

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

T. 9 N., R. 9 E., Branson's Eightmile Subdivision

Sec. 17

NW $\frac{1}{4}$ SE $\frac{1}{4}$

Lot 31 (Well to be located in the NE $\frac{1}{4}$ of Lot 31)

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.

Miles J Emory
(Applicant)

65 7187

**AFFIDAVIT
OF
PUBLICATION**

STATE OF IDAHO, }
COUNTY OF BOISE } S.S.

T. R. Adams, being
duly sworn, deposes and says:
That he is the manager and prin-
cipal clerk of THE IDAHO
WORLD a weekly news paper
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 Two con-
secutive 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 pro-
per and not in a supplement;
that said paper has been estab-
lished and regularly and contin-
uously published for more than
seventy-eight weeks past pre-
vious to the first publication of
this notice. Such notice was pub-
lished in the issue beginning
with March 18, 1971
and ending with the issue of
March 25, 1971

Fees \$... T. R. Adams

Subscribed and sworn to before
me this 11th day of May
1971

Robert J. Tinsfield
Clerk District Court

Deputy

RECEIVED
MAY 13 1971
Department of Water Administration

R. KEITH HIGGINSON
Director
Published in the Idaho World,
Idaho City, Idaho, on March
18 and March 25, 1971.

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that
Miles I. Emory, 1815 North 12th
Street, Boise, Idaho, has on
March 4, 1971, Submitted Ap-
plication No. 65-7187 for a per-
mit to appropriate 0.02 cubic
feet per second of water from
a ground water source by means
of a well, pump and motor with
in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T.
9N., R. 9E., B.M., Boise Cousty
to be used from Jan. 1 to Dec.
31 for domestic purposes with-
in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T.
9N., R. 9E., 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 Ad-
ministration, Statehouse, Boise,
Idaho, 83707, on or before April
5, 1971.

65 7187

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-7187 Priority March 4, 1971 Amount 0.02 cfs

THIS IS TO CERTIFY, that MILES I. EMORY
of Boise, Idaho, has complied with the terms and conditions of Permit
No 65-7187 issued pursuant to Application for Permit dated March 4, 1971,
and has submitted proof to the Department of Water Resources on March 24, 1976,
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 0.02 cfs of water from a ground water 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
<u>Domestic</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.02</u> cfs and	<u>1.2 acre feet</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.02 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
1.2 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 17,
Twp. 9 N, Rge. 9 E, B.M. in the County of Boise

Description and location of place of use: (Lot 31 of C 2, Bronson Subdivision)

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 $\frac{1}{4}$	
9 N	9 E	17													X				

Total number of acres irrigated _____

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 3 day of
July, 19 76.

Director

Identification No. 65-7187
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Miles I. Emory
post office address 1815 North 12th, Boise, Idaho 83702
2. Source of water supply Ground water ~~South Fork of Payette~~ which is a tributary of Payette River
- 3 a Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17 Township 9 N
Range 9 E B.M. Boise County; additional points of diversion if any Lot 31
C-2 of Bronson Subdivision
- b If water is not consumed, it will be discharged into South Fork, Payette at a point in NW $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 17 Township 9 N Range 9 E B.M. _____
- 4 Water will be used for the following purposes: Domestic well for household purposes.
Amount .02 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. .02 cfs cubic feet per second and/or
b. _____ acre feet per annum.
- 6 Proposed diverting works.
a. Description of ditches, flumes, pumps, headgates, etc A pump and motor large enough to
pump the water into the house will be installed (water will be piped into the
house)
- 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 12" inches, proposed depth of well is 20 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 \$ 500.00.
- 8 Description of proposed uses
a If water is **not** for irrigation
(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17 Township 9 N
Range 9 E B.M. _____
(2) Amount of power to be generated, _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served domestic, or number of families to be
supplied with domestic water one
(5) If water is to be used for other purposes describe: Domestic well for household purposes

65-7187

LICENSE ISSUED FOR 0.02 SEC. FT.

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

[illegible]

Total number of acres to be irrigated_____

c. Describe any other water rights used for the same purposes as described above. _____

