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DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
DEC - 8 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. 37-21259
	)	
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:
Cynthia Cramer Jesinger

Fritz Haemmerle 12/2/11
Fritz Haemmerle, Attorney Date

OBJECTOR:

Big Wood Canal Company

Craig Hobdey 12-5-11
Craig Hobdey, Attorney Date

OBJECTOR:

Water Users

Albert P. Barker 12-2-11
Albert P. Barker, Attorney Date

IDWR Concurrence:

Caitlyn Fitchner 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

John Harris
Signature of person or attorney mailing the form

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

RIGHT NUMBER: 37-21259

NAME AND ADDRESS:

CYNTHIA CRAMER JESINGER
PO BOX 111
SUN VALLEY ID 83353

SOURCE:

Source:
BIG WOOD RIVER

Tributary:
MALAD RIVER

QUANTITY:

0.050 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 cfs 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: 05/01/1887

POINT OF DIVERSION:

T04N R18E S30 SENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/15 10/31	0.050 CFS

PLACE OF USE:

IRRIGATION within BLAINE County

T03N R18E S06 SWNE ~~0.80~~ 1.70

0.80 1.70 ACRES TOTAL

This right is limited to the irrigation of 0.80 acres within the place of use described above in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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.

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

(Handwritten: Rat)

(Handwritten: JH)

(Handwritten: APS)

(Handwritten: NBS)

(Handwritten: CA)