

**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. 34-13675
	)	
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):

Paula Davies

Paula Davies July 8, 2004
signature Date

OBJECTOR(s):

Jimmie Waddoups

Jimmie Waddoups 7-13-04
signature Date

IDWR Concurrence:

Carter Fritschle 7-1-04
Carter Fritschle Date
Adjudication Supervisor

Chris Bromley 6/30/2004
Chris Bromley Date
Deputy Attorney General

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

RIGHT NUMBER: 34-13675

NAME AND ADDRESS:

PAULA A DAVIES
384 YVONNE ST
ARCO ID 83213-8764

SOURCE:

Source:

SPRING

Tributary:

SINKS

QUANTITY:

0.030 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE:

08/17/1899

POINT OF DIVERSION:

T03N R24E S5 NESWSE
Within BUTTE County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

STOCKWATER

01/01 12/31

0.030 CFS

PLACE OF USE:

STOCKWATER

within BUTTE County

T03N R24E S05 SESE

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.
The quantity of water decreed for this water right is not a determination of historical beneficial use.

~~RECOMMENDED AS RIGHT NO. 34-13598.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right no. 34-13598 is also diverted through the point of diversion described above.