

02/02/2001

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-11213

NAME AND ADDRESS: MIKE MITTEN  
2184 S ELBA ALMO RD  
MALTA, ID 83342

VERIFIED BY KKC

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/01/1883

POINT OF DIVERSION: T14S R25E S18 SESWNE Within CASSIA County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 01-01 12-31          | 0.02 CFS        |

PLACE OF USE:

STOCKWATER Within CASSIA County  
T14S R25E S18 SWNE

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.

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

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: A43-11213

Date Received: 2/ 3/2000

Receipt No: 5022778

Received By: KKC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: MIKE MITTEN 208-638-5581  
Address: 2184 S ELBA ALMO RD  
MALTA ID 83342

2. Date of Priority: MAY 1, 1883

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 14S      | 25E   | 18      | SE     | SW     | NE     |     | CASSIA |

5. Description of diverting works:  
INSTREAM USE NO DEVELOPMENT

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| STOCKWATER | 01/01 | 12/31 | 0.020 |      |        |

7. Total Quantity Appropriated is:  
0.020 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use   | Acres |
|----------|-------|---------|--------|--------|-----|-------|-------|
| 14S      | 25E   | 18      | SW     | NE     |     | STOCK |       |

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:  
NONE

14. Remarks:  
STOCKWATER USE FOR 125 HEAD RANGE CATTLE

15. Basis of Claim: BENEFICIAL USE

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): Michael M. Miller Date: 2-3-00  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Twin Falls ) SS.

Subscribed and sworn (or affirmed) before me this 3<sup>rd</sup> day  
of Feb 20 00  
Kelly L. Christensen  
Notary Public

Seal

Residing at Twin Falls  
My Commission Expires 3-14-04

Claim 43-11213

9-18-00

I conducted a field exam for the irrigation rights on 12-15-99 and discussed stockwater use with Mike Mitten. He elected to file this claim and 43-11214. We walked & drove over the property.

I visited the site described in this claim. It is a seep area just off side from a natural drainage. Mike was told that there used to be a home site and a well. Apparently the well supplies the water to the surface as artesian flow. As ~~no~~ there is no visible evidence of the well and no structure for control I am recognizing this as a natural source & Recognizing it as an in-stream flow right. The water does not appear to ever flow much if any.

Kelly K. Christensen  
KELLY K CHRISTENSEN  
SR WATER RESOURCE AGENT  
DATE: 9-18-00

09/18/2000

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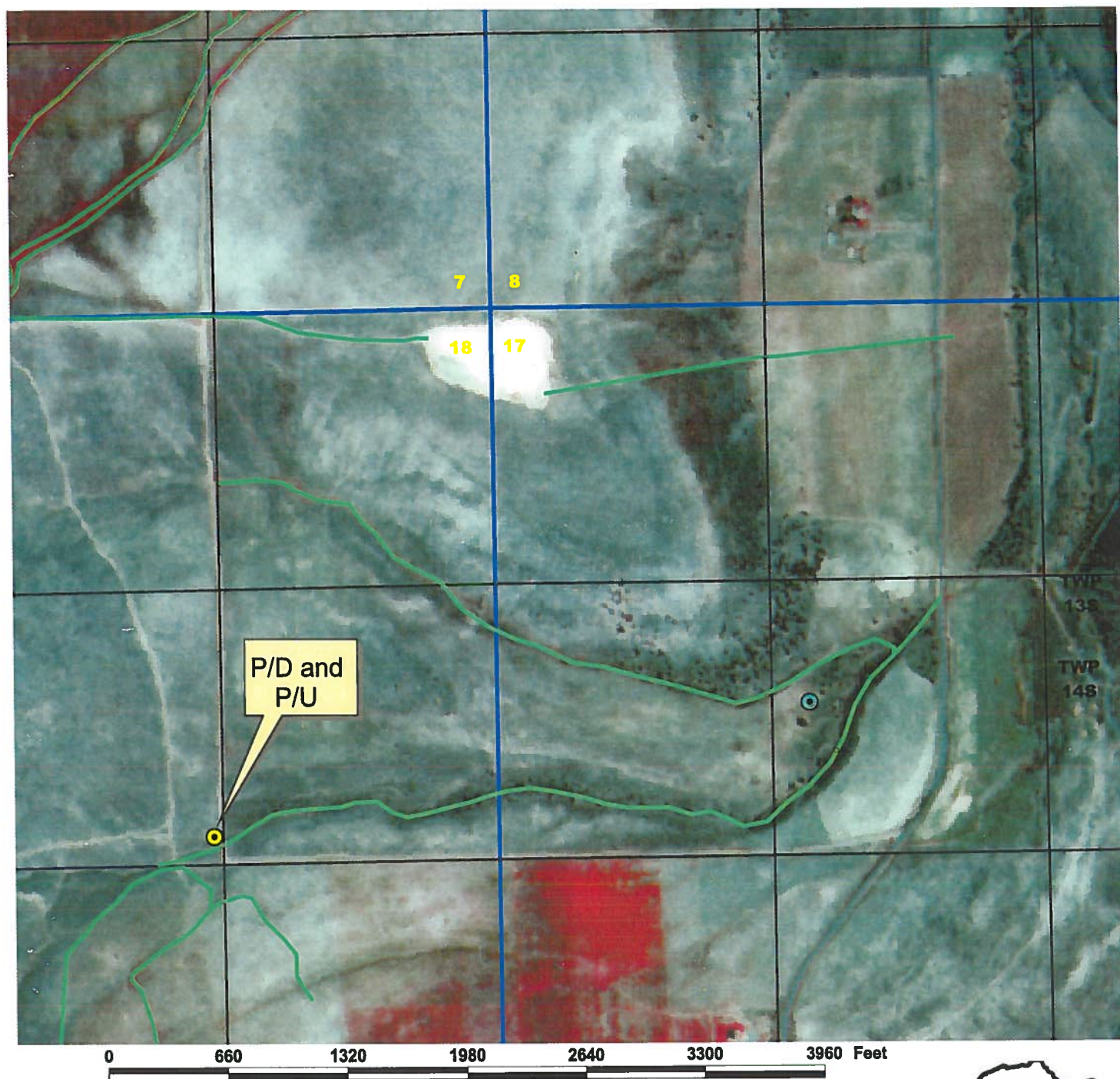
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OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

**Idaho Department of Water Resources**  
**RECOMMENDED PLACE OF USE FOR**  
**43-11213**



**PLACE OF USE**  
**TWP 14S, RNG 25E, SEC 18**  
Data entry on Sept 18, 2000

**GIS PLACE OF USE PRESENTATION**  
**1987/1988 NAPP AERIAL PHOTOGRAPHY**  
**DATA ENTRY BY KELLY K CHRISTENSEN**

-  **RECOMMENDED POINT OF DIVERSION**
-  **RECOMMENDED PLACE OF USE**
-  **SECTION LINES**
-  **QUARTER/QUARTER LINES**

