

1045
DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED
2009 OCT 23 AM 10 48

**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. 37-2725
	)	
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.

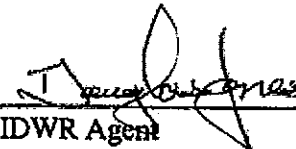
CLAIMANT/OBJECTOR

David & Linda Cropper

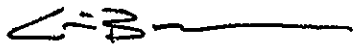
 10/16/09
Fritz X. Haemmerle, Attorney Date

STANDARD FORM 5 - 37-2725

IDWR Concurrence:



IDWR Agent 10/20/09
Date



Deputy Attorney General, IDWR 10/20/09
Date

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

RIGHT NUMBER: 37-2725

NAME AND ADDRESS:

DAVID L CROPPER
408 N MAIN ST #2
HAILEY ID 83333-8416

DAVID L CROPPER
PO BOX 669
HAILEY ID 83333

LINDA C CROPPER
408 N MAIN ST #2
HAILEY ID 83333-8416

LINDA C CROPPER
PO BOX 516
HAILEY ID 83333

SOURCE:

Source: GROUND WATER

Tributary:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY:

1.500 CFS

70.000 APY

The rights listed below are limited to a total combined annual diversion volume of 70 af at the field headgate. Combined Right Nos.: 37-577BS and 37-2725

PRIORITY DATE:

02/24/1966

POINT OF DIVERSION: TOWN RISE 54 NW/4SW

Within BLAINE County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/15 10/31

1.500 CFS 70.00 APY

STOCKWATER

01/01 12/31

0.020 CFS 0.20 APY

Amended Director's Report: 37-2725

CERTIFICATE OF MAILING

I certify that on Oct 22, 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:

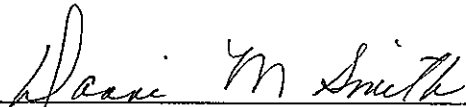
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

DAVID & LINDA CROPPER
DAVID L CROPPER
LINDA BERNHAGEN-CROPPER

Represented by:
HAEMMERLE, FRITZ X.
PO BOX 1800
HAILEY, ID 83333

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



Signature of person or attorney mailing the form

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

If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

PLACE OF USE: IRRIGATION within BLAINE County

T02N R18E S04 N48W 20.2

T02N R18E S04 N48W 18.6

T02N R18E S04 S48W 2.8

T02N R18E S04 S48W 3.4

STOCKWATER within BLAINE County

T02N R18E S04 N48W

T02N R18E S04 S48W

STOCKWATER-Same-as-IRRIGATION

23 ACRES TOTAL

21 ACRES TOTAL

Right Nos. 37-57788 and 37-2725 are limited to the irrigation of a combined total of 23 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 42-1612(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License
Stockwater use is for 10 horses.