

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

AUG 12 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.: 37-2125
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 / RESPONDENT:

Edward Lawson
Edward Lawson - James R. Last Date 7/29/10
Attorney for The Meadows LLC

OBJECTORS / RESPONDENTS:

Craig D. Hobdey 7-30-10
Craig D. Hobdey Date
Attorney for Big Wood Canal Company

OBJECTOR:

James P. Speck 8-6-10
James P. Speck Date
Attorney for Michael S. Engl

Albert P. Barker 7-30-10
Albert P. Barker Date
Attorney for Tom O'Gara, John F.
Stevenson, Bill Molyneux, Pete Van Der
Meulen, Grace Eakin, Gerald Bashaw, and
Pepin Corso-Harris

IDWR CONCURRENCE:

Douglas Jones *6/24/10*
Douglas Jones Date
Technical Engineer 1

IDWR CONCURRENCE:

C. M. Bromley *6/30/10*
Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 37-2125
NAME AND ADDRESS: THE MEADOWS LLC
THE KIRK GROUP
PO BOX 4380
333 S MAIN ST STE 211
KETCHUM ID 83346

SOURCE: UNPAVED STREAM
SPRINGS

Tributary: SINKS

QUANTITY: 0.460 CFS

0.500 CFS

Right Nos. 37-4598 and 37-2125 are limited to a total combined diversion rate of 0.46 cfs when irrigating by furrow irrigation methods.

This right individually, or when combined with Right No. 37-4598, shall provide no more than .02 cfs per acre (0.2 cfs) when irrigating by sprinkler irrigation methods.

Right Nos. 37-441, 37-448, and 37-2125 are limited to a total combined diversion rate of 3.3 cfs.

This right when combined with Right Nos. 37-441 and 37-2125 shall provide no more than .04 cfs per acre.

Right Nos. 37-4598 and 37-2125 are limited to a total combined diversion rate of 0.6 cfs.

PRIORITY DATE: 01/28/1909

POINT OF DIVERSION: TOWN RISE #31 MEW Within BLAINE County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
IRRIGATION		04/15 10/31	0.460 CFS
			0.500 CFS

PLACE OF USE: IRRIGATION within BLAINE County

TOWN RISE #31 MEW 11.5

TOWN RISE #31 MEW 0.4
TOWN RISE #31 MEW 11.5
TOWN RISE #31 MEW 0.4

11.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 11.5 acres in a single irrigation season. Combined Right Nos.: 37-2125, 37-4598.

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.

This right is subordinated to uses represented by upstream water rights 37-4130 and 37-4131.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

CERTIFICATE OF SERVICE

I certify that on August 11, 2010, I caused to be served true and correct copies of this Standard Form 50 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

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Lawson Laski Clark & Pogue PLLC
P.O. Box 3310
Ketchum, ID 83340

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☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Craig D. Hobdey
Hobdey & Hobdey
P.O. Box 176
Gooding, ID 83330

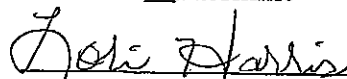
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Signature of person or attorney mailing the form