

COMMUNICATION DOCUMENTATION

From: Vikie Hancock

April 23, 2004

Regarding:

Customer:

Irrigation place of use

Milner Irrigation Dist

At the Notice of Error meeting 4/22/2004 I met with the watermaster for Milner Irrigation District Walt, and with the secretary Julie Conrad. Walt had questions about the acres shown as irrigated on the large format map sent to him by the state office. We agreed to meet at IDWR's office to discuss corrections. I also explained the two domestic rights I recommended in the vicinity of the pumping station.

They also had questions about three domestic rights that were not included in the Preliminary Director's Report. They had numbers for two domestic rights but didn't know if the third had been filed. I researched the domestic numbers this date and they have already been decreed in the SRBA. I called Julie and we agreed I would send copies of the decrees to them. Meanwhile, she and Walt would find the assessed acres as of 1987, determine the correct service area boundary and call to make an appointment so that we could finalize their POU. At that time we would also make sure that a claim had been filed on the third domestic well.

Active claims in the SRBA for Milner Irrigation Dist (formerly Milner Low Lift Canal) this date:

45-463	GW	IRR
45-4171	GW	DOM AND COMM
45-13473	GW	DOM
45-11897	GW	DOM
45-11898	GW	DOM
01-09	SW	IRR
01-17	SW	IRR
01-2050	SW	IRR
01-2064B	SW	IRR
01-2068D	SW	IRR

07/24/2002

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

RIGHT NUMBER: 45-13473
NAME AND ADDRESS: MILNER IRRIGATION DIST
5294 EAST 3610 NORTH
MURTAUGH ID 83344
SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.02 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.
PRIORITY DATE: 01/01/1923
POINT OF DIVERSION:
T10S R21E S29 SESESE Within TWIN FALLS County
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS

PLACE OF USE: DOMESTIC Within TWIN FALLS County
T10S R21E S28 SWSW

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 IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

RECEIVED

JUL 22 2002

Department of Water Resources
Southern Region

Ident. Number 45-13473
Date Received: 7/8/2002
Receipt No:
Received By: 8025103

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

MILNER IRRIGATION DISTRICT Phone: (208)432-5560

RT 1
MURTAUGH ID USA 83344

2. Date of Priority: 01/01/1923

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	21E	29	SE SE	TWIN FALLS	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
10S	21E	28	SW SW	DOMESTIC	

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

14. Remarks:

ORIGINAL WELL DRILLED IN 1923. REPLACEMENT WELL DRILLED IN 1941 AT WHICH TIME A SECOND RESIDENCE AND OFFICE WERE ADDED (SEE CLAIM 45-4171). WATER RIGHT 43-13473 REPRESENTS USE OF THE WATER FOR ONE RESIDENCE BEGINNING IN 1923.

15. Basis of Claim: Beneficial Use

For Organizations:

I do solemnly swear or affirm that I am Manager of
Milner Irrigation District, that I have signed the foregoing
document in the space below as Manager of
Milner Irrigation District and that the statements contained in the
foregoing document are true and correct.

Signature of J. B. Bigh Authorized Agent

Manager/Milner Irrigation District
Title and Organization

7/10/02
Date

State of Idaho)
County of Twin Falls) SS.

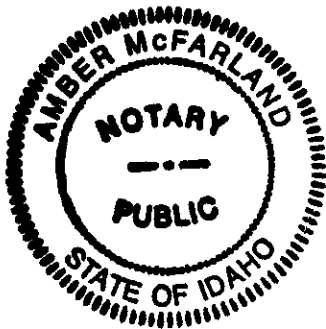
Subscribed and sworn (or affirmed) before me this 10th
of July 2002

Amber McFarland

Notary Public

Residing at Murtaugh

My commission Expires 3/31/07



Idaho Department of Water Resources Receipt

Page 1 of 1

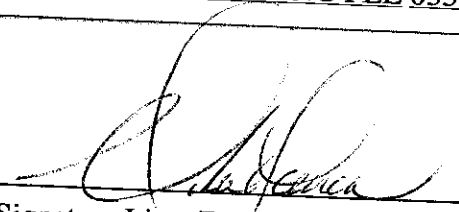
Receipt ID S025103

Payment Amount \$25.00 Date Received 7/23/2002 4:02:13 PM Region Southern Status ☐
Payment Type Check Check Number 10617

Payer MILNER IRRIGATION DISTRICT
Comment DOMESTIC CLAIM 45-13473

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	ADJUDICATION FILING FEE	0337	44503	1155	


Signature Line (Dept. Representative)



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

RECEIVED

JUL 22 2002

Department of Water Resources
Southern Region

☐ Water Right Number(s): ~~00000~~ 45-4171, 45-463, 45-13473
45-11897, 45-11898, 01-00017
01-00009, 01-2064B, 01-2050, 01-2080

☐ Old Mailing Address: Milner Irrigation District
RT1 Murtaugh, ID, 83344

☐ New Mailing Address: Milner Irrigation District
5294 East 3610 North
Murtaugh, ID 83344

☐ New Telephone Number: () -

☒ Signature of Claimant(s):

Date: July 10, 2002

FOR IDWR USE ONLY	
Initial Review and Data Entry	
Date:	By:
Further Action Needed:	
Further Action Taken	
Date:	By:
Final Review and Data Entry	
Date:	By:

Travis L. Thompson, ISB #6168
BARKER ROSHOLT & SIMPSON LLP
113 Main Ave. West, Suite 303
Twin Falls, Idaho 83301-6167
Telephone: (208) 733-0700
Facsimile: (208) 735-2444

Attorneys for Milner Irrigation District

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

In Re SRBA

Case No. 39576

)
) Subcase Nos. 45-463, 45-4171, and
) 45-13473
)

) **NOTICE OF SUBSTITUTION OF**
) **COUNSEL**
)

PLEASE TAKE NOTICE that Travis L. Thompson of the firm Barker Rosholt & Simpson LLP is hereby substituted as counsel of record for Gary D. Slette and is representing Milner Irrigation District in the above-listed subcases. All future pleadings and documents in these subcases should be served on Travis L. Thompson at the address listed above.

DATED this 25 day of September 2004

BARKER ROSHOLT & SIMPSON LLP



Travis L. Thompson

Attorneys for Milner Irrigation District

CERTIFICATE OF SERVICE

I hereby certify that on September 8th, 2004, I caused to be served a true and correct copy of the foregoing *Notice of Substitution of Counsel* upon the following by U.S. Mail, postage prepaid:

Original:

Clerk
SRBA District Court
P.O. Box 2707
Twin Falls, Idaho 83303-2707

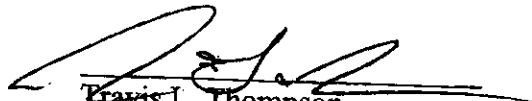
Copies:

Gary D. Slette
Robertson Hepworth Slette Worst & Stover PLLC
P.O. Box 1906
Twin Falls, Idaho 83303-1906

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 W. Fort St., MSC 033
Boise, Idaho 83724


Travis L. Thompson