

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

Case No. 39576

Subcase No. 73-12005

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.

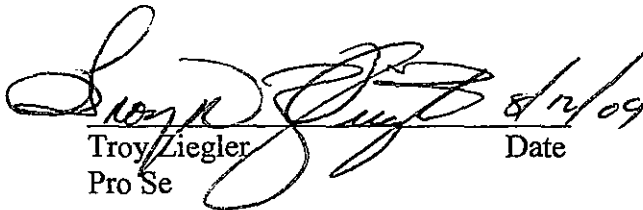
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Troy Ziegler

CLAIMANT:

Maureen Ziegler


Troy Ziegler
Pro Se

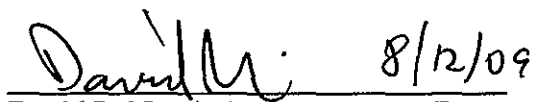
Date

Maureen Ziegler
Pro Se

Date

OBJECTOR:

United States of America


David L. Negri, Attorney
Bureau of Land Management

Date

IDWR Concurrence:

Monica Van Bussum 8/12/2009

Monica Van Bussum Date
Senior Water Resource Agent

Chris Bromley 8/12/09

Chris Bromley Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on August 12, 2009, I ^{hard-delivered}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

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

MAUREEN ZIEGLER
TROY R ZIEGLER
HC 61 BOX 3080
CHALLIS, ID 83226-9403

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



Signature of person or attorney mailing form

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

RIGHT NUMBER: 73-12005
NAME AND ADDRESS: TROY R ZIEGLER
HC 61 BOX 3080
CHALLIS ID 83226-9403

MAURENE ZIEGLER
HC 61 BOX 3080
CHALLIS ID 83226-9403

TRZ
MLB DN
CB

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER
QUANTITY: 3.940 CFS
PRIORITY DATE: 06/04/1921

POINT OF
DIVERSION: T13N R24E S20 NWNW 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	3.940 CFS
PLACE OF USE:	<u>IRRIGATION in CUSTER County</u>		
	T13N R23E S25 NENE 27.00	T13N R23E S25 NWNE	40.00
	T13N R23E S25 SWNE 38.00	T13N R23E S25 SENE	40.00
	T13N R24E S30 Lot 11 ± NWNW 0.20	T13N R24E S30 Lot 2 SWNW	39.00
	184.2 ACRES TOTAL		

Right Nos. 73-12003 and 73-12005 are limited to the irrigation of a combined total of 184.2 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

~~Priority date advanced to address predecessor who was party to prior decree that did not include this water right.~~

The point of diversion lies on the line between Lot 9 (NWNW) and Lot 10 (NWNW).