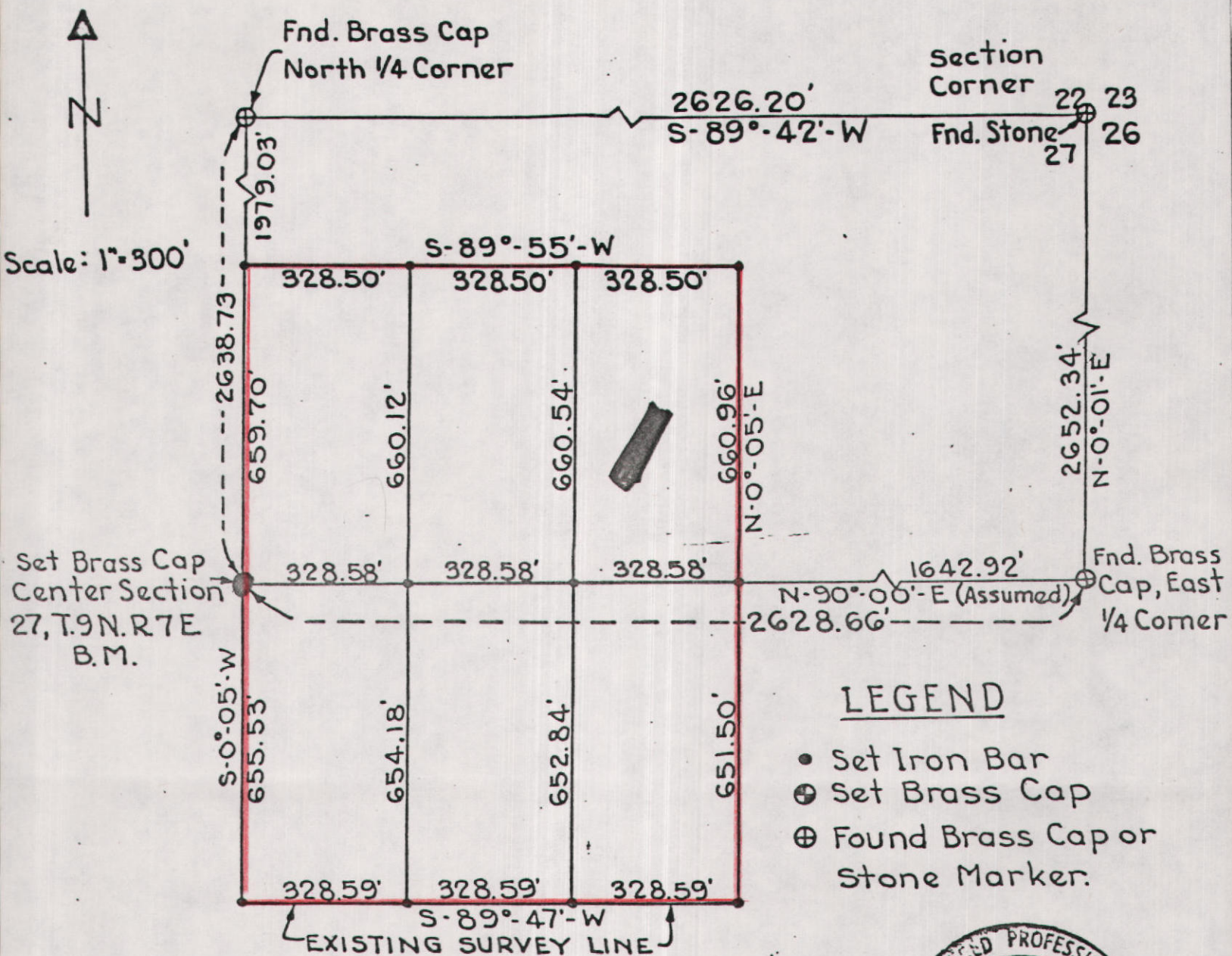


N.

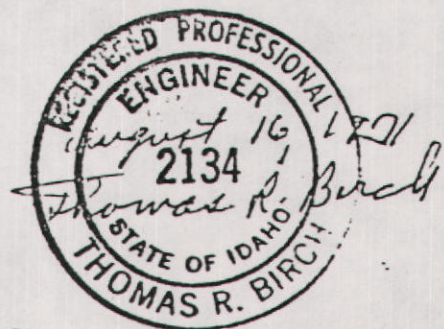
PLAT OF LAND of HANK MILLER
NEAR LOWMAN IN BOISE COUNTY, IDAHO
SECTION 27, T.9 N. R.7 E. B.M.



I hereby certify that in June & July 1971, a survey of the tract shown hereon was made under my supervision.

Thomas R. Birch

16 Aug. 1971





Proposed Water Transmission Line
Henry W. Miller

Proposed Line

T. 9 N., R. 7 E., Lowman Ranger District

October 1971



352

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that HENRY W. MILLER &/or LARRY B. MILLER &/or RONALD G. HALL, Boise, ID has on May 18 1976 submitted Application No. 65-7622 for a permit to appropriate 0.30 cubic feet per second of water from Graney Creek trib to Clear Creek by means of small dam, collection box and pipeline within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22 T9N-R7E B.M., Boise County to be used from January 1 to December 31 for domestic purposes for 50 families within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ -NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ -NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and a part of H.E.S. No. 48 in SE $\frac{1}{4}$ Sec. 27 T9N R7E B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before June 14, 1976.

R. KEITH HIGGINSON
Director

Published in the Idaho World, Idaho City, ID on May 28, 1976 and June 4, 1976.

OK
6-21-76
RB

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Boise

W. B. Huth, being duly sworn, deposes and says: that he is the manager and principal clerk of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for

2 consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy-eight weeks past previous to the first publication of this notice. Such notice was published in the issue beginning with

May 28, 1976 and ending with the issue of June 4

1976

W. B. Huth

Subscribed and sworn to before me
Subscribed and sworn to before

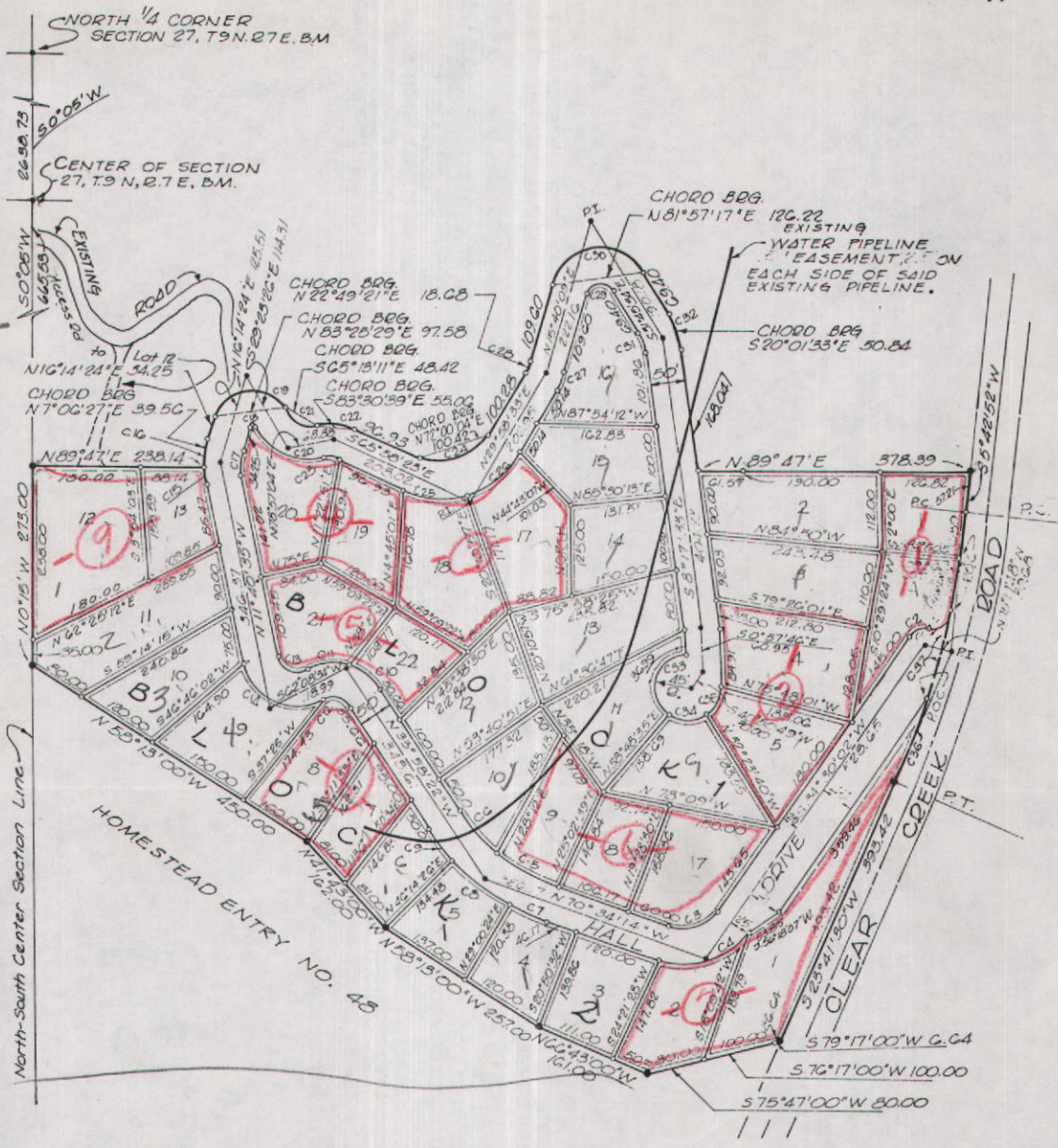
me this 18th day of June, 1976
Edw. J. Truffield
Clerk of Dist Court.

