

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. 37-00059A
)
) **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 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 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 /RESPONDENT:

7 Mile Ranch, LLC

Jeffrey C. Ward
Jeffrey C. Ward, Manager

5/30/2006
Date

Julia I. Ward
Julia I. Ward, Manager

5/30/2006
Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown FWP Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Steve Clelland
Senior Water Resource Agent

Date

IDWR CONCURRENCE:

Nicholas B. Spencer (as to form) Date
Deputy Attorney General

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

RIGHT NUMBER: 37-59A

NAME AND ADDRESS: ~~ALEX ANCHUSTEGUI~~
~~PO BOX 414~~
~~SHOSHONE ID 83352-0414~~

7 MILE RANCH, LLC
130 E 67TH ST, APT 3A
NEW YORK, NY 10021

P.O. Box 2756
Haley, ID 83333

~~ELSA ANCHUSTEGUI~~
~~1900 S PHILLIPPI ST~~
~~BOISE ID 83705-2641~~

FWP

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

POINT OF INJECTION INTO JIM BYRNS SLOUGH THAT FLOWS INTO
THE LITTLE WOOD RIVER. POINT OF REDIVERSION FROM THE LITTLE
WOOD RIVER.

QUANTITY: 4.660 CFS

USE OF THIS RIGHT WITH RIGHT NO. 37-321 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 692 AF.

PRIORITY DATE: 05/27/1899

POINT OF
DIVERSION:

T02S R18E S30

SWSENE

Within BLAINE County

T03S R19E S19

SWNENE

Within LINCOLN County

T04S R19E S25

SENWSE

Injection

T05S R18E S13

NWNESW

Injection

T05S R18E S13

NWNESW

Rediversion

T05S R18E S23

SWNENE

Rediversion

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
4.660 CFS
692.00 AFY

PLACE OF USE:

IRRIGATION

Within LINCOLN County

T05S R18E S14

SESW 3.0

T05S R18E S14

NESE 4.0

T05S R18E S14

NWSE 2.0

T05S R18E S14

SWSE 26.0

T05S R18E S14

SESE 33.0

T05S R18E S23

NENE 22.0

T05S R18E S23

NWNE 30.0

T05S R18E S23

SWNE 4.0

T05S R18E S23

NENW 23.0

T05S R18E S23

SWNW 6.0

T05S R18E S23

SENW 20.0

173 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-321 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 173 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON
FEDERAL PUBLIC LAND.

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 - Decreed

RIGHT SUBJECT TO 27% CONVEYANCE LOSS; 3.40 CFS CAN BE REDIVERTED FROM LITTLE WOOD RIVER.

FWP

CERTIFICATE OF MAILING

I certify that on May 30, 2006 mailed the original and copies of this form, including all attachments, 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. Copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

7 Mile Ranch, LLC
P.O. Box 2756
Hailey, Idaho 83333

~~7 Mile Ranch, LLC~~
~~130 E. 67th St., Apt 3A~~
~~New York, NY 10021~~

Eric L. Ward

Signature of person or attorney mailing the form