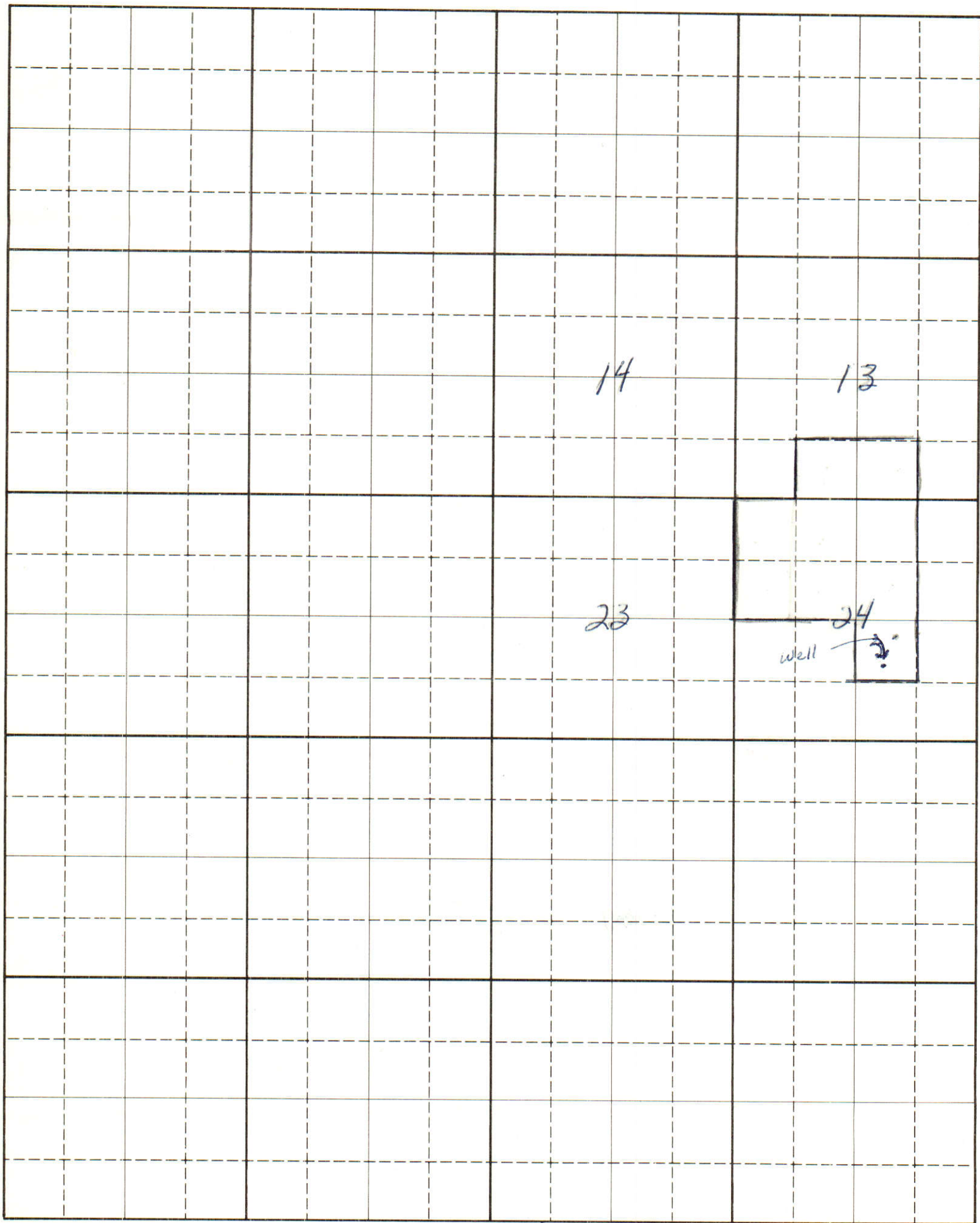


11. Map of proposed project:

T10S R14E.B.M.



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.

SAMUEL & MIRACLE, INC.

By John Miracle Sec
(Applicant)

47-7097

AFFIDAVIT of PUBLICATION

RECEIVED

Department of Reclamation

STATE OF IDAHO }
County of Twin Falls } ss.

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper two consecutive weeks, the first publication having been made on the 7th day of May, 1970, and the last publication having been made on the 14th day of May, 1970; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Robert E. Bailey

Subscribed and sworn to before me this 15th day of May, 1970.

Dorothy D. Matthews
Notary Public.

Buhl, Idaho
Residing at

January 1, 1973
My Commission Expires

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Samuel & Miracle, Inc., Buhl, Idaho, has on April 27, 1970, submitted Application No. 47-7097 to appropriate the public waters of a groundwater source. The proposed uses are irrigation (1.5 cfs) from April 1 to Nov. 1 and stockwater (.02 cfs) from Jan. 1 to Dec. 31.

The application proposes a maximum diversion and appropriation of 1.5 cubic feet per second of water to be diverted by well and ditches within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 24, T. 10S, R. 14E, B.M., Twin Falls County, and is to be used within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13; W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T. 10S, R. 14E, B.M. for the irrigation of 360 acres and stockwater.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Reclamation on or before May 25, 1970.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Buhl Herald, Buhl, Idaho, on May 7 and May 14, 1970.
(17t2)

47-7097

Rge. - 14E

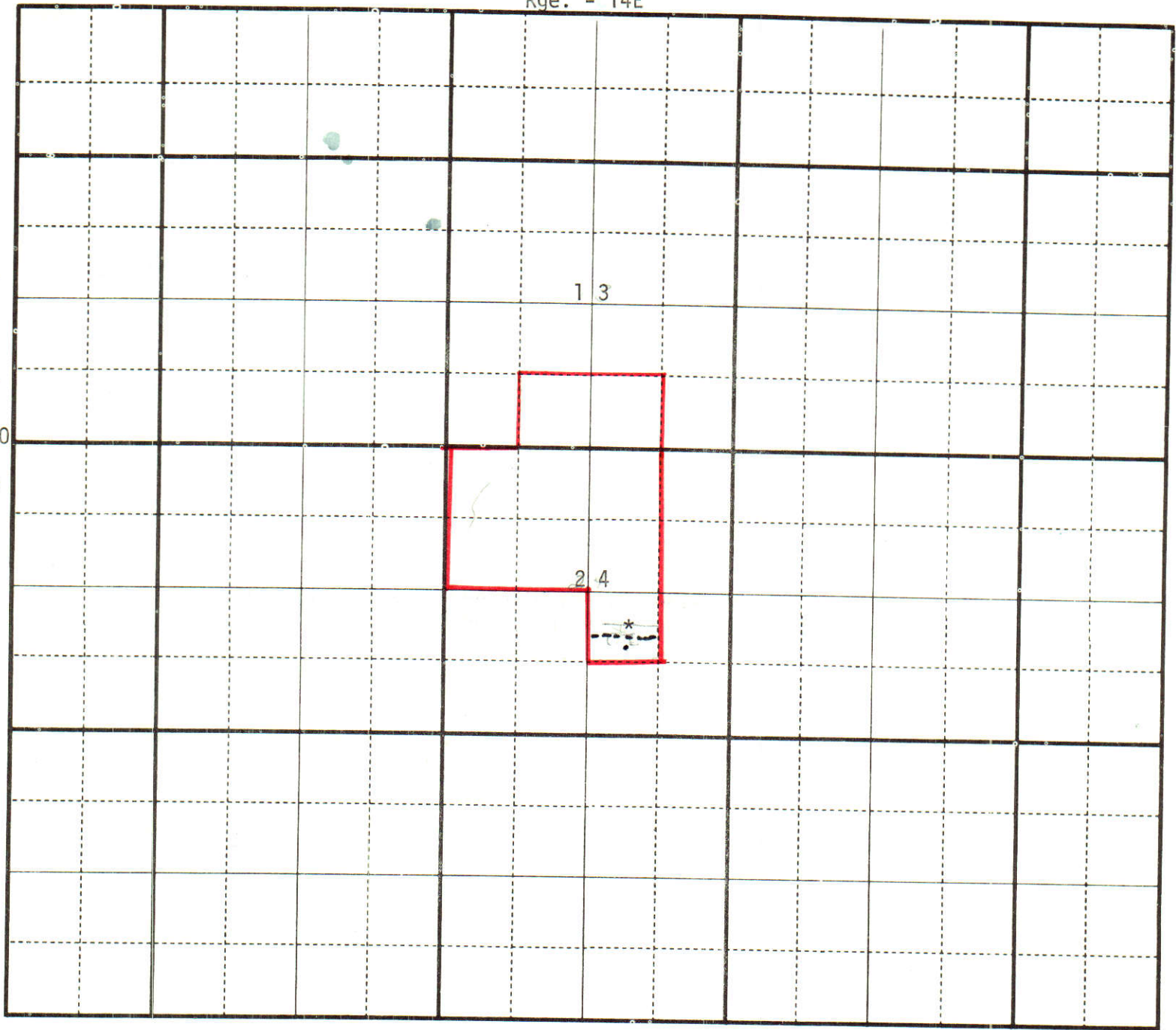
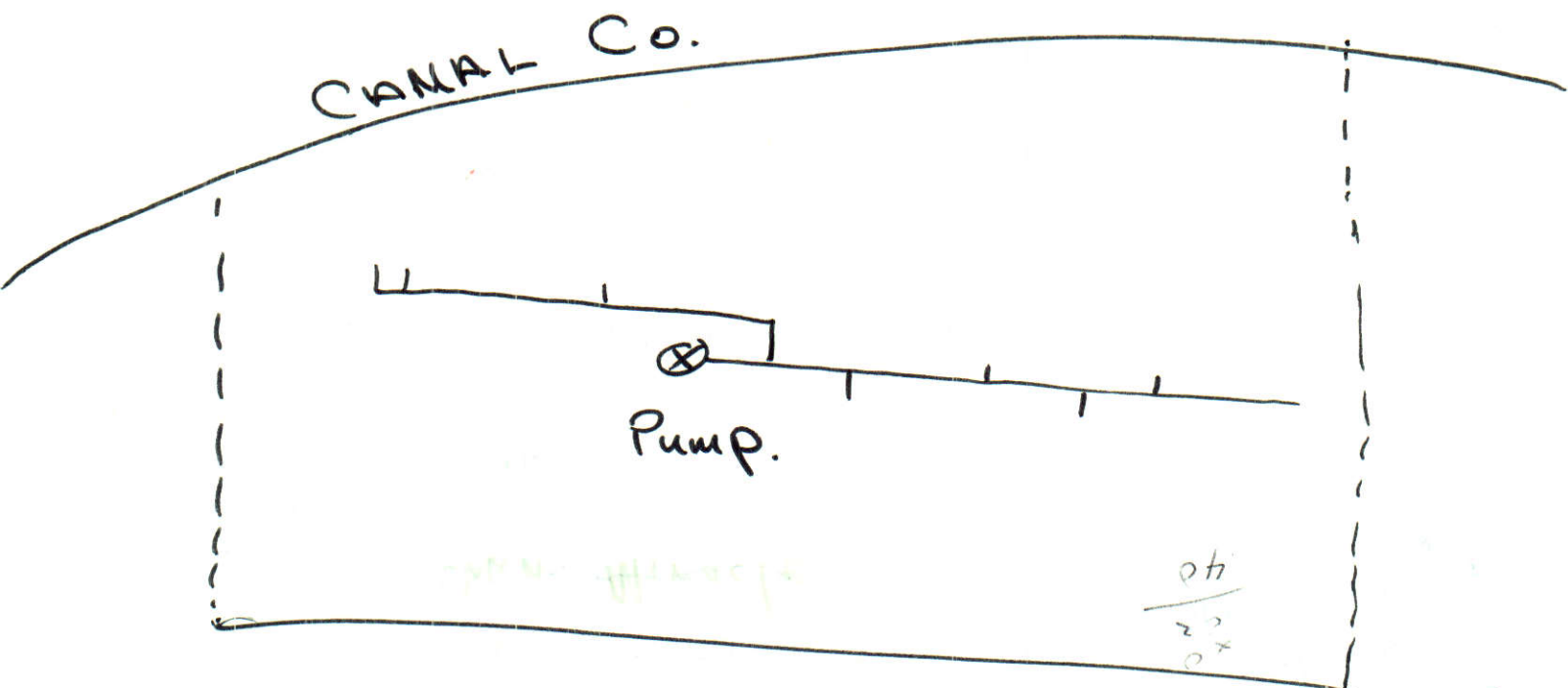


Diagram of System



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 47-7097 Priority April 27, 1970 Amount 0.42 cfs

THIS IS TO CERTIFY, that SAMUEL & MIRACLE, INC.
of Buhl, Idaho, has complied with the terms and conditions of Permit
No. 47-7097 issued pursuant to Application for Permit dated April 27, 1970,
and has submitted proof to the Department of Water Resources on May 16, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.02 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>0.40</u> cfs and	<u>80 acre feet</u>
<u>Stockwater</u>	from <u>January 1</u> to <u>December 1</u>	at <u>0.02</u> cfs and	<u>8.1 acre feet</u>
	from _____ to _____	at _____ cfs and	
	(both dates inclusive)		

Subject, however, to the condition that no more than 0.42 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
88.1 acre feet per year, said waters to be diverted within the NW 1/4, Sec. 24, Twp. 10S
Rge. 14E, B. M. in the County of Twin Falls

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10S	14E	24																	20 (Stockwater)

Total number of acres irrigated 20

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 7 day of

December, 19 78.

Director

MICROFILMED

Identification No. 47-7097
Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Samuel & Miracle, Inc.
post office address Buhl, Idaho 83316
2. Source of water supply 190 ft. well-groundwater which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 24 Township 10 S
Range 14 E. B.M. Twin Falls County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
~~and cattle and sheep located on property~~
Amount 1.5 for irrigation purpose from 4/1-11/1 ~~(both dates inclusive)~~
(cfs or acre-feet per annum)
Amount .02 for stockwater purpose from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.5 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well - ditches necessary to
convey water

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 12 inches; proposed depth of well is 190 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 1,200.00.
8. Description of proposed uses:
a. If water is ~~not~~ for irrigation: water cattle and sheep located on property - Diagram 8b
(1) Give the place of use of water: 1 $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 2,000 sheep and ewes
400 cattle
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: Irrigation and water livestock

47-7097

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated 360

c. Describe any other water rights used for the same purposes_____

9. a. Who owns the property at the point of diversion Samuel & Miracle, Inc.

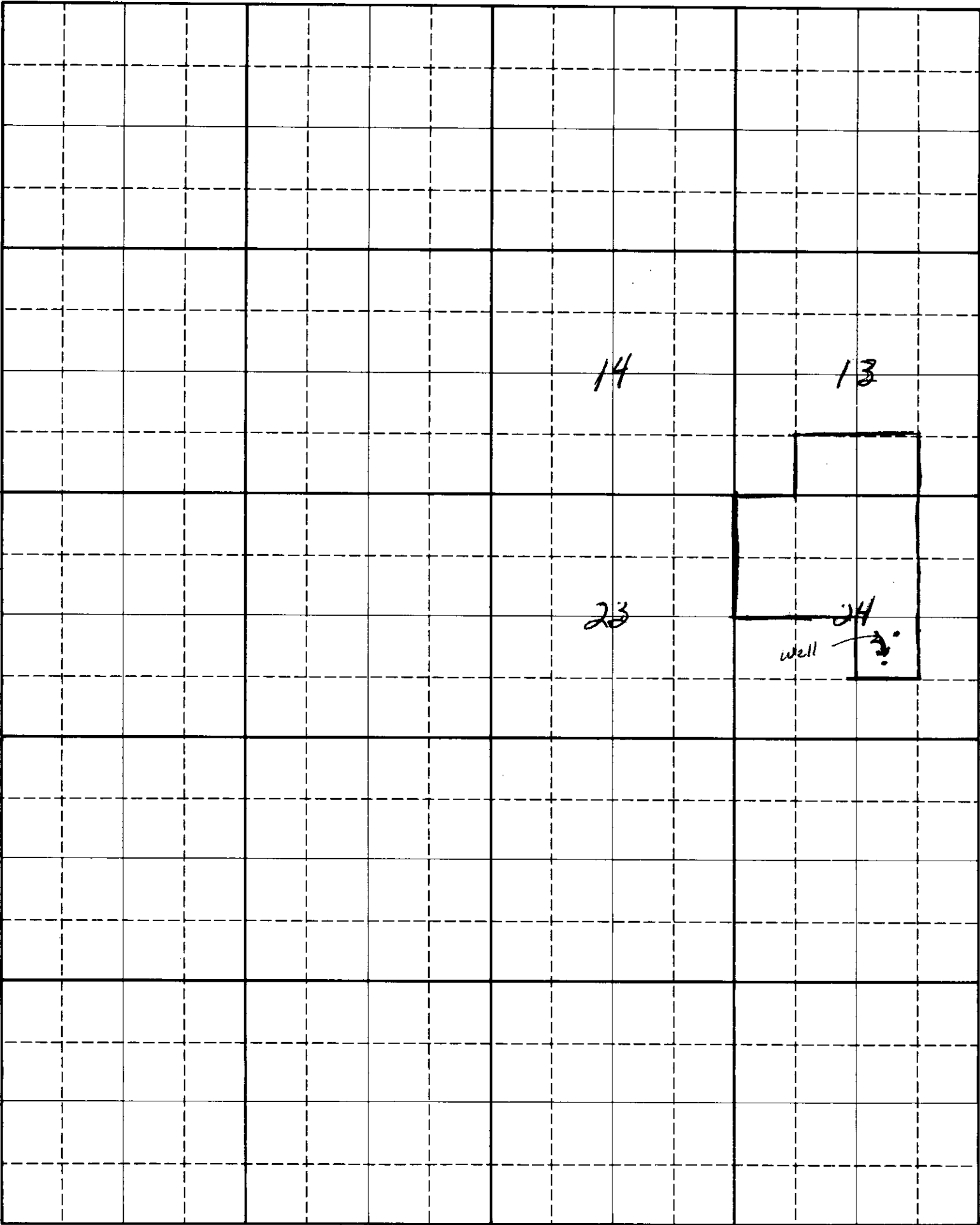
b. Who owns the land to be irrigated or place of use Samuel & Miracle, Inc.

