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

DEC 23 2010

By _____

**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. 63-9258

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 per the attached, which reflects no changes to the original Director's Report. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

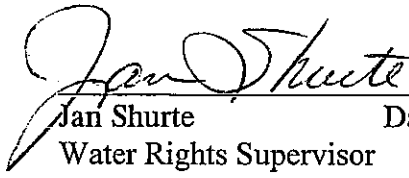
CLAIMANT(s)/OBJECTOR(s):

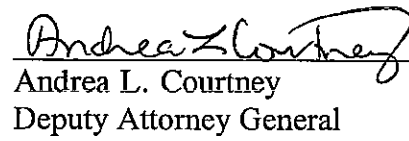
Marilyn Rasgorshek
Paul A. Rasgorshek

 12/13/10

Michael P. Lawrence Date
Attorney for Claimant(s)/Objector(s)

IDWR Concurrence:

 12-16-10
Jan Shurte Date
Water Rights Supervisor

 12/18/10
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 63-9258

NAME AND ADDRESS: MARILYN RASGORSHEK
12770 W ROOSEVELT AVE
NAMPA ID 83686

PAUL A RASGORSHEK
12770 W ROOSEVELT AVE
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.180 CFS
7.200 AFY

PRIORITY DATE: 06/27/1979

POINT OF DIVERSION:

T02N R03W S35 NENESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.180 CFS 7.20 AFY
Domestic use is for 6 homes and 500 range cattle.		

PLACE OF USE: DOMESTIC in CANYON County

T02N R03W S34	SWNE	T02N R03W S34	NWSE
T02N R03W S35	SWNW	T02N R03W S35	NESW
T02N R03W S35	NWSW		

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

PARCEL NOS. 014R30256-000-0, 014R30248-000-0, 014R30255-000-0

CERTIFICATE OF MAILING

I certify that on December 22, 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:

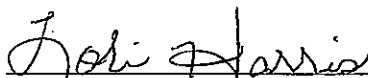
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

MARILYN RASGORSHEK
PAUL & MARILYN RASGORSHEK
PAUL A. RASGORSHEK

Represented by:
MICHAEL P. LAWRENCE
601 W. BANNOCK ST.
P.O. BOX 2720
BOISE, ID 83701-2720

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



Signature of person or attorney mailing the form