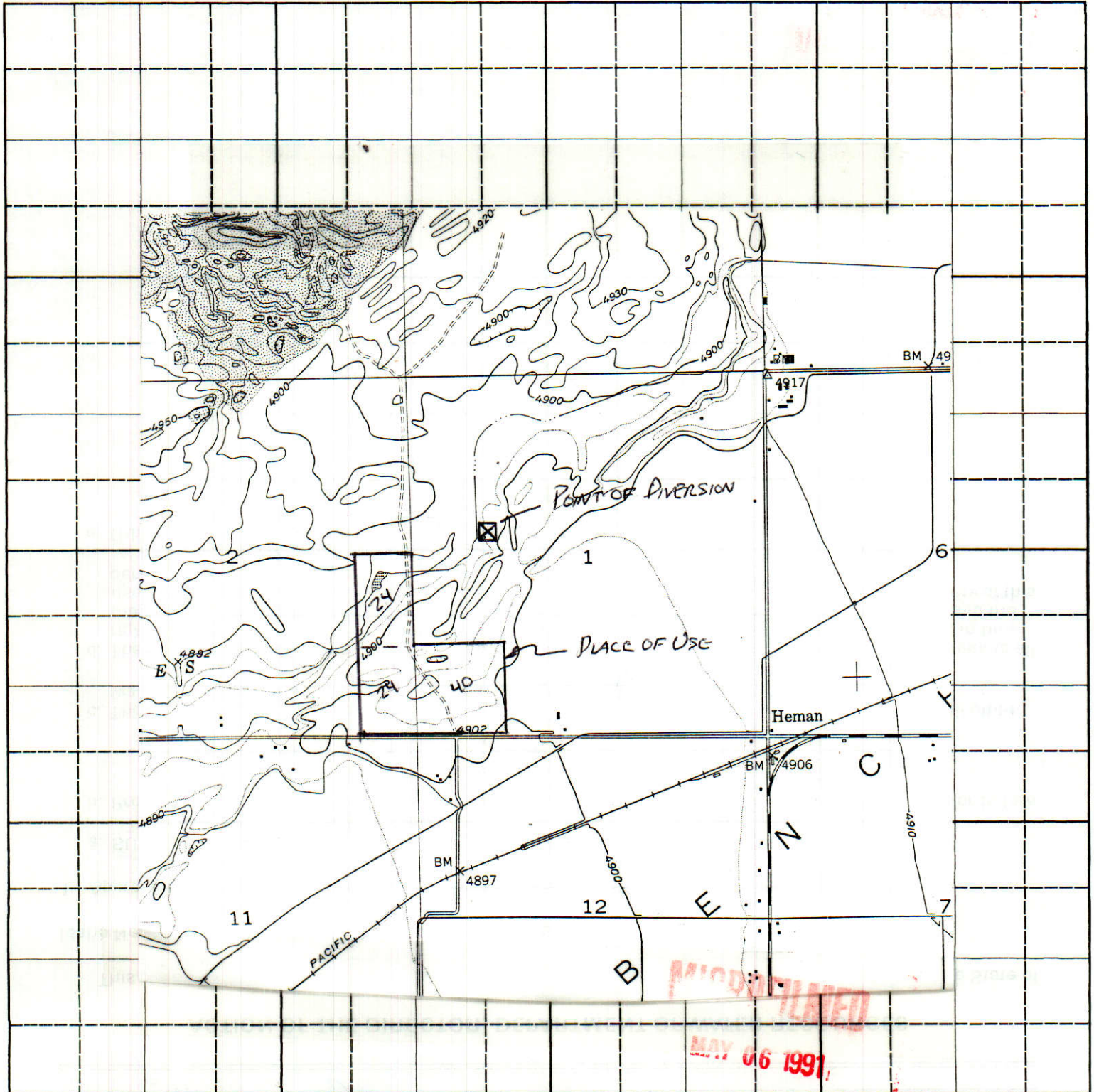


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Dell Miller
(Applicant)

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that Layne Miller &/or Dell Miller

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
Irrigation	from April 1	to November 1	at 2.40 cts and	420.0 acre feet
	from	to	at cts and	
	from	to	at cts and	
	(both dates inclusive)			

Description and location of place of use:

Exp	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	
7N	39E	1					7	7	40	40		26							120

Total number of acres irrigated 120

MICROFILMED
MAY 06 1991

St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

I, Terry T. Weatherston
being first duly sworn, depose and say,
that I am the printer of THE FREMONT
COUNTY HERALD-CHRONICLE, a semi-weekly
newspaper printed and published in
Fremont County, Idaho; and I do solemnly
swear that the NOTICE OF WATER RIGHT
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not
in any supplement issue thereof
for TWO consecutive issues, the
first publication having been made on
MARCH 21, 1991

and the last publication having been
made on MARCH 28, 1991

Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under Idaho
statutes; that it has at least two
hundred bona fide subscribers living
within the county of publication; and
that it has been continuously and
uninterruptedly published in said county
during a period of seventy-eight
consecutive weeks prior to the first
publication of said notice.

Terry Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 29TH day of MARCH
in the year of 1991, before me, a Notary
Public, personally appeared Terry
Weatherston, known or identified to me to
be the person whose name subscribed to
the within instrument, and being by me
first duly sworn, declared that the
statements therein are true, and
acknowledged to me that he executed the
same.

Stephen K. Kade
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993

RECEIVED
APR 04 1991

NOTICE OF APPLICATION
FOR TRUST WATER RIGHT

21-07377
RUMSEY, GAYLE
ROUTE 2
ST. ANTHONY, ID 83445
Source: GROUNDWATER
Diversión Pt: SWSW Sec 1 T 07N R
39E

Use: IRRIGATION (1.760 CFS) Total
Diversión: (1.760 CFS)
Date Filed: 3/8/1988
In: T07N R39E S01 SWSW S 02 NESE
SESE 88.0 ACRES TOTAL
21-07450

HARRIS, MELVIN
P.O. BOX 158
TETON, ID 83451
Source: GROUNDWATER
Diversión Pt: NWSE Sec 30 T 08N R
40E

Use: IRRIGATION (3.220 CFS) Total
Diversión: (3.220 CFS)
Date Filed: 10/17/1989
In: T08N R40E S30 SWNE SENE
NESW SESW NESE NWSE SWSE SESE
180.0 ACRES TOTAL
21-07452

HARRIS, MELVIN
P.O. BOX 158
TETON, ID 83451
Source: GROUNDWATER
Diversión Pt: SESW Sec 30 T 08N R
40E

Use: IRRIGATION (1.380 CFS) Total
Diversión: (1.380 CFS)
Date Filed: 10/26/1989
In: T08N R40E S30 SESW S31 NENW
69.0 ACRES TOTAL
22-07639

SCHOOL DISTRICT NO. 215
147 N. 2ND W.
ST. ANTHONY, ID 83445
Source: GROUNDWATER
Diversión Pt: SESW Sec 1 T 07N R 40E
Use: IRRIGATION (.200 CFS) Total
Diversión: (.200 CFS)
Date Filed: 3/21/1989
In: T07N R40E S01 SESW 10.0 ACRES
TOTAL

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. Pro-
tests must be filed with the Director, Dept.
of Water Resources, Statehouse Mail,
Boise, Idaho 83720 on or before APRIL 8,
1991.

