

RECEIVED

JUL 22 2003

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: 37-20811
)
)

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/ OBJECTOR:

Theodore R. Booth 7-17-03
Theodore R. Booth Date
Attorney for John Lezamiz Family Limited Partnership, Ltd.

IDWR CONCURRENCE:

Steve Clelland 7/15/03 Nicholas B. Spencer 7-15-03
Steve Clelland Date Nicholas B. Spencer (As to Form) Date
Senior Water Resource Agent, IDWR Attorney for IDWR

COPY

07/15/2003

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

RIGHT NUMBER: 37-20811

NAME AND ADDRESS: JOHN LEZAMIZ FAMILY LIMITED PARTNERSHIP
PO BOX 389
TWIN FALLS ID 83303-0389

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.570 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.9 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 749.5 AF. COMBINED RIGHT NOS.:
37-20813, 37-20815 & 37-20817.

See
NBS
TRB

PRIORITY DATE: 06/25/1952

POINT OF DIVERSION:

T06S R17E S31 SESWSE Lot 6 Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.570 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T06S R17E S31	NESW	40.0	T06S R17E S31 Lot 5 SESW	40.0
T06S R17E S31	NESE	14.0	T06S R17E S31	NWSE 40.0
T06S R17E S31 Lot 6 SWSE	40.0		T06S R17E S31 Lot 7 SESE	13.0

187 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 37-20813 & 37-20815 IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 164.1 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 187.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-20813, 37-20815 &
37-20817.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 163.6 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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:

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 37-20810, 37-20811, 37-20812, 37-20813,
37-20814, 37-20815, 37-20816 & 37-20817.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-2531A.

CERTIFICATE OF MAILING

I certify that on July 19, 2003 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

Theodore R. Booth
Attorney for John Lezamiz Family Limited Partnership, Ltd.
301 Main St.
P.O. Box 32
Gooding, ID 83330

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



Signature of person or attorney mailing the form