

908

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

AUG 22 2011

 By _____

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. 47-7122
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

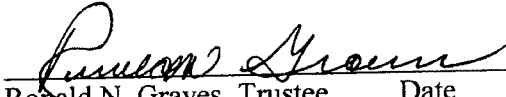
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

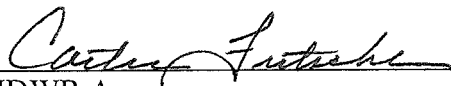
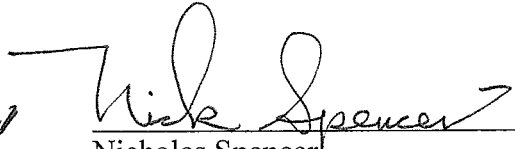
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

J. R. Simplot Self-Declaration of Revocable Trust


 August 15, 2011
 Ronald N. Graves, Trustee Date

IDWR Concurrence:

	
_____ IDWR Agent	_____ Nicholas Spencer Deputy Attorney General
8-17-1	
Date	Date

CERTIFICATE OF MAILING

I certify that on August 19, 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:

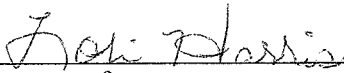
1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

J R SIMPLOT SELF-DECLARATION
OF REVOCABLE TRUST
RONALD N. GRAVES, TRUSTEE
PO BOX 27
BOISE, ID 83707

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing the form

02/10/2011

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

RIGHT NUMBER: 47-7122

NAME AND ADDRESS: J. R. SIMPLOT SELF-DECLARATION OF REVOCABLE TRUST
999 MAIN ST #1300
BOISE ID 83702

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 6.000 CFS
1,540.00 AFY

Right Nos. 47-2365, 2424, 7071, and 7122 are limited to a total combined annual diversion volume of 4873 AF.

The rights listed below are limited to a total combined annual diversion volume of ~~7122~~ 7285 af. Combined Right Nos.: 47-2281, 47-2283, 47-2365, 47-2424, 47-7071, 47-7102, 47-7122

The rights listed below are limited to a total combined diversion rate of 17.21 cfs.

Combined Right Nos.: 47-2365, 2424, 7071, and 7122

PRIORITY DATE: 06/14/1971

POINT OF
DIVERSION:

T14S R15E S21 SESENE Within TWIN FALLS County
T14S R15E S21 NWNWSE Within TWIN FALLS County
T14S R15E S22 SWSSEW Within TWIN FALLS County
T14S R15E S23 SWSWSW Within TWIN FALLS County
T14S R15E S28 SWNENW Within TWIN FALLS County
T14S R15E S28 SENENW Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 10/15	6.000 CFS 1,540.00 AFY

The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in TWIN FALLS County

T14S R15E S14	SWNW	40.00	T14S R15E S14	SENW	40.00
T14S R15E S14	NESW	40.00	T14S R15E S14	NWSW	40.00
T14S R15E S14	SWSW	40.00	T14S R15E S14	SESW	40.00
T14S R15E S15	SWNE	40.00	T14S R15E S15	NESW	40.00
T14S R15E S15	SWSW	40.00	T14S R15E S15	SESW	40.00
T14S R15E S15	NWSE	40.00	T14S R15E S21	NENE	32.00
T14S R15E S21	NWNE	30.00	T14S R15E S21	SWNE	40.00
T14S R15E S21	SENE	40.00	T14S R15E S21	NENW	40.00
T14S R15E S21	SENW	40.00	T14S R15E S21	NESW	38.00

T14S R15E S21	SESW	40.00	T14S R15E S21	NESE	40.00
T14S R15E S21	NWSE	40.00	T14S R15E S21	SWSE	40.00
T14S R15E S21	SESE	40.00	T14S R15E S22	NENE	33.00
T14S R15E S22	NWNE	34.00	T14S R15E S22	SWNE	30.00
T14S R15E S22	SENE	30.00	T14S R15E S22	NENW	34.00
T14S R15E S22	NWNW	36.00	T14S R15E S22	SWNW	31.00
T14S R15E S22	SENE	31.00	T14S R15E S22	NESW	40.00
T14S R15E S22	NWSW	40.00	T14S R15E S22	SWSW	40.00
T14S R15E S22	SESW	40.00	T14S R15E S22	NESE	40.00
T14S R15E S22	NWSE	40.00	T14S R15E S22	SWSE	39.00
T14S R15E S22	SESE	38.00	T14S R15E S23	NENW	40.00
T14S R15E S23	NWNW	40.00	T14S R15E S23	SWNW	40.00
T14S R15E S23	NWSW	40.00	T14S R15E S23	SWSW	39.00
T14S R15E S27	NENE	33.00	T14S R15E S27	NWNE	35.00
T14S R15E S27	SWNE	36.00	T14S R15E S27	SENE	32.00
T14S R15E S27	NENW	40.00	T14S R15E S27	NWNW	40.00
T14S R15E S27	SENE	40.00	T14S R15E S28	NENE	40.00
T14S R15E S28	NWNE	40.00	T14S R15E S28	NENW	24.00

2035 ACRES TOTAL

This right is limited to the irrigation of 440 acres within the place of use described above in a single irrigation season.

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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

[Handwritten signature]
C.F.
NBS