

99

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
DEC 4 2009

**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. 73-04028

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

George Santee, Jr.

George Santee, Jr. 12-14-09
George Santee, Jr. Date
Pro Se

IDWR Concurrence:

Craig Saxton 12/10/09
Craig Saxton Date
Senior Water Resource Agent

Chris Bromley 12/10/09
Chris Bromley Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

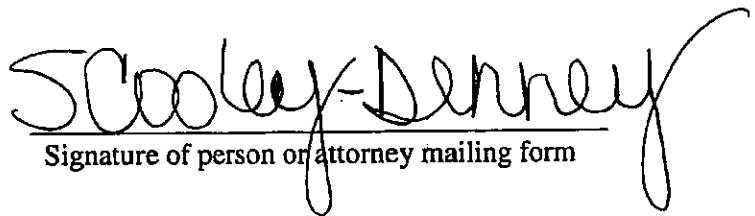
I certify that on DECEMBER 22, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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

GEORGE E SANTEE JR
PO BOX 2341
IDAHO FALLS, ID 83403-2341


Signature of person or attorney mailing form

12/08/2009

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

RIGHT NUMBER: 73-4028

NAME AND ADDRESS: GEORGE E SANTEE JR
PO BOX 2341
IDAHO FALLS ID 83403-2341

SOURCE: MORSE CREEK

TRIBUTARY: PATTERSON CREEK

QUANTITY: 1.600 CFS

~~0.148 CFS~~

PRIORITY DATE: 04/01/1948

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	1.600 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R21E S01 Lot 1 NENE	20.00	T14N R22E S06 Lot 2 NWNE	29.00
T14N R22E S06 Lot 3 NENW	3.30	T14N R22E S06 Lot 4 NWNW	19.00
T15N R21E S36 SESE	40.00	T15N R22E S31 SWNE	1.50
T15N R22E S31 NESW	39.00	T15N R22E S31 Lot 4 SWSW	40.00
T15N R22E S31 SESW	36.00	T15N R22E S31 NWSE	39.00
T15N R22E S31 SWSE	38.00		

304.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 304.8 acres in a single irrigation season. Combined Right Nos.: 73-36B, 73-61, 73-2052A, 73-2052B, 73-4028, 73-4083, 73-4086, & 73-10066

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 - Beneficial Use