

|                                                                                           |              |
|-------------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT - SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| DEC - 7 2011                                                                              |              |
| By _____                                                                                  | Clerk        |
| _____                                                                                     | Deputy Clerk |

**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     | ) | Subcase No.: 74-15015    |
|                | ) |                          |
| Case No. 39576 | ) |                          |
|                | ) | STANDARD FORM 5          |
|                | ) |                          |
|                | ) | STIPULATED ELEMENTS OF A |
|                | ) | WATER RIGHT              |

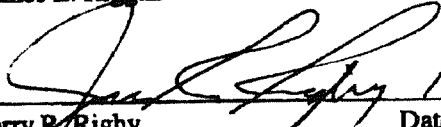
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

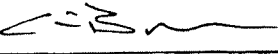
James E. Riggan

  
 \_\_\_\_\_ 10-12-11  
 Jerry B. Rigby Date  
 Attorney for James E. Riggan

**IDWR CONCURRENCE:**

for   
 \_\_\_\_\_ 10-11-11  
 Craig L. Saxton Date  
 Water Rights Supervisor

**IDWR CONCURRENCE:**

  
 \_\_\_\_\_ 12-5-11  
 Christopher M. Bromley Date  
 Deputy Attorney General  
 Attorney for IDWR

10/21/2011

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

**RIGHT NUMBER:** 74-15015

**NAME AND ADDRESS:** JAMES E RIGGAN  
196 WIMPEY CREEK RD  
SALMON ID 83467

**SOURCE:** WIMPEY CREEK TRIBUTARY: LEMHI RIVER

**QUANTITY:** 0.340 CFS

Right Nos. 74-15015 and 74-15861 are limited to a total combined diversion rate of 0.34 cfs.

**PRIORITY DATE:** 05/01/1897

**POINT OF  
DIVERSION:**

T21N R23E S24 NESESW Within LEMHI County  
T21N R23E S24 NESESW Within LEMHI County  
T21N R23E S24 SESESW Within LEMHI County  
T21N R23E S25 NWNENW Within LEMHI County

**PURPOSE AND  
PERIOD OF USE:**

| PURPOSE OF USE | PERIOD OF USE | QUANTITY  |
|----------------|---------------|-----------|
| IRRIGATION     | 03/15 11/15   | 0.340 CFS |

**PLACE OF USE:** IRRIGATION in LEMHI County

|               |      |      |               |      |       |
|---------------|------|------|---------------|------|-------|
| T21N R23E S24 | SESW | 7.20 | T21N R23E S25 | NENW | 28.00 |
| T21N R23E S25 | NWNW | 3.30 | T21N R23E S25 | SWNW | 15.00 |
| T21N R23E S25 | SENW | 1.00 | T21N R23E S25 | NWSW | 2.00  |
| T21N R23E S26 | SENE | 1.50 | T21N R23E S26 | NESE | 15.00 |

73 ACRES TOTAL

Place of use does not include federal public lands.

Right Nos. 74-15015 and 74-15861 are limited to the irrigation of a combined total of 73.0 acres in a single irrigation season.

This right is limited to the irrigation of 27.9 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**

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

Right No. 74-15861 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

## CERTIFICATE OF SERVICE

I certify that on December 6, 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

Jerry R. Rigby  
Rigby Andrus & Rigby Chtd  
P.O. Box 250  
Rexburg, ID 83440

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



Signature of person or attorney mailing the form