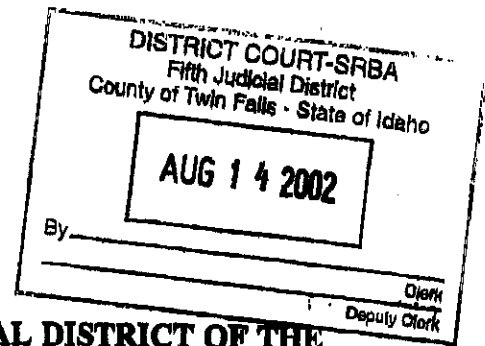


RECEIVED

AUG 16 2002

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

Case No. 39576

Subcase No.: 43-4213

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:

Arden Eugene Wickel 8/4/02
Arden Eugene Wickel Date

CLAIMANT:

Wynell F. Wickel Date

OBJECTOR:

Larry A. Brown 8/14/02
Larry A. Brown, US DOJ FWP Date
Attorney for BLM

IDWR CONCURRENCE:

Kenie Robertson 8/14/02
Sr. Water Resource Agent Date

Candace McPherson 8/14/02
Approved as to form Date
Attorney for IDWR

07/11/2002

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

RIGHT NUMBER: 43-4213
NAME AND ADDRESS: ARDEN EUGENE WICKEL
2337 E 1500 S
MALTA ID 83342

WYNELL F WICKEL
2337 E 1500 S
MALTA ID 83342

SOURCE: GROUND WATER
QUANTITY: 1.08 CFS
216.0 AFY

TRIBUTARY:

JS
8m²
FWP AEW

USE OF THIS RIGHT WITH RIGHT NO. 43-13039 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.08 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 216 AF.

PRIORITY DATE: 04/15/1959

POINT OF DIVERSION:

T13S R27E S7 NESWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	1.080 CFS 216.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R27E S07	NENE	26.0	T13S R27E S07	NWNE	23.0
T13S R27E S07	SWNE	10.0	T13S R27E S07	SENE	16.0
T13S R27E S08	SNNW	29.0	T13S R27E S08	SENW	7.0
T13S R27E S08	NWSW	20.0	T13S R27E S08	SWSW	2.0

80 ACRES TOTAL

THE USE OF WATER UNDER THIS RIGHT WITHIN THE SENW, SECTION 8, T13S, R27E, IS LIMITED TO THE W 1/2 W 1/2 OF THAT PLACE OF USE.

USE OF THIS RIGHT WITH RIGHT NO. 43-04212 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 54 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 133 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-4212, ~~43-4234~~ 43-4213, & 43-13039.

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: Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

RIGHT NO. 43-13039 IS AN EXPANSION OF THIS RIGHT PURSUANT TO
SECTION 42-1416B, IDAHO CODE.

Fwp & A.E.W
J3 Sm-

CERTIFICATE OF SERVICE

I certify that on Aug. 19, 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

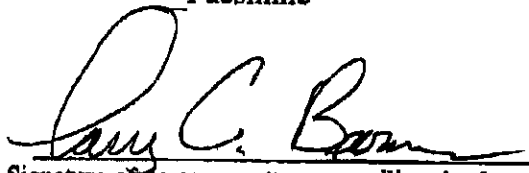
☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Arden Eugene Wickel
Wynell F. Wickel
2337 E 1500 S
Malta, ID 83342

☐ 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