

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that David C. Miller

P.O. Box 4904, Pocatello, ID 83201 (Name of Claimant)
(Mailing Address) (Zip Code) Telephone No. 233-4387

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) 1-01-1889

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)
Arkansas Creek tributary to Marsh Creek

(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, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.33 cfs</u>	Use	<u>irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity	<u>0.03</u>	Use	<u>stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
(4) <u>0.33 cfs</u>		TOTAL QUANTITY USED.			
(cfs, af)					

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ SW ¼, Sec. 20 Twp. 10S Rge. 37E B.M., County of Bannock
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. Diversion is by means of dams in the channel to flood irrigation.

(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	
10S	37E	20										5							5

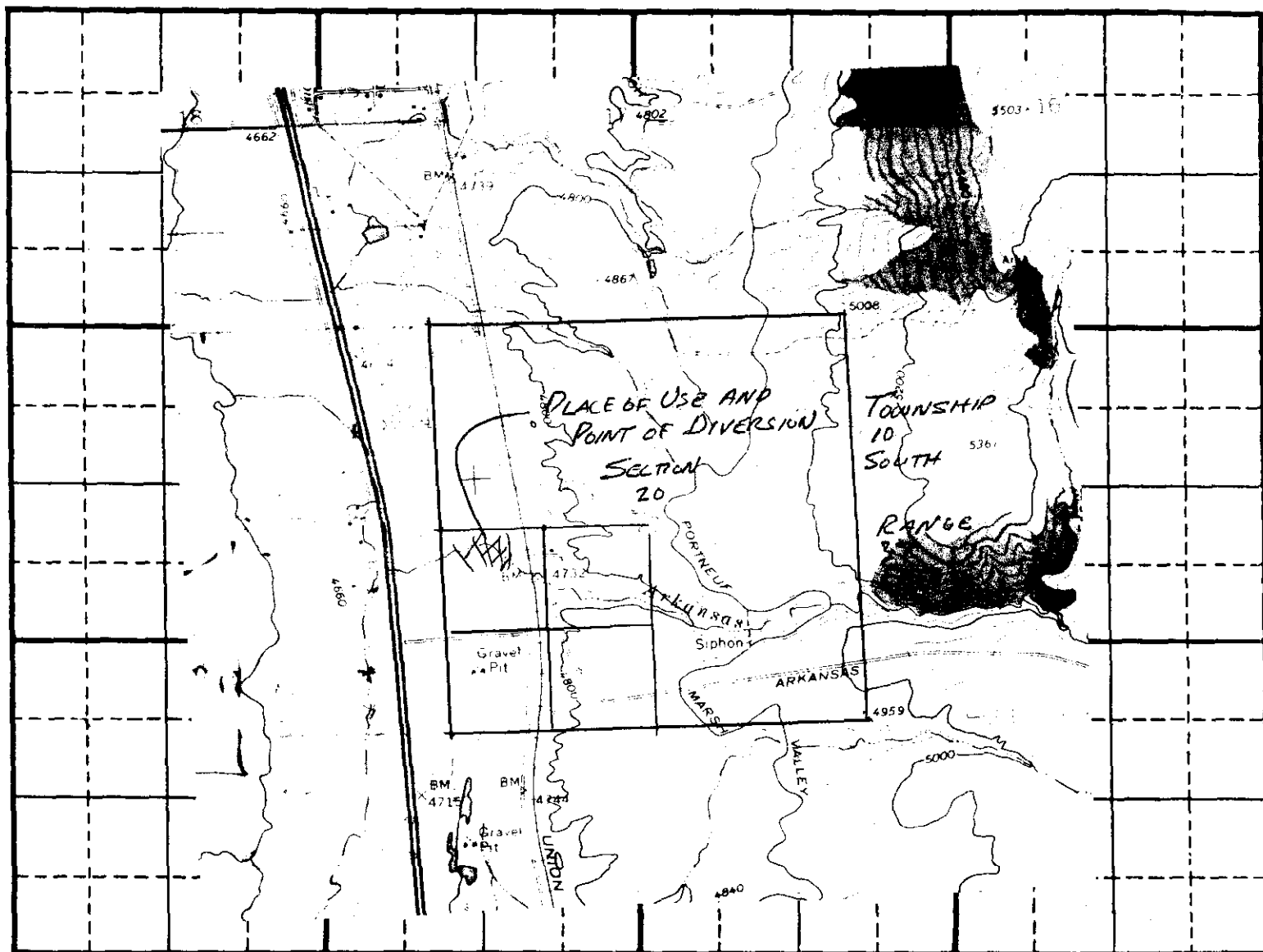
No. of acres 5

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

NOTE: Include here the type and number of stock watered: 80 head cattle and 20 sheep

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

(8) Remarks _____



Scale: 2 inches equal 1 mile. SCALE 1:24,000

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bonneville) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

David A. Miller
(Claimant)

Sworn to before me this 2nd day of March, 1983.

