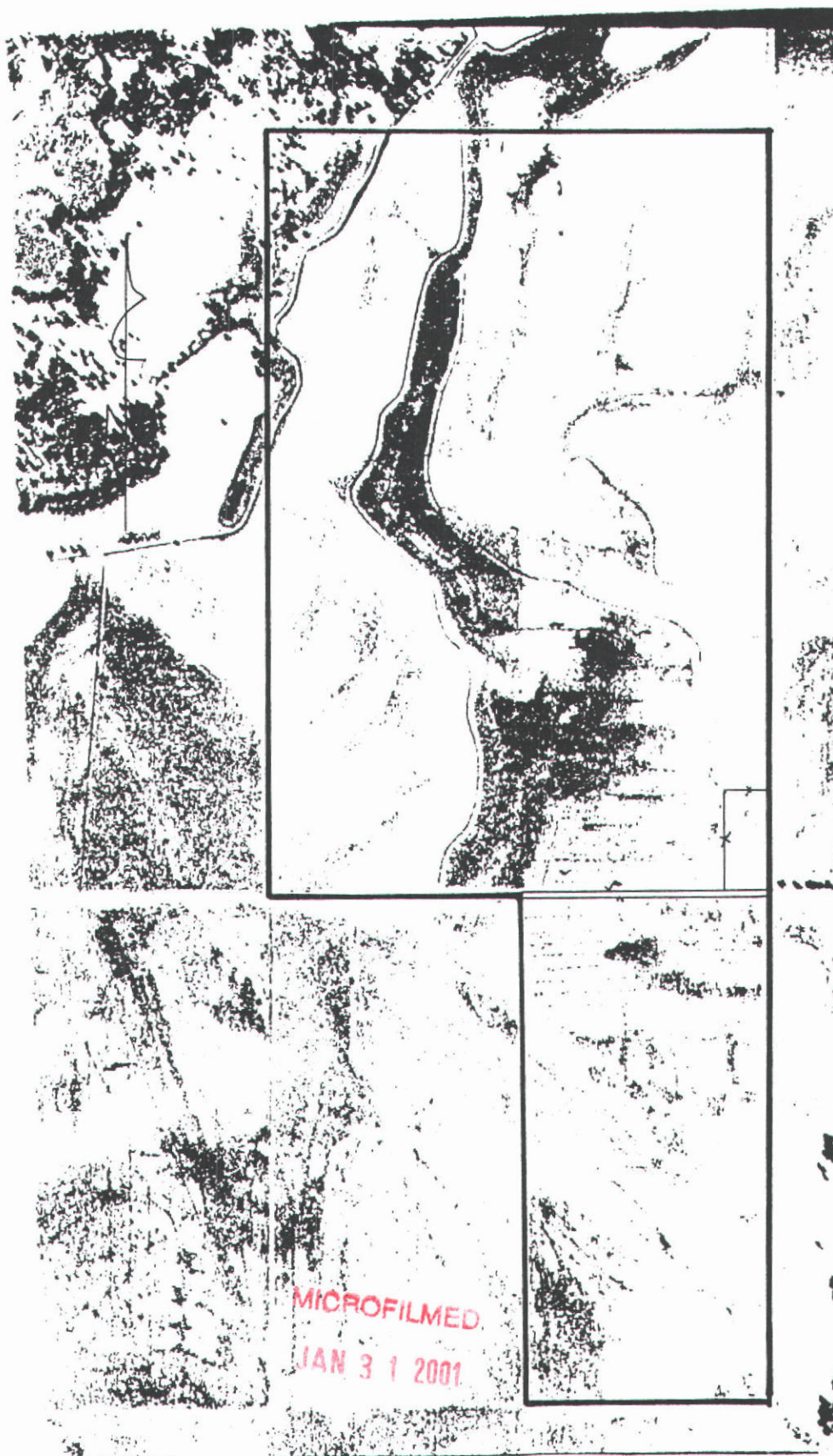


NOV 1974

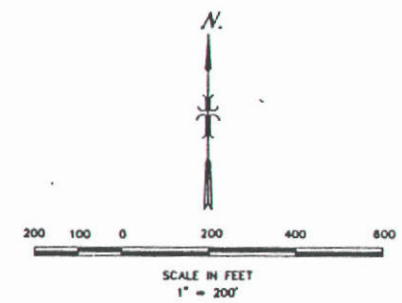
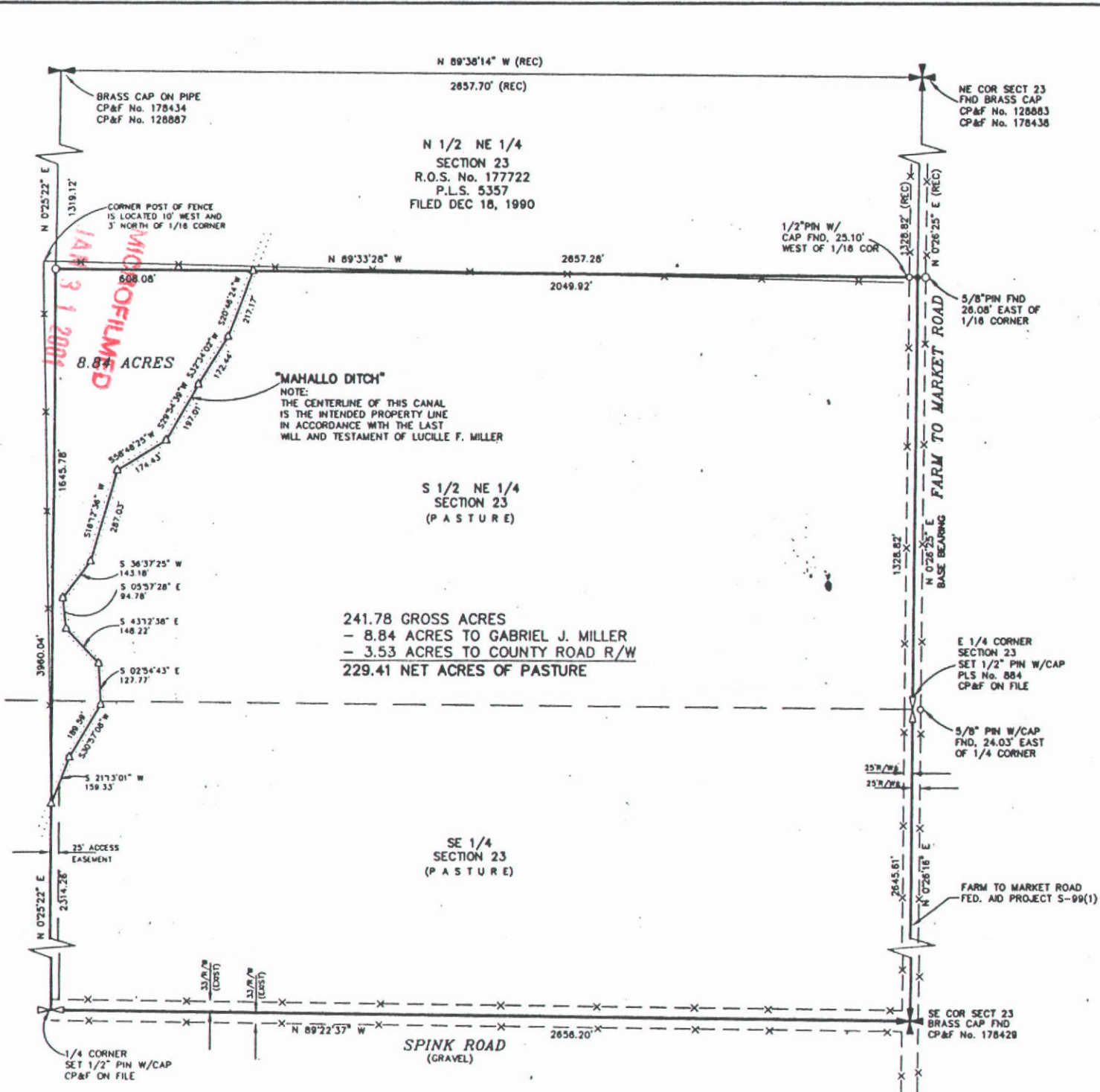
U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

CONSERVATION PLAN MAP

Owner LUCILLE MILLER Operator _____
County VALLEY State IDAHO Date _____
Approximate acres 320 Approximate scale 8" = 1 mi
Cooperating with _____ Conservation District _____
Plan identification _____ Photo number 174-59
Assisted by _____ USDA Soil Conservation Service



