



STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL  
LAWRENCE G. WASDEN

December 21, 2006

Special Master Brigitte Bilyeu  
Snake River Basin Adjudication  
253 3<sup>rd</sup> Ave. North  
P.O. Box 2707  
Twin Falls, ID 83303-2707

*RE: Subcase No. 27-7015 (City of Basalt)*

Dear Special Master Bilyeu:

Enclosed for filing, please find a Standard Form 5 ("SF5") regarding the above-referenced subcase. Please note that there are notations from the claimant on the revised recommendation. These notations appear to be the claimant's calculations for daily volume. IDWR does not intend to recommend daily volume on this water right, and these notations should not follow through to partial decree.

If you should have any questions or comments, please feel free to contact me at 287-4810.

Very Truly Yours,

A handwritten signature in cursive script, reading "Candice M. McHugh".

Candice M. McHugh  
Deputy Attorney General, IDWR

Enclosure

cc: City of Basalt  
Jeanette Wolfley  
David J. Barber

SEP 18 2006

RECEIVED

SEP 18 2006

DEPARTMENT OF  
WATER RESOURCESIN 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. 27-7015

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:

City of Basalt

*Larry R. Russell* 9-11-06  
Name: Date:  
Title: Mayor

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

RIGHT NUMBER: 27-7015

NAME AND ADDRESS: CITY OF BASALT  
PO BOX 178  
BASALT ID 83218

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY:

2,000 CFS  $\approx 14,961 \text{ gal/min} - 897.6 \text{ gal/min} = 53859.6 \text{ gal/hr}$   
 $\underline{1447.9 \text{ AFTY}} = 1,292,630.4 \text{ gal/day}$

PRIORITY DATE: 04/06/1971

POINT OF  
DIVERSION:

1015 N37E S19 SWSE Within BINGHAM County  
 1019 N17E S19 SESE Within BINGHAM County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
MUNICIPAL

PERIOD OF USE  
01/01 12/31

QUANTITY  
2,000 CFS  
 $\underline{1447.9 \text{ AFTY}}$

PLACE OF USE:

Place of use is within the service area of the City of Basalt municipal  
water supply system as provided for under Idaho Law.

## 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

The right holder shall record the quantity of water diverted and  
annually report diversions of water and/or other pertinent hydrologic  
and system information as required by Section 42-701, Idaho Code.

## OBJECTOR:

Jeanette Wolfley 12/11/06  
Jeanette Wolfley Date  
Attorney for Shoshone-Bannock Tribes

## RESPONDENT:

David J. Barber 12/18/06  
David J. Barber Date  
Attorney for State of Idaho

## IDWR Concurrence:

Ernest Carlsen 9/20/06  
Ernest Carlsen Date  
IDWR Adjudication Supervisor

Candice M. McHugh 9/19/06  
Candice M. McHugh Date  
Deputy Attorney General  
Attorney for IDWR

## CERTIFICATE OF MAILING

I certify that on December 21, 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:

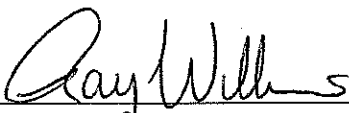
CLERK OF THE DISTRICT COURT  
SNAKE RIVER BASIN ADJUDICATION  
253 THIRD AVENUE NORTH  
P. O. BOX 2707  
TWIN FALLS, IDAHO 83303-2707

CITY OF BASALT  
PO BOX 178  
BASALT, ID 83218

SHOSHONE-BANNOCK TRIBES  
Represented by:  
JEANETTE WOLFLEY  
SPECIAL COUNSEL  
SHOSHONE-BANNOCK TRIBE  
202 N ARTHUR  
POCATELLO, ID 83202

STATE OF IDAHO  
Represented by:  
NATURAL RESOURCES DIV CHIEF  
STATE OF IDAHO  
ATTORNEY GENERAL'S OFFICE  
PO BOX 44449  
BOISE, ID 83711-4449

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

  
\_\_\_\_\_  
Signature of person or attorney mailing form