RECEIVED
MAR 31 1971
Department of Water Administration

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that John W. Miller, Route 1, Melba, Idaho, has received an approved Permit No. G-33481/-63-3584 issued by the Idaho Dept. of Water Administration authorizing the diversion of 2.4 cubic feet per second of water from a ground water source. The priority to be established under this permit is February 21, 1967, and the permit was approved February 23, 1967.

Water is to be diverted by well, pump and sprinkler system from a point near the center of the E1/2E1/2 of Sec. 21, T. 1N, R. 2 W, B.M., Canyon County, to be used for irrigation purposes in the E1/2NE1/4, E1/2SE1/4, Sec. 21, T. 1N, R. 2W, B.M.

Proof of application of the water to beneficial use was submitted to the Department on March 1, 1971. Any protest against the issuance of a license for the above referenced permit must be filed with the Idaho Dept. of Water Administration, Statehouse, Boise, Idaho, within 10 days of the last date of publication of this notice or prior to the licensing of the permit.

R. KEITH HIGGINSON
Director

March 18, 25, 1971

CR 3-30-71

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
) ss.
County of Canyon.)

Verla Harker
of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

March 18,25, 1971

Verla Harker

Subscribed and sworn to before me this

25th day of March, 19 71.

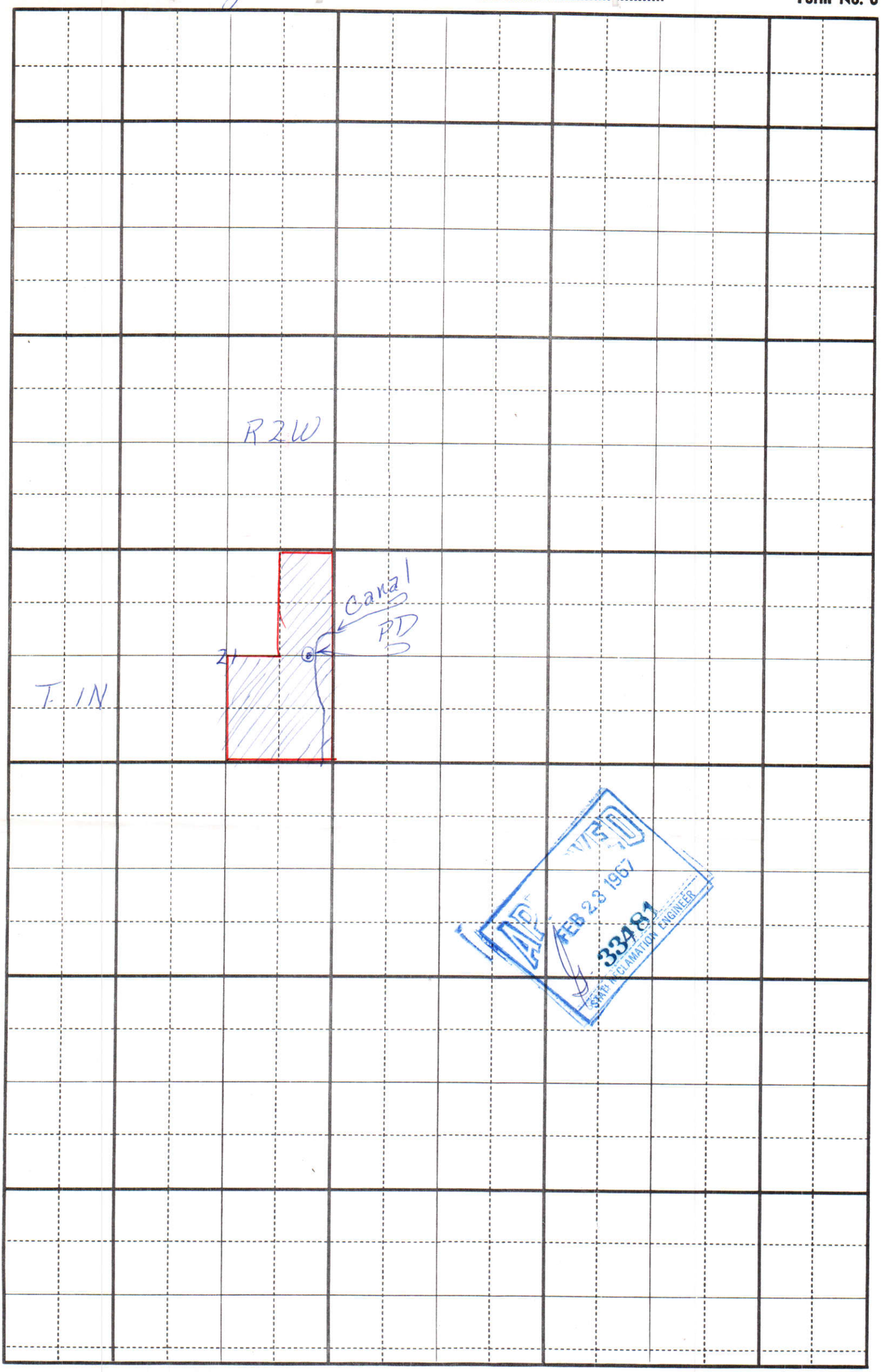
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES JUNE 23, 1971

