

COPY

DEPARTMENT OF
WATER RESOURCES

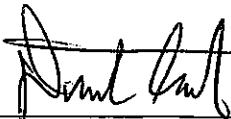
DISTRICT COURT - SRGA
TWIN FALLS CO., IDAHO
FILED _____

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

STIPULATED ELEMENTS OF A WATER RIGHT

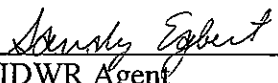
RESPONDENT

United States on behalf of
Bureau of Reclamation

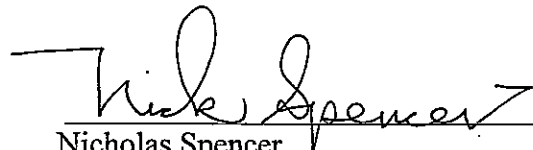
 10/9/08

David Gehlert Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Division

IDWR Concurrence:

 9-22-08

IDWR Agent Date
Sandy Egbert

 9-23-08

Nicholas Spencer Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on 10/21, 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:

BOISE KUNA IRRIGATION DIST

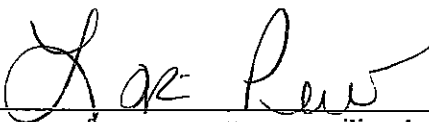
Represented by:
SHELLEY M DAVIS
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139

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

BEVERLY J WARN
DUANE W WARN
9053 SOUTHSIDE BLVD
NAMPA, ID 83686



Signature of person or attorney mailing the form

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

RIGHT NUMBER: 63-31203

NAME AND ADDRESS: DUANE W WARN
9053 SOUTHSIDE BLVD
NAMPA ID 83686BEVERLY J WARN
9053 SOUTHSIDE BLVD
NAMPA ID 83686

SOURCE: WASTE WATER

TRIBUTARY: GARLAND DRAIN

QUANTITY: 0.200 CFS

Right Nos. 63-31202, 63-10460 and 63-31203 are limited to a total combined diversion rate of 1.27 cfs.

PRIORITY DATE: 04/15/1932

POINT OF DIVERSION:

T02N R02W S23 NENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.200 CFS

PLACE OF USE: IRRIGATION in CANYON County

T02N R02W S23 NENE 10.00

10 ACRES TOTAL

Right Nos. 63-31202, 63-10460 and 63-31203 are limited to the irrigation of a combined total of 63.5 acres in a single irrigation season.

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

~~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.~~

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

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

Use of this right is combined with water from Boise-Kuna Irrigation District.

Use of this right is combined with water from Nampa Meridian Irrigation District.

md
DL
NBS
SW
MC