

In Re SRBA	)	Subcase No. 65-1772
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

1

IDWR Concurrency:

Jan Shurte 11-12-02
Jan Shurte Date
Water Rights Supervisor


Garrick L. Baxter
Deputy Attorney General
Attorney for IDWR

11/18/02
Date

David Barber 11/18/2002
Deputy Attorney General
Attorney for Dept of Lands

CERTIFICATE OF MAILING

I certify that on November 19, 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:

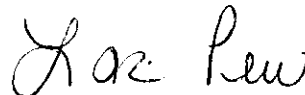
United States Dept of Justice
Environment & Natural Resource Division
General Litigation Section
999 18th Street, Suite N 945
Denver, CO 80202
Attn: David W. Gehlert

(courtesy copy)

Roger A & Kennie Lyn Klingback
7000 Spring Creek Rd
Emmett, ID 83617

David Barber
Deputy Attorney General
Idaho Dept of Lands
PO Box 83720
Boise, ID 83720-0050

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



Signature of person or attorney mailing the form

11/12/2002

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

RIGHT NUMBER: 65-1772

NAME AND ADDRESS: ROGER A AND KENNIE LYN KLINGBACK TRUST
7000 SPRING CREEK RD
EMMETT ID 83617

SOURCE: SPRING

TRIBUTARY: LONG HOLLOW CREEK

QUANTITY: 0.150 CFS
0.600 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW SHALL PROVIDE NO MORE THAN
0.03 CFS NOR 1.4 AFA FOR STOCKWATER. COMBINED RIGHT NOS.: 65-01661,
65-01662.

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

PRIORITY DATE: 02/18/1899

POINT OF DIVERSION:

T08N R01W S36 SESW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.100 CFS 1.40 AFY
DOMESTIC	1/01 12/31	0.020 CFS 0.60 AFY
STOCKWATER	1/01 12/31	0.030 CFS 1.40 AFY

PLACE OF USE:

IRRIGATION Within GEM County

T07N R01W S01 Lot 2 NWNE 10.0

DOMESTIC Within GEM County

T08N R01W S36 SESW

STOCKWATER Within GEM County

T07N R01W S01 Lot 2 NWNE

T08N R01W S36

SESW

10 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.

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

Stockwater use is for 100 range cattle.