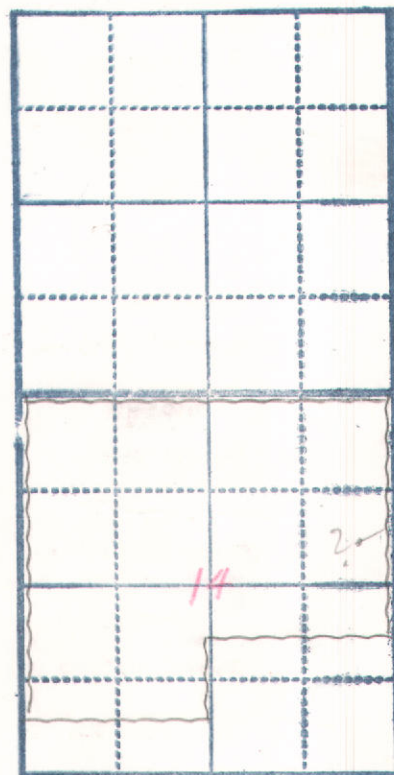


APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-37251
Permit No. G- 29253
District No.

1. Name of Applicant: H. Julian Miller
Postoffice address: Roberts County: Jefferson State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 4.9 or Idaho
Miners' inches or gallons per minute 2200
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean well
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 14
Twp. 4 N , Rge. 36 E , B.M., County of Jefferson
5. Water is to be used for: Irrigation purposes
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Subterranean well and sprinkler system
8. Estimated cost of works: \$ 60,000.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is five years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 4.9 (cubic feet per second, inches or gallons per minute) is for new lands.



Rq. 36E

Twp. 4N.

31 ¹ / ₂	37	37	36
35	38	37 ¹ / ₂	39
38	30	23	25
19	16		

141

149

120

35

445 Acres

→ To U.S. Highway 15
and Ida Falls.

Area - 445 Acres

Subd - 14

allow Q - 4.9 c.f.s.

IRRIGATION REQUIREMENT = 3.5 AF/ACRE = 1558 AF/SEASON

CHECK FEASIBILITY (210 DAY SEASON) (9.8 AF/DAY) = 2058 AF/SEASON

RECEIVED

AUG 2 1968

Department of Reclamation

Copy

AFFIDAVIT OF PUBLICATION
The Rigby Star

STATE OF IDAHO, }
County of Jefferson } ss.

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supple-

ment issue thereof, for two consecutive issues thereof; first publication having been made on the

7th day of March, 1968
and the last publication on the

14th day of March, 1968

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B. Jones

Subscribed in my presence and sworn to before me this 1st
day of August, 1968
(SEAL)

R. F. Hamman
Notary Public for the State of Idaho,
Residence and P.O. Address Rigby Idaho.

My commission expires _____, 19__

Publication Fee: \$ 2.00

MY COMMISSION EXPIRES JULY 15, 1969

29253

NOTICE OF CORRECTION OF
LEGAL NOTICE PUBLISHED
THE PROVISIONS OF SECTIONS
42-214, 42-217, IDAHO CODE

Notice is hereby given that the legal notice printed in the Rigby Star on November 4, 11, 18, and 25, 1965, showing that H. Julian Miller was to make proof of completion of works and application of water to beneficial use on December 15, 1965, on Permit No. G-29253 was in error and the point of diversion was given as SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T. 4 N, R. 36 E, B.M.; whereas, the actual point of diversion is SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T. 4 N, R. 36 E, B.M.

That any protests against the approval of the deposition made December 15, 1965, must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said proof of completion of works and beneficial use of water.

Dated this 27th day of February, 1968.

R. KEITH HIGGINSON
State Reclamation Engineer

Date of first publication March 7, 1968.

Date of last publication March 14, 1968.

Last Date for Protest April 8, 1968.

AFFIDAVIT OF PUBLICATION
The Rigby Star

RECEIVED
APR 5 1968

STATE OF IDAHO, }
County of Jefferson } ss.

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for Two consecutive issues thereof; first publication having been made on the

7th day of March, 1968
and the last publication on the

14th day of March, 1968

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B Jones

Subscribed in my presence and sworn to before me this 4th day of April, 1968.
(SEAL)

R H Hannon

Notary Public for the State of Idaho,
Residence and P.O. Address Rigby Idaho.

My commission expires _____, 19__

Publication Fee: \$_____

MY COMMISSION EXPIRES JULY 15, 1969

29253

**NOTICE OF CORRECTION OF
LEGAL NOTICE PUBLISHED
THE PROVISIONS OF SECTIONS
42-214, 42-217, IDAHO CODE**

Notice is hereby given that the legal notice printed in the Rigby Star on November 4, 11, 18, and 25, 1965, showing that H. Julian Miller was to make proof of completion of works and application of water to beneficial use on December 15, 1965, on Permit No. G-29253 was in error and the point of diversion was given as SE 1/4 NE 1/4, Sec. 14, T. 4 N, R. 36 E, B.M.; whereas, the actual point of diversion is SW 1/4 NE 1/4, Sec. 14, T. 4 N, R. 36 E, B.M.

That any protests against the approval of the deposition made December 15, 1965, must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said proof of completion of works and beneficial use of water.

Dated this 27th day of February, 1968.

R. KEITH HIGGINSON
State Reclamation Engineer

Date of first publication March 7, 1968.

Date of last publication March 14, 1968.

Last Date for Protest April 8, 1968.

by

RECEIVED
DEC 23 1965
Department of Reclamation

AFFIDAVIT OF PUBLICATION
The Rigby Star

DEC 17 1965

Department of Reclamation

STATE OF IDAHO,

ss.

County of Jefferson

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for four consecutive issues thereof; first publication having been made on the

4th day of November, 1965
and the last publication on the

25th day of November, 1965

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B. Jones

Subscribed in my presence and sworn to before me this 10th
day of December, 1965
(SEAL)

R. B. Hammon
Notary Public for the State of Idaho,
Residence and P.O. Address Rigby Idaho.

My commission expires _____, 19__

Publication Fee: \$ PD MY COMMISSION EXPIRES JULY 15, 1969

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m., on the 15th day of December, 1965, at Rigby, County of Jefferson State of Idaho before Earl E. Hansen, Notary Public, at 115 N. Clark, Rigby, Idaho, proof will be submitted of the completion of works for the diversion of 4.9 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29253, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is H. Julian Miller, Roberts, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.9 cubic feet per second.

3. The use to which said water has been applied is irrigation, purposes and the amount applied to beneficial use is 4.9 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 14, Township 4 North, Range 36, EBM, County of Jefferson.

5. The place where said water is used is NE $\frac{1}{4}$; NW $\frac{1}{4}$; SW $\frac{1}{4}$; NE $\frac{1}{4}$; SE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; all in Section 14, Township 4 North, Range 36, EBM.

6. The date of priority which said user is prepared to establish is the 28th day of December, 1960.

Carl E. Tappan,
State Reclamation Engineer
(Pub.: Nov. 4-11-18-25, 1965)

29253

10 11
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20

Main Curb

R 35
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P
40.7

N
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39

175.3

14.2

18.0

38

37

38

38

23

21

D-122

30.0

35.2

24.5

30.3

D-122

D-152

36.2

15 14
22 23

14 13
23 24

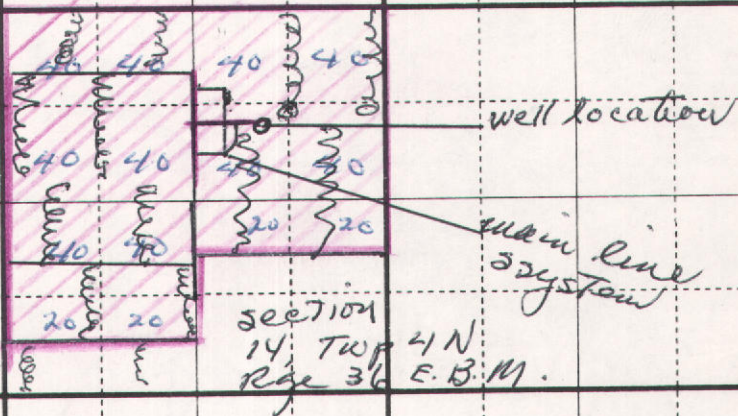
14.5

29253

NAME OF APPLICANT

H. JULIAN MILLER

Form No. 0



Permit Map No. 29253
As Approved DEC 28 1960
GEO. N. CARTER
Reclamation Engineer

WATER LICENSE

Water License No. G-29253 Priority December 28, 1960 Amount 4.9 c. f. s.

THIS IS TO CERTIFY, that H. JULIAN MILLER
 of Roberts, Idaho, made application for a permit to appropriate the public waters of
 the State of Idaho, dated December 28, 1960; that Permit G-29253 was issued pursuant
 to said application; that the proposed works were completed on or about 1961,
 with a storage/or carrying capacity of 4.9 c. f. s., said works consisting of well, pump,
motor and underground main lines; and that on December 15, 1965,
 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1558
 acre feet per season, with a maximum rate of diversion of 4.9 cubic feet per second of the waters
 of underground, tributary of _____,
 for the purpose of irrigation from April 1 to November 1;
 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 Recla-
 mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
 located in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T. 4 N., R. 36 E., B.M., and
 other additional points _____, in the County of
Jefferson; 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 1558 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4 N.	36 E.	14	36	37	37	39	37	31	35	38	38	38	19	16	21	23			445

Total number of acres irrigated 445

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

4th day of November, 1968.

R. Keith Higgins
 State Reclamation Engineer

29253

29253

35-2625

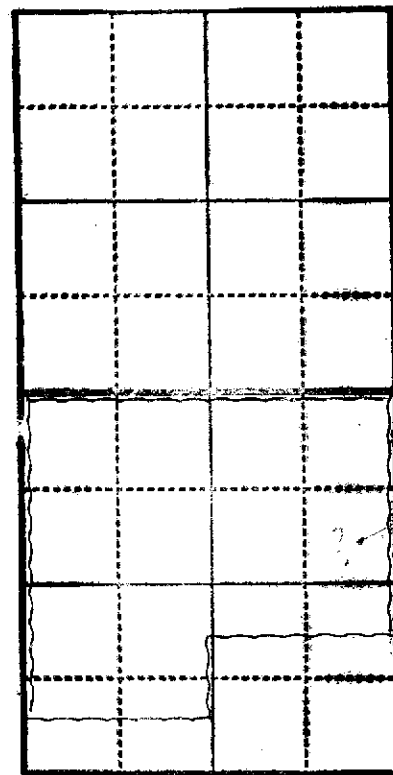
35 2625

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-37251
Permit No. G- 29253
District No.

1. Name of Applicant: H. Julian Miller
Postoffice address: Roberts County: Jefferson State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 4.9 or Idaho
Miners' inches or gallons per minute 2200
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean well
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 14
Twp. 4 N , Rge. 36 E , B.M., County of Jefferson
5. Water is to be used for: Irrigation purposes
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Subterranean well and sprinkler system
8. Estimated cost of works: \$ 60,000.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is five years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 4.9 (cubic feet per second, inches or gallons per minute) is for new lands.



BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ H. Julian Miller *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. December 28, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 29253

Recorded in Book 103 Page 29253 Approved December 28, 1960

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before June 28, 1963

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before December 28, 1965

Witness my hand this 28th day of December, 1960 s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 28th
day of December, 1960.

Countersigned: STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE
Governor

12.

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	
4 N	36 E	14	37 ¹ / ₂	37 ¹ / ₂	37 ¹ / ₂	37 ¹ / ₂	37 ¹ / ₂	37 ¹ / ₂	37 ¹ / ₂	37 ¹ / ₂	40	40	20	20	20	20	460		

APPLICATION FOR AMENDMENT

Comes now H. Julian Miller and represents to the State Reclamation Engineer of the State of Idaho ,
That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-29253
and requests that the permit be changed as follows:

2. Point of diversion SW 1/4 NE 1/4, Section 14, T 4 N., R 36 E., B.M.

3. Period and nature of Use: _____

Signed at February 26th, 1968.

/s/ H. JULIAN MILLER

Date of receipt at office of Department of Reclamation: February 26, 1968.

ACTION OF STATE RECLAMATION ENGINEER

I, Jack A. Barnett, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above
application for amendment for permit G-29253.

Witness my hand this 27th day of February, 1968.

/s/ JACK A. BARNETT
deputy, State Reclamation Engineer

USE 1 SU-D FOR 4.9 SEC. FT.
LICENSE PAG NO. 29253

September 24, 1968

Re: Permit No. G-29253

H. Julian Miller
Roberts, Idaho 83444

Dear Mr. Miller:

A representative of this department has made an examination of the works covered by your permit G-29253 and has found the following:

Quantity of water diverted: 4.9 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 4.9 c.f.s.

Purpose of use: For irrigation of 445 acres in N¹/₂ SW¹/₄, N¹/₂SE¹/₄, Sec. 14, T. 4 N., R. 36 E., B. M.

The priority date established is: December 28, 1960.

A fee totaling \$ 33.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

DONALD W. McELDOWNEY
Appropriations Examiner

DWMc:ew

cc: Young & George
Attorney at Law
Rigby, Idaho 83442

29253

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

September 24, 1968

Re: Permit No. G-29253

H. Julian Miller
Roberts, Idaho 83444

Dear Mr. Miller:

A representative of this department has made an examination of the works covered by your permit G-29253 and has found the following:

Quantity of water diverted: 4.9 c.f.s.

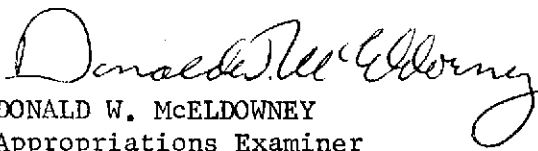
Amount of water that can be recognized as beneficially used under Idaho Law: 4.9 c.f.s.

Purpose of use: For irrigation of 445 acres in N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, T. 4 N., R. 36 E., B. M.

The priority date established is: December 28, 1960.

A fee totaling \$ 33.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,


DONALD W. McELDOWNEY
Appropriations Examiner

DWMc:ew

cc: Young & George
Attorney at Law
Rigby, Idaho 83442

29253

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

RECEIVED

OCT 22 1968

September 24, 1968

Department of Reclamation

Re: Permit No. G-29253

H. Julian Miller
Roberts, Idaho 83444

Dear Mr. Miller:

A representative of this department has made an examination of the works covered by your permit G-29253 and has found the following:

Quantity of water diverted: 4.9 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 4.9 c.f.s.