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

10. Remarks Well was drilled by Arnold Elsing of Twin Falls, Idaho, Drilling
completed November 21, 1969, and was tested November 21, 1969.

11. Map of proposed project:

T10S R14E.B.M.



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.

SAMUEL & MIRACLE, INC.

By John Miracle Sec.
(Applicant)

47-7097

Received by C Date 4-27-70 Time 9:30 a.m.
Preliminary check by Doc Fee \$ 25.⁰⁰
Receipted by C Date 4-27-70
Publication prepared by du Date 4-29-70
Published in Bull. Herald
Publication dates 5-7+14-70
Publication approved du Date 5-25-70
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by Doc CA

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

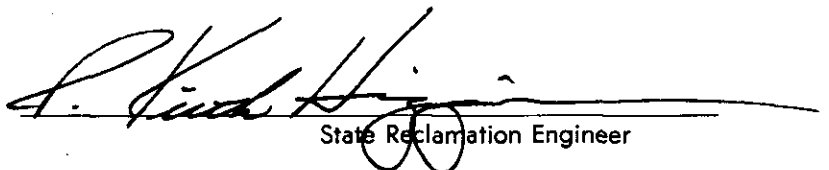
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7097, and said application is hereby APPROVED.

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 June 1, 19 75.
- c. Other: The permit holder shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 1st day of June, 19 70.


State Reclamation Engineer

LAYNE AND BOWLER PUMP COMPANY

WELL TEST REPORT

NAME John Miracle DATE 11-21-69

LOCATION So. of Buhl, Ida. SEC. RANGE T.

WELL DEPTH 190 ft. WELL SIZE CASING

TEST PUMP DEPTH 170' & 6 stgs 10" F Bowls & strainer ORIFICE SIZE 10" x 8"

STATIC WATER LEVEL 164 ft. STARTING TIME 1:30 P.M.

TIME	PUMPING LEVEL	ORIFICE READING	G.P.M.	MINERS INCHES
1:35		6½"	740	82
1:40		9"	860	96
2:15	170'	12"	1000	111
3:00	170'	12"	1000	111 - Clear

11/22/69

9:30 AM		19"	1260	140 - Some air
10:10		17½"	1200	133 " "
10:30	170'	12"	1000	111 - Clear

REMARKS:

DEPARTMENT OF RECLAMATION

STAFF ANALYSIS

Application No.	47-7097		Name	Samuel & Miracle, Inc.	
Source	groundwater				
Point of Diversion	NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T. 10S, R. 14E, B.M., Twin Falls County				
Quantity	1.5	Use	irrigation	Period	April 1 - Nov. 1
Quantity	.02	Use	stockwater	Period	Jan. 1 - Dec. 31
Quantity		Use		Period	
Well Size	12	Diameter	Proposed Depth	190	Feet
Use	360 acres - 2,000 sheep, 400 cows=				
Date Forwarded	4-29-70		Date Returned	5-5-70	
			Received by	Jee	

RECOMMENDATIONS: LOCATED APPROXIMATELY 4 MILES SOUTH OF BUTTE - WILL OBTAIN WATER FROM GUNN'S FERRY BASALT - PRIMARY RECHARGE FROM CANAL COMPANY - OTHER WELLS IN AREA BUT NO INTERFERENCE EXPECTED - THIS IS EVIDENTLY SUPPLEMENTAL WATER

Qty.	1.5	Use	I 360	Period	4-1/11-1	AF	4.0	AFA	1440
Qty.	7.2	Use	I 360	Period	3-15/11-15	AF	4.0	AFA	1440
Qty.		Use		Period		AF		AFA	

ACTION: Approved X Denied

Conditions of approval or reason for denial:

INVESTIGATION By [Signature] Title ASSISTANT ENGINEER

Date

47-7097

AFFIDAVIT of PUBLICATION

STATE OF IDAHO } ss.
County of Twin Falls }

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper two consecutive weeks, the first publication having been made on the 7th day of May, 19 70, and the last publication having been made on the 11th day of May, 19 70 ..; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the ~~attached~~ notice.

