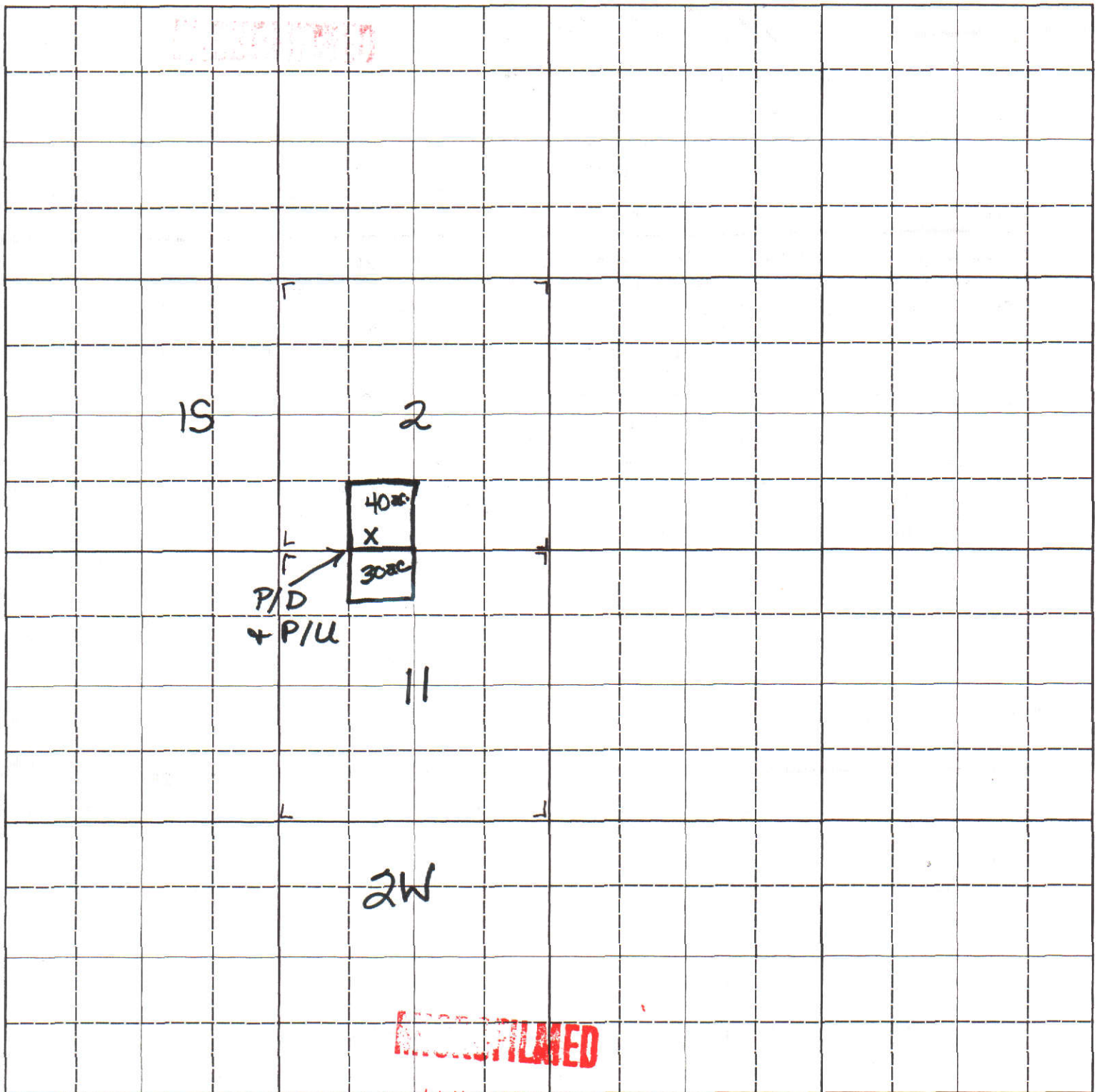


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

FEB 29 1988

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

John W. Miller President
(Applicant)

RECEIVED

FEB 13 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

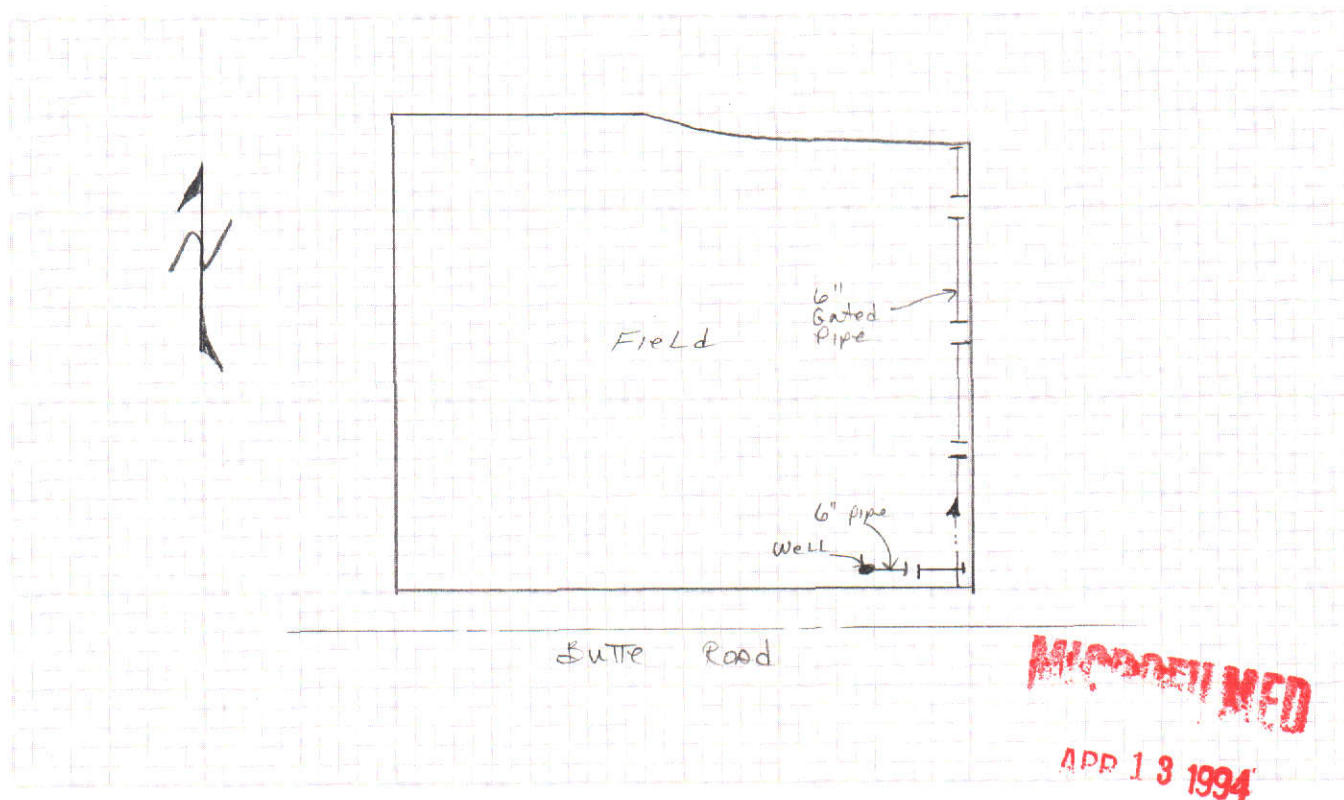
1. Owner: Miller Land Co., Inc. Permit No. 63-10406
Current Address: 2124 C Highway 45, Melba, ID 83641 Phone No. 495-2444
2. Accompanied by: John Miller EXAM. DATE: 2/1/94
Address: SAME Phone No. SAME
Relationship to Permit Holder: Applicant
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 63-02388 ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NTS

2. ☒ Copy of U.S.G.S. 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 or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

PERMIT 63-10406 INIT RC
T. R. S. Q/Q
P/D 15 2W 12 SESW
SCALE _____
PHOTO ID. Y-56 WALTERS BUTTE

APR 13 1994





PHOTO ONE- View westerly of well, 6" discharge line, and field irrigated by well.



'T' section at point of discharge into ditch.



PHOTO THREE- View northward of ditch, sections of gated pipe,
and eastern portion of field.

>

RECEIVED

APR 13 1994

PHOTO FOUR-

RECEIVED
JUL 23 1987

Department of Water Resources
Western Regional Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Debra Martin del Campo

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:

July 15, 22, 1987

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for a Water Right Permit No. 63-10406 in the name of Miller Land Co. Inc. was published in error on 5/6 and 5/13/87.

The Diversion Point was listed as: SESW Sec 02 T 01S R 02W

WHEREAS, the actual Diversion Point is within the SESW Sec 02 T 01S for R 02W.

Also, the Place of Use was listed as: SESW Sec 02 T 01S R 02W NENW Sec 11 T 01S R 02W for a total of 70 acres.

WHEREAS, the actual Place of Use is within the SESW Sec 02 T 01S R 02W NENW Sec 11 T 01S R 02W for a total of 70 acres.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Department of Water Resources, 2735 Airport Way, Boise, ID 83705 on or before August 3, 1987.

KEN DUNN
Director
July 15, 22, 1987

Debra Martin del Campo

Subscribed and sworn to before me this
22nd day of July
1987

Joanne Lusk
Notary Public, Residing at Nampa, Idaho

FEB 29 1988

MY COMMISSION EXPIRES
JULY 12th, 1991

RECEIVED
MAY 18 1987

RECEIVED
MAY 15 1987

Department of Water Resources
Western Regional Office

Department of Water Resources

**NOTICE OF APPLICATION
FOR WATER RIGHT**
The following applications have
been filed to appropriate the public
waters of the State of Idaho:

63-10406
MILLER LAND CO. INC.
RT. 1 BOX 137, MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: SESW Sec 02 T 015 R 02W
Use: IRRIGATION (0.8 CFS)
Date Filed: 04/13/1987
In: SESW Sec 02 T 015 R 02W
NENW Sec 11 T 015 R 02W FOR
70 ACRES

63-10407
HARRIS, DELLA J. &/or KEN
NETH PICKET, DEE
Rt. 6, CALDWELL ID 83605
Source: GROUNDWATER
Diversion Pt: SWNW Sec 01 T 03N
R 04W
Use: IRRIGATION (3.2 CFS)
Date Filed: 04/17/1987
In: LOT 03 (NENW) LOT 04
(NWNW) SWNW SENW Sec 01 T
03N R 04W FOR 160 ACRES

63-10408
TUCKNESS, EARL M.
RT. 10 BOX 65, CALDWELL, ID
83605
Source: GROUNDWATER
Diversion Pt: SENW Sec 23 T 03N
R 03W
Use: IRRIGATION (1.6 CFS)
Date Filed: 04/13/1987
In: NENW SENW Sec 23 T 03N R
03W FOR 80 ACRES

63-10409
SMITH, JOE
BOX 4374 Rt. 4, NAMPA, ID 83651
Source: GROUNDWATER
Diversion Pt: SWNE Sec 11 T 02N
R 03W
Use: IRRIGATION (0.880 CFS)
DOMESTIC (0.060 CFS)
Date Filed: 04/14/1987
In: NWNE SWNE Sec 11 T 02N R
03W FOR 44 ACRES

63-10411
SCHELL, EDWARD
HUEBERT, KEVIN
RT. 6 Box 313, CALDWELL, ID
83605
Source: GROUNDWATER
Diversion Pt: SWSW Sec 04 T 03N
R 03W
Use: IRRIGATION (1.6 CFS)
Date Filed: 04/10/1987
In: NWSW Sec 04 T 03N R 03W
FOR 80 ACRES

63-10413
MIYAKE, BOB
Rt. 1 BOX 1149, NAMPA, ID 83651
Source: GROUNDWATER
Diversion Pt: SWSE Sec 12 T 03N
R 03W
SESE Sec 12 T 03N R 03W
Use: IRRIGATION (0.440 CFS)
Date Filed: 04/10/1987
In: SWSE SESE Sec 12 T 03N R
03W FOR 22 ACRES

63-10414
LITTLE, HARRY &/or MYRNA
2990 LEISURE DR., BOISE ID
83704
Source: GROUNDWATER
Diversion Pt: NWSE NESE SWNE
SENE Sec 25 T 03N R 03W
Use: IRRIGATION (4.0 CFS)
Date Filed: 04/09/1987
In: SWNE SENE NENW NWNW
SENE NWSE Sec 25 T 03N R 03W

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Debra Martin del Campo

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 uninter-
ruptedly 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:

May 6, 13, 1987

Debra Martin del Campo
Subscribed and sworn to before me this

13th day of May
19 87

MICROFILMED

FEB 29 1988

Jannet Lust
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1991

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10406

Priority: April 13, 1987

Maximum Diversion Rate: 0.69 CFS
Maximum Diversion Volume: 155.3 AF

This is to certify, that MILLER LAND CO INC
2124 C HWY 45
MELBA ID 83641

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 13, 1987; and has submitted Proof of Beneficial Use on October 30, 1989. An examination indicates that the works have a diversion capacity of 1.020 cfs of water from a GROUNDWATER 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	0.69 CFS	155.3 AF

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 2, Township 01S, Range 02W
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>
01S	02W	2	SESW	34.5		34.5

Total number of acres irrigated: 34.5

CONDITIONS/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. 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.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 63T.

