

# AFFIDAVIT 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 Claims to Water Rights  
K. Miller - John D. Wilkins

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 16th day of August, 1979, and ending

on the 23rd day of August, 1979

Nancy Noble

Subscribed and sworn to before me this 24th day of August, 1979

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

SEP 10 1979

Department of Water Resources  
Northern District Office

MICROFILMED

## NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water rights(s) have been established by diversion and application for beneficial use:

84-4067  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 09/01/1966  
Amount: 0.01 CFS  
Diversion Point: SENE Sec 27 T 37N R 02E, Clearwater Co.

Use: Domestic (0.01 CFS)  
Place of Use: NESE Sec 27 T 37N R 02E

Diversion Means: Pipe

84-4068  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: SENE Sec 27 T 37N R 02E, Clearwater Co.

Use: Stockwater (0.01 CFS)  
Place of Use: SENE Sec 27 T 37N R 02E

Diversion Means: Storage Tank

84-4069  
Miller, Kenneth  
Rt. 1 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: SWNW Sec 34 T 37N R 02E, Clearwater Co.

Use: Domestic (0.01 CFS)  
Place of Use: SWNW Sec 34 T 37N R 02E

Diversion Means: Pipe

84-4070  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: NWNE Sec 27 T 36N R 04E, Clearwater Co.

Use: Stockwater (0.01 CFS)  
Place of Use: NWNE Sec 27 T 36N R 04E

Diversion Means: Creek

84-4071  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Winter Creek  
Priority Date: 01/01/1967  
Amount: 0.01 CFS  
Diversion Point: SWNW Sec 27 T 36N R 04E, Clearwater Co.

Use: Stockwater (0.01 CFS)  
Place of Use: SWNW Sec 27 T 36N R 04E

Diversion Means: Creek

84-4072  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: SENE Sec 27 T 37N R 03E, Clearwater Co.

Use: Domestic (0.01 CFS)  
Place of Use: SENE Sec 27 T 37N R 03E

Diversion Means: Pipe

84-4073  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: SWNW Sec 34 T 37N R 02E, Clearwater Co.

Use: Domestic (0.01 CFS)  
Place of Use: SWNW Sec 34 T 37N R 02E

Diversion Means: Pipe

Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: SWSE Sec 14 T 37N R 03E, Clearwater Co.

Use: Stockwater (0.01 CFS)  
Place of Use: SWSE Sec 14 T 37N R 03E

Diversion Means: Reservoir

84-4074  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

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

Diversion Means: Reservoir

84-4075  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Whiskey Creek  
Priority Date: 01/01/1969  
Amount: 0.02 CFS  
Diversion Point: SWNW Sec 14 T 37N R 03E, Clearwater Co.

Use: Stockwater (0.02 CFS)  
Place of Use: SWNW Sec 14 T 37N R 03E

Diversion Means: Creek

84-4076  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: SWNW Sec 14 T 37N R 03E, Clearwater Co.

Use: Stockwater (0.01 CFS)  
Place of Use: SWNW Sec 14 T 37N R 03E

Diversion Means: Creek

84-4077  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: SWNW Sec 27 T 36N R 04E, Clearwater Co.

Use: Stockwater (0.01 CFS)  
Place of Use: SWNW Sec 27 T 36N R 04E

Diversion Means: Reservoir

84-4078  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

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

Diversion Means: Reservoir

84-4079  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: NWSE Sec 33 T 37N R 02E, Clearwater Co.

Use: Stockwater (0.01 CFS)  
Place of Use: NWSE Sec 33 T 37N R 02E

Diversion Means: Reservoir

84-4080  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: SWNE Sec 33 T 37N R 02E, Clearwater Co.

Use: Stockwater (0.01 CFS)  
Place of Use: SWNE Sec 33 T 37N R 02E

Diversion Means: Reservoir

84-4081  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: SWNE Sec 04 T 36N R 02E, Clearwater Co.

Use: Stockwater (0.01 CFS)  
Place of Use: SWNE Sec 04 T 36N R 02E

Diversion Means: 30-Gallon Tank

Use: Domestic (0.01 CFS)  
Place of Use: SWSE Sec 27 T 37N R 02E

Diversion Means: Reservoir

84-4078  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

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

Diversion Means: Reservoir

84-4079  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: NWSE Sec 33 T 37N R 02E, Clearwater Co.

Use: Stockwater (0.01 CFS)  
Place of Use: NWSE Sec 33 T 37N R 02E

Diversion Means: Reservoir

84-4080  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: SWNE Sec 33 T 37N R 02E, Clearwater Co.

Use: Stockwater (0.01 CFS)  
Place of Use: SWNE Sec 33 T 37N R 02E

Diversion Means: Reservoir

84-4081  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: SWNE Sec 04 T 36N R 02E, Clearwater Co.

Use: Stockwater (0.01 CFS)  
Place of Use: SWNE Sec 04 T 36N R 02E

Diversion Means: 30-Gallon Tank

84-4082  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.02 CFS  
Diversion Point: NWSW Sec 34 T 37N R 02E, Clearwater Co.

Use: Domestic (0.02 CFS)  
Place of Use: NWSW Sec 34 T 37N R 02E

Diversion Means: Ditch

84-4083  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.02 CFS  
Diversion Point: NWSW Sec 34 T 37N R 02E, Clearwater Co.

Use: Domestic (0.02 CFS)  
Place of Use: NWSW Sec 34 T 37N R 02E

Diversion Means: Pipe

84-4084  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: SWSW Sec 14 T 37N R 03E, Clearwater Co.

Use: Stockwater (0.01 CFS)  
Place of Use: SWSW Sec 14 T 37N R 03E

Diversion Means: 30-Gallon Tank

84-4085  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 09/01/1956  
Amount: 0.01 CFS  
Diversion Point: SWNE Sec 27 T 37N R 02E, Clearwater Co.

Use: Domestic (0.01 CFS)  
Place of Use: SWNE Sec 27 T 37N R 02E

Diversion Means: Pipe

84-4086  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 02/26/1897  
Amount: 0.25 CFS  
Diversion Point: SENE Sec 11 T 36N R 02E, Clearwater Co.

Use: Irrigation (0.20 CFS)  
Place of Use: SENE Sec 11 T 36N R 02E

Diversion Means: Reservoir, Pump and Pipe

Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: NWNE Sec 27 T 37N R 02E, Clearwater Co.

Use: Domestic (0.01 CFS)  
Place of Use: NESE Sec 27 T 37N R 02E

Diversion Means: Pipe

84-4087  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID

Source: Unnamed Spring  
Priority Date: 08/01/1966  
Amount: 0.01 CFS  
Diversion Point: SENE Sec 27 T 37N R 02E, Clearwater Co.

Use: Domestic (0.01 CFS)  
Place of Use: NESE Sec 27 T 37N R 02E

Diversion Means: Pipe

84-4088  
Wilkins, John D.  
Rt. 2 Box 81, Orofino, ID

Source: Groundwater  
Priority Date: 02/26/1897  
Amount: 0.25 CFS  
Diversion Point: SENE Sec 11 T 36N R 02E, Clearwater Co.

Use: Irrigation (0.20 CFS)  
Place of Use: SENE Sec 11 T 36N R 02E

Diversion Means: Reservoir, Pump and Pipe

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, ID 83814.

C. Stephen Allred  
Director  
8-16,23c

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 Telephone No. 476-3546  
(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) 1906

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>2 gpm</u> | Use                                 | <u>domestic</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)  
SE ¼ NE ¼, Sec. 27 Twp. 37N 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. Pipeline 1"

(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 |       |
| 37N | 2E | 27   |     |     |     |     |     |     |     |     |     |     |     |     | X   |     |     |     |       |
|     |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

No. of acres \_\_\_\_\_

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

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

[illegible]

Received by Jan Date 1/26/83 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by JR Date 3-11-83 claimant by: \_\_\_\_\_  
\$20.00 fee received by \_\_\_\_\_ Date \_\_\_\_\_  
Published in Cleanwater Indiana \_\_\_\_\_  
Dates 3/24/83 - 3/31/83 \_\_\_\_\_

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.  
County of Clearwater }

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 - K. 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 21th 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 Bauer*

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 claims 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 1966.

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 1908.

