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**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	)	STANDARD FORM 5
	)	
Case No. 39576	)	SUBCASE NO: 34-00523B
	)	(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 proposed elements of one federal reserved water right or one water right acquired under state law. Submission of this form will not result in the automatic 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; and they have been served with sufficient process, according to the law, and have appeared, prosecuted and defended their positions with regard to this water right dispute.

Instructions For Use

A copy of this water right as recommended in the director's report shall be submitted with this form. A statement shall accompany **each** element of a water right.

Elements where there has been no objection should be listed exactly as they appear in the director's report. The statement as to an uncontested element 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 the element of the water right (attach additional pages if necessary).

IDWR and the claimant stipulate that water right no. 34-00523B is correctly described in the director's report.

Signature and Address of Parties and their Attorney of Record

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

Name: Idaho Dept. of Water Resources

Address: P.O. Box 83720

City/State/Zip: Boise, ID 83720-0098

Attorney of Record: Susan E. Hamlin

A. Lynne Krogh

Susan E. Hamlin
Attorney's Signature Date

Name: Nora M. Techick

Address: Rt. 1, Box 30

City/State/Zip: Moore, ID 83255

Attorney of Record:

Nora M. Techick 4-3-95
Party's Signature Date

Attorney's Signature

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 April 6th, 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:

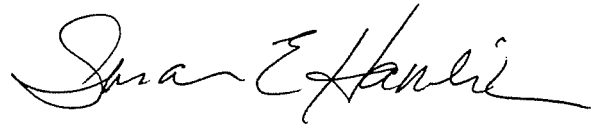
1. Original to:

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:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

Nora M. Techick
Rt. 1, Box 30
Moore, ID 83255



Nora M. Techick
Signature of person or attorney mailing the form

DATE: MAR-23-1995
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BASIS OF CLAIM

DECREED

SENW 39.0

REMARKS: DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE CANAL USE OF THIS RIGHT WITH RIGHT NO. 34-02439 IS LIMITED TO A TOTAL DIVERSION RATE OF 1.02 CFS AND TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 97.5 ACRE FEET AND TO THE IRRIGATION OF A COMBINED TOTAL OF 39 ACRES IN A SINGLE IRRIGATION SEASON.

0.02 CFS OF RIGHT NO. 34-02439 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NO. 34-02439.

