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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

) Subcase No. 37-14819

)

)

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 the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River 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.

CLAIMANT:

United States on behalf of the
Bureau of Land Management

Larry A. Brown
Larry A. Brown

11/14/02
Date

Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

OBJECTOR:

State of Idaho

David J. Barber
David J. Barber

8/13/02
Date

Deputy Attorney General

Office of the Attorney General, State of Idaho

IDWR CONCURRENCE:

Roxanne Brown
Roxanne Brown

11/12/02
Date

Senior Water Resource Agent

IDWR CONCURRENCE:

Date

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

RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: INDIAN CREEK

RIGHT NUMBER: 37-14819

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: UNNAMED STREAM TRIBUTARY: INDIAN CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: ~~01/01/1979~~ 06/28/1934

POINT OF
DIVERSION:

T03N R18E S22

NESENE
NESENE

Within BLAINE County
(INSTREAM BEGINNING POINT)
(INSTREAM ENDING POINT)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01-01 12-31

QUANTITY
0.02 CFS

PLACE OF USE:

STOCKWATER
T03N R18E S22

SENE

Within BLAINE 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.

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. I.C. SECTION 42-1412(6).

EXPLANATORY MATERIAL:

BASIS OF CLAIM - BENEFICIAL USE
BLM RECORD ID = 3705480556

~~STOCKWATER, 30 RANGE CATTLE, 1000 RANGE SHEEP, WILDLIFE~~

~~VAR. AMT.~~