

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

SEP 27 2010

By _____

CIAL DISTRICT OF THE
TY OF TWIN FALLS

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~~ ^D

In Re SRBA

Case No. 39576

Subcase Nos. 47-2122A

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:

OBJECTORS:

Twin Falls Canal Company



John Haycock Date

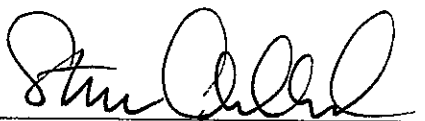
Sept 7, 2010

Twin Falls Canal Company

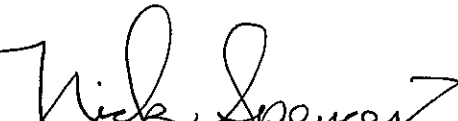
 Paul Arrington, Attorney
 Date 7-7-10

STANDARD FORM 5-47-2122A

IDWR Concurrence:


Steve Clelland
Senior Water Agent

Date


Nicholas Spencer
Deputy Attorney General

Date

CERTIFICATE OF MAILING

I certify that on September 21, 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:

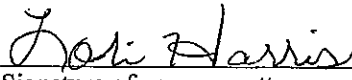
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

TWIN FALLS CANAL COMPANY
Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485

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

JOHN L HAYCOCK
4454B N 1325 E
BUHL, ID 83316


Signature of person or attorney mailing the form

07/19/2010

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

RIGHT NUMBER: 47-2122A

NAME AND ADDRESS: JOHN L HAYCOCK
4454B N 1325 E
BUHL ID 83316

SOURCE: UNNAMED STREAM

TRIBUTARY: MUD CREEK

The source of this water right includes waste water. The wasting of water may be discontinued at any time.

QUANTITY: 0.060 CFS

PRIORITY DATE: 03/15/1943

POINT OF DIVERSION:

T09S R14E S14 NWSWSE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

0.060 CFS

PLACE OF USE:

IRRIGATION in TWIN FALLS County

T09S R14E S14

SENE

2.00

T09S R14E S14

NESW

0.10

2.1 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

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

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

Source is also known as Silver Creek.

JYH
PAK
NBS
SUC