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OCT 11 2006

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2006 OCT 6 AM 10 10

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. 63-8382
)
)
)
)
)
)

AMENDED STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

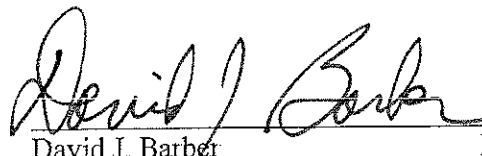
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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)/OBJECTOR:

State of Idaho - Department of Lands

 10/2/2006

David J. Barber

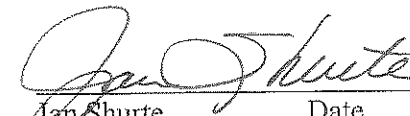
Date

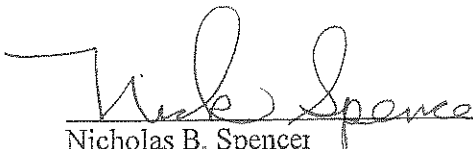
Deputy Attorney General

State of Idaho - Department of Lands

AMENDED STANDARD FORM 5 - 63-8382

IDWR Concurrence:

 10-3-06
Jan Shurte Date
Adjudication Supervisor

 10-3-06
Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on October 5, 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

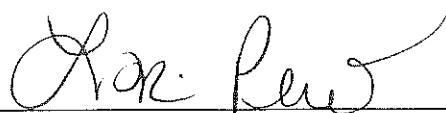
2. Copies to:

Office of the Attorney General
Natural Resource Division
Idaho Department of Lands
P.O. Box 83720
Boise, ID 83720-0050
Attn: David J. Barber

State of Idaho
Department of Lands
954 W. Jefferson
PO Box 83720
Boise, ID 83720-0050

courtesy copy

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



Signature of person mailing the form

12/12/2005

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

RIGHT NUMBER: 63-8382
NAME AND ADDRESS: STATE OF IDAHO
DEPT OF LANDS
954 W JEFFERSON
PO BOX 83720
BOISE ID 83720-0050

SOURCE: GROUND WATER
QUANTITY: 0.920 CFS
215.00 AFY

TRIBUTARY:

USE OF THIS RIGHT WITH RIGHT NO. 63-07355 IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 333.0 AF.

PRIORITY DATE: 11/01/1976

POINT OF
DIVERSION: T02N R02E S4 NESW Within ADA County
T02N R02E S4 NWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.920 CFS 215.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE
NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE
EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

NBS

PLACE OF USE: IRRIGATION Within ADA County

T02N R02E S04	NESW	39.00	T02N R02E S04	NWSW	36.00
75 ACRES TOTAL					

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 74.0 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 63-07355 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 75 ACRES IN A SINGLE IRRIGATION
SEASON.

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.