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Department of Water Resources

2002 MAY 13 AM 11:10

DISTRICT COURT-SRBA

TWIN FALLS, IDAHO

FILED

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. 65-22242

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.

CLAIMANT(s)/OBJECTOR(s):

Timothy & Pamela Fry

Pamela Fry, objector

Date

Garrick L. Baxter

Date

Deputy Attorney General

Attorney for IDWR

STANDARD FORM 5 - 65-22242

IDWR Concurrence:

Agent

Date

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WATER RESOURCES
WESTERN REGION

CERTIFICATE OF MAILING

I certify that on May 7, 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:

Pamela & Timothy Fry
5940 W. Southslope Road
Emmett, ID 83617

IDWR Repository
P.O. Box 83720
Boise, ID 83720



Signature of person or attorney mailing the form

04/11/2002

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

RIGHT NUMBER: 65-22242
NAME AND ADDRESS: PAMELA FRY
5940 W SOUTHSLOPE RD
EMMETT ID 83617

TIMOTHY FRY
5940 W SOUTHSLOPE RD
EMMETT ID 83617

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
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Department of Water Resources

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 01/10/1981

POINT OF DIVERSION:

T06N R02W S17 SWNW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.020 CFS
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER Within GEM County

T06N R02W S17 SWNW

T06N R02W S17 SENW

DOMESTIC Within GEM County

T06N R02W S17 SWNW

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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM: BENEFICIAL USE

PARCEL RP00355000A TAX 29.

STOCKWATER, 4 HORSES, 4 RANGE CATTLE

1/2 AB
Rdh