

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____
2009 JUN 23 AM 10 44

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JUN 25 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	)	Subcase No. 27-11919
	)	
Case No. 39576	)	
	)	STIPULATION
	)	
	)	

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 claimant and IDWR agree and stipulate that the season of use element should be described as attached. **The parties and IDWR acknowledge that the objections to the Director's Report filed by the Shoshone-Bannock Tribe and Bureau of Indian Affairs concerning an annual irrigation diversion volume are still outstanding.** The parties and IDWR have further indicated their concurrence by initialing the attached page.

CLAIMANT(s):

Louis Morales
Louis Morales Date 5/8/09

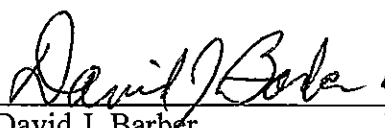
Susan Morales 5/8/09
Susan Morales Date

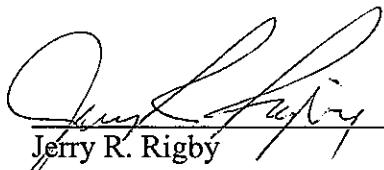
OBJECTORS:

 5/17/09
Peter C. Monson, USDOJ Date
Attorney for BIA

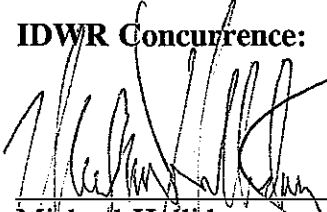
 4/10/09
Jeanette Wolfley Date
Attorney for Shoshone-Bannock Tribes

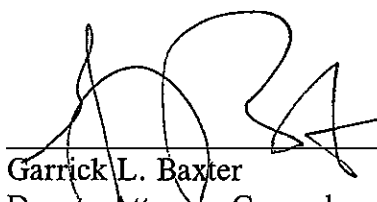
RESPONDENTS:

 6/5/2009
David J. Barber Date
Attorney for State of Idaho

 5-26-09
Jerry R. Rigby Date
Attorney for Committee of Nine

IDWR Concurrence:

 6/15/2009
Michael Holliday Date
Senior Water Resource Agent

 6/18/09
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 27-11919

NAME AND ADDRESS: LOUIS MORALES
1577 E WOLVERINE RD
FIRTH ID 83236

SUSAN MORALES
1577 E WOLVERINE RD
FIRTH ID 83236

MWR

SOURCE: WOLVERINE CREEK

TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.020 CFS

PRIORITY DATE: 04/01/1888

POINT OF
DIVERSION:

T02S R38E S10 SENENE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.020 CFS

~~04/01 10/31~~

PLACE OF USE: IRRIGATION in BINGHAM County

T02S R38E S10

SENE 4.30

T02S R38E S10

NESE 1.30

5.6 ACRES TOTAL

Right Nos. 27-51B and 27-11919 are limited to the irrigation of a combined total of 5.6 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 - Decreed

This right is a split from former right 27-53.

CERTIFICATE OF MAILING

I certify that on June 19th 2009, 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:

COMMITTEE OF NINE

Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE. W., STE. 303
P.O. BOX 485
TWIN FALLS, ID 83303-0485

SHOSHONE-BANNOCK TRIBES

Represented by:
JEANETTE WOLFLEY
SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N. ARTHUR
POCATELLO, ID 83202

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV. CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
P.O. BOX 44449
BOISE, ID 83711-4449

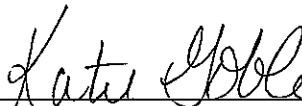
COMMITTEE OF NINE

Represented by:
JERRY R. RIGBY
25 N. 2ND E.
P.O. BOX 250
REXBURG, ID 83440-0250

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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

LOUIS MORALES
SUSAN MORALES
1577 E. WOLVERINE RD.
FIRTH, ID 83236



Signature of person or attorney mailing the form