

11-22

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

RECEIVED

In Re SRBA

Subcase No. 73-12192

NOV 23 2011

Case No. 39576

DEPARTMENT OF
WATER RESOURCES

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.

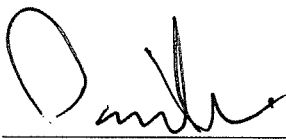
CLAIMANT:

Big Creek Ranch LLC

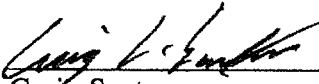

Big Creek Ranch LLC
Pro Se
11/4/11
Date

OBJECTOR:

United States of America


David Negri, Attorney
Bureau of Land Management
11/17/11
Date

IDWR Concurrence:

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

 7/18/11
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: 73-12192

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: MILL CREEK

TRIBUTARY: BIG CREEK

QUANTITY: 0.600 CFS

Right Nos. 73-12190 and 73-12192 are limited to a total combined diversion rate of 0.6 cfs.

PRIORITY DATE: 03/01/1890

POINT OF DIVERSION:

T13N R23E S12 NWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.600 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T13N R23E S01 Lot 7 SWSW	0.80	T13N R23E S02	NESW	14.00	
T13N R23E S02	NESE	5.20	T13N R23E S03 Lot 1 NENE	24.00	
T13N R23E S11	NWNE	8.00	T13N R23E S11	NESE	3.00
T13N R23E S12 Lot 1 NWNW	6.00	T13N R23E S12	NESW	1.40	

62.4 ACRES TOTAL

This right is limited to the irrigation of 30 acres within the place of use described above in a single irrigation season.

Right Nos. 73-12190 and 73-12192 are limited to the irrigation of a combined total of 30 acres in a single irrigation season.

Right Nos. 73-12182, 73-12184, 73-12186, 73-12188, 73-12190, and 73-12192 are limited to the irrigation of a combined total of 62.4 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 - Decreed

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

This right is a split from former right 73-246.

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:

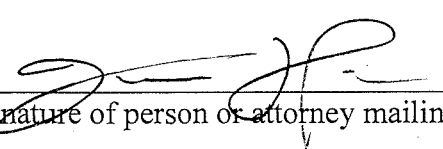
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

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