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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

Case No. 39576

Subcase Nos. 67-13997

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/RESPONDENT:

Big Rock Creek Grazing Assn., LP

OBJECTOR:

United States of America
Bureau of Land Management

Lary Walker, Attorney *LW*

9-15-08
Date

David Negri, Attorney *DN* Date *9/26/08*

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IDWR Concurrence:

Monica Van Bussum 9/22/2008
IDWR Agent Date
Monica Van Bussum

Chris M. Bromley 9/22/08
Chris M. Bromley Date
Deputy Attorney General

08/13/2008

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

RIGHT NUMBER: 67-13997

NAME AND ADDRESS: BIG ROCK CREEK GRAZING ASSN LP
1648 COVE RD
WEISER ID 83672

SOURCE: SPRING TRIBUTARY: LITTLE ROCK CREEK
SPRING TRIBUTARY: ROCK CREEK
SPRING TRIBUTARY: SCOTT CREEK
UNNAMED STREAM TRIBUTARY: ROCK CREEK
UNNAMED STREAM TRIBUTARY: MONROE CREEK

QUANTITY: 0.060 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 03/01/1971

POINT OF DIVERSION:

T13N R05W S19 NWNWNW Within WASHINGTON County
T13N R06W S9 NWSESE Within WASHINGTON County
T13N R06W S10 NWSESE Within WASHINGTON County
T13N R06W S11 NWNESW Within WASHINGTON County
T13N R06W S21 NWNESW Within WASHINGTON County
T13N R06W S23 NESESE Within WASHINGTON County
~~T13N R06W S15 NESE Within WASHINGTON County~~ ✓
~~T13N R06W S22 SESE Within WASHINGTON County~~ ✓
~~T13N R06W S23 NENW Within WASHINGTON County~~ ✓
~~T13N R06W S29 NWNW Within WASHINGTON County~~ ✓
~~T13N R06W S29 NWSW Within WASHINGTON County~~ ✓

MB
LCW
CS
MVB
PN

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.060 CFS

PLACE OF USE: STOCKWATER in WASHINGTON County

T13N R05W S19	NWNW	T13N R06W S09	SESE
T13N R06W S10	SESE	T13N R06W S11	NESW
~~T13N R06W S15~~	~~NESE~~	T13N R06W S21	NESE
~~T13N R06W S22~~	~~SESE~~	~~T13N R06W S23~~	~~NENW~~
T13N R06W S23	SESE	~~T13N R06W S29~~	~~NWNW~~
~~T13N R06W S29~~	~~NWSW~~		

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

STOCKWATER, 400 BEEF CATTLE PARCEL NOS. RP 13N05W193000, RP
13N06W097200, RP 13N06W100000, RP 13N06W111800, RP
13N06W210000, RP 13N06W230000

AB
LW
CB
MVB
DN

CERTIFICATE OF MAILING

I certify that on 9/26, 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:

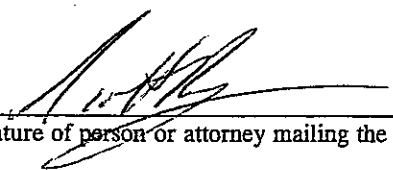
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

BIG ROCK CREEK GRAZING ASSN., LP
Represented by:
LARY C WALKER
232 E MAIN ST
PO BOX 828
WEISER, ID 83672

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

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



Signature of person or attorney mailing the form

