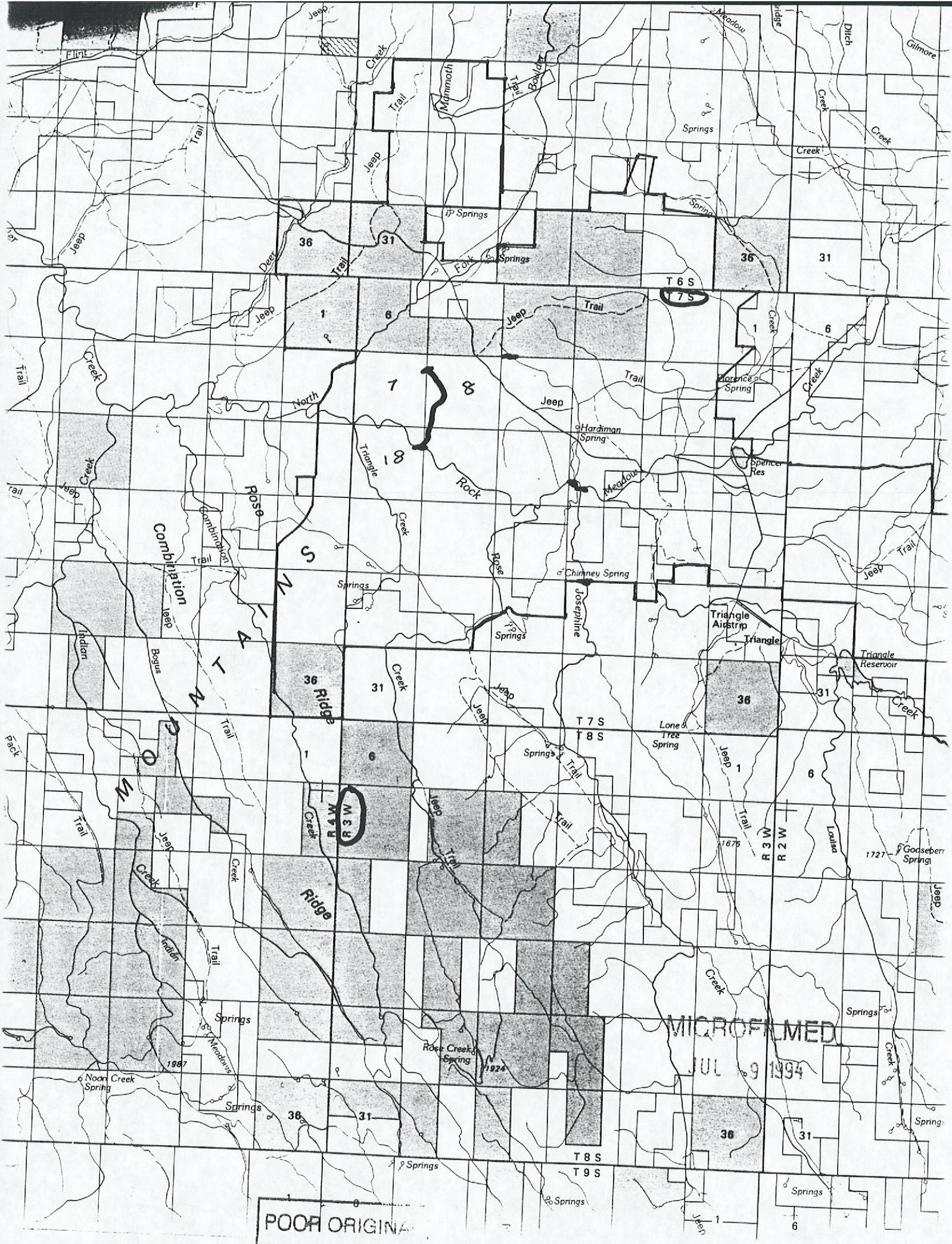
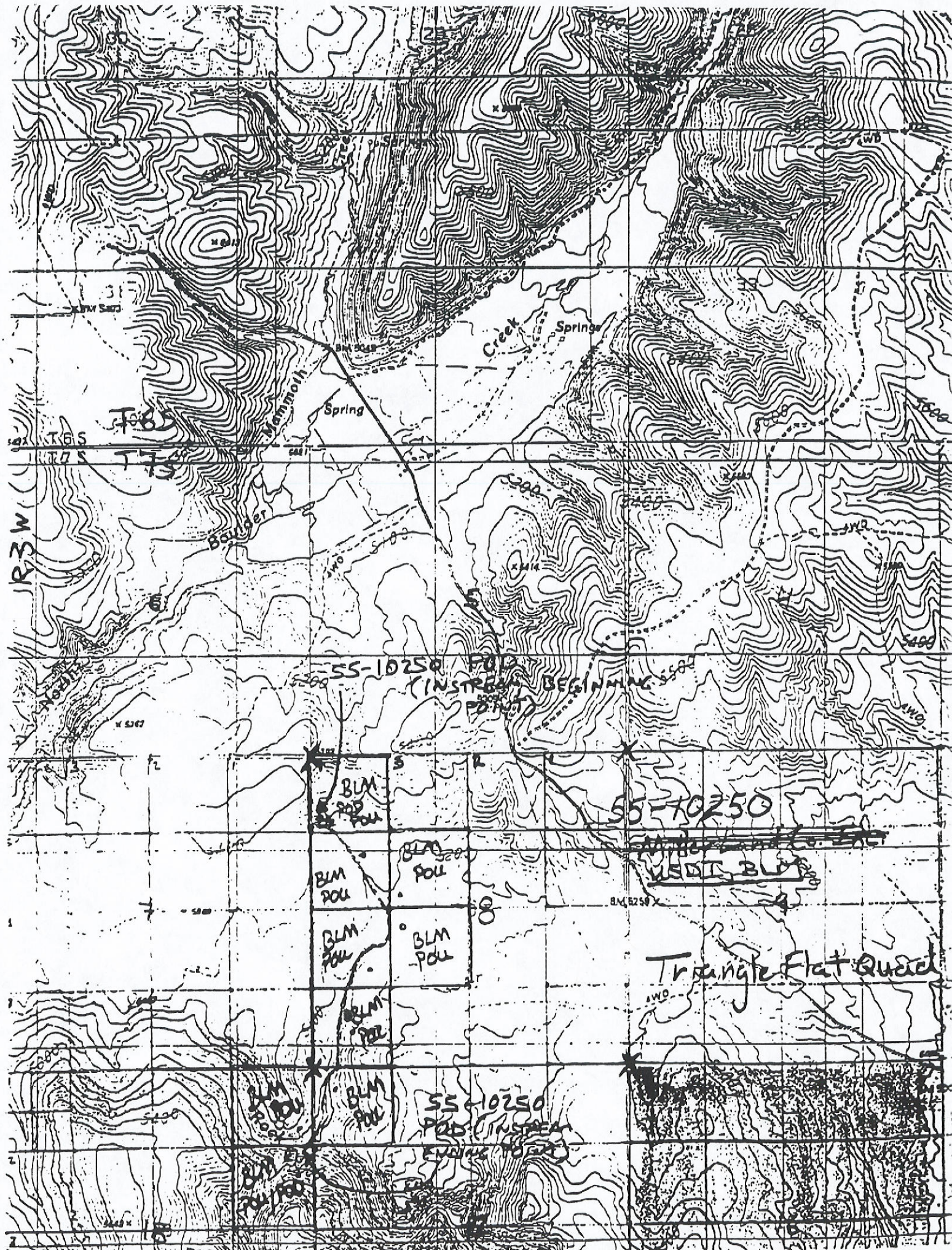
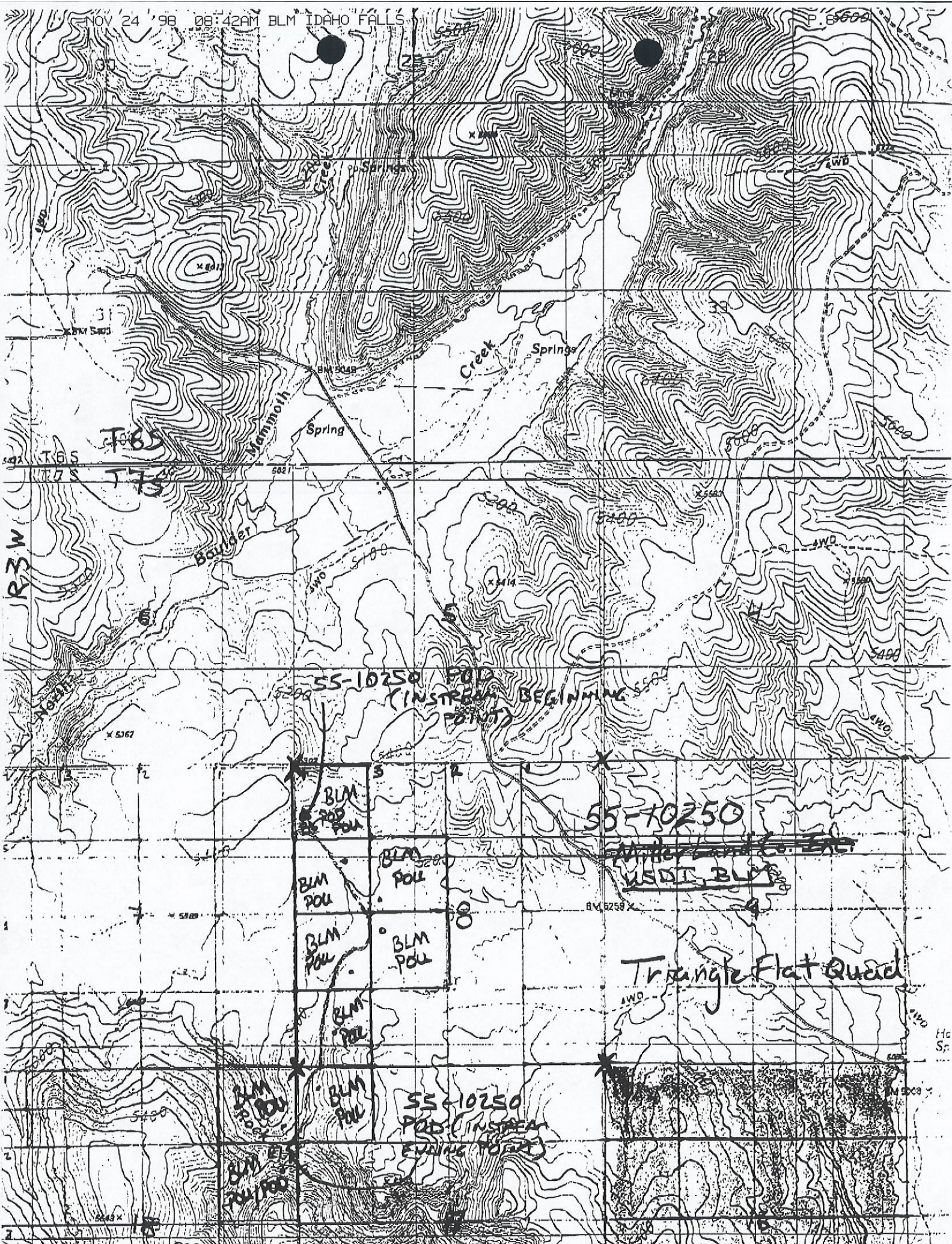
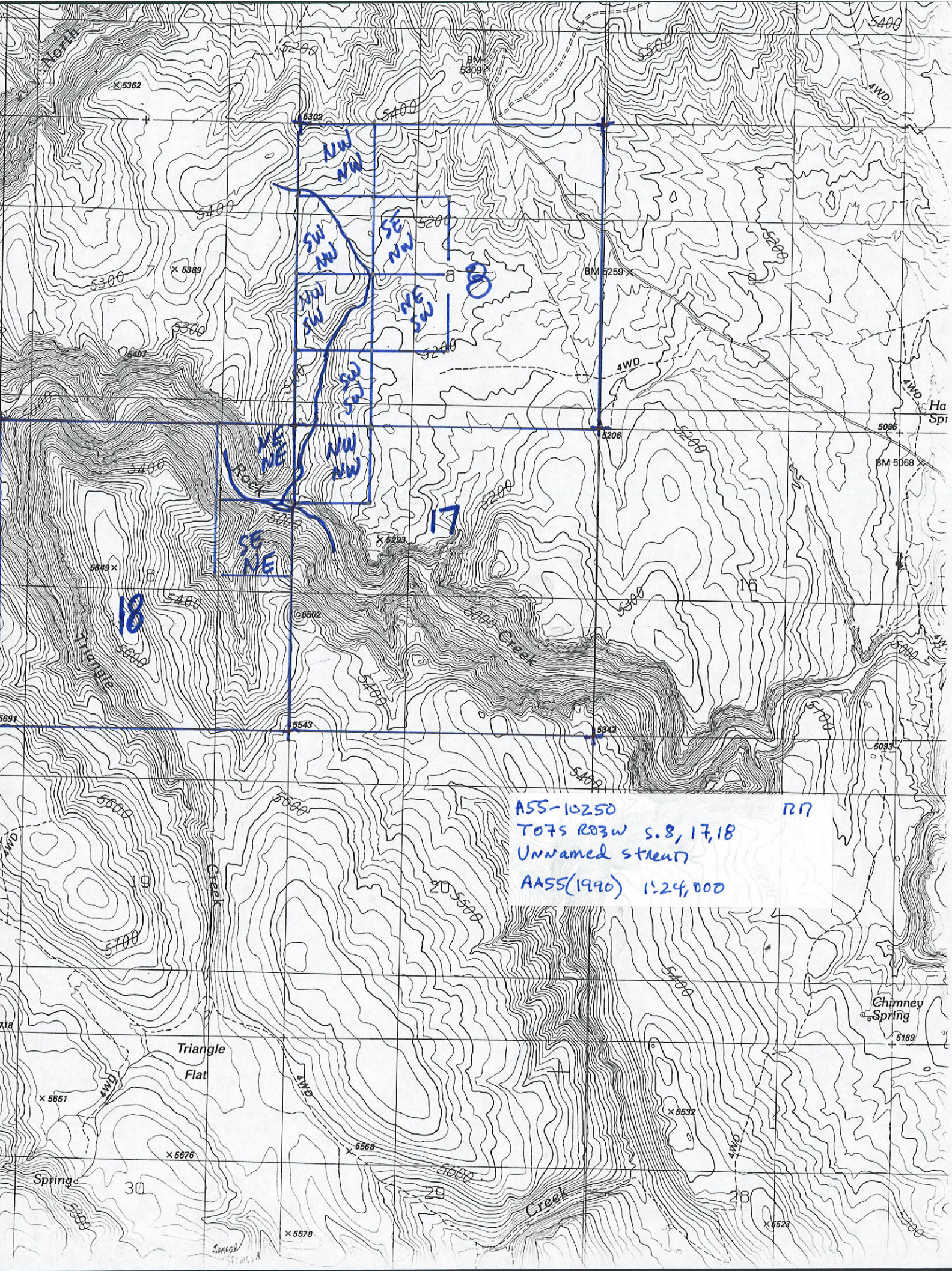










IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: A55-10250
Date Received: 2/ 4/1992
Receipt No: W014101
Received By: DRW

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, 1871

3. Source: UNNAMED STREAM 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	8	NW	NW	OWYHEE
Ending Point of Instream Flow					
07S	03W	18	SE	NE	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

MICROFILMED

JUL 19 1994

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	03W	8	NW		NW		STOCK	
			SW		NW		STOCK	
			SE		NW		STOCK	
			NE		SW		STOCK	
			NW		SW		STOCK	
			SW		SW		STOCK	
		17	NW		NW		STOCK	
		18	NE		NE		STOCK	
			SE		NE		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. CREEK KNOWN LOCALLY AS BASCO SPRING CREEK

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

H55-10250

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 2124C Hwy 45, Melba Zip 83641

2. Date of Priority (Only one (1) per claim) May 20, 1871

3. Source of water supply (a) Unn. Stream
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 8, _____ 1/4 of NW 1/4 of NW 1/4,

Govt. Lot _____ B.M., County of OWY.

ending point is: Township 7S Range 3W Section 18, _____ 1/4 of SE SW 1/4 of

NE 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. _____

MICROFILMED

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 xi 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	8						S	S	S	S	S	S						
		17						S											
		18	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
Creek known locally as Basco Spring creek

