

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

RECEIVED

APR 10 1990

Ident. Number: A41-04018
Date Received: 3/15/1990
Receipt No: 11003260
Received By: EA

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VERNON MILLER 208-226-2927
Address: 555 POLK 83211
AMERICAN FALLS, ID
OR
Name: ELAINE MILLER 208-226-2927
Address: 555 POLK 83211
AMERICAN FALLS, ID

2. Date of Priority: APR 15, 1940

3. Source: LOWER BIG CANYON SPRINGS Trib. to: BIG CANYON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	32E	18	NE	SW	NE		POWER

5. Description of diverting works:
SPRING, PIPE, TROUGHS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	04/15	11/15	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/300 RANGE, 6 HORSES

A41-04018

Page 1

Date: 03/15/90

MICROFILMED

MAR 02 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	32E	18	SW NE		STOCK	

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Arnold Miller Date: 3/15/90

Date: _____

State of Idaho)
County of Power) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of March 19 90

Seal

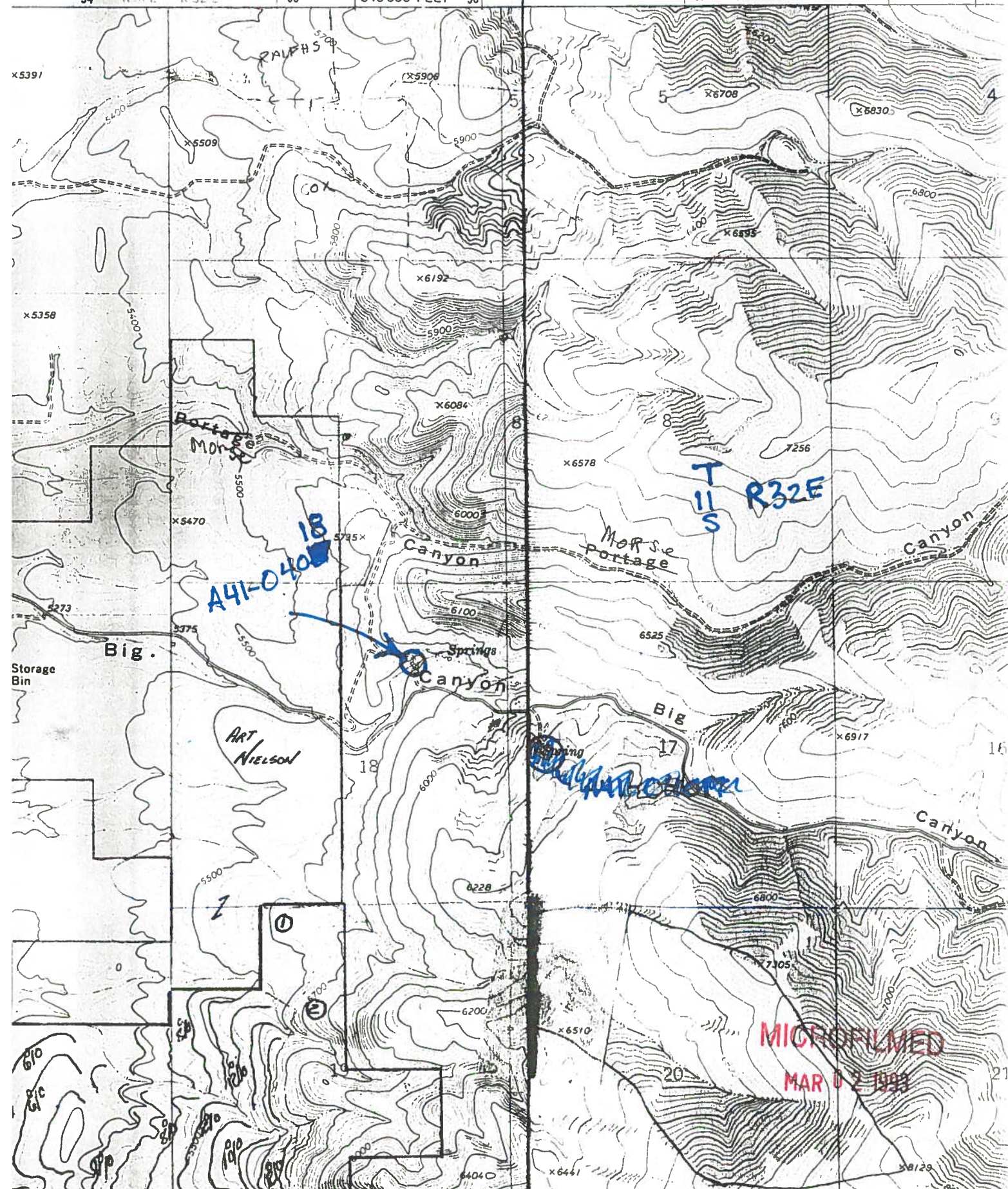
[Signature]
Notary Public

Residing at Idaho Falls, ID
My Commission Expires 22 Aug 1994

ROY NE QUADRANGLE
IDAHO-POWER CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