MICROFILMED



PD OK.
SWSE 22

$\frac{P_i V}{NWSE}$
Sec 27
SW SE-



26 PARCELS

$$\begin{array}{r} 17 \\ + 10 \\ \hline 27 \end{array}$$

RECEIVED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-7622 Priority May 18, 1976 Amount 0.30 cfs

THIS IS TO CERTIFY, that Henry W. Miller &/or Larry B. Miller &/or Ronald G. Hall
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 65-7622 issued pursuant to Application for Permit dated May 18, 1976,
and has submitted proof to the Department of Water Resources on April 6, 1981,
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 0.31 cfs of water from Graney Creek,
tributary to Clear Creek, 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
Domestic (26 units)	from <u>January 1</u> to <u>December 31</u>	at <u>0.30</u> cfs and	<u>31.2</u> acre feet
	from _____ to _____	_____ cfs and	_____
	from _____ to _____	_____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.30 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
31.2 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, Twp.
9N, Rge. 7E in the County of Boise

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 $\frac{1}{4}$	
9N	7E	27																	

Total number of acres irrigated _____

P/U known as Miller's Pinewood Estates.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27th day of
October, 19 82.

Acting for the Director

Norman C. Young

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 65-7622
IN THE NAME OF HENRY W. MILLER &/OR LARRY B.
MILLER &/OR RONALD G. HALL

ORDER

WHEREAS, on May 18, 1976, Henry W. and Larry B. Miller and Ronald G. Hall applied to the Department of Water Resources for a permit to appropriate 0.30 cubic feet per second of water from Graney Creek tributary to Clear Creek to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, Twp. 9N, Rge. 7E B.M., Boise County, to be used for domestic purposes; and,

WHEREAS, on June 25, 1976, the Department approved said application and issued Permit No. 65-7622 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before June 1, 1981, and that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on April 6, 1981, the Department received the required proof of application of the water to beneficial use along with a request that the measuring device requirement be removed from said permit; and,

WHEREAS, it has been determined by the Department that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from Permit No. 65-7622.

Dated this 28th day of April, 1981.


L. GLEN SAXTON
Chief, Operations Bureau

Identification No _____

Application No 65-7622

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

- Henry W. Miller &/or Larry B. Miller
1 Name of applicant &/or Ronald G. Hall Phone 342-0593 or 344-7234
post office address 618 South Orchard, Boise, Idaho 83705
- 2 Source of water supply Graney Creek which is a tributary of Clear Creek
- 3 a Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 22 Township 9N
Range 7 E. B M Boise County, additional points of diversion if any _____
- b If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B M _____
- 4 Water will be used for the following purposes
Amount 0.30 for domestic purpose from January 1 to December 31 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
5. Total quantity to be appropriated
a 0.30 cubic feet per second and/or
b _____ acre feet per annum
- 6 Proposed diverting works
a Description of ditches, flumes, pumps, headgates, etc Small dam, collection box, and
pipeline to the place of use
- b Height of storage dam _____ feet, active reservoir capacity _____ acre feet, total reservoir
capacity _____ acre feet, materials used in storage dam _____
Period of year during which storage will occur _____ to _____ inclusive
(Mo Day) (Mo Day)
- c Proposed well diameter is _____ inches, proposed depth of well is _____ feet
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years
b Estimated construction cost is \$10,000.00
- 8 Description of proposed uses
a If water is **not** for irrigation
(1) Give the place of use of water _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section 27 Township 9 N
Range 7 E B M (Attached as Exhibit A)
(2) Amount of power to be generated _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered None
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 40-50 ± (Actual number determined by homeowners
association.)
(5) If water is to be used for other purposes describe _____

b If water is for irrigation, indicate acreage in each subdivision in the tabulation below

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	
9N	7 E	27																	

Total number of acres to be irrigated _____

c Describe any other water rights used for the same purposes as described above. _____
None

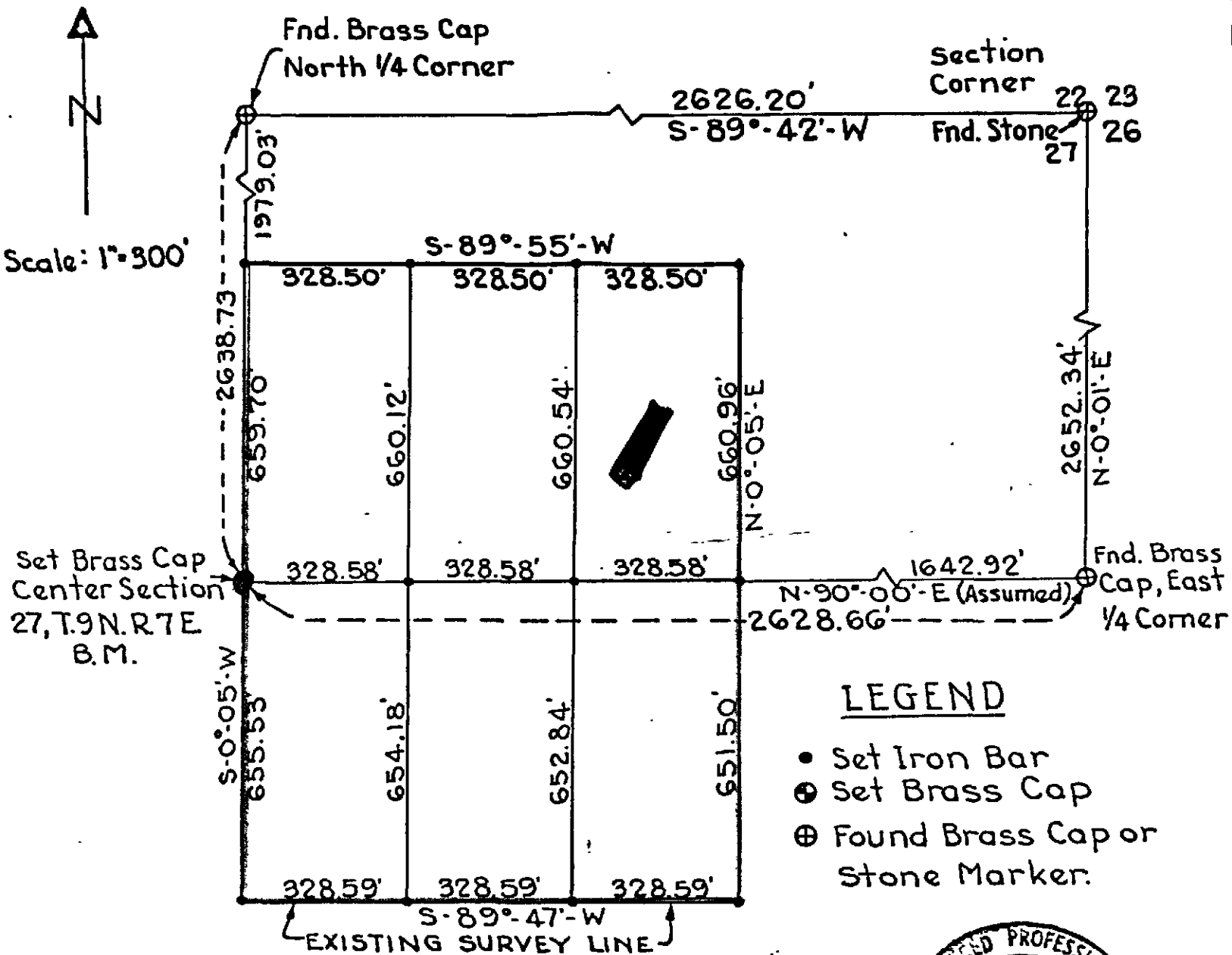
9 a. Who owns the property at the point of diversion U. S. Forest Service

b. Who owns the land to be irrigated or place of use Applicants

c If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing POINT OF DIVERSION: Special Use Permit - No. 2720 - Dated December 10, 1971
(Permit covers use of the area to provide water for irrigation and domestic use.)

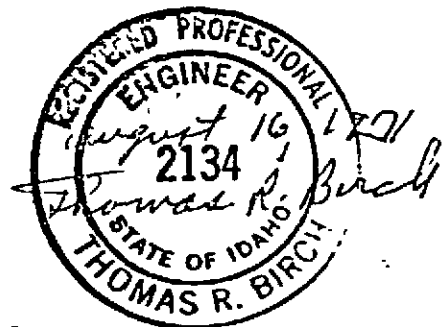
10. Remarks The water is to be used for domestic use for cabin sites. All lot owners will belong to a homeowners association and the homeowners association will determine as to how many cabins will use the water.

