

RECEIVED
DEC 03 2007
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: 74-393
) SPLIT INTO 74-15818 & 74-15819
)
) STANDARD FORM 5
)
 Case No. 39576)
)
) STIPULATED ELEMENTS OF A WATER
) RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in 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.

To resolve the objection, the whole of water right 74-393 was split into two water rights and renumbered as 74-15818 and 74-15819. The parties and IDWR agree and stipulate that water right 74-393 should be disallowed. Water rights 74-15818 and 74-15819 now supersede right 74-393. The parties and IDWR have further indicated their concurrence to these renumbered water rights by signing below and initialing the attached pages.

CLAIMANTS:

Y LIVESTOCK RANCH

Garrett Elsworth 11/26/07
Date

OBJECTOR:

State of Idaho - Department of Lands

David J. Barber 11/29/2007
Date
Deputy Attorney General
State of Idaho - Department of Lands

IDWR CONCURRENCE:

Nathaniel Arave 11/20/07
Date
Nathaniel Arave
Water Resource Agent

C. M. Bromley 11/20/07
Date
Christopher M. Bromley
Deputy Attorney General
Attorney for IDWR

11/20/2007

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
74-393	Y LIVESTOCK RANCH PO BOX 5023 TWIN FALLS ID 83303-5023	Parent split into 74-15818 and 74-15819	

CR
NLA
DE
2/13

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

RIGHT NUMBER: 74-15818

NAME AND ADDRESS: Y LIVESTOCK RANCH
PO BOX 5023
TWIN FALLS ID 83303-5023

SOURCE: SPRINGS

TRIBUTARY:

QUANTITY: 1.468 CFS

PRIORITY DATE: 04/01/1914

POINT OF
DIVERSION: 116N R25E S21 SWNE Within LEMHI County
116N R25E S21 NWNW Within LEMHI County

CB AE
NLA
DJB

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
1.468 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

116N R25E S16

NENE

31.00

116N R25E S16

NWNE

38.00

69 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 - Decreed

This right is a split from former right 74-393.

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

RIGHT NUMBER: 74-15819

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF LANDS
300 N 6TH ST
PO BOX 83720
BOISE ID 83720-0050

Y LIVESTOCK RANCH
PO BOX 5023
TWIN FALLS ID 83303-5023

SOURCE: SPRINGS

TRIBUTARY:

QUANTITY: 0.532 CFS

PRIORITY DATE: 04/01/1914

POINT OF
DIVERSION: 116N R25E S21 SWNE Within LEMHI County
116N R25E S21 NWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.532 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

116N R25E S16	SWNE	12.40	116N R25E S16	SENE	13.00
25.4 ACRES TOTAL					

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

The ownership of water right no. 74-15819 is governed by a private agreement executed by the Idaho Department of Lands and Y Livestock Ranch.

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 - Decreed

This right is a split from former right 74-393

CERTIFICATE OF MAILING

I certify that on November 29, 2007, I mailed the original and the 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 DELIVERY

2. Copies to:

Y Livestock Ranch
c/o Mr. Ray Rigby
RIGBY, THATCHER, ANDRUS,
RIGBY & MOELLER
PO BOX 250
Rexburg, ID 833440

U.S. MAIL

Office of the Attorney General
Natural Resource Division
Idaho Department of Lands
P.O. Box 83720
Boise, ID 83720-0050
Attn: David J. Barber

~~U.S. MAIL~~

Not Applicable

State of Idaho
Eastern Idaho Supervisory Area
Department of Lands
3563 Ririe Highway
Idaho Falls, ID 83401

U.S. MAIL

State of Idaho
Department of Lands
300 N. 6th St., Ste. 103
PO Box 83720
Boise, ID 83720-0050

~~U.S. MAIL~~

Statehouse Mail

IDWR Depository
PO Box 83720
Boise, ID 83720

~~U.S. MAIL~~ *Statehouse Mail*


Signature of person mailing the form