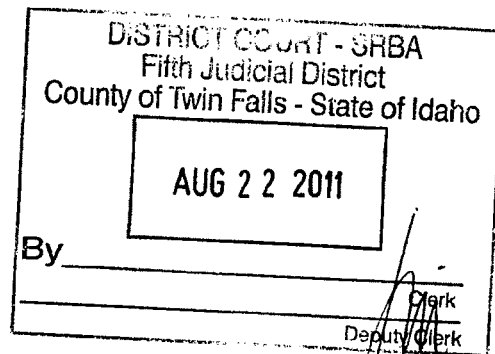




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase No. 22-11537
	)	
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.

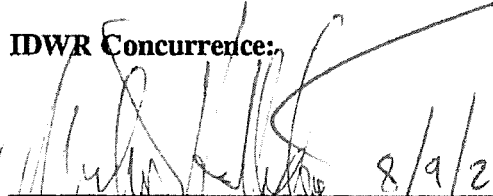
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions 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:
Don Leroy Miller

Don Leroy Miller
Pro Se Date

IDWR Concurrence:


Michael Holliday
Water Resource Program Manager

Date

8/9/2011


Andrea Courtney
Deputy Attorney General
Attorney for IDWR

Date

8/17/11

CERTIFICATE OF MAILING

I certify that on August 19, 2011, 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:

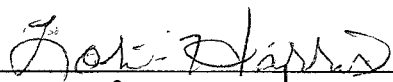
1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

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

DON LEROY MILLER
1835 TETON VIEW DR
REXBURG, ID 83440


Signature of person or attorney mailing the form

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

RIGHT NUMBER: 22-11537

NAME AND ADDRESS:

DON LE ROY MILLER
1835 TETON VIEW DR
REXBURG ID 83440

MWR

SOURCE:

Source:

PARADISE SPRING

~~PARADISE SPRINGS~~

Tributary:

TETON RIVER

QUANTITY:

0.070 CFS

~~0.140 CFS~~

ATL

PRIORITY DATE:

07/21/1969

POINT OF DIVERSION:

T04N R45E S30 NENW
Within TETON County

~~T04N R45E S30 SWNENW~~
~~Within TETON County~~

Don Le Roy Miller

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/15 10/31

0.070 CFS

~~0.140 CFS~~

PLACE OF USE:

IRRIGATION within TETON County

T04N R45E S30 NENW 9.7

T04N R45E S30 Lot 1 NWNW 2.1

~~T04N R45E S30 NENW 9.5~~

~~T04N R45E S30 Lot 1 NWNW 2.3~~

11.8 ACRES TOTAL

Right Nos. 22-13211 and 22-11537 are limited to the irrigation of a combined total of 11.8 acres in a single irrigation season.

This right is limited to the irrigation of 3.3 acres within the place of use described above in a single irrigation season.

~~This right is limited to the irrigation of 6.7 acres within the place of use described above in a single irrigation season.~~

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

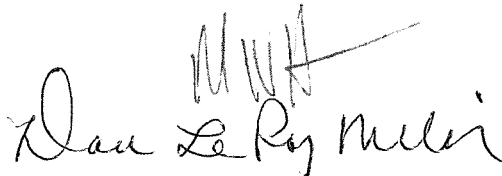
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - Beneficial Use

ATC

This right is a split from former right 22-4104.


Dan Le Roy Miller