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

DEC - 8 2011

By _____ Clerk
_____ 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. 37-21261
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

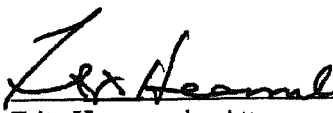
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

CLAIMANTS/OBJECTOR

Cynthia Cramer Jesinger

 12/2/11
Fritz Haemmerle, Attorney Date

IDWR Concurrence:

Cathy Fintz 12-6-11
IDWR Agent Date

Wick Spencer 12-6-11
Deputy Attorney General, IDWR Date

CERTIFICATE OF MAILING

I certify that on December 7, 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:

CYNTHIA CRAMER JESINGER

Represented by:
HAEMMERLE, FRITZ X.
PO BOX 1800
HAILEY, ID 83333

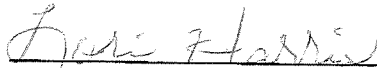
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Courtesy Copy:
BIG WOOD CANAL COMPANY
Represented by:
CRAIG D. HOBDEY
125 5TH AVE
PO BOX 176
GOODING, ID 83330

Courtesy Copy:

BILL MOLYNEUX
GERALD BASHAW
GRACE EAKIN
JOHN F STEVENSON
PEPIN CORSO-HARRIS
PETE VAN DER MEULEN
ROCKY SHERBINE
TOM O GARA

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139

A handwritten signature in cursive script, appearing to read "Pepin Corso-Harris", written over a horizontal line.

Signature of person or attorney mailing the form

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

RIGHT NUMBER: 37-21261

NAME AND ADDRESS:

CYNTHIA CRAMER JESINGER
PO BOX 111
SUN VALLEY ID 83353

SOURCE:

Source:
BIG WOOD RIVER

Tributary:
MALAD RIVER

QUANTITY: 0.080 CFS

The rights listed below are limited to a total combined diversion rate of 0.08 cfs.
Combined Right Nos.: 37-21259, 37-21261, and 37-21263.

This right when combined with all other rights listed herein shall provide no more than
3.5 afa per acre at the field headgate for irrigation of the lands in the place of use
whenever sprinkler methods of irrigation are used.

PRIORITY DATE: 11/12/1936

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not
result from saved water in the Rockwell By-Pass, as established by and subject to the
provisions included within the Rockwell vs. Coffin decree issued on 29 July, 1949.

POINT OF DIVERSION:

T04N R18E S29 SWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/01 11/01	0.080 CFS

The use of water for irrigation under this right may continue to as late as October 31,
provided other elements of the right are not exceeded. The use of water after
September 30 under this remark is subordinate to all water rights having no
subordinated early or late irrigation use and a priority date earlier than the date a
partial decree is entered for this right.

PLACE OF USE:

IRRIGATION within BLAINE County
T03N R18E S06 SWNE 1.7
1.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 1.7 acres in a
single irrigation season. Combined Right Nos.: 37-21259, 37-21261, and 37-21263.

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
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.

The saved water shall be made available to the Rockwell By-Pass saved water right holders any time the Rockwell By-Pass is being used to deliver water to Broadford Slough right holders. The Rockwell saved water rights shall be curtailed when calls for senior water rights from the Broadford Slough cannot be delivered.

NBS
C4

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Rockwell By-Pass owners must maintain the by-pass for the entire length of the by-pass capable of carrying 17.36 cfs of water during the irrigation season.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Property is also known as Lot 1, Gimlet Corner.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.