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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.: 43-10508

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 FWP 8/12/02
Larry A. Brown FWP date
Attorney, U.S. Dept. of Justice
Environment & Natural Resources Div.

CLAIMANT:

Julene Cottle 8-9-02
Julene Cottle date

Albert Cottle 9 Aug 02
Albert Cottle date

IDWR CONCURRENCE:

Roxanne Brown 8/12/02
Roxanne Brown date
Sr. Water Resource Agent

OBJECTOR:

United States on behalf of the
USDA Forest Service

David L. Negri 8/9/02
David L. Negri date

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

RIGHT NUMBER: 43-10508

NAME AND ADDRESS:

ALBERT JAY COTTLE
JULENE COTTLE
1750 S COTTLE LN
BOX 1232
MALTA ID 83342

SOURCE: GROUND WATER

Tributary:

QUANTITY: 0.085 CFS

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

PRIORITY DATE: 03/01/1963

POINT OF DIVERSION:

T14S R28E S29 SENW Within CASSIA County

PURPOSE AND

PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

STOCKWATER

3/01 12/15

0.085 CFS

PLACE OF USE:

STOCKWATER

within CASSIA County

~~T14S R27E S24 SWSE~~

~~T14S R27E S25 SENE~~

~~T14S R27E S25 NWSE~~

~~T14S R28E S28 NWNW~~

~~T14S R28E S28 SENW~~

~~T14S R28E S29 SWNE~~

~~T14S R28E S29 SENE~~

~~T14S R28E S29 SENW~~

~~T14S R28E S29 NESW~~

~~T14S R28E S30 SWNE~~

~~T14S R28E S30 SWNW~~

T14S R28E S30 SWNW Lot 2

~~T14S R28E S33 SENW~~

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

STOCKWATER 165 COW & CALF PAIRS

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 43-2696, 43-10508, 43-11130.

CERTIFICATE OF MAILING

I certify that on Aug. 12, 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

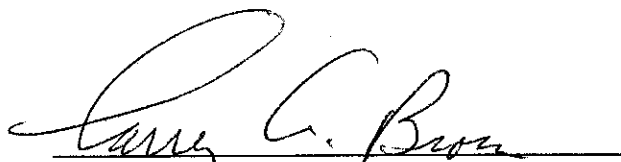
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

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

Albert and Julene Cottle
1750 S. Cottle Lane
Box 1232
Malta, Idaho 83342

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


Signature of person mailing this document