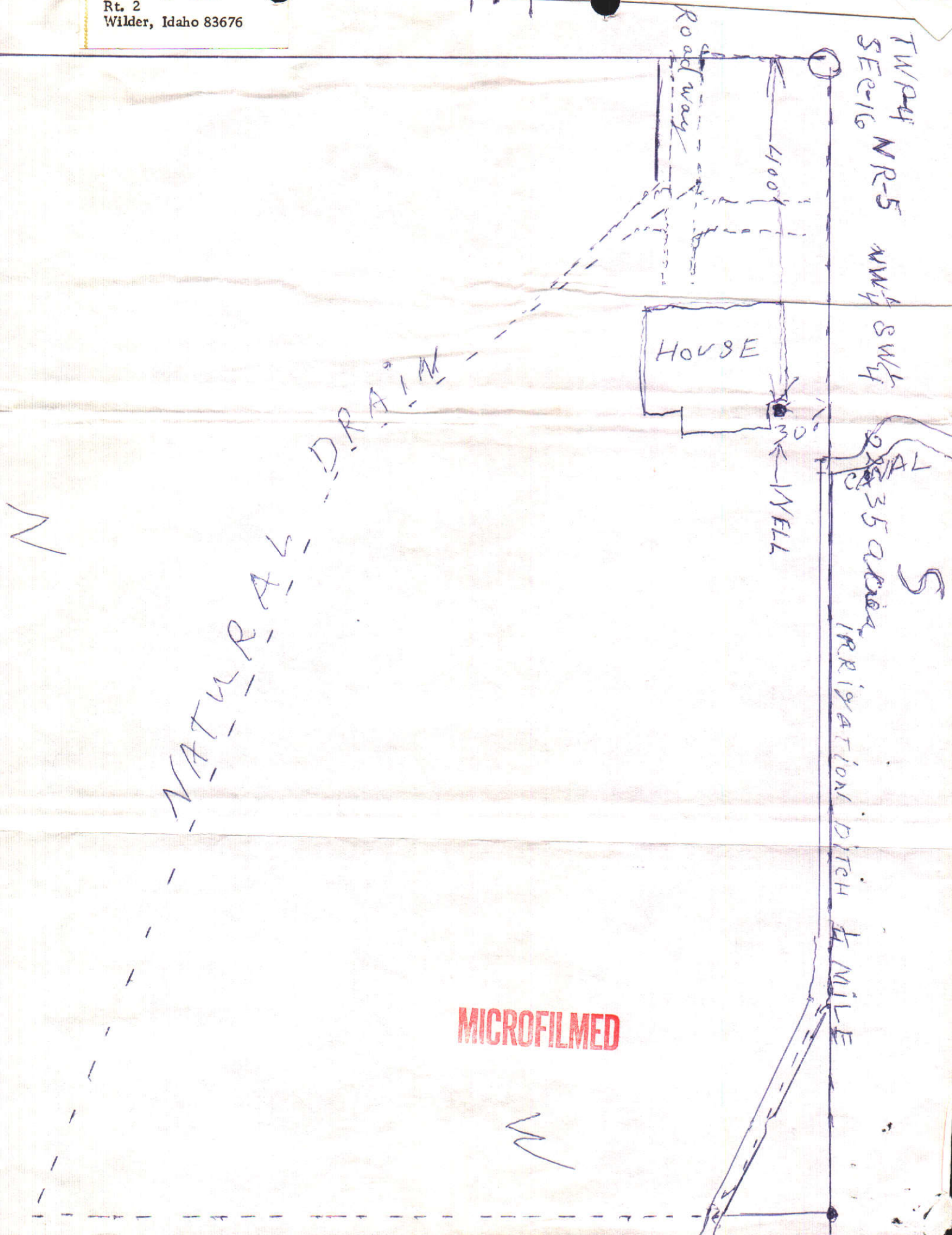


Thomas L. Miller
Rt. 2
Wilder, Idaho 83676



AFFIDAVIT OF PUBLICATION

RECEIVED
JAN 20 1975
Department of Water Resources

STATE OF IDAHO,)
County of Canyon.) ss.

