

RECEIVED

APR 02 2007

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. <u>45-02627</u>
	)	(Split into 45-14050 and 45-14051)
	)	
	)	Standard Form 5
Case No. 39576	)	
	)	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 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.

To resolve the objection filed by BLM in subcase 45-02627, the parties agree and stipulate that the whole of water right claim 45-02627 shall be "split" into two new water right claims and renumbered as 45-14050 and 45-14051. Water right claims 45-14050 and 45-14051 now supersede water right claim number 45-02627, and 45-02627 should be dismissed with prejudice. The elements of the resulting water rights should be described per the attached. The parties and IDWR have indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Keith P. Critchfield

Keith P. Critchfield 3-22-07
Keith P. Critchfield Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 3/22/2007
Larry A. Brown FWP Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Jeanie Robertson 3/7/07
Jeanie Robertson Date
Senior Water Resource Agent

IDWR CONCURRENCE:

Nicholas B. Spencer 3-9-07
Nicholas B. Spencer (as to form) Date
Deputy Attorney General

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

RIGHT NUMBER: ~~45-2627~~ 45-14050

NAME AND ADDRESS: KEITH P CRITCHFIELD
1896 S HWY 27
OAKLEY ID 83346

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: ~~1.150~~ 1.080 CFS
~~561.20~~ 526.10 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF ~~9.53~~ 8.94 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF ~~2419.7~~ 2268.7 AF. COMBINED
RIGHT NOS.: ~~45-2293, 45-2350, 45-2525, 45-2627, & 45-12890~~
45-14044, 45-14046, 45-14048, 45-14050, & 45-14052.

PRIORITY DATE: 08/24/1960

POINT OF
DIVERSION: T13S R22E S11 NWSWSW Within CASSIA County
T13S R22E S15 SWSWNW Within CASSIA County
T13S R22E S15 SWSENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	~~1.150~~ <u>1.080</u> CFS
		~~561.20~~ <u>526.10</u> AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T13S	R22E	S10	SWNE	27.0
T13S	R22E	S10	SENE	39.0
T13S	R22E	S10	SESW	32.0
T13S	R22E	S10	NESE	40.0
T13S	R22E	S10	NWSE	32.0
T13S	R22E	S10	SWSE	30.0
T13S	R22E	S10	SESE	9.0
T13S	R22E	S11	SWNE	27.0
T13S	R22E	S11	SWNW	7.0
T13S	R22E	S11	SENW	2.0
T13S	R22E	S11	NESW	37.0
~~T13S~~	~~R22E~~	~~S11~~	~~NWSE~~	~~17.0~~
T13S	R22E	S11	SWSW	6.0
T13S	R22E	S11	SESW	37.0
~~T13S~~	~~R22E~~	~~S11~~	~~NWSE~~	~~31.0~~
T13S	R22E	S11	SWSE	24.0
T13S	R22E	S14	NWNW	35.0
T13S	R22E	S14	SWNW	35.0

H.P.C. JAK
NBS
FWP

T13S	R22E	S15	NENE	34.0
T13S	R22E	S15	NWNE	35.0
T13S	R22E	S15	SWNE	40.0
T13S	R22E	S15	SENE	33.0
T13S	R22E	S15	NENW	40.0
T13S	R22E	S15	NWNW	40.0
T13S	R22E	S15	SWNW	40.0
T13S	R22E	S15	SENW	40.0

~~769~~ 721 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. ~~45-2350~~ 45-14046 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~320~~ 300 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~769~~ 721 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: ~~45-2293, 45-2350, 45-2525, 45-2627, & 45-12890~~ 45-14044, 45-14046, 45-14048, 45-14050, & 45-14052.

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
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NO. ~~45-12890~~ 45-14052 IS AN EXPANSION OF THE FOLLOWING RIGHTS PURSUANT TO SECTION 42-1416B, IDAHO CODE.: ~~45-2293, 45-2350, 45-2525, & 45-2627~~ 45-14044, 45-14046, 45-14048, & 45-14050.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM OAKLEY CANAL CO. *for*

Fwp of NBS

M. P. C.

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

RIGHT NUMBER: ~~45-2627~~ 45-14051

NAME AND ADDRESS: ~~KEITH P CRITCHFIELD~~
~~1896 S HWY 27~~
~~OAKLEY ID 83346~~

UNITED STATES OF AMERICA, ACTING THROUGH
USDI, BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: ~~1.150~~ 0.070 CFS
~~561.20~~ 35.10 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF ~~9.53~~ 0.59 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF ~~2419.7~~ 151.0 AF. COMBINED
RIGHT NOS.: ~~45-2293, 45-2350, 45-2525, 45-2627, & 45-12890~~
45-14045, 45-14047, 45-14049, 45-14051, & 45-14053.

PRIORITY DATE: 08/24/1960

POINT OF
DIVERSION: T13S R22E S11 NWSWSW Within CASSIA County
T13S R22E S15 SWSWNW Within CASSIA County
T13S R22E S15 SWSENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	~~1.150~~ <u>0.070</u> CFS
		~~561.20~~ <u>35.10</u> AFY

PLACE OF USE: IRRIGATION Within CASSIA County
T13S R22E S11 NWSW 17.0
T13S R22E S11 NWSE 31.0

~~769~~ 48 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. ~~45-2350~~ 45-14047 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~320~~ 20 ACRES
IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF ~~769~~ 48 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: ~~45-2293, 45-2350,~~
~~45-2525, 45-2627, & 45-12890~~ 45-14045, 45-14047, 45-14049,
45-14051, & 45-14053.

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
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NO. ~~45-12890~~ 45-14053 IS AN EXPANSION OF THE
FOLLOWING RIGHTS PURSUANT TO SECTION 42-1416B, IDAHO CODE.:
~~45-2293, 45-2350, 45-2525, & 45-2627~~ 45-14045, 45-14047,
45-14049, & 45-14051.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM OAKLEY
CANAL CO.

X NBS

Fwp

H.P.C. *[Signature]*

CERTIFICATE OF MAILING

I certify that on Mar. 22, 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:

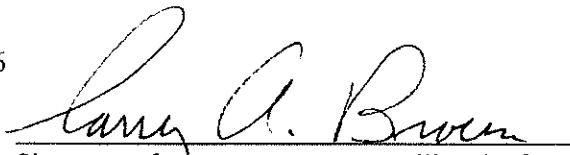
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

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

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

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Keith P. Critchfield
1896 S HWY 27
Oakley, Idaho 83346


Signature of person or attorney mailing the form