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DEC 18 2008

DEPARTMENT OF
WATER RESOURCES

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

DEC 16 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. 75-10705

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

Thomas Jackson

CLAIMANT

Donna Jackson

Thomas Jackson

Pro Se

Date _____

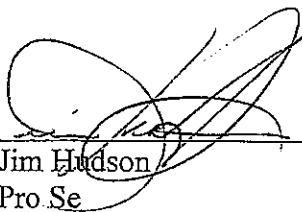
Donna Jackson

Pro Se

Date _____

OBJECTOR

Jim Hudson

 _____ 12/1/08
Jim Hudson Date
Pro. Se

IDWR Concurrence:

Nathaniel Arave Date
Senior Water Resource Agent

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

OBJECTOR

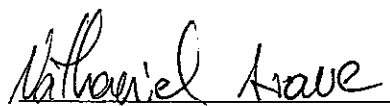
Jim Hudson

Jim Hudson

Date

Pro Se

IDWR Concurrence:

 11/19/08

Nathaniel Arave

Date

Senior Water Resource Agent



12/1/08

Garrick L. Baxter

Date

Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 75-10705
NAME AND ADDRESS: THOMAS M JACKSON
PO BOX 47
CARMEN ID 83462
DONNA K JACKSON
PO BOX 47
CARMEN ID 83462

SOURCE: SPRING TRIBUTARY: CARMEN CREEK
QUANTITY: 0.168 CFS

~~The rights listed below are limited to a total combined diversion rate of 0.168 cfs. Combined Right Nos.: 75-70S, 75-10062AB and 75-10705~~
The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1915

POINT OF
DIVERSION:

T22N R22E S2 NWSWNW Within LEMHI County
~~T22N R22E S3 SENE 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	0.168 CFS
STOCKWATER	01/01 12/31	0.02 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S03 SENE 8.40

STOCKWATER in LEMHI County

T22N R22E S03 SENE

8.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 8.4 acres in a single irrigation season. Combined Right Nos.: 75-70S, 75-10062AB and 75-10705

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 for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on Dec 15th, 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

JIM HUDSON
PO BOX 173
CARMEN, ID 83462

DONNA K JACKSON
THOMAS M JACKSON
PO BOX 47
CARMEN, ID 83462

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



Signature of person or attorney mailing form