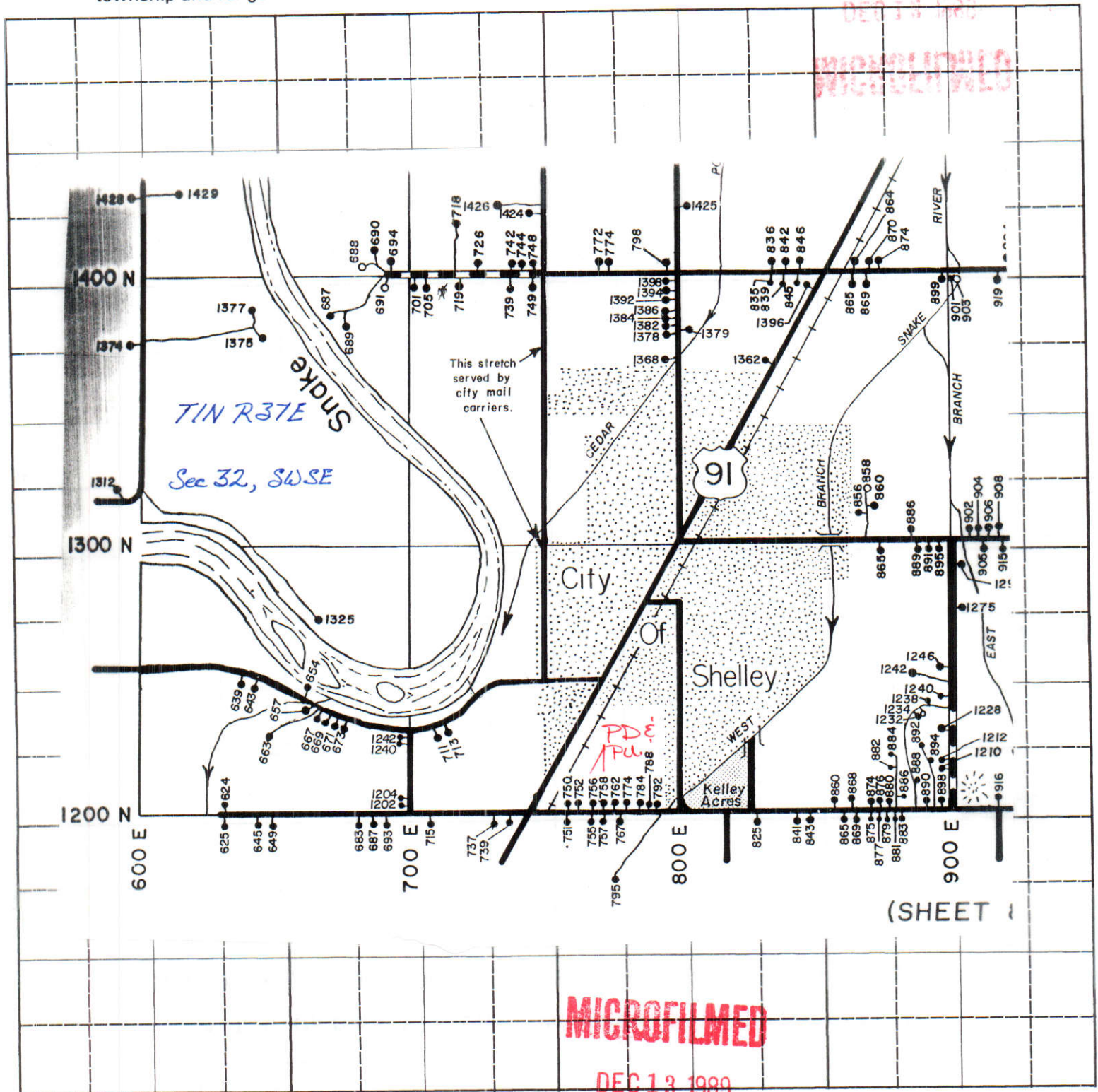


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Ann Miller

(Applicant)

RECEIVED

AUG 22 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, Michael Bell)

do
solemnly

swear that I am the Publisher of
The Morning News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
154 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court of
competent jurisdiction within the State of
Idaho shall be published to-wit: of each week; that the
notice attached hereto and which is a part of this af-
fidavit and part of the proof of publication was
published in said issue or said

newspaper two consecutive weeks,

the first publication having been made on the

3rd day of July, 19 89;

and the last publication having been made on the
10th day of August, 19 89;

that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

On this 21st day of August, in
the year 1989 before me a Notary Public of said State,
personally appeared

Michael Bell
known or identified to me to be the person whose
name is subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he ex-
ecuted the same.

