

**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	)	Subcase 34-07223
	)	
Case No. 39576	)	
	)	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.

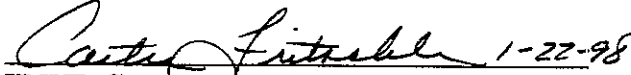
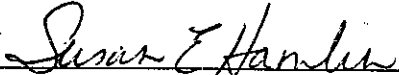
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions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

Date: _____

_____ Kent W. Foster, Atty for Sorensen (Claimant)	_____ Norman M. Semanko, Atty for Jensen
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William R. Hollifield, Atty for Big Lost Waterusers

 1-22-98 IDWR Concurrence	 1/22/98 Atty for IDWR
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IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: JAN-21-1998

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RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 34-07223

NAME AND ADDRESS: MITCHELL D SORENSEN
RT 1 BOX 63-A
MOORE ID 83255

SOURCE: GROUNDWATER

QUANTITY: 1.58 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 11.55 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 4134.4 AF.
COMBINED RIGHT NOS.: 34-02428, 34-07096A, 34-07096B, 34-07097A,
34-07097B AND 34-12416.

*See
CF*

PRIORITY DATE: 04/16/1979

POINT OF DIVERSION: T04N R26E S08 NESWSE Within BUTTE County
WATER DIVERTED UNDER THIS RIGHT IS EXCHANGED WITH WATER
DIVERTED FROM THE BIG LOST RIVER UNDER RIGHT NO. 34-00093. WATER
DIVERTED UNDER THIS RIGHT IS USED FOR THE PURPOSES AND AT THE
PLACES OF USE DESCRIBED IN RIGHT NO. 34-00093, AND WATER DIVERTED
FROM THE BIG LOST RIVER IS USED FOR THE PURPOSES AND AT THE
PLACES OF USE DESCRIBED IN THIS RIGHT.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	<u>Irrigation Season</u>	1.58 CFS
		<u>04/18 10/18</u>	

PLACE OF USE:	IRRIGATION	Within BUTTE County		
	T03N R25E S02	Lot 3 (NENW)39	Lot 4 (NWNW)39	SWNW 40 SENW 40
	S03	Lot 1 (NENE)39	Lot 2 (NWNW)39	
	T04N R25E S34	NENE 39	NWNE 38	SWNE 40 SENE 40
		NESE 40	NWSE 40	SWSE 40 SESE 40
	S35	NENW 38	NWNW 38	SWNW 40 SENW 40
		NESW 20	NWSW 40	SWSW 39 SESW 20

828 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 945 ACRES WITHIN THE PLACE OF
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00496A, 34-00692D 34-02428, 34-07096A,
34-07096B, 34-07097A, 34-07097B AND 34-12416.

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

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34-07223 (CONT.)

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 236213 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 943 ACRES WITHIN THE PLACE OF DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS: 34/07096, 34/07097, 34/02428, 34/00496A, 34/00692D AND 34/12416.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 413414 AF IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS: 34/07096, 34/07097, 34/02428 AND 34/12416.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. RIGHT NO. 34/12416 IS AN EXPANSION OF THIS RIGHT PURSUANT IDAHO CODE 42/1416(2).

RIGHT NO. 34/12416 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF THESE RIGHTS IS LIMITED TO 9197 CFS.

WATER DIVERTED UNDER THIS RIGHT FROM THE WEKK IN SECTION 8 IS EXCHANGED WITH WATER DIVERTED FROM THE BIG Lost RIVER UNDER RIGHT NO. 34/00093.

WATER DIVERTED UNDER THIS RIGHT FROM THE WEKK IN SECTION 8 IS USED FOR THE PURPOSES AND AT THE PLACES OF USE DESCRIBED IN RIGHT NO. 34/00093, AND WATER DIVERTED FROM THE BIG Lost RIVER IS USED FOR THE PURPOSES AND AT THE PLACES OF USE DESCRIBED ABOVE.

THE AMOUNT OF WATER DIVERTED PURSUANT TO THIS EXCHANGE SHALL BE REDUCED WHEN NECESSARY TO PREVENT INJURY TO OTHER APPROPRIATORS.

*Set
at*

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on _____, 199____, 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:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 83720
Boise, ID 83720-0010

Kent W. Foster
Holden, Kidwell, Hahn & Crapo
P. O. Box 50130
Idaho Falls, ID 83405-0130

Norman Semanko
Rosholt, Robertson & Tucker
P. O. Box 1906
Twin Falls, ID 83303-1906

William R. Hollifield
Hollifield & Bevan
P. O. Box 66
Twin Falls, ID 83303-0066

Susan Hamlin
IDWR
P. O. Box 83720
Boise, ID 83720-0098

Signature of person or attorney mailing the form