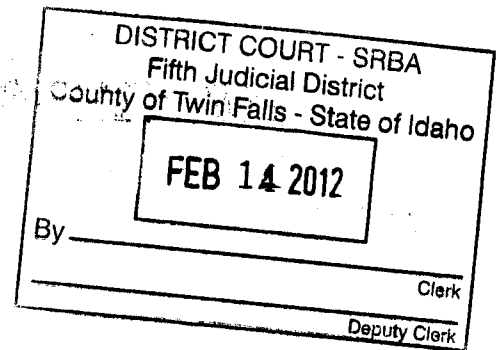




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase No.: 37-21412
	)	
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:

Candice M. McHugh 2-14-12
Candice M. McHugh Date
Attorney for Indian Creek Ranch
Owners Association, Inc.

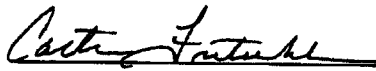
OBJECTOR:

Michael C. Creamer 2/14/2012
Michael C. Creamer Date
Attorney for City of Hailey

OBJECTOR/ RESPONDENT:

Dana L. Hofstetter 2/14/2012
Dana L. Hofstetter Date
Attorney for Dana L. & Victor U. Hofstetter

IDWR CONCURRENCE:

 2-14-12
Carter Fritschle Date
Manager, Adjudication Section

IDWR CONCURRENCE:

 2/14/12
Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

02/14/2012

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

RIGHT NUMBER:	37-21412		
NAME AND ADDRESS:	INDIAN CREEK RANCH OWNERS ASSN INC PO BOX 3411 HAILEY ID 83433-3411		
SOURCE:	INDIAN CREEK	TRIBUTARY: BIG WOOD RIVER	
QUANTITY:	49.6 22.5 APY The capacity of the storage reservoir is 49.6 22.5 AF.		
PRIORITY DATE:	08/22/1972 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.		
POINT OF DIVERSION:	TOWN RISE S22 SWSW Within BLAINE County		
PURPOSE AND PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	ARTISTHIC STORAGE	01/01 12/31	49.6 22.5 APY
	WILDLIFE STORAGE	01/01 12/31	49.6 22.5 APY
	RECREATION STORAGE	01/01 12/31	49.6 APY
PLACE OF USE:	<u>WILDLIFE STORAGE in BLAINE County</u>		
	TOWN RISE S22 SWSW	TOWN RISE S22 SWSW	SWSW
	<u>RECREATION STORAGE in BLAINE County</u>		
	TOWN RISE S22 SWSW	TOWN RISE S22 SWSW	SWSW
	<u>ARTISTHIC STORAGE in BLAINE County</u>		
	TOWN RISE S22 SWSW	TOWN RISE S22 SWSW	SWSW
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 42-1423(6), Idaho Code.			
This right is based upon an enlargement of Right No. 37-19740 pursuant to Section 42-1426, Idaho Code.			
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use			

Smc
McC
Blk
CA
CB

CERTIFICATE OF SERVICE

I certify that on February 14, 2012, 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

Michael C. Creamer
Givens Pursley LLP
P.O. Box 2720
Boise, ID 83701-2720

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

Dana L. Hofstetter
Hofstetter Law Office
608 West Franklin St.
Boise, ID 83702

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

Candice M. McHugh
Randall C. Budge
Racine Olson Nye Budge & Bailey
P.O. Box 1391
Pocatello, ID 83204-1391

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



Signature of person or attorney mailing the form