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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

Case No. 39576

Subcase No.: 37-4311

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:

James P. Speck
Attorney for Marcia N. Trock

Date

RESPONDENTS:

Craig D. Hobday 4/12/09
Attorney for Big Wood Canal Company

Date

Albert P. Barker
Attorney for Tom O'Gara, John F.
Stevenson, Bill Molyneux, Pete Van Der
Meulen, Grace Bakin, Gerald Bashaw, and
Pepin Corso-Harris

Date

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IDWR CONCURRENCE:

Kelly K. Christensen 10-31-08

Kelly K. Christensen
Sr. Water Resource Agent

Date

IDWR CONCURRENCE:

Nicholas B. Spencer 10-31-08

Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR

Date

10/31/2008

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

RIGHT NUMBER: 37-4311

NAME AND ADDRESS: MARCIA W TROCK
30 ARBORN RD
WESTON MA 02453

SOURCE: DECKER CREEK
SPRING

TRIBUTARY: EAST FORK WOOD RIVER
TRIBUTARY: DECKER CREEK

QUANTITY: 0.050 CFS

The quantity of water under this right for domestic and stockwater use shall not exceed 15,000 gallons per day.

PRIORITY DATE: 01/01/1969

POINT OF
DIVERGENCE:

TOWN RISE #35 BROWN WITHIN BLAINE County
BROWN

KKC IRS
NBS
APB
CAH

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	0.050 04 CFS
STOCKWATER	01-01-70 12-31	.02 CFS
DOMESTIC	01-01-70 12-31	.004 CFS

Domestic use is for 1-bath.

PLACE OF USE: IRRIGATION in BLAINE County

TOWN RISE #35 BROWN 2.00

2 ACRES TOTAL

SPRING #35 BROWN BLAINE COUNTY

TOWN RISE #35 BROWN

DOMESTIC BROWN BLAINE COUNTY

TOWN RISE #35 BROWN

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.

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF SERVICE

I certify that on JAN 12, 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

James P. Speck
Speck & AAnestad
P.O. Box 987
Ketchum, ID 83340

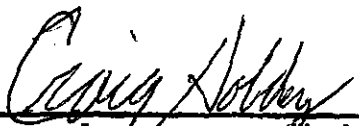
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Craig D. Hobdey
Hobdey & Hobdey
125 5th Ave
P.O. Box 176
Gooding, ID 83330

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☐ Hand-Delivered
☐ Facsimile

Albert P. Barker
Shelley M. Davis
Barker, Rosholt & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139

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☐ Regular Mail
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☐ Facsimile


Signature of person or attorney making the form