

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

2002 NOV 22 AM 10 28

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.: 36-2046

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.

 11/21/02
Timothy J. Schneider Date
Attorney for Salmon Falls Land
& Livestock

 11/18/02
IDWR Concurrence Date
Steve Clelland
Sr. Water Resource Agent

 11-15-02
Approved as to form Date
Nicholas B. Spencer
Attorney for IDWR

STANDARD FORM 5

08/29/2002

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

RIGHT NUMBER: 36-2046

NAME AND ADDRESS: SALMON FALLS LAND & LIVESTOCK CO INC
123 BELL RAPIDS RD
HAGERMAN ID 83332

SOURCE: RILEY CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 3.50 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-00136B IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 6.60 CFS.

PRIORITY DATE: 12/01/1939

POINT OF DIVERSION:

T08S R13E S1 SESWNE Lot 6 Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.300 CFS
IRRIGATION	02/15 11/30	3.500 CFS

PLACE OF USE: STOCKWATER Within TWIN FALLS County

T08S R13E S02	SWNE	T08S R13E S02	SENE
T08S R13E S02 Lot 4	NWNW	T08S R13E S02	SWNW
T08S R13E S02	SENE		

IRRIGATION Within TWIN FALLS County

T08S R13E S01 Lot 5	SWNW	2.9	T08S R13E S01	NWSW	8.1
T08S R13E S02	SWNE	17.0	T08S R13E S02	SENE	22.0
T08S R13E S02 Lot 4	NWNW	0.3	T08S R13E S02	SWNW	37.0
T08S R13E S02	SENE	24.0	T08S R13E S02	NWSW	2.5
T08S R13E S02	NESE	5.2	T08S R13E S03 Lot 1	NENE	5.5
T08S R13E S03	SWNE	1.9	T08S R13E S03	SENE	39.0
T08S R13E S03	NESE	5.0			

170.4 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-00136B IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 170.4 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 157.5 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

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

EXPLANATORY MATERIAL: License

08/29/2002

WATER IS DELIVERED THROUGH HUNT DITCH.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 36-00001, 36-00031 & 36-07842.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

NBS

JCC

CERTIFICATE OF SERVICE

I certify that on _____, 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:

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

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

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

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

Signature of person or attorney mailing the form