

RECEIVED

APR 06 2005

Department of Water Resources

RECEIVED
MAR 21 2005
IDWR/North

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.: 83-10044

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:

CLAIMANT:

Leslie K. McDonald 2/27/05
Leslie K. McDonald Date

Nancy G. Clampet 2/27/05
Nancy G. Clampet Date

CLAIMANT:

Owen R. Hellman
Owen R. Hellman

Lee
L.M.
NC
a. it.

OBJECTOR:

United States on behalf of the
USDA Forest Service

David L. Negri 1/5/05
David L. Negri Date

IDWR CONCURRENCE:

Kenneth Knoblock 3/21/05
Kenneth Knoblock Date
Sr. Water Resource Agent

Candice M. McHugh 3/3/05
Candice M. McHugh Date
Deputy Attorney General
Attorney for IDWR

Ken
L.M.
Mc
O.H.

RECEIVED

MAR 24 2005

DEPARTMENT OF
WATER RESOURCES

RECEIVED

MAR 21 2005

IDWR/North

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

RIGHT NUMBER: 83-10044

NAME AND ADDRESS:

LESLIE K MC DONALD

~~PO BOX 4465~~~~MISSOULA MT 59806~~

NANCY G CLAMPET

PO BOX 395

POST FALLS ID 83877

OWEN R HELLMAN

~~PO BOX 4465~~~~MISSOULA MT 59806~~16495 Roman Crk. Rd. L.M.
Frenchtown, MT 5983413307 Shelburne Rd. O.H.
Anchorage, Ak. 99516SOURCE: Source:
MOOSE CREEKTributary:
KELLY CREEK

QUANTITY: 0.620 CFS

PRIORITY DATE: 08/20/1900

POINT OF DIVERSION:

T39N R11E S5 NENW
Within CLEARWATER CountyT39N R11E S5 NENWNW
Within CLEARWATER CountyT40N R11E S32 SWSW
Within CLEARWATER CountyT40N R11E S32 SWSE
Within CLEARWATER CountyPURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

MINING

05/01 11/30

0.620 CFS

~~DOMESTIC~~~~01/01 12/31~~~~0.040 CFS~~

PLACE OF USE:

MINING

within CLEARWATER County

T39N R11E S05 NENW

T39N R11E S05 NWNW

T40N R11E S32 SWSW

T40N R11E S32 SWSE

~~DOMESTIC~~~~within CLEARWATER County~~~~T39N R11E S05 NENW~~PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDSK
L.M.
1 NC
O.H.

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

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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PROPERTY IS ALSO KNOWN AS MINERAL SURVEY NO. 3564.

Domestic use recommended as right no. 83-4003.

DN
SMC
Kee
L.M.
NC
O.H.

CERTIFICATE OF SERVICE

I certify that on April 5, 2005, 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:

Nancy G. Clampet
P.O. Box 395
Post Falls, ID 83877

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

Leslie K. McDonald
16495 Roman Creek Road
Frenchtown, MT 59834

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

Owen R Hellman
13301 Shelburne Rd.
Anchorage, AK 99516

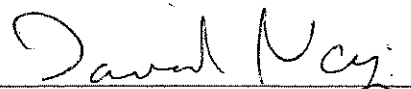
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

U.S. Dept. of Justice
Environment & Natural Resource Div.
550 W. Fort St., MSC 033
Boise, ID 83724

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

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

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



Signature of person or attorney mailing the form