

RECEIVED
DEC 16 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. 29-13036
)
) **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 decreed as described per the attached Amended Claim, **except IDWR's concurrence is limited to the state based elements only. Since by law IDWR neither investigates nor recommends federal reserved water rights it has no knowledge of, nor opinion regarding, the validity of the federal basis of the right.** The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT /OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 12/12/03
Larry A. Brown MB Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Roxanne Brown 12/11/03
Roxanne Brown Date
Senior Water Resource Agent

Date

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

RIGHT NUMBER: 29-13036

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WY
BOISE ID 83709-1657

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 06/28/1934

MB RB JG

* 4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT.*
THIS WATER RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW WITH AN
APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN EXECUTIVE ORDER
SIGNED THE SAME DATE AND KNOWN AS PUBLIC WATER RESERVE 107.

POINT OF
DIVERSION: T08S R38E S23 NESWNW

Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER
T08S R38E S23 SWNW

Within BANNOCK County

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
BLM RECORD ID = 2903780345

CERTIFICATE OF MAILING

I certify that on Dec 12, 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, Idaho 83303-2707

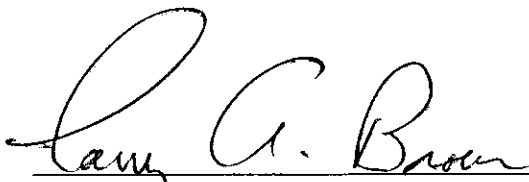
2. Copy to:

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

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

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

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



Signature of person or attorney mailing the form

☐ ☐ ☐ IN THE DISTRICT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN
AND FOR THE COUNTY OF TWIN FALLS
In Re SRBA PPD?: PD?: Adm?: Prob?: ☐
Case No. 39576

NEW

NOTICE of CLAIM for Water
Right number:

2913036 (IDWR number)

NAME and
ADDRESS

United States of America acting through
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

BLMIDENT:

Stg: StFed:

2903780345

J

X

WATER FEDERALLY
RESERVED, SEE
REMARKS

4/17/1926

OtherRight and date:

SOURCE:

Source Tributary

SPRING

SINKS

QUANTITY:

0.02

CFS

or VOLUME:

Acre Feet

The quantity of water under this right for stockwater shall not exceed 13,000 gallons per day.

PRIORITY DATE:

02/23/1889

Diversion Means: UNDEVELOPED SPRING

REMARKS:

Also reserved pursuant to Federal law

ASSOCIATED WITH 2903788085. Pursuant to executive order dated 04/17/1926 and known as
PWR 107.

POINT of
DIVERSION:

Twtnship	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
08S	38E	23	NE	SW	NW			5	BANNOCK

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in AcFt
04	0101	1231	0.02	

CONSUMPTIVE
USE:

