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DEPARTMENT OF
WATER RESOURCES
COPY

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)

Case No. 39576)

Subcase Nos. 67-4148)

STANDARD FORM 5)

STIPULATED ELEMENTS OF A)
WATER RIGHT)

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

DEC 31 2008

By _____ Clerk
Deputy Clerk

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

DEC 31 2008

STANDARD FORM 5

STIPULATED ELEMENTS OF A)
WATER RIGHT)

By _____ Clerk
Deputy Clerk

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.

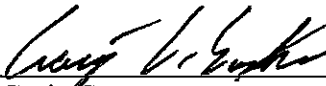
CLAIMANT/OBJECTOR:

Sandra James

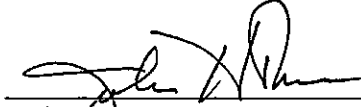
Sandra James 12/15/2008
Sandra James Date
Claimant/Objector

STANDARD FORM 5 67-4148

IDWR Concurrence:

 12/29/08

Date
Craig Saxton
IDWR Agent

 12/29/08

Date
John Homan
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on December 30, 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:

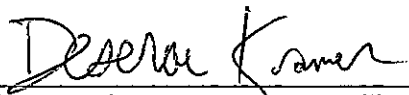
1. Original to:

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:

SANDRA J JAMES
PO BOX 413
COUNCIL, ID 83612
Phone: 208-253-4729

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



Signature of person or attorney mailing the form

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

RIGHT NUMBER: 67-4148

NAME AND ADDRESS:

SANDRA J JAMES
PO BOX 413
COUNCIL ID 83612

SOURCE:

Source:
COTTONWOOD CREEK

Tributary:

WEISER RIVER

QUANTITY:

~~1.490 CFS~~
0.750 CFS
0.000 AFY

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE:

05/10/1918
~~01/01/1960~~

POINT OF DIVERSION:

T16N R01W S26 SWSW Within ADAMS County
T16N R01W S34 NENE Within ADAMS County
T16N R01W S36 NWNW Within ADAMS County
~~T16N R01W S26 SWSWSW Within ADAMS County~~
~~T16N R01W S34 NWNENE Within ADAMS County~~
~~T16N R01W S36 NENWNW Within ADAMS County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	03/15 11/15	0.680 CFS ~~1.420 CFS~~
STOCKWATER	01/01 12/31	0.070 CFS

PLACE OF USE:

IRRIGATION	within ADAMS County
<u>T16N R01W S27 SWSE 39.0</u>	~~T16N R01W S27 SWSE 37.0~~
<u>T16N R01W S27 SESE 39.0</u>	~~T16N R01W S27 SESE 38.0~~
<u>T16N R01W S34 NENE 22.0</u>	~~T16N R01W S34 NENE 17.0~~
<u>T16N R01W S34 NWNE 40.0</u>	~~T16N R01W S34 NWNE 37.0~~
STOCKWATER Same As IRRIGATION	
<u>140 ACRES TOTAL</u>	~~129 ACRES TOTAL~~

The rights listed below are limited to the irrigation of a combined total of 140.0 acres in a single irrigation season. Combined Right Nos.: 67-309, 67-4148, & 67-14959

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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

Stockwater use is for 330 range cattle.

CS
JSJ