

MAY 7 2007

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Clerk

Deputy Clerk

In Re SRBA

SUBCASE NO: 74-127
(SPLIT INTO 74-15752 & 74-15753)

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. 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; and 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, the whole of water right 74-127 was split into two water rights and renumbered as 74-15750 and 74-15751. The parties and IDWR agree and stipulate that water right 74-127 should be disallowed. Water rights 74-15750 and 74-15751 now supersede right 74-127. The parties and IDWR have further have indicated their concurrence to these renumbered water rights by signing below and initialing the attached page.

CLAIMANT:

Ellsworth Angus Ranch, Inc.

Carl Ellsworth

for Ellsworth Angus Ranch, Inc.

5/8/07

Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Dan H. Brown

Larry A. Brown

Date

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

IDWR CONCURRENCE:

Ernest Carlsen

5-8-07

Ernest Carlsen

Date

Water Resource Program Manager

IDWR CONCURRENCE:

Christopher M. Bromley

5/8/07

Christopher M. Bromley
Deputy Attorney General

Date

Attorney for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
74-127	ELLSWORTH ANGUS RANCH PO BOX 60 LEADORE ID 83464	Parent spit into 74-15750 and 74-15751	

EMC
CE
AN
B

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

RIGHT NUMBER: 74-15750

NAME AND ADDRESS: ELLSWORTH ANGUS RANCH
PO BOX 60
LEADORE ID 83464

SOURCE: TEXAS CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: ~~0.250 CFS~~ 0.15 cfs.

PRIORITY DATE: 05/14/1920

POINT OF
DIVERSION: T14N R26E S24 SENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
~~0.250 CFS~~
0.15 cfs.

PLACE OF USE: IRRIGATION in LEMHI County

T14N R26E S24 SENE 8.00
8 ACRES TOTAL

PJ
CB

Place of use does not include federal public lands

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

This right is a split from former right 74-127 .

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

RIGHT NUMBER: 74-15751

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

SOURCE: TEXAS CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: ~~0.150 CFS~~ 0.25 cfs

PRIORITY DATE: 05/14/1920

EMC
CE

POINT OF
DIVERSION: T14N R26E S24 SENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

~~0.150 CFS~~
0.25 cfs.

PLACE OF USE: IRRIGATION in LEMHI County

T14N R26E S24 NENE 13.00

PN
CB

13 ACRES TOTAL

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

This right is a split from former right 74-127.

CERTIFICATE OF SERVICE

I certify that on May 8, 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

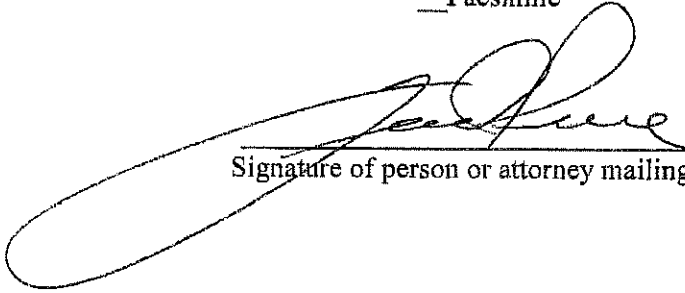
☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Ellsworth Angus Ranch
P.O. Box 60
Leadore, ID 83464

☐ 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