



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
October 08, 2008

Randy Joe & Suzanne Wagner
27818 Pioneer Lane
Parma, ID 83660

Re: Subcase Nos. 63-02904B and 63-4805

Dear Mr. and Mrs. Wagner:

Enclosed please find the original documents entitled "Standard Form 5 – Stipulated Elements of a Water Right" (commonly referred to as SF 5) for the above referenced subcase nos. for Basin 63.

Please review the new recommendations which are attached to the original SF 5 documents. If all the information is correct, please sign and date the first page of the original and initial the page entitled "Recommendation of Water Rights Acquired Under State Law." After you have signed and initialed the original, **please return the documents to our office in the self addressed stamped envelope** provided for your convenience. Our office will gather the remaining signatures and make sure the documents are subsequently filed with the Court.

If you have any questions regarding this process or the enclosed documents please do not hesitate to call me at 287-4814.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Renea Ridgeway". The signature is fluid and cursive.

Renea Ridgeway
Paralegal, IDWR

Enclosures

United States on behalf of
Bureau of Reclamation

IDWR Concurrency:

STANDARD FORM 5 - 63-04805

CERTIFICATE OF MAILING

I certify that on _____, 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:

RIVERSIDE IRRIGATION DISTRICT

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139

USDI BUREAU OF RECLAMATION

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

RANDY JOE WAGNER
SUZANN WAGNER
27818 PIONEER LANE
PARMA, ID 83660

Signature of person or attorney mailing the form

09/24/2008

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

RIGHT NUMBER: 63-4805

NAME AND ADDRESS: RANDY JOE WAGNER
27818 PIONEER LANE
PARMA ID 83660

SUZANN WAGNER
27818 PIONEER LANE
PARMA ID 83660

SOURCE: SCOTT DRAIN

TRIBUTARY: SOUTH BOISE DRAIN

The source of this right includes waste water. The wasting of water may be discontinued at any time.

APB

QUANTITY: 0.510 CFS

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

This right when combined with Right No. 63-12180 shall provide no more than .02 cfs per acre.

PRIORITY DATE: 05/01/1939

POINT OF
DIVERSION:

T05N R06W S14 SWNWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.030 CFS
IRRIGATION	03/01 11/15	0.480 CFS

PLACE OF USE: IRRIGATION in CANYON County

T05N R06W S14 NWNE 31.00 T05N R06W S14 Lot 1 NENW 3.00

STOCKWATER in CANYON County

T05N R06W S14 NWNE T05N R06W S14 Lot 1 NENW

34 ACRES TOTAL

This right is limited to the irrigation of 24 acres within the place of use described above in a single irrigation season.

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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

~~This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.~~ *C/B*

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

Stockwater use is for 100 range cattle.