

COPY

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

Subcase No.: 45-249

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.

CLAIMANT:

Dora A. Droz 5/10/06
Dora A. Droz Date

IDWR CONCURRENCE:

Kelly Christensen 5-22-06 Chris Bromley 6-2-06
Kelly Christensen Date FOR Chris Bromley Date
Sr. Water Resource Agent Deputy Attorney General
Attorney for IDWR

05/05/2006

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

RIGHT NUMBER: 45-249

NAME AND ADDRESS: DORA A DROZ
~~CONSERVATOR FOR INA DROZ~~
PO BOX 222
TOPANGA CA 90290

SOURCE: BRIM CREEK

TRIBUTARY: LAND CREEK

QUANTITY: ~~1.660 CFS~~ 3.010 CFS

~~WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN
1.02 CFS PER ACRE, COMBINED RIGHT NOS. 45-249 AND 45-11957.~~

PRIORITY DATE: 04/12/1892

POINT OF DIVERSION:

T12S R25E S18 SWSNW Lot 2 Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.660 CFS 3.010 CFS

The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R25E S18 NENW 25.00	<u>26.00</u>	T12S R25E S18 Lot 1 NWNW 24.00	<u>23.00</u>
T12S R25E S18 Lot 2 SWNW 29.00	<u>30.00</u>	T12S R25E S18 SENW 4.9	<u>7.70</u>

~~82.9~~ 86.7 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF ~~82.9~~ 86.7 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 45-249 and 45-11957.

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 - Decreed

CERTIFICATE OF SERVICE

I certify that on June 2nd 2006, 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

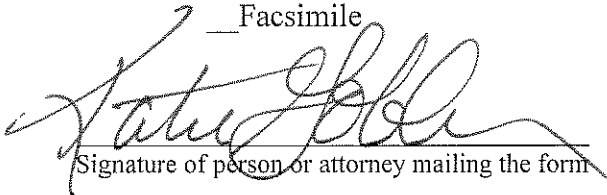
2. Copies to:

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

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Dora A. Droz
PO Box 222
Topanga, CA 90290

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile


Signature of person or attorney mailing the form