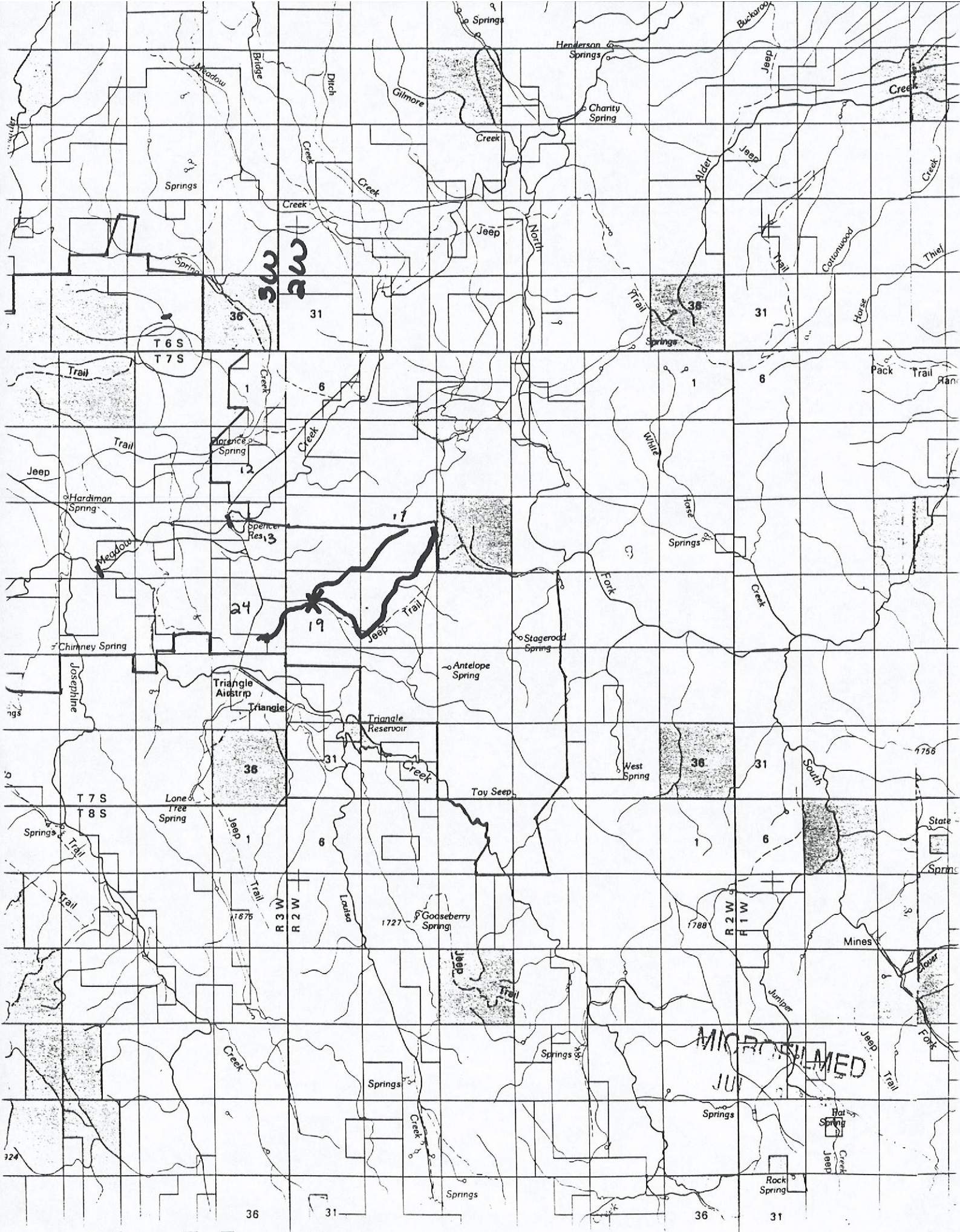
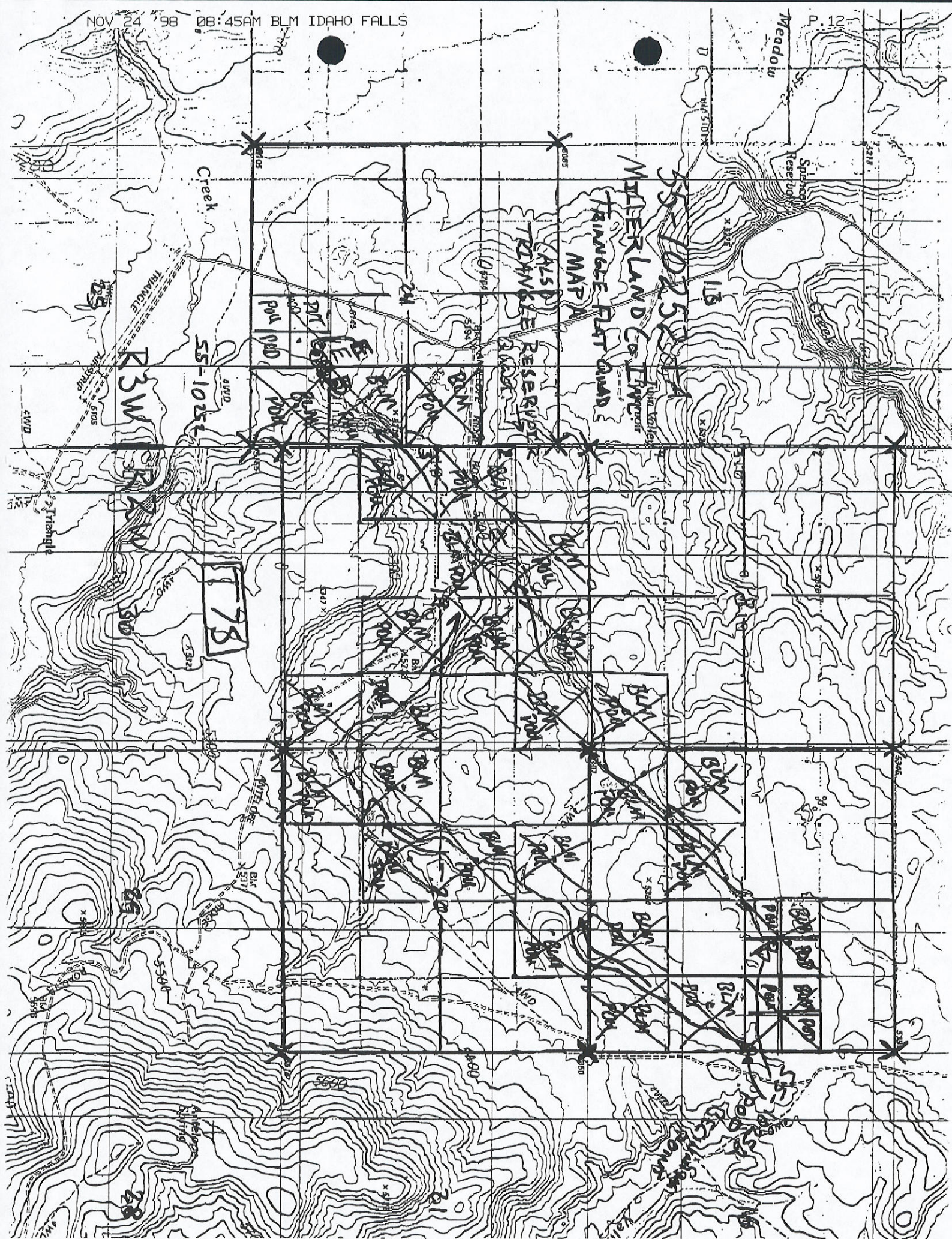








IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: A55-10252
Date Received: 2/ 4/1992
Receipt No: W014101
Received By: AKW

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 CREEKS 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	02W	17	SW		NE		OWYHEE
07S	02W	17	SE		NE		OWYHEE
Ending Point of Instream Flow							
07S	02W	19	SE		NW		OWYHEE
07S	02W	24	SW		SE		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	02W	17	SW		NE		STOCK	
			SE		NE		STOCK	
			NE		SW		STOCK	
			NW		SW		STOCK	
			SW		SW		STOCK	
			NE		SE		STOCK	
			SW		SE		STOCK	
			SE		SE		STOCK	
		18	SE		SE		STOCK	
		19	NE		NE		STOCK	
			NW		NE		STOCK	
			SW		NE		STOCK	
			NE		NW		STOCK	
			SW		NW		STOCK	
			SE		NW		STOCK	
			NW		SW		STOCK	
			NE		SE		STOCK	
			NW		SE		STOCK	
			SE		SE		STOCK	
		20	NW		NE		STOCK	
			NE		NW		STOCK	
			SE		NW		STOCK	
			NE		SW		STOCK	
			NW		SW		STOCK	
			SW		SW		STOCK	
	03W	24	SE		NE		STOCK	
			NE		SE		STOCK	
			SW		SE		STOCK	
			SE		SE		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 TWIN VALLEY CREEK. SOURCES FOR THIS RIGHT ARE TWO UNNAMED CREEKS EACH TRIBUTARY TO ROCK CREEK.

