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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	)	Subcase No. 21-7082
	)	
Case No. 39576	)	
	)	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(s):

Travis Potter

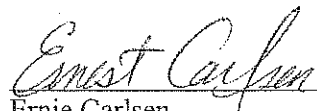
OBJECTOR(s):

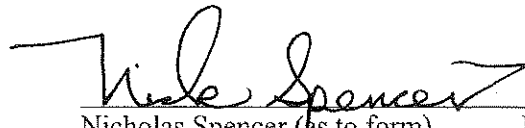
United States of America acting through the
Department of Interior, BLM

<i>Travis M Potter</i>	<i>11/10/06</i>	<i>Larry A. Brown</i>	<i>11/14/06</i>
claimant	Date	Larry A. Brown FWP	Date
		Attorney for U.S.	

STANDARD FORM 5 -21-7082

IDWR Concurrence:

 11-10-06
Ernie Carlsen Date
Water Resource Program Manager

 11-11-06
Nicholas Spencer (as to form) Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 21-7082

NAME AND ADDRESS:

TRAVIS N POTTER
PO BOX 22
CHESTER ID 83421

SOURCE:

Source:
FALL RIVER

Tributary:

HENRYS FORK

QUANTITY:

1.230 CFS

1.400 CFS

Right Nos. 21-19 and 21-7082 are limited to a total combined diversion rate of 3.0 cfs and to a total combined annual diversion volume of 578.1 AF.

PRIORITY DATE: 12/20/1975

FWP

POINT OF DIVERSION:

T08N R42E S22 Lot 5 NWSW

Within FREMONT County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

1.230 CFS

1.400 CFS

LAB

PLACE OF USE:

IRRIGATION within FREMONT County

T08N R42E S21 Lot 6 SESE 23.0

~~T08N R42E S22 Lot 6 NESW 16.0~~

T08N R42E S22 Lot 5 NWSW 11.0

T08N R42E S22 SWSW 35.0

T08N R42E S22 SESW 32.0

T08N R42E S27 NENW 0.3

T08N R42E S27 NWNW 19.0

~~T08N R42E S27 NWNW 5.7~~

T08N R42E S28 NENE 39.0

~~T08N R42E S28 NENE 36.0~~

T08N R42E S28 Lot 1 NWNE 32.0

T08N R42E S28 SWNE 1.4

~~T08N R42E S28 SWNE 1.7~~

192.7 ACRES TOTAL

This right is limited to the irrigation of 61.7 acres within the place of use described above in a single irrigation season.

Right Nos. 21-19 and 21-7082 are limited to the irrigation of a combined total of 192.7 acres in a single irrigation season.

~~This right is limited to the irrigation of 152 acres within the place of use described above in a single irrigation season.~~

EMC
TP
NBS

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

CERTIFICATE OF MAILING

I certify that on Nov. 14, 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:

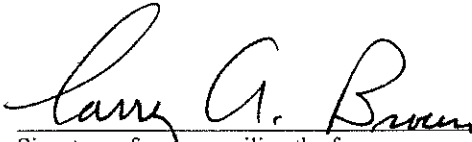
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Travis Potter
PO Box 22
Chester, ID 83421

US Dept of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

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


Signature of person mailing the form