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Department of Water Resources

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2003 OCT 20 AM 10 32

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. 36-15987

)

) Standard Form 5

Case No. 39576

)

) 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. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS:

Richard Buller

10-5-03

Date

Date

IDWR CONCURRENCE:

Richard Buller

10-5-03

Date

OBJECTOR:

United States on behalf of the
Bureau of Reclamation

David W. Gehlert

10/10/03

David W. Gehlert

Date

Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Rebecca Brown

10/14/03

Date

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

RIGHT NUMBER: 36-15987

NAME AND ADDRESS:

RICHARD BULLERS
1482 HUNT RD
JEROME ID 83338

SOURCE: Source: Tributary: GROUND WATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/31/1942

POINT OF DIVERSION:

T08S R19E S33 SENWSE Within JEROME County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	STOCKWATER	01/01 12/31	0.02 CFS
	DOMESTIC	01/01 12/31	0.02 CFS

PLACE OF USE: STOCKWATER within JEROME County
T08S R19E S33 NWSE
T08S R19E S33 SWSE
DOMESTIC within JEROME County
T08S R19E S33 NWSE
T08S R19E S33 SWSE

The place of use is located within Tract E of the American Falls Reservoir District
No. 2, Minidoka Project.

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 IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RB DL
RB

CERTIFICATE OF MAILING

I certify that on October 16, 2003 I mailed the original and copies of this form, including all attachments, 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, ID 83303-2707

2. Copy to:

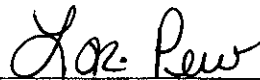
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

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

3. Copies to all parties to the subcase:

U.S. Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Richard Bullers
1482 Hunt Rd.
Jerome, ID 83338



Signature of person or attorney mailing form

October 15, 2003

Diana Delaney
Snake River Basin Adjudication
P.O. Box 2720
Twin Falls, ID 83303-2707

RE: SF5 in 36-15987

Dear Diana:

Enclosed is a SF5 for water right 36-15987 for filing with the SRBA Court. You will notice that Mr. Bullers mistakenly signed both on his signature line and on an IDWR concurrence line. IDWR water agent Roxanne Brown has signed off on the form. As the SF5 settles an objection to a small domestic and stockwater right, Roxanne's signature alone covers the department's approval.

I just wanted to let you know that we are aware of the double signature of Mr. Bullers but it causes the department no problem. Should you require further assistance in this matter, please don't hesitate to call me at 208-327-5458.

Sincerely,

Vicki Kelly,
Paralegal

Enc.