

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

T3N R38E
sec 15

Miller Country Estates
Division #1 Phase #1
Block #1
Lot Nos. 30, 31, 32, 33

Approved
1997

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
4	Franklin Electric	3			

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

D. FLOW MEASUREMENTS *Theoretical*

1.

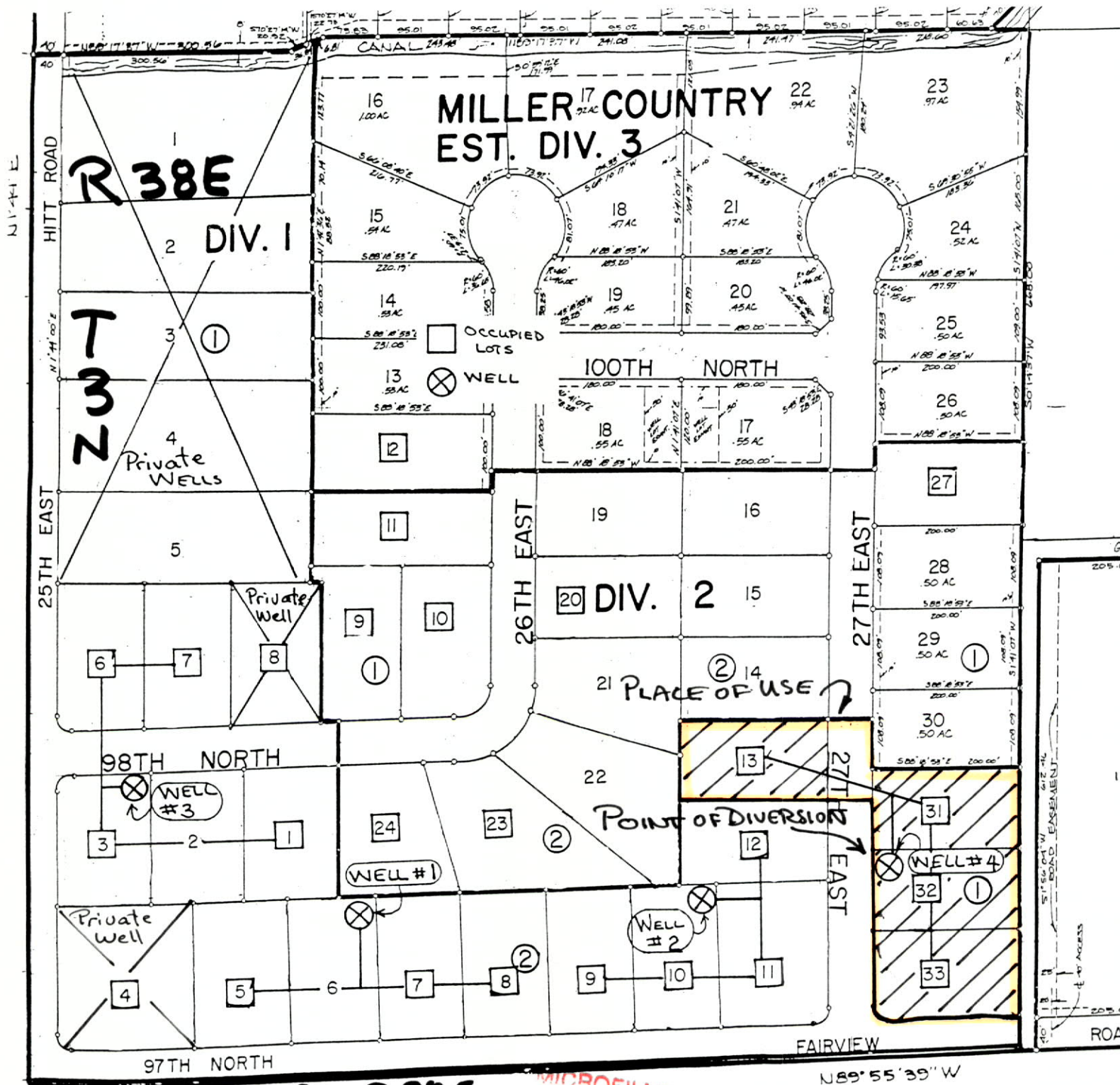
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: 30-50 psi

