

c. Describe the lands and place of use to which the right will be transferred:

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 $\frac{1}{4}$	

Total number of acres to be irrigated _____

- Describe any other water rights used for the same purpose as described above. _____
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

Hand-drawn map on a grid showing sections 34, 35, 36, and 37. Section 34 is labeled '34' with a blue line. Section 35 is labeled '35' with a blue line. Section 36 is labeled '36' with a blue line and a small circle labeled '6'. Section 37 is labeled '37' with a blue line. There are several 'PD' (Point of Diversion) markers. A red stamp 'RECEIVED' is visible on the left side.

emergency spill

R-18 E

3" lateral

10"	8"	6"
$\frac{1}{2}$ in	$\frac{1}{2}$ in	$\frac{1}{2}$ in

T. 8 S.
T. 9 S.

34

35

5a
36a

6a.

La Pipe

A

3

STATE HWY. No. 25
JEROME

Subdivisions = 3.

Area = 47 acres.

$$Q = 44" \text{ or } .88 \text{ cfs.}$$

285' = left

315' deep.
20"

INSTRUCTIONS TO EXAMINERS

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

Donnie Miller
523 Alturas Drive
Twin Falls, Idaho

Permit No. G-23938

Examination for Completion of Works &
Beneficial Use Proof

County Jerome

34-85-18E

Q = 1.6 c.f.s.

S = Well

P.D. = SE. SE., Sec. 34, T. 8 S. - R. 18 E

Use = Irrigation

Filed = March 25, 1953

Due = May 6, 1959 (Ext.)

no other right

7-lines $\frac{1}{4}$ new

33- $\frac{3}{16}$ nozzles per line

41' at N.W. end.

200 hp. U.S. Motor

#1095689 440V
240A.

Worthington Turb.

11550087

Size 14 Q F E 5

Cone. floor. 12' x 12'

wood house 12' x 12' x 8' h.

G E & Bulldog

Controls in house on
west wall.

9 $\frac{1}{2}$ " del. to vent into
closed sprinkler system

This applies to Permit G-23895

AFFIDAVIT of PUBLICATION

State of Idaho,
County of Jerome

SS.

RECEIVED
APR 24 1959

Department of Reclamation

COPY OF NOTICE

(Paste Here)

Notice of proof of completion
of works application
to water for beneficial
use
Donnie Miller

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

H. F. McKnight, being first duly sworn,
deposes and says that he is the printer (publisher) of the Jerome
North Side News, a newspaper published every week in Jerome, County
of Jerome, State of Idaho; that said newspaper has been continuously
and uninterruptedly published for a period of seventy-eight consecu-
tive weeks prior to the first publication of the annexed notice, and is
a newspaper qualified to publish legal notices as provided by act of
the 1919 session of the legislature of the State of Idaho, known as
House Bill 145; that the annexed advertisement was published once

each week for 4 consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication

of said advertisement was on the 5 day of Mar.,

1959, and the date of the last publication was on the 26

day of Mar, 1959.

W. J. McKnight

Subscribed and sworn to before me this 7

day of March, 1959.
(SEAL)

Ray Brantley
NOTARY PUBLIC

JEROME NORTH SIDE NEWS

COST OF PUBLICATION

Number of Lines in Notice 43

Number of Insertions 4

124 Lines at 15c 6.45

129 Lines at 10c 12.40

TOTAL COST 19.35

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

Notice is hereby given that 10:30, M.,
on the 11th day of April, 1959, at Boise,
County of Ada, State of Idaho, before

second of underground water from a
well, and of the application to beneficial
use of said water, in accordance with
the terms and conditions of Permit No.
G-23933 heretofore issued by the De-
partment of Reclamation of the State of
Idaho.

1. The name and postoffice address of
the person or corporation holding said
permit are Donnie Miller, 523 Alturas
St., Twin Falls, Idaho.

2. Said works of diversion will be
fully completed on the date set for such
completion, and the amount of water
which said works are capable of con-
veying to the place of use is 1.6 cubic
feet per second.

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

4. The point of diversion of said wa-
ter is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T8S-R18E,
B.M.

5. The place where said water is us-
ed is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T8S. R18E,
B.M. NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T9S.-R18E,
B.M.

6. The date of priority which said
user is prepared to establish is 3-25-53.
GEO. N. CARTER,
State Reclamation Engineer.

3-5-4tc

6 pt. per line, tabular 20c
6 pt. per line, successive
insertions 10c

N^o 1065

G 23938

NAME OF APPLICANT.

Donnie Miller

Form No. 0

T 8 S - R 18 E
Section 34



We 11

Main Wine

T 9 S - R 18 E
Section 3

Locality Map No. 9-23938

As Approved

ADP

2 10/11/11

APR 2 1953
MARK R. KULP

State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

H 23938

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

Notice is hereby given that 10:30, M.,
on the 11th day of April, 1959, at Boise,
County of Ada, State of Idaho, before

Harley M. McDowell, Notary Public, at
618 Idaho Bldg., Boise, Idaho, proof will
be submitted of the completion of works
for the diversion of 1.6 cubic feet per
second of underground water from a
well, and of the application to benefici-
al use of said water, in accordance with
the terms and conditions of Permit No.
G-23938 heretofore issued by the De-
partment of Reclamation of the State of
Idaho.

1. The name and postoffice address of
the person or corporation holding said
permit are Donnie Miller, 523 Alturas
St., Twin Falls, Idaho.

2. Said works of diversion will be
fully completed on the date set for such
completion, and the amount of water
which said works are capable of con-
veying to the place of use is 1.6 cubic
feet per second.

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

4. The point of diversion of said wa-
ter is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T8S-R-18E.,
B.M.

5. The place where said water is us-
ed is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T8S. R18E.,
B.M. NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T9S.-R18E.,
B.M.

6. The date of priority which said
user is prepared to establish is 3-25-53.

GEO. N. CARTER,

State Reclamation Engineer.

3-5-4tc

Transfer No. 2994Water Right No. 36-2206

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVEDName of applicant Sundance Inc. Phone 825-5258Post Office address P. O. Box 268, Eden, ID 83325

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)

b. License No. 36-2206 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
purchase of land & water right

3. Source of water Groundwater tributary to _____

4. Date of priority 3-25-1953

5. Water is used for the following purposes:

amount 0.88 cfs for Irrigation purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 0.88 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 34
Township 8S Range 18E, B.M., in Jerome County
Additional points of diversion, if any _____

8. Lands irrigated or 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 $\frac{1}{4}$	
8S	18E	34																5	5
		35											6						6
9S	18E	3	Lt1 36																36

Total number of acres to be irrigated 47

9. Describe any other water rights used for the same purpose as described above _____
Lic. 36-7491

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

SECRET

- [illegible]

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

a. Amount of water to be diverted 0.88 c.f.s. &/or _____ acre feet

b. Description of diverting works 3 wells & pumps, sprinkler system

c. Describe the reasons for the proposed changes Add diversion points

Point of diversion SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34 Township 8S
Range 18E, B.M., Jerome County
Additional points NE $\frac{1}{2}$ NE $\frac{1}{2}$, NW $\frac{1}{2}$ SW $\frac{1}{2}$ Sec. 35 T. 8S R. 18E

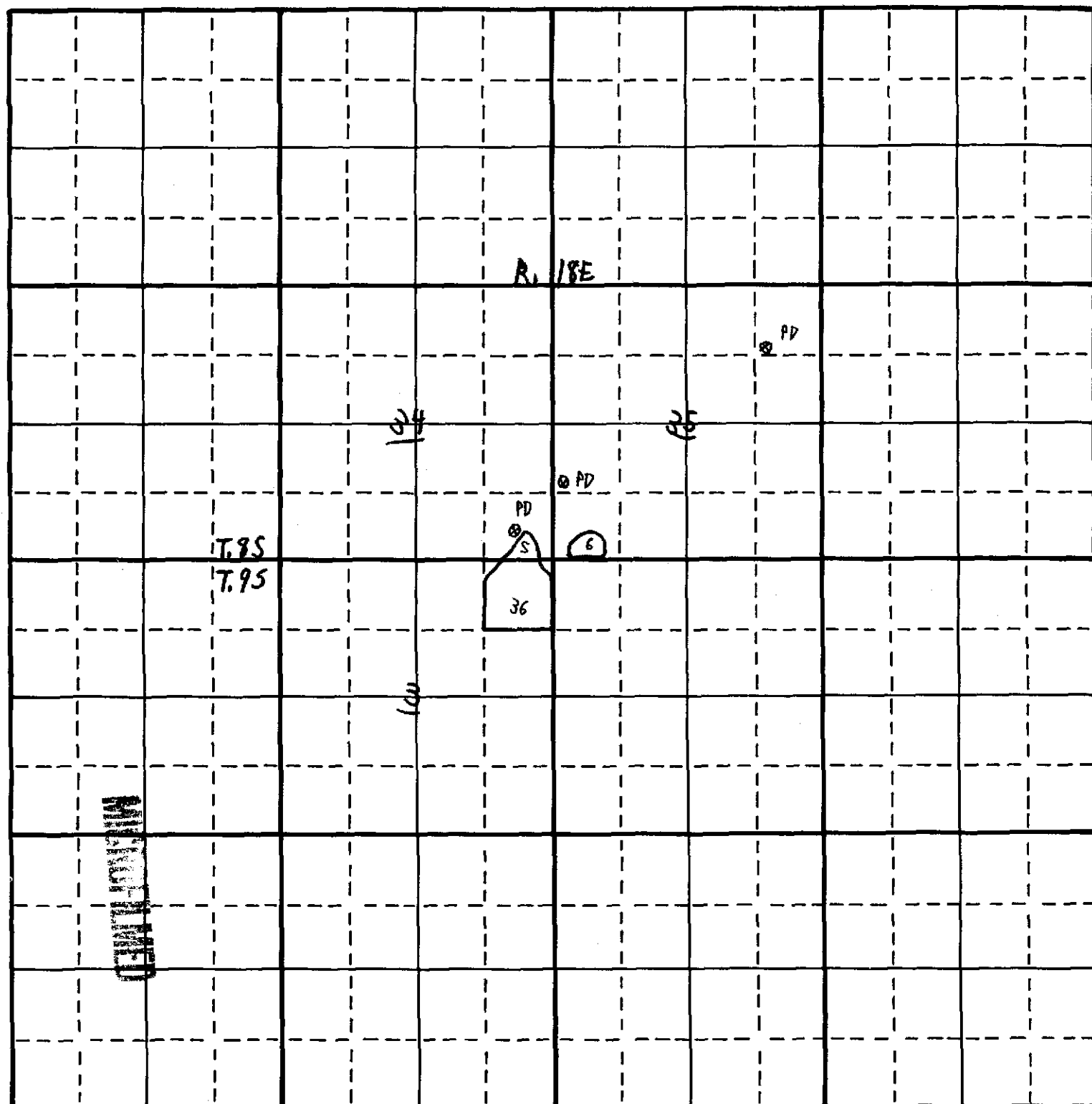
a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____. No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.

b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

[illegible]

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

NOT RECORDED

hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Kern Bailey Vice President
(Signature of Applicant)

Subscribed and sworn to before me this 27 day of January, 19 84.

maria newby
(Notary Public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-2206
and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 8th day of March, 19 84

A. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>go</u>	Date <u>1-27-84</u>	Protest filed by _____
Prelim. check by <u>ADM</u>	Fee <u>\$50.</u>	_____
Receipted by <u>go</u>	Date <u>1-10-84 #32965</u>	_____
Published in <u>north side news</u>	Copies of protest forwarded by _____	
Pub. dates <u>2/8 & 2/16/84</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on <u>NA</u>	Recommended for <u>approval</u> denial	
_____ rec'd. _____	by <u>LA</u> <u>Juni</u>	

AFFIDAVIT OF PUBLICATION

RECEIVED

COPY OF NOTICE
(Paste Here)

Ntc Proposed #36-2206
TITLE OF NOTICE

State of Idaho, }
County of Jerome } SS.

FEB 23 1984

L. L. LANGDON
ASST. PUBLISHER

Department of Water Resources
Southern District Office

being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 15th day of February, 1984, and the date of the last publication was on the 22nd day of February, 1984.

L. L. Langdon

Subscribed and sworn to before me this 22nd day of February, 1984.
(SEAL)

Darla Bratt

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line 13
Number of Lines in Notice 32
Number of Insertions 2
Lines tabular at 4¢ / Pica
32 Lines straight at 12.48 3¢ / Pica
32 Subsequent lines at 8.32 2¢ / Pica
TOTAL COST 20.80

MICROFILMED

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water
BILL TO

Sundance Inc. of Eden applies for water permit

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 36-2206

Notice is hereby given that Sundance, Inc., of Eden, Idaho, has applied to the Department of Water Resources to add a diversion point of a right from a groundwater source. The right sought to be changed is evidenced by License No. 36-2206 and is recorded as follows:

Amount: 0.88 cfs

Priority: March 25, 1953

Point of Diversion: SE¼SE¼, Sec. 34, T8S, R18E, B.M., Jerome County

The water is used for irrigation of 47 acres within the SE¼SE¼, Sec. 34; SW¼SW¼, Sec. 35, T8S, R18E; Lt1 (NE¼NE¼), Sec. 36, T9S, R18E TO BE CHANGED AS FOLLOWS:

Amount: 0.88 cfs

Point of Diversion: SE¼SE¼, Sec. 34; NE¼NE¼, NW¼SW¼, Sec. 35, T8S, R18E, B.M., Jerome County

Place of Use: No change

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before February 22, 1984.

A. KENNETH DUNN
Director

State of Idaho

License and Certificate of Water Right

Water License No. G-23938

Amount .88 c.f.s.

Water District No. _____

Priority March 25, 1953

THIS IS TO CERTIFY that DONNIE MILLER
of Twin Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 25, 1953; that Permit No. G-23938
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.88 second feet, was issued thereunder on June 18, 1959, showing that said works
were completed on the 11 day of April, 1959; and that on the 11th
day of April, 1959,

DANNIE MILLER

of Twin Falls, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-23938 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 6661, on the 18 day of June, 1959;
The right hereby confirmed dates from March 25, 1953;

The Point of Diversion is located
in the SE 1/4 SE 1/4, Sec. 34, Twp. 6 S., R. 18 E., B. M. Jerome County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed .88 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S	18 E.	34	SE 1/4 SE 1/4	40	5
		35	SW 1/4 SW 1/4	40	6
9 S.	18 E	3	Lot 1 (NE 1/4 NE 1/4)	40	36
Total number of acres to be irrigated:					47

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

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

18 day of June, 1959.

s/ GEO. H. CARTER

State Reclamation Engineer.

245-2200

36-2206

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-31720
Permit No. G-23938
District No.

1. Name of Applicant: **DONNIE MILLER**
-1829 Dorian St.
Postoffice address: **Twin Falls** County: **Twin Falls** State: **Idaho**
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. **1.6** or Idaho
Miners' inches **80** or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Subterranean, to be raised through a drilled well**
4. Location of point of diversion or well is in the **NE 1/4 of the NE 1/4 of Section 3**
Twp. 9S., Rge. 18 E., B.M., County of Jerome
5. Water is to be used for: **Irrigation**
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the **1/4 of the 1/4 of Section**, Twp.
Rge., B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the **1/4 of the 1/4 of Section**, Twp., Rge., B.M.
7. Kind of works: **Drilled well, to be cased and equipped with turbine type pump; Sprinkler system**
8. Estimated cost of works: **\$ 3,500.00**
9. (a) Is reservoir to be used? **No**
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is **Five(5)** years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **None**
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

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

WHEREAS, Permit No. G-23938, in the name of DONNIE MILLER, requires proofs of completion of works and beneficial use to be made on or before April 2, 1958; and,

WHEREAS, said Permit was issued in connection with Desert Land Entry Idaho Serial #04084; and,

WHEREAS, applicant was prevented from proceeding with construction pending allowance of said Desert Land Entry, which was not allowed until May 6, 1954;

NOW, THEREFORE, an Extension of Time is allowed for Completion of Works and Beneficial Use Proofs on Permit No. G-23938 to May 6, 1959, or the length of time applicant was prevented from proceeding pending allowance of his Desert Land Entry and a similar extension is allowed for every other act required under the terms and conditions of Permit No. G 23938.

Signed at Boise, Idaho this 19th day of June, 1958

/s/ E. N. Humphrey, Deputy
and Acting State Reclamation Engineer

Approved and recorded:
June 19, 1958.

A P P L I C A T I O N F O R A M E N D M E N T
T O P E R M I T T O A P P R O P R I A T E T H E P U B L I C W A T E R S
O F T H E S T A T E O F I D A H O , N O . G - 2 3 9 3 8

Comes now Donnie Miller, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-23938, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, and the S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 35, T. 8 S., R. 18 E., and Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Section 3, T. 9 S., R. 18 E., making a total of 160 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, this 11th day of April, 1959

s/ DONNIE MILLER

DATE OF RECEIPT AT OFFICE OF DEPARTMENT OF RECLAMATION: April 23, 1959

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

I, Geo. N. Carter, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-23938. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ GEO. N. CARTER
State Reclamation Engineer

RECORDED: April 23, 1959

Permit No. G-23938
C E R T I F I C A T E O F C O M P L E T I O N O F W O R K S

TO ALL WHOM IT MAY CONCERN:

This is to certify that DONNIE MILLER of Twin Falls, County of Twin Falls, and State of Idaho, the holder of Permit No. G-23938, issued upon Application No. G-31720 bearing date of priority of March 25, 1953, authorizing the diversion of 1.6 second feet of waters of a well, County of Jerome, State of Idaho, for irrigation purposes has fully complied with the provisions of the laws of the State of Idaho, relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use .88 second feet of the waters of a well from subterranean flow; that the point of diversions of said waters is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T. 8 S., R. 18 E.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

47 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 8 S., R. 18 E.; Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Sec. 3, T. 9 S., R. 18 E., B. M.

Witness my hand this 18th day of June, A. D. 1959.

s/ GEO. N. CARTER
State Reclamation Engineer

Proof of Completion of Works Made: April 11, 1959

Page 6661

• •

This
Right has been
Decreed in the
SRBA.

