

10/13/2006

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

RIGHT NUMBER: 73-10086
NAME AND ADDRESS: PHILIP R MILLER
GEORGE MILLER
50 P MILLER RD
MAY ID 83253
SOURCE: PATTERSON CREEK TRIBUTARY: PAHSIMEROI RIVER
QUANTITY: 5.600 CFS
The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
PRIORITY DATE: 02/22/1888
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>
STOCKWATER	03/01 11/15	0.100 CFS
IRRIGATION	04/01 10/31	5.600 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R23E S26	NWSW	15.00	T14N R23E S26	SWSW	39.00
T14N R23E S26	SESW	37.00	T14N R23E S34	SENE	37.00
T14N R23E S34	NESE	36.00	T14N R23E S34	NWSE	38.00
T14N R23E S34	SWSE	38.00	T14N R23E S35	NWNE	12.00
T14N R23E S35	SWNE	6.90	T14N R23E S35	NENW	40.00
T14N R23E S35	NWNW	39.00	T14N R23E S35	SWNW	40.00
T14N R23E S35	SENW	40.00	T14N R23E S35	NESW	31.00
T14N R23E S35	NWSW	38.00			

STOCKWATER same as IRRIGATION

486.9 ACRES TOTAL

This right is limited to the irrigation of 280 acres within the place of use described above in a single irrigation season.

Right Nos. 73-214, 73-216, 73-4092 and 73-10086 are limited to the irrigation of a combined total of 486.9 acres in a single irrigation season.

Right Nos. 73-171, 73-214, 73-216, 73-4092 and 73-10086 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:

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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

08/21/2006

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

RIGHT NUMBER: 73-10086

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: 5.600 CFS

PRIORITY DATE: 02/22/1888

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	5.600 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R23E S26	NWSW	15.00	T14N R23E S26	SWSW	39.00
T14N R23E S26	SESW	37.00	T14N R23E S34	SENE	37.00
T14N R23E S34	NESE	36.00	T14N R23E S34	NWSE	38.00
T14N R23E S34	SWSE	38.00	T14N R23E S35	NWNE	12.00
T14N R23E S35	SWNE	6.90	T14N R23E S35	NENW	40.00
T14N R23E S35	NWNW	39.00	T14N R23E S35	SWNW	40.00
T14N R23E S35	SENW	40.00	T14N R23E S35	NESW	31.00
T14N R23E S35	NWSW	38.00			

486.9 ACRES TOTAL

This right is limited to the irrigation of 280 acres within the place of use described above in a single irrigation season.

Right Nos. 73-214, 73-216, 73-4092 and 73-10086 are limited to the irrigation of a combined total of 486.9 acres in a single irrigation season.

Right Nos. 73-171, 73-214, 73-216, 73-4092 and 73-10086 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

DRAFT



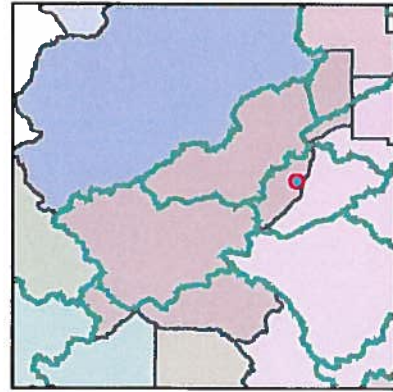
Idaho Department of Water Resources

SRBA Recommendation:

**73-214, 73-216,
73-4092, 73-10086**

Legend

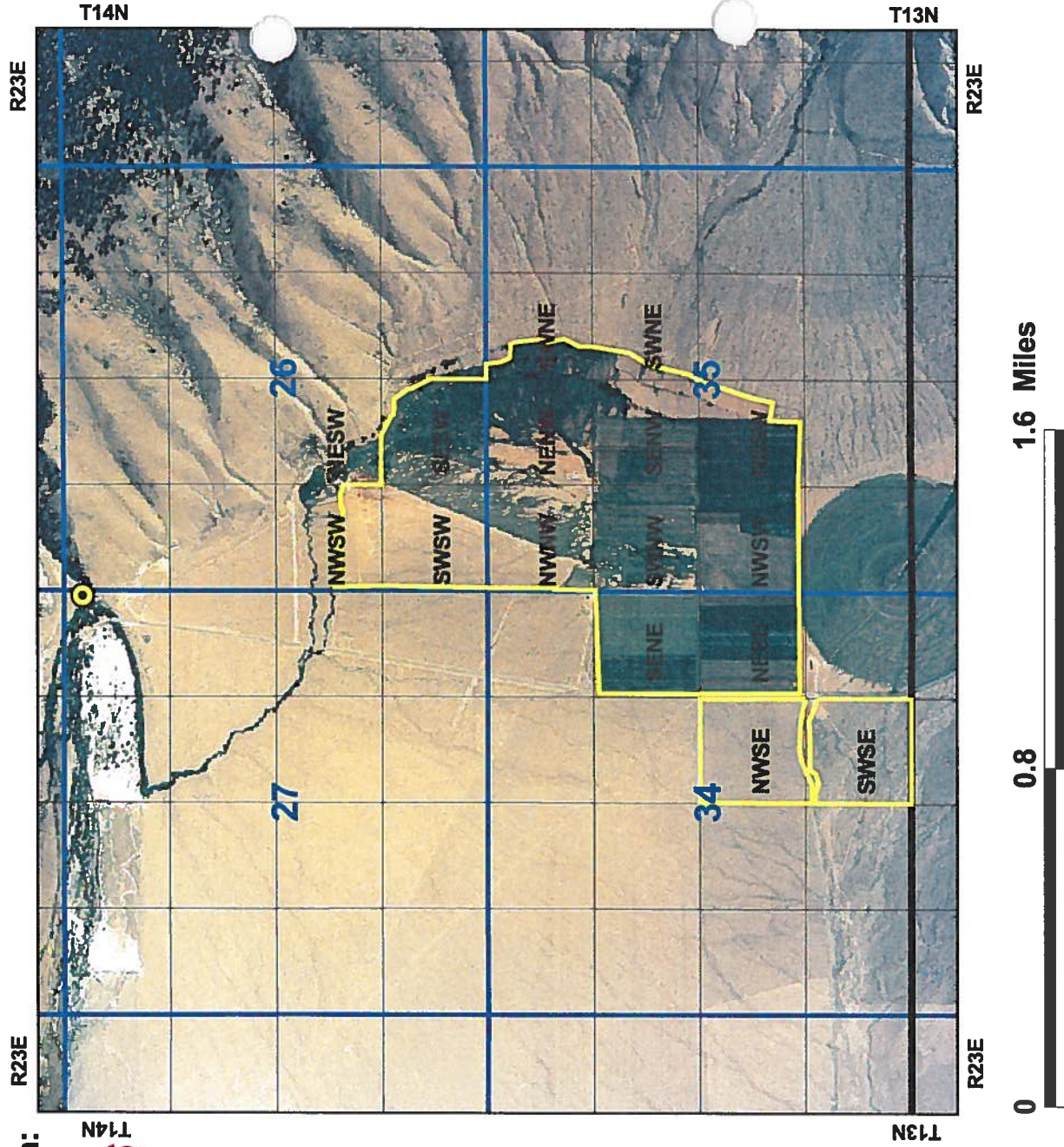
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Lemhi County
IDWR Basin 73



DRAFT



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

Overlap Analysis

George Miller

Reviewer Name: R. Brown

Date: 8/20/2006

Acreage Analysis

[illegible]

Total acreage = $486.9 + 32 = 518.9$ acreage

489.7 acres

Miller

Patterson Creek

73-214	6/1/1901	0.8 cfs	655.0 ac
73-216	8/1/1902	0.8 cfs	655.0 ac
73-2152	12/10/1959	0.4 cfs	20.0 ac
73-4092	5/1/1913	3.4 cfs	655.0 ac
73-10084	4/1/1918	3.4 cfs	655.0 ac
⁷³⁻²¹²⁴ ^{73-213A} 73-10086	2/22/1888	5.6 cfs	655.0 ac
73-10087	7/14/1960	2.4 cfs	655.0 ac
"high water" 73-12044	3/1/1940	2.0 cfs	655.0 ac

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		
	360 acres		

POLL = 486.9 acres 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.