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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

)

Subcase No. 47-16739

)

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 the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River 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 claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

OBJECTOR:

United States on behalf of the
USDA Forest Service

David L. Negri 4/25/03
Date

CLAIMANTS:

Western Stock Growers Association et al.
David Crockett
Raymond Butler
Wallace Brown
Broken Diamond Ranch
Birchie Brown
Mathers Ranch Inc.
Kinsey Family LLP
Williams Properties LLC
Williams, Inc.
Tugaw Ranch
Tom Kunkel

RESPONDENT:

Western Stock Growers Association et al.

Norman M. Semanko 4-25-03
Date
Travis L. Thompson

IDWR CONCURRENCE:

Roxanne Brown 4/25/03
Date

CERTIFICATE OF MAILING

I certify that on 4/28, 2003, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

Original to:

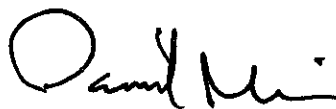
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

Copy to:

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

United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724

Norman M. Semanko
Travis L. Thompson
Barker, Rosholt, & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139
Counsel for the Western Stock Growers Association et al.



Signature of person mailing documents

Right Number: 47-16739

Name and Address:

WESTERN STOCK GROWERS
ASSOCIATION ~~ET AL.~~
2391 ROCK CREEK RD
HANSEN, ID 83334

~~DAVID CROCKETT~~
~~2678 A ROCK CREEK RD.~~
~~HANSEN, ID 83334~~

~~RAYMOND BUTLER~~
~~3094 A N 3800 E~~
~~HANSEN, ID 83334~~

~~WALLACE BROWN~~
~~3389 N 3700 E~~
~~HANSEN, ID 83334~~

~~BROKEN DIAMOND RANCH~~
~~C/O CHARLES AND SHARI HELMAN~~
~~2391 ROCK CREEK RD.~~
~~HANSEN, ID 83334~~

~~BIRCHIE BROWN~~
~~C/O TAYLOR BROWN~~
~~340 W 350 S~~
~~JEROME, ID 83338~~

~~MATHERS RANCH INC.~~
~~3485 E 3100 E~~
~~KIMBERLY, ID 83341~~

~~KINSEY FAMILY LLP~~
~~C/O WILMOTH KINSEY~~
~~3497 A E 3000 N~~
~~KIMBERLY, ID 83341~~

~~WILLIAMS PROPERTIES LLC~~
~~C/O AARON WILLIAMS~~
~~2600 N 2900 E~~
~~TWIN FALLS, ID 83301~~

~~WILLIAMS INC.~~
~~THOMAS A. WILLIAMS~~
~~WILLIAM J. WILLIAMS~~
~~C/O BILLY WILLIAMS~~
~~3128 N 3200 E~~
~~TWIN FALLS, ID 83301~~

~~TUCAW RANCH~~
~~C/O JOE TUCAW~~
~~3277 WOODBRIDGE DR.~~
~~TWIN FALLS, ID 83301~~

~~TOM KUNKEL~~
~~RT. 3 HOLLISTER~~
~~TWIN FALLS, ID 83301~~

Source: SOUTH COTTONWOOD CREEK Tributary: SHOSHONE CREEK

Quantity: .02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

Priority Date: 06-01-1872

Diversion Point: T15S R18E S03 NWNE (Instream Beginning) Twin Falls
S03 NWNE (Instream Ending) Twin Falls
~~S28 SWSW (Instream Ending) Twin Falls~~
S15 SWNW (Instream Beginning) Twin Falls
S15 SWNW (Instream Ending) Twin Falls

RA
NMS
DW

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	05-15 TO 10-15	.02 CFS

Place of Use:	Stockwater		Within Twin Falls County
	T15S R18E S03	NWNE	SENE
		NESW	SESW
	S10	NENW	SENE
		NESW	SESW
	S15	NENW	NWNW
		SWNW	NWSW
		SWSW	
	S21	NESE	SESE
	S22	NWNW	SWNW
		NWSW	
	S28	NENE	SENE
		SWSW	SESW
		NESE	NWSE
		SWSE	

Other Provisions Necessary for Definition / 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

NRS

RB

DN