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DEPARTMENT OF
WATER RESOURCES

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

FEB 26 2009

By _____

Clerk

By 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. 24-4062

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/OBJECTOR:

CLAIMANT:

Peter M. Riede 2/19/09

Peter M. Riede

Date

Judith M. Riede 2/19/09

Judith M. Riede

Date

IDWR Concurrence:

Ernest Carlsen 2/6/09
Ernest Carlsen Date
Water Resource Program Manager

Nicholas B. Spencer 2-9-09
Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 24-4062

NAME AND ADDRESS:

JUDITH M RIEDE
PO BOX 220
AFTON WY 83110-0220

PETER M RIEDE
PO BOX 220
AFTON WY 83110-0220

SOURCE:

Source:
BOOKS SPRING

Tributary:
CROW CREEK

QUANTITY:

0.220 CFS

~~0.160 CFS~~

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

PRIORITY DATE:

06/01/1955

POINT OF DIVERSION:

T10S R45E S1 SENESW
Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

05/15 10/31

0.220 CFS

~~0.160 CFS~~

STOCKWATER

05/15 11/01

0.020 CFS

PLACE OF USE:

IRRIGATION within CARIBOU County

T10S R45E S01 NWSE 11.0

~~T10S R45E S01 NWSE 7.9~~

STOCKWATER Same As IRRIGATION

11 ACRES TOTAL

~~7.9 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.

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

Right No. 24-4069 is also diverted through point of diversion described above. Stockwater use is for 100 range cows.

CERTIFICATE OF MAILING

I certify that on February 25, 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:

PETER M. RIEDE
P.O. BOX 200
AFTON, WY 83110

JUDITH M. RIEDE
PETER M. RIEDE
P.O. BOX 220
AFTON, WY 83110

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

Deserae Kramer

Signature of person or attorney mailing form