

**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. 63-32217
)
)
)
)
)
)

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

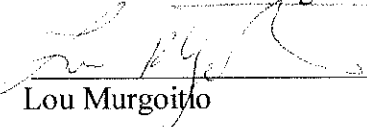
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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.

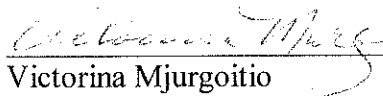
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s)/OBJECTOR(s):

Victorina & Lou Murgoitio


Lou Murgoitio

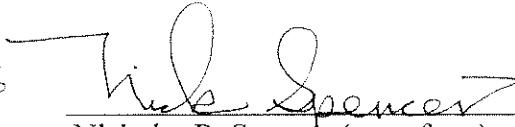
12-1-06
Date


Victorina Murgoitio

12-1-06
Date

IDWR Concurrence:

 12-1-06
Jan Shurte Date
Adjudication Supervisor

 12-1-06
Nicholas B. Spencer (as to form) Date
Deputy Attorney General for IDWR

12/12/2005

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

RIGHT NUMBER: 63-32217
NAME AND ADDRESS: LOU P MURGOITIO
7373 S MAPLE GROVE RD
BOISE ID 83709

VICTORINA M MURGOITIO
7373 S MAPLE GROVE RD
BOISE ID 83709

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.380 CFS
18.50 AFY
PRIORITY DATE: 06/01/1930
POINT OF
DIVERSION: T02N R01E S12 NWNW 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	0.100 CFS 3.10 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
STOCKWATER	01/01 01-01-12/31 <i>VM</i>	0.240 CFS 14.10 AFY

Stockwater use is for 2000 hd sheep, 250 range cattle, 20 horses and 150 head dairy cattle.

Commerical use is for a dairy.

Domestic use is for 1 home.

PLACE OF USE: STOCKWATER Within ADA County
T02N R01E S12 NWNW
COMMERCIAL Within ADA County
T02N R01E S12 NWNW
DOMESTIC Within ADA County
T02N R01E S12 NWNW

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 - Beneficial Use

Right No. 63-17946 is also diverted through point of diversion described above.

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:

Victorina M. Murgoitio
Lou Murgoitio
7373 S Maple Grove Rd
Boise, ID 83709

Hand-delivered

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

Becky Hawley
Signature of person mailing the form