

11/07/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-17735

NAME AND ADDRESS: CHARLOTTE A MILLER
1805 W COLUMBIA RD
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.200 CFS
262.200 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 03/15/1938

POINT OF DIVERSION:

T02N R01W S11 NWNE Within ADA County
T02N R01W S11 NWNE Within ADA County
T02N R01W S11 NWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.160 CFS 261.00 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY

DOMESTIC USE IS FOR 1 HOME WITH ASSOCIATED DOMICILE STOCK

PLACE OF USE:

IRRIGATION in ADA County

T02N R01W S11	NENE	24.00	T02N R01W S11	NWNE	14.00
T02N R01W S11	SWNE	20.00			

DOMESTIC in ADA County

T02N R01W S11	NWNE
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58 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Water Right(s)

63-17735

IDAHO DEPT OF WATER RESOURCES

2004 Photography

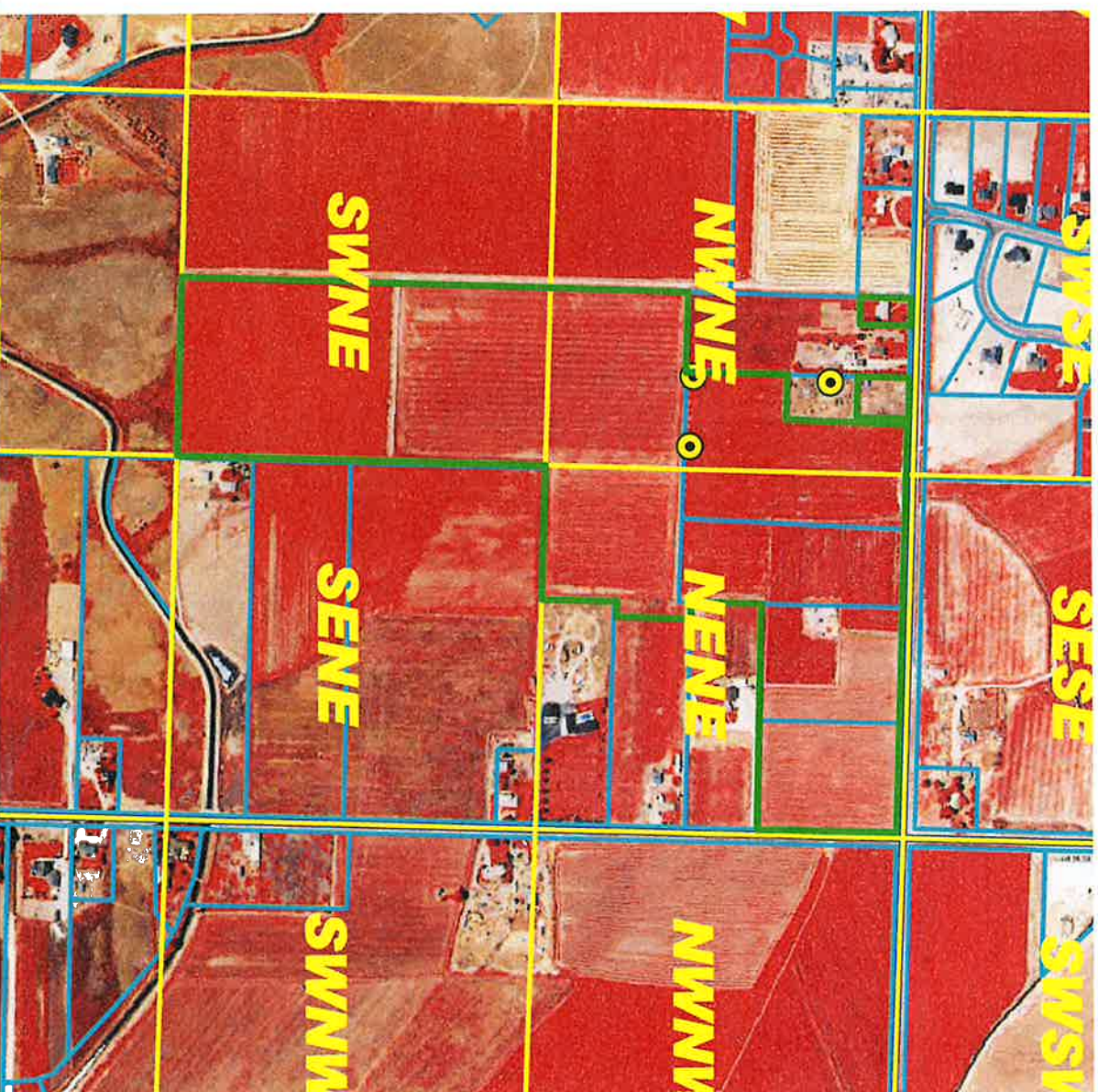
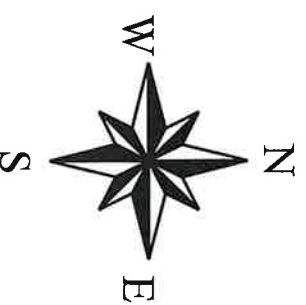
Date: November, 2006

