

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. 65-22738
)
)
) 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 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:

A. L. Cattle Inc.

Agnes L. Brailsford 2-6-06
Agnes L. Brailsford - President Date

T. L. Thompson 2/6/06
Travis L. Thompson Date
of Attorneys for A. L. Cattle Inc

Shelley M. Davis 2/6/06
Shelley M. Davis Date
of Attorneys for A. L. Cattle Inc

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 2/23/2006
Larry A. Brown Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

[Signature] 2-22-06
Date

Date

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

RIGHT NUMBER: 65-22738

NAME AND ADDRESS: A L CATTLE INC
PO BOX 608
EMMETT ID 83617

SOURCE: DRY CREEK

TRIBUTARY: BIG WILLOW CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right when combined with 65-19805, 65-19996, 65-19895, 65-19807, ~~65-19822, 65-19816, 65-19826, 65-20611, 65-20612, and 65-22736~~ shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/25/1897 03/22/1897

POINT OF DIVERSION:	T09N R01W S8	NENENE	Within PAYETTE County Begin of Stream Flow
	T09N R02W S34	SWNWNE	End of Stream Flow

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE:	STOCKWATER	Within PAYETTE County
	T09N R01W S07	SWNE
	T09N R01W S07	SENE
	T09N R01W S07	SWNW
	T09N R01W S07	SENW
	T09N R01W S07	Lot 3 NWSW
	T09N R01W S07	Lot 4 SWSW
	T09N R01W S08	NENE
	T09N R01W S08	NWNE
	T09N R01W S08	NENW
	T09N R01W S08	NWNW
	T09N R01W S08	SWNW
	T09N R01W S18	NWNW
	T09N R01W S18	SWNW
	T09N R01W S18	NWSW
	T09N R01W S18	SWSW
	T09N R02W S12	Lot 2 SENE
	T09N R02W S12	Lot 3 NESE
	T09N R02W S13	SWSE
	T09N R02W S13	SESE
	T09N R02W S23	SENE
	T09N R02W S23	NESE
	T09N R02W S23	NESE
	T09N R02W S23	SWSE
	T09N R02W S23	SESE
	T09N R02W S24	NWNE
	T09N R02W S24	NENW

T09N	R02W	S24	NWNW
T09N	R02W	S24	SWNW
T09N	R02W	S26	NWNE
T09N	R02W	S26	NENW
T09N	R02W	S26	SWNW
T09N	R02W	S26	SENW
T09N	R02W	S26	NWSW
T09N	R02W	S27	NESE
T09N	R02W	S27	SWSE
T09N	R02W	S27	SESE
T09N	R02W	S34	NWNE

Handwritten: 727
all

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.

The operation, use, and administration of this water right is also subject to the terms and conditions of the Stipulation and Joint Motion for Order Approving Stipulation entered into on August 29, 2002 between the United States of America and Western Stockgrowers Association, et al.; the provisions of such Stipulation to apply fully to this water right.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on Feb. 23, 200~~8~~¹³ mailed the original and copies of this form, including all attachments, 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. Copy to:

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

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

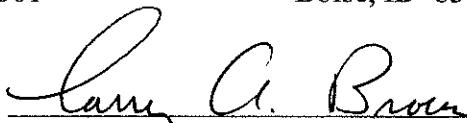
3. Copies to all parties to the subcase (insert names and addresses):

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

A.L. Cattle, Inc
P.O. Box 608
Emmett, Idaho 83617

Travis L. Thompson
Barker, Rosholt & Simpson, LLP
113 Main Ave. E., Suite 303
Twin Falls, Idaho 83301

Shelley M. Davis
Barker, Rosholt & Simpson, LLP
P.O. Box 2139
Boise, ID 83701



Signature of person or attorney mailing the form

65-22738 AL Cattle

