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In File

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 Joseph and Pina Miller
(Name of Claimant)
129 - 9th St. Maries, Idaho 83861 Telephone No. _____
(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) 1910 By 1940 Reed Homestead.

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)
Reeds Creek tributary to St. Joe River

(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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.03</u>	Use	<u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	<u>0.03</u>	Use	<u>Stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 0.06 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SE ¼, Sec. 18 Twp. 46N Rge. 1E B.M., County of Benewah
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. Pump in dug well beside creek.

(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.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
46N	1E	18																X	

No. of acres _____

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

NOTE: Include here the type and number of stock watered: 20 cows

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

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Joseph H. Pina Miller Phone: 345-
post office address 129-9th St. Maries, Idaho 83861
2. Source of water supply Reeds Creek which is a tributary of St Joe River
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 18 Township 46N
Range 1 E B.M. Benewah County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into Reeds Creek at a point in SE $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 18 Township 46N Range 1 E B.M.
4. Water will be used for the following purposes:
Amount 0.03 for Home purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.03 for Stock purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.06 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pump in dug well
Beside creek (has been in use for 40 years)
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is _____ years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 18 Township 46N
Range 1 E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 20 cows
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

MICROFILMED

[illegible]

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

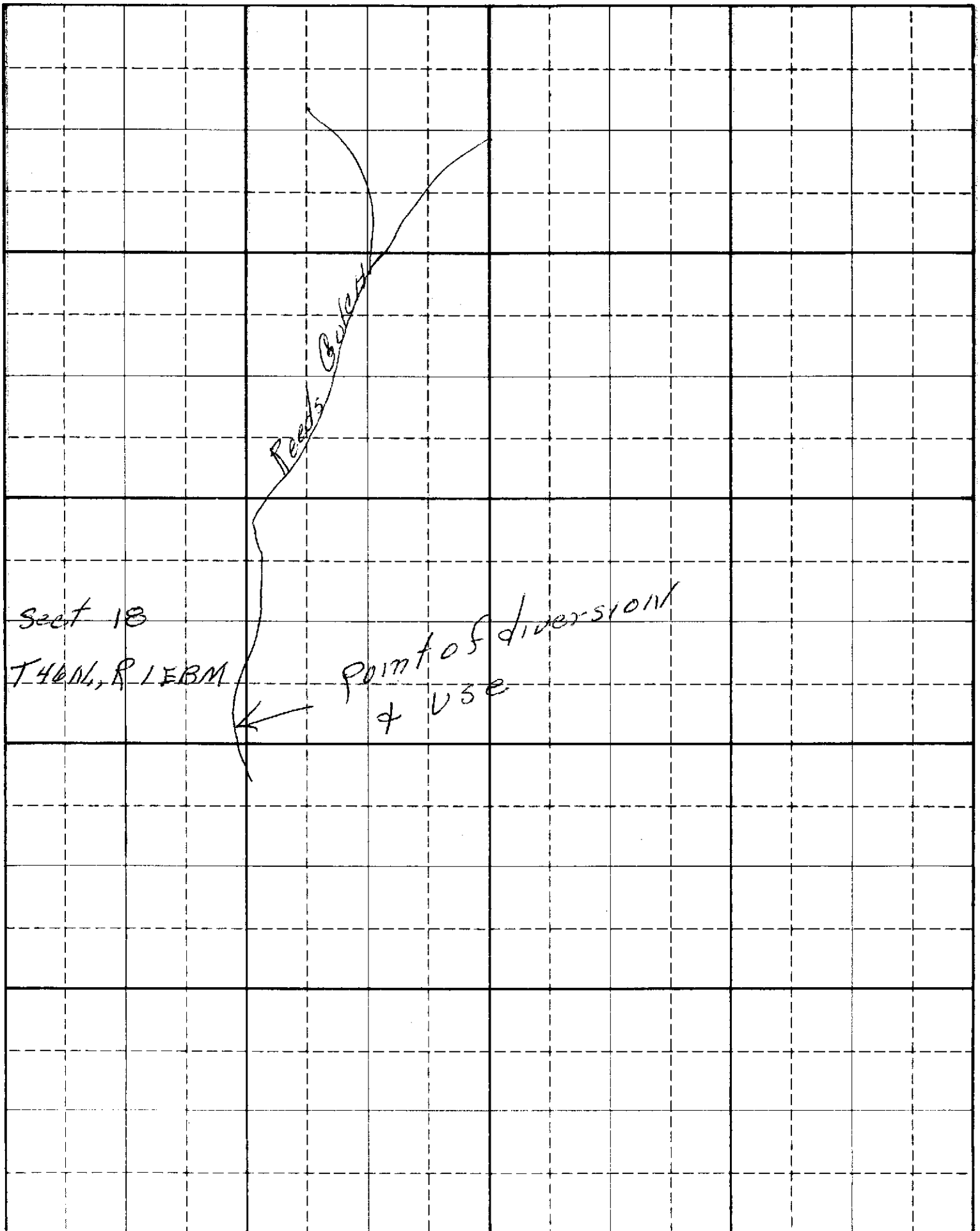
Total number of acres to be irrigated-

c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion Joseph H & Anna Milles
b. Who owns the land to be irrigated or place of use Joseph H & Anna Milles
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks

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



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Joseph H. Miller
Anna Miller
(Applicant)

Received by Mr. [Signature] Date 5/14/83 Time 12:38 PM

Preliminary check by LL Fee \$ 20.00

Received by Mr. [Signature] Date 5/27/80 (16941)

Publication prepared by Mr. [Signature] Date 5/29/80

Published in Idaho State Journal

Publication dates 6/27-12/80

Publication approved Mr. [Signature] Date 6/29/80

Priority reduced to Reason

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or

before _____, 19____.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this _____ day of _____, 19____.

Director

6198
Affidavit of Publication

STATE OF IDAHO
County of Benewah, ss.

JoJane Hammes, being first duly sworn on oath, deposes and says that she is co-publisher and business manager of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah county, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement hereon.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of.....2...issues, the first publication being on the...5... day of June....., 19.80 and the last on the...12...day of.....June....., 19.80

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

JoJane Hammes

Subscribed and sworn to before me this...5..... day of June...., 19..80.

Beverly A. Linn

Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

NOTICE OF CLAIMS
TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:
91-4018

Name: Joseph and-or Pina Miller
Address: 129 9th Street, St. Maries, Idaho 83861

Priority Date: Jan. 1, 1910

Amount: 0.06 cubic feet per second

Source: Reeds Creek tributary to St. Joe River

Point of Diversion: SESE Sec 18 T 46N R 01E, Benewah county

Place of Use: SESE Sec 18 T 46N R 01E

Use: Stockwater (0.03 cfs) from Jan. 1 to Dec. 31; Domestic (0.03 cfs) from Jan. 1 to Dec. 31.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Idaho 83814.

C. STEPHEN ALLRED
Director

No. 6198 — June 5-12.

K
6/20/80

RECEIVED
JUN 12 1980
Department of Water Resources
Coeur d'Alene District Office

91-4018

May 14, 1980

Mr. and Mrs. Joseph Miller
129 - 9th
St. Maries, Idaho 83814

Dear Mr. and Mrs. Miller:

In reviewing your Application for Permit, we notice that your system has been in use for 40 years. If this is the case, You should file an ~~App~~ to a Water Right instead of an Application for Permit.

We have, therefore, taken the liberty of preparing a Claim to a Water Right for you using the information from your Application. Please note under Item No. 1, we have indicated the date of priority at 1940. If you have a more exact date, please indicate. Also under Item 6.b., please indicate the number of homes that take water from this system.

We have enclosed your application so you can check it against the claim. Also enclosed is your Check No. 92-170 in the amount of \$20.00 for the filing fee.

If everything is in order, and you wish to file the Claim to a Water Right, please sign it before a Notary Public and return it to our office with the \$20.00 check for filing fee.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

pms

Enc. - Application
Claim
Check

RECEIVED
MAY 15 1980
REGIONAL SUPERVISOR

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RAH

Right Number 91-4018 Applicant Miller

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By _____ Date _____

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Lawrence Date 6/30/80

91-4018-

MILLER, JOSEPH &/or PINA

129 9TH ST., ST. MARIES, ID 83861

Source: REEDS CREEK tributary to ST. JOE RIVER

Priority Date: 01/01/1910

Amount: 0.06 CFS

Diversion Point: SESE Sec 18 T 46N R 01E, BENEWAH Co.

Use: STOCKWATER	(0.03 CFS)	from 01/01 to 12/31
DOMESTIC	(0.03 CFS)	from 01/01 to 12/31

Place of Use: SESE Sec 18 T 46N R 01E

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

JUNE 23, 1980

JOSEPH MILLER
PINA MILLER
129 9TH ST.
ST. MARIES ID 83861

RE: Claim No. 91-4018

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure - Receipt # 16991



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

May 14, 1980

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Sincerely,

Robert G. Haynes
ROBERT G. HAYNES, P.E.
Regional Supervisor

pms

Enc. - Application
Claim
Check

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This creek goes underground only in high water on premises

RECEIVED
MAY 27 1980

Department of Water Resources
Northern District Office

This was what was intended

Home center Barn + out Bldg. catch water