

1014

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 25 2011	
By _____	Clerk
_____	Deputy Clerk

**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. 37-298C

Case No. 39576

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

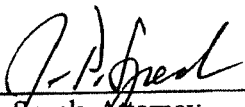
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

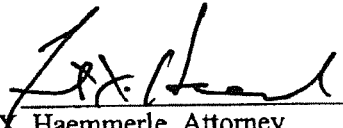
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS/OBJECTORS:
Blaine County School District #61

OBJECTORS:
EMB-Hailey LP A California

 4/5/11

James Speck, Attorney Date

 4/12/11

Fritz X. Haemmerle, Attorney Date

RESPONDENTS:
Big Wood Canal Company

STANDARD FORM 5 - 37-298C

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

IDWR Concurrence:

Kelly K. Christensen 4-11-11
IDWR Agent Date

C. B. [Signature] 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

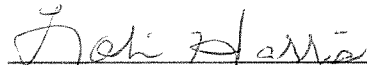
EMB-HAILEY LP A CALIFORNIA

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: 37-298C

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

KRC

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.140 CFS

JP

Exit

~~Right Nos. 37-183A, 37-298C, are limited to a total
combined diversion rate of .40 cfs.~~

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

CB

PRIORITY DATE: 09/18/1885

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	0.140 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S04	NESW	1.60	T02N R18E S04	SESW	9.00
T02N R18E S04	NESE 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

Water is delivered through the Hiawatha Canal.

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

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.

This right is a split from former right 37-298BA.