

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

Case No. 39576

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Subcase No. 84-10794

(previously disallowed)

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.

CLAIMANTS/OBJECTORS

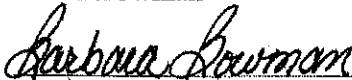
James & Barbara Bowman



James Bowman

4/11/06

Date

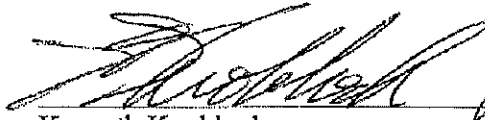


Barbara Bowman

Date

STANDARD FORM 5 - 84-10794

IDWR Concurrence:

		4/5/06
Kenneth Knoblock	Date	Candice M. McHugh
Date		
Senior Water Resource Agent		Deputy Attorney General Attorney for IDWR

04/05/2006

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

RIGHT NUMBER: 84-10794
NAME AND ADDRESS: JAMES L BOWMAN
1364 BRICK CHURCH RD
ONTARIO NY 14519-9739

BARBARA G BOWMAN
1364 BRICK CHURCH RD
ONTARIO NY 14519-9739

SOURCE: SPRING TRIBUTARY: JIM FORD CREEK

QUANTITY: 0.040 CFS
220.000 AFY

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1962

POINT OF DIVERSION:

T36N R02E S23 NESW Within CLEARWATER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER STORAGE	01/01 12/31	1.00 AFY
RECREATION STORAGE	01/01 12/31	220.00 AFY
STOCKWATER FROM STORAGE	01/01 12/31	1.00 AFY
IRRIGATION STORAGE	01/01 12/31	70.00 AFY
IRRIGATION FROM STORAGE	03/15 11/15	70.00 AFY

PLACE OF USE:

IRRIGATION STORAGE Within CLEARWATER County

T36N R02E S23	NESW	T36N R02E S23	NWSW
T36N R02E S23	SWSW	T36N R02E S23	SESW

IRRIGATION FROM STORAGE Within CLEARWATER County

T36N R02E S23	SWNW	6.00	T36N R02E S23	NESW	5.00
T36N R02E S23	NWSW	9.00			

RECREATION STORAGE Within CLEARWATER County

T36N R02E S23	NESW	T36N R02E S23	NWSW
T36N R02E S23	SWSW	T36N R02E S23	SESW

STOCKWATER FROM STORAGE same as IRRIGATION STORAGE

20 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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

JB BB
SM^c

CERTIFICATE OF MAILING

I certify that on April 18, 2006, 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:

United States Department of Justice
Environment & Nat'l Resources Division
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449

James & Barbara Bowman
1364 Brick Church Road
Ontario, NY 14519

IDWR Repository
P.O. Box 83720
Boise, ID 83720



Signature of person mailing the form