

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: 79-14158
	)	
	)	
	)	STANDARD FORM 5
Case No. 39576	)	
_____	)	STIPULATED ELEMENTS OF A WATER
	)	RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in 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 decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS:
Delos Robbins

OBJECTOR:
State of Idaho – Department of Lands

Date

David J. Barber
Deputy Attorney General
State of Idaho – Department of Lands
Date

IDWR CONCURRENCE:

Date

Date

CERTIFICATE OF MAILING

I certify that on _____, 2007, I mailed the original and the 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	U.S. MAIL
Snake River Basin Adjudication	
253 Third Avenue North	
P.O. Box 2707	
Twin Falls, Idaho 83303-2707	

2. Copies to:

Flying U Ranch	U.S. MAIL
Delos Robbins	
PO Box 17004	
Missoula, MT 59808	

Office of the Attorney General	U.S. MAIL
Natural Resource Division	
Idaho Department of Lands	
P.O. Box 83720	
Boise, ID 83720-0050	
Attn: David J. Barber	

State of Idaho	U.S. MAIL
Clearwater Area	
Department of Lands	
10230 Highway 12	
Orofino, ID 83544	

State of Idaho	U.S. MAIL
Department of Lands	
300 N. 6 th St.	
PO Box 83720	
Boise, ID 83720-0050	

IDWR Depository	U.S. MAIL
PO Box 83720	
Boise, ID 83720	

Signature of person mailing the form

10/23/2006 10/12/2007

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

RIGHT NUMBER: 79-14158

NAME AND ADDRESS: FLYING U RANCH
DELOS ROBBINS
PO BOX 17004
MISSOULA MT 59808

SOURCE: BASIN CREEK
UNNAMED STREAM
WOLF CREEK

TRIBUTARY: WOLF CREEK
TRIBUTARY: BASIN CREEK
TRIBUTARY: SNAKE RIVBR

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1900

POINT OF
DIVERSION:

T29N R02W S11 SESE Begin of Stream Flow Within IDAHO County
T29N R02W S12 SWSWNW Begin of Stream Flow Within IDAHO County
T29N R02W S12 SENW Begin of Stream Flow Within IDAHO County
T29N R02W S13 SENE Begin of Stream Flow Within IDAHO County
T29N R02W S13 NWNW End of Stream Flow Within IDAHO County
T29N R02W S13 SWNNWN End of Stream Flow Within IDAHO County
T29N R02W S13 SESE Begin of Stream Flow Within IDAHO County
T29N R02W S22 SESE Begin of Stream Flow Within IDAHO County
T29N R02W S23 NWNW Begin of Stream Flow Within IDAHO County
T29N R02W S23 NESW End of Stream Flow Within IDAHO County
T29N R02W S24 SWSE End of Stream Flow Within IDAHO County
T29N R02W S24 SWSE Begin of Stream Flow Within IDAHO County
T29N R02W S25 SWSW End of Stream Flow Within IDAHO County
T29N R02W S35 NENE Begin of Stream Flow Within IDAHO County
T29N R02W S35 SENE End of Stream Flow Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within IDAHO County

T29N R02W S11	SESE	T29N R02W S12	SWNW
T29N R02W S12	SENW	T29N R02W S12	NESW
T29N R02W S12	NWSW	T29N R02W S12	SWSW
T29N R02W S12	SESW	T29N R02W S13	SWNE
T29N R02W S13	SENE	T29N R02W S13	NENW
T29N R02W S13	NWNW	T29N R02W S13	SWSW

T29N R02W S13	SESW	T29N R02W S13	NESE
T29N R02W S13	NWSE	T29N R02W S13	SWSE
T29N R02W S14	SESE	T29N R02W S22	SESE
T29N R02W S23	NENE	T29N R02W S23	NWNE
T29N R02W S23	SENE	T29N R02W S23	NENW
T29N R02W S23	NWNW	T29N R02W S23	NESW
T29N R02W S23	NWSW	T29N R02W S23	SWSW
T29N R02W S23	NESE	T29N R02W S24	NENE
T29N R02W S24	NENW	T29N R02W S24	NWNW
T29N R02W S24	SWNW	T29N R02W S24	SENW
T29N R02W S24	NESW	T29N R02W S24	NWSW
T29N R02W S24	SWSW	T29N R02W S24	SESW
T29N R02W S24	NWSE	T29N R02W S24	SWSE
T29N R02W S25	NWNE	T29N R02W S25	NENW
T29N R02W S25	NWNW	T29N R02W S25	SWNW
T29N R02W S25	SENW	T29N R02W S25	NESW
T29N R02W S25	NWSW	T29N R02W S25	SWSW
T29N R02W S26	SENE	T29N R02W S26	SESE
T29N R02W S35	NENE	T29N R02W S35	SENE
~~T29N R02W S36~~	~~NWNW~~	~~T29N R02W S36~~	~~SWNW~~

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 42-1416(6), Idaho Code.

The quantity of water decreed for this water right for stockwater is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

03/21/2006

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

RIGHT NUMBER: 79-14158

NAME AND ADDRESS: FLYING U RANCH
DELOS ROBBINS
P.O. BOX 17004
MISSOULA MT 59808

SOURCE: BASIN CREEK
UNNAMED STREAM
WOLF CREEK

TRIBUTARY: WOLF CREEK
TRIBUTARY: BASIN CREEK
TRIBUTARY: SNAKE RIVER

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1900

POINT OF DIVERSION:

T29N R02W S11 SESE Begin of Stream Flow Within IDAHO County
T29N R02W S12 SWSNW Begin of Stream Flow Within IDAHO County
T29N R02W S12 SENW Begin of Stream Flow Within IDAHO County
T29N R02W S13 SENE Begin of Stream Flow Within IDAHO County
T29N R02W S13 NWNW End of Stream Flow Within IDAHO County
T29N R02W S13 SWNNW End of Stream Flow Within IDAHO County
T29N R02W S13 SESE Begin of Stream Flow Within IDAHO County
T29N R02W S22 SESE Begin of Stream Flow Within IDAHO County
T29N R02W S23 NWNW Begin of Stream Flow Within IDAHO County
T29N R02W S23 NESW End of Stream Flow Within IDAHO County
T29N R02W S24 SWSE End of Stream Flow Within IDAHO County
T29N R02W S24 SWSE Begin of Stream Flow Within IDAHO County
T29N R02W S35 SENE End of Stream Flow Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within IDAHO County

T29N R02W S11	SESE	T29N R02W S12	SWNW
T29N R02W S12	SENW	T29N R02W S12	NESW
T29N R02W S12	NWSW	T29N R02W S12	SWSW
T29N R02W S12	SESW	T29N R02W S13	SWNE
T29N R02W S13	SENE	T29N R02W S13	NENW
T29N R02W S13	NWNW	T29N R02W S13	SWSW
T29N R02W S13	SESW	T29N R02W S13	NESE
T29N R02W S13	NWSE	T29N R02W S13	SWSE
T29N R02W S13	SESE	T29N R02W S14	NENE
T29N R02W S14	SESE	T29N R02W S22	SESE
T29N R02W S23	NENE	T29N R02W S23	NWNE
T29N R02W S23	SENE	T29N R02W S23	NENW
T29N R02W S23	NWNW	T29N R02W S23	NESW

T29N R02W S23	NWSW	T29N R02W S23	SWSW
T29N R02W S23	NESE	T29N R02W S24	NENE
T29N R02W S24	NWNE	T29N R02W S24	SWNE
T29N R02W S24	NENW	T29N R02W S24	NWNW
T29N R02W S24	SWNW	T29N R02W S24	SENW
T29N R02W S24	NESW	T29N R02W S24	NWSW
T29N R02W S24	SWSW	T29N R02W S24	SESW
T29N R02W S24	NWSE	T29N R02W S24	SWSE
T29N R02W S25	NWNE	T29N R02W S25	NENW
T29N R02W S25	NWNW	T29N R02W S25	SWNW
T29N R02W S25	SENW	T29N R02W S25	NESW
T29N R02W S25	NWSW	T29N R02W S25	SWSW
T29N R02W S26	SENE	T29N R02W S26	SESE
T29N R02W S35	NENE	T29N R02W S35	SENE
T29N R02W S36	NWNW	T29N R02W S36	SWNW

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

825-00

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 79-14158
Date Received: 2/17/2006
Receipt No: 11017107
Received By: J.T.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FLYING U RANCH Phone: (406)549-1466
DELOS ROBBINS
P.O. BOX 17004
MISSOULA MT USA 59808

2. Date of Priority: 01/01/1900

3. Source: UNNAMED STREAM , UNNAMED STREAM , BASIN CREEK , BASIN CREEK , WOLF CREEK
, WOLF CREEK , UNNAMED STREAM , UNNAMED STREAM Trib. to: BASIN CREEK , BASIN CREEK
, WOLF CREEK , WOLF CREEK , SNAKE RIVER , SNAKE RIVER , BASIN CREEK , BASIN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
29N	02W	24	NW SE NW	IDAHO	Ending Point
29N	02W	22	NE SE SE	IDAHO	Beginning Point
29N	02W	23	NE NW NW	IDAHO	Beginning Point
29N	02W	24	NE SW SE	IDAHO	Ending Point
29N	02W	24	NE SW SE	IDAHO	Beginning Point
29N	02W	35	SE NE NW	IDAHO	Ending Point
29N	02W	12	NE SE NW	IDAHO	Beginning Point
29N	02W	24	SW NW NW	IDAHO	Ending Point

5. Description of diverting works:

Instream stockwater

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
STOCKWATER	01/01 12/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
29N	02W	11	SE	SE		STOCKWATER	
29N	02W	12	SW	NW		STOCKWATER	
			SE	NW		STOCKWATER	
			NE	SW		STOCKWATER	
			NW	SW		STOCKWATER	
			SW	SW		STOCKWATER	
			SE	SW		STOCKWATER	
29N	02W	13	SW	NE		STOCKWATER	
			SE	NE		STOCKWATER	
			NE	NW		STOCKWATER	
			NW	NW		STOCKWATER	
			SW	SW		STOCKWATER	
			SE	SW		STOCKWATER	
			NE	SE		STOCKWATER	
			NW	SE		STOCKWATER	
			SW	SE		STOCKWATER	
			SE	SE		STOCKWATER	
29N	02W	14	NE	NE		STOCKWATER	
			SE	SE		STOCKWATER	
29N	02W	22	SE	SE		STOCKWATER	
29N	02W	23	NE	NE		STOCKWATER	
			NW	NE		STOCKWATER	
			SE	NE		STOCKWATER	
			NE	NW		STOCKWATER	
			NW	NW		STOCKWATER	
			NE	SW		STOCKWATER	
			NW	SW		STOCKWATER	
			SW	SW		STOCKWATER	
			NE	SE		STOCKWATER	
29N	02W	24	NE	NE		STOCKWATER	
			NW	NE		STOCKWATER	
			SW	NE		STOCKWATER	
			NE	NW		STOCKWATER	
			NW	NW		STOCKWATER	
			SW	NW		STOCKWATER	
			SE	NW		STOCKWATER	
			NE	SW		STOCKWATER	
			NW	SW		STOCKWATER	
			SW	SW		STOCKWATER	
			SE	SW		STOCKWATER	
			NW	SE		STOCKWATER	
			SW	SE		STOCKWATER	

29N	02W	25	NW	NE	STOCKWATER
			NE	NW	STOCKWATER
			NW	NW	STOCKWATER
			SW	NW	STOCKWATER
			SE	NW	STOCKWATER
			NE	SW	STOCKWATER
			NW	SW	STOCKWATER
			SW	SW	STOCKWATER
29N	02W	26	SE	NE	STOCKWATER
			SE	SE	STOCKWATER
29N	02W	35	NE	NE	STOCKWATER
			SE	NE	STOCKWATER
29N	02W	36	NW	NW	STOCKWATER
			SW	NW	STOCKWATER

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Partner of
Title
Flying U Ranch, that I have signed the foregoing
Organization
document in the space below as Partner of
Title
Flying U Ranch and that the statements contained in the
Organization
foregoing document are true and correct. Debra Robbins
Signature of Authorized Agent

Partner Flying U Ranch
Title and Organization

3-14-06
Date

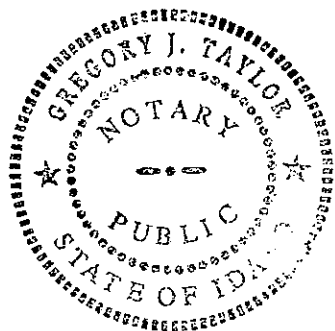
State of Idaho)
County of KOOTENAI) SS.

