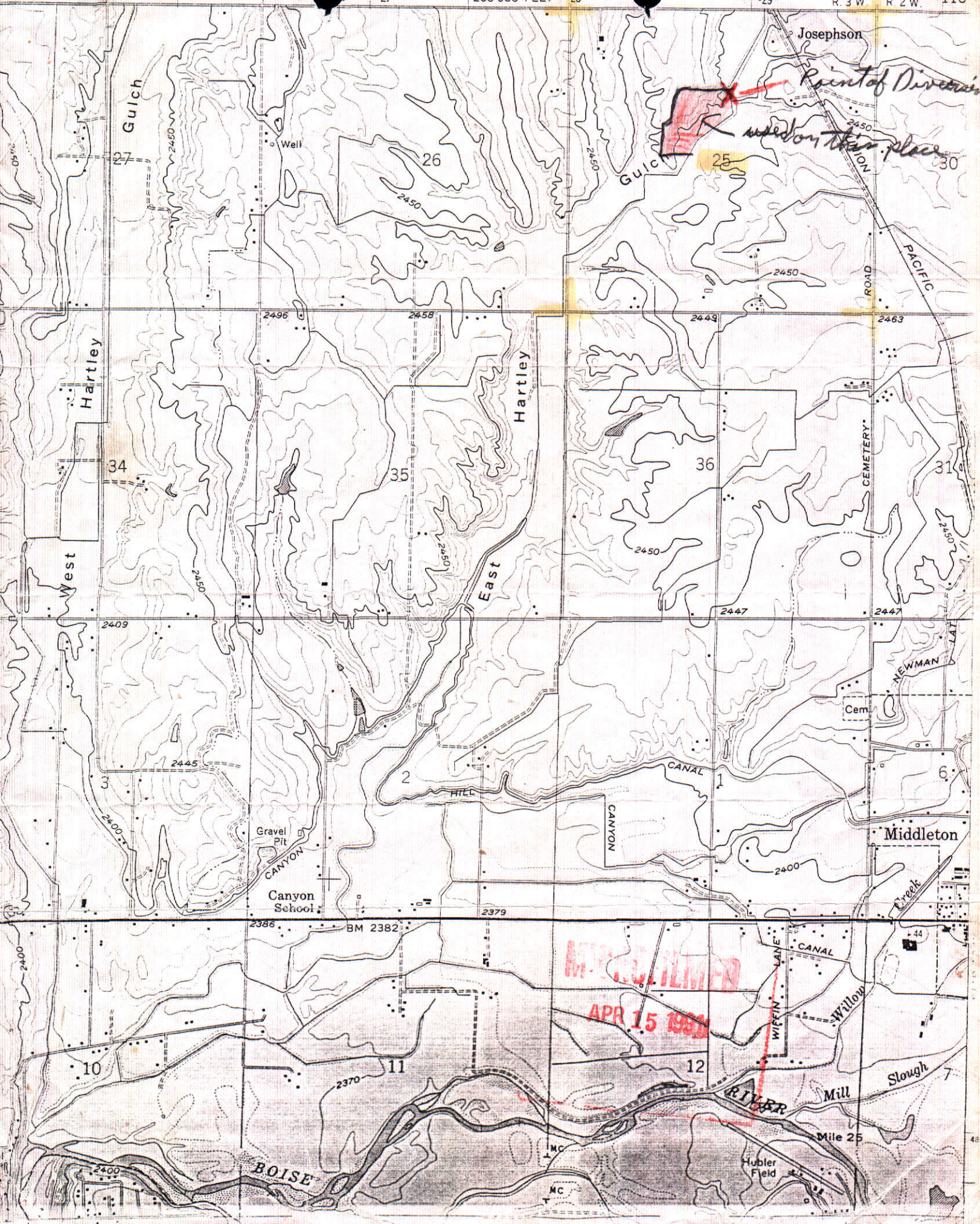
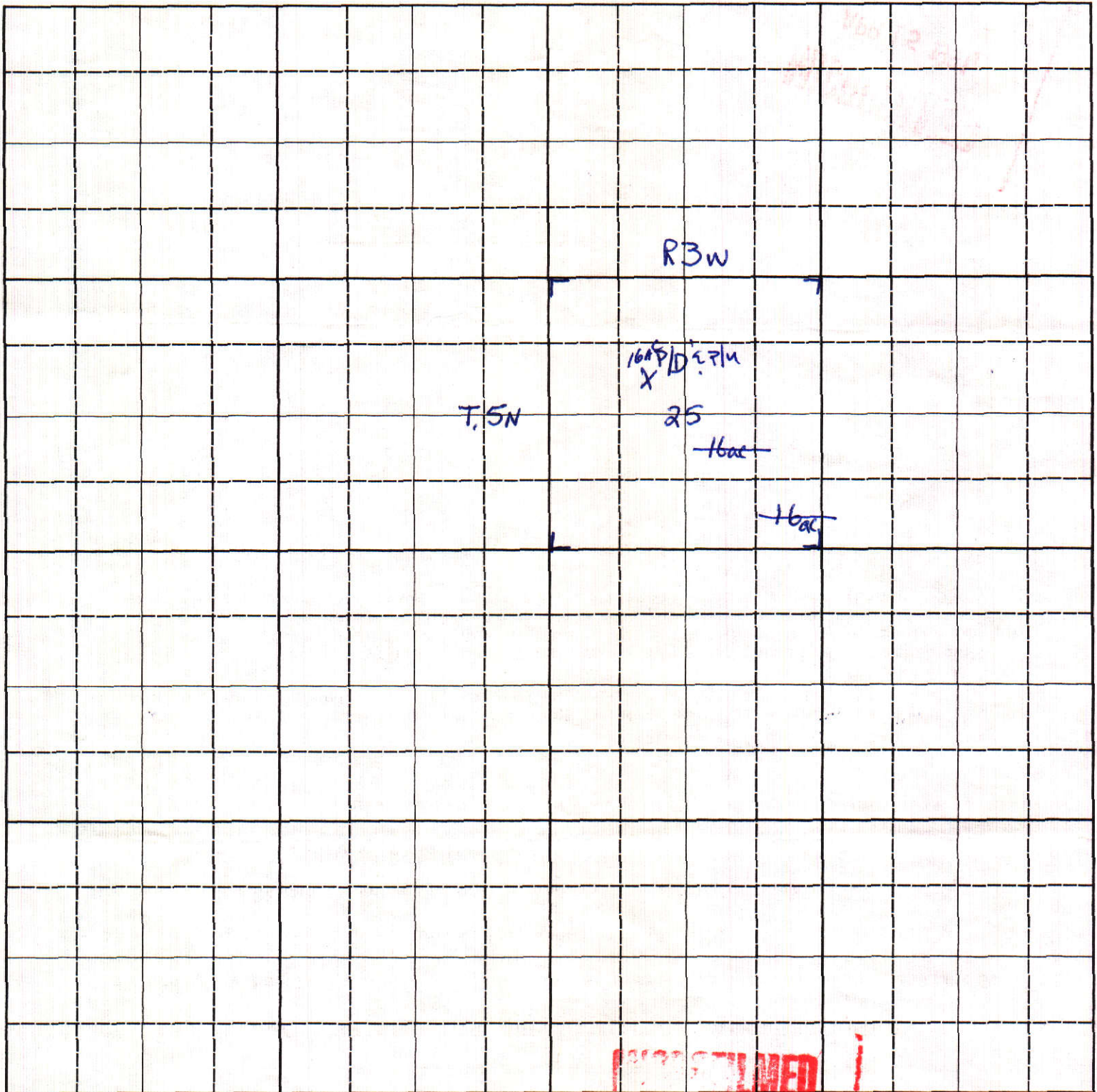




13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Mark J. Piney
(Applicant)

23 24

26 25

24 19

25 30

SE $\frac{1}{4}$ NW $\frac{1}{4}$
(Permitted tract)

15.2 Ac

1.4 Ac Well

SW $\frac{1}{4}$ NE $\frac{1}{4}$

RECEIVED
NOV 08 1995

Traced from Field Report map

WR#63-11438

To Bob Miller

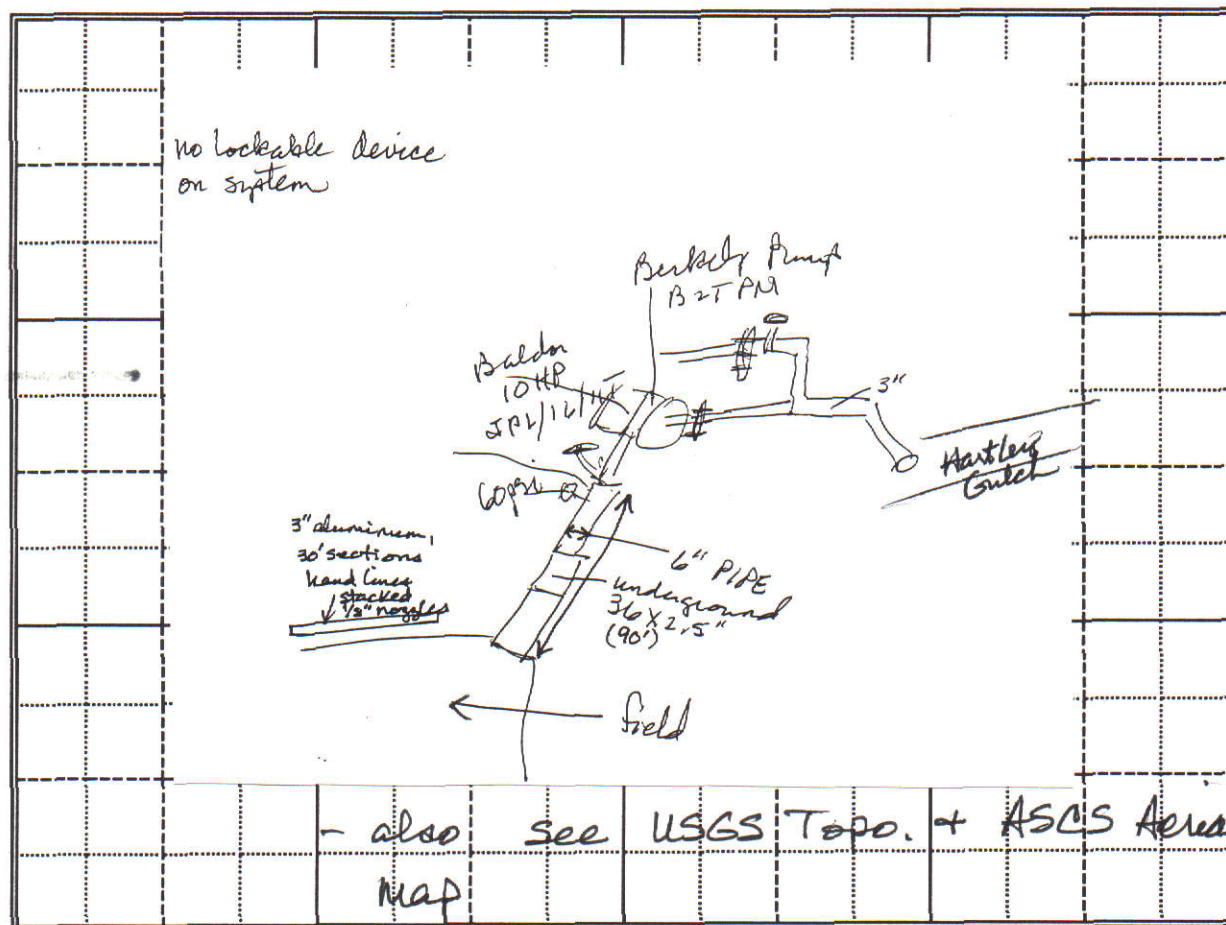
585-6340 Fax

From S.W. Keen

Dept. of Water Resources

327-7946 phone

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



Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Baldor	10	JPL/16/11T	Berkley	B2TPM
					6"

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Lasico Planimeter used to calculate portion of property in SW NE quarter quarter, as 1.38. ASCS aerial map had total property calculated as $16.6 - 1.38 = 15.22$ a in SE NW quarter.

