



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

April 5, 2010

Robert L. Harris
1000 Riverwalk Drive, Suite 200
P.O. Box 50130
Idaho Falls, ID 83405

*RE: SRBA Subcase Nos. 22-12018, 22-13245, 22-13246, 22-13626, 22-13636,
22-13637 & 22-13639*

Dear Rob:

I am enclosing an SF5 for each of the above-referenced subcases. Please review the documents, and if they are acceptable, please sign on the indicated signature lines and initial the recommendations. Please return the original SF5s to me after signature, and I will obtain the remaining signatures and file them with the SRBA Court.

If you should have any questions or comments, please don't hesitate to contact me at 287-4815.

Sincerely,

A handwritten signature in blue ink that reads "Ray Williams". The signature is fluid and cursive.

Ray Williams
Paralegal

Enclosures

**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. 22-12018
	)	
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 as per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

Les Van Leerdam

Robert L. Harris	Date
Attorney for Claimant/Objector	

DWR Concurrence:

Michael Holliday Date
Senior Water Resource Agent

Andrea L. Courtney 4/5/10
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 22-12018

NAME AND ADDRESS:

LES VAN LEERDAM
PO BOX 626
DRIGGS ID 83422

SOURCE:

Source:
TETON CREEK

Tributary:
TETON RIVER

QUANTITY: 0.050 CFS

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

PRIORITY DATE: 05/31/1952

POINT OF DIVERSION:

T05N R45E S36 NWNWNE
Within TETON County

AT

PURPOSE AND
PERIOD OF USE:

Purpose of use:	Period of use:	Quantity:
IRRIGATION	04/15 10/31	0.050 CFS
	~~04/15 07/31~~	
STOCKWATER	04/15 10/31	0.020 CFS
	~~04/15 07/31~~	

PLACE OF USE:

IRRIGATION within TETON County
T05N R45E S35 NENE 1.3
STOCKWATER within TETON County
T05N R45E S35 NENE
1.3 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use 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(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Water is conveyed through a side channel of Teton Creek, with the beginning of the side channel located at T5N R45E S25 SWSE.

Stockwater use is for 10 range cattle.

CERTIFICATE OF MAILING

I certify that on _____, 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

2. Copies to:

LES VAN LEERDAM
Represented by:
ROBERT L. HARRIS
1000 RIVERWALK DR., STE. 200
P.O. BOX 50130
IDAHO FALLS, ID 83405

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

Signature of person or attorney

**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. 22-13245
	)	
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 as per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:
Idaho Holdings, LLC

OBJECTOR:
Horace A. Gray III

Robert L. Harris Date
Attorney for Claimant

Robert L. Harris Date
Attorney for Objector

DWR Concurrence:

Michael Holliday Date
Senior Water Resource Agent

Andrea L. Courtney 4/5/10
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 22-13245

NAME AND ADDRESS:

IDAHO HOLDINGS LLC
5004 MONUMENT AVE STE 200
RICHMOND VA 23230

SOURCE:

Source:
TETON CREEK

Tributary:
TETON RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 04/15/1938
~~10/31/1948~~

AK

POINT OF DIVERSION:

T05N R45E S36 NWNWNE
Within TETON County

PURPOSE AND
PERIOD OF USE:

Purpose of use:	Period of use:	Quantity:
IRRIGATION	04/15 10/31	2.000 CFS

PLACE OF USE:

IRRIGATION within TETON County
T05N R45E S33 NESE 20.0
T05N R45E S33 NWSE 28.0
T05N R45E S33 SESE 1.8

49.8 ACRES TOTAL

Right Nos. 22-13245 and 22-13247 are limited to the irrigation of a combined total of 49.8 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 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Water is conveyed through a side channel of Teton Creek, with the beginning of the side channel located at T5N R45E S25 SWSE.

~~THIS RIGHT IS A SPLIT FROM FORMER RIGHT 22-11942~~

CERTIFICATE OF MAILING

I certify that on _____, 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

2. Copies to:

IDAHO HOLDINGS, LLC
HORACE A. GRAY III
Represented by:
ROBERT L. HARRIS
1000 RIVERWALK DR., STE. 200
P.O. BOX 50130
IDAHO FALLS, ID 83405

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

Signature of person or attorney

**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. 22-13246
	)	
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 as per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s):
James W. Price
Marlene T. Price
Price Bros.

