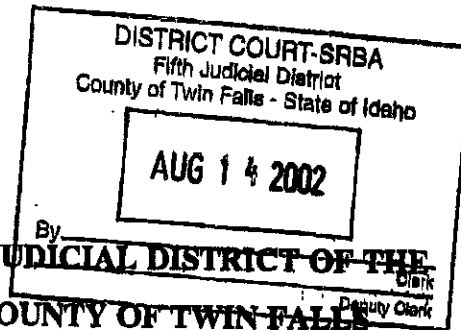


RECEIVED

AUG 15 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

Case No. 39576

Subcase No.: 43-13039

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 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.

CLAIMANT:

Arden Eugene Wickel 8/14/02
Arden Eugene Wickel Date

CLAIMANT:

Wynell F. Wickel

Date

OBJECTOR:

Larry A. Brown 8/14/02
Larry A. Brown, US DOJ *Fwp* Date
Attorney for BLM

IDWR CONCURRENCE:

Janie Robertson 8/14/02
Sr. Water Resource Agent Date

Candace McElroy 8/14/02
Approved as to form Date
Attorney for IDWR

07/09/2002

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

RIGHT NUMBER: 43-13039

NAME AND ADDRESS: ARDEN EUGENE WICKEL
2337 E 1500 S
MALTA ID 83342

WYNELL F WICKEL
2337 E 1500 S
MALTA ID 83342

SOURCE: GROUND WATER

QUANTITY: 0.64 CFS

TRIBUTARY:

FWP

A.E.W. &

USE OF THIS RIGHT WITH RIGHT NO. 43-4213 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.08 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 216 AF.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION:

T13S R27E S7 SE3/4 Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.640 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T13S R27E S07	NENE	26.0	T13S R27E S07	NWNE	23.0
T13S R27E S07	SWNE	10.0	T13S R27E S07	SENE	16.0
T13S R27E S08	SWNW	29.0	T13S R27E S08	SENW	7.0
T13S R27E S08	NWSW	20.0	T13S R27E S08	SWSW	2.0

133 ACRES TOTAL

THE USE OF WATER UNDER THIS RIGHT WITHIN THE SENW, SECTION 8, T13S, R27E,
IS LIMITED TO THE W 1/2 W 1/2 OF THAT PLACE OF USE.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 133 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:
43-4212, 43-4213, & 43-13039.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 79 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 42-4213 PURSUANT TO
SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

Water Right 43-13039

CERTIFICATE OF SERVICE

I certify that on Aug 14, 2002, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

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

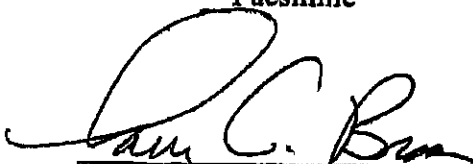
☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Arden Eugene Wickel
Wynell F. Wickel
2337 E 1500 S
Malta, ID 83342

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

U.S. Dept. of Justice
Environment & Nat'l Resources Div.
550 W. Fort St. MSC 033
Boise, ID 83724

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile


Signature of person or attorney mailing the form