

JUN 26 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. 65-22308

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):  
Anna Marie Newell

OBJECTOR:  
USDI - BLM

Anna Marie Newell 6-25-02  
signature Date

Larry A. Brown 6/26/02  
Larry Brown FWP Date  
Dept of Justice  
Attorney for USDI-BLM

**IDWR Concurrence:**

*Don Baer* *6/21/02*  
IDWR Agent Date

*G. L. Baxter* *6/21/02*  
Garrick L. Baxter Date  
Deputy Attorney General  
Attorney for IDWR

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

06/20/2002

RIGHT NUMBER: 65-22308

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WY  
BOISE ID 83709-1657

SOURCE: SPRING

QUANTITY: 0.02 CFS

TRIBUTARY: SINKS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 19,000  
GALLONS PER DAY.

PRIORITY DATE: 01/01/1930

POINT OF DIVERSION:

T07N R01E S14 SWNESE Within GEM County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

STOCKWATER

PERIOD OF USE

01/01 12/31

QUANTITY

0.020 CFS

PLACE OF USE:

STOCKWATER Within GEM County

T07N R01E S14 NESE

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: Beneficial Use

## CERTIFICATE OF MAILING

I certify that on June 26, 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:

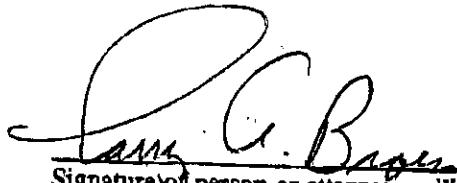
Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707

2. Copies to:

United States Dept of Justice  
Environment & Natural Resource Division  
General Litigation Section  
550 West Fort Street, MSC 033  
Boise, ID 83724

Anna Marie Newell  
10770 N Highway 52  
Horseshoe Bend, ID 83629

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

  
Signature of person or attorney mailing the form