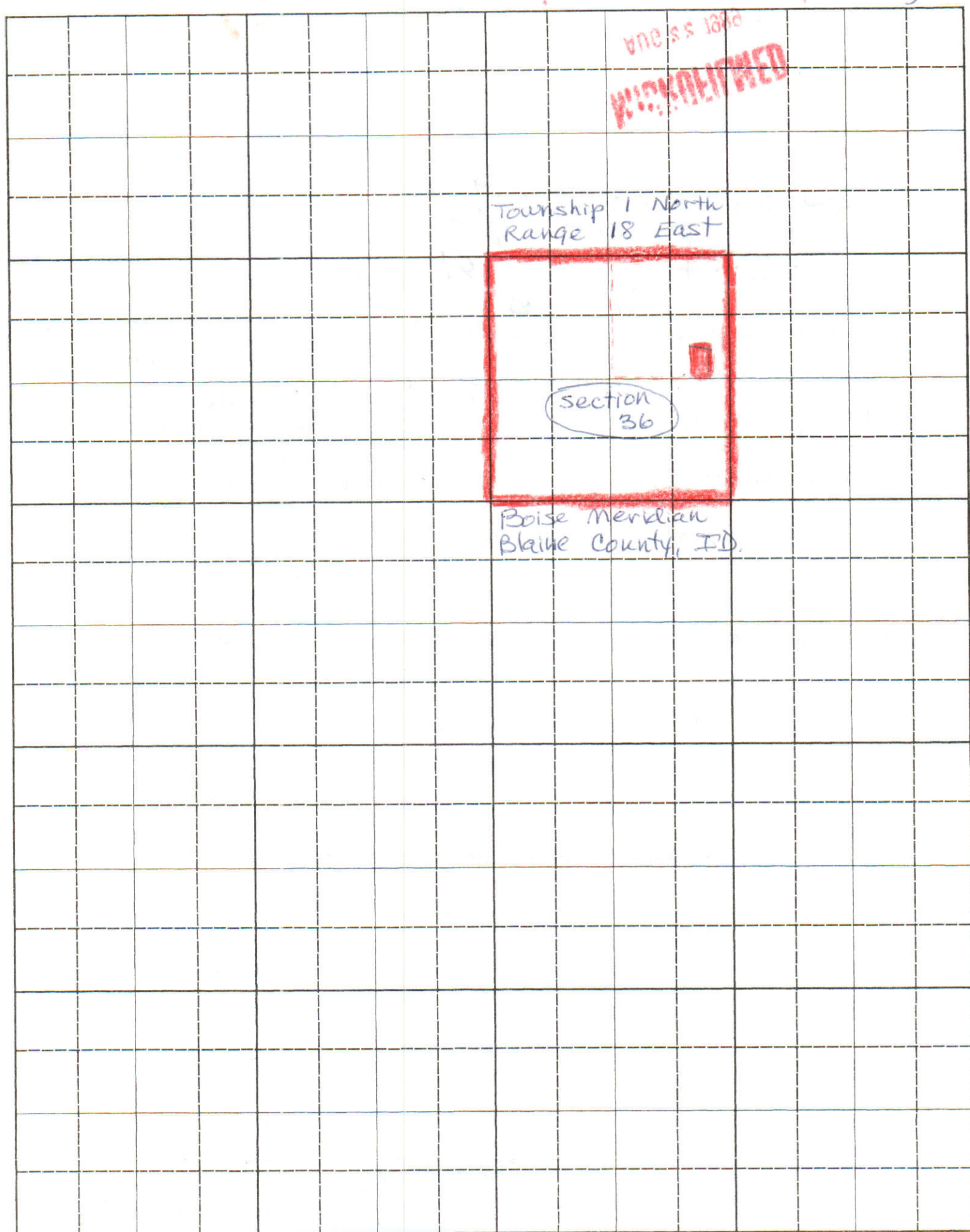


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

RECORDED

AUG 22 1989

John W. Miller
(Applicant)
Carolyn R. Miller

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 23 1995
Department of Water Resources

A. GENERAL INFORMATION

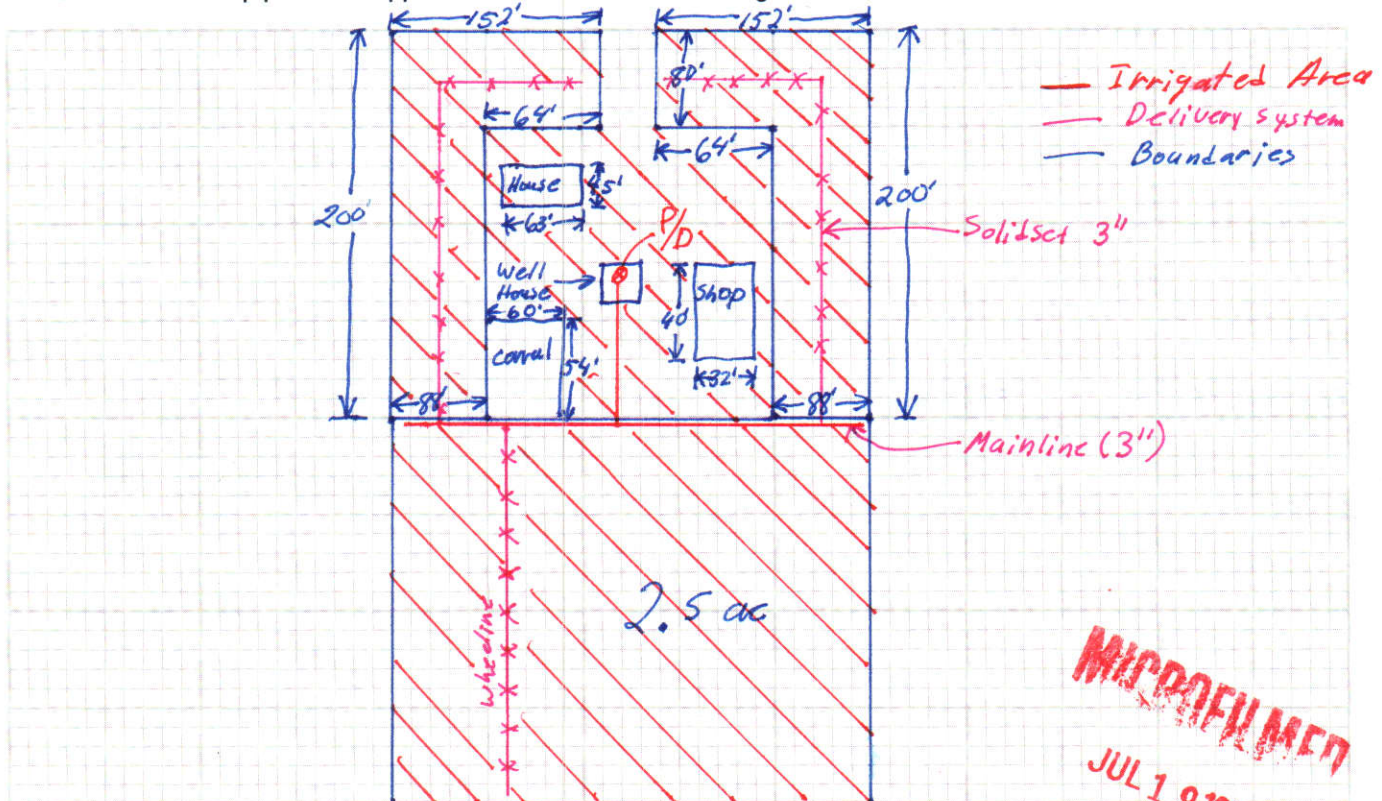
Permit No. 37-08168
Phone No. 788-4483
1. Owner: John W. Miller
Current Address: P.O. Box 953, Hailey, ID 83333
2. Accompanied by: Owner EXAM. DATE: 6-30-94
Address: Same Phone No. Same
Relationship to Permit Holder: Owner
3. Source: Groundwater tributary to None

