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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. 63-23584
)
)
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.

CLAIMANTS:

Charlene M Epperson 8-29-03
Charlene M Epperson Date

Arta Schraft 8-30-03
Arta Schraft Date

Robert E. Schraft 9-4-03
Robert E. Schraft Date

OBJECTOR:

United States on behalf of the
USDA Forest Service

David L. Negri 9/8/03
David L. Negri Date

IDWR CONCURRENCE:

Jan Shurte 9/8/03
Jan Shurte Date

ATTORNEY FOR IDWR:

Nicholas B. Spencer 9-8-03
Nicholas B. Spencer Date

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

RIGHT NUMBER: 63-23584

NAME AND ADDRESS:

ARTA SCHRAFT
PO BOX 143
ATLANTA ID 83601CHARLENE M EPPERSON
PO BOX 122
ATLANTA ID 83601ROBERT E SCHRAFT
6234 SHENANDOAH AVE
LAS VEGAS NV 89115

SOURCE: SPRING Tributary: SINKS

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 07/03/1956

POINT OF DIVERSION:

~~T04N R10E S14 SWSESE~~
~~Within ELMORE County~~T04N R10E S14 SWSESE Lot 1
Within ELMORE County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	MINING	6/01 10/31	0.010 CFS
	DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE:	MINING	within ELMORE County
	T04N R10E S23 NENE	
	DOMESTIC	within ELMORE County
	T04N R10E S23 NENE	

All places of use are on private land within Mineral Survey (MS) 3605.

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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
DOMESTIC USE IS FOR 1 HOME

CERTIFICATE OF MAILING

I certify that on September 9, 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 *by hand delivery*
P.O. Box 83720
Boise, ID 83720-0098

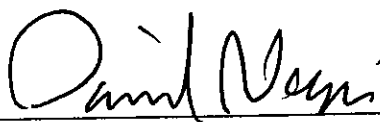
United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724

Copies to all parties to the subcase (insert names and addresses here):

Charlene M Epperson
P.O. Box 122
Atlanta, ID 83601

Arta Schraft
P.O. Box 143
Atlanta, ID 83601

Robert E Schraft
6234 Shenandoah Ave
Las Vegas, NV 89115



David L. Negri