

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

JAN 13 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.: 37-1005

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:

G. D. Glets 1/12/10
Gary D. Glets Date
Attorney for Muldoon Ranch Co. LLC

OBJECTOR:

A. J. Walden 1/8/10
Andrew J. Walden Date
Attorney for Terry and Anita Clark

IDWR CONCURRENCE:

C. Fritschle 1-8-10
Carter Fritschle Date
Section Manager Adjudication Bureau

IDWR CONCURRENCE:

C. M. Bromley 1/8/10
Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

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

NAME AND ADDRESS: THE MULDON RANCH CO LLC
C/O ARLEN CROUCH
370 E 500 N
JEROME ID 83338

TRIBUTARY: ~~LITTLE WOOD RIVER~~
TRIBUTARY: MULDOON CREEK

PRIORITY. DATE: 04/01/1986

POINT OF
DIVERSION:

~~T02N R21E S3 UNKNSH Within BLAINE County~~
T02N R21E S8 UNKNSH Within BLAINE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

1.400 CPS

PLACE OF USE:

IRRIGATION in BLAINE County

T02N R20E 813	SWNE	9.20	T02N R20E 813	SENE	35.00
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T02N R20E S13	SENN	1.50	T02N R20E S13	SENN	13.00
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T02N R20E S13	NESW	13.00	T02N R20E S13	NESW	40.00
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T02N R20E S13	SWER	37.00	T02N R20E S14	SWSW	16.00
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T02N R20E S14	SEEW	3.40	T02N R20E S15	ARRE	23.00
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T02N R21E S07	N88W	14.00	T02W R21E S07	S86W	30.00
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T02N R21E 807	NEBB	32.00	T02N R21E 807	NEBB	25.00
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TO2N B21E 807	SWER	39 00	TO2N B21E 807	SWER	39 00
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T02N R21E 808	N76W	17-80 2 30	T02N R21E 808	17-80	01 30
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800N 0018 000- 000000 70 05 000000 0000 0000 0000 0000 0000 0000

[illegible]

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STATE
SECRET

POWELL RICH 017	BRNWN	WETON	2.80	POWELL RICH 017	BRNWN	38.00
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~~FOUN R21B D17 INEN 36.00 FOUN R21B 517 ENEN 32.00~~

T02N R21E S18	NONE	37.00	T02N R21E S18	NONE	39.00
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T02N R21E S18	SHNE	37.00	T02N R21E S18	SENE	~~35.00~~ 31
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T02N R21E S18	NENW	39.00	T02N R21E S18 Lot 1 NENW	23.00
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T02N R21E S18 Lot 2 SMTW	36.00	T02N R21E S18	SSEW	40.00
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T02N R21E S18 NWSW ~~35.00~~ 34.00 T02N R21E S18 Lot 3 NWSW 38.00

T02N R21E S18 NESE ~~34-00~~ 10.00 T02N R21E S18 NWSE ~~35-00~~ 25

CA
JB
(M)

FOON R21E-010	SWSE	35.00	FOON R21E-010	SESE	29.00
FOON R21E-010	WNSE	20.00	FOON R21E-010	NNSE	33.00
FOON R21E-020	WNWN	4.00			

1419 802 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 1,419 acres in a single irrigation season. Combined Right Nos.: 37-1005, 37-1048A, 37-1051, 37-1139, 37-2007, 37-2247, 37-7006, 37-22014, and 37-22015.

This right is limited to the irrigation of 160 70 acres within the place of use described above in a single irrigation season.

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 42-1422(5), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

~~Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.~~

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.

ad
FE
P

CERTIFICATE OF SERVICE

I certify that on January 13, 2010, 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

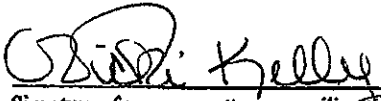
☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Andrew J. Waldera
Moffatt Thomas
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Boise, ID 83701-0829

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

Gary D. Slette
Robertson Slette
P.O. Box 1906
Twin Falls, ID 83303

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


Signature of person or attorney mailing the form