

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: **A72-10326**  
Date Received: 12/21/1989  
Receipt No: S010737  
Received By: \_\_\_\_\_

**COPY FOR  
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

**COPY FOR  
YOUR FILES**

1. Name: RICHARD E MACMILLEN 541-512-9884  
Address: 705 FOSS RD  
TALENT OR 97540  
AND/OR  
Name: BARBARA J MACMILLEN 541-512-9884  
Address: 705 FOSS RD  
TALENT OR 97540

2. Date of Priority: JUN 14, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 10N      | 18E   | 13      | SE     | NW     |     |     | CUSTER |

5. Description of diverting works:  
6" X 40' WELL WITH PUMP TO PIPELINE

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| DOMESTIC   | 01/01 | 12/31 | 0.040 |      |        |
| IRRIGATION | 04/01 | 10/31 | 0.070 |      |        |

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

8. Total consumptive use is 11.2 Acre Feet Per Annum.

9. Non-irrigation uses:  
D/ ONE HOUSEHOLD INCLUDING MISCELLANEOUS LIVESTOCK & PETS.

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 10N      | 18E   | 13      | SE     | NW  |     | IRR           | 4.5   |
|          |       |         | SE     | NW  |     | DOMEST        |       |
|          |       |         |        |     |     | Section Acres | 4.5   |
|          |       |         |        |     |     | Total Acres   | 4.5   |

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:  
NONE

14. Remarks:

P/U IS LOT 24 BLK. 2 OF EAST FORK SUBDIVISION.  
THE ORIGINAL LICENSE 71-07081 WAS ISSUED INCORRECTLY  
WITH P/U & P/D LISTED IN RGE. 13 E. INSTEAD OF THE CORRECT  
RGE. 18 E. CONSEQUENTLY THE WATER RIGHT WAS ASSIGNED IN THE  
WRONG BASIN.

\*\*\*\*\*  
11/17/99, CHANGED ADDRESS AS PER LETTER REC'D 11/16/99. C.T.

15. Basis of Claim: LICENSE

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

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Date Received: 12/21/1989  
Receipt No: S010737  
Received By: \_\_\_\_\_

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name: RICHARD E MACMILLEN 619-872-2075  
Address: ROUTE 1 RK 35  
BISHOP CA 93514  
AND/OR  
Name: BARBARA J MACMILLEN 619-872-2075  
Address: ROUTE 1 RK 35  
BISHOP CA 93514

2. Date of Priority: JUN 14, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 10N      | 18E   | 13      | SE     | NW     |     |     | CUSTER |

5. Description of diverting works:  
6" X 40' WELL WITH PUMP TO PIPELINE

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| DOMESTIC   | 01/01 | 12/31 | 0.040 |      |        |
| IRRIGATION | 04/01 | 10/31 | 0.070 |      |        |

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

8. Total consumptive use is 11.2 Acre Feet Per Annum.

9. Non-irrigation uses:  
D/ ONE HOUSEHOLD INCLUDING MISCELLANEOUS LIVESTOCK & PETS.

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 10N      | 18E   | 13      | SE     | NW  |     | IRR           | 4.5   |
|          |       |         | SE     | NW  |     | DOMEST        |       |
|          |       |         |        |     |     | Section Acres | 4.5   |
|          |       |         |        |     |     | Total Acres   | 4.5   |

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:  
NONE

14. Remarks:

P/U IS LOT 24 BLK. 2 OF EAST FORK SUBDIVISION.  
THE ORIGINAL LICENSE 71-07081 WAS ISSUED INCORRECTLY  
WITH P/U & P/D LISTED IN RGE. 13 E. INSTEAD OF THE CORRECT  
RGE. 18 E. CONSEQUENTLY THE WATER RIGHT WAS ASSIGNED IN THE  
WRONG BASIN.

15. Basis of Claim: LICENSE

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): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
 ) SS.  
County of \_\_\_\_\_ )

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

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: A72-10326  
Date Received: 12/21/1989  
Receipt No: S010737  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: RICHARD E. MACMILLEN  
Address: 2684 IRENE WAY  
BISHOP CA

619-872-2075

93514

AND/OR

Name: BARBARA J. MACMILLEN  
Address: 2684 IRENE WAY  
BISHOP CA

619-872-2075

93514

2. Date of Priority: JUN 14, 1982

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 10N      | 18E   | 13      |        | SE     | NW  |     | CUSTER |

5. Description of diverting works:

6" X 40' WELL WITH PUMP TO PIPELINE

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| DOMESTIC   | 01/01 | 12/31 | 0.040  |      |        |
| IRRIGATION | 04/01 | 10/31 | 0.070  |      |        |

7. Total Quantity Appropriated is:

0.070 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

11.2 Acre Feet Per Annum.

9. Non-irrigation uses:

D/ ONE HOUSEHOLD INCLUDING MISCELLANEOUS LIVESTOCK & PETS.

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot           | Use    | Acres |
|----------|-------|---------|--------|-----|---------------|--------|-------|
| 10N      | 18E   | 13      | SE     | NW  |               | IRR    | 4.5   |
|          |       |         | SE     | NW  |               | DOMEST |       |
|          |       |         |        |     | Section Acres |        | 4.5   |
|          |       |         |        |     | Total Acres   |        | 4.5   |

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:  
NONE

14. Remarks:

P/U IS LOT 24 BLK. 2 OF EAST FORK SUBDIVISION.  
THE ORIGINAL LICENSE 71-07081 WAS ISSUED INCORRECTLY  
WITH P/U & P/D LISTED IN RGE. 13 E. INSTEAD OF THE CORRECT  
RGE. 18 E. CONSEQUENTLY THE WATER RIGHT WAS ASSIGNED IN THE  
WRONG BASIN.

15. Basis of Claim: LICENSE

Water Right Number - A72-10326

Prefix Translation:

ADJUDICATION CLAIM

Old (D) Number -

\*\*\* C - CURRENT OWNER \*\*\*  
MACMILLEN  
Last Name - + First Name - + Address - +  
RICHARD E.  
1 - 2684 IRENE WAY  
2 -  
3 -  
City- BISHOP  
Phone - 619-872-2075  
1 - 2684 IRENE WAY  
2 -  
3 -  
City- BISHOP  
Phone - 619-872-2075  
State- CA Zip- 93514

MACMILLEN  
BARBARA J.  
State- CA Zip- 93514

Priority Date - + 17 SOUTHERN  
06/14/1982  
Region - +  
L - LICENSE  
Stage - +  
Status - +  
Tributary - +

GROUNDWATER

TwN Rng Sec Tract Lot Rflg County Point of Diversion  
10N 18E 13 SE NW (37) CUSTER

Code Description Period From Period To Water Use Diversion Rate Diversion Volume  
43 - DOMESTIC 01/01 12/31 0.040  
01 - IRRIGATION 04/01 10/31 0.070

+ - Total Div. Rate - + - Total Div. Volume - + - Total Consumptive Use - + - KW Usage - +  
0.070 11.2

TwN Rng Sec Tract Lot Acres Place of Use Code Description County  
10N 18E 13 SE NW 4.5 01 IRRIGATION (37) CUSTER  
10N 18E 13 SE NW 43 DOMESTIC (37) CUSTER

Total Acres: 4.5

- - Diversion Means - 6" X 40' WELL WITH PUMP TO PIPELINE
- - Non-Irrigation Use - D/ ONE HOUSEHOLD INCLUDING MISCELLANEOUS LIVESTOCK & PETS.
- - Other Rights for Same Use - NONE
- - Remarks  
P/U IS LOT 24, BLK. 2 OF EAST FORK SUBDIVISION.  
THE ORIGINAL LICENSE 71-07081 WAS ISSUED INCORRECTLY

| Remarks                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------|
| WITH P/U & P/D LISTED IN RGE. 13 E. INSTEAD OF THE CORRECT RGE. 18 E. CONSEQUENTLY THE WATER RIGHT WAS ASSIGNED IN THE WRONG BASIN. |

## Old Water Right Numbers -

+ - Decree Date - +  
00/00/0000

- - -Comments- -  
No Comments Found

+ - - - - - Adjudication Rights Dates and Flags Area

|                      |   |            |                       |   |            |                         |   |       |
|----------------------|---|------------|-----------------------|---|------------|-------------------------|---|-------|
| Court Report Filing  | - | 00/00/0000 | Field Inspection Made | - | 00/00/0000 | Civil Case Number       | - | 39576 |
| Objection Filed Date | - | 00/00/0000 | Field Inspection Flag | - |            | Old Case Number         | - |       |
| Response Filed Date  | - | 00/00/0000 | Verified Date         | - | 00/00/0000 | Old Judicial District   | - |       |
| Claim Received Date  | - | 12/21/1989 | Last Amended Date     | - | 00/00/0000 | Temporary Right         | - | P     |
|                      |   |            | Receipt Number        | - | S010737    | Water District          | - |       |
|                      |   |            | POU Ownership Flag    | - | Y          | Federal/State Indicator | - | S     |
|                      |   |            | Name Connector        | - | AND/OR     | Presumption Flag        | - | C     |
|                      |   |            |                       |   |            | Notice of Error Flag    | - |       |

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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: A72-10326  
Date Received: 12/21/1989  
Receipt No: 5010737  
Received By: APM

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: RICHARD E. MACMILLEN 714-499-4648  
Address: 31871 8TH AVE.  
SOUTH LAGUNA, CA 92677

AND/OR

Name: BARBARA J. MACMILLEN 714-499-4648  
Address: 31871 8TH AVE.  
SOUTH LAGUNA, CA 92677

2. Date of Priority: JUN 14, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 10N      | 18E   | 13      | SE     | NW     |     |     | CUSTER |

5. Description of diverting works:  
6" X 40' WELL WITH PUMP TO PIPELINE

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| DOMESTIC   | 01/01 | 12/31 | 0.040 |      |        |
| IRRIGATION | 04/01 | 10/31 | 0.070 |      |        |

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

8. Total consumptive use is 11.2 Acre Feet Per Annum.

9. Non-irrigation uses:  
D/ ONE HOUSEHOLD INCLUDING MISCELLANEOUS LIVESTOCK & PETS.

10. Place of Use:

| Township      | Range | Section | 1/4 of 1/4 | Lot      | Use           | Acres |
|---------------|-------|---------|------------|----------|---------------|-------|
| 10N           | 18E   | 13      | SE<br>SE   | NW<br>NW | IRR<br>DOMEST | 4.5   |
| Section Acres |       |         |            |          |               | 4.5   |
| Total Acres   |       |         |            |          |               | 4.5   |

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
P/U IS LOT 24 BLK. 2 OF EAST FORK SUBDIVISION.  
THE ORIGINAL LICENSE 71-07081 WAS ISSUED INCORRECTLY  
WITH P/U & P/D LISTED IN RGE. 13 E. INSTEAD OF THE CORRECT  
RGE. 18 E. CONSEQUENTLY THE WATER RIGHT WAS ASSIGNED IN THE  
WRONG BASIN.

