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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

Case No. 39576

) Subcase No. 29-13039

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

IDWR CONCURRENCE:

Roxanne Brown
Roxanne Brown
Senior Water Resource Agent

12/11/03
Date

Date

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

RIGHT NUMBER: 29-13039

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

JM RB MB

* 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: T07S R38E S21 SWSSEW Within CARIBOU 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 Within CARIBOU County
T07S R38E S21 SESW

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 = 2903780348

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

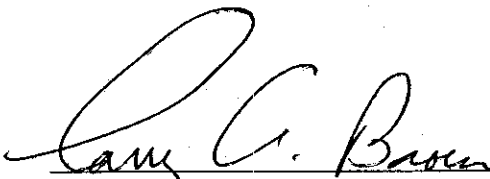
2. Copy to:

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?: ☐

NEW

NOTICE of CLAIM for Water
Right number:

Case No. 39576

2913039 (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:

2903780348

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:

06/17/1902

Diversion Means:

UNDEVELOPED SPRING

REMARKS:

Also reserved pursuant to Federal law

ASSOCIATED WITH 2903788165. 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
07S	38E	21	SW	SE	SW			29	CARIBOU

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

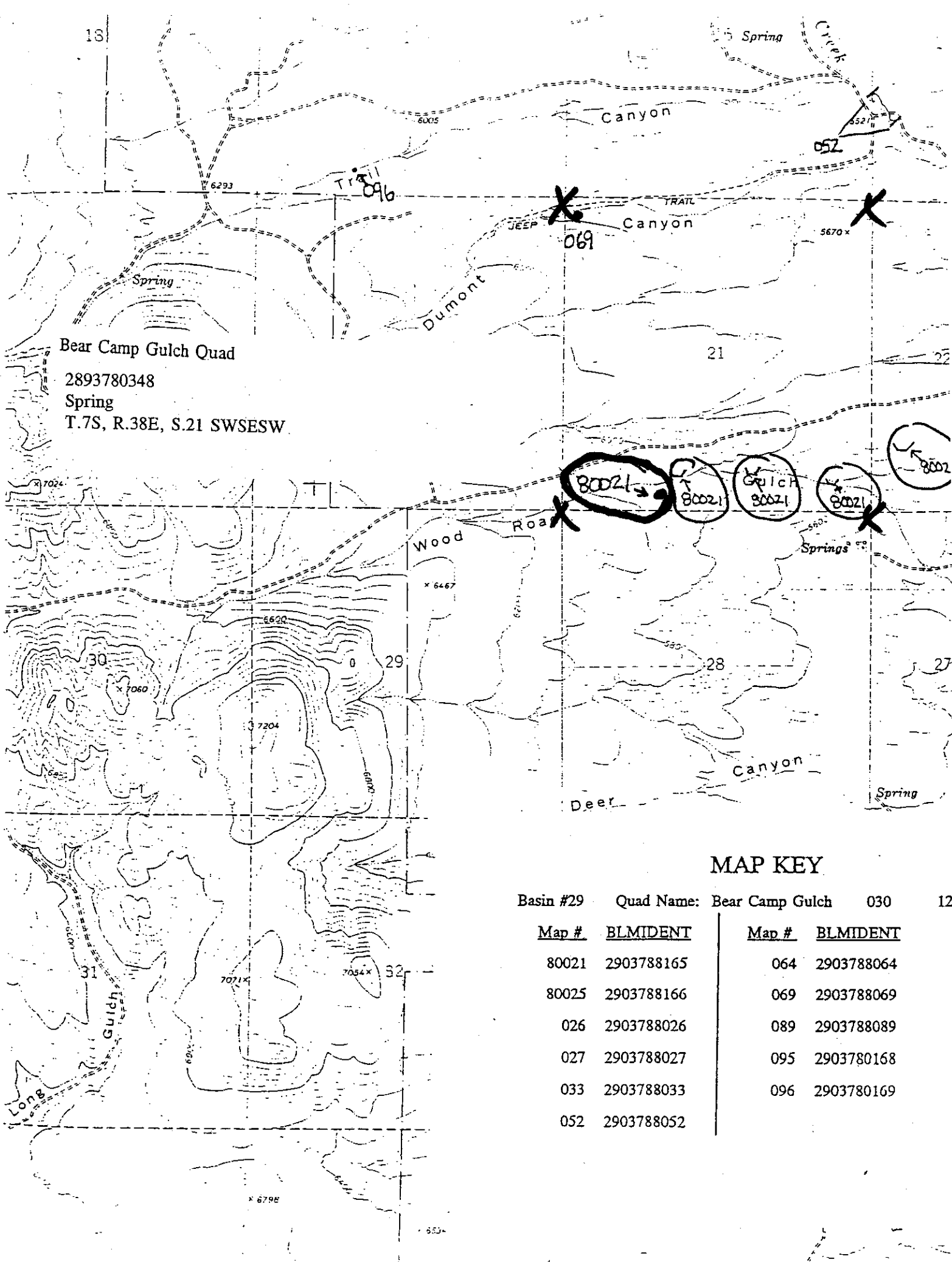
DATE: 08-May-02

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	07S	38E	21	SE	SW	0	29	CARIBOU



MAP KEY

Basin #29 Quad Name: Bear Camp Gulch 030 12-

Map #	BLMIDENT	Map #	BLMIDENT
80021	2903788165	064	2903788064
80025	2903788166	069	2903788069
026	2903788026	089	2903788089
027	2903788027	095	2903780168
033	2903788033	096	2903780169
052	2903788052		

STATE OF IDAHO)
) ss:
COUNTY OF ADA)

Water Right Claim Number: 29-13039

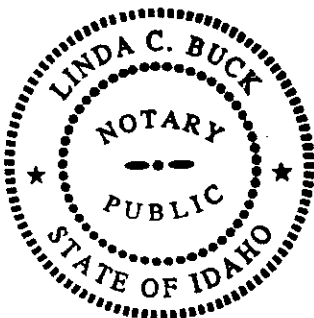
For Organizations:

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

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


Linda C. Buck



Notary Public in and for the State of: Idaho
Residing at: Mountain Home, Idaho
My Commission Expires: December 21, 2005