

03/08/2001

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

RIGHT NUMBER: 43-11214

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

SOURCE: UNNAMED STREAMS TRIBUTARY: DRY CREEK

VERIFIED BY KKC

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 S17	NESENW	End of Stream Flow	Within CASSIA County
	T14S R25E S18	SWNENE	Beginning of Stream Flow	Within CASSIA County
	T14S R25E S18 LOT 3	NENWSW	Beginning of Stream Flow	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	1-01 12-31	0.02 CFS

PLACE OF USE:

<u>STOCKWATER Within CASSIA County</u>			
T14S R25E S17	SWNW	T14S R25E S17	SENW
T14S R25E S18	NENE	T14S R25E S18	SWNE
T14S R25E S18	SENE	T14S R25E S18 LOT 2	SWNW
T14S R25E S18	SENW	T14S R25E S18 LOT 3	NWSW

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: A43-11214
Date Received: 2/ 3/2000
Receipt No: 502278
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: UNNAMED STREAMS Trib. to: DRY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
Beginning Point of Instream Flow							
14S	25E	18	SW	NE	NE		CASSIA
14S	25E	18	NE	NW	SW		CASSIA
Ending Point of Instream Flow							
14S	25E	17	NE	SE	NW		CASSIA

5. Description of diverting works:
INSTREAM USE

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	Lot	Use	Acres
14S	25E	17	SW		NW		STOCK	
			SE		NW		STOCK	
		18	NE		NE		STOCK	
			SW		NE		STOCK	
			SE		NE		STOCK	
			SW		NW		STOCK	
			SE		NW		STOCK	
			NW		SW		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 125 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 J. Miller Jr. Date: 2-3-00

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of Feb 20 00

Kelly Christensen
Notary Public

Seal

Residing at Twin Falls

My Commission Expires 3-11-04