

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

MAY - 3 2010

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

Case No. 39576

Subcase Nos. 02-2198

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.

CLAIMANTS:

Catherine Vander Stelt 4-21-10
Catherine Vander Stelt Date

Steven Clarence Vander Stelt 4-21-10
Steven Clarence Vander Stelt Date

Donald Lee Vander Stelt 4-14-10
Donald Lee Vander Stelt Date

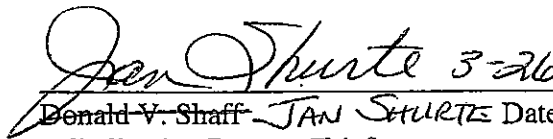
OBJECTOR:

Allen Noble Farms, Inc.

John M. Marshall 3/22/2010
John M. Marshall, Attorney Date

STANDARD FORM 5 - 02-2198

IDWR Concurrence:

 3-26-10
~~Donald V. Shaff~~ JAN SHURTE Date
~~Adjudication Bureau Chief~~
WATER RIGHTS SUPERVISOR

 4/29/2010
~~Garrick Baxter~~ Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on April 30, 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:

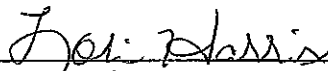
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

ALLEN NOBLE FARMS INC
Represented by:
JOHN M MARSHALL
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720

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

CATHERINE VANDER STELT
DONALD LEE VANDER STELT
STEVEN CLARENCE VANDER STELT
12400 LANDAU WAY
NAMPA, ID 83686



Signature of person or attorney mailing the form

02/22/2010

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

RIGHT NUMBER: 2-2198

NAME AND ADDRESS: CATHERINE VANDER STELT
12400 LANDAU WAY
NAMPA ID 83686

STEVEN CLARENCE VANDER STELT
12400 LANDAU WAY
NAMPA ID 83686

DONALD LEE VANDER STELT
12400 LANDAU WAY
NAMPA ID 83686

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.380 CFS

~~The rights listed below are limited to a total combined diversion rate of~~
~~17.87~~
~~cfs.~~
~~Combined Right Nos.: 2-2160A, 2-2160B, 2-2162, 2-2167, 2-2170, 2-2171,~~
~~and 2-2198.~~

PRIORITY DATE: 01/17/1963

POINT OF
DIVERSION:

T01N R03W S22 SENW Lot 5 Within CANYON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	03/01 11/15	2.380 CFS
PLACE OF USE:	<u>IRRIGATION in CANYON County</u>		
	T01N R03W S10 NENE	39.00	T01N R03W S10 NWNE 39.00
	T01N R03W S10 SWNE	40.00	T01N R03W S10 SENE 40.00

158 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 - License

The following rights are also diverted through point of diversion described above: 2-2160A, 2-2160B, 2-2162, 2-2167, 2-2170, 2-2171, and 2-2198.

Jim
P005
015
9VS
JB