

RECEIVED

JUL - 5 2002

Department of Water Resources

COPY

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

JUN 27 2002

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSClerk
Deputy Clerk

In Re SRBA

Case No. 39576

Subcase Nos.: 31-184

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 following language should be added as an additional General Provision for Basin 31 in addition to the "Connected Sources in Basin 31 (Conjunctive Management General Provision)" already recommended.

No dam or other obstruction to the natural flow of Camas Creek or its tributaries shall be maintained so as to divert water from the channel of the stream, except through ditches, canals or other works provided with head gates, control works and measuring devices. Holders of water rights to divert water from Camas Creek or any of its tributaries, their successors, agents, servants and employees are hereby perpetually enjoined and restrained from maintaining in any stream or slough, or permitting to exist within such stream or slough where the same traverses their respective lands, or any land owned or controlled by them, any obstruction to the flow of water, except in connection with the diversion of water through head gates equipped with measuring devices. In case any water right holder shall fail to remove any obstruction from the natural channel of Camas Creek or any of its tributaries within 7 days after receiving notice from the watermaster, who has determined that the obstruction interferes with water delivery, the watermaster may authorize a water user to remove such obstruction in accordance with applicable law. The expense thereof shall be the responsibility of the water right holder requesting the removal.

Claimants

Date

Respondents

Date

IDWR Concurrence

Date

Attorney for IDWR

Date

CERTIFICATE OF SERVICE

I certify that on June 27, 2002, I served a true and correct copy of the foregoing **STANDARD FORM 5** upon the following individuals by placing the document in the United States Mail in Boise, Idaho, postage paid and addressed as follows:

DOCUMENT SERVED: STANDARD FORM 5

PARTIES SERVED:

1. **Original to:**

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. **Copies to:**

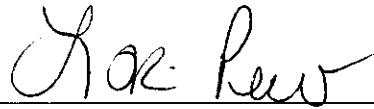
IDWR Document Repository
PO Box 83720
Boise ID 83720-0098

Mud Lake Water Users, Inc
PO Box 68
Terreton ID 83450

Chief, Natural Resources Div
Office of the Attorney General
State of Idaho
PO Box 44449
Boise ID 83711-44449

Patty Rowland
Doney, Crowley, Bloomquist & Oda
PO Box 1185
Helena MT 59624-1185

John Marshall
Givens Pursley Law Office
PO Box 2720
Boise ID 83701-2720



Signature of person mailing the form