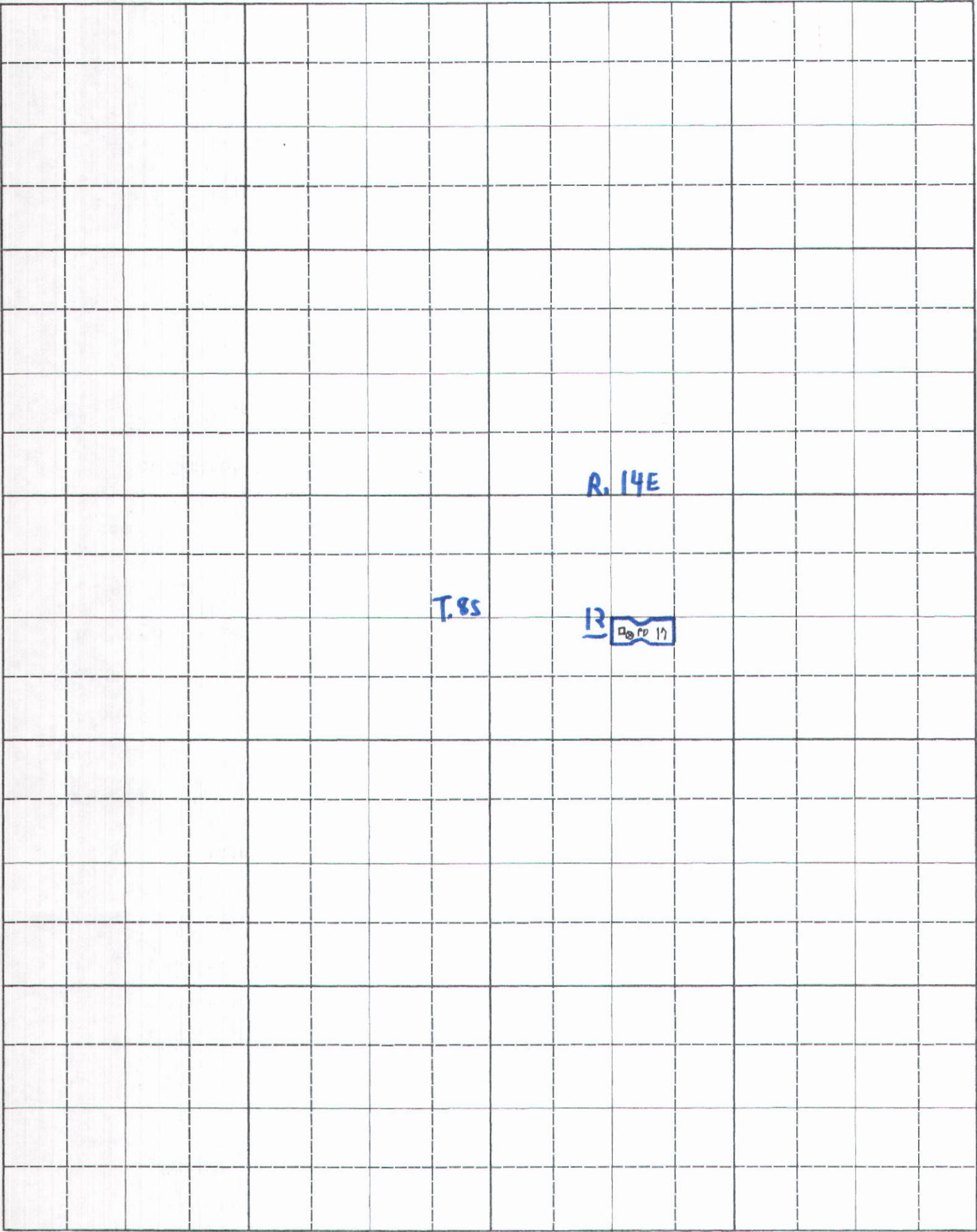


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED
AUG 21 1989

Mark A. Mills
(Applicant)

PERMIT 36-08280 INIT

T. R. S. Q/Q

P/D 8S 14E 12 NWSE

SCALE

PHOTO ID.

3400 South Rd.

1600 East Rd.

1700 East Rd.

P/U

P/D

OCT 08 1995

West Point

Clear 33/6

WR# 36-08280



P/D
(Well head
& pressure
tanks, inside
of well house)



P/U
(Best view
of home ,
garage &
small back
lawn)

CONFIRMED
OCT 03 1995

● WR#36-0828 ●



P/U
(Front view
of home
& front
lawn)



P/U
(Front lawn
& trees;
vacant house
(left) & the
well house
(center) of
photo)

OCT 03 1995

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho,)
) SS.
County of Gooding)

FEB 24 1989

Department of Water Resources
Southern Region Office

Mike Thornberry, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, 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 2x consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 15 day of Feb 19 89, and the date of the last publication was on the 22 day of Feb, 19 89.

Mike Thornberry

Subscribed and sworn to before me this 22nd day of Feb, 19 89.
(SEAL)

Norma DeVoe
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho
COST OF PUBLICATION

OK
MB
3/14/89

Number of Lines in Notice _____
Number of Insertions 2x

Lines tabular at _____ 5¢/Pica
351 Lines straight at 14.04 4¢/Pica
Subsequent lines at 12.29 3.5¢/Pica
TOTAL COST 26.33

COPY OF NOTICE
(Paste Here)

App. Water Right
TITLE OF NOTICE

Miller
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
Dept of Water Resources
2148 4th Ave E
Twin Falls, ID
BILL TO 83301

NOTICE OF APPLICATION
FOR WATER RIGHT
The Following application has been filed to appropriate the public waters of the State of Idaho:
36-08280
MILLER, MARK R., P.O. BOX 237,
WENDELL, ID 83355
Source: GROUNDWATER
Diversification Pt: NWSE Sec 12 T 08S R 14E
Use: IRRIGATION (.340 CFS)
STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)
Date Filed: 5/30/1985
In: T08S R14E S12 NWSE - 17.0 ACRES
TOTAL
The permit will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before MARCH 6, 1989.
R. Keith Higginson, Director
G13773
Pub: 2-15, 22

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight 4¢/Pica
7-8 pt. per line tabular 5¢/Pica
7-8 pt. per line successive
insertions 3¢/Pica

MICROFILMED

AUG 21 1989 No 1407

13773

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08280

Priority: May 30, 1985

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that MICHAEL MITCHELL
LINDA MITCHELL

3145 S 1700 E

PO BOX 275

WENDELL ID 83355

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 30, 1985; and has submitted Proof of Beneficial Use on March 15, 1990. An examination indicates that the works have a diversion capacity of 0.070 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>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 12, Township 08S, Range 14E
GOODING County

PLACE OF USE: DOMESTIC

TWN RGE SEC

08S 14E 12

NWSE

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. Domestic use is for 1 home.

