

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

FEB 19 2009

By _____ Clerk

RECEIVED

FEB 20 2009

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

) Subcase Nos. 67-14990

) *Previously recommended as 67-221 and*
) *67-222*

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.

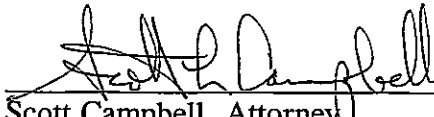
CLAIMANT:

Harold Gibson

OBJECTOR:

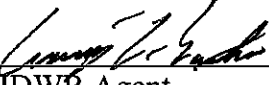
Cuddy Meadows Ranch, LLP

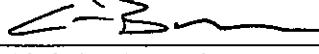

Bruce Smith, Attorney
Date 12/22/08


Scott Campbell, Attorney
Date 2/3/09

STANDARD FORM 5 67-14990

IDWR Concurrence:

 2/13/09
IDWR Agent Date

 2/13/09
Chris M. Bromley Date
Deputy Attorney General

STANDARD FORM 5 67-14990

SHC 2/3/09
12/22/02
Bm✓

CERTIFICATE OF MAILING

I certify that on Feb-16, 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:

CUDDY MEADOWS RANCH LLP
Represented by:
SCOTT L CAMPBELL
101 S CAPITOL BLVD 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829

HAROLD W GIBSON
Represented by:
BRUCE M. SMITH
950 W BANNOCK STE 520
BOISE, ID 83702

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

Desera D. Kramer
Signature of person or attorney mailing the form

SLC
2/3/09

RMH
12/2/08

11/14/2008

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

RIGHT NUMBER: 67-14990

NAME AND ADDRESS: HAROLD W GIBSON
C/O GENE W GIBSON
20 LILAC LN
SAGLE ID 83860

HAROLD W GIBSON
C/O CHAD C GIBSON
16770 AGATE LN
WILDER ID 83676

SLC
2/3/09
Romy
12/24/12
CB
CS

SOURCE: LITTLE PINE CREEK

TRIBUTARY: PINE CREEK

QUANTITY: 0.470 CFS

PRIORITY DATE: 03/15/1938

POINT OF DIVERSION:

T16N R04W S33 NWNE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.470 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T16N R04W S32	SENE	0.80	T16N R04W S32	NESE	0.30
T16N R04W S33	SWNW	7.40	T16N R04W S33	SENW	7.10
T16N R04W S33	NESW	0.60	T16N R04W S33	NWSW	7.40

23.6 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a combination of old Right Nos. 67-221, 67-222.