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DISTRICT COURT
TWIN FALLS CO. ID
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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: 79-14158

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.

CLAIMANTS:

Delos Robbins

Delos Robbins 11-1-07
Date

OBJECTOR:

State of Idaho – Department of Lands

David J. Barber 11/5/07
David J. Barber Date
Deputy Attorney General
State of Idaho – Department of Lands

IDWR CONCURRENCE:

Curtis Fritschke 11-5-07 Andrea Z. Country 11/5/07
Date Date

CERTIFICATE OF MAILING

I certify that on November 5, 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

U.S. MAIL

2. Copies to:

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

U.S. MAIL

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

U.S. MAIL

State of Idaho
Craigmont Area
Department of Lands
PO Box 68
Craigmont, ID 83523

U.S. MAIL

State of Idaho
Department of Lands
300 N. 6th St.
PO Box 83720
Boise, ID 83720-0050

U.S. MAIL

IDWR Depository
PO Box 83720
Boise, ID 83720

U.S. MAIL



Signature of person mailing the form

~~10/23/2006~~ 10/12/2007

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

RIGHT NUMBER: 79-14158

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

SOURCE: BASIN CREEK
UNNAMED STREAM
WOLF CREEK

TRIBUTARY: WOLF CREEK
TRIBUTARY: BASIN CREEK
TRIBUTARY: SNAKE RIVER

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 R02W S11 SESE Begin of Stream Flow Within IDAHO County
T29N R02W S12 SWSWNW Begin of Stream Flow Within IDAHO County
T29N R02W S12 SENW Begin of Stream Flow Within IDAHO County
T29N R02W S13 SENE Begin of Stream Flow Within IDAHO County
T29N R02W S13 NWNW End of Stream Flow Within IDAHO County
T29N R02W S13 SWNNW End of Stream Flow Within IDAHO County
T29N R02W S13 SESE Begin of Stream Flow Within IDAHO County
T29N R02W S22 SESE Begin of Stream Flow Within IDAHO County
T29N R02W S23 NWNW Begin of Stream Flow Within IDAHO County
T29N R02W S23 NESW End of Stream Flow Within IDAHO County
T29N R02W S24 SWSE End of Stream Flow Within IDAHO County
T29N R02W S24 SWSE Begin of Stream Flow Within IDAHO County
T29N R02W S25 SWSW End of Stream Flow Within IDAHO County
T29N R02W S35 NENE Begin of Stream Flow Within IDAHO County
T29N R02W S35 SENE End of Stream Flow Within IDAHO County

PURPOSE AND
PERIOD OF USE:

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

PLACE OF USE: STOCKWATER Within IDAHO County

T29N R02W S11	SESE	T29N R02W S12	SWNW
T29N R02W S12	SESW	T29N R02W S12	NESW
T29N R02W S12	NWSW	T29N R02W S12	SWSW
T29N R02W S12	SESW	T29N R02W S13	SWNE
T29N R02W S13	SENE	T29N R02W S13	NENW
T29N R02W S13	NWNW	T29N R02W S13	SWSW
T29N R02W S13	SESW	T29N R02W S13	NESE

T29N R02W S13	NWSE	T29N R02W S13	SWSE
T29N R02W S14	SESE	T29N R02W S22	SESE
T29N R02W S23	NENE	T29N R02W S23	NWNE
T29N R02W S23	SENE	T29N R02W S23	NENW
T29N R02W S23	NWNW	T29N R02W S23	NESW
T29N R02W S23	NWSW	T29N R02W S23	SWSW
T29N R02W S23	NESE	T29N R02W S24	NENE
T29N R02W S24	NENW	T29N R02W S24	NWNW
T29N R02W S24	SWNW	T29N R02W S24	SENW
T29N R02W S24	NESW	T29N R02W S24	NWSW
T29N R02W S24	SWSW	T29N R02W S24	SESW
T29N R02W S24	NWSE	T29N R02W S24	SWSE
T29N R02W S25	NWNE	T29N R02W S25	NENW
T29N R02W S25	NWNW	T29N R02W S25	SWNW
T29N R02W S25	SENW	T29N R02W S25	NESW
T29N R02W S25	NWSW	T29N R02W S25	SWSW
T29N R02W S26	SENE	T29N R02W S26	SESE
T29N R02W S35	NENE	T29N R02W S35	SENE
~~T29N R02W S36~~	~~NWNW~~	~~T29N R02W S36~~	~~SWNW~~

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 42-1416(6), Idaho Code.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use