

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED RD 300

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

Case No. 39576

Subcase No.: 36-2166

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.

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

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

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

STANDARD FORM 5

02/15/2002

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

RIGHT NUMBER: 36-2166

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.04 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.72 CFS, A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1480 AF;
COMBINED RIGHT NOS.: 36-02178, 36-10033 AND 36-10035.

NBS
SCC

PRIORITY DATE: 02/27/1952

POINT OF DIVERSION:

T07S R14E S34 SESWNW Within GOODING County
T07S R14E S34 NESESW Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3/15 11/15	2.040 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T07S R14E S34	SWNW	30.0	T07S R14E S34	SENW	12.0
T07S R14E S34	NESW	38.0	T07S R14E S34	NWSW	40.0
T07S R14E S34	SWSW	40.0	T07S R14E S34	SESW	40.0
T07S R14E S34	SWSE	36.0	T07S R14E S34	SESE	20.0
T08S R14E S03 Lot 2	NWNE	35.0	T08S R14E S03 Lot 3	NENW	35.0
T08S R14E S03 Lot 4	NWNW	34.0	T08S R14E S04	NENE	10.0

370 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 102 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 36-02178, 36-10033, 36-10035 & 36-15540.

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.

EXPLANATORY MATERIAL: License

02/15/2002

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 36-02178, 36-10033, AND 36-10035.

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

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

RIGHT NOS. 36-10033 & 36-10035 ARE ENLARGEMENTS OF THIS RIGHT
PURSUANT TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL
CO. LTD.

NBS

Sec

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