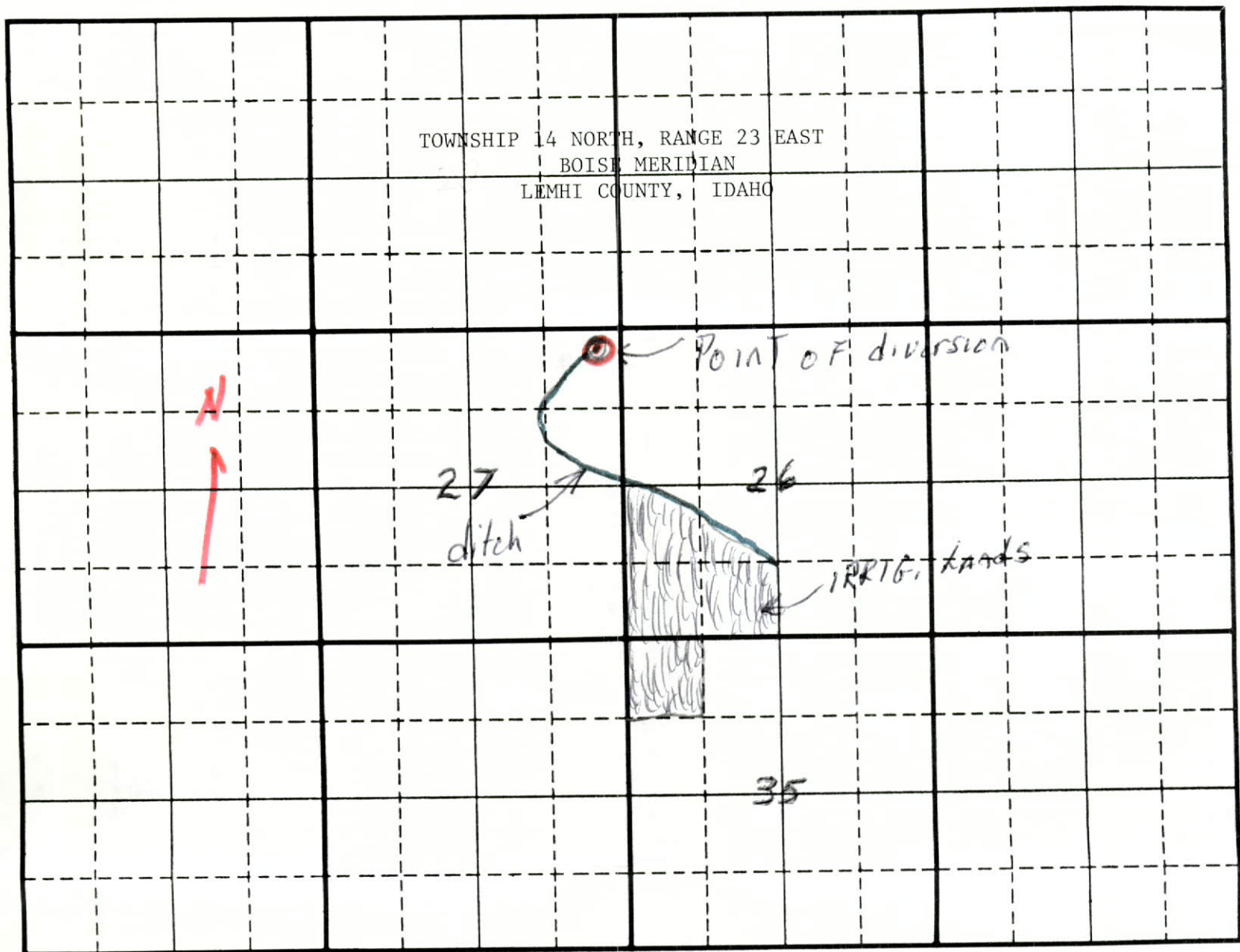


MICROFILMED

(8) Remarks _____



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 Custer) 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.

Philip Miller
 (Claimant)
 19 83.

Sworn to before me this 24th day of June

James R Bennett
 Notary Public
 Residing at Challis

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>6-27-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>S.M.</u>	Date <u>9-12-1983</u>		claimant by:	
\$20.00 fee received by <u>CW</u>	Date <u>6-27-83</u>			
Published in <u>The Carson Herald</u>	<u>#30787</u>			
Dates <u>10-6 + 10-13-1983</u>				

RECEIVED
JUN 27 1983

Department of Water Resources
Eastern District Office

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 PHILIP MILLER (Name of Claimant)
May, Idaho (Mailing Address) 83253 (Zip Code) Telephone No. 876-4228

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) May 1, 1913

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)

Patterson Creek tributary to Pahsimeroi 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)	
Quantity		Use		(Mo., Day)	(Mo., Day)
<u>3.4 cfs</u>		<u>Irrigation</u>		<u>April 1</u>	<u>Oct 30</u>
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) 3.4 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ NE ¼, Sec. 27 Twp. 14 N Rge. 23 E B.M., County of Lemhi
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. Ditch 8-10 feet wide, 3 feet deep, and on to lateral ditches. Some of system carries other waters as well.

(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	
<u>14N</u>	<u>23E</u>	<u>26</u>									<u>15</u>	<u>35</u>	<u>40</u>	<u>40</u>					<u>130</u>
<u>14N</u>	<u>23E</u>	<u>35</u>					<u>40</u>												<u>40</u>

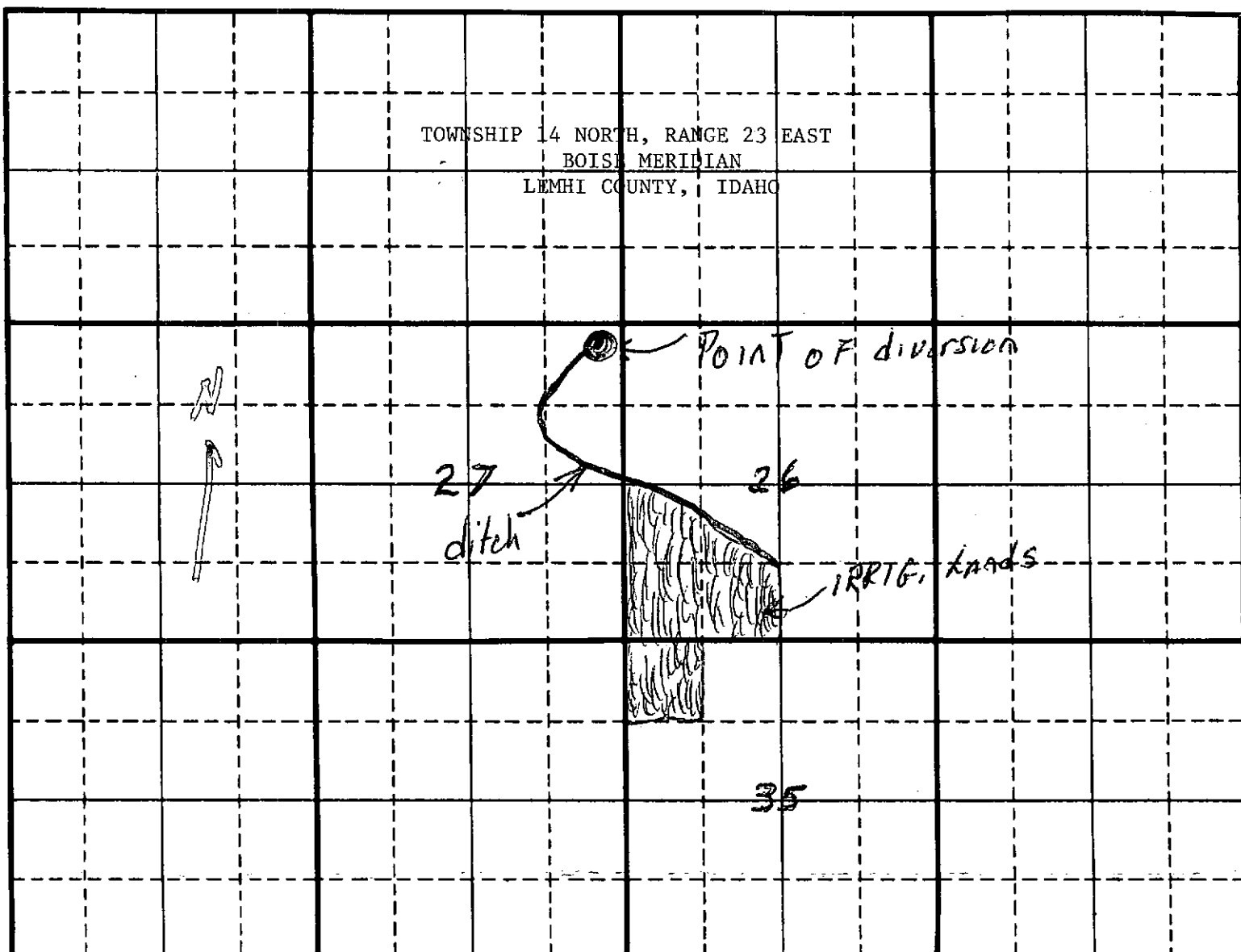
No. of acres 170

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:

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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) ss.

Custer

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.

Philip Miller
(Claimant)
19 83

Sworn to before me this 24th day of June

James R. Bennett
Notary Public
Residing at Challis

My commission expires

Life

FOR DEPARTMENT USE ONLY

Received by *CW*

Date 6-27-83

Exception filed by:

Forwarded to

Date

Prelim. check by *SM*

Date 9-12-1983

claimant by:

\$20.00 fee received by *CW*

Date 6-27-83

Published in *The Carden Herald*

#30787

Dates 10-6 + 10-13-1983

RECEIVED

AFFIDAVIT

JUN 27 1983

Department of Water Resources
Eastern District Office

STATE OF IDAHO)
 : ss.
County of Lemhi)

THE UNDERSIGNED First being duly deposed, swears as follows:

1. That I am over 21 years of age and of sound mind.
2. That I am familiar with certain property owned or controlled by PHILIP MILLER of Lemhi County, Idaho, near the Mouth of Patterson Creek.
3. The properties in question are located upon or near Section 35 and Section 26, Township 14 North, Range 23 East, Boise Meridian, and are more particularly described in the attached Claim to a Water Right.
4. I lived in the Pahsimeroi area at a very early age. Within my recollection, I can state that waters from Patterson Creek were applied upon the lands in question as early as May, 1913 and perhaps before. From my observations, it is my belief that so long as waters are available in the creek, PHILIP MILLER or his predecessors have applied 2 to 4 inches of water to every acre irrigated since the Spring of 1913 or before.
5. I believe approximately 160-180 acres have been irrigated in this fashion over the years.

FURTHER, Affiant sayeth not.

DATED: 24th June 83

William Kirkpatrick
William Kirkpatrick
Salmon, Idaho

day of 24th June, 1983. SUBSCRIBED and SWORN TO Before me this _____

Edna M. Pasieka
Notary Public for Idaho
Residing at Salmon, Idaho
My Commission Expires: 6-25-1984

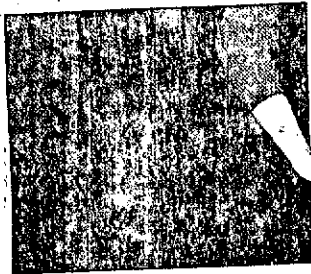
MICROFILMED

ANCHORAGE, AK 99502
Source: TOWER CREEK
NORTH FORK trib. to
SALMON RIVER
Priority Date: 07/01/1935
Diversion Pt: NESE Sec
08 T 23N R 22E
Use: IRRIGATION (0.10-
CFS)
In NESE Sec 08 T 23N R
22E FOR 5 ACRES