de minimis

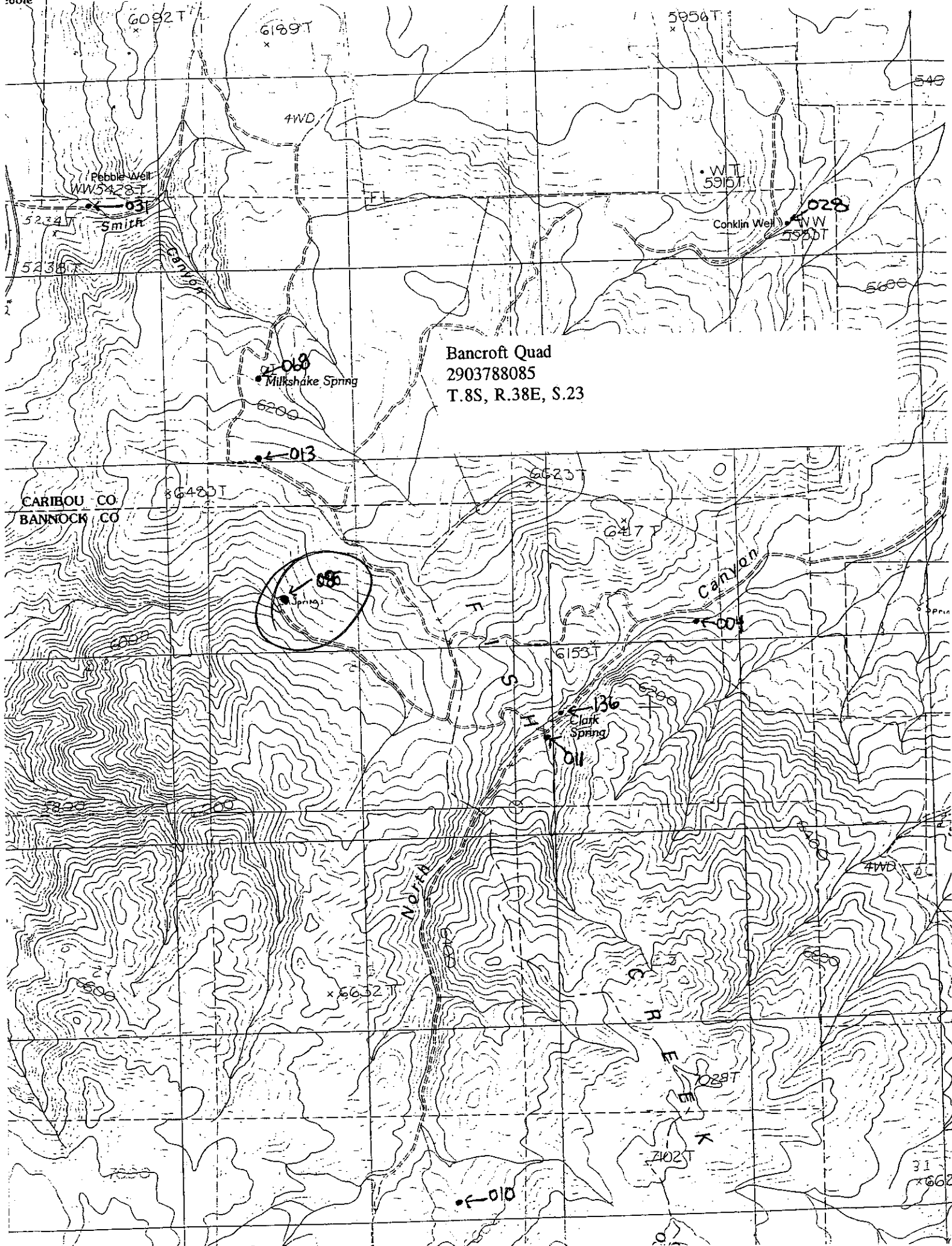
DATE: 08-May-02

OTHER PROVISIONS NECESSARY FOR DEFINITION or ADMINISTRATION OF THIS WATER RIGHT:

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

PLACE
of USE:

Water Use	Twtn	Rge	Sec	T1	T2	LOT	within the	County of
04	08S	38E	23	SW	NW	0	5	BANNOCK



TOWNSHIP 8 SOUTH RANGE 38 EAST OF THE BOISE MERIDIAN, IDAHO

IDAHO FALLS DISTRICT

POCATELLO RAH

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	T	R	SEC
1	38	8	31
2	38	8	32
3	38	8	33
4	38	8	34
5	38	8	35
6	38	8	36
7	38	8	37
8	38	8	38
9	38	8	39
10	38	8	40
11	38	9	31
12	38	9	32
13	38	9	33
14	38	9	34
15	38	9	35
16	38	9	36
17	38	9	37
18	38	9	38
19	38	9	39
20	38	9	40
21	39	8	31
22	39	8	32
23	39	8	33
24	39	8	34
25	39	8	35
26	39	8	36
27	39	8	37
28	39	8	38
29	39	8	39
30	39	8	40
31	39	9	31
32	39	9	32
33	39	9	33
34	39	9	34
35	39	9	35
36	39	9	36
37	39	9	37
38	39	9	38
39	39	9	39
40	39	9	40

1.012104 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012105 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012106 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012107 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012108 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012109 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012110 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012111 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012112 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012113 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012114 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012115 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012116 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012117 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012118 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012119 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012120 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012121 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012122 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012123 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012124 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012125 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012126 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

1.012127 Del. Pl. 187 1161 61 (Cont. 12/23/1955)

Completed 8/23/1951. All at surface Mont. by 11/5

WATER RIGHT CLAIM VERIFICATION

STATE OF IDAHO)
) ss:
COUNTY OF ADA)

CLAIMANT VERIFICATION: Signature:

Water Right Claim Number: 29-13036

(a.) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I do ___ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear or affirm that I am Gary A. Madenford, Water Rights Team Leader
Name & Title
of United States of America, acting through U.S.D.I., BLM, that I have signed the attached documents in the space below as Water Rights Team Leader of United States of
Title
America, acting through U.S.D.I., BLM and that the statements contained in the attached documents are true and correct.

Signature of Authorized Agent

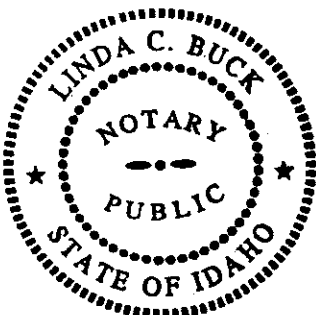
Gary A Madenford

for the United States of America, acting through U.S.D.I., BLM

NOTARY:

Subscribed and sworn to before me on this 22 day of May, 2002

Seal



Linda C. Buck
Linda C. Buck

Notary Public in and for the State of: Idaho

Residing at: Mountain Home, Idaho

My Commission Expires: December 21, 2005