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JUN 11 2001

25-7639



SWSW SEC 15, T3N, R38E
WELL # 4

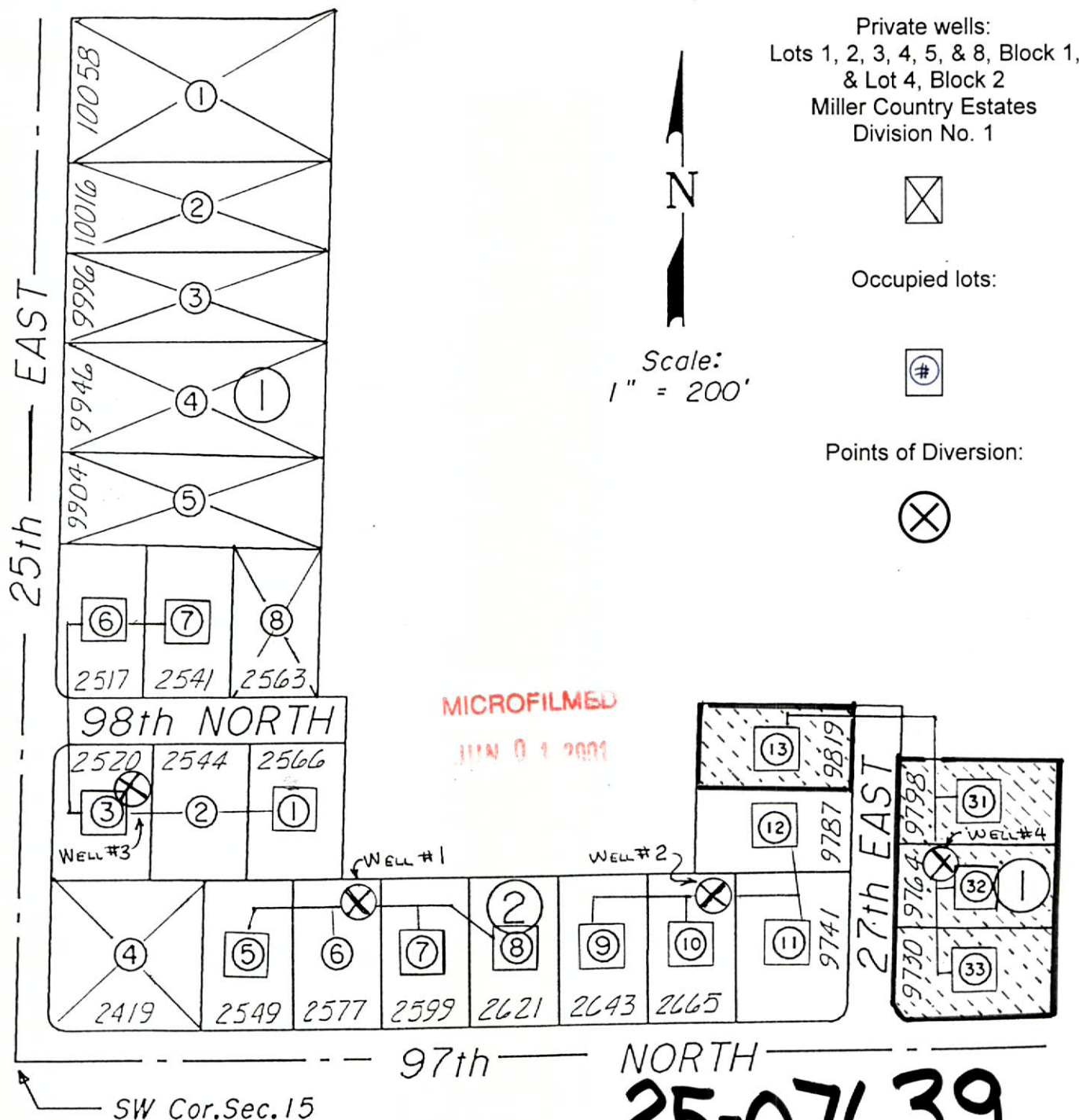
MICROFILMED
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25-07639

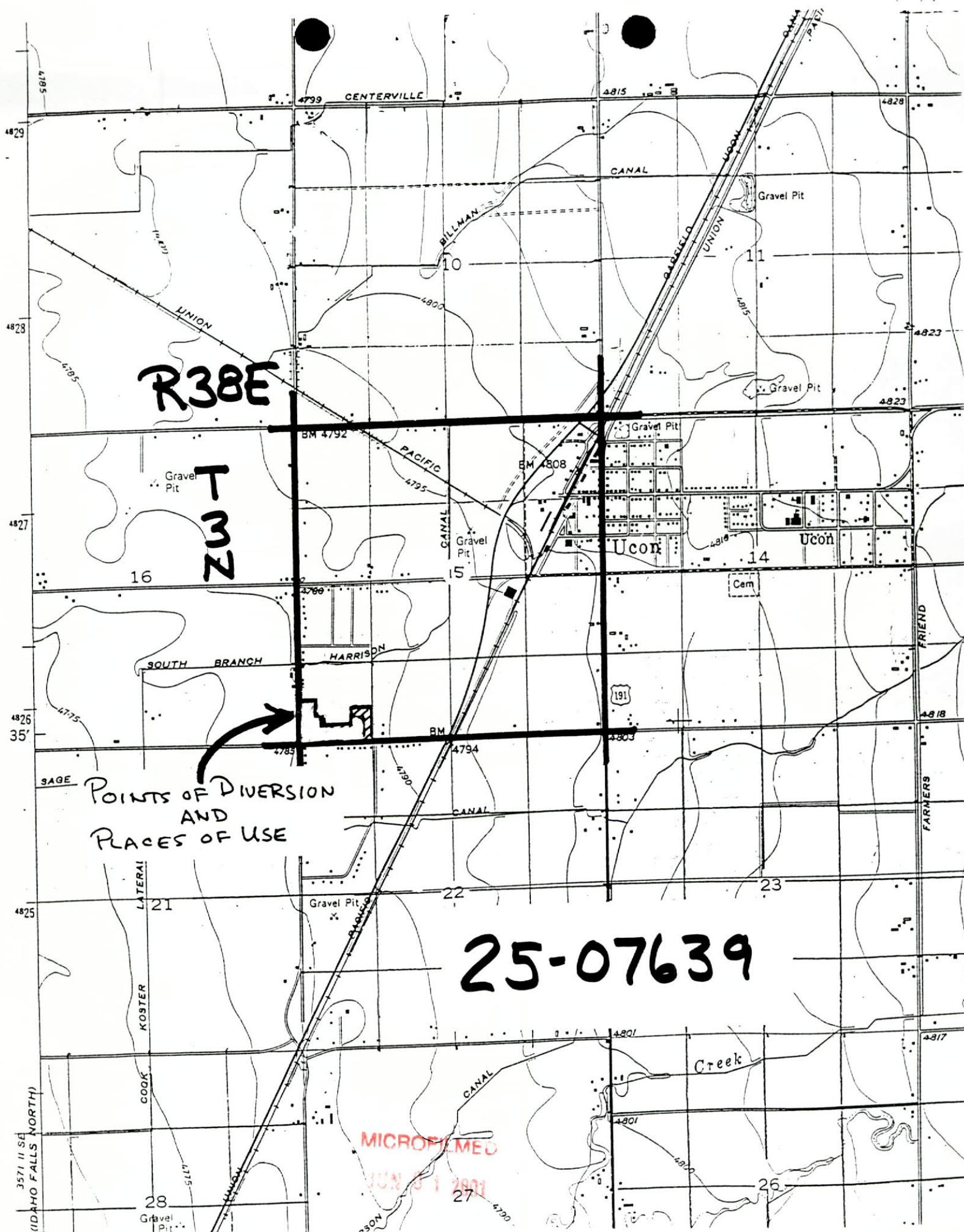
BONNEVILLE COUNTY
ENGINEERING DEPARTMENT

MILLER COUNTRY ESTATES
DIVISION NO. 1

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



25-07639



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 25-07639

Priority: April 25, 1995

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

It is hereby certified that ROBERT D SANDERS
9819 N 27TH E
IDAHO FALLS ID 83401

MARK C EVANS
9798 N 27TH E
IDAHO FALLS ID 83401

BRIAN W TAYLOR
9764 N 27TH E
IDAHO FALLS ID 83401

KENT H SAWYER
9730 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				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 38E 15											X						

CONDITIONS OF APPROVAL

1. Point of diversion is located within Lot 32, Blk. 1, Miller Country Estates Subdivision #1.

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State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 25-07639

2. Place of use is located within Lots 31-33, Blk. 1, and Lot 13, Blk. 2, Miller Country Estates Subivision #1.
3. Domestic use is for 4 homes.
4. 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 right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.

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 14th day of September, 2001.

Acting for

KARL J. DREHER
Director

MICROFILMED

OCT 02 2001

November 26, 1999

For Office Use Only
\$25 filing fee \$25 -
Receipt # 5026672
Date 4-30-01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

ASSIGNMENT OF PERMIT
To change the ownership of a permit

MAY 4 2001

DEPARTMENT OF WATER RESOURCES

I, Lowell G Miller, hereby assign to see attached list
of, 2519 E 91st N Idaho Falls ID 83401 208-523-9135
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 25-07639 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

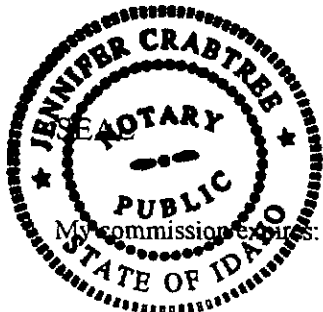
The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount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

Made this 30 day of Apr, 20 01

Lowell G Miller
Permit Holder(s)

State of Idaho)
County of Bonneville)ss

On this 30th day of April, 20 01, 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

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) 25-07639 (well #4)
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
2519E 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 _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
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.

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JUN 11 2001

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

42-381 50 SHEETS 5 SQUARE
42-382 100 SHEETS 5 SQUARE
42-389 200 SHEETS 5 SQUARE

Kent H. Sawyer
9730 N. 27th E

JUN 01 2001

BUT T-12232

926988

JOINT WATER SYSTEM AGREEMENT

Well #4

THIS AGREEMENT is made the 27th day of August, 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 31, 32 and 33, Block 1, and Lot 13, Block 2, Miller Country Estates, Division No. 1, Bonneville County, Idaho, per the recorded plat thereof.

RECITALS:

- A. There exists on Lot 32, a domestic water well, pump, and related equipment.
- B. Running from said well located on Lot 32, is a water line to each of the four Lots described above.
- C. Thereby, one well, pump, and pressure system services 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 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 32, 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 individual 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 Lot Owners shall have equal responsibility and will be charged with an equal amount of each Lot of the cost of maintenance, repair, operation, and replacement of necessary parts, comprising said 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 costs of their individual pipelines leading from the pressure tank or pump to their own individual homes.

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JUN 01 2001

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, and/or 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 the 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
Lowell G. Miller

Lavina H. Miller
Lavina H. Miller

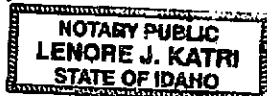
STATE OF IDAHO)

) SS.