Purpose of use: For irrigation of 445 acres in N $\frac{1}{2}$ SW $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, T. 4 N., R. 36 E., B. M.

The priority date established is: December 28, 1960.

A fee totaling \$ 33.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McElDowney
DONALD W. McELDOWNEY
Appropriations Examiner

DWMc:ew

cc: Young & George
Attorney at Law
Rigby, Idaho 83442

29253

RECEIVED

OCT 22 1968

LAW OFFICES
YOUNG & GEORGE
RIGBY, IDAHO
115 North Clark

Department of Reclamation

Grant L. Young
H. Reynold George

October 21, 1968

Mr. Donald W. McEldowney
Appropriations Examiner
Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Permit No. G-29253
H. Julian Miller

Dear Mr. McEldowney:

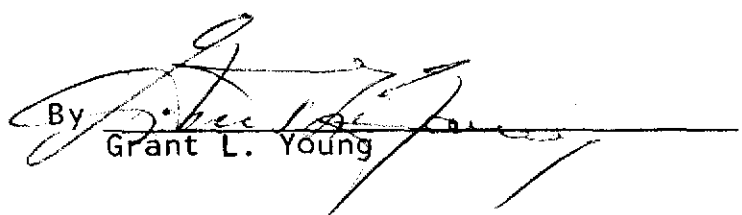
On contacting Mr. Miller relative to your telephone call of the other day, he brought a letter, a photostatic copy of which is enclosed herewith, in together with his check for \$33.00.

Is the check for \$33.00 all that is required to complete this matter or is further information required as indicated in your telephone conversation?

I will appreciate your further advice.

Yours very truly,

YOUNG & GEORGE

By 
Grant L. Young

GLY/jg

Encl.

29253

November 4, 1968

Re: Permit No. G-29253

Mr. H. Julian Miller
Roberts,
Idaho 83444

Dear Mr. Miller:

Enclosed herewith is your Water License issued on the
above numbered permit.

Also enclosed is departmental receipt No. 2235 for
\$33. covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

29253

*Better shake him
on the PD. Amendment*

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

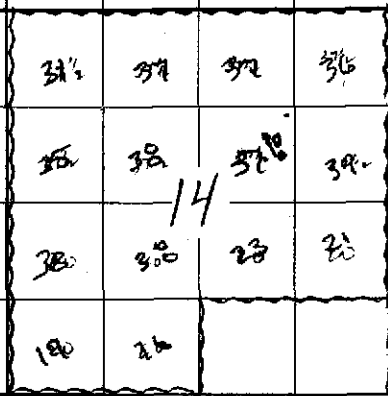
REPORT OF EXAMINER

PERMIT NO. G-29253

REPORT ON PROOF OF Completion of Works & Beneficial Use

Rq. 36E

Tw. 4N.



141

149

120

35

145 Acres

→ To US Highway 15 and Ida Falls.

Area - 145 Acres

Sub - 14

allow Q - 4.9 c.f.s.

IRRIGATION REQUIREMENT = 3.5 AF/ACRE = 1558 AF/SEASON

CHECK FEASIBILITY (200 DAY SEASON) (9.8 AF/DAY) = 2058 AF/SEASON

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-29253

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant H. Julian Miller

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SE 1/4 of Section 14

T. 4 N R. 36 E. B. M. County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same:

300 HP B.I. SUBMERSIBLE # 378626, 3500 gpm
290' 150 H.P. V.S. ELEC. MOTOR # 124688
POWERING A PERCEPS CENTRIFUGAL BOOSTER PUMP
21014 10" DISCHARGE THROUGH 10" UNASS -
GROUND MAIN LINES.

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: YES

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

N 1/2, SW 1/4, NE 1/4 Sec. 14., Twp. 4 N., Rge. 36 E. B. M.

(460 acres)

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

14 LAT - 1/4 mile - 3/32" RAINBOW E. WS @ 48 lbs

$$Q = \frac{(162 \text{ No2}) (1.85 \text{ gpm})}{150 \text{ gpm} \times 448.8} = \frac{299.7}{67320} = 4.45 \text{ cfs}$$

This examination was made on the 17 day of Aug, 1967

(Signed) D.R.

Examiner.

29253

Plat ✓
sw

S 4:20 348 10000 600
H. Julian Miller
Roberts, Idaho

Exam 7000 200
19165

Permit No. G-29253

Examination for Completion of Works & Beneficial Use

County Jefferson Sec. 14 T.4N R.36 EBM

Quantity: 4.9 cfs

Source: Well

P.D.: SE 1/4 NE 1/4 Section 14
Twp. 4N Rgc. 36 E. 2M.

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: None

Filed: December 28, 1960

Due: December 28, 1965

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

BYRON JACKSON
SUMMERS, I.D.
378006
3500 gpm 290'
300 H.P. 1760 RPM

150 HP US FLEC.

1244688

PERMISS

CERTIFICATED
BOOSTER

21014

29253

87

RECEIVED

AUG 2 1968

Department of Reclamation

AFFIDAVIT OF PUBLICATION
The Rigby Star

STATE OF IDAHO, }
County of Jefferson } ss.

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supple-

ment issue thereof, for seven consecutive issues thereof; first publication having been made on the

14th day of March, 1968
and the last publication on the

14th day of March, 1968

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B. Jones

Subscribed in my presence and sworn to before me this 1st
day of August, 1968
(SEAL)

R. Keith Higginson
Notary Public for the State of Idaho,
Residence and P.O. Address Rigby Idaho.

My commission expires _____, 19__

Publication Fee: \$ 2.00

MY COMMISSION EXPIRES JULY 15, 1969

NOTICE OF CORRECTION OF
LEGAL NOTICE PUBLISHED
THE PROVISIONS OF SECTIONS
42-214, 42-217, IDAHO CODE

Notice is hereby given that the legal notice printed in the Rigby Star on November 4, 11, 18, and 25, 1965, showing that H. Julian Miller was to make proof of completion of works and application of water to beneficial use on December 15, 1965, on Permit No. G-29253 was in error and the point of diversion was given as SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T. 4 N, R. 36 E, B.M.; whereas, the actual point of diversion is SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T. 4 N, R. 36 E, B.M.

That any protests against the approval of the deposition made December 15, 1965, must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said proof of completion of works and beneficial use of water.

Dated this 27th day of February, 1968.

R. KEITH HIGGINSON
State Reclamation Engineer

Date of first publication March 7, 1968.

Date of last publication March 14, 1968.

Last Date for Protest April 8, 1968.

29253

April 17, 1968

Re: Permit No. G-29253
H. Julian Miller

The Rigby Star
Rigby, Idaho 83442

Gentlemen:

Please find enclosed a copy of our letter to you of February 27, 1968, in which we request that the bill for the publication of the above referenced permit be sent to H. Julian Miller, Roberts, Idaho.