NOV 08 1995



63-11438

BERKELEY PUMPS

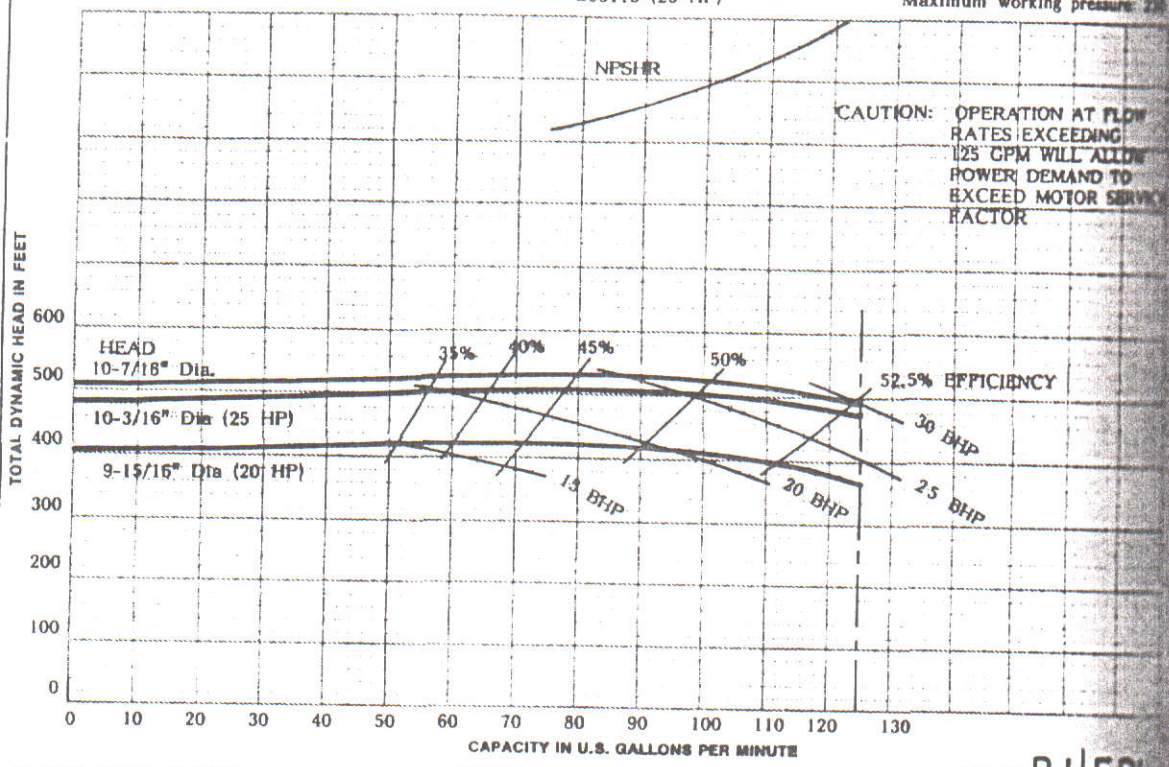
TYPE "B" RATING CURVES

MOTOR DRIVE

CURVE
DATE
PAGE
SUPPLEMENT
All previous
4075

Case: Material CI Part. No. L03093 Mach. No. L03093 Dia 10-7/16" Full
 Impeller: Material BRZ Part. No. L03220 Mach. No. L06114 (20 HP)
 L06115 (25 HP)

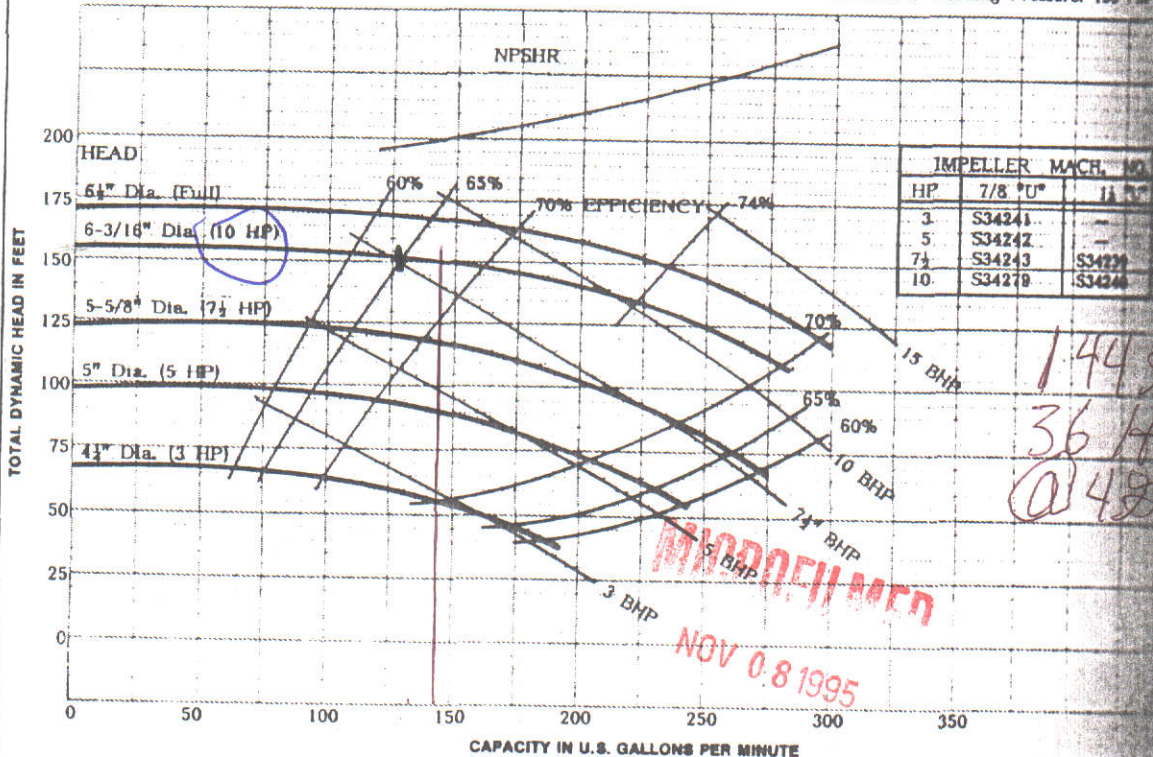
NOMINAL R.P.M. 3600
 Based on Fresh Water @ 80°F
 Maximum working pressure: 230 PSI



C-9089 Based on T-2694 Supersedes C-6529 Dated 2-29-72 Date 9-15-85 MODEL B 1 1/2 EPL

Case: Material C.I. Part. No. L01022 Mach. No. L01022
 Impeller: Material C.I. Part. No. S07369(7/8" U) S08058(1 1/4" U) Mach. No. See below Dia. 6 1/2" Full

Nominal R.P.M. 3600
 Based on Fresh Water @ 80°F
 Maximum Working Pressure: 150 PSI

