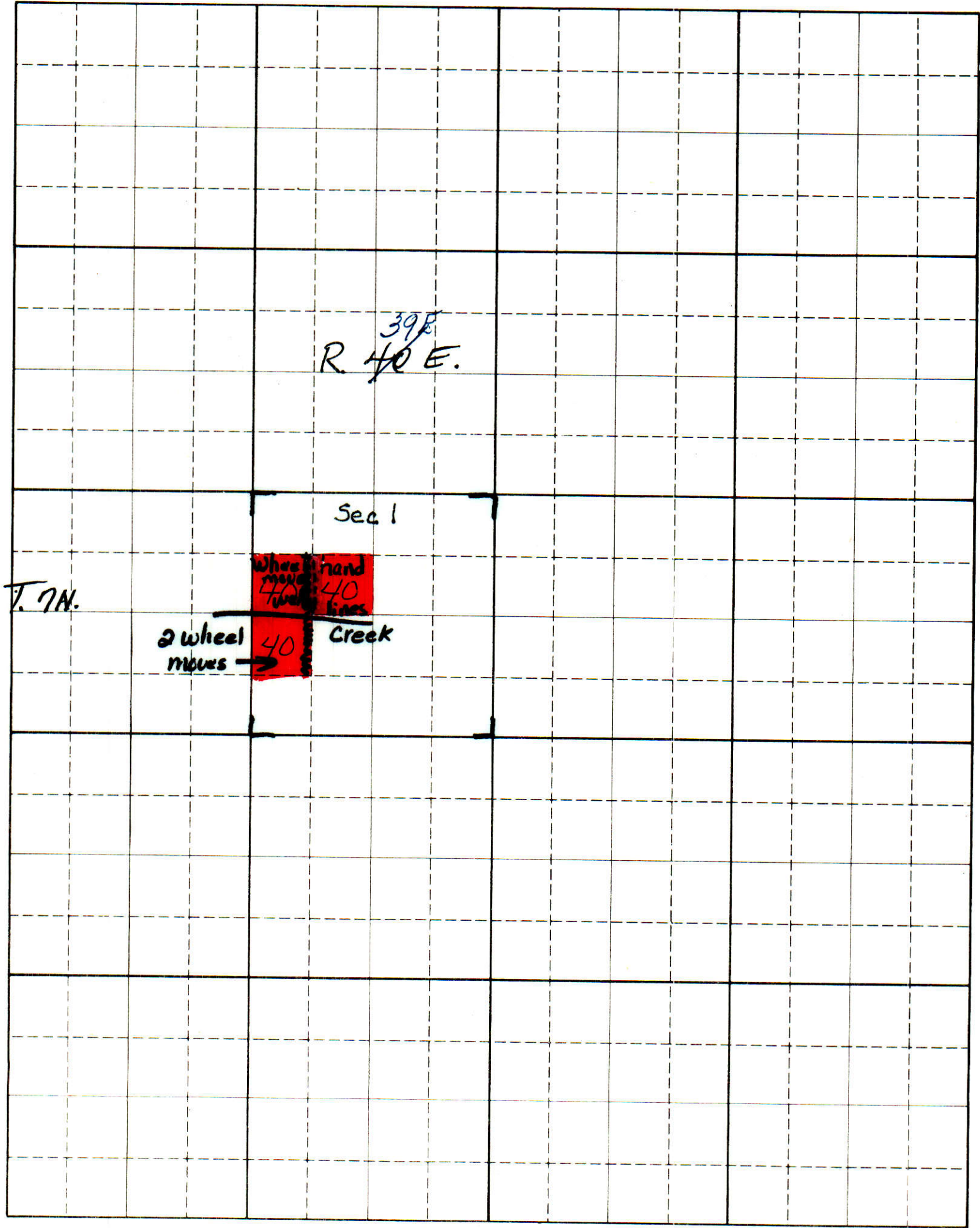


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Layne Miller &/or Dell Miller

By: Dell Miller
(Applicant)

**AFFIDAVIT OF
PUBLICATION**

State of Idaho }
County of Fremont }

ss.

Raymond Nash

being first duly sworn, upon his
oath, deposes and says:

That he is the Editor
of The Chronicle-News, a news-
paper as defined by Idaho
Codes Annotated, section 58-106,
as amended, and that said
newspaper is a weekly news-
paper printed and published at
St. Anthony, in Fremont County,
Idaho, having a general circula-
tion in said county, and that
said newspaper has been print-
ed and published as a weekly
newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of

Notice of Amended Application

For Water Permit

And affiant further says that
said notice, advertisement or
publication, as per clipping
attached, was published in said
newspaper, in the regular and
entire issue thereof, and not in
any supplement issue thereof,

for 1 consecutive is-
sues thereof; first publication

having been made on the 9

day of February, 1978,

and the last publication on the

..... day of

19

And affiant further says that at
the times herein mentioned said
newspaper was made up of at
least four pages of at least five
columns each, printed from
type matter, of at least seven-
teen and three-fourths inches
deep.

Raymond J. Nash

Subscribed in my presence and

sworn to before me this 10

day of February,

19 78.

[Signature]
Notary Public for the
State of Idaho, resi-
(SEAL) dence and post office
address: St. Anthony,
Idaho.

