

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. 27- 7048

STANDARD FORM 5

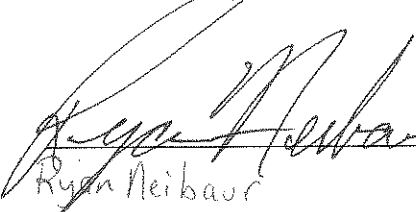
STIPULATED ELEMENTS OF A
WATER RIGHT

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(s):


Ryan Neibaur

Date

7-24-06

Date

OBJECTOR(s):

Ryan Neibauer 7-24-06
Ryan Neibauer Date

Date

RESPONDENT(s):

NONE

Date

Date

IDWR Concurrence:

Ernie Carlsen 7-24-06
Ernie Carlsen Date
IDWR Adjudication Supervisor

Candice McHugh 7/24/06
Candice McHugh Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 27-7048
NAME AND ADDRESS: RYAN NEIBAUR
2320 ROSS AVE 1650 Claremont Lane
IDAHO FALLS ID ~~83406~~ 83404

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.150 CFS
~~5.36 AFY~~ 536.0 AFY

PRIORITY DATE: 11/12/1974

POINT OF
DIVERSION: T01N R37E S36 SENENE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 11/01

QUANTITY
2.150 CFS
~~5.36 AFY~~ 536.0 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T01N R37E S36	NENE	37.0	T01N R37E S36	SENE	39.0
T01N R38E S31 Lot 1 NWNW		39.0	T01N R38E S31 Lot 2 SWNW		38.0

153 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

CERTIFICATE OF MAILING

I certify that on July 24, 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

hand delivered

2. Copies to:

Ryan Neibaur *hand delivered*
1650 Claremont Lane
Idaho Falls, ID 83604

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

Ray Willis
Signature of person or attorney mailing the form