

AFFIDAVIT OF PUBLICATION

I, Clyde Cornell, printer and co-publisher of The Kuna Herald, published weekly for more than 78 consecutive weeks at Kuna, Idaho, do solemnly swear that the notice as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, for

Two consecutive weeks as follows:

Commencing with the issue dated

April 24, 1964

and ending with the issue dated

May 1, 1964

Clyde Cornell

Subscribed and sworn to before me this

1st day of May, 1964

Edith M. Cornell

Notary Public for Idaho.

Residing at Kuna, Idaho.

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Marcus Miller of Rt. 3, Meridian, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion of the waters of subterranean flow as follows: Amount: 1.28 cubic feet per second. Priority: October 11, 1950. Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 2 N., Range 1 W., B.M. Place of Use: N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 2 N., R. 1 W. B. M..

To Be Transferred To

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 2 N., Range 1 W. B. M. at point about 300 feet east of present well.

And that on the 15th day of May, 1964, at 10:00 o'clock A.M., at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

CARL E. TAPPAN

State Reclamation Engineer

April 24; May 1, 1964

RECEIVED
MAY 18 1964

Department of Reclamation

63 2722

3 Rev 4 min 05 sec 1.22 x 1053 conf 1.28
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 245 64 inches

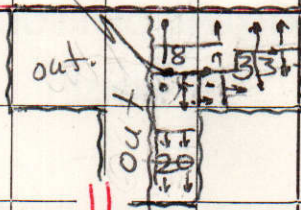
TO MERIDIAN

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11



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Subdivisions

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Area

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1.28 or 64 inches

RECEIVED
OCT 14 1960
Department of Reclamation

AFFIDAVIT OF PUBLICATION

I, Clyde Cornell, printer and co-publisher of The Kuna Herald, published weekly for more than 78 consecutive weeks at Kuna, Idaho, do solemnly swear that the notice as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in

any supplement thereof, for Four consecutive weeks as follows:

Commencing with the issue dated

September 23, 1960

and ending with the issue dated

October 14, 1960

Clyde Cornell

Subscribed and sworn to before me this

14th day of October, 1960

N. M. Uland

Notary Public for Idaho.

Residing at Kuna, Idaho.

**NOTICE FOR PUBLICATION
NOTICE OF PROOF
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10:00 a.m. on the 15th day of October, 1960, at Kuna, County of Ada, State of Idaho, before Mrs. P. S. Pride, proof will be submitted of the application to beneficial use of 1.6 cubic feet per second of the waters of well in accordance with the terms and conditions of Permit No. 20681 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Marcus Miller, Rt. No. 3, Meridian, Idaho.

The use to which said water has been applied is irrigation and domestic use.

The amount applied to beneficial use is 1.8 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 11, T2N, R1W, BM.

The right to take water from such works is based upon Permit No. 20681.

The source of supply from which such water is diverted is subterranean in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 11, T2N, R1W BM.

The date of priority which said user is prepared to establish is October 11, 1950.

20681 GEO. N. CARTER
State Reclamation Engineer.
Sept. 23, 30; Oct 7, 14, 1960.

20681

Tw. 2.N. R. 1.W

Well, Point of Diversion



11

12

Permit Map No. **20681**

As Approved

OCT 2 1948

MARK R. KULP

State Reclamation Engineer

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

In the Matter of the Application of	)	
Marcos Miller	)	
of	)	
Route #3	)	ORDER GRANTING CHANGE
Meridian, Idaho	)	OF POINT OF DIVERSION
	)	
	)	NO. 276
For a Change of Point of Diversion,	)	
County of Ada, State of Idaho;	)	

WHEREAS, On the 15th day of May, 1964, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of an application of Marcos Miller of Route #3, Meridian, Idaho, for a change in point of diversion, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby.

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Change of Point of Diversion be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 18th day of May, 1964.

(SEAL)

s/ CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

CERTIFICATE NO. 276 OF AUTHORIZED CHANGE IN
POINT OF DIVERSION OF LICENSED WATER RIGHT

THIS IS TO CERTIFY, That Marcus Miller of Route #3, Meridian, Idaho, is the owner of and using a certain water right of 1.28 cubic feet per second of the waters of subterranean flow, said water being obtained by virtue of License No. 20681, issued by the State of Idaho, dated May 17, 1961, bearing date of October 11, 1950, for the purpose of irrigating the following described lands situate, lying and being in the County of Ada, State of Idaho, to-wit:

N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11,
Township 2 North, Range 1
W. B. M.,

That said license has been entered in the records of the Department of Reclamation of the State of Idaho in Volume 11 of Licenses, at Page 7081 thereof;

That said Marcus Miller has become the owner of said water right by purchase and by virtue of said License No. 20681;

And that now, upon the application of Marcus Miller for Certificate of Change in Point of Diversion of 1.28 cubic feet per second of the waters of subterranean flow made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to change said point of diversion is HEREBY GRANTED;

That said change of point of diversion will not modify in effect said water right or place of use;

Said water is to be limited at any given time to an amount actually needed and beneficially used, and shall not exceed the following amount, to-wit:

1.28 cubic feet per second of the waters
of subterranean flow with priority of
October 11, 1950;

That said water right is appurtenant to the following described lands:

N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Town-
ship 2 North, Range 1 W. B. M.,

That the water right hereby described has heretofore been diverted from a well through private ditch with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 2 North, Range 1 W. B. M.,

That the water right hereby described will hereafter be diverted from a well through private ditch with point of diversion in the NW¹/₄NE¹/₄, Section 11, Township 2 North, Range 1 W. B. M., approximately 300 feet East of present well;

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 18th day of May, 1964.

(SEAL)

s/ CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

In the Matter of the Application of)
)
 Marcus Miller)
 of)
 Route #3)
 Meridian, Idaho)
)
 For a Change of Point of Diversion,)
 County of Ada, State of Idaho;)

ORDER GRANTING CHANGE
OF POINT OF DIVERSION

NO. 276

WHEREAS, On the 15th day of May, 1964, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of an application of Marcus Miller of Route #3, Meridian, Idaho, for a change in point of diversion, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby.

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Change of Point of Diversion be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 18th day of May, 1964.

(SEAL)

s/ CARL E. TAPPAN

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N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11,
Township 2 North, Range 1
W. B. M.,

That said license has been entered in the records of the Department of Reclamation of the State of Idaho in Volume 11 of Licenses, at Page 7081 thereof;

That said Marcus Miller has become the owner of said water right by purchase and by virtue of said License No. 20681;

And that now, upon the application of Marcus Miller for Certificate of Change in Point of Diversion of 1.28 cubic feet per second of the waters of subterranean flow made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to change said point of diversion is HEREBY GRANTED;

That said change of point of diversion will not modify in effect said water right or place of use;

Said water is to be limited at any given time to an amount actually needed and beneficially used, and shall not exceed the following amount, to-wit:

1.28 cubic feet per second of the waters
of subterranean flow with priority of
October 11, 1950;

That said water right is appurtenant to the following described lands:

N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Town-
ship 2 North, Range 1 W. B. M.,

That the water right hereby described has heretofore been diverted from a well through private ditch with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 2 North, Range 1 W. B. M.,

That the water right hereby described will hereafter be diverted from a well through private ditch with point of diversion in the NW¹/₄NE¹/₄, Section 11, Township 2 North, Range 1 W. B. M., approximately 300 feet East of present well;

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 18th day of May, 1964.

(SEAL)

s/ CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

63 2722

Application For Transfer of Water Right

STATE OF IDAHO

County of Ada

} ss.

Marcus Miller, being first duly sworn, deposes and says:

That his name is Marcus Miller; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Rt. 3 Meridian, Idaho

That he is the owner and using a certain water right, bearing date of priority of 10-11, 19 50, for 1.28 cubic feet per second of the waters of subterranean flow

County of Ada, State of Idaho, decreed to

by decree of Judge _____ of the _____ Judicial District of the State of

Idaho, in and for the county of _____, in the case of _____

vs. _____, said decree bearing date of _____

(or obtained by virtue of License No. 20681, issued by the State Department of Reclamation of the State of Idaho, dated May 17, 1961, bearing date of Oct 11, 1950.)

for the purpose of irrigating the following described lands situate, lying and being in Water District

No. _____ in the County of Ada and State of Idaho, to-wit:

N^{1/2}NE^{1/4}, SW^{1/4}NE^{1/4} Sec. 11 T2N R1W BM

_____ and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e. appropriation

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the NW^{1/4}NE^{1/4} of Section 11, Township 2N, Range 1W, B. M., and conducted to the above described lands through private ditch

as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of _____ cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of _____ and State of Idaho, to-wit:

That reasons for desiring to make such transfer are as follows:

63 2722

Vol. 11

P 7081

Kuna Herald

Hearing May 15, 1964

That he intends to divert and convey said second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:

Note—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in *NE 1/4* of *NE 1/4* of Section *11*, Township *2 N*, Range *1 W*, and thereafter conduct same to the above described land through the *private* ditch, as per map appended.

That his reasons for desiring to make such change are as follows: *cracked hole of present well causes excessive pump repairs. New well to be located approximately 300 feet east of present well.*

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

Marcus Miller
Applicant.

Subscribed and sworn to before me this *21* day of *April*, 19*14*.

E. H. Broadbent
Notary Public.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? *Subterranean*
Where is the diversion point located?
Through what ditch is it now conducted? *private*
How much land is now irrigated by the water sought to be transferred? *72.5*
Give the description: *same as above*

What is the total amount of water in inches, or second feet, dedicated to said land? 128 CFS
What kind of crops are being raised? hay, pasture, row grain
How much water per acre is now required to irrigate said land? 1" per acre
What will be the effect on the land now irrigated, if the use of water on it is discontinued? none

Give location of new point of diversion, if change is to be made. 300' East of present
Through what ditch will it be conducted after transfer? same
How much water will be required per acre to irrigate the land to which this water is transferred? no change
Do you claim any other water right for the land from which you seek to abandon the use of this water?
If so, give amount, date and source no
Is there any other water right for the land to which you seek to make this transfer? If so, give amount, date and source —

Signed _____ Applicant.

STATE OF IDAHO, }
County of _____ } ss.

I, _____, Watermaster of _____
Water District No. _____, County of _____, State of Idaho, whose postoffice address
is _____, have read or heard read the foregoing affidavit and petition
of _____, and, of my own knowledge, believe the same to be true
as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized;
and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer
issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of
transfer prayed for) for the following reasons: _____

Watermaster, District No. _____

Dated at _____, Idaho, this _____ day of _____, 19 _____.

AFFIDAVIT OF PUBLICATION

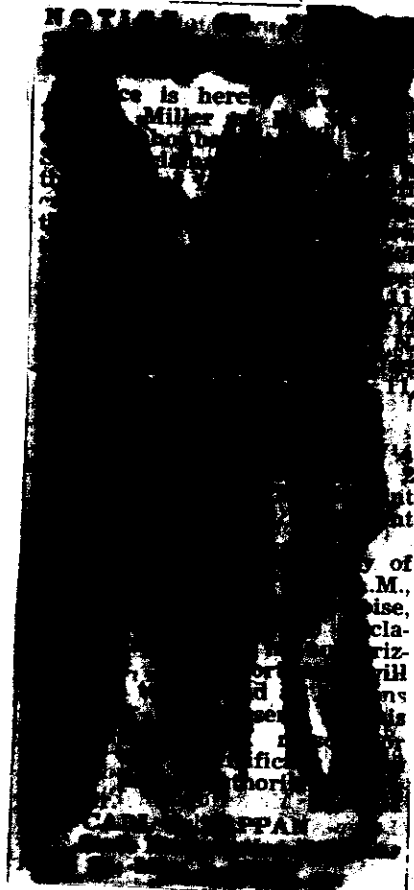
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and ending with the issue dated

May 1, 1964
Clyde Cornell
Subscribed and sworn to before me this

1st day of May, 1964
Edith M. Cornell
Notary Public for Idaho.
Residing at Kuna, Idaho.



