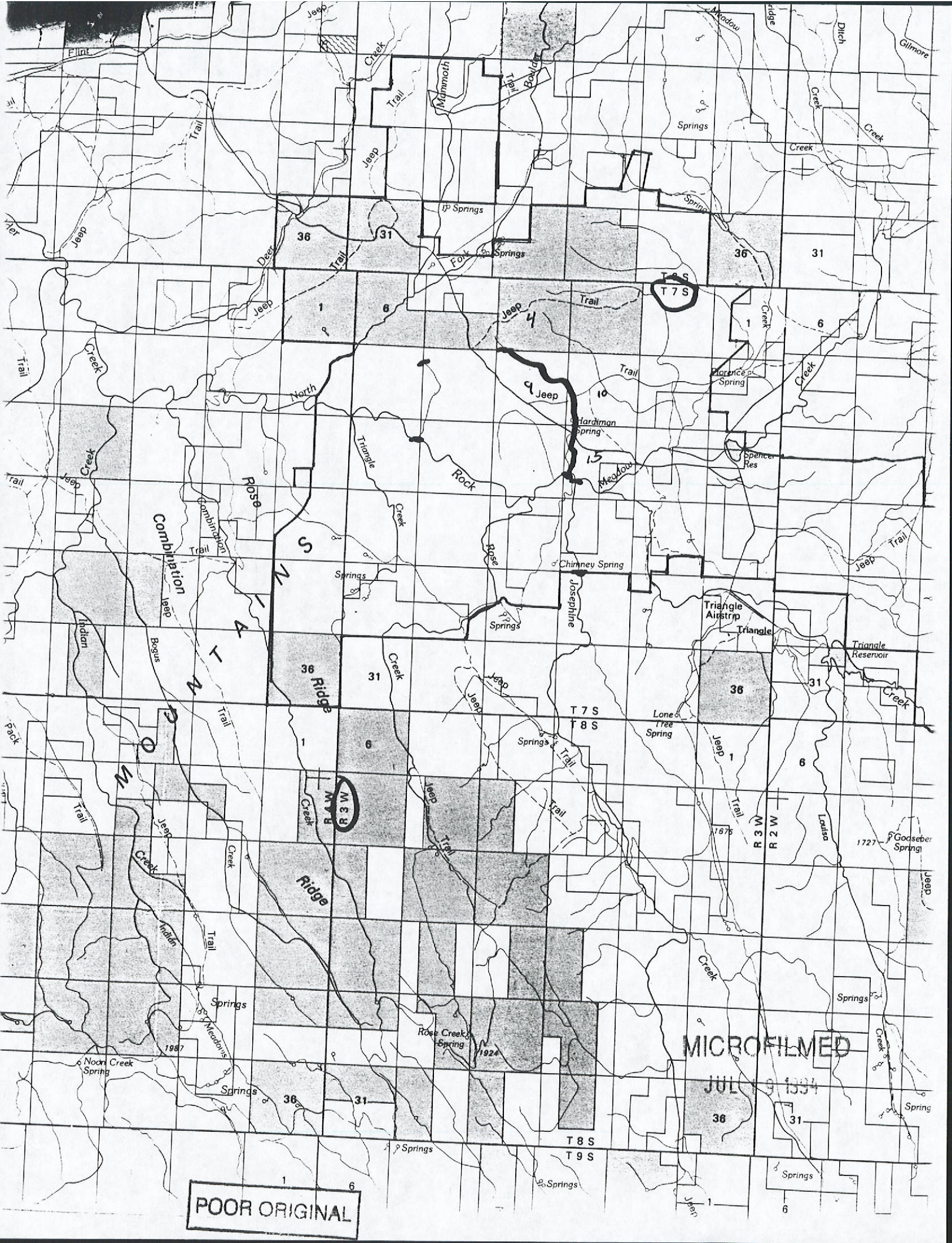
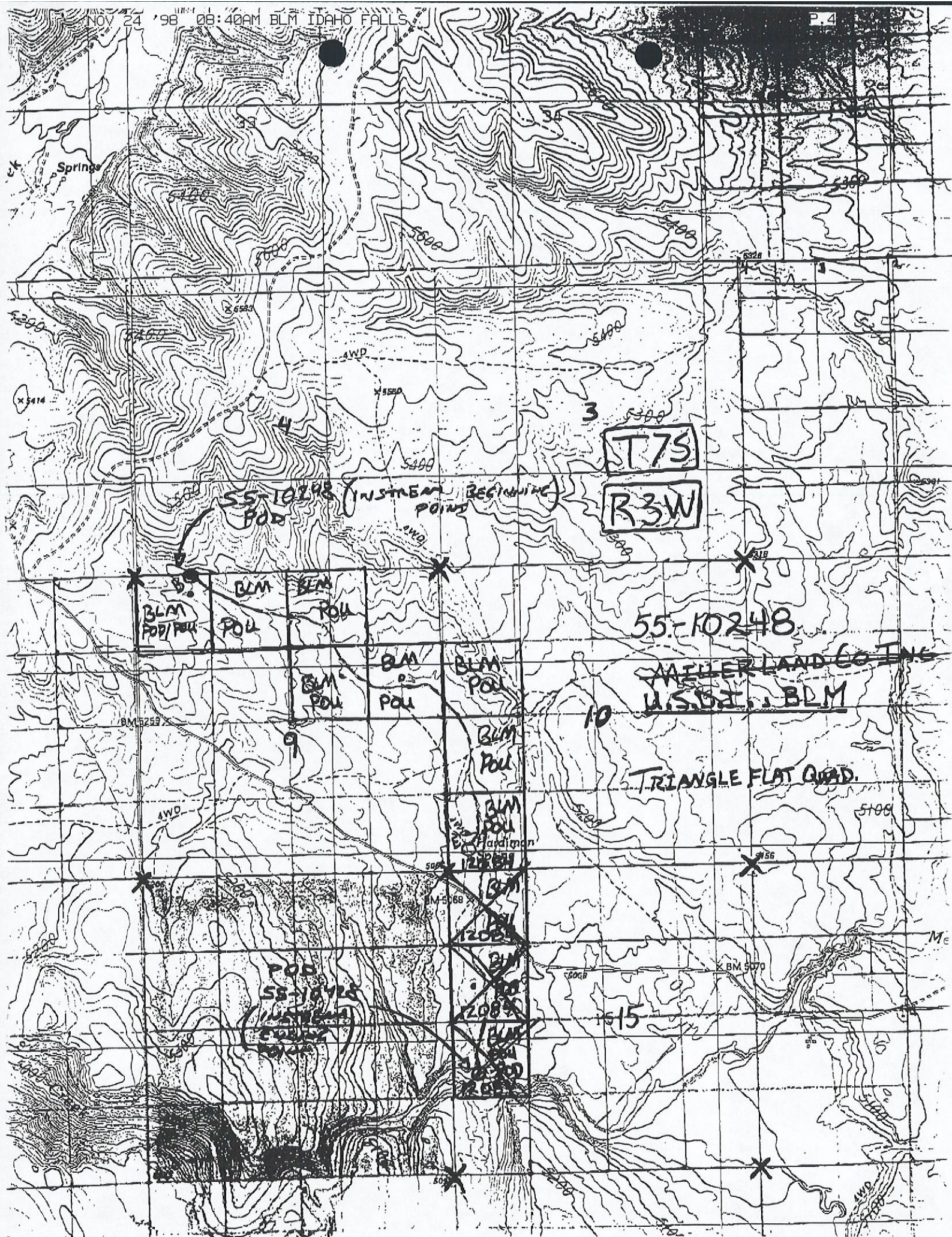
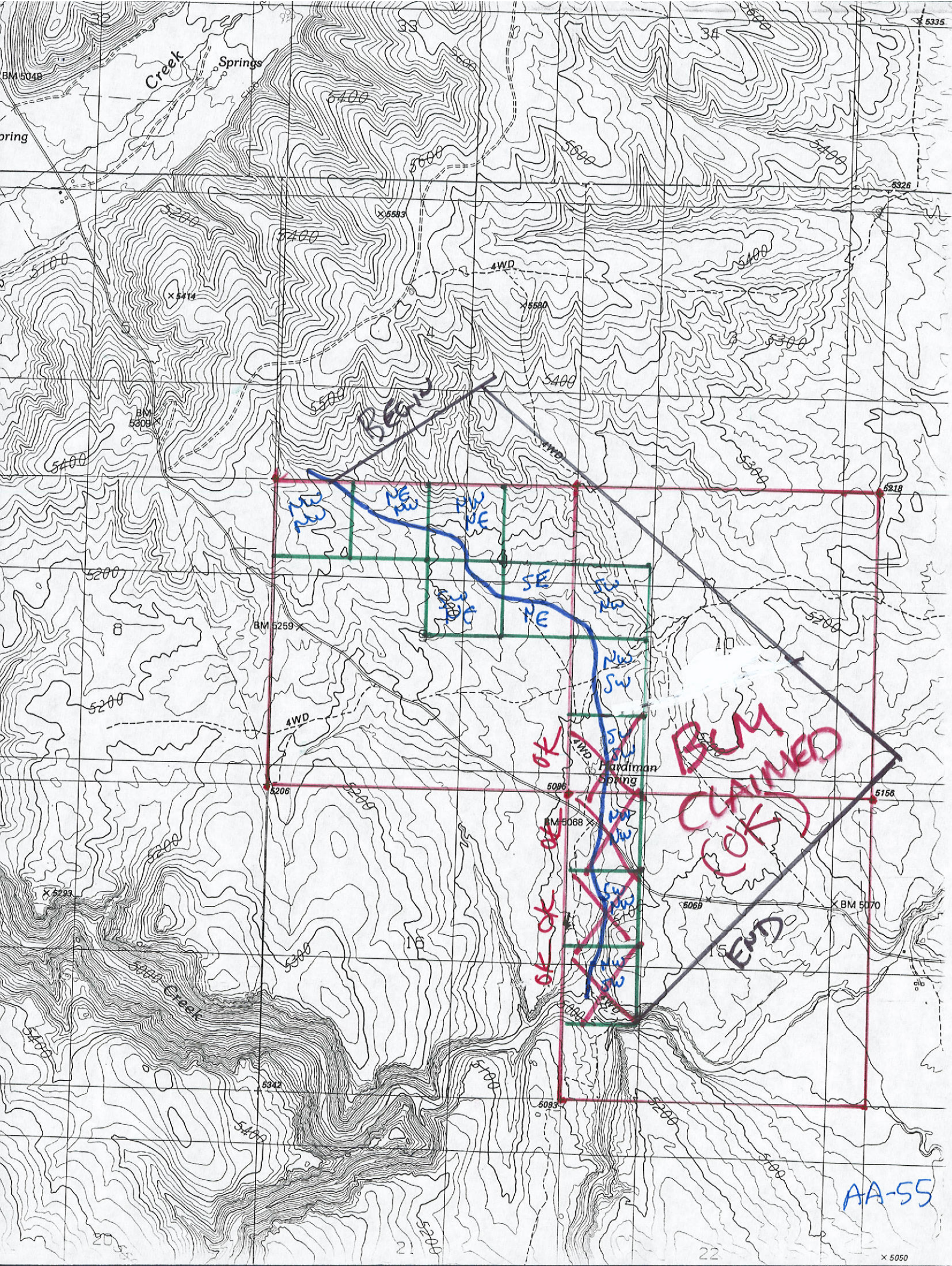










IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

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: A55-10248  
Date Received: 2/ 4/1992  
Receipt No: W014101  
Received By: SKW

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: MILLER LAND CO INC 208-495-2444  
Address: 2124C HWY 45  
MELBA ID 83641

2. Date of Priority: MAY 20, 1971

3. Source: HARDIMAN SPRINGS CREEK Trib. to: ROCK CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
|----------|-------|---------|--------|--------|-----|-----|--------|

Beginning Point of Instream Flow

|     |     |   |    |    |  |  |        |
|-----|-----|---|----|----|--|--|--------|
| 07S | 03W | 9 | NW | NW |  |  | OWYHEE |
|-----|-----|---|----|----|--|--|--------|

Ending Point of Instream Flow

|     |     |    |    |    |  |  |        |
|-----|-----|----|----|----|--|--|--------|
| 07S | 03W | 15 | NW | SW |  |  | OWYHEE |
|-----|-----|----|----|----|--|--|--------|

5. Description of diverting works:  
INSTREAM STOCKWATER

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| STOCKWATER | 01/01 | 12/31 | 0.120 |      |        |

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
STOCKWATER, 500 HEAD RANGE CATTLE

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JUL 19 1994

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|-----|----|-----|-----|-------|-------|
| 07S      | 03W   | 9       | NW  |    | NE  |     | STOCK |       |
|          |       |         | SW  |    | NE  |     | STOCK |       |
|          |       |         | SE  |    | NE  |     | STOCK |       |
|          |       |         | NE  |    | NW  |     | STOCK |       |
|          |       |         | NW  |    | NW  |     | STOCK |       |
|          |       | 10      | SW  |    | NW  |     | STOCK |       |
|          |       |         | NW  |    | SW  |     | STOCK |       |
|          |       |         | SW  |    | SW  |     | STOCK |       |
|          |       | 15      | NW  |    | NW  |     | STOCK |       |
|          |       |         | SW  |    | NW  |     | STOCK |       |
|          |       |         | NW  |    | SW  |     | STOCK |       |

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:  
NONE

14. Remarks:  
BLM GRAZING ALLOTMENT

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 \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**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): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

**MICROFILMED**

JUL 19 1994

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 A55-10248  
Date Received 2-4-92  
Receipt Number W14101

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Miller Land Co., Inc. Phone ( ) 495-2444  
Mailing Address 2124 C Hy 45, Melba Zip 83641
2. Date of Priority (Only one (1) per claim) May 20, 1971
3. Source of water supply (a) Hardiman Springs Cr.  
which is tributary to (b) Rock Cr
4. a. Location of existing point of diversion is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_,  
\_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of \_\_\_\_\_  
Additional points of diversion if any: \_\_\_\_\_
- b. If instream flow, beginning point of claimed instream flow is:  
Township 7S Range 3W Section 49, \_\_\_\_\_ 1/4 of NW 1/4 of NW 1/4 of SW 1/4 of SW 1/4,  
Govt. Lot \_\_\_\_\_ B.M., County of Owy.  
ending point is: Township 7S Range 3W Section 15, \_\_\_\_\_ 1/4 of NW 1/4 of SW 1/4 of SW 1/4, Govt. Lot \_\_\_\_\_ B.M., County of Owy.
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well. \_\_\_\_\_

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JUL 19 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stockwater purposes from 1-1 to 12-31 amount 0.12 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.12 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 500 hd range cattle

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4 |       |       |       | SE 1/4 |       |       |       | Totals |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
|     |     |     | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 |        |
| 7S  | 3W  | 9   |        | S     | S     | S     | S      | S     |       |       |        |       |       |       |        |       |       |       |        |
|     |     | 10  |        |       |       |       |        |       | S     |       |        | S     | S     |       |        |       |       |       |        |
|     |     | 15  |        |       |       |       |        | S     | S     |       |        | S     |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated \_\_\_\_\_

11. In which county (ies) are lands listed above as place of use located? Owyhee

12. Do you own the property listed above as place of use? Yes \_\_\_\_\_ No X  
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.  
\_\_\_\_\_ or None (X)

14. Remarks: BLM Grazing allotment

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JUL 19 1994

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

15. • Basis of Claim (check one) Beneficial Use X Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_

Plaintiff vs Defendant \_\_\_\_\_

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 \_\_\_\_\_

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments \_\_\_\_\_

**For Individuals:** I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am President

Title

of Miller Land Co. Inc, that I have signed the foregoing

Organization

document in the space below as President of Miller Land Co. Inc

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent John W Miller

Title and Organization President, Miller Land Co Inc Date 2-4-92

State of Idaho/or \_\_\_\_\_ )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 4 day of Feb. 19 92

SEAL

Notary Public Linda Werner

Residing at LINDA WERNER

RESIDING AT EAGLE, IDAHO

My Commission Expires MY COMMISSION EXPIRES DEC. 8, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature \_\_\_\_\_

Address \_\_\_\_\_

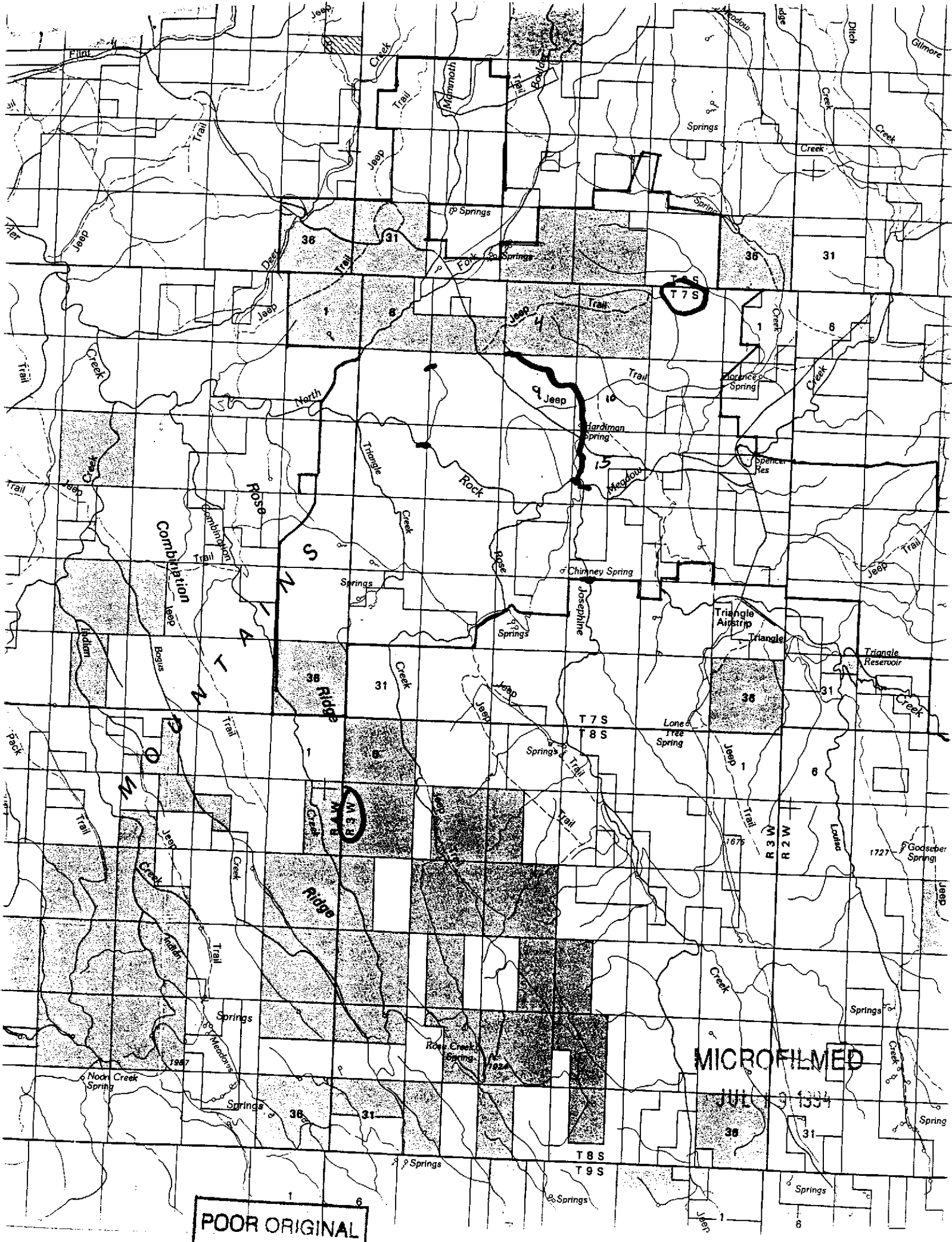
Date \_\_\_\_\_

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JUL 19 1994

Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

Copies White-State, Yellow-Claimant



POOR ORIGINAL

MICROFILMED  
JUL 13 1994

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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 55-10248

1999 MAR 26 AM 9:24  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

FILED \_\_\_\_\_

NAME AND ADDRESS: UNITED STATES OF AMERICA  
BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 SOUTH VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: UNNAMED STREAM TRIBUTARY: ROCK CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 01/01/1874

POINT OF DIVERSION: T07S R03W S09 NENWNW (Instream Beginning Point) Within Owyhee County  
S10 SWSWSW (Instream Ending Point)

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |

| PLACE OF USE: | Stockwater    |      | Within Owyhee County |
|---------------|---------------|------|----------------------|
|               | T07S R03W S09 | NWNE | SWNE                 |
|               |               | SENE | NENW                 |
|               |               | NWNW |                      |
|               | S10           | SWNW | NWSW                 |

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

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

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

  
Barry Wood  
Administrative District Judge  
Interim Presiding Judge of the  
Snake River Basin Adjudication

1999 MAR 26 AM 9: 24

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

FILED \_\_\_\_\_

**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     | ) | <b>ORDER OF PARTIAL DECREE</b>  |
|                | ) |                                 |
| Case No. 39576 | ) | <b>For Water Right 55-10248</b> |
| _____          | ) |                                 |

On February 22, 1999, an *Amended Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Amended Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* issued January 12, 1999, and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 55-10248 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED MAR 26 1999.



BARRY WOOD  
Administrative District Judge  
Interim Presiding Judge of the  
Snake River Basin Adjudication

1999 MAR 29 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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 )

CERTIFICATE OF MAILING

Case No. 39576 )  
\_\_\_\_\_ )

Water Right(s): 55-10248

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 55-10248 was mailed  
on March 29, 1999, with sufficient first-class postage prepaid  
to the following:

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

UNITED STATES OF AMERICA  
USDI BLM

Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724  
Phone: 208-387-0835

DIANA DELANEY  
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1  
03/26/99

RECEIVED

FEB 24 1999

Department of Water Resources

FEB 22 1999

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED *[Signature]*

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     | ) | <u>AMENDED</u> SPECIAL MASTER'S |
|                | ) | REPORT                          |
| Case No. 39576 | ) |                                 |
|                | ) | FINDINGS OF FACT AND            |
|                | ) | CONCLUSIONS OF LAW              |
|                | ) |                                 |
|                | ) | FOR WATER RIGHT 55-10248        |

I. FINDINGS OF FACT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

All objections to this water right were resolved by stipulation of the parties with a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

On January 12, 1999, a *Special Master's Report and Recommendation* was issued. The recommendation stated an incorrect Priority date, Point of Diversion and Place of Use.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements as set forth in the *Amended Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 55-10248*.

DATED February 22, 1999.

*[Signature]*  
\_\_\_\_\_  
Special Master  
Snake River Basin Adjudication

RECEIVED

FEB 24 1999

Department of Water Resources

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

FEB 22 1999

In Re SRBA )  
Case No. 39576 )

AMENDED  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

Water Right 55-10248

DISTRICT COURT-SRBA  
TWIN FALLS CO. IDAHO  
FILED *DL*

NAME AND ADDRESS: UNITED STATES OF AMERICA  
BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 SOUTH VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: UNNAMED STREAM TRIBUTARY: ROCK CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 01/01/1874

POINT OF DIVERSION: T07S R03W S09 NENWNW (Instream Beginning Point) Within Owyhee County  
S10 SWSWSW (Instream Ending Point)

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |

| PLACE OF USE: | Stockwater    |      | Within Owyhee County |
|---------------|---------------|------|----------------------|
|               | T07S R03W S09 | NWNE | SWNE                 |
|               |               | SENE | NENW                 |
|               |               | NWNW |                      |
|               | S10           | SWNW | NWSW                 |

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

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

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Barry Wood  
Administrative District Judge  
Interim Presiding Judge of the  
Snake River Basin Adjudication

RECOMMENDATION

FEB 22 1999

*FX-L*  
SPECIAL MASTER

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)  
Water Right 55-10248

PAGE 1  
Feb-11-1999

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FEB 24 1999

Department of Water Resources

FEB 22 1999

DISTRICT COURT-SRBA  
TWIN FALLS CO. IDAHO  
FILED *DL*

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

) CERTIFICATE OF MAILING  
) AMENDED SPECIAL MASTER'S  
) RECOMMENDATION  
)

Case No. 39576

) Subcase 55-10242, 55-10250, 55-10244,  
) 55-10243 and 55-10248  
)

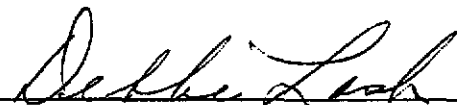
I certify that a true and correct copy of the *Amended Special Master's Report, Special Master's Recommendation for Partial Decree and Notice of Issuance of Amended Special Master's Report and Recommendation* were mailed on February 22, 1999, with sufficient first-class postage prepaid to the following:

Director of IDWR  
P O Box 83720  
Boise, Idaho 83720-0098

United States Department of Justice  
Environment & Natural Resources Division  
550 West Fort Street, MSC 033  
Boise, Idaho 83724

Richard L Harris  
P O Box 1438  
Caldwell, Idaho 83606  
Rep: Miller Land Co Inc.

DATED: February 22, 1999.

  
Deputy Clerk

RECEIVED

FEB 24 1999

Department of Water Resources

FEB 22 1999

DISTRICT COURT-SRBA  
TWIN FALLS CO. IDAHO  
FILED *12*

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

) NOTICE OF ISSUANCE OF  
) AMENDED SPECIAL MASTER'S  
) RECOMMENDATION

Case No. 39576

) Subcase 55-10242, 55-10250, 55-10244,  
) 55-10243 and 55-10248

On January 12, 1999, Special Master Fritz X. Haemmerle issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED: February 22, 1999.

*Debbie Lash*  
Deputy Clerk

LOIS J. SCHIFFER  
Assistant Attorney General  
Environment and Natural Resources Division

PAUL F. HOLLEMAN  
Attorney, Department of Justice  
General Litigation Section  
Environment and Natural Resources Division  
P.O. Box 663  
Washington, D.C. 20044-0663  
(202) 305-0494

**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     | ) | Subcase Number 55-10248         |
|                | ) |                                 |
| Case No. 39576 | ) | <b>MOTION TO ALTER or AMEND</b> |
|                | ) | <b>CLERICAL ERRORS IN</b>       |
|                | ) | <b>SPECIAL MASTER'S REPORT</b>  |
|                | ) |                                 |

---

**DESCRIPTIVE SUMMARY**

This motion is brought by the United States to correct clerical errors in the recent Special Master's report for the above-captioned SRBA subcase.

**MOTION**

After review of the Special Master's Report, the United States believes there are minor clerical errors that should be corrected before this case proceeds to the Presiding Judge. A fully executed Standard Form 5 was filed with this Court on December 31, 1998, but the Special

Master's Report issued on January 12, 1999, does not reflect the elements as stipulated to by the parties and the Idaho Department of Water Resources in that SF-5.

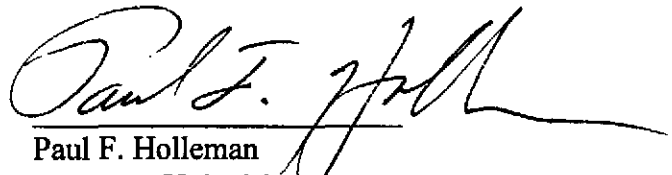
The United States requests that the Special Master issue a revised Special Master's Reports consistent with the Standard Form 5's filed with the Court on December 31, 1998.

For the Court's convenience, the United States attaches to this Motion the Standard Form 5 and the Special Master's Report from January 12, 1999.

Respectfully submitted this 8<sup>th</sup> day of February, 1999.

United States of America

Dated this 8<sup>th</sup> of February 1999.

  
Paul F. Holleman  
Attorney, United States  
Department of Justice

## CERTIFICATE OF MAILING

**I HEREBY CERTIFY** that on Monday, February 8, 1999, I mailed the original and copies of this *Motion to Alter or Amend Clerical Errors in Special Master's Report*, including all attachments, postage prepaid and addressed as follows:

**Original To:**

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, Idaho 83303-2707

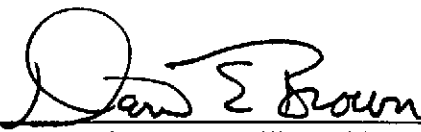
**Copy To:**

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

**Copies To All Parties To The Subcase:**

U.S. Department of Justice  
Environment and Natural Resources Division  
General Litigation Section  
550 West Fort Street, MSC 033  
Boise, Idaho 83724

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
Post Office Box 44449  
Boise, Idaho 83711-4449

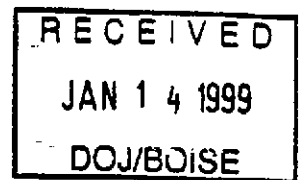
  
\_\_\_\_\_  
Signature of Person Mailing This Form

55-10248

-Priority date

-POD

-POU



1999 JAN 12 AM 9: 52

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO

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     | ) | SPECIAL MASTER'S REPORT  |
|                | ) |                          |
| Case No. 39576 | ) | FINDINGS OF FACT AND     |
|                | ) | CONCLUSIONS OF LAW       |
|                | ) |                          |
|                | ) | FOR WATER RIGHT 55-10248 |
|                | ) |                          |

I. FINDINGS OF FACT

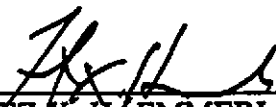
A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

All objections to this water right were resolved by stipulation of the parties with a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements as set forth in the *Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 55-10248*.

DATED: January 12, 1999.

  
FRITZ K. HAEMMERLE  
Special Master  
Snake River Basin Adjudication

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 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 55-10248

1999 JAN 12 AM 9:52

DISTRICT COURT-SRBA  
TWIN FALLS CO. IDAHO  
FILED DL

NAME AND ADDRESS: UNITED STATES OF AMERICA  
BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 SOUTH VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: UNNAMED STREAM TRIBUTARY: ROCK CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/20/1971

POINT OF DIVERSION: T07S R03W S09 NWNW (Instream Beginning Point) Within Owyhee County  
S15 NWSW (Instream Ending Point)

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |

| PLACE OF USE: | Stockwater    |      | Within Owyhee County |
|---------------|---------------|------|----------------------|
|               | T07S R03W S09 | NWNE | SWNE                 |
|               |               | SENE | NENW                 |
|               |               | NWNW |                      |
|               | S10           | SUNW | NWSW                 |
|               |               | SWSW |                      |
|               | S15           | NWNW | SUNW                 |
|               |               | NWSW |                      |

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

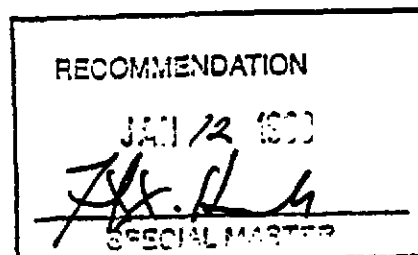
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Barry Wood  
Administrative District Judge  
Interim Presiding Judge of the  
Snake River Basin Adjudication

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)  
Water Right 55-10248



PAGE 1  
Jan-08-1999

DISTRICT COURT-SRBA  
TWIN FALLS, IDAHO  
ALL-DISTRICT OF THE

In Re SRBA  
Case No. 39576

Water Right(s): 55-10248

*Debbie Lash*  
DEBBIE LASH  
Deputy Clerk

1999 JAN 12 AM 9:52

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

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

CERTIFICATE OF MAILING

Water Right(s): 55-10248

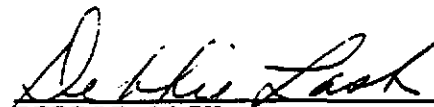
### CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on January 12, 1999, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

UNITED STATES OF AMERICA  
USDI BLM

Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724  
Phone: 208-387-0835

  
DEBBIE LASH  
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1  
01/12/99

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 No. 55-10248

Standard Form 5

STIPULATED ELEMENTS  
OF A WATER RIGHT

RECEIVED

JAN 04 1999

DOJ/BOISE

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

**CLAIMANT:**

Miller Land Co., Inc.

John W. Miller 12-14-98  
Date

**OBJECTOR:**

United States on behalf of the  
Bureau of Land Management

Paul F. Holliman 12/9/98  
Date  
Paul F. Holliman  
Attorney, U.S. Department of Justice  
Environment and Natural Resources Div.

**IDWR CONCURRENCE:**

Kevin Brown 12/15/98  
Date

**IDWR CONCURRENCE:**

Susan Clark 12/24/98  
Date

## CERTIFICATE OF MAILING

I hereby certify that on 12-31, 1998 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, Idaho 83303-2707

2. Copies to:

Clive Strong, Chief Natural Resources Division  
Office of the Attorney General  
P.O. Box 44449  
Boise, ID 83711-4449

U.S. Dept. of Justice  
Environment & Natural Resources Division  
General Litigation Section  
550 West Fort Street, MSC 033  
Boise, ID 83724

Richard L. Harris, Esq.  
1023 Arthur  
Caldwell, ID 83605

Miller Land Co., Inc.  
2124C Hwy 45  
Melba, ID 83641

Sandy Egbert  
Signature of person mailing this form

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 55-10248

Name and Address: ~~MILLER LAND CO INC~~  
~~2124C HWY 45~~  
~~MELBA, ID 83641~~

UNITED STATES OF AMERICA ACTING THROUGH  
U.S.D.I. BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 SOUTH VINNELL WAY  
BOISE, ID 83709-1657

Source: UNNAMED STREAM Tributary: ROCK CREEK

Quantity: .02 CFS

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

Priority Date: ~~05-20-1971~~ 01-01-1874

Diversion Point: T07S R03W S09 NENWNW (Instream Beginning Point)  
S10 SWSWSW (Instream Ending Point)  
S15 NWSW (Instream Ending Point)  
Within Owyhee County

| Purpose and<br>Period of Use: | Purpose of Use | Period of Use  | Quantity |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 01-01 TO 12-31 | .02 CFS  |

