

DANIEL V. STEENSON (ISB #4332)
 CHARLES L. HONSINGER (ISB #5240)
 RINGERT LAW CHARTERED
 455 S. Third, P. O. Box 2773
 Boise, Idaho 83701-2773
 Telephone: (208) 342-4591
 Facsimile: (208) 342-4657

Attorneys for Cottonwood Canal Company

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 23 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
 Case No. 39576

SUBCASE NOS. 02-103 and 02-10300

STIPULATION

COMES NOW, Claimant/Objector Cottonwood Canal Company (hereinafter "Cottonwood"),
 by and through its counsel of record Ringert Law, Chartered, and Claimant/Objector Black Mesa
 Farms, LLC (hereinafter "Black Mesa"), by and through its counsel of record Givens Pursley, LLP,
 and stipulate to the following in the above captioned matters:

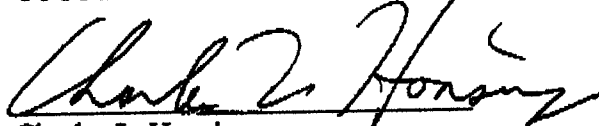
1. Cottonwood and Black Mesa shall each execute a Standard Form Five for claim no.
 02-103 that shall set forth the elements of such water right in substantially the same
 form as Exhibit "A" attached hereto.
2. Black Mesa shall withdraw and renounce all objections and claims of interest
 whatsoever to water right no. 02-10300 and will not pursue its pending motion for

permissive review of the Special Master's Order on Motions for Summary Judgment, provided that a partial decree for water right no. 02-103 is issued in substantially the same form as Exhibit "A" attached hereto.

3. To the extent applicable within the confines of paragraph 2 hereinabove, Black Mesa hereby agrees to execute a Standard Form Five for water right no. 02-10300 which shall result in the partial decree of water right no. 02-10300 to Cottonwood.
4. The parties hereto agree to execute such other documents as may be necessary to assure the partial decree of water right no. 02-103 to Black Mesa, and the partial decree of water right no. 02-10300 to Cottonwood.

Dated this 23rd day of April, 2012.

COTTONWOOD CANAL COMPANY



Charles L. Honsinger
RINGERT LAW, CHARTERED

Dated this 23rd day of April 2012

BLACK MESA FARMS, LLC



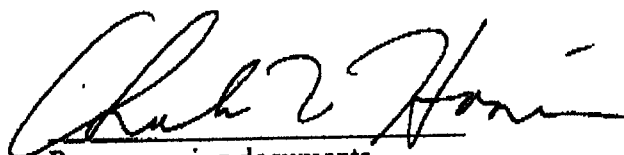
Michael C. Creamer
GIVENS PURSLEY, LLP

CERTIFICATE OF SERVICE

I certify that on the 23rd day of April, 2012, I served copies of this document, including all attachments by U.S. Mail and/or hand delivery upon the following:

Director
Idaho Department of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098

Mike Creamer
Michael Lawrence
Givens Pursley
P.O. Box 2720
Boise, ID 83701


Person serving documents

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
GLENNS FERRY ID 83623

BLACK MESA FARMS LLC
PO BOX 82
GLENNS FERRY ID 83623

WESLEY R WOOTAN
PO BOX 636
GLENNS FERRY ID 83623

DON J BRYANT
PO BOX 215
GLENNS FERRY ID 83623

BRENDA BRYANT
PO BOX 215
GLENNS 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, 2-1021, and all parts of base right 2-2200~~
~~including 2-2200E, 2-2200S, 2-2200SE, 2-10107, 2-10109, 2-10191,~~
~~2-10196, 2-10200, 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	3.96 CFS
<u>IRRIGATION in ELMORE COUNTY</u>				
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

EXHIBIT A

T06S R10E S12	NENW	40.00	T06S R10E S12	NWNW	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	NWNE	39.00
T06S R10E S13	SWNE	40.00	T06S R10E S13	SENE	40.00
T06S R10E S13	NENW	39.00	T06S R10E S13	NWNW	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	NWNE	40.00
T06S R10E S14	SWNE	40.00	T06S R10E S14	SENE	40.00
T06S R10E S14	NENW	40.00	T06S R10E S14	NWNW	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	NWNE	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	NWNE	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	NWNW	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	NWNW	40.00	T06S R11E S17	SWNW	40.00
T06S R11E S17	NWSW	40.00	T06S R11E S18	NENE	38.00
T06S R11E S18	NWNE	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	NWNW	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
T06S R11E S18	SESW	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	NWNW	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 2-10200 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. 2-10200.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use