

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

APR 26 2010

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

Clerk
Deputy Clerk

In Re SRBA

Subcase No. 47-7087

Case No. 39576

STANDARD FORM 5

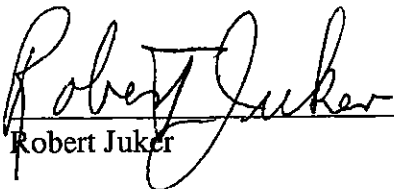
**STIPULATED ELEMENTS OF A
WATER RIGHT**

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.

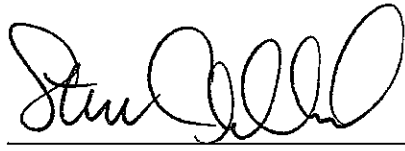
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:


Robert Juker

4-20-10
Date

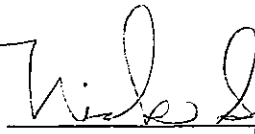
IDWR Concurrence:



IDWR Agent

4/22/10

Date



Nicholas Spencer
Deputy Attorney General

4-22-10

Date

CERTIFICATE OF MAILING

I certify that on April 23, 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:

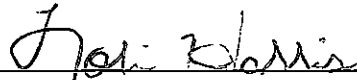
1. Original to:

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:

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

BOB JUKER
ROBERT C JUKER
1580 E 4400 N
BUHL, ID 83316



Signature of person or attorney mailing the form

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

RIGHT NUMBER: 47-7087

NAME AND ADDRESS: ROBERT C JUKER
1580 E 4400 N
BUHL ID 83316

SOURCE: Source: Tributary:
GREEN BIG SPRING SNAKE RIVER
GROUND WATER

QUANTITY: 6.460 CFS
WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN
6.46 CFS . COMBINED RIGHT NOS. 47-7087 and 47-7089

PRIORITY DATE: 12/19/1969

POINT OF DIVERSION:
T09S R15E S19 NENENE
Within TWIN FALLS County
T09S R15E S19 NENENE
Within TWIN FALLS County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	FISH PROPAGATION	01/01 12/31	6.460 CFS

PLACE OF USE: FISH PROPAGATION within TWIN FALLS County
T09S R15E S19 NENE
The rights listed below are limited to the same fish propagation facilities.
Combined Right Nos.: 47-7087 and 47-7089

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

The operation, use and administration of this water right is subject to the terms and conditions of the agreement with Twin Falls Canal Company recorded in the Twin Falls County Recorders Office as Instrument No 201596.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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 - License

Ground water source is also known as Ruyts Tunnel.
~~Source is also known as Ruyts Tunnel.~~

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.