

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____
2009 AUG 7 AM 11 26

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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. 01-15
	)	
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)/RESPONDENT(s):

Bret Andersen & Robyn Anderson



William A. Parsons Date 4/29/09
Attorney for Claimants/Objectors

OBJECTOR(s):

Aberdeen-American Falls Ground Water District
Bingham Ground Water District
Bonneville-Jefferson Ground Water District
Carey-Valley Ground Water District
Jefferson Clark Ground Water District
Madison Ground Water District
Magic Valley Ground Water District
North Snake Ground Water District

Randall C. Budge 5-19-09
Randall C. Budge Date

RESPONDENT:

Bureau of Reclamation

David W Gehlert 6/1/09
David W Gehlert Date

DWR Concurrence:

Michael Holliday 7/23/09
Michael Holliday Date
Senior Water Resource Agent

Andrea L Courtney 8/5/09 for
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of this right is combined with water from Burley Irrigation Dist.

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

MVA *AK*

CERTIFICATE OF MAILING

I certify that on 8/6, 2008, 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:

ABERDEEN AMERICAN FALLS GROUND
BINGHAM GROUND WATER DISTRICT
BONNEVILLE JEFFERSON GROUND
CAREY VALLEY GROUND WATER DIST
JEFFERSON CLARK GROUND WATER
MADISON GROUND WATER DISTRICT
MAGIC VALLEY GROUND WATER DIST
NORTH SNAKE GROUND WATER DIST

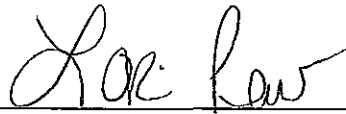
Represented by:
RANDALL .C BUDGE
201 E. CENTER, STE. A2
P.O. BOX 1391
POCATELLO, ID 83204-1391

USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

BRET ANDERSEN
ROBYN ANDERSEN
Represented by:
WILLIAM A. PARSONS
137 W 13TH ST.
P.O. BOX 910
BURLEY, ID 83318

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

BRET ANDERSEN
ROBYN ANDERSEN
322 E MAIN
BURLEY, ID 83318

A handwritten signature in cursive script, appearing to read "Rae Law", is written above a horizontal line.

Signature of person or attorney