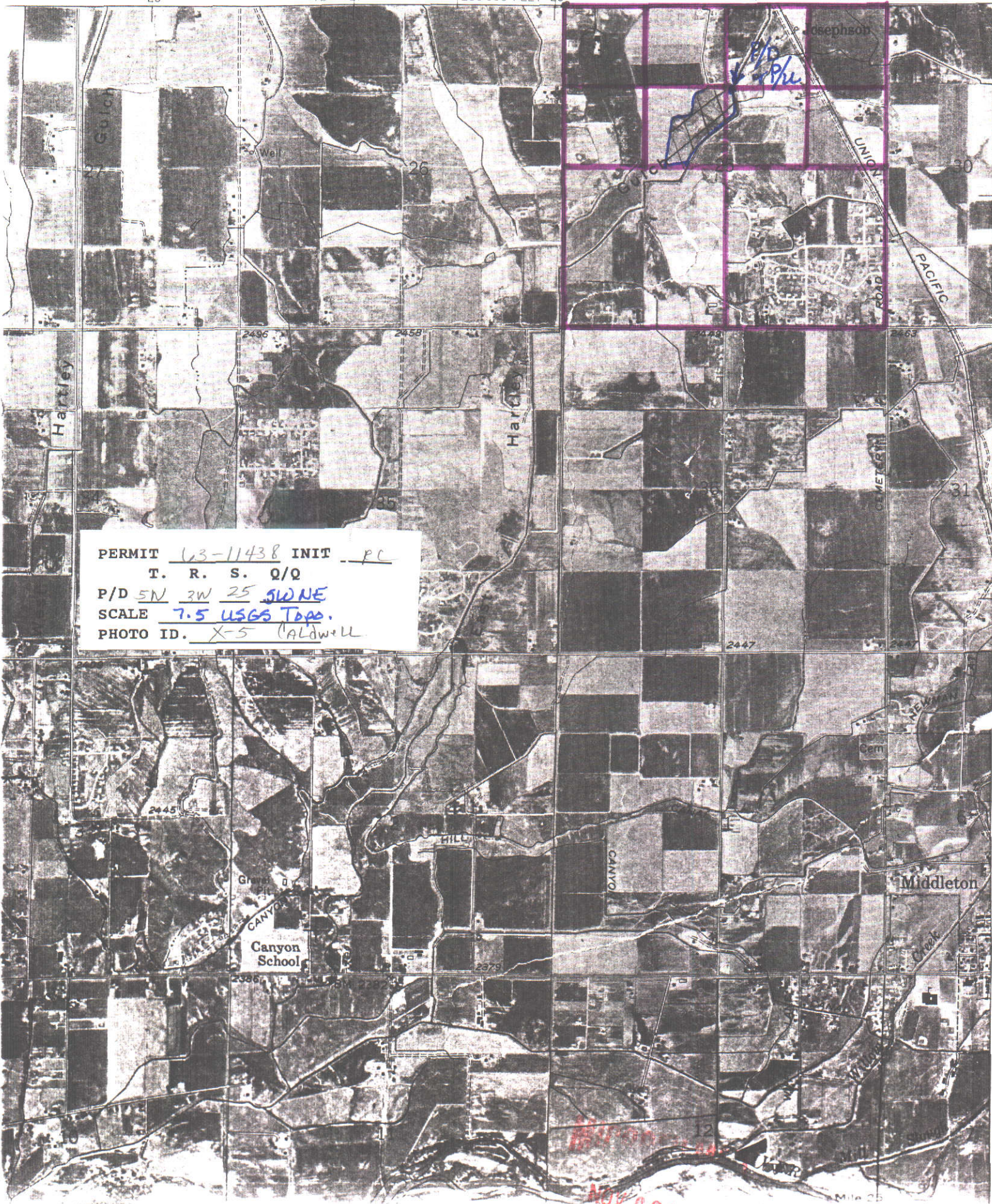


IMPELLER MACH. NO.		
HP	7/8" U	1 1/4" U
3	S34241	-
5	S34242	-
7 1/2	S34243	S34244
10	S34249	S34244

Handwritten notes:
 144 gpm - 146 gpm
 36 Heads
 @ 4800 rpm

MODIFIED
 NOV 0.8 1995

C-8578 Based on T-3775 Supersedes C-8578 Dated 4-23-80 Date 7-30-85 MODEL B 2 TPM



PERMIT 63-11438 INIT PC
 T. R. S. Q/Q
 P/D 5N 3W 25 SW NE
 SCALE 7.5 USGS TOPO.
 PHOTO ID. X-5 CALDWELL

NOV 28 1995

63-11438
10/13/94 S.H.

P/u
alfalfa
field

hook up for
hand line



P/u
alfalfa
field



NOV 08 1995

3" aluminum
hand line,
30' sections
1/8" nozzles;
disconnected
for winter -

pump curve:
(144 GPM 36 heads @ 4 GPM)

63-11438
10/13/94 S.H.



P/O

Berkely Pump
B2TPM

Baldor
10HP
JPL/16/11T

60psi



P/O

3" aluminum

6" aluminum
90' to hook-up
for hand line

NOV 08 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-11438

Priority: March 2, 1990

Maximum Diversion Rate:

0.32 CFS

Maximum Diversion Volume:

72.0 AF

This is to certify, that BOB MILLER
12563 GALLOWAY
MIDDLETON ID 83644

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated March 2, 1990; and
has submitted Proof of Beneficial Use on March 23, 1993. An examination indicates
that the works have a diversion capacity of 0.480 cfs of water from:

HARTLEY GULCH

tributary to BOISE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.32 CFS	72.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 25, Township 05N, Range 03W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	03W	25	SWNE 1.4	SENW 15.2		16.6

Total number of acres irrigated: 16.6

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

NOV 08 1995

State of Idaho
Department of Water Resources

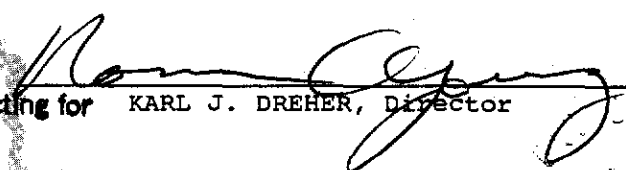
WATER RIGHT LICENSE

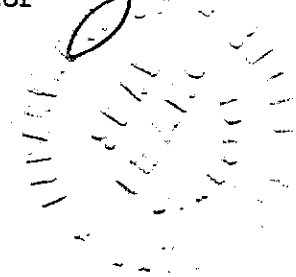
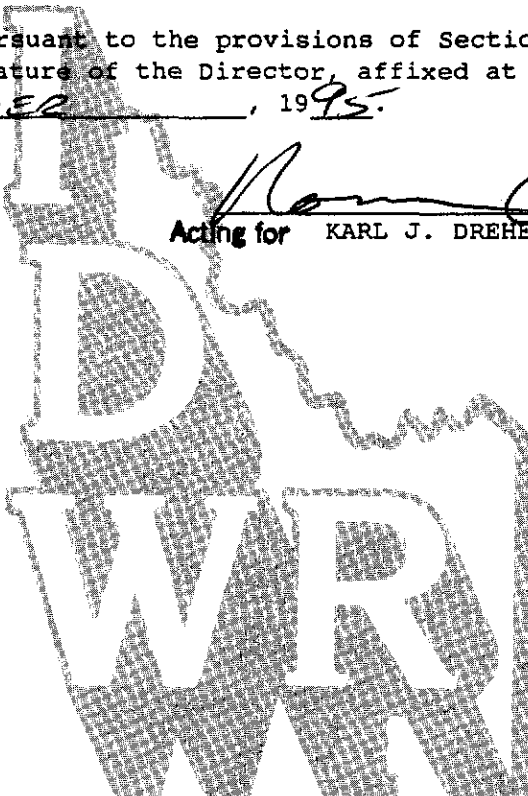
WATER RIGHT NO. 63-11438

CONDITIONS OF APPROVAL AND REMARKS

7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
8. This right is limited to the irrigation of 16 acres within the place of use described above in a single irrigation season.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 13TH day of OCTOBER, 1995.


Acting for KARL J. DREHER, Director



NOV 08 1995

State of Idaho
Department of Water Resources

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OCT 11 1995

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-11438

Department of Water Resources

Date of Priority: March 2, 1990

Maximum Diversion Rate: 0.32 CFS

Maximum Diversion Volume: 72.0 AF

Comes now BOB MILLER
12563 GALLOWAY
MIDDLETON ID 83644

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-11438, and requests that the permit be changed as follows:

Source: HARTLEY GULCH tributary to BOISE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.32 CFS	72.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 25, Township 05N, Range 03W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	03W	25	SWNE 1.4	SENE 15.2		16.6

Total number of acres irrigated: 16.6

RECEIVED

NOV 08 1995

APPROVED

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at 12563 Galloway, this 9 day of October, 1995.

12563 Galloway
Middleton Id

Bob Miller
(Signature)

State of Idaho
Department of Water Resources

RECEIVED
OCT 11 1995

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-11438

Department of Water Resources

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee \$15000 Received by JW # C03301 Date 10-11-95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 63-11438 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
8. This right is limited to the irrigation of 16 acres within the place of use described above in a single irrigation season.

NOV 08 1995

Witness my hand this 13TH day of OCTOBER, 1995.

Acting for Karl J. Dreher
KARL J. DREHER, Director

RECEIVED

MAR 23 1993

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only

Amt. of Fee \$ 180.00Date 3-23-93Receipt No. 0027050Received by ju

PROOF OF BENEFICIAL USE

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

1. Permit No. 63-11438 Telephone No. 585-3552
2. Name(s) of Permit Holder(s): Robert Allen Miller
3. Post Office Address: 12563 Galloway Middleton, Id 83644
4. Source of Water: Hartley Gulch
 - a. If ground water, well driller's name: _____ Date drilled: _____
 - b. Pump horsepower: 10 Pressure (psi): 50 Dynamic pumping level (ft.): 40'
5. Extent of Use:

Domestic _____ (No. of households)	Irrigation <u>18 1/6</u> (No. of acres) <u>3123 kg</u>
Stockwater _____ (No. and type of stock)	Other _____
6. Total rate and/or volume for which proof is submitted 32 cfs _____ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device:	Required? <u>Yes</u> ☒ No	Installed? <u>Yes</u> ☒ No
OR		
Flow Measurement Port:	Required? <u>Yes</u> ☒ No	Installed? <u>Yes</u> ☒ No
8. Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)
9. Person to contact to accompany the Department representative during the field examination:

<u>Bob Miller</u>	<u>5853552</u>
Name	Telephone No.
<u>12563 Galloway Middleton Id 83644</u>	
Address	

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

15 Mar 93
DateRA Miller
Signature (and title if on behalf of a company or organization)

APR 22 1993

MAR 03 1992

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESFor Office Use Only
\$15 Fee Received by
Date 3-3-92
Receipt No. C023397**REQUEST FOR EXTENSION OF TIME****TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT**

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 63-11438
Name(s) of Permit Holder: Neal Spencer / Robert A Miller
Mailing Address: 12563 Galloway Middleton Id 83644
Date Proof is Due 1 April 1992 Telephone No. 585-3552

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

6" line installed (400') Concrete gate box installed
in concrete ditch.

Costing \$ 500

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Desert Storm (8 Dec 91 - 17 Aug 92) created a major financial
hardship. The remainder of the project will cost
approx. \$2000. I didn't plant a 92 crop but will be planting
for 93.

Permit holder(s) request an extension to 1 April 93, 1993.

FEE: \$15.00

RA Miller
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED
and the time within which to submit proof of beneficial use is extended to
April 1, 1993.

MAY 20 1992

Signed this 8th day April, 1992

A. New Saylor
Chief, Water Allocation Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE)
FLOW MEASUREMENT PORT OR)
MEASURING DEVICE CONDITION)
OF APPROVAL FOR PERMIT NO. 63-11438)
IN THE NAME OF ROBERT A. MILLER)
_____)

ORDER

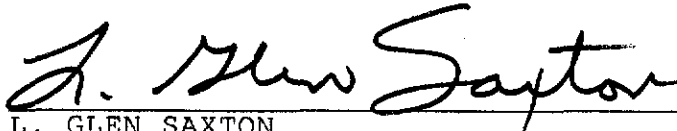
WHEREAS, the Department of Water Resources (department) has issued the above captioned water right permit with a condition of approval requiring the permit holder to install a flow measurement port or other device to facilitate the measurement and determination of the rate of diversion by the department; and

WHEREAS, the department has determined that the rate of diversion for certain ground water uses can be estimated by the department without the use of an installed flow measurement port; and,

WHEREAS, the department has determined that the rate of flow for the above captioned permit can be estimated without the use of a flow measurement port;

IT IS THEREFORE, hereby ordered that the condition of approval requiring the installation of a flow measurement port or other device for the above captioned permit is REMOVED.

Dated this 7th day of April, 1992.



