

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

MAR 14 2011

By _____

Clerk
Deputy Clerk

**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 No.: 37-11296

Case No. 39576

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 / OBJECTOR:

J. P. Speck 3-8-11
James P. Speck Date
Attorney for Jay C. Pace

IDWR CONCURRENCE:

Doug Jones 3/14/11
Doug Jones Date
Technical Engineer I

IDWR CONCURRENCE:

C. M. Bromley 2/14/11
Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

Standard Form 5

37-11296

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

Right Number: 37-11296

Name and Address: JAY C. PACE
10331 E CHARTER OAK DR
SCOTTSDALE AZ 85260

Source: WARFIELD HOT SPRING Tributary: WARM SPRINGS CREEK

Quantity: 0.040 CFS

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

Priority Date: 07-30-1970

Diversion Point: T04N R17E S31 SWNNWN Within Blaine County

Purpose and

Period of Use:	Purpose of Use	Period of Use	Quantity
	<u>Heating</u>	01-01 TO 12-31	0.040 CFS
	<u>Domestic</u>	01-01 TO 12-31	0.040 CFS
	<u>Recreation</u>	01-01 TO 12-31	0.040 CFS
	Domestic use is for 1 home.		

Place of Use: Domestic Within Blaine County

T04N R16E S36 SENE

Heating Within Blaine County

T04N R16E S36 SENE

Recreation Within Blaine County

T04N R16E S36 SENE

Other Provisions Necessary for Definition / Administration of this Water Right:

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

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

Parcel No. RP 04N160366430

Property is also known as 1001 W Warm Springs.

DJ

CB

CERTIFICATE OF MAILING

I certify that on March 14, 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

VIA FACSIMILE & MAIL

2. Copies to:

JAY C. PACE
Represented by:
JAMES P. SPECK
SPECK & AANESTAD
120 EAST AVENUE
P.O. BOX 987
KETCHUM, ID 83340

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing the form