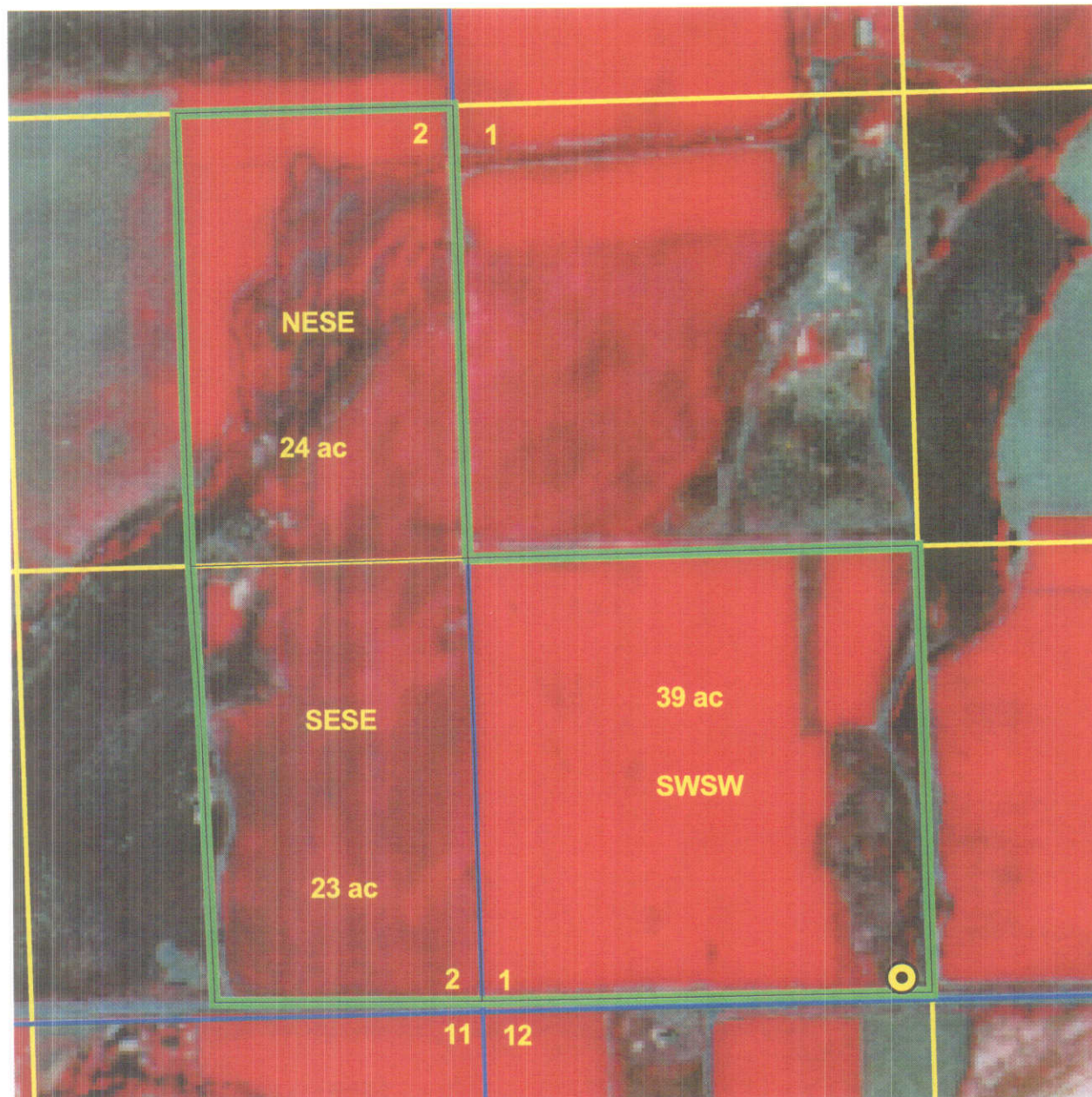
R. KEITH HIGGINSON
Director
Publ. March 21 and 28, 1991HC.

