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DEPARTMENT OF
WATER RESOURCES

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. 63-20909
	)	(Previously Disallowed)
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. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS:

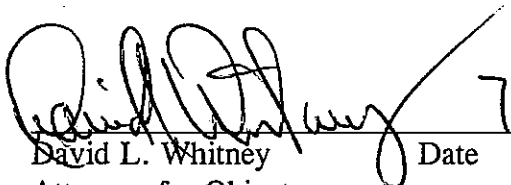
Lakeview Water Co.

Wayne E. Stephens 7-21-08
By: _____ Date
Title: *Pres.*

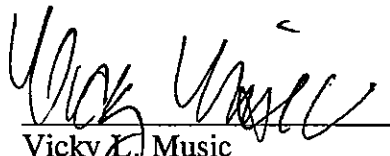
Wayne Eugene Stephens 7-21-08
Wayne Eugene Stephens Date

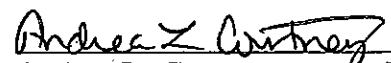
OBJECTOR:

Wayne Stephens


David L. Whitney Date 7.1.08
Attorney for Objector

IDWR Concurrence:


Vicky L. Music Date 5/22/08
Senior Water Resource Agent


Andrea L. Courtney Date 5/21/08
Deputy Attorney General
Attorney for IDWR

05/21/2008

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

RIGHT NUMBER: 63-20909

NAME AND ADDRESS: WAYNE EUGENE STEPHENS
24604 EMMETT RD
CALDWELL ID 83607

LAKEVIEW WATER CO
C/O WAYNE STEPHENS
24604 EMMETT RD
CALDWELL ID 83607

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.230 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1965

POINT OF
DIVERSION:

T03N R03W S16 NENE Within CANYON County
T03N R03W S16 NENE Within CANYON County
T03N R03W S16 NENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.230 CFS
Domestic use is for internal use for a twelve unit apartment building.		

PLACE OF USE: DOMESTIC in CANYON County
T03N R03W S16 NENE

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

The physical address of the place of use is 15077 Karcher Rd., Caldwell, Idaho.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Parcel no. is R2760500000.

The following rights are diverted through point(s) of diversion described above: 63-20900, 63-20901, 63-20902 and 63-20909.

SF5 - Water Right No. 63-20909

W.S. 1
DLW

CERTIFICATE OF MAILING

I certify that on July 31, 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

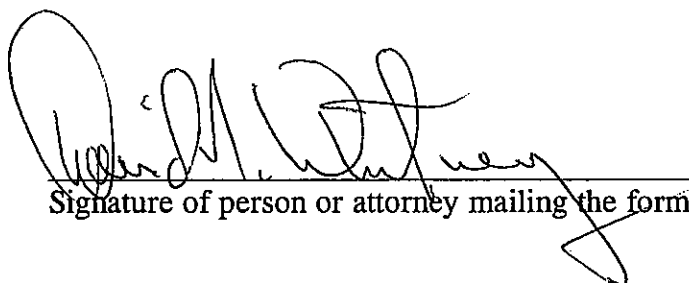
2. Copies to:

WAYNE STEPHENS
Represented by:
DAVID L WHITNEY
P.O. BOX 26
CALDWELL, ID 83606-0026

LAKEVIEW WATER CO.
C/O WAYNE STEPHENS
24604 EMMETT RD
CALDWELL, ID 83605

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

WAYNE EUGENE STEPHENS
24604 EMMETT RD.
CALDWELL, ID 83607



Signature of person or attorney mailing the form