RECEIVED
MAY 18 1964
Department of Reclamation

State of Idaho
License and Certificate of Water Right

Water License No. 20661

Amount 1.28 c.f.s.

Water District No. _____

Priority Oct. 11, 1950

THIS IS TO CERTIFY that MARCUS MILLER and L. D. DANIEL - Assignee - MARCUS MILLER of Meridian, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 27, 1948; that Permit No. 20661 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.6 second feet, was issued thereunder on August 26, 1953, showing that said works were completed on the 21 day of August, 1953; and that on the 15th day of October, 1960.

MARCUS MILLER

of Meridian, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Lawell, a tributary of subterranean flow, for the purpose of irrigation and domestic use, under Use Permit No. 20661 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 12 of Licenses at page 7081, on the 17 day of May, 1961:

The right hereby confirmed dates from October 11, 1950;

The Point of Diversion is located

in the NW 14 NE 14, Sec. 11, Tp. 2 N., R. 1 W., B. M. Ada County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.28 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	1 W.	11	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	33
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	18
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	20
			Total number of acres to be irrigated:		71

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

17 day of May, 1961

GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

63 2722

Nº 20681
63-272

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 28321
PERMIT No. 20681
DISTRICT No.

Marcus Miller
Route 2, Meridian, Idaho

~~CANCELLED pursuant to sec. 42-104
Idaho Code Annotated, by order of
State Reclamation Engineer
dated _____ State: Idaho~~

1. Name of Applicant: MARCUS MILLER and L. D. DANIEL

Postoffice address: Route 3, Meridian

County: Ada

I. If applicant is a corporation, give:

- (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:

- (b) Treasury stock:
- (d) Other resources:

- (a) Cash on hand:
- (c) Bonds to be issued:

2. Quantity of water claimed: 3.2

cubic feet per second.

3. Source of water supply: Subterranean flow (well)

which is a tributary of

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 11 , T. 2 N. , R. 1 W. , B.M., County of Ada

5. Water is to be used for Irrigation and domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$9,000.00

8. Kind of works: Well, pump and sprinkler system

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is None additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

If so, fill in (b) and (c) below:

(c) Date of filing of Application for Storage Permit and Name of Applicant:

MARCUS MILLER
L. D. DANIEL.

By

Agent.

Returned to applicant for correction:

Corrected application received:

The number of this permit is 20681

Recorded in Book 74 Page 20681 Approved October 2, 1948

Recorded in Book 74 Page 20001 Approved 08/08/01 by 2001
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 December 2, 1948

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before April 2, 1951

The whole of said work to be completed on or before October 2, 1953

The whole of said work to be completed on or before October 2, 1953
Beneficial use of water appropriated in accordance herewith, to be made on or before October 2, 1953

WITNESS My hand this 2nd day of October, 1948

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,

and J. D. "CY" PRICE, 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.....2nd

day of October, 19 48

STATE OF IDAHO

Countersigned:

(SEAL)

By C. A. ROBINS

By J. D. "CY" PRICE

Governor.

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2 N.	1 W.	11	40	40	40		40											160	
Permit No. 20681 CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that Marcus Miller and L. D. Daniel of Meridian, County of Ada, and State of Idaho, the holders of Permit No. 20681, issued upon Application No. 28321 bearing date of priority of September 28, 1948, authorizing the diversion of 3.2 second feet of the waters of a well (subterranean flow) County of Ada, State of Idaho, for irrigation and domestic purposes, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of Completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.6 second feet of the waters of said well; that the point of diversion of said waters is in the Southwest corner of the E½ NW¼ NE¼ Section 11, Township 2 North, Range 1 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE¼ NE¼, E½ NW¼ NE¼, E½ SW¼ NE¼ Section 11, Township 2 North, Range 1 West, B.M.																			
Witness my hand this 26th day of August, A.D. 1953.																			
Proof of Completion of Works made August 24, 1953 Certificate of Completion of Works issued August 26, 1953																			
APPROVAL OF STATE RECLAMATION ENGINEER																			
I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to appropriate the Public Waters of the State of Idaho, No. 20681, to October 2, 1958.																			
Witness my hand this 26th day of August, 1953.																			
MARK R. KULP State Reclamation Engineer																			
MARK R. KULP State Reclamation Engineer																			

A S S I G N M E N T

For value received, I hereby assign all my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 20681 to Marcus Miller, of Route 3, Meridian, for my half interest in said permit,

Signed, L. D. DANIEL Co-Partner,

L. D. Daniel

Marcus Miller
Permit Holder.

Minnie Daniel

Dalpa Miller
Wife of Permit Holder.

State of Idaho)
) ss
County of Ada)

On this 17 day of October, 1953, before me, a Notary Public for the State of Idaho, residing at Kuna, Idaho, personally appeared L. D. Daniels, Minnie Daniels, Marcus Miller and Dalpa Miller, known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.

P. S. Pride
Notary Public, residing at,

My commission expires November 23, 1953.

Filed for record in Department of Reclamation at Boise,
Idaho, October 26, 1953.

