

**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.: 37-457B

STANDARD FORM 5

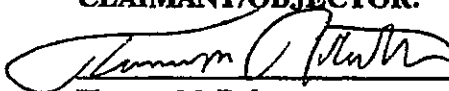
**STIPULATED ELEMENTS OF A
WATER RIGHT**

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:

 11/17/09
Thomas M. Robertson Date
Attorney for Douglas J. Bradshaw
Trustee Under Will of Eleanor Reinheimer

OBJECTOR:

 11-6-09
Craig D. Hodgey Date
Attorney for Big Wood Canal Company

RESPONDENT:

 11/6/09
Tara L. Martens Date
Attorney for Sinclair Oil Corp.

IDWR CONCURRENCE:

Carter Fritschle 11-6-09

Carter Fritschle Date
Section Manager Adjudication Bureau

IDWR CONCURRENCE:

Christopher M. Bromley 11/6/09

Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

11/06/2009

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

RIGHT NUMBER: 37-457B

NAME AND ADDRESS: DOUGLAS J BRADSHAW
TRUSTEE UNDER WILL OF ELEANOR REINHEIMER
PO BOX 525
TWIN FALLS ID 83303-0525

SOURCE: TRAIL CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 4.380 CFS

PRIORITY DATE: 05/01/1883

POINT OF
DIVERSION:

T04N R18E S7 SESEWE 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	4.380 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T04N R18E S19 NENW 25.00	T04N R18E S19 SENW	27.00
	52 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.

As of the issuance of the partial decree, this water right is leased to the Idaho Water Resource Board's water supply bank pursuant to Idaho Code § 42-1761. Upon release from the water supply bank and if the water right holder then intends to change the original place of use, the water right holder is required to file a transfer application pursuant to Idaho Code § 42-222 to continue diversion and use of the water. For purposes of any such transfer application, the original place of use is the irrigation of 52 acres, as described above.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-457.

A portion of Right 37-457B is used for conveyance loss.

CERTIFICATE OF SERVICE

I certify that on November 18, 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

Craig D. Hobdey
Hobdey & Hobdey
P.O. Box 176
Gooding, ID 83330

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

Thomas M. Robertson
Coleman Ritchie & Robertson
P.O. Box 525
Twin Falls, ID 83303-0525

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

Tara L. Martens
Moffatt Thomas Barrett Rock & Fields
P.O. Box 829
Boise, ID 83701

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



Signature of person or attorney mailing the form