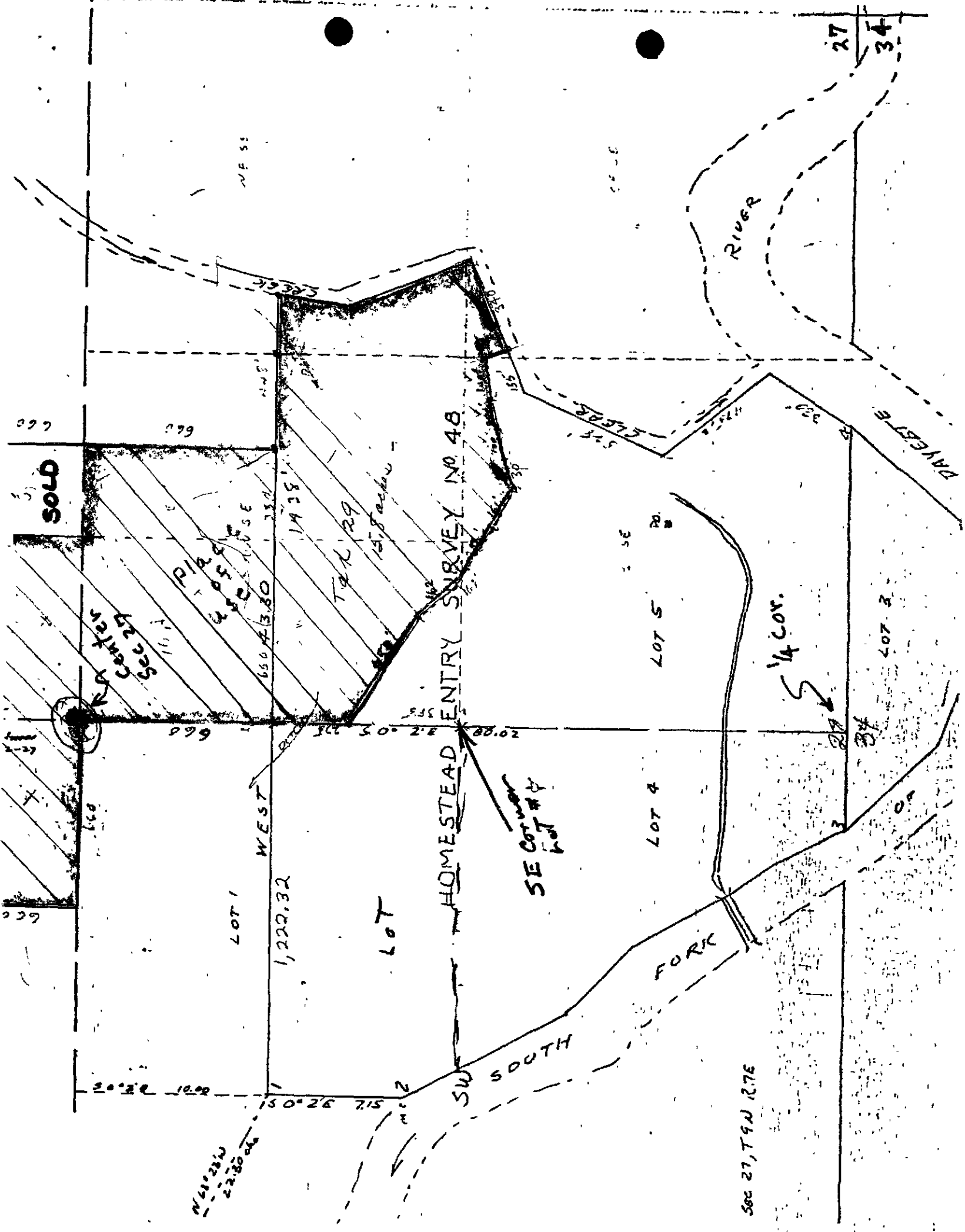
PLAT OF LAND of HANK MILLER
NEAR LOWMAN IN BOISE COUNTY, IDAHO
SECTION 27, T.9 N. R.7E. B.M.



I hereby certify that in June & July 1971, a survey of the tract shown hereon was made under my supervision.

Thomas R. Birch 16 Aug. 1971





SOLD

PLATE

HOMESTEAD ENTRY SURVEY NO 48

SE CORNER

1/4 COR.

S 80° 27' T 9 N R 7 E

LOT 1

LOT 2

LOT 4

LOT 5

LOT 3

RIVER

FORK

WEST

SW SOUTH

DAYLIGHT

27

34

N 61° 23' W
22.80'

1,222.32

1438'

TAK 29
15.8' across

3.2 - 0.5 27.5

150° 26' 7.5

20.88

155'

155'

155'

