

DEC 01 2009

Will Spencer 11-23-09
Nick Spencer Date

CERTIFICATE OF MAILING

I certify that on November 23, 2009, I mailed the original and copies of this form, including all attachments, 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, ID 83303-2707

2. Copies to:

Joseph E. Tugaw
C/O Travis Thompson
Barker, Rosholt & Simpson
P.O. Box 485
Twin Falls, ID 83303-0485

IDWR Document Depository
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Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724



Signature of person mailing documents

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

Right Number: 47-16844

Name and Address: JOSEPH E TUGAW
3277 WOODRIDGE DR
TWIN FALLS, ID 83301

Source: BEAR GULCH SPRING Tributary: SINKS
LOST HAT SPRING Tributary: SINKS
MARTINDALE SPRING Tributary: SINKS
SPRINGS Tributary: SINKS
COW SPRINGS Tributary: SINKS

Quantity: .02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

THIS RIGHT SHALL BE USED IN CONJUNCTION WITH 47-15014, 47-15015, 47-15017, 47-16690, 47-16691 AND 47-16723 AND IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS AND A TOTAL COMBINED QUANTITY OF 13,000 GALLONS PER DAY.

Priority Date: ~~06-01-1872~~
04-30-1875

Diversion Point: T13S R19E S34 SWNE Within Cassia County
SWSW Within Cassia County
SWSWSE Within Cassia County
S35 NESWSE Within Cassia County
T14S R19E S02 NENESW Within Cassia County
S11 NWNWNE Within Cassia County
SESWSE Within Cassia County
NESESE Within Cassia County
S14 NESENW Within Cassia County
S23 NWSSENW Within Cassia County
S26 NWSWNW Within Cassia County

Purpose and
Period of Use: Purpose of Use Period of Use Quantity
Stockwater ~~04-01 TO 11-01~~ .02 CFS
05-01 TO 10-31

Place of Use: Stockwater Within Cassia County
T13S R19E S34 NENE SWSW
NWSE
S35 SWSE
T14S R19E S02 NESW
S11 NWNE SWSE
SESE
S14 SENW
S23 SENW

Other Provisions Necessary for Definition / Administration of this Water Right:

THE OPERATION, USE, AND ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION AND JOINT MOTION FOR ORDER APPROVING STIPULATION ENTERED INTO ON AUGUST 29, 2002 BETWEEN THE UNITED STATES OF AMERICA AND JOE TUGAW FILED IN THE OFFICE OF THE CASSIA COUNTY RECORDER AND RECORDED ON JUNE 6, 2003 AS INSTRUMENT NO: 289179.

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.

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PN
NBS

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Explanatory Material: Basis of Claim - Beneficial Use

THIS RIGHT HAS BEEN RENUMBERED FROM 45-12901.