

COPY

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
MAY 10 2004
By <u>jm fast filed</u> Clerk Deputy Clerk

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: 29-172

Case No. 39576)

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT/ WITHDRAWAL OF
OBJECTION

This form is used to report the stipulated elements of one water right acquired under state law. 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; and 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 claimant/objectors intend to withdraw their objections to this subcase by the filing of this SF5. The claimants/objectors and IDWR agree and stipulate that the elements of this water right should be described per the Director's Report previously filed with the Court. The parties and IDWR have further indicated their concurrence by their signatures below.

CLAIMANT/OBJECTOR:

Kathy D. Archibald 4/22/04
Kathy D. Archibald Date

CLAIMANT/OBJECTOR:

Thomas J. Archibald 4-22-04
Thomas J. Archibald Date

IDWR CONCURRENCE:

Allen Rubbery 4/22/04
Allen Rubbery Date
Senior Water Resource Agent, IDWR

Candice M. McHugh 5-7-04
Candice M. McHugh Date
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on May 10, 2004 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, 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:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

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

Kathy and Thomas Archibald
10408 E Thunder Mtn. Rd
P.O. Box 338
Lava Hot Springs, ID 83246



Signature of person or attorney mailing the form