APR 13 1994

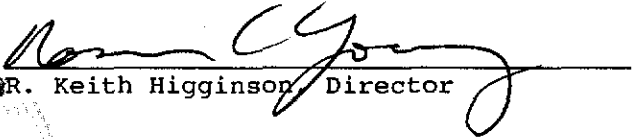
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 63-10406

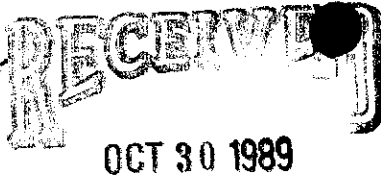
CONDITIONS/REMARKS:

7. The right holder shall divert water under this right only during periods when Reynolds Irrigation District is receiving a sufficient supply of irrigation water. Reynolds Irrigation District is considered to be receiving a sufficient supply of irrigation water during periods when excess water from their wells is being spilled into Warm Springs Creek, and during additional periods when representatives from the district confirm that their supply is being satisfied.

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 24th day of MARCH, 1994.


Acting for R. Keith Higginson Director

APR 13 1994



For Office Use Only
Amt. of Fee \$ 100.00
Date 10-27-89
Receipt No. W2006562
Received by ES
10-1/22/89

OCT 30 1989
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Department of Water Resources
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.

Permit No. 63-10406 Telephone No. 495-2444

Name(s) of Permit Holder(s): Miller Land Co.

Post Office Address: 2124 C Highway 45 Merba, Idaho 83641

Source of Water: Ground Well

If ground water, well driller's name: Bill Dody Date drilled: 10-30-81

Extent of Use:
Domestic _____ (No. of households) Irrigation 20 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.8 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 4-87

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

Flow Measurement Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

John W. Miller 495-2444
Name Telephone No.
2124 C Highway 45 Merba, Idaho 83641
Address

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.

FEB 22 1990

10/27/89
Date

John W. Miller President
Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Miller Land Co. Inc. Phone 495-2444
Post office address Rt. 1, Box 137 Melba, ID 83641
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is _____ $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 2 Township 1S Range 2W B.M. Canyon County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.8 for Irrigation purposes from 3/15 to 11/15 (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) 0.8 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Pump with gravity irrigation.
 - 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 12 inches; proposed depth of well is 165 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
3 years (minimum 1 year).

MICROFILMED

FEB 29 1988

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	
1S	2W	2												40					40
		11					30												30

Total number of acres to be irrigated 70

10. Describe any other water rights used for the same purposes as described above. Boise-Kuna Irrig. District

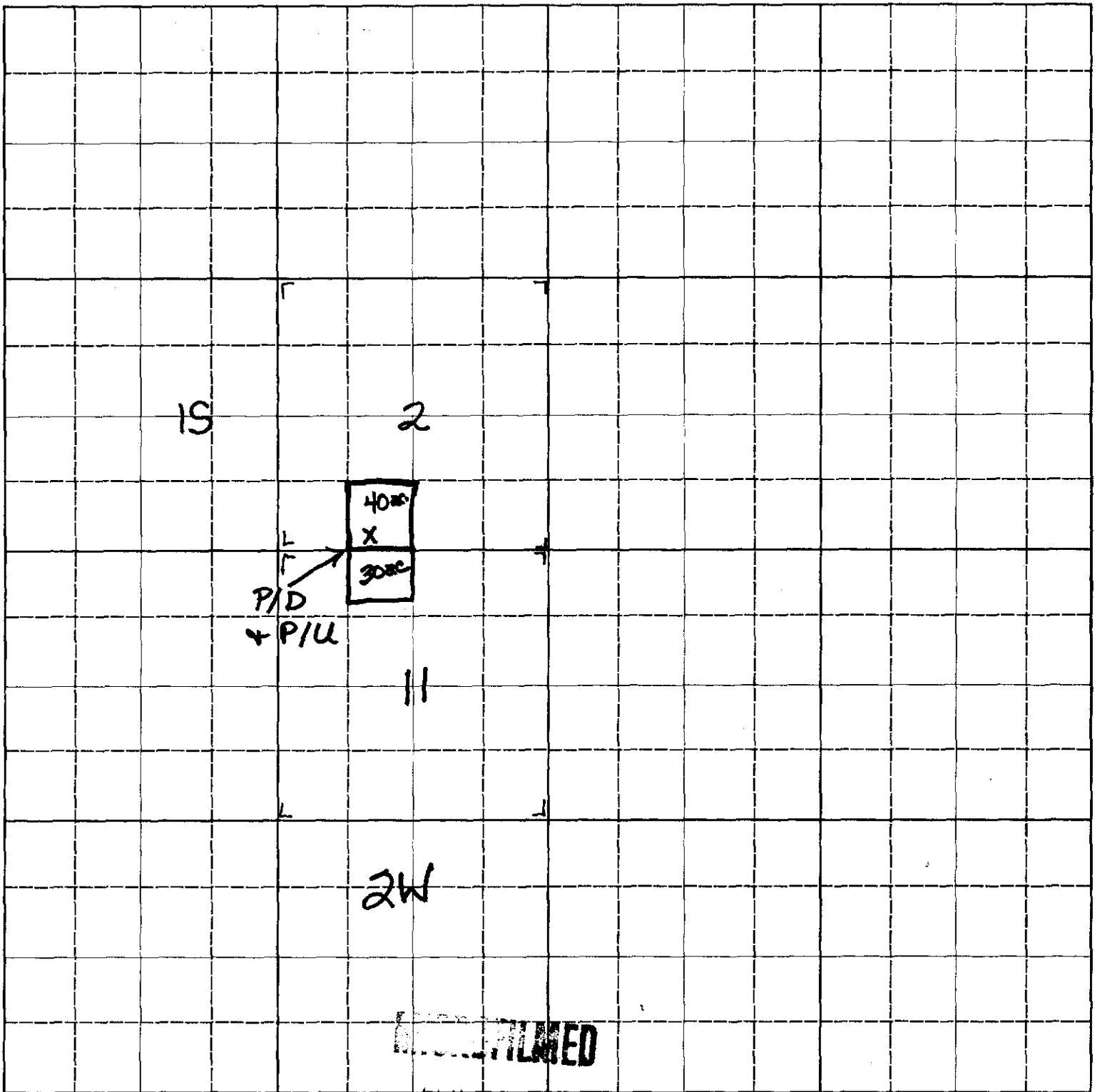
- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: This application is filed to replace lapsed Permit No. 63-9687.

FILED

FEB 10 1983

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.

John W. Miller President
(Applicant)

Received by nl kw Date 4-14-87 Time 11:00 am Proposed Priority 4/13/87
Date 4/13/1987 Time 11:37 am Preliminary check by [signature]
Fee \$ 45.00 Received by kw # 44655 Date 4-13-1987
Publication prepared by [signature] Date 4-29-1987 Published in Press-Tribune
5-7-5-14, 1987
Publication approved [signature] Date 8/10/87 Reauthorized 7/15+7/22/87

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. 63-10406, and said application is hereby APPROVED.

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
December 1, 19 89.

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: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

The permit holder shall divert water under this permit only during periods when Reynolds Irrigation District is receiving a sufficient supply of irrigation water. Reynolds Irrigation District is considered to be receiving a sufficient supply of irrigation water during periods when excess water from their wells is being spilled into Warm Springs Creek, and during additional periods when representatives from the district confirm that their supply is being satisfied.

Use of water under this permit is subject to control by the watermaster of State Water District No. 63T, Warm Springs Creek.

Witness my hand this 6th day of November, 1987.

RECORDED

FEB 29 1988

[Signature]
Director



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

March 25, 1994

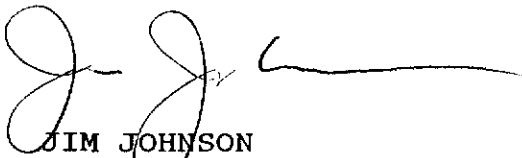
MILLER LAND CO INC
2124 C HWY 45
MELBA ID 83641

RE: WATER RIGHT NO. 63-10406

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

APR 13 1994

WR0749NP
No. L63-10406

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/02/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MILLER LAND CO INC 2124 C HWY 45 MELBA ID 83641 (208) 495-2444	04/13/1987	IRRIGATION	03-15 11-15	0.69 CFS	155.30 AFA
TOTAL DIVERSION:					0.69 CFS	155.30 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 1.02 CFS

Point(s) of Diversion: T01S R02W S02 SESW CANYON County

Place of use Legal Description for: IRRIGATION

												NE				NW				SW				SE												
												NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM			
01S	02W	2	:									:									:											:	34.5			
												TOTAL ACRES																	34.5							

Pou County: CANYON

Other Rights: BOISE-KUNA IRR. DISTRICT

Other Water Rights with Same Point(s) of Diversion and Source:
63-10406

Other Water Rights Listing Overlapping Place(s) of use:
63-10406

Conditions of Approval:

- R32 - 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.
- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 63T.

Remarks: The right holder shall divert water under this right only during periods when Reynolds Irrigation District is receiving a sufficient supply of irrigation water. Reynolds Irrigation District is considered to be receiving a sufficient supply of irrigation water during periods when excess water from their wells is being spilled into Warm Springs Creek, and during additional periods when representatives from the district confirm that their supply is being satisfied.

Dates: App. Received: 04/13/1987 Priority Date: 04/13/1987
Proof Due Date: 12/01/1989 Proof Made Date: 10/30/1989
Exam Made Date: 02/01/1994 Exam Sent to S.O.: 02/16/1994
Licensed Date:

Misc: Water District Number: 63T Field Exam Fee: R (Received)

WR0750NP
(00-138)

IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 03/02/94
PAGE: 1

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM	
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac				
L6310406	T01S R02W S 2 GROUNDWATER	:				:				:				34	:			:	34
6310406	GROUNDWATE :	:				:				:				40	:			:	40

No overlaps

LICENSE REVIEW CHECKLIST

Permit # 603-10406 Date 3-2-94 Brenda Chapman

NAME Yes No Or Address Change? CHECK

PRIORITY DATE — ✓ Advance? — Advanced to: —
— ✓ Order to Reinstate Needed? —
— ✓ Incorrect Fee for rate recommended? —

SOURCE — ✓ Changes? Clarification of **Originally Intended** source —
— ✓ Notice of Intent to Void - Source change. —

P/D — ✓ Amendment Needed? —
— ✓ Overlap(s) IRR DIST WATER ONLY

P/U — ✓ Amendment Needed? —
— ✓ Overlap(s) —

TOTAL CFS — ✓ Measurement — Theoretical only ✓
Q = 1.02

Allowable Amount: 34.5 x .02 = .69 CFS

Capacity of System: 1.02

TOTAL VOLUME Season of Use: D/4.5 (7-15 to 11-15)

— ✓ Calculations: —
34.5 x 4.5 = 155.3
Flow limit: .69 x 246 x 1.9835 = 336.6

USES — ✓ Change(s) in Nature of Use? —
— ✓ Amendment Needed? —

REMARKS — ✓ Multiple P/Ds in 1/4 1/4? —
NA-SEE WB3 — Special Overlap BOISE KUNA IRR DIST
OTHER
CONDITIONS — ✓ Measuring/Locking Devices —
R04 — W/Master Control - District 63T
R32 — Irrigation Overlap —
✓ — Water Quality —
✓ — Other SPECIAL IN REMARKS

COMMENTS: Reduce Acres & rate

RECOMMENDED	CFS	DIV VOL	LICENSE
<u>Irrigation</u>	<u>.69</u>	<u>155.3</u>	<u>✓</u>
<u>—</u>	<u>—</u>	<u>—</u>	1ST AMEND LETTER <u>—</u>
<u>—</u>	<u>—</u>	<u>—</u>	2ND AMEND LETTER <u>—</u>

RECEIVED

FEB 18 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: Miller Land Co., Inc. Permit No. 63-10406
Current Address: 2124 C Highway 45, Melba, ID 83641 Phone No. 495-2444
2. Accompanied by: John Miller EXAM. DATE: 2/1/94
Address: SAME Phone No. SAME
Relationship to Permit Holder: Applicant
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

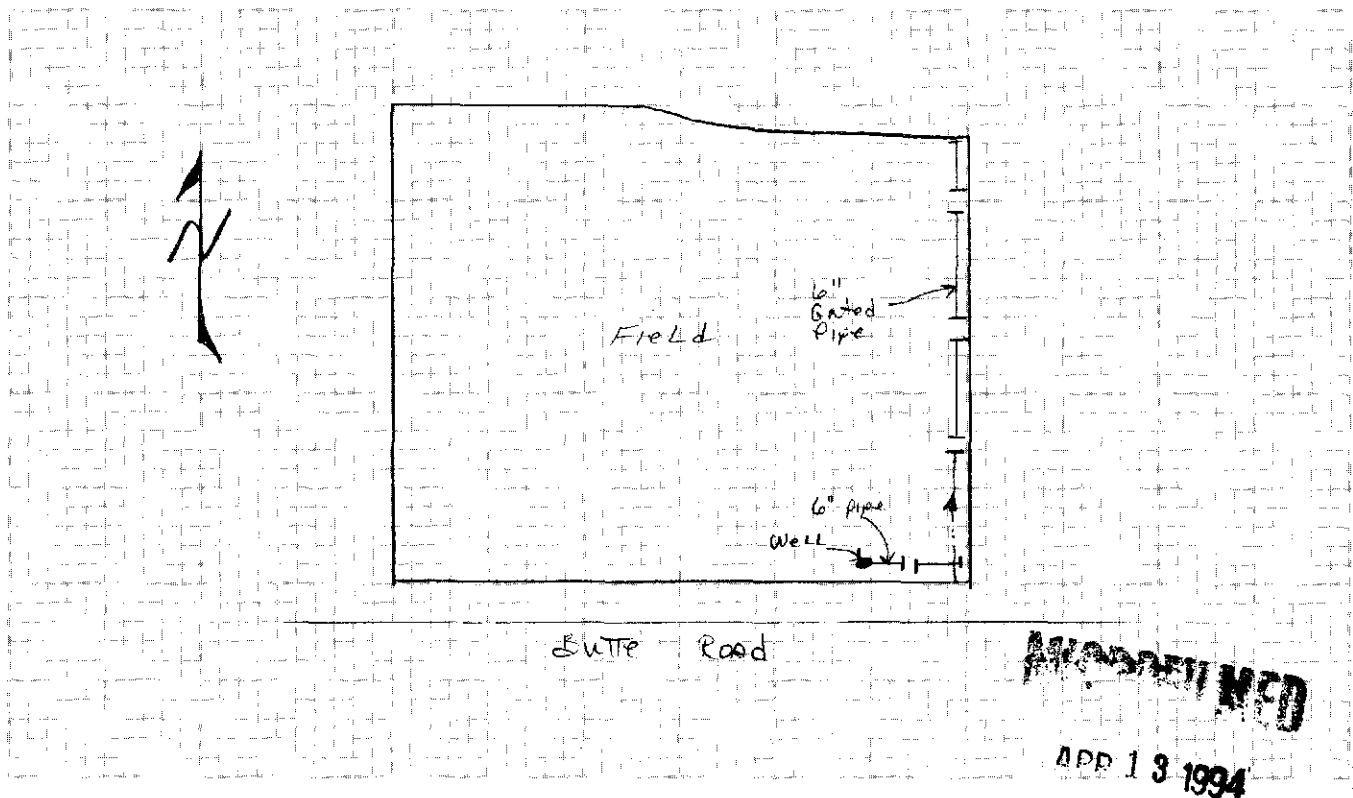
1. Other water rights with same place of use: 63-02388

☐ Copies Attached
2. Other water rights with same point of diversion: NONE

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NTS

2. ☒ Copy of U.S.G.S. 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 or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well Pump is operated by Diesel motor. The pump runs at 40 h.p., while the motor runs at 58 h.p. Water is discharged through a 6" line to an open ditch. The field is gravity irrigated, partial by siphoning from open ditch, and partially by gated pipe. Proposed acreage in section 11 is ~~not~~ on this system. Only irrigation by ~~Kuna~~ Boise-Kuna Irrigation District water. Well is supplemental irrigation to Boise-Kuna Irrigation District.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	(Diesel) Deutz	40	6120059	Vertiline	D17645

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SW	2	1S	2W	Canyon	Aerial map

6. Place(s) of Use:

Indicate Method of Determination Same as P/D

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1S	2W	2												34.5					34.5

APR 13 1994

Do not use this space

D. FLOW MEASUREMENTS

N/A (Winter Exam)

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

N/A - Winter Exam

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

N/A

2. Alternate Method for Checking Purposes:

$$Q = \frac{(8.8)(0.6)(40)}{115 + (2.31 \times 40)} = \frac{211.2}{207.4} = 1.02 \text{ cfs}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 34.5 \times 4.5 = 155.3 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.8 \times 246 \times 1.9835 = 390.7 \text{ AFA}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 155.3 \text{ AFA}$$

2. Volume Calculations for Other Uses:

APR 13 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Irri. Dist. water per narrative p. 2-16-94

overlap - P/U - ~~Same~~ ~~DD~~, ~~different~~ area of use.

The theoretical flow capacity of this system is 1.02 cfs. OF the 70 proposed acres on permit, only 34.5, as per ASCS map, is presently being irrigated by well. Since ~~the~~ ~~only~~ only 34.5 acres is irrigated, and the allocation plan of ~~0.071~~ ^{0.82} cfs/acre is indicated on permit, recommend Licensing for ~~0.70~~ ^{0.69} cfs for irrigation of 34.5 acres.

Note: Assumed 40 psi due to pump size, and dynamic pumping level of 115' determined as per developed well diagram.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3/15	11/15	~~0.40~~ 0.69	155.3
Totals:			~~0.40~~ 0.69	155.3

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name Rick Collingwood

Signature Rick Collingwood

Certification Date _____

Field Report Preparation Date 2/4/94

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

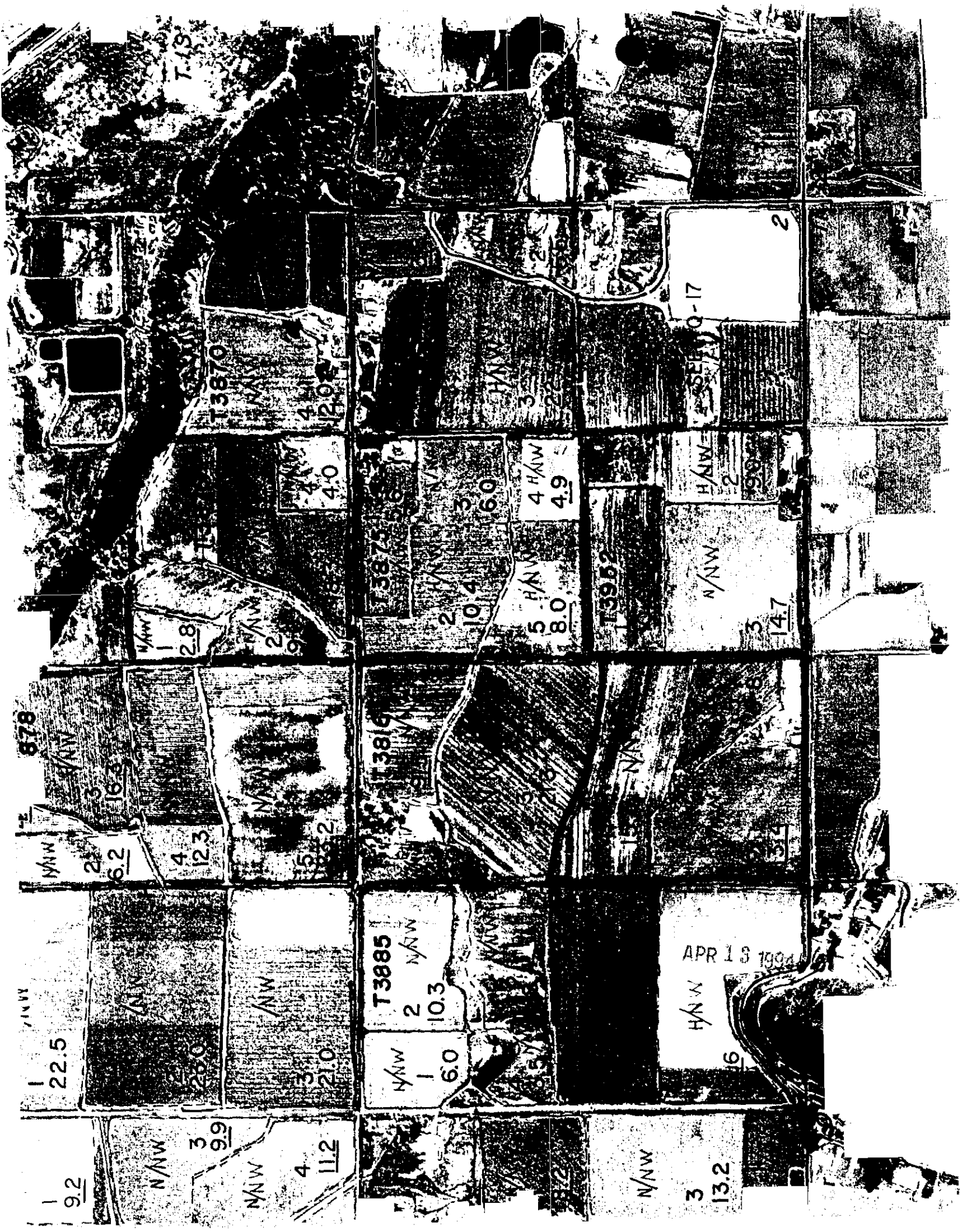
RECEIVED

APR 13 1994

PH

P/O

PERMIT 63-10406 INIT RL
T. R. S. Q/Q
P/D 15 2W 2 SESW
SCALE
PHOTO ID. Y-56 WALTERS BUTTE



Department of Water Resources

WELL INSPECTION FORM

If well is associated with water right, provide WR# 63-10406

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP 15, Rge 2W, Sec. 2, SE 1/4 SW 1/4 or Lot _____.

