



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

April 7, 2008

David L. Whitney
P.O. Box 26
Caldwell, ID 83606-0026

RE: SRBA Subcase Nos. 63-20901, 63-20902 & 63-20909 (Stephens)

Dear Mr. Whitney

I am enclosing a Standard Form 5 ("SF5") for each of the above-referenced subcases. Please review the documents, and if they are acceptable, please sign on the appropriate signature lines, initial the revised recommendations and return the original documents to me. I will obtain any remaining signatures and file the SF5s with the SRBA Court.

If you should have any questions or comments, please feel free to contact me at 287-4815.

Sincerely,

A handwritten signature in cursive script that reads "Ray Williams".

Ray Williams
Paralegal

Enclosures

RECEIVED

APR 03 2008

WATER RESOURCES
WESTERN REGION

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. 63-20901
	)	(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/OBJECTOR:

Wayne Eugene Stephens

David L. Whitney Date
Attorney for Claimant/Objector

IDWR Concurrence:

Vicky Music 4-3-08
Vicky L. Music Date
Senior Water Resource Agent

Nick Spencer 4-2-08
Nicholas B. Spender Date
Deputy Attorney General
Attorney for IDWR

03/25/2008

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

RIGHT NUMBER: 63-20901
NAME AND ADDRESS: WAYNE EUGENE STEPHENS
24604 EMMETT RD
CALDWELL ID 83607

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.150 CFS
7.10 AFY

PRIORITY DATE: 06/01/1962

POINT OF
DIVERSION: T03N R03W S16 NENE Within CANYON County
T03N R03W S16 NENE Within CANYON County
T03N R03W S16 NENE Within CANYON County

VLM
NBS

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.150 CFS 7.10 AFY
Domestic use is for 8 apartments and lawn.		

PLACE OF USE: DOMESTIC in CANYON County
T03N R03W S16 NENE

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

Rights 63-20900 and 63-20902 are also diverted through the points of diversion described above.

Parcel number 1R27606-000-0

Place of use is located within Section 73, Lot 4 and Lot 5; Vanal Heights Subdivision.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

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:

WAYNE EUGENE STEPHENS
WAYNE STEPHENS
Represented by:
DAVID L WHITNEY
P.O. BOX 26
CALDWELL, ID 83606-0026

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

Signature of person or attorney mailing the form