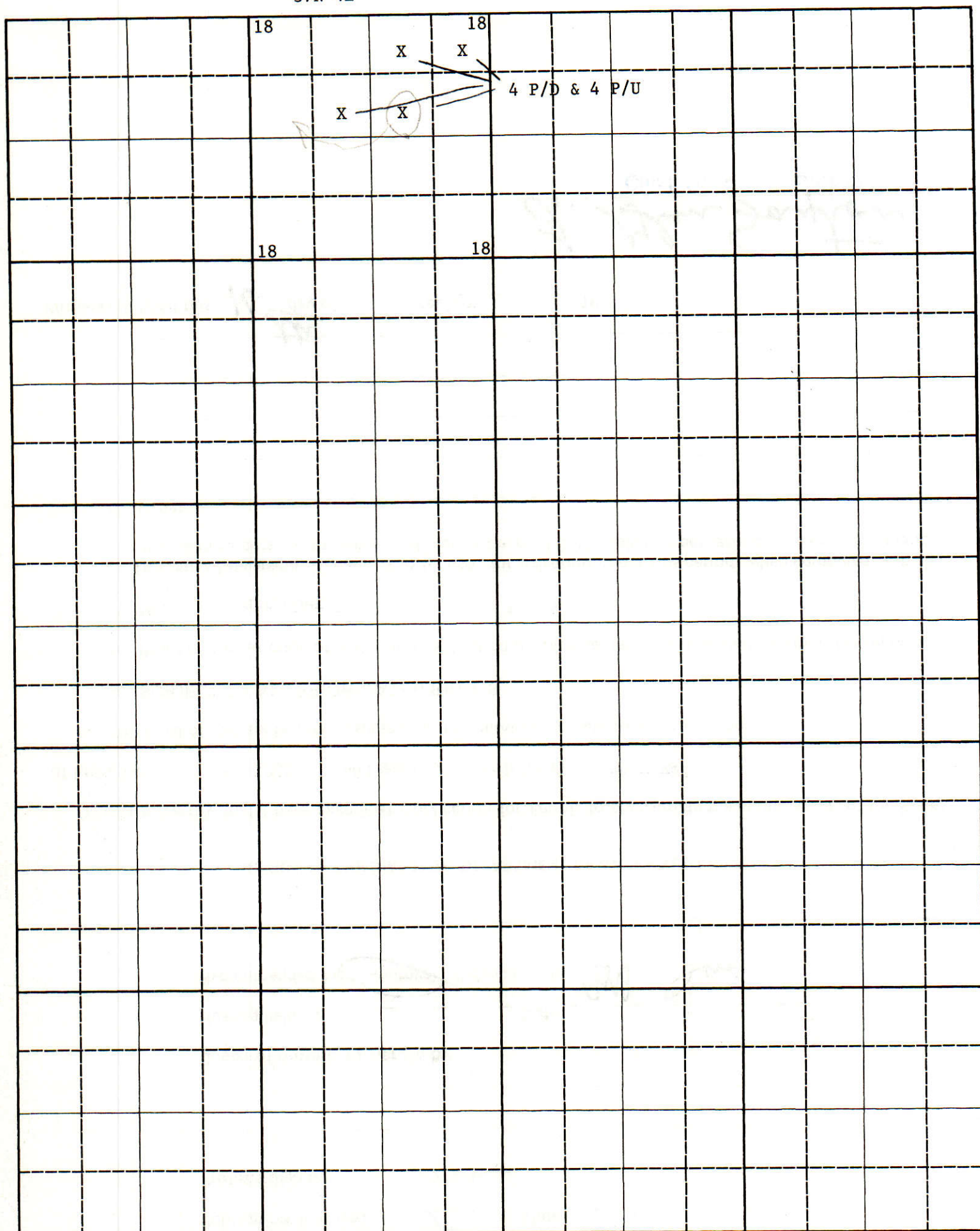


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

37N 4E



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.

Kenneth Miller
(Applicant)



NOT FILMED

MAR 16 1988

TWP. 37N RGE. 4E SEC. 18 MAP # K-61 MAP SCALE

DATE OF FIELD EXAM

FIELD REPORT MAP PERMIT # 84-7069



NOT FILMED

MAR 16 1988

TWP. 37 N RGE. 4 E SEC. 18 MAP # K-60 MAP SCALE
DATE OF FIELD EXAM _____ FIELD REPORT MAP PERMIT # 84-7069

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 84-7069

Priority: July 30, 1979 Amount: .02 CFS 2.7 AFA

This is to certify, that KENNETH W. MILLER
MRS. KENNETH W. MILLER

2735 GRANGEMONT RD.
OROFINO, ID 83544

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated July 30, 1979, and has submitted proof to the Department of Water Resources on July 27, 1984, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .02 cfs of water from;

WHISKEY CREEK tributary to OROFINO CREEK

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Stockwater	01/01 to 12/31	.02 cfs	2.7 afa
<u>LOCATION OF POINT OF DIVERSION(S):</u>			
NENE , Sec. 18, Township 37N, Range 4E			
NWNE , Sec. 18			
SWNW , Sec. 18			
SENE , Sec. 18			
Clearwater County			

PLACE OF USE: Stockwater

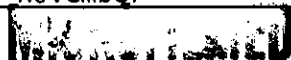
TWN RGE SEC

37N 4E 18 NENE NWNE SWNW SENW

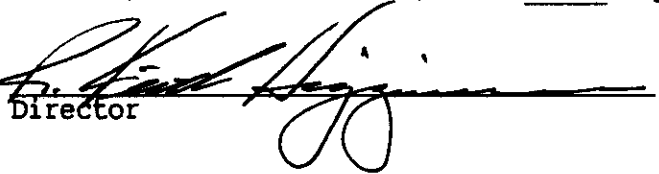
CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. 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 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 18th day of November, 1987.



MAR 16 1988


Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Kenneth W. Miller or Mrs. Kenneth W. Miller Phone 208 476-3546

Post office address Rt No. 2 Box 104 A, Orofino, Idaho

2. Source of water supply Whiskey Creek which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18 Township 37N

Range 4E B.M. Clearwater County, additional points of diversion if any: _____

NWNE, SENW, SWNW, Sec. 18, T37N, 4E

4. Water will be used for the following purposes:

Amount 0.02 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for Stock 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)

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

5. Total quantity to be appropriated:

a. 0.04 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

Creek

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation: NENE, NWNE, SENW

(1) Give the place of use of water: SWNW $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section 18 Township 37N

Range 4E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered Stock 150 head cattle

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1

(5) If water is to be used for other purposes describe: _____

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[illegible]

