



# AFFIDAVIT of PUBLICATION

RECEIVED

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

NOV 10 1988

Department of Water Resources  
Southern Region Office

David Camber, 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 continuous-  
ly and uninterruptedly published for a period of seventy-eight consecu-  
tive weeks prior to the first publication of the annexed notice, and is  
a newspaper qualified to publish legal notices as provided by act of  
the 1919 session of the legislature of the State of Idaho, known as  
House Bill 145; that the annexed advertisement was published once  
each week for 2 consecutive issues in said newspaper  
proper and not in a supplement; that the date of the first publication  
of said advertisement was on the 2nd day of Nov  
19 88, and the date of the last publication was on the 9th  
day of Nov, 19 88.

Subscribed and sworn to before me this 9th  
day of Nov, 19 88.  
(SEAL)

Laurena M. Lema  
NOTARY PUBLIC

GOODING COUNTY LEADER  
Gooding, Idaho

## COST OF PUBLICATION

Number of Lines in Notice 29  
Number of Insertions 2

Lines tabular at \_\_\_\_\_ 5¢/Pica  
29 Lines straight at 15.08 4¢/Pica  
29 Subsequent lines at 13.19 3¢/Pica

TOTAL COST 28.27

3042

3042

## COPY OF NOTICE (Paste Here)

Appl. for Water  
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water  
BILL TO  
2148 4th ave E  
Twin Falls, Id. 83301

## NOTICE OF APPLICATION FOR WATER PERMIT

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

37-08373

MILLER, GUS E., MILLER, DIANE M.,  
1746 E. 1600 S., GOODING, ID 83330

Source: GROUNDWATER

Diversion Pt: SESESW Sec 24 T 05S R  
14E; Gooding County; At the above ad-  
dress.

Use: DOMESTIC (.040 CFS)

STOCKWATER (.020 CFS)

IRRIGATION (.060 CFS)

Date Filed: 8/10/1988

In: T05S R14E S24 - SESW - 2.0 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. Pro-  
tests must be filed with the Director, Dept.  
of Water Resources, 2148 4th Avenue  
East, Twin Falls, Idaho 83301 on or before  
November 21, 1988.

R. Keith Higginson

Director

G3042

Publish: November 2 and 9

(Idaho Code, Rev. Statutes 1981)

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  
No 13029  
MAR 03 1989

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

SEP 21 1990  
Department of Water Resources

**A. GENERAL INFORMATION**

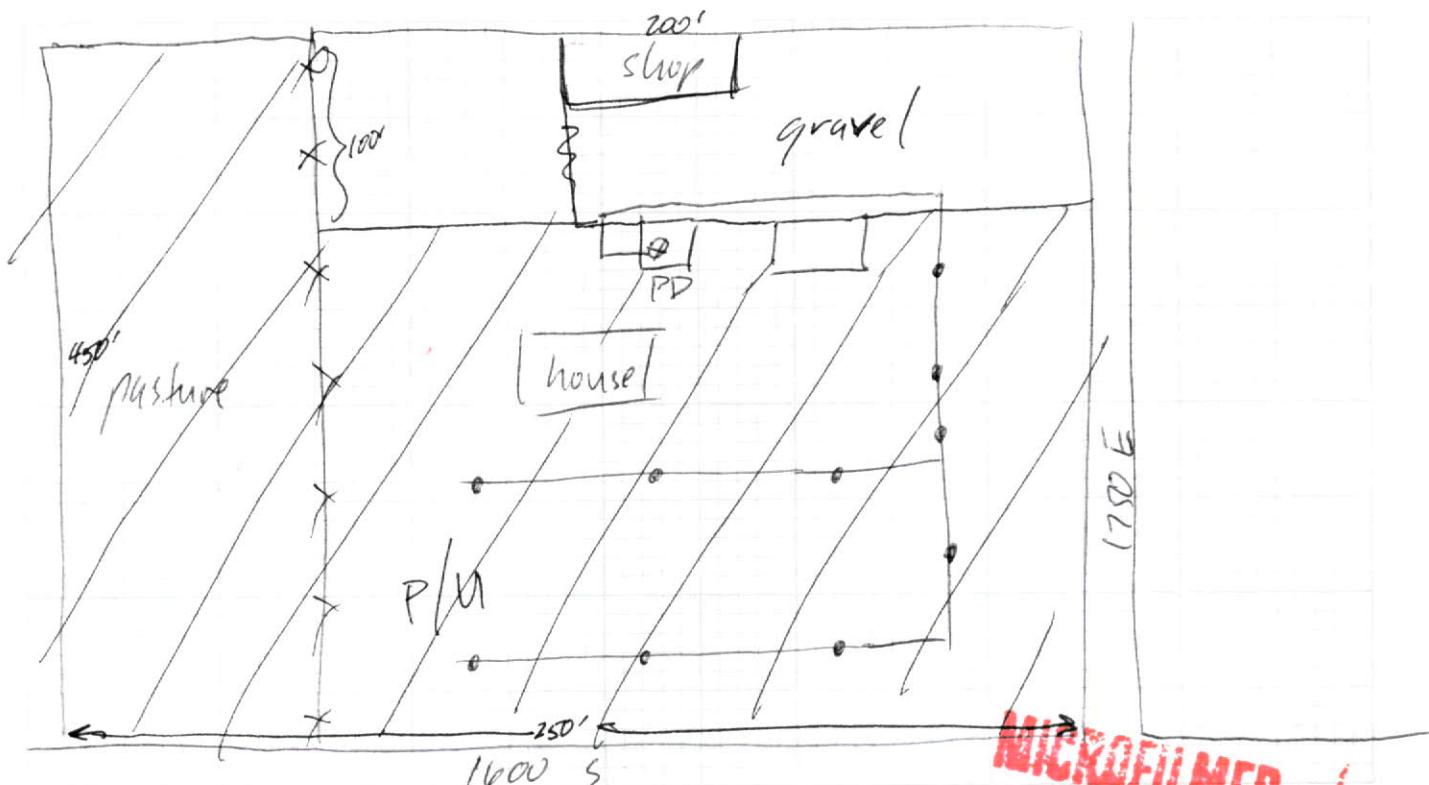
Permit No. 37-08373  
Phone No. 934-8297  
1. Owner: Gus or Diane Miller  
Current Address: 1744 E 1600S Gooding, ID 83330  
2. Accompanied by: Marie Miller EXAM. DATE: 6/14/90  
Address: same Phone No. \_\_\_\_\_  
Relationship to Permit Holder: daughter  
3. Source: ground water tributary to \_\_\_\_\_

**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**

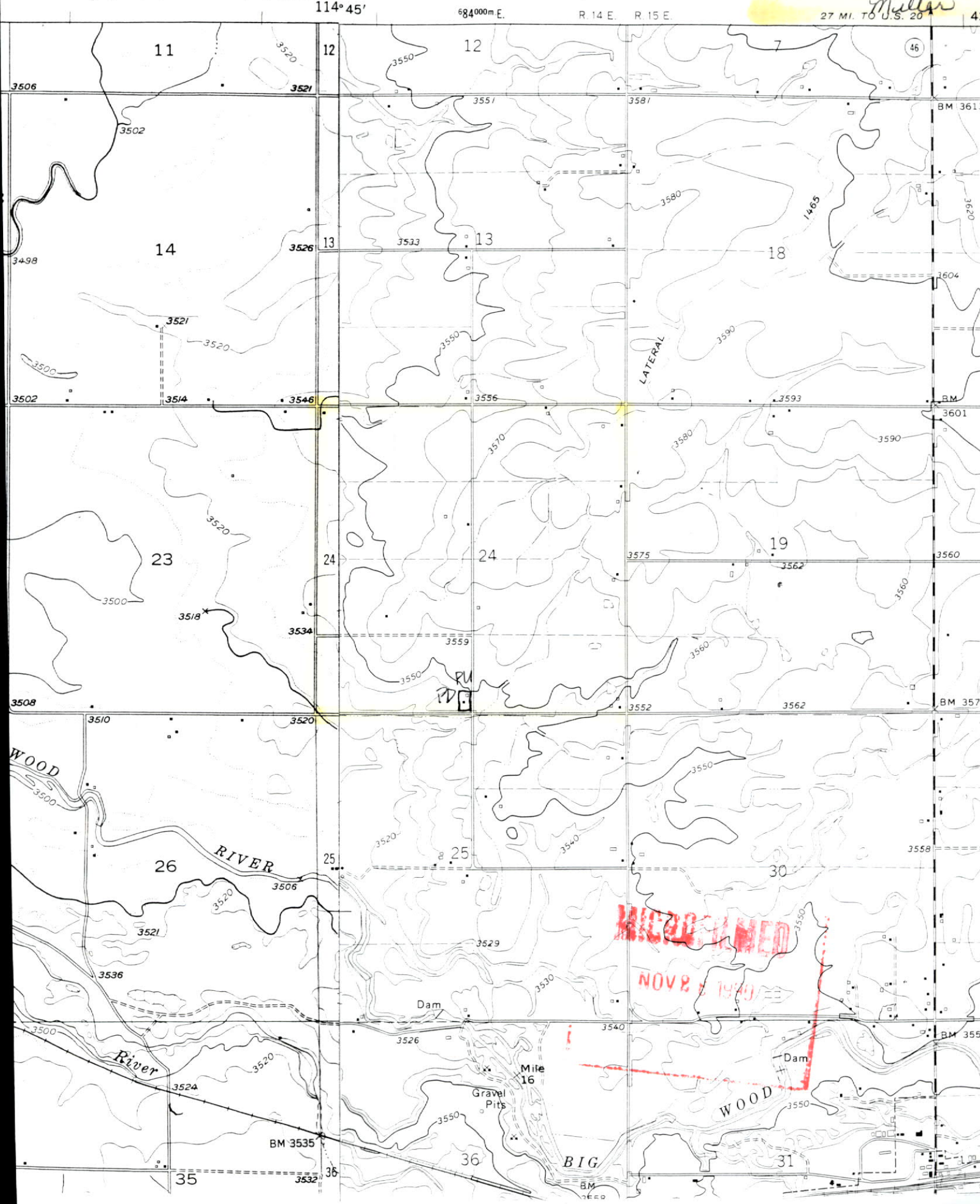
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = \_\_\_\_\_

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

**MICROFILMED**  
NOV 26 1990





P/D, tank



P/U  
lawn



P/U lawn & pasture

**RECORDED & FILMED**

NOV 26 1990

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 37-08373

Priority: August 10, 1988

Maximum Diversion Rate:  
Maximum Diversion Volume:<sup>1</sup>

0.04 CFS  
8.7 AF

This is to certify, that GUS E. MILLER  
DIANE M. MILLER

1746 E. 1600 S.  
GOODING, ID 83330

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 10, 1988; and has submitted Proof of Beneficial Use on January 3, 1990. An examination indicates that the works have a diversion capacity of .100 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> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.04 CFS                 | 8.0 AF               |
| STOCKWATER            | 01/01 to 12/31       | 0.02 CFS                 | 0.1 AF               |
| DOMESTIC              | 01/01 to 12/31       | 0.02 CFS                 | 0.6 AF               |
|                       | Totals               | 0.04 CFS                 | 8.7 AF               |

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 24, Township 05S, Range 14E  
GOODING County

PLACE OF USE: IRRIGATION

| <u>TWN RGE SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|--------------------|--------------|--------------|--------------|--------------|
| 05S 14E 24         | SESW 2       |              |              | 2            |

Total number of acres irrigated: 2

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/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.

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NOV 26 1990

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

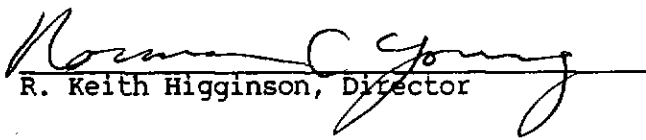
WATER RIGHT NO. 37-08373

CONDITIONS/REMARKS:

5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. Stockwater use is for 3 horses; 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 5<sup>TH</sup> day of NOVEMBER, 1990.

Acting for

  
R. Keith Higginson, Director

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NOV 26 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

Ident. No. 37-08373

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Gus E. /or Diane M. Miller <sup>(208)</sup> Phone 934-8297  
Post office address 1746 E. 1600 S., GOODING, ID 83330
2. Source of water supply Ground water which is a tributary of \_\_\_\_\_
3. Location of point of diversion is SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_  
Sec. 24 Township 5S. Range 14E. B.M. Gooding County; additional  
points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount .04 for Domestic purposes from Jan 1 to Dec. 31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount .02 for Stockwater purposes from Jan 1 to Dec. 31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount .06 for IRRIGATION purposes from Mar. 15 to Nov. 15 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .06 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum
6. Proposed diverting works:
  - a. Description of ditches, flumes, pumps, headgates, etc. well + pump
  - b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total  
reservoir capacity \_\_\_\_\_ acre-feet; period of year when water will be diverted to storage:  
\_\_\_\_\_ to \_\_\_\_\_ inclusive.
  - c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.
  - d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is  
existing years (minimum 1 year).  
(1 year)

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MAR 03 1989

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

- a. Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_
- b. Stockwatering; list number and kind of livestock. 3 HORSES
- c. Municipal; show name of municipality. \_\_\_\_\_
- d. Domestic; show number of households. 1 House
- e. Other; describe fully. \_\_\_\_\_

9. Description of place of use:

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

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |                   | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------------|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼               | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 05S | 14E   | 24   |     |     |     |     |     |     |     |     |     |     |     | <sup>D</sup><br>2 |     |     |     |     | 2.0    |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |                   |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |                   |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |                   |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |                   |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |                   |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |                   |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |                   |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |                   |     |     |     |     |        |

Total number of acres to be irrigated 2.0

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Same
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. \_\_\_\_\_

12. Remarks: Adjudication Claim has been filed Also At  
this time. # A37-10910  
WATER has been in use SINCE 7-20-1914.  
IRRIGATION USE WAS ESTABLISHED 4-13-1980.

MAR 03 1989

P/D P/u

57' 30"

Sec. 24

14E.

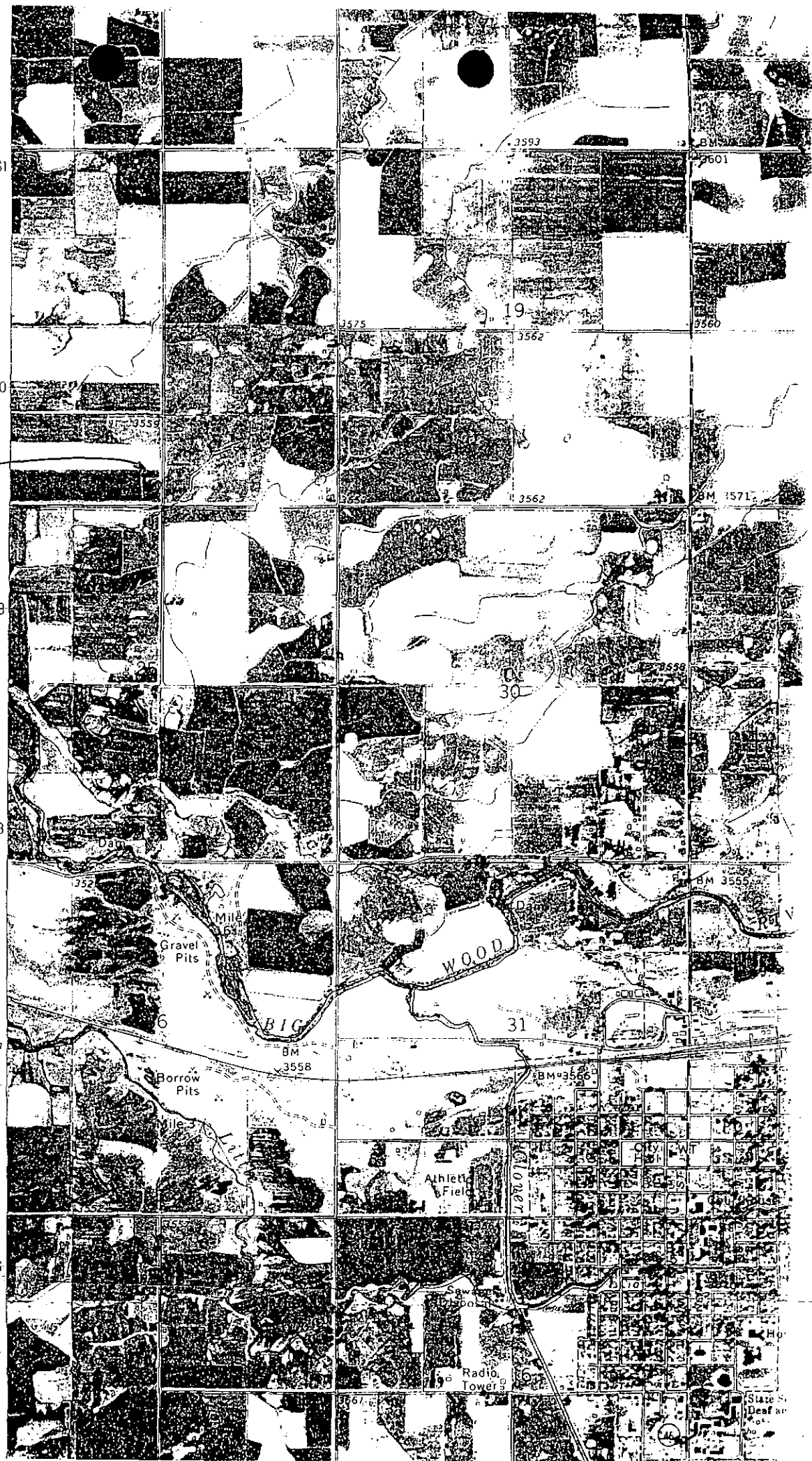
T5S

T6S

T 5 S.

