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SEP 27 2005

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. 61-12033
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)
)
)
)

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:

Casa Del Norte LP

John B. McCallum

John B. McCallum 9/8/05

John B. McCallum

Date

Claimant

Tammy Zokan 9/20/05

Tammy Zokan

Date

Attorney for claimant

OBJECTOR:

United States of America acting through
the Department of Interior

Larry A. Brown 9/22/2005

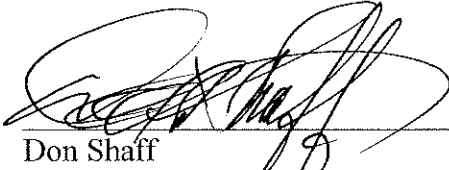
Larry A. Brown

Date

Attorney for Objector – USDI/BLM

United States Dept of Justice

IDWR Concurrence:


Don Shaff
Technical Services Manager

7-26-05
Date


Candice M. McHugh
Deputy Attorney General for IDWR

7/27/05
Date

07/22/2005

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

RIGHT NUMBER: 61-12033
NAME AND ADDRESS: CASA DEL NORTE LP
JOHN B MC CALLUM
11204 N BAR 21 DR
GLENN'S FERRY ID 83623

SOURCE: UNNAMED STREAM TRIBUTARY: LITTLE CANYON CREEK

QUANTITY: 14.60 AFY
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION:
T04S R10E S10 NESESW Within ELMORE County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER STORAGE	01/01 12/31	14.60 AFY
STOCKWATER FROM STORAGE	01/01 12/31	14.60 AFY

PLACE OF USE: STOCKWATER FROM STORAGE Within ELMORE County

T04S R10E S10	NESW	T04S R10E S10	SESW
T04S R10E S10	SWSE	~~T04S R10E S10~~	~~NWSE~~

203
DR
8m
MB

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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
Berry Ranch

CERTIFICATE OF MAILING

I certify that on Sep. 22, 2005, 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:

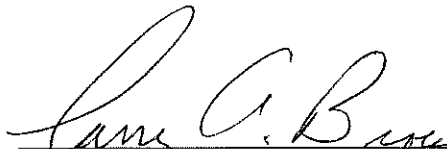
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, ID 83724

Casa Del Norte LP
John B. McCallum
11204 N Bar 21 Drive
Glenns Ferry, ID 83623

Courtesy copy:

Moore, Smith, Buxton & Turcke Chartered
225 N 9th, Suite 420
Boise, ID 83702
Attn: Tammy Zokan

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



Signature of attorney mailing the form