

25

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. 75-14282

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

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

JAN 27 2011

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/OBJECTOR
James D. Paulekas

CLAIMANT/OBJECTOR
Rebecca L. Paulekas

James D. Paulekas 1-14-11
James D. Paulekas, Pro Se Date

Rebecca L. Paulekas 1-18-11
Rebecca L. Paulekas, Pro Se Date

IDWR Concurrence:

Jan Shurte 1-20-11
Jan Shurte
Water Rights Supervisor Date

Garrick L. Baxter 1-25-2011
Garrick L. Baxter
Deputy Attorney General
Attorney for IDWR Date

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

RIGHT NUMBER: 75-14282

NAME AND ADDRESS: JAMES DANA PAULEKAS
13699 LAKE AVE
Nampa ID 83651

REBECCA LYNN PAULEKAS
13699 LAKE AVE
Nampa ID 83651

SOURCE: CARMEN CREEK
FREEMAN CREEK

TRIBUTARY: SALMON RIVER
TRIBUTARY: CARMEN CREEK

QUANTITY: 0.060 CFS

PRIORITY DATE: 05/01/1885

POINT OF DIVERSION:

T22N R22E S2 NENW Lot 3 Within LEMHI County
T22N R22E S2 SENWNW Lot 4 Within LEMHI County
T22N R22E S2 SWSWNW Within LEMHI County
T23N R22E S36 NENWSW 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	0.060 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S03 SWSE 4-80 7.00 T22N R22E S10 NWNE 4-80 6.00

~~9.6~~ 13 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of ~~9.6~~ 13 acres in a single irrigation season. Combined Right Nos.: 75-14282, 75-14284, 75-14286, 75-14288 and 75-14366.

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

Standard Form 5 Attachment for 75-14282

CERTIFICATE OF MAILING

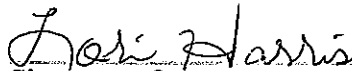
I certify that on January 26, 2011, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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

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

JAMES DANA PAULEKAS
REBECCA LYNN PAULEKAS
13699 LAKE AVE
NAMPA, ID 83651



Signature of person or attorney mailing form