

**JUN 19 2002**

Department of Water Resources

In Re SRBA

**Subcase No. 61-02199B**

Case No. 39576

**STANDARD FORM 5**

## STIPULATED ELEMENTS OF A WATER RIGHT

**IDWR Concurrence:**

Carter Futscher 5-23-02  
Agent Date

Candice M. McHugh 5/23/02  
Candice M. McHugh Date  
Deputy Attorney General for IDWR

*By*

## CERTIFICATE OF MAILING

I certify that on May 29, 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:

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Snake River Basin Adjudication  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707

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State of Idaho  
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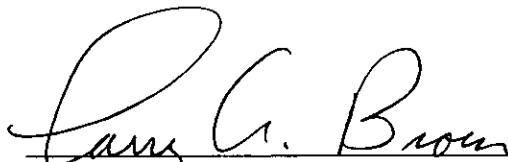
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\_\_\_\_\_  
Signature of person or attorney mailing the form

*By*

05/15/2002

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

RIGHT NUMBER: 61-2199B  
NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WY  
BOISE ID 83709-1657

SOURCE: GROUNDWATER

TRIBUTARY:

QUANTITY: 0.120 CFS

RIGHT NOS. 61-2095B, 61-2199B, 61-2209B AND 61-11887B ARE LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 0.19 CFS AND TO A TOTAL COMBINED ANNUAL  
DIVERSION VOLUME OF 64 AF.

RIGHT NOS. 61-2095B, 61-2209B AND 61-2199B ARE LIMITED TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 48 AF.

PRIORITY DATE: 07/19/1966

POINT OF  
DIVERSION: T04S R09E S10 NESWNE Within ELMORE County  
T04S R09E S10 NENWNW Within ELMORE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>                                                                                                                                                                                                                                                                                                                                                                                                                                    | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------|
| IRRIGATION                                                                                                                                                                                                                                                                                                                                                                                                                                               | 04/01 11/01          | 0.120 CFS       |
| THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY<br>AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED<br>OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER<br>BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE<br>TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION<br>USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS<br>ENTERED FOR THIS RIGHT. |                      |                 |

PLACE OF USE: IRRIGATION Within ELMORE County  
T04S R09E S09                      NESW      16.0

16 ACRES TOTAL

05/15/2002

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

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RIGHT NOS. 61-2095B, 61-2199B, 61-2209B AND 61-11887B ARE LIMITED TO THE IRRIGATION OF 16 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RIGHT NOS. 61-2199B AND 61-2209B ARE LIMITED TO THE IRRIGATION OF 8 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RIGHT NOS. 61-2095B, 61-2209B AND 61-2199B ARE LIMITED TO THE IRRIGATION OF 12 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

*Fwp SMC CA jms*

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: BASIS OF CLAIM - License

RIGHT NO. 61-11887B IS AN ENLARGEMENT OF RIGHT NOS. 31-2095B, 61-2199B AND 61-2209B PURSUANT TO SECTION 42-1426, IDAHO CODE.

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

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

RIGHT NOS. 61-2095A, 61-2095B, 61-2199A, 61-2199B, 61-2209A, 61-2209B, 61-11887A AND 61-11887B ARE DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE.

*Rog*