

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.: 74-822

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. Beane For 5/9/07

Lois A. Bean

Date _____

David Nezi 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:

Christopher M. 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: 74-822
NAME AND ADDRESS: LOIS A BEAN
PO BOX 41
LEMHI ID 83465

RALPH D BEAN
PO BOX 41
LEMHI ID 83465

SOURCE: BASIN CREEK
MC NUTT CREEK

TRIBUTARY: HAYDEN CREEK
TRIBUTARY: BASIN CREEK

QUANTITY: 0.460 CFS

PRIORITY DATE: 05/02/1915

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	0.460 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T17N R23E S05	NWNW	6.00	T17N R23E S05	SWNW	8.00
T17N R23E S05	NWSW	1.00	T17N R23E S06	NENE	23.00
T17N R23E S06	NWNE	7.00	T17N R23E S06	SENE	5.00

50 ACRES TOTAL

This right authorizes the irrigation of 49.3 total acres.

Place of use is within HES 232.

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

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