

10/15/2004

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

RIGHT NUMBER: 25-4194

NAME AND ADDRESS: LYNETTE R MILLER
296 N 4570 E
RIGBY ID 83442

MARVIN G MILLER
296 N 4570 E
RIGBY ID 83442

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.130 CFS
16.000 AFY

PRIORITY DATE: 11/01/1960

POINT OF DIVERSION:

T04N R40E S19 NWNE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.130 CFS
28.00 AFY

PLACE OF USE: IRRIGATION Within JEFFERSON County

T04N R40E S19 NWNE 7.0

7 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

09/21/2004

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PERIOD OF USE:

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EXPLANATORY MATERIAL: Beneficial Use

FILED

SCANNED

SEP 22 2004

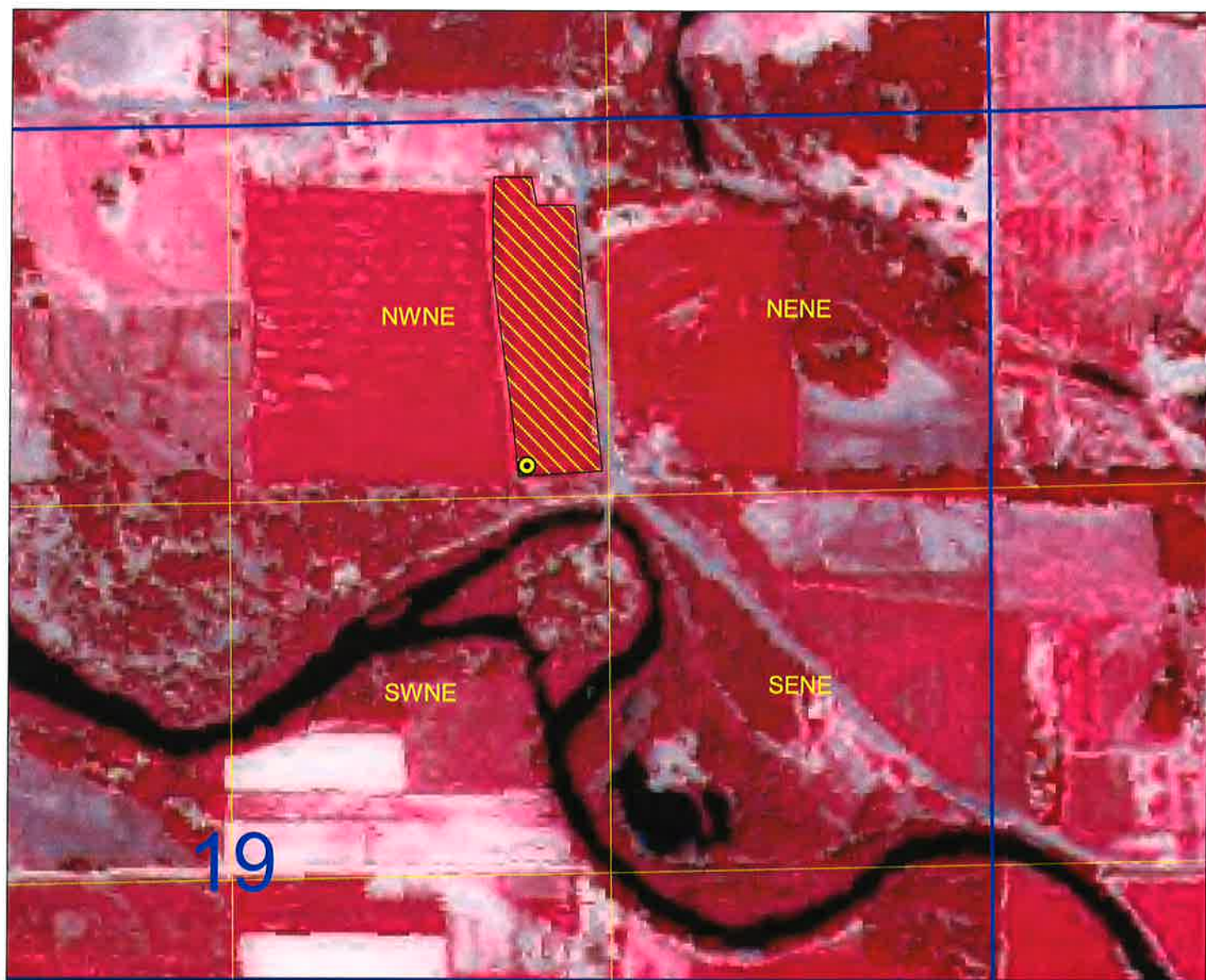


State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 25-4194



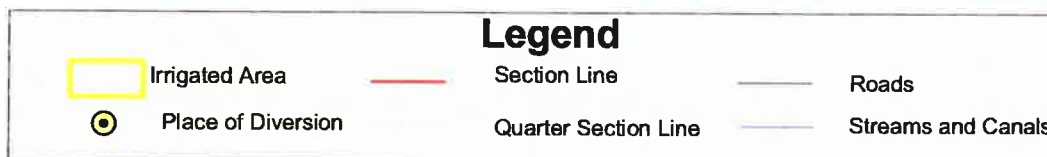
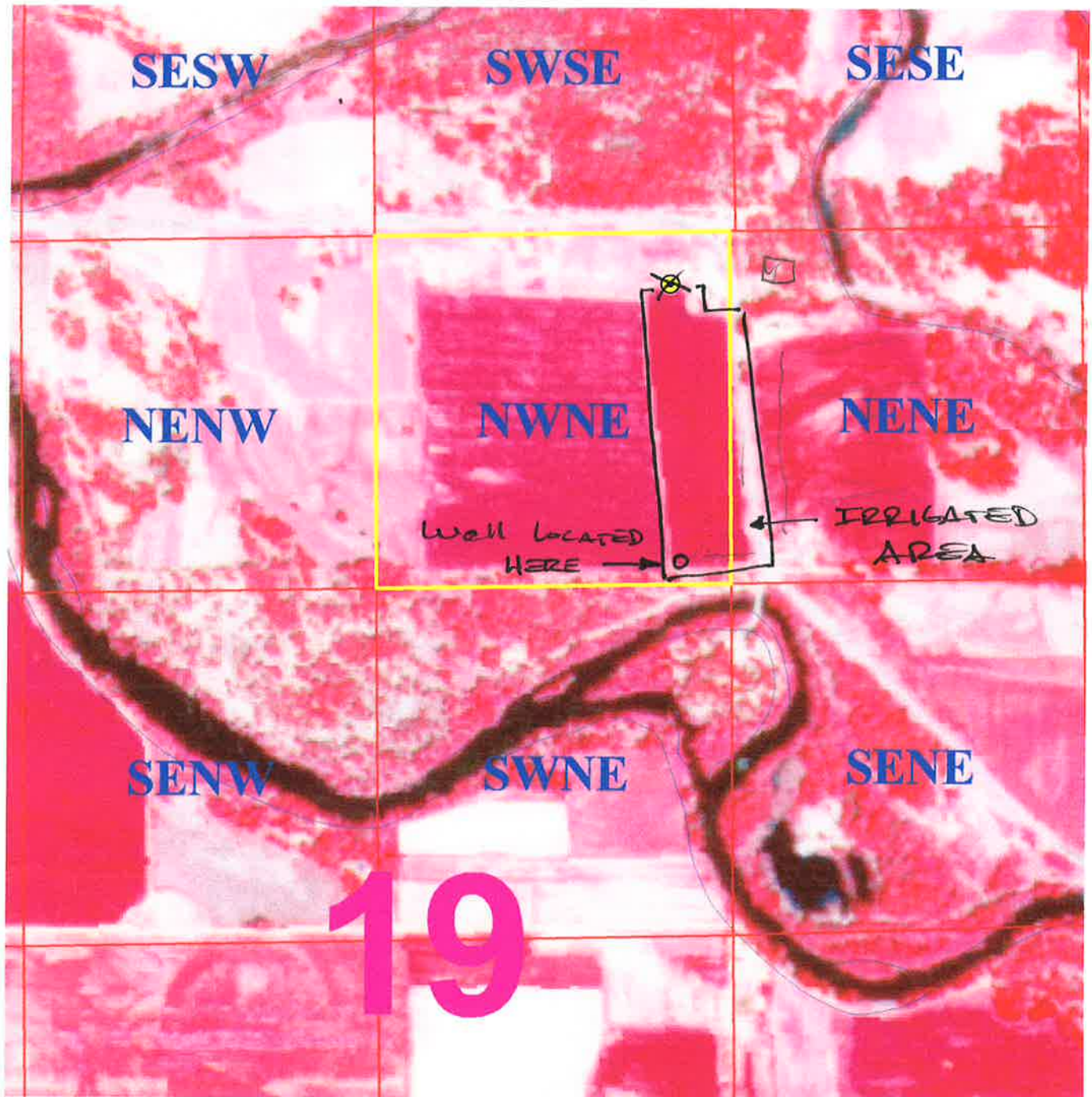
1320 0 1320 Feet