2. Owner: Miller Land Co., Inc.

Address 2124 C Hwy. 45, City Melba, St ID

3. Casing $\geq$ 12 inches above ground: Yes _____ No ☒

4. Access Port: Yes _____ No ☒ Static Water Level: 65'
Pressure Gauge: Yes _____ No ☒ Casing Diameter: 12"
Flowing: Yes _____ No ☒ Temperature: _____

5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes _____ No ☒

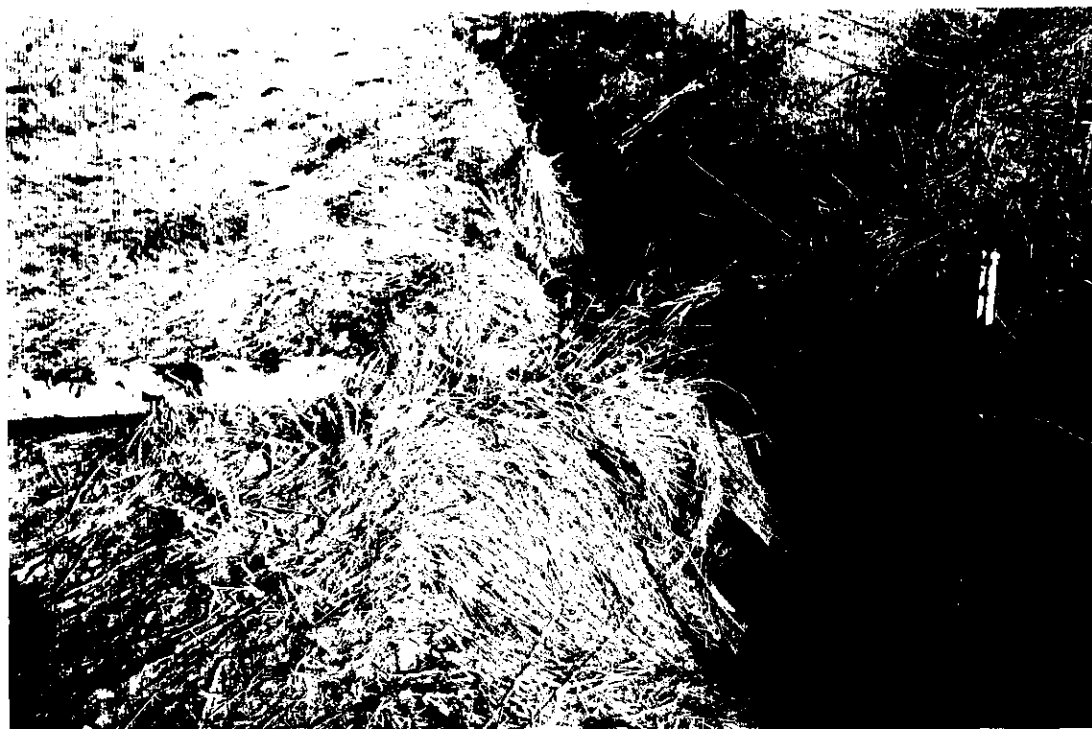
If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks: motor disconnected and removed for winter.

APR 13 1994



PHOTO ONE- View westerly of well, 6" discharge line, and field irrigated by well.



APR 13 1994

'T' section at point of discharge into ditch.

PHOTO TWO-

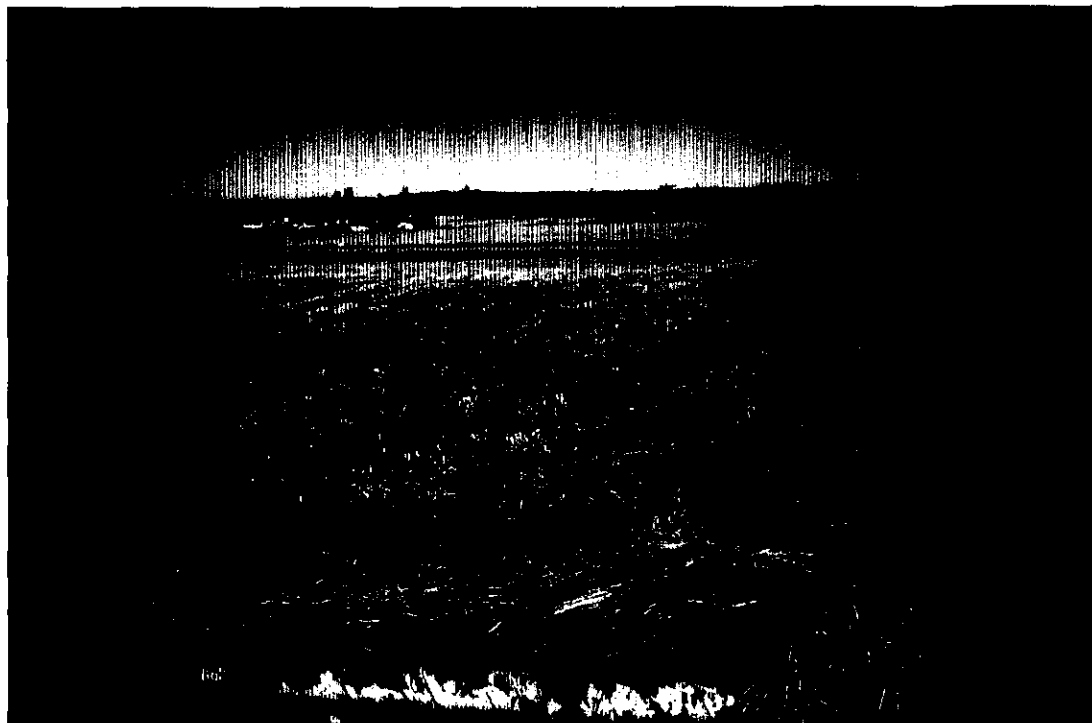


PHOTO THREE- View northward of ditch, sections of gated pipe,
and eastern portion of field.

>

APR 13 1994

PHOTO FOUR-

January 24, 1990

MILLER LAND CO. INC.
RT. 1 BOX 137
MELBA, ID 836410000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-10406

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.

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

FEB 22 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 63-10406

Date: 1/3/90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change Yes If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

- ☒ Surface water
☒ Groundwater
1. well log in file 4/87 No well log found
2. drilling permit NA
NA A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- Yes Is a measuring device or access port required?
Yes Has one been installed?
Yes Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Priority Calculation:

Date proof received

Date proof due

No. of days late

Priority date

NEW PRIORITY DATE

NA

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

address change

MILLER LAND CO. INC.
RT. 1 BOX 137
MELBA, ID 836410000

138669
September 30, 1989

PROOF DUE NOTICE

RE: PERMIT NO. 63-10406

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 December 1, 1989. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

RECEIVED

FEB 22 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
NOVEMBER 22, 1987

MILLER LAND CO. INC.
RT. 1 BOX 137
MELBA, ID 83641

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-10406

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

SECTION 42-235, IDAHO CODE, REQUIRES THAT A "DRILLING PERMIT" MUST BE OBTAINED FROM THE DEPARTMENT FOR ALL WELLS CONSTRUCTED AFTER JULY 1, 1987. A DRILLING PERMIT IS A SEPARATE PERMIT THAT MUST BE ISSUED IN ADDITION TO YOUR PERMIT TO APPROPRIATE WATER. COMMENCEMENT OF WELL CONSTRUCTION OR DIVERSION OF WATER UNDER YOUR PERMIT TO APPROPRIATE WATER IS PROHIBITED UNLESS A DRILLING PERMIT IS OBTAINED.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR A FLOW MEASUREMENT PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE FLOW MEASUREMENT PORT.

PLEASE NOTE THE REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED A FORM ENTITLED "INSTRUCTIONS FOR PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

GARY SPACKMAN
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC
ENCLOSURES

MICROFILMED

FEB 29 1988

★ ★

"The permit holder shall divert water under this permit only during periods when Reynolds Irrigation District is receiving a ~~sut~~ sufficient supply of irrigation water. Reynolds Irrigation District is considered to be receiving a sufficient supply of irrigation water during periods when excess water from their wells is being spilled into Warm Springs Creek, and during ^{additional} periods when representatives from the district confirm that their supply is being satisfied."

RECEIVED
FEB 24 1988

In the matter of Application for Permit
No. 63-10406 in the Name of
Miller Land Co., Inc.

Agreement and
Withdrawal of
Protest

We, the undersigned, agree to withdraw our protest against the approval of Application for Permit No. 63-10406 based on the Director adding a condition of approval which states as follows:

"The permit holder shall divert water under this permit only during periods when Reynolds Irrigation District is receiving a ~~sub~~ sufficient supply of irrigation water. Reynolds Irrigation District is considered to be receiving a sufficient supply of irrigation water during periods when excess water from their wells is being spilled into Warm Springs Creek, and during ^{additional} periods when representatives from the district confirm that their supply is being satisfied."

Signed by this 15th day of October, 1987 at Caldwell, Idaho

Jerry L. Haugland (Chairman) Sam E. [Signature] diverted
Representatives of Reynolds Irrigation **RECEIVED**

FEB 29 1988

I hereby agree to use of the above condition on this permit,
no 63-10406.

John W Miller Pres. Miller Land Co. Inc.
Applicant

Conf/Hearing on App for Permit No. 63-10406
in the Name of Miller Land Co., Inc.

Hearing/Conf Conducted by Bob Fleenor. Notes by D. Tuttle.

10/15/1987 10:00 am.

Applicant represents himself.

Reynolds Irr Dist represented by Jerry Hoagland.

Conf:

Applicant:

The depth of the well is 165', 12" casing, water level at 65'. Well drilled in 1981. Had an earlier permit which lapsed. This is a re-application, to replace lapsed permit No. 63-9687. Allowed the field to remain unimproved & did not install a pump. Intent is to use the well for supplemental water on most of the farm, + 10 to 15 acres of land newly developed.

\$15,360 now invested in pump & motor.

Understands that this right would be subject to other prior rights. This well is about 1/2 mile upstream from nearest Reynolds Dist right.

RECORDED

FEB 29 1988

Protestant: Project established in 1931 with construction of a pipeline from Sproat Spgs area to irrigated land on South side of Snake River. Reynolds ID has 36 cfs of decreed water. Springs & artesian flows provide much water until March - then they begin to decrease until June, when flows begin to increase. Normally during Aug & Sept there is excess water.

2/

Protestant: Power plant can accept up to ^{about} 40 cfs.

Applicant: Would like to have the water available at any time during the season, but could beneficially use it. Acknowledges that the water supply is common.

Protestant: Water level is at 18 ft from surface in artesian wells located in or about the SESE Sec. 3. These wells are located about 50' below the Miller well topographically. 50' topo difference + 18' below surface = 68' below top of Miller well. This compares with 65' depth to water for Miller well. Thus, the water table is likely the same.

