

**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. 21-11241
	)	
Case 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: *Lawrence J. Ybarrondo*
Lawrence J Ybarrondo *8 NOV. 06*

OBJECTOR:
USDA Forest Service

Edward W Pike *11/3/06*
Edward W Pike Date
Attorney for Lawrence J Ybarrondo

David L. Negri *11/16/06*
David L. Negri Date
Attorney for the United States

IDWR Concurrence:

Ernie Carlsen *11-16-06*
Ernie Carlsen Date

Nick Spencer *11-16-06*
Nick Spencer Date
Deputy Attorney General

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

RIGHT NUMBER: 21-11241

NAME AND ADDRESS: LAWRENCE J YBARRONDO
PO BOX 3399
JACKSON WY 83001

SOURCE: Source: UNNAMED STREAM

Tributary: PORCUPINE CREEK

QUANTITY: 0.580 CFS

PRIORITY DATE: 04/01/1935

POINT OF DIVERSION: T09N R45E S30 Lot 6 NWNW Within FREMONT County
~~T09N R45E S30 NWNW Within FREMONT County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use
IRRIGATION

Period of use:
04/01 10/31

Quantity:
0.580 CFS

RECREATION STORAGE

RECREATION

PLACE OF USE:

IRRIGATION within FREMONT County

T09N R44E S24 SESE 3.1

T09N R44E S25 NENE 13.0

T09N R45E S30 Lot 5 NWNW 9.1

~~T09N R45E S30 Lot 6 NWNW 9.1~~

RECREATION Same As IRRIGATION

25.2 ACRES TOTAL

Right Nos. 21-11241 and 21-11248 are limited to the irrigation of a combined total of 25.2 acres in a single irrigation season.

This right is limited to the irrigation of 25.2 acres within the place of use described above in a single irrigation season.

~~This right is limited to the irrigation of 25.2 acres within the place of use described above in a single irrigation season.~~

~~Right Nos. 21-11241 and 21-11248 are limited to the irrigation of a combined total of 25.2 acres in a single irrigation season.~~

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

Amended Director's Report: 21-11241

[Handwritten signature]

CERTIFICATE OF MAILING

I certify that on November 16, 2006, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

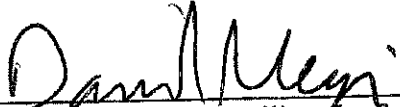
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Lawrence J Ybarrondo
C/O Edward Pike
PO Box 2949
Idaho Falls, ID 83403-2949

IDWR Document Depository
P O Box 83720
Boise, ID 83720-0098

US Department of Justice
Environment and Natural Resources Section
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person mailing the form