

RECEIVED

SEP 29 2005

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	
In Re SRBA	Subcase Nos.: 45-13964 & 45-13965
Case No. 39576	ORDER GRANTING MOTIONS TO FILE LATE NOTICES OF CLAIM

By _____ Deputy Clerk

On June 30, 2005, claimants Del Roy and Sidnee Mitton, filed a *Motion to File Late Notice of Claim* for each of the above-captioned water right numbers. A hearing was held on the *Motions* on September 20, 2005. These *Motions* complied with all procedural requirements under *SRBA Administrative Order I*, and no objections were made to these late *Notices of Claim*.

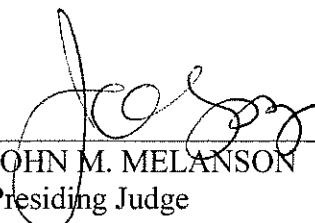
THEREFORE, IT IS ORDERED, that the *Motions to File Late Notices of Claim* for water rights 45-13964 & 45-13965 are **granted**.

The original late *Notices of Claim* as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action.

A copy of this **Order** will also be forwarded to Special Master Terrence A. Dolan who is conducting proceedings on other claims related to the former "Jacob Dayley Decree" on which these claims are also based. The granting of these late claims may affect how Special Master Dolan elects to proceed on the other claims related to the Jacob Dayley Decree.

IT IS SO ORDERED.

Dated September 27, 2005.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTIONS TO FILE LATE NOTICES OF CLAIM was mailed on September
28, 2005, with sufficient first-class postage to the following:

DELROY MITTON
SIDNEE MITTON
PO BOX 231
OAKLEY, ID 83346
Phone: 208-862-3645

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

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".

ORIGINAL

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 45-13965
Date Received: 6/30/2005
Receipt No: DISTRICT COURT-SRBA
Received By: Fifth Judicial District
County of Twin Falls - State of Idaho

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

JUN 30 2005

1. Name of Claimant(s)

SIDNEE MITTON
BOX 231
OAKLEY ID USA 83346

DELROY MITTON
BOX 231
OAKLEY ID USA 83346

By
Phone: (208) 862-3645
Clerk
Deputy Clerk

Phone: (208) 862-3645

2. Date of Priority: 04/01/1881

3. Source: BIRCH CREEK

Trib. to: GOOSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
14S	22E	4	NW NW NE	CASSIA	

5. Description of diverting works:

Gravity from ditch onto lot

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.006	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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14S 22E 4 NW NE IRRIGATION 1
Section Acres 1
Total Acres 1

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

This claim represents 5/16 inch of 1881 Jacob Dayley Decreed water. (Part of water right 45-78E).

15. Basis of Claim: Decreed

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:

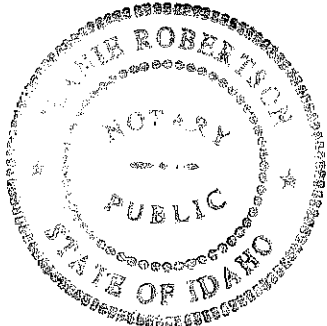
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Deborah Milton* Date: 6-30-05
Sidnee Milton Date: 6-30-05

State of Idaho)
County of Twin Falls, Id.) SS.

Subscribed and sworn (or affirmed) before me this 30th

of June 2005



Julie Robertson
Notary Public

Residing at Twin Falls, Id.

My commission Expires 9-23-06

ORIGINAL

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. No. 45-13964	
Date Received 6/30/2005	
Receipt No. Fifth Judicial District	
Received By: County of Twin Falls - State of Idaho	
JUN 30 2005	
By: <i>[Signature]</i>	Clerk
Phone: (208) 862-3645	Deputy Clerk

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SIDNEE MITTON
BOX 231
OAKLEY ID USA 83346

DELROY MITTON
BOX 231
OAKLEY ID USA 83346

Phone: (208) 862-3645

2. Date of Priority: 03/01/1875

3. Source: BIRCH CREEK

Trib. to: GOOSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
14S	22E	4	NW NW NE	CASSIA	

5. Description of diverting works:

Gravity from ditch onto lot

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.01	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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11. Place of use in counties: CASSIA

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

16. Signature(s)

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): Adrian Minton Date: 6-30-05
Sidney Minton Date: 6-30-05

State of Idaho)
County of Twain Falls) SS.

Subscribed and sworn (or affirmed) before me this 30th
of June 2005 Jan

Janie Robertson

Notary Public

Residing at Twin Falls, Id.
My commission Expires 9-23-06

