

RECEIVED

JUL 06 2005

DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHT TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

73-12044
716-05
C078489

d.e. as 8-16-05

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant(s) George Miller and/or Phillip R Miller Phone (208) 876-4228
Mailing Address 50 P Miller Rd, May ID Zip 83253
2. Date of Priority (only one (1) per claim) 3/1/1940
3. Source of water supply (a) Patterson Creek
which is tributary to (b) Pahsimeroi River
4. a. Location of existing point of diversion is: Township 14N Range 23E Section 27,
NE 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Lemhi
Additional points of diversion if any: N/A
b. If instream flow, beginning point of claimed instream flow is: N/A
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
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 enlargement in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Headgate, ditches pump system and flood irrigation

6. Water is claimed for the following purposes

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/01 to 11/01 amount 7.00 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 7.00 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is N/A acre feet per annum.

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

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	
14N	23E	27									20	35	40	40					135
		34				40									40	40	40		160
		35		40	40		40	40	40	40	40	40				40			360

Total number of acres irrigated 655

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

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 describe above.

or None ()

14. Remarks:

This claim is an additional beneficial use claim for water diverted from Patterson Creek. The two attached notarized letters confirm the use of the claimed water.

Last Name

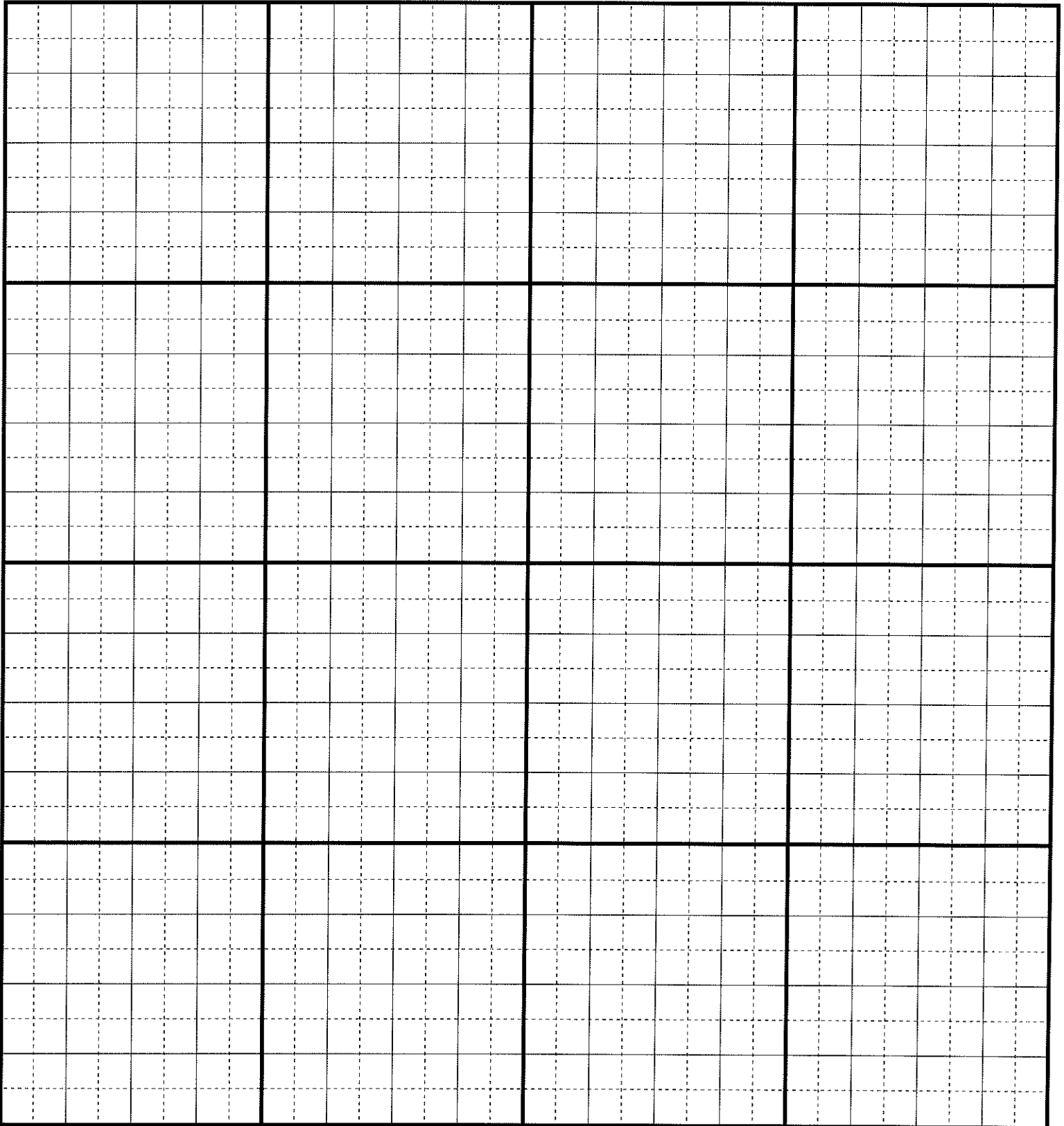
Miller

Ident. No.

73-12044

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

Scale: 2 inches equals 1 mile. **Please see attached map. (See claim 73-10084 for better version of same map)**



Last Name Miller Ident. No. 73-12044

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 2

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

Signature of Claimant(s) George Miller Date 1-20-05

Date _____

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 Idaho)

) SS.

County of Custer)

Subscribed and sworn (or affirmed) before me this 20th day of January 2005

Notary Public Audrey S Noack

Residing at Challis ID

My Commission Expires 11-1-2010



17. Notice of Appearance:

Please Print Name

Notice is hereby given to _____ 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 _____ at the address listed below.

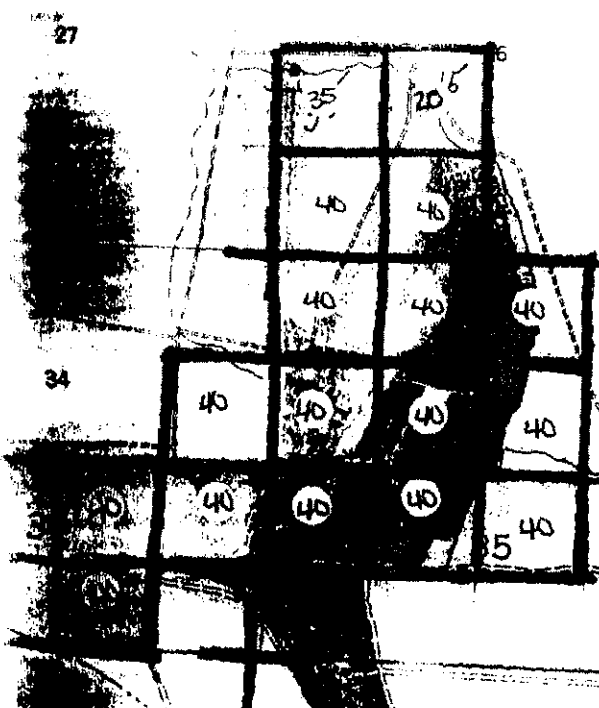
Signature _____

Address _____

Date _____

Last Name Miller Ident. Number 73-12044

POD



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35 30

14N

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60

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12

MICROFILMED
DEC 14 1992

DM

April 4, 2003

George Miller
50 Miller Road
May, Idaho 83253

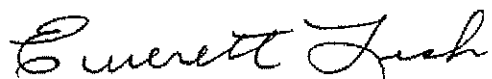
Dear George:

Regarding the Patterson Creek "high" water usage by the Phillip Miller Ranch, located in Lemhi County, Idaho, I am writing to explain my knowledge and understanding of what has transpired over a period of many years.

As you are aware, I have been an intricate part of, what is now, your ranch since 1940. In fact, I, presently, continue to assist you with the ranch's day-to-day operations. Accordingly, I have witnessed, first-hand, the application of water usage from Patterson Creek. In the instance of spring-runoff or high water in Patterson Creek, the ranch, has, most always, been able to make use of 350 inches, or therein, of this water, for additional irrigating. The ability to do so has been paramount to the ranch's increase in overall productivity.

In closing, I am available should you necessitate any additional information. If so, please contact me at 208-756-2729 or at my residence...208 North Terrace Street in Salmon.

Best wishes,

A handwritten signature in cursive script that reads "Everett Lish".

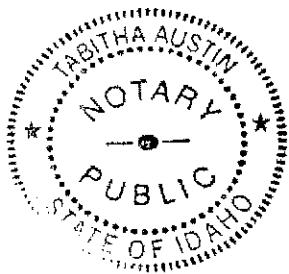
Everett J. Lish

This notary certificate is prepared on a separate page attached, by means of staple, to a single page document addressed to George Miller.

STATE OF IDAHO)
)
COUNTY OF LEMHI) ss.

On this 4th day of April, 2003, before me the undersigned, a notary public in and for the state, personally appeared Everett J. Lish, that executed the attached instrument and acknowledged to me that he executed the same.

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





Notary Public for Idaho
Residing at: Salmon, Idaho
My Commission expires: March 1, 2005

Ted Crumley
2390 N. Towerview Lane
Boise, ID 83702

March 6, 2003

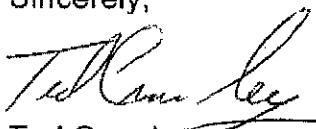
George Miller
50 Miller Road
May, ID 83253

Dear George:

I am writing to provide my recollection of water usage from Patterson Creek on the P. Miller ranch in Lemhi County. I worked on weekends and summers from approximately 1957 through 1971 on the ranch for Philip Miller. During that period, I was directly involved in irrigation activities on the ranch. During the spring, typically May, June, and July, there was significant spring runoff or high water in Patterson Creek. The timing and amount depended on the weather and snow pack. During these periods we were able to utilize approximately 300 inches of high water for irrigation purposes on the ranch. This allowed us to increase productivity of crops and pasture lands.

If I can supply additional information, please feel free to contact me at 208-362-9235.

Sincerely,

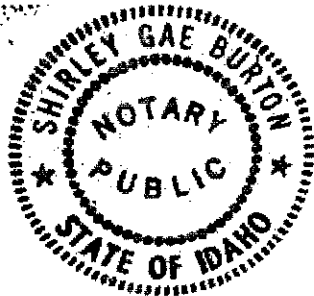

Ted Crumley

This notary certificate is prepared on a separate page and is attached to a letter addressed to George Miller containing 1 page, and is attached to that document by means of staple.

STATE OF IDAHO)
)
COUNTY OF ADA) ss.

On this 6th day of March, 2003, before me the undersigned, a notary public in and for said state, personally appeared Ted Crumley, that executed the attached instrument and acknowledged to me that he executed the same.

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



Shirley Gae Burton
Notary Public for Idaho
Residing at: Meridian, Idaho
My Commission expires: June 6, 2003