Subscribed and sworn to before me this

15th day of May, 19 70

Dorothy N. Watkins
Notary Public.

Buhl, Idaho
Residing at

January 1, 1973
My Commission Expires

NOTICE IS HEREBY GIVEN THAT Samuel A. Smith, of Idaho, has on April 22, 1970, filed Application No. 100,000,000, to appropriate the public waters of the State of Idaho for irrigation. The waters to be irrigated are those waters flowing to November 1 and December 1 from Jan. 1 to Nov. 1.

The application proposes a minimum diversion and distribution of 1.5 cubic feet per second of water to be diverted by well and ditches within the NW 1/4 Sec. 24, T. 10S, R. 14E, B.M. Twin Falls County, and is to be used within the SE 1/4 SW 1/4 Sec. 13; W 1/4 NW 1/4 Sec. 24, T. 10S, R. 14E, B.M. for the irrigation of 300 acres and stock-water.

Any permits issued pursuant to this application will be subject to ALL EXISTING WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Reclamation on or before May 25, 1970.

/s/ E. KATH HIGGINSON
State Reclamation Engineer
Published in the Buhl Herald,
Buhl, Idaho, on May 7 and May 14,
1970.
(1712)

December 11, 1978

Re: Permit No. 47-7097

Samuel & Miracle, Inc.
Micklewait@ Trailer Park, Space 12
Buhl, Idaho 83316

Gentlemen:

Enclosed herewith is a copy of the water right license issued
on the above referenced permit.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

November 13, 1978

Re: Permit No. 47-7097

Samuel & Miracle, Inc.
Micklewaits Trailer Park, Space 12
Buhl, Idaho 83316

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. 47-7097 on July 20, 1976, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.42 cfs Source: groundwater

The maximum quantity diverted shall not exceed 88.1 acre feet per
year.

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, Twp. 10S, Rge. 14E, B. M.

Beneficial use: Stockwater and Irrigation of 20 acres within the
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, Twp. 10S, Rge. 14E, B. M.

Priority date established: April 27, 1970

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw

FIELD REPORT

5021

RECEIVED

MAY 27 1975

Phone _____ 1975
Department of Water Resources
Southern District Office

- Person to contact ~~John A. Mitchell~~ 543-5817

3. Water will be used for the following purposes:

Other uses: _____

- Max Rate of Diversion 1.50 cubic feet per second and annual volume _____ AF/Annum.

- Other Points of Diversions: _____

Description of diverting works: 30 h.p. pump and motor, 12" well casing, 190 feet deep.
Pump into open ditch which conveys water to irrigated land.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

