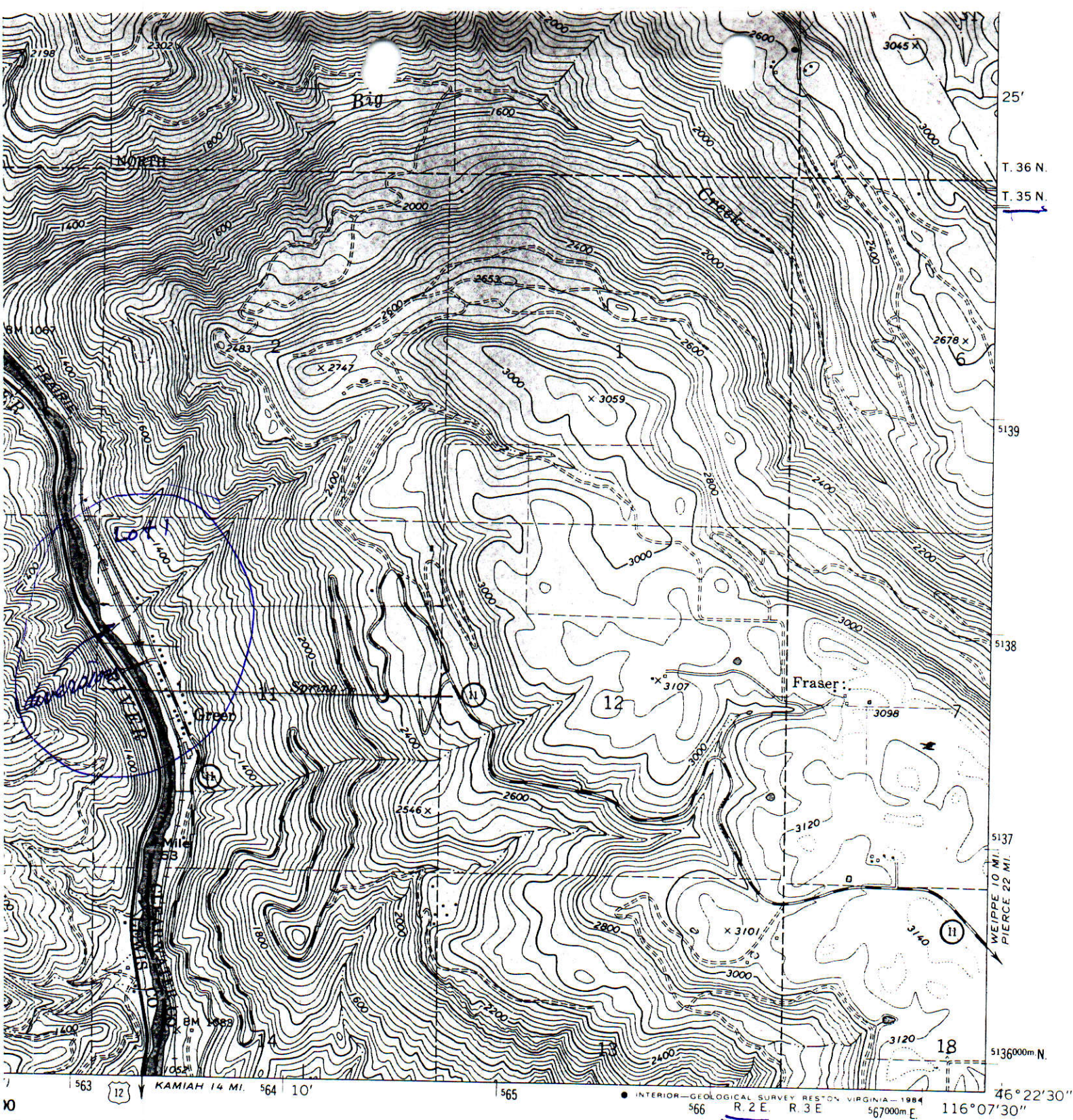
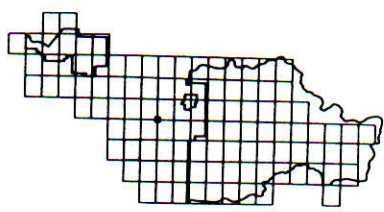


40 FEET
DOT CONTOURS
DATUM OF 1929

- Primary Highway
- Secondary Highway
- Improved Light Duty
- Unimproved Dirt
- Trail
- Locked Gate
- U.S. Highway
- State Highway
- County Highway
- Forest Road
- Forest Trail



CLEARWATER NATIONAL FOREST
QUADRANGLE LOCATION DIAGRAM

MICROFILMED

JUL 06 1993

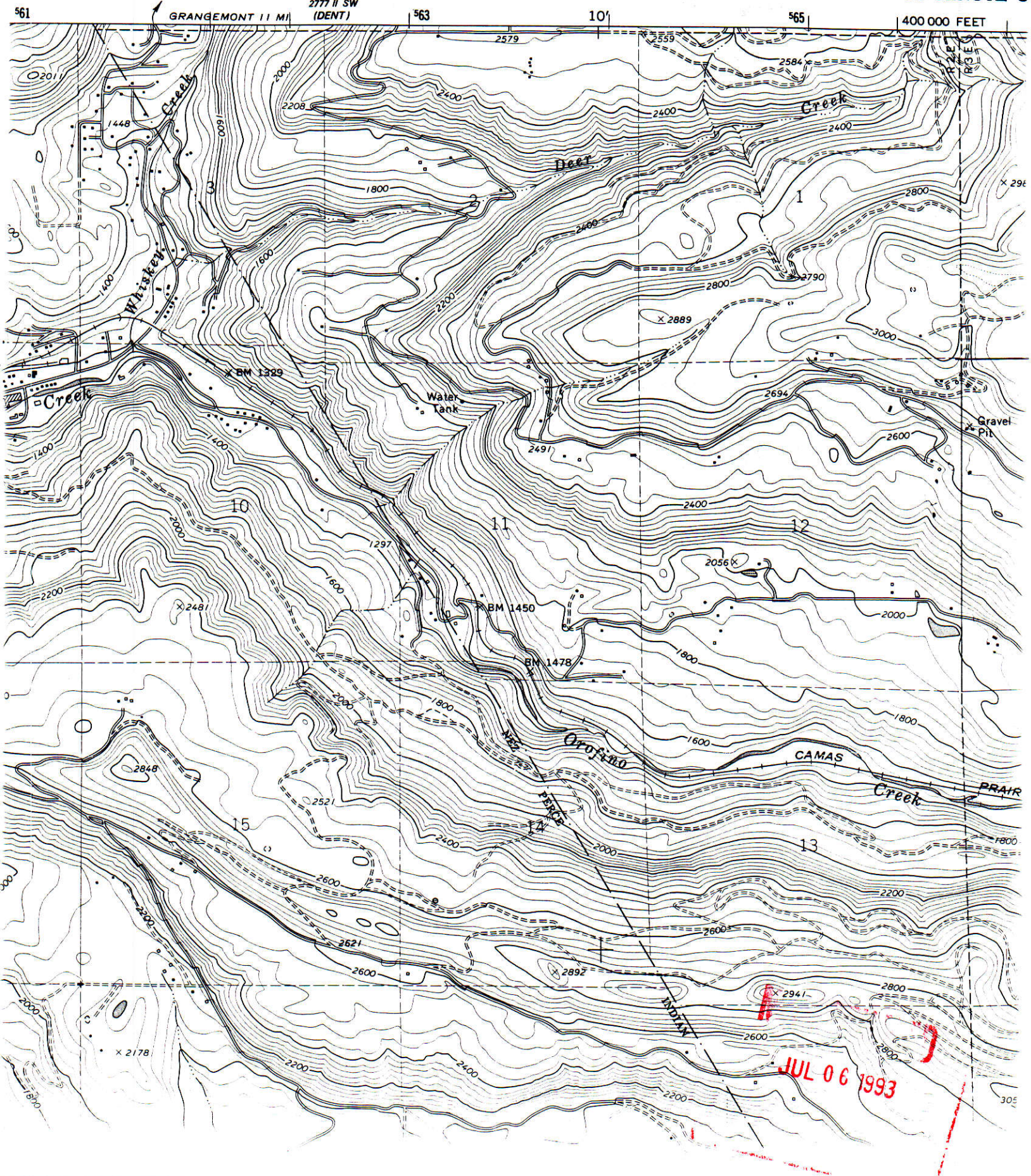
OROFINO EAST, IDAHO
N4622.5—W11607.5/7.5

1967
PHOTOREVISED 1984
DMA 2776 I NW—SERIES V893

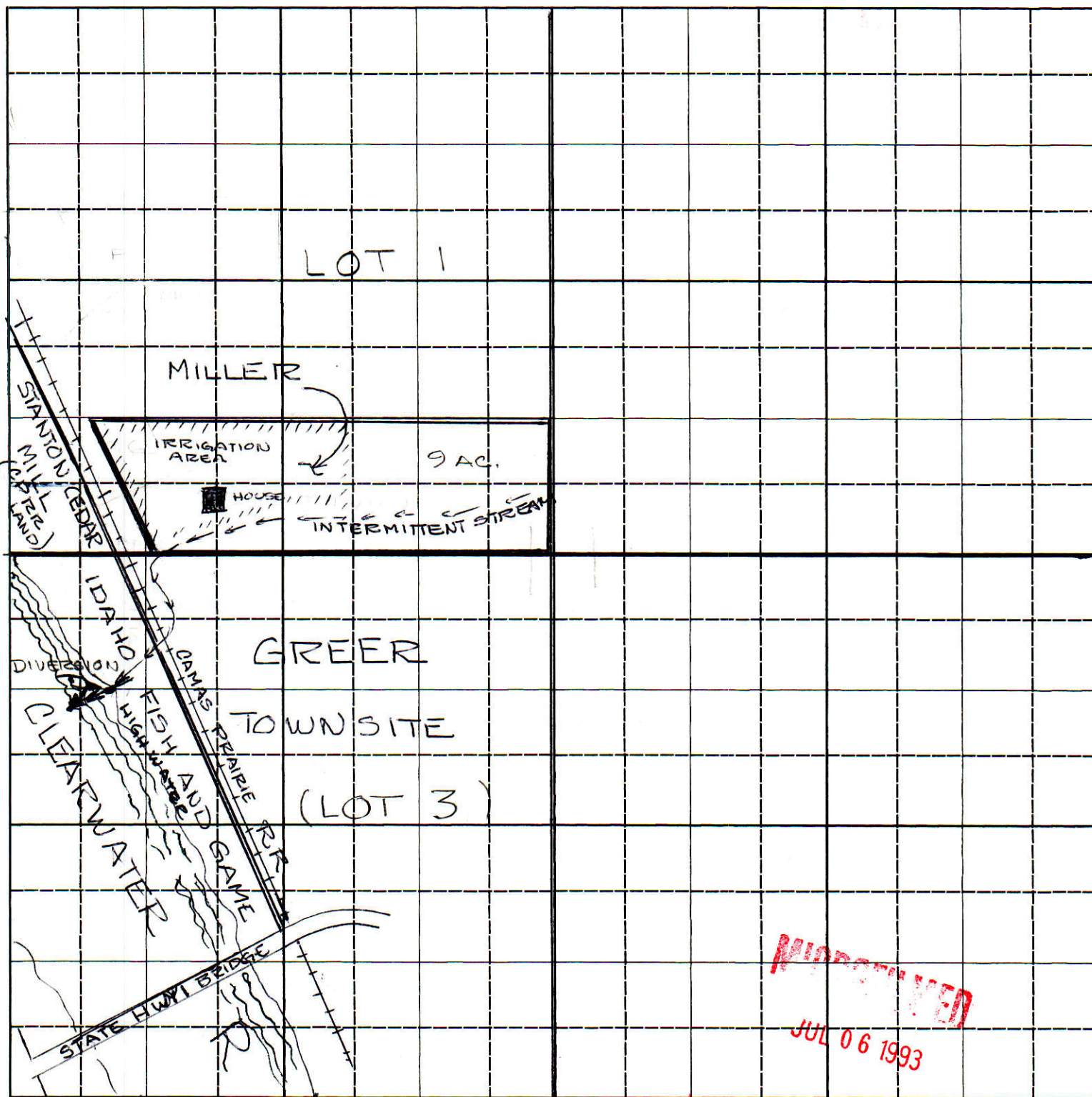
T 36 N

OROFINO E

7.5 MINUTE S



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



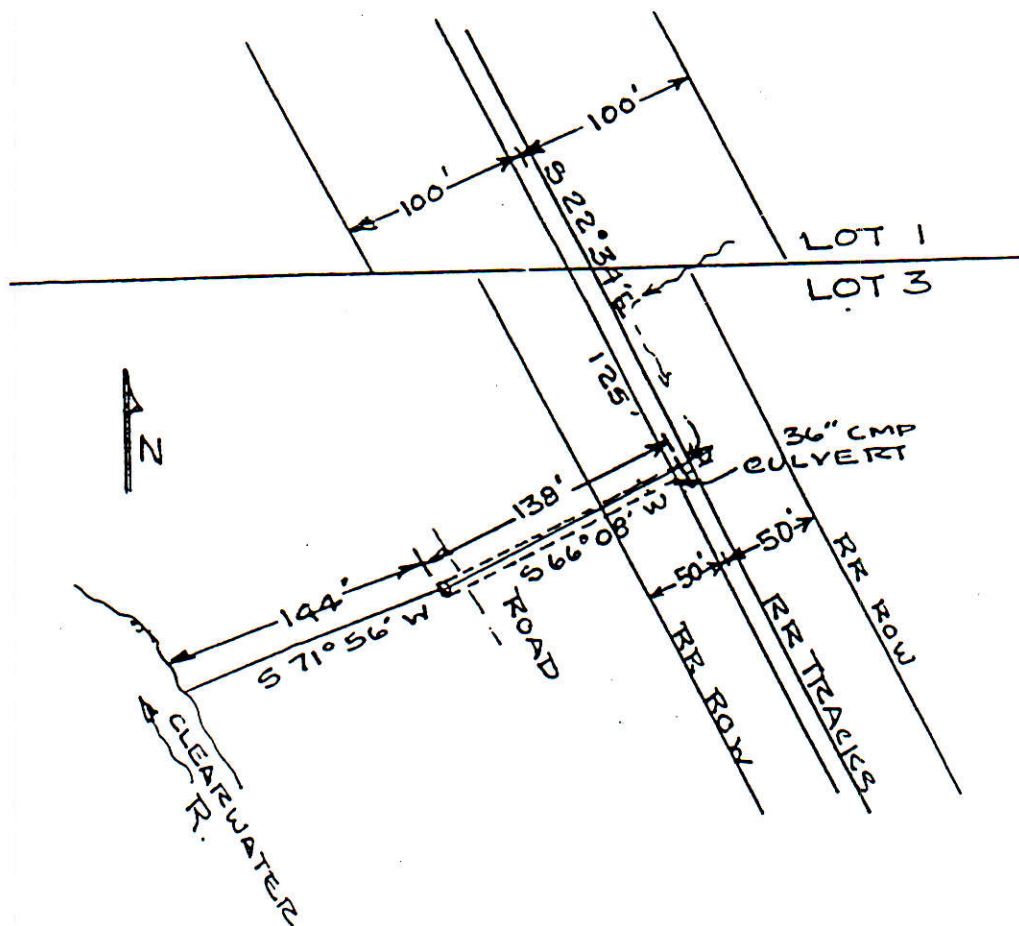
Scale: 2 inches equal 1 mile.

DIVERSION IN: SEC 11 NW 1/4 LOT 3 T 35 N R 2 E

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.

Elizabeth B Miller
William T. Miller

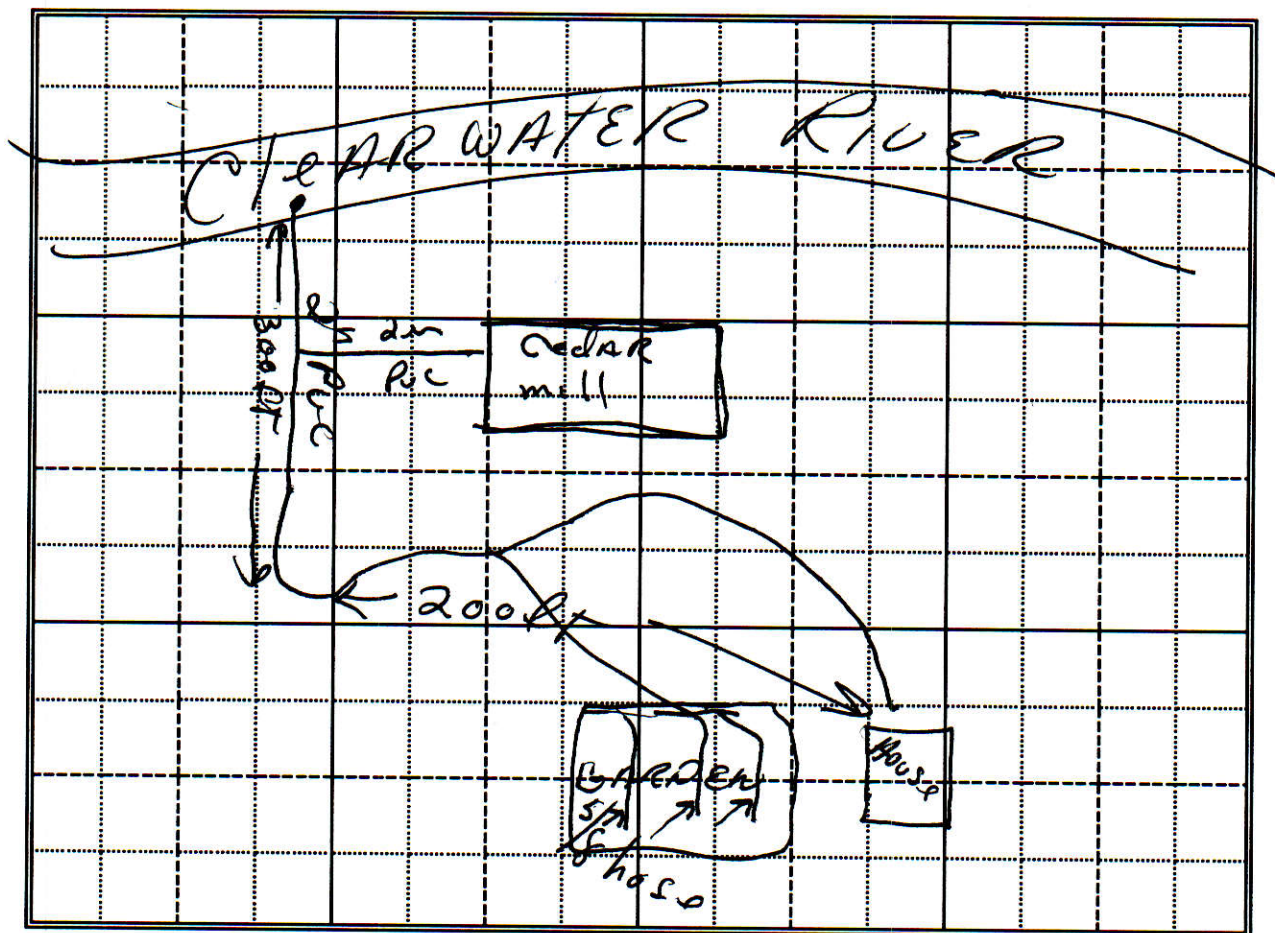
(Applicant)



SEC 11 T 34 N R 2 E

RECORDED
JUL 06 1993

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	FRANKLIN	5	2821139202		2"

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

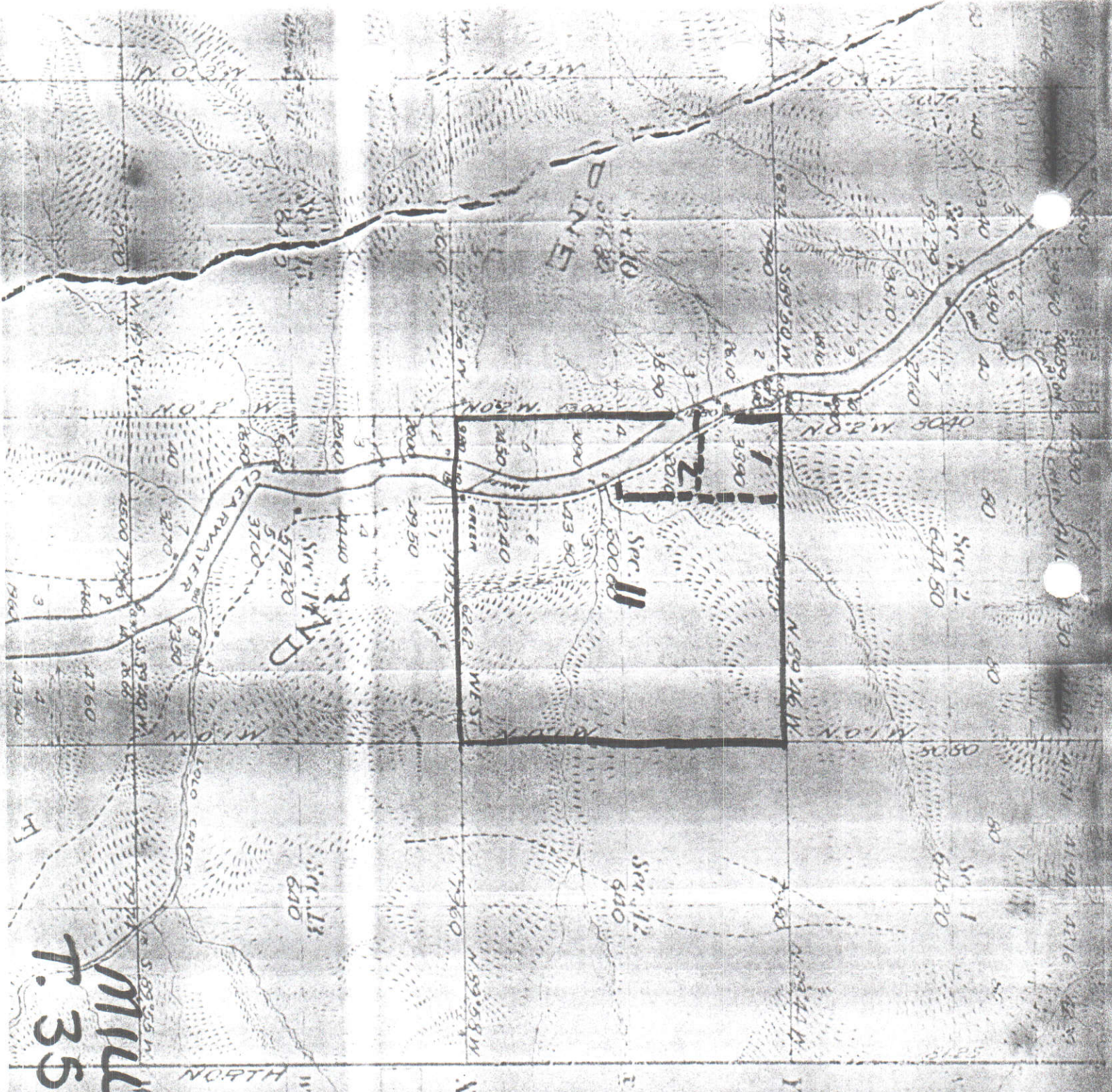
D. FLOW MEASUREMENTS

1.

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

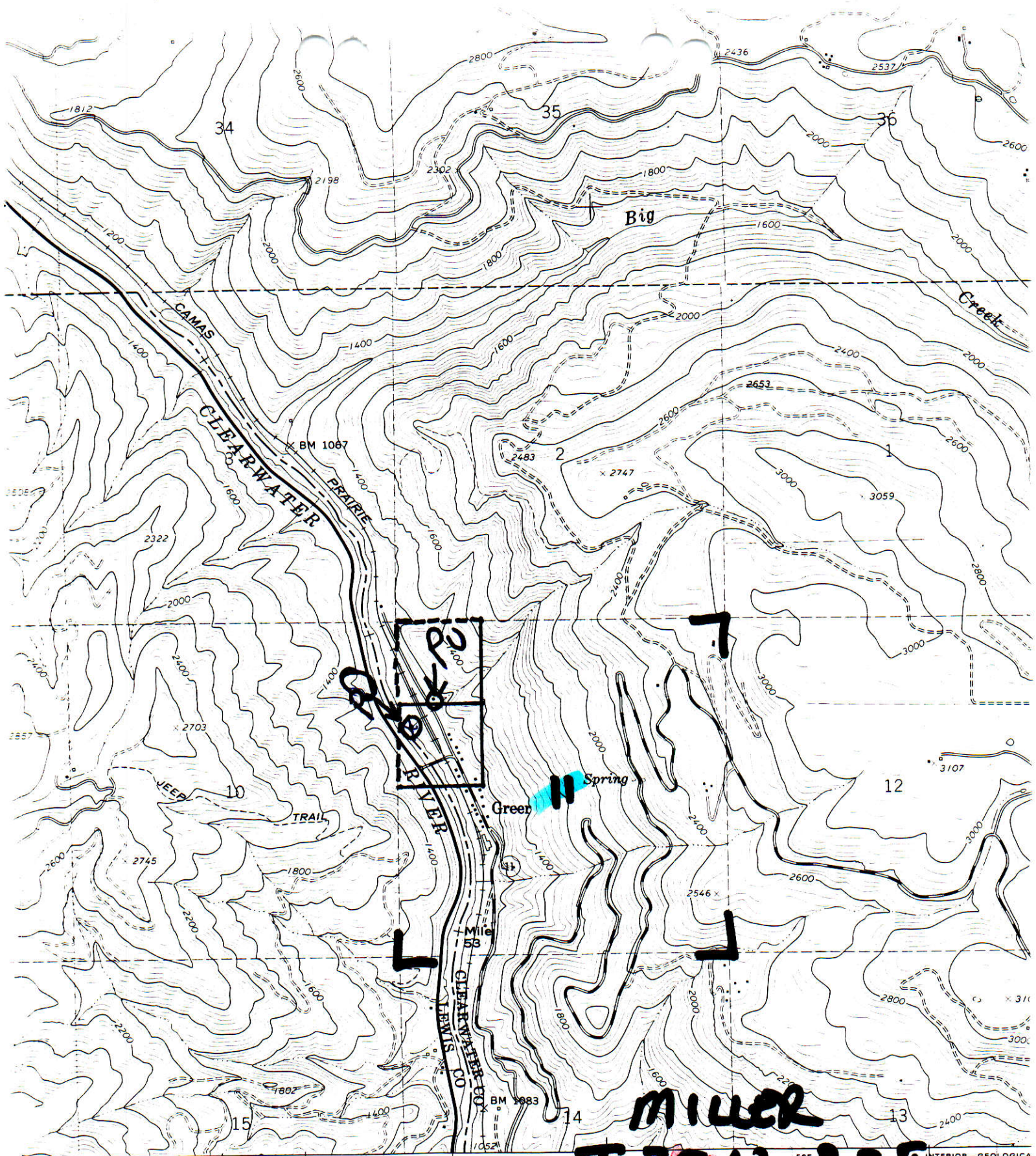
2. Measurements: BUCKET METHOD - SEE ITEM F. RECEIVED

FEB 26 1996



Miller
T.35.N., R.2E.

FEB 26 1996



562 (SIXMILE CREEK) 2776 1 SW 563 12 KAMIAH 14 MI. 564 565 566 INTERIOR-GEOLGICAL R

SCALE 1:24 000

1 MILE

1 KILOMETER

CONTOUR INTERVAL 40 FEET
DOTTED LINES REPRESENT 20-FOOT CONTOURS
NATIONAL GEODETIC VERTICAL DATUM OF 1929

FEB 26 1996

Heavy-duty
Medium-duty

U. S. Road

IDAHO



PO



PO



PO

100 2 6 1996

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Clearwater)

Bonnie M. Bessent

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: that said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of:

Notice

That said Notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for a full period of two consecutive issue beginning on the 18th day of February and ending on the 25th day of February 1993

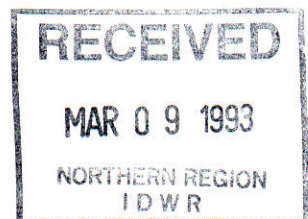
Bonnie M. Bessent
STATE OF IDAHO)

COUNTY OF CLEARWATER)

On this 28th day of February in the year of 1993, before me, a Notary Public, personally appeared Bonnie M. Bessent, known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho
Resident at Kamiah, Idaho
My commission expires: 10-10-93

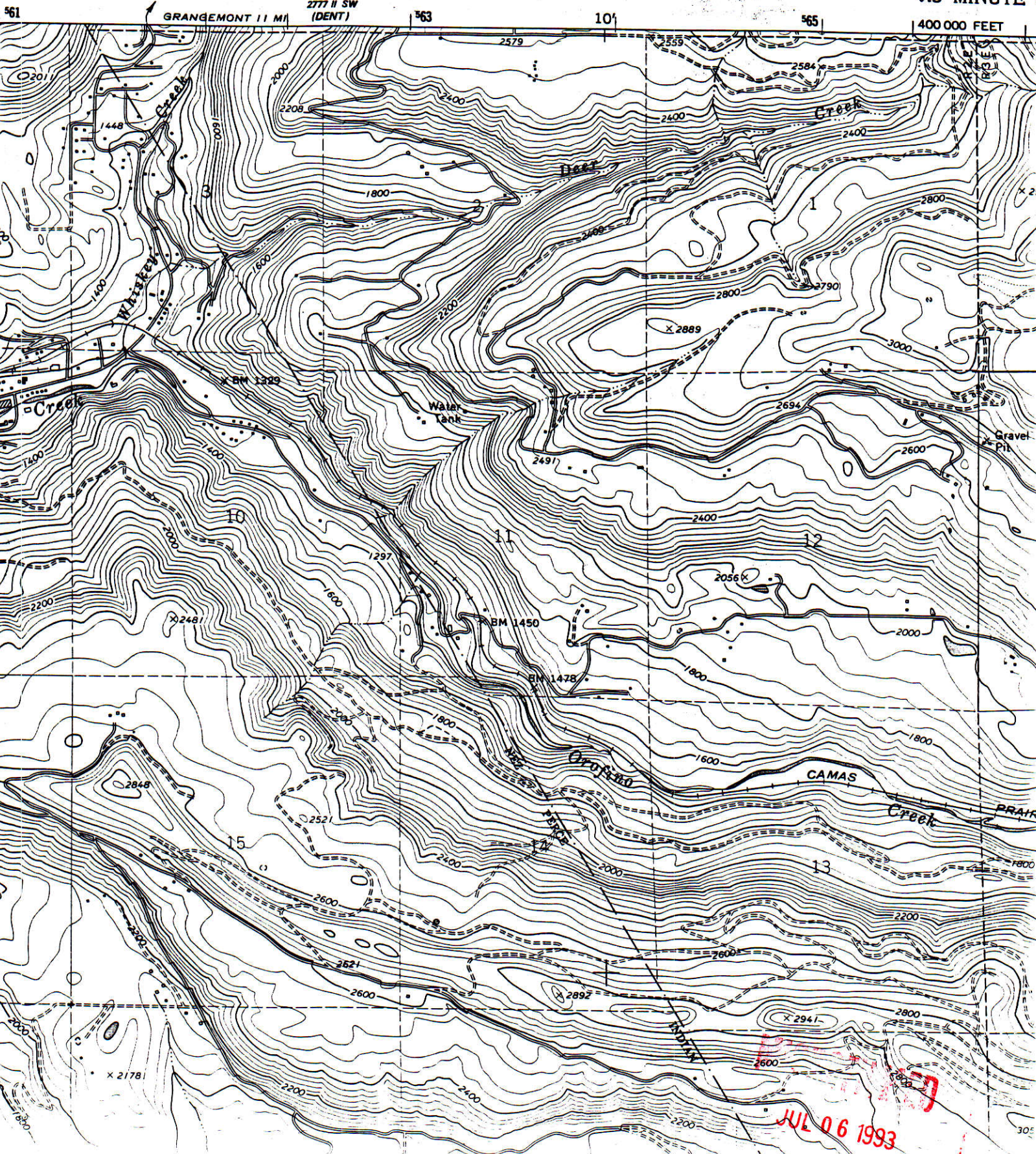
NOTICE
NOTICE OF APPLICATION
FOR WATER RIGHT
The Following application(s)
have been filed to appropriate the
public waters of the State of Idaho:
84-07267
MILLER, WILLIAM H
MILLER, ELIZABETH B
PO BOX 163
AHSAHKA, ID 83520.
Source: CLEARWATER RIVER
Tributary: SNAKE RIVER
Diversion Pt: LOT 3 (NWSWNW)
Sec 11 T 35N R 02E in CLEARWA-
TER County.
Use: STOCKWATER (.010 CFS)
DOMESTIC (.070 CFS)
FIRE PROTECTION (.070 CFS)
Total Diversion: (.070 CFS)
Date Filed: 8/14/1992
In: CLEARWATER County
T35N R02E S11 NWNW
For additional information con-
cerning the property location, call
the Northern Regional Office at 765-
4639.
The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Northern Region,
1910 Northwest Blvd., Suite 210,
Coeur d'Alene, Idaho 83814 on or
before MARCH 8, 1993.
R. KEITH HIGGINSON,
Director
2-18,25c



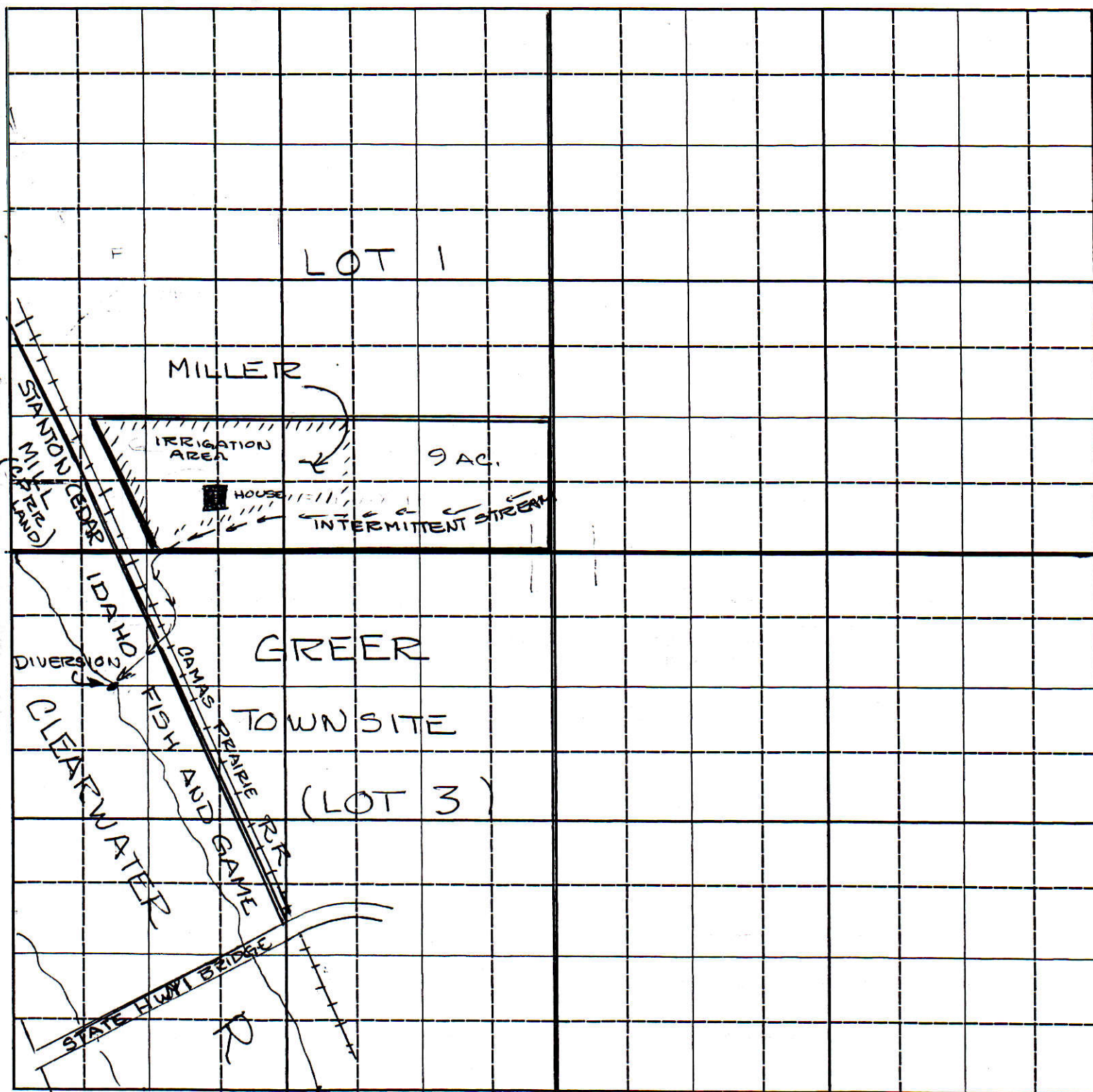
RECEIVED
JUL 06 1993

OROFINO I

7.5 MINUTE



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.

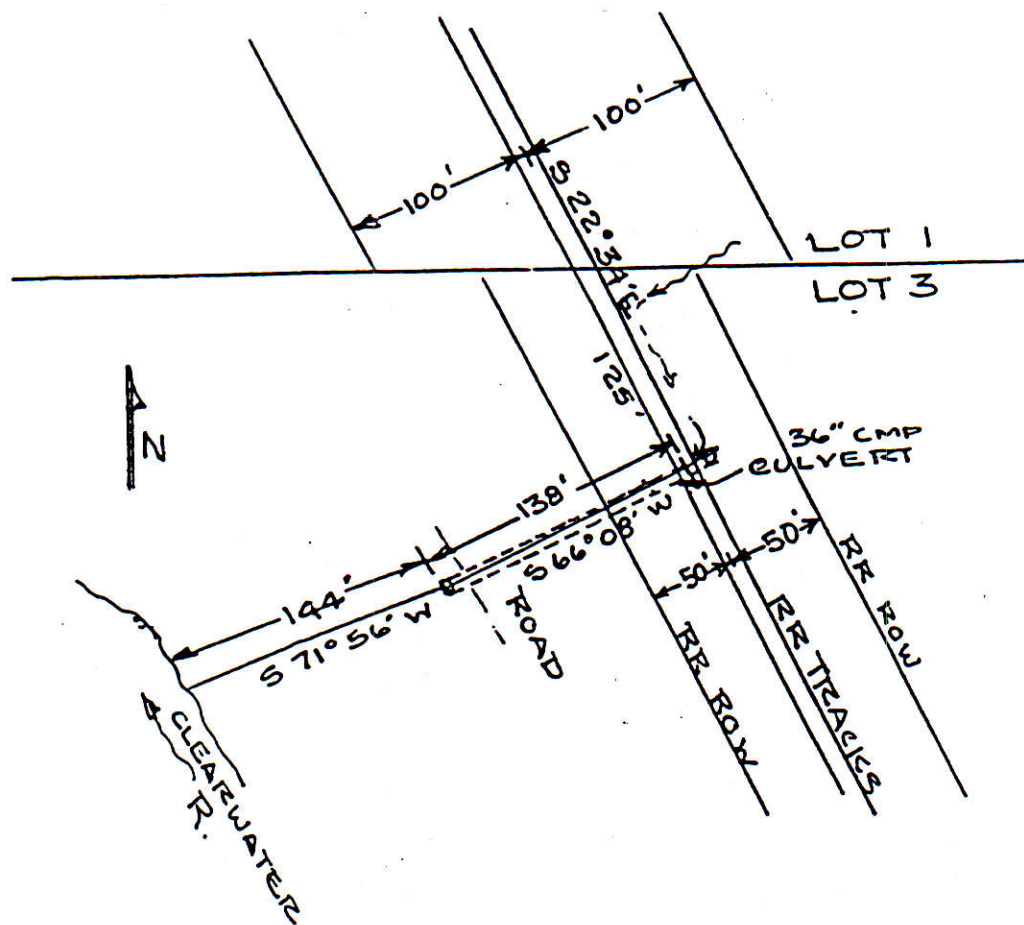
DIVERSION IN: SEC 11 NW 1/4 LOT 3 T 35 N R 2 E

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.

Elizabeth B. Miller
William H. Miller

(Applicant)

RECEIVED
JUL 06 1993



SEC 11 T 34 N R 2 E

JUL 06 1993
 (Red stamp)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 84-07267

Priority: August 14, 1992

Maximum Diversion Rate:

0.07 CFS

Maximum Diversion Volume:

0.6 AF

This is to certify, that WILLIAM H MILLER
ELIZABETH B MILLER

PO BOX 163

AHSAHKA ID 83520-0163

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 14, 1992; and has submitted Proof of Beneficial Use on May 30, 1995. An examination indicates that the works have a diversion capacity of 0.070 cfs of water from:

CLEARWATER RIVER

tributary to SNAKE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
FIRE PROTECTION	01/01 to 12/31	0.07 CFS	
	Totals	0.07 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2 (SWNW), Sec. 11, Township 35N, Range 02E
CLEARWATER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

35N 02E 11 Lot 1(NWNW)

PLACE OF USE:

FIRE PROTECTION, same as DOMESTIC use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which 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.

