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JUL 22 2008
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 21 2008	
Ry	Clerk
Deputy Clerk	

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: 63-32165

STANDARD FORM 5

Case No. 39576

STIPULATED ELEMENTS OF A WATER
RIGHT

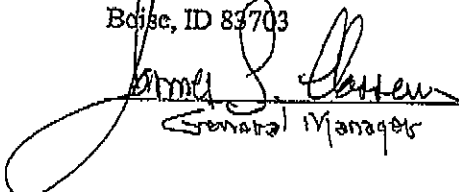
This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert 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:
Classen & Co. LLC
6417 Plantation Ln.
Boise, ID 83703

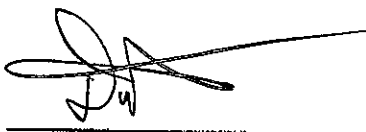
OBJECTOR:
Riverside Irrigation District
P.O. Box 1080
Parma, ID 83660

 6/20/08
General Manager Date

 6/22/08
Albert P. Barker Date

RESPONDENT: Bureau of Reclamation

IDWR CONCURRENCE:

 7/7/08
Date

 7/15/08
Wick Spencer 7-14-08
Date

12/11/2006

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

RIGHT NUMBER: 63-32165
NAME AND ADDRESS: CLASSEN & CO LLC
6417 PLANTATION LN
BOISE ID 83703

SOURCE: UNNAMED DRAIN TRIIBUTARY: ROSS EAST END DRAIN

QUANTITY: 1.030 CFS
Right Nos. 63-32165 and 63-32166 are limited to a total combined diversion rate of 1.1 cfs.

PRIORITY DATE: 08/04/1954

POINT OF DIVERSION: TOWN RUSH S17 SESEW Lot 7 Within CANYON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	1.030 CFS

PLACE OF USE: IRRIGATION in CANYON County

TOWN RUSH S17 Lot 6 NESW	18.60	TOWN RUSH S17 Lot 5 NWSE	33.00
51.6 ACRES TOTAL			

Right Nos. 63-32165 and 63-32166 are limited to the irrigation of a combined total of 78 acres in a single irrigation season.

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 cause existing 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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-30513.

Right No. 63-32166 is also diverted through point of diversion described above.

NBS

DC

PLA

PLA

DC LLM

CERTIFICATE OF MAILING

I certify that on July 17, 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

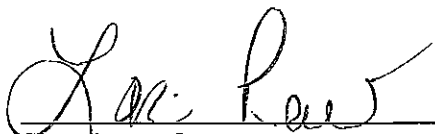
Represented by:
ALBERT P. BARKER
1010 W. JEFFERSON, STE 102
P.O. BOX 2139
BOISE, ID 83701-2139

USDI BUREAU OF RECLAMATION

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

CLASSEN & CO., LLC
6417 PLANTATION LN.
BOISE, ID 83703

IDWR REPOSITORY
P.O. BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing the form