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 claims 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, 4055 Government Way, Coeur d'Alene, ID 83814.  
KEN DUNN Dir

V E D  
APR 12 1983

Idaho Water Resources  
2130 N. District Office

NOT RECORDED

# MICROFIL MED

A - 7 - Spring B - 7 - House.

#2 Spring draw below cart weights

[illegible]

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.

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.

(Claimant)

June, 19 79.

**Notary Public**

Residing at

My commission expires

7/30/79

|                                        |                     |                     |              |      |
|----------------------------------------|---------------------|---------------------|--------------|------|
| Received by <u>HAN</u>                 | Date <u>6/8/79</u>  | Exception filed by: | Forwarded to | Date |
| Prelim. check by <u>H/K</u>            | Date <u>8/2/79</u>  | <u>#14071</u>       | claimant by: |      |
| \$10.00 fee received by <u>pm</u>      | Date <u>6/29/79</u> |                     |              |      |
| Approved for publication by <u>pm</u>  |                     |                     |              |      |
| Published in <u>Clearwater Tribune</u> |                     |                     |              |      |
| Dates <u>8/16 &amp; 23/79</u>          |                     |                     |              |      |

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 Claims to Water Rights  
K. Miller - John D. Wilkins

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 16th day of August, 1979, and ending on the 23rd day of August, 1979

Nancy Noble

Subscribed and sworn to before me this 24th day of August, 1979

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

NOTICE OF CLAIMS  
TO WATER RIGHTS

Notice is hereby given that the following claim(s) have been established by a diversion and application for a beneficial use:

Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID  
Source: Unnamed Spring  
Priority Date: 09/01/1966  
Amount: 0.01 CFS  
Diversion Point: SENE Sec 27 T 37N R 02E, Clearwater Co.

Use: Domestic (0.01 CFS)  
from 01/01 to 12/31  
Place of Use: NESE Sec 27 T 37N R 02E, Clearwater Co.

Diversion Means: Pipe  
84-4068  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID  
Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: SENE Sec 27 T 37N R 02E, Clearwater Co.

Use: Stockwater (0.01 CFS)  
from 01/01 to 12/31  
Place of Use: NESE Sec 27 T 37N R 02E, Clearwater Co.

Diversion Means: Pipe  
84-4068  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID  
Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: SENE Sec 27 T 37N R 02E, Clearwater Co.

Use: Stockwater (0.01 CFS)  
from 01/01 to 12/31  
Place of Use: SENE Sec 27 T 37N R 02E, Clearwater Co.

Diversion Means: Storage Tank  
84-4069  
Miller, Kenneth  
Rt. 1 Box 104A, Orofino, ID  
Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: SENE Sec 27 T 37N R 02E, Clearwater Co.

Use: Domestic (0.01 CFS)  
from 01/01 to 12/31  
Place of Use: SWNW Sec 34 T 37N R 02E, Clearwater Co.

Diversion Means: Pipe  
84-4073  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID  
Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: SENE Sec 27 T 37N R 02E, Clearwater Co.

Use: Stockwater (0.01 CFS)  
from 01/01 to 12/31  
Place of Use: SWNW Sec 34 T 37N R 02E, Clearwater Co.

Diversion Means: Pipe  
84-4073  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID  
Source: Unnamed Spring  
Priority Date: 01/01/1966  
Amount: 0.01 CFS  
Diversion Point: SENE Sec 27 T 37N R 02E, Clearwater Co.

Priority Date: 01/01/1969  
Amount: 0.01 CFS  
Diversion Point: SWSE Sec 27 T 37N R 03E, Clearwater Co.  
Use: Stockwater (0.01 CFS)  
from 01/01 to 12/31  
Place of Use: SWSE Sec 27 T 37N R 03E, Clearwater Co.

Diversion Means: Reservoir  
84-4074  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID  
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 (0.02 CFS)  
from 01/01 to 12/31  
Place of Use: NWNE Sec 04 T 36N R 02E, Clearwater Co.

Diversion Means: Reservoir  
84-4075  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID  
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 (0.02 CFS)  
from 01/01 to 12/31  
Place of Use: NWNE Sec 04 T 36N R 02E, Clearwater Co.

Diversion Means: Reservoir  
84-4076  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID  
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 (0.02 CFS)  
from 01/01 to 12/31  
Place of Use: NWNE Sec 04 T 36N R 02E, Clearwater Co.

