

Notes

9/28/06 Public Meeting Lisa McDonald came to the public meeting in response to our NOE & ADR. Permit 239.55 is W/R 24-2042. They need to file on the W/R in the SRBA or they will lose it.

Lisa McDonald 1-801-244-2293 cell.

Linda Young, gen. Partner 1-801-485-3447 hm.

10/2/06 12:30pm I spoke with a gentleman at Linda's house and gave him the W/R #, our website and the fees \$100 flat + \$2 - /acre.

Also left a message for Lisa to call me in reference to this permit. CR

CLAIM REVIEW: 24-10695

March 17, 2006

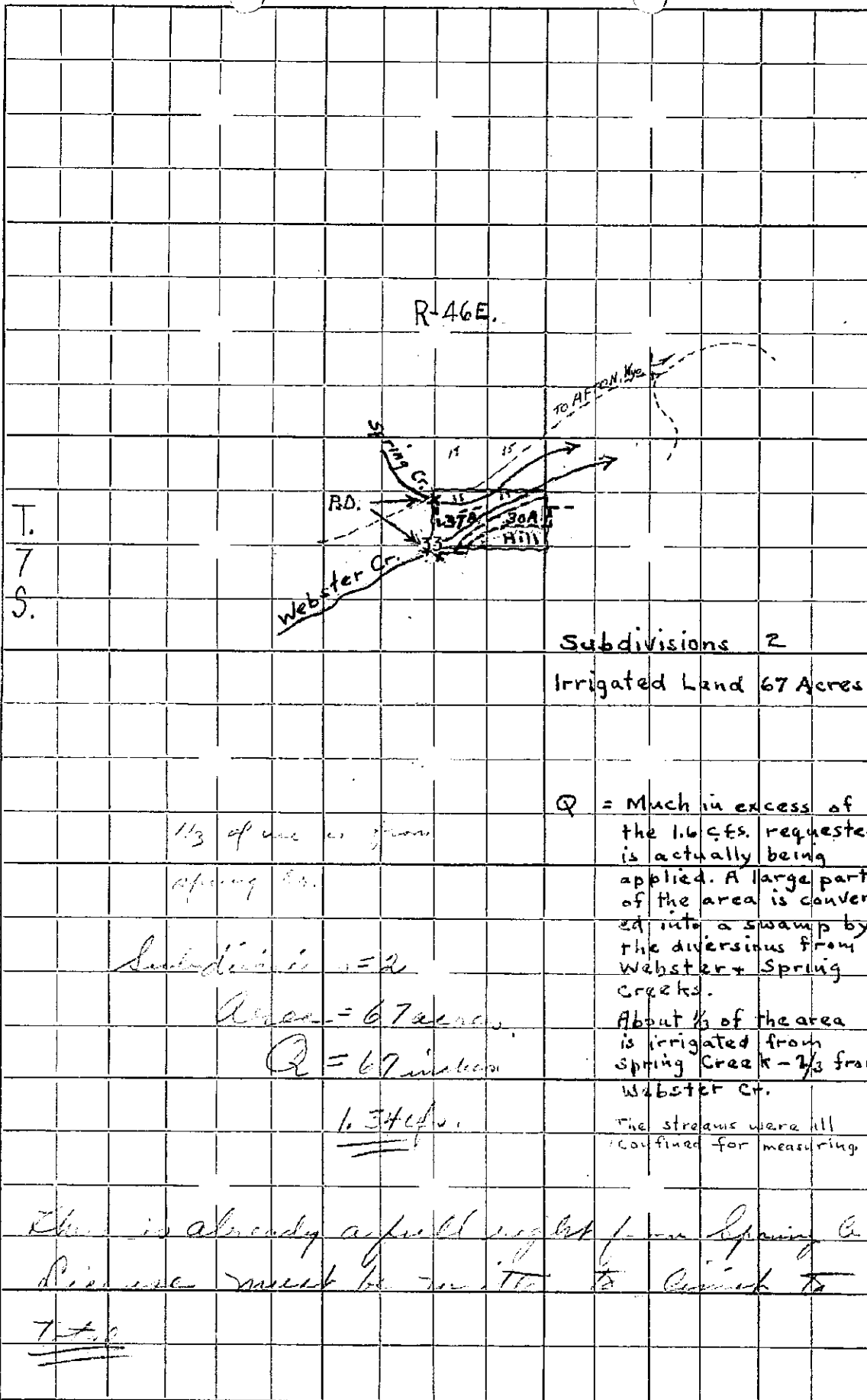
By: Cindy Bird

The basis of this claim was filed as a permit. The claimants filed on the permits diversion rate of 1.6 cfs. This permit was perfected into a license for irrigation under 24-2042 for 1.34 cfs on 67 acres. It also listed domestic but on these old licenses they usually didn't develop the domestic. They claimed stock water and domestic in the S1/2NE.

The comments on the claimants Notice of Claim form states that "Currently no households being served but will maintain 1953 permit for irrigation and domestic purposes." Therefore, I'm only recommending stock water. Also I feel that it is probably in-stream stock watering because of the way the claimants listed the points of diversion. "S1/2NE of section 33".

The license was not issued for stock water. The stock water claimed under this claim number is therefore a separate beneficial use right. It is not associated with the license at all. Also, the claimants only paid a \$25.00 filing fee that would restrict the diversion rate to the 13,000 gpd and 0.02 cfs. So I'm recommending this as a separate beneficial use claim with not association to the license.

Furthermore, license 24-2042 has no SRBA filing. If they want to file on 24-2042 it will require a separate claim with the basis as LICENSE.



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

23955

State of Idaho **License and Certificate of Water Right**

Water License No. 23955

Amount 1.34 c.f.s.

Water District No.

Priority March 30, 1953

THIS IS TO CERTIFY that GEORGE C. MILLER of Thayne, Wyoming, made application for a permit to appropriate the public waters of the State of Idaho, dated March 30, 1953; that Permit No. 23955 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.6 second feet, was issued thereunder on May 18, 1953, showing that said works were completed on the 30th day of April, 1953; and that on the 15th day of June, 1953, GEORGE C. MILLER

of Thayne, State of Wyoming, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Webster Creek, a tributary of Tygee Creek, for the purpose of Irrigation and domestic use, under Use Permit No. 23955 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 11 of Licenses at page 6532, on the 18th day of November, 1958; The right hereby confirmed dates from March 30, 1953;

The Point of Diversion is located

in the SE 1/4 NW 1/4, Sec. 33, Tp. 7 S., R. 46 E., B. M. County Caribou

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.34 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S.	46 E.	33	SE 1/4 NE 1/4 SW 1/4 NE 1/4	40 40	30 37
Total number of acres irrigated - - -					67
Inasmuch as the lands described above have heretofore been granted a licensed water right in amount 1.52 cubic feet per second from Spring Creek by Water License No. 7103, the water right from Webster Creek evidenced by this water license shall not operate to supply at any time to the irrigated land in the SE 1/4 NE 1/4 of Section 33, Township 7 South, Range 46 East, B.M., a total amount of water greater than at the rate of one miners inch per acre from the two rights.					

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

18th day of November, 1958.

/s/ Geo. N. Carter
State Reclamation Engineer.

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 23955This proof is for Beneficial Use In Water District No. _____

1. Name of applicant George C. Miller
2. Source of water supply: Webster Creek
3. Location of point of diversion: Is in the SE 1/4 of Section 33
T. 7 S R. 46 E., B. M. County of Caribou
4. Describe works as they exist, giving dimensions and capacities of same: Wooden check and headgate at point of diversion - 4' x 4' opening - capable of discharging 10+ cfs.
5. Water is used for: Irrigation and domestic
6. State whether or not water has been turned into works of diversion: Yes.
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SE 1/4 of Sec. 33., Twp. 7 S., Rge. 46 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Stump Cr. - Salt River

Remarks: The Sept. 9 '58 examination was made with Mr. Geo. C. Miller. The development is wild pasture. There actually 2 diversions - one from Spring creek and the other from Webster Cr.

See Permit # 7103 Page 171

This examination was made on the 9 day of Sept, 1956

(Signed)

James H. Mark
Examiner.

23955

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 24-2042

WATER RIGHT NUMBER: 24-2042

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GEORGE C MILLER 228 N 250 W JEROME, ID 83338 (208)324-8684

Priority Date: 03/30/1953

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
WEBSTER CREEK	TYGEE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.340 CFS	
DOMESTIC	/ to /		
	<u>Total Diversion:</u>	1.340 CFS	

Location of Point(s) of Diversion

WEBSTER CREEK	SE1/4NW1/4	Sec. 33, Twp 07S, Rge 46E, B.M.
CARIBOU County		

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	
07S	46E	33			37.0	30.0													67.0

Total Acres: 67

DOMESTIC same as IRRIGATIONConditions of Approval:

1. INASMUCH AS THE LANDS DESCRIBED ABOVE HAVE HERETOFORE BEEN GRANTED A LICENSED WATER RT. IN AMOUNT 1.52 CFS FROM SPRING CK. BY WATER LIC. NO. 7103/24-2016, THE WATER RIGHT FROM WEBSTER CK. EVIDENCED BY THIS WATER LIC. SHALL NOT OPERATE TO SUPPLY AT ANY TIME TO THE IRRIGATED LAND IN THE S1/2, NE1/4 OR S33, T7S, R46E, B.M., A TOTAL AMOUNT OF WATER GREATER THAN AT THE RATE OF ONE MINERS INCH PER ACRE FRO THE TWO RTS.
2. 016 See remarks for additional conditions of approval.

Remarks: