

**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 Nos.: 65-3447

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 as recommended in the director's report with the following additional language added to the "*Other Provisions Necessary for Administration*":

Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977.

This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

Roy H. Moses 01-14-04
Claimant Date

Moses Cattle Co. c/o Roy Moses

Claimant Date

David W. Gehlert 7/24/02
Objector, David W. Gehlert, Atty. Date

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

David J. Barber 7/22/02 Don T. Hurl 7/29/02
Deputy Attorney for the State of Idaho Date IDWR Concurrence Date

Sharon Hamlin 7/26/02
Attorney for IDWR Date

CERTIFICATE OF MAILING

I certify that on January 22⁴, 2002, 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. Copies to:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

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

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

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

Regional Director, PN Region Code 3100
U.S. Bureau of Reclamation
1150 N. Curtis Road, Suite 100
Boise, ID 83706-1234

Moses Cattle Co. c/o Roy Moses
8777 Ola Hwy
Sweet, ID 83670

Don T. Hurl
Signature of person or attorney filing the form

HP LaserJet 3100
Printer/Fax/Copier/Scanner

SEND CONFIRMATION REPORT for
WATER RESOURCES
2083275400
Jan-22-04 2:51PM

Job	Start Time	Usage	Phone Number or ID	Type	Pages	Mode	Status
508	1/22 2:49PM	1'52"	12087362121	Send	3 / 3	EC 96	Completed
Total		1'52"	Pages Sent: 3	Pages Printed: 0			



1301 North Orchard Street, P.O. Box 83726, Boise, Idaho 83726-0000
Phone: (208) 327-7900 FAX: (208) 327-7906

2000 IDWR Application
Approved
1-800-451-4129
www.idwr.idaho.gov

FAX Transmittal Cover Sheet

Number of pages including this one: 2

Date: 1/22/04
To: 208
Fax No.: _____
From: BOISE, IDAHO
Fax No.: _____
Phone No.: _____
Subject: WATER RESOURCES

In Addition: There is now a way to research water rights over the Internet. The system is a graphical or text query system and can be accessed from the IDWR home page.

<http://www.idwr.idaho.gov>

From that link, select "Snake River Basin Adjudication" toward the lower left hand of the screen. Then select "Map" or "Text" on the next page.

"TEXT" lets you search water rights via Name, Legal, Source, etc.

Enter in the information you know. Information can be entered under more than one tab. After you have completed entering your information, select "Search".

"MAP" allows you to search water rights graphically.

Use the tools on the Left side of the screen to Zoom in and out. To find out what each button does, hold the cursor over the button for a second. To the Right side of the screen are different layers that can be turned on or off. As you zoom in to your place in question, different layers will appear on the right side of the screen.

A HELP function is available within the application or you can call 1-800-451-4129 or (208)327-7906 for help.