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APR 03 2009

DEPARTMENT OF
WATER RESOURCES

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. 75-14029

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:

Lloyd Tutor

22 Apr 9-5-08

Lloyd Tutor

Pro Se

Date

CLAIMANT:

Sheryl Tutor

Sheryl Tutor 9-5-08

Sheryl Tutor

Pro Se

Date

STANDARD FORM 5 - Water Right No. 75-14029

1

OBJECTOR

United States of America

Daniel M. F. LAD 7/1/07

Larry Brown, Attorney ~~Fup~~ Date
Bureau of Land Management

IDWR Concurrence:

Nathaniel Arave 3/12/08

Nathaniel Arave Date
Senior Water Resource Agent

G. B. 3/11/08

Garnick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

NLS
fB
X

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

RIGHT NUMBER: 75-14029
NAME AND ADDRESS: LLOYD A TUTOR
HC 60 BOX 52E12
ROUND MOUNTAIN NV 89045

SHERYL L TUTOR
HC 60 BOX 52E12
ROUND MOUNTAIN NV 89045

DN

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.038 CFS
PRIORITY DATE: 04/01/1915
POINT OF
DIVERSION: 123N R22E S35 WENE Within LEMHI County
PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.038 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	122N R22E S03 Lot 1 NENE 0.50	122N R22E S03 Lot 2 NWNE	1.40
	123N R22E S34 SWSE 0.50	123N R22E S34 SESE	0.50
	2.9 ACRES TOTAL		
	<u>Place of use does not include federal public lands.</u>		

FUP

Right Nos. 75-14023 and 75-14029 are limited to the irrigation of a combined total of 2.9 acres in a single irrigation season.

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

CERTIFICATE OF MAILING

I certify that on 4-1⁹, 200~~8~~⁹, 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

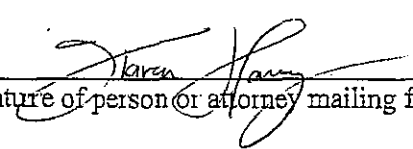
UNITED STATES OF AMERICA

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NAT'L RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

SHERYL L TUTOR
HC 60 BOX 52E12
ROUND MOUNTAIN, ^{NV} ID 89045

LLOYD A TUTOR
HC 60 BOX 52E12
ROUND MOUNTAIN, NV 89045

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



Signature of person or attorney mailing form