



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

July 22, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

KEVIN MILLER  
PO BOX 86  
HORSESHOE BEND ID 83629

**RE: PORTER CREEK RIGHT NO. 65-03839**

Dear Mr. Miller:

This letter serves to update you regarding the above referenced water right, also known as the #3 right in the Porter Creek Water District regulated by the watermaster. When Porter Creek water shortages occur and a water user calls for water delivery by the watermaster, deliveries of the creek water must occur within Idaho law.

The watermaster and I conducted a field inventory last summer and found that your Porter Creek diversion point (headgate, ditch and related weir) is located within the proper tract defined by the decreed water right - SW 1/4 of NE 1/4, Section 7. It appears that this is the only valid diversion point for the water right.

It is possible that you may call for watermaster delivery of Porter Creek water under certain conditions listed below. Please review this information and take the necessary steps if you want to make a call for a portion of the #3 water right during any water shortages in 1997 or subsequent years.

Please note that according to Idaho law item no. 1 must be completed by you and/or any other owners of the land defined by this right whether or not any portion of the #3 water right is called upon for watermaster delivery.

**DELIVERY CALL FOR WATER, RIGHT NO. 65-03839**

1. If anyone other than Patricia Adams Miller owns any portion of the acres listed in this right, a change of ownership must be recorded with this department. The change can include splitting the original water right (52 acres in portions of Section 7) into pro rata shares. Change in ownership forms are included for your convenience.

2. The watermaster must be able to install a lock on the headgate to fully control the amount of water diverted at your diversion. This can include the ability to fully close and lock the headgate if the water supply is inadequate to supply the #3 priority.

3. A standard weir blade must be properly installed on the wooden weir bulkhead. The weir blade is needed to ensure accurate measurements.

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4. A standard staff gauge must be properly installed to measure the flow of water over the standard weir blade. This office can provide information on standard weir blades and staff gauges.

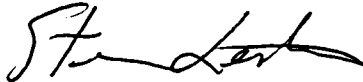
5. Any water districts assessments associated with your pro rata share of the #3 billing must be paid in full by June 15 of any year in which you make a call for water.

6. The watermaster and I must inspect the diversion once the above steps are completed. If everything is satisfactory, the call for water can be delivered. Water must then be beneficially used on your share of the acres within the water right.

7. You must notify the watermaster anytime that you do not need irrigation water during the remainder of the irrigation season. This allows junior users to use the limited supply - the "good neighbor" practice.

When the supply of Porter Creek water is plentiful, your diversion point for right #3 or a portion(s) of the right can be used without the completion of items 2 through 7. Again, I remind you that item 1 must be completed regardless of the amount of water available in the creek. Please contact me at your convenience if I can assist you with any of these items.

Sincerely,



Steve Lester  
Water Rights Supervisor

Enclosure: Copy of Water Right and Snake River Basin Adjudication Claim

copies to: Chairman, Water District #65B  
Watermaster, Water District #65B  
Patricia Adams Miller  
Lynn Gramkow

WR5809NP  
No. 65-03839

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 07/22/97  
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PATRICIA L. ADAMS MILLER	04/01/1885	IRRIGATION STOCKWATER	04/01 11/01 01/01 12/31	0.540 CFS 0.030 CFS	1.40 AFA
TOTAL DIVERSION:					0.540 CFS	1.40 AFA

Water Source: PORTER CREEK

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion:

T07N R03E S07

SWNE

BOISE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07N	03E	7	:					10	14			16	03-12			:	52.0
															TOTAL ACRES	52.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Pou County: BOISE

Dates: App. Received: Priority Date: 04/01/1885  
 Proof Due Date: Proof Made Date:  
 Exam Made Date: Exam Sent to S.O.:  
 Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

*Decreed Right #3  
in Porter Ck. District*

OWNER CODE	NAME & ADDRESS	PRIORITY	WATER USE	USE PERIOD		DIVERSION RATE	DIVERSION VOLUME
		DATE		FROM	TO		
C	PATRICIA L ADAMS MILLER C/O LYNN GRAMKOW 10743 WINTERHAWK BOISE ID 83709	04/01/1885	IRRIGATION	04-01	11-01	0.54 CFS	
			STOCKWATER	01-01	12-31	0.03 CFS	1.40 AFA
						TOTAL DIVERSION:	0.54 CFS 1.40 AFA
C	LYNN GRAMKOW 10743 WINTERHAWK BOISE ID 83709						

Water Source: PORTER CREEK

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion:

T07N R03E S07

SWNE

BOISE County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
T	R	S																
07N	03E	7															52.0	
																	TOTAL ACRES	52.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

BOISE County: BOISE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag: Presumption Flag:

KEVIN's portion = ?  
 LYNN's portion = ?  
 other portion(s) = ?

} File "Change in Ownership"  
 to show - required  
 by I.C. 42-248 & 42-1409(6)

SNAKE River Basin Adjud.  
 claim for decreed  
 Right # 3 -  
 note not split yet into  
 separate ownerships