

AUG 05 2002

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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

Case No. 39576

Subcase No. 43-04033

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. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

S. Chad Fridal

S. Chad Fridal
S. Chad Fridal7-22
Date

OBJECTOR:

United States on behalf of the
Bureau of Land ManagementLarry A. Brown
Larry A. Brown Fwp
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.8/16/02
Date

IDWR CONCURRENCE:

Larry A. Brown
Date 8/16/02

IDWR CONCURRENCE:

Candice M. McHugh
Candice M. McHugh
Deputy Attorney General
Date 8/16/02

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

RIGHT NUMBER: 43-4033

NAME AND ADDRESS: ~~MARK DUFFEE~~ S. CHAD FRIDAL
~~SUBLETT ROUTE~~ 2970 E. 1400 S.
~~MALTA ID 83342~~ MALTA, ID 83342

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.060 CFS
5.50 AFY

Fwp *CR* *RG*

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/01/1945

POINT OF DIVERSION: T12S R28E S32 SWSESW Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC	01/01 12/31	0.060 CFS 2.40 AFY
	STOCKWATER	01/01 12/31	0.020 CFS 0.70 AFY
	COMMERCIAL	01/01 12/31	0.060 CFS 2.40 AFY

PLACE OF USE:	DOMESTIC		Within CASSIA County
	T12S R28E S32	SESW	
	STOCKWATER		Within CASSIA County
	T12S R28E S32	SESW	
	COMMERCIAL		Within CASSIA County
	T12S R28E S32	SESW	

THE USE OF WATER UNDER THIS RIGHT FOR DOMESTIC, STOCKWATER, AND COMMERCIAL PURPOSES WITHIN SESW, S32, T12S, R28E, IS LIMITED TO THE ~~S2S2~~ OF THAT PLACE OF USE.

S1/2 B S1/2

Sm^c
Larg

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 FOR DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on Aug 8, 2002 mailed the original and copies of this form, including all attachments, 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. Copy to:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

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

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

S. Chad Fridal
2970 E. 1400 S.
Malta, Idaho 83342


Signature of person or attorney mailing the form