OBJECTOR(s):
James W. Price
Marlene T. Price

Robert L. Harris Date
Attorney for Claimants

Robert L. Harris Date
Attorney for Objectors

DWR Concurrence:

Michael Holliday Date
Senior Water Resource Agent

 4/5/10

Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 22-13246

NAME AND ADDRESS:

JAMES W PRICE
PO BOX 212
DRIGGS ID 83422

MARLENE T PRICE
PO BOX 212
DRIGGS ID 83422

PRICE BROS
73 HARPER BOX 563
DRIGGS ID 83422

AK

SOURCE:

Source:
TETON CREEK

Tributary:
TETON RIVER

QUANTITY:

3.030 CFS

~~3.000 CFS~~

PRIORITY DATE:

04/15/1938

~~04/15/1936~~

POINT OF DIVERSION:

T05N R45E S36 NWNWNE
Within TETON County

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/15 10/31

3.030 CFS

~~3.000 CFS~~

PLACE OF USE:

IRRIGATION within TETON County

T04N R45E S03 Lot 4 NWNW 35.0

T05N R45E S34 NWSW 0.7

T05N R45E S34 SWSW 19.0

T05N R45E S34 SESW 21.0

75.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 75.7 acres in a single irrigation season. Combined Right Nos.: 22-78, 22-84, and 22-13246.

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

Water is conveyed through a side channel of Teton Creek, with the beginning of the side channel located at T5N R45E S25 SWSE.

CERTIFICATE OF MAILING

I certify that on _____, 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

2. Copies to:

JAMES W. PRICE
MARLENE T. PRICE
PRICE BROS.

Represented by:
ROBERT L. HARRIS
1000 RIVERWALK DR., STE. 200
P.O. BOX 50130
IDAHO FALLS, ID 83405

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

Signature of person or attorney

**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. 22-13626
	)	
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 as per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/ OBJECTOR:

Edith M. Harrop

_____ Robert L. Harris	_____ Date
Attorney for Claimant/Objector	

DWR Concurrence:

Michael Holliday Date
Senior Water Resource Agent

Andrea L. Courtney 4/5/10
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 22-13626

NAME AND ADDRESS:

EDITH M HARROP
PO BOX 297
DRIGGS ID 83422

SOURCE:

Source:
TETON CREEK

Tributary:
TETON RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 04/15/1938
10/31/1948

POINT OF DIVERSION:

T05N R45E S36 NWNWNE
Within TETON County

PURPOSE AND
PERIOD OF USE:

Purpose of use:	Period of use:	Quantity:
IRRIGATION	04/15 10/31	0.100 CFS

PLACE OF USE:

IRRIGATION within TETON County
T05N R45E S35 SENW 2.4

2.4 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 - Beneficial Use

Water is conveyed through a side channel of Teton Creek, with the beginning of the side channel located at T5N R45E S25 SWSE.

~~This right is renumbered from former right 22-79D.~~

CERTIFICATE OF MAILING

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CLERK OF THE DISTRICT COURT
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253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

EDITH M. HARROP
Represented by:
ROBERT L. HARRIS
1000 RIVERWALK DR., STE. 200
P.O. BOX 50130
IDAHO FALLS, ID 83405

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

Signature of person or attorney

**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. 22-13636
	)	
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 as per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s):
Carol G. Hernie
Gary L. Hernie

OBJECTOR:
Gary L. Hernie

Robert L. Harris Date
Attorney for Claimants

Robert L. Harris Date
Attorney for Objector

DWR Concurrence:

Michael Holliday Date
Senior Water Resource Agent

Andrea L. Courtney 4/5/10
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 22-13636

NAME AND ADDRESS:

CAROL G HENRIE
PO BOX 136
DRIGGS ID 83422

GARY L HENRIE
PO BOX 136
DRIGGS ID 83422

SOURCE:

Source:
TETON CREEK

Tributary:

TETON RIVER

QUANTITY: 0.470 CFS

~~0.450 CFS~~

AM

PRIORITY DATE: 04/15/1938

POINT OF DIVERSION:

T05N R45E S36 NWNWNE
Within TETON County

T05N R45E S36 SENENW
Within TETON County

PURPOSE AND
PERIOD OF USE:

Purpose of use:
IRRIGATION

Period of use:
04/15 10/31

Quantity:
0.470 CFS
~~0.450 CFS~~

PLACE OF USE:

IRRIGATION within TETON County
T05N R45E S34 SWSE 19.0
T05N R45E S35 NESW 3.5

22.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 40.5 acres in a single irrigation season. Combined Right Nos.: 22-77, 22-79B, and 22-13636.

