

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho JUN 26 2002 By _____ Day _____

**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. 65-22281

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(s):

Anna Marie Newell

OBJECTOR:

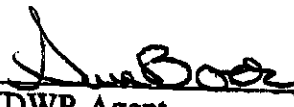
USDI - BLM

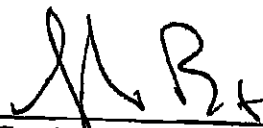
Anna Marie Newell 6-25-02
signature Date

Larry A Brown 6/26/02
Larry Brown FWP Date
Dept of Justice
Attorney for USDI-BLM

STANDARD FORM 5 - 65-22281

IDWR Concurrence:

 6/21/02
IDWR Agent Date

 6/21/02
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

04/22/2002

RIGHT NUMBER: 65-22261
NAME AND ADDRESS: ANNA MARIE NEWELL
10770 N HWY 52
HORSESHOE BEND ID 83629

SOURCE: FAYETTE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: ~~0.61 CFS~~ 0.58 CFS

PRIORITY DATE: 02/16/1955

POINT OF DIVERSION:

T07N R01E S23 Lot 1 Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 11/01

QUANTITY
0.58 CFS 0.610 CFS

PLACE OF USE: IRRIGATION Within GEM County

T07N R01E S14
T07N R01E S14

NESW 13.0
NWSE 2.0

T07N R01E S14
~~T07N R01E S14~~

SESW 5.0
~~SESE 1.0~~

20 ± 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.

EXPLANATORY MATERIAL: Decreed

CERTIFICATE OF MAILING

I certify that on June 26, 2002 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

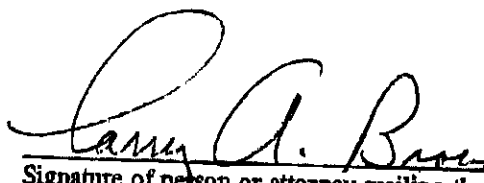
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

United States Dept of Justice
Environment & Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, ID 83724

Anna Marie Newell
10770 N Highway 52
Horseshoe Bend, ID 83629

IDWR Repository
P.O. Box 83720
Boise, ID 83720


Signature of person or attorney mailing the form