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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV - 8 2007	
By _____	Clerk
Deputy Clerk	

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. 79-14116
)
) **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 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 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 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:

Jim Rupp

Jim Rupp
Jim Rupp

11/8/2007
Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 11/8/2007
Larry A. Brown Fwp Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Carter Fritschle 11-8-07
Carter Fritschle Date
Manager, Adjudication Bureau

IDWR CONCURRENCE:

Andrea L. Courtney 11/8/07
Andrea L. Courtney Date
Deputy Attorney General

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

RIGHT NUMBER: 79-14116

NAME AND ADDRESS: JIM RUPP
HC 01 BOX 1
LUCILE ID 83542

SOURCE: SHEEP GULCH CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 04/01/1946

POINT OF				Within IDAHO County
DIVERSION:	T25N	R01E	S1	<u>SENWSE</u> Begin of Stream Flow
	~~T25N~~	~~R01E~~	~~S2~~	~~SENW~~
	~~T25N~~	~~R01E~~	~~S2~~	~~SWSENW~~ End of Stream Flow
	~~T25N~~	~~R01E~~	~~S2~~	~~SESENW~~ Begin of Stream Flow
	T25N	R01E	S2	<u>NWNESE</u> End of Stream Flow

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

FWP *CA*

PLACE OF USE:	STOCKWATER	Within IDAHO County
	T25N R01E S01	NESW
	~~T25N R01E S01~~	~~NESW~~
	T25N R01E S01	NWSW
	T25N R01E S01	NWSE
	~~T25N R01E S02~~	~~SENW~~
	T25N R01E S02	NESE

AK

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

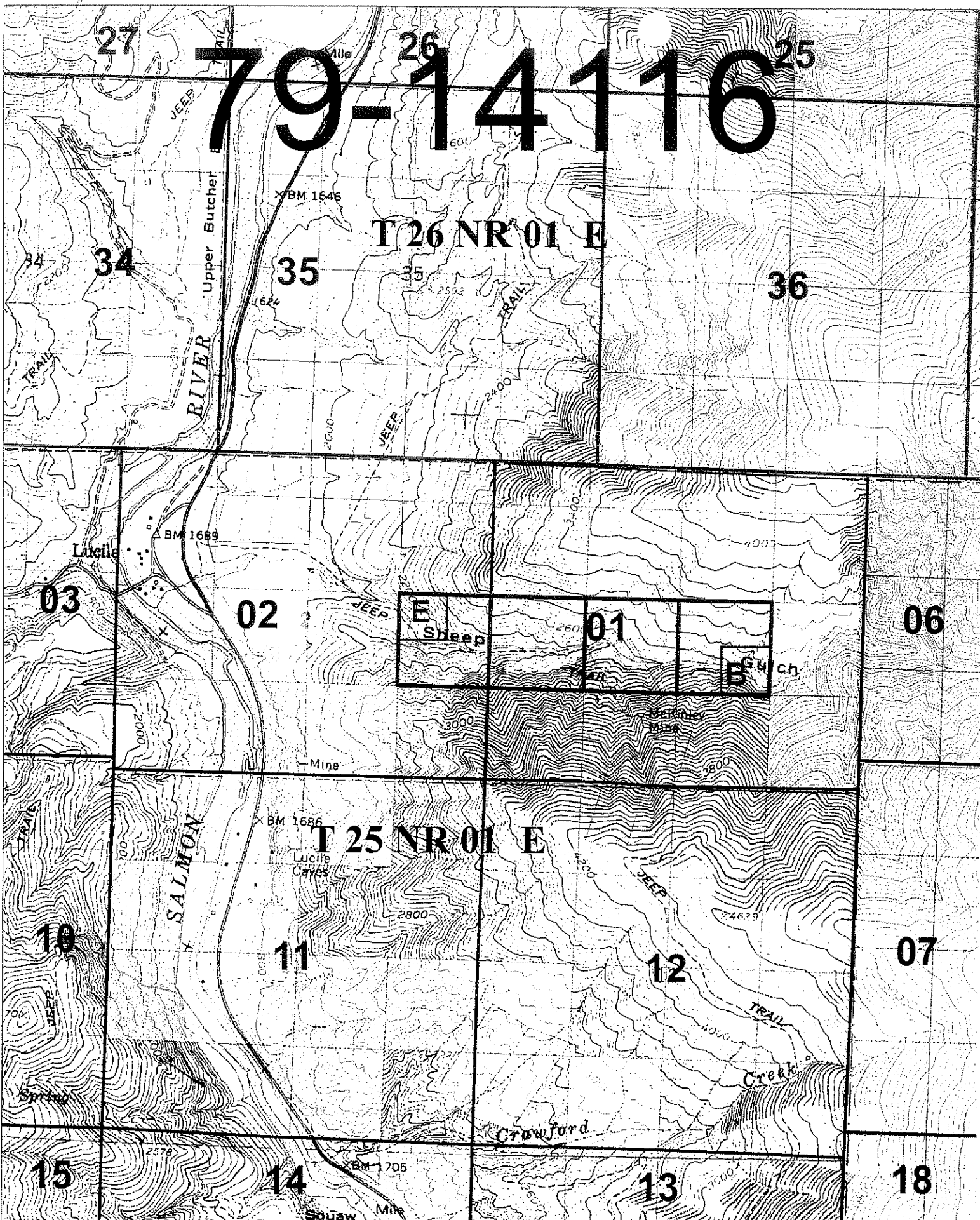
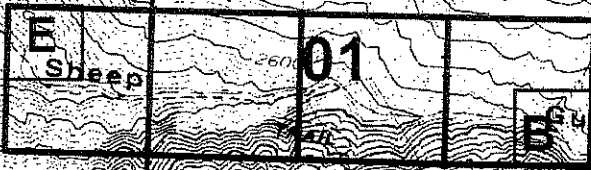
This partial decree is subject to such general provisions
necessary for the definition of the rights or for the efficient
administration of the water rights as may be ultimately
determined by the Court at a point in time no later than the
entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

79-14116

T 26 NR 01 E

T 25 NR 01 E



CERTIFICATE OF MAILING

I certify that on Nov. 8, 2007 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 *HAND DELIVERED*
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copy to:

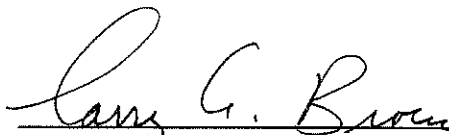
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Jim & Rachel Rupp *HAND DELIVERED*
HC 01 Box 1
Lucile, Idaho 83542



Signature of person or attorney mailing the form