



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

March 4, 2011

Idaho Department of Water Resources
Attn: Greg Taylor
7600 N. Mineral Drive, Suite 100
Coeur D'Alene, ID 83815

RE: 75-14054 (Fohls)

Dear Greg:

I am enclosing an SF5 for the above-referenced water right. Please sign, initial and return the original SF5 to my attention. I'll get Garrick's signature and make certain the SF5 is filed with the SRBA Court.

Thanks.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ray", is written over a horizontal line.

Ray Williams
Paralegal

Enclosure

**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. 75-14054

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. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT
Albert C. Fols

ACF

CLAIMANT
Alvera C. Fols

ACF

Albert C Fols 2/24/2011

Albert C. Fols, Pro Se Date

Alvera C Fols

Alvera C. Fols, Pro Se

IDWR Concurrence:

Greg Taylor Date
Stream Channel Protection Specialist

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

02/23/2011

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

RIGHT NUMBER: 75-14054
NAME AND ADDRESS: ALBERT C FOLS
ALVERA C FOLS
PO BOX 56
CARMEN ID 83462

ACF
ACF

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.190 CFS

PRIORITY DATE: 12/22/1910

POINT OF
DIVERSION:

T23N R22E S35 NENKNE 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	0.190 CFS

PLACE OF USE: IRRIGATION in LEMHI County

~~T22N R22E S02 Lot 1 (NENE) 1.4~~ Lot 2 NWNE 8-19.50

9.5 ACRES TOTAL

~~Right Nos. 75-14054 and 75-14060 are limited to the irrigation of a combined total of 9.5 acres in a single irrigation season.~~

The rights listed below are limited to the irrigation of a combined total of 9.5 acres in a single irrigation season. Combined Right Nos.: 75-14054, 75-14056, 75-14058 and 75-14060.

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

CERTIFICATE OF MAILING

I certify that on _____, 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

ALBERT C FOLS
ALVERA C FOLS
PO BOX 56
CARMEN, ID 83462

Signature of person or attorney mailing form