

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	DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	Subcase No. 73-12083
Case No. 39576	FEB 19 2010	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:
Scott Whitworth



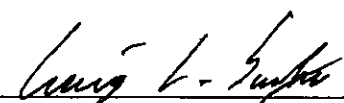
Scott Whitworth Date
Pro Se

CLAIMANT:
Gwen Whitworth



Gwen Whitworth Date
Pro Se

IDWR Concurrence:

 11-16-09

Craig L. Saxton Date
Water Right Supervisor
Idaho Department of Water Resources

 11/16/09

Chris Bromley Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

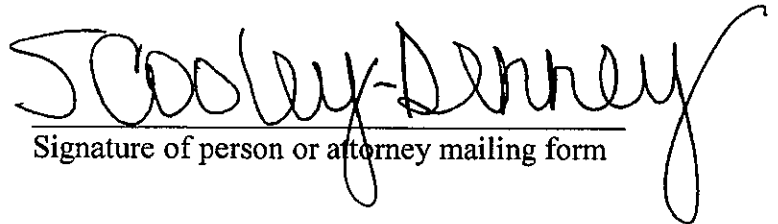
I certify that on FEBRUARY 17, 2010, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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

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

GWEN M WHITWORTH
SCOTT L WHITWORTH
PO BOX 147
MAY, ID 83253


Signature of person or attorney mailing form

11/13/2009

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

RIGHT NUMBER: 73-12083

NAME AND ADDRESS: SCOTT L WHITWORTH
PO BOX 147
MAY ID 83253

GWEN M WHITWORTH
PO BOX 147
MAY ID 83253

SOURCE: MORSE CREEK

TRIBUTARY: PATTERSON CREEK

QUANTITY: 0.480 CFS

~~1.600 CFS~~

PRIORITY DATE: 07/12/1897

POINT OF
DIVERSION:

T15N R22E S26 NWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.480 cfs
~~1.600 CFS~~

PLACE OF USE: IRRIGATION in LEMHI County

T15N R22E S19 Lot 4 SWSW 12.00 T15N R22E S30 Lot 1 NWNW 10.00

22 ACRES TOTAL

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 - Decreed

This right is a split from former right 73-64.