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

Water is conveyed through a side channel of Teton Creek, with the beginning of the side channel located at T5N R45E S25 SWSE.

CERTIFICATE OF MAILING

I certify that on _____, 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

2. Copies to:

CAROL G. HERNIE
GARY L. HERNIE
Represented by:
ROBERT L. HARRIS
1000 RIVERWALK DR., STE. 200
P.O. BOX 50130
IDAHO FALLS, ID 83405

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

Signature of person or attorney

**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. 22-13637
	)	
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 as per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s):
Cindy Weston
Leon Weston

OBJECTOR:
Leon Weston

Robert L. Harris Date
Attorney for Claimants

Robert L. Harris Date
Attorney for Objector

DWR Concurrence:

Michael Holliday Date
Senior Water Resource Agent

Andrea L. Courtney 4/5/10
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 22-13637

NAME AND ADDRESS:

CINDY WESTON
81 S 100 E
DRIGGS ID 83422

LEON WESTON
81 S 100 E
DRIGGS ID 83422

ATN

SOURCE:

Source:
TETON CREEK

Tributary:
TETON RIVER

QUANTITY:

1.600 CFS

~~1.300 CFS~~

PRIORITY DATE: 04/15/1938

POINT OF DIVERSION:

T05N R45E S36 NWNWNE
Within TETON County

T05N R45E S36 SENENW
Within TETON County

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/15 10/31

1.600 CFS

~~1.300 CFS~~

PLACE OF USE:

IRRIGATION within TETON County

T04N R45E S03 Lot 2 NWNE 25.0

T04N R45E S03 Lot 3 NENW 40.0

65 ACRES TOTAL

Right Nos. 22-75 and 22-13637 are limited to the irrigation of a combined total of 65 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 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Water is conveyed through a side channel of Teton Creek, with the beginning of the side channel located at T5N R45E S25 SWSE.

CERTIFICATE OF MAILING

I certify that on _____, 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

2. Copies to:

CINDY WESTSON
LEON WESTON
Represented by:
ROBERT L. HARRIS
1000 RIVERWALK DR., STE. 200
P.O. BOX 50130
IDAHO FALLS, ID 83405

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

Signature of person or attorney

**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. 22-13639
	)	
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 as per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s):
Kevin Thibeault
Deb Thibeault

OBJECTOR:
Kevin Thibeault

Robert L. Harris Date
Attorney for Claimants

Robert L. Harris Date
Attorney for Objector

DWR Concurrence:

Michael Holliday Date
Senior Water Resource Agent

Andrea L. Courtney 4/5/2010
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 22-13639

NAME AND ADDRESS: KEVIN THIBEAULT
PO BOX 647
DRIGGS ID 83422

DEB THIBEAULT
PO BOX 647
DRIGGS ID 83422

AT

SOURCE: TETON CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.460 CFS

PRIORITY DATE: 04/15/1938

POINT OF
DIVERSION:

T05N R45E S36 NWNWNE Within TETON County
T05N R45E S36 SENENW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.460 CFS

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S35	NESW	18.00	T05N R45E S35	NWSW	5.10
23.1 ACRES TOTAL					

The rights listed below are limited to the irrigation of a combined total of 23.1 acres in a single irrigation season. Combined Right Nos.: 22-79H and 22-13639.

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

Water is conveyed through a side channel of Teton Creek, with the beginning of the side channel located at T5N R45E S25 SWSE.

CERTIFICATE OF MAILING

I certify that on _____, 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
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253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

DEB THIBEAULT
KEVIN THIBEAULT
Represented by:
ROBERT L. HARRIS
1000 RIVERWALK DR., STE. 200
P.O. BOX 50130
IDAHO FALLS, ID 83405

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

Signature of person or attorney