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MAR 23 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 19 2009	
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. 22-156

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(s):

Harold K. Dunn 3-14-09
Harold K. Dunn Date

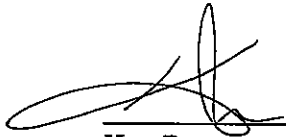
Kathryn J. Dunn 3/14/09
Katherine T. Dunn Date
Kathryn

STANDARD FORM 5 - 22-156

SCANNED

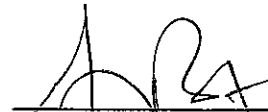
MAR 23 2009

OBJECTOR:

 3/4/09
Ken Dunn Date

IDWR Concurrence:

 Feb 24, 2009
Ernest Carlsen Date
Water Resource Program Manager

 2/26/09
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

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

Handwritten signature

EMC

Handwritten initials: JB, AL, KD

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 S12 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 March 18, 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

Deserae Kramer
Signature of person or attorney mailing the form