

RECEIVED

MAY - 6 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.: 37-10438

Case No. 39576

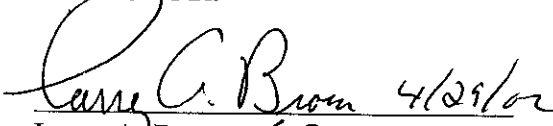
STANDARD FORM 5

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.

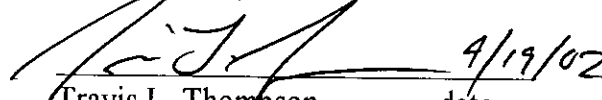
OBJECTOR:


Larry A. Brown *FWP* date
Attorney, U.S. Dept. of Justice
Environment & Natural Resources Div.

IDWR CONCURRENCE:


Roxanne Brown date
Sr. Water Resource Agent

CLAIMANT:


Travis L. Thompson date
Attorney for Claimants

04/18/2002

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

RIGHT NUMBER: 37-10438

NAME AND ADDRESS: PETER D VAN DER MEULEN
PO BOX 537
HAILEY ID 83333

RICHFIELD CATTLE ASSOCIATION
1049 EAST 820 NORTH
RICHFIELD ID 83349

WILLIAM L MOLYNEUX
027 DURFEE RD
CAREY ID 83320

ROBERT F HILL
12578 CENTRAL AVE
CHINO CA 91710

WENDELL JOHNSON
PO BOX 66
RICHFIELD ID 83349

JOHN I MOLYNEUX
10407 HWY 75
BELLEVUE ID 83313

C E MOLYNEUX
080 LAIDLAW PK RD
CAREY ID 83320

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.04 CFS

Fwp

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

PRIORITY DATE: ~~04/01/1961~~ 05/11/1966

POINT OF DIVERSION:

T03S R20E S34 SENW Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	4/01 11/01	0.040 CFS

PLACE OF USE: STOCKWATER Within LINCOLN County

T03S R20E S34 SWNW

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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on April 29, 2002, I delivered the original and copies of this form to the following persons, postage prepaid if required, and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

U.S. Dept. of Justice
Environment & Natural Resource Div.
General Litigation Section
550 W. Fort St., MSC 033
Boise, ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Travis L. Thompson
Barker Rosholt & Simpson
P.O. Box 2139
Boise, ID 83709

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document