Kaye Rayson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing Fee \$5.00

NOTICE OF CORRECTION

NOTICE is hereby given that Application No.
27-7462 in the name of Ann Miller and Echo
White was advertised incorrectly on July 6 &
13, 1989. The Point of Diversion was advertis-
ed as being SWSE, Sec. 3, T. 01N, R. 37E.

Whereas, the actual Point of Diversion is
SWSE, Sec. 32, T. 01N, R. 37E, B.M.

Any protests against the granting of this ap-
plication as a result of this correction must be
filed with the Idaho Department of Water
Resources, 150 Shoup Ave., Idaho Falls,
Idaho, 83402, on or before August 21, 1989.

R. KEITH HIGGINSON
Director

(482)

Pub.: 8/3, 10

MICROFILMED

DEC 13 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 10 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 27-7462
Phone No. 357-3260
1. Owner: Ann Miller or Echo White
Current Address: 758 E 1200 N Shelley, Id 83274
2. Accompanied by: Echo White EXAM. DATE: 9 July 1993
Address: 761 S. Park Shelley, Id 83274 Phone No. 357-3260
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: Snake River Irrigation ☐ 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

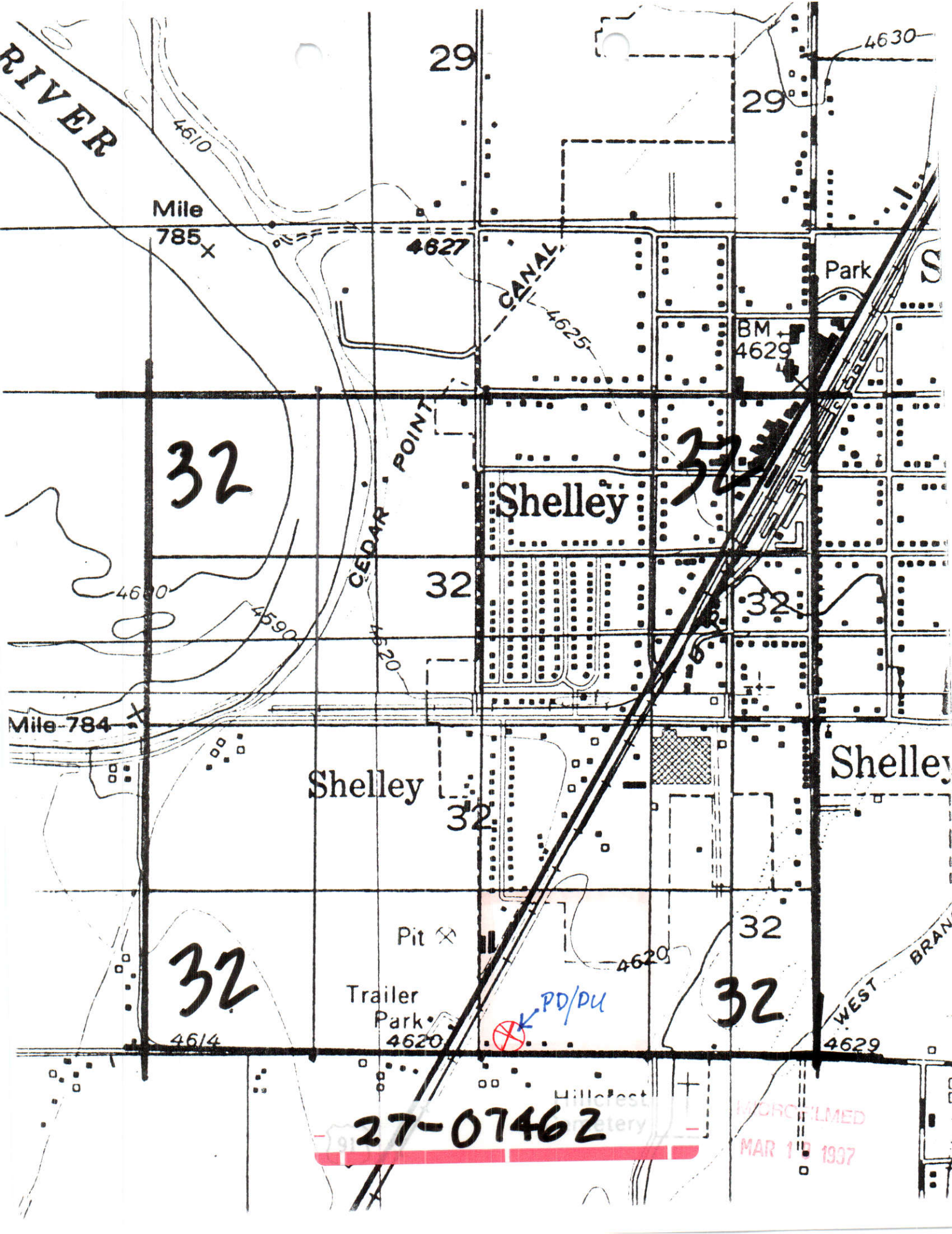


Scale: 1" = _____

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).

MICROFILMED

MAR 10 1997



RIVER

29

29

Mile 785

4627

CANAL

Park

BM 4629

32

CEDAR POINT

Shelley

32

32

32

Mile 784

Shelley

32

Shelley

32

Pit

Trailer Park

4620

32

32

WEST BRANCH

4629

27-07462

RECORDED
MAR 10 1937

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	27-07462	Ann Miller Echo White	0.06
Full Assignment	27-07462	Blaine Case	0.06

OCT 18 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 27-07462

Priority: May 15, 1989

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

2.4 AF

This is to certify, that BLAINE CASE
758 E 1200 N

SHELLEY ID 83274

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 15, 1989; and has submitted Proof of Beneficial Use on October 15, 1990. An examination indicates that the works have a diversion capacity of 0.060 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.06 CFS	2.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 32, Township 01N, Range 37E
