

02/29/2008

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22236

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF LANDS
300 N 6TH ST
PO BOX 83720
BOISE ID 83720-0050

RECEIVED BY KKC
2-28-08

SOURCE: UNNAMED STREAM

TRIBUTARY: SINKS

QUANTITY: 2.920 AFY

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

PRIORITY DATE: 09/02/1916

POINT OF DIVERSION:

T02S R11E S16 SESENE Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER STORAGE	01/01 12/31	2.92 AFY
STOCKWATER FROM STORAGE	01/01 12/31	2.92 AFY

PLACE OF USE: STOCKWATER STORAGE in ELMORE County

T02S R11E S16 SENE

STOCKWATER FROM STORAGE in ELMORE County

T02S R11E S16 SENE

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

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

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

This right is a split from former right 37-20916 .

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: 37-22236
)
)
)

STANDARD FORM 5

Case No. 39576
_____)

**STIPULATED ELEMENTS OF A WATER
RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in 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 decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS:

CASA DEL NORTE LP

OBJECTOR:

State of Idaho – Department of Lands

Date

David J. Barber

Date

Deputy Attorney General

State of Idaho – Department of Lands

IDWR CONCURRENCE:

Kelly K. Christensen 3-4-2008

Date

Date

CERTIFICATE OF MAILING

I certify that on _____, 2008, I mailed the original and the 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

HAND DELIVERY

2. Copies to:

Mr. Bruce Smith representing
CASA DEL NORTE LP
Moore Smith Buxton & Turcke, Chtd
950 W. Bannock, Ste 520
Boise, ID 83702

U.S. MAIL

Office of the Attorney General
Natural Resource Division
Idaho Department of Lands
P.O. Box 83720
Boise, ID 83720-0050
Attn: David J. Barber

U.S. MAIL

State of Idaho
South Central Idaho Supervisory Area
Department of Lands
319 South 417 East
Jerome, ID 83338

U.S. MAIL

State of Idaho
Department of Lands
300 N. 6th St.
PO Box 83720
Boise, ID 83720-0050

U.S. MAIL

IDWR Depository
PO Box 83720
Boise, ID 83720

U.S. MAIL

Signature of person mailing the form

10/23/2006 10/29/2007

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

RIGHT NUMBER: 37-2223620916

NAME AND ADDRESS: ~~CASA DEL NORTE LP~~
~~11204 N BAR 21 DR~~
~~GLENN FERRY ID 83623~~
STATE OF IDAHO
DEPT OF LANDS
300 N. 6TH St.
PO BOX 83720
BOISE ID 83720-0050

SOURCE: UNNAMED STREAM
UNNAMED STREAM
UNNAMED STREAM
TRIBUTARY: SINKS
TRIBUTARY: ~~THORN CREEK~~
TRIBUTARY: ~~WALKER GULCH CREEK~~

QUANTITY: 14.60 2.9 AFY

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

PRIORITY DATE: 09/02/1916

POINT OF
DIVERSION: ~~T02S R11E S16 SWNESE Within ELMORE County~~
T02S R11E S16 SESENE Within ELMORE County
~~T02S R11E S21 SESWE Within ELMORE County~~
~~T02S R11E S21 NWSESE Within ELMORE County~~
~~T02S R11E S22 NESWSW Within ELMORE County~~

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER STORAGE	01/01 12/31	14.60 2.9 AFY
STOCKWATER FROM STORAGE	01/01 12/31	14.60 2.9 AFY

PLACE OF USE: STOCKWATER STORAGE in ELMORE County

~~T02S R11E S16~~ NENE	T02S R11E S16	SENE
~~T02S R11E S21~~ SWSE	~~T02S R11E S21~~	~~SESE~~
~~T02S R11E S22~~ SWSW		
STOCKWATER FROM STORAGE in ELMORE County		
~~T02S R11E S16~~ NENE	T02S R11E S16	SENE
~~T02S R11E S21~~ SWSE	~~T02S R11E S21~~	~~SESE~~
~~T02S R11E S22~~ SWSW		

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

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

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 42-1416(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use