

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: 73-2152

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

GEORGE 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

08/18/2006

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

RIGHT NUMBER: 73-2152

NAME AND ADDRESS: PHILIP R MILLER
50 P MILLER RD
MAY ID 83253

GEORGE MILLER
50 P MILLER RD
MAY ID 83253

SOURCE: PATTERSON CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.240 CFS

PRIORITY DATE: 12/10/1959

POINT OF DIVERSION:

T14N R23E S27 NENENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.240 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R23E S26 NESW 12.00

12 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

Portion of right forfeited/abandoned due to non-use from May 2, 1985 to May 2, 1990.

Miller

Patterson Creek

73-214 6/1/1901 0.8 cfs 655.0 acres

73-216 8/1/1902 0.8 cfs 655.0 acres

73-2152 12/10/1959 0.4 cfs 20.0 acres

73-4092 5/1/1913 3.4 cfs 655.0 acres

73-10084 4/1/1918 3.4 cfs 655.0 acres

73-2124
73-213A 73-10086 2/22/1888 5.6 cfs 655.0 acres

73-10087 7/14/1960 2.4 cfs 655.0 acres

"high water" 73-12044 3/1/1940 2.0 cfs 655.0 acres

73-212 through 73-216 decreed at
1" per acre on April 7, 1910.

73-212	160 acres	*73-171	69 ac
73-213A	120 acres		
73-214	40 acres		
73-216	40 acres		
	<u>40 acres</u>		
	360 acres		

PRII = 486.9 m.d.m. in. 1987

73-4092: Beneficial use claim for land not covered by Hammond & Miller decree. Affidavit in statutory claim file supports 1913 priority date. Decree signed 4/7/1910.

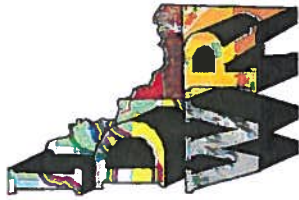
Claim is for land below the ditch from Patterson Creek, a total of 129.7 acres.

73-10084: Beneficial use claim for lands under 73-4092 which were also represented by leased permit 73-2097.

Recommended as 73-4092

73-10087: No evidence of priority or other support was submitted for this claim. All lands irrigated in 1988 photo are covered by other claims.

No lawful appropriation shown.



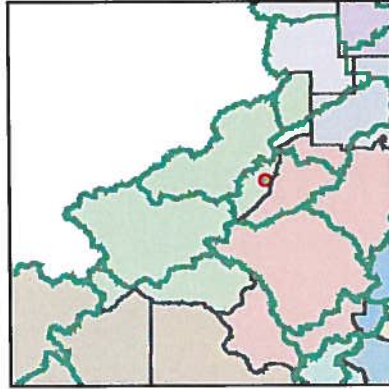
Idaho Department of Water Resources

Adjudication Claim:

73-2152

Legend

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



Lemhi County
IDWR Basin 73



0.6 Miles

0.3

0

Prepared by D. Favreau
On Tuesday, April 11, 2006
1987/88 Aerial Photography

F-28-2023

**DIVERSION INFORMATION, WATER DISTRICT 73
PAHSIMEROI RIVER AND TRIBUTARIES**

GENERAL INFORMATION

RANCH NAME (IF APPLICABLE) _____
LAST NAME MILLER
FIRST NAME GEORGE PHONE _____
STREET ADDRESS _____
CITY _____ ZIP _____

DIVERSION INFORMATION

STREAM, DITCH OR CANAL NAME PATTERSON CR
DIVERSION NAME P-2 FOG
GPS TAG, IDWR TAG A0013560 / 10000718 @ NU-WAY RDC
PLEASE LIST ANY TAGS OR MARKERS ON OR NEAR DIVERSION
DIVERSION CO-USERS NONE
PLEASE LIST ALL OTHER WATER USERS USING THIS DIVERSION

HEADGATE AND MEASURING DEVICE DESCRIPTION

EXISTING HEADGATE-YES X NO _____ HEADGATE PLANNED-YES _____
EXISTING MEASURING DEVICE-YES X NO _____ MEASURING DEVICE PLANNED-YES _____
HEADGATE DESCRIPTION 4' SCREW GATE, 4' CHP
PLEASE LIST CONDITION, DIMENSIONS AND CONSTRUCTION TYPE
MEASURING DEVICE DESCRIPTION NU-WAY 10 d/s
PLEASE LIST CONDITION, TYPE AND MAKE OF DEVICE

DIVERSION DRAWING AND LOCATION ALONG STREAM