COUNTY OF BONNEVILLE)

On this date, August 27th, 1996, before me, the undersigned, a Notary Public in and for the State, personally appeared Lowell G. Miller and Lavina H. Miller, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

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



Residing at Idaho Falls, Idaho;
My Commission Expires Jan. 28, 1997

Lenore J. Katri
NOTARY FOR THE STATE OF IDAHO
Commission Expires: 1/28/97

INSTRUMENT NO.	926988
DATE	8-27-96
INST. CODE	810
FICHE NO.	11675-38
FEE	6-
STATE OF IDAHO	)
COUNTY OF BONNEVILLE	) ss
I hereby certify that the within	
instrument is a true and correct	
copy of the original as the same	
was presented to me for recording.	
By <u>Paula Bellinger</u> Deputy	
Requester	

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JUN 01 2001

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. 25-07639 Telephone No. (208) 523-9135
2. Name(s) of Permit Holder(s): Lowell Gilbert 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: Jody Denning Drilling Permit Number: 25-96E-0058-000
- b. **OPTIONAL:**
Pump Horsepower: 3 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: \$ 50⁰⁰ (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 Date: 9-28-98
(include your title, if on behalf of company or organization)

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NOV 24 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 25-07639

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 30-33, Blk. 1, 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

Karl J. Dreher

for Karl J. Dreher, Director

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JUN 14 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 25-2639

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

1. Name of applicant Lowell Gilbert Miller Phone 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 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____

Sec. 15 Township 3 N Range 38 E B.M. Bonnaville 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. _____

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

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

Well was drilled for (well owner) _____

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).

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 4
- e. Other; describe fully. Each home will have 1/2 Ac or less of irrigation in conjunction with each single family domestic home

9. Description of place of use:

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

TWP	RANGE	SEC.	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

11. a. Who owns the property at the point of diversion? L. G. Miller
- b. Who owns the land to be irrigated or place of use? L. G. Miller
- 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: Denning well driller

RECORDED
JUN 27 1993

T3N R38E
Sec 15

Miller Country Estates
Division #1 Phase #1
Block #1
Lot Nos. 30, 31, 32, 33

RECORDED

RECEIVED
JUN 27 1995

Lowell G Miller
(Applicant)

Received by HUJ Date 4-25-95 Time _____ Preliminary check by _____
Fee \$ 50.00 Received by HUJ # E020945 Date 4-25-95
Publication prepared by LB Date 5-11-95 Published in Post-Register
Publication approved LB 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:

RECEIVED

JUN 27 1995

Brian Taylor

208-525-8021

Angela Bye

25-7639

200 S Heath Ln #6

27 83401



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

March 8, 2002

ANGELA BYE
9764 N 27TH E
IDAHO FALLS ID 83401

RE: Water Right 25-07639

Dear Ms. Bye:

We have been advised that you may be the current owner of a portion of the property that has recently been licensed as referenced above.

Before we can modify our records to reflect your ownership of the property and the water right referenced above, we need to have a Notice of Change in Water Right Ownership form completed and returned with the appropriate filing fee. I have enclosed a copy of this form for your convenience. Also enclosed is a copy of the Water Right License.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

A handwritten signature in cursive script, reading "Kari Lynn Townsend".

Kari Lynn Townsend
Secretary

KLT:k

Enclosures



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

September 17, 2001

ROBERT D SANDERS
9819 N 27TH E
IDAHO FALLS ID 83401

BRIAN W TAYLOR
9764 N 27TH E
IDAHO FALLS ID 83401

MARK C EVANS
9798 N 27TH E
IDAHO FALLS ID 83401

KENT H SAWYER
9730 N 27TH E
IDAHO FALLS ID 83401

RE: License No. 25-7639 - 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.

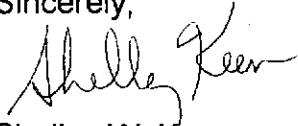
Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

MICROFILMED

OCT 02 2001

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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OCT 02 2001

CERTIFICATE OF MAILING

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

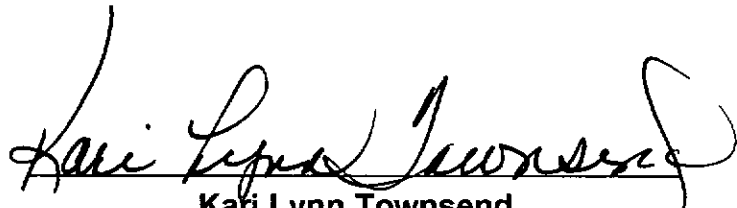
RE: WATER RIGHT NO. 25-7639

**ROBERT D SANDERS
9819 N 27TH E
IDAHO FALLS ID 83401**

**MARK C EVANS
9798 N 27TH E
IDAHO FALLS ID 83401**

**BRIAN W TAYLOR
9764 N 27TH E
IDAHO FALLS ID 83401**

**KENT H SAWYER
9730 N 27TH E
IDAHO FALLS ID 83401**


Kari Lynn Townsend
Secretary

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OCT 02 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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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.

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OCT 02 2001

Comment Report

25-7639

1. skeen 9/12/2001 License Review

Comment: License review by S. Keen on 9/12/2001.

2. VAULT 10/6/1998 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

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OCT 02 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

ROBERT D SANDERS
9819 N 27TH E
IDAHO FALLS ID 83401

MARK C EVANS
9798 N 27TH E
IDAHO FALLS ID 83401

BRIAN W TAYLOR
9764 N 27TH E
IDAHO FALLS ID 83401

KENT H SAWYER
9730 N 27TH E
IDAHO FALLS ID 83401

RE: Change of Ownership for Water Right 25-7639

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

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JUN 01 2001

RECEIVED

APR - 9 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 25-07639
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 32 Block ¹ Miller Country ESTATES (9764N 27E) ^{DIV 1}

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
<u>4</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 ESTATES Indicate Method of Determination ON SITE/Subdivision Plat

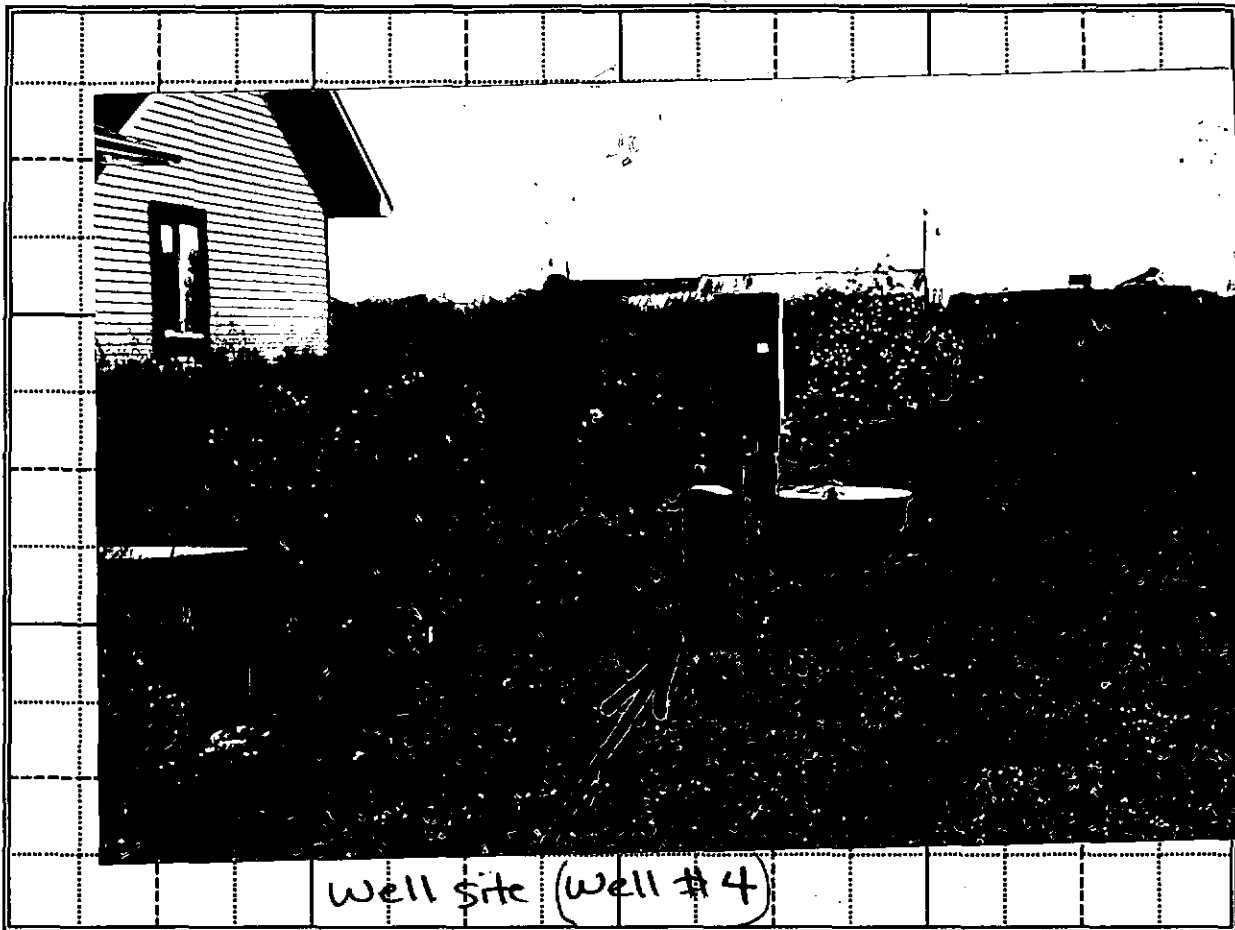
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	38E	15																	

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APR 9 2001

25-07639

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
4	Franklin Electric	3			

*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 11 2001

25-7639

E. NARRATIVE/REMARKS/COMMENTS

Well pump pressure tanks with mainline to 4 single Domestic Homes

POINT OF DIVERSION LOCATION AKA: Lot 32, Block 1 Subdivision #1
Miller Country Estates

PLACE OF USE LOCATION AKA:		Miller Country Estates		
STREET ADDRESS	Lot #	Block #	SUBDIVISION	
9819 N 27 E	13	2	#1	✓
9798 N 27 E	31	1	#1	✓
9764 N 27 E	32	1	#1	✓
9730 N 27 E	33	1	#1	✓
			#1	

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

All Lots occupied

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

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JUN 01 2001

25-7639

F. FLOW CALCULATIONS

Measured Method:

☒ Additional Computation Sheets Attached

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses: *# of Homes (Lots)*

$$V_{\text{DOM}} = 1.2 \text{ cfs} (4) = 4.8 \text{ cfs}$$

H. RECOMMENDATIONS

1. Recommended Amounts

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

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**I. AUTHENTICATION**

Field Examiner's Name

Keith C Wilson

Date

8-23-1999

Reviewer

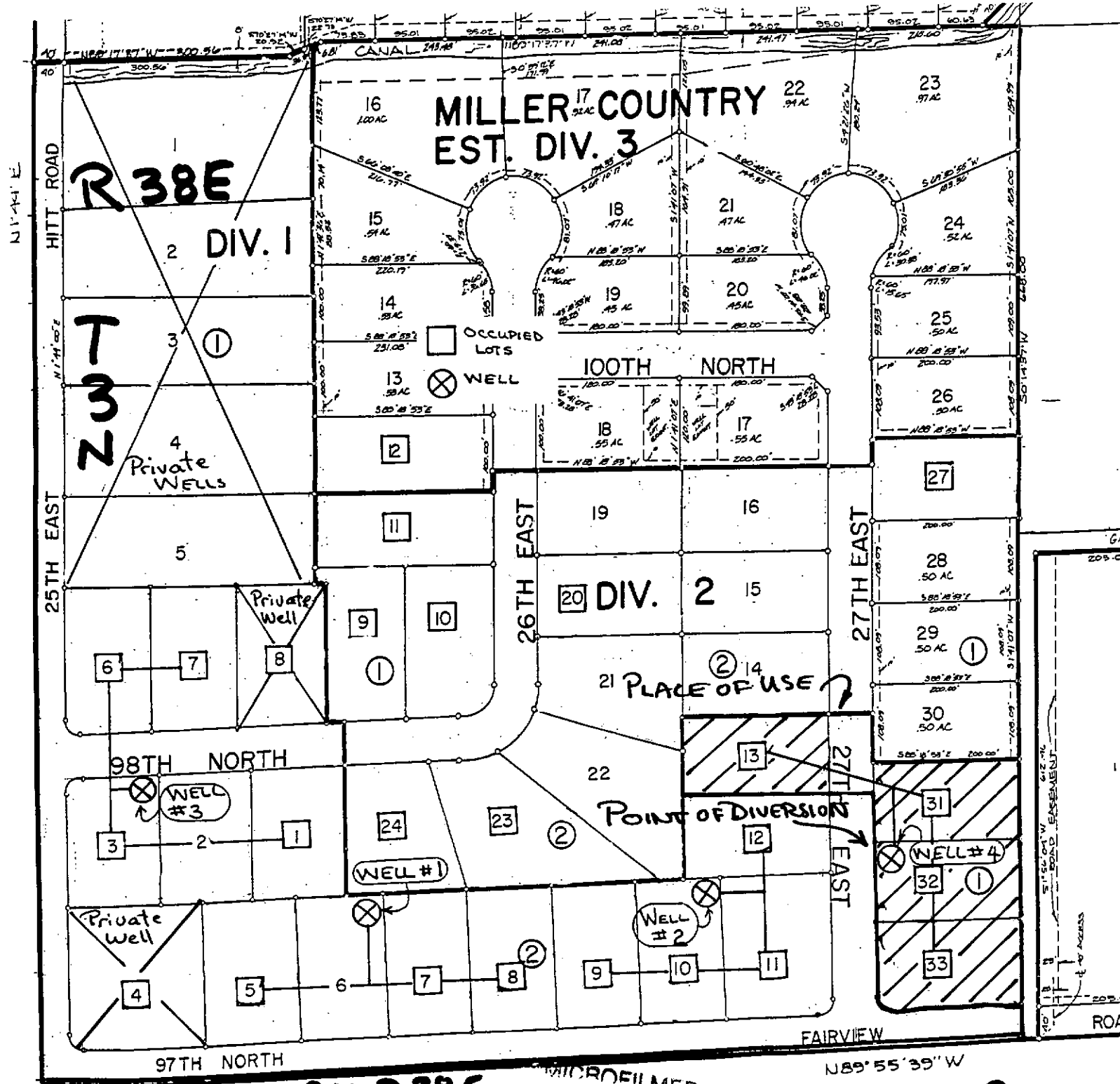
Date

SEAL

MICROFILMED

JUN 01 2001

25-7639



SWSW SEC 15, T3N, R38E
WELL #4

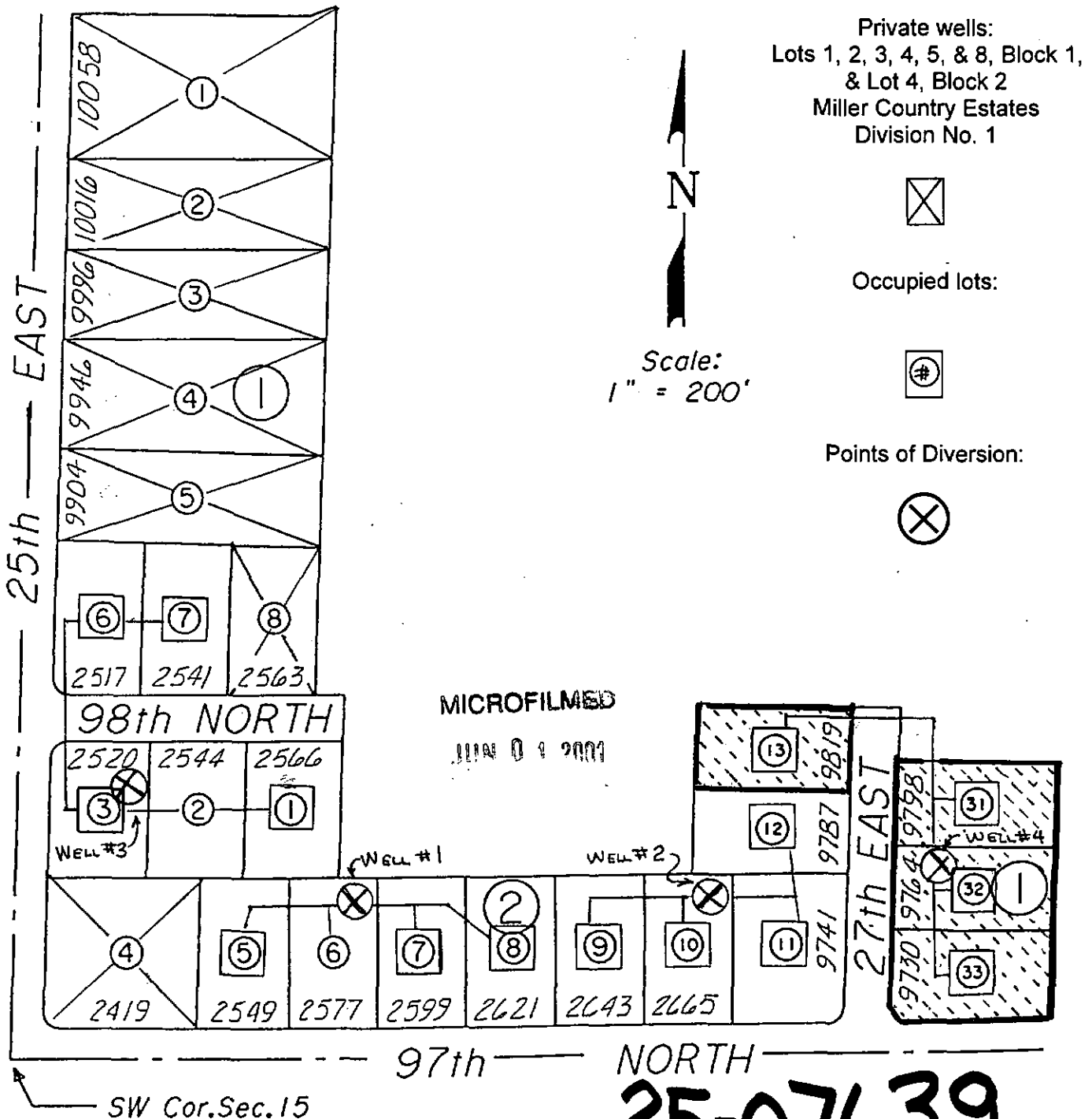
MICROFILMED
JUN 01 2001

25-07639

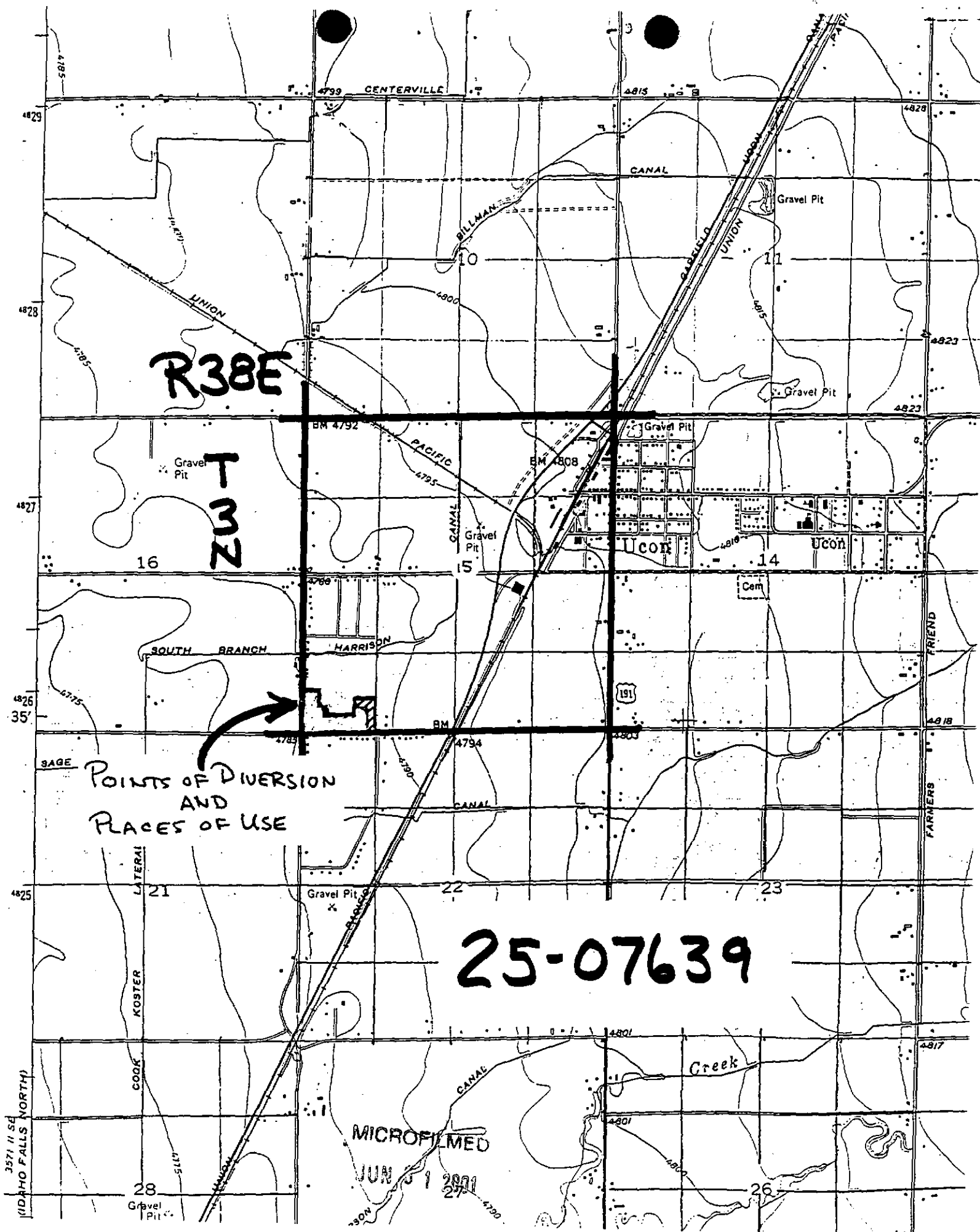
BONNEVILLE COUNTY
ENGINEERING DEPARTMENT

MILLER COUNTRY ESTATES
DIVISION NO. 1

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



25-07639



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 = 110 ft.
Assumed Draw down = + ft.
Lift =

OR

Measured Dynamic Water Level = ft.

psi = Operating Pressure = 30 psi

$$Q_{cfs} = [\frac{3}{Hp} \times 8.814 \times \frac{0.70}{Eff}] \div [\frac{110}{Lift} + (\frac{30}{psi} \times 2.308)]$$

$$Q_{cfs} = [\underline{18.5}] \div [\underline{179.2}]$$

$$Q_{cfs} = \underline{0.103} \text{ cfs} \approx 0.10 \text{ cfs}$$

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JUN 01 2001

PERMIT NO. 25- 7639

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 25-67639 Reviewed by Gay Date 11-10-98

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

dom-multiple

Correct Uses? yes

SOURCE OF WATER

 Surface water source

☒ Ground water source

yes Drilling permit required?

NO Copy in the file?

200- Amount paid for permit

NO Well log in the file?

Drilling Permit No. 25-96-E-2 5-000

yes Correct? ⁰⁰⁵⁸

LICENSE EXAMINATION FEE

yes Required?

50- Amount Submitted

yes Correct?

MEASURING DEVICE

NO Required?

 Installed?

 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>
Date proof due	<u> </u>
No. of days late	<u> </u>
Priority Date	<u> </u>
New Priority Date	<u> </u>

X

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address X

Proof Made 9-28-98



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. 25-07639

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,

A handwritten signature in cursive script, reading 'Julie L. Yarbrough'.

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

NOV 24 1998



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

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 25-7639 Name: Miller Date: 6/19/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: 8026945 Priority: 4/25/95 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes ESRP Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)
SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17
GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
- 0.2 cfs - No MD
+ 5 a. (POU cmp) - 01M, 803(if GW use SW 1st)
Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)
SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink):
Water District(~~dem~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J-P08 or 01M
- 0.2 cfs - 01H-P01 or No MD
+ 5 a. irr. - 01M (POU cmp)
~~In~~WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
+ 5 a. irr. - 01M (POU cmp)
RIVER BASINS (*Surface water):
Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if ~~WD~~), 11E (not 42-111 use), NA
Payette R (65) - 064(consump. use), 047-P04(Payette Lake), NA
USE:
Domestic (surface) - 021(Boise R + L Peak); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr - 5 acres - 057 (0.03 cfs/A)
+ 5 acres - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA
LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - C <SEE CONDITION CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), ~~NA~~
Non-Trust <1> - 048-049 (Consumptive Uses), NA
OWNERSHIP: Non-land owner - 004 (PD/PU)
OTHER CONDITIONS: _____
STANDARD REMARKS: Bkl. Contain
① w01/4 ② P14 = LT 30-33, Miller, Estates Division 1
③ w04 ④ w05
BENEFICIAL USE DUE: 7-1-1995
COMMENTS: _____

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 HWJ DATE 4-27-95 APPLICATION NO. 25-7639
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

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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
☐ Yes ☒ No 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
 _____ Idaho Dept. of Fish & Game _____ U.S. Forest Service
 _____ Idaho Dept. of Lands _____ Water District
 _____ Adjudication Bureau Unit _____ Other

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation District
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Division of Environment	<u> </u> Other

Project impacts/implications report

COMMENTS

[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: NWSNW 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

RECORDED

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
....., first being duly sworn, depose and say: That I am the
..... 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 Magrann
Notary Public

My commission expires July .1 1997..

B10

RECEIVED
JUN 27 1995

RECEIVED
JUN 27 1995

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

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