

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

JUL 13 2011

By _____

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. 37-22129

(Formerly Disallowed)

AMENDED

STANDARD FORM 5

Case No. 39576

STIPULATED ELEMENTS
OF A WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. 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 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:

Point of Rocks Ranch, LLC

James P. Speck 6-28-11
Date
Speck & Aanstad, PC
Attorney for Point of Rocks Ranch, LLC

OBJECTOR:

United States on behalf of the
Bureau of Land Management

David L. Negri 7/11/11
Date
David L. Negri Fwp
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Carter Fritschle 7-11-11
Date
Carter Fritschle
Manager, Adjudication Section

IDWR CONCURRENCE:

Nicholas B. Spencer 7-11-11
Date
Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR

RIGHT NUMBER: 37-22129

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.150 CFS

This right is limited to artesian flow from 3 wells during the non-irrigation season only and shall not be pumped to achieve delivery of water.

PRIORITY DATE: 11/01/1960

The holder of this water right shall not be entitled to make a call against any existing or future consumptive use water rights from surface and ground water sources in Basin 37.

POINT OF
DIVERSION:

T01S	R20E	S16	NWSE	Within	BLAINE	County
T01S	R20E	S16	NWSE	Within	BLAINE	County
T01S	R20E	S16	SWSE	Within	BLAINE	County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
WILDLIFE	11/01 04/14	0.150 CFS
RECREATION	11/01 04/14	0.150 CFS

PLACE OF USE:

WILDLIFE in BLAINE County

T01S	~~R29E~~	<u>R20E</u>	S16	NWSE
T01S	~~R29E~~	<u>R20E</u>	S16	SWSE

RECREATION in BLAINE County

T01S	~~R29E~~	<u>R20E</u>	S16	NWSE
T01S	~~R29E~~	<u>R20E</u>	S16	SWSE

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 - Beneficial Use

NBS FWP
DN

CERTIFICATE OF MAILING

I certify that on July 12, 2011 mailed the original and copies of this form, including all attachments, 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

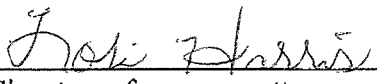
2. Copy to:

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
Natural Resources Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Point of Rocks Ranch, LLC
Represented by:
James P. Speck
Speck & Aanestad, PC
P.O. Box 987
Ketchum, Idaho 83340



Signature of person or attorney mailing the form