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STANDARD FORM 5

STIPULATED ELEMENTS OF A WATER RIGHT

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IDWR Concurrence:



Michael Ciscell
8/29/06

Date



Chris M. Bromley
Deputy Attorney General
8/29/06

Date

08/25/2006

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

RIGHT NUMBER: 69-10094

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

SOURCE: HERCULES CREEK

TRIBUTARY: GRADE CREEK

QUANTITY: 0.020 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY

PRIORITY DATE: 01/01/1915

POINT OF
DIVERSION:

P17N R04W S31 NENESE Begin of Stream Flow Within WASHINGTON County *WTC*

I17N R04W S31 NESE End of Stream Flow Within WASHINGTON County

T17N R04W S31 NENWE Lot 10 Begin of Stream Flow Within WASHINGTON County *CB*

T17N R04W S31 SESENW End of Stream Flow Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS *2/13*

PLACE OF USE:

STOCKWATER Within WASHINGTON County *MS*

I17N R04W S31

SWNE

T17N R04W S31

SENW *LAB*

T17N R04W S31

NESE

I17N R04W S31

NWSE

Place of use does not include federal public lands

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 IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Stockwater use is for 1000 range cattle.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on Oct. 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:

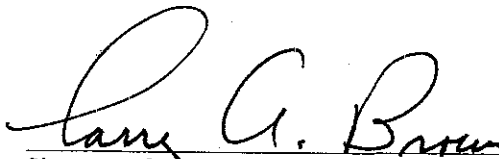
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

USDI Bureau of Land Management
US Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

State of Idaho
Office of the Attorney General
700 W Jefferson, Room 210
PO Box 44449
Boise, ID 83711-4449
Attn: David J. Barber

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


Signature of person mailing the form