

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	DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	Subcase No. 75-04005
Case No. 39576	JAN 19 2011	STANDARD FORM 5
By _____	Deputy Clerk	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/OBJECTOR

John Wayne Campbell

INTERVENOR

Tom McFarland

John Wayne Campbell 12-23-10

John Wayne Campbell, Pro Se Date

Tom McFarland

Tom McFarland, Pro Se Date

IDWR Concurrence:

Greg Taylor 1/10/11

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

Garrick L. Baxter 1/13/2011

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

10/27/2010

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

RIGHT NUMBER: 75-4005
NAME AND ADDRESS: JOHN WAYNE CAMPBELL
PO BOX 49
CARMEN ID 83462-0049

SOURCE: ~~CARMEN CREEK~~ FREEMAN CREEK TRIBUTARY: ~~SALMON RIVER~~ CARMEN CREEK

QUANTITY: 3.700 CFS

PRIORITY DATE: 04/01/1915

POINT OF
DIVERSION:

T23N R22E S36 NWSW Within LEMHI County
T23N R22E S36 NWNSE Within LEMHI County
T23N R23E S31 NWNWE 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~~ 11/15	3.700 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T22N R22E S02 Lot 1 NENE 3.40	T23N R22E S35 NESE	10.00
	T23N R22E S35 SWSE 4.10	T23N R22E S35 SESE	17.00
	T23N R22E S36 NESW 16.00	T23N R22E S36 NWSW	26.00
	T23N R22E S36 SWSW 19.00	T23N R22E S36 SESW	8.00
	T23N R22E S36 NWSE 0.60		

104.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 104.1 acres in a single irrigation season. Combined Right Nos.: 75-13313, 75-13314, 75-10061AH, 75-10062AG and 75-4005.

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

0

CERTIFICATE OF MAILING

I certify that on January 18, 2011, 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

TOM MCFARLAND
PO BOX 127
CARMEN, ID 83462

JOHN WAYNE CAMPBELL
PO BOX 49
CARMEN, ID 83462-0049

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



Signature of person or attorney mailing form