

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

JUL 10 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 No.: 37-22064
(Formerly Disallowed)

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

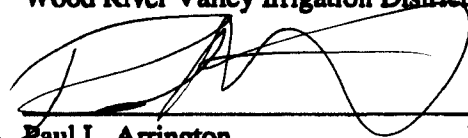
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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 initialling each of the attached pages.

CLAIMANT/OBJECTOR:

Wood River Valley Irrigation District #45


Paul L. Arrington
Attorney for Wood River Valley
Irrigation District #45

7/10/12
Date

RESPONDENT:

United States on behalf of the
Bureau of Land Management


David L. Negri
Attorney, U.S. Department of Justice
Environment and Natural Resources

7/10/12
Date

IDWR CONCURRENCE:



Steve Clelland
Sr. Water Resource Agent

6/29/12
Date

IDWR CONCURRENCE:



Christopher M. Bromley
Deputy Attorney General
Attorney for IDWR

7/2/12
Date

06/01/2012

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

RIGHT NUMBER: 37-22064

NAME AND ADDRESS: WOOD RIVER VALLEY IRRIGATION DIST #45
PO BOX 2223
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.600 CFS

The watermaster shall deliver this right into the Wood River Valley Irrigation Dist. 45 canal where it shall not be rediverted.

PRIORITY DATE: 07/10/1884

POINT OF DIVERSION:

T02N R18E S36 NESEWN Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MITIGATION	04/15 10/31	0.600 CFS
This right is limited to conveyance loss associated with delivery of water by the Wood River Valley Irrigation Dist. 45 through its canal and lateral system.		

PLACE OF USE:

Place of use for this right is limited to the canal and lateral system served by the Wood River Valley Irrigation Dist. 45 to the point at which its canal and lateral systems terminate.

Place of use does not include federal public lands.

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

This right is a split from former rights 37-113Q, 37-113(O) & 37-113R.

SCC
DN
CR
PLA

CERTIFICATE OF SERVICE

I certify that on July 10, 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

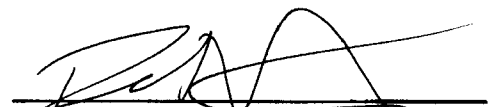
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

U.S. Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

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

Paul L. Arrington
Barker, Rosholt & Simpson, LLP
P.O. Box 485
Twin Falls, ID 83303

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



Signature of person or attorney mailing the form