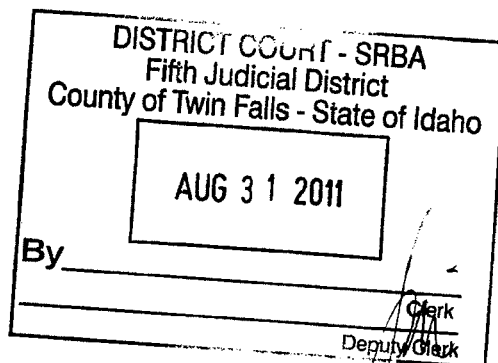




STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

August 31, 2011



Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2720
Twin Falls, ID 83303-2707
VIA FACSIMILE 208-736-2121

RE: Standard Form 5 for water right 37-118

Dear Clerk:

A Standard Form 5 (SF5) was filed yesterday in the John Stevenson subcase, 37-118. The SF5 was signed by counsel for the claimant / objector and the objector, but Idaho Department of Water Resources (IDWR) concurrence had not been secured.

Mr. Barker, attorney for the claimant / objector, emailed a copy of the SF5 that he had signed to IDWR and Mr. Stone, attorney for the objector, yesterday. Attached is a copy of that SF5 with the signatures of Doug Jones and Nicholas Spencer for IDWR now added, indicating IDWR agrees with the settlement agreement reflected in the SF5 filed on August 30. I am also mailing a hard copy of this SF5 to the Court today.

Should you have any further questions, please feel free to contact me at 208-287-4816.
Thank you!

Sincerely,

Vicki Kelly,
Paralegal

Enc.

cc: Albert Barker
Laird Stone

08/26/2011

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

RIGHT NUMBER: 37-118

NAME AND ADDRESS: JOHN F STEVENSON
36 HILLSIDE RANCH RD
BELLEVUE ID 83313

SOURCE: BUHLER DRAIN

TRIBUTARY: STALKER CREEK

Water developed for this right resulted from drainage of a swamp by a ditch now known as the Buhler Drain (also locally known as the Rogers Ditch).

QUANTITY: 8.000 CFS

Rediversion from Stalker Creek in Section 28 is limited to the measured flow rate injected into Stalker Creek or 0.02 cfs per acre for the lands served, whichever is less.

PRIORITY DATE: 07/01/1904

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from saved or developed water in Silver Creek, as established and controlled by, and subject to, the provisions included within In Re: S C Frost et al vs Alturas Water Company et al decree (Lincoln County, entered 12-13-1909).

POINT OF
DIVERSION:

T01S R19E S20 SWNNW Within BLAINE County

T01S R19E S28 SESENE Rediversion Within BLAINE County

T01S R19E S29 SWSNW Injection Within BLAINE County

The point of injection described above is where Buhler Drain water flows into Stalker Creek for rediversion from the pump further down Stalker Creek.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

8.000 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R19E S19	NENE	3.00	T01S R19E S19	SENE	28.00
T01S R19E S19	NESE	25.00	T01S R19E S19	SESE	29.00
T01S R19E S20	SWNW	6.00	T01S R19E S20	NWSW	11.00
T01S R19E S20	SWSW	28.00	T01S R19E S27	SWNW	28.00
T01S R19E S27	NWSW	26.00	T01S R19E S28	SWNE	15.00
T01S R19E S28	SENE	27.00	T01S R19E S28	NESE	30.00
T01S R19E S28	NWSE	10.00	T01S R19E S28	SESE	22.00
T01S R19E S29	NWNW	32.00	T01S R19E S29	SWNW	38.00
T01S R19E S29	SENW	5.70	T01S R19E S29	NESW	37.00
T01S R19E S29	NWSW	38.00	T01S R19E S29	NWSE	18.00

T01S R19E S30	NENE	34.00	T01S R19E S30	SENE	32.00
T01S R19E S33	NENE	2.30			
		525 ACRES TOTAL			

The rights listed below are limited to the irrigation of a combined total of 525 acres in a single irrigation season. Combined Right Nos.: 37-118, 37-2576, 37-2681, and 37-7644.

This right is limited to the irrigation of 300 acres within the place of use described above 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

CERTIFICATE OF SERVICE

I certify that on August 31, 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

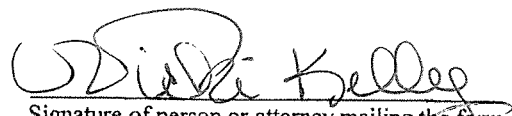
☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Laird B. Stone
Stephan, Kvanvig, Stone & Trainor
P.O. Box 83
Twin Falls, ID 83303-0083

☐ 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


Signature of person or attorney mailing the form