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MAY 15 2007

Law Offices

DEPARTMENT OF
WATER RESOURCES

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May 10, 2007

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

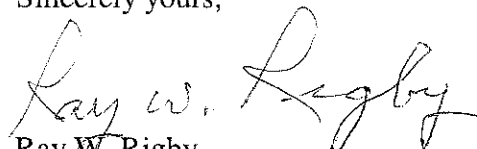
Re: Nelda Stewart Miller
Claim Number 21-11165

Dear Clerk:

Enclosed please find an Amended Notice of Claim to a Water Right for the above referenced matter. It is filed pursuant to the Order of the Court, meeting in Rexburg, Idaho, pursuant to an oral motion by Ray W. Rigby attorney for the claimant, following a negotiation session with representatives of the Idaho Department of Water Resources and the Attorney Generals office.

If you have any questions, please feel free to give our office a call. Thanks.

Sincerely yours,


Ray W. Rigby

RWR/md
Enclosure

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DEPARTMENT OF
WATER RESOURCES

Form No. 42-1409 (2) a 1/88 (Internet)

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 A21-11165

Date Received 2 FEB 1989

Receipt Number E 006706

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

Please type or print clearly

1. Name of Claimant (s) Nelda Stewart Miller Phone (801) 295-6117

Mailing Address 1993 S. 675 E. Bountiful, Utah Zip 84010

2. Date of Priority (Only one (1) per claim) April 1, 1905

3. Source of water supply (a) Branch of Willow Creek
which is tributary to (b) Henrys Fork of the Snake River

4. a. Location of existing point of diversion is: Township 9N Range 42 E Section 14,
1/4 of SE 1/4 of NE 1/4, Govt. Lot, E B.M., County of Fremont

Additional points of diversion if any: NW 1/4 of the SE 1/4 T9N, R42E, Sec 14, Lot 2

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

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

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

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. On or before April 1, 1949 Claimants predecessors
in title (Claimants parents) by an accomplished transfer, moved the points of diversion
to the following 2 locations on the Henrys Fork of the Snake River, to-wit: T9N, 42 E,
Sec. 14, NE1/4NE1/4 and SE1/4NW1/4 and thereafter, instead of surface irrigating the
premises, the same were irrigated by a 25 HP Pump and a 50 HP Pump to a mainline and
sprinklers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/01 to 11/01 amount 3.26 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.260 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 407.5 acre feet per annum.

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

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	
9N	42E	11																.2	.2
9N	42E	13						L3	.1										.1
9N	42E	14	L1 .35		L2 .40						40	40							155.0

