

**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. 77-04178
	)	
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 the facts, date, expert opinions and law supporting 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 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:

Gerald Williams 3-14-07
Gerald Willaims Date

OBJECTOR:

United States on behalf of the
USDA Forest Service

David Negri 3/21/07
David L. Negri Date

IDWR CONCURRENCE:

Kenneth Knoblock 3/21/07
Kenneth Knoblock Date

ATTORNEY FOR IDWR:

Chris M Bromley 3/21/07
Chris M Bromley Date

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

Right Number: 77-04178

Name and Address: GERALD WILLIAMS
~~PO BOX 1~~
~~PEARCE, AZ 85625~~

Florida Living
600 Edgehill Place
Apopka, FL 32703

Source: SPLETTS CREEK Tributary: CASTLE CREEK

Quantity: 1.05 CFS
1.00 AFY

Right Nos. 77-4178 and 77-10126 are limited to a total
Combined diversion rate of 1.05 cfs.

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

Priority Date: 04-01-1919

Diversion Point: ~~T17N R17E S11~~ ~~SENE~~ ~~Within Lemhi County~~
T17N R17E S11 LOT 5 (SENE) Within Lemhi County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	04-01 TO 10-31	.93 CFS
	Stockwater	01-01 TO 12-31	.02 CFS
	Domestic	01-01 TO 12-31	.02 CFS
	Recreation	01-01 TO 12-31	.01 CFS
	Recreation Storage	01-01 TO 12-31	1.00 AFY
	Fire Protection	01-01 TO 12-31	1.00 CFS
	Fire Protection Storage	01-01 TO 12-31	1.00 AFY
	Diversion to Storage	01-01 TO 12-31	1.05 CFS

Place of Use: Irrigation Within Lemhi County
T17N R17E S11 SWNE 10 SENW 14
NESW 6 NWSE 1
31 Acres Total

Stockwater Within Lemhi County
T17N R17E S11 NESW

Domestic Within Lemhi County
T17N R17E S11 SENW

Recreation Within Lemhi County
T17N R17E S11 NESW

Recreation Storage Within Lemhi County
T17N R17E S11 NESW

Fire Protection Within Lemhi County
T17N R17E S11 NESW

Fire Protection Storage Within Lemhi County
T17N R17E S11 NESW

Diversion to Storage
Same as Other Use

Right Nos. 77-4178 and 77-10126 are limited to the
irrigation of a combined total of 31 acres in a single
irrigation season.

Places of use are all on Homestead Entry Survey No. 325.

Other Provisions Necessary for Definition / 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.

~~Property is known as Homestead Entry Survey No. 325.~~

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

Explanatory Material: Basis of Claim - Beneficial Use

CERTIFICATE OF MAILING

I certify that on March 21, 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, ID 83303-2707

Hand Delivered

2. Copy to:

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

Hand Delivered

United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724

Hand Delivered

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

Gerald Williams
Florida Living
600 Edgehill Place
Apopka, FL 32703



Signature of person mailing documents