March 8, 1984

RE: Transfer of Water Right Nos. 36-2206 & 36-2725

Sundance Inc.
Box 268
Eden, ID 83325

Gentlemen:

Enclosed are copies of your approved Applications for Transfer of the
above referenced water rights (Transfer Nos. 2994 & 2993, respectively).

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosures

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: ADM

1. Right number 36-2206 Applicant SUNDANCE, INC.
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Other _____

4. Check: Not Listed on License
☒ Source ☒ Priority ☒ Amount ☒ Purpose ☐ Period of use
☒ Description of original point of diversion.
☒ Description of original place of use.

5. Amount of land &/or water transferred:

- ☒ All of right.
- N/A b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
☒ Check description of point(s) of diversion. ADD 2 P/Ds
- N/A d. ☒ Check description of place of use.
☒ Check map (shows p.d. and p.u. after transfer).
☒ Check for correct signature, notarization, and fee.
- N/A g. ☒ Check proof of ownership of right &/or land from which water is transferred.
☒ Check for expansion in use of right. Comments None

- ☒ Check for existing water rights from same source, on land water is being transferred to.
 Right number(s) 36-7491

- j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
 If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on N/A Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No See memo to Affidavit.
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

☒ Approve

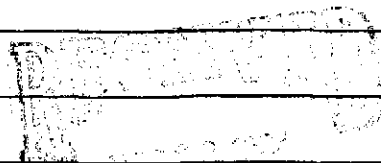
2. ☐ Deny

3. Conditions* Per Original lic.

4. By Larry D. Halverson Date 3/6/84

3-8-84
 * All uses within Watermaster Districts require special conditions.

MICROFILMED



February 23, 1984

MEMO:

TO: Files - 36-2206 - Application for Transfer
 36-2725 - Application for Transfer

FROM: Loren O. Holmes
 Southern Region Supervisor

The first publication of the legal notices on these applications on February 8, 1984 omitted the last paragraph of the notice.

The paper was notified on February 9, 1984, and the notices were re-published on February 15 and February 22, 1984.

The final date for protest was not changed to March 5, 1984 when the notices were re-printed.

Rather than re-publish the notices again, the applications will be held until March 5, 1984 for protest.



NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 36-2206

Notice is hereby given that Sundance, Inc., of Eden, Idaho has applied to the Department of Water Resources to add a diversion point of a right from a groundwater source. The right sought to be changed is evidenced by License No. 36-2206 and is recorded as follows:

Amount: 0.88 cfs

Priority: March 25, 1953

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T8S, R18E, B.M., Jerome County

The water is used for irrigation of 47 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T8S, R18E; Lt 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Sec. 36, T9S, R18E

TO BE CHANGED AS FOLLOWS:

Amount: 0.88 cfs

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34; NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T8S, R18E, B.M., Jerome County

Place of Use: No change

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before February 27, 1984.

A. KENNETH DUNN - Director

Published in North Side News on February 8 and February 15, 1984.

RECEIVED
FEB 15 1984

**Sundance Inc. of Eden
applies for water permit**

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 36-2206

Notice is hereby given that Sundance, Inc., of Eden, Idaho, has applied to the Department of Water Resources to add a diversion point of a right from a groundwater source. The right sought to be changed is evidenced by License No. 36-2206 and is recorded as follows:

Amount: 0.88 cfs

Priority: March 25, 1953

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T8S, R18E, B.M., Jerome County

The water is used for irrigation of 47 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T8S, R18E; Lt1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Sec. 36, T9S, R18E

TO BE CHANGED AS FOLLOWS:

Amount: 0.88 cfs

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34; NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T8S, R18E, B.M., Jerome County

Place of Use: No change

**Sundance Inc. of Eden
applies for water permit**

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 36-2206

Notice is hereby given that Sundance, Inc., of Eden, Idaho, has applied to the Department of Water Resources to add a diversion point of a right from a groundwater source. The right sought to be changed is evidenced by License No. 36-2206 and is recorded as follows:

Amount: 0.88 cfs

Priority: March 25, 1953

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T8S, R18E, B.M., Jerome County

The water is used for irrigation of 47 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T8S, R18E; Lt1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Sec. 36, T9S, R18E

TO BE CHANGED AS FOLLOWS:

Amount: 0.88 cfs

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34; NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T8S, R18E, B.M., Jerome County

Place of Use: No change

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before February 22, 1984.

A. KENNETH DUNN
Director
2-15-2tc

RECEIVED

Called
correction
2/9/84

ok
mory
2/12/84



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

February 3, 1984 HAND DELIVERED

North Side News
Box 468
Jerome, Idaho 83338

Re: Notice of Proposed Change of Water Right No. 36-2206
Notice of Proposed Change of Water Right No. 36-2725

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.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary A. Newby
Sec/Office Coord.

Encl:

MICROFILMED

Connecticut Mutual Life INSURANCE COMPANY, SINCE 1846

140 Garden Street, Hartford, Connecticut 06115 Tel: (203) 549-4111

NOV 15 1974
Department of Water Resources
Mortgages - Agricultural

November 13, 1974

AIR MAIL

Department of Reclamation
State of Idaho
Boise, Idaho

Re: Water Permit Nos. G-23938 & G-23895
Loan No. 92915-H, Bank of Idaho

Gentlemen:

This loan has been paid in full. Therefore, we wish to inform you that we are no longer interested in water permit numbers G-23938 and G-23895 as described in Mortgage Deed dated June 14, 1962 given by Lloyd H. Miller and Donnie Miller.

Said mortgage was recorded in the Public Records of Jerome County, in Book 171, page 375.

Sincerely,

Jean Wright
Agricultural Investment Division

jw

cc: Ag-Land Mortgage Company

CM

June 18, 1959

Re: Permit No. G-23938

Mrs. Donnie Miller
523 Alturas Drive
Twin Falls, Idaho

Dear Mrs. Miller:

We enclose your Certificate of Completion of Works and
License and Certificate of Water Right issued on Permit No. 23938.

We also enclose departmental receipt No. G-4072 in the
amount of \$11.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:ew
Enc. certificate
license
receipt

f 23938

RT

June 8, 1959

Re: Permit No. G-23938

Mrs. Donna Miller
523 Alturas Drive
Twin Falls, Idaho

Dear Mrs. Miller:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-23938 shows the well is capable of conveying 14 1/2 miner's inches, or .88 c.f.s. of water for irrigation of 47 acres.