MICROFILMED

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 2-7-92

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 _____

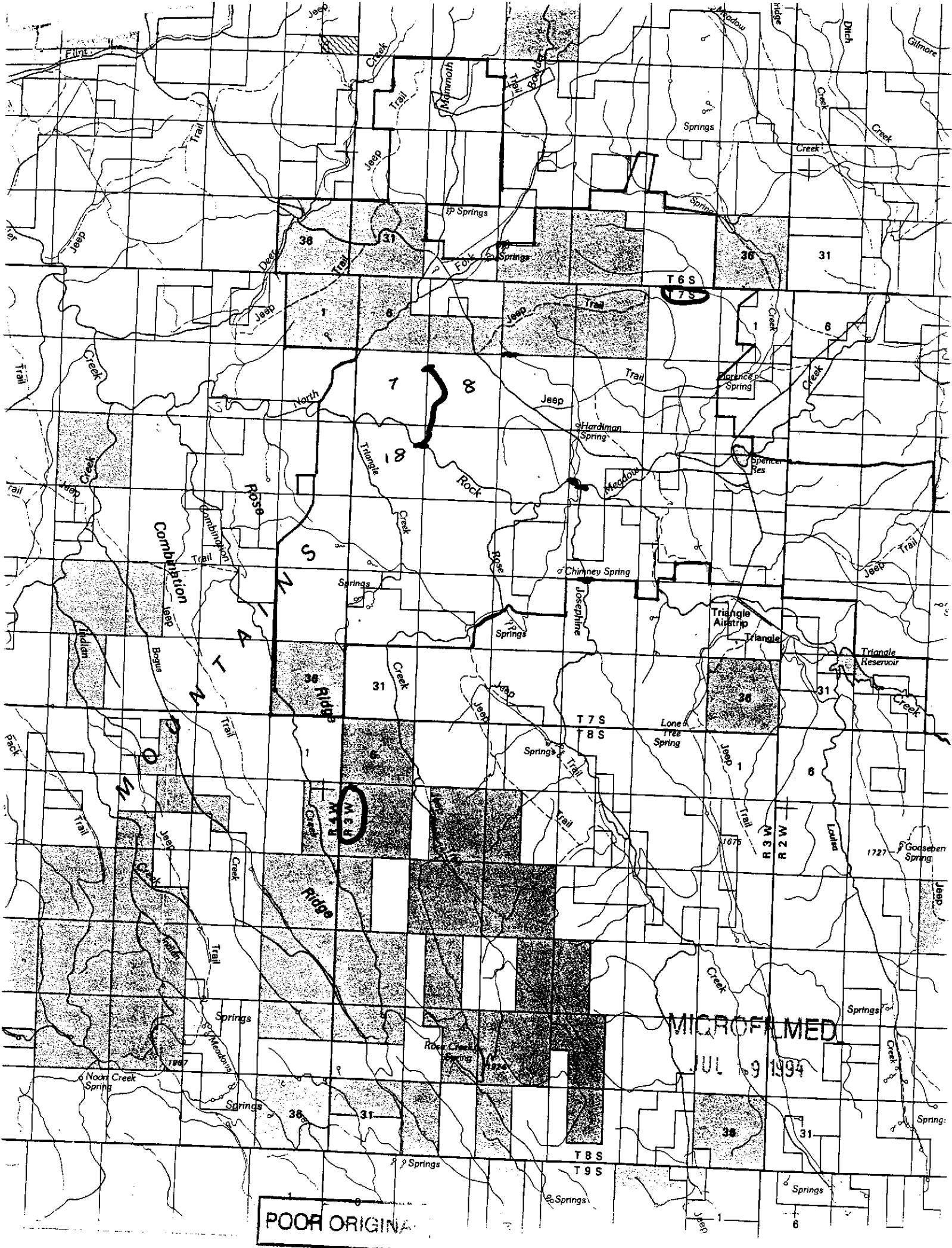
Date _____

MICROFILMED

JUL 19 1994

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



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

1999 MAR 26 AM 9:23

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 55-10250

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

NAME AND ADDRESS: UNITED STATES OF AMERICA
U.S.D.I. BLM
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 S08 LOT 04 (SWNNW) (Instream Beginning Point) Within Owyhee County
S18 NESENE (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 S08	SWNW	NWSW
		SWSW	NESW
	LOT 04 (NWNW)		SENE
	S17	NNNW	
	S18	SENE	NENE

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.

B. Wood

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

1999 MAR 26 AM 9:23
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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 55-10250
_____	)	

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 I*, 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 55-10250 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)
)
Case No. 39576)
_____)_____

CERTIFICATE OF MAILING

Water Right(s): 55-10250

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 55-10250 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

RECEIVED

FEB 24 1999

Department of Water Resources

NOX
FEB 22 1999

DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHO
FILED AL

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

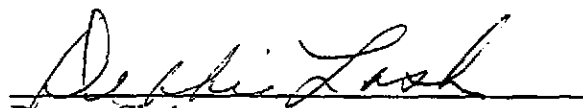
) Subcase 55-10242, 55-10250, 55-10244,
) 55-10243 and 55-10248
)

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.


Deputy Clerk

RECEIVED

FEB 24 1999

Department of Water Resources

FEB 22 1999

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	)	<u>AMENDED</u> SPECIAL MASTER'S
	)	REPORT
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHT 55-10250

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.

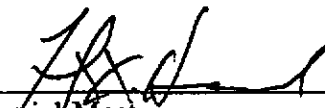
All objections to this water right were resolved by stipulation of the parties with a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

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 55-10250*.

DATED February 22, 1999.



Special Master

Snake River Basin Adjudication

RECEIVED

FEB 24 1999

Department of Water Resources
In Re SRBA

Case No. 39576

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

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

Water Right 55-10250

FEB 22 1999

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *OK*

NAME AND ADDRESS: UNITED STATES OF AMERICA
U.S.D.I. BLM
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 S08 LOT 04 (SWNNW) (Instream Beginning Point) Within Owyhee County
S18 NESENE (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 S08	SWNW	NWSW
		SWSW	NESW
	LOT 04 (NWNW)		SENW
	S17	NWNW	
	S18	SENE	NENE

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

[Signature]
SPECIAL MASTER

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 55-10250

PAGE 1
Feb-11-1999

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 55-10250
	)	
Case No. 39576	)	MOTION TO ALTER or AMEND
	)	CLERICAL ERRORS IN
	)	SPECIAL MASTER'S REPORT

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 8th day of February, 1999.

United States of America

Dated this 8th 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

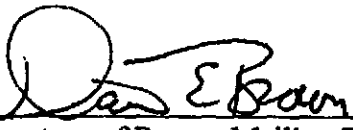
Copy To:

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

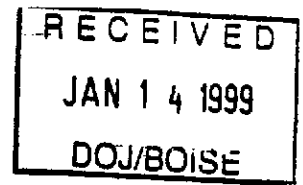
Copies To All Parties To The Subcase:

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



1999 JAN 12 AM 9:52

DISTRICT COURT-SENA
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	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHT 55-10250
	)	

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 55-10250*.

DATED: January 12, 1999.



FRITZ X. 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 55-10250

1999 JAN 12 AM 9:52

DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHO
FILED

NAME AND 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: 05/20/1871

POINT OF DIVERSION: T07S R03W S08 NWNW (Instream Beginning Point) Within Owyhee County
S18 SENE (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 S08	SWNW	NWSW
		SWSW	NESW
		NWNW	SENW
	S17	NWNW	
	S18	SENE	NENE

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

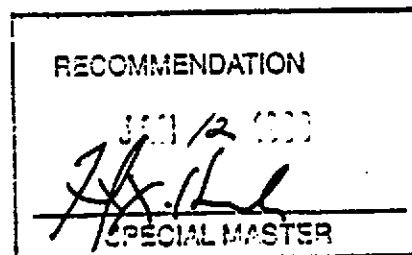
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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 55-10250



PAGE 1
Jan-08-1999

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)
)
Case No. 39576)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

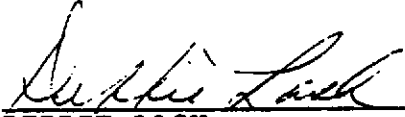
Water Right(s): 55-10250

On January 12, 1999, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) 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 January 12, 1999.



DEBBIE LASH
Deputy Clerk

1999 JUN 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): 55-10250

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

MILLER LAND CO INC
Represented by:
RICHARD L. HARRIS
PO BOX 1438
1023 ARTHUR STREET
CALDWELL, ID 83606
Phone: 208-459-1588

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

CERTIFICATE OF MAILING


DEBBIE LASH
Deputy Clerk

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

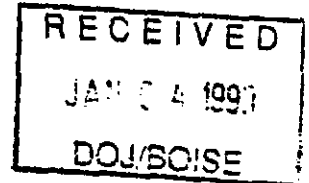
In Re SRBA

Case No. 39576

Subcase No. 55-10250

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.

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

IDWR CONCURRENCE:

Ronald Brown 12/28/98
Date

IDWR CONCURRENCE:

[Signature] 12/28/98
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
Meiwa, ID 83641

Sandy Egbert
Signature of person mailing this form

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

Right Number: 55-10250

Name and Address: ~~MILLER LAND CO INC~~
~~21246 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: ~~05-20-1871~~ 01-01-1874

Diversion Point: T07S R03W S08 LOT 4 (SWNWNW) (Instream Beginning Point)
S18 NESENE (Instream Ending Point)
Within Owyhee County

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

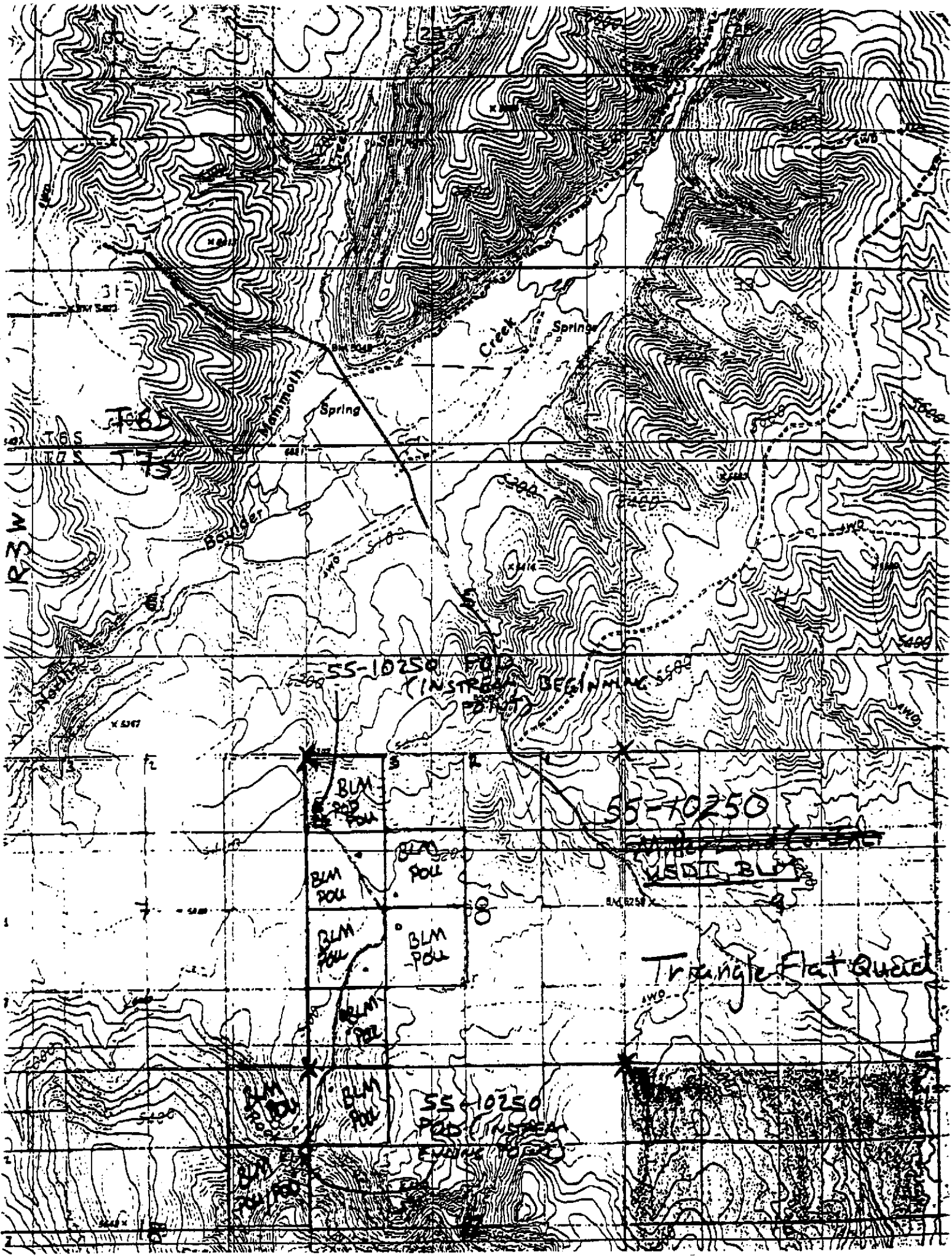
Place of Use:	Stockwater	Within Owyhee County
T07S R03W S08	SWNW	NWSW
	SWSW	NESW
	<u>LOT 4</u> (NWNW)	SENW
S17	NWNW	
S18	SENE	NENE

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

SOURCE IS ALSO KNOWN AS BASCO SPRING CREEK.
~~STOCKWATER, 500-RANGE CATTLE~~



T6S

T7S

R3W

SS-10250 P.O.D.
CREEK BEGINNING

SS-70250

BLM

Triangle Flat Quad

SS-10250 P.O.D.
CREEK BEGINNING

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 No. 55-10250
)
)
) Standard Form 5
)
)
) STIPULATED ELEMENTS
) OF A WATER RIGHT
)

Case No. 39576

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:

Royanne Brown 12/28/98
Date

IDWR CONCURRENCE:

S. Clark 12/28/98
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

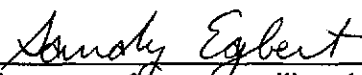
2. Copies to:

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: 55-10250

Name and Address: ~~MILLER LAND CO INC~~
~~2124G 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: ~~05-20-1871~~ 01-01-1874

Diversion Point: T07S R03W S08 LOT 4 (SWNWNW) (Instream Beginning Point)
S18 NESENE (Instream Ending Point)
Within Owyhee County

Purpose and 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 S08	SWNW NWSW
		SWSW NESW
	<u>LOT 4</u> (NWNW)	SENW
	S17	NWNW
	S18	SENE NENE

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

SOURCE IS ALSO KNOWN AS BASCO SPRING CREEK.
~~STOCKWATER, 500 RANGE CATTLE~~

23 W

776

55-10250 FBI
(INSTREAM BEGINNING
PRINT)

55-70250

WENT BUREAU

Triangle Flat Quad

55-10250
PRO: CUNSTREA
FURNING: 10/1/73

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

Case No. 39576

A. Subcase 55-10250

(Insert water right number)

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
FEB 11 1964
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-1865

RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: ROCK CREEK

RIGHT NUMBER: 55-10250

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: 05/20/1871

POINT OF DIVERSION: T07S R03W S08 NWNW (INSTREAM BEGINNING POINT) Within Owyhee County
S18 SENE (INSTREAM ENDING POINT)

ALL
BLM
LAND

PURPOSE AND 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 S08	NWNW	SWNW	SENW	NESW
		NWSW	SWSW		
	S17	NWNW			
	S18	SENE	SENE		

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
SOURCE IS ALSO KNOWN AS BASCO SPRING CREEK.
STOCKWATER, 500 RANGE CATTLE

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:

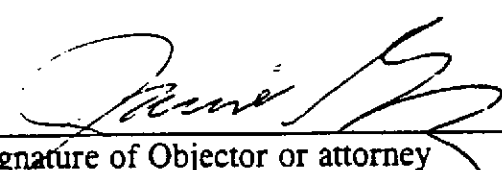
Name: <u>Miller Land Co., Inc.</u>	Address: <u>2124C Hwy 45, Melba, Idaho 83641</u>
Name:	Address:
Name:	Address:
Name:	Address:

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. R55-10250

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

DATE: 07/08/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MILLER LAND CO INC 2124C HWY 45 MELBA ID 83641 (208) 495-2444	05/20/1871	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 S08

NWNW

OWYHEE County

Point(s) of Ending Stream Reach: T07S R03W S18

SENE

OWYHEE County

Place of use Legal Description for: STOCKWATER

NE												NW				SW				SE														
T	R	S	NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
			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	8	:		:		:		:		:		S		S		S		:	S		S		S		:		:		:		:		
07S	03W	17	:		:		:		:		:		S		:		:		:		:		:		:		:		:		:		:	
07S	03W	18	:		S				S		:		:		:		:		:		:		:		:		:		:		:		:	

POU County: OWYHEE

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

A55-10250 A55-11344 A55-11345 R55-11344

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 SOURCE IS ALSO KNOWN AS BASCO SPRING CREEK.
STOCKWATER, 500 RANGE CATTLE

Dates: Exam Made Date: Verified Date: 07/08/1997 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: 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

AJ0749NP
No. R55-10250

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

DATE: 07/08/97
PAGE: 2

=====

Comments: 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: 07/08/1997 User-ID: MMINICUC Subject: REVIEW
LIMITED TO .02 CFS AS PER BASIN WIDE 12 DECISION
CONDITION L12 REMOVED
BLM ALLOTMENT NO. WEST ANTELOPE 0574

Audit: 07/08/97 MMINICUC

AJ5809NP
No. R55-10250

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/04/97
PAGE: 36

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MILLER LAND CO INC 2124C HWY 45 MELBA ID 83641 (208) 495-2444	05/20/1871	STOCKWATER	01-01 12-31	0.12 CFS	.02
TOTAL DIVERSION:					0.12 CFS	.02