B. OVERLAP REVIEW

1. Other water rights with same place of use: None ☐ Copies Attached
2. Other water rights with same point of diversion: 37-08488 ☒ 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" = No scale

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

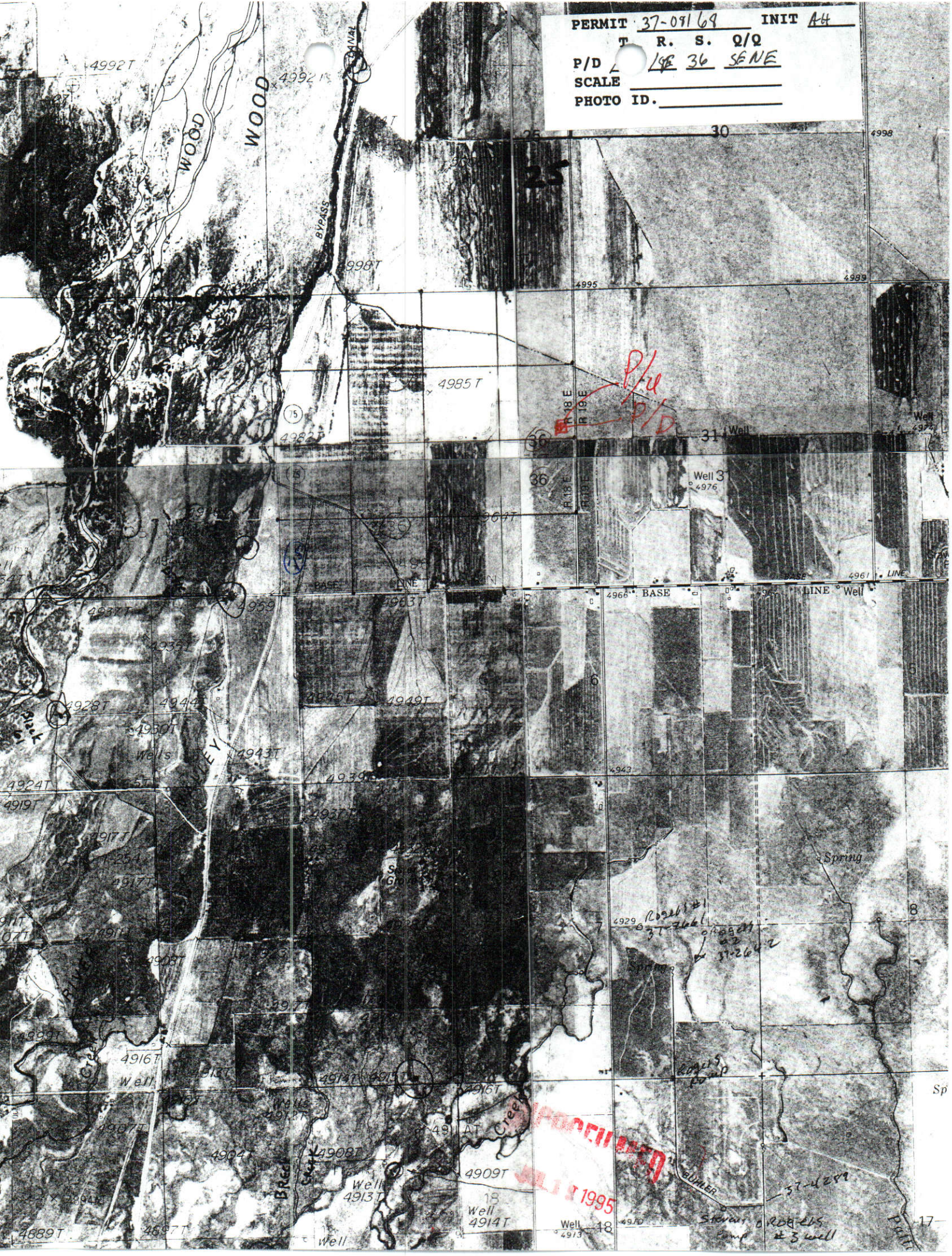
INIT A-4

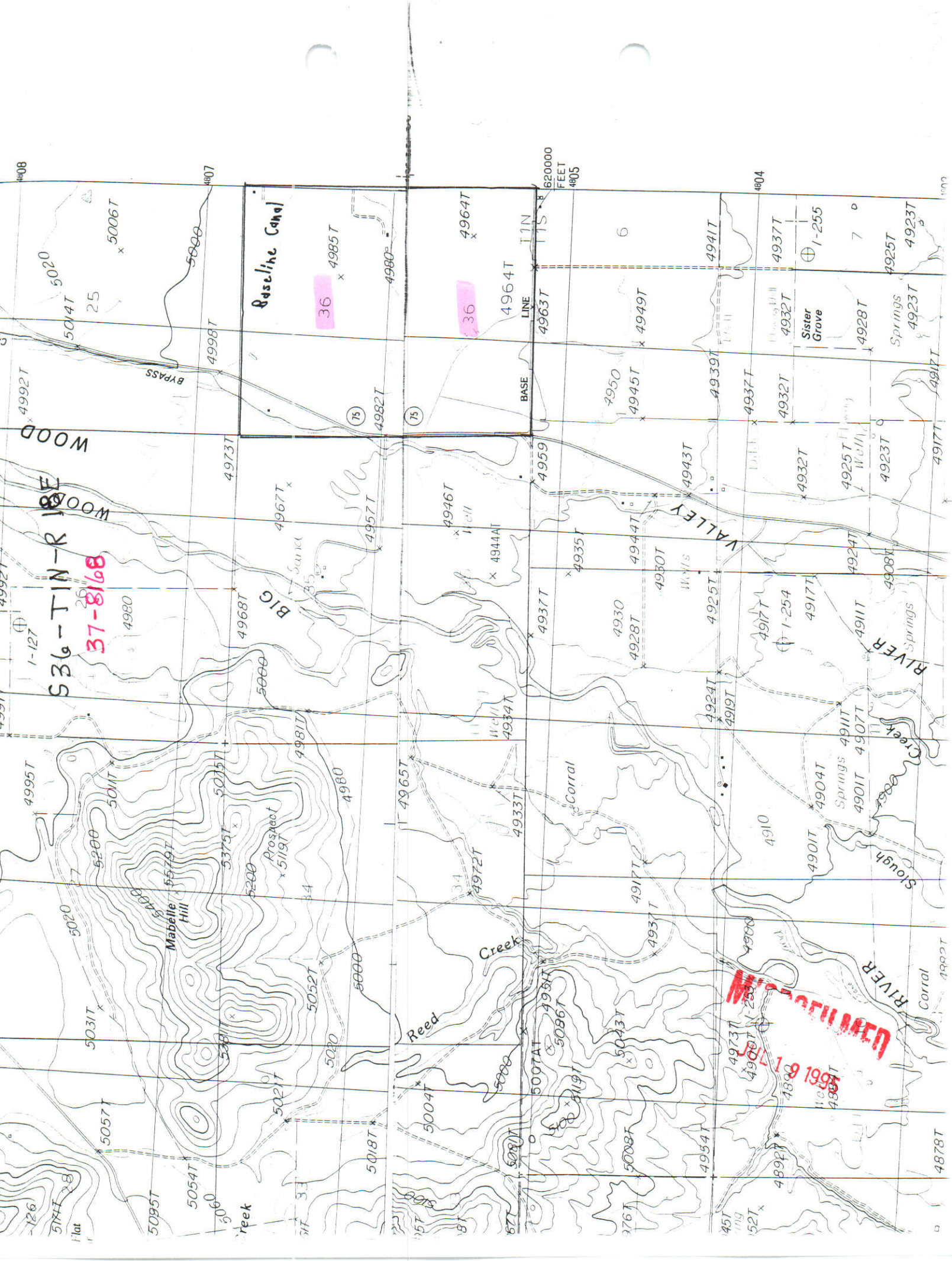
T	R.	S.	Q/Q
---	----	----	-----

P/D 198 36 SENE

SCALE

PHOTO ID.





37-08168

25
36
R. 18 E.
30
31
R. 19 E.

10575

THE CANAL RANCH SUBDIVISION

110

4
3

116

126

2
1

019

004

ROPES END ROAD

027

016

P/u
P/D

144

WIND RANCH SUBDIVISION

RINGNECK ACRES SUBDIVISION

12

158

3
2

176

LANE
FRIEDMAN

RECORDED
JUL 19 1995

37-08168



#1
P/D
Well House



#2
P/4
Domestic

RECORDED
JUL 19 1995

37-08168



#3
P/4
Irrigation



#4
P/4
Irrigation
Domestic

JUL 19 1995

**Water right
sought by Miller**

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

37-08168

MILLER, JOHN W.
MILLER, CAROLYN R.
P.O. BOX 953
HAILEY, ID 83333

Source: GROUNDWATER
Diversion Pt: SENE Sec 36 T 01N
R 18E

Use: IRRIGATION (.090 CFS)
DOMESTIC (.040 CFS)

Date Filed: 3/19/1984

In: T01N R18E S36 SENE
3.0 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 MAY 8, 1989.

R. Keith Higginson, Director

Publish: Wood River Journal-
April 19 & 26, 1989.

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

RECEIVED
 DEC 20 2000
 Department of Water Resources
 Southern Region

1. Water Right No(s): SEE Attached 37-8488, 37-8168
