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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

Case 39576

Subcase No. 74-00286

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.

CLAIMANTS:

Robert E Carlson PR
Robert E Carlson (deceased) 9/1/07
Date

Norma E Carlson PR
Norma E Carlson 9/1/07
Date

IDWR Concurrence:

Ernie Carlson 7-22-2007
Ernie Carlson Date

OBJECTOR:

USDA Forest Service

David L. Negri 9/12/07
David L. Negri Date
Attorney for the United States

C. M. Bromley 6/25/2007
Christopher M. Bromley Date
Deputy Attorney General

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

Right Number: 74-00286

Name and Address: NORMA E CARLSON
ROBERT E CARLSON
740 LEE CREEK RD
LEADORE, ID 83464

Source: MILL CREEK Tributary: LEMHI RIVER

Quantity: 6.40 CFS

Priority Date: 11-05-1909

Diversion Point: T16N R24E S15 SESW Within Lemhi County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	03-15 TO 11-15	6.40 CFS

Place of Use: Irrigation Within Lemhi County

T16N R24E S18	NENE 25	
R25E S07	SESE 32.7	
S08	SWSW 38.6	
S17	NWNW 37	
S18	NENE 25	NWNE 21.8
	SWNE 39.5	SENE 32.7
	SENE 38.6	
296.9 Acres Total		
<u>265.9</u>		

Other Provisions Necessary for Definition / 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 MAILING

I certify that on September 12, 2007, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Robert E Carlson
Norma E Carlson
7 40 Lee Creek RD
Leadore, ID 83464

IDWR Document Depository
P O Box 83720
Boise, ID 83720-0098

US Department of Justice
Environment and Natural Resources Section
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person mailing the form