

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

May 19, 2009

Gary W. Grandy
LaVon G. Grandy
1076 S 100 W
Victor, ID 83455-5446

RE: SRBA Subcase Nos. 22-2279 & 22-13915

Dear Water Right Claimants:

I am enclosing a Standard Form 5 ("SF5") for each of the above-referenced subcases. The SF5 is the document required by the Snake River Basin Adjudication ("SRBA Court") to settle water right disputes.

Please review the SF5s, and if they are acceptable, please sign on the indicated signature lines, initial the revised recommendations and return the original documents to me in the self-addressed stamped envelope that I have enclosed for your convenience. I will obtain any remaining signatures and file the documents with the SRBA Court. .

If you should have any questions or comments, please feel free to contact me at 287-4815.

Sincerely,

A handwritten signature in cursive script that reads "Ray Williams".

Ray Williams
Paralegal

Enclosures

**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. 22-2279
	)	
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 [REDACTED] of the attached pages.

CLAIMANT/OBJECTOR: [REDACTED]

CLAIMANT: [REDACTED]

Gary W. Grandy Date

LaVon G. Grandy Date

OBJECTORS:

Crystal Springs Land & Cattle Co., Inc.

U.S. Forest Service

Robert L. Harris 5/5/09
Robert L. Harris Date
Attorney for Objector

David L. Negri, USDOJ, Date
Attorney for Objector

IDWR Concurrence:

Ernest Carlsen 5/4/09
Ernest Carlsen Date
Water Resource Program Manager

Garrick L. Baxter 4/27/09
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

INITIAL
HERE

RIGHT NUMBER: 22-2279

NAME AND ADDRESS:

GARY W GRANDY
1076 S 100 W
VICTOR ID 83455
LA VON G GRANDY
1076 S 100 W
VICTOR ID 83455-5446

SOURCE:

Source:

BIG SPRINGS
FOREST SPRING

Tributary:

LITTLE WARM CREEK
LITTLE WARM CREEK

QUANTITY: 0.520 CFS

PRIORITY DATE: 09/09/1966

POINT OF DIVERSION:

T03N R45E S22 Lot 4 NESESW Within TETON County
T03N R45E S22 NENWSE Within TETON County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION 06/01 10/31 0.520 CFS

The use of water for irrigation under this right may begin as early as April 15, provided other elements of the right are not exceeded. The use of water before June 1 under this right is subordinate to all water rights having no subordinated early or late irrigation and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

IRRIGATION

within TETON County

T03N R45E S22 NESW 9.0

~~T03N R45E S22 SESE 9.0~~

T03N R45E S22 NWSE 13.0

~~T03N R45E S22 SESE 13.0~~

22 ACRES TOTAL

Place of use does not include federal public lands.

The rights listed below are limited to the irrigation of a combined total of 52.8 acres single irrigation season. Combined Right Nos.: 22-683A, 22-2279 and 22-13915.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Property is also known as Homestead Entry Survey Nos. 252 and 253 Tract A.

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 - License

CERTIFICATE OF MAILING

I certify that on _____, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid 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, IDAHO 83303-2707

2. Copies to:

CRYSTAL SPRINGS LAND & CATTLE
Represented by:
ROBERT L. HARRIS
1000 RIVERWALK DR., STE. 200
P.O. BOX 50130
IDAHO FALLS, ID 83405

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

GARY W. GRANDY
LA VON G. GRANDY
1076 S 100 W
VICTOR, ID 83455

Signature of person or attorney mailing the form

**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. 22-13915
	)	
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.

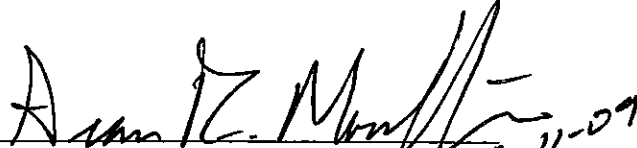
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions 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:

Richard Howard Gebhard

CLAIMANT:



Sean R. Moulton Date 5-11-09
Attorney for Claimant/Objector

LaVon G. Grandy Date

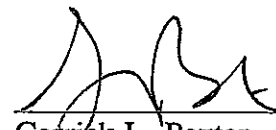
OBJECTOR:

Crystal Springs Land & Cattle Co., Inc.


Robert L. Harris Date
Attorney for Objector

IDWR Concurrence:


Ernest Carlsen Date
Water Resource Program Manager

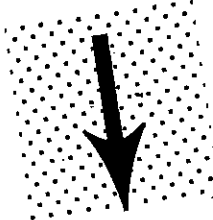
 4/28/09
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

INITIAL
HERE

RIGHT NUMBER: 22-13915
NAME AND ADDRESS: RICHARD HOWARD GEBHARD
PO BOX 168
VICTOR ID 83455

GARY W GRANDY
1076 S 100 W
VICTOR ID 83455



JB
ENC
RHF
SM

SOURCE: POLE CREEK TRIBUTARY: SINKS
QUANTITY: 0.330 CFS
18.00 AFY

The rights listed below are limited to a total combined diversion rate of 2.00 cfs. Combined Right Nos.: 22-683A, 22-683B and 22-13915.

The capacity of the reservoir is 1.8 AF. The reservoir may be refilled multiple times up to a total diversion volume of 18 AF during the period of October 10 to May 1.

~~The capacity of the storage reservoir is 1.8 AF. The reservoir may be refilled multiple times up to the total diversion volume in a single year.~~

PRIORITY DATE: 11/02/1989
POINT OF DIVERSION:
T03N R45E S26 NENWSW Within TETON County
PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
RECREATION STORAGE	01/01 12/31	1.80 AFY
IRRIGATION	07/01 08/31	0.330 CFS
RECREATION FROM STORAGE	10/10 05/01	18.00 AFY
DIVERSION TO STORAGE	10/01 05/01	0.050 CFS

PLACE OF USE: IRRIGATION in TETON County

T03N R45E S22	NESE	29.00	T03N R45E S22	NWSE	13.00
T03N R45E S22	SESE	1.80	T03N R45E S23	SWSW	4.00

RECREATION STORAGE in TETON County

T03N R45E S23 SWSW

47.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 47.8 acres in a single irrigation season. Combined Right Nos.: 22-683A, 22-683B and 22-13915.

The rights listed below are limited to the irrigation of a combined total of 52.8 acres in a single irrigation season. Combined Right Nos.: 22-683A, 22-2279 and 22-13915.

Place of use does not include federal public lands.

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

AS
SM

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Property is also known as Homestead Entry Survey No. 253 Tracts A & B.

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

CERTIFICATE OF MAILING

I certify that on _____, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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Represented by:
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1000 RIVERWALK DR., STE. 200
P.O. BOX 50130
IDAHO FALLS, ID 83405

RICHARD HOWARD GEBHARD
Represented by:
SEAN R. MOULTON
P.O. BOX 631
DRIGGS, ID 83422

RICHARD HOWARD GEBHARD
P.O. BOX 168
VICTOR, ID 83455

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

GARY W. GRANDY
1076 S 100 W
VICTOR, ID 83455

Signature of person or attorney mailing the form