

2009 SEP 24 AM 10 16

STANDARD FORM 5 - 37-21123

OBJECTORS:

Big Wood Canal Company

RESPONDENT:

Barker Living Trust, et al

Craig D. Hobdey 9-16-09
Craig D. Hobdey, Attorney Date

J. P. Speck 9-11-09
James Speck, Attorney Date

RESPONDENT:

Newfoundland Partners

RESPONDENT:

Sinclair Oil Corporation

Scott Campbell 9/02/09
Scott Campbell, Attorney Date

Scott Campbell 9/02/09
Scott Campbell, Attorney Date

IDWR Concurrence:

Keely Christensen 9-18-09
IDWR Agent Date

C. B. 9/17/09
Deputy Attorney General, IDWR Date

CERTIFICATE OF MAILING

I certify that on 9/23, 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:

BILL MOLYNEUX
GERALD BASHAW
GRACE EAKIN
JOHN F STEVENSON
PEPIN CORSO-HARRIS
PETE VAN DER MEULEN
ROCKY SHERBINE
TOM O GARA

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139

SINCLAIR OIL CORPORATION

Represented by:
ANDREW J WALDERA
101 S CAPITOL BLVD 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829

BIG WOOD CANAL CO
BIG WOOD CANAL COMPANY

Represented by:
CRAIG D. HOBDEY
125 5TH AVE
PO BOX 176
GOODING, ID 83330

EVELYN PHILLIPS
JAMES & EVELYN PHILLIPS
JAMES W PHILLIPS

Represented by:
HAEMMERLE, FRITZ X.
PO BOX 1800
HAILEY, ID 83333

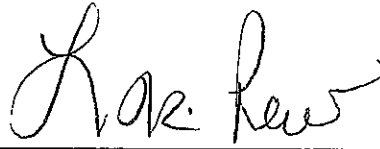
BARKER LIVING TRUST
CHANEY CREEK RANCH LLC
CHARLES L MATTHIESEN
CHARLES T FOLEY
EAGLE CREEK IRRIGATION CO
ECD INC
ELISE G LUFKIN
GIMLET PROPERTY OWNERS ASSN
GREGORY RANCH LLC
LAKE CREEK MEADOWS HOMEOWNERS
MICHAEL E WILLARD
MICHAEL ENGL
MYER BERLOW
RALPH W & KANDI L GIRTON
RIVER ROCK RANCH LP
RIVERS EDGE ASSOCIATES LLC
ROY R WOODS
STEVEN D HOLZMAN TRUST
THE GULCH TRUST
THE R DANIEL OLMSTEAD
WILLIAM B GORDON

Represented by:
JAMES P. SPECK
SPECK & AANESTAD
120 EAST AVENUE
PO BOX 987
KETCHUM, ID 83340

NEWFOUNDLAND PARTNERS
SINCLAIR OIL CORPORATION

Represented by:
SCOTT L CAMPBELL
101 S CAPITOL BLVD 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

A handwritten signature in cursive script, appearing to read "Kara Lewis", written in black ink.

Signature of person or attorney mailing the form

07/23/2009

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

RIGHT NUMBER: 37-21123

NAME AND ADDRESS: EVELYN PHILLIPS
PO BOX 864
HAILEY ID 83333

JAMES W PHILLIPS
PO BOX 864
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.300 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/15 10/31	0.020 CFS
~~RECREATION~~	~~04/15 10/31~~	~~0.300 CFS~~
IRRIGATION	04/15 10/31	0.300 CFS
~~AESTHETIC~~	~~04/15 10/31~~	~~0.300 CFS~~

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S10 NENW 1.70 T02N R18E S10 SENW 4.60

STOCKWATER in BLAINE County

T02N R18E S10 NENW T02N R18E S10 SENW

RECREATION in BLAINE County

~~T02N R18E S10 NENW T02N R18E S10 SENW~~

AESTHETIC in BLAINE County

~~T02N R18E S10 NENW T02N R18E S10 SENW~~

6.3 ACRES TOTAL

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

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

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

PROPERTY IS ALSO KNOWN AS LOT 3, BLK 1, MARVIN GARDENS SUBDIVISION.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-577CD.

JPB
SLC
CPS
CH
CB