

**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.: 37-10642
	)	
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:

Margaret Pierson
Margaret Pierson Date

IDWR CONCURRENCE:

Carter Fritschle 8-23-06
Carter Fritschle Date
Section Manager Adjudication Bureau

Susan Hamlin 8/23/06
for Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR
Approved as to form

11/01/2005

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

RIGHT NUMBER: 37-10642

NAME AND ADDRESS: MARGARET A PIERSON
1834 E 1600 S
GOODING ID 83330

MARVIN E PIERSON
1834 E 1600 S
GOODING ID 83330

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.490 CFS

PRIORITY DATE: 08/15/1886

POINT OF
DIVERSION: T05S R15E S15 NWNE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.490 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T05S R15E S21	SWSW	1.9	T05S R15E S21	SESW	6.1
T05S R15E S21	SWSE	2.7	T05S R15E S28	NWNE	9.1
T05S R15E S28	NENW	33.0	T05S R15E S28	NWNW	39.0
T05S R15E S28	SWNW	35.0	T05S R15E S29	NESE	28.0

154.8 ACRES TOTAL

Right Nos. 37-10641, 37-10642, 37-10643, 37-10644 and 37-10645 are limited to the irrigation of a combined total of 154.8 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.

Delivery of this right is subject to the water exchange provisions contained in Bureau of Reclamation contract no. 14-06-W-73, executed October 14, 1954, between the United States of America and American Falls Reservoir District No. 2, as supplemented by Bureau of Reclamation contract no. 14-06-100-6031, executed June 1, 1962, between and among the United States of America, American Falls Reservoir District No. 2, and the Big Wood Canal Company.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of this right is combined with water from American Falls Reservoir Dist.
Director's Report Basin 37 Part 1 Surface Water

700

sch
MP
cf

11/01/2005

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

No. 2.

Water is delivered through the Poorman Ditch.

Use of this right is combined with water from Big Wood Canal Co.

see
MP. C-1

CERTIFICATE OF SERVICE

I certify that on August 25, 2006, I caused to be served true and correct copies 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

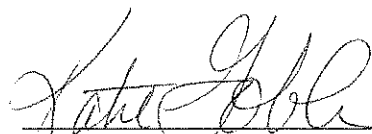
2. Copies to:

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

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

Margaret Pierson
1834 E 1600 S
Gooding, ID 83330

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



Signature of person or attorney mailing the form