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Department of Water Resources
Adjudication Bureau

2-5

**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: 36-00039M
	)	
	)	
	)	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).

1. The name and address of the claimant is:

MAX J WOOLLEY
BLANCHE WOOLLEY
[REDACTED]: 860 West 740 South
RICHFIELD, UT. 84701

Required Statement: IDWR and the parties agree that this is the correct address of the owners of the water right.

2. The source of water is:

Source: BILLINGSLEY CREEK Tributary: SNAKE RIVER

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:

DOMESTIC	0.04	CFS
TOTAL QUANTITY:	0.04	CFS

THE APPROPRIATOR IS ENTITLED TO THE AMOUNT OF WATER DESCRIBED ABOVE FOR DOMESTIC PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERED THE PLACE OF USE AS DESCRIBED.

THIS RIGHT MAY BE DIVERTED SO LONG AS THE AMOUNT OF WATER DIVERTED AT THE POINT OF DIVERSION FOR DOMESTIC PURPOSES DOES NOT CONSTITUTE UNREASONABLE WASTE AND DOES NOT CONFLICT WITH THE PUBLIC INTEREST, AS DETERMINED BY THE DIRECTOR.

Required Statement: As recommended in the director's report.

4. The priority date is: 01/02/1891

Required Statement: As recommended in the director's report.

5. The legal description of the point of diversion is:

T07S R13E S11 SESENE

WATER IS DELIVERED THROUGH THE BUCKEYE DITCH.

Required Statement: As recommended in the director's report.

6. The purpose of use is: DOMESTIC.

Required Statement: As recommended in the director's report.

7. The period of year when the water is to be used is: 01-01 TO 12-31.

Required Statement: As recommended in the director's report.

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

T07S R13E S11 NWSE

PROPERTY IS ALSO KNOWN AS LOT 2, BLOCK 2, WILLOW BROOK
SUBDIVISION.

Required Statement: As recommended in the director's report.

9. The annual volume of consumptive use is: DE MINIMIS.

Required Statement: As recommended in the director's report.

10. Other matters necessary to define this water right. N/A.

These matters are necessary because: N/A.

These matters do not fall within the 9 elements listed above because: N/A.

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

Signatures and Addresses of Parties and IDWR 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: Max and Blanche Woolley

Address: [REDACTED] 860 W. 740 S.

City/State/Zip: Richfield, UT. 84701

Attorney of Record: Patrick Brown/

Max Woolley 1-23-96
Party's Signature Date

Name: Idaho Dept. of Water Resource

Address: P.O. Box 83720

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

Attorney of Record: Nicholas B. Spencer/
Brent King

[Signature] 1/16/96
Attorney's Signature Date

Blanche Woolley 1-23-96
Party's Signature Date

Suzanne McIntosh 2-5-96
Hepworth Lezaniz + Hahnhost

Name: United States through

Address: Department of Justice

601 Pennsylvania Ave. NW

City/State: Washington, DC 20004

Attorney of Record: Daria J. Zane

[Signature]
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 February 5, 1996, 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:

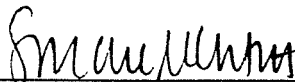
1. Original to:

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



Signature of person or attorney mailing the form