

OCT 11 2005

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

Department of Water Resources

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Subcase Nos.: 85-7209

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

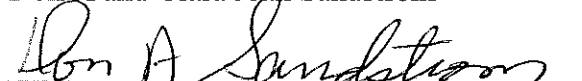
This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert 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):

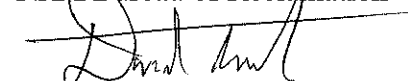
Don A and Clara Jean Sandstrom



Claimant Date


Claimant Date**OBJECTOR(s):**

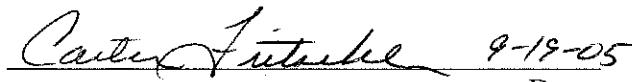
USD/Bureau of Reclamation



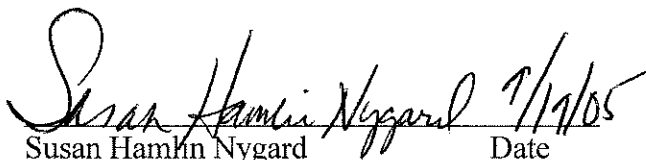
David W. Gehlert Date

Trial Attorney, General Litigation Section

U.S. Dept. of Justice

IDWR Concurrence:

Adjudication Supervisor

9-19-05
DateSusan Hamlin Nygard
Deputy Attorney General, IDWR9/19/05
Date

CERTIFICATE OF MAILING

I certify that on 007 7, 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:

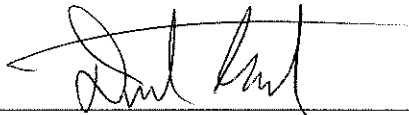
Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

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

Dan and Clara Jean Sandstrom
RT 1 Box 184B
Lapwai, ID 83540

DAS



Signature of person or attorney filing the form

CJS

09/13/2005

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

RIGHT NUMBER: 85-7209

NAME AND ADDRESS: DON A SANDSTROM
RT 1 BOX 184B
LAPWAI ID 83540

CLARA JEAN SANDSTROM
RT 1 BOX 184B
LAPWAI ID 83540

SOURCE: SWEETWATER CREEK

TRIBUTARY: LAPWAI CREEK

QUANTITY: 0.110 CFS
12.20 AFY

PRIORITY DATE: 08/19/1979

POINT OF
DIVERSION: T35N R04W S22 SESWSE Within NEZ PERCE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS 0.20 AFY
IRRIGATION	04/01 11/15	0.090 CFS 12.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS ~~FEBRUARY~~ March 15 ~~AND MAY CONTINUE TO AS LATE AS~~
~~NOVEMBER 30~~, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT
EXCEEDED. THE USE OF WATER BEFORE APRIL 1 ~~AND AFTER~~
~~NOVEMBER 15~~ 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.

Dehe
CL
DL

PLACE OF USE: IRRIGATION Within NEZ PERCE County

T35N R04W S22 SWSE 3.0

STOCKWATER same as IRRIGATION

3 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

DAS
DL