15. Basis of Claim: BENEFICIAL USE

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 A55-10252
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 2127C Hwy. 45, Melba Zip 83641
2. Date of Priority (Only one (1) per claim) May 20, 1871
3. Source of water supply (a) Unn. Creek, W. Fork Unn. Creek,
which is tributary to (b) Rock Creek Rock Creek
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:
7S 2W Sec. 17, SENE
Township 7S Range 2W Section 17, _____ 1/4 of SW 1/4 of NE 1/4,
Govt. Lot _____ B.M., County of OWY.
7S 2W Sec. 29, SWSE
ending point is: Township 7S Range 2W Section 19, _____ 1/4 of SE 1/4 of
NW 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 13 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	2W	17			S	S					S	S	S		S		S	S	
		18																S	
		19	S	S	S		S		S	S		S			S	S		S	
		20		S			S			S	S	S	S						
	3W	24				S									S		S	S	

Total number of acres irrigated _____

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

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 as Twin Valley 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 _____

X For Organizations: I do solemnly swear or affirm that I am President _____ Title _____
of Miller Land Co. Inc. _____, that I have signed the foregoing
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.

X 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

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 _____

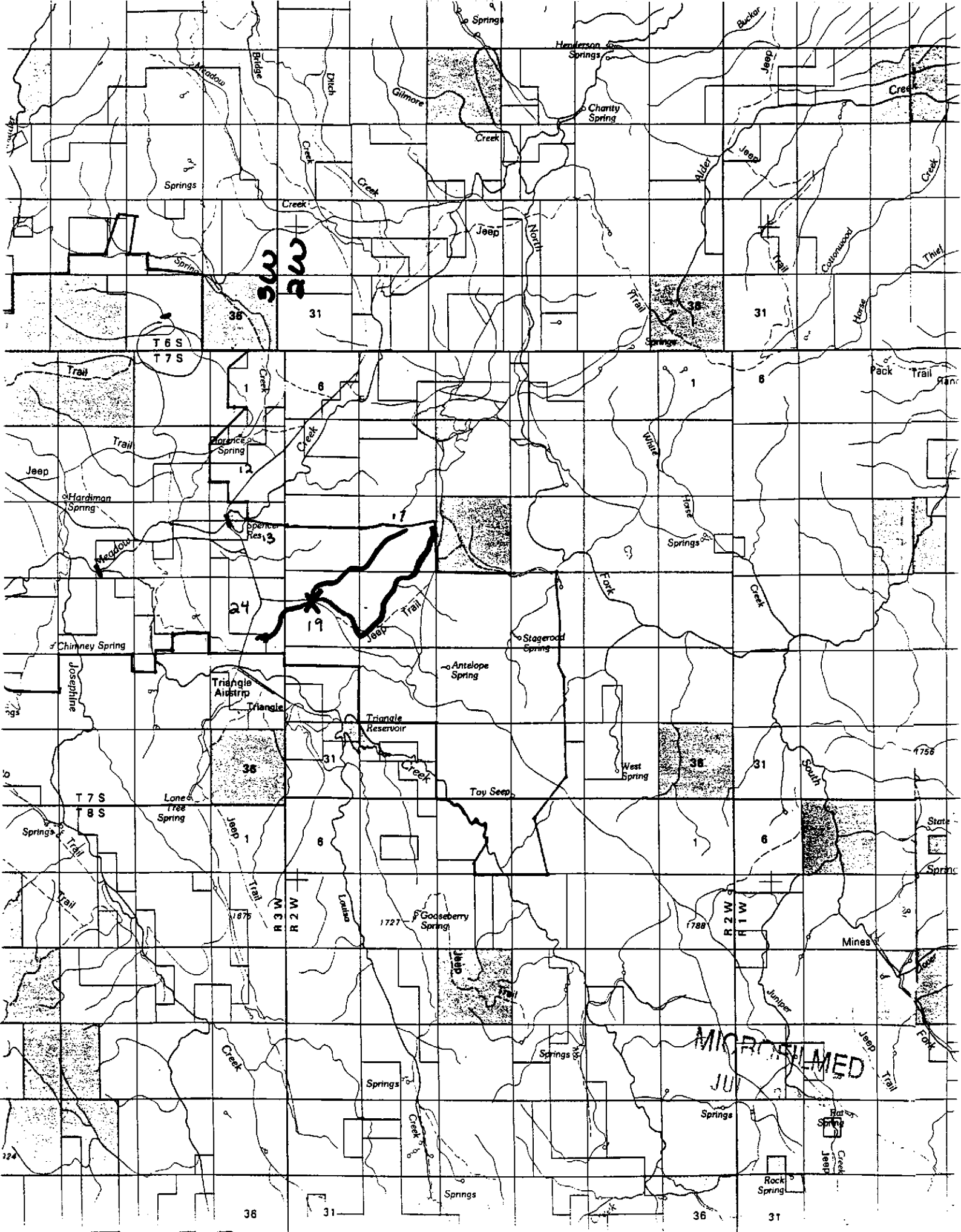
Address _____

Date _____

MICROFILMED
JUL 13 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 -5 PM 1:34
DISTRICT COURT - SRBA
TWIN FALLS CO, IDAHO

