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SEP 16 2002

Department of Water Resources

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

Case No. 39576

Subcase No.: 36-02207

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.

Larry A. Brown 9/11/02
Attorney for the United States *FWP* Date

[Signature] 8/20/02
Attorney for Claimants Date

Carter Fritschle 8-9-02
IDWR Concurrence Date

Nick Spencer 8-9-02
Approved as to form Date
Attorney for IDWR

08/08/2002

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

RIGHT NUMBER: 36-2207

NAME AND ADDRESS: PATRICIA WOODLAND
800 W HWY 24
PAUL ID 83347

MICHAEL D WOODLAND
800 W HWY 24
PAUL ID 83347

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.440 CFS
688.00 AFY

Fup

RIGHT NOS. 36-02207, 36-02567, 36-02674; 36-10197 AND 36-15179 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.60 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1964 AF.

PRIORITY DATE: 03/30/1953

POINT OF DIVERSION: T06S R22E S19 NESWSE Within LINCOLN County
T06S R22E S28 SESESW Within LINCOLN County

MS

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
3.440 CFS
688.00 AFY

MS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

NBS
AT

PLACE OF USE:

IRRIGATION Within LINCOLN County

T06S R22E S19	SWSE	28.0	T06S R22E S28	SWNW	34.0
T06S R22E S28	SESW	35.0	T06S R22E S28	NESW	36.0
T06S R22E S28	NWSW	40.0	T06S R22E S28	SWSW	17.0
T06S R22E S28	SESW	29.0	T06S R22E S29	SWNE	37.0
T06S R22E S29	SENE	37.0	T06S R22E S29	NWNW	29.0
T06S R22E S29	SWNW	15.0	T06S R22E S29	SESW	24.0
T06S R22E S29	NESE	38.0	T06S R22E S29	NWSE	22.0
T06S R22E S29	SESE	2.0	T06S R22E S30	NENE	37.0
T06S R22E S30	NWNE	31.0			

491 ACRES TOTAL

RIGHT NOS. 36-02207, 36-02567, 36-02674, 36-10197 AND 36-15179 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 491 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 172 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

08/08/2002

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.

RWP

TMS
NBS
CS
VE

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT NOS. 36-02567, 36-02674, 36-10197, AND 36-15179 ARE ALSO
DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.

RIGHT NO. 36-15179 IS AN ENLARGEMENT OF RIGHT NOS. 36-02207,
36-02567, 36-02674 AND 36-10197 PURSUANT TO SECTION 42-1426,
IDAHO CODE.

CERTIFICATE OF SERVICE

I certify that on 9-12, 2002, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

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

☒ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

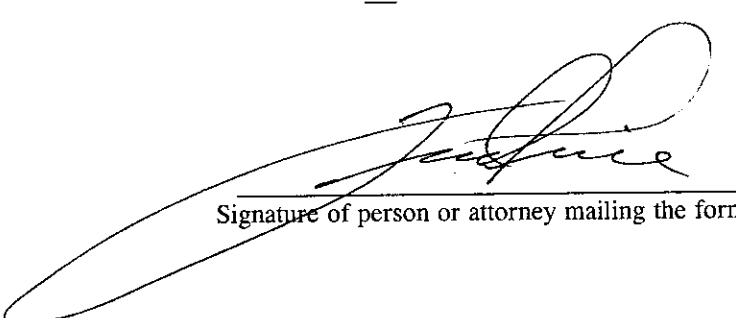
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Tim Schneider
Ling, Nielsen & Robinson
P.O. Box 396
Rupert, ID 83350

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

U.S. Dept. of Justice
Environment & Nat'l Resources
550 West Fort St. MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form

**CHIEF NATURAL RESOURCE DIV
OFFICE OF THE ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE ID 83711-44449**