

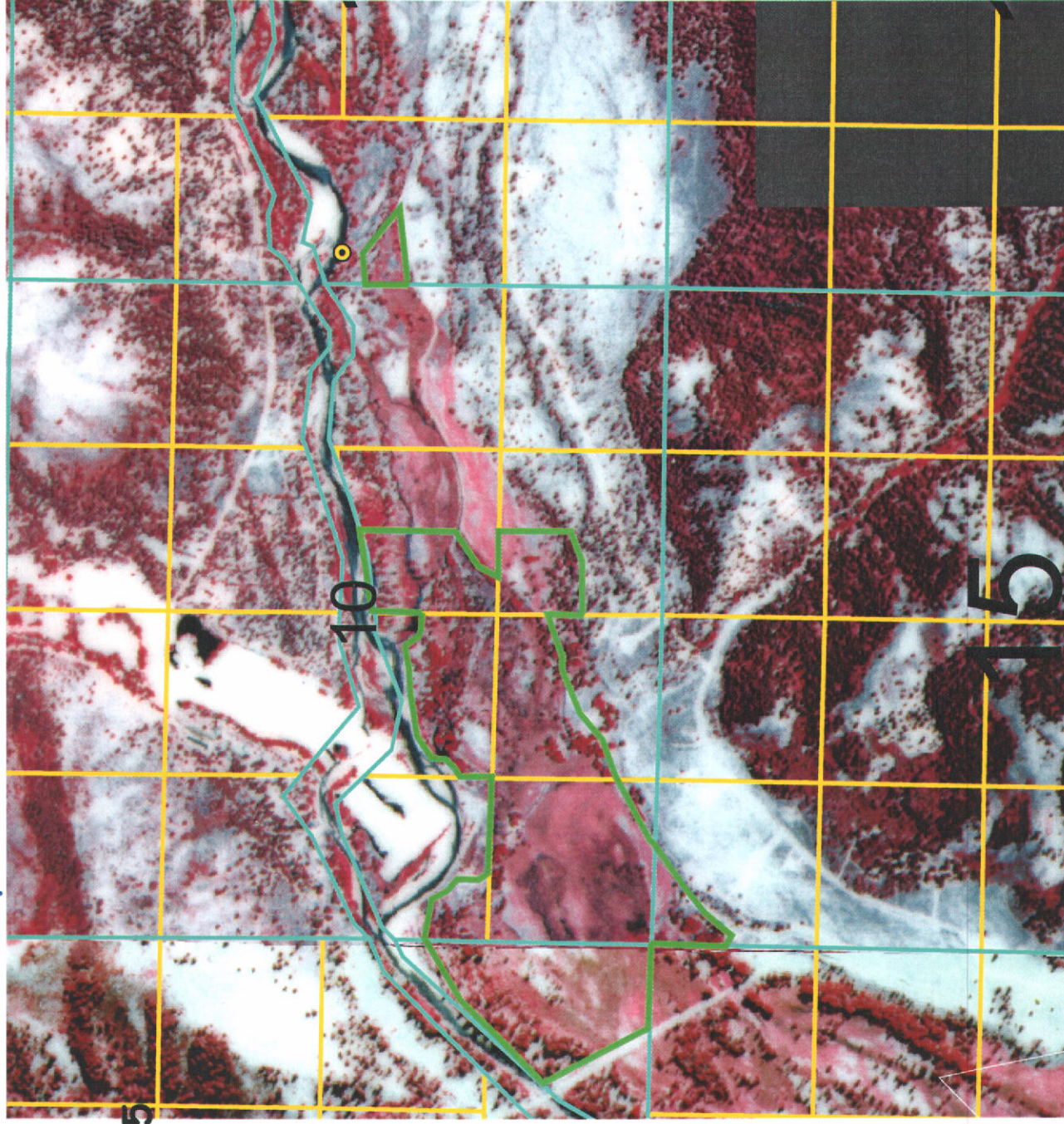
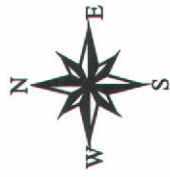
Acres Review analysis sheet

Claim #	T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
ickelson Farms	63-2114A	3N	10E	16		19										15	40	39	6
ot filed on	63-2114B	3N	10E	16												1			8
ickelson Farms	63-4005A	3N	10E	9														36	10
iller Farms	63-4005C																	26	
iller Farms	63-4005D																		
iller Farms	63-4005A	3N	10E	10												13	13	13	13
elaney	63-4005D															13	13	13	13
tone	63-4005G															13	13	13	13
arpenier	63-4005J															13	13	13	13
	63-4005K															13	13	13	13
iller Farms	63-4005A	3N	10E	11												2	29	21	21
iller Farms	63-4005D															2	29	21	21
ickelson Farms	63-4005A	3N	10E	15															
ickelson Farms	63-4005D																		
ickelson Farms	63-4005A	3N	10E	16		28	3	21	17							12	24	24	24
ickelson Farms	63-4005C					28	3	21	17							12	24	24	24
ickelson Farms	63-4005A	3N	10E	21		2	33	35	18							7	7	7	7
ickelson Farms	63-4005C					2	33	35	18							7	7	7	7
iller Farms	63-4005B	3N	10E	10												16	5	11	14
iller Farms	63-4005F															16	5	11	14
iller Farms	63-4005M															16	5	11	14
iller Farms	63-4005N															16	5	11	14
ickelson Farms	63-4005B	3N	10E	16		6	6	26	7							9	6	6	6
ickelson Farms	63-4005E					6	6	26	7							9	6	6	6
ickelson Farms	63-4005B	3N	10E	21		3	3	16	2										17
ickelson Farms	63-4005E					3	3	16	2										17

located Friedenberg
Hammett 63-5070

Claim No(s): 63-4005 D & F
 T03N, R10E, S 9, 10, 11, 15
 Prepared by: Sue Bock
 Date: 8/27/2001

- Place of Use
- Point of Diversion
- Section lines
- 1/4 1/4 lines



Idaho Dept of Water Resources

Claim No(s): 63-16940
T03N, R01E, S 2
Prepared by: Sue Bock
Date: 07/24/2002

● Point of Diversion

Place of Use

Section Lines

Quarter Quarter Lines



0 0.06 0.12 Miles

1987 NAPP

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 63-4005F
Date Received: 7/27/1989
Receipt No: C008611
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

TERRY D MILLER
1175 E 800 N
RUPERT ID USA 83350

Phone: (208) 531-5331

JOLENE R MILLER
1175 E 800 N
RUPERT ID USA 83350

Phone: (208) 531-5331

2. Date of Priority: 07/10/1963

3. Source: BOISE RIVER SOUTH FORK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot				County	Type
03N	10E	11	SW	SW	NW	4	ELMORE	
03N	10E	12	SW	NW	SW	9	ELMORE	

5. Description of diverting works:

5' ARCH PIPE, SCREW GATE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	4.36	

7. Total Quantity Appropriated is:
4.36 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
03N	10E	10	NE	SW	6	IRRIGATION	16
			NW	SW	5	IRRIGATION	5
			SW	SW		IRRIGATION	11
			NE	SE	8	IRRIGATION	7
			NW	SE	7	IRRIGATION	14
Section Acres						53	
Total Acres						53	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DB 4/15/2002

PORTION OF A63-04005B, SPLIT INTO: A63-04005E-MICKLESEN 7.57 CFS A63-04005F-MILLER 4.36 CFS SEE DECREE 63-V.