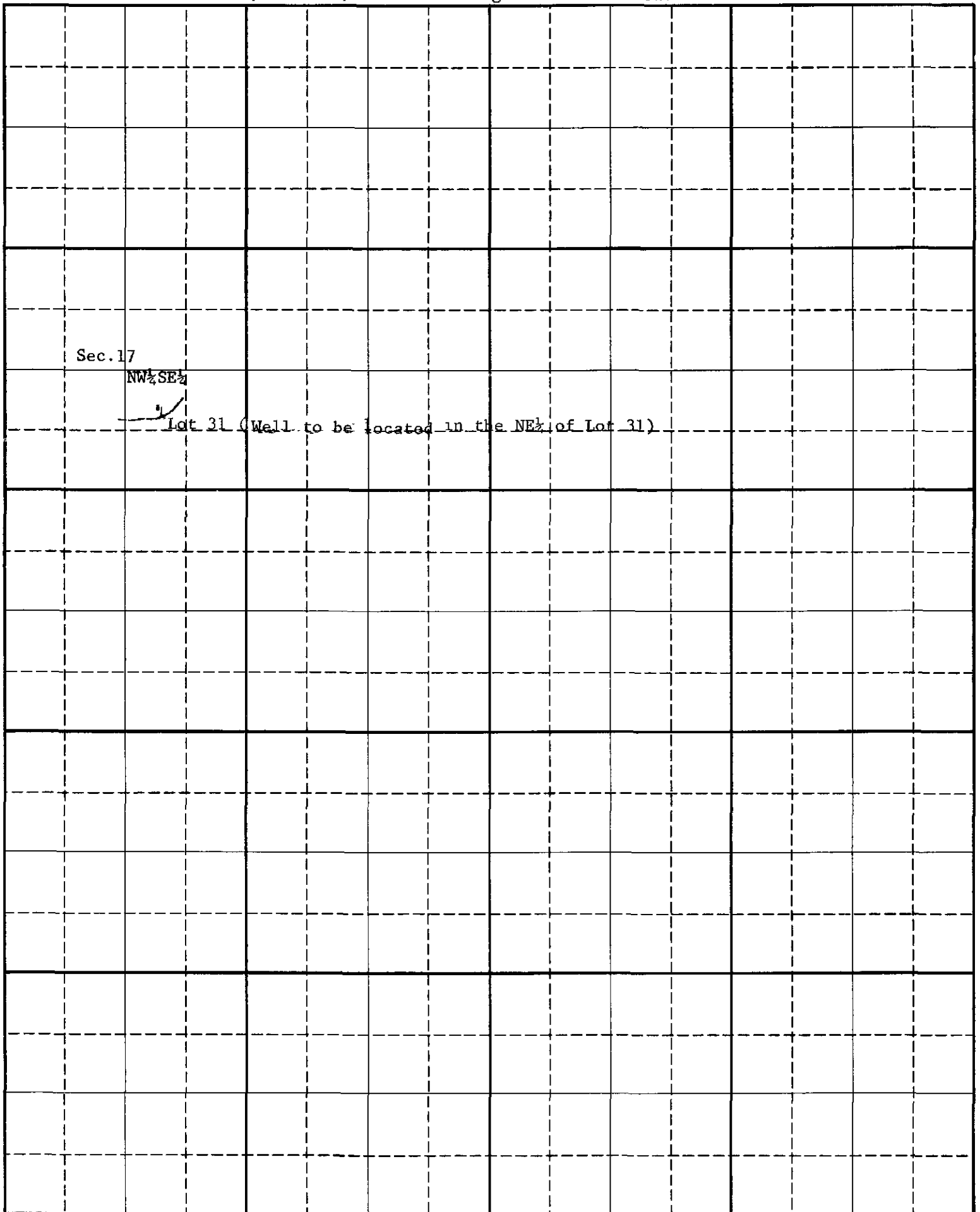
9. a. Who owns the property at the point of diversion Miles I. and Doris B. Emory (Husband and Wife)

b. Who owns the land to be irrigated or place of use Miles I. and Doris B. Emory " "

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

10. Remarks This well will be used for domestic purposes only

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number
T. 9 N., R. 9 E., Branson's Eightmile Subdivision



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.

Miles J. Emory
(Applicant)

65 7187

65 7187

Received by li Date 3/4/71 Time 8:00
Preliminary check by RU Fee \$ 10.00
Receipted by li Date 3-4-71
Publication prepared by dr Date 3-10-71
Published in Idaho World at Idaho City
Publication dates 3-18 & 3-25, 1971
Publication approved dr Date 5-13-71
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by BDF JTB A

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 65-7187, 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 May 1, 19 76.
 - c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 18th day of May, 1971.

R. Keith Higgins
Director

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AFFIDAVIT
OF
PUBLICATION

STATE OF IDAHO, }
COUNTY OF BOISE } S.S.