Upon receipt of the statutory fees of \$11.00, we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$6.00 - based at the rate of .200 for each 40-acre subdivision) confirming the right, with priority of March 25, 1953 to the use of .88 second feet of subterranean water with the point of diversion in the SE 1/4 Sec. 34, T. 8 S., R. 18 E., B. M. for the irrigation of 47 acres in the SE 1/4 Sec. 34, SW 1/4 Sec. 35, T. 8 S., R. 18 E., NE 1/4 Sec. 3, T. 9 S., R. 18 E.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

MRS. Edna P. Rutledge
Chief Clerk

EPR:ew

cc: Harley M. McDowell
P. O. Box 2161
Boise, Idaho

A 23938

RT

June 8, 1959

Re: Permit No. G-23938

Mrs. Donnie Miller
523 Alturas Drive
Twin Falls, Idaho

Dear Mrs. Miller:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-23938 shows the well is capable of conveying 44 miner's inches, or .88 c.f.s. of water for irrigation of 47 acres.

Upon receipt of the statutory fees of \$11.00, we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$6.00 - based at the rate of \$2.00 for each 40-acre subdivision) confirming the right, with priority of March 25, 1953 to the use of .88 second feet of subterranean water with the point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T. 8 S., R. 18 E., B. M. for the irrigation of 47 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 8 S., R. 18 E., NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 9 S., R. 18 E.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

'Mrs' Edna P. Rutledge
Chief Clerk

EPR:ew
cc: Harley M. McDowell
P. O. Box 2161
Boise, Idaho

2-23938

Comes now

ELDEN C. HILTON

and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-23393, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 16; S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 17, T 7 S, R 21 EBM

making a total of 340 acres.

Signed at BURLEY, Idaho this 22nd day of September

60
1988.

/s/ Elden C. Hilton
ELDEN C. HILTON

Date of Receipt at office of Department of Reclamation _____

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. N. Carter, State Reclamation Engineer of the State of Idaho

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

23393

/s/ Geo. N. Carter

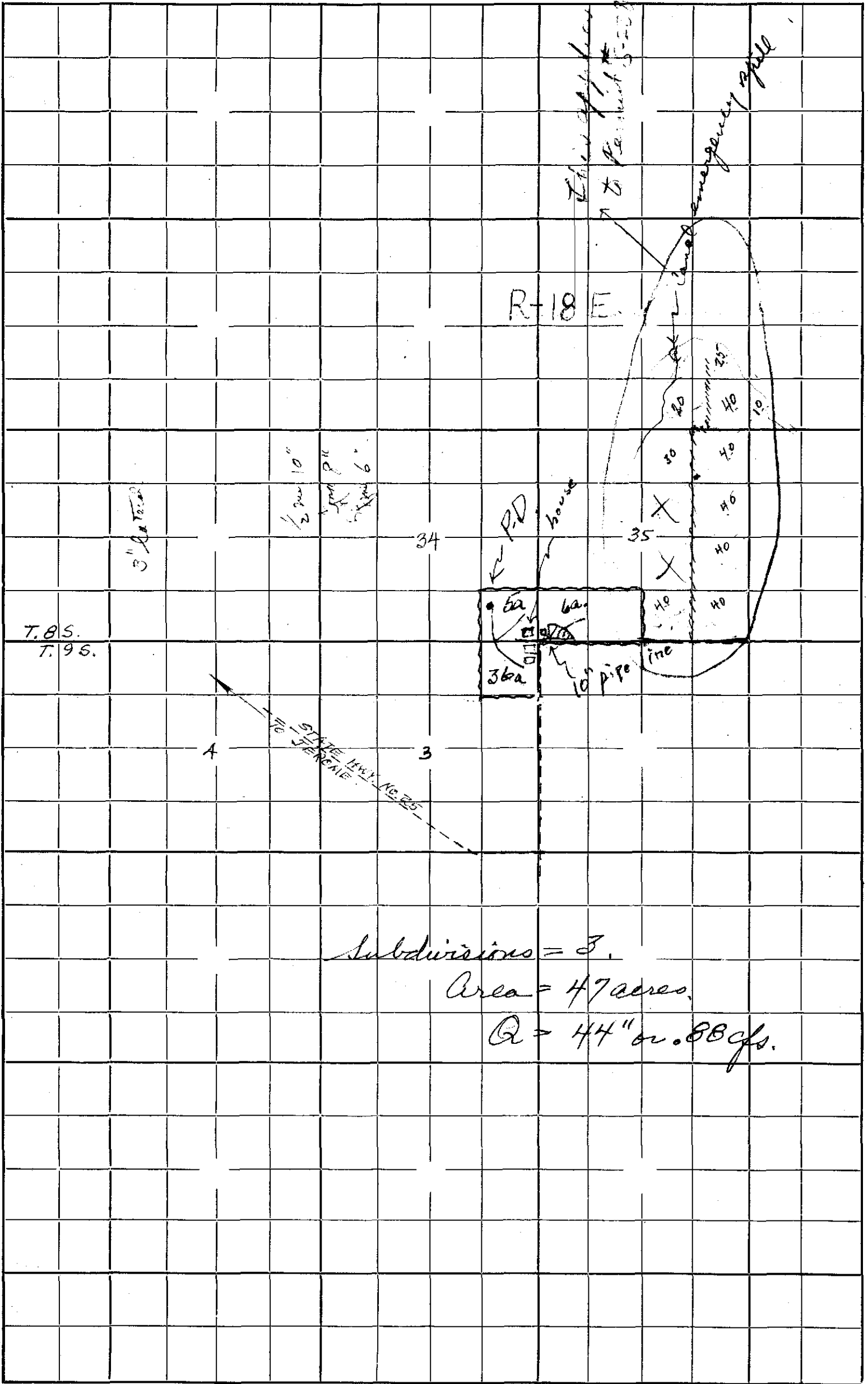
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-23938

REPORT ON PROOF OF Completion of Works & Beneficial Use

Donnie Miller
523 Alturas Drive
Twin Falls, Idaho



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

Permit No. G-23938

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

1. Name of applicant Donnie Miller

2. Source of water supply: Subterranean flow from a well

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34

T. 8 So., R. 18 E.B.M. County of Jerome

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

30 hp U.S. Motor #2373918 370 440V. 1800 rpm.
[D] Panel to West 2' G.E. Meter #33095023. No protection
Reming Turbine Pump. #20431.
5 1/2" x 8' delivery to South into open ditch - to fields
by gravity

5. Water is used for: Irrigation

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

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

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34, and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35, Twp. 8 So., Rge. 18 East, B. M.
and Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 3, Twp. 9 So., Rge. 18 East, B. M.)

Schwanenfeldt (renter) along

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

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

Remarks: _____

Water measured thru Sparling Meter.

See Permit G-23895

This examination was made on the 12 day of May, 1959

(Signed) E. H. Humphrey Examiner.

G-23938

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 14 1953
Department of Reclamation

Permit No. G-23938

Proof of Application of Water to Beneficial Use

and Completion of Works

Deposition of Holder

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

Ans. Name: Donnie Miller Residence: Twin Falls, Idaho
Occupation: Housewife P. O. Address: 523 Alturas Drive

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

Ans. Individual

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. G-23938, dated April 2, 1953, Priority March 25, 1953.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. The well is located approximately 300 ft. north and 120 ft. east from the SW corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34, T 8'S - R 18'E.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. This well was drilled to a depth of 300 ft. and pumps from about 225 ft. It has no drawdown to my knowledge. It has a 10" casing and is cased about 200 ft. All of my distribution here is through an open gravity ditch which is my private ditch made with a V-type ditcher. This ditch is about 5 ft. wide at the top and 18" deep. This pump was tested by the pump company and it will deliver 60" of water. This was measured by pressure system and they guaranteed it would have that efficiency and would deliver that amount. From my experience and having seen the water measured I think this is what it would deliver.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. All the water is used for agriculture. There is no natural meadow here. I actually have always used this with 20 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34, T 8'S - R 18'E, and 35 acres in Lot 1 of what would be the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of T 9'S - R 18'E, and 7 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35, and 17 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ OF Section 35, T 8'S - R 18'E. My cost here would be approximately \$7,000 as a result of this improvement.

Sec. 3.

#23938

28
17

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. All for irrigation purposes.

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. I need all of the water here for the crops that I grow.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Original owner.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Work was started as soon as permit was issued.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. There is no other water permit at all on this except on the S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 35 T 8 S - R 18 E. My husband, under Permit No. G-23895, had this included in his place of use but has never put any water on this. I have always diverted the water there and that is the way it has always been used. There is no other water permit on my land.

(Sign)

Donnie Miller

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

and sworn to before me, at my office in Boise, County of Ada,

State of Idaho, on this 11th day of April, A. D. 1959.

Harley M. McQuinn
Notary Public for the State of Idaho

My commission expires 10-11-59

423938

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
Department of Reclamation

Permit No. G-23938

Proof of Application of Water to Beneficial Use

Deposition of Witness *and Completion of Works*

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

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

Ans. Name: Lael A. Feller Age: 26 Residence: Caldwell, Idaho
Occupation: Housewife P. O. Address: 2222 S. Kimball

Ques. 2. Are you acquainted with Donnie Miller, the holder of Permit No. G-23938? How long have you known her and where does she reside?

Ans. I have known Donnie 8 years and know that she lives at 523 Alturas Drive in Twin Falls.

Ques. 3. Have you read or heard read said Permit No. G-23938, and are you familiar with its provisions and conditions?

Ans. I have not read this permit, but I know about what it states.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. I estimate I have seen 150" conveyed through the ditches, pumped from a 300 ft. well located approximately 300 ft. north and 120 ft. east from the SW corner of SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34, T-8-S-R-18-E. Irrigation is by surface gravity.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. I estimate I have seen 150" conveyed through the ditches.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Judging from past experience, I think the ditches and the works here would carry 150".

A 23938

Ans. All the water is used for agriculture and there is no natural meadow. Water is used on 20 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34, T 8 S - R 18 E, and 35 acres in Lot 1 of what would be the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of T 9 S - R 18 E, and 7 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35, and 17 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T 8 S - R 18 E.

Ans. All the water is used for agriculture and there is no natural meadow. Water is used on 20 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34, T 8 S - R 18 E, and 35 acres in Lot 1 of what would be the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of T 9 S - R 18 E, and 7 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35, and 17 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T 8 S - R 18 E.

Ans. None

Ans. Good lava ash soil. Good for cultivation.

Ans. No interest

Ans. I have had occasion to see this work being done several times each season.

(Signed)

Lael A. Feller

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada, State of Idaho, on this 11th day of April, A. D. 19 59.

Harley M. S. Daniel
Notary Public

Notary Public.

My commission expires.....10-11-59.

423938

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
APR 24 1959
Department of Reclamation

Permit No. G-23938

Proof of Application of Water to Beneficial Use

Deposition of Witness *and Completion of Work*

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

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

Ans. Name: Val R. Feller Age 30 Residence: Caldwell, Idaho
Occupation: Trucking P. O. Address: 2222 S. Kimball

Ques. 2. Are you acquainted with Donnie Miller, the holder of Permit No. G-23989? How long have you known him and where does he reside?

Ans. I have known her all my life and know that she resides at 523 Alturas Drive in Twin Falls.

Ques. 3. Have you read or heard read said Permit No. G-23938, and are you familiar with its provisions and conditions?

Ans. I have never read the permit but I am familiar with its contents.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. 300 ft. well located approximately 300 ft. north and 120 ft. east from the SW corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34, T 8 S - R 18 E. Distribution is through open ditches, which are about 5 ft. wide at the top and 18" deep. Irrigation is by gravity.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. At least 150" and I have seen this much so conveyed.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. From my past experience, I estimate the ditches and the outfit here would easily carry 150" of water.

23938

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. There is no natural meadow here and all the water is used for agriculture. This is used on 20 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34, T 8 S - R 18 E, and 35 acres in Lot 1 of what would be the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of T 9 S - R 18 E, and 7 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35, and 17 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T 8 S - R 18 E.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. None

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Lava ash soil and is good for cultivation.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No interest.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen this work going on several times each season since it started.

(Signed)

Val R. Keller

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise
County of Ada, State of Idaho, on this 11th day of April
A. D. 1959.

Harley L. L. D. D. D.

Notary Public.

My commission expires 10-11-59

23938

AFFIDAVIT of PUBLICATION

State of Idaho,
County of Jerome

SS.

RECEIVED
APR 24 1959
Department of Reclamation

COPY OF NOTICE

(Paste Here)

Notice of completion of works of reclamation for the purpose of beneficial use
Donnie Miller
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

H. F. McKnight, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 5 day of Mar.

1959, and the date of the last publication was on the 36

day of Mar., 1959

W. D. MacKnight

Subscribed and sworn to before me this 7

day of March, 1959.
(SEAL)

[Signature]
NOTARY PUBLIC

JEROME NORTH SIDE NEWS

COST OF PUBLICATION

Number of Lines in Notice 43

Number of Insertions 4

137 Lines at 15c 6.45

137 Lines at 10c 12.40

TOTAL COST 19.35

Has been completed for the second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 7-2335 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Donnie Miller, 623 Alturas St., Twin Falls, Idaho.
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.5 cubic feet per second.
3. The use to which said water has been applied is irrigation purposes, and the amount applied to said place of use is 1.6 cubic feet per second.
4. The point of diversion of said water is SE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ E $\frac{1}{2}$, T $\frac{1}{2}$ N, R $\frac{1}{2}$ E, B.M.
5. The place where said water has been applied is SE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ E $\frac{1}{2}$, T $\frac{1}{2}$ N, R $\frac{1}{2}$ E, B.M. NEW NE $\frac{1}{4}$, S $\frac{1}{2}$ E $\frac{1}{2}$, T $\frac{1}{2}$ N, R $\frac{1}{2}$ E, B.M.
6. The date of completion of said user is present in the State of Idaho.

Nº 1065

23938

April 23, 1959

Re: Permit No. G-23938
Donnie Miller

Mr. Harley M. McDowell
P.O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed is Application for Amendment to Land
List in connection with Permit No. G-23938, in the name of
Donnie Miller, which has approved and recorded in this
office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Chief Clerk

KFR:EW
Enc. 1
cc Donnie Miller

23938

APR 23 1959
Department of Reclamation

**Application for Amendment
To Permit to Appropriate the Public Waters
of the State of Idaho, No. G-23938**

Comes now Donnie Miller, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-23938, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

^{SE 1/4 SE 1/4} ~~SE 1/4~~ Section 34, and the ^{S 1/2 SW 1/4} ~~S 1/2~~ Section 35, T 8 S - R 18 E,
and Lot 1 (~~NE 1/4 NE 1/4~~) Section 3, T 9 S - R 18 E
(^{NE 1/4 NE 1/4})

making a total of 160 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, this 11th day of April, 1959

Donnie Miller

Date of receipt at office of Department of Reclamation April 23, 1959

APPROVAL OF STATE RECLAMATION ENGINEER

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

G 23938

Geo. N. Carter

February 24, 1959

Re: Permit No. G-23938
Donnie Miller

Mr. Harley M. McDowell
P. O. Box 2161,
Boise, Idaho

Dear Mr. McDowell:

This acknowledges the Notice of Proof of Completion of Works & Application of Water to Beneficial Use under Permit No. G-23938, in the name of Donnie Miller. Final proof is to be made before you, as Notary, at 10:30 A. M. on the 11th day of April, 1959, at 618 Idaho Bldg., Boise, Idaho.

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

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR/lw
Encls. (3)
cc: Donnie Miller
523 Alturas St.,
Twin Falls, Idaho

23938

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
Boise, Idaho

Date: February 24, 1959

Re: Permit No. G-23938
Donnie Miller

North Side News
Jerome, Idaho

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to April 11, 1959 the date set for proof;

the expense of the publication is to be paid by the applicant's Agent,

Harley M. McDowell of P. O. Box 2161, Boise, Idaho
to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

Geo. N. Carter
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

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

23938

RECEIVED
FEB 23 1959

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) February 19, 1959

Twin Falls, Idaho
Address

City _____ State _____

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my
expense in the North Side News of Jerome, Idaho

_____ published in the county in which the works are situated.

Terom. Ca.

By

By Donnie Miller

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

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

Engineer

23938

RECEIVED
FEB 23 1959

Department of Reclamation

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

Notice is hereby given that 10:30 M., on the 13th day of April, 1959, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public, at (address) 618 Idaho Bldg., Boise, Idaho, proof will be submitted of the completion of works for the diversion of 1.6 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23938 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Donnie Miller, 523 Alturas St., Twin Falls, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.6 cubic feet per second.

3. The use to which said water has been applied is irrigation ~~for the purpose of irrigation~~ purposes, and the amount applied to beneficial use is 1.6 cubic feet per second.

4. The point of diversion of said water is SE 1/4 Sec. 34, T8S-R18E, B.M.

5. The place where said water is used is SE 1/4 Sec. 34, T8S-R18E, B.M.
NE 1/4 Sec. 3, T8S-R18E, B.M.

6. The date of priority which said user is prepared to establish is

3/25/53

423938

78

June 19, 1958

Re: Permit No. G-23938
Donnie Miller

Mr. Harley M. McDowell
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed is an Extension of Time for proofs of completion of works and beneficial use under the terms of Permit No. G-23938 to May 6, 1959, as same was approved by the Acting State Reclamation Engineer and recorded in the Department of Reclamation in Book 85 at Page 23938. This should now be attached to the original permit to which it refers and to which it becomes an extended limitation.

Very truly yours,

E. N. HUMPHREY
Acting State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

23938

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

WHEREAS, Permit No. G-23938, in the name of DONNIE MILLER, requires proofs of completion of works and beneficial use to be made on or before April 2, 1958; and,

WHEREAS, said Permit was issued in connection with Desert Land Entry Idaho Serial #04084; and,

WHEREAS, applicant was prevented from proceeding with construction pending allowance of said Desert Land Entry, which was not allowed until May 6, 1954;

NOW, THEREFORE, an Extension of Time is allowed for Completion of Works and Beneficial Use Proofs on Permit No. G-23938 to May 6, 1959, or the length of time applicant was prevented from proceeding pending allowance of his Desert Land Entry and a similar extension is allowed for every other act required under the terms and conditions of Permit No. G-23938.

Signed at Boise, Idaho this 19th day of June, 1958

E. N. HUMPHREY
Acting State Reclamation Engineer

G-23938

2115
RECEIVED
JUN 17 1953
Department of Reclamation

June 14, 1958

Mr. Elmer Humphrey, Acting
State Reclamation Engineer
State of Idaho
Boise, Idaho

Dear Sir: Re: Water Permit, Donnie Miller, G-23938

With regard to the above water permit, please be advised that this was applied for in connection with my desert land entry, Idaho Serial #04084 which was not allowed in the Land Office until October 7, 1955.

I hereby respectfully request than an extension of time be granted for five years from the date of allowance or until October 7, 1960.

Very truly yours, -

Donnie Miller
523 Alturas St.
Twin Falls, Idaho

By Harley M. McDowell
Harley M. McDowell, Agent

Our records show Allowance made on
May 6, 1954
Confirmed this date with B.L.M. 6/17/58
D. E. Patent issued to Donnie Miller TR
on 6/22/56

A 23938

INSTRUCTIONS TO DELIVERING EMPLOYEE

- ☐ DELIVER ONLY TO ADDRESSEE (20¢ additional)
- ☐ SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (31¢ additional)

RECEIPT

Received from the Postmaster the Registered, Certified, or Insured Article, the number of which appears on the face of this return receipt.

1. SIGNATURE OR NAME OF ADDRESSEE

X

Mrs. Donna Miller

2. SIGNATURE OF ADDRESSEE'S AGENT (Agent should enter addressee's name in item 1 above)

3. DELIVERY DATE

23 May

19

58

4.

L23938

a L.H.

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE \$300

Permit #
433935

INSTRUCTIONS.—Show name, address and number of article below. Complete "Instructions to Delivering Employees" on other side, when applicable. Moistened gummed ends and securely attach to back of article. Enclose front of article RETURN RECEIPT REQUESTED.



REGISTERED NO.

NAME OF SENDER

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

19523

Department of Reclamation
Room 107 StateHouse

INSURED NO.

CITY, ZONE, AND STATE

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. G- 23938

May 21, 1958

To Donnie Miller
523 Alturas Street
Twin Falls, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 23938 to appropriate the Public Waters of the State of Idaho, have not been complied with as to _____

~~Completion of Works & Beneficial Use Proofs which were due April 2, 1958~~

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 23938 is hereby held for cancellation.

YOU ARE HEREBY required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

Said PERMIT NO. G- 23938 claims the use of 1.6 cubic feet per second of the Subterranean Waters of a well with point of diversion located SE 1/4 of Sec. 34, Twp. 8 S., Rge. 18 E., B.M., was approved April 2, 1953.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the 21st day of May, 1958.

Mark R. Kulp.

State Reclamation Engineer

NOTE: A copy of this Notice is being sent to:

Harley M. McDowell
P. O. Box 2161
Boise, Idaho

23938

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Idaho District Land Office

May 13 1954
Twin Falls, Idaho

(PLACE)

(DATE)

RECEIVED
MAY 13 1954

Department of Reclamation

NOTICE OF ALLOWANCE

Leon E. Miller,
3433 Meridian St.,
Twin Falls, Idaho

Sir:

Your Robert Land Entry, Serial No. 1480 012,
(Kind of application or entry)

Receipt No. 6183, for lot 1, sec. 3, T. 9 N., R. 18 E.

SE 1/4, Section 34

Township 8 N., Range 18 E., Boise Meridian,

containing 79.45 acres, has this day been allowed, subject to

your further compliance with law and regulations applicable thereto.

In correspondence relating to this entry, always refer to the serial number.

~~The above entry is subject to my claim~~

~~right-of-way and to my claim to the same.~~

Very respectfully,

Paul A. Shepard

cc: BLM, Shoshone, Idaho
State Rec. Div., Boise, Idaho

23938

*will be mailed
Friday*

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

RE: Permit No. G-23938

Date February 3, 1958

Donnie Miller
~~1827 Bortan Street~~ 523 ~~Alturas St.~~
Twin Falls, Idaho

Dear Sir:

The date for proofs of completion of works and application of water to beneficial use, as set out under the terms of Permit No. G-23938 are due not later than April 2, 1958.

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper with the county.

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

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer

Enclosures

P.S. A copy of this Notice and the forms are being mailed to:
Harley M. McDowell
P.O. Box 2161
Boise, Idaho

23938

May 2, 1955

RE: Permit No. G-23938

Mr. Harley M. McDowell
519 Idaho Building
Boise, Idaho

Dear Mr. McDowell:

We return Donnie Miller's application for amendment to the point of diversion in Permit No. G-23938 which has been approved by the State Reclamation Engineer and recorded in this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

23938

April 18, 1953

RE: Permits Nos. G-23937, G-23938, and G-23939

Mr. Harley M. McDowell
Idaho Building
Boise, Idaho

Dear Mr. McDowell:

We enclose Permits Nos. G-23937, G-23938, and G-23939 in the names of M. Willard Hoolsey, Donnie Miller, and Phyllis E. Williams, respectively, and direct attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose two copies of each of these permits, one of which has been certified, to be used in connection with the desert entries filed by the applicants in the Idaho Land & Survey Office.

We also enclose departmental receipt No. 25714 for \$22.50, which includes \$16.50 filing fees on these permits, and \$6.00 for the additional copies.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Aifg
Enc.

23938

Account No. 92938
As Approved
APR 2 1953
MARK R. KULP
State Reclamation Engineer

T 9 S - R 18 E
Section 1

78 S - R 18 E
Section 34

OFFICE OF THE

APPLICANT

BENEFICIAL USE

Notice is hereby given that at 10:30 A.M. on the 11th day of April, 1958, at Boise, Idaho, the following application was submitted for the diversion of 1.6 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23938 heretofore issued by the Department of Reclamation of the State of Idaho.

For the diversion of 1.6 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23938 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Donnie Miller, 523 Alturas St., Twin Falls, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.6 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 1.6 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T8S-R-18E, B.M.

5. The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T8S. R18E, B.M. NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T8S. R18E, B.M.

6. The date of priority which said user is prepared to establish is 3-25-53.

GEO. N. CARTER,

State Reclamation Engineer.