15. Basis of Claim: Decreed

RECEIVED

APR 04 2002

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-4005D					
63-4005F					

2. The following **REQUIRED** information must be submitted with this form:

- A. ☒ The appropriate **FILING FEE**. See instructions for fee amounts. ✓
- B. ☒ A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Miller Farms Research Inc.
4. New Owner/Claimant(s) Terry Miller and Jolene Miller
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1175 E 800N
- City, State and ZIP Code Rupert ID
- New Telephone Number (208) 531-5331
5. Date you acquired the property 05 Nov 1998

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Jerry Miller
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by IGB Date 4-4-02 Fee 0
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

1 After recording send to:

2 Brent C. Tingey
3 LING, NIELSEN & ROBINSON
4 Attorneys at Law
5 P.O. Box 396
6 Rupert, Idaho 83350-0396

Recording Information

7
8 QUITCLAIM DEED

9
10 FOR VALUE RECEIVED, MILLER FARM RESEARCH, INC., an
11 Idaho corporation does hereby release, remise, grant, bargain,
12 sell, convey and forever quitclaim unto TERRY MILLER AND JOLENE
13 MILLER, husband and wife, of 1175 E. 800 N., Rupert, Idaho
14 83350, the following described premises, to-wit:

15 See Exhibit "A" attached hereto and incor-
16 porated herein by reference.

17 together with their appurtenances.

18 DATED this 5th day of November, 1998.

19 MILLER FARM RESEARCH, INC.

20 By: Terry Miller
21 TERRY MILLER, President

22 ATTEST:

23 Jolene Miller
24 JOLENE MILLER, Secretary

EXHIBIT "A"

Lot 4, Evergreen Bluff, a Resubdivision of Lot 2, Featherville Acres Subdivision No. 3, situated in the NW $\frac{1}{4}$ of Section 20, T3N, R10E, Elmore County, Idaho according to the official plat thereof on file and of record in the office of the County Recorder of Elmore County, Idaho.

AND

A parcel of land situated in portions of Sections 9, 10, 15, and 16, Township 3 North, Range 10 East, Boise Meridian, Elmore County, Idaho, described as follows:

Beginning at the corner common to Sections 9, 10, 15 and 16, Township 3 North, Range 10 East, Boise Meridian, being a one-inch iron pin, thence S. 88°50' E. along the line common to said Sections 10 and 15 for a distance of 856.48 feet to a one-half inch steel pin;

thence S. 75°40'15" W. for a distance of 122.59 feet to a $\frac{1}{2}$ inch pin;
thence S. 53°59'15" W. for a distance of 239.18 feet to a $\frac{1}{2}$ inch pin;
thence S. 58°01'45" W. for a distance of 303.87 feet to a $\frac{1}{2}$ inch pin;
thence S. 28°13'30" W. for a distance of 667.26 feet to a $\frac{1}{2}$ inch pin;
thence S. 47°12'45" W. for a distance of 72.77 feet to a $\frac{1}{2}$ inch pin in the Northeasterly right of way fence of a county road; thence N. 32°57' W. along said Northeasterly right of way fence to the left bank of the South Fork of the Boise River; thence meandering in a Northeasterly direction upstream along the left bank of the South Fork of the Boise River as it flows through Section 9, to the section line common to Sections 9 and 10, Township 3 North, Range 10 East, Boise Meridian; thence S. 0°25' W. along said section line for a distance of 31.52 chains, more or less, to the REAL POINT OF BEGINNING.

Also including the following described property: All of Government Lots 5 and 6 and the West half of Government Lot 7, the South half of Southwest Quarter, the West half of the Southwest Quarter of the Southeast Quarter all in Section 10, Township 3 North, Range 10 East, Boise Meridian, Elmore County, Idaho.

Less a tract of land situated in the South half of Section 10, Township 3 North, Range 10 East, Boise Meridian, Elmore County, Idaho, more particularly described as follows:

Commencing at the South Quarter corner of said Section 10,

EXHIBIT "A"

Township 3 North Range 10 East, being the REAL POINT OF BEGINNING:

thence N. 87°51'20" W., a distance of 1731.06 feet;
thence N. 56°46'50" E., a distance of 494.36 feet;
thence N. 78°01'30" E., a distance of 228.85 feet;
thence N. 82°31'55" E., a distance of 352.24 feet;
thence N. 65°46'54" E., a distance of 808.81 feet;
thence S. 87°51'20" E., a distance of 649.11 feet;
thence S. 0°25'00" E., a distance of 760.67 feet;
thence N. 87°51'20" W., a distance of 649.11 feet to the Real Point of Beginning.

ALSO SAVE AND EXCEPT

A tract of land situated in the Northwest Quarter of the Northwest Quarter of Section 15, Township 3 North, Range 10 East, Boise Meridian, Elmore County, Idaho, and the Northeast Quarter of the Northeast Quarter of Section 16, Township 3 North, Range 10 East, Boise Meridian, Elmore County, Idaho, described as follows:

Beginning at the corner common to Sections 9, 10, 15 and 16, thence S. 31°30'21" E. a distance of 342.24 feet to a point being the REAL POINT OF BEGINNING;

thence S. 58°25'10" E., a distance of 119.06 feet to an existing property corner;
thence S. 08°24'00" W., a distance of 260.35 feet to an existing property corner;
thence S. 41°30'30" W., a distance of 433.85 feet;
thence S. 60°55'56" W., a distance of 69.66 feet to a point on the end of a curve and Northeasterly right of way of a county road;
thence N. 31°24'03" W., along the Northeasterly right of said county road a distance of 215.34 feet;
thence N. 38°45'15" E., a distance of 634.55 feet to the REAL POINT OF BEGINNING.

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: **A63-04005F**
Date Received: 7/20/1992
Receipt No: C008611
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: MILLER FARM RESEARCH INC 208-531-5441
Address: RT 4 BOX 4237
RUPERT ID 83350

2. Date of Priority: JUL 10, 1963

3. Source: BOISE RIVER, SOUTH FORK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	10E	11	SW	SW	NW	4	ELMORE
		12	SW	NW	SW	9	ELMORE

5. Description of diverting works:
5' ARCH PIPE, SCREW GATE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	4.360		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	10E	10	NE	SW	6	IRR	16.0
			NW	SW	5	IRR	5.0
			SW	SW		IRR	11.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	10E	10	NE	SE	8	IRR	7.0
			NW	SE	7	IRR	14.0
Section Acres							53.0
Total Acres							53.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
A63-04005D

14. Remarks:
PORTION OF A63-04005B, SPLIT INTO:
A63-04005E-MICKLESEN 7.57 CFS
A63-04005F-MILLER 4.36 CFS
SEE DECREE 63-V.

15. Basis of Claim: DECREED

Case Number: 5765

Court :

Decree date: / /

RIGGINS

Decree Plaintiff

AQUIRRE

vs Decree 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 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
_____ and that the statements contained in the
Organization foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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

----- Place of Use -----										-----	
Twp.	Rng	Sec	Tract	Lot	Acres	Code	Description			County	
03N	10E	10	NE SW	6	16.0	01	IRRIGATION			(39)	ELMORE
			NW SW	5	5.0					(39)	ELMORE
			SW SW		11.0					(39)	ELMORE
			NE SE	8	7.0					(39)	ELMORE
			NW SE	7	14.0					(39)	ELMORE
					53.0 TOTAL ACRES						
CHANGE IN OWNERSHIP											

④

This form is used for purposes of notifying IDWR of a change in ownership of an Adjudication Claim.

[] Water Right Number(s): 63-04005 B

[] Name and Address of Former Claimant(s): ROBERT D. BUCKNER

RT #1 Box 100

STAR, Idaho 83669

[] New Claimant(s): Miller Farm Research, Inc

[] New Mailing Address: RT #4 Box 4237

Rupert, Idaho 83350

[] New Telephone Number: (208) 531-5441

[] Does the change in ownership result in a spitting of the water right(s) claimed? ✓ Yes No
If yes, then describe the portion of the water right that is now claimed by the new owner(s):

[] Attach proof of ownership:
Describe proof attached: Warranty Deed/Legal Description
(Proof of ownership must describe either the property conveyed or include the claim number.)
(Proof of ownership is not required if this form is signed by the former claimant.)

[] Signature of New Claimant(s): Miller Farm Research, Inc
By Terry Miller, President

Date 14 July 1992

CHANGE IN OWNERSHIP

[] Signature of Former Claimant(s): _____

Date: _____

[Signature of former claimant(s) is not required if proof of ownership is attached.]