T. R. Adams, being
duly sworn, deposes and says:
That he is the manager and prin-
cipal clerk of THE IDAHO
WORLD a weekly news paper
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 ten con-
secutive 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 pro-
per and not in a supplement;
that said paper has been estab-
lished and regularly and contin-
uously published for more than
seventy-eight weeks past pre-
vious to the first publication of
this notice. Such notice was pub-
lished in the issue beginning
with March 18, 1971
and ending with the issue of
March 25, 1971

Fees \$... T. R. Adams

Subscribed and sworn to before
me this 11th day of May
1971

Robert J. Tappin
Clerk District Court

Deputy

R. KEITH HIGGINSON

Director

Published in the Idaho World

— 0 —

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given: Mr.
Miles I. Emory, 1815 North 12th
Street, Boise, Idaho, has on
March 4, 1971, Submitted Ap-
plication No. 65-7187 for a per-
mit to appropriate 0.02 cubic
feet per second of water from
a ground water source by means
of a well, pump and motor with
in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T.
9N., R. 9E., B.M., Boise County
to be used from Jan. 1 to Dec.
31 for domestic purposes with-
in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T.
9N., R. 9E., 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 Ad-
ministration, Statehouse, Boise,

65 7187



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

July 8, 1976

Re: Permit Nos. 65-7186
65-7187

Miles I. Emory
1815 North 12th
Boise, ID 83702

Dear Mr. Emory:

Enclosed herewith are copies of the water right licenses issued on the above referenced permits.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enclosure

APR 23 1976

TOTAL ACREAGE _____

Approved by _____ Date _____

April 22, 1976

Re: Permit No. 65-7187

Miles I. Emory
1815 North 12th
Boise, ID 83702

Dear Mr. Emory:

We acknowledge receipt of the affidavit 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. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our District Office in **Boise.**

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

Identification No. _____

Permit No. 65-7187

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Miles I. Emory
b) Post Office Address 1815 N. 12 St., Boise, ID
2. Permit Number 65-7187
3. Date of Priority that you are prepared to establish 3-4-71
4. a) Source from which water was appropriated groundwater source
b) Location of the point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17
Township 9 N, Range 9 E Boise Meridian, Other points of diversion: _____
or 31 C-2 of Bronson Subdivision
5. a) The amount of water and use to which the water has been applied:
Amount .02 for domestic purposes from Jan. 1 to Dec 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .02 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) well, pump, motor and pipeline
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well driller's name and address and the date the well was completed: Claude Nicholson
well Drilling, Rt. 1, Dietrich, Idaho. 83324
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Exam typed 4-21-76 by [signature]

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9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

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

MILES I. EMORY

3-23-76

(Date)

by Maria B Emory
(Signature) Surviving Spouse

State of Idaho)

County of Ada) ss.

On this 23rd day of March, 1976, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Lyle Glen Layton
Notary Public residing at Boise, Idaho

My commission expires Life

March 1, 1976

CERTIFIED MAIL

138392
Rec 65-7186
for cert. card

Re: Permit No. 65-7186, 65-7187

Miles T. Emory
1815 North 12th Street
Boise, Idaho 83702

Dear Mr. Emory:

One of the conditions of approval of your water Permit No. 65-7186 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before May 1, 1976. Enclosed is an affidavit form which must 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.

Either the beneficial use affidavit 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.


R. KEITH HIGGINSON
Director

RKH:jg

Enc: Proof affidavit

May 18, 1971

Re: Permit No. 65-7187 - Miles I. Emory

**Miles I. Emory
1815 North 12th Street
Boise, Idaho 83702**

Dear Mr. Emory:

Enclosed is a copy of your approved Application for Permit No. 65-7187. We direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

**BOBBY D. FLEENOR
Assistant Director**

BDF:kh

Enclosures

65 7187
65 7187
65 7187

March 10, 1971

Re: Application No. 65-7186

- Miles I. Emory

65-7187

Idaho World
Box 144
Idaho City, Idaho 83431

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 our 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 date. 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 on 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)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notices (2)

*Bill submitted
5-13-71
pr
65 7187*

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Miles I. Emory, 1815 No. 12th,
Boise, Idaho,
has on March 4, 1971, submitted Application No. 65-7187
for a permit to appropriate 0.02 cubic feet per second ~~zero feet per annum~~
of water from a ground water source
by means of well, pump and motor
within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17, T. 9N, R. 9E, B.M., Boise County,

to be used from Jan. 1 to Dec. 31
for domestic purposes

within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17, T. 9N, R. 9E, B.M.

^{issued}
If ~~made~~, 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
Administration, Statehouse, Boise, Idaho, 83707, on or before April 5, 1971.

R. KEITH HIGGINSON
Director

Published in the Idaho World, Idaho City, Idaho,
on March 18 and March 25, 1971.

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65 7187

March 4, 1971

Miles I. Emery
1815 North 12th
Boise, Idaho 83702

Dear Mr. Emery:

Attached herewith is Departmental Receipt No. 5715 in the amount of
\$20.00 for two applications for permit at \$10.00 each app.,

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

65 7187