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DEC 24 2002
Department of Water Resources
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

RECEIVED

In Re SRBA

Subcase No.: 43-10510

DEC 26 2002

Case No. 39576

Department of Water Resources

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/OBJECTOR:

Larry Kincade 12-23-02
Larry Kincade Date

CLAIMANT/OBJECTOR:

Darlene Kincade 12-23-02
Darlene Kincade Date

IDWR CONCURRENCE:

Kelly K. Christensen 12-24-02
Sr. Water Resource Agent Date

Candice May 12/30/02
Approved as to form Date
Attorney for IDWR

12/16/2002

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

RIGHT NUMBER: 43-10510

NAME AND ADDRESS: LARRY KINCADE
DARLENE KINCADE
1781 E HWY 77
MALTA ID 83342

KKC

OK

LK

8me

SOURCE: SPRINGS

TRIBUTARY: SINKS

QUANTITY: 0.150 CFS

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

PRIORITY DATE: 06/30/1938

POINT OF DIVERSION:

T13S R24E S26 NESENW Within CASSIA County

T13S R24E S26 SESENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.100 CFS
STOCKWATER	04/01 10/31	0.050 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R24E S26 Lot 1 NESW 2.8 T13S R24E S26 SENW 2.2

STOCKWATER Within CASSIA County

T13S R24E S26 SENW T13S R24E S26 Lot 1 NESW

5 ACRES TOTAL

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 STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

SOURCE IS ALSO KNOWN AS THREE SPRINGS.

CERTIFICATE OF SERVICE

I certify that on December 30, 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 Repository
P.O. Box 83720
Boise, ID 83720-0098

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

Larry & Darlene Kincade
1781 E Highway 77
Malta, ID 83342

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



Signature of person or attorney mailing the form

HP LaserJet 3100
Printer/Fax/Copier/Scanner

SEND CONFIRMATION REPORT for
WATER RESOURCES
2083275400
Dec-30-02 8:54AM

Job	Start Time	Usage	Phone Number or ID	Type	Pages	Mode	Status
578	12/30 8:53AM	1'00"	12087362121	Send.....	4 / 4	EC144	Completed.....

Total 1'00" Pages Sent: 4 Pages Printed: 0



State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 20726, Boise, Idaho 83726-0026
Phone: (208) 327-7900 FAX: (208) 327-7906

WATER RESOURCES
ADJUDICATION
V. A. L. & S. R. & S. R.
BOISE, IDAHO

FAX Transmittal Cover Sheet

Number of pages including this one. 4

Date: 12/30/02
To: Court
Fax No.:
From: Vick Kelly
Fax No.:
Phone No.:
Subject:

In Addition: There is now a way to research water rights over the Internet. The system is a graphical or text query system and can be accessed from the IDWR home page:

<http://www.idwr.state.id.us>

From that link, select "Snake River Basin Adjudication" toward the lower left hand of the screen. Then select "Map" or "Text" on the next page.

"TEXT" lets you search water rights via Name, Legal, Source, etc.

Enter in the information you know. Information can be entered under more than one tab. After you have completed entering your information, select "Search"

"MAP" allows you to search water rights graphically.

Use the tools on the Left side of the screen to Zoom in and out. To find out what each button does, hold the cursor over the button for a second. To the Right side of the screen are different layers that can be turned on or off. As you zoom in to your place in question, different layers will appear on the right side of the screen.

A HELP function is available within the application or you can call 1-800-451-4129 or (208)327-7906 for help.