 Adjudication Claim No(s): _____

RECEIVED

2. The following **REQUIRED** information must be submitted with this form:

DEC 21 2000

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claims(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant JOHN W. MILLER + CAROLYN R. MILLER

4. New Owner/Claimant(s) JACK'S REALTY TRUST JOHN + FAITH HENEGHAN
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or CO-TRUSTEES
 New Mailing Address 36 NATHANIEL WAY PER PHONE CALL TO JACK H. 4.4.01
 City, State and ZIP Code MARSHFIELD, MA. 02050
 New Telephone Number (781) 837-6285

5. Date you acquired the property 10-4-00

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s)

John J. Heneghan Trustee
Faith E. Heneghan Trustee

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

MICROFILM

Receipt # C 051876
 1-16-01 \$50.00 J. Mai

WARRANTY DEED

Instrument # 44:

HAILEY, BLAINE, IDAHO

2000-10-04

02:50:00 No. of Pages: 7

Recorded for : FIRST AMERICAN TITLE

MARSHA RIEMANN

Fee: 21.00

Ex-Officio Recorder Deputy

Index to: WTYOCICORP DEED

For Value Received John W. Miller and Carolyn R. Miller, husband and wife

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

Jack's Realty Trust U/A/D October 22, 1987, John J. Heneghan, Trustee and Faith Ellis Heneghan, Co-Trustee

whose address is: 36 Nathaniel Way, Marshfield, MA 02050

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Township 1 North, Range 18 East, Boise Meridian, Blaine County, Idaho.

Section 36: A parcel of land lying in the SE 1/4 NE 1/4, more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of the Northeast quarter of said Section 36; thence

N. 89°53'00" W., 690.00 feet along the Southerly boundary of said NE 1/4 to an iron pin, and being the Real Point Of Beginning; thence

N. 89°53'00" W., 330.51 feet along the Southerly boundary of said NE 1/4 to an iron pin; thence

N. 00°00'00" E., 658.66 feet along a line 1,020.51 feet Westerly of and parallel to the Easterly boundary of the NE 1/4 to an iron pin; thence

S. 90°00'00" E., 330.51 feet to an iron pin; thence

S. 00°00'00" W., 659.33 feet along a line 690.00 feet Westerly of and parallel to the Easterly boundary of the NE 1/4 of Section 36 to the Point Of Beginning.

Note For Information: Said Parcel shows as Tax Lot #4978 on the Assessor Rolls for Blaine County, Idaho.

TOGETHER WITH THE WATER RIGHTS APPURTENANT TO ABOVE PROPERTY: SEE ATTACHED

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: September 27, 2000

John W. Miller

John W. Miller

Carolyn R. Miller

Carolyn R. Miller

STATE OF IDAHO)

)ss.

COUNTY OF Valley)

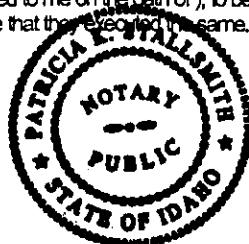
On this 29th day of September, in the year of 2000, before me the undersigned, personally appeared John W. Miller and Carolyn R. Miller, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Patricia K. StilleSmith

Notary Public of Idaho

Residing at: Cascade

Commission Expires: 7-3-01



MICROFILMED

APR 11 2001

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08168

Priority: March 19, 1984

Maximum Diversion Rate:
Maximum Diversion Volume:

0.09 CFS
9.0 AF

This is to certify, that JOHN W MILLER
CAROLYN R MILLER

PO BOX 953
HAILEY ID 83333

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 19, 1984; and has submitted Proof of Beneficial Use on June 12, 1990. An examination indicates that the works have a diversion capacity of 0.110 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	04/15 to 10/15	0.07 CFS	8.4 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
Totals		0.09 CFS	9.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENE, Sec. 36, Township 01N, Range 18E
BLAINE County

<u>PLACE OF USE:</u>	<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
IRRIGATION	01N	18E	36	2.4		2.4
DOMESTIC						
Total number of acres irrigated:						2.4

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

MICROFILMED
JUL 19 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08168

CONDITIONS/REMARKS:

6. This right uses the same well as Right 37-08488 and when combined with Right 37-08488 shall not exceed a diversion rate of .11 cfs.
7. This right when combined with Right 37-08488 and all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.
8. Domestic use is for 1 home.
9. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

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 30TH day of JUNE, 1995.


Acting for KARL J. DREHER, Director



RECEIVED
JUL 19 1995

Form
03/85

RECEIVED

JUN 12 1990

STATE OF IDAHO

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received \$50.00

Date 6/12/90

Receipt # C 617214

Receipt by J. D. Miller

Reviewed by _____

Sent to region _____

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.

3 Acres

Permit No. 37-08168

Name(s) of Permit Holder: John W. and/or Carolyn R. Miller

Post Office Address: P.O. Box 953

Hailey, ID 83333 Telephone No. 788-4483

Source of Water: groundwater

Extent of Use:

Domestic 1 (number of households) Stockwater 2 horses (number and type of stock)

Irrigation 3 (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 13 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: June, 1984

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Fee enclosed \$ 50-
(See License Examination Fee Schedule)

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

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

(Name)

(Telephone Number)

(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.

RECEIVED

JUL 15 1991

10-26-89
Date 6-4-90

Carolyn R. Miller
Signature of Permit Holder (and title, if appropriate)

Dept. of. Natl Resources
Statehouse
 Boise 83720

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

MAR 18 1984

Amended

APPLICATION FOR PERMITDepartment of Water Resources
Bureau of Water Control

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant John W. and Carolyn R. Miller Phone 788-4483
Post office address P.O. Box 953 Hailey, ID 83333
2. Source of water supply ground water which is a tributary of
3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36 Township 1 N
Range 18 E B.M. Blaine County, additional points of diversion if any:
4. Water will be used for the following purposes: * Changed per telecon w/applicant 1-12-89
Amount 0.09* for irrigation purposes from April 1 to Oct 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 for domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.16 0.13* cubic feet per second and/or b. acre-feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 3 HP pump on the well

b. Height of storage dam feet, active reservoir capacity acre-feet; total reservoir capacity acre-feet, materials used in storage dam:
Period of year when water will be diverted to storage to inclusive.
(Month/Day) (Month/Day)
c. Proposed well diameter is 8 inches; proposed depth of well is 150 feet.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 1* years (minimum 1 year — maximum 5 years).
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36 Township 1 N
Range 18 E B.M.
(2) Amount of power to be generated: horsepower under feet of head.
(3) List number of each kind of livestock to be watered 3 horses, 1 beef animal

(4) Name of municipality to be served , or number of families to be supplied with domestic water 1 family (3 people)
(5) If water is to be used for other purposes describe:

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AUG 22 1989

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	18E	36				5													5 3
						*3													

Total number of acres to be irrigated 5 3*

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

9. a. Who owns the property at the point of diversion John W. + Carolyn R. Miller

b. Who owns the land to be irrigated or place of use John W. and Carolyn R. Miller

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

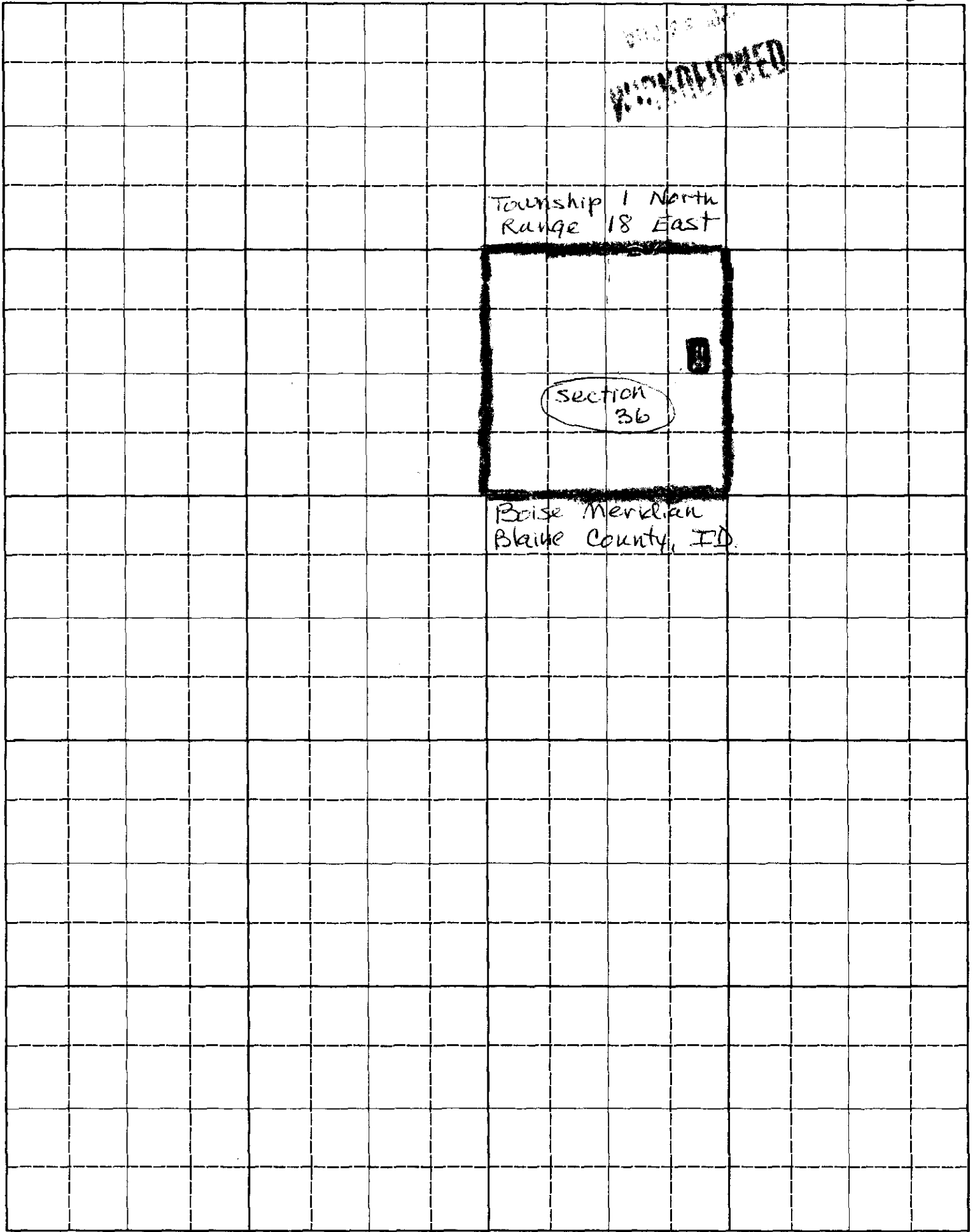
10. Remarks immediately South of
Tax Lot # 4978 X Canal Ranch Subdivision
South of Bellvue St.
System was developed in June of 1984.

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AUG 22 1989

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

N
W
E
S



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.

RECEIVED

AUG 22 1989

John W. Miller
(Applicant)
Carolyn R Miller

Proposed Priority 3/19/84

Received by W. A. G. A. Date 3/19/84 Time 12:00 p
Preliminary check By JP Fee \$ 30.00 # 33029
Receipted by W. A. G. A. 3/20/84
Publication prepared by M. Baldwin Date 4/5/89
Published in Wood River Journal
Publication dates 4/19 & 4/26/89
Publication approved M. Baldwin Date 6/5/89
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JP

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. 37-8168, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 90.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Irrigation use under this permit is authorized only in connection with a domestic use.

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

The maximum rate of diversion for irrigation purposes under this permit shall not exceed 0.09 cfs.

Use of water under this permit for irrigation purposes shall not exceed 3 acres.

Witness my hand this 13th day of July, 1989.

D. M. Saylor

MICROFILMED

AUG 22 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 5, 2001

JACKS REALTY TRUST
C/O JOHN &/OR FAITH HENEGHAN
36 NATHANIEL WAY
MARSHFIELD MA 02050

RE: Change of Ownership for Water Rights 37-8168 and 37-8488

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

APR 11 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 3, 2001

JACK'S REALTY TRUST
JOHN & FAITH HENEGHAN
36 NATHANIEL WAY
MARSHFIELD MA 02050

RE: Change of Ownership for Water Rights 37-08488 & 37-08168

Dear Mr. & Mrs. Heneghan:

The Department of Water Resources acknowledges receipt of your Notice of Change of Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:



☒ **Filing Fee** of \$25 per water right

☐ **Filing Fee** of \$100 per water right for changes resulting from division of a water right

☐ **Signature**

☐ **Notarized Signature** for Assignment of Permit

☐ **Evidence of Water Right Ownership:** copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

☐ **Evidence of Security Interest:** copy of Deed of Trust, Mortgage, Contract of Sale or other legal document indicating your interest in the property and water rights in question

☐ **Legal Description of Property**

☐ **Plat of Property or Survey Map** usually on file with the county

MICROFILMED

APR 11 2001

_____ **USDA Farm Service Agency (formerly ASCS) Aerial Photo** with irrigated acres outlined and point(s) of diversion clearly marked

_____ **Description of Portion of Water Right** resulting from division of water right

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be \$50.00.

Because the Department cannot process the ownership change without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees within 30 days we will return your notice and all attachments and your notice will not be processed. Copies of the water right licenses and permit that you sent are being returned to you for your records.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

Please feel free to contact the Department if you have any questions.

Sincerely,



Kari Lynn Townsend
Secretary

KLT:k

Enclosure(s)

MICROFILMED

APR 11 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 30, 1995

JOHN W MILLER
CAROLYN R MILLER
PO BOX 953
HAILEY ID 83333

RE: WATER RIGHT NO. 37-08168

Dear Water Right Holder(s):

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MICROFILMED

JUL 19 1995

LICENS REVIEW CHECKLIST

PERMIT NO. 37-08168 DATE 10/28/95



NAME Change OK ☒ Or Address Change? ☐

PRIORITY DATE Advance? ☒ Advanced to: _____
Order to reinstate needed? _____
Incorrect fee for rate recommended? _____

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

POINT OF DIV Amendment needed? ☒ _____
Overlaps? 37-09488 for .04 cfs / 2 acres of the for 4.4 total

PLACE OF USE Amendment needed? ☒ _____
Overlaps? ☒ _____

DIV RATE SPRINKLER ☒ Permit/fee limits: .13 CFS
Meas Q = .11 Theo Q = _____ Recommend: .11
Dom @ .02 (INTERNAL DOMESTIC RATE)
2.4 x .03 = .07 CFS
Combined rates exceed capacity YES - CONDITION

ANNUAL VOLUME Volume Limit: (NEW Season) B/3.5 (4-15 to 10-15)
Calculations: DOMESTIC/INTERNAL USE @ .6
2.4 x 3.5 = 8.4 af
Flow limit: _____ cfs x _____ x 1.9835 = _____
Combined volumes exceed capacity/allowable NO

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

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

NEW REMARKS Multiple p/d(s) in 1/4 1/4? ☐ _____
YES Other W41, W34, W35 Place of use within (EDIT) and Ranch Subdivision

NEW CONDITIONS Watermaster control - District ☐ _____
Measuring/Locking Devices ☐ _____
Irrigation Overlap ☐ _____
Other KEEP 041 ☐ _____
Water Quality _____ Heat/Cool/Fish verified ☐ _____

COMMENTS: Reduce acres and rates.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	Adjustment Memo Needed	LICENSE
<u>Irrigation</u>	<u>.07</u>	<u>8.4</u>		<u>YES</u>	
<u>Domestic</u>	<u>.02</u>	<u>.6</u>			☒
<u>Total</u>	<u>.09</u>	<u>9.0</u>	<u>1ST AMEND LETTER</u>	<u>2ND AMEND LETTER</u>	

☒ **Photo of Diversion and System Attached**
(required for all but single household domestic groundwater, and stockwater.

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System Description (continued)

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

See Narrative Attachment.

☐ 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
	<i>Sta-Rite</i>	<i>3</i>	<i>MK4025-20</i>	<i>Sta-Rite</i>	<i>40 P4H026-34</i>

*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
			<i>SE</i>	<i>NE</i>	<i>36</i>	<i>1N</i>	<i>18E</i>	<i>Blaine</i>	<i>Ortho Photo Quad map</i>

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

Indicate Method of Determination *Pacing*

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	
<i>1N</i>	<i>18E</i>	<i>36</i>				<i>2.4</i>													<i>2.4</i>
						<i>D</i>													

Do not use this space

FILED

JUL 19 1998

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:

Pressure measurements were taken on 5 sprinkler heads. The wheel line had a total of 9 sprinklers on it and the nozzle size was $5/32$ " square orifice.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$Q = 9 \cdot [30 \times \left(\frac{5}{32}\right)^2 \times \sqrt{54}] = 48.4 \text{ gpm} = .11 \text{ cfs}$$

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:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2.4(3.5) = 8.4 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .07(184)(1.9835) = 25.5 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 8.4 \text{ afa}$$

2. Volume Calculations for Other Uses:

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Irrigation</i>	<i>4-15</i>	<i>10-15</i>	<i>.07 cfs</i>	<i>8.4 afa</i>
<i>* Domestic</i>	<i>1-1</i>	<i>12-31</i>	<i>.04 cfs</i>	<i>.6 afa</i>
Totals:			<i>.11 cfs</i>	<i>9.0 afa</i>

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 *Alan Hansten*

Signature *Alan Hansten 7-13-94*

Certification Date _____

Field Report Preparation Date _____

CONSULTANT SEAL

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

* See adjustment explanation memo. *EC*

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JUL 19 1995

MEMORANDUM

TO: File 37-08168 / John Miller
FROM: Brenda Chapman
DATE: June 29, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	4-15 to 10-15	.07	8.4
Domestic	1-01 to 12-31	.02	.6

The lawn is included in the irrigation portion. Therefore, reducing the domestic rate to an internal use only rate of .02 cfs conforms the recommendation to the current guidelines for processing combination domestic and irrigation rights.

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37-08168
Narrative Attachment

No water rights were found to overlap the place of use. Water-right 37-08488 overlaps on the point of diversion. The breakdown of the overlap is summarized in the table below:

Water Right	Irrigated Area (Acres)	Flow Rate (cfs)	Annual Volume (afa)
37-08488	2.0	.04	6.0
37-08168	2.4	.07	8.4
	D	.04	0.6
Totals:		.11 cfs	15.0 afa

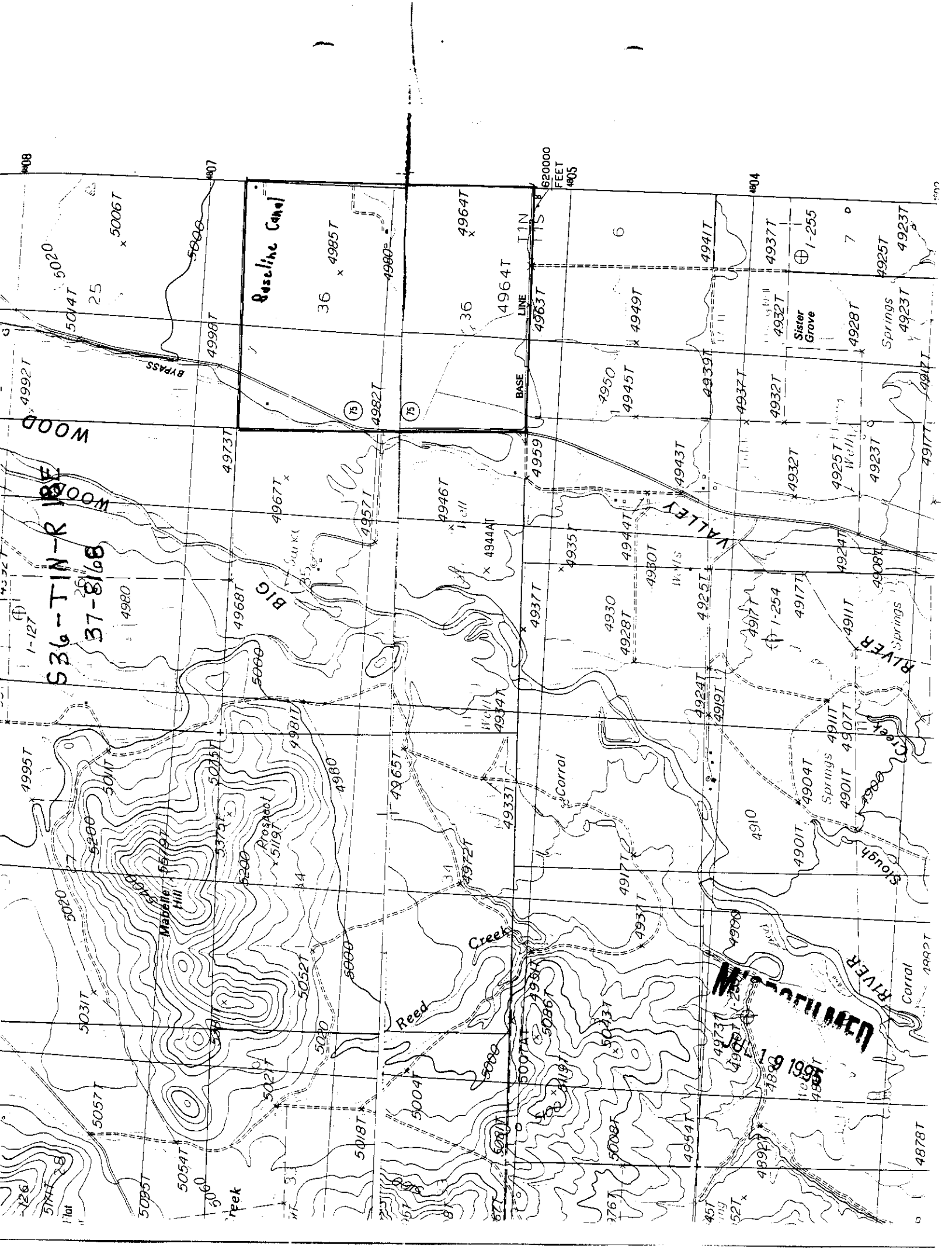
The diversion system consists of a 3 Hp submersible pump. A 3" mainline is used to transport water to the 4" wheeline and 3" lines that irrigate the pasture areas of the lot. The wheeline uses 5/32" square orifice nozzles and is operating at 54 psi. Hoses and single sprinklers are used to irrigate the yard area.

When this permit is combined with 37-08488, the total diversion rate cannot exceed the system capacity of .11 cfs and the annual volume cannot be greater than 3.5 acre-feet/acre/annum.

MAINTAINED
JUL 19 1995

PERMIT 37-09169 INIT A4
T R. S. Q/Q
P/D 1/8 36 SENE
SCALE
PHOTO ID.





37-08168

10575

25
36
R. 18 E.
30
31
R. 19 E.

THE CANAL RANCH SUBDIVISION

110

4
3

116

126

2
1

004

019

ROPES END ROAD

027

016

P/4
P/D

144

WIND RANCH SUBDIVISION

RINGNECK ACRES SUBDIVISION

12

158

3
2

176

LANE
FRIEDMAN

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JUL 19 1995

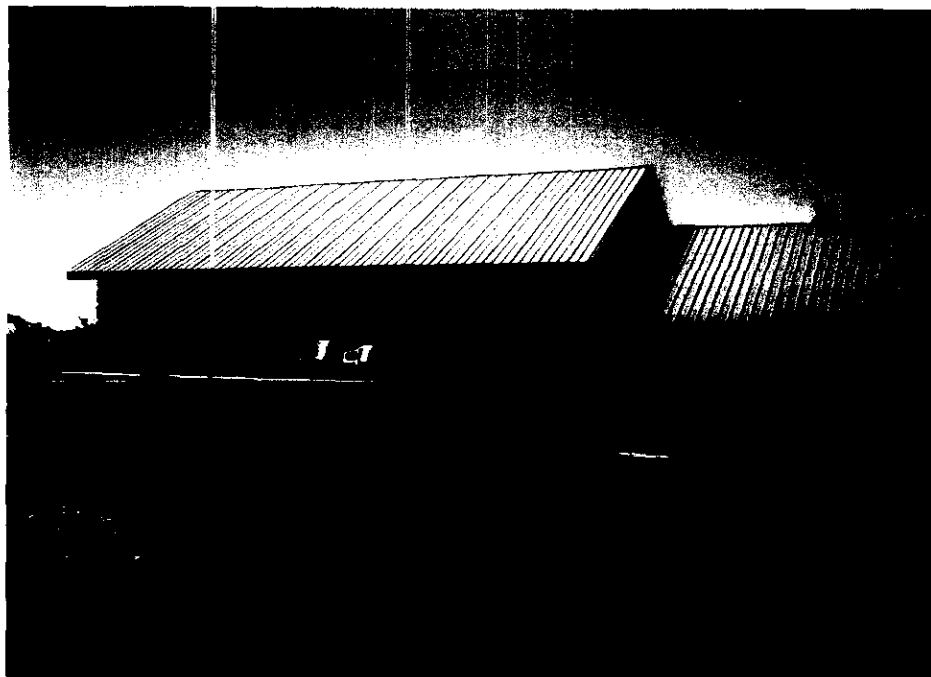
37-08168



#1

P/D

Well House



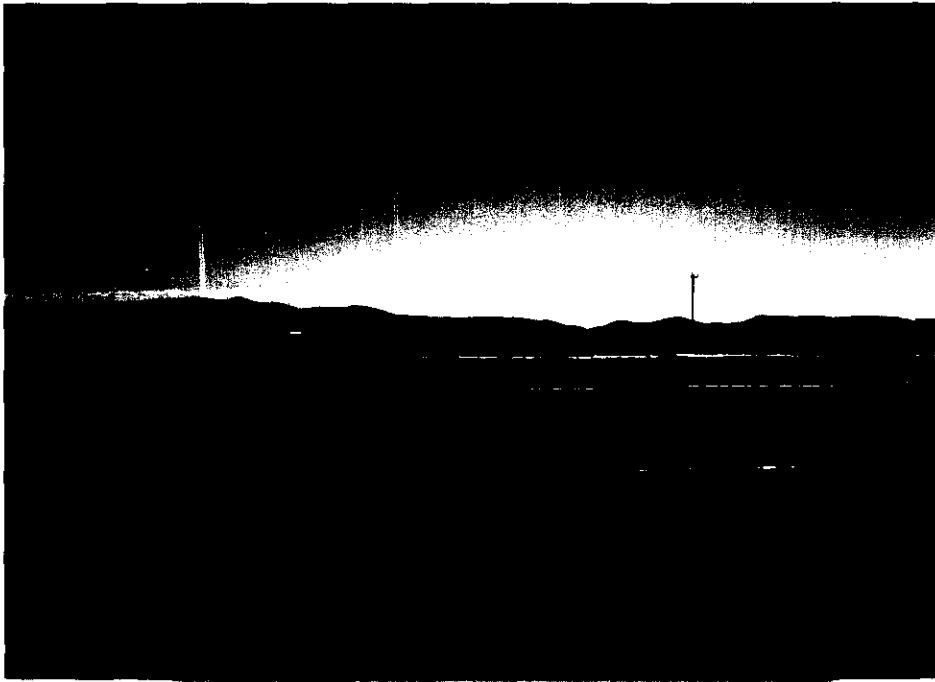
#2

P/4

Domestic

RECORDED

JUL 19 1995



#3
P/4
Irrigation



#4
P/4
Irrigation
Domestic

NOT RECORDED
JUL 19 1995

November 23, 1990

JOHN W. MILLER
CAROLYN R. MILLER
P.O. BOX 953
HAILEY, ID 83333

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08168

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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JUL 15 1991

138781
~~RECEIVED~~
~~MAILED~~
May 31, 1990

JOHN W. MILLER
CAROLYN R. MILLER
P.O. BOX 953
HAILEY, ID 83333

PROOF DUE NOTICE

RE: PERMIT NO. 37-08168

Dear Permit Holder:

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

RECEIVED

JUL 15 1991

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

Statehouse
Boise, Idaho 83720
(208) 334-7900
July 14, 1989

JOHN W. MILLER
CAROLYN R. MILLER
P.O. BOX 953
HAILEY, ID 83333

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

RE: PERMIT NO. 37-08168

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.

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

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

MAIL ROOM

AUG 22 1989

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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AUG 22 1989

05-Apr-1989

John Miller
P.O. Box 953
Hailey, ID 83333

Re: Application for Permit No. 37-08168

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the Wood River Journal on 4/19 & 4/26/89. A period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Very truly yours,

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

LH:MB

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AUG 42 1989

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

DANIEL J. GORHAM

, being first duly sworn,
deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, 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 19th day of Apr, 1989, and

the date of the last publication was on the 26th day of Apr, 1989.

Daniel J. Gorham

Subscribed and sworn to before me this 26th day of April, 1989.
(SEAL)

Roberta McKee

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 36
Number of Insertions 2
Lines tabular at 36 5¢/Pica
Lines straight at 17.82 4¢/Pica
Subsequent lines at 13.86 3¢/Pica
TOTAL COST 31.68

COPY OF NOTICE

(Paste Here)

Not of Application #37-08163
TITLE OF NOTICE *(Miller)*

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

PUBLICATION RATES

As of Oct. 1, 1988
(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight....4.5/pica
7-8 pt. per line tabular....5.5/pica
7-8 pt. per line successive
insertion....3.5/pica

No 6484

RECEIVED

60-22-51-

MAY 2 1989

Department of Water Resources
Southern Region Office

Water Right
sought by

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

37-08168

MILLER, JOHN W.
MILLER, CAROLYN R.
P.O. BOX 953
HAILEY, ID 83333

Source: GROUNDWATER
Diversión Pt. SENE Sec 38-T 01N
R 18E

Use: IRRIGATION (.090 CFS)
DOMESTIC (.040 CFS)

Date Filed: 2/18/1984

In: T01N R18E S38 SENE
3.0 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, 2198 4th Avenue
East, Twin Falls, Idaho 83301, on
or before May 8, 1984.

R. Keith Higginson, Director

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

APRIL 5, 1989

WOOD RIVER JOURNAL
P.O. BOX 988
HAILEY, ID 83333

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 MAY 8, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

AUG 22 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

AUG 22 1989

37-08168

MILLER, JOHN W.
MILLER, CAROLYN R.
P.O. BOX 953
HAILEY, ID 83333

Source: GROUNDWATER

Diversion Pt: SENE Sec 36 T 01N R 18E

Use: IRRIGATION (.090 CFS)
 DOMESTIC (.040 CFS)

Date Filed: 3/19/1984

In: T01N R18E S36 SENE

3.0 ACRES TOTAL

MICROFILMED

AUG 22 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-3A, 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 MAY 8, 1989.

R. Keith Higginson, Director

Published 4/19/1989 & 4/26/1989

INDEXED

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