L. GLEN SAXTON
Chief, Water Allocation Bureau

APPROVED FOR FILMING
MAY 20 1992

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	63-11438	Neal Spencer	0.32
Full Assignment	63-11438	Bob Miller	0.32

RECEIVED
MAY 20 1992

State of Idaho
Department of Water Resources

RECEIVED
MAR 20 1992
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Neal Spencer, hereby assign to Bob Miller
of 12563 Galloway - Middleton, Idaho 83644
Address

All my right, title, and interest in and to Permit No. 63-11438
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and
to Permit No. 63-11438 to appropriate the public waters of
the State of Idaho. (Describe that portion of the permit being
assigned by listing the acreage within each 40-acre subdivision, the
point of diversion and the amount of water in cubic feet per second for
direct diversion, or acre feet for storage)

Made this 9 day of March, 1992

Neal Spencer
Permit Holder

Christine Spencer
Spouse of Permit Holder

State of Idaho)
County of Canyon) SS

On this 10 day of March, 1992, personally appeared before
me the signer(s) of the above instrument, who duly acknowledged to me that
he (she) (they) executed the same.

Bill Black

Notary Public residing at

Missoula ID

seal

My commission expires:

9-18-94

MAY 20 1992

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-11438

Proposed Priority: March 2, 1990 Maximum Diversion Rate: 0.32 CFS
This is to certify, that **NEAL SPENCER**
12776 PURPLE SAGE
MIDDLETON, ID 83644
has applied for a permit to appropriate water from:

HARTLEY GULCH tributary of **BOISE RIVER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	03/15 to 11/15	0.32 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SENW Sec. 25, Township 05N, Range 03E
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	03W	25	SENW	16		16

Total number of acres irrigated: 16

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1992.
2. Subject to all prior water rights.
3. Use of water under this permit is subject to control by the watermaster of State Water District No. 63.
4. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

2nd day of

April, 1991.

APR 15 1991

R. Keith Higginson
for R. Keith Higginson, Director

Form 202
5/85
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MAR 02 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 63-11438

Department of Water Resources
Western Regional Office

To appropriate the public waters of the State of Idaho

1. Name of applicant Neal Spencer Phone 585-2738
Post office address 12776 Purple Sage Middleton Id
83644
2. Source of water supply Hittley Gulch which is a tributary of Bowie River
3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 25 Township 5 N Range R3W B.M. Canyon County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Allow March 15 thru November 15

Amount 0.32 for Irrigation purposes from April to Sept 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) 0.32 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Perma pump in
ditch with 6 in pvc pipe going to
Irrigation ditch.

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

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

7. Time required for the completion of the works and application of the water for the proposed beneficial use is
1 years (minimum 1 year).

MICROFILMED

APR 15 1991

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

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

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	3W	25								16									

Total number of acres to be irrigated 16

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? _____

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

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

12. Remarks: _____

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APR 15 1991

526

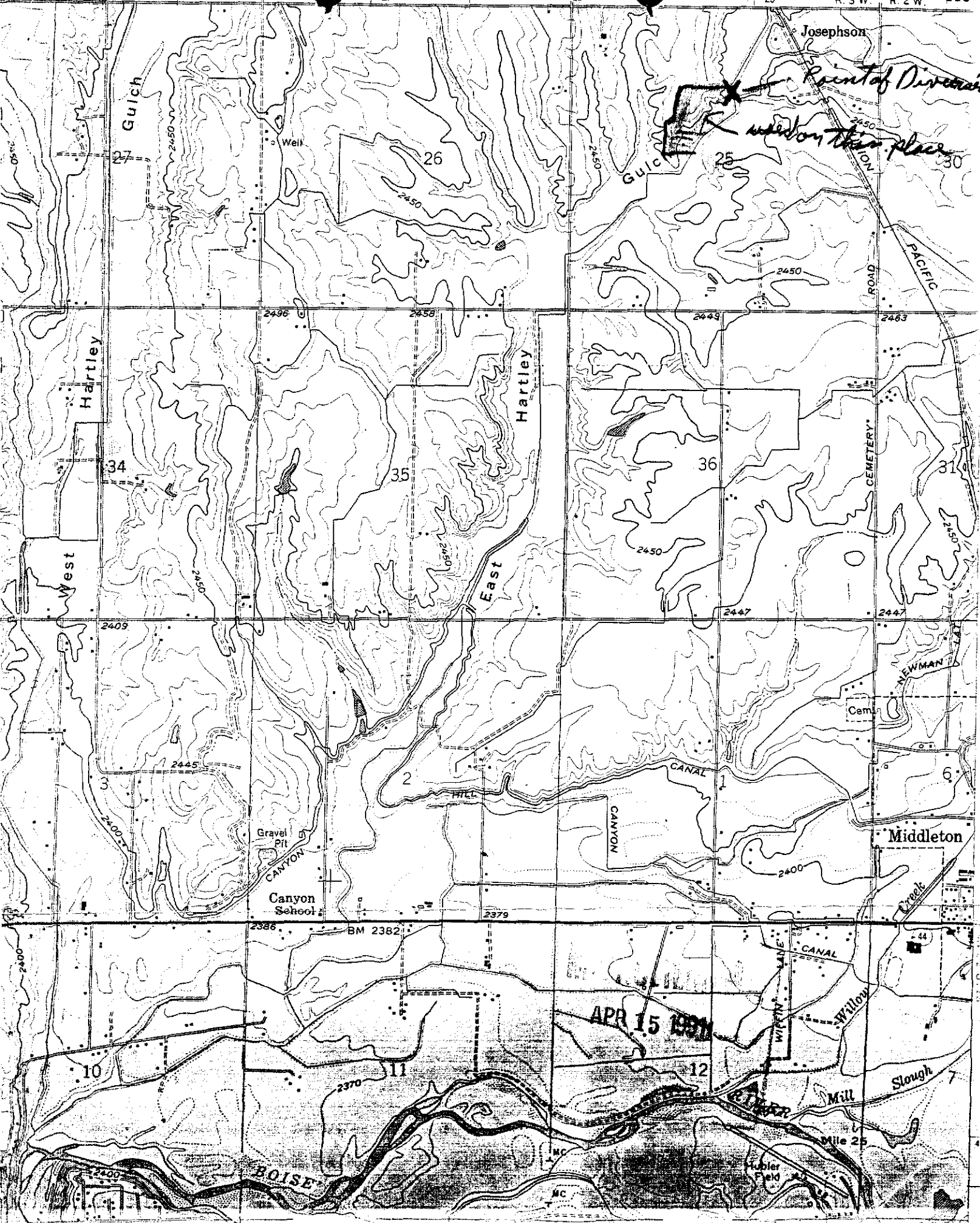
527

260 000 FEET 528

529

R. 3 W. R. 2 W.

116°

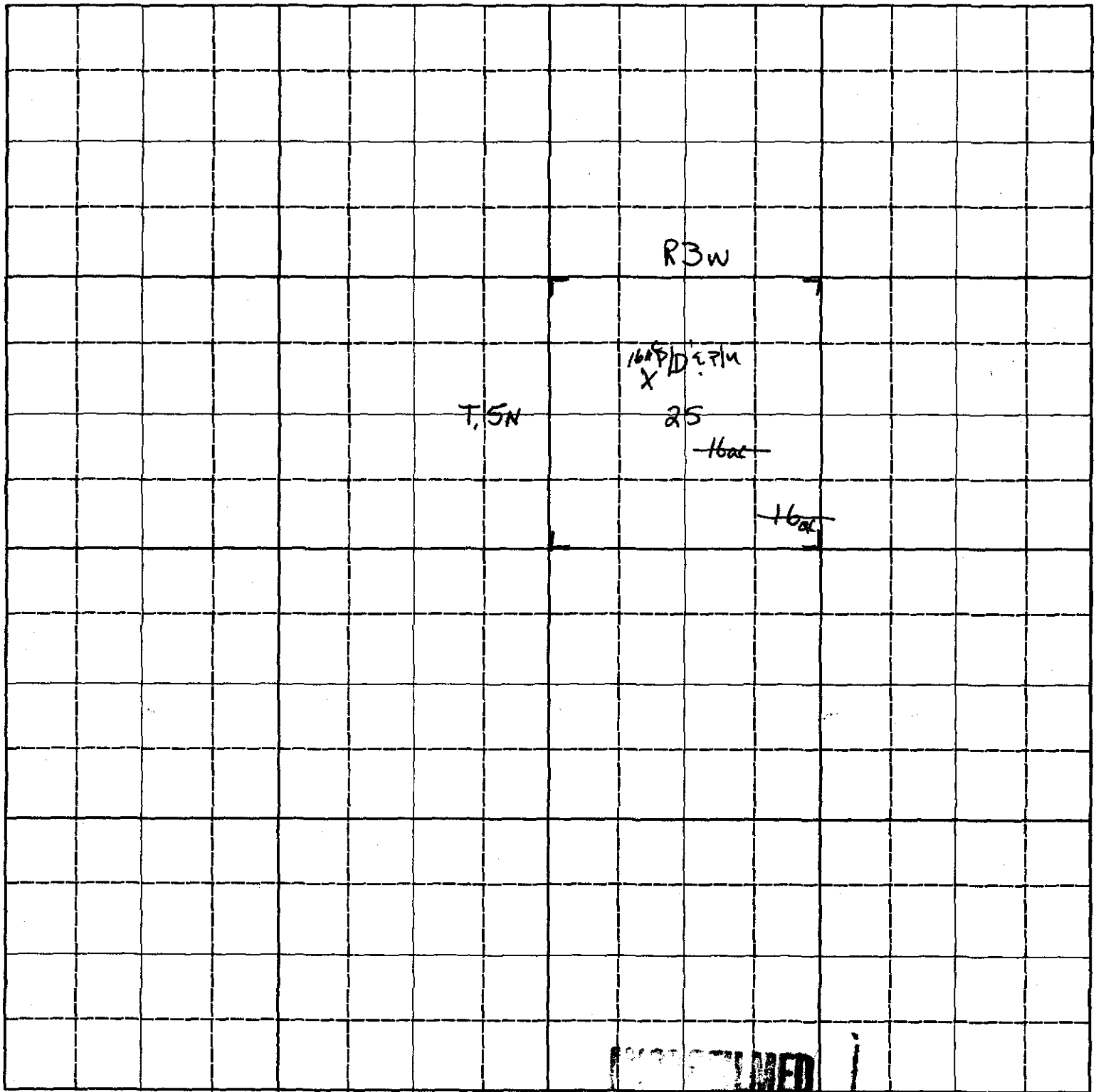


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JAN 09 1991

Department of Water Resources
Western Regional Office

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



Scale: 2 inches equal 1 mile.

APR 15 1991

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.

Mark Piny
(Applicant)

Received by VH Date 3-2-90 Time 10:00 Preliminary check by fw
Fee \$ 65.00 Receipted by Val # WD10438 Date 3-5-90 *check received 3/2/90*
Publication prepared by GG Date 1-30-91 Published in Press-Tribune
Publication approved JT Date 3-1-91 2/6 & 2/13/91 *Je*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MICROFILMED
APR 15 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 16, 1995

BOB MILLER
12563 GALLOWAY
MIDDLETON ID 83644

RE: WATER RIGHT NO. 63-11438

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

NOV 08 1995

M E M O R A N D U M

DATE: September 18, 1995

TO: File 63-11438

FROM: Shelley W. Keen (SWK)

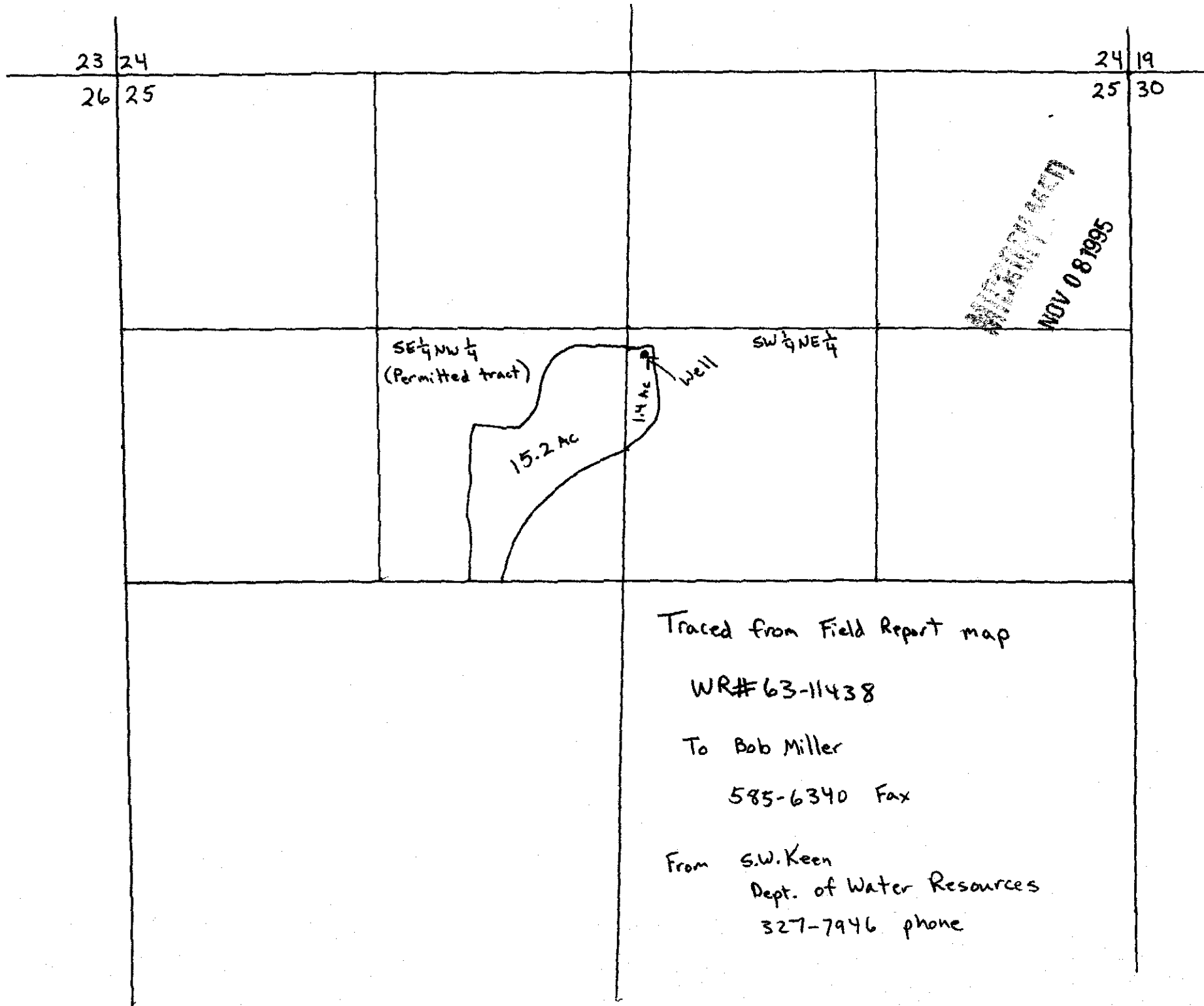
RE: Licensing amendment

=====

Today I spoke with Bob Miller (208-585-3552) about the licensing amendment necessary to correct the place of use and point of diversion for right 63-11438. Mr. Miller does not disagree with the findings of the field examiner, but he felt he should not be responsible for the amendment fee. Because Neal Spencer, not Mr. Miller, filed the application for permit, Mr. Miller feels that he should not be responsible for the filing error.

I explained to Mr. Miller that IDWR issued the permit exactly as was requested in the application. Therefore, licensing the right will require an amendment. Mr. Miller said that he would send the amendment with the fee on or about October 15, 1995.

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NOV 08 1995





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 28, 1995

BOB MILLER
12563 GALLOWAY
MIDDLETON ID 83644

RE: WATER RIGHT NO. 63-11438

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion and the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

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BRENDA

NAME	Change	OK	Or Address Change?
PRIORITY DATE			Advance? _____ Advanced to: _____ Order to reinstate needed? _____ Incorrect fee for rate recommended? <u>NO</u>
SOURCE			Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV			Amendment needed? <u>change to SWNE 1/4 1/4</u> <u>RANGE 3</u> Overlaps? <u>STAT CLAIM 63-04245</u> <u>(Permit income)</u>
PLACE OF USE			Amendment needed? <u>ADD SWNE 1/4 1/4</u> Overlaps? <u>STAT CLAIM 63-04245 ; ALSO USE BLACK CANYON IRR CO. WATER</u>
DIV RATE			Permit/fee limits: <u>.32 CFS / 16 acres</u> Meas Q = _____ Theo Q = <u>.49</u> Recommend: <u>.32</u> <u>Pump Curve Q = .32 CFS</u> <u>Pipeflow Q = .48</u> <u>16 x .02 = .32 CFS</u> Combined rates exceed capacity _____
ANNUAL VOLUME			Volume Limit: _____ Season: <u>9/4.5 (3-15 to 11-15)</u> Calculations: <u>16 x 4.5 = 72 gF</u> Flow limit: _____ cfs x _____ x 1.9835 = _____ Combined volumes exceed capacity/allowable _____
USES			Change in Nature of Use or additional uses? _____ Amendment necessary? _____
ADDITIONAL INFO			Supplemental Groundwater _____ PPU Scenario _____ Irr/Dom Combination _____ Shared G/W System _____
NEW REMARKS			Multiple p/d(s) in 1/4 1/4? _____ <u>W27</u> Other <u>(16 acres)</u>
NEW CONDITIONS			<u>R04</u> Watermaster control - District <u>63</u> <u>R02</u> Measuring/Locking Devices <u>R32</u> Irrigation Overlap ____ Other _____ ____ Water Quality _____ Heat/Cool/Fish verified _____

COMMENTS :

Amend P/D + P/U

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	<u>NO</u>
<u>Irrigation</u>	<u>.32</u>	<u>72.0</u>	Adjustment Memo Needed	<u>YES</u>
			LICENSE	
			1ST AMEND LETTER	<u>P37+P38</u>
			2ND AMEND LETTER	<u>P47</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 17 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-11438

1. Owner: Bob Miller Phone No. (208) 585-3552

Current Address: 12563 Galloway Middleton, Id 83644

2. Accompanied by: Bob Miller EXAM DATE: 10/13/94

Address: 12563 Galloway Middleton, Id 83644 Phone No. (208) 585-3552

Relationship to Permit Holder: self

3. Source: Hartley Gulch tributary to Boise River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: James Stephens 63-04245
2. Other water rights with the same point of diversion: - 63-04245 James Stephens

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	SW	NE	25	5N	3W	Canyon	USGS Topo. & exam & ASCS aerial map

2. Place(s) of Use:

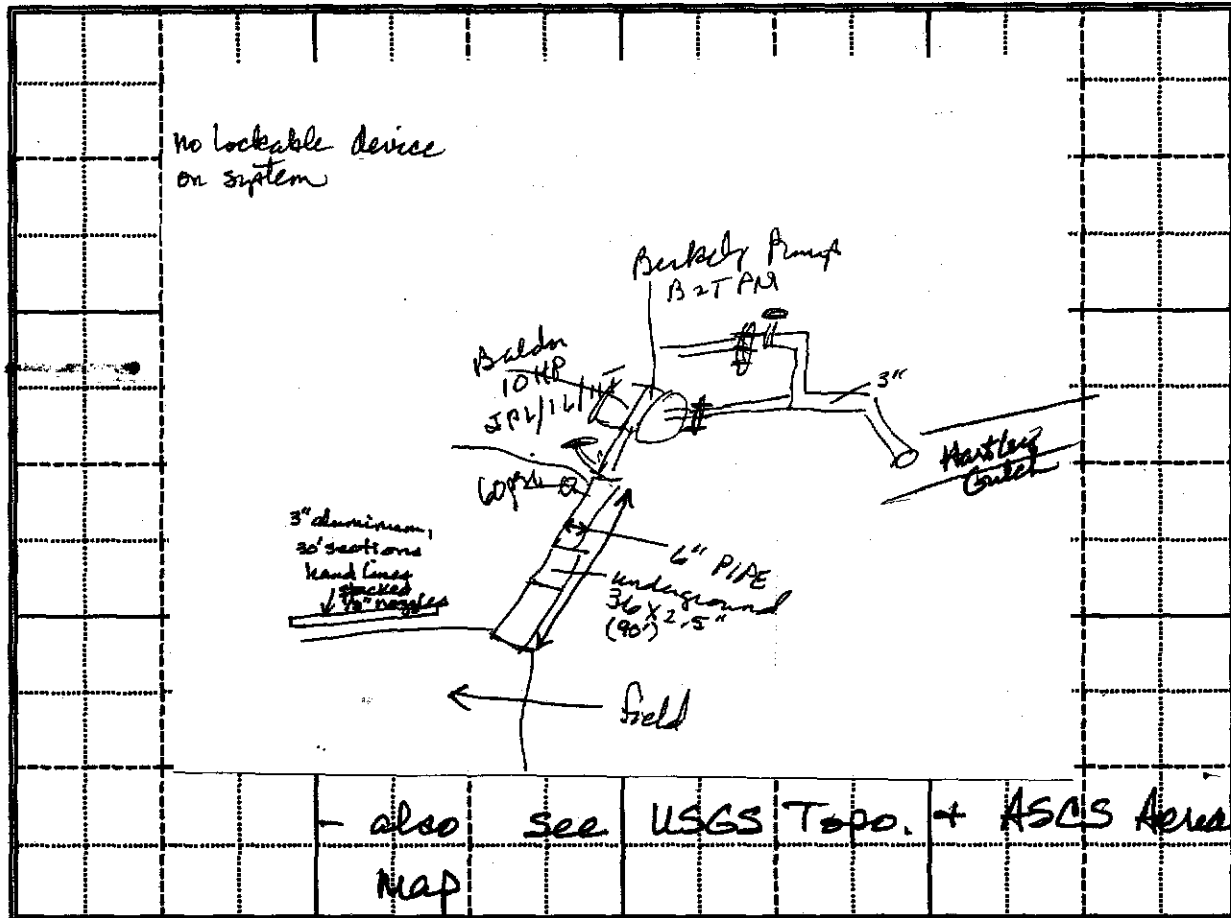
Indicate Method of Determination

USGS Topo. & exam + ASCS.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
~~5N~~	~~3W~~	~~25~~	~~5.4~~		~~1.4~~	~~5.4~~					~~5.4~~								~~16.0~~
					~~1.4~~														
5N	3W	25			1.4					15.2									16.0 acre per permit

NOV 8 1995

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



Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Baldor	10	JPL/16/11T	Berkley	B2TPM 6"

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Lasico Planimeter used to calculate
portion of property in SW NE quarter, quarter, as
1.38. APCS aerial map had total property
calculated as $16.6 - 1.38 = 15.22$ ac in NE NE quarter
quarter.

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E. NARRATIVE/REMARKS/COMMENTS

- Amend P/D from TOSN R03E S25 SENW to: TSN R3W S25 NWSWNE as identified by owner on the USGS Topo 7.5 map, & ASCS aerial map. (Looks like an error when entered into the computer system)
- Assignment of permit from Neal Spencer assigning to Bob Miller, dated & signed by Neal & Christine Spencer 3/9/92 & stamped "received 3/20/92" by Dept. of Water Resources.
- Use is for irrigation of 16 acres, using 3" aluminum handline, 30' sections, 1 head/section, 1/8" nozzle rainbird, & running 36 nozzles on the system @ one time. (At the time of the exam, the pipe had been taken apart for the season). The Berkeley Type "B" Rating pump curve was used.
- Other water sources: Black Canyon Irrigation Co.
- Other WR #A63-04245 ^{under James H. Stephens/Plat. Miller,} ~~under the name of James H. Stephens~~, for 20 acres irrigation for this same piece of property, from waste water sources.
- No govt lots were found in section 25.
- Overlaps for P/D WR#63-04245 waste water source.
- Overlaps for P/U WR#63-04245 same land but other source (waste water)

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

No lockable device was on the system

NOV 08 1995

Additional Computation Sheets Attached

ured Method:
Berkeley Type "B" Rating Curve (see attachment) = .33 cfs
Pumpback Computation spreadsheet (see attachment) = .48 cfs

* No physical measurement of nozzles, etc. since
VOLUME CALCULATIONS pipes ^{was} taken apart for the season; used

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 72 \text{ Afa} = 16 \times 4.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{156.14 \text{ Acre}} = \frac{32 \times 246 \times 1.9835}{1.9835}$$

$$V = \text{Smaller of } V_{IB} \text{ and } V_{DB} =$$

2. Volume Calculations for Other Uses:

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Irrigation	3/15	11/15	.32 cfs	72 Afa
Totals:			.32	72

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

Field Examiner's Name And Hernandez Date 12/9/94

Reviewer _____ Date _____

SEAL

1987

NOV 08 1995

* See adjustment memo. *W*

MEMORANDUM

TO: File 63-11438 / Bob Miller
FROM: Brenda Chapman
DATE: August 21, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

H. RECOMMENDATIONS

2. Recommended Amendments

☒ Change P.D.	☐ Add P.D.	☐ None
☐ Change P.U.	☒ Add P.U.	☐ Other

The exam confirms the place of use also needs amending.

NOV 9 8 1995

63-11438

① permit irrigation 3/15-11/15 .32 cfs

② B/u \$100⁰⁰ fee pd 3/23/93 .21-1.00 cfs

③ max. allowable:

$$16 \text{ acres} \times .02 \text{ cfs} = \text{.32 cfs}$$

④ measurement method:

Berkeley Type "B" Rating Curve
(copy attached to show where #'s obtained)

$$146 \text{ gpm} \times .00223 = .325 = .33 \text{ cfs}$$

Pumpback Computation spreadsheet: .49 cfs
(attachment)

NOV 08 1995

Pumpback Computation Spreadsheet (DRT 1/24/1995)

Data Entered By: Sandy Hemenway
04/20/95

Project: Flow Computation for 63-11438

Given: See Data Table

Compute head losses with the Williams and Hazen Formula:

$$f = 0.2083 * (100 / \text{roughness})^{1.85} * ((\text{cfs} * 448.8)^{1.852} / \text{ID}^4.8655 * \text{Length} / 100)$$

To Find: Compute Rate of Flow for a Pumpback System

Data Table

Vertical Lift: 10.00 feet *Lift from gulch to location of pump + pressure gauge*
Pressure Req'd: 50.00 psi *40-60 psi irrigation system, 50 psi average*
Required Head: 125.50 feet
Pump Horsepower: 10.00 horsepower
Pipe Roughness: 150.00 Note: pvc = 150, smooth and straight pipe = 140
aluminum - joint length 20' = 125, joint length 30' = 130, joint length 40' = 132, joint length 50' = 134, new riveted steel = 100
old riveted steel = 100, old cast iron = 95, old pipes in poor condition = 60 to 80

Inside Diameter in Inches	Equivalent Length in Feet	Unit Head Loss	Total Friction Head Loss from Pipe Friction
2.75	10.00	1.55	
1.00	0.00	0.00	
1.00	0.00	0.00	

1.55

Initial Estimate of Rate of Flow:

0.489 CFS

Computation of Rate of Flow:

0.48

NOV 08 1995



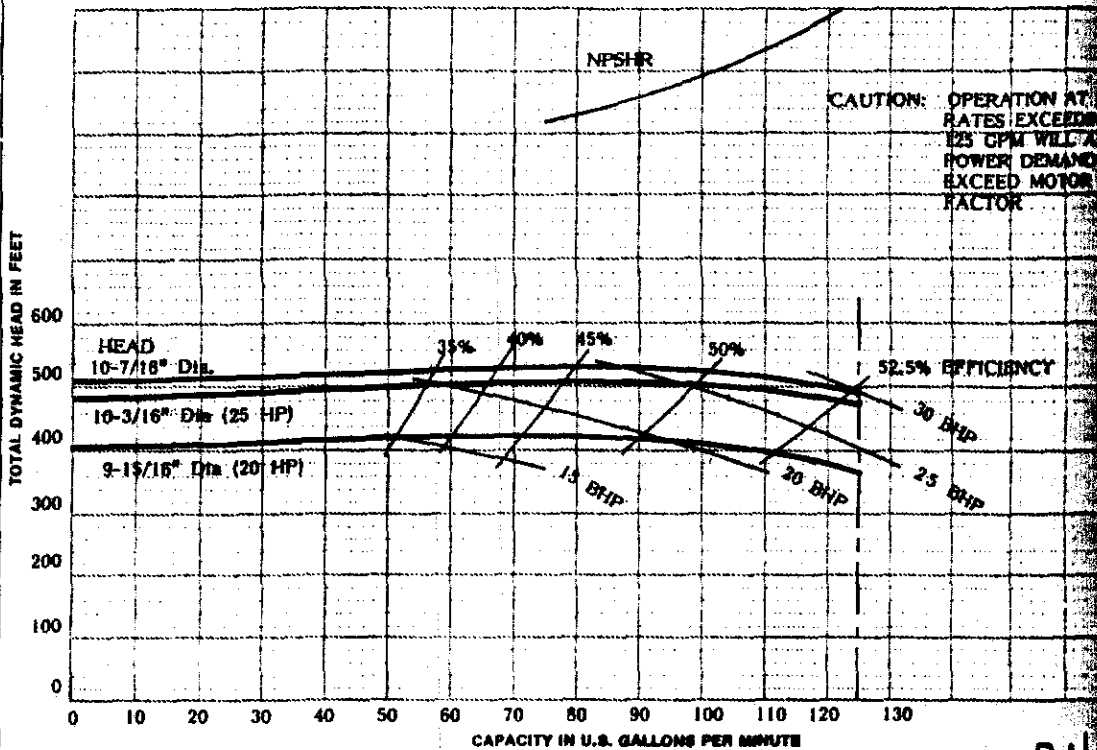
63-11438
BERKELEY PUMPS
TYPE "B" RATING CURVES
MOTOR DRIVE

CURVE
 DATE
 PAGE

Case: Material CI Part. No. L03093
 Impeller: Material BRZ Part. No. L03220

Mach. No. L03093 Dia 10-7/16" Full
 Mach. No. L06114 (20 HP)
 L06115 (25 HP)

NOMINAL R.P.M. 3500
 Based on Fresh Water @ 80°F
 Maximum Working Pressure 150 PSI



C-9089 Based on T-2694

Supersedes C-6529 Dated 2-29-72

Date 9-15-85

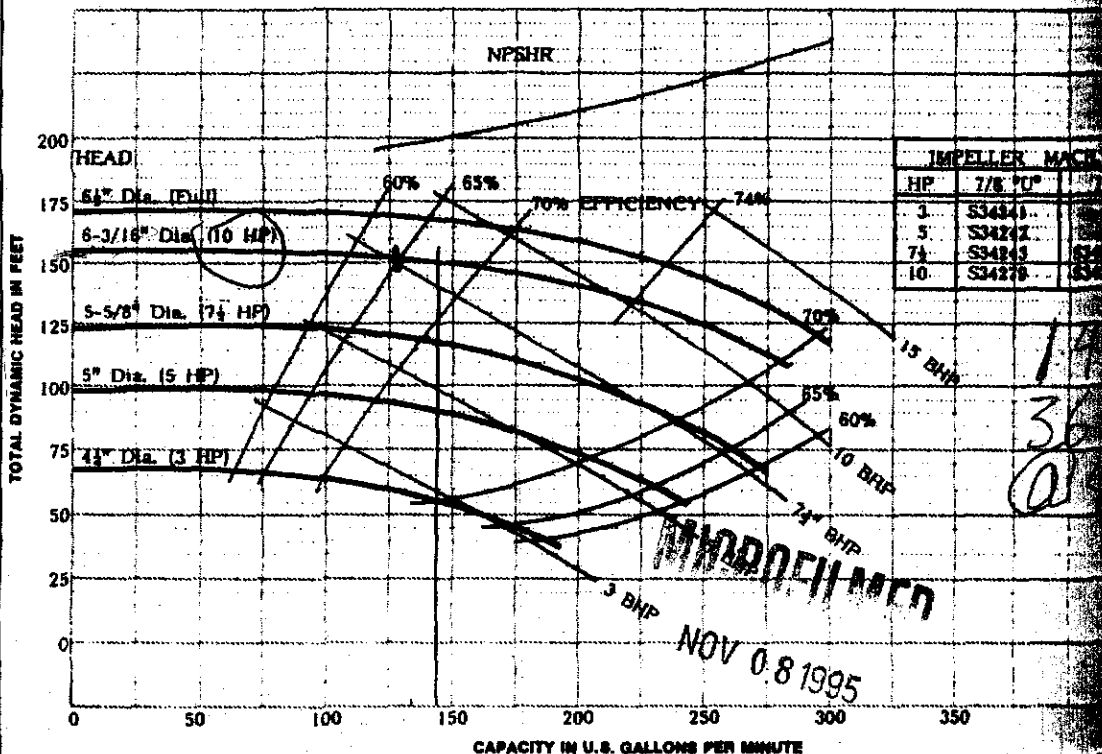
MODEL B1 1/2

Case: Material C.I.
 Impeller: Material C.I.

Part. No. L01022
 S07369(7/8" U)
 S08058(1 1/4" U)

Mach. No. L01022
 Mach. No. See below Dia. 6 1/2" Full

Nominal R.P.M. 3500
 Based on Fresh Water @ 80°F
 Maximum Working Pressure 150 PSI



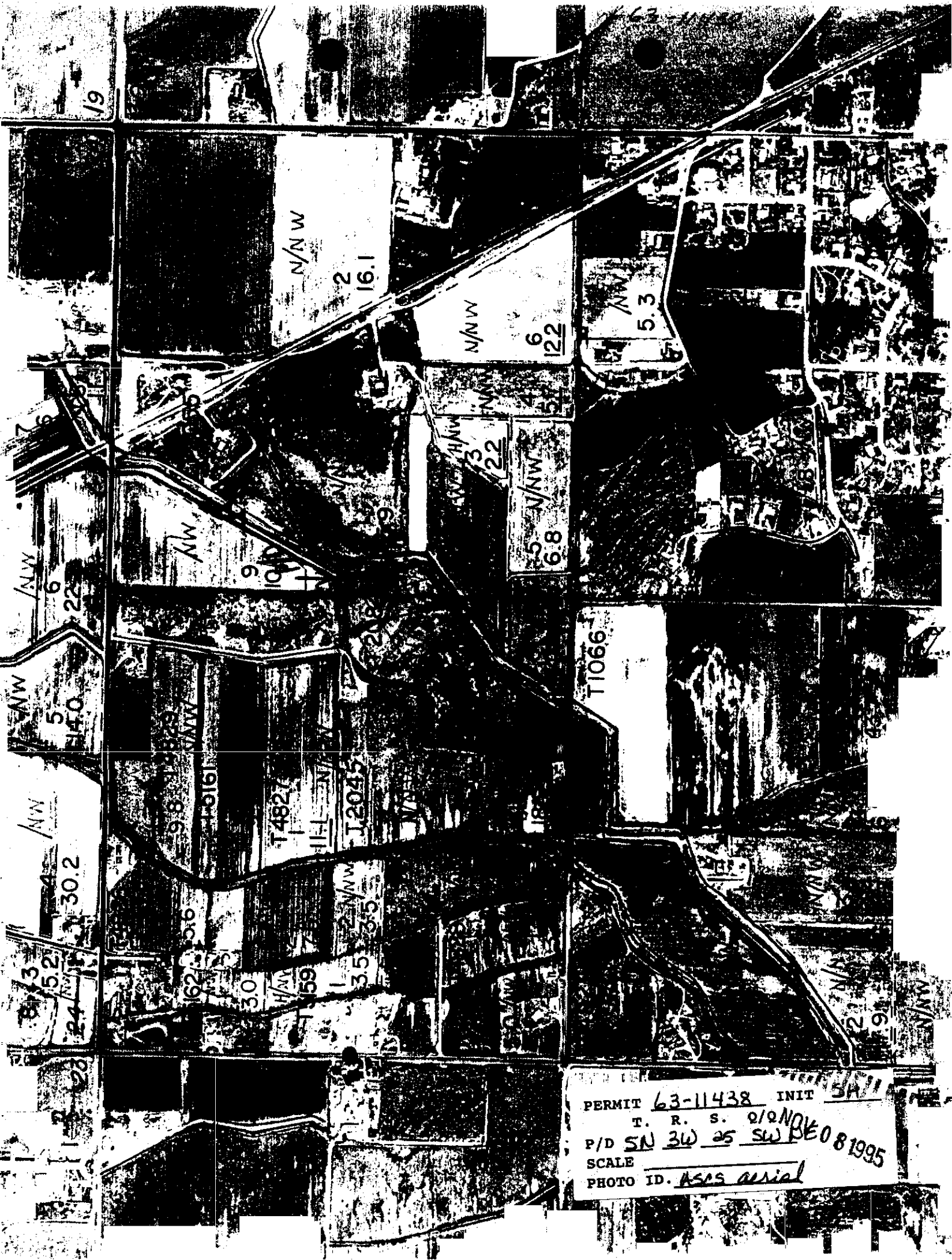
C-8578 Based on T-3775

Supersedes C-8578 Dated 4-23-80

Date 7-30-85

MODEL B2T

$$TDH \div 2.31 = PSI$$



PERMIT 63-11438 INIT 5A11
T. R. S. Q10ND1E
P/D SN 3W 25 SW DE 081995
SCALE
PHOTO ID. ASIS aerial

526

45 527

1260 000 FEET 528

529

R. 3 W. R. 2 W.

116° 37'

PERMIT 63-11438 INIT PL
T. R. S. Q/Q
P/D 5N 3W 25 SW NE
SCALE 7.5 USGS Topo.
PHOTO ID. X-5 Caldwell

CANYON
Canyon
School

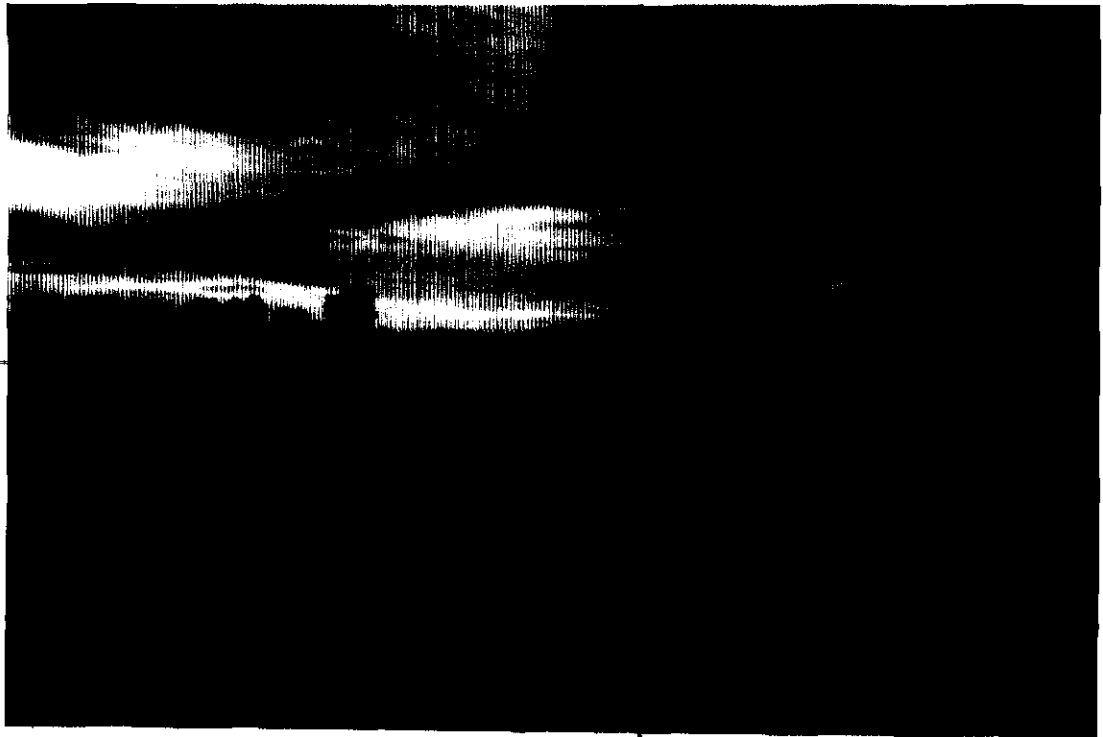
081995

Mile 25

63-11438
10/13/94 SH.

P/u
alfalfa
field

hook up for
hand line



P/u
alfalfa
field



NOV 08 1995

3" aluminum
hand line,
30' sections
1/8" nozzles;
disconnected
for winter -
pump curve:
(144 GPM 36 heads @ 4 GPM)

63-11438
10/13/74 SH.

