

COPY

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

FILED 2008 JUL 16 AM 10 33
TWIN FALLS CO., IDAHO
DEPARTMENT OF
WATER RESOURCES

In Re SRBA

SUBCASE: 63-04233C

STANDARD FORM 5

Case No. 39576

STIPULATED ELEMENTS OF A WATER
RIGHT

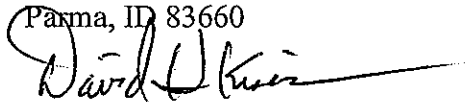
This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert 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.

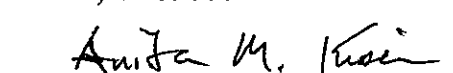
CLAIMANT:

David H. Kiser
30358 Boulder Rd.
Parma, ID 83660


Date 6/11/08

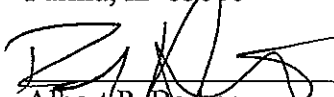
CLAIMANT:

Anita Kiser
30358 Boulder Rd.
Parma, ID 83660


Date 6/11/08

OBJECTOR:

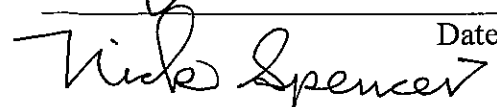
Riverside Irrigation District
P.O. Box 1080
Parma, ID 83660


Date 6/13/08

RESPONDENT: Bureau of Reclamation


Date 6/26/08

IDWR CONCURRENCE:


Date 7/1/08

Date 7-1-08

12/14/2006

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

RIGHT NUMBER: 63-4233C

NAME AND ADDRESS: DAVID H KISER
30358 BOULDER RD
PARMA ID 83660

ANITA M KISER
30358 BOULDER LN
PARMA ID 83660

SOURCE: ALKALI DRAIN

TRIBUTARY: SOUTH BOISE DRAIN

QUANTITY: 0.100 CFS

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

PRIORITY DATE: 03/15/1933

POINT OF

DIVERSION: T05N R06W S13 SWNE Within CANYON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.100 CFS

PLACE OF USE: IRRIGATION in CANYON County

T05N R06W S13 SWNE 4.80

4.8 ACRES TOTAL

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

~~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.~~

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

Handwritten notes:
OK
NBS
VWM

CERTIFICATE OF MAILING

I certify that on July 14, 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:

RIVERSIDE IRRIGATION DISTRICT
Represented by:
ALBERT P. BARKER
1010 W. JEFFERSON, STE. 102
P.O. BOX 2139
BOISE, ID 83701-2139

USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC O33
BOISE, ID 83724

ANITA. M KISER
30358 BOULDER LN.
PARMA, ID 83660

DAVID H. KISER
30358 BOULDER RD.
PARMA, ID 83660

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



Signature of person or attorney mailing the form