We would appreciate your advising Mr. Miller that the Department of Reclamation has the affidavit of publication. Thank you. We are enclosing the bill that you sent to us so that you may send it to Mr. Miller.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DJ

Enc: advertising bill
copy of our 2-27-68 letter

29253

NOTICE OF CORRECTION OF LEGAL NOTICE PUBLISHED UNDER THE
PROVISIONS OF SECTIONS 42-214, 42-217, IDAHO CODE

Notice is hereby given that the legal notice printed in the Rigby Star on November 4, 11, 18, and 25, 1965, showing that H. Julian Miller was to make proof of completion of works and application of water to beneficial use on December 15, 1965, on Permit No. G-29253 was in error and the point of diversion was given as SE~~W~~NE~~4~~, Sec. 14, T. 4 N, R. 36 E, B.M.; whereas, the actual point of diversion is SW~~W~~NE~~4~~, Sec. 14, T. 4 N, R. 36 E, B.M.

That any protests against the approval of the depositions made December 15, 1965, must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said proof of completion of works and beneficial use of water.

Dated this 27th day of February, 1968.

R. KEITH HIGGINSON
State Reclamation Engineer

Date of First Publication _____

Date of Last Publication _____

Last Date for Protest _____ April 8, 1968

29253

April 8, 1968

Re: Permit No. G-29253

H. Julian Miller
Roberts, Idaho

Dear Mr. Miller:

Please be advised that there have been no protests of your permit and we can continue processing it as soon as we receive an affidavit of publication. The affidavit may be obtained from the Rigby Star.

Please submit the affidavit promptly.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DJ

29253

AFFIDAVIT OF PUBLICATION
The Rigby Star

RECEIVED
APR 5 1968

STATE OF IDAHO, }
County of Jefferson } ss.

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for Two consecutive issues thereof; first publication having been made on the

7th day of March, 1968
and the last publication on the

14th day of March, 1968

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B Jones

Subscribed in my presence and sworn to before me this 4th day of April, 1968.
(SEAL)

R. H. Hanna
Notary Public for the State of Idaho,
Residence and P.O. Address Rigby Idaho.

My commission expires _____, 19__

Publication Fee: \$_____

MY COMMISSION EXPIRES JULY 15, 1969

29253

**NOTICE OF CORRECTION OF
LEGAL NOTICE PUBLISHED
THE PROVISIONS OF SECTIONS
42-214, 42-217, IDAHO CODE**

Notice is hereby given that the legal notice printed in the Rigby Star on November 8, 12, 18, and 25, 1966, showing that H. Julian Miller was to make proof of completion of works and beneficial use of water to Federal Reclamation, at Boise, Idaho, on December 15, 1966, was in error and the actual point of protest was given as follows: I. 4 N. R. 34 E. Sec. 14, T. 4 N. R. 34 E. S. 14, NE 1/4, Sec. 14, T. 4 N. R. 34 E. S. 14, NE 1/4, B.M.

protests against the apportionment made December 15, 1966, must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protests shall state the name and address of the protestant, and clearly set forth the reasons for the protest and proof of completion of works and beneficial use of water.

Dated this 27th day of February, 1968.

R. KIRBY HIGGINSON

State Reclamation Engineer

Date of first publication March 7, 1968.

Date of last publication March 14, 1968.

Last Date of Protest April 3, 1968.

February 23, 1963

RE: Permit G-29253
H. Julian Miller

Grant L. Young
Attorney at Law
115 North Clark
Rigby, Idaho 83442

Dear Mr. Young:

Enclosed herewith is a copy of the amendment you submitted to this office. This amendment has been recorded under the above referenced permit.

Also enclosed is Departmental Receipt No. 574 in the amount of \$5.00 which covers the fee for this recording.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Encl: Amendment
Receipt

29253

February 27, 1968

Re: Permit No. G-29253
H. Julian Miller

The Rigby Star
Rigby, Idaho 83442

Gentlemen:

Enclosed is a legal notice which is to be published once a week for two consecutive weeks. Insert the dates of first and last publication in one copy and return to us along with a galley proof for proofing.

The cost of the publication is to be paid by H. Julian Miller, Roberts, Idaho. Please send the bill and the affidavit of publication to him and he will forward the affidavit to this department.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

cc: H. Julian Miller

Enclosure: legal notice (2 copies)

29253

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR AMENDMENT

RECEIVED
FEB 26 1968
Department of Reclamation

Permit No. G-29253

Comes now H. Julian Miller
and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-29253, and requests that the permit be changed as follows:

1. Place of use or land to be irrigated: _____

2. Point of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T. 4N, R. 36 E, B.M.

Other points of diversion _____

3. Period and nature of use:

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

4. Other: _____

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at February 26 day of _____, 19 68.

H. Julian Miller
(signature)

Date of receipt at office of Department of Reclamation February 26, 19 68.

ACTION OF STATE RECLAMATION ENGINEER

I, JACK A. BARNETT, Deputy _____, State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment for permit G-29253.

Witness my hand this 27th day of February, 19 68.

Jack A. Barnett
Deputy State Reclamation Engineer

29253

RECEIVED
FEB 20 1951
U.S. DEPARTMENT OF RECLAMATION

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Rigby Star of Rigby, Idaho; published in the county in which the works are situated.

William Miller
(signature)

(address)

(date)

In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

29253

LAW OFFICES
YOUNG & GEORGE
RIGBY, IDAHO
115 North Clark

Grant L. Young
H. Reynold George

February 23, 1968

RECEIVED

FEB 26 1968

Department of Reclamation

Mr. Donald W. McEldowney
Water Rights Clerk
Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Permit No. G-29253

Dear Mr. McEldowney:

Enclosed herewith please find the amendment forms and authorization to publish requested of Mr. H. Julian Miller in your letter of December 19, 1967, regarding Permit No. G-29253.

You will also find enclosed herewith our check for \$5.00 to cover this cost.

Yours very truly,

YOUNG & GEORGE

By

Grant L. Young

GLY/jg

Encls.

29253

February 13, 1968

Re: Permit No. G-29253

H. Julian Miller
Roberts,
Idaho 83444

Dear Mr. Miller:

As of this date, we have not received the reply to our December 19, 1967 correspondence, a copy of which is enclosed. We would like to have your reply to this letter within 30 days of the date of this letter.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Copy of 12-19-67 letter

29253

December 19, 1967

Re: Permit No. G-29253

H. Julian Miller
Roberts,
Idaho 83444

Dear Mr. Miller:

Please be advised that the Department of Reclamation has conducted a field examination in connection with Permit No. G-29253.

The results of the examination indicated that the point of diversion listed in the permit is incorrect. Therefore, before we can license your permit you will be required to amend the point of diversion and advertise the amendment. The point of diversion must be amended to a point located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 14, T. 4 N, R. 36 E, B.M.

We are enclosing a partially completed amendment form. Please insert any additional information that you feel necessary. Sign the application for amendment and return it with a five dollar fee.

Also enclosed is the departments form 11, authorization for the department to publish the amendment at your expense. Please sign the authorization and return it with your amendment. Your prompt attention to this matter is appreciated.

