

298

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

SEP 12 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. 02-10191

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.

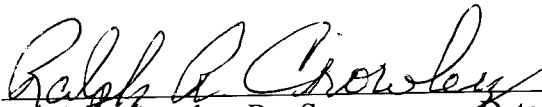
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

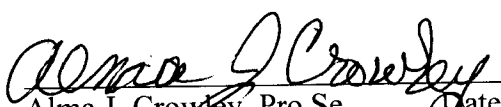
CLAIMANT:

Ralph R. Crowley

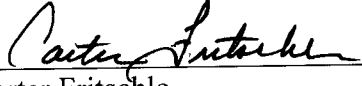
CLAIMANT:

Alma J. Crowley

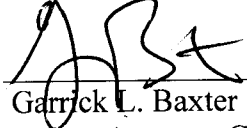

Ralph R. Crowley, Pro Se _____ Date

 8/27
Alma J. Crowley, Pro Se _____ Date

IDWR Concurrence:


Carter Fritschle
Manager, Adjudication Section

9-10-12
Date


Garrick L. Baxter
Deputy Attorney General
Attorney for IDWR

9/10/2012
Date

08/02/2012

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

RIGHT NUMBER: 2-10191

NAME AND ADDRESS: RALPH R CROWLEY
3361 S 1300 E
WENDELL ID 83355

ALMA J CROWLEY
3361 S 1300 E
WENDELL ID 83355

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.100 CFS
16.70 AFY

~~USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 90.24 CFS, COMBINED RIGHT NOS.: 2-103, 2-4021,
AND ALL PARTS OF BASE RIGHT 2-2209 INCLUDING 2-2209B, 2-2209C,
2-2209E, 2-10187, 2-10189, 2-10191, 2-10196, 2-10208, & 2-10209.~~

PRIORITY DATE: 02/25/1963

POINT OF
DIVERSION:

T05S R10E S12 NESE Lot 7 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.100 CFS 16.70 AFY

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late

irrigation

use and a priority date earlier than the date of this approval.

PLACE OF USE: IRRIGATION in ELMORE County

T05S R10E S12 SENW 5.00

5 ACRES TOTAL

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

ca RC AS

Failure of the right holder to comply with the conditions of Transfer 66124 is cause for the Director to rescind approval of the transfer.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 2-10188.

Approval of Transfer 66124 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

CERTIFICATE OF MAILING

I certify that on September 10, 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:

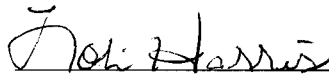
1. Original to:

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

Copies to:

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

ALMA J CROWLEY
RALPH R CROWLEY
3361 S 1300 E
WENDELL, ID 83355



Signature of person or attorney mailing form