

COPY

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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: 74-4004A
)
) 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:

Haynes Creek Cattle & Horse Association

Bruce S. Mulkey

Ed Snook

11/26/07
Date

OBJECTOR:

State of Idaho - Department of Lands

David J. Barber

1/14/2008
Date

Deputy Attorney General

State of Idaho - Department of Lands

IDWR CONCURRENCE:

Nathaniel Arave

Nathaniel Arave
Water Resource Agent

11/21/07
Date

Christopher M. Bromley

Christopher M. Bromley
Deputy Attorney General
Attorney for IDWR

11/21/07
Date

CERTIFICATE OF MAILING

I certify that on 15th day of January 2008, 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

~~HAND DELIVERY~~
U. S. MAIL

2. Copies to:

Haynes Creek Cattle & Horse
Association
c/o Ed Snook
1205 Highway 28
Salmon, ID 83467

U.S. MAIL

State of Idaho
Eastern Idaho Supervisory Area
Department of Lands
3563 Ririe Highway
Idaho Falls, ID 83401

U.S. MAIL

State of Idaho
Department of Lands
300 N. 6th St., Ste. 103
PO Box 83720
Boise, ID 83720-0050

U.S. MAIL

IDWR Depository
PO Box 83720
Boise, ID 83720

U.S. MAIL

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

(not applicable)

Edward Snook
Signature of person mailing the form
David J. Barber

ATTACHMENT I

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

RIGHT NUMBER: 74-4004A

NAME AND ADDRESS: HAYNES CREEK CATTLE & HORSE ASSN
C/O QUINTON SNOOK
14 QUINTON LN
C/O ED SNOOK
1205 Highway 28
SALMON ID 83467

IDAHO DEPT OF LANDS
300 N. 6TH ST.
PO BOX 83720
BOISE ID 83720-0050

SOURCE: SPRINGS

TRIBUTARY: KADLEIZ CREEK

QUANTITY: 0 200 CFS

PRIORITY DATE: 05/01/1900

POINT OF DIVERSION:

120N R23E S22 SWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	5/01 10/01	0 200 CFS

PLACE OF USE: STOCKWATER Within LEMHI County

T20N R23E S22 SWSW

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 ownership of water right no. 74-4004A is governed by a private agreement executed by the Idaho Department of Lands and Haynes Creek Cattle & Horse Assn.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

CB

NLA

B&M

CS

W/B