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Documents
In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AMENDED
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 Kenneth W. Miller (Name of Claimant)
Route 2, Box 104A, Orofino, Idaho 83544 (Mailing Address) Telephone No. 476-3546 (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) 1908

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)
spring 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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>4 gpm</u>	Use <u>stock</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</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) 0.01 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NE ¼, Sec. 4 Twp. 36N Rge. 2E B.M., County of Clearwater
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.
30 gal. water tank

(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>36N</u>	<u>2 E</u>	<u>4</u>		X															

No. of acres _____

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

NOTE: Include here the type and number of stock watered: 100 head
If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____

[illegible]

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)
) ss.
County of Clearwater)

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.

Wm. Kenneth J. Miller
(Claimant)

Sworn to before me this 25th day of January, 19 83

Notary Public
Residing at Progreso

My commission expires 12-1-86

FOR DEPARTMENT USE ONLY

FOR DEPARTMENT USE ONLY

Received by <u> </u>	Date <u>3/12/83</u>	Exception filed by: <u> </u>	Forwarded to claimant by: <u> </u>	Date <u> </u>
Prepaid check by <u> </u>	Date <u>3-11-83</u>			
\$20.00 fee received by <u> </u>	Date <u> </u>			
Published in <u> </u>				
Dates <u> </u>				

AFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Clearwater } ss.

Nancy Noble

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE; That said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of

Notice of Amended Claims to
Water Rights - W. Miller

That said Notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for full period of two consecutive issues commencing on the 20th day of March, 1983, and ending on the 31st day of March, 1983.

Subscribed and sworn to before me this 31st day of March, 1983.

Beverly Dawson
NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO
RESIDING AT OROFINO THEREIN

84-4075

The original claim shows 0.02 cfs of water for stock from Whiskey Creek tributary to Orofino Creek with diversion point and place of use in SWNW Sec. 14 T37N R3E. Priority date of 1969.

Claimant now wishes to amend said claim to show the priority date as 1910.

84-4076

The original claim shows 0.01 cfs of water for stock from a spring tributary to sinks with diversion point and place of use in SWNW Sec. 27 T36N R4E. Priority date of 1967.

Claimant now wishes to amend said claim to show the priority date as 1906.

84-4077

The original claim shows 0.01 cfs of water for domestic use from a spring tributary to sinks with diversion point and place of use in SWSE Sec. 27 T37N R2E. Priority date of 1966.

Claimant now wishes to amend said claim to show the priority date as 1909.

84-4078

The original claim shows 0.01 cfs of water for stock from a spring tributary to sinks with diversion point and place of use in NWNE Sec. 4 T36N R2E. Priority date of 1966.

Claimant now wishes to amend said claim to show the priority date as 1906.

NOTICE OF AMENDED CLAIMS TO WATER RIGHTS

On March 10, 1983, Kenneth W. Miller filed with the Dept. of Water Resources

84-4067

The original claim shows 0.01 cfs of water for domestic use from a spring tributary to sinks with diversion point in SENE Sec. 27 T37N R2E and a place of use in NESE Sec. 27 T37N R2E. Priority date of 1958.

Claimant now wishes to amend said claim to show the priority date as 1906.

84-4068

The original claim shows 0.01 cfs of water for stock from a spring tributary to sinks with diversion point and place of use in SENE Sec. 27 T37N R2E. Priority date of 1966.

Claimant now wishes to amend said claim to show the priority date as 1906.

84-4069

The original claim shows 0.01 cfs of water for domestic use from a spring tributary to sinks with diversion point and place of use in SWNW Sec. 34 T37N R2E. Priority date of 1966.

Claimant now wishes to amend said claim to show the priority date as 1907.

84-4070

The original claim shows 0.01 cfs of water for domestic and stock from a spring tributary to sinks with diversion point and place of use in NWNW Sec. 27 T36N R3E. Priority date of 1967.

Claimant now wishes to amend said claim to show the Priority date as 1906 and diversion point and place of use as NWNW Sec. 27 T36N R4E.

84-4071

The original claim shows 0.01 cfs of water for stock from Winter Creek with diversion point and place of use in SWNW Sec. 27 T36N R4E. Priority date of 1967.

Claimant now wishes to amend said claim to show the priority date as 1906.

84-4072

The original claim shows 0.01 cfs of water for domestic use from a spring tributary to sinks with diversion point and place of use in SESW Sec. 14 T37N R3E. Priority date of 1969.

Claimant now wishes to amend said claim to show the priority date as 1910.

84-4073

The original claim shows 0.01 cfs of water for stock from a spring tributary to sinks with diversion point and place of use in SWSE Sec. 14 T37N R3E. Priority date of 1969.

Claimant now wishes to amend said claim to show the priority date as 1910.

84-4074

The original claim shows 0.02 cfs of water for stock from an unnamed stream tributary to Whiskey Creek with diversion point in NWNE Sec. 34 T37N R2E and place of use in NWNE, SWNE, NESW, SESW Sec. 34 T37N R2E. Priority date of 1966.

Claimant now wishes to amend said claim to show the priority date as 1907.

84-4079

The original claim shows 0.01 cfs of water for stock from a spring tributary to sinks with diversion point and place of use in NWSE Sec. 33 T37N R2E. Priority date of 1966.

Claimant now wishes to amend said claim to show the priority date as 1906.

84-4080

The original claim shows 0.01 cfs of water for stock from a spring tributary to sinks with diversion point and place of use in SWNE Sec. 33 T37N R2E. Priority date of 1966.

Claimant now wishes to amend said claim to show the priority date as 1906.

84-4081

The original claim shows 0.01 cfs of water for stock from a spring tributary to sinks with diversion point and place of use in NWNE Sec. 4 T36N R2E. Priority date of 1966.

Claimant now wishes to amend said claim to show the priority date as 1906.

84-4082

The original claim shows 0.02 cfs of water for domestic use from a spring tributary to sinks with diversion point and place of use in NWSW Sec. 34 T37N R2E. Priority date of 1966.

Claimant now wishes to amend said claim to show the priority date as 1907.

84-4083

The original claim shows 0.02 cfs of water for domestic use from a spring tributary to sinks with diversion point and place of use in NWSW Sec. 34 T37N R2E. Priority date of 1966.

Claimant now wishes to amend said claim to show the priority date as 1907.

84-4084

The original claim shows 0.01 cfs of water for stock and domestic use from a spring tributary to sinks with diversion point and place of use in SWSW Sec. 14 T37N R3E. Priority date of 1969.

Claimant now wishes to amend said claim to show the priority date as 1910.

84-4085

The original claim shows 0.01 cfs of water for domestic use from a spring tributary to sinks with diversion point and place of use in SWNE Sec. 27 T37N R2E. Priority date of 1956.

Claimant now wishes to amend said claim to show the priority date as 1909.

84-4086

The original claim shows 0.01 cfs of water for domestic use from a spring tributary to sinks with diversion point and place of use in NWNE Sec. 27 T37N R2E. Priority date of 1967.

Claimant now wishes to amend said claim to show the priority date as 1905.

84-4087

The original claim shows 0.01 cfs of water for domestic use from a spring tributary to sinks with a diversion point in SENE Sec. 27 T37N R2E and place of use in NESE Sec. 27 T37N R2E. Priority date of 8/1/1966.

Claimant now wishes to amend said claim to show the priority date as 1909 and place of use as SENE Sec. 27 T37N R2E.

Any exception to any claim of water right may be filed with the Director of Idaho Department of Water Resources, 4065 Government Way, Coeur d'Alene, ID 83814.

KEN DUNN, Director

(8) Remarks _____

#1-3 Pastore Abuse Bureau

[illegible]

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)
) ss.
County of Clearwater)

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 affiants knowledge.

Mad. Kenneth J. Miller
(Claimant)

Sworn to before me this 5th day of June, 19 79.

Notary Public Margaret Hunter
Residing at Drofnis

My commission expires 12-1-79

For Department Use Only

Received by <u>ADL</u>	Date <u>7/30/79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>KK</u>	Date <u>8/2/79</u>	<u>#14071</u>	claimant by:	
\$10.00 fee received by <u>pm1</u>	Date <u>6/29/79</u>			
Approved for publication by <u>pmo</u>				
Published in <u>Clemson Tribune</u>				
Dates <u>8/16 & 23/79</u>				

Claim No. 84-4081

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

RECEIVED
JUN 8 1979
Department of Water Resources

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Kenneth W. Miller (name of claimant) 208 476 3546

of RT #2, Box 104-A, Orofino, Idaho (mailing address), claims a right to the diversion and beneficial use of the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Spring, 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 <u>4700</u>	Use <u>Stock</u>	Period of Use: From <u>Jan. 1</u> To <u>Dec. 31</u>
Amount _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)
- (3) Total quantity of water claimed: 0.01 cubic feet per second, or _____ acre feet per annum, and/or 4 gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1966

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW 1/4 NE 1/4, Sec. 4 Twp. 36N Rge. 2E B. M. County of Clearwater
 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. 30 gal water tank

- (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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
36N	2E	4		X															

Total No. of acres _____

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

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

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor
A. Kenneth Dunn
~~Mr. Kenneth Dunn~~
Director

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

January 27, 1983

Mr. Kenneth W. Miller
Rt. 2 Box 104A
Orofino, Id. 83544

Re: Amended Claim Nos. 84-4067 thru 84-4087

Dear Mr. Miller:

We are returning the above-referenced amended claims for your notarized signature. The signature must be that of the claimant or a Power of Attorney must accompany the claims.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Claims (21)

MICROFILMED

State of Idaho
Department of Water Resources

Amend
CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: *JK*

Right Number 84-4081 Applicant *Stiller*

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 *JK* Date 4/19/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By *kw* Date 5/4/83



RECEIVED
MAY 04 1983
Department of Water Resources

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

On March 10, 1983, Kenneth W. Miller filed with the Dept. of Water Resources Amended Claim No. 84-4081. The original claim shows 0.01 cfs of water for stock from a spring tributary to sinks with diversion point and place of use in NWNE Sec. 4 T36N R2E. Priority date of 1966.

Claimant now wishes to amend said claim to show the priority date as 1908.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho

83-11

KEN DUNN, Dir.

Published in the Clearwater Tribune on 3/24 and 3/31, 1983.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4056 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

April 19, 1983

Mr. Kenneth W. Miller
Rt. 2 Box 104A
Orofino, Id. 83544

Re: 84-4067 thru 84-4087 (Amended)

Dear Claimant:

The Department of Water Resources has completed the advertising of your Amended Claim to a Water Right and no further action is authorized under Section 42-243 and 42-244, Idaho Code. Your amended 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 amended 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 amended 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 amended 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 amended claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

Enclosure

APR 22 1983

IDENT. NO. 84-4081

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]

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: KK

Right Number 84-4081 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 MB Date 9-11-79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Janie Date 9/18/79

RECEIVED
MICHIGAN

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

SEPTEMBER 4, 1979

KENNETH MILLER
RT. 2 BOX 104A
OROFINO ID 83544

RE: Claim No. 84-4081

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

MICROFILMED

84-4081-

MILLER, KENNETH

RT. 2 BOX 104A, OROFINO, ID 83544

Source: UNNAMED SPRING

Priority Date: 01/01/1966

Amount: 0.01 CFS

Diversion Point: NWNE Sec 04 T 36N R 02E, CLEARWATER Co.

Use: STOCKWATER (0.01 CFS) from 01/01 to 12/31

Place of Use: NWNE Sec 04 T 36N R 02E

Diversion Means: 30-GALLON TANK

100-100000