FEB 26 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 84-07267

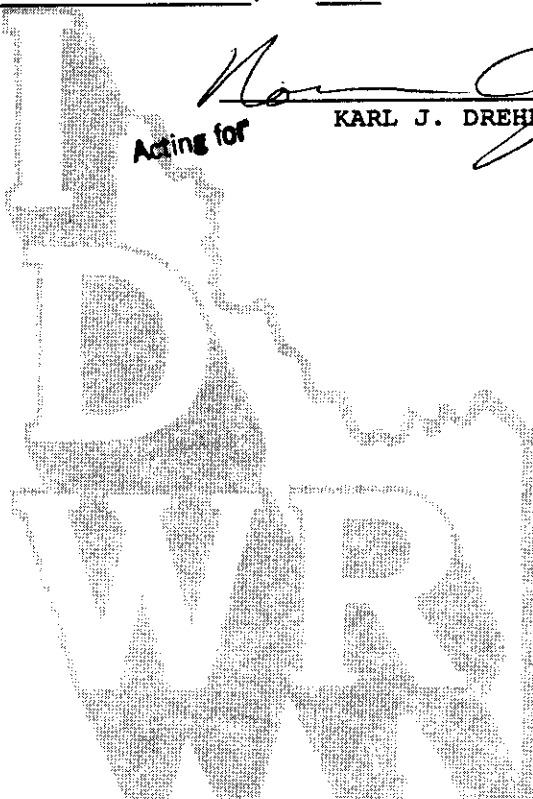
CONDITIONS OF APPROVAL AND REMARKS

5. Domestic use is for 1 home.
6. Water for fire protection purposes shall not be diverted under this right except to fight or repel an existing fire.

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 23rd
day of JANUARY, 1996.

Acting for


KARL J. DREHER, Director



FEB 26 1996

RECEIVED

STATE OF IDAHO

MAY 30 1995

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.

1. Permit No. 84-07267 Telephone No. 476-5079

2. Name(s) of Permit Holder(s): William H. and Elizabeth B. Miller

3. Post Office Address: P.O. box 163 Ahsahka, ID 83520

4. Source of Water: Clearwater River

a. If ground water, well driller's name: _____ Date drilled: _____

b. Pump horsepower: 5 Pressure (psi): 50 discharge Dynamic pumping level (ft.): 200

5. Extent of Use:

Domestic _____ (No. of households) Irrigation .5 (No. of acres)

100 rabbits

Stockwater _____ (No. and type of stock)

Other Fire protection

Fire protection for our home and the cedar mill below us which has no water

6. Total rate and/or volume for which proof is submitted 0.1 cfs 1. acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

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

OR

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

8. Fee Enclosed: \$ _____ (See License Examination Fee Schedule)

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

Bill Miller

476-4591 (w) 476-5079 (h)

Name

Telephone No.

P.O. Box 163 Ahsahka, ID 83520

Address

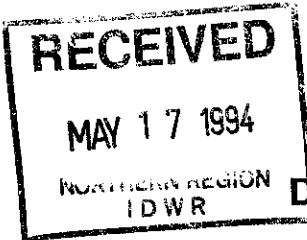
10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

5/26/95
Date

William H Miller
Signature (and title if on behalf of a company or organization)

RECEIVED

JUN 14 1995



RECEIVED

MAY 19 1994

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 Fee Received by RJC
Date 5/17/94
Receipt No. N7005

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

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

Permit No. 84-07267

Name(s) of Permit Holder: William H. and Elizabeth B. Miller

Mailing Address: P.O. Box 163, Ahsahka, ID 83520

Date Proof is Due June 1, 1994 Telephone No. (208) 476-5079

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

Purchase of pump, purchase of irrigation piping, installation
of two power poles.

Costing \$ 2000.

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

The boulder and rock terrain to the pump site has created some design
problems for getting power to the pump site. (The easement is for
electric pump only) This has held up construction of the power line
which cannot proceed until after the water drops.

Permit holder(s) request an extension to August 30, 19 94.

FEE: \$15.00

Elizabeth B. Miller
(Signature)*

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

AUG 16 1994

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to June 1, 1995.

Signed this 25th day May, 19 94

J. Glen Saxton
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 84-07267

Proposed Priority: August 14, 1992 Maximum Diversion Rate: 0.07 CFS
This is to certify, that WILLIAM H MILLER

ELIZABETH B MILLER

PO BOX 163

AHSAHKA ID 835200163

has applied for a permit to appropriate water from:

CLEARWATER RIVER

tributary of SNAKE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS
FIRE PROTECTION	01/01 to 12/31	0.07 CFS
	Totals	0.07 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NWSNW), Sec. 11, Township 35N, Range 02E
CLEARWATER County

PLACE OF USE: DOMESTIC
TWN RGE SEC

35N 02E 11 NWNW

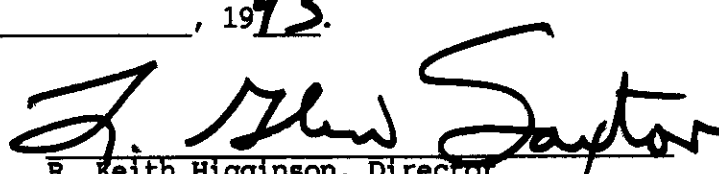
PLACE OF USE: FIRE PROTECTION, same as DOMESTIC use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1994.
2. Subject to all prior water rights.
3. The issuance of this right in no way grants any right-of-way or easement across the land of another.
4. Domestic use is for 1 home.
5. Water diverted under this permit for fire protection purposes shall not be used for irrigation of any lands.

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

3 day of June, 1993.

for 
R. Keith Higginson, Director

JUL 06 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

84-7267
RECEIVED
APR 29 1993

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant William H. and Elizabeth B. Miller Phone 476-5079

Post office address P.O. Box 163 Ahsahka, Idaho 83520

2. Source of water supply Clearwater River which is a tributary of Snake River

3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot 3

Sec. 11 Township 35 N Range 2 E B.M. Clearwater County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.07 cfs for DOMESTIC purposes from 4/1 to 12/31 (both dates inclusive) *per telecon with Alan Beardsley 5/24/93 c.z.*

Amount 0.01 cfs for stock watering purposes from 6/1 to 9/1 (both dates inclusive)

Amount 0.92 cfs for fire protection purposes from 1/1 to 12/31 (both dates inclusive)

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

5. Total quantity to be appropriated is (a) ±0.07 cubic feet per second and/or (b) 10 acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 7-hp pump on east bank of Clearwater River, 1 1/2 inch intake and 1000 l.f. of 2 inch plastic pipeline to property. Pump installation and pipeline in agreement with Fish and Game requirements.

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

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

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

one years (minimum 1 year).

JUL 06 1993

* CHANGES MADE AS PER PHONE CONVERSATION 2/1/93. A.S.

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 100 fur rabbits, 50 chickens
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. FIRE PROTECTION. A cedar mill vertically below this residence is a serious potential hazard. The mill and residence will share this water for fire protection.

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
35N	2E	11						D											5
35N	2E	11						S											
35N	2E	11						F											

Total number of acres to be irrigated 5

10. Describe any other water rights used for the same purposes as described above. Well producing 15 gpm

11. a. Who owns the property at the point of diversion? Idaho Fish and Game Dept

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Agreement with Idaho Fish and Game attached to this application.

12. Remarks: DOMESTIC USE IS FOR IRRIGATION OF 1/2 ACRE OF LAWN & GARDEN. BY 2/1/93

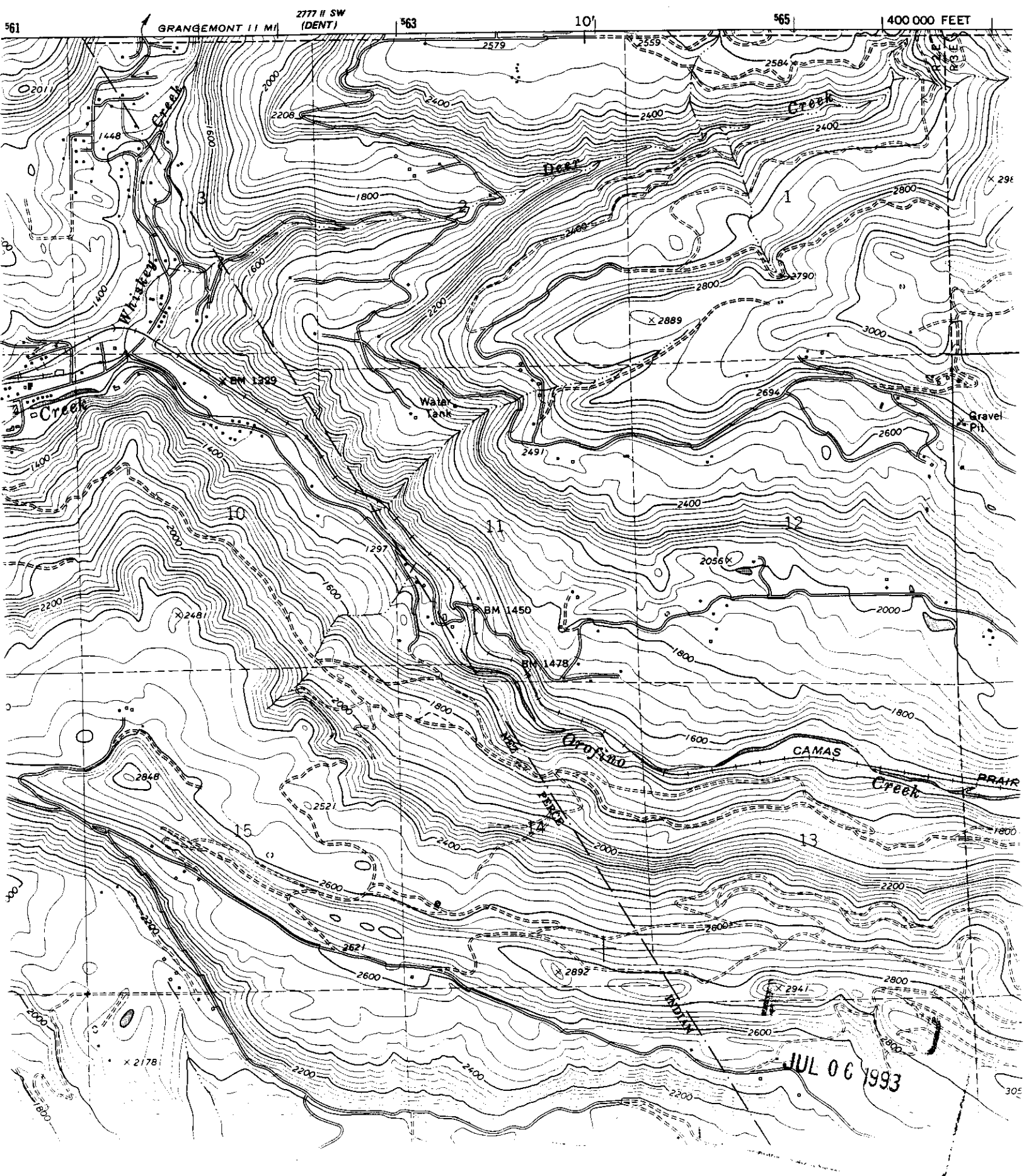
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JUL 6 1993

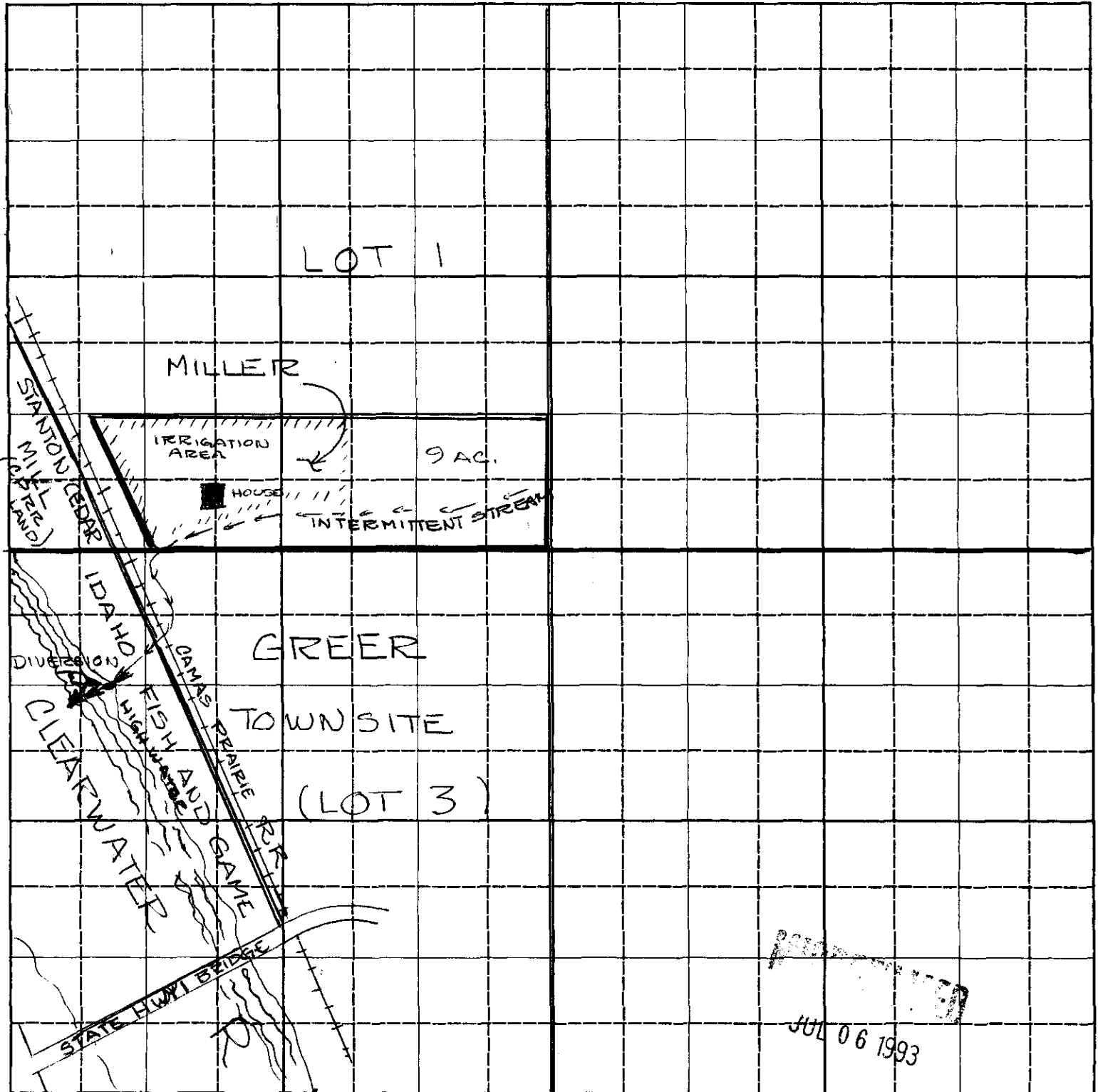
OROFINO E

7.5 MINUTE S

T 36 N



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.

