

633

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	)	Subcase No. 75-14637
	)	(Split from former right 75-74)
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:
William Slavin & Barbara 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. 75-14637
(Split from former right 75-74)

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

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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:

William Slavin & Barbara Slavin

OBJECTOR:

Bruce McFarland

Milton A. Slavin, Attorney

Date

Bruce McFarland 1/12/12
Bruce McFarland, Pro Se Date

TM

DM

OBJECTOR:

Dave McFarland

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

OBJECTOR:

Tom McFarland

Tom McFarland 1/7/12
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

BU

OBJECTOR:
Dave McFarland

OBJECTOR:
Tom McFarland

Dave McFarland, Pro Se Date

Tom McFarland, Pro Se Date

IDWR Concurrence:

Monica Van Bussum 1/9/2012
Monica Van Bussum Date
Senior Water Resource Agent

Garrick L. Baxter 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: 75-14637

NAME AND ADDRESS: WILLIAM G SLAVIN
PO BOX 255
CARMEN ID 83462

BARBARA K SLAVIN
PO BOX 255
CARMEN ID 83462

SOURCE: CARMEN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.750 CFS

This right when combined with all other rights shall provide no more than
0.04 cfs per acre at the field headgate for irrigation of the place of use.

PRIORITY DATE: 05/01/1896

POINT OF DIVERSION:

T22N R22E S9 NWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.750 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S05	SWNE	13.00	T22N R22E S05	SENE	0.50
T22N R22E S05	NESE	0.60	T22N R22E S05	NWSE	24.00
T22N R22E S05	SWSE	15.00	T22N R22E S08	NWNE	16.00

69.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 69.1
acres in a single irrigation season. Combined Right Nos.: 75-10061E,
75-10062E, 75-14421 and 75-14637.

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 75-74.

24

DM
PM
TM

05/26/2011

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

RIGHT NUMBER: 75-14637
NAME AND ADDRESS: WILLIAM G SLAVIN
PO BOX 255
CARMEN ID 83462
BARBARA K SLAVIN
PO BOX 255
CARMEN ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.750 CFS
This right when combined with all other rights shall provide no more than
0.04 cfs per acre at the field headgate for irrigation of the place of use.

PRIORITY DATE: 05/01/1896

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	0.750 CFS

PLACE OF USE:	IRRIGATION in LEMHI County					
	T22N R22E S05	SWNE	19.00	T22N R22E S05	SENE	0.50
	T22N R22E S05	NESE	0.40	T22N R22E S05	NWSE	24.00
	T22N R22E S05	SWSE	15.00	T22N R22E S06	NWNE	14.00
	59.1 ACRES TOTAL					

The rights listed below are limited to the irrigation of a combined total of 59.1
acres in a single irrigation season. Combined Right Nos.: 75-10061E,
75-10062E, 75-14421 and 75-14637.

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 75-74.

05/26/2011

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

RIGHT NUMBER: 75-14637

NAME AND ADDRESS: WILLIAM G SLAVIN
PO BOX 255
CARMEN ID 83462

BARBARA K SLAVIN
PO BOX 255
CARMEN ID 83462

SOURCE: CARMEN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.750 CFS

This right when combined with all other rights shall provide no more than 0.04 cfs per acre at the field headgate for irrigation of the place of use.

PRIORITY DATE: 05/01/1896

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	0.750 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S05	SWNE	13.00	T22N R22E S05	SENE	0.50
T22N R22E S05	NESE	0.60	T22N R22E S05	NWSE	24.00
T22N R22E S05	SWSE	15.00	T22N R22E S08	NWNE	16.00

69.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 69.1 acres in a single irrigation season. Combined Right Nos.: 75-10061E, 75-10062E, 75-14421 and 75-14637.

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 75-74.

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:

BARBARA K SLAVIN
WILLIAM G 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

Joe Harris
Signature of person or attorney mailing form