RECEIVED

MAR 13 1978

Department of Water Resources
Eastern District Office

**NOTICE OF AMENDED APPLICATION
FOR WATER PERMIT**

Notice is hereby given that application for
permit No. 21-7138 in the name of Layne &/or Dell
Miller, was filed for the diversion of 2.40 c.f.s. of
water from a ground-water source, with point of
diversion within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 7N, R.
40E, B.M., Fremont County; to be used from Apr.
1 to Nov. 1 for the irrigation of 120 acres within
the S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T. 7N, R. 40E,
B.M.

The applicants now propose to amend ap-
plication No. 21-7138 changing the point of
diversion to the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 7N, R. 39
E, and the place of use to the S $\frac{1}{2}$ NW $\frac{1}{4}$,
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T. 7N, R. 39E, B.M.

Any protest to the proposed amending of the
application must be filed with the Idaho
Department of Water Resources, 1515 Lincoln
Road, Idaho Falls, Idaho, 83401, on or before
February 27, 1978.

C. STEPHEN ALLRED
Director

Published in the Fremont County Chronicle,
St. Anthony, Idaho, on February 9 and February
16, 1978.

MICROFILMED

**AFFIDAVIT OF
PUBLICATION**

State of Idaho }
County of Fremont } ss.

Dorothy Hunsaker

being first duly sworn, upon his
oath, deposes and says:

That he is the owner
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Codes Annotated, section 58-106,
as amended, and that said
newspaper is a weekly news-
paper printed and published at
St. Anthony, in Fremont County,
Idaho, having a general circula-
tion in said county, and that
said newspaper has been print-
ed and published as a weekly
newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of _____
Water Dept.

And affiant further says that
said notice, advertisement or
publication, as per clipping
attached, was published in said
newspaper, in the regular and
entire issue thereof, and not in
any supplement issue thereof,

for 2 consecutive is-
sues thereof; first publication

having been made on the 22
day of Sept., 1977,

and the last publication on the
29 day of Sept

19 77
And affiant further says that at
the times herein mentioned said
newspaper was made up of at
least four pages of at least five
columns each, printed from
type matter, of at least seven-
teen and three-fourths inches
deep.

Dorothy J. Hunsaker
Subscribed in my presence and
sworn to before me this 1st

day of November,
1977.

Sumeth Rose
Notary Public for the
State of Idaho, resi-
(SEAL) dence and post office
address: St. Anthony,
Idaho.

RECEIVED
NOV 2 1977

Department of Water Resources
Eastern District Office

PAGE 8B, Sept. 29, 1977, Fremont County C



PUBLIC
BECAUSE THE I

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Layne
Miller &/or Dell Miller, Parker, Idaho
have on 9-09-77 submitted Application
No. 21-7138 for a permit to appropriate
2.40 cubic feet per second of water from
a ground-water source by means of well
and pump within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec.
1, T. 7N, R. 40E, B.M., Fremont
County; to be used from Apr. 1 to Nov. 1
for the irrigation of 120 acres within the
S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T. 7N,
R. 40E, B.M.

If issued, this permit will be subject to
all prior water rights. Protests against
the granting of the permit must be filed
with the Idaho Department of Water
Resources, 1515 Lincoln Road, Idaho
Falls, Idaho, 83401 on or before October
10, 1977.

C. STEPHEN ALLRED
Director

Published in the Fremont County
Chronicle, St. Anthony, Idaho on
September 22 and September 29, 1977

MICROFILMED

SCHEMATIC DIAGRAM OF SYSTEM

SCHEMATIC DIAGRAM OF SYS

To center
Pivot 2

(Include distance from pump to measuring dev

10"

8"

Gate valves

8"

4' 4"

Pump

6"

21-205

[illegible]

Date: 4-25-86

I-4-E

R39E

T
7
N

Place of
Use 2 →

CENTER PIVOT PERMIT
COVERS THIS
ADDITIONAL
GROUND

POINT OF
DIVERSION

A-891
1-3

A-274
3-5

A-274
3-5

A-638
1-4

A-355

MONITORING

NOT TO SCALE

PERMIT N

21-7138

(Name)

Miller

EXAMINATION:

DATE: 8-26-82

Accompanied by:

Both Layne

✓ Dell

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.
US Motors	125	910035-085 R2143600	Jacuzzi	6D86 41742

Measuring Device Type:

Meter # 091473

Annubar # 19136

Size # 7.981

Remarks:

P/D OK

Measurement calculations:

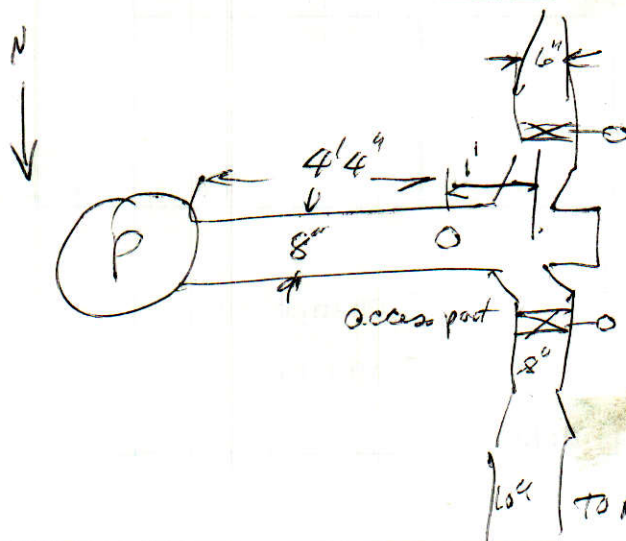
~~0.275~~

~~0.275~~
~~0.275~~

SCHEMATIC DIAGRAM OF SYSTEM

Mainline Diameter

Length



36' ± 3.29 cfs

7.981 annubar

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 21-7138 Priority September 9, 1977 Amount 2.40 cfs