BINGHAM County

PLACE OF USE: DOMESTIC

TWN RGE SEC

01N 37E 32

SWSE

CONDITIONS OF APPROVAL AND REMARKS

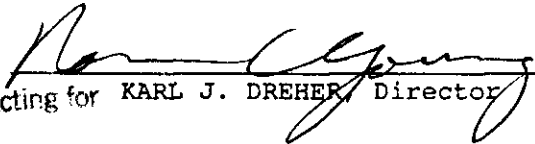
1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Domestic use is for 2 homes located at 756 E. 1200 N. and 758 E. 1200 N.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 27-07462

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 26th
day of FEBRUARY, 1997.


Acting for KARL J. DREHER, Director

RECEIVED
AUG 26 1993

Department of Water Resources

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

RECEIVED

AUG 20 1993

Department of Water Resources

Eastern District Office

I, Echo White, hereby assign to Alaine Case (Alaine Case)
of 758 E. 1200 N Shelley Idaho 83274
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 27-7462
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 17 day of August, 19 93.

Echo E. White
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Bingham) ss.

On this 17th day of August, 19 93, personally
appeared before me the signer (x) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Colleen Christensen
Notary Public residing at
Shelley ID

My commission expires:
2-7-97

OCT 18 1993

database updated 9/31/93

REC-10
OCT 16 1990

STATE OF IDAHO

Department of Water Resources DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 27-07462 Telephone No. 357-3260

Name(s) of Permit Holder(s): Ann Miller Echo White

Post Office Address: 758 E. 1200 N. Shelley Idaho 83279

Source of Water: ground water (well)

If ground water, well driller's name: Andrew Well Drilling Date drilled: July 1974

Extent of Use:
Domestic ☒ 2 (No. of households) Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted .06 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: July 1974

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

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

OR

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

Fee Enclosed: \$ 50⁰⁰ (See License Examination Fee Schedule)

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

ECHO WHITE 357-3260
Name Telephone No.

758 E. 1200 N. Shelley, Idaho 83279
Address

MICROFILMED

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.

Oct 15, 1990 Echo E. White
Date Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 27-07462

Proposed Priority: May 15, 1989

Maximum Diversion Rate:

0.06 CFS

This is to certify, that ANN MILLER
ECHO WHITE
756 E. 1200 N.
SHELLEY, ID 83274

has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSE Sec. 32, Township 01N, Range 37E
BINGHAM County

PLACE OF USE: DOMESTIC

TWN RGE SEC

01N 37E 32

SWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1990.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

30th day of October, 1989.

for *R. Keith Higginson*
R. Keith Higginson, Director
MICROFILMED

DEC 13 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Ava Miller and/or Echo White Phone (208) 357-5569
Post office address 756 East 1200 N. Shelley Idaho 83274
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of S4 _____ 1/4 of SE _____ 1/4, Govt. Lot _____
Sec. 32 Township 1N Range 37E B.M. Bingham County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.06 for Domestic purposes from 1 Jan to 31 Dec (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)
5. Total quantity to be appropriated is (a) 0.06 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works: well and pump to 2 homesites.
 - a. Description of ditches, flumes, pumps, headgates, etc. _____

 - 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 6" inches; proposed depth of well is 106 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
1 years (minimum 1 year).

RECORDED

DEC 13 1989

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. (2) Two
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
<u>1N</u>	<u>37E</u>	<u>32</u>															<u>2Δ</u>		

Total number of acres to be irrigated _____

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? Applicants

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

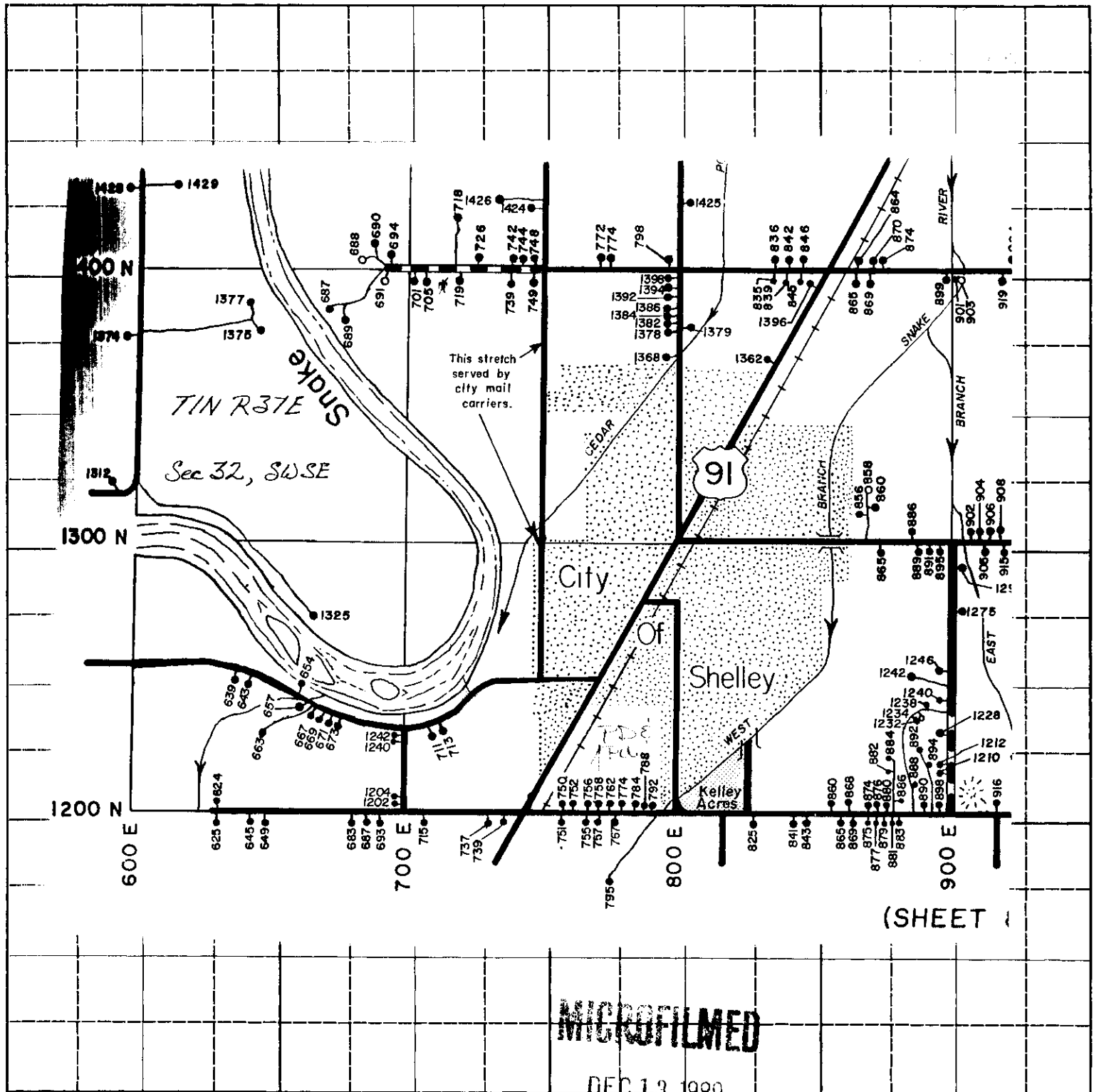
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: The well was drilled in July of 1974.