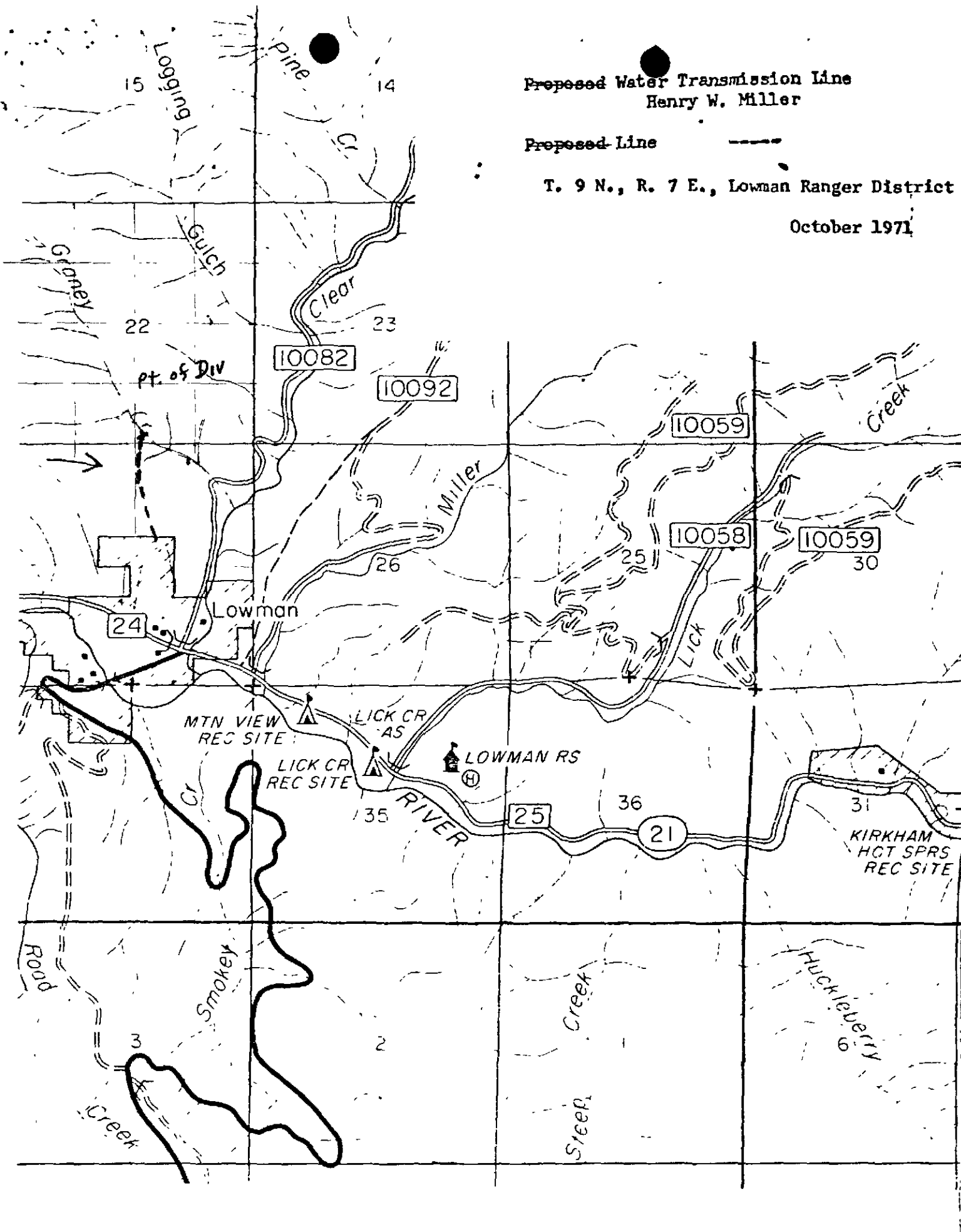
155'

Proposed Water Transmission Line
Henry W. Miller

Proposed Line

T. 9 N., R. 7 E., Lowman Ranger District

October 1971



Description:

The Southeast Quarter of the Southeast Quarter of the Northwest Quarter; the Southwest Quarter of the Southwest Quarter of the Northeast Quarter, all in Section 27, Township 9 North, Range 7 East, Boise Meridian and the Northwest Quarter of the Northwest Quarter of the Southeast Quarter; the West Half of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter.

SESENW,
SWSWNE,
Sec 27
T9N, R7E
NWNWSE,
W²NENWSE,

ALSO, including

that part of H.E.S. No. 48 in Section 27, Township 9 North, Range 7 East, Boise Meridian, described as follows:

Commencing at Corner No. 5 of Homestead Entry Survey No. 48 in Section 27, Township 9 North, Range 7 East, Boise Meridian, thence

West a distance of 1537.9 feet to a point on the North and South center line of said Section, which point bears

South 0°02' East 660 feet from the center of Section 27; thence

South 0°02' East a distance of 273.0 feet; thence

South 58°00' East a distance of 450.0 feet; thence

South 41°30' East a distance of 162.0 feet; thence

South 58°00' East a distance of 257.0 feet; thence

South 66°30' East a distance of 161.0 feet; thence

North 76°00' East, a distance of 30.0 feet; thence

North 76°30' East a distance of 100.0 feet; thence

North 79°30' East a distance of 200.0 feet; thence

North 83°45' East a distance of 100.00 feet; thence

South 21°00' East a distance of 67.0 feet, more or less, to a point on the Southerly line of H.E. S. No. 48; thence along the Southerly and Easterly line of H.E.S. No. 48, North 67°45' East a distance of 340.0 feet, more or less, to the most Easterly extremity of H.E.S. No. 48; thence

North 20°45' West a distance of 462.0 feet; thence

North 8°30' East a distance of 244.4 feet to the point of beginning.

