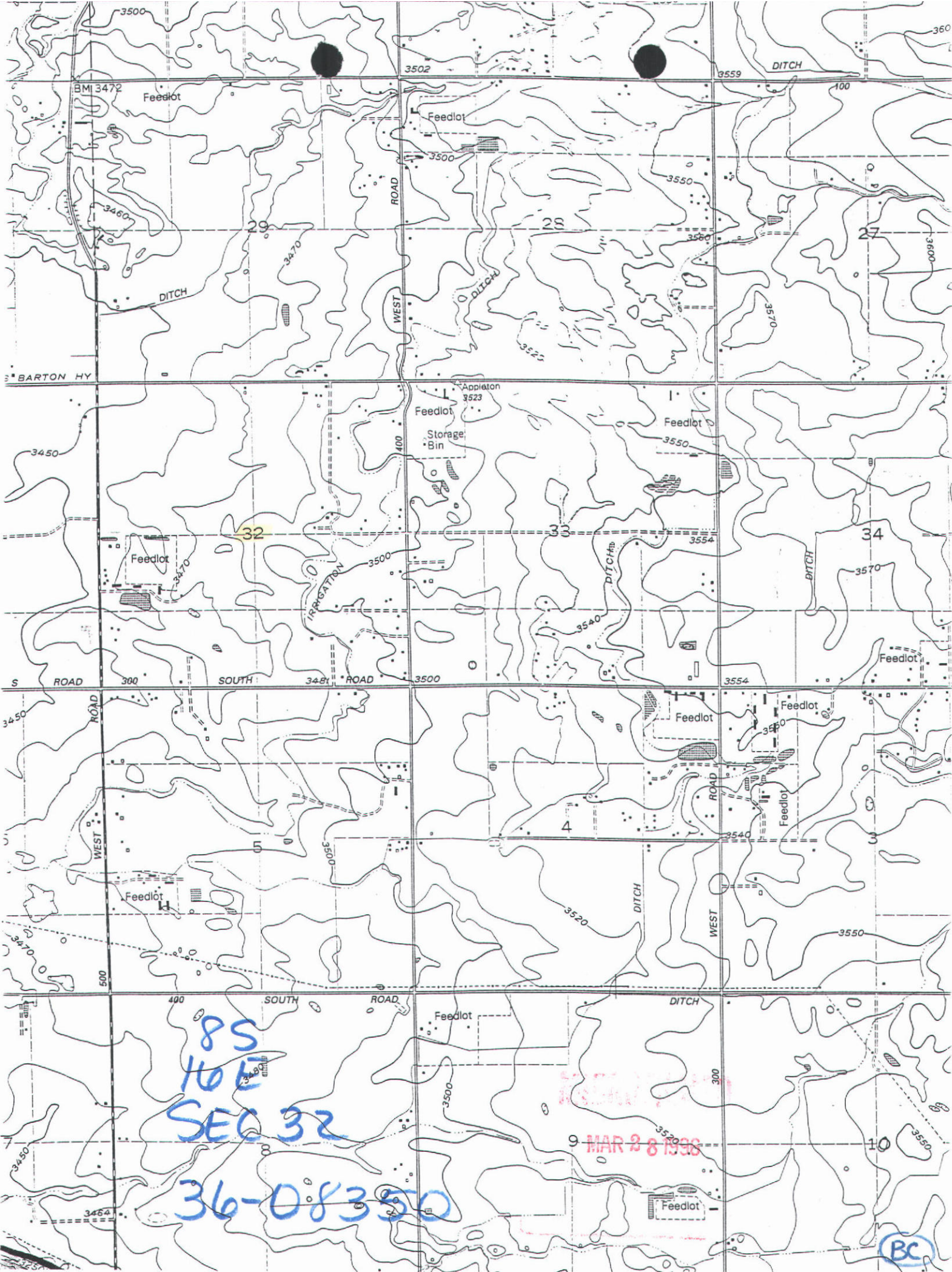




85
16 E
SEC 32
36-08350

MAR 28 1998



TED MILLER DAIRY AND HEIFER RANCH BENEFICIAL USE SUMMARIES W/RECOMMENDATIONS

(PERMITTED)	(FIELD EXAM)
PERMIT # 36-08350 STOCK WATER = 500 MILKERS 500 NON-MILKERS COMMERCIAL = DAIRY OPERATION DOMESTIC = 4 HOMES	PERMIT # 36-08350 STOCK WATER = 1120 MILKERS 480 NON-MILKERS COMMERCIAL = DAIRY OPERATION IRRIGATION = 2 ACRES * DOMESTIC = 1 HOME

See adjustment memo regarding the mention of irrigation here.

(PERMITTED)
PERMIT # 36-08225 STOCK WATER = 3000 IRRIGATION = 2 ACRES DOMESTIC = 1 HOME

FIELD EXAM
PERMIT # 36-08225 STOCK WATER = 920 NON-MILKERS DOMESTIC = 1 HOME

MAR 28 1996

RECOMMENDING

36-08350

STOCK WATER = 500 MILKING
480 NONMILKING

COMMERCIAL = DAIRY OPERATION

DOMESTIC = 1 HOME

RECOMMENDING

36-08225A

STOCK WATER = 620 MILKERS

COMMERCIAL = DAIRY OPERATION

IRRIGATION = 2 ACRES

RECOMMENDING

36-08225B

STOCK WATER = 920 HEIFERS

WHEN COMBINED WITH
A36-15162 SHALL NOT EXCEED
.18CFS NOR 15.2 cfs
A36-15162 covers the domestic
1 home.

WHEN COMBINED SHALL NOT EXCEED
0.87CFS NOR 106.1 cfs

SE/NE/NW

PERMIT 36-0835 INIT Int
T. R. S. Q/Q
P/D _____
SCALE _____
PHOTO ID. _____

BOB BARTON RD

30

31

32

LAGOON

FEED BANK

500 WEST

Corrals

Corrals

Corrals

Corrals

Corrals

HOSP. PENS

SHED

FEED RUNWAY

Corrals

Corrals

Corrals

Corrals

Corrals

HOUSE

DAIRY BARN

LAUN

LAUN

FEED RUNWAY

NW 1/4

IRRIGATION

SW

SE

T1271

985

C-M

C-M

MAR 28 1996

36-08225
↓

1.

36-08350

36-08350
↓

P.O.U.



2.

P.O.U.



3.

P.O.U.



RECORDED

MAR 28 1996

36-08350

4

P.O.U.



5.

P.O.U.

7 10 '95

8 1996



36-08350

#6

P.O.D

WELL LOCATED AT
RIGHT side of Pump
House



#7.

P.O.D

well located
at LEFT side of
Pump House ←

MICRO

MAR 28 1996





#8. 36-08350
P.O.D. Connections
to 1000 gal pressure
tank, To Lawn Sprinkler
to house & lawn, stock
water

#9.

P.O.D.
Shows BOOSTER pump
in Background pressurized
tanks for washing &
System cleaning



#10.

P.O.D
Shows
to tailoring meter



MAR 28 1996

#11

P.O.U.

MAIN
DAIRY Barn

#12.

P.O.U.

Irrigation
Component
2 acres

#13.

P.O.U.
Domestic
Component w/
Lawn.

RECORDED
MAR 28 1996

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Jerome } SS.

JUN 8 1988

Department of Water Resources
Southern Region Office
being first duly sworn,

SLH. Fulmer
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 18 day of May, 1988, and the date of the last publication was on the 25 day of May, 1988.

Subscribed and sworn to before me this 18th day of May, 1988.
(SEAL)

John J. Shwendner
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 27
Number of Insertions 2

Lines tabular at _____ 5¢/Pica
27 Lines straight at 14.04 4¢/Pica
27 Subsequent lines at 10.53 3¢/Pica
TOTAL COST 24.57

COPY OF NOTICE

(Paste Here)

Ted Miller Dairy
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
BILL TO
2148 Fourth Ave East
Twin Falls, ID 83301

NOTICE OF APPLICATION FOR WATER RIGHT

The following application has been filed to appropriate the public waters of the State of Idaho:

36-8350
TED MILLER DAIRY, 268 S. 500 W.,
JEROME, ID 83338
Source: GROUNDWATER
Diversion Pt.: SESENW Sec 32 T 08S R 16E; 2½ miles South & 5 miles West of Jerome:

Use: STOCKWATER (0.490 CFS)

COMMERCIAL (0.220 CFS)

DOMESTIC (0.1 CFS)

Date Filed: April 5, 1988

In: SENW Sec 32 T 08S R 16E.

The permit will be subject to all prior water rights. Protests must be filed with the Director Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before JUNE 6, 1988.

R. Keith Higginson
Director
397169 - N05-18-2tc

No 3028

MICROFILMED

SEP 28 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08350

Priority: April 5, 1988

Maximum Diversion Rate:

0.31 CFS

Maximum Diversion Volume:

46.0 AF

This is to certify, that TED MILLER DAIRY
455 BOB BARTON RD
JEROME ID 83338

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 5, 1988; and has submitted Proof of Beneficial Use on July 26, 1991. An examination indicates that the works have a diversion capacity of 0.890 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.31 CFS	26.7 AF
COMMERCIAL	01/01 to 12/31	0.22 CFS	19.3 AF
	Totals	0.31 CFS	46.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 32, Township 08S, Range 16E
JEROME County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 16E 32

NENW

NWNW

PLACE OF USE: COMMERCIAL

TWN RGE SEC

08S 16E 32

NENW

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

MAY 28 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08350

CONDITIONS OF APPROVAL AND REMARKS

6. Two points of diversion are located within NENW, S32, T08S, R16E.
7. Rights 36-15162 and 36-08225A are also diverted through the points of diversion described above.
8. Commercial use is for a dairy.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code, Witness the seal and signature of the Director, affixed at Boise, this 19th day of MARCH, 1996.

Acting for

KARL J. DREHER, Director

State of Idaho
Department of Water Resources

RECEIVED

MAR 14 1996

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08350

Department of Water Resources

Date of Priority: April 5, 1988

Maximum Diversion Rate: 0.31 CFS

Maximum Diversion Volume: 46.0 AF

Comes now

TED MILLER DAIRY

455 BOB BARTON RD

JEROME ID 83338

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 36-08350, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.31 CFS	26.7 AF
COMMERCIAL	01/01 to 12/31	0.22 CFS	19.3 AF
	Totals	0.31 CFS	46.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 32, Township 08S, Range 16E
JEROME County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 16E 32

NENW

NWNW

PLACE OF USE: COMMERCIAL

TWN RGE SEC

08S 16E 32

NENW

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

Signed at

Jerome Id

, this

8th

day of

March, 19 *96*.

Ted Miller
(Signature)

MAR 28 1996

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08350

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = _____ Received by RT #35060 Date 3/16/96

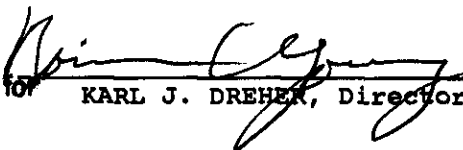
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 36-08350 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
6. Two points of diversion are located within NENW, S32, T08S, R16E.
7. Rights 36-15162 and 36-08225A are also diverted through the points of diversion described above.
8. Commercial use is for a dairy.

Witness my hand this 19TH day of MARCH, 1996.