● Point of Diversion

Place of Use

1/4 1/4 Lines

Section Lines

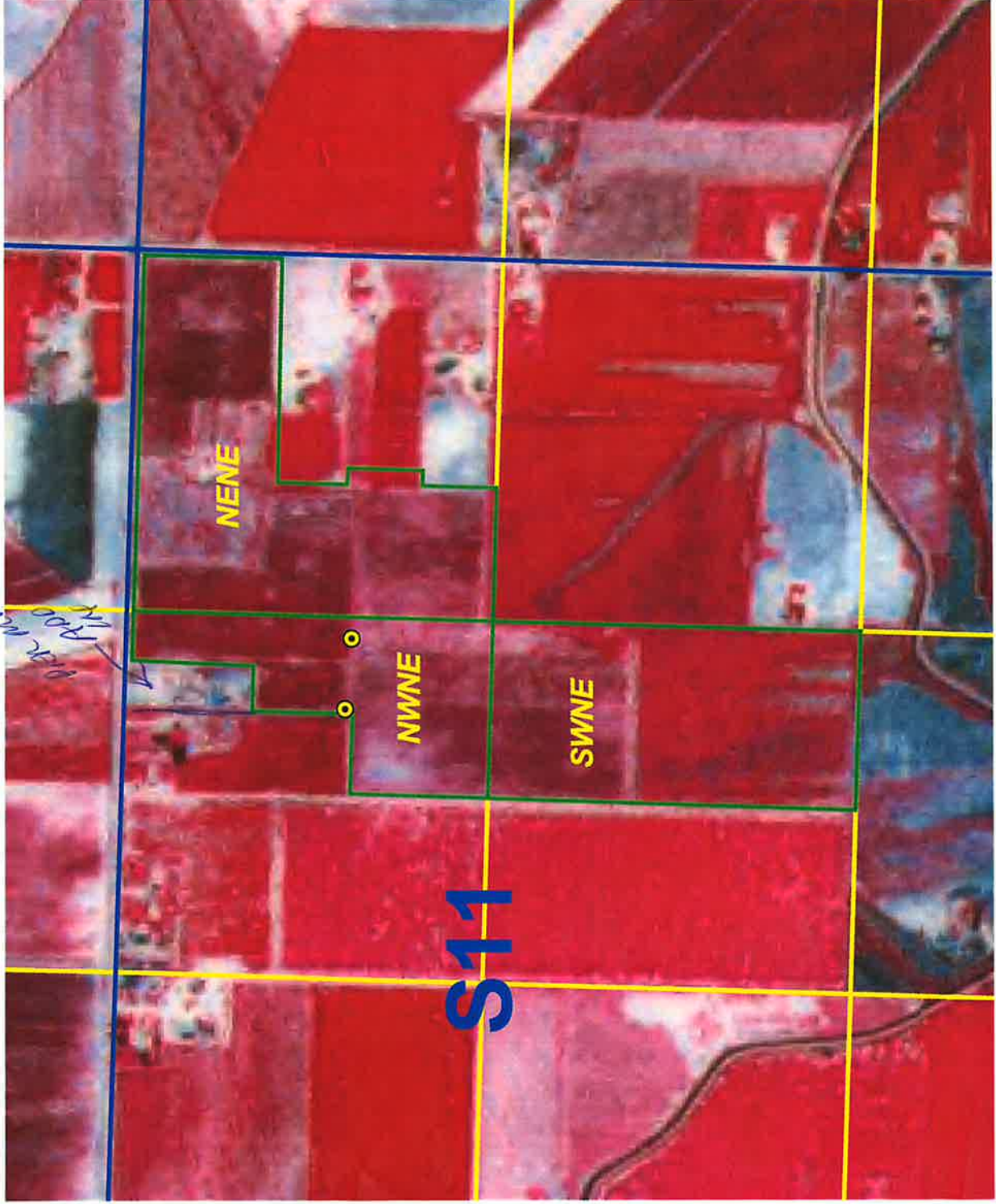


IDAHO DEPARTMENT OF WATER RESOURCES

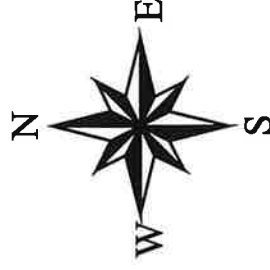
Claims: 63-17735

Date Prepared: 03-11-02

Prepared By: Ron Howerton



T02N, R01W
S11



○ Point of Diversion



Place of use



Section



Quarter/Quarter

1987 NAPP



6-9-05

Notice of Error – per phone conversation with Charlotte Miller

Mrs. Miller called stating that her land list should include 60 acres rather than the 56 acres recommended.

She stated that the 4 acres of the 5 acres in the NWNE, had been irrigated by her husband in 1987 and did not understand why they were not included in the recommendation. See map outline changes on layout dated 3-11-02 in file.

Since she did claim these acres under the 18 acres in the NWNE, which had been previously confirmed by the license for 63-2722 as being irrigated and no one has filed on these acres, I am adding the acres back in at this time. It will enable a current owner to not lose the acres claimed and historically irrigated for this land and enable an ownership change to occur in the future.

RECEIVED

AUG 28 1995

WATER RESOURCES
WESTERN REGION

COPY

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of

Marcus Miller
of
Route #3
Meridian, Idaho

For a Change of Point of Diversion,
County of Ada, State of Idaho,

ORDER GRANTING CHANGE
OF POINT OF DIVERSION

NO. 276

WHEREAS, On the 15th day of May, 1964, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of an application of Marcus Miller of Route #3, Meridian, Idaho, for a change in point of diversion, was on regularly for hearing, pursuant to the published notice, in due and statutory form; and

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby.

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Change of Point of Diversion be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 18th day of May, 1964.

(SEAL)

s/ CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer



That the water right hereby described will hereafter be diverted from a well through private ditch with point of diversion in the NW¹/₄NE¹/₄ Section 11, Township 2 North, Range 1 W. B. M., approximately 300 feet East of present well,

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 18th day of May, 1964.

(SEAL)

s/ CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

11/22/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-17735

NAME AND ADDRESS: CHARLOTTE A MILLER
1805 W COLUMBIA RD
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.160 CFS
253.200 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 03/15/1938

POINT OF DIVERSION:

T02N R01W S11 NWNE Within ADA County
T02N R01W S11 NWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.120 CFS 252.00 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY

DOMESTIC USE IS FOR 1 HOME WITH ASSOCIATED DOMICILE STOCK

PLACE OF USE: IRRIGATION Within ADA County

T02N R01W S11 NENE 24.0
T02N R01W S11 SWNE 20.0

T02N R01W S11 NWNE 12.0

DOMESTIC Within ADA County

T02N R01W S11 NWNE

56 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 63-17735

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☐ No Change ADDRESS
☐ NEW ADDRESS: _____

2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: OK SEE AFFIDAVIT by Charlotte MILLER
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☐ No Change — POINT OF DIVERSION
☒ Point of diversion is different than the claim and/or new P/D's:

Township 2N Range 1W Section 11 1/4 _____ 1/4 NW 1/4 NE has 2-points
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS
☒ Incomplete description, list below:

SEE NARRATIVE AND WELL INSPECTION FORM

6. ☐ No Change - WATER USES

☒ Different uses, (list uses found):

Use Irr From 3-1 To 11-15 Amount 1.12 CFS 252 AFA
 Use Dom From 1-1 To 12-31 Amount .04 CFS 1.2 AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

7. ☐ No Change - TOTAL VOLUME

☒ Incomplete on claim, the total is, Amount 1.16 CFS 253.2 AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☐ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: DOMESTIC USE IS 1-HOME WITH ASSOCIATED DOMICILE Stock

9. ☐ No Change — PLACE OF USE: (If changed, list below.)

LESS ACRES FOUND
SEE NARRATIVE
AND PROFILE
SHEET

Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
 Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
 Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
 Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

SEE NARRATIVE SHEET UPDATED MARCH 12, 2002

THE PLACE OF USE CLAIMED INCORRECTLY DESCRIBED

LANDS SOLD OFF BY ORIGINAL OWNER.

☒ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: August 18, 1995

FIELD EXAMINER: RON HOWERTON

Print Name

Ron Howerton

Signature

REMARKS / CONDITIONS

C 18

N 10

N 12

Idaho Department of Water Resources

CLAIM VERIFICATION NARRATIVE SHEET

Updated: March 12, 2002
Date of Exam: August 18, 1995
Field examiner:

Ron Howerton
Senior Water Right Agent

Water Right Nos.: 63-17735

Contacts: Charlotte Miller & Rod Smith (Rod is the claimant's son in law).
Rod basically runs the place and eventually will probably own in the future, he says.

Meeting Location: Rods place: 2201 W Columbia Rd. Meridian ID 83642, Phone # 888-3726.
This is also the domestic home on the claim.

Directions: South on Meridian Kuna Hwy. About 5 miles past Amity, then past Lake Hazel Road, then right on Columbia Road, approximately 1 mile to home, cream color, cinder color roof.

Narrative:

Met with Rod Smith August 18, 1995. System consists of 2 wells. The West well is primarily used for the Domestic 1-home including internal, external and associated domicile stock uses, both wells can be still be used for irrigation via concrete ditch. See photos. The East well only is used for irrigation, not related to the home's internal or external uses. See remarks on back of inspection form for additional system notes.

This claim was filed in place of licensed right 63-2722 for an earlier date of priority. An affidavit received in our office August 28, 1995 indicates first use was in 3/15/1938 by claimant Charlotte Miller. This claim is being recommended with the beneficial use date of priority and Charlotte Miller is not claiming a portion of the license.

Bruce Castoe has claimed a portion of the original license, right 63-2722A. His claim is for 5 acres, Charlotte Millers was found to be 56 acres and another beneficial use claim by Jerry & Linda Durbin 63-22169 is for 3.5 acres, the total is less than the 71 original acres of the license, and thus no enlargement in acreage. The beneficial use claim from Charlotte Miller can have an inch per acre where the license has to be prorated for Bruce Castoe's claim. A live flow measurement was done with the capacity of 1.56 CFS on the East well. $(56 \text{ acres}) (0.02) = 1.12 \text{ CFS}$.

The claimed place of use reflected the area covered by the original license of 71 acres. These are not all claimants' lands now. Rod thought that parts of the original property were sold off around 1969 or 1970. Bruce Castoe claimed that he re-drilled his own well in 1974 for claim 63-2722A. During the field exam Rod and I used an ASCS map to identify the lands they own. I found 56 acres, confirmed this with Rod and sent a letter to him dated August 18, 1995. I also re-confirmed the 56 acres though the use of our 1987 NAPP photos with GIS digitizing. See maps in file.

The East well was drilled in 1964 according to Rod, no well logs were found. I performed a well inspection and it is included in the file folder. Measurements were made here during my exam and the "Open Channel Measurement" form is in the file.

CC: FILE 63-2722A



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

Diversion Description

RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

SEE REMARKS. Irrigation well

Assumptions

Pressure head and elevation head.

Invoice #

2000-055-01

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

Photos

EPE (ft)

13

Date (M/D/Y)

1/4/02

Time

13.35

Flow Rate (CFS)

1.08

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

☐ Manning

(If used, include photo of representative channel section)

Channel Slope

Channel Description

Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System ☒

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

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RIGHT ID







IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

SEE REMARKS. Domestic well located behind house at 1805 West Columbia. GPS taken approx. 12 ft from wellhead.

Assumptions

Horse power, pressure head, and elevation head.

Invoice #

2000-055-01

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked
Photos

EPE (ft)

16

Date (M/D/Y)

11/16/01

Time

11.50

Flow Rate (CFS)

0.04

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity Velocity

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	
Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System ☒

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

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RIGHT ID

C. NOT DOMESTIC (home on (1/2 in) MILLER



DIVERSION VOLUME

252 AF

Stage: BEN

ADA County

21

35

S Ltd

10

ES

5
L

10

1741

ORIGINAL IRRIGATION
S. AT THE TIME
TIC, A NEW WELL
E, SEC. 11.
IRRIGATION WELL
950 PRIORITY DATE
338, THEREFORE,
THE DOMESTIC
PIPELINE TO
LL APPROX. 200'
VIA SYPHON TUBES
IRRIGATION WELL

Objection Filed Date:

Field Inspection Flag:

$$U_S(\psi) = 252 \text{ Af}$$
you are
$$\begin{array}{r} (56)(0.02) = 1.12 \text{ cfs} \\ \text{DOM} + \\ \hline \end{array} \quad \begin{array}{r} 252 \\ \text{vol } 1.2 \\ \hline 253 \end{array}$$

010 212 812

Sod - in Low
w n - Smith
P.R. Ash
Plant of
Nag Bore
Clarity
in capacity
* don

287.75

S 89-51-51 E

100.00

S1311120700

222.33

RODNEY SMITH
2201 W COLUMBIA RD
S1311120650
N 00-14-09 E
210.00

SON IN LAW
OF CHARLOTTE
MILLER

JEFF & LINDA
2175 W COLUMBIA RD
825.28

S1311120630

S 00-07-49 W

N 89-31-38 W

289.27

S 89-31-38 E

294.94

N 89-24-58 W

FROM ADA COUNTY ASSESSOR'S OFFICE
SEPT 5, 2001

823.58

N 00-14-09 E

825.28

S1311120600

CHARLOTTE MILLER
1805 W COLUMBIA RD

N 02-18-00 E

829.48

S1311110400

551.59

N 89-52-00 W

N 89-52-00 W

276.82

CHARLOTTE MILLER

OPEN CHANNEL DISCHARGE MEASUREMENT NOTES A63-17735 & A63-22169

1. Name of stream or ditch: WELL
 2. Location: NWNE, SEC 11, T2N, R1W
 3. Person conducting measure: RON HOWERTON
 4. Date and time of measure: 08-18-95 10:00
 5. Accompanied by: ROD SMITH (CHARLOTTE'S SON IN LAW)
 6. Measuring device size and ID: PYGMY # 090181
 7. Spin test OK? Before: Yes After: Yes
 8. Purpose of measure: IRRIGATION FLOW

DIST FROM LEW (feet)	WIDTH (feet)	DEPTH (feet)	OBS DEPTH	REVS	TIME (secs)	VELOCITY (ft/sec)	DISCHARGE (cfs)
2.0							
2.3	0.4	0.2	0.6	78	40	1.95	0.16
2.5	0.4	0.5	0.6	79	40	1.98	0.35
3.0	0.5	0.6	0.6	68	40	1.70	0.51
3.5	0.4	0.6	0.6	74	40	1.85	0.44
3.8	0.4	0.2	0.6	58	40	1.45	0.10
4.0							

TOT WIDTH 2.0

TOTAL DISCHARGE: 1.56

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: UNKNOWN OTHER APPLICABLE NO: A63-17735
2. OWNER: CHARLOTTE MILLER Phone: 888-2329
Address: 1805 W COLUMBIA RD
3. WELL LOCATION: Twp 2N, Rge. 1W, Sec. 11, NW 1/4 NE 1/4
County ADA (Provide sketch map and photo on reverse.)
4. DRILLER: UNKNOWN Lic. No. _____
When Drilled? 1964 - guess by Rod
5. WELL CONSTRUCTION:
Casing Diameter 10 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☐ Yes ☒ No - Describe CEMENT CAP AROUND CASING
Depth of Casing UNK ft. Method Drilled _____
Condition of Well Casing: ☐ Good ☐ Fair ☐ Poor Describe CANT SEE
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☐ Yes ☐ No
Condition of Piping and Valving GOOD
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious constuction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
Depth to Static Water 95' ^{2 YEARS AGO (1993) MEAS BY Rod Smith} ft. Water Temperature _____ °F
Flowing Artesian ☐ Yes ☒ No Pressure: _____ (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☐ Domestic ☒ Irrigation ☐ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: _____

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☒ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS: Irrig well 10" casing with 8" Discharge, LAYNE Pump
Static measure by Rod is 95' below surface. Motor is
US Motor 1800 RPM # 923222. OPEN WELL DISCHARGES
into CONC Ditch, ALSO UNDERGROUND PIPE to South
Fields. ALL gravity Flows. SEE ASCS MAP FOR System
DIAGRAM. - DOMESTIC WELL CAN Discharge INTO SAME CONCRETE
Ditch ALSO has 10" casing with 1.5 HP FRANKLIN MOTOR 40 PSI
PIPED to DOMESTIC home AND DOMICILE STOCK AREA BY HOME.

