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AUG 13 2002

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.: 43-10459

Case No. 39576

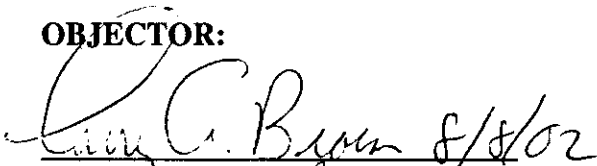
STANDARD FORM 5

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.

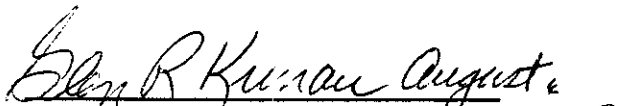
**OBJECTOR:**

  
Larry A. Brown *MB* date  
Attorney, U.S. Dept. of Justice  
Environment & Natural Resources Div.

**IDWR CONCURRENCE:**

  
Roxanne Brown *8/13/02* date  
Sr. Water Resource Agent

**CLAIMANT:**

  
Glen R. Kunau *August 2002* date

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

RIGHT NUMBER: 43-10459

NAME AND ADDRESS: GLEN R KUNAU  
1941 MILLER AVE  
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.19 CFS

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

PRIORITY DATE: 04/01/1956

POINT OF DIVERSION:

T10S R26E S26 NENWNW Within CASSIA County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

1/01 12/31

0.19 CFS

DOMESTIC

1/01 12/31

0.04 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

~~T10S R26E S13~~ ~~SESW~~  
~~T10S R26E S14~~ ~~NESE~~  
~~T10S R26E S15~~ ~~SESE~~  
~~T10S R26E S23~~ ~~SESW~~  
~~T10S R26E S25~~ ~~NWNW~~

~~T10S R26E S14~~ ~~SWSW~~  
~~T10S R26E S14~~ ~~NWSE~~  
~~T10S R26E S23~~ ~~NENW~~  
~~T10S R26E S24~~ ~~NENW~~  
~~T10S R26E S26~~ ~~NWNW~~

DOMESTIC Within CASSIA County

T10S R26E S26 NWNW

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 NO. RP10S26E263000 STOCKWATER, 800 RANGE CATTLE

## CERTIFICATE OF MAILING

I certify that on Aug 8, 2002, I delivered the original and copies of this form to the following persons, postage prepaid if required, and addressed as follows:

### 1. Original to:

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

☒ overnight mail  
☐ regular mail  
☐ hand-delivered  
☐ facsimile

### 2. Copies to:

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

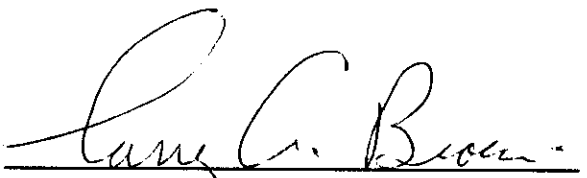
☐ overnight mail  
☒ regular mail  
☐ hand-delivered  
☐ facsimile

U.S. Dept. of Justice  
Environment & Natural Resource Div.  
General Litigation Section  
550 W. Fort St., MSC 033  
Boise, ID 83724

☐ overnight mail  
☒ regular mail  
☐ hand-delivered  
☐ facsimile

Glen R. Kunau  
1941 Miller Ave.  
Burley, ID 83318

☐ overnight mail  
☒ regular mail  
☐ hand-delivered  
☐ facsimile



Signature of person mailing this document