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MAR 13 2008
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAR 10 2008

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. 27-12144

Case No. 39576

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:

Jougard Sheep Co, Inc.

OBJECTOR:

Shoshone-Bannock Tribes

Alicia Sledge 3/2/2008
By: _____ Date
Title: Pres.

Jeanette Wolfley 1/18/08
Jeanette Wolfley Date
Attorney for Objector

STANDARD FORM 5 – Water Right No. 27-12144

IDWR Concurrence:

Cindy L Bird 1/9/08
Cindy Bird Date
Senior Water Resource Agent

Andrea L Courtney 1/4/08
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

01/03/2008

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

RIGHT NUMBER: 27-12144

NAME AND ADDRESS: JOUGLARD SHEEP CO INC
PO BOX 245
RUPERT ID 83350

SOURCE: UNNAMED STREAM

TRIBUTARY: TRAIL CREEK

QUANTITY: 0.020 CFS
2.22 AFY

AD

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

PRIORITY DATE: 09/12/1932

POINT OF
DIVERSION:

T08S R42E S13 SWSE Begin of Stream Flow Within CARIBOU County
T08S R43E S7 NWSE End of Stream Flow Within CARIBOU County
T08S R43E S18 NWSE Begin of Stream Flow Within CARIBOU County

gm
an CB AD

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	~~05/01 11/01~~	0.020 CFS
	<u>06/01 10/01</u>	<u>2.22 AFY</u>

PLACE OF USE: STOCKWATER in CARIBOU County

T08S R42E S12	SWSE	T08S R42E S12	SESE
T08S R42E S13	NWNE	T08S R42E S13	SWNE
T08S R42E S13	NWSE	T08S R42E S13	SWSE
T08S R43E S07 Lot 4 SWSW		T08S R43E S07	SESW
T08S R43E S07	NWSE	T08S R43E S07	SWSE
T08S R43E S18	NWNE	T08S R43E S18	SWNE
T08S R43E S18	NWSE		

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.

Stock water use is for 6000 sheep and 150 cow/calf pairs.

CERTIFICATE OF MAILING

I certify that on March 6, 2008, 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:

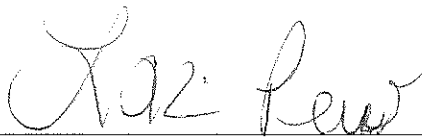
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

SHOSHONE-BANNOCK TRIBES
Represented by:
JEANETTE WOLFLEY
SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N. ARTHUR
POCATELLO, ID 83202

JOUGLARD SHEEP CO., INC.
P.O. BOX 245
RUPERT, ID 83350

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing the form