Rge. - 14E

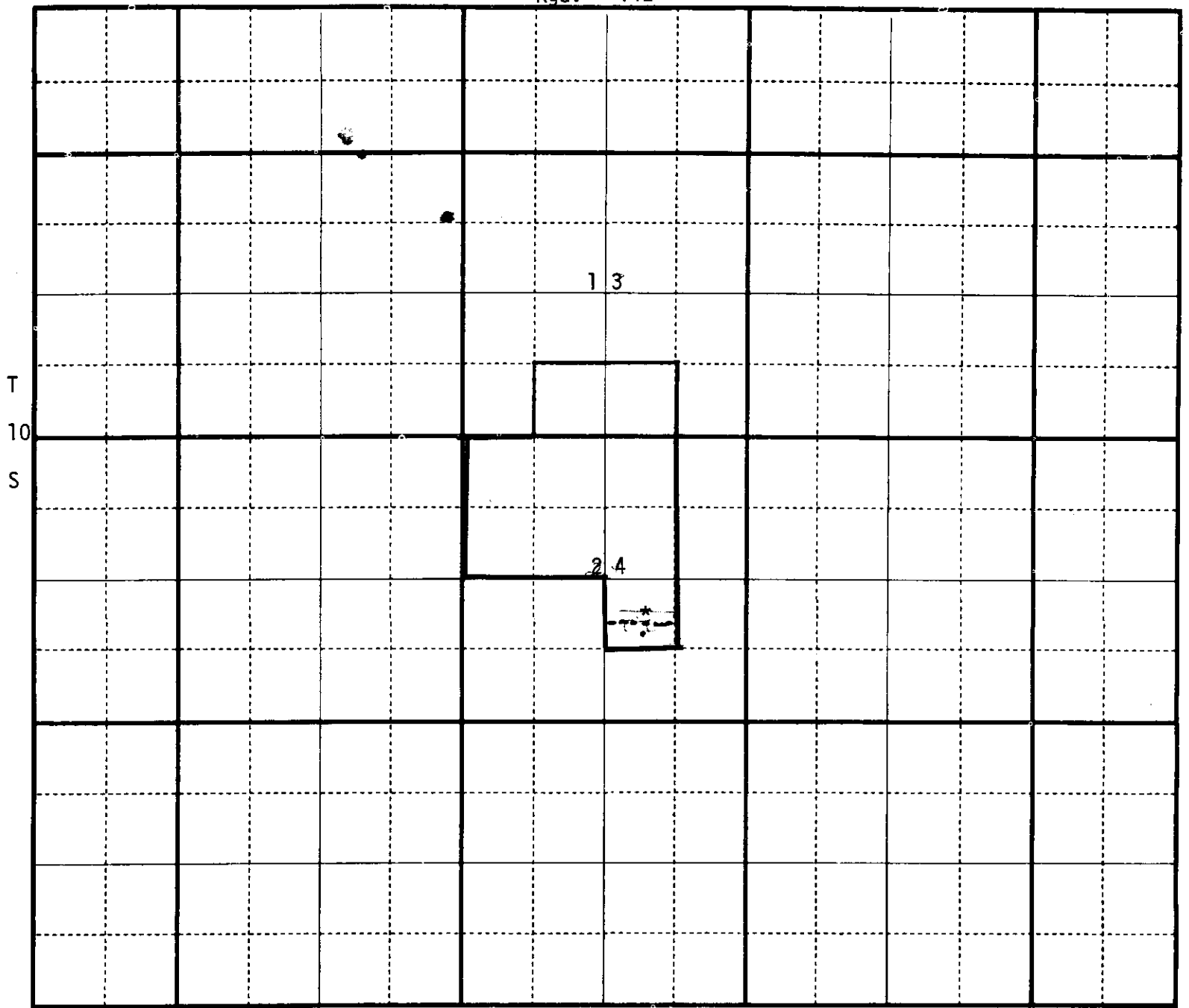
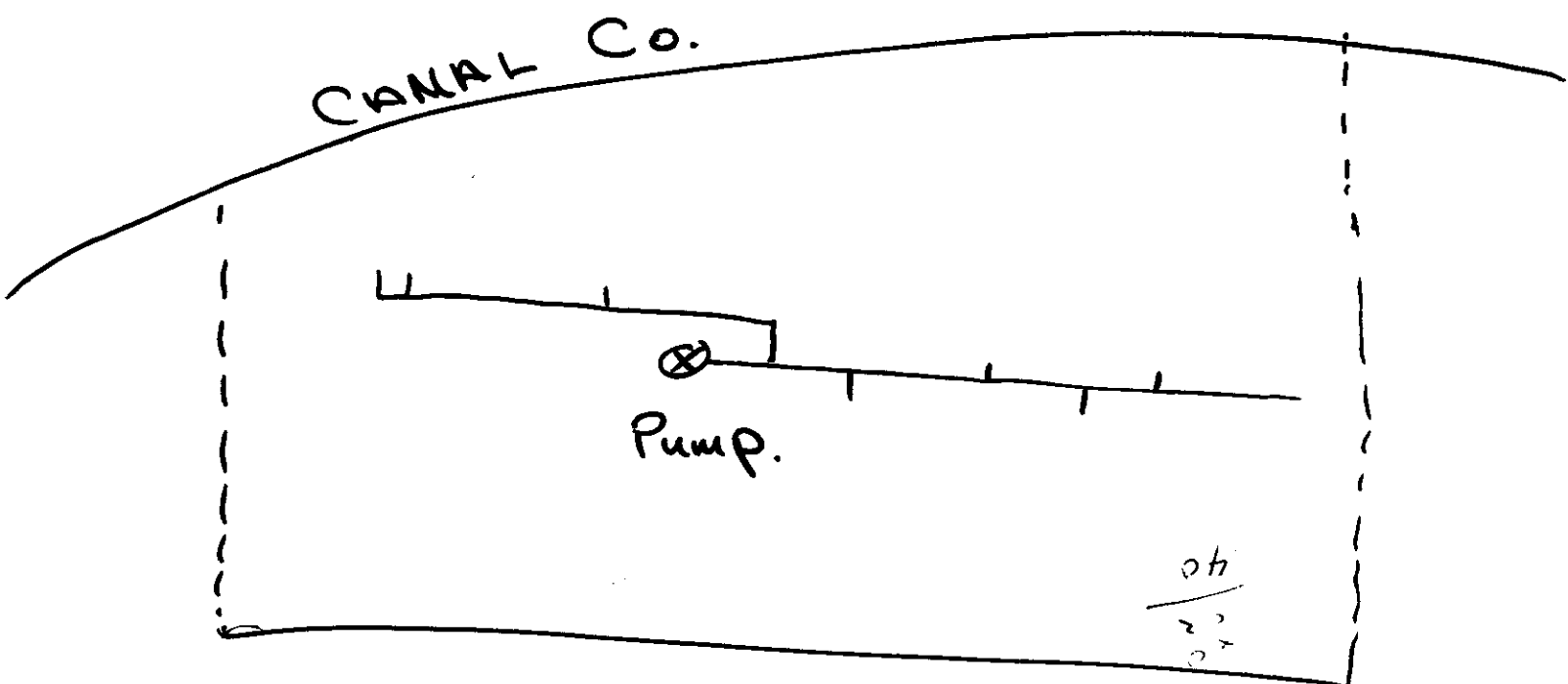


Diagram of System



DATE OF EXAM 7-20-76

ACREAGE

Found 20
Recommended 20

Irrigation Requirement 4.0 Ac Ft/Ac

USE

Irrigation Q = .40 c.f.s. V = 80 AF/Ann. from 4-1 to 11-1
Domestic Q = c.f.s. V = AF/Ann. from to
Livestock Q = .02 c.f.s. V = 8.07 AF/Ann. from 1-1 to 12-31

Is water co-mingled? yes ☒ no ☐

Name source: Canal Water (Twin Falls)
twp. 10S N/S, Rge 14E E/W, B.M., Sec. 24, Sub. NW $\frac{1}{4}$ SE $\frac{1}{4}$ TWIN FALLS.
County

Exchange? yes ☐ no ☒

Name source exchanged with:
twp. N/S, Rge E/W, B.M., Sec. , Sub. $\frac{1}{4}$ $\frac{1}{4}$
County

Point of injection:
twp. N/S, Rge E/W, B.M., Sec. , Sub. $\frac{1}{4}$ $\frac{1}{4}$
County

Point of exchange:
twp. N/S, Rge E/W, B.M., Sec. , Sub. $\frac{1}{4}$ $\frac{1}{4}$
County

Total Q measured 1.02 c.f.s. Method of measurement Rata-Flow

Total Q recommended .42 c.f.s. Meter No. 755896 Type 8" Condition New

Total V recommended 88.07 Ac.Ft./ANN.

