

1654

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

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

Subcase No. 75-14054

MAR 16 2011

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 3/9/11  
Greg Taylor Date  
Stream Channel Protection Specialist

Garrick L. Baxter 3/14/2011  
Garrick L. Baxter Date  
Deputy Attorney General  
Attorney for IDWR

STANDARD FORM 5 Water Right No. 75-14054

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

SOURCE: CARMEN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.190 CFS

PRIORITY DATE: 12/22/1910

POINT OF  
DIVERSION:

T23N R22E S35 NENENE Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.190 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T23N R22E S03 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

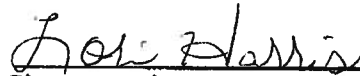
I certify that on March 15, 2011, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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