15. Basis of Claim: LICENSE

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): \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

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 A72-10326Date Received 5010737 AdmReceipt Number 5010737

two cks

RECEIVED

DEC 18 1989

Department of Water Resources  
Western Regional Office

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

DEC 20 1989

Department of Water Resources  
Southern Region Office

## Please type or print clearly

1. Name of Claimant (s) Richard E. and/or Barbara J. MacMillen Phone (714) 499-4648Mailing Address 31871 8<sup>th</sup> Ave., South Laguna, CA. Zip 926772. Date of Priority (Only one (1) per claim) June 14, 19823. Source of water supply (a) Groundwater (well)  
which is tributary to (b) East Fork of Salmon River4. a. Location of existing point of diversion is: Township 10 N Range 18 E Section 13,  
1/4 of SE 1/4 of NW 1/4, Govt. Lot, B.M., County of Custer

Additional points of diversion if any: \_\_\_\_\_

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. Well, 6" casing, 40' deep, surface  
pump with pressure tank, pipe to house and irrigation line.

MICROFILMED

MAR 18 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 01/01 to 12/31 amount 0.04 or \_\_\_\_\_

For Irrigation purposes from 04/01 to 10/31 amount 0.07 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.07 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 11.25 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic: one household; miscellaneous livestock & pets.

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 |        |
| 10N | 18E | 13  |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       | 4.5    |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 4.5

11. In which county (ies) are lands listed above as place of use located? Custer

12. 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: East Fork Subdivision, Lot 24, Block 2; please note that our original water right license (# 71-07081) was issued with an incorrect location designation (Twn 10 N, RGE 13E, Sec 13, SE NW). I have filed an application for transfer of water right, indicating the correct location as Twn 10 N, RGE 18E, Sec 13, SE NW.

**MICROFILMED**

**MAR 18 1993**

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License X Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number 71-07081  
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 X do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Richard E. Mayfield Date 12 Dec. 1989

Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

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.

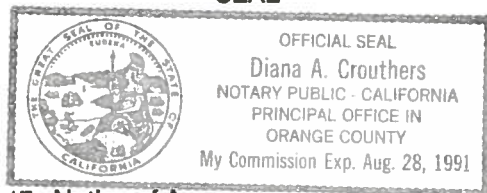
Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of ~~Idaho~~ California )  
County of Orange ) SS.

Subscribed and sworn (or affirmed) before me this 12th day of December 19 89

SEAL



Notary Public Diana A. Crouthers

Residing at Carson, California

My Commission Expires August 28, 1991

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 \_\_\_\_\_

MICROFILMED

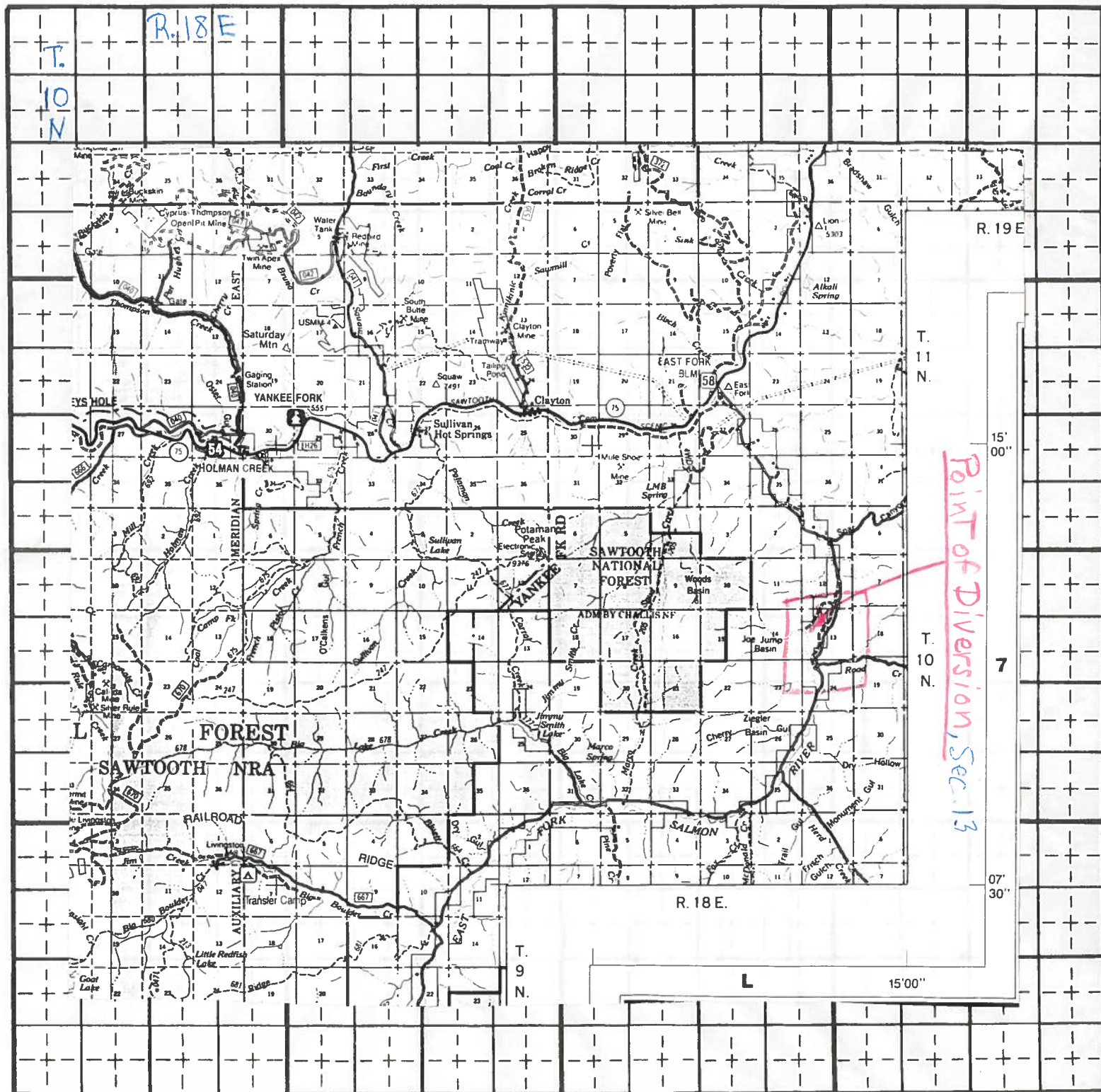
MAR 18 1993

Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

Copies White-State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



**MICROFILMED**

**MAR 18 1993**

Last Name \_\_\_\_\_

Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant

State of Idaho  
Department of Water Resources

**WATER RIGHT LICENSE**  
WATER RIGHT NO. 71-07081

Priority: June 14, 1982

Maximum Diversion Rate:  
Maximum Diversion Volume:<sup>1</sup>

0.07 CFS  
14.7 AF

This is to certify, that RICHARD E. MAC MILLEN  
BARBARA J. MAC MILLEN

31871 8TH AVE.  
SOUTH LAGUNA, CA 92677

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 14, 1982; and has submitted Proof of Beneficial Use on August 26, 1987. An examination indicates that the works have a diversion capacity of .070 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 04/01 to 10/31       | 0.07 CFS                 | 13.5 AF              |
| DOMESTIC              | 01/01 to 12/31       | 0.04 CFS                 | 1.2 AF               |
|                       | Totals               | 0.07 CFS                 | 14.7 AF              |

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 13, Township 10N, Range 13E  
CUSTER County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 10N        | 13E        | 13         | SENW         | 4.5          |              | 4.5          |

*Note: This is incorrect. we have filed an application for transfer to change to RGE 18E*

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

MICROFILMED  
MAR 18 1993

CONSOLIDATED TAX NOTICE AND RECEIPT  
CUSTER COUNTY SHERIFF'S OFFICE

CUSTOMER COPY

| MARKET VALUE | TAX CODE AREA | PARCEL NUMBER        | BILL NUMBER |
|--------------|---------------|----------------------|-------------|
| 64503        | 24-07         | 00000000000000000000 | 2021        |

04517,

THE LIT. & ART. JOURNAL

22265  
42718

5047  
OT ACRES.  
DELIQUENT (CH)

DELINQUENT CELL

| TAXING DISTRICT | RATE    | AMOUNT | RECEIPT         |
|-----------------|---------|--------|-----------------|
| STATE           | .002543 | 171.76 | FULL PAYMENT    |
| COUNTY          | .007413 | 432.04 | TAX 710.38      |
| INC. CUSTOMERS  | .00114  | 10.55  | PEN             |
| COUNTY          | .002745 | 15.92  | SUB TOT         |
| INC. CUSTOMERS  |         |        | INT             |
|                 |         |        | TOT             |
|                 |         |        | 1ST INSTALLMENT |
|                 |         |        | TAX 355.19      |
|                 |         |        | PEN             |
|                 |         |        | SUB TOT         |
|                 |         |        | INT             |
|                 |         | 30.00  | TOT             |
|                 |         |        | 2ND INSTALLMENT |
|                 |         |        | TAX 355.19      |
|                 |         |        | PEN             |
|                 |         |        | SUB TOT         |
|                 |         |        | INT             |
|                 |         |        | TOT             |
|                 |         | 710.38 |                 |

[illegible]

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY  
MACMILLAN, INC.  
MACMILLAN, INC.

1998  
R0000400020749A

| SPECIAL CODE | TAX | CODE | AMOUNT | TAX | 4QD INSTALLMENT |
|--------------|-----|------|--------|-----|-----------------|
| 15.00        |     |      | 210.15 |     | 35.00           |
|              |     |      |        |     | PLN             |
|              |     |      |        |     | SHR TOT         |
|              |     |      |        |     | INT             |
|              |     |      |        |     | TOT             |

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE  
MAKE CHECKS PAYABLE TO

MAKE CHECKS PAYABLE TO

「X-11」

| SPECIAL CODE | TAX   | CODE | AREA   | TAX | TOTAL TAX |
|--------------|-------|------|--------|-----|-----------|
| 23           | 30.00 |      | 500.30 |     | 710.30    |
|              |       |      |        |     | PEN       |
|              |       |      |        |     | SUB TOT   |
|              |       |      |        |     | INT       |
|              |       |      |        |     | TOT       |

| SPECIAL CODE | TAX   | CODE | AREA   | TAX | 1ST INSTALLMENT |
|--------------|-------|------|--------|-----|-----------------|
| 24           | 15.00 |      | 340.10 |     | 355.10          |
|              |       |      |        |     | PEN             |
|              |       |      |        |     | SUB TOT         |
|              |       |      |        |     | INT             |
|              |       |      |        |     | TOT             |

**DELINQUENT IF M** **PAYMENT BEFORE** } **1980** **1980**

DECEMBER 20, 1999

AR

CHECK #

1

二、

1000

**MICROFILMED**

MAR 18 1993



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

21-Dec-1989 13:16

Richard E. &/or Barbara J. MacMillen  
31871 8th Ave.  
South Laguna, CA., 92677

RE: SRBA Claim A72-10326

Dear Mr. & Mrs. MacMillen:

Please find enclosed a copy of the data entry of your Notice of Claim and your receipt for the filing of your claim. Please review the data entry of your claim and if you find an error please notify us so the record can be corrected.

