

15810

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC - 9 2013	
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.: 37-2628 (Formerly Disallowed) STANDARD FORM 5 STIPULATED ELEMENTS OF A WATER RIGHT
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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:

City of Ketchum

Bruce M. Smith

Attorney for City of Ketchum

12/5/13

Date

IDWR CONCURRENCE:

Nicholas B. Spencer

Deputy Attorney General
Attorney for IDWR

12-4-13

Date

Carter Fritschle *12-4-13*

Carter Fritschle
Adjudication Section Manager

Date

12/04/2013

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

RIGHT NUMBER: 37-2628

NAME AND ADDRESS: CITY OF KETCHUM
PO BOX 2315
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.440 CFS

Right Nos. 37-2628, 37-4413 and 37-4414 are limited to a total combined diversion rate of 4.90 cfs.

PRIORITY DATE: 12/10/1959

POINT OF
DIVERSION:

T04N R17E S12 SWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MUNICIPAL

01/01 12/31

0.440 CFS

PLACE OF USE:

Place of use is within the service area of the City of Ketchum municipal water supply system as provided for under Idaho Law.

Place of use does not include federal public lands.

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

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Ketchum Spring Water Supply Co. Well No. 1 located in T04N, R18E, S08, SWNW.

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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

CERTIFICATE OF SERVICE

I certify that on December 6, 2013, 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

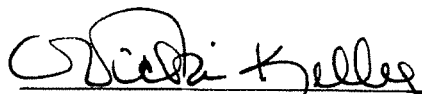
2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

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

Bruce M. Smith
Moore, Smith, Buxton & Turcke, Chtd.
950 W. Bannock Street, Suite 520
Boise, ID 83702

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



Signature of person or attorney mailing the form