MARK R. KULP
State Reclamation Engineer

RECORDED 1-28 SEC. 91

Page 7081

WATER RIGHT NUMBER 63-2722 ✓

OWNER LAST NAME - MILLER
OWNER LAST NAME - DANIEL
OWNER LAST NAME - MILLERFIRST NAME - MARCUS
FIRST NAME - L. D.
FIRST NAME - MARCUSORIG OWNER - 0
ORIG OWNER - 0
ORIG OWNER -

ADDRESS LINE 1 - RT. 3 ✓

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - MERIDIAN

STATE - ID ZIP CODE - 83642 ✓

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 10-11-1950 COUNTY - ADA

TOTAL DIV. RATE - 1.2800 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND - T

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NWNE 11 02N 01W LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - TO -

USE - IRRIGATION

USE DIV. RATE -

1.2800 CFS

USE DIV. VOLUME -

.00 AFA

FROM - TO -

USE - DOMESTIC

USE DIV. RATE -

.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 02N RNG 01W SEC 11 TRACT NENE LOT AC 33 TRACT NWNE LOT AC 18

TRACT SWNE LOT

AC 20

DECREE NAME -

DATE -

TOTAL ACRES 71 ✓

REMARKS - TRANS. 276. ✓

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 20681 ✓

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

VERIFIED JDC

WATER RIGHT NUMBER 63-2722

WATER RIGHTS EDIT REPORT

08/23/79

PAGE 213

CT
ON

OWNER LAST NAME - MILLER
OWNER LAST NAME - DANIEL
OWNER LAST NAME - MILLER

FIRST NAME - MARCUS
FIRST NAME - L. D.
FIRST NAME - MARCUS

ORIG OWNER - 0
ORIG OWNER - 0

CITY - MERIDIAN

STATE - ID

SOURCE - GROUNDWATER
STAGE - LICENSE

PRIORITY - 10-11-1950 COUNTY - ADA

TOTAL DIV. RATE - 1.2800CFS

TRFR/AMEND - T

DIVERSION POINT - NWNE 11 02N 01W

USE - IRRIGATION
USE - DOMESTIC

USE DIV. RATE - 1.2800CFS

USE - IRRIGATION

PLACE OF USE - TWN 02N RNG 01W SEC 11 TRACT NENE
TRACT SWNE

AC 33 TRACT NWNE
AC 20

AC 18

REMARKS - TRANS. 276.

OLD NO. - 20681

3/79

IDENT. NO. 63-2722

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 20681 163-2722
 Old No. New No.

Record

1. Original Owner: Marcus Miller & L.D. Daniel

Present Owner: Marcus Miller

2. Address:

3. City: Meridian State: ID Zip:

4. A. Source of Water: gw

B. Tributary of:

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 10-11-1950

D. County: OI

E. Total Diversion Rate: 1.28

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank): T

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NW/4E</u>	<u>11</u>	<u>2N</u>	<u>1W</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for A purposes. Amount 1.28
 (cfs or AG-Ft/yr)

from _____ to _____ for D purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. *TRANS. 276*
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 20681

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):

2-4-68
Mrs. Miller called and said they
had received a letter saying
20681 had to be published. no
letter in folder and right is heard.
R. 14

63 2722

63-2722

20681

June 3, 1964

Re: Certificate of Change
in Point of Diversion
No. 276

Mr. Marcus Miller,
Route #3,
Meridian, Idaho.

Dear Mr. Miller:

We enclose Certificate of Change of Point of Diversion No. 276, together with Departmental Receipt No. G-9743, which was issued covering payment in the amount of \$1.00 for the recording fee of the above mentioned transfer.

Very truly yours,

CAPL E. TAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON
Supervisor of Water Distribution

Encl. - Certificate
Receipt
RWH:pmk

63 2722

May 29, 1964

Re: Certificate of Change of
Point of Diversion No. 276

Mr. Marcus Miller,
Route #3,
Meridian, Idaho.

Dear Mr. Miller:

We are in receipt of the Affidavit of Publication
in connection with your transfer of water right.

Upon receipt of the \$1.00 recording fee, your Cer-
tificate will be mailed to you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWT:pmk

63 2722

May 15, 1964

Re: Certificate of Change of
Point of Diversion No. 276

Mr. Marcus Miller,
Route #3,
Meridian, Idaho.

Dear Mr. Miller:

This is to inform you that there were no protests
in connection with your transfer of water right.

Upon receipt of the Affidavit of Publication,
which the Kuna Herald will furnish you, and the \$1.00 fee
for recording, we will forward to you the Certificate.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

RALEH W. THOMAS, Deputy
State Reclamation Engineer

RWT:pmk

63 2722

Dear Sir:

MAY 18 1964

May 15, 1964

Department of Reclamation

I am sending the dollar
for the permit no. S-31841
Thank you.

Mrs. Marcus Miller
Meridian, Ida.
Rt 3

June 3, 1964

\$1.00 for recording fee
Certificate of Change in Point of Diversion #276
(Subterranean)

63 2722

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Marcus Miller of
R 3, Meridian, Idaho has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing him to change the point of diversion
and/or ~~place of use~~ of the waters of Subterranean Flow as follows:
Amount: 1.28 cubic feet per second. Priority: Oct. 11, 1950
Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 2 N Range 1 W, B.M.
Place of Use: N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 11 T 2 N R 1 W B M

To Be Transferred To

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 2 N, Range 1 W B. M.
~~Place of Use:~~ at point about 300 feet east of present well

And that on the 15 day of May, 1964, at 10:00 o'clock A M.,
at Room 107 Statehouse Boise Idaho, before the State Reclamation Engineer,
or his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

State Reclamation Engineer

PROPOSED
TRANSFER OF WATER
RIGHT

Notice is hereby given that Marcus Miller of Rt. 3, Meridian, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion of the waters of subterranean flow as follows: Amount: 1.28 cubic feet per second. Priority: October 11, 1950. Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 2 N., Range 1 W., B.M. Place of Use: N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 2 N., R. 1 W. B. M..

