

RECEIVED

DEC 17 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

Case No. 39576

Subcase No.: 43-286B

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 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; 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.

CLAIMANT/OBJECTOR:

Jeff Sessions 12-12-03
Jeff Sessions Date
Round Mountain Ranch

Jason D. Walker 12/2/03
Jason D. Walker Date
Attorney for Round Mountain Ranch

IDWR CONCURRENCE:

Douglas Jones 12/4/03
Douglas Jones Date
Adjudication Supervisor

Wick Spencer 12-4-03
Approved as to form Date
Attorney for IDWR

12/04/2003

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

RIGHT NUMBER: 43-286B
NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: CLEAR CREEK

TRIBUTARY: SINKS

QUANTITY: 4.300 CFS

PRIORITY DATE: 11/23/1911

POINT OF
DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	4.300 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T16S R27E S13	NENE	4.0	T16S R27E S13	SWNE	7.0
T16S R27E S13	SENE	15.0	T16S R27E S13	NESW	40.0
T16S R27E S13	NESE	29.0	T16S R27E S13	NWSE	33.0
T16S R27E S13	SWSE	40.0	T16S R27E S13	SESE	40.0
T16S R27E S24	NENE	33.0	T16S R27E S24	NWNE	4.0
T16S R28E S19 Lot 1 NWNW		13.0			

258 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 190 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-00045 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 258 ACRES IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B.

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.

Water Right 43-286B

12/04/2003

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

NBS

[Handwritten signature/initials]

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of December, 2003, I caused to be served a true and correct copy of the foregoing by the following method to:

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

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

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

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Jason D. Walker
Ling, Robinson & Walker
P.O. Box 396
Rupert, ID 83350-0396

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Courtesy Copy to:

Jeff Sessions
Round Mountain Ranch
HC 72 Box 2346
Malta, ID 83342

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form