

APR - 5 2012

By

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Clerk

Deputy Clerk

In Re SRBA

Subcase No. 73-12049

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 initiaing each of the attached pages.

CLAIMANT/OBJECTOR:

Richard Kraatz

James Speck 3-12-12
James Speck, Attorney Date

IDWR Concurrence:

Carter Fritschle 3-7-12
Carter Fritschle Date
Manager, Adjudication Section

Andrea L. Courtney 3/6/12
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

04/05/2011

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

RIGHT NUMBER: 73-12049
NAME AND ADDRESS: RICHARD KRAATZ
PO BOX 4420
KETCHUM ID 83340

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.180 CFS

PRIORITY DATE: 10/19/1903

POINT OF
DIVERSION:

T13N R24E S18 SESESW Within CUSTER County
T13N R24E S18 SWSSE Within LEMHI County
T13N R24E S18 SESESE 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	0.180 CFS
PLACE OF USE:	IRRIGATION in CUSTER County and LEMHI County		
	T13N R23E S13 SESE 3.00	T13N R24E S18 NESW 12.0	15.0
	T13N R24E S18 Lot 3 NWSW 14.0	T13N R24E S18 Lot 4 SWSW 4.0	16.0
	T13N R24E S18 SESE 14.0	T13N R24E S18 SWSE 2.0	10.0

48.0 90 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 48.0 90 acres in a single irrigation season. Combined Right Nos.: 73-12049, 73-12055, 73-12058, 73-12090.

The rights listed below are limited to the irrigation of a combined total of 100.5 acres in a single irrigation season. Combined Right Nos.: 73-12049, 73-12052, 73-12055, 73-12058, 73-12090.

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 73-180.

CERTIFICATE OF MAILING

I certify that on APRIL 3, 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:

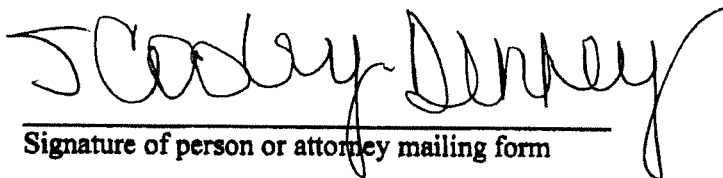
1. Original to:

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

Copies to:

RICHARD KRAATZ
Represented by:
JAMES P. SPECK
SPECK & AANESTAD
120 EAST AVENUE
PO BOX 987
KETCHUM, ID 83340

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



Signature of person or attorney mailing form