

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 21 2004	
By <u>RLH</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: 29-12498
	)	
	)	
Case No. 39576	)	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. 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 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:

Ken Estep 4/21/04
Ken Estep, Commission Chairman Date
County of Power

IDWR CONCURRENCE:

Ernie Carlsen 4/21/04
Ernie Carlsen Date
Adjudication Supervisor Eastern Region

Candice M. McHugh 4/21/04
Candice M. McHugh Date
Attorney for IDWR

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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

07/10/2003

APR 21 2004

By KE Clerk
Deputy Clerk

RIGHT NUMBER: 29-12498
NAME AND ADDRESS: COUNTY OF POWER
543 BANNOCK ST
AMERICAN FALLS ID 83211

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.880 CFS
176.00 AFY

PRIORITY DATE: 05/01/1954

POINT OF DIVERSION: T07S R31E S22 ^{NE} ~~NWSWN~~ Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.880 CFS
176.00 AFY

PLACE OF USE: IRRIGATION Within POWER County

T07S R31E S22	NWNW	7.0	T07S R31E S22	SWNW	32.0
T07S R31E S22	NWSW	5.0			

44 ACRES TOTAL

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 - Beneficial Use

CERTIFICATE OF MAILING

I certify that on 9.21, 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:

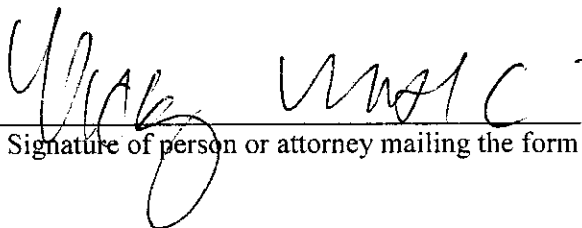
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

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

Ken Estep
Commission Chairman
County of Power
543 Bannock St
American Falls, ID 83211



Signature of person or attorney mailing the form