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OCT - 7 2002

Department of Water Resources

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SEP 11 2002

9:00 A.M.

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.: 43-4140

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:

Cedric Taylor
~~De Jay Harper~~ CEDRIC TAYLOR Date
for Valley Vu Cemetery 9/3/02

OBJECTOR:

Larry A. Brown 10/2/02
Larry A. Brown, US DOJ Date
Attorney for BLM CE

IDWR CONCURRENCE:

Christine L. Smith 9-5-02
Sr. Water Resource Agent Date
Water Rights Supervisor

Candice M. [Signature] 9/6/02
Approved as to form Date
Attorney for IDWR

07/09/2002

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

RIGHT NUMBER: 43-4140
NAME AND ADDRESS: VALLEY VU CEMETERY
C/O D JAY HARPER
HC 72 BOX 2156
MALTA ID 83342

SOURCE: GROUND WATER
QUANTITY: 0.12 CFS
23.6 AFY

TRIBUTARY:

PRIORITY DATE: 05/01/1958

POINT OF DIVERSION:

T13S R27E S7 NENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.120 CFS
23.60 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R27E S07 NENE 4.5 T13S R27E S08 NWNW 1.4

5.9 ACRES TOTAL

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

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: Beneficial Use

CERTIFICATE OF SERVICE

I certify that on Oct. 2, 2002, 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 Depository
P.O. Box 83720
Boise, ID 83720-0098

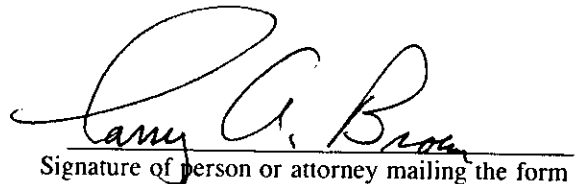
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Valley Vu Cemetery
~~G/O D. Jay Harper~~
~~HC 72 Box 2156~~ Box 637
Malta, ID 83342

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

U.S. Dept. of Justice
Environment & Nat'l Resources Div.
550 W. Fort St. MSC 033
Boise, ID 83724

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


Signature of person or attorney mailing the form