

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

NOV - 2 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.: 37-208F

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.

CLAIMANTS / OBJECTORS:

Lee Ann Ferris
Lee Ann Ferris Date

CLAIMANTS / OBJECTORS:

Greg Ferris 10/21/10
Greg Ferris Date

IDWR CONCURRENCE:

Kelly Christensen 10-22-2010
Kelly Christensen Date
Sr. Water Resource Agent

IDWR CONCURRENCE:

Andrea L. Courtney 10/25/10
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

08/09/2010

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

RIGHT NUMBER: 37-208F

NAME AND ADDRESS: GREG FERRIS
13 W CARBONATE
HAILEY ID 83333

LEE ANN FERRIS
13 W CARBONATE
HAILEY ID 83333

KKC

SOURCE: CROY CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: ~~0.28-0.370~~ CFS
~~42.0-56.00~~ AFY

This right when combined with all other rights shall provide no more than 3.5
afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 06/01/1880

POINT OF
DIVERSION:

AGF GAP

T02N R17E S35 NWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	~~0.28-0.370~~ CFS ~~42.0-56.00~~ AFY
STOCKWATER	01/01 12/31	0.010 CFS 0.40 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T02N R17E S35 NWNE ~~12.0-16.00~~

STOCKWATER in BLAINE County

T02N R17E S35 NWNE

AKC

~~12.0-16.00~~ ACRES TOTAL

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

The right holder shall maintain a measuring device and lockable controlling
works of a type approved by the Department in a manner that will provide
the watermaster suitable control of the diversion.

~~The right holder shall accomplish the change authorized by this transfer
within one (1) year of the date of this approval.~~

Use of water under this water right will be regulated by the watermaster of
State Water District No. 37.

Place of use is located within Lot 1A, Croy Creek Meadows Subdivision.

Failure of the right holder to comply with the conditions of this transfer 5473 is
cause for the Director to rescind approval of the transfer.

CERTIFICATE OF SERVICE

I certify that on Nov. 2, 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

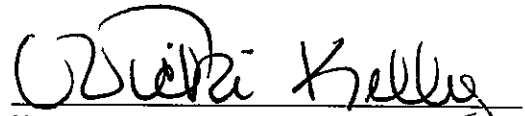
2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

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

Lee Ann Ferris
Greg Ferris
13 W. Carbonate
Hailey, ID 83333

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


Signature of person or attorney mailing the form