

FEB 10 2011

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.: 37-549

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:

Linda B. Jones 2/2/2011
Linda B. Jones Date
Attorney for Wells Fargo Bank

RESPONDENT:

United States on behalf of the
Bureau of Land Management

David L. Negri 2/2/11
David L. Negri Date
Attorney, U.S. Department of Justice
Environment and Natural Resources

IDWR CONCURRENCE:

Kelly K. Christensen 1-18-11
Kelly K. Christensen Date
Sr. Water Resource Agent

IDWR CONCURRENCE:

C. M. Bromley 2/8/11
Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

11/23/2010

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

RIGHT NUMBER: 37-549

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER CO 80274

KKC
CB *PN* *CB*

SOURCE: CROY CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 4.00 1.11 CFS

The rights listed below are limited to 3.50 af per acre for irrigation purposes in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, 37-4138, 37-4440 and 37-12196.

PRIORITY DATE: 06/30/1882

POINT OF DIVERSION:

T02N R18E S19 NESEW Within BLAINE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	4.00 1.910 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S17 Lot 3 SWSW	3.40 2.20	T02N R18E S17 Lot 4 SEW	22.00 23.00
T02N R18E S17 NESW	8.00 8.60	T02N R18E S17 NWSW	26.00 27.00
T02N R18E S17 Lot 1 SWSW	0.00 1.10	T02N R18E S18 SWSW	15.00
T02N R18E S18 NWSW	1.10	T02N R18E S18 SEW	25.00
T02N R18E S18 NWSW	8.40	T02N R18E S18 NESE	21.00 7.30
T02N R18E S18 NWSW	19.00	T02N R18E S18 SWSW	16.00 4.60
T02N R18E S18 Lot 5 SESE	22.00 21.00		

100 25.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 100 185 acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, 37-4138, and 37-4440.

Place of use does not include federal public lands.

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 place of use pursuant to Section 42-1425, Idaho Code.

CERTIFICATE OF SERVICE

I certify that on February 9, 2011, 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

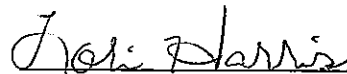
☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Linda B. Jones
Holland & Hart
101 S. Capitol Blvd.
P.O. Box 2527
Boise, ID 83701

☐ 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