Diversion Means: Reservoir  
84-4077  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID  
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 (0.02 CFS)  
from 01/01 to 12/31  
Place of Use: NWNE Sec 04 T 36N R 02E, Clearwater Co.

Diversion Means: Reservoir  
84-4078  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID  
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 (0.02 CFS)  
from 01/01 to 12/31  
Place of Use: NWNE Sec 04 T 36N R 02E, Clearwater Co.

Use: Domestic (0.01 CFS)  
from 01/01 to 12/31  
Place of Use: SWSE Sec 27 T 37N R 02E, Clearwater Co.  
Use: Stockwater (0.01 CFS)  
from 01/01 to 12/31  
Place of Use: SWSE Sec 27 T 37N R 02E, Clearwater Co.

Diversion Means: Reservoir  
84-4079  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID  
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, Clearwater Co.

Diversion Means: Reservoir  
84-4080  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID  
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, Clearwater Co.

Diversion Means: Reservoir  
84-4081  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID  
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, Clearwater Co.

Diversion Means: Reservoir  
84-4082  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID  
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, Clearwater Co.

Diversion Means: Reservoir  
84-4083  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID  
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, Clearwater Co.

Source: Unnamed Spring  
Priority Date: 01/01/1967  
Amount: 0.01 CFS  
Diversion Point: NWNE Sec 27 T 37N R 02E, Clearwater Co.  
Use: Domestic (0.01 CFS)  
from 01/01 to 12/31  
Place of Use: NESE Sec 27 T 37N R 02E, Clearwater Co.

Diversion Means: Pipe  
84-4087  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID  
Source: Unnamed Spring  
Priority Date: 08/01/1966  
Amount: 0.01 CFS  
Diversion Point: SENE Sec 27 T 37N R 02E, Clearwater Co.

Use: Domestic (0.01 CFS)  
from 01/01 to 12/31  
Place of Use: NESE Sec 27 T 37N R 02E, Clearwater Co.

Diversion Means: Pipe  
84-4088  
Wilkins, John D.  
Rt. 2 Box 81, Orofino, ID  
Source: Groundwater  
Priority Date: 02/26/1897  
Amount: 0.25 CFS  
Diversion Point: SENE Sec 11 T 36N R 02E, Clearwater Co.

Use: Irrigation (0.20 CFS)  
from 05/01 to 9/15; Stockwater (0.01 CFS) from 01/01 to 12/31; Domestic (0.04 CFS) from 01/01 to 12/31  
Place of Use: SENE Sec 11 T 36N R 02E for 10 Acres  
Diversion Means: Reservoir, Pump and Pipe

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, ID 83814.

C. Stephen Alfred  
Director  
8-16,22c

84-4086  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID  
Source: Unnamed Spring  
Priority Date: 09/01/1966  
Amount: 0.01 CFS  
Diversion Point: SWNE Sec 27 T 37N R 02E, Clearwater Co.

Use: Domestic (0.01 CFS)  
from 01/01 to 12/31  
Place of Use: SWNE Sec 27 T 37N R 02E, Clearwater Co.

Diversion Means: Pipe  
84-4086  
Miller, Kenneth  
Rt. 2 Box 104A, Orofino, ID  
Source: Unnamed Spring  
Priority Date: 09/01/1966  
Amount: 0.01 CFS  
Diversion Point: SWNE Sec 27 T 37N R 02E, Clearwater Co.

Use: Domestic (0.01 CFS)  
from 01/01 to 12/31  
Place of Use: SWNE Sec 27 T 37N R 02E, Clearwater Co.

RECEIVED  
SEP 10 1979  
Department of Water Resources

MICROFILMED





**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
NORTHERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
~~Executive Director~~  
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)

RECEIVED  
JAN 31 1983

State of Idaho  
Department of Water Resources

84-4067  
CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 84-4067 Applicant 84-4067

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 EW Date 5/4/83

RECEIVED

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. 84-4067. The original claims 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 1956.