THIS IS TO CERTIFY, that Layne Miller &/or Dell Miller
of St. Anthony, Idaho, has complied with the terms and conditions of Permit
No. 21-7138 issued pursuant to Application for Permit dated September 9, 1977,
and has submitted proof to the Department of Water Resources on August 6, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 3.32 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>2.40</u> cfs and	<u>420.0</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 2.40 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
420.0 acre feet per year, said waters to be diverted within the SW1/4, Section 1,
Twp 7N, Rge 39E in the County of Fremont

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7N	39E	1					7	7	40	40	26								120

Total number of acres irrigated 120

MICROFILMED

WATER

CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

c. Any water right confirmed in this license 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 license 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 license.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2nd day of July, 19 86.

Acting for the Director Norman C. Young

OK
C. H.

RECEIVED
JUN 12 1986

Ident. No. _____

STATE OF IDAHO

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)

APPROVED

Comes now Layne &/or Dell Miller Phone _____
of (address) Rt. 2, Box 46-3 St. Anthony, ID 83445, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No. 21-7138, and requests that the permit be changed as follows:

1a. Point of diversion: SW 1/4 NW 1/4, Section 1, Township 7N, Range 39E,
B.M., County of Fremont. Other points of diversion: _____

1b. Source: groundwater tributary to -----

2a. Period and nature of use:

Amount 2.4 for Irrigation purposes from 4/1 to 11/1 (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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

2b. The maximum quantity diverted shall not exceed 2.4 cfs or 420.0 acre feet
per year.

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE				NW				SW				SE				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	
7N	39E	1					7	7	40	40		26							120

Total number of acres to be irrigated = 120

Not of priority: September 9, 1977

NOT RECORDED

1610NS (if any):

RECEIVED

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

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

Signed at Dell Miller, this 9 day of June, 1986
Dell Miller
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 ✓ Received by rg Date 6/12/86 #37830

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby Approve the above Application for Amendment for Permit No. 21-7138.

Witness my hand this 2ND day of July, 1986.

Norm C Young
Acting for the Director

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 21-7138

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

RECEIVED

Identification No. 21 7138

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES **APPROVED**

AMENDED

APPLICATION FOR PERMIT

AMENDED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Layne Miller & Dell Miller Phone: 624-7478
post office address Parker, Idaho 83438

2. Source of water supply Well which is a tributary of NA

3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 1 Township 7 N
Range 39E B.M. Fremont County; additional points of diversion if any: None

b. If water is not consumed, it will be discharged into N.A. at a point in NA $\frac{1}{4}$
of NA $\frac{1}{4}$ of Section NA Township NA Range NA B.M. NA

4. Water will be used for the following purposes:

Amount 2.4 for irrigation purpose from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

a. 2.4 cubic feet per second and/or

b. N.A. acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Drilled well 125 feet deep, 16" diameter, 18 feet of 16" casing.

Pump, with Diesel engine, 2640 feet of 8" portable main line.

Three wheel moves, one-half mile long each; 3 hand lines, $\frac{1}{4}$ mile each.

b. Height of storage dam N.A. feet, active reservoir capacity NA acre feet; total reservoir
capacity NA acre feet, materials used in storage dam: NA

Period of year during which storage will occur NA to NA inclusive.
(Mo. Day) (Mo. Day)

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

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ 40,000.

8. Description of proposed uses:

a. If water is **not** for irrigation: N.A.

(1) Give the place of use of water: NA $\frac{1}{4}$ of NA $\frac{1}{4}$ of Section NA Township NA
Range NA B.M. NA

(2) Amount of power to be generated: NA hp under NA feet of head.

(3) List number of each kind of livestock to be watered NA

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

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

RECEIVED

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7 N	39E ~~40E~~	~~2~~ 1							40	40		40							120

