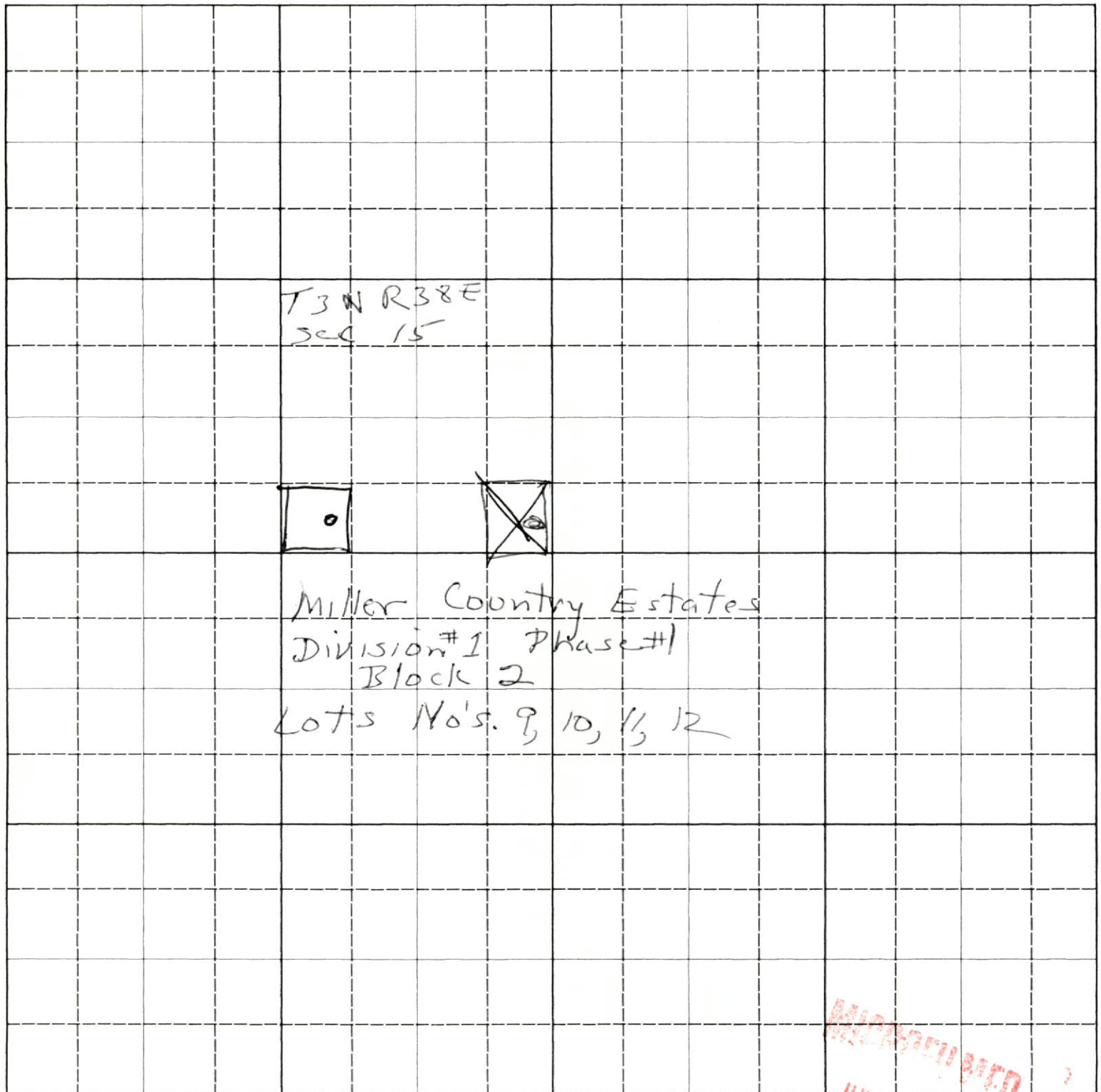


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Lowell C. Miller

(Applicant)

RECORDED
JUN 27 1995

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS 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)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
# 2	Franklin	3			
	Electric				

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

D. FLOW MEASUREMENTS *Theoretical*

1.

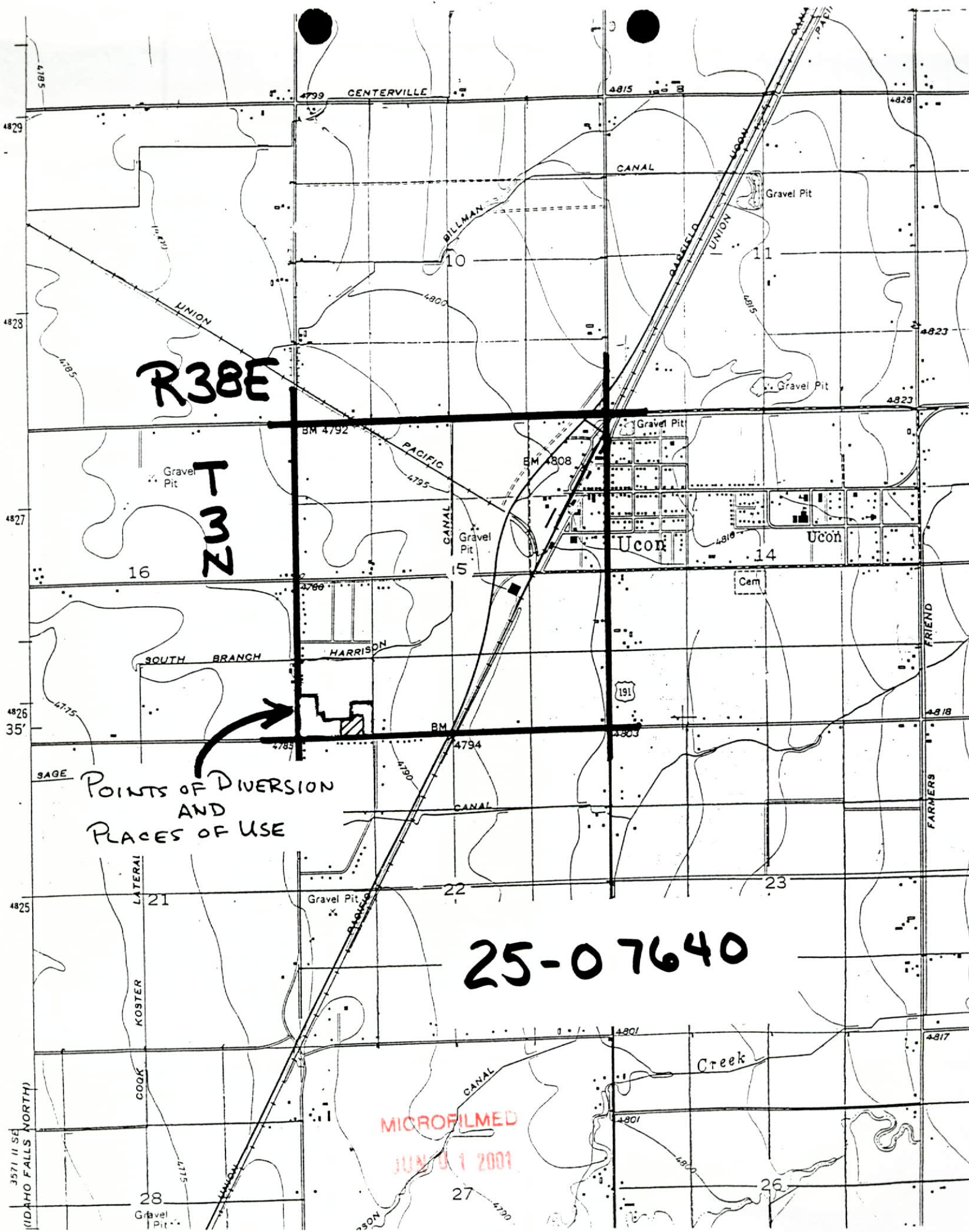
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: 30-50 psi

