

JUL 22 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

Case No. 39576

Subcase No.: 29-10202

STANDARD FORM 5

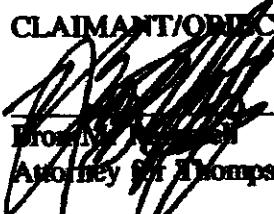
STIPULATED ELEMENTS OF A
WATER RIGHT

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/OBJECTOR:

 7/17/04
Brock M. Smith Date
Attorney for Thompson Brothers Farms, LLP

IDWR CONCURRENCE:

 7/23/04
Cindy Bird Date
Sr. Water Resource Agent

 7/23/04
Candice M. McHugh Date
Attorney for IDWR

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

JUL 22 2004
DEPARTMENT OF
WATER RESOURCES

RIGHT NUMBER: 29-10202

NAME AND ADDRESS:

THOMPSON BROTHERS FARMS LLP
2663 HIPPER RD
BANCROFT ID 83217

SOURCE:

Source:

Tributary:

GROUND WATER

QUANTITY:

5.680 CFS

~~5.570 CFS~~

951.000 AFY

~~936.000 AFY~~

PRIORITY DATE:

06/27/1960

POINT OF DIVERSION:

T078 R38E S24 SENWNE
Within CARIBOU County

CB
SM² BE by SM²

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

5.680 CFS 951.00 AFY

~~5.570 CFS 936.00 AFY~~

PLACE OF USE:

IRRIGATION

within CARIBOU County

T078 R38E S13 NESW 39.0

~~T078 R38E S13 NESW 23.0~~

~~T078 R38E S13 SWSW 1.6~~

T078 R38E S13 SESW 39.0

~~T078 R38E S13 SESW 40.0~~

T078 R38E S13 NESE Lot 3 32.0

~~T078 R38E S13 NESE Lot 3 16.0~~

T078 R38E S13 NWSE 39.0

~~T078 R38E S13 NWSE 37.0~~

T078 R38E S13 SWSW 40.0

T078 R38E S13 SSES Lot 4 33.0

T078 R38E S24 NENE Lot 1 21.0

~~T078 R38E S24 NENE Lot 1 23.0~~

T078 R38E S24 NWNE 35.0

~~T078 R38E S24 NWNE 30.0~~

T078 R38E S24 NENW 29.0

~~T078 R38E S24 NENW 26.0~~

307 ACRES TOTAL

278.6 ACRES TOTAL

SF5

Water Right No.: 29-10202

1

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

JUL 22 2004
DEPARTMENT OF
WATER RESOURCES

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 - License

THIS RIGHT IS A COMBINATION OF PART OF THE OLD RIGHT NOS. 29-2430 AND 29-2431.

BL
by SM

SM

CB

CERTIFICATE OF SERVICE

I certify that on 23rd day of July, 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:

Bron M. Rammell
Dial, May and Rammell, Chartered
P.O. Box 370
Pocatello, ID 83204-0370

☐ 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

Signature of person or attorney mailing the form

AMENDED CERTIFICATE OF SERVICE

I certify that on August 4, 2004, I caused to be served true and correct copies of the Standard Form 5 in subcase 29-10202, 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 on 7/23/04 VBK
☐ Hand-Delivered
☐ Facsimile

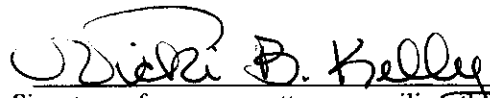
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