Please note that the filing fee for this claim is \$55.00. The fee is calculated as follows:

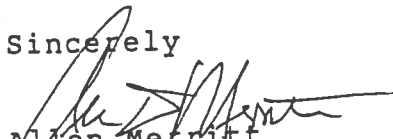
|                                        |         |
|----------------------------------------|---------|
| Base fee for non-domestic &/or stock   | \$50.00 |
| Variable charge of \$1/ acre irrigated | 5.00    |
|                                        | -----   |
| Total fee                              | \$55.00 |

We have applied both of the checks you submitted for the payment of this fee. ( Check for \$25.00 and Check for \$30.00 )

As for the transfer application we are returning it. Since the transfer is intended to correct a clerical error in the licensing of 71-07081 and after reviewing the file it appears that we should have caught this error; we do not feel you need to file the transfer. We will take official notice of the proper legal description in preparing our recommendation to the court and it will be reported as claimed under A72-10326. When the decree is finalized your water right should be correct.

If you have any questions please feel free to contact our office.

Sincerely

  
Allen Merritt  
Water Rights Supervisor

Enc:

cc: Jim Johnson IDWR-State

MICROFILMED  
MAR 18 1993

5 May 1995  
Route 1, RK 35  
Bishop, CA 93514  
(619) 872-2075

Mr. Francis G. Hitchcock  
Southern Regional Office  
Department of Water Resources  
222 Shoshone St. East  
Twin Falls, ID 83301

ck no.  
1212

RECEIVED

MAY 18 1995

Department of Water Resources  
Southern Regional Office

Dear Frank:

Enclosed please find our completed Water Rights Claim Form together with the filing fee and late fee, for our most recently acquired parcel (lot 25, block 27, the East Fork Subdivision, Custer County). I hope that it is all in order.

We plan to spend the bulk of the summer at our properties, and should be there from ca. 13 June to 25 August. If you get up that way, please drop by. Also, please note our change of address, as we have moved within the city of Bishop; it will be helpful also if you could direct all correspondence re. our other claims to our new address, as noted above.

The East Fork is starting to show signs of (over) development, with at least one new house start, and several others soon to follow. We are glad that we now have 16 acres to buffer us from all of that.

We hope that all goes well with you, and that the rigamarole of the adjudication process hasn't gotten you down.

Best regards,

*Dick MacMillen*

Richard E. MacMillen

05-18-1995: originals to DRT tray.

TARA:

please update address/phone...

A72-10326

" - 00280Y

" - 00230X

put a cc of this COPY in each file.

Thank you, 7

# ACTION REQUIRED

FROM:

7

TO:

DR & MRS. MACMILLAN

Just now (!) getting to the E.F. SUBD. files -  
here's your copy of the updated claim for  
the well license.

Hope to have recommendations out on all  
the claims this spring.

best,  
Frank H.

3. SOURCE: GROUNDWATER

Trid. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 10N      | 18E   | 13      | SE     | NW     |     |     | CUSTER |

5. Description of diverting works:

6" X 40' WELL WITH PUMP TO PIPELINE

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| DOMESTIC   | 01/01 | 12/31 | 0.040  |      |        |
| IRRIGATION | 04/01 | 10/31 | 0.070  |      |        |

7. Total Quantity Appropriated is:

0.070 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

11.2 Acre Feet Per Annum.

9. Non-irrigation uses:

D/ ONE HOUSEHOLD INCLUDING MISCELLANEOUS LIVESTOCK & PETS.

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[ ] Water Right Number (s): A72-10326

[ ] Old Mailing Address: \_\_\_\_\_

[ ] New Mailing Address: 2684 Irene Way  
Bishop, CA 93514

New Telephone Number: (619) 872-2075

[✓] Signature of Claimant: Richard S. MacMillen

Date: 9 Aug. 1993

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Further Action Needed:

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

TELEPHONE MEMORANDUM

Incoming Call

Outgoing Call

Returning Call

TO:

DATE:

FROM:

FILE:

FILE NO:

SUBJECT:

REMARKS:

1) application for permit - expansion  
ing - # of acres above present # - 2 more.  
2) Change submission - OK within POI  
left msg 4<sup>25</sup> pm - w/call again

ROUTING  
INSTRUCTIONS:

CALENDAR  
DATES:

TELEPHONE MEMORANDUM

Incoming Call

Outgoing Call

Returning Call

845  
PM

838-2453

TO:

MACMILLAN, DR. RICHARD & BARBARA

DATE:

08-05-1993

FROM:

H

FILE:

FILE NO:

A72-10326

SUBJECT:

Field Opnm - License GW

REMARKS:

MON 08-09-1993 2 PM

08-09

11-25 Confirm? - OK

ROUTING  
INSTRUCTIONS:

CALENDAR  
DATES:

NAME:

MACMILLEN, R.

CLAIM: A 72-10326.

CORRESPONDENCE

EVIDENCE OF

PRIORITY

TELEPHONE MEMORANDUM

Incoming Call

✓ Outgoing Call

Returning Call

4pm / 4<sup>13</sup>

TO:

NICK SPENCER

838-2453

DATE:

08-18-1993

FROM:

7H

FILE:

MANMILLAN

FILE NO:

-10326

SUBJECT:

UNDERCLAIMED A/  
CAN'T GO ON PROPERTY B/

REMARKS:

A generally - where - consult an attorney -  
but can say where might find information!

UNIVERSITY OF CALIFORNIA  
Irvine, California 92717

RICHARD E. MacMILLEN  
Professor Emeritus of Biological Sciences  
Certified Senior Ecologist (ESA)

Department of Ecology  
and Evolutionary Biology

Area Code 714  
856-5973, 856-6006  
FAX 725-2181

# SRBA PARTIAL DECREE 72-10326

Issued on 12-01-2000.

*This is not an official copy.*

Contact IDWR or the Court for a Certified Copy.

Choose Landscape Orientation when printing.

|                            |                                                                                                                                                     |                                                               |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| NAME AND ADDRESS:          | BARBARA J MACMILLEN<br>RICHARD E MACMILLEN<br>ROUTE 1 RK 35<br>BISHOP, CA 93514<br>GROUNDWATER<br>0.07 CFS<br>06/14/1982<br>T10N R18E S13<br>NWSENW | Within Custer County                                          |
| SOURCE:                    |                                                                                                                                                     |                                                               |
| QUANTITY:                  |                                                                                                                                                     |                                                               |
| PRIORITY DATE:             |                                                                                                                                                     |                                                               |
| POINT OF DIVERSION:        |                                                                                                                                                     |                                                               |
| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE<br>Domestic D/ ONE HOME<br>Irrigation<br>Irrigation<br>T10N R18E S13<br>4.5 Acres Total                                              | PERIOD OF USE<br>01-01 TO 12-31<br>04-01 TO 10-31<br>SENW 4.5 |
| PLACE OF USE:              |                                                                                                                                                     | Within Custer County                                          |
|                            |                                                                                                                                                     | Within Custer County                                          |

USE OF THIS RIGHT WITH RIGHT NO. 72-00230Y IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4.9 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. I.C. SECTION 42-1412(6).

10 November 1999  
705 Foss Road  
Talent, OR 97540

Department of Water Resources  
Southern Regional Office  
222 Shoshone St. East  
Twin Falls, ID 83301

RECEIVED

NOV 16 1999

Department of Water Resources  
Southern Region

Dear Water Resource Agent:

It has come to our attention that we have failed to submit to your office our most recent change of address. We own three parcels of the East Fork Subdivision, Custer County and have filed claims to water rights as follows: Lot 23, ID No. A72-00230X; Lot 24, ID Nos. A72-00230Y, A72-10326; Lot 25, A72-00230Z  $\rightarrow$  renumbered 72-00230 AA

Our previous home address of Rt.1, RK 35, Bishop, CA 93514 is no longer valid. Our present and permanent address is:

Richard E. MacMillen and/or Barbara MacMillen  
705 Foss Road  
Talent, OR 97540  
Telephone: (541) 512-9884  
Email: [bidmac@jeffnet.org](mailto:bidmac@jeffnet.org)

We have continued living temporarily on the properties during the summers, with residence in our summer home on Lot 24. During that time we have irrigated all three properties, and have used the domestic well on lot 24.

Please send to us at our permanent Oregon address any recent communications that may relate to our claims, and any that may be forthcoming in the future. Thank you for attending to this request of address change.

Sincerely,

*Richard E. MacMillen*

Richard E. MacMillen

*date entered 11/17/99. of*  
*✓ID 1/3/00*

Water Right Number - R72-10326

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - -

\*\*\* C - CURRENT OWNER \*\*\*  
MACMILLEN

BARBARA J

1 - 705 FOSS RD  
2 -  
3 -

State- OR Zip- 97540

City- TALENT  
Phone - 541-512-9884  
1 - 705 FOSS RD  
2 -  
3 -

MACMILLEN

RICHARD E

State- OR Zip- 97540

City- TALENT  
Phone - 541-512-9884  
2 -  
3 -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +  
06/14/1982 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +  
GROUNDWATER

+ - - - - - - - - - - - Point of Diversion - - - - - +  
Twn Rng Sec Tract Lot RFlg County

10N 18E 13 NW SE NW (37) CUSTER

+ - - - - - - - - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.040  
01 - IRRIGATION 04/01 10/31 0.070

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Consumptive Use - + + - - KW Usage - +  
0.070 0.0

+ - - - - - - - - - - - Place of Use - - - - - +  
Twn Rng Sec Tract Lot Acres Code Description County

10N 18E 13 SE NW 4.5 01 IRRIGATION (37) CUSTER  
10N 18E 13 SE NW 43 DOMESTIC (37) CUSTER

Total Acres: 4.5

+ - - Diversion Means - 6" X 40' WELL WITH PUMP TO PIPELINE

+ - - Non-Irrigation Use - DOMESTIC ONE HOME

+ - - Other Rights for Same Use - NONE

+ - - - - - - - - - - - Remarks - - - - - +

POU1 USE OF THIS RIGHT WITH RIGHT NO. 72-00230Y IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 4.9 ACRES IN A SINGLE

EXP PROPERTY IS ALSO KNOWN AS LOT 24, BLK 2, EAST FORK SUBDIVISION

## IRRIGATION SEASON:

A7107081

C18 -

|         |                    |       |         |                    |       |     |               |
|---------|--------------------|-------|---------|--------------------|-------|-----|---------------|
| + - - - | - Decree Plaintiff | - - + | + - - - | - Decree Defendant | - - + | + - | Decree Date - |
|         |                    |       |         |                    |       |     | 00/00/0000    |

+ + + + + Comments + + + + +

Date: 01/14/1994 User Id: HITCHCOC Subject: ADDRESS CHANGE

DATE: 01/14/1994 USER: 1113000 SUBJECT: ADDRESS CHANGE  
 UPDATED ADDRESS CLAIMANT SUBMITTED AFTER FIELD EXAM DURING  
 SUMMER.

