

**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. 51-00135
)
)
)
)
)
)
)
)

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.

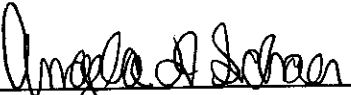
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

Aslett Ranches Partnership

OBJECTOR(s):

Cedar Mesa Reservoir & Canal Co.

 6-05-02

Angela D. Schaer Date
Attorney for claimant/objector

John R. Coleman Date
Attorney for objector

STANDARD FORM 5 -51-00135

**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. 51-00135

Case No. 39576

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:

Aslett Ranches Partnership

OBJECTOR(s):

Cedar Mesa Reservoir & Canal Co.

Angela D. Schaeer
Attorney for claimant/objector

Date

 6-5-02

John R. Coleman
Attorney for objector

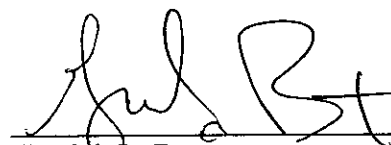
Date

STANDARD FORM 5 -51-00135

IDWR Concurrence:

 6-5-02

Jan Shurte Date
IDWR Adjudication Supervisor

 6/5/02

Garrick L. Baxter Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on June 6, 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:

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

(courtesy copy)

John Coleman
Coleman, Ritchie & Robertson
Box 525
Twin Falls, ID 83301

Scott L. Campbell
Angela D. Schaer
Moffatt-Thomas
P.O. Box 829
Boise, ID 83701-0829

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



Signature of person or attorney mailing the form

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

RIGHT NUMBER: 51-135

NAME AND ADDRESS: ASLETT RANCHES PARTNERSHIP
PO BOX B
TWIN FALLS ID 833030015

SOURCE: DEADWOOD CREEK

TRIBUTARY: BRUNEAU RIVER

QUANTITY: 1.90 CFS
565.4 AFY

THIS RIGHT WHEN COMBINED WITH 51-134 SHALL NOT EXCEED A TOTAL
DIVERSION RATE OF 4.06 CFS, A TOTAL ANNUAL MAXIMUM DIVERSION VOLUME
OF 715.2 AF AT THE FIELD HEADGATE, AND THE IRRIGATION OF 202.8 ACRES.

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

PRIORITY DATE: 08/25/1908

POINT OF DIVERSION:

T15S R12E S32 SENESW Rediversion Within OWYHEE County

T16S R12E S4 NWSESW Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/23 10/01	1.900 CFS 560.00 AFY
STOCKWATER	01/01 12/31	0.090 CFS 5.40 AFY

PLACE OF USE: IRRIGATION Within OWYHEE County

T15S R12E S29	NWSW	7.9	T15S R12E S29	SWSW	27.9
T15S R12E S30	SESE	16.3	T15S R12E S32	NENW	15.4
T15S R12E S32	NWNW	12.1	T15S R12E S32	SWNW	16.6
T15S R12E S32	SENW	22.0	T15S R12E S32	NESW	11.1
T15S R12E S32	SESW	19.0	T15S R12E S32	SWSE	28.3
T16S R12E S05	NENE	8.1	T16S R12E S05	NWNE	18.0
T16S R12E S05	SENE	0.1			

STOCKWATER same as IRRIGATION

202.8 ACRES TOTAL

RIGHT 51-135 IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 240.2 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 51-134 & 51-2442.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF
WATER IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL

OTHER WATER RIGHTS IN BASIN 51:

WATER RIGHT NO.

SOURCE

NONE

NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES
OF WATER IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM
ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.

SOURCE

NONE

NONE

ALL WATER RIGHTS WITHIN BASIN 51 ARE FROM CONNECTED SOURCES OF
WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

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: Decreed

STOCKWATER, 400 RANGE CATTLE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

A handwritten signature in black ink, consisting of stylized, cursive letters that appear to be 'AS' followed by a flourish.

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

RIGHT NUMBER: 51-135
NAME AND ADDRESS: ASLETT RANCHES PARTNERSHIP
PO BOX 3
TWIN FALLS ID 833030015
SOURCE: DEADWOOD CREEK TRIBUTARY: BRUNEAU RIVER
QUANTITY: 1.90 CFS
565.4 AFY

THIS RIGHT WHEN COMBINED WITH 51-134 SHALL NOT EXCEED A TOTAL
DIVERSION RATE OF 4.06 CFS, A TOTAL ANNUAL MAXIMUM DIVERSION VOLUME
OF 715.2 AF AT THE FIELD HEADGATE, AND THE IRRIGATION OF 202.8 ACRES.

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

PRIORITY DATE: 08/25/1908

POINT OF DIVERSION:

T15S R12E S32 SESESW Rediversion Within CUYHKEE County
T16S R12E S4 NWSESW Within CUYHKEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/23 10/01	1.900 CFS 560.00 AFY
STOCKWATER	01/01 12/31	0.080 CFS 5.40 AFY

PLACE OF USE:

IRRIGATION WITHIN CUYHKEE COUNTY

T15S R12E S29	NWSW	7.9	T15S R12E S29	SWSW	27.9
T15S R12E S30	SESE	16.3	T15S R12E S32	NENW	15.6
T15S R12E S32	NWNW	12.1	T15S R12E S32	SWNW	16.6
T15S R12E S32	SESW	22.0	T15S R12E S32	NESW	11.1
T15S R12E S32	SESW	19.0	T15S R12E S32	SESE	28.3
T16S R12E S05	NENE	3.1	T16S R12E S05	NWNE	18.0
T16S R12E S05	SENE	0.1			

STOCKWATER same as IRRIGATION

202.8 ACRES TOTAL

RIGHT 51-135 IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 240.2 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 51-134 & 51-2442.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF
WATER IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL

SF5 Water Right 51-135

OTHER WATER RIGHTS IN BASIN 51:

WATER RIGHT NO.

SOURCE

NONE

NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES
OF WATER IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM
ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.

SOURCE

NONE

NONE

ALL WATER RIGHTS WITHIN BASIN 51 ARE FROM CONNECTED SOURCES OF
WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

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: Decreed

STOCKWATER, 400 RANGE CATTLE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

SF5 Water Right 51-135