

**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 OCT 27 2011	Subcase No. 75-14060 STANDARD FORM 5 STIPULATED ELEMENTS OF A WATER RIGHT
By _____		Clerk Deputy Clerk

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.

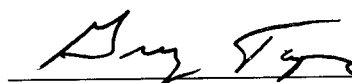
CLAIMANT
Albert C. Fols

CLAIMANT
Alvera C. Fols

 10/13/11
Albert C. Fols, Pro Se Date


Alvera C. Fols, Pro Se

IDWR Concurrence:

 10-17-11
Greg Taylor Date
Stream Channel Protection Specialist

 10/24/2011
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

09/20/2011

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

RIGHT NUMBER: 75-14060
NAME AND ADDRESS: ALBERT C FOLS
ALVERA C FOLS
PO BOX 56
CARMEN ID 83462

ACF ACF
JST. JB

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.190 CFS
PRIORITY DATE: 04/01/1915

POINT OF
DIVERSION: T23N R22E S35 NENE 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 S03 ~~Lot 1 (NWNE)~~ 1.4 Lot 2 (NWNE) ~~8.19.5~~
9.5 ACRES TOTAL

Right Nos. 75-14054, 75-14056, 75-14058 and 75-14060 are limited to the
irrigation of a combined total of 9.5 acres 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 Beneficial Use

CERTIFICATE OF MAILING

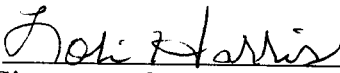
I certify that on October 26, 2011, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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

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

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



Signature of person or attorney mailing form