

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

**DISTRICT COURT - SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho**

In Re SRBA

Subcase No. 02-00103

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A  
WATER RIGHT

APR 24 2012

By

Clerk

Deputy Clerk

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.

**CLAIMANTS/OBJECTORS:**

Wesley R. Wooton  
Christine W. Wooton  
Don J. Bryant  
Brenda Bryant  
Black Mesa Farms LLC

**OBJECTOR:**

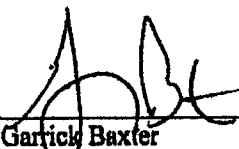
Cottonwood Mutual Canal Co.

 4/23/12  
Michael C. Creamer, Attorney Date

 4/23/12  
Charles L. Honsinger, Attorney Date

**IDWR Concurrence:**

For  4/24/12  
Carter Fritschle Date  
Manager, Adjudication Section

 4/24/2012  
Garrick Baxter Date  
Deputy Attorney General  
Attorney for IDWR

04/20/2012

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

RIGHT NUMBER: 2-103

NAME AND ADDRESS: CHRISTINE W WOOTAN  
PO BOX 636  
GLENN'S FERRY ID 83623

BLACK MESA FARMS LLC  
PO BOX 82  
GLENN'S FERRY ID 83623

WESLEY R WOOTAN  
PO BOX 636  
GLENN'S FERRY ID 83623

DON J BRYANT  
PO BOX 215  
GLENN'S FERRY ID 83623

BRENDA BRYANT  
PO BOX 215  
GLENN'S FERRY ID 83623

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.54 3.96 CFS

~~The rights listed below are limited to a total combined diversion rate of 90.24 cfs.~~  
~~Combined Right Nos. 2-103, 2-4021, and all parts of base right 2-2209~~  
~~including 2-2209B, 2-2209C, 2-2209E, 2-10187, 2-10189, 2-10191,~~  
~~2-10196, 2-10208, 2-10209 and 2-10300.~~

PRIORITY DATE: 05/10/1965

POINT OF  
DIVERSION:

T06S R11E S9 NWSW Lot 6 Within ELMORE County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE                            | PERIOD OF USE            | QUANTITY              |
|-------------------------------------------|--------------------------|-----------------------|
| IRRIGATION                                | 03/15 11/15              | 0.540 <u>3.96</u> CFS |
| PLACE OF USE: IRRIGATION in ELMORE County |                          |                       |
| T06S R10E S01 NESW 35.00                  | T06S R10E S01 SWSW 39.00 |                       |
| T06S R10E S01 SESW 40.00                  | T06S R10E S01 NWSE 30.00 |                       |
| T06S R10E S01 SWSE 40.00                  | T06S R10E S01 SESE 30.00 |                       |
| T06S R10E S02 SESE 39.00                  | T06S R10E S11 NENE 40.00 |                       |
| T06S R10E S11 SWNE 40.00                  | T06S R10E S11 SENE 39.00 |                       |
| T06S R10E S11 NESW 40.00                  | T06S R10E S11 NWSW 40.00 |                       |
| T06S R10E S11 SWSW 40.00                  | T06S R10E S11 SESW 40.00 |                       |
| T06S R10E S11 NESE 39.00                  | T06S R10E S11 NWSE 40.00 |                       |
| T06S R10E S11 SWSE 40.00                  | T06S R10E S11 SESE 40.00 |                       |
| T06S R10E S12 NENE 40.00                  | T06S R10E S12 NWNE 40.00 |                       |
| T06S R10E S12 SWNE 40.00                  | T06S R10E S12 SENE 40.00 |                       |

|                     |      |       |                     |      |       |
|---------------------|------|-------|---------------------|------|-------|
| T06S R10E S12       | NENW | 40.00 | T06S R10E S12       | NNNW | 39.00 |
| T06S R10E S12       | SWNW | 39.00 | T06S R10E S12       | SENW | 40.00 |
| T06S R10E S12       | NESW | 40.00 | T06S R10E S12       | NWSW | 39.00 |
| T06S R10E S12       | SWSW | 38.00 | T06S R10E S12       | SESW | 21.00 |
| T06S R10E S12       | NESE | 40.00 | T06S R10E S12       | NWSE | 40.00 |
| T06S R10E S12       | SWSE | 39.00 | T06S R10E S12       | SESE | 39.00 |
| T06S R10E S13       | NENE | 39.00 | T06S R10E S13       | NNNE | 39.00 |
| T06S R10E S13       | SWNE | 40.00 | T06S R10E S13       | SENE | 40.00 |
| T06S R10E S13       | NENW | 39.00 | T06S R10E S13       | NNNW | 39.00 |
| T06S R10E S13       | SWNW | 40.00 | T06S R10E S13       | SENW | 40.00 |
| T06S R10E S13       | NESW | 40.00 | T06S R10E S13       | NWSW | 40.00 |
| T06S R10E S13       | NESE | 40.00 | T06S R10E S13       | NWSE | 40.00 |
| T06S R10E S13       | SWSE | 40.00 | T06S R10E S13       | SESE | 40.00 |
| T06S R10E S14       | NENE | 40.00 | T06S R10E S14       | NNNE | 40.00 |
| T06S R10E S14       | SWNE | 40.00 | T06S R10E S14       | SENE | 40.00 |
| T06S R10E S14       | NENW | 40.00 | T06S R10E S14       | NNNW | 40.00 |
| T06S R10E S14       | SWNW | 40.00 | T06S R10E S14       | SENW | 40.00 |
| T06S R10E S14       | NESW | 39.00 | T06S R10E S14       | NESE | 39.00 |
| T06S R10E S14       | NWSE | 30.00 | T06S R10E S24       | NENE | 40.00 |
| T06S R10E S24       | NNNE | 39.00 | T06S R10E S24       | SWNE | 40.00 |
| T06S R10E S24       | SENE | 40.00 | T06S R10E S24       | NESE | 40.00 |
| T06S R10E S24       | NWSE | 40.00 | T06S R11E S06 Lot 7 | SWSW | 10.00 |
| T06S R11E S07       | NENE | 25.00 | T06S R11E S07       | NNNE | 25.00 |
| T06S R11E S07       | SWNE | 40.00 | T06S R11E S07       | SENE | 40.00 |
| T06S R11E S07       | NENW | 30.00 | T06S R11E S07 Lot 1 | NNNW | 37.00 |
| T06S R11E S07 Lot 2 | SWNW | 37.00 | T06S R11E S07       | SENW | 40.00 |
| T06S R11E S07       | NESW | 40.00 | T06S R11E S07 Lot 3 | NWSW | 38.00 |
| T06S R11E S07 Lot 4 | SWSW | 37.00 | T06S R11E S07       | SESW | 39.00 |
| T06S R11E S07       | NESE | 40.00 | T06S R11E S07       | NWSE | 40.00 |
| T06S R11E S07       | SWSE | 39.00 | T06S R11E S07       | SESE | 40.00 |
| T06S R11E S17       | NNNW | 40.00 | T06S R11E S17       | SWNW | 40.00 |
| T06S R11E S17       | NWSW | 40.00 | T06S R11E S18       | NENE | 38.00 |
| T06S R11E S18       | NNNE | 39.00 | T06S R11E S18       | SWNE | 40.00 |
| T06S R11E S18       | SENE | 39.00 | T06S R11E S18       | NENW | 39.00 |
| T06S R11E S18 Lot 1 | NNNW | 37.00 | T06S R11E S18 Lot 2 | SWNW | 38.00 |
| T06S R11E S18       | SENW | 40.00 | T06S R11E S18       | NESW | 40.00 |
| T06S R11E S18 Lot 3 | NWSW | 38.00 | T06S R11E S18 Lot 4 | SWSW | 38.00 |

C.2.H.  
MCL  
JB  
J

|                     |      |       |                     |      |       |
|---------------------|------|-------|---------------------|------|-------|
| T06S R11E S10       | SE3W | 40.00 | T06S R11E S18       | NESE | 40.00 |
| T06S R11E S18       | NWSE | 40.00 | T06S R11E S18       | SWSE | 40.00 |
| T06S R11E S19 Lot 1 | NNW  | 39.00 | T06S R11E S19 Lot 2 | SWNW | 39.00 |
| T06S R11E S19 Lot 3 | NWSW | 39.00 |                     |      |       |

## 3948 ACRES TOTAL

This right is limited to the irrigation of 28 198 acres within the place of use described above in a single irrigation season.

~~Right Nos. 2-103, 2-2209B and 2-10300 are limited to the irrigation of 1068 acres within the place of use described above in a single irrigation season.~~

Other water rights have been decreed with a place of use within portions of the decreed place of use for this water right and water right 2-2209B. However, only water right nos. 2-103 and 2-2209B are currently beneficially used on the decreed place of use for this right and water right 2-2209B. No transfer or other administrative or judicial action affecting the place of use of any other water right shall affect the right to the use of water under this water right or water right no. 2-2209B at the above described place of use.

## 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.

~~The remainder of this right has been recommended as Right No. 2-10300.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

C.2.7  
MCL  
AB  
JP

## CERTIFICATE OF MAILING

I certify that on April 24, 2012, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid 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, IDAHO 83303-2707

VIA FAX &amp; MAIL

## Copies to:

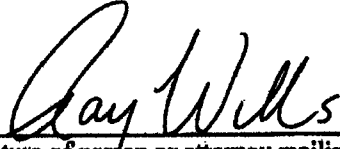
DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

COTTONWOOD MUTUAL CANAL CO  
Represented by:  
CHARLES L. HONSINGER  
455 S THIRD ST  
PO BOX 2773  
BOISE, ID 83701-2773

BLACK MESA FARMS LLC  
Represented by:  
MICHAEL C CREAMER  
601 W BANNOCK ST  
PO BOX 2720  
BOISE, ID 83701-2720

BRENDA BRYANT  
DON J BRYANT  
PO BOX 215  
GLENN'S FERRY, ID 83623

CHRISTINE W WOOTAN  
WESLEY R WOOTAN  
PO BOX 636  
GLENN'S FERRY, ID 83623

  
\_\_\_\_\_  
Signature of person or attorney mailing form