Acting for KARL J. DREHER, Director

MAR 28 1996

RECEIVED
JUL 25 1991

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 50.00
Date 7-26-91
Receipt No. 001313
Received by [Signature]

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 36 08350 Telephone No. 324-1191
2. Name(s) of Permit Holder(s): Ted Miller - Dairy
3. Post Office Address: 455 Bob Barton Rd, Jerome, Idaho
4. Source of Water: Groundwater
 - a. If ground water, well driller's name: Smith Drilling & Pump Date drilled: 6-14-89
 - b. Pump horsepower: 25 hp Pressure (psi): 40 Dynamic pumping level (ft.):

5. Extent of Use:

Domestic 1 (No. of households) Irrigation (No. of acres)
Stockwater (No. and type of stock) Other Dairy

6. Total rate and/or volume for which proof is submitted .5 cfs acre/feet

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

Measuring device: Required? Yes ☒ No ☐ Installed? Yes ☐ No ☐
OR
Flow Measurement Port: Required? ☒ Yes ☒ No ☐ Installed? Yes ☐ No ☐

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

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

Ted Miller 324-1191
Name Telephone No.
455 - Bob Barton Rd, Jerome, Idaho
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

7/21/91
Date

Ted Miller (owner)
Signature (and title if on behalf of a company or organization)

FILED
AUG 22 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Ted Miller Dairy Phone 324-7639
Post office address 268 So. 500 W., Jerome, ID 83338

2. Source of water supply Well Groundwater which is a tributary of Ground Water

3. Location of point of diversion is ^{2 points} SE $\frac{1}{4}$ of ~~NE~~ SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 32 Township 8S Range 16E B.M. Jerome County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.10 cfs for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.49 cfs for Stockwater purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.22 cfs for Commercial purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.81 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Two wells & pumps

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 8 inches; proposed depth of well is 200 feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

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

FILED

SEP 28 1988

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 500 dairy cows, 500 dry cows
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. four
- e. Other; describe fully. commercial use in dairy barn

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for *Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8S	16E	32								X									

X = P/U for all uses

Total number of acres to be irrigated _____

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

none

11. a. Who owns the property at the point of diversion? Applicant

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

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

12. Remarks: _____

SEP 28 1988

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

R. 15E

T. 8S

33

MICHIGAN

Scale: 2 inches equal 1 mile.

SEP 28 1988

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.

Regd. Miller Dairy
by Theodore E. Miller
(Applicant)

Proposed Priority 4/5/88
Received by J Date 4-5-88 Time 11:26 am Preliminary check by TB
Fee \$ 45.00 Received by J # 5000008 Date 4-5-88
Publication prepared by M. Baldwin Date 5/6/88 Published in North Side News
Publication approved TG Date 6/24/88

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. 36-8350, 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
August 1, 19 91.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other
water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all
rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time
than the priority of this permit and shall not give rise to any right or claim against any future rights to the
use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this
permit.
- e. Other:

Permit holder shall comply with the drilling permit requirements
of Section 42-235, Idaho Code.

Permit holder shall commence the excavation or construction of
diverting works within one year of the date this permit is issued and shall
proceed diligently until the project is complete.

Prior to the diversion of water under this permit a flow
measurement port or other device as specified by the Department shall be
installed to provide for the installation of measuring equipment and the
determination of the rate of diversion by the Department.

Return flow if discharged to a subsurface system must be
authorized by a separate injection well permit, and return flow if
discharged to a surface water system shall meet Idaho Water Quality
Standards.

Witness my hand this 3rd day of August, 1988.

RECEIVED

Director

SEP 28 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 19, 1996

Norman Semanko
Rosholt, Robertson & Tucker
142 3rd Ave North
PO Box 1906
Twin Falls ID 83303-1906

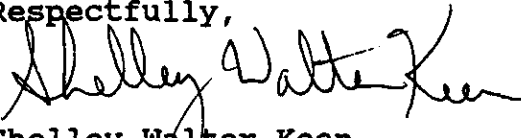
RE: Water Right Nos. ~~36-08250~~/36-08225A/36-08225B in the
name of Ted Miller/Jane Ledbetter & Ted Miller Dairy

Dear Mr. Semanko,

Enclosed are copies of the water right licenses issued on the
above referenced permits along with copies of the approved
Applications for Amendment.

Should you or your clients have any questions regarding these
documents, please contact me at (208) 327-7946.

Respectfully,


Shelley Walter Keen
Water Right Supervisor

SK:rl

RECEIVED
MAR 28 1996

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
PAUL W. SAMUELSON
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

RECEIVED

MAR 14 1996

Department of Water Resources

March 11, 1996

Shelley Walter Keen, Water Rights Supervisor
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

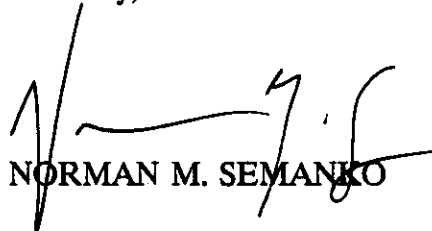
Re: Ted Miller - Permit Amendments

Dear Ms. Keen:

As requested, please find enclosed the three signed permit amendments along with the \$150 in application fees. Please send a copy of the approved amendments once they are finalized. Given the nature of the amendments, we trust that no formal publication or hearing will be necessary, consistent with Section 42-211, Idaho Code.

Thank you for your cooperation.

Sincerely,


NORMAN M. SEMANKO

NMS:le
03119606.NMS

Enclosures

cc: Ted Miller

RECEIVED
MAR 28 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 26, 1996

NORMAN M SEMANKO
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906

RE: Ted Miller Dairy/Licensing of Permits 36-08350, 36-08225A,
and 36-08225B

Dear Mr. Semanko:

Thank you for your letter written on behalf of Ted Miller Dairy. Your check for \$200 was received and applied to the outstanding examination fee balances for permits 36-08350 and 36-08225. I am writing to respond to your two suggestions for clarifying the proposed permit amendments.

1) Your first proposal is to amend permits 36-08350 and 36-08225 so that each can be diverted from all three of Mr. Miller's wells. (Right 36-15162 is represented only by a claim filed in the Snake River Basin Adjudication and is, therefore, outside the purview of the licensing process.) The department's field examiner reported finding two distinct water distribution systems, one including two interconnected wells and another receiving water diverted from only one well. The examiner's recommendation to split permit 36-08225 into two portions is consistent with Water Appropriation Rule 35.03.b.ii., which says, in part, "Only one source shall be listed on an application unless the application is for a single system which will have more than one source." Because Mr. Miller has two distinct delivery systems, permit 36-08225 is being split to differentiate between the two systems. If Mr. Miller is interested in linking the three wells into one system in the future, he can file an application for transfer under the provisions of Idaho Code §42-222 to add a point of diversion to each of the rights.

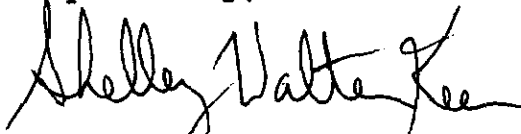
2) Your second recommendation was to eliminate condition no. 9 (stating the number of stock served) from the proposed amendment for permit 36-08225A. I have enclosed revised amendment forms for 36-08225A and 36-08225B. Both have the condition removed.

MAR 28 1996

Mr. Norman M. Semanko
Re: Ted Miller Dairy
February 26, 1996
Page 2

I appreciate your efforts to answer Mr. Miller's questions and concerns. I will look forward to receiving Mr. Miller's amendments within thirty days. If you have any questions, please contact me at 208-327-7946 in Boise.

Respectfully,

A handwritten signature in cursive script, appearing to read "Shelley Walter Keen".

Shelley Walter Keen
Water Rights Supervisor

SWK
Enclosures

RECEIVED

MAR 28 1996

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: C034832

Date:
Time: 2/16/1996
13:29:06

Received
From: ROSHOLT, ROBERTSON AND

Type of Payment		Program A cct	Amount
BENEFICIAL USE, LIC EXAM #36-08350	56104	229 21 1155	75.00
BENEFICIAL USE, LIC EXAM #36-08225	56104	229 21 1155	125.00
CHECK	24358	Total \$	200.00

Region: STATE

Signature: Jr Wyatt

RECEIVED

MAR 28 1996

C034832 200.00
2-16-96 ju

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
PAUL W. SAMUELSON
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

RECEIVED

FEB 15 1996

Department of Water Resources

February 14, 1996

Shelley Walter Keen, Water Rights Supervisor
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

VIA FACSIMILE: (208) 327-7866
and U.S. MAIL

Re: Ted Miller Dairy/Licensing of Permit Nos. 36-08350, 36-08225A, and 36-08225B

Dear Shelley:

Ted Miller has asked us to contact you regarding the licensing of Permit Nos. 36-08350, 36-08225A and 36-08225B, in response to your letters dated January 17, 1996.

Please find enclosed a check for \$200.00. This check is meant to cover the licensing examination fees and late fees referred to in your letters of January 17, 1996, regarding the licensing of Permit Nos. 36-08350, 36-08225A and 36-08225B. An additional \$150.00 will be forwarded to cover the application fees for amending each of these three permits as soon as the concerns listed below are addressed and our client is able to sign and submit those applications to the department.

With regard to the proposed permit amendments, we believe a few additional clarifications are needed before our client can sign the applications for amendment for Permit Nos. 36-08350, 36-08225A and 36-08225B.

(1) The proposed permit amendment (condition no. 6) for Permit No. 36-08350 states that there are two points of diversion in the NENW, S32, T08S, R16E which serve Permit No. 36-08350, as well as water rights nos. 36-15162 and 36-08225A. However, Ted Miller informs us that there are actually three points of diversion. All water rights should be able to come from any or all of these three points of diversion. As a result, the word "Two" in condition no. 6 of the amendment to Permit No. 36-08350 should be replaced with the word "Three". This same correction should be made in condition no. 7 of the amendment to Permit No. 36-08225A. Also, water right no. 36-08225B should be added to the list of rights that is diverted from these three points of diversion. Finally, a similar

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MAR 28 1996

Shelley Walter Keen
February 14, 1996
Page 2

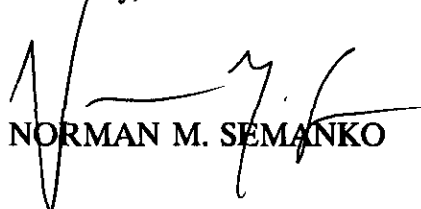
condition to those mentioned above should be included in the amendment for Permit No. 36-08225B. We want to assure the maximum flexibility to divert these four water rights (36-08350, 36-15162, 36-08225A and 36-08225B) from the three points of diversion that exist.

(2) At Ted Miller's request, you have removed any reference to the number of range cattle or dairy cattle allowed under Permit No. 36-08350 (previous condition no. 8). However, such a condition still exists in the amendment to Permit No. 36-08225A. To avoid confusion in interpreting the permits after they are licensed, and remain consistent with what was done for Permit No. 36-08350, we suggest removing condition no. 9 from the amendment to Permit No. 36-08225A.

Once these changes to the applications for amendment are made, or our concerns are otherwise satisfied, please forward the revised applications to us for Ted Miller's signature. We will then forward them to the department, along with the \$150.00 filing fee (\$50.00 for each application).

If you have any questions, please feel free to contact us at (208) 734-0700.

Sincerely,



NORMAN M. SEMANKO

02139603.NMS

Enclosure (check for \$200.00 via U.S. mail)

cc: Ted Miller

MAR 28 1996

MEMORANDUM

DATE: February 13, 1996

TO: File 36-08225 and 36-08350

FROM: Shelley W. Keen *SWK*

RE: Phone call from Ted Miller

=====

Ted Miller called me yesterday to ask that all correspondence associated with permit 36-08225 and SRBA claim A36-15162 be sent to him at 455 Bob Barton Rd. in Jerome. He also said that he would have his attorney contact me to discuss the licensing of permits 36-08225 and 36-08350. I will ask Sally Sherman in the Adjudication Bureau to send Mr. Miller an SF3 so he can change the address on his claim.

[Handwritten: 100-1145]

MAR 28 1996

MEMORANDUM

To: File 36-08350
From: L. Glen Saxton *WJ*
RE: TELEPHONE CONVERSATION WITH TED MILLER
Date: January 19, 1996

On this date at 3:10 p.m., I called Ted Miller at the request of Shelley Keen. Shelley was attempting to help Mr. Miller today who was inquiring about why application no. 36-08350 showed 500 cows instead of 1,200 cows. When Shelley did not know, Miller wanted to talk to his supervisor.

