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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

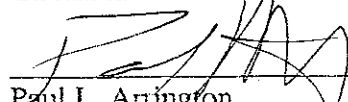
In Re SRBA	)	Subcase No.: 37-791E
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

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 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.

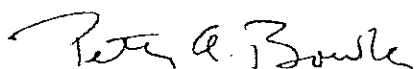
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT / RESPONDENT:


Paul L. Arrington
Attorney for College of Southern Idaho

4/18/07
Date

OBJECTOR:


Peter A. Bowler
Date

April 18, 2007
Date

OBJECTOR:


Leo E. Ray
Date

April 18, 2007
Date

IDWR CONCURRENCE:

Carter Fritschle 4-11-07
Carter Fritschle Date
Section Manager Adjudication Bureau

IDWR CONCURRENCE:

Nicholas B. Spender 4-11-07
Nicholas B. Spender Date
Deputy Attorney General
Attorney for IDWR

04/11/2007

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

RIGHT NUMBER: 37-791E

NAME AND ADDRESS: COLLEGE OF SOUTHERN IDAHO FOUNDATION, INC
PO BOX 1238
TWIN FALLS ID 83303

SOURCE: SPRING

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.110 CFS

Right Nos. 37-791E and 37-2411A are limited to a total combined diversion rate of 0.15 cfs.

PRIORITY DATE: 04/01/1886

POINT OF DIVERSION:

T06S R13E S21 SEWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

03/15 11/15

0.110 CFS

PLACE OF USE:

IRRIGATION in GOODING County

T06S R13E S21 NWSE 5.00

5 ACRES TOTAL

This right and Right No. 37-2411A are limited to the irrigation of a combined total of 5 acres in a single irrigation season.

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

Source is also known as Montana Mining Company Ditch Spring No 3 or Upper Decker Spring.

PLA
at IER
NBS
TAB

CERTIFICATE OF SERVICE

I certify that on April 18, 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

Paul L. Arrington
Barker, Rosholt & Simpson
P.O. Box 485
Twin Falls, ID 83301-0485

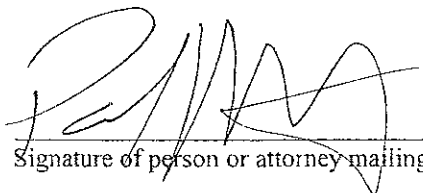
☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Peter A. Bowler
555 River Road #E
Bliss, ID 83314

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

Leo E. Ray
4647D River Road
Buhl, ID 83316

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


Signature of person or attorney mailing the form