Very truly yours,

Donald W. McElldowney
Water Rights Clerk

DWM:ks

Enclosure: Application for amendment
Form 11

29253

December 27, 1965

Re: Permit No. G-29253

H. Julian Miller
Roberts, Idaho

Dear Mr. Miller:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the RICBY STAR, all submitted in proof of completion of works and beneficial use on Permit No. G-29253.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

29253

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-29253

DEC 17 1965
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

RECEIVED
DEC 23 1965

Department of Reclamation

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: _____

H. Julian Miller; Roberts, Idaho; Rancher; Roberts, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf: _____

Ques. 3. State number, approval date of permit, and date of priority: G-29253;

December 28, 1960 December 28, 1960

Ques. 4. State source of water supply subterranean well

Give location of point of diversion, showing subdivision, section, township and range
Southwest corner of SE 1/4 NW 1/4
SW 1/4 NE 1/4, Section 14, Township 4 North, Range 36, EBM

Ques. 5. Describe your works of diversion: Subterranean well; pump; Sprinkler

Pipe and Sprinklers; state amount of water they are capable of con-

veying from point of diversion to place of use: 4.9 C.F.S.; Give name of canal or ditch

or other works by which water is conducted to such place of use: none

_____ ; if a well, state depth of well 388 feet; depth and size of

casing 10'22" x 64'18"; depth to water 290 feet; if pump is used,

state discharge of pump: 2200 G.P.M.; tell how it was measured or determined _____

estimate; if sprinkler irrigation, give number and size

of nozzles and operating pressure: 45 5/32" 35-50 lbs.

Ques. 6. State for what purpose water is used: Irrigation

(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

NE 1/4 NE 1/4 37 1/2 acres; NW 1/4 NE 1/4 37 1/2 acres; SW 1/4 NE 1/4 37 1/2 acres; SE 1/4 NE 1/4 37 1/2 acres;

NE 1/4 NW 1/4 37 1/2 acres; NW 1/4 NW 1/4 37 1/2 acres; SW 1/4 NW 1/4 37 1/2 acres; SE 1/4 NW 1/4 37 1/2 acres;

NE 1/4 SW 1/4 40 acres; NW 1/4 SW 1/4 40 acres; SW 1/4 SW 1/4 20 acres; SE 1/4 SW 1/4 20 acres;

NE 1/4 SE 1/4 20 acres NW 1/4 SE 1/4 20 acres, all in ~~XXXX~~ Section 14, Township 4 North, Range 36, EBM.

Log in

29253

D

State nature of all improvements which have been made as a direct result of said use:

Converted desert land into productive row crop farm production

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Andrew Well Drilling, 1350 E. 17th, Idaho Falls, Idaho.

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

For irrigation purposes

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 1961 - Time used since first use:

Used continuously each crop year commencing with 1961

Ques. 10. Describe all other water rights appurtenant to same place of use: none

none

(sign) H. Robert Miller

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Rigby, County of Jefferson

State of Idaho, on this 15th day of December, A. D. 1965.

My commission expires: 11-19-68

Earl E. Hansen

29253

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29253

RECEIVED
DEC 17 1965

Department of Reclamation

RECEIVED
DEC 23 1965

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Sheldon Stoker; legal age; Roberts, Idaho; farmer;

Roberts, Idaho

Ques. 2 Are you acquainted with H. JULIAN MILLER, the holder of Permit No. G-29253? How long have you known him and where does he reside?

15 years;

Roberts, Idaho

Ques. 3. Have you read or heard said Permit No. G-29253 read, and are you familiar with its provisions and conditions: Yes x No. ✓

Ques. 4. State source of water supply: Subterranean well and sprinkler system

Give location of place of diversion, showing subdivision, section, township and range
Southwest corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14, Township 4 North, Range 36, EBM

Describe works for conveying water to place of use: Well; Pump; Sprinkler Pipe and Sprinklers

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 4.9 C.F.S. How much water have you seen being so conveyed? 4.9 C.F.S.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 37 $\frac{1}{2}$ acres; NW $\frac{1}{4}$ NE $\frac{1}{4}$ 37 $\frac{1}{2}$ acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$ 37 $\frac{1}{2}$ acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$ 37 $\frac{1}{2}$ acres;

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 37 $\frac{1}{2}$ acres; NW $\frac{1}{4}$ NW $\frac{1}{4}$ 37 $\frac{1}{2}$ acres; SW $\frac{1}{4}$ NW $\frac{1}{4}$ 37 $\frac{1}{2}$ acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$ 37 $\frac{1}{2}$ acres;

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres; NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres; SW $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres;

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 20 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$ 20 acres; all being in Section 14, Township 4 North, Range 36, EBM.

29253

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Sandy Loam 4.9 C.F.S.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? no ✓

Ques. 10. When did you first see this water used? 1961
Other times you have seen such use: each crop year subsequent to 1961

(Signed):

Sheldon Staker

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

Rigby, County of Jefferson, State of Idaho, on this 15th day of December, A. D. 19 65 ✓

Carl E. Hansen
Notary Public for the State of Idaho
Residing Rigby, Idaho

My commission expires 1-19-68

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29253

RECEIVED
DEC 17 1965

Department of Reclamation

RECEIVED
DEC 23 1965

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

John Stoker; legal age; Roberts, Idaho; farmer; Roberts, Idaho

Ques. 2 Are you acquainted with H. JULIAN MILLER, the holder of Permit No. G-29253? How long have you known him and where does he reside?

12 years:

Roberts, Idaho

Ques. 3. Have you read or heard said Permit No. G-29253 read, and are you familiar with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: Subterranean well and sprinkler system

Give location of place of diversion, showing subdivision, section, township and range
Southwest corner of SE $\frac{1}{4}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, Township 4 North, Range 36, EBM

Describe works for conveying water to place of use: Well; Pump; Sprinkler Pipe
and Sprinklers

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 4.9 C.F.S. How much water have you seen being so conveyed? 4.9 C.F.S.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 37 $\frac{1}{2}$ acres; NW $\frac{1}{4}$ NE $\frac{1}{4}$ 37 $\frac{1}{2}$ acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$ 37 $\frac{1}{2}$ acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$ 37 $\frac{1}{2}$ acres;

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 37 $\frac{1}{2}$ acres; NW $\frac{1}{4}$ NW $\frac{1}{4}$ 37 $\frac{1}{2}$ acres; SW $\frac{1}{4}$ NW $\frac{1}{4}$ 37 $\frac{1}{2}$ acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$ 37 $\frac{1}{2}$ acres;

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres; NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres; SW $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres;

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 20 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$ 20 acres; all being in Section 14, Township 4 North, Range 36, EBM.

29253

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Sandy Loam 4.9 C.F.S.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? no ✓

Ques. 10. When did you first see this water used? 1961

Other times you have seen such use: each crop year subsequent to 1961

(Signed):

John Q. Stoker

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

Rigby, County of Jefferson, State of Idaho, on this 15th day of December, A. D. 19 65 ✓

Earl E. Hansen

Notary Public for the State of Idaho

Residing Rigby, Idaho

My commission expires

11-19-68

29253

RECEIVED
DEC 23 1965

Department of Reclamation

AFFIDAVIT OF PUBLICATION

The Rigby Star

DEC 17 1965

STATE OF IDAHO,

ss.

County of Jefferson

Department of Reclamation

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for four consecutive issues thereof;

first publication having been made on the

4th day of November, 1965
and the last publication on the

25th day of November, 1965

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B. Jones

Subscribed in my presence and sworn to before me this 10th
day of December, 1965
(SEAL)

[Signature]
Notary Public for the State of Idaho,
Residence and P.O. Address Rigby Idaho.

My commission expires _____, 19__

Publication Fee: \$ pd
MY COMMISSION EXPIRES JULY 15, 1969

29253

Application for Amendment

POINT OF DIVERSION

Permit No. _____

Comes now _____
and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of
the State of Idaho, No. _____.

That the point _____ of diversion is described in said Permit as being located:

That he now requests that the point _____ of diversion be changed to a point _____
located: _____

That the reason for desiring to make such change is as follows:

That no one will be injured by such change, and that such change will be made at
Permit Holder's own risk.

Signed at _____ this _____ day of _____, 1965

Date of Receipt at Department of Reclamation: _____

APPROVAL OF STATE RECLAMATION ENGINEER

I, _____, State Reclamation Engineer of the State of
Idaho, hereby approve the above and foregoing application for amendment to Permit to
Appropriate the Public Waters of the State of Idaho, No. _____. This approval
constitutes a new permit and is issued as an amendment to the original permit, to which
it refers and of which it becomes a part, and said application is approved only insofar
as the rights of others will not be adversely affected thereby.

Recorded in Book _____ of
Permits, at Page _____
_____, 196_____

State Reclamation Engineer

29253

Grant L. Young
H. Reynold George

LAW OFFICES
YOUNG & GEORGE
RIGBY, IDAHO
115 North Clark

December 22, 1965

RECEIVED
DEC 23 1965

Department of Reclamation

M. Russell Bosch
State Water Rights and Records Clerk
Department of Reclamation
107 State House
Boise, Idaho 83701

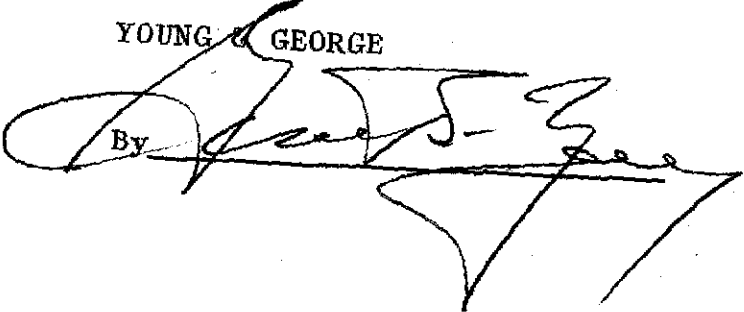
Re: Permit No. G-29253
H. Julian Miller

Dear Sir:

Pursuant to your letter of instructions of
December 20, 1965 please find corrected depositions.

Yours very truly,

YOUNG & GEORGE

By 

GLY:bgm

Enc.

29253

December 20, 1965

Young and George
Attorneys at Law
Rigby, Idaho
Attention: Mr. G. L. Young

RE: Permit No. G-29253
H. Julian Miller

Dear Mr. Young:

Returned herewith is your deposition of holder and witnesses and affidavit of publication for the above referred permit. It is noted under question #4 of holder and witnesses that you have listed SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 14, T 4 N., R 36 E., B.M. The permit states the point of diversion as SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 14, T 4 N., R 36 E., B.M. If the permit is correct and the depositions are in error please correct the depositions. However, if the permit is in error and depositions are correct an amendment is required. The fee is \$1.00 per amendment the forms for which are enclosed. Also, you will be required to re-advertise at your expense and set a new date to take depositions.

Please make corrections or amendments as required and return all papers promptly.

Very truly yours,

M. RUSSELL BOSCH
State Water Rights
and Records Clerk

MRB:ejw
Encl: Depositions
Affidavit of Publication
Amendment Forms

29253

LAW OFFICES
YOUNG & GEORGE
RIGBY, IDAHO

115 North Clark

December 16, 1965

Grant L. Young
H. Reynold George

RECEIVED
DEC 17 1965
Department of Reclamation

Edna P. Rule
Chief Clerk
Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Permit No. G-29253
H. Julian Miller

Dear Mrs. Rule:

Pursuant to your letter of instructions dated October 29 with regard to the above-captioned matter, please find enclosed the necessary depositions together with affidavit of publication in this case.

I trust that you will find everything in order in this matter.

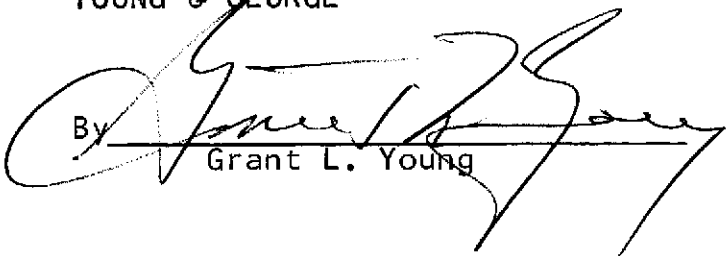
I should note that there is a discrepancy on the final proof as to location of the well.

I would appreciate your advising me as to the necessity of re-advertising in view of this discrepancy.

Yours very truly,

YOUNG & GEORGE

By


Grant L. Young

GLY/cs

Enc(s)

39253

Re: Permit No. G-29253
H. Julian Miller

October 29, 1965

Mr. Grant L. Young,
Attorney at Law,
115 North Clark,
Rigby, Idaho.

Dear Mr. Young:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-29253, in the name of H. Julian Miller, Final Proof is to be made before you, Earl E. Hansen as Notary on the 15th day of December, 19 65, at 10:00 o'clock A.M., at 115 N. Clark, Rigby, Idaho.

As of this date, we have mailed the Notice to the Rigby Star Rigby, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Applicant
cc: Notary

29253

Re: Permit No. G-29253
H. Julian Miller

Date: Oct. 29, 1965

Rigby Star,
Rigby, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to December 15, 1965 the date set for proof; the expense of the publication is to be paid by the applicant 's attorney, Young and George of 115 N. Clark, Rigby, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication. **

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense

29253

January 6, 1961

Re: Permit No. G-29253
H. Julian Miller

Young and George,
Attorneys at Law,
115 North Clark,
Rigby, Idaho.

Attention: Grant L. Young

Gentlemen:

We enclose Permit No. G-29253 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-5476 which was issued covering payment in the amount of \$6.00 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:smk
cc: H. Julian Miller
Roberts, Idaho

29253

RECEIVED
OCT 29 1965

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that at 10:00A M., on the 15th day of December
19 65, at Rigby, County of Jefferson, State of Idaho
before Earl E. Hansen, Notary Public, at (address) 115 N.
Clark, Rigby, Idaho, proof will be submitted of the completion
of works for the diversion of 4.9 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G-29253, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is H. Julian Miller, Roberts, Idaho
2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 4.9 cubic feet per second.
3. The use to which said water has been applied is Irrigation purposes
, purposes and the amount applied to beneficial use is
4.9 cubic feet per second.
4. The point of diversion of said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 14, Township 4
North, Range 36, EBM, County of Jefferson
5. The place where said water is used is NE $\frac{1}{4}$; NW $\frac{1}{4}$; SW $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; all in
Section 14, Township 4 North, Range 36 EBM
6. The date of priority which said user is prepared to establish is 28th day of
December, 1960

CARL E. TAPPAN

State Reclamation Engineer

29253

RECEIVED
OCT 29 1965

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 28, 1965

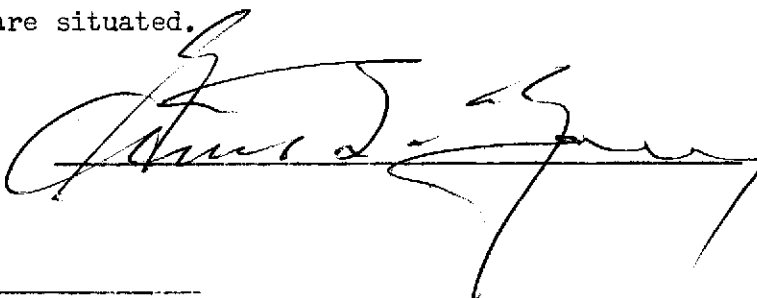
(P. O.) Rigby, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Rigby Star of
Rigby, Idaho Published in
the county in which the works are situated.