Miller asked me several civil questions which I attempted to answer. I also advised that I did not know how 500 cows instead of some other number of cattle appeared on his application. I advised that the 500 cows was shown on the application which he signed. He disputed this and said it was not a contiguous piece of paper with that which he had signed. When I offered a solution to the problem suggesting that he could purchase a part of some other water right, he became sarcastic about the department in general and about Jim Stanton in particular. He emphatically stated that he would not purchase any water rights and threatened court action.

When I advised Miller that if he continued to be sarcastic, I would not talk to him, he stated "You must really be some guy" and then asked for the name of my supervisor which I gave him.

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MAR 28 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 17, 1996

TED MILLER DAIRY
455 BOB BARTON RD
JEROME ID 83338

RE: WATER RIGHT NO. 36-08350

Dear Mr. Miller:

Thank you for calling me last month to discuss your water right, permit 36-08350. Because of your concerns, I am removing the condition limiting the number of cattle associated with the stockwater portion of your right. Before your water right can be licensed, however, it must still be amended to reflect the correct point of diversion and place of use. I have enclosed a new amendment form with the stockwater condition removed.

Also, I would like to remind you that there is a choice you need to make before your water right license can be issued. As I explained in my January 17, 1996, letter to you, the Department's field examiner found that your diversion system is capable of producing .89 cfs. Rights 36-15162 and 36-08225A, totalling .58 cfs, are also diverted from the same two wells, leaving .31 cfs of water available for right 36-08350. According to Idaho Code, Section 42-221, the required examination fee for .31 cfs is \$100.00. However, when you paid your examination fee in 1991, you submitted \$50.00, which covers an examination for no more than 0.20 cfs.

In order for your license to reflect the .31 cfs, you must submit the balance of the examination fee, \$50.00, plus a late payment penalty fee of \$25.00 within 30 days. If we receive the examination fees after 30 days from the date of this letter, the priority date of your right will be advanced in accordance with Section 42-217 of the Idaho Code. If you are satisfied with a water right for 0.20 cfs, you can disregard this request.

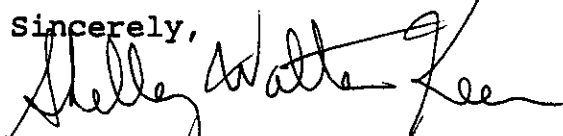
Please submit the amendment of permit to me with the \$50.00 fee within thirty (30) days. If I do not hear from you within that time period, I will assume you no longer have an interest in this water right, and I will begin the process to void your permit. If you want a right to divert .31 cfs, you must also submit \$75.00 to cover the portion of the examination fee you did not pay in 1991.

MAR 28 1996

Ted Miller Dairy
Re: Permit 36-08350
February 9, 1996
Page 2

If you have any questions about this information, please contact me as soon as possible at (208) 327-7946.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley Walter Keen".

Shelley Walter Keen
Water Rights Supervisor

SWK

Enclosures

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FEB 10 1996

MAR 28 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 17, 1996

TED MILLER DAIRY
455 BOB BARTON RD
JEROME ID 83338

RE: WATER RIGHT NO. 36-08350

Dear Water Right Holder(s):

The above referenced water right is currently being reviewed for licensing. Our review has revealed two issues that you need to address.

Issue One: The Department's field examiner found that your diversion system actually produces up to .89 cfs. Rights 36-15162 and 36-08225A are also diverted from the same two wells for a total of .58 cfs, leaving .31 cfs of water available for this right.

According to Idaho Code, Section 42-221, the examination fee for .31 cfs is \$100.00. However, when you filed the required Proof of Beneficial Use form (copy enclosed) to show the extent of your development in 1991, the fee you enclosed only covered a maximum of .20 cfs.

In order for your license to reflect the .31 cfs, you must submit an additional \$50.00 for a diversion of .31 cfs, plus a late payment penalty fee of \$25.00 within 30 days. If we receive the examination fees after 30 days from the date of this letter, the priority date of your right will be advanced in accordance with Section 42-217 of the Idaho Code.

Issue Two: Before a license can be issued, your permit must be amended to correspond with the findings of the Department field examiner as related to the point of diversion and place of use descriptions of your water use. Please review the enclosed Application for Amendment carefully, and if you concur with the examiner's findings, sign and return the amendment with the statutory \$50.00 amendment filing fee.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

MAR 28 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

A total of \$125.00 (\$50.00 balance of exam fee, plus \$25.00 penalty fee, plus \$50.00 for filing licensing amendment) is due within 30 days so that we can issue your license for water right 36-08350.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible at (208) 327-7946. .

Sincerely,

A handwritten signature in cursive script that reads "Shelley Walter Keen".

Shelley Walter Keen
Water Rights Supervisor

SWK:rl

Enclosures.

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MAR 28 1996

Note: Fees up to .20 CFS were paid (\$50⁰⁰)
If he wants the remaining portion he is entitled to he will have to pay the additional \$50⁰⁰ + 25⁰⁰ penalty + \$50 amendment fee.
TOTAL DUE \$125⁰⁰

WR0749NP
No. L36-08350

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/28/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TED MILLER DAIRY 455 BOB BARTON RD JEROME ID 83338 (208) 324-1191	04/05/1988	STOCKWATER COMMERCIAL	01-01 12-31 01-01 12-31	0.310 CFS 0.220 CFS	26.70 AFA 19.30 AFA
TOTAL DIVERSION:					0.310 CFS	46.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.890 CFS

Point(s) of Diversion: T08S R16E S32 NENW JEROME County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
08S	16E	32	:					S		S									

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
08S	16E	32	:					C											

Pou County: JEROME

Other Water Rights Listing Overlapping Place(s) of use:
36-08225 36-08225A 36-08225B L36-08225A

Conditions of Approval:

- 09E - Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

Remarks: Two points of diversion are located within NENW, S32, T08S, R16E.
Rights 36-15162 and 36-08225A are also diverted through the points of diversion described above.
Stockwater use is for 480 range cattle and 500 dairy cattle.
Commercial use is for a dairy.

Dates: App. Received: 04/05/1988 Priority Date: 04/05/1988
Proof Due Date: 08/01/1991 Proof Made Date: 07/26/1991
Exam Made Date: 07/20/1995 Exam Sent to S.O.: 12/12/1995
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

LICENSE REVIEW CHECKLIST

PERMIT NO. 36-08350 DATE 12-26-95



NAME Change OK ☒ Or Address Change? ☐

PRIORITY DATE Advance? ☒ Advanced to: Order to reinstate needed? ☐ Incorrect fee for rate recommended? *NO

SOURCE Changes or just clarification of originally intended source? Notice of Intent to Void necessary? ☐

CAPACITY = .89 cfs
36-15162 = .04
36-0822A = .54
AVAILABLE .31 cfs

Amendment needed? Change to NENW 1/4 1/4
Overlaps? 36-08225 A @ .54 cfs } .58 cfs
and 36-15162 @ .04
Amendment needed? Change to NENW + NWNW
Overlaps? 36-08225 A

DIV RATE ☒ Permit/fee limits: .81 cfs / *PAID FOR UP TO .20 cfs
DAIRY COWS = .32
RANGE COWS = .11 } .43
COM DAIRY = .22
(DOM covered already)
ANNUAL VOLUME
Reduced rate will provide volume needed

THEO (1) = .56 cfs Theo (2) .33 Recommend: .65
(commercial rate permit limit is .22)
TOTAL CAPACITY = .89 cfs (.89 - .58 = .31 cfs)
Combined rates exceed capacity

Volume Limit: Season: 1-1 to 12-31
Calculations: COM VOL OK @ 19.3
STOCK VOL OK @ 26.7
Flow limit: .31 cfs x 365 x 1.9835 = 224
Combined volumes exceed capacity/allowable

USES ☒ Change in Nature of Use or additional uses? ☐ Amendment necessary? ☐

ADDITIONAL INFO Supplemental Groundwater ☐ PPU Scenario ☐
 Irr/Dom Combination ☐ Shared G/W System ☐

NEW REMARKS W32 Multiple p/d(s) in 1/4 1/4? NENW-SEC 32-85-16E
W36 Other 36-08225A + 36-15162

NEW CONDITIONS com use for a dairy STOCKWATER FOR 480 range and 500 milkers.
Watermaster control - District
Measuring/Locking Devices
Irrigation Overlap
Other
D9E Water Quality Heat/Cool/Fish verified (36-08225)

COMMENTS: ① DOMESTIC IS ALREADY COU
* ② Only paid for up to .20 cfs submitted to court.
END P/D & P/U

RECOMMENDATION	CFS	VOLUME	im Filed	NO
<u>Stockwater</u>	<u>.31</u>	<u>26.7</u>	<u>mo Needed</u>	<u>YES</u>
<u>Commercial</u>	<u>.22</u>	<u>19.3</u>		
<u>TOTAL</u>	<u>.31</u>	<u>46.0</u>		

1ST AMEND LETTER P37 + P38
 2ND AMEND LETTER P47

* The .20 cfs would supply the volume if he doesn't pay the fees.

LICENSE REVIEW CHECKLIST

PERMIT NO. 36-08350 DATE 12-26-95



NAME Change OK Or Address Change? ✓

PRIORITY DATE ✓ Advance? ✓ Advanced to: Order to reinstate needed?
 Incorrect fee for rate recommended? *NO

SOURCE Changes or just clarification of originally intended source?
Notice of Intent to Void necessary?

CAPACITY = .89 cfs
36-15162 = .04
36-0822A = .54
AVAILABLE .31 cfs

Amendment needed? Change to NENW 1/4 1/4
Overlaps? 36-08225 A @ .54 cfs } .58 cfs
and 36-15162 @ .04
Amendment needed? Change to NENW + NWDW
Overlaps? 36-08225 A

DIV RATE ✓ Permit/fee limits: .81 cfs / *PAID FOR UP TO .20 cfs
DAIRY COWS = .32
RANGE COWS = .11 } .43
com DAIRY = .22
(Dom covered already)
ANNUAL VOLUME
Reduced rate will provide volume needed

THEO Q1 = .56 cfs Theo Q2 = .33 Recommend: .65
(Commercial rate permit limit is .22)
TOTAL CAPACITY = .89 cfs (.89 - .58 = .31 cfs)
Combined rates exceed capacity

Volume Limit: Season: 1-1 to 12-31
 Calculations: com VOL OK @ 19.3
STOCK VOL OK @ 26.7
 Flow limit: .31 cfs x 365 x 1.9835 = 224
 Combined volumes exceed capacity/allowable ✓

USES ✓ Change in Nature of Use or additional uses? Amendment necessary?

ADDITIONAL INFO

Supplemental Groundwater PPU Scenario
 Irr/Dom Combination Shared G/W System

NEW REMARKS

W32 Multiple p/d(s) in 1/4 1/4? NENW-SEC 32-85-16E
W36 Other 36-08225A + 36-15162
com use for a dairy STOCKWATER FOR 480 range and 500
milkers.

NEW CONDITIONS

Watermaster control - District
Measuring/Locking Devices
Irrigation Overlap
Other
09E Water Quality Heat/Cool/Fish verified (36-08225)

COMMENTS: ① Domestic is already covered by (A) 36-15162 submitted to court.

* ② Only paid for up to .20 cfs Amend P/D + P/U

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	NO
Stockwater	.31	26.7	Adjustment Memo Needed	YES
Commercial	.22	19.3	LICENSE	
			Special +	
			1ST AMEND LETTER	P37 + P38
			2ND AMEND LETTER	P47
TOTAL	.31	46.0		

* The .20 cfs would supply the volume if he doesn't pay the fees.

