

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

OCT 29 2008

By _____ Clerk
_____ Deputy Clerk

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**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. 79-14204

Case No. 39576

AMENDED

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:

Jim Rupp

CLAIMANT:

Rachel Rupp

Jim Rupp
Pro Se

Date

Rachel Rupp
Pro Se

Date

OBJECTOR:

United States of America

David Negri, Attorney *ns* Date
Bureau of Land Management

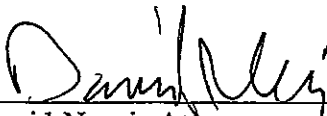
IDWR Concurrence:

Monica P Van Bussum 10/24/2008
Monica Van Bussum Date
Senior Water Resource Agent

Andrea Z Courtney 10/24/08
Andrea Courtney Date
Deputy Attorney General
Attorney for IDWR

OBJECTOR:

United States of America

 10/16/08

David Negri, Attorney ~~in~~ Date
Bureau of Land Management

IDWR Concurrence:

Monica Van Bussum Date
Senior Water Resource Agent

Andrea Courtney Date
Deputy Attorney General
Attorney for IDWR

09/17/2008

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

RIGHT NUMBER: 79-14204

NAME AND ADDRESS: RACHEL A RUPP
10649 HWY 95 S
LUCILE ID 83542

JIM RUPP
10649 HWY 95 S
LUCILE ID 83542

SOURCE:	CRAWFORD CREEK	TRIBUTARY: SALMON RIVER
	~~SPRING~~	~~TRIBUTARY: UNNAMED STREAM~~
	UNNAMED STREAM	TRIBUTARY: CRAWFORD CREEK
	UNNAMED STREAM	TRIBUTARY: SALMON RIVER

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 02/26/1925

POINT OF DIVERSION:

T25N R01E S11 NENE End of Stream Flow Within IDAHO County
T25N R01E S11 NENE End of Stream Flow Within IDAHO County
T25N R01E S11 SWNE End of Stream Flow Within IDAHO County
T25N R01E S11 SWNE Begin of Stream Flow Within IDAHO County
T25N R01E S11 SWNE End of Stream Flow Within IDAHO County
T25N R01E S11 Lot 9 SESE Begin of Stream Flow Within IDAHO County
T25N R01E S11 Lot 9 SESE End of Stream Flow Within IDAHO County
T25N R01E S11 Lot 9 SESE Begin of Stream Flow Within IDAHO County
T25N R01E S11 Lot 9 SESE End of Stream Flow Within IDAHO County
T25N R01E S11 Lot 9 SESE Begin of Stream Flow Within IDAHO County
T25N R01E S11 Lot 9 SESE End of Stream Flow Within IDAHO County
T25N R01E S12 NWNW Begin of Stream Flow Within IDAHO County
T25N R01E S12 NWNW Begin of Stream Flow Within IDAHO County
T25N R01E S12 SWNW Begin of Stream Flow Within IDAHO County
T25N R01E S12 SENW Begin of Stream Flow Within IDAHO County
T25N R01E S12 NESW End of Stream Flow Within IDAHO County
T25N R01E S12 NESW End of Stream Flow Within IDAHO County
T25N R01E S12 NESW Begin of Stream Flow Within IDAHO County
T25N R01E S12 NWSE Begin of Stream Flow Within IDAHO County
T25N R01E S12 SWSE End of Stream Flow Within IDAHO County
T25N R01E S12 SWSE End of Stream Flow Within IDAHO County
T25N R01E S12 SWSE End of Stream Flow Within IDAHO County

MB JR RR
DN

T25N R01E S12 SESE Begin of Stream Flow Within IDAHO County
T25N R01E S13 NENE Begin of Stream Flow Within IDAHO County

09/17/2008

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

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER in IDAHO County

T25N R01E S11	NENE	T25N R01E S11	SWNE
T25N R01E S11	SENE	~~T25N-R01E-S11~~	~~NESE~~
~~T25N-R01E-S11~~	~~NWSE~~	~~T25N-R01E-S11-Lot-8~~	~~SWSE~~
T25N R01E S11 Lot 9	SESE	~~T25N-R01E-S12~~	~~SWNE~~
~~T25N-R01E-S12~~	~~SENE~~	T25N R01E S12	NWNW
T25N R01E S12	SWNW	T25N R01E S12	SENW
T25N R01E S12	NESW	T25N R01E S12	NESE
T25N R01E S12	NWSE	T25N R01E S12	SWSE
T25N R01E S12	SESE	T25N R01E S13	NENE
T25N R01E S13	NWNE	~~T25N-R01E-S13~~	~~SWNE~~
~~T25N-R01E-S14-Lot-1~~	~~NENE~~	~~T25N-R02E-S07-Lot-4~~	~~SWSW~~
~~T25N-R02E-S18-Lot-1~~	~~NWNW~~	~~T25N-R02E-S18-Lot-2~~	~~SWNW~~

BLM RR
BLM
DN

Continued
Forest Service

Forest Service

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 use is for 100 head cattle.

CERTIFICATE OF MAILING

I certify that on Oct. 27, 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

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

JIM RUPP
RACHEL A RUPP
10649 HWY 95 S
LUCILE, ID 83542

Deserae D. Kramer
Signature of person or attorney mailing form