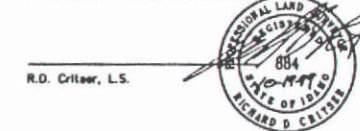
243812



- LEGEND**
- SURVEY BOUNDARY
 - 1/2" REBAR SET W/CAP LS No. 884
 - FOUND 5/8" REBAR
 - FOUND 1/2" REBAR
 - △ CALCULATED POINT (NOT SET)
 - ⊞ FOUND 1/4 CORNER
 - ⊞ SET 1/4 CORNER 1/2" PIN W/CAP LS No. 884
 - ⊞ FOUND SECTION CORNER

CERTIFICATE OF SURVEYOR

I do hereby certify that I am a Land Surveyor, licensed by the State of Idaho, and that this map was prepared from a survey made under my supervision, and is an accurate representation of said survey.



RECORDER'S CERTIFICATE

State of Idaho) SS
 County Of Valley)
 Filed for record at request of R.D. Critser at page _____ of Book _____
 at _____ minutes past _____ o'clock _____ m., this _____ day of _____ 199____.
 By _____, Deputy

AMMENDED PLAT TO R.O.S. No. 243592

RECORD OF SURVEY FOR MILES MILLER			
LOCATED IN THE S 1/2 NE 1/4 AND SE 1/4 SECTION 23, T17N, R3E, B.M. VALLEY COUNTY, IDAHO			
CRITSER LAND SURVEYS			
L.S. No. 884		324-8824 734-0615 322-6145	
Scale: 1"= 200'	Draft: SFT	Check: DC	Date: 8/31/99
Dwg No. 1000000	Sht. 1 of 1	Job No.	

RECEIVED

JUN 28 2000

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 65-03178, 65-03220, 65-05439, 65-17450
Adjudication Claim No(s): 6 P.D. 9-4-93 6 P.D. 11-20-93

2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant Lucille F. Miller
2370 N. Maple Grove Rd

4. New Owner/Claimant(s) Boide, Idaho 83704

New Mailing Address Miles S. Miller

City, State and ZIP Code P.O. Box 271, 11086 Frost St.,
Star, Idaho 83669

New Telephone Number (208) 286-7034

5. Date you acquired the property _____

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) Miles S. Miller
or Claimant(s)

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

MICROFILMED

NOTE
Mr. Miller
said to accept letter
@ Home. Must
put Box and street
no

Louie Gorrone
Attorney at Law
P O Box 637, 105 N Hayes
Emmett, Idaho 83617
Phone (208) 365-2421

COPY
NO
SEP 20 1998
J. G. Gorrone

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA
MAGISTRATE'S COURT

In the Matter of the Estate of

LUCILLE F MILLER

Deceased

Case # **Sp 1E 9800449M**

LETTERS TESTAMENTARY

The will of LUCILLE F MILLER, deceased, having been admitted to informal probate, MILES STEWART MILLER, is hereby appointed Personal Representative of said Estate.

WITNESS PATRICIA A. FLANAGAN, Magistrate of the District Court,
County of Ada, State of Idaho with the seal of the Court affixed the 25 day of
Sept., 1998

PATRICIA A. FLANAGAN

Magistrate

STATE OF IDAHO,)
) ss
County of Gem)

I, MILES STEWART MILLER, hereby accept the duties of Personal Representative of the Estate of LUCILLE F MILLER, deceased, and do solemnly swear that I will perform, according to law, the duties of Personal Representative of the said Estate.

Miles Stewart Miller
Miles Stewart Miller

SUBSCRIBED AND SWORN to before me this
1st day of September, 1998.

Louie Gorrone
Notary Public, State of Idaho,
Residing at Emmett, Idaho

STATE OF IDAHO
COUNTY OF ADA
ss

(SEAL)

28 Sept 98
Jana Kaurhala

Letters Testamentary

MICROFILMED

JAN 31 2001

PERSONAL REPRESENTATIVE'S DEED

Miles Stewart Miller. Grantor, as Personal Representative of the Lucille F. Miller Estate, deceased, grants, delivers and conveys to Miles Stewart Miller (also known as and preferred by Miles as, Miles S. Miller), for valuable consideration, as his sole and separate property, that property located in Valley County, Idaho described as follows:

South one-half of the Northeast Quarter (S¹/₂NE¹/₄), and the Southeast Quarter of Section 23 (SE¹/₄), East half of the Northeast Quarter (E¹/₂NE¹/₄), of Section 26, Township 17 North, Range 3 East of the Boise Meridian, in Valley County, Idaho, and, That certain reservoir know as Maloney's Reservoir, situated in Section 30, Township 18 North, Range 5 East of the Boise Meridian, in Valley County, Idaho and all right, title and interest in and to that certain reservoir, Reservoir Permit No. R 307, records of the Bureau of Reclamation of the State of Idaho.