63 3584

NAME OF APPLICANT John W Miller

Form No. 0



APPROVED
FEB 23 1967
33481
STATE RECLAMATION ENGINEER

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

G 33481

Canyon County

63 3584

R. 2 W.

T. 1 N.

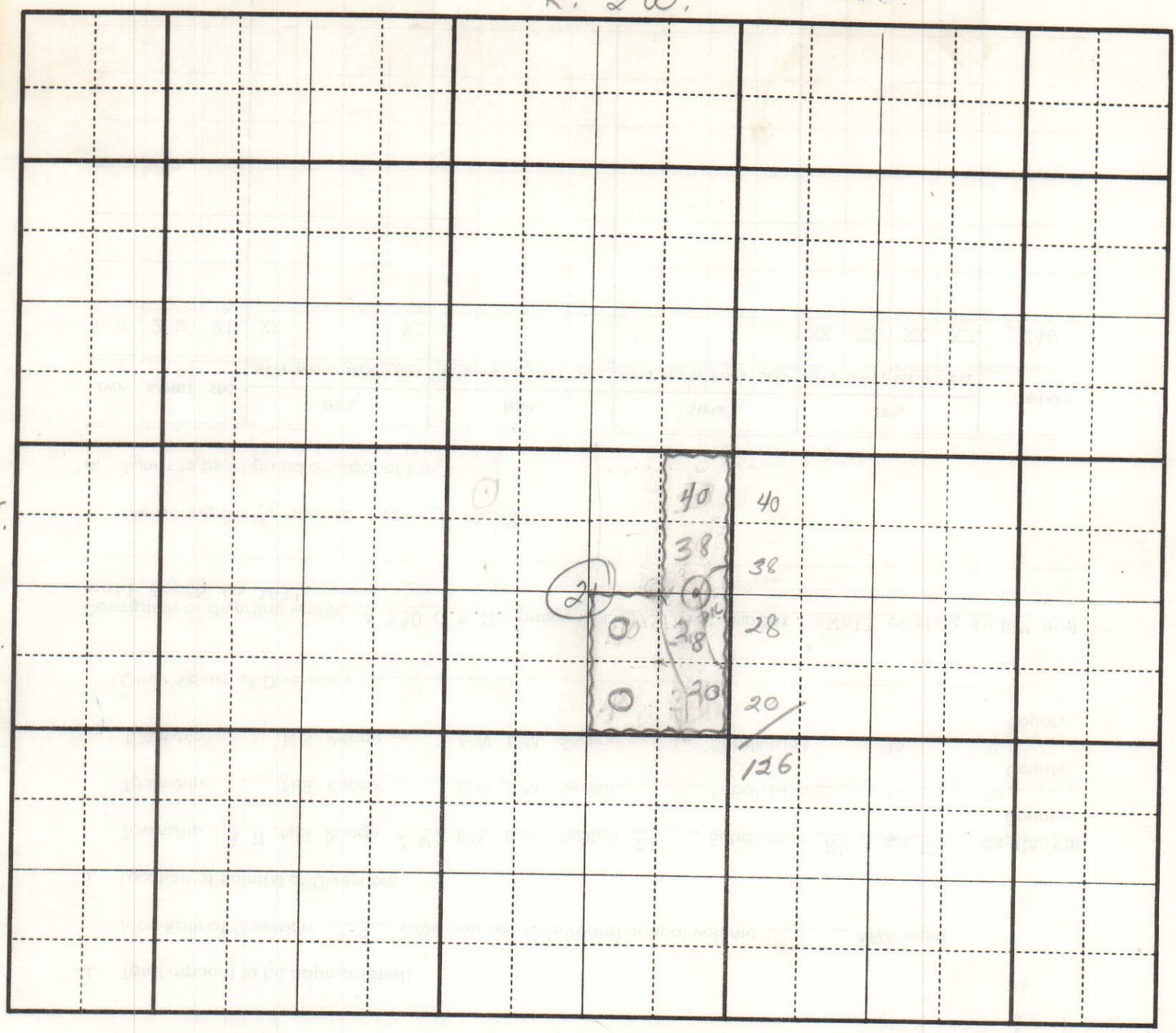
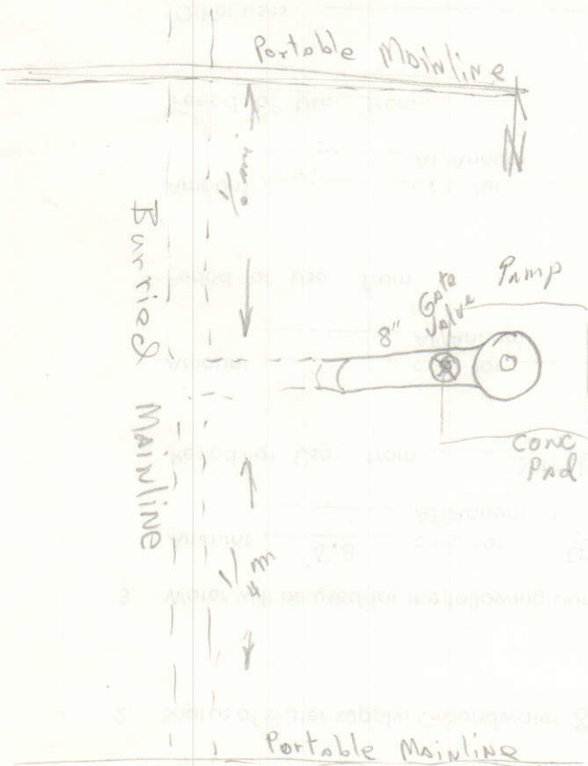
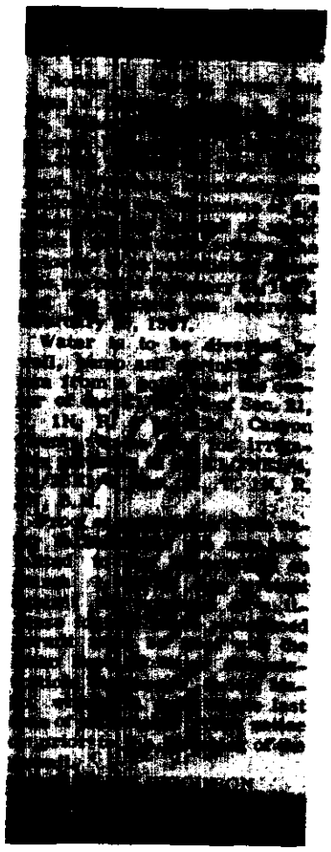