354 R 31 E R 32 E 355 340 000 FEET 356 112 45' 357 000 m. E. 358



AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-29-1997

PAGE: A-3

RIGHT NUMBER: 41-04018

NAME & ADDRESS: VERNON MILLER
ELAINE MILLER
555 POLK
AMERICAN FALLS ID 83211

SOURCE: BIG CANYON SPRING, LOWER TRIBUTARY: SINKS

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 04/15/1940

POINT OF DIVERSION: T11S R32E S18 SWNE Within POWER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	04-15 11-15	0.04 CFS

PLACE OF USE: STOCKWATER Within POWER County
T11S R32E S18 NENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 300 RANGE & 6 HORSES

AJ5809NP
No. R41-04018

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/15/97
PAGE: 62

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELAINE MILLER	04/15/1940	STOCKWATER	04-15 11-15	0.04 CFS	
C	VERNON MILLER					
	555 POLK					
	AMERICAN FALLS ID 83211					
	(208) 226-2927					
			TOTAL DIVERSION:		0.04 CFS	

Water Source: BIG CANYON SPRING, LOWER Tributary to: SINKS
Stage: BENEFICIAL USE

Point(s) of Diversion: T11S R32E S18 SWENE POWER County

Place of use Legal Description for: STOCKWATER

	NE	NW	SW	SE
T R S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
11S 32E 18	: S	:	:	:

POU County: POWER

Non-Irrigation Uses: (STOCKWATER, 300 RANGE & 6 HORSES) *exp*

Other Rights: 41-04016 & 41-04017

Dates: Exam Made Date: 05/17/1995 Verified Date: 07/17/1995 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Audit: 03/19/91 BAUMHOFF 03/30/95 POST-STD 07/17/95 SCELLELLAN

DATA ENTERED BY *sc*
DATE *9-29-97*

sc
9/18/97

N11
N13



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

February 27, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

41-04018
VERNON MILLER
ELAINE MILLER
555 POLK
AMERICAN FALLS ID 83211

RE: Domestic and/or Stockwater Rights in Basins 41, 43 and 45
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basins 41, 43 and 45. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in these basins will be recommended in a later process.

Note that you have 120 days in which to file any objection to our recommendation and to review the domestic and stockwater water rights of other claimants, including those of the United States. Information on the other water rights can be found at the county courthouses in American Falls, Malad City, Burley and Twin Falls, and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the Court does not receive an objection from you about our recommendation, and no other party objects to your water right, your water right will be decreed later this year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karl J. Dreher', written over a horizontal line.

Karl J. Dreher
Director

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: February 27, 1998

PAGE: 1

RIGHT NUMBER: 41-04018

NAME AND ADDRESS: VERNON MILLER
ELAINE MILLER
555 POLK
AMERICAN FALLS ID 83211

SOURCE: BIG CANYON SPRING, LOWER TRIBUTARY: SINKS

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY-DATE: 04/15/1940

POINT OF DIVERSION T11S R32E S18 SWNE Within POWER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	04-15 11-15	0.04 CFS

PLACE OF USE: STOCKWATER Within POWER County
T11S R32E S18 NENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 300 RANGE & 6 HORSES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

RETURN SERVICE REQUESTED

RETURNED TO
POSTAL SERVICE
POSTAGE GUARANTEED
Postage Guaranteed
Do not affix postage
Do not attach to other mail

PRESORTED
FIRST CLASS

BOISE
MAR-2'98
ID
U.S. POSTAGE
046
P.M. METER
6711993

IMPORTANT WATER RIGHT INFORMATION

RECEIVED

MAR 09 1998

Department of Water Resources



DATE: 07/17/95
PAGE: 1

32

DIVERSION
VOLUME

POWER County

[illegible]

Audit: 07/17/95 SCLELLAN

300 000
FEET

4705

R32E

POD
POU

ARBON 20 MI

4703

4702
27' 30"

T
||
S

4701

CLAIM A41-04018 INIT SW
T. R. S. Q/Q 7-17-95
P/D 115 32E 18 SW NENE
PHOTO CC36
DT.&ID. 8-20-76

4700

CLAIM NO. A41-4018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR DOMESTIC AND STOCKWATER CLAIMS IN PLACE OF A CVR

1. ☒ No Change NAME:
☐ NEW OWNER: _____
☒ No Change ADDRESS:
☐ NEW ADDRESS: _____

☒ DATA ENTRY STANDARDS CHECKED?

