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DEPARTMENT OF
LAND

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. 63-31300
	)	
Case 39576	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

2006 DEC 20 PM 3:00
FILED
TWIN FALLS CO. IDAHO
DEPT. OF LAND

This form is used to report the stipulated elements of one water right acquired under state law and/or a 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(s):

LILA M RENK IRREVOCABLE
LIVING TRUST

RICHARD C RENK IRREVOCABLE
LIVING TRUST

Eric B. Renk 12/5/06
Authorized representative Date

Eric B. Renk 12/5/06
Authorized representative Date

OBJECTOR:

EDWARDS FAMILY LLC

Garnette Mendenhall 12/6/06
Authorized representative Date

Daniel Hapstetter 12/6/06
Attorney for Edwards Family LLC Date

IDWR Concurrence:

Wick Unisic 12/10/06
Water Resource Agent Date

Wick Spencer 12-13-06
FOR Susan Hamlin Nygard Date
Deputy Attorney General

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

RIGHT NUMBER: 63-31300

NAME & ADDRESS: LILA M RENK IRREVOCABLE LIVING TRUST
C/O BENJAMIN B RENK TRUSTEE
9110 CHELAN
BOISE ID 83714

RICHARD C RENK IRREVOCABLE LIVING TRUST
C/O BENJAMIN B RENK TRUSTEE
9110 CHELAN
BOISE ID 83714

SOURCE: GROUND WATER

TRIBUTARY:

This water right does not authorize the diversion of a low temperature geothermal resource or other geothermal resource.

QUANTITY: 0.050 CFS
11.25 AFY

PRIORITY DATE: 09/18/1951

POINT OF
DIVERSION: T04N R02E S28 NWSW Within ADA County

PURPOSE AND PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	03/01 11/15	0.050 CFS 11.25 AFY

PLACE OF USE: IRRIGATION Within ADA County
T04N R02E S28 NWSW 2.50
2.5 ACRES TOTAL

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 – License
PARCELNO. S0628325711

Right No. 63-31299 is also diverted through point of diversion described above.

This right is split from former right 63-2884

CERTIFICATE OF MAILING

I certify that on December 19, 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

2. Copies to:

Michael R. Jones
Michael R. Jones PLLC
508 North 13th Street
Boise, ID 83702

Dana Hofstetter
Hofstetter Law Office, LLC
608 West Franklin Street
Boise, ID 83702

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



Signature of person mailing form