

4-21

2002 APR 11 PM 3:15

DISTRICT COURT

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 A45-10214
(Insert Water Right Number)

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.

Date: 4/21/98

Stephen B. Ellis
IDWR Concurrence

Stephen B. Ellis
Claimant

Claimant/Attorney

Claimant/Attorney

Stephen B. Ellis
Objector

Objector/Attorney

Objector/Attorney

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on _____, 199____, 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:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

Signature of person or attorney mailing the form

A007499P
No. AKS-10214IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)DATE: 04/21/06
PAGE: 1

OWNER

C ELLIS INVESTMENT CO LTD
1304 ELM
PRIMO UT 84604
(801) 373-8120

PRIORITY

DATE

WATER USE

USE PERIOD
FROM TODIVERSION
RATE VOLUME

01/01/1917 STOCKWATER

01-01 12-31

0.02 CFS

TOTAL DIVERSION:

0.02 CFS

Water Source: BIRCH CREEK

Tributary to: SNARE RIVER

Stage: DECREE

Point(s) of Diversion:

T14S R22E S25
R23E S30
S31
T15S R23E S05
S08NE SE
SW SW
NAME
NAME
NAMESESE
SESE
SESENESE
NAME
NAMECASSIA COUNTY
CASSIA COUNTY
CASSIA COUNTY
SNARE
SNARE
CASSIA COUNTY

Place of use legal Description for: STOCKWATER

NE	SE	SW	SE
T 14S R 22E S 25	NESE	NAME	NAME
14S R 22E S 30	SESE	NAME	NAME
14S R 23E S 31	SESE	NAME	NAME
15S R 23E S 05	SESE	NAME	NAME
15S R 23E S 08	SESE	NAME	NAME

FOU County: CASSIA

Other Rights: AKS-10213, AKS-10215

Conditions of Approval:

- M1 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
- M13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

Remarks: EIP STOCKWATER, 500 BEEF STOCK

RPT14S R22E S25 7499A

RPT15S R23E S05 3000A

RPT15S R23E S08 2500A

Dates: Exam Made Date:

Verified Date:

Objection filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag: