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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
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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.: 43-2471

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:

Angela Schaer Kaufmann 2-24-04
Angela Schaer Kaufmann Date
Attorney for Sun Valley Agribusiness Partners, LLC

IDWR CONCURRENCE:

Kelly R. Christensen 2-17-04 Nick Spencer 3-4-04
Kelly Christensen Date Approved as to form Date
Sr. Water Resource Agent Attorney for IDWR

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

RIGHT NUMBER: 43-2471

NAME AND ADDRESS:

SUN VALLEY AGRIBUSINESS PARTNERS LLC
PO BOX 2169
SUN VALLEY ID 83353

SOURCE:

Source:
GROUND WATER

Tributary:

KKC
ASX
NBS

QUANTITY: 6.000 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 13.00 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 3312 AF. COMBINED RIGHT NOS.: 43-2471, 43-2472, &
43-4199.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 25.75 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 5456 AF. COMBINED RIGHT NOS. 43-2471, 43-2472,
43-2475, 43-2569, and 43-4199

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 13.00 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 3312 AF. COMBINED RIGHT NOS.: 43-2471, 43-2472, &
43-4199.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 4668 AF. COMBINED RIGHT NOS.: 43-2471,
43-2472, 43-2475, 43-2569, & 43-4199

PRIORITY DATE: 07/07/1959

POINT OF DIVERSION:

T11S R26E S1 SENWSW
Within CASSIA County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	03/15 11/15	6.000 CFS 1,440.00 AFY

Water Right 43-2471

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

PLACE OF USE: IRRIGATION within CASSIA County

T11S R26E S01 NENE Lot 1 40.0

T11S R26E S01 NWNE Lot 2 40.0

T11S R26E S01 SWNE 40.0

T11S R26E S01 SENE 40.0

T11S R26E S01 NENW Lot 3 40.0

T11S R26E S01 NWNW Lot 4 40.0

T11S R26E S01 SWNW 40.0

T11S R26E S01 SENW 40.0

T11S R26E S01 NESW 40.0

KKC
AK
NBS

360 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 1364 ACRES IN A SINGLE IRRIGATION SEASON.

COMBINED RIGHT NOS. 43-2471, 43-2472, 43-2475, 43-2569, & 43-4199

~~USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 1167 ACRES IN A SINGLE IRRIGATION SEASON.~~

~~COMBINED RIGHT NOS. 43-2471, 43-2472, 43-2475, 43-2569, & 43-4199~~

~~USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 1055 ACRES IN A SINGLE IRRIGATION SEASON.~~

~~COMBINED RIGHT NOS. 43-2471 AND 43-2569~~

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

CERTIFICATE OF SERVICE

I certify that on March 5, 2004, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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

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

2. Copies to:

Angela Schaer Kaufmann
Moffatt, Thomas, Barrett Rock & Fields
P.O. Box 829
Boise, ID 83701

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

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

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



Signature of person or attorney mailing the form