

11/14/2006

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

RIGHT NUMBER: 24-2042

NAME AND ADDRESS: LISA M McDONALD
1180 E 1150 S
SPRINGVILLE UT 84663

THE GLENN C MILLER FLP
3041 KENWOOD ST
SALT LAKE CITY UT 84106

SOURCE: WEBSTER CREEK

TRIBUTARY: SPRING CREEK

QUANTITY: 1.120 CFS

PRIORITY DATE: 03/30/1953

POINT OF DIVERSION:

T07S R46E S33 NWNWSE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 09/15	1.120 CFS

PLACE OF USE: IRRIGATION in CARIBOU County

T07S R46E S33	NENE	7.00	T07S R46E S33	SWNE	25.00
T07S R46E S33	SENE	24.00			

56 ACRES TOTAL

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

The remainder of this right was forfeited for non-use from 1987 to 2006.

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 - License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

License #23955

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

10/31/2006

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PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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1180 E 1150 S
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THE GLENN C MILLER FLP
3041 KENWOOD ST
SALT LAKE CITY UT 84106

SOURCE: WEBSTER CREEK
QUANTITY: 1.120 CFS
PRIORITY DATE: 03/30/1953
POINT OF DIVERSION:

TRIBUTARY: TYGEE CREEK

Spring creek

T07S R46E S33 NWNWSE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 09/15	1.120 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

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Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

License #23955

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

fixed 1/10/06 CB

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 24-2042
Date Received: 10/27/2006
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LISA M MCDONALD Phone: (801)244-2293
1180 E 1150 S
SPRINGVILLE UT USA 84663

THE GLENN C MILLER FLP Phone: (801)485-3447
3041 KENWOOD ST
SALT LAKE CITY UT USA 84106

2. Date of Priority: 03/30/1953

3. Source: WEBSTER CREEK Trib. to: TYGEE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	46E	33	SE NW	CARIBOU	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	09/15	1.34	

7. Total Quantity Appropriated is:
1.34 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
07S	46E	33	SW	NE		IRRIGATION	37
			SE	NE		IRRIGATION	30
Section Acres							67
Total Acres							67

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

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.

See remarks for additional conditions of approval.

15. Basis of Claim: License

Form No. 42-1409 (2) a 1/88 (Internet)

IN 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 RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39576
Ident. Number 24-2012
Date Received 10-27-06
Receipt Number B000027 \$100

CB

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Glenn C. The Miller F.L.P. Phone (801) 485-3447Mailing Address 3041 Kenwood St. Salt Lake City Zip 841062. Date of Priority (Only one (1) per claim) 3-30-1953 UT.3. Source of water supply (a) Webster Crk
which is tributary to (b) Tyger Creek4. a. Location of existing point of diversion is: Township 7S Range 46E Section 33,
SW 1/4 of SW 1/4 of NE 1/4, Govt. Lot, B.M., County of CaribouAdditional points of diversion if any: SE SW NE Sec. 33 T7S R46E

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. ditches

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 5/1 to 9/15 amount 1.34 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.34 (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.) _____

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	
7S	46E	33			37	30													67

Total number of acres irrigated 6711. In which county (ies) are lands listed above as place of use located? Caribou12. 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.
24-2016 or None ()

14. Remarks:

Last Name Miller Ident No. 24-2042

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Water Right Number(s): 24-2016, 2042, 10757, 10695.

Previous Mailing Address: 3041 Kenwood St.
Salt Lake City, UT 84106.

