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DEPARTMENT OF
WATER RESOURCES

2004 SEP 10 AM 10:14

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED

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. 29-13691
	)	(FORMERLY WATER RIGHT NO.
	)	29-11335)
	)	
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. 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; and 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.

As a result of settlement, water right no. 29-11335 has been split into water right nos. 29-13690 and 29-13691. Therefore, the claimant and IDWR agree and stipulate that water right no. 29-11691 should be described per the attached. The claimant and IDWR have further indicated their concurrence by their signatures below and by initialing the attached page.

CLAIMANT/ OBJECTOR:

Randall C. Budge 8-18-04
Randall C. Budge Date
Attorney for Jeffrey L. Matkin

IDWR CONCURRENCE
Ernie Carlsen
Ernie Carlsen
Adjudication Supervisor, IDWR

9-08-04
Date

Candice M. McHugh 9/8/04
Candice M. McHugh Date
Attorney for IDWR

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

RIGHT NUMBER: 29-13691
NAME AND ADDRESS: JEFFERY L MATKIN
PO BOX 4885
POCATELLO ID 83205

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 04/01/1960

POINT OF
DIVERSION: T07S R35E S30 SWNESE Within BANNOCK County
T07S R35E S30 SWSESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC Within BANNOCK County

T07S R35E S30 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL # FOR DOMESTIC: R4013052905

This right is a split from former right 29-11335.

SM^e

RF

Blw for RCB

CERTIFICATE OF MAILING

I certify that on September 8, 2004 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:

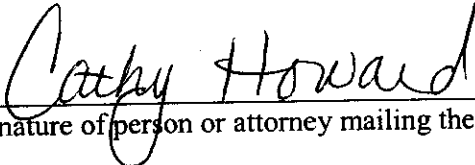
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

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

Randall C. Budge
Attorney for Jeffrey L. Matkin
P.O. Box 1391
Pocatello, ID 84204-1391



Signature of person or attorney mailing the form