

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-10610  
Date Received: 4/27/1990  
Receipt No: E012399  
Received By: DW

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: MARK MILLS 208-226-2555  
Address: 3053 GARDEN RD.  
AMERICAN FALLS, ID 83211

OR

Name: DONNA MILLS 208-226-2555  
Address: 3053 GARDEN RD.  
AMERICAN FALLS, ID 83211

2. Date of Priority: MAY 19, 1987

3. Source: SUNBEAM CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 08S      | 31E   | 2       | SE     | SE     | NE  |     | POWER  |

5. Description of diverting works:  
NO DIVERSION/NATURAL STREAM FLOW

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| STOCKWATER | 01/01 | 12/31 | 0.020  |      |        |

7. Total Quantity Appropriated is:  
0.020 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
STOCKWATER FOR FIFTEEN HEAD OF BEEF CATTLE

A2910610



10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|--------|-----|-----|-------|-------|
| 08S      | 31E   | 2       | SE     | NE  |     | STOCK |       |

11. Place of use in counties: POWER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

4/11/1989

## SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Mills

CLAIM IDENT. NO.

A29-10610

DATE RECEIVED

3/16/90

CK #

AMOUNT \$

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO \*
2. Is a priority date entered? ☒ YES ☐ NO \*
- Is the priority date acceptable in view of mandatory filing dates?  
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO \*
3. (a) Is a source entered? ☒ YES ☐ NO \*
- (b) Is a tributary to entered? (if required) ☐ YES ☒ NO N/A \*
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO \*
5. Is there a description of the diverting works? ☒ YES ☐ NO \*
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO \*
- Is the period of use included? ☒ YES ☐ NO \*
- Is a quantity claimed for each use? ☒ YES ☐ NO \*
7. Is a total quantity claimed entered? ☒ YES ☐ NO \*
8. If required is a consumptive use entered? ☐ YES ☒ NO N/A \*
- Is the consumptive use correct? ☐ YES ☒ NO N/A \*
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☒ NO N/A \*
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO \*
11. Is (are) the county(ies) entered? ☒ YES ☐ NO \*
12. Is the ownership of p.u. checked? ☒ YES ☐ NO \*
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO \*
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☒ NO N/A \*
15. Is the basis of the claim indicated? ☒ YES ☐ NO \*
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☒ NO N/A \*
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO \*
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO \*
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO \*
20. Is the fee enclosed correct? ☐ YES ☒ NO Exempt \*
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☒ NO N/A \*
22. Should this claim be data entered? ☒ YES ☐ NO \*

Claim checked by:

DC

Date:

3/22/90

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☒ (No) ☐

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Sent to claimant by:

Date:

Checked by:

Date:

Comments:

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NOV 16 1992

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NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

MAR 16 1990

Department of Water Resources  
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Mark or Donna Mills Phone (208) 226-2555  
Mailing Address 3053 Garden Rd. Am. Falls ID. Zip 83211
2. Date of Priority (Only one (1) per claim) May 19, 1987
3. Source of water supply (a) Sunbeam Creek  
which is tributary to (b) Am. Falls Reservoir
4. a. Location of existing point of diversion is: Township 8S Range 31E Section 2,  
SE 1/4 of SE 1/4 of NE 1/4, Govt. Lot, E B.M., County of Power

Additional points of diversion if any: \_\_\_\_\_

b. If instream flow, beginning point of claimed instream flow is:

Township 8S Range 31E B.M. Section 2, SE 1/4 of SE 1/4 of NE 1/4,  
Govt. Lot \_\_\_\_\_ B.M., County of Power

ending point is: Township 8S Range 31 Section 2, SE 1/4 of SE 1/4 of  
NE 1/4, Govt. Lot E B.M., County of Power

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well.

No diversion - natural stream flow

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stockwater purposes from 1-1 to 12-31 amount 0.02 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.02 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater; Beef cattle - 15 head

10. 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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | 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 |        |
| 8S  | 3E  | 2   |        |        |        | S      |        |        |        |        |        |        |        |        |        |        |        |        | 15     |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated \_\_\_\_\_

11. In which county (ies) are lands listed above as place of use located? Power County

12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (X)

14. Remarks:

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Last Name Mills Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

**Scale: 2 inches equals 1 mile**

A hand-drawn map on a grid. The map features a creek labeled "Dunbar Creek" with an arrow pointing to it. Other labels include "Rd 31E" at the top, "North" and "South" with arrows, and "3" and "2" with arrows. The grid is composed of squares, with some squares containing dashed lines.

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mills

Ident No.

**Copies: White-State, Yellow-Claimant**

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_

Decree \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_

Plaintiff vs Defendant \_\_\_\_\_

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments \_\_\_\_\_

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) \_\_\_\_\_

Date 3/13/90

Date 3/13/90

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

Title \_\_\_\_\_

of \_\_\_\_\_, that I have signed the foregoing

Organization \_\_\_\_\_

document in the space below as \_\_\_\_\_ of \_\_\_\_\_

Title \_\_\_\_\_

Organization \_\_\_\_\_

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )

County of Power ) SS.

Subscribed and sworn (or affirmed) before me this 13<sup>th</sup> day of March 19 90

SEAL

Notary Public Ann Holden

Residing at Orantello, Id

My Commission Expires 2-16-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

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NOV 16 1992

Last Name Mills Ident. Number \_\_\_\_\_

Copies White-State, Yellow-Claimant

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIMS PROOF READING REPORT

WATER RIGHT NUMBER - A29-10610

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - - LAST NAME - - - - - +

+ - FIRST NAME - - +

+ - - - - - ADDRESS - - - - - +

MARK

1 - 3053 GARDEN RD.

2 -  
3 -

CITY- AMERICAN FALLS

STATE- ID ZIP- 83211

PHONE - 208-226-2555

1 - 3033 GARDEN RD.

23

CITY- AMERICAN FALLS

STATE- ID ZIP- 83211

PHONE - 208-226-2558

+ - - - REGION - - - +  
15 EASTERN

+ - - - STAGE - - - +  
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - - TRIBUTARY - - - - - +  
SNAKE RIVER

[illegible]

085 316 2 SE SL VF (77) 20422

[illegible]

v4 - STOCKHOLM

41/1

10/31

0.020

| + - TOTAL DIV. RATE - + |  | + - TOTAL DIV. VOLUME - + |  | + - TOTAL DIV. CAPACITY - + |  | + - TOTAL CONSUMPTIVE USE - + |  | + - KW USAGE - + |  |
|-------------------------|--|---------------------------|--|-----------------------------|--|-------------------------------|--|------------------|--|
| 0.020                   |  |                           |  |                             |  | 0.0                           |  |                  |  |

| TWA | ANG | SEC | TRACT | LOT | ACRES | PLACE OR USE | DESCRIPTION | COUNTY |
|-----|-----|-----|-------|-----|-------|--------------|-------------|--------|
|-----|-----|-----|-------|-----|-------|--------------|-------------|--------|

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2 3 ...

2

1990

04 STOCKHOLM

(77 ) POWER

+ - - DIVERSION MEANS - NO DIVERSION/NATURAL STREAM FLOW

+ - - NON-IRRADIATION USE - STOCKPILING FOR FUTURE HEAD OF SELF CATTLE

4 - - 31 May 61 Info. from 644- 081 - 1043

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[illegible]

+ - - - - - CONDITIONS OF APPROVAL - - - - - +  
NO CONDITIONS OF APPROVAL FOUND.

**MICROFILMED**  
**APR 13 1994**