MAY 06 1991

*OK
1/2
4-5-91*

21-07377

07N 39E SEC. 1,2

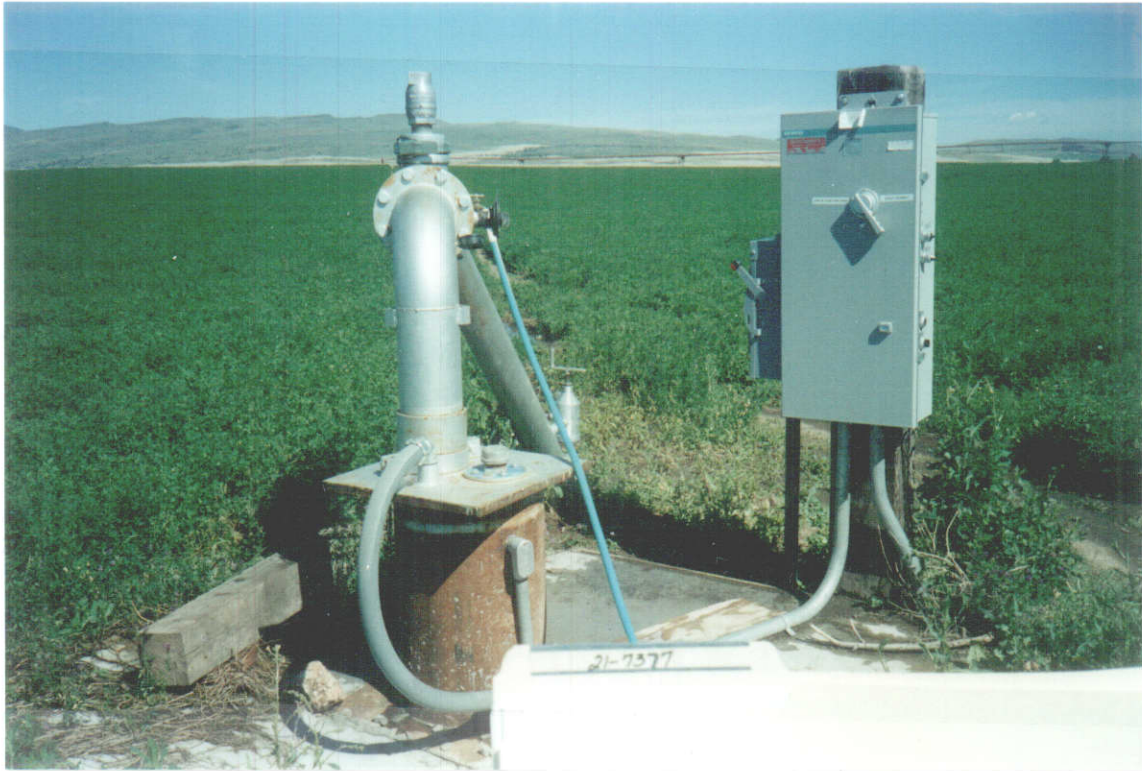


POINT OF DIVERSION



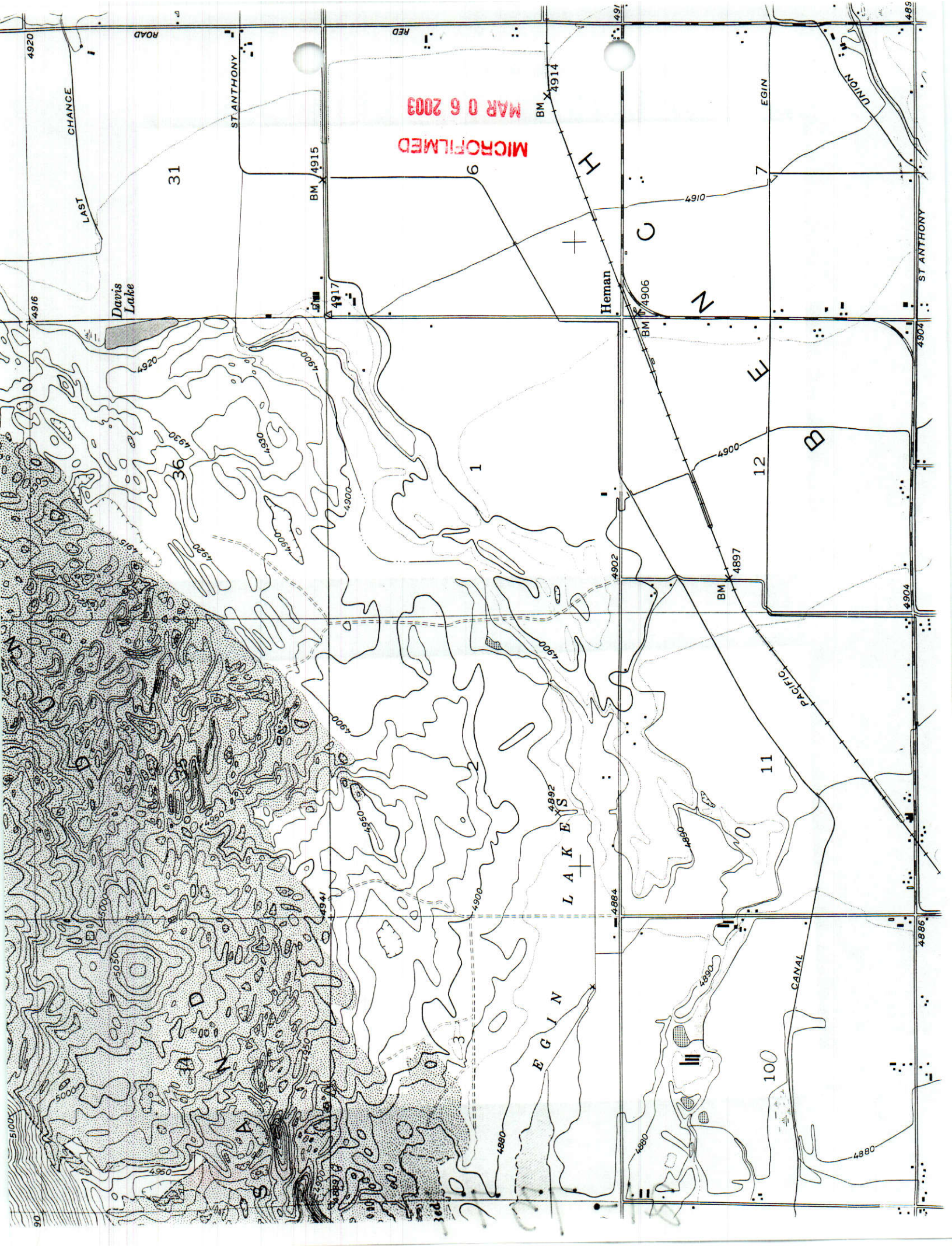
PLACE OF USE

MICROFILMED
MAR 06 2003



MICROFILMED
MAR 06 2003

21-7377



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 21-07377

Priority: March 8, 1988

Maximum Diversion Rate: 1.55 CFS
Maximum Diversion Volume: 301.0 AF

It is hereby certified that **GAYLE RUMSEY**
498 N 1500 E
ST ANTHONY ID 83445 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated March 8, 1988; and has
submitted Proof of Beneficial Use on April 20, 1994. An examination indicates that the works have a
diversion capacity of 1.55 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	1.55 CFS	301.0 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 1, Twp 07N, Rge 39E, B.M., FREMONT County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 39E 1												39.0					39.0
07N 39E 2													24.0			23.0	47.0

Total Acres: 86

CONDITIONS OF APPROVAL

1. The issuance of this right does not grant any right-of-way or easement across the land of another.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 22TH day of DECEMBER, 2002.

MICROFILMED

1998 0 6 2003

Acting for 
KARL J. DREHER
Director

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED
APR 20 1994

Department of Water Resources
Eastern District Office

The Idaho Department of Water Resources will consider this form as a statement that the permit holder has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 21-07377 Telephone No. 208 624-7748

2. Name(s) of Permit Holder(s): Gayle RUMSEY

3. Post Office Address: 498 N 1500 E St Anthony, ID 83445

4. Source of Water: GROUND WATER

a. If ground water, well driller's name: James Lope Well Drilling Date drilled: 1-27-93

b. Pump horsepower: 50 Pressure (psi): 70 Dynamic pumping level (ft.): 80

5. Extent of Use:

Domestic 1 (No. of households) Irrigation 88 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted 1.76 cfs _____ acre/feet

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

Measuring device: Required? Yes ☒ No Installed? Yes ☐ No

OR

Flow Measurement Port: Required? ☒ Yes ☐ No Installed? Yes ☐ No

8. Fee Enclosed: \$ 125.00 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

Gayle Rumsey 208 624 7748
Name Telephone No.

498 N 1500 St Anthony, ID 83445
Address

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.

4-19-94
Date

Gayle Rumsey
Signature (and title if on behalf of a company or organization)

JUN 09 1994

Signed this 15 day March, 19 94

W. J. Taylor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 21-07377

Proposed Priority: March 8, 1988 Maximum Diversion Rate: 1.76 CFS
This is to certify, that **GAYLE RUMSEY**

RT. 2 BOX 92
ST. ANTHONY, ID 83445

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	1.76 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSW Sec. 1, Township 07N, Range 39E
FREMONT 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>
07N	39E	1	SWSW 40			40
		2	NESE 24	SESE 24		48

Total number of acres irrigated: 88

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 3, 1993.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
7. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
8. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.

MICROFILMED

MAY 06 1991

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 21-07377

CONDITIONS/REMARKS:

9. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
10. 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.

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

29th day of April, 1991.

for R. Keith Higginson
R. Keith Higginson, Director

MAY 06 1991

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	21-7377	Dell Miller	1.76
Full Assignment	21-7377	Gayle Rumsey	1.76

MICROFILMED

MAY 06 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 08 1991
Department of Water Resources

ASSIGNMENT OF APPLICATION FOR PERMIT

I, Dell Miller, hereby assign to Gayle Rumsey
of, Rt 2 Box 92 St. Anthony Id 83445
(Full Address) 624-7748

All my right, title, and interest in and to Application for Permit
No. 21-7377 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

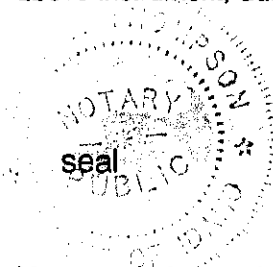
The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this 6 day of March, 1991
Dell Miller
Applicant

State of Idaho)
County of Bonneville) ss

On this 6th day of March, 1990, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.



Betty J. Thompson
Notary Public
BETTY J. THOMPSON, IDAHO
RESIDING AT [illegible] IDAHO
MY COMMISSION EXPIRES: 6-30-94

My commission expires: 06 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AMENDED APPLICATION FOR PERMIT *AMENDED*

To appropriate the public waters of the State of Idaho

1. Name of applicant Dell Miller Phone 624-7548 / 624-7748
Post office address Route 2, St. Anthony, ID 83445

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is _____ 1/4 of SW 1/4 of SW NW * 1/4, Govt. Lot _____

Sec. 1 Township 7N Range 39E B.M. Fremont County; additional
** Amended per POTW's Questionnaire & Application Copy T&I 3-11-91*
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.76 for Irrigation purposes from 4/1 to 11/1 (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) 1.76 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well (existing) with hand line sprinkler
system.

