

**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. 63-3407
	)	
Case 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 a 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):
JANET FRENCH

Janet French 12/6/2006
Date

Date

OBJECTOR:
EDWARDS FAMILY LLC

Syrette Monroe 12/06/06
Authorized representative Date

William H. Plett 12/6/06
Attorney for Edwards Family LLC Date

IDWR Concurrence:

Wick Munici 12/7/06
Water Resource Agent Date

Wick Spencer 12-13-06
FOR Susan Hamlin Nygard Date
Deputy Attorney General

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

RIGHT NUMBER: 63-3407

NAME & ADDRESS: RUTH A MARKS JANET FRENCH
4517 SHIRLEY AVE
BOISE ID 83703

SOURCE: GROUND WATER

TRIBUTARY:

This water right does not authorize the diversion of a low temperature geothermal resource or other geothermal resource.

QUANTITY: 0.020 CFS
2.57 AFY

hkm

JAF
hkm

VLM
NBS

PRIORITY DATE: 03/16/1964

POINT OF DIVERSION: T04N R02E S29 NENW Within ADA County

PURPOSE AND PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	4/01 11/01	0.020 CFS 2.57 AFY
	DOMESTIC	1/01 12/31	

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION Within ADA County
T04N R02E S29 NENW 0.50

DOMESTIC same as IRRIGATION
0.5 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

PARCEL NO. R9255000345.

PROPERTY IS ALSO KNOWN AS LOT 4, BLK 5, WATTLES SUBDIVISION.

CERTIFICATE OF MAILING

I certify that on December 19, 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:

Janet French
4517 Shirley Ave
Boise, ID 83703

Dana Hofstetter
Hofstetter Law Office, LLC
608 West Franklin Street
Boise, ID 83702

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



Signature of person mailing form