



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

July 23, 2009

Stephen & Nancy Cook
2914 W Hwy. 33
Rexburg, ID 83440

RE: SRBA Subcase Nos. 22-13959 & 22-13960 (Cook)

Dear Mr. & Ms. Cook:

I am enclosing a Standard Form 5 ("SF5") for each of the above-referenced subcases. The SF5 is the document required by the Snake River Basin Adjudication ("SRBA") Court to resolve water right disputes. Please review the SF5s and if they are acceptable, please sign on the indicated signature lines, initial the revised recommendations and return the original SF5s to me in the self-addressed stamped envelope that I have enclosed for your convenience. I will file the documents with the SRBA Court and provide you with copies.

If you should have any questions or comments, please don't hesitate to contact me at 287-4815 or Ernie Carlsen, Water Resource Program Manager, at 525-7161.

Sincerely,

A handwritten signature in black ink, appearing to read "Ray Williams", is written over a horizontal line.

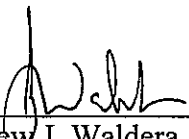
Ray Williams
Paralegal

Enclosures

In Re SRBA	)	Subcase No. 22-13959
	)	<i>Split from 22-2236A</i>
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

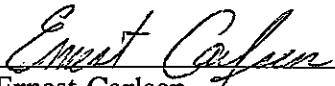
OBJECTOR:

B & B Farms

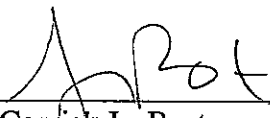


Andrew J. Waldera 7/15/09
Attorney for Claimant/Objector Date

IDWR Concurrence:



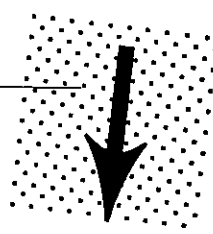
Ernest Carlsen 7/20/09
Water Resource Program Manager Date



Garrick L. Baxter 7/10/09
Deputy Attorney General Date
Attorney for IDWR

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

INITIAL
HERE



RIGHT NUMBER: 22-13959
NAME AND ADDRESS: NANCY COOK
2914 W HWY 33
REXBURG ID 83440

STEPHEN COOK
2914 W HWY 33
REXBURG ID 83440

JB
DL
EMC

SOURCE: GROUND WATER
QUANTITY: 2.870 CFS
962.50 AFY

TRIBUTARY:

Right Nos. 22-13959 and 22-13960 are limited to a total combined annual diversion volume of 962.5 AF.

PRIORITY DATE: 01/25/1965

POINT OF
DIVERSION:

T05N R40E S4 NWNESE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.870 CFS 962.50 AFY

PLACE OF USE: IRRIGATION in MADISON County

T05N R40E S04 Lot 4 SWNW	39.00	T05N R40E S04 Lot 3 SENW	37.00
T05N R40E S04	NWSW 40.00	T05N R40E S04	SWSW 40.00
T05N R40E S05 Lot 1 SENE	39.00	T05N R40E S05	NESE 40.00
T05N R40E S05	SESE 40.00		

275 ACRES TOTAL

Right Nos. 22-13959 and 22-13960 are limited to the irrigation of a combined total of 275 acres in a single irrigation season.

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

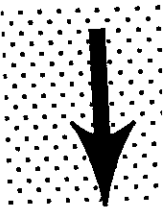
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 22-2236A.

**INITIAL
H E R E**

The following rights are diverted through point(s) of diversion described
above: 22-2236B, 22-13747, 22-13959 and 22-13960.



AB
W

CERTIFICATE OF MAILING

I certify that on _____, 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:

B & B FARMS
Represented by:
ANDREW J. WALDERA
101 S. CAPITOL BLVD. 10TH FLOOR
P.O. BOX 829
BOISE, ID 83701-0829

B & B FARMS
Represented by:
SCOTT L. CAMPBELL
101 S. CAPITOL BLVD. 10TH FLOOR
P.O. BOX 829
BOISE, ID 83701-0829

NANCY COOK
STEPHEN COOK
2914 W. HWY. 33
REXBURG, ID 83440

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

Signature of person or attorney

**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. 22-13960
	)	<i>Split from 22-7088</i>
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(s):

Stephen Cook

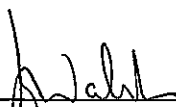
Date

Nancy Cook

Date

OBJECTOR:

B & B Farms

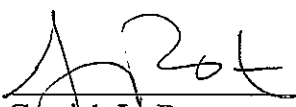


Andrew J. Waldera 7/15/09
Attorney for Claimant/Objector Date

IDWR Concurrence:



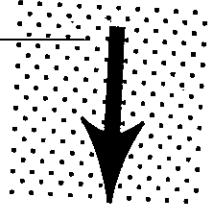
Ernest Carlsen 7/25/09
Water Resource Program Manager Date



Garrick L. Baxter 7/10/09
Deputy Attorney General Date
Attorney for IDWR

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

INITIAL
HERE



RIGHT NUMBER: 22-13960
NAME AND ADDRESS: STEPHEN COOK
2914 W HWY 33
REXBURG ID 83440

NANCY COOK
2914 W HWY 33
REXBURG ID 83440

JB
DW
EMC

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 1.310 CFS
558.60 AFY

Right Nos. 22-13959 and 22-13960 are limited to a total combined annual diversion volume of 962.5 AF.

PRIORITY DATE: 03/04/1974

POINT OF
DIVERSION: T05N R40E S4 NWNESW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.310 CFS 558.60 AFY

PLACE OF USE: IRRIGATION in MADISON County

T05N R40E S04 Lot 4 SWNW	39.00	T05N R40E S04 Lot 3 SENW	37.00
T05N R40E S04 NWSW	40.00	T05N R40E S04 SWSW	40.00
T05N R40E S05 Lot 1 SENE	39.00	T05N R40E S05 NESE	40.00
T05N R40E S05 SESE	40.00		

275 ACRES TOTAL

Right Nos. 22-13959 and 22-13960 are limited to the irrigation of a combined total of 275 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 - License

This right was numbered to right 22-13960.

This right is renumbered from former right 22-7088.

The following rights are diverted through point(s) of diversion described above: 22-2236B, 22-13747, 22-13959 and 22-13960.

Right includes accomplished change in point of diversion from Section 42-1425, Idaho Code.



AS
OK
Eme

CERTIFICATE OF MAILING

I certify that on _____, 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:

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