MEMORANDUM

TO: File 36-08350 / Ted Miller
FROM: Brenda Chapman
DATE: December 28, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 36-08350 are based on the information below:

Note: The examiner mentioned there was irrigation of 2 acres occurring under this right. These two wells do cover the irrigation use, but it was a permitted use and is covered under the licensing recommendation for 36-08225A. Right 36-08225A also uses the same two wells.

C. DIVERSION AND DELIVERY SYSTEM

1. Point of Diversion: According to the examiner, well/pump number 1 is 230' deep with a static level of 159'. The well log he included in the exam for well #1 is one of the wells in the recommendation for another dairy owned by Mr. Miller, which is south of this one. The licensing of that dairy (36-08223) is also being processed at this time. According to a 1989 well log in the file, well # 1 is 224' deep with a static level of 147'.

F. FLOW CALCULATIONS

The recommended capacity for well no. 1 has been adjusted based on the above information.

$$\frac{8.8 \times .7 \times 25 \text{ hp}}{147 + (2.31 \times 55 \text{ psi})} = .56 \text{ cfs}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Stockwater	1-01 to 12-31	.31	26.7
Commercial	1-01 to 12-31	.22	19.3

- a) The stock rate is limited to the remaining portion of the capacity at .31 cfs.
- b) The permit limit for commercial use is .22 cfs.
- c) The domestic use is fully covered under court submitted SRBA claim 36-15162 and will not be recommended here.

MAR 28 1996

MEMORANDUM

TO: File 36-08350 / Ted Miller
FROM: Brenda Chapman
DATE: December 28, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 36-08350 are based on the information below:

C. DIVERSION AND DELIVERY SYSTEM

1. Point of Diversion: According to the examiner, well/pump number 1 is 230' deep with a static level of 159'. The well log he included in the exam for well #1 is one of the wells in the recommendation for another dairy owned by Mr. Miller, which is south of this one. The licensing of that dairy (36-08223) is also being processed at this time. According to a 1989 well log in the file, well # 1 is 224' deep with a static level of 147'.

F. FLOW CALCULATIONS

The recommended capacity for well no. 1 has been adjusted based on the above information.

$$\frac{8.8 \times .7 \times 25 \text{ hp}}{147 + (2.31 \times 55 \text{ psi})} = .56 \text{ cfs}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Stockwater	1-01 to 12-31	.31	26.7
Commercial	1-01 to 12-31	.22	19.3

The stock rate is limited to the remaining portion of the capacity at .31 cfs.

The permit limit for commercial use is .22 cfs.

The domestic use is fully covered under court submitted SRBA claim 36-15162 and will not be recommended here.

MAR 28 1996

WELL DRILLER'S REPORT

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

1. WELL OWNER

Name Ted MillerAddress JMMMM Jerome, FEB 9 - 1990Owner's Permit No. 36-89-S-050 Department of Water Resources
Southern Region Office

2. NATURE OF WORK

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

3. PROPOSED USE

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

4. METHOD DRILLED

- ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other

Thickness	Diameter	From	To
250 inches	6.5/800	1	20
inches	inches	feet	feet
inches	inches	feet	feet
inches	inches	feet	feet

Was casing drive shoe used? ☐ Yes ☒ NoWas a packer or seal used? ☐ Yes ☒ NoPerforated? ☐ Yes ☒ NoHow perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun

Size of perforation inches by inches

Number	From	To
perforations	feet	feet
perforations	feet	feet
perforations	feet	feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name

Type Model No.

Diameter Slot size Set from feet to feet

Diameter Slot size Set from feet to feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel

Placed from feet to feet

Surface seal depth 19 Material used in seal: ☐ Cement grout☐ Bentonite ☒ Pudding clay ☐Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☐ Welded ☐ Solvent☐ Cemented between strata

Describe access port

7. WATER LEVEL

Static water level 159 feet below land surface.

Flowing? ☐ Yes ☒ No G.P.M. flow

Artesian closed-in pressure p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature OF. Quality

Describe artesian or temperature zones below.

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Air ☐ Other

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

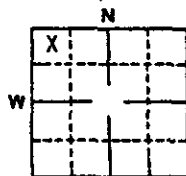
Bore Diam.	Depth From	To	Material	Water Yes No
10	0	94	Top Soil	X
	94	21	Gray Basalt	
8	21	32	Crevice	
	32	52	Crevice - Broke n s/soft spots	
	52	57	Broken	
	57	62	Med Hard	
	62	70	Broken w/soft spots	
	70	79	Med Hard	
	79	82	Med Hard - Large breaks	
	82	95	Med Hard small broken	
	95	97	Med Hard	
	97	102	Large breaks	
	102	110	Med Hard	
	110	115	Broken w/soft spots	
	115	129	Med Hard w/sm. breaks	
	129	137	g. Broken w/soft spots	
	137	147	Med Hard w/small breaks	
	147	153	Broken	
	153	169	Med Hard	X
	169	174	Soft	X
	174	182	Med Hard w/large breaks	X
	182	192	Med Hard w/sm. breaks	
	192	200	Med Hard	
	200	202	Large breaks	
	202	207	Med Hard	
	207	213	Med Hard w/small breaks	
	213	227	Med Hard	
	227	230	Med Hard w/large breaks	X

10.

Work started 6/13/89 finished 6/14/89

11. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name

Lot No. Block No.

County Jerome

NW 1/4 Sec. 32, T. 8S, R. 16E, B. 1W

11. DRILLERS CERTIFICATION

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

Firm Name SMITH DRILLING & PUMPING INC. 11

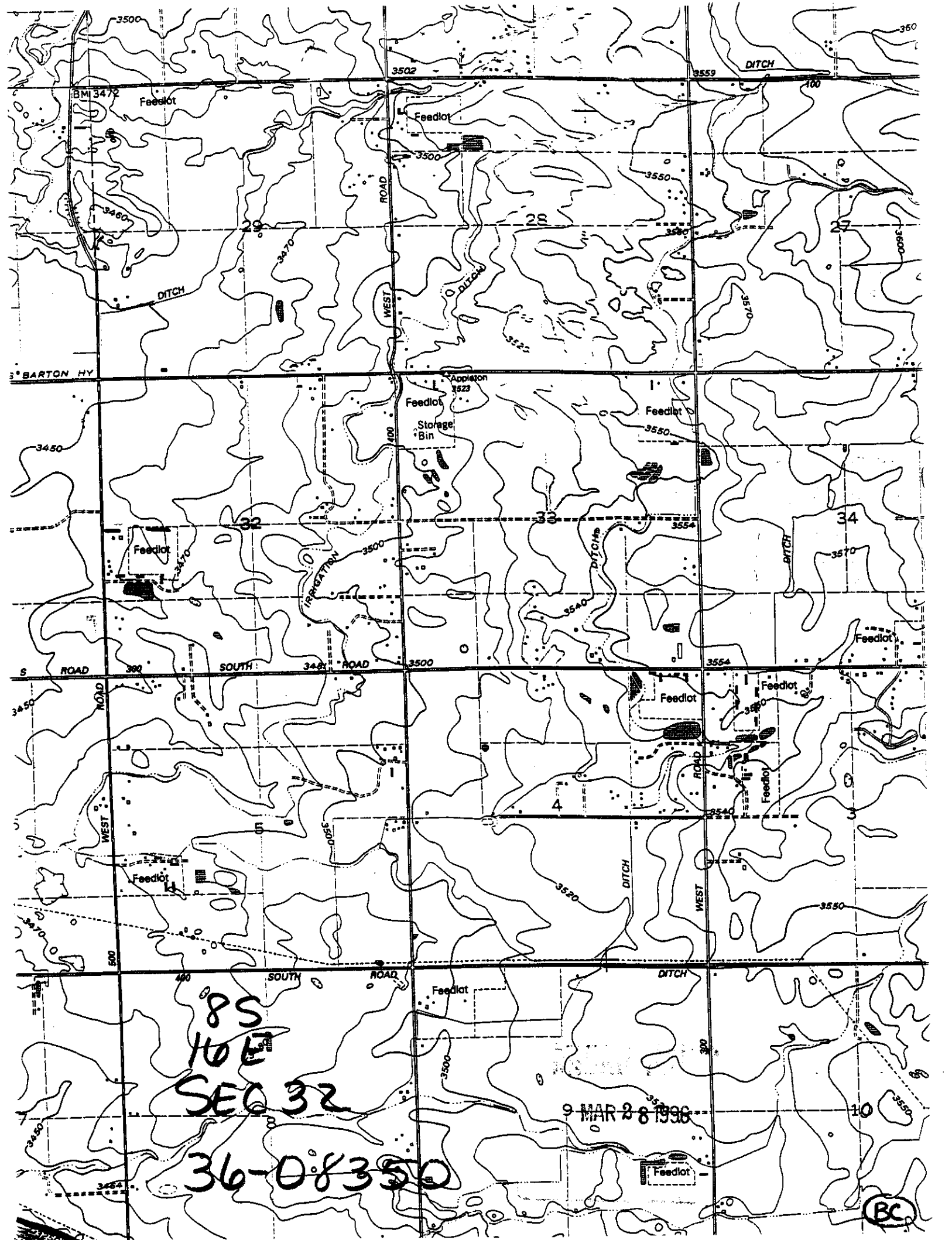
Address Jerome Date 8/1/89

Signed by (Firm Official)

and

(Operator)

This well is
One of the
p/o's for
L36-08223



RECEIVED
DEC 14 1995

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 14 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08350

1. Owner: Ted Miller (Dairy) Phone No. (208) 324-1191

Current Address: 455 Bob Barton Road, Jerome ID 83338

2. Accompanied by: Ted Miller EXAM DATE: 08-08-1995

Address: Same Phone No.: Same

Relationship to Permit Holder: Owner

3. Source: Ground water tributary to None

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 36-08225A

2. Other water rights with the same point of diversion: None 36-08225A

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
1		sw	ne	nw	32	08s	16e	Jerome	Orthophoto Quad Map
2		se	ne	nw	32	08s	16e	Jerome	Orthophoto Quad Map

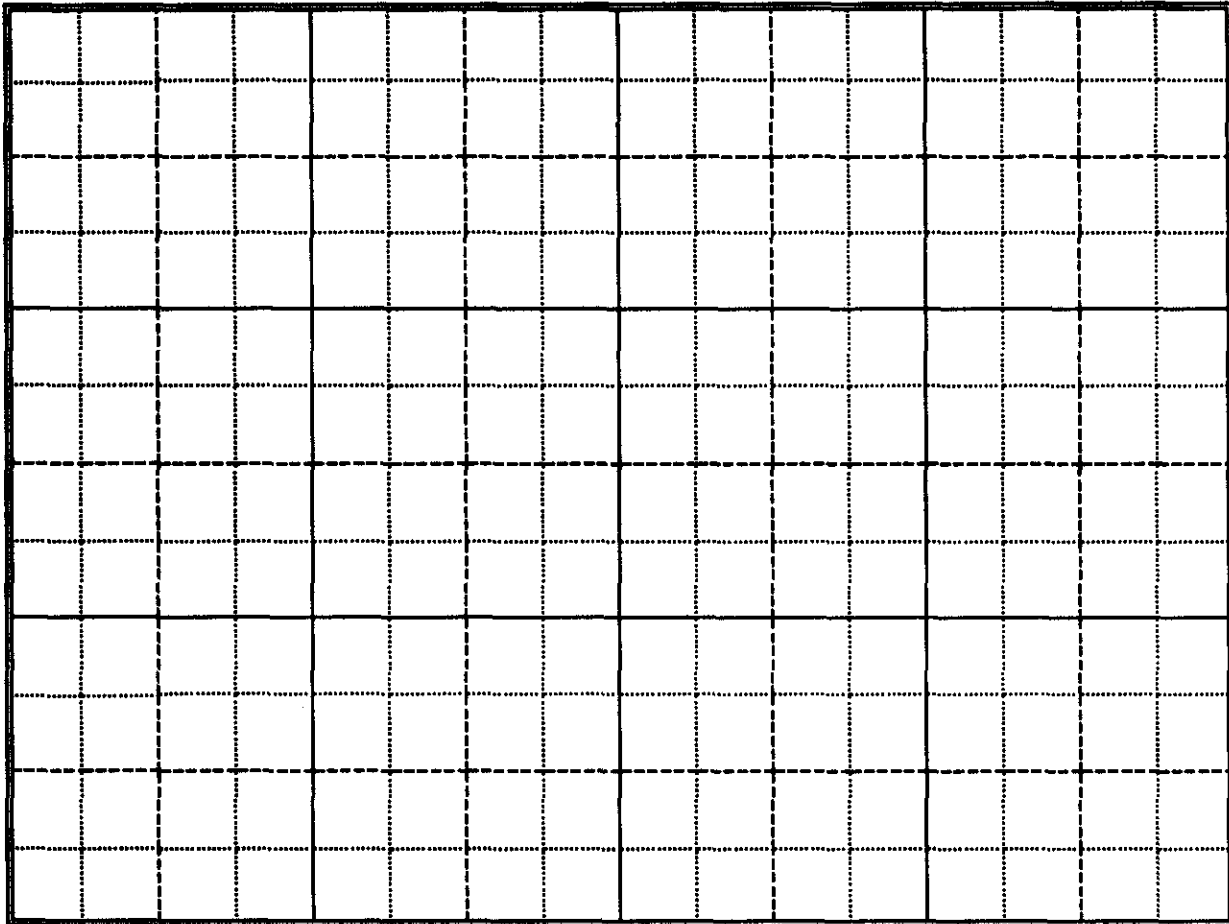
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08s	16e	32					C												
08s	16e	32					D												
08s	16e	32					S												
							S												

MAR 28 1996

3. **Delivery System Diagram:** Include all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. See attached map



Scale: 1" = Not to Scale

___ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and piece(s) of use (required).

X Aerial Photo Attached (required for irrigation of 10 + acres)

X Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1	Gen Elect	25	unk	Gruend Pas	
2	Gen Elect	15	unk	Hitachi	

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Totalizing Meter	digital	Aqua-Flow	unk	unk	unk	

2. Measurements: _____

MAR 28 1996

E. NARRATIVE/REMARKS/COMMENTS

See attached Narrative

Have conditions of permit approval been met? X yes no

APPROVED

MAR 28 1996

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

See Dairy Worksheet

System Capacity 0.87

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$

2. Volume Calculations for Other Uses:

See Dairy Worksheet

H. RECOMMENDATIONS:

This permit, when combined with 36-08225A shall not exceed 0.87cfs nor 106.1afa

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
* Stockwater	01-01	12-31	0.42cfs	26.7afa
Commercial	01-01	12-31	0.35cfs	19.3afa
Domestic	01-01	12-31	0.04cfs	0.6afa
Totals:			0.81cfs	46.6afa

2. Recommended Amendments

☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other**I. AUTHENTICATION**Field Examiner's Name Dallas Taylor Date 12-8-95

Reviewer _____ Date _____

MAR 28 1996

RECOMMENDED

PERMIT # 36-08350

SYSTEM TWO (2) 2 WELLS CONNECTED.

(A) 8" DIA CASING 230' DEEP
DYNAMIC PUMPING LEVEL
159' AS PER WELL LOG
HP OF PUMP..... 25hp
THEORETICAL DIV RATE..... 0.54cfs
(B) 8" DIA CASING 208' DEEP
DYNAMIC PUMPING LEVEL
159' AS PER WELL LOG

SYSTEM CAPACITY.....0.87cfs

STOCKWATER.....	0.42cfs		26.7afa
COMMERCIAL.....	0.35cfs		19.3afa
DOMESTIC (1).....	0.04cfs		0.6afa
TOTALS	.87cfs		46.6afa

THE STOCKWATER AND COMMERCIAL COMPONENT RECOMMENDATIONS ARE BASED ON CALCULATIONS PROVIDED BY DAIRY WORKSHEET AND WILL AID MR MILLER IN COMPLYING WITH EXISTING WR PERMITS.

THE DOMESTIC COMPONENTS RECOMMENDATION IS BASED ON STANDARD ALLOWANCES FOUND IN THE FIELD EXAMINERS HANDBOOK.

WHEN COMBINED WITH 36-08225A, PERMIT SHALL NOT EXCEED .87cfs

ALSO WHEN COMBINED 36-08225A, PERMIT SHALL NOT EXCEED ~~106.6afa~~
106.12af2

MAR 28 1996

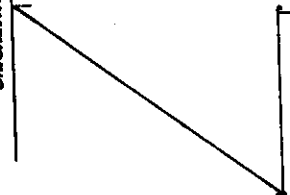
TED MILLER DAIRY AND HEIFER RANCH BENEFICIAL USE SUMMARIES W/RECOMMENDATIONS

(PERMITTED)	(FIELD EXAM)
PERMIT # 36-08360	PERMIT # 36-08360
STOCK WATER = 500 MILKERS 500 NON-MILKERS	STOCK WATER = 1120 MILKERS 480 NON-MILKERS
COMMERCIAL = DAIRY OPERATION	COMMERCIAL = DAIRY OPERATION
DOMESTIC = 4 HOMES	IRRIGATION = 2 ACRES *
	DOMESTIC = 1 HOME

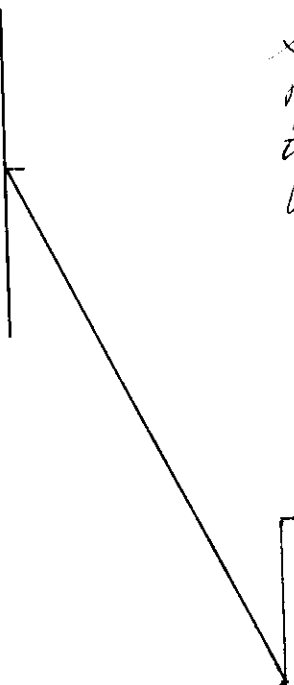
See adjustment
memo regarding
the mention of
irrigation here.

(PERMITTED)	(FIELD EXAM)
PERMIT # 36-08225	PERMIT # 36-08225
STOCK WATER = 3000	STOCK WATER = 920 NON-MILKERS
IRRIGATION = 2 ACRES	DOMESTIC = 1 HOME
DOMESTIC = 1 HOME	

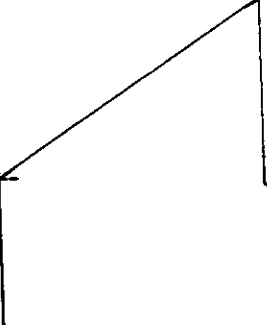
RECOMMENDING



RECOMMENDING



RECOMMENDING



36-08360

STOCK WATER = 500 MILKING
480 NONMILKING

COMMERCIAL = DAIRY OPERATION

DOMESTIC = 1 HOME

36-08225A

STOCK WATER = 620 MILKERS

COMMERCIAL = DAIRY OPERATION

IRRIGATION = 2 ACRES

36-08225B

STOCK WATER = 920 HEIFERS

WHEN COMBINED WITH
A36-15162 SHALL NOT EXCEED
.18CFS NOR
A36-15162 covers the domestic
1 home.

WHEN COMBINED SHALL NOT EXCEED
0.87CFS NOR

106.1 af2

MAR 28 1996

IDAHO DEPARTMENT OF WATER RESOURCES

FILE # or NAME ----- 36-08350
 REVIEWER ----- dft
 DATE ----- 10-Oct-95

DAIRIES: WATER USE WORKSHEET
 (Permitted) & (Recommended)

MAR 28 1996

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE ----- 500
 NUMBER OF NONMILKING CATTLE ----- 500
 IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;
 IF ANAEROBIC, ENTER ZERO ----- 0.0
 EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) ----- 0
 ENTER 1 FOR MANUAL COM WASHING, 2 FOR AUTOMATIC, OR 3 IF
 SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS - 3
 NUMBER OF MILKINGS PER DAY ----- 2

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS): ****

MILKING CATTLE @35 GPD/HD ----- 0.32
 MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * ----- 0.32
 NONMILKING CATTLE @12 GPD/HD ----- 0.11
 NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * ----- 0.11
 TOTAL (BASED UPON ROUNDED NUMBERS) ----- 0.44

DIVERSION VOLUME (AFA):

STOCKWATER
 MILKING CATTLE @35 GPD/HD ----- 19.6
 MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * ----- 20.0
 NONMILKING CATTLE @12 GPD/HD ----- 6.7
 NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * ----- 6.7
 TOTAL (BASED UPON ROUNDED NUMBERS) ----- 26.7

COMMERCIAL

WASHING OF BULK TANK AND RELATED EQUIPMENT ----- 0.4
 PARLOR FLOOR AND MILKHOUSE FLOOR ----- 0.1
 CATTLE WASHING BASED UPON METHOD OF WASHING ----- 18.8
 TOTAL ----- 19.3

TOTAL DIVERSION VOLUME ----- 46.0

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER
 MILKING ----- 2.9
 NONMILKING ----- 0.0
 TOTAL ----- 2.9

COMMERCIAL ----- 0.0
 TOTAL CONSUMPTIVE USE ----- 2.9

THEORETICAL FLOW ESTIMATION

REQUIRED PUMP INFORMATION

PUMP HORSEPOWER (HP) ----- * PUMP 1 25.00 PUMP 2 15.00 PUMP 3
 LIFT (FT) ----- 159 154
 DISCHARGE PRESSURE (PSI) ----- 55 55
 FRICTION LOSSES (FT) ----- 0.0 0.0

CALCULATIONS

THEORETICAL FLOW RATE (CFS) ** ----- 0.54 0.33 0.00
 DIVERSION VOLUME (AFA) *** ----- 389.8 238.0 0.0

* NUMBER OF CATTLE ROUNDED UP TO AGREE WITH EXISTING TABLES.
 ** PUMP EFFICIENCY WAS ASSUMED TO BE 70%.
 *** DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON
 THE THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY
 EVERY DAY OF THE YEAR.

**** BASED ON 2 HOUR DIVERSION TO MEET VOLUME

Dev.: M Sterling
 Mod.: ADM & KCC
 Mod.: 8/5/94 DRJ

* See adjustment memo. R

NARRATIVE
TED MILLER DAIRY
36-08350

The following items on the approved Application for Permit were found to be in error and should be changed or up-dated.

Item 1. TED MILLER DAIRY
455 BOB BARTON RD
JEROME ID 83338

Item 3. The points of diversion are found at the following legal descriptions:
Well # 1... SW 1/4 - NE1/4 - NW1/4 of Section 32 Township 8S Range 16E.

Well # 2... SE 1/4 - NE1/4 - NW1/4 of Section 32 Township 8S Range 16E.

Note: The legal description on the well logs for these points of diversion (attached) are erroneous, Smith Drilling was contacted and given the correct legal.

Item 8. (b) According to Mr Miller, the information recorded here is wrong.

As the field exam progressed to the verbal interview with Ted Miller, It was learned that the Application for Permit, according to Mr Miller, is incorrect. He indicated that when the dairy was built in 1988, it was designed and built to accomodate 3,000 head of stock. (1500 milking cows, and 1500 replacement heifers and heifer calves). He stated that the information shown on Item 8 b. was not furnished by him and he would not have given these numbers to the Agent(s) processing the application.

After a lengthy discussion with Mr Miller, it was learned that his Ranch Manager, Barbara Stone, may have brought the signed application into the Southern Region Office and may have given the incorrect numbers to the processing agent.

Item 8 (d) As can be seen on Item 8 d., shows 4 homes, and no irrigation in the domestic component of the permit. In the field exam, I observed one home and 2 acres with water diverted to these places of use from the points of diversion in question.

MAR 28 1996

The commercial component of the Water right shows the system for the Ted Miller Dairy consists of two wells, #1 and #2, hooked up in tandem.

