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DEPARTMENT OF
WATER RESOURCES

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.: 37-4142
	)	(Formerly Disallowed)
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

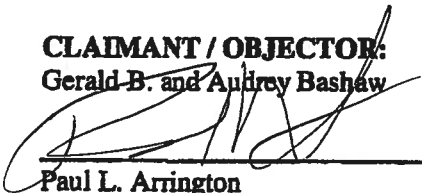
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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:

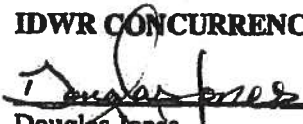
Gerald B. and Audrey Bashaw


Paul L. Arrington

7/11/11
Date

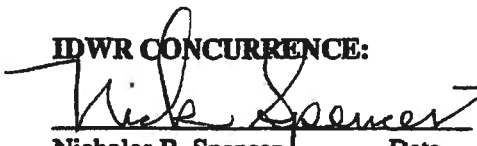
Attorney for Gerald B. and Audrey Bashaw

IDWR CONCURRENCE:


Douglas Jones
Technical Engineer 1

6/30/11
Date

IDWR CONCURRENCE:


Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR

6-30-11
Date

06/30/2011

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

RIGHT NUMBER: 37-4142

NAME AND ADDRESS: GERALD B BASHAW
PO BOX 767
PICABO ID 83348

AUDREY BASHAW
PO BOX 767
PICABO ID 83348

SOURCE: WASTE WATER

TRIBUTARY: LOVING CREEK

QUANTITY: 4.720 CFS
1,315.00 AFY

The rights listed below are limited to a total combined diversion rate of 7.48 cfs and to a total combined annual diversion volume of 1309 AF for irrigation purposes. Combined Right Nos.: 37-11556, 37-4142, 37-800 & 37-801.

PRIORITY DATE: 04/30/1931

POINT OF
DIVERSION:

T01S R19E S3 NWNESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.120 CFS 6.00 AFY
IRRIGATION	04/15 10/31	4.600 CFS 1,309.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S34	NESE	16.00	T01N R19E S34	SESE	20.00
T01N R19E S35	NWSW	19.00	T01N R19E S35	SWSW	35.00
T01S R19E S02 Lot 2 SWNE		15.00	T01S R19E S02 Lot 3 SENW		5.00
T01S R19E S02	NESW	40.00	T01S R19E S02	NWSW	33.00
T01S R19E S02	SWSW	35.00	T01S R19E S02	SESW	25.00
T01S R19E S02	NESE	25.00	T01S R19E S02	NWSE	18.00
T01S R19E S02	SWSE	10.00	T01S R19E S02	SESE	40.00
T01S R19E S03 Lot 2 SWNE		8.00	T01S R19E S03	NESE	30.00
T01S R19E S03	NWSE	3.00	T01S R19E S03	SESE	4.00
T01S R19E S11	NENE	35.00	T01S R19E S11	NENW	3.00
T01S R19E S11	NWNW	15.00			

STOCKWATER same as IRRIGATION

434 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 374 acres in a single irrigation season. Combined Right Nos.: 37-11556, 37-4142, 37-800, 37-801.

This right is limited to the irrigation of 374 acres within the place of use described above in a single irrigation season.

[Handwritten signature]
NBS

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.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

DX NBS

CERTIFICATE OF SERVICE

I certify that on July 19, 2011, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

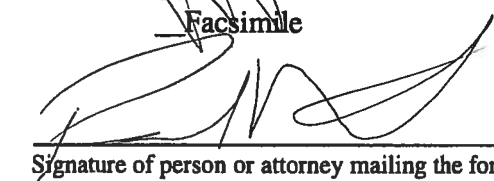
2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

~~Paul L. Arrington~~
~~Barker Rosholt & Simpson LLP~~
~~P.O. Box 485~~
~~Twin Falls, ID 83303~~

~~☐ Overnight Mail~~
~~☒ Regular Mail~~
~~☐ Hand-Delivered~~
~~☐ Facsimile~~



Signature of person or attorney mailing the form