

COPY

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

2008 AUG 6 AM 10 16

**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. 22-425C
	)	
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.

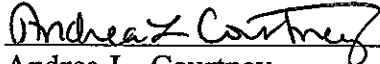
CLAIMANT/OBJECTOR:

Bruce R. Ricks 7-16-08
Bruce R. Ricks Date

IDWR Concurrence:



Joseph Larsen 25 Jun 2008
Water Resource Agent Date



Andrea L. Courtney 7/5/08
Deputy Attorney General Date
Attorney for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-425C

NAME AND ADDRESS: BRUCE R RICKS
2482 E 3000 N
SUGAR CITY ID 83448

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 2.880 CFS

~~The rights listed below are limited to a total combined diversion rate of 4.64 cfs. Combined Right Nos.: 22-424B and 22-425C.~~

PRIORITY DATE: 05/01/1885

POINT OF DIVERSION:

T07N R40E S36 NWSNW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	2.880 CFS

PLACE OF USE: IRRIGATION in MADISON County

T06N R40E S03	SESW	11.00	T06N R40E S03	NESE	38.00
T06N R40E S03	NWSE	39.00	T06N R40E S03	SWSE	38.00
T06N R40E S03	SESE	34.00			

160 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 160 acres in a single irrigation season. Combined Right Nos.: 22-424B and 22-425C.

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 - Decreed

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

Right No. 22-424B is also diverted through point of diversion described above.

Water is delivered from the Teton Island Feeder Canal through the Nelson-Jacob Ditch.

CERTIFICATE OF MAILING

I certify that on August 4, 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:

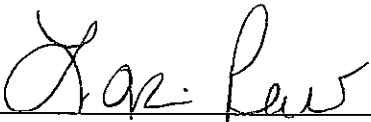
1. Original to:

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

BRUCE R. RICKS
2482 E. 3000 N.
SUGAR CITY, ID 83448



Signature of person or attorney mailing the form