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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources

In Re SRBA

) Subcase No. 37-07504

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 the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River 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.

CLAIMANTS:

Jerry R. Nance
Patty Nance

Jerry R. Nance
Jerry R. Nance

1-2-2003
Date

Patty Nance
Patty Nance

1-7-2003
Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 1/8/03
Larry A. Brown *MB* Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Steve Clelland
~~Carter Fritschle~~

1/6/03
Date

Water Rights Supervisor, IDWR
STEVE CLELLAND

Attorney for IDWR (as to from):

Nicholas B. Spencer
Nicholas B. Spencer
Deputy Attorney General

1-6-03
Date

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

RIGHT NUMBER: 37-7504

NAME AND ADDRESS:

JERRY R NANCE
814 HWY 24
DIETRICH ID 83324

PATTY NANCE
814 HWY 24
DIETRICH ID 83324

SOURCE: GROUND WATER

Tributary:

QUANTITY: 3.300 CFS
718.700 AFY

PRIORITY DATE: 07/22/1976

POINT OF DIVERSION:

T06S R19E S18 SESENW Lot 5
Within LINCOLN County

NBS
JW
PPL
NP
SCC
JB

**PURPOSE AND
PERIOD OF USE:**

Purpose of use	Period of use:	Quantity:
IRRIGATION	03/15 11/15	3.180 CFS 712.00 AFY
STOCKWATER	01/01 12/31	0.120 CFS 6.70 AFY

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

PLACE OF USE: IRRIGATION within LINCOLN County
T06S R19E S18 NWNE 11.0
T06S R19E S18 SWNE 39.0
T06S R19E S18 NENW Lot 1 22.0
T06S R19E S18 NWNW Lot 2 12.0
T06S R19E S18 SWNW Lot 5 24.0
T06S R19E S18 SENW Lot 6 37.0
T06S R19E S18 NESW Lot 7 33.0
STOCKWATER within LINCOLN County
T06S R19E S18 NENW Lot 1

178 ACRES TOTAL

[Handwritten signature]

[Handwritten initials]

T06S R19E S18 NENW

[Handwritten: SCC]
[Handwritten: NBS]

[Handwritten: JS]

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON
FEDERAL PUBLIC LAND.

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.

~~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

CERTIFICATE OF MAILING

I certify that on Jan. 8, 2003 mailed the original and copies of this form, including all attachments, 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. Copy to:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

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

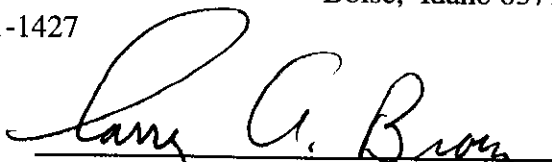
3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Jerry R. and Patty Nance
814 HWY 24
Dietrich, Idaho 83324

Josephine P. Beeman
Attorney For Faulkner Land & Livestock
PO Box 1427
Boise, Idaho 83701-1427

David J. Barber
Deputy Attorney General
Natural Resource Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, Idaho 83711-44449



Signature of person or attorney mailing the form