MICROFILMED

DEC 13 1989

13. 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.

Ann Miller

(Applicant)

Received by DMD Date 15 May 89 Time 10:26 AM Preliminary check by DMD
Fee \$ 30.00 Receipted by SMD # E007414 Date 15 May 1989
Publication prepared by AB Date 7-6-89 Published in Morning News
Publication approved rw Date 8-24-89 NOC 8-3, 10, 89

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. _____, and said application is hereby _____.

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 _____, 19 ____.

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:

MICROFILMED

DEC 13 1989

RECEIVED

AUG 22 1989

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION

NOTICE is hereby given that Application No. 27-7462 in the name of Ann Miller and Echo White was advertised incorrectly on July 6 & 13, 1989. The Point of Diversion was advertised as being SWSE, Sec. 3, T. 01N, R. 37E.

Whereas, the actual Point of Diversion is SWSE, Sec. 32, T. 01N, R. 37E, B.M.

Any protests against the granting of this application as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83402, on or before August 21, 1989.

R. KEITH HIGGINSON
Director

(482)

Pub.: 8/3, 10

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, Michael Bell do
solemnly

swear that I am the Publisher of
The Morning News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
154 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court of
competent jurisdiction within the State of
Idaho shall be published to-wit: of each week; that the
notice attached hereto and which is a part of this af-
fidavit and part of the proof of publication was
published in said issue or said

newspaper two consecutive weeks,

the first publication having been made on the

3rd day of July, 19 89;

and the last publication having been made on the
10th day of August, 19 89;

that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

On this 21st day of August, in
the year 1989 before me a Notary Public of said State,
personally appeared

Michael Bell
known or identified to me to be the person whose
name is subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he ex-
ecuted the same.

Ray A. Rayton
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing Fee \$5.00

MICROFILMED

DEC 13 1989

27-07462

MILLER, Alvin
WHITE, Echo
756 E. 1200 N.
Shelley, Idaho 83274
Source: GROUNDWATER
Diversion Pt: SWSE, Sec. 3, T. 01N, R.
37E.
Use: DOMESTIC (.060 CFS).
Date Filed: 5/15/1989.
In: T01N, R37E, S32, SWSE.

27-07463

NULPH, Todd H.
NULPH, Janet L.
648 South Park
Shelley, Idaho 83274
Source: GROUNDWATER
Diversion Pt: SWSE, Sec. 21, T. 01N, R.
37E.
Use: DOMESTIC (.040 CFS).
Date Filed: 5/03/1989.
In: T01N, R37E, S21, SWSE.

35-08018

THOMPSON, William D.
P.O. Box 519
Blackfoot, Idaho 83221
Source: SPRING CREEK
Tributary: SNAKE RIVER.
Diversion Pt: SWNE, Sec. 21, T. 04S, R.
32E.
Use: IRRIGATION (.500 CFS).
Date Filed: 2/03/1982.
In: T04S, R32E, S21, SWNE, SENE.
30.0 ACRES TOTAL.

35-08070

LARSEN, Gerald
LARSEN, Myrtle
Rt. 4, Box 331
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: SWSW, Sec. 28, T. 01S, R.
34E.
Use: IRRIGATION (1.700 CFS).
Date Filed: 12/16/1982.
In: T01S, R34E, S28, NESW, NWSW,
SWSW, SESW.
85.0 ACRES TOTAL.

