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DEC 11 2008
DEPARTMENT OF
WATER RESOURCES

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. 75-11618
	)	
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:
Leonard Theriault

CLAIMANT:
Esther Theriault

<u>Leonard Theriault</u>	<u>Dec 2 2008</u>	<u>Esther Theriault</u>	<u>Dec. 2, 2008</u>
Leonard Theriault	Date	Esther Theriault	Date
Pro Se		Pro Se	

OBJECTOR

United States of America

David Noyes for LAR 12/8/08
Larry Brown, Attorney Date
Bureau of Land Management

IDWR Concurrence:

Nathaniel Arave 4/1/08
Nathaniel Arave Date
Senior Water Resource Agent

Garrick L. Baxter 4/1/08
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 75-11618
NAME AND ADDRESS: ESTHER THERIAULT
PO BOX 538
SALMON ID 83467

LEONARD THERIAULT
PO BOX 538
SALMON ID 83467

VB
AB

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.030 CFS
PRIORITY DATE: 03/31/1965
POINT OF
DIVERSION: T22N R22E S7 NENENW Lot 13 Within LEMHI County
PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.030 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T22N R22E S07 NENW L13 1.00		
	1 ACRES TOTAL		
	<u>Place of use does not include federal public lands</u>		

E. J. Lopez

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 - Beneficial Use

CERTIFICATE OF MAILING

I certify that on 12/9, 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:

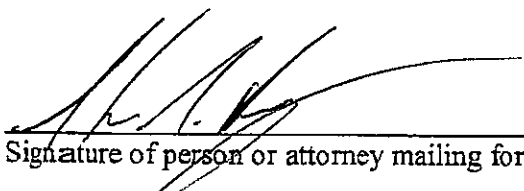
1. Original to:

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

ESTHER THERIAULT
LEONARD THERIAULT
PO BOX 538
SALMON, ID 83467

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing form