

DISTRICT COURT-SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

JAN 19 2010

By

Deputy Clerk

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

Subcase No.: 37-11808

Case No. 39576

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:

*J. P. Speck* 12-17-09  
James P. Speck Date  
Attorney for Griffin Ranch Homeowners Assn.  
and Griffin Ranch P. U. D. Subdivision  
Homeowners Assn. Inc.

OBJECTOR / RESPONDENT:

*Craig D. Hobdey* 12-29-09  
Craig D. Hobdey Date  
Attorney for Big Wood Canal Company

RESPONDENT:

United States on behalf of the  
Bureau of Land Management  
*David L. Negri* 1/14/10  
David L. Negri FWP Date  
Attorney for BLM

OBJECTOR / RESPONDENT:

*Albert P. Barker* 1-12-10  
Albert P. Barker Date  
Attorney for Tom O'Gara, John F.  
Stevenson, Bill Molyneux, Pete Van Der  
Meulen, Grace Eakin, Rocky Sherbine,  
Gerald Bashaw, and Pepin Corso-Harris

**RESPONDENT:**

Tara L. Martens 11/06/10  
Tara L. Martens Date  
Attorney for Sinclair Oil Corp.

**IDWR CONCURRENCE:**

Douglas Jones 11/9/09  
Douglas Jones Date  
Engineer Technical I

**IDWR CONCURRENCE:**

Nicholas B. Spencer 11-10-09  
Nicholas B. Spencer Date  
Deputy Attorney General  
Attorney for IDWR

11/09/2009

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

RIGHT NUMBER: 37-11808

NAME AND ADDRESS: GRIFFIN RANCH P U D SUBDIVISION HOMEOWNERS ASSN INC  
C/O JAMES P SPECK  
SPECK & AANESTAD  
PO BOX 987  
KETCHUM ID 83340

GRIFFIN RANCH HOMEOWNERS ASSN  
C/O JAMES P SPECK  
SPECK & AANESTAD  
PO BOX 987  
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.800 CFS

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

PRIORITY DATE: 08/01/1884

POINT OF  
DIVERSION:

T02N R18E S36 NBSWNW Lot 3 Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY  |
|----------------|---------------|-----------|
| IRRIGATION     | 04/15 10/31   | 0.800 CFS |

PLACE OF USE: IRRIGATION in BLAINE County

|               |      |       |                          |      |       |
|---------------|------|-------|--------------------------|------|-------|
| T01N R19E S07 | SWSE | 2.00  | T01N R19E S07            | SESE | 35.00 |
| T01N R19E S08 | NESW | 7.20  | T01N R19E S08            | NWSW | 31.00 |
| T01N R19E S08 | SWSW | 40.00 | T01N R19E S08            | SESW | 32.00 |
| T01N R19E S08 | SWSE | 6.80  | T01N R19E S17 Lot 2 NWNE |      | 17.00 |
| T01N R19E S17 | NENW | 40.00 | T01N R19E S17            | NWNW | 40.00 |
| T01N R19E S18 | NENE | 14.00 |                          |      |       |

265 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 265 acres in a single irrigation season. Combined Right Nos.: 37-11807, 37-11808, 37-11809, 37-11810.

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

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

This right is a split from former right 37-482.

## CERTIFICATE OF SERVICE

I certify that on 01 - 15, 20<sup>18</sup>~~09~~, 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

U.S. Dept. of Justice  
Environment & Natural Resource Div.  
550 W. Fort St., MSC 033  
Boise, ID 83724

☐ 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

Albert P. Barker  
Shelley M. Davis  
Barker, Rosholt & Simpson LLP  
P.O. Box 2139  
Boise, ID 83701-2139

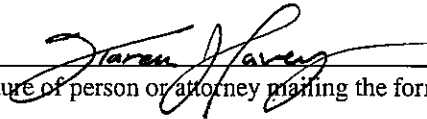
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Tara L. Martins  
Moffatt Thomas Barrett Rock & Fields  
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James P. Speck  
Speck & Aanestad  
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Ketchum, ID 83340

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☐ Facsimile

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