



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

June 23, 2008

L.G. Davidson & Sons, Inc.
1969 Prairie Road
Prairie, ID 83647-8435

RE: SRBA Subcase No. 63-32163

Dear Mr. Davidson:

I am enclosing a Standard Form 5 ("SF5") for your review. The SF5 is the document required by the Snake River Basin Adjudication Court to resolve water right disagreements. Please review the document, and if it is acceptable please sign on the indicated signature line and initial the revised recommendation. After signing, please return the original SF5 to me in the self-addressed stamped envelope that I have enclosed for your convenience. I will file 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 Re SRBA	)	Subcase No. 63-32163
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	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.

OBJECTOR:
USDA Forest Service

David L. Negri, USDOJ
Attorney for Objector

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IDWR Concurrence:

Sandy Egbert 6-17-08
Sandy Egbert Date
GIS Specialist

Nicholas B. Spencer 6-17-08
Nicholas B. Spencer Date
Deputy Attorney General

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

RIGHT NUMBER: 63-32163

NAME AND ADDRESS:

L G DAVISON & SONS INC
1969 PRAIRIE RD
PRAIRIE ID 83647-8435SOURCE: Source:
LONG GULCH CREEKTributary:
SOUTH FORK BOISE RIVERQUANTITY: 5.340 CFS~~5.470 CFS~~**INITIAL
HERE**The quantity of water under this right for stockwater use shall not exceed
13,000 gallons per day.Right Nos. 63-97 and 63-32163 are limited to a total combined diversion rate
of 8.72 cfs.

PRIORITY DATE: 08/08/1898

POINT OF DIVERSION:

T02N R06E S2 SWNE
Within ELMORE CountyPURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	03/15 11/15	<u>5.340 CFS</u> ~~5.470 CFS~~
STOCKWATER	01/01 12/31	0.140 CFS

PLACE OF USE: IRRIGATION within ELMORE County

T02N R06E S02 Lot 3 NENW 1.1
T02N R06E S02 Lot 4 NWNW 13.0
T02N R06E S02 Lot 4 SWNW 1.1~~T02N R06E S02 SENW 6.6~~T03N R06E S34 NENE 8.7
T03N R06E S34 Lot 2 SWNE 14.0
T03N R06E S34 Lot 1 SENE 25.0
T03N R06E S35 NWNW 6.4
T03N R06E S35 SWNW 26.0
T03N R06E S35 NESW 4.0
T03N R06E S35 Lot 1 NWSW 16.0
T03N R06E S35 Lot 2 SWSW 5.1
STOCKWATER Same As IRRIGATION120.4 ACRES TOTAL~~127 ACRES TOTAL~~Right Nos. 63-32163 and 63-97 are limited to the irrigation of a combined
total of 127 acres in a single irrigation season.

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

Historically the water from Long Gulch Creek has been used at the first part of the season. When Long Gulch dries up water is taken from Smith Creek.

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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

The places of use for this water right do not include any Federal land

EXPLANATORY MATERIAL:

BASIS OF CLAIM - Beneficial Use

Stockwater use is for 600 head range cattle.

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:

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC O33
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

L G DAVISON & SONS INC
1969 PRAIRIE RD
PRAIRIE, ID 83647-8435

Signature of person or attorney mailing the form