Tom Houston Sr WA Agent

Signature of Dept. Representative & Title

8-18-95

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

RECEIVED

AUG 28 1995

WATER RESOURCES
WESTERN REGION

AFFIDAVIT



IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))
AJ5809NP)
NO. A63-17735)
State of Idaho)
County of _____)

Mrs. Charlotte Ann Miller being first duly sworn,
deposes and says: To the best of my understanding and knowledge a
beneficially use was established in the year 3/15/1938 in the Snake
River Basin Adjudication. Enclosed you will find a certificate No.
276 of authorized change in point of diversion of licensed water
right by State of Idaho - Department of Reclamation for
approximately 300 east of present well. This is to certify that
Marcus Miller of Route #3, Meridian, Idaho is the owner of and
using a certain water of 1.28 cubic feet per second the water of
subterranean flow, said water by virtue of License No. 20681,
issued by the State of Idaho, dated May 17, 1950, bearing the date
of October 11, 1950, for the purpose of irrigating the following
described lands situate lying and being in the County of Ada, State
of Idaho, to wit: N $\frac{1}{2}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 11, Township 2
North, Range 1, W. B. M. That said license has been entered in the
records of the Department of Reclamation of the State of Idaho in
Volume 11 of Licenses, at Page 7081. That said Marcus Miller has
become the owner of said water right by purchase and by virtue of
said License No. 20681. The amount of subterranean flow with
priority of October 11, 1950. That the water right hereby
described has heretofore been diverted from a well through private
ditch with point of diversion in the NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 11, Township
2 North, Range 1, W. B. M. Department of Idaho Reclamation, Boise,

Idaho, September 19, 1960, for each 40 acre subdivision issued the License and Certificate of Water Right, confirming the right with priority of October 11, 1950 to use of 128 second feet of subterranean water with the point of diversion in the NW $\frac{1}{4}$, NE $\frac{1}{4}$ of Section 11, for irrigation of 71 acres in NE $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ of Section 11, Township 2, North Range 1, W. B. M. by State Reclamation Engineer by Edna P. Rule, Chief Clerk. Permit No. 20681, September 1960 for Water Beneficial Use by George N. Carter for State Reclamation Engineer for the Water Right confirming the right with priority of October, 1950. May 15, 1964, Department of Reclamation, No. 276, for a change of Point of Diversion, County Ada, State of Idaho. The water will be put a higher and more beneficial use by Carl E. Tappan, State Reclamation Engineer.

Charlotte Ann Miller
(Signature)

Charlotte Ann Miller
1805 West Columbia Road
Meridian, Idaho 83642
Date - August 24, 1995



Subscribed and sworn to before me this day
29th of Aug, 1995.

Teresa D. Laughridge
(Notary Public)

Residing at Meridian.

My Commission Expires 8-17-2000.



PICTURE #1

A63-17735/2722: FX 08-18-95. Photo's by RDH. Irrigation P/D, View is to the West. The claimant claimed an earlier DOP than the License. The original well house is in the background. Location of P/D is in the NWNE, S11, T2N, R1W. A transfer was filed for a P/D change, but was not necessary because it stayed in the same $\frac{1}{4}$.



PICTURE #2

POU view looking toward Charlotte's home from the Irrigation's P/D.



PICTURE #3

A63-17735/2722: FX 08-18-95. Photo's by RDH. View is of the X-Section for the open discharge measurement. Located to the East of P/D.



PICTURE #4

POU view looking South West from P/D.



PICTURE #5

A63-17735/2722: FX 08-18-95. Photo's by RDH. P/D 2, domestic well house. This was the original irrigation well. Located in the NWNE, S11, T2N, R1W. Located to the West of Irrigation P/D, 1.5 HP pump.



PICTURE #6

POU view of Neighbor's land, still irrigated by well agreement. This irrigated land is from the original licensed location, but claimed as a beneficial use claim because of possible earlier DOP, claim A63-22169.



PICTURE #7

A63-17735/2722: FX 08-18-95. Photo's by RDH. Open flow 10" discharge from P/D 1, into concrete ditch also is capped off on both ends to divert water underground to South fields.



PICTURE #8

Small stock use is shown, covered by the Domestic use, is located near Columbia Road.



PICTURE #9

A63-17735/2722: FX 08-18-95. Photo's by RDH. Domestic use, is located near Columbia Road in the NWNE, S11, T2N, R1W.





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

August 18, 1995

PHILIP E. BATT
GOVERNOR

ROD SMITH
2201 W COLUMBIA RD
MERIDIAN ID 83642

KARL J. DREHER
DIRECTOR

Ref: A63-17735

Dear Rod,

1. Attached are the calculations from my Lotus spreadsheet on the open channel measurement done today.
2. The capacity of the irrigation well is 1.56 CFS or 78 inches.
3. The domestic well shouldn't need to have a measurement and may be recommended for 0.04 CFS as claimed.
4. The rate of flow that can be recommended on the irrigation well depends on the number of acres actually irrigated, up to the capacity of the well.
5. I calculated 56 total irrigated acres, the irrigation may be recommended as shown below:
 $(56 \text{ acres}) \times (0.02 \text{ in/acre}) = 1.12 \text{ CFS for irrigation}$
6. The domestic amount may be added to the irrigation total as shown below,
 $1.12 \text{ CFS} + 0.04 \text{ CFS} = 1.16 \text{ CFS total for A63-17735}$
7. The transfer to move the irrigation well to the new location wasn't needed because it is in the same $\frac{1}{4} \frac{1}{4}$ as the original, so the recommendation may show 2 points of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, S11, T2N, R1W.

Sincerely,

Ron Howerton
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

CC: Charlotte Miller



RECEIVED

AUG 28 1995

WATER RESOURCES
WESTERN REGION

July 24, 1995.

To whom it may concern:

My name is Linda McConnell
I am one of 9 children born
to Marcus & Olga Miller who
purchased the property on Columbia
River. At the time of purchase
the section was 160 acres which
Marcus & Olga Miller purchased 80 acres
and my Grandfather & Grandmother
Louie & Mamie Daniel purchased the
other 80 acres.

The sale of property was 1947

The License and Certificate of
Water right Permit is 20681
Priority as of Oct. 11, 1950.

The information which I have
copied off for Charlotte Miller is
to help her prove her water rights
for she is the wife of my brother
James Miller who had purchased the

her said property:

The three main wells out in the
area were Roberson which is Pattersons
well up by the corner of Linden & Columbia
My Dad's Marcus Miller and later
Louie Daniel.

I hope this information
helps if I can be of any more
assistance I will do what I
can.

Harold
Spahr McEnall



RECEIVED

AUG 28 1995

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

September 19, 1960



DEPOSITIONS ARE OF NO VALUE

UNLESS AFFIDAVIT OF PUBLICATION

IS ATTACHED

Re: Permit No. 20681

Mr. Marcus Miller,
Route #3,
Meridian, Idaho.

Dear Mr. Miller:

✓ This acknowledges the Notice of Proof of ~~Completion of Works and~~ Application of Water to Beneficial Use under Permit No. 20681. The proofs are to be made at 10:00 o'clock A.M., on the 15th day of October, 1960, ~~1959~~, before Mr. P. S. Pride, Kuna, Idaho,, Notary Public.

As of this date we have mailed the Notice to the Kuna Herald with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By: Edna P. Rule
Rule
(Mrs.) Edna P. ~~Rule~~
Chief Clerk

Encl.

EPR: pmk

cc: Notary

Dear Mr. Miller:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 20861 shows the well is capable of conveying 64 miner's inches, or 1.28 c.f.s. of water for the irrigation of 71 acres.

Upon receipt of the statutory fee of \$ 6.00 -based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of October 11, 1950 to the use of 1.28 second feet of ~~surface~~ subterranean water with the point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11 for irrigation of 71 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, Township 2 North, Range 1 West, B.H.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Edna P. Rule
(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr



COPY

RECEIVED

AUG 28 1995

Marcus Miller

WATER RESOURCES
WESTERN REGION

SEVERANCE AGREEMENT #362019

Dated June 17th, 1954

Recorded July 6th, 1954

Book of Contracts and
Agreements at page

with

INTHEMOUNTAIN EQUIPMENT
COMPANY, an Idaho corporation

WITNESSETH:

WHEREAS, the party of the first part desires to purchase, under a contract of conditional sale, the following personal property, to-wit:

One Johnston Turbine Pump, with 30 HP 1760 RPM 3 phase 60 cycle 220/440 V Vertical Hollow Shaft Motor, Ser. No. 110' 8 x 2 x 1-3/16 Column Tube and Shafting, 4 stage 10 cc bowl assembly, etc., and proposes to install the same on the following real property situated in Ada County, State of Idaho, and more particularly described as follows, to-wit:

NE $\frac{1}{4}$, NE $\frac{1}{4}$, E $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 11, T2P 2, Range 1 W of Boise Meridian, for the purpose of pumping water to irrigate all or a portion of the above described land;

NOW, THEREFORE, the party of the first part hereby represents that he is the owner of said premises, and that the same is free and clear of liens and encumbrances, except

for mortgage held by Gothia E. Mercer

and he agrees that he will not install said pump on said premises without first obtaining from the holder and owner of said lien or mortgage his written approval of this agreement, and that he will not, after the installation of said pump, sell said premises or any interest therein, or create any lien or suffer one to be created thereon, without first obtaining from the prospective purchaser or encumbrancer his written approval of this agreement.

It is further agreed that the installation of said pump shall not in any way prejudice the rights of the party of the second part under said contract of conditional sale, and that until and unless said contract is fully performed by the party of the first part and the purchase price specified therein fully paid according to the terms of said contract, said pump shall remain the property of the party of the second part, and that it may be removed from said premises for a breach thereof as provided therein, which contract of conditional sale is hereby referred to and made a part hereof, and that for the purposes of this agreement said pump shall remain personal property, subject to removal as provided in said contract of conditional sale until the same is fully paid for, whether or not the status of said pump is changed by said installation from personal property to a fixture or part of said real property.

This agreement shall bind and inure to the benefit of the heirs, legal representatives, successors, and assigns of the parties hereto.

IN WITNESS WHEREOF, the said parties have hereunto set their hands the day and year first above written.

Marcus Miller
Party of the First Part

(continued)

(Continuation of Severance Agreement #362019)

11TH MOUNTAIN EQUIPMENT COMPANY
By A. Aldecoa, Vice President
Party of the Second Part

Acknowledged June 17th, 1954 by Marcus Miller, Before
P. S. Pride, N. P. for the State of Idaho, Residing at Kuna,
Idaho. Ack. in Ada Co. Idaho. Seal.

Acknowledged June 23rd, 1954 by A. Aldecoa, Vice Presi-
dent of the Corporation, Before Maxine D. Wright, N. P. for
the State of Idaho, Residing at Boise, Idaho. Ack. in Ada Co.
Idaho. Seal.

COPY

RECEIVED

AUG 28 1995

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

CERTIFICATE NO. 276 OF AUTHORIZED CHANGE IN
POINT OF DIVERSION OF LICENSED WATER RIGHT

THIS IS TO CERTIFY, That Marcus Miller of Route #3, Meridian, Idaho is the owner of and using a certain water right of 1.28 cubic feet per second of the waters of subterranean flow, said water being obtained by virtue of license No. 20681, issued by the State of Idaho, dated May 17, 1961, bearing date of October 11, 1950, for the purpose of irrigating the following described lands situate, lying and being in the County of Ada, State of Idaho, to-wit:

N¹/₄SE¹/₄, SW¹/₄NE¹/₄, Section 11,
Township 2 North, Range 1
W. B. M.,

That said license has been entered in the records of the Department of Reclamation of the State of Idaho in Volume 11 of Licenses, at Page 7081 thereof;

That said Marcus Miller has become the owner of said water right by purchase and by virtue of said license No. 20681;

And that now, upon the application of Marcus Miller for Certificate of Change in Point of Diversion of 1.28 cubic feet per second of the waters of subterranean flow made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to change said point of diversion is HEREBY GRANTED;

That said change of point of diversion will not modify in effect said water right or place of use;

Said water is to be limited at any given time to an amount actually needed and beneficially used, and shall not exceed the following amount, to-wit:

1.28 cubic feet per second of the waters
of subterranean flow with priority of
October 11, 1950;

That said water right is appurtenant to the following described lands:

N¹/₄NE¹/₄, SW¹/₄NE¹/₄, Section 11, Town-
ship 2 North, Range 1 W. B. M.,

That the water right hereby described has heretofore been diverted from a well through private ditch with point of diversion in the NW¹/₄NE¹/₄, Sec-
tion 11, Township 2 North, Range 1 W. B. M.,

COPY

License and Certificate of Water Right

Water License No. 20541

Amount 1.28 c.f.s.

Priority Oct. 11, 1959

THIS TO CERTIFY that HARRY MILLER and J. DANIEL, his son, have applied for and appropriate the

public waters of the State of Idaho, dated September 20, 1910; that Permit No. 20541 was issued under said application; that Certificate of Completion of works, with a carrying capacity of

1.28 second feet, was issued thereunder on August 26, 1953, showing that said works were completed on the 21 day of August, 1953; and that on the 15th day of October, 1960

HARRY MILLER

of Meridian, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of said

tributary of the Snake River, for the purpose of irrigation and domestic use, under Use Permit No. 20541 of the Department of Reclamation

and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

11 of Licenses at page 7061 on the 17 day of May, 1961

The right hereby confirmed dates from October 11, 1910

The Point of Diversion is located

in the Twp. 1 N., Sec. 22, T. 1 N., R. 1 E., B. M. 13

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.28 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	1 W.	11	NE 1/4 NE 1/4 NW 1/4 NE 1/4 SW 1/4 NE 1/4	40 40 40	33 18 20
			Total number of acres to be irrigated: 72		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

17 day of May, 1961

Geo. N. CARTER

State Reclamation Engineer

(SEAL)

COPY

SEVERANCE AGREEMENT

THIS AGREEMENT, made this 17th day of June, 1954,
by and between Marcus Miller, State of Idaho, party
County of Ada, and the INTERMOUNTAIN EQUIPMENT COMPANY, an Idaho corpor-
ation, party of the second part,

WITNESSETH:

WHEREAS, the party of the first part desires to purchase, under
a contract of conditional sale, the following personal property, to-wit:

One Johnston Turbine Pump, with 30 HP 1760 RPM 3 phase
60 cycle 220/440 V Vertical Hollow Shaft Motor, Ser. No.
110' 8 x 2 x 1-3/16 Column Tube and Shafting, 4 stage
10 cc bowl assembly, etc.