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

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

83874

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  
4055 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

MICROFILMED

WATER RIGHT NUMBER 84-4067

OWNER LAST NAME - MILLER  
ADDRESS LINE 1 - RT. 2 BOX 104A  
ADDRESS LINE 3 -  
SOURCE - SPRING

FIRST NAME - KENNETH  
ADDRESS LINE 2 -  
CITY - DROFIND  
TRIBUTARY OF - 9-1-1906

ORIG OWNER -  
STATE - ID ZIP CODE - 83544

STAGE - STATRY CLM STATUS -  
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND -  
DIVERSION POINT - SENE 27 37N 02E LOT REDIV -  
FROM - 01-01 TO - 12-31 USE - DOMESTIC  
USE - DOMESTIC  
DECREE NAME -  
REMARKS -  
NON IRRIG USE -  
OTHER RIGHTS FOR SAME USE -  
PROOF DUE - PERMIT/DENIED -  
PROOF MADE - FLD EXAM - COND. OF APPROVAL -  
DIVERSION MEANS - PIPE

PRIORITY - 09-01-1956 COUNTY - CLEARWATER TOTAL DIV. RATE - .0100 -CFS  
WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -  
272.0 48.0 20.0 1.0 3.0 0.0 0.0 0.0 0.0 0.0 0.5  
USE DIV. RATE - .0100 CFS USE DIV. VOLUME - .00 AFA  
PLACE OF USE - TWN 37N RNG 02E SEC. 27 TRACT NESE LOT AC  
DATE - TOTAL ACRES 0

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 84-4067 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 JB Date 9-11-79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jm Date 9/18/79

MICROFILMED

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. 84-4067

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

84-406Z-

MILLER, KENNETH

RT. 2 BOX 104A, OROFINO, ID 83544

Source: UNNAMED SPRING

Priority Date: 09/01/1956

Amount: 0.01 CFS

Diversion Point: SENE Sec 27 T 37N R 02E, CLEARWATER Co.

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

Place of Use: NESE Sec 27 T 37N R 02E

Diversion Means: PIPE

MICROFILMED

July 2, 1979

Mrs. Kenneth W. Miller  
Lt. 2 Box 104 A  
Grofino, Idaho 83544

Dear Mrs. Miller:

As we discussed on the phone on July 2, 1979, we are returning your 37 Claims to a Water Right. Also enclosed are 2 receipts for a total of \$740.00.

Five claims involve diversion of public water that was started after May 20, 1971. We have typed out applications for these diversions. Under Item 8a(3) of each of these five applications, please indicate what kind of stock and how many stock are being watered. Also on two of these applications you have applied for domestic use. Under Item 8a(4), we have shown "1" family being supplied with domestic water. If this is not correct, please change to reflect the correct figure. When these applications are complete, please sign and return to our office.

The other claims require either Mr. Miller's signature or else them must have as the name of the claimant, "Kenneth W. Miller or Mrs. Kenneth W. Miller". Would you please make the addition on all the claims.

Eleven claims also show a spring as the source of water supply and a date of priority after May 20, 1971. If the springs are private water, then the claims are valid. If they are public water, then an application will be required instead of the claim. A definition of diversion of private water is enclosed. We are enclosing five blank application forms for your use.

**MICROFILMED**

Mrs. Kenneth W. Miller  
Page Two  
July 2, 1979

We are running short of applications, however, we expect a new supply in soon. If you require more, please advise.

When all of the above has been completed, please return all of the forms to us for processing. If you have any further questions, please do not hesitate to contact us.

Sincerely,

KENNETH KNOBLOCK  
Senior Water Resource Agent

KK/pms

Enc. - Receipts (2)  
Blank Applications (5)  
Typed Applications (5)  
Claims (37)  
Private Water Definition

KEN MILLER LOGGING, INC., OROFINO, IDAHO

P A Y E E : DETACH THIS STATEMENT BEFORE DEPOSITING CHECK

| DATE    | ACCOUNT OR<br>INVOICE NO. | DESCRIPTION                                        | AMOUNT            | DISCOUNT OR<br>DEDUCTION | NET AMOUNT |
|---------|---------------------------|----------------------------------------------------|-------------------|--------------------------|------------|
| 6/23/79 | 360                       | 37 H <sub>2</sub> O Rights<br>Remainder of Payment | 370 <sup>00</sup> |                          |            |