

COPY

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

OCT 27 2005

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OCT 24 2005

DEPARTMENT OF
WATER RESOURCES

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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

Subcase No.: 45-2427

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.

Paul M. Searle 10-16-05
Paul M. Searle Date

Gale Searle 10-16-05
Gale Searle Date

IDWR Concurrence:

Douglas Jones 10/11/05
Douglas Jones Date
Engineer, Technical 1

Chris M. Bromley 10/5/05
Chris M. Bromley Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 45-2427

NAME AND ADDRESS:

GALE SEARLE
C/O DUANE SEARLE
237 E 600 S
BURLEY ID 83318

PAUL M SEARLE
175 E 600 S
BURLEY ID 83318

SOURCE: GROUND WATER

Tributary:

QUANTITY: 4.000 CFS
960.000 AFY

The rights listed below are limited to a total combined diversion rate of 4.0 cfs.
Combined Right Nos.: 45-2427 & 45-13757.

PRIORITY DATE: 12/12/1952

POINT OF DIVERSION: T11S R23E S28 SWSEW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

03/15 11/15

4.000 CFS

960.00 AFY

PLACE OF USE: IRRIGATION within CASSIA County

T11S R23E S28 NENE 1.7

T11S-R23E-S28-NENE-1.0

T11S R23E S28 NWNE 16.0

T11S-R23E-S28-NWNE-15.0

T11S R23E S28 SWNE 40.0

T11S-R23E-S28-SWNE-41.0

T11S R23E S28 SENE 38.0

T11S-R23E-S28-SENE-30.0

T11S R23E S28 SENW 34.0

T11S-R23E-S28-SENW-33.0

T11S R23E S28 NWNW 40.0

T11S R23E S28 SWNW 40.0

T11S R23E S28 SENW 40.0

249.7 ACRES TOTAL 240 ACRES-TOTAL

The rights listed below are limited to the irrigation of a combined total of 249.7 acres in a
single irrigation season. Combined Right Nos.: 452427 & 45-13757.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240 ACRES WITHIN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240 ACRES WITHIN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

C.B.
TJ
g.s.
P.S.

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(5), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

CD
2/1

G.S.
P.S.

CERTIFICATE OF SERVICE

I certify that on 10/25/05, 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:

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

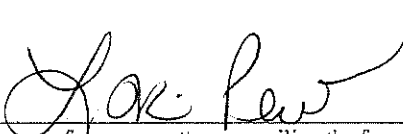
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Signature of person or attorney mailing the form