

DEC 18 2008

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

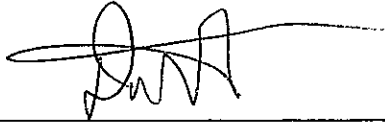
Subcase No. 63-03056

STANDARD FORM 5

STIPULATED ELEMENTS OF A WATER RIGHT

RESPONDENT

United States on behalf of
Bureau of Reclamation



12/15/08

David Gehlert

Date

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

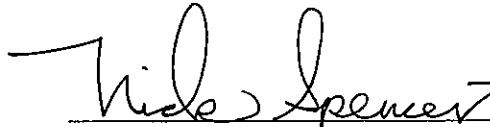
IDWR Concurrence:



12/5/08

IDWR Agent

Date



12-5-08

Nicholas Spencer

Date

Deputy Attorney General

09/10/2008

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

RIGHT NUMBER: 63-3056

NAME AND ADDRESS: DAVID VASTINE
105 FLORADA AVE
PIEDMONT CA 94610

SOURCE: PANCHERI DRAIN
PECKHAM DRAIN

TRIBUTARY: SNAKE RIVER
TRIBUTARY: PANCHERI DRAIN

QUANTITY: 1.000 CFS

Right Nos. 63-2256, 63-2711, 63-2938, 63-3056 and 63-28282 are limited to a total combined diversion rate of 5.08 cfs.

PRIORITY DATE: 07/07/1955

POINT OF
DIVERSION:

T01S R02W S24 NESW Within CANYON County
T01S R02W S24 SESW Within CANYON County
T01S R02W S24 SESW Within CANYON County
T01S R02W S25 NWNW 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	1.000 CFS

PLACE OF USE: IRRIGATION in CANYON County

T01S R02W S23	NESW	30.00	T01S R02W S23	SESW	20.00
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50 ACRES TOTAL

Right Nos. 63-2256, 63-2711, 63-2938, 63-3056 and 63-28282 are limited to the irrigation of a combined total of 254 acres 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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right decreed in Evans vs. Pancheri 08/10/1978, decree 63 U.

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

Handwritten signatures and initials:
Sms
WMC
NBS
R

CERTIFICATE OF MAILING

I certify that on DEC-15, 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

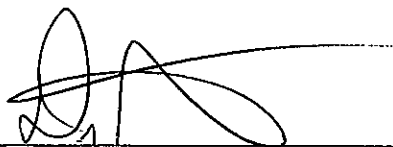
2. Copies to:

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

DAVID VASTINE
105 FLORADA AVE
PIEDMONT, CA 94611



Signature of person or attorney mailing the form