

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

RECEIVED
JUL 17 2008
DEPARTMENT OF
WATER RESOURCES

2008 JUL 16 PM 10 33

**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. <u>02-10126</u>
	)	
	)	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 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 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 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. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

United States on behalf of the
Bureau of Land Management

Jacob T. Haseman *JB* Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

[Signature]

Donald V. Shaff
Adjudication Bureau Chief

7-09-08
Date

IDWR CONCURRENCE:

[Signature]

Garriek L. Baxter
Deputy Attorney General, Attorney for IDWR

7/10/08
Date

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

RIGHT NUMBER: 2-10126

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: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.020 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 02/15/1967

POINT OF
DIVERSION:

				Within OWYHEE County
T06S	R05E	S5	SWSWSE	Begin of Stream Flow
T06S	R05E	S6	SWSESE	End of Stream Flow
T06S	R05E	S9	SWNWNE Lot 2	Begin of Stream Flow
T06S	R05E	S9	SWNWNW Lot 4	End of Stream Flow
T06S	R05E	S10	SWSWNW	End of Stream Flow
T06S	R05E	S10	SWSWNW	Begin of Stream Flow

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
WILDLIFE	01/01 12/31	0.010 CFS <u>0.020 CFS</u>
STOCKWATER	01/01 12/31	0.010 CFS <u>0.020 CFS</u>

PLACE OF USE:

STOCKWATER in OWYHEE County

T06S	R05E	S05	SWSW
T06S	R05E	S05	SESW
T06S	R05E	S05	SWSE

T06S	R05E	S06	SESE
------	------	-----	------

T06S	R05E	S09	Lot 2 NWNE
T06S	R05E	S09	Lot 3 NENW
T06S	R05E	S09	Lot 4 NWNW

<u>T06S</u>	<u>R05E</u>	<u>S10</u>	<u>SWNW</u>
-------------	-------------	------------	-------------

WILDLIFE in OWYHEE County

T06S	R05E	S05	SWSW
T06S	R05E	S05	SESW
T06S	R05E	S05	SWSE

T06S	R05E	S06	SESE
------	------	-----	------

T06S	R05E	S09	Lot 2 NWNE
T06S	R05E	S09	Lot 3 NENW

T06S R05E S09 Lot 4 NWNW

T06S R05E S10 SWNW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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
BLM RECORD ID = 5101780366 600 RANGE CATTLE, WILDLIFE



CERTIFICATE OF MAILING

I certify that on July 14, 2008, I mailed the original and copies of this form, including all attachments, 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

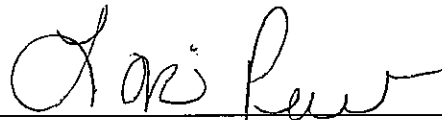
2. Copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of person or attorney mailing the form