

1. The name and address of the claimant is:

Ted Leno
Route 4
Rupert, Idaho 83350

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

2. The source of water is: Groundwater

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

3. The quantity of water used in cubic feet per second or the quantity of water stored in acre-feet per year is:

4.5 cfs/960.00 AFY (consumptive use--720.0 AFY)

Required Statement: ~~AS RECOMMENDED IN THE DIRECTOR'S REPORT~~ *delete*
Make this

4. The priority date is: 2/20/1976

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

5. The legal description of point(s) of diversion is; if the claim is for an instream flow, then a legal description of the beginning and ending points of the claimed instream flow:

T.08S, R.25E, Section 33, NESESE (Minidoka County)
T.08S, R.25E, Section 34, NWSWSW (Minidoka County)

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

6. The purpose of use is: Irrigation

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

7. The period of year when the water is to be used is:

April 1 through October 31

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

8. The legal description of the place of use or of the reservation is:

T.8S, R.25E, Section 33, NESE (34 acres)
T.8S, R.25E, Section 33, NWSE (15 acres)
T.8S, R.25E, Section 33, SWSE (20 acres)
T.8S, R.25E, Section 33, SESE (32 acres)
T.8S, R.25E, Section 34, NESW (34 acres)
T.8S, R.25E, Section 34, NWSW (32 acres)
T.8S, R.25E, Section 34, SWSW (38 acres)
T.8S, R.25E, Section 34, SESW (35 acres)
totalling 240 acres, all located in Minidoka County

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

9. The annual volume of consumptive use is:

720 AFY

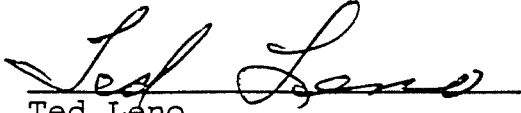
Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

10. Other matters necessary to define this water right

None

Signature and Address of Parties and their Attorney of Record
(attach additional page if necessary)

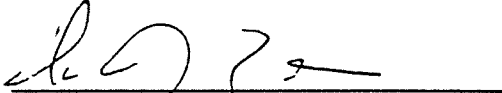
I have read this form and know its contents and that the
statements are true to the best of my knowledge and belief.



Ted Leno
Rupert, Idaho

Date: 7-19-95

United States on behalf of the Bureau of
Reclamation by:



Daria J. Zahne, Attorney
Department of Justice

Date: 7/14/95

Idaho Department of Water Resources by:

Daniel Steckel
Deputy Attorney General

Date: _____

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on July 19, 1995, 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:

Department of Justice
C/O Boise Adjudication Team
380 Park Center Blvd. - Suite 330
Boise, Idaho 83706

Ted Leno
Route 4
Rupert, Idaho 83350

Dale S Walton

SOURCE: GROUNDWATER

36-07607

MEVA L LENO
TED LENO
RT 4
RUPERT ID 83350

02/20/1976

IRRIGATION

04-01 10-31

4.5
960.0

CFS
AFY

LICENSE

POINT OF DIVERSION:
T08S R25E S33
S34

PLACE OF USE: IRRIGATION

NESESE
NWSWSW

TOTAL QUANTITY:

CONSUMPTIVE USE:

4.5
960.0
720.0

CFS
AFY

T08S R25E S33
S34

USE 15.0
NWSW 32.0

SESE 32.0
SESW 35.0

240.0 ACRES TOTAL

36-07608

A M AMBROSE
PO BOX 247
WENDELL ID 83355

02/24/1976

IRRIGATION

04-01 10-31

.82

CFS

LICENSE

POINT OF DIVERSION:
T08S R15E S03

PLACE OF USE: IRRIGATION

SUSENE

TOTAL QUANTITY:

.82

CFS

T08S R15E S03 Lot 1 (NENE)39.0
SEMW 10.0

SENE 30.0 Lot 3 (NENW) 4.0

116.0 ACRES TOTAL
REMARKS: USE OF THIS RIGHT WITH RIGHT NO. 36-02524 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.32 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 464 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 348 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 116 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-02524 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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	)	Sub-case No. 36-07607
	)	
Case No. 39576	)	
	)	
	)	STIPULATION
	)	

DESCRIPTIVE SUMMARY

This is a stipulation to resolve the objection to water right number 36-07607.

STIPULATION

To resolve the dispute over the above-captioned water right, Ted Leno, the Idaho Department of Water Resources (IDWR) and the United States of America, stipulate and agree that:

1. The Standard Form 5 for the water right no. 36-07607, attached hereto and incorporated by reference herein, sets forth the description of the water right as agreed by IDWR and the parties. All decrees, whether partial or final, should describe the water right as shown in the Standard Form 5.

2. The Standard Form 5 and this stipulation have been reached through good faith negotiations for the purpose of resolving legal disputes, including pending litigation, and all parties agree that no offers and/or compromises made in the course thereof shall be construed as admissions against interest or be used in any legal proceeding, and that this agreement is

not and shall not be used as precedent for any other claim to a water right.

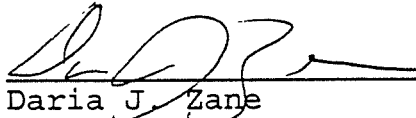
3. All parties agree to bear their own costs and attorney's fees in connection with this matter.

4. The Standard Form 5 and this stipulation were entered into and executed voluntarily by all parties in good faith, and without any fraud, misunderstanding, overreaching, misrepresentation, duress, or undue influence whatsoever.



Ted Leno
Route 4
Rupert, Idaho 83350

Dated this 19 day of 7, 1995.



Daria J. Zane
Attorney
General Litigation Section
Environment and Natural Resources
Division
U.S. Department of Justice

Dated this 14 day of July, 1995

Nicholas Spencer/Daniel Steckel
Deputy Attorney General
Idaho Department of Water Resources

Dated this _____ day of _____, 1995

STIPULATION AND AGREEMENT

This is a stipulation and agreement entered between Ted Leno and the United States, on behalf of the Bureau of Reclamation, with regard to the water right claimed by Ted Leno in the Snake River Basin Adjudication, Water Right No. 36-07607, to which the United States, on behalf of the Bureau of Reclamation, objected.

To resolve the dispute over the above-referenced water right, claimant, Ted Leno, and the United States stipulate and agree as follows.

1. The water right number 36-07607 should be decreed in the name of the claimant, Ted Leno.
2. The water right including the place of use is accurately described on Exhibit 1 hereto.
3. The described place of use includes lands owned by the United States. Specifically, portions of the following places of use are lands owned by the United States: T.8S, R.25E, Sec 33, NESE and T.8S, R.25E, Sec. 33, NWSE located in Minidoka County.
4. The above-described places of use are used by claimant, pursuant to a Lease of Land For Agricultural or Grazing Purposes with either the Bureau of Reclamation or the Minidoka Irrigation District. Claimant agrees to comply with all terms and condition of that lease.
5. The claimant will not receive any vested right, title or interest in the lands owned by the United States by virtue of a partial or decreed water right as described in Exhibit 1. Nor shall the United States receive any vested right, title or interest

shall the United States receive any vested right, title or interest in claimant's water right.

6. If the claimant's use of the United States' land should cease, whether voluntarily or involuntarily, claimant shall cease use of this water right on the places of use identified in Paragraph 3 above. The United States shall be released and held harmless from any loss, injury, and/or damage to the herein described water right or owner of that water right. Claimant shall not assert any claim against the United States in connection with such loss, injury and/or damage.

7. Should the claimant sell, convey, transfer or assign the water right, the places of use on lands of the United States described in paragraph 3 above, which are on federal lands, shall not be conveyed with such water right. Any deed or other instrument reflecting the conveyance, sale, transfer or assignment of such water right shall state that these places of use are not included in such conveyance.

8. All decrees, whether partial or final, should describe the water right as described in Exhibit 1.

9. Upon entry of partial and final decrees for Water Right No. 36-07607, describing the right as shown on Exhibit 1, the objection of the United States shall be deemed withdrawn.

10. All parties agree to bear their own costs and attorneys' fees in connection with this matter.

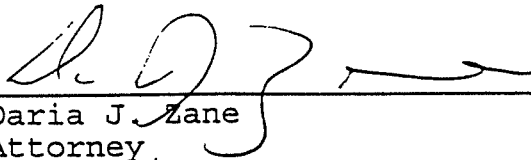
11. This stipulation is entered into and executed voluntarily by all parties in good faith, and without any fraud,

misunderstanding, overreaching, misrepresentation, duress or undue influence whatsoever.

UNITED STATES OF AMERICA

on behalf of the Bureau of Reclamation

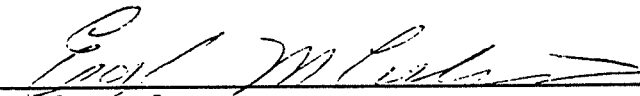
Dated: 7/14/55

By: 

Daria J. Zane
Attorney
General Litigation Section
Environment & Natural Resources Division
U.S. Department of Justice
P.O. Box 663
Washington, D.C. 20044-0663
(202) 272-8351

U.S. BUREAU OF RECLAMATION

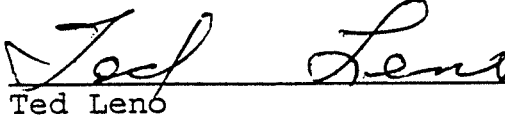
Dated:

By: 

Earl Corless
Manager, Water Operations
Snake River Area Office
1359 Hanson Avenue
Burley, ID 83318
(208) 678-0461

CLAIMANT, Ted Leno

Dated: 7-19-75

By: 

Ted Leno
Rt. 4
Rupert, ID 83350

DATE: NOV-2-1992
PAGE: A-2934

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

RIGHT NUMBER NAME & ADDRESS PRIORITY DATE PURPOSE OF USE PERIOD OF USE FROM TO MAXIMUM QUANTITY BASIS OF CLAIM

SOURCE: GROUNDWATER

36-07607 MEVA L LENO
TED LENO
RT 4
RUPERT ID 83350

02/20/1976 IRRIGATION 04-01 10-31 4.5 CFS
960.0 AFY

POINT OF DIVERSION:

T08S R25E S33
S34

PLACE OF USE: IRRIGATION

T08S R25E S33
S34

240.0 ACRES TOTAL

WESESE
WWSWSM

WESE 34.0
WESW 34.0

WESE 15.0
WWSW 32.0

SWSE 20.0
SWSW 30.0

SESE 32.0
SESW 35.0

TOTAL QUANTITY:
CONSUMPTIVE USE:

CFS
AFY

4.5
960.0

04-01 10-31

02/24/1976 IRRIGATION

04-01 10-31

CFS
AFY

.82
720.0

LICENSE

36-07608 A N AMBROSE
PO BOX 247
WENDELL ID 83355

POINT OF DIVERSION:
T08S R15E S03
PLACE OF USE: IRRIGATION

T08S R15E S03 Lot 1 (NEW) 39.0
SESW 10.0

SWSENE

SWSE 25.0

SENE 30.0 Lot 3 (NEW) 4.0

TOTAL QUANTITY:

CFS

.82

LICENSE

REMARKS: 116.0 ACRES TOTAL
USE OF THIS RIGHT WITH RIGHT NO. 36-02524 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.32 CFS. A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 464 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 348 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 116 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-02524 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Exhibit 1