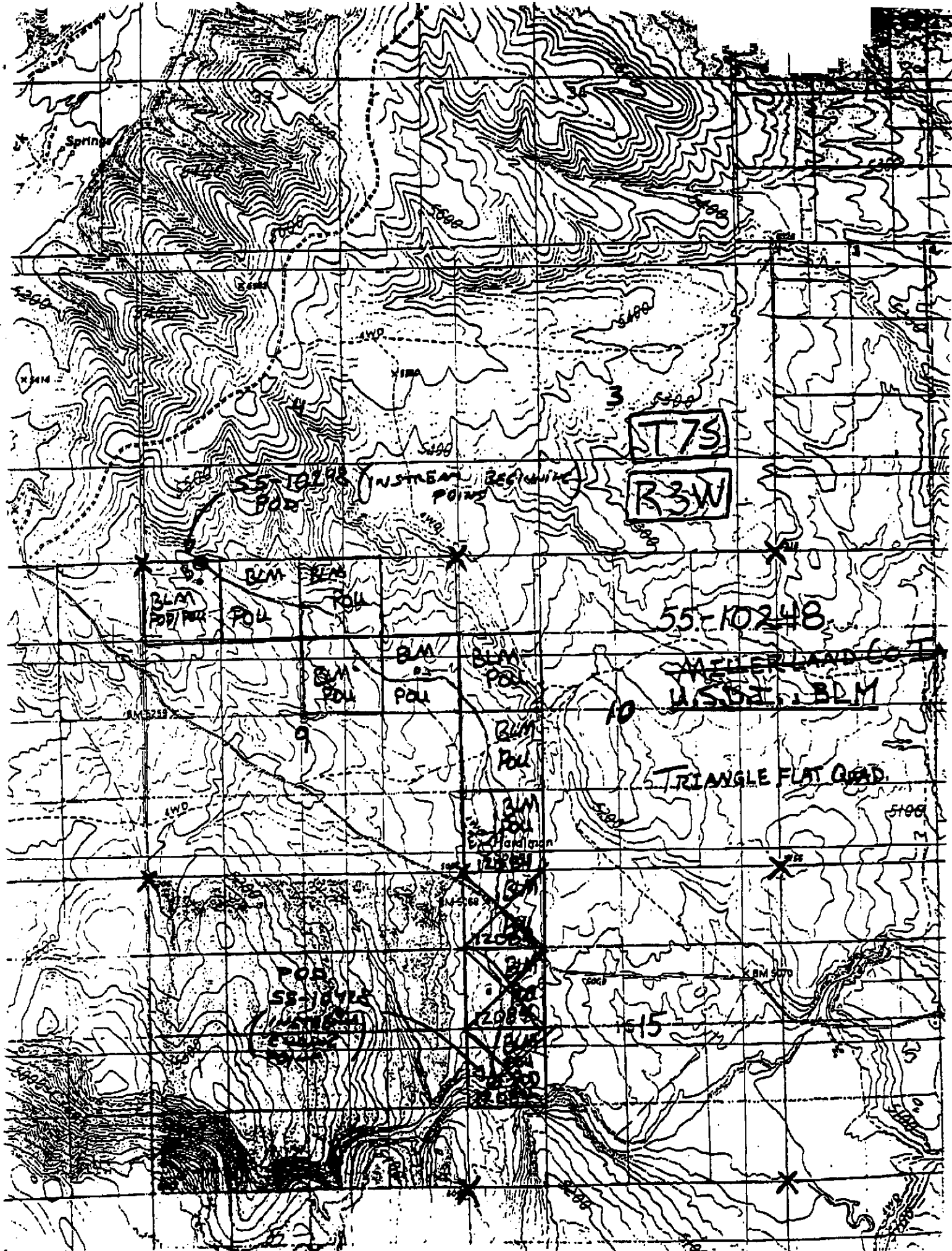
| Place of Use: | Stockwater | Within Owyhee County |
|---------------|------------|----------------------|
| T07S R03W S09 | NWNE       | SWNE                 |
|               | SENE       | NENW                 |
|               | NWNW       |                      |
| S10           | SWNW       | NWSW                 |
|               | SWSW       |                      |
| S15           | NWNW       | SWNW                 |
|               | NWSW       |                      |

Other Provisions Necessary for Definition / Administration of this Water Right:

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

Explanatory Material: Basis of Claim - Beneficial Use

~~BLM ALLOTMENT NOS. WEST ANTELOPE 0574, MILLER FFR 0575~~  
~~STOCKWATER, 500 RANGE CATTLE~~  
SOURCE IS ALSO KNOWN AS HARDIMAN SPRINGS CREEK.



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 No. 55-10248  
)  
)  
) Standard Form 5  
)  
)  
) STIPULATED ELEMENTS  
) OF A WATER RIGHT  
)

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

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The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

**CLAIMANT:**

Miller Land Co., Inc.

John W. Miller 12-14-98  
Date

**OBJECTOR:**

United States on behalf of the  
Bureau of Land Management

Paul F. Holleman 12/9/98  
Date  
Paul F. Holleman  
Attorney, U.S. Department of Justice  
Environment and Natural Resources Div.

**IDWR CONCURRENCE:**

Robert Peterson 12/15/98  
Date

**IDWR CONCURRENCE:**

Susan Clark 12/24/98  
Date

## CERTIFICATE OF MAILING

I hereby certify that on 12-31, 1998 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, Idaho 83303-2707

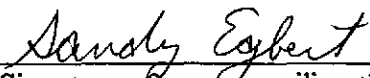
2. Copies to:

Clive Strong, Chief Natural Resources Division  
Office of the Attorney General  
P.O. Box 44449  
Boise, ID 83711-4449

U.S. Dept. of Justice  
Environment & Natural Resources Division  
General Litigation Section  
550 West Fort Street, MSC 033  
Boise, ID 83724

Richard L. Harris, Esq.  
1023 Arthur  
Caldwell, ID 83605

Miller Land Co., Inc.  
2124C Hwy 45  
Melba, ID 83641

  
\_\_\_\_\_  
Signature of person mailing this form

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 55-10248

Name and Address: ~~MILLER LAND CO INC~~  
~~2124C HWY 45~~  
~~MELBA, ID 83641~~

UNITED STATES OF AMERICA ACTING THROUGH  
U.S.D.I., BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 SOUTH VINNELL WAY  
BOISE, ID 83709-1657

Source: UNNAMED STREAM Tributary: ROCK CREEK

Quantity: .02 CFS

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

Priority Date: ~~05-20-1971~~ 01-01-1874

Diversion Point: T07S R03W S09 NENWNW (Instream Beginning Point)  
S10 SWSWSW (Instream Ending Point)  
S15 NWSW (Instream Ending Point)  
Within Owyhee County

| Purpose and<br>Period of Use: | Purpose of Use | Period of Use  | Quantity |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 01-01 TO 12-31 | .02 CFS  |

| Place of Use: | Stockwater | Within Owyhee County |
|---------------|------------|----------------------|
| T07S R03W S09 | NWNE       | SWNE                 |
|               | SENE       | NENW                 |
|               | NWNW       |                      |
| S10           | SWNW       | NWSW                 |
|               | SWSW       |                      |
| S15           | NWNW       | SWNW                 |
|               | NWSW       |                      |

Other Provisions Necessary for Definition / Administration of this Water Right:

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

Explanatory Material: Basis of Claim - Beneficial Use

~~BLM ALLOTMENT NOS. WEST ANTELOPE 0574, MILLER PFR 0575~~  
~~STOCKWATER, 500 RANGE CATTLE~~  
SOURCE IS ALSO KNOWN AS HARDIMAN SPRINGS CREEK.

[illegible]

RECEIVED

FEB 10 1998

Department of Water Resources  
Adjudication Bureau

1998 FEB 05 AM 08:31  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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     | ) | NOTICE SETTING SUBCASE(S) |                        |
|                | ) | FOR INITIAL HEARING       |                        |
| Case No. 39576 | ) |                           |                        |
|                | ) | SUBCASE NOS:              | 55-10242      55-10243 |
|                |   | 55-10244                  | 55-10245      55-10247 |
|                |   | 55-10248                  | 55-10250      55-10252 |

The Initial Hearing for this subcase will be held as follows:

WEDNESDAY, APRIL 01, 1998 at 10:30 AM  
OWYHEE COUNTY COURTHOUSE  
HIGHWAY 78  
PO BOX 128  
MURPHY, ID

All parties are required to attend and must have full  
settlement authority.

At the Initial Hearing you will have an opportunity  
to meet with a representative of the Idaho Department of  
Water Resources (IDWR) in an attempt to reconcile any  
difference between the claim and the Director's Report.  
Bring any and all information you believe is relevant to your  
claim and/or objection. If the claim cannot be reconciled at  
the Initial Hearing, the court will set the subcase(s) for  
trial within 45 days of the Initial Hearing. IF YOU INTEND  
TO AMEND YOUR CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL  
HEARING.

Dated: FEBRUARY 05, 1998

/S/ DEBBIE LASH

Deputy Clerk

Snake River Basin Adjudication

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

Page 1 2/05/98

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the NOTICE SETTING SUBCASE(S) FOR INITIAL HEARING was mailed on FEBRUARY 05, 1998, with sufficient first-class postage to the following:

USDI BLM

Represented by:  
U.S. DEPT. OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724  
Phone: 208-387-0835

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

MILLER LAND CO INC  
2124C HWY 45  
MELBA, ID 83641  
Phone: 208-495-2444

RECEIVED

DEC 10 1997

Department of Water Resources  
Adjudication Bureau

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 )

A. Subcase 55-10248

(Insert water right number)

Case No. 39576 )

DOMESTIC AND  
STOCK WATER RIGHT  
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,  
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way  
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

R. Lee Leininger, 202 305-0242

Paul F. Holleman, 202 305-0494 and

William M. Ferry, 202 334-1911

United States Department of Justice

Environment and Natural Resource Division

General Litigation Section

550 West Fort Street, MSC 033

Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Miller Land Co., Inc.

Address: 2124C Hwy 45, Melba, Idaho 83641

Name: Address:

Name: Address:

Name: Address:

**D.** I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**  
Should be: \_\_\_\_\_
2. ☐ **Source**  
Should be: \_\_\_\_\_
3. ☐ **Quantity**  
Should be: \_\_\_\_\_
4. ☒ **Priority Date**  
Should be: See attached
5. ☒ **Point(s) of Diversion**  
Should be: See attached
6. ☐ **Instream Flow Description**  
Should be: \_\_\_\_\_
7. ☐ **Purpose(s) of Use**  
Should be: \_\_\_\_\_
8. ☐ **Period of Year**  
Should be: \_\_\_\_\_
9. ☒ **Place of Use**  
Should be: See attached

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

**E. REASONS SUPPORTING OBJECTION(S):**

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant does not have a valid water right with the elements claimed.