Verla Harker
of Caldwell, Canyon County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the News-Tribune, a daily, (except Sunday) newspaper published in the City of Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

January 9, 16, 1975

Verla Harker

Subscribed and sworn to before me this

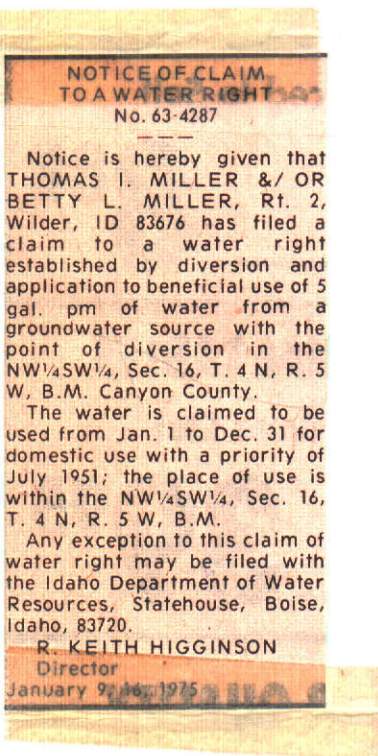
16th day of January, 1975

Adam D. K...

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1975

MICROFILMED



OR
1-21-75
JH

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

Notice is hereby given that Thomas I. Miller &/or Betty L. Miller
(name of claimant)

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) groundwater
_____, tributary to, _____

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

Amount 5 gal. pm Use Domestic Period of Use: From Jan. 1 To Dec. 31

Amount _____ Use _____ Period of Use: From _____ To _____

Amount Use Period of Use: From To
(cfs, gpm) (dom., irri., (both dates inclusive)
or a/f) stock, etc.)

(4) Priority claimed: (the date water was first applied to beneficial use) July 1951

A) Point of diversion: (give location of point where water is diverted from its source)

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. well 4 inch casing with 2 inch pipe inside.
149 feet deep groundwater

149 feet deep groundwater

Total No. of acres

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

domestic and culinary use

MICROFILMED

Thomas L. Miller
Rt. 2
Wilder, Idaho 83676

Roadway

TWP 24
SE 2-16 NR-5 NW 1/4 SW 1/4

HOUSE

WELL

35 acres

IRRIGATION DITCH 1/2 MILE

NATURAL DRAIN

N

S

UNRECORDED

W

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Canyon.) ss.

Verla Harker
of Caldwell, Canyon County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the News-Tribune, a daily, (except Sunday) newspaper published in the City of Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

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Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

January 9, 16, 1975

Verla Harker

Subscribed and sworn to before me this

16th day of January, 1975

Adam D. K...

Notary Public, Residing at Nampa, Idaho

MICROFILMED

No. 63-4287

Notice is hereby given that THOMAS J. MILLER &/ OR BETTY L. MILLER, Rt. 2, Wilder, ID 83676 has filed a claim to a water right established by diversion and application to beneficial use of 5 gal. pm of water from a groundwater source with the point of diversion in the NW 1/4 SW 1/4, Sec. 16, T. 4 N, R. 5 W, B.M. Canyon County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic use with a priority of July 1951; the place of use is within the NW 1/4 SW 1/4, Sec. 16, T. 4 N, R. 5 W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

KEITH HIGGINSON

SP
1-21-75
JG

WATER RIGHT NUMBER 63-4287

WATER RIGHTS EDIT REPORT

12/12/79

PAGE 153

ACT
ION

N OWNER LAST NAME - MILLER
N OWNER LAST NAME - MILLER
N ADDRESS LINE 1 - RT. 2

FIRST NAME - THOMAS J.
FIRST NAME - BETTY L.

N SOURCE - GROUNDWATER
N STAGE - STATRY CLM
N DIVERSION POINT - NWSW 16 04N 05W
N FROM - 01-01 TO - 12-31 USE - DOMESTIC
N USE - DOMESTIC

CITY - WILDER

STATE - ID ZIP CODE - 83676

PRIORITY - 07-01-1951 COUNTY - CANYON

TOTAL DIV. RATE - .0100CFS

USE DIV. RATE - .0100CFS

PLACE OF USE - TWN 04N RNG 05W SEC 16 TRACT NWSW

IDENT. NO. 63-4287

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

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 63-4287
OTd No. New No.

Record

1. Original Owner: Thomas J. Miller + Betty L. Miller

Present Owner: _____

2. Address: Rt 23. City: Willard State: IO Zip: 836264. A. Source of Water: gr

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 7-1-1951D. County: 27E. Total Diversion Rate: .01

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NW50</u>	<u>16</u>	<u>4N</u>	<u>5W</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 7-1 to 12 31 for D purposes. Amount .01
(cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: 0

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

Statehouse
Boise, Idaho 83720
(208) 384-2190

R. Keith Higginson
Director

January 27, 1975

Thomas I. Miller & Betty L. Miller
Rt. 2
Wilder, ID 83676

Re: Claim to a Water Right No. 63-4287

Dear Mr. Miller:

The Department of Water Resources has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of further assistance, please feel free to call upon us.