EXCEPT ditch and road right of way.

[illegible]

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

Herry H. Miller
(Applicant)

Proposed priority: 5/18/1976

Received by JH Date 5-18-76 Time 10:00 a.m.

Preliminary check by JH Fee \$ 25.00 NO. 3289

Received by CS Date May 18, 1976

Publication prepared by CS Date 5-20-76

Published in The Idaho World, Boise, Idaho

Publication dates May 27, 1976 & June 3, 1976

Publication approved RB Date 6-21-76

Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by JH DRT

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 65-7622, and said application is hereby APPROVED.

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

a SUBJECT TO ALL PRIOR WATER RIGHTS

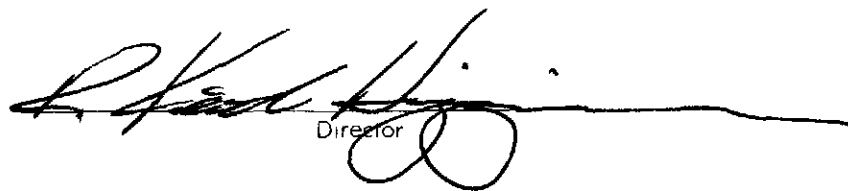
b Proof of construction of works and application of water to beneficial use shall be submitted on or before JUNE 1, 19 81.

c Other 1) A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2) The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

2 Denial of said application is for the following reasons _____

Witness my hand this 25 day of June, 19 76.


Director

Notice is hereby given that HENRY W. MILLER &/or LARRY B. MILLER &/or RONALD G. HALL, Boise, ID has on May 18 1976 submitted Application No. 65-7622 for a permit to appropriate 0.30 cubic feet per second of water from Graney Creek trib to Clear Creek by means of small dam, collection box and pipeline within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22 T9N-R7E B.M., Boise County to be used from January 1 to December 31 for domestic purposes for 50 families within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and a part of H.E.S. No. 48 in SE $\frac{1}{4}$ Sec. 27 T9N R7E B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before June 14, 1976.

R. KEITH HIGGINSON
Director

Published in the Idaho World,
Idaho City, ID on May 28, 1976
and June 4, 1976.

OK
6-21-76
RB

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Boise

W. B. Huth, being
duly sworn, deposes and says:
that he is the manager and principal clerk of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for

2 consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy-eight weeks past previous to the first publication of this notice. Such notice was published in the issue beginning with

May 28 1976 and ending

with the issue of June 4

1976

W. B. Huth

Subscribed and sworn to before me
Subscribed and sworn to before

me this 18th day of June, 1976

Robert J. Tappert
Clerk of Dist Court.

November 26, 1982

RE: Permit No. 65-7622

Henry W. Miller &/or Larry B. Miller
&/or Ronald G. Hall
4747 Albion, Unit P
Boise, ID 83005

Gentlemen:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Johnson".

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

October 8, 1982

RE: Permit No. 65-7622

Harry W. Miller &/or Larry B. Miller &/or Ronald G. Hall
4747 Albion, Unit B
Boise, ID 83705

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 65-7622, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.30 cfs Source: Graney Creek

The maximum quantity diverted shall not exceed 31.2 acre feet
per year.

Point(s) of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, Twp. 9N, Rge. 7E, Boise County

Beneficial use: Domestic use for 26 units within the W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 27,
Twp. 9N, Rge. 7E

Priority date established: May 18, 1976

Conditions (if any): Place of use known as Miller's Pinewood Estates

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

Note: Applicant stated he measured flow with a notched weir - 140 GPM maximum. Engineer designed system for 140 GPM.

A hand-drawn map on a grid. The grid is 10 units wide and 10 units high. The starting point is labeled 'T 9 N' at the intersection of the 2nd vertical line and the 4th horizontal line. The destination is labeled 'R 7 E' at the intersection of the 5th vertical line and the 7th horizontal line. The path is marked with numbers 22, 27, and 28. The starting point is labeled 'T 9 N' and the destination is labeled 'R 7 E'.

