

MAR - 9 2012

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.: 37-2635

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:

J. Evan Robertson

2-27-12
Date

Attorney for Lane Ranch Homeowners Assn Inc.

OBJECTORS / RESPONDENTS:

Craig D. Hobdey

2-29-12
Date

Attorney for Big Wood Canal Company

Albert P. Barker

3-5-12
Date

Attorney for Tom O'Gara, John F.
Stevenson, Bill Molyneux, Pete Van
Der Meulen, Grace Eakin, Gerald B
Bashaw and Pepin Corso-Harris

IDWR CONCURRENCE:

 2/13/12
Douglas Jones Date
Technical Engineer 1

IDWR CONCURRENCE:

 2-15-12
Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

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

12/09/2011

RIGHT NUMBER: 37-2635

NAME AND ADDRESS: LANE RANCH HOMEOWNERS ASSN INC
C/O SUSAN MCBRYANT, MANAGER
PO BOX 1675
SUN VALLEY ID 83353

SOURCE: GROUND WATER

Tributary:

Point of injection into and point of redirection from Elkhorn Creek.

QUANTITY: 1.200 CFS
69.900 AFY

The rights listed below are limited to a total combined diversion rate of 1.21 cfs and to a total combined annual diversion volume of 315 AF. Combined Right Nos.: 37-2635, 37-4016, 37-7201 and 37-82.

Rediversion of water authorized by this right is limited to the flow rate actually diverted from the horizontal well in T4N R18E S20 NESE and injected into Elkhorn Creek or the total combined flow rate limit of all Elkhorn Creek rights, whichever is less.

The total combined storage volume to be stored for wildlife, recreation and aesthetic uses under Rights 37-81, 37-82 and 37-2635 is 2.2 acre-feet.

PRIORITY DATE: 07/07/1960

POINT OF DIVERSION:

T04N R18E S19 NESESE Rediversion Within BLAINE County
T04N R18E S19 NESESE Rediversion Within BLAINE County
T04N R18E S20 SWNESE Injection Within BLAINE County
T04N R18E S20 SWNESE Within BLAINE County
T04N R18E S30 SENENE Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/15 10/31	0.710 CFS 69.90 AFY
WILDLIFE	01/01 12/31	1.200 CFS
RECREATION	01/01 12/01	1.200 CFS
AESTHETIC	01/01 12/31	1.200 CFS

PLACE OF USE:

IRRIGATION within BLAINE County

T04N R18E S19 NESE 7.10	T04N R18E S19 SWSE 4.50
T04N R18E S19 SESE 26.00	T04N R18E S20 NWSW 4.40
T04N R18E S20 SWSW 5.60	T04N R18E S29 NWNW 8.60
T04N R18E S30 NENE 26.00	

WILDLIFE within BLAINE County

T04N R18E S19 NESE T04N R18E S19 SESE
T04N R18E S30 NENE

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

12/09/11

RECREATION within BLAINE County

T04N R18E S19 NESE T04N R18E S19 SESE
T04N R18E S30 NENE

AESTHETIC within BLAINE County

T04N R18E S19 NESE T04N R18E S19 SESE
T04N R18E S30 NENE

82.2 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 23.3 acres in a single irrigation season. Combined Right Nos.: 37-81, 37-82, and 37-2635.

This right is limited to the irrigation of 23.3 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.

This water right is subject to the terms and conditions of the administrative order approving Transfer Nos. 3609, dated 10/9/1990, and 3881, dated 12/9/1993, that affected Water Right Nos. 37-81, 37-82, 37- 4016 and 37-7201. *WA*

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of water under this water right will be regulated by the watermaster of State Water District No. 37. *APB*

NBS

CERTIFICATE OF SERVICE

I certify that on March 8, 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

J. Evan Robertson
Robertson & Slette
134 Third Ave East
Twin Falls, ID 83303

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Hobdey & Hobdey
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P.O. Box 2139
Boise, ID 83701-2139

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☐ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form