DIVERSION IN: SEC 11 NW 1/4 LOT 3 T 35 N R 2 E

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.

Elizabeth B. Miller
William H. Miller

(Applicant)

8/14/92 1:00
Received by LDF Date 6/24/92 Time 12:40 Preliminary check by AB
Fee \$ 30.00 Receipted by pm # N5611 Date 6/24/92
Publication prepared by pm Date 2/10/93 Published in Clearwater Tribune
Publication approved pm Date 3/20/93

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: _____

RECEIVED

JUL 06 1993

159670

EASEMENT DEED

RECEPTION (4)
INDEXED (4)
FILMED (4)
DELIVERED (1)
MAILED (4)

THIS INDENTURE is made and entered into this 26th day of May, 1992, by and between the State of Idaho, Idaho Department of Fish and Game, 600 South Walnut, Boise, Idaho 83707, hereinafter Grantor, and William H. Miller, PO Box 163, Ahsahka, Idaho 83520, hereinafter Grantee.

WITNESSETH: That for the sum of two hundred fifty dollars (\$250.00), receipt of which is hereby acknowledged, the Grantor hereby grants to the Grantee an easement for the purpose of installing a 2-inch pipeline over and across the following described lands situated in Clearwater County, State of Idaho, to wit:

T 35 N, R 2 E, BM.

Section 11, Lot 3: Beginning at a point at the intersection of the center of railroad tracks with the north boundary of Lot 3, Section 11, T 35 N, R 2 E, proceed South 22°34'E, 125 feet to RR Sta 1947+00, the location of a 36" CMP culvert under the railroad bed. Thence proceed South 66°08'W, 138 feet to the outfall of the CMP culvert. This is 88 feet within the property of Fish and Game. Proceed South 71°56'W, 144 feet to the high water line of the Clearwater River.

To have and to hold the easement and right of way described above to the Grantee, its successors, and its assigns forever.

This easement is subject to the following terms and conditions:

1. The Grantee will use only an electric pump to provide water to his property.

MILLER

RECORDED
JUL 06 1993

2. The Grantor may at his discretion require the Grantee to bury the irrigation line through the Department property if the above-ground line becomes a hindrance to the Department's public enjoyment of the property.

3. The Grantee will comply with all rules and regulations pertaining to watershed protection and with the Stream Channel Protection Act, as designated in Chapter 38, Title 42, of the Idaho Code.

4. The Grantee shall indemnify and hold harmless the State of Idaho and its representatives against and from any and all demands, claims, or liabilities of every nature whatsoever arising directly or indirectly from or in any way connected with the use authorized under this easement.

5. Upon termination or abandonment, the Grantee shall have twelve (12) months from the date of receipt of the final notice to remove any facilities or improvements.

6. If the easement is not used for the specified purpose for any five (5) year period, the Grantor may declare, in writing, such easement forfeited and the use of the lands will revert to the Grantor or to the record owner of the lands.

The Grantor covenants with the Grantee that it is lawfully seized and possessed of the above-described tract or parcel of land; that it has a good and lawful right to sell and convey it; that it is free from all encumbrances; and that it will warrant and forever defend the title and possession thereto against the lawful claim of all persons.

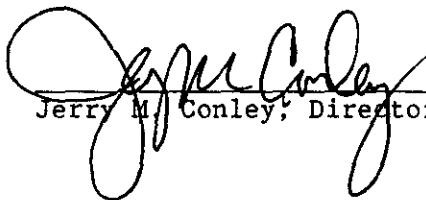
MILLER

JUL 06 1993

The Grantor further covenants that it will not do, suffer, or permit any act whereby the easement, right, and right of way herein granted may be impaired, encumbered, or in any manner interfered with.

IN WITNESS WHEREOF, the Grantor has executed this deed the day and year first written above.

IDAHO DEPARTMENT OF FISH AND GAME


Jerry M. Conley, Director

STATE OF IDAHO)
) ss.
County of Ada)

On this 26th day of May, 1992, before me, the undersigned notary public in and for said State, personally appeared Jerry M. Conley, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

MILLER

JUL 06 1993

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Dorothy Baker

Notary Public for the State of
Idaho, residing at:

Gem, Emmett, Idaho.

County of

State of Idaho. My Commission
expires:

October 31, 1997

Filed and recorded at the request of Ted Meske
at 9:00 o'clock A M., this 2nd day of

May, 19 92
Allen Medalen

By: _____
Ex-Officio Auditor-Recorder
Clearwater County, Idaho

Deputy

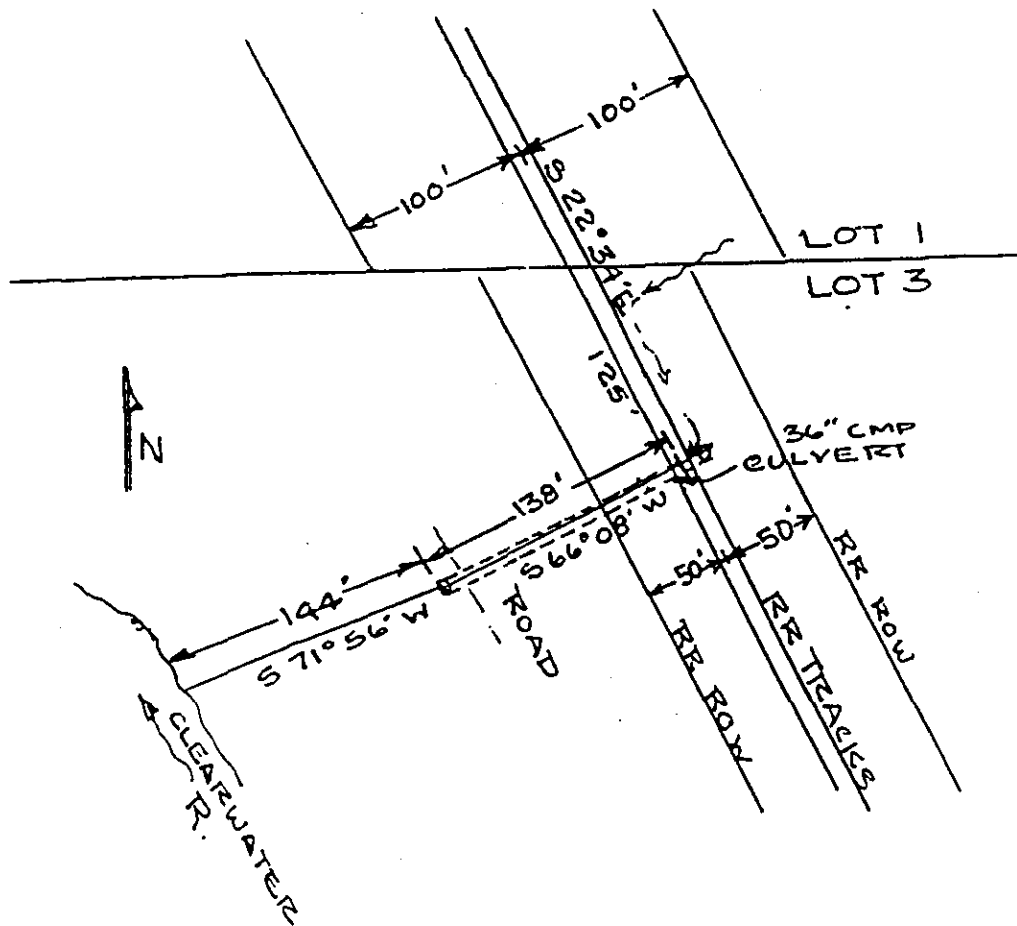
Fee: ☒

Return:

Ted Meske
Idaho Fish & Game
1540 Warner
Lewiston, Id. 83501

MILLER

JUL 06 1993



SEC 11 T 34 N R 2 E

RECORDED
JUL 06 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 23, 1996

WILLIAM H MILLER
ELIZABETH B MILLER
PO BOX 163
AHSAHKA ID 835200163

RE: WATER RIGHT NO. 84-07267

Dear Water Right Holder(s):

Enclosed 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,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
FEB 26 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 84-07267 DATE 1-16-96



NAME	Change OK ☒	☒	Or Address Change?	
PRIORITY DATE	☒	☒	Advance? ☐ Advanced to: _____	
			Order to reinstate needed? ☐	
			Incorrect fee for rate recommended? ☐	
SOURCE	☒	☒	Changes or just clarification of originally intended source? _____	
			Notice of Intent to Void necessary? ☐	
POINT OF DIV	☒	☒	Amendment needed? <u>(NO) JUST CORRECT GOV LOT TO 2</u>	
			Overlaps? ☐	
PLACE OF USE	☒	☒	Amendment needed? <u>Add Gov Lot 1</u>	
			Overlaps? ☐	
DIV RATE	☒	☒	Permit/fee limits: <u>.07 CFS</u>	
			Meas Q = <u>.07</u> Theo Q = _____ Recommend: <u>.07</u>	
			<u>OUTSIDE USE ONLY for dom - reduce rate to .02</u>	
			<u>FIRE OK @ .07</u>	
			Combined rates exceed capacity ☐	
ANNUAL VOLUME	☒	☒	Volume Limit: _____ Season: <u>1-1 to 12-31</u>	
			Calculations: <u>Dom OK @ .6</u>	
			<u>FIRE - NONE</u>	
			Flow limit: _____ cfs x _____ x 1.9835 = _____	
			Combined volumes exceed capacity/allowable ☐	
USES	☒	☒	Change in Nature of Use or additional uses? ☐	
			Amendment necessary? ☐	
ADDITIONAL INFO			Supplemental Groundwater ☐ PPU Scenario ☐	
			Irr/Dom Combination ☐ Shared G/W System ☐	
NEW REMARKS	☒	☒	Multiple p/d(s) in ¼ ¼? ☐	
			Other <u>WB6 - EDIT</u>	
NEW CONDITIONS	☒	☒	Watermaster control - District ☐	
			Measuring/Locking Devices ☐	
			Irrigation Overlap ☐	
			Other ☐	
			Water Quality ☐ Heat/Cool/Fish verified ☐	

COMMENTS: _____

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	
<u>Domestic</u>	<u>.02</u>	<u>.6</u>	Adjustment Memo Needed	<u>NO</u>
<u>Fire</u>	<u>.07</u>	<u>_____</u>	LICENSE	<u>YES</u>
_____	_____	_____		☒
_____	_____	_____	1ST AMEND LETTER	_____
_____	_____	_____	2ND AMEND LETTER	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 04 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 84-07267

1. Owner: William H & Elizabeth B Miller Phone No. (208) 476-5079

Current Address: PO Box 163 AHSAHKA ID 83520-0163

2. Accompanied by: Elizabeth Miller EXAM DATE: 8-29-95

Address: SAME AS ABOVE Phone No. _____

Relationship to Permit Holder: Permit holder

3. Source: Clearwater River tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: N/A

2. Other water rights with the same point of diversion: N/A

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	02	NW	SW	NW	11	35N	02E	Clearwater	U.S.G.S. 7.5 min Quad GOV'T LOT MAP

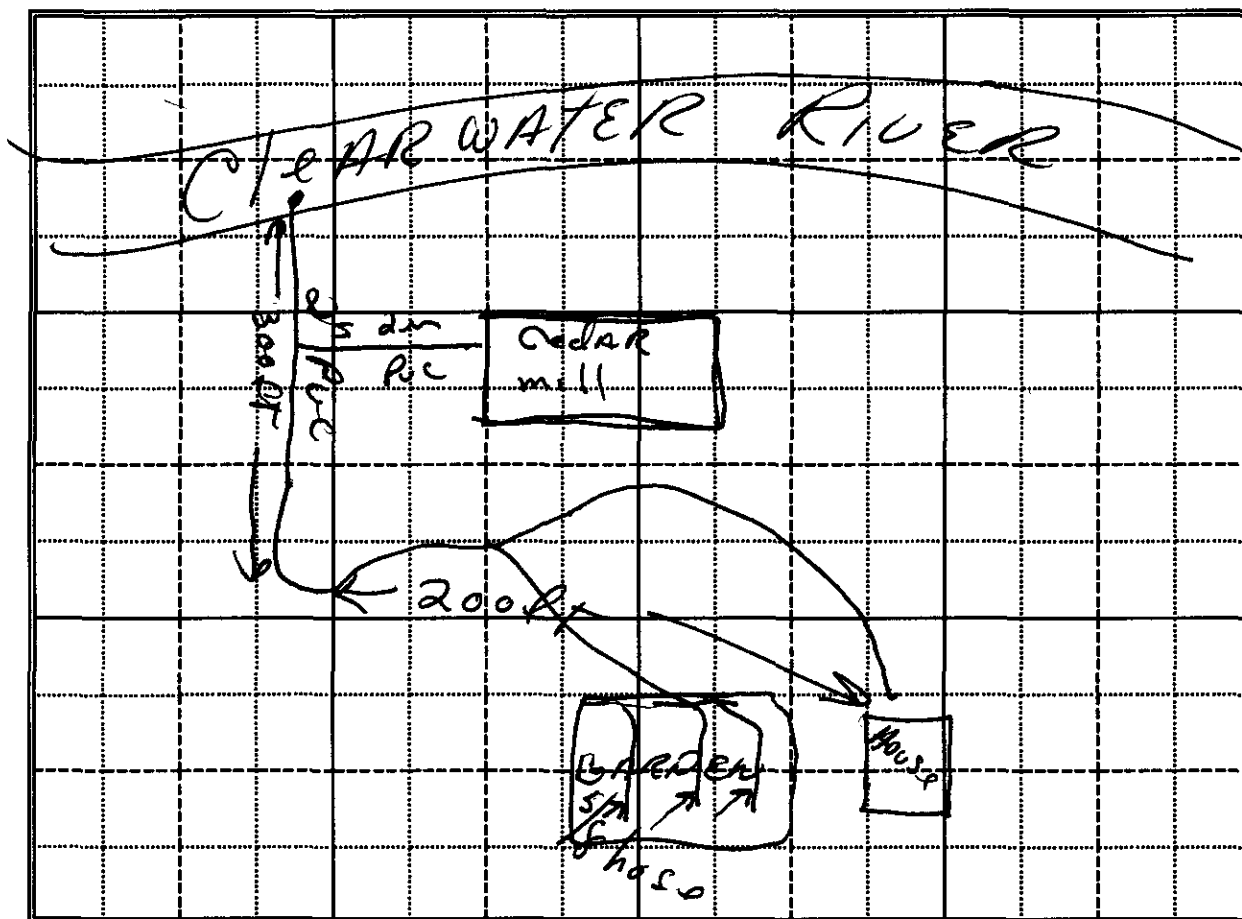
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
35N	02E	11					D												
							F												
							S.L.												
											</								

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	FRANKLIN	5	2821139202		2"

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: BUCKET METHOD - SEE ITEM F.

FEB 26 1996

E. NARRATIVE/REMARKS/COMMENTS

Stock water & irrigation on Proof
of Beneficial use form is adequately
covered under domestic right.

WATER IS DIVERTED BY 5 H.P. PUMP, THROUGH 2" PVC
LINE TO CEDAR MILL AND MILLER'S HOME.

DOMESTIC USE IS FOR LAWN + GARDEN IRRIGATION
USE ONLY.

Have conditions of permit approval been met? ☒ yes

no

APPROVED
JAN 10 2005

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$\begin{aligned} & 5 \text{ gal bucket } 5 \text{ gal in } 9.5 \text{ sec} = 31 \text{ gpm} \\ & \frac{31 \times 1.33681}{60} = .07 \end{aligned}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

STANDARD VOLUME OF 0.60 AFA FOR OUTSIDE DOMESTIC USE ONLY.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
* Domestic	01-01	12-31	.04	1.2 0.60
Fire Protection	01-01	12-31	.07	
Totals:			.07	1.2

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

I. AUTHENTICATION

Field Examiner's Name Wayne Caldwell Date 11-8-95

Reviewer _____ Date _____

SEAL

* See adjustment memo. BC

FEB 26 1996

MEMORANDUM

TO: File 84-07267 / William Miller
FROM: Brenda Chapman
DATE: January 16, 1996
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 84-07267 are based on the information below:

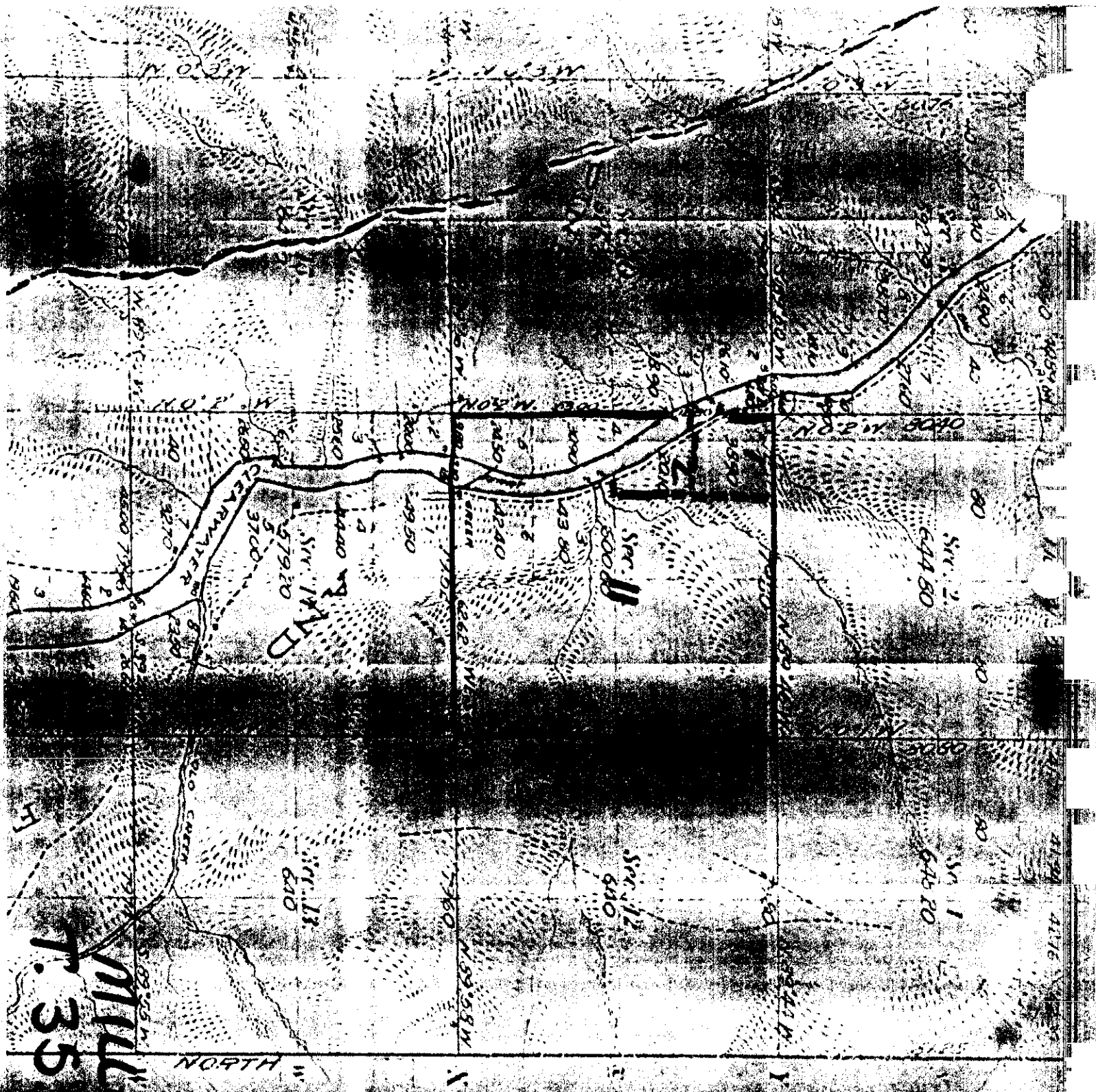
H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Domestic	1-01 to 12-31	.02	.6
Fire Protection	1-01 to 12-31	.07	

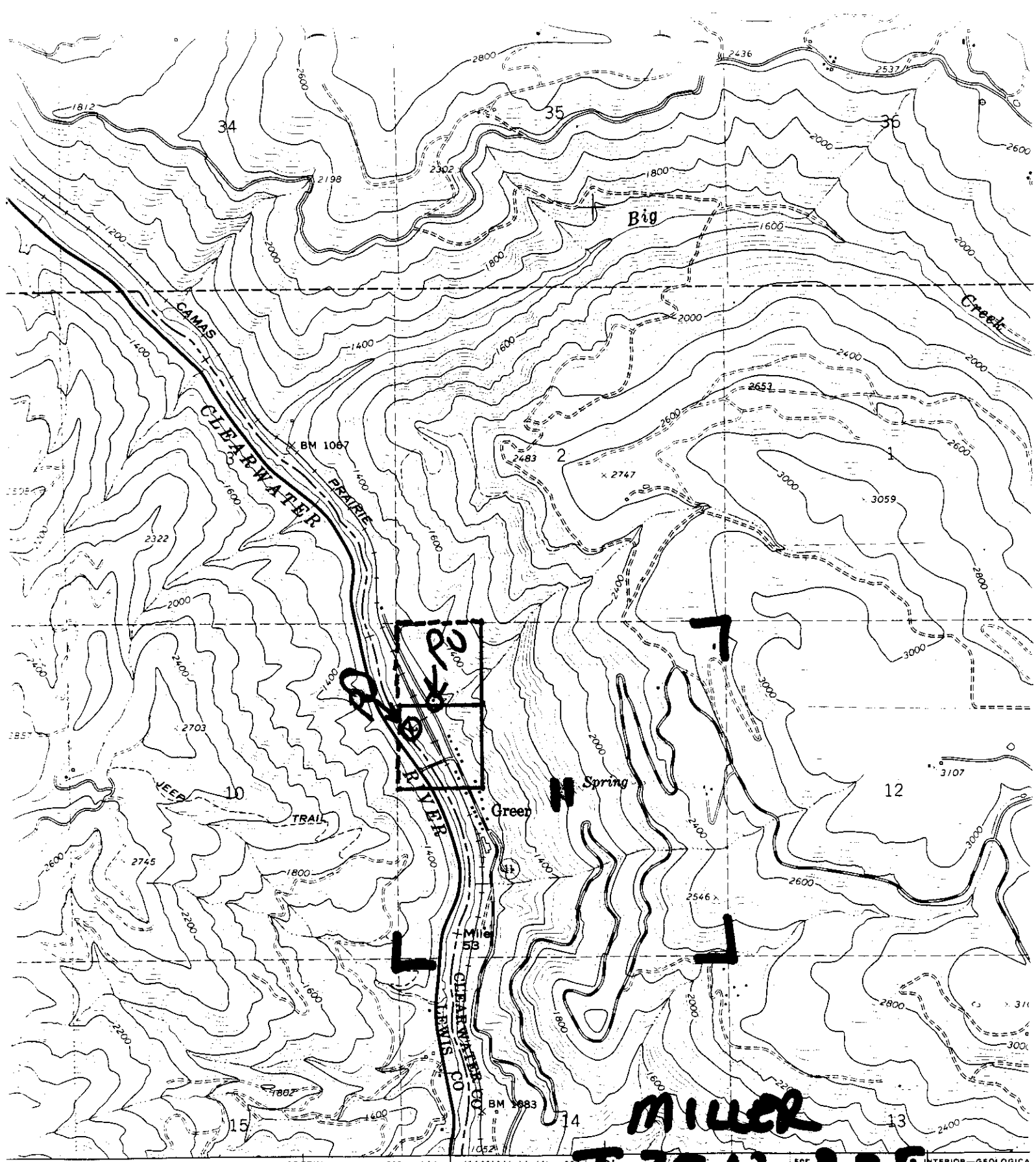
The standard rate recommendation of .02 cfs for internal domestic only use is being made.

RECEIVED
FEB 2 6 1996



7:35 AM K. ZE.

