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Department of Water Resources

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Department of Water Resources

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.: 43-80
)
)
)
)
)
)
)

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.

Noel B. Bowcut
Claimant

6-27-02
Date

Larry A. Brown
Attorney for U. S. Dept. of Justice

7/3/02
Date

Kelly K. Christensen
IDWR Concurrence
Sr Water Resource Agent

6-25-02
Date

Candice McElroy
Approved as to form
Attorney for IDWR

6/20/02
Date

06/18/2002

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

RIGHT NUMBER: 43-80

NAME AND ADDRESS: NOEL B BOWCUT
KEY RANCH
19 GRANADA PL
BURLEY ID 83318

SOURCE: CLYDE CREEK

TRIBUTARY: CASSIA CREEK

QUANTITY: 1.00 CFS

PRIORITY DATE: 04/01/1885

POINT OF DIVERSION:

T13S R24E S21 SWNESW Within CASSIA County

T13S R24E S22 SWSWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

1.000 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T13S R24E S27 NWNW 12.0
T13S R24E S27 Lot 2 SENW 33.0
T13S R24E S27 NWSW 16.0

T13S R24E S27 Lot 2 SWNW 29.0
T13S R24E S27 NESW 30.0

120 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 120 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.
43-80 AND 43-11142..

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 83 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS

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

Water Right 43-80

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CERTIFICATE OF SERVICE

I certify that on July 3, 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 Depository
P.O. Box 83720
Boise, ID 83720-0098

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

Noel B Bowcut
Key Ranch
19 Granada Pl
Burley, ID 83318

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

U.S. Dept. of Justice
Environment & Nat'l Resources Div.
550 W. Fort St. MSC 033
Boise, ID 83724

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

Signature of person or attorney mailing the form