RECEIVED

AUG 28 1995

WATER RESOURCES
WESTERN REGION

and proposes to install the same on the following real property situated
in Ada County, State of Idaho,
and more particularly described as follows, to-wit:

NE 1/4, NE 1/4, E 1/4, W 1/4 NE 1/4, Section 11, TWP 2, Range 1W
of Boise Meridian.

for the purpose of pumping water to irrigate all or a portion of the
above described land;



JAN,

I SPOKE WITH DAVE SHAW 9:00 10/06/89 IN
REGARDS TO THE SPLIT OF A63-17735 MILLER/ROSSOW.
HE STATED THAT IF THE PROPERTY WAS PURCHASED PRIOR
TO THE LAND TRANSACTION THE MILLER FILING WAS IN
ERROR CLAIMING ROSSOW'S 5 ACRES. I AM ALMOST SURE
THAT THE ABOVE IS TRUE. IF SO, ROSSOW'S WILL BE REQUIRED
TO PAY FOR THE FILING FEE AS USUAL.

MICROFILMED

AUG 26 1992

63-02722 (Marcus Miller)

DR: 1.28 cfs

P/D: 2N, 1W, S11, NWNE.

P/U: 2N, 1W, S11, NENE - 33 ac

NWNE - 18 "

SWNE - 20 "

Priority = 10-11-1950

A63-02722A - (Castro)

DR: .15 (6" well - sprinklers)

P/D: 2N, 1W, S11, SENENE

P/U: 2N, 1W, S11, NENE - 5 ac

Priority = 10-11-1950

A63-22169 - Rossow

H/DR: .107 cfs (well & ditch) ($\frac{1}{12}$ of capacity)

P/D: 2N, 1W, S11, SENWNE

P/U: 2N, 1W, S11, NWNE - 3.5 ac

Priority = 3-15-1938

A63-17735 (Charlotte Miller)

DR: 1.28 + .04 Dom

P/D: 2N, 1W, S11, NENE - new well

NWNE - domestic

P/U: 2N, 1W, S11, NENE - 33 ac

NWNE - 18 "

Priority = 3-15-1938 SWNE - 20 "

MEMORANDUM

DATE: February 2, 1990
TO: File A63-17735
FROM: Don Shaff *DS*
RE: Priority Date, Place of Use

Linda McConnell was in the office today to file a claim to water right for the ground covered by this claim. Ms. McConnell was using, as a basis for the claim, 63-02722. Apparently, Ms. Miller and Ms. McConnell are sisters. Ms. McConnell related that her parents moved to this farm when a sister, Iona, was born. Calculating, she said that would have been in 1948. This year would correspond to the date of the filing for the water right permit her father obtained. Ms. McConnell explained she worked alongside her parents to take this land out of sagebrush and reclaim an area used as a dump. She said she had provided Charlotte with a copy of the permit prior to Charlotte filing a claim for the water right. The possibility exists that a miscommunication resulted in a 1938 priority date for this filing. The advancement of the priority date for the water right license could have been a result of late proof.

Ms. McConnell had an aerial photograph with her outlining the property now owned by the family. Those lines were transferred to the attached ortho-photoquad by me. The area in the NENE is only 14 acres of the 33 acres filed on here. Apparently, the other acreage has been conveyed before the filing to other parties. In fact, Castoe has filed a claim for five acres as a split of the original license in the NENE quarter.

DVS:sf

MICROFILMED
AUG 26 1992



Miller
463-15795

MICROFILMED
AUG 25 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 7, 1995

Re: Claim No(s). AL63-17735

AL63-17735
CHARLOTTE A MILLER
1805 W COLUMBIA RD

MERIDIAN

ID 83642

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by September 1 1995, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

lh
Enclosures

DATE: 03/12/02
PAGE: 1

DIVERSION

1.280 CFS

ADA County

SUM

71 0

71.0

Application For Transfer of Water Right

STATE OF IDAHO

County of Ada

ss.

Marcus Miller

being first duly sworn, deposes and says:

That his name is Marcus Miller; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Rt. 3 Meridian, Idaho

That he is the owner and using a certain water right, bearing date of priority of 10-11, 1950, for 1.28 cubic feet per second of the waters of Subterranean Flow

County of Ada, State of Idaho, decreed to _____ by decree of Judge _____ of the _____ Judicial District of the State of Idaho, in and for the county of _____, in the case of _____ vs. _____, said decree bearing date of _____

(or obtained by virtue of License No. 20681, issued by the State Department of Reclamation of the State of Idaho, dated May 17, 1961, bearing date of Oct 11, 1950.) for the purpose of irrigating the following described lands situate, lying and being in Water District No. _____ in the County of Ada and State of Idaho, to-wit: _____

N^{1/2} NE^{1/4}, SW^{1/4} NE^{1/4} Sec. 11, T. 2 N. R. 1 W. B. M.

_____ and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e. appropriation

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the NW^{1/4} NE^{1/4} of Section 11, Township 2 N, Range 1 W, B. M., and conducted to the above described lands through private ditch as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of _____ cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of _____ and State of Idaho, to-wit: _____

That reasons for desiring to make such transfer are as follows: _____

63 2722

Hearing May 15, 1960

Vol. 11
p. 7081

Kuna Herald

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 20681This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Marcus Miller2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the NW 1/4 of Section 11T 2N R 1W.B.M. County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: 0.5 Motor 30 HP
440V Ser #923222 - GE Control, Building safety switch 10' NW on Pole
at shelter area control house over Motor Johnston Pump - No number - 8" x 11 9'
9 stage 6" x 10' disch to south into 5' x 6' x 2' concrete distribution box then
to open ditches east & west. Well 16' x 150', 150' x 10" casing, gravel pack. Wood
Crib type base. The 10" casing is perforated bottom 75'

5. Water is used for: irrigation and domestic6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NE 1/4 NE 1/4, NW 1/4 NE 1/4, NE 1/4 NW 1/4 Sec. 11, Twp. 2 N., Rge. 1 W.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: Mr. Miller a long