FEB 2 6 1995



562 (SIXMILE CREEK) 2776 1 SW 563 12 KAMIAH 14 MI. 564 565 566 INTERIOR-GEOLOGICAL R

SCALE 1:24000

1 MILE

0 1000 2000 3000 4000 5000 6000 7000 FEET

1 5 0 1 KILOMETER

CONTOUR INTERVAL 40 FEET

DOTTED LINES REPRESENT 20-F CONTOURS

NATIONAL GEODETIC VERTICAL M OF 1929

ROAD

Heavy-duty

Medium-duty

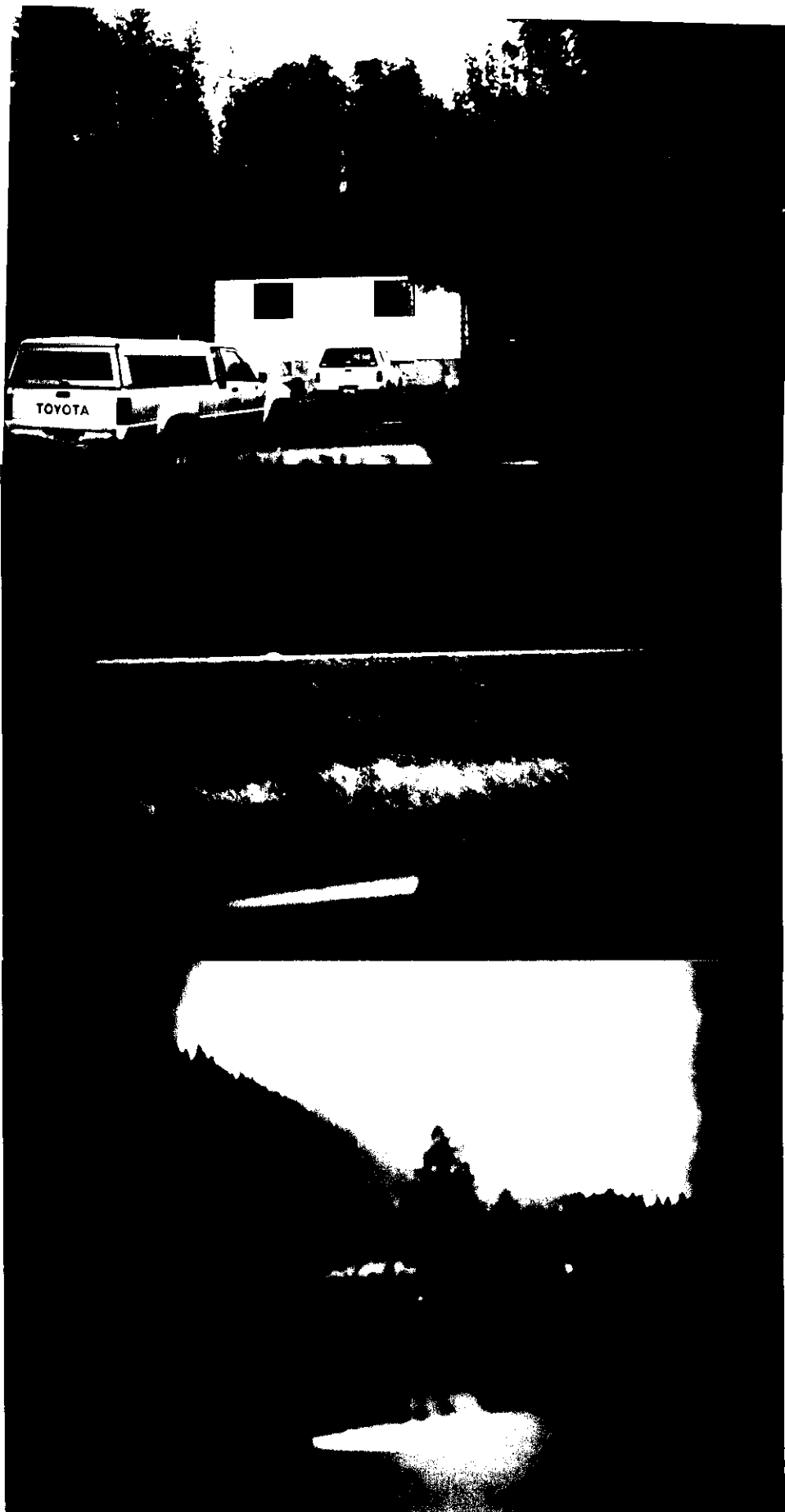
U. S. Ro

IDAHO

MILLER

T. 35 N., R. 2 E.

FEB 2 1968



pu

pu

pu

DEC 6 1996

June 5, 1995

WILLIAM H MILLER
ELIZABETH B MILLER
PO BOX 163
AHSAHKA ID 835200163

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 84-07267

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 NORTHERN Regional Office in Coeur D' Alene at (208) 769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

MAILED

JUN 14 1995

March 31, 1995

WILLIAM H MILLER
ELIZABETH B MILLER
PO BOX 163
AHSAHKA ID 835200163

PROOF DUE NOTICE

RE: PERMIT NO. 84-07267

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 June 1, 1995.

(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.

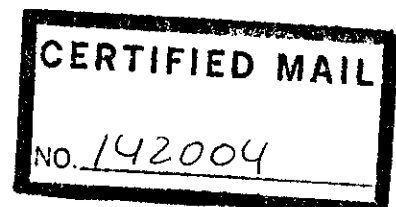
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED
JUN 14 1995



May 25, 1994

William and Elizabeth Miller
P.O. Box 163
Ahsahka, ID 83520-0163

RE: Permit No. 84-07267

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to June 1, 1995. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed since the department will not be able to grant additional extensions based on due diligence.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

RECEIVED

AUG 16 1994

March 31, 1994

WILLIAM H MILLER
ELIZABETH B MILLER
PO BOX 163
AHSAHKA ID 835200163

PROOF DUE NOTICE

RE: PERMIT NO. 84-07267

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 June 1, 1994. (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.

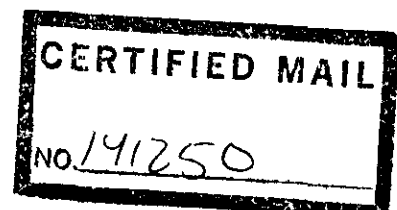
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MAILED

AUG 1 6 1994





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

June 4, 1993

WILLIAM H MILLER
ELIZABETH B MILLER
PO BOX 163
AHSAHKA ID 835200163

PERMIT APPROVAL NOTICE

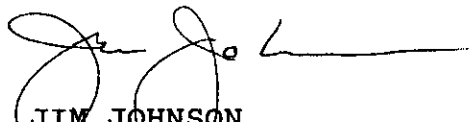
RE: PERMIT NO. 84-07267

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECEIVED
JUL 06 1993

MEMORANDUM

DATE: June 2, 1993
TO: File No. 84-07267
FROM: Cindy Zimmerman *J*
SUBJECT: Permit Review

=====

During review of this application of permit, the file contained no information for a domestic rate greater than 0.04 cfs; therefore, the domestic rate will be reduced from 0.07 cfs to 0.04 cfs.

The stockwater use applied for is redundant, stockwater for 100 fur rabbits and 50 chickens will be adequately covered in domestic use.

REC'D
JUL 06 1993

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Clearwater)

Bonnie M. Bessent

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: that said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of:

Notice

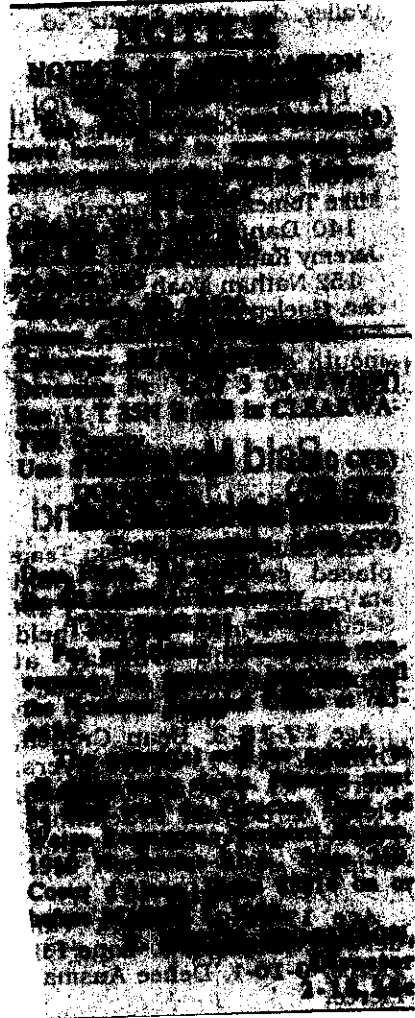
That said Notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for a full period of two consecutive issue beginning on the 18th day of February and ending on the 25th day of February 1993

Bonnie M. Bessent
STATE OF IDAHO)
)
COUNTY OF CLEARWATER)

On this 28th day of February in the year of 1993, before me, a Notary Public, personally appeared Bonnie M. Bessent, known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same

Notary Public for Idaho
Resident at Kamiah, Idaho
My commission expires: 10-10-93



AK
m
3/20/93

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MAR 09 1993

NORTHERN REGION
IDWR

JUL 06 1993

84-07267

MILLER, WILLIAM H
MILLER, ELIZABETH B
PO BOX 163
AHSAHKA, ID 83520

Source: CLEARWATER RIVER

Tributary: SNAKE RIVER

Diversion Pt: LOT 3 (NWSWNW) Sec 11 T 35N R 02E in CLEARWATER County.

Use: ^{DOMESTIC} IRRIGATION (^{0.07} .150 CFS)
STOCKWATER (^{0.07} .010 CFS)
FIRE PROTECTION (^{0.07} ~~100~~ CFS)
Total Diversion: (^{0.07} ~~100~~ CFS)

Date Filed: 8/14/1992

In: CLEARWATER County
T35N R02E S11

NWNW

~~5.0 ACRES TOTAL~~

*changed in
computer
2/10/93*

RECEIVED

JUL 06 1993

84-07267

MILLER, WILLIAM H
MILLER, ELIZABETH B
PO BOX 163
AHSAHKA, ID 83520

Source: CLEARWATER RIVER

Tributary: SNAKE RIVER

Diversion Pt: LOT 3 (NWSWNW) Sec 11 T 35N R 02E in CLEARWATER County.

Use: STOCKWATER	(.010 CFS)
DOMESTIC	(.070 CFS)
FIRE PROTECTION	(.070 CFS)
Total Diversion:	(.070 CFS)

Date Filed: 8/14/1992

In: CLEARWATER County
T35N R02E S11 NWNW

RECORDED

JUL 06 1993

STANLEY F. HAMILTON
DIRECTOR

RECEIVED

FEB 24 1993

NORTHERN REGION
IDWRBOARD OF LAND
COMMISSIONERSCECIL D. ANDRUS
GovernorPETE T. CENARRUSA
Secretary of StateLARRY ECHOHAWK
Attorney GeneralJ.D. WILLIAMS
State AuditorJERRY L. EVANS
Sup't of Public
Instruction

February 22, 1993

Robert Haynes
Idaho Dept of Water Resources
1910 NW Blvd Ste 210
Coeur d'Alene, ID 83814-2615

Re: 84-7267, William Miller

Dear Robert:

Please include a term in your permit that states that
it also constitutes a permit from Lands. Thanks.

Sincerely,

Barla R. Robbins

for Bryce Taylor
Lands Leasing Specialist
Bureau of Range Mgt and
Surface Leasing

BT:drd

cc: Bob Brammer, Clearwater

RECORDED

JUL 14 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 11, 1993

Mr. and Mrs. William Miller
P.O. Box 163
Ahsahka, Id. 83520

Dear Mr. and Mrs. Miller:

Re: Water Appropriation Application No. 84-7267.

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests.

If the application is not protested it will be forwarded to Boise to be considered for approval by the Director. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. However all protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

If your application is for groundwater and unless you are using a well that was constructed prior to July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

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

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB/pms

RECEIVED
FEB 11 1993

1000000000



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 11, 1993

Idaho Dept. of Lands
Statehouse
Boise, Id. 83720

Re: 84-7267

Gentlemen:

Enclosed is information which may be of interest to your Agency relating to an application recently filed with the Idaho Department of Water Resources.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms
Enclosure

JUL 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 11, 1993

Dept. of Lands
1910 Northwest Blvd. #201
Coeur d'Alene, Id. 83814

Re: 84-7267

Gentlemen:

Enclosed is information which may be of interest to your Agency relating to an application recently filed with the Idaho Department of Water Resources.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms
Enclosure

ELIZABETH B. MILLER, P.E.

civil/environmental engineering

p.o. box 163
ahsahka, idaho 83520
phone (208) 476-5079

RECEIVED

JAN 19 1993

NORTHERN REGION
IDWR

january 16, 1993

Robert G. Haynes, P.E.
Regional Manager
Idaho Department of Water Resources
Suite No. 210
1910 Northwest Blvd.
Coeur d'Alene, Idaho 83814-1615

Re: Moratorium Order on All water Right Applications and Permits for
the Diversion and Use of Water within the Clearwater River
Basin, correspondence of September 3, 1992.

Dear Mr. Haynes,

We have applied for a water right to divert water from the Clearwater River in Lot 3, Sec. 11, T 34 N, R 2 E, BM for use on part of Lot 1 of the same section. The ground is very steep except for approximately 1 acre of flat, one half of which is in lawn and garden. We have planted fruit trees on narrow benches on other parts of the property. It is for the lawn, garden and trees that we wish to have a regular source of water other than the domestic 15 gpm well. It is difficult to define the exact amount of land under irrigation, but the irrigation pump we will use produces 30 gpm and it would have to run 7 hours a day to divert 13,000 gallons a day. This is far in excess of the amount of water we could use, and therefore, we qualify for the the domestic purposes of 42-111 A.

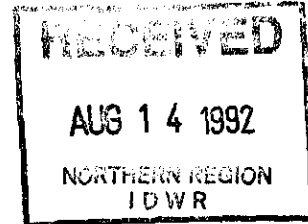
The other uses for the river water are back-up for stock water, should our well fail, and for fire protection for ourselves and the neighboring cedar mill. These are unplanned events. The first would never exceed the .04 cfs of 42-111 B, and I hope no one is wasting time counting should the second event occur.

Yours truly,

Elizabeth Miller
Elizabeth Miller

MICROFILMED

JUL 06 1993



P.O. Box 163
Ahsahka, Idaho 83520
August 12, 1992

Allen Beardslee
Sr. Water Res. Agent
Department of Water Resources
Northern Region
Suite 210
1910 Northwest Blvd.
Coeur D'Alene, ID 83824-2615

Dear Mr. Beardslee,

In response to your letter of July 27, 1992, regarding our application for water right permit, I am submitting the following comments.

ITEM NO. 3. Sometimes the fine printing on the USGS maps gets hard to read, especially at the end of the day. For your reference, I am sending you Sec. 11 of T 35 N R 2 E instead of T 36 N which you sent us.

I have given you the point of diversion as precisely as we have information. The point of diversion is NW 1/4 SW 1/4 NW 1/4 Govt. Lot 3 Sec 11 T 35 N R 2 E, as written in item 3. Govt Lot 3 is the legal description of approximately the SW 1/4 NW 1/4 Sec 11 T 35 N R 2 E.

ITEM NO. 4. The quantities have been revised as per your suggestions.

ITEM NO. 9. The place of use is the S 1/2 Lot 1 Sec 11 T 35 N R 2 E. Lot 1 is approximately NW 1/4 NW 1/4 Sec. 11. Thus, the information originally given was correct.

I hope the inclosed map of T 35 N clarifies your concerns and that you will now expedite the permit application.

Yours truly,

Elizabeth Miller
Elizabeth Miller

RECEIVED

JUL 06 1993

July 27, 1992

Mr. William Miller
P.O. Box 163
Ahsahka, ID 83520

RE: Application for Permit

Dear Sir:

We are returning your Application for Permit along with Receipt Number N005611 for the amount of \$30.00.

Your Application for Permit is not acceptable. Please add or correct the following items:

ITEM NUMBER 3.

(POINT OF DIVERSION)

I have enclosed a USGS topographical map with your Application for Permit. The legal description for the point of diversion must be listed to the nearest 10-acre tract (for example: SE1/4 NE1/4 SW1/4) Section, Township and Range as established by the Public Land Survey. This item must reflect the same location that is marked on the map.

ITEM NUMBER 4.