35-08081

KNUDSEN, Bob Jr.
Rt. 1, Box 84-A
Aberdeen, Idaho 83210
Source: GROUNDWATER
Diversion Pt: NWNW, Sec. 24, T. 06S, R.
30E.
Use: IRRIGATION (1.160 CFS).
Date Filed: 1/17/1983.
In: T06S, R30E, S24, NENW, NWNW,
SWNW, SENW.
160.0 ACRES TOTAL.

35-08084

KNUDSEN POOR FARMS, Inc.
Rt. 1, Box 84-A
Aberdeen, Idaho 83210
Source: GROUNDWATER
Diversion Pt: NENE, Sec. 25, T. 06S, R.
30E.
Use: IRRIGATION (.800 CFS).
Date Filed: 1/17/1983.
In: T06S, R30E, S25, NENE, NWNW,
SWNE, SENE.
R31E, S30, NWNW, SWNW.
240.0 ACRES TOTAL.

RECEIVED

JUL 20 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)
State of Idaho) ss
I, Michael Bell do
solemnly

swear that I am the Publisher of
The Morning News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
154 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court of
competent jurisdiction within the State of
Idaho shall be published to-wit: of each week; that the
notice attached hereto and which is a part of this af-
fidavit and part of the proof of publication was
published in said issue or said

newspaper two consecutive weeks,

the first publication having been made on the
6th day of July, 1989;

and the last publication having been made on the
13th day of July, 1989;
that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

On this 17th day of July, in
the year 1989, before me a Notary Public of said State,
personally appeared

Michael Bell
known or identified to me to be the person whose
name is subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he ex-
ecuted the same.

Raye Dayton
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing Fee \$5.00



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

February 27, 1997

BLAINE CASE
758 E 1200 N
SHELLEY ID 83274

RE: WATER RIGHT NO. 27-07462

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or

- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have questions, please contact me at (208) 327-7946.

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being the most prominent.

Shelley W. Keen
Water Rights Supervisor

c: Eastern Region

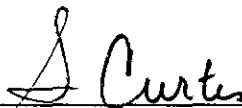
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of February, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 27-07462

**BLAINE CASE
758 E 1200 N
SHELLEY ID 83274**



Sharla Curtis
Water Resource Agent

LICENSE REVIEW CHECKLIST

PERMIT NO. 27-07462

DATE 2/18/97

REVIEWER: SHARLA

NAME Change — OK ✓

Address Change assigned to Blaine Case

SOURCE Change — OK ✓

Is change clarification of originally intended source? —

POINT OF DIV Change — OK ✓

If not, prepare Notice of Intent to Void —
Amendment required NO

PLACE OF USE Change — OK ✓

Amendment required NO

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate 0.06 cfs

Fee limit 0.20 cfs \$5000

Measured — cfs

Theoretical ? cfs

Recommended Total Div Rate .06 cfs

ANNUAL VOLUME/
NATURE OF USES —

✓ Use Dom.

Volume Calculation

2.4 af

(2 x 1.2) af

— af

— af

SUBTOTAL 2.4 af

Flow rate .06 cfs X 365 days X 1.98 = 43.4 af

Total volume recommended 2.4 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

D/2 homes

CONDITIONS — Watermaster Control WD# —

— GW Measurement/Measuring Device

— Overlap

✓ Use-specific conditions 048,049

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed ✓
Adjustment Memo —

1st Amend Letter —
2nd Amend Letter —

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 10 1997

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: Ann Miller or Echo White Permit No. 27-7462
Current Address: 758 E 1200 N Shelley, ID 83274 Phone No. 357-3260
2. Accompanied by: Echo White EXAM. DATE: 9 July 1993
Address: 761 S Park Shelley, ID 83274 Phone No. 357-3260
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: Snake River Irrigation
_____ ☐ 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.)

