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MAY 29 2009

DEPARTMENT OF
WATER RESOURCES

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

MAY 28 2009

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Clerk

Deputy Clerk

In Re SRBA

Subcase Nos. 02-10298

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.

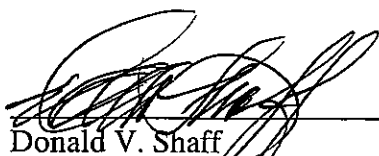
CLAIMANT/OBJECTOR:

Howard Field

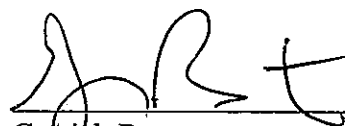
Josephine Beeman 22 May 2009
Josephine Beeman, Attorney Date

STANDARD FORM 5 – 02-10298

IDWR Concurrence:


Donald V. Shaff
Adjudication Bureau Chief

5-22-09
Date


Garrick Baxter
Deputy Attorney General

5/22/09
Date

05/22/2009

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

RIGHT NUMBER: 2-10298
NAME AND ADDRESS: HOWARD J FIELD
PO BOX 342
GRAND VIEW ID 83624

JB
JPB

SOURCE: SNAKE RIVER
QUANTITY: 1.700 CFS

TRIBUTARY: COLUMBIA RIVER

The rights listed below are limited to a total combined diversion rate 9.10 cfs and to a total combined annual diversion volume of ~~1936-8~~ 1809 AF. Combined Right Nos.: 2-10167, 2-10169, 2-10171, and 2-10298.

Right Nos. 2-10167, 2-10169, and 2-10298 are limited to a total combined annual diversion volume of 1700 AF.

PRIORITY DATE: 04/15/1959

POINT OF DIVERSION:

T05S R04E S34 NWSW Lot 10 Within OWYHEE County

PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	03/15 10/31	1.700 CFS
PLACE OF USE:	<u>IRRIGATION in OWYHEE County</u>		
	T05S R03E S23 NWSW ~~15.00~~ <u>14.00</u>	T05S R03E S23 SWSW ~~40.00~~ <u>39.00</u>	
	T05S R03E S23 SESW 26.00	T05S R03E S23 SWSE 2.20	
	T05S R03E S26 NWNE ~~31.00~~ <u>26.00</u>	T05S R03E S26 SWNE ~~36.00~~ <u>26.00</u>	
	T05S R03E S26 NENW 40.00	T05S R03E S26 NWNW 37.00	
	T05S R03E S26 SWNW 35.00	T05S R03E S26 SENW 40.00	
	T05S R03E S26 NESW 40.00	T05S R03E S26 NWSW 27.00	
	T05S R03E S26 SWSW 1.80	T05S R03E S26 SESW ~~27.00~~ <u>26.00</u>	
	T05S R03E S26 NWSE ~~28.00~~ <u>22.00</u>	~~T05S R03E S26~~ SWSE ~~4.40~~	
	430-4 <u>402.0</u> ACRES TOTAL		

This right is limited to the irrigation of 150 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of ~~430-4~~ 402.0 acres in a single irrigation season. Combined Right Nos.: 2-10167, 2-10169, 2-10171, 2-10298.

Right Nos. 2-10167, 2-10169, and 2-10298 are limited to the irrigation of a combined total of 340 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

Period of use shortened to 3/15-10/31 as per Idaho Power Company agreement (1952).

CERTIFICATE OF MAILING

I certify that on 5/27, 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:

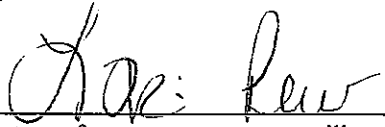
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

HOWARD J FIELD
Represented by:
JOSEPHINE P BEEMAN
409 W JEFFERSON ST
BOISE, ID 83702

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

HOWARD J FIELD
23608 FIELD LN
GRAND VIEW, ID 83624-5054



Signature of person or attorney mailing the form