

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. 73-12166

STANDARD FORM 5

By

STIPULATED ELEMENTS OF A
WATER RIGHT

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

NOV - 9 2011

Clerk

Deputy Clerk

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:

Circle Pi LLC

Ben Yates, Circle Pi LLC
Pro Se

Date

OBJECTOR:

State of Idaho Department of Lands

Tyson Nelson
Deputy Attorney General
Attorney for IDL

Date

IDWR Concurrence:

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

Andrea L. Courtney 11/7/11
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

10/06/2011

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

RIGHT NUMBER: 73-12166

NAME AND ADDRESS: CIRCLE PI LLC
HC 62 BOX 2295
MAY ID 83253

SOURCE: PATTERSON CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 2.040 CFS

PRIORITY DATE: 04/01/1964

POINT OF
DIVERSION:

T14N R23E S26 ~~NW~~ S27 NENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

2.040 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T14N R23E S16	NESW	3.70	T14N R23E S16	NWSW	13.00
T14N R23E S16 Lot 4	SWSW	39.00	T14N R23E S16 Lot 3	SESW	34.00
~~T14N R23E S16 Lot 2~~	~~SWSE~~	~~12.00~~	~~T14N R23E S16 Lot 1~~	~~SESE~~	~~0.50~~
T14N R23E S17	NESE	13.00	T14N R23E S17	SESE	39.00
T14N R23E S20	NENE	39.00	T14N R23E S20	SENE	21.00
T14N R23E S21	NENE	29.00	T14N R23E S21	NWNE	40.00
T14N R23E S21	SWNE	38.00	T14N R23E S21	SENE	38.00
T14N R23E S21	NENW	40.00	T14N R23E S21	NWNW	40.00
T14N R23E S21	SWNW	37.00	T14N R23E S21	SENW	25.00
T14N R23E S21	NWSE	0.70			

~~501.9~~ 489.4 ACRES TOTAL

Right Nos. 73-217, 73-10065 and 73-12166 are limited to the irrigation of a combined total of ~~501.9~~ 489.4 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on November 8, 2011, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, 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

Copies to:

STATE OF IDAHO DEPT OF LANDS

Represented by:

STATE OF IDAHO

~~JRW BUILDING, SECOND FLOOR~~ 300 N 6th St
~~700 W STATE ST, PO BOX 44449~~ PO Box 83720
BOISE, ID ~~83711-4449~~ 83720

CIRCLE PI LLC
HC 62 BOX 2295
MAY, ID 83253

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Don Harris

Signature of person or attorney mailing form