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SWSE 84-22 T9N R7E

Place(s) of Use

[illegible]

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None
☐ Other

Examiner's Signature

Checked by

Approved by _____

Date 6/18/81

te 8/27/82

Date 9/29/82

PO OK.
SWSE 22
P.V.
NWSE
Sec 27
SWSE

17
+ 10

27



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 384-2190

May 29, 1981

Henry &/or Larry Miller &/or Ronald Hall
4747 Albion, Unit P
Boise, ID 83705

RE: Permit No. 65-7622

Dear Messrs Miller, Miller and Hall:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for

_____.
If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Kay Walker
Secretary

RECORDED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 65-7622

Name(s) of Permit Holder: Henry W. and/or Larry Miller &/or Ronald Hall

Post Office Address: 4747 Albion, Unit P

Boise, ID 83705 Tel. No. 342-0593

Source of Water: Graney Creek

Extent of Use ☒ Domestic 40 to 50± (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (acres)
☐ Other

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

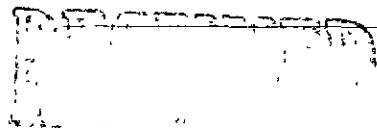
Access Port Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

4/6/81

Larry B. Miller
 Director of Permitting

PLACE
TEN CENT
STAMP
HERE



BOISE, ID
FEB 1 1981



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

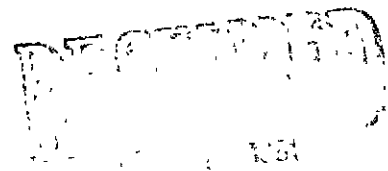
We, Henry W. and/or Larry B. Miller and/or Ronald G. Hall request that the measuring device requirement be removed from Permit No. 65-7622 for the following reasons:

We are the only permit holders on this stream and we divert the entire stream for this domestic purpose,

We think our diversion works are such that a measuring device would not accurately measure the water we are using.

Dated this 4/6 day of April, 1981.

Larry B. Miller



Department of Water Resources

208 00

March 31, 1981

Henry W. Miller and/or Larry B. Miller
and/or Ronald G. Hall
618 S. Orchard
Boise, ID 83705

Gentlemen:

Re: Permit No. 65-7622

One of the conditions of approval of your water permit No. 65-7622 was that evidence of the extent of development must be submitted to this office on or before June 1, 1981. (See last page of your approved permit). Enclosed is a postcard which may be used to submit the required proof of beneficial use.

If you have not fully completed your project and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted. A request for extension of time form is enclosed for your convenience. Please note that a fee of \$15.00 must be submitted with this form.

Either the beneficial use postcard or a request for an extension of time must be received by this department on or before the above-mentioned date, otherwise, the permit will lapse and be of no further force or effect within sixty days.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosures

June 28, 1976

Re: Permit No. 65-7622

Henry W. &/or Larry B. Miller &/or Ronald G. Hall
618 South Orchard
Boise, ID 83705

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 65-7622. We direct your attention to the conditions of approval as listed on the fourth page.

Please be advised that the Idaho Supreme Court has ruled that a water right initiated and/or put to beneficial use by aid of trespass on private property is invalid.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing the different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 65-7622

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use ~~on Acres Irrigated~~
☒ Map
☒ Signature
☒ Fee

(1) YH 5-18-76

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management
☒ USFS (Boise Natl Forest)
_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant

(3) _____

(4) YH 5-18-76

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels: N/A

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) BB OK

Affidavit of Publication received(date) 6-21-76

(12) _____

Final date for protests 6-14-76

Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction _____

☒ Measuring device required

No Easement ☒ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District W

By YH

Date 6-21-76



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

Statehouse
Boise, Idaho 83720
(208) 384-2190

R. Keith Higginson
Director

May 20, 1976

The Idaho World
1315 W. Fort
Boise, Idaho 83702

RE: Application for Permit No. 65-7622, Henry W. Miller &/or Larry B. Miller
7/or Ronald G. Hall

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(Signature of Claimant)

Bill submitted

6-21-76

RB

Sincerely,

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ~~HENRY W. MILLER &/or LARRY B. MILLER~~
~~&/or RONALD C. HALL, Boise, ID~~
has on May 18, 1976 submitted Application No. 65-7622
for a permit to appropriate 0.30 cubic feet per second X ~~acre feet~~
per annum of water from Graney Creek trib to Clear Creek
by means of small dam, collection box and pipeline
within the SE1/4, Sec 22 T9N-R7E B.M., Boise County

to be used from January 1 to December 31
for domestic purposes XXX for 50 families
within the SE1/4, Sec 22, NE1/4, Sec 22, NW1/4, Sec 22, W1/2, Sec 22, and a part of
H.F.S. No. 48 in SE1/4, Sec 27 T9N-R7E B.M.

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Idaho Depart-
ment of Water Resources, Statehouse, Boise, Idaho, 83720, on or before
June 14, 1976.

R. KEITH HIGGINSON

Director

Published in the The Idaho World, Boise, ID
on May 28, 1976 and June 4, 1976.