For IDWR use only:

Initial Review and Data-Entry: Date _____ By _____
Further Action Needed / Taken: Date _____ By _____
Final Review and Data-Entry: Date _____ By _____

Claim Numbers of Split, if any: _____

After form has been completed, please return to the nearest IDWR office below:

Western Regional Office
2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

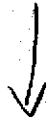
Eastern Regional Office
150 Shoup Suite # 15
Idaho Falls, Idaho 83402
(208) 525-7161

Southern Regional Office
222 Shoshone Street East
Twin Falls, Id 83301
(208) 734-3578

Northern Regional Office
1910 Northwest Blvd. Suite 210
Coeur D'Alene Idaho 83814
(208) 765-4639

IDWR State Office
1301 N. Orchard St.
Statehouse Mail
Boise, Idaho 83720
(208) 327-7906

A63-04005A
SPLIT



$$\begin{aligned} 2.99 \text{ CFS} / 334 \text{ ac} &= .008952/\text{ac} \\ \underline{1.16 \text{ CFS} / \text{stock}} \\ \underline{2.99 \text{ CFS}} \end{aligned}$$

A63-04005C Mikhelson $210 \text{ ac} \times .008952 = 1.88 \text{ CFS}$
1.08 stock
1.88

A63-04005D Miller $124 \text{ ac} \times .00895 = 1.11 \text{ CFS}$
1.08 stock
1.11

A63-04005B
SPLIT



A63-04005E Mikhelson $42 \text{ ac} \times .082275862 = 7.57 \text{ CFS}$
(11 ac expansion)
103 acres Total

A63-04005F Miller $52 \text{ ac} \times .082275862 = 4.36 \text{ CFS}$

MICROFILMED

AUG 19 1992

MEMO

FROM: Lori Graves

TO: A63-04005 Files

SUBJECT: Renumbering/splitting

The original statutory claim represents 941 acres. Decree 63-V only covers a portion of the original claim (Riggins and Aguirre property):

63-04005A-Riggins
04005B-Riggins
02144A-Riggins
02144B-Aguirre

The Riggins property was claimed in the SRBA by William Buckner. Mr. Micklesen and Mr. Miller purchased Mr. Buckner's property and filed for a change of ownership 7/16/1992. See warranty deeds in A63-04005C and D. Because of this property purchase and split, renumbering of adjudication claims was required for consistency.

A63-04005A: A63-04005C-Micklesen
A63-04005D-Miller

A63-04005B: A63-04005E-Micklesen
A63-04005F-Miller

Delaney filed on A63-04005G.

Stone originally filed on the C and D letters and then sold off some of his property to Cook/Walker, who filed on letters E and F. What a mess!

Because of the above transaction between Buckner, Micklesen and Miller, Stone's A63-04005C was renumbered to A63-04005H. This was then split to show the Stone, Cook/Walker transaction:

A63-04005H: A63-04005J-Stone's remaining portion
A63-04005K-Cook/Walker portion

Also, because of the above transaction between Buckner, Micklesen and Miller, Stone's A63-04005D was renumbered to A63-04005L. This was then split to show the Stone, Cook/Walker transaction:

A63-04005L: A63-04005M-Stone's remaining portion
A63-04005N-Cook/Walker portion

A question as to who has portions of the decreed right and who has portions of the same statutory right that is not part of the decree, will have to be determined in the SRBA exam and review.

See A63-04005C for copy of decree 63-V and original statutory claim 63-04005.

MICROFILMED
AUG 19 1992

SPLIT CLAIMS e 63-04005A

$$\text{DECREED Right} \frac{2.99 \text{ cfs}}{334 \text{ ACRES}} = .008952 \text{ cfs/AC} \\ (\text{e } 1/2 \text{ inch/AC})$$

SRBA CLAIMS TO DATE 63-04005 -
↓ Suffix
↓

<u>Suffix *</u>	<u>CLAIMANT</u>
E	Michelson
F	Miller
G	DeLaney
J	Stone
K	Walker - Cook
M	Stone
N	Walker - Cook
P	

NEXT Available →
Suffix if
add'l claim(s)
filed

[This info provided to Lois Morris e possible sale
of land in L. 4 (NWSW) S. 11 T3N R10E.]