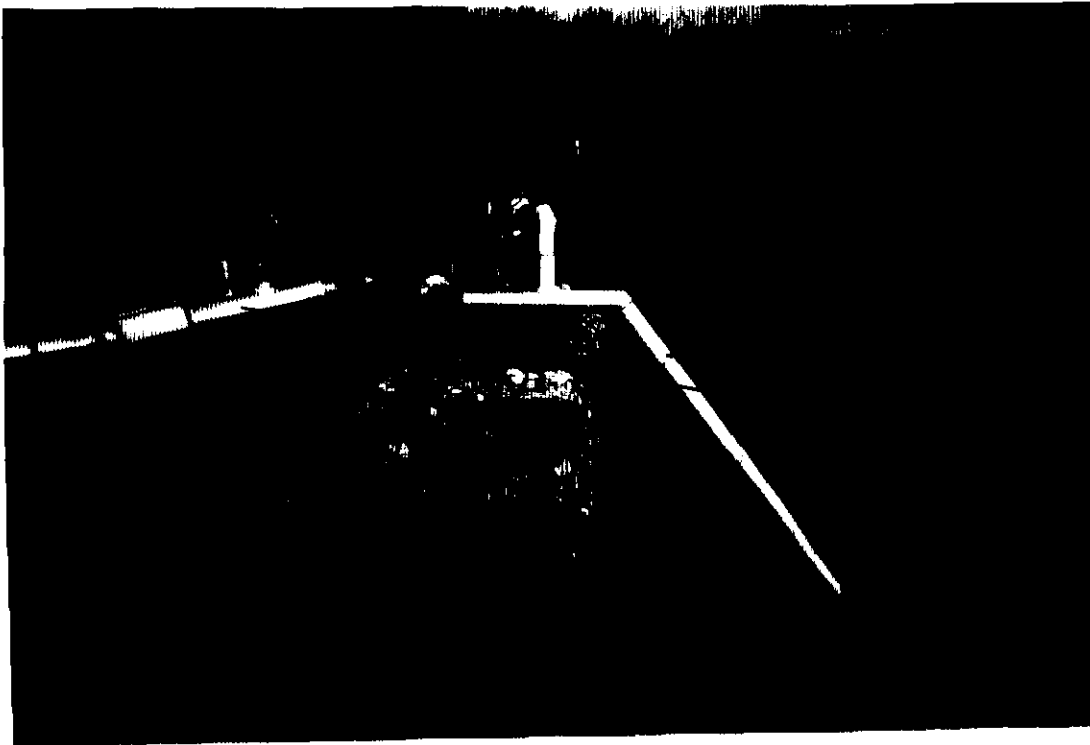


P/D

Berkely Pump
B2TPM

Baldor
10HP
JPL/16/11T

60psi



P/D

3" aluminum

6" aluminum
90' to hook-up
for head line

NOV 08 1995

March 26, 1993

BOB MILLER
12563 GALLOWAY
MIDDLETON ID 83644

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-11438

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

I note that the permit issued to you by the department requires the installation of a lockable device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the lockable device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED
APR 22 1993

January 31, 1993

BOB MILLER
12563 GALLOWAY
MIDDLETON ID 83644

PROOF DUE NOTICE

RE: PERMIT NO. 63-11438

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL

NO. 139827

MAILED

APR 22 1993

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

4483
Date
03/08/91
Code
193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY
TO

NEAL SPENCER
12776 PURPLE SAGE
MIDDLETON, ID 83644

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

() PURCHASE ORDER
() MISCELLANEOUS ENCUMBRANCE REQUISITION

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	05 20 350	1238	8831		REFUNDS PER DAVE TUTHILL WR #63-11438 RECEIPT #W010438 3/ 7/91 20.00	20.00	
RECEIVED MAR 11 1991 Department of Water Resources Western Regional Office INDEXED APR 22 1993							
TOTAL						20.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

May 19, 1992

BOB MILLER
12563 GALLOWAY
MIDDLETON ID 83644

RE: Water Right No. 63-11438

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement purposes. This type of coordination could minimize the impact on

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MAY 21 1992

APR 1 1993

existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the
Student Union Building, Albertson College of Idaho,
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

APR 22 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 8, 1992

Robert A. Miller
12563 Galloway
Middleton, ID 83644

Re: Permit No. 63-11438

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to April 1, 1993. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

MICROFILMED

MAY 20 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 6, 1992

BOB MILLER
12563 GALLOWAY
MIDDLETON ID 83644

Re: Permit No. 63-11438

Dear Permit Holder:

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

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

Sincerely,

BRENDA L. MILLER
Technical Records Specialist

BLM:clh

MAY 20 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 18, 1992

Neal Spencer
12776 Purple Sage
Middleton, ID 83644

Re: Permit No. 63-11438

Dear Mr. Spencer:

On February 27, 1992, I corresponded with you concerning an assignment that was necessary on the above referenced permit. We subsequently spoke on the phone about the same assignment.

As I explained, in order for Mr. Miller to meet all of the necessary deadlines, the assignment needs to be completed and returned to me no later than March 27, 1992.

I have enclosed another assignment form, in case you have misplaced the first one I mailed. Please complete, have notarized and return to me before March 27, 1992.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosure

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MAY 30 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KETH HIGGINSON
DIRECTOR

February 27, 1992

Neal Spencer
12776 Purple Sage
Middleton, ID 83644

Re: Permit No. 63-11438

Dear Mr. Spencer:

During my telephone conversation with Mr. Miller, it has come to our attention that you have sold the property and water rights to him. In order for the Department to put the water rights in his name, it will be necessary for you to complete the enclosed form.

Please complete this form, have it notarized and return to me within 15 days. In order for Mr. Miller to meet all of the required dates, the form should be completed and returned as soon as possible.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosure

MICROFILMED

MAY 20 1992

January 31, 1992

NEAL SPENCER
12776 PURPLE SAGE
MIDDLETON ID 83644

PROOF DUE NOTICE

RE: PERMIT NO. 63-11438

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

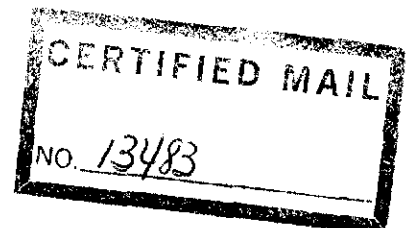
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



RECEIVED

JAN 30 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 8, 1991

NEAL SPENCER
12776 PURPLE SAGE
MIDDLETON, ID 83644

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-11438

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

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APR 15 1991

APR 15 1991

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

4483
Date
03/05/91
Code
193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.

Pre-Audit

Date

Warrant No.

CHECK ONE:

() MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	05 20 350	1238	8831		REFUNDS PER DAVE TUTHILL WR #63-11438 RECEIPT #W010438 3/ 7/91 20.00	20.00	
RECEIVED MAR 11 1991 Department of Water Resources Western Regional Office							
APR 15 1991						20.00	
TOTAL							

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service; that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

MEMORANDUM

TO: Debbie Allen
FROM: Dave Tuthill *DT*
RE: Refund for Application #63-11438
DATE: March 7, 1991

Debbie, Neal Spencer filed the above-referenced application for permit and submitted \$65.00. The required fee was \$45.00. Therefore, would you please send him a refund in the amount of \$20.00.

Thank you.

MICROFILMED

APR 15 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 10, 1990

Neal Spencer
12776 Purple Sage
Middleton, ID 83644

RE: Application For Permit

Dear Mr. Spencer:

Pursuant to my telephone conversation with Mrs. Spencer, this office has not received a response in regard to the map sent to you on June 21, 1990.

Before this office can further process your water right application it will be necessary to clarify the items under point of diversion and place of use on your application. I have enclosed another copy of the map on which you need to indicate the point of diversion and place of use and return it to this office. Please respond within 15 days.

If you have any questions or require assistance please feel free to contact me at 334-2190.

Sincerely,

Robert B. Whitney
Sr. Water Resource Agent

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APR 15 1991

RECEIVED

JAN 09 1991

Department of Water Resources
Western Regional Office

Dear Robert

I hope that I answer your questions
on the map. If not please call me
early in the morning.
585-2738

Thank you

Malden

Recd. w/Map (Attached to App.)
1/9/91

Response to letter of 8/10/90

RW

ED

APR 15 1991

NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho:

SPENCER, NEAL
12776 PURPLE SAGE
MIDDLETON, ID 83844

Source: HARTLEY GULCH
Diversion Pt:
Irrigation

Filed: 3/2/1990
S 25N R03W S25
18.0 ACRES TOTAL

NEST, MARVIN
NEST, JEANETTE
MIDDLETON RD.
Caldwell, ID 83805

Source: GROUNDWATER
Diversion Pt:
Fish Propagation
Fish Prop. Storage
Diversion to Storage

Filed: 3/5/1990
T 04N R02W S18

63-11438

Tributary: BOISE RIVER
SENW Sec 25 T 05N R 03E
(.320 CFS)
Total Diversion: (.320 CFS)

SENW

NWNE
NWNE

Sec 18 T 04N R 02W
Sec 18 T 04N R 02W
(2,000 CFS)
(7.20 AF)
(2,000 CFS)
(7.20 AF)

Total Diversion: (2,000 CFS)

NENE

NWNE

The permit(s) will be subject to all prior water rights. Permits must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83725 on or before FEBRUARY 25, 1991.

R. KEITH
Director

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

Sharla O'Krakel

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 eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, 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 Caldwell, 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:

February 6, 13, 1991

Sharla O'Krakel

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 13th day of February in the year of 1991, before me, a Notary Public, personally appeared Sharla O'Krakel, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared the statements therein are true, and acknowledged to me that he/she executed the same.

Notary Public for Idaho
Residing at Nampa

MY COMMISSION EXPIRES
JULY 12th, 1991

RECEIVED

FEB 14 1991

Department of Water Resources
Western Regional Office

RECEIVED

APR 15 1991

NOTICE OF APPLICATION FOR WATER RIGHT

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

SPENCER, NEAL
12776 PURPLE SAGE
MIDDLETON, ID 83644

Source: HARTLEY GULCH
Diversion Pt:
Use: IRRIGATION

Date Filed: 3/ 2/1990
In: T05N R03W S25
16.0 ACRES TOTAL

MOIST, MARVIN
MOIST, JEANETTE
21809 MIDDLETON RD.
CALDWELL, ID 83605

Source: GROUNDWATER
Diversion Pt:

Use: FISH PROPAGATION
FISH PROP. STORAGE
DIVERSION TO STORAGE

Date Filed: 3/ 5/1990
In: T04N R02W S18

63-11440

Total Diversion: (2.000 CFS)

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before FEBRUARY 25, 1991.

R. KEITH HIGGINSON
Director
February 8, 13, 1991

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Tributary: BOISE RIVER
SENW Sec 25 T 05N R 03E
(.320 CFS)
Total Diversion: (.320 CFS)
SENW

Sharla O'Krakel

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 eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, 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 Caldwell, 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:

February 6, 13, 1991

Sharla O'Krakel

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 13th day of February in the year of 1991, before me, a Notary Public, personally appeared Sharla O'Krakel, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

Notary Public for Idaho
Residing at Nampa

MY COMMISSION EXPIRES
JULY 12th, 1991

RECEIVED

FEB 14 1991

Department of Water Resources
Western Regional Office

APR 15 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

JANUARY 30, 1991

Press-Tribune
P.O. Box 9399
Nampa, ID 83652

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before FEBRUARY 25, 1991.

Yours truly,

GAIL GARRETT
Secretary

Encl.

RECEIVED
FEB 1 1991

FEB 1 1991

SPENCER, NEAL
12776 PURPLE SAGE
MIDDLETON, ID 83644

Source: HARTLEY GULCH

Tributary: BOISE RIVER

Diversion Pt: SENW Sec 25 T 05N R 03E

```

Use: IRRIGATION      ( .320 CFS)
      Total Diversion: ( .320 CFS)

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Date Filed: 3/ 2/ 1990

In: T05N R03W S25 SENW

16.0 ACRES TOTAL