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Department of Water Resources
Adjudication Bureau

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

NOV 13 2008

By _____

Clerk

Deputy Clerk

**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.: 74-605C

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/RESPONDENT:

Kathleen Olson
Kathleen Olson Date

CLAIMANT/RESPONDENT:

V. Don Olson 11/6/08
V. Don Olson Date

OBJECTOR:

Daniel J. Mudd 11-5-08
Daniel J. Mudd Date

IDWR CONCURRENCE:

Nathaniel Arave 10/3/08

Nathaniel Arave
Sr. Water Resource Agent

Date

IDWR CONCURRENCE:

Christopher M. Bromley 10/21/08

Christopher M. Bromley
Deputy Attorney General
Attorney for IDWR

Date

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

NLA
CB

RIGHT NUMBER: 74-605C
NAME AND ADDRESS: KATHLEEN OLSON
479 LEMHI RD
SALMON ID 83467

V DON OLSON
479 LEMHI RD
SALMON ID 83467

SOURCE: LEMHI RIVER TRIBUTARY: SALMON RIVER
QUANTITY: 6.0 6.11 CFS

Right Nos. 74-605C and 74-15793 are limited to a total combined diversion rate of 6.00 cfs.

PRIORITY DATE: 03/18/1878
POINT OF DIVERSION: T21N R23E S29 SESE Within LEMHI County
PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	03/15 11/15	<u>6.0 6.11 CFS</u>
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T21N R22E S24 NWNE	3.30	T21N R22E S24 SWNE 40 33.8
	T21N R22E S24 SENE	38 34.6	T21N R22E S24 NENW 4.80
	T21N R22E S24 SENW	1.60	T21N R22E S24 NESE 33 14.2
	T21N R22E S24 NWSE	14 9.3	T21N R22E S24 SESE 26 24
	T21N R22E S25 NENE	3.7 5.6	T21N R23E S19 Lot 2 SWNW 4.50
	T21N R23E S19 Lot 3 NWSW	21 16.8	T21N R23E S19 Lot 4 SWSW 34 11.6
	T21N R23E S19 SESW	1.80	T21N R23E S30 NENW 7.8 7.4
	T21N R23E S30 Lot 1 NWNW	24 25.2	T21N R23E S30 SENW 15 21.2
	272.5 203.7 ACRES TOTAL		

This right is limited to the irrigation of 200.6 acres within the place of use described above in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right No. 74-15793 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

CERTIFICATE OF SERVICE

I certify that on Nov. 13th, 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

Kathleen Olson
V. Don Olson
479 Lemhi Rd.
Salmon, ID 83467

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

Daniel J. Mudd
48 Beehive Ln.
Salmon, ID 83467

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


Signature of person or attorney mailing the form