Total number of acres to be irrigated 120

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

None

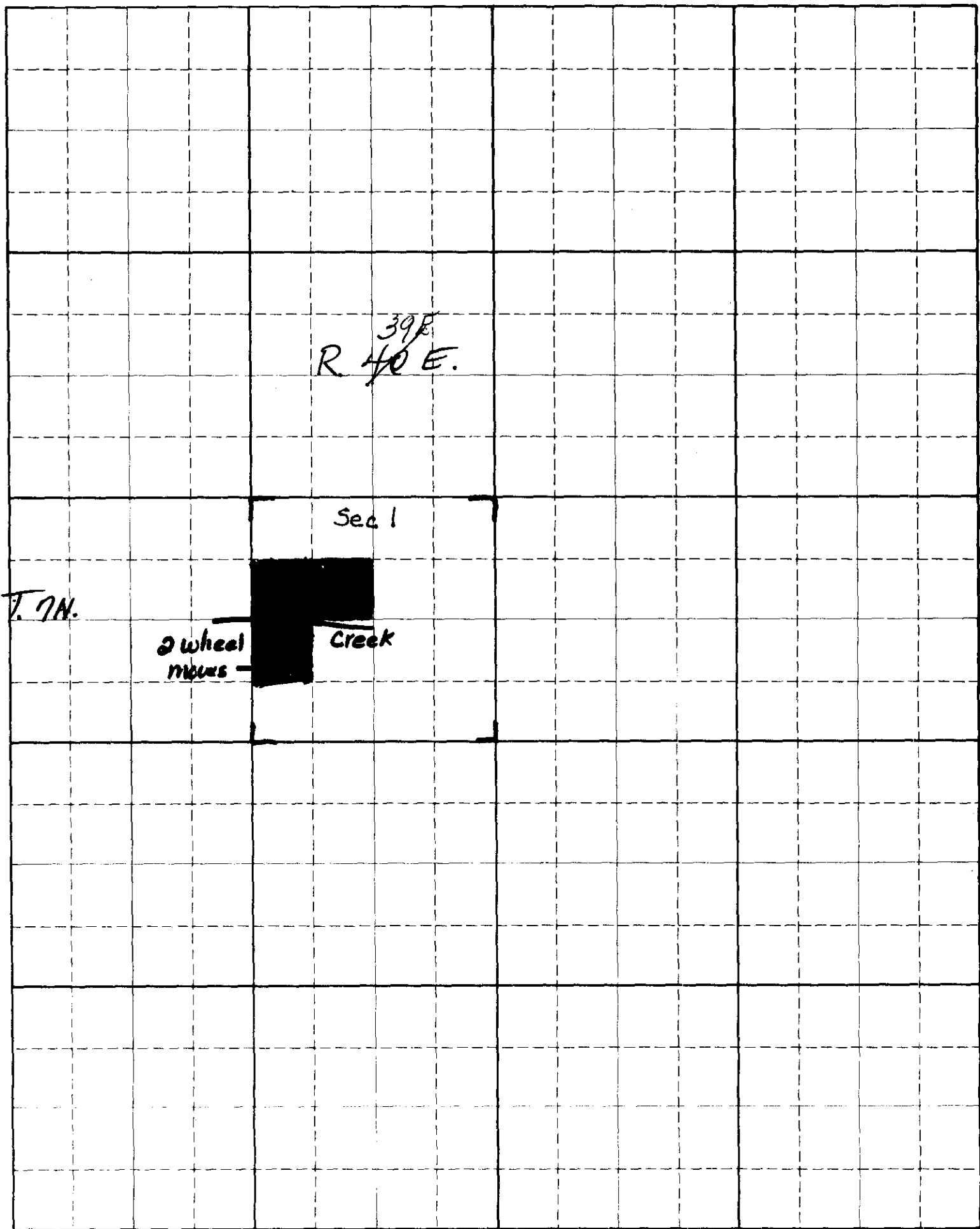
9. a. Who owns the property at the point of diversion Applicant

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

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

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.

Layne Miller &/or Dell Miller

By: Dell Miller
(Applicant)

Proposed Priority 9-09-77

Received by me Date 9-9-77 Time 10:29 a.

Preliminary check by LF Fee \$ 45.00

Receipted by me Date 9-9-77 EW 1/31/78 # 8394

AMENDED 1/31/78 \$10.00
Recpt. 9811

Publication prepared by me Date 9-12-77

Published in Fremont Chronicle

Publication dates Sept 23 + 24, 1977

Feb. 9 & 16, 1978

Publication approved me Date November 7, 1977

OW 3-13-78

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC With jo

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. 21-7138, 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 April 1, 19 83.

c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

2. Denial of said application is for the following reasons: _____

Witness my hand this 24th day of April, 19 78.

Norman C Young
Administrator

**AFFIDAVIT OF
PUBLICATION**

State of Idaho }
County of Fremont }

ss.

Raymond Nash

being first duly sworn, upon his
oath, deposes and says:

That he is the Editor
of The Chronicle-News, a news-
paper as defined by Idaho
Codes Annotated, section 58-106,
as amended, and that said
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paper printed and published at
St. Anthony, in Fremont County,
Idaho, having a general circula-
tion in said county, and that
said newspaper has been print-
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newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of

Notice of Amended Application

For Water Permit

And affiant further says that
said notice, advertisement or
publication, as per clipping
attached, was published in said
newspaper, in the regular and
entire issue thereof, and not in
any supplement issue thereof,

for 1 consecutive is-
sues thereof; first publication

having been made on the 9

day of February, 1978,

and the last publication on the

..... day of

19

And affiant further says that at
the times herein mentioned said
newspaper was made up of at
least four pages of at least five
columns each, printed from
type matter, of at least seven-
teen and three-fourths inches
deep.

Raymond F. Nash

Subscribed in my presence and

sworn to before me this 10

day of February, ...

