Water Resources

1. Applicant (please print) William Hubert Shaw
2. Mailing Address 411 S. 750 E., Dietrich, ID 83324
Telephone 544-7534

☒ Well Owner ☐ Well Operator ☐ Other, specify _____

3. Proposed well location NW/NE or NE 1/4 NE 1/4, or Gov't Lot No. _____

Sec. 29, Twp. 6S, Rge. 19E, County Lincoln

Street Address of Well Site _____

Lot, block and subdivision _____

4. Proposed use of well:

☐ Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other pur in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpc or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or busi establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

☒ Non-Domestic: Any beneficial use not included within the definition of domestic.

☐ Injection

☐ Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

5. Well construction information:

A. ☒ New well ☐ Deepen ☐ Replace - See Condition 9

B. Proposed Surface Diameter 16" Proposed Maximum Depth 300'

C. Anticipated bottom hole temperature:

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

6. Construction Start Date Within 60 days

7. Anticipated Well Driller Eaton Drilling, Wendell, ID
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature William Hubert Shaw Date February 21, 1991
Title Owner
(Owner, Firm Representative, Other)

RECEIVED
MAY 20 1991

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date 3/15/91

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the well permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriate injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
- * 7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules Regulations.

SPECIFIC CONDITIONS:

Larry D. Hulme
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No. S013036 Received by JO Fee \$200. Date 2-21-91

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date. MAY 20 1991

Drilling permit No. 37-91-5-025

Water right No. 37-08705

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

William Hubert Shaw, Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

The request is made for the following reason(s):

I want to be able to use the well as soon as the pending ^{application} ~~transfer~~ is approved.

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

Date February 21, 1991

Signature

William Hubert Shaw

Applicant

APR 20 1991

June 4, 1992

RANDY L. MILES
466 S. 1800 W.
PINGREE ID 83262

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08705

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

MICROFILMED
JUN 10 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 35-08705

Reviewed by Alg

Date 5/28/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
no Proof timely received?
If not, complete calculation below.

irrigate - 100
yes Correct Uses?

SOURCE OF WATER

 Surface water source
✓ Ground water source

NA Drilling permit required?

1956 Copy in the file? Drilling Permit No.

 Amount paid for permit Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
125 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received 5/27/92 147
Date proof due 5/1/92 - 121
No. of days late = 26
Priority Date 1/10/89 + 16
New Priority Date 2/11/89 42
6/4/92

DEFICIENCIES OR ACTION ITEMS

proof acceptable

*order to remove flow
order*

DATA ENTRY

New Address

Proof Made 5/27/92
6/4/92 Alg

May 6, 1992

RANDY L. MILES
466 S. 1800 W.
PINGREE ID 83262

LAPSE NOTICE

RE: PERMIT NO. 35-08705

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated February 28, 1992. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

Enclosures

MICROFILMED

JUN 10 1992

CERTIFICATION OF MAILING

I hereby certify that on 5/6/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Klg

February 28, 1992

RANDY L. MILES
466 S. 1800 W.
PINGREE ID 83262

PROOF DUE NOTICE

RE: PERMIT NO. 35-08705

Dear Permit Holder:

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

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

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

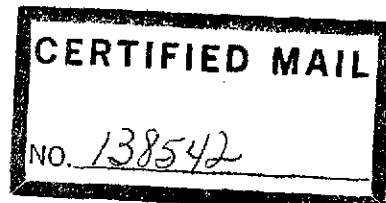
SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECORDED

JUN 10 1992



April 17, 1991

RANDY L. MILES
466 S. 1800 W.
PINGREE ID 83262

Dear Mr. Miles:

Re: Permit No. 35-8705

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to May 1, 1992.

Note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

APR 19 1991

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 35-8705

Reviewed by [Signature]

Date 4-16-91

BASIC INFORMATION

- Y Date stamp received
- Y Extension received timely (not too early not too late)
- Y Fee received and receipted
- Y Name and signature same as permit
- N Address change

BASIS FOR EXTENSION REQUEST

- Y Has adequate work been completed to demonstrate due diligence?
- Y Has the cost incurred been adequate to demonstrate an intent to complete the project?
- Has the permit been involved in litigation?
 - a. Swan Falls _____ Dismissed from Swan Falls _____
 - Other _____ Identify _____
 - b. Is supporting documentation needed to complete the file? _____
 - Requested _____
 - c. Calculate the period of delay

 Date litigation completed _____

 Date litigation began _____

Total period of delay = _____

 Present proof due date + _____

NEW PROOF DUE DATE = _____

- Is delay by a government agency?
- Is supporting documentation needed to complete the file? _____
- Requested? _____

