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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 NO: 74-915
	)	(SPLIT INTO 74-15755 & 74-15756)
	)	
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. 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; and 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.

To resolve the objection filed by the BLM in subcase 74-915, the parties agree and stipulate that the whole of water right claim 74-915 shall be split into two new water right claims and renumbered as 74-15755 and 74-15756. Water rights 74-15755 and 74-15756 now supersede water right 74-915, and right 74-915 should be dismissed with prejudice. The parties and IDWR have further indicated their concurrence to these renumbered water rights by signing below and initialing the attached pages.

CLAIMANTS:

James D. Shiner
Stephen Shiner
Debbie A. Shiner
Deena Shiner

James D. Shiner 5/28/08
James D. Shiner Date

Stephen Shiner 5/28/08
Stephen Shiner Date

Debbie A. Shiner 5/28/08
Debbie A. Shiner Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown FWP 6/3/08
Larry A. Brown FWP Date
Attorney, U.S. Department of Justice
Environment and Natural Resources

CLAIMANTS:

Deena Shiner 5/23/08
Deena Shiner Date

IDWR CONCURRENCE:

Nathanial Arave 4/28/08
Nathanial Arave Date
Water Resource Agent

IDWR CONCURRENCE:

Andrea L. Courtney 5/1/08
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

03/13/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

NLA

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION REASON</u>
74-915	JAMES D SHINER PO BOX 43 LEMHI ID 83465	Parent split into 74-15755 and 74-15756
	STEPHEN SHINER PO BOX 43 LEMHI ID 83465	
	DEBBIE A SHINER PO BOX 43 LEMHI ID 83465	
	DEENA SHINER PO BOX 43 LEMHI ID 83465	

ES

SS

DS

DS.

~~*ES*~~

ATC

DN

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

RIGHT NUMBER: 74-15755
NAME AND ADDRESS: JAMES D SHINER
PO BOX 43
LEMHI ID 83465

STEPHEN SHINER
PO BOX 43
LEMHI ID 83465

DEBBIE A SHINER
PO BOX 43
LEMHI ID 83465

DEENA SHINER
PO BOX 43
LEMHI ID 83465

SOURCE: WASTE WATER TRIBUTARY: LEMHI RIVER

QUANTITY: 0.980 CFS

PRIORITY DATE: 03/12/1892

POINT OF
DIVERSION: T17N R24E S10 SNNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.980 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T17N R24E S04	SWSE	13.20	T17N R24E S09 Lot 1 NENE	12.10
T17N R24E S09	NWNE	6.50	T17N R24E S09 Lot 2 SENE	1.10

32.9 ACRES TOTAL

Place of use does not include federal public lands

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 - Decreed

This right is a split from former right 74-915.

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

NLA

RIGHT NUMBER: 74-15756

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: WASTE WATER

TRIBUTARY: LEMHI RIVER

AT
DS
FWP
SS

QUANTITY: 0.120 CFS

PRIORITY DATE: 03/12/1892

POINT OF
DIVERSION: T17N R24E S10 SWNW Within LEMHI County

DS

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.120 CFS

PLACE OF USE: IRRIGATION in LEMHI County

DS.

T17N R24E S04 SESH 3.9

DN

3.9 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 - Decreed

This right is a split from former right 74-915.

CERTIFICATE OF SERVICE

I certify that on June 3, 2008, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☒ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

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

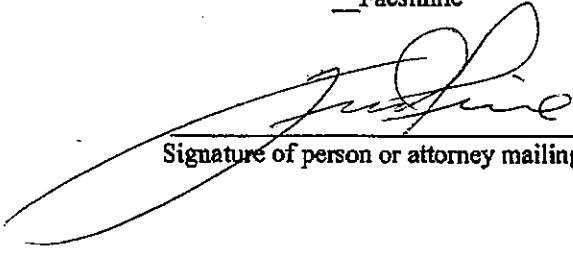
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Stephen Shiner
James D. Shiner
Debbie A. Shiner
Deena Shiner
P.O. Box 43
Lemhi, ID 83465

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

U.S. Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile


Signature of person or attorney mailing the form

**74-00915 split into
74-15755 (Shiners, in White) and 74-15756 (BLM, in Red)**

