

RECEIVED

JUN 25 2002

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

Subcase No. 65-7110

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(s):

Haw Creek Ranch Inc.

OBJECTOR(s):

State of Idaho - Department of Lands

Judith A Woodie 6/21/02
Authorized agent President Date
JUDITH A WOODIE
President

Steven J. Schuster 6/24/02
Steven J. Schuster Date
Deputy Attorney General
Idaho Department of Lands

Agent Joe Boor Date 6/21/02

2

CERTIFICATE OF MAILING

I certify that on June 24, 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: (v.a fax)

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

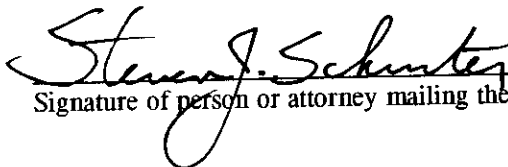
2. Copies to:

Office of the Attorney General
Natural Resource Division
Idaho Department of Lands
P.O. Box 83720
Boise, ID 83720-0050
Attn: Steven J. Schuster

Haw Creek Ranch Inc.
P.O. Box 785
Emmett, ID 83617

David L. Negri
United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 W. Fort St., MSC 033
Boise, ID 83724

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: 65-7110

NAME AND ADDRESS: HAW CREEK RANCH INC
PO BOX 785
EMMETT ID 83617

SOURCE: HAW CREEK

TRIBUTARY: PAYETTE RIVER

QUANTITY: 200.0 AFY

PRIORITY DATE: 12/25/1969

POINT OF DIVERSION:

T07N R01W S8 SWNE Within GEM County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION FROM STORAGE	3/15 11/15	200.00 AFY
STOCKWATER FROM STORAGE	1/01 12/31	10.00 AFY

PLACE OF USE: IRRIGATION FROM STORAGE Within GEM County

T07N R01W S08	SENW	1.0	T07N R01W S08	NESW	38.0
T07N R01W S08	NWSW	4.0	T07N R01W S08	SWSW	8.0
T07N R01W S08	SESW	32.0	T07N R01W S08	NWSE	12.0
T07N R01W S08	SWSE	1.0	T07N R01W S17	NENW	11.0
T07N R01W S17	NWNW	7.0	T07N R01W S17	SWNW	8.0
T07N R01W S17	SENW	12.0			

STOCKWATER FROM STORAGE same as IRRIGATION FROM STORAGE

134 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: Basis of Claim: Decreed

THE USE OF WATER ON T7N R1W S8 SENW IS ON STATE ENDOWMENT LAND PURSUANT
TO STATE GRAZING LEASE NO. 6726.

JW
JB
SJS
SB