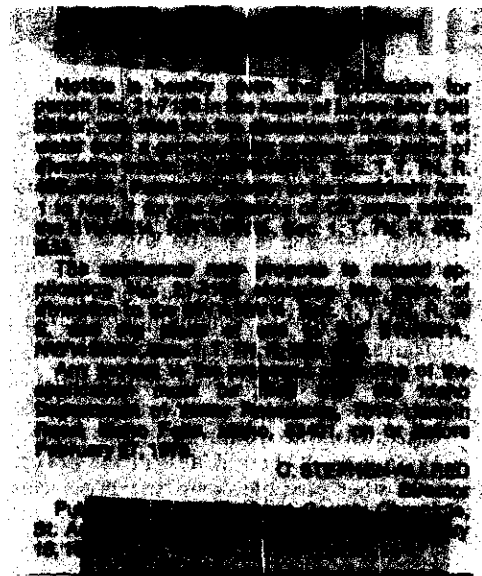
19 78.

[Signature]
Notary Public for the
State of Idaho, resi-
(SEAL) dence and post office
address: St. Anthony,
Idaho.

RECEIVED

MAR 13 1978

Department of Water Resources
Eastern District Office



**AFFIDAVIT OF
PUBLICATION**

State of Idaho
County of Fremont

ss.

Dorothy Hunsaker

being first duly sworn, upon his
oath, deposes and says:

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tion in said county, and that
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ed and published as a weekly
newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of
Water Dept.

And affiant further says that
said notice, advertisement or
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newspaper, in the regular and
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for 2 consecutive is-
sues thereof; first publication

having been made on the 22
day of Sept., 1977,

and the last publication on the
29 day of Sept

19 77
And affiant further says that at
the times herein mentioned said
newspaper was made up of at
least four pages of at least five
columns each, printed from
type matter, of at least seven-
teen and three-fourths inches
deep.

Dorothy J. Hunsaker
Subscribed in my presence and
sworn to before me this 1st
day of November,

1977.
Wm. L. Rose
Notary Public for the
State of Idaho, resi-
(SEAL) dence and post office
address: St. Anthony,
Idaho.

NOV 2 1977
Depository
Water Resources
File

PAGE 22, Nov. 2, 1977, Fremont County C



**NOTICE OF AFFIDAVIT
FOR WATER PERMIT**

Notice is hereby given that Larry
Miller &/or Dell Miller, Fremont, Idaho
have on 9-09-77 submitted Application
No. 24-7138 for a permit to appropriate
2.40 cubic feet per second of water from
a ground-water source by means of well
and pump within the SW 1/4 NW 1/4, Sec.
1, T. 7N, R. 40E, B.M.: Fremont
County, to be used from Apr. 1 to Nov. 1
for the irrigation of 120 acres within the
S 1/4 NW 1/4, NW 1/4 SW 1/4, Sec. 1, T. 7N,
R. 40E, B.M.

If issued, this permit will be subject to
all prior water rights. Protests against
the granting of the permit must be filed
with the Idaho Department of Water
Resources, 1513 Lincoln Road, Idaho
Falls, Idaho, 83401 on or before October
10, 1977.

C. STEPHEN ALLRED
Director

Published in the Fremont County
Chronicle, St. Anthony, Idaho on
September 22 and September 29, 1977.

July 10, 1986

RE: Permit No. 21-7138

Layne &/or Dell Miller
Rt. 2, Box 46-3
St. Anthony, ID 83445

Dear Permit Holder(s):

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment. Also enclosed is Departmental Receipt No. 37830 in the amount of \$20.00.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosures

MAILED
JUL 11 1986



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

June 5, 1986

RE: Permit No. 21-7138

Layne &/or Dell Miller
Rt. 2, Box 46-3
St. Anthony, ID 83445

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains all of the information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