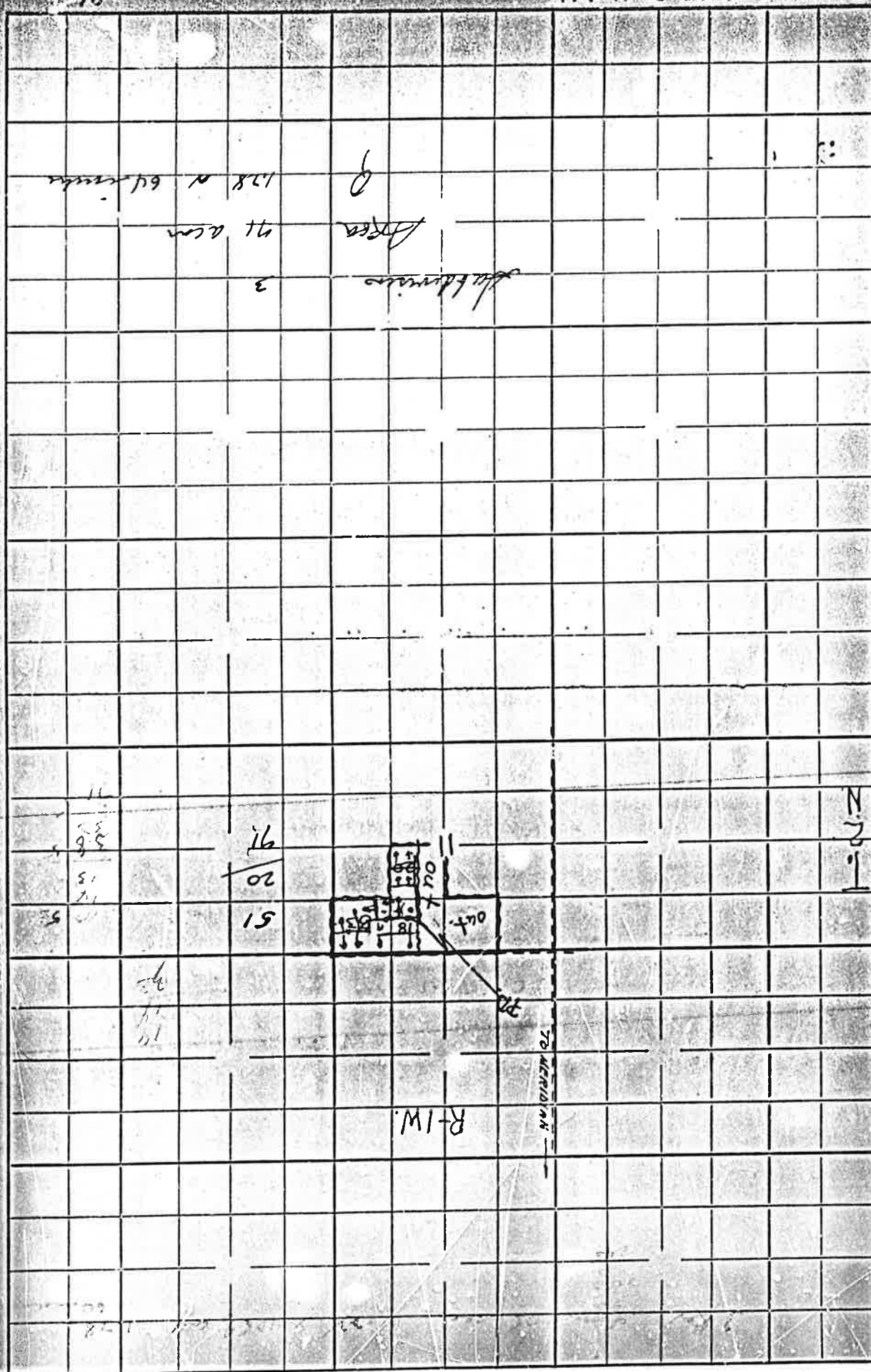
Measured by sparkling meter 3 Rev. - 4 min. Sec. = 122 x 105 cent
1.28 cfm or 6.5 mcm

This examination was made on the 5th day of May, 1961

(Signed) _____

Examiner.

20681



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-17735
Date Received: 8/21/1989
Receipt No: W004723
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLOTTE A. MILLER
Address: 1805 W. COLUMBIA RD.
MERIDIAN, ID

208-888-2329

83642

2. Date of Priority: MAR 15, 1938

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	01W	11		NE	NE		ADA
				NW	NE		ADA

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.280		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
1.320 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME, S/UP TO 15 HD.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	01W	11	NE	NE		IRR	33.0

A63-17735

Page 1

Date: 08/21/89

MICROFILMED
AUG 26 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01W	11	NW	NE		IRR	18.0
			NW	NE		DOMEST	
			SW	NE		IRR	20.0
						Section Acres	71.0
						Total Acres	71.0

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE.

14. Remarks:

DESC. OF DIVERTING WORKS - TWO WELLS - NOTE: ORIGINAL IRRIGATION WELL IS NOW USED FOR DOMESTIC/STOCKWATER PURPOSES. AT THE TIME THIS WELL WAS SWITCHED FROM IRRIGATION TO DOMESTIC, A NEW WELL FOR THE SAME IRRIGATED ACRES WAS DRILLED IN THE NENE, SEC. 11. BOTH WELLS ARE NOW USED AS CLAIMED. THE ORIGINAL IRRIGATION WELL WAS FILED ON UNDER LICENSE NO. 63-02722 WITH A 1950 PRIORITY DATE HOWEVER, THE DATE OF FIRST USE WAS ACTUALLY IN 1938, THEREFORE, THIS CLAIM IS BEING FILED CLAIMING THE 1938 DATE. THE DOMESTIC WELL(OLD IRRIG. WELL), NOW HAS A 1.5 HP PUMP WITH PIPELINE TO HOME. THE NEW IRRIGATION WELL IS A 10" CASED WELL APPROX. 200' DEEP WITH PUMP & PIPELINE FOR GRAVITY IRRIGATION VIA SYPHON TUBES A TRANSFER WAS FILED REFLECTING THE DATE THE NEW IRRIGATION WELL WAS DRILLED - 1964.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 5

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Mrs. Charlotte Ann Miller Date: 8/21/89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 21st day

of August 19 89
Seal

Jan Thurtell
Notary Public

Residing at Meridian ID
My Commission Expires 9-14-94



State of Idaho License and Certificate of Water Right

Water License No. 1128 C.R.S. Amount 1.28 c.f.s.
Water District No. 1 Priority Oct. 11, 1950

THIS IS TO CERTIFY that JOHN M. AND C. D. DANIEL and JOHN M. AND C. D. DANIEL
of Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 2, 1951, that Permit No. 20611
was issued under said application, that Certificate of Completion of works, with a carrying capacity of
1.28 second feet, was issued thereunder on August 26, 1953, showing that said works
were complete on the 26 day of August, 1953, and that on the 26 day of August, 1953

JOHN M. AND C. D. DANIEL
of Idaho, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho of the right to use the waters of Snake
a tributary of Snake for the purpose of Irrigation
under Use Permit No. 20611 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
of Licenses at page 708 on the 17 day of May, 1954

The right hereby confirmed dates from Oct. 11, 1950
The Point of Diversion is located
in the SE 1/4 12 11 Sec 11 To R. 1 N. B. M. 2 E. County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.28 cubic feet per second.

Description and location of use:

Trp	Range	Sec	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
	<u>1 N.</u>	<u>11</u>	<u>NE 1/4 NE 1/4</u>	<u>40</u>	<u>33</u>
			<u>NW 1/4 NE 1/4</u>	<u>40</u>	<u>18</u>
			<u>SW 1/4 NE 1/4</u>	<u>40</u>	<u>20</u>
Total number of acres to be irrigated:				<u>120</u>	<u>71</u>

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
17 day of May, 1954

Geo. N. Carter
State Reclamation Engineer.

(SEAL)

63 2722

MICROFILMED
AUG 26 1992

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 20681

This proof is for Beneficial Use

In Water District No.

1. Name of applicant: Marcus Miller

2. Source of water supply: Subterranean flow from a well

3. Location of point of diversion: Is in the NW 1/4 of Section 11

T. 2N R. 1W B.M. County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: 0.5 Motor 30 HP

540V Ser 923222 - GE Control, Building safety switch 10' NW on Pole
at shelter air control none over Motor Johnston Pump - No number - 8" x 11 1/2"
9 stage 6" x 10" disch. to south into 5' x 6' x 2' concrete distribution box then
to open ditch east of west Well 16" x 150', 150' x 10" casing, gravel pack. Wood
crib type base. The 10" casing is perforated bottom 75'

5. Water is used for: Irrigation and domestic

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NE 1/4, NW 1/4, NE 1/4 Sec. 11, Twp. 2 N., Rge. 1 W.B.M.

