

PB
9 MB

Mary Batruel 9-19-2002
Mary Batruel Date

Paul V Batruel 9-19-2002
Paul Batruel Date

Carlene Smith 9-19-02
Carlene Smith Date

Larry A. Brown 10/22/02
U.S. Bureau of Land Management Date FWP
By: LARRY A. BROWN
ATTORNEY FOR BLM

IDWR Concurrence Date

APPROVED AS TO FORM BY:

Matt L. Howard 9-19-02
Matt L. Howard Date
Attorney for Mary Batruel, Paul Batruel,
and Batruel Dairy

Larry A. Brown 10/22/02
Larry A. Brown FWP Date
Of Attorneys for U.S. BLM

Charles L. Honsinger 09/14/02
Charles L. Honsinger Date
Of Attorneys for Carlene Smith

Candice McHugh Date
Idaho Deputy Attorney General, IDWR

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11/2

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

RIGHT NUMBER: 61-304B
NAME AND ADDRESS: MARY BATRUEL
PAUL BATRUEL
BATRUEL DAIRY
RT 1 BOX 428
GLENN'S FERRY, ID 83623

SOURCE: LITTLE CANYON CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.8 CFS

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

PRIORITY DATE: 05/07/1892

POINT OF DIVERSION: T05S R10E S8 NENWSW Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	0.80 CFS
STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE:

IRRIGATION Within ELMORE County				
T05S R10E S18	SENW	28	T05S R10E S18	NESE 17
T05S R10E S18	NWSE	40		
STOCKWATER Use same as IRRIGATION				

85 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40
ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE 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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - decree

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CERTIFICATE OF SERVICE

I certify that on Oct 22, 2002, I caused to be served true and correct copies of this Standard Form 5, to the following persons, via first-class U. S. mail at the addresses provided below:

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

2. Copies to:

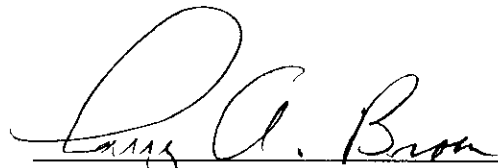
Larry Brown
U. S. Department of Justice
550 W. Fort Street, MSC 033
Boise, ID 83724
Of Attorneys for U. S. BLM

Charles L. Honsinger
Ringert Clark, Chtd
P. O. Box 2773
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Of Attorneys for Carlene Smith

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P. O. Box 2139
Boise, ID 83709
Of Attorneys for Roger L. Jones and Fresh-Pak, Inc.

Matt J. Howard
Attorney at Law
P. O. Box 190012
Boise, ID 83719
Attorney for Mary Batruel, Paul Batruel, and Batruel Dairy

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098


Signature of person or attorney mailing the form

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