

10/17/2006

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

RIGHT NUMBER: 63-3584

NAME AND ADDRESS: MILLER LAND CO INC
BOX 59
MELBA ID 83641

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.190 CFS
567.00 AFY

PRIORITY DATE: 02/21/1967

POINT OF DIVERSION:
T01N R02W S21 SENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	2.190 CFS 567.00 AFY
The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 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 CANYON County

T01N R02W S21	NENE	40.00	T01N R02W S21	SENE	38.00
T01N R02W S21	NESE	28.00	T01N R02W S21	SESE	20.00
126 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 - License



Idaho Department of Water Resources

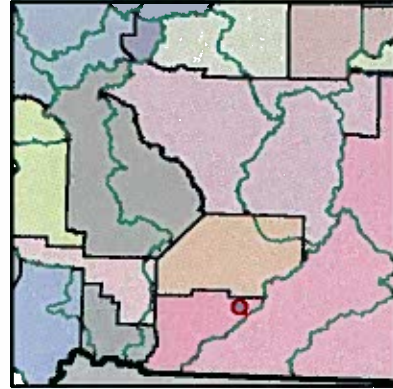
SRBA Recommendation:

63-3584

(Irrigation)

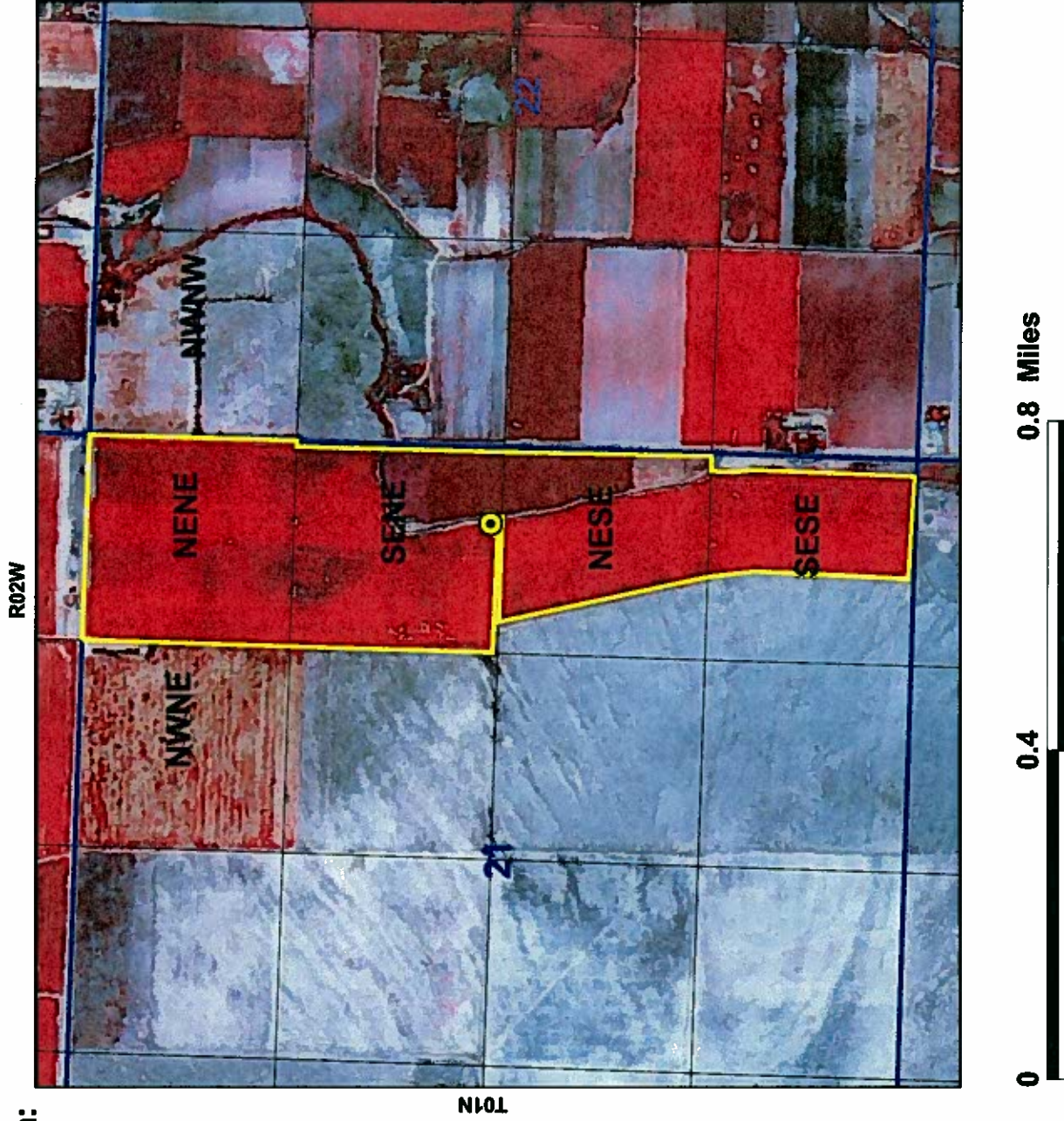
Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by M. Ciscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography



DIVERSION
VOLUME

567.00 AFA

567.00 AFA

Stage: LICENSE

CANYON County

126.0

Objection Filed Date:

Field inspection flag:
Presumption flag:

Audit:	02/14/92	WERNER	08/24/92	SHURTE	03/30/95	PDST-STD
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63- 1

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41721
Permit No. G- 33481
District No.

1. Name of Applicant: John W. Miller
Postoffice address: Route #1, Melba County: Canyon State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 4.8 or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the ~~near the center of the E 1/4 of the~~ ~~1/4 of the~~ 1/4 of Section 21
Twp. 1 N , Rge. 2 W , B.M., County of Canyon
5. Water is to be used for: irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: well, pump and sprinkler system
8. Estimated cost of works: \$ 20,000.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is
years. 5
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Boise-Kuna water on 16 acres below the canal.
 - (a) 16 (~~cubic feet per second~~ inches ~~or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 224 (~~cubic feet per second~~ inches ~~or gallons per minute~~) is for new lands.

Remarks:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

/s/ JOHN W. MILLER Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: February 21, 1967 10:20 A.M.

Returned to applicant for correction:

Correction application received:

Approval of State Reclamation Engineer

The number of this permit is G— 33491

Recorded in Book 117 Page 33491 Approved February 23, 1967.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before

and to continue diligently and uninterruptedly to completion, unless

temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before August 23, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before February 23, 1972

Witness my hand this 23rd day of February, 1967.

/s/ R. KEITH HIGGINSON
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, DON SAMUELSON, Governor of the State of Idaho, and EDSON H. DEAL, Secretary of State of the State of Idaho, have caused this instrument to be executed in the named of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 23rd day of February, 1967

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ DON SAMUELSON Governor

By /s/ EDSON H. DEAL Secretary of State

12.

Twp.	Range	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	
1 N	2 W	21	X			X									X	X	X	X	240

LICENSE ISSUED FOR 2.17 SEC. 17.
LICENSE PAGE NO.

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33481/63-3584 Priority Feb. 21, 1967 Amount 2.19 cfs

THIS IS TO CERTIFY, that JOHN W. MILLER
of Melba, Idaho, has complied with the terms and conditions of Permit
No. 33481/63-3584 issued pursuant to Application for Permit dated February 21, 1967
and has submitted proof to the Department of Water Administration on March 1, 1971
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.19 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 2.19 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 2.19 cfs of water be diverted at
any one time, said waters to be diverted within the _____
SE 1/4 NE 1/4 Sec. 21, Twp. 1 N, Rge. 2 W, B. M.
in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 567 acre feet per year or _____
4.5 acre feet per acre.

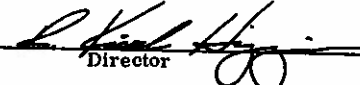
Description and location of place of use:

TWP.	RANGE	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	
1 N	2 W	21	40			38									28			20	126

Total number of acres irrigated 126

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6th day of
February, 19 73.


Director

63 3594

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder John W. Miller
Post office address Route #1, Melba, Idaho Phone _____
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ Subterranean
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 4.8 c.f.s. for Irrigation
AF/Annum (nature of use)

Period of Use: from March 1 to November 1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 4.8 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 1 N N/S, Range 2 W E/W, B.M., Section 21, Subdivision E 1/2 ~~W 1/2~~ ~~SW 1/4~~ Canyon
County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision 1/4 1/4,
County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision 1/4 1/4,
County _____

Other Points of Diversions: _____

Description of diverting works: A 720 G.P.M. pump with 75 h.p. motor. Well casing is 16" and well depth is 365'.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	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	
1 N	2 W	21	XX			XX									XX	XX	XX	XX	240

TOTAL ACREAGE

240

Permit No. G-33481/63-3584
Examination for B/U

ADJUDICATION CLAIM CHECKLIST

FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION		FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	NOTICE OF CLAIM NO. 463-03584
WR ELEMENT							"R" RECORD
PRIORITY*							
PT. OF DIV.							
SOURCE							DATA ENTRY COMPLETED BY DATE
PL. OF USE							
DIV. AMOUNT CFS/AF							FINAL RECOMMENDATION BY DATE
CONSUMPTIVE USE							
NATURE OF USE							
PERIOD OF USE							
BASIS OF CLAIM							
REMARKS							

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES NO

VERIFICATION CODES

TOPO MAP/ORTHOGRAPHO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE COMMENTS) = 6

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: Claimed as licensed. 63-11772 is located in application for different lands,
but possibly same well.

IDaho DEPARTMENT OF WATER RESOURCES					DATE: 06/20/95
WATER RIGHT PROFILE REPORT					PAGE: 35
OWNER	NAME & ADDRESS	PRIORITY	WATER USE	USE PERIOD	DIVERSION
CODE		DATE		FROM TO	RATE VOLUME
C	JOHN W. MILLER RT. 1 MELBA ID 83641	✓ 02/21/1967	✓ IRRIGATION	03-15 11-15	✓ 2.190 CFS ✓ 567.00 AFA
TOTAL DIVERSION:					✓ 2.190 CFS ✓ 567.00 AFA

[illegible]

Pou County: CANYON

Other Water Rights with Same Point(s) of Diversion and Source:
63-11772 M63-11772

Dates:	App. Received:	Priority Date:
	Proof Due Date:	Proof Made Date:
	Exam Made Date:	Exam Sent to S.O.:
	Licensed Date:	
	09/12/1979	
Misc:	Water District Number:	Field Exam Fee:
Audit:	04/23/85	05/01/88 CONVERT

FIELD REPORT

3. Water will be used for the following purposes:

Period of Use: from March 1 to November 1
(mo-day) inclusive (mo-day)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Period of Use: from _____ to _____
(mo., day) Inclusive (mo., day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion, 4.8 cubic feet per second and annual volume, AF/Annum.

5. Location of Point(s) of Diversion:

Township 1 N S. Range 2 W E.W. B.M. Section 21 Subdivision E¹ ~~xx~~ E¹ ~~xx~~ Canyon County

Township N 5 Range E 4 B.M. Section 14 Subdivision 1/4 1/4 County

Township _____ N/S, Range _____ E/W, B.M., Section _____ Subdivision _____ 1/4 _____ 1/4 _____ County _____

Other Points of Diversion:

Description of diverting work: A 720 G.P.M. pump with 75 h.p. motor. Well casing is 16" and well depth is 3651.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