PROTECTED

- ⊙ Point of Diversion
- 25-04194.shp
- Sections
- QQ



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: September 2004



SPATIAL DYNAMICS



PROFILED

SCANNED
SEP 22 2004



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

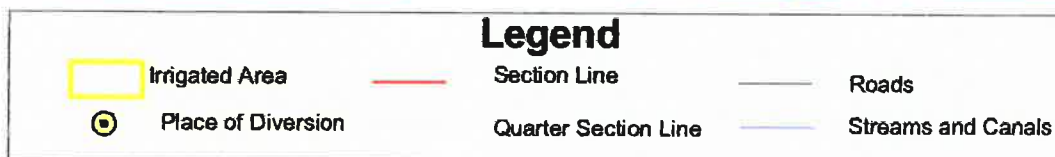
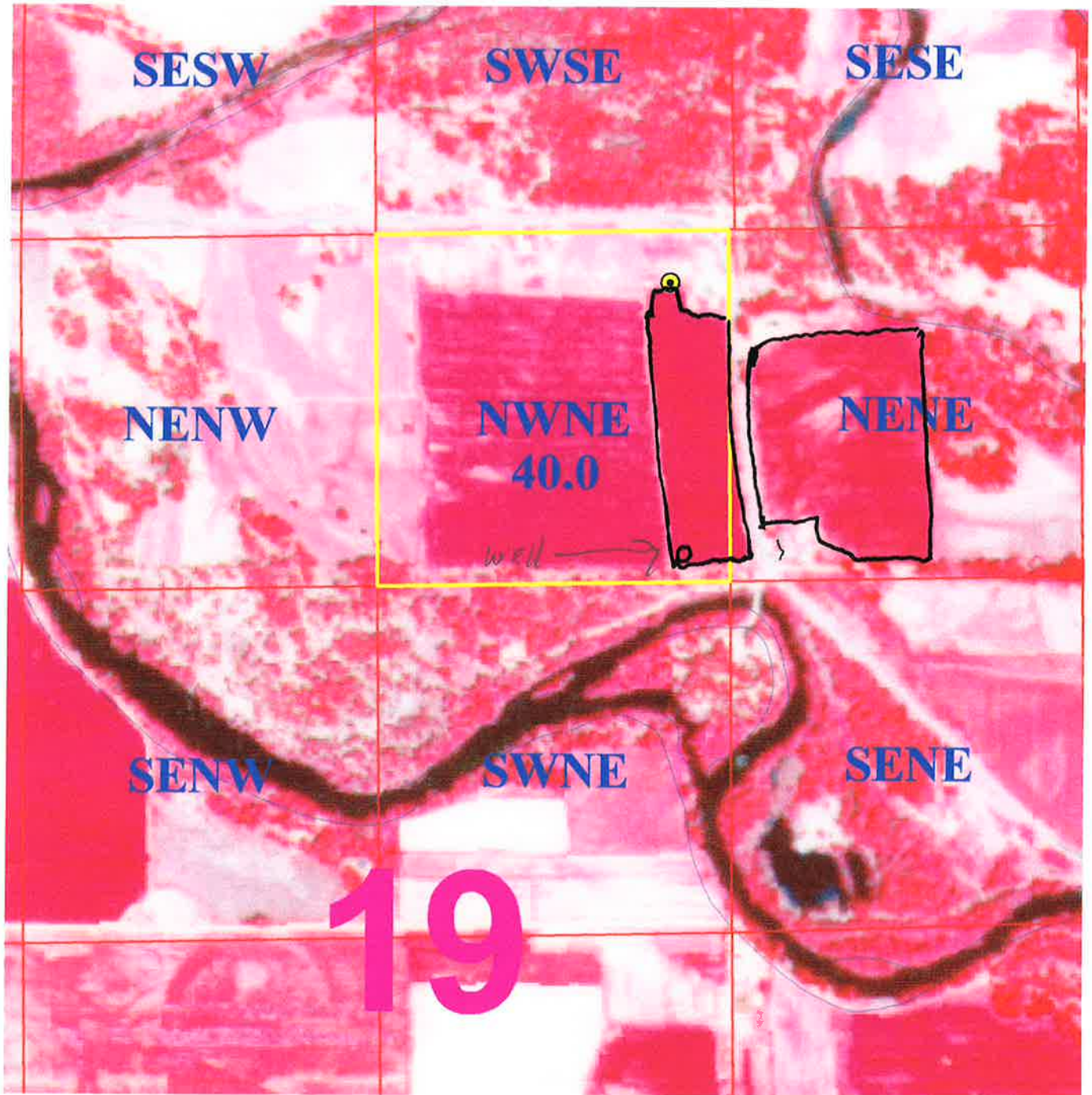
 Streams and Canals

Legend



Water Right Claim Number 25-04194
Township , 4N40E

12/26/2000



SPATIAL DYNAMICS



09/21/2004

**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:

Water right number: 25-4194

LYNETTE R MILLER
296 N 4570 E
RIGBY ID 83442
Telephone Number: (208)538-7122

MARVIN G MILLER
296 N 4570 E
RIGBY ID 83442
Telephone Number: (208)538-7122

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Vol. need to be increased & amended.

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: 10-15-04 SIGNATURE: Marvin G. Miller

Please print your name: MARVIN G. MILLER

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

SCANNED

NOV 30 2004

FILED

Contact Record for
Recommendation Process

Called on 9/9/04
left message for EOP

9/10/04
Left message to Return
call and EOP

Made contact on 9/10/04
- she returned call &
gave me husbands #
745-8747 ext 229
(work)

PROFILED

SCANNED

SEP 22 2004

Gave 1 week for EOP
because so late

- No EOP was submitted
- EOP Submitted 9/21/04

RECEIVED

Attention: Ryan Mikesell

SEP 21 2004

Sept. 12, 2004

Department of Water Resources
Eastern Region

This letter is being written to verify a water right claim to a well and a ground water source located at the diversion point of NW 1/4, NE 1/4, Sec. 19, Twp 4N, Rge. 40E., B.M., County of Jefferson.

My husband McKay and I bought our 10 acre farm and moved onto it in 1959. That year we dug a hole and pumped surface water to irrigate our field of potatoes. In 1960 we had a 12" well drilled and started using this new well and pump to irrigated the crops. This well has been used every year since, to water our field.

In May of 1993 we sold our farm and well water right to our neighbors Marvin and Lynette Miller who continue to use it to irrigated the field..

Sincerely,

Mary Lou Evans

Current property owner and witness Marvin G. Miller

Marvin G. Miller



Mr. Marvin Miller
296 N. 4570 E.
Rigby, ID 83442-5862

PROFILED

SCANNED

SEP 22 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 21, 2002

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication

Dear Claimant:

The Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Blackfoot River, Willow Creek and South Fork of the Snake River Drainages. This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist us with this task.

The purpose of this letter is to advise you that personnel from Intrepid will make an effort to contact claimants to arrange for conducting a field investigation and obtain information about your water use. IDWR requests that you provide Intrepid with access to your water diversion system so that their personnel can conduct this field examination. Intrepid will be gathering information on the rate of flow, diversion location and place of use of your water rights. Information collected during this process will be reported to IDWR and used by a Senior Water Resource Agent to prepare a recommendation on the water right.

The process of adjudicating water rights is straightforward for most people, resulting in the issuance of decreed water rights. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

If you have sold your property, we request that you forward this letter to the purchaser. The new owner is responsible for advising IDWR of the change in ownership so future correspondence will be mailed to the correct party. If you are unable to forward this letter, please send any information regarding a new owner to our Eastern Regional Office located at 900 N Skyline Dr, Idaho Falls, ID, 83402, Attention: Jennifer Crabtree (208) 525-7161.

