

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____ MAY 15 2008
2008 MAY 14 PM 10 21 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 Nos. 67-14480
	)	
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:

Jeanne Gettle

CLAIMANT:

Mark A. Port

Jeanne Gettle 4/21/08
Jeanne Gettle Date
Claimant/Objector/*Pro Se*

Mark A. Port 5/14/08
Mark A. Port Date
Objector/*Pro Se*

4/09/2007

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

RIGHT NUMBER: 67-14480

NAME AND ADDRESS: MARK A PORT
255 COGGINS DR #G16
PLEASANT HILL CA 94523

MICHAEL N GETTLE
1410 E 9TH ST
WEISER ID 83672

JEANNE M GETTLE
1410 E 9TH ST
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.150 CFS
42.80 AFY

PRIORITY DATE: 09/14/1951

POINT OF DIVERSION:

T10N R05W S16 NWNE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.150 CFS
42.80 AFY

PLACE OF USE: IRRIGATION in WASHINGTON County

T10N R05W S16 NWNE ~~8.20~~ 9.50

~~8.2~~ 9.5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

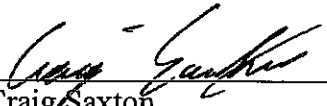
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Property also known as Lots 15 & 16, Feltham Fruit Tract.

CS
CB
[Handwritten signature]
MMAP

IDWR Concurrence:



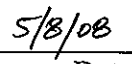
Craig Saxton
IDWR Agent



Date



Chris M. Bromley
Deputy Attorney General



Date

CERTIFICATE OF MAILING

I certify that on May 12, 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:

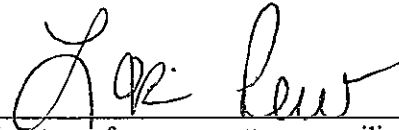
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Jeanne M. Gettle
1410 E. 9th St.
Weiser, ID 83762

Mark A. Port
255 Coggins Dr., #G16
Pleasant Hill, CA 94523

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



Signature of person or attorney mailing the form