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

APR 18 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.: 37-21501

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:

Josephine P. Beeman 14 April 2011

Josephine P. Beeman

Date

Attorney for Robert J. Struthers

IDWR CONCURRENCE:

Carter Fritschle 4-6-11

Carter Fritschle

Date

Manager, Adjudication Section

IDWR CONCURRENCE:

Nicholas B. Spencer 4-6-11

Nicholas B. Spencer

Date

Deputy Attorney General
Attorney for IDWR

03/21/2011

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

RIGHT NUMBER: 37-21501

NAME AND ADDRESS: ROBERT J STRUTHERS
388 GANNETT RD
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 1.560 CFS

~~This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.~~

Right Nos. 37-2593 and 37-21501 are limited to a total combined diversion rate of 1.56 cfs.

PRIORITY DATE: 10/15/1884

POINT OF
DIVERSION:

T02N R18E S36 ~~NESWNW~~ Lot 3 Within BLAINE County
~~Water diverted from Headgate #45 delivered through District Canal.~~

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.560 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S20	SWNW	~~35.0~~ 38.5	T01N R19E S20	NWSW	~~33.0~~ 34.0
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68 72.5 ACRES TOTAL

Right Nos. 37-2593 and 37-21501 are limited to the irrigation of a combined total of 72.5 acres in a single irrigation season.

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

This right is a split from former right 37-665F.

Water diverted from Headgate #45 delivered through District Canal.

CA
NBS
JPB

CERTIFICATE OF SERVICE

I certify that on April 15, 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

Josephine P. Beeman
Beeman & Associates
409 W. Jefferson
Boise, ID 83702

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



Signature of person or attorney mailing the form