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Department of Water Resources

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAY - 8 2002

By _____ Clerk
Deputy Clerk

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.: 36-15532
)
)
)
)
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)
)

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.

C. Nicholas Krema 4/16/02
C. Nicholas Krema Date
Deputy Attorney General, State of Idaho
Attorney for Idaho State Building Authority

John M. Marshall 4/30/02
John M. Marshall Date
Givens Pursley, LLP
Attorney for Cranney Bros.

Deborah E. Nelson 4/22/02
Deborah E. Nelson Date
Beeman & Associates, PC
Attorney for North Snake Ground Water Dist.

Steve Clelland 4/2/02
IDWR Concurrence Date
Steve Clelland
Sr. Water Resource Agent

Nick Spencer 4-2-02
Approved as to form Date
Nicholas B. Spencer
Deputy Attorney General, State of Idaho
Attorney for IDWR

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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
03/08/2002
MAY - 8 2002
By _____ Clerk

NBS Deputy Clerk
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DEN
ck
Jum

RIGHT NUMBER: 36-15532

NAME AND ADDRESS: IDAHO STATE BUILDING AUTHORITY
PO BOX 2802
BOISE ID 83701

SOURCE: FLORENCE LIVESTOCK SPRING

TRIBUTARY: BILLINGSLEY CREEK

QUANTITY: 6.800 CFS

DIVERSION OF THIS RIGHT AND THE DIVERSION OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.58 CFS. DURING THE IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-00049 & 36-15533. THE PORTION OF THIS RIGHT IN EXCESS OF 2.90 CFS IS SUBORDINATED TO ALL GROUND WATER AND SURFACE WATER RIGHTS WITH PRIORITY DATES BEFORE DECEMBER 31, 2001.

PRIORITY DATE: 06/01/1969

POINT OF
DIVERSION:

T07S R13E S12 SESENW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	1/01 12/31	6.800 CFS
THE FISH PROPAGATION USE UNDER THIS RIGHT IN EXCESS OF 2.90 CFS IS SUBORDINATED TO ALL GROUND WATER AND SURFACE WATER RIGHTS WITH PRIORITY DATES BEFORE DECEMBER 31, 2001.		

PLACE OF USE: FISH PROPAGATION Within GOODING County

T07S R13E S11 NESE T07S R13E S11 SESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF SERVICE

I certify that on May 6, 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:

Office of the Attorney General
C. Nicholas Krema
P.O. Box 83720, Rm 207
Boise, ID 83720-0010

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

Deborah E. Nelson
Beeman & Associates
409 W. Jefferson St.
Boise, ID 83702

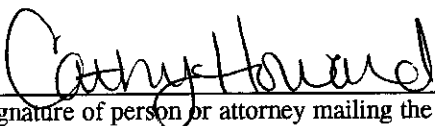
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John M. Marshall
Givens Pursley
P.O. Box 2720
Boise, ID 83702

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Signature of person or attorney mailing the form