(PURPOSES & AMOUNTS)

Because you are diverting water from the Clearwater River, the amount that you would apply for would be a diversion rate. A typical diversion rate for five acres would be 0.15 CFS (67 GPM), 0.01 CFS for your stockwater uses and generally, the maximum output of your system for fire protection in CFS. The conversion from Gallons per Minute to Cubic Feet per Second is GPM divided by 448.8 = CFS.

ITEM NUMBER 9.

(PLACE OF USE)

Please list the symbol for the intended uses in the appropriate 40 acre tabulation. The place of use listed on the map must be the same as the 40 acre tract listed on Item Number 9.

If I can be of further assistance, please feel free to contact me at this office.

Thank you,

ALLEN BEARDSLEE
SR. WATER RESOURCE AGENT

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Ch 12

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant William H. and Elizabeth B. Miller Phone 476-5079
Post office address P.O. Box 163 Ahsahka, Idaho 83520

2. Source of water supply Clearwater River which is a tributary of Snake River

3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot 3
Sec. 11 Township 35 N Range 2 E B.M. Clearwater County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 10 af for irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .00072 for stock watering purposes from 6/1 to 9/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .1 cfs for fire protection purposes from 1/1 to 12/31 (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) .1 and/or (b) 10
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 7-hp pump on east Bank of
Clearwater River, 1 $\frac{1}{2}$ inch intake and 1000 l.f. of 2 inch plastic
pipeline to property. Pump installation and pipeline in agreement with
Fish and Game requirements.

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

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

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

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

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 100 fur rabbits, 50 chickens
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. FIRE PROTECTION. A cedar mill vertically below this residence is a serious potential hazard. The mill and residence will share this water for fire protection.

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
35N	2E	11						5											5
35N	2E	11						F											
35N	2E	11						S											

Total number of acres to be irrigated 5

10. Describe any other water rights used for the same purposes as described above. Well producing 15 gpm

11. a. Who owns the property at the point of diversion? Idaho Fish and Game Dept
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Agreement with Idaho Fish and Game attached to this application.

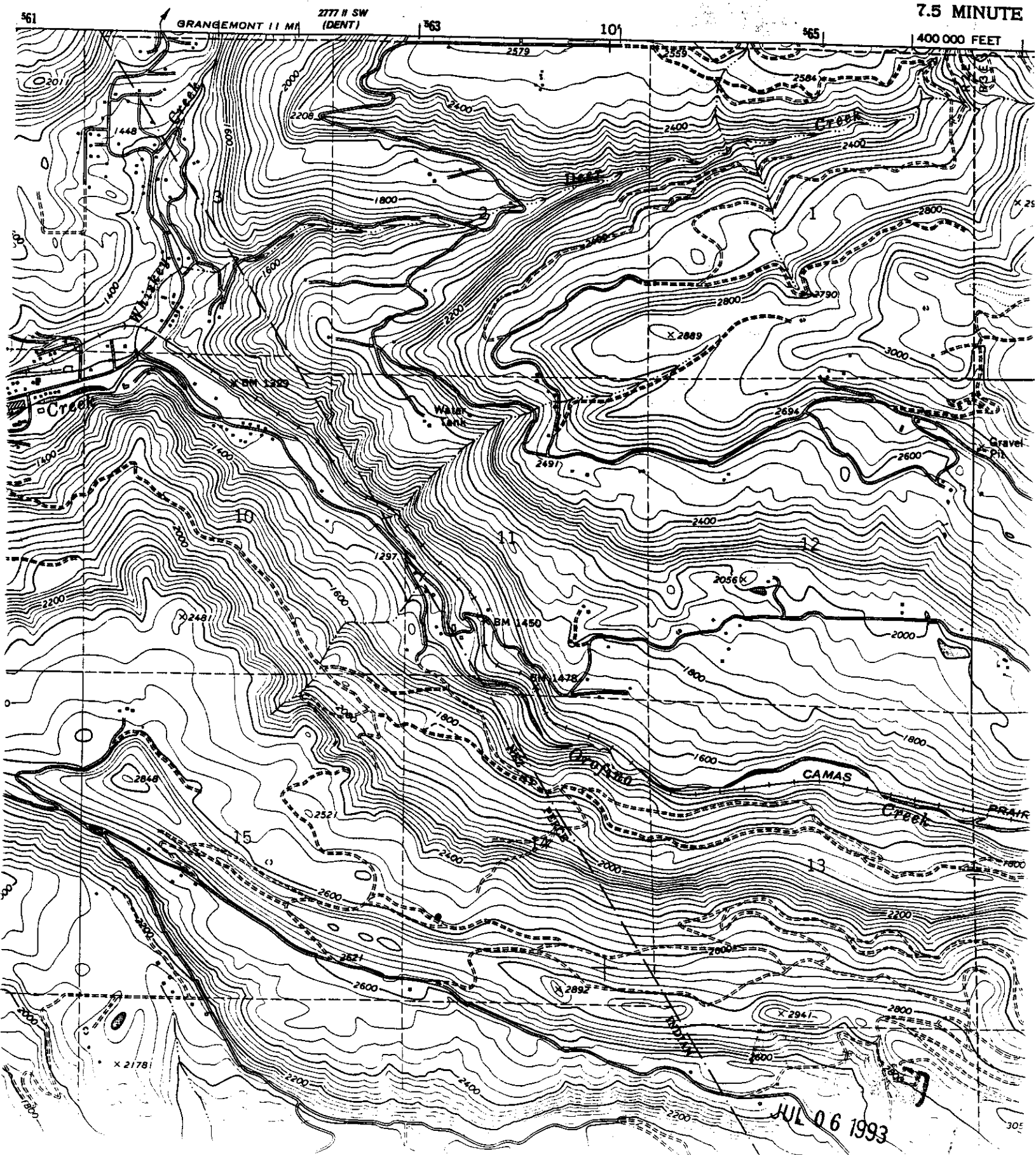
12. Remarks: _____

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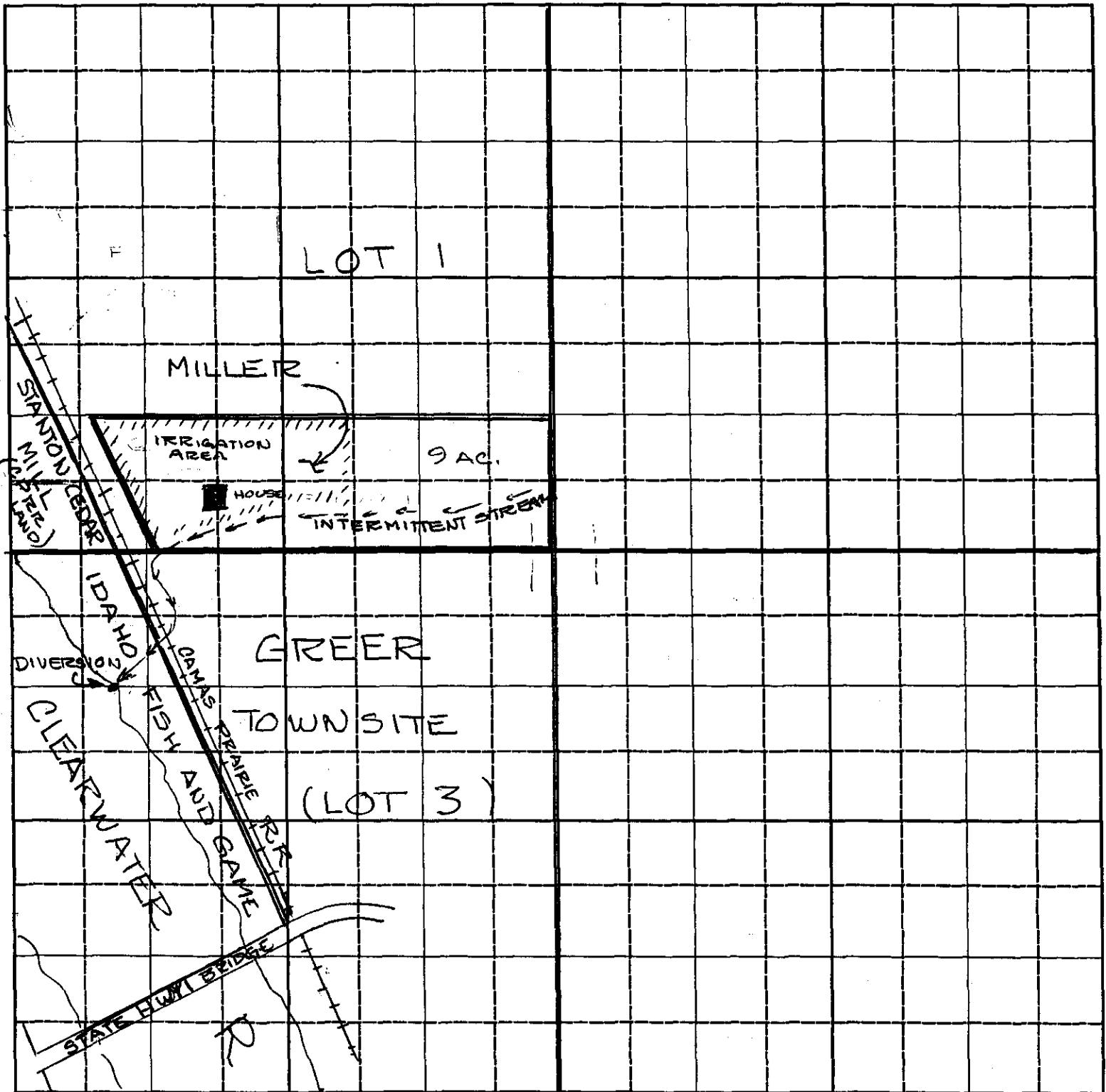
OROFINO

7.5 MINUTE

400 000 FEET



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.

DIVERSION IN: SEC 11 NW 1/4 LOT 3 T 35 N R 2 E

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.

Elizabeth B. Miller
William T. Miller
 (Applicant)

JUL 06 1993

Received by LDF Date 6/24/92 Time 12:40 Preliminary check by _____
Fee \$ 30.00 Received by [signature] # N5611 Date 6/24/92
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: _____

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RECEPTION (4)
INDEXED (4)
FILMED (4)
DELIVERED (1)
MAILED (4)

EASEMENT DEED

THIS INDENTURE is made and entered into this 26th day of May, 1992, by and between the State of Idaho, Idaho Department of Fish and Game, 600 South Walnut, Boise, Idaho 83707, hereinafter Grantor, and William H. Miller, PO Box 163, Ahsahka, Idaho 83520, hereinafter Grantee.

WITNESSETH: That for the sum of two hundred fifty dollars (\$250.00), receipt of which is hereby acknowledged, the Grantor hereby grants to the Grantee an easement for the purpose of installing a 2-inch pipeline over and across the following described lands situated in Clearwater County, State of Idaho, to wit:

T 35 N, R 2 E, BM.

Section 11, Lot 3: Beginning at a point at the intersection of the center of railroad tracks with the north boundary of Lot 3, Section 11, T 35 N, R 2 E, proceed South 22°34'E, 125 feet to RR Sta 1947+00, the location of a 36" CMP culvert under the railroad bed. Thence proceed South 66°08'W, 138 feet to the outfall of the CMP culvert. This is 88 feet within the property of Fish and Game. Proceed South 71°56'W, 144 feet to the high water line of the Clearwater River.

To have and to hold the easement and right of way described above to the Grantee, its successors, and its assigns forever.

This easement is subject to the following terms and conditions:

1. The Grantee will use only an electric pump to provide water to his property.

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2. The Grantor may at his discretion require the Grantee to bury the irrigation line through the Department property if the above-ground line becomes a hindrance to the Department's public enjoyment of the property.

3. The Grantee will comply with all rules and regulations pertaining to watershed protection and with the Stream Channel Protection Act, as designated in Chapter 38, Title 42, of the Idaho Code.

4. The Grantee shall indemnify and hold harmless the State of Idaho and its representatives against and from any and all demands, claims, or liabilities of every nature whatsoever arising directly or indirectly from or in any way connected with the use authorized under this easement.

5. Upon termination or abandonment, the Grantee shall have twelve (12) months from the date of receipt of the final notice to remove any facilities or improvements.

6. If the easement is not used for the specified purpose for any five (5) year period, the Grantor may declare, in writing, such easement forfeited and the use of the lands will revert to the Grantor or to the record owner of the lands.

The Grantor covenants with the Grantee that it is lawfully seized and possessed of the above-described tract or parcel of land; that it has a good and lawful right to sell and convey it; that it is free from all encumbrances; and that it will warrant and forever defend the title and possession thereto against the lawful claim of all persons.

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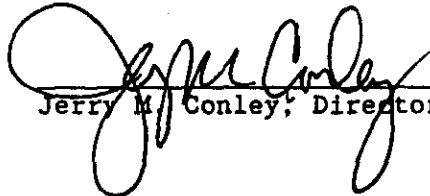
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The Grantor further covenants that it will not do, suffer, or permit any act whereby the easement, right, and right of way herein granted may be impaired, encumbered, or in any manner interfered with.

IN WITNESS WHEREOF, the Grantor has executed this deed the day and year first written above.

IDAHO DEPARTMENT OF FISH AND GAME


Jerry M. Conley, Director

STATE OF IDAHO)
) ss.
County of Ada)

On this 26th day of May, 1992, before me, the undersigned notary public in and for said State, personally appeared Jerry M. Conley, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

MILLER

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Dorothy Baker

Notary Public for the State of
Idaho, residing at:

Gem, Emmett, Idaho.
County of

State of Idaho. My Commission
expires:

October 31, 1997

Filed and recorded at the request of Ted Meske
at 9:00 o'clock A M., this 2nd day of
May, 19 92
Allen Medalon

By: _____
Ex-Officio Auditor-Recorder
Clearwater County, Idaho
Fee: ☒

Deputy

Return:

Ted Meske
Idaho Fish & Game
1540 Warner
Lewiston, Id. 83501

MILLER

JUL 06 1993



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