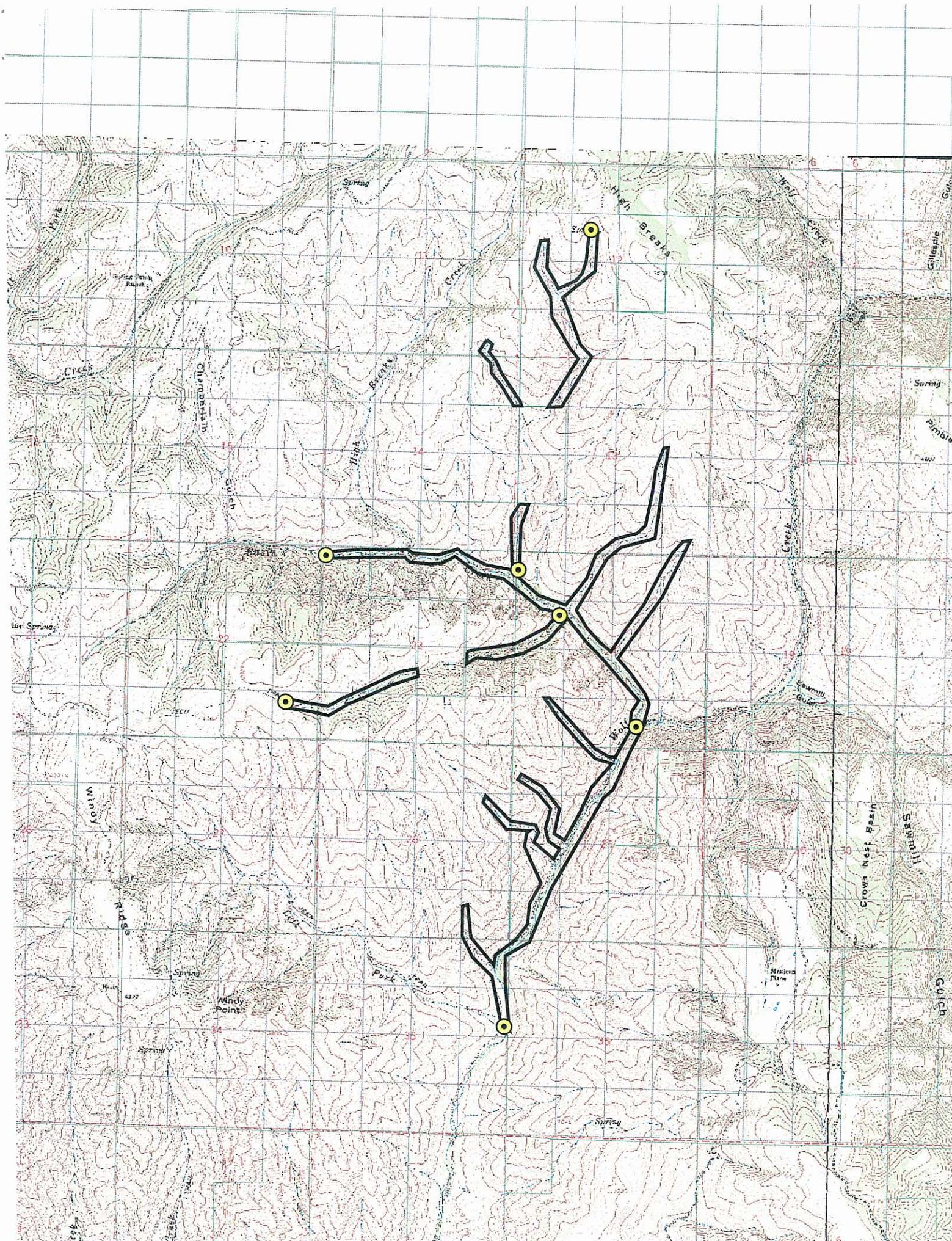
Subscribed and sworn (or affirmed) before me this 14th
of March 2006

Gregory J. Taylor
Notary Public

Residing at Greenwood, WA

My commission Expires 4-28-2010





RECEIVED

SEP 25 2006

DEPARTMENT OF
WATER RESOURCES

08/18/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: September 22, 2006

Water right number: 79-14158

FLYING U RANCH
DELOS ROBBINS
PO BOX 17004
MISSOULA MT 59808
Telephone Number: (406)549-1466

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 9-20-06 SIGNATURE: Delos Robbins
Please print your name: Delos ROBBINS

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800