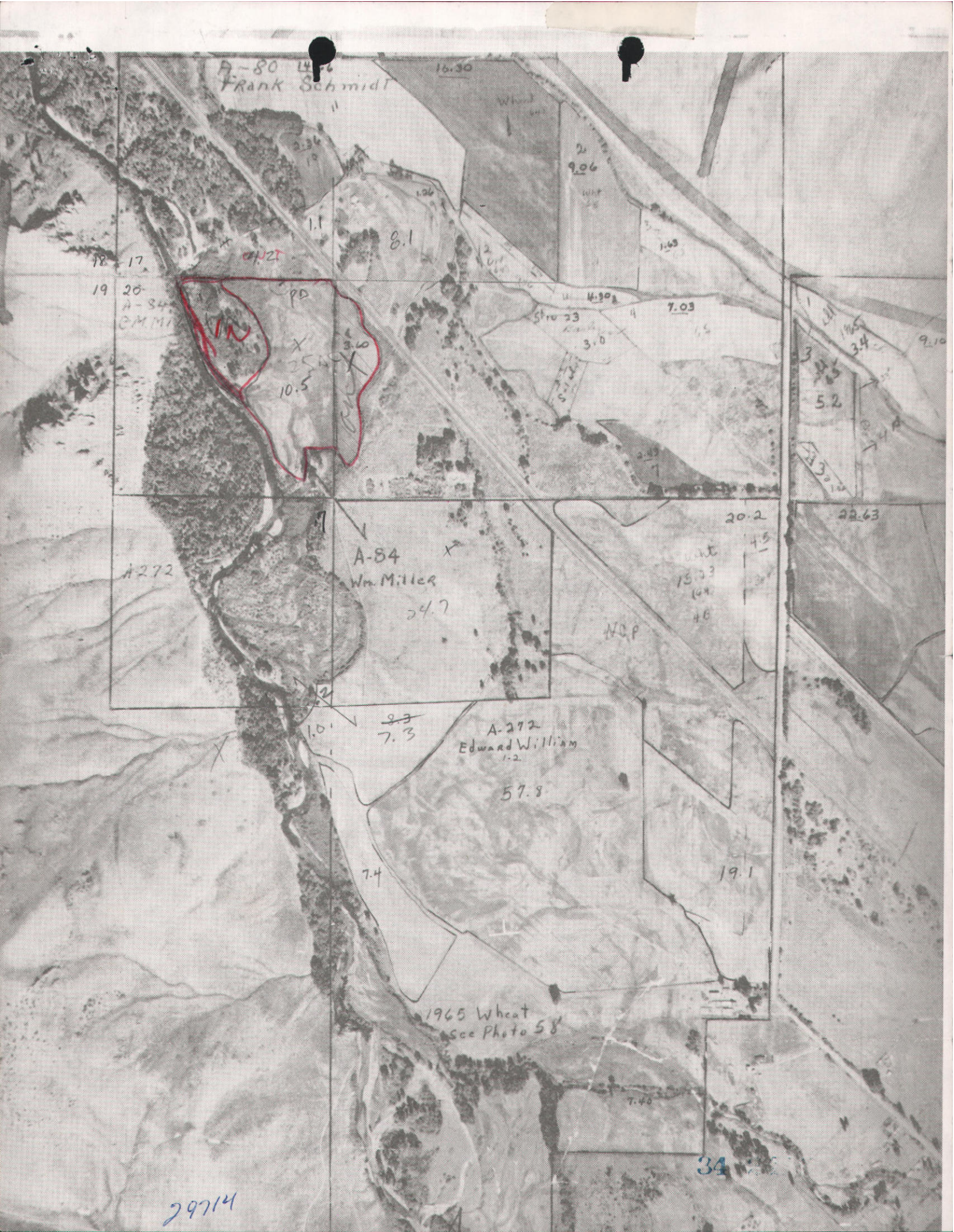




A-80 14.6
Frank Schmidt

16.30

9.06

8.1

18 17

19 20

A-84
C.M.M.



10.5

3.60

3.60

Stro 23

3.0

1.63

7.03

3.4

5.2

22.63

A-272

A-84
Wm. Miller

24.7

20.2

15.33

16.4

4.6

N.C.P.

A-272
Edward William

1.2

57.8

2.3

7.3

7.4

19.1

1965 Wheat
See Photo 58

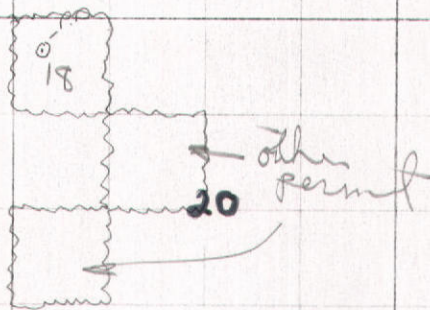
7.40

29714

34

Range 24 East

township 7 north



18

18

.36 ct / 18 Act

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.

Range 24 East

10354-0-1-5045

well

10.5 3.6

20

Scale: 2 inches equal 1 mile

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

Signed at _____, this _____ day of _____, 19____.

(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, _____, State Reclamation Engineer of the State of Idaho,
hereby _____

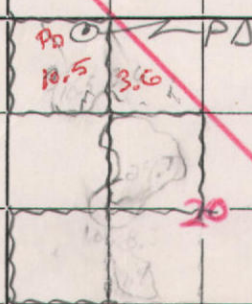
Witness my hand this _____ day of _____, 19____.

State Reclamation Engineer

Mackay Reservoir

Rge 24 E

Twp 7 N



14.1

Mackay

Irr Reg. - 3.0 AFS

Area - 14 Acres

Subd - 2

Q - Allow. 28 cfs. for irrigation

Not to exceed 42 AFS with all other

Priority - May 15, 61

INSTRUCTIONS TO EXAMINERS

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

25-1" stand pipes
50#
S
William M. Miller
P. O. Box 85
Mackay, Idaho
Permit No. G-29714

Examination for Completion of Works & Beneficial Use

County.....Custer.....

Sec. 20 T. 7N R. 24 EBM

Quantity: 116 cfs or 80 inches

Source: 34- Subterranean

P. D.: NW 1/4 NW 1/4 Sec. 20

Twp 7N Rge 24E

Use: Irrigation

Filed: May 15, 1961

Due: May 19, 1966

Extension:

Protest:

Completion of Works:

Other Rights: 31" 1896 Permit

(G 27075
Cancelled)

made Nov. 30, 1965

588-2202

Not Home

7-10-68

25 NOZ RAN 8.20 30
205 5/32"

25 A

2000221 CENTRAL FUGAL
#12637

7' HP GE CLEC
PV

A" INLET

1 LINE

MR. MILLER PRESENT

26714

RECEIVED
DEC 2 1965

Affidavit of Publication

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

Department of Reclamation

STATE OF IDAHO }
County of Custer } ss.

Notice is hereby given that at 5:00 P. M., on the 30th day of November, 1965, at Mackay, County of Custer, State of Idaho, before O. Leon McInelly, Notary Public, at Bitton Building, Main Street, Mackay, Idaho, proof will be submitted of the completion of works for the diversion of 1.6 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G29714, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Wm. Miller, Mackay, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is .6 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes and the amount applied to beneficial use is .6 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20 Twp 7 N., Rge 24 E.B.M.

5. The place where said water is NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, Twp 7 N., Rge 24 E. B. M.

6. The date of priority which said user is prepared to establish is May 15, 1961.

CARL E. TAPPAN
State Reclamation Engineer
Pub. Oct. 21, 28; Nov. 4 and 11

I, Ruth Hannawalt
the Publisher
of The MACKAY MINER, a
weekly newspaper of General Cir-
culation published weekly and en-
tered in the post office Mackay,
Idaho, continuously since Febru-
ary 6, 1906, do solemnly swear
that a copy of the notice, as per
clipping attached, was published
weekly in the regular and entire
issue of said newspaper and not in
any supplement thereof, for —

4 consecutive weeks,
commencing with the issue dated

Oct 21, 1965
and ending with the issue dated

Nov 11, 1965

Ruth Hannawalt

Subscribed and sworn to before
me this 12th day of

November, 1965

V. L. Rainey
Notary Public.

29714

IN THE PROBATE COURT OF THE COUNTY OF CUSTER, STATE OF IDAHO

IN THE MATTER OF THE ESTATE
of
GEORGE A. MILLER, Deceased.

) DECREE OF FINAL SETTLEMENT,
:
) DISTRIBUTION, AND DISCHARGE.

MABEL SHIFFLER MILLER, the Executrix of the Last Will and Testament of George A. Miller, Deceased, having rendered to this Court and filed herein her first and final account and report of her administration of said estate, and having filed therewith her petition for the distribution of the residue of said estate and for her discharge as such Executrix, and said account, report and petition this day coming on regularly to be heard, proof having been made to the satisfaction of the Court that due and legal notice of the time and place for the settlement of said account and the hearing of said petition has been given, in the manner, and for the time, heretofore ordered and directed by the Court, and in all respects as is by law required, and

It appearing to the Court that, on or about the 5th day of May, 1962, George A. Miller died, testate, at Mackay, in the County of Custer, State of Idaho, and that he was, at the time of his death, a resident of said County of Custer, State of Idaho; that subsequently, by an order of this Court, the Last Will and Testament of said deceased was duly admitted to probate and the said Mabel Shiffler Miller was appointed as the Executrix thereof, that she duly qualified as such and Letters Testamentary were issued to her, and she entered upon the duties of administering said estate, and ever since has continued to administer the same; and

It further appearing that said final account and report is, in all respects, true and correct; that due and legal notice to creditors has been given herein, and a Decree of Due Notice to Creditors has been entered by the Court, and that the time for presentation of claims against said estate has expired; that all claims against said estate, except the claim of Bennie A. Miller, which was withdrawn to permit distribution of said estate, all expenses of the burial of said deceased, all taxes due from said estate, and all expenses of administration, have been fully paid; that there was no last illness expense of said deceased; that this Court has heretofore made and entered its order finding ^{The Transfer} or inheri^{tax} due the State of Idaho from said estate, and that the amount of such tax has been paid; that this Court has heretofore made and entered its Order fixing the Market value of the property of said estate, and that said estate is ready for final distribution and settlement, and in condition to be closed; and

It further appearing that the said George A. Miller died testate, leaving in the State of Idaho the real and personal property described in the Inventory and Appraisement on file herein, all of which was the community property of said deceased and his surviving wife, Mabel Shiffler Miller, who is sometimes known as, and is the identical person as Mabel M. Miller and as Mabel Miller; that said deceased left surviving him, as his only heirs at law, his said wife, Mabel Shiffler Miller, his son, Bennie A. Miller, and his daughter, Florence Miller Johnson; that the said Mabel Shiffler Miller, surviving spouse of said deceased, is the owner, in her own right,

of a one-half interest in and to all of the residue of said estate as a member of the community consisting of said deceased and the said Mabel Shiffler Miller, and that the remaining one-half of said residue should be distributed in accordance with the provisions of the Last Will and Testament of said deceased,

NOW, THEREFORE, it is ORDERED, ADJUDGED and DECREED:

1. That the said First and Final Account and Report of the said Mabel Shiffler Miller, Executrix of the Last Will and Testament of George A. Miller, deceased, be, and the same is hereby, settled, allowed, and approved.

2. That the residue of said estate, consisting of the real and personal property herein-after described, together with any and all other property, not now known or discovered, or not herein described, which may have belonged to said deceased, or in which said deceased may have any interest, be, and the same is hereby distributed as follows, to-wit:

a. To Mabel Shiffler Miller, surviving wife of said deceased, an undivided one-half thereof, in her own right, as a member of the community consisting of said deceased and the said Mabel Shiffler Miller.

b. To Mabel Shiffler Miller, for her own use and occupation during her life, the remaining one-half of said residue, both real property, including income and proceeds from sales of real property made by decedent, and personal and mixed property, including stocks, bonds, automobiles, and cash moneys, wherever situated and located, without liability for consumption, use, damage, injury or loss of or to any of said personal property, or for any personal property exchanged or traded for other personal property, and upon her death, to Bennie A. Miller and Florence Miller Johnson, in equal shares, share and share alike, and in the event either the said Bennie A. Miller or Florence Miller Johnson shall predecease the said Mabel Shiffler Miller, to his or her child or children then living, per stirpes.

c. The residue of said estate, as it now appears to this Court, is described as follows:

Lots Thirteen (13), Fourteen (14), Fifteen (15), and Sixteen (16), in Block Twelve (12), Original Townsite of Mackay, Custer County, Idaho, according to the recorded plat thereof. Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$), Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section Twenty (20), Township Seven (7) North, Range Twenty-four (24), East Boise Meridian, Custer County, Idaho (subject to final proof on Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) under Desert Land Entry Idaho 09168).

H. E. Survey No. 509, embracing a portion of approximately Section Thirty-six (36), in Township Selven (7) North, Range Twenty-one (21), East Boise Meridian, Custer County, Idaho, more particularly described as follows: Beginning at corner No. 1, from which U. S. Location Monument No. 509 bears South 32° 26' West 13.76 chains distant; thence North 58° 17' West 54.27 chains to corner No. 2; thence North 68° 32' West 24.51 chains to corner No. 3; thence

29714

North 38° 34' East 18.88 chains to corner No. 4; thence South 76° 26' East 24.41 chains to corner No. 5; thence South 55° 22' East 54 chains to corner No. 6; thence South 34° 21' West 19.09 chains to corner No. 1, the place of beginning, containing 158.12 acres, more or less. Together with 3.16 cubic feet per second (or 158 miner's inches) of the waters of the East Fork of the Big Lost River, with priority of May 1, 1916, as decreed to Frank P. Morrison as Right No. 342 in that certain decree in the United States District Court of the District of Idaho, Eastern Division, in that certain action entitled: "The Utah Construction Company, a corporation, Plaintiff, vs. John F. Abbott, et al., Defendants", which said decree bears date of March 15, 1932.

Vendor's interest in Contract of Sale dated October 31, 1957, between George A. Miller and Mabel M. Miller, his wife, as vendors, and Anna Keerins Wiseman, as vendee, for the sale of the following real property in Custer County, Idaho, to-wit: Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$), Section Twenty-four (24), Township Eight (8) North, Range Twenty-two (22), East Boise Meridian, less 1 acre deeded for highway purposes, Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section Twenty-four (24), Township Eight (8) North, Range Twenty-two (22), East Boise Meridian, less 1.1 acre deed for road purposes; Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$), East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$), West Half of the Northeast Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$), Section Twenty-five (25), Township Eight (8) North, Range Twenty-two (22), East Boise Meridian, together with certain range rights and personal property.

Miscellaneous household furniture, fixtures, and equipment and personal effects.

Furniture, fixtures and equipment in rental unit

1962 Buick Invicta Automobile

10 head of cows

12 head of calves

160 shares of stock in Eastern Idaho Production Credit Association

120 shares of stock in the Federal Land Bank Association of Blackfoot.

Beginning at a point which is North 15° West 9.55 chains from the Section Corner common to Sections Twenty (20), Twenty-one (21), Twenty-eight (28), and Twenty-nine (29), Township Seven (7) North, Range Twenty-four (24), East Boise Meridian, Custer County, Idaho, and running thence North 46° 30' West 6.14 chains, thence North 44° East 8.14 chains, thence South 46° 30' East 6.14 chains, thence South 44° West 8.14 chains, to the place of beginning

3. That the said Mabel Shiffler Miller be, and she is hereby, discharged as Executrix of the Last Will and Testament of George A. Miller, Deceased, and that she be, and she is hereby, relieved of all further liability hereunder.

4. That said estate be, and it is hereby, finally settled and closed.

BY THE COURT this 15th day of January, 1963.

29714

(SEL)

J. Lessil Sharp
JUDGE OF SAID PROBATE COURT

STATE OF IDAHO)
 : ss.
County of Custer)

I DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of the original DECREE OF FINAL SETTLEMENT, DISTRIBUTION, AND DISCHARGE, in the Matter of the Estate of George A. Miller, Deceased, on file and of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Court this 15th day of January, 1963.

J. Lessil Sharp
PROBATE JUDGE & EX-OFFICIO CLERK.

(Seal)

State of Idaho)
 : ss.
County of Custer)

This instrument was filed for record at the request of Albaugh, Bloem, Smith & Pike at 2:30 o'clock P. M. January 18, 1963 and duly recorded in Vol. 4 of Probate Court Orders Page 193 Records of Custer County, Idaho.

Fees \$5.10

/s/ Eva Mann
Ex-Officio Recorder

STATE OF IDAHO,)
 : ss.
County of Custer.)

I, Eva Mann, Ex-Officio Recorder in and for the County of Custer, in the State of Idaho, do hereby certify that I have compared the foregoing copy with the record which appears in Volume 4 of Probate Court Orders, at Page 193 of the Records of Custer County, Idaho, and the same is a full, true and complete copy of such record.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my Seal this 4th day of October, 1965.

Eva Mann
Ex-Officio Recorder

By Margaret Leaton Deputy

29714

Please send back when you have this recorded

RECEIVED

AUG 31 1965

ASSIGNMENT

Department of Reclamation

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. B 29714 to William M. Miller of House Idaho
* also 31 acres of water

George Miller By
Permit Holder
Mabel Miller,
Wife of Permit Holder

STATE OF IDAHO)
County of Custer : ss

On this 8 day of Sept, 1964, before me, a Notary Public for the State of Idaho, residing at Mackay, Idaho personally appeared Mabel Miller known to me to be the person whose name is subscribed to the within instrument and duly acknowledged to me that she executed the same.

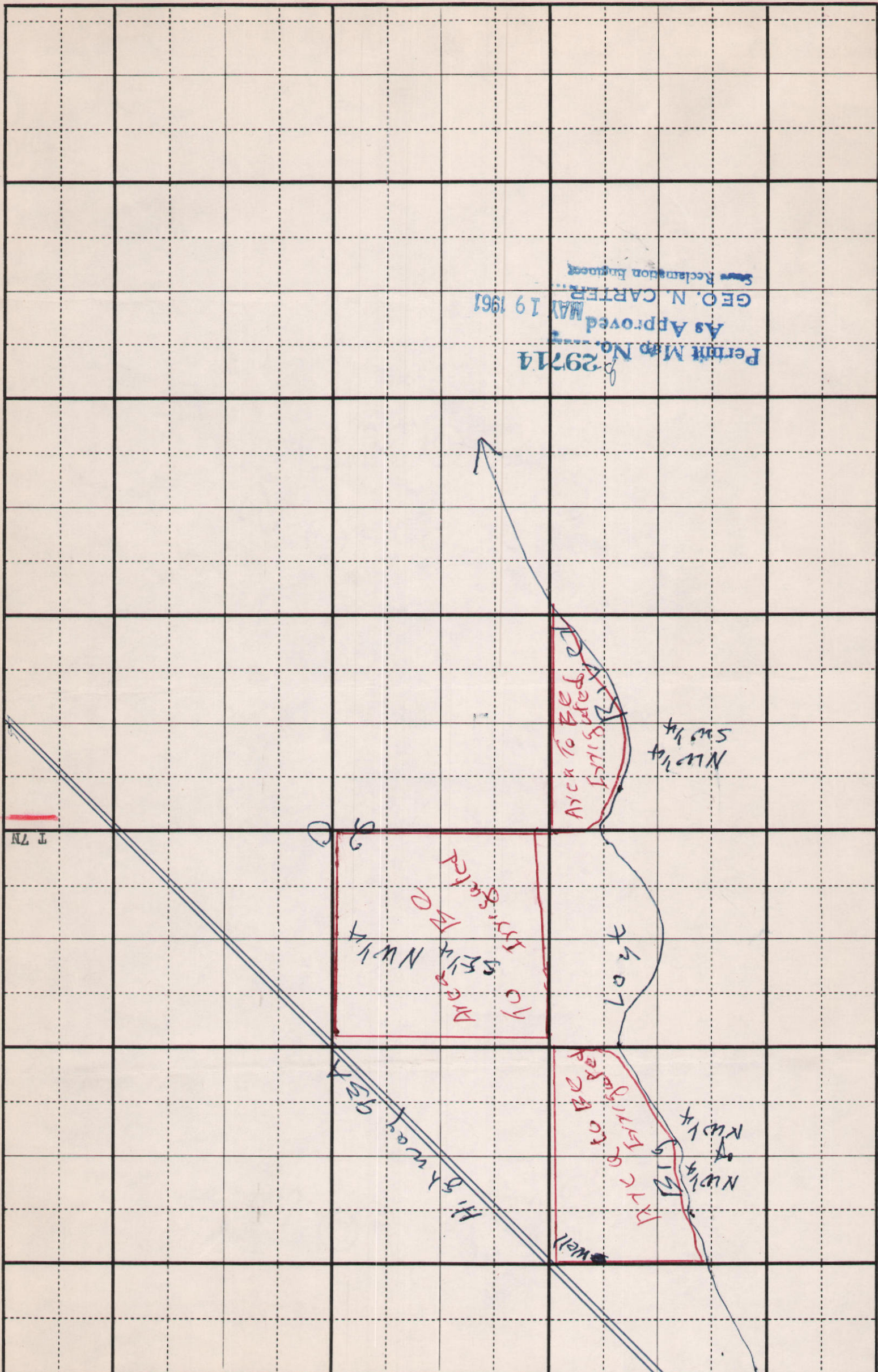
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

John Murray
Notary Public
Residing at Mackay, Idaho

My commission expires: 12/26/66

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions

29714



Permit Map No. 29714
As Approved
GEO. N. CARTER
MAY 19 1961
Soil Reclamation Engineer

Range 24 East

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

29714

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 29714/34-2415 Priority May 15, 1961 Amount 0.36 cfs

THIS IS TO CERTIFY, that WILLIAM M. MILLER
of Grouse, Idaho, has complied with the terms and conditions of Permit
No. 29714/34-2415 issued pursuant to Application for Permit dated May 15, 1961,
and has submitted proof to the Department of Water Administration on November 30, 1965,
that he has applied water to a beneficial use, an examination by the Department indicates that the
works have a capacity of 0.38 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 0.36 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.36 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, Twp. 7 N, Rge. 24 E, B. M.

in the county of Custer; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 54 acre feet per year or _____
3.0 acre feet per acre.

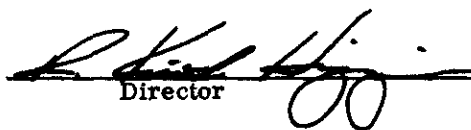
Description and location of place of use:

TWP	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7 N	24 E	20						18											18

Total number of acres irrigated 18

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 4 day of
October, 19 72.


Director

34-2415

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37720
Permit No. G- 29714
District No.

1. *Adjusted to* William S. Miller
Grouse - 100

1. Name of Applicant: **George A. Miller**
Postoffice address: **Hackay** County: **Custer** State: **Idaho**

2. Quantity of water claimed: **80 miner inches (1.6)**
(a) Rate of withdrawal in cubic feet per second **Miners' inches** or Idaho -
or gallons per minute
(b) Annual withdrawal in acre feet per annum

3. Source of water supply: **Subterranean**

4. Location of point of diversion or well is in the **NW 1/4** of the **NW 1/4** of Section **20**
Twp. **7 N**, Rge. **24 E**, B.M., County of **Custer**

5. Water is to be used for: **Irrigation purposes**

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the **1/4** of the **1/4** of Section **20**, Twp.
Rge. **24 E**, B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the **1/4** of the **1/4** of Section **20**, Twp. **7 N**, Rge. **24 E**, B.M.

7. Kind of works: **Electric Motor and Pump**

8. Estimated cost of works: \$ **1500.00**

9. (a) Is reservoir to be used? **Sump**

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is **5** years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **31 in. 1896**

(Permit G-27075)
Cancelled

(a) **1** (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) **1** (cubic feet per second, inches or gallons per minute) is for new lands.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ George A. Miller

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:10 A.M. May 15, 1961

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 29714

Recorded in Book 104 Page 29714 Approved May 19, 1961

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, **unless**
temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before **November 19, 1963**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before **May 19, 1966**

Witness my hand this 19th day of May, 1961

s/ GEO. N. CARTER

STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ... **ROBERT E. SMYLLIE**, Governor of the State of Idaho,
and **ARNOLD WILLIAMS**, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this, ... **19th** ...
day of **May**, 19 **61**

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYTHE
Governor

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7 N	24 E	20					30		40			10					80		
A S S I G N M E N T ✓																			
For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, Permit No. G-29714 to William M. Miller of Grouse, Idaho.																			
Also 31 inches of 1886 decreed water																			
s/ GEORGE MILLER By Permit Holder Mabel Miller																			
STATE OF IDAHO			)																
			) ss																
County of Custer			)																
On this 8 day of September, 1964, before me, a Notary Public for the State of Idaho, residing at Mackay, Idaho, personally appeared Mabel Miller known to me to be the person whose name is subscribed to the within instrument and duly acknowledged to me that she executed the same.																			
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.																			
s. Ilene Murray Notary Public Residing at Mackay, Idaho																			
My commission expires 12/26/66																			
SEE DECREE OF FINAL SETTLEMENT, DISTRIBUTION AND DISCHARGE in the estate of GEORGE A. MILLER, deceased																			
LICENSE ISSUED FOR 0.36 SEC. FI. LICENSE PAGE NO. _____																			

October 5, 1972

Re: Permit No. 29714/34-2415

C
Mr. William M. Miller
Box 85
Mackay, Idaho 83251

Dear Mr. Miller:

Enclosed herewith is your Water License issued on the above referenced permit.

Also enclosed is departmental receipt No. 8878 in the amount of \$7.00 covering the licensing fee.

P
Sincerely,

BOBBY D. FLEENOR
Assistant Director

Y
BDF:DR
Enc: License
Receipt #8878

bc: Eastern District Office

29714/34-2415

September 21, 1972

Mr. William M. Miller
Grouse,
Idaho 83242

Dear Mr. Miller:

A representative of this department has made an examination of the works covered by your Permit No. 29714/34-2415 and has found the following:

Quantity of water diverted: 0.36 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.36 cfs

The maximum quantity of water diverted shall not exceed 54 acre feet per season.

Beneficial Use: Irrigation of 18 acres within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20,
Twp. 7 N, Rgs. 24 E, B. M.

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, Twp. 7 N, Rgs. 24 E, B. M.

The priority date established is : May 15, 1961

A fee totaling \$ 7.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

34 2415

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 34-2415 (G-29714)

REPORT ON PROOF OF Completion of Works and Beneficial Use

RE-EXAMINATION

Mr. Miller also has permit 34-2456 to be re-examined

34 2415

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

Permit No 34-2415 (G-29714)

This proof is for **completion of works and beneficial use** In Water District No.

1. Name of applicant WILLIAM M. MILLER, P.O. Box 85, Mackay, Idaho

2. Source of water supply ground-water

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20

T. 7 N R. 24 E County of Custer

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

pump and pipe into a sprinkler system - well is 12' deep, depth to water 8'; 25 1 inch
stand pipes 50 lbs. pressure

The land follows the river on the west side
and the fence line on the East. The fence line
is on the $\frac{1}{4}$ sec line. Miller does not own the 3.6 Acres

5. Water is used for: Irrigation on the east side of the fence

6. State whether or not water has been turned into works of diversion Additional land
is farmed and does not show on photo

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

T. 7 N., R. 24 E., B.M. Sec. 20... NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ 80 acres.

The previous exam indicated that there was 3.6 acres within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20 being
irrigated and 10.5 acres within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20 being irrigated.

When we tried to get Mr. Miller to amend his permit to include the 3.6 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
he refused and said he was not irrigating that land and also that he was irrigating more than
10.5 acres within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20. The reason for this reexam is to clarify the above.

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

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

Remarks:

Well was measured by examiner at .28 cfs

$\frac{25 \times 4.98}{448.8} = .28 \text{ cfs}$ (remeasure to be sure)

$448.8 = 13839.27$

$Q = 24 \times \frac{3}{16} @ 50 \text{ psi} = (24)(7.18) / 450 = .38 \text{ cfs}$

$Q = .38 \text{ cfs allow } .36 \text{ cfs}$ $(.02)(18) = 136 \text{ cfs}$

$V = (3)(18) = 54 \text{ Ac ft. ANN}$

A = I have found 18 Acres - the aerial photo
was taken prior to complete development of the land.

This examination was made on the 21 day of July, 1971.

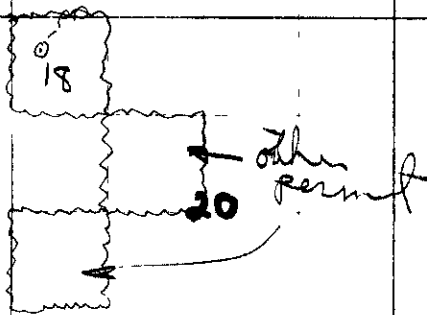
(Signed)

James Booker
34 2415 Examiner.



Range 24 East

Township 7 North



18

18

3600' 14 AC

INSTRUCTIONS TO EXAMINERS

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

Permit No. 34-2415 (G-29714)

Reason for: completion of works and beneficial use

County: Custer

Quantity: 1.6 c.f.s. - permit 0.6 c.f.s. - proof
Sec. 20 T. 7 NR. 24 E

Source: ground water

P.D.: NW $\frac{1}{4}$ NW $\frac{1}{4}$

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: 5-15-61

Due: 5-19-66

Made: 12-2-65

Priority: 5-15-61

RECEIVED

Not Approved

of (address)_____

P. O. Box 85, Mackay, Idaho

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho

1. Point of diversion: 1/4 1/4, Sec. I.

R. _____, B.M. Other points of diversion _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

3. Place of use or land to be irrigated:

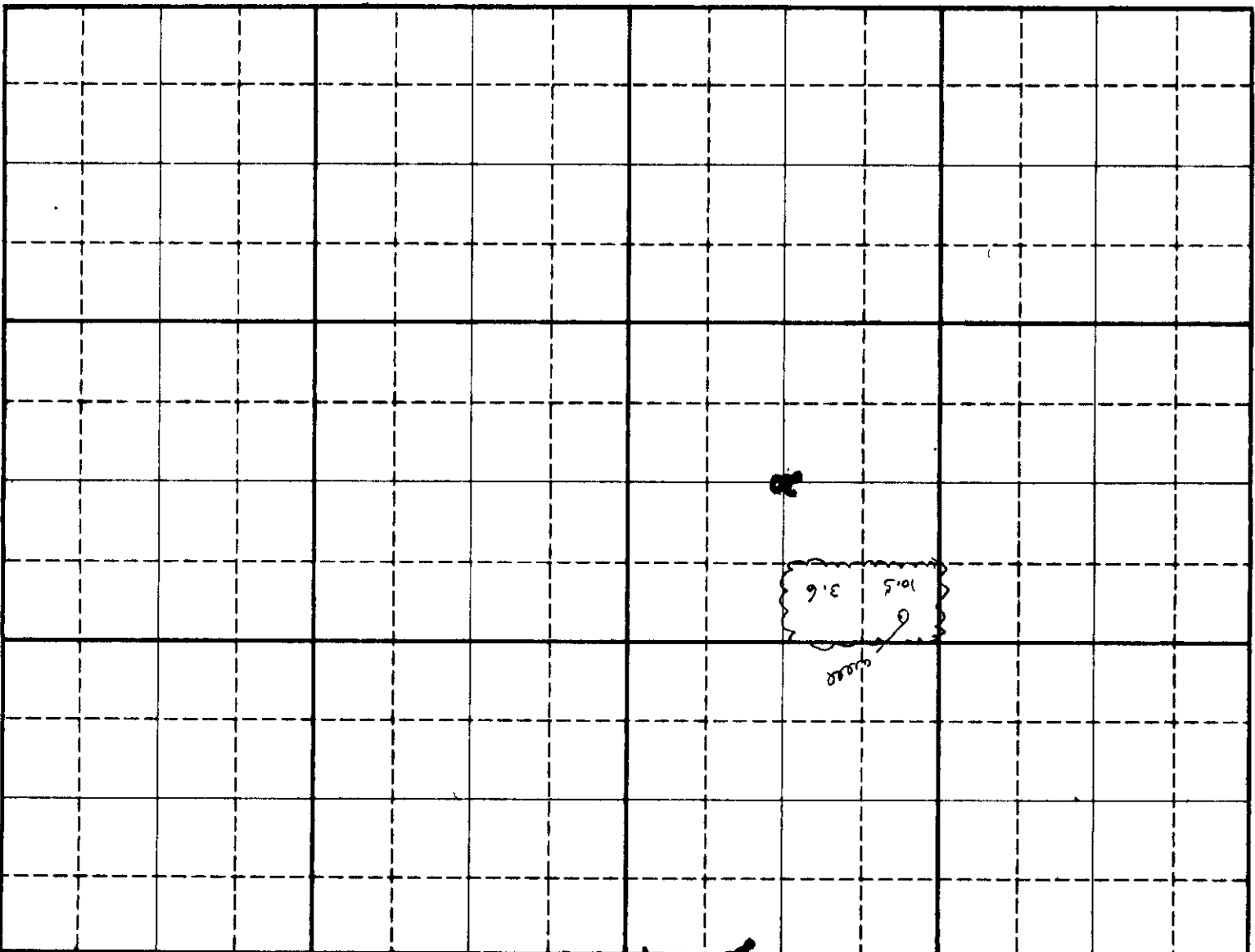
[illegible]

14.1

29714

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.

Range 24 East



57405-2-24500-4

Scale: 2 inches equal 1 mile
That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at _____, this _____ day of _____, 19____.

(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, _____, State Reclamation Engineer of the State of Idaho, hereby _____

Witness my hand this _____ day of _____, 19____.

State Reclamation Engineer

October 26, 1970

Re: Permit No. 34-2415 (G-29714)

Mr. William M. Miller
P.O. Box 85
Mackay, Idaho 83251

Dear Mr. Miller:

We received your letter of October 19th and there is still some misunderstanding about the area you are irrigating.

Your project is scheduled to be examined again next summer. The field examiner will contact you before the examination so that you may accompany him over your project.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

*exam typed
10 26 70
WD*

*34-2415
29714*

Mackay Idaho

Oct 19, 1970

Department of Water Administration

Boise Idaho

Dist. 1

Box 913

Dear Sir: I just received your letter and

I still don't understand it. I don't understand reading description of land to well but by the sketch on the back of paper of the 3.6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ don't belong to me it belongs to my neighbor on the north.

And I don't agree with your examiner at all if he says there is only 10.5 acres in that field NW $\frac{1}{4}$ NW $\frac{1}{4}$ my drill measured 20 acres and I irrigate it with 24 sprinkles with $\frac{3}{16}$ inch nozzels. I took 40 ton of hay off it this summer and figured it produces about 2 ton per acre.

If you don't want to take my word it would be best to have your examiner check it again when he is in this locality.

Yours Very Truly

William M. Miller

34-2415

29714

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

October 14, 1970

Re: Permit No. 34-2415 (G-29714)

Mr. William M. Miller
P. O. Box 85
Mackay, Idaho 83251

Dear Mr. Miller:

We received your recent letter concerning your water right Permit No. 34-2415 (G-29714).

All of our permits have been re-numbered to facilitate their entry into a computer system. Therefore, Permit No. 34-2415 is the same as Permit No. G-29714.

Your Permit No. 34-2415 does not include any land within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20. If you desire to include in your license the 3.6 acres you are irrigating in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, complete the enclosed Application for Amendment and return it to this Department along with the \$5 amendment fee.

Any water right license is issued for the amount of water being beneficially used. According to our field examiner you are using 0.28 cubic feet per second of water or about 14 miners inches from a ground-water source located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, T. 7 N., R. 24 E., B.M., Custer County.

As mentioned in our letter of October 8, a copy of which is enclosed for your convenience, a licensing fee of \$9 is now due.

When you return the amendment and a total of \$14 for both fees, further action will be taken to issue your Water License.

Very truly yours,

Bobby D. Fleenor

BOBBY D. FLEENOR
Assistant Director

BDF:kh

Enclosures

34-2415
29714

October 14, 1970

Re: Permit No. 34-2415 (G-29714)

Mr. William M. Miller
P. O. Box 85
Mackay, Idaho 83251

Dear Mr. Miller:

We received your recent letter concerning your water right Permit No. 34-2415 (G-29714).

All of our permits have been re-numbered to facilitate their entry into a computer system. Therefore, Permit No. 34-2415 is the same as Permit No. C-29714.

Your Permit No. 34-2415 does not include any land within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20. If you desire to include in your license the 3.6 acres you are irrigating in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, complete the enclosed Application for Amendment and return it to this Department along with the \$5 amendment fee.

Any water right license is issued for the amount of water being beneficially used. According to our field examiner you are using 0.28 cubic feet per second of water or about 14 miners inches from a ground-water source located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, T. 7 N., R. 24 E., B.M., Custer County.

As mentioned in our letter of October 8, a copy of which is enclosed for your convenience, a licensing fee of \$9 is now due.

When you return the amendment and a total of \$14 for both fees, further action will be taken to issue your Water License.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

Enclosures

34-2415
- 29714

Department of Water Administration
State House annex #2
Boise Idaho.

RECEIVED
OCT 10, 1970

OCT 12 1970

Department of Water Administration

Dear Sir
I just received your letter today
and I don't understand it at all the way it
is mixed up in the first place my permit
number is G 29714 NW $\frac{1}{4}$ NW $\frac{1}{4}$ for 30 inches
of water and drill measured 20 acres this
is irrigated by sprinkler the date of this ^{may 15} 1961

I also have a second well Permit no G 32128

S. E $\frac{1}{4}$ NW $\frac{1}{4}$ for 30 inches 40 acres

irrigated by ditcher this date is nov. 3, 1964
both of these wells have been examined
by your field examiner.

When you get these straighten out let
me know and I will send you the money
for the ~~permit~~ Water License.

Yours Very Truly

William M. Miller

34-2415/29714

October 8, 1970

Re: Permit No. 34-2415 (G-29714)

Mr. William M. Miller
P.O. Box 85
Mackay, Idaho 83251

Dear Mr. Miller:

A field examiner from our Department has examined the land and works covered by your above referenced permit. The examiner's report shows that you are irrigating 10.5 acres within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 3.6 acres within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20. Your permit does not cover any land within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, therefore, it will be necessary for you to amend your permit in order to have the 3.6 acres listed on your Water License. We are enclosing a partially completed amendment for your use in this matter. If you will sign this amendment and return it to this Department with the \$5 amendment fee, we will proceed to issue your Water License.

Your Water License will be issued for 0.28 c.f.s. of water from a ground-water source within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, T. 7 N., R. 24 E., B.M., Custer County. The maximum quantity diverted shall not exceed 42 acre feet per season and the priority date established is May 15, 1961. If you agree with these findings, please remit the licensing fee of \$9 within 30 days of the date of this letter.

If you will return the signed amendment and a total of \$14, we will issue your Water License promptly.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF/KH

Enclosure

34-2415
29714

August 7, 1970

Re: Permit No. 34-2415

Mr. William M. Miller
P.O. Box 85
Mackay, Idaho 83251

Dear Mr. Miller:

Please be advised that the examination which was made on July 10, 1968, concerning your Permit No. 34-2415 is presently being reviewed by our Engineering Section. You will be notified in the near future of the findings of this examination and the fees required for licensing of this permit.

If you should have any further questions, please feel free to contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh

34-2415
29714

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-29714

REPORT ON PROOF OF Completion of Works & Beneficial Use

[illegible]

141

23

For $H_0: \rho = 0$ A.F.

SUBD -	2
--------	---

Q - Allow. 28 cfs. for irrigation

[illegible]

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

Permit No. G-29714

This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant William M. Miller2. Source of water supply: Subterranean3. Location of point of diversion: Is in the NW 1/4 of Section 20T. 7 N R. 24 E.B.M. County of Custer

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

1 1/2 HP GE Elec MOTOR # PV
2 INCU221 CENTRIFUGAL PUMP #2637
4" INCH PUMP FROM BIG LOST RIVER SCOUR
4" LINE - 25 RAIN BAND BOWS 5/32"
NOR @ 47 lbs - 50 lbs

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: Yes

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

NW 1/4, SE 1/4, NW 1/4 Sec. 20, Twp. 7 N., Rge. 24 E.B.M.

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

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

Remarks:

Should amend to include NE NW ²⁰ and may be
SW SW 1/4 & SE SE 1/4

Note - place of use on advertisement does not
include the SE NW in the NW 1/4 - sec 20.

Not in production for

IRRIGATION REQUIREMENT = 3.0 ac-ft / acre / season

Permit 27075 (Cancelled 64)

Q = (2500) (4.98 gpm) = .28 cfs.
148.8 gpm

This examination was made on the 18 TH day of JULY, 1968

(Signed)

Dean Reynolds
 Examiner.

29714

plat
11/12

25-14 blonde eyes
William M. Miller ✓
5D# P. O. Box 85
Mackay, Idaho
S Permit No. G-29714 ✓

588-2202

11-11-19

7-10-19

Examination for Completion of Works & Beneficial Use

County Custer

Sec. 20 T. 7 N. R. 24 E. 11 N.

Quantity: 16 a/s or 80 inches

Source: Subterranean

P.D.: NW 1/4 Sec. 20

Tap 7N Page 24E

Use: Irrigation

Filed: May 15, 1961

Date: May 19, 1966

Extension:

Protest:

Completion of Works:

Other Rights: 31" 1896 Permit

(G-27075)

Made Nov. 30, 1965

INSTRUCTIONS TO EXAMINERS

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

25 Nov 1961

105

2-11-19

2000000 CUSTER, S.D.

2037

7' 11P 10 100

11

A 11 11 11

1 11 11

11 11 11

29714

November 2, 1965

Re: Permit No. G-29714

William M. Miller
P. O. Box 85
Mackay, Idaho

Dear Mr. Miller:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the MACKAY MINER, all submitted in proof of completion of works and beneficial use on Permit No. G-29714.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

29714

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29714 ✓

RECEIVED
DEC 2 1965

Department of Reclamation

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF HOLDER

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

Wm. Miller, Mackay, Idaho-Rancher- P O Box 85 Mackay, Idaho

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

Ques. 3. State number, approval date of permit, and date of priority: _____

G-29714 - May 19, 1961 - May 15, 1961

Ques. 4. State source of water supply: pump in a sump ✓

Give location of point of diversion, showing subdivision, section, township and range

NW¼NW¼, Sec. 20 TWP. 7N Rgn. 24 EBM

Ques. 5. Describe your works of diversion: Pump & pipe into a sprinkler system

_____ ; state amount of water they are capable of conveying from point of diversion to place of use: .6 ; Give name of canal or ditch

or other works by which water is conducted to such place of use: Pipe line

_____ ; if a well, state depth of well 12 feet ; depth and size of

casing _____ ; depth to water 8 feet ; if pump is used,

state discharge of pump: 3 inch ; tell how it was measured or determined _____

_____ ; if sprinkler irrigation, give number and size

of nozzles and operating pressure: 25 1 inch stand pipes 50 lbs pressure

Ques. 6. State for what purpose water is used: Irrigation ✓

(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

30 Acres in the NW¼NW¼, Sec. 20 Twp 7 N Rgn 24 EBM

No. 20

29714

State nature of all improvements which have been made as a direct result of said use:

30 acres of non irrigated land brought into Agriculture production - 980 bale of hay
taken off the first crop in 1965

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled
the well: Les Sinknecht dug sump well

Ques. 7. If for other than irrigation purposes, show full legal description of place
of use and state purpose for which water is used:

Ques. 8: If you are not the person or representative of the corporation to whom above
mentioned permit was originally issued, please state how ownership was acquired by
present holder:

Original owner deceased and I purchased property

Quest. 9: State when and in what amount the water diverted under above mentioned permit
has been first used: irrigation season 1961 - Time used since first use:

each irrigation season

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

31 inches of 1888 - Can not be used as point of diversion is 1/2 mile from
property and will not reach to the place/ of use.

(sign) William M. Miller

I hereby certify that the foregoing testimony was read to the above
subscribed, before its signing, that I believe him to be the person he represents him-
self to be, and that said testimony was subscribed and sworn to before me, at my office in

Mackay, County of Custer

State of Idaho, on this 30 day of November, A. D. 19 65.

My commission expires: 1-7-68

[Signature]

29714

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29714

* * * * *

RECEIVED
DEC 2 1965

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

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

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

William Quinn Manson- 56 - Mackay, Idaho - Wholesale gas & oil Comp.

Mackay, Idaho

Ques. 2 Are you acquainted with Wm. Miller, the holder of
Permit No. G-29714? How long have you known him and where does he reside?

Yes - I have known him all my life - He resides 1 1/4 miles north of Mackay

Ques. 3. Have you read or heard said Permit No. G-29714 read, and are you familiar
with its provisions and conditions: Yes Yes No.

Ques. 4. State source of water supply: Pit with a sump pump

Give location of place of diversion, showing subdivision, section, township and range

NW 1/4 NW 1/4, Sec 20 Twp. 7N, Rgn. 24 EBM

Describe works for conveying water to place of use: Pumped into a pipe and
used on a sprinkler system.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: .6 How much water have you seen being so
conveyed? .6

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

30 inches on thirty acres in the NW 1/4 NW 1/4 Sec. 20 Twp. 7N Rgn. 24 EBM

29714

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Sandy Loam - It will need 1 inch per acre.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? NONE

Ques. 10. When did you first see this water used? irrigation season of 1961

Other times you have seen such use: each irrigation season since 1961

(Signed):

Wm Gunn Manner

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

_____, County of Custer, State of Idaho, on this 30 day of 1965 November, A. D. 191965

A. Leonie Orly
Notary Public for the State of Idaho
Residing Wickburg, Idaho - Custer

My commission expires 1-7-68

29714

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29714

RECEIVED
DEC 2 1965

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

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

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

Jim Prichett - 64 - Mackay, Idaho - Farmer - Star Route -Mackay Idaho

Ques. 2 Are you acquainted with Wm. Miller ✓, the holder of
Permit No. G-29714 ✓? How long have you known him and where does he reside?

50 years he resides 1¼ miles north of Mackay, Idaho

Ques. 3. Have you read or heard said Permit No. G-29714 ✓ read, and are you familiar
with its provisions and conditions: Yes yes No. _____

Ques. 4. State source of water supply: Sump well ✓

Give location of place of diversion, showing subdivision, section, township and range
NW¼NW¼ Sec. 20 Twp. 7N. Rgn. 24 EBM

Describe works for conveying water to place of use: pipe line sprinkler under
pressure.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: .6 How much water have you seen being so
conveyed? .6

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

30 acres in the NW¼NW¼, Sec. 20 Twp 7N Rgn 24EBM.

29714

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Sandy loam and at least 1 inch per acre

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? NONE

Ques. 10. When did you first see this water used? 1961

Other times you have seen such use: each year there after

(Signed):

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

Mackay, County of Custer, State of Idaho, on this 30 day of November, A. D. 19 65

D. Leon McQuay
Notary Public for the State of Idaho
Residing 1-7-68- Mackay, Idaho

My commission expires 1-7-68

29714

RECEIVED

Affidavit of Publication

NOTICE OF PROOF OF COMPLETION OF WORKS

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 5:00 P. M., on the 23rd day of November, 1965, at Mackay, County of Custer, State of Idaho, before O. Leon McMillan, Notary Public, at Bitton Building, Main Street, Mackay, Idaho, proof will be submitted of the completion of works for the diversion of 1.6 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G29714, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Wm. Miller, Mackay, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is .6 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is .6 cubic feet per second.

4. The point of diversion of said water is NW1/4NW1/4 Sec. 20 Twp 7 N., Rge 24 E.B.M.

5. The place where said water is used is NW1/4NW1/4 Sec. 20, Twp 7 N., Rge 24 E. B. M.

6. The date of priority which said user is prepared to establish is May 15, 1961.

CARL E. TAPPAN
State Reclamation Engineer
Pub. Oct. 21, 23; Nov. 4 and 11

STATE OF IDAHO

County of Custer

ss.

I, Ruth Benavise

the Proprietor
of The MACKAY MINER, a weekly newspaper of General Circulation published weekly and entered in the post office Mackay, Idaho, continuously since February 6, 1906, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, for —

4 consecutive weeks,
commencing with the issue dated

Oct 21, 1965

and ending with the issue dated

Nov 11, 1965

Ruth Benavise

Subscribed and sworn to before
me this 12th day of

November, 1965

V. L. Rainey
Notary Public.

297141

IN THE PROBATE COURT OF THE COUNTY OF CUSTER, STATE OF IDAHO

IN THE MATTER OF THE ESTATE
of
GEORGE A. MILLER, Deceased.

) DEGREE OF FINAL SETTLEMENT,
:
) DISTRIBUTION, AND DISCHARGE.

MABEL SHIFFLER MILLER, the Executrix of the Last Will and Testament of George A. Miller, Deceased, having rendered to this Court and filed herein her first and final account and report of her administration of said estate, and having filed therewith her petition for the distribution of the residue of said estate and for her discharge as such Executrix, and said account, report and petition this day coming on regularly to be heard, proof having been made to the satisfaction of the Court that due and legal notice of the time and place for the settlement of said account and the hearing of said petition has been given, in the manner, and for the time, heretofore ordered and directed by the Court, and in all respects as is by law required, and

It appearing to the Court that, on or about the 5th day of May, 1962, George A. Miller died, testate, at Mackay, in the County of Custer, State of Idaho, and that he was, at the time of his death, a resident of said County of Custer, State of Idaho; that subsequently, by an order of this Court, the Last Will and Testament of said deceased was duly admitted to probate and the said Mabel Shiffler Miller was appointed as the Executrix thereof, that she duly qualified as such and Letters Testamentary were issued to her, and she entered upon the duties of administering said estate, and ever since has continued to administer the same; and

It further appearing that said final account and report is, in all respects, true and correct; that due and legal notice to creditors has been given herein, and a Decree of Due Notice to Creditors has been entered by the Court, and that the time for presentation of claims against said estate has expired; that all claims against said estate, except the claim of Rennie A. Miller, which was withdrawn to permit distribution of said estate, all expenses of the burial of said deceased, all taxes due from said estate, and all expenses of administration, have been fully paid; that there was no last illness expense of said deceased; that this Court has heretofore made and entered its ^{The Treasurer} ~~order~~ finding/er inheri~~ance~~ due the State of Idaho from said estate, and that the amount of such tax has been paid; that this Court has heretofore made and entered its Order fixing the Market value of the property of said estate, and that said estate is ready for final distribution and settlement, and in condition to be closed; and

It further appearing that the said George A. Miller died testate, leaving in the State of Idaho the real and personal property described in the Inventory and Appraisement on file herein, all of which was the community property of said deceased and his surviving wife, Mabel Shiffler Miller, who is sometimes known as, and is the identical person as Mabel M. Miller and as Mabel Miller; that said deceased left surviving him, as his only heirs at law, his said wife, Mabel Shiffler Miller, his son, Bennie A. Miller, and his daughter, Florence Miller Johnson; that the said Mabel Shiffler Miller, surviving spouse of said deceased, is the owner, in her own right,

of a one-half interest in and t^hll of the residue of said estate as a member of the community consisting of said deceased and the said Mabel Shiffler Miller, and that the remaining one-half of said residue should be distributed in accordance with the provisions of the Last Will and Testament of said deceased,

NOW, THEREFORE, it is ORDERED, ADJUDGED and DECREED:

1. That the said First and Final Account and Report of the said Mabel Shiffler Miller, Executrix of the Last Will and Testament of George A. Miller, deceased, be, and the same is hereby, settled, allowed, and approved.

2. That the residue of said estate, consisting of the real and personal property herein-after described, together with any and all other property, not now known or discovered, or not herein described, which may have belonged to said deceased, or in which said deceased may have any interest, be, and the same is hereby distributed as follows, to-wit:

a. To Mabel Shiffler Miller, surviving wife of said deceased, an undivided one-half thereof, in her own right, as a member of the community consisting of said deceased and the said Mabel Shiffler Miller.

b. To Mabel Shiffler Miller, for her own use and occupation during her life, the remaining one-half of said residue, both real property, including income and proceeds from sales of real property made by decedent, and personal and mixed property, including stocks, bonds, automobiles, and cash moneys, wherever situated and located, without liability for consumption, use, damage, injury or loss of or to any of said personal property, or for any personal property exchanged or traded for other personal property, and upon her death, to Bennie A. Miller and Florence Miller Johnson, in equal shares, share and share alike, and in the event either the said Bennie A. Miller or Florence Miller Johnson shall predecease the said Mabel Shiffler Miller, to his or her child or children then living, per stirpes.

c. The residue of said estate, as it now appears to this Court, is described as follows:

Lots Thirteen (13), Fourteen (14), Fifteen (15), and Sixteen (16), in Block Twelve (12),

Original Townsite of Mackay, Custer County, Idaho, according to the recorded plat thereof.

Southeast Quarter of the Northwest Quarter (SE¹/₄ NW¹/₄), Northwest Quarter of the Northwest Quarter (NW¹/₄ NW¹/₄), Northwest Quarter of the Southwest Quarter (NW¹/₄ SW¹/₄), Section Twenty (20), Township Seven (7) North, Range Twenty-four (24), East Boise Meridian, Custer County, Idaho (subject to final proof on Northwest Quarter of the Southwest Quarter (NW¹/₄ SW¹/₄) under Survey Land Entry Idaho 09168).

H. E. Survey No. 509, embracing a portion of approximately Section Twenty-one (21), in Township Seven (7) North, Range Twenty-one (21), East Boise Meridian, Custer County, Idaho, and particularly described as follows: Beginning at corner No. 1, from which U. S. Location Monument No. 509 bears South 32° 35' West 13.76 chains distant; thence North 32° 17' East 54.27 chains to corner No. 2; thence North 68° 32' West 24.31 chains to corner No. 3; thence

29714

North 38° 34' East 18.88 chains to corner No. 4; thence South 76° 26' East 24.41 chains to corner No. 5; thence South 55° 22' East 54 chains to corner No. 6; thence South 34° 21' West 19.09 chains to corner No. 1, the place of beginning, containing 158.12 acres, more or less. Together with 3.16 cubic feet per second (or 158 miner's inches) of the waters of the East Fork of the Big Lost River, with priority of May 1, 1916, as decreed to Frank P. Morrison as Right No. 342 in that certain decree in the United States District Court of the District of Idaho, Eastern Division, in that certain action entitled: "The Utah Construction Company, a corporation, Plaintiff, vs. John F. Abbott, et al., Defendants", which said decree bears date of March 15, 1938.

Vendor's interest in Contract of Sale dated October 31, 1937, between George A. Miller and Mabel M. Miller, his wife, as vendors, and Anna Maurine Wiemann, as vendee, for the sale of the following real property in Custer County, Idaho, to-wit: Southeast Quarter of the Southwest Quarter (SE1/4SW1/4), Section Twenty-four (24), Township Eight (8) North, Range Twenty-two (22), East Boise Meridian, less 1 acre dedicated for highway purposes, Southwest Quarter of the Southwest Quarter (SW1/4SW1/4), Section Twenty-four (24), Township Eight (8) North, Range Twenty-two (22), East Boise Meridian, less 1.2 acres dedicated for road purposes, Northwest Quarter of the Northwest Quarter (NW1/4NW1/4), East Half of the Northwest Quarter (E1/2NW1/4), West Half of the Northwest Quarter (W1/2NW1/4), Section Twenty-five (25), Township Eight (8) North, Range Twenty-two (22), East Boise Meridian, together with certain range rights and personal property.

Miscellaneous household furniture, fixtures, and equipment and personal effects.

Furniture, fixtures and equipment in rental unit

1952 Buick Invicta Automobile

10 head of cows

12 head of calves

160 shares of stock in Eastern Idaho Production Credit Association

100 shares of stock in the Federal Land Bank of Idaho

beginning at a point within section 20, Township Eight (8) North, Range Twenty-four (24), East Boise Meridian, Custer County, Idaho, and running thence North 46° 30' West 6.14 chains, thence North 44° East 6.14 chains, thence South 46° 30' East 6.14 chains, thence South 44° West 6.14 chains, to the place of beginning.

3. That the said Mabel Shattler Miller be, and she is hereby, discharged as executrix of the Last Will and Testament of George A. Miller, Deceased, and that she be, and she is hereby, relieved of all further liability hereunder.

4. That said estate be, and it is hereby, finally settled and approved.

BY THE COURT this 15th day of January, 1963.

297/4

J. Lessil Sharp
JUDGE OF SAID PROBATE COURT

State of Idaho)
County of Custer) ss.

I DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of the
ORIGINAL RECORD OF FINAL SETTLEMENT, DISTRIBUTION, AND DISCHARGE, in the Matter of the Estate
of George A. Miller, Deceased, on file and of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Court
this 18th day of January, 1963.

J. Lessil Sharp
PROBATE JUDGE & EX-OFFICIO CLERK.

Seal)
State of Idaho)
County of Custer) ss.

This instrument was filed for record at the request of Albough, Bloem, Smith & Pike at 2:30
P. M. January 18, 1963 and duly recorded in Vol. 4 of Probate Court Orders Page 193
Records of Custer County, Idaho.

Page 10

/s/ Eva Mann
Ex-Officio Recorder

STATE OF IDAHO,)
County of Custer.) ss.

I, Eva Mann, Ex-Officio Recorder in and for the County of Custer, in the State of Idaho,
do hereby certify that I have compared the foregoing copy with the record which appears in
Volume 4 of Probate Court Orders, at Page 193 of the Records of Custer County, Idaho, and the
same is a full, true and complete copy of such record.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my Seal this 18th day of January
1963.

Eva Mann
Ex-Officio Recorder

Margaret Lester Deputy

29714

October 19, 1965

Re: Permit No. G-29714

Mr. Wm. Miller,
Mackay, Idaho.

Dear Mr. Miller:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. G-29714. The proofs are to be made at 5:00 o'clock P.M., on the 30th day of November, 19 65, before O. Leon McNelly, Bitten Bdg., Main Street, Mackay, Idaho Notary Public.

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

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

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

29714

Re: Permit No. G-29714
Wm. Miller

Date: Oct. 19, 1965

Mackay Miner,
Mackay, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to November 30, 1965
the date set for proof; the expense of the publication is to be paid
by the applicant Wm. Miller
of Mackay, Idaho to whom you should
furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

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

29714

October 19, 1965

Re: Permit No. G-29714

William M. Miller
Mackay, Idaho

Dear Mr. Miller:

Enclosed is the Assignment of the above numbered permit to you which has been recorded in this office in connection with the above numbered permit, also your copy of the decree of distribution, with correspondence.

Departmental Receipt No. G-9905 in the amount of \$0.50 covering fees is enclosed herewith.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. assignment
decree
correspondence
receipt

29714

NOTICE OF PROOF OF COMPLETION OF WORKS

and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 5 P M., on the ³⁰~~12~~ day of ~~October~~ November 19 65, at Mackay, County of Custer, State of Idaho, before O. Leon Mc Inelly, Notary Public, at (address) Mackay, Idaho, proof will be submitted of the completion of works for the diversion of 1.6 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 29714, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is George A. Miller(Dec.) Owner of property Wm. Miller Mackay, Idaho

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

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

4. The point of diversion of said water is NW¼NW¼ Sec.20 TWP 7N Rgn24 EBM

5. The place where said water is used is NW¼NW¼ Sec 20. Twp 7N Rgn.24EBM

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

May 19, 1961.

State Reclamation Engineer

29714

RECEIVED
OCT 18 1965

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

Department of Reclamation

Notice is hereby given that at 5:00P M., on the 30 day of November
1965, at Mackay, County of Custer, State of Idaho
before O. Leon Mc Inelly, Notary Public, at (address) Bitton Bldg.
Main st. Mackay, Idaho, proof will be submitted of the completion
of works for the diversion of 1.6 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G29714, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is ~~George A. Miller, Don. New owner of property~~ Wm. Miller, Mackay, Idaho

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is .6 cubic feet per second.

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

4. The point of diversion of said water ~~NW1/4~~, NW1/4, Sec.20 TWP 7 N Rgn. 24 EBM

5. The place where said water is used is NW1/4, Sec 20 Twp. 7N Rgn.24 EBM

6. The date of priority which said user is prepared to establish is 15
May, 29, 1961.

CARL E. TAPPAN

State Reclamation Engineer

29714

Dept. of Reclamation
Boise Idaho

Blackfoot Idaho
O A 14 1965
RECEIVED
OCT 18 1965

Department of Reclamation

Dear Sir

After so long of time
I believe I have all the information
you need for me to make final proof on
irrigation sump. The pump will only pump
30 inches so that is all I have put in
the application. Instead of 1.6 it read no. 6
Inclose find 50 cents. Also will you
please send back the degree of Final Settlement

Yours Very Truly

William M. Miller

29714

August 31, 1965

RE: Permit No. G-29714
George A. Miller

Mabel Miller
Mackay,
Idaho

Dear Mrs. Miller:

Returned herewith is the assignment of the permit and Forms 36 and 11, with \$1.00 bill, we received. Also blank forms.

We must have the assignment signed by the Administrator of the George A. Miller Estate. Also copy of the Probate Court naming the administrator.

Form 36, written copy, has additional land shown in pencil as place of use of the water under 5. In the third line you name the notary public and then show address as Mackay, Idaho. Instead of the town you should show street address or name of building.

The fee for recording an assignment is \$0.50.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:tet

Enc. assignment
\$1.00 bill
old & new forms 36 & 11

29714

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) 10-13-65
(P. O.) 85

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Mackay Miner of
Mackay Idaho Published in
the county in which the works are situated.

William M. Miller

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

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

Engineer

29714

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

RECEIVED
AUG 31 1965

(Date) 10-13
Aug 30, 1965

Department of Reclamation

(P. O.) 85

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Mackay, Miner

of Mackay, Idaho

published in

the county in which the works are situated.

William M. Miller

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

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

Engineer.

29714

771 ac Ray Idaho

AUG 30, 1965

Department of Reclamation
Boise Idaho

RECEIVED

AUG 31 1965

Dear Sir

Department of Reclamation

I am sending you the papers
to make final proof on the Underground
water of permit no 29714 in the name
of George A. Miller. I have until May
1966 to do it but every thing is completed
So I thought I might as well do it this
fall. I am enclosing 1.00 for recording
fee

Yours Very Truly

William M. Miller

29714

ROBERT E. SMYLLIE
Governor



State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE

November 15, 1963

RECEIVED
NOV 19 1963

Department of Reclamation

Mr. William M. Miller
Grouse,
Idaho

Dear Mr. Miller:

We have your letter of Nov. 12th addressed to Mr. Ralph W. Thomas wherein you mention making final proof on an underground well, etc.

We are unable to locate a permit in this office in your name. We would appreciate it if you would furnish us with the following information to help us locate your file and permit number:

The name of the irrigation district. *Big Lost River*

Your permit number. *G 29714* Recorded in book 1040 pg 29714

The location or point of diversion of your well. *NW 1/4 of NW 1/4*

Thank you. *north corner of Sec. 20 T7N R24E*

Yours very truly,

CARL E. TAPPAN
State Reclamation Engineer

By

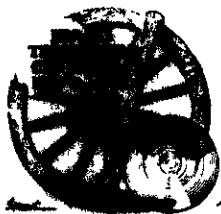
D. L. Rhodes
D. L. Rhodes

DLR:dr

Mr. D. L. Rhodes
Boise Idaho

Grouse Idaho
Nov. 17, 1963

Dear Mr. Rhodes



In answer to your letter I mentioned in the first letter I wrote you that I had bought my brother's place Geo. A. Miller it was was he that got the permit it isn't a well its a sump. He died of a heart attack may 5, 1962. As I stated in my other letter I have decided not to make final proof till next summer. Tom

29714

-hoping this is the information you wanted

Sincerely

William M. Miller

November 15, 1963

Mr. William M. Miller
Grouse,
Idaho

Dear Mr. Miller:

We have your letter of Nov. 12th addressed to Mr. Ralph W. Thomas wherein you mention making final proof on an underground well, etc.

We are unable to locate a permit in this office in your name. We would appreciate it if you would furnish us with the following information to help us locate your file and permit number:

The name of the irrigation district.

Your permit number.

The location or point of diversion of your well.

Thank you.

Yours very truly,

CARL E. TAPPAN
State Reclamation Engineer
By

D. L. Rhodes

DLR:dr

29714

U.N. 24 E

Grouse, Idaho

Nov. 12, 1963

Mr. Ralph W Thomas
Boise Idaho

Dear Mr. Thomas

I received your letter of Nov. 4 thanks for the forms 36 + 20. But I decided not to try and transfer the water right now. I found out today that the guy that owns the ditch that goes through my property refuses to let the irrigation Dist to enlarge the ditch so it will carry his water and mine to. So it would be no value to me to have it transferred he would probably protest it any way.

And a fellow just told me today that I had to make the final ^{proof} permit? under ground when I was using the water as you had to measure the water it was pumping. All the power has

29714

been turned off the pumps now and
it wont be turned on again till May 1st
So I will have to postpone it for a while.
I have lots of time anyhow the application
say I have till 1966 to make final proof.

I will keep the 36 form and send
it in next summer when I am using the
water.

Sincerely

Wm. M. Miller

Grouse
Idaho

29714

27

November 4, 1963

Re: Permit No. G.-29714
Geo. A. Miller, Estate

Wm. M. Miller
Grouse, Idaho

Dear Mr. Miller:

Inclosed are Forms 36 and 11, with instructions,
Form 20 and form to assign a permit.

The administrator of the Estate can assign the permit
to you, with approval of the court. File the assignment in this
office with \$0.50 fee for recording.

Complete Forms 36 and 11 from information in the permit
and facts on the ground. Be sure the permit shows the well location
and the land irrigated as they are on the ground. Send the forms to
this office and we will send one Form 36 to the paper.

Form 20 is application to transfer a water right. Com-
plete that form and return to this office. We will prepare a short
legal notice for publication in the county paper for two weekly issues
at your expense. The Certificate of Transfer will be issued upon
receipt of the \$1.00 fee and the affidavit of publication, if there are
no valid protests to the transfer.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Form 36 and 11
instructions
Form 20
assignment form

2971.4

Grouse, Idaho

Mr. Geo. N. Carter
State Reclamation Engineer
Boise Idaho

Nov 1, 1963

DEPT. OF AGRICULTURE

Dear Mr. Carter

I am writing you for some information. I have bought the Geo. A. Miller property at Mackay. He made application and he got the permit for underground water. The permit no is G-29714. Recorded in book 104 page 29714 approved May 19, 1961.

I suppose you know he died of a heart attack May 5, 1962.

I have the ground into hay I raised a good crop this year.

What I want to know if I can make final proof I see by the application he had till 1966 to do so. But I think I might as well make it before that as I have it in hay and I have been

29714

Using the sprinkler system for the last
two seasons.

What do I have to do make the
required proof? His wife told me if
I can't make the proof could she &
she is the Administrator of his Estate.

I would also like to transfer
3 $\frac{1}{2}$ inch ¹⁸⁹⁶ water from property NW $\frac{1}{4}$
of the NW $\frac{1}{4}$ section 20 TWP 7 N R 24 E
that is decreed from big Lost River
to the 40 below which is SE $\frac{1}{4}$ of the NW $\frac{1}{4}$
Section 20 TWP 7 N R. 24 E
as the sprinkler covers the 40 above
Please give me the information
what I am supposed to do.

Sincerely

Wm M. Miller

P. S. I am a brother of the
late Geo. A. Miller

29714

July 11, 1962

Re: Permit No. G-27075 - Mabel M. Miller
Permit No. G-29714 - George A. Miller

Albaugh, Bloom, Smith & Pike,
Attorneys at Law,
Box 428,
Idaho Falls, Idaho.

Attention: John L. Bloom

Gentlemen:

Your letter of July 10th has been received. We enclose a copy of Permit No. G-27075 as requested.

We received a request from Harley M. McDowell, Agent, to extend the time for proofs of Mrs. Miller's portion of Permit No. G-27075 to September 4, 1964, which is five years after the Desert Entry was allowed. That request will be approved.

Permit No. G-29714, priority May 15, 1961, issued to George A. Miller, for 1.6 cfs from a well in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, to irrigate 80 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, Township 7 North, Range 24 East, is the only record we find for that land. Proofs of completion of works and beneficial use of the water, due May 19, 1966, have not been started. As only the holder of a permit may make the proofs, legal evidence of Mrs. Miller's right must be in our file before she could make the necessary proofs.

There is a fee of \$2.00 for copy work which you may remit to this office.

Very truly yours,

GEO. M. CARTER
State Reclamation Engineer
By

RALPH W. THOMAS, Deputy
State Reclamation Engineer

Encl.
RWT:pmk

29714

May 23, 1961

Re: Permit No. G-29714

Mr. George A. Miller,
Mackay, Idaho.

Dear Mr. Miller:

We enclose Permit No. G-29714 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-5932 which was issued covering payment in the amount of \$5.25 for the filing fee of the above mentioned permit.

You will note, under Question 10, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

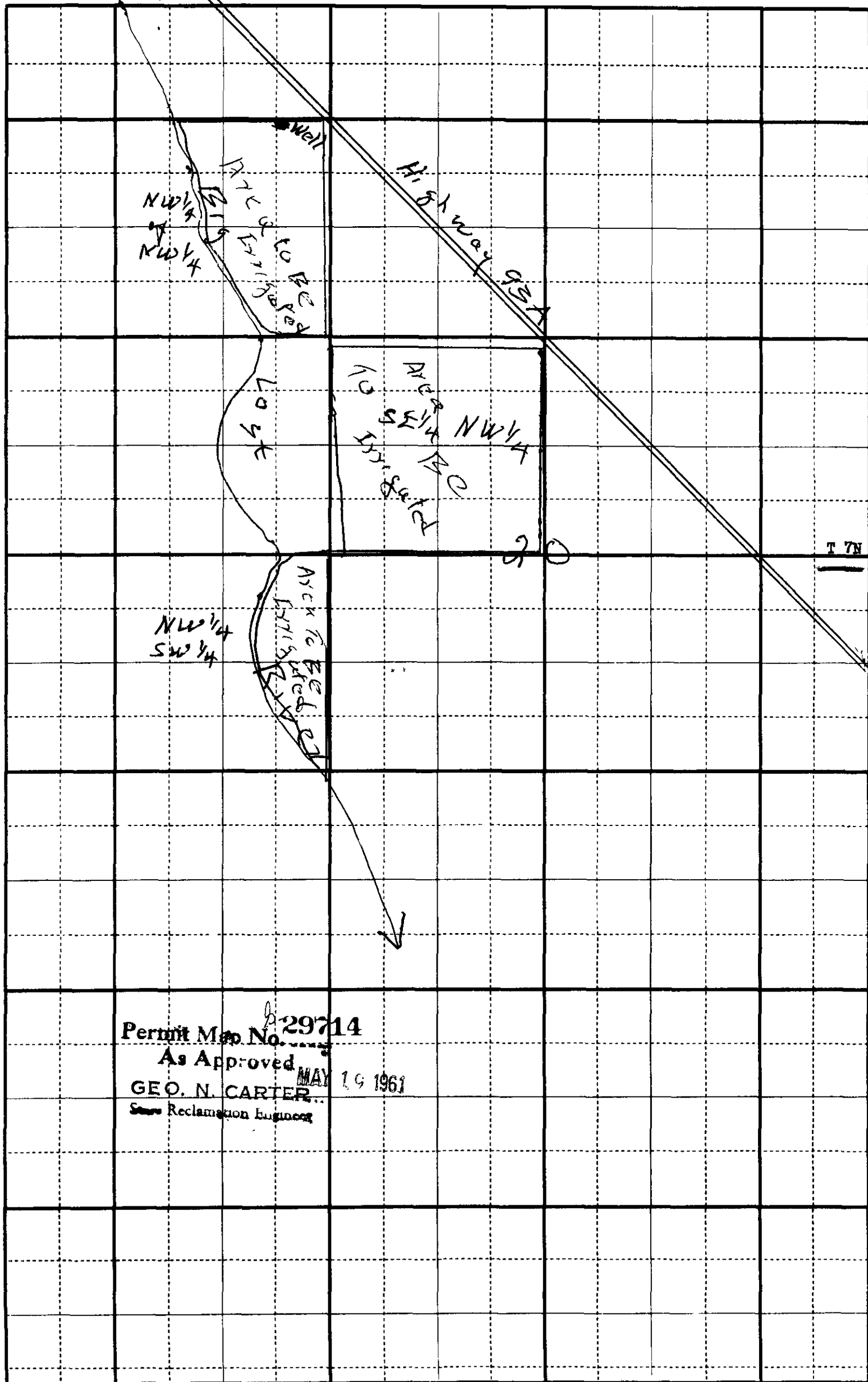
Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

29714

Form No. 0

Range 24 East

29714

**NOTICE OF PROOF OF
COMPLETION OF WORKS**

and

**APPLICATION OF WATER TO
BENEFICIAL USE**

Notice is hereby given that at 5:00 P. M., on the 30th day of November, 1965, at Mackay, County of Custer, State of Idaho, before O Leon McInelly, Notary Public, at Bitton Building, Main Street, Mackay, Idaho, proof will be submitted of the completion of works for the diversion of 1.6 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G29714, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Wm. Miller, Mackay, Idaho

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 6 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes and the amount applied to beneficial use is .6 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20 Twp 7 N., Rge 24 E.B.M.

5. The place where said water is NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, Twp 7 N., Rge 24 E. B. M.

6. The date of priority which said user is prepared to establish is May 15, 1961.

CARL E. TAPPAN

State Reclamation Engineer

Pub. Oct. 21, 28; Nov. 4 and 11