Water Source: UNNAMED STREAM ✓

Tributary to: ROCK CREEK ✓

Stage: BENEFICIAL USE ✓

Point(s) of Beginning Stream Reach: T07S R03W S08
Point(s) of Ending Stream Reach: T07S R03W S18

NWNW ✓
SENE ✓

OWYHEE County ✓
OWYHEE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE															
				NENE	NWNE	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	Lt	Ac	Lt	Ac	Lt	Ac		
07S	03W	8	:									S	✓	S	✓	S	✓	S	✓	S	✓	S	✓	S	✓	S	✓	S	✓		
07S	03W	17	:									S	✓																		
07S	03W	18	:	S	✓																										

POU County: OWYHEE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A55-10250 A55-11344 A55-11345 R55-11344

Conditions of Approval: BLN

- 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.
- 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 NO. WEST ANTELOPE 0574
SOURCE IS ALSO KNOWN AS BASCO SPRING CREEK.
STOCKWATER, 500 RANGE CATTLE

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

04/10/1997

No BLN overlap

07/08/1997

Limited to .02 cfs as
per basin wide 12 decim.
No BLN overlaps
Condition L12 removed

AJ5809NP
No. R55-10250

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/04/97
PAGE: 37

=====

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

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.

Audit: 01/18/94 DUNN1 01/20/94 DUNN1 03/30/95 POST-STD 07/14/95 RMCCARTH
04/03/97 STK-DSHA

OPTION: GET ALL USES

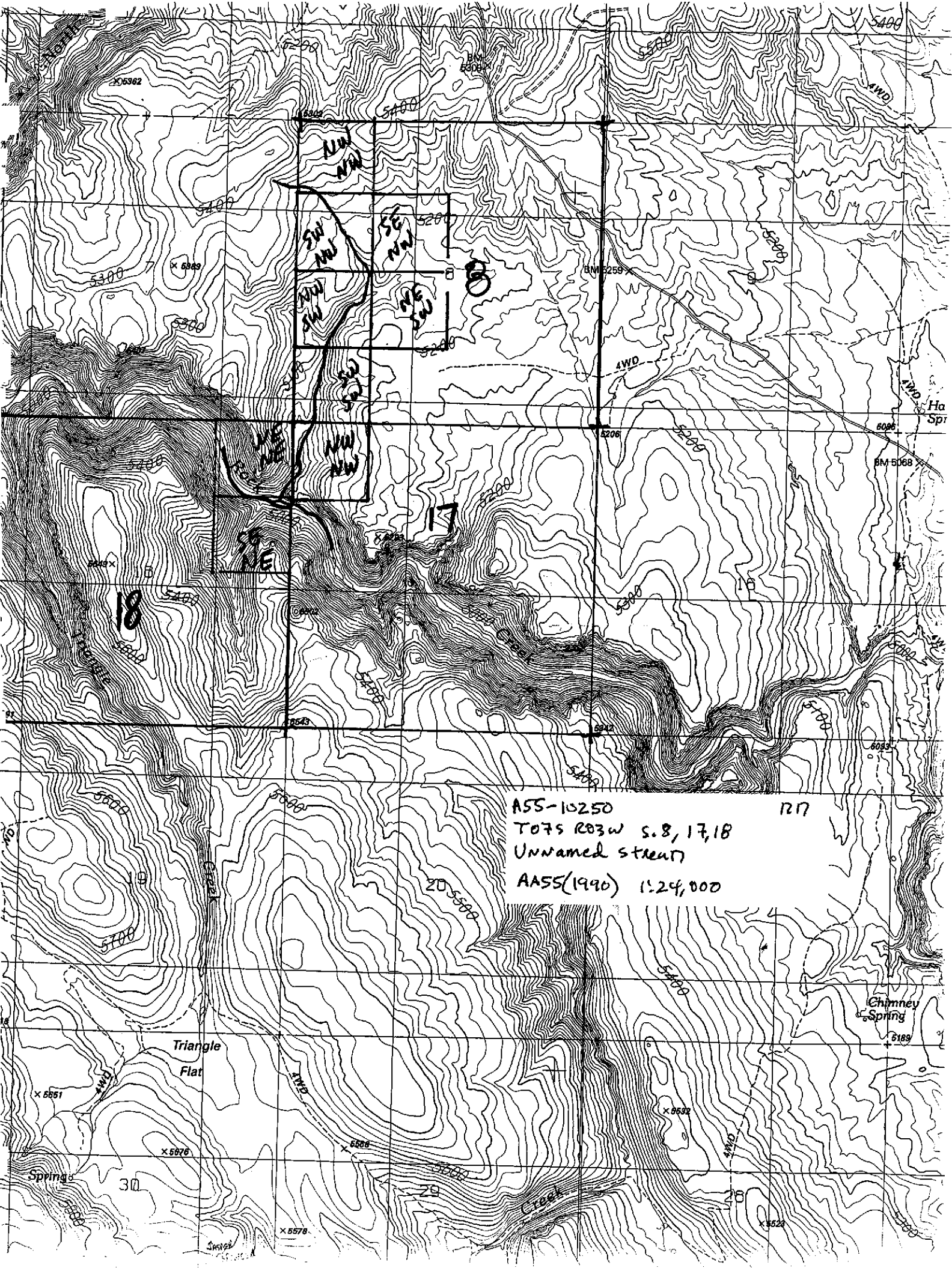
ADJUDICATION CLAIM NUMBER: A55-10250

PAGE: 1

A. ROOT WATER RIGHT NUMBERS: A55-10250
R55-10250

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
07S	03W	8	NW	NW		MILLER LAND CO INC	A55-10250 /04/	- / /	
			NW	NW		AMERICA ACTING THROUGH, UNITEDA	57-01048 /17/	- / /	
			NW	NW		MILLER LAND CO INC	R55-10250 /04/	- / /	
07S	03W	8	SW	NW		MILLER LAND CO INC	A55-10250 /04/	- / /	
			SW	NW		MILLER LAND CO INC	R55-10250 /04/	- / /	
07S	03W	8	SE	NW		MILLER LAND CO INC	A55-10250 /04/	- / /	
			SE	NW		MILLER LAND CO INC	R55-10250 /04/	- / /	
07S	03W	8	NE	SW		MILLER LAND CO INC	A55-10250 /04/	- / /	
			NE	SW		MILLER LAND CO INC	R55-10250 /04/	- / /	
07S	03W	8	NW	SW		MILLER LAND CO INC	A55-10250 /04/	- / /	
			NW	SW		MILLER LAND CO INC	R55-10250 /04/	- / /	
07S	03W	8	SW	SW		MILLER LAND CO INC	A55-10250 /04/	- / /	
			SW	SW		MILLER LAND CO INC	R55-10250 /04/	- / /	
07S	03W	17	NW	NW		MILLER LAND CO INC	A55-10250 /04/	- / /	
			NW	NW		MILLER LAND CO INC	R55-10250 /04/	- / /	
			NW	NW		AMERICA ACTING THROUGH, UNITEDA	55-11348 /04/ ✓	- / /	
			NW	NW		AMERICA ACTING THROUGH, UNITEDA	55-11349 /04/ ✓	- / /	
			NW	NW		AMERICA ACTING THROUGH, UNITEDR	55-11348 /04/	- / /	
			NW	NW		US DEPT OF INTERIOR		55-07407 /04/	
07S	03W	18	NE	NE		MILLER LAND CO INC	A55-10250 /04/	- / /	
			NE	NE		MILLER LAND CO INC	R55-10243 /04/	- / /	
			NE	NE		MILLER LAND CO INC	R55-10250 /04/	- / /	
			NE	NE		MILLER LAND CO INC	A55-10243 /04/	- / /	
			NE	NE		AMERICA ACTING THROUGH, UNITEDA	55-11128 /04/ ✓	- / /	
			NE	NE		AMERICA ACTING THROUGH, UNITEDR	55-11128 /04/	- / /	
07S	03W	18	SE	NE		MILLER LAND CO INC	A55-10250 /04/	- / /	
			SE	NE		MILLER LAND CO INC	R55-10243 /04/	- / /	
			SE	NE		MILLER LAND CO INC	R55-10250 /04/	- / /	
			SE	NE		MILLER LAND CO INC	A55-10243 /04/	- / /	
			SE	NE		AMERICA ACTING THROUGH, UNITEDA	55-11128 /04/	- / /	
			SE	NE		AMERICA ACTING THROUGH, UNITEDA	55-11344 /04/ ✓	- / /	
			SE	NE		AMERICA ACTING THROUGH, UNITEDA	55-11345 /04/ ✓	- / /	
			SE	NE		AMERICA ACTING THROUGH, UNITEDR	55-11128 /04/ ✓	- / /	
			SE	NE		AMERICA ACTING THROUGH, UNITEDR	55-11344 /04/ ✓	- / /	
TOTAL ACRES							A55-10250		



A55-10250 R17
T07S R03W S.8, 17, 18
Unnamed street
AASS(1990) 1:24,000

AJ5809NP
No. R55-10250

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/11/95
PAGE: 15

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MILLER LAND CO INC 2124C HWY 45 MELBA ID 83641 (208) 495-2444	05/20/1871	STOCKWATER	01-01 12-31	0.12 CFS	
TOTAL DIVERSION:					0.12 CFS	

Water Source: UNNAMED STREAM

Tributary to: ROCK CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T07S R03W S08
Point(s) of Ending Stream Reach: T07S R03W S18

NWNW
SENE

OWYHEE County
OWYHEE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
07S	03W	8	:					:			S	S	S	:	S	S	S	:					:
07S	03W	17	:					:			S			:				:					:
07S	03W	18	:	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 NO. WEST ANTELOPE 0574
SOURCE IS ALSO KNOWN AS BASCO SPRING CREEK.

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
0206

1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
55-10250	MILLER LAND CO INC 2124C HWY 45 MELBA ID 83641	05/20/1871	STOCKWATER	01-01 12-31	0.12 CFS	BENEFICIAL USE
				TOTAL QUANTITY:	0.12 CFS	
	NON-IRRIGATION USES: <u>STOCKWATER, 500 RANGE CATTLE</u> ~~STOCKWATER, 500 HEAD RANGE CATTLE~~					
	SOURCE: UNNAMED STREAM		TRIBUTARY: ROCK CREEK			
	POINT OF DIVERSION: T07S R03W S08	NWNW (B)				
	S18	SENE (E)				
	PLACE OF USE: STOCKWATER					
	T07S R03W S08	NWNW	SWNW	SENW	NESW	NWSW
		SWSW				
	S17	NWNW				
	S18	NENE	SENE			
	REMARKS: BLM ALLOTMENT NO. WEST ANTELOPE 0574					

added Cond. L12 RMF 7-14-95
moved source AKA from "Comments"

MICROFILMED
SEP 24 1996

OLD (D) NUMBER -

+ - - - - - ADDRESS - - - - - +

STATE- ID ZIP- 83641

+ - - - STATUS - - - - +

+ - - - - - TRIBUTARY - - - - - +
ROCK CREEK

MICROFILMED
SEP 24 1996

WATER RIGHT NUMBER - A55-10250

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

DATA ENTRY

ENTERED *1-20-94 AS*

CHECKED *7-20-94*

"Verified By"
Topo Map/Ortho-PO
ASCS Map
Watermaster Record
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