

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
MAR - 8 2013	
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. 84-12272

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

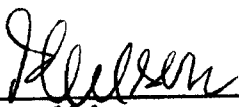
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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/OBJECTOR:

State of Idaho Department of Lands

 3/1/2013

 Tyson Nelson Date
 Deputy Attorney General
 Attorney for IDL

IDWR Concurrence:

 3/1/13
Steve Clelland Date
Senior Water Resource Agent

 3/5/13
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

02/25/2013

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

RIGHT NUMBER: 84-12272

NAME AND ADDRESS: STATE OF IDAHO
DEPARTMENT OF LANDS
300 N 6TH ST, STE 103
PO BOX 83720
BOISE ID 83720-0050

T/CN
SCC

SOURCE: UNNAMED STREAM

TRIBUTARY: MILES CREEK

QUANTITY: 5.280 AFY

The quantity of water under this right for industrial use shall not exceed 0.20 acre-feet per day.

ATZ

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

The capacity of the 7 storage reservoirs is 1.71 AF. The reservoirs may be refilled multiple times up to the total diversion volume in a single year.

PRIORITY DATE: 09/08/1968

POINT OF
DIVERSION: T34N R05E S6 NENW Lot 3 Within CLEARWATER County
T34N R05E S6 NWSE Within CLEARWATER County
T34N R05E S7 SENE Within CLEARWATER County
T34N R05E S8 SESW Within CLEARWATER County
T34N R05E S8 NWSE Within CLEARWATER County
T34N R05E S9 NWNW Within CLEARWATER County
T34N R05E S9 NWSW Within CLEARWATER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER STORAGE	01/01 12/31	5.28 AFY
STOCKWATER FROM STORAGE	01/01 12/31	5.28 AFY
FIRE PROTECTION STORAGE	01/01 12/31	5.28 AFY
FIRE PROTECTION FROM STORAGE	01/01 12/31	5.28 AFY
INDUSTRIAL FROM STORAGE	01/01 12/31	5.28 AFY
INDUSTRIAL STORAGE	01/01 12/31	5.28 AFY

Industrial use is for dust abatement. Industrial use is for forest practices and forest dust abatement as provided for by Section 42-201, Idaho Code.

PLACE OF
USE:

STOCKWATER FROM STORAGE in CLEARWATER County

T34N R05E S06 Lot 3 NENW	T34N R05E S06	NWSE
T34N R05E S07	T34N R05E S07	SENE
T34N R05E S08	T34N R05E S09	NWNW
T34N R05E S09	NWSW	

02/25/2013

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

INDUSTRIAL FROM STORAGE in CLEARWATER County

T34N R05E S06 Lot 1 NENE	T34N R05E S06 Lot 2 NWNE
T34N R05E S06 SWNE	T34N R05E S06 SENE
T34N R05E S06 Lot 3 NENW	T34N R05E S06 Lot 4 NWNW
T34N R05E S06 Lot 5 SWNW	T34N R05E S06 SENW
T34N R05E S06 NESW	T34N R05E S06 Lot 6 NWSW
T34N R05E S06 Lot 7 SWSW	T34N R05E S06 SESW
T34N R05E S06 NESE	T34N R05E S06 NWSE
T34N R05E S06 SWSE	T34N R05E S06 SESE
T34N R05E S07 NENE	T34N R05E S07 NWNE
T34N R05E S07 SWNE	T34N R05E S07 SENE
T34N R05E S07 NENW	T34N R05E S07 Lot 1 NWNW
T34N R05E S07 Lot 2 SWNW	T34N R05E S07 SENW
T34N R05E S07 NESW	T34N R05E S07 Lot 3 NWSW
T34N R05E S07 Lot 4 SWSW	T34N R05E S07 SESW
T34N R05E S07 NESE	T34N R05E S07 NWSE
T34N R05E S07 SWSE	T34N R05E S07 SESE
T34N R05E S08 NENE	T34N R05E S08 NWNE
T34N R05E S08 SWNE	T34N R05E S08 SENE
T34N R05E S08 NENW	T34N R05E S08 NWNW
T34N R05E S08 SWNW	T34N R05E S08 SENW
T34N R05E S08 NESW	T34N R05E S08 NWSW
T34N R05E S08 SWSW	T34N R05E S08 SESW
T34N R05E S08 NESE	T34N R05E S08 NWSE
T34N R05E S08 SWSE	T34N R05E S08 SESE
T34N R05E S09 NENE	T34N R05E S09 NWNE
T34N R05E S09 SWNE	T34N R05E S09 SENE
T34N R05E S09 NENW	T34N R05E S09 NWNW
T34N R05E S09 SWNW	T34N R05E S09 SENW
T34N R05E S09 NESW	T34N R05E S09 NWSW
T34N R05E S09 SWSW	T34N R05E S09 SESW
T34N R05E S09 NESE	T34N R05E S09 NWSE
T34N R05E S09 SWSE	T34N R05E S09 SESE

