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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.: 37-4363

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/OBJECTOR:

Louis J. Leguineche 2-26-07
Louis J. Leguineche Date

Mickey R. Leguineche 2-26-07
Mickey R. Leguineche Date

IDWR CONCURRENCE:

Carter Fritschle 2-12-06
Carter Fritschle Date
Section Manager Adjudication Bureau

Nicholas B. Spencer 2-14-07
Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 37-4363

NAME AND ADDRESS: MICKEY R LEGUINECHE
1450 S 1750 E
GOODING ID 83330

LOUIS J LEGUINECHE
1450 S 1750 E
GOODING ID 83330

SOURCE: DOG CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: ~~0.020 CFS~~
0.360 CFS

~~The quantity of water under this right shall not exceed 13,000 gallons per day.~~

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: ~~05/10/1915~~
03/15/1940

POINT OF DIVERSION:

T05S R14E S11 NWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	<u>03/15</u> <u>11/15</u>	0.340 CFS
STOCKWATER	03/15 11/15	0.020 CFS

PLACE OF USE: IRRIGATION in GOODING County

T05S R14E S11 NWSE 17.00

STOCKWATER in GOODING County

T05S R14E S11 NWSE

17 ACRES TOTAL

CS
NBS
ml
L.L.

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.

~~The quantity of water decreed for this water right is not a determination of historical beneficial use.~~

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

The source of this right is waste water originally diverted by the Big Wood Canal Co.

CERTIFICATE OF SERVICE

I certify that on March 7th, 2007, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

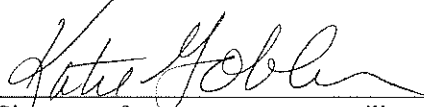
2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Louis Leguineche
Mickey Leguineche
1450 S. 1750 E.
Gooding, ID 83330

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form