



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

June 8, 2010

David W. Gehlert  
Natural Resources Section  
Environment and Natural Resource Division  
U.S. Department of Justice  
1961 Stout Street – 8<sup>th</sup> Floor  
Denver, CO 80294

*RE: SRBA Subcase Nos. 63-4233B (Coggins)*

Dear Dave:

I am enclosing an SF5 for the above-referenced subcase. Please review the document, and if it is acceptable, please sign on the indicated signature line, initial the revised recommendation and file the executed SF5 with the SRBA Court.

If you should have any questions or comments, please don't hesitate to contact me at (208) 287-4815.

Sincerely,

A handwritten signature in blue ink that reads "Ray Williams".

Ray Williams  
Paralegal

Enclosure

**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 No. 63-04233B

**STANDARD FORM 5**

**STIPULATED ELEMENTS OF A  
WATER RIGHT**

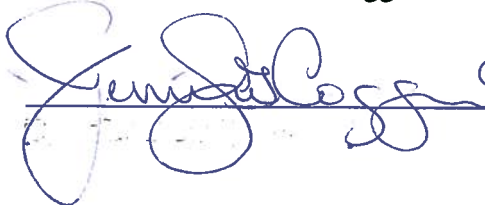
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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.

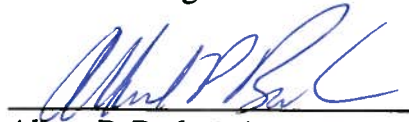
**CLAIMANTS**

Scott A. & Jennifer G. Coggins

 9-20-09  
Date

**OBJECTOR**

Riverside Irrigation District

 5-28-10  
Albert P. Barker, Attorney Date



SF5 Right No. 63-4233B

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

RIGHT NUMBER: 63-4233B

NAME AND ADDRESS: ~~SCOTT A. COGGINS~~  
~~30546 BOULDER ROAD~~  
~~PARMA ID 83660~~

JENNIFER G. COGGINS  
30546 BOULDER ROAD  
PARMA ID 83660

SOURCE: ALKALI DRAIN

TRIBUTARY: SOUTH BOISE DRAIN

The source includes waste water. All waste water 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.

QUANTITY: 0.090 CFS

PRIORITY DATE: 03/15/1933

POINT OF DIVERSION:

T05N R06W S13 SWNE 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          | 0.090 CFS       |

PLACE OF USE: IRRIGATION in CANYON County

T05N R06W S13 SENW 4.70

4.7 ACRES TOTAL

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

~~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 - Beneficial Use

Right No. 63-4233A is also diverted through point of diversion described above.

## **CERTIFICATE OF MAILING**

I certify that on \_\_\_\_\_, 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

2. Copies to:

**RIVERSIDE IRRIGATION DISTRICT**

Represented by:  
**ALBERT P BARKER**  
1010 W JEFFERSON, STE 102  
PO BOX 2139  
BOISE, ID 83701-2139

**USDI BUREAU OF RECLAMATION**

Represented by:  
**US DEPARTMENT OF JUSTICE**  
**ENVIRONMENT & NATL' RESOURCES**  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

**DIRECTOR OF IDWR**

PO BOX 83720  
BOISE, ID 83720-0098

**JENNIFER G COGGINS**

**SCOTT A COGGINS**

Represented by:  
**DANA L. HOFSTETTER**  
608 WEST FRANKLIN STREET  
BOISE, ID 83702

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Signature of person or attorney mailing the form