

**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. 63-31736
(split from 63-4631B)

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)/OBJECTOR:

~~Raymond Therman~~

Raymond Thomas

 Signature _____ Date _____

PARTICIPANT:

Edgar L. Stevens Water Users Assoc



 Lyons D. Woody Date
 Vice-President
 Steven W. Burak

OBJECTOR:

STANDARD FORM 5-63-31736

United States on behalf of the
USDA Forest Service

David Negri 6/9/07
David L. Negri Date

IDWR Concurrence:

Jan Shurtz 6-8-07
~~Gene Gibson~~ ~~JAN SHURTZ~~ Date
Agent

Nick Spencer 6/8/07
Nick Spencer Date
Deputy Attorney General

CERTIFICATE OF MAILING

STANDARD FORM 5 – 63-31736

05/24/2004

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

RIGHT NUMBER: 63-31736
NAME AND ADDRESS: RAYMOND TAYLOR THURMAN
HC 87 BOX 594
FEATHERVILLE ID 83647
SOURCE: STEVENS GULCH TRIBUTARY: SOUTH FORK BOISE RIVER
QUANTITY: 0.024 CFS
PRIORITY DATE: 10/05/1899
POINT OF DIVERSION:
T03N R11E S11 NWSW Lot 4 Within ELMORE County
PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.024 CFS

PLACE OF USE: IRRIGATION Within ELMORE County
T03N R11E S11 ~~Lot 4~~ NWSW 0.8

0.8 ACRES TOTAL

All places of use are on private land within Homestead Entry Survey (HES) 149.

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: Beneficial Use

CERTIFICATE OF MAILING

I certify that on June 9, 2004, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

Original by Overnight Mail to:

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

Copy to:

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

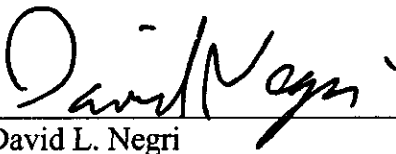
United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724

Copies to all parties to the subcase:

Bruce M. Smith
Moore, Smith, Buxton & Turcke, Chartered
225 North 9th Street, Suite 420
Boise, ID 83702

Raymond Thurman
HC 87 Box 594
Featherville, ID 83647

Curtis Thurman
4000 S. Cole Rd.
Boise, ID 83709



David L. Negri