



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

July 9, 2008

Gary & Carol Henrie
P.O. Box 136
Driggs, ID 83422

RE: SRBA Subcase No. 22-13636

Dear Mr. & Ms. Henrie::

I am enclosing a Standard Form 5 ("SF5") for the above-referenced subcase. The SF5 is the document required by the Snake River Basin Adjudication ("SRBA") Court to resolve water right disputes. Please review the document, and if it is acceptable, please sign on the indicated signature lines, initial the revised recommendations and return the original document to me. I will obtain the remaining signature and 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 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. 22-13636
	)	
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 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 reflecting no changes to the original recommendation. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

CLAIMANT/OBJECTOR:

Carol G. Henrie

Date

Gary L. Henrie

Date

IDWR Concurrence:

Joseph Larsen Date
Water Resource Agent

Andrea L. Courtney 7/7/08
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 22-13636
NAME AND ADDRESS: GARY L HENRIE
PO BOX 136
DRIGGS ID 83422

CAROL G HENRIE
PO BOX 136
DRIGGS ID 83422

INITIAL
HERE



AT

SOURCE: TETON CREEK TRIBUTARY: TETON RIVER
QUANTITY: 0.450 CFS
PRIORITY DATE: 04/15/1938

POINT OF
DIVERSION:

T05N R45E S36 NWNWNE Within TETON County
T05N R45E S36 SENENW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.450 CFS

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S34	SWSE	19.00	T05N R45E S35	NESW	3.50
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22.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 40.5 acres in a single irrigation season. Combined Right Nos.: 22-77, 22-79B, and 22-13636.

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

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:

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

CAROL G. HENRIE
GARY L. HENRIE
P.O. BOX 136
DRIGGS, ID 83422

Signature of person or attorney mailing the form