New Mailing Address: add: leave the 3041 Kenwood St.
c/o Lisa M. McDonald
1180 E. 1150 S.
Springville, UT 84663

Telephone Number: (801) 244-2293

Signature of all Claimant(s): *Lisa M. McDonald*
Please print your name below your signature.
Lisa M. McDonald

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or
FAX 208/525-7177

Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701

SS
ADDRESS FM.doc
Revised 12/3/04

IDWR Use Only:
Data Entry: _____

Date: _____

Received Time Oct. 27. 12:24PM

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 24-2012
Date Received 10-27-06
Receipt Number B000027 \$100

CB

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Glenn C. The Miller F.L.P. Phone (801) 485-3417
Mailing Address 3041 Kenwood St. Salt Lake City Zip 84106

2. Date of Priority (Only one (1) per claim) 3-30-1953 UT.

3. Source of water supply (a) Webster Crk
which is tributary to (b) Tygie Creek

4. a. Location of existing point of diversion is: Township T7S Range 46E Section 33,
SW 1/4 of SW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Caribou

Additional points of diversion if any: SE SWNE Sec. 33 T7S R46E

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. ditches

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 5/1 to 9/15 amount 1.34 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.34 (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.) _____

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	
<u>7S</u>	<u>46E</u>	<u>33</u>			<u>37</u>	<u>30</u>													<u>67</u>

Total number of acres irrigated 67

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

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. 24-2016 or None ()

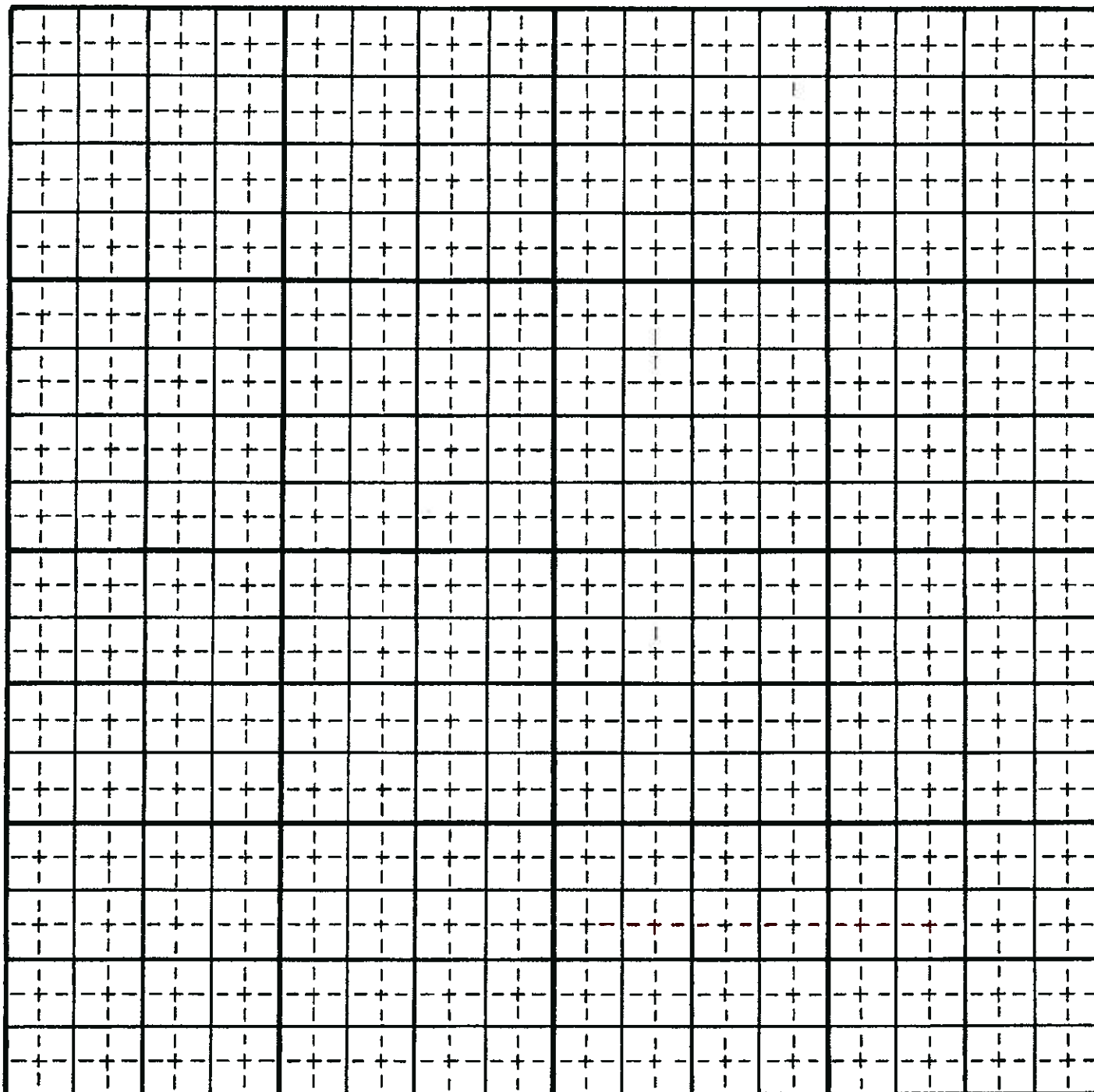
14. Remarks:

Last Name Miller Ident No. 24-2042

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. 24-200/2.

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X 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) _____ Date _____

_____ Date _____

*For Organizations: I do solemnly swear or affirm that I am Limited Partner
Title _____

The Glenn C. Miller Family Limited Partnership that I have signed the foregoing
Organization _____

document in the space below as Limited Partner of GCM, FLP
Title _____ Organization _____

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

Signature of Authorized Agent Paul McDonald

Title and Organization Limited Partner, GCM FLP Date 10-27-06

State of Idaho/or _____)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 27th day of October, 2006 19__



Notary Public Cindy E. Bird

Residing at Lava Hot Springs

My Commission Expires May 1, 2007

Please Print Name

Cindy E. Bird

17. Notice of Appearance:

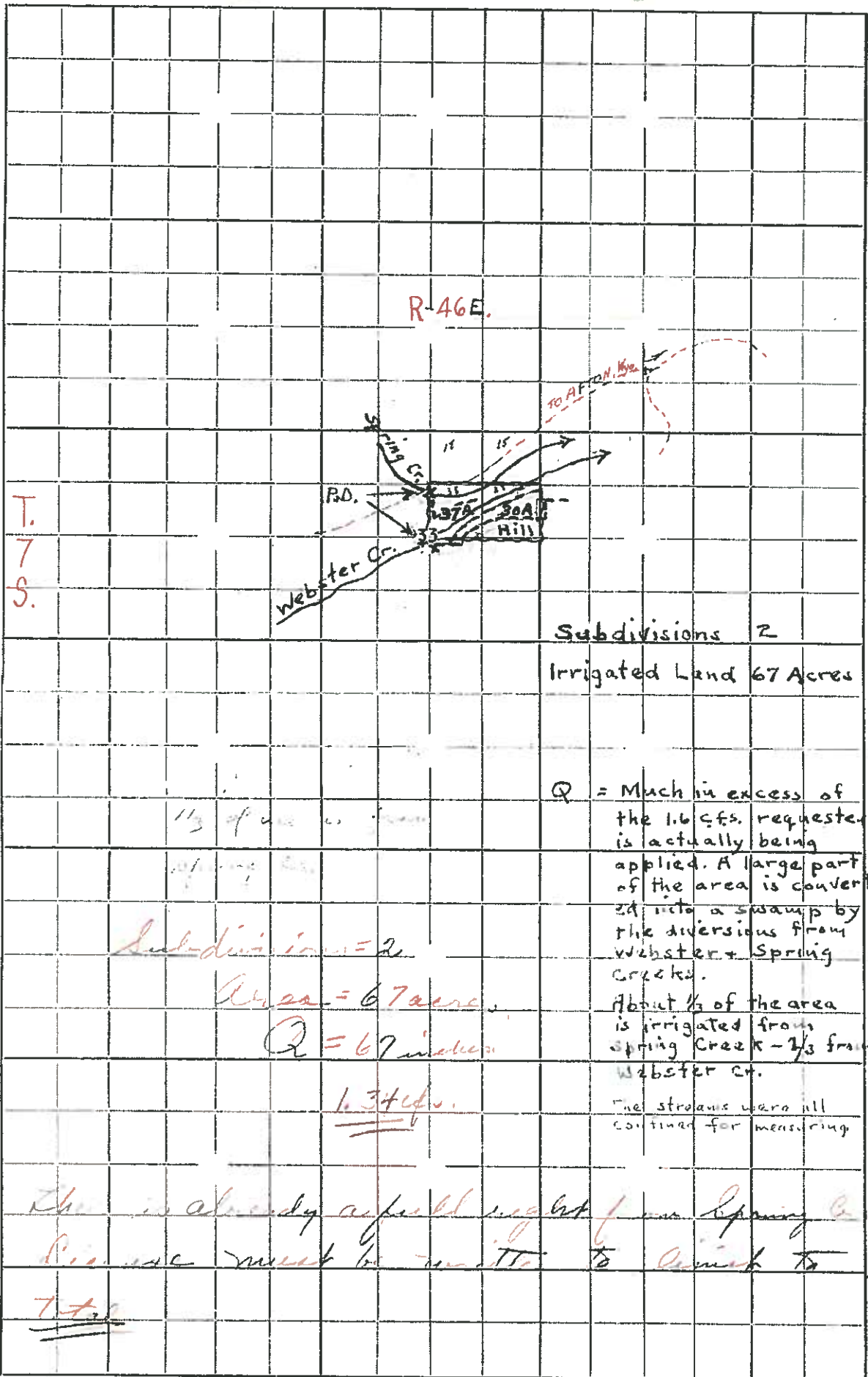
Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