Spilling into Warm Spgs Creek occurs during Aug & Sept normally

Applicant: Reynolds Creek Irr Dist water from Reynolds Creek amounts to about 700 " in the spring. Presently the assessment per acre per year in Reynolds I.D. amounts to \$56 per acre per year. The I.D. cannot afford to pump the water that is presently available by artesian flow.

Protest withdrawn with addition of condition of approval

MICROFILMED

FEB 29 1988

N

Miller Land Co. Inc.

63-10406

John Miller

A 488
360.0 ppm

Protestant

Reynolds Irrigation Dist. - Jerry Hoagland -
Dist 1500 acres - Taxed at \$56/acre Sam Pitman -
Well drilled in 1981

W/L 65'

Well is for supplemental water -

Well cost \$15,000 - drilled in 1981 -

Understands -

Reynolds Irr. Wells -

Project built 1931 -

36.0 cfs -

Has a power filing for ~~36 cfs~~ that uses 40 cfs -

Reynolds Irr. Dist is short of water until June

→ Trench is 18 ft. deep -

→ Water is run thru power plant all year. - FEB 29 1988

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→ Permit conditioned so that water may be diverted when Irr Dist. is spilling into Warm Springs Creek or when agreed to by the Irrigation District. (as not being used for irrigation.)

→ The water being used for power is subordinated. This right is subject to irrigation rights of the District.

Re: No. 63-10406 in the Name of Miller Land Co.

Place: Canyon County Courthouse, Caldwell, ID

Date: 10:00 a.m., Thursday, October 15, 1987

Hearing conducted by: Bob Fleenor & Dave Tutthill

ROSTER OF ATTENDANCE

[illegible]

Names and Addresses of Principles in Miller Land Co., Inc.

John W. Miller - President

Rt. 1 Box 137

Melba, Id 83641

Robert D. Miller Vice President

Star Rt

Melba, Id 83641

Virginia R. Miller - Secretary

Rt. 1 Box 137

Melba, Id 83641

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FEB 29 1988

REYBURN, WILLIAM B.	C	21-0162	D/	10-05-1912	JESSE CREEK	HENRYS FORK SNAKE RIVER
REYBURN, WILLIAM B.	C	21-2042	L/	09-24-1910	JESSE CREEK	SNAKE R. HENRY'S FORK
REYBURN, WILLIAM B.	C	21-2053	L/	10-05-1912	JESSE CREEK	SNAKE RIVER, HENRYS FORK
REYES, HERACLIO	C	65-0279	D/	04-01-1935	GROUNDWATER	
REYES, JOAN M.	C	65-0279	D/	04-01-1935	GROUNDWATER	
REYNEARSON, EMMETT E.	C	81-7010	L/	03-16-1971	BULLOCK CREEK	CLEARWATER RIVER, MIDDLE FO
REYNOLDS IRR. DIST.	C	63-2420	L/	03-08-1929	WARM SPRINGS CREEK	SNAKE RIVER
REYNOLDS IRRIGATION DIST.	C	57-2193	/R			
REYNOLDS IRRIGATION DIST.	C	63-9909	A/	03-31-1982	WARM SPRINGS CREEK	SNAKE RIVER

NIS

MICROFILMED
FEB 29 1988

WRR152

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT NAME INDEX

PAGE 2914
06/28/1987

NAME	OWNER CODE	WATER RIGHT NUMBER	STAGE/ STATUS	PRIORITY DATE	SOURCE OF WATER	TRIBUTARY TO
(NAME CONTINUED FROM PREVIOUS PAGE) REYNOLDS IRRIGATION DIST.	C	63-9909			GROUCH DRAIN	WARM SPRINGS CREEK
REYNOLDS IRRIGATION DISTRICT	C	63-0306	D/	04-01-1934	WARM SPRINGS CREEK	SNAKE RIVER
REYNOLDS IRRIGATION DISTRICT	C	63-0359	D/	04-01-1950	DRAINS GROUNDWATER	WARM SPRINGS CREEK
REYNOLDS IRRIGATION DISTRICT	C	63-9368	P/	04-17-1980	GROUNDWATER	WARM SPRINGS CREEK
REYNOLDS, ALBERT L.	C	34-0005	D/	04-22-1884	BIG LOST RIVER	SINKS
REYNOLDS, ARTHUR W.	C	34-2408	L/	04-05-1961	GROUNDWATER	
REYNOLDS, BEA	C	63-4056	S/	09-01-1946	GROUNDWATER	
REYNOLDS, BERNARD J.	C	96-7112	/L			
REYNOLDS, BERNARD J.	C	96-7515	P/	03-21-1977	GROUNDWATER	
REYNOLDS, CHARLES D.	C	65-6866	/I			
REYNOLDS, CLARENCE	C	37-2174	/C			
REYNOLDS, DALE S.	C	36-2529	L/	11-10-1961	GROUNDWATER	
REYNOLDS, DAN	C	21-7105	/L			
REYNOLDS, DAVID W.	C	47-7303	A/	07-28-1975	SALMON FALLS CREEK	SNAKE RIVER

WRR158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

PAGE 2670
06/28/1987

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
015	01W	32	NWSE	13		02-7402	P		04-25-1984 SNAKE RIVER	WILHITE	C
										WILHITE	C
		35	SWNE	04 01		02-2341	L		12-28-1964 SNAKE RIVER	INITIAL BUTTE FARMS	C
			SWNE	04 01		02-2358	L		07-28-1964 SNAKE RIVER	INITIAL BUTTE FARMS INC.	C
			SWNE	04 01		02-2420	L		12-31-1963 SNAKE RIVER	INITIAL BUTTE FARMS	C
			NESE	05 34		02-0201	D		12-29-1976 SNAKE RIVER	STATE OF IDAHO	C
015	02W	01	NENE	01,43		63-9694	P		03-19-1981 GROUNDWATER	JOHNSON	C
										JOHNSON	C
		02	NENE	40		63-9324	L		12-13-1979 GROUNDWATER	CITY OF HELBA	C
			SESW	01		63-10406	A		04-13-1987 GROUNDWATER	MILLER LAND CO. INC.	C
		03	NWSE	01		63-10483	A		05-08-1987 GROUNDWATER	YOUNG	C
			NESE	01		63-10483	A		05-08-1987 GROUNDWATER	YOUNG	C
			SWSE	01		63-0306	D		04-01-1934 WARM SPRINGS CREEK	REYNOLDS IRRIGATION DISTRICT	C
			SWSE	01,04,43		63-0359	D		04-01-1950 DRAINS	REYNOLDS IRRIGATION DISTRICT	C
									GROUNDWATER		
			SWSE	01		63-2420	L		03-08-1929 WARM SPRINGS CREEK	KEITH	C
			SWSE	01		63-2699	L		03-02-1948 GROUNDWATER	REYNOLDS IRR. DIST.	C
			SWSE	28		63-9368	P		04-17-1980 GROUNDWATER	NICHOLSON & ISAACS CO. PARTNERSHIP	C
										NICHOLSON	C
			SESE	01		63-0306	D		04-01-1934 WARM SPRINGS CREEK	REYNOLDS IRRIGATION DISTRICT	C
			SESE	01,04,43		63-0359	D		04-01-1950 DRAINS	REYNOLDS IRRIGATION DISTRICT	C
									GROUNDWATER		
			SESE	01		63-2420	L		03-08-1929 WARM SPRINGS CREEK	KEITH	C
			SESE	28		63-9368	P		04-17-1980 GROUNDWATER	REYNOLDS IRR. DIST.	C
										REYNOLDS IRRIGATION DISTRICT	C
										SPOKANE BANK FOR COOPERATIVES	C

ORIGINAL FILED

8861 67 974

IDAHO DEPARTMENT OF WATER RESOURCES
 WATER RIGHTS BY POINT OF DIVERSION

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
015	024	05	SESH	01		63-8389	P		11-24-1976 GROUCH DRAIN	MC DONOUGH MC DONOUGH	C
		06	NINE			02-2246	L		11-29-1963 SNAKE RIVER	KONDO FARMS INC. KONDO BROTHERS KONDO FARMS INC. KONDO BROTHERS THE TRAVELERS INSURANCE CO.	C C C C C
			NINE	01		02-2246	L		03-25-1964 SNAKE RIVER	KONDO FARMS INC. KONDO BROTHERS THE TRAVELERS INSURANCE CO.	C C C
			NINE	04 01		02-2257A	P		12-05-1963 SNAKE RIVER	KONDO	C
			NINE	04 01		02-2257B	P		12-05-1963 SNAKE RIVER	KONDO	C
			SENE	01		63-9807	P		18-06-1981 WASTE WATER	MCDONOUGH MCDONOUGH	C C
			NHWH	07 01.04		02-7054	L		12-22-1969 SNAKE RIVER	CEREDA	C
			NHWH	07 01		02-7234	P		10-22-1976 SNAKE RIVER	CEREDA	C
			NESE	02 01		02-2240	L		10-25-1963 SNAKE RIVER	JENSEN	C
			NHSE	02 01		02-2431	L		12-05-1958 SNAKE RIVER	YARBER ELDORADO LAND & LIVESTOCK CORP.	C C
			SHSE	09 01		02-2399	L		12-15-1966 SNAKE RIVER	MULLER MULLER	C C
			SHSE	09 01		02-2439	L		11-12-1946 SNAKE RIVER	MUSSER MUSSER	C C
			SHSE	09 01		02-7091	P		01-07-1972 SNAKE RIVER	MULLER BROTHERS FARM FOOTE FOOTE	C C C
		07	SESH	01		57-2169	L		12-20-1939 GROUNDWATER	MUSSER MUSSER	C C
		08	SENE	01		63-2663	L		05-12-1966 WASTE WATER UNNAMED STREAM	NICHOLSON & ISAACS NICHOLSON	C C
			NENH	01		63-8389	P		11-24-1976 GROUCH DRAIN	MC DONOUGH MC DONOUGH	C C
			NESE	01.43		63-0360	P		04-01-1917 WARM SPRINGS CREEK	KEITH	C

 RECORDED
 FEB 29 1987

RRR 62 974

HRR158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSIONPAGE 2672
06/28/1987

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
015	02W	08	NESE	01		63-0361	D		04-01-1917 WARM SPRINGS CREEK	McMILLAN SIMPSON	O
			NESE	01		63-0362	D		10-28-1928 WARM SPRINGS CREEK	BACHMAN BACHMAN	C
			NESE	01		63-0363	D		10-28-1928 WARM SPRINGS CREEK	BACHMAN	C
			NESE	01		63-0364	D		10-28-1928 WARM SPRINGS CREEK	KENNISON	C
			NESE	01,43		63-2311	L		11-08-1917 UNNAMED STREAM	ROBY BACHMAN	O
			NESE	01,43		63-2378	L		01-30-1923 WARM SPRINGS CREEK	KENNISON BACHMAN	C
			NESE	01,43		63-2380	L		06-05-1923 WARM SPRINGS CREEK	ROBY BACHMAN	O
			NESE	01		63-7911	L		01-14-1974 SPRINGS	ENGLE ENGLE	O
			NESE	01		63-7912	L		01-14-1974 WASTE WATER	ENGLE ENGLE	O
09			NENE	01		63-0306	D		04-01-1934 WARM SPRINGS CREEK	REYNOLDS IRRIGATION DISTRICT	O
			NENE	01,04,43		63-0359	D		04-01-1950 DRAINS GROUNDWATER	REYNOLDS IRRIGATION DISTRICT	C
			NENE	01		63-2420	L		03-08-1929 WARM SPRINGS CREEK	KEITH REYNOLDS IRR. DIST.	O
			NENE	28		63-9909	H		03-31-1982 GROUGH DRAIN WARM SPRINGS CREEK	REYNOLDS IRRIGATION DIST.	C
			NANE	01,04,43		63-3121	L		02-17-1958 GROUNDWATER	NICHOLSON	C
			SHNE	01		63-0306	D		04-01-1934 WARM SPRINGS CREEK	REYNOLDS IRRIGATION DISTRICT	C
			SHNE	01,04,43		63-0359	D		04-01-1950 DRAINS GROUNDWATER	REYNOLDS IRRIGATION DISTRICT	C
			SHNE	01		63-2420	L		03-08-1929 WARM SPRINGS CREEK	KEITH REYNOLDS IRR. DIST.	O
			SHNE	01,28		63-2592	P		06-01-1939 UNNAMED DRAIN HELEBA WASTEWAY	SPROAT	C

RECEIVED

FEB 24 1988

IDAH0 DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
015	02W	09	SWNE	28		63-9909	A		03-31-1982 GROUND DRAIN WARM SPRINGS CREEK	REYNOLDS IRRIGATION DIST.	C
			SENE	01,43		63-0360	D		04-01-1917 WARM SPRINGS CREEK	KEITH	C
			SENE	01		63-3590	L		06-16-1967 WARM SPRINGS CREEK	BARGER BARGER ENGLE	O O C
			SENE	01		63-7911	L		01-14-1974 SPRINGS	ENGLE ENGLE	C C
			NESH	01		63-7912	L		01-14-1974 WASTE WATER	ENGLE ENGLE	C C
			TO	01,04,43		63-0356	D		04-01-1948 DRAINS	NICHOLSON	C
				01,04,43		63-0357	D		04-01-1948 DRAINS	NICHOLSON	C
			NWNE	01,28		63-2592	P		06-01-1939 UNNAMED DRAIN MELBA WASTEWAY	SPROAT	C
			NWNE	01		63-2699	L		03-02-1948 GROUNDWATER	NICHOLSON & ISAACS CO. PARTNERSHIP NICHOLSON	O C
			NWNE	01,04,19,43		63-8137	L		06-16-1975 GROUNDWATER	WOLD WOLD RUPPERT RUPPERT	O O C C
			NWNE	19		63-8188	L		08-14-1975 GROUNDWATER	WOLD WOLD RUPPERT RUPPERT	O O C C
			NWNE	01,19		63-8189	L		08-14-1975 GROUNDWATER	WOLD WOLD RUPPERT RUPPERT	O O C C
			SWNE	01		63-8171	L		07-10-1975 GROUNDWATER	BAIRD BAIRD	C C
			SWNE	01,47		63-8192	L		08-15-1975 WASTE WATER	BAIRD BAIRD	C C
			NENH	01,43		63-2371	L		04-21-1924 UNNAMED STREAM	TODD	C
			NANH	01		63-0306	D		04-01-1934 WARM SPRINGS CREEK	REYNOLDS IRRIGATION DISTRICT	C

RECORDED

FEB 29 1988

WRR158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

PAGE 2674
06/28/1987

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
01S	02W	10	NNNW	01.04.43		63-0359	D		04-01-1950 DRAINS GROUNDWATER	REYNOLDS IRRIGATION DISTRICT	C
			NNNW	01		63-2420	L		03-08-1929 WARM SPRINGS CREEK	KEITH REYNOLDS IRR. DIST.	O
			NNNW	28		63-9368	P		04-17-1980 GROUNDWATER	REYNOLDS IRRIGATION DISTRICT SPOKANE BANK FOR COOPERATIVES	C
			NNNW	28		63-9909	A		03-31-1982 GROUNDWATER	REYNOLDS IRRIGATION DIST.	C
			NNNW	01		63-3590	L		06-16-1967 WARM SPRINGS CREEK	BARGER BARGER ENGLE	O
			NESH	01		63-9041	L		09-21-1977 GROUNDWATER	BAIRD BAIRD	C
			SWSH	01		63-3578	L		01-23-1967 GROUNDWATER	ELDORADO LAND & LIVESTOCK CORP.	C
			SHNE	04.43		63-4912	S		06-01-1913 GROUNDWATER	KNAPP	C
			NESE	01		63-5078	S		04-01-1940 WASTE WATER	AYERS AYERS	C
			SHNH	04.43		63-4902	S		06-01-1947 GROUNDWATER	KNAPP	C
			SESH	04		63-7539	L		02-27-1972 GROUNDWATER	JENSEN	C
			NESE	01.43		63-2712	L		06-07-1950 GROUNDWATER	JENSEN JENSEN	C
			SHNH	01		63-7814	L		06-19-1973 GROUNDWATER	VAN WYCK	C
			NESH	01		63-2955	L		08-27-1953 GROUNDWATER	JAMES JENSEN	C
			NESH	01.43		63-3099	L		12-27-1956 GROUNDWATER	EVANS EVANS	C
			NNNE	04 01		02-7369	P		12-10-1981 SNAKE RIVER	SHAYNE	C
			NNNE	04 04		63-4847	S		07-01-1930 SPRINGS	SHAYNE	C
			NNNE	04 43		63-5060	S		01-01-1945 GROUNDWATER	SHAYNE	C
			SHNE	03 04		63-4847	S		07-01-1930 SPRINGS	SHAYNE	C

RECEIVED
FEB 29 1988

IDAHO DEPARTMENT OF WATER RESOURCES
 WATER RIGHTS BY POINT OF DIVERSION

THW	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
015	02W	17	NENW	05 01		63-0306	J	R			
			NENW	05 01.04.43		63-0359	04-01-1934	R	WARM SPRINGS CREEK	REYNOLDS IRRIGATION DISTRICT	C
							D	R			
							04-01-1950	R	DRAINS	REYNOLDS IRRIGATION DISTRICT	C
			NENW	05 01		63-2420	L	R	GROUNDWATER		
							03-08-1929	R	WARM SPRINGS CREEK	KEITH	O
			NENW	05 01		02-2399	L			REYNOLDS IRR. DIST.	C
							12-15-1966		SNAKE RIVER	MULLER	C
										MULLER	C
			NENW	05 01		02-7091	P				
							01-07-1972		SNAKE RIVER	MULLER BROTHERS FARM	O
										FOOTE	C
										FOOTE	C
			SENE	06 01		57-2339	P				
							02-24-1941		WASTE WATER	CARLTON	C
19			NENE	04.43		57-7098	L				
							03-02-1973		GROUNDWATER	SEVEN HIGH RANCH INC.	C
20			SENE	01 01		02-7189	L				
							03-11-1975		SNAKE RIVER	TRIPLETT	
										TRIPLETT	
21			SENE	03 01.04		02-7109	L				
							03-03-1973		SNAKE RIVER	VAN WYK	
			SENE	43		57-4042	S				
							07-01-1900		GROUNDWATER	NETTLETON	
										NETTLETON	
22			SENE	01.43		63-2631A	L				
							06-21-1946		THOMASON LAKE	JENSEN	
			SENE	01		63-2631B	L				
							08-30-1947		THOMASON LAKE	JENSEN	
			SENE	01.43		63-2632A	L				
							06-21-1946		THOMASON LAKE	JENSEN	
			SENE	01		63-2632B	L				
							08-30-1947		THOMASON LAKE	JENSEN	
23			SENE	01		63-10448	A				
							04-27-1997		GROUNDWATER	JESENKO	
			NENW	04		63-7539	L				
							02-27-1972		GROUNDWATER	JENSEN	
24			NENW	01		63-4281	S				
							04-01-1963		WASTE WATER	THOMAS	
										THOMAS	
			SENE	01.04		63-7898	P				
							11-13-1973		GROUNDWATER	EVANS	
			SENE	01.43		63-2256	L				
							02-01-1915		ROCK CREEK	PITTENGER	
			SENE	01		63-3056	L				
							07-07-1955		UNNAMED DRAIN	MC DONOUGH	
										MC DONOUGH	
										JENSEN	
										JENSEN	

FEB 29 1988

IDaho DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

06/28/1981

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
015	02W	25	NENE	01		63-2711	L				
			SHNH	01		63-2938	L		07-29-1948 UNNAMED DRAIN	JENSEN	C
							L		04-24-1953 GROUNDWATER	MC DONOUGH JENSEN JENSEN	C C C
		27	SHSH	05 01		02-2114	L				
			SHSH	05 01.04		02-2026	L		05-18-1954 SNAKE RIVER	WHITNEY	C
		28	NHNE	02 01.43		63-2573	L		02-13-1969 SNAKE RIVER	FALEN	C
			SHNE	03 01.43		02-2440	L		12-19-1941 SPRING	LAUGHLIN	C
			NHNH	01.43		02-2441	L		10-15-1948 SNAKE RIVER	LAUGHLIN	C
			SENH	01.43		02-2027	L		09-16-1951 SNAKE RIVER	GROSS	C
			SESE	08 01		02-7282	L		07-02-1915 SNAKE RIVER	WILSON IRRIGATION CO.	C
							L		04-02-1979 SNAKE RIVER	LOVELADY LOVELADY	C C
		29	SHNE	01		57-4020	S				
							L		04-01-1953 GROUNDWATER	SPARLING SPARLING	C C
			NHSE	01.43		57-2338	L				
		31	SHSH	04		57-2304	L		06-10-1907 GROUNDWATER	GARDNER	C
		34	NENE	01.04		02-7017	L		02-16-1949 SPRING	U.S. DEPT. OF INTERIOR	C
			NENE	01 01.43		02-2011	L		08-24-1967 SNAKE RIVER	GIVENS	C
			SHNH	01.43		57-2044	L		02-13-1911 SNAKE RIVER	WILBUR	C
			SENH	43		57-4027	S		03-06-1912 DRY CREEK	MERCHANT	C
			NESH	01.43		57-4048	S		09-01-1973 GROUNDWATER	NEARILL	C
							L		01-01-1917 GROUNDWATER	TURRITTIN TURRITTIN	C C
		35	NHNE	02 02.03		02-4020	S				
							A		06-01-1946 SNAKE RIVER	SMITH	C
015	02W	02	NENH	01.04.43		57-7263	A		09-11-1980 GROUNDWATER	KERSHNER	C
			NHNH	01.04.43		57-7263	A		09-11-1980 GROUNDWATER	KERSHNER	C
			SHNH	01.04.43		57-7263	A		09-11-1980 GROUNDWATER	KERSHNER	C
			SENH	01.04.43		57-7263	A		09-11-1980 GROUNDWATER	KERSHNER	C
							L		09-11-1980 GROUNDWATER	KERSHNER	C

NOTED

FEB 29 1988

P 300-228 046

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO

Miller Land Co

STREET AND NO.

Rt 1 Box 137

P.O., STATE AND ZIP CODE

Malba ID 83641

POSTAGE

\$

CERTIFIED FEE

c

SPECIAL DELIVERY

c

RESTRICTED DELIVERY

c

SHOW TO WHOM AND
DATE DELIVERED

c

SHOW TO WHOM, DATE,
AND ADDRESS OF
DELIVERY

c

SHOW TO WHOM AND DATE
DELIVERED WITH RESTRICTED
DELIVERY

c

SHOW TO WHOM, DATE AND
ADDRESS OF DELIVERY WITH
RESTRICTED DELIVERY

c

TOTAL POSTAGE AND FEES

\$

POSTMARK OR DATE

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

P 300 228 047

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO				Charles H. Homburg	
STREET AND NO.				Reynolds Dr. Dist	
P.O., STATE AND ZIP CODE				140 79 Box 127 Malibu CA 90264	
POSTAGE				\$	
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE		¢	
		SPECIAL DELIVERY		¢	
		RESTRICTED DELIVERY		¢	
	RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED		¢	
		SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY		¢	
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		¢	
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		¢	
TOTAL POSTAGE AND FEES				\$	
POSTMARK OR DATE					

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space
on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered \$
☐ Show to whom, date, and address of delivery.. \$

- 2.
- ☐
- RESTRICTED DELIVERY**

(The restricted delivery fee is charged in addition to
the return receipt fee.)

TOTAL \$

- 3.
- ARTICLE ADDRESSED TO:**

Miller Joud Co Rec
Rt 1 Box 137
Miller ED 83641

- 4.
- TYPE OF SERVICE:**

☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

- ARTICLE NUMBER**

P300

228046

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE☐ Addressee☒ Authorized Agent

- 5.

DATE OF DELIVERY

9-30-87

- 6.
- ADDRESSEE'S ADDRESS**
- (Only if request)

- 7.
- UNABLE TO DELIVER BECAUSE:**

7. **EMPLOYEE'S
INITIALS**

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

20401-39

29 1988
 MICROFILMED
 SEP 29 1988

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

MELBA

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

IDAHO
PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE \$300



Department of Water Resources
Western Regional Office

001 21987

RECEIVED
TO
RETURN

75
↓
SE
DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

(Name of Sender)

Idaho Department of Water Resources
Western Region

(Street or P.O. Box)

Boise, Idaho

(City, State, and ZIP Code)

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space
on reverse.

(CONSULT POSTMASTER FOR FEES)

The following service is requested (check one).

- ☐ Show to whom and date delivered —¢
☐ Show to whom, date, and address of delivery —¢
 2. ☐ **RESTRICTED DELIVERY**
 (The restricted delivery fee is charged in addition to
 the return receipt fee.)

 Department of Water Resources
 Western Regional Office

TOTAL \$ _____

3. ARTICLE ADDRESSED TO:
 Jerry Haggard
 Reynolds Ave. Dist
 HC 79 Box 127 Nacogdoches TX 75762
4. TYPE OF SERVICE:

- ☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

R300

338 047

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE☐ Addressee☐ Authorized Agent

5. DATE OF DELIVERY

9-29-87

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIAL

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

90501-37

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

MELBA

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE: \$300



75 YEARS OF PROGRESS

**RETURN
TO**



SEP 20 1987
DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

(Name of Sender)

FEB 29 1988 **Idaho Department of Water Resources**
Western Region

(Street or P.O. Box)

Boise, Idaho

(City, State, and ZIP Code)

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO.)
63-10406 IN THE NAME OF MILLER LAND CO. INC.)

NOTICE OF HEARING
AND/OR CONFERENCE

On April 13, 1987, Miller Land Co. Inc. filed with the Department of Water Resources the above application to appropriate the public waters of the State of Idaho. On August 3, 1987, the Department received a protest against approval of the said application from Jerry Hoagland, President, Reynolds Irrigation Dist.

The Department has set the matter of protest for hearing for Thursday, October 15, 1987, at 10:00 a.m., in the Second Floor Conference Room, West Wing, Canyon County Courthouse, 1115 Albony Street, Caldwell, ID 83605. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. A pre-hearing conference may be held beginning at the above set time and prior to the hearing.

MICROFILMED

Dated this 24th day of September, 1987

FEB 29 1988


DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

September 8, 1987

Miller Land Co. Inc.
Rt. 1, Box 137
Melba, ID 83641

Re: Application for Permit No. 63-10406, Source of Groundwater, in the Name
of Miller Land Co. Inc.

Dear Water Right Applicant:

As you have previously been notified, the above-referenced water right application has been protested. A hearing for this matter has been tentatively scheduled for: Thursday, October 15, 1987, at 10:00 a.m., in Caldwell.

The purpose of this letter is to advise you of this schedule and to provide you with an opportunity to notify this office if the scheduled time is not acceptable or if there is another reason the hearing should not be held at this time. Similar letters are being sent to other parties interested in this water right.

Please telephone this office no later than Friday, September 18, 1987, at (208) 334-2190 if you desire to make a change to the schedule. If the hearing is to proceed as scheduled, we will prepare final arrangements the following week, and you will be notified accordingly.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:jp

MICROFILMED

FEB 29 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

September 8, 1987

Jerry Hoagland, President
Reynolds Irrigation District
HC 79, Box 127
Melba, ID 83641

Re: Application for Permit No. 63-10406, Source of Groundwater, in the Name
of Miller Land Co. Inc.

Dear Protestant:

Because the protest that you filed on the above-referenced water right application has been not yet been resolved, a hearing for this matter has tentatively been scheduled for: Thursday, October 15, 1987, at 10:00 a.m., in Caldwell.

The purpose of this letter is to advise you of this schedule and to provide you with an opportunity to notify this office if the scheduled time is not acceptable or if there is another reason the hearing should not be held at this time. Similar letters are being sent to other parties interested in this water right.

Please telephone this office no later than Friday, September 18, 1987, at (208) 334-2190 if you desire to make a change to the schedule. If the hearing is to proceed as scheduled, we will prepare final arrangements the following week, and you will be notified accordingly.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:jp

FEB 20 1988

SPECIAL NOTE: _____

Application No. 63-10406

PROTEST INFORMATION SHEET

Protestant - Name(s) _____

Withdrawn 10/15/87
Jerry Hoagland, President - _____

Reynolds Irr. District _____

Address HC 79 Box 127, Melba, ID 83641

Attorney - Name & Address _____

Date Filed 8/3/87

Protest Date 8/3/87

Issues _____

Applicant - Attorney - Name & Address _____

Dates: _____

Acknowledgement letters: _____

Hearing Notice: _____

Hearing Date: _____

Other: _____

FILED 1988

Protest Information submitted in Computer (following hearing): _____



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

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

August 17, 1987

Miller Land Co. Inc.
Rt. 1, Box 137
Melba, ID 83641

Gentlemen:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. 63-10406. The Department suggests you contact the protestant(s) directly in an effort to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Yours truly,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

Enclosure

MICROFILMED

FILED 29 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

August 17, 1987

David Daniel, Secretary-Treasurer
Reynolds Irrigation District
HC 79 Box 127
Melba, ID 83641

Re: No. 63-10406 in the Name of Miller Land Co. Inc.

Dear Mr. Daniel:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application(s). The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application(s) and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Yours truly,

David R. Tuthill

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

RECEIVED

FEB 29 1988

DRT:jp

RECEIVED

AUG 03 1987

Department of Water Resources

July 29, 1987

Department of Water Resources
Mr David R Tuthill
Manager, Western Regional Office
Statehouse
Boise ID 83720

Dear Mr. Tuthill:

This letter is to protest the proposed granting of a water right, application number 63-10406 for the Miller Land Co. Inc.

We feel that if this application is granted the water available under our water rights, numbered 63-2420, 63-0306, 63-0359, and 63-9368 would be reduced. Studies that our irrigation district has had done by Sherl Chapman have indicated that well drilling in the proposed area would probably reduce our water flow.

As we indicated in our letter of June 2 we feel it will be necessary for us to protest the granting of any new rights in Sections 1,2,3,4,9,10,11, or 12 of Township 1 South, Range 2 West to protect our existing rights.

Sincerely,

Jerry L Hoagland
Jerry Hoagland, President
Reynolds Irrigation District

David Daniel
David Daniel, Secretary-Treasurer
Reynolds Irrigation District
HC 79 Box 127
Melba, ID 83641

MICROFILMED

FEB 29 1988

RECEIVED

AUG 3 1987

Department of Water Resources
Western Regional Office

RECEIVED
JUL 28 1987

Department of Water Resources
Western Regional Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Debra Martin del Campo

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:
July 15, 22, 1987

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for a Water Right Permit No. 63-10406 in the name of Miller Land Co. Inc. was published in error on 5/6 and 5/13/87.

The Diversion Point was listed as: SESW Sec 02 T 015 R 02W

WHEREAS, the actual Diversion Point is within the SESW Sec 02 T 015 for R 02W.

Also, the Place of Use was listed as: SESW Sec 02 T 015 R 02W NENW Sec 11 T 015 R 02W for a total of 70 acres.

WHEREAS, the actual Place of Use is within the SESW Sec 02 T 015 R 02W NENW Sec 11 T 015 R 02W for a total of 70 acres.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Department of Water Resources, 2735 Airport Way, Boise, ID 83705 on or before August 3, 1987.

KEN DUNN
Director
July 15, 22, 1987

Debra Martin del Campo
Subscribed and sworn to before me this

22nd day of July
1987

Joanna Leach
Notary Public, Residing at Nampa, Idaho

JUL 29 1988

MY COMMISSION EXPIRES
JULY 12th, 1991



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

July 8, 1987

The Idaho Press-Tribune
Attn: Legal Dept.
P. O. Box 9399
Nampa, ID 83652

Re: Application for Permit No. 63-10406

Dear Legal:

Enclosed is a copy of the original notice for the above-referenced application and the affidavit of publication received by our office. Note that there is a discrepancy in the two notices.

We would appreciate you advertising this at your expense and as soon as we receive a copy of the correct advertisement and the affidavit of publication, we will forward the bill to our Accounting Department.

If you have any questions, please don't hesitate to call.

Sincerely,

Judy Pense
Secretary

Enclosures: Original Notice
Affidavit
Legal Notice (correction)

MICROFILMED

FEB 29 1988

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for a Water Right Permit No. 63-10406 in the name of Miller Land Co. Inc. was published in error on 5/6 and 05/13/87.

The Diversion Point was listed as: SESW Sec 02 T 015 R 02W

WHEREAS, the actual Diversion Point is within the SESW Sec 02 T 01S R 02W.

Also, the Place of Use was listed as: SESW Sec 02 T 015 R 02W NENW Sec 11 T 015 R 02W for a total of 70 acres.

WHEREAS, the actual Place of Use is within the SESW Sec 02 T 01S R 02W NENW Sec 11 T 01S R 02W for a total of 70 acres.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Department of Water Resources, 2735 Airport Way, Boise, ID 83705 on or before August 3, 1987

Ken Dunn, Director

Published in the Idaho Press-Tribune on 7/15 & 7/22/87

MICROFILMED

FEB 29 1988

RECEIVED
MAY 13 1987

Department of Water Resources
Western Regional Office

RECEIVED
MAY 15 1987

Department of Water Resources.

The following applications have been filed for publication into the public water record of Idaho:

MILLER LAND CO. INC.
RT. 1 BOX 127, MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: SESE Sec 02 T 01 R 03W

Use: IRRIGATION (0.8 CFS)
Date Filed: 04/13/1987
In: SESE Sec 02 T 01 R 03W
NENE Sec 11 T 01 R 03W
FOR 40 ACRES

HARRIS, DELLA J. &/or KEN

Source: GROUNDWATER
Diversion Pt: SESE Sec 02 T 01 R 03W

Use: IRRIGATION (3.2 CFS)
Date Filed: 04/17/1987
In: LOT 03 (NENE) LOT 04 (NENE) SESE Sec 01 T 01 R 03W
FOR 140 ACRES

TURKNESS, EARL M.
RT. 10 BOX 45, CALDWELL, ID 83405

Source: GROUNDWATER
Diversion Pt: SESE Sec 20 T 03N R 03W

Use: IRRIGATION (1.4 CFS)
Date Filed: 04/13/1987
In: NENE SESE Sec 23 T 03N R 03W
FOR 40 ACRES

SMITH, JOE
BOX 4874 RT. 4, NAMPA, ID 83651
Source: GROUNDWATER
Diversion Pt: SWNE Sec 11 T 03N R 03W

Use: IRRIGATION (0.800 CFS)
DOMESTIC (0.800 CFS)
Date Filed: 04/14/1987
In: NWNE SESE Sec 11 T 02N R 03W
FOR 44 ACRES

CHELL, EDWARD
BERT, KEVIN
P. O. Box 313, CALDWELL, ID 83405

Source: GROUNDWATER
Diversion Pt: SESE Sec 04 T 03N R 03W

Use: IRRIGATION (1.4 CFS)
Date Filed: 04/10/1987
In: NWSE Sec 04 T 03N R 03W
FOR 14 ACRES

YAKE, BOB
BOX 1149, NAMPA, ID 83651
Source: GROUNDWATER
Diversion Pt: SWSE Sec 12 T 03N R 03W

Use: IRRIGATION (0.10 CFS)

Source: GROUNDWATER
Diversion Pt: NWSE SESE SWNE
SENE Sec 25 T 03N R 03W

Use: IRRIGATION (4.0 CFS)
Date Filed: 04/07/1987
In: SWNE SESE NENE NWNE
SESE NWSE Sec 25 T 03N R 03W
FOR 200 ACRES

LITTLE, RALPH &/or LUCILLE
RT. 1 BOX 1396, NAMPA, ID 83651
Source: GROUNDWATER
Diversion Pt: SESE Sec 07 T 03N R 03W

Use: IRRIGATION (0.8 CFS)
Date Filed: 04/09/1987
In: NENE NWNE SESE Sec 07 T 03N R 03W
FOR 40 ACRES

SHOEMAKER, LARRY F.
RT. 1 BOX 1446, NAMPA, ID 83651
Source: GROUNDWATER
Diversion Pt: LOT 04 (SWSE) Sec 30 T 03N R 03W

Use: IRRIGATION (1.8 CFS)
Date Filed: 04/20/1987
In: LOT 04 (SWSE) Sec 30 T 03N R 03W
SESE Sec 25 T 03N R 03W
FOR 20 ACRES

GARCIA, RUDOLPH &/or EDITH
M.

Source: GROUNDWATER
Diversion Pt: LOT 04 (SWSE) Sec 30 T 03N R 03W

Use: IRRIGATION (1.8 CFS)
Date Filed: 04/20/1987
In: LOT 04 (SWSE) Sec 30 T 03N R 03W
SESE Sec 25 T 03N R 03W
FOR 20 ACRES

GARCIA, RUDOLPH &/or EDITH
M.

Source: GROUNDWATER
Diversion Pt: LOT 04 (SWSE) Sec 30 T 03N R 03W

Use: IRRIGATION (1.8 CFS)
Date Filed: 04/20/1987
In: LOT 04 (SWSE) Sec 30 T 03N R 03W
SESE Sec 25 T 03N R 03W
FOR 20 ACRES

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Debra Martin del Campo

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:
May 6, 13, 1987

Debra Martin del Campo
Subscribed and sworn to before me this
13th day of May
1987

NOTARIAL PUBLIC

FEB 1988

Janet Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1991

U.S. IRRIGATION (4.0 CFS)
Date Filed: 04/09/1987
In: SWNE SENE NENW NWNW
SESE NWSE Sec 25 T 03N R 03W
FOR 200 ACRES

63-10415

LITTLE, RALPH &/or LUCILLE
RT. 1 BOX 1392, NAMPA, ID 83651
Source: GROUNDWATER
Diversion Pt: SENE Sec 07 T 03N
R 02W
Use: IRRIGATION (.8 CFS)
Date Filed: 04/09/1987
In: NENE NWNE SENE Sec 07 T
03N R 02W FOR 40 ACRES

63-10418

SHOEMAKER, LARRY F.
RT. 1 BOX 1446, NAMPA, ID 83651
Source: GROUNDWATER
Diversion Pt: LOT 04 (SWSW) Sec
30 T 03N R 02W
Use: IRRIGATION (1.0 CFS)
Date Filed: 04/20/1987
In: LOT 04 (SWSW) Sec 30 T 03N R
02W SESE Sec 25 T 03N R 03W
FOR 50 ACRES

63-10420

GARCIA, RUDOLPH &/or EDITH
M.
RT. 6 Box 197, CALDWELL, ID
83605
Source: GROUNDWATER
Diversion Pt: NWSW Sec 21 T 04N
R 04W
Use: IRRIGATION (0.8 CFS)
Date Filed: 04/16/1987
In: NWSW Sec 21 T 04N R 04W
FOR 40 ACRES

63-10421

ISAACSON, VIRGIL
RT. 3 Box 154, CALDWELL, ID
83605
Source: GROUNDWATER
Diversion Pt: SWSW Sec 29 T 04N
R 02W
Use: IRRIGATION (0.8 CFS)
Date Filed: 04/17/1987
In: SWSW Sec 29 T 04N R 02W
FOR 40 ACRES

63-10422

SCHOBER, WESLEY
422 W. LOCUST, NAMPA, ID 83651
Source: GROUNDWATER
Diversion Pt: SWSE Sec 04 T 02N
R 02W
Use: IRRIGATION (0.680)
Domestic (0.040 CFS)
Date Filed: 04/15/1987
In: SESE Sec 04 T 02N R 02W FOR
34 ACRES

63-10423

EMMERT, JAMES L.
RT. 3 BOX 3515, NAMPA, ID 83651
Source: GROUNDWATER
Diversion Pt: SESWSW Sec 36 T
02N R 02W
Use: IRRIGATION (2.0 CFS)
Date Filed: 04/16/1987
In: SWNW NESW NWSW SWSW
Sec 36 T 02N R 02W FOR 103
ACRES

63-10424

PICKREL, ERVIN A. &/or
VELMAL.
RT. 2 BOX 678 CALDWELL, ID
83605
Source: GROUNDWATER
Diversion Pt: SWNE Sec 26 T 05N
R 04W
Use: IRRIGATION (1.6 CFS)
Date Filed: 04/17/1987
In: SENW NESW Sec 26 T 05N R
04W FOR 80 ACRES

63-10426

KINCHELOE, RICHARD
RT. 10 BOX 354, CALDWELL, ID
83605
Source: GROUNDWATER
Diversion Pt: NWNW Sec 10 T 03N
R 04W
Use: IRRIGATION (2.5 CFS)
COMMERCIAL (2.5 CFS)
Date Filed: 04/16/1987
In: NENW NWNW SWNW SENW
Sec 09 T 03N R 04W FOR 160
ACRES

63-10456

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.,
IDAHO STATE OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83706
Source: GROUNDWATER
Diversion Pt: SESW Sec 11 T 06N
R 04W
Use: DOMESTIC (0.050 CFS)
Date Filed: 04/06/1987
In: SESW Sec 11 T 06N R 04W

The permits will be subject to all
prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Western Region,
Statehouse, Boise, Idaho 83720 on
or before MAY 26, 1987.

KEN DUNN
Director

May 6, 13, 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

APRIL 30, 1987

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

Gentlemen:

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 billings to this office before MAY 26, 1987.

Yours truly,

JUDY PENSE
Secretary

Encl.

MICROFILMED

FEB 29 1988

NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before MAY 26, 1987.

KEN DUNN, Dir.

Published 05/06 & 05/13/87.

RECORDED

FEB 29 1988

MILLER LAND CO. INC.

RT. 1 BOX 137, MELBA, ID 83641

Source: GROUNDWATER

Diversion Pt: SESW Sec 02 T 01S R 02W

Use: IRRIGATION (0.8 CFS)

Date Filed: 04/13/1987

In: SESW Sec 02 T 01S R 02W NENW Sec 11 T 01S R 02W FOR 70 ACRES

RECEIVED

APR 13 1987

State of Idaho
Department of Water Resources
Temporary Approval Analysis Sheet •

☒ Yes ☐ No Basin No. Correct?
☒ Yes ☐ No Source is Groundwater?
☒ Yes ☐ No Lands are irrigated with surface water rights?
☒ Yes ☐ No Lands are outside Critical Groundwater Area & Groundwater Management Area boundaries?
☒ Yes ☐ No County has been declared a drought emergency area by the Governor's Office?

Remarks:

Canyon Co. In. Cropland map shows
the land under this app. as lying within
the Boise-Kuna Irrig. Dist. irrigated area.

Application Initially Received Date 4/13/87 Time 11:00 AM
File Prepared By JP Date 4/21/87 Time 9:00 AM
Staff Review By JP Date 4/21/87 Time 3:00 PM
Temporary Approval Prepared By JO Date 4/22/87 Time 2:00 PM
Temporary Approval Signed By DET Date 4/22/87 Time 2:30 PM
Temporary Approval Mailed By CH Date 4/22/87 Time 3:50 PM
Index Updated By DM Date 4/23/87 Time 8:00 AM

MICROFILMED

FEB 29 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

April 22, 1987

Miller Land Co. Inc.
Rt. 1, Box 137
Melba, ID 83641

Re: Water Right No. 63-10406

Dear Water Right Applicant:

Enclosed is a temporary approval for diversion of groundwater during the 1987 irrigation season.

The copy of the application for permit to appropriate water attached to the interim approval defines the various components of your temporary approval. The inclusion of the copy of the application is only for the purpose of definition, and any terms contained therein are limited by the conditions of the temporary approval.

As described in condition of approval (k), this office will continue to process the original application for permit, pursuant to Chapter 2, Title 42, Idaho Code, unless directed otherwise by you. This processing will include advertisement for two weeks in the county where the point of diversion is located, and the result may be issuance of a water right permit.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

Enclosures: Temporary Approval
Copy of Application for Permit

MICROFILMED

FEB 29 1988

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES
WITH RESPECT TO TEMPORARY APPROVAL OF
APPLICATION FOR PERMIT NO. 63-10406

This is to certify that I have examined Application for Permit to Appropriate the public waters of the State of Idaho No. 63-10406; and a temporary approval to divert groundwater is granted until August 20, 1987, subject to the following limitations and conditions:

- a. The water use approved herein is subject to all prior water rights.
- b. The water user acknowledges that the temporary approval does not convey a continuing right to divert water and does not convey any right to divert water except as specifically provided in the temporary approval.
- c. The water user assumes all risk that he or she will be successful in obtaining a permanent water right permit when the application is processed under the provisions of Chapter 2, Title 42, Idaho Code and the water Appropriation Rules and Regulations.
- d. Violation of temporary approval conditions, provisions of the Idaho Code, or the Water Appropriation Rules and Regulations is cause for cancellation of the temporary approval and denial of future requests.
- e. By commencing diversion of water under this temporary approval, the water user acknowledges and agrees that the Director of IDWR is authorized to disconnect the power supply from the pump motor used to divert water under the temporary approval or to take other reasonable steps to insure that water is not diverted during any period the temporary approval is suspended or revoked.
- f. The Director may impose additional conditions not a part of the original temporary approval conditions.
- g. The temporary approval applies only to uses and lands which normally have an adequate supply of water from surface water sources but are temporarily water short because of drought conditions.
- h. The temporary approval granted under the expedited procedure shall not be effective for more than the 1987 irrigation season and will expire upon termination of the declared drought emergency, or on the expiration of the term of the approval set herein, whichever is earlier.
- i. The Director will retain jurisdiction of any temporary approval given.
- j. By acceptance of the temporary approval and diversion of water under the temporary approval, the water user assumes all risk relative to interference with other water rights and acknowledges and agrees that the Director is authorized to take reasonable steps to insure that water is not diverted under the approval at any time the Director determines that there is not water available for diversion.

MICROFILMED

FEB 29 1988

- k. Temporary approval granted will be of no force nor effect from and after the 1987 irrigation season. The application for permit, however, will be processed by the Department under the provisions of Chapter 2, Title 42, Idaho Code, unless directed otherwise by the applicant.

Witness my hand this 22nd day of April, 1987.

David R. Tuthill

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

REPROFILMED

FEB 29 1988