

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: 63-17688

STANDARD FORM 5

Case No. 39576

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/OBJECTOR:

Miller Kuna Family LTD Partnership
7000 S. Meridian Rd.
Meridian, ID 83642

28m Rachel E. Miller

28m George B. Miller *5-29-08*
Date

OBJECTOR:

Boise-Kuna Irrigation District
129 North School Avenue
Kuna, ID 83634

By [Signature] *6/5/08*
Shelley M. Davis Date

IDWR CONCURRENCE:

[Signature] *6/25/08*
Date
Wink Spencer *6-24-08*

RESPONDENT:

Bureau of Reclamation

[Signature] *6/16/08*
Date

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

RIGHT NUMBER: 63-17688

NAME AND ADDRESS: MILLER KUNA FAMILY LTD PARTNERSHIP
7000 S MERIDIAN RD
MERIDIAN ID 83642

SOURCE: WASTE WATER

TRIBUTARY: MASON CREEK

QUANTITY: 1.300 CFS

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

PRIORITY DATE: 03/01/1913

POINT OF
DIVERSION:

T02N R01E S20 SENE Within ADA County
T02N R01E S20 SENE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.300 CFS

PLACE OF USE:

IRRIGATION in ADA County

T02N R01E S20	SWNE	40.00	T02N R01E S20	SENE	25.00
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65 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 - Beneficial Use

Parcel No. S1420131200.

Use of this right is combined with water from Boise-Kuna Irrigation District.

Handwritten notes:
2.8m
2.3m
PWT
DL
NBS
vkm

CERTIFICATE OF MAILING

I certify that on June 26, 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

hand delivered

2. Copies to:

BOISE KUNA IRRIGATION DIST
Represented by:
SHELLEY M DAVIS
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139

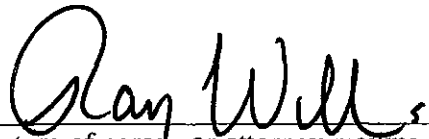
hand delivered

USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

hand delivered

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

MILLER KUNA FAMILY LTD PARTNER
7000 S MERIDIAN RD
MERIDIAN, ID 83642



Signature of person or attorney mailing the form