

COPY

RECEIVED

AUG 11 2008

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. 67-13502
)
)
)

Case 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.

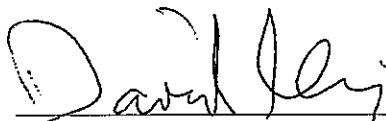
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

USDA Forest Service

OBJECTOR:

Idaho Department of Lands

 8/5/08

David L. Negri

Attorney for the United States

Date



David I. Stanish

Deputy Attorney General

8/8/08
Date

08/04/2008

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

RIGHT NUMBER: 67-13502

NAME AND ADDRESS: STATE OF IDAHO, DEPARTMENT OF LANDS

DS
~~954 W JEFFERSON~~
300 N. 6th St., Suite 103
P.O. Box 83720
BOISE ID 83720-0050

UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE, ID 83724
~~(208) 387-0835~~

SOURCE: SKUNK CAMPGROUND ROAD POND

DS
CLS
CB
ON
TRIBUTARY: JOHNSON CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 05/10/1906

POINT OF DIVERSION:

T16N R02W S5 SESW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	06/01 10/31	0.020 CFS

PLACE OF USE: STOCKWATER in ADAMS County

T16N R02W S05 SESW

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.

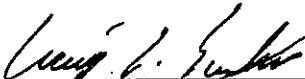
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

~~Place of use is also known as Allotment No. 106.~~

~~Stockwater use is for 336 range cattle.~~

~~Forest Service Record ID: 0412170501244601040.~~

IDWR Concurrence:


Craig L. Saxton

8-4-08
Date


Christopher M. Bromley
Deputy Attorney General

8/4/08
Date

CERTIFICATE OF MAILING

I certify that on August 4, 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
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
P O Box 83720
Boise, ID 83720-0098

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

US Department of Justice
Environment and Natural Resources Section
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person mailing the form