TKN

SC

Am

02/25/2013

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

FIRE PROTECTION FROM STORAGE in CLEARWATER County

TKN

Scw

T34N R05E S06 Lot 1 NENE	T34N R05E S06 Lot 2 NWNE
T34N R05E S06 SWNE	T34N R05E S06 SENE
T34N R05E S06 Lot 3 NENW	T34N R05E S06 Lot 4 NWNW
T34N R05E S06 Lot 5 SWNW	T34N R05E S06 SENW
T34N R05E S06 NESW	T34N R05E S06 Lot 6 NWSW
T34N R05E S06 Lot 7 SWSW	T34N R05E S06 SESW
T34N R05E S06 NESE	T34N R05E S06 NWSE
T34N R05E S06 SWSE	T34N R05E S06 SESE
T34N R05E S07 NENE	T34N R05E S07 NWNE
T34N R05E S07 SWNE	T34N R05E S07 SENE
T34N R05E S07 NENW	T34N R05E S07 Lot 1 NWNW
T34N R05E S07 Lot 2 SWNW	T34N R05E S07 SENW
T34N R05E S07 NESW	T34N R05E S07 Lot 3 NWSW
T34N R05E S07 Lot 4 SWSW	T34N R05E S07 SESW
T34N R05E S07 NESE	T34N R05E S07 NWSE
T34N R05E S07 SWSE	T34N R05E S07 SESE
T34N R05E S08 NENE	T34N R05E S08 NWNE
T34N R05E S08 SWNE	T34N R05E S08 SENE
T34N R05E S08 NENW	T34N R05E S08 NWNW
T34N R05E S08 SWNW	T34N R05E S08 SENW
T34N R05E S08 NESW	T34N R05E S08 NWSW
T34N R05E S08 SWSW	T34N R05E S08 SESW
T34N R05E S08 NESE	T34N R05E S08 NWSE
T34N R05E S08 SWSE	T34N R05E S08 SESE
T34N R05E S09 NENE	T34N R05E S09 NWNE
T34N R05E S09 SWNE	T34N R05E S09 SENE
T34N R05E S09 NENW	T34N R05E S09 NWNW
T34N R05E S09 SWNW	T34N R05E S09 SENW
T34N R05E S09 NESW	T34N R05E S09 NWSW
T34N R05E S09 SWSW	T34N R05E S09 SESW
T34N R05E S09 NESE	T34N R05E S09 NWSE
T34N R05E S09 SWSE	T34N R05E S09 SESE

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02/25/2013

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

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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

TEN

Scw

ATC

CERTIFICATE OF MAILING

I certify that on MARCH 6, 2013, 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:

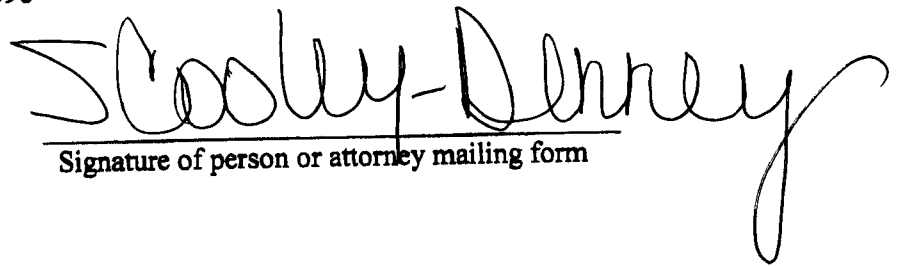
1. Original to:

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

Copies to:

STATE OF IDAHO DEPT OF LANDS
Represented by:
STATE OF IDAHO
JRW BUILDING, SECOND FLOOR
700 W STATE ST, PO BOX 44449
BOISE, ID 83711-4449

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



Signature of person or attorney mailing form