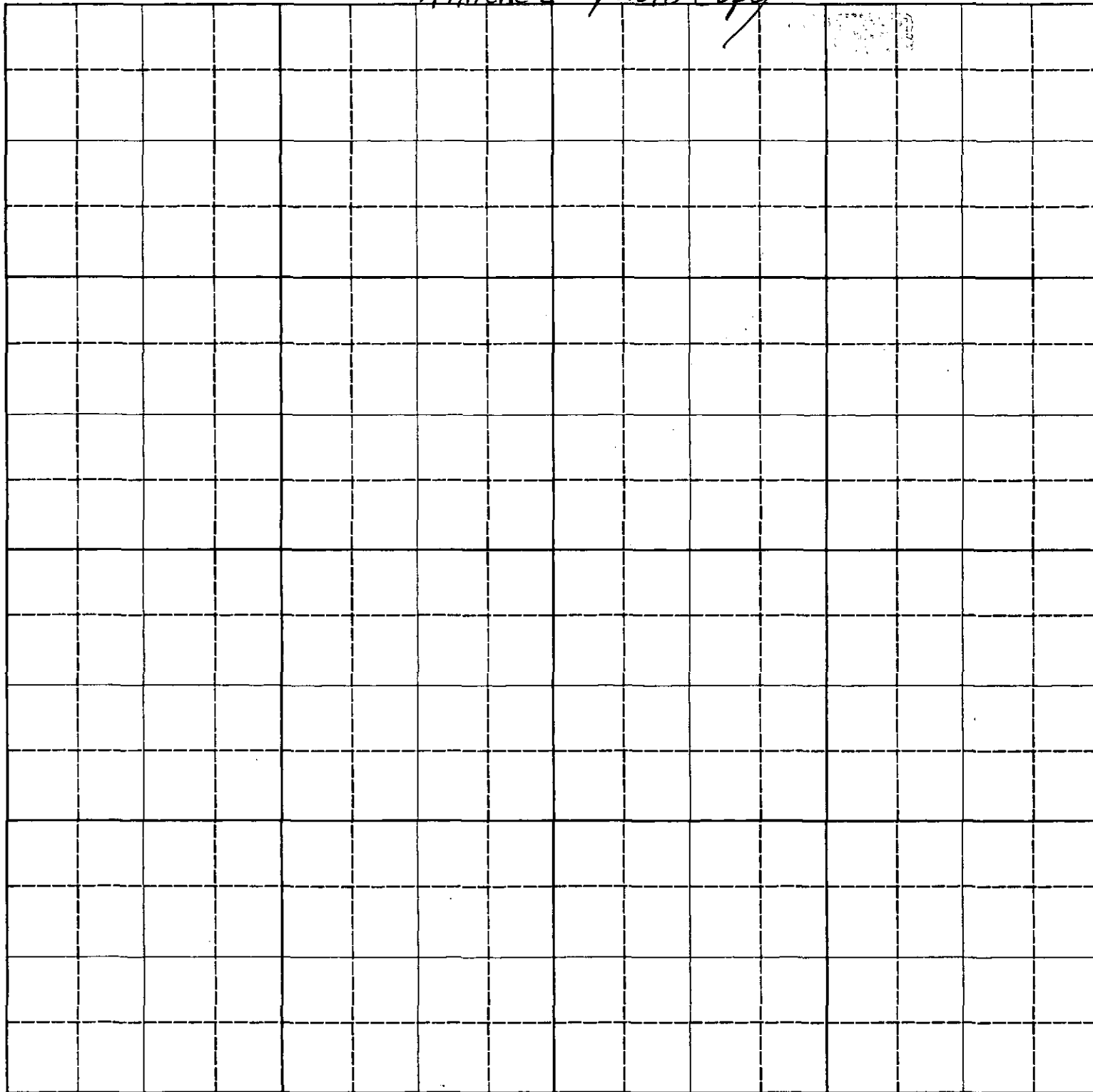
T 6 S.

1/2 58 MI.



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

*Attached photocopy*



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.

MAR 03 1989

*Dean M. Muhl* 2/10/88  
(Applicant)

Proposed Priority 8/10/88

Received by SCC Date 8-10-88 Time 2:30 p Preliminary check by JK

Fee \$ 30.00 Received by SCC # M000973 Date 8/10/88

Publication prepared by M. Baldwin Date 10/20/88 Published in Gooding Co. Leader

Publication approved M. Baldwin Date 11/22/88

### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-8373, 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 February 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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

Irrigation use under this permit is authorized only in connection with a domestic use.

Witness my hand this 2<sup>nd</sup> day of February, 1989.

L. Glen Saxton

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MAR 03 1989

# AFFIDAVIT of PUBLICATION

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

NOV 10 1988

Department of Water Resources  
Southern Region Office

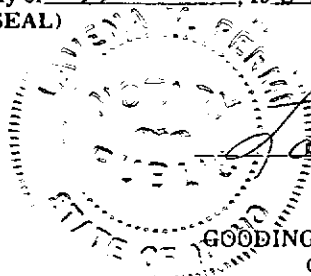
David Camber, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight 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 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 2nd day of Nov 19 88, and the date of the last publication was on the 9th day of Nov, 19 88.

*[Signature]*

Subscribed and sworn to before me this 9th day of Nov, 19 88  
(SEAL)



Laurena M. Lerner  
NOTARY PUBLIC  
GOODING COUNTY LEADER  
Gooding, Idaho  
COST OF PUBLICATION

OK MB 11/22/88

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Number of Insertions 2

Lines tabular at 5¢/Pica  
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TOTAL COST 28.27

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(Paste Here)

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Dept of Water  
BILL TO  
2148 4th ave E  
Twin Falls, Id. 83301

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Source: GROUNDWATER  
Diverson Pt: SESSEW Sec 24 T 05S R 14E; Gooding County; At the above address.  
Use: DOMESTIC (.040 CFS)  
STOCKWATER (.020 CFS)  
IRRIGATION (.060 CFS)  
Date Filed: 8/10/1988  
In: T05S R14E S24 - SESW - 2.0 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 November 21, 1988.

R. Keith Higginson  
Director  
G3042

Publish: November 2 and 9

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insertions ..... 3¢/Pica

MICROFILMED  
No  
MAR 13 1989

November 8, 1990

GUS E. MILLER  
DIANE M. MILLER  
1746 E. 1600 S.  
GOODING, ID 83330

RE: WATER RIGHT NO. 37-08373

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:blm

Enclosure

RECEIVED  
NOV 26 1990

October 2, 1990

GUS E. MILLER  
DIANE M. MILLER  
1746 E. 1600 S.  
GOODING, ID 83330

RE: PERMIT NO. 37-08373

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

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NOV 26 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet  
for  
Beneficial Use Field Report

MILLER, GUS

37-8373  
Permit No.

RECEIVED  
SEP 21 1990

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form  
☒ Copy of Permit  
☒ Copies of any Amendments/Orders with conditions of approval  
☒ Computer Data Proof Report  
☒ Copy of U.S.G.S. Quad  
☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index A.L. 6-11-90 (Initial and date)

Overlap? ☐ yes ☐ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: \_\_\_\_\_

Check of P/U index A.L. 6-11-90 (Initial and date)

Overlap? ☐ yes ☐ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: \_\_\_\_\_

Aerial Photo

Required? ☐ yes ☐ no If yes: ☐ copy attached?

Scheduling Letter sent? \_\_\_\_\_ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully completed and signed Field Report Form  
☐ Photographs of Point of Diversion and Place of Use  
☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed OTS 6/30/90 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent DR 8/2/90 (Initial and date)

Exam Reviewed by Manager of Regional Office RAH 8/22/90 (Initial and date)

Exam Date Entered in Computer \_\_\_\_\_ (Initial and date)

Exam sent to State Office \_\_\_\_\_ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original  
Refiled in White File \_\_\_\_\_ (Initial and date)

RECEIVED  
SEP 21 1930

DATE 8/21/90

\* = SEE ITEM \_\_\_\_\_ IN BENEFICIAL USE RPT  
\*\*\* = SEE REMARKS ATTACHED

RECEIVED  
SEP 21 1990

Form 219  
6/86

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

Department of Water Resources

**A. GENERAL INFORMATION**

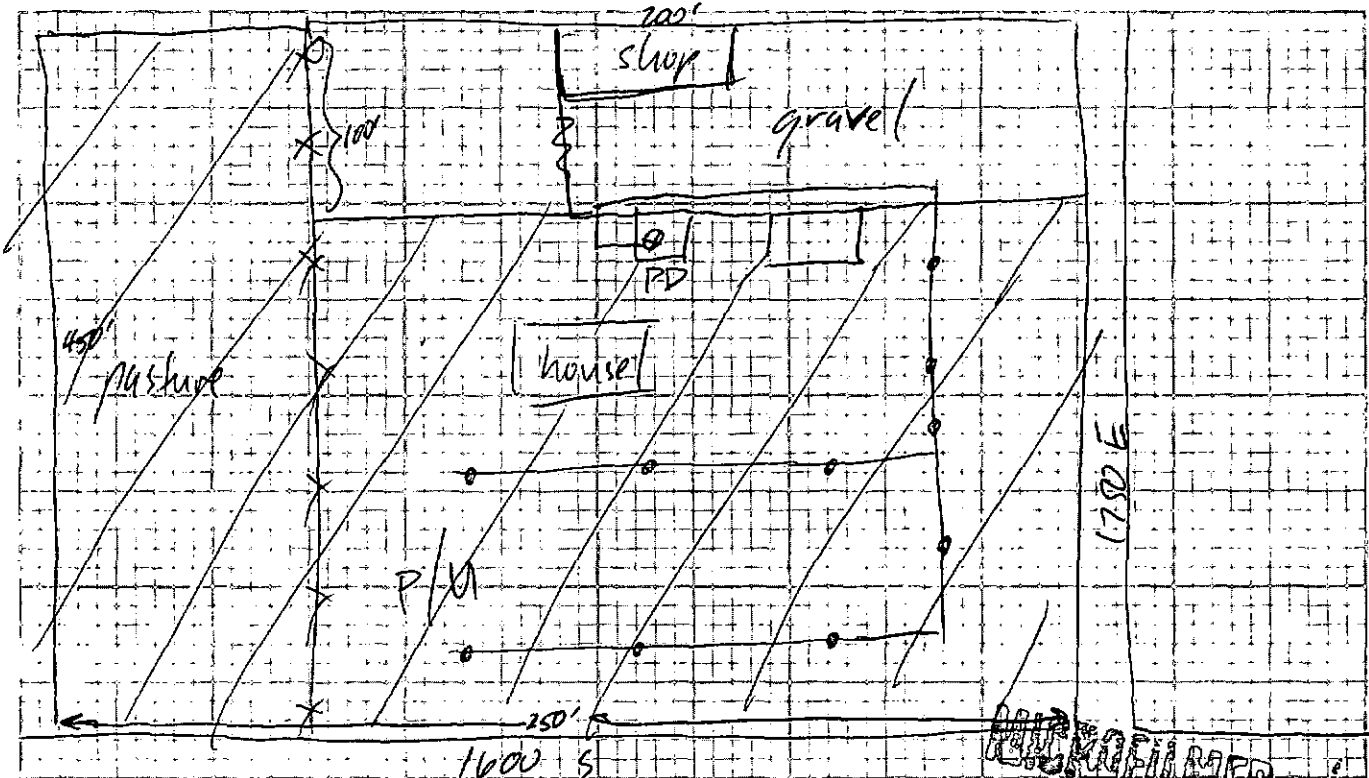
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Current Address: 1744 E 1600S Gooding, ID 83330 Phone No. 934-8297  
2. Accompanied by: Marie Miller EXAM. DATE: 4/14/90  
Address: same Phone No. \_\_\_\_\_  
Relationship to Permit Holder: daughter  
3. Source: ground water tributary to \_\_\_\_\_

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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" = \_\_\_\_\_

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).

**System Description (continued)**

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

Submersible well - 2 acres total:  
 1 house - 4 residents  
 Pasture w/ ~~2~~ 3 horses irrigated w/ hand lines  
 lawn irrigated w/ hand lines  
 gage reads 38 psi at pump  
 10 heads

☐ See Remarks on page 4 for continuation

4.

| Well or Diversion Identification No.* | Motor Make    | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|---------------|----|------------------|-----------|-----------------------------------|
|                                       | Franklin Elec | 5  | 2821139202       | Berkeley  | 8032834                           |
|                                       |               |    |                  |           |                                   |
|                                       |               |    |                  |           |                                   |
|                                       |               |    |                  |           |                                   |

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

5. **Point(s) of Diversion:**

| Ident. No. | Gov't. Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County  | Method of Determination/Remarks |
|------------|------------|-----|-----|-----|------|------|------|---------|---------------------------------|
|            |            | SE  | SE  | SW  | 24   | 55   | 14E  | Gooding |                                 |
|            |            |     |     |     |      |      |      |         |                                 |
|            |            |     |     |     |      |      |      |         |                                 |
|            |            |     |     |     |      |      |      |         |                                 |

6. **Place(s) of Use:**

Indicate Method of Determination

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 55   | 14E  | 24   |        |        |        |        |        |        |        | 2      |        |        |        |        |        |        |        |        | 2      |
|      |      |      |        |        |        |        |        |        |        | DS     |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

RECORDED

Do not use this space

NOV 26 1960

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:

10 Rainbird 30WSH 1/4" nozzle @ 40 psi  
pressure measured 40 psi at several points.

#### E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

10 hrs @ 5.37 gpm = 53.7 gpm = .1 cfs

2. Alternate Method for Checking Purposes:

#### 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:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2.0 (4.0) = 8.0$

$V_{D.R.} = [\text{Diversión Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.9835 (12.6) = 25.6$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 8.0$

2. Volume Calculations for Other Uses:

stock water:

3 hours @ 12 gpd = 36 gpd  
= .04 cfs

domestic w/o lawn:

std vol = .1 cfs

NOV 26 1990

H. REMARKS AND OVERLAP REVIEW ANALYSIS

P/U photos do not show sprinkler lines, as they were taken some time later (the 1st photos did not turn out).

Period of use should be 4/1 - 11/1, according to the location

I. RECOMMENDATIONS

1. Recommended Amounts

| Beneficial Use | Period of Use  |                  | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|----------------|------------------|------------------------------|--------------------------|
|                | From           | To               |                              |                          |
| Domestic       | 1/1            | 12/31            | .02                          | 16                       |
| Stockwater     | 1/1            | 12/31            | .02                          | <del>.02</del> .04       |
| Irrigation     | <del>1/1</del> | <del>12/31</del> | <del>.02</del> .04           | <del>16</del> 8.0        |
|                | 3/15           | 11/15            |                              |                          |
| Totals:        |                |                  | <del>.02</del> .04           | <del>16</del> 8.8        |

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☒ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

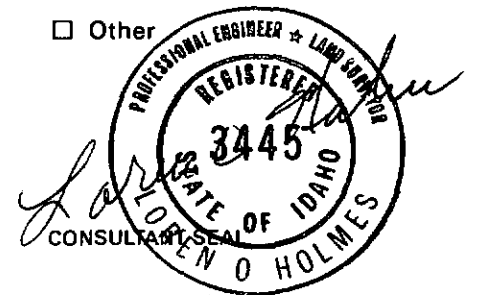
Field Examiner's Name

Signature

Certification Date

Field Report Preparation Date

Charles Brockway  
[Signature]  
4/16/90  
6/20/90



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

52 9-27-90

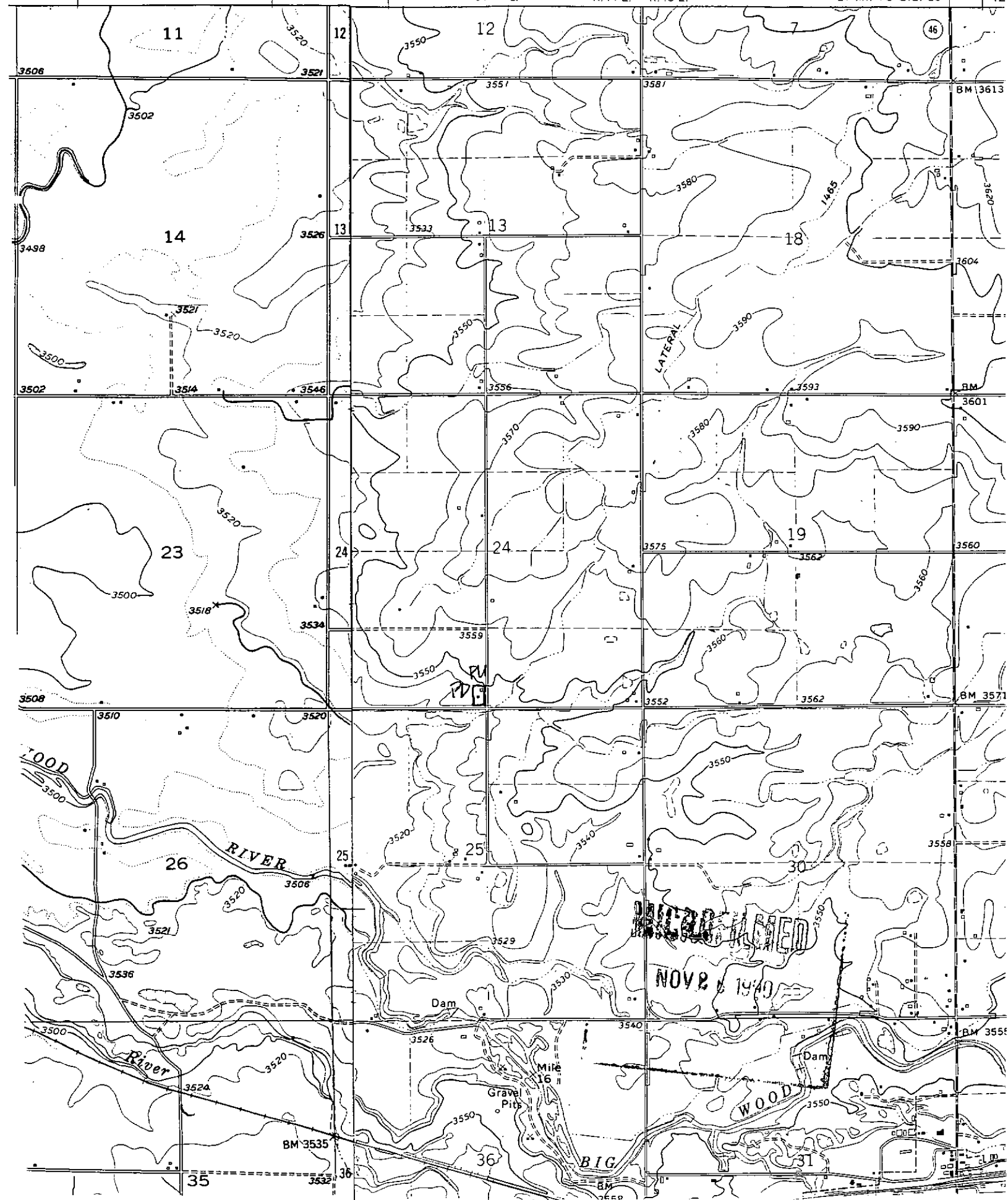
MICROFILMED

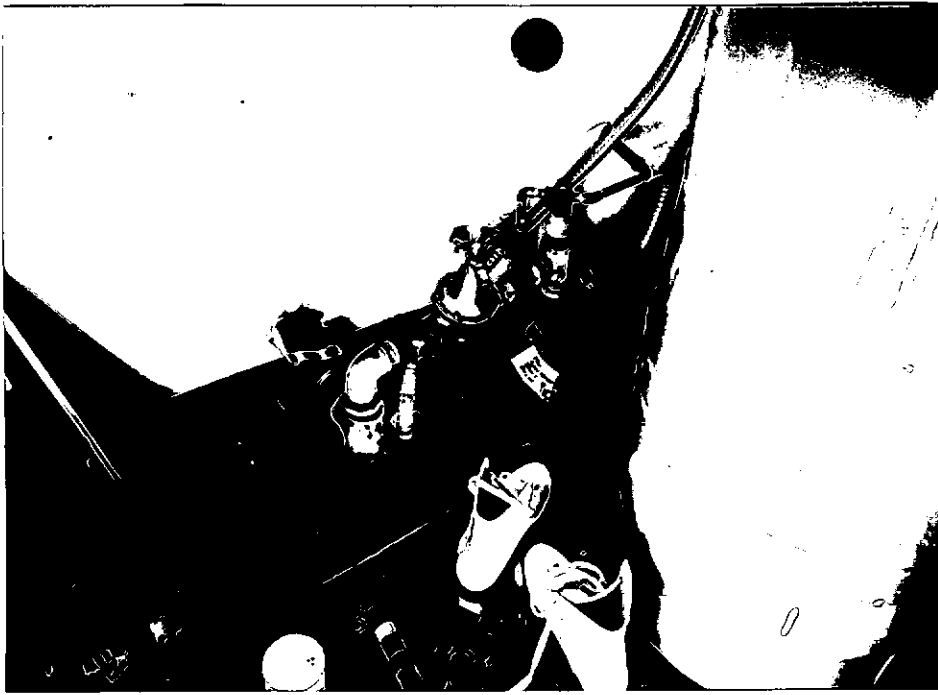
NOV 26 1990

TSS RHE  
524 37-9373  
Miller  
27 MI. TO U.S. 201 142

R 14 F      R 15 F

27 ML TO U.S. 20





P/D, tank



P/U  
lawn



P/U lawn & pasture  
RECORDED  
NOV 26 1990

May 15, 1990

GUS E. MILLER  
DIANE M. MILLER  
1746 E. 1600 S.  
GOODING, ID 83330

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08373

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

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MAY 23 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 37-8373

Date: 5-14-90

General Considerations:

4 Name same as permit  
4 Signature the same as permit holder  
N Address change \_\_\_\_\_ If yes, prepare a data entry  
4 Proof received timely  
\_\_\_\_\_ Reinstated

Source of Water:

4 Surface water  
4 Groundwater  
\_\_\_\_\_ 1. well log in file  
\_\_\_\_\_ 2. drilling permit  
W/A A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

4 Rate of diversion appropriate for uses  
4 Is rate or volume and fee appropriate?  
4 Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

W/A Is a measuring device or access port required?  
W/A Has one been installed?  
W/A Waiver or modification of measuring device requested

Remarks: Proof acceptable

W/A Priority Calculation:  
Date proof received \_\_\_\_\_

Date proof due \_\_\_\_\_ - \_\_\_\_\_

No. of days late \_\_\_\_\_ = \_\_\_\_\_

Priority date \_\_\_\_\_ + \_\_\_\_\_

NEW PRIORITY DATE \_\_\_\_\_ = \_\_\_\_\_

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

**RECEIVED**

JAN 03 1990

No Check Received  
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

**PROOF OF BENEFICIAL USE**

For Office Use Only  
Fee Received \_\_\_\_\_  
Date \_\_\_\_\_  
Receipt # \_\_\_\_\_  
Receipt by \_\_\_\_\_  
Reviewed by 20  
Sent to region 19-14-90

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 37-8373

Name(s) of Permit Holder: Gas E. & Diane M. Miller

Post Office Address: 1600 S 1746 E, Gooding, Id

Telephone No. 934-8297

Source of Water: Well

Extent of Use:

Domestic 1 (number of households) Stockwater 3 horses (number and type of stock)

Irrigation 2.0 (acres) Other/Remark We water our

lawn & pasture with sprinklers

Total rate and/or volume for which proof is submitted .04 cfs 4 acre-feet

Show the date water was first diverted and beneficially used under this permit: 4/80

Measuring Device: Required? Yes X No  
Installed? Yes X No

Fee enclosed \$ \_\_\_\_\_  
(See License Examination Fee Schedule)

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

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

Gas E. Miller  
(Name)

934-8297  
(Telephone Number)

1600 S 1746 E Gooding, Id 83330  
(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.

12/29/89  
Date

Diane M. Miller  
Signature of Permit Holder (and title, if appropriate)

MAY 20 1990

138926

November 30, 1989

GUS E. MILLER  
DIANE M. MILLER  
1746 E. 1600 S.  
GOODING, ID 83330

PROOF DUE NOTICE

RE: PERMIT NO. 37-08373

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 February 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

INDEXED

MAY 23 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

---

Statehouse  
Boise, Idaho 83720  
(208) 334-7900  
February 7, 1989

GUS E. MILLER  
DIANE M. MILLER  
1746 E. 1600 S.  
GOODING, ID 83330

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08373

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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

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MAR 03 1989

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 Rights Permits Section

GS: SC  
Enclosures

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MAR 03 1989

Form No. 202a  
1/87STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY JK DATE 1/3-1/88 APPLICATION NUMBER 37-REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No\* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☒ Overlapping point of diversion - A 37-10910
- ☐ Yes ☒ No Field check required
- Field check by \_\_\_\_\_
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

None

Date Requested

DEC 05 1988

**RECEIVED**

Department of Water Resources

PROCESSING

☒ Yes ☐ No Inform for advertising  
☐ Yes ☒ No Statewide advertising  
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

None

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM, District \_\_\_\_\_  
☐ Idaho Dept. of Fish & Game, Region \_\_\_\_\_ ☐ U.S. Forest Service, Forest \_\_\_\_\_  
☐ Idaho Dept. of Lands ☐ Water District # \_\_\_\_\_  
☐ Adjudication Bureau Unit ☐ Other \_\_\_\_\_

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received  
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application  
☐ Yes ☒ No Protests received  
Final date for protest \_\_\_\_\_  
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on application  
☐ Yes ☒ No Recommendations attached  
☐ Yes ☒ No Measuring device required  
☐ Yes ☒ No Access port required  
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 37M  
☐ Yes ☒ No Special conditions of approval or cover letter below.

☐ See below for additional information

Date of priority recommended 8/10/88 ✓  
BY J. O. Halver Date 11/30/88

STATE OFFICE REVIEW

P05

P16

41

☐ See below for additional information

By KW Date 1/24/89

ADDITIONAL INFORMATION

App. describes an existing well-

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Southern Region  
2148 4th Avenue East  
Twin Falls, ID 83301  
(208)734-3578

---

OCTOBER 20, 1988

GOODING COUNTY LEADER  
BOX 56  
GOODING, ID 83330

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 21, 1988.

Yours truly,

Mary Baldwin  
Secretary/Office Coordinator

Enclosure

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MAR 03 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08373

MILLER, GUS E.  
MILLER, DIANE M.  
1746 E. 1600 S.  
GOODING, ID 83330

Source: GROUNDWATER

Diversion Pt: SESESW Sec 24 T 05S R 14E; Gooding County; At the above address.

|               |             |
|---------------|-------------|
| Use: DOMESTIC | ( .040 CFS) |
| STOCKWATER    | ( .020 CFS) |
| IRRIGATION    | ( .060 CFS) |

Date Filed: 8/10/1988

In: T05S R14E S24 SESW

2.0 ACRES TOTAL

The permit(s) 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 NOVEMBER 21, 1988.

R. Keith Higginson, Director

Published 11/02/1988 & 11/09/1988

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MAR 03 1989

STAFF ANALYSIS SUPPLEMENT

1) Water District None Basin # 37

2) Local description (of one P/D)



At the above street address



\_\_\_\_\_ miles N/S \_\_\_\_\_ and \_\_\_\_\_ miles E/W

of

(City center or numbered highway intersection)



\_\_\_\_\_

(Travel directions from city center or highway intersection)

IDENT. NO. 37-08373

WATER RIGHT  
DATA ENTRY LOG

[illegible]