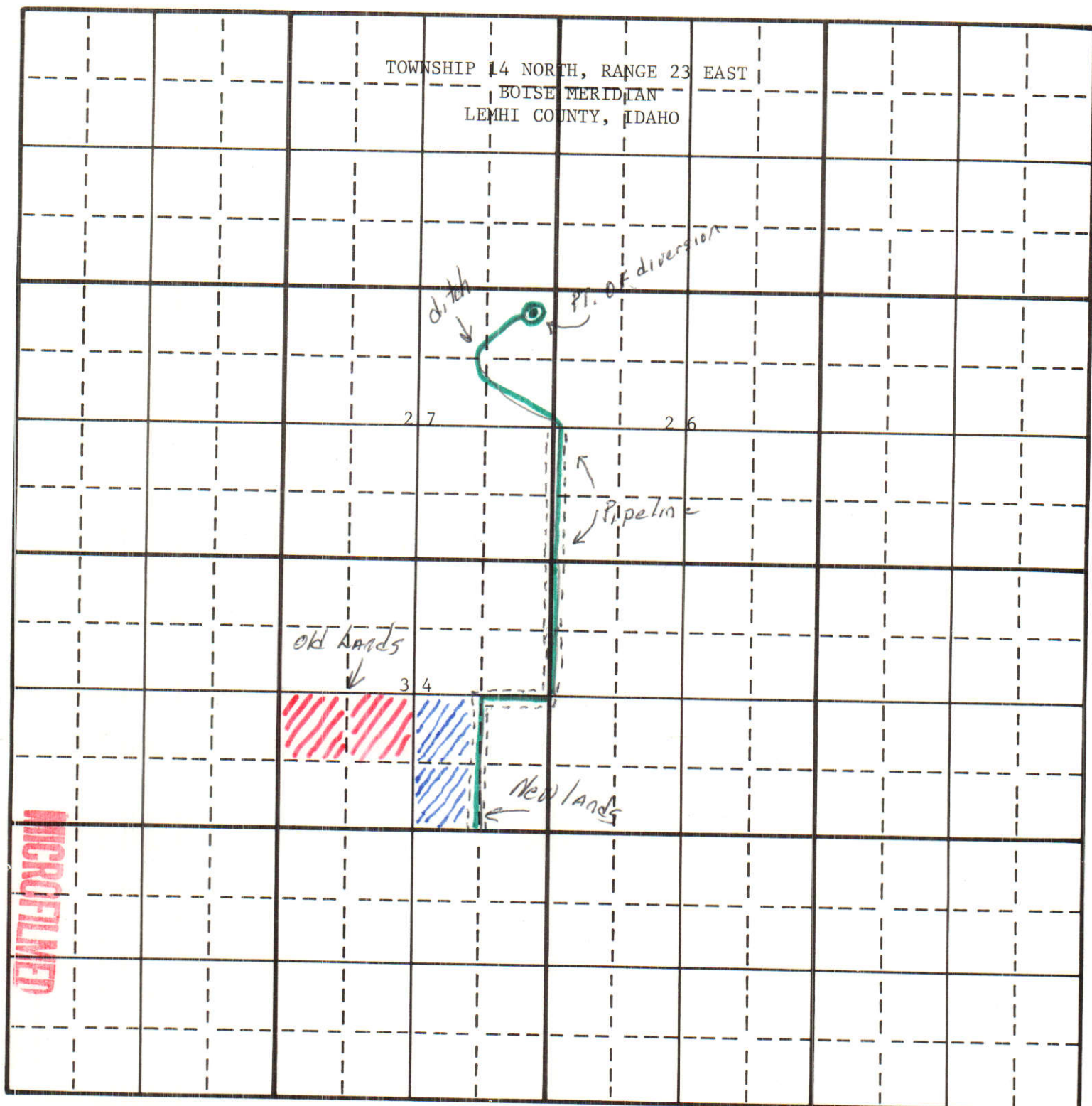


c. Describe the lands place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14N	23E	34														40	40		80

Total number of acres to be irrigated 80

- Describe any other water rights used for the same purpose as described above. NONE
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

NOTICE OF PROPOSED
CHANGE OF
WATER RIGHT

Notice is hereby given that Phillip Miller, May, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of Patterson Creek tributary to Pahsimeroi River. The rights sought to be changed are evidenced by Decrees No. 73-0214 & 73-0216 to L. D. Finch in case of Hammond vs. Miller dated in 4/7/1910 in Sixth Judicial District Court, Lemhi County and are recorded as follows:

AMOUNT: .8 cfs (73-0214) .8 cfs (73-0216)

PRIORITY: 6-1-1901 (73-0214)

8-1-1902 (73-0216)

POINT OF DIVERSION:
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 27, T. 14N,
R. 23E, B.M. Lemhi County.

The water is used to irrigate 80 acres within the N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 34, T. 14N, R. 23E B.M.

