

4.

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

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

Subcase No. 75-00069L

DEC 21 2010

STANDARD FORM 5

By

STIPULATED ELEMENTS OF A
WATER RIGHT

Clerk
Deputy Clerk

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

Rick Rice

CLAIMANT

Linda Rice

Rick Rice 11-21-10
Rick Rice, Pro Se Date

Linda F. Rice 11/21/10
Linda Rice, Pro Se Date

OBJECTORS

Travis Thompson 11/13/10
Travis Thompson, Attorney Date
for Albert C & Alvera C Fols
Charles & Mary Harling
Lloyd & Sheryl Tutor
A.C. & Luella Pilkerton
Tracy Marcia
Marci Dixon

10/26/2010

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

RIGHT NUMBER: 75-69L
NAME AND ADDRESS: RICK RICE
PO BOX 285
CARMEN ID 83462

LINDA RICE
PO BOX 285
CARMEN ID 83462

LJR RH
700

A.F.
AB

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.039 CFS
PRIORITY DATE: 05/01/1888

POINT OF DIVERSION:
T22N R22E S2 NWNW Lot 4 Within LEMHI County
T22N R22E S2 SWNW Within LEMHI County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.039 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S03	NESE	7.40	T22N R22E S03	SESE	0.60
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8 ACRES TOTAL

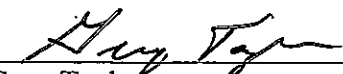
The rights listed below are limited to the irrigation of a combined total of 8 acres in a single irrigation season. Combined Right Nos.: 75-69L, 75-70L, 75-14442, 75-14441 and 75-14443.

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 - Decreed

IDWR Concurrence:

 12/7/10

Date
Greg Taylor
Stream Channel Protection Specialist
Idaho Department of Water Resources

 12/14/10

Date
Garrick L. Baxter
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on December 20, 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:

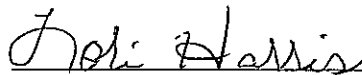
1. Original to:

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

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

RICK RICE
LINDA RICE
PO BOX 285
CARMEN, ID 83462

TRAVIS L THOMPSON
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485



Signature of person or attorney mailing form