



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

April 1, 2009

L. Dean Goodner
Rebecca Lynn Goodner
12555 S. Cloverdale
Kuna, ID 83634

RE: SRBA Subcase No. 63-21611 (Goodner)

Dear Mr. & Ms. Goodner:

I am enclosing a Standard Form 5 ("SF5") for the above-referenced subcase. The SF5 is the document required by the Snake River Basin Adjudication ("SRBA Court") to settle water right disputes.

Please review the SF5, and if it is acceptable, please sign on the indicated signature lines, initial the revised recommendation and return the original document to me in the self-addressed stamped envelope that I have enclosed for your convenience. I will obtain the remaining signature and file the document with the SRBA Court. There is a status conference currently set for April 14, 2009. If the SF5 is filed prior to that date, we may be able have the status conference vacated.

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

Sincerely,

A handwritten signature in black ink that reads "Ray Williams".

Ray Williams
Paralegal

Enclosure

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. 63-21611
	)	<i>Previously Disallowed</i>
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.

**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/OBJECTOR:

CLAIMANT:

L. Dean Goodner

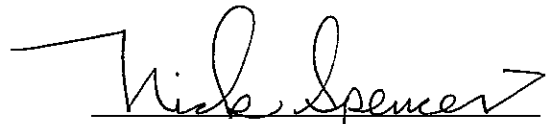
Date

Rebecca Lynn Goodner

Date

IDWR Concurrence:

Vicky L. Music Date
Senior Water Resource Agent

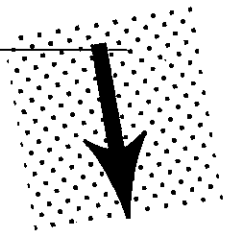
 3-31-09

Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

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

03/31/20

INITIAL
HERE



RIGHT NUMBER: 63-21611
NAME AND ADDRESS: REBECCA LYNN GOODNER
12555 S CLOVERDALE
KUNA ID 83634

L DEAN GOODNER
12555 S CLOVERDALE
KUNA ID 83634

SOURCE: DIXIE SLOUGH TRIBUTARY: BOISE RIVER
QUANTITY: 0.080 CFS
PRIORITY DATE: 03/01/1935

POINT OF
DIVERSION: T05N R05W S36 SENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	03/01 11/15	0.080 CFS
PLACE OF USE:	<u>IRRIGATION in CANYON County</u>		
	T05N R05W S36 SENW	4.00	
	4 ACRES TOTAL		

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

The source of this water right includes waste water. To the extent that this right includes waste water, this right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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

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:

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

L.DEAN GOODNER
REBECCA LYNN GOODNER
12555 S. CLOVERDALE
KUNA, ID 83634

Signature of person or attorney mailing the form