

FEB 25 2011

By

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.: 37-422

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, *which removes federal public land from the digital boundary*. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/RESPONDENT:

Little Wood River Irrigation District

David A. Coleman 9-18-08
David A. Coleman Date
Attorney for Little Wood River Irrigation Dist.

OBJECTOR:

United States on behalf of the
Bureau of Land Management

David L. Negri 9/18/08
David L. Negri Date
Attorney, U.S. Department of Justice
Environment and Natural Resources

IDWR CONCURRENCE:

Michael C. Cullen 9/18/08
Idaho Dept. of Water Resources Date
MICHAEL CULLEN
STANDARD FORM 5

IDWR CONCURRENCE:

ARL 9/18/08
Deputy Attorney General Date
Attorney for IDWR

02/20/2007

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

RIGHT NUMBER: 37-422

NAME AND ADDRESS: LITTLE WOOD RIVER IRRIGATION DIST
PO BOX 355
CAREY ID 83320

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 168.000 CFS

PRIORITY DATE: 09/02/1899

POINT OF

DIVERSION: T01N R21E S30 NWSWE Within BLAINE County

T01N R21E S30 NWSWE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

168.000 CFS

PLACE OF USE:

7766 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

The rights listed below are limited to the irrigation of a combined total of 7766 acres in a single irrigation season. Combined Right Nos.: 37-421, 37-422 & 37-1132.

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

DAC 9-18-08
DN
JAS
MLC



Little Wood River Irrigation Dist

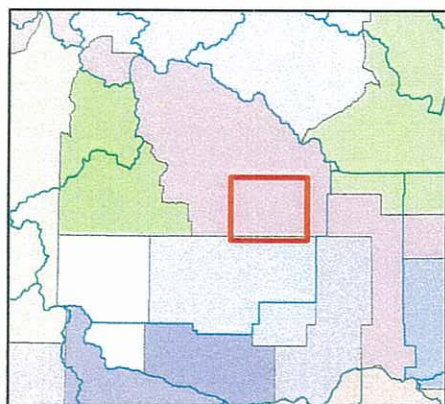
SRBA Recommendations: 37-421, 37-422, 37-1132, 37-2773, 37-2774, 37-2779

DAC 4-18-08
AB ON MC

Service Area Boundary
GIS Place of Use Illustration

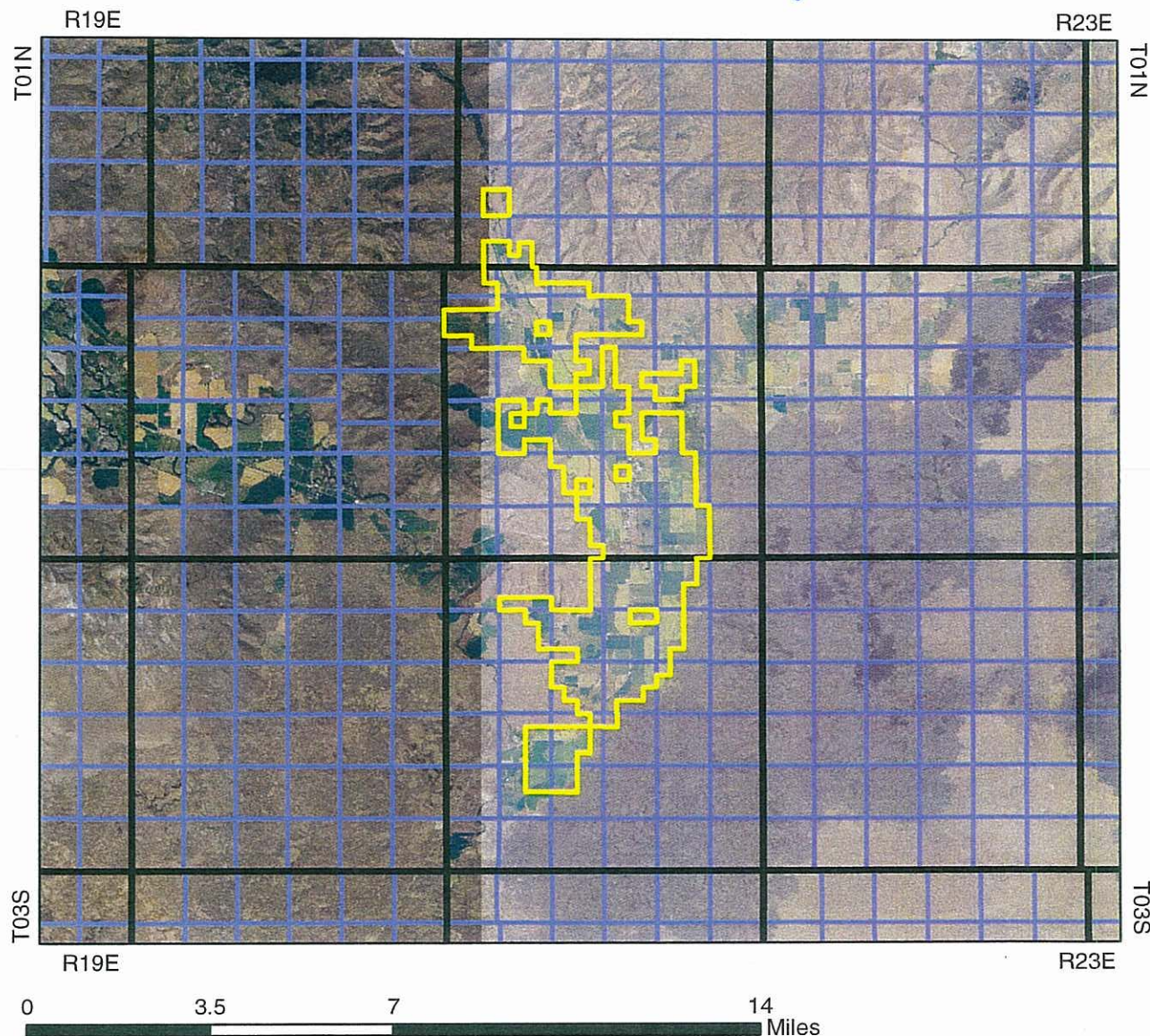
Legend

- Service Area
- State Outline
- Townships
- PLS Sections



Blaine County
IDWR Basin 37

Prepared by Michael Ciscell
On September 16, 2008
2004 Aerial Photography



CERTIFICATE OF SERVICE

I certify that on February 24, 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 Depository
P.O. Box 83720
Boise, ID 83720-0098

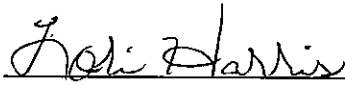
☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

David A. Coleman
Coleman, Ritchie & Robertson
P.O. Box 525
Twin Falls, ID 83303

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

U.S. Dept. 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