

RECEIVED
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COPY
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2009 JUN 25 AM 10 03

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

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)

Subcase No. 21-41G

Case No. 39576

STIPULATION TO PARTIALLY
RESOLVE OBJECTION

_____)
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 claimants and IDWR agree and stipulate that the place of use element of this water right should be described per the attached. The claimants and IDWR have further indicated their concurrence by initialing each of the attached pages. This stipulation resolves only the claimants' objection to the number of irrigated acres within the place of use. It does not resolve the claimants' objection to the quantity element of this right.

CLAIMANT(s)OBJECTOR(s):

Portia R. & S. Lynn Loosli


Jerry Rigby
Attorney

Date

6-18-09

IDWR Concurrence:

Denise Kidman 6-18-09
Nicholas B. Spencer 6-18-09

Denise Kidman

Date

Nicholas B. Spencer

Date

Senior Water Resource Agent

Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on 6/24, 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:

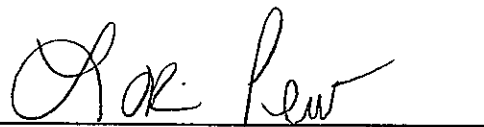
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

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

LYNN LOOSLI
PORTIA R LOOSLI
S LYNN LOOSLI
3140 E 1100 N
ASHTON, ID 83420

JERRY RIGBY, ATTORNEY
PO BOX 250
REXBURG, ID 83440-0250



Signature of person or attorney mailing the form

RECOMMENDED
LAW

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ACQUIRED UNDER STATE

RIGHT NUMBER: 21-41G
NAME AND ADDRESS: PORTIA R LOOSLI
3140 E 1100 N
ASHTON ID 83420
S LYNN LOOSLI
3140 E 1100 N
ASHTON ID 83420

SOURCE: Source:
FALL RIVER

Tributary:
HENRYS FORK

QUANTITY: 3.420 CFS 4.420 CFS
0.000 AFY

The rights listed below are limited to a total combined diversion rate of 8.42 cfs. Combined Right Nos.: 21-41G, 21-51B, 21-12358, 21-12977, 21-12978

~~The rights listed below are limited to a total combined diversion rate of 7.02 cfs. Combined Right Nos.: 21-41G, 21-51B, 21-12358, 21-12977, 21-12978~~

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION: T08N R42E S20 SWSW
Within FREMONT County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	04/01 10/31	3.420 CFS 4.420 CFS

PLACE OF USE: IRRIGATION within FREMONT County
T08N R41E S12 SWSE 6.4
T08N R41E S12 SESE 6.8
T08N R41E S13 NENE 40.0
T08N R41E S13 NWNE 37.0
T08N R41E S13 SWNE 36.0
T08N R41E S13 SENE 38.0
T08N R41E S13 Lot 3 SWNW 31.0
T08N R41E S13 SENW 40.0
T08N R41E S13 Lot 5 NESW 13.0
T08N R41E S13 Lot 4 NWSW 20.0
T08N R41E S14 Lot 1 NESE 10.0

278.2 ACRES TOTAL

This right is limited to the irrigation of 153 acres within the place of use described above in a single irrigation season.

Use of the rights listed below is limited to the irrigation of a combined total of 278.2 acres in a single irrigation season.
Combined Right Nos.: 21-12358, 21-41G, 21-51B, 21-12977, 21-12978

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

This partial decree is subject to such general provisions necessary

OK
JMR
NBS

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

OK
NBS