Date: 11/12/1998 User Id: VHANCOCK Subject: COPIED FROM REMARKS

DATE: 11/12/1998 USER: ID: VANCE SUBJECT: CONF  
R/11 IS LOT 24 BIK 2 OF EAST FORK SUBDIVISION

P/U IS LOT 24 BLK. 2 OF EAST FORK SUBDIVISION.  
WITH R/U & R/D LISTED IN PGE 13 E INSTEAD OF THE CORRECT

WITH P/U & P/U LISTED IN RGE. I.E. INSTEAD OF THE CORRECT  
IRONIC BASIN

WRONG BASIN.  
DATE: 11/21/1988 NAME: ID: A 1110-DS Subject: A 1110 CONDITION UPDATE

Date: 11/21/1998 User Id: AJU10-US Subject: AJU10-  
CONVECTION CODE/CN C14 ADDED IF NOT ALREADY PART

CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART

Date: 11/17/1999 User Id: CTIMM Subject: ADDRESS CHANGE

11/17/99, CHANGED ADDRESS AS PER LETTER REC'D 11/16/99. C.I.

Date: 02/02/2000 User Id: CTIMM  
Subject: REFORMATTED WITH ADDRESS CHANGE

**CHANGED CONDITION OF USE TO C18, REFORMATTED IRRIGATION USE WITH ADDRESS CHANGE.**

+ - - Audit Fields - - +

02/02/00 CTIMM

## Adjudication Rights Dates and Flags Area

|                      |              |                       |              |                         |     |
|----------------------|--------------|-----------------------|--------------|-------------------------|-----|
| Court Report Filing  | - 01/29/1999 | Field Inspection Made | - 00/00/0000 | Civil Case Number       | -   |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | -            | Old Case Number         | -   |
| Response Filed Date  | - 00/00/0000 | Verified Date         | - 00/00/0000 | Old Judicial District   | -   |
| Claim Received Date  | - 12/21/1989 | Last Amended Date     | - 00/00/0000 | Temporary Right         | - P |
|                      |              | Receipt Number        | - S010737    | Water District          | -   |
|                      |              | POU Ownership Flag    | - Y          | Federal/State Indicator | - S |
|                      |              | Name Connector        | - AND/OR     | Presumption Flag        | - C |
|                      |              |                       |              | Notice of Error Flag    | -   |

VH



ADDRESS CORRECTED  
REQUESTED

RECEIVED  
FEB 05 1999  
Department of Water Resources  
RECEIVED  
FEB 12 1999  
Department of Water Resources  
Southern Region

NO SUCH NUMBER

R72-00230X  
BARBARA J MACMILLEN  
RICHARD E MACMILLEN  
ROUTE 1 RK 35  
BISHOP

NSN  
R1



## 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

January 26, 1999

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

72-10326

BARBARA J MACMILLEN

RICHARD E MACMILLEN

ROUTE 1 RK 35

BISHOP CA 93514

RE: Water Rights in Reporting Area 4, Basin 72  
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right(s) in part of basin 72 (Upper Salmon River area). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court.

Note you have 120 days in which to review the water rights of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouse in Challis and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the SRBA Court does not receive an objection to our recommendation from you 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 you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher  
Director

Enclosures

RIGHT NUMBER: 72-10326

NAME AND ADDRESS: BARBARA J MACMILLEN  
RICHARD E MACMILLEN  
ROUTE 1 RK 35  
BISHOP CA 93514

SOURCE: GROUNDWATER

QUANTITY: 0.07 CFS

PRIORITY-DATE: 06/14/1982

POINT OF DIVERSION T10N R18E S13 NWSENW Within CUSTER County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE       | PERIOD OF USE | QUANTITY |
|----------------|----------------------|---------------|----------|
|                | IRRIGATION           | 04-01 10-31   | 0.07 CFS |
|                | DOMESTIC D/ ONE HOME | 01-01 12-31   | 0.04 CFS |

PLACE OF USE: IRRIGATION Within CUSTER County  
T10N R18E S13 SENW 4.5  
4.5 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 72-00230Y IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 4.9 ACRES IN A SINGLE  
IRRIGATION SEASON.

DOMESTIC Within CUSTER County  
T10N R18E S13 SENW

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER  
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER  
RIGHTS IN BASIN 72:

| WATER RIGHT NO. | SOURCE |
|-----------------|--------|
| NONE            | NONE   |

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER  
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER  
RIGHTS IN THE SNAKE RIVER BASIN:

| WATER RIGHT NO. | SOURCE |
|-----------------|--------|
| NONE            | NONE   |

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES  
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED  
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE  
PROPERTY IS ALSO KNOWN AS LOT 24, BLK 2, EAST FORK SUBDIVISION

Resources:  
Bureau  
83720  
3720 000

DEC 04 '98  
PB METER  
7077211  
U.S. POSTAGE  
= 1.01 =



RETURNED TO SENDER  
UNDELIVERABLE AS ADDRESSED -  
FORWARDING ORDER EXPIRED

RICHARD E. MACMILLEN  
BARBARA MACMILLEN  
RT 1 RK 35  
BISHOP  
CA 9

1406

RECEIVED  
DEC 14 1998  
Department of Water Resources



## 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

November 20, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

Dear Water Right Claimant(s):

The Idaho Department of Water Resources (IDWR) has completed its initial investigation of your water right claim(s) in the Snake River Basin Adjudication (SRBA). We have enclosed a print-out showing our preliminary recommendation regarding how your water right should be reported to the SRBA District Court.

Please review the preliminary recommendation carefully. If there is any information on the print-out you believe is inaccurate, please fill out the enclosed reply indicating what changes you believe should be made. Further instructions to assist you with the review are enclosed. For water rights with an irrigation water use, a Geographic Information System (GIS) computerized image of the place of use for your water right is also enclosed.

You may return this reply in person to us at a public meeting IDWR will be conducting in your area. **The meeting will be held on Tuesday, December 8<sup>th</sup> at 7:00 p.m. in the Challis Middle School auditorium.** Please come to the public meeting, where you will have an opportunity to find out more about the SRBA process and speak with a department staff member should you have questions regarding your water right. Please bring any and all information you have which will help the Department understand your water rights and describe them accurately.

This process is intended to ensure IDWR recommends your water right accurately to the SRBA District Court. This is the easiest and least costly means for you to identify corrections you believe should be made to our recommendation. Completion of this process is an important step toward the overall success of the adjudication in Idaho. Your participation is necessary so that accurate information is provided to the SRBA District Court.

We look forward to hearing from you.

Sincerely,

Karl J. Dreher  
Director

Enclosures

November 20, 1998

**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:** December 18, 1998

Water right number: 72-00230Y

RICHARD E MACMILLEN  
BARBARA J MACMILLEN  
ROUTE 1 RK 35  
BISHOP CA 93514

Daytime Telephone Number:

Evening Telephone Number:

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:** \_\_\_\_\_ **SIGNATURE:** \_\_\_\_\_  
Please print your name: \_\_\_\_\_

RIGHT NUMBER:

72-00230Y

NAME AND ADDRESS:

RICHARD E MACMILLEN

BARBARA J MACMILLEN

ROUTE 1 RK 35

BISHOP CA 93514

SOURCE:

SALMON RIVER, EAST FORK

TRIBUTARY: SALMON RIVER

QUANTITY:

0.169CFS

PRIORITY-DATE:

05/01/1880

POINT OF DIVERSION

T10N R18E S24

SWNESW

Within CUSTER County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE

IRRIGATION NONE

PERIOD OF USE

04-01 10-31

QUANTITY

0.169 CFS

PLACE OF USE:

IRRIGATION

Within CUSTER County

T10N R18E S13

SENW 4.9

4.9 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 72-10326 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4.9 ACRES IN A SINGLE IRRIGATION SEASON.

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 72:

|                 |        |
|-----------------|--------|
| WATER RIGHT NO. | SOURCE |
| NONE            | NONE   |

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

|                 |        |
|-----------------|--------|
| WATER RIGHT NO. | SOURCE |
| NONE            | NONE   |

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

EXPLANATORY MATERIAL:

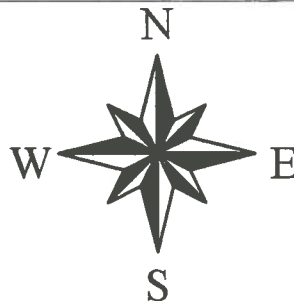
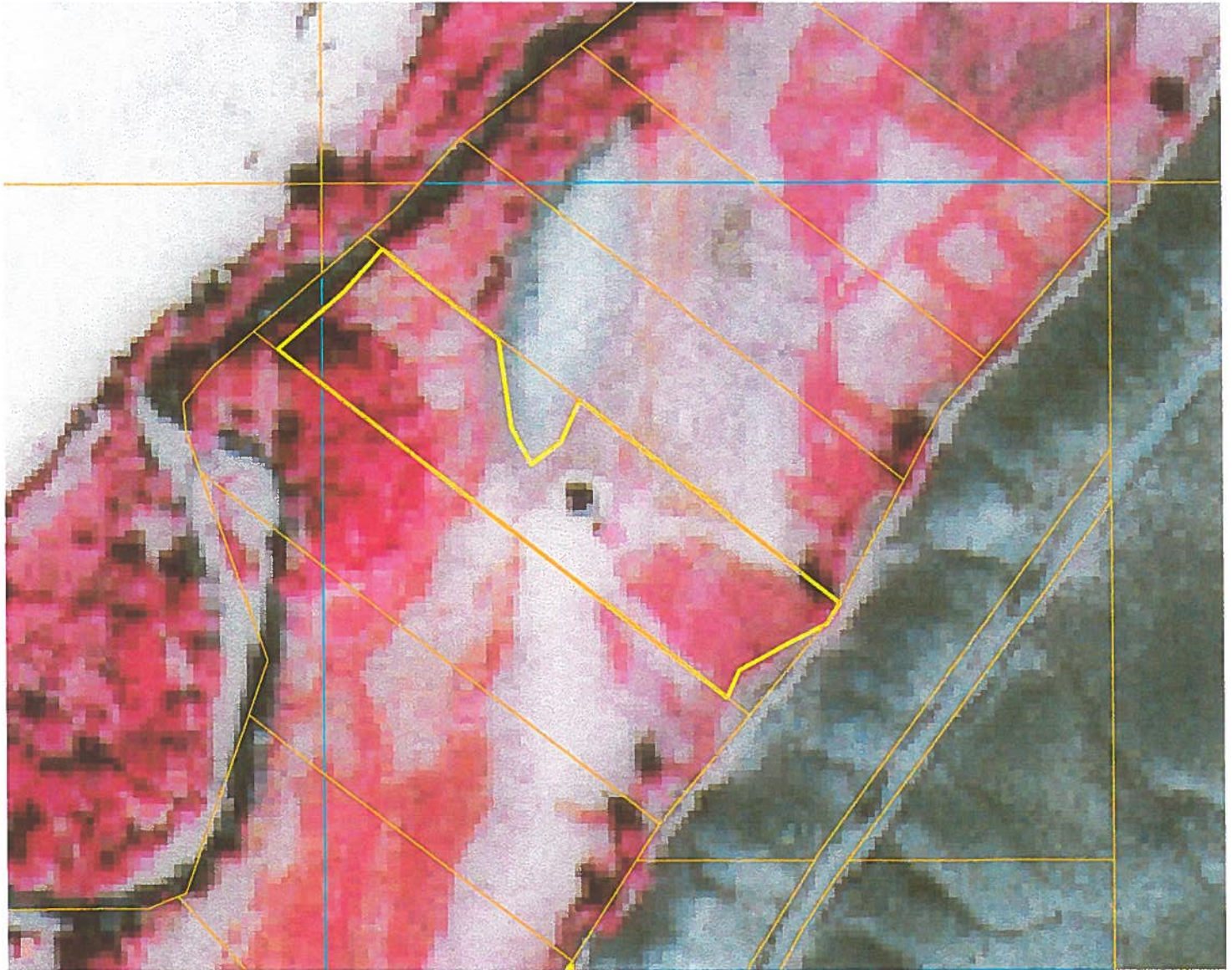
BASIS OF CLAIM - DECREE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

