

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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DEPARTMENT OF
WATER RESOURCES

In Re SRBA

Case No. 39576

Subcase No. 73-12189

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

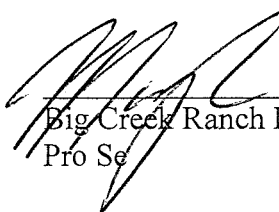
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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.

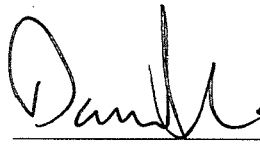
CLAIMANT:

Big Creek Ranch LLC

 11/4/11
Big Creek Ranch LLC Date
Pro Se

OBJECTOR:

United States of America

 11/12/11
David Negri, Attorney Date
Bureau of Land Management

IDWR Concurrence:

Craig L. Saxton 7-19-11
Craig Saxton Date
Senior Water Resource Agent

Andrea L. Courtney 7/10/11
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

06/28/2011

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

RIGHT NUMBER: 73-12189

NAME AND ADDRESS: BIG CREEK RANCH LLC
280 CRANBROOK RD
HAILEY ID 83333

SOURCE: BIG CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 4.200 CFS

The diversion rate for this right is 4.2 cfs, less the flow of Mill Creek under water right 73-12191.

Right Nos. 73-12189 and 73-12191 are limited to a total combined diversion rate of 4.2 cfs.

PRIORITY DATE: 03/01/1890

POINT OF DIVERSION:

T13N R23E S12 SESW Within LEMHI County

T13N R24E S18 SESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	4.200 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T13N R23E S02 Lot 5 SWNE	8.00	T13N R23E S02 Lot 1 NENW	15.00
T13N R23E S02 Lot 2 NWNW	40.00	T13N R23E S02 SWNW	40.00
T13N R23E S02 SENW	38.00	T13N R23E S02 NWSE	36.00
T13N R23E S02 SWSE	24.00	T13N R23E S02 SESE	36.00
T13N R23E S11 NENE	40.00	T13N R23E S11 SENE	27.00
T13N R23E S12 Lot 2 SWNW	25.00	T13N R23E S12 NWSW	22.00
T13N R23E S12 SWSW	0.30	T13N R23E S12 SESW	3.90
T14N R23E S34 SESE	36.00	T14N R23E S35 SWSW	40.00
T14N R23E S35 SESW	2.30		

433.5 ACRES TOTAL

This right is limited to the irrigation of 210 acres within the place of use described above in a single irrigation season.

Right Nos. 73-12189 and 73-12191 are limited to the irrigation of a combined total of 210 acres in a single irrigation season.

Right Nos. 73-12181, 73-12183, 73-12185, 73-12187, 73-12189, and 73-12191 are limited to the irrigation of a combined total of 433.5 acres in a single irrigation season.

06/28/2011

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

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.

This right is a split from former right 73-163.

CLS

AZ

MP

ON

CERTIFICATE OF MAILING

I certify that on 11-21, 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:

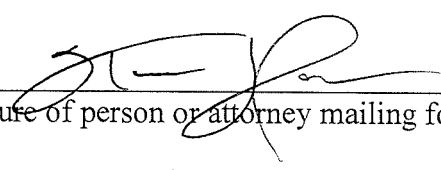
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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

BIG CREEK RANCH LLC
280 CRANBROOK RD
HAILEY, ID 83333



Signature of person or attorney mailing form