Together with all water rights, ditches and ditch right-of-ways appertenant thereto and connected therewith, and all existing easements that are for the beneficial use of said property,

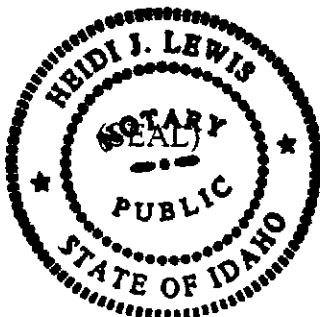
Executed this 19th day of April, 2000


Miles Stewart Miller, Personal Representative
of Lucille F. Miller Estate

State of Idaho)
 : ss.
County of Ada)

On this 19th day of April, 2000, before me, the undersigned a Notary Public in and for said State, personally appeared, Miles Stewart Miller, known or identified to me to be the person whose name is subscribed to the within instrument, as the Personal Representative of the Estate of Lucille F. Miller, deceased, and acknowledged to me that he executed the same as such Personal Representative.

IN WITNESS WHEREOF, I hereto set my hand and affixed my official seal the day and year first above written.



NOTARY PUBLIC for Idaho
Residing at Baie, Idaho
My Commission Expires: 7/2/02
MICROFILMED

144 3 2001

WARRANTY DEED

For Value Received HELEN MATSON THIELKE, dealing with her sole and separate property,

the grantor, does hereby grant, bargain, sell and convey unto JACK N. MILLER and LUCILLE MILLER, husband and wife,

the grantees, the following described premises, to-wit:

South one-half of the Northeast Quarter ($S\frac{1}{2} NE\frac{1}{4}$) and the Southeast Quarter of Section 23 ($SE\frac{1}{4}$), East half of the Northeast Quarter ($E\frac{1}{2} NE\frac{1}{4}$) of Section 26, Township 17 North, Range 5 East of the Boise meridian, in Valley County, Idaho; and,

That certain reservoir known and designated as Moloney's Reservoir, situate in Section 30, Township 18 North, Range 5 East of the Boise Meridian, in Valley County, Idaho.

Together with all water, water rights, ditches and ditch rights-of-way appurtenant thereto or connected therewith, and

All right, title and interest in and to that certain Reservoir Permit No. R 307, Records of the Bureau of Reclamation of the State of Idaho.

SUBMITTED AND PLATTED
IRIS B. SCOTT, ASSESSOR
BY *E. Phillips* DEPUTY
VALLEY COUNTY, IDAHO

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said Grantee s, that she is the owner in fee simple of said premises; that said premises are free from all incumbrances

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and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: July 17, 1959

Helen Matson Thielke

CONSERVATION PLAN MAP

Owner LUCILLE MILLER Operator _____
 County VALLEY State IDAHO Date _____
 Approximate acres 320 Approximate scale 8" = 1 mi.
 Cooperating with _____ Conservation District _____
 Plan identification _____ Photo number 174-59
 Assisted by _____ USDA Soil Conservation Service



Critser Land Survey

10546 Summerwind Drive

Boise, Idaho 83704

Boise - (208) 322-6145

Jerome - (208) 324-8824

Twin Falls - (208) 734-1605

LAND DESCRIPTION FOR MILES MILLER

TOWNSHIP 17 NORTH, RANGE 3 EAST, BOISE MERIDIAN
SECTION 23
PART SE $\frac{1}{4}$ AND S $\frac{1}{2}$ NE $\frac{1}{4}$

VALLEY COUNTY, IDAHO

Beginning at the South Quarter corner for Section
23;

thence North 0° 25' 22" East 2314.26 feet
along the Westerly boundary of SE $\frac{1}{4}$ to the center
of an Irrigation Canal known as the "Mahallo Ditch,"
the TRUE POINT OF BEGINNING;

thence North 0° 25' 22" East 1645.78 feet along
the Westerly boundary of the SE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ to the Northwest
corner for S $\frac{1}{2}$ NE $\frac{1}{4}$;

thence South 89° 33' 28" East 608.08 feet along
the Northerly boundary of S $\frac{1}{2}$ NE $\frac{1}{4}$ to the center of said
"Mahallo Ditch;"

thence along the center of said Irrigation Canal
the following courses;