Calvin Gray
Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by <u>SA</u>	Date <u>3-2-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>Kaw</u>	Date <u>3-4-83</u>		claimant by:	
\$30.00 fee received by <u>BP</u>	Date <u>3-2-83 #25450</u>			
Published in <u>Idaho State Journal</u>				
Dates <u>3/17, 3/24/83</u>				

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

MAR 28 1983

Department of Water Resources
Eastern District Office

Jeri Larsen

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

March 17	, 19 83	, 19
March 24	, 19 83	, 19
	, 19	, 19
	, 19	, 19
	, 19	, 19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

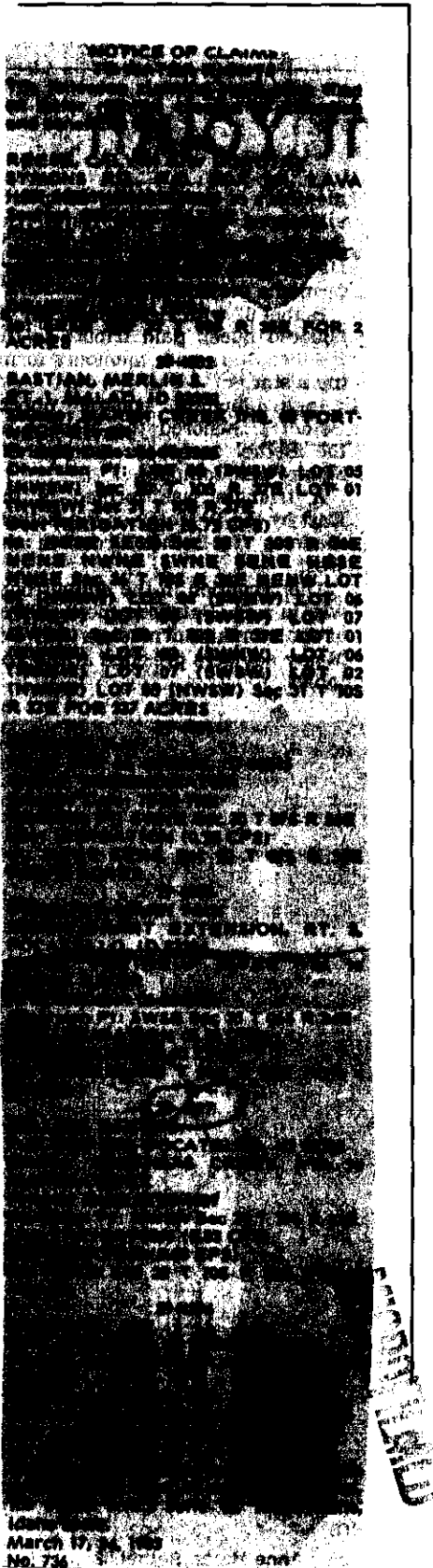
Jeri Larsen

Subscribed and sworn to before me this 25th

day of March, 19 83

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho



PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

MAR 28 1983

Department of Water Resources
Editorial Office

NOTICE OF CLAIMS TO WATER RIGHTS

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

29-4303

REESE, CALVIN &/or DOROTHY
SYMONS RD., P.O. BOX 251, LAVA
HOT SPRINGS, ID 83246
Source: GROUNDWATER
Priority Date: 11-14-1942
Diversion Pt: SESE Sec 32 T 08S R 38E
Use: IRRIGATION (0.04 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: SESE Sec 32 T 08S R 38E FOR 2
ACRES

29-4302

BASTIAN, MERLIN S.
RT. 1, MALAD, ID 83252
Source: MARSH CREEK trib. to PORT-
NEUF RIVER
Priority Date: 04-01-1955
Diversion Pt: LOT 08 (SWSW) LOT 05
(NWSW) Sec 30 T 10S R 37E LOT 01
(NWNW) Sec 31 T 10S R 37E
Use: IRRIGATION (6.72 CFS)
In: NESE SESE Sec 25 T 10S R 36E
NENE NWNE SWNE SENE NESE
NWSE Sec 36 T 10S R 36E NENW LOT
01 (NWNW) LOT 04 (SWNW) LOT 06
(NWSW) LOT 08 (SWSW) LOT 07
(SWSW) Sec 30 T 10S R 37E LOT 01
(NWNW) LOT 03 (SWNW) LOT 06
(NWSW) LOT 07 (SWSW) LOT 02
(NWNW) LOT 05 (NWSW) Sec 31 T 10S
R 37E FOR 337 ACRES

29-4301

BARRON, R.W.
RT. 2, BOX 44, INKOM, ID 83245
Source: GROUNDWATER
Priority Date: 12-20-1956
Diversion Pt: SWNE Sec 30 T 07S R 36E
Use: IRRIGATION (0.20 CFS)
In: SWNE SENE Sec 30 T 07S R 36E
FOR 10 ACRES

29-4300

BURROWS, MARY ANN
SOUTH GRANT EXTENSION, RT. 3,
POCATELLO, ID 83204
Source: PORTNEUF RIVER trib. to
SNAKE RIVER
Priority Date: 04-01-1903
Diversion Pt: SWSE Sec 35 T 06S R 34E
Use: IRRIGATION (0.12 CFS)
STOCKWATER (0.02 CFS)
In: SWSE Sec 35 T 06S R 34E FOR 4
ACRES

29-4297

MILLER, DAVID E.
P.O. BOX 4904, POCATELLO, ID 83201
Source: ARKANSAS CREEK trib. to
MARSH CREEK
Priority Date: 01-01-1889
Diversion Pt: NWSW Sec 20 T 10S R 37E
Use: IRRIGATION (0.33 CFS)
STOCKWATER (0.03 CFS)
In: NWSW Sec 20 T 10S R 37E FOR 5
ACRES

29-4296

GEFFORD, JAY
RFD, DOWNEY, ID 83234
Source: PECK CREEK trib. to MARSH
CREEK
Priority Date: 04-01-1950
Diversion Pt: NESE Sec 06 T 11S R 37E
Use: STOCKWATER (0.05 CFS)
In: SENE Sec 06 T 11S R 37E
Exceptions to a claim may be filed with
the Director, Dept. of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402.
March 17, 24, 1983
No. 736

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of Ameri-
ca, more than 21 years of age, and the Principal Clerk of THE IDAHO
STATE JOURNAL, a daily newspaper, printed and published at Pocatello,
Bannock County, Idaho, and having a general circulation therein.

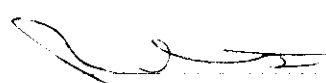
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published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

March 17	, 19 83		, 19 ..
March 24	, 19 83		, 19 ..
	, 19 ..		, 19 ..
	, 19 ..		, 19 ..
	, 19 ..		, 19 ..

That said paper has been continuously and uninterruptedly published
in said County for a period of seventy-eight weeks prior to the publication
of said notice or advertisement and is a newspaper within the meaning
of the laws of Idaho.

Subscribed and sworn to before me this 25th

day of March, 19 83



Notary Public, State of Idaho
Residence: Pocatello, Idaho

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

APRIL 4, 1983

DAVID C. MILLER
P.O. BOX 4904
POCATELLO ID 83201

RE: Claim No. 29-4297

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,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

RECEIVED

RECEIVED

APR 14 1983

Department of Water Resources

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Kewelson

Right Number 29 4297

Applicant David C 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 Ernest Carlson Date April 11, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jeri Date 5-2-83

MICROFILMED

29-429Z

MILLER, DAVID C.

P.O. BOX 4904, POCA TELLO, ID 83201

Source: ARKANSAS CREEK trib. to MARSH CREEK

Priority Date: 01/01/1889

Diversion Pt: NSW Sec 20 T 10S R 37E

Use: IRRIGATION (0.33 CFS)
STOCKWATER (0.03 CFS)

In: NSW Sec 20 T 10S R 37E FOR 5 ACRES

29-4297
MILLER, DAVID C.
P.O. BOX 4904, POCA TELLO, ID 83201
Source: ARKANSAS CREEK trib. to
MARSH CREEK
Priority Date: 01-01-1889
Diversion Pt: NSW Sec 20 T 10S R 37E
Use: IRRIGATION (0.33 CFS)
STOCKWATER (0.03 CFS)
In: NSW Sec 20 T 10S R 37E FOR 5
ACRES

MICROFILMED