

174
DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

NOV 30 2011

By _____

Clerk
A

**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 No.: 37-2681
) Uncontested Overlap
) To Water Right 37-118

) 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:

John F. Stevenson

Albert P. Barker

Attorney for John F. Stevenson

Date 11/22/11

IDWR CONCURRENCE:

Doug Jones
Technical Engineer

Date 11/18/11

IDWR CONCURRENCE:

Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR

Date 11-22-11

11/17/2011

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

RIGHT NUMBER: 37-2681

NAME AND ADDRESS: JOHN F STEVENSON
36 HILLSIDE RANCH RD
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.500 CFS
693.00 AFY

PRIORITY DATE: 12/08/1961

POINT OF
DIVERSION:

T01S R19E S20 NWNEW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	4.500 CFS 693.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S19	NENE	3.00	T01S R19E S19	SENE	22.00	26.00
T01S R19E S19	NESE	25.00	26.00	T01S R19E S19	SESE	22.00
T01S R19E S20	SWNW	6.00	T01S R19E S20	NWSW	11.00	2.00
T01S R19E S20	SWSW	28.00	4.00	T01S R19E S27	SWNW	28.00
T01S R19E S27	NWSW	26.00	22.00	T01S R19E S28	SWNE	15.00
T01S R19E S28	SENE	27.00	40.00	T01S R19E S28	NESE	30.00
T01S R19E S28	NWSE	10.00	6.5	T01S R19E S28	SESE	22.00
T01S R19E S29	WNW	12.00	6.0	T01S R19E S29	SWNW	18.00
T01S R19E S29	SENW	5.70	T01S R19E S29	NESW	37.00	46.0
T01S R19E S29	NWSW	18.00	20.5	T01S R19E S29	NWSE	18.00
T01S R19E S30	NENE	34.00	T01S R19E S30	SENE	12.00	
T01S R19E S33	NENE	2.10	2.0			

525 347 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 300
525 acres in a single irrigation season. Combined Right Nos.: 37-118, 37-2576,
37-2681, and 37-7644.

This right is limited to the irrigation of 231 acres within the place of use
described above in a single irrigation season.

Right Nos. 37-2576, 37-2681, and 37-7644 are limited to the irrigation of a
combined total of 317 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.

Standard Form 5

37-2681

ALB

NBS

11/17/2011

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

If the surface water right appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

df NBS *AKB*

CERTIFICATE OF SERVICE

I certify that on November 29, 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

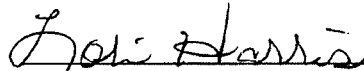
2. Copies to:

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

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

Albert P. Barker
Barker, Rosholt & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139

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



Signature of person or attorney mailing the form