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MAR 31 2003

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.: 36-136B

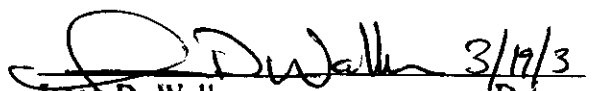
STANDARD FORM 5

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.


Jason D. Walker 3/19/03
Attorney for Salmon Falls Land & Livestock Date


Larry A. Brown, US DOJ 3/24/03
Attorney for BLM Date


IDWR Concurrence 3/19/03
Date


Approved as to form 3-19-03
Attorney for IDWR Date

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

RIGHT NUMBER: 36-136B

NAME AND ADDRESS:

SALMON FALLS LAND & LIVESTOCK CO INC
123 BELL RAPIDS RD
HAGERMAN ID 83332

SOURCE: UPPER TUCKER SPRINGS

Tributary: RILEY CREEK

QUANTITY: 6.600 CFS2.330 CFS*JE* NBS
see
forUSE OF THIS RIGHT WITH RIGHT NO. 36-02046 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 6.60 CFS.USE OF THIS RIGHT WITH RIGHT NO. 36-136A IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 8.0 CFS.

PRIORITY DATE: 10/01/1904

POINT OF DIVERSION:

T07S R13E S36 NWSSEE Within GOODING County

PURPOSE AND
PERIOD OF USE:

Purpose of use:	Period of use:	Quantity:
IRRIGATION	<u>02/15 11/30</u>	<u>6.600 CFS</u>
	~~3/15 11/15~~	~~2.330 CFS~~
<u>STOCKWATER</u>	<u>01/01 12/31</u>	<u>0.300 CFS</u>
<u>WILDLIFE</u>	<u>01/01 12/31</u>	<u>6.600 CFS</u>

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

PLACE OF USE:

IRRIGATION

within TWIN FALLS County

T08S R13E S01 SWNW Lot 5 2.9
T08S R13E S01 NWSW 8.1
T08S R13E S02 SWNE 17.0
T08S R13E S02 SENE 22.0
T08S R13E S02 NWNW Lot 4 0.3
T08S R13E S02 SWNW 37.0
T08S R13E S02 SENW 24.0
T08S R13E S02 NWSW 2.5
T08S R13E S02 NESE 5.2
T08S R13E S03 NENE Lot 1 5.5
T08S R13E S03 SWNE 1.9
T08S R13E S03 SENE 39.0
T08S R13E S03 NESE 5.0

~~T08S R13E S01 SWNW Lot 5 2.9~~
~~T08S R13E S01 NWSW 8.1~~
~~T08S R13E S02 SWNE 17.0~~
~~T08S R13E S02 SENE 22.0~~
~~T08S R13E S02 NWNW Lot 4 0.3~~
~~T08S R13E S02 SWNW 37.0~~
~~T08S R13E S02 SENW 24.0~~
~~T08S R13E S02 NWSW 2.5~~
~~T08S R13E S02 NESE 5.2~~
~~T08S R13E S03 NENE Lot 1 5.5~~
~~T08S R13E S03 SWNE 1.9~~
~~T08S R13E S03 SENE 37.0~~
~~T08S R13E S03 NESE 5.0~~

STOCKWATER

within TWIN FALLS County

T08S R13E S01 SWNW Lot 5
T08S R13E S01 NWSW
T08S R13E S02 SWNE
T08S R13E S02 SENE
T08S R13E S02 NWNW Lot 4
T08S R13E S02 SWNW
T08S R13E S02 SENW
T08S R13E S02 NWSW
T08S R13E S02 NESE
T08S R13E S03 NENE Lot 1
T08S R13E S03 SWNE
T08S R13E S03 SENE
T08S R13E S03 NESE



NBS
see
Paw

WILDLIFE

within TWIN FALLS County

T08S R13E S01 SWNW Lot 5
T08S R13E S01 NWSW
T08S R13E S02 SWNE
T08S R13E S02 SENE
T08S R13E S02 NWNW Lot 4
T08S R13E S02 SWNW
T08S R13E S02 SENW
T08S R13E S02 NWSW
T08S R13E S02 NESE
T08S R13E S03 NENE Lot 1
T08S R13E S03 SWNE
T08S R13E S03 SENE
T08S R13E S03 NESE

170.4 ACRES TOTAL

157.5 ACRES TOTAL

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

USE OF THIS RIGHT WITH RIGHT NO. 36-2046 IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 170.4 ACRES IN A SINGLE IRRIGATION SEASON.

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.

NBS

su

per

JG

~~WATER IS DELIVERED THROUGH PIPELINE DITCH.
RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT
OF RIVER SIGN DESCRIBED ABOVE, AND THE TOTAL
COMBINED RATE OF DIVERSION OF THESE RIGHTS IS LIMITED
TO 10.4 CFS.
OTHER RIGHT NOS. 36-00028, 36-00194, 36-00136A, 36-0247R
AND 36-00325.
0.071 CFS OF RIGHT NO. 36-00136A IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
USE OF THIS RIGHT WITH RIGHT NO. 36-02046 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.60 CFS, A TOTAL
COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 177.5 AF,
AND TO THE IRRIGATION OF A COMBINED TOTAL OF 177.5
ACRES IN A SINGLE IRRIGATION SEASON. A DIVERSION RATE
OF 3.33 CFS AT THE FIELD HEADGATE IS RECOMMENDED FOR
THE PLACE OF USE DESCRIBED ABOVE.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Deeded

WATER IS DELIVERED THROUGH PIPELINE DITCH.
0.071 CFS OF RIGHT NO. 36-00136A IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 36-00028, 36-00194, 36-00136A, 36-0247R AND
36-00325.

CERTIFICATE OF SERVICE

I certify that on Mar. 24, 2003, 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 Repository
P.O. Box 83720
Boise, ID 83720-0098

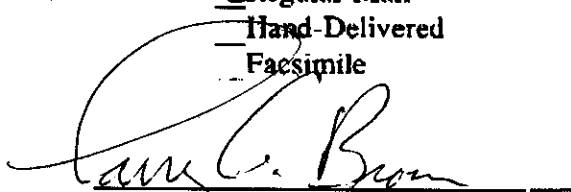
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Jason D. Walker
Ling & Robinson
P.O. Box 396
Rupert, ID 83350

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

United States Dept. of Justice
Environment & Natural Resources Div.
550 W. Fort Street MSC 033
Boise, ID 83724

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


Signature of person or attorney mailing the form