

850

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

NOV 25 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)
Case No. 39576)
Subcase Nos. 47-4092)
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.

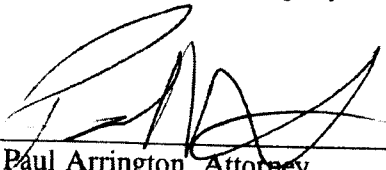
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS:

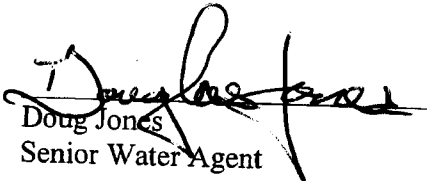

Joanna L. Read _____ Date

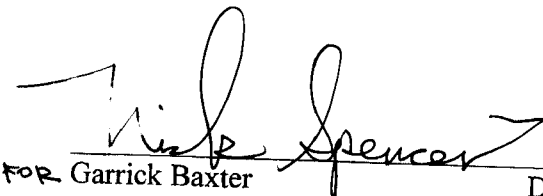
OBJECTORS:

Twin Falls Canal Company


Paul Arrington, Attorney _____ 11-21-11
Date

IDWR Concurrence:


Doug Jones
Senior Water Agent
11/22/11
Date


FOR Garrick Baxter
Deputy Attorney General
11-20-11
Date

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

RIGHT NUMBER: 47-4092

NAME AND ADDRESS:

JOANNA L READ
1448 E 4450 N
BUHL ID 83316

SOURCE:

Source:
UNNAMED STREAM

Tributary:
MUD CREEK



The source of this water is locally known as J3 Coulee, which includes waste water.

QUANTITY:

0.170 CFS

0.000 AFY

This right when combined with all other rights shall provide no more than 0.03 cfs per acre for irrigation.

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

PRIORITY DATE:

03/15/1930

POINT OF DIVERSION:

T09S R14E S13 SESENW
Within TWIN FALLS County

T09S R14E S13 SESENW
Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

03/15 11/15

0.170 CFS

STOCKWATER

01/01 12/31

0.020 CFS

g.R.
ALA
NBS

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

PLACE OF USE: IRRIGATION within TWIN FALLS County
T09S R14E S13 SENW 6.9 T09S R14E S13 SENW 5.8
STOCKWATER Same As IRRIGATION
6.9 ACRES TOTAL 5.8 ACRES TOTAL
This right is limited to the irrigation of 5.8 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.

The source of this water right includes waste water. The 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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Twin Falls Canal Co.

Stockwater use is for 25 range cattle and horses.

The source of this water is locally known as JJ Coulee, which includes waste water.

Amended Director's Report: 47-4092

9/15 RLA NBS

CERTIFICATE OF MAILING

I certify that on November 23, 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:

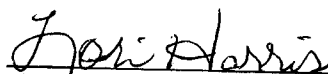
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

TWIN FALLS CANAL COMPANY
Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485

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

JOANNA L READ
1448 E 4450 N
BUHL, ID 83316



Signature of person or attorney mailing the form