(73-4092)

MILLER, PHILIP
MAY, ID 83253
Source: PATTERSON
CREEK trib. to PAHSL-
MEROI RIVER
Priority Date: 05/01/1913
Diversion Pt: NENE Sec
27 T 14N R 23E
Use: IRRIGATION (3.40-
CFS)
In: NESW NWSW SWSW
SESW Sec 26 T 14N R 23E
NWNW Sec 35 T 14N R
23E FOR 170 ACRES
Exceptions to a claim
may be filed with the
Director, Dept. of Water
Resources, 150 Shoup
Ave., Suite 15, Idaho
Falls, Idaho 83402.
KEN DUNN, Dir.
Published 10/6 10/13/-
83.

10-6-2tc



Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

OCT 14 1983

Department of Water Resources
Eastern District Office

JERRY G. ROSIN

, being first duly sworn, deposes
and says that he is one of the printers (publisher) of the RECORDER HERALD,
a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general
circulation therein,

That the Notice of Claims to Water Rights 75-4477- 75-4482,

73-4092

a true
printed copy of which is attached to the margin hereof, has been and was correct-
ly printed and published in the regular and entire issue of every number of said
newspaper and not in any supplement thereof or thereto for 2
consecutive issues, commencing with the issue dated Oct. 6, 1983
and ending with the issue dated Oct. 13, 1983

Gerry L. Rosin

thirteenth

Subscribed and sworn to before me, this

October

83

day of

19

Vere Armstrong

Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 60.75

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 24, 1983

PHILIP MILLER
MAY

ID 83253

RE: Claim No. 73-4092

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,

MICROFILMED

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

October 3, 1983

RE: Claim to a Water Right No. 73-4092 MILLER

Royden Eason, Watermaster
Water District No. 73
May, Idaho 83253

Dear Mr. Eaton:

Enclosed, for your information only, is a copy of the above referenced claim to a water right filed within your district. If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

RECEIVED
OCT 10 1983
FBI - BUTTE

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: STEVE McLOMICK

Right Number _____ Applicant PALIP 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.

Oct 24, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Oct 24, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 10-26-83

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RECEIVED
OCT 27 1983

Department of Water Resources *dw*

3/83

IDENT. NO. 73 4092

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

Initials

Date _____

Item

SP

Q/28/83

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied

(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Updated

Transfer Updated

Keypunched by State Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 28, 1983

The Recorder-Herald
P. O. Box 310
Salmon, Idaho 83467

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before OCTOBER 24, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 10/6 & 10/13/83.

MICROFILMED

73-4092

MILLER, PHILIP

MAY, ID 83253

Source: PATTERSON
CREEK trib. to PAHSI-
MEROI RIVER

Priority Date: 05/01/1913

Diversion Pt: NENE Sec
27 T 14N R 23E

Use: IRRIGATION (3.40-
CFS)

In: NESW NWSW SWSW
SESW Sec 26 T 14N R 23E
NWNW Sec 35 T 14N R
23E FOR 170 ACRES

Exceptions to a claim
may be filed with the
Director, Dept. of Water
Resources, 150 Shoup
Ave., Suite 15, Idaho
Falls, Idaho 83402.

KEN DUNN, Dir.

Published 10/6 10/13/-
83.

10-6-2tc

MILLER, PHILIP

MAY, ID 83253

Source: PATTERSON CREEK trib. to PAHSIMEROI RIVER

Priority Date: 05/01/1913

Diversion Pt: NENE Sec 27 T 14N R 23E

Use: IRRIGATION (3.40 CFS)

In: NESW NWSW SWSW SESW Sec 26 T 14N R 23E NWNW Sec 35 T 14N R 23E
FOR 170 ACRES

MICROFILMED