None

Who owns the property at the point of diversion

Applicant

Applicant

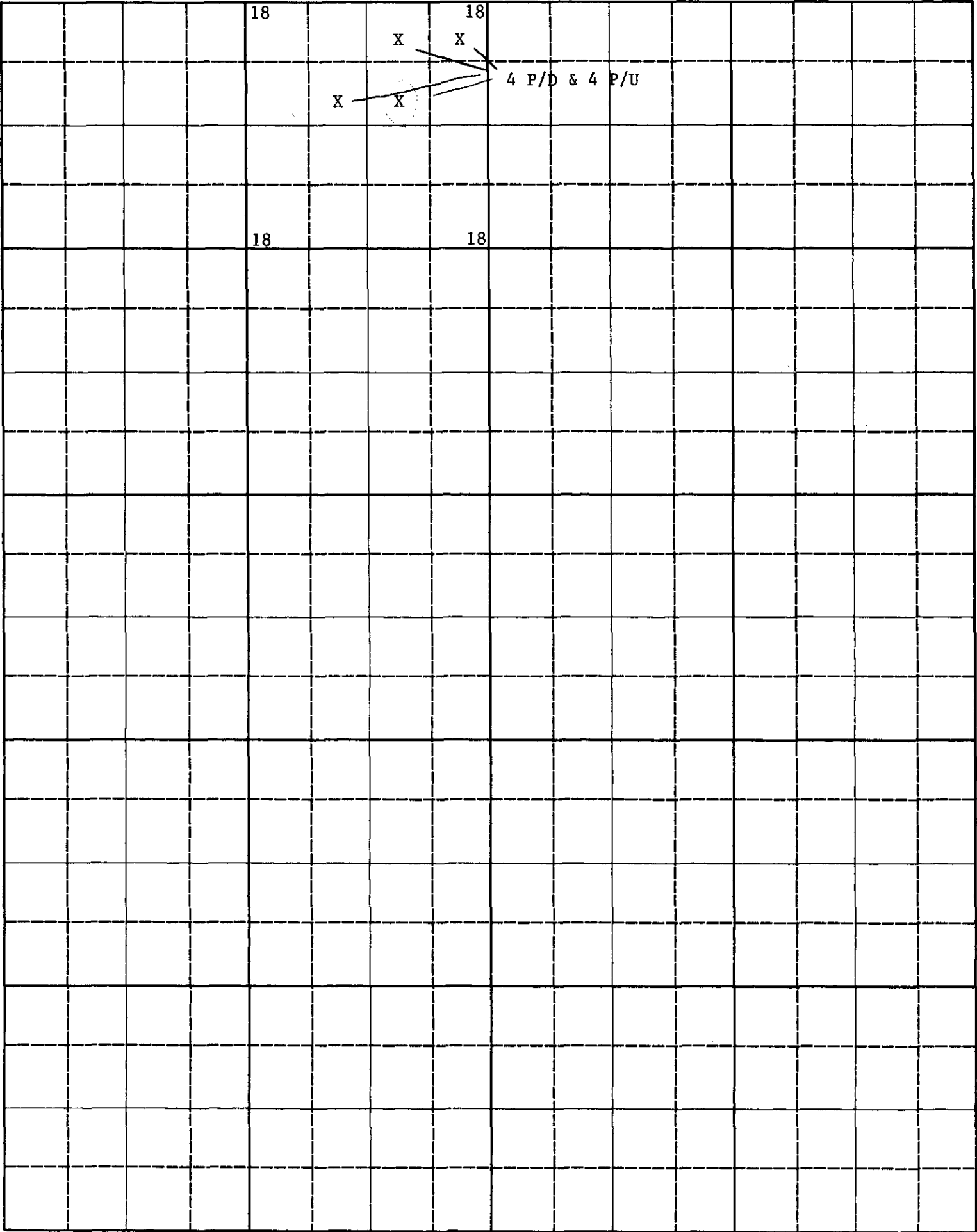
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

Applicant to make this filing

marks

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

37N 4E



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.

Kenneth Miller
(Applicant)

Proposed Priority 7/26/79

Received by ms Date 7/30/79 Time 11:30am

Preliminary check by AK Fee \$ 20.00

Receipted by ms Date 4/29/79 (14071)

Publication prepared by ms Date 8/1/79

Published in Clearwater Tribune

Publication dates 8/9 & 16/79

Publication approved ms Date 8/24/79

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RA Juni

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. 84-7069, 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 September 1, 19 84.
- 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. Other: _____

Witness my hand this 10th day of September, 19 79.

A. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO, } ss.
County of Clearwater }

Nancy Noble

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 of Application for Water Rights - Miller, Winn

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 full period of two consecutive issues commencing on the 9th day of August, 1979, and ending on the 16th day of August, 1979

Subscribed and sworn to before me this 17th day of August, 1979

NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO
RESIDING AT OROFINO THEREIN

NOTICE OF APPLICATION
FOR WATER RIGHTS

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

83-7031
Miller, Kenneth &/or Mrs. Kenneth
Rt. 2 Box 104A, Orofino, Idaho 83544
Source: Unnamed Creek
Date Filed: 07/30/1979
Amount: 0.01 CFS
Diversion Point: SESE Sec. 02 T 37N R 02E, Clearwater Co.
Use: Stockwater (0.01 CFS) from 01/01 to 12/31
Place of Use: SESE Sec. 02 T 37N R 02E
Diversion Means: Creek

84-7069
Miller, Kenneth &/or Mrs. Kenneth
Rt. 2 Box 104A, Orofino, Idaho 83544
Source: Whiskey Creek
Date Filed: 07/30/1979
Amount: 0.04 CFS
Diversion Point: NENE NWNE SENW SWNW Sec. 18 T 37N R 04E, Clearwater Co.
Use: Stockwater (0.02 CFS) from 01/01 to 12/31; Domestic (0.02 CFS) from 01/01 to 12/31
Place of Use: NENE NWNE SENW SWNW Sec. 18 T 37N R 04E
Diversion Means: Creek

