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DEC 22 2004
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

Case No. 39576

Subcase No. 29-4198

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.

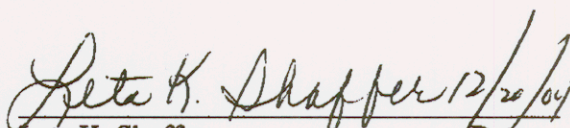
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

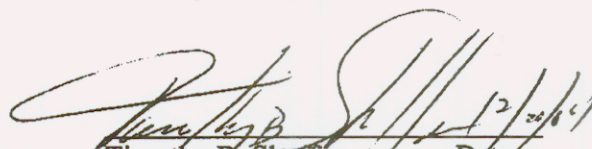
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s):

Leta K. Shaffer

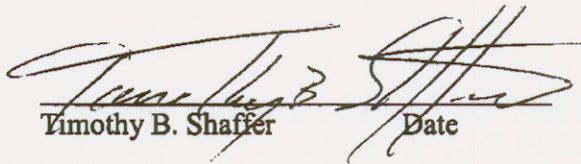
Timothy B. Shaffer


Leta K. Shaffer Date


Timothy B. Shaffer Date

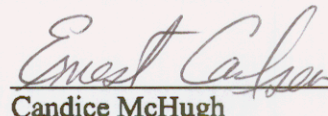
STANDARD FORM 5 -29-4198

OBJECTOR(s):
Timothy B. Shaffer


Timothy B. Shaffer Date 12/20/04

IDWR Concurrence:


Ernest Carlson Date 12/24/04
IDWR Adjudication Supervisor


Candice McHugh Date 12/23/04
Deputy Attorney General
Attorney for IDWR



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

RIGHT NUMBER: 29-4198

NAME AND ADDRESS:

LETA K SHAFER
2428 N PAMELA DR
INKOM ID 83245

TIMOTHY B SHAFER
2428 N PAMELA DR
INKOM ID 83245

SOURCE:

Source:
JACKSON CREEK

Tributary:
RAPID CREEK

QUANTITY:

0.200 CFS

~~0.140 CFS~~

PRIORITY DATE:

09/01/1936

POINT OF DIVERSION:

T07S R36E S23 NENWSW

Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

0.200 CFS

~~0.140 CFS~~

PLACE OF USE:

IRRIGATION

within BANNOCK County

T07S R36E S23 NWSW 6.8

~~T07S R36E S23 NWSW 4.6~~

6.8 ACRES TOTAL

~~4.6 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

~~RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.~~

CERTIFICATE OF MAILING

I certify that on 12 / 20, 2004, 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:

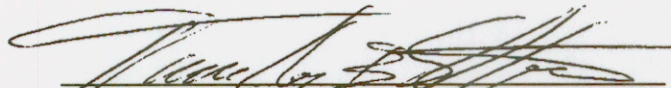
1. Original to:

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:

Leta K. Shaffer
Timothy B. Shaffer
2428 N. Pamela Drive
Inkom, ID 83245

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


Signature of person or attorney mailing the form