

1738
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.: 37-139

STANDARD FORM 5

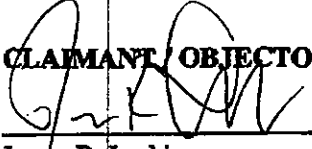
**STIPULATED ELEMENTS OF A
WATER RIGHT**

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.

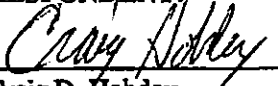
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT / OBJECTOR:


James R. Laski
Attorney for Spring Creek Idaho Ranch LLC

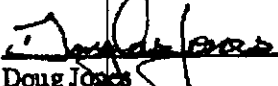
10/13/09
Date

RESPONDENT:


Craig D. Hobday
Attorney for Big Wood Canal Company

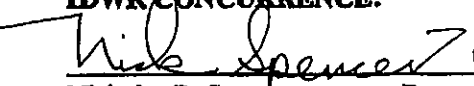
10-14-09
Date

IDWR CONCURRENCE:


Doug Jones
Technical Engineer 1

10/9/09
Date

IDWR CONCURRENCE:


Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR

10-9-09
Date

10/09/2009

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

RIGHT NUMBER: 37-139

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

SOURCE: CRYSTAL CREEK

TRIBUTARY: WILLOW CREEK

QUANTITY: 3.000 CFS

PRIORITY DATE: 06/01/1883

POINT OF
DIVERSION:

T01S R18E S15 NWNESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	3.000 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R18E S15	NESE	40.00	T01S R18E S15	SESE	40.00
T01S R18E S22	NENE	16.00			

96 ACRES TOTAL

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 ~~Beneficial Use~~

~~P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.~~

27
NBS
JRD

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

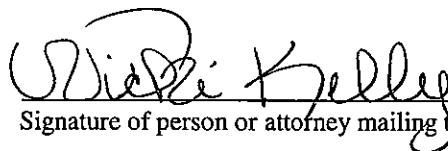
☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

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
P.O. Box 176
Gooding, ID 83330

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


Signature of person or attorney mailing the form