

Apr 11 02 01:34p

IDWR Eastern Region

(208)525-7177

p.2

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Department of Water Resources

2002 APR 15 AM 11:37

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHOIN 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: 31-10466

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. 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; and 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.

CLAMANT/OBJECTOR:

Blair Groves 4/11/02
Blair Groves Date

Attorney for Lida and Elmer D. Carpenter

IDWR CONCURRENCE:

Ernie Carlson April 11, 02
Ernie Carlson Date

Water Rights Supervisor, IDWR

Candice M. McHugh 4/12/02
Candice M. McHugh (As to Form) Date

Attorney for IDWR

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

202 APR 11 2002 11:38

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 31-10466
NAME AND ADDRESS: ELMER D CARPENTER
HC 63 BOX 1782
TERRETON ID 83450

LIDA CARPENTER
HC 63 BOX 1782
TERRETON ID 83450

SOURCE: GROUND WATER
QUANTITY: 0.73 CFS
12.1 ACFY
PRIORITY DATE: 04/01/1964
POINT OF DIVERSION:

TRIBUTARY:

TW7N R3E S12 NWSW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.730 CFS
12.1 ACFY

Eme
as
Eme

PLACE OF USE: IRRIGATION Within JEFFERSON County

TW7N R3E S12 NE6W 10.2
TW7N R3E S12 SE6W 1.2

TW7N R3E S12 SW6W 24.2

24.4 ACRES TOTAL

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 NO. 31-02294 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

BLAIR GROVER

LAW OFFICES
GROVER & ARCHIBALDCHARTERED
215 Farnsworth Way
P.O. BOX 36
RIGBY, IDAHO 83442-0036

R. JAMES ARCHIBALD

PHONE (208) 745 6653
FAX (208) 745-6655**TELEFAX COVER SHEET**

THE FOLLOWING DOCUMENTS ARE BEING SENT VIA TELEFAX

DATE: 4/11/02PAGES: (including cover sheet) 3TO: Candice McHughRECIPIENT'S TELEFAX NO.: 327-5400DOCUMENTS TRANSMITTED: Standard Form 5Subcase # 31-10466

MESSAGE/SPECIAL INSTRUCTIONS: _____

The information transmitted herewith is confidential and is intended only for the use of the individual named. If you have received this communication in error, please call the sender collect immediately and return the original to us by first class mail. Thank you.

CERTIFICATE OF MAILING

I certify that on April 12, 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:

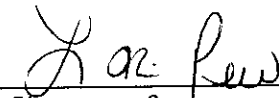
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

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

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

Blair Grover
Attorney for Lida and Elmer D. Carpenter
215 Farnsworth Way
P.O. Box 36
Rigby, ID 83442-0036



Signature of person or attorney mailing the form