

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. 73-00182

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2009 JUN 3 AM 9:55

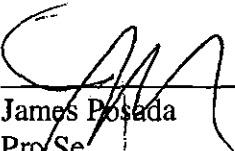
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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
James Posada

CLAIMANT:
Karen Posada

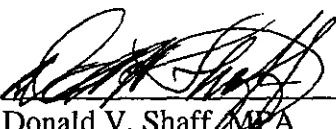

James Posada
Pro Se

5/26/09
Date

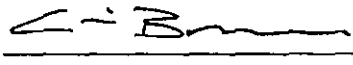

Karen Posada
Pro Se

5/26/09
Date

IDWR Concurrence:


Donald V. Shaff, MPA
Adjudication Bureau Chief

5-18-09
Date


Chris Bromley
Deputy Attorney General
Attorney for IDWR

5/18/09
Date

CERTIFICATE OF MAILING

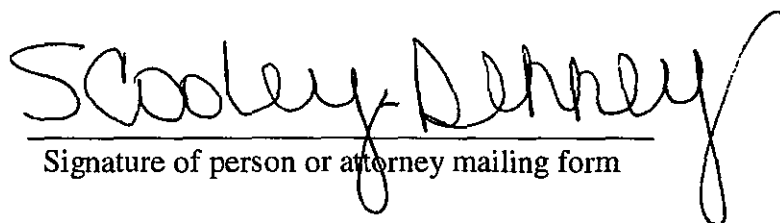
I certify that on JUNE 1, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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

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

JAMES AND KAREN POSADA
PO BOX 879
CHALLIS, IDAHO 83226



Signature of person or attorney mailing form

05/15/2009

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

RIGHT NUMBER: 73-182

NAME AND ADDRESS: JAMES POSADA
PO BOX 879
CHALLIS ID 83226

KAREN POSADA
PO BOX 879
CHALLIS ID 83226

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 3.200 CFS

PRIORITY DATE: 01/02/1905

POINT OF
DIVERSION:

T14N R22E S35 NESW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	3.200 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T14N R22E S21 SWSE 40.00	T14N R22E S21 SESE	37.50
	T14N R22E S28 NESE 40.00	T14N R22E S28 NWNE	40.00

157.5 ACRES TOTAL

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

The following rights are diverted through point(s) of diversion described above: 73-182, 73-192 & 73-10055