



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

June 24, 2008

Dana L. Hofstetter
608 West Franklin Street
Boise, ID 83702

RE: SRBA Subcase No. 63-21616 (Ray Obendorf)

Dear Dana:

As discussed during the initial hearings of June 19, 2007, I am enclosing the original SF5 that was signed by Ray Obendorf.

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

Sincerely,

A handwritten signature in black ink that reads "Ray Williams".

Ray Williams
Paralegal

Enclosure

cc: Paul Arrington
David Gehlert
Gail McGarry

**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

Case No. 39576

) SUBCASE: 63-21616

) 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; 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.

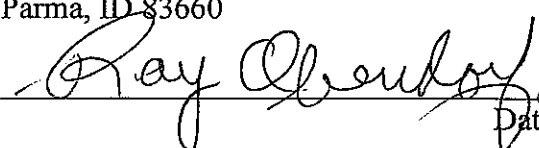
The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

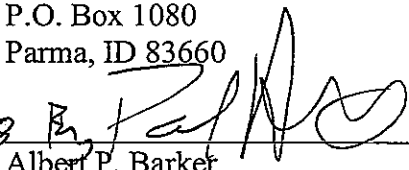
CLAIMANT:

Ray OBendorf
24034 Batt Corner Rd.
Parma, ID 83660

OBJECTOR:

Riverside Irrigation District
P.O. Box 1080
Parma, ID 83660

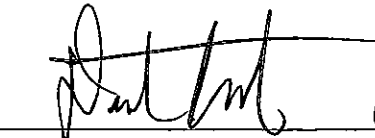

Date 5-31-08


Albert P. Barker

6-2-08
Date

RESPONDENT: Bureau of Reclamation

IDWR CONCURRENCE:


Date 6/16/08

Date

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

RIGHT NUMBER: 63-21616

NAME AND ADDRESS: RAY OBENDORF
24034 BATT CORNER RD
PARMA ID 83660

SOURCE: DIXIE SLOUGH

TRIBUTARY: BOISE RIVER

QUANTITY: 2.190 CFS

The source of this right is waste water. The wasting of water may be discontinued at any time.

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/01/1950

POINT OF
DIVERSION: T04N R05W S1 SENE Within CANYON CountyPURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	2.140 CFS
STOCKWATER	01/01 12/31	0.050 CFS

PLACE OF USE: IRRIGATION in CANYON County

T05N R05W S35	NWNE	28.00	T05N R05W S35	SWNE	24.00
T05N R05W S35	SENE	37.00	T05N R05W S35	NESE	18.00

STOCKWATER in CANYON County

T05N R05W S35	NWNE	T05N R05W S35	SWNE
T05N R05W S35	SENE	T05N R05W S35	NESE

107 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.

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

~~This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.~~

Water shall not be diverted under this permit until an easement or right of way with the owner of the drain providing for access to the drain is filed with the Department.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 200 range cattle.