



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

April 2, 2008

Idaho Department of Water Resources
ATTN: Michael Holliday
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RE: ~~01-10388~~ & 01-10392 (Allred Brothers Partnership)

Dear Michael:

Enclosed for your signature and initials are the SF5s for the Allred Brothers Partnership subcases. Please sign the cover sheets, initial the revised recommendations and return the originals to me. If it is convenient for the claimant/objector to come into the Eastern office to sign, that might save a step and help us to avoid an initial hearing. Once I receive the signed SF5s, I will file them with the SRBA Court.

If you have any questions or comments, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ray", is written in black ink.

Ray Williams
Paralegal

Enclosures

**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. 01-10388
	)	(Previously Disallowed)
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:

Allred Brothers Partnership

OBJECTOR:

By: _____ Date _____
Title: _____

William E. Allred _____ Date _____

IDWR Concurrence:

Michael Holliday Date
Senior Water Resource Agent

Andrea L. Courtney 4/2/08
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 1-10388

NAME AND ADDRESS: ALLRED BROTHERS PARTNERSHIP
3852 E 12 N
RIGBY ID 83442

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.690 CFS

Right Nos. 1-10392 and 1-10388 are limited to a total combined diversion rate of 1.17 cfs.

PRIORITY DATE: 05/06/1971

POINT OF
DIVERSION:

T04N R40E S6 SWSW Lot 7 Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.690 CFS

PLACE OF USE: IRRIGATION in MADISON County

T05N R39E S21	NESE	1.00	T05N R39E S21	NWSE	2.50
T05N R39E S21	SWSE	28.00	T05N R39E S21	SESE	34.00

65.5 ACRES TOTAL

Place of use does not include federal public lands.

Right Nos. 1-10392 and 1-10388 are limited to the irrigation of a combined total of 65.5 acres in a single irrigation season.

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

Use of this right is combined with water from Liberty Park Irrigation Co.

Water is delivered through Liberty Park Canal.

CERTIFICATE OF MAILING

I certify that on _____, 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:

ALLRED BROTHERS PARTNERSHIP
WILLIAM E. ALLRED
3852 E 12 N
RIGBY, ID 83442

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

Signature of person or attorney mailing the form