Well pump mainline to two domestic homes (756 & 758 1200 N)

☐ 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
	Red Jacket	UNK			

*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
			SW	SE	32	1N	37E	Bingham	On Site inspection / USGS Map

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	
1N	37E	32																D	

Do not use this space

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:

De minimis

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

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:

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

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

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

2. Volume Calculations for Other Uses:

$V_{Dom} = 1.2 \text{ afa (2 homes)} = \cancel{4/2} \quad 2.4 \text{ AF/A}$

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Domestic (2 units)	1/1	12/31	0.06	2.4
Totals:			0.06	2.4

2. Recommended Amendments

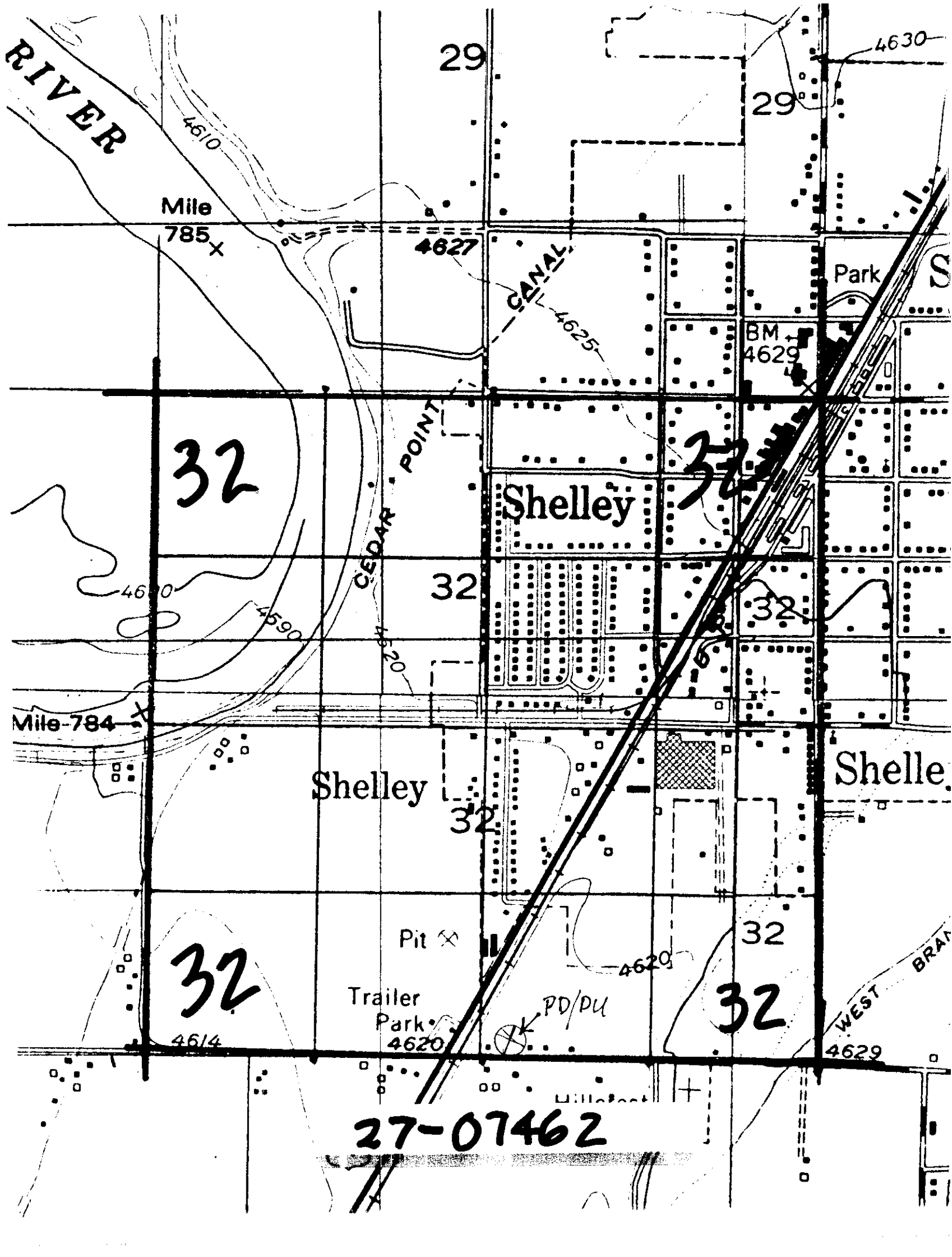
- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name KEITH C. WILSON
Signature Keith C. Wilson
Certification Date _____
Field Report Preparation Date 1/9/97 Dave Carlson

CONSULTANT SEAL

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



WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 1, 1993

BLAINE CASE
758 E 1200 N
SHELLEY ID 83274

Re: Permit No. 27-07462

Dear Water Right Holder:

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

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

RECEIVED
OCT 18 1993

January 3, 1991

ANN MILLER
ECHO WHITE
756 E. 1200 N.
SHELLEY, ID 83274

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 27-07462

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 EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECEIVED

JAN 28 1991

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 27-7462

Date: 12-20-90

General Considerations:

☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change yes If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

☐ Surface water
☒ Groundwater
☒ 1. well log in file
☒ 2. drilling permit 1974
A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

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

Measuring Device:

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

Remarks:

Proof acceptable

Priority Calculation:

Date proof received	<u>SB</u>	<u>NA</u>	
Date proof due			-
No. of days late			=
Priority date			+
NEW PRIORITY DATE			=

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Check address!
Shouldn't be 758 not 756 for Ann Miller
Ups for Echo
white

138347
August 31, 1990

ANN MILLER
ECHO WHITE
756 E. 1200 N.
SHELLEY, ID 83274

PROOF DUE NOTICE
RE: PERMIT NO. 27-07462

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 November 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

100

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
October 30, 1989

ANN MILLER
ECHO WHITE
756 E. 1200 N.
SHELLEY, ID 83274

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P27-07462

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

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DEC 13 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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DEC 11 1987

DEC 11 1987

Dist. for staffing 5-16-89 RB

Submitted for advertising 6-21-89 AWS

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

27-7462

INITIAL REVIEW BY Deanna Davis DATE 20 June APPLICATION NUMBER _____

REQUIRED INFORMATION

Ann Miller

- ☒ 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
☐ 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 _____

_____ Date Requested _____

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

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ 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 7-24-89 8-21-89
☐ 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. 01-P05
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information
Date of priority recommended 5-15-1989
By HWT Date 8-30-89

STATE OFFICE REVIEW R05, P23 P16 46 48 49
By KW See below for additional information
Date 10-12-89

ADDITIONAL INFORMATION

App. in NON-TRUST area-

July 26, 1989

The Morning News
P.O. Box 70
Blackfoot, ID 83221

Gentlemen:

We are re-submitting a legal notice to be published on August 3 and 10, 1989. This notice was originally published in your paper on July 6 and 13, 1989. Unfortunately, it was advertised incorrectly. As we had no way of checking the accuracy of this notice before it went to print, we therefore request it be re-advertised again at your expense.

To prevent future problems in this matter, please submit a galley proof before the first date of publication. If we have any correction, we will notify you; otherwise, assume the notice is correct. If the administrative procedures of your paper will not allow time for making corrections by submitting a galley proof, we will be glad to review the notice with you by telephone prior to publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to this office by August 21, 1989. Your cooperation in this matter is greatly appreciated.

Sincerely,

Rita Bodell
Office Secretary

RECEIVED

DEC 13 1989

NOTICE OF CORRECTION

Notice is hereby given that Application No. 27-7462 in the name of Ann Miller & Echo White was advertised incorrectly on July 6 & 13, 1989. The Point of Diversion was advertised as being SWSE, Sec. 3, T. 01N, R. 37E.

Whereas, the actual Point of Diversion is SWSE, Sec. 32, T. 01N, R. 37E, B.M.

Any protests against the granting of this application as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83402, on or before August 21, 1989.

R. Keith Higginson

Director

Published in the Morning News August 3 & 10, 1989.

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DEC 13 1989

29-Jun-1989

Ann Miller
Echo White
756 E. 1200 N.
Shelley, ID 83274

RE: Application for Permit No. 27-7462

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Morning News. The advertisement will be published for two consecutive weeks, and 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.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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DEC 13 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 27, 1989

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

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 JULY 24, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

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DEC 13 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED
DEC 13 1989

27-07462

MILLER, ANN
WHITE, ECHO
756 E. 1200 N.
SHELLEY, ID 83274

Source: GROUNDWATER

Diversion Pt: SWSE Sec 32 T 01N R 37E

Use: DOMESTIC (.060 CFS)

Date Filed: 5/15/1989

In: T01N R37E S32 SWSE

NOTIFIED

DEC 13 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, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JULY 24, 1989.

R. Keith Higginson, Director

Published 7/06/1989 & 7/13/1989

INDEXED

DEC 13 1989

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

WATER RIGHT
DATA ENTRY LOG

[illegible]