

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 24 2010	
By _____	Clerk Deputy Clerk

**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. 22-13953
	)	Split from 22-7385
	)	
Case No. 39576	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

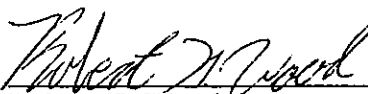
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

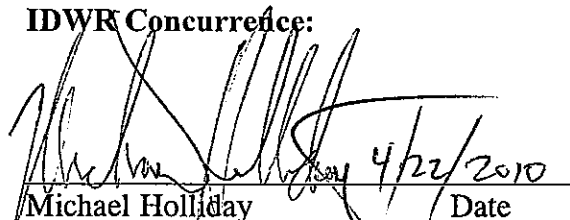
CLAIMANT:
Norvue Farms General Partnership

OBJECTOR:
State of Idaho

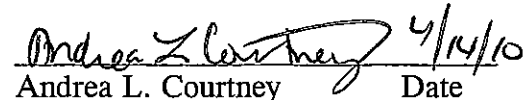
 6/15/10
Robert H. Wood Date
Attorney for Claimant

 6/16/10
David I. Stanish Date
Attorney for Objector

IDWR Concurrence:



Michael Holliday 4/22/2010
Senior Water Resource Agent Date



Andrea L. Courtney 4/14/10
Deputy Attorney General Date
Attorney for IDWR

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

RIGHT NUMBER: 22-13953

NAME AND ADDRESS: NORVUE FARMS GENERAL PARTNERSHIP
1908 E 500 N
ST ANTHONY ID 83445

AK

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.810 CFS
1,751.00 AFY

The rights listed below are limited to a total combined diversion rate of 23.44 cfs and to a total combined annual diversion volume of 8540.2 AF. Combined Right Nos.: 22-13945, 22-13947, 22-13949, 22-13951, and 22-13953.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 12/24/1981

POINT OF
DIVERSION:

T06N R41E S25 SWNWNE Within MADISON County
T06N R41E S25 NWNWNW Within MADISON County
T06N R41E S25 NWNWNW Within MADISON County
T06N R41E S25 SWSWNW Within MADISON County
T06N R41E S26 NWNWNE Within MADISON County
T06N R41E S26 SESENE Within MADISON County

MWA
JS
RHW

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	4.810 CFS 1,751.00 AFY

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in MADISON County

T05N R42E S05 Lot 3 NENW	37.00	T05N R42E S05 Lot 4 NWNW	48.00
T05N R42E S05 NESW	30.00	T05N R42E S05 NWSW	40.00
T05N R42E S05 SWSW	40.00	T05N R42E S05 SESW	37.00
T05N R42E S06 Lot 1 NENE	48.00	T05N R42E S06 Lot 2 NWNE	48.00
T05N R42E S06 Lot 3 NENW	44.00	T05N R42E S06 NESW	6.60

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

T05N R42E S06	NESE	40.00	T05N R42E S06	NWSE	33.00
T05N R42E S06	SESE	10.00	T05N R42E S07	NENE	0.60
T05N R42E S08	NENW	0.40	T05N R42E S08	NWNW	16.00
T06N R41E S25	NENE	36.00	T06N R41E S25	NWNE	32.00
T06N R41E S25	SWNE	39.00	T06N R41E S25	SENE	25.00
T06N R41E S25	NENW	34.00	T06N R41E S25	NWNW	32.00
T06N R41E S25	SWNW	40.00	T06N R41E S25	SENW	40.00
T06N R41E S25	NESW	40.00	T06N R41E S25	NWSW	40.00
T06N R41E S25	SWSW	40.00	T06N R41E S25	SESW	40.00
T06N R41E S25	NESE	40.00	T06N R41E S25	NWSE	40.00
T06N R41E S25	SWSE	40.00	T06N R41E S25	SESE	40.00
T06N R41E S26	NENE	36.00	T06N R41E S26	NWNE	40.00
T06N R41E S26	SWNE	40.00	T06N R41E S26	SENE	40.00
T06N R41E S26	NESE	40.00	T06N R41E S26	NWSE	40.00
T06N R41E S26	SWSE	40.00	T06N R41E S26	SESE	40.00
T06N R41E S35	NWNE	32.00	T06N R41E S36	NENE	40.00
T06N R41E S36	NWNE	40.00	T06N R41E S36	SWNE	40.00
T06N R41E S36	SENE	36.00	T06N R41E S36	NENW	40.00
T06N R41E S36	NWNW	40.00	T06N R41E S36	SWNW	40.00
T06N R41E S36	SENW	40.00	T06N R41E S36	NESW	40.00
T06N R41E S36	NWSW	40.00	T06N R41E S36	SWSW	36.00
T06N R41E S36	SESW	40.00	T06N R41E S36	NESE	33.00
T06N R41E S36	NWSE	40.00	T06N R41E S36	SWSE	38.00
T06N R41E S36	SESE	37.00	T06N R42E S30 Lot 2	SWNW	17.00
T06N R42E S30	NESW	10.00	T06N R42E S30 Lot 3	NWSW	39.00
T06N R42E S30 Lot 4	SWSW	39.00	T06N R42E S30	SESW	31.00
T06N R42E S30	SWSE	17.00	T06N R42E S31	NENE	1.00
T06N R42E S31	NWNE	28.00	T06N R42E S31	SWNE	39.00
T06N R42E S31	SENE	12.00	T06N R42E S31	NENW	40.00
T06N R42E S31 Lot 1	NWNW	39.00	T06N R42E S31 Lot 2	SWNW	39.00
T06N R42E S31	SENW	40.00	T06N R42E S31	NESW	40.00
T06N R42E S31 Lot 3	NWSW	37.00	T06N R42E S31 Lot 4	SWSW	30.00
T06N R42E S31	SESW	40.00	T06N R42E S31	NESE	27.00
T06N R42E S31	NWSE	40.00	T06N R42E S31	SWSE	40.00

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

T06N R42E S31 SESE 35.00

2724.6 ACRES TOTAL

Place of use does not include State lands.

The rights listed below are limited to the irrigation of a combined total of 2724.6 acres in a single irrigation season. Combined Right Nos.: 22-13945, 22-13947, 22-13949, 22-13951, and 22-13953.

This right is limited to the irrigation of 2034 acres within the place of use described above in a single irrigation season.

AR

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.

MNH-AS

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The following rights are diverted through points of diversion described above: 22-13945, 22-13946, 22-13947, 22-13948, 22-13949, 22-13950, 22-13951, 22-13952, 22-13953, and 22-13954.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

RHW

This right is a split from former right 22-7385.

CERTIFICATE OF MAILING

I certify that on June 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:

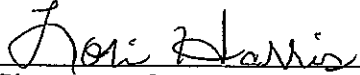
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIVISION CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
P.O. BOX 44449
BOISE, ID 83711-4449

NORVUE FARMS GENERAL PARTNERSHIP
Represented by:
ROBERT H. WOOD
25 NORTH 2ND. EAST
P.O. BOX 250
REXBURG, ID 83340

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



Signature of person or attorney