

DEPARTMENT OF
WATER RESOURCES

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. 21-4151

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(s):

State of Idaho

Department of Parks and Recreation


David J. Barber
Deputy Attorney General

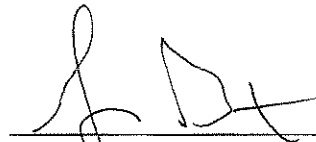

Date

STANDARD FORM 5-21-4151

IDWR Concurrence:

 6-14-07

Trent Galbraith Date
IDWR Water Resource Agent

 6/20/07

Garrick L. Baxter Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on July 19, 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:

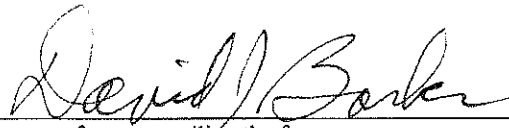
1. Original to:

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:

Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449
David J. Barber,
Deputy Attorney General

IDWR Repository
P.O. Box 83720
Boise, ID 83720



Signature of person mailing the form

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

RIGHT NUMBER: 21-4151

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0065

SOURCE: SPRINGS

TRIBUTARY: HENRYS FORK

QUANTITY: 0.090 CFS
59.400 AFY

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

Right Nos. 21-37 and 21-4151 are limited to a total combined annual diversion volume of 85 AF.

PRIORITY DATE: 04/01/1959

POINT OF DIVERSION:

T11N R43E S6 NWNE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER STORAGE	01/01 12/31	5.40 AFY
IRRIGATION FROM STORAGE	04/01 11/01	54.00 AFY
STOCKWATER	01/01 12/31	0.090 CFS
STOCKWATER FROM STORAGE	01/01 12/31	5.40 AFY
IRRIGATION STORAGE	01/01 12/31	54.00 AFY

PLACE OF USE: IRRIGATION FROM STORAGE in FREMONT County

T11N R43E S06	NWNE	3.50	T11N R43E S06 Lot 1 NENW	16.00
T11N R43E S06 Lot 3 NWNW	2.00	T11N R43E S06 Lot 4 SWNW	27.00	
T11N R43E S06	SENE	3.00		

~~STOCKWATER same as IRRIGATION FROM STORAGE~~
~~STOCKWATER FROM STORAGE same as IRRIGATION FROM STORAGE~~

STOCKWATER in FREMONT County

T11N R43E S06	NENE	T11N R43E S06	NWNE
T11N R43E S06	SWNE	T11N R43E S06	SENE
T11N R43E S06 Lot 1 NENW		T11N R43E S06 Lot 3 NWNW	
T11N R43E S06 Lot 4 SWNW		T11N R43E S06	SENE

STOCKWATER FROM STORAGE in FREMONT County

T11N R43E S06	NENE	T11N R43E S06	NWNE
T11N R43E S06	SWNE	T11N R43E S06	SENE
T11N R43E S06 Lot 1 NENW		T11N R43E S06 Lot 3 NWNW	
T11N R43E S06 Lot 4 SWNW		T11N R43E S06	SENE

51.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 51.5 acres in a single irrigation season. Combined Right Nos.: 21-4151, 21-81, 21-82

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

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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Springs Sources AKA: East Spring, Guy Spring, Middle Spring, Monot spring and Osborne Springs.

T
AB

D/B