

**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

Case No. 39576

Subcase No. 75-14365

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:

John Aldous

CLAIMANT:

Arthur Aldous

John Aldous
John Aldous
Pro Se

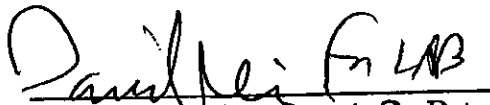
4/12/04
Date

deceased
Arthur Aldous
Pro Se

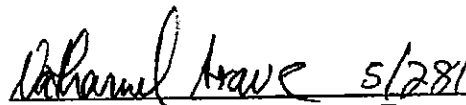
Date

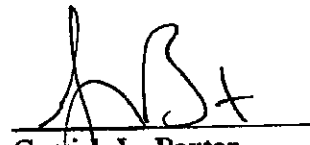
OBJECTOR

United States of America

 9/10/08
Larry Brown, Attorney *for* Date
Bureau of Land Management

IDWR Concurrence:

 5/28/08
Nathaniel Arave Date
Senior Water Resource Agent

 5/27/08
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 75-14365
NAME AND ADDRESS: JOHN ALDOUS
PO BOX 44
CARMEN ID 83462

ARTHUR ALDOUS
BOX 44
CARMEN ID 83462

SOURCE: CARMEN CREEK
QUANTITY: 3.490 CFS
PRIORITY DATE: 04/01/1915
POINT OF DIVERSION: T22N R22E S2 NENW Lot 3 Within LEMHI County
T22N R22E S2 SENWNW Within LEMHI County
T22N R22E S2 SWSWNW Within LEMHI County

TRIBUTARY: SALMON RIVER

NLA
AB
JA
DN

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.490 CFS

PLACE OF USE:

<u>IRRIGATION in LEMHI County</u>			
T22N R22E S03	NESW	1.00	T22N R22E S03 SWSW 4.70
T22N R22E S03	SESW	32.00	T22N R22E S03 NESE 0.80
T22N R22E S03	NWSE	13.00	T22N R22E S03 SWSW 28.00
T22N R22E S03	SESE	0.50	T22N R22E S10 NWNW 34.00
T22N R22E S10	SWNE	6.20	T22N R22E S10 NENW 35.00
T22N R22E S10	NWNW	0.80	T22N R22E S10 SWNW 21.00
T22N R22E S10	SENW	37.00	

214 ACRES TOTAL

Place of use does not include federal public lands

Fwp

214

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 75-14283, 75-14285, 75-14287, 75-14289 and 75-14365.

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 - Beneficial Use

CERTIFICATE OF MAILING

I certify that on Sept. 10, 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:

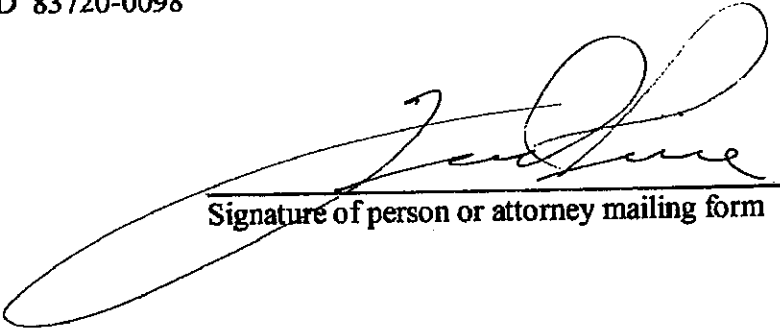
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

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

ARTHUR ALDOUS
BOX 44
CARMEN, ID 83462

JOHN ALDOUS
PO BOX 44
CARMEN, ID 83462

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing form