

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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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. 85-10226
	)	
	)	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. Submission of this form will not automatically result in 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 decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

State of Idaho – Department of Correction

David J. Barber 2/12/2007

David J. Barber

Date

Deputy Attorney General

State of Idaho – Department of Correction

IDWR CONCURRENCE:

[Signature] 2/12/07

Date

Cathy Fritschle 2-12-07

CERTIFICATE OF MAILING

I certify that on July 23, 2007, I mailed the original and the 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:

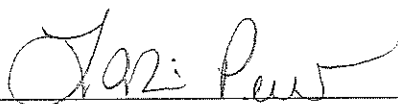
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Office of the Attorney General
Natural Resource Division
Idaho Department of Lands
P.O. Box 83720
Boise, ID 83720-0050
Attn: David J. Barber

State of Idaho
Department of Correction
1299 N. Orchard, Suite 110
PO Box 83720
Boise, ID 83720-0018
Attn: Pat Donaldson

IDWR Repository
PO Box 83720
Boise, ID 83720



Signature of person mailing the form

01/19/2007

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

RIGHT NUMBER: 85-10226
NAME AND ADDRESS: STATE OF IDAHO
DEPT OF CORRECTION
1299 N ORCHARD ST STE 110
BOISE ID 83720

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: ~~0.950 CFS~~ 0.250 CFS
~~25.20 AFY~~ 32.40 AFY

Right Nos. 85-10226 and 85-15648 are limited to a total combined diversion rate of 0.25 cfs.

PRIORITY DATE: 08/10/1956

POINT OF
DIVERSION: T32N R01W S26 SWSW Within IDAHO County
T32N R01W S26 NESWSW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	~~0.950 CFS~~ 0.250 CFS ~~25.20 AFY~~ 32.40 AFY

Domestic use is at the North Idaho Correctional Institution.

PLACE OF USE: DOMESTIC in IDAHO County
T32N R01W S26 SWSW

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