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.

Existing
c. Proposed well diameter is 16 inches; proposed depth of well is 160 feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

MAY 06 1991

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	
7N	39E	1											40						40
		2													24			24	48

Total number of acres to be irrigated 88

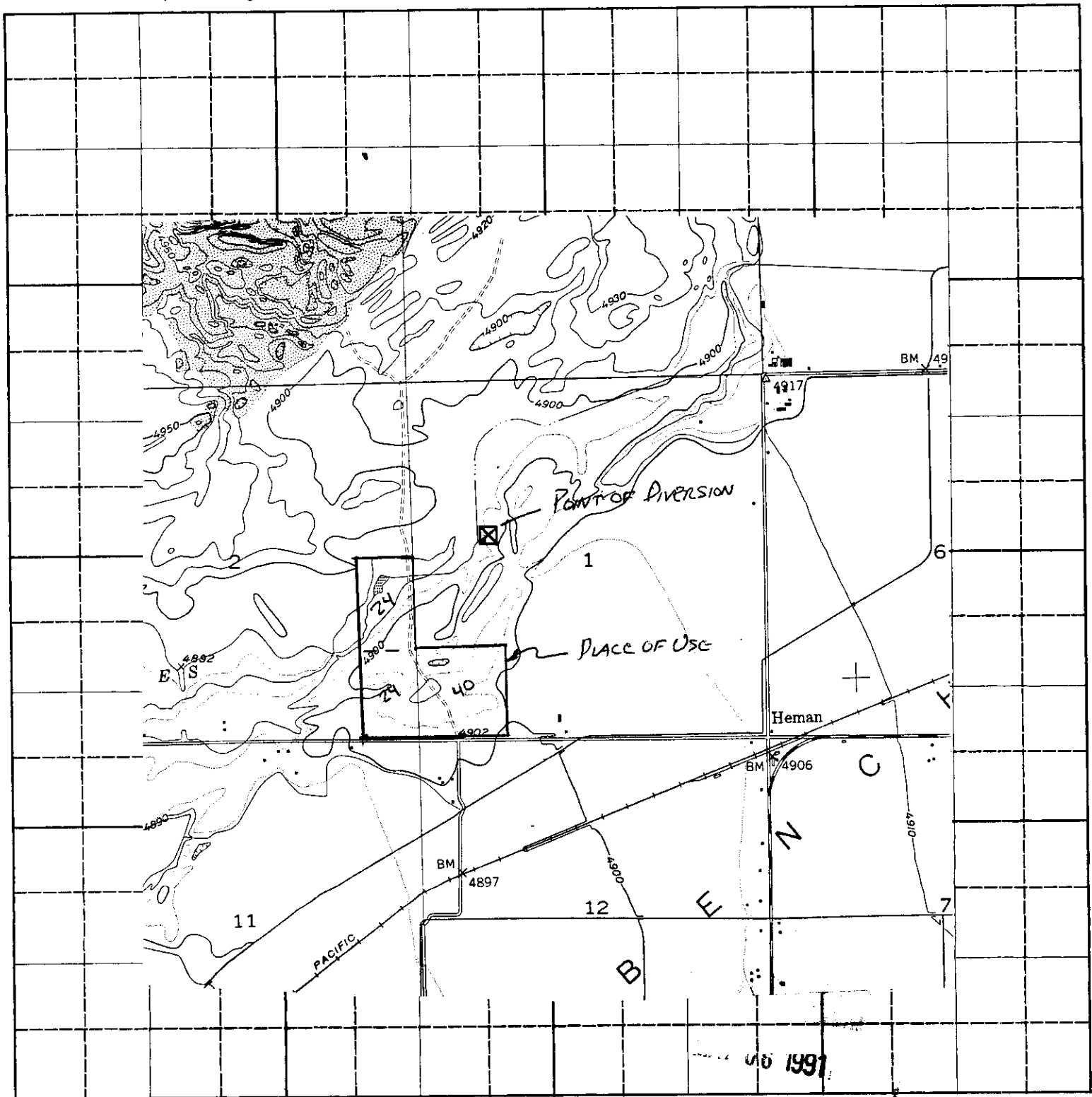
10. Describe any other water rights used for the same purposes as described above. water will be diverted from well covered by permit #21-7138

- 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: _____

MAY 06 1991

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.

Dell Miller
(Applicant)

Received by SM Date 3-8-1988 Time 10:45 A.M. Preliminary check by KCW
Fee \$ 65⁰⁰ Receipted by SM # 46465 Date 3-8-88
Publication prepared by BLM Date 3-12-91 Published in Herald Chronicle
Publication approved TJL Date 4-5-91

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:

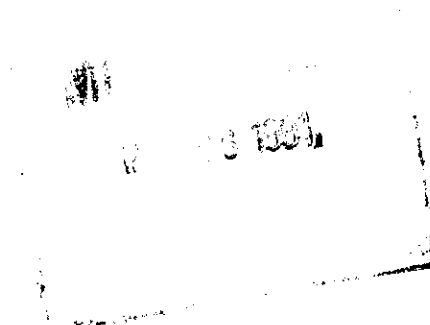
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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:



WATER RIGHT LICENSE

License of Water Right No. 21-7138 Priority September 9, 1977 Amount 2.40 cfs

THIS IS TO CERTIFY that Layne Miller &/or Dell Miller
of St. Anthony, Idaho, has complied with the terms and conditions of Permit
No. 21-7138 issued pursuant to Application for Permit dated September 9, 1977
and has submitted proof to the Department of Water Resources on August 6, 1982
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 3.32 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 1 to November 1	at 2.40 cfs and	420.0 acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____
	(both dates inclusive)		

Subject, however, to the condition that no more than 2.40 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 420.0 acre feet per year, said waters to be diverted within the SW1/4 Section 1,
Twp. 7N, Rge. 39E in the County of Fremont

Description and location of place of use:

[illegible]

Total number of acres irrigated 120

MICROFILMED
MAY 06 1991

St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

I, Terry T. Weatherston
being first duly sworn, depose and say,
that I am the printer of THE FREMONT
COUNTY HERALD-CHRONICLE, a semi-weekly
newspaper printed and published in
Fremont County, Idaho; and I do solemnly
swear that the NOTICE OF WATER RIGHT
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not
in any supplement issue thereof
for TWO consecutive issues, the
first publication having been made on
MARCH 21, 1991

and the last publication having been
made on MARCH 28, 1991

Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under Idaho
statutes; that it has at least two
hundred bona fide subscribers living
within the county of publication; and
that it has been continuously and
uninterruptedly published in said county
during a period of seventy-eight
consecutive weeks prior to the first
publication of said notice.

Terry T. Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 29TH day of MARCH
in the year of 1991, before me, a Notary
Public, personally appeared Terry
Weatherston, known or identified to me to
be the person whose name subscribed to
the within instrument, and being by me
first duly sworn, declared that the
statements therein are true, and
acknowledged to me that he executed the
same.

Stephen H. Karch

Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993

RECEIVED
APR 04 1991

NOTICE OF APPLICATION
FOR TRUST WATER RIGHT

21-07387

RUMSEY, GAYLE
ROUTE 2

ST. ANTHONY, ID 83445

Source: GROUNDWATER

Diversión Pt: SWSW Sec 1 T 07N R

39E

Use: IRRIGATION (1.760 CFS) Total
Diversión: (1.760 CFS)

Date Filed: 3/21/1991

In: T07N R39E S01 SWSW S.02 NESE
SESE 88.0 ACRES TOTAL

21-07480

HARRIS, MELVIN

P.O. BOX 158

TETON, ID 83451

Source: GROUNDWATER

Diversión Pt: NWSE Sec 30 T 08N R

40E

Use: IRRIGATION (3.220 CFS) Total
Diversión: (3.220 CFS)

Date Filed: 10/17/1989

In: T08N R40E S30 SWSW S.02 NESE
NESE 180.0 ACRES TOTAL

21-07452

HARRIS, MELVIN

P.O. BOX 158

TETON, ID 83451

Source: GROUNDWATER

Diversión Pt: SESE Sec 30 T 08N R

40E

Use: IRRIGATION (1.380 CFS) Total
Diversión: (1.380 CFS)

Date Filed: 10/26/1989

In: T08N R40E S30 SESE S31 NENW
SESE 66.0 ACRES TOTAL

22-07639

SCHOOL DISTRICT NO. 215

147 N. 2ND W.

ST. ANTHONY, ID 83445

Source: GROUNDWATER

Diversión Pt: SESE Sec 1 T 07N R 40E

Use: IRRIGATION (1.200 CFS) Total

Diversión: (1.200 CFS)

Date Filed: 3/21/1991

In: T07N R40E S01 SESE 10.0 ACRES
TOTAL

The permits will be subject to all prior
water rights. Permits 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. Pro-
tests must be filed with the Director, Dept.
of Water Resources, Boise, Idaho 83720 on or before March 1,
1991.

R. KETH REEDER

Publ. March 21 and 28, 1991HC

OK
1/2
4-5-91



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 27, 2002

GAYLE RUMSEY
498 N 1500 E
ST ANTHONY ID 83445

RE: License No. 21-7377 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

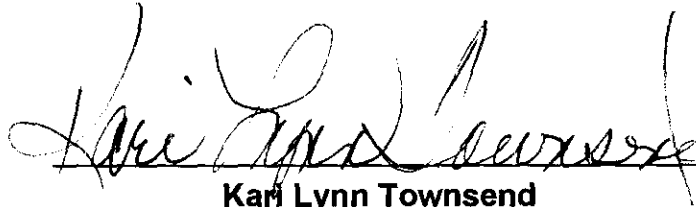
CERTIFICATE OF SERVICE

I hereby certify that on December 27, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

21-7377

**GAYLE RUMSEY
498 N 1500 E
ST ANTHONY ID 83445**

A handwritten signature in black ink, appearing to read 'Karl Lynn Townsend', is written over a horizontal line.

**Karl Lynn Townsend
Secretary**

MICROFILMED

2003-1-14

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED

APR 11 1997

LICENSE REVIEW CHECKLIST

Permit No. 21-7377 Date: 12-26-02 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): None

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 1.74 cfs

Fee Limit 2.0 cfs

Measured 1.55 cfs

Theoretical _____ cfs

Recommended Total Diversion Rate 1.55

Water Uses OK

Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation 1.55 cfs 301. af

Stockwater _____ cfs _____ af

Domestic _____ cfs _____ af

_____ cfs _____ af

_____ cfs _____ af

Total 1.55 cfs 301. af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

1.55 cfs x 1.9835 x 214 days = 657.9 af (vs) 86 acres x 3.5 (FHR) = 301.0 af
2.5 (con)

Remarks: _____

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? no - not reg'd

Adjust memo _____

Amend Letters _____ P87, S06 Second Amendment Notice _____ S06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

APR 15 2002

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 21-7377

1. Owner: Gayle Ramsey

Phone No. 624-7748

Current Address: 1500 E 498 N St Anthony, Id 83445

2. Accompanied by: _____

EXAM DATE: 8-3-1995

Address: _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: GW tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

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
			SW	SW	1	7N	39E	Fremont	FE/ASCS/TAG A0006124

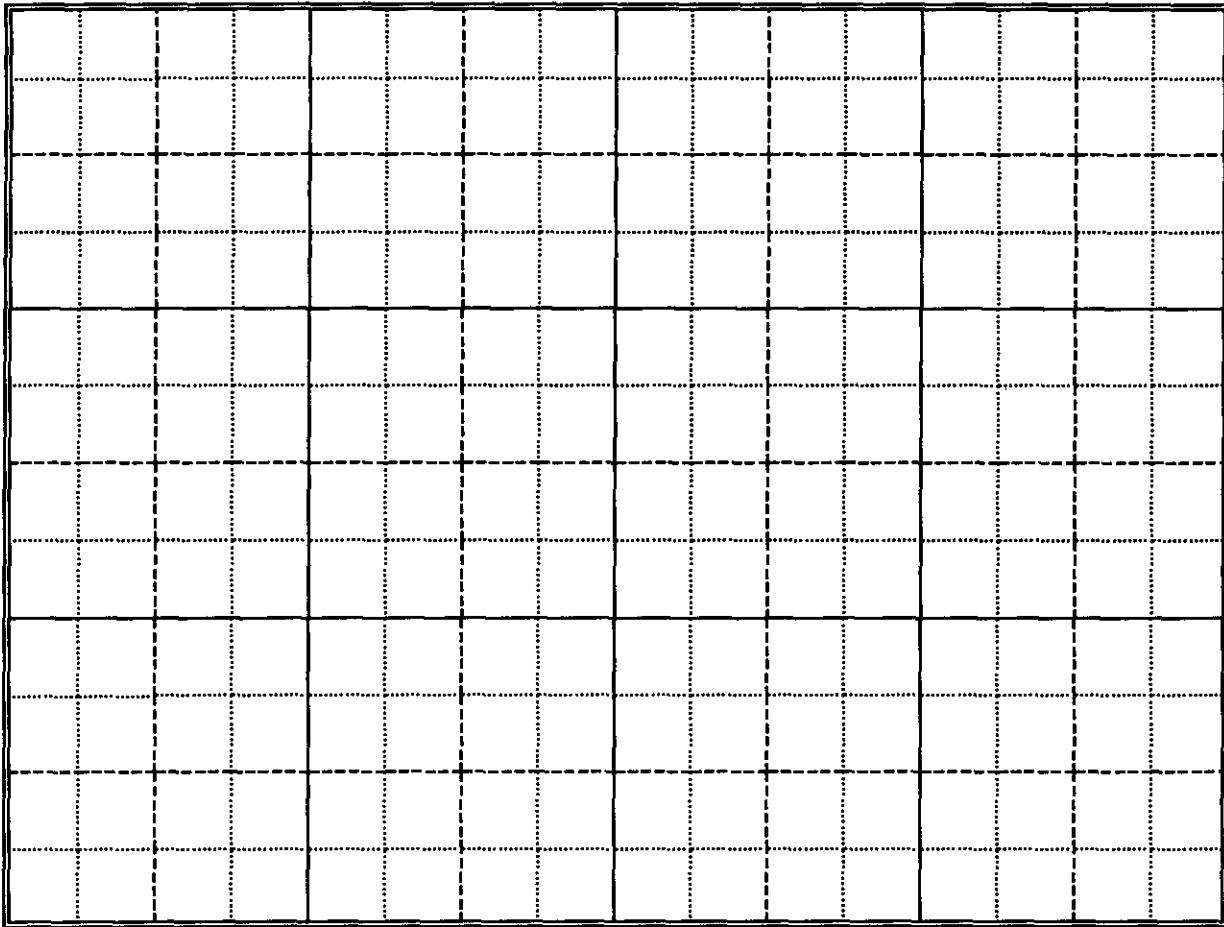
2. Place(s) of Use:

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	
7N	39E	1											39						39
		2													24			23	47
																			86

MICHAEL

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
	JACUZZI	50hp		submersible pump	

*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
sonic meter						

2. Measurements:

SONIC METER 696.3 gpm

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E. NARRATIVE/REMARKS/COMMENTS

well/pump to pant pivots and handlines

08-03 10:3400 *R
+697.942E 0GPM

08-03 10:3500 *R
+699.263E 0GPM

08-03 10:3500 *R
+698.735E 0GPM

0221.5 MMSEC
100.44 % T0

08-03 10:3600 *R
+003.00 % A12

OUTER DIAMETER
6.0000 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1142 IN

SOUND VELOCITY
1440 M/S-

SPACING
3.928 IN

08-03 10:4200 *R
+696.093E 0GPM

08-03 10:4200 *R
+696.357E 0GPM

21-07377

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

MICROFILMED

2008-10-08

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: SONIC METER

$$\frac{696.3 \text{ gpm}}{448.83} = 1.55 \text{ gpm}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 86 \times 3.5 = 301$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.55 (214 \text{ day}) (1.9835) = 658$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 301$$

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		
<u>IRR</u>	<u>4/01</u>	<u>10/31</u>	<u>1.55 cfs</u>	<u>301</u>
Totals:			<u>1.55 cfs</u>	<u>301</u>

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. AUTHENTICATIONField Examiner's Name Paul Meyer Date 8-3-95Reviewer DAVE Carlson Date 3/26/2002

SEAL

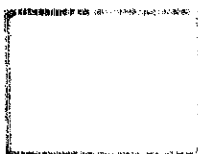
MICROFILMED

21-07377

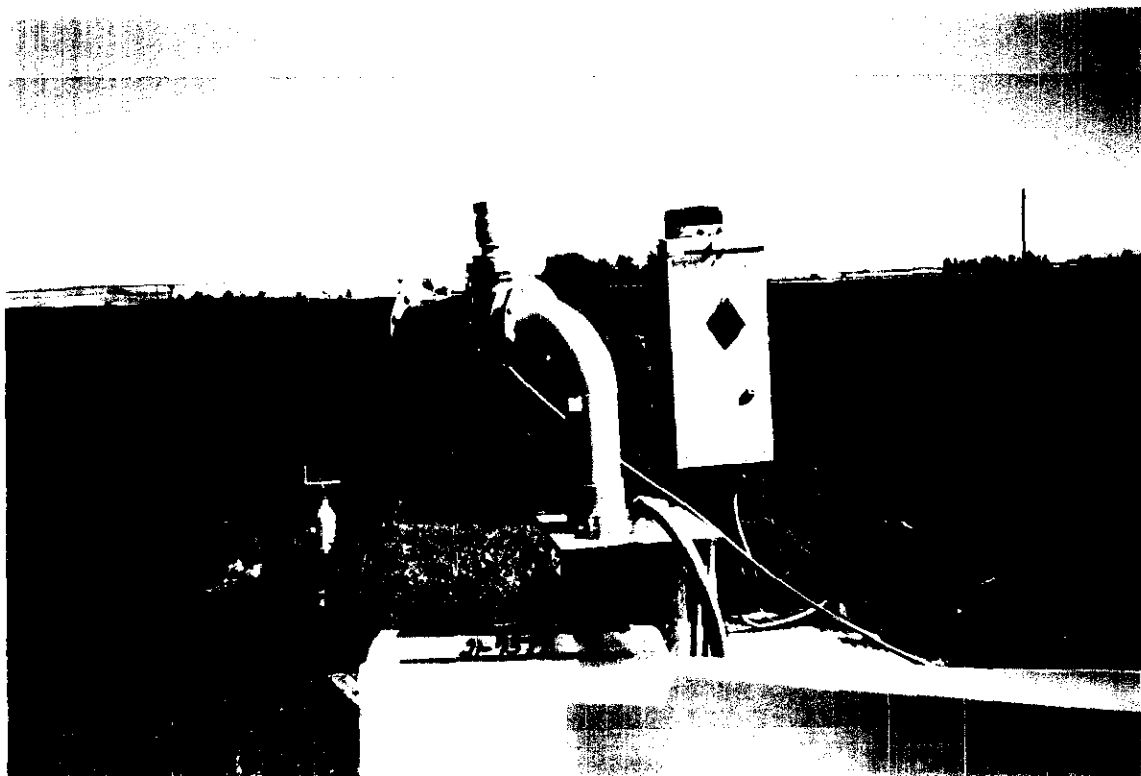
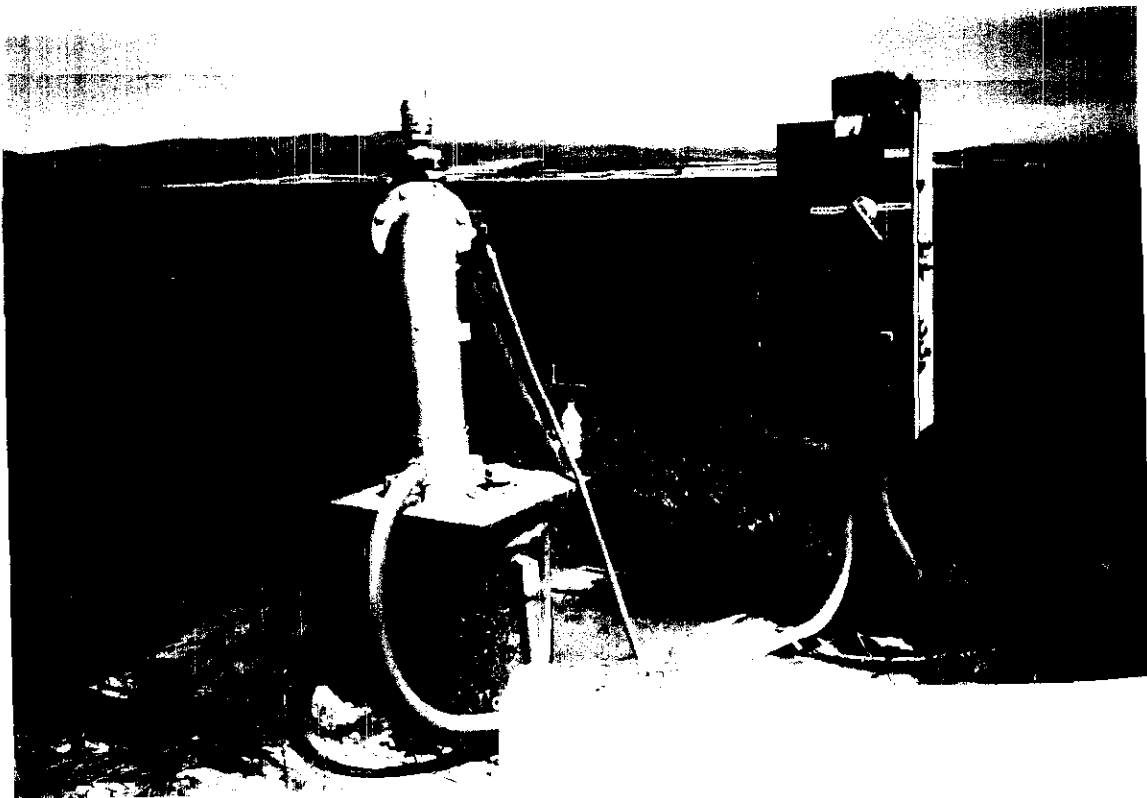
07N 39E SEC. 1,2