South 20° 46' 24" West 217.17 feet;
South 32° 34' 02" West 172.44 feet;
South 29° 54' 39" West 197.01 feet;
South 58° 48' 25" West 174.43 feet;
South 16° 12' 36" West 287.03 feet;
South 36° 37' 25" West 143.18 feet;
South 5° 57' 28" East 94.78 feet;
South 43° 12' 38" East 148.22 feet;
South 2° 54' 43" East 127.77 feet;
South 30° 57' 08" West 189.59 feet;
South 21° 13' 01" West 159.33 feet to the

TRUE POINT OF BEGINNING;

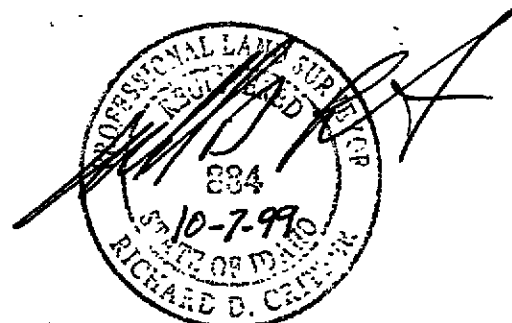
Said parcel of land containing 8.84 Acres more or less.

TOGETHER WITH the following 25.00 feet in width Access and
Utility Easement;

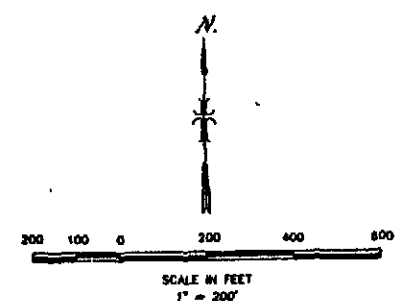
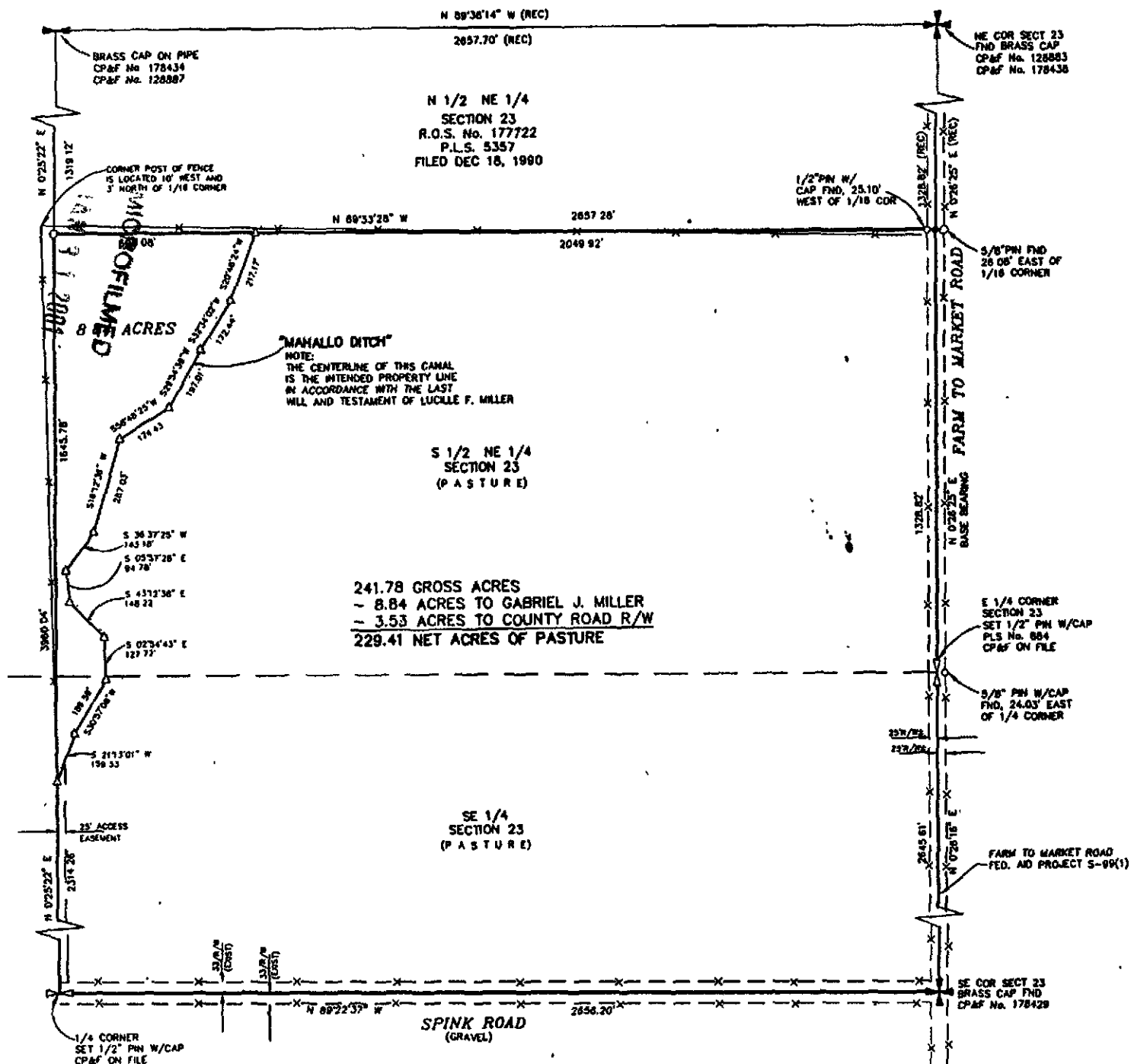
The Westerly 25.00 feet in width along the Westerly
boundary of SE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 23, Township 7 North,
Range 3 East, Boise Meridian.

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JAN 31 2001



243812



- LEGEND**
- SURVEY BOUNDARY
 - 1/2" REBAR SET W/CAP LS No. 884
 - FOUND 5/8" REBAR
 - FOUND 1/2" REBAR
 - △ CALCULATED POINT (NOT SET)
 - ⊕ FOUND 1/4 CORNER
 - ⊕ SET 1/4 CORNER
 - ⊕ 1/2" PIN W/CAP LS No. 884
 - ⊕ FOUND SECTION CORNER

CERTIFICATE OF SURVEYOR

I do hereby certify that I am a Land Surveyor, licensed by the State of Idaho and that this map was prepared from a survey made under my supervision, and is an accurate representation of said survey.

R.D. Critser, L.S.

STATE OF IDAHO
COUNTY OF VALLEY
RECORDED
884
JAN 10 1991
CRITSER LAND SURVEYS

RECORDERS CERTIFICATE

State of Idaho) SS
County Of Valley)

Filed for record at request of R.D. Critser at page _____ of Book _____
at _____ minutes past _____ o'clock _____ m. this _____ day of _____ 1990

By _____ Deputy

AMENDED PLAT TO R.O.S. No. 243592

RECORD OF SURVEY
FOR
MILES MILLER

LOCATED IN THE S 1/2 NE 1/4 AND SE 1/4
SECTION 23, 17N, 8E, 8M,
VALLEY COUNTY, IDAHO

CRITSER LAND SURVEYS
L.S. No. 884

324-8824
734-0815
322-8145

Scale 1" = 200' Draft SFT Check DC Date 8/31/90
Dwg. No. _____ Shl. 1 of 1 Job No. _____

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)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 65-05439

NAME AND ADDRESS: LUCILLE F MILLER
2370 N MAPLE GROVE RD
BOISE, ID 83704

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
1.20 AFY

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

PRIORITY DATE: 04/01/1961

POINT OF DIVERSION: T17N R03E S23 SESE Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS 1.20 AFY

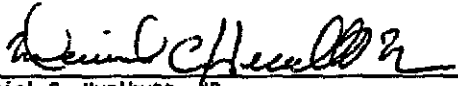
PLACE OF USE: Domestic T17N R03E S23 SESE Within Valley County

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.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Daniel C. Hurlbutt, SR.
Presiding Judge
Snake River Basin Adjudication

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JAN 31 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 4, 2000

MILES S MILLER
11086 FROST ST
PO BOX 271
STAR ID 83669

RE: Change of Ownership for Water Right 65-05439

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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JAN 31 2001