RECEIVED  
JAN 10 1965  
BUREAU OF LAND MANAGEMENT  
WASHINGTON, D.C.

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: JUL-30-1997

PAGE: A-1875

-----  
RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: ROCK CREEK  
-----

RIGHT NUMBER: 55-10248

NAME & ADDRESS: MILLER LAND CO INC  
2124C HWY 45  
MELBA ID 83641

SOURCE: UNNAMED STREAM TRIBUTARY: ROCK CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/20/1971

POINT OF DIVERSION: T07S R03W S09 NWNW (INSTREAM BEGINNING POINT) Within Owyhee County  
S15 NWSW (INSTREAM ENDING POINT)

ALL  
BLM Land

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|-------------------------------|----------------|---------------|----------|
|                               | STOCKWATER     | 01-01 12-31   | 0.02 CFS |

| PLACE OF USE: | STOCKWATER    | WITHIN Owyhee County |      |      |      |
|---------------|---------------|----------------------|------|------|------|
|               | T07S R03W S09 | NWNW                 | SWNE | SENE | NENW |
|               |               | NWNW                 |      |      |      |
|               | S10           | SWNW                 | NWSW | SWSW |      |
|               | S15           | NWNW                 | SWNW | NWSW |      |

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE  
BLM ALLOTMENT NOS. WEST ANTELOPE 0574, MILLER FFR 0575  
STOCKWATER, 500 RANGE CATTLE  
SOURCE IS ALSO KNOWN AS HARDIMAN SPRINGS CREEK.

F.

**VERIFICATION (Must be Completed)**

State of Idaho )

)ss.

County of Ada)

*Gary Madenford for*

Jay Carlson, BLM Area Manager, duly sworn, upon oath, deposes and says:

(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

*Gary A Madenford*  
(Signature of person filing objection)

\_\_\_\_\_  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 12-4-97

*Jacqueline L. Ripley*  
Notary Public for Idaho  
Residing at: Boise  
My Commission Expires: 4-7-1999

## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on Dec 5, 1997, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

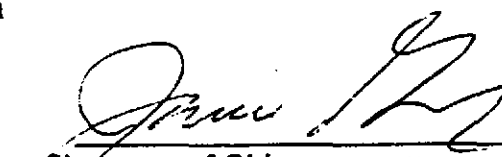
|                                    |                                                  |
|------------------------------------|--------------------------------------------------|
| Name: <u>Miller Land Co., Inc.</u> | Address: <u>2124C Hwy 45, Melba, Idaho 83641</u> |
| Name:                              | Address:                                         |
| Name:                              | Address:                                         |
| Name:                              | Address:                                         |

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
\_\_\_\_\_  
Signature of Objector or attorney  
mailing on Objector's behalf

AJ0749NP  
No. R55-10248

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 07/10/97  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                         | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | MILLER LAND CO INC<br>2124C HWY 45<br>MELBA ID 83641<br>(208) 495-2444 | 05/20/1971       | STOCKWATER | 01-01 12-31           | 0.02 CFS          |                     |
| TOTAL DIVERSION: |                                                                        |                  |            |                       | 0.02 CFS          |                     |

Water Source: UNNAMED STREAM

Tributary to: ROCK CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T07S R03W S09

NWNW

OWYHEE County

Point(s) of Ending Stream Reach: T07S R03W S15

NWSW

OWYHEE County

Place of use Legal Description for: STOCKWATER

|     |        | NE   |    |    |    | NW |    |    |    | SW   |    |    |    | SE |    |      |    |    |    |    |    |      |    |    |    |    |    |      |    |    |    |
|-----|--------|------|----|----|----|----|----|----|----|------|----|----|----|----|----|------|----|----|----|----|----|------|----|----|----|----|----|------|----|----|----|
| T   | R S    | : Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : Lt | Ac | Lt | Ac | Lt | Ac | : Lt | Ac | Lt | Ac | Lt | Ac | : Lt | Ac | Lt | Ac | Lt | Ac | : Lt | Ac | Lt | Ac |
| 07S | 03W 9  | :    |    |    |    | S  |    | S  |    | S    |    | S  |    |    |    |      |    |    |    |    |    |      |    |    |    |    |    |      |    |    |    |
| 07S | 03W 10 | :    |    |    |    |    |    |    |    |      |    |    |    | S  |    | S    |    |    |    |    |    |      |    |    |    |    |    |      |    |    |    |
| 07S | 03W 15 | :    |    |    |    |    |    |    |    |      |    | S  |    | S  |    |      |    | S  |    | S  |    |      |    |    |    |    |    |      |    |    |    |

POU County: OWYHEE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP BLM ALLOTMENT NOS. WEST ANTELOPE 0574, MILLER FFR 0575  
STOCKWATER, 500 RANGE CATTLE  
SOURCE IS ALSO KNOWN AS HARDIMAN SPRINGS CREEK.

Dates: Exam Made Date: Verified Date: 07/10/1997 Objection Filed Date:

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

Comments: Date: 01/20/1994 User-ID: DUNN1 Subject: LAND OWNERSHIP  
BLM GRAZING ALLOTMENT

Date: 04/03/1997 User-ID: STK-DSHA Subject: D&S STK-BLM UPDATE  
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.

AJ0749NP  
No. R55-10248

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 07/10/97  
PAGE: 2

=====

Comments: Date: 04/03/1997 User-ID: STK-DSHA Subject: D&S STK-BLM UPDATE  
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.  
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Date: 05/15/1997 User-ID: RHOWERTO Subject: INSTREAM STOCK  
LIMITED TO 0.02 CFS FOR INSTREAM STOCK PER BASIN WIDE ISSUE 12.

Audit: 07/10/97 RHOWERTO

AJ0749NP  
No. R55-10248

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 07/10/97  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                         | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | MILLER LAND CO INC<br>2124C HWY 45<br>MELBA ID 83641<br>(208) 495-2444 | 05/20/1971       | STOCKWATER | 01-01 12-31           | 0.02 CFS          | ✓                   |
| TOTAL DIVERSION: |                                                                        |                  |            |                       | 0.02 CFS          | ✓                   |

Water Source: UNNAMED STREAM

Tributary to: ROCK CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T07S R03W S09

NWNW ✓

OWYHEE County

Point(s) of Ending Stream Reach: T07S R03W S15

NWSW ✓

OWYHEE County

Place of use Legal Description for: STOCKWATER

| NE  |     |    |         | NW    |       |       |         | SW    |       |       |         | SE    |       |       |         |
|-----|-----|----|---------|-------|-------|-------|---------|-------|-------|-------|---------|-------|-------|-------|---------|
| T   | R   | S  | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : Lt Ac |
| 07S | 03W | 9  | :       | Ⓢ     | Ⓢ     | Ⓢ     | :       | Ⓢ     | Ⓢ     |       | :       |       |       |       | :       |
| 07S | 03W | 10 | :       |       |       |       | :       | Ⓢ     | Ⓢ     |       | :       | Ⓢ     | Ⓢ     |       | :       |
| 07S | 03W | 15 | :       |       |       |       | :       | Ⓢ     | Ⓢ     |       | :       |       |       |       | :       |

POU County: OWYHEE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A55-10242 A55-10248 A55-10547 A55-12084 R55-10242 R55-10546 R55-10547 R55-12084

*DIF Source*

*DIF Source*

*DIF Source*

*Rock Cr*

*BLM OVERLAP*

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP BLM ALLOTMENT NOS. WEST ANTELOPE 0574, MILLER FFR 0575  
STOCKWATER, 500 RANGE CATTLE ✓  
SOURCE IS ALSO KNOWN AS HARDIMAN SPRINGS CREEK. ✓

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

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

Comments: Date: 01/20/1994 User-ID: DUNN1 Subject: LAND OWNERSHIP  
BLM GRAZING ALLOTMENT

Date: 07/14/1995 User-ID: RMCCARTH Subject: CORRECTION

*RELH*  
*7/10/97*

AJ0749NP  
No. R55-10248

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 07/10/97  
PAGE: 2

Comments: Date: 07/14/1995 User-ID: ~~RMCCARTH~~ Subject: CORRECTION  
ADDED CONDITION L12

