

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

JAN 19 2010

By

Clerk
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.: 37-11809

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 01/06/10
Tara L. Martens Date
Attorney for Sinclair Oil Corp.

IDWR CONCURRENCE:

Douglas Jones 11/09/09
Douglas Jones Date
Engineer Technical 1

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: 37-11809

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: 3.200 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 NESWNW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	3.200 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

This right is claimed from former right 37-103.

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

CERTIFICATE OF SERVICE

I certify that on 01-15, 200¹⁸~~9~~, 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

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☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Craig D. Hobdey
Hobdey & Hobdey
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Gooding, ID 83330

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

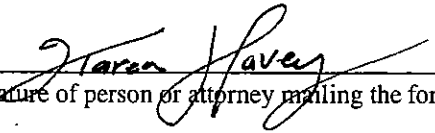
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Signature of person or attorney mailing the form