84-7070
Miller, Kenneth &/or Mrs. Kenneth
Rt. 2 Box 104A, Orofino, Idaho 83544
Source: Mill Creek
Date Filed: 07/30/1979
Amount: 0.01 CFS
Diversion Point: NENE Sec. 26 T 36N R 03E, Clearwater Co.
Use: Stockwater (0.01 CFS) from 01/01 to 12/31; Domestic (0.01 CFS) from 01/01 to 12/31
Place of Use: NENE Sec. 26 T 36N R 03E
Diversion Means: Creek

84-7071
Miller, Kenneth &/or Mrs. Kenneth
Rt. 2 Box 104A, Orofino, Idaho 83544
Source: Crooked Creek
Date filed: 07/30/1979
Amount: 0.01 CFS
Diversion Point: SESE Sec.

18 T 37N R 04E SWSW Sec. 17 T 37N R 04E, Clearwater Co.
Use: Stockwater (0.01 CFS) from 01/01 to 12/31
Place of Use: SWSW Sec. 17 T 37N R 04E SESE Sec. 18 T 37N R 04E
Diversion Means: Creek

84-7072
Miller, Kenneth &/or Mrs. Kenneth
Rt. 2 Box 104A, Orofino, Idaho 83544
Source: Meadow Creek
Date Filed: 07/30/1979
Amount: 0.01 CFS
Diversion Point: SENE Sec. 26 T 36N R 03E, Clearwater Co.
Use: Stockwater (0.01 CFS) from 01/01 to 12/31
Place of Use: SENE Sec. 26 T 36N R 03E
Diversion Means: Creek

86-7098
Winn, Charles M. &/or Valerie
Box 2095, Orofino, Idaho 83544
Source: Unnamed Spring
Date Filed: 07/26/1979
Amount: 0.04 CFS
Diversion Point: NENE Sec. 35 T 37N R 01W, Clearwater Co.
Use: Stockwater (0.04 CFS) from 01/01 to 12/31
Place of Use: NENE Sec. 35 T 37N R 01W
Diversion Means: Ditch & Stock-Watering Tanks

If issued, the permit(s) will be subject to all prior water rights. Protests against the grant(s) of any permit must be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id, 83814 on or before August 27, 1979.
C. Stephen Allred
Director
8-5,10c

RECEIVED

November 22, 1987

KENNETH W. & MRS. KENNETH W. MILLER
2735 GRANGEMONT RD.
OROFINO, ID 83544

RE: Permit No. 84-7069

Dear Permit Holder(s):

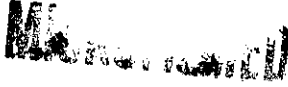
Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure


MAR 16 1988

November 2, 1987

KENNETH W. & MRS. KENNETH W. MILLER
2735 GRANGEMONT RD.
OROFINO, ID 83544

RE: Permit No. 84-7069

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MAILED

MAR 16 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED
JUL 22 1985

10-DAY

84-7069
Permit No.

Department of Water Resources

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

150 head of cattle $\rightarrow$ 0.05 cfs

App $\rightarrow$ 0.02 cfs

$\therefore Q = 0.02 \text{ cfs}$

b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

c) Volume Calculations for Other Uses:

$V_{stock} = 2.7 \text{ AFA}$

2. Overlap Review

a) Other water rights with same place of use: None

b) Other water rights with same point of diversion: None

c) Analysis:

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MAR 16 1988

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
84-7069	7/30/79	0.02	7/30/79	7-27-84	0.02

Permit No.

Amount

Date Proof Submitted

System Capacity

Permit Holder:

Address: 2735 Garngarmont Rd Orofino, Id 83544
Source: Whiskey Creek tributary to Orofino Creek

Beneficial Use

Period of Use

Rate of Diversion

Annual Volume

10/20/77

3019

21

Point(s) of Diversion:

No.									
Govt. Lot									
%									
%									
%									
Sec.	NE NE NW SE SW NW NW NW								
Twp.	18	37N							
Rge.	H E								
County	Clearwater								

8. Place(s) of Use

[illegible]

9. Recommended Conditions/Remarks:

Recommended Amendments

Examiner's Signature

Checked in Regional Office by

Grand
Back
Ron Newton

Approved in State Office by

Date _____

Date 10-20-01

Date _____

~~Date 6/20/85~~

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

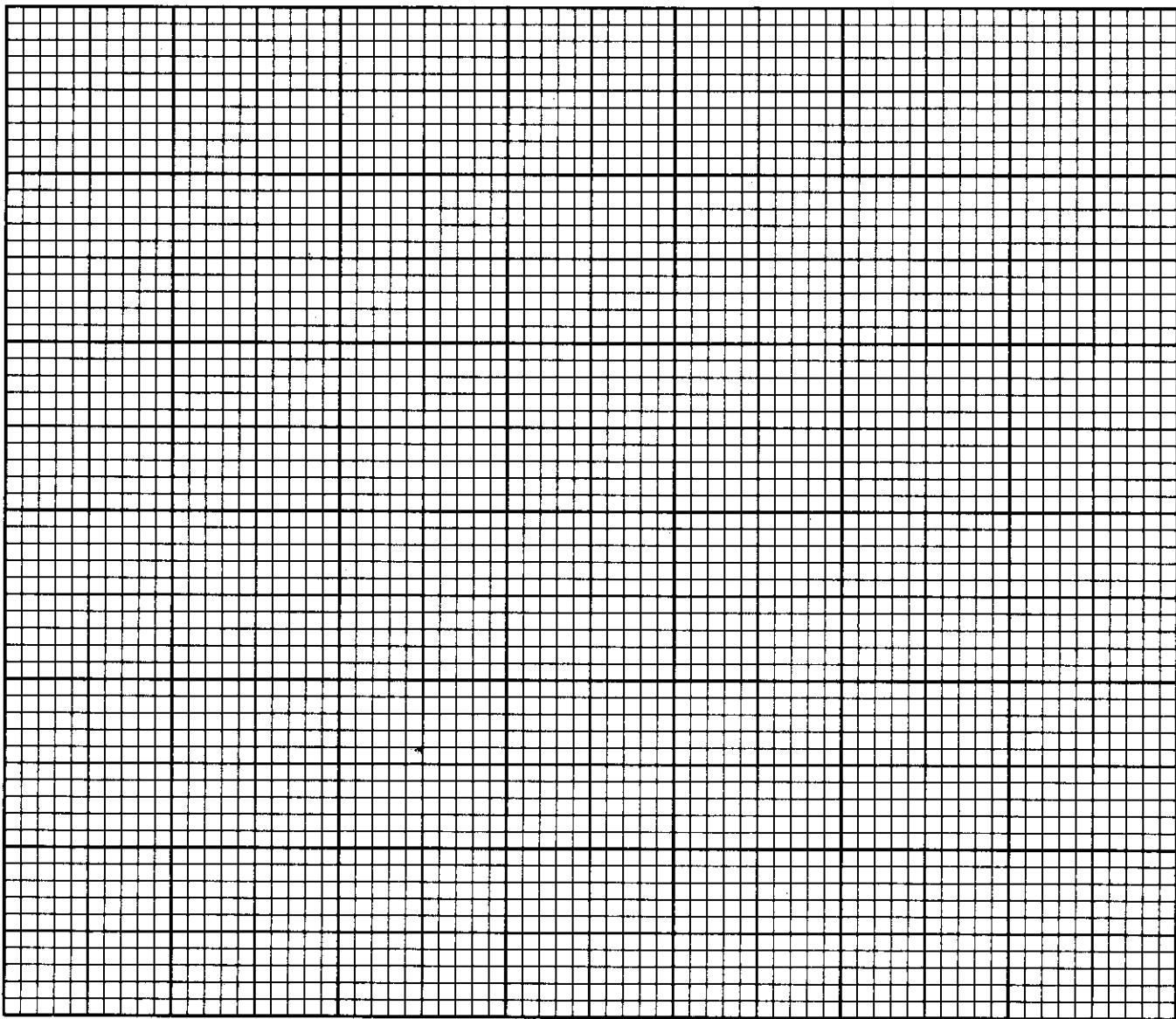
MAR 16 1988

031474

10. Other water rights on these lands 84-7071 - different source

11. Other water right diverted from same p.d. None

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks _____

15. 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

16. Examiner's/Consultant's Signature A. Beard Date 5/24/85

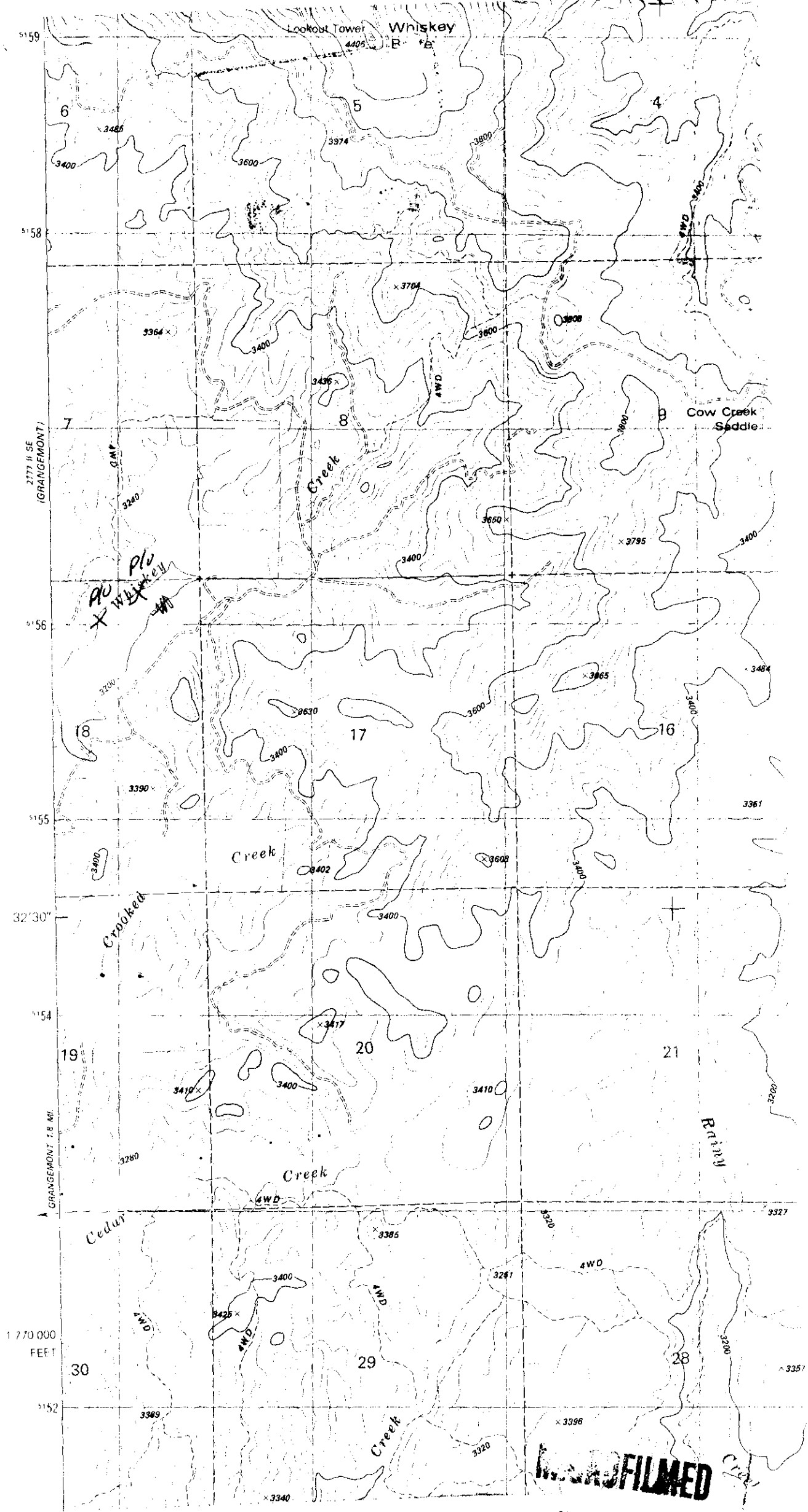
Consultant's License Number _____

IDWR Director's Authorization to Conduct

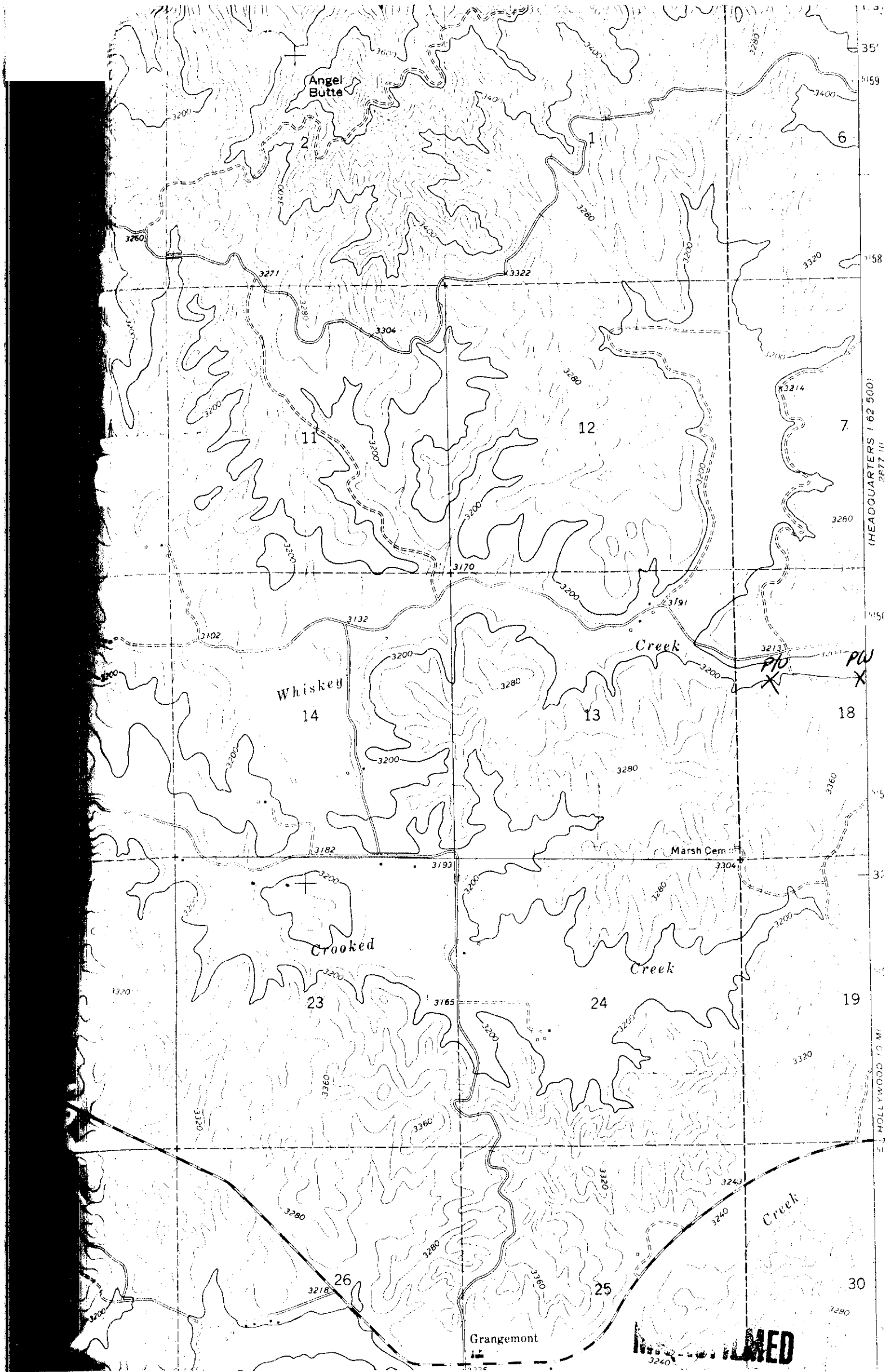
Beneficial Use Examination _____

Date **MANUFILED** CONSULTANT SEAL

MAR 16 1988



TWP. 37N RGE. 4E SEC. 18 MAP # K-61 MAP SCALE 1" = 1.8 MI
DATE OF FIELD EXAM 84-7059 FIELD REPORT MAP PERMIT # 84-7059



TWP. 37 N RGE. 4 E SEC. 18 MAP # K-60 MAP SCALE 1" = 1/2 MI

DATE OF FIELD EXAM

FIELD REPORT MAP PERMIT # 84-7069

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

August 30, 1984

KENNETH MILLER
2735 GRANGEMONT ROAD
OROFINO ID 83544

RE: Permit No. 84-7069

Dear Permit Holder:

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

Before a Water Right License can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 765-4639 or in person at our office.

Sincerely,

/S/
TOM D. KING
Senior Water Resource Agent

cc: IDWR - State Office

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MAR 16 1988

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has committed development to the extent shown below of Permit No. 84-7069.

Name(s) of Permit Holder: Kenneth W. Miller or Mrs. Kenneth W. Miller

Post Office Address: 2735 Grangemont Road

Orofino, Idaho 83544

Tel. No. 208 476-3546

Source of Water: Whiskey Creek

Extent of Use: ☒ Domestic 1 (number of households)
☒ Stockwater 150 cattle (number and type of stock)
