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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. 77-14222
	)	
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 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:

Warren Townsite

Dale Bitner 3-9-7
Dale Bitner Date

OBJECTORS:

USDA Forest Service

USDI Bureau of Land Management

David L. Negri 3/14/07
David L. Negri Date
Attorney for the United States

IDWR Concurrence:

Kenneth Knoblock 3/9/7
Kenneth Knoblock Date

Chris Bromley 3/14/07
Chris Bromley Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on March 14, 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
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Warren Townsite
P.O. Box 62
Midvale, ID 83645

IDWR Document Depository
P O Box 83720
Boise, ID 83720-0098

US Department of Justice
Environment and Natural Resources Section
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person mailing the form

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

RIGHT NUMBER: 77-14222
NAME AND ADDRESS: WARREN TOWNSHIP
C/O DALE BITNER
PO BOX 62
MIDVALE ID 83645

SOURCE: SLAUGHTER CREEK TRIBUTARY: WARREN CREEK

QUANTITY: 3.000 CFS

PRIORITY DATE: 07/03/1913

POINT OF DIVERSION:

~~T22N R06E S12 SWNE Lot 6 Within IDAHO County~~ *Ken JB*

T22N R06E S12 SENW Within IDAHO County

Diversion point is on private land known as Mineral Survey 1807 - Slaughter Creek Placer.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.250 CFS
FIRE PROTECTION	01/01 12/31	3.000 CFS

PLACE OF USE: DOMESTIC in IDAHO County

T22N R06E S11	NENE	T22N R06E S11	SENE
T22N R06E S12 Lot 4 SWNW		T22N R06E S12 Lot 5 SENW	
T22N R06E S12	NESW	T22N R06E S12	NWSW
T22N R06E S12	SWNW	T22N R06E S12	SENW

Ken JB OR

FIRE PROTECTION same as DOMESTIC

Places of use are on private land, S11 in the Warren Township Block 9 Lots 1-13, Block 10 Lots 1-11 and Block 11 Lots 1-7; S12 part of Mineral Survey 1893 known as the Virginia Subdivision Lots 1-18.
Places of use do not include any federal land.

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 -