

247

MAY 14 PM 3:26

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO

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: 31-281

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. 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; and 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/OBJECTOR:

James DuBois 5/14/02
James DuBois Date

US DOJ

Attorney for USDI Fish and Wildlife Service

IDWR CONCURRENCE:

Roxanne Brown 3/4/02 Candice M. McHugh 3/4/02
Roxanne Brown Date Candice M. McHugh (As to Form) Date
Senior Water Resource Agent, IDWR Attorney for IDWR

Sent By: WATER RESOURCES;

2083275400;

May-13

8:53AM;

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

[illegible]

Sent By: WATER RESOURCES;

2083275400;

May-13 8:54AM;

IDAHO DEPARTMENT OF WATER RESOURCES

AMENDED RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

T07N R36E S30 Lot 4	SWSW	T07N R36E S30	SESW
T07N R36E S30	NESW	T07N R36E S30	NWSE
T07N R36E S30	SWSE	T07N R36E S30	SESE
T08N R36E S32	NESW	T08N R36E S32	NWSE
T08N R36E S32	SWSW	T08N R36E S32	SESW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO 8045 ACRES WITHIN THE BOUNDARY OF THE PLACE OF USE DESCRIBED ABOVE. COMBINED RIGHT NOS.: 31-00269, 31-00270, 31-00271, 31-00272, 31-00273, 31-00274, 31-00275, 31-00276, 31-00277, 31-00278, 31-00279, 31-00280, 31-00281, 31-00282, 31-00283 AND 31-00284.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO 5291 ACRES WITHIN THE BOUNDARY OF THE CAMAS NATIONAL WILDLIFE REFUGE. COMBINED RIGHT NOS.: 31-00269, 31-00270, 31-00271, 31-00272, 31-00273, 31-00274, 31-00275, 31-00276, 31-00277, 31-00278, 31-00279, 31-00280, 31-00281, 31-00282, 31-00283, 31-00284, 31-02251, 31-02350, 31-02362, 31-02363, 31-07301, 31-11230, 31-11231 AND 31-11232.

THIS RIGHT IS LIMITED TO 123 ACRES WITHIN THE BOUNDARY OF THE PLACE OF USE DESCRIBED ABOVE.

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 JUDICIAL DECREE. SECTION 42-1412(8), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decree

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1423, IDAHO CODE.
 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 42-1422, IDAHO CODE.

RB
JD

Sent By: WATER RESOURCES;

2083275400;

May-13 8:54AM;

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CERTIFICATE OF MAILING

I certify that on May 14, 2002 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

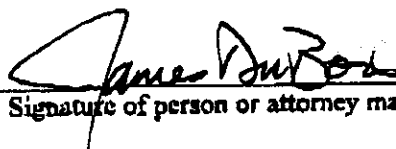
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

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

James DuBois
US DOJ
Attorney for USDI Fish & Wildlife Service
999 18th St, Ste. 945
Denver, CO 80202



Signature of person or attorney mailing the form

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

RIGHT NUMBER: 31-281

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI FISH AND WILDLIFE SERVICE
DIVISION OF ENGINEERING
911 N E 11TH AVE
PORTLAND OR 972324181

SOURCE: CAMAS CREEK

TRIBUTARY: MUD LAKE

QUANTITY: 2.46 CFS

PRIORITY DATE: 07/30/1903

POINT OF DIVERSION:

T07N R35E S1 NESWSE Within JEFFERSON County

T08N R36E S32 NESENW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

WILDLIFE

04/01 10/31

2.460 CFS

RA
SME

PLACE OF USE: WILDLIFE Within JEFFERSON County

T07N R35E S01 SESE
T07N R35E S01 Lot 7 SESE
T07N R35E S12 NWNE
T07N R35E S12 Lot 2 SENE
T07N R35E S12 SENW
T07N R35E S12 NWSW
T07N R35E S12 NWSE
T07N R35E S12 Lot 4 SESE
T07N R35E S13 NWNE
T07N R35E S13 Lot 2 SENE
T07N R35E S13 SESW
T07N R35E S13 NWSE
T07N R35E S13 Lot 4 SESE
T07N R35E S24 NWNE
T07N R35E S24 Lot 2 SENE
T07N R35E S24 SENW
T07N R35E S24 SESW
T07N R35E S24 NWSE
T07N R35E S24 Lot 4 SESE
T07N R35E S25 Lot 2 SENE
T07N R36E S05 Lot 4 NWNW
~~T07N R36E S05 SWSE~~
T07N R36E S05 SESW
T07N R36E S06 Lot 2 NWNE
T07N R36E S06 SENE
T07N R36E S06 Lot 6 NWSW
T07N R36E S06 SESW
T07N R36E S06 NWSE
T07N R36E S06 SESE
T07N R36E S07 NWNE
T07N R36E S07 SENE
T07N R36E S07 Lot 1 NWNW
T07N R36E S07 SENW
T07N R36E S07 Lot 3 NWSW
T07N R36E S07 SESW
T07N R36E S07 NWSE

T07N R35E S01 SWSE
T07N R35E S12 Lot 1 NENE
T07N R35E S12 SWNE
T07N R35E S12 NENW
T07N R35E S12 NESW
T07N R35E S12 Lot 3 NESE
T07N R35E S12 SWSE
T07N R35E S13 Lot 1 NENE
T07N R35E S13 SWNE
T07N R35E S13 NESW
T07N R35E S13 Lot 3 NESE
T07N R35E S13 SWSE
T07N R35E S24 Lot 1 NENE
T07N R35E S24 SWNE
T07N R35E S24 NENW
T07N R35E S24 NESW
T07N R35E S24 Lot 3 NESE
T07N R35E S24 SWSE
T07N R35E S25 Lot 1 NENE
T07N R35E S25 Lot 3 NESE
T07N R36E S05 SWNW
~~T07N R36E S05 SESE~~
T07N R36E S06 Lot 1 NENE
T07N R36E S06 SWNE
T07N R36E S06 NESW
T07N R36E S06 Lot 7 SWSW
T07N R36E S06 NESE
T07N R36E S06 SWSE
T07N R36E S07 NENE
T07N R36E S07 SWNE
T07N R36E S07 NENW
T07N R36E S07 Lot 2 SWNW
T07N R36E S07 NESW
T07N R36E S07 Lot 4 SWSW
T07N R36E S07 NESE
T07N R36E S07 SWSE

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

T07N R36E S07	SESE	T07N R36E S08	NENE
T07N R36E S08	NWNE	T07N R36E S08	SWNE
T07N R36E S08	SENE	T07N R36E S08	NENW
T07N R36E S08	NWNW	T07N R36E S08	SWNW
T07N R36E S08	SESW	T07N R36E S08	NESW
T07N R36E S08	NWSW	T07N R36E S08	SWSW
T07N R36E S08	SESW	T07N R36E S08	NESE
T07N R36E S08	NWSE	T07N R36E S08	SWSE
T07N R36E S08	SESE	T07N R36E S09	NWNW
T07N R36E S09	SWNW	T07N R36E S09	NWSW
T07N R36E S09	SWSW	T07N R36E S09	SESW
T07N R36E S16	NWNW	T07N R36E S16	SWNW
T07N R36E S16	NESW	T07N R36E S16	NWSW
T07N R36E S16	SWSW	T07N R36E S16	SESW
T07N R36E S16	NWSE	T07N R36E S16	SWSE
T07N R36E S17	NENE	T07N R36E S17	NWNE
T07N R36E S17	SWNE	T07N R36E S17	SENE
T07N R36E S17	NENW	T07N R36E S17	NWNW
T07N R36E S17	SWNW	T07N R36E S17	SESW
T07N R36E S17	NESW	T07N R36E S17	NWSW
T07N R36E S17	SWSW	T07N R36E S17	SESW
T07N R36E S17	NESE	T07N R36E S17	NWSE
T07N R36E S17	SWSE	T07N R36E S17	SESE
T07N R36E S18	NENE	T07N R36E S18	NWNE
T07N R36E S18	SWNE	T07N R36E S18	SENE
T07N R36E S18	NENW	T07N R36E S18 Lot 1	NWNW
T07N R36E S18 Lot 2	SWNW	T07N R36E S18	SESW
T07N R36E S18	NESW	T07N R36E S18 Lot 3	NWSW
T07N R36E S18 Lot 4	SWSW	T07N R36E S18	SESW
T07N R36E S18	NESE	T07N R36E S18	NWSE
T07N R36E S18	SWSE	T07N R36E S18	SESE
T07N R36E S19	NENE	T07N R36E S19	NWNE
T07N R36E S19	SWNE	T07N R36E S19	SENE
T07N R36E S19	NENW	T07N R36E S19 Lot 1	NWNW
T07N R36E S19 Lot 2	SWNW	T07N R36E S19	SESW
T07N R36E S19	NESW	T07N R36E S19 Lot 3	NWSW
T07N R36E S19 Lot 4	SWSW	T07N R36E S19	SESW
T07N R36E S19	NESE	T07N R36E S19	NWSE
T07N R36E S19	SWSE	T07N R36E S19	SESE
T07N R36E S20	NENE	T07N R36E S20	NWNE
T07N R36E S20	SWNE	T07N R36E S20	SENE
T07N R36E S20	NENW	T07N R36E S20	NWNW
T07N R36E S20	SWNW	T07N R36E S20	SESW
T07N R36E S20	NESW	T07N R36E S20	NWSW
T07N R36E S20	SWSW	T07N R36E S20	SESW
T07N R36E S20	NWSE	T07N R36E S21	NENW
T07N R36E S21	NWNW	T07N R36E S21	SWNW
T07N R36E S21	SESW	T07N R36E S29	NENW
T07N R36E S29	NWNW	T07N R36E S29	SWNW
T07N R36E S29	SESW	T07N R36E S29	NWSW
T07N R36E S30	NENE	T07N R36E S30	NWNE
T07N R36E S30	SWNE	T07N R36E S30	SENE
T07N R36E S30	NENW	T07N R36E S30 Lot 1	NWNW
T07N R36E S30 Lot 2	SWNW	T07N R36E S30	SESW
T07N R36E S30	NESW	T07N R36E S30 Lot 3	NWSW

RB

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

T07N R36E S30 Lot 4 SWSW	T07N R36E S30	SESW
T07N R36E S30 NESE	T07N R36E S30	NWSE
T07N R36E S30 SWSE	T07N R36E S30	SESE
T08N R36E S32 NESW	T08N R36E S32	NWSW
T08N R36E S32 SWSW	T08N R36E S32	SESW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO 3045 ACRES
WITHIN THE BOUNDARY OF THE PLACE OF USE DESCRIBED ABOVE. COMBINED
RIGHT NOS.: 31-00269, 31-00270, 31-00271, 31-00272, 31-00273, 31-00274,
31-00275, 31-00276, 31-00277, 31-00278, 31-00279, 31-00280, 31-00281,
31-00282, 31-00283 AND 31-00284.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO 5231 ACRES
WITHIN THE BOUNDARY OF THE CAMAS NATIONAL WILDLIFE REFUGE. COMBINED
RIGHT NOS.: 31-00269, 31-00270, 31-00271, 31-00272, 31-00273, 31-00274,
31-00275, 31-00276, 31-00277, 31-00278, 31-00279, 31-00280, 31-00281,
31-00282, 31-00283, 31-00284, 31-02251, 31-02350, 31-02362, 31-02363,
31-07301, 31-11230, 31-11231 AND 31-11232.

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USE DESCRIBED ABOVE.

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: BASIS OF CLAIM - Decreed

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