

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: 74-15740
(FORMERLY 74-724)

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 74-724 was split into two water rights and renumbered as 74-15740 and 74-15741. The parties and IDWR agree and stipulate that water right 74-15740 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 74-724, and have indicated their concurrence by signing below and initialing the attached pages. This right and right 74-15741 now supersede right 74-724.

CLAIMANT:

Eagle Valley Ranch, LLC

Karl W. Foster 5/9/07
Karl W. Foster Date
Attorney for Eagle Valley Ranch, LLC

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 5/9/07
Larry A. Brown Date
Attorney, U.S. Department of Justice
Environment and Natural Resources

IDWR CONCURRENCE:

Ernest Carlson 3-22-07
Ernest Carlson Date
Water Resource Program Manager

IDWR CONCURRENCE:

Christopher M. Bromley 3/26/07
Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 74-15740

NAME AND ADDRESS: EAGLE VALLEY RANCH LLC
446 BOHANNON CREEK RD
SALMON ID 83467

SOURCE: WIMPEY CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.710 CFS

PRIORITY DATE: 04/01/1961

POINT OF
DIVERSION:

121N R23E S12 SWNE Injection Within LEMHI County
121N R23E S12 SENW Rediversion Within LEMHI County
121N R24E S5 SENW Within LEMHI County
T21N R24E S6 SESEW Injection Within LEMHI County
121N R24E S7 NWSE Within LEMHI County

EMC
CB
FWP
ON

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.710 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

121N R13E S12

SWNW

~~19.50~~
28.0

T21N R13E S12

NWSW

~~16.50~~
8.0

36 ACRES TOTAL

Place of use does not include federal public lands

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

This right is a split from former right 74-724 .

CERTIFICATE OF SERVICE

I certify that on May 9, 2007, 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

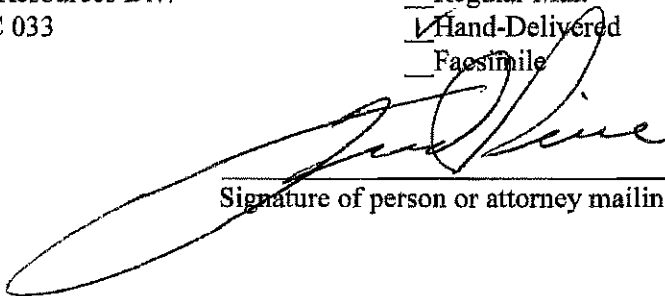
☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Kent W. Foster
1000 Riverwalk Dr., Ste 200
P.O. Box 50130
Idaho Falls, ID 83405-0130

☐ 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