

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     | ) | Subcase No. 63-33855     |
|                | ) |                          |
| Case No. 39576 | ) |                          |
|                | ) | STANDARD FORM 5          |
|                | ) |                          |
|                | ) | STIPULATED ELEMENTS OF A |
|                | ) | WATER RIGHT              |

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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.**

**CLAIMANT/OBJECTOR**

The Tina Iest Family L.L.L.P.

Helen C. Tidwell      6/11/14

Helen C. Tidwell

Date

Executor, Estate of Tina Iest

General Partner, The Tina Iest Family L.L.L.P.

**IDWR Concurrence:**

Carter Fritschle 6-13-14  
Carter Fritschle Date  
Manager, Adjudication Section

Meghan Carter 6/13/14  
Meghan Carter Date  
Deputy Attorney General  
Attorney for IDWR

06/11/2014

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

RIGHT NUMBER: 63-33855

NAME AND ADDRESS: THE TINA IEST FAMILY LLLP  
C/O HELEN TIDWELL  
5700 S LINDER RD  
MERIDIAN ID 83642

SOURCE: MAMMON <sup>9</sup>~~MAMMEN~~ GULCH CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 3.360 CFS

~~Right Nos. 63-201, 63-5179 and 63-33855 are limited to a total combined diversion rate of 14.05 cfs. 4.39 cfs of the total combined diversion rate is for conveyance losses incurred between the point of diversion and the place of use.~~

Right Nos. 63-201, 63-5179 and 63-33855 are limited to a total combined diversion rate of 19.81 cfs.

PRIORITY DATE: 04/01/1946

POINT OF  
DIVERSION: T05N R05W S27 NESE Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/01 11/15          | 3.360 CFS       |

PLACE OF USE: IRRIGATION in CANYON County

|                          |      |                          |       |
|--------------------------|------|--------------------------|-------|
| T05N R05W S26 Lot 5 SWNW | 8.00 | T05N R05W S27 Lot 1 NENE | 10.00 |
| T05N R05W S27 Lot 2 NWNE | 5.00 | T05N R05W S27 Lot 1 SENE | 39.00 |

62 ACRES TOTAL

Right Nos. 63-201, 63-5179 and 63-33855 are limited to the irrigation of a combined total of 161 acres in a single irrigation season.

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

*Hot me*  
*CA*

## CERTIFICATE OF MAILING

I certify that on June 13, 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

THE TINA IEST FAMILY L.L.L.P.

Represented by:  
DANA L HOFSTETTER  
608 W FRANKLIN ST  
BOISE, ID 83702-5509

  
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Signature of person or attorney mailing form