

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.: 37-2168C

STANDARD FORM 5

STIPULATED ELEMENTS OF A  
WATER RIGHT

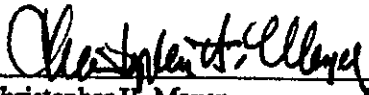
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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:**

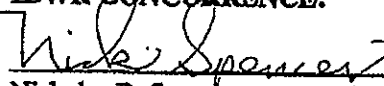
Jackie and Chris Flanigan

 11-19-2009  
Christopher H. Meyer Date  
Attorney for Jackie and Chris Flanigan

**IDWR CONCURRENCE:**

 11-18-09  
Kelly K. Christensen Date  
Sr. Water Resource Agent

**IDWR CONCURRENCE:**

 11-18-09  
Nicholas B. Spender Date  
Deputy Attorney General  
Attorney for IDWR

10/27/2009

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

RIGHT NUMBER: 37-2168C

NAME AND ADDRESS: CHRIS FLANIGAN  
HC 64 BOX 8028  
KETCHUM ID 83340

JACKIE FLANIGAN  
HC 64 BOX 8028  
KETCHUM ID 83340

SOURCE: OREGON CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0-12 0.070 CFS

This right when combined with all other rights shall provide no more than 0.02 0-03-cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 01/22/1910

POINT OF DIVERSION: T05N R17E S10 ~~NEWSE~~ GIBSON Within BLAINE County

PURPOSE AND PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE     | QUANTITY       |
|----------------|-------------------|----------------|
| IRRIGATION     | 05/01 10/31 11/15 | 0-12 0.070 CFS |

PLACE OF USE: IRRIGATION in BLAINE County

T05N R17E S10 SWSE 2-1.70

2-1.70 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 13.2 acres in a single irrigation season. Combined Right Nos.: 37-2168A, 37-2168C, and 37-22175.

OK  
KAC  
NBS

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 - License

PROPERTY IS A PORTION OF HES 123 & 124.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

### CERTIFICATE OF SERVICE

I certify that on November 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

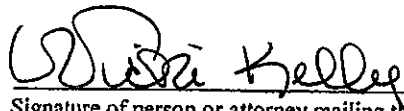
2. Copies to:

IDWR Document Repository  
P.O. Box 83720  
Boise, ID 83720-0098

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

Christopher H. Meyer  
Givens Pursley  
P.O. Box 2720  
Boise, ID 83701-2720

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

  
\_\_\_\_\_  
Signature of person or attorney mailing the form