TO BE CHANGED
AS FOLLOWS

The water will be used to irrigate 80 acres within the W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 34, T. 14N, R. 23E, B.M. Lemhi County.

Any protests against the above proposed change of water right must be filed with the Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before December 27, 1983.

A. KENNETH DUNN
Director

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

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 Proposed Change of Water Right 73-0214 & 73-0216

_____ a true printed copy of which is attached to the margin hereof, has been and was correctly 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 Dec. 8, 1983 and ending with the issue dated Dec. 15, 1983

Jerry G. Rosin

Subscribed and sworn to before me, this fifteenth day of December, 1983

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

Publication Fee \$ 23.85

RECEIVED
DEC 19 1983

Department of Water Resources
Eastern District Office

MICROFILMED

Transfer No. 2964
Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT **APPROVED**
To Change the Point of Diversion and/or the Place of Use

Name of applicant PHILIP MILLER Phone 876-4228
Post Office address P. O. Box 2110, May, Idaho 83253

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
#1 73-0214
a. Decree No. #2 73-0216 Decreed to L. D. Finch (Name)
in case of Hammond vs Miller
dated in April 7, 1910 in Sixth Jud. District county of Lemhi
(Name of court)
b. License No. _____ issued by the Idaho Department of Water Resources
c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Copy Deed enclosed
Land was acquired by purchase from Ima Mine, Tungsten Mining Corporation
with water rights
3. Source of water Patterson Creek tributary to Pahsimeroi River
4. Date of priority #1 is 6-01-01 #2 is 8-01-02
5. Water is used for the following purposes:
#1 amount .8cfs for Irrigation purposes from April 1 to Oct 3
#2 amount .8cfs for Irrigation purposes from April 1 to Oct 3
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)
6. Total amount of water under right: a. #1 .8 cfs #2 .8cfs cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27
Township 14 N. Range 23 E., B.M., in Lemhi County
Additional points of diversion, if any _____
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14N	23E	34									40	40							80

Total number of acres to be irrigated 80

9. Describe any other water rights used for the same purpose as described above None
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? NO If yes, describe in item D, REMARKS.

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B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

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1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
- a. Amount of water to be diverted #1 .8 #2 .8 c.f.s. &/or _____ acre feet
- b. Description of diverting works Ditch from diversion to pipeline 15" and on to lateral sprinklers hand move
- c. Describe the reasons for the proposed changes Owner no longer uses lands to which water is appurtenant
2. Change in point of diversion NO CHANGE
- Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
- Range _____, B.M., _____ County
- Additional points _____
3. Change in place of use
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer Lands will return to natural state

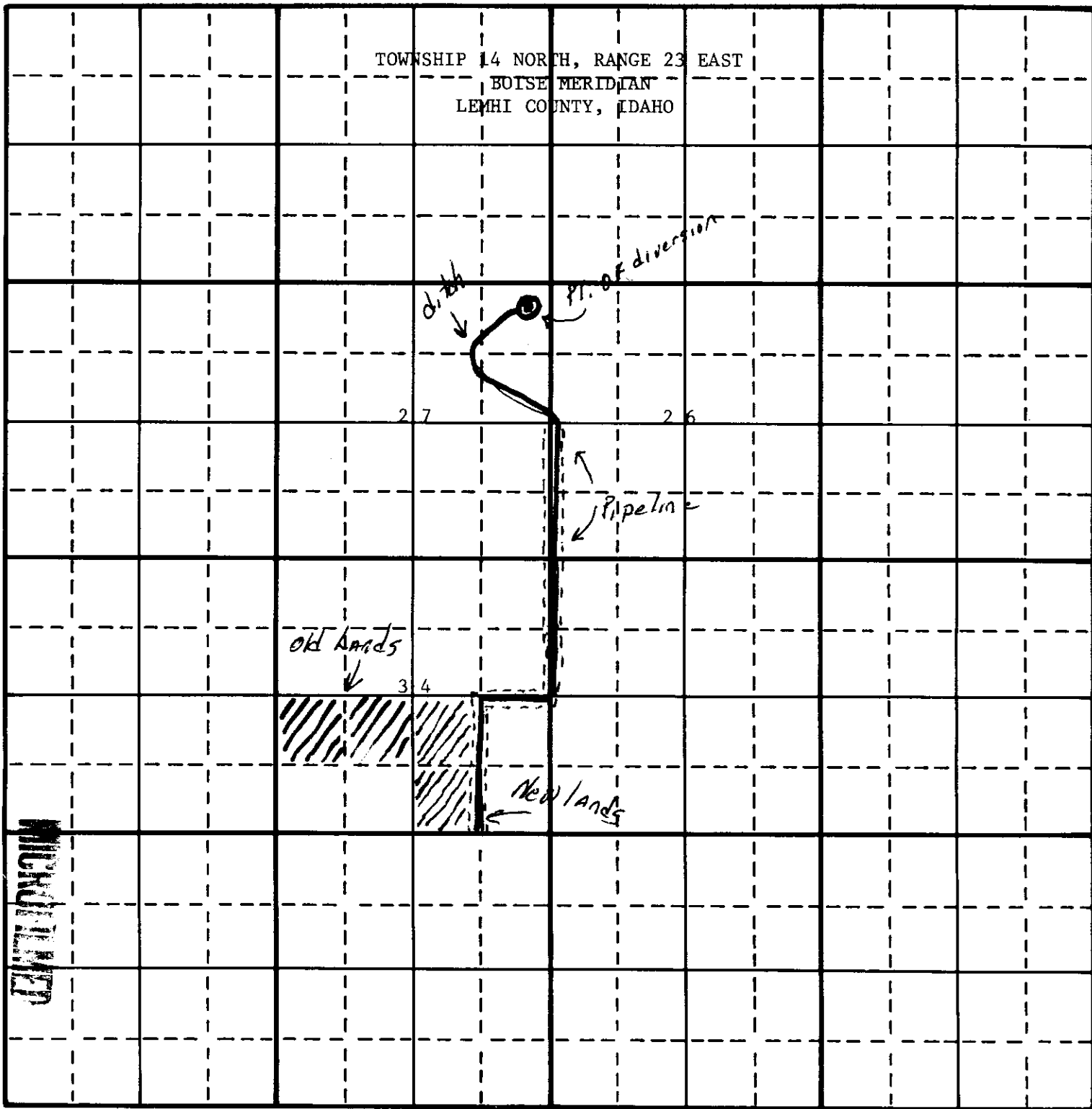
c. Describe the lands place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14N	23E	34														40	40		80

Total number of acres to be irrigated 80

4. Describe any other water rights used for the same purpose as described above. NONE

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED

D. REMARKS

Applicant acquired lands and water as noted on attached Deed and now plans to secure water to the new lands as noted.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Philip Miller
(Signature of Applicant)

Subscribed and sworn to before me this 12th day of July, 1983

James R. Smith
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 73-0214,73-0216 and said application is hereby APPROVED, subject to the following limitations and conditions:

- 1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
- 2. Use of water under this right is subject to control by the watermaster of State Water District No. 73, Pahsimeroi River.

Witness my hand this 15th day of March, 1984

A. Glen Saylor
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>7-14-83</u>	Protest filed by _____
Prelim. check by <u>HWS</u>	Fee <u>50.00</u>	_____
Receipted by <u>BP</u>	Date <u>7/14/83 #29331</u>	_____
Published in <u>Recorder Herald</u>	Copies of protest forwarded by _____	
Pub. dates <u>12/8 ; 12/15/83</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for <u>approval</u> denial	
_____ rec'd.	by <i>EMC</i>	

Instrument No. 82360

CORPORATION WARRANTY DEED

THIS INDENTURE, Made this 28th day of July, in the year of our Lord one thousand nine hundred and fifty-five, between ~~TUNGSTEN MINING CORPORATION~~, a corporation duly organized and existing under the laws of the State of Delaware, and authorized to do business in the State of Idaho, by Oscar W. Worthwine, its Attorney-in-Fact, Party of the First Part, and ~~THE UNITED STATES OF AMERICA~~, Party of the Second Part,

WITNESSETH: That the said Party of the First Part, having been hereunto duly authorized and directed by resolution of its Board of Directors, for and in consideration of the exchange of certain lands, as authorized by Section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended by Section 3 of the Act of June 26, 1936 (49 Stat. 1976), has granted, and by these presents does grant, convey and confirm unto the said Party of the Second Part, and to its assigns forever, all the following described real estate situated in the County of Lemhi, State of Idaho, to-wit:

North Half of the Southwest Quarter of Section Thirty-Four (34), Township 14 North, Range 23 East, Boise Meridian.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity of the said Party of the First Part, EXCEPTING AND RESERVING unto the said Party of the First Part all water rights incident and appurtenant to said property.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises unto the Party of the Second Part, and to its assigns forever. And the said Party of the First Part, and its successors, the said premises in the quiet and peaceable possession of the said Party of the Second Part, and its assigns, against the said Party of the First Part, and its successors, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The Party of the first part has hereunto, by Oscar W. Worthwine, its Attorney-in-Fact under and by virtue of a Power of Attorney from the said Party of the first part dated the 23rd day of December, 1953, and heretofore recorded in the Office of the County Recorder of the County of Lemhi, State of Idaho, hath hereunto caused these presents to be subscribed for and on behalf of said party of the first part the day and year first above written.

TUNGSTEN MINING CORPORATION,
a corporation,
BY: Oscar W. Worthwine
Its Attorney-in-Fact

WITNESS:
Barbara Stanley

STATE OF IDAHO)
) ss:
COUNTY OF ADA)

On this 28th day of July, 1955, before me, the undersigned Notary Public in and for said County and State, personally appeared Oscar W. Worthwine, known to me to be the person whose name is subscribed to the within instrument as the Attorney-in-Fact of the Tungsten Mining Corporation, a corporation, and acknowledged to me that he subscribed his name as Attorney-in-Fact, for the said corporation, as principal.

