

SEP 23 2002

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

Subcase Nos.: 65-3221

STANDARD FORM 5

STIPULATED ELEMENTS OF A 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.

Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977.

event or injury:
 John L. Thurg 8.26.02
 Claimant Date

Claimant	Date
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Paul W. Mitchell 7/24/02

Objector, David W. Gehlert, Atty. Date

U.S. Department of Justice, Environment and Natural Resources Div.

David J. Barber 7/29/02
Deputy Attorney for the State of Idaho Date

Dee Tuttle 7/26/02
IDWR Concurrence Date

SE Hardin 7/26/02
Attorney for IDWR Date

CERTIFICATE OF MAILING

I certify that on 9/20, 2002, I mailed the original and copies of this form, including all attachments, 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:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

U.S. Department of Justice
Environment and Natural Resources Div.
550 West Fort Street, MSC 033
Boise, Idaho 83724

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

Regional Director, PN Region Code 3100
U.S. Bureau of Reclamation
1150 N. Curtis Road, Suite 100
Boise, ID 83706-1234

Pine Tree Ranch
Garden Valley, ID 83622

Pine Tree Ranch
c/o Sandra K. Lane
9949 W Edna
Boise, ID 83704

Natural Resources Division Chief
State of Idaho
Attorney General's Office
P. O. Box 44449
Boise, ID 83711-4449

Alana S. Walton
Signature of person or attorney filing the form