



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

May 23, 2008

Robert L. Harris
1000 Riverwalk Drive, Suite 200
P.O. Box 50130
Idaho Falls, ID 83405

RE: SRBA Subcase No. 29-13726 (VanKampen)

Dear Rob:

I am enclosing a Standard Form 5 ("SF5") for the above-referenced subcase. Please review the document, and if the SF5 is acceptable, please sign on the indicated signature line, initial the revised recommendation and return the original SF5 to me. I will obtain the proper IDWR signatures and filed the document 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

Enclosure

**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. 29-13726
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT
	)	<i>(Previously Disallowed)</i>
_____	)	

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(s)/OBJECTOR(s):
Jedd & Nancy VanKampen

Robert L. Harris Date
Attorney for Claimants/Objectors

IDWR Concurrence:

Michael Holliday Date
Senior Water Resource Agent

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 29-13726

NAME AND ADDRESS: NANCY VAN KAMPEN TRUST
166 E 350 S
LOGAN UT 84321

SOURCE: DEMPSEY CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 1.620 CFS

The rights listed below are limited to a total combined diversion rate of 1.62 cfs. Combined Right Nos.: 29-170, 29-171, 29-12064, and 29-13726.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION:

T10S R38E S4 NESWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	1.620 CFS
PLACE OF USE:	<u>IRRIGATION in BANNOCK County</u>		
	T09S R38E S29 SESE 2.20	T09S R38E S32 NENE	14.00
	T09S R38E S32 SENE 23.00	T09S R38E S33 NENW	11.00
	T09S R38E S33 NWNW 31.00		
	81.2 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 81.2 acres in a single irrigation season. Combined Right Nos.: 29-170, 29-171, 29-12064, and 29-13726.

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

The operation and administration of this water right is subject to the terms and conditions of the Portneuf River Settlement Agreement, Basin 29: Portneuf River filed with the SRBA District Court April 22, 2005, and the addendum to the agreement filed December 17, 2007.

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

Water is delivered through West Dempsey Ditch.

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:

JEDD R. & NANCY VAN KAMPEN
JEDD R. VAN KAMPEN
NANCY VAN KAMPEN

Represented by:
ROBERT L. HARRIS
1000 RIVERWALK DR, STE. 200
P.O. BOX 50130
IDAHO FALLS, ID 83405

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

Signature of person or attorney mailing the form