

22

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. 21-4011
	)	previously disallowed
	)	Standard Form 5
Case No. 39576	)	
	)	STIPULATED ELEMENTS
	)	OF A WATER RIGHT

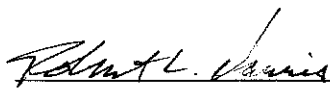
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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, which was previously disallowed, should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s)/OBJECTOR(s):

Frank L Vandersloot
c/o Melaleuca Inc

	<u>5/18/2007</u>
Robert L. Harris	Date
Attorney	

COPY

IDWR CONCURRENCE:

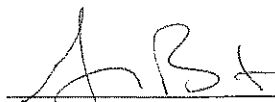


Trent Galbraith
IDWR Water Resource Agent

5-7-07

Date

IDWR CONCURRENCE:



Garrick L. Baxter
Deputy Attorney General

5/9/07

Date

CERTIFICATE OF MAILING

I certify that on May 18, 2007, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

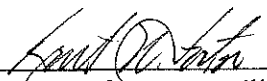
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copy to:

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

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

Robert L Harris
Kent W Foster
1000 Riverwalk Dr, Suite 200
PO Box 50130
Idaho Falls, ID 83405



Signature of person mailing the form

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

RIGHT NUMBER: 21-4011

NAME AND ADDRESS: FRANK L VANDERSLOOT
C/O MELALEUCA INC
3910 S YELLOWSTONE HWY
IDAHO FALLS ID 83402

SOURCE: STRONG CREEK

TRIBUTARY: HENRYS FORK

QUANTITY: 1.250 CFS
30.00 AFY

PRIORITY DATE: 05/01/1967

POINT OF
DIVERSION:

T09N R43E S17 NESE Within FREMONT County
T09N R43E S17 NWSE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
<u>IRRIGATION</u>	<u>04/01 10/31</u>	<u>1.250 CFS</u>
<u>IRRIGATION STORAGE</u>	<u>01/01 12/31</u>	<u>30.00 AFY</u>
<u>IRRIGATION FROM STORAGE</u>	<u>04/01 10/31</u>	<u>30.00 AFY</u>
<u>RECREATION STORAGE</u>	<u>01/01 12/31</u>	<u>30.00 AFY</u>

PLACE OF USE: IRRIGATION in FREMONT County

<u>T09N R43E S17</u>	<u>SWNE</u>	<u>10.00</u>	<u>T09N R43E S17</u>	<u>NESW</u>	<u>30.00</u>
<u>T09N R43E S17</u>	<u>NWSW</u>	<u>11.00</u>	<u>T09N R43E S17</u>	<u>SWSW</u>	<u>11.00</u>
<u>T09N R43E S17</u>	<u>SESW</u>	<u>4.00</u>	<u>T09N R43E S17</u>	<u>NESE</u>	<u>17.00</u>
<u>T09N R43E S17</u>	<u>NWSE</u>	<u>9.00</u>	<u>T09N R43E S17</u>	<u>SWSE</u>	<u>5.00</u>
<u>T09N R43E S17</u>	<u>SESE</u>	<u>25.00</u>			

IRRIGATION STORAGE in FREMONT County

T09N R43E S17 NESE T09N R43E S17 NWSE

RECREATION STORAGE same as IRRIGATION STORAGE
IRRIGATION FROM STORAGE same as IRRIGATION

130 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 - Beneficial Use

SF5: 21-4011 Previously Disallowed