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DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG 18 2010	
	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 Case No. 39576 	)))))))	Subcase No.: 37-22241 STANDARD FORM 5 STIPULATED ELEMENTS OF A WATER RIGHT
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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:

James P. Speck 8-11-10
 Attorney for Mary Ellen Drashner
 and Kathryn Allred Gardner

IDWR CONCURRENCE:

Doug Jones 7/27/10
 Engineer, Technical 1

IDWR CONCURRENCE:

Nicholas B. Spencer 7-28-10
 Deputy Attorney General
 Attorney for IDWR

07/23/2010

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

RIGHT NUMBER: 37-22241

NAME AND ADDRESS: KATHRYN ALLRED GARDNER
PO BOX 1200
HAILEY ID 83333

MARY ELLEN DRASHNER
PO BOX 1200
HAILEY ID 83333

SOURCE: COLD SPRING GULCH

TRIBUTARY: SINKS

QUANTITY: 0-06 1.00 AFY

PRIORITY DATE: 04/01/1912

POINT OF
DIVERSION:

T04N R18E S30 NWNESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

AESTHETIC

01/01 12/31

0-06-1.00 AFY

Aesthetic use for 12,000 square foot surface area by 3.6 ft average depth pond.

PLACE OF USE: AESTHETIC in BLAINE County

T04N R18E S30 NESE

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

~~Aesthetic use for 0.2 acre surface area by 3 ft average depth pond.~~

QA [Signature] NBS

CERTIFICATE OF SERVICE

I certify that on August 17, 2010, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

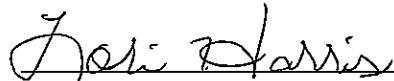
2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

James P. Speck
Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form