

JUN 03 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. 63-5057
	)	
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 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(s):

Francis & Shirley Mangum

Francis Mangum 16 Apr 2004
claimant Date

Shirley Mangum April 16 04
claimant Date

STANDARD FORM 5 - 63-5057

OBJECTOR(s):

USDI/Bureau of Reclamation

David Gehlert 5/27/04
David Gehlert Date
Trial Attorney, General Litigation Section
U.S. Dept. of Justice

OBJECTOR(s):

Boise Project Board of Control

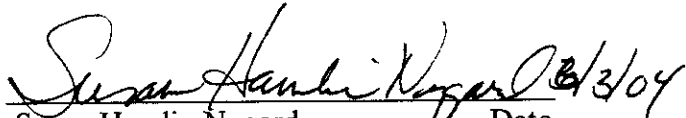

Albert P. Barker
Attorney for Objector(s)

4-13-2004
Date

IDWR Concurrence:


Jan Shurte
Adjudication Supervisor

6-4-04
Date


Susan Hamlin Nygard
Deputy Attorney General

8/3/04
Date

CERTIFICATE OF MAILING

I certify that on June 7, 200~~7~~⁴, 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:

USDI Bureau of Reclamation
US Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

Albert P. Barker
Barker, Rosholt & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139

Francis & Shirley Mangum
17 Old Mill Road
Boise, ID 83716

IDWR Repository
P.O. Box 83720
Boise, ID 83720



Signature of person or attorney mailing the form

09/24/2002

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

RIGHT NUMBER: 63-5057

NAME AND ADDRESS: FRANCIS MANGUM
17 OLD MILL RD
BOISE ID 83716

SHIRLEY MANGUM
17 OLD MILL RD
BOISE ID 83716

SOURCE: CLEAR CREEK
SPRING

TRIBUTARY: GRIMES CREEK
TRIBUTARY: CLEAR CREEK

QUANTITY: 0.280 CFS

PRIORITY DATE: 09/24/1900

POINT OF
DIVERSION: T05N R04E S32 SWNWNE Within BOISE County
T05N R04E S32 NENW Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01

QUANTITY
0.280 CFS

PLACE OF USE: IRRIGATION Within BOISE County

T05N R04E S29 SESW 4.0
T05N R04E S32 NENW 7.0

T05N R04E S32 NWNE 3.0

14 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

THE CLEAR CREEK SOURCE IS ALSO KNOWN AS SOUTH BRANCH CLEAR
CREEK.