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 55-102528

NAME AND ADDRESS: UNITED STATES OF AMERICA
U.S.D.I. BLM
IDAHO STATE OFFICE
1387 SOUTH VINNELL WAY
BOISE, ID 83709-1657

SOURCE: UNNAMED STREAMS TRIBUTARY: SINKS

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 R02W S17 SESWNE (Instream Beginning Point) Within Owyhee County
SESENE (Instream Beginning Point)
S19 NWSENE (Instream Ending Point)
R03W S24 NWSESE (Instream Ending Point)

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

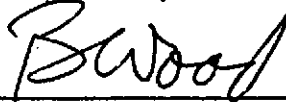
PLACE OF USE:	Stockwater		Within Owyhee County
	T07S R02W S17	SWNE	SENE
		NESW	NWSW
		NESE	SWSE
		SESE	SWSW
	S18	SESE	
	S19	NWNE	SWNE
		NENW	SESE
		NWSE	SWNW
		NENE	SENE
		NWSW	NESE
	S20	NWNE	NENW
		SENE	NESW
		NWSW	SWSW
	R03W S24	NESE	SESE
		SENE	

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.

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.



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

RECEIVED

MAR 09 1999

Department of Water Resources

1999 MAR -5 PM 1:34
DISTRICT COURT
TWIN FALLS, IDAHO
IT-SRBA

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

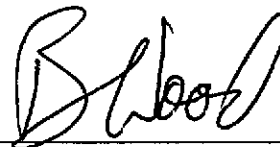
) ORDER OF PARTIAL DECREE
)
)
) For Water Right 55-10252B
)

On January 11, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *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* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 55-10252B is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED March 5, 1999.



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

1999 MAR 05 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): 55-10252B

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 55-10252B was mailed
on March 05, 1999, with sufficient first-class postage prepaid
to the following:

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

UNITED STATES OF AMERICA
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

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. 55-10252
)
)
) 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:

Beverly Brown 12/15/98
Date

IDWR CONCURRENCE:

Susan 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

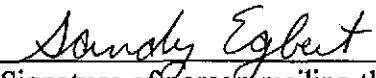
2. Copies to:

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: 55-10252 55-10252A

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

Source: UNNAMED STREAMS

Tributary: SINKS

Quantity: .02 CFS

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

Priority Date: 05-20-1871

Diversion Point:	T07S R02W 617	SESWNE	~~(Instream Beginning Point)~~
		SESENE	~~(Instream Beginning Point)~~
	624	NESWSE	~~(Instream Ending Point)~~
	R03W S24	NESWSE	<u>(Instream Beginning Point)</u>
	S24	NESWSE	<u>(Instream Ending Point)</u>

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 R02W 617	SWNE	SENE
		NESW	NWSW
		NESE	SWSE
		SESE	SWSW
	618	SESE	
	619	NWNE	SWNE
		NENW	SESE
		NWSE	SWNW
		NENE	SENW
		NWSW	NESE
	620	NWNE	NENW
		SENW	NESW
		NWSW	SWSW
	R03W S24	SWSE	NESE
		SESE	SENE

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

ONE SOURCE IS ALSO KNOWN AS TWIN VALLEY CREEK.
STOCKWATER, 500 RANGE CATTLE

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

Right Number: ~~55-10252~~ 55-10252B

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

PH
RG
sc
John W Miller

Source: UNNAMED STREAMS Tributary: SINKS

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 R02W S17	SESWNE	(Instream Beginning Point)
		SESENE	(Instream Beginning Point)
	<u>S19</u>	<u>NWSENW</u>	<u>(Instream Ending Point)</u>
	<u>S24</u>	<u>NESWSE</u>	<u>(Instream Ending Point)</u>
	<u>R03W S24</u>	<u>NWSESE</u>	<u>(Instream Ending Point)</u>

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 R02W S17	SWNE SENE
		NESW NWSW
		NESE SWSE
		SESE SWSW
	S18	SESE
	S19	NWNE SWNE
		NENW SESE
		NWSE SWNW
		NENE SENW
		NWSW NESE
	S20	NWNE NENW
		SENW NESW
		NWSW SWSW
	R03W S24	SWSE NESE
		SESE SENE

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

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DETERMINATION OF HISTORICAL BENEFICIAL USE.

Explanatory Material: Basis of Claim - Beneficial Use

ONE SOURCE IS ALSO KNOWN AS TWIN VALLEY CREEK.
~~STOCKWATER, 500 RANGE CATTLE~~

