

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 27 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	)	Subcase No. 65-12382
	)	
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.

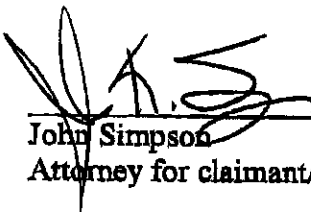
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/RESPONDENT:

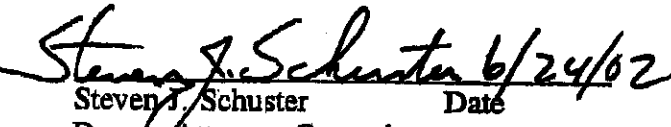
David Little Farms, Inc.

OBJECTOR(s):

State of Idaho - Department of Lands


John Simpson
Attorney for claimant/respondent

6/27/02
Date


Steven J. Schuster
Deputy Attorney General
Idaho Department of Lands

6/24/02
Date

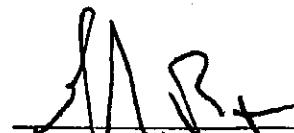
OBJECTOR:

United States of America – Dept. of Interior
BLM

 6/27/02
Larry Brown Fwp Date
U.S. Dept. of Justice
Attorney for objector

IDWR Concurrence:

 6/27/02
Agent Date

 6/27/02
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

06/13/2002

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

RIGHT NUMBER: 65-12382

NAME AND ADDRESS: DAVID LITTLE FARMS INC
PO BOX 68
EMMETT ID 83617

SOURCE: BISSEL CREEK

TRIBUTARY: PAYETTE RIVER

QUANTITY: 20.0 AFY

PRIORITY DATE: 01/24/1981

POINT OF DIVERSION:

T08N R02W S35 SWSWSE Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION FROM STORAGE	03/15 11/15	20.0 AFY
IRRIGATION STORAGE	01/01 12/31	20.0 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within GEM County

T07N R02W S02 Lot 1 NENE	17.0	T07N R02W S02 Lot 2 NWNE	3.3
T07N R02W S02 Lot 3 NENW	25.0	~~T07N R02W S02 Lot 4 NWNW~~	~~2.2~~
T07N R02W S02	20.0	T07N R02W S02	5.3
T07N R02W S02	4.0	T08N R01W S19	1.3
T08N R01W S19	8.4	T08N R01W S19	20.0
T08N R01W S19 Lot 3 NWSW	7.0	T08N R01W S19 Lot 4 SWSW	23.0
T08N R01W S19	40.0	T08N R01W S19	15.0
T08N R01W S19	25.0	T08N R01W S19	9.9
T08N R01W S19	1.3	T08N R01W S30	24.0
T08N R01W S30 Lot 1 NWNW	35.0	T08N R01W S30 Lot 2 SWNW	38.0
T08N R01W S30	16.0	T08N R01W S30	16.0
T08N R01W S30 Lot 3 NWSW	38.0	T08N R01W S30 Lot 4 SWSW	38.0
T08N R01W S30	32.0	T08N R01W S30	7.0
T08N R01W S31	28.0	T08N R01W S31	2.4
T08N R01W S31	19.0	T08N R01W S31	6.3
T08N R01W S31 Lot 1 NWNW	24.0	T08N R01W S32	12.0
T08N R01W S32	0.3	T08N R01W S32	28.0
T08N R01W S32	24.0	T08N R01W S32	5.6
T08N R01W S32	8.0	T08N R01W S32	15.0
T08N R02W S25	1.2	T08N R02W S25	19.0
T08N R02W S25	7.0	T08N R02W S25	38.0
T08N R02W S25	8.4	T08N R02W S25	36.0
T08N R02W S25	39.0	T08N R02W S35	2.4
T08N R02W S35	27.0	T08N R02W S35	12.0
T08N R02W S35	39.0	T08N R02W S35	27.0
T08N R02W S35	29.0	T08N R02W S35	39.0
T08N R02W S36	39.0	T08N R02W S36	39.0
T08N R02W S36	37.0	T08N R02W S36	14.0
T08N R02W S36	33.0	T08N R02W S36	2.1
T08N R02W S36	39.0	T08N R02W S36	39.0
T08N R02W S36	30.0	T08N R02W S36	39.0
T08N R02W S36	19.0	T08N R02W S36	1.7
T08N R02W S36	2.9	T08N R01W S31	4.4

IRRIGATION STORAGE same as IRRIGATION FROM STORAGE1305.2 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 1305.2 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 65-2025, 65-02953, 65-02016, 65-02498,
65-02499, 65-07061.

JS
RB
SJS
JKB
JB
FWP

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 16 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: BASIS OF CLAIM - License

THE USE OF WATER ON 8N 1W S 31 SWNE AND LOT 1 NWNW IS ON STATE PUBLIC SCHOOL ENDOWMENT LAND PURSUANT TO STATE GRAZING LEASE NO. 6448; THE USE OF WATER ON 8N 1W S 31 NESE AND 7N 2W S 2 LOT 1 NENE IS ON STATE PUBLIC SCHOOL ENDOWMENT LAND PURSUANT TO STATE GRAZING LEASE NO. 6739.

FWP

RB

Leas
JKS

SSSB

CERTIFICATE OF MAILING

I certify that on 6-27, 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 *hand delivered*
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Office of the Attorney General
Natural Resource Division
Idaho Department of Lands
P.O. Box 83720
Boise, ID 83720-0050
Attn: Steven J. Schuster

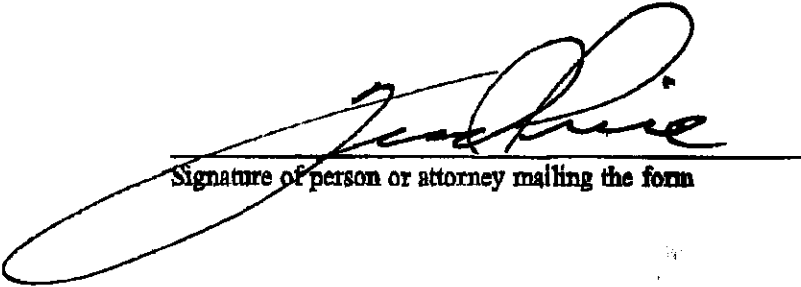
David L. Negri
United States Department of Justice
Environment & Natural Resources Division
General Litigation Section *hand delivered*
550 W. Fort St., MSC 033
Boise, ID 83724

David W. Gehlert
Trial Attorney, General Litigation Section
Environment & Natural Resources Division
U.S. Dept. of Justice
999 18th Street, Suite N945
Denver, CO 80202

John K. Simpson
P.O. Box 2139
Boise, ID 83701-2139
hand delivered

USDI - BLM
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

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


Signature of person or attorney mailing the form