ACTION TAKEN

Recommend approval based on due diligence for one year

N/A Reinstate Date extension received _____ = _____

 Proof due date _____ = _____

 No. of days late _____ = _____

 Priority date _____ = + _____

 ADJUSTED PRIORITY DATE _____ = _____

DATE ENTRY

[Signature] Change proof due date _____ Address change _____

 Priority date change _____

138114

February 28, 1991

RANDY L. MILES
466 S. 1800 W.
PINGREE, ID 83262

PROOF DUE NOTICE

RE: PERMIT NO. 35-08705

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

RECEIVED
APR 19 1991

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

Statehouse
Boise, Idaho 83720
(208) 327-7900
April 19, 1990

RANDY L. MILES
466 S. 1800 W.
PINGREE, ID 83262

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

RE: PERMIT NO. P35-08705

Dear Permit Holder:

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

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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

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

MicroFILMED

APR 23 1990

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

Microfilm
APR 23 1990

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

Dist. for staffing RB 1-18-89
submitted for adv. HWS 1-20-89

SWAN FALLS AOLD
NON-TRUST AREA

358705

INITIAL REVIEW BY Dennis Dunn DATE 20 Jan 89 APPLICATION NUMBER _____

REQUIRED INFORMATION Randy L Miles

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ 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
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.) See attached maps. Application is for acreage not already covered.
- ☒ Overlapping point of diversion
 - ☐ Yes ☒ No Field check required
 - Field check by _____
 - ☐ Yes ☒ No Field report attached
 - ☐ Yes ☒ No Critical groundwater area
 - ☐ Yes ☒ No Groundwater management area
 - ☐ Yes ☒ No Send dam safety information
 - ☐ Yes ☒ No Send power requirement letter
 - ☐ Yes ☒ No Send fish farm requirement letter
 - ☐ Yes ☒ No Power residency affidavit
 - ☐ Yes ☒ No Power efficiency form
 - ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
 - ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested MAR 26 1990

Department of Water Resources

PROCESSING

☒ Yes ☒ No Inform for advertising
☒ Yes ☒ No Statewide advertising
☒ Yes ☒ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application

☐ Yes ☒ No Protests received

Final date for protest 3-5-90

☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application

☐ Yes ☒ No Recommendations attached

☐ Yes ☒ No Measuring device required

☒ Yes ☐ No Access port required

☒ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. 01-POS

☒ Yes ☐ No Special conditions of approval or cover letter below.

☐ See below for additional information

Date of priority recommended

1-16-89

By

AWJ

Date

5-21-90

STATE OFFICE REVIEW

P05, P23, P03, P16

48 49 46 01G

☐ See below for additional information

By

KW

Date

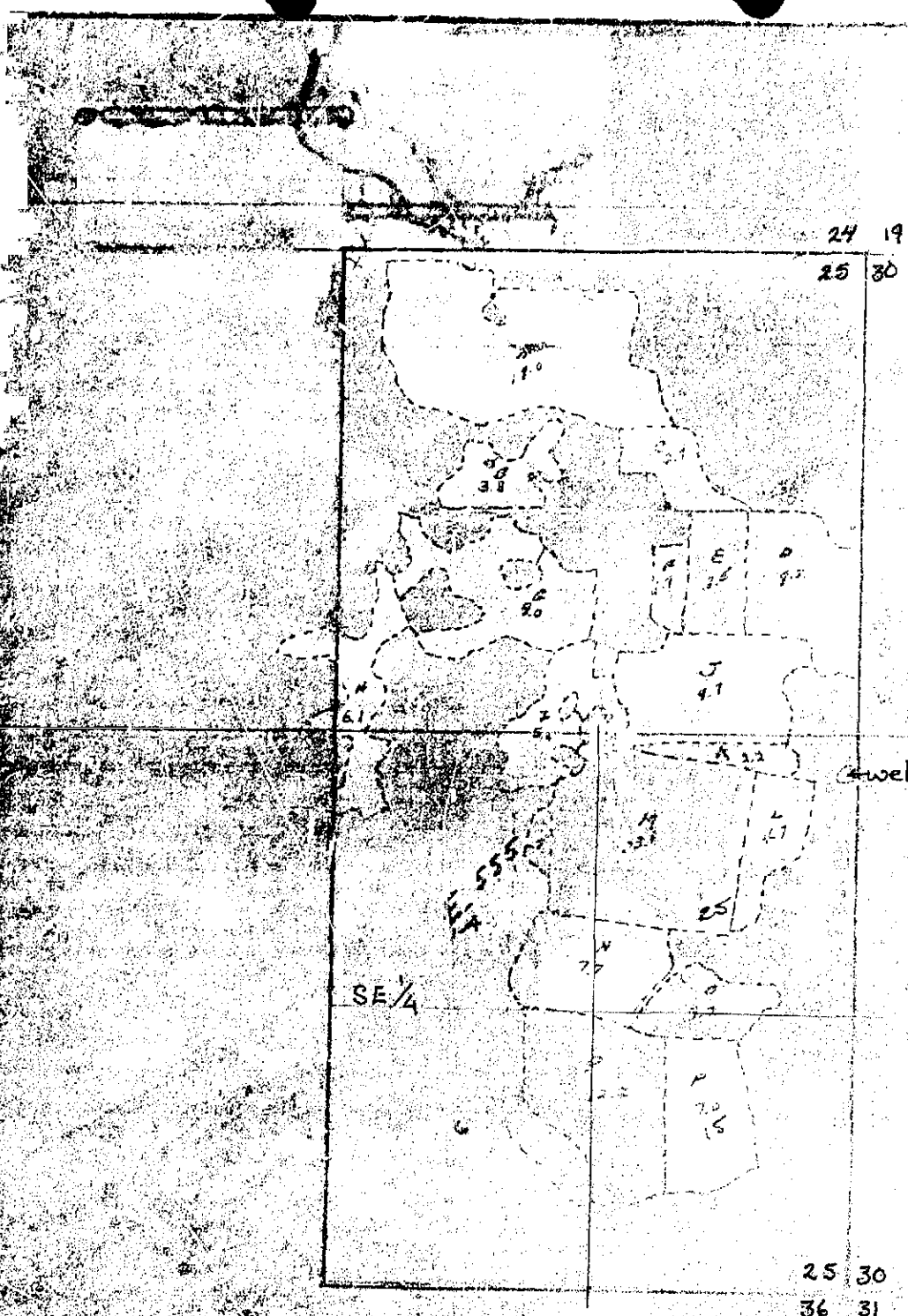
4-13-90

ADDITIONAL INFORMATION

Same PD as 35-2718 - Places of use are adjacent acreage

Conditions: 401G7

App. in NON-TRUST area-



SE 1/4

Cowell

25 30
36 31

T 35S R 32E Sec 25

SE 1/4

Exam for license 35-02718

MICROFILMED

APR 23 1990

WATER LICENSE

Water License No. G-30617 Priority December 11, 1962 Amount 1.2 c.f.s.
(date proof)

THIS IS TO CERTIFY, that R. Clair Miles and Royal A. Miles

of Pingree, Idaho, made application for a permit to appropriate the public waters of

the State of Idaho, dated August 17, 1962; that Permit G-30617 was issued pursuant

to said application; that the proposed works were completed on or about December 15, 1967

with a storage/or carrying capacity of 150 inches, said works consisting of well, pump

and motor, and that on December 15, 1967

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 210

acre feet per season, with a maximum rate of diversion of 1.2 cubic feet per second of the waters

of ground water, tributary of _____,

for the purpose of irrigation from April 1 to October 31;

and for _____ from _____ to _____; and for

_____ from _____ to _____; and that the use

of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation; the point of diversion is

located in NE 1/4 SE 1/4, Sec. 25, T. 3 S, R. 32 E, B.M., and

other additional points _____, in the County of

Bingham; and that the amount of water to which such right is

entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially

used for said purposes and shall not exceed 210 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3 S	32 E	25													25	14	6	15	60

Total number of acres irrigated 60

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,

as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

24 day of June, 1969.

[Signature]
State Reclamation Engineer

35 2718

30617

08-Feb-1990

Randy Miles
2166 S. 1800 W.
Pingree, ID 83262

RE: Application for Permit No. 35-8705

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Morning News on. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

APR 23 1990

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

Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 7, 1990

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 5, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

APR 23 1990



35-08705

MILES, RANDY L.
466 S. 1800 W.
PINGREE, ID 83262

Source: GROUNDWATER

Diversion Pt: NESE Sec 25 T 03S R 32E

Use: IRRIGATION (2.000 CFS)
 Total Diversion: (2.000 CFS)

Date Filed: 1/16/1989

In: T03S R32E S25 NESE NWSE SWSE SESE
 100.0 ACRES TOTAL

ENCLOSURE FILMED

APR 23 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MARCH 5, 1990.

R. Keith Higginson, Director

Published 2/15/1990 & 2/22/1990

MICROFILMED

APR 23 1990

April 7, 1989

Randy L. Miles
466 S. 1800 W.
Pingree, ID 83262

RE: Application for Permit No. 35-8705

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your application for water right permit. The application has been assigned identification No. 35-8705. Please refer to this number in all future correspondence.

The Department can not proceed with the processing of your application at this time. It seeks the appropriation of water within the area covered by the civil suit of Idaho Power Company vs. Idaho Department of Water Resources, et al., Ada County Civil No. 81375 (Swan Falls Suit). Until there has been a final resolution to this suit and rules and regulations promulgated for this area has been suspended. During the interim, your application will be held in this office.

The staff in our office will be glad to answer any questions you have concerning the above matter.

Respectfully submitted,

Harold W. Jones
Water Rights Supervisor
HWJ/rb

MICROFILMED

APR 23 1990

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

WATER RIGHT
DATA ENTRY LOG

Initials

Date _____

Item

GRB

3-31-89

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Updated

Transfer Updated

Keypunched by State Office