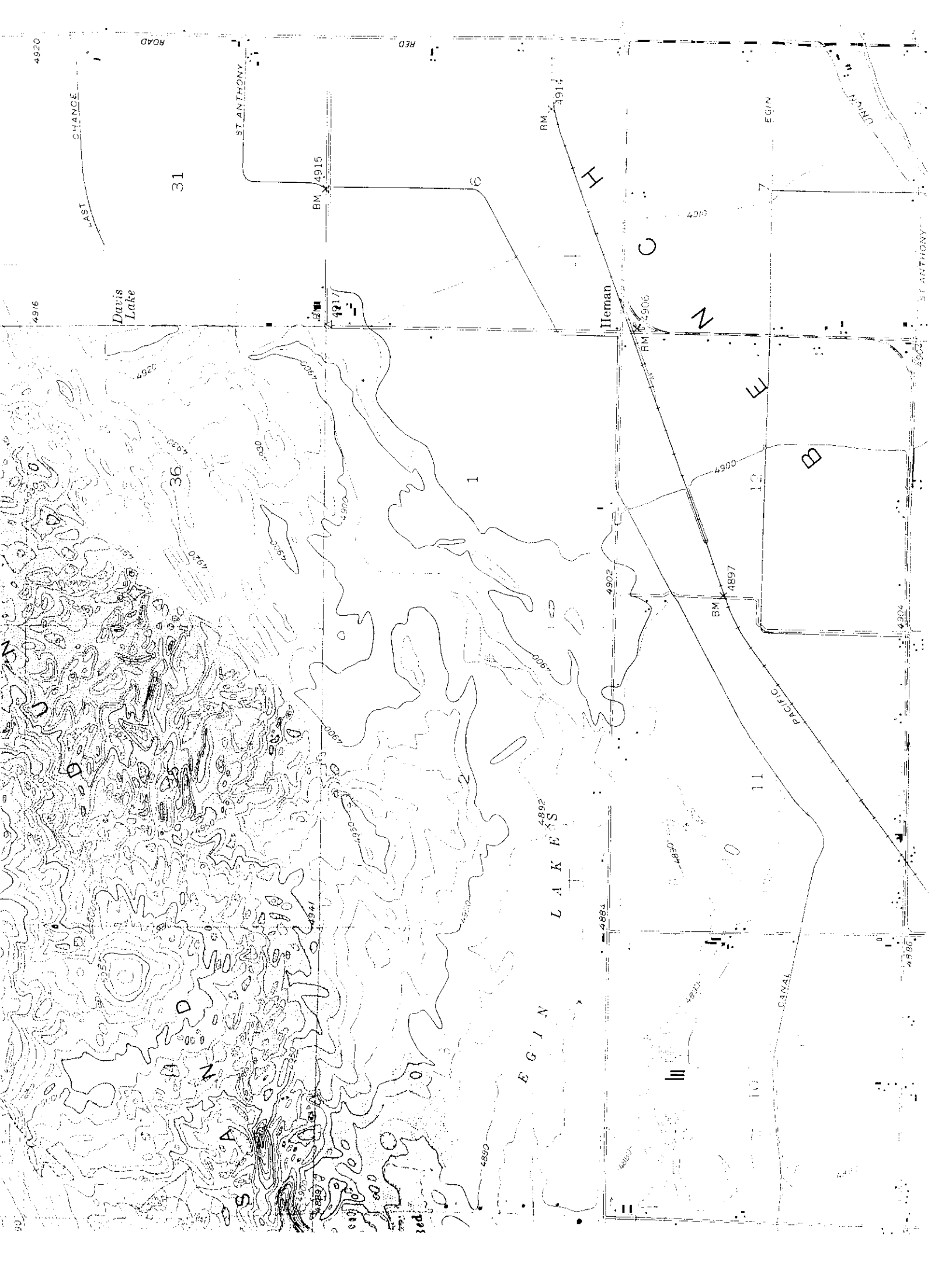
⊙ POINT OF DIVERSION



PLACE OF USE



21-7377



May 10, 1994

GAYLE RUMSEY
498 N 1500 E
ST ANTHONY ID 83445

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 21-073⁷7

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. 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.

Please be advised that one of the conditions of your water right permit requires that the permit holder install a flow measurement port. This condition must be complied with before the license exam, or you can request, in writing, a waiver of the condition.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

JUN 09 1994

Permit No. 21-07377

Date 5-4-94

TYPES OF USE

Dom. Jrc.

Correct Uses? yes
n below.

Surface water source

Ground water source

YES Drilling permit required?

no Copy in the file? Drilling Permit No. 21-93-E-0031-000

200.⁰⁰ Amount paid for permit *11.5* Correct?

ne Well log in the file?

MEASURING DEVICE

yes Required?
? Installed?
no Waiver requested?

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

Proof acceptable, advise of flow port requirement.

New Address

Proof Made 4-20-94

February 28, 1994

GAYLE RUMSEY
498 N 1500 E
ST. ANTHONY ID 83445

PROOF DUE NOTICE

RE: PERMIT NO. 21-07377

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, 1994.

(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.

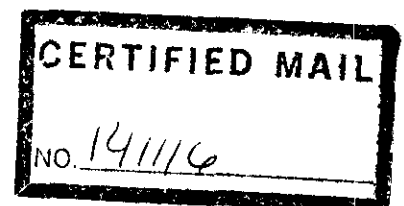
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures



JUN 09 1994



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

USE TYPEWRITER OR
RECEIVED

SEP 23 1993

1. WELL OWNER

Name Gaye Runsey
Address St Anthony
71-93-E-031-000
Owner's Permit No. 21-07377

7. WATER LEVEL

Department of Water Resources
Eastern District Office

Static water level 8 1/2 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ OF. Quality _____
Describe artesian or temperature zones below.

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Gable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____
Thickness 1/4 inches Diameter 16 inches From 1 feet To 18 feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
Was casing drive shoe used? ☐ Yes ☒ No
Was packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches
Number _____ From _____ To _____
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth _____ Material used in seal: ☐ Cement grout
☒ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent
Weld
☐ Cemented between strata
Describe access port _____

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
16"	0	2	Top Soil		☒
16"	2	12	Blue Sand		☒
16"	12	56	Lava		☒
16"	56	78	Red Lava Sand & Cinders		☒
16"	78	92	Lava		☒
16"	92	94	Sand		☒
16"	94	101	Lava		☒
16"	101	105	Sand & Lava Cement Back		☒
16"	105	125	Lava Cinder, sand, Hard		☒
16"	125	135	Lava		☒
16"	135	140	Sand		☒
16"	140	180	Lava Basalt		☒
16"	180	190	Broken lava		☒

RECEIVED

SEP 29 1993

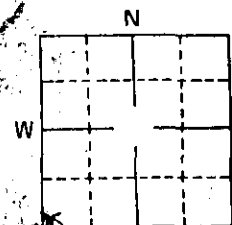
Department of Water Resources

10.

Work started 7/19/93 finished 9/22/93

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County Fremont

SW 1/4 SW 1/4 Sec. 1, T. 7N N/S, R. 39E E/W.

