

Aug. 13. 2002 4:00PM
8-13-2002 4:00PMBarker, Rosholt & Simpson
FROM JIA 3 11/11/01 208 554 4184

No. 2772 P. 2/4 P. 1

Aug 13 2002 2:33PM

Barker, Rosholt & Simpson

No 2168 P 2

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AUG 16 2002

Department of Water Resources

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

AUG 14 2002

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. 43-10628

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

CLAIMANT:
Dewey Acres, LCOBJECTOR:
United States on behalf of the
Bureau of Land ManagementL.S. Skaggs
L.S. Skaggs8/13/02
DateLarry A. Brown 8/14/02
Larry A. Brown, for Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div

IDWR CONCURRENCE:

Roxanne Brown
Roxanne Brown
Senior Water Resource Agent8/14/02
Date

IDWR CONCURRENCE:

Date

Aug. 13. 2002 4:00PM

Barker, Rosholt & Simpson

No. 2772 P. 3/4

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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

AUG 14 2002

By _____

Clerk
Deputy Clerk

RIGHT NUMBER: 43-10628

NAME AND ADDRESS:

DEWEY ACRES LC
PO BOX 711130
SALT LAKE CITY UT 84171-1130

SOURCE: UNNAMED STREAM

Tributary: STINKS

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/20/1968

POINT OF DIVERSION:

THIS RIGHT IS NWSN Begin of Stream Flow Within CASSIA County

~~THIS RIGHT IS NWSN End of Stream Flow Within CASSIA County~~

THIS RIGHT IS NWSN End of Stream Flow Within CASSIA County

~~THIS RIGHT IS NWSN Begin of Stream Flow Within CASSIA County~~PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

STOCKWATER

03/01 12/31

0.02 CFS

PLACE OF USE:

STOCKWATER

Within CASSIA County

THIS RIGHT IS NWSN

~~THIS RIGHT IS NWSN~~~~THIS RIGHT IS NWSN~~

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

~~CANCEL NOW. RE-ENTRY OF DECREE (NONE) AND RE-ENTRY OF DECREE (NONE, NONE)~~

Aug. 13, 2002 4:00PM

Barker, Rosholt & Simpson

No. 2772 P. 4/4

CERTIFICATE OF MAILING

I certify that on Aug. 14, 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

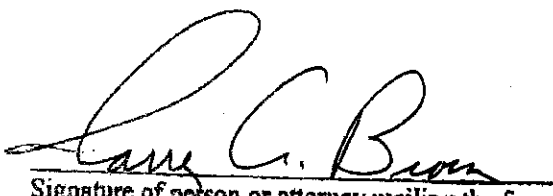
IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

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

Lennie Sam and Aline Skaggs
PO Box 711130
709 South Temple
Salt Lake City, UT 84171-1130

Mr. John A. Rosholt
Barker, Rosholt, & Simpson
233 2nd St. N. Ste D
Twin Falls, ID 83301


Signature of person or attorney mailing the form