

**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 39576

) Subcase No. 21-00161
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)
)
)
)
)
)

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:

M Maxine Saurey

OBJECTOR:

USDI Bureau of Land Management and
USDA Forest Service

Ray W. Rigby 11-14-06
Ray W. Rigby Date
Attorney for M Maxine Saurey

David L. Negri 11/16/06
David L. Negri Date
Attorney for the United States

IDWR Concurrence:

Ernie Carlsen 11-16-06
Ernie Carlsen Date

Nick Spencer 11-16-06
Nick Spencer Date
Deputy Attorney General

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

RIGHT NUMBER: 21-161
NAME AND ADDRESS: M MAXINE SAUREY
PO BOX 84
CHESTER ID 83421
SOURCE: Source: JESSE CREEK Tributary: HENRYS FORK
QUANTITY: 3.200 CFS
PRIORITY DATE: 08/27/1910

POINT OF DIVERSION: T15N R44E S30 SWSWSE Within FREMONT County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	04/15 10/15	3.200 CFS

PLACE OF USE: IRRIGATION within FREMONT County

T14N R44E S06 Lot 2 NWNE 5.8	T14N R44E S06 SWNE 6.3
T14N R44E S06 Lot 3 NENW 40.0	T14N R44E S06 SENW 40.0
T15N R44E S31 0.4	T15N R44E S31 72.0
<u>T15N R44E S31 NESW 28.4</u>	<u>T15N R44E S31 SESW 37.7</u>
<u>T15N R44E S31 NWSE 4.9</u>	<u>T15N R44E S31 SWSE 1.4</u>

164.5 ACRES TOTAL

This right is limited to the irrigation of 164.5 acres within the place of use described above in a single irrigation season.

Right Nos. 21-161 and 21-162 are limited to the irrigation of a combined total of 164.5 acres in a single irrigation season.

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

Places of use also known as Homestead Entry Survey No. 126.

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

SF5: 21-161

RWR
DN
ENC
NBS

CERTIFICATE OF MAILING

I certify that on November 16, 2006, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

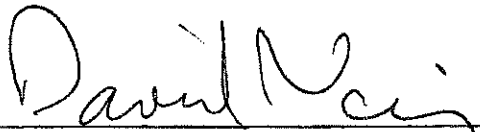
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

M Maxine Saurey
C/O Ray Rigby, Attorney
P.O. Box 250
Rexburg, ID 83340

IDWR Document Depository
P O Box 83720
Boise, ID 83720-0098

US Department of Justice
Environment and Natural Resources Section
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person mailing the form