

**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: 36-11115

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right 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; and 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 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 parties stipulate that water right no. 36-11115 is correctly described in the director's report.

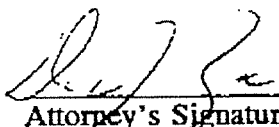
The stipulation of the parties is attached hereto and incorporated herein by reference.

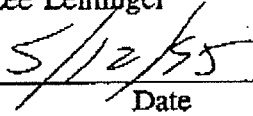
Signatures and Addresses of Parties and their Attorney of Record (attach additional page if necessary):

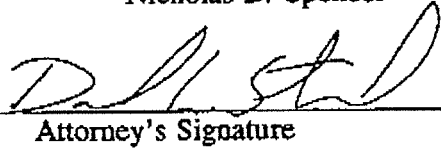
I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.

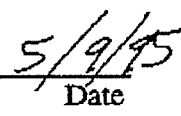
Name: United States through
Address: Department of Justice
601 Pennsylvania Ave. NW
City/State: Washington, DC 20004
Attorney of Record: Daria J. Zane/
R. Lee Leininger

Name: Idaho Dept. of Water Resources
Address: P.O. Box 83720
City/State/Zip: Boise, ID 83720-0098
Attorney of Record: Daniel L. Steckel/
Nicholas B. Spencer


Attorney'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 May 12th, 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 83720
Boise, ID 83720-0098

U.S. Department of Justice
Environment and Natural
Resources Division
550 West Fort Street, Box 33
Boise, ID 83724-0663

Paula Clinedinst

Signature of person or attorney mailing the form

AJ5856NP

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

DATE: NOV-2-1992
PAGE: A-3688

RIGHT NUMBER

NAME & ADDRESS

SOURCE: GROUNDWATER

PRIORITY DATE

PURPOSE OF USE FROM TO

PERIOD OF USE FROM TO

MAXIMUM QUANTITY

BASIS OF CLAIM

36-15283

CLARENCE MARRELL
MARIE MARRELL
AT 4 BOX 140
RUPERT ID 83350

10/15/1990 DOMESTIC

01-01 12-31

.04

CFS

BENEFICIAL USE

STOCKWATER

01-01 12-31

.02

CFS

TOTAL QUANTITY:

.06

CFS

NON-IRRIGATION USES:

DOMESTIC, 1 HOUSE; STOCKWATER, 1 COW

POINT OF DIVERSION:

109S R24E S02

PLACE OF USE: DOMESTIC

109S R24E S02
PLACE OF USE: STOCKWATER

WASE

REMARKS: PARCEL NO. RPO9S24E024750 WASE

36-11115

UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PM REGION
BUREAU OF RECLAMATION
BOX 063-550 WEST FORT STREET
BOISE ID 83724

12/31/1990 DOMESTIC

01-01 12-31

.04

CFS

BENEFICIAL USE

NON-IRRIGATION USES:

SEE REMARKS

POINT OF DIVERSION:

109S R25E S01

PLACE OF USE: DOMESTIC

LOT 5 (MENEWE)

TOTAL QUANTITY:

.04

CFS

109S R25E S01

LOT 5 (MENEWE)

NAME

LOT 8 (SWNE)

REMARKS

REMARKS:

THIS RIGHT IS FOR THE POTABLE WATER SUPPLY FOR THE MINIDOKA
DAM POWERPLANT, WAREHOUSE, AND OFFICE, THE LAKE WALCOTT PARK
CAMPGROUNDS AND THE HEADQUARTERS/RESIDENCE OF THE MINIDOKA
WILDLIFE REFUGE. RIGHT 36-11114 ALSO SUPPLIES WATER FOR THESE
SAME USES.

THIS RIGHT IS LIMITED TO 2500 GALLONS PER DAY.