

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.: 74-1593

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:

Barbara McKinney

OBJECTOR:

United States on behalf of the
Bureau of Land Management

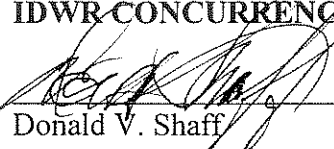
John S. McKinney

Attorney for Barbara McKinney

Larry A. Brown

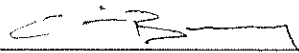
Attorney, U.S. Department of Justice
Environment and Natural Resources

IDWR CONCURRENCE:


Donald V. Shaff
Adjudication Bureau Chief

3-27-07
Date

IDWR CONCURRENCE:


Christopher M. Bromley
Deputy Attorney General
Attorney for IDWR

3/27/07
Date

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

RIGHT NUMBER: 74-1593

NAME AND ADDRESS: ~~SAM P MC KINNEY~~
~~PO BOX 52~~
~~LEMHI ID 83465~~
BARBARA MC KINNEY
PO BOX 52
LEMHI ID 83465

SOURCE: LEMHI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 5.300 CFS

PRIORITY DATE: 05/04/1886

POINT OF
DIVERSION: T17N R24E S25 NWNE Within LEMHI County
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	5.300 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T17N R24E S10	NWSW	29.00	T17N R24E S10	SWSW	20.00
T17N R24E S10	SESW	20.00	T17N R24E S15	NWNE	14.00
T17N R24E S15	SWNE	27.00	T17N R24E S15	SENE	14.00
T17N R24E S15	NENW	34.00	T17N R24E S15	NWNW	3.00
T17N R24E S15	SENW	3.00	T17N R24E S15	NESE	5.00

169 ACRES TOTAL

Place of use does not include federal public lands

This right authorizes the irrigation of 169.2 total acres.

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 - Decreed

CERTIFICATE OF SERVICE

I certify that on April 5, 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

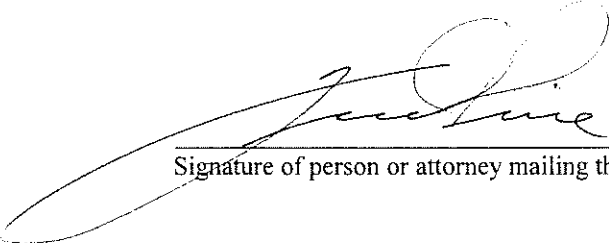
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

John S. McKinney
McKinney Law Office
1016 Main Street
Salmon, ID 83467

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

U.S. Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

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



Signature of person or attorney mailing the form



Fredric
Price/IDSO/ID/BLM/DOI
04/05/2007 04:06 PM

To larry.brown@usdoj.gov, david.negri@usdoj.gov
cc Sherman Beazer/IDSO/ID/BLM/DOI
bcc

Subject SF-5s FedEx'd to Court Today

Larry, David,

Thank you very much David for signing off on a pile of SF-5s (14) while Larry is on vacation! I completed Certificate of Mailing and FedEx'd the originals to the court.

Fred

SUBCASES	CLAIMANT
27-11960	Circle Two Bar Ranch, Inc. (Burch)
74-00006	Martin
74-00007	Martin
74-00619	Martin
74-00630A	Barrett
74-00630D	McAfee (Shane)
74-00918	Martin
74-01593	McKinney (Sam & Barbara)
74-01599	McKinney (Sam & Barbara)
74-01832	McNellis (Terry & Jessica)
74-02057	McNellis (Terry & Jessica)
74-07101	Weiss
74-15021	Andrews (Melvin & Martha)
74-15603	Kossler