Diagram of System





AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
) ss.
County of Canyon.)

Verla Harker
of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

CR
3-30-71

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

March 18, 25, 1971

Verla Harker

Subscribed and sworn to before me this

25th day of March, 19 71.

Notary Public, Residing at Nampa, Idaho

My commission expires June 23, 1971

63 3581

Identification No. _____

Permit No. G-33481

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder John W. Miller

   b) Post Office Address Melba, Idaho 82641

2. Permit Number G-33481

3. Date of Priority that you are prepared to establish February 21, 1967

4. a) Source from which water was appropriated Ground water, well, pump, sprinkler system.

   b) Location of the point of diversion: E½E½ ~~XX~~ ~~XX~~ Section 21

   Township 1 North, Range 2 West Boise Meridian, Other points of diversion: Near the center of the said E½ of the E½ as aforesaid.

5. a) The amount of water and use to which the water has been applied:

   amount 2.4 cfs for irrigation purposes from March 1 to Nov. 1 incl.
   (cfs and/or acre feet per annum) (Month-Day) (Month-Day)

   amount _____ for _____ purposes from _____ to _____ incl.
   (cfs and/or acre feet per annum) (Month-Day) (Month-Day)

   amount _____ for _____ purposes from _____ to _____ incl.
   (cfs and/or acre feet per annum) (Month-Day) (Month-Day)

   b) Total amount appropriated 2.4 cfs and/or acre feet per annum

   c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Pump test - volume measurement. Test was made by Layne Pump Co., who are in the business of well testing and selling and servicing pumps.

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

   a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____

   b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Breifly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give breif description of diversion structure and/or canal or ditch) a 720 G.P.M. pump with 75 h.p. motor. Well casing is 16" and well depth is 365'

   b) Describe the type and size of measuring device which you have installed at your point of diversion: through an 8" orifice.

   c) Give well drillers name and address and date the well was completed E. D. Johnson, Oreana, Idaho. May 24, 1967.

Exam typed 5-3-71. (ER)

63 3584

63 35[illegible]

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use irrigation only.

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	3W	21	40			30*									20**			20	*Supp. 10A **Supp. 5 A

Total number of acres irrigated 125

10. Remarks: Original application was for 4.8 cfs and for approximately double the acreage, however 2.4 cfs and 125 acres are total amount of water and acreage now covered.

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

February 23rd, 1971. (Date)

John W Miller (Signature)

State of Idaho)
ss.
County of Canyon)

On this _____ day of February, 19 71, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Joan M. Remington
Notary Public residing at Nampa, Idaho

My commission expires 3/1/72

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33481/63-3584 Priority Feb. 21, 1967 Amount 2.19 cfs

THIS IS TO CERTIFY, that JOHN W. MILLER of Melba, Idaho, has complied with the terms and conditions of Permit No. 33481/63-3584 issued pursuant to Application for Permit dated February 21, 1967, and has submitted proof to the Department of Water Administration on March 1, 1971, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity of 2.19 cfs, and that the water has in fact been applied to a beneficial use; a right to the use of water from a ground water source tributary of _____, is hereby confirmed in the following amounts:

Amount 2.19 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 2.19 cfs of water be diverted at any one time, said waters to be diverted within the

SE¼NE¼ Sec. 21, Twp. 1 N, Rge. 2 W, B.M.

in the county of Canyon; and that the amount of water so diverted and to which such right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can actually be beneficially used and shall not exceed 567 acre feet per year or _____ 4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1 N	2W	21	40			38									28			20	126

Total number of acres irrigated 126

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6TH day of February, 19 73.

Director

63 3584

✓ G 33481

63-3584

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41721
Permit No. G- 33481
District No.

1. **Name of Applicant:** John W. Miller

   Postoffice address: Route #1, Melba **County:** Canyon **State:** Idaho

2. **Quantity of water claimed:**

   (a) **Rate of withdrawal in cubic feet per second** 4.8 **or Idaho Miners' inches or gallons per minute**

   (b) **Annual withdrawal in acre feet per annum**

3. **Source of water supply:** Subterranean

4. **Location of point of diversion or well is** ~~in the~~ / near the center of the E½E½ ~~¼ of the~~ ~~¼ of~~ Section 21

   Twp. 1 N **, Rge.** 2 W **, B.M., County of** Canyon

5. **Water is to be used for:** irrigation

6. **If for municipal, industrial or recreational purposes, give:**

   (a) **Point of use of water is in the ¼ of the ¼ of Section , Twp. Rge. , B.M.**

   (b) **Waste water or sewage effluent is to be returned to at a point in the ¼ of the ¼ of Section , Twp. , Rge. , B.M.**

7. **Kind of works:** well, pump and sprinkler system

8. **Estimated cost of works: $** 20,000.00

9. (a) **Is reservoir to be used?** no

   (b) **Capacity of reservoir:**

10. **The time required for the completion of such work and complete application of the water to the proposed use is years.** 5

11. **If applicant is a corporation, give:**

   I. (a) **Date and place of incorporation:**

   (b) **Amount of capital stock: $** (c) **Amount paid in: $**

   (d) **Names and addresses of directors:**

   II. **The financial resources of the applicant are (a) Cash on hand: $**

   (b) **Treasury stock:** (c) **Bonds to be issued:**

   (d) **Other resources:**

12. **The land to be irrigated is described in the following tabulation:**

13. **Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:** Boise-Kuna water on 16 acres below the canal.

   (a) 16 ~~(cubic feet per second~~ inches ~~or gallons per minute)~~ **of the water herein applied for is to be supplemental to the existing water rights.**

   (b) 224 ~~(cubic feet per second~~ inches ~~or gallons per minute)~~ **is for new lands.**

V

Remarks:

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.

/s/ JOHN W. MILLER *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation: February 21, 1967 10:20 A.M.

Returned to applicant for correction:

Correction application received:

Approval of State Reclamation Engineer

The number of this permit is G— 33481

Recorded in Book 117 Page 33481 Approved February 23, 1967.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of $ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before August 23, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before February 23, 1972

Witness my hand this 23rd day of February, 1967. /s/ R. KEITH HIGGINSON
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, DON SAMUELSON, Governor of the State of Idaho, and EDSON H. DEAL, Secretary of State of the State of Idaho, have caused this instrument to be executed in the named of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 23rd day of February, 19 67

Countersigned: STATE OF IDAHO

(SEAL)

By /s/ EDSON H. DEAL
Secretary of State

By /s/ DON SAMUELSON
Governor

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1 N	2 W	21	X			X									X	X	X	X	240

LICENSE ISSUED FOR 17 SEC. FT.
LICENSE PAGE NO.

Form No. 3
5 M-1-65

Address all communications to:

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G 41721

Permit No. G 33481

Water District No.

RECEIVED
FEB 21 1967
10:20 A.M.
Department of Reclamation

1. Name of applicant: John W. Miller

Post office address Rt 1 Melba County Canyon State Idaho

2. Quantity of water claimed: 4.0 cfs

3. Source of water supply: Subterranean

4. Location of point of diversion or well is ~~in the~~ near the center of the E½ E½ ~~¼ of the~~ ¼ of Section 21

Twp. 1N, Rge. 2W, B.M., County of Canyon

5. Water is to be used for: Irrigation

6. If for domestic, municipal, industrial or recreational purposes give:

(a) Point of use of water is in the ¼ of the ¼ of Section,

Twp., Rge., B.M.

(b) Waste water or sewage effluent is to be returned to

at a point in the ¼ of the ¼ of Section, Twp., Rge., B.M.

7. Kind of Works: Well, Pump, & sprinkler System

8. Estimated cost of works: $ 20,000.00

9. (a) Is reservoir to be used? No

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock $ (c) Amount paid in: $

(d) Names and addresses of directors:

G 33481

(Continued)

II. The financial resources of the applicant are: (a) Cash on hand: $_____

(b) Treasury stock:_____ (c) Bonds to be issued:_____

(d) Other resources:_____

12. The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision)

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	2W	21	X			X									X	X	X	X	240

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Boise-Kuna water on 16 Acres below the canal

(a) 16 (~~Cubic feet per second~~, inches or ~~gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.

(b) 224 (cubic feet per second, inches or gallons per minute) is for new lands.

G33481

Remarks:

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.

John W Miller
Applicant

By_____, Agent

G 33181

DCU

Approval of State Reclamation Engineer

The number of this permit is G 33481

Recorded in Book 117 Page 33481 Approved FEB 23 1967

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of $_____ to be filed before _____

One-fifth of the work above specified to be completed on or before August 23, 1969
The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before February 23, 1972

Witness my hand this 23rd day of February 19 67.

R. Keith Higginson
State Reclamation Engineer

IN TESTIMONY WHEREOF, We DON SAMUELSON, Governor of the State of Idaho, and EDSON H. DEAL, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 23rd day of February, 19 67.

Countersigned:

By Edson H. Deal
Secretary of State

STATE OF IDAHO

By Don Samuelson
Governor.

No. G 33481

PERMIT

Date of first receipt at office of State Reclamation Engineer: February 21, 1967 10:20 A.M.

Returned to applicant for correction

Corrected application received

Fees, $ 6.00

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. $5.00

For each additional Sec. Ft. or Fraction Thereof ..... .25

G 33481

NAME OF APPLICANT John W Miller

Form No. 0

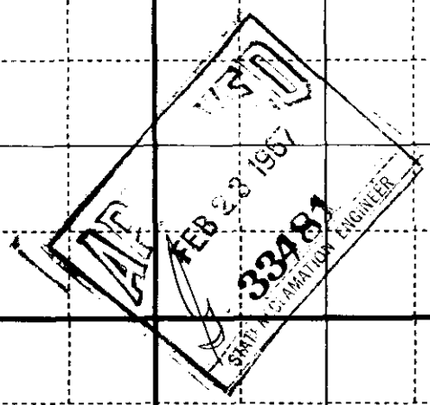
R2W

Canal

PD

24

T. 1N



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

33481

February 7, 1973

Re: Permit No. 33481/63-3584

Mr. John W. Miller
Route # 1
Melba, Idaho 83641

Dear Mr. Miller:

Enclosed is a copy of the Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

63 3584

January 22, 1973

Mr. John W. Miller
Route # 1
Melba, Idaho 83641

Dear Mr. Miller:

A representative of this Department has made an examination of the works covered by your Permit No. 33481/63-3584 and has found the following:

Quantity of water diverted: 2.19 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 2.19 cfs

The maximum quantity diverted shall not exceed 567 acre feet per year.

Beneficial use: Irrigation of 126 acres within the E½NE¼ (78), E½SE¼ (48), Sec. 21, Twp. 1N, Rge. 2W, B.M.

Point of diversion: SE¼NE¼, Sec. 21, Twp. 1N, Rge. 2W, B.M.

Priority date established: Feb. 21, 1967

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

63 3581

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

Permit No. G-33481/63-3584

Examination for B/U

1. Name of permit holder John W. Miller

Post office address Route #1, Melba, Idaho Phone _____

Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ Subterranean
(name spring, stream, etc.)

Tributary to _____

3. Water will be used for the following purposes:

Amount 4.8 c.f.s. for Irrigation
_____ AF/Annum (nature of use)

Period of Use: from March 1 to November 1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 4.8 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 1 N N/S, Range 2 W E/W, B.M., Section 21, Subdivision E½ ~~XX~~ E½ ~~XX~~, Canyon County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ ¼ _____ ¼, _____ County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ ¼ _____ ¼, _____ County

Other Points of Diversions: _____

Description of diverting works: A 720 G.P.M. pump with 75 h.p. motor. Well casing is 16" and well depth is 365'.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1 N	2 W	21	XX			XX									XX	XX	XX	XX	240

