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JUN 25 2014

DEPARTMENT OF
WATER RESOURCES

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. 72-16785
	)	
Case No. 39576	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

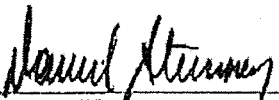
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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:

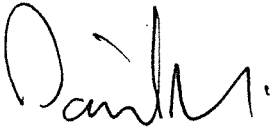
Archie Sherwood

 6-10-14

Daniel V. Steenson Date
Attorney at Law

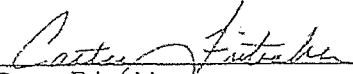
OBJECTOR:

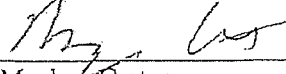
United States of America

 6/24/14

David Negri, Attorney Date
Bureau of Land Management

IDWR Concurrence:

 6-19-14
Carter Fritschle Date
Manager, Adjudication Section

 6/20/14
Meghan Carter Date
Deputy Attorney General
Attorney for IDWR

06/03/2014

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

RIGHT NUMBER: 72-16785
NAME AND ADDRESS: ARCHIE SHERWOOD
PO BOX 163
CLAYTON ID 83227

SOURCE: EAST FORK SALMON RIVER TRIBUTARY: SALMON RIVER
QUANTITY: 6.540 CFS

Right nos. 72-228A, 72-229 and 72-16785 are limited to a maximum combined diversion rate of 8.10 cfs at the East Fork-4 Diversion in T10N, R18E, S13, SWSWNW.

~~The diversion rate listed is a peak-measured value during maximum discharge periods. The actual diversion rate varies seasonally through the year and is proportional to river stage. This right does not authorize diversion of greater quantities than have historically been diverted.~~

PRIORITY DATE: 04/01/1938

POINT OF DIVERSION: T10N R18E S13 SWSWNW Within CUSTER County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	6.540 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T10N R18E S12	SWNE	8.00	T10N R18E S12	NESW	3.20
T10N R18E S12	SESW	6.50	T10N R18E S12	NWSE	20.00
T10N R18E S12	SWSE	11.00	T10N R18E S13	NENW	14.00

62.7 ACRES TOTAL

Place of use does not include federal public lands.

The rights listed below are limited to the irrigation of a combined total of 60 acres in a single irrigation season. Combined Right Nos.: 72-228A, 72-229 and 72-16785.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CA
re
DVS
DN

CERTIFICATE OF MAILING

I certify that on June 24th, 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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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

ARCHIE SHERWOOD
Represented by:
DANIEL V STEENSON
SAWTOOTH LAW OFFICES PLLC
1101 W RIVER ST STE 110
PO BOX 7985
BOISE, ID 83707



Signature of person or attorney mailing form