2. ☒ No Change - DATE OF PRIORITY: No Field Verification Needed.
☐ CHANGE- Priority date, per claimant, is _____.
(if the priority date, based on your exam, seems questionable,
explain in COMMENTS.)

3. ☐ No Change - SOURCE:
☒ CHANGE - Different Source found: Big Canyon Spring, Lower.

4. ☐ No Change - POINT OF DIVERSION: TRIB: SINKS
☒ Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. 18, SW 1/4 NE 1/4 NE 1/4

Note: If the 10-acre tract is shown on the claim, then
verification of the 10-acre parcel is needed. Otherwise the
10-acre tract is not required, unless the source is a spring.

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS:
☐ Incomplete desc., complete items missing, IF KNOWN.
HP of pump _____ Static water level _____ Well depth _____
Casing size _____ Pumping water level _____ Gravity flow _____
Method of irr. _____

6. ☒ No Change - WATER USES:
☐ Different uses, (list uses found).

Use _____ From _____ To _____ Amount _____ cfs _____ af

Use _____ From _____ To _____ Amount _____ cfs _____ af

7. ☒ No Change - TOTAL VOLUME:
☐ Change found, The new total is, -- -- -- _____ cfs _____ af

8. N/A

9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:
Domestic - No. of homes _____ Stockwater - No. of head _____
Other: _____

☒ DATA ENTRY STANDARDS (correct to..)

*Exam
5-17-95
see*

10. ☒ No Change Use ☐ PLACE OF USE: (If changed, list below.)

Twp. Rge. Sec. 1/4, 1/4, 1/4
18 NE NE

11. ☒ Checked: N/A

12. ☒ Checked: N/A

13. ☐ No change - OTHER RIGHTS FOR SAME USE:

☒ CHANGE: 41-4016 & 41-4017

14. ☒ None REMARKS: (copy existing remarks to comments in "R")

☐ Add the following standard remarks:

LIST STANDARD REMARKS FOR THE RECOMMENDATION:

15. ☒ BASIS OF CLAIM VERIFIED AS: D - L - P - S - ☒ J (circle one)

COMMENTS: (pertinent to field examination)

Exam of app shows POD is in NENE not SWNE as claimed.

ATTACHMENTS: Attached to This Form.

Attachments are in Permit File.

PHOTOS

MAP

SYSTEM DIAGRAM

☐
☐
☐

☒
☒
☐

DATE EXAM CONDUCTED: 5-17-95

FIELD EXAMINER:

STEVE CHELLAND

Signature

Steve Chelland

REVIEWED BY/DATE:

SA 7-17-95

DATA ENTRY BY/DATE:

S

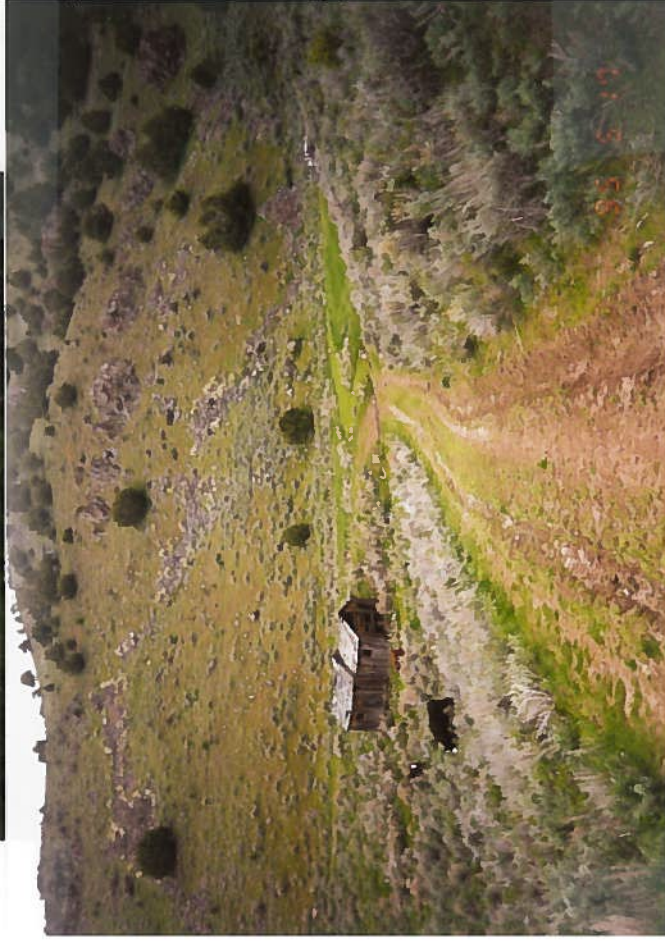
VERIFICATION BY/DATE:

V

Lower
Big Canyon
Spring

AA1-4018

Pipelines From
Spring to
Trough.



STOCK TANK.

Photos: R41-15
by sec G-17-95

