

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

2007 MAY 29 AM 10 42

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.: 74-258

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:

Lois A. Bean

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Von L. Bean for 5/9/07
Lois A. Bean Date

David Negri 5/9/07
David Negri *fwp* Date
Attorney, U.S. Department of Justice

IDWR CONCURRENCE:

Ernest Carlsen 5-9-07
Ernest Carlsen Date
Water Resource Program Manager

IDWR CONCURRENCE:

C. Bromley 5/23/07
Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

01/19/2006

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

RIGHT NUMBER: 74-258
NAME AND ADDRESS: RALPH D BEAN
PO BOX 41
LEMHI ID 83465
LOIS A BEAN
PO BOX 41
LEMHI ID 83465

SOURCE: MC NUTT CREEK TRIBUTARY: BASIN CREEK
QUANTITY: 1.920 CFS
PRIORITY DATE: 12/23/1911
POINT OF
DIVERSION: T17N R23E S6 NENW Lot 3 Within LEMHI County
T17N R23E S6 NWNW Lot 4 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	1.920 CFS
PLACE OF USE:	<u>IRRIGATION Within LEMHI County</u>		
	T17N R23E S05 Lot 4 NWNW	24.00	T17N R23E S05 SWNW 30.00
	T17N R23E S05 NESW	5.00	T17N R23E S05 NWSW 28.00
	T17N R23E S05 SESW	3.00	

90 ACRES TOTAL

~~This right authorizes the irrigation of 102.4 total acres.~~

~~Place of use is within HES 151.~~

Place of use is within HES 231.

This right authorizes the irrigation of 91 total acres.

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.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

CERTIFICATE OF SERVICE

I certify that on May 25th, 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

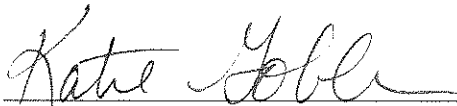
☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

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

Lois A. Bean
P.O. Box 42
Lemhi, ID 83465

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



Signature of person or attorney mailing the form