

COPY

RECEIVED
JUL 06 2004
DEPARTMENT OF
WATER RESOURCES

2004 JUL -2 AM 10:49

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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.: 43-13355

(Formerly Uncontested

Overlap 43-13116)

STANDARD FORM 5

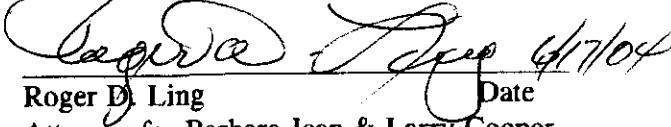
STIPULATED ELEMENTS OF A
WATER RIGHT

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 attached pages reflect the elements as set forth on the Notice of Administrative Proceeding filed on May 4, 2004. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

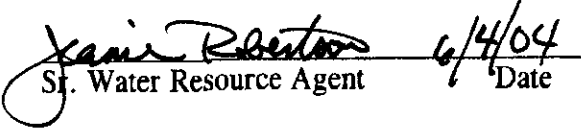
CLAIMANT:


Roger D. Ling

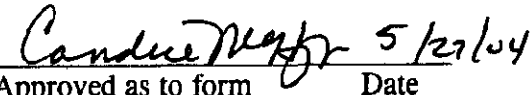
Attorney for Barbara Jean & Larry Cooper

Date

IDWR CONCURRENCE:


Sr. Water Resource Agent

Date


Approved as to form

Date

Attorney for IDWR

SCANNED

JUN 21 2004

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

05/27/2004

2004 JUL -2 AM 10:49
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 43-13355
NAME AND ADDRESS: BARBARA JEAN COOPER
227 W 20 S KNOX DR
BURLEY ID 83318

LARRY COOPER
227 W 20 S KNOX DR
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.180 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.13 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 236 AF. COMBINED RIGHT NOS.: 43-13321,
43-13353, & 43-13355.

PRIORITY DATE: 06/30/1985

POINT OF
DIVERSION: T12S R26E S11 SESENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	0.180 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R26E S10	NENW	32.0	T12S R26E S10	SWNW	38.0
T12S R26E S10	SENW	39.0			

109 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 43-13321 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 77 ACRES IN A SINGLE IRRIGATION
SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 109 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-423A, 43-423B, 43-13321, 43-13353, &
43-13355.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 18 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

05/27/2004

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.

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 43-13321 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 43-13116.

sm
[Signature]

CERTIFICATE OF SERVICE

I certify that on June 30, 2004, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

Roger D. Ling
Ling Robinson
P.O. Box 396
Rupert, ID 83350

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

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

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

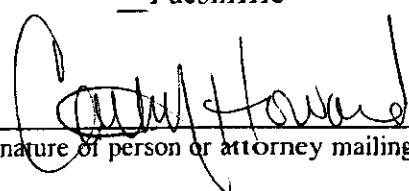
Courtesy Copy:

Gary B. Harper
Susan C. Harper
2040 East 850 South
Malta, ID 83342

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

J. Max Jones
Diane Jones
2048 East 850 South
Malta, ID 83342

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile


Signature of person or attorney mailing the form