TOTAL ACREAGE 240

63 3584

CANYON COUNTY

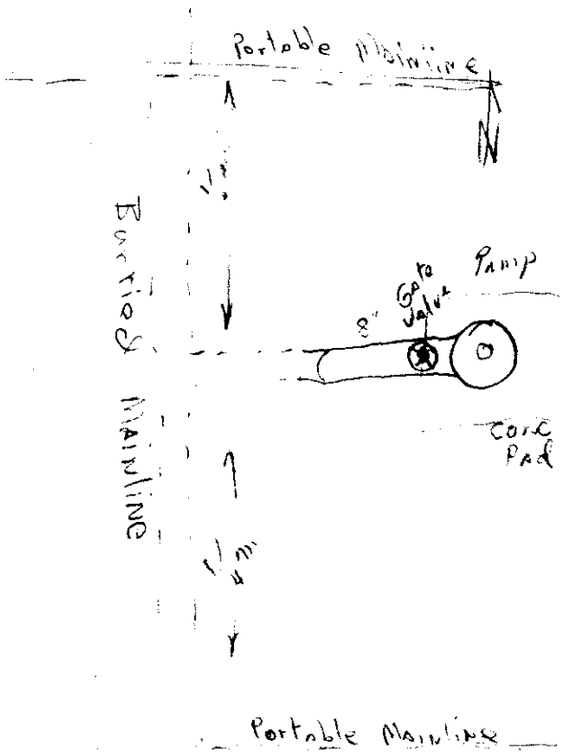
R. 2 W.

63 35[illegible]

T. 1 1.

40
38
28
20
126

Diagram of System



DATE OF EXAM JUNE 24-71

ACREAGE
Found 126
Recommended 126

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q= 2.19 c.f.s. V= 567.0 AF/Ann. from MARCH 15 to NOV. 15
Domestic Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Livestock Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____

Is water co-mingled? yes____ no ✓

Name source: GROUND
twp. 1 (N)S, Rge 2 (E)W, B.M., Sec. 21, Sub. SE ¼ NE ¼ CANYON County

Exchange? yes____ no ✓

Name source exchanged with: _____
twp._____N/S, Rge_____E/W, B.M., Sec._____, Sub._____¼_____¼_____ County

Point of injection:
twp._____N/S, Rge_____E/W, B.M., Sec._____, Sub._____¼_____¼_____ County

Point of exchange:
twp._____N/S, Rge_____E/W, B.M., Sec._____, Sub._____¼_____¼_____ County

Total Q measured 2.19 Method of measurement PITOT GAUGE

Total Q recommended 2.19 Meter No._____ Type_____ Condition _____

Total V recommended 567.0

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
(None) _____

MEASUREMENT CALCULATION:
USED PITOT GAUGE · 170 HEADS 9/64" NOZZEL 5.82gpm/PER HEAD
170 X 5.82 = 989.4 989.4 ÷ 450 = 2.19 c.f.s.

SYSTEM DESCRIPTION:
US Motors Hollowshaft Pump Motor · 75 H.P. · 3Ph. · 60 CYCLE 220/440 Volt · 1770 R.P.M. SER No. · 4024208 · VERTALINE · Pump · 720 gpm 355° · SER No. D17084 product of LAYNE & BOWLER

REMARKS:
8" DISCHARGE RUNS 10' WEST TO UNDERGROUND MAINLINE EQUIPPED WITH 8" GATE VALVE.
AMENDMENT ACTUALLY NOT NEEDE BUT P.D. DOES APEAR IN SE¼ NE¼ SE 21

Examiner's Signature Rex & Jim Date JUNE 24-71

Checked by nfl Date 7-1-71

Approved by _____ Date _____

63 3584

March 31, 1971

Re: Permit No. G-33481/63-3584

John W. Miller
Route 1
Melba, Idaho 83641

Dear Mr. Miller:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued, a field examination must be made by a representative from this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he mkkes the examination so that you may show him the system.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

63 3[illegible]

BDF:DR
cc: James E. Schiller

SCHILLER, WILLIAMS & TRABERT
ATTORNEYS AT LAW
P.O. BOX 21
1202 1ST STREET SOUTH
NAMPA, IDAHO 83651

JAMES E. SCHILLER
ROGER L. WILLIAMS
ROBERT L. TRABERT

TELEPHONE 466-7809
AREA CODE 208

March 26th, 1971

Department of Water Administration

Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Gentlemen:

In connection with Permit No. G-33481/63-3584, we enclose an Affidavit of Publication of Notice of Existing Water Permit, from The Idaho Free Press, showing publication of this notice on March 18th and 25th, 1971.

When your department has completed its field examination, it would seem the license could be sent to the owner of the permit, Mr. John W. Miller, at Route 1, Melba, Idaho 83641.

Sincerely yours,

SCHILLER, WILLIAMS & TRABERT

James E. Schiller

JES:jmr

Encl.

cc: John W. Miller

63 3584

March 8, 1971

Re: Permit No. G-33481/63-3584 - John W. Miller

Idaho Free Press
P.o. Box 88
Nampa, Idaho 83651

Gentlemen:

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

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact the Department of Water Administration immediately.

The expense of the publication is to be paid by John W. Miller, Route 1, Melba, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notice

63 3584

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that John W. Miller, Route 1, Melba, Idaho, has received an approved Permit No. G-33481/63-3584 issued by the Idaho Dept. of Water Administration authorizing the diversion of 2.4 cubic feet per second of water from a ground water source. The priority to be established under this permit is February 21, 1967, and the permit was approved February 23, 1967.

Water is to be diverted by well, pump and sprinkler system from a point near the center of the E½E½ of Sec. 21, T. 1N, R. 2W, B.M., Canyon County, to be used for irrigation purposes in the E½NE¼, E½SE¼, Sec. 21, T. 1N, R. 2W, B.M.

Proof of application of the water to beneficial use was submitted to the Department on March 1, 1971. Any protest against the issuance of a license for the above referenced permit must be filed with the Idaho Dept. of Water Administration, Statehouse, Boise, Idaho, within 10 days of the last date of publication of this notice or prior to the licensing of the permit.

R. KEITH HIGGINSON

Director

Published in the Idaho Free Press, Nampa, Idaho, on March 18 and March 25, 1971.

63 359[illegible]

March 8, 1971

Re: Permit No. G-33481/63-3584

Mr. John W. Miller
Route 1
Melba, Idaho 83641

Dear Mr. Miller:

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

Enclosed is a copy of the legal notice that is to be published in the Idaho Snee Press at Nampa, Idaho, on March 18th and 25th, 1971. You will be required to submit an affidavit of publication to this office. The affidavit may be obtained from the above mentioned newspaper upon payment of the bill for publication.

If we may be of assistance at any time, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enclosure

cc: Mr. James E. Schiller

63 3[illegible]

SCHILLER, WILLIAMS & TRABERT
ATTORNEYS AT LAW
P.O. BOX 21
1202 1ST STREET SOUTH
NAMPA, IDAHO 83651

JAMES E. SCHILLER
ROGER L. WILLIAMS
ROBERT L. TRABERT

TELEPHONE 466-7809
AREA CODE 208

February 25th, 1971

RECEIVED
1971
Department of Water Administration

Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Att'n: Mr. Dorian Clay

Dear Mr. Clay:

Enclosed you will find Proof of Application of Water to Beneficial Use in connection with Permit No. G-33481, in the name of John W. Miller, together with Notice of Approved Application for Water, for publication.

You will recall that this office called you on the telephone in regard to this permit, and specifically in connection with the change on the notice that is to be published, which changes were from 4.8 cfs to 2.4 cfs, and the reducing of the land to be irrigated from 240 acres to 160 acres.

Should there be any questions in regard to this material, you may check with this office toll-free by dialing 888-2113.

Sincerely yours,

SCHILLER, WILLIAMS & TRABERT

James E. Schiller

JES:jmr

Encl.

63 35[illegible]

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that John W. Miller, Route 1, Melba, Idaho

has received an approved permit No. G-33481 to divert ~~/store~~ 2.4 cubic feet per second ~~/acre/feet~~ of water from a ground water source.

The priority to be established under this permit is February 21, 1967.

Water will be diverted by well, pump and sprinkler system within the near the center of the E½E½, Sec. 21, T. 1 N., R. 2 W., B. M., Canyon County

and is to be used for irrigation in the E½NE¼, ~~SE¼NE¼~~, Sec. 21, T. 1 N., R. 2 W., B. M. and E½SE¼ Sec. 21, T. 1 N., R. 2 W., B.M., Canyon County, Idaho.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Idaho Free Press, Nampa, Idaho

on _____ and _____.

Retyped

State Reclamation Engineer: Permit No. G-33481

You are hereby authorized to have the attached notice published at my expense in the Idaho Free Press of Nampa, Idaho; published in the county in which the works are situated.

John W Miller
(signature)

Rt 1 Melba Idaho 83641
(address)

63 25 ~~8~~ 1 February 23rd, 1971
(date)

RECEIVED
OCT 31 1968
Department of Reclamation

SCHILLER, YOUNG & WILLIAMS
ATTORNEYS AT LAW
P.O. BOX 21
1202 1ST STREET SOUTH
NAMPA, IDAHO 83651

JAMES E. SCHILLER
R. H. (BILL) YOUNG
ROGER L. WILLIAMS

TELEPHONE 466-7809
AREA CODE 208

October 30, 1968

Department of Reclamation
Room 107, State House
Boise, Idaho 83701

Gentlemen:

I am writing to you concerning permit G-33481. Would you please send me the necessary forms in order that Mr. Miller may prove up on his permit.

Sincerely yours,

SCHILLER, YOUNG & WILLIAMS

James E. Schiller

James E. Schiller

JES:jf

G 33481

November 8, 1968

Re: Permit No. G-33481

John W. Miller
Route 1
Melba, Idaho

Dear Mr. Miller:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with those rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg
Enc: Order
Proof package
Advertising package

G 33481

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-33481)

in the name of **John W. Miller**)

Route 1, Miller, Idaho)

ORDER MODIFYING REQUIREMENTS FOR COMPLETION OF PERMIT TO APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-33481 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
   a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
   b. **The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Reclamation of the application of the water to beneficial use on or before February 23, 1972. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for Completion of Works may be grounds for cancellation at the instance of the Department.**

Dated this_____day of_____, 19_____.

R. KEITH HIGGINSON
State Reclamation Engineer

JACK A. BARNETT, Deputy
State Reclamation Engineer

G-33481

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that John W. Miller, Route 1, Melba, Idaho

has received an approved permit No. G-33481 to divert ~~state~~

4.8 cubic feet per second ~~acre feet~~ of water from

a ground water source

. The priority to be established

under this permit is February 21, 1967.

Water will be diverted by well, pump and sprinkler system

within the near the center of

the E½E½, Sec. 21, T. 1 N., R. 2 W., B. M., Canyon County

and is to be used for irrigation

in the E½NE¼, SE¼ Sec. 21, T. 1 N., R. 2 W., B. M.

.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Idaho Free Press, Nampa, Idaho

on _____ and _____.

Retyped 3-5-71 dr

G 33481

Well Log Form 1
3M-3/63

RECEIVED
JUN 7 1967
Department of Reclamation

WELL LOG AND REPORT TO THE STATE RECLAMATION ENGINEER OF IDAHO

SUBMIT WITHIN 30 DAYS AFTER COMPLETION OF WELL: SEE IDAHO STATUTES 42-238

Permit No. 33481 Well No. _____ County Canyon

Owner John Miller

Address Melba, Idaho

Driller Elmer D. Johnston

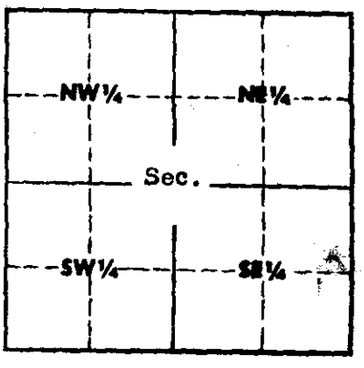
Address Oreana, Idaho

Well location E ½ E ½ Sec. 21, T. 1 N/S, R. 2 E/W

Size of drilled hole 16 in.

Total depth of well 365 ft.

Locate well in section



Give depth to standing water from the ground 151 Water temp. est. 65 °Fahr.

Test delivery was 1566 g.p.m. or _____ c.f.s. Drawdown was 44 feet. Pump? X Bail? _____

Size of pump and motor used to make test 200 hp. Deisal 10" column 14" bowls

Length of time of test 3 hours _____ minutes.

If flowing well, give flow _____ c.f.s. or _____ g.p.m. and of shut off pressure _____

If flowing well, described control works _____
(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for Irrigation Weight of casing per lineal foot _____

Thickness of casing ¼" Casing material steel
(STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casing _____
(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER; CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

Diam. Casing	From Feet	To Feet	Length	Remarks—seals, grouting, etc.
16"	0	44	44	Cemented at top

Number and size of perforations none located _____ feet to _____ feet from ground

_____ _____ _____

_____ _____ _____

Date of commencement of well April 6, 1967 Date of completion of well May 24, 1967

G 33481

WELL LOG

From Feet	To Feet	Type of Material	Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
0	44	Top Soil		
44	230	Lava Rock		
230	270	Brown Clay	yes	
270	300	Lava Rock	"	
300	320	Cinders	"	
320	350	Layers of rock & cinders	"	
350	365	Gravel and clay layers	"	
		If more space is required use Sheet No. 2		

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is complete, true and correct to the best of my knowledge and belief.

Signed Elmer D Johnston

By

License No. 273

Dated June 4, 1967.

Well Driller's Helper Bill Detweiler

G 33491

A C K N O W L E D G E M E N T

Date: 2/21/67

33481

Re: Application No. G 41721

I hereby acknowledge that, even though I was assisted by employees of the Idaho State Department of Reclamation in the preparation of Application No. G 41721, all responsibility with regard to the accuracy and completeness of the information contained therein rests with me.

Signed: John W Miller

Applicant

G 33481

February 22, 1967

Re: Permit No. G-33481

John W. Miller
Route #1
Melba, Idaho

Dear Mr. Miller:

We enclose Permit No. G-33481 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-11354 which was issued covering payment in the amount of $ 6.00 for the filing fee of the above mentioned permit.

Very truly yours,

Enc.

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Permit

G 33481