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JUN 01 2001

25-07640



R38E

T3N

25-07640

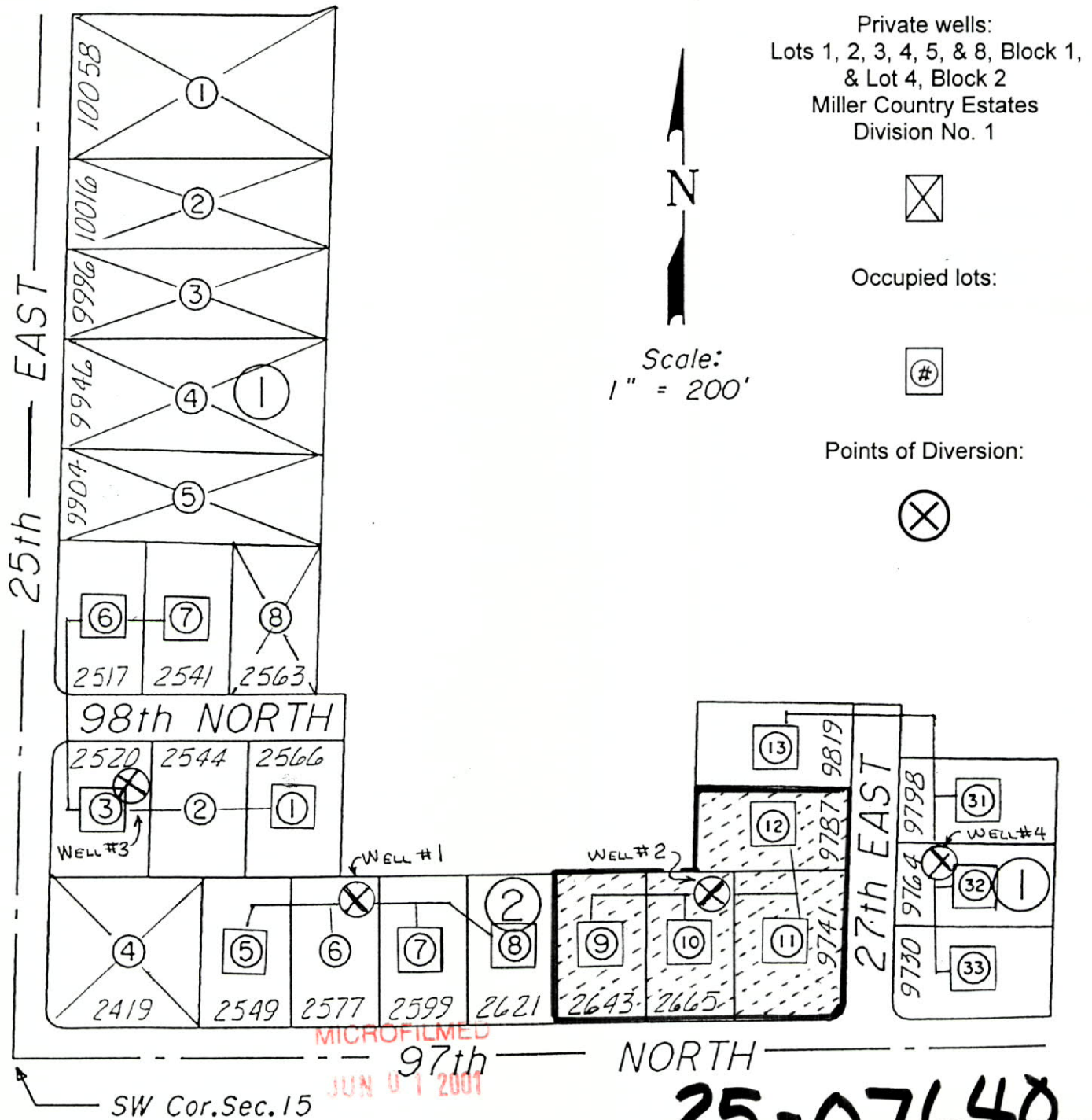
POINTS OF DIVERSION
AND
PLACES OF USE

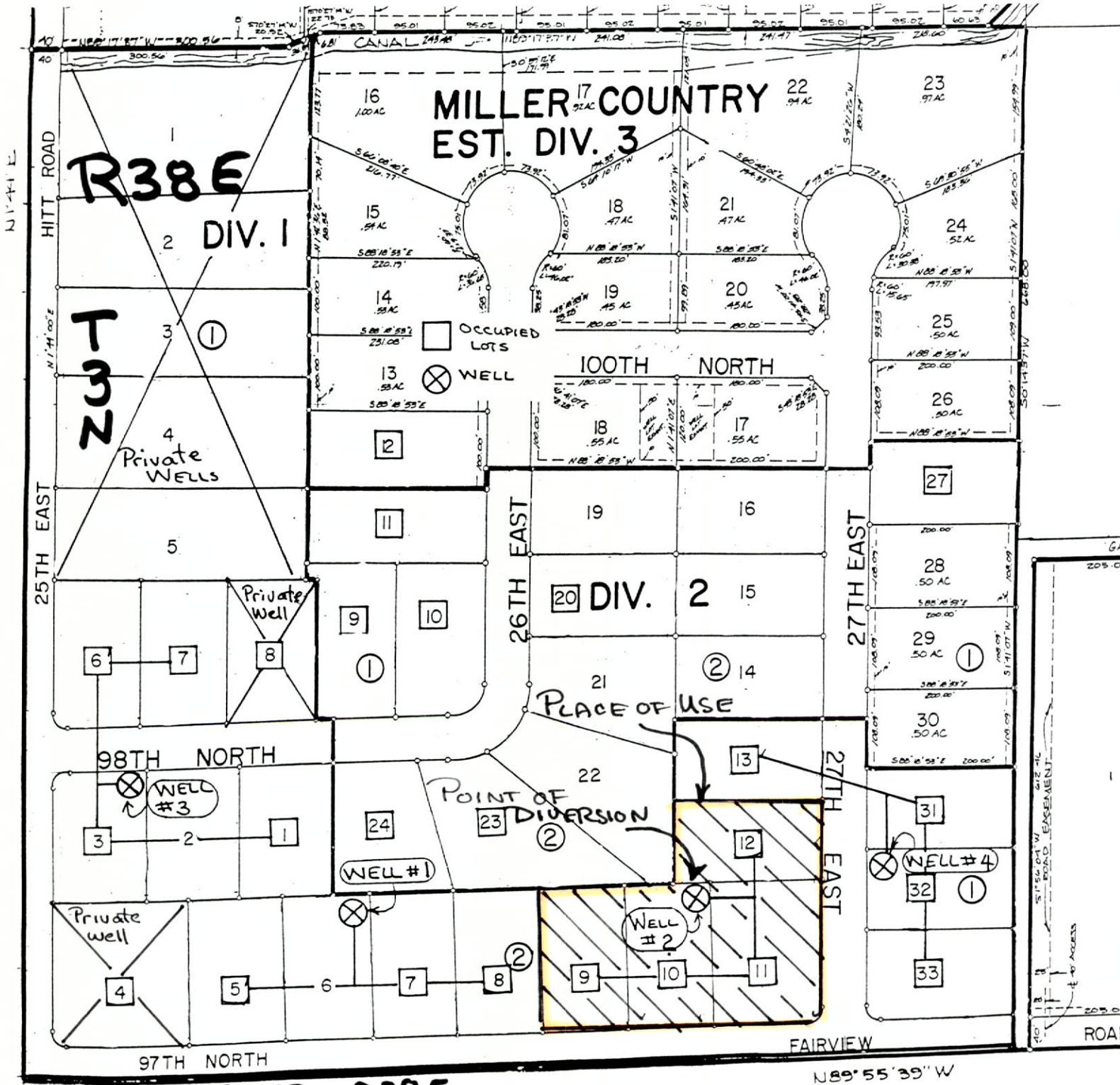
MICROFILMED
JUN 01 2001

BONNEVILLE COUNTY
ENGINEERING DEPARTMENT

MILLER COUNTRY ESTATES
DIVISION NO. 1

Part of
the W1/2, SW1/4, Sec. 15
T 3 N, R 38 E.B.M.





SWSW SEC 16, T3N, R38E
WELL #2

25-07640

RECEIVED

4-2001

Form 42-236/42-1409(6) July, 2000

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

RECEIVED

OCT 02 2001

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
25 - 7640					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the 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(s)

4. New Owner/Claimant(s)

Danny L Anderson & Mary Ellen Anderson
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

9787 N. 27th E.

City, State and ZIP Code

Idaho Falls, ID 83401

New Telephone Number

208 523-7260

5. Date you acquired the property

7 Dec 1998

MICROFILMED

NOV 26 2001

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

X *Danny J. Anderson*
Margaret Anderson

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

For Office Use Only

Received by *J. Mason*

Date *10/18/01*

Fee

\$25.00

Received by *J. Mason*

Date *10/18/01*

Receipt No. *C057131*

Processed by _____

AJ

Date _____

WR _____

Date _____

MICROFILMED
NOV 26 2001

10/22

Warranty Deed

For Value Received

George D. Klomp and Beverly J. Klomp, HUSBAND AND WIFE

the grantorS, do hereby grant, bargain, sell and convey unto

Danny L. Anderson and Mary Ellen Anderson, HUSBAND AND WIFE

whose current address is

9787 N. 27th E., Idaho Falls, ID 83401

BONNEVILLE

the granteeS, the following described premises, in

County Idaho, to wit:

Lot 12, Block 2, Miller Country Estates, Division No. 1, Bonneville County, Idaho, according to the recorded plat thereof.

*Per Donna at Bonneville County
Assessors office - T3N, R38E, S15, SW 1/4
Hartman
11.14.01*

INSTRUMENT NO.	983736
DATE	12-7-98
INST. CODE	205
FICHE NO.	13945-22
FEE	3-
STATE OF IDAHO) COUNTY OF BONNEVILLE) ss	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By	<i>[Signature]</i> Deputy
Request of	

SUBJECT TO: ALL existing patent reservations, easements, rights of way, protective covenants, zoning ordinances and applicable building codes, laws and regulations.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said GranteeS, THEIR heirs and assigns forever. And the said GrantorS do hereby covenant to and with the said Grantee S, that they ARE the owner in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: December 7, 1998

[Signature of George D. Klomp]
George D. Klomp

[Signature of Beverly J. Klomp]
Beverly J. Klomp

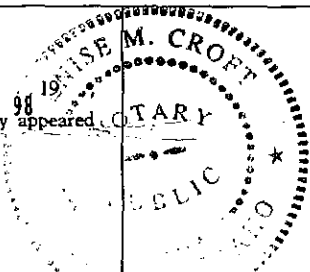
STATE OF IDAHO, COUNTY OF Bonneville
On this 7th day of DECEMBER 1998
before me, a notary public-in-and-for-said-State, personally appeared

George D. Klomp
Beverly J. Klomp

known to me to be the personS whose name S ARE
subscribed to the within instrument, and acknowledged to me that
THEY executed the same in Bonneville County
Commission Exp. 2-27-04

Residing at IDAHO FALLS
Comm. Expires 02/27/04

Notary Public
Idaho



MICROFILMED
NOV 26 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 25-07640

Priority: April 25, 1995

Maximum Diversion Rate: 0.10 CFS
Maximum Diversion Volume: 4.8 AF

It is hereby certified that MICHAEL D ALLEN
2643 E 97TH N
IDAHO FALLS ID 83401

BRADLEY C BENEFIEL
2665 E 97TH N
IDAHO FALLS ID 83401

W MAHLON HEILESON
9741 N 27TH E
IDAHO FALLS ID 83401

W MAHLON HEILESON
9787 N 27TH E
IDAHO FALLS ID 83401

have complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 25, 1995; and have submitted Proof of Beneficial Use on September 28, 1998. An examination indicates that the works have a diversion capacity of 0.1 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.10 CFS	4.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15, Twp 03N, Rge 38E, B.M., BONNEVILLE County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N 38E 15											X						

CONDITIONS OF APPROVAL

1. Point of diversion is located within Lot 10, Blk. 2, Miller Country Estates Division 1.

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JUN 01 2001

State of Idaho
Department of Water Resources
Water Right License

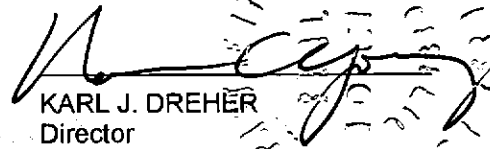
WATER RIGHT NO. 25-07640

2. Place of use is located within Lots 9-12, Blk. 2, Miller Country Estates Division 1.
3. Domestic use is for 4 homes.
4. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 16TH day of MAY, 2001.

Acting for


KARL J. DREHER
Director

MICROFILMED
JUN 01 2001

November 26, 1999

For Office Use Only
\$25 filing fee 925
Receipt # 6026672
Date 4-30-01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 4 2001

DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Lowell G Miller, hereby assign to see attached list
of, 2519 E 97th N Idaho Falls, ID 83401 208-523-9135
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 25-07640 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 30 day of Apr., 2001.

Lowell G Miller
Permit Holder(s)

State of Idaho)
County of Bonneville)ss

On this 30th day of April, 2001, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.



Jennifer Crabtree
Notary Public residing at

Idaho Falls, Idaho

MICROFILMED
JUN 01 2001

My commission expires: 9/23/03

See file 25-07638 for map.

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

RECEIVED

AUG 24 2000

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) 25-07640 (Well #2)
Adjudication Claim Number(s) _____
2. The following REQUIRED information must be submitted with this form.
 - 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 for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Lowell G. Miller
2519 E 97th N Idaho Falls ID 83401
4. New Owner/Claimant(s) (See Attached sheet)
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address _____
City, State and ZIP Code _____
New Telephone Number () _____
5. Date you acquired the property _____
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated 0 Number and type of stock 0
Diversion rate in CFS 0.10 Number of homes 4 Other uses None
cubic feet per second
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.
7. Signature of New Owner/Claimant(s) _____ Date _____

Date _____

MICROFILMED
JUN 11 2001

- (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

Miller Country Estates Div I

Permit #: 25-07640

Well #2

Well Location: Lot 10 B12

Flow: 0.10 CFS

Allocation: Equally among new owners.

New Owners (All Idaho Falls, ID 83401)

Lot 9 B12

Michael D. Allen
2643 E 97th N

Lot 10 B12

Bradley C. Benefiel
2665 E 97th N

Lot 11 B12

W. Mahlon Heilesen
9741 N 27th E

Lot 12 B12

9787 N 27th E

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JUN 01 2001

BCT T-11941
919532

Well #2

JOINT WATER SYSTEM AGREEMENT

THIS AGREEMENT is made the 30th day of April, 1996, by the undersigned Lowell G. Miller and Lavina H. Miller, who are the owners of the real property located in Bonneville County, Idaho, known as Lots 9, 10, 11, and 12, Block 2, Miller Country Estates, Division No. 1, Bonneville County, Idaho, per the recorded plat thereof.

RECITALS:

- A. There exists on Lot 10, a domestic water well, pump, and related equipment.
- B. Running from said well located on Lot 10, is a water line to each of the four lots described above.
- C. Thereby, one well, pump, and pressure system serves the homes located on all four lots above, or the homes to be constructed thereon. Each party thereby receives the same benefits from said well.
- D. The parties desire to set forth in writing their agreement as to the ownership, maintenance, and operation of said well.

NOW, THEREFORE, the parties mutually agree as follows:

1. Each of the subsequent owners of all Lots are hereby granted a perpetual easement over and across the other lots for their interest in the water system located upon Lot 10, together with reasonable rights of ingress and egress for the maintenance and operation of said water system, and the power lines connected thereto. Also, any utility company supplying power to said system shall have the right to come upon the land described herein to perform any maintenance required by it or read applicable utility meters.
2. Each of said parties shall own an undivided 25% interest in and to the well, pump, and jointly used water lines and pressure systems, with each of the parties owning individually the water lines leading from the pump, or pressure tank, as the case may be, to their individual homes.
3. Each of the owners shall have equal responsibility and will be charged with an equal amount for each lot with the cost of maintenance, repair, operation, and replacement of necessary parts, comprising the water system, including the costs of the electrical energy for operating the pump on said well. Provided, however, no charge will be made for electricity to any lot owner until such time as such lot actually begins to use water (and resulting electrical power usage) from the well. Until such time the cost of electrical power will be shared among lot owners actually using water. Said pump shall be separately metered to determine the amount of electrical energy used for operation of said pump. Each party shall be responsible for the

JOINT WATER SYSTEM AGREEMENT -1-

MICROFILMED
JUN 01 2001

costs of their individual pipelines lines leading from the pressure tank or pump to their own individual homes.

4. Each of the parties shall have an equal right in the management of said mutual water system and shall freely communicate with each other as to suggestions, plans, performance of any of the functions of said water system. Provided, however, that any of the lot owners shall first seek the consent of the owner of any other lot before entering upon such lot for inspection, operation, and maintenance of said water system. Consent for such entry will not be unreasonably withheld.

5. The parties shall be mutually responsible for the processing of any claim to water rights which at any time must be made to preserve and protect the water rights associated with said system.

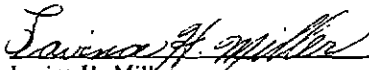
6. The benefits and burdens of this agreement shall be appurtenant to and run with respect to the lots described above.

7. Due to the limited capacity of the system, it will be necessary to work out a schedule for the use of water from the system for the sprinkling or other irrigation of the lots identified above. Said system is capable of providing water for all lots' domestic household use, but each of the parties agree to cooperate in working out a schedule for watering of lawns, shrubbery, and other ornamental plants.

8. In the event any parties shall be required to employ an attorney to enforce this agreement, with or without suit, the prevailing party in any such action shall be entitled to recover their reasonable attorneys fees and costs, including any such on appeal.

DATED the day and year stated above.


Lowell G. Miller


Lavina H. Miller

STATE OF IDAHO)
) ss.
County of Bonneville)

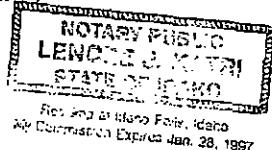
On this 30th day of April, 1996, before me, the undersigned
the undersigned, a Notary Public in and for the State of Idaho, personally appeared Lowell G. Miller and Lavina H. Miller, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

JOINT WATER SYSTEM AGREEMENT -2-

MICROFILMED
JUN 1 2001

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

(SEAL)



James K. T. M.
Notary Public for State of Idaho

Residing at: Idaho Falls

My Commission Expires: 1/28/97

FILED NO.	919532
DATE	4-30-96
POST. CODE	810
ICRE NO.	11385-78
FEE	9.00
STATE OF IDAHO)	
COUNTY OF BONNEVILLE) 55	
I hereby certify that the within	
document was recorded.	
By <u>Ruth Avery</u> Deputy	
Recorder of	

20 APR 30 PM 4 51

LENCORE J. K. T. M.
NOTARY PUBLIC

919532

MICROFILMED

JUN 01 2001

Wc/1/22

FOR OFFICE USE ONLY
Amt. of Fee \$: 50% fee
Receipt No. 6024488
Receipt By: PM
Date Received: 9-28-98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 05 1998

PROOF OF BENEFICIAL USE Department of Water Resources

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 25-07640 Telephone No. (208) 523-9135
2. Name(s) of Permit Holder(s): LOWELL GIBBERT MILLER
3. Mailing Address: 2519 E 97TH N, IDAHO FALLS ID 83401
4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. / yr.
 - a. Well Driller: JOEY DENNING Drilling Permit Number: 25 - 96E - 0084.000
 - b. **OPTIONAL:**
Pump Horsepower: 3 HP Pressure (psi): Dynamic pumping level (ft):
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 4 Stockwater (No. and type of stock):
Irrigation (No. of acres): Other:
6. Total rate of diversion and/or volume for which proof is submitted: 0.10 cfs OR acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes <u> </u>	or	No <u>X</u>
	Has the measuring device been installed?	Yes <u> </u>	or	No <u>X</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes <u> </u>	or	No <u>X</u>
	Has the measurement port been installed?	Yes <u> </u>	or	No <u>X</u>
8. Fee Enclosed: \$ 50% fee (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: LOWELL MILLER Telephone Number: (208) 523-9135
Address: 2519 E 97TH N, IDAHO FALLS ID 83401
10. The information given on this form 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.

Signature of permit holder:

Lowell Miller

(include your title, if on behalf of company or organization)

Date:

9-28-98

NOV 24 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 25-07640

Proposed Priority: April 25, 1995

Maximum Diversion Rate:

0.10 CFS

This is to certify, that **LOWELL GILBERT MILLER**
2519 E 97TH N
IDAHO FALLS ID 83401

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

0.10 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 15, Township 03N, Range 38E
BONNEVILLE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

03N 38E 15

SWSW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1999.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Construction of the well must comply with Idaho well construction standards.
6. Place of use is located within Lots 9-12, Blk. 2, Miller Country Estates Division #1.
7. Domestic use is for 4 homes.
8. The domestic use authorized under this right shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
9. The irrigation use occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed.

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

21st day of June, 1995

RECORDED

JUN 27 1995

[Signature]
for Karl J. Dreher, Director

RECEIVED
JUN 14 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 25-7640

Department of Water Resources appropriate the public waters of the State of Idaho

1. Name of applicant Lowell Gilbert Miller Phone (208) 523-9135

Post office address 2519 E 97th N Idaho Falls, ID 83401

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____

Sec. 15 Township 3N Range 38E B.M. Bonneville County; additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.10 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)

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

5. Total quantity to be appropriated is (a) 0.10 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 2HP Deep Well Pump

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.

c. Proposed well diameter is 8" inches; proposed depth of well is 200' feet.

d. Is ground water with a temperature of greater than 85°F being sought? No **RECEIVED**

e. If well is already drilled, when? _____; Drilling firm _____

Well was drilled for (well owner) _____

JUN 27 1995

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

5 years (minimum 1 year).

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. 4
- Other; describe fully. Each Home will have 1/2 Ac or less of irrigations in conjunction with each single family domestic home

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.	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	
3N	38E	15											D						

Total number of acres to be irrigated _____

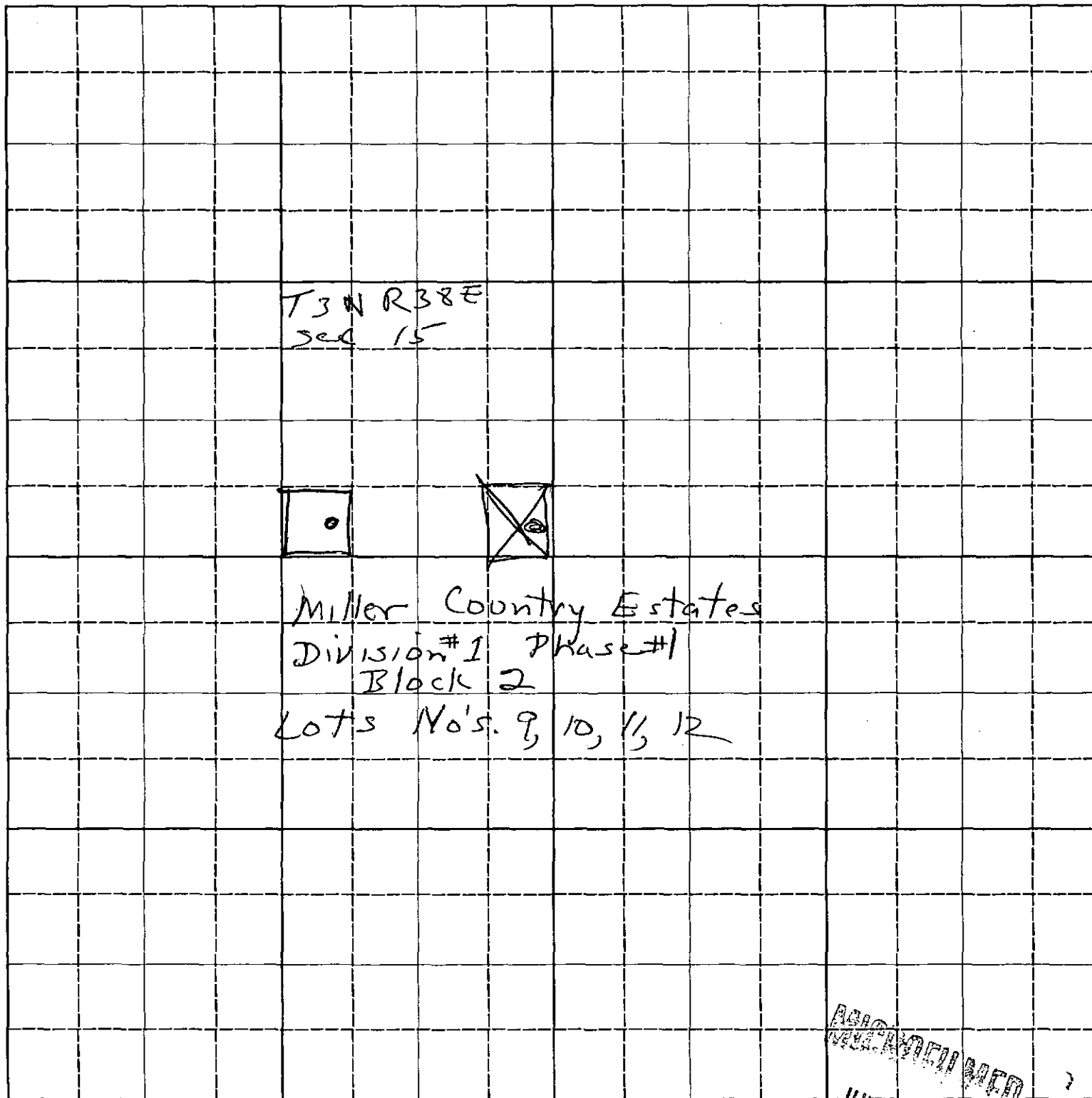
10. Describe any other water rights used for the same purposes as described above. None

- Who owns the property at the point of diversion? Lowell G. Miller
- Who owns the land to be irrigated or place of use? Lowell G. Miller
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Penning well Driller

JUN 27 1995

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.

Lowell A Miller
(Applicant)

Received by HWT Date 4-25-95 Time 10:54 am Preliminary check by _____
Fee \$ 50.00 Received by HWT # E020945 Date 4-25-95
Publication prepared by RB Date 5-11-95 Published in Post Register
Publication approved RB Date 6-9-95

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:

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JUN 27 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 1, 2001

DANNY L ANDERSON
MARY ELLEN ANDERSON
9787 N 27TH E
IDAHO FALLS ID 83401

RE: Change of Ownership for Water Right 25-7640

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is a receipt for the \$25.00 filing fee.

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

Enclosure

cc: Michael D. Allen
W. Mahlon Heilesen
Bradley C. Benefiel

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NOV 26 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 11, 2001

MARY ELLEN ANDERSON
9787 N 27TH E
IDAHO FALLS ID 83401

RE: Change in Ownership for Water Right No. 25-7640

Dear Mrs. Anderson:

The Department of Water Resources acknowledges receipt of your Notice of Change in 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

☒ Signature (need signature of Danny L. Anderson)

Jennifer Crabtree of our Eastern Region Office indicated that you are requesting exemption of fees due to an error in licensing related to ownership. Our review of the file found that on April 30, 2001, the original owner of the water right permit, Lowell G. Miller, assigned the permit to three owners covering four different parcels of land. A water right permit is considered personal property and ownership can only be changed through an assignment of permit to the individuals specified in the assignment.

Upon completion of the development of the permit, a water right license was issued by the Department on May 16, 2001 to the permit owners. A license is issued to verify development of the permit and beneficial use of the water in accordance with the permit. Once a license is issued, a water right is considered real property, which is appurtenant to the land and is generally owned by the landowner(s).

In your case, based on the documentation provided, you own part of the water right in conjunction with three other owners. Although it is acknowledged that the original owner of the permit may have erred in the assignment of permit by only including three of the four parcel owners, the license was issued correctly to the permit owners of record based on the assignment filed by the original owner.

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NOV 26 2001

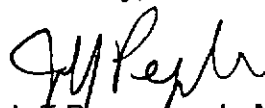
Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. There are no statutory provisions to waive the fee for a change in ownership.

Your notice also requires signatures from all owners listed as new owners because the name connector is shown as "and" between owners. In this case, the signature of Danny L. Anderson is required. We are returning your notice for the proper signature. Please note the highlighted area on the enclosed instruction sheet.

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 on the Internet to obtain the proper forms and instructions.

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

Sincerely,



Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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NOV 26 2001

10-2-01

Dear Jeff:

This is the ownership
change we discussed
on the phone today.

The Andersons owned
the property since 1995.

Lowell Miller, original
owner, ~~was~~ filled out
several assignments of
permit but did not get the
Andersons on the permit before
it was licensed. Mrs.

Anderson is requesting exemption
from fee due to data entry
error. Thanks, Jennifer
Cragtree
Barton

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NOV 26 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 17, 2001

MICHAEL D ALLEN
2643 E 97TH N
IDAHO FALLS ID 83401

BRADLEY C BENEFIEL
2665 E 97TH N
IDAHO FALLS ID 83401

W MAHLON HEILESON
9741 N 27TH E
IDAHO FALLS ID 83401

W MAHLON HEILESON
9787 N 27TH E
IDAHO FALLS ID 83401

RE: License No. 25-7640 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of 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 on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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JUN 01 2001

CERTIFICATE OF MAILING

I hereby certify that on May 17, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

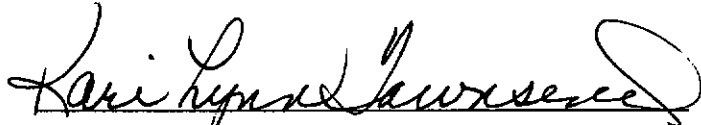
RE: WATER RIGHT NO. 25-7640

**MICHAEL D ALLEN
2643 E 97TH N
IDAHO FALLS ID 83401**

**BRADLEY C BENEFIEL
2665 E 97TH N
IDAHO FALLS ID 83401**

**W MAHLON HEILESON
9741 N 27TH E
IDAHO FALLS ID 83401**

**W MAHLON HEILESON
9787 N 27TH E
IDAHO FALLS ID 83401**


Kari Lynn Townsend
Secretary

MICROFILMED

JUN 01 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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JUN 01 2001

FINAL ORDER

The Director 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 Director 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.

LICENSE REVIEW CHECKLIST

25-07640

topo X93

Permit No. 5-16-01 Date: _____ Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK
Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): _____

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.10 cfs

Fee Limit 0.20 cfs

Measured _____ cfs

Theoretical 0.10 cfs

Recommended Total Diversion Rate 0.10

Water Uses OK

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af

Stockwater _____ cfs _____ af

Domestic 0.10 cfs 4.8 af

_____ cfs _____ af

_____ cfs _____ af

Total 0.10 cfs 4.8 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W07/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

4 homes @ 1.2 AF = 4.8 AF

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks: W59, W60, W01, 070, 071

Additional Conditions

☒ Watermaster Control

☐ GW Measurement/Measuring Device

☐ Other

Trust R55 - remove 051)

Non-trust (048/049)

GW Dist? _____

Water Msmt. Dist? _____

Crit. GWMA? _____

GWMA? _____

Government Lots? _____

Advance Priority? ☒ yes

☒ no

If yes, explain why below.

SRBA Claim? Not req'd

Adjust memo _____

Amend Letters

P87, S06

Second Amendment Notice

S06

Form 219
6/92
RECEIVED

APR - 9 2001

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 25-07640
520-1898 (cell)
Phone No. 523-9135

1. Owner: Lowell Gilbert Miller

Current Address: 2591 E 97th N Idaho Falls Id 83401

2. Accompanied by: PERMIT HOLDER

EXAM DATE: 8-23-1999

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion: Lot 10 Block 2 Miller Country Estates^{Div. 1} (2665 E 97N)

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
<u>2</u>			<u>SW</u>	<u>SW</u>	<u>15</u>	<u>3N</u>	<u>38E</u>	<u>Bonneville</u>	<u>ON SITE/USGS QUAD/SUBDIVISION PLATS</u>

2. Place(s) of Use: Miller Country Estate

Indicate Method of Determination ON SITE/Subdivision Plat

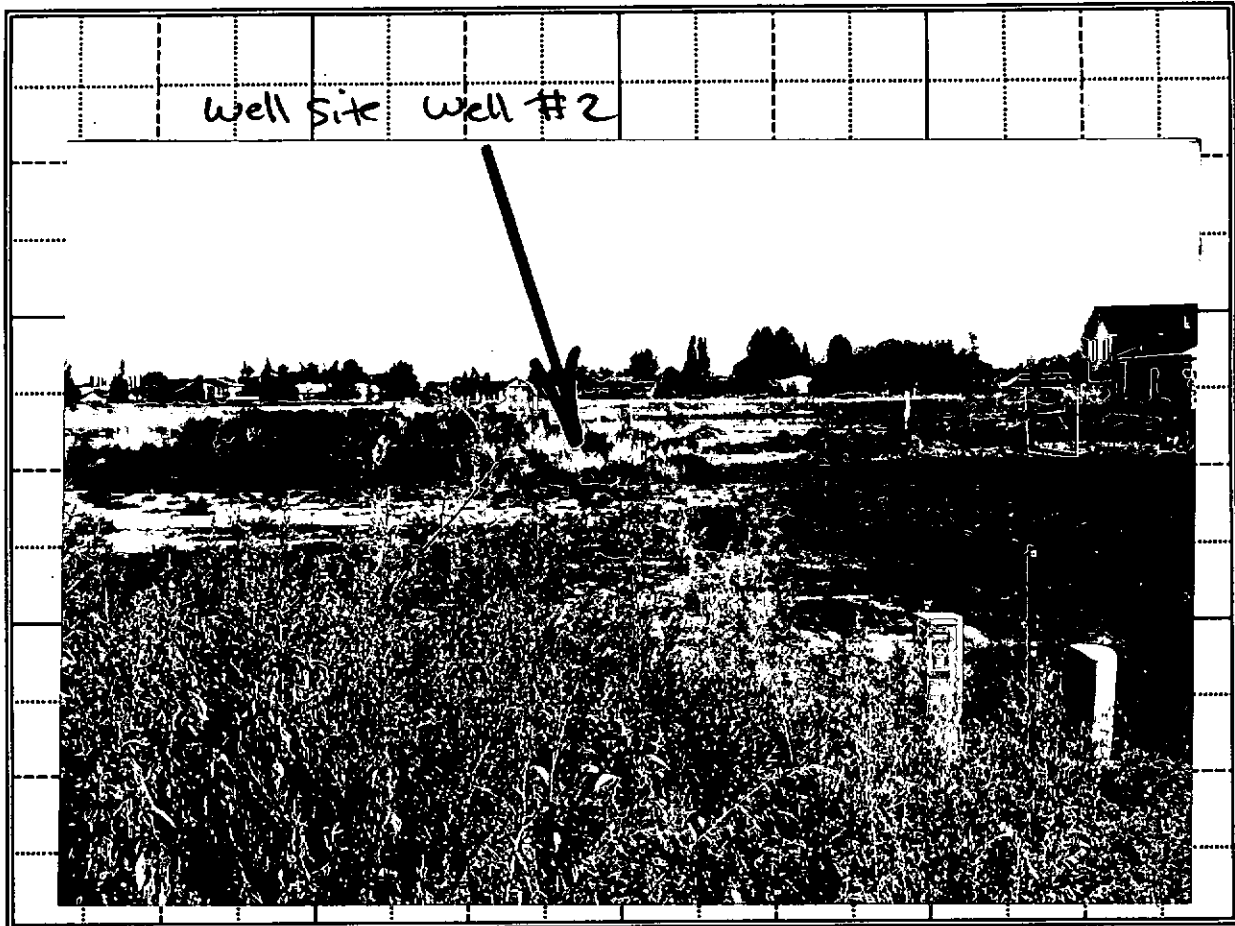
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	38E	15																	

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JUN 01 2001

25-07640

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
# 2	Franklin	3			
	Electra				

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

D. FLOW MEASUREMENTS *Theoretical*

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: 30-50 psi

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303 0 1 2009

25-07640

E. NARRATIVE/REMARKS/COMMENTS

Well pump pressure tanks with mainline to 4 single Domestic Homes

POINT OF DIVERSION LOCATION AKA: Lot 10, Block 2 Subdivision #1
Well #2 Miller Country Estates

PLACE OF USE LOCATION AKA: Miller Country Estates

STREET ADDRESS	Lot #	Block #	SUBDIVISION
2643 E 97N	9	2	#1 ✓
2665 E 97N	10	2	#1 ✓
9741 N 27E	11	2	#1 ✓
9787 N 27E	12	2	#1 ✓
			#1

Domestic also includes irrigation of up to 1/2 acre for each domestic home

Have conditions of permit approval been met? ☒ yes ☐ no

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JUN 01 2001

25-07640

Additional Computation Sheets Attached

$Q_{THEORETICAL} = 0.10 \text{ cfs}$

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

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

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

2. Volume Calculations for Other Uses: # of Homes (L_{OTH})

calculations for Other Uses: $\# \text{ of Homer (Lots)}$

$\checkmark_{DOM} = 1.2 \text{ ata} \left(\begin{array}{c} 4 \\ 4 \end{array} \right) = 4.8$

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
DOMESTIC (4 units)	1/1	12/31	0.10 cfs	4.8 afa
		Totals:	0.10 cfs	4.8 afa

☐ 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

Keith C Wilson

Field Examiner's Name KEITH C WILSON Date 8-23-1999

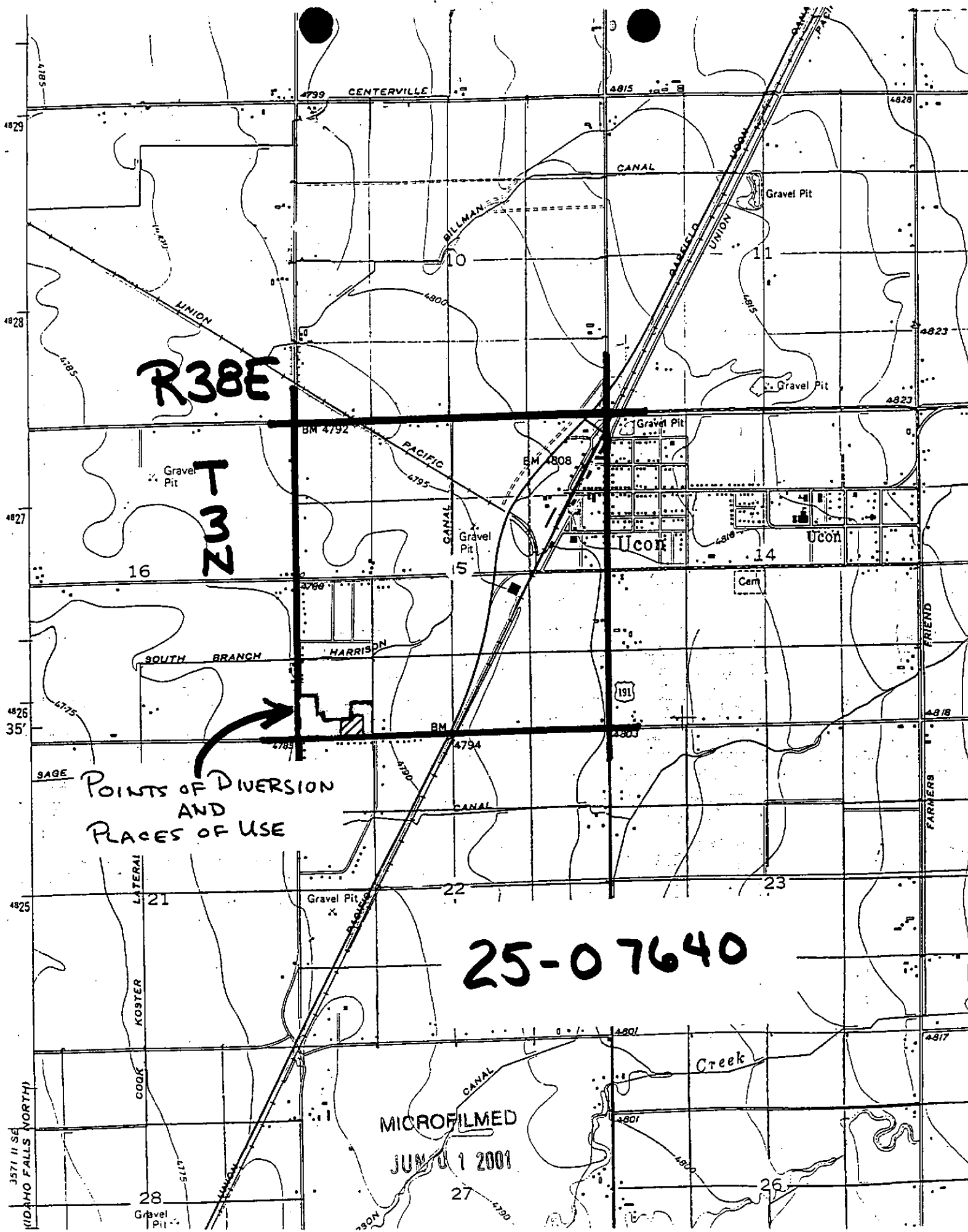
Reviewer _____ Date _____

SEAL

~~MICROFILMED~~

JUN 01 2001

25-07640



R38E

T3N

POINTS OF DIVERSION
AND
PLACES OF USE



25-07640

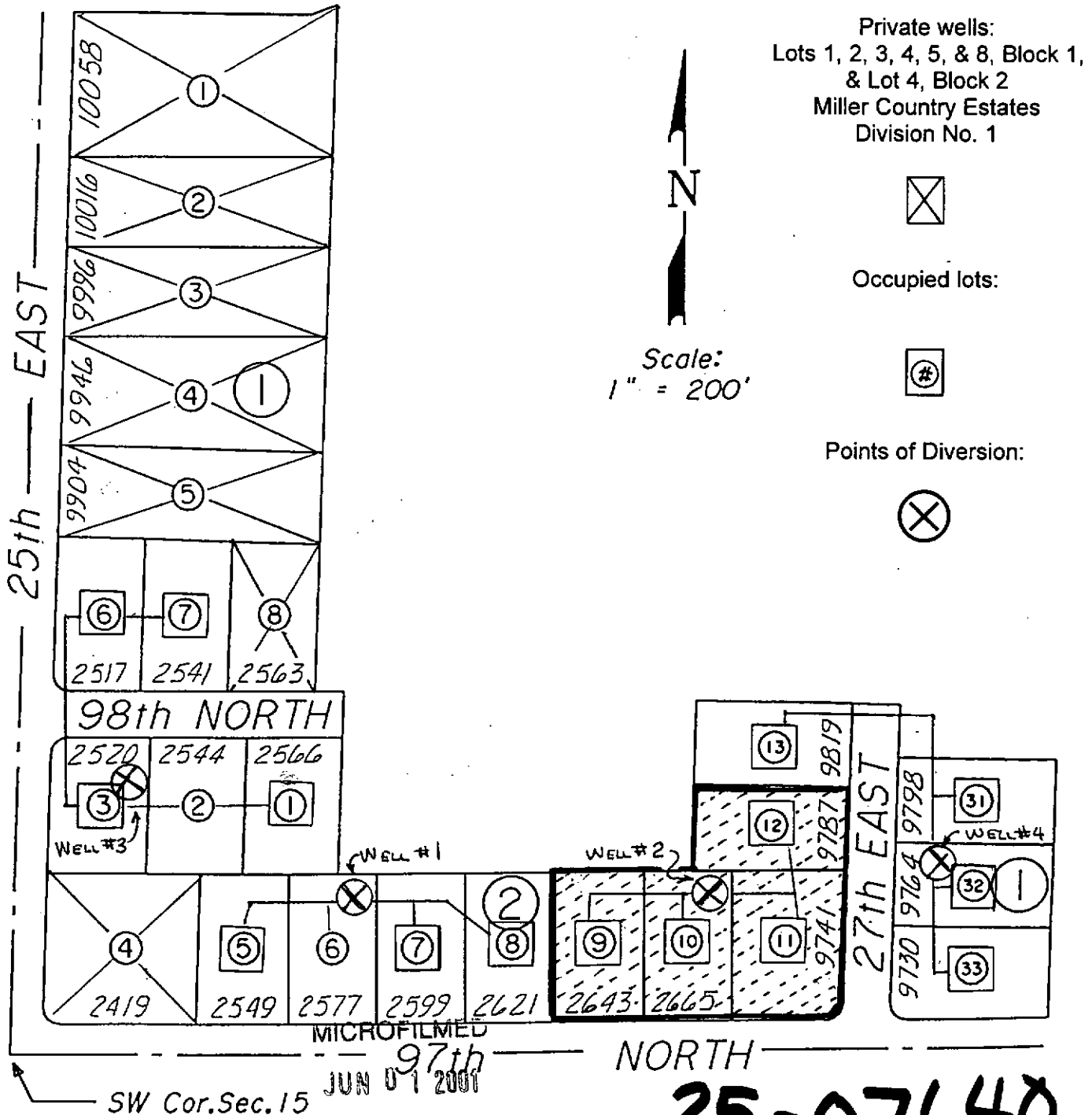
MICROFILMED
JUN 01 2001

IDaho Falls (NORTH)

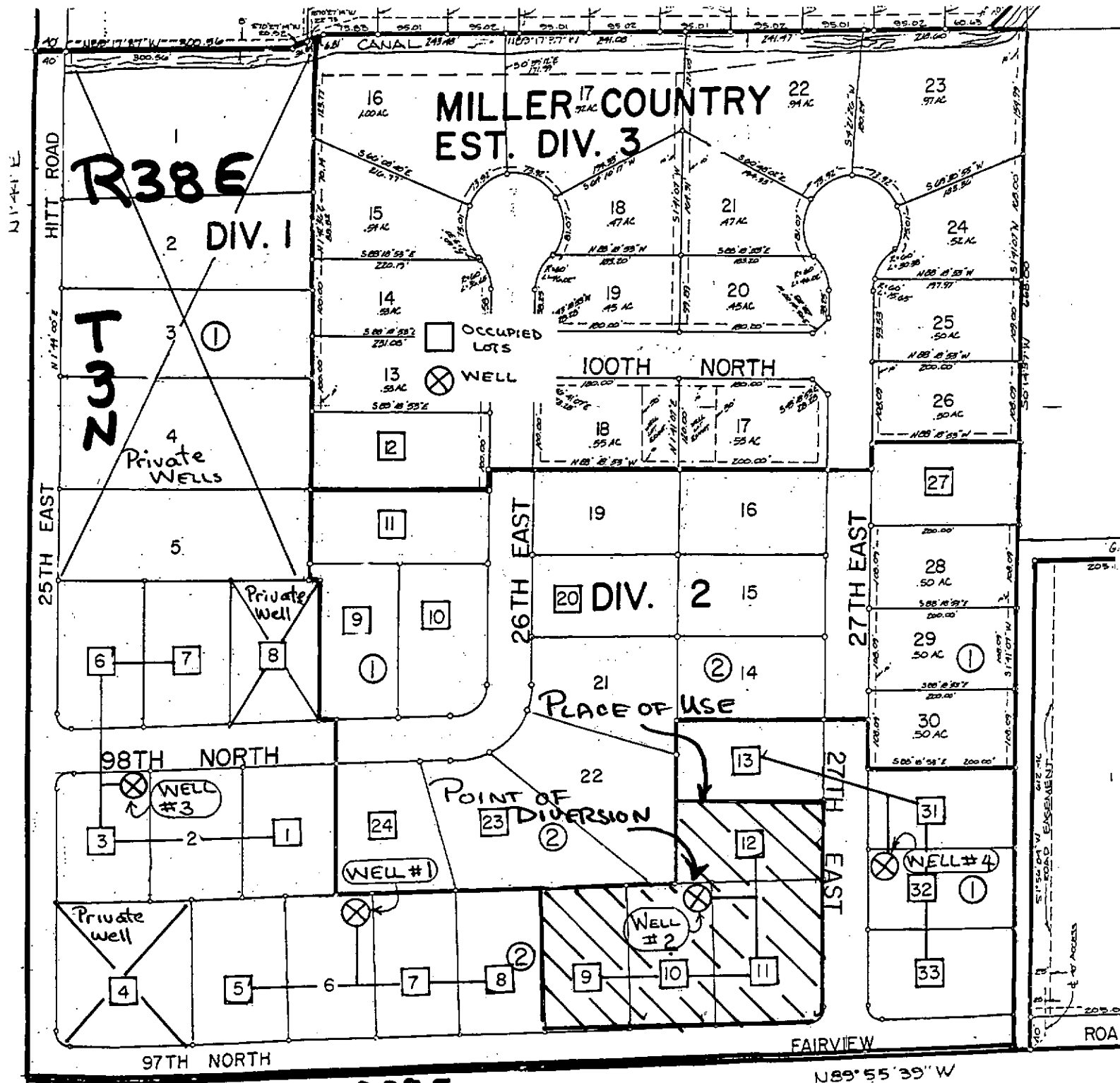
BONNEVILLE COUNTY
ENGINEERING DEPARTMENT

MILLER COUNTRY ESTATES
DIVISION NO. 1

Part of
the W1/2, SW1/4, Sec. 15
T 3 N, R 38 E.B.M.



25-07640



SWSW SEC 16, T3N, R38E

WELL #2

25-07640

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

Hp = Horsepower = 3
Eff = Efficiency = 70% (Usually 70%)
Lift: (Static Level + Assumed Draw down)
Static Water Level = 120 ft.
Assumed Draw down = + _____ ft.
Lift = _____

OR

Measured Dynamic Water Level = _____ ft.

psi = Operating Pressure = 30 psi

$$Q_{cfs} = \left[\frac{3}{Hp} \times 8.814 \times \frac{0.70}{Eff} \right] \div \left[\frac{120}{Lift} + \left(\frac{30}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\frac{18.5}{ } \right] \div \left[\frac{189.2}{ } \right]$$

$$Q_{cfs} = \underline{0.097} \text{ cfs} \approx 0.10 \text{ cfs}$$

well # 2

well # 2

PERMIT NO. 25-07640

MICROFILMED

JUN 01 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 9, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MICHAEL D ALLEN
2643 E 97TH N
IDAHO FALLS ID 83401

BRADLEY C BENEFIEL
2665 E 97TH N
IDAHO FALLS ID 83401

W MAHLON HEILESON
9741 N 27TH E
IDAHO FALLS ID 83401

W MAHLON HEILESON
9787 N 27TH E
IDAHO FALLS ID 83401

RE: Change of Ownership for Water Right 25-7640

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to each of the above addressed persons. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report 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

Enclosure

MICROFILMED
JUN 01 2001

MICROFILMED

JUN 01 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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 10, 1998

LOWELL GILBERT MILLER
2519 E 97TH N
IDAHO FALLS ID 83401

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 25-07640

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.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **EASTERN** Regional Office of the department in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

NOV 24 1998

Proof Made 9-28-98

Use Typewriter or Ballpoint Pen

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat: : : Long: : :

1. DRILLING PERMIT NO. 25-96-E-0054-000
Other IDWR No. 25-07640

2. OWNER: Lowell Miller #3
Name 2519 E 97th N
Address Idaho Falls State ID Zip 83401
City

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

Twp. 3 North ☒ or South ☐
 Rge. 38 East ☒ or West ☐
 Sec. 15 $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$
10 acres 40 acres 160 acres
 Gov't Lot _____ County Bonneville
 Lat: _____ Long: _____

S
Hitt Rd Address of Well Site 98th N E
(Give at least name of road + Distance to Road or Landmark) City Idaho Falls
Lt. 23,6,7 Blk. 1 Sub. Name Miller Country
Estates

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☒ Other Subdivision

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	18	150**	Overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) _____
Was drive shoe seal tested? ☐ Y ☐ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
8	12	54	250	Steel	☒	☐	☒	☐
6	43	183	250	Steel	☐	☒	☒	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____

☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

130 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or
control devices:

11. WELL TESTS:

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

Completed Depth 263 (Measurable)
Date: Started 6/25/86 Completed 6/26/86

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name ENNINER Firm No. 519
 ROFIRMED
 Firm Official John Enninger Date 6/26/96
 and 2-1-1996
 Supervisor or Operator _____ Date _____

(Sign once if Firm Officer & Coordinator)



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 21, 1995

LOWELL GILBERT MILLER
2519 E 97TH N
IDAHO FALLS ID 83401

PERMIT APPROVAL NOTICE

RE: PERMIT NOS. 25-07638/25-07639/25-07640

Dear Permit Holder:

Enclosed are copies of your approved Applications for Permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on each permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permits were issued, and you must proceed diligently until the projects are completed. The date shown under condition no. 1 is the date when the projects must be completed.

The Department will send you "Proof Due Notices" approximately 60 days prior to the above referenced dates requesting you to file either Proof of Beneficial Use forms or Request for Extension of Time forms.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of these permits to appropriate water.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED

JUN 27 1995

Dist. for staffing 4-27-95
Submitted for advertising 4-27-95

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWS DATE 4-27-95 APPLICATION NO. 25-7640
Lowell Gilbert Miller
REQUIRED INFORMATION

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

RECEIVED
JUN 14 1995

Department of Water Resources

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 _____

SEND COPIES TO	_____ Idaho Dept. of Health & Welfare	_____ U.S. BLM
<i>NONE</i>	_____ Idaho Dept. of Fish & Game	_____ U.S. Forest Service
	_____ Idaho Dept. of Lands	_____ Water District
	_____ Adjudication Bureau Unit	_____ Other

☒ 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 <u>6-5-95</u>
☐	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. _____
☐	Yes	☐	No	Special conditions of approval or cover letter below.

See below for additional information

Date of priority recommended 4-25-95

By HWT Date 6-12-95

By _____ See below for additional information
Date _____

ADDITIONAL INFORMATION

Project impacts/implications report

[illegible]

**NOTICE OF
APPLICATION FOR
WATER RIGHT**

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

25-07635

HUDMAN, ROBERT L
HUDMAN, SANDRA
1424 N 1100 E
SHELLEY, ID 83274
Source: SPRING
Tributary: SINKS
Diversion Pt: NESWSW Sec 29 T 02N R 41E in BONNEVILLE County.
Use: STOCKWATER (0.070 CFS)
WILDLIFE (0.070 CFS)
Total Diversion: (0.070 CFS)
Date Filed: 4/24/1995
In: BONNEVILLE County
T02N R41E S29 SWSW

25-07636

HUDMAN, ROBERT L
HUDMAN, SANDRA
1424 N 1100 E
SHELLEY, ID 83274
Source: SPRING
Tributary: SINKS
Diversion Pt: NWSW Sec 32 T 02N R 41E in BONNEVILLE County.
Use: STOCKWATER (0.070 CFS)
WILDLIFE (0.070 CFS)
Total Diversion: (0.070 CFS)
Date Filed: 4/24/1995
In: BONNEVILLE County
T02N R41E S32 SENW

25-07637

HUDMAN, ROBERT L
HUDMAN, SANDRA
1424 N 1100 E
SHELLEY, ID 83274
Source: MEADOW CREEK
Tributary: WILLOW CREEK
Source: UNNAMED STREAM
Tributary: MEADOW CREEK
Diversion Pt: SWNW Sec 28 T 02N R 41E in BONNEVILLE County.
NESW Sec 28 T 02N R 41E in BONNEVILLE County.
NWSW Sec 28 T 02N R 41E in BONNEVILLE County.
SESW Sec 28 T 02N R 41E in BONNEVILLE County.
NENE Sec 29 T 02N R 41E in BONNEVILLE County.
NWNE Sec 29 T 02N R 41E in BONNEVILLE County.
SENE Sec 29 T 02N R 41E in BONNEVILLE County.
NENW Sec 29 T 02N R 41E in BONNEVILLE County.
NWNW Sec 29 T 02N R 41E in BONNEVILLE County.
NWNE Sec 33 T 02N R 41E in BONNEVILLE County.
SWNE Sec 33 T 02N R 41E in BONNEVILLE County.
NENW Sec 33 T 02N R 41E in BONNEVILLE County.
SENE Sec 33 T 02N R 41E in BONNEVILLE County.
NWSE Sec 33 T 02N R 41E in BONNEVILLE County.
SWSE Sec 33 T 02N R 41E in BONNEVILLE County.
SESE Sec 33 T 02N R 41E in BONNEVILLE County.
Use: STOCKWATER (20.00 AF)
WILDLIFE (20.00 AF)
Total Diversion: (20.00 AF)
Date Filed: 4/24/1995
In: BONNEVILLE County
T02N R41E S28 SWNW NESW NWSW
SESW
S29 NENE NWNE SENE NENW
NWNW
S33 NWNE SWNE NENW SENW
NWSE SWSE SESE

25-07638

MILLER, LOWELL GILBERT
2519 E 97TH N
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SWSWSW Sec 15 T 03N R 38E in BONNEVILLE County.
Use: DOMESTIC (0.100 CFS)
Total Diversion: (0.100 CFS)
Date Filed: 4/25/1995
In: BONNEVILLE County
T03N R38E S15 SWSW

25-07639

MILLER, LOWELL GILBERT
2519 E 97TH N
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SWSWSW Sec 15 T 03N R 38E in BONNEVILLE County.
Use: DOMESTIC (0.100 CFS)
Total Diversion: (0.100 CFS)
Date Filed: 4/25/1995
In: BONNEVILLE County
T03N R38E S15 SWSW

25-07640

MILLER, LOWELL GILBERT
2519 E 97TH N

IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SWSWSW Sec 15 T 03N R 38E in BONNEVILLE County.
Use: DOMESTIC (0.100 CFS)
Total Diversion: (0.100 CFS)
Date Filed: 4/25/1995
In: BONNEVILLE County
T03N R38E S15 SWSW

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before JUNE 5, 1995.

R. KEITH HIGGINSON, Director
Published: May 18, 25, 1995

RECEIVED
JUN 14 1995
Department of Water Resources
JUN 27 1995

Proof of Publication
The Post-Register

RECEIVED
JUN 09 1995
Department of Water Resources
Eastern District Office

State of Idaho, }
County of Bonneville } ss

I, S. BOB BRIGHT or TED DELEZENE
Production Supervisor or Asst. Prod. Supervisor
of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except
Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in
the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903,
such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been
published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and
said Post-Register having been published continuously and uninterruptedly from the date of such consolidation,
up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in
said Post-Register for Two consecutive weeks, first publication having been made
on the 18th day of May 1995, last publication
having been made on the 25th day of May 1995, and that the
said notice was published in the regular and entire issue of said paper on the respective dates of publication, and
that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this .. 31st .. day of May 1995 ..

Ted Delezene
.....
Susan Shagan
Notary Public

My commission expires July 1 1997 ..

B10

BOB BRIGHT
Production Supervisor
THE POST-REGISTER
Idaho Falls, Idaho

RECEIVED
JUN 27 1995

25-07640

MILLER, LOWELL GILBERT
2519 E 97TH N
IDAHO FALLS, ID 83401

Source: GROUNDWATER

Diversion Pt: SWSWSW Sec 15 T 03N R 38E in BONNEVILLE County.

Use: DOMESTIC	(	0.100 CFS)
Total Diversion:	(	0.100 CFS)

Date Filed: 4/25/1995

In: BONNEVILLE County	
T03N R38E S15	SWSW

RECORDED

JUN 27 1995

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before JUNE 5, 1995.

R. KEITH HIGGINSON, Director

Published: 5/18/1995 & 5/25/1995

JUN 27 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 5, 1995

LOWELL GILBERT MILLER
2519 E 97TH N
IDAHO FALLS ID 83401

RE: Applications for Permit No.'s 25-07638, 25-07639, & 25-07640

Dear 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 Post Register on May 18 & 25, 1995. 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 applications 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
Harold W. Jones
Water Right Supervisor

HWJ/rb

JUN 27 1995