

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG 28 2002	
By _____	Clerk
_____	Deputy Clerk

**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(S).: 65-07462

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.

CLAIMANT/OBJECTOR:

Dana Hofstetter 8/28/02
 Dana Hofstetter date
 Attorney for *C/C, LLC*
George & Cheryl Colwell

IDWR CONCURRENCE:

Roxanne Brown 8/28/02
 Roxanne Brown date
 Sr. Water Resource Agent

As to form:

Garrick L. Baxter 8/28/02
 Garrick L. Baxter date
 Deputy Attorney General

08/27/2002

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

RIGHT NUMBER: 65-7462
NAME AND ADDRESS: CHERYL F COLWELL
3990 HWY 52
PAYETTE ID 83661

GEORGE E COLWELL
PO BOX 251
NORTH POWDER OR 97867-0251

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.27 CFS
37.1 AFY

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

PRIORITY DATE: 03/25/1974

POINT OF DIVERSION:

T08N R04W S17 NESE Within PAYETTE County
T08N R04W S17 NESE Within PAYETTE County
T08N R04W S17 NESE Within PAYETTE County
T08N R04W S17 NWSE Within PAYETTE County
T08N R04W S17 SWSE Lot 1 Within PAYETTE County
T08N R04W S20 SWNE Lot 2 Within PAYETTE County
T08N R04W S21 SWNW Lot 5 Within PAYETTE County
3 POINTS OF DIVERSION LOCATED IN T08N, R04W, S17, NESE.

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.27 CFS 33.5 AFY
DOMESTIC	01/01 12/31	0.11 CFS 3.6 AFY

PLACE OF USE: STOCKWATER Within PAYETTE County

T08N R04W S17	NESE	T08N R04W S17	NWSE
T08N R04W S17 Lot 1	SWSE	T08N R04W S17	SESE
T08N R04W S20 Lot 2	SWNE	T08N R04W S21 Lot 5	SWNW

DOMESTIC Within PAYETTE County

T08N R04W S17	NWSE	T08N R04W S21 Lot 5	SWNW
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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 - License
STOCKWATER, 2500 RANGE CATTLE

CERTIFICATE OF MAILING

I certify that on August 28, 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

~~CIC, LLC~~ + Cheryl F. Colwell
3990 Hwy 52
Payette, ID 83661

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

Dana Hofstetter
Hofstetter Law Office
608 W. Franklin
Boise, ID 83702

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



Signature of person mailing this document

George E. Colwell
P.O. Box 251
North Powder OR
97867-0251

X REG. MAIL