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DEPARTMENT OF
WATER RESOURCES

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

Case No. 39576

) Subcase No.: 47-17155

) (Uncontested Overlap

) to 47-7221)

) 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:

Salmon Falls Land & Livestock Company

by Michael J. Henslee 4/19/12
Michael J. Henslee Director Date

by Mark W. Henslee 4/18/12
Mark W. Henslee Director Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

David L. Negri 4/23/12
David L. Negri Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Steve Clelland 3/30/12
Date
Steve Clelland
Sr. Water Resource Agent

IDWR CONCURRENCE:

Nicholas B. Spencer 3-30-12
Date
Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 47-17155

NAME AND ADDRESS:

SALMON FALLS LAND & LIVESTOCK CO
INC
95A BELL RAPIDS RD
HAGERMAN ID 83332

SOURCE:

Source:
DEVIL CREEK

Tributary:

SALMON FALLS CREEK

QUANTITY:

0.750 CFS

~~462.00 AFY~~ ~~372.000 AFY~~

THIS RIGHT IS LIMITED TO A TOTAL STORAGE VOLUME OF 100 AFA FOR
IRRIGATION AND STOCKWATER.

~~THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.~~

PRIORITY DATE: 06/15/1960

POINT OF DIVERSION:

T14S R12E S2 Lot 3 NWNENW Rediversion
Within TWIN FALLS County

T15S R12E S4 SWSESE
Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	03/01 10/31	0.750 CFS 362.00 AFY
IRRIGATION STORAGE	01/01 12/31	100.00 AFY
IRRIGATION FROM STORAGE	04/01 11/01	100.00 AFY
STOCKWATER	01/01 12/31	0.050 CFS 2.70 AFY
STOCKWATER STORAGE	01/01 12/31	<u>2.70 AFY</u> ~~100.00 AFY~~
STOCKWATER FROM STORAGE	01/01 12/31	<u>2.70 AFY</u> ~~100.00 AFY~~

See
NBS
M.H.
M.H.
DN

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

PLACE OF USE: IRRIGATION within TWIN FALLS County

T13S R12E S25 NESW 40.0
T13S R12E S25 NWSW 39.0
T13S R12E S25 SWSW 10.0
T13S R12E S25 SESW 9.8
T13S R12E S25 NESE 8.9
T13S R12E S25 NWSE 16.0
T13S R12E S25 SWSE 5.9
T13S R12E S25 SESE 39.0
T13S R12E S36 NENE 39.0
T13S R12E S36 SENE 24.0
T13S R13E S30 Lot 3 NWSW 8.9
T13S R13E S30 Lot 4 SWSW 44.0

IRRIGATION FROM within TWIN FALLS County
STORAGE

T13S R12E S25 NESW 40.0
T13S R12E S25 NWSW 39.0
T13S R12E S25 SWSW 10.0
T13S R12E S25 SESW 9.8
T13S R12E S25 NESE 8.9
T13S R12E S25 NWSE 16.0
T13S R12E S25 SWSE 5.9
T13S R12E S25 SESE 39.0
T13S R12E S36 NENE 39.0
T13S R12E S36 SENE 24.0
T13S R13E S30 Lot 3 NWSW 8.9
T13S R13E S30 Lot 4 SWSW 44.0

STOCKWATER within TWIN FALLS County

T13S R12E S25 NESW
T13S R12E S25 NWSW
T13S R12E S25 SWSW
T13S R12E S25 SESW
T13S R12E S25 NESE
T13S R12E S25 NWSE
T13S R12E S25 SWSE
T13S R12E S25 SESE
T13S R12E S36 NENE
T13S R12E S36 SENE
T13S R13E S30 Lot 3 NWSW
T13S R13E S30 Lot 4 SWSW

SCW
NBS

M.A.
MH:
ON

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

STOCKWATER FROM within TWIN FALLS County
STORAGE

T13S R12E S25 NESW
T13S R12E S25 NWSW
T13S R12E S25 SWSW
T13S R12E S25 SESW
T13S R12E S25 NESE
T13S R12E S25 NWSE
T13S R12E S25 SWSE
T13S R12E S25 SESE
T13S R12E S36 NENE
T13S R12E S36 SENE
T13S R13E S30 Lot 3 NWSW
T13S R13E S30 Lot 4 SWSW

284.5 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 284.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 47-17154 & 47-17155.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 200 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 47-2335 & 47-2451.
THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER
DISTRICT 47-C.

See
NBS
M.A.
MA
DN

CERTIFICATE OF SERVICE

I certify that on 4/24, 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

U.S. Dept. of Justice
Environment & Nat'l Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

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

Salmon Falls Land & Livestock Co. Inc.
95A Bell Rapids Rd
Hagerman, ID 83332

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

Brandon Anderson
Signature of person or attorney mailing the form