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 15TH day of SEPTEMBER, 1995.

Acting for  KARL J. DREHER, Director

OCT 03 1995

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	61-08280	Mark R Miller	0.40
Full Assignment	61-08280	Michael Mitchell Linda Mitchell	0.40

RECEIVED

MAY 19 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 19 1992

Department of Water Resources
P.O. Box 1570, Boise, ID 83726

ASSIGNMENT OF ~~APPLICATION~~ FOR PERMIT

I, MARK R. MILLER, hereby assign to MICHAEL AND LINDA MITCHELL
of, 8371 E. Telegraph # 2, Pico Rivera, CA 90660
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 36-08280 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. 36-08280 to appropriate the public
waters of the State of Idaho.

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

Made this 30th day of April, 1990. 1992.

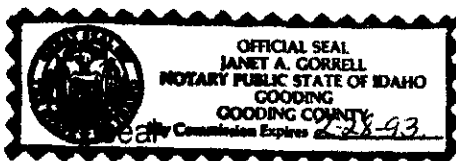
Mark R. Miller Applicant

State of Idaho)

ss

County of Gooding)

On this 30th day of April, 1990, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.



Janet A. Gorrell
Notary Public

MICROFILMED

My commission expires: 2-28-1993

MAY 19 1992

WARRANTY DEED

RECEIVED

For Value Received

MARK R. MILLER, an unmarried man

COPY
1992
Department of Water Resources
Southern Region Office

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

MICHAEL MITCHELL and LINDA MITCHELL, husband and wife
whose address is: 8371 E Telegraph#2, Pico Rivera, CA 90660Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho,
to-wit: TOWNSHIP 8 SOUTH, RANGE L4, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 12: W½N½N½SE½;

TOGETHER WITH an easement for road and utilities
purpose's over the North 25 feet of the E½N½N½SE½.This land is being conveyed dry without water or
water rights appurtenant thereto.

SUBJECT TO THE FOLLOWING:

All Reservations in Patents or Deeds in the Chain of Title.

Taxes for 1992 and subsequent years, which are not yet due
and payable.Right of way for canals, laterals and waste ditches of the
North Side Canal Company, Ltd.Power Line Easement given by Wayne G. & Wilma Lafferty, Mark
R. Miller, Patrick A. Miller and Janice S. Miller, dba Miller
Brothers, to Idaho Power Company, a corporation, dated
February 9, 1978, recorded September 1, 1978, as Instrument
Number 72164, Gooding County records, affecting the N½NW½SE½
of Section 12, Township 8 South, Range 14, East Boise
Meridian.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee
and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to
and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are
free from all incumbrances except as above described and that Grantor will warrant and defend the
same from all lawful claims whatsoever.

Dated: March 5, 1992


 Mark R. Miller

STATE OF IDAHO, COUNTY OF GOODING

On this 13th day of March, 1992,
before me, a notary public in and for said State, per-
sonally appeared

Mark R. Miller

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged
to me that he executed the same.

Residing at Gooding

Notary Public
, Idaho.

148027

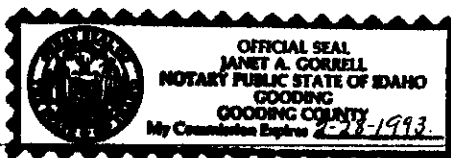
STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of *Land Title & Escrow Inc.*49 min. past 2 o'clock P. M. this 13
of March 1992 p. 3-01

JOHN A. MYERS Recorder

By *Janet A. Gorrell* Deputy

MAY 19 1992



RECEIVED

MAR 15 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Amt. of Fee \$ 100.00
Date 3/15/90
Receipt No. 0015603
Received by C. Wong

Department of Water Resources

PROOF OF BENEFICIAL USE

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.

Permit No. 36-8280 Telephone No. 536-2129

Name(s) of Permit Holder(s): Mark R. Miller

Post Office Address: PO Box 237 Wendell, ID 83355

Source of Water: Groundwater

If ground water, well driller's name: Dale Gilbert (D&B Drilling) Date drilled: 3/78

Extent of Use:
Domestic 1 (No. of households) Irrigation 17 (No. of acres)

Stockwater 20 Bas (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.40 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 4/19/79

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes No Installed? Yes No

OR

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

Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

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

Mark Miller H: 536-6230
Name Telephone No. W: 536-2129

Same as above
Address

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.

RECORDED

APR 19 1990

3/2/90 Date [Signature] Signature (and title if on behalf of a company or organization)

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 Mark R. Miller Phone 536-2129

Post office address P. O. Box 237, Wendell, ID 83355

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

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12 Township 8S

Range 14E B.M. Gooding County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.34cfs for Irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04cfs for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02cfs for Livestock 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:

a. 0.40 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing well and pump

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. ~~Proposed~~ well diameter is 8 inches; ~~proposed~~ depth of well is 126 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12 Township 8S

Range 14E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 20 beef cattle

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1.

(5) If water is to be used for other purposes describe: _____

Microfilm

AUG 21 1989

AUG 21 1966

~~I wish to claim subordination by Idaho Power Co. of my water right for~~

~~same year. A well log is on file with the IDWR.~~

10. Remarks	The well was drilled in March of 1978, and the system completed that
-------------	--

applicant to make this filing

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

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

9. a. Who owns the property at the point of diversion

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

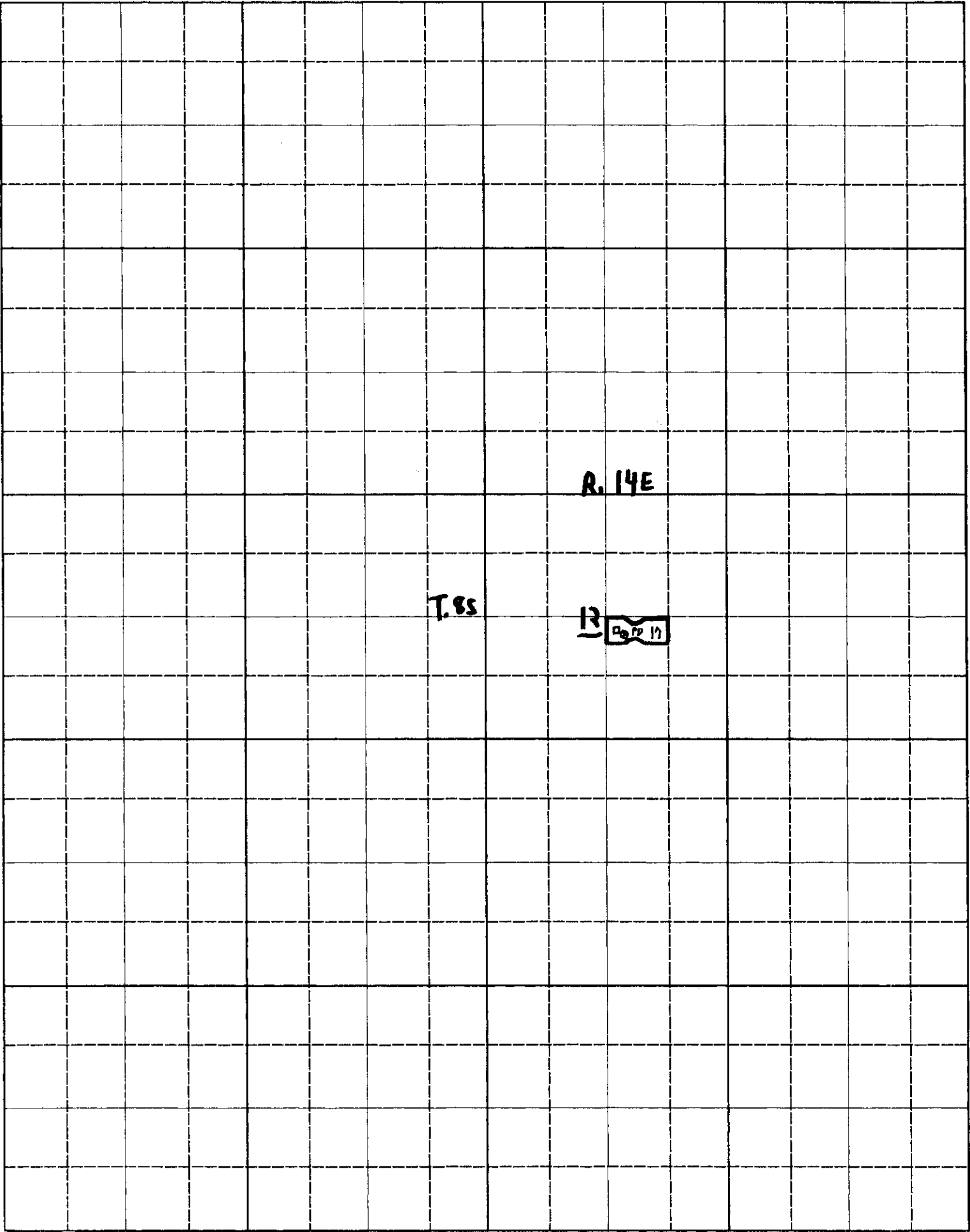
Total number of acres to be irrigated

17

[illegible]

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

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED
AUG 21 1989

Mark A. [Signature]
(Applicant)

Received by ADN Date 5-30-85 Time 3:30 pm
Preliminary check by ADN Fee \$ 4500
Received by ADN Date 5-30-85 #35374
Publication prepared by IG Date 2/10/89
Published in Gooding County Leader
Publication dates 2/15 & 2/22/89
Publication approved M. Ballin Date 3/14/89
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by [Signature]

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. 36-8280, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 90.

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

Witness my hand this 19th day of April, 1989.

[Signature]
[Signature]

RECEIVED

AUG 21 1989



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**

September 18, 1995

MICHAEL MITCHELL
LINDA MITCHELL
3145 S 1700 E
PO BOX 275
WENDELL ID 83355

RE: WATER RIGHT NO. 36-08280

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
OCT 03 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 36-08280 DATE 4-5-95



NAME	Change ☒ OK ☐	Or (Address) Change?	ALSO P.O. BOX 275 WENDELL 83355 _____
PRIORITY DATE	☒	Advance?	Advanced to: _____
		Order to reinstate needed?	_____
		Incorrect fee for rate recommended?	_____
SOURCE	☒	Changes or just clarification of originally intended source?	_____
		Notice of Intent to Void necessary?	_____
POINT OF DIV	☒	Amendment needed?	_____
	☒	Overlaps?	_____
PLACE OF USE	☒	Amendment needed?	_____
	☒	Overlaps?	_____
DIV RATE	☒	Permit/fee limits:	① IRR .34 ② STOCK .02 .40 CFS ③ Dom .04 Meas Q = _____ Theo Q = .07 Recommend: .04 <u>Domestic use only</u> Combined rates exceed capacity _____
ANNUAL VOLUME	☒	Volume Limit:	_____ Season: _____
		Calculations:	<u>Domestic @ 1.2</u>
		Flow limit:	_____ cfs x _____ x 1.9835 = _____
		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	☒	Multiple p/d(s) in ¼ ¼?	_____
		Other	_____
NEW CONDITIONS	☒	Watermaster control - District	_____
		Measuring/Locking Devices	_____
		Irrigation Overlap	_____
		Other	_____
		Water Quality	_____ Heat/Cool/Fish verified _____

COMMENTS: ① Reduce rate ② Delete irr and stock uses

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	NO
<u>Domestic</u>	<u>.04</u>	<u>1.2</u>	Adjustment Memo Needed	<u>NO</u>
_____	_____	_____	LICENSE	☒
_____	_____	_____	1ST AMEND LETTER	_____
_____	_____	_____	2ND AMEND LETTER	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 23 1995

Department of Water Resources

A. GENERAL INFORMATION

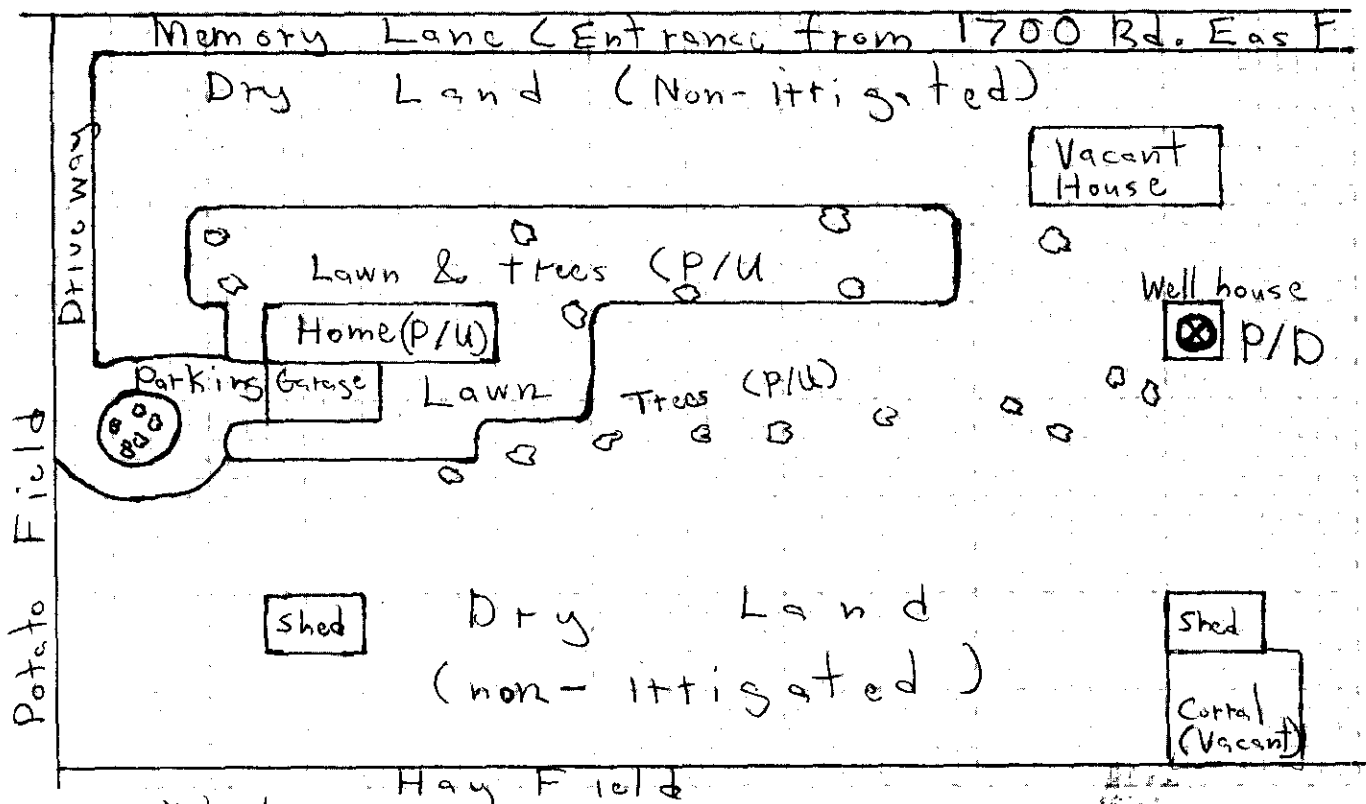
1. Owner: Ms. Linda Mitchell Permit No. 36-08280
Current Address: 3145 So., 1700 E., Wendell, ID 83355 Phone No. (208) 536-5537
2. Accompanied by: Unaccompanied EXAM. DATE: 7/31/95
Address: N.A. Phone No. N.A.
Relationship to Permit Holder: N.A.
3. Source: Groundwater tributary to None

B. OVERLAP REVIEW

1. Other water rights with same place of use: None
☐ Copies Attached
2. Other water rights with same point of diversion: None
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more)
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.)

OCT 20 1995

3. Narrative: Description (As operating at time of measurement, indicate pressure, number of sprinklers, etc.)

An 8" well with a 2.0 hp submersible pump & motor diverts water to 1 home with a fairly large (2/3 acre) lawn area with trees. The water is for domestic use only. There are no livestock being watered, nor is there any irrigation or system of the acreage included in the property.

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	2.0	2823018-110	Gould	Link bourn

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

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination

[illegible]

Do not use this space

3 1966

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

No measurements

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

$$= \frac{(2.0)(8.8)(0.7)}{[(2.31 \times 40) + 78]} = 0.07 \text{ cfs}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{N.A.}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$

2. Volume Calculations for Other Uses:

OCT 03 1995

H. REMARKS AND OVERLAP REVIEW ANALYSIS

The current owner & permit holder, Ms. Linda Mitchell, uses water for domestic use only. & has stated that she will not be watering livestock or irrigating the acreage included in her property. The recommendation is therefore that the domestic rate of diversion & annual volume for home & lawn be approved. At the current time, Ms. Mitchell is the sole owner of the property & permit. No overlaps were found.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (ata)
Domestic	1-1 12-31	.04	1.2

2. Recommended Amendments

- ☐ Change P.D. as reflected above
- ☐ Add P.D. as reflected above
- ☒ None
- ☐ Other
- ☐ Change P.U. as reflected above
- ☐ Add P.U. as reflected above

J. AUTHENTICATION

Field Examiner's Name Bruce Campbell
Signature Bruce Campbell
Certification Date 8/16/95
Field Report Preparation Date 8/16/95

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

OCT 03 1995

-WR#36-08280

RECEIVED

MAR 06 1995

Department of Water Resources
Southern Region

MEMORANDUM

To: Mel Schulte
From: Scott King 
Subject: Pending Licensing Exams

Date: March 2, 1995

Enclosed are copies of two waivers from measurement for a couple of folks who tell me that they do not divert in excess of 0.20 cfs. I believe that these ones will be having field exams soon. Their correspondence and pump information may be useful to your efforts.


MAR 08 1995



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

R. KEITH HIGGINSON
DIRECTOR

February 23, 1995

*Southern
Copy*

RECEIVED

MAR 06 1995

Ms. Linda Mitchell
P.O. Box 275
Wendell, ID 83355

Department of Water Resources
Southern Region

Re: Measurement waiver for water right number 36-08280

Dear Ms. Mitchell:

I have received the warranty for your Sta-Rite submersible pump, serial number 1K92G. This document indicates the pump is between 1/2 hp - 2 hp. I have calculated a theoretical flow based on a 2 hp submersible pump, 100 ft pumping water level, and 30 psi discharge pressure. Approximate maximum flow at these conditions is 40 gallons per minute, which is well below the 90 gpm (0.20 cfs) threshold. According to our telephone conversation and your letter, you do not irrigate more than 5 acres. Based on this information, you will not be required to measure water diversions under right number 36-08280 during 1995.

The water measurement statute requires measurement of all diversions except small domestic and stockwater uses below 13,000 gallons per day. During 1995, the Department is not requiring measurement of uses diverting 0.20 cfs or less or irrigation of 5 acres or less, but may require measurement of uses exceeding 13,000 gallons per day or irrigation uses exceeding one-half acre in the future. The diversion rate of the pump currently installed falls between 13,000 gallons per day and 0.20 cfs. You may be required to measure the diversion in future years.

Sincerely,

Scott King

Scott King

RECEIVED
COT 18-1995

RECEIVED

FEB 10 1995

Water Resources

Department of Water Resources

I recently got a divorce from Mike. Mother. So the property is now in my name. We never irrigated the property or do I plan to! I can just make my property payments. So I am not paying to measure water I use for my personal house use. All I do is water my lawn and use water in the house. If this is what State has come too! Charging people to monitor their own well off their own property & charging for it. I will sell this property & move.

Kirk Mitchell

OCT 08 1995

Signature 2000[®] and Sta-Rite 40P Series 4" Sub. Pump 1/2 HP - 2HP

In consideration of payment of \$25.00 at the time of pump installation, Sta-Rite agrees to repair or replace at no charge the Sta-Rite Industries, Inc. Signature 2000 or 40P 4" Submersible pump identified on this certificate if pump failure occurs within five (5) years from the date of the original installation. **This protection plan includes failure caused by abrasion, corrosion and lightning.**

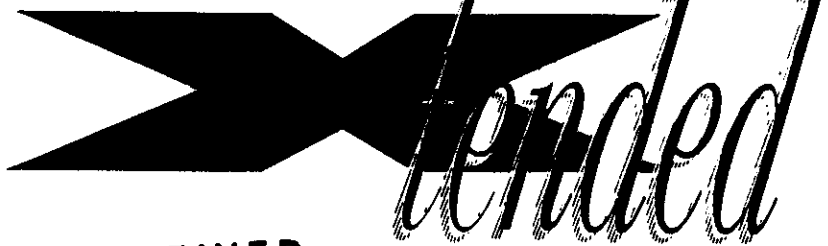
The Sta-Rite Industries, Inc. 4" Submersible Protection Plan does not cover (1) labor charges to pull or reinstall your submersible pump, (2) failure attributed to cables, pipes, controls or accessories, (3) failure attributable to misuse or improper installation, (4) operation without sufficient water (running dry) or (5) consequential, incidental or contingent damage.

The Sta-Rite Industries, Inc. 4" Submersible Protection Plan is an extended warranty and is not intended to replace insurance coverage which otherwise may be applicable or available.

The Sta-Rite Industries, Inc. 4" Submersible Protection Plan applies to Signature 2000 and 40P Submersible Pumps, 1/2 thru 2 horsepower, 3-wire models, or 1/2 thru 1 horsepower, 2-wire overload protected models. Non-transferable.



FIVE YEAR



RECEIVED
FEB 2 1995

PROTECTION PLAN

Homeowner: ~~Return~~ **Retain** warranty certificate #1 and copy #2 in a safe and convenient location. If the original pump should fail during the warranty period, provide installing dealer with copy #2 of warranty certificate upon completion of Replacement Pump installation.

Homeowner Name LINDA MITCHELL Phone # _____

Address P.O. BOX 275

City, State, Zip WENDELL ID 80355

Dealer Name EATON DRILLING & PUMP SERVICE INC.

Address P.O. BOX 233

City, State, Zip WENDELL ID 80355

Pump: Model # 3024502F Serial # 1K926

Motor: Model # P218-1229C Serial # _____

Control Box: Model # P217-314 Date Installed 01/07/94

Homeowner: _____
Signature _____

REPLACEMENT PUMP

Note to Dealer: Complete this portion of Xtended Protection Plan copy #2 at the time of installation of Replacement Pump. Forward the completed copy #2 to the Sta-Rite warranty processing center that serves you.

Pump: Model # _____ Serial # _____

Motor: Model# _____ Serial # _____

Liquid End: Model # _____ Serial # _____

Date Failed: _____

Date Replacement Installed: _____

Homeowner: _____
Signature _____

Dealer: _____
Signature _____

Distributor: _____
Signature _____

18471

Copy #1 - To be retained by homeowner for record keeping.
Copy #2 - To be returned to Sta-Rite for warranty credit.