Recommended Amendments:

P.D. N
Place of Use A water is used only in the NWSE, Sec. 24 T.10S. R.14E.
Other
None ☒

MEASUREMENT CALCULATION:

$$Q = 1.02 \text{ c.f.s.} = \left(0.14 \frac{\text{Ac Ft}}{\text{Rev.}} \right) (43,560 \frac{\text{Cu. Ft.}}{\text{Ac Ft.}}) \div (60 \text{ seconds})$$

$Q = .42 \text{ c.f.s.}$ Allowed for 20 Acres @ $1"/\text{Ac}$ + Livestock use .02 c.f.s.
Livestock 8.07 Ac Ft/ANN.
Irr. 80.00 Ac Ft/ANN = (IRR Reg 4.0 Ac Ft/Ac) (20 Acres)
Total 88.07 Ac Ft/ANN

SYSTEM DESCRIPTION:

Holloshaft Motor 30 Hp. Serial # R-1774-01-17
Layne & Bowler Pump.

Gravity Flow from well to Gated water pipes.

REMARKS:

400 hd. Range Cattle, 1200 Sheep. $\rightarrow 0.07 \text{ c.f.s.}$
 $\rightarrow 5 \frac{1}{4} \text{ acre feet}$

Sheep 2.69 Ac Ft/ANN. = (1200 hd Sheep) (2 gal/Hd/day) $(.307 \times 10^{-5} \text{ Ac Ft./gal})$ (365 days)
Cattle 5.38 Ac Ft/ANN = (400 hd Range Cattle) (12 gal/Hd/day) $(.307 \times 10^{-5} \text{ Ac Ft./gal})$ (365 days)
Total 8.07 Ac Ft/ANN

Examiner's Signature Larry Linderburg Date 7-20-76

Checked by Larry Linderburg Date 7-22-76

Approved by Michael L. Steele Date 8-26-76

May 21, 1975

Re: Permit No. 47-7097

Samuel & Miracle, Inc.
Micklewaits Trailer Park, Space 12
Buhl, Idaho 83316

Gentlemen:

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

We note that in reviewing this proof affidavit you indicate that you will install a measuring device of a type approved by the Department as required by the conditions of approval of this permit. This measuring device must be installed by the time our examiner makes the exam, or your water rights cannot be confirmed by the issuance of a license.

If you have any questions concerning the field exam, please contact our Southern District Office in Twin Falls.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

cc: Mr. L. Nungester

RECEIVED

Identification No. _____

Permit No. 47-7097

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 16 1975

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Samuel & Miracle, Inc. Department of Water Resources
Southern District Office
b) Post Office Address Micklewaits Trailer Park, Space 12, Buhl, ID 83316
2. Permit Number 47-7097
3. Date of Priority that you are prepared to establish November 21, 1969
4. a) Source from which water was appropriated Well
b) Location of the point of diversion: NW ¼ SE ¼, Section 24
Township 10, Range 14 South, Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 1.5 c.f.s. for irrigation purposes from 4-1 to 11-1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount .02 for stockwater purposes from 1-1 to 12-31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 1.5 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Layne & Bowler Pump Co., Twin Falls, Idaho
orifice
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

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

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 30 h.p. pump and motor, 12" well casing, 190 feet deep. Pump into open ditch which conveys water to irrigated land.

b) Describe the type and size of measuring device which you have installed at your point of diversion: None
Will install type required by Department. Pump Company had none
in stock at time this application was signed.

c) Give well driller's name and address and the date the well was completed: Arnold Elsing, Twin Falls,
Idaho, Drilling completed November 21, 1969

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
In addition to irrigation water is used for livestock water.
(Approximately 2,000 sheep and 400 cattle)

Exam typed

5-22-75
2-26-76

MICROFILMED

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

Twin Falls, Idaho																			
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10	14	24		40	40											40			120
10	14	13											40				40		80

Total number of acres irrigated 200

10. Remarks: Water starts on high point of farm. Irrigates high point
and flows to rest of farm.

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

SAMUEL & MIRACLE, INC.,

5-15-75
(Date)

Gail Samuel, Pres.
(Signature)

State of IDAHO)
) ss.
County of Twin Falls)

On this 15th day of May, 19 75, personally appeared before me
the signer(s) of the above instrument, who duly acknowledged to me that he ~~(she)~~ ~~(they)~~ executed the same.

J. M. Stanger
Notary Public residing at Buhl, Idaho

My commission expires 1-1-77

LAW OFFICES
HEPWORTH, NUNGESTER, FELTON, AND HART
PROFESSIONAL CENTER
1020 MAIN
AREA CODE 208
PHONE 543-4368
BUHL, IDAHO 83316

RECEIVED

MAY 16 1975

Department of Water Resources
Southern District Office

JOHN C. HEPWORTH
WM. L. NUNGESTER
MICHAEL H. FELTON
J. WILLIAM HART

May 15, 1975

Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Re: Permit No. 47-7097

Gentlemen:

Enclosed is an executed Proof of Application of Water to
Beneficial Use for Samuel & Miracle, Inc.

