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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. 74-02336
)
) 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 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 water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS:

A. Leroy Bird
Phoebe Bird

A. Leroy Bird 4-10-07
A. Leroy Bird Date

Phoebe Bird 100apr07
Phoebe Bird Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 4/13/07
Larry A. Brown Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Ernest Carlsen 3-14-07
Ernest Carlsen Date
Water Resource Program Manager

IDWR CONCURRENCE:

Christopher M. Bromley 3/14/07
Christopher M. Bromley Date
Deputy Attorney General

5/19/2006

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

RIGHT NUMBER: 74-2336
NAME AND ADDRESS: PHOEBE BIRD
PO BOX 27
TENDOGY ID 83468

A LEROY BIRD
PO BOX 27
TENDOGY ID 83468

SOURCE: MC DEVITT CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 2.280 CFS

PRIORITY DATE: 06/03/1966

POINT OF
DIVERSION: T18N R23E S36 NESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	2/15 11/15	2.280 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T18N R24E S06	SWNE	12.00	T18N R24E S06 Lot 1 NWNW	7.00	
T18N R24E S06 Lot 2	SWNW	21.00	T18N R24E S06	SENW	37.00
T18N R24E S06	NESW	8.00	T18N R24E S06 Lot 3	NWSW	29.00

114 ACRES TOTAL

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC 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(G), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

G.L.B.
EMC
CB
MB
D.N.

CERTIFICATE OF MAILING

I certify that on 4-13, 2007 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:

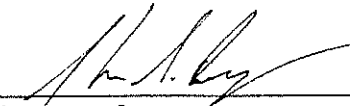
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

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

A. Leroy & Phoebe Bird
P.O. Box 27
Tendoy, ID 83468



Signature of person or attorney mailing the form