☐ Irrigation _____ (acres)
☐ Other _____

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

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

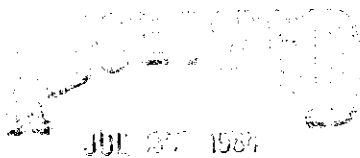
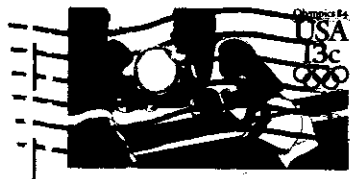
The above information is a true statement of the extent to which the above numbered permit has been developed.

7/24/84
Date

Kenneth W. Miller
Signature of Permit Holder



2735 GRANGEMONT ROAD
OROFINO, IDAHO 83544



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138976

MILLER, KENNETH & MRS. KENNETH
RT. 2 BOX 104A
CROFTON, ID 83544

PROOF DUE NOTICE

JUNE 30, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 84-7069 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE SEPTEMBER 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

RECEIVED
JUN 30 1984



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

September 10, 1979

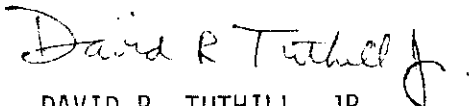
Kenneth Miller
Route 2 Box 104A
Orofino, Idaho 83544

Dear Mr. Miller,

RE: Permit No. 84-7069

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,



DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosure

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: AK

APPLICATION NUMBER: 84-7069

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department. Copies sent by: _____ Date: _____
☒ Idaho Fish and Game Department. _____
☒ Idaho Department of Lands. _____
☒ U.S. Bureau of Land Management. _____
☒ U.S. Forest Service. _____
☒ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. N/A
☒ Yes ☐ No* In form for advertising.
☐ Yes ☒ No Final date for protests: _____
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8/24/79
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
8-30-79 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: BA Date: 8-31-79

STATE OFFICE REVIEW:

Short letter w/o conditions

- ☐ See attached sheet for more information.

By: Jmi Date: 9/8/79

RECEIVED
SEP 06 1979
Department of Water Resources

84-Z069-

MILLER, KENNETH &/or MRS. KENNETH

RT. 2 BOX 104A, OROFINO, ID 83544

Source: WHISKEY CREEK

Date Filed: 07/30/1979

Amount: 0.04 CFS

Diversion Point: NENE NWNE SENW SWNW Sec 18 T 37N R 04E, CLEARWATER Co.

Use: STOCKWATER	(0.02 CFS)	from 01/01 to 12/31
DOMESTIC	(0.02 CFS)	from 01/01 to 12/31

Place of Use: NENE NWNE SENW SWNW Sec 18 T 37N R 04E

Diversion Means: CREEK

IDENT. NO. 84-7069

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

WATER RIGHT
DATA ENTRY LOG

[illegible]