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Department of Water sources
Adjudication Bureau

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OFFICE OF THE
ATTORNEY GENERAL

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

Case No. 39576

) STANDARD FORM 5
)

) SUBCASE NO: 34-02552
) (ONE NUMBER ONLY)
)

) STIPULATED ELEMENTS
) OF A WATER RIGHT
)

THIS FORM MAY ONLY BE USED IF ALL PARTIES HAVE STIPULATED TO ALL ELEMENTS OF A WATER RIGHT AND MAY BE SUBMITTED AT ANY TIME FOLLOWING THE CLOSE OF THE STATUTORY RESPONSE PERIOD.

This form is used to report the stipulated elements of one water right acquired under state law or one water right acquired under 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.

Instructions For Use

Elements where there has been no objection should be listed exactly as they appear in the director's report. The statement as to these uncontested elements shall state "as recommended in the director's report."

Contested elements that are the result of an objection filed with the court shall be accompanied by a statement fully describing all facts, documents, expert opinions and law which support each element of the water right (attach additional pages if necessary).

1. The name and address of the claimant are:

P.U. RANCh BY Richard A. TUTHILL

Required statement:

2. The source of water is:

TO 4N R 2SE S32 SeNW

Required statement:

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

.01 CFS

Required statement:

4.

The priority date is:

6-20-1947

Required statement:

5.

The legal description of the 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:

T04N R25E S32 Senw

Required statement:

6.

The purpose of use is:

Stock water

Required statement:

INITIAL DISCLOSURE

Name: Richard A Tuttle Subcase No. 34-02552
Address: 4500 Imperial Ave
City/State/Zip: SAN Diego CA 92113
Phone #: 619-262-0861
Attorney of Record: NONE

Note: Your attorney must file a written notice of appearance with the SRBA court in the subcase, if one has not already been filed.

THIS FORM SHALL NOT BE SENT TO THE SETTLEMENT MODERATOR. You must send a copy of this form to all parties to the subcase. You must bring the documents you identified in #3 and #4 to the Settlement Conference.

1. Identify the full name, title, work or home address and telephone number of each person with relevant information about this subcase.

NONE

2. For each person identified in #1 above, describe or summarize their expected testimony if this subcase goes to trial.

NONE

3. List the documents that support your position in this case. You must bring the originals (if available) of these documents to the Settlement Conference. List the title, date and description of the contents of each document. You do not have to send copies of these documents with the initial disclosure.

None

4. Identify any exhibit or other evidence that supports your position and identify those which you expect to offer at trial.

Complete Settlement Reached
on All Water Rights

5. Give the full name, title and work or home address and telephone number of each person you expect to call as an expert witness at trial.

None

6. For each person identified in #5, summarize the facts and opinions you expect the expert to give.

None

I certify that I have read *Amended SRBA Administrative Order 9* and that I have fully complied with its requirements.

Dated: 7-24-95

Richard A. Duthie
(Signature)

Right Number: 34-02552

Name and Address: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706Source of Water: SPRING
Triburary: SINKS

Priority Date: 06-20-1947

Purpose of Use: Stockwater

Period of Use	Quantity
01-01 TO 12-31	.01 CFS

Total Quantity:	.01 CFS

Basis of Claim: License

Non-Irrig. Uses: STOCKWATER, 116 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

Diversion Point: T04N R25E S32 SENW

Place of Use: Stockwater
T04N R25E S32 SENWRemarks: THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.
BLM RECORD ID = 3403488038