

1260

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

SEP - 4 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)

Subcase No.: 37-13111

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:

Big Wood Canal Company

Craig D. Hobdey 7-11-12
 Craig D. Hobdey Date
 Attorney for Big Wood Canal Company

OBJECTOR:

United States on behalf of the
 Bureau of Land Management

David L. Negri 7/30/12
 David L. Negri Date
 Attorney, U.S. Department of Justice
 Environment and Natural Resources

IDWR CONCURRENCE:

Doug Jones 8/31/12
 Doug Jones Date
 Technical Engineer 1

IDWR CONCURRENCE:

Christopher M. Bromley 8/21/12
 Christopher M. Bromley Date
 Deputy Attorney General
 Attorney for IDWR

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

07/09/2012

RIGHT NUMBER: 37-13111

NAME AND ADDRESS:

BIG WOOD CANAL COMPANY
C/O LYNN HARMON MANAGER
409 N APPLE ST
SHOSHONE ID 83352

SOURCE:

Source:
LITTLE WOOD RIVER

Tributary:

MALAD RIVER

QUANTITY: 75.000 CFS

PRIORITY DATE: 12/24/1906

POINT OF DIVERSION:

~~T04S R19E S24 SENWSE~~
~~Within LINCOLN County~~

T04S R19E S25 NESWSE
Within LINCOLN County

T05S R14E S33 NWNESE Injection
Within GOODING County

T05S R14E S35 NESENE
Within GOODING County

T05S R16E S29 SWSSEW
Within LINCOLN County

~~T05S R16E S29 SWSSEW~~
~~Within LINCOLN County~~

T05S R19E S5 SNNWSE
Within LINCOLN County

T06S R14E S30 SENESW Rediversion
Within GOODING County

T06S R14E S30 NESESW Rediversion
Within GOODING County

T06S R15E S3 SNNW
Within GOODING County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

STOCKWATER

11/01 03/31

75.000 CFS

~~10/31 04/01~~

Stockwater use for shareholders of the Big Wood Canal Company during the non-irrigation season.

PLACE OF USE:

~~STOCKWATER within BLAINE County~~

Place of Use is within the area served by the Big Wood Canal Company as recorded in irrigation water rights 37-13043, 37-13112, 37-13113, 37-13114, 37-21401, 37-21402, 37-21403, 37-21404 and 37-21405.

Place of use does not include federal public lands unless authorized in writing by the managing federal agency.

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 - Beneficial Use

DN

CF
CR

CERTIFICATE OF SERVICE

I certify that on August 31, 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

Craig D. Hobdey
Hobdey Law Office PLLC
P.O. Box 176
Gooding, ID 83330

☐ 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

Jeri Harris
Signature of person or attorney mailing the form