

AUG 13 2004

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

Subcase No. 63-10279

STANDARD FORM 5

STIPULATED ELEMENTS OF A WATER RIGHT

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.

OBJECTOR(s):

USDI/Bureau of Reclamation

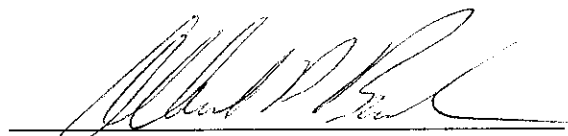
David Gehlert 7/13/04
Date

claimant *JoAnne Green* Date *7/7/64*
By *JoAnne Green* David Gehlert Date
as Personal Representative Trial Attorney, General Litigation Section
U.S. Dept. of Justice

1

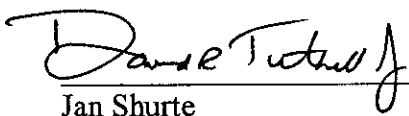
OBJECTOR(s):

Boise Project Board of Control

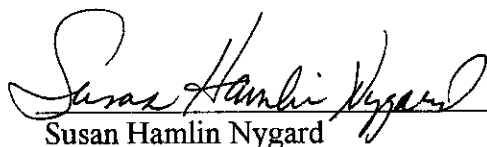


Albert P. Barker Date
Attorney for Objector(s)

IDWR Concurrence:

for  7/23/07

Jan Shurte Date
Adjudication Supervisor

 7/22/07

Susan Hamlin Nygard Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on August 11, 200~~8~~⁷, 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

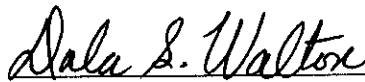
2. Copies to:

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

Cumer L Green
P O Box 2597
Boise, ID 83701

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



Signature of person or attorney mailing the form

08/12/2003

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

RIGHT NUMBER: 63-10279
NAME AND ADDRESS: CUMER L GREEN
PO BOX 2597
BOISE ID 83701

SOURCE: MORES CREEK TRIBUTARY: BOISE RIVER

QUANTITY: 0.130 CFS

PRIORITY DATE: 04/06/1985

POINT OF
DIVERSION: T05N R04E S35 SWNE Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05/01 06/14	0.130 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER JUNE 14 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Diversions for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir and/or Lake Lowell as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION Within BOISE County

T05N R04E S35	SWNE	11.0	T05N R04E S35	NESW	5.0
T05N R04E S35	NESE	2.0	T05N R04E S35	NWSE	12.0

30 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 - License

Don
Dr
Sub
CPB

Instrument # 194828

IDAHO CITY, BOISE COUNTY, IDAHO

2004-01-21 10:36:22 No. of Pages: 1

Recorded for JOANNE GREEN

RORA A. CANODY Fee: 3.00

Ex-Officio Recorder Deputy

Index to: MISCELLANEOUS

MAGISTRATES DIVISION
DISTRICT COURT
FOURTH JUDICIAL DISTRICT
BOISE COUNTY, IDAHO

JUL 30 2001

Filed 1:10 PM No. _____
By RORA A. CANODY Clerk
Helen K. Walker

Merlyn W. Clark, ISB No. 1026
Richard F. Goodson, ISB No. 1644
Janice E. Lawson, ISB No. 4474
HAWLEY TROXELL ENNIS & HAWLEY LLP
877 Main Street, Suite 1000
Boise, ID 83701-1617
Telephone: (208) 344-6000
Facsimile: (208) 342-3829

Attorneys for Personal Representative

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BOISE

IN THE MATTER OF THE ESTATE OF)

Case No. SP-01-00041

CUMER L. GREEN,)

LETTERS TESTAMENTARY)

Deceased.)

Joanne Green is hereby appointed personal representative of the Estate of Cumer L. Green, deceased, with all authority pertaining thereto. Administration of the estate is unsupervised.

These Letters are issued to evidence the appointment, qualification, and authority of the personal representative.

WITNESS: _____, Magistrate of the District Court,
County of Boise, State of Idaho, with the seal of the Court affixed this 30 day of

July 30, 2001
FOURTH JUDICIAL DISTRICT
COUNTY OF BOISE, IDAHO
I hereby certify that the foregoing instrument is a full, true and correct copy of the original on file in the office of the undersigned Clerk of the Magistrate's Division, District Court of the Fourth Judicial District of Idaho, for Boise County.

RORA A. CANODY

CLERK, MAGISTRATE'S DIVISION

BY _____ DEPUTY CLERK

Patricia Young
MAGISTRATE

LETTERS TESTAMENTARY

CERTIFICATE OF VITAL RECORD

STATE OF IDAHO
IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF HEALTH POLICY AND VITAL STATISTICS

CERTIFICATE OF DEATH

Date Filed JULY 24, 2001

State File No. 2001-05155

DECEDENT - NAME CUMER LEON GREEN				AGE 59 YEARS	
DATE OF DEATH JULY 13, 2001		SEX MALE	SOCIAL SECURITY NUMBER [REDACTED]	DATE OF BIRTH OCT. 06, 1941	
BIRTHPLACE IDAHO		WAS DECEDENT EVER IN U.S. ARMED FORCES? YES		MARITAL STATUS MARRIED	
SURVIVING SPOUSE (If wife, maiden name) JOANNE AMES		CITY, TOWN OR LOCATION OF DEATH BOISE, IDAHO			
RESIDENCE STATE IDAHO		CITY, TOWN OR LOCATION BOISE			
FATHER - NAME LEON GRANT GREEN					BIRTHPLACE IDAHO
MOTHER - FULL MAIDEN NAME GWEN PRATT VAN ORDEN					BIRTHPLACE UTAH
NAME AND ADDRESS OF MORTUARY RELYEA FUNERAL CHAPEL, BOISE, IDAHO					
FUNERAL SERVICE LICENSEE MARK S. EWERT					
METHOD OF DISPOSITION BURIAL		TIME OF DEATH 2:18 P.M.		MANNER OF DEATH NATURAL	
CAUSE OF DEATH (underlying cause last) MYOCARDIAL INFARCTION					Approximate Interval Between Onset and Death 3 DAYS
DUE TO (or as a consequence of): a.					
DUE TO (or as a consequence of): b.					
DUE TO (or as a consequence of): c.					
DUE TO (or as a consequence of): d.					
OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above NONE LISTED					AUTOPSY PERFORMED? NO
NAME OF CERTIFIER ROBERT S. LEE, M.D.				TITLE OF CERTIFIER PHYSICIAN	
CORONER'S DISTRICT AREA					
ACTION:				NAME	
CAUSES ONLY					
DATE OF INJURY		PLACE OF INJURY		INJURY AT WORK?	
DESCRIPTION OF HOW INJURY OCCURRED					
PLACE OF INJURY		LOCATION OF INJURY			

QUERY INFORMATION ADDED: 07/31/2001

Instrument # 194827

IDAHO CITY, BOISE COUNTY, IDAHO

2004-01-21

10:36:22 No. of Pages: 1

Recorded for: **JOANNE GREEN**

RORA A. CANODY

Fee: 3.00

Ex-Officio Recorder Deputy *Shirley Lange*

Index to: MISCELLANEOUS

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF HEALTH POLICY AND VITAL STATISTICS.

DATE ISSUED: **JUNE 24, 2003**

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

Jane S. Smith
JANE S. SMITH
STATE REGISTRAR