PROPERTY IS ALSO KNOWN AS LOT 24, BLK 2, EAST FORK SUBDIVISION

**RIGHT 72-00230Y**  
**MACMILLEN**

**RECOMMENDED PLACE OF USE**  
**TWP 10N, RNG 18E, SEC 13**  
**data entry on September 15 1998**



- RECOMMENDED PLACE OF USE**
- RECOMMENDED POINT OF DIVERSION**
- SECTION LINES**
- QUARTER/QUARTER LINES**
- SUBDIVISION LOT BOUNDARIES**

**GIS PLACE OF USE PRESENTATION**  
**1987 OR 1988 NAPP AERIAL PHOTOGRAPHY**  
**DATA ENTRY BY VIKIE HANCOCK**

Water Right Number - R72-10326

Prefix Translation: RESEARCH

Old (D) Number -

\*\*\* C - CURRENT OWNER \*\*\*  
MACMILLEN  
Last Name - + First Name - + Address - +  
BARBARA J  
1 - ROUTE 1 RK 35  
2 -  
3 -  
City- BISHOP  
Phone - 619-872-2075  
State- CA Zip- 93514

MACMILLEN  
RICHARD E  
1 - ROUTE 1 RK 35  
2 -  
3 -  
City- BISHOP  
Phone - 619-872-2075  
State- CA Zip- 93514

Priority Date - + 06/14/1982  
Region - + 17 SOUTHERN  
Stage - + L - LICENSE  
Status - +  
Tributary - +

Source - + GROUNDWATER

Twn Rng Sec Tract Lot Rflg County Point of Diversion  
10N 18E 13 NW SE NW (37) CUSTER

| Code            | Description | Period From | Period To | Water Use | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|-----------|----------------|------------------|
| 43 - DOMESTIC   |             | 01/01       | 12/31     |           | 0.040          |                  |
| 01 - IRRIGATION |             | 04/01       | 10/31     |           | 0.070          |                  |

Total Div. Rate - + 0.070  
Total Div. Volume - +  
Total Consumptive Use - + 0.0  
KW Usage - +

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use | Code | Description | County      |
|-----|-----|-----|-------|-----|-------|--------------|------|-------------|-------------|
| 10N | 18E | 13  | SE NW |     | 4.5   |              | 01   | IRRIGATION  | (37) CUSTER |
| 10N | 18E | 13  | SE NW |     |       |              | 43   | DOMESTIC    | (37) CUSTER |

Total Acres: 4.5

Diversion Means - 6" X 40' WELL WITH PUMP TO PIPELINE  
Non-Irrigation Use - D/ ONE HOME  
Other Rights for Same Use - NONE  
Remarks

POU1  
USE OF THIS RIGHT WITH RIGHT NO. 72-00230V IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 4.9 ACRES IN A SINGLE

Water right number - R72-10326

Prefix Translation: RESEARCH

IRRIGATION SEASON. Remarks

EXP PROPERTY IS ALSO KNOWN AS LOT 24, BLK 2, EAST FORK SUBDIVISION

A7107081 Old Water Right Numbers

No Conditions of Approval found.

Decree Plaintiff Decree Defendant Decree Date  
00/00/0000

Date: 01/14/1994 User Id: HITCHCOCK Subject: ADDRESS CHANGE  
UPDATED ADDRESS CHANGE CLAIMANT SUBMITTED AFTER FIELD EXAM DURING SUMMER.  
Date: 11/12/1998 User Id: VHANCOCK Subject: COPIED FROM REMARKS  
P/U IS LOT 24, BLK. 2 OF EAST FORK SUBDIVISION.  
WITH P/U & P/D LISTED IN RGE. 13 E. INSTEAD OF THE CORRECT RGE. 18 E. CONSEQUENTLY THE WATER RIGHT WAS ASSIGNED IN THE  
WRONG BASIN.

Audit Fields 11/12/98 VHANCOCK

| Adjudication Rights Dates and Flags Area |            |                         |            |
|------------------------------------------|------------|-------------------------|------------|
| Court Report Filing                      | 00/00/0000 | Field Inspection Made   | 00/00/0000 |
| Objection Filed Date                     | 00/00/0000 | Field Inspection Flag   |            |
| Response Filed Date                      | 00/00/0000 | Verified Date           | 11/12/1998 |
| Claim Received Date                      | 12/21/1989 | Last Amended Date       | 00/00/0000 |
|                                          |            | Receipt Number          | S010737    |
|                                          |            | POU Ownership Flag      | Y          |
|                                          |            | Name Connector          | AND/OR     |
|                                          |            | Civil Case Number       | 39576      |
|                                          |            | Old Case Number         |            |
|                                          |            | Old Judicial District   |            |
|                                          |            | Temporary Right         | P          |
|                                          |            | Water District          |            |
|                                          |            | Federal/State Indicator | S          |
|                                          |            | Presumption Flag        | C          |
|                                          |            | Notice of Error Flag    |            |

CLAIM NUMBER 72-10326 DATE 10/13/98 TRANSFER NUMBER \_\_\_\_\_  
 AGENT DA CLAIMED ACRE TOTAL 4.5  
 GIS ACRE TOTAL 4.6

|       | TWP        | RNG        | SEC       | NE |    |    |            | NW |    |    |    | SW |    |    |    | SE |    |    |    |           |
|-------|------------|------------|-----------|----|----|----|------------|----|----|----|----|----|----|----|----|----|----|----|----|-----------|
|       |            |            |           | NE | NW | SW | SE         | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |           |
| CLAIM | <u>10N</u> | <u>18E</u> | <u>13</u> |    |    |    | <u>4.5</u> |    |    |    |    |    |    |    |    |    |    |    |    | <u>4.</u> |
| GIS   |            |            |           |    |    |    | <u>4.9</u> |    |    |    |    |    |    |    |    |    |    |    |    |           |
| RECOM |            |            |           |    |    |    | <u>4.5</u> |    |    |    |    |    |    |    |    |    |    |    |    | <u>4.</u> |
|       |            |            |           |    |    |    |            |    |    |    |    |    |    |    |    |    |    |    |    |           |
| CLAIM |            |            |           |    |    |    |            |    |    |    |    |    |    |    |    |    |    |    |    |           |
| GIS   |            |            |           |    |    |    |            |    |    |    |    |    |    |    |    |    |    |    |    |           |
| RECOM |            |            |           |    |    |    |            |    |    |    |    |    |    |    |    |    |    |    |    |           |
|       |            |            |           |    |    |    |            |    |    |    |    |    |    |    |    |    |    |    |    |           |
| CLAIM |            |            |           |    |    |    |            |    |    |    |    |    |    |    |    |    |    |    |    |           |
| GIS   |            |            |           |    |    |    |            |    |    |    |    |    |    |    |    |    |    |    |    |           |
| RECOM |            |            |           |    |    |    |            |    |    |    |    |    |    |    |    |    |    |    |    |           |

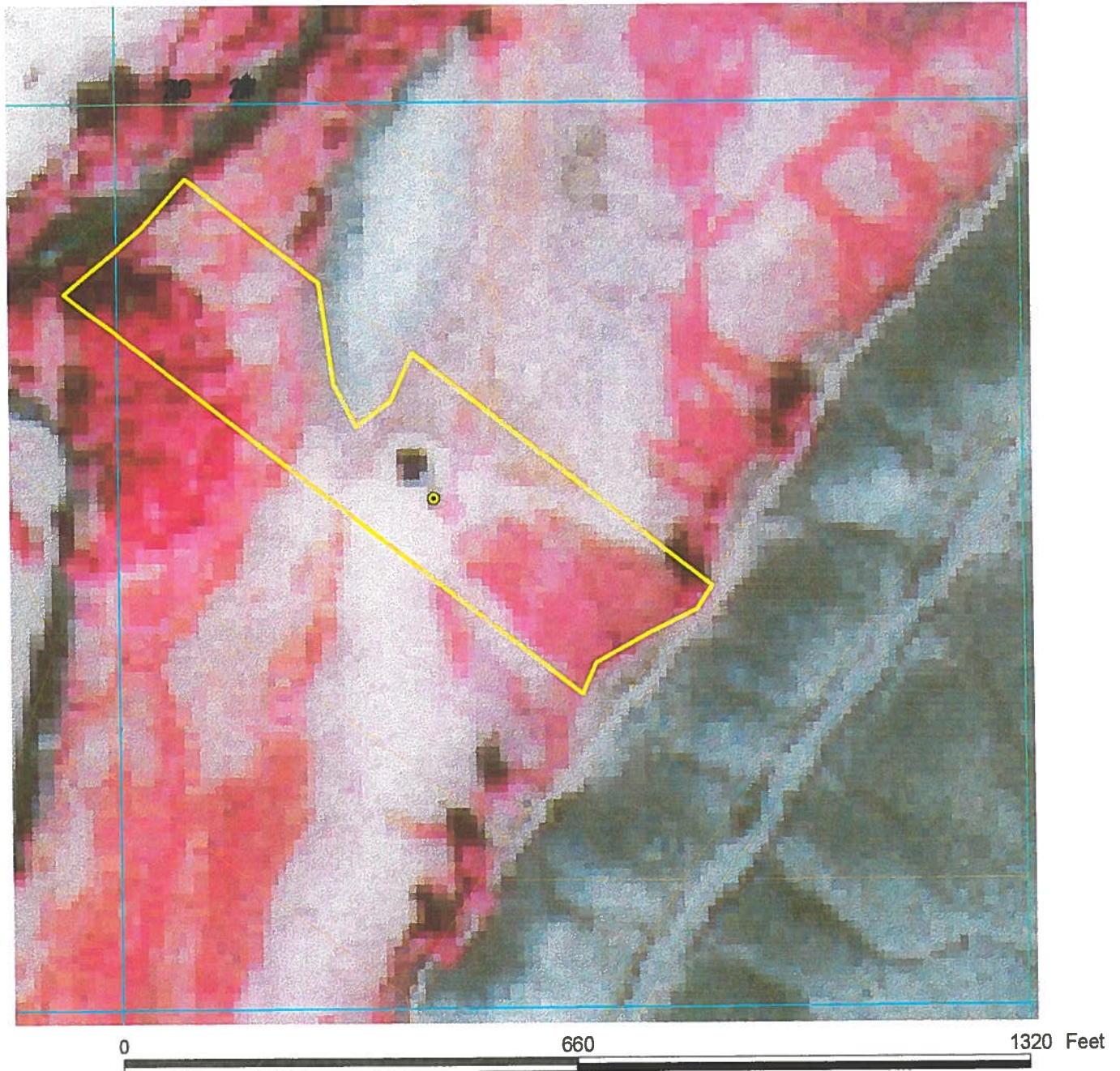
B72-DBPOU.SHP \_\_\_\_\_  
 SHAPE NOS. \_\_\_\_\_  
116 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