To Be Transferred To

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 2 N., Range 1 W. B. M. at point about 300 feet east of present well

And that on the 15th day of May, 1964, at 10:00 o'clock A.M., at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

CARL E. TAPPAN
State Reclamation Engineer
April 24; May 1, 1964

**TRANSFER OF WATER
RIGHT**

63 2722
Notice is hereby given that Marcus Miller of Rt. 3, Meridian, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion of the waters of subterranean flow as follows: Amount: 1.28 cubic feet per second. Priority: October 11, 1950 Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 2 N., Range 1 W., B.M. Place of Use: N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 2 N., R. 1 W. B. M..

To Be Transferred To

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 2 N., Range 1 W. B. M. at point about 300 feet east of present well.

And that on the 15th day of May, 1964, at 10:00 o'clock A.M., at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

CARL E. TAPPAN
State Reclamation Engineer
April 24; May 1, 1964

63 27
63 2722

**NOTICE OF PROPOSED
TRANSFER OF WATER
RIGHT**

Notice is hereby given that Marcus Miller of Rt. 3, Meridian, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion of the waters of subterranean flow as follows: Amount: 1.28 cubic feet per second. Priority: October 11, 1950 Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 2 N., Range 1 W., B.M. Place of Use: N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 2 N., R. 1 W. B. M.,

To Be Transferred To
Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 2 N., Range 1 W. B. M. at point about 300 feet east of present well

And that on the 15th day of May, 1964, at 10:00 o'clock A.M., at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

CARL E. TAPPAN
State Reclamation Engineer
April 24; May 1, 1964

The Kuna Herald

Weekly, on Friday

Mr. and Mrs. Clyde Cornell, Publishers

now including The Melba Herald

The Hometown Newspaper for one of America's most productive farm areas with a population of more than 5000

Kuna, Idaho

April 22, 1964

RECEIVED

APR 23 1964

Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Dear Sirs:

This will acknowledge receipt of notice for publication in two issues of the Kuna Herald, on April 24 and May 1, 1964 of Notice of Proposed Transfer of Water Right by Marcus Miller, Route 3, Meridian, Idaho. Copy of publication will be sent.

Yours very truly

THE KUNA HERALD

by

Clyde Cornell

Clyde Cornell

63-27222

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

April 21, 1964

Re: Transfer of Water Right
Change in Point of Diversion
Marcus Miller

Kuna Herald,
Kuna, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for two consecutive weeks prior to **May 15, 1964** the date set for hearing; the expense of the publication is to be paid by the applicant **Marcus Miller** of **Route 3, Meridian, Idaho** to whom you should furnish proof of publication on or prior to the date set for hearing.

Please acknowledge receipt of this notice and furnish this office with a copy or tear-sheet of the first publication.**

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

RALPH W. THOMAS, Deputy
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.

RWT:pmk

63 63 2722

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Marcus Miller of
Rt. 3, Meridian, Idaho has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing him to change the point of diversion
~~of the waters of~~ of the waters of subterranean flow as follows:
Amount: 1.28 cubic feet per second. Priority: October 11, 1950
Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 2 N., Range 1 W., B.M.
Place of Use: N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 2 N., R. 1 W.B.M.,

To Be Transferred To

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 2 N., Range 1 W. B. M.
~~at point about 300 feet east of present well~~
at point about 300 feet east of present well

And that on the 15th day of May, 19 64, at 10:00 o'clock A. M.,
at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer,
or his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

CARL E. TAPPAN
State Reclamation Engineer

May 17, 1961

Re: Permit No. 20681

Marcus Miller
Route #3
Meridian, Idaho

Dear Mr. Miller:

We enclose License and Certificate of Water Right
issued on Permit No. 20681

Departmental Receipt No. 30568 is enclosed covering
fees of \$6.00.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. license
receipt

20681

May 8, 1961

Re: Permit No. ~~20861~~

Marcus Miller
Rt 3
Meridian, Idaho

Dear Mr. Miller:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. ~~20861~~ shows the well is capable of conveying 64 miner's inches, or 1.28 c.f.s. of water for the irrigation of 71 acres.

Upon receipt of the statutory fee of \$ 6.00 -based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of October 11, 1950 to the use of 1.28 second feet of ~~surface~~ subterranean water with the point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11 for irrigation of 71 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, Township 2 North, Range 1 West, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

20681

$R + IW.$

FD

out.

710

1

51

20

११

38

T.
2
N.

Subdivision

3

ARFA

91 acorn

9

1.28	n	64 inches
------	---	-----------

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20681

REPORT ON PROOF OF Beneficial Use

Marcus Miller, Rt. #3, Meridian, Idaho

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
 6. Give general characteristics of soils, topography, and crops raised.
-

RECEIVED
MAY 5 1953

Department of Reclamation

Marcus Miller
Rt. #3, Meridian, Idaho

Permit No. 20681

Examination for Beneficial Use

County Ada

Sec. 11 T. 2N R. 1 W. B.M.

Quantity: 3.2 c.f.s

Sources: Well

P.D.: NW. NE, Sec. 11, T. 2N. R. 1 W. B.M.

Use: Irrigation & Domestic

Filed: Sept. 28, 1948

Due: Oct. 2, 1953

Extension: —

Completion of Works: 8-26-53

Other Rights: none

Drillers Name: Absack.

Protests - none.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 20681

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Marcus Miller

2. Source of water supply: Subterranean flow from a well

3. Location of point of diversion: Is in the NW 1/4 NE 1/4 of Section 11

T. 2N R. 1W.B.M. County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: 0.5 Motor 30 HP
440V Ser # 923222 - GE Control, Building safety switch 10' NW on Pole
at shelter area control none over motor Johnston Pump - No number - 8" x 119'
9 stages - 6" x 10' ditch to south into 5' x 6' x 2' concrete distribution box then
to open ditch east & west. Well 16" x 150', 150' x 10" casing, gravel pack. Wood
Crib type base. The 10" casing is perforated bottom 75'

5. Water is used for: irrigation and domestic

6. State whether or not water has been turned into works of diversion: yes.

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NE 1/4 NE 1/4, NW 1/4 NE 1/4, NE 1/4 NE 1/4 Sec. 11, Twp. 2 N., Rge. 1 W.B.M.

