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DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 19 2012	
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 No. 75-10178 (Split from former right 75-75) STANDARD FORM 5 STIPULATED ELEMENTS OF A WATER RIGHT
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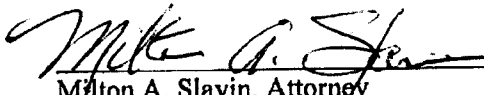
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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:
Derrold Slavin

OBJECTOR:
Bruce McFarland


 Milton A. Slavin, Attorney _____
 Date

 Bruce McFarland, Pro Se _____
 Date

**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. 75-10178

(Split from former right 75-75)

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:

Derrold Slavin

OBJECTOR:

Bruce McFarland

Milton A. Slavin, Attorney

Date

Bruce McFarland 1/7/12

Bruce McFarland, Pro Se

Date

OBJECTOR:

Dave McFarland

Dave McFarland 1/6/12
Dave McFarland, Pro Se Date

OBJECTOR:

Tom McFarland

Tom McFarland 1/6/12
Tom McFarland, Pro Se Date

IDWR Concurrence:

Monica Van Bussum Date
Senior Water Resource Agent

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

BM

OBJECTOR:

Dave McFarland

OBJECTOR:

Tom McFarland

Dave McFarland, Pro Se Date

Tom McFarland, Pro Se Date

IDWR Concurrence:

 1/9/2012

Monica Van Bussum Date
Senior Water Resource Agent

 1/9/2012

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

05/26/2011

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

RIGHT NUMBER: 75-10178
NAME AND ADDRESS: DERROLD SLAVIN
PO BOX 41
CARMEN ID 83462

MADGE SLAVIN
PO BOX 41
CARMEN ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.300 CFS ~~0.381 CFS~~
PRIORITY DATE: 05/01/1882
POINT OF DIVERSION:

T22N R22E S9 NWSW 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	0.381 CFS 0.300 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S05 Lot 1 NENE	13.00	T22N R22E S05 Lot 2 NWNE	6.80
T22N R22E S05 SWNE	6.70	T22N R22E S05 SENE	6.00

32.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 32.5 acres in a single irrigation season. Combined Right Nos.: 75-74A, 75-10061G, 75-10178 and 75-4340A.

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 - Decreed

This right is a split from former right 75-75.

05/26/2011

DM
BM
TM

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

RIGHT NUMBER: 75-10178
NAME AND ADDRESS: DERROLD SLAVIN
PO BOX 41
CARMEN ID 83462
MADGE SLAVIN
PO BOX 41
CARMEN ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.320 CFS ~~0.381 CFS~~
PRIORITY DATE: 05/01/1982
POINT OF DIVERSION:
T22N R22E S9 NWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04 1 10/31	0.381 CFS 0.320 CFS

PLACE OF USE: IRRIGATION IN LEMHI COUNTY

SECTION	ACRES	SECTION	ACRES
T22N R22E S05 Lot 1 NENE	13.00	T22N R22E S05 Lot 2 NWNE	6.80
T22N R22E S05 SWNE	6.70	T22N R22E S05 SENE	6.00

32.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 32.5 acres in a single irrigation season. Combined Right Nos.: 75-74A, 75-10061G, 75-10178 and 75-4940A.

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(5), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 75-75.

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

05/26/2011

RIGHT NUMBER: 75-10178
NAME AND ADDRESS: DERROLD SLAVIN
PO BOX 41
CARMEN ID 83462

MADGE SLAVIN
~~PO BOX 41~~
~~CARMEN ID 83462~~

SOURCE: CARMEN CREEK
QUANTITY: 0.300 CFS ~~0.381 CFS~~
PRIORITY DATE: 05/01/1882
POINT OF DIVERSION:

TRIBUTARY: SALMON RIVER

T22N R22E S9 NWSW 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	0.381 CFS <u>0.300 CFS</u>

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S05 Lot 1 NENE	13.00	T22N R22E S05 Lot 2 NWNE	6.80
T22N R22E S05 SWNE	6.70	T22N R22E S05 SENE	6.00

32.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 32.5 acres in a single irrigation season. Combined Right Nos.: 75-74A, 75-10061G, 75-10178 and 75-4340A.

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 - Decreed

This right is a split from former right 75-75.

CERTIFICATE OF MAILING

I certify that on January 18, 2012, 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

Copies to:

DERROLD SLAVIN
Represented by:
MILTON A. SLAVIN
ATTORNEY AT LAW
116 N CENTER ST.
SALMON, ID 83467

BRUCE MC FARLAND
DAVE MC FARLAND
TOM MC FARLAND
PO BOX 124
CARMEN, ID 83462

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

Don Harris
Signature of person or attorney mailing form