

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

MAR 14 2012

By _____

Clerk

Deputy Clerk

JUDICIAL DISTRICT OF THE
COUNTY OF TWIN FALLS

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. 35-2315

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 as per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s)/OBJECTOR(s):

James & Karen Lehman

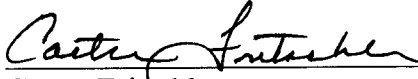
RESPONDENT:

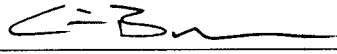
State of Idaho

Josephine P. Beeman
Josephine P. Beeman Date
Attorney for Claimants/Objectors

Harriet A. Hensley 8 March 2012
 Harriet A. Hensley Date
 Attorney for Respondent

IDWR Concurrence:

 2-27-12
Carter Fritschle Date
Manager, Adjudication Section

 2/27/12
Chris Bromley Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 35-2315

NAME AND ADDRESS: JAMES T LEHMAN
2906 W 2000 S
ABERDEEN ID 83210

KAREN LEHMAN
2906 W 2000 S
ABERDEEN ID 83210

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.000 CFS
400.00 AFY

~~Use of this right with Right No. 35-10860 is~~ Right Nos. 35-2315 and 35-10860
are limited to a total combined diversion rate of 2.00 cfs and to a total
combined annual diversion volume of 688.0 AF.

PRIORITY DATE: 03/21/1953

POINT OF
DIVERSION:

T06S R31E S7 NESESW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	2.000 CFS 400.00 AFY

PLACE OF USE: IRRIGATION in BINGHAM County

T06S R31E S07	NESW	~~19.0~~ <u>23.0</u>	T06S R31E S07	SESW	~~18.0~~ <u>22.0</u>
T06S R31E S07	NESE	~~27.0~~ <u>32.0</u>	T06S R31E S07	NWSE	~~40.0~~ <u>39.0</u>
T06S R31E S07	SWSE	~~39.0~~ <u>37.0</u>	T06S R31E S07	SESE	~~29.0~~ <u>27.0</u>

172 180 ACRES TOTAL

~~Use of this right with Right No. 35-10860 is~~ Right Nos. 35-2315 and 35-10860
are limited to the irrigation of a combined total of 172 acres within the
place of use described above in a single irrigation season.

This right is limited to the irrigation of 100 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is combined with water from Aberdeen Springfield Canal

CB
CT
JPB
HHL

Co.

Right No. 35-10860 is also diverted through point of diversion described above.

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

Right No. 35-10860 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

CB
JPB
AH

CERTIFICATE OF MAILING

I certify that on March 13, 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:

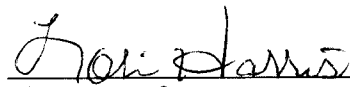
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

JAMES T. LEHMAN
KAREN LEHMAN
Represented by:
JOSEPHINE P. BEEMAN
409 W. JEFFERSON STREET
BOISE, ID 83702

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIVISION CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
P.O. BOX 44449
BOISE, ID 83711-4449

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney