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Case No. 39576

Motion to Strike issued January 6, 2012, the Idaho Department of Water Resources (IDWR)

WITNESS:

Steve Clelland
Sr. Water Resource Agent
Idaho Department of Water Resources
322 East Front Street
Boise, ID 83720-0098

EXHIBITS:

1. Recommendation of water right 37-21112, dated 02/20/2007, from the Director's Report Irrigation and Other Uses Reporting Area 16 IDWR Basin 37 Part 3.
2. Draft Standard Form 5 recommendation (Amended Director's Report) emailed to parties on December 3, 2010.

Dated this 10th day of January, 2012.

Respectfully submitted,



By: NICHOLAS B. SPENCER
Deputy Attorney General
Attorney for IDWR

02/20/2007

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

RIGHT NUMBER: 37-21112

NAME AND ADDRESS: MARATHON PARTNERS LLC
PO BOX 3118
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.419 CFS

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION: T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 11/15	1.419 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T02N R18E S09 NENE 2.00	T02N R18E S10 NWNW	34.00
	T02N R18E S10 SWNW 11.00	T02N R18E S10 SENW	7.00

54 ACRES TOTAL

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

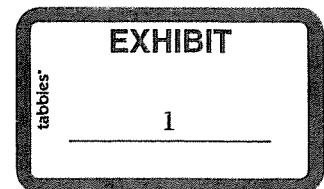
Right 37-12818A is a split from former right 37-577.

This right is a split from former right 37-12818A.

The foregoing is a true and certified copy of
the document on file at the department of
Water Resources.

Signed this 10th day of January, 2012

Carla Antasche



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

RIGHT NUMBER: 37-21112

NAME AND ADDRESS:

MARATHON PARTNERS LLC
PO BOX 3118
KETCHUM ID 83340

SOURCE:

Source:
BIG WOOD RIVER

Tributary:
MALAD RIVER

QUANTITY:

1.419 CFS
0.000 APY

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T03N R18E S20 SWNW
Within BLAINE County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/15 11/15

1.419 CFS

PLACE OF USE:

IRRIGATION

within BLAINE County

T02N R18E S09 NENE 6.0

~~T02N R18E S09 NENE 2.0~~

T02N R18E S10 NWNW 37.0

~~T02N R18E S10 NWNW 34.0~~

T02N R18E S10 SWNW 10.0

~~T02N R18E S10 SWNW 11.0~~

~~T02N R18E S10 SENW 7.0~~

53 ACRES TOTAL

~~54 ACRES TOTAL~~

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

This right is a split from former right 37-12818A.
Right 37-12818A is a split from former right 37-577.

Amended Director's Report: 37-21112

1

EXHIBIT

2

The foregoing is a true and certified copy of
the document on file at the department of
Water Resources.

Signed this 10th day of January, 2012

Carla J. Antosh

CERTIFICATE OF SERVICE

I certify that on January 10, 2012, I caused to be served true and correct copies of this Witness and Exhibit List, 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
☐ Electronic Delivery
☒ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

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

James P. Speck
Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

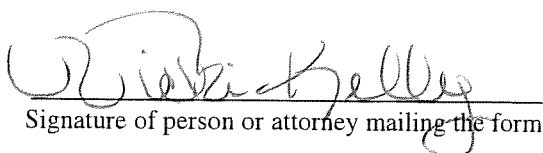
☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☒ Electronic Delivery
☐ Facsimile

Craig D. Hobdey
Hobdey & Hobdey
P.O. Box 176
Gooding, ID 83330

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☐ Facsimile

Albert P. Barker
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P.O. Box 2139
Boise, ID 83701-2139

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☐ Hand-Delivered
☒ Electronic Delivery
☐ Facsimile


Signature of person or attorney mailing the form