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DEPARTMENT OF
WATER RESOURCES

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. 22-12900

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.

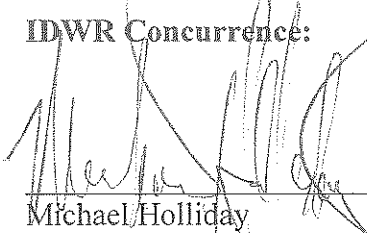
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

Layne Harris

Robert L. Harris 11-7-07
Robert L. Harris Date
Attorney for Objector

IDWR Concurrence:



Michael Holliday
Senior Water Resource Agent



Date

11/5/2007



Garrick L. Baxter
Deputy Attorney General
Attorney for IDWR

Date

10/30/07

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

RIGHT NUMBER: 22-12900
NAME AND ADDRESS: LAYNE HARRIS
PO BOX 63
NEWDALE ID 83436

MWA Fee AB

SOURCE: GROUND WATER
QUANTITY: 0.640 CFS
259.00 AFY

TRIBUTARY:

Right Nos. 22-2200 and 22-12900 are limited to a total combined diversion rate of 2.7 cfs and to a total combined annual diversion volume of 854 AF.

PRIORITY DATE: 05/01/1965

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF
DIVERSION:

T06N R41E S3 SWSENE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.640 CFS 259.00 AFY

PLACE OF USE: IRRIGATION in MADISON County

T06N R41E S03 Lot 1 NENE	28.00	T06N R41E S03 Lot 2 NWNE	2.00
T06N R41E S03 SWNE	24.00	T06N R41E S03 SENE	39.00
T06N R41E S03 NESE	38.00	~~T06N R41E S03 NWSE~~	~~39.00~~
~~T06N R41E S03 SWSE~~	~~37.00~~	T06N R41E S03 SESE	37.00
~~T06N R41E S03 SWSE~~	~~38.00~~	~~T06N R41E S03 NWSE~~	~~38.00~~

244 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 244 acres in a single irrigation season. Combined Right Nos.: 22-2200 and 22-12900.

This right is limited to the irrigation of 74 acres within the place of use described above in a single irrigation season.

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

This right is based upon an enlargement of Right No. 22-2200 pursuant to Section 42-1426, Idaho Code.

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

This right is for an enlargement of 74 acres within the place of use described for this right.

Right No. 22-2200 is also diverted through point of diversion described above.

CERTIFICATE OF MAILING

I certify that on November 15, 2007, 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:

LAYNE HARRIS
Represented by:
ROBERT L HARRIS
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

LAYNE HARRIS
PO BOX 63
NEWDALE, ID 83436



Signature of person or attorney mailing the form