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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. 47-16744
	)	
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 claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

OBJECTOR:

United States on behalf of the
USDA Forest Service

David L. Negri 4/25/03
David L. Negri Date

CLAIMANTS:

Western Stock Growers Association et al.
David Crockett
Raymond Butler
Wallace Brown
Broken Diamond Ranch
Birchie Brown
Mathers Ranch Inc.
Kinsey Family LLP
Williams Properties LLC
Williams, Inc.
Tugaw Ranch
Tom Kunkel

RESPONDENT:

Western Stock Growers Association et al.

Norman M. Semanko 4-25-03
Travis L. Thompson Date

IDWR CONCURRENCE:

Roxanne Brown 4/25/03
Roxanne Brown Date

CERTIFICATE OF MAILING

I certify that on 4/28, 2003, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

Original to:

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

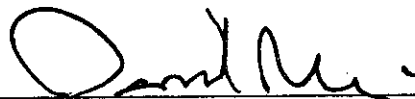
Copy to:

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

United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724

Norman M. Semanko
Travis L. Thompson
Barker, Rosholt, & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139

Counsel for the Western Stock Growers Association et al.



Signature of person mailing documents

Right Number: 47-16744

Name and Address:

WESTERN STOCK GROWERS
ASSOCIATION ET AL.
2391 ROCK CREEK RD
HANSEN, ID 83334

DAVID CROCKETT
2678 A ROCK CREEK RD.
HANSEN, ID 83334

RAYMOND BUTLER
3094 A N 3800 E
HANSEN, ID 83334

WALLACE BROWN
3389 N 3700 E
HANSEN, ID 83334

BROKEN DIAMOND RANCH
C/O CHARLES AND SHARI HELMAN
2391 ROCK CREEK RD.
HANSEN, ID 83334

BIRCHIE BROWN
C/O TAYLOR BROWN
340 W 350 S
JEROME, ID 83338

MATHERS RANCH INC.
3485 E 3100 E
KIMBERLY, ID 83341

KINSEY FAMILY LLP
C/O WILMOTH KINSEY
3497 A E 3000 N
KIMBERLY, ID 83341

WILLIAMS PROPERTIES LLC
C/O AARON WILLIAMS
2600 N 2900 E
TWIN FALLS, ID 83301

WILLIAMS INC.
THOMAS A. WILLIAMS
WILLIAM J. WILLIAMS
C/O BILLY WILLIAMS
3128 N 3200 E
TWIN FALLS, ID 83301

TUGAW RANCH
C/O JOE TUGAW
3277 WOODRIDGE DR.
TWIN FALLS, ID 83301

TOM KUNKEL
RT. 3 HOLLISTER
TWIN FALLS, ID 83301

Source: POLE CAMP CREEK Tributary: SHOSHONE CREEK

Quantity: .02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

Priority Date: 06-01-1872

Diversion Point:

~~T13S R18E S29~~	~~SWSE~~	(Instream Beginning)	Twin Falls
~~T14S R17E S12~~	~~SESE~~	(Instream Beginning)	Twin Falls
~~T14S R17E S12~~	~~SESE~~	(Instream Ending)	Twin Falls
~~T14S R18E S05~~	~~NWNW~~	(Instream Beginning)	Twin Falls
~~T14S R18E S05~~	~~NWNW~~	(Instream Ending)	Twin Falls
~~T14S R18E S06~~	~~SENE~~	(Instream Beginning)	Twin Falls
~~T14S R18E S06~~	~~SENE~~	(Instream Ending)	Twin Falls

RB
NMS
DW

Purpose and Period of Use:	Purpose of Use Stockwater	Period of Use 05-15 TO 10-15	Quantity .02 CFS
Place of Use:	Stockwater	Within Twin Falls County	
	~~T13S R18E S29~~	~~SWSE~~	
	~~S32~~	~~NENW~~	~~SENW~~
		~~NESW~~	~~NWSW~~
		~~SWSW~~	
	T14S R17E S12	NENE	SENE
		SESE	
	R18E S05	NWNW	SWNW
	S06	SENE	NESE
		NWSE	SWSE
	S07	NENW	NWNW
		SWNW	

Other Provisions Necessary for Definition / 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: Basis of Claim - Beneficial Use

NMS

RB

ON