

**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. <u>25-13715</u>
	)	
	)	Standard Form 5
Case No. 39576	)	
	)	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 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 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 agree and stipulate that the elements of this water right should be described per the attached. The parties have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

United States of America on behalf of the
Fish and Wildlife Service

By: James J. DuBois 11/4/05
James J. DuBois Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

OBJECTOR:

State of Idaho, Department of Lands

By: David J. Barber 11/7/2005
David J. Barber Date
Deputy Attorney General
Natural Resources Division

IDWR CONCURRENCE:

Not Applicable

JD

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: 25-13715

Date Received:

Receipt No.:

Received By:

1. Name: **United States of America** Phone: **503-231-6145**
(Fish and Wildlife Service)
Address: **Division of Engineering**
911 NE 11th Avenue
Portland, OR 97232-4181

2. Date of Priority: April 10, 1969

3. Source: Ground Water Trib. to: _____

4. Point of Diversion:

Township 4S Range 43E Section 35, SE1/4 of NE1/4 B.M.,
County of Bonneville

5. Description of diverting works: **Wells, submersible pumps, pipelines.**

6. Water is claimed for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A.
Administrative Uses at	Jan. 1	Dec. 31	0.04	2.4
Greys Lake National Wildlife Refuge				

7. Total Quantity Claimed is:
0.04 C.F.S. or 2.4 A.F.A.

8. Non-irrigation uses Administrative uses including Stock, fire protection and domestic.

D/B

JD

9. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
4S	43E	35	SE	NE		Administrative	
4S	43E	35	NE	SE		Administrative	

Total Number of Acres Irrigated

10. Legal description of reservations: Public Land Order No. 4596 establishing the Grays Lake National Wildlife Refuge Administrative Site.

11. Do you own the property listed above as place of use? Yes.

12. Other Water Rights Used: 25-2161

13. Include a list of documents creating the federal reservation: Public Land Order No. 4596.

14. Remarks: None

15. Basis of Claim: Federal Reserved Water Right.

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CERTIFICATE OF SERVICE

I certify that on this 8th day of November 2005, I caused to be served the original and/or copy of the STANDARD FORM 5 SUBCASE NO. 25-13715 on each person on the Court Certificate of Mailing for Expedited Hearings by U.S. Mail, postage prepaid, and on the following persons by the indicated method:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

- ☐ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☒ Facsimile: (208) 736-2121
☐ Statehouse Mail

2. Copies to

Special Master Brigitte Bilyeu
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

- ☐ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☒ Facsimile: (208) 736-2121
☐ Statehouse Mail

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

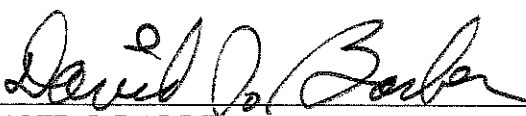
- ☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: _____
☐ Statehouse Mail

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

- ☐ U.S. Mail, postage prepaid
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☐ Federal Express
☐ Facsimile: _____
☒ Statehouse Mail

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

Not Applicable



DAVID J. BARBER
Deputy Attorney General