Sincerely,

Ernest Carlsen
Adjudication Section Supervisor
Eastern Regional Office

SCANNED

SEP 22 2004

PROFILED

RECEIVED

JUL 15 2002

Department of Water Resources
Eastern Region

Water Right No(s).

A 2504194



GPS DATA:

Tag # A0009594 Location: _____

Well Data:

MOTOR

Make: General Electric Model: _____ Hp: 20
SN: NO NUMBER

PUMP

Make: Johnson Pump Model: _____ Disch: 6"
SN: _____

NOTES:

photo # 4 southerly Direction.
CPS. 2684327 - 6380989

SCANNED

SEP 22 2004

Field Exam Date: 4-27-04 Agent: Mike Olson

PROFILED



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27



Invoice #

2000-055-23-27-0

RIGHT ID 25 4194

POD ID 401929

Folder No. A2504194

Claim Status In Use (No Photos)

IDTMEAST 678295

IDTMNORTH 287728

GPSID A0011977

Diversion Description

WELL & SPRINKLER SYSTEM. POD located in Northeast corner of yard (backyard).

Assumptions

Horse power, pressure head, and elevation head.

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missing)
Phase-III (Complete w/issues)

Linked

Photos

GPS Accuracy (ft)

18 Feet

Date (M/D/Y)

07-10-02

Time

15:45

Flow Rate (CFS)

0.13

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	
Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System ☒

HP 2.5

Pressure Head (psi) 30

Elevation Head (ft) 50

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg Campbell

Pump Serial#

New Contact Information ☐

New Contact Comments

PROFILED
SCANNED

SEP 22 2004

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FOLDER NO. A2504194

SCANNED

JUL 27 2001

Log for claim 25-04194

Spatial Dynamics CAT

12/26/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
04n40e	19	NWNE	7	40	POD placement? / Indiscernible
Totals:			7	40	

AJ5809NP
No. A25-04194

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/00
PAGE: 70

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARVIN G MILLER	11/01/1960	IRRIGATION	04-01 11-01	0.130 CFS	
C	LYNETTE R MILLER					
	296 N 4570 E					
	RIGBY ID 83442			TOTAL DIVERSION:	0.130 CFS	
	(208) 538-7122			CONSUMPTIVE USE:		26.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T04N R40E S19

NWNE

JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
04N	40E	19	:			07														:	7.0
																				TOTAL ACRES	7.0

POU County: JEFFERSON

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

25-10220 25-10581 25-10953 25-11009 A25-10220 A25-10953 A25-11009

Remarks: GEN AC. IRR. = 6.5.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 08/25/94 MEYER 03/29/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that McKay and or Mary Evans

(Name of Claimant)

Rt. 2

Rigby, ID

83442

Telephone No. 538-7757

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) November 1, 1960

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Groundwater tributary to

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)
(Mo., Day) (Mo., Day)

Quantity .13 Use Irrigation Period of Use From 4-1 To 11-1

Quantity _____ Use _____ Period of Use From _____ To _____

Quantity _____ Use _____ Period of Use From _____ To _____

Quantity	Use	Period of Use From	To
----------	-----	--------------------	----

Quantity	Use	Period of Use From	To

(4) 0.13 TOTAL QUANTITY USED.
(cfs. at)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NW ¼ NE ¼, Sec. 19 Twp. 4N Rge. 40E B.M., County of Jefferson

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 12" diameter well to sprinkler system.

