



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

March 13, 2007

Special Master Brigette Bilyeu
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

Via Facsimile to: 736-3078

RE: Subcase No. 27-7006 (Millington)

Dear Special Master Bilyeu:

I am providing a Standard Form 5 ("SF5"), which has been signed by the objectors and by IDWR. You will notice that the claimant, Steven Millington, has not signed the SF5. Attempts to contact Mr. Millington have been unsuccessful.

If you should have any questions or comments, please feel free to contact me at 287-4815.

Very Truly Yours,

A handwritten signature in cursive script, reading "Ray Williams", is positioned above the typed name.

Ray Williams
Paralegal

Enclosure

cc: William & Winona Wissert
Steven Millington
Ernie Carlsen

MAR 08 2007

Department of Water Resources
Eastern Region

In Re SRBA

Subcase No. 27-7006

Case No. 39576

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 whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin 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:

Steven Millington

Date _____

OBJECTOR(s):

Winona Wissert 3-7-07
Winona Wissert Date

William Wissert 3-7-07
William Wissert Date

IDWR Concurrence:

Ernest Carlsen 3-8-07
Ernest Carlsen Date
Water Resources Program Manager

ABt 1-30-07
Garnett L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 27-7006

NAME AND ADDRESS:

STEVEN MILLINGTON
3821 N 1500 E
BUHL ID 83316

SOURCE: Source:
GROUND WATER

Tributary:

QUANTITY: 0.900 CFS
161.000 AFY

This right when combined with all other rights shall provide no more than
3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 03/20/1969

POINT OF DIVERSION:

T03S R35E S18 NWNENW
Within BINGHAM County

EMC *W.W.*

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

4/01 10/15

0.900 CFS 161.00 AFY

PLACE OF USE:

IRRIGATION

within BINGHAM County

T03S R35E S18 NENW 20.0

~~T03S R35E S18 NENW 22.0~~

T03S R35E S18 Lot 1 NWNW 26.0
24.0

~~T03S R35E S18 Lot 1 NWNW~~

AB

46 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the
water rights as may be ultimately determined by the Court at a point in time
no later than the entry of a final unified decree. Section 42-1412(6),
Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

PROPERTY IS ALSO KNOWN AS TOVEYWOOD ESTATES WITH 19 LOTS THAT
ARE IRRIGATED FROM THIS WELL.

CERTIFICATE OF MAILING

I certify that on MARCH 13, 2007, 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 VIA FACSIMILE
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

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

STEVEN MILLINGTON
3821 N 1500 E
BUHL, ID 83316
Phone: 208-543-4248

WINONA & WILLIAM WISSERT
579 W 200 S
BLACKFOOT, ID 83221



Signature of person or attorney mailing form