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DEPARTMENT OF
WATER RESOURCES

NOTICE OF COURT ORDER
TWIN FALLS CO., IDAHO
FILED

2008 JAN 17 PM 10 41

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.: 37-2411B

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:

OBJECTOR:

James S. Lowrie

Date

Leo E. Ray

Date

IDWR CONCURRENCE:

Carter Fritschle

Date

Section Manager Adjudication Bureau

Nicholas B. Spencer

Date

Deputy Attorney General
Attorney for IDWR

05/25/2007

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

RIGHT NUMBER: 37-2411B

NAME AND ADDRESS: BEATRICE T LOWRIE
C/O JAMES S LOWRIE
1500-1ST INTERSTATE PLAZA
170 S MAIN ST STE 1500
SALT LAKE CITY UT 84101

SOURCE: SPRINGS

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.100 CFS
0.080 CFS

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/18/1921

POINT OF
DIVERSION:

T06S R13E S21 NWNWSE Within GOODING County
T06S R13E S21 SENWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	0.100 CFS 0.080 CFS
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in GOODING County

T06S R13E S21 NWSE 3.30

DOMESTIC same as IRRIGATION
STOCKWATER same as IRRIGATION

3.3 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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Sources are also known as Montana Mining Company Ditch Spring No. 3 or Upper Decker Spring and Montana Mining Company Ditch Spring No. 4 or Lower Decker Spring.

CERTIFICATE OF SERVICE

I certify that on Jan 16th, 2008, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

James Lowrie
170 S. Main St., Suite 1500
Salt Lake City, UT 84101

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Leo E. Ray
4647 River Road
Buhl, ID 83316

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile


Signature of person or attorney mailing the form