

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED _____

2007 NOV 19 PM 10 46

RECEIVED

NOV 20 2007

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. 79-4004A
)
)
)
)
)
)

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):

James & Carol Carlson

OBJECTOR(s):

USDI-BLM

James E. Carlson 11/8/07
James Carlson Date

Larry A. Brown 11/08/2007
Larry A Brown Date
Attorney - Dept of Justice

Carol Carlson 11/10/07
Carol Carlson Date

IDWR Concurrence:

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

Andrea L Courtney 11/8/07
Andrea L Courtney Date
Deputy Attorney General for IDWR

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

RIGHT NUMBER: 79-4004A
NAME AND ADDRESS: JAMES E CARLSON
HC 01 BOX 14A
LUCILE ID 83542

CAROL L CARLSON
HC 01 BOX 14A
LUCILE ID 83542

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.270 CFS
PRIORITY DATE: 05/14/1954
POINT OF
DIVERSION: T26N R01E S12 SWSE Within IDAHO County
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	02/15 11/30	0.270 CFS
PLACE OF USE: <u>IRRIGATION Within IDAHO County</u>		
~~T26N R01E S12~~ 0.60	T26N R01E S12 Lot 7 NWSE	~~5.30~~ 5.6
T26N R01E S12 Lot 10 SWSE	~~2.10~~ 2.4	
8 ACRES TOTAL		

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

CERTIFICATE OF MAILING

I certify that on November 15, 2008⁷, 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:

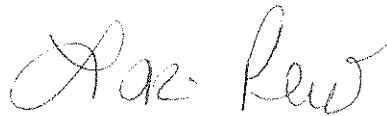
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

USDI-BLM
US Dept of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

James & Carol Carlson
HC 01 Box 14A
Lucile, ID 83542

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



Signature of person mailing the form