

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 37-12214

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PATRICIA G MILLINGTON 1995 REVOCABLE TRUST PO BOX 707 PICABO, ID 83348 (208)788-3171

Attorney JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM, ID 83340
(208)726-4421

Trustee PATRICIA G MILLINGTON
PO BOX 707
PICABO, ID 83348
(208)788-3171

Priority Date: 12/31/1970
Basis: Decreed
Status: Active

<u>Source</u> SILVER CREEK	<u>Tributary to</u> LITTLE WOOD RIVER
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<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	1/01	12/31	0.05 CFS		
Total Diversion			0.05 CFS		

Location of Point(s) of Diversion:

SILVER CREEK NENENE Sec. 35 Township 01S Range 20E BLAINE County

Place(s) of use:

Place of Use Legal Description: STOCKWATER BLAINE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
01S	20E	35		NENE										
		36		SWNE			SENE							
				NENW			NWNW			SENW				

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

I. Explanatory PARCEL NO. RP01S20035224C PARCEL NO. 01S200362250 STOCKWATER 150 CATTLE

Dates:

Licensed Date:
Claim Received Date: 11/17/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date: 01/05/2001
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Other Information:

Receipt Number(s): C003439
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

March 21, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PATRICIA G MILLINGTON 1995 REVOCABLE TRUST
PATRICIA G MILLINGTON TRUSTEE
PO BOX 707
PICABO ID 83340

RE: SRBA Claim(s) 37-215G, 37-1096A, 37-1097,
37-7770, 37-12085
Decreed Water Rights 37-12213, 37-12214

Dear Ms. Millington:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

cc: Rosholt, Robertson & Tucker

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 16 2001
Department of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

Water Right No(s): _____

Adjudication Claim No(s): 37-215G, 37-1096A, 37-1097, 37-7770, 37-12213, 37-12214, 37-12085

The following REQUIRED information must be submitted with this form:

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

Name and Address of Former Owner/Claimant PATRICIA G. MILLINGTON
BOX 707
PICABO ID 83348

New Owner/Claimant(s) PATRICIA G. MILLINGTON, TRUSTEE OF THE PATRICIA G. MILLINGTON
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or 1995 REVOCABLE TRUST
BOX 707

New Mailing Address _____

City, State and ZIP Code PICABO ID 83348

New Telephone Number (208) 788-3171

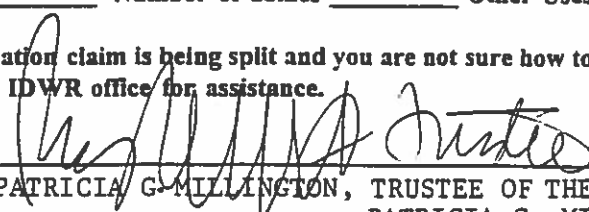
Date you acquired the property _____

If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other Uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Signature of New Owner 
or Claimant(s) PATRICIA G. MILLINGTON, TRUSTEE OF THE
PATRICIA G. MILLINGTON 1995 REVOCABLE TRUST

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Instrument # 448927

HAILEY, BLAINE, IDAHO

2001-03-14

04:09:00 No. of Pages: 1

Recorded for : ROSHOLT, ROBERTSON, TUCKER

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTYQCICORP DEED

QUITCLAIM DEED

FOR VALUE RECEIVED, PATRICIA G. MILLINGTON, a single woman, hereinafter referred to as "Grantor", does hereby convey, release, remise and forever quitclaim unto THE PATRICIA G. MILLINGTON 1995 REVOCABLE TRUST, whose address is Box 707, Picabo, Idaho, 83348, all of her right, title and interest in and to the following State of Idaho water rights as claimed in the Snake River Basin Adjudication, to-wit:

Idaho Department of Water Resource Water Right Nos:

37-215G

37-12213

37-1096A

37-12214

37-1097

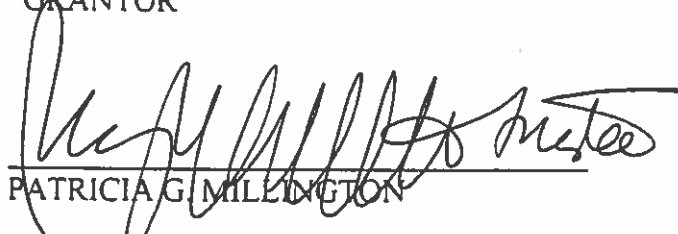
37-12085

37-7770

To have and to hold such rights unto the said Grantee, its successors and assigns, forever.

DATED this 28 day of February, 2001.

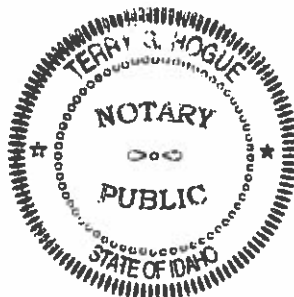
"GRANTOR"


PATRICIA G. MILLINGTON

STATE OF IDAHO)
County of BLAINE)ss.

On the 28th day of February, 2001, before me, a Notary Public, in and for said County and State, personally appeared PATRICIA G. MILLINGTON, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




NOTARY PUBLIC

Residing at: KETCHUM

My commission expires: 11/11/2005

Millington To Trust

QUITCLAIM DEED - 1

Instrument # 448926
HAILEY, BLAINE, IDAHO
2001-03-14 04:08:00 No. of Pages: 1
Recorded for : ROSHOLT, ROBERTSON, TUCKER
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index to: WTYQCICORP DEED

QUITCLAIM DEED

FOR VALUE RECEIVED, LINDA JOHNSTON, hereinafter referred to as "Grantor", does hereby convey, release, remise and forever quitclaim unto PATRICIA G. MILLINGTON, a single woman, whose address is Box 707, Picabo, Idaho, 83348, all of her right, title and interest in and to the following State of Idaho water right(s) as claimed in the Snake River Basin Adjudication, to-wit:

Idaho Department of Water Resource No. 37-12085

To have and to hold the said premises and its appurtenances unto the said Grantee, her successors and assigns, forever.

DATED this 12th day of March, 2001.

"GRANTOR"

Linda Johnston
LINDA JOHNSTON

STATE OF Idaho)
) ss.
County of Blaine)

On the 12th day of march, 2001, before me, a Notary Public, in and for said County and State, personally appeared LINDA JOHNSTON, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Heather Abrams
NOTARY PUBLIC
Residing at: Blaine Co.
My commission expires: 2/5/2006

JohnstonMillington

AJ0749NP
No. R37-12214

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/10/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PATRICIA G MILLINGTON PO BOX 707 PICABO ID 83348 (208) 788-2590	12/31/1970	STOCKWATER	01-01 12-31	0.05 CFS	
TOTAL DIVERSION:					0.05 CFS	

Water Source: SILVER CREEK

Tributary to: LITTLE WOOD RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T01S R20E S35 NENENE

BLAINE 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
01S	20E	35	:	S																	
01S	20E	36	:			S	S	:	S	S											

POU County: BLAINE

Non-Irrigation Uses: STOCKWATER 150 CATTLE

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP01S20035224C
PARCEL NO. 01S200362250

Dates: Exam Made Date: Verified Date: 12/10/1998 Objection Filed Date:

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

DATA ENTERED BY SW
DATE 2-4-99

AJ5856NP

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

DATE: SEP-19-1997

PAGE: A-146

RIGHT NUMBER: 37-12214

NAME & ADDRESS: PATRICIA G MILLINGTON
PO BOX 707
PICABO ID 83348

SOURCE: SILVER CREEK TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 0.05 CFS

PRIORITY DATE: 12/31/1970

POINT OF DIVERSION: T01S R20E S35 NENENE Within BLAINE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER S/ 150 HEAD OF CATTLE	01-01 12-31	0.05 CFS

PLACE OF USE:	STOCKWATER	Within BLAINE County
	T01S R20E S35	NENE ✓
	S36	SWNE ✓
		SENE ✓
		NENW ✓
		NNNW

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP 01S 20035224C
RP 01S 200362250

Verified by: Duf Date: 10/9/98
Verification Source: City Parcel Map

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: A37-12214
Date Received: 11/17/1988
Receipt No: C003439
Received By: BS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PATRICIA G. MILLINGTON
Address: P.O. BOX 707
PICABO, ID 83348
208-788-2590

2. Date of Priority: DEC 31, 1970

3. Source: SILVER CREEK
Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	20E	35	NE	NE	NE		BLAINE

5. Description of diverting works:
HEADGATE TO QUEEN'S CROWN DITCH (ON TOPO AS LAWSON DITCH)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 150 HEAD OF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	20E	35	NE	NE		STOCK	
		36	SW	NE		STOCK	
			SE	NE		STOCK	

A37-12214

Page 1

Date: 11/17/88

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FEB 26 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	20E	36	NE	NW		STOCK	
			NW	NW		STOCK	
			SE	NW		STOCK	

11. Place of use in counties: BLAINE

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: BENEFICIAL USE

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 437-12214
Date Received 10-27-88
Receipt Number C003439

RECEIVED

OCT 27 1988

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Southern Region Office

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

1. Name of Claimant(s): Patricia G. Millington
Phone: (208) 788-2590
Mailing Address: P.O. Box 707
Picabo, ID 83348
2. Date of Priority: 1970
3. Source of water supply: (a) Silver Creek
which is tributary to: (b) Little Wood River
4. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
1S	20E	35	NE	NE	NE		Blaine

Additional points of diversion if any: None.

5. Description of diversion works: Headgate to Queen's Crown Ditch
(shown on topo maps as Lawson Ditch).

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Stockwater	January 1	December 31	0.05 cfs

7. Total Quantity Claimed: 0.05 cfs
8. Total consumptive use claimed is de minimus

MICROFILMED
FEB 26 1993

9. Non-irrigation uses: Stockwater - 150 head of beef cattle.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>
1S	20E	36	NE	NE	S
1S	20E	36	SW	NE	S
1S	20E	36	SE	NE	S
1S	20E	36	NE	NW	S
1S	20E	36	NW	NW	S
1S	20E	36	SE	NW	S

11. Place of use is located in Blaine County.

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

13. Describe other water rights used? None.

14. Remarks: Stock water directly from the Ditch as it runs through Claimant's property.

15. Basis of Claim: Beneficial use.

IDWR Water Right Number: N/A

Court: Case Number:

Decree Date:

Plaintiff v. 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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - none.

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) _____

Date Oct 24, 1988

Date _____

State of IDAHO)
County of BLAINE) ss.

Subscribed and sworn before me this 29 day of October, 1988.

Notary Public James P. Smith

Residing at East Fork, ID

Commission Expires 1/2/91

Last Name: Millington
a:\milling5.clm

Ident No.:

MICROFILMED

FEB 26 1993