68 358 TOTAL ACREAGE 240

R. 200 Canyon County 63 355

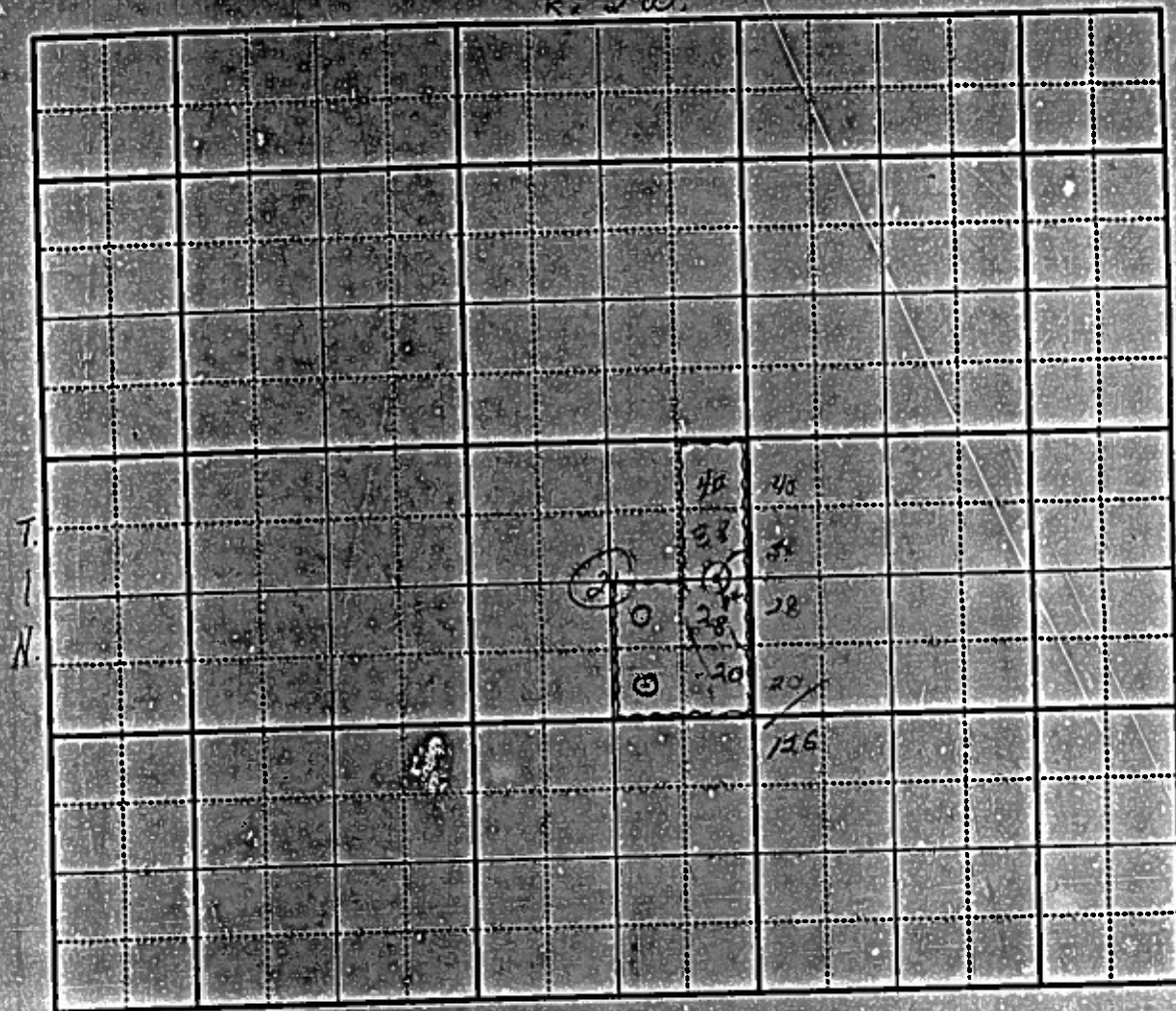


Diagram of System

DATE OF EXAM JUNE 24-71

ACREAGE
Found 126
Recommended 126

Irrigation Requirement: 4.5 Ac Et/Ac

USE

Irrigation Q =	2.50	V =	567.0	AF/Ann. from	March 15	to	Nov 15
Domestic Q =	0.50	V =		AF/Ann. from		to	
Livestock Q =	0.50	V =		AF/Ann. from		to	

Is water co-mingled? yes _____ no ✓

Name source: GRUBER
 twp. 1 N.S. Rge. 7 E.N.Y. B.M. Sec. 26 Sub. SE 1/4 NE 1/4 SW 1/4
 County

Exchange? yes no no

Name source exchanged with _____
 twp. _____ N/S, Rge. _____ EW, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____
 County _____

Point of injection: twp. N.S. Rge. E.W. B.M. Sec. Sub. 1/4 1/4 County

Point of exchange: twp. N/S, Rge. E/W, B.M., Sec. Sub. 1/4 1/4 County County

Total Q measured 2.19 Method of measurement PITOT GAUGE

Total Q recommended 2.19 Meter No. _____ Type _____ Condition _____

Total V recommended 569.0

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:
USED PITOT GAGE: 170 INCHES 7/8 INCHES = .829 INCHES
170 X .829 = 140.93 INCHES 140.93 INCHES = 2.19 FEET

SYSTEM DESCRIPTION:
220 AMP 1500V 1250 KVA 480V 1250 KVA 1250 KVA
WINDING: 220 Y 1250V 1250V 1250V 1250V 1250V

REMARKS:
B' DROPPED FROM 12' HGT TO BUILT-UPON SURFACE
EQUIPPED WITH 2 1/2" PISTOLS
ARMED AND ACTUALLY NOT NERVOUS BUT PD DOES
A DEEP IN 30'S NEW 3521

Examiner's Signature [Signature] Date APR 74-71

Checked by _____ Date _____

Approved by _____ Date _____

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33481/63-3584 Priority Feb. 21, 1967 Amount 2.19 cfs

THIS IS TO CERTIFY, that JOHN W. MILLER
of Melba, Idaho, has complied with the terms and conditions of Permit
No. 33481/63-3584 issued pursuant to Application for Permit dated February 21, 1967
and has submitted proof to the Department of Water Administration on March 1, 1971
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.19 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 2.19 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 2.19 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE 1/4 NE 1/4 Sec. 21, Twp. 1 N. Rge. 2 W. B. M.

in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 567 acre feet per year or
4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	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	
1 N	2 W	21	40			38									28			20	126

Total number of acres irrigated 126

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6th day of
February, 19 73.


Director

683 3584

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: A63-03584
Date Received: 1/11/1990
Receipt No: W00 7535
Received By: JFW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MILLER LAND CO. INC.
Address: BOX 2124C ; HIWAY 45
MELBA, ID

83647

2. Date of Priority: FEB 21, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	02W	21	SE	NE			CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.190		567.00

7. Total Quantity Appropriated is:
2.190 C.F.S. (and/or) 567.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02W	21	NE	NE		IRR	40.0
			SE	NE		IRR	38.0
			NE	SE		IRR	28.0
			SE	SE		IRR	20.0

Section Acres 126.0

A63-03584

Page 1

Date: 01/11/90

MICROFILMED
JUL 25 1994

10. Place of Use: Continued

Total Acres 126.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 33481

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Myller Land Co - Inc Date: 1-11-90
John W Miller, President Date:

State of Idaho)
County of Cada) SS.

Subscribed and sworn (or affirmed) before me this 11 day
of January 19 90 Lori Harris
Notary Public

Seal

Residing at Bain, Idaho
My Commission Expires 12-8-94

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: A63-03584

Date Received: ~~1/11/1990~~ 2/11/92

Receipt No: W14136

Received By: SRW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MILLER LAND CO. INC.
Address: BOX 2124C ; HIWAY 45
MELBA ID

83647

2. Date of Priority: FEB 21, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	02W	21	SE	NE			CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.190		567.00

7. Total Quantity Appropriated is:
2.190 C.F.S. (and/or) 567.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	02W	21	NE	NE		IRR	40.0
			SE	NE		IRR	38.0
			NE	SE		IRR	28.0
			SE	SE		IRR	20.0

MICROFILMED

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

					Section Acres	126.0
--	--	--	--	--	---------------	-------

					Total Acres	126.0
--	--	--	--	--	-------------	-------

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 33481

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): John W. Miller Date: 2-11-92
President Date: _____

Miller Land Co. Inc.

MICROFILMED

JUL 25 1994

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 11 day
of Feb 19 92

Linda Werner
Notary Public

Seal

Residing at LINDA WERNER
RESIDING AT EAGLE, IDAHO
My Commission MY COMMISSION EXPIRES DEC. 8, 1994

MICROFILMED
JUL 25 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 21, 1992

John W. Miller
21240 Hwy. 45
Melba, ID 83641

RE: Snake River Basin Adjudication (SRBA)
Canyon County - Notice of Claim #A63-03584

Dear Mr. Miller:

An overpayment of your filing fees has been brought to our attention on your above claim in the amount of \$176.00. The refund process has been initiated with the State Auditor's Office, and you should receive your check in the near future.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:ref

MICROFILMED
JUL 25 1994

REFUND REQUEST

SUBMITTED TO AUDITOR

ON

9-21-92

REVIEWED BY JS ON 8/24/92

TO: S. Frazee to Log In
 FOR: J. Carlson/D. Shaff/D. Allen
 FROM: Linda Werner

RE: Payor John W. Miller

Address 2124C HWY 45

Melba, ID 83641

RECEIVED

AUG 27 1992

Claimant if NOT Payor

Refund Amount \$ 176.00

Claim Location W

Extension Filed? Y/N NA

Copy Attached? Y/N NA

Late Fees Paid? Y/N NA

On Receipt #

S.O. Verified Ext. by on

Refund Generated By (X) Agent () Claimant

Refund Category Overpayment - duplicate pmt.

Date of Last Correspondence (copy attached) none included.

Claim No.	Use	Fees Paid	Correct Fee	Rec't #
A63-03584	IRR	\$ 176.00	~~176.00~~	W141362-92
A63-03584		\$ 176	~~176~~ 176	W007535 1-11-90
		\$		
		\$		
		\$		
		\$		

Detailed Reason(s) for Refund Attached (Y)N

Linda's 4-15-92 memo, added to by Jan, explains o-pmt.

Region Adj. Supervisor Approval

Don Shaff Approval 9-18-92

Not Refunded as of 9-8-92

Data Base Modified? Y/N NA By

John Carlson Approval

Hold To Fiscal 9-21-92

Logged 08-27-92

Date 08-27-92

MICROFILMED

JUL 25 1994

05/01/91

TO: SALLY FRAZEE
FROM: LINDA WERNER
DATE: 4/15/92
SUBJECT: REFUND FOR JOHN MILLER

THE ABOVE CLAIMANT IS ENTITLED TO A REFUND FOR A63-03584 BECAUSE HE PAID DOUBLE ON THIS CLAIM.

WHAT HAPPENED WAS WHEN HE FILED THIS CLAIM ON JANUARY 11, 1990, HE ALSO FILED ON TWO OTHER CLAIMS-A63-22157 AND A63-22158. THE RECEIPT WAS FOR \$226.00 AND RECEIPT NUMBERS WERE SHOWN FOR A63-22157 FOR \$201.00 AND A63-22158 FOR \$25.00 AND NOTHING WAS PUT ON THE RECEIPT FOR CLAIM NUMBER A63-03584. THE RECEIPT NUMBER WAS WRITTEN ON CLAIM A63-03584 BUT IT WAS NEVER ENTERED IN THE COMPUTER. CONSEQUENTLY THE RECEIPT NEVER MATCHED UP WITH THE CLAIMS.

THIS WAS FIRST BROUGHT TO MY ATTENTION IN JANUARY, 1992, WHEN HE CAME IN TO FILE ON HIS INSTREAM STOCK AND AT THAT TIME ASKED ME TO CHECK TO MAKE SURE HIS CANYON COUNTY CLAIMS WERE CORRECTLY FILED. SINCE NO RECEIPT NUMBER HAD BEEN DATA ENTERED ON THE CLAIM THIS CLAIM WAS FOUND ON HOST TEMP WITH A RECEIVED DATE BUT NO RECEIPT NUMBER. I ASSUMED THIS WAS ONE OF THOSE CLAIMS WHERE THE CLAIMANT HAD TAKEN IT HOME TO COMPLETE AFTER IT WAS GENERATED BUT THEN NEVER RETURNED IT. - LINDA HAD HIM PAY THE FEE AGAIN UNDER

THIS WAS BROUGHT TO MY ATTENTION AGAIN TODAY WHEN HE CAME IN REC'T # TO APPLY FOR A PERMIT AND ASSERTED THAT HE WAS SURE HE HAD PAID W001413 FOR THAT CLAIM BUT HE COULD NOT FIND A RECEIPT. ANYWAY, I THEN CHECKED THE FILE CABINET AND FOUND THE OLD CLAIM A63-03584 FILED WITH THE NEW CLAIM 03584 - IN THE SAME FOLDER BECAUSE THE OLD CLAIM WAS ALWAYS THERE.

