

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: A29-12236
Date Received: 4/12/1990
Receipt No: C016252
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SANDRA MILLWARD 208-233-6240
Address: 2569 N. HARRISON
POCA ID 83204
OR
Name: GOLDEN MILLWARD 208-233-6240
Address: 2569 N. HARRISON
POCA ID 83204
2. Date of Priority: JUL 1, 1900
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	34E	22	NE	NW	SW		BANNOCK
5. Description of diverting works:
WELL, 6" CASING 60 FT DEEP SUBMERSIBLE PUMP
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
COMMERCIAL	01/01	12/31	0.040		
7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
TOILETS, SINKS, WASHING UP, WATER HEATER: DOMESTIC

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	34E	22	NW SW		DOMEST	

11. Place of use in counties: BANNOCK

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): Sandra Millward Date: 1-13-92

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of JAN 19 92

Steve Carls
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 2/26/96

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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: A29-12236
Date Received: 4/12/1990
Receipt No: C016257
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GOLDEN MILLWARD 208-233-6240
Address: 2569 N. HARRISON
POCA, ID 83204

OR
Name: SANDRA MILLWARD 208-233-6240
Address: 2569 N. HARRISON
POCA, ID 83204

2. Date of Priority: JUL 01, 1900

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	34E	22	SW	NW	SW		BANNOCK

5. Description of diverting works:
WELL, 6" CASING 60 FT DEEP SUBMERSIBLE PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
COMMERCIAL	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
TOILETS, SINKS, WASHING UP, WATER HEATER: DOMESTIC

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	34E	22	NW	SW		DOMEST	

11. Place of use in counties: BANNOCK

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 _____

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 12236Date Received 4-12-90Receipt Number C016257

RECEIVED
JUN 11 1990

Department of Water Resources

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
APR 12 1990

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Golden⁶⁷ Sandra Millward Phone (208) 233-6240
Mailing Address 2569 N Harrison Poca Zip 83204

2. Date of Priority (Only one (1) per claim) July 1 1900

3. Source of water supply (a) well
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 6S Range 34E Section 22,
SW_{NE} 1/4 of NW_{NE} 1/4 of SW_{NE} 1/4, Govt. Lot, _____ B.M., County of Bannock

Additional points of diversion if any: _____

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

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.

Well, 6" casing 60 FT deep Submersible pump

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NOV 16 1992

A2912236



6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1/1 to 12/31 amount 0.04 or _____

For Commercial purposes from 1/1 to 12/31 amount 0.04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.08 (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.) 1 bldg - inside use - Domestic household use + small lawn

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.

commercial - like household + outside wash + to wash vehicles

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>6S</u>	<u>34E</u>	<u>22</u>										<u>D/C</u>							

Total number of acres irrigated _____

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

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.

Fort Hall Irrigation (has never been delivered) or None ()

14. Remarks:

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Last Name Millward Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

NOV 16 1992

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use Decree Posted Notice License Permit

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)

Sandra Millward

Date 4-5-90

Sandra Millward

Date 4-5-90

For Organizations: I do solemnly swear or affirm that I am _____

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 Id)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 5 day of April 19 90

SEAL

Notary Public

John Dal. Cohen

Residing at

Boise Id

My Commission Expires

4/2/94

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 _____ Ident. Number _____

Copies White-State, Yellow-Claimant

June 6, 2001

29-12236
GOLDEN MILLWARD
SANDRA MILLWARD
2569 N HARRISON
POCATELLO ID 83204

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water Resources has recently begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown **above in the "address" label and at the "end" of this letter** has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some examples of Documents Which May Be Evidence of the Priority Date"**.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by June 22, 2001, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at 525-7161.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Notice of Claim 29-12236



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 5, 1990

Golden or Sandra Millward
2569 N. Harrison
Pocatello, Idaho 83204

RE: Notices of Claim for a Water Right in the Snake River Basin
Adjudication, Bannock County

Dear Mr. and Mrs. Millward:

We are returning two of the claims you filed in the Snake River Basin Adjudication because we have noted some problems that need to be corrected.

At Item 6, neither claim has a period of use completed. The period of use refers to a month and day within a the calendar year when you actually use the water. If you use the water all year long, please enter "1/1" to "12/31". If your use of the water is seasonal, you might want to enter "6/1" to "9/1", or whatever dates apply to your particular situation.

At Item 9, both claims need to have the non-irrigation uses described. For the commercial purpose, please describe the number of buildings and activity related to the commercial purposes. For the domestic purpose, please describe the number and type of buildings served.

Item 13 was left blank. If you do not have any other water rights used at this location for commercial or domestic purposes, please enter "none". If other water rights are used, please enter the water right numbers or description of the water rights, here.

You may wish to reconsider filing for commercial purposes on the claim with the July 1, 1974 priority date. Idaho Code §42-111 has been amended to allow water used in commercial and business establishments to be considered "domestic uses" if the maximum diversion volume is 2,500 gallons per day and the maximum diversion rate is 0.04 cfs. This means that these water rights are exempt for the mandatory permit requirements and can be claimed as a domestic water right with a \$25.00 fee.

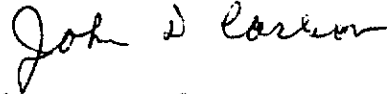
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NOV 16 1992

Golden or Sandra Millward
June 5, 1990
Page 2

Please return the corrected claims to this office on or before July 5, 1990 to avoid any late filing fees. If you have any questions, please contact this office.

Sincerely,



John D. Carlson
Adjudication Supervisor

JDC:CF:sf:state:tf
Enclosures:
2 Notices of Claim

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NOV 16 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Millwood

CLAIM IDENT. NO.

A 29-12236

DATE RECEIVED

4-12-90

CK #

C016252

AMOUNT \$

110⁰⁰

YES

NO

Required
Info?

1. Is the name and address complete with zip code?

2 Claims

✓

—

*

2. Is a priority date entered?

✓

—

*

Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required.

✓

—

*

3. (a) Is a source entered?

✓

—

*

(b) Is a tributary to entered? (if required)

N/A

✓

—

*

4. Is the legal description of the p.d. sufficient?

✓

—

*

5. Is there a description of the diverting works?

✓

—

*

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.

✓

—

*

Is the period of use included?

✓

—

*

Is a quantity claimed for each use?

✓

—

*

7. Is a total quantity claimed entered?

✓

—

*

8. If required is a consumptive use entered?

N/A

✓

—

*

Is the consumptive use correct?

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.

N/A

✓

—

*

10. Is (are) the place(s) of use and purpose(s) indicated?

✓

—

*

11. Is (are) the county(ies) entered?

✓

—

*

12. Is the ownership of p.u. checked?

✓

—

*

13. Are other water rights listed or "none" indicated?

✓

—

*

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.)

N/A

✓

—

*

15. Is the basis of the claim indicated?

✓

—

*

16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)

N/A

✓

—

*

17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.

✓

—

*

18. Has the claim been signed, sealed, and dated by a notary?

✓

—

*

19. Was this claim filed on time, or was an extension granted?

✓

—

*

20. Is the fee enclosed correct?

Exempt

—

—

*

21. If this claim is based on an existing water right, has the identification number been entered?

N/A

✓

—

*

22. Should this claim be data entered?

✓

—

*

Claim checked by:

CA H/D

Date:

5-29-90 5/24/90

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: May be claimed as domestic with a 0.04
diversion rate. 2 claims to return

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