

RECEIVED

SEP 30 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

SUBCASE NO: 31-11440

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.

CLAIMANT:

Ray R. Righy 9/26/02
Ray Righy
Attorney For Larry Singleton
Date

OBJECTOR:

John Marshall 9/27/02
John Marshall
Attorney for Margaret Hagenbarth,
David Hagenbarth and James Hagenbarth
Date

IDWR CONCURRENCE:

Allen Kniberry 9/26/02
Allen Kniberry
Senior Water Resource Agent, IDWR
Date

Candice M. McHugh 9/26/02
Candice M. McHugh (Atty For IDWR)
Attorney for IDWR
Date

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

09/26/2002

RIGHT NUMBER: 31-11440

NAME AND ADDRESS: LARRY D SINGLETON
266 N 2400 E
ST ANTHONY ID 83445

SOURCE: DRY CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 0.090 CFS

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

PRIORITY DATE: 06/21/1902

POINT OF DIVERSION:

T13N R39E S26 NENE Rediversion Within CLARK County

T13N R40E S19 EWSW Injection Within CLARK County

T13N R40E S19 EWSW Within CLARK County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	05/01 10/31	0.090 CFS

PLACE OF USE:

STOCKWATER Within CLARK County			
T13N R39E S26	NWNE	T13N R39E S26	SWNE
T13N R39E S26	SENE	T13N R39E S26	NENW

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

THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF A SUBORDINATION AGREEMENT RECORDED ON SEPTEMBER 24, 2002, AS INSTRUMENT NO. 049864 IN THE RECORDS OF CLARK COUNTY, IDAHO.

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

STOCKWATER 400 CATTLE OR 1000 SHEEP

SM=

SMC

GM

mm

Sent By: WATER RESOURCES;

2083275400;

Sep-28-02 2:45PM;

Page 4/4

CERTIFICATE OF MAILING

I certify that on Sept. 27, 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: by fax
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

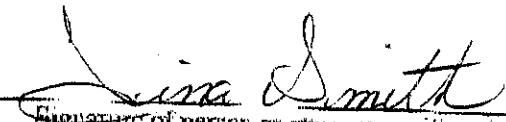
IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Ray Rigby
P.O. Box 250
Rexburg, ID 83340

John Marshall
P.O. Box 2720
Boise, ID 83701-2720

John Bloomquist & Patti Rowland
P.O. Box 1418
Dillon, MT 59729-1418

USDOJ
550 W. Fort St. MSC 033
Boise, ID 83724


Signature of person or attorney mailing the form