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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 No. 39576

) Subcase No. 79-14169
)
)
)
)
)
)

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):

Flying U Ranch

OBJECTOR(s):

USDI-BLM

Delos Robbins 11-02-07
Delos Robbins Date

Larry A. Brown 11/5/2007
Larry A. Brown FWP Date
Attorney

STANDARD FORM 5 - 79-14169

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9:00 A.M.

IDWR Concurrence:

Carter Fritschle 10-30-07
Carter Fritschle Date
Manager, Adjudication Bureau

Andrea L. Courtney 10/30/07
Andrea L. Courtney Date
Deputy Attorney General

10/30/2007

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

RIGHT NUMBER: 79-14169

NAME AND ADDRESS: FLYING U RANCH
DELOS ROBBINS
PO BOX 17004
MISSOULA MT 59808

SOURCE: UNNAMED STREAM

TRIBUTARY: RICE CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 01/01/1900

POINT OF DIVERSION:

T29N R01W S2 SWENE Lot 1 End of Stream Flow Within IDAHO County
T29N R01W S2 NWNE Lot 2 End of Stream Flow Within IDAHO County
T29N R01W S2 SWNE End of Stream Flow Within IDAHO County
T29N R01W S2 NWNW Lot 4 Begin of Stream Flow Within IDAHO County
T29N R01W S2 SWNW Begin of Stream Flow Within IDAHO County
T29N R01W S3 SWNE End of Stream Flow Within IDAHO County
T29N R01W S3 SWNW Begin of Stream Flow Within IDAHO County
T29N R01W S3 NWSW Begin of Stream Flow Within IDAHO County
T29N R01W S3 SWSE Begin of Stream Flow Within IDAHO County

AKK JR
FWP

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE:

STOCKWATER in IDAHO County

T29N R01W S02 Lot 1 NENE	T29N R01W S02 Lot 2 NWNE
T29N R01W S02 SWNE	T29N R01W S02 SENE
T29N R01W S02 Lot 3 NENW	T29N R01W S02 Lot 4 NWNW
T29N R01W S02 SWNW	T29N R01W S02 SENW
T29N R01W S02 NESW	T29N R01W S02 NWSW
T29N R01W S03 SWNE	~~T29N R01W S03 SENE~~
T29N R01W S03 SWNW	T29N R01W S03 SENW
T29N R01W S03 NESW	T29N R01W S03 NWSW
T29N R01W S03 SESW	T29N R01W S03 NESE
T29N R01W S03 NWSE	T29N R01W S03 SWSE
~~T29N R01W S03 SESE~~	T29N R01W S10 NENW

JK3

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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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

FWP AM CT
JK
JL

CERTIFICATE OF MAILING

I certify that on Nov. 5, 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:

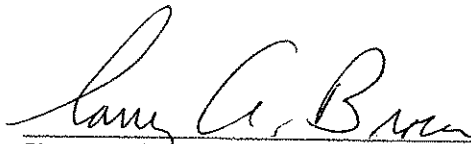
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

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

Flying U Ranch
Delos Robbins
PO Box 17004
Missoula, MT 59808

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



Signature of person mailing the form