

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-2014

WATER RIGHT NUMBER: 35-2014

Owner Type Name and Address

Original Owner JOHN L MILLER
 PO BOX 2260
 NAPA, CA 94558
 (208)224-6444

Current Owner CAPITAL LENDING INC
 1475 TERMINAL WY STE E
 RENO, NV 89502

Priority Date: 11/21/1908

Basis: Decreed

Status: Active

Source

BOONE SPRING

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 11/01

Diversion Rate

1.300 CFS

Annual VolumeTotal Diversion:

1.300 CFS

Location of Point(s) of Diversion

~~BOONE SPRING~~
 BINGHAM County

SE1/4SW1/4

Sec. 24, Twp 04S, Rge 32E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	32E	24															30.0	30.0	60.0
04S	32E	25					20.0												20.0

Total Acres: 80

Conditions of Approval:

1. c18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

RD issued 9-17-2002
3905 State St. #7148
San Barbara CA 93105

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 35-2014

Comments:

DATE: 04/06/00
PAGE: 1

**DIVERSION
VOLUME**

TOTAL DIVERSION: 1-300 CFS

Stage: LICENSE

BINGHAM County

SE

[illegible]

Pou County: BINGHAM

11/21/1908

Exam Sent to S.O.:

Field Exam Fee:

08/10/89 CURTIS 04/28/99 KTOHNSEN

Roxanne has
the original
Clacin

3/1/02

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 WR# 35-02014

Date Received

Receipt Number

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) John Miller Phone (707) 224-6444

Mailing Address P. O. Box 2260, Napa, CA Zip 94558

2. Date of Priority (Only one (1) per claim) 11/21/1908

3. Source of water supply (a) Boone Spring
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 04S Range 32E Section 24 ,
1/4 of SE 1/4 of SW 1/4, Govt. Lot, E. B.M., County of Bingham

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 1/4,

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 enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Water comes from Boone Spring into
creek at S24, SE NE, then is pumped out of creek at above described location
(see attached map)

6. Water is claimed for the following purposes:

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

For Irrigation purposes from seasonal to _____ amount 1.3 or 160

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.3 (cfs) and/or (b) 160 (acre feet)

8. Total consumptive use claimed is 160 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
			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	
04S	32E	24															30	30	60
04S	32E	25					20												20

Total number of acres irrigated 80

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

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.
35-00047; 35-07141 or None ()

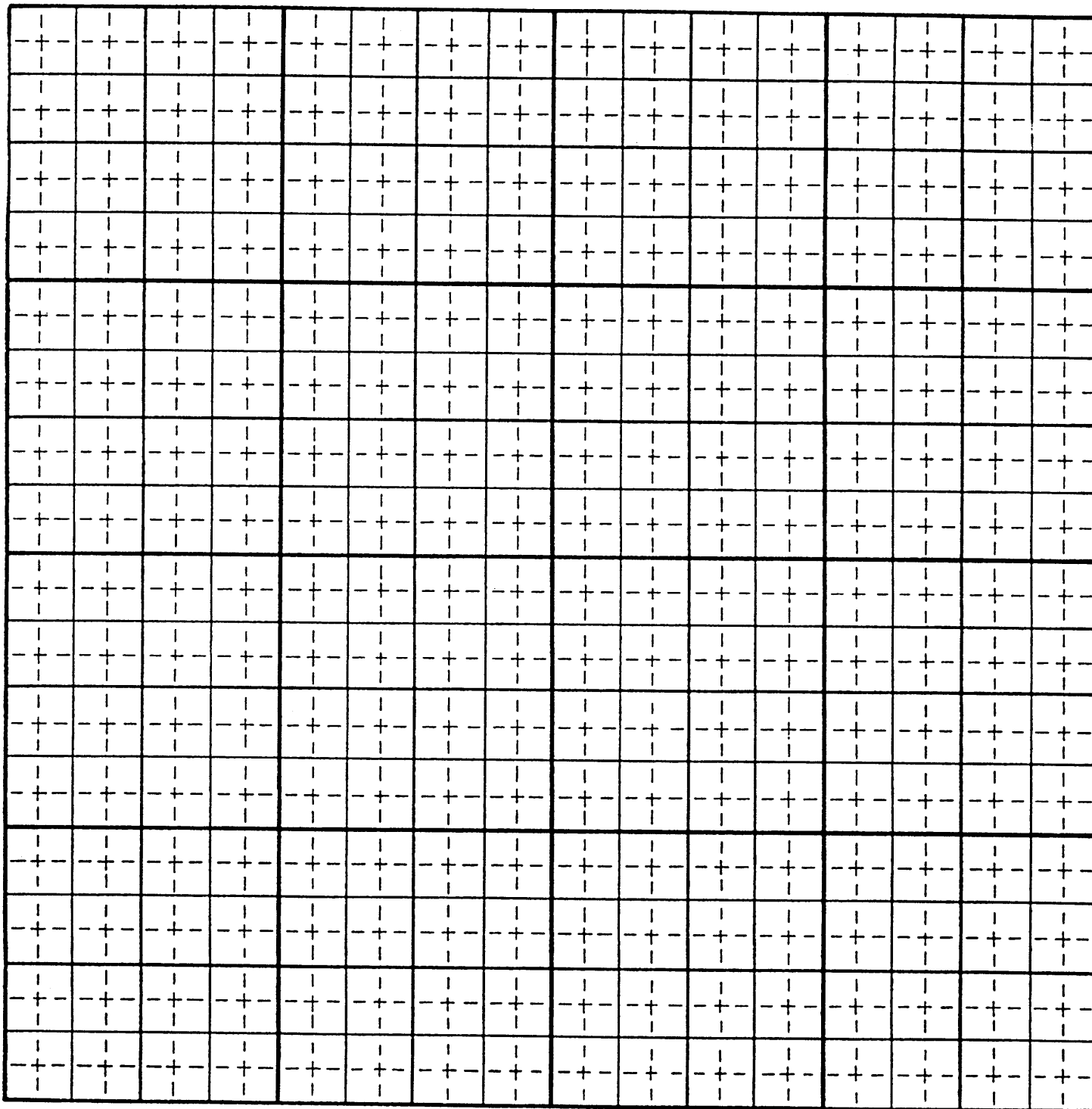
14. Remarks:

Last Name Miller Ident No. 35-02014

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

Scale: 2 inches equals 1 mile

See attached



Last Name Miller Ident No. 35-02014

ROUND 1/4
ROW AND
POST 2015

14
20 24

PART OF

14
20 24

SECTIONS 23, 24, 25, 26, T. 4 S., R. 32 E.B.M.

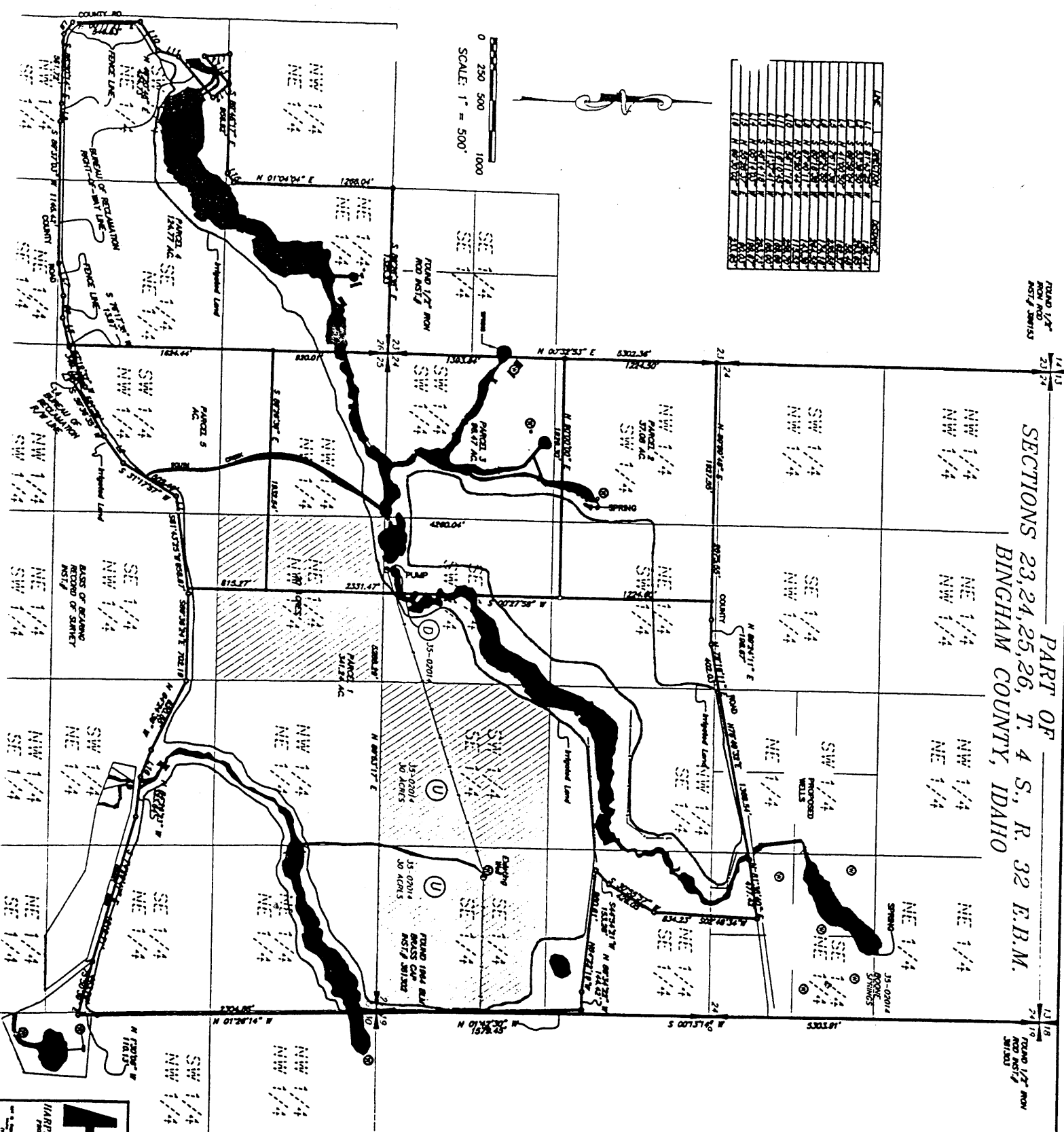
BINGHAM COUNTY, IDAHO

ROUND 1/4
ROW AND
POST 2015

LINE	DESCRIPTION	ACRES
1	1/4 SECTION 23	360.00
2	1/4 SECTION 24	360.00
3	1/4 SECTION 25	360.00
4	1/4 SECTION 26	360.00
5	1/4 SECTION 23	360.00
6	1/4 SECTION 24	360.00
7	1/4 SECTION 25	360.00
8	1/4 SECTION 26	360.00
9	1/4 SECTION 23	360.00
10	1/4 SECTION 24	360.00
11	1/4 SECTION 25	360.00
12	1/4 SECTION 26	360.00
13	1/4 SECTION 23	360.00
14	1/4 SECTION 24	360.00
15	1/4 SECTION 25	360.00
16	1/4 SECTION 26	360.00
17	1/4 SECTION 23	360.00
18	1/4 SECTION 24	360.00
19	1/4 SECTION 25	360.00
20	1/4 SECTION 26	360.00



0 250 500 1000
SCALE: 1" = 500'



LEGEND

- Section corner control
- Round 1/4" x 24" iron rod with cap marked P.L.S. 5580
- Fence line
- Found 1/2" x 24" iron rod
- Power Pole
- Building with approximate location
- Building
- Overhead Power
- Point of Direction of Water Right
- Point of Use of Water Right
- Irrigated Land as depicted from 1887 Aerial Photo

NOTE:
INFORMATION DERIVED ON THIS MAP COMES FROM THE DAWD DEPARTMENT OF WATER RESOURCE WATER RIGHT PRIVATE REPORT AND ORIGINAL LICENSE.

HARPER-LEAVITT ENGINEERING, INC.
Professional Engineers and Surveyors
1000 W. 10th St., Suite 100
Bismarck, ND 58102
701.223.1111
www.harper-leavitt.com

WATER RIGHTS MAP
35-02014 IRRIGATION
JOHNNY MILLER
SBC: 2014.05.06, T. 4 S., R. 32 E.B.M.
DATE: 11/12/14
SCALE: 1" = 500'

Rev. 4-11-00

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 35-02014
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) John L. Miller Date 4-10-00
Date _____

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

of _____ Title _____
Organization _____, that I have signed the foregoing

document in the space below as _____ of _____
Title _____ Organization _____

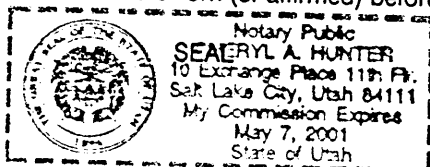
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Utah)
County of Salt Lake) SS.

Subscribed and sworn (or affirmed) before me this 12th day of April 19 2000



Notary Public Searyl A. Hunter

Residing at State of Utah

My Commission Expires May 7, 2001

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Shawn E. Draney 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 Shawn E. Draney
Address SNOW, CHRISTENSEN & MARTINEAU
10 Exchange Place, 11th Floor, SLC, UT 84111

Date _____

Last Name Miller Ident. Number 35-02014