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DEPARTMENT OF
WATER RESOURCES

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DEPARTMENT OF
WATER RESOURCES

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

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Subcase No. 25-14070

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:

OBJECTOR:

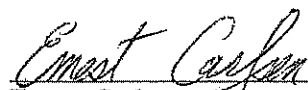
Bureau of Land Management

Robert L. Clark 11-4-06
Robert L. Clark Date

Larry A. Brown 11/13/06
Larry A. Brown *FMP* Date
Attorney for BLM

STANDARD FORM 5 – 25-14070

IDWR Concurrence:

 10-30-06
Ernest Carlsen Date
Water Resource Program Manager

 11/9/06
Chris M. Bromley Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 25-14070

NAME AND ADDRESS:

ROBERT L CLARK
3617 E 800 N
MENAN ID 83434

SOURCE:

Source:
ANNIS SLOUGH

Tributary:
SNAKE RIVER

QUANTITY:

6.720 CFS

~~1.920 CFS~~

Fwp

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

PRIORITY DATE:

05/15/1889

POINT OF DIVERSION:

T05N R38E S23 NESWSW
Within JEFFERSON County

LOS
EMC
R.J.C.
CB

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/01 10/31	<u>6.720 CFS</u> ~~1.920 CFS~~
STOCKWATER	04/01 10/31	0.070 CFS

PLACE OF USE:

IRRIGATION within JEFFERSON County

T05N R38E S22 NESE 1 3
T05N R38E S22 Lot 8 NESE 20.0
T05N R38E S22 NWSE 2.0
T05N R38E S22 Lot 7 NWSE 1.8
T05N R38E S22 Lot 7 SWSE 20.0
T05N R38E S22 Lot 8 SESE 31.0
T05N R38E S23 Lot 3 NWSW 7 4

STOCKWATER within JEFFERSON County

T05N R38E S22 Lot 8 NESE
T05N R38E S22 Lot 7 NWSE
T05N R38E S22 Lot 7 SWSE
T05N R38E S22 Lot 8 SESE
T05N R38E S23 Lot 3 NWSW

83 5 ACRES TOTAL

Place of use does not include federal public lands

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

SOURCE ALSO KNOWN AS HYRUM POOLE SLOUGH.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 25-279 AND A PORTION OF 25-277.

Stockwater use is for 260 range cattle.

RIGHT NO. 25-13989 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Fwp

*Elmer
R.L.C.*

CB

for

CERTIFICATE OF MAILING

I certify that on Nov. 13, 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:

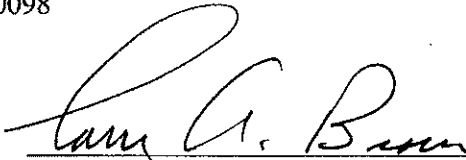
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

ROBERT L CLARK
3617 E 800 N
MENAN, ID 83434

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



Signature of person or attorney mailing the form