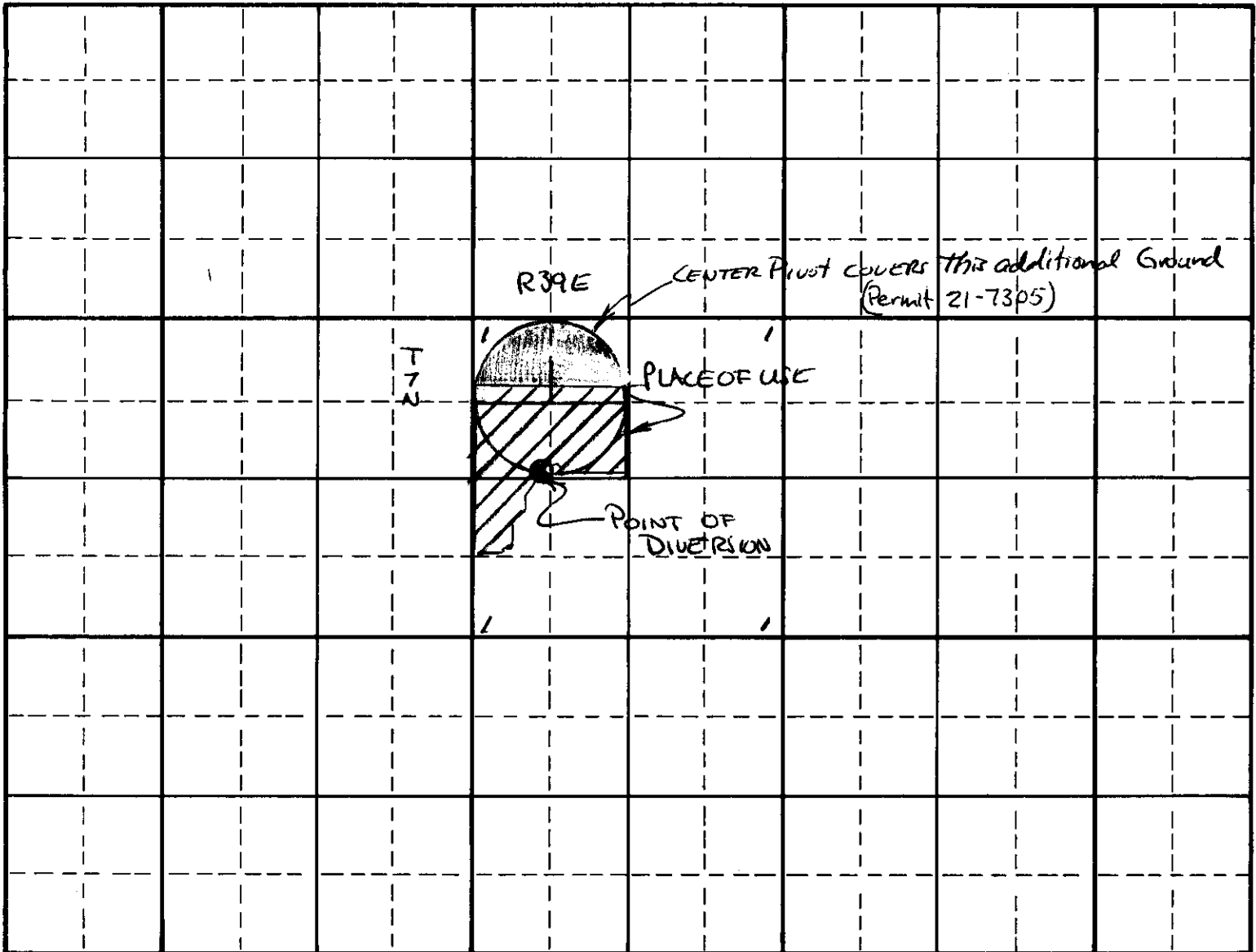
JIM JOHNSON
Water Rights Supervisor

JJ:sc

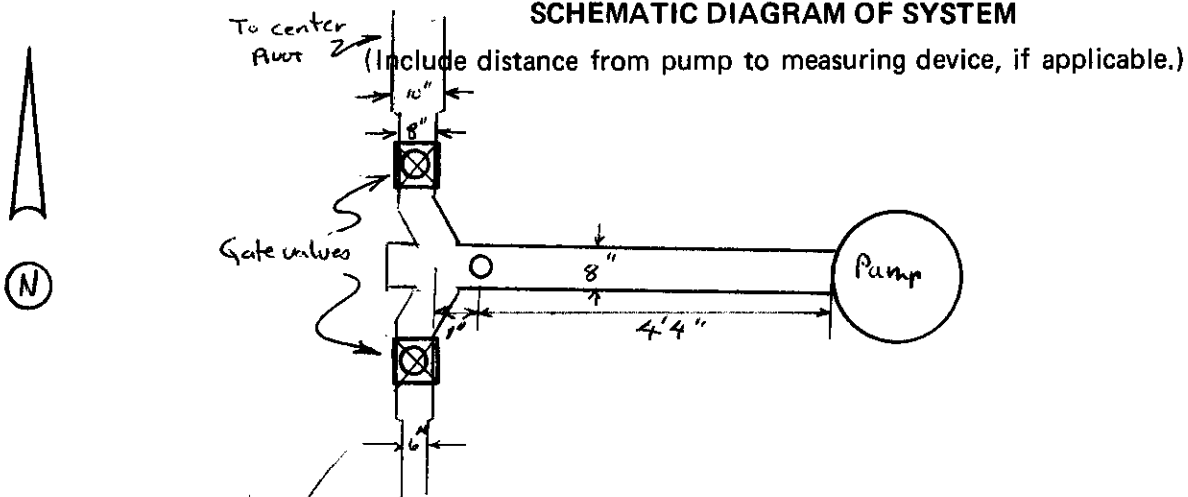
Enclosure

MICROFILMED

WICKED LINE



SCHEMATIC DIAGRAM OF SYSTEM



Point(s) of diversion: SW 1/4 NW 1/4 Sec 1 T 7 N R 39 E

Place(s) of Use

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	
7N	39E	1					7	7	40	40			26						120 ✓

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

Examiner's Signature: Keith Carlson Date: 29 Dec 1983
 Checked by: John Date: 1-03-84
 Approved by: Ray Walker Date: 4-25-86

21-7158 kaw

I-4-E

R39E

T
7
N

CENTER POINT PERMIT
COVERS THIS
ADDITIONAL
GROUND

Place of
Use 2 →

POINT OF
DIVERSION

A-891
123 91

A-274
5

A-274
10-1

A-691
10-1

A-638
1-4

A-355

A-140

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NOT TO SCALE

PERMIT N°

21-7138

(Name)

Miller

EXAMINATION:

DATE: 8-26-82

Accompanied by:

Both League

✓ Dell

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.
US Motors	125	910035-083 R214300	Jacuzzi	0D8641742

Measuring Device Type:

Meter # 091473

Annubar # 19136

Size # 7.981

Remarks:

P/D OK

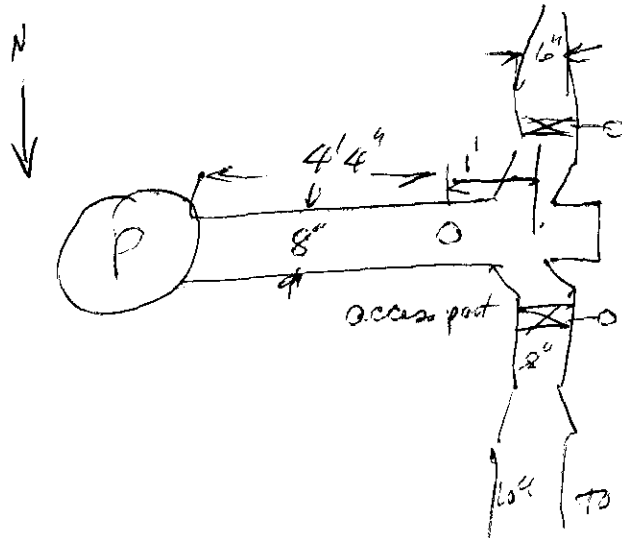
Measurement calculations:

~~0.000~~
~~0.000~~
~~0.000~~
~~0.000~~

SCHEMATIC DIAGRAM OF SYSTEM

Mainline Diameter

Length



36" ± 3.29 cfs

7.981 annubar

WATER-RESISTED

MAP

RGE.

TWP.				

RECOMMENDED AMENTMENTS:

☐ Change P/D

☐ Change P/U

☐ ADD P/D

☐ ADD P/U

☐ NONE

☐ Other _____

October 13, 1983

Dell or Layne Miller
Rt. 2, Box 46-3
St. Anthony, ID 83445

Gentlemen:

Re: Permit No. 21-7138

Enclosed is the Statement of Beneficial Use postcard received in this office on September 12, 1983. Please be advised that the statement had already been received on this file on August 6, 1982 and it is not necessary to submit every year.

The next step is for a field examiner to conduct a field inspection. This, however, must be done when the system is in full operation probably during the next irrigation season. If you wish, you may contact the regional office next year to make an appointment to have this completed.

If you have any question, please feel free to contact this office or our regional office in Idaho Falls at 525-7161.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

RECORDED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

December 3, 1982

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

DAVID R. TUTHILL JR., P. E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

RE: _____

Dear _____

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

_____ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

_____ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

RECORDED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 21-7138.

Name(s) of Permit Holder: Layne Miller & Dell Miller

Post Office Address: Parker, Idaho 83438

Tel. No. _____

Source of Water: groundwater

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 120 (acres)
☐ Other _____

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

The above information is a true statement of the extent to which the above numbered permit has been developed.

July 30, 1982
Date

Dell Miller
Signature of Permit Holder

PAID
10

AUG 6 1982

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

MICROFILMED

PLACE
TEN CENT
STAMP
HERE

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

*Retype application
and return for both
signatures.*

Application No. Moller.

g.w. Source
✓ Point of Diversion
✓ County
2.4 cfs Quantity of Water and Period of Use
✓ Description of Diverting Works
5 yrs. Time required for B/U of water
120 ac. Place of Use or Acres Irrigated
✓ Map
✓ Signature
✓ Fee

In form to receipt

Send Copies to:

✓ Idaho State Health Department
✓ Idaho Fish and Game Department
✓ Bureau of Land Management

✓ Request Special Use Permit from U.S.F.S.
✓ Request Easement from B.L.M.
✓ Request Information from Applicant
✓ Request Dam Safety Information

In form for advertising yes.

Platted on Map No. 7N 40E Basin 21

Located within Water District No. 01

Critical groundwater area: yes no ✓

Groundwater levels:

Declining, ✓ Stable, Increasing

(comment) _____

Other rights on the same place of use None

Comments: None.

Affidavit of Publication received (date) Nov. 2-1977

Final date for protests Oct. 10-1977 - 2-27-78
Protests received: yes no ✓

All requested information received from agencies or applicant: yes no ✓

Action recommended:

✓ Approve Deny

9-09-77 Proposed Priority

Reason for Reduction

✓ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval 3-15-77

By Emmet Carlson Date 12-09-77

*Am
Copy sent*

*Copy
sent*

(1) EMC 9-12-77

(2) EMC 9-12-77

(3) EMC 9-12-77

(4) EMC 9-12-77

(5) EMC 9-12-77

(6) EMC 9-12-77

(7) EMC 9-12-77

(8) EMC 9-12-77

(9) EMC 9-12-77

(10) EMC 9-12-77

(11) g.w. 3-13-78
11-07-77

(12) g.w. 3-13-78
11-07-77

(13) EMC 11-09-77

(14) " "

RECEIVED

Mar 16 1978

Department of Water Resources

(15) District Eastern

February 27, 1978

RE: Application for Permit No. 21-7146 PARKER
21-7138 MILLER (amended)

Fremont County Chronicle
Box 568
St. Anthony, Idaho 83445

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on February 9 and February 16, 1978.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Secretary

CW:CD

MICROFILMED

February 3, 1978

RE: Application for Permit No. 21-7146 PARKER
21-7138 MILLER (amended)

Fremont County Chronicle
Box 568
St. Anthony, Idaho 83445

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 2-13-78 by CW

RDC:CW

Enc: Legal Notice (2)

MICROFILMED

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that application for permit No. 21-7138 in the name Layne &/or Dell Miller, was filed for the diversion of 2.40 c.f.s. of water from a ground-water source, with point of diversion within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 7N, R. 40E, B.M., Fremont County; to be used from Apr. 1 to Nov. 1 for the irrigation of 120 acres within the S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T. 7N, R. 40E, B.M.

