

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. 29-14178
	)	(Formerly Disallowed)
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

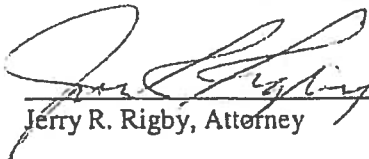
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

CLAIMANTS/OBJECTORS:

RESPONDENTS:

 12-5-17

Jerry R. Rigby, Attorney Date

 12-8-17

Thomas J. Budge, Attorney Date

RESPONDENT:

Blake Johnson Date

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. 29-14178

) (Formerly Disallowed)

) 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.

CLAIMANTS/OBJECTORS:

RESPONDENTS:

Jerry R. Rigby, Attorney

Date

Thomas J. Budge, Attorney

Date

RESPONDENT:

Blake Johnson 12-5-17
Blake Johnson Date

IDWR CONCURRENCE:

Andrea Courtney 12/12/17
Andrea Courtney Date
Deputy Attorney General
Attorney for IDWR

IDWR CONCURRENCE:

Carter Fritschle 12-12-17
Carter Fritschle Date
Manager, Adjudication Section

12/01/2017

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

RIGHT NUMBER: 29-14178

NAME AND ADDRESS: MONTE EVANS
5050 BAILEY RD
ARBON ID 83212

JERRE EVANS
5050 BAILEY RD
ARBON ID 83212

SOURCE: BANNOCK CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/08/1900

Pursuant to a call in times of scarcity, this right is junior to Water Right Nos. 29-2470, 29-13708, 29-13949, 29-13950, 29-13951, 29-13952, 29-13984 and 29-13985.

POINT OF
DIVERSION:

T10S R33E S36 NENE Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

Stockwater use is for the in-stream watering of livestock.

PLACE OF USE:

STOCKWATER in POWER County

T10S R33E S36 NENE

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 quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 200 head cattle and/or horses, or 400 head sheep.

Parcel No. RPD2305-02

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

12/01/2017

RIGHT NUMBER: 29-14178
NAME AND ADDRESS: MONTE EVANS
5050 BAILEY RD
ARBON ID 83212

JERRE EVANS
5050 BAILEY RD
ARBON ID 83212

SOURCE: BANNOCK CREEK
QUANTITY: 0.020 CFS
TRIBUTARY: SNAKE RIVER

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/08/1900

Pursuant to a call in times of scarcity, this right is junior to Water Right Nos. 29-2470, 29-13708, 29-13949, 29-13950, 29-13951, 29-13952, 29-13984 and 29-13985.

POINT OF
DIVERSION: T10S R33E S36 NENE Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
Stockwater use is for the in-stream watering of livestock.		

PLACE OF USE: STOCKWATER in POWER County
T10S R33E S36 NENE

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 quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 200 head cattle and/or horses, or 400 head sheep.

Parcel No. RPD2305-02

CERTIFICATE OF SERVICE

I certify that on December 12, 2017, I caused to be served a true and correct copy of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☒ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Jerry R. Rigby
25 N. 2nd E.
P.O. Box 250
Rexburg, ID 83440

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Thomas J. Budge
201 E. Center
P.O. Box 1391
Pocatello, ID 83204-1391

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Blake Johnson
4751 Evans Ln
Arbon, ID 83212

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing form