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Department of Water Resources

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.: 43-417A

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.

Noel B. Bowcut
Claimant

Date _____

Larry A. Brown

Date _____

Attorney for U. S. Dept. of Justice

IDWR Concurrence

Date _____

Approved as to form

Date _____

Sr Water Resource Agent

Attorney for IDWR

06/28/2002

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

RIGHT NUMBER: 43-417A

NAME AND ADDRESS: NOEL B BOWCUT
KEY RANCH
19 GRANADA PL
BURLEY ID 83318

SOURCE: SPRINGS

TRIBUTARY: BLACKSMITH CREEK

QUANTITY: 0.62 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 4.45 CFS.

COMBINED RIGHTS: 43-00368, 43-00369A, 43-00369B, 43-00370, 43-00417A,
43-00417B AND 43-07080.

PRIORITY DATE: 04/15/1882

POINT OF DIVERSION:

T13S R25E S11 SWNESW Within CASSIA County

~~T13S R25E S11 NESW Within CASSIA County~~

T13S R25E S11 SESESW Within CASSIA County

T13S R25E S11 NWSESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

4/01 10/31

0.620 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T13S R25E S11	SWNE	9.7	T13S R25E S11	SENE	3.3
T13S R25E S11	NESW	16.0	T13S R25E S11	SESW	34.0
T13S R25E S11	NWSE	5.7	T13S R25E S11	SWSE	3.3
T13S R25E S14	NENW	38.0	T13S R25E S14	NWNW	27.0
T13S R25E S14	SWNW	40.0	T13S R25E S14	SENE	34.0

211 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 211 ACRES IN A SINGLE IRRIGATION SEASON.

COMBINED RIGHTS: 43-00368, 43-00369A, 43-00369B, 43-00370, 43-00417A,
43-00417B AND 43-07080.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 31 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.

EXPLANATORY MATERIAL: Decreed

Water Right 43-417A

CERTIFICATE OF SERVICE

I certify that on July 12, 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:

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

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

Noel B Bowcut
Key Ranch
19 Granada Pl
Burley, ID 83318

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

U.S. Dept. of Justice
Environment & Nat'l Resources Div.
550 W. Fort St. MSC 033
Boise, ID 83724

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


Signature of person or attorney mailing the form