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Cape Well Drilling Firm No. 337

Address Hamer Lake Date 9/22/93

Signed by (Firm Official) Jim Cape

and
(Operator) Gordon Budy



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 15, 1993

Gayle Rumsey
Rt 2 Box 92
St Anthony, ID 83445

Re: Permit No. 21-07377

Dear Permit Holder:

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, 1994. Please 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 since the department will not be able to grant additional extensions based on due diligence.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

RECEIVED

APR 05 1993

**ANALYSIS SHEET
FOR
EXTENSION OF TIME**

Permit No. 21-07377 Reviewed by Klg Date 3/12/93

BASIC INFORMATION

3/12/93 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
yes Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? Requested?
Is delay by a government agency?
Is supporting documentation needed to complete the file? Requested?
Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

*Recommend for approval Based on due diligence
Extend to 5/1/94*

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address 498 N 1500E Klg
Change Proof Due Date 3/15/93
Change Priority Date _____

February 28, 1993

GAYLE RUMSEY
RT. 2 BOX 92
ST. ANTHONY ID 83445

PROOF DUE NOTICE

RE: PERMIT NO. 21-07377

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, 1993.

(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.

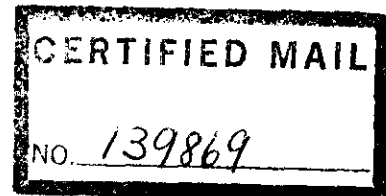
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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

APR 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 3, 1991

GAYLE RUMSEY
RT. 2 BOX 92
ST. ANTHONY, ID 83445

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 21-07377

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of of measuring device options.

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.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of

MAY 06 1991

Idaho for the use and benefit of the people within the state.
Conditions pertaining to a term review, annual use fee and
jurisdiction of the permit are trust water conditions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

WIDEN
JG 1991

APPLICATION FOR PERMIT REVIEW

Application #: 21-7377
Date: 4-24-91

Reviewer: Pam Skaggs *PS*

Existing:

☒ No - 26A-P17
Complete in 1 year - P16

Yes

Proof not submitted - P16
Proof submitted - N/A

Groundwater:

☒ GT. 0.7 cfs - 01G-P03, 01C-P03 (existing well)
☒ LT. 0.7 cfs - N/A

Drilling Permit:

Approved w/permit - P99
☒ Not included - 046-P23 (All GW, even existing wells)

Location:

☒ Water Districts - WD No. 01
Surface water - 005, 005-01H-P01 (LT.7 w/pump)
005-01J-P08 (GT.7)

☒ Groundwater *existing* - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

☒ Swan Falls Flag - 1 (Blank or Other)

☒ Trust - 051-052-053-P74 (Cons.), 041 (DCMI, w/Irr
Non Trust - 048-049 or Irr & Dom)

River Basins:

(Surface Water) Water District Control Condition &....

Boise (63) - 05A & 11E

Payette (65) - 047-P04, 059-P71

Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)

Power - Use Power Review

Mining - 06A or 010, 09E-P10 & 054(req.)

Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)

Rec. & Aesthetic - 027(Non-Consumptive)

Domestic - 021(restricted areas)

Ownership:

☒ Non land owner - 004

Protested:

Agreement - 020

Minimum Stream Flow:

Overlapping uses - 029-P20

☒ Beneficial Use Due Date: - 05-03-1993
Other Conditions Recommended

APPROVED
MAY 06 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

MARCH 11, 1991

Herald Chronicle
Box 10
Rexburg, ID 83440

Dear Legal Dept.:

Enclosed you will find legal notices 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 APRIL 8, 1991.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.

APR 13 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Application No. 21-7377

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

1a. Are you the current owner of the land or place of use described under this application? Yes _____ No ☒

b. If you are not the property owner, please describe the arrangement enabling you to develop the proposed project.

Lease agreement

2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes _____ No ☒

b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain conditions. You may be asked to verify uses established prior to October, 1984.)

3. If you answered NO to ques #2a, please state the number of acres you have irrigated with this source after October 1, 1984. 0

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. 88

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant

Dell Miller
Gayle Ramsey

Date March 6, 1991

March 6, 1991

MAY 06 1991

Count Hearing AS Trust

EJL 3-11-91

See proposed change in the
Point of Diversion to:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 1, T7N, R39E.

RECEIVED
MAY 06 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Dell Miller Phone 624-7548 / 624-7748

Post office address Route 2, St. Anthony, ID 83445

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is _____ 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____

Sec. 1 Township 7N Range 39E B.M. Fremont County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.76 for Irrigation purposes from 4/1 to 11/1 (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) 1.76 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well (existing) with hand line sprinkler
system.

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.

Existing
c. Proposed well diameter is 16 inches; proposed depth of well is 160 feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

MAY 06 1991

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	
7N	39E	1											40						40
		2													24			24	48

Total number of acres to be irrigated 88

10. Describe any other water rights used for the same purposes as described above. water will be diverted from well covered by permit #21-7138

- 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: _____

RECEIVED
MAY 10 1991

MAY 06 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 26, 1991

RE: APPLICATION FOR PERMIT NO. _____

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, or if the application proposes diversion of more than 5.0 cfs, the department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (copy enclosed). In particular, rules 4,5,3. through 4,5,3,5. apply to your project if it is more than 200 acres. If necessary, the rule 4,5. information notice will be sent to you after you return the questionnaire.

MAY 06 1991

Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Spec.

Enclosures

1031

MEMORANDUM

TO: GLEN

FROM: TIM LUKE

DATE: November 28, 1990

RE: TRUST APPS. 21-7374, 21-7376 & 21-7377

=====

The above applications are now eligible for sequential trust water processing. You will notice that the points of diversion for these filings are very close to the Mud Lake study area boundary. All of the points of diversion and places of use are located between the Egin Bench and the Sand Dunes near Egin Lakes.

The boundary line appears to dissect section 3, T7N, R39E, which includes the POD for 21-7374. The points of diversion for the other two applications appear to lie just east of the boundary line. The boundary line in this area is somewhat arbitrary. On my map, I merely connected a 45 degree line between two points given in the order. As you may be more familiar with the groundwater study area, I wondered if you might have an opinion on how we should treat these applications.

Tim _____

*- I suggest we
hold these.*

*- They are all
so close
together that
common
treatment
appears to
be prudent.*

TL

11-28-90

MICROFILMED

MAY 06 1991

INTER-DEPARTMENT MEMO — 1

FROM *Steve McCormick*

DATE

TO *Al.*

SUBJECT *Dell Miller Application 3-8-88*

*Mr Miller requested that Gale Rumsey &
Rk 2 St. Anthony. 624-7748 also be
notified when correspondence is sent out to
applicant*

MICROFILMED

MAY 06 1991

SIGNATURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Kaw

APPLICATION NUMBER: 21-7377

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☐ Place of use or acres irrigated.
☐ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

- Sun Falls.

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: _____
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received. Date: _____
☐ Application published correctly. If not, record action taken: _____
☐ Fee amount, receipt date & number, recorded on application.
☐ Publication dates and paper, recorded on application.
☐ Protests, dates, withdrawal, etc., recorded on application.
☐ Recommendation & initial, recorded on application.
☐ Yes ☐ No Measuring device required.
☐ Yes ☐ No Access port required.
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what district? _____
Date of priority recommended. _____
Special conditions of approval or cover letter. _____

By: _____ Date: _____

STATE OFFICE REVIEW:

- ☐ See attached sheet for more information.

By: _____ Date: _____

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

21-7377

MILLER, DELL

ROUTE 2, ST. ANTHONY, ID 83445

Source: GROUNDWATER

Diversion Pt: SWNW Sec 01 T 07N R 39E

Use: IRRIGATION (1.760 CFS)

Date Filed: 03/08/1988

In: SWSW Sec 01 T 07N R 39E NESE SESE Sec 02 T 07N R 39E FOR 88 ACRES

INDEXED

MAY 06 1991