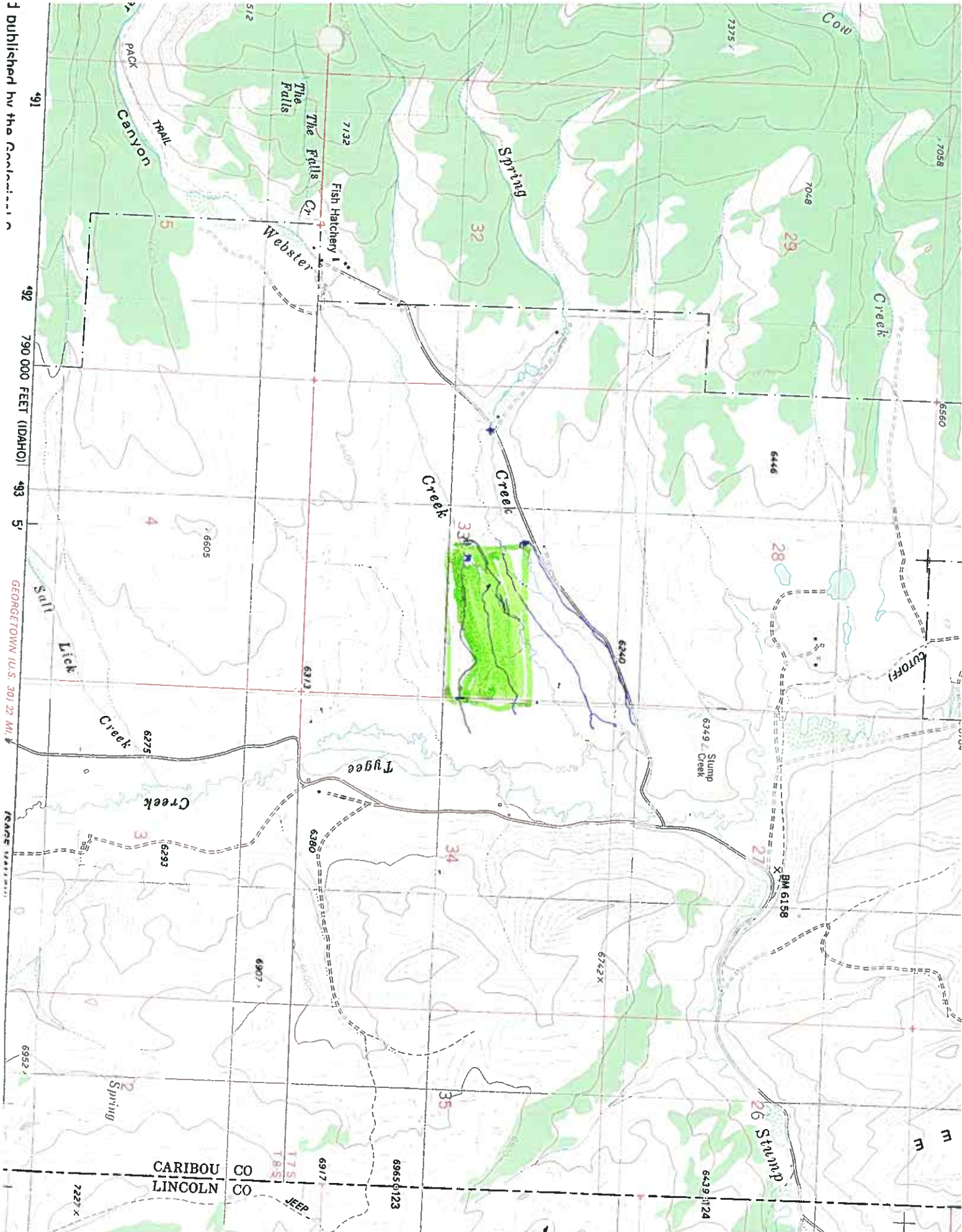
Signature _____

Address _____

Date _____

Last Name Miller Ident. Number 24-2042





Published by the National Geographic Society

CARIBOU CO
LINCOLN CO

785
JEEP

69650123

6742X

6439124

26 Stump

BM 6158

Stump
6349 Creek

6240

33

Creek

Tygee

6380

6373

Fish Hatchery

7132

The Falls Cr.

512

PACK
Canyon

Creek

6275

Spring

7227X

F F

11/01/2006

NOTICE OF ERROR
REPLY

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:

Water right number: 24-2042

LISA M MCDONALD

1180 E 1150 S

SPRINGVILLE UT 84663

Telephone Number: (801)244-2293

THE GLENN C MILLER FLP

3041 KENWOOD ST

SALT LAKE CITY UT 84106

Telephone Number: (801)485-3447

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

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

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

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

DATE: 11-9-06 SIGNATURE: 
Please print your name: Lisa McDonald

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161



Idaho Department of Water Resources

SRBA Recommendation:

24-2042

(Irrigation)

Legend

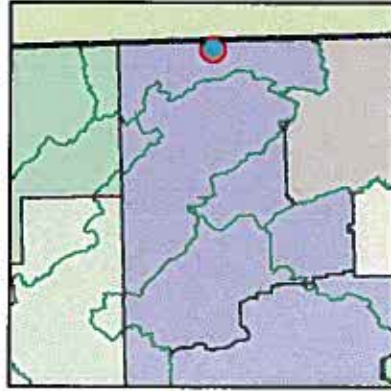
☉ Point of Diversion

▭ Place of Use

▭ Townships

▭ PLS Sections

▭ Quarter Quarters



Caribou County
IDWR Basin 24



R46E

NENE

SENE

SWNE

T07S

30

0 0.2 0.4 Miles



Prepared by A. Golart
On Tuesday, October 31, 2006
1987/88 Aerial Photography

POD - 2739543 09646E S37
1289704 SE SE NW

24-2016

24-2042

Hill

Claim split along Spring Creek ditch
that is identified by dot line
North of ditch - 24-2016
South of ditch - 24-2042



This photo captures northern portion of NENE of section 32 with Spring Creek. The photo was taken from the hatchery road looking east. You can see the homestead building on the 2004 imagery.



Photo was taken from the same spot as above with photo viewing south and contains the S1/2 NE.



This view is west toward the hatchery and contains the POU.



POD (2738543-x 1289804-y) facing east (07S 46E S33 SE SE NW).



This is Spring Creek and view is just downstream of where it passes under the road facing southeast. POD (07S 46E S33 SE SE NW).