

**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.: 37-2683B

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:

Hidden Crown Ranch LLC

William J. Swanson 8/5/08
William J. Swanson Date
for Hidden Crown Ranch LLC

OBJECTOR:

United States on behalf of the
Bureau of Land Management

David L. Negri 9/9/07
David L. Negri Date
Attorney, U.S. Department of Justice
Environment and Natural Resources

IDWR CONCURRENCE:

 9/3/08
Douglas Jones Date
Technical Engineer 1

IDWR CONCURRENCE:

 9/3/08
Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

09/02/2008

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

RIGHT NUMBER: 37-2683B

NAME AND ADDRESS: HIDDEN CROWN RANCH LLC
71 W SHADOW TRAILS
BOYNE CITY MI ~~49736~~

49712 WS

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.120 CFS
175.70 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands below.

Rediversion of ground water from Silver Creek under Rights 37-2683B & 37-7349B shall not exceed the amount of ground water actually diverted from the authorized well and injected into Silver Creek.

The total instantaneous diversion of water from all points of rediversion from Silver Creek under Rights 37-2683B and 37-7349B shall not exceed 1.24 cfs, nor total combined annual volume of 217.7 af.

PRIORITY DATE: 08/23/1961

POINT OF DIVERSION:

T01S R20E S20 NNESEW Injection Within BLAINE County
T01S R20E S20 NNNESEW Within BLAINE County
T01S R20E S26 NESESW Rediversion Within BLAINE County
T01S R20E S27 SWNESE Rediversion Within BLAINE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 11/01	1.120 CFS 175.70 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R20E S26	NENW	7.00	T01S R20E S26	NNNW	24.00
T01S R20E S26	SWNW	20.00	T01S R20E S26	SENW	5.00
T01S R20E S26	NESE	26.00	T01S R20E S26	NWSE	14.00
T01S R20E S26	SWSE	7.00	T01S R20E S26	SESE	12.00
T01S R20E S27	NENE	15.00	T01S R20E S27	SENE	22.00

152 ACRES TOTAL

Place of use does not include federal public lands.

CB WS
ON

Right Nos. 37-2683B and 37-7349B are limited to the irrigation of a combined total of 62.2 acres in a single irrigation season within the place of use described above.

This right is limited to the irrigation of 58.8 acres within the place of use described above 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.

09/02/2008

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37H.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for the authorized ground water point of diversion, point of injection into Silver Creek, and points of redirection from Silver Creek. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

JK
CB
MS
WS
ON

CERTIFICATE OF SERVICE

I certify that on SEPT. 9, 2008, 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

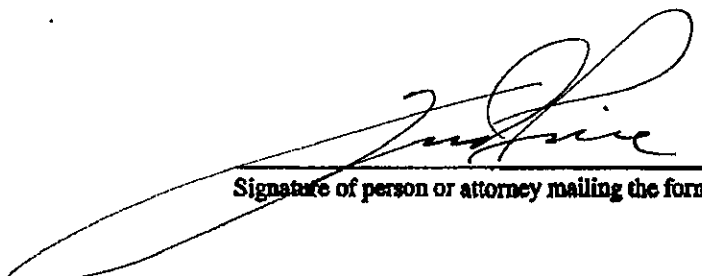
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Hidden Crown Ranch, LLC
c/o William J. Swanson
71 W. Shadow Trails Rd
Boyer City, MI 49712-9083

☐ 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