

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. 27-4147
	)	
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.

CLAIMANT/OBJECTOR:


Gordon G. Prouse Date 7-18-06

IDWR Concurrence:

Ernest Carlsen 7-18-06
Ernest Carlsen Date
IDWR Adjudication Supervisor

for Candice McHugh 7/18/06
Deputy Attorney General Date
Attorney for IDWR

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

RIGHT NUMBER: 27-4147

NAME AND ADDRESS:

GORDON G PROUSE
914 W 650 N
BLACKFOOT ID 83221

SOURCE:

Source:
BLACKFOOT RIVER
DEADMAN CREEK

Tributary:

SNAKE RIVER
BLACKFOOT RIVER

QUANTITY:

0.610 CFS ~~1.600 CFS~~

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

PRIORITY DATE:

08/02/1907
~~06/01/1889~~

POINT OF DIVERSION:

T04S R39E S7 SESE
T04S R39E S18 NESE
T04S R39E S19 NENE

Within BINGHAM County
Within BINGHAM County
Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

06/15 09/30

0.610 CFS
~~1.600 CFS~~

STOCKWATER

05/01 11/15

0.020 CFS
~~0.030 CFS~~

PLACE OF USE:

IRRIGATION

within BINGHAM County

T04S R39E S07 SESE 0.8

~~T04S R39E S07 SESE 5.0~~

T04S R39E S18 NENE 1.5

~~T04S R39E S18 NENE 20.0~~

T04S R39E S18 SENE 24.0

T04S R39E S18 NESE 17.0

T04S R39E S19 NENE 8.0

~~T04S R39E S19 NENE 7.0~~

T04S R39E S19 SENE 2.8

~~T04S R39E S19 SENE 6.0~~

~~STOCKWATER within BINGHAM County~~

~~T04S R39E S07 SESE~~

~~T04S R39E S18 SENE~~

~~T04S R39E S18 NESE~~

~~T04S R39E S19 NENE~~

~~T04S R39E S19 SENE~~

STOCKWATER Same as IRRIGATION

54.1 ACRES TOTAL

55 ACRES TOTAL

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

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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.

~~No beneficial use found.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use ~~BASIS OF CLAIM - Statutory Claim~~

Basis for priority date on this claim is license 27-2006.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

~~No beneficial use found. This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.~~

EME
CMB



Idaho Department of Water Resources

Handwritten signatures and initials

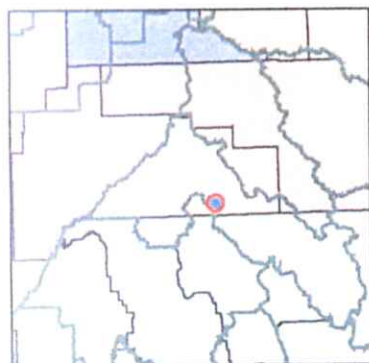
SRBA Recommendation:

27-4147

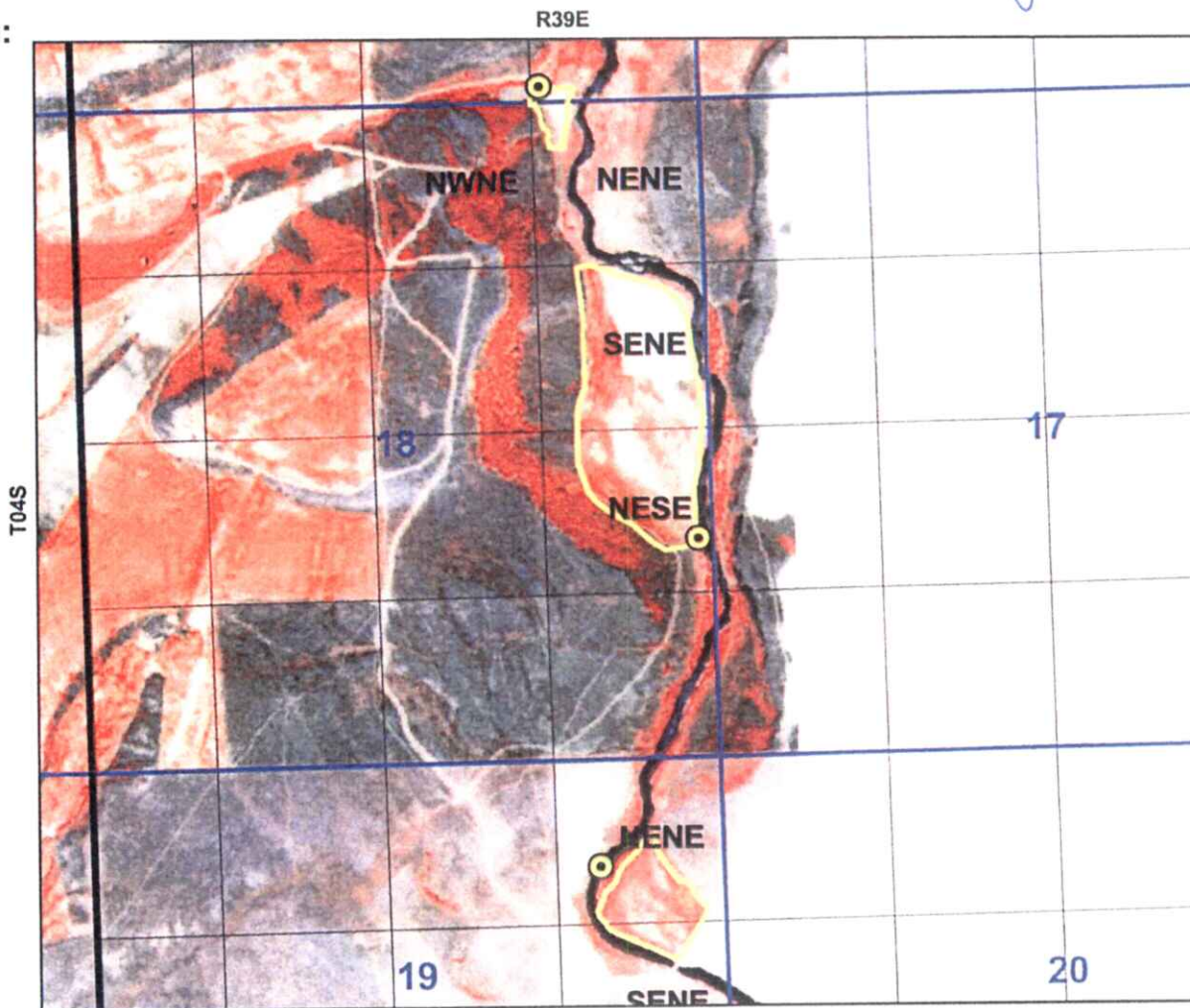
(Irrigation)

Legend

- ⊙ Point of Diversion
- Place of Use
- ▭ Townships
- ▭ PLS Sections
- ▭ Quarter Quarters



Bingham County
IDWR Basin 27



0 0.6 1.2 Miles

Prepared by E. Carlsen
On Tuesday, July 18, 2006
1987/88 Aerial Photography

CERTIFICATE OF MAILING

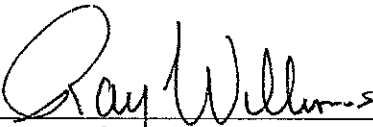
I certify that on July 18, 2006, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

GORDON G PROUSE
914 W 650 N
BLACKFOOT, ID 83221



Signature of person or attorney mailing the form