OCT 03 1995

NO
18471

PERMIT 36-08280 INIT

T. R. S. Q/Q

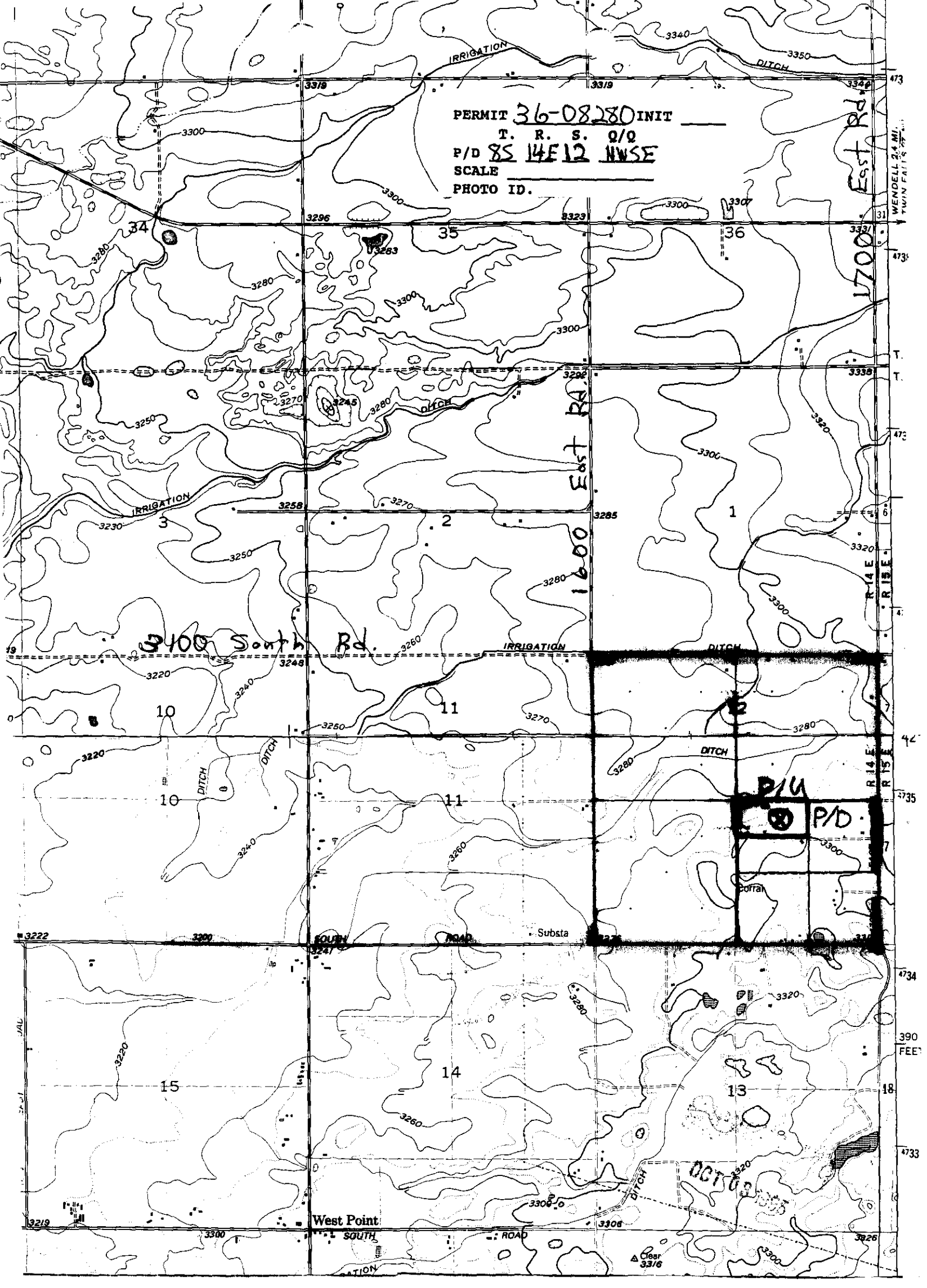
P/D 85 14E 12 NWSE

SCALE

PHOTO ID.

Est Rd

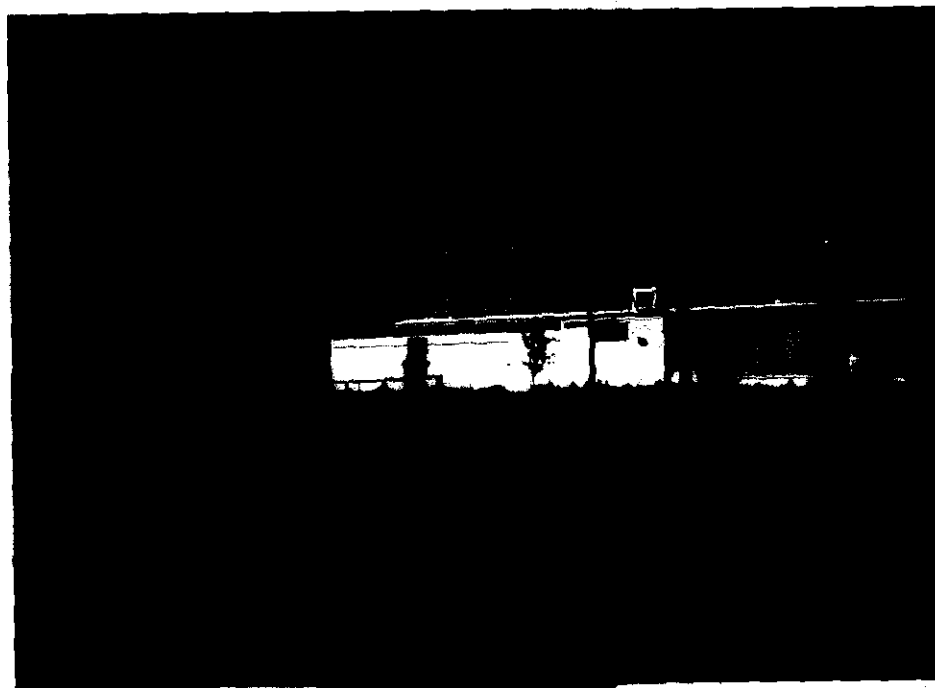
WENDELL 2.4 MI.
TWIN FALLS



WR# 36-08280 -



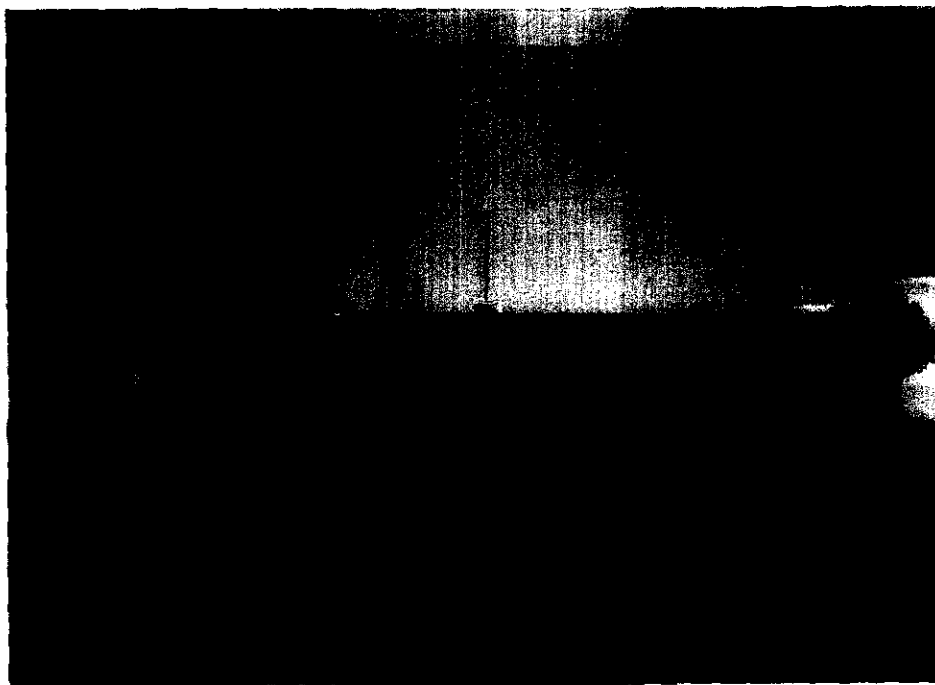
P/D
(Well head
& pressure
tanks, inside
of well house)



P/U
(Rear view
of home ,
garage &
small back
lawn)

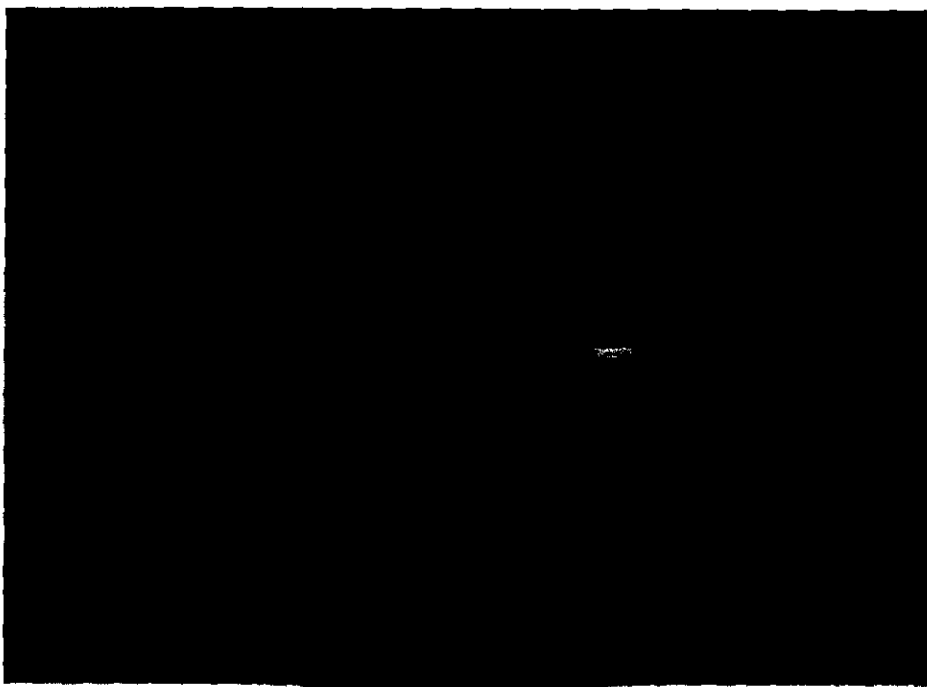
OCT 03 1995

WR#36-0828



P/U

(Front view
of home
& front
lawn)



P/U

(Front lawn
& trees ;
vacant house
(left) & the
well house
(center) of
photo)

OCT 09 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 14, 1992

MICHAEL MITCHELL
LINDA MITCHELL
8371 E TELEGRAPH RD #2
PICO RIVERA CA 90660

Re: Permit No. 36-08280

Dear Permit Holders:

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in cursive script that reads "Brenda L. Miller".

BRENDA L. MILLER
Technical Records Specialist

BLM:cz

MICROFILMED
MAY 19 1992

MEMORANDUM

TO: File 36-8280

FROM: Brenda *Brenda*

DATE: May 13, 1992

RE: Assignment

Per telephone conversation with Mark Miller, the Warranty Deed enclosed with the assignment form was in error. Instead of listing Northside Canal Company shares to be excluded in the transfer of ownership, it states that all water rights are to be excluded.

The assignment will be accepted as is and the Warranty Deed as incorrect.

MICROFILMED
MAY 19 1992

April 18, 1990

MARK R. MILLER
P.O. BOX 237
WENDELL, ID 83355

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08280

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.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECORDED

APR 19 1990

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 Mark Miller
Address Wendell, Ark
Owner's Permit No. _____

7. WATER LEVEL

Static water level 75' feet below land surface
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Temperature _____ ° F. Quality _____
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Other
Discharge G.P.M. Draw Down Hours Pumped

3. PROPOSED USE

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

4. METHOD DRILLED

☒ Cable ☐ Rotory ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 4 inches Total depth 126 feet
Casing schedule: ☒ Steel ☐ Concrete
Thickness Diameter From To
1/4 inches 5 inches + 1 feet 20 feet
_____ inches _____ inches _____ feet _____ 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 30 Material used in seal ☒ Cement grout
☐ Pudding clay ☐ Wall cuttings
Sealing procedure used ☐ Slurry pit ☐ Temporary surface casing
☒ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location. 36
Subdivision Name Wendell
Lot No. _____ Block No. _____
County Wendell
N.W. S.E. Sec. 19 T. 8 N. S. R. 14 E.W.

10.

Work started 3-4-76 finished 3-10-76

11. DRILLER'S CERTIFICATION

Firm Name Wendell Drilling Firm No. 12
Address Box 606 Wendell, Ark Date 6-18-76
Signed by (Firm Official) Wendell Drilling
and
(Operator) Wendell Drilling

RECEIVED
MAR 15 1990

Department of Water Resources

NOT REFILED

APR 19 1990

138219
February 28, 1990

MARK R. MILLER
P.O. BOX 237
WENDELL, ID 83355

PROOF DUE NOTICE

RE: PERMIT NO. 36-08280

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1990. (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

MICROFILMED

APR 19 1990

MEMORANDUM

TO: FILE/APPLICATION NO.

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 11-27-89

This application was among those applications reviewed in the regional offices last year and recommended for out of sequence processing. This application includes a statement and sufficient supporting evidence concerning development of the project prior to October 1, 1984.

The department's Policy and Implementation Plan for Processing Water Rights in the Swan Falls Area provides for applications to be processed out of sequence if the development was completed prior to October 1, 1984 and the application filed prior to July 1, 1985. These filings are not required to be processed in sequence with other trust water filings because the effect of these filings have already occurred and because, due to subordination, the filings are not taking water held in trust. These filings are not subject to the staged development policy and public interest criteria of Section 42-203C, Idaho Code.

MICROFILMED

APR 19 1990

[]

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
May 2, 1989

MARK R. MILLER
P.O. BOX 237
WENDELL, ID 83355

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

RE: PERMIT NO. 36-08280

Dear Permit Holder:

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

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.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

AUG 21 1989

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho,)
) SS.
County of Gooding)

FEB 24 1989

Department of Water Resources
Southern Region Office

Mike Thornberry, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, 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 2x consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 15 day of Feb 19 89, and the date of the last publication was on the 22 day of Feb, 19 89.

Mike Thornberry

Subscribed and sworn to before me this 22nd day of Feb, 19 89.
(SEAL)

Norma DeVoe
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho
COST OF PUBLICATION

OK
MA
3/14/89

Number of Lines in Notice _____
Number of Insertions 2x

Lines tabular at _____ 5¢/Pica
351 Lines straight at 14.04 4¢/Pica
Subsequent lines at 12.29 3.5¢/Pica
TOTAL COST 26.33

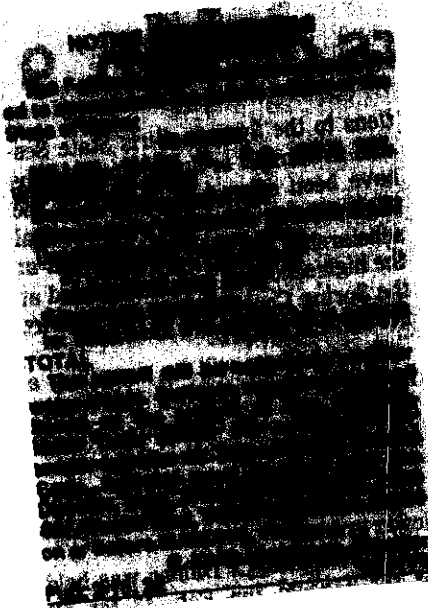
COPY OF NOTICE
(Paste Here)

App. Water Right
TITLE OF NOTICE

Miller
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
Dept of Water Resources
2148 4th Ave E
Jerome Falls, ID
BILL TO 83301



PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight 4¢/Pica
7-8 pt. per line tabular 5¢/Pica
7-8 pt. per line successive
insertions 8¢/Pica

MICROFILMED

AUG 21 1989 N° 1407

13773

36-08280

MILLER, MARK R.
P.O. BOX 237
WENDELL, ID 83355

Source: GROUNDWATER

Diversion Pt: NWSE Sec 12 T 08S R 14E

Use: IRRIGATION	(.340 CFS)
STOCKWATER	(.020 CFS)
DOMESTIC	(.040 CFS)

Date Filed: 5/30/1985

In: T08S R14E S12 NWSE

17.0 ACRES TOTAL

Microfilm

AUG 21 1989



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

February 2, 1989

Mark R. Miller
P.O. Box 237
Wendell ID 83355

Re: Application for Permit No. 36-8280

Dear Mr. Miller:

On March 25, 1988, the Federal Energy Regulatory Commission (FERC) issued an order satisfying the last condition to make the Swan Falls Agreement effective. The Department is now prepared to proceed with the normal processing of your application. This process includes the preparation of a notice of the application which shall be published once a week for two consecutive weeks in a newspaper printed within the county wherein the point of diversion lies.

The Department wishes to know of any reason why it should not plan to process your above-referenced application. If there is a reason for not processing this particular application or you no longer have any interest in seeking a water right permit under this application, please notify the Department within ten days of the date of mailing this notice.

Please do not hesitate to contact this office if you have any questions regarding this matter.

Sincerely,

Loren O. Holmes
Manager, Southern Regional Office

LOH:jg

RECEIVED

AUG 21 1989

District WendellAccount No. 1757002341

IDAHO POWER COMPANY
PERMANENT DOMESTIC OVERHEAD
ELECTRIC SERVICE AGREEMENT

Schedule No. 71

Applicant Mark Miller Mailing Address Wendell, Idaho

The undersigned, owner of the premises hereinafter described, herein called APPLICANT, hereby applies to IDAHO POWER COMPANY, herein called Company, to extend its electric system to said premises, and to supply electric service under the terms and conditions hereinafter set forth, as follows:

1. Character of Service: Single phase, alternating current at a voltage of approximately 120-240 volts for Permanent Domestic Service up to the amount of 10 KW.

2. Location of Premises: All service is to be supplied at Customer's Mobile Home 2 1/2 W., 2 S., 1/2 W. located in Gooding County, State of Idaho, and in the N 1/2 NW 1/4 SE 1/4 of Section 12, Township 8S, Range 14E, B. M.

3. Term of Agreement: Seven (7) years from and after the date service can be made available to Applicant by the Company, or when all cash payments, including net cost (non-salvage), have been refunded to Applicant, whichever is earlier.

4. Applicant acknowledges receipt of Company's Overhead Line Extensions Schedule No. 71, and Rules and Regulations, which are hereby referred to and expressly made a part of this Agreement, together with the Company's Rate Schedule Applicable to the service supplied.

5. In consideration of the Company's extending its overhead system and making the investment necessary to supply service hereunder, Applicant agrees to provide a cash payment or letter of escrow to the Company in the amount of \$ 350.00 in accordance with the Company's Overhead Line Extensions, Schedule No. 71. Such payment or letter shall be provided thirty (30) days prior to construction by the Company, and Applicant further agrees to pay to the Company, throughout the term of this Agreement, a minimum annual payment of \$ 260.00.

6. This application shall not become binding upon the Company until accepted by its Division Manager, and upon such acceptance shall constitute a contract and agreement between the Applicant and the Company.

Dated 1-17, 1978 Mark MillerAttest [Signature] Customer
WitnessAccepted January 19, 1978.

IDAHO POWER COMPANY.

By [Signature] ManagerConstruction authorized by W. O. No. 42-739-380Estimate \$ 5915. (2)

1001-O 5M 10-76

AUG 21 1989

District Wendell

Account No. 1757 00300

IDAHO POWER COMPANY
PERMANENT DOMESTIC OVERHEAD
ELECTRIC SERVICE AGREEMENT

Schedule No. 71

Applicant Mark Miller Mailing Address Wendell, Idaho

The undersigned, owner of the premises hereinafter described, herein called APPLICANT, hereby applies to IDAHO POWER COMPANY, herein called Company, to extend its electric system to said premises, and to supply electric service under the terms and conditions hereinafter set forth, as follows:

1. Character of Service: Single phase, alternating current at a voltage of approximately 120-240 volts for Permanent Domestic Service up to the amount of 15 KW.

2. Location of Premises: All service is to be supplied at Customer's Residence 24W., 2S., 1W. located in Gooding County, State of Idaho, and in the N. 1/4 Sec. 14E of Section 12, Township 8S, Range 14E, B. M.

3. Term of Agreement: Seven (7) years from and after the date service can be made available to Applicant by the Company, or when all cash payments, including net cost (non-salvage), have been refunded to Applicant, whichever is earlier.

4. Applicant acknowledges receipt of Company's Overhead Line Extensions Schedule No. 71, and Rules and Regulations, which are hereby referred to and expressly made a part of this Agreement, together with the Company's Rate Schedule Applicable to the service supplied.

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6. This application shall not become binding upon the Company until accepted by its Division Manager, and upon such acceptance shall constitute a contract and agreement between the Applicant and the Company.

Dated 1-17, 1978 Mark Miller

Attest
Witness

James A. Brown

Customer

Accepted January 19, 1978.

Mark Miller

IDAHO POWER COMPANY.

By

D. J. Elliott

Division Manager

Construction authorized by W. O. No. 42-739-380

Estimate \$ 5915. (2)

1001-O 5M 10-76

AUG 21 1989