

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

) Subcase No. 63-2553
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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(s)/OBJECTOR(s):

B.B. ONE, INC.

[Signature]
authorized representative
FOR DENNIS M. BAKER
mgr B.B. ONE

Dec. 1, 2006
Date

Dana Hepler 12/1/06
Attorney for B.B. One

IDWR Concurrence:

Kimberly Brown 12-1-06
Kimberly Brown Date
Water Resource Agent

H. Spencer 12-1-06
FOR Susan Hamlin Nygard Date
Deputy Attorney General

SF5
Right No. 63-2553

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

RIGHT NUMBER: 63-2553

NAME AND ADDRESS: B.B. ONE, INC
250 S BEECHWOOD STE 120
BOISE ID 83709

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.250 CFS
398.500 AFY

PRIORITY DATE: 07/17/1940

POINT OF DIVERSION:

T04N R01E S17 NENE Lot 1 Within ADA County
T04N R01E S17 SENE Lot 1 Within ADA County
T04N R01E S17 SENE Lot 1 Within ADA County
T04N R01E S17 SENE Lot 1 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.760 CFS 391.90 AFY
STOCKWATER	01/01 12/31	0.090 CFS 5.40 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
<u>IRRIGATION</u>	<u>03/01 11/15</u>	<u>0.36 CFS</u> <u>81 AFY</u>

Domestic use is for 1 home.

PLACE OF USE:

STOCKWATER in ADA County

T04N R01E S17 Lot 1 NENE

T04N R01E S17 Lot 1 SENE

COMMERCIAL in ADA County

T04N R01E S17 Lot 1 NENE

T04N R01E S17 Lot 1 SENE

DOMESTIC in ADA County

T04N R01E S17 Lot 1 SENE

IRRIGATION in ADA County

T04N R01E S17 Lot 1 NENE 12.0

T04N R01E S17 Lot 1 SENE 6.0

18 ACRES TOTAL

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.

SF5
Right No. 63-2553

NBS
KLB
12/1/06

DAT
for B.B. One
12/1/06

SF5
Right No. 63-2553

EXPLANATORY MATERIAL: BASIS OF CLAIM - License
Commercial use is in a packing plant.
Stockwater use is for 400 cattle.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code

KUB
NBS
DPT
for BB owner
12/1/06

K/L
12/1/06

SF5
Right No. 63-2553

CERTIFICATE OF MAILING

I certify that on 12-1, 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

Hand-delivered

2. Copies to:

B.B. One, Inc.
250 S. Beechwood, Suite 120
Boise, ID 83709

Hand-delivered

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

Becky Hawley
Signature of person mailing the form