



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

February 26, 2009

Harold K. Dunn
Ken Dunn
326 N 300 W
Tetonia, ID 83452

RE: SRBA Subcase No. 22-156 (Dunn)

Dear Sirs:

I am enclosing a Standard Form 5 ("SF5") for the above-referenced water right. The SF5 is the document required by the Snake River Basin Adjudication ("SRBA") Court to settle water right disputes. Please review the document, and if it is acceptable, please sign on the indicated signature lines, initial the revised recommendation and return the original SF5 to me in the self-addressed stamped envelope that I have enclosed for your convenience. I will obtain the remaining signature, file the document with the SRBA Court and provide copies to the parties.

If you should have any questions or comments, please feel free to contact me at (208) 287-4815.

Sincerely,

A handwritten signature in cursive script that reads "Ray Williams".

Ray Williams
Paralegal

Enclosures

**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 No. 22-156

) 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.

**SIGN
HERE**

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(s):

Harold K. Dunn

Date

Katherine T. Dunn

Date

STANDARD FORM 5 – 22-156


Garrick L. Baxter
Deputy Attorney General
Attorney for IDWR

2/26/09
Date

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

INITIAL
HERE

RIGHT NUMBER: 22-156

NAME AND ADDRESS:

HAROLD K DUNN
326 N 300 W
TETONIA ID 83452

KATHERINE T DUNN
662 N SADDLE HILL RD
SALT LAKE CITY UT 84103

SOURCE:

Source:
TETON RIVER

Tributary:
HENRYS FORK

QUANTITY:

2.000 CFS

~~1.160 CFS~~

PRIORITY DATE: 06/01/1895

POINT OF DIVERSION:

T05N R44E S13 SWSESE Within TETON County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/15 10/31	<u>2.000 CFS</u>
		~~1.160 CFS~~

PLACE OF USE:

IRRIGATION within TETON County

T05N R44E S12 SWSE 21.0

T05N R44E S13 NENE 7.0

T05N R44E S13 NWNE 24.0

T05N R44E S13 SWNE 13.0

~~T05N R44E S13 NENE 6.3~~

~~T05N R44E S13 NWNE 22.0~~

~~T05N R44E S13 SWNE 8.9~~

65 ACRES TOTAL

~~58.2 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 - Decreed

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

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

CERTIFICATE OF MAILING

I certify that on _____, 2009, 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:

HAROLD K. DUNN
KEN DUNN
326 N 300 W
TETONIA, ID 83452

KATHERINE T. DUNN
662 N. SADDLE HILL RD.
SALT LAKE CITY, UT 84103

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

Signature of person or attorney mailing the form