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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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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

Case No. 39576

) Subcase No. 21-13051

) portion of claim no. 21-10019

) 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 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 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 beneficial use water right number 21-13051 with a junior priority date, is a portion of claim number 21-10019, and 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):

Charles & Joyce Kane

D. Beck

Daniel Beck

Attorney for claimants/objectors

March 6, 2007

Date

IDWR CONCURRENCE:

Trent Galbraith

Trent Galbraith

IDWR Water Resource Agent

3-6-07

Date

IDWR CONCURRENCE:

Nicholas B. Spencer

Nicholas B. Spencer (as to form) Date

Deputy Attorney General

3-7-07

CERTIFICATE OF MAILING

I certify that on March 8, 2007, I mailed the original and copies of this form, including all attachments, 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. Copy to:

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

Charles & Joyce Kane
3761 Hwy 87
Island Park, ID 83429

Daniel Beck
Attorney
410 Memorial Drive, Suite 201
Idaho Falls, ID 83405



Signature of person mailing the form

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

RIGHT NUMBER: 21-13051

NAME AND ADDRESS: JOYCE KANE
3761 Hwy 87
Island Park ID 83429

CHARLES KANE
3761 HWY 87
ISLAND PARK ID 83429

SOURCE: SPRING

TRIBUTARY: HENRY'S LAKE

QUANTITY: 0.688 CFS
0.66 AFT

Right Nos. 21-10019 and 21-13051 are limited to a total combined diversion rate of 68 cfs.

PRIORITY DATE: 10/31/1949

POINT OF
DIVERSION:

T16N R43E S29 SE29 Within PERMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DIVERSION TO STORAGE	01/01 12/31	0.688 CFS
RECREATION STORAGE	01/01 12/31	0.66 AFT

PLACE OF USE: RECREATION STORAGE in PERMONT County

T16N R43E S32 NENE

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

Water right 21-13051 is a portion of claim number 21-10019, which is being recommended as a separate beneficial use water right with a junior priority date.

SF5: 21-13051