

**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

Case No. 39576

Subcase No.: 37-21793

**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:**

J. Evan Robertson  
Attorney for Robbins Trust and  
O'Connor Trust

Date

**RESPONDENTS:**

Craig D. Hodge  
Attorney for Big Wood Canal Company

Date

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

IDWR CONCURRENCE:

Douglas Jones 9/2/11  
Date  
Douglas Jones  
Technical Engineer

IDWR CONCURRENCE:

Nicholas B. Spencer 9-7-11  
Date  
Nicholas B. Spencer  
Deputy Attorney General  
Attorney for IDWR

06/15/2011

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

RIGHT NUMBER: 37-21793

NAME AND ADDRESS: ROBBINS TRUST & O CONNOR TRUST  
PO BOX 48  
BELLEVUE ID 83313

SOURCE: EAST FORK WOOD RIVER TRIBUTARY: BIG WOOD RIVER

QUANTITY: 4.160 CFS

Right Nos. 37-21793, 37-21794 and 37-21386 are limited to a total combined diversion rate of 4.68 cfs.

PRIORITY DATE: 06/01/1884

POINT OF  
DIVERSION:

T04N R19E S28 NW1/4 Within BLAINE County  
T04N R19E S29 SE1/4 Within BLAINE County  
T04N R19E S29 SE1/4 Within BLAINE County  
T04N R19E S29 NE1/4 Within BLAINE County

T04N R19E S28 SENESE Injection Within BLAINE County  
T04N R19E S28 NW1/4 Rediversion Within BLAINE County  
T04N R19E S28 NW1/4 Rediversion Within BLAINE County  
T04N R19E S29 SE1/4 Rediversion Within BLAINE County  
T04N R19E S29 SE1/4 Rediversion Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY  |
|----------------|---------------|-----------|
| IRRIGATION     | 05/01 10/31   | 4.160 CFS |

PLACE OF USE: IRRIGATION in BLAINE County

|               |      |             |               |      |             |
|---------------|------|-------------|---------------|------|-------------|
| T04N R19E S29 | SWSW | 12.00 11-00 | T04N R19E S29 | SESW | 28.00 10-00 |
| T04N R19E S29 | NWSE | 1.20 1-10   | T04N R19E S29 | SWSE | 27.00 16-00 |
| T04N R19E S32 | NENW | 7.30 8-30   |               |      |             |

74.4 76.5 ACRES TOTAL

This right is limited to the irrigation of 59.2 acres within the place of use described above in a single irrigation season.

Right Nos. 37-21793 and 37-21386 are limited to the irrigation of a combined total of 76.5 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.

08/15/2011

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-21472.

~~Water is delivered through East Fork Wood River.~~

D/ NBS ark  
fer

## CERTIFICATE OF SERVICE

I certify that on September 20, 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

J. Evan Robertson  
Robertson & Slette PLLC  
P.O. Box 1906  
Twin Falls, ID 83303-1906

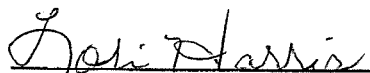
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Craig D. Hobdey  
Hobdey & Hobdey  
P.O. Box 176  
Gooding, ID 83330

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☐ Facsimile

Albert P. Barker  
Barker, Rosholt & Simpson LLP  
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☐ Hand-Delivered  
☐ Facsimile

  
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Signature of person or attorney mailing the form