

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

SEP 12 2008

**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.: 37-4042

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:**

James K. and Sandra D. Figgc

*J. P. Speck* 9-12-08  
James P. Speck Date  
Attorney for James K. and Sandra D. Figgc

**IDWR CONCURRENCE:**

*Carter Fritschle* 9-12-08  
Carter Fritschle Date  
Section Manager Adjudication Bureau

**IDWR CONCURRENCE:**

*Andrea Z. Bromley* 9/12/08  
Christopher M. Bromley Date  
Deputy Attorney General  
Attorney for IDWR

09/03/2008

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

RIGHT NUMBER: 37-4042

NAME AND ADDRESS: SANDRA D FIGGE  
PO BOX 4995  
KETCHUM ID 83340

JAMES K FIGGE  
PO BOX 4995  
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.070 CFS  
7.00 AFY

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/04/1940

POINT OF DIVERSION:

T04N R18E S19 SE1/4NW Within BLAINE County

PURPOSE AND PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY              |
|----------------|---------------|-----------------------|
| STOCKWATER     | 01/01 12/31   | 0.020 CFS             |
| DOMESTIC       | 01/01 12/31   | 0.040 CFS             |
| IRRIGATION     | 04/15 10/31   | 0.060 CFS<br>7.00 AFY |

PLACE OF USE: IRRIGATION in BLAINE County

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T04N R18E S19 | NWNE | 0.50 | T04N R18E S19 | SWNE | 0.20 |
| T04N R18E S19 | NENW | 0.80 | T04N R18E S19 | SENE | 0.50 |

STOCKWATER in BLAINE County

T04N R18E S19 NWNE

DOMESTIC in BLAINE County

T04N R18E S19 SENE

2 ACRES TOTAL

## OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic use and stockwater use 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 12-1412(6), Idaho Code.

## EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Property is also known as Lots 1 & 2, Blk 7, Weyyakin Subdivision.

**CERTIFICATE OF SERVICE**

I certify that on September 12, 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

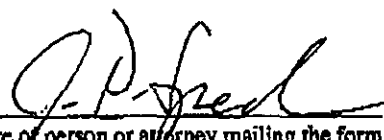
## 2. Copies to:

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

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

James P. Speck  
Speck & Aanestad  
P.O. Box 987  
Ketchum, ID 83340

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

  
\_\_\_\_\_  
Signature of person or attorney mailing the form