

IDWR Concurrence:

 5-2-07
Trent Galbraith Date
IDWR Water Resource Agent

Nicholas B. Spencer 5-2-07
Nicholas B. Spencer Date
Deputy Attorney General

STIPULATION TO PARTIALLY RESOLVE OBJECTION – 21-114C

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

RIGHT NUMBER: 21-114C

NAME AND ADDRESS: ROBERT E FUCHS
3857 E 500 N
RIGBY ID 83442

DONNA T FUCHS
3857 E 500 N
RIGBY ID 83442

SOURCE: FALL RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 3.500 CFS

The rights listed below are limited to a total combined diversion rate of
3.5 cfs.
Combined Right Nos.: 21-114C, 21-115A, 21-12991

PRIORITY DATE: 06/01/1890

POINT OF
DIVERSION: T09N R43E S35 SENWSE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	3.500 CFS
PLACE OF USE:	<u>IRRIGATION in FREMONT County</u>		
	T08N R41E S12 Lot 1 SENE	31.00	T08N R42E S06 Lot 9 NESW 21.00
	T08N R42E S06 SESW	40.00	T08N R42E S06 NESE 39.00
	T08N R42E S06 Lot 14 NWSE	32.00	T08N R42E S06 SWSE 40.00
	T08N R42E S06 SESE	40.00	T08N R42E S07 NENE 40.00
	T08N R42E S07 NWNE	40.00	T08N R42E S07 NENW 40.00
	T08N R42E S07 Lot 1 NWNW	27.00	T08N R42E S07 Lot 2 SWNW 30.00
	T08N R42E S07 Lot 3 NWSW	30.00	T08N R42E S07 Lot 4 SWSW 30.00
	~~T08N R42E S06 Lot 8 SWSW~~	~~9.00~~	

480 ACRES TOTAL

This right is limited to the irrigation of 57 acres within the place of use described above in a single irrigation season.

~~The rights listed below are limited to the irrigation of a combined total of 489 acres in a single irrigation season. Combined Right Nos.: 21-114C, 21-115A, 21-115B, 21-12985, 21-12991~~

The rights listed below are limited to the irrigation of a combined total of 480 acres in a single irrigation season. Combined Right Nos.: 21-114C, 21-115A, 21-115B, 21-12985, 21-12991

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right No. 21-12985 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Use of this right is combined with water from Farmers Own Canal.

Stipulation Agreement: 21-114C

Handwritten:
NBS
Fwd
D. J. F.
Rus R.
DN

CERTIFICATE OF MAILING

I certify that on June 20, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

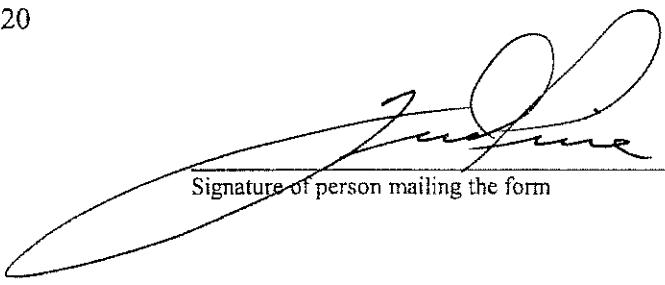
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Ray W. Rigby
25 N 2nd E
PO Box 250
Rexburg, ID 83440-0250

USDI-BLM
US Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

IDWR Repository
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Signature of person mailing the form