

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(S): 51-02107

Case No. 39576

STANDARD FORM 5

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/OBJECTOR:

IDWR CONCURRENCE:

Eugene A. Tindall 4-30-02
Eugene A. Tindall date

Roxanne Brown 4/22/02
Roxanne Brown date
Sr. Water Resource Agent

Mary Tindall 4-30-02
Mary Tindall date

Garrick L. Baxter 4/22/02
Garrick L. Baxter
Deputy Attorney General



Larry A. Brown *FWP* date
Attorney, U.S. Dept. of Justice
Environment & Natural Resources Div.

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

RIGHT NUMBER: 51-2107

NAME AND ADDRESS: EUGENE A TINDALL
MARY M TINDALL
HC 85 BOX 167
BRUNEAU ID 83604

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.96 CFS
696.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 51-07110A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.29 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1856 AF.

THIS RIGHT AND RIGHT NOS. 51-07110A AND 51-07110B ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.32 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1864 AF.

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

PRIORITY DATE: 04/22/1949

POINT OF DIVERSION:

T07S R05E S21 SEWSW Within Owyhee County

T07S R05E S28 NESWNE Within Owyhee County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	1/01 12/31	0.23 CFS 13.4 AFY
IRRIGATION	3/01 11/15	2.96 CFS 696.0 AFY

PLACE OF USE:

IRRIGATION Within Owyhee County

T07S R05E S20	SESE	18.0	T07S R05E S21	NENW	34.0
T07S R05E S21	NWNW	33.0	T07S R05E S21	SWNW	39.0
T07S R05E S21	SESW	33.0	T07S R05E S21	NESW	31.0
T07S R05E S21	NWSW	29.0	T07S R05E S21	SWSW	38.0
T07S R05E S28	SWNE	19.0	T07S R05E S28	NWNW	40.0
T07S R05E S28	SWNW	34.0	T07S R05E S28	SESW	19.0
T07S R05E S28	NESW	34.0	T07S R05E S28	NWSW	5.0
T07S R05E S28	NWSE	35.0	T07S R05E S29	NENE	23.0

STOCKWATER same as IRRIGATION

464 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 51-07110A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 464 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT AND RIGHT NOS. 51-07110A AND 51-07110B ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 466 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 174 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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 FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

RG JB
ET. MT

EXPLANATORY MATERIAL: BASIS OF CLAIM - License
STOCKWATER, 1000 RANGE CATTLE.

CERTIFICATE OF MAILING

I certify that on 5/1, 2002, I delivered the original and copies of this form to the following persons, postage prepaid if required, and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☐ regular mail
☒ hand-delivered
☐ facsimile

2. Copies to:

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

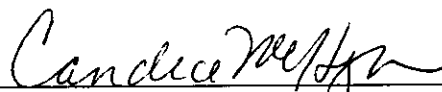
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Eugene and Mary Tindall
HC 85, Box 167
Bruneau, ID 83604

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

US Department of Justice
ENRD
550 W. Fort St., MSC 033
Boise, ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document