

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

SEP 18 2008

By _____ /s/ _____ 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

Case No. 39576

Subcase No.: 37-21478

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:

Denzel R. Rowland
Mary S. Rowland
George A. Dehlmar
Ruth M. Dehlmar

Denzel R. Rowland 09/17/08
Denzel R. Rowland Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

David Negri 9/18/08
David Negri Date
Attorney, U.S. Department of Justice
Environment and Natural Resources

CLAIMANTS:

Mary S. Rowland 9-17-08
Mary S. Rowland Date

George A. Dehlmar 09/17/08
George A. Dehlmar Date

Ruth M. Dehlmar 9-17-08
Ruth M. Dehlmar Date

IDWR CONCURRENCE:

Kelly Christensen 9-15-08
Kelly Christensen Date
Sr. Water Resource Agent

IDWR CONCURRENCE:

Nicholas B. Spence 9/16/08
Nicholas B. Spence Date
Deputy Attorney General
Attorney for IDWR
Garrett BAXTER

09/10/2008

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

RIGHT NUMBER: 37-21478

NAME AND ADDRESS: RUTH M DEHLMAR
5195 E YACHT CLUB DR
EDEN UT 84310

GEORGE A DEHLMAR
5195 E YACHT CLUB DR
EDEN UT 84340

DENZEL R ROWLAND
5195 E YACHT CLUB DR
EDEN UT 84310

MARY S ROWLAND
5195 E YACHT CLUB DR
EDEN UT 84310

SOURCE: ELK CREEK

TRIBUTARY: CROY CREEK

QUANTITY: 0.540 CFS

PRIORITY DATE: 04/15/1911

POINT OF
DIVERSION:

T02N R17E S34 SWSEW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.540 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T02N R17E S34	SWNW	7.90	T02N R17E S34	SESW	5.50
T02N R17E S34	NESW	19.00	T02N R17E S34	NWSW	1.30

33.7 ACRES TOTAL

Use of the rights listed below is limited to the irrigation of a combined total of 33.7 acres in a single irrigation season. Combined right nos.: 37-2088 and 37-21478.

This right is limited to the irrigation of 27 acres within the place of use described above in a single irrigation season.

Place of use does not include Federal Lands

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

This right is renumbered from former right 37-2495.

CERTIFICATE OF SERVICE

I certify that on Sept 18, 2008, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

U.S. Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

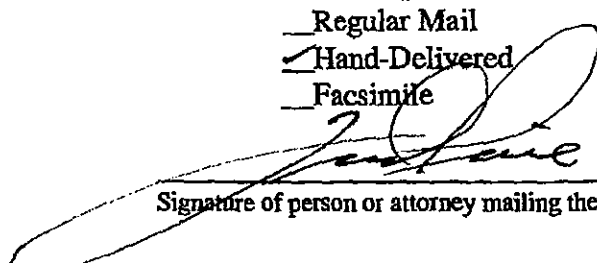
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☐ Facsimile

Ruth M. Dehlmar
George A. Dehlmar
5195 E. Yacht Club Dr.
Eden, UT 84310

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Denzel R. Rowland
Mary S. Rowland
5195 E. Yacht Club Dr.
Eden, UT 84310

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☐ Facsimile


Signature of person or attorney mailing the form