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JUN 02 2004

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

) SUBCASE NO: 29-285H
)
)
)

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 indicate their concurrence by their signatures below and by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

M.D. Morrison 5-26-04
M.D. Morrison Date

CLAIMANT/OBJECTOR:

Barbara Morrison 5/26/04
Barbara Morrison Date

IDWR CONCURRENCE:

Don Shaff
Don Shaff Date
Technical Support Section Manager, IDWR

Candice M. McHugh 5/20/04
Candice M. McHugh Date
Attorney for IDWR

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

RIGHT NUMBER: 29-285H

NAME AND ADDRESS:

BARBARA E MORRISON
3455 N RAPID CREEK RD
PO BOX 564
INKOM ID 83245

M D MORRISON
PO BOX 564
INKOM ID 83245

SOURCE:

Source:
INMAN CREEK

Tributary:
RAPID CREEK

QUANTITY: 0.200 CFS

The water rights listed below shall only be used in rotation as provided for in Stewart v Damron, Decree (Fifth Jud. Dist. Ct., Bannock County, June 22, 1906) and are limited to a total combined diversion rate of 0.20 cfs: Right Nos. 29-00285A, 29-00258B, 29-00285C, 29-00285E, 29-00285F, 29-00285G, 29-00285H, 29-00285I, and 29-00258J.

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION: T07S R36E S11 SESWSE

Within BANNOCK County

MM
See 5-26-04

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
<u>IRRIGATION</u>	<u>4/1 10/31</u>	<u>0.200 CFS</u>

PLACE OF USE:

IRRIGATION within BANNOCK County
T07S R36E S15 NESE 10.0

sm^e
df

10 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 10 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-285H, 29-2232, 29-2497.

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

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.

~~FORFEITED/ABANDONED: This is included for a claim based on a decree or license that is PROPOSED to be disallowed on the basis that the water right no longer exists because forfeiture of the right by nonuse was confirmed and a defense to forfeiture was not confirmed, or because abandonment of the right was confirmed.~~
~~FORFEITED/ABANDONED DUE TO NON USE FROM 1976 TO 1990.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

sm^s
ll

MM
pen 5/26/04

CERTIFICATE OF MAILING

I certify that on 5/28/04, 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

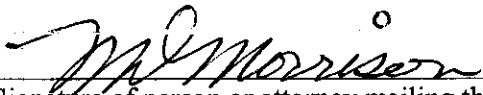
2.

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

Barbara Morrison
M.D. Morrison
P.O. Box 564
Inkom, ID 83245



Signature of person or attorney mailing the form

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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

SUBCASE NO: 29-285H

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STANDARD FORM 5

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WATER RIGHT

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06/01/1884

POINT OF DIVERSION: T07S R36E S11 SESWSE

Within BANNOCK County

MDM
See 5-16-04

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

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4/1 10/31

0.200 CFS

PLACE OF USE:

IRRIGATION

within BANNOCK County

T07S R36E S15 NESE 10.0

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per 5/26/04

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Barbara Morrison
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