The applicants now propose to amend application No. 21-7138 changing the point of diversion to the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 7N, R. 39E, and the place of use to the S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T. 7N, R. 39E, B.M.

Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before February 27, 1978.

C. STEPHEN ALLRED

Director

Published in the Fremont County Chronicle, St. Anthony, Idaho, on February 9 and February 16, 1978.

MICROFILMED

not
C.W.-L.

December 13, 1977

RE: Application for Permit No. 21-7138

Layne &/or Dell Miller
Parker,
Idaho 83438

Gentlemen:

Enclosed you will find a map showing the land you have filed on in the above referenced application, outline in purple, and its relationship to the location of the City of St. Anthony. As can be seen, the legal description for the lands on the application apparently is in error. Before your application can be forwarded to Boise for final action, this problem must be resolved. Therefore, it is hoped you will be able to visit our office in the very near future, enabling a member of the Department to confer with you and make the necessary corrections. To expedite this process please bring the legal description for the land with you. I am fairly certain the application will have to be amended for which there is a mandatory fee of \$10.00.

Should you have any questions concerning this matter, please feel free to contact me.

Very truly yours,

ERNEST M. CARLSEN
Water Resource Agent

EMC:cw

Enclosure

MICROFILMED

INTER-DEPARTMENT MEMO — 1

RECEIVED

DATE

12/9/77

DEC 12 1977

Department of Water Resources
Eastern District Office

FROM Bill Mac Allister

TO Eastern

SUBJECT App. # 21-7138.

It appears to me that there is a mistake in the legal description. Some of this ground is in St. Anthony proper. Please contact the applicant and determine if this is the ground he wants to file on.

Wtm

SIGNATURE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

October 11, 1977

RE: Application for Permit No. 21-7138 MILLER

Transfer No. 22-0617/etc EAMES-THOMPSON

Fremont County Chronicle
Box 568
St. Anthony, Idaho 83445

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notices were to have been published on September 22 and 29, 1977.

Your cooperation in this matter would be greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

cc: IDWR - State Office

Called
10-26-77
CW

September 16, 1977

RE: Application for Permit No. 21-7138 MILLER
Application for Transfer No. 22-0617/22-0620 EAMES-THOMPSON IRRIGATION DITCH
BIRCH &/or LEAVITT

Fremont County Chronicle News
Box 568
St. Anthony, Idaho 83445

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

Bill submitted 11-02-78 by CW

RDC:CD

Enclosures (2)

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Layne Miller &/or Dell Miller, Parker, Idaho have on 9-09-77 submitted Application No. 21-7138 for a permit to appropriate 2.40 cubic feet per second of water from a ground-water source by means of well and pump within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 7N, R. 40E, B.M., Fremont County; to be used from Apr. 1 to Nov. 1 for the irrigation of 120 acres within the S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T. 7N, R. 40E, B.M.

If issued, this permit will be subject to prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before October 10, 1977.

 **STEPHEN ALLRED**
Director

Published in the Fremont County Chronicle, St. Anthony, Idaho on September 22 and September 29, 1977

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Layne Miller &/or Dell Miller,
Parker, Idaho

have /// has on 9-09-77 submitted Application No. 21-7138
for a permit to appropriate 2.40 cubic feet per second XXXXXXXXXXXXXXXXXXXXXX
of water from a ground-water source
by means of well and pump
within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 7N, R. 40E, B.M., Fremont County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 120 acres

within the S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T. 7N, R. 40E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
October 10, 1977

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXXX
R. KEITH HIGGINSON

Director

Published in the Fremont County Chronicle, St. Anthony, Idaho
on September 22 and September 29, 1977

*me-d.
me-d.
me-d.*

September 12, 1977

RE: Application for Permit No. 21-7138 MILLER

Mr. G. Thatcher
P.O. Box 250
Rexburg, ID 83440

Dear Mr. Thatcher:

Attached herewith is Departmental receipt No. 8394 in the amount of \$45.00 for the above referenced application in the name of Layne Miller and Dell Miller.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Attachment

LAW OFFICES

RIGBY, THATCHER & ANDRUS, P. A.

SEP 9 1977

Department of Water Resources
Idaho Falls, Idaho

25 NORTH SECOND EAST - P. O. BOX 250 REXBURG, IDAHO 83440
RAY W. RIGBY - GORDON S. THATCHER - G. RICH ANDRUS - BRECK H. BARTON
TELEPHONE (208) 356-3633

September 7, 1977

State of Idaho
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re: Layne Miller and Dell Miller - Application for Permit

Gentlemen:

We have enclosed Application for Permit for Layne Miller and Dell Miller, together with our check in the amount of \$45.00 to cover the fee.

Thank you very much.

Yours very truly,


Gordon S. Thatcher

GST/bw

Enclosures