(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer)

I hereby certify that the facts set forth in the attached
notice are true.

Engineer

29253

LAW OFFICES
YOUNG & GEORGE
RIGBY, IDAHO

115 North Clark

October 28, 1965

RECEIVED
OCT 29 1965

Department of Reclamation

Grant L. Young
H. Reynold George

Carl E. Tappan
State Reclamation Engineer
Department of Reclamation
107 State House
Boise, Idaho

Re: Permit No. G-29253
" " G-29254

Dear Mr. Tappan:

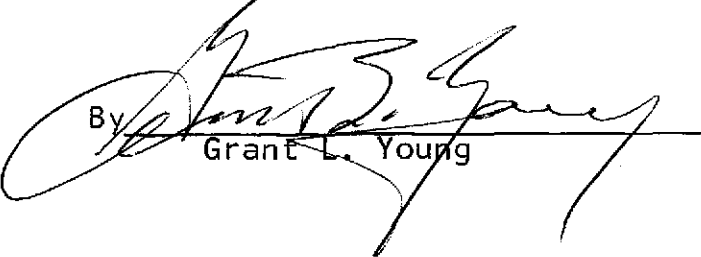
Enclosed please find Notice of Proof of Completion of Works and Application of Water to Beneficial Use on the above-captioned permits.

Please proceed to have these notices published in The Rigby Star at Rigby, Idaho. This office will be responsible for any bill.

Yours very truly,

YOUNG & GEORGE

By


Grant L. Young

GLY/cs

Enc(s)

29253

Oct. 19, 1965

Re: Permit No. G-29253 - H. Julian Miller
" " G-29254 - Darrel T. Williams

Grant L. Young
Attorney at Law
Rigby, Idaho

Dear Mr. Young:

Enclosed is departmental receipt No.
G-9908, in the amount of \$5.00 covering the fee for
a certified copy of each of the permits shown
above.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. receipt

29253

October 12, 1965

Re: Permit No. G-29253 - H. Julian Miller
G-29254 - Darrel T. Williams

Grant L. Young
Attorney at Law
Rigby, Idaho

Dear Mr. Young:

Enclosed are the certified copies of the above
numbered permits, which you requested in your letters of
October 11th.

There is a fee of \$2.50 for each permit, or a
total fee of \$5.00 which should be mailed into this office.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. copies of permits

29253

LAW OFFICES
YOUNG & GEORGE
RIGBY, IDAHO

115 North Clark

October 11, 1965

Grant L. Young
H. Reynold George

RECEIVED
OCT 12 1965

Department of Reclamation

Carl E. Tappan
State Reclamation Engineer
Boise, Idaho

Re: Permit No. G-29253
H. Julian Miller

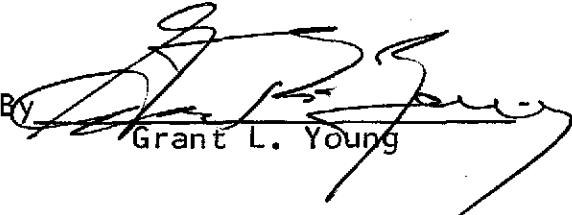
Dear Mr. Tappan:

Will you please send this office a certified copy of Permit No. G-29253. We are unable to locate our copy of this permit and need a copy for making final proof as required in your letter of October 1, 1965.

Please advise me as to your fee, and I will send you a check by return mail.

Yours very truly,

YOUNG & GEORGE

By 
Grant L. Young

GLY/cs

29253

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 29253
H. Julian Miller

Oct. 1, 1965

Young and George
Attorneys at Law
115 N. Clark
Bigby, Idaho

Gentlemen:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 29253 are due not later than **Dec. 28, 1965**