I AM CERTAIN THIS IS WHAT HAPPENED. A63-22157 IS A DOMESTIC THERE. USE AND SO IS A63-22158. WHEN YOU ADD UP THE TOTALS: \$25.00 + \$25.00 + \$176.00 = \$226.00; THEREFORE I BELIEVE A REFUND IS IN ORDER UNDER ~~RECEIPT~~ NO. W014136 SINCE ALL WAS PAID ON UNDER

PLEASE LET ME KNOW IF YOU AGREE SO I CAN SEND HIM A LETTER TO ~~RECEIPT~~ NO. W0014136 THAT EFFECT.

*Copy of changed
(actually added to)
memo that went to SO
with refund request.*

MICROFILMED
JUL 25 1994

REFUND REQUEST

TO: S. Frazee to Log In
FOR: J. Carlson/D. Shaff/D. Allen
FROM: Linda Werner

REVIEWED BY JS ON 8/24/91

RE: Payor John W. Miller
Address 2124C HWY 45
Melba, ID 83641

POOR ORIGINAL

Claimant if NOT Payor _____
Refund Amount \$ 176.00 Claim Location (W)
Extension Filed? Y/N (NA) Copy Attached? Y/N NA
Late Fees Paid? Y/N (NA) On Receipt # _____
S.O. Verified Ext. by _____ on _____
Refund Generated By (X) Agent () Claimant
Refund Category Overpayment
Date of Last Correspondence (copy attached) _____

Claim No.	Use	Fees Paid	Correct Fee	Rec't #
A63-03584	IRR	\$ 179.00	179.00	014136
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____

Detailed Reason(s) for Refund Attached (Y)N

Region Adj. Supervisor Approval _____ John Carlson Approval _____
Don Shaff Approval _____ Hold _____ To Fiscal _____
Not Refunded as of _____ Logged _____
Data Base Modified? Y/N NA By _____ Date _____

MICROFILMED

05/01/91

JUL 25 1994

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 08/24/92
Time: 16:18:33

Rec/No - W007535 AR/No -
From: - JOHN W. MILLER

Receipt Type - CK Doc/No - 1005
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 01/11/1990

Type Of Payment
ADJUDICATION FEES

Fund	FD	PCA	Obj	Subsid	Fee
9337		410162	6490		226.00

Total Due - 226.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6322157	25.00	A6322158	25.00	A6303584	176.00

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=CANCEL)

*Corrected
Receipt.*

MICROFILMED
JUL 25 1994

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: A63-03584
Date Received: 1/11/1990
Receipt No: W14136
Received By: SRW

*Claim Linda Rad
Mr. Miller file.*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

*NOTE: RECEIPT #
NOW CHANGED TO
W007535 + A63-03584
ADDED TO RECEIPT NO
W007535.*

1. Name: MILLER LAND CO. INC.
Address: BOX 2124C ; HIWAY 45
MELBA ID

83647

2. Date of Priority: FEB 21, 1967

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	02W	21		SE	NE		CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.190		567.00

7. Total Quantity Appropriated is:
2.190 C.F.S. (and/or) 567.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02W	21	NE	NE		IRR	40.0
			SE	NE		IRR	38.0
			NE	SE		IRR	28.0
			SE	SE		IRR	20.0

Idaho Department Of Water Resources
Receipt Maintenance II - Maint. Screen 3

Date: 04/15/92
Time: 15:31:49

Receipt Number : W007535

Page 1 OF 3

Receipt Amt : 226.00

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A6322157	201.00	A6322158	25.00		
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

(Enter=Continue) (GOLD2=Update) (GOLD4=Prev Pg) (GOLD5=Next Pg)

MICROFILMED
JUL 25 1994

INTER-DEPARTMENT MEMO

TO: File - A63:3584

FROM: Linda Werner

SUBJECT: Late fee

DATE: 2-12-92

No late fee charged on this as this claim
was missed when all the rest of his claims
were filed.

☒ For your information

☐ Response required

MICROFILMED

signature JUL 25 1994

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures

MICROFILMED

JUL 25 1994