

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.: 37-13115

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. Hobday 7-11-12
Craig D. Hobday 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 8/31/12
Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 37-13115

NAME AND ADDRESS:

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

SOURCE:

Source:

BIG WOOD RIVER

Tributary:

MALAD RIVER

QUANTITY:

20.000 CFS

0.000 AFY

PRIORITY DATE:

05/10/1909

POINT OF DIVERSION:

T02S R18E S10 SWSENE
Within BLAINE County

~~T02S R18E S10 SESENE~~
~~Within LINCOLN County~~

T03S R18E S9 SESENE
Within LINCOLN County

~~T03S R18E S10 NWNENE~~
~~Within LINCOLN County~~

T04S R18E S15 SWNWSE
Within LINCOLN County

T04S R19E S25 SENWSE Injection
Within LINCOLN County

T04S R19E S25 NESWSE Rediversion
Within LINCOLN County

T05S R14E S33 NWNENE
Within GOODING County

T05S R14E S35 NESENE Rediversion
Within GOODING County

T05S R15E S12 NESESW
Within LINCOLN County

T05S R16E S29 SWSESW Rediversion
Within LINCOLN County

T05S R19E S5 SWNWSE Rediversion
Within LINCOLN County

T06S R14E S30 SENESW Rediversion
Within GOODING County

T06S R14E S30 NESESW Rediversion
Within GOODING County

DN
JK
JF
CB

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

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
STOCKWATER	<u>11/01 03/31</u> <u>10/31 04/01</u>	20.000 CFS

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 37-867, 37-870, 37-894B, 37-895, 37-13116 and 37-20733.

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

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

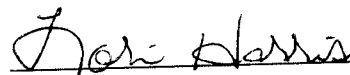
☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

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



Signature of person or attorney mailing the form