Do not include this

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Miller along

Admitted for 1.6 cfs

Measured by spring meter 3 Rev. - 4 min. 5 sec. = 122 x 15 ft
1.28 cfs or 64 m

This examination was made on the 5th day of May, 1961

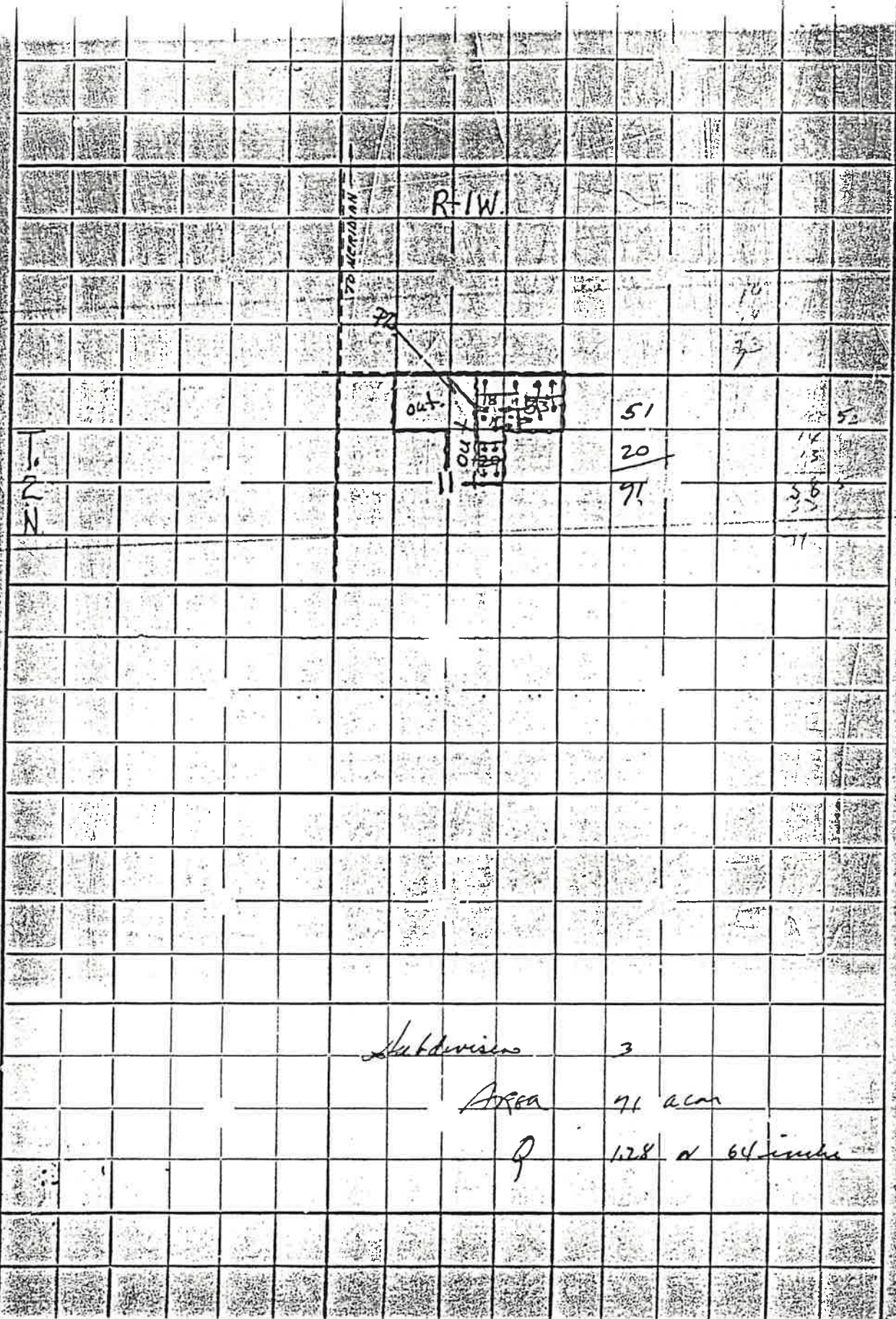
(Signed) L. J. Johnson

Engineer

MICROFILMED

20681

AUG 26 1992



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

20681

MICROFILMED
AUG 26 1992

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Macrus Miller of

R 3, Meridian, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion and/or place of use of the waters of Subterranean Flow as follows:

Amount: 1.2.8 cubic feet per second. Priority: Oct. 11, 1950

Point of diversion: NW 1/4 NE 1/4, Section 11, Township 2 N Range 1 W, B.M.

Place of Use: N 1/4 NE 1/4 SW 1/4 NE 1/4 SEC. 11 T 2 N R 1 W BM

To Be Transferred To

Point of diversion: NW 1/4 NE 1/4, Section 11, Township 2 N, Range 1 W B. M.

Place of Use: at point about 300 feet east of present well

And that on the 15 day of May, 1964, at 10:00 o'clock A M., at Room 107 Statehouse Boise Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

State Reclamation Engineer

63 2722

MICROFILMED

AUG 26 1992

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2722

WATER RIGHT NUMBER: 63-2722

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MARCUS MILLER RT 3 MERIDIAN, ID 83642
Current Owner	MARCUS MILLER RT 3 MERIDIAN, ID 83642
Original Owner	L D DANIEL MERIDIAN, ID

Priority Date: 10/11/1950

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.280 CFS	
DOMESTIC	/ to /		
<u>Total Diversion:</u>		1.280 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 11, Twp 02N, Rge 01W, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	01W	11	33.0	18.0	20.0														71.0

Total Acres: 71

DOMESTIC same as IRRIGATIONConditions of Approval:

1. TRANS. 276.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-2722

Water Supply Bank:

REPORT OF ENGINEER

Permit No. 20681

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant: Marcus Miller

2. Source of water supply: Subterranean flow from a well

3. Location of point of diversion: Is in the NW 1/4 NE 1/4 of Section 11

T. 2N R. 1W.B.M. County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: 0.5 Motor 30 HP 440V Ser# 923222 - GE Control, Building safety switch 10' NW on Pole at shelter area control none over motor Johnston Pump - No number - 8" x 119' 9 stages - 6" x 10' ditch to south into 5' x 6' x 2' concrete distribution box then to open ditch east & west. Well 16" x 150', 150' x 10" casing, gravel pack. Wood crib type base. The 10" casing is perforated bottom 75'

5. Water is used for: irrigation and domestic

6. State whether or not water has been turned into works of diversion: yes.

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NE 1/4 NE 1/4, NW 1/4 NE 1/4, NE 1/4 NE 1/4 Sec. 11, Twp. 2 N., Rge. 1 W.B.M.

Do not include this

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Miller along

Adapted for 1.6 cfs.

Measured by gauging meter 3 Rev. - 4 min 5 sec. = 122 x 105 cent
1.28 cfm 64 min

THIS IS TO CERTIFY that MARCUS MILLER and L. D. DANIEL - Assignee - MARCUS MILLER of Meridian, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 2, 1943; that Permit No. 20651 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.6 second feet, was issued thereunder on August 26, 1943, showing that said works were completed on the 21st day of August, 1943; and that on the 15th day of October, 1960,

MARCUS MILLER

of Meridian, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of _____ a tributary of _____, for the purpose of irrigation and domestic use, under Use Permit No. 20651 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 13 of Licenses at page 7081, on the 17 day of May, 1960:

The right hereby confirmed dates from October 11, 1940;

The Point of Diversion is located

in the NE 1/4, NE 1/4, Sec. 11, Tp. 2 N., R. 1 W., B. M. Ada County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.28 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	1 W.	11	NE 1/4 NE 1/4	40	33
			NW 1/4 NE 1/4	40	18
			SW 1/4 NE 1/4	40	20
			Total number of acres to be irrigated:		71

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this