Total number of acres irrigated 155.3

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

12. Do you own the property listed above as place of use? Yes X No _____

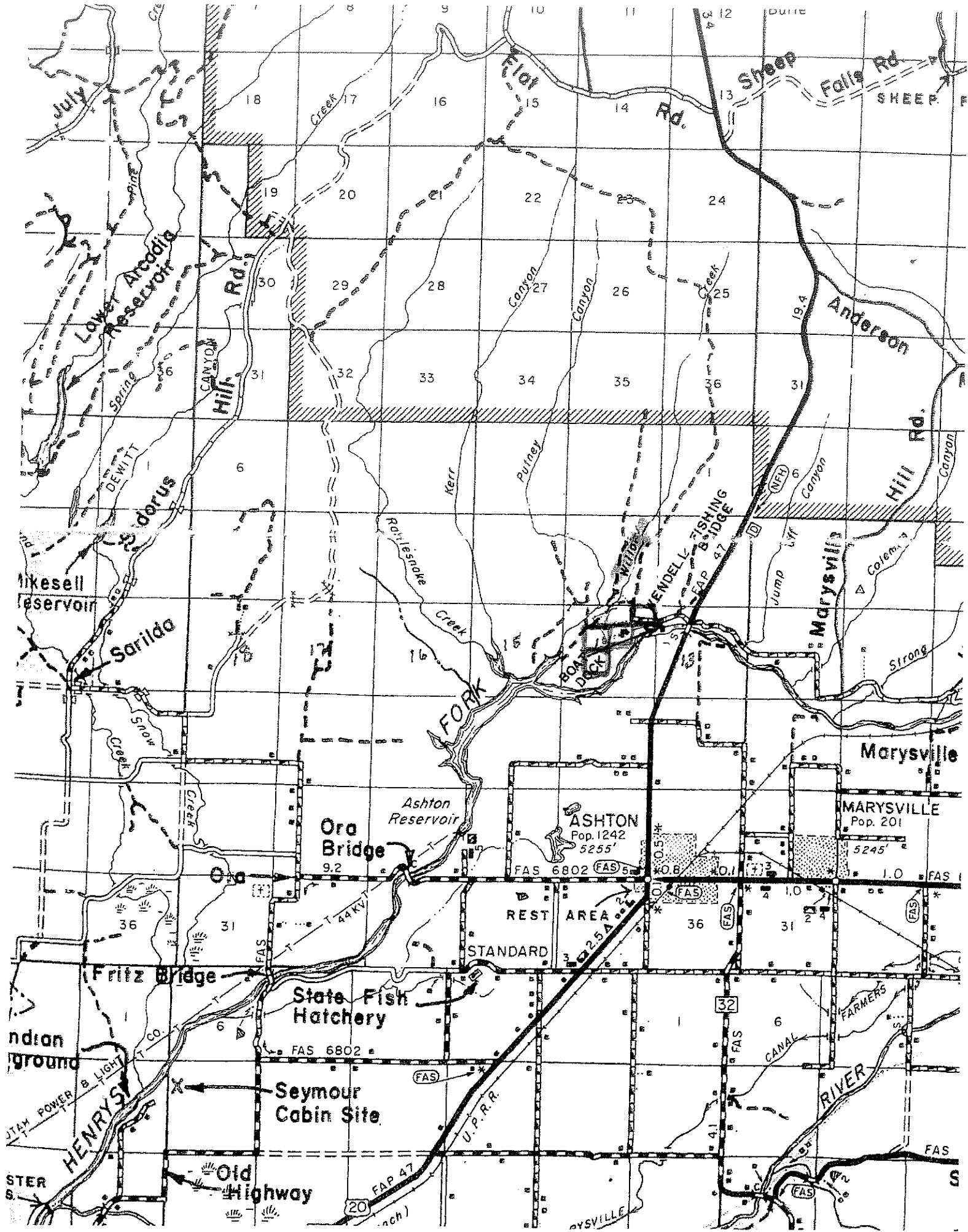
If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

14. Remarks:

1. Claimant owns 193 A.F. of Island Park Reservoir storage water

Last Name _____ Ident No. _____



15. Basis of Claim (check one) Beneficial Use ☒ 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) Nelda Stewart Miller Date 5/10/2007

BY: Ray W. Rigby Date _____

Ray W. Rigby

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

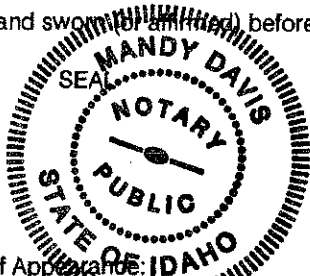
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Madison) SS.

Subscribed and sworn to (or affirmed) before me this 10th day of May 2007



Notary Public Mandy Davis

Residing at St. Anthony, Idaho

My Commission Expires 6/24/2011

Please Print Name

17. Notice of Appearance:

Notice is hereby given that Ray W. Rigby 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 Ray W. Rigby

Address 25 N 2nd E, PO Box 250, Rexburg, ID 83440

Date 5/10/2007

Last Name _____ Ident. Number _____

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filing 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 May 10, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

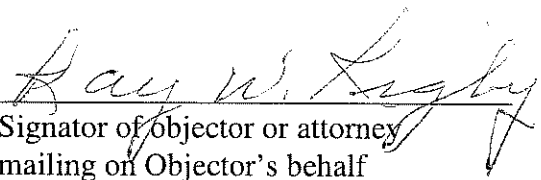
1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707
2. One copy to the claimant of the water right at the following address:

Name: Nelda Stewart Miller
Address: 1993 S 675 E
Bountiful, Utah 84010

3. Copies to:
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Nat'l Resources Div
550 W. Fort Street, MSC 033
Boise, ID 83724

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


Signator of objection or attorney
mailing on Objector's behalf