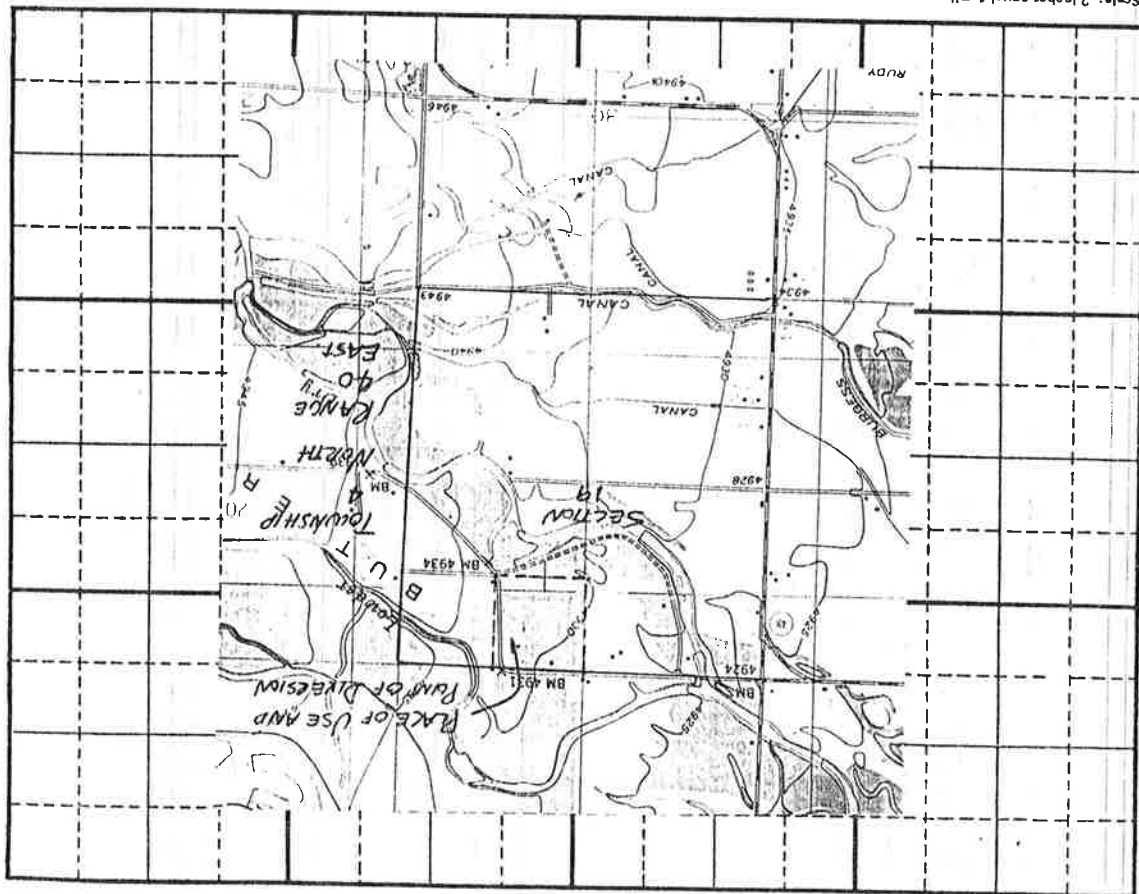
(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]No. of acres 6.5

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization: _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Blaine

ss.)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 24th day of May, 1983

Notary Public
Residing at Chilton, Idaho

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by S.M.
Prelim. check by SM
630.00 fee received by SM
Published in Idaho Star
Date 5/24/83
Exception filed by: 5/24/83
Forwarded to: 5/24/83
Date 5/24/83
claimant by: 5/24/83
Date 5/24/83

Dates

MICROFILMED
Nov 11 1988

SCANNED

JUL 2 2001

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: A25-04194
Date Received: 8/23/1994
Receipt No: E020197
Received By: DM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARVIN G. MILLER 208-538-7122
Address: 296 N 4570 E
RIGBY ID 83442
OR
Name: LYNETTE R. MILLER 208-538-7122
Address: 296 N 4570 E
RIGBY ID 83442

A2504194



2. Date of Priority: NOV 1, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	40E	19	NW	NE			JEFFERSON

5. Description of diverting works:
WELL & SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.130		

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

8. Total consumptive use is 26.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	40E	19	NW	NE		IRR	7.0

MICROFILMED

NOV 11 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	7.0
					Total Acres	7.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

AC. IRR. = 6.5.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ 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): Marvin S. Miller Date: 8-23-94

Date: _____

MICROFILMED
NOV 07 1994

State of Idaho)
County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of AUGUST 19 94

[Signature]
Notary Public

Seal

Residing at IDAHO FALLS

My Commission Expires 9-14-94

MICROFILMED
NOV 07 1994