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DEPARTMENT OF
WATER RESOURCES

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

Case No. 39576

Subcase No.: 37-20932

STANDARD FORM 5

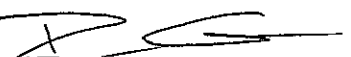
STIPULATED ELEMENTS OF A
WATER RIGHT

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.

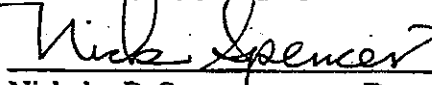
CLAIMANT / OBJECTOR:

 12/7/2010
David I. Stanish Date
Deputy Attorney General
Attorney for the Idaho Department of Lands

IDWR CONCURRENCE:

 12-7-10
Douglas Jones Date
Engineer, Technical 1

IDWR CONCURRENCE:

 12-7-10
Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

12/02/2010

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

RIGHT NUMBER: 37-20932

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF LANDS
300 N 6TH ST, STE 103
~~PO BOX 83720~~
~~PO BOX 44449~~
BOISE ID ~~83720-0050~~ 83702-5956

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 3.190 CFS

PRIORITY DATE: 11/26/1886

POINT OF
DIVERSION:
T03N R18E S20 SWNW 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	3.190 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S28	SWSW	<u>39.00</u>	~~32.00~~	T03N R18E S29	SESE	<u>4.50</u>	~~4.20~~
T03N R18E S33	NWNW	<u>30.00</u>	~~29.00~~	T03N R18E S33	SWNW	<u>12.00</u>	~~11.00~~

85.5 ~~76.2~~ ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

~~The remainder of this right was forfeited for non-use from 1969 to 2004.~~

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 a split from former right 37-402.

Water diverted from Headgate #22 delivered through Hiawatha Canal.

CERTIFICATE OF SERVICE

I certify that on Dec. 7, 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:

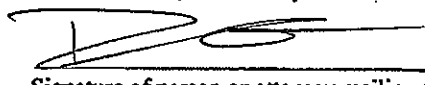
IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

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

David I. Stanish
Office of the Attorney General
300 N. 6th St., Ste. 103
P.O. Box 83720
Boise, ID 83720-0050

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

☒ Not Applicable


Signature of person or attorney mailing the form