Well # 1 is an 8" well 208 ft deep with a dynamic pumping level of 154 ft. Water is diverted to a 1000 gallon pressure tank by a 25 Hp submersible Pump with an operating range of 55 PSI. Water is then diverted to the automatic/manual cleaning and cooling system of the dairy. Re-cycled water is fed back into the Storage Vault (tempered water). A 25 hp booster pump is used to supply water to wash cows and flush holding facilities.

Well #2 is an 8" well 230 ft deep with a dynamic pumping level of 159 ft. Water is diverted to a 1000 gallon pressure tank by a 15 hp submersible pump when demand is sufficient to warrant use. The operating range is also rated at 55 PSI.

The stockwater system consists of basically the same diverting works as the commercial system. Water is diverted to troughs within the corrals regulated by level sensing switches.

The observed and confirmed count of milking cows was 1120 with the non-milking cows at 480 head.

The domestic component is addressed at the point of diversion by diverting water to one home.

There is a irrigation component being used. A lawn consisting of approximately 2 acres is located at the dairy site and water is supplied by the wells at the dairy site. This component is not addressed on the Application for Permit.

MAR 28 1996

CA/NE/HOS

PERMIT 36-0835 INIT Int
T. R. S. Q/Q
P/D _____
SCALE _____
PHOTO ID. _____

BOB BARTON RD

30

31

32

LAGOON

FEED BANK

500 WEST

Corrals NW Corrals NE

FEED RUNWAY

FEED RUNWAY

NW 1/4

IRRIGATION

SW

SE

T1271

1985

12-3

C-M

MAR 28 1996

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

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

RECEIVED
FEB 02 1989
SOUTHERN REGION OFFICE

1. WELL OWNER Name: <u>Ted Miller Dairy</u> Address: <u>Jerome</u> Owner's Permit No.: <u>36-88-Z-007</u>	7. WATER LEVEL Department of Water Resources Static water level: <u>147</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ OF. Quality _____ Describe artesian or temperature notes below																																																																																																																																														
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)	8. WELL TEST DATA NONE Pump ☐ Bailor ☐ Air ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped																																																																																																																																											
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3. PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☒ Stock ☐ Waste Disposal or Injection ☐ Other <u>Jerome Dairy</u> (specify type)	9. LITHOLOGIC LOG <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Bore Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th rowspan="2">Water Yes/No</th> </tr> <tr> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr><td>10</td><td>0</td><td>3</td><td>Top Soil</td><td>X</td></tr> <tr><td>10/8</td><td>33</td><td>26</td><td>Gray Basalt</td><td> </td></tr> <tr><td>8</td><td>26</td><td>32</td><td>Gray Basalt w/sm crevices</td><td> </td></tr> <tr><td> </td><td>32</td><td>34</td><td>Gray Basalt</td><td> </td></tr> <tr><td> </td><td>34</td><td>39</td><td>Broken Pink Porous w/crevices</td><td> </td></tr> <tr><td> </td><td>39</td><td>59</td><td>Med Hard</td><td> </td></tr> <tr><td> </td><td>59</td><td>61</td><td>Broken</td><td> </td></tr> <tr><td> </td><td>61</td><td>66</td><td>MH Pink Basalt w/sm. breaks</td><td> </td></tr> <tr><td> </td><td>66</td><td>81</td><td>MH Gray Basalt</td><td> </td></tr> <tr><td> </td><td>81</td><td>85</td><td>Porous Red Basalt broken</td><td> </td></tr> <tr><td> </td><td>85</td><td>89</td><td>Gray Basalt</td><td> </td></tr> <tr><td> </td><td>89</td><td>98</td><td>Crevice</td><td> </td></tr> <tr><td> </td><td>98</td><td>104</td><td>Med Hard</td><td> </td></tr> <tr><td> </td><td>104</td><td>117</td><td>Med Hard w/sm. breaks</td><td> </td></tr> <tr><td> </td><td>117</td><td>118</td><td>Broken</td><td> </td></tr> <tr><td> </td><td>118</td><td>121</td><td>Med Hard</td><td> </td></tr> <tr><td> </td><td>121</td><td>127</td><td>Med Hard w/breaks</td><td> </td></tr> <tr><td> </td><td>127</td><td>147</td><td>Sm. Breaks w/soft spots</td><td> </td></tr> <tr><td> </td><td>147</td><td>157</td><td>Med Hard Broken</td><td>X</td></tr> <tr><td> </td><td>157</td><td>161</td><td>Med Hard Broken</td><td> </td></tr> <tr><td> </td><td>161</td><td>171</td><td>Med Hard w/sm. breaks</td><td> </td></tr> <tr><td> </td><td>171</td><td>185</td><td>Med Hard Broken</td><td> </td></tr> <tr><td> </td><td>185</td><td>195</td><td>Broken and loose</td><td> </td></tr> <tr><td> </td><td>195</td><td>209</td><td>Med Hard</td><td> </td></tr> <tr><td> </td><td>209</td><td>218</td><td>Med Hard w/sm. breaks</td><td> </td></tr> <tr><td> </td><td>218</td><td>220</td><td>Broken</td><td> </td></tr> <tr><td> </td><td>220</td><td>224</td><td>Med Hard Broken</td><td>X</td></tr> </tbody> </table>	Bore Diam.	Depth		Material	Water Yes/No	From	To	10	0	3	Top Soil	X	10/8	33	26	Gray Basalt		8	26	32	Gray Basalt w/sm crevices			32	34	Gray Basalt			34	39	Broken Pink Porous w/crevices			39	59	Med Hard			59	61	Broken			61	66	MH Pink Basalt w/sm. breaks			66	81	MH Gray Basalt			81	85	Porous Red Basalt broken			85	89	Gray Basalt			89	98	Crevice			98	104	Med Hard			104	117	Med Hard w/sm. breaks			117	118	Broken			118	121	Med Hard			121	127	Med Hard w/breaks			127	147	Sm. Breaks w/soft spots			147	157	Med Hard Broken	X		157	161	Med Hard Broken			161	171	Med Hard w/sm. breaks			171	185	Med Hard Broken			185	195	Broken and loose			195	209	Med Hard			209	218	Med Hard w/sm. breaks			218	220	Broken			220	224	Med Hard Broken	X
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4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____	10. Work started <u>8/7/88</u> finished <u>8/8/88</u>																																																																																																																																														
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>250 inches</td> <td>8 5/8 inches</td> <td>1 feet</td> <td>19 feet</td> </tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table> Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>18</u> Material used in seal: ☐ Cement grout ☐ Bentonite ☒ Pudding clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port _____	Thickness	Diameter	From	To	250 inches	8 5/8 inches	1 feet	19 feet																	Number	From	To													11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>SMITH DRILLING & PUMP CO., INC. 11</u> Address <u>Jerome</u> Date <u>8/9/88</u> Signed by (Firm Official) <u>[Signature]</u> and <u>[Signature]</u> (Operator)																																																																																																							
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6. LOCATION OF WELL Sketch map location must agree with written location. N <table border="1" style="width:100%; border-collapse: collapse;"> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td>X</td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table> W E S Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Jerome</u> SE SE NW SW Sec. <u>32</u> T. <u>8S</u> N/S. R. <u>16E</u>					X					12. RECEIVED JAN 27 1989 Department of Water Resources Southern Region Office																																																																																																																																					
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This should be # 1 in file

MAR 2 8 1989

WELL DRILLER'S REPORT

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

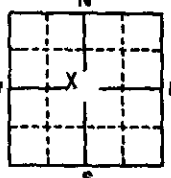
1. WELL OWNER Name <u>Ted Miller</u> Department of Water Resources Address <u>Jerome</u> Southern Region Office Owner's Permit No. <u>36-88-S-0190</u>		7. WATER LEVEL Static water level <u>154</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____ Describe artesian or temperature zones below.																																																																																																																													
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5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ Thickness <u>.25</u> inches Diameter <u>8 5/8</u> inches + <u>1</u> feet - <u>19</u> feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches Number _____ From _____ To _____ _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>18</u> Material used in seal: ☐ Cement grout ☐ Bentonite ☒ Puddling clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port _____		11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>SMITH DRILLING & PUMP CO. INC.</u> 11 Address <u>Jerome</u> Date <u>4/23/88</u> 1996 Signed by (Firm Official) <u>[Signature]</u> and (Operator) <u>Melton Robbins</u>																																																																																																																													
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Jerome</u> SE 1/4 NW 1/4 Sec. 32, T. 8S, N/S, R. 16E, W.																																																																																																																															

PHOTO NARRATIVE

1. This shows Places of use for WR# 36-08225 on the left and 36-08350 on the right. Both are in the NW 1/4 of Section 32, Township 08S, Range 16E.
2. This shows a continuation of 36-08350 including corrals. Each corral holds 140 milkers.
3. This shows the area to the west end of the stockwater component of the dairy operation-approximately 1/2 mile.
4. This was taken at the location between the SW 1/4 and the NW 1/4 showing the Feed Bunk, Lagoon, and Pond.
5. This was also taken at the location between the SW 1/4 and the NW 1/4 showing the Feed runway and corrals on the left.
- 6.& 7. This shows the P.O.D.(s) at the Dairy Barn site. One at right is 25 hp submersible, one at left is 15 hp submersible.
8. This shows the diverting works and 1000 gal pressure tank for the stockwater component.
9. This shows the pressure tanks and diverting works for the barn cleaning system and the washing system (note 20 hp booster pump for washing system) Water diverted from large cement storage vault at right of photo.
10. Shows the totalizing meter digitally indicating PSI, and GPM.
11. Shows dairy barn site (commercial component)
12. Show the domestic component.
13. Shows the irrigation component approximately 2 acres (is not addressed in the Application for Permit).

MAR 28 1996



1

36-08350

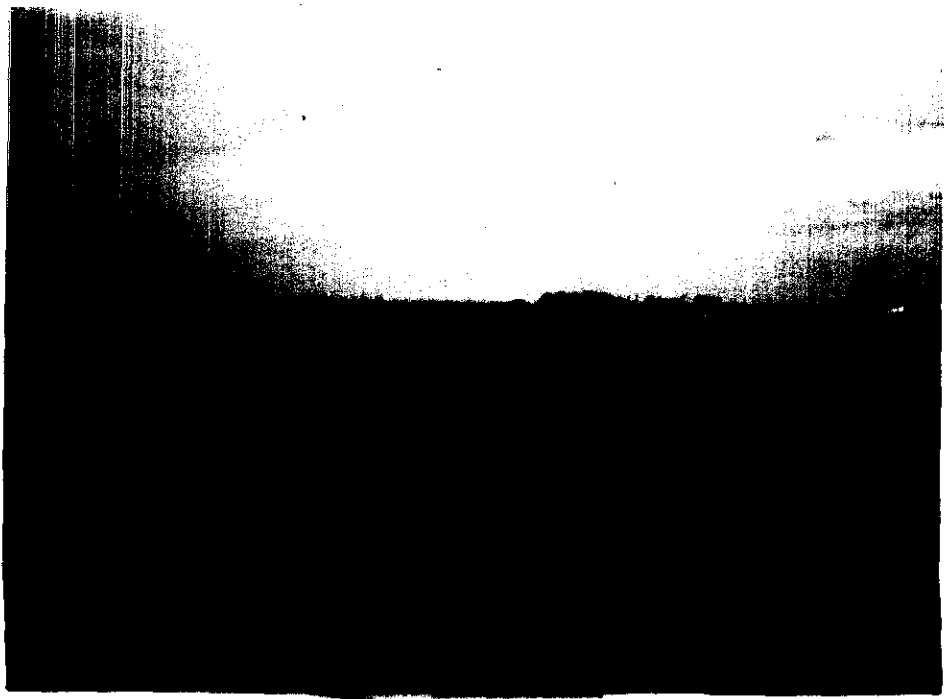
P.O.U.

2.

P.O.U.



3.



P.O.U.

RECEIVED

MAR 28 1996

36-08350

4



P.O. U.

5.

P.O. U.



8 1996

36-08350

#6

P.O.D

WELL LOCATED AT
RIGHT side of Pump
house



#7.

P.O.D

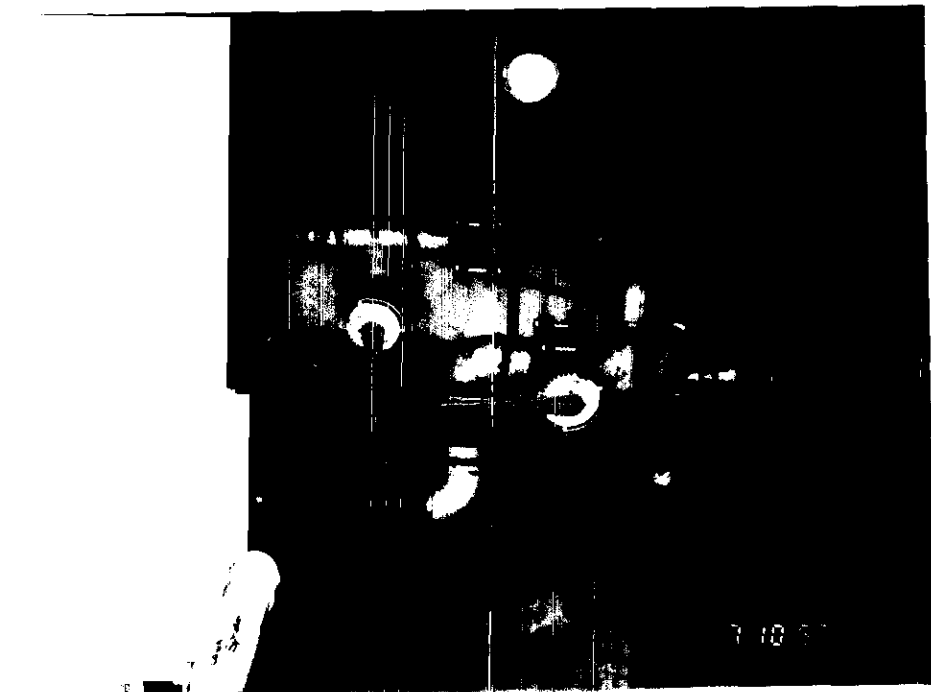
well located
at LEFT side of
Pump house



MAR 28 1936

MAR 28 1936



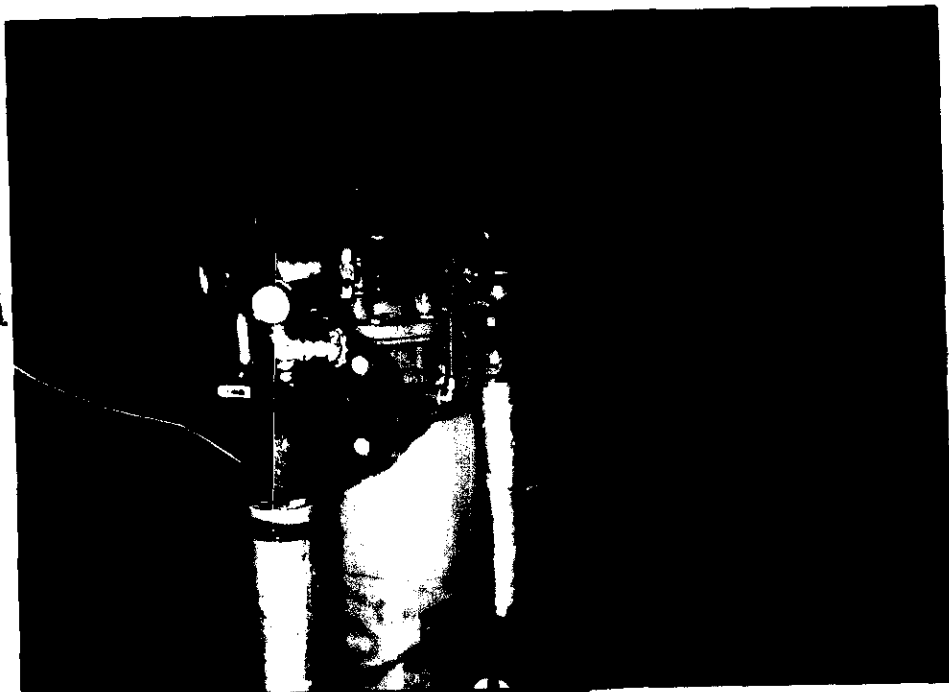


36-08350
#8. P.O.D. Connections
to 1000 gal pressure
tank, To lawn Sprinkler
to house & lawn, stock
water

#9.

P.O.D.

Shows BOOSTER pump
in Background pressurized
tanks for watering &
System cleaning



#10.

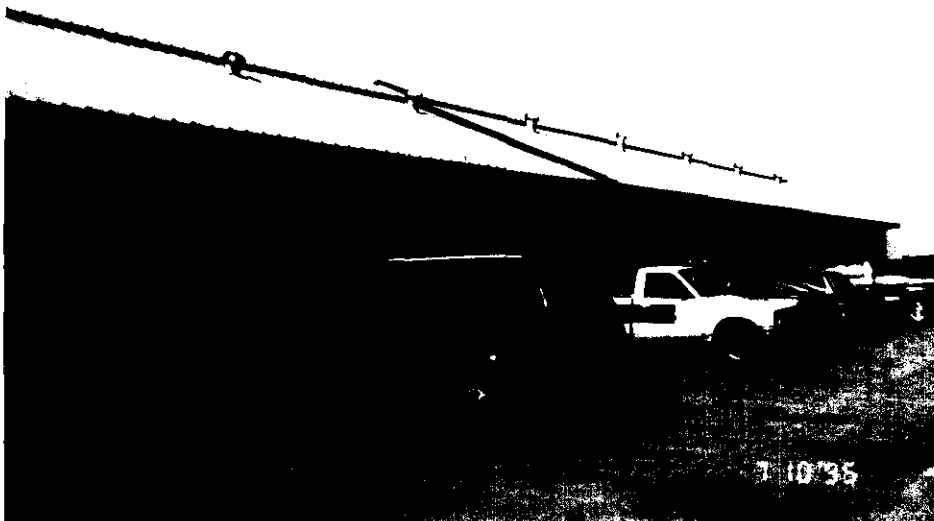
P.O.D.
Shows
to tailoring meter



MAR 28 1936

#11-

P.O.U.

MAIN
DAIRY Barn

#12.

P.O.U.

Irrigation
Component
2 acres

#13.

P.O.U.
Domestic
Component w/
Lawn.

RECEIVED
JUL 11 1996

MEMORANDUM

TO: Shelley Keen *swk* Southern Region
FROM: Brenda Chapman
DATE: September 22, 1995
RE: Returning exams for 36-08225 and 36-08350

=====

Per telephone conversation with Allen Merritt, the recommendation to return the exams for 36-08225 and 36-08350 to the region is being made. The exams have conflicting information and are also incomplete because of the following:

1. The place of use listed on the front of both exams does not coincide with the exam maps;
2. No recommendations have been made on either exam;
3. The examiner did not sign and date either exam.

RECEIVED

MAR 28 1996

BENEFICIAL USE FIELD REPORT

FOR 36-08350

RETURNED TO

SOUTHERN REGION

SEPTEMBER 22, 1995

RECEIVED

MAR 28 1996

August 14, 1991

TED MILLER DAIRY
268 S. 500 W.
JEROME, ID 833380000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08350

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

I note that the permit issued to you by the department requires the installation of a measuring device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the measuring device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECORDED

AUG 22 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 36-8350

Date 8-9-91

GENERAL CONSIDERATIONS

y Name same as permit?
y Address same as permit? If no, indicate below.
y Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

 Surface water source
y Ground water source
y Drill permit req'd?
y Copy in file? Drill permit no. 36-89-5-050
100.00 Amt paid for drilling permit? Correct?
 Well log in file?

LICENSE EXAMINATION FEE

y Required?
50.00 Amount submitted?
y Correct amount?

MEASURING DEVICE

y Measuring device or access port required?
1 Installed?
 Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

- need measuring device
- proof acceptable

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	- _____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

LB

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

USE TYPEWRITER OR
BALLPOINT PEN

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

1. WELL OWNER Name <u>Ed Miller</u> Address <u>JENNIE Jerome, ID 83402</u> Owner's Permit No. <u>36-89-S-050</u>	7. WATER LEVEL Static water level <u>150</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ OF. Quality _____ Describe artesian or temperature zones below																																																																																																																				
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4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____	10. WORK SCHEDULE Work started <u>6/13/89</u> Finished <u>6/14/89</u>																																																																																																																				
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>.250 inches</td> <td>6 5/8" ID</td> <td>0</td> <td>20</td> </tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table> Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun Size of perforation _____ inches by _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Type</th> <th>Diameter</th> <th>Slot size</th> <th>Set from</th> <th>Set to</th> <th>Material No.</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table> Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>19</u> Material used in seal: ☐ Cement grout ☐ Bentonite ☒ Pudding clay ☐ _____ Sealing procedure used: ☐ Shurry pit ☐ Temp. surface casing ☐ Overlays to seal depth Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld ☒ Cemented between sections Describe screen part _____	Thickness	Diameter	From	To	.250 inches	6 5/8" ID	0	20																	Number	From	To										Type	Diameter	Slot size	Set from	Set to	Material No.																			11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>SMITH DRILLING & PUMPING, INC.</u> Address <u>Jerome</u> Date <u>8/1/89</u> Signed by (Firm Official) <u>[Signature]</u> and <u>[Signature]</u> (Operator)																																																								
Thickness	Diameter	From	To																																																																																																																		
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Type	Diameter	Slot size	Set from	Set to	Material No.																																																																																																																
6. LOCATION OF WELL Section location must agree with written location. Section Name _____ Let No. <u>AUG 22 1991</u> County <u>Jerome</u> NW 1/4 Sec 32 T 8S R 16E	12. ADDITIONAL SHEETS USE ADDITIONAL SHEETS IF NECESSARY. FORWARD THE WHITE COPY TO THE DEPARTMENT																																																																																																																				

Subscribed and sworn to before me this June day of 1991.

Arlene Jean Smith
Arlene Jean Smith
Notary Public

Residing at Jerome, ID 83338
My commission expires 6/9/1992

WELL INFORMATION

SMITH DRILLING CO., Inc.

NAME Ted Miller ADDRESS 495 BBRd
Location NW 1/4 NW 1/4 Sec. 32 T8S R16E BM Jerome County
Date Begun 6/13/89 Date Completed 6/14/89
Type Well doe Dia. 8" Driller M Robbins
Total Depth 230' Water Level 159' Prod. Form
Casing Dia. 6 5/8 OD Weight 250 Length +1 -20
REMARKS: PERMIT # 36-89-S-050

36-08350

RECORDED

AUG 22 1991

TED MILLER DAIRY
309 BOB BARTON RD
JEROME ID 83338

138641
May 31, 1991

PROOF DUE NOTICE

RE: PERMIT NO. 36-08350

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MIPOFILMED

AUG 22 1991

Form 204-p
6/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 36-C8350

Name(s) of Permit Holder(s): TED MILLER DAIRY

Post Office Address: 309 BOB BARTON RD. JEROME, ID. 83238

Tel. No. 324-3243

☒ I hereby certify that construction of diversion works for the above referenced permit began on 8/12/88 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is
not an acceptable reason.

8/12/88
Date

Ted Miller
Signature of Permit Holder

TED MILLER DAIRY

309 BOB DARTON RD.

JEROME, ID. 83338

RECEIVED

AUG 22 1991



OCT 14 1988

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

1. Applicant Ted Miller Gairy

2. Address 268 So. 500 W., Jerome, ID 83308

☒ Well Owner () Well Operator () Other, specify _____

3. Water right permit no. _____; Injection well permit no. _____

4. Proposed well location 1/4 SE 1/4 NW 1/4, or Gov't lot No. _____,
Sec. 32, Twp. B5, Rge. 16E, County Jerome,
Lot, block and subdivision _____

5. Proposed use of well: (Check all that apply)

☒ Domestic ☒ Stockwater () Monitoring
() Irrigation () Industrial () Municipal
() Injection () Other, Specify Commercial

6. Well construction information:

☒ New well () Deepen () Replace

Proposed surface diameter 8" Proposed depth 200'

Anticipated bottom hole temperature:

☒ 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)

SEP 28 1988

7. Anticipated construction start date _____

8. Well Driller (if known) Smith Drilling & Pump Co Inc

Address _____

Date 3/25/88 Applicant's signature Theodor G. Miller

Title Owner

ACTION OF IDWR

(✓) Approved

() Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

SPECIFIC CONDITIONS:

Dated this 28th day of July, 1988
Signed J. Glen Saxton
Title Chief, Oper Bur.

Received by [Signature] Fee \$100. Date 4-5-88
Receipt No. 5000008 Construction start date SEP 28 1988
Construction start extension to _____
Extension approved by _____

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

Statehouse
Boise, Idaho 83720
(208) 334-7900
August 8, 1988

TED MILLER DAIRY
268 S. 500 W.
JEROME, ID 833380000

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

RE: PERMIT NO. 36-08350

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct you attention to the conditions of approval on the final page.

Also enclosed is a copy of the approved drilling permit submitted in connection with this water right.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of

MICROFILMED

SEP 28 1988

Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

Gary Spackman
Supervisor, Water Allocation Section

GS: SC
Enclosures



SEP 28 1988

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

RECEIVED
FEB 02 1989

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

1. WELL OWNER

Name Ted Miller DAiry

Address Jerome 268 S 500 W

Owner's Permit No. 36-88-Z-007

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement

☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal

☐ Industrial ☒ Stock ☐ Waste Disposal or Injection

☐ Other XXXXXX Dairy (specify type)

4. METHOD DRILLED

☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary

☐ Cable ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other

Thickness 250 inches Diameter 8 5/8 inches From 1 feet To -19 feet

Was casing drive shoe used? ☐ Yes ☒ No

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☐ Yes ☒ No

How perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

Number _____ From _____ To _____

_____ perforations _____ feet _____ feet

_____ perforations _____ feet _____ feet

_____ perforations _____ feet _____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 18 Material used in seal: ☐ Cement grout

☐ Bentonite ☒ Puddling clay ☐ _____

Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing

☐ Overbore to seal depth

Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld

☐ Cemented between strata

Describe access port _____

7. WATER LEVEL

Static water level 147 feet below land surface.

Flowing? ☐ Yes ☒ No G.P.M. flow _____

Artesian closed-in pressure _____ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature _____ °F. Quality _____

Describe artesian or temperature zones below.

8. WELL TEST DATA

NONE

☐ Pump ☐ Bailer ☐ Air ☐ Other

Discharge G.P.M. Pumping Level Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
10	0	3 1/2	Top Soil		X
10/8	3 1/2	26	Gray Basalt		
8	26	32	Gray Basalt w/sm crevices		
	32	34	Gray Basalt		
	34	39	Broken Pink Porous w/crevices		
	39	59	Med Hard		
	59	61 1/2	Broken		
	61 1/2	66	MH Pink Basalt w/sm. breaks		
	66	81	MH Gray Basalt		
	81	85	Porous Red Basalt broken		
	85	89	Gray Basalt		
	89	98	Crevice		
	98	104	Med Hard		
	104	117	Med Hard w/sm. breaks		
	117	118	Broken		
	118	121	Med Hard		
	121	127	Med Hard w/breaks		
	127	147	Sm. Breaks w/soft spots		
	147	157	Med Hard Broken		X
	157	161	Med Hard Broken		
	161	171	Med Hard w/sm. breaks		
	171	185	Med Hard Broken		
	185	195	Broken and loose		
	195	209	Med Hard		
	209	218	Med Hard w/sm. breaks		
	218	220	Broken		
	220	224	Med Hard Broken		X

10.

Work started 8/7/88 finished 8/8/88

6. LOCATION OF WELL

Sketch map location must agree with written location.

N

W

E

S

X

Subdivision Name _____

Lot No. _____ Block No. 8-1996

County Jerome

SE SE 1/4 NW 1/4 Sec. 32 T. 8S N/S. R. 16E W.

11. DRILLERS CERTIFICATION

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

Firm Name SMITH DRILLING & PUMP CO. MINC. 11

Address Jerome Date 8/9/88

Signed by (Firm Official) [Signature]

and (Operator) Melton Robbins

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

1. Applicant Ted Miller Dairy2. Address 268 So. 500 W., Jerome, ID 83328☒ Well Owner () Well Operator () Other, specify _____

3. Water right permit no. _____; Injection well permit no. _____

4. Proposed well location 1/4 SE 1/4 NW 1/4, or Gov't lot No. _____,Sec. 32, Twp. B5, Rge. 16E, County Jerome,

Lot, block and subdivision _____

5. Proposed use of well: (Check all that apply)

☒ Domestic ☒ Stockwater () Monitoring

() Irrigation () Industrial () Municipal

() Injection () Other, Specify Commercial

6. Well construction information:

☒ New well () Deepen () ReplaceProposed surface diameter 8" Proposed depth 200'

Anticipated bottom hole temperature:

☒ 85°F or less (Cold water well)

() 85°F to 212°F (Low temp. geothermal well)

() 212°F or more (Geothermal well)

7. Anticipated construction start date _____

8. Well Driller (if known) Smith Drilling & Pump Co Inc

Address _____

Date 3/25/88 Applicant's signature Theodor G. MillerTitle Owner

SEP 28 1988

* After other pre-requisite approvals have been obtained.

ACTION OF IDWR

(✓) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

SPECIFIC CONDITIONS:

Dated this 28th day of July, 1988.

Signed J. Glen Saxton

Title Chief, Oper Bur.

Received by [Signature] Fee \$/00, Date 4-5-88

Receipt No. 000008 Construction start date SEP 28 1988

Construction start extension to _____

Extension approved by _____

#1

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

1. Applicant Ted Miller Dairy
2. Address 268 So. 500 W, Jerome, ID 83338

☒ Well Owner ☐ Well Operator ☐ Other, specify _____

3. Water right permit no. _____; Injection well permit no. _____

4. Proposed well location SE 1/4 SE 1/4 NW 1/4, or Gov't lot No. _____,
Sec. 32, Twp. 8S, Rge. 16E, County Jerome,
Lot, block and subdivision _____

5. Proposed use of well: (Check all that apply)

☒ Domestic ☒ Stockwater ☐ Monitoring
☐ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☐ Other, Specify _____

6. Well construction information:

☒ New well ☐ Deepen ☐ Replace

Proposed surface diameter 8 Proposed depth 200

Anticipated bottom hole temperature: _____

- ☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)

SEP 28 1988

7. Anticipated construction start date _____

8. Well Driller (if known) Smith Drilling & Pump Co.

Address 328 West Ave. "A" Jerome

Date 3-28-88 Applicant's signature R. D. Darrow Smith

Title Driller

ACTION OF IDWR

(X) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

SPECIFIC CONDITIONS:

This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.

Dated this 5 day of April, 1988.

Signed

Loren O. Hansen

Title

Southern Region MGR

Received by

JS

Fee

\$10.

Date

4-5-88

Receipt No.

5000008

Construction start date

SEP 28 1988

Construction start extension to

Extension approved by



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

May 6, 1988

Ted Miller
268 S, 500 W
Jerome, ID 83338

Re: Application for Permit No. 36-8350

Dear Mr. Miller:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 36-8350. Please refer to this number in all further correspondence.

This office will be advertising the application in the North Side News on 5/18 & 5/25/88. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

We also acknowledge receipt of the Application for a Drilling Permit for your dairy. The Application for a Well Drilling Permit and water right application will be simultaneously approved.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

MICROFILMED

SEP 28 1988

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Jerome } SS.

JUN 8 1988

Department of Water Resources
Southwest Region Office
Being first duly sworn,

John H. Fullmer
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 18 day of May, 1988, and the date of the last publication was on the 25 day of May, 1988.

John H. Fullmer

Subscribed and sworn to before me this 18th

day of May, 1988.
(SEAL)

John H. Fullmer
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 27
Number of Insertions 2

Lines tabular at _____ 5¢/Pica
27 Lines straight at 14.04 4¢/Pica
27 Subsequent lines at 10.53 3¢/Pica
TOTAL COST 24.57

COPY OF NOTICE

(Paste Here)

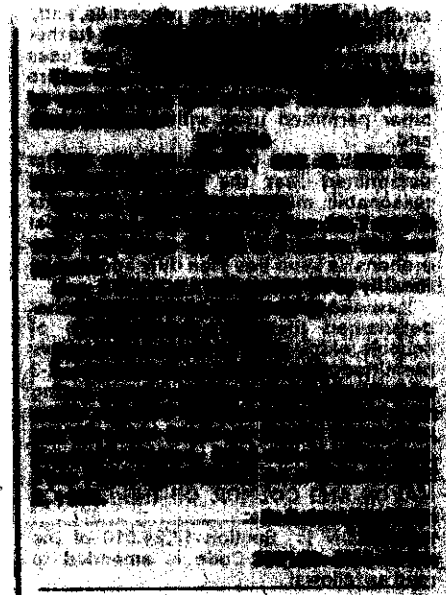
Jerome North Side News
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
BILL TO
2148 Fourth Ave East
Idaho Falls, ID 83301



OK
TJ

No 3028

MAILED

SEP 28 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

2148 4th Avenue East
Twin Falls, Idaho 83301
(208) 734-3578

MAY 5, 1988

North Side News
P. O. Box 468
Jerome, Idaho 83338

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before JUNE 6, 1988.

Yours truly,

Mary A. Baldwin
Secretary/Office Coordinator

Encl.

MICROFILMED

SEP 28 1988

NOTICE OF APPLICATION FOR WATER RIL

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-8350

TED MILLER DAIRY

268 S. 500 W., JEROME, ID 83338

Source: GROUNDWATER

Diversion Pt: SESENW Sec 32 T 08S R 16E ; 2 1/2 miles South & 5 miles West of Jerome.

Use: STOCKWATER	(0.490 CFS)
COMMERCIAL	(0.220 CFS)
DOMESTIC	(0.1 CFS)

Date Filed: 04/05/1988

In: SENW Sec 32 T 08S R 16E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before JUNE 6, 1988.

R. KEITH HIGGINSON, Director

Published 05/19 & 05/25.

RECEIVED

SEP 28 1988

N LEGAL
SEND GALLEY PROOF

NOTICE OF APPLICATION
FOR WATER RIGHT

The following application has been filed
to appropriate the public waters of the
State of Idaho:

36-8350
TED MILLER DAIRY, 268 S. 500 W.,
JEROME, ID 83338

Source: GROUNDWATER
Diversion Pt.: SESENW Sec 32 T 08S R
16E; 2½ miles South & 5 miles West of
Jerome:

Use: STOCKWATER (0.490 CFS)
COMMERCIAL (0.220 CFS)
DOMESTIC (0.1 CFS)

Date Filed May 9, 1988

In: SENW Sec 32 T 08S R 16E.

The permit will be subject to all prior
water rights. Protests must be filed with
the Director Dept. of Water Resources,
Southern Region, 2148 4th Avenue East,
Twin Falls, Idaho 83301 on or before JUNE
6, 1988.

R. Keith Higginson
Director
397169 - N05-18-2tc

*Correction called
5/17/88, 8:11 am.*

*OK
TD*

RECEIVED

MAY 26 1988

Department of Water Resources
Southern Region Office

MICROFILMED

SEP 28 1988