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

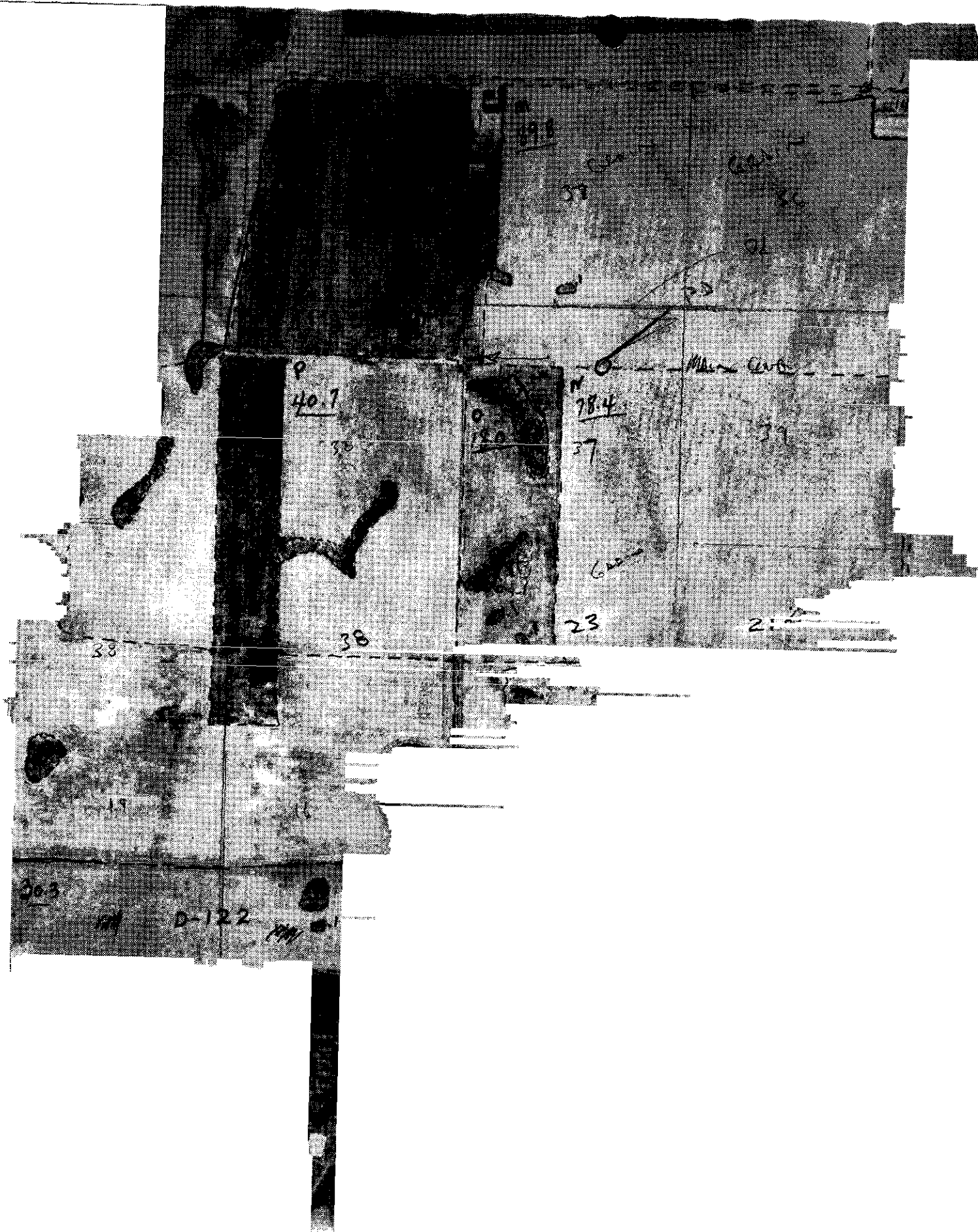
CARL E. TAPPAN

STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

H. Julian Miller
cc: Roberts, Idaho

29253



LAW OFFICES
YOUNG & GEORGE
RIGBY, IDAHO
115 North Clark

RECEIVED
DEC 28 1960
Department of Reclamation

Grant L. Young
H. Reynold George

December 27, 1960

State of Idaho
Department of Reclamation
Boise, Idaho

Attention: (Mrs.) Edna P. Rule
Chief Clerk

Reference: Application for Permit
Darrel T. Williams

Dear Madam:

Enclosed please find our check for \$6.00 and Amended Application for H. Julian Miller.

Yours very truly,

YOUNG & GEORGE

By 
Grant L. Young

GLY/ja

Enclosure

29253

December 23, 1960

Re: Application for Permit
H. Julian Miller

Young and George
Attorneys at Law
Rigby, Idaho

Attn: Grant L. Young

Dear Mr. Young:

Returned herewith is the application for permit with attached check for \$10.00, so-called filing fee.

The amount of water claimed, 2200 gpm or 4.9 cubic feet per second requires a \$5.00 fee for first c.f.s. plus \$0.25 for each additional cubic foot per second or \$1.00 making a total of \$6.00 fee. This office cannot make change for checks.

Under 12 is shown X and the total acres shown indicate that not all are full 40-acre subdivisions. Kindly show acreage in each 40-acre subdivision as requested.

The maps show all of SW $\frac{1}{4}$ irrigated and the land list only totals 120 acres. Kindly outline on the maps the outer edge of the land to be irrigated with a heavy line of short cross hatching to eliminate errors.

Kindly correct and return with the proper fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:ew

29253

LAW OFFICES
YOUNG & GEORGE
RIGBY, IDAHO
115 North Clark

RECEIVED
DEC 23 1960
Department of Reclamation

Grant L. Young
H. Reynold George

December 21, 1960

Department of Reclamation
Boise
Idaho

Dear Sir:

Enclosed please find an application for Permit to Appropriate the Subterranean Waters of the State of Idaho for H. Julian Miller. I am enclosing our check in the amount of \$10.00 for the fee for this Permit.

Thank you for your courtesy.

Yours very truly,

YOUNG & GEORGE

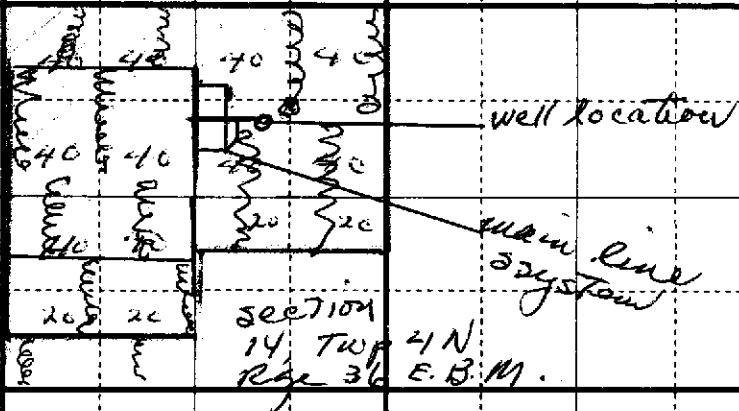
By

Grant L. Young

GLY/ja

Enclosure

29253



Permit Map No. 29253
As Approved DEC 28 1960
GEO. N. CARTER
State Reclamation Engineer

**NOTICE OF CORRECTION OF
LEGAL NOTICE PUBLISHED
THE PROVISIONS OF SECTIONS
42-214, 42-217, IDAHO CODE**

Notice is hereby given that the legal notice printed in the Rigby Star on November 4, 11, 18, and 25, 1965, showing that H. Julian Miller was to make proof of completion of works and application of water to beneficial use on December 15, 1965, on Permit No. G-29253 was in error and the point of diversion was given as SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T. 4 N, R. 36 E, B.M.; whereas, the actual point of diversion is SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T. 4 N, R. 36 E, B.M.

That any protests against the approval of the deposition made December 15, 1965, must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said proof of completion of works and beneficial use of water.

Dated this 27th day of February, 1968.

R. KEITH HIGGINSON

State Reclamation Engineer

Date of first publication March 7, 1968.

Date of last publication March 14, 1968.

Last Date for Protest April 8, 1968.

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m., on the 15th day of December, 1965, at Rigby, County of Jefferson State of Idaho before Earl E. Hansen, Notary Public, at 115 N. Clark, Rigby, Idaho, proof will be submitted of the completion of works for the diversion of 4.9 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29253, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is H. Julian Miller, Roberts, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.9 cubic feet per second.

3. The use to which said water has been applied is irrigation, purposes and the amount applied to beneficial use is 4.9 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 14, Township 4 North, Range 36, EBM, County of Jefferson.

5. The place where said water is used is NE $\frac{1}{4}$; NW $\frac{1}{4}$; SW $\frac{1}{4}$; NE $\frac{1}{4}$ -SE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; all in Section 14, Township 4 North, Range 36 EBM.

6. The date of priority which said user is prepared to establish is the 18th day of December, 1960.

Carl E. Tappan,

State Reclamation Engineer

Pub.: Nov. 4-11-18-25, 1965)

**NOTICE OF CORRECTION OF
LEGAL NOTICE PUBLISHED
THE PROVISIONS OF SECTIONS
42-214, 42-317, IDAHO CODE**

Notice is hereby given that the legal notice printed in the Rigby Star on November 4, 11, 18, and 25, 1965, showing that H. Julian Miller was to make proof of completion of works and application of water to beneficial use on December 15, 1965, on Permit No. G-29253 was in error and the point of diversion was given as SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T. 4 N, R. 36 E, B.M.; whereas, the actual point of diversion is SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T. 4 N, R. 36 E, B.M.

That any protests against the approval of the deposition made December 15, 1965, must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said proof of completion of works and beneficial use of water.

Dated this 27th day of February, 1968.

R. KEITH HIGGINSON

State Reclamation Engineer

Date of first publication March 7, 1968.

Date of last publication March 14, 1968.

Last Date for Protest April 8, 1968.