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

OCT 11 2005
Department of Water Resources

In Re SRBA

Case No. 39576

Subcase Nos.: 85-7233

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. 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):

Patricia A. and Victor A. Allmon

Victor A. Allmon 9-29-05
Claimant Date
Patricia - deceased
Claimant Date

OBJECTOR(s):

USDI/Bureau of Reclamation

David W. Gehlert 10/7/05
Date
Trial Attorney, General Litigation Section
U.S. Dept. of Justice

IDWR Concurrence:

Carter Futrell 9-29-05
Date
Adjudication Supervisor
Susan Hamlin Nygard 9/19/05
Date
Deputy Attorney General, IDWR

09/13/2005

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

RIGHT NUMBER: 85-7233
NAME AND ADDRESS: PATRICIA A ALLMON
3511 28TH ST
LEWISTON ID 83501-9723
VICTOR A ALLMON
3511 28TH ST
LEWISTON ID 83501-9723

SOURCE: UNNAMED STREAM TRIBUTARY: LINDSAY CREEK

QUANTITY: 0.130 CFS
75.00 AFY

PRIORITY DATE: 07/14/1980

POINT OF DIVERSION: T35N R04W S18 NENESE Within NEZ PERCE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.020 CFS 0.20 AFY
IRRIGATION	03/01 11/30	0.130 CFS 74.80 AFY

~~THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS FEBRUARY 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.~~

*Del
at
Dr*

PLACE OF USE: IRRIGATION Within NEZ PERCE County
T35N R04W S18 NESE 13.0 T35N R04W S18 NWSE 15.0
STOCKWATER Within NEZ PERCE County
T35N R04W S18 NESE T35N R04W S18 NWSE

28 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 - License

CERTIFICATE OF MAILING

I certify that on 10/7/05, 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

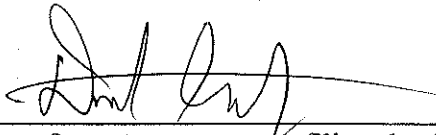
2. Copies to:

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

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

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

Patricia and Victor Allmon
3521 28th St
Lewiston, ID 83501



Signature of person or attorney filing the form