

1110
DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

AUG 23 2011

By _____
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
Clerk
Deputy Clerk

In Re SRBA

Subcase No.: 37-22227

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
Josephine P. Beeman
Attorney for Brown Ranch Inc.

Date

18 Aug 2011

IDWR CONCURRENCE:

Kelly K. Christensen
Kelly K. Christensen
Sr. Water Resource Agent

Date

5-17-11

IDWR CONCURRENCE:

Nicholas B. Spencer
Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR

Date

5-23-11

05/06/2011

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

RIGHT NUMBER: 37-22227

NAME AND ADDRESS: BROWN RANCH INC
247 GLENDALE RD
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.570 CFS

PRIORITY DATE: 06/10/1887

POINT OF
DIVERSION: T01N R18E S12 NWSESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 04/01 10/31	1.570 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S14	SWNW	~~8.50~~ <u>8.30</u>	T01N R18E S14	NESW	~~32.70~~ <u>32.00</u>
T01N R18E S14	NWSW	40.00	T01N R18E S14	SWSW	~~40.0~~ <u>39.00</u>
T01N R18E S14	SESW	~~35.0~~ <u>34.0</u>	T01N R18E S14	NWSE	~~32.9~~ <u>33.00</u>
~~T01N R18E S14~~	~~SWSE~~	~~1.20~~	T01N R18E S15	SENE	~~7.00~~ <u>8.00</u>
T01N R18E S15	NESW	~~6.70~~ <u>8.20</u>	T01N R18E S15	SESW	25.00
T01N R18E S15	NESE	~~39.00~~ <u>40.0</u>	T01N R18E S15	NWSE	~~34.0~~ <u>33.00</u>
T01N R18E S15	SWSE	40.00	T01N R18E S15	SESE	40.00
T01N R18E S22	NENE	39.00	T01N R18E S22	NWNE	39.00
T01N R18E S23	NWNW	~~34.0~~ <u>38.00</u>	T01N R18E S23	SWNW	~~33.0~~ <u>37.00</u>

~~527-533.5~~ ACRES TOTAL

This right is limited to the irrigation of 170 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 527.0 acres in a single irrigation season. Combined Right Nos.: 37-22219, 37-22221, 37-22223, 37-22225, and 37-22227.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 37-479A.

This right is renumbered from former right 37-478A.

CERTIFICATE OF SERVICE

I certify that on August 22, 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

How Harris

Signature of person or attorney mailing the form