(SEAL)

D. O. Wilcox
Notary Public for Idaho
Residing at Boise, Idaho

State of Idaho)
) ss.
County of Lemhi)

Recorded at the request of Worthwine & Dworshak August 1st 1955 at 10 minutes past 1 o'clock P.M., in Book 45 of Deeds Page 161 Records of Lemhi County, Idaho.

W. W. Simmonds
County Recorder
By *Opal Reddington*
Deputy

Fees, \$1.50

MICROFILMED

Instrument No. 53515

WARRANTY DEED.

THIS INDENTURE, Made the 27th day of April, 1940, between B. C. BIEN, a bachelor, the party of the first part, and GENERAL ELECTRIC COMPANY, a corporation organized and existing under the laws of the State of New York, and duly qualified under the laws of the State of Idaho, the party of the second part, WITNESSETH:

That the said party of the first part, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, convey and confirm unto the said party of the second part, and to its successors and assigns forever, all those certain lots, pieces or parcels of land, situate, lying and being in the County of Lemhi, State of Idaho, and bounded and particularly described as follows, to-wit:

The Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-five (35); the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$); the North Half (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$); the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$); the East Half (E $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-four (34), all in Township Fourteen (14) North, Range Twenty-three (23), East of the Boise Meridian;

Together with all water rights, ditch and canal rights appurtenant thereto.

Together with the tenements, hereditaments and appurtenances thereto belonging, or in anywise appertaining; and also all his estate, right, title and interest, at law and equity therein or thereto.

TO HAVE AND TO HOLD the same to the said party of the second part, its successors and assigns, forever; and the said party of the first part does covenant with the said party of the second part and its successors and assigns, that the said real estate is free from all encumbrances, and that he will and that his heirs, executors and administrators, shall Warrant and Defend the same to the said party of the second part, its successors and assigns, forever, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in the presence
of: Floyd H. Elliott

B. C. BIEN

(SEAL)

DOCUMENTARY STAMPS: \$6.00 CANCELED B.C.B. 4/27/40

STATE OF IDAHO,)
 : SS.
COUNTY OF LEMHI.)

On this 27 day of April, 1940, before me, the undersigned, a Notary Public in and for said County and State, personally appeared B. C. Bien, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

GIVEN under my hand and official seal the day and year in this certificate first above written.

(Seal)

John T. Rathjen
Notary Public for the State of Idaho,
Residing at Salmon, Ida.

Recorded at the request of Floyd H. Elliott, April 27, 1940, at 31 minutes past 11 o'clock A. M., in Book 35 of Deeds, page 195, Records of Lemhi County, Idaho.

W. W. SIMMONDS.
County Recorder.

By Margaret Shoup
Deputy.

Fee: \$1.25

MICROFILMED

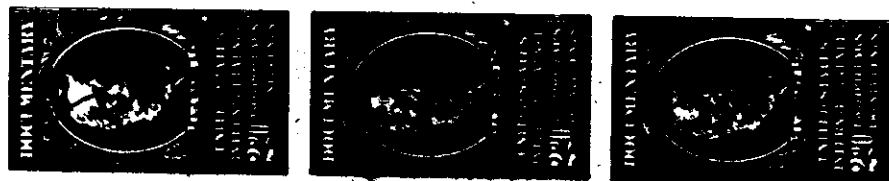
THIS INDENTURE, Made this 10th day of May, in the year of our Lord
 one thousand nine hundred and sixty-three between
 TUNGSTEN MINING CORPORATION, a Delaware corporation,
 a corporation duly organized and existing under the laws of the State of Delaware
 and having its principal office in Idaho at _____ in the County of _____
 _____, party of the first part, and PHILIP MILLER and CHELDA MILLER,
 husband and wife,
 of _____ May _____, County of Lemhi _____, State of
 Idaho _____ parties of the second part,

WITNESSETH, That the said party of the first part, having been hereunto duly authorized by resolution of its Board
 of Directors, for and in consideration of the sum of

SIX THOUSAND & NO/100 (\$6,000.00)----- DOLLARS,

lawful money of the United States of America, to it in hand paid by the said parties of the second part, the receipt
 whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey
 and confirm unto the said parties of the second part, and to their heirs and assigns forever, all
 the following described real estate situated in the _____, County of Lemhi
 State of Idaho, to-wit:

NW $\frac{1}{4}$ SW $\frac{1}{4}$, S. 35; W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S. 34;
 All in Township 14 North of Range 23, E.B.M., consisting
 of 240 acres, together with all water and water rights,
 ditch and ditch rights used in connection therewith.



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TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any-
 wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all
 estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurten-
 ances, unto the parties of the second part, and to their heirs and assigns forever. And the said party of the
 first part, and its successors, the said premises in the quiet and peaceable possession of the said parties of the second
 part their heirs and assigns, against the said party of the first part, and its successors, and against all and

No. 39112

Corporation Warranty Deed

for _____
—To—

Dated _____, 19____

STATE OF IDAHO,

County of Lemhi

I hereby certify that this instrument was filed
for record at request of J. W. Herndon

at _____ minutes past _____

o'clock P. M., this, 19th day

of July, A. D. 1963

in my office, and duly recorded in Book 49

of Deeds at pages 25-26

Paul Adams

Ex-Officio Recorder

By _____ Deputy

Fee, \$ 1.75

Mail to _____

Compared _____
Indexed - Direct _____
Indexed - Indirect _____

MICROFILMED

HELENE QUINN
NOTARY PUBLIC, State of New York
NO. 03 3185100
Qualified in Bronx County
Cort. filed in New York County
Commission Expires March 30, 1965
Residing at _____, _____
Notary Public for the State of _____

first above written.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate
executed the same.
or the person who executed the instrument on behalf of said corporation, and acknowledged, to me that such corporation
known to me to be the _____ Vice President
personally appeared _____
the undersigned _____, a Notary Public in and for the said State,
On this 21 day of MAY
in the year 1963, before me
COUNTY OF NEW YORK
STATE OF NEW YORK

SHOWN, SEALED AND DELIVERED IN PRESENCE OF
By _____
TUNGSTEN MINING CORPORATION
In Vice _____
Attest _____
In Assistant Secretary _____

to said resolution the day and year first above written.
In WITNESS WHEREOF, The party of the first part has caused its corporate name to be hereunto subscribed by its
Vice President and its corporate seal to be affixed by its Assistant Secretary in pursuance
forever defend.
every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents

County of Custer, : F SS.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my said office
this 5th day of June, 1921.

By B. C. Fox, Deputy.

IN AND FOR TENNESSEE COUNTY.

75.

D E C R E E.

Laura Miller, Lynn D. Finch, Rufus A. Wells, William L. Kirkpatrick, Samuel G. Bradbury, Eliza A. Bradbury, John L. Kirkpatrick and Lillie M. Kirkpatrick, Defendants.

POOR QUALITY ORIGINAL

MICROFILMED

This cause coming on to be heard this 7th day of April, 1910, upon the report of George F. Hansbrough, Referee, heretofore appointed for the purpose of

13-0213 T 613,638,802,855

Lynn D. Finch from Patterson Creek 160 inches or 8 1-5 cubic feet per second of time to date from the 22nd day of February, 1888, appurtenant to the NW 1/4 of Sec. 33; the SW 1/4 of the NE 1/4; the NE 1/4 of the SE 1/4 of Sec. 34, in Tp. 14 N. R. 23 East of the Boise Meridian in Idaho.

72-0214 T 2964

Lynn D. Finch from Patterson Creek 40 inches or 4-5 cubic feet per second of time to date from the 1st day of June, 1901, appurtenant to the NE 1/4 of the SW 1/4 of Sec. 34, Tp. 14 N. R. 23 East of the Boise Meridian, in Idaho.

72-0215

Rufus A. Wells from Patterson Creek 160 inches or 3 1-5 cubic feet per second of time to date from July 2nd, 1902, appurtenant to the SW 1/4 of the NW 1/4; the NE 1/4 of the SW 1/4 and the NW 1/4 of the SW 1/4 of Sec. 22, Tp. 14 N. R. 23 East of the Boise Meridian, in Idaho.

72-0216 T 2964

Lynn D. Finch from Patterson Creek 40 inches or 4-5 cubic feet per second of time to date from the 1st day of August, 1902, appurtenant to the NE 1/4 of the SW 1/4 of Sec. 34, Tp. 14 N. R. 23 East of the Boise Meridian, in Idaho.

72-0217

Samuel T. Bradbury from Patterson Creek 60 inches or 1 3-5 cubic feet per second of time to date from the 3rd day of July, 1903, appurtenant to the SE 1/4 of the SW 1/4 of Sec. 16, Tp. 14 N. R. 23 East of the Boise Meridian, in Idaho.

72-0218

John L. Kirkpatrick from Patterson Creek 120 inches or 2 2-5 cubic feet per second of time to date from the 3rd day of July, 1903, appurtenant to the SE 1/4 of the SW 1/4 and the SW 1/4 of the SE 1/4 of Sec. 17, Tp. 14 N. R. 23 East of the Boise Meridian, in Idaho.

6. It is further adjudged and decreed that where the points of diversion of the said several parties from said streams are not fixed by this decree, the points of diversion and measurement of the waters of said streams to the said several parties to this action shall be the point of diversion of the parties on the 24th day of June, 1909, the time of trial of this action.

7. It is further adjudged and decreed that each of the parties to this action shall pay his or her proportionate share of the costs in this action.

MICROFILMED

POOR QUALITY ORIGINAL

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

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 Proposed Change of Water Right 73-0214 & 73-0216

a true printed copy of which is attached to the margin hereof, has been and was correctly 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 Dec. 8, 1983 and ending with the issue dated Dec. 15, 1983.

Jerry G. Rosin

Subscribed and sworn to before me, this fifteenth

day of December, 1983

Neil Armstrong

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

Publication Fee \$ 23.85

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: Ernest Carlson

1. Right number 73-0214 & 73-0216 Applicant Miller
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____

March 15, 1984

4. Check:

- ☒ a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☐ Period of use

RE: **Transfer of Water Right Nos. 73-0214 & 73-0216**

☐ b. Description of original point of diversion. Not checked

☐ c. Description of original place of use.

Phillip Miller

Box 2110

5. Amount of land for water transfer: acres

May, ID 83253

Dear Mr. Miller:

Enclosed is a copy of your approved Application for Transfer of the above

referenced water rights (Transfer No. 2964). Be sure to note the conditions

of approval as listed on the fourth page.

Sincerely,

Check for correct signature, notarization, and fee.

JIM JOHNSON proof of ownership of right &/or land from which water is transferred. See attached notes

Water Distribution Supervisor

Check for expansion in use of right. Comments 117, 118

JJ:sc

Enclosure

☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) 73-0214, 73-0216, 73-0217, 73-0218, 73-0219, 73-0220, 73-0221, 73-0222, 73-0223, 73-0224, 73-0225, 73-0226, 73-0227, 73-0228, 73-0229, 73-0230, 73-0231, 73-0232, 73-0233, 73-0234, 73-0235, 73-0236, 73-0237, 73-0238, 73-0239, 73-0240, 73-0241, 73-0242, 73-0243, 73-0244, 73-0245, 73-0246, 73-0247, 73-0248, 73-0249, 73-0250, 73-0251, 73-0252, 73-0253, 73-0254, 73-0255, 73-0256, 73-0257, 73-0258, 73-0259, 73-0260, 73-0261, 73-0262, 73-0263, 73-0264, 73-0265, 73-0266, 73-0267, 73-0268, 73-0269, 73-0270, 73-0271, 73-0272, 73-0273, 73-0274, 73-0275, 73-0276, 73-0277, 73-0278, 73-0279, 73-0280, 73-0281, 73-0282, 73-0283, 73-0284, 73-0285, 73-0286, 73-0287, 73-0288, 73-0289, 73-0290, 73-0291, 73-0292, 73-0293, 73-0294, 73-0295, 73-0296, 73-0297, 73-0298, 73-0299, 73-0300, 73-0301, 73-0302, 73-0303, 73-0304, 73-0305, 73-0306, 73-0307, 73-0308, 73-0309, 73-0310, 73-0311, 73-0312, 73-0313, 73-0314, 73-0315, 73-0316, 73-0317, 73-0318, 73-0319, 73-0320, 73-0321, 73-0322, 73-0323, 73-0324, 73-0325, 73-0326, 73-0327, 73-0328, 73-0329, 73-0330, 73-0331, 73-0332, 73-0333, 73-0334, 73-0335, 73-0336, 73-0337, 73-0338, 73-0339, 73-0340, 73-0341, 73-0342, 73-0343, 73-0344, 73-0345, 73-0346, 73-0347, 73-0348, 73-0349, 73-0350, 73-0351, 73-0352, 73-0353, 73-0354, 73-0355, 73-0356, 73-0357, 73-0358, 73-0359, 73-0360, 73-0361, 73-0362, 73-0363, 73-0364, 73-0365, 73-0366, 73-0367, 73-0368, 73-0369, 73-0370, 73-0371, 73-0372, 73-0373, 73-0374, 73-0375, 73-0376, 73-0377, 73-0378, 73-0379, 73-0380, 73-0381, 73-0382, 73-0383, 73-0384, 73-0385, 73-0386, 73-0387, 73-0388, 73-0389, 73-0390, 73-0391, 73-0392, 73-0393, 73-0394, 73-0395, 73-0396, 73-0397, 73-0398, 73-0399, 73-0400, 73-0401, 73-0402, 73-0403, 73-0404, 73-0405, 73-0406, 73-0407, 73-0408, 73-0409, 73-0410, 73-0411, 73-0412, 73-0413, 73-0414, 73-0415, 73-0416, 73-0417, 73-0418, 73-0419, 73-0420, 73-0421, 73-0422, 73-0423, 73-0424, 73-0425, 73-0426, 73-0427, 73-0428, 73-0429, 73-0430, 73-0431, 73-0432, 73-0433, 73-0434, 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73-0768, 73-0769, 73-0770, 73-0771, 73-0772, 73-0773, 73-0774, 73-0775, 73-0776, 73-0777, 73-0778, 73-0779, 73-0780, 73-0781, 73-0782, 73-0783, 73-0784, 73-0785, 73-0786, 73-0787, 73-0788, 73-0789, 73-0790, 73-0791, 73-0792, 73-0793, 73-0794, 73-0795, 73-0796, 73-0797, 73-0798, 73-0799, 73-0800, 73-0801, 73-0802, 73-0803, 73-0804, 73-0805, 73-0806, 73-0807, 73-0808, 73-0809, 73-0810, 73-0811, 73-0812, 73-0813, 73-0814, 73-0815, 73-0816, 73-0817, 73-0818, 73-0819, 73-0820, 73-0821, 73-0822, 73-0823, 73-0824, 73-0825, 73-0826, 73-0827, 73-0828, 73-0829, 73-0830, 73-0831, 73-0832, 73-0833, 73-0834, 73-0835, 73-0836, 73-0837, 73-0838, 73-0839, 73-0840, 73-0841, 73-0842, 73-0843, 73-0844, 73-0845, 73-0846, 73-0847, 73-0848, 73-0849, 73-0850, 73-0851, 73-0852, 73-0853, 73-0854, 73-0855, 73-0856, 73-0857, 73-0858, 73-0859, 73-0860, 73-0861, 73-0862, 73-0863, 73-0864, 73-0865, 73-0866, 73-0867, 73-0868, 73-0869, 73-0870, 73-0871, 73-0872, 73-0873, 73-0874, 73-0875, 73-0876, 73-0877, 73-0878, 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73-1101, 73-1102, 73-1103, 73-1104, 73-1105, 73-1106, 73-1107, 73-1108, 73-1109, 73-1110, 73-1111, 73-1112, 73-1113, 73-1114, 73-1115, 73-1116, 73-1117, 73-1118, 73-1119, 73-1120, 73-1121, 73-1122, 73-1123, 73-1124, 73-1125, 73-1126, 73-1127, 73-1128, 73-1129, 73-1130, 73-1131, 73-1132, 73-1133, 73-1134, 73-1135, 73-1136, 73-1137, 73-1138, 73-1139, 73-1140, 73-1141, 73-1142, 73-1143, 73-1144, 73-1145, 73-1146, 73-1147, 73-1148, 73-1149, 73-1150, 73-1151, 73-1152, 73-1153, 73-1154, 73-1155, 73-1156, 73-1157, 73-1158, 73-1159, 73-1160, 73-1161, 73-1162, 73-1163, 73-1164, 73-1165, 73-1166, 73-1167, 73-1168, 73-1169, 73-1170, 73-1171, 73-1172, 73-1173, 73-1174, 73-1175, 73-1176, 73-1177, 73-1178, 73-1179, 73-1180, 73-1181, 73-1182, 73-1183, 73-1184, 73-1185, 73-1186, 73-1187, 73-1188, 73-1189, 73-1190, 73-1191, 73-1192, 73-1193, 73-1194, 73-1195, 73-1196, 73-1197, 73-1198, 73-1199, 73-1200, 73-1201, 73-1202, 73-1203, 73-1204, 73-1205, 73-1206, 73-1207, 73-1208, 73-1209, 73-1210, 73-1211, 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APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 73-0214/73-0216

RECOMMENDATION OF WATERMASTER

RECEIVED
JUN 13 1983

Department of Water Resources
Eastern District Office

I, Royden Eaton, watermaster of _____,
of Water District No. 73, County of LEMHI/CUSTER, State of Idaho,
whose address is PO Box 151 MAY Idaho 83253,
have read the attached copy of the application for transfer of water right for _____
PHILIP MILLER, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: full approval.

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at MAY, Idaho, this 17 day of December 1983

Royden Eaton
(signature)

MICROFILMED

Please use reverse side if needed.

December 5, 1983

RE: Application for Transfer No. 73-0214/73-0216
PHILLIP MILLER

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

Dear Mr. Eaton:

Please find enclosed a copy of the above referenced application and watermaster recommendation form. Please review the application and complete the form, returning it to this office on or before December 27, 1983.

Thank you for your cooperation in this matter.

Sincerely,

BARBARA L. POWERS
Secretary

Enclosures

RECEIVED
DEC 11 1983

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that Phillip Miller, May, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of Patterson Creek tributary to Pahsimeroi River. The rights sought to be changed are evidenced by Decrees No. 73-0214 & 73-0216 to L.D. Finch in case of Hammond vs. Miller dated in 4/7/1910 in Sixth Judicial District Court, Lemhi County and are recorded as follows:

AMOUNT: .8 cfs (73-0214) PRIORITY: 6-1-1901 (73-0214)
.8 cfs (73-0216) 8-1-1902 (73-0216)

POINT OF DIVERSION: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 27, T. 14N, R. 23E,
B.M. Lemhi County.

The water is used to irrigate 80 acres within the N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 34, T. 14N, R. 23E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used to irrigate 80 acres within the W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 34, T. 14N, R. 23E, B.M. Lemhi County.

Any protests against the above proposed change of water right must be filed with the Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before December 27, 1983.

A. KENNETH DUNN

Director

Published in the Recorder Herald on 12/8 & 12/15/83.

MICROFILMED

Incomplete chain of Title:

shows;
a/ B.C. Brien selling to G.E. Comp. Inst. # 53515
b/ Tungsten Mining Corp selling to U.S.A. Inst. # 82360
c/ Tungsten Mining Corp selling to Phillip Miller # 98127

The prop described in Inst. 53515 matches the prop listed in the other two warranty deeds. Statement underlined in red in # 82360 states that water rights appurtenant to the N 1/2 of SW 1/4 sec 34 T4N R23E were retained when land was sold. Applicants imply that this right is appurtenant to the property they have in # 98127.

RECEIVED

JAMES R. BENNETTS

ATTORNEY AT LAW

P. O. BOX 36

CHALLIS, IDAHO 83226

(208) 879-4488

November 16, 1983

RECEIVED

NOV 18 1983

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources
Eastern Region
150 Shoup Avenue
Idaho Falls, Idaho 83401

Attn: Harold Jones

Dear Mr. Jones:

Re: Philip Miller water transfer

I hope I am getting the information together that you need on the Philip Miller application to transfer place of use. I am enclosing a copy of the deed to General Electric Company, the predecessor in interest to Mr. Miller.

Also, I am enclosing a copy of a deed from Tungsten Mining Corporation to United States of America, which I believe to be a deed issued to the Government in exchange for other property. You will notice that Tungsten Mining Company specifically reserved all of the water right from the N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 34. It is my understanding that they were reserved for the benefit of the properties earlier acquired through Mr. Bien.

I have not had an opportunity to search the records of Lemhi County personally, but in talking with Lemhi Title and Abstract, it would appear that title went on through to General Electric Company to Tungsten Mining Company and on to Mr. Miller by virtue of that deed supplied earlier.

I apologise for the delay in getting this information to you. I hope it more clearly explains the situation. Thank you for your help.

Very truly yours,


James R. Bennetts

JRB:dl

Enclosures

cc: Philip and George Miller

JAMES R. BENNETTS

ATTORNEY AT LAW

P. O. BOX 36

CHALLIS, IDAHO 83226

(208) 879-4488

November 1, 1983

RECEIVED

NOV 2 1983

Department of Water Resources
Eastern District Office

Erin Robie
Lemhi Title
Box F
Salmon, Idaho 83467

Re: Philip Miller - Search for Deeds

Dear Erin:

I requested copies of some deeds back in August, by letter dated the 16th. Those deeds are in regard to Philip Miller's water filing.

Erin, I have not been to Salmon during office hours at the Courthouse. Could you bring me up to date. Would it be possible for you to secure those deeds as requested. If this is not convenient, please let me know.

Thank you.

Best regards,

James R. Bennetts

JRB:dl

cc: Philip Miller

Harold Jones

Idaho Department of Water Resources

MICROFILMED

JAMES R. BENNETTS

ATTORNEY AT LAW

P. O. BOX 36

CHALLIS, IDAHO 83226

(208) 879-4488

August 16, 1983

RECEIVED

AUG 18 1983

Department of Water Resources
Eastern District Office

Philip Miller
P. O. Box 2110
May, Idaho 83235

Re: Water transfer

Dear Philip:

I have asked Erin Robie to help get some copies of the deeds we need on your water transfer. I think from the information I was able to supply, it shouldn't be too difficult for Erin to check out for us.

Hopefully, we will get this wound up for you in short order.

Best regards.

Very truly yours,

James R. Bennetts

JRB:dl

cc: Harold Jones
Idaho Department of Water Resources

RECEIVED

JAMES R. BENNETTS

ATTORNEY AT LAW

P. O. BOX 36

CHALLIS, IDAHO 83226

(208) 879-4488

August 4, 1983

RECEIVED

AUG 8 1983

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources
Eastern Region
150 Shoup Avenue
Idaho Falls, Idaho 83401

Attn: Harold Jones

Dear Mr. Jones:

Re: Philip Miller water transfer

The water transfer referred to above appears to be a little more complex than I had understood. There were apparently some land exchanges by Ima Mines prior to the Miller ownership.

I am in the process of securing the old abstract to see what I can work out. We will get back with you as soon as possible.

Thank you.

Very truly yours,


James R. Bennetts

JRB:dl

RECEIVED

JAMES R. BENNETTS

ATTORNEY AT LAW

P. O. BOX 36

CHALLIS, IDAHO 83226

(208) 879-4488

July 12, 1983

RECEIVED

JUL 14 1983

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources
Eastern Region
150 Shoup Ave.
Idaho Falls, Idaho 83401

Re: Philip Miller - Transfer of Water Right

Dear Sirs:

Enclosed please find an Application for Transfer of Water Right for Philip Miller. Please process this application as appropriate.

Also enclosed is a check from Mr. Miller in the amount of \$50.00 to cover the filing fee.

Thank you.

Very truly yours,


James R. Bennetts

JRB:dl

Enclosures

RECEIVED