Do not include this

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Miller along

Adapted for 1.6 cfs.

Measured by sparkling meter 3 Rev. - 4 min 5 sec. = 122 x 105 cent
1.28 cfs at 64 inch

This examination was made on the 5th day of May, 1961

(Signed)

Larry Johnson

Examiner.

20681

October 20, 1960

RE: Permit No. 20681

Mr. Marcus Miller
Route #3
Meridian, Idaho

Dear Mr. Miller:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in The Kuna Herald, all submitted in proof of beneficial use on Permit No. 20681.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule

EPR

20681

RECEIVED
OCT 1 7 1960

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. 20681

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Mr. Marcus Miller - farmer

Rt. 3 Meridian Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 20681 date 5:00 P.M. Sept. 28 1948 Oct. 2, 1948

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Subterranean flow by Deep Well

E²N. NE⁴, Sec. 11, T-2N-R.1W.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Well 150 ft deep with ditches leading over farm land.

Approximate flow -60 inches

Well has 10 inch casing.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation of farm located NW^{1/4} Sec. 11 T2N. R1W.

Cultivated farm land. NE NE E²W NE⁴

As result of well, farm has been fenced, house built, and crops grown

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans.

20681

78

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. _____

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. To irrigate Farm.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. _____

(Sign) Manuel M. M. M.

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Kuna Ida, County of Ada, State of Idaho, on this 15 day of October, A. D. 1960.

My commission expires 11/13/61

Mr. P. B. P. P.
Notary Public

20681

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
OCT 17 1960
Department of Reclamation

PERMIT NO. 20681

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Orval McClure Age 40 Farmer

Rt 2 Kuna Ida

Ques. 2. Are you acquainted with Mr. Marcus Miller, the holder of Permit No. 20681 Yes? How long have you known him and where does he reside?

Ans. Have known him for three years, and he resides

on Rt 3 Meridian Idaho

Ques. 3. Have you read or heard read said Permit No. 20681, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Water by deep well on NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 11 T2N R1W.

Water conveyed by ditches.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. About 3.2 Sec. feet. Have seen about 60 inches.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. For irrigating 80 acres more or less of cultivated

land. NE $\frac{1}{4}$ Sec. 11, T2N, R1W.

20681

79

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Dry land reclaimed, by 50 inches of water.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Have inspected the farm and have seen crops growing
and harvested at various times 1958-1959-&1960.

(Signed)

Garaf M E Clure

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Kuna Idaho,

County of Ada, State of Idaho, on this 15 day of October,

A. D. 19 60.

M. P. S. Pridel

Notary Public.

My commission expires 11/22/61

20681

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JAN 11 1937
Department of Reclamation

PERMIT NO. 20681

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Donald Higel age 37 Mechanic
Kuna Idaho

Ques. 2. Are you acquainted with Mr. Marcus Miller, the holder of Permit No. 20681 Yes? How long have you known him and where does he reside?

Ans. Have known him for eight years, and he resides
on Route #3 Meridian Idaho

Ques. 3. Have you read or heard read said Permit No. 20681, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Water by deep well on N.W $\frac{1}{4}$ N.E. $\frac{1}{4}$ Sec. 11 T.2N R.1W
Water conveyed by ditches.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. About 3.2 Sec. feet. Have seen about 60 inches.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. For irrigating 80 acres more or less of cultivated
land. NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 11, T2N, R1W B.M.

20681

E

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Dry land reclaimed, by 50 inches of water.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Have inspected the farm and have seen crops growing
and harvested at various times during 1957-58- & 60.

(Signed) Donald Sigel

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Kuna Ida,
County of Ada, State of Idaho, on this 15 day of October,
A. D. 19 60.

Mr. P. S. Pride
Notary Public.
My commission expires 11/23/61

20681

P
OCT 14 1960
De

AFFIDAVIT OF PUBLICATION

I, Clyde Cornell, printer and co-publisher of
The Kuna Herald, published weekly for more
than 78 consecutive weeks at Kuna, Idaho, do
solemnly swear that the notice as per clipping
attached, was published weekly in the regular
and entire issue of said newspaper and not in

any supplement thereof, for Four
consecutive weeks as follows:

Commencing with the issue dated

September 23, 1960

and ending with the issue dated

October 14, 1960

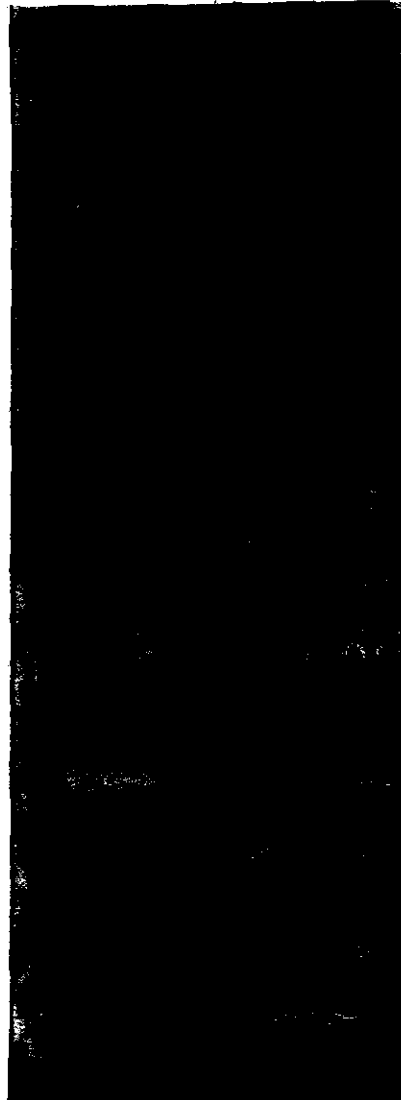
Clyde Cornell

Subscribed and sworn to before me this

14th day of October, 1960 at

Notary Public for Idaho.

Residing at Kuna, Idaho.



20681

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

Boise, Idaho

Re: Permit No. 20681
Marcus Miller

Date: Sept. 19, 1960

Kuna Herald,
Kuna, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to October 15, 1960 the date set for proof; the expense of the publication is to be paid by the applicant

Marcus Miller

of Rt. #3, Meridian, Idaho

to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication.**

Very truly yours,



GEO. N. CARTER
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense

Encl.

20681

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 15th day of October, 1960,
at Kuna, County of Ada, State of Idaho, before
Mrs. P. S. Pride, proof will be submitted of the
application to beneficial use of 1.8 ^{1.6} cubic feet per second of the waters of well
in accordance with the terms and conditions of Permit No. 20681
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are _____

Marcus Miller, Rt. #3, Meridian, Idaho

The use to which said water has been applied is irrigation and domestic use

The amount applied to beneficial use is 1.8 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

NE-NE¹, E-W-NE¹ Sec. 11, T2N, R1W, BM

~~The right to take water from such works is based upon Permit No. _____~~

The right to take water from such works is based upon Permit No. 20681

The source of supply from which such water is diverted is subterranean in the NE-NE¹ Sec. 11,

T2N, R1W, BM

The date of priority which said user is prepared to establish is October 11, 1950

Geo. A. Carter

State Reclamation Engineer.

20681

5/

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

September 19, 1960

Re: Permit No. 20681

Mr. Martin Miller,
Route #3,
Meridian, Idaho.

Dear Mr. Miller:

This acknowledges the Notice of Proof of ~~Complete Beneficial Use~~ Application of Water to Beneficial Use under Permit No. 20681. The proofs are to be made at 10:00 o'clock A.M., on the 15th day of October, 1960, ~~1959~~ before Mrs. P. S. Pride, Kuna, Idaho,, Notary Public.

As of this date we have mailed the Notice to the Kuna Herald with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Rule
(Mrs.) Edna P. ~~Stanger~~
Chief Clerk

Encl.
EPR:pmk
cc: Notary

20681

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RE: Permit No. 20681

Date August 1, 1958

Marcus Miller
Route #3
Meridian, Idaho

Dear Sir:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 20681 is due not later than October 2, 1958. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a Notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date (allowing for four weeks publication), the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated--by 40-acre legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

Also enclosed is Form 11, which is the authorization for us to have the Notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set and at the place named, before the Notary Public, as advertised in the publication notice.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

Enc.

20681

October 26, 1953

RE: Permit No. 20681

Mr. Marcus Miller
Route 3
Meridian, Idaho

Dear Mr. Miller:

We return the assignment to you of C. D. Daniels' interest in Permit No. 20681 which has been duly recorded in this department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20681

STATE OF IDAHO
Department of Reclamation

Permit No. 20681

Application for Extension of Time for Beneficial Use Proof

STATE OF IDAHO }
County of Ada } SS

Narcus Miller, of Route 3, Meridian

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

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 20681

That, under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by October 2, 1953.

That he has heretofore put to beneficial use 0.87 second feet of water and has irrigated 43½ acres.

That, for the following reasons, he is unable to put to beneficial use within the required time the remainder of the water appropriated under his permit, to-wit: _____

Not sufficient time to complete levelling, etc.

State Reclamation Engineer

WHEREFORE, He asks that the ~~Commissioner of Reclamation~~ extend the time for the making of proof of beneficial use under said permit to October 2, 1958.

Subscribed and sworn to before me this 24 day of August, 1953

Thos. Hamblin

Notary Public.

My commission expires 3-5-55

Date of receipt at office of Department of Reclamation _____

STATE RECLAMATION ENGINEER
APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~

I, Mark R. Kulp, ~~Commissioner of Reclamation~~ of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to Appropriate the Public Waters of the State of Idaho, No. 20681, to October 2, 1958.

Witness my hand this 26th day of August, 1953

20681
Mark R. Kulp
~~Commissioner of Reclamation~~
State Reclamation Engineer

Permit No.

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada

ss.

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

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 20681, and that his postoffice address is Rt. 3, Meridian State of Idaho

Second: That the name of the stream from which said water is to be diverted is Subterranean flow from a well.

Third: That the point of diversion of said water is in the SW corner of the E 1/4 NE 1/4 Section 11, Twp. 2 N., Range 1 W., B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by October 2, 1953.

Fifth: That the use for which said water is intended is irrigation and domestic

Sixth: That on the date above mentioned, the works constructed under said permit were (~~or were not~~) fully completed and consisted of the following:

I. Kind of works: Well, pump and ditches

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line

(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 1.6 second feet of water.

Eighth: That water appropriated under said permit is available for 80 acres of land described as follows:

NE 1/4, E 1/2 NW 1/4, NE 1/4, E 1/2 SW 1/4, NE 1/4 Section 11, Twp. 2 N., Range 1 W., B.M.

Ninth: Remarks: That Well is 150 feet deep, cased 10 inches all the way down; General Electric turbine type pump, 30 H. P.

Marcus Miller
(Sign Here)

Subscribed and sworn to before me this 24 day of August, 1953

My commission expires 3-5-55

Hub. H. Franklin
Notary Public.

20681

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 19, 1960

(P. O.) Meridian, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Kuna Herald

of

Kuna, Idaho

published in

the county in which the works are situated.

Ada Co.

Marshall Miller

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

20681

✓
September 23, 1953

RE: Permit No. 20681

Mr. Marcus Miller
Route #3,
Meridian, Idaho

Dear Mr. Miller:

We enclose certificate of Completion of Works issued on Permit No. 20681, for the diversion of 1.6 second feet of water from a well in the SW corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ for irrigation and domestic use on the NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11, Township 2 North, Range 1 West, T.2N., R.1W.

We also enclose approval for extension of time for Beneficial Use on this permit to October 2, 1958.

It was our understanding when you were in the office that you would send a relinquishment from Mr. Daniels of his interest in this permit, or an assignment of his interest to you, but we have not received this.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/re

20681

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Marcus Miller & L. D. Daniel
C/o Marcus Miller
Route 2
Meridian, Idaho

BOISE

August 1, 1953

Dear Sir:

Under the terms of your permit No. 20681 you are required to complete your diversion works and make proof of beneficial use on or before October 2, 1953.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public or Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the Completion of the Works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion of Works will be issued to you.

We also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths. The date for proof as set out in your permit, is October 2, 1953, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

20681

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 20681

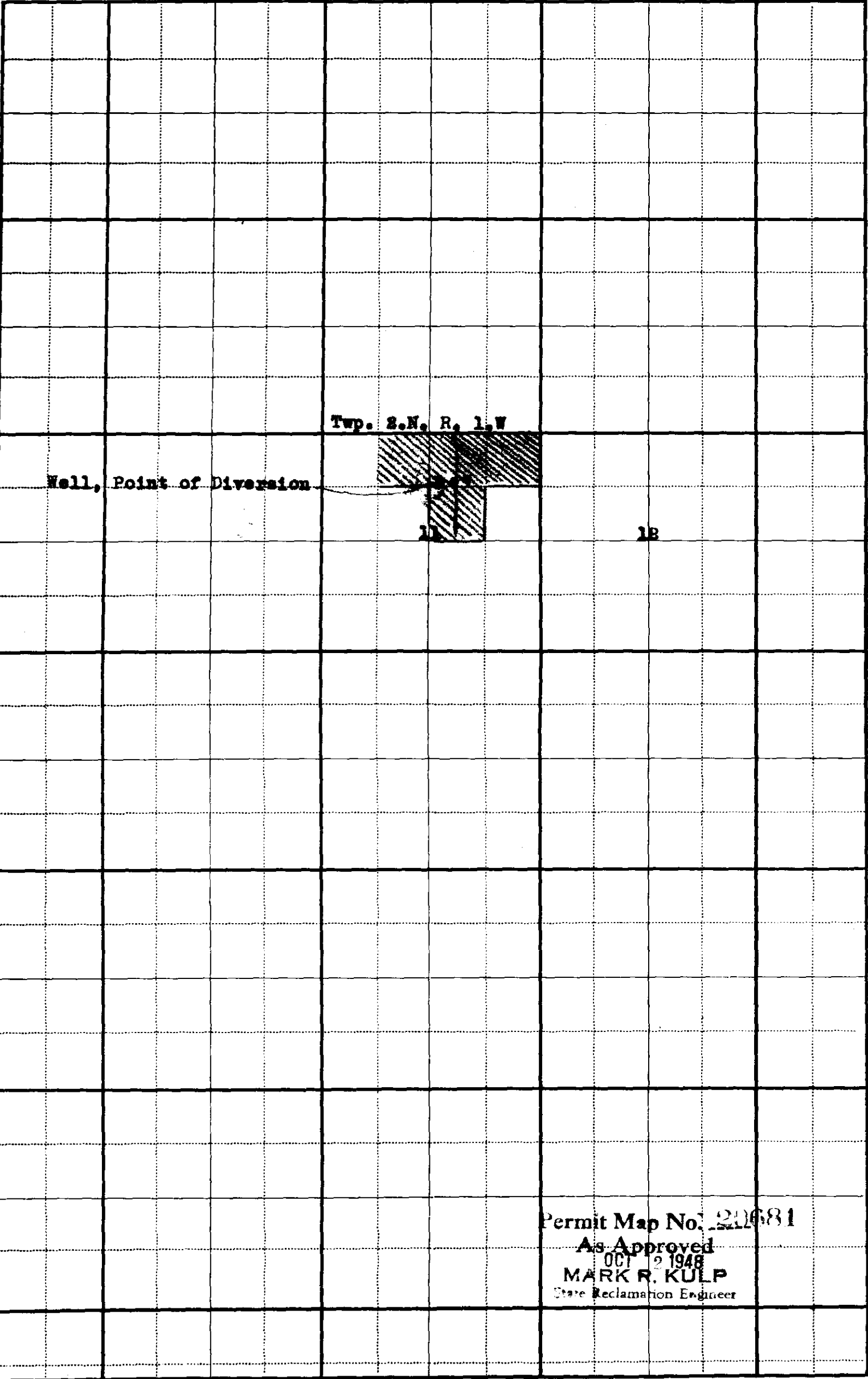
Date October 11, 1948

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SALE as given under approval of the
State Reclamation Engineer, on the fourth page.

MARK R. KULP
State Reclamation Engineer

Marcus Miller & L. D. Daniel
Route #2
Meridian, Idaho

20681



Permit Map No. 20681
As Approved
OCT 12 1948
MARK R. KULP
State Reclamation Engineer

NOTICE FOR PUBLICATION
NOTICE OF PROOF
APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 15th day of October, 1960, at Kuna, County of Ada, State of Idaho, before Mrs. P. S. Pride, proof will be submitted of the application to beneficial use of 1.6 cubic feet per second of the waters of well in accordance with the terms and conditions of Permit No. 20681.

Department of Reclamation of
State of Idaho

The name and postoffice address of the person or corporation holding said permit are Marcus Miller, Rt. No. 3, Meridian, Idaho.

The use to which said water has been applied is irrigation and domestic use.

The amount applied to beneficial use is 1.8 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 11, T2N, R1W, BM.

The right to take water from such works is based upon Permit No. 20681.

The source of supply from which such water is diverted is subterranean in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 11, T2N, R1W BM.

The date of priority which said user is prepared to establish is October 11, 1950.

GEO. N. CARTER
State Reclamation Engineer