Very truly yours,

HEPWORTH, NUNGESTER, FELTON & HART



Wm. L. Nungester

WLN:bh

MICROFILMED

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

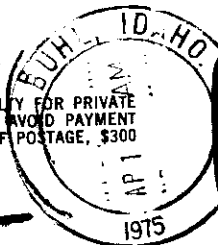
- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**



**DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

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



PS Form 3811, Nov. 1973

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

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

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 65¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

MICROFILMED

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

266667

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE

4. *Miss John P. ...*

DATE OF DELIVERY

4/1/75

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

779-204

GPO: 1974 O - 527-803

March 31, 1975

CERTIFIED MAIL

26667

Re: Permit No. 47-7097

Samuel & Miracle, Inc.
Buhl,
Idaho 83316

Gentlemen:

One of the conditions of approval of your water Permit No. 47-7097 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1975. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. Keith Higginson

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

MICROFILMED

June 4, 1970

Re: Permit No. 47-7097

Samuel & Miracle, Inc.
Buhl,
Idaho 83316

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 47-7097. We direct your attention to the conditions of approval on the fourth page under approval of the State Reclamation Engineer.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CCA:kh

Enclosures: Copy of permit
Receipt No. 4549 for \$25
2 informational letters

cc. Mr. Wm. L. Nungester
Hepworth, Walker, Nungester, and Felton
1020 Main
Buhl, Idaho 83316

47-7097

LEGAL
NOTICE OF APPLICATION FOR
PERMIT TO APPROPRIATE THE
PUBLIC WATERS OF THE
STATE OF IDAHO

Notice is hereby given that Samuel & Miracle, Inc., Buhl, Idaho, has on April 27, 1970, submitted Application No. 47-7097 to appropriate the public waters of a groundwater source. The proposed uses are irrigation (1.5 cfs) from April 1 to Nov. 1 and stockwater (.02 cfs) from Jan. 1 to Dec. 31.

The application proposes a maximum diversion and appropriation of 1.5 cubic feet per second of water to be diverted by well and ditches within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T. 10S, R. 14E, B.M., Twin Falls County, and is to be used within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13; W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T. 10S, R. 14E, B.M. for the irrigation of 360 acres and stockwater.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Reclamation on or before May 25, 1970.

/s/ R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Buhl Herald,
Buhl, Idaho, on May 7 and May 14,
1970.

(17t2)

47-7097

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

April 29, 1970

Re: Application for Permit No. 47-7091 - Everett Weaver
47-7095 - Valley Trout Farm, Inc.
47-7096 - Kathryn C. Jarolimek
47-7097 - Samuel & Miracle, Inc.

Buhl Herald
Box 312
Buhl, Idaho 83316

Gentlemen:

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

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

An affidavit of publication must be submitted to the Department of Reclamation along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(Signature of the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

Enc: Legal notices (4)

*Bill submitted
5-25-70
ds*

47-7097

NOTICE OF APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Samuel & Miracle, Inc., Buhl, Idaho,
has on April 27, 1970,
submitted Application No. 47-7097 to appropriate the public waters of
a groundwater source.
The proposed uses are irrigation (1.5 cfs) from April 1 to Nov. 1 and stockwater
(.02 cfs) from Jan. 1 to Dec. 31.

The application proposes a maximum diversion and appropriation of 1.5
cubic feet per second acre/feet of water to be diverted by well and ditches
within the NW¹/₄SE¹/₄ Sec. 24,
T. 10S, R. 14E, B.M., Twin Falls County,

and is to be used within the SE¹/₄SW¹/₄, SW¹/₄SE¹/₄, Sec. 13; W¹/₂NE¹/₄, NW¹/₄, NW¹/₄SE¹/₄,
Sec 24, T. 10S, R. 14E, B.M. for the irrigation of 360 acres and stockwater

Any permit issued pursuant to this application will be subject to ALL PRIOR
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest
against this application must be filed with the Idaho Department of Reclamation on
or before May 25, 1970.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Buhl Herald, Buhl, Idaho,
on May 7 and May 14, 1970.

KH

47-7097

April 10, 1970

Re: Application for Permit - Samuel & Miracle, Inc.

Mr. Wm. L. Nungester
Hepworth, Walker, Nungester, and Felton
1020 Main
Buhl, Idaho 83316

Dear Mr. Nungester:

We are returning your application for permit, in order to clarify the following items:

Under item 2, you have not indicated the source of water supply, however, we would assume it to be a ground water source.

Under item 4, you list 1.5 c.f.s. of water for irrigation, cattle, and livestock watering for a year round period of use. We would recommend that the 1.5 c.f.s. appropriation for irrigation be listed with a period of use from April 1 to November 1, inclusive, and the stockwater be listed separate with a period of use from Jan. 1 to Dec. 31.

The application also requires that under items 8a1 and 8a3 be completed, whenever stockwater is listed as a proposed use.

With these revisions and a filing fee of \$25, we can process the application, as requested. If you have any questions, please feel free to contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh
Enclosure

47-2057

LAW OFFICES
HEPWORTH, WALKER, NUNGESTER, AND FELTON
PROFESSIONAL CENTER
1020 MAIN
AREA CODE 208
PHONE 543-4368
BUHL, IDAHO - 83316

JOHN C. HEPWORTH
LLOYD J. WALKER
WM. L. NUNGESTER
MICHAEL H. FELTON

OTHER OFFICES AT
P. O. BOX 23
TWIN FALLS, IDAHO 83301
(208) 733-3083
SUN VALLEY, IDAHO 83353
(208) 726-5861

April 3, 1970

State of Idaho
Dept. of Reclamation
614 West State
Boise, Idaho 83700

Re: Samuel & Miracle, Inc.

Gentlemen:

Enclosed you will find a completed Application for Permit
for Samuel & Miracle, Inc., wotgether with a test well report.
If you need any further information, please contact our office.

Very truly yours,

HEPWORTH, WALKER, NUNGESTER & FELTON

Wm. L. Nungester

Wm. L. Nungester

WLN:bh

Encl.

44-7071