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DEC 15 2008

Department of Water Resources
Adjudication Bureau

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. 63-03092
	)	
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

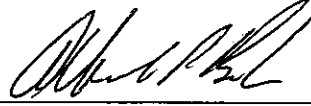
Joan A. Boren Trust

OBJECTOR

Riverside Irrigation District

 9/28/08

Date

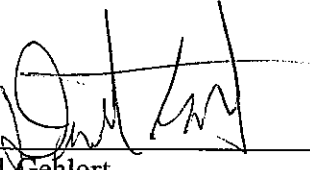
 10/16/08

Albert P. Barker, Attorney Date

STANDARD FORM 5 – 63-03092

RESPONDENT

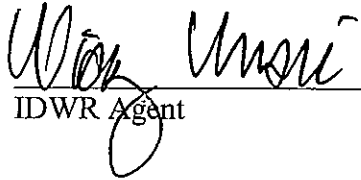
United States on behalf of
Bureau of Reclamation



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

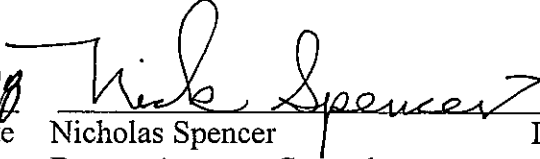
12/10/05
Date

IDWR Concurrence:



IDWR Agent

10/23/08
Date



Nicholas Spencer
Deputy Attorney General

10-21-08
Date

09/12/2008

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

RIGHT NUMBER: 63-3092

NAME AND ADDRESS: JOAN A BOREN TRUST
1050 BRIAR LN
BOISE ID 83712

SOURCE: SOUTH BOISE DRAIN

TRIBUTARY: SNAKE RIVER

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

OPB
NBS

QUANTITY: 0.980 CFS

Right Nos. 63-3092 and 63-9696 are limited to a total combined diversion rate of .98 cfs.

PRIORITY DATE: 07/23/1956

DL
VLM

POINT OF
DIVERSION:

T05N R06W S11 SESW Lot 4 Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.980 CFS

PLACE OF USE: IRRIGATION in CANYON County

T05N R06W S11 Lot 3 NESW 24.00 T05N R06W S11 Lot 4 SESW 25.00

49 ACRES TOTAL

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.

~~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.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 63-9696 is also diverted through point of diversion described above.

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

CERTIFICATE OF MAILING

I certify that on Dec. 10, 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

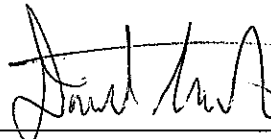
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

JOAN A BOREN TRUST

1050 BRIAR LN
BOISE, ID 83712



Signature of person or attorney mailing the form