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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

2009 OCT 21 AM 9 48

**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.: 37-19831

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 R. Laski Date 10/13/09
Attorney for Spring Creek Idaho Ranch LLC

RESPONDENT:

Craig D. Hobdey Date 10/14/09
Attorney for Big Wood Canal Company

IDWR CONCURRENCE:

Doug Jones Date 10/8/09
Technical Engineer I

IDWR CONCURRENCE:

Nicholas B. Spencer Date 10-8-09
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 37-19831

NAME AND ADDRESS: SPRING CREEK IDAHO RANCH LLC
PO BOX 4380
KETCHUM ID 83340

SOURCE: WILLOW CREEK

Tributary: BIG WOOD RIVER

QUANTITY: 1.020 CFS

To mitigate for injury to other water users caused by the diversion and use of water under this right, a river loss of 15% is assessed, the watermaster shall only deliver 1.02 cfs of this right at the point of diversion leaving 0.18 cfs in the river.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T01S R18E S22 NMSWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/15 10/31

1.020 CFS

PLACE OF USE:

IRRIGATION

within BLAINE County

T01S R18E S26 SSWW 33.0

T01S R18E S26 NWSW 33.0

T01S R18E S27 SSWW 33.0

T01S R18E S27 SESE 33.0

T01S R18E S27 SSWW 33.0

T01S R18E S27 SENW 33.0

T01S R18E S27 NESW 33.0

T01S R18E S27 NWSW 33.0

T01S R18E S27 NESE 33.0

T01S R18E S27 NWSE 33.0

T01S R18E S28 SESE 2.0

T01S R18E S26 NWSW 33.0

T01S R18E S27 SESE 33.0

T01S R18E S27 SSWW 33.0

T01S R18E S27 SSWW 33.0

T01S R18E S27 SENW 33.0

T01S R18E S27 NESW 33.0

T01S R18E S27 NWSW 33.0

T01S R18E S27 NWSE 33.0

T01S R18E S28 SESE 2.0

332 ACRES TOTAL

332.1 ACRES TOTAL

Right Nos. 37-310A and 37-19831 are limited to the irrigation of a combined total of 68 acres in a single irrigation season.

This right is limited to the irrigation of 68 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

CERTIFICATE OF SERVICE

I certify that on October 20, 2009, 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

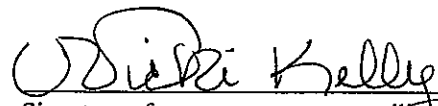
☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

James R. Laski
Lawson Laski Clark & Pogue PLLC
P.O. Box 3310
Ketchum, ID 83340

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

Craig D. Hobdey
Hobdey & Hobdey
125 5th Ave
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Gooding, ID 83330

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☐ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form