B72-DBPOD.SHP \_\_\_\_\_  
 NOS. DESCRIPTION \_\_\_\_\_  
23 well NW SE NW Sec. 13 TION RIBE  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

DBF TABLES UPDATED \_\_\_\_\_  
 B72-DBPOU.DBF \_\_\_\_\_  
 B72-DBPOD.DBF \_\_\_\_\_

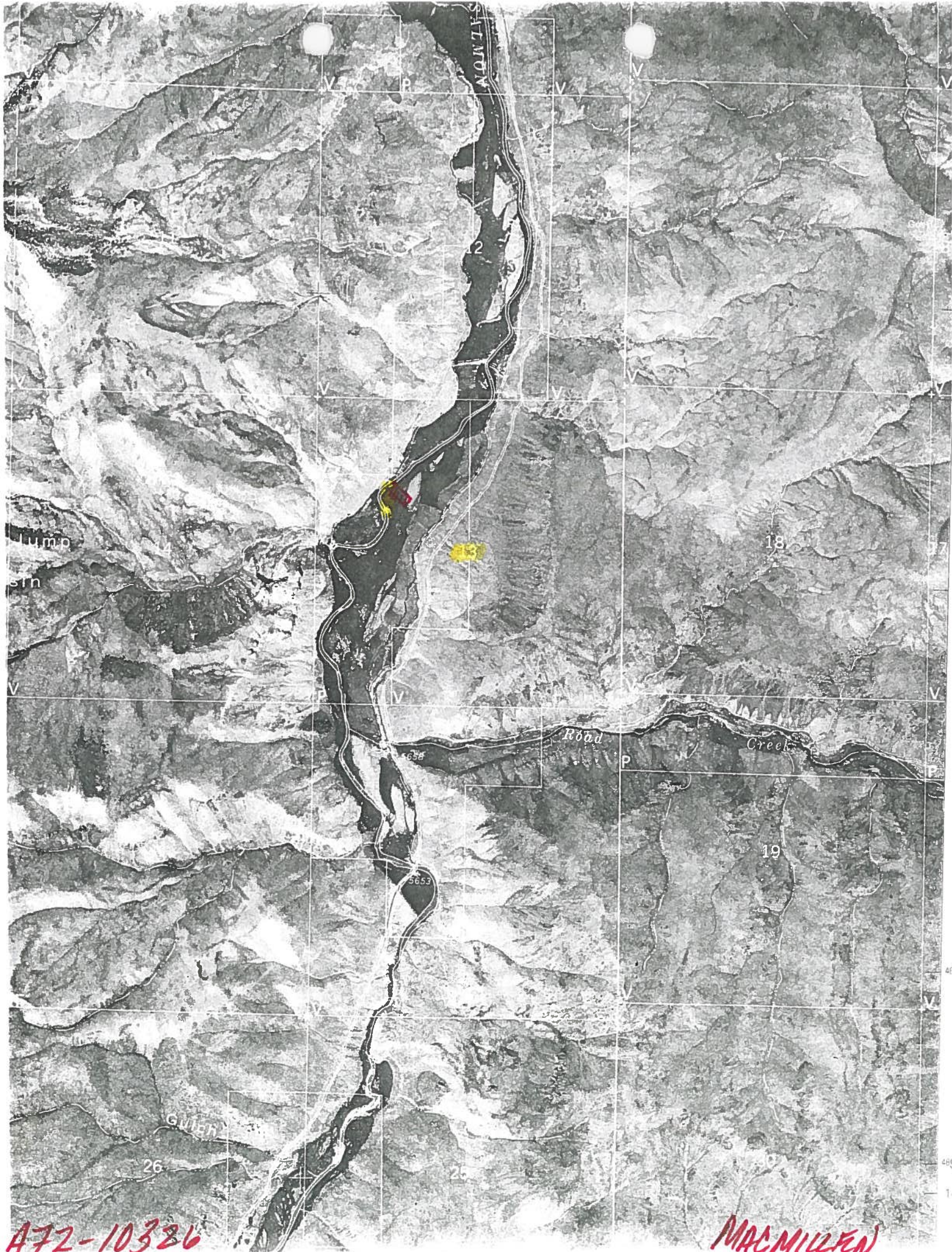
**RIGHT 72-10326**  
**MAC MILLEN**

**RECOMMENDED PLACE OF USE**  
**TWP 10N, RNG 18E, SEC 13**  
**data entry on October 13, 1998**



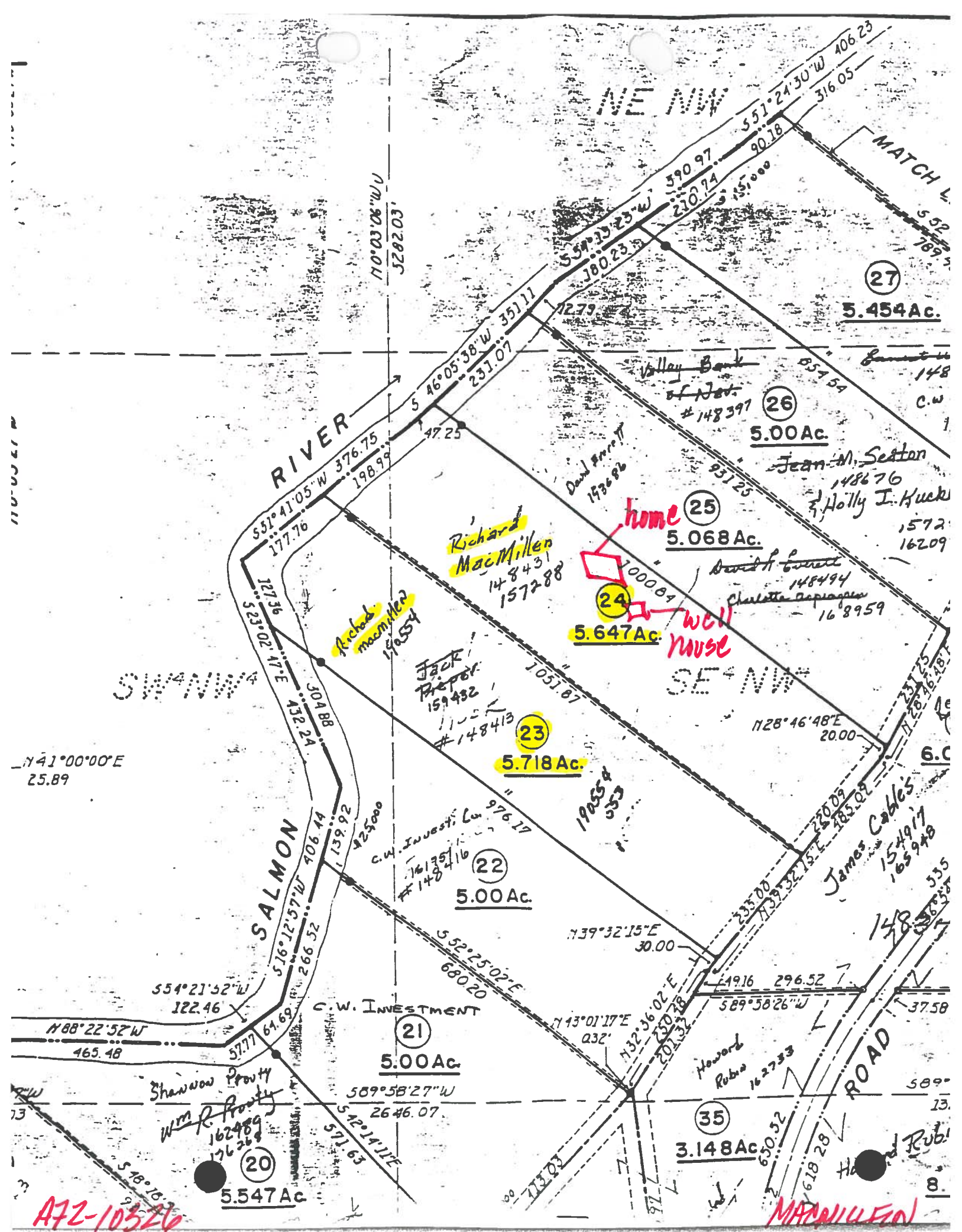
- |                                                                                     |                                       |
|-------------------------------------------------------------------------------------|---------------------------------------|
|  | <b>RECOMMENDED PLACE OF USE</b>       |
|  | <b>RECOMMENDED POINT OF DIVERSION</b> |
|  | <b>SECTION LINES</b>                  |
|  | <b>QUARTER/QUARTER LINES</b>          |
|  | <b>SUBDIVISION LOT BOUNDARIES</b>     |

**GIS PLACE OF USE PRESENTATION  
1987 OR 1988 NAPP AERIAL PHOTOTGRAPHY  
DATA ENTRY BY VIKIE HANCOCK**



A72-10326

MACMILLAN





SEE REVERSE  
FOR TEXT

A77-10371a

MAINTAINED

Renumbered  
05-26-93

State of Idaho  
Department of Water Resources

RECEIVED

JUN 14 1982

**WATER RIGHT LICENSE**

WATER RIGHT NO. **71-07081**

Department of Water Resources  
Southern Region Office

Priority: June 14, 1982

Maximum Diversion Rate:  
Maximum Diversion Volume:<sup>1</sup>

0.07 CFS  
14.7 AF

This is to certify, that RICHARD E. MAC MILLEN  
BARBARA J. MAC MILLEN

31871 8TH AVE.  
SOUTH LAGUNA, CA 92677

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 14, 1982; and has submitted Proof of Beneficial Use on August 26, 1987. An examination indicates that the works have a diversion capacity of .070 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 04/01 to 10/31       | 0.07 CFS                 | 13.5 AF              |
| DOMESTIC              | 01/01 to 12/31       | 0.04 CFS                 | 1.2 AF               |
|                       | Totals               | 0.07 CFS                 | 14.7 AF              |

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 13, Township 10N, Range 13E  
CUSTER County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 10N        | 13E        | 13         | SENE         | 4.5          |              | 4.5          |

Total number of acres irrigated: 4.5

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

71-7081

L I C E N S E

PAGE 2

State of Idaho  
Department of Water Resources

**WATER RIGHT LICENSE**  
WATER RIGHT NO. 71-07081

This license is issued pursuant to the provisions of Section 42-219, Idaho Code,  
Witness the seal and signature of the Director, affixed at Boise, this 24<sup>TH</sup>  
day of AUGUST, 1989.

Acting for R. Keith Higginson, Director

Water Right Number - R72-10326

Prefix Translation:

RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
MACMILLEN

BARBARA J.

1 - 2684 IRENE WAY  
2 -  
3 -

State- CA Zip- 93514

MACMILLEN

RICHARD E.

City- BISHOP  
Phone - 619-872-2075  
1 - 2684 IRENE WAY  
2 -  
3 -  
City- BISHOP  
Phone - 619-872-2075

State- CA Zip- 93514

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +  
06/14/1982 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +  
GROUNDWATER

+ - - - - Point of Diversion - - - - - +  
Twn Rng Sec Tract Lot Rflg County  
10N 18E 13 SE NW (37) CUSTER

+ - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume  
43 - DOMESTIC 01/01 12/31 0.040  
01 - IRRIGATION 04/01 10/31 0.070

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +  
0.070 11.2

+ - - - - Place of Use - - - - - +  
Twn Rng Sec Tract Lot Acres Code Description County  
10N 18E 13 SE NW 4.5 01 IRRIGATION (37) CUSTER  
10N 18E 13 SE NW 43 DOMESTIC (37) CUSTER

Total Acres: 4.5

+ - - Diversion Means - 6" X 40' WELL WITH PUMP TO PIPELINE

+ - - Non-Irrigation Use - D/ ONE HOUSEHOLD INCLUDING MISCELLANEOUS LIVESTOCK & PETS.

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +  
P/U IS LOT 24, BLK. 2 OF EAST FORK SUBDIVISION.  
THE ORIGINAL LICENSE 71-07081 WAS ISSUED INCORRECTLY

Water right number - R72-10326

Prefix Translation: RESEARCH

Remarks  
WITH P/U & P/D LISTED IN RGE. 13 E. INSTEAD OF THE CORRECT  
RGE. 18 E. CONSEQUENTLY THE WATER RIGHT WAS ASSIGNED IN THE  
WRONG BASIN.

A7107081

Conditions of Approval  
No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date  
00/00/0000

Date: 01/14/1994 User Id: HITCHCOC Subject: ADDRESS CHANGE  
UPDATED ADDRESS CHANGE CLAIMANT SUBMITTED AFTER FIELD EXAM DURING SUMMER.

Audit Fields  
01/14/94 HITCHCOC

Adjudication Rights Dates and Flags Area

|                      |              |                       |              |                         |         |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing  | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number       | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | -            | Old Case Number         | -       |
| Response Filed Date  | - 00/00/0000 | Verified Date         | - 00/00/0000 | Old Judicial District   | -       |
| Claim Received Date  | - 12/21/1989 | Last Amended Date     | - 00/00/0000 | Temporary Right         | - P     |
|                      |              | Receipt Number        | - S010737    | Water District          | -       |
|                      |              | POU Ownership Flag    | - Y          | Federal/State Indicator | - S     |
|                      |              | Name Connector        | - AND/OR     | Presumption Flag        | - C     |
|                      |              |                       |              | Notice of Error Flag    | -       |

PROPERTY ADDRESS:

DATE OF BIRTH: / /

RESIDENCE:

RESIDENCE TO PLANT:

RESIDENCE TO PROPERTY / DEMAND:

07-15-93:

5<sup>25</sup> Street @ house, drive truck there - 8 "with" etc. ? per  
Minimally - on only ? Minus accept for above etc. Will  
change of address to Boston, etc. !.







4. AT CLAIM POINT OF INTERSECTION AND SOURCE:

| POINT     | W/O | D/O | C/F | 1/4 | 1/4 | 1/4 | TOT | CNTY   |
|-----------|-----|-----|-----|-----|-----|-----|-----|--------|
| A72-10026 | 10N | 10E | 12  | W   | SE  | NE  |     | CUSTER |

OTHER AT CLAIM WITH SAME AT PTH  
A DEPT V PPPPY  
NAME NAME

WE REPORTS IN SAME AS AFRS TRACT  
72-00226  
72-00227  
72-00228  
72-00229

CLAIMS: RECONCILIATED

TRIP:

UP POINT OF INTERSECTION AND SOURCE:

WHERE TO NO WATER STRUT RECORD WITH THE SAME CLAIM NUMBER

CLAIMS: NO CLAIMS FOR RECORD

TRIP: NO TRIP/TALLY FOR RECORD

5. CLAIM BYAS RECONCILED?

YES TO FOR DISCREPANCY? (Y/N) Y  
YES TO SOURCE DISCREPANCY? (Y/N) Y

DATAPAGE  
CYAMTAPR

REMARKS:





AT PLANT INFO:

000-10000  
 000-10000

MONTH/DAY  
 FROM 01-01 TO 12-31  
 FROM 01-01 TO 12-31

TOTAL TURBIDITY RATE/UNIT OF PLANT

TURBIDITY QUANTITY  
 -0.00 cps  
 -0.00 cps  
 -0.00 cps

AT PLANT INFO:

000-10000

MONTH/DAY

TURBIDITY QUANTITY

AT PLANT INFO:

000-10000

PIPI n  
 DATABASE EXAMINER

THIS IS WATER-USE INFORMATION? (Y/N)  
 THIS IS TURBIDITY DATA INFORMATION? (Y/N)  
 THIS IS TURBIDITY DATA INFORMATION? (Y/N)

Y  
 Y  
 Y

AT PLANT INFO:

000-10000

TURBIDITY TO THE STANDARD OR OTHER?

000-10000

Y  
 Y  
 Y

Explain in power: below



11. DATE/UTLIME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE  $\times 0.02$  CFS/ACRE = CFS  
(taken from b/c row)

TOTAL AMOUNT CLAIMED EXCEPT 0.02 CFS/ACRE Y( ) N( )

11b. IS THE ADDITIONAL WATER USE FROM FILLER AND ATTACHEMENTS Y( ) N( )

12. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 11.2 AF/A

ACROSS  $\times$  CONSUMPTIVE UTL: AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

13. IRRIGATION UTILITY UTILITY

CLAIMED UTILITY UTILITY = AF/A

ACROSS  $\times$  UTILITY UTL: AF/A FOR AREA =

TOTAL UTILITY UTILITY AF/A

14. CALCULATIONS FOR MORE THAN IRRIGATION:

SEE ATTACHED SHEETS Y( ) N( )

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)





| OWNER                     | NAME & ADDRESS                                                                                       | PRIORITY DATE | WATER USE           | USE PERIOD FROM TO         | DIURATION DATE       | DIURATION |
|---------------------------|------------------------------------------------------------------------------------------------------|---------------|---------------------|----------------------------|----------------------|-----------|
| 1                         | UTAHAN P. MORTIMER<br>WARRADA T. MORTIMER<br>31071 STU AVE.<br>COLUMBIA TEXAS 76807<br>77101 A00-A00 | 06/14/1997    | IRRIGATION DOMESTIC | 02-01 10-31<br>01-01 12-31 | 0.07 FPS<br>0.04 FPS | 11.7 APS  |
| TOTAL DIURATION: 0.07 FPS |                                                                                                      |               |                     |                            |                      |           |
| CONSUMPTION USE: 11.7 APS |                                                                                                      |               |                     |                            |                      |           |

Water Source: GROUNDWATER

Tributary to:

Channel: TRENCH

TION RICE ST. 10/SPNU

Channel: TRENCH

| NAME & ADDRESS            | DESCRIPTION FOR                                                                                      | IRRIGATION | DIURATION | USE PERIOD                 | DIURATION            | DIURATION |
|---------------------------|------------------------------------------------------------------------------------------------------|------------|-----------|----------------------------|----------------------|-----------|
| 1                         | UTAHAN P. MORTIMER<br>WARRADA T. MORTIMER<br>31071 STU AVE.<br>COLUMBIA TEXAS 76807<br>77101 A00-A00 | IRRIGATION | 04        | 02-01 10-31<br>01-01 12-31 | 0.07 FPS<br>0.04 FPS | 11.7 APS  |
| TOTAL DIURATION: 0.07 FPS |                                                                                                      |            |           |                            |                      |           |
| CONSUMPTION USE: 11.7 APS |                                                                                                      |            |           |                            |                      |           |

| NAME & ADDRESS            | DESCRIPTION FOR                                                                                      | DOMESTIC | DIURATION | USE PERIOD                 | DIURATION            | DIURATION |
|---------------------------|------------------------------------------------------------------------------------------------------|----------|-----------|----------------------------|----------------------|-----------|
| 1                         | UTAHAN P. MORTIMER<br>WARRADA T. MORTIMER<br>31071 STU AVE.<br>COLUMBIA TEXAS 76807<br>77101 A00-A00 | DOMESTIC | 04        | 02-01 10-31<br>01-01 12-31 | 0.07 FPS<br>0.04 FPS | 11.7 APS  |
| TOTAL DIURATION: 0.07 FPS |                                                                                                      |          |           |                            |                      |           |
| CONSUMPTION USE: 11.7 APS |                                                                                                      |          |           |                            |                      |           |

Water Source: GROUNDWATER

Water Source: GROUNDWATER

Water Source: GROUNDWATER

Water Source: GROUNDWATER

Water Source: GROUNDWATER

Water Source: GROUNDWATER

Water Source: GROUNDWATER

Water Right Number - 72-07512

Prefix Translation:

WATER RIGHT

Old (D) Number -

\*\*\* C - CURRENT OWNER \*\*\*

MAC MILLEN

RICHARD E.

1 - 31871 8TH AVE.  
2 -  
3 -

City- SOUTH LAGUNA  
Phone -

1 - 31871 8TH AVE.  
2 -  
3 -

City- SOUTH LAGUNA  
Phone -

MAC MILLEN

BARBARA J.

State- CA Zip- 92677

Priority Date - 06/14/1982

Region - 17 SOUTHERN

Stage - L - LICENSE

Status -

Source - GROUNDWATER

Tributary -

| Twn | Rng | Sec | Tract | Lot | Rflg | County | Point of Diversion | Diversion Name | Diversion Rate | Diversion No. |
|-----|-----|-----|-------|-----|------|--------|--------------------|----------------|----------------|---------------|
| 10N | 13E | 13  | SE NW |     |      | (37)   | CUSTER             |                |                |               |

| Code            | Description | Period From | Period To | Water Use | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|-----------|----------------|------------------|
| 01 - IRRIGATION |             | 04/01       | 10/31     |           | 0.070          | 13.50            |
| 43 - DOMESTIC   |             | 01/01       | 12/31     |           | 0.040          | 1.20             |

Total Div. Rate - 0.070

Total Div. Volume - 14.70

Total Div. Capacity - 0.070

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use | Code | Description | County      |
|-----|-----|-----|-------|-----|-------|--------------|------|-------------|-------------|
| 10N | 13E | 13  | SE NW |     | 4.5   |              | 01   | IRRIGATION  | (37) CUSTER |

Total Acres: 4.5

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

Domestic use is for 1 home.

Remarks -

Rs numbering TRAIL

WATER RIGHT

| Decree Plaintiff | Decree Defendant | Decree Date |
|------------------|------------------|-------------|
| 00/00/0000       |                  |             |

[illegible]

+ - - Audit Fields - 00/00/00

```
+-----+ Water Rights Dates and Flags Area +-----+
```

|                   |              |                 |              |                  |   |
|-------------------|--------------|-----------------|--------------|------------------|---|
| Proof Due Date    | - 09/01/1987 | Field Exam Made | - 08/04/1988 | Field Exam Fee   | - |
| Approved/Denied   | - 00/00/0000 | Protested Date  | - 00/00/0000 | Swan Falls       | - |
| Proof Made Date   | - 08/26/1987 | Hearing Date    | - 00/00/0000 | Temporary Right  | - |
| Exam to S.O. Date | - 00/00/0000 | Verified Date   | - 00/00/0000 | DLE/Carrey Act   | - |
| Order Show Cause  | - 00/00/0000 | Receipt Number  | -            | Water District   | - |
| Licensed Date     | - 08/24/1989 | Appl Received   | - 06/14/1982 | Transfer/Amended | - |
| Decree Date       | - 00/00/0000 |                 |              |                  |   |

Water Right Number - 71-07081

Prefix Translation: WATER RIGHT

Old (D) Number -

- - - - - Last Name - - - - - + - - - - - First Name - - - - - + - - - - - Address - - - - - +

- - - - - Priority Date - - - - - + - - - - - Region - - - - - + - - - - - Stage - - - - - + - - - - - Status - - - - - +  
00/00/0000 17 SOUTHERN Z - SEE REMARKS

- - - - - Source - - - - - + - - - - - Tributary - - - - - +

- - - - - Turn Rng Sec Tract Lot Rflg County Point of Diversion - - - - - Diversion Name - - - - - Diversion Rate - - - - - Diversion No. - - - - - +

- - - - - Code Description Period From Period To Water Use - - - - - Diversion Rate - - - - - Diversion Volume - - - - - +

+ - - - - Total Div. Rate - + - - - Total Div. Volume - + - - - Total Div. Capacity - +

- - - - - Turn Rng Sec Tract Lot Acres Code Description - - - - - County - - - - - +

Total Acres:

+ - - - - Diversion Means -

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use -

SEE RIGHT NO. 72-07512

- - - - - Remarks - - - - - +  
- - - - - Conditions of Approval - - - - - +  
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - - - + - - - - - Decree Defendant - - - - - + - - - - - Decree Date - - - - - +  
00/00/0000

- - - - - Comments - - - - - +  
No comments found

+ - - - - Audit Fields - 00/00/00

- - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000 Field Exam Made - 00/00/0000 Field Exam Fee -  
Approved/Denied - 00/00/0000 Protested Date - 00/00/0000 Swan Falls -  
Proof Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right - P  
Exam to S.O. Date- 00/00/0000 Verified Date - 00/00/0000 DLE/Carey Act -

Water right number - 71-07081

Prefix Translation: WATER RIGHT

+ - - - - - Water Rights Dates and Flags Area - - - - - +  
Order Show Cause - 00/00/0000 Receipt Number -  
Licensed Date - 00/00/0000 Appl Received - 00/00/0000 Water District -  
Decree Date - 00/00/0000 Transfer/Amended -

31871 8<sup>th</sup> Ave.

South Laguna, CA 92657

10 Sept. 1989

Department of Water Resources

1301 North Orchard St., Statehouse Mail

Boise, ID 83720

ATTN: Tim Johnson

SEP 14 1989

Dear Mr. Johnson:

Department of Water Resources

This will acknowledge receipt of our Water Right License No. 71-07081 permitting groundwater use for our lot 24, Block 2, The East Fork Subdivision in Custer County, Idaho. We are satisfied with its contents but, as we have been out of the country for the last seven months and unable to follow closely issues related to Idaho Water Right, I have several questions that I would like your office to answer as soon as possible.

1. You have sited the location of our property as T2N, Sec. 13, Township 10N, Range 13E, Custer County. According to my maps this is incorrect; the correct location is S2N, Sec. 13, Township 10N, Range 18E, Custer County.
2. Do we now need to file a Notice of Claim on our Water Right License? If so, please notify me and send a filing form.
3. On 9 November 1988 we purchased the adjacent 5.7 acre lot 23, Block 2, The East Fork Subdivision. Although we do not intend to develop groundwater use on that lot immediately, what may we do to ensure our right to that groundwater?
4. According to our purchase agreements we are entitled to ditch water usage for both lots 23 & 24 (combined acreage 11.3 acres), yet I am unaware of any legal provision for ensuring right to such usage by individual lot owners on the East Fork Subdivision. The ditch runs the length of the subdivision with the intake source upstream from the East Fork of the Salmon River at the extreme southern end of the subdivision; our lots are near the extreme northern (downstream) end of the subdivision. Please advise



September 21,

RE: Water Ri

Richard E. Mac  
31871 8th Ave.  
South Laguna,

Dear Mr. Mac

Following are  
September 10,

1. The legal  
listed on  
error, fi  
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2. Filling of  
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3. In Idaho,  
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4. Ditch right  
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matters are  
are provide

5. Enclosed ar  
Adjudicatio

If you have any

Sincerely,

*Richard E. MacMillan*

Thank you very much for your attention to these matters.

Sincerely,

Richard E. MacMillan

Richard E. MacMillan

(714) 499-4648 - Home phone

(714) 856-5973 - Work phone



DEPARTMENT OF WATER RESOURCES  
1301 North Orchard Street, Statehouse Mall, Boise, Idaho 83720 - (208) 327-7900

September 21, 1989

CYCEL D. ANDERSON

GOVERNOR

P. KEITH HICKMANSON

SECRETARY

RE: Water Right No. 71-7081

Richard E. MacMillen  
31871 8th Ave.  
South Laguna, CA 92651

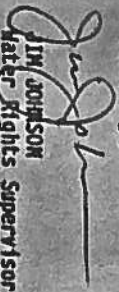
Dear Mr. MacMillen:

Following are responses to your questions raised in your correspondence of September 10, 1989.

1. The legal description on the license reflects the same description listed on the original application for permit. If there is an error, filing of a transfer application will be required to correct the description.
2. Filing of a claim to the water right license will be required under the Snake River Basin Adjudication; you will be notified by mail from the Adjudication Bureau when you need to file.
3. In Idaho, water rights are regulated by priority date based upon when the water was put to beneficial use. When you plan to start developing a use for groundwater such as irrigation, domestic, stockwater, etc., you should file an application for a water permit. You cannot file an application for a water right in speculation of development. In other words, once you file you must commence with the development within one year of the filing and the project must be completed within 5 years.
4. Ditch right-of-ways and easements are not part of the water right which enable you to appropriate public water for private use. These matters are between private landowners and the provisions of such are provided in their own set of statutes.
5. Enclosed are two information pamphlets on the Snake River Basin Adjudication (SRBA).

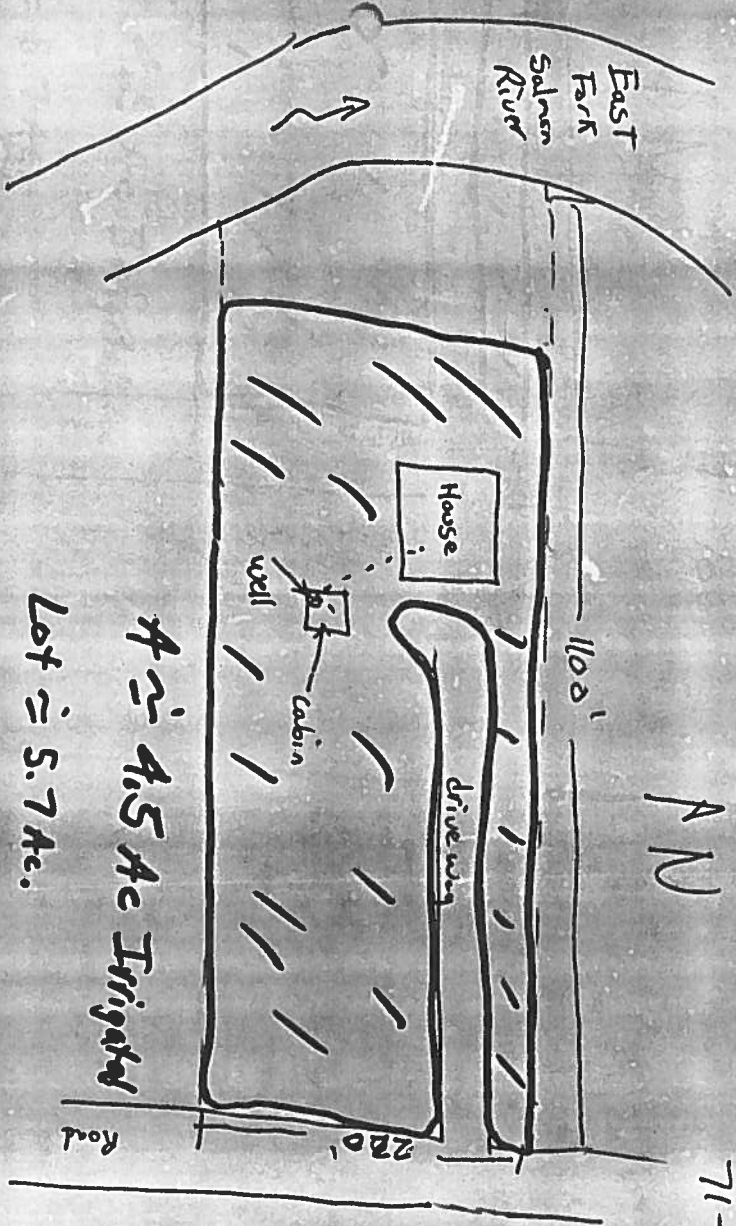
If you have any further questions, please feel free to contact us.

Sincerely,

  
JIM JOHNSON  
Water Rights Supervisor

jj:sc

Enclosures



AN

71-2081

4 ± 4.5 Ac Irrigated  
Lot ± 5.7 Ac.

## System Description (continued)

### 3. Narrative Description (As exemplar...)

Submersible pump and pressure tank on at 25 psi. at 50 psi. Sweden small cabin, Sweden house in construction and irrigation for Lake Kestau 15 watered with such ble house type evaporators of various models.

☐ See Remarks on page 4 for continuities

| Well or Discharge Identification No. * | Motor Make | Hp  | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|----------------------------------------|------------|-----|------------------|-----------|-----------------------------------|
| Well 1 Pump                            | Sho-Rite   | 3/4 | 66-82            | Sho-Rite  | AND-30                            |
|                                        |            |     |                  |           |                                   |
|                                        |            |     |                  |           |                                   |
|                                        |            |     |                  |           |                                   |

\*Code to correspond with file on map and aerial photo

\*Code to correspond with No. on map and aerial photo

### 5. Point(s) of Diversion:

[illegible]

**6. Place(s) of Use:**

[illegible]

15

**R PROOF**

**CVR**

**MAPS**

**PHOTOS**

**MISC**

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