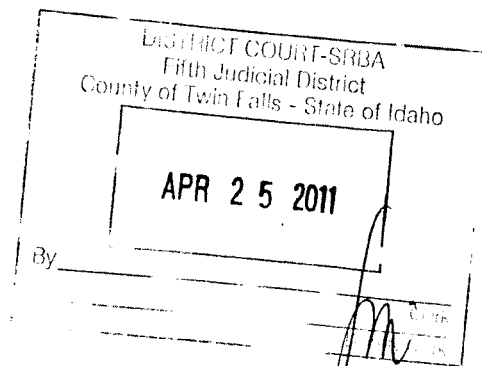




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

) Subcase No. 37-577BX  
) (Previously Disallowed)

) **STANDARD FORM 5**

) **STIPULATED ELEMENTS OF A**  
) **WATER RIGHT**

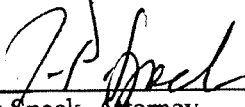
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

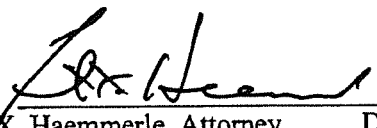
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions 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:**  
Blaine County School District #61

**OBJECTORS:**  
EMB-Hailey LP A California

 4/5/11  
James Speck, Attorney Date

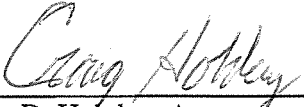
 4/12/11  
Fritz K. Haemmerle, Attorney Date

**OBJECTORS:**  
Hiawatha Canal Water Users

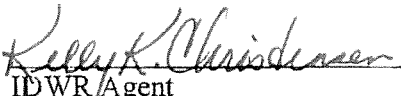
**RESPONDENTS:**  
Big Wood Canal Company

STANDARD FORM 5 - 37-577BX

 4/12/11  
Fritz X. Haemmerle, Attorney Date

 4/18/11  
Craig D. Hobdey, Attorney Date

**IDWR Concurrence:**

 4-1-11  
IDWR Agent Date

 4/21/11  
Deputy Attorney General, IDWR Date

## CERTIFICATE OF MAILING

I certify that on April 22, 2011, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid 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, Idaho 83303-2707

2. Copies to:

BIG WOOD CANAL COMPANY

Represented by:  
CRAIG D. HOBDEY  
125 5TH AVE  
PO BOX 176  
GOODING, ID 83330

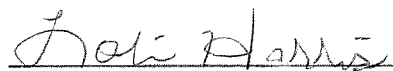
EMB-HAILEY LP A CALIFORNIA  
HIAWATHA CANAL WATER USERS

Represented by:  
HAEMMERLE, FRITZ X.  
PO BOX 1800  
HAILEY, ID 83333

BLAINE COUNTY SCHOOL DISTRICT

Represented by:  
JAMES P. SPECK  
SPECK & AANESTAD  
120 EAST AVENUE  
PO BOX 987  
KETCHUM, ID 83340

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

  
\_\_\_\_\_  
Signature of person or attorney mailing the form

02/15/2011

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

RIGHT NUMBER: 37-577BX

NAME AND ADDRESS: BLAINE COUNTY SCHOOL DISTRICT #61  
118 W BULLION ST  
HAILEY ID 83333

KKC

Ext

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.212 CFS

CB

JTB

at

The rights listed below shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands in the place of use. Combined Right Nos. 37-183A, 37-298C, 37-334E and 37-557BX

PRIORITY DATE: 03/24/1883

POINT OF  
DIVERSION:

T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

|               | PURPOSE OF USE              | PERIOD OF USE      | QUANTITY  |
|---------------|-----------------------------|--------------------|-----------|
|               | IRRIGATION                  | 04/15 11/15        | 0.212 CFS |
| PLACE OF USE: | IRRIGATION in BLAINE County |                    |           |
|               | T02N R18E S04 NESW 1.60     | T02N R18E S04 SESW | 9 00      |
|               | T02N R18E S04 NWSE 0.70     | T02N R18E S04 SWSE | 9 50      |
|               | 20.8 ACRES TOTAL            |                    |           |

Right Nos. 37-183A, 37-298C, 37-334E and 37-557BX are limited to the irrigation of a combined total of 20.8 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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37, Big Wood River.

Water is delivered through the Hiawatha Canal.

Property is also known as the Wood River Middle School, Lot 2, block 1, Northridge Subdivision # 4.