

1554

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 27 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.: 37-577CH

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.

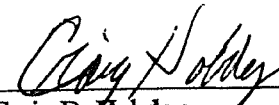
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions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

OBJECTORS:


 James R. Laski
 Attorney for River Grove Farm
 Date 6/17/2011


 Craig D. Hobday
 Attorney for Big Wood Canal Company
 Date 6-22-11


 CLAIMANT:
 James R. Laski
 Attorney for Peter Trust LP
 Date 6/17/2011


 Albert P. Barker
 Attorney for Tom O'Gara, John F. Stevenson, Bill Molyneux, Pete Van Der Meulen, Grace Eakin, Gerald Bashaw, and Pepin Corso-Harris
 Date 6-17-11

IDWR CONCURRENCE:

Kelly K Christensen 6-15-11
Kelly K. Christensen Date
Sr. Water Resource Agent

IDWR CONCURRENCE:

Nicholas B. Spencer 6-15-11
Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

03/28/2011

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

RIGHT NUMBER: 37-577CH

NAME AND ADDRESS: RIVER GROVE FARM
C/O E PARRY THOMAS
PO BOX 642
SUN VALLEY ID 83353

~~PETER M THOMAS TRUST~~
~~300 S 4TH ST STE 200~~
~~LAS VEGAS NV 89101~~

PETER TRUST LP
PO BOX 642
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.200 CFS
180.00 APY

Total consumptive volume is limited to 150 acre feet annually.

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T02N R18E S5 NENE Lot 3 Within BLAINE County
T03N R18E S32 SESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	01/01 12/31	1.200 CFS
RECREATION	01/01 12/31	1.200 CFS
AEETHETIC	01/01 12/31	1.200 CFS

PLACE OF USE: FISH PROPAGATION in BLAINE County

T02N R18E S05 SENE T02N R18E S05 NESE

RECREATION same as FISH PROPAGATION
AEETHETIC same as FISH PROPAGATION

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

Measuring devices of a type approved by this Department shall be installed and maintained at each point of diversion.

Failure of the right holder to comply with the conditions of this transfer 3775 is cause for the Director to rescind approval of the transfer.

Use of water under this right will be regulated by the watermaster of State Water District No. 37.

CERTIFICATE OF SERVICE

I certify that on June 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 Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered

James R. Laski
Lawson Laski Clark & Pogue PLLC
P.O. Box 3310
Ketchum, ID 83340

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

Craig D. Hobdey
Hobdey & Hobdey
P.O. Box 176
Gooding, ID 83330

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

Albert P. Barker
Barker, Rosholt & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139

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

Dan Harris
Signature of person or attorney mailing the form