

MAY 14 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.: 37-565

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:

Robert E. Williams III
Attorney for Lita West

Date

5/5/10

OBJECTOR:

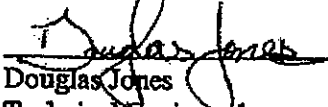
United States on behalf of the
Bureau of Land Management

David L. Negri
Attorney, U.S. Department of Justice
Environment and Natural Resources

Date

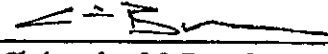
5/7/10

IDWR CONCURRENCE:

 5/4/10

Date
Douglas Jones
Technical Engineer 1

IDWR CONCURRENCE:

 5/4/10

Date
Christopher M. Bromley
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 37-565

NAME AND ADDRESS:

LITA WEST
PO BOX 180 PO BOX 867
CAREY ID 83320 BELLEVUE ID 83313

SOURCE: DRY CREEK

Tributary: LITTLE WOOD RIVER

QUANTITY: 7.200 CFS

5.000-CFS

PRIORITY DATE: 12/31/1884

POINT OF DIVERSION:

T01S R20E S13 NENE Within BLAINE County
T01S R21E S19 SEWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	7.200 CFS 5.000-CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R20E S13 Lot 1 NENE 4.1

T01S R20E S13 NENE 34.0

T01S R20E S13 SENE 8.3

T01S R20E S13 Lot 2 SENE 18.0

T01S R20E S13 Lot 3 NESE 8.7

T01S R21E S18 Lot 3 NWSW 8.8

T01S R21E S18 Lot 4 SWSW 43.0

T01S R21E S18 SESW 36.0

T01S R21E S18 SENE 12.0

T01S R21E S19 NENE 16.0

T01S R21E S19 NENE 29.0

T01S R21E S19 SENE 34.0

T01S R21E S19 SENE 37.0

T01S R21E S19 NENE 38.0

T01S R21E S19 Lot 1 NWSW 28.0

T01S R21E S19 Lot 2 SWSW 8.6

T01S R21E S19 SWSW 16.0

T01S R21E S19 NENE 16.0

T01S R21E S20 NENE 16.0

T01S R21E S20 NENE 8.1

T01S R21E S20 SENE 40.0

T01S R21E S20 SENE 40.0

T01S R21E S20 NWSW 14.0

T01S R21E S20 NWSW 15.0

T01S R21E S20 SWSW 40.0

~~T01S R20E S13 Lot 1 NENE 6.1~~

~~T01S R20E S13 SENE 8.4~~

~~T01S R20E S13 Lot 3 NENE 7.5~~

~~T01S R21E S18 NWSW 7.5~~

~~T01S R21E S18 Lot 3 NWSW 7.5~~

~~T01S R21E S18 SENE 12.0~~

~~T01S R21E S19 NENE 15.0~~

~~T01S R21E S19 SENE 33.0~~

~~T01S R21E S19 Lot 1 NWSW 26.0~~

~~T01S R21E S19 Lot 2 SWSW 6.0~~

~~T01S R21E S19 SWSW 15.0~~

~~T01S R21E S20 NENE 14.0~~

Handwritten initials and signature:
CB
New
NB
DN

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

T01S R21E S20 SENW 40.0
T01S R21E S20 NESW 40.0
T01S R21E S20 NWSW 40.0
T01S R21E S20 SWSW 19.0
T01S R21E S20 SESW 24.0
T01S R21E S20 NESE 40.0
T01S R21E S20 NWSE 40.0
T01S R21E S20 SWSE 16.0
T01S R21E S20 SESE 13.0

840.6 ACRES TOTAL

840-ACRES-TOTAL

The rights listed below are limited to the irrigation of a combined total of 495 acres in a single irrigation season. Combined Right Nos.: 37-563, 37-564, 37-565, and 37-2595.

The rights listed below are limited to the irrigation of a combined total of 360 acres in a single irrigation season. Combined Right Nos.: 37-563, 37-564, and 37-565.

This right is limited to the irrigation of 360 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 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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 May 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

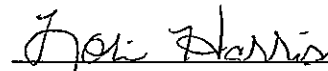
☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Robert E. Williams III
Williams Meserby
P.O. Box 168
Jerome, ID 83338-0168

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

U.S. Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

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



Signature of person or attorney mailing the form