

DISTRICT COURT-SRBA
TWIN FALLS CO IDAHO
FILED *M*

2009 DEC 21 AM 10 02
18 jm

**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. 75-04501

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

Robert St. Clair

Robert St. Clair 12/16/09

Robert St. Clair
Pro Se

Date

IDWR Concurrence:

Monica Van Bussum *12/17/09*
Monica Van Bussum Date
Senior Water Resource Agent

Craig L. Saxton
Water Rights Supervisor

Garrick L. Baxter *12/17/09*
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

11/09/2009

IDaho DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-4501

NAME AND ADDRESS: ROBERT C ST CLAIR
PO BOX 8
DAVENPORT WA 99122

SOURCE: SPRING

TRIBUTARY: COW CREEK

QUANTITY: 0.060 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1919

POINT OF DIVERSION:

T16N R21E S11 SESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.020 CFS

Domestic use is for an outfitter camp.

PLACE OF USE: STOCKWATER in LEMHI County

T16N R21E S11 SESE T16N R21E S11 NWSE

DOMESTIC in LEMHI County

T16N R21E S11 SESE T16N R21E S11 NWSE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

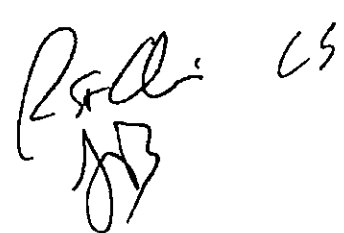
The quantity of water decreed for this water right is not a determination of historical beneficial use.

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(5), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel No. RP16N21E116601.

Stockwater use is for up to 25 horses.

Handwritten signature and initials, possibly "R. St. Clair" and "CS".

CERTIFICATE OF MAILING

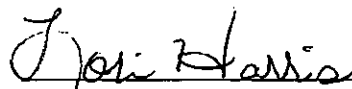
I certify that on December 18, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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

ROBERT C ST CLAIR
PO BOX 8
DAVEPORT, WA 99122



Signature of person or attorney mailing form