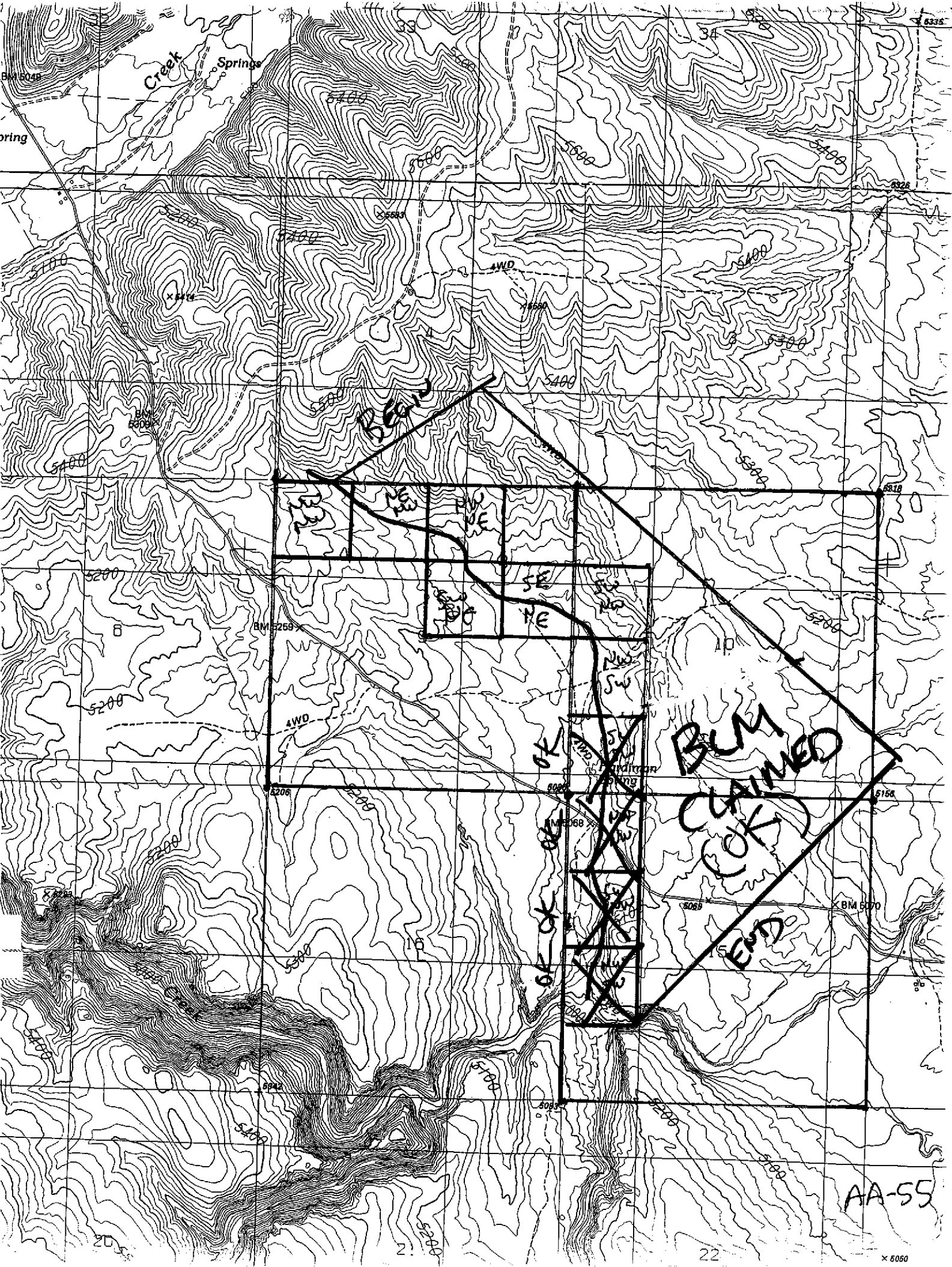
Date: 04/03/1997 User-ID: STK-DSHA Subject: D&S STK-BLM UPDATE  
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.  
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.  
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Date: 05/15/1997 User-ID: RHOWERTO Subject: INSTREAM STOCK  
LIMITED TO 0.02 CFS FOR INSTREAM STOCK PER BASIN WIDE ISSUE 12.

Date: 05/15/1997 User-ID: RHOWERTO Subject: BLM CLAIM 55-12084  
REMOVED THE FOLLOWING TRACTS CLAIMED ALSO PER BLM ON BLM GROUND:  
T7S, R3W, S10, SWSW  
T7S, R3W, S15, NWNW, SWNW, NWSW.

Date: 05/15/1997 User-ID: RHOWERTO Subject: SOURCE NAME  
SOURCE IS UNNAMED STREAM LOCAL NAME IS AKA HARDIMAN SPRINGS CR.

Audit: 07/10/97 RHOWERTO



AJ5815NP

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POU REVIEW REPORT

DATE: 06/05/97

OPTION: MATCH USES

ADJUDICATION CLAIM NUMBER: A55-10248

PAGE: 1

A. ROOT WATER RIGHT NUMBERS: A55-10248  
R55-10248

## B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                                         | AJ<br>#/USE/ACRES | WR<br>#/USE/ACRES | LANDSAT<br>DATA |
|-----|-----|-----|-----|-----|-----|----------------------------------------------|-------------------|-------------------|-----------------|
| 07S | 03W | 9   | NW  | NE  |     | MILLER LAND CO INC                           | A55-10248 /04/    | -                 | / /             |
|     |     |     | NW  | NE  |     | AMERICA ACTING THROUGH, UNITEDA55-12084 /04/ | -                 | / /               |                 |
|     |     |     | NW  | NE  |     | MILLER LAND CO INC                           | R55-10248 /04/    | -                 | / /             |
| 07S | 03W | 9   | SW  | NE  |     | MILLER LAND CO INC                           | A55-10248 /04/    | -                 | / /             |
|     |     |     | SW  | NE  |     | AMERICA ACTING THROUGH, UNITEDA55-12084 /04/ | -                 | / /               |                 |
|     |     |     | SW  | NE  |     | MILLER LAND CO INC                           | R55-10248 /04/    | -                 | / /             |
| 07S | 03W | 9   | SE  | NE  |     | MILLER LAND CO INC                           | A55-10248 /04/    | -                 | / /             |
|     |     |     | SE  | NE  |     | AMERICA ACTING THROUGH, UNITEDA55-12084 /04/ | -                 | / /               |                 |
|     |     |     | SE  | NE  |     | MILLER LAND CO INC                           | R55-10248 /04/    | -                 | / /             |
| 07S | 03W | 9   | NE  | NW  |     | MILLER LAND CO INC                           | A55-10248 /04/    | -                 | / /             |
|     |     |     | NE  | NW  |     | AMERICA ACTING THROUGH, UNITEDA55-12084 /04/ | -                 | / /               |                 |
|     |     |     | NE  | NW  |     | MILLER LAND CO INC                           | R55-10248 /04/    | -                 | / /             |
| 07S | 03W | 9   | NW  | NW  |     | MILLER LAND CO INC                           | A55-10248 /04/    | -                 | / /             |
|     |     |     | NW  | NW  |     | AMERICA ACTING THROUGH, UNITEDA55-12084 /04/ | -                 | / /               |                 |
|     |     |     | NW  | NW  |     | MILLER LAND CO INC                           | R55-10248 /04/    | -                 | / /             |
| 07S | 03W | 10  | SW  | NW  |     | MILLER LAND CO INC                           | A55-10248 /04/    | -                 | / /             |
|     |     |     | SW  | NW  |     | AMERICA ACTING THROUGH, UNITEDA55-12084 /04/ | -                 | / /               |                 |
|     |     |     | SW  | NW  |     | MILLER LAND CO INC                           | R55-10248 /04/    | -                 | / /             |
| 07S | 03W | 10  | NW  | SW  |     | MILLER LAND CO INC                           | A55-10248 /04/    | -                 | / /             |
|     |     |     | NW  | SW  |     | AMERICA ACTING THROUGH, UNITEDA55-12084 /04/ | -                 | / /               |                 |
|     |     |     | NW  | SW  |     | MILLER LAND CO INC                           | R55-10248 /04/    | -                 | / /             |
| 07S | 03W | 10  | SW  | SW  |     | MILLER LAND CO INC                           | A55-10248 /04/    | -                 | / /             |
|     |     |     | SW  | SW  |     | AMERICA ACTING THROUGH, UNITEDR55-02214 /04/ | 55-02214 /04/     | -                 | / /             |
|     |     |     | SW  | SW  |     | AMERICA ACTING THROUGH, UNITEDA55-02214 /04/ | -                 | / /               |                 |
|     |     |     | SW  | SW  |     | AMERICA ACTING THROUGH, UNITEDA55-12084 /04/ | -                 | / /               |                 |
|     |     |     | SW  | SW  |     | AMERICA ACTING THROUGH, UNITEDF55-02214 /04/ | -                 | / /               |                 |
|     |     |     | SW  | SW  |     | AMERICA ACTING THROUGH, UNITEDR55-12084 /04/ | -                 | / /               |                 |
| 07S | 03W | 15  | NW  | NW  |     | MILLER LAND CO INC                           | A55-10248 /04/    | -                 | / /             |
|     |     |     | NW  | NW  |     | AMERICA ACTING THROUGH, UNITEDA55-12084 /04/ | -                 | / /               |                 |
|     |     |     | NW  | NW  |     | AMERICA ACTING THROUGH, UNITEDR55-12084 /04/ | -                 | / /               |                 |
| 07S | 03W | 15  | SW  | NW  |     | MILLER LAND CO INC                           | A55-10248 /04/    | -                 | / /             |
|     |     |     | SW  | NW  |     | AMERICA ACTING THROUGH, UNITEDA55-12084 /04/ | -                 | / /               |                 |
|     |     |     | SW  | NW  |     | AMERICA ACTING THROUGH, UNITEDR55-12084 /04/ | -                 | / /               |                 |

