

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

Subcase No. 63-05271

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

RECEIVED
JUN 10 2014
DEPARTMENT OF
WATER RESOURCES

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

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS/OBJECTORS:

Richard Bicandi
Dorothy Bicandi


Albert P. Barker, Attorney 6-9-14
Date

IDWR Concurrence:


Carter Fritschle Date
Manager, Adjudication Section


Emmi Blades Date
Deputy Attorney General
Attorney for IDWR

06/06/2014

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

RIGHT NUMBER: 63-5271

NAME AND ADDRESS: RICHARD BICANDI
1905 MASON RD
CALDWELL ID 83669

DOROTHY BICANDI
1905 MASON RD
CALDWELL ID 83605

SOURCE: MASON CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.750 CFS

PRIORITY DATE: 05/01/1966

POINT OF

DIVERSION: T04N R03W S24 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

0.750 CFS

PLACE OF USE: IRRIGATION in CANYON County

T04N R03W S13 SWSW 37.50

37.5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The source of this water right may include waste water. Any waste water remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Mason Creek Ditch Co.

CPK
of
EB

CERTIFICATE OF MAILING

I certify that on June 11, 2014, 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:

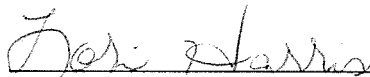
1. Original to:

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:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

RICHARD & DOROTHY BICANDI
Represented by:
ALBERT P BARKER
1010 W JEFFERSON ST STE 102
PO BOX 2139
BOISE, ID 83701-2139



Signature of person or attorney mailing form