

12/06/2006

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

RIGHT NUMBER: 73-171

NAME AND ADDRESS: GEORGE MILLER
50 P MILLER RD
MAY ID 83253

PHILIP R MILLER
50 P MILLER RD
MAY ID 83253

SOURCE: BIG CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 2.800 CFS

PRIORITY DATE: 02/20/1905

POINT OF DIVERSION:

T13N R23E S11 NESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	2.800 CFS
STOCKWATER	04/01 11/01	0.120 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R23E S34 SESW 32.00 T14N R23E S34 SWSE 37.00

STOCKWATER same as IRRIGATION

69 ACRES TOTAL

Right Nos. 73-171, 73-214, 73-216, 73-4092, 73-10086, and 73-12044 are limited to the irrigation of a combined total of 518.9 acres in a single irrigation season.

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

08/31/2006

**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: September 29, 2006

Water right number: 73-171

GEORGE MILLER
50 P MILLER RD
MAY ID 83253
Telephone Number: (208)876-4228

PHILIP R MILLER
50 P MILLER RD
MAY ID 83253
Telephone Number: (208)876-4228

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: 9-20-06 SIGNATURE: George Miller

Please print your name: _____

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

08/21/2006

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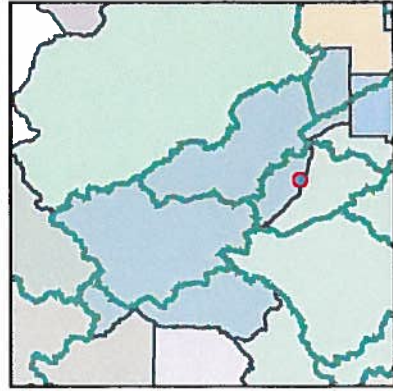
Idaho Department of Water Resources

SRBA Recommendation:

73-171

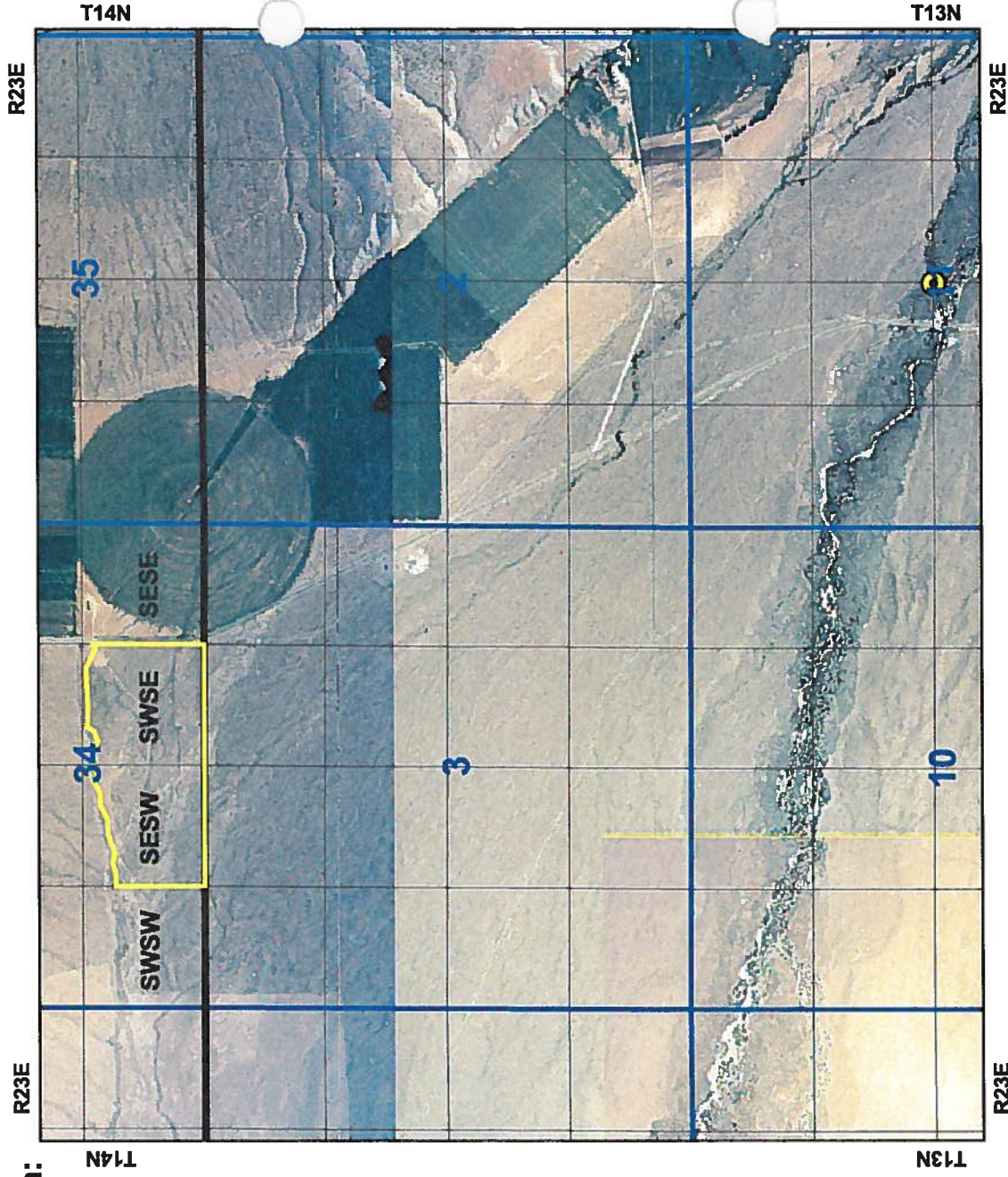
Legend

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



Lemhi County
IDWR Basin 73

Prepared by R. Brown
On Monday, August 21, 2006
1987/88 Aerial Photography



1.6 Miles

0.8

0

Overlap Analysis

George Miller

Reviewer Name: R. Brown

Date: 8/20/2006

Acreage Analysis

[illegible]

Total acreage = $486.9 + 32 = 518.9$ acreage

Big Creek

73-10085	(73-171	2/20/1905	2.8 cfs
	73-2020	2/20/1905	1.58 cfs

Both records in the name of
Lynn (Linn) D. Finch for the
same POU.

Recommend 73-10085 as 73-171
and 73-2020. Disallow 73-2020
as superseded by 73-171.

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

combination of 73-1714 73-2020

Ident. Number 73-10085
Date Received: 5/2/1990
Receipt No: M006857
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PHILIP R MILLER Phone: (208)876-4228

50 P MILLER RD
MAY ID USA 83253

GEORGE MILLER Phone: (208)876-4228

50 P MILLER RD
MAY ID USA 83253

2. Date of Priority: 02/20/1905

3. Source: BIG CREEK Trib. to: PAHSIMEROI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13N	23E	11	NW NW SE	LEMHI	

5. Description of diverting works:

DAM IN CREEK DITCH TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	4.38	
STOCKWATER	04/01	11/01	0.12	

7. Total Quantity Appropriated is:
4.38 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
14N	23E	34	SW	SE	STOCKWATER	
			SE	SW	STOCKWATER	
			SE	SW	IRRIGATION	40
			SW	SE	IRRIGATION	40
					Section Acres	80
					Total Acres	80

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM COMBINES DECREDD RIGHT 73-00171 WITH LICENSED RIGHT 73-02020. BOTH COVER THE SAME ACRES AND UTILIZE THE SAME DELIVERY SYSTEM AND HAVE THE SAME PRIORITY DATES. CLAIM IS BEING AMENDED TO SHOW ACTUAL POINT OF DIVERSION. WATER HAS BEEN DIVERTED FROM THIS LOCATION SINCE EARLY 1980. PLACE OF USE IS CORRECT.

15. Basis of Claim: Beneficial Use

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

AMENDED

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

73-10085

Date Received

Receipt Number

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JAN 13 2003

Department of Water Resources
Eastern Region

Please type or print clearly

1. Name of Claimant (s) George +/on Philip R Miller Phone (208) 876-4220
Mailing Address 50 P. Miller Rd. May ID Zip 83253

2. Date of Priority (Only one (1) per claim) 2/20/1905

3. Source of water supply (a) Big Creek
which is tributary to (b) Pahsimeroi River

4. a. Location of existing point of diversion is: Township 13N Range 23E Section 11,
NW 1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Lemhi

Additional points of diversion if any: NONE

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. dam in creek ditch to place

of use

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4/01 to 11/01 amount 4.38 or _____For stockwater purposes from 4/01 to 11/01 amount .12 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.38 (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	
14N	23E	34												S			S		
		34												40.0			40.0		80.0

Total number of acres irrigated 80.011. In which county (ies) are lands listed above as place of use located? Lemhi12. 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.

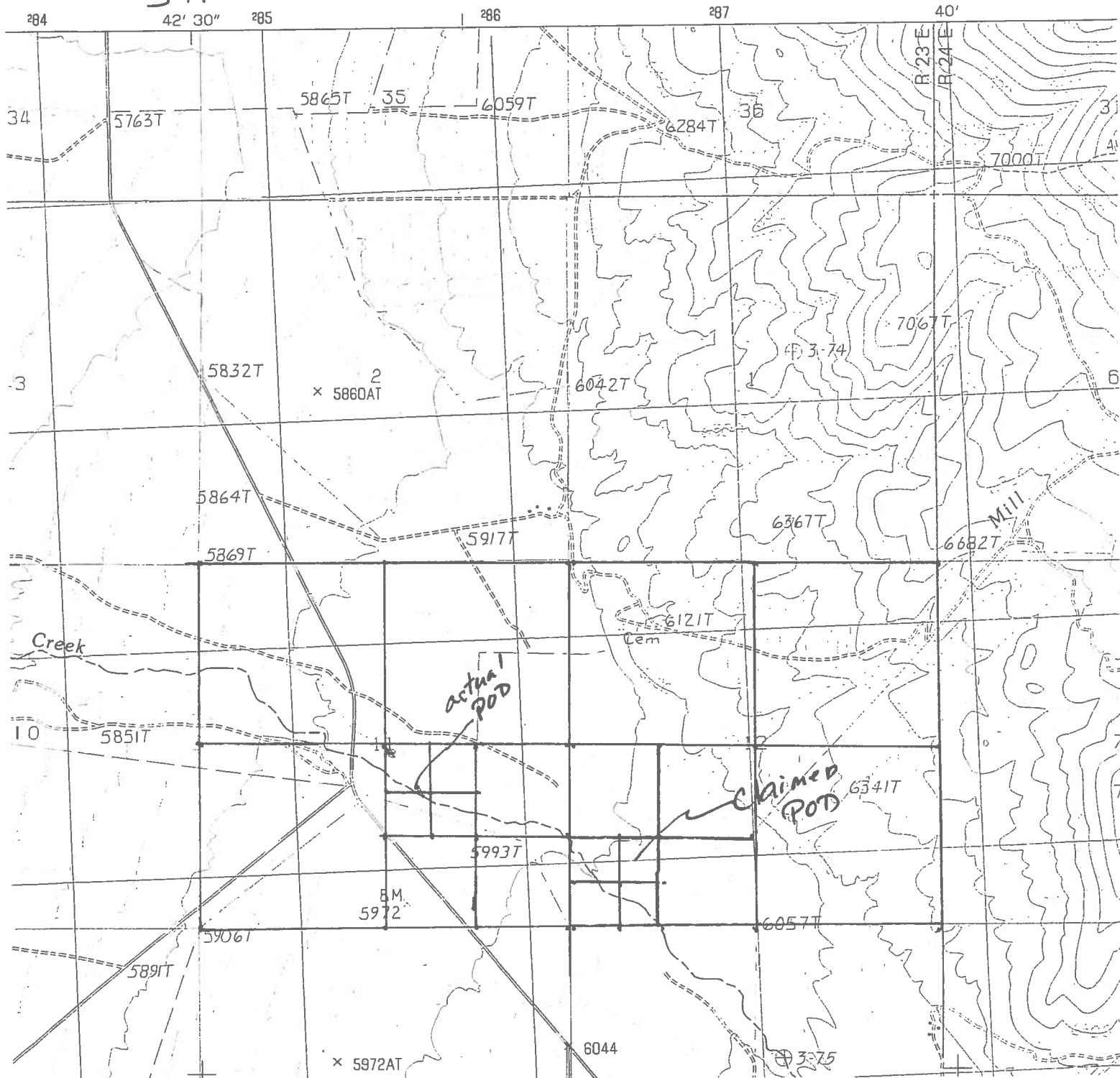
13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (✓)

14. Remarks: claim is being amended to show actual point of
diversion. Water has been diverted from this location since
early 1980. Place of use is correct.

Last Name _____ Ident No. _____

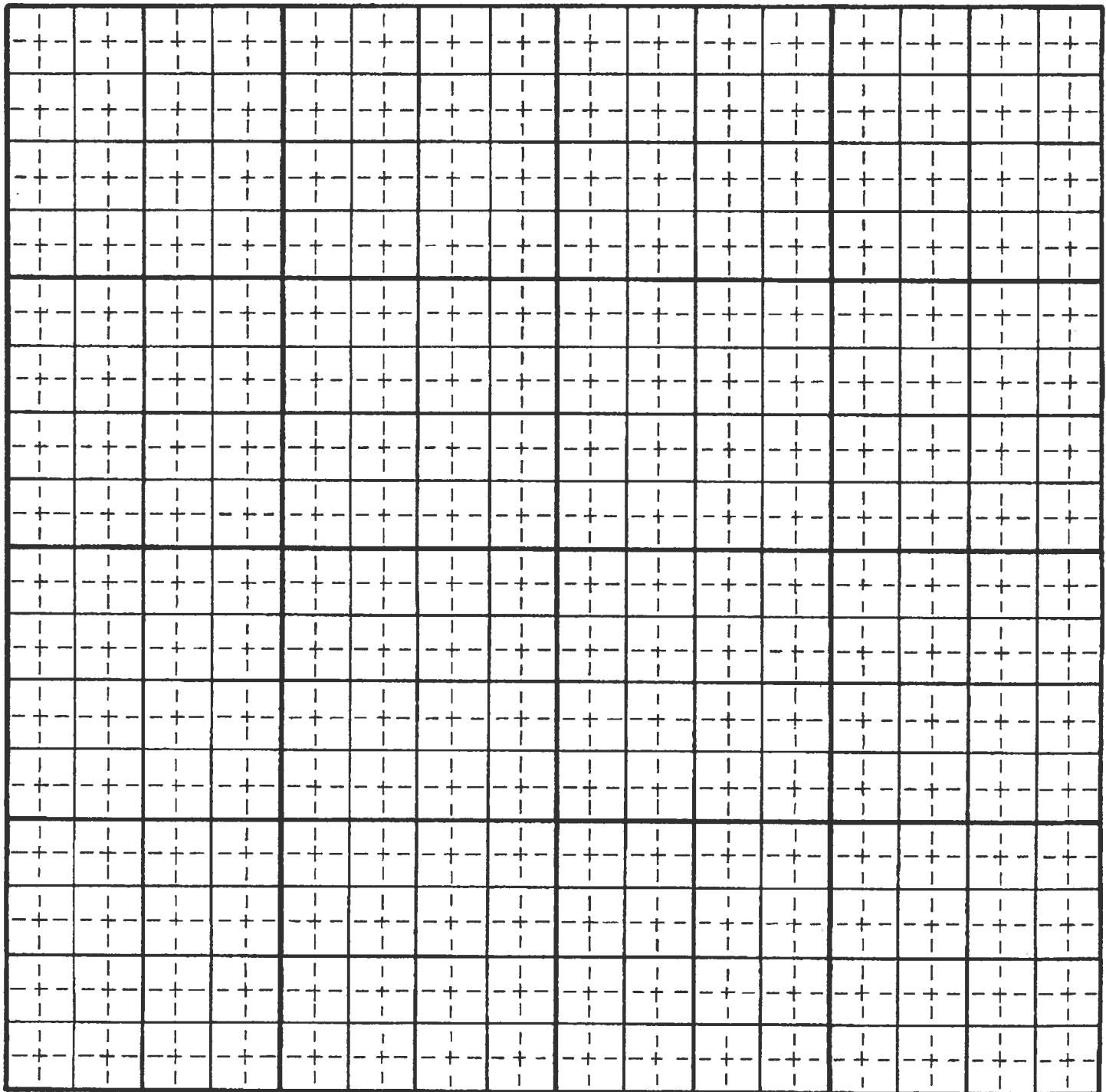
Copies: White -State, Yellow-Claimant

T 13N
R 23E
S 11+12



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

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
 Decree _____
 If applicable provide IDWR Water Right Number 73-10085
 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) George Miller Date 1-10-03
 _____ Date _____

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

of _____, that I have signed the foregoing
 Organization

document in the space below as _____ of _____
 Title Organization

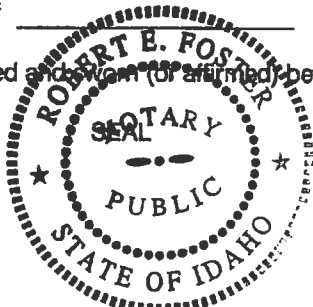
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 10th day of January 10 2003



Notary Public Robert E. Foster

Residing at Salma Id.

My Commission Expires 02-12-07

Please Print Name

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 _____ Ident. Number _____

Copies White-State, Yellow-Claimant