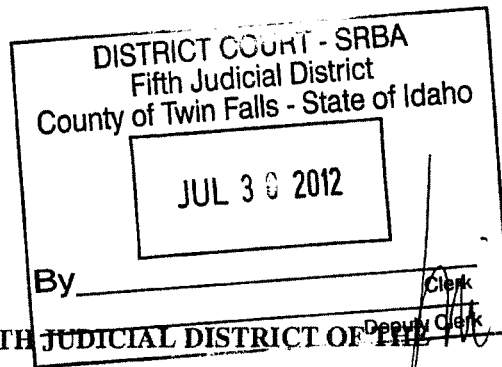




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

|                |   |                          |
|----------------|---|--------------------------|
| In Re SRBA     | ) | Subcase No.: 37-154B     |
|                | ) |                          |
| Case No. 39576 | ) |                          |
|                | ) | 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:

James P. Speck      7-20-12  
Date  
Attorney for South Gimlet Water Users  
Assn. Inc.

RESPONDENTS:

Craig D. Hobdey      7-23-12  
Date  
Attorney for Big Wood Canal Company

Albert P. Barker      7-24-12  
Date  
Attorney for Tom O'Gara, John F.  
Stevenson, Bill Molyneux, Pete Van Der  
Meulen, Grace Eakin, Rocky Sherbine,  
Gerald Bashaw, and Pepin Corso-Harris

IDWR CONCURRENCE:

Steve Clelland 7/19/12  
Steve Clelland Date  
Sr. Water Resource Agent

IDWR CONCURRENCE:

Andrea L. Courtney 7/26/12  
Andrea L. Courtney Date  
Deputy Attorney General  
Attorney for IDWR

07/19/2012

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

RIGHT NUMBER: 37-154B

NAME AND ADDRESS: SOUTH GIMLET WATER USERS ASSN INC  
PO BOX 2439  
KETCHUM ID 83346

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.440 CFS

PRIORITY DATE: 12/13/1987

POINT OF DIVERSION:

T03N R18E S06 NWNESE Within BLAINE County  
T03N R18E S06 SWNESE Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>                                   | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|---------------------------------------------------------|----------------------|-----------------|
| RECREATION                                              | 04/15 10/31          | 0.440 CFS       |
| Use of water under this right shall be non-consumptive. |                      |                 |

PLACE OF USE:

| <u>RECREATION in BLAINE County</u> |      |               |      |
|------------------------------------|------|---------------|------|
| T03N R18E S06                      | NESE | T03N R18E S06 | SESE |
| T03N R18E S07                      | NENE | T03N R18E S07 | SENE |

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

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.

A measuring device of a type acceptable to the Department shall be permanently installed and maintained at the points of diversion and at the point of discharge to the Big Wood River in T03N, R18E, S07, SENE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

### CERTIFICATE OF SERVICE

I certify that on July 27, 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

James P. Speck  
Speck & Aanestad, PC  
P.O. Box 987  
Ketchum, ID 83340

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

Craig D. Hobdey  
Hobdey & Hobdey  
P.O. Box 176  
Gooding, ID 83330

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

Albert P. Barker  
Barker, Rosholt & Simpson, LLP  
P.O. Box 2139  
Boise, ID 83701-2139

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



Signature of person or attorney mailing the form