A FILE  
B-LM  
OVERLAP  
12084  
(1074)BLM  
1874

Springs

AJ5815NP

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POU REVIEW REPORT

DATE: 06/05/97

OPTION: MATCH USES

ADJUDICATION CLAIM NUMBER: A55-10248

PAGE: 2

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME                                    | AJ<br>#/USE/ACRES | VR<br>#/USE/ACRES | LANDSAT<br>DATA |
|-------------|-----|-----|-----|-----|-----|-----------------------------------------|-------------------|-------------------|-----------------|
| 07S         | 03W | 15  | NW  | SW  |     | MILLER LAND CO INC                      | A55-10248 /04/    |                   |                 |
|             |     |     | NW  | SW  |     | MILLER LAND CO INC                      | A55-10249 /04/    |                   |                 |
|             |     |     | NW  | SW  |     | MILLER LAND CO INC                      | A55-10243 /04/    |                   |                 |
|             |     |     | NW  | SW  |     | AMERICA ACTING THROUGH, UNITEDA55-10545 | /04/              |                   |                 |
|             |     |     | NW  | SW  |     | AMERICA ACTING THROUGH, UNITEDA55-10547 | /04/              |                   |                 |
|             |     |     | NW  | SW  |     | AMERICA ACTING THROUGH, UNITEDA55-12084 | /04/              |                   |                 |
|             |     |     | NW  | SW  |     | AMERICA ACTING THROUGH, UNITEDR55-10546 | /04/              |                   |                 |
|             |     |     | NW  | SW  |     | AMERICA ACTING THROUGH, UNITEDR55-10547 | /04/              |                   |                 |
|             |     |     | NW  | SW  |     | AMERICA ACTING THROUGH, UNITEDR55-12084 | /04/              |                   |                 |
|             |     |     | NW  | SW  |     | MILLER LAND CO INC                      | R55-10242 /04/    |                   |                 |
|             |     |     | NW  | SW  |     | MILLER LAND CO INC                      | R55-10243 /04/    |                   |                 |
| TOTAL ACRES |     |     |     |     |     |                                         | A55-10248         |                   |                 |

POU COUNTY: Owyhee

Rock cr

BLM OVERLAP

Rock cr

Josephine cr

Rose cr

Rock cr

Josephine cr

AJ5809NP  
No. R55-10248

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/11/95  
PAGE: 14

| OWNER<br>CODE    | NAME & ADDRESS                                                         | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | MILLER LAND CO INC<br>2124C HWY 45<br>MELBA ID 83641<br>(208) 495-2444 | 05/20/1971       | STOCKWATER | 01-01 12-31           | 0.12 CFS          |                     |
| TOTAL DIVERSION: |                                                                        |                  |            |                       | 0.12 CFS          |                     |

Water Source: HARDIMAN SPRINGS CREEK

Tributary to: ROCK CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T07S R03W S09  
Point(s) of Ending Stream Reach: T07S R03W S15

NWNW  
NWSW

OWYHEE County  
OWYHEE County

Place of use Legal Description for: STOCKWATER

| NE                  |     |    |    |    |    |    |    |    |    |    |    | NW                  |    |    |    | SW                  |    |    |    | SE                  |    |    |  |
|---------------------|-----|----|----|----|----|----|----|----|----|----|----|---------------------|----|----|----|---------------------|----|----|----|---------------------|----|----|--|
| NENE NUNE SWNE SENE |     |    |    |    |    |    |    |    |    |    |    | NENW NWNW SWNW SENW |    |    |    | NESW NWSW SWSW SESW |    |    |    | NESE NWSE SWSE SESE |    |    |  |
| T                   | R   | S  | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac                  | Lt | Ac | Lt | Ac                  | Lt | Ac | Lt | Ac                  | Lt | Ac |  |
| 07S                 | 03W | 9  |    |    | S  |    |    | S  |    |    | S  |                     |    |    |    |                     |    |    |    |                     |    |    |  |
| 07S                 | 03W | 10 |    |    |    |    |    |    |    |    | S  |                     |    |    | S  |                     | S  |    |    |                     |    |    |  |
| 07S                 | 03W | 15 |    |    |    |    |    |    |    |    | S  |                     | S  |    |    | S                   |    |    |    |                     |    |    |  |

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 500 RANGE CATTLE

Other Rights: NONE

Conditions of Approval:

- L12 - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING  
- ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY  
- USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

Remarks: BLM ALLOTMENT NOS. WEST ANTELOPE 0574, MILLER FFR 0575

Dates: Exam Made Date: Verified Date:

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

Comments: Date: 01/20/1994 User-ID: DUNN1 Subject: LAND OWNERSHIP  
BLM GRAZING ALLOTMENT

Date: 07/14/1995 User-ID: RMCCARTH Subject: CORRECTION  
ADDED CONDITION L12

Audit: 01/18/94 DUNN1 01/20/94 DUNN1 03/30/95 POST-STD 07/14/95 RMCCARTH

MICROFILMED  
SEP 24 1996

JUL-12-1995  
0204

1

| RIGHT<br>NUMBER | NAME & ADDRESS                                                                                                                                                                                                                                                                                                                                  | PRIORITY<br>DATE | PURPOSE OF USE | PERIOD OF USE<br>FROM TO | MAXIMUM<br>QUANTITY | BASIS OF CLAIM     |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|----------------|--------------------------|---------------------|--------------------|
| 55-10248        | MILLER LAND CO INC<br>2124C HWY 45<br>MELBA ID 83641                                                                                                                                                                                                                                                                                            | 05/20/1971       | STOCKWATER     | 01-01 12-31              | 0.12                | CFS BENEFICIAL USE |
|                 |                                                                                                                                                                                                                                                                                                                                                 |                  |                | TOTAL QUANTITY:          | 0.12                | CFS                |
|                 | NON-IRRIGATION USES:<br>STOCKWATER, 500 RANGE CATTLE<br><del>STOCKWATER, 500 HEAD RANGE CATTLE</del><br>SOURCE: HARDIMAN SPRINGS CREEK TRIBUTARY: ROCK CREEK<br>POINT OF DIVERSION:<br>T07S R03W S09 NWNW (B)<br>S15 NWSW (E)<br>PLACE OF USE: STOCKWATER<br>T07S R03W S09 NWNE SWNE SENE NENW NWNW<br>S10 SWNW NWSW SWSW<br>S15 NWNW SWNW NWSW |                  |                |                          |                     |                    |
|                 | REMARKS: BLM ALLOTMENT NOS. WEST ANTELOPE 0574, MILLER FFR 0575                                                                                                                                                                                                                                                                                 |                  |                |                          |                     |                    |

*added Cond. 2124 FFR 7-14-95*

MICROFILMED  
SEP 24 1996

OLD (D) NUMBER -

STATE- ID ZIP- 83641

**MICROFILMED**  
**SEP 24 1996**

WATER RIGHT NUMBER - A55-10248

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +  
+ - - - - OLD WATER RIGHT NUMBERS - - - - - +  
NO OLD WATER RIGHT NUMBERS FOUND.  
+ - - - - CONDITIONS OF APPROVAL - - - - - +  
NO CONDITIONS OF APPROVAL FOUND.  
+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +  
00/00/0000  
+ - - AUDIT FIELDS - 02/06/92 HARRIS  
+ - - - - COMMENTS - - - - - +  
NO COMMENTS FOUND  
+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

|                                   |                                    |                             |
|-----------------------------------|------------------------------------|-----------------------------|
| COURT REPORT FILING - 00/00/0000  | FIELD INSPECTION MADE - 00/00/0000 | CIVIL CASE NUMBER - 39576   |
| OBJECTION FILED DATE - 00/00/0000 | FIELD INSPECTION FLAG -            | OLD CASE NUMBER -           |
| RESPONSE FILED DATE - 00/00/0000  | VERIFIED DATE - 00/00/0000         | OLD JUDICIAL DISTRICT -     |
| CLAIM RECEIVED DATE - 02/04/1992  | LAST AMENDED DATE - 00/00/0000     | TEMPORARY RIGHT - P         |
| PROOF DUE DATE - 00/00/0000       | PROOF MADE DATE - 00/00/0000       | WATER DISTRICT -            |
| LICENSED DATE - 00/00/0000        | RECEIPT NUMBER - W014101           | FEDERAL/STATE INDICATOR - S |
| CLAIMS TAPE ERROR FLG -           | POU OWNERSHIP FLAG - N             | PRESUMPTION FLAG -          |
| FEE EXEMPT FLAG -                 | NAME CONNECTOR -                   | NOTICE OF ERROR FLAG -      |

*West Antelope 0574*  
*Miller FFR 0575*

**DATA ENTRY**

ENTERED 1-20-94  
CHECKED 7-20-94

"Verified By"  
Topo Map/Ortho-PQ  
ASCS Map  
Watermaster Records  
NAPP Photos  
Field Exam  
Other (See Remarks)  
County Records  
Witness Statement  
Project Records  
IDWR Records

**VERIFIED**

DEC 14 1993

CERTIFIED  
DEC 15 1993  
WATER EXAMINER

MICROFILMED

SEP 24 1996