

RECEIVED
NOV 06 2006
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: 37-21838
	)	(FORMERLY 37-107)
	)	
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. 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; and 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.

To resolve the objection, the whole of water right 37-107 was split into two water rights and renumbered as 37-21838 and 37-21839. The parties and IDWR agree and stipulate that water right 37-21838 should be described per the attached. The parties and IDWR further agree that this SF5 will resolve the objection filed by the BLM in subcase 37-107, and have indicated their concurrence by signing below and initialing the attached pages. This right and right 37-21839 now supersede right 37-107.

CLAIMANT:

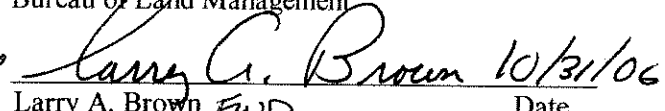


for T5 Ranch

10-24-06
Date

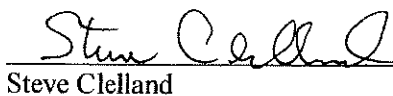
OBJECTOR:

United States on behalf of the
Bureau of Land Management


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

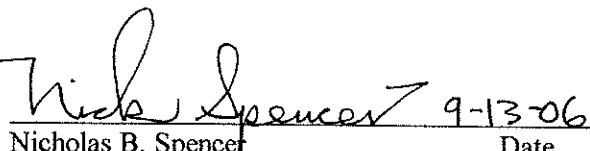
10/31/06
Date

IDWR CONCURRENCE:



Steve Clelland
Senior Water Resource Agent

9/12/06
Date


Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR

9-13-06
Date

08/11/2006

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

RIGHT NUMBER: 37-21838
NAME AND ADDRESS: T5 RANCH LLC
PO BOX 751
BELLEVUE ID 83313

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.560 CFS

PRIORITY DATE: 06/15/1888

POINT OF DIVERSION:

T05S R19E S7 NENWSE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.040 CFS
IRRIGATION	03/15 11/15	1.560 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R18E S13	SWNE	16.00	T05S R18E S13	SENE	16.00
T05S R19E S18	NENW	7.80	T05S R19E S18 Lot 2	SWNW	45.00
T05S R19E S18	SENE	15.00			

STOCKWATER Within LINCOLN County

T05S R18E S13	SWNE	T05S R18E S13	SENE
T05S R19E S18	NENW	T05S R19E S18 Lot 2	SWNW
T05S R19E S18	SENE		

99.8 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-21836 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 99.8 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL
CO.

This right is a split from former right 37-107 .

mt SCC
Fwp NBS
LAS

CERTIFICATE OF SERVICE

I certify that on Oct. 31, 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

T5 Ranch
P.O. Box 751
Bellevue, ID 83313

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

U.S. Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

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


Signature of person or attorney mailing the form