* portions B, C, D, H & L replaced as splits continued.
portion I & N/A per dept standards.
portion and O

-JC 2/18/98

07/31/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4005F
NAME AND ADDRESS: TERRY D MILLER
1175 E 800 N
RUPERT ID 83350

JOLENE R MILLER
1175 E 800 N
RUPERT ID 83350

SOURCE: SOUTH FORK BOISE RIVER TRIBUTARY: BOISE RIVER
QUANTITY: 3.78 CFS
PRIORITY DATE: 07/10/1963
POINT OF DIVERSION:

T03N R10E S11 NWSW Lot 4 Within ELMORE County
T03N R10E S12 SWNWSW Lot 9 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	3.780 CFS
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.		

PLACE OF USE: IRRIGATION Within ELMORE County

T03N R10E S10 Lot 6 NESW	16.0	T03N R10E S10 Lot 5 NWSW	5.0
T03N R10E S10 SWSW	11.0	T03N R10E S10 Lot 7 NWSE	14.0

46 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: Decreed

02/28/2002

NOTICE OF ERROR
REPLY

RECEIVED

APR 04 2002

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 5, 2002

Water right number: 63-4005F

MILLER FARMS RESEARCH INC

1175 E 800 N

RUPERT ID 83350

Telephone Number: (208) 531-5441

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Quantity, Purpose and period of use, Place of use, only one diversion
Shown on map.

2. Describe the changes you wish to make in the proposed recommendation:

see attached pages

3. Give a brief explanation as to why you disagree with these portions:

not in harmony with water right enclosed

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 03 Apr 02

SIGNATURE: Terry Miller

Please print your name: Terry Miller

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

531-5124

02/28/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4005F
NAME AND ADDRESS: MILLER FARMS RESEARCH INC
1175 E 800 N
RUPERT ID 83350

SOURCE: SOUTH FORK BOISE RIVER TRIBUTARY: BOISE RIVER

QUANTITY: ~~3.280~~ CFS 4.36

PRIORITY DATE: 07/10/1963

POINT OF DIVERSION:

T03N R10E S11 NWSW Lot 4 Within ELMORE County only one diversion shown
T03N R10E S12 SWNWSW Lot 9 Within ELMORE County on map you sent

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	4.36 ~~3.280~~ CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MAY 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within ELMORE County

T03N R10E S10 Lot 6 NESW	16.0	T03N R10E S10 Lot 5 NWSW	5.0
T03N R10E S10 SWSW	11.0	T03N R10E S10 Lot 7 NWSE	14.0
		" " " " 8 WSE	7.0

53
46 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/15/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4005F

NAME AND ADDRESS: TERRY D MILLER
1175 E 800 N
RUPERT ID 83350

JOLENE R MILLER
1175 E 800 N
RUPERT ID 83350

SOURCE: SOUTH FORK BOISE RIVER

TRIBUTARY: BOISE RIVER

QUANTITY: 3.78 CFS

PRIORITY DATE: 07/10/1963

POINT OF DIVERSION:

T03N R10E S11 NWSW Lot 4 Within ELMORE County

T03N R10E S12 SWNWSW Lot 9 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	3.780 CFS
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MAY 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.		

PLACE OF USE: IRRIGATION Within ELMORE County

T03N R10E S10 Lot 6 NESW 16.0	T03N R10E S10 Lot 5 NWSW 5.0
T03N R10E S10 SWSW 11.0	T03N R10E S10 Lot 7 NWSE 14.0

46 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: Decreed

RIGHT NUMBER: 63-4005F

NAME AND ADDRESS: MILLER FARMS RESEARCH INC
RT 4 BOX 4237
RUPERT ID 83350

SOURCE: SOUTH FORK BOISE RIVER

TRIBUTARY: BOISE RIVER

QUANTITY: 3.78 CFS

PRIORITY DATE: 07/10/1963

POINT OF DIVERSION:

T03N R10E S11 NWSW Lot 4 Within ELMORE County

T03N R10E S12 SWNWSW Lot 9 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	3.780 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MAY 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

IRRIGATION Within ELMORE County

T03N R10E S10 Lot 6 NESW	16.0	T03N R10E S10 Lot 5 NWSW	5.0
T03N R10E S10 SWSW	11.0	T03N R10E S10 Lot 7 NWSE	14.0

46 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: Decreed

DIVERSION
VOLUME

$$\frac{270}{370}$$

Stage: DECEED

ELMORE County

三

SE SWSE SESE
AC Lt AC Lt AC

● ■

Other Rights: A63-04005D

Field Inspection Flag:
Presumption Flag:

$$145 \text{ acres} \times 11.93 \text{ acres} = 0.822575$$

Acres Review analysis sheet

Claim #	T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
ickelson Farms																			
not filed on																			
ickelson Farms iller Farms																			
iller Farms elaney lone arpenter																			
iller Farms																			
iller Farms																			
ickelson Farms																			
ickelson Farms																			
iller Farms lone arpenter																			
ickelson Farms																			
ickelson Farms																			

100 acres Filed on by
Hammert 63-5270

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LISTING OF WATER RIGHTS

INDICATES TOTAL										
SOURCE: BOISE RIVER, SOUTH FORK										
TRIBUTARY TO: BOISE RIVER										
RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT		
63-2144A	RIGGINS, LAWRENCE RT. 8, BOX 293 CALDWELL, ID 83605	11/17/1910	IRRIGATION	4/10 10/15	2.79 CFS	LOT 9 (NWSW) S12 T3N R10E	LOT 1 (NWESE)(19) NESE(15) NWESE(40) SWSE(39) SESE(06) S16 T3N R10E #119*	LICENSE		
63-2144B	JOSEPH AGUIRRE 535 E. JACKSON MOUNTAIN HOME, ID 83647	11/17/1910	IRRIGATION	4/15 10/15	.41 CFS	LOT 9 (NWSW) S12 T3N R10E	NESE(1) SESE(8) #9*	LICENSE		
63-4005A	RIGGINS, LAWRENCE RT. 8, BOX 293 CALDWELL, ID 83605	6/01/1911	IRRIGATION	4/15 10/15	2.99 CFS	LOT 9 (NWSW) S12 T3N R10E LOT 4 (NWSW) S11 T3N R10E		BENEFICIAL USE		
			STOCKWATER	1/01 12/31	11.00 AFA .19 CFS *2.99 CFS		SAME AS OTHER USE			
			PLACE OF USE: T3N R10E S09 LOT 3 (SESE)(36) S10 LOT 6 (NWSW)(02) SWSW(29) SESE(21) LOT 7 (NWESE)(13) SWSE(13) LOT 8 (NWESE)(13) S11 LOT 4 (NWSW)(02) S15 NW1/4(05) S16 NE1/4(28) S21 NE1/4(02) NWESE(33) LOT 4 (SWNE)(21) SESE(17) LOT 5 (NWSW)(12) LOT 8 (SESW)(24) #134*							
63-4005B	RIGGINS, LAWRENCE RT. 8, BOX 293 CALDWELL, ID 83605	7/10/1963	IRRIGATION	4/15 10/15	11.93 CFS	LOT 9 (NWSW) S12 T3N R10E LOT 4 (NWSW) S11 T3N R10E		BENEFICIAL USE		
			PLACE OF USE: T3N R10E S10 LOT 5 (NWSW)(05) SWSW(11) LOT 6 (NWSW)(16) LOT 7 (NWESE)(14) LOT 8 (NWESE)(07) S16 NE1/4(06) LOT 4 (SWNE)(26) LOT 5 (NWSW)(09) LOT 8 (SESW)(06) SESE(07) S21 NWESE(03) LOT 4 (SWNE)(16) LOT 1 (NWSW)(02) LOT 5 (NWESE)(17) #145*							

Memo to Files : 63-2114 A/B, 63-4005-A-N

From: Sue Bock

Date: 8/23/01

These rights were affirmed and decreed June 22, 1981 by Judge Rowett, see 63-V. Because the fieldwork was done in 1980 and the 1987 photography is what the SRBA is basing use on, no field exam is needed unless it does not appear irrigated in the 1987 photos. It looks like there is more irrigation on the 1987 photo than what was decreed. I will try to find original file with fieldwork notes to determine if some of the acres were irrigated at the time, but left off. If this were the case the claimants could file a b.u. claim if prior to 1971 for the acres. If developed after the 1980 field exam, but prior to 1987, an expansion claim would be needed.

Each file should have an acres review analysis sheet. For the most part all the acres lined up as decreed. The exceptions are as follows:

Sec 10

NESE – govt lot 8 was filed on by Miller and Carpenter (purchased from Stone). According to the warranty deed the West ½ of lot 8 went to Stone. Miller's deed did not mention lot 8. From 63-4005B the 7 decreed acres are in the West ½. From 63-4005A it looks like most of the 13 acres are in the West ½

NWSE – govt lot 7 was filed on by Miller and Stone. According to warranty deed, Miller got the W ½ and Stone the E ½. 63-4005A – 13 acres goes to Stone and 63-4005B – 14 acres goes to Miller.

SWSE filed on by Miller, Delaney, and Stone. Miller got the W1/2 and Stone the E ½, no information to support Delaney's claim to 27 acres, nor 25 acres in the SESE.

Sec 11

It appears that Miller filed in error for 2 acres in the NWNW, this should have been the NWSW.

Sec 21

Mickelson Farms filed on 11 acres in the SENW, nothing was decreed in this area.

Determination of where irrigated acres fell within the ¼ ¼ was based on blue line map attached to the decree.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

ADJUDICATION CLAIM VERIFICATION REPORT

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PROFILE REPORT

**OWNER
CODE**

NAME & ADDRESS

C MILLER FARMS RESEARCH INC

RT 4 BOX 4237

RUPERT ID 83350

(208) 531-5441

Water Source: BOISE RIVER, SOUTH FORK

Tributary to: BOISE RIVER

Point(s) of Diversion:

T03N R10E S11 Lot04(SWSWNW)

\$12 Lot09(SWNSW)

Place of use Legal Description for: IRRIGATION

FIN

NENE NWNE SWNE SENE

t AC Lt AC Lt AC Lt AC

[illegible]

POU County: ELMORE

Non-Irrigation Uses: STOCKWATER INCIDENTAL TO IRRIGATION

Other Rights: A63-04005D

Remarks: PORTION OF A63-04005B, SPLIT INTO:

A63-04005E-MICKLESEN 7.57 CFS

A63-04005F-MILLER 4.36 CFS

SEE DECREE 63-V.

Dates: _____

Verified Date:

Misc:

Field Inspection Flag:

Presumption Flag:

This claim is based on G3-4005B.
POU appears to be the same as 4005B.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:49:12
09/12/94

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QUICKLOOK INFORMATION

33
CLAIM NUMBER: A63-04005F

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	ELEMENT DOCUMENTED WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y							
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

L. Werner
9-13-94

BARCODE UPDATED
WHOM/DATE

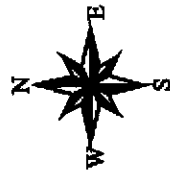
Claim No(s): 63-4005 D & F
T03N, R10E, S 9, 10, 11, 12
Prepared by: Sue Bock
Date: 8/27/2001

☐ Place of Use

● Point of Diversion

☐ Section lines

☐ 1/4 1/4 lines



600 0 600 1200 Feet



Idaho Dept of Water Resources

Claim No(s): 63-16940
T03N, R01E, S 2
Prepared by: Sue Bock
Date: 07/24/2002

● Point of Diversion



Place of Use



Section Lines



Quarter Quarter Lines



0 0.06 0.12 Miles

1987 NAPP