

**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. 21-00182B
)
)
)
)
)
)

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:

Blair Calaway 11/2/06
Blair Calaway Date

Velma Calaway 11/2/06
Velma Calaway Date

OBJECTOR:

USDA Forest Service

David L. Negri 11/16/06
David L. Negri Date

Attorney for the United States

IDWR Concurrence:

Ernie Carlsen 11-15-06
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: 21-182B

NAME AND ADDRESS: BLAIR CALAWAY
246 N 1900 E
REXBURG ID 83440
VELMA CALAWAY
246 N 1900 E
REXBURG ID 83440

SOURCE: Source: SHAEFER CREEK Tributary: ROCK CREEK

QUANTITY: 0.800 CFS
0.000 AFY

PRIORITY DATE: 07/01/1903 07/08/1987

POINT OF DIVERSION: T09N R45E S17 Lot 2 SESWNE Within FREMONT County
~~T09N R45E S17 SWSWNE Within FREMONT County~~

PURPOSE AND PERIOD OF USE: Purpose of use IRRIGATION Period of use: 04/15 10/31 Quantity: 0.800 CFS
04/15 11/01

PLACE OF USE: IRRIGATION within FREMONT County

T09N R45E S17 SENE 4.8 T09N R45E S17 NESW 21.0
T09N R45E S17 NWSW 22.8 T09N R45E S17 SWSW 1.0
T09N R45E S17 NESE 17.9 T09N R45E S17 NWSE 16.6
T09N R45E S18 NESE 1.9

86 ACRES TOTAL 216 ACRES TOTAL

NBS
B.C.
P.C.
EMC
DN

Right Nos. 21-182A and 21-182B are limited to the irrigation of a combined total of 86 acres in a single irrigation season.

This right is limited to the irrigation of 61 acres within the place of use described above in a single irrigation season.

~~This right is limited to the irrigation of 61 acres within the place of use described above in a single irrigation season.~~

~~Right Nos. 21-182A and 21-182B are limited to the irrigation of a combined total of 86 acres in a single irrigation season.~~

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

Property described in Place of Use is also known as Homestead Entry Survey No. 76.

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.

~~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

*L. E.
Y. C.
EMC*

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:

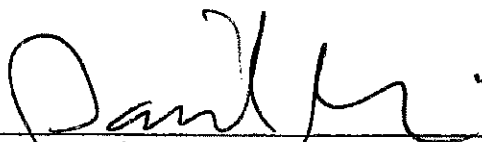
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Blair Calaway
Velma Calaway
246 N 1900 E
Rexburg, ID 83440

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