

MAR 13 2012

By _____

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

Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

) Subcase No.: 37-918
) (Formerly Disallowed)

) 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:

Fritz X. Haemmerle
Fritz X. Haemmerle
Attorney for Henricus P. Beekwilder
Family Revocable Trust

Date 3/9/12

OBJECTOR:

Fritz X. Haemmerle
Fritz X. Haemmerle
Attorney for Hiawatha Canal Water Users
Association of Lateral or Laterals

Date 3/11/12

DWR CONCURRENCE:

Carter Fritschle
Carter Fritschle
Manager, Adjudication Section

3-9-12
Date

IDWR CONCURRENCE:

Christopher M. Bromley
Christopher M. Bromley
Deputy Attorney General
Attorney for IDWR

3/9/12
Date

CERTIFICATE OF SERVICE

03/09/2012

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

RIGHT NUMBER: 37-918

NAME AND ADDRESS: HENRICUS P BEEKWILDER FAMILY REVOCABLE TRUST
2687 TOWNSEND CT
SACRAMENTO CA 95864

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.095 CFS

PRIORITY DATE: 04/01/1940

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 10/31

0.095 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T02N R18E S04 Lot 4 NWNW 1.00

T02N R18E S04

SWNW 10.00

11 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

Water is delivered through the Hiawatha Canal.

CR
FXIF

I certify that on March 12, 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

Fritz X. Haemmerle
Haemmerle & Haemmerle
P.O. Box 1800
Hailey, ID 83333

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

John Harris
Signature of person or attorney mailing the form