

In Re SRBA
Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A WATER RIGHT

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(s)/OBJECTOR(s):

RLF I LLC, et al.

Robert L. Harris

Attorney for claimants/objectors

Date _____

IDWR Concurrence:

Ernest Carlsen 11-16-06
Ernest Carlsen Date
Water Resource Program Manager

Nicholas Spencer 11-16-06
Nicholas Spencer (as to form) Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on 11-16, 2006, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid 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, Idaho 83303-2707

Hand-delivered

2. Copies to:

Robert L Harris
1000 Riverwalk Dr, Suite 200
PO Box 50130
Idaho Falls, ID 83405

Hand-delivered

IDWR Repository
P.O. Box 83720
Boise, ID 83720

Becky Hawley
Signature of person mailing the form

01/12/2006

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

RIGHT NUMBER: 21-146

NAME AND ADDRESS: RLF I LLC RLF II LLC RLF III LLC RLF IV LLC
CO RICHARD D DIVINE
PO BOX 2601
CRESTED BUTTE CO 81224

RLF
EME
NBS

SOURCE: FALL RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 5.0 CFS 4.8 CFS

~~The rights listed below are limited to a total combined diversion rate of 8.44 cfs.~~

~~Combined Right Nos.: 21-93, 21-114, 21-145, 21-146, 21-12992~~

PRIORITY DATE: 05/10/1896

05/10/1895

POINT OF
DIVERSION:

~~T08N R42E S19 SWSEW Lot 6 Within FREMONT County~~
T08N R42E S20 SENWSW Lot 4 Within FREMONT County
~~T08N R42E S18 SWSW Lot 4 Within FREMONT County~~

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

5.0 CFS 4.8 CFS

PLACE OF USE:

IRRIGATION Within FREMONT County

T08N R42E S07 Lot 3 NWSW	13.00	T08N R42E S07 Lot 4 SWSW	28.00
T08N R42E S18 NWNE	6.90	~~T08N R42E S18 SWNE~~	~~13.00~~
T08N R42E S18 SWNE	36.0		
T08N R42E S18 SENE	5.00	~~T08N R42E S18 NENW~~	~~34.00~~
T08N R42E S18 NENW	36.0		
T08N R42E S18 Lot 1 NWNW	25.00	~~T08N R42E S18 Lot 2 SWNW~~	~~25.00~~
T08N R42E S18 Lot 2 SWNW	27.0		
T08N R42E S18 SENW	40.0		
~~T08N R42E S18 SENW~~	~~11.00~~	~~T08N R42E S18 NESW~~	~~35.00~~
T08N R42E S18 NESW	39.0		
T08N R42E S18 Lot 3 NWSW	20.00	T08N R42E S18 Lot 4 SWSW	13.00
T08N R42E S18 Lot 6 SESW	38.00	T08N R42E S18 NESE	17.00
~~T08N R42E S18 NWSE~~	~~23.00~~	T08N R42E S18 NWSE	39.0
T08N R42E S18 SWSE	40.00		
T08N R42E S18 SESE	32.00	T08N R42E S19 Lot 8 NWNE	25.00
T08N R42E S19 Lot 7 SWNE	3.90	T08N R42E S19 Lot 9 NENW	14.00

STOCKWATER same as IRRIGATION

497.8 ACRES TOTAL ~~421.8 ACRES TOTAL~~

This right is limited to the irrigation of 134.7 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of ~~421.8~~ 497.8 acres in a single irrigation season. Combined Right Nos.: 21-93, 21-13013, 21-145, 21-146, 21-12992

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.

This includes an accomplished change in point of diversion pursuant to Idaho Code 42-1425.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through the Silkey Canal