Sincerely,

Kenneth H. Foit
KENNETH H. FOIT, P.E.
Western District Engineer

KHF:

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigation
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

January 3, 1975

News-Tribune
P.O. Box 1179
Caldwell, ID 83605

Re: Claim to a Water Right No. 63-4287 - Thomas I. Miller &/or Betty L. Miller

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Sincerely,

MICROFILMED

bill submitted
ok. jg 1-21-75

ca

NOTICE OF CLAIM
TO A WATER RIGHT
No. 63 4287

Notice is hereby given that THOMAS I. MILLER &/ OR BETTY L. MILLER, Rt. 2, Wilder, ID 83676 has filed a claim to a water right established by diversion and application to beneficial use of 5 gal. pm of water from a groundwater source with the point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 4 N, R. 5 W, B.M. Canyon County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic use with a priority of July 1951; the place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 4 N, R. 5 W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON
Director
January 9, 16, 1975

OK
1-9-75
1-06

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4287

Notice is hereby given that THOMAS I. MILLER &/OR BETTY L. MILLER

Rt. 2, Wilder, ID 83676

has filed a claim to a water right established by diversion and application
to beneficial use of 5 gal. pm ~~XXXXXXfeetXXXXsecondXXXXXXfeetXXXXsecond~~

~~XXXX~~ of water from a groundwater source

with the point of diversion in the NW1/4, Sec. 16, T. 4 N, R. 5 W, B.M.

Canyon County.

The water is claimed to be used from Jan. 1 to Dec. 31

for domestic use

with a priority of July 1951;

the place of use is within the NW1/4, Sec. 16, T. 4 N, R. 5 W, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON

Director

Published in the News-Tribune, Caldwell, ID

on Jan. 9, 1975 and Jan. 16, 1975.

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

December 23, 1974

Re: Claim to a Water Right No. 63-4287

Thomas I. Miller
Rt. 2
Wilder, ID 83676

Dear Mr. Miller:

In reviewing your Claim to a Water Right, we note that the point of diversion of the water from your well is shown as being in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 4 N, R. 5 W, B.M. and the place of use is given as being in the ~~SW $\frac{1}{4}$~~ of that section. The map indicates the place of use and the well are located together.

Will you please clarify this matter, so we can publish your Claim to a Water Right.

Sincerely,

Robert W. Hamilton
ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:cla

RECEIVED

DEC 31 1974

Department of Water Resources

DEC 31 1974

This first part is correct the place of use is the same as point of diversion.

Thomas I. Miller

MICROFILMED

UNFILMED

Well
House

MSWN
SEC 16

December 23, 1974

Re: Claim to a Water Right No. 63-4287

Thomas I. Miller
Rt. 2
Wilder, ID 83676

Dear Mr. Miller:

In reviewing your Claim to a Water Right, we note that the point of diversion of the water from your well is shown as being in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 4 N, R. 5 W, B.M. and the place of use is given as being in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of that section. The map indicates the place of use and the well are located together.

Will you please clarify this matter, so we can publish your Claim to a Water Right.

Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:cla

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
WESTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse -- Annex 2
Boise, Idaho 83707
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

December 20, 1974

Mr. Thomas I. Miller
Et. 2
Wilder, ID 83676

Dear Mr. Miller:

Enclosed is your Receipt No. 15370 in the amount of \$ 10.00 for
~~Claim to a Water Right No. 63-4287~~ which was received in this office
on Dec. 20, 1974.

Sincerely,

CATHY L. ATKINSON
Stenographer

CLA:c

Enclosure

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

December 6, 1974

Mr. Tohomasi, Miller
Rt. 2
Wilder, ID 83676

Dear Mr. Miller:

We are returning your claim to water right in order that you can submit the necessary fee. We have taken the liberty of retyping your form for reasons of clarity.

Please complete item #5. We feel that in this case it should be the same as item # 6a as the well is in the same location as the house. If this is true, please enter the same description in item #5.

Sign the new form and have it notarized. Return the claim to us with a \$10.00 fee and we will complete the processing.

If we can be of any further assistance in this matter, please feel free to contact this office.

Sincerely,

James E. Booker
alc

JAMES E. BOOKER
W. R. Technician

JEB:cla

Enclosures

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